

City of Lake Stevens Vision Statement



By 2030, we are a sustainable community around the lake with a vibrant economy, unsurpassed infrastructure and exceptional quality of life.

CITY COUNCIL REGULAR MEETING AGENDA
Lake Stevens School District Educational Service Center (Admin. Bldg.)
12309 22nd Street NE, Lake Stevens
Tuesday, November 12, 2013 - 7:00 p.m.

NOTE: **WORKSHOP ON VOUCHERS AT 6:45 P.M.**

CALL TO ORDER: 7:00 p.m.
Pledge of Allegiance

ROLL CALL:

GUEST BUSINESS:

CONSENT AGENDA:

*A.	Approve November vouchers.	Barb
*B.	Approve Council regular meeting minutes of October 28, 2013.	Norma
*C.	Approve Amendment #1 to the Janitorial Services agreement with Advantage Building Services, extending the agreement for an additional year.	Mick

PUBLIC HEARING:

PUBLIC HEARING FORMAT:

1. Open Public Hearing
2. Staff presentation
3. Council's questions of staff
4. Proponent's comments
5. Comments from the audience
6. Close public comments portion of hearing
7. Discussion by City Council
8. Re-open the public comment portion of the hearing for additional comments (optional)
9. Close Hearing
10. COUNCIL ACTION:
 - a. Approve
 - b. Deny
 - c. Continue

*A. Public Hearing in consideration of first reading of Ordinance No. 904, proposed 2014 Budget and property tax levy certification. Barb

Lake Stevens City Council Regular Meeting Agenda

November 12, 2013

- ACTION ITEMS:**
- *A. First and final reading of Ordinance No. 906, setting property tax levy and collection for 2014. Barb
 - *B. Adopt Resolution No. 2013-14, Comprehensive Emergency Management Plan (CEMP). Dan
 - *C. Approve 2014 pavement overlay commitment to the 20th Street SE sewer interceptor project. Mick

- DISCUSSION ITEMS:**
- *A. Briefing on the Comprehensive Plan docket and housekeeping ordinances. Karen
 - *B. Recreational marijuana regulations briefing. Karen
 - *C. Ordinance No. 905, 2013 Budget Amendment. Barb

COUNCIL PERSON'S BUSINESS:

MAYOR'S BUSINESS:

STAFF REPORTS:

INFORMATION ITEMS:

EXECUTIVE SESSION:

ADJOURN:

* ITEMS ATTACHED	** ITEMS PREVIOUSLY DISTRIBUTED	# ITEMS TO BE DISTRIBUTED
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THE PUBLIC IS INVITED TO ATTEND

Special Needs

The City of Lake Stevens strives to provide accessible opportunities for individuals with disabilities. Please contact Steve Edin, City of Lake Stevens ADA Coordinator, (425) 377-3227, at least five business days prior to any City meeting or event if any accommodations are needed. For TDD users, please use the state's toll-free relay service, (800) 833-6384, and ask the operator to dial the City of Lake Stevens City Hall number.

NOTICE:

All proceedings of this meeting are audio recorded, except Executive Sessions

**BLANKET VOUCHER APPROVAL
 2013**

We, the undersigned Council members of the City of Lake Stevens, Snohomish County, Washington, do hereby certify that the merchandise or services hereinafter specified have been received and that the following vouchers have been approved for payment:

Payroll Direct Deposits	907874-907936	\$113,884.90
Payroll Checks	35910	\$2,435.93
Electronic Funds Transfers	657-662	\$139,083.42
Claims	35911-35972	\$655,905.60
Void Checks	35864	(\$85.71)
Tax Deposit(s)	11/1/2013	\$44,223.40
Total Vouchers Approved:		\$955,447.54

This 12th day of November 2013:

 Mayor

 Councilmember

 Finance Director

 Councilmember

 Councilmember

 Councilmember



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Direct Deposit Register

07-Nov-2013

Wells Fargo - AP

Lake Stevens

Direct Deposits to Accounts

01-Nov-2013	<u>Vendor</u>	<u>Source</u>	<u>Amount</u>	<u>Draft#</u>	<u>Bank Name</u>	<u>Transit</u>	<u>Account</u>
101	Assoc. Of Washington Cities	C	\$79,699.62	657	Wells Fargo	121000248	4159656917
9407	Department of Retirement (Pers	C	\$51,352.77	658	Wells Fargo	121000248	4159656917
9408	NATIONWIDE RETIREMENT SOL	C	\$1,323.25	659	Wells Fargo	121000248	4159656917
1418	Standard Insurance Company	C	\$4,783.92	660	Wells Fargo	121000248	4159656917
9405	Wash State Support Registry	C	\$402.46	661	Wells Fargo	121000248	4159656917
Total:			\$137,562.02		Count:	5.00	

Direct Deposit Summary

<i>Type</i>	<i>Count</i>	<i>Total</i>
C	5	\$137,562.02

Pre-Note Transactions

Direct Deposit Register

07-Nov-2013

Wells Fargo - AP

Lake Stevens

Direct Deposits to Accounts

01-Nov-2013	<u>Vendor</u>	<u>Source</u>	<u>Amount</u>	<u>Draft#</u>	<u>Bank Name</u>	<u>Transit</u>	<u>Account</u>
12112	AFLAC	C	\$1,521.40	662	Wells Fargo	121000248	4159656917
Total:			\$1,521.40	Count:		1.00	

Direct Deposit Summary

<i>Type</i>	<i>Count</i>	<i>Total</i>
C	1	\$1,521.40

Pre-Note Transactions

Detail Check Register

06-Nov-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
35911	06-Nov-13	13824	Wash Teamsters Welfare Trust		\$1,308.60
11/01/13		Insurance Premiums		\$1,308.60	\$0.00
001010576802000		Parks - Benefits		\$58.16	
101016542002000		Street Fund - Benefits		\$625.22	
410016542402000		Storm Water - Benefits		\$625.22	
Total Of Checks:					\$1,308.60

Detail Check Register

07-Nov-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
35912	12-Nov-13	1579	ACE HARDWARE		\$497.12
39945			Liquid Tite couplers	\$58.51	\$0.00
			101016542640000 Street Fund - Traffic Control	\$58.51	
39952			Moss out spray	\$42.32	\$0.00
			001012572503100 Library - Office And Operating	\$42.32	
39959			Turtle car wax	\$17.35	\$0.00
			001008521003104 Law Enforcement-Operating Cost	\$17.35	
39960			Electrical supplies & lights -Library	\$101.46	\$0.00
			001012572503100 Library - Office And Operating	\$101.46	
39963			Drill/driver	\$162.89	\$0.00
			001008521003104 Law Enforcement-Operating Cost	\$162.89	
39965			Electrical supplies	\$48.44	\$0.00
			001012572503100 Library - Office And Operating	\$48.44	
39992			Electrical supplies	\$45.54	\$0.00
			001012572503100 Library - Office And Operating	\$45.54	
40015			Toilet handle/light bulbs	\$20.61	\$0.00
			001008521003104 Law Enforcement-Operating Cost	\$20.61	
35913	12-Nov-13	1579	ACE HARDWARE		\$10.71
39946			Wood trim-bridge railing	\$2.91	\$0.00
			001013519903100 General Government - Operating	\$2.91	
39968			Toggle bolts	\$4.55	\$0.00
			001008521003104 Law Enforcement-Operating Cost	\$4.55	
39987			Caulk library window	\$3.25	\$0.00
			001012572503100 Library - Office And Operating	\$3.25	
35914	12-Nov-13	12921	ADVANTAGE BUILDING SERVICES		\$794.20
13-0573			Janitorial Services	\$794.20	\$0.00

Detail Check Register

07-Nov-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
001007558004100			Planning - Professional Servic	\$27.31	
001007559004100			Building Department - Professi	\$27.31	
001008521004100			Law Enforcement - Professional	\$427.50	
001010576804100			Parks - Professional Services	\$18.20	
001013519904100			General Government - Professio	\$148.20	
001013555504100			Community Center - Cleaning	\$109.25	
101016542004100			Street Fund - Professional Ser	\$18.21	
410016542404101			Storm Water - Professional Ser	\$18.22	
35915	12-Nov-13	12949	ALPINE FIRE & SAFETY SYS INC		\$60.59
588973			First aid supplies	\$60.59	\$0.00
001008521003104			Law Enforcement-Operating Cost	\$60.59	
35916	12-Nov-13	174	Bills Blueprint		\$97.79
477704			Printing - East Everett	\$97.79	\$0.00
001007558004902			Planning - Printing and Bindin	\$97.79	
35917	12-Nov-13	215	Campbells Resort		\$323.58
1171			Smith/Michaelson LEIRA training ho	\$323.58	\$0.00
001008521004300			Law Enforce - Travel & Mtgs	\$323.58	
35918	12-Nov-13	11952	Carquest Auto Parts Store		\$128.12
2421-196867			Oil and filters	\$92.10	\$0.00
101016542004102			Street Fund-Sweeping	\$92.10	
2421-197217			Micro V Belt	\$36.02	\$0.00
410016542403102			Storm Water - Operating Costs	\$36.02	
35919	12-Nov-13	13793	Cashmere Valley Bank		\$47,456.09
11/13 133357			2010 Series A Bond Pmt	\$37,082.09	\$0.00
212000591007100			2010 Bond Principal Payment	\$31,274.93	
212000592008300			2010 Bond Interest Payment	\$5,807.16	
11/13 133358			2010 Series B Bond Pmt	\$10,374.00	\$0.00
212000592008300			2010 Bond Interest Payment	\$10,374.00	
35920	12-Nov-13	274	City of Everett		\$210.00
113002698			Lab analysis	\$210.00	\$0.00
410016542404101			Storm Water - Professional Ser	\$210.00	
35921	12-Nov-13	276	City Of Lake Stevens		\$6,786.44
13-0573			Retainage-Advantage	\$41.80	\$0.00

Detail Check Register

07-Nov-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
001007558004100			Planning - Professional Servic	\$1.44	
001007559004100			Building Department - Professi	\$1.44	
001008521004100			Law Enforcement - Professional	\$22.50	
001010576804100			Parks - Professional Services	\$0.96	
001013519904100			General Government - Professio	\$7.80	
001013555504100			Community Center - Cleaning	\$5.75	
101016542004100			Street Fund - Professional Ser	\$0.96	
410016542404101			Storm Water - Professional Ser	\$0.95	
Pay Est 1			Retainage-Trinity Construction	\$6,744.64	\$0.00
309016595616301			Sidewalk Construction	\$6,744.64	
35922	12-Nov-13	13030	COMCAST		\$93.70
10/13 0810218			Internet - Lakeshore Dr	\$93.70	\$0.00
001008521004200			Law Enforcement - Communicatio	\$93.70	
35923	12-Nov-13	13841	Comcast		\$75.71
10/13 0692756			Internet - Market PI	\$75.71	\$0.00
001008521004200			Law Enforcement - Communicatio	\$75.71	
35924	12-Nov-13	91	Corporate Office Supply		\$1,627.80
143674			Electric stapler	\$93.34	\$0.00
001008521003100			Law Enforcement - Office Suppl	\$93.34	
144427i			toner	\$474.41	\$0.00
001008521003100			Law Enforcement - Office Suppl	\$474.41	
144428i			office supplies	\$310.69	\$0.00
001008521003100			Law Enforcement - Office Suppl	\$310.69	
144486i			Office supplies	\$454.41	\$0.00
001007558003100			Planning - Office Supplies	\$454.41	
144502i			Office supplies	\$216.69	\$0.00
101016542003101			Street Fund Office Supplies	\$216.69	
144508i			Office supplies	\$34.87	\$0.00
101016542003101			Street Fund Office Supplies	\$34.87	
144509i			Office supplies	\$71.57	\$0.00
001007558003100			Planning - Office Supplies	\$71.57	

Detail Check Register

07-Nov-13

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Check No	Check Date	VendorNo	Vendor		Check Amount
144676			Paper return	(\$28.18)	\$0.00 (\$28.18)
101016542003101			Street Fund Office Supplies	(\$19.73)	
410016542403101			Storm Water - Office Supplies	(\$8.45)	
35925	12-Nov-13	91	Corporate Office Supply		\$21.69
40041			Light repair - Museum	\$21.69	\$0.00 \$21.69
001010575304901			Historical Museum	\$21.69	
35926	12-Nov-13	13545	DataQuest LLC		\$113.00
CILKSTEVENS-201310			Background investigations	\$113.00	\$0.00 \$113.00
001003516104100			Human Resources-Professional S	\$113.00	
35927	12-Nov-13	13582	Deborah Smith		\$45.38
11/01/2013			Wellness supplies	\$45.38	\$0.00 \$45.38
001003517400000			Admin. Wellness program	\$45.38	
35928	12-Nov-13	12369	DELL MARKETING L.P.		\$1,185.39
XJ8573J71			Replacement PC - Finance Director	\$1,185.39	\$0.00 \$1,185.39
510013519606400			Purchase Computer Equipment	\$1,185.39	
35929	12-Nov-13	418	Department Of Labor and Indust		\$236.50
238196			Boiler Certification - Lundeen	\$172.00	\$0.00 \$172.00
001010576803103			Parks-Lundeen-Operating Costs	\$172.00	
238254			Boiler Certification - city shop	\$64.50	\$0.00 \$64.50
101016542003102			Street Fund Operating Costs	\$45.15	
410016542403102			Storm Water - Operating Costs	\$19.35	
35930	12-Nov-13	456	Dunlap Industrial Hardware		\$21.84
1308558-01			Threaded pipe	\$21.84	\$0.00 \$21.84
101016542640000			Street Fund - Traffic Control	\$21.84	
35931	12-Nov-13	505	Everett Stamp Works		\$11.89
10697			Nameplate - Kelly	\$11.89	\$0.00 \$11.89
001007558604900			Planning Commission - Miscella	\$11.89	
35932	12-Nov-13	13468	Feldman & Lee		\$6,982.50
10/2013			Public Defender services	\$6,982.50	\$0.00 \$6,982.50
001013512500001			Municipal Court Fees	\$6,982.50	
35933	12-Nov-13	605	Glass By Lund, Inc.		\$38.01
48791			tempered glass for library door	\$38.01	\$0.00 \$38.01

Detail Check Register

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Check No	Check Date	VendorNo	Vendor			Check Amount
001012572503100			Library - Office And Operating			\$38.01
35934	12-Nov-13	12393	GLENS RENTAL SALES & SERVICE			\$181.74
4545			filters/files	\$84.00	\$0.00	\$84.00
101016542003102			Street Fund Operating Costs	\$84.00		
S4672			Parts for chain saw repairs	\$97.74	\$0.00	\$97.74
101016542003102			Street Fund Operating Costs	\$68.42		
410016542403102			Storm Water - Operating Costs	\$29.32		
35935	12-Nov-13	13010	Grainger			\$513.68
9259046606			Carb cleaner and oil dispenser	\$96.23	\$0.00	\$96.23
101016542003102			Street Fund Operating Costs	\$67.36		
410016542403102			Storm Water - Operating Costs	\$28.87		
9265144411			ADA window - library	\$77.85	\$0.00	\$77.85
001012572503100			Library - Office And Operating	\$77.85		
9273945296			Key tags	\$58.41	\$0.00	\$58.41
101016542003102			Street Fund Operating Costs	\$40.89		
410016542403102			Storm Water - Operating Costs	\$17.52		
9274372102			Degreaser and bleach	\$42.81	\$0.00	\$42.81
001012572503100			Library - Office And Operating	\$42.81		
9275704634			Car wax	\$41.00	\$0.00	\$41.00
101016542003102			Street Fund Operating Costs	\$41.00		
9276339315			Light fixtures	\$68.44	\$0.00	\$68.44
001003518104800			IT Dept-Repair & Maint	\$68.44		
9276339323			Battery pack	\$91.15	\$0.00	\$91.15
101016542003102			Street Fund Operating Costs	\$63.80		
410016542403102			Storm Water - Operating Costs	\$27.35		
9280479032			Light bulbs	\$37.79	\$0.00	\$37.79
001013519903100			General Government - Operating	\$37.79		
35936	12-Nov-13	13010	Grainger			\$111.80
9275501337			Car wash detergent	\$7.72	\$0.00	\$7.72
410016542403102			Storm Water - Operating Costs	\$7.72		
9276595130			Light bulbs	\$35.64	\$0.00	\$35.64

Detail Check Register

07-Nov-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
001012572503100			Library - Office And Operating	\$35.64	
9277728060			Light fixture	\$34.22	\$0.00 \$34.22
001003518104800			IT Dept-Repair & Maint	\$34.22	
9277923109			Light fixture	\$34.22	\$0.00 \$34.22
001012572503100			Library - Office And Operating	\$34.22	
35937	12-Nov-13	13232	Integra Telecom, Inc		\$916.34
11368161			Telephone service	\$916.34	\$0.00 \$916.34
001003513104200			Administration-Communications	\$13.47	
001003514104200			City Clerks-Communications	\$26.94	
001003516104200			Human Resources-Communications	\$13.47	
001003518104200			IT Dept-Communications	\$40.41	
001004514234200			Finance - Communications	\$26.94	
001007558004200			Planning - Communication	\$87.60	
001007559004200			Building Department - Communci	\$13.47	
001008521004200			Law Enforcement - Communicatio	\$458.17	
001010575304200			Historical - Communications	\$13.47	
001013519904200			General Government - Communica	\$53.88	
001013555504200			Community Center-Communication	\$13.47	
101016542004200			Street Fund - Communications	\$77.52	
410016542404200			Storm Water - Communications	\$77.53	
35938	12-Nov-13	12648	IRON MOUNTAIN QUARRY LLC		\$336.03
0221311			30 tons of 1 man rock for emergenc	\$336.03	\$0.00 \$336.03
101016542003102			Street Fund Operating Costs	\$336.03	
35939	12-Nov-13	13130	J & J Polygraph Service, LLC		\$350.00
1173			New Officer/Lateral Hires (Sanchez/	\$350.00	\$0.00 \$350.00
001008521004100			Law Enforcement - Professional	\$350.00	
35940	12-Nov-13	13327	Jennifer Anderson		\$416.66
Oct 2013			Dep Care Reimb	\$416.66	\$0.00 \$416.66
001000281000000			Payroll Liabilities	\$416.66	
35941	12-Nov-13	13863	Johns Cleaning Service		\$264.11
1226			Uniform cleaning	\$264.11	\$0.00 \$264.11
001008521002600			Law Enforcment Clothing	\$264.11	
35942	12-Nov-13	13885	Lake Industries LLC		\$30.00
27513			dump fees for debris from storm ditc	\$30.00	\$0.00 \$30.00

Detail Check Register

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Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
410016531503104		DOE-G1100060	SW Capacity Exp	\$30.00	
35943	12-Nov-13	12751	LAKE STEVENS POLICE GUILD		\$1,107.00
11/01/2013			Union Dues	\$1,107.00	\$0.00
001000281000000			Payroll Liabilities	\$1,107.00	
35944	12-Nov-13	9340	Lake Stevens School District		\$7,222.52
783			Fuel	\$1,671.87	\$0.00
001003518103200			IT - Fuel	\$55.09	
001007559003200			Building Department - Fuel	\$98.56	
001010576803200			Parks - Fuel Costs	\$34.84	
101016542003200			Street Fund - Fuel	\$1,108.07	
410016542403200			Storm Water - Fuel	\$375.31	
784			Fuel	\$5,550.65	\$0.00
001008521003200			Law Enforcement - Fuel	\$5,550.65	
35945	12-Nov-13	12841	Law Offices of Weed, Graafstra		\$10,052.57
118			Legal services	\$10,052.57	\$0.00
001005515204100			Legal - Professional Service	\$10,052.57	
35946	12-Nov-13	13622	Monte L Ervin		\$14.69
10/30/13			Refund jury service mileage	\$14.69	\$0.00
410016542404300			Storm Water - Travel & Mtgs	\$14.69	
35947	12-Nov-13	1091	Office Of The State Treasurer		\$11,653.83
10/2013			Oct 2013 State Court Fees	\$11,653.83	\$0.00
633008559005100			Building Department - State Bl	\$54.00	
633008589000003			Public Safety And Ed. (1986 As	\$5,794.70	
633008589000004			Public Safety And Education	\$3,278.12	
633008589000005			Judicial Information System-Ci	\$1,066.39	
633008589000008			Trauma Care	\$402.36	
633008589000009			school zone safety	\$15.51	
633008589000010			Public Safety Ed #3	\$199.73	
633008589000011			Auto Theft Prevention	\$553.65	
633008589000012			HWY Safety Act	\$51.37	
633008589000013			Death Inv Acct	\$35.69	
633008589000014			WSP Highway Acct	\$202.31	
35948	12-Nov-13	14060	Outcomes by Levy LLC		\$5,114.65
10/2013			Leg/Regulatory Consulting Oct 2013	\$5,114.65	\$0.00
001013511204102			Advisory Srv - Lobbying	\$5,114.65	

Detail Check Register

07-Nov-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
35949	12-Nov-13	1134	Pitney Bowes Inc.		\$127.40
348400		Supplies		\$62.65	\$0.00
		001013519903100	General Government - Operating	\$62.65	
361013		Postage machine supplies		\$64.75	\$0.00
		001013519903100	General Government - Operating	\$64.75	
35950	12-Nov-13	12520	PUBLIC SAFETY TESTING		\$4,044.13
PSTI2013-31		Background investigation		\$4,044.13	\$0.00
		001008521004100	Law Enforcement - Professional	\$4,044.13	
35951	12-Nov-13	1181	Puget Sound Regional Council		\$8,271.00
2014041		Membership 7/2013 - 6/2014		\$8,271.00	\$0.00
		001013519900000	General Government - P.S.R.C.	\$8,271.00	
35952	12-Nov-13	13304	Purchase Power		\$350.00
10/2013		Postage		\$350.00	\$0.00
		001007558004200	Planning - Communication	\$65.41	
		001013519904200	General Government - Communica	\$256.84	
		101016542004200	Street Fund - Communications	\$13.88	
		410016542404200	Storm Water - Communications	\$13.87	
35953	12-Nov-13	13976	Russel Wright		\$11.00
11/01/2013		Copies		\$11.00	\$0.00
		001007558003200	Planning-Operating Costs	\$11.00	
35954	12-Nov-13	13836	SCCFOA		\$18.00
11/21/13		11/21/13 SCCFOA mtg		\$18.00	\$0.00
		001004514234300	Finance - Travel & Mtgs	\$18.00	
35955	12-Nov-13	13878	Snohomish Conservation Dist		\$2,229.58
1218		Professional services		\$2,229.58	\$0.00
		410016542404101	Storm Water - Professional Ser	\$2,229.58	
35956	12-Nov-13	12961	SNOHOMISH COUNTY PUD		\$12,561.37
104097874		201595113		\$346.96	\$0.00
		101016542630000	Street Fund - Street Lighting	\$346.96	
123993237		202988481		\$399.55	\$0.00
		101016542630000	Street Fund - Street Lighting	\$399.55	
127307413		203531959		\$70.27	\$0.00

Detail Check Register

07-Nov-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
001010576804700			Parks - Utilities	\$70.27	
130613820	202150405			\$324.56	\$0.00
410016542404700			Storm Water-Aerat. Utilities	\$324.56	
137136302	201860178			\$336.23	\$0.00
101016542630000			Street Fund - Street Lighting	\$336.23	
153640381	202624367			\$9,119.88	\$0.00
101016542630000			Street Fund - Street Lighting	\$9,119.88	
153640382	202648101			\$825.14	\$0.00
101016542630000			Street Fund - Street Lighting	\$825.14	
153640383	202670725			\$1,138.78	\$0.00
101016542630000			Street Fund - Street Lighting	\$1,138.78	
35957	12-Nov-13	12961	SNOHOMISH COUNTY PUD		\$58.37
117362248	201973682			\$43.12	\$0.00
101016542630000			Street Fund - Street Lighting	\$43.12	
150366812	204719074			\$15.25	\$0.00
101016542630000			Street Fund - Street Lighting	\$15.25	
35958	12-Nov-13	1388	Snohomish County Treasurer		\$240.21
10/2013	Oct 2013 Crime Victims Comp			\$240.21	\$0.00
633008589000001			Crime Victims Compensation	\$240.21	
35959	12-Nov-13	13139	Steven Edin		\$323.29
11/04/2013	Wellness supplies			\$323.29	\$0.00
001003517400000			Admin. Wellness program	\$148.29	
001013519903100			General Government - Operating	\$175.00	
35960	12-Nov-13	13994	Strategies 360		\$1,500.00
772-10401	Hwy9 Prof Svcs			\$1,500.00	\$0.00
001013511204101			Advisory Svcs - Lobbying	\$1,500.00	
35961	12-Nov-13	14059	Suzanne Quigley		\$13.50
10/28/2013	Parking			\$13.50	\$0.00
001001511604300			Legislative - Travel & Mtgs	\$13.50	
35962	12-Nov-13	13891	Tacoma Screw Products Inc		\$92.11

Detail Check Register

07-Nov-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor		Check Amount
30438215			Deck screws and caulking	\$92.11	\$92.11
001010576803100			Parks - Operating Costs	\$18.42	
101016542003102			Street Fund Operating Costs	\$73.69	
35963	12-Nov-13	11787	Teamsters Local No. 763		\$550.00
11/01/2013			Union Dues	\$550.00	\$550.00
001000281000000			Payroll Liabilities	\$550.00	
35964	12-Nov-13	11934	The Bank of New York		\$295,574.38
11/01/2013-175888			LAKSGOREF08A Series 2008A	\$295,574.38	\$295,574.38
210000591007100			2008 Bond Princp Pymt	\$225,000.00	
210000592008300			2008 Bond Interest Payment	\$70,574.38	
35965	12-Nov-13	11934	The Bank of New York		\$84,009.38
11/01/2013-175887			LAKSTELTGO04 Series 2004	\$84,009.38	\$84,009.38
206008591007100			LTGO 2004 Princp Pymt	\$65,000.00	
206008591008300			Police Station Int. Payment	\$19,009.38	
35966	12-Nov-13	1491	The Everett Herald		\$100.08
LG520994			LUA2013-0023 Bayview Subdivision	\$100.08	\$100.08
001007558004400			Planning - Advertising	\$100.08	
35967	12-Nov-13	14061	Trinity Contractors Inc		\$128,148.16
Pay Est 1			20th Street Sidewalk 1st pmt	\$128,148.16	\$128,148.16
309016595616301			Sidewalk Construction	\$128,148.16	
35968	12-Nov-13	11788	United Way of Snohomish Co.		\$315.68
11/01/2013			Employee Contributions	\$315.68	\$315.68
001000281000000			Payroll Liabilities	\$315.68	
35969	12-Nov-13	13045	UPS		\$25.41
74Y42423			Evidence shipping	\$25.41	\$25.41
001008521004200			Law Enforcement - Communicatio	\$25.41	
35970	12-Nov-13	12158	VERIZON NORTHWEST		\$2,473.99
9713801756			Wireless phone service	\$2,473.99	\$2,473.99

Detail Check Register

07-Nov-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
001003511104200			Executive - Communication	\$83.40	
001003513104200			Administration-Communications	\$83.13	
001003514104200			City Clerks-Communications	\$30.49	
001003516104200			Human Resources-Communications	\$53.11	
001003518104200			IT Dept-Communications	\$106.22	
001007558004200			Planning - Communication	\$143.64	
001008521004200			Law Enforcement - Communicatio	\$1,457.13	
001010576804200			Parks - Communication	\$172.29	
101016542004200			Street Fund - Communications	\$172.29	
410016542404200			Storm Water - Communications	\$172.29	
35971	12-Nov-13	13081	Waynes Auto Detail		\$206.29
5418			PT-32 Detail	\$206.29	\$0.00
001008521004800			Law Enforcement - Repair & Mai	\$206.29	
35972	12-Nov-13	12845	ZACHOR & THOMAS, INC. P.S.		\$8,250.00
623			Prosecutor services	\$8,250.00	\$0.00
001013515210000			Prosecutor fees	\$8,250.00	
Total Of Checks:					\$654,597.00

**CITY OF LAKE STEVENS
REGULAR CITY COUNCIL MEETING MINUTES**

Monday, October 28, 2013
Lake Stevens School District Educational Service Center (Admin. Bldg.)
12309 22nd Street N.E. Lake Stevens

CALL TO ORDER: 7:00 p.m. by Mayor Vern Little

COUNCILMEMBERS PRESENT: Todd Welch, Suzanne Quigley, Kim Daughtry, Neal Dooley and John Spencer

COUNCILMEMBERS ABSENT: Marcus Tageant and Kathy Holder

STAFF MEMBERS PRESENT: City Administrator Jan Berg, City Attorney Thom Graafstra, Planning Director Becky Ableman, Finance Director Barb Stevens, Public Works Director Mick Monken, Human Resource Director Steve Edin, Police Officer James Barnes, Principal Planner Karen Watkins, Interim Police Chief Dan Lorentzen, and City Clerk/Admin. Asst. Norma Scott

OTHERS:

Excused Absence. Councilmember Welch moved to excuse Councilmembers Tageant and Holder, seconded by Councilmember Daughtry; motion carried unanimously. (5-0-0-2)

Guest Business. James Barnes, President of the Police Guild, reviewed the history of police hiring since annexation and field training required for new officers. Mr. Barnes commented on the Police Service Officer (PSO) position, who is involved in every type of call, 1500 incidents in 2012 and 1400 this year. The PSO is very active and requested the position be retained for at least one more year.

Consent Agenda. Councilmember Welch moved to approve Consent Agenda Items A, B, and C (A. Approve October vouchers [Payroll Direct Deposits 907821-907873 for \$125,219.16; Payroll Checks 35756 for \$2,546.64; Electronic Funds Transfers 651-656 for \$32,439.55; Claims 35851-35909 for \$127,732.83; Void Checks 35816 for deduct of \$18.00; Tax Deposit 10/15/2013 for \$51,426.85; total vouchers approved: of \$339,347.03]; B. Approve Council regular meeting minutes of October 14, 2013; and C. Adopt second and final reading of Ordinance No. 901, consent to transfer franchise from Black Rock Cable Inc. to WDH Black Rock, LLC), seconded by Councilmember Dooley; motion carried unanimously. (5-0-0-2)

Confirm appointment of Jim Kelley to the Park Board. Mayor Little recommended Mr. Kelley's appointment and introduced him to Council.

MOTION: Councilmember Dooley moved to approve Jim Kelley to the Park Board, seconded by Councilmember Daughtry; motion carried unanimously. (5-0-0-2)

Adopt Resolution No. 2013-11, approving Trooper Sean O'Connell for an honorary street designation. Public Works Director Monken noted Sam Low applied for the street designation. The sign will be placed at the intersection of 20th Street SE and 83rd Avenue SE. Since this is

an identified economic corridor, it is possible that future development in that vicinity may result in the relocation of this sign.

Sam Low noted he spoke with Mrs. O'Connell about the honorary sign and she was unable to attend this evening.

MOTION: Councilmember Daughtry moved to approve Resolution ~~2013-10~~ 2013-11 approving Trooper Sean O'Connell for an honorary street designation, seconded by Councilmember Welch; motion carried unanimously. (5-0-0-2) (Clerk's note: 2013-11 was listed incorrectly on the agenda as 2013-10 but the correct number, staff's report and resolution reflect Resolution No. 2013-11.)

Proposed 2014 Budget. Finance Director Stevens noted this is currently the final City Council discussion before the Public Hearing on Tuesday, November 12. The focus of the discussion was Police Department funding.

Interim Police Chief Lorentzen reviewed the staffing, those of comparable cities and number of incidents that go through the dispatch system. The Police Services Officer (PSO) position was discussed at length. Twenty-six police officers are budgeted for 2014 and reviewed PSO open cases as of September 2013 and 2012 incidents.

Councilmember Quigley asked how the elimination of the PSO position would affect the Police Department. Interim Police Chief Lorentzen responded police would handle animal complaints. Nuisance, parking issues, and code enforcement, would be handled by the Planning Department if an additional Building Inspector/Code Enforcement position was added.

Mayor Little noted the PSO position would be moved into the first quarter of 2014 for training and hiring purposes.

Councilmember Quigley asked what the Police process was for new hires. Interim Police Chief Lorentzen responded they have been making calls to other agencies for laterals as well as working on entry level with Public Safety Testing.

Interim Police Chief Lorentzen reviewed the 2014 budget police staffing schedule and current staff status as of October 28, 2013. Detectives are available for call out. For new hires additional names will be added to the current eligibility register in November.

Councilmember Quigley supports a responsible budget and when economic development occurs, will fund more police, parks, etc.

Councilmember Welch commented he is not in favor of losing the PSO.

Councilmember Daughtry proposes amendment to keep PSO for at least another year because it will take time to get new officers on the street, as well as hiring a Building Inspector/Code Enforcement position. Lengthy discussion followed on the PSO and Building Inspector positions.

Councilmember Welch requested information on what the budget would look like with the PSO position. Councilmember Quigley added and the value of that position.

Draft recreational marijuana land use regulations. Principal Planner Watkins reported on I-502, recreational marijuana. A brief history of the initiative and City moratoriums was provided. Ms. Watkins reviewed the following: draft marijuana overlay map depicting the 1,000 foot buffer the State requires from the perimeter of the grounds of child care centers, schools, libraries, public parks, public transit centers and certain game arcade facilities; reviewed zones where they may be allowed; and comparison of proposed/adopted recreational marijuana regulations in Everett, Mukilteo, and Snohomish County. According to the State, Lake Stevens is allowed one retail store. A retail store cannot be a producer and processor of marijuana.

City Attorney Graafstra commented the State would like medical marijuana dispensaries folded into the same process and similar licensing as recreational marijuana.

Principal Planner Watkins commented the Council will need to determine whether to adopt interim or permanent regulations by February and reviewed the work program. In order to allow the City time to coordinate with other neighboring cities, it was suggested the January 13 public hearing be moved to January 27. City Council concurred.

Councilmember Quigley asked where the tax revenue goes. Ms. Watkins will report back, also with the revised work program and what is supplied by the three different production category tiers.

Council Person's Business: Councilmembers reported on the following meetings: Tageant – Arts Commission and Daughtry – PSRC task force.

Mayor's Business: Mayor Little reported he attended the North County Mayor's meeting today.

Staff Reports: Staff reported on the following: Interim Police Chief Lorentzen - provided the 3rd quarter report, will receive the 4th quarter after the 1st of the year, and received a new grant for the electronic version of the fingerprinting system.

Executive Session. Mayor Little called for a 15 minute executive session on potential litigation with no action to follow at 9:09 p.m. A six minute recess was called. The executive session began at 9:15 p.m. and ended at 9:33 p.m.

Adjourn. Councilmember Dooley moved to adjourn at 9:33 p.m., seconded by Councilmember Daughtry; motion carried unanimously. (5-0-0-2)

Vern Little, Mayor

Norma J. Scott, City Clerk/Admin. Asst.



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LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: 12 November 13

Subject: 2014 Janitorial Services – Contract Amendment Number 1

Contact	Mick Monken	Budget Impact:	\$13,112.00
Person/Department:	<u>Public Works</u>		

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL: Approve Amendment Number 1 to the 2013 Janitorial Services Contract to Advantage Building Services for an amount not to exceed \$13,112.00 and authorize the Mayor to execute Amendment Number 1.

SUMMARY/BACKGROUND: The City uses outsource contracted janitorial services. The facilities served under this contract include the City Hall (including the annex), Permit Center, Police Station, and Community Center. In February 2013 the City entered into an agreement with Advantage Building Services (ABS) to provide the janitorial services for the City. As part of the contract, it allowed for the services to be extended up to an additional 3 years (potential extension through December 2016).

The City has been satisfied with the services provided by ABS and had contacted ABS regarding their interest in a one year extension. Under this extension, ABS is agreeing to continue to provide services to the City for no increase in the original bid amount. This is shown in Attachment B. ABS has agreed to the one year extension.

Included with the original contract bid proposal are optional services. These are intended to be performed only when needed. While some of the task may not be necessary, to determine a contract amount, an estimate was prepared using an assumption that each optional service task would be performed 2 times per year. This is included in Attachment B.

As this contractor performs services after normal working hours, a security background check was performed on each employee that work within a City facility.

APPLICABLE CITY POLICIES:

BUDGET IMPACT: \$13,112.00

ATTACHMENTS:

- ▶ Attachment A: Contract Amendment Number 1
- ▶ Attachment B: Contract Bid Proposal section

ATTACHMENT A

**Amendment No. 1
To
JANITORIAL SERVICES CONTRACT FOR SERVICES
Between
The City of Lake Stevens
And
Advantage Building Services**

WHEREAS, the City of Lake Stevens and Advantage Building Services entered into a Janitorial Services Agreement on February 1, 2013; and

WHEREAS, the Agreement expires on December 31, 2013; and

WHEREAS, the City and Advantage Building Services are willing to extend the Agreement for an additional year.

NOW, THEREFORE, the parties agree to amend Duration of Agreement, of the aforesaid Agreement to extend the duration of the Agreement from December 31, 2013 to December 31, 2014.

Except as expressly provided by this amendment, all other terms and conditions of the original Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the _____ day of _____, 2013

City of Lake Stevens

Advantage Building Services

By: _____

By: _____

Vern Little, Mayor

ATTEST:

Norma J. Scott, City Clerk/Admin Asst.

APPROVED AS TO FORM:

Grant K. Weed, City Attorney

ATTACHMENT B

BID PROPOSAL - 2013 Janitorial Services

BASE SERVICES

The services to be provided under this Base Proposal are those as described in the document under Scope of Services - Base Proposal.

	<u>Monthly Rate</u> Including Sales Tax
City Hall (including annex out building)	\$ <u>156.00</u>
Community Center	\$ <u>115.00</u>
Permit Center	\$ <u>115.00</u>
Police Station	\$ <u>300.00</u>
TOTAL MONTHLY RATE FOR BASE SERVICES including WSST	\$ <u>686.00</u> ←

OPTIONAL SERVICES

The following are optional services to be provided upon request by the City. The cost shown is PER each request for service.

	<u>Per Request Rate</u> Including Sales Tax for each item
City Hall & Permit Center (includes both facilities in Rate)	
Carpet shampoo cleaning	\$ <u>350.00</u>
Clean windows	\$ <u>200.00</u>
Hard floor waxing	\$ <u>200.00</u>
Deep clean furniture	\$ <u>300.00</u>
Police Station	
Carpet cleaning entire facility	\$ <u>300.00</u>
Carpet cleaning in offices	\$ <u>175.00</u>
Clean windows	\$ <u>100.00</u>
Hard floor stripping and waxing	\$ <u>200.00</u>
Deep clean furniture	\$ <u>150.00</u>
Community Center	
Carpet shampoo cleaning	\$ <u>200.00</u>
Clean windows	\$ <u>100.00</u>
Hard floor waxing	\$ <u>100.00</u>
Restroom cleaning	\$ <u>40.00</u>

Continuation – Exhibit B

Estimate of Contract Amount for 2014

Monthly Base Services	\$686/mo	x	12	\$8,232
Optional Services *				
City Hall (include annex)	\$1,050/ea	x	2	\$2,100
Police Station	\$925/ea	x	2	\$1,850
Community Center	\$440/ea	x	2	\$880
ESTIMATE BUDGET LIMIT				\$13,112

*Note: Optional Services are only to be rendered upon the written authorization from the City and only performed for Optional Services specifically identified in the City authorization. This can consist of an individual task (ie: Clean windows) or the full set of defined tasks under a particular facility.



LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: November 12, 2013

Subject: Public Hearing - 2014 Budget Ordinance

Contact Person/Department: Barb Stevens/Finance Director **Budget Impact:** Yes

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:

Approve First Reading of 2014 Budget Ordinance No. 904 and Authorize the Mayor to sign the 2014 Property Tax Levy Certification.

SUMMARY/BACKGROUND:

The 2014 budget proposal is based on a six year forecast of revenues and expenditures. This conservative approach is applied to build and maintain a reserve balance to sustain the City during economic downturns and prepare for future economic development.

The budget subcommittee and City Council have been reviewing current and forecasted revenues and expenditures including property tax, City staffing plans, and related costs which are incorporated into the proposed 2014 budget ordinance.

APPLICABLE CITY POLICIES:

Per RCW 84.55.120 the legislative body will hold public hearings on the proposed budget for the coming year.

BUDGET IMPACT:

The budget ordinance sets the revenue and expenditure levels for the coming year's budget.

ATTACHMENTS:

- ▶ Exhibit A: Ordinance No. 904
- ▶ Exhibit B: 2014 Budgeted Position List & Salary Ranges
- ▶ Exhibit C: Property Tax Levy Certification

CITY OF LAKE STEVENS
LAKE STEVENS, WASHINGTON

ORDINANCE NO. 904

AN ORDINANCE ADOPTING THE BUDGET FOR THE CITY OF LAKE STEVENS,
WASHINGTON, FOR THE CALENDAR YEAR ENDING DECEMBER 31, 2014

WHEREAS, the Mayor of the City of Lake Stevens, Washington completed and placed on file with the City Clerk a proposed budget and estimate of the amount of the moneys required to meet the public expenses including salaries and benefits of City employees, bond retirement and interest, reserve funds and expenses of government of said City for the fiscal year ending December 31, 2014, and a notice was published that the Council of said City would meet for the purpose of making a budget for said fiscal year and giving taxpayers within the limits of said City an opportunity to be heard upon said budget, and

WHEREAS, the said City Council did meet at said time and place and did then consider the matter of said proposed budget; and

WHEREAS, notices were published in the official newspaper of the City, that the Council of said City would meet on the 12th day of November and the 25th day of November, 2013, at the hour of 7:00 P.M., at the City Council Chambers in the Lake Stevens School District Educational Service Center of said City for the purpose of receiving public testimony in a public hearing as to the matter of said proposed budget; and

WHEREAS, the said City Council did meet at said dates, times, and place and did receive public testimony during a public hearing as to the matter of said proposed budget; and

WHEREAS, the said proposed budget does not exceed the lawful limit of taxation allowed by law to be levied on the property within the City of Lake Stevens for the purposes set forth in said budget, and the estimated expenditures set forth in said budget being all necessary to carry on the government of said City for said year and being sufficient to meet the various needs of said City during said period.

NOW, THEREFORE, the City Council of the City of Lake Stevens do ordain as follows:

Section 1. The budget for the City of Lake Stevens, Washington, for the year 2014 is hereby adopted in its final form and content as set forth in the document entitled City of Lake Stevens 2014 Annual Budget, 1 copy of which is on file in the Office of the Clerk.

Section 2. Totals for all such funds combined, for the year 2014 are set forth in summary form below, and are hereby appropriated for expenditure during the year 2014 as set forth below:

Fund #	Fund Name	Estimated Beg. Bal.	Resources	Expenditures	End. Bal.
001	General	\$ 5,422,389	\$ 8,388,002	\$ 8,247,267	\$ 5,563,124
002	Contingency Reserve	\$ 2,100,125	\$ 503,100	\$ 8,050	\$ 2,595,175
101	Street	\$ 2,726,764	\$ 2,062,244	\$ 1,669,919	\$ 3,119,089
103	Street Reserve	\$ 1,524	\$ 3	\$ -	\$ 1,527
111	Drug Seizure & Forfeiture	\$ 25,038	\$ 2,205	\$ 200	\$ 27,043
112	Municipal Arts Fund	\$ 1,322	\$ 2	\$ -	\$ 1,324
205	PWTF Loan 2002	\$ -	\$ 89,548	\$ 89,548	\$ -
206	Police Station LTGO 2004	\$ -	\$ 105,769	\$ 105,769	\$ -
207	PWTF 2006	\$ -	\$ 436,160	\$ 436,160	\$ -
208	PWTF 2005	\$ -	\$ 65,264	\$ 65,264	\$ -
209	PWTF 2008	\$ -	\$ 594,669	\$ 594,669	\$ -
210	2008 Bonds	\$ -	\$ 359,299	\$ 359,299	\$ -
211	PWTF 2010	\$ -	\$ 958	\$ 958	\$ -
212	2010 LTGO Bonds	\$ -	\$ 95,613	\$ 95,613	\$ -
301	Cap. Proj.-Dev. Contrib.	\$ 2,777,203	\$ 231,900	\$ -	\$ 3,009,103
303	Cap. Imp.-REET	\$ 848,161	\$ 301,000	\$ 374,668	\$ 774,493
304	Cap. Improvements	\$ 1,577,919	\$ 301,000	\$ 156,776	\$ 1,722,143
305	Downtown Redevelopment	\$ 1,638	\$ 2	\$ -	\$ 1,640
309	Sidewalk Capital Project	\$ 493,117	\$ 800	\$ -	\$ 493,917
401	Sewer	\$ 292,421	\$ 1,430,694	\$ 1,432,564	\$ 290,551
406	Sewer Reserve	\$ 167,589	\$ 150	\$ 167,739	\$ -
410	Storm and Surface Water	\$ 1,134,097	\$ 1,406,794	\$ 1,274,384	\$ 1,266,507
501	Unemployment	\$ 101,621	\$ 22,635	\$ 24,000	\$ 100,256
510	Equipment Fund	\$ 108,194	\$ 82,317	\$ 75,398	\$ 115,113
520	Equipment Fund-Police	\$ 209,686	\$ 167,400	\$ 121,700	\$ 255,386
530	Equipment Fund-PW	\$ 244,725	\$ 52,289	\$ 106,800	\$ 190,214
540	Aerator Equipment Repl.	\$ 101,124	\$ 8,175	\$ -	\$ 109,299
621	Refundable Deposits	\$ 1,973	\$ 1,000	\$ 2,973	\$ -
633	<u>Treasurer's Trust</u>	<u>\$ 11,779</u>	<u>\$ 300,000</u>	<u>\$ 300,000</u>	<u>\$ 11,779</u>
	Total	\$18,348,409	\$17,008,992	\$15,709,718	\$19,647,683

Section 3. The City Clerk is directed to transmit a certified copy of the budget hereby adopted to the Division of Municipal Corporations in the Office of the State Auditor and to the Association of Washington Cities.

Section 4. A summary of this ordinance consisting of the title shall be published in the official City newspaper. This ordinance shall take effect and be in full force five (5) days after publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF LAKE STEVENS this ____ day of _____, 2013.

 Vern Little, Mayor

ATTEST:

Norma J. Scott, City Clerk/Admin. Assist.

APPROVED AS TO FORM:

Grant Weed, City Attorney

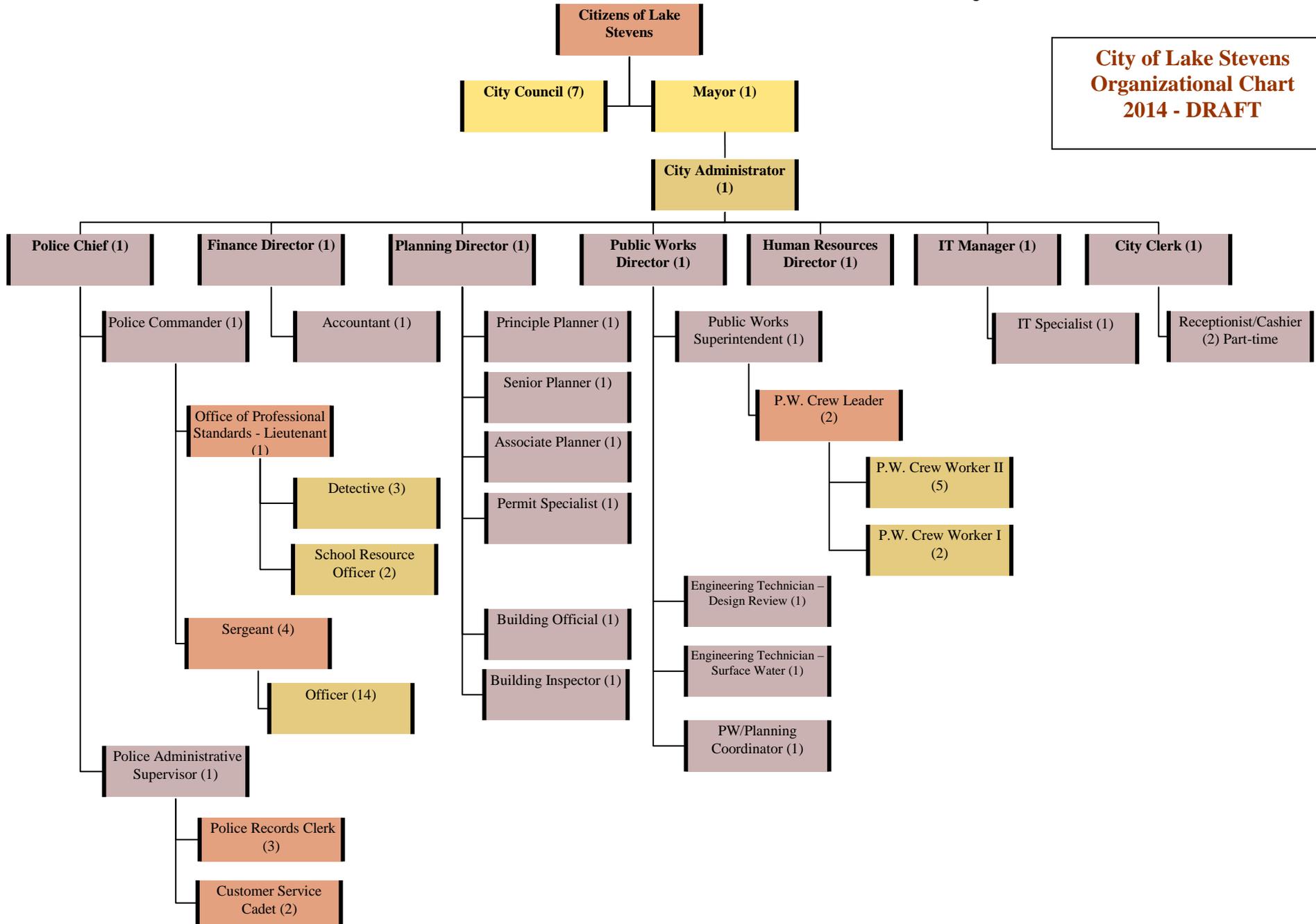
First Reading: November 12, 2012

Second Reading:

Published:

Effective:

**City of Lake Stevens
 Organizational Chart
 2014 - DRAFT**



11/12/2013	2.00%	CITY OF LAKE STEVENS SALARY GRIDS (New Year)-MONTHLY						
Job Classification	Range	A	B	C	D	E	F	G
Receptionist/Cashier	3.00	3,021	3,146	3,275	3,408	3,549	3,694	3,858
Office Assistant	7.00	3,262	3,375	3,491	3,610	3,735	3,864	3,997
Permit Specialist/PW Engineering Aide	9.50	3,887	4,034	4,189	4,351	4,519	4,692	4,869
PW/Planning Coordinator	12.00	3,811	3,932	4,058	4,188	4,322	4,460	4,603
Building Inspector	13.00	4,352	4,384	4,498	4,614	4,737	4,859	5,289
Accountant/Engineering Technician/IT Specialist	15.50	4,869	5,041	5,218	5,401	5,594	5,789	5,996
City Clerk	16.00	4,958	5,156	5,362	5,578	5,801	6,031	6,293
Associate Planner	16.50	5,478	5,671	5,870	6,077	6,291	6,512	6,742
Police Admin. Supervisor	27.00	4,938	5,115	5,295	5,482	5,678	5,880	6,084
Community Programs Planner	33.50	5,251	5,426	5,608	5,795	5,991	6,190	6,396
Project Engineer	35.00	5,478	5,671	5,870	6,077	6,291	6,512	6,742
Senior Planner	36.25	5,721	5,910	6,106	6,306	6,514	6,730	6,963
Building Official	36.30	5,658	5,866	6,082	6,309	6,542	6,784	7,035
Principle Planner	36.50	5,851	6,045	6,243	6,450	6,662	6,883	7,109
Human Resources Director	37.00	5,725	5,968	6,223	6,486	6,763	7,050	7,348
Public Works Superintendent	37.25	6,254	6,465	6,683	6,908	7,140	7,381	7,630
IT Manager	37.50	6,024	6,276	6,538	6,809	7,092	7,384	7,698
Police Lieutenant	38.00	7,101	7,411	7,734	8,070	8,422	8,788	9,171
Police Commander	38.50	6,980	7,230	7,492	7,761	8,040	8,329	8,638
Planning Director	41.50	7,452	7,683	7,929	8,184	8,445	8,715	8,979
Finance Director	42.50	7,391	7,649	7,918	8,194	8,480	8,779	9,086
Public Works Director	43.00	8,190	8,479	8,778	9,085	9,406	9,737	10,079
Council	C	-	-	-	-	-	-	500
City Administrator	CCA	-	-	-	-	-	-	10,730
Police Support Officer	CE	3,799	3,931	4,068	4,211	4,358	4,513	4,682
Crew Leader	CL	4,816	4,990	5,171	5,356	5,549	5,748	5,947
Police Chief	CPC	-	-	-	-	-	-	10,535
Crew Worker I	CWI	3,336	3,466	3,602	3,742	3,888	4,039	4,188
Crew Worker II	CWII	4,121	4,265	4,415	4,570	4,729	4,895	5,071
Intern	I	1,785	-	-	-	-	-	-
Mayor	M	-	-	-	-	-	-	1,200
Police Officer	PO	4,808	4,992	5,182	5,377	5,581	5,794	6,022
Police Sergeant	PS	6,353	6,516	6,687	6,860	7,039	7,222	7,408
Records Clerk	RC	3,501	3,641	3,786	3,938	4,096	4,260	4,434
Seasonal	S	1,950	-	-	-	-	-	1,950



Levy Certification

Submit this document to the county legislative authority on or before November 30 of the year preceding the year in which the levy amounts are to be collected and forward a copy to the assessor.

In accordance with RCW 84.52.020, I, VERN LITTLE,
(Name)

MAYOR, for CITY OF LAKE STEVENS, do hereby certify to
(Title) (District Name)

the SNOHOMISH County legislative authority that the COUNCIL
(Name of County) (Commissioners, Council, Board, etc.)

of said district requests that the following levy amounts be collected in 2014 as provided in the district's
(Year of Collection)

budget, which was adopted following a public hearing held on 11/12/13:
(Date of Public Hearing)

Regular Levy: \$4,000,000 (including refunds)
(State the **total** dollar amount to be levied)

Excess Levy: \$0.00
(State the **total** dollar amount to be levied)

Refund Levy: \$0.00
(State the **total** dollar amount to be levied)

Signature: _____

Date: _____

For tax assistance, visit <http://dor.wa.gov/content/taxes/property/default.aspx> or call (360) 570-5900. To inquire about the availability of this document in an alternate format for the visually impaired, please call (360) 705-6715. Teletype (TTY) users may call 1-800-451-7985.



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LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: November 12, 2013

Subject: Setting Property Tax Levy and Collection for 2014

Contact Barb Stevens/Finance Director **Budget Impact:** Yes
Person/Department: _____

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:

Approve Ordinance No. 906 authorizing collection of property tax levy for 2014 and setting the property tax levy.

SUMMARY/BACKGROUND:

The County Assessor requires cities to submit an ordinance to them by November 30th each year authorizing the County to collect property taxes on behalf of the city. The ordinance is to state the percentage of increase requested by the City. As of this date the County has only preliminary dollar figures available for new construction and state-owned utilities so the total dollar amount levied may change. Because the City has annexed into the Library and Fire Districts, the City is capped at the “unused” portion of \$3.60. The Library is allowed up to \$0.50, the Fire District is allowed up to \$1.50, leaving the City with the remaining funds, usually \$1.60. If the other Districts do not levy the full amounts, the remaining portions can be levied by the City.

In 2012 and 2013, the assessed property values (AV) within the Lake Stevens city limits decreased by 11% and 8% respectively. This decrease brought the City’s levy rate to its cap at \$1.60/\$1,000 of AV, reduced the amount of property tax allowed to be levied and consequently, “banked capacity” to be levied at a later date. The 2014 preliminary AV has increased approximately 8% bringing the City’s levy rate below the cap and allowing for use of the “banked capacity” up to the cap. This “banked capacity” allows the city to make-up approximately \$353,000 of lost property tax revenues from prior years.

The ordinance authorizes the Snohomish County Assessor to collect property taxes on behalf of the City of Lake Stevens on properties within the city limits. The ordinance includes an estimated 10% increase over the 2013 regular levy due to the amount of banked capacity in the prior years.

APPLICABLE CITY POLICIES:

Per RCW 84.52.020 and RCW 84.52.070 the legislative body must set property tax levies.

BUDGET IMPACT:

The ordinance will set the 2014 property tax levy and contribute revenue to the general and street funds.

ATTACHMENTS:

► Exhibit A: Ordinance No. 906

CITY OF LAKE STEVENS
LAKE STEVENS, WASHINGTON

ORDINANCE NO. 906

AN ORDINANCE OF THE CITY OF LAKE STEVENS LEVYING TAXES UPON ALL PROPERTY – REAL, PERSONAL AND UTILITY, SUBJECT TO TAXATION WITHIN THE CORPORATE LIMITS OF THE CITY OF LAKE STEVENS, WASHINGTON FOR THE YEAR 2014.

WHEREAS, THE CITY COUNCIL OF LAKE STEVENS DESIRES TO SET THE PROPERTY TAX LEVY FOR 2014;

WHEREAS, THE CITY COUNCIL OF LAKE STEVENS HAS GIVEN NOTICE AS REQUIRED BY LAW OF THE PUBLIC HEARING HELD NOVEMBER 12, 2013, TO CONSIDER THE CITY'S CURRENT EXPENSE BUDGET FOR THE 2014 CALENDER YEAR, PURSUANT TO RCW 84.55.120; AND

WHEREAS, THE CITY COUNCIL OF LAKE STEVENS, AFTER HEARING AND AFTER DULY CONSIDERING ALL REVELENT EVIDENCE AND TESTIMONY PRESENTED, DETERMINED THAT THE CITY OF LAKE STEVENS REQUIRES A REGULAR LEVY IN THE AMOUNT OF \$4,000,000, WHICH INCLUDES AN INCREASE IN PROPERTY TAX REVENUE FROM THE PREVIOUS YEAR, AND AMOUNTS RESULTING FROM THE ADDITION OF NEW CONSTRUCTION AND IMPROVEMENTS TO PROPERTY AND ANY INCREASE IN THE VALUE OF STATE-ASSESSED PROPERTY, AND AMOUNTS AUTHORIZED BY LAW AS A RESULT OF ANY ANNEXATIONS THAT HAVE OCCURRED, AND REFUNDS MADE, IN ORDER TO DISCHARGE THE EXPECTED EXPENSES AND OBLIGATIONS OF THE CITY AND IN ITS BEST INTEREST;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE STEVENS DO ORDAIN AS FOLLOWS:

Section 1. An increase in the regular property tax levy is hereby authorized for the 2014 levy in the amount of \$352,656 which is a percentage increase of 10% from the previous year. This increase is exclusive of additional revenue resulting from the addition of new construction and improvements to property and any increase in the value of state assessed property, and any additional amounts resulting from annexations that have occurred and refunds made as provided by RCW 84.55.010.

Section 2. Effective Date and Publication. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in force five (5) days after the date of publication.

PASSED by the City Council of the City of Lake Stevens this 12th day of November, 2013.

Vern Little, Mayor

ATTEST/AUTHENTICATION:

Norma J. Scott, City Clerk/ Admin. Asst.

APPROVED AS TO FORM:

Grant Weed, City Attorney

First and Final Reading:

Published:

Effective Date:



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LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: Nov 12, 2013

Subject: Adoption of the Lake Stevens Comprehensive Emergency Management Plan (CEMP)

Contact Interim Chief Dan Lorentzen **Budget Impact:** N/A
Person/Department: _____

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL: Approve Resolution 2013-14 authorizing the Mayor to sign the resolution adopting Lake Stevens Comprehensive Emergency Management Plan (CEMP).

SUMMARY/BACKGROUND:

The City of Lake Stevens Comprehensive Emergency Management Plan (CEMP) establishes an all-hazards approach to enhance the ability of the City of Lake Stevens to manage emergencies and disasters. The purpose is to save lives; protect public health, safety of property, the economy and the environment; and foster a return to a normal way of life.

This plan applies to emergency management activities coordinated by the Snohomish County Department of Emergency Management (DEM) and the City of Lake Stevens.

APPLICABLE CITY POLICIES: N/A

BUDGET IMPACT: N/A

ATTACHMENTS:

- Resolution 2013-14
- City of Lake Stevens Comprehensive Emergency Management Plan (CEMP)

**CITY OF LAKE STEVENS
LAKE STEVENS, WASHINGTON**

RESOLUTION NO. 2013-14

A RESOLUTION OF THE CITY OF LAKE STEVENS REPEALING RESOLUTION NO. 2002-3 EMERGENCY OPERATIONS PLAN FOR THE CITY OF LAKE STEVENS AND ADOPTING THE 2013 COMPREHENSIVE EMERGENCY MANAGEMENT PLAN FOR THE CITY OF LAKE STEVENS

WHEREAS, the City of Lake Stevens, in coordination with the Snohomish County Department of Emergency Management (DEM) has prepared a new 2013 Comprehensive Emergency Management Plan for the City; and

WHEREAS, emergency preparedness is essential to protect the health, safety and welfare of the community;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE STEVENS AS FOLLOWS:

SECTION 1. Resolution No. 2002-3, EMERGENCY OPERATIONS PLAN FOR THE CITY OF LAKE STEVENS, is hereby repealed.

SECTION 2. By authority of RCW Ch 38.52, the City of Lake Stevens Comprehensive Emergency Management Plan (CEMP) (which includes the National Incident Management System) attached hereto in **Exhibit A** is incorporated herein and is hereby adopted by reference.

SECTION 3. The Emergency Management Body created in the attached **Exhibit A**, Comprehensive Emergency Management Plan, shall be headed by the Emergency Management Coordinator, who shall be appointed by and directly responsible to the Mayor of the City of Lake Stevens.

SECTION 4. The Emergency Management Coordinator shall be directly responsible for the organization, administration, and operation of the Emergency Operations Center in compliance with the City of Lake Stevens Comprehensive Emergency Management Plan and following the National Incident Management System.

SECTION 5. Severability. If any one or more sections, subsections, or sentences of this Resolution are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Resolution and the same shall remain in full force and effect.

PASSED by the City Council of the City of Lake Stevens on this ____ day of _____ 2013.

CITY OF LAKE STEVENS

By _____
Vern Little, Mayor

APPROVED AS TO FORM:

ATTEST:

By _____
Grant K. Weed, City Attorney

By _____
Norma J. Scott, City Clerk/Admin. Asst.



City of
Lake Stevens

2013

Comprehensive
Emergency
Management
Plan

Forward

The City of Lake Stevens Comprehensive Emergency Management Plan (CEMP) establishes an all-hazards approach to enhance the ability of the City of Lake Stevens to manage emergencies and disasters. The purpose is to save lives; protect public health, safety of property, the economy and the environment; and foster a return to a normal way of life.

This plan applies to emergency management activities coordinated by the Snohomish County Department of Emergency Management (DEM) and the City of Lake Stevens.

This Plan is organized into four sections:

- **Base Plan** addresses Policies, Situations, Concept of Operations, Responsibilities, and Plan Maintenance.
- **Appendices** include List of Abbreviations, Acronyms, Training & Drills, Definitions, Authorities & References, and Distribution.
- **Emergency Support Functions** outline lead and supporting agencies' responsibilities, capabilities, and resources.
- **Incident Annexes** describe event specific response processes and procedures.

For Further Information Contact:

Lake Stevens Police Department
2211 Grade Road
Lake Stevens, WA 98258
(425) 334-9537
(425) 334-9842 (Fax)

Promulgation/Adoption

WHEREAS, all citizens and property within the City of Lake Stevens are at risk to a wide range of natural, technological, and man-caused hazards; and

WHEREAS, when such an unfortunate event occurs; local, county, state, and federal response agencies must be prepared to respond in a well coordinated manner by developing and using an Incident Command System (ICS) in accordance with the National Incident Management System (NIMS) to protect the public and the natural resources and minimize property damage within the community; and

WHEREAS, this Comprehensive Emergency Management Plan is needed to coordinate the response of emergency personnel and supporting services of all City of Lake Stevens agencies in the event of an emergency or disaster and during the aftermath thereof; and

NOW, THEREFORE, we the undersigned, by virtue of the power and authority vested in us by the laws of this State do hereby adopt the **City of Lake Stevens COMPREHENSIVE EMERGENCY MANAGEMENT PLAN (CEMP)**, dated September 1st 2013. This plan can be put into action by the undersigned or our designee(s). Named organizations have the responsibility to prepare and maintain standard operating procedures and commit to the training and exercises required to support this plan.

IN WITNESS WHEREOF, we have subscribed our signatures;

[INSERT COPY OF ACTUAL ADOPTION RESOLUTION]

Emergency Contact Numbers

If immediate city emergency or disaster assistance is required, please call 911 or contact the City of Lake Stevens Emergency Management Office at: **(425)-334-9537**

City business hours are as follows: 9:00 – 5:00, Monday – Friday.

After hours, weekends, and holidays: Contact SNOPAC 911 Communications Center at (425) 407-3930 and request a duty officer contact you by call back number.

Vern Little – Mayor
Office: 425- 334-1012

Jan Berg – City Administrator
Office: 425- 334-1012

Dan Lorentzen – Interim Chief of Police
Office: 425-334-9537

Craig Valvick – Emergency Management Coordinator
Office: 425- 334-9537

Mick Monken – Public Works Director
Office: 425- 334-1012

DEM Monitored Radio Frequencies:

SERS 800 MHz System (call sign DEM)
DEM OPS
EOC Hail

VHF System (call sign DEM)
154.055 PL Tone 127.3

Approval and Implementation

The City of Lake Stevens comprehensive emergency management plan (CEMP) establishes an all-hazards approach to enhance the ability of City of Lake Stevens to manage emergencies and disasters. Its purpose is to save lives; protect public health, safety, property, the economy, and the environment; and foster a return to a normal way of life. This CEMP was developed through collaborative efforts of the Snohomish County Department of Emergency Management (DEM), County and City of Lake Stevens governmental and public safety agencies, appropriate subject matter experts, and volunteer organizations. This version, dated September 1st 2013, supersedes all previous editions.

The City of Lake Stevens CEMP is organized in accordance with FEMA's November 2010 Comprehensive Preparedness Guide (CPG) 101 and, as such, is designed to achieve the desired effects outlined in that document. It assigns responsibilities to organizations and individuals for carrying out specific actions at projected times and places during an emergency that exceeds the capability or routine responsibility of any one agency; sets forth lines of authority and organizational relationships and shows how multi-agency actions will be coordinated; describes how people and property are protected; identifies personnel, equipment, facilities, supplies, and other resources available — within the jurisdiction or by agreement with other jurisdictions; reconciles requirements with other jurisdictions; and identifies steps to address preparedness and mitigation concerns.

Overall, the accomplishment of the activities outlined in this document is the responsibility of the City of Lake Stevens Mayor. In recognition of the professionalism of the emergency management officials in my/our jurisdiction, I/we authorize the Emergency Management Coordinator to make changes to the annexes and/or appendices; however, changes to the basic plan require my/our signature to become effective.

Signed by:

Mayor, City Of Lake Stevens

Date

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- A. Federal Civil Defense Act of 1950 (as amended).
- B. Public Law 93-288, “Disaster Relief Act of 1974” as amended by PL 100-707, “Robert T. Stafford Disaster Relief and Emergency Assistance Act”.
- C. Public Law 96-342, “Improved Civil Defense”.
- D. Public Law 99-49, “Superfund Amendments and Reauthorization Act of 1986”.
- E. RCW 38.52.070, Local Organizations and Local Organizations authorized-establishment, operation, emergency powers, and procedures.
- F. National Response Framework, dated Jan 2008.
- G. 44 CFR Emergency Management and Assistance.
- H. State of Washington CEMP, dated March 2003.
- I. Snohomish County CEMP, dated Aug 2009.
- J. Revised Code of Washington (RCW) Chapter 38.52, “Emergent Management”.
- K. Washington Administrative Code (WAC) Chapter 118-04 WAC, “Emergency Worker Program”.
- L. Washington Administrative Code (WAC) Chapter 118-30-60 WAC, “Emergency Plans”.
- M. Snohomish County Code (SCC) Chapter 2.36, Emergency Management.
- N. Lake Stevens Municipal Code.

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I. INTRODUCTION

Emergency management is a vital method of organization and management of resources and responsibilities for dealing with all aspects of emergencies, including mitigation, preparedness, response, and recovery. It involves the plans, processes, structures, systems and arrangements established to engage the endeavors of government, volunteer, and private agencies to respond to the entire spectrum of emergency management needs in a comprehensive and coordinated manner.

This plan is advisory and does not supersede departmental policies, place mandatory or affirmative obligations upon any party or governmental entity, nor confer rights to any third party. Throughout the document terms such as “shall,” “should,” “will,” “may,” “might,” or “can” are used. Use of these terms is not intended to place affirmative obligations; rather, the intent is that the agency, entity, person, or party, when called upon to act in an emergency situation, will use their best efforts, as personnel and resources allow, to accomplish the identified tasks related to emergency functions.

A. Purpose

The City of Lake Stevens will mitigate, prepare for, respond to, and recover from disasters (both natural and manmade) to the best of its ability with its available resources for the purpose of protecting lives, property, the environment, and the economy. The purpose of this document is to provide a framework from which to operate in the provision of a coordinated response to emergency situations; specifically, it establishes the responsibilities of participating agencies, commissions, boards, and councils. In addition to response efforts, this plan also outlines mitigation, preparedness, and recovery activities.

The City of Lake Stevens CEMP consists of a basic plan, functional annexes, hazard-specific appendices, and implementing instructions. The **Basic Plan** describes the structure and processes comprising a jurisdictional approach to incident management, i.e. it is designed to integrate the efforts and resources of local, private sector, and nongovernmental organizations. It includes planning assumptions, roles and responsibilities, concept of operations, incident management actions, and plan maintenance instructions.

The **Emergency Support Functions (ESF)** adds specific information and direction to the CEMP with a focus on critical operational functions and who is responsible for carrying them out. These annexes clearly describe the policies, processes, roles, and responsibilities that agencies and departments carry out before, during, and after any emergency. While the Basic Plan provides broad, overarching information relevant to the CEMP as a whole, these annexes focus on specific responsibilities, tasks, and operational actions that pertain to the performance of a particular emergency operations function.

Hazard-Specific Appendices identify hazard-specific risk areas and evacuation routes, specify provisions and protocols for warning the public and disseminating emergency public information, and specify the types of protective equipment and detection devices for responders. These appendices have tabs that serve as work aids for items including maps, charts, tables, checklists, resource inventories, and summaries of critical information. Finally,

Implementing Instructions may be included as attachments or referenced. For example, the Evacuation Annex may be made clearer by attaching maps marked with evacuation routes to it. Because these routes may change depending on the location of the hazard, maps may also be included in the Hazard-Specific Appendices to the Evacuation Annex.

B. Scope

When activated by the City of Lake Stevens Mayor or designee, the City of Lake Stevens CEMP addresses activities within the City of Lake Stevens and its incorporated areas and is applicable to all City of Lake Stevens departments and agencies that may be requested to provide assistance or conduct operations in the context of actual or potential incidents.

C. Limitations

The City of Lake Stevens will endeavor to make every reasonable effort to respond in the event of an emergency or disaster. However, municipal resources and systems may be overwhelmed. The responsibilities and tenants outline in the CEMP will be fulfilled only if the situation, information exchange, extent of actual agency capabilities, and resources are available at the time.

There is no guarantee implied by this Plan that a perfect response to emergency or disaster incidents will be practical or possible.

II. SITUATION

A. Hazard Analysis and Mitigation Overview

This CEMP considers the man-made and natural disasters and emergencies as described in both the 2004 Snohomish County Hazards Identification and Vulnerability Analysis (HIVA) and 2004 Snohomish County Natural Hazards Mitigation Plan (NHMP). Of particular importance to the City of Lake Stevens and its participants are the following:

1. **Unique/Catastrophic Hazards.** Although unlikely, the threat of *Earthquakes, Volcanic Activity, Hazardous Material Spills, Civil Unrest and Terrorism* exists. In the event one (or more) of these incidents should occur, the City of Lake Stevens will almost certainly be heavily affected, which will in turn require the activation of this CEMP.
2. **High Probability Hazards.** City of Lake Stevens routinely experiences Severe Storms and Flooding. Although not always damaging, because of their frequent occurrence these hazards must be planned for.
3. **Mitigation Overview.** The City of Lake Stevens has been participating as a planning partner during the 2010 update to the Snohomish County NHMP.

B. Capability Assessment

The City of Lake Stevens conducts an annual capability assessment in conjunction with the Snohomish County DEM in order to identify capabilities necessary to address the jurisdiction's hazards. This assessment is maintained and updated separately.

C. Planning Assumptions

1. An emergency or disaster may occur with no advance warning and quickly overcome not only the City of Lake Stevens' response capabilities, but the surrounding areas as well.
2. The City of Lake Stevens will make every reasonable effort to respond in the event of an emergency or disaster; however, the ability to fulfill the responsibilities and tenets outlined in this plan are subject to the extent of the situation and availability of resources.
3. The City of Lake Stevens will manage emergency management operations within its jurisdictional borders in accordance with the principles outlined in the National Incident Management System (NIMS).
4. A large-scale incident may result in numerous casualties; fatalities; displaced people; property loss; disruption of normal life support systems, essential public services, and basic infrastructure; and significant damage to the environment. It may also attract a large influx of spontaneous volunteers and supplies.
5. Depending upon the magnitude of the disaster, outside assistance may be delayed indefinitely. City of Lake Stevens' residents, businesses, and industry should plan to be self-sufficient for a minimum of seven days.
6. Communications systems may be overloaded and/or suffer physical disruption from incident damage and/or loss of staff.
7. Emergency medical facilities may be overloaded and shortage of medical supplies may exist.
8. The City of Lake Stevens and Snohomish County may be unable to satisfy all emergency resource requests during an emergency or disaster. The arrival of state and/or assistance may be delayed dependent upon the magnitude of the disaster.
9. The combined expertise and capabilities of government at all levels, the private sector, and nongovernmental organizations will be required to mitigate, prepare for, respond to, and recover from large-scale incidents. These efforts may require prolonged, sustained incident management operations and support activities.
10. During an incident, the top priorities for incident management will be:
 - (a) Save lives and protect the health and safety of the public, responders, and recovery workers.
 - (b) Protect property and mitigate damages and impacts to individuals, communities, the environment and economy.
 - (c) Protect and restore critical infrastructure and key resources.
 - (d) Facilitate the recovery of individuals, families, businesses, governments, and the environment.

III. CONCEPT OF OPERATIONS

Emergency management functions are mutually supporting methods of creating resilient communities. The purpose of this paragraph is to describe, in general terms, the overall concept of the response to a disaster and the events associated with the various phases of emergency management during “day-to-day” operations. The City of Lake Stevens organizes and manages its emergency management activities utilizing the concepts and principles described in the December 2008 National Incident Management System (NIMS) document.

A. Normal Operations

In accordance with the RCW, overall direction and control of emergency management operations within a political subdivision is the responsibility of the City of Lake Stevens Mayor.

1. Mitigation. The **mitigation function** includes programs, plans, and activities designed to eliminate or reduce the degree of long term risk to life and property, and to reduce future losses from disasters or events. Mitigation efforts undertaken by City of Lake Stevens include:
 - (a) Participate in Snohomish County’s Natural Hazard Mitigation planning efforts by providing input on the county’s overall mitigation plan and creating a jurisdictional annex to that plan.
 - (b) Identify and maintain an inventory of potential mitigation opportunities throughout the city for possible future grant funding.
2. Preparedness. **Preparedness** involves actions taken to encourage a state of readiness in governments, public organizations, the private sector, families and individuals that provide the capability to prepare for and to survive a disaster or event. Before a disaster strikes, city, county, and other government agencies shall take steps to reduce the impacts. These steps should include, but are not limited to:
 - (a) Conduct continuous planning studies of potential disaster elements in the city and develop a Comprehensive Emergency Management Plan (CEMP) that outlines how the City of Lake Stevens shall respond.
 - (b) Review disaster readiness capabilities and upgrade procedures to keep abreast of changing and evolving emergency management and response technology.
 - (c) Encourage and maintain interagency cooperation and coordination of readiness planning.
 - (d) Maintain vehicles, equipment, and facilities in a ready condition.
 - (e) Conduct public information and educational programs on disaster preparedness, personal safety, and sustainability.
 - (f) Test and gauge response capabilities by conducting and participating in training, drills, and exercises. Establish and test “call-down trees” in the event of an emergency.
3. Response. The **response function** includes actions taken immediately before, during, or directly after an emergency to save lives, minimize damage, and to enhance recovery activities. All agencies involved in response shall:

Response – Increased Readiness Period

- (a) Comply with established checklists and review response status and procedures.
- (b) Notify key personnel according to existing SOPs.
- (c) Notify the appropriate organizations.
- (d) Prepare and update necessary information for public information.
- (e) Activate the appropriate Emergency Operations Center (EOC).
- (f) If possible, initiate mitigation and preparedness programs to reduce the effects of the event.
- (g) Initiate all record-keeping, data collection, and control measures to quality control.

Response – Emergency Period

- (a) Initiate and conduct disaster response operations in accordance with established SOPs.
 - (b) Coordinate their response with all involved agencies and jurisdictions through the EOC.
 - (c) Keep the public and government officials advised of actions taken.
 - (d) Assess and evaluate the effectiveness of emergency response efforts and establish priorities in the application of resources.
 - (e) Ensure accurate record-keeping, data collection, and control measures are maintained.
 - (f) Account for the safety and well-being of responders and their families.
4. Recovery. The **recovery function** involves actions taken to return vital life support systems to minimum operating standards, and long term activities to return life to “normal” or improved levels. After the threat to life and property has passed those agencies involved in response shall:
- (a) Obtain detailed damage assessment information.
 - (b) Coordinate the application of resources to meet the long term needs of the jurisdiction.
 - (c) Identify deficiencies in response, conduct after action critiques, and implement actions for improvement.

B. Emergency Operations

The chief executive(s) of the municipality, upon determining that a disaster exists within their jurisdiction with the potential to affect life, property, or the public peace, may, under RCW 35.33.081 or RCW 36.40.180 and RCW 38.52.070(2) proclaim a state of emergency.

Delegation of this responsibility shall be in writing and a copy provided to the Snohomish County DEM Director.

1. Incident. A disaster is either imminent or has occurred. Local agencies respond in accordance with their departmental policies and procedures. If a determination is made that this event cannot be safely terminated by City of Lake Stevens resources, is multi-jurisdictional, or for any other reason will require county, state, or federal resources, the Incident Commander (IC) will request activation of the Emergency Operations Center.

2. Activation. The decision to activate the City of Lake Stevens EOC is made by the City of Lake Stevens Mayor or their designee. The City of Lake Stevens EOC operates at three separate levels depending on the size and complexity of the situation, as well as the anticipated need for coordination and support. The levels of activation are:
 - (a) **Level I** activation involves minor emergencies and will be primarily staffed from existing personnel and resources.
 - (b) **Level II** activation involves incidents which have special characteristics requiring response by multiple departments and agencies. This level of activation may require support from agencies outside of City of Lake Stevens and overnight operations.
 - (c) **Level III** activation involves catastrophic incidents, which will require a coordinated response from all levels of government and emergency services throughout the county in order to save lives and protect property. This level activation will require extended 24/7 operations and utilization of all city personnel.

Once activated, the EOC will:

- Save and protect the greatest number of people at risk
- Ensure the safety of first responders and City employees
- Save and protect as many residential, business and industrial properties as possible
- Save and protect as much vital infrastructure as possible
- Restrain the spread of environmental damage
- Minimize human suffering and economic interruptions
- Facilitate the recovery of Lake Stevens to get “back to normal as quickly as possible”
- Continue to operate until the City of Lake Stevens Mayor or their designee, in consultation with the on-scene IC, determine EOC assistance is no longer required.

C. Contingency Emergency Operations Plan

3. Emergency Proclamation/Request for Outside Assistance. When a disaster exceeds the jurisdiction’s capabilities, the Mayor may issue a proclamation of emergency and request additional assistance through the Snohomish County Executive to DEM. If the disaster should exceed the capabilities of the county, the county executive may issue a proclamation of emergency and request additional assistance through Washington State Emergency Management Division or to the Governor.
4. Concurrent Implementation of Multi-Jurisdictional Plans.
 - (a) The Snohomish County CEMP (Aug, 2009) Basic Plan establishes general policy and guidance for county-wide emergency response, defines a general concept of how government will respond, and assigns responsibilities to agencies and organizations.
 - (b) By law, the City of Lake Stevens Mayor is responsible for disaster operations in their jurisdiction, while the county executive is the responsible official in the unincorporated areas. Thus, the City of Lake Stevens retains the authority and responsibility for

direction and control within its political subdivision of its own disaster operations, use of local resources, and application of mutual aid within its own boundaries.

- (c) Large-scale disaster operations will be conducted by city and county forces, supplemented as necessary by trained auxiliaries, established cadres, and by work forces available within the local communities. Use will be made of available mutual aid from local, state, and federal agencies including, but not limited to, mutual aid agreements between existing emergency management activities coordinated by DEM.

D. Operations under Department of Homeland Security (DHS) National Terrorism Advisory System (NTAS)

The DHS National Terrorism Advisory System (NTAS) has two alert levels:

Elevated Warns of a credible terrorist threat against the United States.

Imminent Warns of a credible, specific, and impending terrorist threat against the United States.

NTAS Alerts contain a **sunset provision** indicating a specific date when the alert expires and therefore there will not be a constant NTAS Alert or blanket warning of an overarching threat.

Due to the unpredictable nature of terrorism (little or no warning of an attack), citizens should remain ever vigilant to the possibility of an attack and report suspicious behavior to local law enforcement for investigation.

Beneath each NTAS Alert Level are suggested Protective Measures, recognizing that the heads of City departments and agencies are responsible for developing and implementing appropriate agency-specific Protective Measures:

1. **General Conditions – Normal Operations.** City departments and agencies should consider the following general measures in addition to the agency-specific Protective Measures they develop and implement:
 - Refining and exercising as appropriate preplanned Protective Measures.
 - Ensuring personnel receive proper training on the Homeland Security Advisory System and specific preplanned department or agency Protective Measures.
 - Institutionalizing a process to assure that all facilities and regulated sectors are regularly assessed for vulnerabilities to terrorist attacks, and all reasonable measures are taken to mitigate these vulnerabilities.

2. **Elevated Alert Level.** This condition is declared when there is a credible terrorist threat against the United States. City departments and agencies should consider the following general measures in addition to the agency-specific Protective Measures that they will develop and implement:
 - Checking communications with designated emergency response or command locations.
 - Reviewing and updating emergency response procedures.

- Providing the public with any information that would strengthen its ability to act appropriately.
 - Increasing surveillance of critical locations.
 - Coordinating emergency plans as appropriate with nearby jurisdictions.
 - Assessing whether the precise characteristics of the threat require the further refinement of preplanned Protective Measures.
 - Implementing, as appropriate, contingency and emergency response plans.
3. **Imminent Alert Level.** This condition is declared when there is a credible, specific, and impending terrorist threat against the United States. In addition to the Protective Measures noted above, City departments and agencies should consider the following general measures in addition to the agency-specific Protective Measures that they will develop and implement:
- Disseminating the Imminent Alert advisory when the alert is issued.
 - Contacting all personnel to ascertain their recall availability, modifying staffing schedule as needed.
 - Placing EOC on Stand-by or Activating based on the specificity of the threat.
 - Testing, maintaining, and monitoring communications and warning systems.
 - Checking all equipment for operational readiness, filling fuel tanks, and checking specialized equipment.
 - Checking inventory of all critical supplies and re-ordering if necessary.
 - Be alert to suspicious activity and report it.
 - Coordinating necessary security efforts with Federal, State, and local law enforcement agencies or any National Guard or other appropriate armed forces organizations.
 - Taking additional precautions at public events and possibly considering alternative venues or even cancellation.
 - Preparing to execute contingency procedures, such as moving to an alternate site or dispersing their workforce.
 - Limiting access points to critical infrastructure facilities and enforcing entry control procedures.
 - Enforcing parking of vehicles away from sensitive buildings.
 - Keeping critical response vehicles in a secure area and keeping all garage doors closed.
 - Locking all exterior doors except main entrances; checking all visitors' identification and requiring all visitors to sign in; insuring all contractors have valid work orders, identification, and that they remove all unnecessary tools and equipment.
 - Reviewing all SOPs and the City Emergency Operations Plan.
 - Implementing staffing/recall plans. Heads of all departments shall stay at or be in direct communications with their departments.
 - Considering releasing all non-critical personnel.
 - Ensuring 24 hour access to the County Executive, Council, and all municipal mayors and/or their alternates.
 - Ensuring communications with local TV/Radio stations.
 - Briefing all EOC staff, government and first responders of any evacuation routes or any information concerning alert status.
 - Ensuring regular welfare checks of critical personnel and facilities.
 - Placing on high alert specialized teams including crisis counselors.

- Being prepared to control access and evacuation routes to all critical infrastructures and facilities.
- Making positive identifications of all vehicles in staging and support areas.
- Restricting all parking within close proximity to all critical buildings.
- Controlling access and requiring positive identifications of all persons in critical infrastructure areas.
- Searching everything brought into critical facilities. Accepting only expected deliveries; any suspicious packages should be opened outside.
- Securing all access points.
- Making frequent checks of all perimeters and grounds of all critical facilities.
- Utilizing volunteer or career personnel to provide 24 hour security watches in critical facilities.
- Assigning emergency response personnel; pre-positioning and mobilizing specially trained teams or resources.
- Monitoring, redirecting, or constraining transportation systems.
- Closing public and government facilities.

IV. ORGANIZATION AND ASSIGNMENT OF RESPONSIBILITIES

Incident management activities will be carried out according to existing departmental plans and shall be coordinated by using the Incident Command System (ICS).

- A. Federal Government: See the National Response Framework (NRF), January 2008**
- B. State Government: See the Washington State Comprehensive Emergency Management Plan (CEMP), March 2003**
- C. County Government: See the Snohomish County Comprehensive Emergency Management Plan (CEMP), Aug 2009**
- D. City of Lake Stevens Government**
 - 1. The Mayor and/or Senior Officials should:**
 - (a) Establish policy and make major decisions.
 - (b) Order Evacuations as necessary.
 - (c) Suspend local ordinances when necessary to support emergency operations.
 - (d) Direct emergency operations and provide liaisons as necessary.
 - (e) Preserve continuity of government.
 - (f) Issue a Proclamation of Emergency and Request for Assistance as needed.
 - (g) Request additional assistance on behalf of the City through the Snohomish County Department of Emergency Management.
 - (h) Inform and warn public
 - (i) Ensure the implementation of emergency response and recovery plans.
 - (j) Provide consistent public information in coordination with the Snohomish County DEM and the County Joint Information Center (JIC).

2. The City of Lake Stevens Council should:

- (a) Adopt and enact ordinances/resolutions and appropriate revenue.
- (b) Conduct public hearings and/or meetings, and take action to inform the public and identify emergency needs.
- (c) Provide for the continuity of government and temporarily fill any vacancies of an elected official by appointment.

3. The City of Lake Stevens Emergency Management Coordinator (in conjunction with Snohomish County DEM) should:

- (a) Be responsible for updating this Plan.
- (b) Coordinate emergency activities of local agencies in preparing and responding to disasters and/or events.
- (c) Provide communication coordination for response agencies during a disaster.
- (d) Assist elected officials by providing staff assistance in a disaster.
- (e) Act as a point-of-contact for requesting disaster assistance from other governmental agencies (except mutual aid).
- (f) Prepare damage assessment, incident reports, or other disaster analysis reports as necessary.
- (g) Warn the public of impending disasters and provide adequate instructions before, during, and after an emergency event.
- (h) Provide reconnaissance and field operations teams.
- (i) Provide public information and education as it pertains to preparedness and response.
- (j) Coordinate resource availability and use.
- (k) Maintain current Standard Operating Procedures (SOPs) for the City of Lake Stevens emergency management functions.

4. The Lake Stevens Police Department Should:

- (a) Provide direction and leadership to department staff while fulfilling emergency management responsibilities.
- (b) Mobilize and deploy law enforcement and traffic control operations.
- (c) Conduct windshield surveys within City limits.
- (d) Alert and warn the public.
- (e) Enforce laws and apprehend offenders.
- (f) Provide damage assessment surveys and report into EOC.
- (g) Provide security at specified locations.
- (h) Provide animal control services.
- (i) Assist the Snohomish County Coroner's office with temporary morgue management.
- (j) Collect and evaluate information about the incident and forward to the Emergency Operation Center (EOC) as appropriate.
- (k) Use suitable crowd and traffic control procedures to limit access to the disaster area and/or provide on scene perimeter control.
- (l) Assist in warning and carryout the evacuation of citizens from the affected area.
- (m) Provide field Incident Commander for:
 - Traffic Accident
 - Civil Disturbance

- Major Electrical Outage
 - Terrorism
 - Bomb Threat
 - State of
- (n) Carry out search and rescue missions
- (o) Provide mutual aid as available

5. The City Directors and Department Heads Should:

- (a) Establish procedures to ensure the preservation of essential records and data, and maintain the continuity of essential services
- (b) Determine internal chain of command and succession authority to ensure continuity of leadership and operations.
- (c) Establish policies and procedures for tracking disaster operations, overtime and other associated costs.
- (d) Designate primary and alternate locations from which to establish internal direction and control of activities.
- (p) Make staff available, when requested by the City Lake Stevens Emergency Management Coordinator for appropriate training, planning, exercise design and emergency assignments, such as EOC operations.
- (q) Provide staffing to support the EOC operations, damage assessments and/or liaison with other agencies and organizations when requested by the EOC manager.
- (r) When indicated, activate internal emergency operational procedures. This includes internal communications, conducting roll-call and accountability of personnel, conducting damage assessment, evaluating needed resources, and continually communicating this and related information to the EOC.
- (s) Maintain current SOPs.
- (t) Process any applicable forms needed for personal or real property claims.
- (u) Conduct a post-disaster analysis of departmental emergency activities and make necessary revisions to internal emergency operations plan.

6. The City Department of Finance/Treasury/City Clerk should:

- (a) Ensure disaster related expenditures are made in accordance with applicable laws, regulations, and accounting procedures.
- (b) Remove and secure public records as necessary.
- (c) Provide personnel for other agencies or for damage assessment teams as needed.
- (d) Maintain current SOPs.

7. City Public Works should:

- (a) Maintain and/or repair major thoroughfares for emergency vehicles.
- (b) Provide refuse and/or debris removal or disposal.
- (c) Keep storm water systems operational.
- (d) Provide barricades and other traffic control equipment as needed.
- (e) Conduct windshield surveys within City limits.
- (f) Provide equipment and operators to assist in emergency situations.
- (g) Provide damage assessment reports.

- (h) Provide information on current road conditions.
- (i) Assess post-event serviceability of facilities and structures.
- (j) Assist with search and rescue operations.
- (k) Assist with establishing emergency power (hook up generators) to city facilities.
- (l) Provide equipment and operators to assist other agencies/departments with disaster responsibilities.
- (m) Provide information on road conditions and status.
- (n) Assist in the City of Lake Stevens EOC as requested.
- (o) Maintain current SOPs.

8. Lake Stevens Fire Protection District 8 Should:

- (a) Provide direction and leadership to department staff while fulfilling emergency management responsibilities.
- (b) Mobilize and deploy fire resources for the protection of life, property, and the environment.
- (c) Prevent and suppress fires and mitigate hazardous material incidents.
- (d) Assist with search and rescue operations.
- (e) Conduct windshield survey within City limits.
- (f) Provide mutual aid, if requested and available.
- (g) Assist Police with alerting and warning, evacuation efforts, and traffic and crowd control as needed.
- (h) Collect and evaluate information about the incident and forward to the Emergency Operations Center (EOC).
 - Provide on-scene medical assistance.
 - Provide the field Incident Commander for:
 - Fire
 - Flood
 - Hazardous Materials
 - Earthquake
 - Downed Aircraft
 - Radiological Incidents
 - Industrial Accidents
 - Severe Weather
- (i) Provide damage assessment reports to the EOC.
- (j) Maintain current suggested operating guidelines for the department's disaster responsibilities.

9. Private Sector should:

- (a) Create business continuity plans in order to facilitate their ability to recover from incidents that impact their personnel and facilities.
- (b) Collaborate with emergency management personnel before an incident occurs to ascertain what assistance may be necessary and how they can help.
- (c) Develop and exercise emergency plans before an incident occurs.
- (d) When appropriate, establish mutual aid and assistance agreements to provide specific response capabilities.

- (e) Provide assistance (including volunteers) to support local emergency management and public awareness during response and throughout the recovery process.
- (f) Provide damage assessment reports to the EOC.

10. Citizens should:

- (a) Reduce hazards in and around their homes to lessen the amount of damage caused by an incident.
- (b) Prepare a personal emergency supply kit and household emergency plan to include supplies for household pets and service animals. Be prepared to be self-sufficient following a disaster for a minimum of seven days and possibly longer.
- (c) Monitor emergency communications carefully to decrease their risk of injury, keep emergency routes open to response personnel, and diminish demands on landline and cellular communication.

11. Snohomish County DEM Should

- (a) Coordinate emergency activities of local participating cities in preparing and responding to a disaster.
- (b) Provide communications coordination for response agencies during a disaster.
- (c) Act as the sole contact point for requesting disaster assistance from other governmental agencies, except for mutual aid.
- (d) Warn the public of impending disasters and provide adequate instructions before, during, and after emergencies.
- (e) Provide reconnaissance and field operations teams.
- (f) Provide public information and education as it pertains to disaster preparedness and response.
- (g) Coordinate the use of all available resources.
- (h) Send out regular countywide situational reports as it pertains to the incident and subsequent emergency support function activities.
- (i) Coordinate Countywide State and FEMA Public and Private Assistance programs.
- (j) Maintain current suggested operating procedures for Snohomish County Department of Emergency Management.

12. Public Utility District #1 of Snohomish County Should:

- (a) Restore Electrical Power on a priority basis.
- (b) Repair damaged generating facilities and equipment.
- (c) Remove downed electrical lines from roadways and other dangerous areas.
- (d) Restore water services in its area of responsibility.
- (e) Maintain communications and provide situational reports which will be sent to cities via Snohomish County DEM.

13. Williams Pipeline Should:

- (a) Notify the Lake Stevens Fire Protection District or EOC of a natural gas leak if discovered in the response area.

- (b) Contain or shut down the pipeline as expeditiously as possible in the event of a rupture or leak.
- (c) Maintain communications and provide situational reports to Lake Stevens EOC when requested.

V. DIRECTION, CONTROL, AND COORDINATION

Protection of life, property, the environment, and the economy within City of Lake Stevens are the primary concerns of City of Lake Stevens government. As such, City of Lake Stevens shall maintain control of its own operations. Tactical control of response operations rests with the Incident/Unified Command, while operational control will be exercised from the City of Lake Stevens EOC. Within Snohomish County, multi-jurisdictional coordination will be done from the Snohomish County DEM EOC which, when necessary, will request State and/or Federal assistance through the State of Washington EMD.

VI. INFORMATION COLLECTION & DISSEMINATION

The accurate and timely collection, analysis, and sharing of information is critical in developing situational awareness during an emergency or disaster. This collation of information should result in creating a Common Operating Picture (COP) of the emergent situation from which appropriate responses can be formulated.

Information collection and sharing format will normally be by Situation Report (SITREP), which is the standard established by the Washington State Emergency Management Division. Other formats may be used when appropriate.

The following table lists information requirements, sources, and reporting frequency common to emergencies and disasters. The list should not be considered all inclusive as other information may be required based on the situation.

Information Collection Matrix – General Requirements			
What is Needed	When Needed	Comes From	Reported To
Incident Summary	Immediately	Incident Commander(s)	Department Operations Center to Municipal EOC to County EOC
Incident Needs	Immediately	Incident Commander(s)	Department Operations Center to Municipal EOC to County EOC
Major Issues/Activities	Immediately	Incident Commander(s)	Department Operations Center to Municipal EOC to County EOC
Personnel Accountability	Within first two hours; Once each operational period thereafter	Department Head or Designee	To municipal EOC to County EOC
Communications System Status	Within first two hours; Once each operational period thereafter	Department Head or Designee	To municipal EOC to County EOC
Evacuation or Relocation	Within first two hours; Once each operational period thereafter	Incident Commander(s); Public	To municipal EOC to County EOC
Facility Damage Assessment	Within first four hours; Once each operational period thereafter	Department Head or Designee	To municipal EOC to County EOC
Utility Status	Within first four hours; Once each operational period thereafter	Public Works, PUD, Public	To municipal EOC to County EOC
Transportation & movement damage assessment	Within first four hours; Once each operational period thereafter	Public Works, Public	To municipal EOC to County EOC
Department Continuity of Operations	Within first six hours; Once each operational period thereafter	Department Head or Designee	To municipal EOC to County EOC
Shelter Requirements	Within first six hours; Once each operational period thereafter	Incident Commander(s); Red Cross; Public	To municipal EOC to County EOC
Causality Summary (deceased, missing, injured)	Within first six hours; Once each operational period thereafter	Fire; Police; Incident Commander(s); Public	To municipal EOC to County EOC
Status of disaster or emergency declarations	As soon as possible	Chief Elected Official	To County EOC

VII. COMMUNICATIONS

Communications utilized during emergency and disaster operations will include all systems now in use by all response agencies and emergency support units, provided they are available. Agency two-way radio communications will be the primary means of communication used to direct, control and coordinate emergency operations. Telephones and amateur radio systems will be used to support communications, when necessary and available.

VIII. ADMINISTRATION, FINANCE, AND LOGISTICS

A. Administration

1. All organizations with disaster responsibilities should establish and maintain files of disaster related directives and forms. These files include, but are not limited to:
 - (a) Situation Reports
 - (b) Proclamations of Emergency
 - (c) Requests for Assistance
 - (d) Damage Assessment Reports
2. Executive heads of local political subdivisions may command the service and equipment of citizens under the provisions and limitations of RCW 38.52.110 (2).
3. Emergency workers utilized as outlined in Chapter 38.52 RCW shall be granted liability insurance coverage provided they meet all legal provisions as stated in Chapter 118-04 WAC.

B. Financial Management

1. Emergency expenditures are not normally integrated into the budgeting process of local governments. However, disasters may occur which require substantial and necessary unanticipated obligations and expenditures. The following statutes cover the financing of emergency response and recovery actions:
 - (a) Cities with populations under 300,000: RCW 35.33.081 and 35.33.101
 - (b) Municipal governments are authorized to contract for construction or work on a cost basis for emergency services by RCW 38.52.390.
2. Records shall be kept so disaster related expenditures and obligations of the cities, and towns can be readily identified from regular or general programs and activities.
3. Disaster-related expenditures and obligations of the cities, and towns may be reimbursed under a number of federal programs. The federal government may authorize reimbursement of approved costs for work performed in the restoration of certain public facilities and infrastructure after a Major Disaster declaration by the President or under the statutory authority of certain federal agencies.

4. Audits of the cities' and towns' disaster-related emergency expenditures will be conducted in the course of normal audits of state and local records. Audits of projects approved for funding with federal disaster assistance funds are necessary at project completion to determine the propriety and eligibility of the costs claimed by the applicant. The federal government conducts these audits.

C. Logistics

1. Each municipal department shall keep a current inventory of all resources (by NIMS resource typing):
 - (a) Resource may include but are not limited to heavy equipment, moving vans, milk trucks (for water), cold storage, construction supplies, veterinary resources, etc.
 - (b) This inventory shall be provided to Snohomish County DEM upon request and updated as necessary.
2. The executive heads of local political subdivisions "are directed to utilize the services, equipment, supplies, and facilities of existing departments, offices, and agencies" of their political subdivision and "all such departments, offices, and agencies are directed to cooperate with and extend such services and facilities to the emergency management organizations of the state upon request notwithstanding any other provision of law." (RCW 38.52.110 (1))

IX. PLAN DEVELOPMENT AND MAINTENANCE

D. Development

1. Any department or agency with assigned responsibilities under the CEMP may propose a change to the plan via the CEMP Suggestion Form. The City of Lake Stevens Emergency Management Coordinator is responsible for coordinating all proposed modifications to the CEMP with primary and support agencies and other stakeholders, as required.
2. After coordination has been accomplished, including receipt of the necessary signed approval supporting final change language, The City of Lake Stevens Emergency Management Coordinator will issue an official Notice of Change.
3. Once published, the change will be considered part of the CEMP for operational purposes pending a formal revision and reissuance of the entire document.

E. Maintenance

1. The City of Lake Stevens Comprehensive Emergency Management Plan will be updated as needed to incorporate new directives, legislative changes, and procedural changes based on lessons learned from exercises and actual events.
2. The City of Lake Stevens Emergency Management Coordinator is responsible for coordinating full reviews and updates of the CEMP every 4 years, or as needed. The review

and update will consider lessons learned and best practices identified during exercises and responses to actual events, and incorporate new information technologies.

F. NIMS Integration

The City of Lake Stevens Emergency Management Coordinator is responsible for emergency management activities, utilizing the Incident Command System (ICS) / National Incident Management System (NIMS).

X. AUTHORITIES AND REFERENCES

The City of Lake Stevens Comprehensive Emergency Management Plan has been developed and is maintained under the following authorities:

- A. Federal Civil Defense Act of 1950, as amended.**
- B. Public Law 93-288, "Disaster Relief Act of 1974" as amended by PL 100-707, "Robert T. Stafford Disaster Relief and Emergency Assistance Act".**
- C. Public Law 96-342, "Improved Civil Defense".**
- D. Public Law 99-49, "Superfund Amendments and Reauthorization Act of 1986".**
- E. RCW 38.52.070, Local Organizations and Local Organizations authorized-establishment, operation, emergency powers, and procedures.**
- F. National Response Framework, dated Jan 2008**
- G. 44 CFR Emergency Management and Assistance**
- H. State of Washington CEMP, dated March 2003**
- I. Snohomish County CEMP, dated Aug 2009**
- J. Revised Code of Washington (RCW) Chapter 38.52, "Emergent Management"**
- K. Washington Administrative Code (WAC) Chapter 118-04 WAC, "Emergency Worker Program"**
- L. Washington Administrative Code (WAC) Chapter 118-30-60 WAC, "Emergency Plans"**
- M. Snohomish County Code (SCC) Chapter 2.36, Emergency Management**
- N. Lake Stevens Municipal Code (LSMC) Chapter 9.68, "Mayor's Emergency Powers"**

Lake Stevens Municipal Code Chapter 9.68
MAYOR'S EMERGENCY POWERS

Sections:

- 9.68.010 Proclamation of Civil Emergency
- 9.68.020 Action Which May be Taken
- 9.68.030 Delivery to News Media
- 9.68.040 Violation - Penalty

9.68.010 Proclamation of Civil Emergency.

Whenever riot, unlawful assembly or insurrection or the imminent threat thereof, or manmade or natural disaster occurs in the City and results in, or threatens to result in the death or injury of persons or the destruction of property to such extent as to require, in the judgment of the Mayor, extraordinary measures to protect the public peace, safety and welfare, the Mayor shall forthwith proclaim in writing the existence of a civil emergency.

9.68.020 Action Which May Be Taken.

Upon the proclamation of a civil emergency by the Mayor, and during the existence of such civil emergency, the Mayor or designee may make and proclaim any or all of the following orders.

- A. An order imposing a general curfew applicable to the City as a whole, or to such geographical area or areas of the City and during such hours as he/she deems necessary, and from time to time to modify the hours such curfew will be in effect and the area or areas to which it will apply;
- B. An order requiring any or all business establishments to close and remain closed until further order;
- C. An order requiring the closure of any or all bars, taverns, liquor stores and other business establishments where alcoholic beverages are sold or otherwise dispensed; provided, that with respect to those business establishments which are not primarily devoted to the sale of alcoholic beverages and in which such alcoholic beverages may be removed or made secure from possible seizure by the public, the portions thereof utilized for the sale of items other than alcoholic beverages may, in the discretion of the Mayor, be allowed to remain open;
- D. An order requiring the discontinuance of the sale, distribution or giving away of alcoholic beverages in any or all part of the City;
- E. An order requiring the discontinuance of the sale, distribution or giving away of firearms and/or ammunition for firearms in any or all parts of the City;

- F. An order requiring the discontinuance of the sale, distribution or giving away of gasoline or other liquor flammable or combustible products in any container other than a gasoline tank properly affixed to a motor vehicle;
- G. An order requiring that sale of gasoline be limited to emergency vehicles for preservation of human life or protection of property;
- H. An order requiring the closure of any or all business establishments where firearms and/or ammunition for firearms are sold or otherwise dispensed; provided, that with respect to those business establishments which are not primarily devoted to the sale of firearms and/or ammunition and in which such firearms and/or ammunition may be removed or made secure from possible seizure by the public, the portions thereof utilized for sale of items other than firearms and ammunition may, in the discretion of the Mayor, be allowed to remain open;
- I. An order closing to the public any or all public places, including streets, alleys, public ways, schools, parks, beaches, amusement areas and public buildings;
- J. An order prohibiting the carrying or possession of firearms or any instrument which is capable of producing bodily harm and which is carried or possessed with the intent to use the same to cause such harm; provided, that any such order shall not apply to peace officers or military personnel engaged in the performance of their official duties;
- K. Such other orders as are imminently necessary for the protection of life and property; provided, however, that any such orders shall, at the earliest practicable time, be represented to the City Council for ratification and confirmation, and if not so ratified and confirmed shall be void.

9.68.030 Delivery to News Media.

The Mayor or designee shall cause any proclamation issued by him/her pursuant to the authority of this chapter to be delivered to all news media within the City and shall utilize such other available means, including public address systems, as shall be necessary, in his/her judgment, to give notice of such proclamations to the public.

9.68.040 Violation - Penalty.

It is unlawful for anyone to fail or refuse to obey any such order proclaimed by the Mayor. Anyone convicted of a violation of this chapter shall be guilty of a misdemeanor. (Ord. 432, 1993: Ord. 15, 1961)

(Chapter 9.68 renumbered from 9.40, Ord. 448, Sec. 2, 1994)

City of Lake Stevens

Appendix 1 – DEFINITIONS

Biological Agents: The FBI WMD Incident Contingency Plan defines biological agents as microorganisms or toxins from living organism that have infectious or noninfectious properties that produce lethal or serious effects in plants and animals.

Chemical Agents: The FBI WMD Incident Contingency Plan defines chemical agents as solids, liquids, or gases that have chemical properties that produce lethal or serious effects in plants and animals.

Common Program Control Broadcast Station: An element of the Emergency Broadcast System. A primary broadcast station in each operational (local) area assigned the responsibility for coordinating the operations for the broadcasting of the common programming for the operational area.

Consequence Management: FEMA defines consequence management as measures to protect public health and safety, restore essential government services, and provide emergency relief to governments, businesses and individuals affected by the consequences of terrorism.

Crisis Management: The FBI defines crisis management as measures to identify, acquire and plan the use of resources needed to anticipate, prevent, and/or resolve a threat or act of terrorism.

Damage Assessment: Estimation of damages made after a disaster has occurred which serves as the basis of the City administrator's request to the Governor for a declaration of emergency or major disaster.

Disaster Analysis: The collection, reporting and analysis of disaster related damages to determine the impact of the damage and to facilitate emergency management of resources and services to the impacted area.

Disaster Assistance Center: A center set up in the disaster area where individual disaster victims may receive information concerning available assistance, and apply for the programs for which they are eligible. The Disaster Assistance Center will house representatives of the federal, state, and local agencies that deal directly with the needs of the individual victim.

Emergency: "Any hurricane, tornado, storm, flood, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, drought, fire, explosion, or other catastrophe which requires emergency assistance to save lives and protect public health and safety or to avert or lessen the threat of a major disaster." (Public Law 93-288)

Emergency Alert System: Consists of broadcasting stations and interconnecting facilities that have been authorized by the Federal Communications Commission to operate in a controlled manner during emergencies.

Emergency Protective Measures: Those efforts to protect life and property against anticipated and occurring effects of a disaster. These activities generally take place after disaster warning, if any, and throughout the incident period.

Emergency Management: The preparation for and the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to minimize injury and repair damage resulting from disasters caused by natural or human caused.

Comprehensive Emergency Management Plan: A Plan prepared by city, county, municipal government, or a business owner in advance and in anticipation of disasters for the purpose of assuring effective management and delivery of aid to disaster victims, and providing for disaster prevention, warning, emergency response, and recovery.

Emergency Worker: Any person who is registered with a state or local emergency management organization and holds an identification card issued by the state or local emergency management director for the purpose of engaging in authorized emergency management, or who is an employee of the State of Washington or any political subdivision thereof who is called upon to perform emergency tasks.

Individual Assistance: Financial or other aid provided to private citizens to help alleviate hardship and suffering, and intended to facilitate resumption of their normal way of life prior to disaster.

Major Disaster: “Any hurricane, tornado, storm, flood, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm drought, fire, explosion of other catastrophe in any part of the United States which, in the determination of the President, causes damage of sufficient severity and magnitude to warrant Major Disaster assistance under PL 93-288, above and beyond emergency management by the federal government, to supplement the efforts and available resources of states, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby.” (Public Law 93-288)

Standard Operating Procedures: A ready and continuous reference to those roles, relationships and procedures within an organization which are used for the accomplishment of broad or specialized functions which augment the Comprehensive Emergency Management Plan.

Terrorist Incident: The FBI defines a terrorist incident as a violent act, or an act dangerous to human life, in violation of the criminal laws of the United States or of any State, to intimidate or coerce a government, the civilian population, or any segment thereof in furtherance of political or social objectives.

Tsunami: A wave caused by a submarine disturbance, such as an earthquake or volcanic eruption.

Utility: Structures or systems of any power, water storage, supply and distribution, sewage collection and treatment, telephone, transportation, or other similar public service.

Voluntary Organization: Any chartered or otherwise duly recognized tax-exempt local, state, national organization or group which has provided or may provide services to the state, local governments, or individuals in a major disaster or emergency.

City of Lake Stevens

Appendix 2 – ACRONYMS

ACCESS	A Central Computerized Enforcement Service System
ARC	American Red Cross
BPA	Bonneville Power Administration
CAP	Civil Air Patrol
CEMC	City Emergency Management Coordinator
CEMO	City Emergency Management Office
CEMP	Comprehensive Emergency Plan
CERT	Community Emergency Response Team
CFR	Code of Federal Regulations
CMNET	Comprehensive Emergency Management Network
COE	Corp of Engineers
CP	Command Post
CPCS	Common Program Control Station
CTED	Community Trade and Economic Development - Washington State
DAC	Disaster Assistance Council or Center
DHS	Department of Homeland Security
DEM	Department of Emergency Management - Snohomish County
DNR	Department of Natural Resources
DRC	Disaster Recovery Center
EAS	Emergency Alert System
EM	Emergency Management
EMD	Emergency Management Division of Washington State
EMC	Emergency Management Coordinator
EMO	Emergency Management Office
EMS	Emergency Medical Services
EOC	Emergency Operations Center
ESCA	Emergency Services Coordinating Agency, South Snohomish County
ESF	Emergency Support Function
FAA	Federal Aviation Administration
FEMA	Federal Emergency Management Agency
FRP	Federal Response Plan
HAZMAT	Hazardous Material
HIVA	Hazardous Identification and Vulnerability Assessment
IC	Incident Commander
ICS	Incident command System
JFO	Joint Field Office
JIC	Joint Information Center
LEPC	Local Emergency Planning Committee
MAST	Military Assistance to Safety and Traffic
MSCA	Military Support to Civil Authorities
NAWAS	National Warning System
NOAA	National Oceanic and Atmospheric Administration
PDA	Preliminary Damage Assessment
PIO	Public Information Officer

RACES	Radio Amateur Civil Emergency Service
RCW	Revised Code of Washington
SAR	Search and Rescue
SARA	Superfund Amendments and Reauthorization Act
SBA	Small Business Administration
SITREP	Situation Report
SOP	Standard Operating Procedure
WAC	Washington Administrative Code
WMD	Weapons of Mass Destruction
USAR	Urban Search and Rescue

City of Lake Stevens

Appendix 3 – AUTHORITIES & REFERENCE
(Published Separately)

Federal

National Response Framework (NRF) of 2008(as amended).
National Incident Management System (NIMS) of 2004 (as amended).
Public Law 920, “Federal Civil Defense Act of 1950” (as amended).
Public Law 93-288, “Disaster Relief Act of 1974” as amended by PL 100-707, “Robert T. Stafford Disaster Relief and Emergency Assistance Act”.
Public Law 96-342, “Improved Civil Defense”.
Public Law 99-499, “Superfund Amendments and Reauthorization Act (SARA) of 1986”.

State of Washington

Comprehensive Emergency Management Plan (CEMP) of 2003 (as amended).
Hazard Identification and Vulnerability Analysis (HIVA) of 2009.
Revised Code of Washington (RCW) Chapter 38.52, “Emergency Management”.
Washington Administrative Code (WAC) Chapter 118-04 WAC, “Emergency Worker Program”.

Snohomish County

Comprehensive Emergency Management Plan (CEMP) of 2009 (as amended).
Hazard Identification and Vulnerability Analysis (HIVA) of 2004.
Natural Hazard Mitigation Plan of 2010.
Snohomish County Code (SCC) Chapter 2.36, “Emergency Management”.

City of Lake Stevens

Comprehensive Emergency Management Plan (CEMP) of 2013 (as amended).

Other Federal, State, and County laws, mandates, or guidance, as applicable

Note: The above list is not intended to be all encompassing - additional definitions, glossary, and reference material are part of most cited supporting publications.

City of Lake Stevens

Appendix 4 – TRAINING, DRILLS, & EXERCISES

I. PURPOSE

To provide a structure for evaluating the four principles of emergency management: preparedness, response, recovery and mitigation. Exercises are part of the preparedness phase. Undertake to prepare response and recovery efforts from the hazards that cannot be fully mitigated.

II. OPERATIONAL CONCEPTS

A. General

1. Preparedness education, training, and exercises are vital to facilitate the effectiveness of emergency plans and procedures.
2. Education and training of emergency response personnel takes place at all levels of government and in volunteer organizations to enhance decision-making capabilities.
3. The City of Lake Stevens will utilize all staff in designing, executing, and evaluating training, exercise, and drill for the public and private sectors. Snohomish County DEM Training Section can assist with this process.

B. Consists of the Preparedness Cycle

1. Planning
2. Training
3. Exercising

C. Assess the Needs

1. Community Hazards
2. New facilities, personnel, or equipment
3. Problems that keep reoccurring
4. New/updated Emergency Operation Plans
5. Skills that need practice
6. Role clarification

D. Define the Scope

1. Functions
2. Agencies and Personnel
3. Hazards
4. Geographical Area
5. Exercise Type

E. Statement or Purpose of Exercise

1. Goals of Exercise:

a. **Tabletop:**

- 1) Informal discussion of simulated emergency
- 2) No time pressures
- 3) Low stress
- 4) Evaluates Plans and Procedures
- 5) Resolves questions of coordination and responsibility

b. **Functional:**

- 1) Policy and Coordination personnel practice emergency response
- 2) Stressful, realistic simulation
- 3) Takes place in real-time
- 4) Emphasizes emergency functions
- 5) EOC is activated

c. **Full-Scale:**

- 1) Takes place in real-time
- 2) Employs real people and equipment
- 3) Coordinates many agencies
- 4) Tests several emergency functions
- 5) Activates the EOC
- 6) Produces high stress

2. Focus and Control of Exercise

3. Objectives of Exercise

F. Write Exercise Directive:

1. Invites and/or requires participation in exercise or drill
2. Written by Chief Elected Official
3. Serves as an announcement of the exercise
4. Directs participation of certain parties
5. Invites participation of other parties

G. Develop Objectives-SMART:

1. **Simple**-A good objective is simple and clearly phrased. It is brief and easy to understand.
2. **Measurable**-The objective sets the level of performance, so that the results are observable and you can tell when the objective has been reached. This doesn't necessarily mean you have to set a quantifiable standard.
3. **Achievable**-The objective should not be too tough to achieve. An exercise should be reasonable in light of the county or city resources.

4. **Realistic**-Even though an objective might be achievable, it might not be realistic given the exercise.
5. **Task-Oriented-Objectives** should focus on behaviors or procedures; they should relate to an individual emergency function.

H. Compose Introductory Narrative:

The who, what, why, where and when of the event.

I. Develop Major and Detailed Events in Scenario

J. List of Expectations

K. Develop Control Point

An expected action of a player is a prerequisite for the logical, successful completion of the exercise.

L. Prepare Problem Statements or Messages

M. Prepare Exercise Evaluation Form

N. Evaluate the Exercise

III. RESPONSIBILITIES – PARTICIPATING JURISDICTIONS

The City of Lake Stevens (in coordination with Snohomish County DEM):

- A.** Develop and initiate local training and education programs, exercise, and drills for executives, local government, emergency response personnel, school districts, emergency workers, private businesses and the general public.
- B.** Develop special training programs that address your hazards.
- C.** Provide training, drill, and exercise information in annual progress reports to Snohomish County DEM Training Division.
- D.** Conduct various drills and exercises to validate training, plans, and procedures.

City of Lake Stevens

Appendix 5 – DISTRIBUTION

This Plan will be distributed to all participating city agencies, selected county, state, and federal government agencies, local fire district, the American Red Cross and other volunteer organizations, the Snohomish County Library System, private organizations, and any other interested parties or individuals.

This Plan is also available on the City of Lake Stevens website, located at <http://www.lakestevenswa.gov/>



LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: 12 November 13

Subject: 2014 Pavement Overlay commitment to the 20th Street SE Sewer Interceptor Project

Contact	Mick Monken	Budget Impact:	\$250,000
Person/Department:	<u>Public Works</u>		

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL: Authorize a 2014 budget commitment in the amount not to exceed \$250,000 to perform the roadway overlay of 20th Street SE between 83rd Avenue SE to approximately 200 feet west of 91st Avenue SE in conjunction with the Lake Stevens Sewer District's Southwest Interceptor project.

SUMMARY/BACKGROUND: Prior to the City's Southwest Annexation in 2010, the Lake Stevens Sewer District (District) had developed plans for the completion of their Southwest Interceptor project (Interceptor) in coordination with Snohomish County's Phase II of the 20th Street SE project (US 2 to 91st Avenue SE). The construction was expected to begin in 2013. In 2011, the County decided to not proceed with the project in 2013 and no construction date was identified. The Interceptor project was put on hold at this point.

By late 2011, the City took over as the lead from the County for the 20th Street SE roadway project. Also, during this time frame, the City was developing its subarea plan for economic development of the 20th Street SE corridor. A critical factor in the success of the implementation of the subarea plan was having sewer service along this corridor. As part of the subarea planning effort, the City was coordinating with the District for the completion of the Interceptor. The remaining phase of the Interceptor is a segment between 83rd Avenue SE to 91st Avenue SE. Once this segment is installed gravity sewer services can be provided from 83rd Avenue to the east side of SR 9. In early 2013, the District made a commitment to proceed with the design in 2013 with construction in 2014.

One change to the original Interceptor project was that the County was going to perform a pavement overlay at their expense, as part of their roadway improvements, after the Interceptor was installed. The District accepted that this would be under their expense now for the pavement repairs and asked if the City would allow for the District to provide a minimum overlay for one travel lane. City staff recognized that this segment of roadway is in need of a full width overlay and is recommending that the City commit the proposed 2014 annual pavement overlay amount of \$250,000 to perform this overlay following the completion of the Interceptor project. This would show City support for the District to complete the Interceptor and would provide a much needed pavement improvement. Any overage to the project, beyond the \$250,000, would be covered by the District.

APPLICABLE CITY POLICIES:

BUDGET IMPACT: \$250,000 from the Sewer Reserve (\$167,000) and the balance in REET 2 Fund - commitment for the 2014 Budget.

ATTACHMENTS: None



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LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: November 12, 2013

Subject: 2013 Comprehensive Plan Amendments (2013 Docket) and Code Housekeeping Amendments (LUA2013-0008) – Briefing

Contact Person/Department: Karen Watkins, Planning **Budget Impact:** None

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL: **No action requested of Council as staff will brief the Council on the 2013 Comprehensive Plan Amendments and related Code Amendments in preparation for the November 25, 2013 Public Hearing.**

SUMMARY: On July 8, 2013, the City Council ratified the 2013 Docket. Most of the Comprehensive Plan amendments are normal updates related to the Docket, the recently adopted subarea plans or other code amendments, and general updates due to changes in state regulations or requirements. The Code Housekeeping Amendments correct minor code errors and revisions found during code implementation, and update code to be consistent with the GMA Comprehensive Plan.

BACKGROUND: Under the Growth Management Act, the City is allowed to amend the Comprehensive Plan and Future Land Use Map only once per year with a few exceptions. This process is called the “Docket.” The Comprehensive Plan has a specified docket process to follow (pages 1-20 to 1-27). This year’s docket has one land use map correction proposed by the City and seven text amendments proposed by the City. In addition, Code Housekeeping Amendments, including one zoning map correction, are proposed by the City. No private amendments were proposed.

The Planning Commission held a public hearing for recommendation to ratify the 2013 Docket on June 19, 2013. The 2013 Docket was ratified by the City Council on July 8, 2013. The Planning Commission held a Public Hearing on the 2013 Docket on November 6, 2013; the recommendation letter will be included in the Council’s public hearing packet. The Park Board was central in updating Chapter 5 Parks, Recreation and Open Space Element; the recommendation letter will be included in the Council’s public hearing packet.

The proposed Comprehensive Plan amendments were sent to the Washington Department of Commerce on October 1, 2013 for the required 60-day review by State agencies (*Attachment A*). Draft Addendum No. 6 to the Integrated 2005 Comprehensive Plan and Environmental Impact Statement will be issued in November 2013 (*Attachment B*).

RM-2 and RT-2 were placeholders to be used if the Downtown Framework Plan was adopted before finalizing the Docket; since this was not completed, these two items are not included in the final docket. In addition, RT-8 was an open item to allow the City Council to add any additional items to the Docket. During review of the Park Plan, it was determined that park projects need to be added to Chapter 8 Capital Facilities Element, Table 8-1 Capital Improvements, 2012-2032.

The proposed Comprehensive Plan Amendments have been analyzed against the criteria to grant or deny an amendment on the analysis forms. The Code Housekeeping Amendments have been analyzed against the decision criteria in LSMC 14.16C.075 for land use code amendments. All proposals meet all requirements for granting the proposed amendments.

DISCUSSION: The Comprehensive Plan establishes eight criteria listed on pages 1- 26 to 1-27 to grant or deny a Plan amendment. The items on the ratified docket have been analyzed against the criteria to grant or deny an amendment. An analysis form for each proposed map and text amendment is in ***Attachment C***.

For both City and privately-initiated amendments, the City shall take into consideration, but is not limited to, the following factors when considering approval of a proposed amendment to the Comprehensive Plan:

1. *The effect upon the physical, natural, economic, and/or social environments.*
2. *The compatibility with and impact on adjacent land uses and surrounding neighborhoods including whether the amendment would create pressure to change the land use designation of other properties in the vicinity.*
3. *The adequacy of and impact on public facilities and services, including utilities, roads, public transportation, parks, recreation, and schools.*
4. *The quantity and location of land planned for the proposed land use type and density.*
5. *The effect, if any, upon other aspects of the Comprehensive Plan.*

The City may amend the Comprehensive Plan only if it finds the amendment meets all of the following:

1. *The amendment must be consistent with the Growth Management Act and other applicable State laws;*
2. *The amendment must be consistent with the applicable County-wide Planning Policies;*
3. *The amendment must not be in conflict with the Community Vision or other goals, policies, and provisions of the Comprehensive Plan;*
4. *The amendment can be accommodated by all applicable public services and facilities, including transportation;*
5. *The amendment will change the development or use potential of a site or area without creating significant adverse impacts on existing sensitive land uses, businesses, or residents;*
6. *The amendment will result in long-term benefits to the community as a whole, and is in the best interest of the community.*

The Code Housekeeping Amendments are included in ***Attachment D*** and must meet the required decision criteria for a code amendment (LSMC 14.16C.075(f)):

Decision Criteria. In approving code amendments to this title, the City Council shall make the following findings:

- (1) The amendment is consistent with the adopted Lake Stevens Comprehensive Plan;*
- (2) The amendment is in compliance with the Growth Management Act; and*
- (3) The amendment serves to advance the public health, safety and welfare.*

APPLICABLE CITY POLICIES: Chapter 14.16A LSMC, LSMC 14.16C.040, and Chapter 1 of the Comprehensive Plan establish procedures for amendments to the City's Comprehensive Plan. LSMC 14.16C.075 establishes procedures for amendments to the Land Use Code.

BUDGET IMPACT: No budget impact.

ATTACHMENTS:

- A. Letter from Washington State Department of Commerce dated October 3, 2013
- B. Draft SEPA Addendum No. 6 to the Integrated 2005 Comprehensive Plan and EIS
- C. Comprehensive Plan Analysis Forms for One Map Correction and Seven Text Amendments
- D. Code Housekeeping Amendments (Attorney Approved as-to-form)



STATE OF WASHINGTON
DEPARTMENT OF COMMERCE
1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000
www.commerce.wa.gov

October 3, 2013

Karen Watkins
Principal Planner
City of Lake Stevens

Lake Stevens, WA 98258
Post Office Box 257
Lake Stevens, Washington 98258

Dear Ms. Watkins:

Thank you for sending the Washington State Department of Commerce (Commerce) the following materials as required under RCW 36.70A.106. Please keep this letter as documentation that you have met this procedural requirement.

City of Lake Stevens - Minor amendments and updates related to the 2013 Docket. Proposed amendments related to the Downtown Framework Plan may not be ready for inclusion with the 2013 Docket. These materials were received on October 01, 2013 and processed with the Material ID # 19600.

We have forwarded a copy of this notice to other state agencies.

If this submitted material is an adopted amendment, then please keep this letter as documentation that you have met the procedural requirement under RCW 36.70A.106.

If you have submitted this material as a draft amendment, then final adoption may occur no earlier than sixty days following the date of receipt by Commerce. Please remember to submit the final adopted amendment to Commerce within ten days of adoption.

If you have any questions, please contact Growth Management Services at reviewteam@commerce.wa.gov, or call Dave Andersen (509) 434-4491 or Paul Johnson (360) 725-3048.

Sincerely,

Review Team
Growth Management Services

ADDENDUM NO. 6

TO THE CITY OF LAKE STEVENS INTEGRATED 2005 COMPREHENSIVE PLAN AND FINAL ENVIRONMENTAL IMPACT STATEMENT

**Adoption of One Land Use Map Correction and Text
Revisions to Chapter 1 Introduction, Chapter 5
Transportation Element, Chapter 6 Transportation Element,
Chapter 7 Utilities & Public Services & Facilities Element,
Chapter 8 Capital Facilities Element, Appendices, and
Covers, Footers and Table of Contents
With The 2013 Docket**

And

**2013 Code Housekeeping Amendments
Including One Zoning Map Correction**



Prepared in Compliance with
The Washington State Environmental Policy Act of 1971
Chapter 43.21C Revised Code of Washington
Chapter 197-11 Washington Administrative Code
Lake Stevens Municipal Code Title 16

Date of Issuance: November 8, 2013



November 8, 2013

Dear Reader and Interested Citizen:

Addendum No. 6 to the City of Lake Stevens Integrated 2005 Comprehensive Plan and Final Environmental Impact Statement (FEIS), issued July 17, 2006, has been prepared by the Department of Planning and Community Development.

This addendum provides additional environmental information for the proposed adoption of the following GMA Comprehensive Plan map and text amendments:

- Land Use Map – Map correction to minimally modify boundaries of a stormwater detention facility and neighboring property to share access;
- Chapter 1 Introduction – Remove detailed public process description for each Docket Cycle and include a general process, and add reference to appendix containing SEPA documents;
- Chapter 5 Parks and Recreation Element – Replace entire chapter;
- Chapter 6 Transportation Element – Remove Table 6-1 Street Inventory, and repeal Goal 6.10 and associated policies related to street inventory;
- Chapter 7 Utilities and Public Services and Facilities Element – Update Figure 7.4 to show Snohomish School District boundaries and update Utility Policy 7.3.6 to be consistent with amended underground utilities code;
- Chapter 8 Capital Facilities Element – Add joint planning with Snohomish County for Cavalero Hill Park to Table 8.1 Capital Improvements and park projects based on the updated Parks, Recreation and Open Space Element; and
- Add Appendix M as SEPA Addendum No. 6, update Appendix F with current Six-Year Transportation Infrastructure Program (STIP) and update cover, footers and table of contents.

In addition, this addendum provides additional environmental information for the proposed adoption of 2013 Code Housekeeping Amendments to correct minor code errors and revisions found during code implementation and update code to be consistent with the GMA Comprehensive Plan:

- Chapter 5.16 Commercial Animal Rearing (Kennel) Regulations – change reference from “Planning Commission” to “Planning Director or designee” for who may revoke a permit;
- Chapter 14.04 General Provisions – remove list of administratively adopted documents and reference availability;
- Chapter 14.08 Basic Definitions and Interpretations – add, change or remove five definitions and move Section 14.08.020 to a new section in Chapter 14.36 Zoning Districts and Zoning Map;
- Chapter 14.16A Administration and Procedures – corrections, clarifications and updates in four sections;
- Chapter 14.16B Types of Land Use Review – minor modifications, corrections and additional specificity to seven sections;
- Chapter 14.16C Land Use Actions, Permits and Determinations – removals, corrections, and minor addition to three sections;

ADDENDUM #6 TO INTEGRATED 2005 COMPREHENSIVE PLAN & FEIS

- Chapter 14.18 Subdivisions, Boundary Line Adjustments and Binding Site Plans – minor addition, modification and corrections to three sections;
- Chapter 14.36 Zoning Districts and Zoning Map – remove one reference to acetate maps and minor map correction to “Official Zoning Map”;
- Chapter 14.38 Subarea Plans – minor changes to one table and remove an exception for freestanding signage;
- Chapter 14.40 Permissible Uses – add footnotes and remove two use descriptions to Permissible Uses Table and update two sections;
- Chapter 14.44 Supplementary Use Regulations – clarify or correct six sections;
- Chapter 14.46 Innovative Housing Options Program – remove reference to demonstration program in one section;
- Chapter 14.48 Density and Dimensional Regulations – allow eaves to project into setback, update Density and Dimensional Table, and update four sections;
- Chapter 14.56 Streets and Sidewalks – minor amendments to ensure consistency between Land Use Regulations and Engineering Design and Development Standards in five sections;
- Chapter 14.68 Signs – minor corrections and clarifications to three sections;
- Chapter 14.76 Screening and Trees – minor clarification and correction to two sections;
- Chapter 14.80 Building and Construction – add appeal process for Building Official decisions to the Hearing Examiner
- Chapter 14.88 Critical Areas – minor corrections to four sections;
- Chapter 14.110 Concurrency Management System – correct one code reference; and
- Placeholder for code corrections related to 2012 International Building Codes.

This addendum adds further information to the analysis contained in the FEIS. The document addresses the environmental information specifically related to proposed map and text revisions to the Comprehensive Plan and Code Housekeeping amendments; it does not identify detailed project impacts. Specific project actions will require further detailed environmental review as they are considered for implementation.

Review of the proposed amendments occurred at a Planning Commission public hearing on November 6, 2013 and is scheduled for City Council public hearing on November 25, 2013.

We invite you to comment on the proposed map, text and code revisions during the City review process. Comments regarding the proposed comprehensive plan and code housekeeping amendments may be submitted orally during each hearing or in writing any time prior to the hearing by sending them to City Hall, attn: Russ Wright, PO Box 257, Lake Stevens, WA 98258, or by email at rwright@lakestevenswa.gov.

If you have any questions, please contact Russ Wright at (425) 212-3315 or email above.

Sincerely,



Rebecca Ableman
Planning and Community Development Director

ADDENDUM #6 TO INTEGRATED 2005 COMPREHENSIVE PLAN & FEIS

Fact Sheet

**Proposed
Non-Project Action:**

The proposed non-project action is the adoption by the Lake Stevens City Council of one City-proposed map correction and seven City-proposed text revisions to the City of Lake Stevens Comprehensive Plan as part of the 2013 Docket: Chapter 1 Introduction, Chapter 5 Parks and Recreation Element, Chapter 6 Transportation Element, Chapter 7 Utilities and Public Services and Facilities Element, Chapter 8 Capital Facilities Element, and the Appendices. The GMA requirements contained in Chapter 36.70A RCW are applicable to these plans.

Description of Proposal:

The 2013 Docket contains one map correction and seven text revisions to the City of Lake Stevens Comprehensive Plan Amendments:

- Land Use Map – Map correction to minimally modify boundaries of a stormwater detention facility and neighboring property to share access;
- Chapter 1 Introduction – Remove detailed public process description for each Docket Cycle and include a general process, and add reference to appendix containing SEPA documents;
- Chapter 5 Parks and Recreation Element – Replace entire chapter;
- Chapter 6 Transportation Element – Remove Table 6-1 Street Inventory, and repeal Goal 6.10 and associated policies related to street inventory;
- Chapter 7 Utilities and Public Services and Facilities Element – Update Figure 7.4 to show Snohomish School District boundaries and update Utility Policy 7.3.6 to be consistent with amended underground utilities code;
- Chapter 8 Capital Facilities Element – Add joint planning with Snohomish County for Cavalero Hill Park and a placeholder for park projects to be identified by the Parks and Recreation Element to Table 8.1 Capital Improvements; and
- Add Appendix M as SEPA Addendum No. 6, update Appendix F with current Six-Year Transportation Infrastructure Program (STIP) and update cover, footers and table of contents.

The 2013 Code Housekeeping Amendments to correct minor code errors and revisions found during code implementation and update code to be consistent with the GMA Comprehensive Plan contains one map correction and text revisions to nineteen chapters of the City of Lake Stevens Municipal Code, all in Title 14 Land Use Regulations except one in Title 5 Animal Regulations:

- Chapter 5.16 Commercial Animal Rearing (Kennel) Regulations – change reference from “Planning Commission” to “Planning Director or designee” for who may revoke a permit;
- Chapter 14.04 General Provisions – remove list of administratively adopted documents and reference availability;
- Chapter 14.08 Basic Definitions and Interpretations – add, change or remove five definitions and move Section 14.08.020 to a new section in Chapter 14.36 Zoning Districts and Zoning Map;
- Chapter 14.16A Administration and Procedures – corrections, clarifications and updates in four sections;
- Chapter 14.16B Types of Land Use Review – minor modifications, corrections and additional specificity to seven sections;
- Chapter 14.16C Land Use Actions, Permits and Determinations – removals, corrections, and minor addition to three sections;

ADDENDUM #6 TO INTEGRATED 2005 COMPREHENSIVE PLAN & FEIS

- Chapter 14.18 Subdivisions, Boundary Line Adjustments and Binding Site Plans – minor addition, modification and corrections to three sections;
- Chapter 14.36 Zoning Districts and Zoning Map – remove one reference to acetate maps and minor map correction to “Official Zoning Map”;
- Chapter 14.38 Subarea Plans – minor changes to one table and remove an exception for freestanding signage;
- Chapter 14.40 Permissible Uses – add footnotes and remove two use descriptions to Permissible Uses Table and update two sections;
- Chapter 14.44 Supplementary Use Regulations – clarify or correct six sections;
- Chapter 14.46 Innovative Housing Options Program – remove reference to demonstration program in one section;
- Chapter 14.48 Density and Dimensional Regulations – allow eaves to project into setback, update Density and Dimensional Table, and update four sections;
- Chapter 14.56 Streets and Sidewalks – minor amendments to ensure consistency between Land Use Regulations and Engineering Design and Development Standards in five sections;
- Chapter 14.68 Signs – minor corrections and clarifications to three sections;
- Chapter 14.76 Screening and Trees – minor clarification and correction to two sections;
- Chapter 14.88 Critical Areas – minor corrections to four sections;
- Chapter 14.110 Concurrency Management System – correct one code reference; and
- Placeholder for code corrections related to 2012 International Building Codes.

RCW 36.70A.130 allows amendments to the Comprehensive Plan once per year with some exceptions. The current proposal is the 2013 Comprehensive Plan Docket with associated Code Housekeeping amendments.

Purpose of the FEIS Addendum:

The purpose of this addendum is to add information and analysis relating to the programmatic City action of adopting minor amendments to six chapters and the appendices of the Comprehensive Plan. This information expands upon previously identified significant impacts of the alternatives to the City’s Integrated 2005 Comprehensive Plan (July 2006) and FEIS (July 17, 2006), as addended, but does not substantially change the analysis. The City has already considered the impacts of the proposed programmatic actions analyzed in this Addendum in the FEIS document. No additional significant impacts beyond those identified in the FEIS are expected to occur. Revisions to the proposal may be considered during the public hearing process. To the extent that the existing environmental documents listed in this Addendum or other published documents have analyzed such changes, no additional programmatic action level environmental review will be required. This Addendum is being issued in accordance with WAC 197-11-625 and WAC 197-11-630. Additional changes to the proposal may be considered during the public hearing process. The following adopted environmental document meets the City of Lake Stevens’ environmental review needs for the current proposal: 2013 Comprehensive Plan Docket and Code Housekeeping Amendments.

ADDENDUM #6 TO INTEGRATED 2005 COMPREHENSIVE PLAN & FEIS

Location of Proposal: City of Lake Stevens and Lake Stevens Urban Growth Area

**Proponent/
Lead Agency:** City of Lake Stevens, P.O. Box 257, Lake Stevens, WA 98258
(425) 377-3235

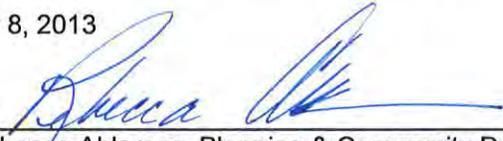
Required Approvals: Adoption of GMA Comprehensive Plan map and text amendments and Code Housekeeping amendments granted by Lake Stevens City Council

Circulation: This Addendum is being sent to all recipients of the previously issued Final EIS and other interested parties.

Comment: No comment period is required for this addendum.

Contact Person: Karen Watkins, Principal Planner
(425) 377-3221 or kwatkins@lakestevenswa.gov

Date of Issuance: November 8, 2013

Responsible Official: Signature: 
Rebecca Ableman, Planning & Community Development Director

Public Hearing: The Planning Commission held a public hearing on the proposed Comprehensive Plan map and text amendments and Code Housekeeping amendments on November 6, 2013. Following receipt of a recommendation from the Planning Commission, the City Council will also hold a public hearing on November 25, 2013 before taking final action.

Documents: The Integrated 2005 Comprehensive Plan and Final Environmental Impact Statement, as addended, and detailed information and analysis are available at the City Planning Department. Electronic copies may be requested from the contact above. The City website also has a copy of the current plan and FEIS at www.lakestevenswa.gov.

SEPA Distribution List

National Marine Fisheries Service
Natural Resource Conservation Service
NOAA Fisheries
NOAA NW Regional Office
U.S. Army Corps of Engineers
U.S. EPA
U.S. Fish and Wildlife Service
WA State Energy Office

Community Transit
Earth Share of WA
Pilchuck Audubon Society
Puget Sound Clean Air Agency
Puget Sound Energy
Puget Sound Water Quality Action Team
Regional Transit Authority
Waste Management NW

City of Everett Public Works
City of Marysville
Greater Lake Stevens Chamber of Commerce
Lake Stevens Historical Society
Lake Stevens Journal
Lake Stevens Library
Marysville School District
Muckleshoot Indian Tribe
Snohomish County Council
Snohomish County Executive
Snohomish County Parks & Recreation
Snohomish County Public Works
Snohomish County School District
Stillaguamish Tribe

Anderson Hunter
Master Builders Association
Snohomish County Camano Assoc. of Realtors

ADDENDUM #6 TO INTEGRATED 2005 COMPREHENSIVE PLAN & FEIS

Seattle Post Intelligencer
The Arlington Times
The Everett Herald
The Seattle Times

Leland Adams
Joyce Bell
Steve Brooks
Jennifer D'Avis-Pederson

Carl Johnson
Bill Ostrowski
Chris Redosivich
Karen Reichenberg
Roger Schollenberger
Marlene Sweet
Terry Van Wyck
George Wood
Kelley Wrigg

Purpose of the Proposal

The Proposed Action is the adoption of the 2013 Docket including one city-initiated map land use correction and seven text amendments to the City of Lake Stevens GMA Comprehensive Plan in accordance with the requirements of the Growth Management Act (GMA) and Code Housekeeping amendments, including a zoning map correction. Statutory requirements of GMA allow amendments to a Comprehensive Plan "no more frequently than once per year" (RCW 36.70A.130(2)(a)) except when in specific circumstances.

SEPA Procedures and Public Involvement

Purpose of the Addendum

The purpose of this Addendum is to add analyses and information about a proposal, but does not substantially change the analysis of significant impacts and alternatives in the existing environmental document (WAC 197-11-600(4)(c)). The proposed revision does not introduce new significant impacts from those identified in the FEIS. The City of Lake Stevens is issuing this addendum to the FEIS for the purpose of supplying additional information about the proposals and their impacts beyond those contained in the FEIS. This Addendum should assist the public and agency decision-makers in considering the granting or denial of the proposed map and text amendments to the Comprehensive Plan and Code Housekeeping amendments.

Programmatic Analysis

This Addendum is for the 2013 Comprehensive Plan Docket and Code Housekeeping Amendments. The adoption of comprehensive plans, or other long-range planning activities, is classified by SEPA as a non-project (i.e., programmatic) action. A non-project action is defined as an action that is broader than a single site-specific project, and involves decisions on policies, plans or programs. A SEPA document for a non-project proposal does not require site-specific analyses; instead the Addendum discusses additional analysis and information appropriate to the scope of the non-project proposal and to the level of planning for the proposal (WAC 197-11-442).

Phased Review

SEPA encourages the use of phased environmental review to focus on issues that are ready for decision, and to exclude from consideration issues already decided or not yet ready for decision-making (WAC 197-11-060 (5)). Phased review is appropriate where the sequence of a proposal is from a programmatic document, such as an EIS addressing a comprehensive plan, to other documents that are narrower in scope, such as for a site-specific, project-level analysis. The City of Lake Stevens is using phased review, as authorized by SEPA, in its environmental review of growth management planning actions. The analysis in this Addendum will be used to review the environmental impacts of the proposed Comprehensive Plan Amendment proposals and Code Housekeeping Amendments.

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Public Comment

No comment period is required for the Addendum. The following public participation is scheduled as part of the 2013 Docket to gain public input:

- Planning Commission Public Hearing – November 6, 2013
- City Council Public Hearing – November 25, 2013

Proposed Action, Alternatives, and Objectives

Proposed Action

The proposed action is the granting or denial of one map correction and seven text amendments to the City of Lake Stevens Comprehensive Plan and Code Housekeeping amendments. The proposed amendments are provided below using strikeouts and underlines for the text amendments. Each chapter amendments will be treated as a separate alternative because each proposal is reviewed individually and a determination is made on the granting or denial of each proposal by the Planning Commission and City Council. The Code Housekeeping Amendments will be reviewed as one although any proposed amendments may be removed from the ordinance by the City Council.

Objectives of the Proposal

The principal objective of the proposed map and text amendments is to update the Comprehensive Plan based on new information and to correct minor code errors and revisions found during code implementation and update code to be consistent with the Comprehensive Plan.

Matrix of Impacts and Mitigation Measures

In order to retain consistency in the description and analysis of impacts, this Addendum is using a similar matrix of impacts. Only additional information or analysis not covered in the FEIS matrix, but required for the Comprehensive Plan map and text amendments and Code Housekeeping amendments, is included on the attached matrix.

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This is a summary of the proposed amendments to the City of Lake Stevens Comprehensive Plan for the 2013 Docket and Code Housekeeping Amendments. During the review and discussion of these amendments, there could be minor revisions or additions before final adoption by the City Council.

MAP CORRECTION

2013 City-Initiated Land Use Map Amendment Request #M-1, which corrects the Official Land Use Map (Figure 4.1 Land Use Map) by amending the boundaries for the land use designation of “P/SP” on Parcel No. 29061900302700 (XXXXX 20th Street SE, Lake Stevens) and land use designation of “MU” on Parcel No. 29061900301200 (10227 20th Street SE, Lake Stevens) due to equal acreage of dedication and vacation changing boundaries only and not changing total acreage in each designation and set forth as shown in map and record of survey. The boundary change is a map correction and does not require a concurrent site-specific rezone, but does include a concurrent Official Zoning Map correction.

TEXT AMENDMENTS

2013 City-Initiated Text Amendment Request #T-1 (Chapter 1 Introduction) which updates the section entitled “Public Process for Docket Cycles” on pages 1-7 through 1-9 for the 2013 amendments so simplify the section and remove the separate docket cycle public meeting tables; and updates the Environmental Review section with the 2013 environmental process on page 1-29, of the Comprehensive Plan:

Pages 1-7 to 1-9 – Simplify section by removing separate docket cycle public meeting schedules.

Public Process for Docket Cycles

The Annual((2007)) Docket Cycles included the following meetings for public participation during the adoption process for Plan amendments:

<u>Annual</u> ((2007)) <u>Docket Ratification</u>	
((April 30	Planning Commission Meeting
June 20	Planning Commission Hearing/Set Final Docket
July 16	City Council Workshop/ <u>Briefing</u>
July 23))	City Council Ratification of Final Docket
<u>Annual</u> ((2007)) <u>Adoption of Amendments</u>	
((November 7	Planning Commission Public Hearing <u>& Recommendation to City Council on Adoption of Amendments</u>
December 3	City Council Workshop/ <u>Briefing</u>
December 5	((Planning Commission Adopt Amendments)) <u>Hearing Examiner Public Hearing for Associated Rezone, if required</u>
December 10	City Council Public Hearing
December 17	City Council Adoption of Amendments <u>& Rezones</u>
December 31))	Amendments Effective

~~((The 2008 Docket included the following meetings for public participation during the adoption process for Plan amendments:~~

<u>2008 Docket Ratification</u>	
June 4	Planning Commission Meeting
July 2	Planning Commission Hearing/Set Final Docket
August 4	City Council Workshop
August 11	City Council Ratification of Final Docket
<u>2008 Adoption of Amendments</u>	

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October 1	Planning Commission Public Hearing
November 5	City Council Workshop
November 17	Planning Commission Adopt Amendments
November 24	City Council Public Hearing & Adoption of Amendments
December 8	Amendments Effective

The 2009 Docket included the following meetings for public participation during the adoption process for Plan amendments:

2009 Docket Ratification

March 4	Planning Commission Hearing/Set Final Docket
March 16	City Council Workshop
March 23	City Council Ratification of Final Docket

2009 Adoption of Amendments

May 4	City Council Workshop
May 6	Planning Commission Public Hearing
May 11	City Council Public Hearing & Adoption of Amendments
May 25	Amendments Effective

The 2010 Docket included the following meetings for public participation during the adoption process for Plan amendments:

2010 Docket Ratification

May 5	Planning Commission Hearing/Set Final Docket
May 24	City Council Ratification of Final Docket

2010 Adoption of Amendments

July 7	Planning Commission Public Hearing
July 19	City Council Workshop
July 26	City Council Public Hearing & Adoption of Amendments
August 9	Amendments Effective

The 2011 Docket included the following meetings for public participation during the adoption process for Plan amendments:

2011 Docket Ratification

September 7	Planning Commission Hearing/Set Final Docket
September 26	City Council Ratification of Final Docket

2011 Adoption of Amendments

October 24	City Council Briefing
November 2	Planning Commission Public Hearing
November 28	City Council Public Hearing & Adoption of Amendments
December 12	Amendments Effective

The 2012 Docket included the following meetings for public participation during the adoption process for Plan amendments:

2012 Docket Ratification

September 5	Planning Commission Hearing/Set Final Docket
September 24	City Council Ratification of Final Docket

2012 Adoption of Amendments

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October 22	City Council Briefing
October 25	Hearing Examiner Public Hearing for Associated Rezone
November 7	Planning Commission Public Hearing
December 10	City Council Public Hearing & Adoption of Amendments & Rezone
December 24	Amendments Effective))

The Lake Stevens Center Subarea Plan and 20th Street SE Corridor Subarea Plan had separate and combined public participation processes. Each subarea plan includes a Public Process Summary as an appendix. The summary includes a list of public meetings, open houses, public hearings, document issuance dates, etc., held to elicit comments from the public on the Planned Actions, environmental impact statements, subarea plans, capital facilities plan, development regulations, design guidelines, and zoning map and land use map changes. Public comments and responses on the draft environmental impact statements are included in the Final EIS.

Page 1-29 – Add sentence to end of “Environmental Review” Section to reference SEPA Addendum No. 6.

B. Environmental Review

A complete environmental review can be found in **Appendix A** of the Comprehensive Plan. Comments on the environmental analysis were gathered at the same time the overall Plan was circulated for public review. Adjustments were made based on comments received. The result is a Comprehensive Plan that responds to environmental goals of the community and complies with the State Environmental Policy Act. An addendum to the Final Environmental Impact Statement for the 2007 Docket was issued on November 16, 2007 and is included in **Appendix B**. An addendum to the Final Environmental Impact Statement for the 2008 Docket was issued on October 10, 2008 and is included in **Appendix G**. A Determination of Nonsignificance and Adoption of Existing Environmental Documents for the 2009 Docket was issued on March 25, 2009 and is included in **Appendix H**. An addendum to the Final Environmental Impact Statement for the 2009 revisions to the Capital Facilities Plan with amendment of the 2009 City Budget was issued on October 12, 2009 and is included in **Appendix I**. A Determination of Nonsignificance and Adoption of Existing Environmental Documents for the 2010 Docket was issued on July 7, 2010 and is included in **Appendix J**. Addendum No. 4 to the Integrated 2005 Comprehensive Plan and Final Environmental Impact Statement for the 2011 Docket was issued on October 19, 2011 and is included in **Appendix K**. Addendum No. 5 to the Integrated 2005 Comprehensive Plan and Final Environmental Impact Statement for the 2012 Docket was issued on October 12, 2012 and Adoption of Existing Environmental Documents for the Lake Stevens School District Capital Facilities Plan 2012-2017 was issued on October 19, 2012 and are included in **Appendix L**. Addendum No. 6 to the Integrated 2005 Comprehensive Plan and Final Environmental Impact Statement for the 2013 Docket was issued on October 29, 2013 and is included in **Appendix M**.

Draft and final environmental impact statements were issued for each subarea plan (20th Street SE Corridor and Lake Stevens Center) during the Subarea Planning Process. The documents included analysis of the subarea plans, planned actions, capital facilities plan, development regulations, design guidelines, zoning and land use map amendments, land use code amendments, and comprehensive plan amendments.

2013 City-Initiated Text Amendment Request #T-3 (Chapter 5 Parks and Recreation Element), which replaces the entire chapter with the updated Parks and Recreation Plan, of the Comprehensive Plan by adopting the amended Chapter as attached in **Exhibit A**.

2013 City-Initiated Text Amendment Request #T-4 (Chapter 6 Transportation Element), which amends the chapter by repealing Goal 6-10 on pages 6-23 to 6-24 related to Table 6-1 Street Inventory and removing Table 6-1 “Street Inventory” on pages 6-26 to 6-44, of the Comprehensive Plan by adopting the amendments below:

Page 6-23- 6-24 – repeal Goal 6.10 and associated policies related to Table 6-1 “Street Inventory” as Table 6-1 is not necessary to publish as part of the Comprehensive Plan.

GOAL 6.10 REPEALED IN 2013 DOCKET((UPDATE TRANSPORTATION ELEMENT OF THE COMPREHENSIVE PLAN TO VERIFY THE EXISTING ROAD INVENTORY AND UPDATE WITH NEW INVENTORY GENERATED FROM ANNEXED AREAS.

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Policies

- 6.10.1 ~~—The City will perform a review of the existing Street Inventory in Table 6-1. Corrections and additions regarding the names and locations will be made to make the current.~~
- 6.10.2 ~~—Table 6-1 will be updated with the newly acquired roads from Snohomish County resulting from the Frontier Village, Soper Hill, Chapel Hill Fire District, and other annexations occurring before the next comprehensive plan docket cycle.~~
- 6.10.3 ~~—The City will perform a field evaluation to update and verify the classifications and conditions for all the roads in Table 6-1 in effort to obtain current and accurate information.))~~

Pages 6-26 to 6-44 – remove Table 6-1 Street Inventory.

2013 City-Initiated Text Amendment Request #T-5 (Chapter 7 Utilities & Public Services & Facilities Element), which updates the Figure 7.4 “Lake Stevens School District #4 Service Area” by adding the Snohomish School District boundaries on Page 7-10 and updates the Policy 7.3.6 to be consistent with the recently adopted amended underground utilities code (Ordinance No. 888) on page 7-22 of the Comprehensive Plan by adopting the amendments below:

Page 7-10 – update Figure 7.4 “Lake Stevens School District #4 Service Areas” with the Snohomish School District Boundaries and rename to “School District Service Areas”.

Page 7-22 – update Utility Policy 7.3.6 for consistency with recently amended underground utilities code.

GOAL 7.3 PROCESS PERMITS FOR UTILITY FACILITIES IN A FAIR AND TIMELY MANNER AND IN ACCORD WITH THE DEVELOPMENT REGULATIONS WHICH ENCOURAGE PREDICTABILITY.

Policies

- 7.3.1 The City shall promote co-location of new public and private utility distribution facilities and coordination of construction timing to minimize construction-related disruptions and reduce the cost to the public of utility delivery.
- 7.3.2 The City will provide timely and effective notice to utilities to encourage coordination of public and private utility trenching activities for new construction and maintenance and repair of existing roads.
- 7.3.3 The City shall encourage provision of an efficient, cost effective and reliable utility service by ensuring land will be made available for the location of utility lines or other utilities.
- 7.3.4 The City will promote the extension of distribution lines to and within the urban growth area. Coordinate land use and facility planning to allow eventual siting and construction of any utility distribution lines within or adjacent to rights-of-way which are being dedicated or within roads which are being constructed or reconstructed.
- 7.3.5 The City shall review and amend existing regulations as necessary, including the critical areas ordinance, to allow maintenance, repair, installation and replacement of utilities.
- 7.3.6 The City will require underground utilities in all new developments, except:
- (a) If the Public Works Director determines that an underground system cannot reasonably be installed according to accepted engineering practices or undergrounding would adversely impact services not adjacent to the proposed site;
 - (b) For aboveground utility lines located along the following roadways:
 - (i) State Route 9,
 - (ii) State Route 92,

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- (iii) State Route 204,
- (iv) Lundeen Parkway from SR 9 to Callow Road,
- (v) 20th Street NE except between 118th Avenue NE and 127th Avenue NE,
- (vi) Grade Road, and
- (vii) 20th Street SE; or
- (c) Power lines carrying a voltage of 15 kV or more.

- 7.3.7 The City shall encourage system design practices intended to minimize the number and duration of interruptions to customer service.
- 7.3.8 The City will continue to work with the Lake Stevens Sewer District to review and amend existing regulations to provide commonality, consistency, predictability and concurrent levels of sewer permits and regulation.
- 7.3.9 The City will cooperatively develop new regulations, as required or needed to further the purposes and goals of the Unified Sewer Service and Annexation Agreement and area-wide systems of sewer service.

2013 City-Initiated Text Amendment Request #T-6 (Appendices), to add a new Appendix M with the SEPA Addendum No. 6 of the Integrated 2005 Comprehensive Plan and Environmental Impact Statement and update Appendix F with the current Six-Year Transportation Improvement Program.

2013 City-Initiated Text Amendment Request #T-7 (Cover, Footers and Table of Contents), to update the Cover, Footers and Table of Contents, of the Comprehensive Plan, by adopting the amendments required after making amendments.

2013 City-Initiated Text Amendment Request #T-8 (Chapter 8 Capital Facilities Element), to update Table -1 Capital Improvements, 2012 – 2032 for Parks, of the Comprehensive Plan, by adopting the amendments below:

PROJECT			COST	YEAR/S	Local	State/Fed	Mitigation	Dev Imp
Table 8-1 – Capital Improvements, 2013 – 2033								
<u>PARKS*</u>								
<u>Planning</u>								
<u>Joint Planning with Snohomish County for Cavalero Community Park Master Plan</u>			<u>5,000</u>	<u>2014-2015</u>			<u>X</u>	
Master plan for trails, paths and pedestrian facilities								
<u>Master open space plan for the various downtown open spaces</u>								
<u>Wayfinding plan in conjunction with economic development efforts</u>								
<u>Acquisition</u>								
<u>Purchase rights-of-way/easements for multi-use trails in the power line corridor.</u>								
<u>Purchase rights-of-way pedestrian paths and sidewalks around the lake.</u>								
<u>Identify locations for two new public neighborhood level parks in southern part of City, near 20th Street SE and purchase</u>								

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<u>for future development</u>								
<u>Identify additional shoreline properties for purchase as available</u>								
<u>Development</u>								
<u>Complete construction of Phases 1 and 2 of the Eagle Ridge Master Plan</u>								
<u>Construct northern segment of power line trail</u>								
<u>Construct northern segment of power line trail</u>								
<u>Park Improvements / Maintenance</u>								
<u>Repair existing soft trails at Catherine Creek Park and Centennial Woods.</u>								
<u>Develop a trail connection from Downtown Lake Stevens to the Centennial Trail with a new trailhead at Hartford Rd</u>								

CODE HOUSEKEEPING AMENDMENTS

5.16.080 Permit May be Denied or Revoked.

- A. No person who has been convicted of cruelty to animals shall be issued a permit to operate a commercial animal-rearing site. Any such permit which has been issued will be automatically revoked upon proof of conviction of the holder for cruelty to animals.
- B. The Planning ~~Director or designee~~~~((Commission))~~ may revoke any permit under this chapter if the person holding the permit refuses or fails to comply with the ordinance codified in this title, or any law governing the protection and keeping of animals, or if the person holding a permit has withheld or falsified any information on the application for such permit. Such revocation of permit shall not affect the permit holder’s liability to prosecution under this title.

14.04.120 Adoption of Supporting Administrative Guidelines.

- (a) City departments may administratively adopt guidelines, standards, reference materials, forms, or other documents that aid the public, applicant, staff, or decision-maker in interpreting and administering this document.
- (b) ~~((The titles of t))~~ Those documents administratively adopted per subsection (a) of this section shall be on file with the Planning and Community Development Department. ~~((and shall include the following documents:~~
- ~~(1) Information required with applications;~~
 - ~~(2) Guide of Landscaping (Administrative Policy No. 1995-3);~~
 - ~~(3) Residential Development Handbook for Snohomish County Communities;~~
 - ~~(4) Transportation Impact Analysis Guidelines (TIAG) (Administrative Policy No. 1995-5);~~
 - ~~(5) Streets and Sidewalks Design Standards Deviations Procedures (Administrative Policy No. 2006-01);~~
 - ~~(6) SEPA Exemption Threshold Levels for Grading Activities (Administrative Policy No. 2008-06);~~
 - ~~(7) Lot Line Consolidation (Administrative Policy No. 2009-1);~~
 - ~~(8) State Department of Ecology’s 2005 Stormwater Management Manual for Western Washington, as amended by Sections 1-6 of Appendix 1 of the NPDES Phase II Municipal Stormwater Permit; and~~
 - ~~(9) Engineering Design and Development Standards (EDDS).~~
- ~~(c) A copy of all administrative guidelines adopted pursuant to this section shall be on file with the Planning Department permit counter and may be inspected by interested parties during regular business hours of the department.))~~

LSMC Section 14.08.010 entitled “Definitions of Basic Terms” is amended

- *Access Tract.* A privately-owned tract of land used primarily for ingress/egress for four or fewer dwelling units~~((one or more lots))~~.

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- *Road, Private.* A privately maintained easement or parcel created to provide vehicle access from a public road to one or more lots or units.
- *Impervious Surface.* A hard surface area which either prevents or retards the entry of water into the soil mantle as it entered under natural conditions prior to development, and/or a hard surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roofs, walkways, patios, driveways, parking lots, storage areas, areas which are paved, graveled or made of packed or oiled earthen materials, or other surfaces which similarly impede the natural infiltration of surface and stormwater. Open, uncovered retention/detention facilities shall not be considered as impervious surfaces for the purpose of this chapter.
- deleting the definitions for “Year Round Driving Surface” and “Vehicular Access Easement or Tract”.

14.36.120((14.08.020)) Lots Divided by District Lines.

- (a) Whenever a single lot one acre or less in size is located within two or more different zoning districts, the district regulations applicable to the district within which the larger portion of the lot lies shall apply to the entire lot.
- (b) Whenever a single lot greater than one acre in size is located within two or more different zoning districts, each portion of that lot shall be subject to all the regulations applicable to the district in which it is located.

14.16A.130 Construction Plan Review.

- (a) The purpose of this section is to establish procedures for reviewing site construction plans for site improvements. Site construction drawings are engineering documents that are required for improvements to a particular site.
- (b) Public Works Construction Plan Approval.
 - (1) Upon receipt of approval of a land use permit or preliminary subdivision, the applicant is required to apply for construction plan approval relating to following elements: on-site and off-site stormwater management, erosion control measures, public road and frontage improvements, dedication or deeding of right-of-way, street trees and other required landscaping elements, utilities, and any other improvement related to the development.
 - (2) The application for construction plan approval shall include a completed construction plan review((master)) application form, plans and materials as outlined in the construction plan submittal checklist((master use application and related checklists)), and fee as set by Council resolution.
 - (3) The applicant is required to obtain approvals from the Postmaster and utility purveyors.
 - (4) Following approval of the construction plans and prior to any site work, the applicant shall schedule a pre-construction meeting with the Public Works Department. All contractors, subcontractors and utility representatives are to meet to discuss any issues related to the construction activity and minimizing impacts to the neighborhood and nearby facilities.
 - (5) Pursuant to Section 14.16A.180(b), the Public Works Director may require a performance security to be in place before construction activities are commenced.
- (c) Public Improvements Required Before Occupancy or Final Plat. Final plat approval or certificate of occupancy shall not be granted unless the required public improvements have been installed and accepted by the Public Works Department or the subdivider has provided a completion security pursuant to Section 14.16A.180(c) to ensure that all of these requirements will be fulfilled within not more than 12 months after final plat approval or until half of the dwelling units within the plat or phase are issued building permits, whichever comes first. Replacement trees to be located on public property must be planted prior to final plat approval. Replacement trees to be located on a private lot must be installed prior to issuing a final inspection or certificate of occupancy for that lot.
- (d) Dedication of Public Stormwater Facilities. Stormwater facilities shall be dedicated to the City at the completion of development. Private and commercial stormwater facilities remain the responsibility of the property owner(s).
- (e) Maintenance of Dedicated Facilities Until Acceptance. Facilities intended to be dedicated to the City shall be maintained by the owner until such time as the dedication is accepted by the City.
- (f) Protection Against Defects.
 - (1) Whenever public improvements are to be dedicated to the City, the developer shall post a maintenance bond or other sufficient surety pursuant to Section 14.16A.180(d) to guarantee that the developer will correct all defects in such facilities or improvements that occur within two years after the acceptance of dedication of the improvements.
 - (2) An architect or engineer retained by the developer shall certify to the City that all facilities and improvements to be dedicated to the City have been constructed in accordance with the requirements of this chapter.

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This certification shall be a condition precedent to acceptance by the City of the offer of dedication of such facilities or improvements.

(3) For purposes of this section, the term “defects” refers to any condition that requires repairs over and above the normal amount of maintenance required for a particular improvement.

(g) Authorizing Use and/or Occupancy Before Completion of Development Under Land Use Permits. When weather conditions or other factors beyond the control of the permittee (exclusive of financial hardship) make it unreasonable for the permittee to comply with all of the requirements of the permit (exclusive of subdivision approvals), the Planning Director may authorize the commencement of the intended use or the occupancy of buildings, if the permit recipient provides a performance bond or other security to ensure that all of these requirements will be fulfilled within a reasonable period (not to exceed 12 months) and if the Building Official finds that such occupancy will not result in a safety or health hazard.

Table 14.16A-I: Classification of Permits and Decisions

Type of Review	Land Use Actions and Permits	Recommendation By	Public Hearing Prior to Decision	Permit-Issuing Authority	Administrative Appeal Body & Hearing
TYPE I Administrative without Public Notice	<ul style="list-style-type: none"> • Administrative Design Review • Administrative Modifications • Boundary Line Adjustments • Change of Use • Code Interpretations • Events • Floodplain Development Permits • Grading Permit • Home Occupations • Master Sign Program • Reasonable Use Exceptions • Shoreline Exemptions • Signs • Temporary Uses 	None	None	Department director or designee	Hearing Examiner, except shoreline permits to State Shoreline Hearings Board, & Open Record
TYPE II Administrative with Public Notice	<ul style="list-style-type: none"> • Administrative Conditional Use (formerly Special Use) • Binding Site Plans • Planned Action Certification • SEPA Review (early or when not combined) 	None	None	Planning Director or designee	Hearing Examiner, except shoreline permits to State Shoreline Hearings Board, & Open Record

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	<ul style="list-style-type: none"> with another permit or required for a Type I permit) • Shoreline Substantial Developments • Short Plats – <u>Preliminary or Final</u> • Short Plat Alterations • Short Plat Vacations • Site Plan Reviews 				
TYPE III Quasi-Judicial, Hearing Examiner	<ul style="list-style-type: none"> • Conditional Uses • Preliminary Plats • Shoreline Conditional Uses • Shoreline Variances • Variances 	Design Review Board (if required)	Open Record	Hearing Examiner	Superior Court, except shoreline permits to State Shoreline Hearings Board, & Closed Record
TYPE IV Quasi-Judicial, City Council with Hearing Examiner Recommendation	<ul style="list-style-type: none"> • Essential Public Facilities • Planned Neighborhood Developments • Rezone - Site-Specific Zoning Map Amendments • Secure Community Transition Facilities 	Hearing Examiner with Open Record Hearing	Closed Record	City Council	None, appeal to Superior Court
TYPE V Quasi-Judicial, City Council	<ul style="list-style-type: none"> • Final Plats* • Plat Alterations • Plat Vacations • Right-of-Way Vacations 	Design Review Board (if required)	Open Record <u>*Public meeting only for Final Plats</u>	City Council	None, appeal to Superior Court
TYPE VI Legislative, City Council with Planning Commission Recommendation	<ul style="list-style-type: none"> • Comprehensive Plan Amendments, Map & Text • Development Agreements • Land Use Code Amendments • Rezones - Area-Wide Zoning Map Amendments 	Planning Commission with Open Record Hearing	<u>Open</u> ((Closed)) Record	City Council	Growth Management Hearings Board & Closed Record

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14.16A.225 Noticing Requirements.

(a) Mailed Notices and Postcard Notices.

(1) Mailings shall include a mailed notice or postcard notice to owners of real property within 300 feet of the project site, or 20 property owners (whichever results in more property owners being noticed), including the project name and number and the following information. Mailings may provide a website address where detailed information is available for viewing. Mailings shall include the following information or Internet addresses to the following information:

- (i) The date of application and the date of the notice of application;
- (ii) A description of the proposed project action and a list of the project permits included in the application and, if applicable, a list of any studies requested under RCW [36.70B.070](#);
- (iii) The identification of other permits not included in the application, to the extent known by the City;
- (iv) The identification of existing environmental documents that evaluate the proposed project, and, if not otherwise stated on the document providing notice of application, the location where the application and any studies can be reviewed;
- (v) A statement of the limits of the public comment period;
- (vi) A statement of the right of any person to comment on the application, receive notice of and participate in any hearings, request a hearing, if applicable, request a copy of the decision once made, and any appeal rights;
- (vii) The date, time, place and type of meeting or hearing, if applicable and if it is scheduled at the date of notice of the application;
- (viii) A statement of the preliminary determination of consistency, if one has been made at the time of notice, and of those development regulations that will be used for project mitigation;
- (ix) A map depicting the boundaries of the project site and, when applicable, a site map showing the proposal or website address where maps can be viewed;
- (x) A statement announcing the City's goal of complying with the intent of the Americans with Disabilities Act, announcing accessibility, offer of assistance to persons with special needs, and availability of TDD services;
- (xi) Any other information determined appropriate by the City, such as the City's threshold determination, if complete at the time of issuance of the notice of application.

(2) Mailings will be sent to adjacent jurisdictions if the proposed development is within one-quarter mile of the jurisdiction's boundary; the State Department of Transportation if the proposed development is adjacent to a state highway; and to all other agencies with jurisdiction.

(3) Mailings shall also include the mailed or emailed notice of application or postcard notice including at least the information required in subsection (a)(1) of this section to each person who has requested such notice.

(4) No proceeding of any procedure established in this chapter shall be found to be invalid for failure to provide mailed notice as required in this section as long as the other methods of notice have met their respective requirements and there was a good faith attempt to comply with the mailed notice requirements.

(5) The records of the Snohomish County Assessor's Office or title company shall be used for determining the property owner of record. Addresses for a mailed notice required by this code shall be obtained from the Snohomish County real property tax records.

(6) All public notices shall be deemed to have been provided or received on the date the notice is deposited in the mail or personally delivered, whichever occurs first.

(b) Posted Notices.

(1) On-Site Posting. At least one public notice board shall be posted on the site on each public right-of-way fronting on the site. The sign shall be erected in a manner that is accessible and easy to read by the general public. The Planning Director shall establish standards for size, color, layout, design, wording and placement of the notice boards, which generally shall consist of the items listed in subsection (a)(1) of this section. The Department of Planning and Community Development will provide prepared signs for on-site posting to the applicant. The applicant is responsible for posting the on-site notice and submitting a signed affidavit of on-site posting with a photo of each on-site notice.

(2) Public Posting. A public notice shall also be posted on the official notice board at City Hall.

(3) Special Posting for Major Land Use Actions. In addition to the general notice requirements set forth in subsections (a) and (b)(1) of this section, major land use actions shall comply with the following extraordinary signage requirements (see Section 14.16B.315(d)(3)):

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(i) Sign Size and Placement. Each sign shall be ~~two~~~~(four)~~ feet by ~~two and a half~~~~(eight)~~ feet in size, placed no closer than five feet from the right-of-way, visible from each public street on which the subject property has frontage, and placed outside the sight distance triangle.

(ii) Content of Notice. Signs shall be prepared using templates or attachable letters. Hand lettered signs are not acceptable. The required sign shall include:

- a. The title "Notice of Land Use Application";
 - b. A graphic or written description of the site boundaries;
 - c. Type of action/application (preliminary plat, etc.);
 - d. The date of public hearing;
 - e. The name and telephone number of the Department of Planning and Community Development;
 - f. City of Lake Stevens logo;
 - g. Other information as the Planning Director may determine to be necessary to adequately notify the public of the pending land use application.
- (iii) Responsibility for Installation and Removal.
- a. The applicant shall be solely responsible for the construction, installation, and removal of the sign(s) and the associated costs.
 - b. The sign(s) shall be erected at least 10 days prior to the public hearing. The applicant shall sign an affidavit, stating that the sign(s) were installed and the date and posting of property. Photos of each sign shall also be submitted with the affidavit.
 - c. The sign(s) shall be removed immediately following final action by the Hearing Examiner.
 - d. If the sign is removed prior to the final action, the applicant is responsible for immediate replacement of the sign.

(c) Responsibility for Notice. The Planning Director is responsible for providing published legal notices, mailed notices, and posted notices at City Hall. The applicant is responsible for complying with on-site posted notice requirements.

14.16A.250 Expiration of Approvals and Approved Permits.

(a) Land use approvals/permits other than subdivisions or shoreline permits shall expire automatically within one year after the issuance of such permits, if:

- (1) The use authorized by such permits has not commenced, in circumstances where no substantial construction, excavation or demolition is necessary before commencement of such use; or
- (2) Less than 10 percent of the total cost of all construction, excavation or demolition of the approved development has been completed.

(b) Land use permits other than subdivisions shall also expire automatically if construction, grading or excavation is commenced but such work is discontinued for a period of one year.

(c) Shoreline Development Permits. Construction activities shall be commenced or, where no construction activities are involved, the use or activity shall be commenced within two years of the effective date of a substantial development permit. However, the City may authorize a single extension for a period not to exceed one year based on reasonable factors, if a request for extension has been filed before the expiration date and notice of the proposed extension is given to parties of record on the substantial development permit and to the Department of Ecology.

[RCW [90.58.143](#)(2)]

(d) For land use permits other than preliminary short subdivisions, subdivisions and sign permits:

(1) The Planning Director may grant one six-month extension to a permit upon showing proper justification, if:

- (i) The extension is requested at least 30 calendar days before the permit expires;
- (ii) The permittee has proceeded with due diligence and in good faith; and
- (iii) The zoning designation of the property has not changed.

(2) Proper justification consists of one or more of the following conditions:

- (i) Economic hardship;
- (ii) Change of ownership;
- (iii) Unanticipated construction and/or site design problems;
- (iv) Other circumstances beyond the control of the applicant and determined acceptable by the appropriate department director.

(e) Preliminary short subdivision and subdivision approvals shall expire automatically if, within five years after the issuance of such approvals:

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- (1) The final plat or short plat has not been submitted to the City for approval; or
- (2) An extension has not been granted. The Planning Director may approve a single one-year original extension to the approval, if:
 - (i) The request was delivered in writing to the Planning Department at least 30 calendar days prior to the approval's expiration and meets one of the proper justifications listed in subsection (d)(2) of this section;
 - (ii) The permittee has proceeded with due diligence and in good faith to complete the plat; and
 - (iii) Conditions have not changed so substantially as to warrant a new application.
- (f) Additional Extension of Original Approvals for Preliminary Short Subdivisions, Preliminary Subdivisions, Conditional Use Permits, Special Use Permits, Zoning Permits, and Site Plans.
 - (1) After requesting and receiving the original (~~normal~~) permit extension provided in subsection (d) or (e) of this section, a permittee or his or her successors may request of the Planning Director (~~(60 days)~~) six months prior to expiration of permit extension a (~~(one-time,)~~) one- or two-year extension as provided in subsections (f)(3) and (4) of this section for an extension above the original extension request in subsection (e), provided all other requirements of this section are met including:
 - (i) Filing with the Planning Director a sworn and notarized declaration that substantial work has not commenced as a result of adverse market conditions and an inability of the applicant to secure financing;
 - (ii) Paying applicable permit extension fees;
 - (iii) Paying all outstanding invoices for work performed on the permit review; and
 - (iv) There are no substantial changes in the approved plans or specifications.
 - (2) The total combined time period for any preliminary short subdivision or preliminary subdivision may be extended by the Planning Department under Section [14.16A.250](#) and shall not exceed a total extension of (~~(three))~~ two years for a total of seven years approval; except for approvals dated on or before December 31, 2007 shall not exceed a total extension of five years by requesting additional one-or two-year extensions. The total combined time period for any conditional use permit, special use permit, zoning permit, or site plan may be extended by the department under Section [14.16A.250](#) and shall not exceed a total extension of one and a half years.
 - (3) The one-year original extension of preliminary short subdivisions and preliminary subdivisions established in subsection (e) of this section may be further extended by up to an additional four years for original approvals prior to December 31, 2007 and up to an additional two years for original approvals prior to March 31, 2010. Associated permit approvals before December 31, 2014 (~~(March 31, 2010)~~), including construction plans, clearing and grading permits, rezones, right-of-way construction, sidewalk and street deviations, and building permits shall be automatically extended for the same period subject to subsection (f)(~~2~~(~~5~~)) of this section.
 - (4) The six-month extension of conditional use permits, special use permits, zoning permits, and site plans established in subsection (d) of this section may be further extended by up to an additional one year for original approvals prior to March 31, 2010. Associated permit approvals before March 31, 2010, including construction plans, clearing and grading permits, rezones, right-of-way construction, sidewalk and street deviations, and building permits shall be automatically extended for the same period subject to section (f)(5) of this section.
 - (5) Related shoreline development permit time requirements may not be extended past the allowed limits in WAC [173-27-090](#) and RCW [90.58.143](#).
 - (6) Permits are vested to the codes in effect at the time of original approval.
- (g) Construction Plan Approvals.
 - (1) Construction plans for projects reviewed under the development code shall be approved for a period of 60 months from the date the City signs the plans or until expiration of the preliminary plat, preliminary short plat, binding site plan, conditional use permit, or site plan approval. If the construction plan is not connected to another permit, it shall expire in one year with one six-month extension allowed.
 - (2) The City may grant an extension of up to 12 months, if substantial progress has been made by the applicant to complete construction of the approved project. Extensions shall be considered on a case-by-case basis by the Public Works Director or designee and will require a letter to be submitted to the City requesting the extension at least 30 calendar days prior to the approval's expiration. Said letter shall demonstrate that the project has made substantial construction progress, the reason for the extension request, and an estimated timeline for completion of construction.
 - (3) When the approval period or any extension thereof expires, the City's approval of the construction plans shall be deemed automatically withdrawn. In order to receive further consideration by the City after such expiration and automatic withdrawal, construction plans must be re-submitted and must comply with the current code requirements.
- (h) Once the time period and any extensions have expired, approval/permit shall terminate and the application is void and deemed withdrawn.

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14.16B.205 Purpose.

A Type II review is an administrative review and decision by the appropriate department. These are applications which are categorically exempt from review under the State Environmental Policy Act (SEPA), a separate SEPA review, or permits for which environmental review has been completed in connection with another application. Public notification is provided at the application and decision stages of application review. Appeals of Type II decisions are made to the Hearing Examiner, except shoreline permit appeals are made to the State Shoreline Hearings Board. Type II reviews are exempt from the procedures of Section 14.16A.230, Time Frames for Review. The purpose of this part is to provide the necessary steps for permit approvals requiring Type II review.

14.16B.325 Public Meetings.

A public meeting shall be required for Type III applications except variances pursuant to Section 14.16A.260((299)). Staff may require the applicant to participate in the meeting to inform citizens about the proposal. If a public meeting is planned, it shall be held as early in the review process as possible for Type III applications. Notice of the public meeting shall be provided in the same manner as required for the notice of application. The public meeting notice will be combined with the notice of application whenever possible.

14.16B.350 Hearing Examiner Decision.

(a) The Hearing Examiner shall approve a project or approve with modifications if the applicant has demonstrated that the proposal complies with the applicable decision criteria of this title. The applicant carries the burden of proof and must demonstrate that a preponderance of the evidence supports the conclusion that the application merits approval or approval with modifications. In all other cases, the Hearing Examiner shall deny the application.

(b) If the Hearing Examiner requires a modification which results in a different proposal not reasonably foreseeable from the description of the proposal contained in the public notice provided pursuant to Section 14.16B.340, the Hearing Examiner shall conduct a new hearing on the modified proposal.

(c) The Hearing Examiner may include conditions to ensure a proposal conforms to the relevant decision criteria.

(d) The Hearing Examiner shall within 14 days following the close of the record distribute a written report supporting the decision. The report shall contain the following:

- (1) The decision of the Hearing Examiner;
- (2) Any conditions included as part of the decision;
- (3) Findings of fact upon which the decision, including any conditions, was based and the conclusions derived from those facts; and

(4) A statement explaining the process to appeal the decision of the Hearing Examiner to the Superior Court((City Council)).

(e) Reconsideration Period. Any person who presented or commented at the hearing may file a written request with the Hearing Examiner for reconsideration within 10 business days of the date of the Hearing Examiner's decision. The request shall explicitly set forth alleged errors of procedure or fact. Comments shall be requested from affected parties of record and reviewing City departments on the petition for reconsideration. Comments shall be received within 14 days. The Hearing Examiner shall act within 14 days after the filing of the request for reconsideration by denying the request, issuing a revised decision, or calling for an additional public hearing.

(1) The grounds for reconsideration shall be limited to the following:

- (i) The Hearing Examiner exceeded his or her jurisdiction;
- (ii) The Hearing Examiner failed to follow the applicable procedure in reaching his or her decision;
- (iii) The Hearing Examiner committed an error of law or misinterpreted the applicable city regulation, ordinance or other state law or regulation;

(iv) The Hearing Examiner's findings, conclusions and/or conditions are not supported by the record; and/or

(v) Newly discovered evidence alleged to be material to the Hearing Examiner's decision which could not reasonably have been produced prior to the Hearing Examiner's decision.

(2) Requests for reconsideration may use the additional grounds that changes to the application proposed by the applicant are in response to deficiencies identified in the decision.

14.16B.505 Purpose.

A Type V process is a quasi-judicial review and decision made by the City Council. Staff makes a recommendation to the City Council. Depending on the application, staff may conduct a public meeting to obtain

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public input. The City Council shall hold a public hearing on the application prior to making a decision; except for Final Plats, only a public meeting is held by the Council. Public notification is provided at the application, public hearing, and decision stages of application review. There is no opportunity for an administrative appeal. Appeals of City Council decisions are made to Snohomish County Superior Court. The purpose of this part is to provide the necessary steps for permit approvals requiring Type V review.

14.16B.525 Public Meetings.

A public meeting is required for all Type V applications pursuant to Section 14.16A.260. Staff may require the applicant to participate in the meeting to inform citizens about the proposal. If a public meeting is planned, it shall be held as early in the review process as possible for Type V applications. Notice of the public meeting shall be provided in the same manner as required for notice of the application. The public meeting notice will be combined with the notice of application whenever possible. Council Action for a Final Plat is a public meeting rather than a public hearing.

14.16B.540 Notice of City Council Public Hearing.

(a) Public notice of the date of the City Council public hearing, or for Final Plats a public meeting, at which the City Council will consider the application shall be published in a newspaper of general circulation. The public hearing shall be scheduled no sooner than ((44))10 days following the date of publication of the notice. If a determination of significance was issued by the SEPA responsible official, the notice of staff recommendation shall state whether an EIS or supplemental EIS was prepared or whether existing environmental documents were adopted. The notice of the City Council meeting shall also include the notice of the availability of the staff recommendation.

(b) The Planning Director shall mail or email notice of the City Council public hearing or public meeting, the SEPA determination, and the notice of the availability of staff recommendation to all parties of record.

14.16B.545 City Council Decision.

(a) Within five days of a decision, the Planning Director shall transmit to the City Council a copy of the department file on the application including all written comments received prior to the City Council meeting and information reviewed by or relied upon by staff. The file shall also include information to verify that the requirements for notice to the public (notice of application, notice of public hearing, and notice of SEPA determination) have been met.

(b) Any person may participate in the City Council public hearing, or public meeting for Final Plats, on staff recommendation by submitting written comments to the Department of Planning and Community Development prior to the hearing or by submitting written comments or making oral comments at the hearing.

(c) The City Council shall, at the open record public hearing or public meeting, consider and take final action on each Type V application. The final action may take place in the same meeting as the public hearing or public meeting, if any.

(d) The City Council shall either:

- (1) Approve the application;
- (2) Approve the application with modifications;
- (3) Remand the application to staff for an additional review limited to specific issues identified by the

Council; or

- (4) Deny the application.

(e) Decision.

(1) Conditions. The City Council may, based on the record, include conditions in any decision approving or approving with modifications an application, in order to ensure conformance with the approval criteria specified in the code or process under which the application was made.

(2) Findings of Fact. The City Council shall include findings of fact and conclusions derived from those facts which support the decision of the Council, including any conditions, in the decision approving or approving with modifications the application. The City Council may by reference adopt some or all of the findings and conclusions recommended by staff.

14.16B.630 Notice of Public Hearing.

(a) When the Planning Commission or City Council has scheduled a public hearing on a Type VI proposal, notice of the public hearing shall be provided 10 days prior to the scheduled hearing date in the manner set forth in subsection (b) of this section.

(b) Notice of Public Hearing.

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Type VI Action or Permit	Mail	Post	Publish
Comprehensive Plan Amendment - Map & Text	X	X	X
Development Agreements			X
Land Use Code Amendments			X
Rezone - Area-Wide Zoning Map Amendment		X	X

(c) Published Notice. When required, the applicable department director shall publish a notice twice in a newspaper of general circulation in the City. The notice shall contain the following information:

- (1) The name of the applicant, and if applicable, the project name;
- (2) If the application involves specific property, the street address of the subject property, a description in nonlegal terms sufficient to identify its location, and a vicinity map indicating the subject property or website address where maps can be viewed;
- (3) A brief description of the action or approval requested;
- (4) The date, time, and place of the public hearing;
- (5) Summarize the nature and character of the proposed change;
- (6) If the proposed amendment involves a change in zoning district classification, reasonably identify the property whose classification would be affected by the amendment;
- (7) State that the full text of the amendment can be obtained from the Department of Planning and Community Development (~~Services~~);
- (8) State that substantial changes in the proposed amendment may be made following the public hearing; and
- (9) A statement of the right of any person to participate in the public hearing.

(d) Mailed Notices and Postcard Notices. Mailings shall be completed pursuant to Section [14.16A.225](#) with the additional specifications:

- (1) For minor map amendments, notices shall be mailed to the record owners for tax purposes of all properties whose zoning classification is proposed to be changed, as well as the owners of all properties which are within 300 feet of the property proposed to be rezoned, or 20 property owners (whichever is greater).
- (2) For major map amendments, notice over and above that specified in this section may be provided at the discretion of the Department of Planning and Community Development, as deemed necessary to ensure ample opportunity for citizens and property owners to become aware of the upcoming hearing.
- (3) Notice of the public hearing, containing the same information set forth in subsection (c) of this section, shall be mailed to each owner of real property within 300 feet of any boundary of the subject property, or 20 property owners (whichever is greater).

(e) Posted Notices.

- (1) All posted notices shall be completed pursuant to Section [14.16A.225](#).
- (2) For minor map amendments, at least one public notice board shall be posted on the site on public right-of-way within the property proposed to be rezoned.
- (3) For major map amendments, a minimum of three public notice boards shall be posted on public right-of-way.
- (4) The following Type VI application is a major land use action: area-wide zoning map amendment. In addition to the general notice requirements, a major land use action shall comply with the extraordinary signage requirements in Section [14.16A.225\(b\)\(3\)](#).

(f) Alternative Means of Notification. In the case of the following actions initiated by the City, which affect large areas of the City, the Planning Director may elect to use alternative means of public notification in addition to the newspaper publication required by RCW [35A.63.070](#) or the mail and posting provisions above, provided such notification is likely to achieve equal or greater actual public notification:

- (1) Adoption or amendment of a neighborhood or other area-wide community plan; or
- (2) Area-wide zoning map amendments.

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14.16C.050 Design Review.

(a) The Design Review Board is created to review and make urban design decisions that will promote visual quality throughout the City. The purpose of design review includes but is not limited to the following:

(1) To encourage and promote aesthetically pleasing and functional neighborhood and commercial developments for the citizens of Lake Stevens by establishing design review standards and guidelines including site layout, landscaping, parking and preferred architectural features;

(2) To implement the City's Comprehensive Plan policies and supplement the City's land use regulations, promote high-quality urban design and development, supplement land use regulation, promote a coordinated development of the unbuilt areas, improve walkability, lessen traffic congestion, provide light and air, prevent the overcrowding of land, and conserve and restore natural beauty and other natural resources;

(3) To encourage originality, flexibility, and innovation in site planning and development, including the architecture, landscaping and graphic design of proposed developments in relation to the City or subarea as a whole;

(4) To encourage low impact development (LID) by conservation and use of existing natural site features in order to integrate small-scale stormwater controls and to prevent measurable harm to natural aquatic systems from commercial, residential or industrial development sites by maintaining a more hydrologically functional landscape;

(5) To encourage green building practices in order to reduce the use of natural resources, create healthier living environments, and minimize the negative impacts of development on local, regional, and global ecosystems;

(6) To encourage creative, attractive and harmonious developments and to promote the orderliness of community growth, the protection and enhancement of property values for the community as a whole and as they relate to each other, the minimization of discordant and unsightly surroundings, the need for harmonious and high quality of design and other environmental and aesthetic considerations which generally enhance rather than detract from community standards and values for the comfort and prosperity of the community and the preservation of its natural beauty and other natural resources which are of proper and necessary concern of local government, and to promote and enhance construction and maintenance practices that will tend to prevent visual impairment and enhance environmental and aesthetic quality for the community as a whole;

(7) To aid in assuring that structures, signs and other improvements are properly related to their sites and the surrounding sites and structures, with due regard to the aesthetic qualities of the natural terrain and landscaping, and that proper attention is given to exterior appearances of structures, signs and other improvements;

(8) To protect and enhance the City's community vision for living and working and thus support and stimulate business and industry and promote the desirability of investment and occupancy in business and other properties;

(9) To stabilize and improve property values to help provide an adequate tax base to the City to enable it to provide required services to its citizens;

(10) To foster civic pride and community spirit by reason of the City's favorable environment and thus promote and protect the health, safety and welfare of the City and its citizens; and

(11) To ensure compatibility between new and existing developments.

(b) The City Council shall adopt design guidelines or standards by ordinance.

(1) City of Lake Stevens Design Guidelines (Residential Development Handbook for Snohomish County Communities) were readopted on April 17, 1995, for use within City limits, excluding subareas.

(2) Subarea Design Guidelines were adopted in September 2012 as an exhibit of the Lake Stevens Center Subarea Plan and 20th Street SE Corridor Subarea Plan. To assure an attractive, pedestrian-friendly environment, all development occurring within either subarea shall comply with these design guidelines which are attached to the subarea plans. If design guidelines appear to conflict with another provision of this title, the design guidelines shall prevail.

(c) Design Review Board. Review of permit applications for conformance with the development design guidelines shall be done by the Design Review Board in public meetings, as set forth in Section [14.16A.260](#).

(d) Projects requiring design review that meet the limitations in Section [14.16C.020\(d\)](#) shall follow the procedures established in Chapter [14.16B](#) for a Type I permit process as an administrative design review. All other projects requiring design review shall follow the procedures in subsection (e) of this section.

(e) Procedure.

(1) Pre-Application Meeting. If design review is required, a pre-application meeting with the City is highly recommended prior to submittal of a formal application.

(2) Design Review Submittal Requirements. Seven color, hard copies and one electronic copy are required for each submittal for review by the Design Review Board.

(i) Buildings and Site Development Plans. The following information and materials shall be submitted to the City for review under this chapter:

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- a. A completed application.
 - b. Site plan at an engineering scale from one inch equals 20 feet to one inch equals 50 feet, showing:
 - 1. Location of all proposed structures and any existing structures to be retained or incorporated into the development.
 - 2. Location of building setback lines.
 - 3. Proposed pedestrian and vehicular circulation including driveways, access points, sidewalks and pedestrian pathways.
 - 4. Parking lot layout, design and, if applicable, loading areas.
 - 5. Public improvements including sidewalks, curbs, gutters, etc.
 - 6. Location of existing trees and vegetation to be retained.
 - c. Building material samples and color chips.
 - d. Plans and section drawings depicting the relationship of the proposed project to abutting properties and buildings.
 - e. Building elevations and/or perspective renderings drawn to scale and indicating the exterior color and material composition (including mechanical equipment and screening).
 - f. Roof plan including the location of mechanical equipment.
 - g. A lighting plan, if required, adequate to determine the location, character, height and style of fixtures and the amount and impacts of spillover on adjacent properties.
 - h. A brief narrative description of the design elements or objectives of the proposal and discussion of the project's relationship to surrounding properties.
- (ii) Landscape Plans. The following information and materials shall be submitted to the City for review under this chapter:
- a. A completed application.
 - b. Site plan at an engineering scale from one inch equals 20 feet to one inch equals 50 feet, showing:
 - 1. Location of all proposed structures and any existing structures to be retained or incorporated into the development.
 - 2. Proposed pedestrian and vehicular circulation including driveways, access points, sidewalks and pedestrian pathways.
 - 3. Parking lot layout, design and loading areas if applicable.
 - 4. Public improvements including sidewalks, curbs, gutters, etc.
 - 5. Location and size of existing trees and vegetation to be retained.
 - 6. Plans and section drawings depicting the relationship of the proposed project to abutting properties and buildings.
 - 7. Landscape plan showing the location of proposed plant materials, including a plant schedule identifying plants by common and scientific names, spacing, size at time of planting, size at maturity, location of any existing vegetation and trees to be retained, and special notes.
 - 8. Photographs of proposed plant material.
 - 9. Plans showing proposed grading/topography, drawn to the same scale as the landscape plan.
- (iii) Sign Plans. The following information and materials shall be submitted to the City for review under this chapter:
- a. A completed application.
 - b. A site plan, drawn to scale, showing the location of the building upon which the sign will be installed, surrounding buildings, and adjacent streets.
 - c. A drawing showing the size, shape and exact location of the proposed sign(s). For wall or building-mounted signs, the drawing shall portray the proposed sign's relationship to any existing or proposed signs located on the same facade or common building wall. Drawings must be to scale or contain dimensions indicating the size of the sign and the length and height of the appropriate building surface.
 - d. Dimensions, area (in square feet), and style of letters/symbols of the proposed signs.
 - e. A colored illustration of the proposed signs.
 - f. Sign materials (wood, plastic, metal, etc.) and color samples.
- (iv) The Director may require the submission of such other information determined to be appropriate and necessary for a proper review of the requested action.

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(3) Recommendation. A staff report of findings, conclusions and recommendations shall be forwarded to the ~~((Planning Commission and))~~ Design Review Board before a public meeting. The conclusions and recommendations shall indicate how the recommendations carry out the goals, policies, plans and requirements of the development design guidelines. The findings shall be referenced to contested issues of fact, and the conclusions shall be referenced to specific provisions of the development design guidelines and review criteria incorporated therein, together with reasons and precedents relied upon to support the same. The conclusions shall make reference to the effect of the decision upon the Comprehensive Plan, as well as the effect of both approval and denial on property in the vicinity, on business or commercial aspects, if relevant, and on the general public. The decision shall be based upon a consideration of the whole record of the application.

(f) Conformance with Design Guidelines or Standards.

(1) Structures within the following zones are subject to the design guidelines or standards adopted per subsection (b) of this section, except when the project meets the limitations in Section [14.16C.020](#)(d) or when the development is located within an adopted subarea plan and is required to meet the adopted subarea design guidelines:

- (i) Central Business District (except Class 1.100 or 1.200 uses);
- (ii) Mixed Use (except Class 1.100 or 1.200 uses);
- (iii) Neighborhood Commercial (except Class 1.100 or 1.200 uses);
- (iv) Local Business (except Class 1.100 or 1.200 uses);
- (v) Planned Business District;
- (vi) Sub-Regional Commercial;
- ~~((vii) Commercial Recreation;))~~
- (vii~~((i))~~) High Urban Residential;
- (viii~~((i))~~) Multi-Family Residential;
- (ix) Light Industrial;
- (x~~((i))~~) General Industrial; or
- (xi~~((i))~~) Public/Semi-Public.

(2) Structures are subject to the design guidelines or standards adopted per subsection (b) of this section when developed under specified regulations listed below, except when the project meets the limitations in Section [14.16C.020](#)(d):

- (i) Planned neighborhood developments (Section 14.16C.080);
- (ii) Planned residential developments (Section 14.44.020); and
- (iii) Innovative Housing Options ~~((Demonstration))~~ Program (Chapter 14.46).

(3) No building or land use permit shall be issued for structures or uses which do not conform to the applicable guidelines or standards, except as allowed under subsection (f)(4) of this section.

(4) A building or land use permit may be issued for a structure or use that does not comply with subsections (f)(1), (2) or (3) of this section, if any one of the following findings can be made by the permit-issuing authority:

- (i) The structure is of a temporary nature which, in all likelihood, will be replaced by a permanent structure within a reasonable time frame.
- (ii) The structure is minor to the overall use of the property and will not be noticeably visible from a public right-of-way.
- (iii) The structure will not be visible from an existing, planned, or proposed public right-of-way.
- (iv) The structure is pre-existing with proposed changes to portions of the facade that are not visible from public rights-of-way.

14.16C.075 Land Use Code Amendments.

(a) The purpose of this section is to allow amendments to this title.

(b) Procedure. A land use code amendment shall be reviewed in the manner and following the procedures established in Chapters [14.16A](#) and [14.16B](#) for a Type VI review.

(c) Initiation of Amendments.

(1) Amendments to this title may be initiated by the City Council, the Planning Commission, or the City administration.

(2) Any other person may also petition the Planning Department to amend this title. The petition shall be filed with the Department of Planning and Community Development ~~((Services))~~ and shall include:

- (i) The name, address, and phone number of the applicant;
- (ii) A strikeout/underlined version of the existing code showing proposed changes; and

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- (iii) Articulation of the specific objective(s) of any proposed text amendments.
- (d) Upon receipt of a petition, the Planning Director shall either:
 - (1) Determine if the proposed code amendments meet the decision criteria in subsection (f) of this section; or
 - (2) Forward the petition to the Council for a determination on whether to accept and review the petition. The Council may summarily deny the petition or refer it to the Planning Commission for a recommendation.
- (e) Amendments to following are not required for review before the Planning Commission:
 - (1) Chapter [14.60](#) (Utilities).
 - (2) Chapter [14.80](#) (Building and Construction).
 - (3) Chapter [14.84](#) (Fire Code).
- (f) Decision Criteria. In approving code amendments to this title, the City Council shall make the following findings:
 - (1) The amendment is consistent with the adopted Lake Stevens Comprehensive Plan;
 - (2) The amendment is in compliance with the Growth Management Act; and
 - (3) The amendment serves to advance the public health, safety and welfare.
- (g) No ordinance that amends any of the provisions of this title may be adopted until a public hearing has been held on such ordinance.
- (h) Approval. All amendments shall be approved by ordinance of the Lake Stevens City Council.

14.16C.090 Rezones - Official Zoning Map Amendments.

- (a) The purpose of this section is to set forth criteria for amendments to the Official Zoning Map, adopted pursuant to Section [14.36.100](#).
- (b) Types of Rezones and Map Amendments. Rezones are either site-specific or area-wide. Map amendments are considered major if they rezone five or more tracts of land in separate ownership or any parcel of land, regardless of the number of lots or owners, in excess of 50 acres. All other map amendments are minor.
 - (1) Site-specific rezones are rezones of a particular property(ies) which conform to the Comprehensive Plan or an adopted subarea plan.
 - (2) Area-wide rezones are rezones which require a Comprehensive Plan amendment, include a large area, or the adoption of a new or substantially revised neighborhood or area-wide zoning map amendment.
- (c) Procedure. A site-specific rezone shall be reviewed in the manner and following the procedures established in Chapters [14.16A](#) and [14.16B](#) for a Type IV review. An area-wide rezone shall be reviewed in the manner and following the procedures for a Type VI review and require a concurrent amendment to the Comprehensive Plan.
- (d) Initiation of Amendments.
 - (1) Amendments to the Official Zoning Map may be initiated by the City Council, the Planning Commission, or the City Administration.
 - (2) Any other person may also petition the Planning Department to amend the Official Zoning Map. The petition shall be filed with the Department of Planning and Community Development (~~(Services)~~) and shall include:
 - (i) The name, address, and phone number of the applicant;
 - (ii) A description of all land proposed to be rezoned including a map highlighting the specific parcels; and
 - (iii) A rationale for the proposed map changes.
- (e) Upon receipt of a petition, the Planning Director will determine if the proposed zoning map amendments meet the decision criteria in subsection (g) of this section and shall either:
 - (1) Refer the proposed amendment to the Hearing Examiner for a site-specific rezone for a recommendation to Council(~~Determine if the proposed zoning map amendments meet the decision criteria in subsection (g) of this section~~); or
 - (2) Refer the proposed amendment to the Planning Commission for an areawide rezone for a recommendation to Council.
- (f) Special Application Requirements for Site-Specific Rezones.
 - (1) No application shall be filed or accepted for filing which on its face will not comply with the Lake Stevens Comprehensive Plan or an adopted subarea plan.
 - (2) No application without signatures of owners representing 75 percent of the area proposed for rezone shall be filed or accepted for filing.
- (g) Decision Criteria. The following factors are to be taken into account by the Planning Commission, Hearing Examiner and the City Council when considering a map amendment:

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- (1) The amendment complies with the Comprehensive Plan Land Use Map, policies, and provisions and adopted subarea plans;
- (2) The amendment is in compliance with the Growth Management Act;
- (3) The amendment serves to advance the public health, safety and welfare;
- (4) The amendment is warranted because of changed circumstances, a mistake, or because of a need for additional property in the proposed zoning district;
- (5) The subject property is suitable for development in general conformance with zoning standards under the proposed zoning district;
- (6) The amendment will not be materially detrimental to uses or property in the immediate vicinity of the subject property;
- (7) Adequate public facilities and services are likely to be available to serve the development allowed by the proposed zone;
- (8) The probable adverse environmental impacts of the types of development allowed by the proposed zone can be mitigated, taking into account all applicable regulations, or the unmitigated impacts are acceptable;
- (9) The amendment complies with all other applicable criteria and standards in this title; and
- (10) If the proposal is located within an adopted subarea plan:
 - (i) The rezone is to a zoning designation allowed within the applicable subarea; and
 - (ii) The rezone does not increase the established intensities adopted as part of the planned action ordinance or mitigates increased or additional impacts by supplementing, amending or addending the applicable planned action draft and final environmental impact statement.
- (h) Approval. All amendments shall be approved by ordinance by the Lake Stevens City Council.
- (i) Withdrawal. Any application for a site-specific rezone may be withdrawn upon the written request of any one of the property owners who signed the application, if the remaining owners do not own 75 percent of the area.
- (j) Reapplication after Denial without Prejudice. After the Council's final action denying a rezone, no further rezone action involving substantially the same property shall be requested for at least one year. If the Council finds that extraordinary circumstances exist, or that the request might deserve approval in the near future, but not at the present time, then the rezone may be denied without prejudice. In such a case, if the rezone request is reactivated in writing by the applicant within six months, and is reheard within nine months of the date of the original action, then the original case file and number shall be used and the rezone fee shall be waived.
- (k) Review or Revocation of Approval. Rezones and any concurrent or subsequent approvals issued pursuant to this chapter may be reviewed or revoked in accordance with [Section 14.16A.255](#).

14.18.045 Endorsements on Short and Long Subdivision Plats.

All subdivision plats shall contain the following endorsements, specific language of which is to be made available by the Planning Director: certificate of subdivision approval, certificate of approval of public improvements, certificate of ownership and dedication, certificate of survey and accuracy, certificate of City Treasurer, [City Council Approval \(for long subdivisions only\)](#), Snohomish County Treasurer's certificate, and recording certificate.

14.18.070 Boundary Line Adjustments.

- (a) Minor lot line adjustments are exempt from the subdivision regulations. Minor lot line adjustments to existing legal lots are permitted when no new lots are created through the process and the adjusted lots either meet all requirements of this title and other City regulations. In the case of existing legal nonconforming lots, the adjustment shall not create a new or greater nonconformity with respect to any City regulations.
- (b) Application for a boundary line adjustment (BLA) is made by submitting to the Planning Director a land use development ~~((master permit))~~ application, with a survey of the subject property showing existing and proposed lot lines, before and after legal descriptions, owner's certificate, surveyor's certificate, and Planning Director's approval certificate.
- (c) To finalize an approved boundary line adjustment, it shall be recorded with the Snohomish County Auditor's Office no later than one year after final approval has been issued by the Planning Director or the application and approval shall lapse and a new application must be submitted.
- (d) Recording fees and applicable state fees shall be paid by the applicant. Immediately after recording, copies of the recorded BLA documents shall be provided to the City. The BLA shall not take effect until recorded with the Snohomish County Auditor and copies returned to the City.

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(e) The department may grant up to a one-year extension of a BLA for good cause, if a written request for extension, including a description of reason for request, is submitted to the Planning Director at least two weeks before approval lapses.

(f) If the BLA affects more than one property owner, a conveyance document(s) shall be recorded at the same time as the BLA documents. The conveyance document(s) shall establish ownership consistent with the approved, adjusted boundaries.

(g) When a BLA is recorded subsequent to a record of survey for the same property, the recording number of the record of survey shall be noted on the BLA map.

14.18.175 Recording with County Auditor.

(a) To finalize an approved binding site plan (~~boundary line adjustment~~), it shall be recorded with the Snohomish County Auditor’s Office no later than one year after final approval has been issued by the Planning Director or the application and approval shall lapse and a new application must be submitted.

(b) Immediately after recording, copies of the recorded binding site plan (~~BLA~~) documents shall be provided to the City. The BLA shall not take effect until recorded with the Snohomish County Auditor and copies returned to the City.

14.36.100 Official Zoning Map.

(a) There shall be a map known and designated as the Official Zoning Map, which shall show the boundaries of all zoning districts within the City’s planning jurisdiction. (~~This map shall be drawn on acetate or other durable material from which prints can be made, shall be dated, and shall be kept in the Planning Department.~~)

(b) The Official Zoning Map dated May 11, 2009, is adopted and incorporated herein by reference. Amendments to this map shall be made and posted in accordance with Section [14.16C.090](#).

(c) Should the Official Zoning Map be lost, destroyed, or damaged, the Planning Director may have a new map created (~~drawn on acetate or other durable material from which prints can be made~~). No further Council authorization or action is required so long as no district boundaries are changed in this process.

14.38.040 Dimensional Regulations.

Table 14.38-I Dimensional Regulations

Zone	Minimum Lot Size	Building Setback (from lot (property) line, tract or easement) (ft) ¹³		Min. Landscape Buffer (ft) ⁷	Min. First Floor Height (ft)	Max. Height (ft) ^{9, 10}
		Front	Side/Rear			
Commercial Zones						
BD	NA	5	10 ^{4,5}	5	12	55
CD	NA	5	10 ^{4,5}	5	15	55
NB	NA	5	10 ^{4,5}	5	15	35
Mixed Use Zones						
MS	NA	5 ¹	0 ^{4,5,6}	5	15	55
MUN	NA	10 ^{2,3}	10 ^{5,6}	5	15 ⁸	45
Residential Zones						

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HUR ¹¹	3,600 sq. ft. ¹²	10 ^{2,3}	5 ⁵	5	NA	45
UR	7,500 sq. ft. ¹²	20 ³	5	NA	NA	35

Notes:

1. The minimum required setback is five feet and the maximum allowed setback is 10 feet in the MS district.
2. The minimum required setback is 10 feet and the maximum allowed setback is 20 feet.
3. Porches, covered entries, or pedestrian-oriented spaces may project up to five feet into front yard setbacks in residential districts.
4. Districts that allow commercial uses shall maintain a 10-foot, Type B screen when adjacent to residential zones, per Section [14.76.040\(a\)](#).
5. Structures 35 feet or taller next to single-family districts must be stepped back five feet for every floor over 35 feet per Figure 14.38-II.



Figure 14.38-II illustrates stepping back the upper stories of a structure, adapted from the Everett Municipal Code.

6. Attached housing units or attached commercial structures built on separate lots can be built to the common property line. The outside setback for attached structures abutting a right-of-way, separate detached structures, or a different zone shall be 10 feet.
7. Landscape buffers will be comprised of a Type C screen per Section [14.76.040\(a\)](#) along property lines; however, the City may waive the landscape buffer when adjacent properties share parking, access, or other common features that make intensive landscaping impractical. In addition, perimeter landscape buffer along property lines of adjacent high-density single-family lots is not required; however, screening different developments from neighboring properties will provide separation, vegetation and define each development. The front landscaping buffer does not apply in the MS district.
8. The first floor height of residential structures in the MUN district, without an attached retail/service component, not facing a public right-of-way may be reduced to industry standard.
9. If a project includes a parking structure or affordable housing FAR bonus, as described in Section [14.38.050\(b\)](#), the City will also allow an overall height increase of 10 feet above maximum height.
10. The City will consider an increase in maximum height up to 80 feet with a conditional use permit per Section [14.16C.045](#).
11. Maximum impervious surface for parcels in the HUR district is 65 percent.
12. When developed as a planned residential development (Section 14.44.020) the per unit lot size may be reduced to 3,000 square feet for HUR district and 6,000 square feet for the UR district in return for the dedication of additional open space at the ratio of 400 square feet per dwelling unit.
13. Eaves and other minor architectural features may project into the required setback up to 18 inches.

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14.38.100 Signs.

(a) Purpose and Application. Ensure that signage provides effective advertising and identification with appropriate design, scale, and placement. Developments within the subareas are subject to the sign regulations found in Chapter [14.68](#) and applicable design guidelines, except when this chapter modifies the standard municipal code requirements.

(b) Allowed Signs.

- (1) Changeable text signs per Section [14.68.084](#).
- (2) Freestanding signs.
- (3) Informational/directional signs.
- (4) Projecting/suspended signs.
- (5) Residential signs per Section [14.68.090](#).
- (6) Signs excluded from regulation per Section [14.68.020](#).
- (7) Temporary signs per Section [14.68.030](#).
- (8) Wall signs.
- (9) Window signs.

(c) Prohibited Signs.

- (1) Animated or flashing signs, except as allowed in Section [14.68.120](#).
- (2) Off-site signs, except as allowed by Section [14.68.030](#) and subsection (f) of this section.
- (3) Portable signs.
- (4) Roof signs.
- (5) Signs which are located on or extend over public rights-of-way.
- (6) Temporary signs except as allowed by Section [14.68.030](#).

(d) Projecting/Suspended Signs, Wall Signs, and Window Signs.

- (1) Table 14.38-IV establishes the dimensional and quantitative requirements for projecting/suspended signs, wall signs, and window signs.
- (2) Projecting/Suspended Signs.
 - (i) Projecting signs shall not extend more than five feet from a building facade;
 - (ii) Suspended signs are limited to approximately two inches in thickness and may not extend beyond the structure to which it is attached;
 - (iii) Projecting/suspended signs must provide a minimum of eight feet of clearance from the ground to the bottom of the sign; and
 - (iv) A minimum spacing of 20 feet between signs must separate projecting/suspended signs.
- (3) Wall Signs.
 - (i) Wall signs shall be generally located in the storefront area above the main entrance along primary facades and beneath the roofline or cornices on secondary facades;
 - (ii) Second story signs shall be generally located directly above or below windows, but not higher than the belt course between the next story or below the roofline or cornices, as illustrated in Figure 14.38-IV;
 - (iii) Wall signs shall be generally centered between defined architectural elements and may not extend beyond defined architectural features;
 - (iv) Wall signs may be located on building focal points, if the sign does not extend beyond defined architectural features;
 - (v) Wall signs shall not project more than 10 inches from the building;
 - (vi) Wall signage may be located on awnings and marquees or similar structures only when the design of the building facade prohibits wall signs on the storefront facade and the signage does not extend beyond defined architectural features; and
 - (vii) The wall sign area calculation is defined in Table 14.38-IV and the maximum area will be based on the size of the associated gross business area, as follows:
 - a. Five thousand gross square feet or less: 32 square feet;
 - b. Five thousand one to 15,000 gross square feet: 96 square feet; and
 - c. Over 15,001 gross square feet: 192 square feet.
 - (viii) Sign area is not transferable.

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- (1) Table 14.38-V establishes the dimensional and quantitative requirements for freestanding signs including monument and pole/pylon signs.
- (2) Freestanding signs shall be located no closer than five feet to public rights-of-way or access easements measured from the face of the sign to the back of the ROW or easement.
- (3) No signs shall obstruct sight distance at street intersections or driveways per Section [14.68.120\(d\)](#).
- (4) The height of freestanding signs shall be measured from the average ground level at the sign's base.
- (5) Freestanding signs must provide an architectural base, with a minimum height of 12 inches.
- (6) Each freestanding sign shall provide a landscaped area around the base of the sign per the following:
 - (i) One and one-quarter square feet of landscaping per one square foot of sign area with a minimum area of 50 square feet and a minimum width of five feet measured from the outside of the curb or the edge of the landscape bed;
 - (ii) The landscape area and sign base shall be protected from vehicles by a six-inch curb, if adjacent to drive aisles or parking areas;
 - (iii) The landscape area must include a mix of shrubs, perennials and/or annual flowers, and other standard landscape material; and
 - (iv) The landscape area may include other materials and components such as brick or concrete bases, planter boxes, pole covers, decorative framing, and accent lighting.

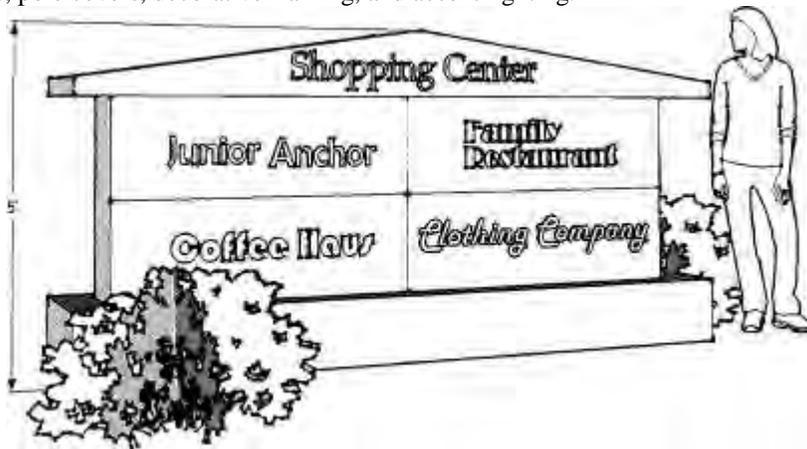


Figure 14.38-V Monument Sign

Table 14.38-V Freestanding Sign Standards

Sign Type		CD	NC	BD	MS	MUN
Monument	Sign Area ¹ (sq. ft.)	75	50	50	50	25
	Sign Height	15 ft.	10 ft.	10 ft.	5 ft.	5 ft.
	Number ^{2,3,4}	1	1	1	1	1
Pole/Pylon ⁵	Sign Area ¹ (sq. ft.)	100	NA	NA	100	NA
	Sign Height	20 ft.			20 ft.	
	Number	1			1	

Notes:

1. For freestanding signs with multiple faces, only the sign area of a single face is calculated per Section [14.68.040](#).
2. Each site with commercial uses may install one freestanding identification sign or multi-tenant identification sign per site.
3. Commercial centers with more than one frontage may install two identification and/or multi-tenant identification signs with one freestanding sign along the primary frontage and a second sign along the secondary frontage, with a minimum separation of 100 feet between the signs, including separation of off-site and highway-

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oriented signs. Freestanding signs located along secondary frontages must be reduced by 25 percent in sign area and height.

4. Any detached structure greater than 5,000 square feet in gross area, occupied by a single business, located on a defined building pad, within a commercial center over five acres may have an additional freestanding sign not exceeding 25 square feet in area and having a maximum height of five feet.

5. Pole/pylon signs are limited to highway-oriented sign requirements pursuant to subsection (f) of this section.
(f) Off-Site Signage.

(1) The provisions contained in this section recognize the need for certain businesses located within the Commercial district, Business district and Main Street district, in proximity to state highways (SR-9 and SR-204) and/or major arterials, but with limited visibility to install off-site signs.

(2) The City shall review the need for off-site signage against the following criteria:

(i) The business(es) is located more than 100 feet from the right-of-way, measured from the nearest point to the edge of right-of-way;

(ii) The business(es) shall demonstrate that on-site signs cannot adequately convey the location and identity of the business(es) because of poor visibility or traffic patterns unique to its location;

(iii) The off-site sign does not create adverse impacts to surrounding businesses, pedestrians, or motorists including, but not limited to, glare and sight obstructions;

(iv) The sign is not out of scale or character with allowed signs for nearby uses and employs distinct architectural features associated with the primary building or complex;

(v) The advertising structure does not detract from the goals, objectives, and policies of the subarea plan; and

(vi) The applicant has provided a recorded easement or expressed written permission, including maintenance provisions, from the property owner of the premises where the off-site sign is to be located.

(3) Content of Off-Site Signage.

(i) The off-site sign contains a message area that identifies the complex by name or district and may contain its address;

(ii) The off-site sign identifies one or more businesses in the complex or district by name and may include corporate logos; and

(iii) The off-site sign contains directional information, such as exit number, route information (e.g., next left), and may contain directional arrows.

(iv) The off-site sign may not include promotional information for individual businesses or display or support temporary signs, banners, pennants, etc.

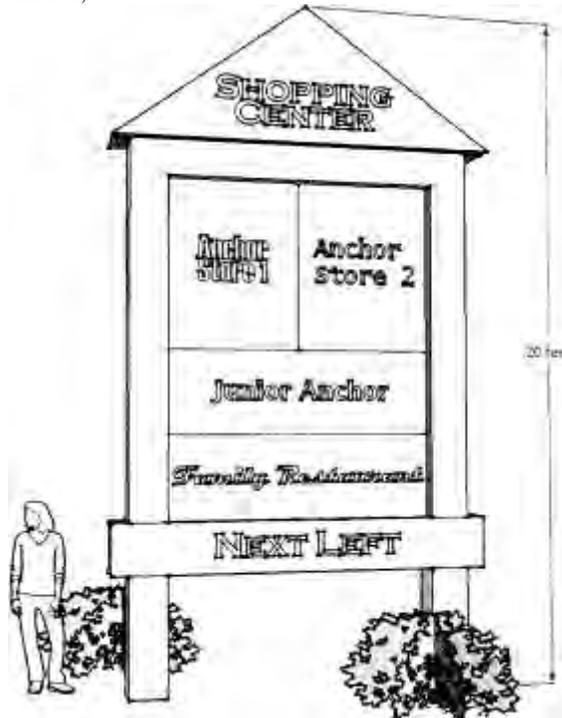


Figure 14.38-VI Off-Site Sign

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(g) Informational/directional signs mean signs within a commercial or business park development that convey information; indicate the name of a particular use, such as “pharmacy” or “lumber”; and provide direction to specific uses such as “drive-through” or “exit,” but do not contain specific advertising, except for building directories.

(1) Attached signs are limited to a maximum of two percent of the building facade or leased storefront area.

(2) Freestanding signs are limited to a maximum of four square feet(~~, except restaurant menu signs, which are limited to a maximum of 12 square feet~~).

(3) Building directories are limited to a maximum of 10 square feet for the purpose of identifying upper floor tenants or first floor tenants that do not have outside building frontage adjacent to the entrance for such businesses.

(4) Primary restaurant menu signs are limited to a maximum of 32 square feet and secondary menu signs are limited to a maximum of 12 square feet. Only one menu sign of each type is allowed per business. Menu signs are subject to the design requirements for freestanding signs.

(h) Sign Modifications. To provide flexibility, the City will consider modifications to the sign regulations for signs that display outstanding design elements per the requirements of Section [14.68.124](#).

(i) Legal Nonconforming Signs.

(1) All legally existing signs at the time of the adoption of the ordinance codified in this chapter that are not in compliance with the requirements of this chapter are nonconforming signs. The burden of establishing a sign’s legal status, under this chapter, is the responsibility of the sign or business owner.

(2) Legal nonconforming signs are subject to the requirements of Section [14.68.150](#) (Nonconforming Signs).

(3) Violations. Any violation of this chapter shall terminate immediately the right to maintain a legal nonconforming sign.

LSMC Section 14.40.010, Table 14.40-I, entitled “Table of Permissible Uses by Zones” is amended by:

- Add footnote #21 to “PA” in CBD column for Use Description “9.100”
- Add footnote to the table to read as follows:
—²¹ Only allowed in the Central Business District on properties north of 20th Street NE.
- Add footnote #22 to Use Description “15.340 Sewage/septic sludge recycling”
- Add footnote to the table to read as follows:
—²² Only allowed as an Essential Public Facility pursuant to Section 14.16C.060.
- Remove Use Descriptions “32.000 Land Clearing, Logging in Conformance with Chapter 14.88” & “33.000 Respective Uses Permissible in Respective Sensitive Areas as Per Chapter 14.88)

14.40.020 Use of the Designations P, A, C in Table of Permissible Uses.

(a) The Table of Permissible Uses (Table 14.40-I) sets forth which uses are permitted in which zones. The letter “P” means the use is permitted or allowed in the indicated zone district subject to all code requirements of this title. The letter “A” means the use requires an administrative conditional use permit, and the letter “C” means the use requires a conditional use permit. No letter means that use is not permitted in the indicated zone district.

(b) When used in connection with residential uses (use classification 1.000), the designation “PAC” means that such developments of less than five dwelling units are a permitted use when code requirements are met, developments of five or more but less than 13 dwelling units need an administrative conditional use permit, and developments of 13 or more dwelling units require a conditional use permit.

(c) When used in connection with nonresidential uses, the designation “PA” means that such developments are permitted if the lot to be developed is less than one acre in size and require an administrative conditional use permit if the lot is one acre or larger in area:(;) and the designation “PC” means that such developments are permitted if the lot to be developed is less than one acre in size and require a ((an administrative conditional or))conditional use permit is required if the lot is one acre or larger in area.

14.40.040 Permissible and Prohibited Uses.

(a) The presumption established by this title is that all legitimate uses of land are addressed within the Table of Permissible Uses, and are either allowed or not allowed thereby. But because the list of permissible uses set forth at the end of this chapter cannot be all inclusive, those uses that are listed shall be interpreted liberally to include other uses that have similar impacts to the listed uses.

(b) Without limiting the generality of the foregoing provisions, the following uses are specifically prohibited in all districts:

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(1) Any use that involves the manufacture, handling, sale, distribution, or storage of any highly combustible or explosive materials in violation of the City's fire prevention code.

(2) Stockyards, slaughterhouses, rendering plants.

(3) Use of a travel trailer, motor home, or other recreational vehicle as a permanent residence.

Recreational vehicles may be used as a temporary guest residence for up to two weeks without a permit, or up to three months within any one consecutive year upon approval by the Planning Director. Situations that do not comply with this subsection on the effective date of the ordinance codified in this title are required to conform within one year.

(4) Use of a motor vehicle parked on a lot as a structure in which, out of which, or from which any goods are sold or stored, any services are performed, or other business is conducted. This prohibition does not apply to temporary public services, such as bookmobiles, blood donation centers, public service information, etc., or temporary food vendors allowed pursuant to Sections [14.44.400](#) and [14.44.410](#) (situations that do not comply with this subsection on the effective date of the ordinance codified in this title are required to conform within 30 days).

(5) Medical cannabis (marijuana) collective gardens and medical cannabis (marijuana) dispensaries, as those terms are defined or described in this code and/or under state law, are prohibited in all zoning districts of the City of Lake Stevens.

(6) Sewage/septic sludge recycling except when approved as an Essential Public Facility pursuant to 14.16C.060.

14.44.020 Planned Residential Developments.

It is intended that a PRD will: result in a residential environment of higher quality than traditional lot-by-lot development by being held to higher standards of design of buildings, parks, open space, landscaping, roadways, entrance and other project features; provide flexibility to the property owners; protect critical areas and significant stands of trees; encourage a variety or mixture of housing types; and encourage compatibility of the development with the surrounding neighborhood. In addition to meeting the other relevant requirements of this title, Planned Residential Developments (PRDs) must comply with the following:

(a) The PRD may only be located on tracts of at least five acres within a Suburban Residential, Urban Residential, High Urban Residential, or Multi-Family Residential zoning district.

(b) The gross density of a PRD shall not exceed the allowable density specified in Section [14.48.010](#).

(c) Permissible types of residential uses within a PRD include single-family detached dwellings (use classification 1.111), single-family attached (1.130), two-family residences (1.200), and multifamily residences (1.300) regardless of the underlying zone.

(d) In the SR and UR zones the developer may create lots and construct buildings with reduced lot size, width, or setback restrictions, except that:

(1) In the SR zone, perimeter lots must have a minimum area of 7,500 square feet and width of 60 feet, and in the UR zone, perimeter lots must have a minimum area of 6,000 square feet and width of 45 feet.

(2) At least 50 percent of the total number of dwelling units must be single-family detached residences on lots of at least 6,000 square feet in all zones except for the Multi-Family Residential.

(3) Comply with the fire protection requirements of the International Building Code (IBC) and the International Fire Code (IFC). Additional fire protection is required by these rules when setbacks are reduced below the standard five feet.

(4) Setback requirements of the underlying zone shall apply for all property lines located on the perimeter of the PRD.

(5) Each lot must be of a size and shape to contain the proposed improvements.

(6) The lots are designed so that homes can be constructed at least 15 feet from any environmentally critical area buffer.

(7) In providing additional amenity pursuant to subsection (h) of this section, priority shall be given to maintaining native areas in a natural condition.

(8) Homes shall be designed so as to minimize the visual impact of garages and automobiles from the streets and sidewalks through either:

(i) Providing alleys which provide access to the garage at the rear of the lot; or

(ii) Locate the garage at least 20 feet behind the front of the house; or

(iii) Locate the garage at least five feet behind the front of the house, with the combined width of garage doors no wider than 18 feet or 50 percent of the width of the front of the house (including garage), whichever is less.

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(e) The design of a PRD, including site layout, landscaping, public facilities (e.g., storm drainage, parks, streets, etc.) and building design shall be subject to Design Review Board (DRB) approval and shall meet the City's adopted Development Design Guidelines. In lieu of the DRB approving each SFR structure, the applicant may propose project-specific design guidelines, in which case the DRB may approve the guidelines, to be implemented administratively by the Department of Planning and Community Development. Where authority is granted by the DRB to staff to review individual single-family residential structures, the DRB shall be the arbiter between the applicant and staff.

(f) When located in the SR, UR or HUR zone, multifamily portions of a PRD shall be developed more toward the interior rather than the periphery of the tract so that only single-family detached residences border adjacent properties and roads.

(g) Type A screening (Chapter 14.76) shall apply to the exterior boundaries of the PRD, but are not required between uses within the PRD.

(h) When creating a PRD, the applicant must improve 10 percent of the site with common amenities, in addition to the open space requirements(~~((Sections 14.52.010 and 14.52.030))~~). The amenities can include, but are not limited to, additional usable open space area, landscaped entries into the project (in addition to the standard roadway dedication and landscaping requirements), landscape islands in the center of roads, special treatment of roads (such as concrete pavers), protection of significant clusters of trees, or other amenities as may be appropriate. Common amenities do not include protected critical areas and their buffers, unless passive recreation is provided within the buffer areas. In such case, credit for trails will be given at a rate of 10 square feet for each lineal foot of trail, 10 square feet for each park bench and five square feet for each interpretive sign. Park space will be given credit towards meeting this requirement only when it meets the criteria for dedication contained in Chapter [14.120](#).

(i) Protected critical areas and significant stands of trees will be used as an amenity to the project through such techniques as providing pervious trails and benches in buffers and significant stands of trees, orienting buildings to create views, and any other technique to provide visual and physical access.

14.44.075 Farm Animals.

~~((a))~~) Farm animals are permitted in residential zoning districts, provided the following standards are met:

~~a~~((4)) The keeping of animals complies with the animal regulations contained in Title [5](#) of the Lake Stevens Municipal Code.

~~b~~((2)) ~~((Except as provided for below, f))~~ Farm animals may be kept only on lots of two and one-half acres or larger ~~except~~((:

~~3~~—~~S~~) small farm animals such as rabbits, fowl, and household pets (including pot-belly pigs) may be kept on residential lots of any size, provided they are kept in a manner so as not to constitute a nuisance pursuant to Chapter [9.60](#) (Nuisances).

~~c~~((4)) Farm animals may be kept only for the personal use, whether it be for recreational, personal enjoyment, social and educational purposes or food production. Keeping of animals for commercial purposes is prohibited in residential zones, except where specifically allowed pursuant to Table 14.40-I.

~~d~~((5)) Farm animals must be kept a minimum of 50 feet from any stream buffer or wetland buffer.

LSMC Section 14.44.085 entitled "Motor Vehicle Sales in the Central Business District" is repealed as it is moved to a footnote in Table 14.40-I.

14.44.110 Restrictions and Requirements.

All clearing, grading, filling, and excavation, regardless of whether or not a permit is required, is subject to the following requirements:

(a) No clearing, grading, filling, or excavation is allowed in a(~~n environmentally sensitive~~) critical area and its buffers where such activities are prohibited by Chapter [14.88](#).

(b) For single-family and duplex lots, no grading shall be allowed which results in the impervious surface area of the lot to exceed 40 percent of the total lot area. If the lot has 40 percent or more impervious surface area prior to grading, no additional impervious surface area is allowed.

(c) No clearing, grading, filling, or excavation, except that necessary for essential repairs of permitted private structures or construction of public infrastructure or facilities, is permitted outward from the shores of Lake Stevens.

(d) Adequate temporary erosion and sedimentation control (TESC) measures shall be approved and installed per Chapter [14.64](#) (Floodways, Floodplains, Drainage, and Erosion) prior to any disturbance of soils.

(e) All disturbed areas shall be hydro-seeded and mulched, sodded, or otherwise protected within 48 hours of disturbance.

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(f) All potentially impacted (~~environmentally sensitive~~) critical areas and their buffers shall be delimited with a construction limits fence prior to any disturbance of the soil.

(g) The applicant shall present to the City a valid NPDES permit, where required, prior to any disturbance of soil.

(h) Environmental review of grading associated with site development may be done concurrently with the environmental review of the project (e.g., preliminary plat, land use permit, or building permit), allowing for grading for public improvements to be permitted by approval of the construction drawings. However, the application shall specifically state that grading is a part of the application, and the permit shall specifically state what grading is permitted, or the grading shall not be considered permitted.

(i) During the below listed dates all grading and clearing shall be phased as follows:

(1) For grading activity not associated with a plat, between October 1st and March 31st no more than one-fourth acre, or 50 cubic yards of soil, whichever represents the least amount of soil, may be moved or graded at any one time before that portion of the project is closed up per subsection (d) of this section.

(2) Between October 1st and March 31st, grading of individual building lots in a plat shall be phased, with no more than 10 lots being graded in a plat at any one time. Before additional lots can be graded, the previously graded lots shall be hydro-seeded and mulched, sodded, or otherwise protected.

(j) Clearing activities of 10,000 square feet or more in any twelve month period shall comply with the retention and protection of large tree requirements as contained in Section [14.76.120](#). Replacement trees shall be located in such a manner they will not be disturbed when the site develops in the future. In addition, no more than 10 percent of significant trees or 50 percent of all trees on a site may be removed unless and until it is done as part of a plan which has received the appropriate land use permit(s) from the City. The applicant shall include a conceptual plan showing how the protected trees will be able to be retained at the time of site development.

14.44.240 Smoke and Air Pollution.

(a) Any 4.000 classification use that emits any “air contaminant” as defined in Regulations 1, 2, or 3 of the Puget Sound Clean Air (~~(Pollution Control)~~) Agency shall comply with applicable state standards concerning air pollution, as set forth in Regulations 1, 2, or 3 of the Puget Sound Clean Air (~~(Pollution Control)~~) Agency.

(b) No Planning Director approval, administrative conditional use, or conditional use permit may be issued with respect to any development covered by subsection (a) of this section until the Puget Sound Clean Air (~~(Pollution Control)~~) Agency has certified to the permit-issuing authority that the appropriate state permits have been received by the developer, or that the developer will be eligible to receive such permits and that the development is otherwise in compliance with applicable air pollution laws.

14.44.330 Location of Parking in (~~Two-Family and~~) Multifamily Structures.

For multifamily (Class 1.300) uses, in no instance shall street level parking areas be allowed within 25 feet of a public right-of-way unless it is substantially shielded from public view.

14.46.020 Application.

Applications for an innovative housing (~~(demonstration)~~) project shall be made on forms provided by the City, shall be available for public review for a minimum of two weeks prior to the neighborhood meeting, and shall include the following materials:

(a) Preliminary Development Plan. A site plan of the proposed development, indicating property lines, proposed setbacks, and lot coverage calculations. The site plan shall also include the location of all adjacent structures, the distance to property lines, and the footprint of any existing structures on the property with a note on which structures will remain. The preliminary development plan shall consist of a site plan drawn to scale and shall display the following information:

- (1) The location, size, configuration, and dimensions of the lot(s) on which the cottage housing development will be developed;
- (2) The location and footprint for each cottage;
- (3) A depiction of individual dwelling unit area that delineates the spacing around each cottage;
- (4) A delineation of the common open areas;
- (5) The height and square footage of each cottage;
- (6) The parking locations, layout, circulation, ingress and egress;
- (7) The location, if applicable, of any buildings to be used in common by the residents of the cottage housing development;

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- (8) The layout and dimensions of pedestrian circulation from the parking areas to the cottages, and connecting the cottages;
 - (9) Design illustrations that show, and a design checklist that lists, the design features that constitute the required design points for each cottage;
 - (10) A depiction of the driveway access from a publicly maintained street to the cottage housing development parking areas, with its dimensions; and
 - (11) Any other information the Director finds necessary to ensure compliance with this title.
- (b) Conceptual drawings of the proposed innovative housing type, including building footprints and building elevations, floor plans, roof plans, and additional architectural features.
 - (c) A detailed description of how the proposed development is consistent and not in conflict with the surrounding neighborhood character and neighborhood design.
 - (d) A detailed description of how the proposed development meets the purpose and goals of this chapter and complies with all the criteria and project parameters for an innovative housing project.
 - (e) A detailed description of the proposed unit type, including proposed square footage, unit mix, and number of bedrooms per unit.
 - (f) General information about the site including the number of dwelling units allowed by the zone and the number of proposed dwelling units, open space allowed and proposed, impervious surface allowed and proposed, and building height allowed and proposed.
 - (g) Photographs of the site and adjacent properties keyed to the site plan.
 - (h) Additional information as required by the application forms provided by the City or deemed necessary by City staff to consider the application.

14.48.040 Building Setback Requirements.

- (a) Table 14.48-I sets forth the minimum building and freestanding sign setbacks required from lot lines, ultimate street rights-of-way and street centerlines.
 - (1) If the ultimate street right-of-way line is readily determinable (by reference to the Comprehensive Plan Transportation Plan, a recorded map, set irons, adopted plan, or other means), the setback shall be measured from the ultimate right-of-way line. If it is not so determinable, the setback shall be measured from the actual street centerline.
 - (2) As used in this section, the term “lot (~~boundary~~)line, tract or easement” refers to all easements and lot boundaries other than those that abut streets. Setbacks from access easements and access tracts are considered lot (~~boundary~~)line setbacks.
 - (3) As used in this section, the term “building” includes any substantial structure which by nature of its size, scale, dimensions, bulk, or use tends to constitute a visual obstruction or generate activity similar to that usually associated with a building. It also includes any element that is substantially a part of the building, such as (~~eaves~~) bay windows and chimneys, and not a mere appendage, such as a flagpole. Without limiting the generality of the foregoing, for the purpose of determining setbacks the following structures are to be considered buildings:
 - (i) Gas pumps and overhead canopies or roofs;
 - (ii) Fences and hedges taller than 42 inches.
 - (4) Eaves and other minor architectural features may project into the required setback up to 18 inches.
- (b) Whenever a lot in a residential district abuts a nonresidential district, and its required setback is greater than that of the nonresidential lot, the nonresidentially zoned lot shall observe the more restrictive setback. Where a lot zoned General or Light Industrial shares a boundary with a residentially zoned lot, the setback for the industrial property along that common boundary shall be 30 feet.
- (c) In the High Urban Residential District, one five-foot interior side yard setback of a lot may be reduced to a zero feet for portions of the house that shares a common wall with the home on the adjacent lot. Portions of a house which do not share a common wall must be set back a minimum of five feet. The Fire and Building Codes have special building requirements which must be met when setbacks are less than five feet.
- (d) All docks and other permissible overwater structures shall be set back pursuant to the Shoreline Master Program, Chapter 4, Section C.3. For the purposes of this section each property line extending into the lake shall be construed as extending at the same angle as the property line on shore.

14.48.050 Exceptions to Building Setback Requirements.

- (a) The following modifications to the setback requirements identified in Section [14.48.040](#) shall be allowed:
 - (1) In the Suburban Residential and Waterfront Residential districts only, where the high point of the roof or any appurtenance of an accessory building exceeds 12 feet in height, the accessory building shall be set back

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from the rear lot (~~boundary~~) lines, tracts or easements an additional one foot for every foot of height exceeding 12 feet.

(2) In single-family residential zones, accessory structures may be located within the exterior side yard of a corner lot, provided the accessory structure meets the following conditions:

(i) The gross floor area of all accessory structures within the reduced setback area does not exceed 200(~~170~~) square feet.

(ii) The height of the accessory structure does not exceed eight feet.

(iii) The accessory structure is screened to a minimum height of six feet with an opaque fence or densely planted vegetation.

(iv) The accessory structure respects the minimum front yard setback and shall be no closer to the front property line than that of the principal house.

(v) The accessory structure is located no closer than 10 feet to the exterior side property line.

(b) In all single-family residential zones, the building setbacks from the street of the underlying zone may be reduced by five feet for living portions of the principal house only. This reduction does not apply to garages or other nonhabitable areas.

(c) In all single-family residential zones, the setback from a critical area buffer may be reduced to five feet for uncovered decks, provided sufficient room is provided to construct and maintain the deck without disturbing the buffer area.

(d) In all single-family residential zones, unenclosed front porches may be constructed to be as close as 15 feet of the ultimate street right-of-way.

(e) In all residential zones, fences which do not exceed six feet in height may be located along property lines which do not abut a public right-of-way. No fence may exceed 42 inches in height within the front yard setback abutting a public right-of-way or within 10 feet of an exterior side yard right-of-way. On exterior side yards, the area between the fence and sidewalk shall be maintained by the property owner. Where fences are built or hedges are maintained on top of or within five feet of a retaining wall on the uphill side, the retaining wall and fence or hedge shall be measured as one structure for the purposes of determining setback requirements. The height shall be the vertical distance measured from the mean elevation of the finished grade around the perimeter of the retaining wall to the highest point of the hedge or fence.

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Table 14.48-I: Density and Dimensional Standards

Zone	Minimum Lot Size		Minimum Residential Densities (Minimum Square Feet per Dwelling Unit)	Minimum Lot Width (ft.)	Building Setback Requirements Minimum Distance, in feet, from: ¹										Height Limitation (ft.)
	Standard Subdivision	Cluster Subdivision			Nonarterial Street Right-of-Way Line		Nonarterial Street Centerline ((*)) ¹		Ultimate Arterial Street Right-of-Way Line		Lot ((Boundary)) Line, Tract or Easement ³	((Lake (Ordinary High Water Mark)))	((Critical Area Buffer))		
					Building	Freestanding Sign	Building	Freestanding Sign	Building	Freestanding Sign	Building and Freestanding Sign				
Waterfront Residential	9,600 ft ²	7,500 ft ²	9,600 ft ²	50	25	12.5	55	42.5	25	12.5	5	((50))	10	35	
Suburban Residential ((**)) ²	5 acres/ 9,600 ft ²	5 acres/ 7,500 ft ²	5 acres/ 9,600 ft ²	80	25	12.5	55	42.5	25	12.5	5	50	10	35	
Urban Residential ((**)) ²	5 acres/ 7,500 ft ²	6,000 ft ²	7,500 ft ²	60	20	10	50	40	20	10	5	50	10	35	
High Urban Residential	3,600 ft ²	N/A	3,600 ft ²	40	15	5	45	35	20	5	5	50	10	35	
Multi-Family Residential	3,000 ft ²	N/A	0 ft ²	50	0	0	30	30	10	0	0	50	10	60	
Neighborhood Commercial	3,000 ft ²	N/A	0 ft ²	0	0	0	30	30	0	0	0	50	10	35	
Mixed Use	3,000 ft ²	N/A	0 ft ²	0	0	0	30	30 ft ²	0	0	0	50	10	60	
Local Business	3,000 ft ²	N/A	0 ft ²	0	0	0	30	30	0	0	0	50	10	60	
Central Business District	3,000 ft ²	N/A	0 ft ²	0	0	0	30	30	0	0	0	50	10	60	
Planned Business District	0 ft ²	N/A	0 ft ²	0	0	0	30	30	0	0	0	50	10	((35)) <u>40</u>	
Sub-Regional Commercial	0 ft ²	N/A	0 ft ²	10	0	0	30	30	0	0	0	50	10	85	
Light Industrial	0 ft ²	N/A	N/A	10	0	0	30	30	0	0	0	50	10	85	
General Industrial	0 ft ²	N/A	N/A	10	0	0	30	30	0	0	0	50	10	85	
Public/Semi-Public	0 ft ²	N/A	N/A	0	0	0	0	0	0	0	0	50	10))	60	

¹ ((*))¹ See Section 14.48.040(a)(1) for use of centerline.

² ((**))² See Section 14.48.100 for use of five acres or square feet requirements.

³ Eaves and other minor architectural features may project into the required setback up to 18 inches.

⁴ If property is located on Lake Stevens or Catherine Creek or has wetlands, please refer to the required setbacks in the Shoreline Master Program and Chapter 14.88 Critical Areas.

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14.48.070 Cluster Subdivisions.

- (a) In any single-family residential subdivision or short subdivision of six lots or more, a developer may create lots that are smaller than those required by Section [14.48.010](#) if such developer complies with the provisions of this section and if the lots so created are not smaller than the minimums set forth in Table 14.48-I.
- (b) The intent of this section is to authorize the developer to decrease lot sizes and leave the land “saved” by so doing as usable open space, thereby lowering development costs and increasing the amenity of the project without increasing the density beyond what would be permissible if the land were subdivided into the size of lots required by Section [14.48.010](#).
- (c) The amount of usable open space that must be set aside shall be determined by:
- (1) Subtracting from the standard square footage requirement set forth in Section [14.48.010](#) the amount of square footage of each lot that is smaller than that standard;
 - (2) Adding together the results obtained in subsection (c)(1) of this section for each lot.
- (d) The provisions of this section may only be used if the usable open space set aside in a subdivision comprises at least 10,000 square feet of space that satisfies the definition of usable open space(~~set forth in Section 14.52.030 and if such usable open space is otherwise in compliance with the provisions of Chapter 14.52).~~).
- (e) The setback requirements of Sections [14.48.040](#) and [14.48.050](#) shall apply in cluster subdivisions.

14.56.080 Street Width, Sidewalk, and Drainage Requirements in Subdivisions.

- (a) Streets are intended to serve several functions. These functions vary depending on the classification of the street: (1) to carry motor vehicle traffic, provide on-street parking; (2) to provide for safe and convenient pedestrian and nonmotorized travel; and (3) to aid in managing stormwater. The requirements outlined in this chapter are intended to ensure these objectives are met.
- (b) All existing and planned streets which the City deems necessary for the completion of the City’s transportation system are shown and classified in the City’s Transportation Element of the Comprehensive Plan. However, the list of planned streets is nonexhaustive and other streets may be proposed by a permit applicant.
- (c) Any permit application shall be reviewed for conformance with the Transportation Plan. If a planned street is shown to run through or adjacent to a property proposed for development, the proposal must include roadway dedication and improvements which are generally in conformance to the plan, and meet the development standards identified in this chapter.
- ~~((d) All public streets shall be constructed in accordance with the currently adopted version of the Engineering Design and Development Standards for the City of Lake Stevens, except as modifications may be allowed for traffic calming purposes in compliance with the requirements contained in Section [14.56.260](#).)~~
- ~~(d)((e))~~ Whenever convenient access from a subdivision to adjacent schools, parks or other public facilities is not provided through the dedication and improvement of streets pursuant to this chapter, the developer may be required to include an unobstructed easement of at least 10 feet in width and construct a pathway to provide such access.

14.56.100 Dead End Streets/Cul-de-Sacs.

- (a) Dead-end streets shall be avoided. Cul-de-sacs may be used only when conditions warrant their use:
- (1) Whenever a dead end street serves four or more units, or
 - (2) Extends more than 150 feet from edge of the intersecting right-of-way to the farthest extent of the road.
- (b) When allowed under subsection (a) of this section, all permanent dead-end streets (as opposed to temporary dead-end streets; see Section 14.56.060(d)) shall be developed as cul-de-sacs in accordance with the standards set forth in subsection (d) of this section.
- (c) Except where no other practicable alternative is available, such streets may not extend more than 500 feet (measured to the center of the turnaround).
- (d) The right-of-way of a cul-de-sac shall have a radius of 50 feet. The radius of the paved portion of the turnaround (measured to the face of the curb) shall be 40 feet, with curb, gutter, ~~(landscape strip,)~~ sidewalk and utility strip within the remaining 10 feet.
- (e) The city will consider the use of alternative turnarounds described in the EDDs on a case by case basis for private tracts and easements.

14.56.130 Construction Standards and Specifications.

All public streets, sidewalks, curbs and gutters and other improvements shall be constructed in accordance with the current of the Engineering Design and Development Standards (EDDs) for the City of Lake Stevens. All such

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facilities shall be completed in accordance with these standards except for deviations as provided for in Section 14.56.135 and modifications allowed for traffic calming purposes in compliance with the requirements contained in Section 14.56.260. In cases where there is a conflict between the EDDS and municipal code, the municipal code shall be the controlling document. ((Construction and design standards and specifications for streets, sidewalks, and curbs and gutters are contained in the currently adopted version of the Engineering Design and Development Standards for the City of Lake Stevens, and all such facilities shall be completed in accordance with these standards except for deviations as provided for in Section 14.56.135.))

14.56.135 Deviations to Construction Standards and Specifications.

Deviations to the Engineering Design and Development Standards may be granted by the Public Works Director when situations arise where alternatives to the standards may better accommodate existing conditions, overcome adverse topography or allow for more cost-effective solutions without adversely affecting safety, operations, maintenance or aesthetics pursuant to subsection (c) of this section.

(a) Unless otherwise specified in this title, deviations may only be granted for standards and specifications that relate to and implement Sections [14.56.080](#)(d) and (e), Table 14.56-I (except right-of-way type and standards for state highway), and Sections [14.56.100](#)(b) and (d).

(b) Deviations shall be processed in accordance with the Engineering Design and Development Standards~~((administrative guideline specified in Section [14.04.120](#)(b)(10))~~)).

(c) Requests for deviation shall, at a minimum, comply with the following criteria:

- (1) The deviation will achieve the intended result of the standards with a comparable or superior design and quality of improvement;
 - (2) The deviation will not adversely affect safety or operations;
 - (3) The deviation will not adversely affect maintenance and related costs;
 - (4) The deviation will not adversely affect the environment; and
 - (5) The deviation will not adversely affect aesthetic appearance.
- (d) An annual report of deviation requests shall be submitted to the City Council.

14.68.020 Signs Excluded From Regulation.

The following signs are exempt from regulation under this title:

- (a) Signs not exceeding four square feet in area that are customarily associated with residential use. Examples include names of residents, addresses, no parking, no trespassing, beware of dog and security signs.
- (b) Signs erected by or on behalf of or pursuant to the authorization of a city, county, school district, state or federal governmental body, for public purposes including legal notices, identification and informational signs, and traffic, directional, or regulatory signs.
- (c) Official signs of a noncommercial nature erected by public utilities.
- (d) Flags, pennants, or insignia of any governmental or nonprofit organization when not displayed in connection with a commercial promotion or as an advertising device.
- (e) Integral decorative or architectural features of buildings or works of art, so long as such features or works do not contain business identification, trademarks, moving parts, or lights, or are not displayed in connection with a commercial promotion or as an advertising device.
- (f) Signs directing and guiding pedestrian and/or automobile traffic on private property that do not exceed four square feet each and that bear no advertising matter.
- (g) School and church: bulletin boards, identification signs, and directional signs that do not exceed one per abutting street and 16 square feet in area per side and that are not internally illuminated.
- (h) Signs painted on or otherwise permanently attached to currently licensed motor vehicles that are not primarily used as signs.
- (i) Signs proclaiming religious, political, or other noncommercial messages that do not exceed one sign per abutting street and 16 square feet in area and that are not internally illuminated.
- (j) Names of buildings, commemorative plaques or tablets, and similar noncommercial signs when carved into stone, concrete, or similar material, or made of bronze, aluminum, or other permanent-type construction, made an integral part of the structure, and projecting no more than two inches from the wall (when installed on a building), or at grade (when installed on the ground).
- (k) Public information stations such as kiosks, bulletin boards, or similar devices used to convey community information.

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14.68.110 Sign Illumination and Signs Containing Lights.

(a) No sign within 150 feet of a residential zone may be illuminated between the hours of midnight and 6:00 a.m., unless an opaque screen which effectively blocks view of the sign from the residential zone is located between the residential zone and the sign.

(b) Lighting directed toward a sign shall be shielded so that it illuminates only the face of the sign and does not shine directly into a public right-of-way, adjacent properties, or into the sky.

(c) Internally illuminated signs are allowed only within Commercial, Industrial and Public/Semi-Public Zone districts. This prohibition does not apply to the following:

(1) Signs that do not exceed two square feet in area and that convey the message that a business enterprise is open or closed or that a place of lodging does or does not have a vacancy;

(2) Neon signs less than nine square feet and/or mounted to be seen through a window and meeting all other requirements of this chapter;

(3) Signs for churches, synagogues and temples (use class 5.200), except that changeable text signs may not be internally illuminated pursuant to Section ~~14.68.(040)~~084(b).

(d) No sign or illuminated tubing or strings of lights may contain flashing or intermittent lights or lights of changing degrees of intensity. This prohibition does not apply to temporary signs erected in connection with the observance of holidays.

14.68.130 Maintenance of Signs.

(a) All signs and structural components shall be kept in a state of good repair.

(b) If a sign advertises an entity, service, or goods or other activity that is no longer available on the site, that sign shall be considered abandoned and shall, within 30 days after such abandonment, be removed by the sign owner, owner of the property where the sign is located, or other party having control over such sign.

(c) If the message portion of a sign is removed, leaving only the supporting "shell" of a sign or the supporting braces, anchors, or similar components, the owner of the sign or the owner of the property where the sign is located or other person having control over such sign shall, within 30 days of the removal of the message portion of the sign, either replace the entire message portion of the sign or remove the remaining components of the sign. This subsection shall not be construed to alter the effect of Section 14.68.~~((075))~~150(c), which prohibits the replacement of a nonconforming sign, nor shall this subsection be construed to prevent the changing of the message of a sign.

14.76.090 Additional Screening Requirements.

(a) Due to the potential for adverse impacts between the following noncompatible uses, a 30-foot wide landscaped screen shall be maintained between State Route 204, State Route 92 and/or State Route 9 and all residential and industrial uses.

(b) The screen shall have a height of at least 30 feet at maturity. It is intended to exclude all visual and noise contact between uses in all seasons of the year. The use of existing significant trees which are not prone to windthrow within the screen is strongly encouraged.

(c) The Planning Director may approve reduced buffer widths to prevent denial of all reasonable use of property.

14.76.120 Retention and Protection of Large Trees.

(a) Every development shall retain all existing significant trees and significant stands of trees unless the retention of such trees would unreasonably burden the development or in the opinion of the planning director cause a significant safety problem. The applicant for a land use permit or preliminary subdivision approval shall, with the application, submit an assessment prepared by a certified arborist, which makes recommendations for protection of trees consistent with this chapter.

(b) The retention of significant trees and significant stands of trees unreasonably burdens a development if the desired location of improvements on a lot or the proposed activities on a lot would have to be substantially altered and such alteration would work an unreasonable hardship upon the developer.

(c) Where significant trees and significant stands of trees are removed because their retention would unreasonably burden a development, a tree survey shall be provided, showing size, type, and location of all significant trees and stands of trees. Prior to removal, the developer shall coordinate with the City which trees are to be protected.

(d) Any unprotected significant trees removed shall be replaced with one-gallon-sized native species at a ratio of 3:1. During plat and home construction the developer shall provide adequate protection of retained and replacement trees from damage.

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(e) If it is physically impractical to replant all replacement trees on-site, then the applicant shall mitigate the loss of trees by either planting trees on public property within the City as approved by the planning director, and/or paying a mitigation fee into the City's tree mitigation in-lieu fund. This fee shall be set forth in the City's fee resolution, and equal the cost of purchasing and planting the trees.

(f) Prior to any clearing activities, the city shall map and inventory all trees identified for protection. If any of the protected trees are removed or damaged to the extent that their ability to survive is seriously threatened, without the City's prior written consent, the loss shall be remedied pursuant to Section [14.28.040\(c\)](#).

(g) Replacement trees approved to be installed on public property shall be planted prior to recordation of a final plat, or issuance of a building permit, whichever comes first.

(h) Replacement trees approved to be installed on residential lots shall be planted prior to issuance of a certificate of occupancy for that lot.

(i) If space that would otherwise be devoted to parking cannot be so used because of the requirements of subsections (a) or (b) of this section, and, as a result, the parking requirements set forth in Chapter [14.72](#) cannot be satisfied, the number of required spaces may be reduced by the number of spaces lost because of the provisions of subsections (a) and (b) of this section, up to a maximum of 15 percent of the required spaces.

(j) Whenever construction, clearing or grading activities occur on a site in which trees are required to be protected pursuant to this title, the following measures shall be taken to ensure said protection:

(1) Prior to commencing any site work, the applicant shall submit a plan to the Department of Planning and Community Development which identifies types and locations of barriers that will be placed around protected trees to aid in the avoidance of accidental damage to the trees. No site work will commence prior to the City inspecting and approving the location and installation of the barriers.

(2) No fill, excavation or other subsurface disturbance, operating, stacking or storing of equipment, or compacting of earth may be undertaken within the drip line of any of the protected trees, and no impervious surface may be located within 12 1/2 feet (measured from the center of the trunk) of any tree 18 inches in diameter or more. A drip line is defined as a perimeter formed by the points farthest away from the trunk of a tree where precipitation falling from the branches of that tree lands on the ground.

(3) Where vehicular/equipment access is required within the drip line of a tree, the soil, and incidentally the tree's roots, shall be protected with 10 inches of woodchips and/or plywood placed over the path of the vehicle to limit soil compaction and subsequent root damage. Before any vehicles may travel through the protected area, the developer shall submit an affidavit from a certified arborist that that measures installed are sufficient to protect the tree(s) in question.

(4) Stumps of trees to be removed within one-half of the radius of the critical root zone (CRZ), which is defined as CRZ equals one foot radius for every one inch of the tree's diameter, shall not be excavated but may be ground down to below the ground surface.

(5) Unwanted vegetation within the CRZ of a protected tree shall be removed by hand.

(6) Backfilling into a CRZ of a protected trees shall be done only with the written approval of a certified arborist. Only well drained soil with sufficient air space (sandy soils) are permitted.

(7) Upon completion of site clearing, protected trees may be pruned for deadwood, low hanging limbs and proper balance under the supervision of a certified arborist. Trees may be cabled and braced as recommended by the arborist.

14.80.030 Building Permits.

(a) No building or other structure shall be erected, moved, added to or structurally altered without a permit issued by the Building Official. No building permit shall be issued except in conformity with the provisions of this code.

(b) All applications for building permits shall be accompanied by plans in duplicate, drawn to scale, showing the actual dimensions and shape of the lot to be built upon; the exact sizes and locations of existing buildings on the lot, if any; and the location and dimensions of the proposed building or alteration. The application shall include such other information as lawfully may be required by the Building Official, including existing or proposed building or alteration; existing or proposed uses of the building and land; the number of units, or rental units, the building is designed to accommodate; conditions existing on the lot; and such other matters as may be necessary to determine conformance with, and provide for the enforcement of, this code. One copy of the plans shall be returned to the applicant by the Building Official after marking such copy approved or disapproved and attesting to same by having signed such copy. The second copy of the plans shall be retained by the Building Official for 180 days.

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(c) If work described in any building permit has not begun within 180 days from the date of issuance thereof, said permit shall expire. It may be cancelled by the Building Official, and written notice shall be given to the applicant.

(d) The applicant may request in writing an extension of the building permit from the Building Official. The Building Official may approve one or more 180-day extensions if justifiable cause is demonstrated pursuant to IBC Chapter 1, Section 105.

(e) In place of the Board of Appeals per the IBC, appeals of orders, decisions or determinations made by the Building Official have an administrative appeal to the Hearing Examiner as set forth in the following procedures:

(1) Appellant. The project applicant may appeal the decision.

(2) Form of Appeal. The applicant appealing a building permit decision must submit a completed appeal form which sets forth:

(i) A claim that the true intent of the building and construction code or the rules legally adopted thereunder have been incorrectly interpreted;

(ii) The provisions of the building and construction code does not fully apply; or

(iii) An equally good or better form of construction is proposed.

(3) Time to Appeal. The written appeal and the appeal fee, if any, must be received by the Department of Planning and Community Development no later than 4:00 p.m. on the fourteenth day following the date of the notice of decision.

(4) Notice of Appeal. If a building permit decision is appealed, a hearing before the Hearing Examiner shall be set and notice of the hearing shall be mailed or emailed to the appellant/applicant by the Building Official. Notice shall be mailed or emailed no less than 10 days prior to the appeal hearing.

(i) Public Hearing. The Hearing Examiner shall conduct an open record hearing on a building permit decision appeal. The appellant/applicant and the City shall be designated parties to the appeal. Each party may participate in the appeal hearing by presenting testimony or calling witnesses to present testimony.

(ii) The Hearing Examiner shall have no authority relative to interpretation of the administrative provisions of this code nor shall the Hearing Examiner be empowered to waive requirements of the Building and Construction code.

(iii) Decision on Appeal.

a. Within 14 days after the close of the record for the appeal of orders, decisions or determinations made by the Building Official, the Hearing Examiner shall issue a written decision to grant, grant with modifications, or deny the appeal. The Hearing Examiner may grant the appeal or grant the appeal with modification if:

1. The appellant/applicant has carried the burden of proof for meeting subsection (e)(2) above; and

2. The Examiner finds that the building permit decision is not supported by a preponderance of the evidence.

b. The Hearing Examiner shall accord substantial weight to the decision of the Building Official.

(5) Time Period to Complete Appeal Process. In all cases, except where the parties to an appeal have agreed to an extended time period, the administrative appeal process generally shall be completed within 90 days from the date the original administrative appeal period closed. The administrative appeal process shall be deemed complete on the date of issuance of the Hearing Examiner's decision.

(6) Appeal of Hearing Examiner Decision. An appeal from the Hearing Examiner's decision shall be brought before the Superior Court of Snohomish County in accordance with the Land Use Petition Act, Chapter 36.70CRCW, as amended.

14.88.010 Purpose and Intent.

The purpose of this chapter is to designate, classify, and protect the critical areas of the Lake Stevens community by establishing regulations and standards for development and use of properties which contain or adjoin critical areas for protection of the public health, safety, and welfare. The purpose and intent of this chapter is also to ensure that there is no net loss of the acreage or functions and values of critical areas regulated by this chapter.

(a) A project proponent shall make all reasonable efforts to avoid and minimize impacts to critical areas and buffers in the following sequential order of preference:

(1) Avoiding impacts altogether by not taking a certain action or parts of an action; or

(2) When avoidance is not possible, minimizing impacts by limiting the degree or magnitude of the action and its implementation, using appropriate technology, or by taking affirmative steps, such as project redesign,

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relocations, or timing, to avoid or reduce impacts and mitigating for the affected functions and values of the critical area; and

(3) Reducing or eliminating impacts over time by preservation and maintenance operations during the life of the action.

(4) Compensating for unavoidable impacts by replacing, enhancing or providing substitute resources or environments.

(b) Protect the public from personal injury, loss of life, or property damage due to flooding, erosion, landslides, seismic events, or soil subsidence.

(c) Protect against publicly financed expenditures due to the misuse of critical areas which cause:

- (1) Unnecessary maintenance and replacement of public facilities;
- (2) Publicly funded mitigation of avoidable impacts;
- (3) Cost for public emergency rescue and relief operations where the causes are avoidable;
- (4) Degradation of the natural environment.

(d) Protect aquatic resources.

(e) Protect unique, fragile, and valuable elements of the environment, including wildlife and its habitat.

(f) Alert appraisers, assessors, owners, potential buyers, or lessees to the development limitations of ~~critical~~~~(environmentally sensitive)~~ areas.

(g) Provide City officials with sufficient information to adequately protect critical areas when approving, conditioning, or denying public or private development proposals.

(h) Give guidance to the development of Comprehensive Plan policies in regard to the natural systems and environment of the Lake Stevens Watershed.

(i) Provide property owners and developers with succinct information regarding the City's requirements for property development.

14.88.310 Demonstration of Denial of All Reasonable Economic Uses.

In order to conduct a regulated activity in a critical area where the applicant is claiming that denial of authorization of such an activity would deny all reasonable economic uses of the property, the applicant must demonstrate that such is the case. If a regulated activity is allowed within a critical area it must minimize impacts per the "requirements" sections, below. If the Planning and Community Development Director determines that alteration of a critical area is necessary and unavoidable, written findings addressing each of the items listed in this subsection shall be placed in the official project file. Demonstration of denial of all reasonable economic uses shall be accomplished as follows:

(a) An applicant must demonstrate that denial of the permit would impose an extraordinary hardship on the part of the applicant brought about by circumstances peculiar to the subject property.

(b) For water-dependent activities, unavoidable and necessary impact can be demonstrated where there are no practicable alternatives which would not involve a wetland or which would not have less adverse impact on a wetland, and would not have other significant adverse environmental consequences.

(c) Where nonwater-dependent activities are proposed, it shall be presumed that adverse impacts are avoidable. This presumption may be rebutted upon a demonstration that:

(1) The basic project purpose cannot reasonably be accomplished utilizing one or more other sites in the general region that would avoid, or result in less, adverse impact on regulated ~~(environmentally sensitive)~~critical areas; and

(2) A reduction in the size, scope, configuration, or density of the project as proposed and all alternative designs of the project as proposed that would avoid, or result in less, adverse impact on an ~~(environmentally sensitive)~~critical area or its buffer will not accomplish the basic purpose of the project; and

(3) In cases where the applicant has rejected alternatives to the project as proposed due to constraints such as zoning, deficiencies of infrastructure, or parcel size, the applicant has made reasonable attempt to remove or accommodate such constraints.

14.88.320 Allowance of Regulated Use in a Critical Area Where Denial of All Economic Use is Demonstrated.

If an applicant for an activity or development proposal demonstrates to the satisfaction of the Planning and Community Development Director that application of these standards would deny all reasonable economic use of the property as provided by Section [14.88.220](#), development, as may be conditioned, shall be allowed if the applicant also demonstrates all of the following to the satisfaction of the Director:

(a) If proposed in a wetland, stream, creek, river, lake or other surface water, that the proposed project is water-dependent or requires access to the wetland as a central element of its basic function; or

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- (b) If proposed in a critical area not listed in subsection (a) of this section, that it is not water-dependent but has no practicable alternative; and
- (c) That no reasonable use with less impact on the critical area and its buffer is possible (e.g., agriculture, aquaculture, transfer or sale of development rights or credits, sale of open space easements, etc.);
- (d) That there is no feasible on-site alternative to the proposed activities, including reduction in density, phasing of project implementation, change in timing of activities, revision of road and lot layout, and/or related site planning considerations, that would allow a reasonable economic use with less adverse impacts to the critical area and its buffer;
- (e) That the proposed activities will result in minimum feasible alteration or impairment to the functional characteristics of the critical area and its existing contours, vegetation, fish and wildlife resources, hydrological, and geologic conditions;
- (f) That disturbance of the critical area has been minimized by locating any necessary alteration in buffers to the extent possible;
- (g) That the proposed activities will not jeopardize the continued existence of endangered, threatened, or sensitive species as listed by the Federal Government or the State of Washington. An applicant is required to confirm with the State of Washington that special conditions or recommendations are not required for candidate or monitor species;
- (h) That the proposed activities will not cause significant degradation of groundwater or surface water quality;
- (i) That the proposed activities comply with all State, local and Federal laws, including those related to sediment control, pollution control, floodplain restrictions, and on-site wastewater disposal;
- (j) That any and all alterations to ~~((environmentally sensitive))~~ critical areas and their buffers will be adequately mitigated;
- (k) That there will be no damage to nearby public or private property and no threat to the health or safety of people on or off the property;
- (l) That the inability to derive reasonable economic use of the property is not the result of actions by the applicant in segregating or dividing the property and creating the undevelopable condition after the effective date of this chapter; and
- (m) That deliberate measures have been taken to minimize the impacts. Minimizing impacts shall include but not be limited to:
 - (1) Limiting the degree or magnitude of the prohibited activity;
 - (2) Limiting the implementation of the prohibited activity;
 - (3) Using appropriate and best available technology;
 - (4) Taking affirmative steps to avoid or reduce impacts;
 - (5) Sensitive site design and siting of facilities and construction staging areas away from critical areas and their buffers;
 - (6) Involving resource agencies early in site planning;
 - (7) Providing protective measures such as siltation curtains, hay bales and other siltation prevention measures; and
 - (8) Scheduling the prohibited activity to avoid interference with wildlife and fisheries rearing, resting, nesting or spawning activities.

14.88.400 Classification.

Fish and wildlife conservation areas include:

- (a) Lands containing priority habitats and species, including plant and/or animal species listed on Federal or State threatened or endangered species lists.
- (b) Naturally occurring ponds under 20 acres and their submerged aquatic beds that provide fish or wildlife habitat. These do not include ponds deliberately designed and created from dry sites such as canals, detention facilities, waste-water treatment facilities, farm ponds, temporary construction ponds (of less than three years duration), and landscape amenities. However, naturally occurring ponds may include those artificial ponds intentionally created from dry areas in order to mitigate conversion of ponds, if permitted by a regulatory authority.
- (c) Waters of the State, as defined in WAC Title [222](#), Forest Practices Rules and Regulations. Waters of the State shall be classified using the system in WAC [222-16-030](#). In classifying waters of the State as fish and wildlife habitats the following shall be used:
 - (1) Species are present which are endangered, threatened or sensitive;
 - (2) Existing surrounding land uses are incompatible with salmonid and other game fish habitat;
 - (3) Presence and size of riparian ecosystem;

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(4) Existing water rights.

(d) Lakes, ponds, and streams planted with game fish (defined at RCW [77.\(\(09\)\)08.020](#)), including those planted under the auspices of Federal, State, local, or tribal programs, or which support priority fish species as identified by the Department of Fish and Wildlife.

(e) State natural area preserves and natural resource conservation areas.

(f) Habitats or species of local importance. Such habitats or species may be locally listed per the process elucidated in Section [14.88.415](#).

(g) Streams shall be classified according to the stream type system as provided in WAC [222-16-030](#), Stream Classification System, as amended.

(1) Type S Stream. Those streams, within their ordinary high water mark, as inventoried as shorelines of the State under Chapter [90.58](#) RCW and the rules promulgated pursuant thereto.

(2) Type F Stream. Those stream segments within the ordinary high water mark that are not Type S streams, and which are demonstrated or provisionally presumed to be used by fish. Stream segments which have a width of two feet or greater at the ordinary high water mark and have a gradient of 16 percent or less for basins less than or equal to 50 acres in size, or have a gradient of 20 percent or less for basins greater than 50 acres in size, are provisionally presumed to be used by fish. A provisional presumption of fish use may be refuted at the discretion of the Planning and Community Development Director where any of the following conditions are met:

(i) It is demonstrated to the satisfaction of the City that the stream segment in question is upstream of a complete, permanent, natural fish passage barrier, above which no stream section exhibits perennial flow;

(ii) It is demonstrated to the satisfaction of the City that the stream segment in question has confirmed, long-term, naturally occurring water quality parameters incapable of supporting fish;

(iii) Sufficient information about a geomorphic region is available to support a departure from the characteristics described above for the presumption of fish use, as determined in consultation with the Washington Department of Fish and Wildlife, the Department of Ecology, affected tribes, or others;

(iv) The Washington Department of Fish and Wildlife has issued a hydraulic project approval, pursuant to RCW [77.55.100](#), which includes a determination that the stream segment in question is not used by fish;

(v) No fish are discovered in the stream segment in question during a stream survey conducted according to the protocol provided in the Washington Forest Practices Board Manual, Section 13, Guidelines for Determining Fish Use for the Purpose of Typing waters under WAC [222-16-031](#); provided, that no unnatural fish passage barriers have been present downstream of said stream segment over a period of at least two years.

(3) Type Np Stream. Those stream segments within the ordinary high water mark that are perennial and are not Type S or Type F streams. However, for the purpose of classification, Type Np streams include intermittent dry portions of the channel below the uppermost point of perennial flow. If the uppermost point of perennial flow cannot be identified with simple, nontechnical observations (see Washington Forest Practices Board Manual, Section 23), then said point shall be determined by a qualified professional selected or approved by the City.

(4) Type Ns Stream. Those stream segments within the ordinary high water mark that are not Type S, Type F, or Type Np streams. These include seasonal streams in which surface flow is not present for at least some portion of a year of normal rainfall that are not located downstream from any Type Np stream segment.

14.88.930 Designation Process.

(a) Critical area sending or receiving districts are considered overlay zones allowed per Section [14.\(\(36.070\)\)88.920](#), Qualifications for designation of land as a Critical Area Sending and Receiving Districts. Designation as a critical area sending or receiving district is the equivalent of a rezone and shall be accomplished by the same process, as specified in Section [14.16C.090](#).

(b) Underlying land use and zoning designations may be changed by the legislative authority granted to the City through its normal Comprehensive Plan amendment or rezoning procedures. However, the land will retain the critical area sending district designation until that designation is specifically removed.

(c) Land designated as a critical area sending or receiving district shall be shown as an overlay district on the Official Zoning Map. The map shall be modified upon each designation or revocation.

(d) Designation or revocation as a critical area sending or receiving district shall be recorded with the Snohomish County Recorder's Office and shall run with the land.

14.110.120 Appeals.

Appeals of requirements imposed pursuant to the chapter shall be governed by the appeal provisions of Chapter [14.16A.265\(\(20\)\)](#).

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The Official Zoning Map is corrected by amending the boundaries for the land use designation of “P/SP” on Parcel No. 29061900302700 (XXXXX 20th Street SE, Lake Stevens) and land use designation of “MU” on Parcel No. 29061900301200 (10227 20th Street SE, Lake Stevens) due to equal acreage of dedication and vacation changing boundaries only and not changing total acreage in each designation. The boundary change is a map correction and does not require a site-specific rezone.

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Matrix of Impacts and Mitigation Measures for 2013 Comprehensive Plan Docket Amendments and Code Housekeeping Amendments

Environmental Topic	Distinguishing Impacts of the Alternatives
Earth, Air Quality, Water Quality, Plants and Animals	Comprehensive Plan map and text amendments and code housekeeping amendments will have no impact on these environmental resources.
Noise	Comprehensive Plan map and text amendments and code housekeeping amendments will have no impact on noise.
Land Use	Comprehensive Plan map and text amendments and code housekeeping amendments will have no impact on these land use.
Relationship to Plans and Policies	Comprehensive Plan map and text amendments and code housekeeping amendments will have no impact on the overall Plan and Policies and are consistent with GMA and each other.
Population and Employment	Comprehensive Plan map and text amendments and code housekeeping amendments will have no impact on population and employment.
Housing	Comprehensive Plan map and text amendments and code housekeeping amendments will have no impact on housing.
Cultural Resources	Comprehensive Plan map and text amendments and code housekeeping amendments will have no specific impact on cultural resources.
Transportation	Comprehensive Plan map and text amendments and code housekeeping amendments will have no specific impact on transportation facilities.
Parks and Recreation; Fire, Police and Court Services; Libraries and Schools	The updated Parks and Recreation Element and associated projects added to the Capital Facilities Plan will benefit the city's park network and residents; however, the addition of other Comprehensive map and text amendments and code housekeeping amendments will not affect the overall provision of these services.
Water Supply; Sanitary Sewer; Storm Sewer; Solid Waste; Utilities (Electricity, Natural Gas, Telecommunications, Electromagnetic Fields)	Comprehensive Plan map and text amendments and code housekeeping amendments will have no impact on demand on utilities and public services and facilities.

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EXHIBIT A

Parks and Recreation Element



Comprehensive Plan Docket 2013 Text Amendment

Staff Summary for Grant or Denial T-1 Chapter 1 Introduction

LOCATION IN COMPREHENSIVE PLAN: Chapter 1, pages 1-7 to 1-9, and 1-29.
SUMMARY: The proposal is for text changes to the Comprehensive Plan as part of the 2013 Comprehensive Plan amendments. Two amendments are proposed in Chapter 1 Introduction.
DISCUSSION: The proposed amendments identify a general docket process rather than include yearly dates and reference the SEPA review for the 2013 Docket.

PROPOSED CHANGES:

Pages 1-7 to 1-9 – Simplify section by removing separate docket cycle public meeting schedules.

Public Process for Docket Cycles

The Annual((2007)) Docket Cycles included the following meetings for public participation during the adoption process for Plan amendments:

<u>Annual</u> ((2007)) <u>Docket Ratification</u>	
April 30 June 20	Planning Commission Meeting Planning Commission Hearing/Set Final Docket
July 16 July 23)	City Council Workshop/ <u>Briefing</u> City Council Ratification of Final Docket
<u>Annual</u> ((2007)) <u>Adoption of Amendments</u>	
November 7	<u>Planning Commission Public Hearing & Recommendation to City Council on Adoption of Amendments</u>
December 3 December 5	City Council Workshop/ <u>Briefing</u> ((Planning Commission Adopt Amendments)) <u>Hearing Examiner Public Hearing for Associated Rezone, if required</u>
December 10	City Council Public Hearing
December 17 December 31)	City Council Adoption of Amendments & <u>Rezoning</u> Amendments Effective

((The 2008 Docket included the following meetings for public participation during the adoption process for Plan amendments:

2008 Docket Ratification

June 4	Planning Commission Meeting
July 2	Planning Commission Hearing/Set Final Docket
August 4	City Council Workshop
August 11	City Council Ratification of Final Docket

2008 Adoption of Amendments

October 1	Planning Commission Public Hearing
November 5	City Council Workshop
November 17	Planning Commission Adopt Amendments
November 24	City Council Public Hearing & Adoption of Amendments
December 8	Amendments Effective

The 2009 Docket included the following meetings for public participation during the adoption process for Plan amendments:

2009 Docket Ratification

March 4	Planning Commission Hearing/Set Final Docket
March 16	City Council Workshop
March 23	City Council Ratification of Final Docket

2009 Adoption of Amendments

May 4	City Council Workshop
May 6	Planning Commission Public Hearing
May 11	City Council Public Hearing & Adoption of Amendments
May 25	Amendments Effective

The 2010 Docket included the following meetings for public participation during the adoption process for Plan amendments:

2010 Docket Ratification

May 5	Planning Commission Hearing/Set Final Docket
May 24	City Council Ratification of Final Docket

2010 Adoption of Amendments

July 7	Planning Commission Public Hearing
July 19	City Council Workshop
July 26	City Council Public Hearing & Adoption of Amendments
August 9	Amendments Effective

The 2011 Docket included the following meetings for public participation during the adoption process for Plan amendments:

2011 Docket Ratification	
September 7	Planning Commission Hearing/Set Final Docket
September 26	City Council Ratification of Final Docket
2011 Adoption of Amendments	
October 24	City Council Briefing
November 2	Planning Commission Public Hearing
November 28	City Council Public Hearing & Adoption of Amendments
December 12	Amendments Effective

The 2012 Docket included the following meetings for public participation during the adoption process for Plan amendments:

2012 Docket Ratification	
September 5	Planning Commission Hearing/Set Final Docket
September 24	City Council Ratification of Final Docket
2012 Adoption of Amendments	
October 22	City Council Briefing
October 25	Hearing Examiner Public Hearing for Associated Rezone
November 7	Planning Commission Public Hearing
December 10	City Council Public Hearing & Adoption of Amendments & Rezone
December 24	Amendments Effective))

The Lake Stevens Center Subarea Plan and 20th Street SE Corridor Subarea Plan had separate and combined public participation processes. Each subarea plan includes a Public Process Summary as an appendix. The summary includes a list of public meetings, open houses, public hearings, document issuance dates, etc., held to elicit comments from the public on the Planned Actions, environmental impact statements, subarea plans, capital facilities plan, development regulations, design guidelines, and zoning map and land use map changes. Public comments and responses on the draft environmental impact statements are included in the Final EIS.

Page 1-29 – Add sentence to end of “Environmental Review” Section to reference SEPA Addendum No. 6.

B. Environmental Review

A complete environmental review can be found in **Appendix A** of the Comprehensive Plan. Comments on the environmental analysis were gathered at the same time the overall Plan was circulated for public review. Adjustments were made based on comments received. The result is a Comprehensive Plan that responds to environmental goals of the community and complies with the State Environmental Policy Act. An addendum to the Final Environmental Impact Statement for the 2007 Docket was issued on November 16, 2007 and is included in **Appendix B**. An addendum to the Final Environmental Impact Statement for the 2008 Docket was issued on October 10, 2008 and is included in **Appendix G**. A Determination of Nonsignificance and Adoption of Existing Environmental Documents for the 2009 Docket was issued on March 25, 2009 and is included in **Appendix H**. An addendum to the Final Environmental Impact Statement for the 2009 revisions to the Capital Facilities Plan with amendment of the 2009 City Budget was issued on October 12, 2009 and is included in **Appendix I**. A Determination of Nonsignificance and Adoption of Existing Environmental Documents for the 2010 Docket was issued on July 7, 2010 and is included in **Appendix J**. Addendum No. 4 to the Integrated 2005 Comprehensive Plan and Final Environmental Impact Statement for the 2011 Docket was issued on October 19, 2011 and is included in **Appendix K**. Addendum No. 5 to the Integrated 2005 Comprehensive Plan and Final Environmental Impact Statement for the 2012 Docket was issued on October 12, 2012 and Adoption of Existing Environmental Documents for the Lake Stevens School District Capital Facilities Plan 2012-2017 was issued on October 19, 2012 and are included in **Appendix L**. Addendum No. 6 to the Integrated 2005 Comprehensive Plan and Final Environmental Impact Statement for the 2013 Docket was issued on November 8, 2013 and is included in **Appendix M**.

Draft and final environmental impact statements were issued for each subarea plan (20th Street SE Corridor and Lake Stevens Center) during the Subarea Planning Process. The documents included analysis of the subarea plans, planned actions, capital facilities plan, development regulations, design guidelines, zoning and land use map amendments, land use code amendments, and comprehensive plan amendments.

GRANTING OR DENIAL OF AMENDMENTS (Pgs 1-26 and 1-27, Dec 2012 Final Comprehensive Plan)

For both City and privately-initiated amendments, the City shall take into consideration, but is not limited to, the following factors when considering approval of a proposed amendment to the Comprehensive Plan:

<p>1. The effect upon the physical, natural, economic, and/or social environments. The proposed amendments reference the docket process and associated environmental review, so will have no effect upon the physical, natural, economic, and/or social environments.</p>
<p>2. The compatibility with and impact on adjacent land uses and surrounding neighborhoods including whether the amendment would create pressure to change the land use designation of other properties in the vicinity. The proposed amendments reference the docket process and associated environmental review, so will have no impact to specific land uses or neighborhoods.</p>
<p>3. The adequacy of and impact on public facilities and services, including utilities, roads, public transportation, parks, recreation, and schools. The proposed amendments reference the docket process and associated environmental review, so will have no impact on public facilities and services.</p>
<p>4. The quantity and location of land planned for the proposed land use type and density. The proposed amendments reference the docket process and associated environmental review, so will have no effect on land use and density.</p>
<p>5. The effect, if any, upon other aspects of the Comprehensive Plan. The proposed amendments reference the docket process and associated environmental review, so will have no effect on other aspects of the Comprehensive Plan.</p>

The City may amend the Comprehensive Plan only if it finds the amendment meets all of the following:

1. The amendment must be consistent with the Growth Management Act and other applicable State laws.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
2. The amendment must be consistent with the applicable County-wide Planning Policies.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
3. The amendment must not be in conflict with the Community Vision or other goals, policies, and provisions of the Comprehensive Plan.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
4. The amendment can be accommodated by all applicable public services and facilities, including transportation.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
5. The amendment will change the development or use potential of a site or area without creating significant adverse impacts on existing sensitive land uses, businesses or residents.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
6. The amendment will result in long-term benefits to the community as a whole, and is in the best interest of the community.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

Staff recommends this proposal be GRANTED or DENIED based on the criteria in the Comprehensive Plan.

The Planning Commission recommends this proposal be GRANTED or DENIED based on the criteria in the Comprehensive Plan.

The City Council GRANTS or DENIES this proposal based on the criteria in the Comprehensive Plan.



Comprehensive Plan Docket 2013 Text Amendment

Staff Summary for Grant or Denial T-3 Chapter 5 Parks and Recreation Element

LOCATION IN COMPREHENSIVE PLAN: Chapter 5, entire element.
SUMMARY: The proposal is for text changes to the Comprehensive Plan as part of the 2013 Comprehensive Plan amendments. One amendment to replace the entire chapter is proposed as part of the 2013 Docket.
DISCUSSION: The proposed amendment replaces the entire chapter and element with an updated Parks and Recreation Plan.

PROPOSED CHANGES: The entire chapter is replaced with the updated Parks and Recreation Plan as attached. Concurrently, Chapter 8 Table 8.1 Capital Facilities Plan is updated with a park projects.

GRANTING OR DENIAL OF AMENDMENTS (Pgs 1-26 and 1-27, Dec 2012 Final Comprehensive Plan)

For both City and privately-initiated amendments, the City shall take into consideration, but is not limited to, the following factors when considering approval of a proposed amendment to the Comprehensive Plan:

<p>1. The effect upon the physical, natural, economic, and/or social environments. The updated Parks and Recreation Element will have beneficial effects upon the physical, natural, economic, and/or social environments.</p>
<p>2. The compatibility with and impact on adjacent land uses and surrounding neighborhoods including whether the amendment would create pressure to change the land use designation of other properties in the vicinity. The updated Parks and Recreation Element will have no direct impact to specific land uses or neighborhoods.</p>
<p>3. The adequacy of and impact on public facilities and services, including utilities, roads, public transportation, parks, recreation, and schools. The updated Parks and Recreation Element will have beneficial impacts to public park facilities and services and may require additional facilities and services.</p>
<p>4. The quantity and location of land planned for the proposed land use type and density. The updated Parks and Recreation Element will not have a major effect on land use type and density.</p>
<p>5. The effect, if any, upon other aspects of the Comprehensive Plan. The updated Parks and Recreation Element will have no effect on other aspects of the Comprehensive Plan.</p>

The City may amend the Comprehensive Plan only if it finds the amendment meets all of the following:

<p>1. The amendment must be consistent with the Growth Management Act and other applicable State laws.</p>	<p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p>
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2. The amendment must be consistent with the applicable County-wide Planning Policies.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
3. The amendment must not be in conflict with the Community Vision or other goals, policies, and provisions of the Comprehensive Plan.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
4. The amendment can be accommodated by all applicable public services and facilities, including transportation.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
5. The amendment will change the development or use potential of a site or area without creating significant adverse impacts on existing sensitive land uses, businesses or residents.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
6. The amendment will result in long-term benefits to the community as a whole, and is in the best interest of the community.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

Staff recommends this proposal be GRANTED or DENIED based on the criteria in the Comprehensive Plan.

The Planning Commission recommends this proposal be GRANTED or DENIED based on the criteria in the Comprehensive Plan.

The City Council GRANTS or DENIES this proposal based on the criteria in the Comprehensive Plan.

Chapter 5: Parks, Recreation, & Open Space Element



ATTACHMENT C

DRAFT 11-7-13



Chapter 5 – Parks, Recreation and Open Space Element

CHAPTER 5: PARKS, RECREATION, AND OPEN SPACE ELEMENT



INTRODUCTION

Public parks, recreational facilities and open spaces improve the quality of life for community residents by providing areas for families and friends to socialize. Parks and open spaces create natural buffers between neighborhoods and create functional corridors for humans and wildlife throughout the urban environment.

The Parks, Recreation and Open Space Element of the Comprehensive Plan “Park Plan” establishes specific goals and policies that will help guide decision-making related to acquisition, development and improvement of facilities and lands. The Park Plan contains an inventory of the City's current parks, recreation facilities and open spaces; analyzes the City's ability to provide adequate parks, open space, and recreation services; sets service standards and guidelines; and identifies implementation strategies.

Regulatory/Policy Background

The Park Plan conforms to the Growth Management Act (GMA) (Chapter 36.70A RCW) and considers the planning criteria developed by the Washington State Recreation and Conservation Office (RCO).

The GMA includes several sections relating to parks, recreation, and open spaces:

- RCW 36.70A.020(9) establishes a planning goal to “Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.” Capital improvements are included within the definition of "Public Facilities."
- RCW 36.70A.030 (Mandatory Element). Cities may impose impact fees for the provision of Public Facilities (including publicly owned parks, open space and recreation facilities) (RCW 36.70A.040, RCW 82.02.050). Impact fees must be based on demands on existing facilities by new development, and additional improvements required to serve new development (RCW 82.02.090).
- RCW 36.70A.070(8) requires a park and recreation element, which is consistent with the capital facilities plan element as it relates to park and recreation facilities.



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Furthermore, this section states, “The element shall include: (a) Estimates of park and recreation demand for at least a ten-year period; (b) an evaluation of facilities and service needs; and (c) an evaluation of intergovernmental coordination opportunities to provide regional approaches for meeting park and recreational demand.”

- RCW 36.70A.150 states jurisdictions shall identify lands useful for public purposes and includes recreation.
- RCW 36.70A.160 requires jurisdictions to “identify open space corridors within and between urban growth areas. They shall include lands useful for recreation, wildlife habitat, trails, and connection of critical areas as defined in RCW 36.70A.030.”

The Park Plan includes the planning elements (listed below) as recommended by the RCO, which ensures continued eligibility for grant funds administered by that agency:

- Inventory,
- Public Involvement,
- Demand & Need Analysis,
- Goals & Objectives,
- Capital Improvement Program (six year plan for acquisition, development, renovation, & restoration projects), and
- Plan Adoption.

Facility Classifications, Characteristics and Inventory

There are many reasons for governments to provide parks, open space, recreational opportunities, cultural amenities, and trails for their citizens. Parks offer innumerable physical and psychological benefits by providing safe places for the community to exercise, recreate, meditate, and generally escape daily pressures. The City of Lake Stevens has a variety of parks ranging from small mini-parks serving a block or two to community parks designed to provide recreational opportunities to the City and beyond. In addition, special use and school parks, open spaces, and trails expand the variety of recreation areas available to the community. The inventory of parks, open spaces, and trails includes a mix of City and county facilities. Table 5.1 provides a brief description of the facilities, within or adjacent to the City of Lake Stevens, and describes the various park classifications; provides descriptions for each classification; and lists typical sizes, amenities and community service areas. Figure 5.1 illustrates the location of these same facilities and identifies prominent amenities associated with each facility. A detailed description of park types and individual parks and open spaces follows along with detailed maps of individual park classification types.



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Table 5.1 – Park, Recreation & Open Space Classifications and Characteristics

Type	Typical Size	Description & Typical Amenities	Typical Area Served
Community Park	> 10 acres	Informal, formal, active, & passive recreation parks that serve a community with a mix of features (e.g., playgrounds, landscaping, picnic areas, trails, sports fields, structures, parking, special features, permanent restrooms, etc.)	Within 2.5 miles of residential areas
Neighborhood Park	≤ 10 acres	Informal, active, & passive recreation areas that serve adjacent residential neighborhoods that provide multi-use areas with a mix of playgrounds, landscaping, picnicking, trails, single or small sports fields, parking, restrooms, etc.	Within 1 mile of residential areas
Mini-Park	≤ 1 acre	Small public/private areas including playgrounds, landscaping, plazas, and picnic benches that serve the needs of the immediate neighborhood or commercial district	Within 1/2 mile of residential or commercial areas
School Parks	Varies	Playfields, playgrounds, sports & recreation facilities located at schools, distributed throughout the City, that may substitute for other park types and compliment the City's inventory	Varies
Special Use Parks & Facilities	Varies	Any public or private park or facility providing a unique experience or specific recreation need and/or commercial purpose distributed throughout the City	Varies
Trails & Pedestrian Facilities	Varies	Soft surface or paved trails, walking paths, sidewalks or multi-use trails for walking, hiking, and bicycling distributed throughout the City	1 multi-use trail w/in 1 mile of residential areas
Open Space	Varies	Low intensity and passive recreation areas such as Native Growth Protection Areas, greenbelts, or undeveloped areas distributed throughout the City	Varies, based on resource availability



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Figure 5.1 – Lake Stevens Parks & Recreation Facilities



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Inventory of Facilities

The following section includes an inventory of the parks, open space tracts, recreational facilities, and cultural programs and facilities found within or near the City. The City has approximately 146 acres of public parks, 10 acres devoted to special uses, 122 acres of open space and approximately seven miles of the Centennial trail (adjacent to or within City limits) in addition to approximately five miles of park trails. The numbers include City and county facilities (mini-parks, neighborhood parks and community parks), special use parks, trails and open space (undeveloped property and Native Growth Protection Areas). In addition to the public facilities described, there are approximately 145 acres of private parks and open spaces and an additional three miles of private trails that compliment the City's inventory. Different homeowner's associations are responsible for these facilities created during the subdivision process for specific neighborhoods.

Community Parks

Community parks have the largest service area and attract citizens from across the community. A large size and variety of amenities characterize community parks. These parks provide a mix of informal, active, and passive recreation areas with permanent facilities. Community Parks are generally at least 10-acres, but must be large enough to provide room for multiple uses such as sports fields, a recreation center, and group-use shelters alongside large open areas and playgrounds. Community parks should provide easy vehicular and pedestrian access to park users from the street network, sidewalks and bike lanes with dedicated parking areas. Community parks may benefit from multijurisdictional cooperation for facility planning, development and maintenance.

Cavalero Community Park – The park is located off 20th Street SE, in the southeastern part of the City. Because the park has a large undeveloped area and is located within the City of Lake Stevens, the City and Snohomish County are preparing to revise the master plan for this facility through a joint planning effort in the near future. Currently Cavalero has an off-leash dog area and undeveloped open space.



Eagle Ridge Park — City Council adopted the Eagle Ridge Park Master Plan in 2010. The plan includes a capital cost estimate and a schedule to implement the Master Plan in three phases over a 10-15 year period. The master plan includes details for park development and proposed amenities and recreational opportunities. The overall vision



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for the park is that of an ‘outdoor classroom’ with both passive and active recreational activities that embrace and enhance the natural beauty of this park. Eagle Ridge currently houses the Lake Stevens Senior Center, soft trails, and open spaces. This park is notable for its eagle habitat. The master plan for this park envisions picnic shelters; a community garden; amphitheater; interconnected trails and educational features such as an interpretive center, outdoor classrooms and interpretive signage. The plan promotes the use of Low Impact Development in design and construction.



Lake Stevens Community Athletic Park

LSC Park, east of the City limits, is a 43-acre Snohomish County park. This park provides the largest athletic complex near Lake Stevens with baseball/softball fields, soccer fields and basketball courts. LSC Park also includes a picnic shelter, playground, walking path, permanent restrooms and landscaping.





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Table 5.2 – Community Park Inventory

Facility	Location	Owner	Acres	Picnic Shelter/Benches	Playground	Trail/Pathway	Basketball	Football/Soccer Fields	Softball/Baseball	View Corridor	Restrooms	Community Center	Open Space	Landscaping	Other
Cavalero Community Park	2032 79th Ave SE	Snohomish County	32.93			X				X			X		X
Eagle Ridge	2424 Soper Hill Road	City of Lake Stevens	28.20			X				X		X	X		X
Lake Stevens Community Park	1601 North Machias Rd	Snohomish County	43.24	X	X	X	X	X	X		X		X	X	
Total Acres			104.37												

As shown in Table 5.2, Lake Stevens Community Park provides the widest variety of recreational and active amenities. However, once Eagle Ridge and Cavalero parks are completed, each park will diversify the overall profile for community-level parks and contribute a unique set of amenities. Planning efforts for these parks should build on the unique characteristics of the site and address underrepresented or community preferred recreational uses. Figure 5.2 illustrates the distribution of community parks within and adjacent to Lake Stevens. As shown, there is a small gap, in the service area, located in the southeastern border of the Urban Growth Area. This small gap creates a minor divergence from the service standard for community parks. This gap may need to be addressed in the future if opportunities arise to provide additional meaningful recreation lands in the vicinity. It is more important to assure that Eagle Ridge and Cavalero parks provide a mix of high-quality recreational amenities, as they develop.

Neighborhood parks

Neighborhood parks are the “backbone” of the City’s parks inventory. These parks offer common gathering sites for social interaction, physical activity and play to residents from contiguous neighborhoods or a larger service area depending on amenities provided. Neighborhood parks should be located in highly visible and centralized locations that provide convenient and safe access for vehicles, pedestrians and



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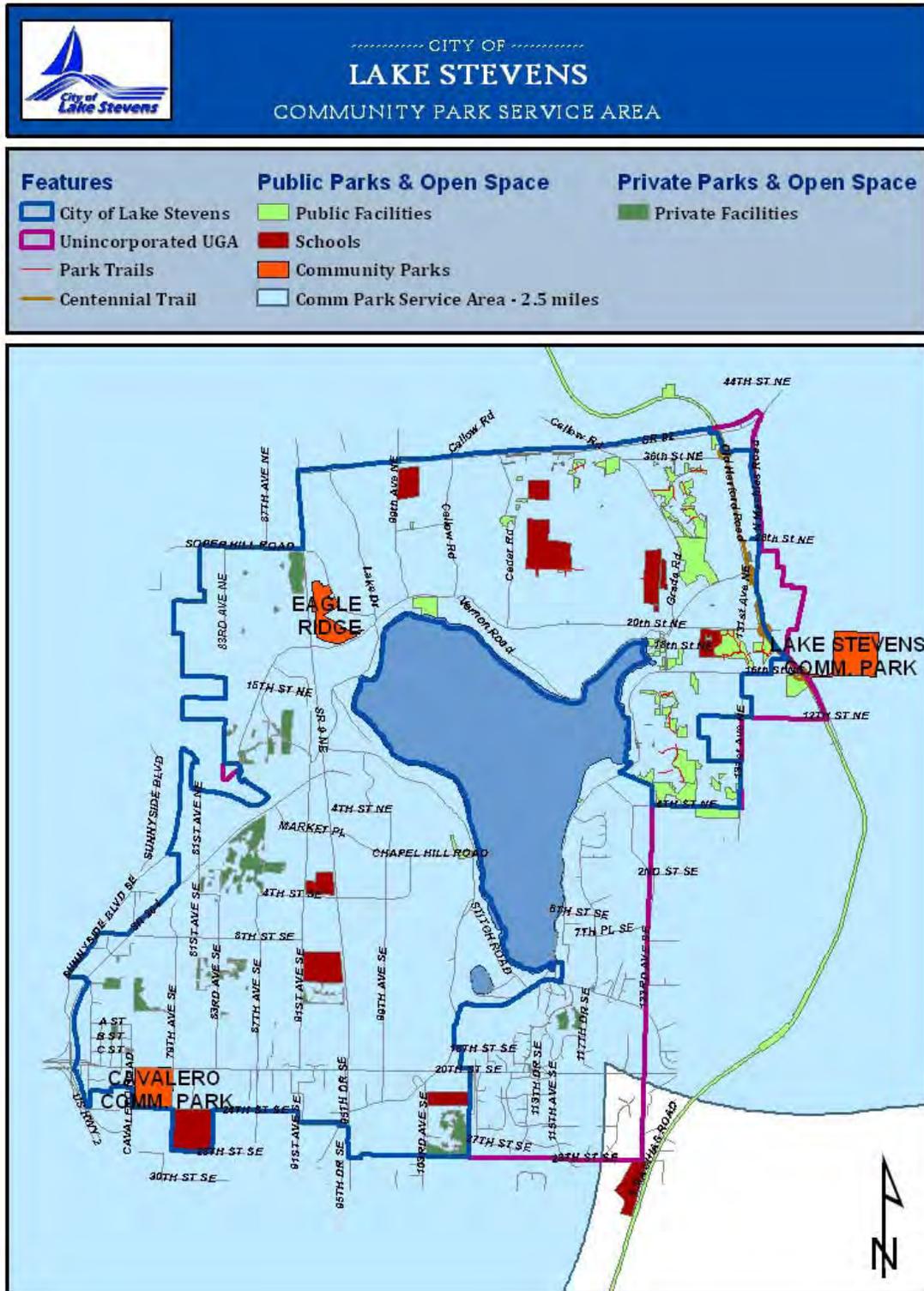


Figure 5.2 – Community Park Distribution



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bicyclists. This park type often incorporates passive and active recreational opportunities as well as provides multi-purpose facilities. Neighborhood parks should include permanent restrooms and parking areas.

Catherine Creek Park – An eight-acre community park, which the City leases from the Lake Stevens School District. This park is located adjacent to Mount Pilchuck Elementary School, between 20th Street NE and 16th Street NE. The park is maintained primarily as a "natural" park with a network of trails, access to Catherine Creek, and picnic facilities. It also includes a unique disc golf course, installed and maintained by the community in 2000.



Centennial Woods Park — A 6.3 acre passive recreation park purchased in 1997 through the Snohomish County Conservation Futures grant program. This park includes trails through the site, which connect the Centennial Trail to Catherine Creek Park (with an eye on an eventual connection to downtown).

Lundeen Park – A nine-acre multi-use park located south of Lundeen Parkway at 99th Avenue NE. Facilities include a public pier, 500 feet of shoreline, swimming area, two basketball courts, a children's playground and a tot lot (Sarita's Playground), interpretive stations along a salmon-spawning creek, a caretaker's residence, public restrooms, a rinse-off shower, a covered picnic area, and 98 parking spaces. The Lake Stevens Chamber of Commerce has a Visitor Center at the park.





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North Cove Park – A four-acre waterfront park located at the extreme northeast end of the lake. Access is available to downtown Lake Stevens, next to the City Hall complex. The park has a 250-foot municipal boardwalk/pier (interpretation, fishing & picnicking, but no boat access), picnic tables, and two horseshoe pits. Parking facilities are shared with the City Hall complex. The City is currently planning for future expansion and development of the park.



Wyatt County Park – A three-acre regional park, formerly known as Davies Beach, located four miles from downtown, across the lake, on Davies Road. Facilities include a public boat launch, a dock (for boats), a fishing pier, a swimming area, restrooms, picnic tables, and 80 parking spaces. This park is especially busy during summer weekends.



As shown in Table 5.3, Lundeen Park provides the widest variety of amenities, notably beach access, picnic facilities and playgrounds. Both Centennial Woods and Catherine Creek provide good locations to expand nature trails and add permanent restrooms and parking areas. Many people consider North Cove Park the “heart of downtown”. This Park should undergo a master planning effort to complement the “Downtown Plan” when completed. All of the neighborhood parks could expand playground facilities and add small athletic components. North Cove and Lundeen parks should continue to promote and develop water-related activities.



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Table 5.3 – Neighborhood Park Inventory

Facility	Location	Owner	Acres	Picnic Shelter/Benches	Playground	Trail/Pathway	Basketball	Beach / Swimming	Dock	Boat Launch	View Corridor	Restrooms	Open Space	Landscaping	Other
Catherine Creek	12708 20th St NE	Lake Stevens School District	16.55	X		X							X		X
Centennial Woods	131st Dr NE	City of Lake Stevens	6.02			X							X		
Lundeen Park	10108 Lundeen Parkway	City of Lake Stevens	10.05	X	X		X	X	X		X	X		X	X
North Cove	Main St & North Lane	City of Lake Stevens	2.28	X		X			X		X			X	X
Wyatt Park	20 South Davies Rd	Snohomish County	2.48	X				X	X	X	X	X		X	X
Neighborhood Parks Total Acres			37.37												

Figure 5.3 illustrates the distribution of neighborhood-level parks within Lake Stevens. As shown, there are gaps in the services area in the southern and western part of the City. To provide equity of distribution, the City should concentrate on acquiring lands in the southern part of the City for additional neighborhood parks as opportunities arise. The gap in the western part of the City is smaller and not as crucial, as two large private parks and an informal trail network provides some recreational outlets for the neighborhoods west of SR-9.

Mini-Parks

Mini-parks often referred to as “pocket parks” or “tot lots” are the smallest recreation sites within the park inventory. Many of these were created with neighborhood subdivisions. Mini-parks should be easily accessible to surrounding neighborhoods or within commercial centers. Ideally, mini-parks connect neighborhoods or commercial centers by paths, trails, sidewalks, bikeways, or greenways. Mini-parks may be public



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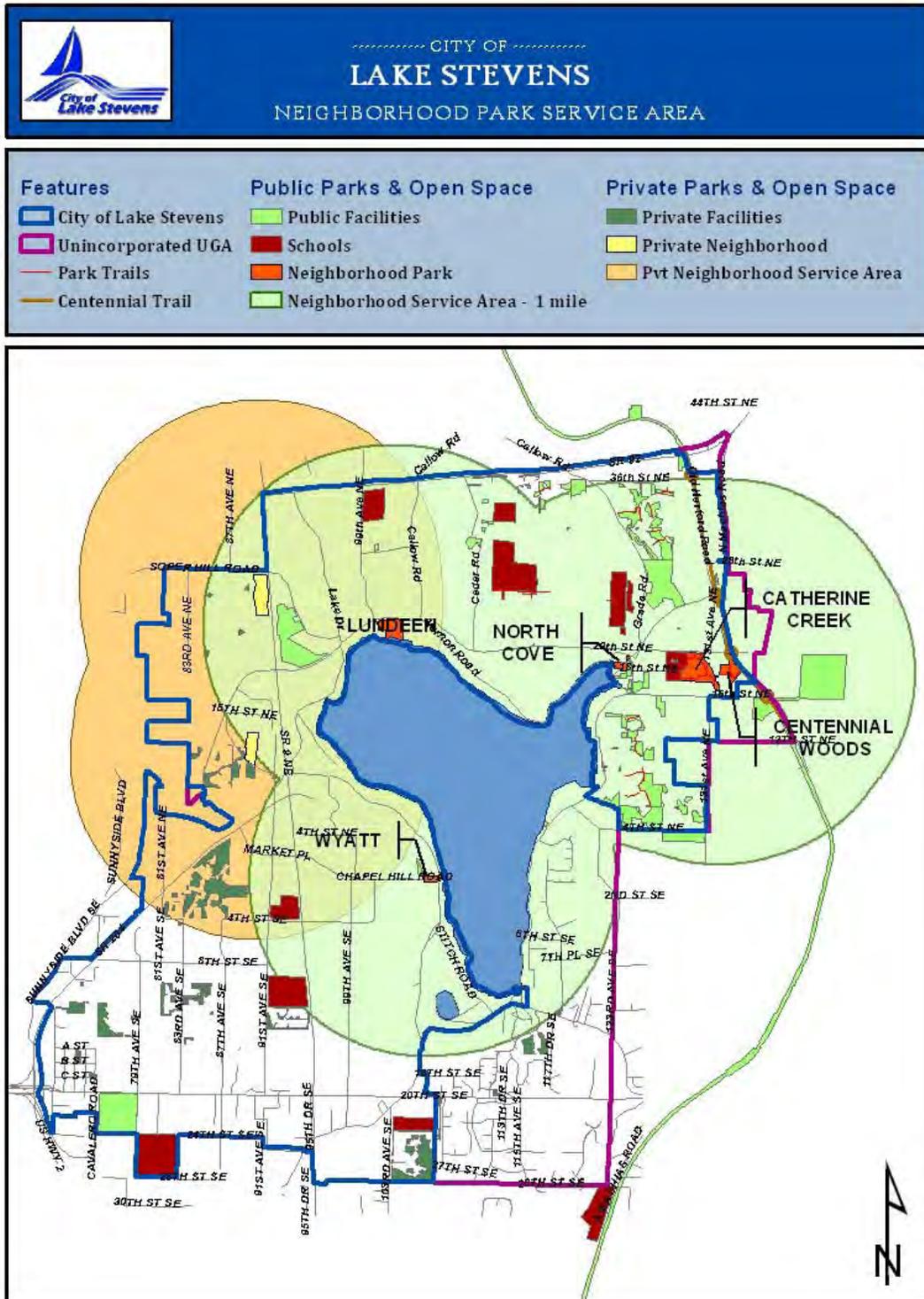


Figure 5.3 – Neighborhood Park Distribution



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Kid's Oasis Playground – A 0.5-acre playground located on the grounds of Mt. Pilchuck Elementary School. This park was built in 1992 as a community volunteer project, with help from individuals, businesses, the City, and the Lake Stevens School District. The playground is a "fantasy-style" wooden castle. Parking is available in the school parking lot. Children and parents use the playground throughout the year.

North Lakeshore Swim Beach – A popular 0.5-acre waterfront park providing lake access for summertime swimmers on North Cove. This park is located approximately 0.2 miles west of downtown on North Lakeshore Drive. Facilities include 560 square feet of useable beach, a 600 square foot municipal swimming dock, a portable restroom, and 10 parking spaces.



Sunset Beach – This is a 0.25-acre, County-owned, waterfront park whose primary use is water access and picnicking. It is located 0.3 mile south of downtown on East Lake Stevens Road. Facilities include a public dock, picnic tables, and six parking spaces. This park is especially busy during the summer season.

North Lakeshore and Sunset Park provide parallel amenities, while Kids Oasis provides the largest community playground, as shown in Table 5.4. In addition to the public mini-parks there are approximately 18 acres of private mini-parks. The City will continue to promote mini-parks in new neighborhoods and commercial areas as they develop, especially where gaps exist in the City, as shown in Figure 5.4.



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Table 5.4 – Mini-Park Inventory

Facility	Location	Owner	Acres	Picnic Shelter/Benches	Playground	Trail/Pathway	Beach/Swimming	Softball/Baseball	Dock	View Corridor	Open Space	Landscaping
Mini-Park – Public												
Kids Oasis	12708 20th St NE	Lake Stevens School District	0.36		X							
North Lakeshore Swim Beach	North Lakeshore Dr	City of Lake Stevens	0.71				X		X	X		
Sunset Park	410 E Lake Stevens Rd	Snohomish County	0.60	X			X		X	X		X
Mini-Park – Created w/ Subdivisions Dedicated to the Public												
Semi-Public Mini-Parks			3.26		X	X					X	X
Mini-Park Parks Total Acres			4.93									



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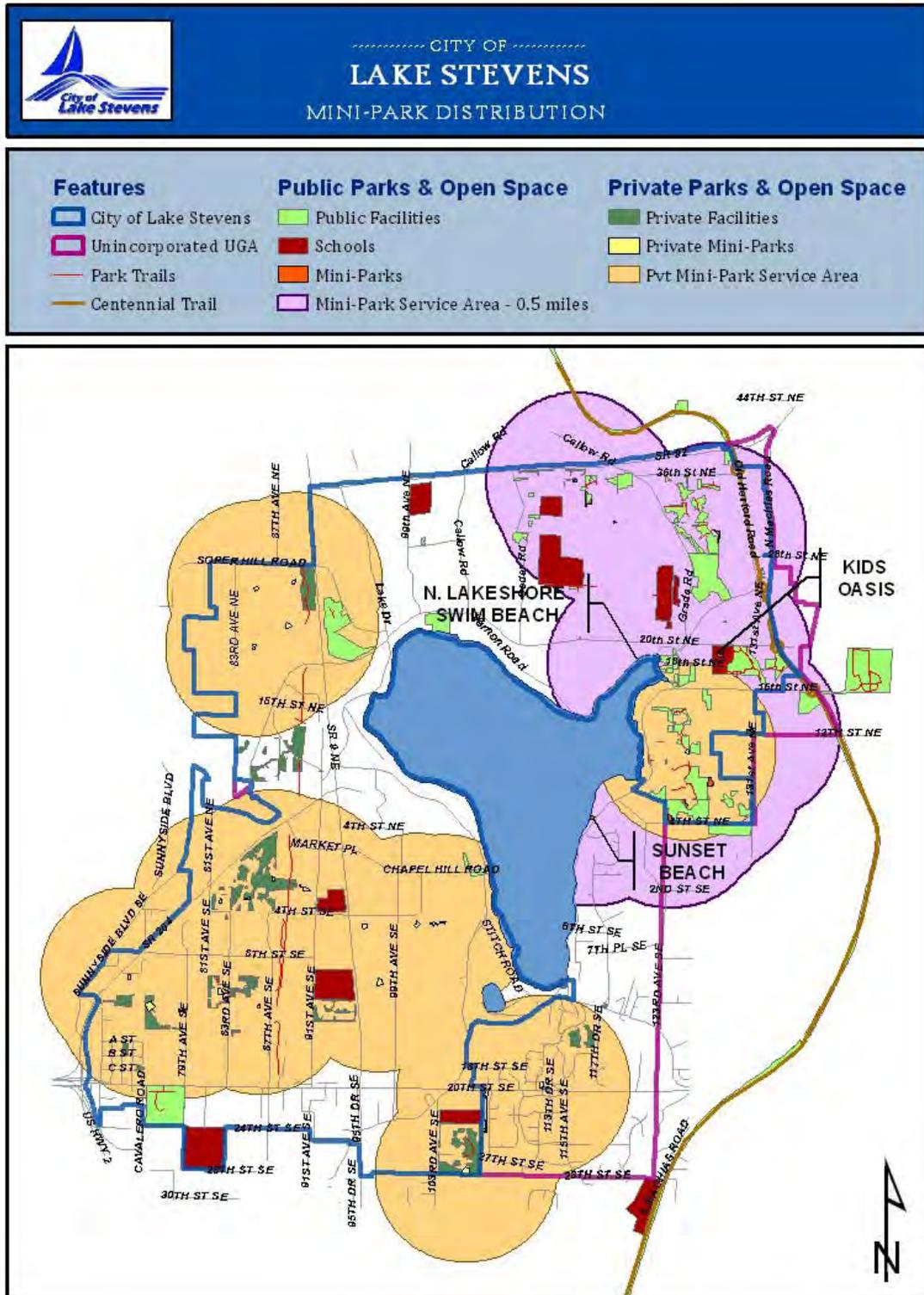


Figure 5.4 – Mini-Park Distribution



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School Parks

School parks constitute ancillary facilities, complimenting the community's inventory. School parks often provide recreational needs not available at other parks or provide similar functions as other park types. For example, elementary playgrounds provide a similar benefit to residential areas commonly met by mini-parks or neighborhood parks; whereas, middle schools and high schools may provide community-level or special-use park functions depending on available amenities. Because schools are typically located within residential neighborhoods, they are easily accessible and evenly distributed throughout the community. Additionally, school campuses provide area for sports activities, informal recreation uses, and potentially special activities.

The Lake Stevens School District (LSSD) owns the largest percentage of formal recreational/athletic facilities in the City. Many of the facilities are open to the public on a regular basis. The Park Plan promotes policies, which will allow the City to participate in jointly developing and managing parks and recreational facilities with the LSSD and other providers of leisure services to ensure efficient and effective use of the community's resources, avoiding redundant services and facilities.

As described in Table 5.5, the LSSD has six elementary schools – each has playground facilities and a mix of other amenities. There are three middle schools, one mid-high school and a single high school. Each school contains a different mix of athletic fields and play courts. The high school also houses a swimming pool, open to the public, which functions as a special use site.

Open Spaces and Natural Resources

Open spaces consist of undeveloped lands, passive recreation areas or Native Growth Protection Areas, both public and private. Open spaces allow residents to engage in low-intensity and passive recreation activities such as hiking and bird/wildlife watching, while protecting natural areas and resources. Typical amenities include soft trails, scenic views, boardwalks, interpretive signage and scenic views. Open space may provide habitat corridors for wildlife and links between neighborhoods for humans. Open spaces frequently buffer potentially incompatible land uses. Open space should be distributed throughout the City.

Currently, the land use code requires dedication of Native Growth Protection Areas on lands with critical areas such as wetlands, streams, and steep slopes during development. The City also requires the dedication or creation of open space as a condition of approval for some subdivisions and attached housing developments. These set asides form a large portion of the open space inventory for the City that must be managed cooperatively between the City, homeowners, homeowners' associations, other agencies and even non-profit land trusts.



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Table 5.5 – School Parks Inventory (LSSD)

Facility	Location	Playground	Trail/Pathway	Basketball	Track	Tennis	Football/Soccer Fields	Softball/Baseball	Swimming Pool	Gymnasium	Open Space
Cavelero Mid-High	8220 24th St SE		X		X	X	X	X		X	X
Centennial Middle	3000 S Machias Rd			X	X	X		X		X	X
Glenwood Elementary	2221 103rd Ave SE	X					X	X		X	X
Highland Elementary	3220 113th Ave NE	X					X	X		X	X
Hillcrest Elementary	9315 4th St SE	X		X	X			X		X	X
Lake Stevens High	2602 115th Ave NE				X	X	X	X	X	X	
Lake Stevens Middle/ Skyline Elementary	1031 91st Ave SE	X	X	X	X			X		X	X
North Lake Middle	2226 123rd Ave NE		X		X		X	X		X	X
Pilchuck Elementary	12708 20th St NE	X	X				X	X		X	X
Sunnycrest Elementary	3411 99th Ave NE	X	X	X						X	X

The City has many natural resources with the primary resource being Lake Stevens, a 1,040-acre lake and its tributaries, which provide migration, spawning, and rearing habitat for resident and anadromous fish species. The City provides a variety of habitat niches for terrestrial and aquatic wildlife and birds, notably there are many Bald Eagles that live around the lake – the most famous pair named George and Martha live in Eagle Ridge Park. Public agencies own many of these open spaces; others are dedicated through the development process or as gifts from property owners. Generally, open spaces are located in critical areas and are retained in a natural state to protect the resource. In total, the City of Lake Stevens includes nearly 124 acres of public and semi-public open space and an additional 111 acres of privately held open space. Together these areas equal approximately four percent of the City. As previously noted,



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much of this property is within dedicated Native Growth Protection Areas. Open spaces with the potential for passive recreation uses are listed below.

Downtown Open Spaces – Approximately five acres of open space exist between 16th Street NE and 18th Street NE, in downtown Lake Stevens. This area could be developed into a natural classroom with interpretive information, and connected by trails, sidewalks, and boardwalks.



Mill Cove Reserve Park – A one-acre passive recreation park purchased in 1997 through the Snohomish County Conservation Futures grant program. The wooded site is at the location of the historic Rucker Mill and contains wetlands and shorelands. From the site, one can see the pilings that supported the old mill over the lake. The City will continue to seek grant opportunities to finance trails, signage, and other passive recreation amenities.

Grade Road/Hartford Open Space – A 25-acre open space originally purchased as a potential municipal campus site located between Grade Road and Hartford Drive. The City has not officially incorporated this site into the open space inventory. However, this site has the potential for an additional natural area for fish and wildlife habitat protection and passive recreation. Appropriate development could include boardwalks and interpretive signage. Additionally, this site could be linked to other natural sites near downtown Lake Stevens.

Trails and Pedestrian Facilities

Soft surface and paved trails, walking paths, sidewalks and multi-use trails for walking, hiking, and bicycling make up the category of trails and pedestrian facilities. Paths and trails enhance connectivity between neighborhoods, parks, schools, transit facilities and commercial areas throughout the community and provide opportunities for alternative transportation. Recreational paths and trails can meander away from the road network, creating a focus on interacting with the natural or built environment. Sidewalks provide safe, direct routes between points along a road network.

Approximately five miles of public or semi-public trails exist in the City. Many of the shorter trails link road segments. Some of the newer subdivisions include soft trails within the outer portions of critical area buffers or as paths between different areas. One trail circumscribes the western and southern borders of the high school property. Two miles of trails meander through Catherine Creek Park. Gravel trails leading



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through Centennial Woods Park connect Catherine Creek Park to the Centennial Trail. There is also a network of informal trails in the power line corridor, located in the western portion of the City. Over time, the City should look for opportunities to enhance and connect these trails into an organized network throughout the City.

The Snohomish County Centennial Trail skirts the eastern City limits, 1.7 miles of which are within the City. Nearly seven miles of the Centennial Trails is adjacent to the City between Centennial Middle School and the Rhododendron Trail Head.

The trail stretches between the City of Arlington to the north and the City of Snohomish to the south. The trail is planned to extend from the southern Snohomish/King County line to the northern Snohomish/ Skagit County line. The trail serves pedestrians, bicyclists, skaters, and equestrians.

Figure 5.5 provides an overview of public and private open spaces and trail locations within or near the City.

Special Use Parks & Facilities

Special use parks may be any park type or facility (private or public) with a specialized amenity that provides a unique experience, particular sport or activity and may provide a revenue income. Special use parks may include boat launches, cultural facilities, community centers, recreation centers/facilities or public art. Commercial enterprises geared toward the lake such as non-motorized uses or the Centennial Trail could compliment the City's inventory of special use facilities. The size of these facilities varies depending on the proposed use and available amenities. Special use parks should be distributed throughout the City. Because demand for special use facilities is generated from within and outside the City limits, the City, County, and other recreation providers should cooperate on locating special use sites.

Bonneville Field Ball Park – A three-acre baseball field, which also provides informal trailhead parking for the Centennial Trail, is located at the intersection of 16th Street NE and Hartford-Machias Road. The Lake Stevens Junior Athletic Association operates this site. Facilities include a baseball diamond and approximately 35 parking spaces. The park is used primarily by organized little league teams during the summer.



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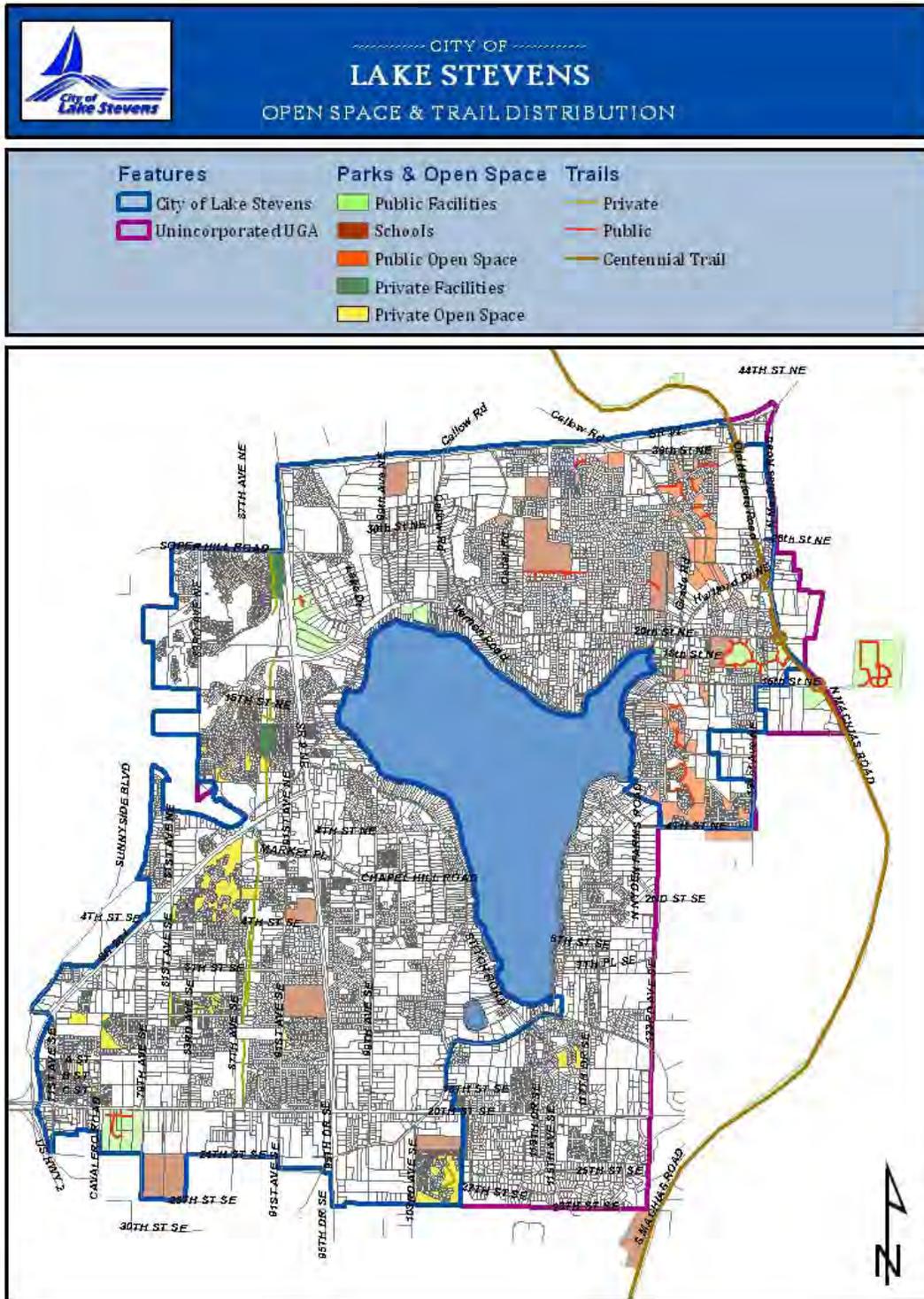


Figure 5.5 – Open Space and Trail Distribution



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City Boat Launch – A one-acre public boat launch and parking lot, with 30 spaces, is located on the eastern shore of North Cove. Access is from 17th Place NE, off Main Street. The Washington State Department of Fish and Wildlife owns this site and leases it to the City. Most users are boaters, anglers, and jet-skiers launching their watercraft. Use is heaviest on summer weekends.



Community Center – Within the City Hall complex is a 1,800 square foot meeting/activity hall with a small (<150 square foot) kitchen. The Center is used for public meetings, activities, and classes. The Center is available for rent by the public for specific activities.

Grimm House – The historic Grimm House, associated with the Rucker Mill, is located next to the Historical Museum and serves as an adjunct to the museum. Through volunteer efforts, the house has been relocated and renovated.

Historic Sites – The potential for historic sites in Lake Stevens is excellent because of the City's rich past linked to logging and railroads, evident in remains around the lake. For example, the concrete footing of the water tower serving the Rucker Brothers' Saw Mill is still located in North Cove Park. There are also trestle remains from the mill operations, in the lake, dating back to the turn of the century.

Lake Stevens Historical Museum – Adjacent to the Lake Stevens branch of the Sno-Isle Regional Library is the 1,600 square foot Lake Stevens Historical museum. The museum houses permanent and rotating exhibits illuminating the town's history, the Society's office, and a 1,000-piece historical photograph collection. The Lake Stevens Historical Society, formed in 1982, operates this museum. The Lake Stevens Historical Society is a group of about 150 individuals dedicated to preserving community history through the collecting of information and artifacts and educating the public.

Lake Stevens Senior Center – The Lake Stevens Senior Center, located at Eagle Ridge Park, welcomes all older adults to share in fellowship, classes and social events in the Lake Stevens area. The Senior Center is in a 2,800 square feet building with a commercial kitchen, dining/multi-purpose room, barrier-free bathrooms, office space and additional class and meeting rooms.

Lochsloy Field – The Lake Stevens School District owns this 15-acre site, located north of SR-92, between Lake Stevens and Granite Falls. Facilities include a baseball



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diamond, numerous soccer fields and a large parking area. Organized league teams use the park primarily during the summer.

Sno-Isle Regional Library, Lake Stevens Branch – The City owns a 2,500 square foot building at 1804 Main Street that serves as a library. The Sno-Isle Libraries provide library services to the community here. The building's size limits the possibility of increasing the collection, adding computer access and increasing programming. Based on current activity levels and 2025 population projections for the Lake Stevens area, Sno-Isle Libraries estimates a need for a 15,000 square foot facility.



Table 5.6 lists some well-known and popular special use sites and facilities.

Recreation Programs, Events and Special Providers

Aquafest – Lake Stevens' annual City celebration usually held in July. It includes an aqua-run, children's activities, fireworks, vendor booths and several parades.

Ironman Triathlon – Lake Stevens hosts an annual World Qualifying Triathlon event with competitors swimming, running and bicycling through Lake Stevens.

Lake Stevens Boys and Girls Club – A one-acre property located at the intersection of 16th Street NE and Main streets. Clubs, Inc., a non-profit organization composed of representatives of the Lake Stevens' Lions Club and the Lake Stevens Junior Athletic Association (LSJAA), owns this property. The Boys and Girls Club includes a recently remodeled building, gymnasium and a small meeting room (50-60 person occupancy) available for rent. This room is available for no cost to service clubs and scout troops. The property also includes a baseball diamond (Bond field), used for youth team sports, and storage/concession area, operated and maintained by LSJAA, behind the gymnasium. Approximately 75 parking spaces are available on the property.



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Table 5.6 – Special Use Inventory

Facility	Location	Owner	Acres	Football/Soccer Fields	Softball/Baseball	Dock	Boat Launch	Swimming Pool	View Corridor	Other
Bonneville Field	1530 N Machias Road	Snohomish County	7.32		X					X
City Boat Launch	North Drive	WA Dept of Fish & Wildlife	0.89			X	X		X	X
Community Center/City Hall	1805 Main Street	City of Lake Stevens	0.58							X
Grimm House	1804 Main Street	City of Lake Stevens	0.60							X
Library / Historic Society	1804 Main Street	City of Lake Stevens	0.25							X
Lochsloy Field	6710 147th Ave NE	Lake Stevens School District	15.17	X	X					
Special Use Parks Total Acres			24.81							

Lake Stevens Junior Athletic Association (LSJAA) – A non-profit youth organization, the LSJAA organizes seasonal teams for baseball, softball, soccer, football, and basketball. User fees fund LSJAA programs.

Lake Stevens School District – The LSSD offers evening and weekend classes in sports, hobbies, job skills, continuing education, and other recreational classes. The LSSD operates the indoor swimming pool. The LSSD Community Education program currently provides recreation and leisure service programming, such as summer youth recreation programs and adult programs in the fall, winter, and spring.

Rowing Clubs – Different rowing clubs use Lake Stevens frequently, hosting several large regattas on the lake, including the Washington State Games, and offer competitive rowing opportunities for juniors and adults.



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Scouting, 4-H, Church Youth Programs, Other Special Interest Groups – All the scouting organizations are represented in Lake Stevens, as well as 4-H. Additionally, many of the churches have youth programs.

FUTURE NEEDS AND LEVELS OF SERVICE

Methodology and Public Process

The City has traditionally based its level of service for parks and recreation facilities on an overall population ratio. Under this model, using the 2012 population estimate of 29,104, the City provides approximately five acres of developed or planned parkland per 1,000 residents. Comparatively, this is within the level of service ranges provided by neighboring communities. As a first step to providing an adequate land supply, setting a broad population-based goal is acceptable. However, there are inherent problems with this method. The City and its UGA have a limited amount of large usable lands remaining. As the City's population grows, it is not likely that it can continue to acquire a larger inventory of new parkland. Secondly, a population-based model ignores access to different types of parks, special features and an equitable distribution throughout the community. Finally, this older method does not inform a jurisdiction on the City's satisfaction with individual facilities, the inventory as a whole or identify preferences for specific types of amenities.

The current needs assessment and proposed service standards seek to address the deficiencies of the previous model. First, the City developed a park classification system previously described in Table 5.1. Second, the City completed an updated inventory of public and private facilities. The inventory categorized the facility by its classification, included current acreage and identified specific amenities available at each location. Third, the City proposed new level of services standards and mapped the distribution of different park facilities throughout the community based on the defined levels of service. The maps include an overall park distribution and individual distribution of different park types to determine access to residential areas. Fourth, the City developed and distributed a parks and recreation survey. The survey contained questions related to demographics, access to facilities, facility use & preferences, community desires, satisfaction and potential funding sources. Staff distributed the survey by direct mailing to a random sample population, posted it on the City's website and circulated at City events and meetings during the summer of 2013. Fifth, the Park and Recreation Planning Board held several regular meetings throughout the year and hosted two open houses, at different venues, to reach different City residents. The first open house included a presentation focusing on the current facility inventory and proposed changes to the level of service. The second open house was an informal "meet and greet" allowing Park Board members and staff to discuss parks and recreation issues directly with the public. Staff also briefed the Planning Commission and City Council about the project throughout 2013 at open public meetings. Finally,



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staff refined the earlier elements based on survey responses and comments from the community and City officials to develop the proposed model.

Level of Service Standards and Goals

The level of service standard (LOS) for park facilities are based on residential access and equitable distribution of facilities to different park types and trails community wide. The LOS standard for community parks is one park within 2.5 miles of residential areas. The LOS standard for neighborhood parks is one park within one mile of residential areas. The service goal for mini-parks (public and private) is one mini-park within 0.5 miles of residential areas. The LOS standard for multi-use trails is one trail within one mile of residential areas. The LOS standard for open space is five percent of the community. Within each facility, the City will strive to maintain a mix of amenities that reflect community use preferences as defined in the most current Lake Stevens Parks and Recreation Survey.

Needs Assessment

Survey respondents suggested that community and neighborhood level parks should receive the highest priorities. Some of the most popular uses included walking/hiking, picnicking, beach/dock use, and swimming. Some of the most desired improvements include walking, hiking and multi-use trails, picnic areas, public docks, a community garden, playgrounds, a skate park, and improved restrooms. Overall respondents claim to be somewhat satisfied with the facilities and amenities. The most common complaint was a perceived lack of amenities. Respondents identified the cost of park maintenance and land for additional access as major issues to be resolved. Popular funding sources include public and private partnerships and user fees.

Through a process of applying the adopted parks and open space LOS standards, reviewing the current inventory and analyzing the 2013 Community Survey a clear picture of the City's needs for public park and recreation facilities emerges. Four main categories comprise the current needs assessment: Planning, Acquisition, Site Development and Improvements & Maintenance. Each element provides the basis for developing a capital improvement plan. Decision-makers should prioritize the selection of capital projects based on gaps in the service for different park types, distribution of amenities throughout the park network, community preferences, opportunities, and likelihood of partnerships with other jurisdictions or private groups.

Park Planning

To improve existing recreational facilities and design new facilities, the City needs to develop master plans for specific uses and existing parks, in addition to new facilities added to the inventory. Master plans should consider the distribution of existing inventoried facilities and identify locations for improving and developing preferred uses



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and amenities from the community survey. Specifically, new master plans should consider opportunities to add playgrounds, picnic areas, permanent restrooms and active recreation areas including the location of a permanent skate/BMX park. Additionally master plans should identify potential locations for additional trails and shoreline acquisition and development.

The following list includes a series of proposed planning efforts, based on responses from the community survey, to implement the Park Plan.

1. Coordinate with Snohomish County to plan park facilities jointly within or adjacent to the City. A specific example for a capital project would be developing a coordinated master plan for Cavalero Community Park. This project would meet the identified preference for development of community level parks. This site should include a more formal trail network and could continue to include an off-leash dog area. A master plan for Cavalero should provide a formal parking area, restrooms, playgrounds, scenic views, picnic areas, and consider the inclusion of some type of active recreation amenity.
2. Craft a master plan for trails emphasizing formalizing the power line trail system into a multi-use trail, developing a lakefront path within the public right-of-way along Lake Stevens that provides pedestrian access to the waterfront at various locations and creating trail links between the western and eastern portions of the City, ultimately linking to downtown and the Centennial trail. Survey respondents identified walking paths and multi-use trails as preferred uses consistently throughout the community survey.
3. Develop a master plan to improve North Cove Park that addresses the need for additional beach access, playgrounds, picnicking, restrooms, etc. – all of which are community-preferred improvements. A master plan for North Cove Park should parallel downtown planning efforts.
4. Develop a master plan for non-motorized uses of the waterfront including swimming areas, beach use, rowing/paddling and public docks/piers. Improved shoreline access and a variety of water-related activities are important identified issues by residents. This project should be coordinated with a variety of user groups and stakeholders.
5. Prepare an open space plan for the various downtown shoreline, wetland, and riparian open spaces (e.g., Mill Cove Reserve, 16th and 18th Street wetlands and Grade Road open space) with an emphasis on low impact development, interpretative education and linkages. The community identified habitat protection and development of interpretive sites as an important goal for the community parks, recreation and open space system.
6. Produce a park wayfinding program, to identify the locations of parks and recreational facilities throughout the community. A wayfinding program would be crucial to providing a uniform image and highlighting existing and proposed site improvements.



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Acquisition

Based on the distribution of park facilities and survey responses, the City should identify opportunities to acquire the following lands to meet the recreational needs of City residents. Decision-makers should include one or more of these potential acquisitions as placeholders on the capital program list to act on as opportunities are identified.

1. The City should identify locations for two new public neighborhood level parks in the southern part of the City, near 20th Street SE. Acquisitions should include one park on each side of SR-9 to ensure equity of distribution. It is advisable to provide one park on the northern side of 20th Street SE that can be accessed on foot or park from the numerous developments occurring in this area.
2. The City should identify a location for a public neighborhood level park in the central part of City - west of SR-9. As noted earlier, acquisition of public property in this vicinity is important, but is secondary to acquiring lands in the southern part of the City because of the two large private parks in this area.
3. The City should identify locations for additional shoreline properties on Lake Stevens. Shoreline acquisition should consider expansion of current properties, a balance distribution of access points on all sides of the lake, lands that can provide a mix of active and passive recreation activities and linear access tracts for trails, paths and view corridors.
4. Rights-of-way/easements for multi-use trails, pedestrian paths and sidewalks throughout the City with an emphasis on a lakefront locations, the power line corridor in the western part of the City and east/west connections to the Centennial Trail and downtown.

Site Development

Some projects are ready for immediate implementation and construction. Decision-makers should give these projects a high-priority for inclusion on the capital project list. As the City completes other master plans, Council should consider adding these as future capital projects.

1. Complete construction of Eagle Ridge Master Plan's Phase 1 improvements (e.g., roofing garage and barn, vegetation maintenance, landscaping, community garden, trail development, interpretive signs, interpretation center, etc.) and start construction of Phase 2 improvements (e.g., restroom facilities and trailhead parking area, etc.).
2. After acquisition of right-of-way/easements, the city should begin constructing the power line trail in phases.

Park Improvements / Maintenance

Several projects do not need significant planning, but will help implement community desires and preferences and should be included on the capital project list. Such



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projects involve maintenance, repairs or improvements to existing facilities. Many of these projects could be completed through cooperative efforts between the City and stakeholder groups. Specific examples for consideration as a capital project follow.

1. Repair existing soft trails at Catherine Creek Park and Centennial Woods. This may include clearing brush and installing new surface materials on trails. The City should endeavor to define trailheads and install location and wayfinding signage between the two sites. As appropriate, City staff could install additional amenities at these sites including formal seating areas and picnic facilities along with restroom facilities.
2. Coordinate with user groups to repair and improve the disc golf course in Catherine Creek Park.
3. Construct a pedestrian pathway between Downtown Lake Stevens and the Centennial Trail along Hartford Drive NE terminating at land dedicated to the City for creating a new trail connection. The project would include improvements along Hartford Drive NE such as directional signage, striping and other safety features. The new trailhead should include landscaping, a paved trail connection, signage and possibly a seating area. If space is available, the site could include parking spaces for one or two cars.
4. Coordinate with the Washington Department of Fish and Wildlife on necessary repairs and improvements to the City boat launch. Improvements may include repairs to the boat launch, parking area, and addition of non-motorized launch.

Capital Projects

An analysis of existing conditions and projected needs in the previous section highlighted the areas of concern and opportunities for Lake Stevens. The Capital Facilities Element contains a strategy for achievement of the City's goals in light of the existing conditions in the City and identified needs. The following list of different project types should be considered for inclusion in the Capital Facilities Element.

Planning Project No.1 – Cavalero Community Park Master Plan

Total Cost:

Target Start Date: 2014-2015

Description: Coordinate with Snohomish County on its planning efforts for Cavalero Community Park to ensure it provides city preferred recreation amenities.

Proposed Funding Sources: Impact fees

Location: 20th Street SE and 79th Ave SE

Justification: This project would meet the identified preference for developing community level parks.



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Planning Project No.2 Trails, Paths and Pedestrian Facilities Master Plan

Total Cost:

Target Start Date: 2014-2015

Description: Master plan for trails, paths, and pedestrian facilities identifying appropriate connections and engineered details for various trail types with an emphasis on trail connections, the power line trail, and a path around the lake.

Proposed Funding Sources: Impact fees, Grants

Location: Citywide

Justification: This project would meet the identified preference for developing safe walking paths and multi-use trails throughout the community.

Planning Project No.3 Downtown Open Space Master Plan

Total Cost:

Target Start Date: 2015

Description: Open space plan for various downtown open spaces including shoreline, wetland, and riparian areas. The plan would include environmental analysis, identify appropriate connections between areas, develop interpretive information and provide engineered details for boardwalks, viewing areas and signage.

Proposed Funding Sources: Impact fees, Grants

Location: Mill Cove Reserve, Grade Road Open Space, Wetlands between 16th Ave NE and 18th Ave NE

Justification: This project would meet the identified preference for balanced habitat protection and development of interpretive sites as an important component in the community parks, recreation and open space system.

Planning Project No.4 Wayfinding Plan

Total Cost:

Target Start Date: 2015

Description: Produce a park wayfinding program in conjunction with economic development efforts to create a standard package for locating parks and recreational facilities and identifying amenities throughout the community.

Proposed Funding Sources: Impact fees, Grants

Location: Citywide



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Justification: A wayfinding program would be crucial to providing a uniform image and highlighting existing and proposed site improvements to support economic development.

Acquisition Project No.1 – Power Line Trail Right-of-Way/Easement Acquisition

Total Cost:

Phase 1 (Northern Portion) – **Phase 2** (Southern Portion) –

Target Start Date: 2014-2015

Description: Purchase rights-of-way/easements for multi-use trails in the power line corridor.

Proposed Funding Sources: Impact fees, Grants

Location: Power line corridor in the western part of Lake Stevens

Justification: This project would meet the identified preference for developing safe walking paths and multi-use trails throughout the community.

Acquisition Project No.2 Lakeside Path Right-of-Way/Easement Acquisition

Total Cost:

Target Start Date: 2014-2019

Description: Purchase rights-of-way/easements for walking paths around the lake.

Proposed Funding Sources: Impact fees, Grants

Location: Road network around Lake Stevens

Justification: This project would meet the identified preference for developing safe walking paths and multi-use trails throughout the community.

Acquisition Project No.3 Neighborhood Park Acquisition

Total Cost:

Phase 1 (Southwest Lake Stevens) – **Phase 2 (Southeast Lake Stevens) –**

Target Start Date: 2014-2019

Description: Identify locations for and acquire lands for two neighborhood level parks in the southern part of the City. Acquisitions should include one park on each side of SR-9 to ensure equity of distribution.

Proposed Funding Sources: Impact fees, Grants

Location: Southern part of the City, near 20th Street SE

Justification: This project would meet the Level of Service standard for access and distribution of neighborhood level parks.



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Acquisition Project No.4 Shoreline Acquisition

Total Cost:

Target Start Date: 2014-2019

Description: Identify locations for and acquire shoreline property that can provide a balance mix of water related activities around Lake Stevens.

Proposed Funding Sources: Impact fees, Grants

Location: Lake Stevens

Justification: This project would meet the identified preference for acquisition and development of additional shoreline properties as an important part of the community parks, recreation and open space system.

Development Project No.1 – Complete Phases 1 and 2 of the Eagle Ridge Master Plan

Total Cost:

Phase 1 –

Phase 2 –

Target Start Date: 2014-2019

Description: Construct remaining improvements identified as Phase 1 improvements and then begin construction of Phase 2 improvements. Later phases would be constructed after 2019.

Proposed Funding Sources: Impact fees, Grants

Location: Eagle Ridge Park

Justification: This project would meet the identified preference for developing community level parks.

Development Project No.2 Power Line Trail Construction

Phase 1 (Northern Portion) –

Phase 2 (Southern Portion) –

Total Cost:

Target Start Date: 2016-2020

Description: Construct multi-use trail along utility corridor.

Proposed Funding Sources: Impact fees, Grants

Location: Power line corridor in the western part of Lake Stevens

Justification: This project would meet the identified preference for developing safe walking paths and multi-use trails throughout the community.



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Improvement Project No.1 – Catherine Creek and Centennial Woods Trail Improvements

Total Cost:

Phase 1 (Catherine Creek) – Phase 2 (Centennial Woods) –

Target Start Date: 2014

Description: Improve existing soft trails at Catherine Creek and Centennial Woods.

Proposed Funding Sources: Impact fees, Grants

Location: Catherine Creek and Centennial Woods Parks

Justification: This project would meet the identified preference for developing safe walking paths and multi-use trails throughout the community.

Improvement Project No.2 Hartford Road Walking Path/Trail Head

Total Cost:

Target Start Date: 2015

Description: Improve the pedestrian pathway between Downtown Lake Stevens and the Centennial Trail along Hartford Drive NE and construct a new trailhead at the intersection of Hartford Road and 131st Ave NE.

Proposed Funding Sources: Mitigation, Grants

Location: Hartford Drive NE between 20th Street NE and 131st Ave NE

Justification: This project would meet the identified preference for developing safe walking paths and multi-use trails throughout the community.

Financing

Parks and recreation facilities users do not necessarily recognize political boundaries; therefore, it is imperative that jurisdictions plan for and provide recreation facilities to meet the needs of the community jointly. Recognizing this fact also allows a more efficient system to be established using scarce tax dollars to provide for the recreational needs of regional populations. For example, it is more efficient to build a swimming pool between two jurisdictions where demand exists than to build two separate pools three blocks from each other simply because each City feels that tax dollars should be spent in individual communities. The City should continue to place emphasis on a balanced, cooperative approach to parks and recreation planning.

In accordance with the Revised Code of Washington 82.02.050 and 82.02.060, the City is to provide a balance between impact fees and other sources of public funds to meet its capital project needs. Revenues from property taxes, user fees (if imposed), sales taxes, real estate taxes, grants, and other revenue sources need to be used to pay the



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proportionate share of the growth-generated capital facilities costs. Therefore, the City's commitment to improving the parks system is not solely reliant on impact fees.

Impact Fees

Once an LOS is adopted, impact fees may be assessed under GMA to ensure that levels of services are maintained as the population grows. It is required that impact fees be based on the LOS in place at the time of development. It is in the City's interest to ensure impact fees are current as allowed under GMA based upon the level of service established in this element. The amount that could be charged new development would be determined through a separate fee study.

General Revenues

Unlimited General obligation bonds may be submitted to voters for park and recreation purposes. These bonds require approval by at least 60% of the resident voters during an election, which has a turnout of at least 40% of those who voted in the last state general election. The bond must be repaid from a special levy, which is not governed by the six percent statutory limitation on the property tax growth rate.

Grants

While the City has been successful in obtaining grants for parks, the lack of match has proved to be a constraint on obtaining even more grants. With a larger community, it is anticipated that the City's resources could be better leveraged with more and larger grants.

Special Revenue Funds

Conservation Futures: By state law, counties can elect to levy up to \$0.065 per \$1,000 of assess valuation for all County properties to acquire shoreline or other open space lands. In 1997, the City obtained conservation future funds to purchase about 21 acres of open space lands, contained in three parks.

Real Estate Excise Tax (REET): State law allows counties the option of imposing excise taxes on the sale of real estate. The tax may be imposed in \$0.25 per \$1,000 in sale value to be used to finance capital facility developments, including the acquisition and development of park and recreational facilities.

Foundations

As another source of revenue the establishment of a foundation is being explored. The Parks Board and Arts Commission have agreed to look at developing a non-profit 501C Foundation that would provide the ability for people to make tax-exempt contributions that directly support parks and art activities.



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GOALS AND POLICIES

An analysis of existing park, recreation, and open space facilities along with community input provide the basis for establishing goals and policies within the Park Plan. The goals and policies provide guidelines and actions for achieving that Plan. Goals are broad intent statements that describe a desired outcome. Policies provide the framework for developing specific measurable actions.

Vision – Ensure that the City has abundant, high-quality parks & recreation areas that balance recreational activities and enjoyment of the natural environment for the community.

GOAL 5.1 PROVIDE A HIGH-QUALITY, DIVERSIFIED PARKS, RECREATION AND OPEN SPACE SYSTEM THAT PROVIDES RECREATIONAL AND CULTURAL OPPORTUNITIES FOR ALL AGES AND INTEREST GROUPS.

Policies

- 5.1.1 Provide a system of multi-purpose neighborhood and community parks, throughout the community, accessible to all residents that meet the following levels of service:
 - a. Neighborhood Parks – one park within a one-mile radius of all residential areas and
 - b. Community Parks – one park within a 2.5-mile radius of all residential areas.
- 5.1.2 Provide a park, recreation and open space system with activities for all age groups and abilities, equally distributed throughout the community, with an emphasis on youth-oriented activities.
- 5.1.3 Provide a balanced mix of active recreational facilities including but not limited to court and field activities, skateboard/BMX areas, and multi-use trails and passive recreations facilities including but not limited to hiking/walking, shoreline access, and picnicking accessible to the largest number of participants.
- 5.1.4 Promote balanced lake access for pedestrians and motorized and non-motorized watercraft so all segments of the population can enjoy the lake and have access to its recreational opportunities.
- 5.1.5 Encourage the inclusion of performing art facilities in public parks and recreation areas and incorporate visual arts into the design of park features, such as railings, benches, buildings and other amenities.
- 5.1.6 Support the use of indoor community spaces for arts and crafts, music, video, classroom instruction, meeting facilities and other spaces for all age groups on a year-round basis.



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- 5.1.7 When appropriate and economically feasible, participate in the development of special interest recreational facilities.
- 5.1.8 Continue to participate in the annual Aquafest community celebration.
- 5.1.9 Identify recreational and cultural needs opportunities for special needs populations.
- 5.1.10 Support the Lake Stevens Historical Society in their efforts to inventory significant historical and archaeological resources and to provide information to the community on its history.

GOAL 5.2 PROVIDE AN INTERCONNECTED SYSTEM OF HIGH-QUALITY, ACCESSIBLE TRAILS AND GREENWAY CORRIDORS THAT OFFER DIVERSE, HEALTHY OUTDOOR EXPERIENCES WITHIN A VARIETY OF LANDSCAPES AND NATURAL HABITATS, PUBLIC FACILITIES, LOCAL NEIGHBORHOODS, BUSINESS DISTRICTS AND REGIONAL TRAILS.

Policies

- 5.2.1 Provide a comprehensive network of multi-use trails for pedestrians, bicycles, and skating using alignments along the public rights-of-way, through public landholdings as well as across cooperating private properties, which link residential neighborhoods to community facilities, parks, special use areas, commercial areas and the waterfront that meets the following level of service: one trail within one mile of residential areas.
- 5.2.2 Provide for a comprehensive inter-City trail system linking the downtown area, schools, parks, and the Centennial Trail.
- 5.2.3 Establish a multi-use trail around the lake, choosing a route that best provides lake access and/or views.
- 5.2.4 Establish a north/south trail under the power lines as identified in the Lake Stevens Center and 20th Street SE Corridor subarea plans.
- 5.2.5 Establish an east/west sidewalk trail along 24th Street SE and South Lake Stevens Road that will eventually connect to the Centennial Trail as identified in the 20th Street SE Corridor subarea plan.
- 5.2.6 Establish, expand, and/or improve nature trails and boardwalks through open spaces with an emphasis on Eagle Ridge Park, Catherine Creek Park, Centennial Woods, Mill Cove Reserve, and the Grade Road Open Space.

GOAL 5.3 PRESERVE AND ENHANCE OPEN SPACE AND NATURAL RESOURCES AREAS INCLUDING FISH AND WILDLIFE HABITAT, MIGRATION CORRIDORS, NATURAL MEADOWS, AND WATER RESOURCES.



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Policies

- 5.3.1 Preserve open space corridors and buffers to provide separation between natural areas and urban land uses with a goal of maintaining five percent of City as open space.
- 5.3.2 Plan, locate and manage park and recreation facilities so that they enhance wildlife habitat, minimize erosion, complement natural site features, and create linkages within the developed area.
- 5.3.3 Balance the desire for public access and interpretive education with preservation of environmentally sensitive areas and other natural sites
- 5.3.4 Maintain and enforce leash laws and animal at-large laws to stem wildlife predation.
- 5.3.5 Preserve lake and other scenic views for the public when considering land use decisions and when siting park and recreation facilities.
- 5.3.6 Plan for an open space system that may include:
 - a. Natural or scenic areas,
 - b. Water bodies and drainage easements,
 - c. Public/private passive park and recreation sites,
 - d. Cultural, archaeological, geological and historical sites,
 - e. Large reserve tracts, private parks, common ground, and buffer areas from residential development,
 - f. Utility corridors, and
 - g. Trail corridors that may function as wildlife corridors

GOAL 5.4 MAXIMIZE PARK FACILITIES BY LEVERAGING, SHARING AND EFFICIENTLY USING RESOURCES.

Policies

- 5.4.1 Cooperatively plan for joint-use facilities, meeting and classrooms, athletic fields, and other facilities with the Lake Stevens School District, Lake Stevens Junior Athletic Association, Snohomish County Parks Department and other public or private providers of recreation services and facilities that are of mutual benefit to each agency and the users/participants in the City and its Urban Growth Area.
- 5.4.2 Create a comprehensive, balanced park, recreation, and open space system that integrates City facilities and services with resources available from the Lake Stevens School District, Snohomish County and other state, federal, and private park and recreational lands and facilities in a manner that will best serve and provide for area residents' interests.
- 5.4.3 Support continued cooperation between the City, non-profit organizations, the Lake Stevens School District, and other agencies for continuation and



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development of recreation programming for youths, senior citizens, and other segments of the population and to avoid duplication, improve facility quality and availability, which reduce costs, and represent area resident's interests through joint planning and development efforts.

- 5.4.4 Establish inter-local agreements between the City, County, School District and private non-profit organizations, and other agencies to provide for athletic facilities to serve the needs of the City and the Urban Growth Area.

GOAL 5.5 MAINTAIN PARK FACILITIES TO MAXIMIZE LIFE OF THE FACILITIES AND TO PROVIDE AN ATTRACTIVE AND PLEASING ENVIRONMENT FOR USERS.

Policies

- 5.5.1 Design and develop facilities, which reduce overall facility maintenance and operation requirements and costs. Where appropriate, use low maintenance materials, settings or other value engineering considerations that reduce care and security requirements, and retain natural conditions and experiences.
- 5.5.2 Develop a maintenance management system to estimate and plan for life cycle maintenance in addition to replacement costs.
- 5.5.3 Provide operation and maintenance to insure safe, serviceable, and functional parks and facilities. Provide adequate funding to operate and maintain existing and new special use sites.
- 5.5.4 The City shall establish creative methods to efficiently expand park and trail maintenance services such as encouraging volunteer efforts, continued use of the State Department of Corrections crews, and mutual coordination with other local agencies.
- 5.5.5 Where appropriate, the City should initiate joint planning and operating programs with other public and private agencies to provide for special activities like shoreline access, aquatic facilities, marinas, and community festivals.
- 5.5.6 In the design of parks, encourage the use of materials and designs to reduce the occurrence and impacts of vandalism. Parks design which provides for easily surveillance of facilities by residents and by police can reduce the incidence. Use of materials such as graffiti resistant coatings can reduce the impacts.
- 5.5.7 Repair acts of vandalism immediately to discourage park property and City recreation facilities from becoming targets for further such acts.
- 5.5.8 Ensure that all park and recreation facilities owned and operated by the City comply with ADA accessibility requirements.
- 5.5.9 Establish a formal volunteer network as volunteerism is a significant source of energy and ideas. The City must continue to tap and improve existing opportunities to involve the community in its own programs. The City shall



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formalize a volunteer program that include "adopt a park," and "adopt a trail," and similar programs.

GOAL 5.6 THE CITY RECOGNIZES THAT LAND IS IN HIGH DEMAND AND THAT ACQUISITIONS MUST BE PURSUED AS QUICKLY AS POSSIBLE TO IMPLEMENT THE COMMUNITY'S VISION CONCURRENTLY WITH DEVELOPING AND IMPROVING EXISTING FACILITIES TO ACHIEVE A HIGH-QUALITY AND BALANCED PARK AND RECREATION SYSTEM.

Policies

- 5.6.1 Add capacity at existing parks by expanding or improving facilities to accommodate current and future populations and desired uses including walking/hiking trails, active recreation, and passive recreation.
- 5.6.2 Acquire additional shoreline lands for trails, public docks, waterfront fishing, wading, swimming, boating and other water related recreational activities.
- 5.6.3 Cooperate with public and private agencies, and with private landowners to set aside land and resources necessary to provide high-quality, convenient park and recreation facilities before the most suitable sites are lost to development.
- 5.6.4 Work with developers to identify additional parks, recreation and open space opportunities in redeveloping areas.
- 5.6.5 Prioritization for new park and recreation facilities shall take into consideration areas within the community, which are under-represented by parks, types of desired facilities not presently available, availability of properties appropriate for a particular type of park, and availability and opportunities for grants and other funding sources.
- 5.6.6 With a developer requirement of paying GMA based park mitigation fees, developers are still encouraged to install mini-parks voluntarily for the benefit of their developments, however such mini-parks shall not be credited against meeting the developer's mitigation obligation. The City has not defined an LOS for mini-parks, but encourages one park within a half-mile radius of all residential areas

GOAL 5.7 DEVELOP PARK AND TRAIL DESIGN STANDARDS.

Policies

- 5.7.1 Standardize facility design to ensure consistency and quality in the Lake Stevens park system, and establish a standard for trail signage including interpretive, safety, and regulatory signs.



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- 5.7.2 Develop trail improvements to a design and development standard that facilitates maintenance, security, and other appropriate personnel, equipment, and vehicles and includes:
- a. Trail systems with appropriate supporting trailhead improvements that include interpretive, directory and mileage signage as well as rules and regulations for trail use.
 - b. Provide site furnishings such as benches, bike racks, dog waste stations, and trash containers.
 - c. Locate trails in conjunction with park sites, schools, and other community facilities to increase local area access to the trail system and to take advantage of access to existing restrooms and drinking water thereby reducing duplication of supporting improvements.
 - d. Design outdoor picnic areas, trails, playgrounds, courts, fields, parking lots, restrooms, and other active and supporting facilities to be accessible to individuals and organized groups of all physical capabilities, skill levels, age groups, income and activity interests.
- 5.7.4 Implement the provisions and requirements of the Americans with Disabilities Act (ADA) and other design and development standards that will improve park facility safety and security features for park users, department personnel, and the public-at-large.
- 5.7.5 Promote sustainable landscapes to increase the ecological functions of natural areas and utilize native vegetation in planted areas, where possible.
- 5.7.6 Choose durable products to promote human health in a safe environment and consider life-cycle analysis of material options. Incorporate green building technology including nontoxic materials and sustainable development practices. Select local products where feasible. Consider environmental as well as economic impacts

GOAL 5.8 INCREASE AWARENESS OF PARK AND RECREATION ACTIVITIES.

Policies

- 5.8.1 Promote the use of local parks through the media, Aquafest, other festivals and by providing information as to their availability such as publishing maps showing park locations and their available facilities.
- 5.8.2 Promote and provide volunteer opportunities.
- 5.8.3 Facilitate community involvement and stewardship.
- a. Continue and expand the volunteer work party program.
 - b. Continue and expand the Adopt-a-trail program.
 - c. Develop interlocal management agreements.



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- d. Encourage participation in community trail events.
- e. Expand on existing relationships with schools, business and non-profit organizations.
- 5.8.4 Promote environmental protection as part of providing a successful park and recreation program by establishing a permanent celebration promoting Earth Day activities
- 5.8.5 Where appropriate, use adopt-a-park programs, neighborhood park watches, park police patrols, and other innovative programs that will increase safety and security awareness and visibility.
- 5.8.6 Provide historic and natural interpretation opportunities throughout the City's park system.
- 5.8.7 Promote commercial recreation opportunities along the Centennial Trail and on and near the lake.
- 5.8.8 Utilize interpretive materials to highlight features such as native flora and historic points of interest

GOAL 5.9 CREATE EFFECTIVE AND EFFICIENT METHODS OF ACQUIRING, DEVELOPING, OPERATING AND MAINTAINING FACILITIES AND PROGRAMS THAT ACCURATELY DISTRIBUTE COSTS AND BENEFITS TO PUBLIC AND PRIVATE INTERESTS.

Policies

- 5.9.1 Establish financing mechanisms to ensure that adequate parks, open space, and recreation facilities are available to the community.
- 5.9.2 Investigate innovative available methods or the financing of maintenance and operating needs in order to reduce costs, retain financial flexibility, match user benefits and interests, and increase facility services.
- 5.9.3 The City shall explore and where appropriate adopt a creative funding strategy which takes advantage of traditional sources, such as capital budgeting, grants, and developer contributions, but also non-traditional sources including, but not limited to volunteers, interlocal agreements, donations, foundations, interjurisdictional partnerships, and other appropriate mechanisms.
- 5.9.4 In developing the park system, encourage donations and dedications, conservation easements, innovative land use contractual agreements and other methods involving foundations, organizations, associations, trusts, developers, landowners, others from the private sector and neighboring and regional governments.
- 5.9.5 Allow fee stewardship programs to be established in conjunction with recognized land conservancies to maintain dedicated natural areas in lieu of permitting



Chapter 5 – Parks, Recreation and Open Space Element

homeowner associations to assume such responsibilities (assuming the City does not wish to assume such responsibility).



Comprehensive Plan Docket 2013 Text Amendment

Staff Summary for Grant or Denial T-4 Chapter 6 Transportation Element

LOCATION IN COMPREHENSIVE PLAN: Chapter 6, pages 6-23 and 6-24, and pages 6-26 to 6-44.

SUMMARY: The proposal is for text changes to the Comprehensive Plan as part of the 2013 Comprehensive Plan amendments. Two amendments are proposed related to the street inventory table.

DISCUSSION: The proposed amendments repeal Goal 6.10 and associated policies and removes Table 6-1 Street Inventory from the Comprehensive Plan. The street inventory is not required to be included in the Comprehensive Plan and with the annexations, it has grown to be a long table. Goal 6.10 was related to updating the Street Inventory table after the Southwest Annexation.

PROPOSED CHANGES:

Page 6-23- 6-24 – repeal Goal 6.10 and associated policies related to Table 6-1 “Street Inventory” as Table 6-1 is not necessary to publish as part of the Comprehensive Plan.

GOAL 6.10 ~~REPEALED IN 2013 DOCKET~~ ((UPDATE TRANSPORTATION ELEMENT OF THE COMPREHENSIVE PLAN TO VERIFY THE EXISTING ROAD INVENTORY AND UPDATE WITH NEW INVENTORY GENERATED FROM ANNEXED AREAS.

Policies

- ~~6.10.1 – The City will perform a review of the existing Street Inventory in Table 6-1. Corrections and additions regarding the names and locations will be made to make the current.~~
- ~~6.10.2 – Table 6-1 will be updated with the newly acquired roads from Snohomish County resulting from the Frontier Village, Soper Hill, Chapel Hill Fire District, and other annexations occurring before the next comprehensive plan docket cycle.~~
- ~~6.10.3 – The City will perform a field evaluation to update and verify the classifications and conditions for all the roads in Table 6-1 in effort to obtain current and accurate information.))~~

Pages 6-26 to 6-44 – remove Table 6-1 Street Inventory.

GRANTING OR DENIAL OF AMENDMENTS (Pgs 1-26 and 1-27, Dec 2012 Final Comprehensive Plan)

For both City and privately-initiated amendments, the City shall take into consideration, but is not limited to, the following factors when considering approval of a proposed amendment to the Comprehensive Plan:

<p>1. The effect upon the physical, natural, economic, and/or social environments. The proposed amendments remove the street inventory and associated goal and policy to update the street inventory from the Comprehensive Plan and will have no effect upon the physical, natural, economic, and/or social environments.</p>
<p>2. The compatibility with and impact on adjacent land uses and surrounding neighborhoods including whether the amendment would create pressure to change the land use designation of other properties in the vicinity. The proposed amendments remove the street inventory and associated goal and policy to update the street inventory from the Comprehensive Plan and will have no impact to specific land uses or neighborhoods.</p>
<p>3. The adequacy of and impact on public facilities and services, including utilities, roads, public transportation, parks, recreation, and schools. The proposed amendments remove the street inventory and associated goal and policy to update the street inventory from the Comprehensive Plan and will have no impact on public facilities and services.</p>
<p>4. The quantity and location of land planned for the proposed land use type and density. The proposed amendments remove the street inventory and associated goal and policy to update the street inventory from the Comprehensive Plan and will have no effect on land use and density.</p>
<p>5. The effect, if any, upon other aspects of the Comprehensive Plan. The proposed amendments remove the street inventory and associated goal and policy to update the street inventory from the Comprehensive Plan and will have no effect on other aspects of the Comprehensive Plan.</p>

The City may amend the Comprehensive Plan only if it finds the amendment meets all of the following:

1. The amendment must be consistent with the Growth Management Act and other applicable State laws.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
2. The amendment must be consistent with the applicable County-wide Planning Policies.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
3. The amendment must not be in conflict with the Community Vision or other goals, policies, and provisions of the Comprehensive Plan.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
4. The amendment can be accommodated by all applicable public services and facilities, including transportation.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
5. The amendment will change the development or use potential of a site or area without creating significant adverse impacts on existing sensitive land uses, businesses or residents.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
6. The amendment will result in long-term benefits to the community as a whole, and is in the best interest of the community.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

Staff recommends this proposal be GRANTED or DENIED based on the criteria in the Comprehensive Plan.

The Planning Commission recommends this proposal be GRANTED or DENIED based on the criteria in the Comprehensive Plan.

The City Council GRANTS or DENIES this proposal based on the criteria in the Comprehensive Plan.



Comprehensive Plan Docket 2013 Text Amendment

Staff Summary for Grant or Denial T-5 Chapter 7 Utilities & Public Services & Facilities Element

LOCATION IN COMPREHENSIVE PLAN: Chapter 7, pages 7-10 and 7-22.
SUMMARY: The proposal is for text changes to the Comprehensive Plan as part of the 2013 Comprehensive Plan amendments. Two amendments are proposed in Chapter 7.
DISCUSSION: The proposed amendments update Figure 7.4 to show the Snohomish School District boundaries and update Utility Policy 7.3.6 to be consistent with amended underground utilities code adopted by the City Council earlier this year.

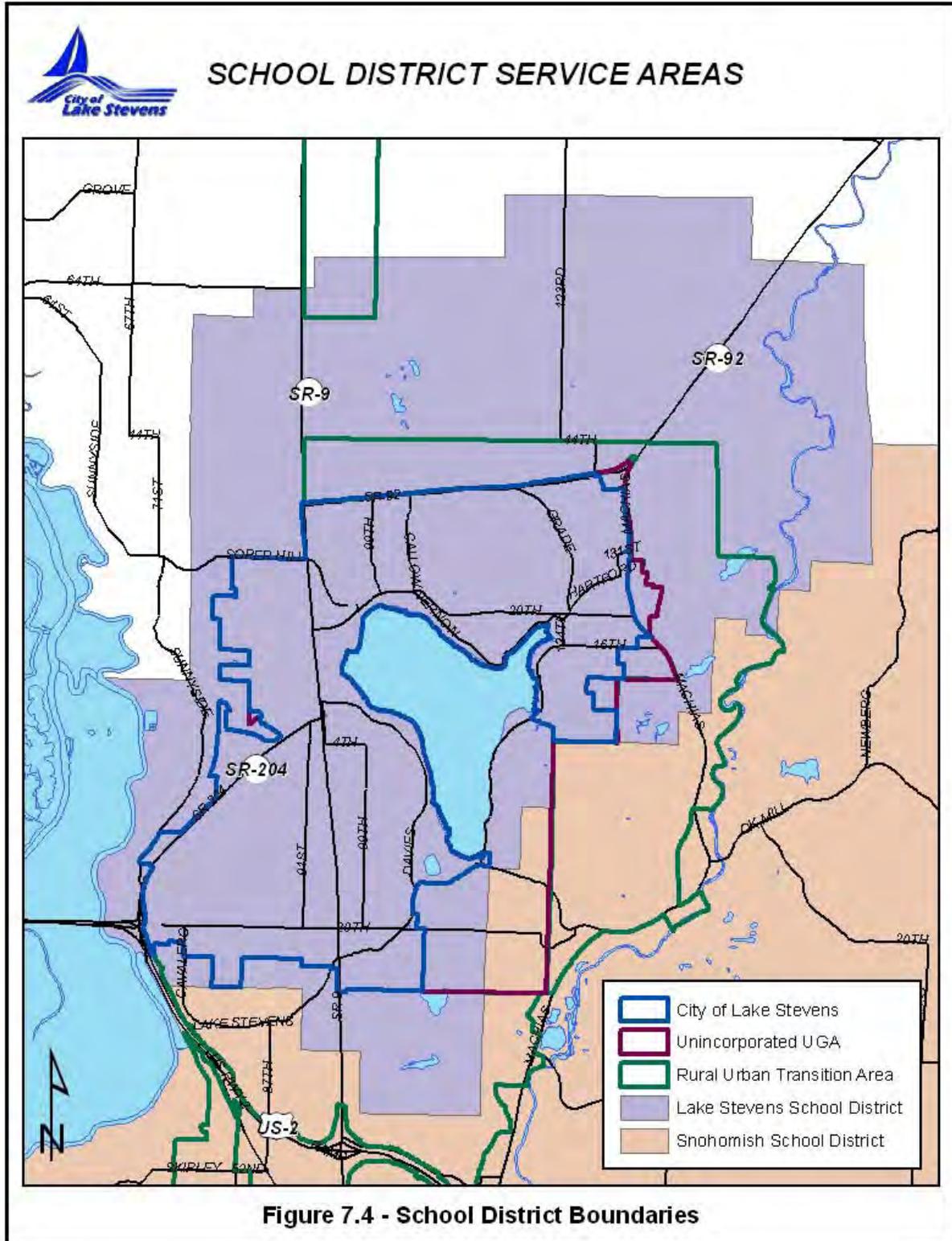
<p>PROPOSED CHANGES:</p> <p><i>Page 7-10 – update Figure 7.4 “Lake Stevens School District #4 Service Areas” with the Snohomish School District Boundaries and rename to “School District Service Areas” (see Figure below) .</i></p> <p><i>Page 7-22 – update Utility Policy 7.3.6 for consistency with recently amended underground utilities code.</i></p> <p>GOAL 7.3 PROCESS PERMITS FOR UTILITY FACILITIES IN A FAIR AND TIMELY MANNER AND IN ACCORD WITH THE DEVELOPMENT REGULATIONS WHICH ENCOURAGE PREDICTABILITY.</p> <p><u>Policies</u></p> <p>7.3.1 The City shall promote co-location of new public and private utility distribution facilities and coordination of construction timing to minimize construction-related disruptions and reduce the cost to the public of utility delivery.</p> <p>7.3.2 The City will provide timely and effective notice to utilities to encourage coordination of public and private utility trenching activities for new construction and maintenance and repair of existing roads.</p> <p>7.3.3 The City shall encourage provision of an efficient, cost effective and reliable utility service by ensuring land will be made available for the location of utility lines or other utilities.</p> <p>7.3.4 The City will promote the extension of distribution lines to and within the urban growth area. Coordinate land use and facility planning to allow eventual siting and construction of any utility distribution lines within or adjacent to rights-of-way which are being dedicated or within roads which are being constructed or reconstructed.</p> <p>7.3.5 The City shall review and amend existing regulations as necessary, including the critical areas ordinance, to allow maintenance, repair, installation and replacement of utilities.</p> <p>7.3.6 The City will require underground utilities in all new developments, <u>except:</u></p> <p>(a) <u>If the Public Works Director determines that an underground system cannot reasonably be installed according to accepted engineering practices or undergrounding would adversely impact services not adjacent to the proposed site;</u></p>
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- (b) For aboveground utility lines located along the following roadways:
 - (i) State Route 9,
 - (ii) State Route 92,
 - (iii) State Route 204,
 - (iv) Lundeen Parkway from SR 9 to Callow Road,
 - (v) 20th Street NE except between 118th Avenue NE and 127th Avenue NE,
 - (vi) Grade Road, and
 - (vii) 20th Street SE; or
- (c) Power lines carrying a voltage of 15 kV or more.

7.3.7 The City shall encourage system design practices intended to minimize the number and duration of interruptions to customer service.

7.3.8 The City will continue to work with the Lake Stevens Sewer District to review and amend existing regulations to provide commonality, consistency, predictability and concurrent levels of sewer permits and regulation.

7.3.9 The City will cooperatively develop new regulations, as required or needed to further the purposes and goals of the Unified Sewer Service and Annexation Agreement and area-wide systems of sewer service.



GRANTING OR DENIAL OF AMENDMENTS (Pgs 1-26 and 1-27, Dec 2012 Final Comprehensive Plan)

For both City and privately-initiated amendments, the City shall take into consideration, but is not limited to, the following factors when considering approval of a proposed amendment to the Comprehensive Plan:

<p>1. The effect upon the physical, natural, economic, and/or social environments. The proposed amendments update a figure and amend a utility policy for consistency with previously adopted code amendments, so will have no effect upon the physical, natural, economic, and/or social environments.</p>
<p>2. The compatibility with and impact on adjacent land uses and surrounding neighborhoods including whether the amendment would create pressure to change the land use designation of other properties in the vicinity. The proposed amendments update a figure and amend a utility policy for consistency with previously adopted code amendments, so will have no impact to specific land uses or neighborhoods.</p>
<p>The adequacy of and impact on public facilities and services, including utilities, roads, public The proposed amendments update a figure and amend a utility policy for consistency with previously adopted code amendments, so will have no impact on public facilities and services.</p>
<p>3. The quantity and location of land planned for the proposed land use type and density. The proposed amendments update a figure and amend a utility policy for consistency with previously adopted code amendments, so will have no effect on land use and density.</p>
<p>4. The effect, if any, upon other aspects of the Comprehensive Plan. The proposed amendments update a figure and amend a utility policy for consistency with previously adopted code amendments, so will have no effect on other aspects of the Comprehensive Plan.</p>

The City may amend the Comprehensive Plan only if it finds the amendment meets all of the following:

1. The amendment must be consistent with the Growth Management Act and other applicable State laws.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
2. The amendment must be consistent with the applicable County-wide Planning Policies.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
3. The amendment must not be in conflict with the Community Vision or other goals, policies, and provisions of the Comprehensive Plan.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
4. The amendment can be accommodated by all applicable public services and facilities, including transportation.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
5. The amendment will change the development or use potential of a site or area without creating significant adverse impacts on existing sensitive land uses, businesses or residents.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
6. The amendment will result in long-term benefits to the community as a whole, and is in the best interest of the community.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

Staff recommends this proposal be GRANTED or DENIED based on the criteria in the Comprehensive Plan.

The Planning Commission recommends this proposal be GRANTED or DENIED based on the criteria in the Comprehensive Plan.

The City Council GRANTS or DENIES this proposal based on the criteria in the Comprehensive Plan.



Comprehensive Plan Docket 2013 Text Amendment

Staff Summary for Grant or Denial T-6 Appendices

LOCATION IN COMPREHENSIVE PLAN: Appendices, add new Appendix M and replace Appendix F.
SUMMARY: The proposal is for text changes to the Comprehensive Plan as part of the 2013 Comprehensive Plan amendments. One appendix is proposed to be added and one proposed to be replaced with an updated version.
DISCUSSION: The proposed amendments are to add the SEPA review for the 2013 Docket as Appendix M and replace Appendix F with the latest STIP (Six-Year Transportation Improvement Plan).

PROPOSED CHANGES: Add as Appendix M the SEPA Addendum No. 6 (not attached as the document is over 50 pages). Replace Appendix F with the latest STIP attached to this analysis sheet.

GRANTING OR DENIAL OF AMENDMENTS (Pgs 1-26 and 1-27, Dec 2012 Final Comprehensive Plan)

For both City and privately-initiated amendments, the City shall take into consideration, but is not limited to, the following factors when considering approval of a proposed amendment to the Comprehensive Plan:

<p>1. The effect upon the physical, natural, economic, and/or social environments. The proposed amendments to add the SEPA Addendum #6 as a new appendix and replace Appendix F with new STIP will have no effect upon the physical, natural, economic, and/or social environments.</p>
<p>2. The compatibility with and impact on adjacent land uses and surrounding neighborhoods including whether the amendment would create pressure to change the land use designation of other properties in the vicinity. The proposed amendments to add the SEPA Addendum #6 as a new appendix and replace Appendix F with new STIP will have no impact to specific land uses or neighborhoods.</p>
<p>3. The adequacy of and impact on public facilities and services, including utilities, roads, public transportation, parks, recreation, and schools. The proposed amendments to add the SEPA Addendum #6 as a new appendix and replace Appendix F with new STIP will have no impact on public facilities and services.</p>
<p>4. The quantity and location of land planned for the proposed land use type and density. The proposed amendments to add the SEPA Addendum #6 as a new appendix and replace Appendix F with new STIP will have no effect on land use and density.</p>
<p>5. The effect, if any, upon other aspects of the Comprehensive Plan. The proposed amendments to add the SEPA Addendum #6 as a new appendix and replace Appendix F with new STIP will have no effect on other aspects of the Comprehensive Plan.</p>

The City may amend the Comprehensive Plan only if it finds the amendment meets all of the following:

1. The amendment must be consistent with the Growth Management Act and other applicable State laws.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
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2. The amendment must be consistent with the applicable County-wide Planning Policies.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
3. The amendment must not be in conflict with the Community Vision or other goals, policies, and provisions of the Comprehensive Plan.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
4. The amendment can be accommodated by all applicable public services and facilities, including transportation.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
5. The amendment will change the development or use potential of a site or area without creating significant adverse impacts on existing sensitive land uses, businesses or residents.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
6. The amendment will result in long-term benefits to the community as a whole, and is in the best interest of the community.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

Staff recommends this proposal be GRANTED or DENIED based on the criteria in the Comprehensive Plan.

The Planning Commission recommends this proposal be GRANTED or DENIED based on the criteria in the Comprehensive Plan.

The City Council GRANTS or DENIES this proposal based on the criteria in the Comprehensive Plan.

APPENDIX M - NEW

SEPA Addendum No. 6 (Not attached)

APPENDIX F REPLACEMENT

STIP 2014-2032

ATTACHMENT C

Revision: 05/14/2013

Proj ID #	ROAD	FROM	TO	COST	Description	Local	State/Fed	Mitigation	Dev Imp	TOTAL Project			LOCAL	GRANT
										Design	ROW	Constr		
1(1)	91st Ave NE/SR 204 - RTP	SR 204	200' north	337,000	Widen southbound outside lane to provide for a dedicated right turn lane.	X	X	X	X	33,700	10,000	293,300	134,800	202,200
1(2)	91st Ave NE/SR 204 - RTP	SR 204	300' south	454,100	Widen north bound outside lane to provide for a dedicated right turn lane.	X	X	X	X	45,410	20,000	388,690	181,540	272,460
2(2)	91st Ave SE	20th St SE	4th St SE	4,770,000	Widen to a three lane section with non-motorized improvements and pedestrian improvements that include sidewalk segments and curb separated walking paved shoulder areas along the east side of the roadway.	X	X	X	X	477,000	300,000	3,993,000	715,500	4,054,500
2(3)	91st Ave SE	20th St SE	24th St SE	1,950,000	New connector roadway to 24th St SE				X	195,000	100,000	1,655,000	1,950,000	-
8(4)	99th Ave NE	Market	4th St NE	1,170,000	Enhance Streetscape with improvement with non-motorized enhancements and circulation improvements with a possible roundabout intersection at 4th NE	X	X	X	X	117,000	40,000	1,013,000	292,500	877,500
14(A)	4th St NE	91st Ave NE	SR 204	7,578,460	New internal connector and circulation roadway. Will require a new break in access on to SR 204. Intersection would be a right turn only.				X	757,846	500,000	6,320,614	7,578,460	-
14(7)	99th Ave SE	20th St SE	4th St SE	4,763,800	Widen to a three lane section with non-motorized improvements and pedestrian improvements that include sidewalk segments and curb separated walking paved shoulder areas along the east side of the roadway.	X	X	X	X	476,380	200,000	4,087,420	1,905,520	2,858,280
14(8)	99th Ave SE	20th St SE	Lake Stevens Rd.	5,507,800	Widen to a three lane section with non-motorized improvements and pedestrian improvements that include sidewalk segments and curb separated walking paved shoulder areas along the east side of the roadway.				X	550,780		4,957,020	5,507,800	-
D(1A)	20th St NE & Main Intersection	Intersection		1,112,004	Widening to provide turn pockets or possible roundabout improvements.	X	X	X	X	111,200		1,000,804	556,002	556,002
D(1B)	Grade Road	20th St NE	SR 92	15,607,836	Widen to a three lane section with non-motorized improvements and pedestrian improvements that include sidewalk segments and curb separated walking paved shoulder areas along the west side of the roadway.	X	X	X	X	1,560,784	1,000,000	13,047,052	7,803,918	7,803,918
12(5)	91st Ave NE - Intersection	Vernon Rd	-	200,000	Minor widening and possible mini-roundabout to improve safety and circulation.	X		X	X	20,000		180,000	200,000	-
15(2)	Lundeen/Vernon - Intersection	Vernon Rd	-	400,000	Channelization enhancement to improve safety and circulation. May restrict through movement for east-west crossing (Vernon).	X		X	X	40,000		360,000	400,000	-
15(1)	Vernon Road	91st Ave NE	SR 9	935,000	Minor widening to provide for turn movement and improved pedestrian movement.	X		X	X	93,500		841,500	935,000	-
D(1C)	SR 92 & Grade Rd RAB	Intersection		4,105,221	Roundabout intersection improvement with gateway treatment.	X	X	X	X	410,522		3,694,699	1,026,305	3,078,316
										8,881,828	6,051,654	87,370,148	50,245,537	31,822,304

City of Lake Stevens Start year: 2014
Transportation Improvement Program (2014 - 2019)

Revision: 05/14/2013

Proj ID#	ROAD	FROM	TO	COST	Description	Local	State/Fed	Mitigation	Dev Imp	TOTAL Project			LOCAL	GRANT
										Design	ROW	Constr		
2(1)	SR 9/4th NE - Intersection	4th St NE	-	3,000,000	Improve egress WB alignment right turn onto SR 9 and add a new right turn ingress for EB onto 4th St NE. Additional improvement is the construction of a new alignment N S Village Way Road (33rd)	X	X	X	X	623,183	642,500	1,734,317	300,000	2,700,000
3	90th Ave NE Connector	SR 204	Vernon	1,140,000	Construction of a new roadway segment that would allow for right in-right out movement for SR 204. Roadway would be developer driven.			X	X	114,000	200,000	826,000	1,140,000	
7(4)	91st Ave NE	SR 204	Vernon	351,000	Upgrade roadway to create a pedestrian friendly downtown style streetscape	X		X	X	35,100	20,000	295,900	351,000	
W 2	SR 92 and Lake Dr Re-channelization	Intersection		200,000	State driven safety project to reduce vehicle conflicts			X		30,000		170,000		200,000
7(1)	20th St SE - Segment 1	83rd Ave SE	91st Ave SE	4,843,380	Widening of existing two lane to four lane, providing non-motorized travel area with pedestrian sidewalks and improved drainage and lighting	X	X	X	X	520,907	850,311	3,472,167	1,695,183	3,148,197
7(3)	20th St SE - Segment 2	79th Ave SE	83rd Ave SE	3,970,366	Widening of existing two lane to four lane, providing non-motorized travel area with pedestrian sidewalks and improved drainage and lighting	X		X	X	397,838	921,922	2,650,606	1,389,628	2,580,733
7(5)	20th St SE - Segment 3	73rd Ave SE	79th Ave SE	2,770,169	Widening of existing two lane to four lane, providing non-motorized travel area with pedestrian sidewalks and improved drainage and lighting	X	X	X	X	345,853	118,821	2,305,495	959,559	1,800,610
7(6)	20th St SE - Segment 4	US 2	73rd Ave SE	2,599,205	Widening of existing two lane to four lane, providing non-motorized travel area with pedestrian sidewalks and improved drainage and lighting	X	X	X	X	294,930	341,610	1,962,665	909,722	1,689,483
6(1)	24th St SE/73rd SE - Intersection	73rd Ave SE	-	800,000	Construction of a new intersection to provide internal vehicle and non-motorized circulation adjacent to 20th Street SE. Construction is developer driven.			X	X	80,000	50,000	670,000	800,000	
6(2)	24th St SE	73rd Ave SE	79th Ave SE	3,653,000	Construction of a new roadway segment to provide internal vehicle and non-motorized circulation adjacent to 20th Street SE. Construction is developer driven.			X	X	365,300	200,000	3,067,700	3,653,000	
6(3)	24th St SE/79th SE - Intersection	79th Ave SE	-	800,000	Construction of a new intersection to provide internal vehicle and non-motorized circulation adjacent to 20th Street SE. Construction is developer driven.			X	X	80,000	50,000	670,000	800,000	
6(4)	24th St SE	83rd Ave SE	87th Ave SE	5,278,000	Construction of a new roadway segment to provide internal vehicle and non-motorized circulation adjacent to 20th Street SE. Construction is developer driven.			X	X	527,800	200,000	4,550,200	5,278,000	
6(5)	24th St SE/83rd SE - Intersection	83rd Ave SE	-	800,000	Construction of a new intersection to provide internal vehicle and non-motorized circulation adjacent to 20th Street SE. Construction is developer driven.			X	X	80,000	50,000	670,000	800,000	
6(6)	24th St SE	SR 9	91st Ave SE	2,970,000	Construction of a new roadway segment to provide internal vehicle and non-motorized circulation adjacent to 20th Street SE. Construction is developer driven.			X	X	297,000	200,000	2,473,000	2,970,000	



Comprehensive Plan Docket 2013 Text Amendment

Staff Summary for Grant or Denial T-7 Update Dates & Table of Contents

LOCATION IN COMPREHENSIVE PLAN: Cover, footers, and table of contents.
SUMMARY: The proposal is for text changes to the Comprehensive Plan as part of the 2013 Comprehensive Plan amendments by updating the dates on the title page, header and footers and updating the table of contents.
DISCUSSION: The proposed amendments update the cover, footers, and table of contents with the adopted comprehensive amendments and the date of "Dec 2013".

PROPOSED CHANGES: The amendments are to update the cover and footers with the date of adoption, "Dec 2013", and update the table of contents.
--

GRANTING OR DENIAL OF AMENDMENTS (Pgs 1-26 and 1-27, Dec 2012 Final Comprehensive Plan)

For both City and privately-initiated amendments, the City shall take into consideration, but is not limited to, the following factors when considering approval of a proposed amendment to the Comprehensive Plan:

<p>1. The effect upon the physical, natural, economic, and/or social environments. The proposed amendments to update the cover and footers with the date of adoption and update the table of contents will have no effect upon the physical, natural, economic, and/or social environments.</p>
<p>2. The compatibility with and impact on adjacent land uses and surrounding neighborhoods including whether the amendment would create pressure to change the land use designation of other properties in the vicinity. The proposed amendments to update the cover and footers with the date of adoption and update the table of contents will have no impact to specific land uses or neighborhoods.</p>
<p>3. The adequacy of and impact on public facilities and services, including utilities, roads, public transportation, parks, recreation, and schools. The proposed amendments to update the cover and footers with the date of adoption and update the table of contents will have no impact on public facilities and services.</p>
<p>4. The quantity and location of land planned for the proposed land use type and density. The proposed amendments to update the cover and footers with the date of adoption and update the table of contents will have no effect on land use and density.</p>
<p>5. The effect, if any, upon other aspects of the Comprehensive Plan. The proposed amendments to update the cover and footers with the date of adoption and update the table of contents will have no effect on other aspects of the Comprehensive Plan.</p>

The City may amend the Comprehensive Plan only if it finds the amendment meets all of the following:

1. The amendment must be consistent with the Growth Management Act and other applicable State laws.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
2. The amendment must be consistent with the applicable County-wide Planning Policies.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

3. The amendment must not be in conflict with the Community Vision or other goals, policies, and provisions of the Comprehensive Plan.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
4. The amendment can be accommodated by all applicable public services and facilities, including transportation.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
5. The amendment will change the development or use potential of a site or area without creating significant adverse impacts on existing sensitive land uses, businesses or residents.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
6. The amendment will result in long-term benefits to the community as a whole, and is in the best interest of the community.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

Staff recommends this proposal be GRANTED or DENIED based on the criteria in the Comprehensive Plan.

The Planning Commission recommends this proposal be GRANTED or DENIED based on the criteria in the Comprehensive Plan.

The City Council GRANTS or DENIES this proposal based on the criteria in the Comprehensive Plan.



Comprehensive Plan Docket 2013 Text Amendment

Staff Summary for Grant or Denial T-8 Chapter 8 Capital Facilities Element

LOCATION IN COMPREHENSIVE PLAN: Chapter 8, pages 8-28 Parks Section, Table 8-1 and Table 8-2.

SUMMARY: The proposal is for text changes to the Comprehensive Plan as part of the 2013 Comprehensive Plan amendments. Amendments to the Parks section on page 8-8 is proposed. Additions to the Capital Facilities for Parks in Table 8-1 are proposed. Revisions to Table 8-1 related to Parks are proposed.

DISCUSSION: The proposed amendments add a Joint Planning Project with Snohomish County for Cavalero Hill Park to the Capital Facilities Plan, 2012-2013 under Parks and also add additional projects related to the update Parks and Recreation Plan.

PROPOSED CHANGES:

Page 8-28 Parks Section –

Parks: Chapter 5 is the Parks, Recreation and Open Space Element, which establishes specific goals and policies to guide decision-making and contains a detailed needs assessment for planning, acquisition, development and improvement of facilities and lands. The needs assessment provides the framework for the capital parks and recreation projects identified in Table 8-1. ~~((The City currently exceeds its' adopted level of service. However, at public meetings there has been continued and sustained testimony of the need for athletic fields and a skate park. The City in coordination with civic groups, citizens and public agencies is pursuing avenues to build the skate park.~~

~~In 2010 the City was able to purchase property adjacent to Eagle Ridge Park for additional park property and subsequently adopted a Park Master Plan. The plan calls for active and passive low impact uses while also housing the Lake Stevens Senior Center. The City expects to fund capital improvements to this park over the next 10-15 years through impact fees, grants, and donations.)~~

GOALS AND POLICIES

GOAL 8.1 PROVIDE PUBLIC FACILITIES IN A MANNER WHICH PROTECTS INVESTMENTS IN, AND MAXIMIZES USE OF, EXISTING FACILITIES AND PROMOTES ORDERLY COMPACT URBAN GROWTH.

Add capital projects in Table 8-1 under Parks:

PROJECT			COST	YEAR/S	Local	State/Fed	Mitigation	Dev Imp
Table 8-1 - Capital Improvements, 2012 - 2032								
<u>FACILITIES</u>								
City Hall/Civic Center			20,000,000	2015	X			
Table 8-1 - Capital Improvements, 2012 - 2032								
<u>PARKS*</u>								
<u>PLANNING</u>								
<u>Joint Planning with Snohomish County for Cavalero Hill Park</u>			5,000	2014-2015			X	
<u>Master Plan for trails, paths and pedestrian facilities</u>								
<u>Master open space plan for the various downtown open spaces</u>								
<u>Wayfinding plan in conjunction with economic development efforts</u>								
<u>ACQUISITION</u>								
<u>Purchase rights-of-way/ easements for multi-use trails, in the power line corridor</u>								
<u>Purchase rights-of-way pedestrian paths and sidewalks around the lake.</u>								
<u>Identify locations for two new public neighborhood level parks in southern part of City, near 20th Street SE and purchase for future development</u>								
<u>Identify additional shoreline properties for purchase, as available</u>								
<u>DEVELOPMENT</u>								
<u>Complete construction of Phases 1 and 2 of the Eagle Ridge Park Master Plan ((Improvements – Phase I))</u>			((159,000	2015))			X	X
<u>Construct northern segment of power line trail</u>								
<u>Construct northern segment of power line trail</u>								

<u>Park improvements/Maintenance</u>								
<u>Repair existing soft trails at Catherine Creek Park and Centennial Woods</u>								
<u>Develop a trail connection from Downtown to Centennial Trail with new trailhead at Hartford Road</u>								

***Analysis of project costs and phasing will be provided to City Council prior to final public hearing.**

Amend Table 8-2 as shown below:

Subject	Project	Cost (Thousands)	Potential/Proposed Funding Source
	Eagle Ridge Park Master Plan		
Parks	Improvements Phase II	\$271	P&R District
	Eagle Ridge Park Master Plan		
Parks	Improvements Phase III	\$395	P&R District
Parks	Athletic Park (Land)	\$1,100	P&R District
Parks	Resource Park (Land)	\$528	P&R District
Parks	Trails	\$320	P&R District
Parks	Support Facility	\$500	P&R District
Parks	Community Center	\$1,200	P&R District
Parks	Basketball, uncovered	\$855	P&R District
Parks	Basketball, covered	\$1,200	P&R District
Parks	Volleyball	\$15	P&R District
Parks	Tennis, lighted	\$685	P&R District
Parks	Tennis, unlighted	\$190	P&R District
Parks	Football	\$1,205	P&R District
Parks	Soccer	\$250	P&R District
Parks	Baseball/Softball	\$7,265	P&R District
Parks	Jogging	\$0	P&R District
Parks	Picnic	\$460	P&R District
Parks	Swimming Beach	\$750	P&R District
Parks	Fishing	\$0	P&R District
Parks	Boat Launch	\$500	P&R District
Parks	Camping, Vehicle	\$0	P&R District
Parks	Camping, Tent	\$0	P&R District
Parks	Walking, Park	\$140	P&R District
Parks	Horseback Riding	\$15	P&R District
Storm	Walker Hill Road ditch rock	\$5	Storm Fund
Storm	East Lakeshore	\$500	Storm Fund
Storm	Hartford Drive	\$200	Storm Fund
Storm	Walker Hill & Grade Road	\$400	Storm Fund
Storm	Drainage - Grade Road Culvert	\$200	Storm Fund
Storm	North Lakeshore	\$300	Storm Fund
Storm	Bio Swale - Industrial District	\$750	Storm Fund
Storm	Lundeen Creek - Various Improvements	\$100,000	Storm Fund

GRANTING OR DENIAL OF AMENDMENTS (Pgs 1-26 and 1-27, Dec 2012 Final Comprehensive Plan)

For both City and privately-initiated amendments, the City shall take into consideration, but is not limited to, the following factors when considering approval of a proposed amendment to the Comprehensive Plan:

<p>1. The effect upon the physical, natural, economic, and/or social environments. The proposed amendments to add park projects to the capital facilities plan will have no effect upon the physical, natural, economic, and/or social environments.</p>
<p>2. The compatibility with and impact on adjacent land uses and surrounding neighborhoods including whether the amendment would create pressure to change the land use designation of other properties in the vicinity. The proposed amendment to add park projects to the capital facilities plan will have no impact to specific land uses or neighborhoods.</p>
<p>3. The adequacy of and impact on public facilities and services, including utilities, roads, public transportation, parks, recreation, and schools. The proposed amendment to add park projects to the capital facilities plan will have a positive impact on future public park facilities and services.</p>
<p>4. The quantity and location of land planned for the proposed land use type and density. The proposed amendment to add park projects to the capital facilities plan will have no effect on land use and density.</p>
<p>5. The effect, if any, upon other aspects of the Comprehensive Plan. The proposed amendment to add park projects to the capital facilities plan will have no effect on other aspects of the Comprehensive Plan.</p>

The City may amend the Comprehensive Plan only if it finds the amendment meets all of the following:

1. The amendment must be consistent with the Growth Management Act and other applicable State laws.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
2. The amendment must be consistent with the applicable County-wide Planning Policies.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
3. The amendment must not be in conflict with the Community Vision or other goals, policies, and provisions of the Comprehensive Plan.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
4. The amendment can be accommodated by all applicable public services and facilities, including transportation.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
5. The amendment will change the development or use potential of a site or area without creating significant adverse impacts on existing sensitive land uses, businesses or residents.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
6. The amendment will result in long-term benefits to the community as a whole, and is in the best interest of the community.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

Staff recommends this proposal be GRANTED or DENIED based on the criteria in the Comprehensive Plan.

The Planning Commission recommends this proposal be GRANTED or DENIED based on the criteria in the Comprehensive Plan.

The City Council GRANTS or DENIES this proposal based on the criteria in the Comprehensive Plan.

PROPOSED 2013 DOCKET – CODE HOUSEKEEPING AMENDMENTS

CODE HOUSEKEEPING AMENDMENTS

5.16.080 Permit May be Denied or Revoked.

A. No person who has been convicted of cruelty to animals shall be issued a permit to operate a commercial animal-rearing site. Any such permit which has been issued will be automatically revoked upon proof of conviction of the holder for cruelty to animals.

B. The Planning ~~Director or designee~~~~((Commission))~~ may revoke any permit under this chapter if the person holding the permit refuses or fails to comply with the ordinance codified in this title, or any law governing the protection and keeping of animals, or if the person holding a permit has withheld or falsified any information on the application for such permit. Such revocation of permit shall not affect the permit holder's liability to prosecution under this title.

14.04.120 Adoption of Supporting Administrative Guidelines.

(a) City departments may administratively adopt guidelines, standards, reference materials, forms, or other documents that aid the public, applicant, staff, or decision-maker in interpreting and administering this document.

(b) ~~((The titles of))~~ Those documents administratively adopted per subsection (a) of this section shall be on file with the Planning and Community Development Department. ~~((and shall include the following documents:~~

~~(1) Information required with applications;~~

~~(2) Guide of Landscaping (Administrative Policy No. 1995-3);~~

~~(3) Residential Development Handbook for Snohomish County Communities;~~

~~(4) Transportation Impact Analysis Guidelines (TIAG) (Administrative Policy No. 1995-5);~~

~~(5) Streets and Sidewalks Design Standards Deviations Procedures (Administrative Policy No. 2006-01);~~

~~(6) SEPA Exemption Threshold Levels for Grading Activities (Administrative Policy No. 2008-06);~~

~~(7) Lot Line Consolidation (Administrative Policy No. 2009-1);~~

~~(8) State Department of Ecology's 2005 Stormwater Management Manual for Western Washington, as amended by Sections 1-6 of Appendix 1 of the NPDES Phase II Municipal Stormwater Permit; and~~

~~(9) Engineering Design and Development Standards (EDDS).~~

~~(e) A copy of all administrative guidelines adopted pursuant to this section shall be on file with the Planning Department permit counter and may be inspected by interested parties during regular business hours of the department.)~~

LSMC Section 14.08.010 entitled "Definitions of Basic Terms" is amended

- *Access Tract.* A privately-owned tract of land used primarily for ingress/egress for four or fewer dwelling units~~((one or more lots))~~.
- *Road, Private.* A privately maintained easement or parcel created to provide vehicle access from a public road to one or more lots or units.
- *Impervious Surface.* A hard surface area which either prevents or retards the entry of water into the soil mantle as it entered under natural conditions prior to development, and/or a hard surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roofs, walkways, patios, driveways, parking lots, storage areas, areas which are paved, graveled or made of packed or oiled earthen materials, or other surfaces which similarly impede the natural infiltration of surface and stormwater. Open, uncovered retention/detention facilities shall not be considered as impervious surfaces for the purpose of this chapter.
- deleting the definitions for "Year Round Driving Surface" and "Vehicular Access Easement or Tract".

14.36.120((14.08.020)) Lots Divided by District Lines.

(a) Whenever a single lot one acre or less in size is located within two or more different zoning districts, the district regulations applicable to the district within which the larger portion of the lot lies shall apply to the entire lot.

(b) Whenever a single lot greater than one acre in size is located within two or more different zoning districts, each portion of that lot shall be subject to all the regulations applicable to the district in which it is located.

PROPOSED 2013 DOCKET – CODE HOUSEKEEPING AMENDMENTS

14.16A.130 Construction Plan Review.

(a) The purpose of this section is to establish procedures for reviewing site construction plans for site improvements. Site construction drawings are engineering documents that are required for improvements to a particular site.

(b) Public Works Construction Plan Approval.

(1) Upon receipt of approval of a land use permit or preliminary subdivision, the applicant is required to apply for construction plan approval relating to following elements: on-site and off-site stormwater management, erosion control measures, public road and frontage improvements, dedication or deeding of right-of-way, street trees and other required landscaping elements, utilities, and any other improvement related to the development.

(2) The application for construction plan approval shall include a completed construction plan review (~~master~~) application form, plans and materials as outlined in the construction plan submittal checklist (~~master use application and related checklists~~), and fee as set by Council resolution.

(3) The applicant is required to obtain approvals from the Postmaster and utility purveyors.

(4) Following approval of the construction plans and prior to any site work, the applicant shall schedule a pre-construction meeting with the Public Works Department. All contractors, subcontractors and utility representatives are to meet to discuss any issues related to the construction activity and minimizing impacts to the neighborhood and nearby facilities.

(5) Pursuant to Section 14.16A.180(b), the Public Works Director may require a performance security to be in place before construction activities are commenced.

(c) Public Improvements Required Before Occupancy or Final Plat. Final plat approval or certificate of occupancy shall not be granted unless the required public improvements have been installed and accepted by the Public Works Department or the subdivider has provided a completion security pursuant to Section 14.16A.180(c) to ensure that all of these requirements will be fulfilled within not more than 12 months after final plat approval or until half of the dwelling units within the plat or phase are issued building permits, whichever comes first.

Replacement trees to be located on public property must be planted prior to final plat approval. Replacement trees to be located on a private lot must be installed prior to issuing a final inspection or certificate of occupancy for that lot.

(d) Dedication of Public Stormwater Facilities. Stormwater facilities shall be dedicated to the City at the completion of development. Private and commercial stormwater facilities remain the responsibility of the property owner(s).

(e) Maintenance of Dedicated Facilities Until Acceptance. Facilities intended to be dedicated to the City shall be maintained by the owner until such time as the dedication is accepted by the City.

(f) Protection Against Defects.

(1) Whenever public improvements are to be dedicated to the City, the developer shall post a maintenance bond or other sufficient surety pursuant to Section 14.16A.180(d) to guarantee that the developer will correct all defects in such facilities or improvements that occur within two years after the acceptance of dedication of the improvements.

(2) An architect or engineer retained by the developer shall certify to the City that all facilities and improvements to be dedicated to the City have been constructed in accordance with the requirements of this chapter. This certification shall be a condition precedent to acceptance by the City of the offer of dedication of such facilities or improvements.

(3) For purposes of this section, the term “defects” refers to any condition that requires repairs over and above the normal amount of maintenance required for a particular improvement.

(g) Authorizing Use and/or Occupancy Before Completion of Development Under Land Use Permits. When weather conditions or other factors beyond the control of the permittee (exclusive of financial hardship) make it unreasonable for the permittee to comply with all of the requirements of the permit (exclusive of subdivision approvals), the Planning Director may authorize the commencement of the intended use or the occupancy of buildings, if the permit recipient provides a performance bond or other security to ensure that all of these requirements will be fulfilled within a reasonable period (not to exceed 12 months) and if the Building Official finds that such occupancy will not result in a safety or health hazard.

Table 14.16A-I: Classification of Permits and Decisions

Type of Review	Land Use Actions and Permits	Recommendation By	Public Hearing	Permit-Issuing	Administrative Appeal Body &
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			Prior to Decision	Authority	Hearing
TYPE I Administrative without Public Notice	<ul style="list-style-type: none"> • Administrative Design Review • Administrative Modifications • Boundary Line Adjustments • Change of Use • Code Interpretations • Events • Floodplain Development Permits • Grading Permit • Home Occupations • Master Sign Program • Reasonable Use Exceptions • Shoreline Exemptions • Signs • Temporary Uses 	None	None	Department director or designee	Hearing Examiner, except shoreline permits to State Shoreline Hearings Board, & Open Record
TYPE II Administrative with Public Notice	<ul style="list-style-type: none"> • Administrative Conditional Use (formerly Special Use) • Binding Site Plans • Planned Action Certification • SEPA Review (early or when not combined with another permit or required for a Type I permit) • Shoreline Substantial Developments • Short Plats – <u>Preliminary or Final</u> • Short Plat Alterations • Short Plat Vacations • Site Plan Reviews 	None	None	Planning Director or designee	Hearing Examiner, except shoreline permits to State Shoreline Hearings Board, & Open Record
TYPE III Quasi-Judicial,	<ul style="list-style-type: none"> • Conditional Uses 	Design Review Board (if required)	Open Record	Hearing Examiner	Superior Court, except shoreline

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Hearing Examiner	<ul style="list-style-type: none"> • Preliminary Plats • Shoreline Conditional Uses • Shoreline Variances • Variances 				permits to State Shoreline Hearings Board, & Closed Record
TYPE IV Quasi-Judicial, City Council with Hearing Examiner Recommendation	<ul style="list-style-type: none"> • Essential Public Facilities • Planned Neighborhood Developments • Rezone - Site-Specific Zoning Map Amendments • Secure Community Transition Facilities 	Hearing Examiner with Open Record Hearing	Closed Record	City Council	None, appeal to Superior Court
TYPE V Quasi-Judicial, City Council	<ul style="list-style-type: none"> • Final Plats* • Plat Alterations • Plat Vacations • Right-of-Way Vacations 	Design Review Board (if required)	Open Record *Public meeting only for Final Plats	City Council	None, appeal to Superior Court
TYPE VI Legislative, City Council with Planning Commission Recommendation	<ul style="list-style-type: none"> • Comprehensive Plan Amendments, Map & Text • Development Agreements • Land Use Code Amendments • Rezones - Area-Wide Zoning Map Amendments 	Planning Commission with Open Record Hearing	Open ((Closed)) Record	City Council	Growth Management Hearings Board & Closed Record

14.16A.225 Noticing Requirements.

(a) Mailed Notices and Postcard Notices.

(1) Mailings shall include a mailed notice or postcard notice to owners of real property within 300 feet of the project site, or 20 property owners (whichever results in more property owners being noticed), including the project name and number and the following information. Mailings may provide a website address where detailed information is available for viewing. Mailings shall include the following information or Internet addresses to the following information:

- (i) The date of application and the date of the notice of application;
- (ii) A description of the proposed project action and a list of the project permits included in the application and, if applicable, a list of any studies requested under RCW [36.70B.070](#);
- (iii) The identification of other permits not included in the application, to the extent known by the City;
- (iv) The identification of existing environmental documents that evaluate the proposed project, and, if not otherwise stated on the document providing notice of application, the location where the application and any studies can be reviewed;
- (v) A statement of the limits of the public comment period;

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- (vi) A statement of the right of any person to comment on the application, receive notice of and participate in any hearings, request a hearing, if applicable, request a copy of the decision once made, and any appeal rights;
 - (vii) The date, time, place and type of meeting or hearing, if applicable and if it is scheduled at the date of notice of the application;
 - (viii) A statement of the preliminary determination of consistency, if one has been made at the time of notice, and of those development regulations that will be used for project mitigation;
 - (ix) A map depicting the boundaries of the project site and, when applicable, a site map showing the proposal or website address where maps can be viewed;
 - (x) A statement announcing the City's goal of complying with the intent of the Americans with Disabilities Act, announcing accessibility, offer of assistance to persons with special needs, and availability of TDD services;
 - (xi) Any other information determined appropriate by the City, such as the City's threshold determination, if complete at the time of issuance of the notice of application.
- (2) Mailings will be sent to adjacent jurisdictions if the proposed development is within one-quarter mile of the jurisdiction's boundary; the State Department of Transportation if the proposed development is adjacent to a state highway; and to all other agencies with jurisdiction.
- (3) Mailings shall also include the mailed or emailed notice of application or postcard notice including at least the information required in subsection (a)(1) of this section to each person who has requested such notice.
- (4) No proceeding of any procedure established in this chapter shall be found to be invalid for failure to provide mailed notice as required in this section as long as the other methods of notice have met their respective requirements and there was a good faith attempt to comply with the mailed notice requirements.
- (5) The records of the Snohomish County Assessor's Office or title company shall be used for determining the property owner of record. Addresses for a mailed notice required by this code shall be obtained from the Snohomish County real property tax records.
- (6) All public notices shall be deemed to have been provided or received on the date the notice is deposited in the mail or personally delivered, whichever occurs first.
- (b) Posted Notices.
- (1) On-Site Posting. At least one public notice board shall be posted on the site on each public right-of-way fronting on the site. The sign shall be erected in a manner that is accessible and easy to read by the general public. The Planning Director shall establish standards for size, color, layout, design, wording and placement of the notice boards, which generally shall consist of the items listed in subsection (a)(1) of this section. The Department of Planning and Community Development will provide prepared signs for on-site posting to the applicant. The applicant is responsible for posting the on-site notice and submitting a signed affidavit of on-site posting with a photo of each on-site notice.
- (2) Public Posting. A public notice shall also be posted on the official notice board at City Hall.
- (3) Special Posting for Major Land Use Actions. In addition to the general notice requirements set forth in subsections (a) and (b)(1) of this section, major land use actions shall comply with the following extraordinary signage requirements (see Section 14.16B.315(d)(3)):
- (i) Sign Size and Placement. Each sign shall be ~~two~~(~~four~~) feet by ~~two and a half~~(~~eight~~) feet in size, placed no closer than five feet from the right-of-way, visible from each public street on which the subject property has frontage, and placed outside the sight distance triangle.
 - (ii) Content of Notice. Signs shall be prepared using templates or attachable letters. Hand lettered signs are not acceptable. The required sign shall include:
 - a. The title "Notice of Land Use Application";
 - b. A graphic or written description of the site boundaries;
 - c. Type of action/application (preliminary plat, etc.);
 - d. The date of public hearing;
 - e. The name and telephone number of the Department of Planning and Community Development;
 - f. City of Lake Stevens logo;
 - g. Other information as the Planning Director may determine to be necessary to adequately notify the public of the pending land use application.
 - (iii) Responsibility for Installation and Removal.

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- a. The applicant shall be solely responsible for the construction, installation, and removal of the sign(s) and the associated costs.
- b. The sign(s) shall be erected at least 10 days prior to the public hearing. The applicant shall sign an affidavit, stating that the sign(s) were installed and the date and posting of property. Photos of each sign shall also be submitted with the affidavit.
- c. The sign(s) shall be removed immediately following final action by the Hearing Examiner.
- d. If the sign is removed prior to the final action, the applicant is responsible for immediate replacement of the sign.

(c) Responsibility for Notice. The Planning Director is responsible for providing published legal notices, mailed notices, and posted notices at City Hall. The applicant is responsible for complying with on-site posted notice requirements.

14.16A.250 Expiration of Approvals and Approved Permits.

(a) Land use approvals/permits other than subdivisions or shoreline permits shall expire automatically within one year after the issuance of such permits, if:

- (1) The use authorized by such permits has not commenced, in circumstances where no substantial construction, excavation or demolition is necessary before commencement of such use; or
- (2) Less than 10 percent of the total cost of all construction, excavation or demolition of the approved development has been completed.

(b) Land use permits other than subdivisions shall also expire automatically if construction, grading or excavation is commenced but such work is discontinued for a period of one year.

(c) Shoreline Development Permits. Construction activities shall be commenced or, where no construction activities are involved, the use or activity shall be commenced within two years of the effective date of a substantial development permit. However, the City may authorize a single extension for a period not to exceed one year based on reasonable factors, if a request for extension has been filed before the expiration date and notice of the proposed extension is given to parties of record on the substantial development permit and to the Department of Ecology. [RCW [90.58.143](#)(2)]

(d) For land use permits other than preliminary short subdivisions, subdivisions and sign permits:

(1) The Planning Director may grant one six-month extension to a permit upon showing proper justification, if:

- (i) The extension is requested at least 30 calendar days before the permit expires;
- (ii) The permittee has proceeded with due diligence and in good faith; and
- (iii) The zoning designation of the property has not changed.

(2) Proper justification consists of one or more of the following conditions:

- (i) Economic hardship;
- (ii) Change of ownership;
- (iii) Unanticipated construction and/or site design problems;
- (iv) Other circumstances beyond the control of the applicant and determined acceptable by the

appropriate department director.

(e) Preliminary short subdivision and subdivision approvals shall expire automatically if, within five years after the issuance of such approvals:

- (1) The final plat or short plat has not been submitted to the City for approval; or
- (2) An extension has not been granted. The Planning Director may approve a single one-year original extension to the approval, if:

- (i) The request was delivered in writing to the Planning Department at least 30 calendar days prior to the approval's expiration and meets one of the proper justifications listed in subsection (d)(2) of this section;
- (ii) The permittee has proceeded with due diligence and in good faith to complete the plat; and
- (iii) Conditions have not changed so substantially as to warrant a new application.

(f) Additional Extension of Original Approvals for Preliminary Short Subdivisions, Preliminary Subdivisions, Conditional Use Permits, Special Use Permits, Zoning Permits, and Site Plans.

(1) After requesting and receiving the original(~~normal~~) permit extension provided in subsection (d) or (e) of this section, a permittee or his or her successors may request of the Planning Director (~~(60 days)~~) six months prior to expiration of permit extension a (~~(one-time,)~~)one- or two-year extension as provided in subsections (f)(3) and (4) of this section for an extension above the original extension request in subsection (e), provided all other requirements of this section are met including:

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- (i) Filing with the Planning Director a sworn and notarized declaration that substantial work has not commenced as a result of adverse market conditions and an inability of the applicant to secure financing;
- (ii) Paying applicable permit extension fees;
- (iii) Paying all outstanding invoices for work performed on the permit review; and
- (iv) There are no substantial changes in the approved plans or specifications.

(2) The total combined time period for any preliminary short subdivision or preliminary subdivision may be extended by the Planning Department under Section [14.16A.250](#) and shall not exceed a total extension of ~~((three))two years for a total of seven years approval; except for approvals dated on or before December 31, 2007 shall not exceed a total extension of five years by requesting additional one-or two-year extensions.~~ The total combined time period for any conditional use permit, special use permit, zoning permit, or site plan may be extended by the department under Section [14.16A.250](#) and shall not exceed a total extension of one and a half years.

(3) The one-year original extension of preliminary short subdivisions and preliminary subdivisions established in subsection (e) of this section may be further extended by up to an additional four years for original approvals prior to December 31, 2007 and up to an additional two years for original approvals prior to March 31, 2010. Associated permit approvals before December 31, 2014~~((March 31, 2010))~~, including construction plans, clearing and grading permits, rezones, right-of-way construction, sidewalk and street deviations, and building permits shall be automatically extended for the same period subject to subsection (f)~~((2))~~(5) of this section.

(4) The six-month extension of conditional use permits, special use permits, zoning permits, and site plans established in subsection (d) of this section may be further extended by up to an additional one year for original approvals prior to March 31, 2010. Associated permit approvals before March 31, 2010, including construction plans, clearing and grading permits, rezones, right-of-way construction, sidewalk and street deviations, and building permits shall be automatically extended for the same period subject to section (f)5 of this section.

(5) Related shoreline development permit time requirements may not be extended past the allowed limits in WAC [173-27-090](#) and RCW [90.58.143](#).

(6) Permits are vested to the codes in effect at the time of original approval.

(g) Construction Plan Approvals.

(1) Construction plans for projects reviewed under the development code shall be approved for a period of 60 months from the date the City signs the plans or until expiration of the preliminary plat, preliminary short plat, binding site plan, conditional use permit, or site plan approval. If the construction plan is not connected to another permit, it shall expire in one year with one six-month extension allowed.

(2) The City may grant an extension of up to 12 months, if substantial progress has been made by the applicant to complete construction of the approved project. Extensions shall be considered on a case-by-case basis by the Public Works Director or designee and will require a letter to be submitted to the City requesting the extension at least 30 calendar days prior to the approval's expiration. Said letter shall demonstrate that the project has made substantial construction progress, the reason for the extension request, and an estimated timeline for completion of construction.

(3) When the approval period or any extension thereof expires, the City's approval of the construction plans shall be deemed automatically withdrawn. In order to receive further consideration by the City after such expiration and automatic withdrawal, construction plans must be re-submitted and must comply with the current code requirements.

(h) Once the time period and any extensions have expired, approval/permit shall terminate and the application is void and deemed withdrawn.

14.16B.205 Purpose.

A Type II review is an administrative review and decision by the appropriate department. These are applications which are categorically exempt from review under the State Environmental Policy Act (SEPA), a separate SEPA review, or permits for which environmental review has been completed in connection with another application. Public notification is provided at the application and decision stages of application review. Appeals of Type II decisions are made to the Hearing Examiner, except shoreline permit appeals are made to the State Shoreline Hearings Board. Type II reviews are exempt from the procedures of Section [14.16A.230](#), Time Frames for Review. The purpose of this part is to provide the necessary steps for permit approvals requiring Type II review.

14.16B.325 Public Meetings.

A public meeting shall be required for Type III applications except variances pursuant to Section [14.16A.260](#)~~((290))~~. Staff may require the applicant to participate in the meeting to inform citizens about the

PROPOSED 2013 DOCKET – CODE HOUSEKEEPING AMENDMENTS

proposal. If a public meeting is planned, it shall be held as early in the review process as possible for Type III applications. Notice of the public meeting shall be provided in the same manner as required for the notice of application. The public meeting notice will be combined with the notice of application whenever possible.

14.16B.350 Hearing Examiner Decision.

(a) The Hearing Examiner shall approve a project or approve with modifications if the applicant has demonstrated that the proposal complies with the applicable decision criteria of this title. The applicant carries the burden of proof and must demonstrate that a preponderance of the evidence supports the conclusion that the application merits approval or approval with modifications. In all other cases, the Hearing Examiner shall deny the application.

(b) If the Hearing Examiner requires a modification which results in a different proposal not reasonably foreseeable from the description of the proposal contained in the public notice provided pursuant to Section [14.16B.340](#), the Hearing Examiner shall conduct a new hearing on the modified proposal.

(c) The Hearing Examiner may include conditions to ensure a proposal conforms to the relevant decision criteria.

(d) The Hearing Examiner shall within 14 days following the close of the record distribute a written report supporting the decision. The report shall contain the following:

- (1) The decision of the Hearing Examiner;
- (2) Any conditions included as part of the decision;
- (3) Findings of fact upon which the decision, including any conditions, was based and the conclusions derived from those facts; and
- (4) A statement explaining the process to appeal the decision of the Hearing Examiner to the Superior Court~~((City Council))~~.

(e) Reconsideration Period. Any person who presented or commented at the hearing may file a written request with the Hearing Examiner for reconsideration within 10 business days of the date of the Hearing Examiner's decision. The request shall explicitly set forth alleged errors of procedure or fact. Comments shall be requested from affected parties of record and reviewing City departments on the petition for reconsideration. Comments shall be received within 14 days. The Hearing Examiner shall act within 14 days after the filing of the request for reconsideration by denying the request, issuing a revised decision, or calling for an additional public hearing.

- (1) The grounds for reconsideration shall be limited to the following:
 - (i) The Hearing Examiner exceeded his or her jurisdiction;
 - (ii) The Hearing Examiner failed to follow the applicable procedure in reaching his or her decision;
 - (iii) The Hearing Examiner committed an error of law or misinterpreted the applicable city regulation, ordinance or other state law or regulation;
 - (iv) The Hearing Examiner's findings, conclusions and/or conditions are not supported by the record; and/or
 - (v) Newly discovered evidence alleged to be material to the Hearing Examiner's decision which could not reasonably have been produced prior to the Hearing Examiner's decision.

(2) Requests for reconsideration may use the additional grounds that changes to the application proposed by the applicant are in response to deficiencies identified in the decision.

14.16B.505 Purpose.

A Type V process is a quasi-judicial review and decision made by the City Council. Staff makes a recommendation to the City Council. Depending on the application, staff may conduct a public meeting to obtain public input. The City Council shall hold a public hearing on the application prior to making a decision; except for Final Plats, only a public meeting is held by the Council. Public notification is provided at the application, public hearing, and decision stages of application review. There is no opportunity for an administrative appeal. Appeals of City Council decisions are made to Snohomish County Superior Court. The purpose of this part is to provide the necessary steps for permit approvals requiring Type V review.

14.16B.525 Public Meetings.

A public meeting is required for all Type V applications pursuant to Section [14.16A.260](#). Staff may require the applicant to participate in the meeting to inform citizens about the proposal. If a public meeting is planned, it shall be held as early in the review process as possible for Type V applications. Notice of the public meeting shall be provided in the same manner as required for notice of the application. The public meeting notice will be combined

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with the notice of application whenever possible. Council Action for a Final Plat is a public meeting rather than a public hearing.

14.16B.540 Notice of City Council Public Hearing.

(a) Public notice of the date of the City Council public hearing, or for Final Plats a public meeting, at which the City Council will consider the application shall be published in a newspaper of general circulation. The public hearing shall be scheduled no sooner than ((44))10 days following the date of publication of the notice. If a determination of significance was issued by the SEPA responsible official, the notice of staff recommendation shall state whether an EIS or supplemental EIS was prepared or whether existing environmental documents were adopted. The notice of the City Council meeting shall also include the notice of the availability of the staff recommendation.

(b) The Planning Director shall mail or email notice of the City Council public hearing or public meeting, the SEPA determination, and the notice of the availability of staff recommendation to all parties of record.

14.16B.545 City Council Decision.

(a) Within five days of a decision, the Planning Director shall transmit to the City Council a copy of the department file on the application including all written comments received prior to the City Council meeting and information reviewed by or relied upon by staff. The file shall also include information to verify that the requirements for notice to the public (notice of application, notice of public hearing, and notice of SEPA determination) have been met.

(b) Any person may participate in the City Council public hearing, or public meeting for Final Plats, on staff recommendation by submitting written comments to the Department of Planning and Community Development prior to the hearing or by submitting written comments or making oral comments at the hearing.

(c) The City Council shall, at the open record public hearing or public meeting, consider and take final action on each Type V application. The final action may take place in the same meeting as the public hearing or public meeting, if any.

(d) The City Council shall either:

- (1) Approve the application;
- (2) Approve the application with modifications;
- (3) Remand the application to staff for an additional review limited to specific issues identified by the Council; or
- (4) Deny the application.

(e) Decision.

(1) Conditions. The City Council may, based on the record, include conditions in any decision approving or approving with modifications an application, in order to ensure conformance with the approval criteria specified in the code or process under which the application was made.

(2) Findings of Fact. The City Council shall include findings of fact and conclusions derived from those facts which support the decision of the Council, including any conditions, in the decision approving or approving with modifications the application. The City Council may by reference adopt some or all of the findings and conclusions recommended by staff.

14.16B.630 Notice of Public Hearing.

(a) When the Planning Commission or City Council has scheduled a public hearing on a Type VI proposal, notice of the public hearing shall be provided 10 days prior to the scheduled hearing date in the manner set forth in subsection (b) of this section.

(b) Notice of Public Hearing.

Type VI Action or Permit	Mail	Post	Publish
Comprehensive Plan Amendment - Map & Text	X	X	X
Development Agreements			X
Land Use Code Amendments			X

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Rezone - Area-Wide Zoning Map Amendment		X	X
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(c) Published Notice. When required, the applicable department director shall publish a notice twice in a newspaper of general circulation in the City. The notice shall contain the following information:

- (1) The name of the applicant, and if applicable, the project name;
- (2) If the application involves specific property, the street address of the subject property, a description in nonlegal terms sufficient to identify its location, and a vicinity map indicating the subject property or website address where maps can be viewed;
- (3) A brief description of the action or approval requested;
- (4) The date, time, and place of the public hearing;
- (5) Summarize the nature and character of the proposed change;
- (6) If the proposed amendment involves a change in zoning district classification, reasonably identify the property whose classification would be affected by the amendment;
- (7) State that the full text of the amendment can be obtained from the Department of Planning and Community Development(~~(-Services)~~);
- (8) State that substantial changes in the proposed amendment may be made following the public hearing; and
- (9) A statement of the right of any person to participate in the public hearing.

(d) Mailed Notices and Postcard Notices. Mailings shall be completed pursuant to Section [14.16A.225](#) with the additional specifications:

- (1) For minor map amendments, notices shall be mailed to the record owners for tax purposes of all properties whose zoning classification is proposed to be changed, as well as the owners of all properties which are within 300 feet of the property proposed to be rezoned, or 20 property owners (whichever is greater).
- (2) For major map amendments, notice over and above that specified in this section may be provided at the discretion of the Department of Planning and Community Development, as deemed necessary to ensure ample opportunity for citizens and property owners to become aware of the upcoming hearing.
- (3) Notice of the public hearing, containing the same information set forth in subsection (c) of this section, shall be mailed to each owner of real property within 300 feet of any boundary of the subject property, or 20 property owners (whichever is greater).

(e) Posted Notices.

- (1) All posted notices shall be completed pursuant to Section [14.16A.225](#).
- (2) For minor map amendments, at least one public notice board shall be posted on the site on public right-of-way within the property proposed to be rezoned.
- (3) For major map amendments, a minimum of three public notice boards shall be posted on public right-of-way.
- (4) The following Type VI application is a major land use action: area-wide zoning map amendment. In addition to the general notice requirements, a major land use action shall comply with the extraordinary signage requirements in Section [14.16A.225\(b\)\(3\)](#).

(f) Alternative Means of Notification. In the case of the following actions initiated by the City, which affect large areas of the City, the Planning Director may elect to use alternative means of public notification in addition to the newspaper publication required by RCW [35A.63.070](#) or the mail and posting provisions above, provided such notification is likely to achieve equal or greater actual public notification:

- (1) Adoption or amendment of a neighborhood or other area-wide community plan; or
- (2) Area-wide zoning map amendments.

14.16C.050 Design Review.

(a) The Design Review Board is created to review and make urban design decisions that will promote visual quality throughout the City. The purpose of design review includes but is not limited to the following:

- (1) To encourage and promote aesthetically pleasing and functional neighborhood and commercial developments for the citizens of Lake Stevens by establishing design review standards and guidelines including site layout, landscaping, parking and preferred architectural features;
- (2) To implement the City’s Comprehensive Plan policies and supplement the City’s land use regulations, promote high-quality urban design and development, supplement land use regulation, promote a

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coordinated development of the unbuilt areas, improve walkability, lessen traffic congestion, provide light and air, prevent the overcrowding of land, and conserve and restore natural beauty and other natural resources;

(3) To encourage originality, flexibility, and innovation in site planning and development, including the architecture, landscaping and graphic design of proposed developments in relation to the City or subarea as a whole;

(4) To encourage low impact development (LID) by conservation and use of existing natural site features in order to integrate small-scale stormwater controls and to prevent measurable harm to natural aquatic systems from commercial, residential or industrial development sites by maintaining a more hydrologically functional landscape;

(5) To encourage green building practices in order to reduce the use of natural resources, create healthier living environments, and minimize the negative impacts of development on local, regional, and global ecosystems;

(6) To encourage creative, attractive and harmonious developments and to promote the orderliness of community growth, the protection and enhancement of property values for the community as a whole and as they relate to each other, the minimization of discordant and unsightly surroundings, the need for harmonious and high quality of design and other environmental and aesthetic considerations which generally enhance rather than detract from community standards and values for the comfort and prosperity of the community and the preservation of its natural beauty and other natural resources which are of proper and necessary concern of local government, and to promote and enhance construction and maintenance practices that will tend to prevent visual impairment and enhance environmental and aesthetic quality for the community as a whole;

(7) To aid in assuring that structures, signs and other improvements are properly related to their sites and the surrounding sites and structures, with due regard to the aesthetic qualities of the natural terrain and landscaping, and that proper attention is given to exterior appearances of structures, signs and other improvements;

(8) To protect and enhance the City's community vision for living and working and thus support and stimulate business and industry and promote the desirability of investment and occupancy in business and other properties;

(9) To stabilize and improve property values to help provide an adequate tax base to the City to enable it to provide required services to its citizens;

(10) To foster civic pride and community spirit by reason of the City's favorable environment and thus promote and protect the health, safety and welfare of the City and its citizens; and

(11) To ensure compatibility between new and existing developments.

(b) The City Council shall adopt design guidelines or standards by ordinance.

(1) City of Lake Stevens Design Guidelines (Residential Development Handbook for Snohomish County Communities) were readopted on April 17, 1995, for use within City limits, excluding subareas.

(2) Subarea Design Guidelines were adopted in September 2012 as an exhibit of the Lake Stevens Center Subarea Plan and 20th Street SE Corridor Subarea Plan. To assure an attractive, pedestrian-friendly environment, all development occurring within either subarea shall comply with these design guidelines which are attached to the subarea plans. If design guidelines appear to conflict with another provision of this title, the design guidelines shall prevail.

(c) Design Review Board. Review of permit applications for conformance with the development design guidelines shall be done by the Design Review Board in public meetings, as set forth in Section [14.16A.260](#).

(d) Projects requiring design review that meet the limitations in Section [14.16C.020](#)(d) shall follow the procedures established in Chapter [14.16B](#) for a Type I permit process as an administrative design review. All other projects requiring design review shall follow the procedures in subsection (e) of this section.

(e) Procedure.

(1) Pre-Application Meeting. If design review is required, a pre-application meeting with the City is highly recommended prior to submittal of a formal application.

(2) Design Review Submittal Requirements. Seven color, hard copies and one electronic copy are required for each submittal for review by the Design Review Board.

(i) Buildings and Site Development Plans. The following information and materials shall be submitted to the City for review under this chapter:

a. A completed application.

b. Site plan at an engineering scale from one inch equals 20 feet to one inch equals 50 feet,

showing:

1. Location of all proposed structures and any existing structures to be retained or incorporated into the development.

2. Location of building setback lines.

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3. Proposed pedestrian and vehicular circulation including driveways, access points, sidewalks and pedestrian pathways.
4. Parking lot layout, design and, if applicable, loading areas.
5. Public improvements including sidewalks, curbs, gutters, etc.
6. Location of existing trees and vegetation to be retained.
- c. Building material samples and color chips.
- d. Plans and section drawings depicting the relationship of the proposed project to abutting properties and buildings.
- e. Building elevations and/or perspective renderings drawn to scale and indicating the exterior color and material composition (including mechanical equipment and screening).
- f. Roof plan including the location of mechanical equipment.
- g. A lighting plan, if required, adequate to determine the location, character, height and style of fixtures and the amount and impacts of spillover on adjacent properties.
- h. A brief narrative description of the design elements or objectives of the proposal and discussion of the project's relationship to surrounding properties.

(ii) Landscape Plans. The following information and materials shall be submitted to the City for review under this chapter:

- a. A completed application.
- b. Site plan at an engineering scale from one inch equals 20 feet to one inch equals 50 feet, showing:

1. Location of all proposed structures and any existing structures to be retained or incorporated into the development.
2. Proposed pedestrian and vehicular circulation including driveways, access points, sidewalks and pedestrian pathways.
3. Parking lot layout, design and loading areas if applicable.
4. Public improvements including sidewalks, curbs, gutters, etc.
5. Location and size of existing trees and vegetation to be retained.
6. Plans and section drawings depicting the relationship of the proposed project to abutting properties and buildings.
7. Landscape plan showing the location of proposed plant materials, including a plant schedule identifying plants by common and scientific names, spacing, size at time of planting, size at maturity, location of any existing vegetation and trees to be retained, and special notes.
8. Photographs of proposed plant material.
9. Plans showing proposed grading/topography, drawn to the same scale as the landscape plan.

(iii) Sign Plans. The following information and materials shall be submitted to the City for review under this chapter:

- a. A completed application.
- b. A site plan, drawn to scale, showing the location of the building upon which the sign will be installed, surrounding buildings, and adjacent streets.
- c. A drawing showing the size, shape and exact location of the proposed sign(s). For wall or building-mounted signs, the drawing shall portray the proposed sign's relationship to any existing or proposed signs located on the same facade or common building wall. Drawings must be to scale or contain dimensions indicating the size of the sign and the length and height of the appropriate building surface.
- d. Dimensions, area (in square feet), and style of letters/symbols of the proposed signs.
- e. A colored illustration of the proposed signs.
- f. Sign materials (wood, plastic, metal, etc.) and color samples.

(iv) The Director may require the submission of such other information determined to be appropriate and necessary for a proper review of the requested action.

(3) Recommendation. A staff report of findings, conclusions and recommendations shall be forwarded to the ((Planning Commission and-))Design Review Board before a public meeting. The conclusions and recommendations shall indicate how the recommendations carry out the goals, policies, plans and requirements of the development design guidelines. The findings shall be referenced to contested issues of fact, and the conclusions shall be referenced to specific provisions of the development design guidelines and review criteria incorporated therein, together with reasons and precedents relied upon to support the same. The conclusions shall make reference

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to the effect of the decision upon the Comprehensive Plan, as well as the effect of both approval and denial on property in the vicinity, on business or commercial aspects, if relevant, and on the general public. The decision shall be based upon a consideration of the whole record of the application.

(f) Conformance with Design Guidelines or Standards.

(1) Structures within the following zones are subject to the design guidelines or standards adopted per subsection (b) of this section, except when the project meets the limitations in Section [14.16C.020](#)(d) or when the development is located within an adopted subarea plan and is required to meet the adopted subarea design guidelines:

- (i) Central Business District (except Class 1.100 or 1.200 uses);
- (ii) Mixed Use (except Class 1.100 or 1.200 uses);
- (iii) Neighborhood Commercial (except Class 1.100 or 1.200 uses);
- (iv) Local Business (except Class 1.100 or 1.200 uses);
- (v) Planned Business District;
- (vi) Sub-Regional Commercial;
- ~~((vii) Commercial Recreation;))~~
- (vii~~((+)))~~ High Urban Residential;
- ~~(viii~~((+)))~~)~~ Multi-Family Residential;
- (ix) Light Industrial;
- ~~(x~~((+)))~~)~~ General Industrial; or
- (xi~~((+)))~~ Public/Semi-Public.

(2) Structures are subject to the design guidelines or standards adopted per subsection (b) of this section when developed under specified regulations listed below, except when the project meets the limitations in Section [14.16C.020](#)(d):

- (i) Planned neighborhood developments (Section 14.16C.080);
- (ii) Planned residential developments (Section 14.44.020); and
- (iii) Innovative Housing Options (~~(Demonstration-))~~Program (Chapter 14.46).

(3) No building or land use permit shall be issued for structures or uses which do not conform to the applicable guidelines or standards, except as allowed under subsection (f)(4) of this section.

(4) A building or land use permit may be issued for a structure or use that does not comply with subsections (f)(1), (2) or (3) of this section, if any one of the following findings can be made by the permit-issuing authority:

- (i) The structure is of a temporary nature which, in all likelihood, will be replaced by a permanent structure within a reasonable time frame.
- (ii) The structure is minor to the overall use of the property and will not be noticeably visible from a public right-of-way.
- (iii) The structure will not be visible from an existing, planned, or proposed public right-of-way.
- (iv) The structure is pre-existing with proposed changes to portions of the facade that are not visible from public rights-of-way.

14.16C.075 Land Use Code Amendments.

(a) The purpose of this section is to allow amendments to this title.

(b) Procedure. A land use code amendment shall be reviewed in the manner and following the procedures established in Chapters [14.16A](#) and [14.16B](#) for a Type VI review.

(c) Initiation of Amendments.

(1) Amendments to this title may be initiated by the City Council, the Planning Commission, or the City administration.

(2) Any other person may also petition the Planning Department to amend this title. The petition shall be filed with the Department of Planning and Community Development (~~(Services-))~~ and shall include:

- (i) The name, address, and phone number of the applicant;
- (ii) A strikeout/underlined version of the existing code showing proposed changes; and
- (iii) Articulation of the specific objective(s) of any proposed text amendments.

(d) Upon receipt of a petition, the Planning Director shall either:

(1) Determine if the proposed code amendments meet the decision criteria in subsection (f) of this section; or

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(2) Forward the petition to the Council for a determination on whether to accept and review the petition. The Council may summarily deny the petition or refer it to the Planning Commission for a recommendation.

(e) Amendments to following are not required for review before the Planning Commission:

- (1) Chapter [14.60](#) (Utilities).
- (2) Chapter [14.80](#) (Building and Construction).
- (3) Chapter [14.84](#) (Fire Code).

(f) Decision Criteria. In approving code amendments to this title, the City Council shall make the following findings:

- (1) The amendment is consistent with the adopted Lake Stevens Comprehensive Plan;
- (2) The amendment is in compliance with the Growth Management Act; and
- (3) The amendment serves to advance the public health, safety and welfare.

(g) No ordinance that amends any of the provisions of this title may be adopted until a public hearing has been held on such ordinance.

(h) Approval. All amendments shall be approved by ordinance of the Lake Stevens City Council.

14.16C.090 Rezones - Official Zoning Map Amendments.

(a) The purpose of this section is to set forth criteria for amendments to the Official Zoning Map, adopted pursuant to Section [14.36.100](#).

(b) Types of Rezones and Map Amendments. Rezones are either site-specific or area-wide. Map amendments are considered major if they rezone five or more tracts of land in separate ownership or any parcel of land, regardless of the number of lots or owners, in excess of 50 acres. All other map amendments are minor.

(1) Site-specific rezones are rezones of a particular property(ies) which conform to the Comprehensive Plan or an adopted subarea plan.

(2) Area-wide rezones are rezones which require a Comprehensive Plan amendment, include a large area, or the adoption of a new or substantially revised neighborhood or area-wide zoning map amendment.

(c) Procedure. A site-specific rezone shall be reviewed in the manner and following the procedures established in Chapters [14.16A](#) and [14.16B](#) for a Type IV review. An area-wide rezone shall be reviewed in the manner and following the procedures for a Type VI review and require a concurrent amendment to the Comprehensive Plan.

(d) Initiation of Amendments.

(1) Amendments to the Official Zoning Map may be initiated by the City Council, the Planning Commission, or the City Administration.

(2) Any other person may also petition the Planning Department to amend the Official Zoning Map. The petition shall be filed with the Department of Planning and Community Development (~~(Services-)~~) and shall include:

- (i) The name, address, and phone number of the applicant;
- (ii) A description of all land proposed to be rezoned including a map highlighting the specific parcels; and
- (iii) A rationale for the proposed map changes.

(e) Upon receipt of a petition, the Planning Director will determine if the proposed zoning map amendments meet the decision criteria in subsection (g) of this section and shall either:

(1) Refer the proposed amendment to the Hearing Examiner for a site-specific rezone for a recommendation to Council(~~Determine if the proposed zoning map amendments meet the decision criteria in subsection (g) of this section~~); or

(2) Refer the proposed amendment to the Planning Commission for an areawide rezone for a recommendation to Council.

(f) Special Application Requirements for Site-Specific Rezones.

(1) No application shall be filed or accepted for filing which on its face will not comply with the Lake Stevens Comprehensive Plan or an adopted subarea plan.

(2) No application without signatures of owners representing 75 percent of the area proposed for rezone shall be filed or accepted for filing.

(g) Decision Criteria. The following factors are to be taken into account by the Planning Commission, Hearing Examiner and the City Council when considering a map amendment:

(1) The amendment complies with the Comprehensive Plan Land Use Map, policies, and provisions and adopted subarea plans;

(2) The amendment is in compliance with the Growth Management Act;

(3) The amendment serves to advance the public health, safety and welfare;

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(4) The amendment is warranted because of changed circumstances, a mistake, or because of a need for additional property in the proposed zoning district;

(5) The subject property is suitable for development in general conformance with zoning standards under the proposed zoning district;

(6) The amendment will not be materially detrimental to uses or property in the immediate vicinity of the subject property;

(7) Adequate public facilities and services are likely to be available to serve the development allowed by the proposed zone;

(8) The probable adverse environmental impacts of the types of development allowed by the proposed zone can be mitigated, taking into account all applicable regulations, or the unmitigated impacts are acceptable;

(9) The amendment complies with all other applicable criteria and standards in this title; and

(10) If the proposal is located within an adopted subarea plan:

(i) The rezone is to a zoning designation allowed within the applicable subarea; and

(ii) The rezone does not increase the established intensities adopted as part of the planned action ordinance or mitigates increased or additional impacts by supplementing, amending or adding the applicable planned action draft and final environmental impact statement.

(h) Approval. All amendments shall be approved by ordinance by the Lake Stevens City Council.

(i) Withdrawal. Any application for a site-specific rezone may be withdrawn upon the written request of any one of the property owners who signed the application, if the remaining owners do not own 75 percent of the area.

(j) Reapplication after Denial without Prejudice. After the Council's final action denying a rezone, no further rezone action involving substantially the same property shall be requested for at least one year. If the Council finds that extraordinary circumstances exist, or that the request might deserve approval in the near future, but not at the present time, then the rezone may be denied without prejudice. In such a case, if the rezone request is reactivated in writing by the applicant within six months, and is reheard within nine months of the date of the original action, then the original case file and number shall be used and the rezone fee shall be waived.

(k) Review or Revocation of Approval. Rezones and any concurrent or subsequent approvals issued pursuant to this chapter may be reviewed or revoked in accordance with Section [14.16A.255](#).

14.18.045 Endorsements on Short and Long Subdivision Plats.

All subdivision plats shall contain the following endorsements, specific language of which is to be made available by the Planning Director: certificate of subdivision approval, certificate of approval of public improvements, certificate of ownership and dedication, certificate of survey and accuracy, certificate of City Treasurer, City Council Approval (for long subdivisions only), Snohomish County Treasurer's certificate, and recording certificate.

14.18.070 Boundary Line Adjustments.

(a) Minor lot line adjustments are exempt from the subdivision regulations. Minor lot line adjustments to existing legal lots are permitted when no new lots are created through the process and the adjusted lots either meet all requirements of this title and other City regulations. In the case of existing legal nonconforming lots, the adjustment shall not create a new or greater nonconformity with respect to any City regulations.

(b) Application for a boundary line adjustment (BLA) is made by submitting to the Planning Director a land use development (~~master permit~~) application, with a survey of the subject property showing existing and proposed lot lines, before and after legal descriptions, owner's certificate, surveyor's certificate, and Planning Director's approval certificate.

(c) To finalize an approved boundary line adjustment, it shall be recorded with the Snohomish County Auditor's Office no later than one year after final approval has been issued by the Planning Director or the application and approval shall lapse and a new application must be submitted.

(d) Recording fees and applicable state fees shall be paid by the applicant. Immediately after recording, copies of the recorded BLA documents shall be provided to the City. The BLA shall not take effect until recorded with the Snohomish County Auditor and copies returned to the City.

(e) The department may grant up to a one-year extension of a BLA for good cause, if a written request for extension, including a description of reason for request, is submitted to the Planning Director at least two weeks before approval lapses.

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(f) If the BLA affects more than one property owner, a conveyance document(s) shall be recorded at the same time as the BLA documents. The conveyance document(s) shall establish ownership consistent with the approved, adjusted boundaries.

(g) When a BLA is recorded subsequent to a record of survey for the same property, the recording number of the record of survey shall be noted on the BLA map.

14.18.175 Recording with County Auditor.

(a) To finalize an approved binding site plan (~~boundary line adjustment~~), it shall be recorded with the Snohomish County Auditor’s Office no later than one year after final approval has been issued by the Planning Director or the application and approval shall lapse and a new application must be submitted.

(b) Immediately after recording, copies of the recorded binding site plan (~~BLA~~) documents shall be provided to the City. The BLA shall not take effect until recorded with the Snohomish County Auditor and copies returned to the City.

14.36.100 Official Zoning Map.

(a) There shall be a map known and designated as the Official Zoning Map, which shall show the boundaries of all zoning districts within the City’s planning jurisdiction. (~~This map shall be drawn on acetate or other durable material from which prints can be made, shall be dated, and shall be kept in the Planning Department.~~)

(b) The Official Zoning Map dated May 11, 2009, is adopted and incorporated herein by reference. Amendments to this map shall be made and posted in accordance with Section [14.16C.090](#).

(c) Should the Official Zoning Map be lost, destroyed, or damaged, the Planning Director may have a new map created (~~drawn on acetate or other durable material from which prints can be made~~). No further Council authorization or action is required so long as no district boundaries are changed in this process.

14.38.040 Dimensional Regulations.

Table 14.38-I Dimensional Regulations

Zone	Minimum Lot Size	Building Setback (from lot (property) line, tract or <u>easement</u>) (ft) ¹³		Min. Landscape Buffer (ft) ⁷	Min. First Floor Height (ft)	Max. Height (ft) ^{9, 10}
		Front	Side/Rear			
Commercial Zones						
BD	NA	5	10 ^{4,5}	5	12	55
CD	NA	5	10 ^{4,5}	5	15	55
NB	NA	5	10 ^{4,5}	5	15	35
Mixed Use Zones						
MS	NA	5 ¹	0 ^{4,5,6}	5	15	55
MUN	NA	10 ^{2,3}	10 ^{5,6}	5	15 ⁸	45
Residential Zones						
HUR ¹¹	3,600 sq. ft. ¹²	10 ^{2,3}	5 ⁵	5	NA	45

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UR	7,500 sq. ft. ¹²	20 ³	5	NA	NA	35
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Notes:

1. The minimum required setback is five feet and the maximum allowed setback is 10 feet in the MS district.
2. The minimum required setback is 10 feet and the maximum allowed setback is 20 feet.
3. Porches, covered entries, or pedestrian-oriented spaces may project up to five feet into front yard setbacks in residential districts.
4. Districts that allow commercial uses shall maintain a 10-foot, Type B screen when adjacent to residential zones, per Section [14.76.040\(a\)](#).
5. Structures 35 feet or taller next to single-family districts must be stepped back five feet for every floor over 35 feet per Figure 14.38-II.



Figure 14.38-II illustrates stepping back the upper stories of a structure, adapted from the Everett Municipal Code.

6. Attached housing units or attached commercial structures built on separate lots can be built to the common property line. The outside setback for attached structures abutting a right-of-way, separate detached structures, or a different zone shall be 10 feet.
7. Landscape buffers will be comprised of a Type C screen per Section [14.76.040\(a\)](#) along property lines; however, the City may waive the landscape buffer when adjacent properties share parking, access, or other common features that make intensive landscaping impractical. In addition, perimeter landscape buffer along property lines of adjacent high-density single-family lots is not required; however, screening different developments from neighboring properties will provide separation, vegetation and define each development. The front landscaping buffer does not apply in the MS district.
8. The first floor height of residential structures in the MUN district, without an attached retail/service component, not facing a public right-of-way may be reduced to industry standard.
9. If a project includes a parking structure or affordable housing FAR bonus, as described in Section [14.38.050\(b\)](#), the City will also allow an overall height increase of 10 feet above maximum height.
10. The City will consider an increase in maximum height up to 80 feet with a conditional use permit per Section [14.16C.045](#).
11. Maximum impervious surface for parcels in the HUR district is 65 percent.
12. When developed as a planned residential development (Section 14.44.020) the per unit lot size may be reduced to 3,000 square feet for HUR district and 6,000 square feet for the UR district in return for the dedication of additional open space at the ratio of 400 square feet per dwelling unit.
13. Eaves and other minor architectural features may project into the required setback up to 18 inches.

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14.38.100 Signs.

(a) Purpose and Application. Ensure that signage provides effective advertising and identification with appropriate design, scale, and placement. Developments within the subareas are subject to the sign regulations found in Chapter [14.68](#) and applicable design guidelines, except when this chapter modifies the standard municipal code requirements.

(b) Allowed Signs.

- (1) Changeable text signs per Section [14.68.084](#).
- (2) Freestanding signs.
- (3) Informational/directional signs.
- (4) Projecting/suspended signs.
- (5) Residential signs per Section [14.68.090](#).
- (6) Signs excluded from regulation per Section [14.68.020](#).
- (7) Temporary signs per Section [14.68.030](#).
- (8) Wall signs.
- (9) Window signs.

(c) Prohibited Signs.

- (1) Animated or flashing signs, except as allowed in Section [14.68.120](#).
- (2) Off-site signs, except as allowed by Section [14.68.030](#) and subsection (f) of this section.
- (3) Portable signs.
- (4) Roof signs.
- (5) Signs which are located on or extend over public rights-of-way.
- (6) Temporary signs except as allowed by Section [14.68.030](#).

(d) Projecting/Suspended Signs, Wall Signs, and Window Signs.

- (1) Table 14.38-IV establishes the dimensional and quantitative requirements for projecting/suspended signs, wall signs, and window signs.
- (2) Projecting/Suspended Signs.
 - (i) Projecting signs shall not extend more than five feet from a building facade;
 - (ii) Suspended signs are limited to approximately two inches in thickness and may not extend beyond the structure to which it is attached;
 - (iii) Projecting/suspended signs must provide a minimum of eight feet of clearance from the ground to the bottom of the sign; and
 - (iv) A minimum spacing of 20 feet between signs must separate projecting/suspended signs.
- (3) Wall Signs.
 - (i) Wall signs shall be generally located in the storefront area above the main entrance along primary facades and beneath the roofline or cornices on secondary facades;
 - (ii) Second story signs shall be generally located directly above or below windows, but not higher than the belt course between the next story or below the roofline or cornices, as illustrated in Figure 14.38-IV;
 - (iii) Wall signs shall be generally centered between defined architectural elements and may not extend beyond defined architectural features;
 - (iv) Wall signs may be located on building focal points, if the sign does not extend beyond defined architectural features;
 - (v) Wall signs shall not project more than 10 inches from the building;
 - (vi) Wall signage may be located on awnings and marquees or similar structures only when the design of the building facade prohibits wall signs on the storefront facade and the signage does not extend beyond defined architectural features; and
 - (vii) The wall sign area calculation is defined in Table 14.38-IV and the maximum area will be based on the size of the associated gross business area, as follows:
 - a. Five thousand gross square feet or less: 32 square feet;
 - b. Five thousand one to 15,000 gross square feet: 96 square feet; and
 - c. Over 15,001 gross square feet: 192 square feet.
 - (viii) Sign area is not transferable.

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Figure 14.38-IV Signage Placement Diagram from Mill Creek Town Center Design Guidelines

Table 14.38-IV Sign Standards

Sign Type ¹		BD	CD ²	NB	MS ²	MUN ²
Projecting/Suspended	Sign Area	NA	10 sq. ft. max. and no more than 5 ft. in width	6 sq. ft. max. and no more than 3 ft. in width		
	Maximum Number	NA	1 projecting or suspended sign per main facade or leasable frontage			
Wall³	Sign Area	Main: 10% of building facade Secondary: 5% of building facade	Main: 15% of building facade Secondary: 10% of building facade	Main: 10% of building facade Secondary: 5% of building facade		
	Maximum Number	1 per facade 2 facades may have signs	1 per facade ⁴ 3 facades may have signs	1 per facade 2 facades may have signs		
Window⁵	Sign Area	10% percent of window area	20% percent of window area	10% percent of window area		

Notes:

1. Each leased space or building frontage may have one projecting sign or one suspended sign, but not both.
 2. Residential signage shall conform to Section [14.68.090](#).
 3. Wall sign calculation: the facade area (first 12 feet of the building height) multiplied by the total facade length or leasable frontage for multi-tenant buildings (example: [12 x 30 = 360] [360 x 15% = 54 sq. ft.]). The sign calculation for second story signage would be the leasable frontage multiplied by the height of the story (example: [12 x 20 = 240] [240 x 15% = 36 sq. ft.]).
 4. Building over 15,000 gross square feet, with a primary facade length over 100 linear feet, may have two signs along the primary facade for the primary businesses and one sign per enclosed secondary business. Sign area for all signs will be included in the maximum sign area.
 5. Commercial signage for businesses on third stories and above would be limited to window signs.
- (e) Freestanding Signs.

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- (1) Table 14.38-V establishes the dimensional and quantitative requirements for freestanding signs including monument and pole/pylon signs.
- (2) Freestanding signs shall be located no closer than five feet to public rights-of-way or access easements measured from the face of the sign to the back of the ROW or easement.
- (3) No signs shall obstruct sight distance at street intersections or driveways per Section [14.68.120\(d\)](#).
- (4) The height of freestanding signs shall be measured from the average ground level at the sign's base.
- (5) Freestanding signs must provide an architectural base, with a minimum height of 12 inches.
- (6) Each freestanding sign shall provide a landscaped area around the base of the sign per the following:
 - (i) One and one-quarter square feet of landscaping per one square foot of sign area with a minimum area of 50 square feet and a minimum width of five feet measured from the outside of the curb or the edge of the landscape bed;
 - (ii) The landscape area and sign base shall be protected from vehicles by a six-inch curb, if adjacent to drive aisles or parking areas;
 - (iii) The landscape area must include a mix of shrubs, perennials and/or annual flowers, and other standard landscape material; and
 - (iv) The landscape area may include other materials and components such as brick or concrete bases, planter boxes, pole covers, decorative framing, and accent lighting.

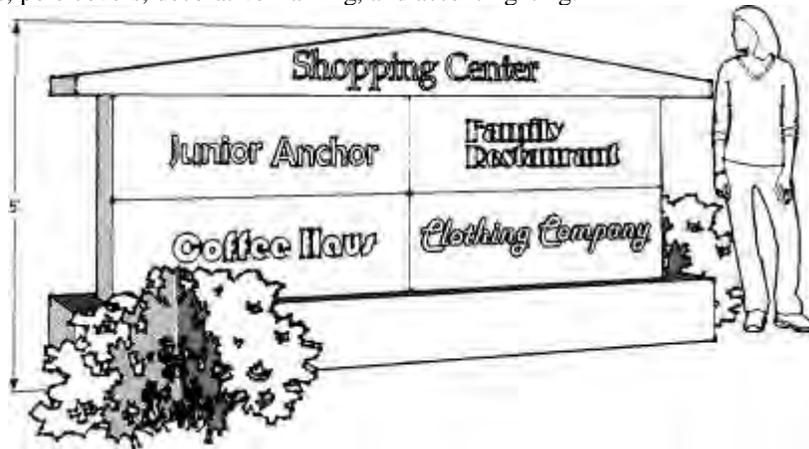


Figure 14.38-V Monument Sign

Table 14.38-V Freestanding Sign Standards

Sign Type		CD	NC	BD	MS	MUN
Monument	Sign Area ¹ (sq. ft.)	75	50	50	50	25
	Sign Height	15 ft.	10 ft.	10 ft.	5 ft.	5 ft.
	Number ^{2,3,4}	1	1	1	1	1
Pole/Pylon ⁵	Sign Area ¹ (sq. ft.)	100	NA	NA	100	NA
	Sign Height	20 ft.			20 ft.	
	Number	1			1	

Notes:

1. For freestanding signs with multiple faces, only the sign area of a single face is calculated per Section [14.68.040](#).
2. Each site with commercial uses may install one freestanding identification sign or multi-tenant identification sign per site.
3. Commercial centers with more than one frontage may install two identification and/or multi-tenant identification signs with one freestanding sign along the primary frontage and a second sign along the secondary

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frontage, with a minimum separation of 100 feet between the signs, including separation of off-site and highway-oriented signs. Freestanding signs located along secondary frontages must be reduced by 25 percent in sign area and height.

4. Any detached structure greater than 5,000 square feet in gross area, occupied by a single business, located on a defined building pad, within a commercial center over five acres may have an additional freestanding sign not exceeding 25 square feet in area and having a maximum height of five feet.

5. Pole/pylon signs are limited to highway-oriented sign requirements pursuant to subsection (f) of this section.

(f) Off-Site Signage.

(1) The provisions contained in this section recognize the need for certain businesses located within the Commercial district, Business district and Main Street district, in proximity to state highways (SR-9 and SR-204) and/or major arterials, but with limited visibility to install off-site signs.

(2) The City shall review the need for off-site signage against the following criteria:

(i) The business(es) is located more than 100 feet from the right-of-way, measured from the nearest point to the edge of right-of-way;

(ii) The business(es) shall demonstrate that on-site signs cannot adequately convey the location and identity of the business(es) because of poor visibility or traffic patterns unique to its location;

(iii) The off-site sign does not create adverse impacts to surrounding businesses, pedestrians, or motorists including, but not limited to, glare and sight obstructions;

(iv) The sign is not out of scale or character with allowed signs for nearby uses and employs distinct architectural features associated with the primary building or complex;

(v) The advertising structure does not detract from the goals, objectives, and policies of the subarea plan; and

(vi) The applicant has provided a recorded easement or expressed written permission, including maintenance provisions, from the property owner of the premises where the off-site sign is to be located.

(3) Content of Off-Site Signage.

(i) The off-site sign contains a message area that identifies the complex by name or district and may contain its address;

(ii) The off-site sign identifies one or more businesses in the complex or district by name and may include corporate logos; and

(iii) The off-site sign contains directional information, such as exit number, route information (e.g., next left), and may contain directional arrows.

(iv) The off-site sign may not include promotional information for individual businesses or display or support temporary signs, banners, pennants, etc.

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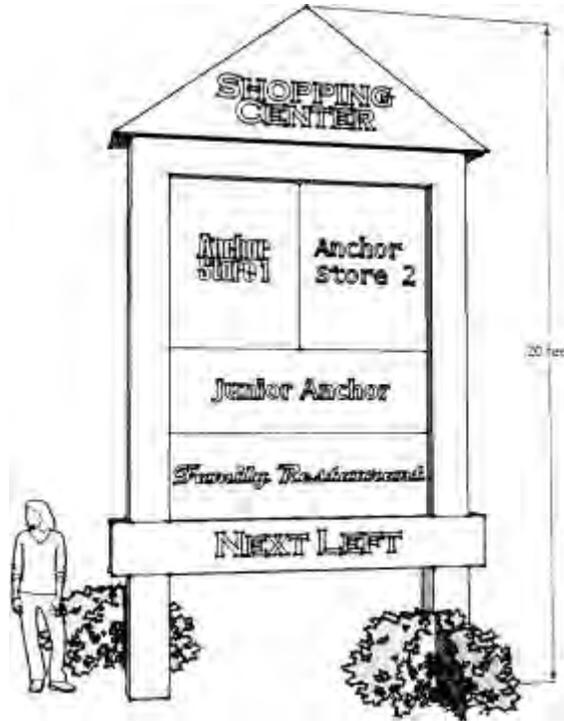


Figure 14.38-VI Off-Site Sign

(g) Informational/directional signs mean signs within a commercial or business park development that convey information; indicate the name of a particular use, such as “pharmacy” or “lumber”; and provide direction to specific uses such as “drive-through” or “exit,” but do not contain specific advertising, except for building directories.

(1) Attached signs are limited to a maximum of two percent of the building facade or leased storefront area.

(2) Freestanding signs are limited to a maximum of four square feet (~~except restaurant menu signs, which are limited to a maximum of 12 square feet~~).

(3) Building directories are limited to a maximum of 10 square feet for the purpose of identifying upper floor tenants or first floor tenants that do not have outside building frontage adjacent to the entrance for such businesses.

(4) Primary restaurant menu signs are limited to a maximum of 32 square feet and secondary menu signs are limited to a maximum of 12 square feet. Only one menu sign of each type is allowed per business. Menu signs are subject to the design requirements for freestanding signs.

(h) Sign Modifications. To provide flexibility, the City will consider modifications to the sign regulations for signs that display outstanding design elements per the requirements of Section [14.68.124](#).

(i) Legal Nonconforming Signs.

(1) All legally existing signs at the time of the adoption of the ordinance codified in this chapter that are not in compliance with the requirements of this chapter are nonconforming signs. The burden of establishing a sign’s legal status, under this chapter, is the responsibility of the sign or business owner.

(2) Legal nonconforming signs are subject to the requirements of Section [14.68.150](#) (Nonconforming Signs).

(3) Violations. Any violation of this chapter shall terminate immediately the right to maintain a legal nonconforming sign.

LSMC Section 14.40.010, Table 14.40-I, entitled “Table of Permissible Uses by Zones” is amended by:

- Add footnote #21 to “PA” in CBD column for Use Description “9.100”
- Add footnote to the table to read as follows:
—²¹ Only allowed in the Central Business District on properties north of 20th Street NE.
- Add footnote #22 to Use Description “15.340 Sewage/septic sludge recycling”
- Add footnote to the table to read as follows:

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—²² Only allowed as an Essential Public Facility pursuant to Section 14.16C.060.

- Remove Use Descriptions “32.000 Land Clearing, Logging in Conformance with Chapter 14.88” & “33.000 Respective Uses Permissible in Respective Sensitive Areas as Per Chapter 14.88)

14.40.020 Use of the Designations P, A, C in Table of Permissible Uses.

(a) The Table of Permissible Uses (Table 14.40-I) sets forth which uses are permitted in which zones. The letter “P” means the use is permitted or allowed in the indicated zone district subject to all code requirements of this title. The letter “A” means the use requires an administrative conditional use permit, and the letter “C” means the use requires a conditional use permit. No letter means that use is not permitted in the indicated zone district.

(b) When used in connection with residential uses (use classification 1.000), the designation “PAC” means that such developments of less than five dwelling units are a permitted use when code requirements are met, developments of five or more but less than 13 dwelling units need an administrative conditional use permit, and developments of 13 or more dwelling units require a conditional use permit.

(c) When used in connection with nonresidential uses, the designation “PA” means that such developments are permitted if the lot to be developed is less than one acre in size and require an administrative conditional use permit if the lot is one acre or larger in area;(~~;~~) and the designation “PC” means that such developments are permitted if the lot to be developed is less than one acre in size and require a (~~(an administrative conditional or)~~) conditional use permit is required if the lot is one acre or larger in area.

14.40.040 Permissible and Prohibited Uses.

(a) The presumption established by this title is that all legitimate uses of land are addressed within the Table of Permissible Uses, and are either allowed or not allowed thereby. But because the list of permissible uses set forth at the end of this chapter cannot be all inclusive, those uses that are listed shall be interpreted liberally to include other uses that have similar impacts to the listed uses.

(b) Without limiting the generality of the foregoing provisions, the following uses are specifically prohibited in all districts:

- (1) Any use that involves the manufacture, handling, sale, distribution, or storage of any highly combustible or explosive materials in violation of the City’s fire prevention code.
- (2) Stockyards, slaughterhouses, rendering plants.
- (3) Use of a travel trailer, motor home, or other recreational vehicle as a permanent residence.

Recreational vehicles may be used as a temporary guest residence for up to two weeks without a permit, or up to three months within any one consecutive year upon approval by the Planning Director. Situations that do not comply with this subsection on the effective date of the ordinance codified in this title are required to conform within one year.

(4) Use of a motor vehicle parked on a lot as a structure in which, out of which, or from which any goods are sold or stored, any services are performed, or other business is conducted. This prohibition does not apply to temporary public services, such as bookmobiles, blood donation centers, public service information, etc., or temporary food vendors allowed pursuant to Sections [14.44.400](#) and [14.44.410](#) (situations that do not comply with this subsection on the effective date of the ordinance codified in this title are required to conform within 30 days).

(5) Medical cannabis (marijuana) collective gardens and medical cannabis (marijuana) dispensaries, as those terms are defined or described in this code and/or under state law, are prohibited in all zoning districts of the City of Lake Stevens.

(6) Sewage/septic sludge recycling except when approved as an Essential Public Facility pursuant to 14.16C.060.

14.44.020 Planned Residential Developments.

It is intended that a PRD will: result in a residential environment of higher quality than traditional lot-by-lot development by being held to higher standards of design of buildings, parks, open space, landscaping, roadways, entrance and other project features; provide flexibility to the property owners; protect critical areas and significant stands of trees; encourage a variety or mixture of housing types; and encourage compatibility of the development with the surrounding neighborhood. In addition to meeting the other relevant requirements of this title, Planned Residential Developments (PRDs) must comply with the following:

(a) The PRD may only be located on tracts of at least five acres within a Suburban Residential, Urban Residential, High Urban Residential, or Multi-Family Residential zoning district.

(b) The gross density of a PRD shall not exceed the allowable density specified in Section [14.48.010](#).

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(c) Permissible types of residential uses within a PRD include single-family detached dwellings (use classification 1.111), single-family attached (1.130), two-family residences (1.200), and multifamily residences (1.300) regardless of the underlying zone.

(d) In the SR and UR zones the developer may create lots and construct buildings with reduced lot size, width, or setback restrictions, except that:

(1) In the SR zone, perimeter lots must have a minimum area of 7,500 square feet and width of 60 feet, and in the UR zone, perimeter lots must have a minimum area of 6,000 square feet and width of 45 feet.

(2) At least 50 percent of the total number of dwelling units must be single-family detached residences on lots of at least 6,000 square feet in all zones except for the Multi-Family Residential.

(3) Comply with the fire protection requirements of the International Building Code (IBC) and the International Fire Code (IFC). Additional fire protection is required by these rules when setbacks are reduced below the standard five feet.

(4) Setback requirements of the underlying zone shall apply for all property lines located on the perimeter of the PRD.

(5) Each lot must be of a size and shape to contain the proposed improvements.

(6) The lots are designed so that homes can be constructed at least 15 feet from any environmentally critical area buffer.

(7) In providing additional amenity pursuant to subsection (h) of this section, priority shall be given to maintaining native areas in a natural condition.

(8) Homes shall be designed so as to minimize the visual impact of garages and automobiles from the streets and sidewalks through either:

(i) Providing alleys which provide access to the garage at the rear of the lot; or

(ii) Locate the garage at least 20 feet behind the front of the house; or

(iii) Locate the garage at least five feet behind the front of the house, with the combined width of garage doors no wider than 18 feet or 50 percent of the width of the front of the house (including garage), whichever is less.

(e) The design of a PRD, including site layout, landscaping, public facilities (e.g., storm drainage, parks, streets, etc.) and building design shall be subject to Design Review Board (DRB) approval and shall meet the City's adopted Development Design Guidelines. In lieu of the DRB approving each SFR structure, the applicant may propose project-specific design guidelines, in which case the DRB may approve the guidelines, to be implemented administratively by the Department of Planning and Community Development. Where authority is granted by the DRB to staff to review individual single-family residential structures, the DRB shall be the arbiter between the applicant and staff.

(f) When located in the SR, UR or HUR zone, multifamily portions of a PRD shall be developed more toward the interior rather than the periphery of the tract so that only single-family detached residences border adjacent properties and roads.

(g) Type A screening (Chapter 14.76) shall apply to the exterior boundaries of the PRD, but are not required between uses within the PRD.

(h) When creating a PRD, the applicant must improve 10 percent of the site with common amenities, in addition to the open space requirements(~~((Sections 14.52.010 and 14.52.030))~~). The amenities can include, but are not limited to, additional usable open space area, landscaped entries into the project (in addition to the standard roadway dedication and landscaping requirements), landscape islands in the center of roads, special treatment of roads (such as concrete pavers), protection of significant clusters of trees, or other amenities as may be appropriate. Common amenities do not include protected critical areas and their buffers, unless passive recreation is provided within the buffer areas. In such case, credit for trails will be given at a rate of 10 square feet for each lineal foot of trail, 10 square feet for each park bench and five square feet for each interpretive sign. Park space will be given credit towards meeting this requirement only when it meets the criteria for dedication contained in Chapter [14.120](#).

(i) Protected critical areas and significant stands of trees will be used as an amenity to the project through such techniques as providing pervious trails and benches in buffers and significant stands of trees, orienting buildings to create views, and any other technique to provide visual and physical access.

14.44.075 Farm Animals.

~~((a))~~) Farm animals are permitted in residential zoning districts, provided the following standards are met:

~~(a(4))~~) The keeping of animals complies with the animal regulations contained in Title [5](#) of the Lake Stevens Municipal Code.

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~~(b((2)))~~ ~~((Except as provided for below, f))~~ Farm animals may be kept only on lots of two and one-half acres or larger ~~except~~(-

~~(3)–S))~~ small farm animals such as rabbits, fowl, and household pets (including pot-belly pigs) may be kept on residential lots of any size, provided they are kept in a manner so as not to constitute a nuisance pursuant to Chapter [9.60](#) (Nuisances).

~~(c((4)))~~ Farm animals may be kept only for the personal use, whether it be for recreational, personal enjoyment, social and educational purposes or food production. Keeping of animals for commercial purposes is prohibited in residential zones, except where specifically allowed pursuant to Table 14.40-I.

~~(d((5)))~~ Farm animals must be kept a minimum of 50 feet from any stream buffer or wetland buffer.

LSMC Section 14.44.085 entitled “Motor Vehicle Sales in the Central Business District” is repealed as it is moved to a footnote in Table 14.40-I.

14.44.110 Restrictions and Requirements.

All clearing, grading, filling, and excavation, regardless of whether or not a permit is required, is subject to the following requirements:

(a) No clearing, grading, filling, or excavation is allowed in a ~~(n-environmentally sensitive))~~ critical area and its buffers where such activities are prohibited by Chapter [14.88](#).

(b) For single-family and duplex lots, no grading shall be allowed which results in the impervious surface area of the lot to exceed 40 percent of the total lot area. If the lot has 40 percent or more impervious surface area prior to grading, no additional impervious surface area is allowed.

(c) No clearing, grading, filling, or excavation, except that necessary for essential repairs of permitted private structures or construction of public infrastructure or facilities, is permitted outward from the shores of Lake Stevens.

(d) Adequate temporary erosion and sedimentation control (TESC) measures shall be approved and installed per Chapter [14.64](#) (Floodways, Floodplains, Drainage, and Erosion) prior to any disturbance of soils.

(e) All disturbed areas shall be hydro-seeded and mulched, sodded, or otherwise protected within 48 hours of disturbance.

(f) All potentially impacted ~~((environmentally sensitive))~~ critical areas and their buffers shall be delimited with a construction limits fence prior to any disturbance of the soil.

(g) The applicant shall present to the City a valid NPDES permit, where required, prior to any disturbance of soil.

(h) Environmental review of grading associated with site development may be done concurrently with the environmental review of the project (e.g., preliminary plat, land use permit, or building permit), allowing for grading for public improvements to be permitted by approval of the construction drawings. However, the application shall specifically state that grading is a part of the application, and the permit shall specifically state what grading is permitted, or the grading shall not be considered permitted.

(i) During the below listed dates all grading and clearing shall be phased as follows:

(1) For grading activity not associated with a plat, between October 1st and March 31st no more than one-fourth acre, or 50 cubic yards of soil, whichever represents the least amount of soil, may be moved or graded at any one time before that portion of the project is closed up per subsection (d) of this section.

(2) Between October 1st and March 31st, grading of individual building lots in a plat shall be phased, with no more than 10 lots being graded in a plat at any one time. Before additional lots can be graded, the previously graded lots shall be hydro-seeded and mulched, sodded, or otherwise protected.

(j) Clearing activities of 10,000 square feet or more in any twelve month period shall comply with the retention and protection of large tree requirements as contained in Section [14.76.120](#). Replacement trees shall be located in such a manner they will not be disturbed when the site develops in the future. In addition, no more than 10 percent of significant trees or 50 percent of all trees on a site may be removed unless and until it is done as part of a plan which has received the appropriate land use permit(s) from the City. The applicant shall include a conceptual plan showing how the protected trees will be able to be retained at the time of site development.

14.44.240 Smoke and Air Pollution.

(a) Any 4.000 classification use that emits any “air contaminant” as defined in Regulations 1, 2, or 3 of the Puget Sound Clean Air ~~((Pollution Control))~~ Agency shall comply with applicable state standards concerning air pollution, as set forth in Regulations 1, 2, or 3 of the Puget Sound Clean Air ~~((Pollution Control))~~ Agency.

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(b) No Planning Director approval, administrative conditional use, or conditional use permit may be issued with respect to any development covered by subsection (a) of this section until the Puget Sound Clean Air (~~Pollution Control~~) Agency has certified to the permit-issuing authority that the appropriate state permits have been received by the developer, or that the developer will be eligible to receive such permits and that the development is otherwise in compliance with applicable air pollution laws.

14.44.330 Location of Parking in (~~Two-Family and~~) Multifamily Structures.

For multifamily (Class 1.300) uses, in no instance shall street level parking areas be allowed within 25 feet of a public right-of-way unless it is substantially shielded from public view.

14.46.020 Application.

Applications for an innovative housing (~~demonstration~~) project shall be made on forms provided by the City, shall be available for public review for a minimum of two weeks prior to the neighborhood meeting, and shall include the following materials:

(a) Preliminary Development Plan. A site plan of the proposed development, indicating property lines, proposed setbacks, and lot coverage calculations. The site plan shall also include the location of all adjacent structures, the distance to property lines, and the footprint of any existing structures on the property with a note on which structures will remain. The preliminary development plan shall consist of a site plan drawn to scale and shall display the following information:

- (1) The location, size, configuration, and dimensions of the lot(s) on which the cottage housing development will be developed;
 - (2) The location and footprint for each cottage;
 - (3) A depiction of individual dwelling unit area that delineates the spacing around each cottage;
 - (4) A delineation of the common open areas;
 - (5) The height and square footage of each cottage;
 - (6) The parking locations, layout, circulation, ingress and egress;
 - (7) The location, if applicable, of any buildings to be used in common by the residents of the cottage housing development;
 - (8) The layout and dimensions of pedestrian circulation from the parking areas to the cottages, and connecting the cottages;
 - (9) Design illustrations that show, and a design checklist that lists, the design features that constitute the required design points for each cottage;
 - (10) A depiction of the driveway access from a publicly maintained street to the cottage housing development parking areas, with its dimensions; and
 - (11) Any other information the Director finds necessary to ensure compliance with this title.
- (b) Conceptual drawings of the proposed innovative housing type, including building footprints and building elevations, floor plans, roof plans, and additional architectural features.
- (c) A detailed description of how the proposed development is consistent and not in conflict with the surrounding neighborhood character and neighborhood design.
- (d) A detailed description of how the proposed development meets the purpose and goals of this chapter and complies with all the criteria and project parameters for an innovative housing project.
- (e) A detailed description of the proposed unit type, including proposed square footage, unit mix, and number of bedrooms per unit.
- (f) General information about the site including the number of dwelling units allowed by the zone and the number of proposed dwelling units, open space allowed and proposed, impervious surface allowed and proposed, and building height allowed and proposed.
- (g) Photographs of the site and adjacent properties keyed to the site plan.
- (h) Additional information as required by the application forms provided by the City or deemed necessary by City staff to consider the application.

14.48.040 Building Setback Requirements.

(a) Table 14.48-I sets forth the minimum building and freestanding sign setbacks required from lot lines, ultimate street rights-of-way and street centerlines.

(1) If the ultimate street right-of-way line is readily determinable (by reference to the Comprehensive Plan Transportation Plan, a recorded map, set irons, adopted plan, or other means), the setback shall be measured

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from the ultimate right-of-way line. If it is not so determinable, the setback shall be measured from the actual street centerline.

(2) As used in this section, the term “lot (~~(boundary))~~line, tract or easement” refers to all easements and lot boundaries other than those that abut streets. Setbacks from access easements and access tracts are considered lot (~~(boundary))~~line setbacks.

(3) As used in this section, the term “building” includes any substantial structure which by nature of its size, scale, dimensions, bulk, or use tends to constitute a visual obstruction or generate activity similar to that usually associated with a building. It also includes any element that is substantially a part of the building, such as (~~(eaves,))~~ bay windows and chimneys, and not a mere appendage, such as a flagpole. Without limiting the generality of the foregoing, for the purpose of determining setbacks the following structures are to be considered buildings:

- (i) Gas pumps and overhead canopies or roofs;
- (ii) Fences and hedges taller than 42 inches.

(4) Eaves and other minor architectural features may project into the required setback up to 18 inches.

(b) Whenever a lot in a residential district abuts a nonresidential district, and its required setback is greater than that of the nonresidential lot, the nonresidentially zoned lot shall observe the more restrictive setback. Where a lot zoned General or Light Industrial shares a boundary with a residentially zoned lot, the setback for the industrial property along that common boundary shall be 30 feet.

(c) In the High Urban Residential District, one five-foot interior side yard setback of a lot may be reduced to a zero feet for portions of the house that shares a common wall with the home on the adjacent lot. Portions of a house which do not share a common wall must be set back a minimum of five feet. The Fire and Building Codes have special building requirements which must be met when setbacks are less than five feet.

(d) All docks and other permissible overwater structures shall be set back pursuant to the Shoreline Master Program, Chapter 4, Section C.3. For the purposes of this section each property line extending into the lake shall be construed as extending at the same angle as the property line on shore.

14.48.050 Exceptions to Building Setback Requirements.

(a) The following modifications to the setback requirements identified in Section [14.48.040](#) shall be allowed:

(1) In the Suburban Residential and Waterfront Residential districts only, where the high point of the roof or any appurtenance of an accessory building exceeds 12 feet in height, the accessory building shall be set back from the rear lot (~~(boundary))~~lines, tracts or easements an additional one foot for every foot of height exceeding 12 feet.

(2) In single-family residential zones, accessory structures may be located within the exterior side yard of a corner lot, provided the accessory structure meets the following conditions:

- (i) The gross floor area of all accessory structures within the reduced setback area does not exceed 200(~~(+70)~~) square feet.
- (ii) The height of the accessory structure does not exceed eight feet.
- (iii) The accessory structure is screened to a minimum height of six feet with an opaque fence or densely planted vegetation.
- (iv) The accessory structure respects the minimum front yard setback and shall be no closer to the front property line than that of the principal house.
- (v) The accessory structure is located no closer than 10 feet to the exterior side property line.

(b) In all single-family residential zones, the building setbacks from the street of the underlying zone may be reduced by five feet for living portions of the principal house only. This reduction does not apply to garages or other nonhabitable areas.

(c) In all single-family residential zones, the setback from a critical area buffer may be reduced to five feet for uncovered decks, provided sufficient room is provided to construct and maintain the deck without disturbing the buffer area.

(d) In all single-family residential zones, unenclosed front porches may be constructed to be as close as 15 feet of the ultimate street right-of-way.

(e) In all residential zones, fences which do not exceed six feet in height may be located along property lines which do not abut a public right-of-way. No fence may exceed 42 inches in height within the front yard setback abutting a public right-of-way or within 10 feet of an exterior side yard right-of-way. On exterior side yards, the area between the fence and sidewalk shall be maintained by the property owner. Where fences are built or hedges are maintained on top of or within five feet of a retaining wall on the uphill side, the retaining wall and fence or hedge shall be measured as one structure for the purposes of determining setback requirements. The height shall be the

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vertical distance measured from the mean elevation of the finished grade around the perimeter of the retaining wall to the highest point of the hedge or fence.

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Table 14.48-I: Density and Dimensional Standards

Zone	Minimum Lot Size		Minimum Residential Densities (Minimum Square Feet per Dwelling Unit)	Minimum Lot Width (ft.)	Building Setback Requirements Minimum Distance, in feet, from: ⁴									Height Limitation (ft.)
	Standard Subdivision	Cluster Subdivision			Nonarterial Street Right-of-Way Line		Nonarterial Street Centerline ((*) ¹		Ultimate Arterial Street Right-of-Way Line		Lot ((Boundary)) ² Line, Tract or Easement ³	((Lake Ordinary High Water Mark))	((Critical Area Buffer))	
					Building	Freestanding Sign	Building	Freestanding Sign	Building	Freestanding Sign	Building and Freestanding Sign			
Waterfront Residential	9,600 ft ²	7,500 ft ²	9,600 ft ²	50	25	12.5	55	42.5	25	12.5	5	((50))	(+0)	35
Suburban Residential ((**)) ²	5 acres/ 9,600 ft ²	5 acres/ 7,500 ft ²	5 acres/ 9,600 ft ²	80	25	12.5	55	42.5	25	12.5	5	50	(+0)	35
Urban Residential ((**)) ²	5 acres/ 7,500 ft ²	6,000 ft ²	7,500 ft ²	60	20	10	50	40	20	10	5	50	(+0)	35
High Urban Residential	3,600 ft ²	N/A	3,600 ft ²	40	15	5	45	35	20	5	5	50	(+0)	35
Multi-Family Residential	3,000 ft ²	N/A	0 ft ²	50	0	0	30	30	10	0	0	50	(+0)	60
Neighborhood Commercial	3,000 ft ²	N/A	0 ft ²	0	0	0	30	30	0	0	0	50	(+0)	35
Mixed Use	3,000 ft ²	N/A	0 ft ²	0	0	0	30	30 ft ²	0	0	0	50	(+0)	60
Local Business	3,000 ft ²	N/A	0 ft ²	0	0	0	30	30	0	0	0	50	(+0)	60
Central Business District	3,000 ft ²	N/A	0 ft ²	0	0	0	30	30	0	0	0	50	(+0)	60
Planned Business District	0 ft ²	N/A	0 ft ²	0	0	0	30	30	0	0	0	50	(+0)	((35)) <u>40</u>
Sub-Regional Commercial	0 ft ²	N/A	0 ft ²	10	0	0	30	30	0	0	0	50	(+0)	85
Light Industrial	0 ft ²	N/A	N/A	10	0	0	30	30	0	0	0	50	(+0)	85
General Industrial	0 ft ²	N/A	N/A	10	0	0	30	30	0	0	0	50	(+0)	85
Public/Semi-Public	0 ft ²	N/A	N/A	0	0	0	0	0	0	0	0	50	(+0))	60

~~((*)~~¹ See Section 14.48.040(a)(1) for use of centerline.

~~((**))~~² See Section 14.48.100 for use of five acres or square feet requirements.

³ Eaves and other minor architectural features may project into the required setback up to 18 inches.

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⁴ If property is located on Lake Stevens or Catherine Creek or has wetlands, please refer to the required setbacks in the Shoreline Master Program and Chapter 14.88 Critical Areas.

ADDENDUM #4 TO INTEGRATED 2005 COMPREHENSIVE PLAN & FEIS

14.48.070 Cluster Subdivisions.

- (a) In any single-family residential subdivision or short subdivision of six lots or more, a developer may create lots that are smaller than those required by Section [14.48.010](#) if such developer complies with the provisions of this section and if the lots so created are not smaller than the minimums set forth in Table 14.48-I.
- (b) The intent of this section is to authorize the developer to decrease lot sizes and leave the land “saved” by so doing as usable open space, thereby lowering development costs and increasing the amenity of the project without increasing the density beyond what would be permissible if the land were subdivided into the size of lots required by Section [14.48.010](#).
- (c) The amount of usable open space that must be set aside shall be determined by:
- (1) Subtracting from the standard square footage requirement set forth in Section [14.48.010](#) the amount of square footage of each lot that is smaller than that standard;
 - (2) Adding together the results obtained in subsection (c)(1) of this section for each lot.
- (d) The provisions of this section may only be used if the usable open space set aside in a subdivision comprises at least 10,000 square feet of space that satisfies the definition of usable open space (~~set forth in Section 14.52.030 and if such usable open space is otherwise in compliance with the provisions of Chapter 14.52~~).
- (e) The setback requirements of Sections [14.48.040](#) and [14.48.050](#) shall apply in cluster subdivisions.

14.56.080 Street Width, Sidewalk, and Drainage Requirements in Subdivisions.

- (a) Streets are intended to serve several functions. These functions vary depending on the classification of the street: (1) to carry motor vehicle traffic, provide on-street parking; (2) to provide for safe and convenient pedestrian and nonmotorized travel; and (3) to aid in managing stormwater. The requirements outlined in this chapter are intended to ensure these objectives are met.
- (b) All existing and planned streets which the City deems necessary for the completion of the City’s transportation system are shown and classified in the City’s Transportation Element of the Comprehensive Plan. However, the list of planned streets is nonexhaustive and other streets may be proposed by a permit applicant.
- (c) Any permit application shall be reviewed for conformance with the Transportation Plan. If a planned street is shown to run through or adjacent to a property proposed for development, the proposal must include roadway dedication and improvements which are generally in conformance to the plan, and meet the development standards identified in this chapter.
- ~~((d) All public streets shall be constructed in accordance with the currently adopted version of the Engineering Design and Development Standards for the City of Lake Stevens, except as modifications may be allowed for traffic calming purposes in compliance with the requirements contained in Section [14.56.260](#).)~~
- ~~(d)((e))~~ Whenever convenient access from a subdivision to adjacent schools, parks or other public facilities is not provided through the dedication and improvement of streets pursuant to this chapter, the developer may be required to include an unobstructed easement of at least 10 feet in width and construct a pathway to provide such access.

14.56.100 Dead End Streets/Cul-de-Sacs.

- (a) Dead-end streets shall be avoided. Cul-de-sacs may be used only when conditions warrant their use:
- (1) Whenever a dead end street serves four or more units, or
 - (2) Extends more than 150 feet from edge of the intersecting right-of-way to the farthest extent of the road.
- (b) When allowed under subsection (a) of this section, all permanent dead-end streets (as opposed to temporary dead-end streets; see Section 14.56.060(d)) shall be developed as cul-de-sacs in accordance with the standards set forth in subsection (d) of this section.
- (c) Except where no other practicable alternative is available, such streets may not extend more than 500 feet (measured to the center of the turnaround).
- (d) The right-of-way of a cul-de-sac shall have a radius of 50 feet. The radius of the paved portion of the turnaround (measured to the face of the curb) shall be 40 feet, with curb, gutter, ~~(landscape strip,)~~ sidewalk and utility strip within the remaining 10 feet.
- (e) The city will consider the use of alternative turnarounds described in the EDDs on a case by case basis for private tracts and easements.

14.56.130 Construction Standards and Specifications.

All public streets, sidewalks, curbs and gutters and other improvements shall be constructed in accordance with the current of the Engineering Design and Development Standards (EDDs) for the City of Lake Stevens. All such

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facilities shall be completed in accordance with these standards except for deviations as provided for in Section 14.56.135 and modifications allowed for traffic calming purposes in compliance with the requirements contained in Section 14.56.260. In cases where there is a conflict between the EDDS and municipal code, the municipal code shall be the controlling document. ((Construction and design standards and specifications for streets, sidewalks, and curbs and gutters are contained in the currently adopted version of the Engineering Design and Development Standards for the City of Lake Stevens, and all such facilities shall be completed in accordance with these standards except for deviations as provided for in Section 14.56.135.))

14.56.135 Deviations to Construction Standards and Specifications.

Deviations to the Engineering Design and Development Standards may be granted by the Public Works Director when situations arise where alternatives to the standards may better accommodate existing conditions, overcome adverse topography or allow for more cost-effective solutions without adversely affecting safety, operations, maintenance or aesthetics pursuant to subsection (c) of this section.

(a) Unless otherwise specified in this title, deviations may only be granted for standards and specifications that relate to and implement Sections [14.56.080](#)(d) and (e), Table 14.56-I (except right-of-way type and standards for state highway), and Sections [14.56.100](#)(b) and (d).

(b) Deviations shall be processed in accordance with the Engineering Design and Development Standards~~((administrative guideline specified in Section [14.04.120](#)(b)(10)))~~.

(c) Requests for deviation shall, at a minimum, comply with the following criteria:

- (1) The deviation will achieve the intended result of the standards with a comparable or superior design and quality of improvement;
 - (2) The deviation will not adversely affect safety or operations;
 - (3) The deviation will not adversely affect maintenance and related costs;
 - (4) The deviation will not adversely affect the environment; and
 - (5) The deviation will not adversely affect aesthetic appearance.
- (d) An annual report of deviation requests shall be submitted to the City Council.

14.68.020 Signs Excluded From Regulation.

The following signs are exempt from regulation under this title:

- (a) Signs not exceeding four square feet in area that are customarily associated with residential use. Examples include names of residents, addresses, no parking, no trespassing, beware of dog and security signs.
- (b) Signs erected by or on behalf of or pursuant to the authorization of a city, county, school district, state or federal governmental body, for public purposes including legal notices, identification and informational signs, and traffic, directional, or regulatory signs.
- (c) Official signs of a noncommercial nature erected by public utilities.
- (d) Flags, pennants, or insignia of any governmental or nonprofit organization when not displayed in connection with a commercial promotion or as an advertising device.
- (e) Integral decorative or architectural features of buildings or works of art, so long as such features or works do not contain business identification, trademarks, moving parts, or lights, or are not displayed in connection with a commercial promotion or as an advertising device.
- (f) Signs directing and guiding pedestrian and/or automobile traffic on private property that do not exceed four square feet each and that bear no advertising matter.
- (g) School and church: bulletin boards, identification signs, and directional signs that do not exceed one per abutting street and 16 square feet in area per side and that are not internally illuminated.
- (h) Signs painted on or otherwise permanently attached to currently licensed motor vehicles that are not primarily used as signs.
- (i) Signs proclaiming religious, political, or other noncommercial messages that do not exceed one sign per abutting street and 16 square feet in area and that are not internally illuminated.
- (j) Names of buildings, commemorative plaques or tablets, and similar noncommercial signs when carved into stone, concrete, or similar material, or made of bronze, aluminum, or other permanent-type construction, made an integral part of the structure, and projecting no more than two inches from the wall (when installed on a building), or at grade (when installed on the ground).
- (k) Public information stations such as kiosks, bulletin boards, or similar devices used to convey community information.

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14.68.110 Sign Illumination and Signs Containing Lights.

(a) No sign within 150 feet of a residential zone may be illuminated between the hours of midnight and 6:00 a.m., unless an opaque screen which effectively blocks view of the sign from the residential zone is located between the residential zone and the sign.

(b) Lighting directed toward a sign shall be shielded so that it illuminates only the face of the sign and does not shine directly into a public right-of-way, adjacent properties, or into the sky.

(c) Internally illuminated signs are allowed only within Commercial, Industrial and Public/Semi-Public Zone districts. This prohibition does not apply to the following:

(1) Signs that do not exceed two square feet in area and that convey the message that a business enterprise is open or closed or that a place of lodging does or does not have a vacancy;

(2) Neon signs less than nine square feet and/or mounted to be seen through a window and meeting all other requirements of this chapter;

(3) Signs for churches, synagogues and temples (use class 5.200), except that changeable text signs may not be internally illuminated pursuant to Section ~~14.68.(040)~~084(b).

(d) No sign or illuminated tubing or strings of lights may contain flashing or intermittent lights or lights of changing degrees of intensity. This prohibition does not apply to temporary signs erected in connection with the observance of holidays.

14.68.130 Maintenance of Signs.

(a) All signs and structural components shall be kept in a state of good repair.

(b) If a sign advertises an entity, service, or goods or other activity that is no longer available on the site, that sign shall be considered abandoned and shall, within 30 days after such abandonment, be removed by the sign owner, owner of the property where the sign is located, or other party having control over such sign.

(c) If the message portion of a sign is removed, leaving only the supporting “shell” of a sign or the supporting braces, anchors, or similar components, the owner of the sign or the owner of the property where the sign is located or other person having control over such sign shall, within 30 days of the removal of the message portion of the sign, either replace the entire message portion of the sign or remove the remaining components of the sign. This subsection shall not be construed to alter the effect of Section 14.68.~~((075))~~150(c), which prohibits the replacement of a nonconforming sign, nor shall this subsection be construed to prevent the changing of the message of a sign.

14.76.090 Additional Screening Requirements.

(a) Due to the potential for adverse impacts between the following noncompatible uses, a 30-foot wide landscaped screen shall be maintained between State Route 204, State Route 92 and/or State Route 9 and all residential and industrial uses.

(b) The screen shall have a height of at least 30 feet at maturity. It is intended to exclude all visual and noise contact between uses in all seasons of the year. The use of existing significant trees which are not prone to windthrow within the screen is strongly encouraged.

(c) The Planning Director may approve reduced buffer widths to prevent denial of all reasonable use of property.

14.76.120 Retention and Protection of Large Trees.

(a) Every development shall retain all existing significant trees and significant stands of trees unless the retention of such trees would unreasonably burden the development or in the opinion of the planning director cause a significant safety problem. The applicant for a land use permit or preliminary subdivision approval shall, with the application, submit an assessment prepared by a certified arborist, which makes recommendations for protection of trees consistent with this chapter.

(b) The retention of significant trees and significant stands of trees unreasonably burdens a development if the desired location of improvements on a lot or the proposed activities on a lot would have to be substantially altered and such alteration would work an unreasonable hardship upon the developer.

(c) Where significant trees and significant stands of trees are removed because their retention would unreasonably burden a development, a tree survey shall be provided, showing size, type, and location of all significant trees and stands of trees. Prior to removal, the developer shall coordinate with the City which trees are to be protected.

(d) Any unprotected significant trees removed shall be replaced with one-gallon-sized native species at a ratio of 3:1. During plat and home construction the developer shall provide adequate protection of retained and replacement trees from damage.

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(e) If it is physically impractical to replant all replacement trees on-site, then the applicant shall mitigate the loss of trees by either planting trees on public property within the City as approved by the planning director, and/or paying a mitigation fee into the City's tree mitigation in-lieu fund. This fee shall be set forth in the City's fee resolution, and equal the cost of purchasing and planting the trees.

(f) Prior to any clearing activities, the city shall map and inventory all trees identified for protection. If any of the protected trees are removed or damaged to the extent that their ability to survive is seriously threatened, without the City's prior written consent, the loss shall be remedied pursuant to Section [14.28.040\(c\)](#).

(g) Replacement trees approved to be installed on public property shall be planted prior to recordation of a final plat, or issuance of a building permit, whichever comes first.

(h) Replacement trees approved to be installed on residential lots shall be planted prior to issuance of a certificate of occupancy for that lot.

(i) If space that would otherwise be devoted to parking cannot be so used because of the requirements of subsections (a) or (b) of this section, and, as a result, the parking requirements set forth in Chapter [14.72](#) cannot be satisfied, the number of required spaces may be reduced by the number of spaces lost because of the provisions of subsections (a) and (b) of this section, up to a maximum of 15 percent of the required spaces.

(j) Whenever construction, clearing or grading activities occur on a site in which trees are required to be protected pursuant to this title, the following measures shall be taken to ensure said protection:

(1) Prior to commencing any site work, the applicant shall submit a plan to the Department of Planning and Community Development which identifies types and locations of barriers that will be placed around protected trees to aid in the avoidance of accidental damage to the trees. No site work will commence prior to the City inspecting and approving the location and installation of the barriers.

(2) No fill, excavation or other subsurface disturbance, operating, stacking or storing of equipment, or compacting of earth may be undertaken within the drip line of any of the protected trees, and no impervious surface may be located within 12 1/2 feet (measured from the center of the trunk) of any tree 18 inches in diameter or more. A drip line is defined as a perimeter formed by the points farthest away from the trunk of a tree where precipitation falling from the branches of that tree lands on the ground.

(3) Where vehicular/equipment access is required within the drip line of a tree, the soil, and incidentally the tree's roots, shall be protected with 10 inches of woodchips and/or plywood placed over the path of the vehicle to limit soil compaction and subsequent root damage. Before any vehicles may travel through the protected area, the developer shall submit an affidavit from a certified arborist that that measures installed are sufficient to protect the tree(s) in question.

(4) Stumps of trees to be removed within one-half of the radius of the critical root zone (CRZ), which is defined as CRZ equals one foot radius for every one inch of the tree's diameter, shall not be excavated but may be ground down to below the ground surface.

(5) Unwanted vegetation within the CRZ of a protected tree shall be removed by hand.

(6) Backfilling into a CRZ of a protected trees shall be done only with the written approval of a certified arborist. Only well drained soil with sufficient air space (sandy soils) are permitted.

(7) Upon completion of site clearing, protected trees may be pruned for deadwood, low hanging limbs and proper balance under the supervision of a certified arborist. Trees may be cabled and braced as recommended by the arborist.

14.80.030 Building Permits.

(a) No building or other structure shall be erected, moved, added to or structurally altered without a permit issued by the Building Official. No building permit shall be issued except in conformity with the provisions of this code.

(b) All applications for building permits shall be accompanied by plans in duplicate, drawn to scale, showing the actual dimensions and shape of the lot to be built upon; the exact sizes and locations of existing buildings on the lot, if any; and the location and dimensions of the proposed building or alteration. The application shall include such other information as lawfully may be required by the Building Official, including existing or proposed building or alteration; existing or proposed uses of the building and land; the number of units, or rental units, the building is designed to accommodate; conditions existing on the lot; and such other matters as may be necessary to determine conformance with, and provide for the enforcement of, this code. One copy of the plans shall be returned to the applicant by the Building Official after marking such copy approved or disapproved and attesting to same by having signed such copy. The second copy of the plans shall be retained by the Building Official for 180 days.

(c) If work described in any building permit has not begun within 180 days from the date of issuance thereof, said permit shall expire. It may be cancelled by the Building Official, and written notice shall be given to the applicant.

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(d) The applicant may request in writing an extension of the building permit from the Building Official. The Building Official may approve one or more 180-day extensions if justifiable cause is demonstrated pursuant to IBC Chapter 1, Section 105.

(e) In place of the Board of Appeals per the IBC, appeals of orders, decisions or determinations made by the Building Official have an administrative appeal to the Hearing Examiner as set forth in the following procedures:

(1) Appellant. The project applicant may appeal the decision.

(2) Form of Appeal. The applicant appealing a building permit decision must submit a completed appeal form which sets forth:

(i) A claim that the true intent of the building and construction code or the rules legally adopted thereunder have been incorrectly interpreted;

(ii) The provisions of the building and construction code does not fully apply; or

(iii) An equally good or better form of construction is proposed.

(3) Time to Appeal. The written appeal and the appeal fee, if any, must be received by the Department of Planning and Community Development no later than 4:00 p.m. on the fourteenth day following the date of the notice of decision.

(4) Notice of Appeal. If a building permit decision is appealed, a hearing before the Hearing Examiner shall be set and notice of the hearing shall be mailed or emailed to the appellant/applicant by the Building Official. Notice shall be mailed or emailed no less than 10 days prior to the appeal hearing.

(i) Public Hearing. The Hearing Examiner shall conduct an open record hearing on a building permit decision appeal. The appellant/applicant and the City shall be designated parties to the appeal. Each party may participate in the appeal hearing by presenting testimony or calling witnesses to present testimony.

(ii) Decision on Appeal.

a. Within 14 days after the close of the record for the appeal of orders, decisions or determinations made by the Building Official, the Hearing Examiner shall issue a written decision to grant, grant with modifications, or deny the appeal. The Hearing Examiner may grant the appeal or grant the appeal with modification if:

1. The appellant/applicant has carried the burden of proof for meeting subsection (e)(2) above; and
2. The Examiner finds that the building permit decision is not supported by a preponderance of the evidence.

b. The Hearing Examiner shall accord substantial weight to the decision of the Building Official.

(5) Time Period to Complete Appeal Process. In all cases, except where the parties to an appeal have agreed to an extended time period, the administrative appeal process generally shall be completed within 90 days from the date the original administrative appeal period closed. The administrative appeal process shall be deemed complete on the date of issuance of the Hearing Examiner's decision.

(6) Appeal of Hearing Examiner Decision. An appeal from the Hearing Examiner's decision shall be brought before the Superior Court of Snohomish County in accordance with the Land Use Petition Act, Chapter 36.70CRCW, as amended.

14.88.010 Purpose and Intent.

The purpose of this chapter is to designate, classify, and protect the critical areas of the Lake Stevens community by establishing regulations and standards for development and use of properties which contain or adjoin critical areas for protection of the public health, safety, and welfare. The purpose and intent of this chapter is also to ensure that there is no net loss of the acreage or functions and values of critical areas regulated by this chapter.

(a) A project proponent shall make all reasonable efforts to avoid and minimize impacts to critical areas and buffers in the following sequential order of preference:

(1) Avoiding impacts altogether by not taking a certain action or parts of an action; or

(2) When avoidance is not possible, minimizing impacts by limiting the degree or magnitude of the action and its implementation, using appropriate technology, or by taking affirmative steps, such as project redesign, relocations, or timing, to avoid or reduce impacts and mitigating for the affected functions and values of the critical area; and

(3) Reducing or eliminating impacts over time by preservation and maintenance operations during the life of the action.

(4) Compensating for unavoidable impacts by replacing, enhancing or providing substitute resources or environments.

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- (b) Protect the public from personal injury, loss of life, or property damage due to flooding, erosion, landslides, seismic events, or soil subsidence.
- (c) Protect against publicly financed expenditures due to the misuse of critical areas which cause:
 - (1) Unnecessary maintenance and replacement of public facilities;
 - (2) Publicly funded mitigation of avoidable impacts;
 - (3) Cost for public emergency rescue and relief operations where the causes are avoidable;
 - (4) Degradation of the natural environment.
- (d) Protect aquatic resources.
- (e) Protect unique, fragile, and valuable elements of the environment, including wildlife and its habitat.
- (f) Alert appraisers, assessors, owners, potential buyers, or lessees to the development limitations of ~~critical~~~~(environmentally sensitive)~~ areas.
- (g) Provide City officials with sufficient information to adequately protect critical areas when approving, conditioning, or denying public or private development proposals.
- (h) Give guidance to the development of Comprehensive Plan policies in regard to the natural systems and environment of the Lake Stevens Watershed.
- (i) Provide property owners and developers with succinct information regarding the City's requirements for property development.

14.88.310 Demonstration of Denial of All Reasonable Economic Uses.

In order to conduct a regulated activity in a critical area where the applicant is claiming that denial of authorization of such an activity would deny all reasonable economic uses of the property, the applicant must demonstrate that such is the case. If a regulated activity is allowed within a critical area it must minimize impacts per the "requirements" sections, below. If the Planning and Community Development Director determines that alteration of a critical area is necessary and unavoidable, written findings addressing each of the items listed in this subsection shall be placed in the official project file. Demonstration of denial of all reasonable economic uses shall be accomplished as follows:

- (a) An applicant must demonstrate that denial of the permit would impose an extraordinary hardship on the part of the applicant brought about by circumstances peculiar to the subject property.
- (b) For water-dependent activities, unavoidable and necessary impact can be demonstrated where there are no practicable alternatives which would not involve a wetland or which would not have less adverse impact on a wetland, and would not have other significant adverse environmental consequences.
- (c) Where nonwater-dependent activities are proposed, it shall be presumed that adverse impacts are avoidable. This presumption may be rebutted upon a demonstration that:
 - (1) The basic project purpose cannot reasonably be accomplished utilizing one or more other sites in the general region that would avoid, or result in less, adverse impact on regulated ~~(environmentally sensitive)~~critical areas; and
 - (2) A reduction in the size, scope, configuration, or density of the project as proposed and all alternative designs of the project as proposed that would avoid, or result in less, adverse impact on an ~~(environmentally sensitive)~~critical area or its buffer will not accomplish the basic purpose of the project; and
 - (3) In cases where the applicant has rejected alternatives to the project as proposed due to constraints such as zoning, deficiencies of infrastructure, or parcel size, the applicant has made reasonable attempt to remove or accommodate such constraints.

14.88.320 Allowance of Regulated Use in a Critical Area Where Denial of All Economic Use is Demonstrated.

If an applicant for an activity or development proposal demonstrates to the satisfaction of the Planning and Community Development Director that application of these standards would deny all reasonable economic use of the property as provided by Section [14.88.220](#), development, as may be conditioned, shall be allowed if the applicant also demonstrates all of the following to the satisfaction of the Director:

- (a) If proposed in a wetland, stream, creek, river, lake or other surface water, that the proposed project is water-dependent or requires access to the wetland as a central element of its basic function; or
- (b) If proposed in a critical area not listed in subsection (a) of this section, that it is not water-dependent but has no practicable alternative; and
- (c) That no reasonable use with less impact on the critical area and its buffer is possible (e.g., agriculture, aquaculture, transfer or sale of development rights or credits, sale of open space easements, etc.);
- (d) That there is no feasible on-site alternative to the proposed activities, including reduction in density, phasing of project implementation, change in timing of activities, revision of road and lot layout, and/or related site planning

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considerations, that would allow a reasonable economic use with less adverse impacts to the critical area and its buffer;

(e) That the proposed activities will result in minimum feasible alteration or impairment to the functional characteristics of the critical area and its existing contours, vegetation, fish and wildlife resources, hydrological, and geologic conditions;

(f) That disturbance of the critical area has been minimized by locating any necessary alteration in buffers to the extent possible;

(g) That the proposed activities will not jeopardize the continued existence of endangered, threatened, or sensitive species as listed by the Federal Government or the State of Washington. An applicant is required to confirm with the State of Washington that special conditions or recommendations are not required for candidate or monitor species;

(h) That the proposed activities will not cause significant degradation of groundwater or surface water quality;

(i) That the proposed activities comply with all State, local and Federal laws, including those related to sediment control, pollution control, floodplain restrictions, and on-site wastewater disposal;

(j) That any and all alterations to (~~environmentally sensitive~~)critical areas and their buffers will be adequately mitigated;

(k) That there will be no damage to nearby public or private property and no threat to the health or safety of people on or off the property;

(l) That the inability to derive reasonable economic use of the property is not the result of actions by the applicant in segregating or dividing the property and creating the undevelopable condition after the effective date of this chapter; and

(m) That deliberate measures have been taken to minimize the impacts. Minimizing impacts shall include but not be limited to:

(1) Limiting the degree or magnitude of the prohibited activity;

(2) Limiting the implementation of the prohibited activity;

(3) Using appropriate and best available technology;

(4) Taking affirmative steps to avoid or reduce impacts;

(5) Sensitive site design and siting of facilities and construction staging areas away from critical areas and their buffers;

(6) Involving resource agencies early in site planning;

(7) Providing protective measures such as siltation curtains, hay bales and other siltation prevention measures; and

(8) Scheduling the prohibited activity to avoid interference with wildlife and fisheries rearing, resting, nesting or spawning activities.

14.88.400 Classification.

Fish and wildlife conservation areas include:

(a) Lands containing priority habitats and species, including plant and/or animal species listed on Federal or State threatened or endangered species lists.

(b) Naturally occurring ponds under 20 acres and their submerged aquatic beds that provide fish or wildlife habitat. These do not include ponds deliberately designed and created from dry sites such as canals, detention facilities, waste-water treatment facilities, farm ponds, temporary construction ponds (of less than three years duration), and landscape amenities. However, naturally occurring ponds may include those artificial ponds intentionally created from dry areas in order to mitigate conversion of ponds, if permitted by a regulatory authority.

(c) Waters of the State, as defined in WAC Title [222](#), Forest Practices Rules and Regulations. Waters of the State shall be classified using the system in WAC [222-16-030](#). In classifying waters of the State as fish and wildlife habitats the following shall be used:

(1) Species are present which are endangered, threatened or sensitive;

(2) Existing surrounding land uses are incompatible with salmonid and other game fish habitat;

(3) Presence and size of riparian ecosystem;

(4) Existing water rights.

(d) Lakes, ponds, and streams planted with game fish (defined at RCW [77.\(\(09\)\)08.020](#)), including those planted under the auspices of Federal, State, local, or tribal programs, or which support priority fish species as identified by the Department of Fish and Wildlife.

(e) State natural area preserves and natural resource conservation areas.

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(f) Habitats or species of local importance. Such habitats or species may be locally listed per the process elucidated in Section [14.88.415](#).

(g) Streams shall be classified according to the stream type system as provided in WAC [222-16-030](#), Stream Classification System, as amended.

(1) Type S Stream. Those streams, within their ordinary high water mark, as inventoried as shorelines of the State under Chapter [90.58](#) RCW and the rules promulgated pursuant thereto.

(2) Type F Stream. Those stream segments within the ordinary high water mark that are not Type S streams, and which are demonstrated or provisionally presumed to be used by fish. Stream segments which have a width of two feet or greater at the ordinary high water mark and have a gradient of 16 percent or less for basins less than or equal to 50 acres in size, or have a gradient of 20 percent or less for basins greater than 50 acres in size, are provisionally presumed to be used by fish. A provisional presumption of fish use may be refuted at the discretion of the Planning and Community Development Director where any of the following conditions are met:

(i) It is demonstrated to the satisfaction of the City that the stream segment in question is upstream of a complete, permanent, natural fish passage barrier, above which no stream section exhibits perennial flow;

(ii) It is demonstrated to the satisfaction of the City that the stream segment in question has confirmed, long-term, naturally occurring water quality parameters incapable of supporting fish;

(iii) Sufficient information about a geomorphic region is available to support a departure from the characteristics described above for the presumption of fish use, as determined in consultation with the Washington Department of Fish and Wildlife, the Department of Ecology, affected tribes, or others;

(iv) The Washington Department of Fish and Wildlife has issued a hydraulic project approval, pursuant to RCW [77.55.100](#), which includes a determination that the stream segment in question is not used by fish;

(v) No fish are discovered in the stream segment in question during a stream survey conducted according to the protocol provided in the Washington Forest Practices Board Manual, Section 13, Guidelines for Determining Fish Use for the Purpose of Typing waters under WAC [222-16-031](#); provided, that no unnatural fish passage barriers have been present downstream of said stream segment over a period of at least two years.

(3) Type Np Stream. Those stream segments within the ordinary high water mark that are perennial and are not Type S or Type F streams. However, for the purpose of classification, Type Np streams include intermittent dry portions of the channel below the uppermost point of perennial flow. If the uppermost point of perennial flow cannot be identified with simple, nontechnical observations (see Washington Forest Practices Board Manual, Section 23), then said point shall be determined by a qualified professional selected or approved by the City.

(4) Type Ns Stream. Those stream segments within the ordinary high water mark that are not Type S, Type F, or Type Np streams. These include seasonal streams in which surface flow is not present for at least some portion of a year of normal rainfall that are not located downstream from any Type Np stream segment.

14.88.930 Designation Process.

(a) Critical area sending or receiving districts are considered overlay zones allowed per Section ~~14.(36.070))88.920~~, Qualifications for designation of land as a Critical Area Sending and Receiving Districts. Designation as a critical area sending or receiving district is the equivalent of a rezone and shall be accomplished by the same process, as specified in Section [14.16C.090](#).

(b) Underlying land use and zoning designations may be changed by the legislative authority granted to the City through its normal Comprehensive Plan amendment or rezoning procedures. However, the land will retain the critical area sending district designation until that designation is specifically removed.

(c) Land designated as a critical area sending or receiving district shall be shown as an overlay district on the Official Zoning Map. The map shall be modified upon each designation or revocation.

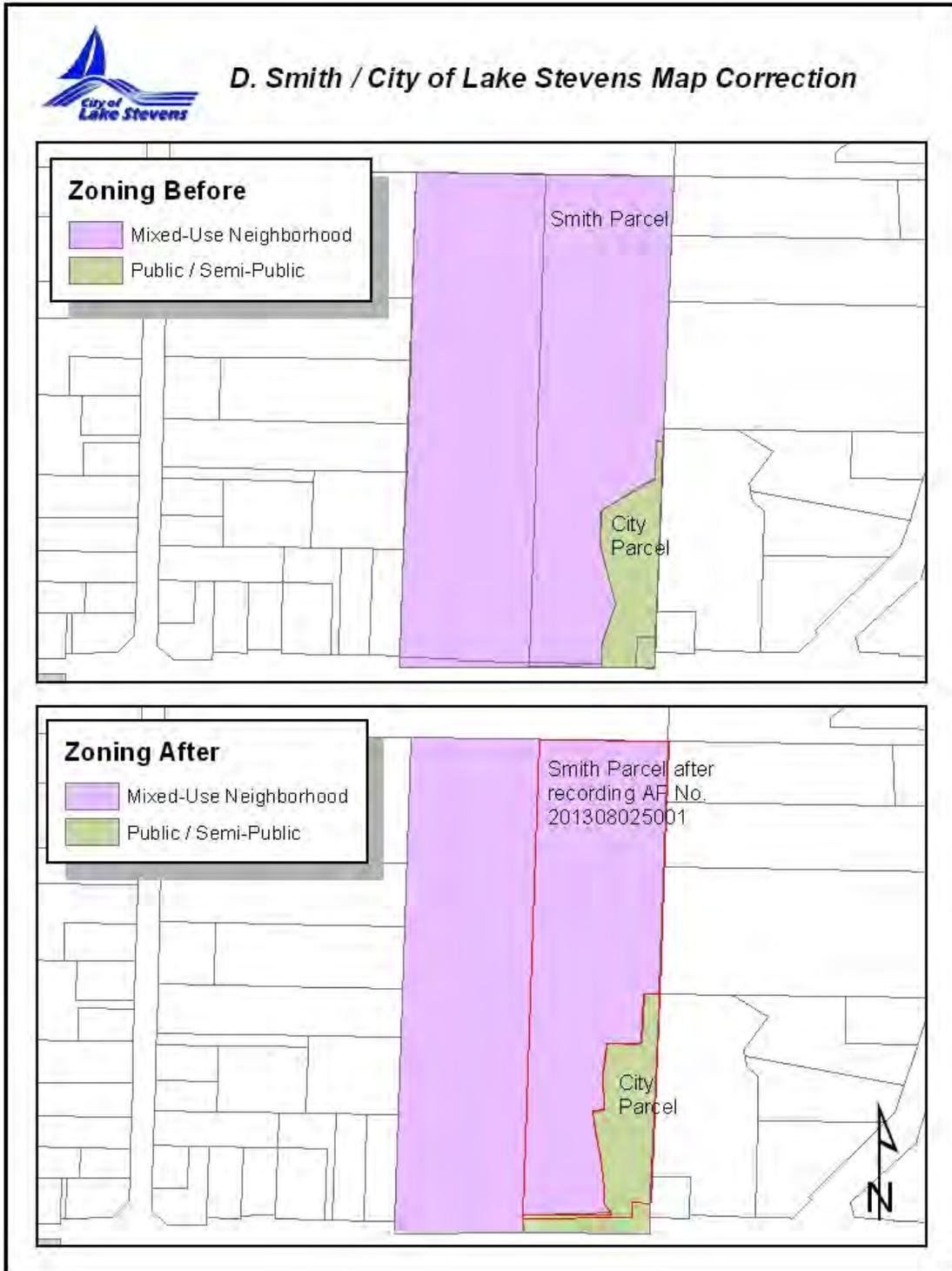
(d) Designation or revocation as a critical area sending or receiving district shall be recorded with the Snohomish County Recorder's Office and shall run with the land.

14.110.120 Appeals.

Appeals of requirements imposed pursuant to the chapter shall be governed by the appeal provisions of Chapter ~~14.16A.265((20))~~.

The Official Zoning Map is corrected by amending the boundaries for the land use designation of "P/SP" on Parcel No. 29061900302700 (XXXXX 20th Street SE, Lake Stevens) and land use designation of "MU" on Parcel No. 29061900301200 (10227 20th Street SE, Lake Stevens) due to equal acreage of dedication and vacation changing boundaries only and not changing total acreage in each designation. The boundary change is a map correction and does not require a site-specific rezone.

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LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: November 12, 2013

Subject: Recreational Marijuana Regulations (LUA2013-0096) – Briefing #2

Contact Person/Department: Karen Watkins, Planning **Budget Impact:** None

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL: **No action requested of Council as staff continues to discuss the draft Marijuana Overlay Map and proposed land use regulations with the Council.**

SUMMARY: Washington state voters approved Initiative Measure No. 502 (I-502) November 6, 2012 to legalize the production, processing, sale and use of marijuana and marijuana products purchased from state licensed stores by adults age twenty-one and over. The Washington State Liquor Control Board (WSLCB) adopted rules on October 16, 2013 with the effective date on November 18, 2013. Individual jurisdictions are required to adopt land use regulations consistent with the State’s rules. The WSLCB had determined that the City of Lake Stevens is allowed one marijuana retail outlet. Marijuana producers and processors are not restricted in numbers, but would be restricted by any adopted land use regulations.

BACKGROUND: On August 21, 2013 the Lake Stevens City Council approved Ordinance 900, enacting a six-month moratorium, prohibiting the establishment, permitting, licensing and operating, cultivation, production, and retail sales of marijuana and marijuana derivatives within the City of Lake Stevens to allow the City an opportunity to evaluate the potential impacts, develop a work plan and consider appropriate regulations relating to the licensing and operation of marijuana facilities as described in I-502. On September 23, 2013, the City Council held a public meeting on the moratorium and adopted a work program (Resolution 2013-9). An updated work program is included in *Appendix A*. A first briefing was held with the Council on October 28, 2013.

DISCUSSION: The purpose of the November 12th briefing is to continue discussions regarding proposed land use code amendments and the options available to the Council. Since the October 28th briefing, staff has contacted the cities of Marysville, Granite Falls and Arlington and will meet with Planning Directors, Police Chiefs and Planners in early December.

Council Questions: At the first briefing, Council provided staff with the following topics or questions to follow-up on before the next briefing:

- **Tax Question – Where does the taxes on marijuana production, processing and retail go?**
Initiative 502 specifically identified the taxes on the marijuana facilities and products and where the taxes will be spent. The following excerpts provide the specific information

Sec. 26. (1) There shall be a fund, known as the **dedicated marijuana fund**, which shall consist of all marijuana excise taxes, license fees, penalties, forfeitures, and all other moneys, income, or revenue received by the state liquor control board from marijuana-related activities. The state treasurer shall be custodian of the fund.

Sec. 27. (1) There is levied and collected a **marijuana excise tax equal to twenty-five percent** of the selling price on each wholesale sale in this state of marijuana by a licensed marijuana producer to a licensed marijuana processor or another licensed marijuana producer. This tax is the obligation of the licensed marijuana producer.

(2) There is levied and collected a **marijuana excise tax equal to twenty-five percent** of the selling price on each wholesale sale in this state of useable marijuana or marijuana-infused product by a licensed marijuana processor to a licensed marijuana retailer. This tax is the obligation of the licensed marijuana processor.

(3) There is levied and collected a **marijuana excise tax equal to twenty-five percent** of the selling price on each retail sale in this state of useable marijuana and marijuana-infused products. This tax is the obligation of the licensed marijuana retailer, is separate and in addition to general state and local sales and use taxes that apply to retail sales of tangible personal property, and is part of the total retail price to which general state and local sales and use taxes apply.

(4) All revenues collected from the marijuana excise taxes imposed under subsections (1) through (3) of this section shall be deposited each day in a depository approved by the state treasurer and transferred to the state treasurer to be credited to the dedicated marijuana fund.

(5) **The state liquor control board shall regularly review the tax levels** established under this section and make recommendations to the legislature as appropriate regarding adjustments that would further the goal of discouraging use while undercutting illegal market prices.

Sec. 28. All marijuana excise taxes collected from sales of marijuana, useable marijuana, and marijuana-infused products under section 27 of this act, and the license fees, penalties, and forfeitures derived under this act from marijuana producer, marijuana processor, and marijuana retailer licenses shall every three months be disbursed by the state liquor control board as follows:

(1) One hundred twenty-five thousand dollars to the department of social and health services to design and administer the Washington state healthy youth survey, analyze the collected data, and produce reports, in collaboration with the office of the superintendent of public instruction, department of health, department of commerce, family policy council, and state liquor control board. The survey shall be conducted at least every two years and include questions regarding, but not necessarily limited to, academic achievement, age at time of substance use initiation, antisocial behavior of friends, attitudes toward antisocial behavior, attitudes toward substance use, laws and community norms regarding antisocial behavior, family conflict, family management, parental attitudes toward substance use, peer rewarding of antisocial behavior, perceived risk of substance use, and rebelliousness. Funds disbursed under this subsection may be used to expand administration of the healthy youth survey to student populations attending institutions of higher education in Washington;

(2) Fifty thousand dollars to the department of social and health services for the purpose of contracting with the Washington state institute for public policy to conduct the cost-benefit evaluation and produce the reports described in section 30 of this act. This appropriation shall end after production of the final report required by section 30 of this act;

(3) Five thousand dollars to the University of Washington alcohol and drug abuse institute for the creation, maintenance, and timely updating of web-based public education materials providing medically and scientifically accurate information about the health and safety risks posed by marijuana use;

(4) An amount not exceeding one million two hundred fifty thousand dollars to the state liquor control board as is necessary for administration of this act;

(5) **Of the funds remaining after the disbursements identified in subsections (1) through (4) of this section:**

(a) Fifteen percent to the department of social and health services division of behavioral health and recovery for implementation and maintenance of programs and practices aimed at the prevention or reduction of maladaptive substance use, substance-use disorder, substance abuse or substance dependence, as these terms are defined in the Diagnostic and Statistical Manual of Mental Disorders, among middle

school and high school age students, whether as an explicit goal of a given program or practice or as a consistently corresponding effect of its implementation; PROVIDED, That:

(i) Of the funds disbursed under (a) of this subsection, at least eighty-five percent must be directed to evidence-based and cost-beneficial programs and practices that produce objectively measurable results; and

(ii) Up to fifteen percent of the funds disbursed under (a) of this subsection may be directed to research-based and emerging best practices or promising practices.

In deciding which programs and practices to fund, the secretary of the department of social and health services shall consult, at least annually, with the University of Washington's social development research group and the University of Washington's alcohol and drug abuse institute;

(b) Ten percent to the department of health for the creation, implementation, operation, and management of a marijuana education and public health program that contains the following:

(i) A marijuana use public health hotline that provides referrals to substance abuse treatment providers, utilizes evidence-based or research-based public health approaches to minimizing the harms associated with marijuana use, and does not solely advocate an abstinence-only approach;

(ii) A grants program for local health departments or other local community agencies that supports development and implementation of coordinated intervention strategies for the prevention and reduction of marijuana use by youth; and

(iii) Media-based education campaigns across television, internet, radio, print, and out-of-home advertising, separately targeting youth and adults, that provide medically and scientifically accurate information about the health and safety risks posed by marijuana use;

(c) Six-tenths of one percent to the University of Washington and four-tenths of one percent to Washington State University for research on the short and long-term effects of marijuana use, to include but not be limited to formal and informal methods for estimating and measuring intoxication and impairment, and for the dissemination of such research;

(d) Fifty percent to the state basic health plan trust account to be administered by the Washington basic health plan administrator and used as provided under chapter 70.47 RCW;

(e) Five percent to the Washington state health care authority to be expended exclusively through contracts with community health centers to provide primary health and dental care services, migrant health services, and maternity health care services as provided under RCW 41.05.220;

(f) Three-tenths of one percent to the office of the superintendent of public instruction to fund grants to building bridges programs under chapter 28A.175 RCW; and

(g) The remainder to the general fund.

- **Better Business Model by Tier – How much processing or retail does 2,000 sq.ft. of canopy supply?** There is not a one-to-one ratio of canopy to product as a producer can process the vegetation, sell plants or seeds to other producers or processors. Processors can collect vegetation from various producers and processors to package and then sell to retail. Retail stores can purchase products from as many processors as they want. Like liquor, there is not one type of marijuana, but many variations or combinations from many different producers and processors. So there is not a way to determine what one producer will produce based on the canopy size.
- **Colorado – Where is the State of Colorado in their process?** The Colorado Marijuana Legalization Initiative, Amendment 64 was approved by Colorado voters on November 6, 2012.

Since then, the Department of Revenue and local governments have been diligently working on rules and regulations that Amendment 64 stores must adhere to. Thanks to the work of advocates on the ground, the Department of Revenue, and local governments, on December 30, 2013, packaged and labeled marijuana and marijuana products should be available for purchase in select cities — including (but not limited to) Denver, Pueblo County, Aspen, Breckenridge, and Boulder — by anyone 21 years of age or older through state-licensed stores.

The State of Colorado regulations became effective October 16, 2013. Therefore, the State of Colorado is only a month ahead of the State of Washington in adopting regulations and issuing licenses. The Colorado Initiative addressed both medical and recreational marijuana.

- **Revised Work Program** – As discussed and recommended by Council, the Work Program has been updated to move the public process to 2014. This allows at least two more briefings with Council before going to a public hearing with the Planning Commission in January 2014. An updated Work Program is included in **Attachment A**.

Council's Options Summarized – The comparison table of marijuana regulations has been updated for the Lake Stevens column by removing the Local Business and Central Business District from the processing zones since these are not currently available outside the 1,000 foot buffer (**Attachment B**). At the first briefing, staff listed the following options for Council in regards to land use code amendments:

- Adopt interim regulations for six-months or a year to see what happens with licensing. Record and analyze impacts. OR Adopt permanent regulations.
- Limit the size of production facilities by tiers or production, processing or retail by size of building.
- Limit the zones where production, processing and/or retail is allowed.

A few cities are prohibiting marijuana businesses indirectly. The Municipal Research Services Center has a website for the Recreational Marijuana Regulations (see **Attachment C**), where they are tracking cities decisions (<http://www.mrsc.org/subjects/legal/502/recmarijuana.aspx#table>). The following was taken from the footnotes of the table:

1. The Kent zoning code prohibits all business activities that are not specifically allowed in designated zones. The Kent city council has not amended their zoning code to allow recreational marijuana businesses, so that lack of amendment acts as a prohibition of marijuana businesses.
2. On September 30, 2013, the Sunnyside city council voted to extend the city's moratorium on the producing, processing and selling of recreational marijuana within city limits to 12 months from its original six months.
3. On October 24, 2013, the Wenatchee city council voted against an ordinance that would have exempted marijuana businesses from the city requirement that all businesses comply with federal laws, so marijuana businesses are now prohibited from siting in the city.

Thus, there are indirect options to prohibit marijuana businesses without prohibiting them outright.

Draft Marijuana Overlay Map and Land Use Code Amendments: The Draft Marijuana Overlay Map was updated with more recent data and the three areas outside the 1,000 foot buffer (**Attachment D**). The map handed out at the Council Meeting on October 28 has been updated in the 20th Subarea that shows a small portion of Business District eligible and less of the Commercial District eligible when new protected entities are applied.

The following is a summary of potential land use code amendments, which the Council may

decide to amend for regulating Marijuana Facilities if allowed within the City:

- **Chapter 4.04 Business Licenses and Regulations:**
 - to allow for marijuana facilities not to have to meet all Federal regulations if the applicant has a current state license to operate a marijuana facility and
 - to separate them from normal agricultural products, which are exempt from a business license.
- **Chapter 14.08 Basic Definitions and Interpretations:**
 - Amend definitions for “Day Care Center, Commercial” and Day Care, In-Home” by referring to “Child Care Center” definition.
 - Add new definitions related to the State regulations for Marijuana Facilities including child care center, elementary school, game arcade, library, marijuana facility, marijuana processing facility, marijuana production facility, marijuana retail facility, playground, public park, public transit center, recreation center or facility, and secondary school.
- **Chapter 14.16C Land Use Actions, Permits and Determinations - Decision Criteria and Standards:**
 - Add prohibition for marijuana facilities
- **Chapter 14.38 Subarea Plans:**
 - For zones outside the 1,000 foot buffer, include whether marijuana facilities are permitted or not and any specific regulations for that zone.
- **Chapter 14.40 Permissible Uses:**
 - Modify the Permissible uses table by zone by placing a “P” in zones where specific marijuana facilities will be allowed.
- **Chapter 14.44 Supplementary Use Regulations:**
 - Add a section of specific regulations for :Recreational Marijuana State-Licensed Facilities for Production, Processing and Retail”.

APPLICABLE CITY POLICIES: Title 4 LSMC (Business Licenses and Regulations) and Title 14 LSMC (Land Use Code)

BUDGET IMPACT: No budget impact.

ATTACHMENTS:

- A. Updated Work Program dated October 30, 2013
- B. Updated Marijuana Regulations Comparison Table
- C. MRSC Recreational Marijuana Ordinance Comparison Table
- D. Updated Draft Marijuana Overlay Maps

Updated City of Lake Stevens Recreational Marijuana Regulations Work Program (LUA2013-0096)

ACTIVITY	Moratorium / Draft Regulations												
	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY						
Research													
Draft Code Amendments													
Draft Ordinances													
Attorney Review													
Prepare & Issue SEPA (comment/appeal)					14-day review								
Commerce Review					60 day review								
Notice Planning Commission Public Hearing in LSJ					12/18&24/2013								
Planning Commission Review (B-briefing; PH-public hearing)			10/2/2013(B)		12/4/2013(B)	1/8/2014(PH)							
Notice City Council Public Hearing in LSJ		9/11/2013				1/8&15/2014							
City Council Briefings & Workshops (B-briefing; PH-public hearing)		9/23/2013(PH)	10/28/2013	11/12/2013(B)	12/9/2013(B)								
City Council Public Hearing, 1 st Reading						1/27/2014 (PH - 1 st Reading)							
City Council Public Hearing, 2nd & Final Reading											2/10/2014 (PH - 2 nd Reading)		
Effective date	8/21/2013 Moratorium adopted											2/21/2014 Moratorium expires	

Purpose: Determine the appropriate local regulations for marijuana uses as defined in Ordinance 900 and develop appropriate regulations for permitting, licensing, cultivation, processing, and sales of marijuana and marijuana products for inclusion in the Lake Stevens Municipal Code.

Note: The moratorium enacted by Ordinance 900 expires on February 21, 2014. The city of Lake Stevens will endeavor to complete permanent regulations within that period. If the city needs additional time to complete the work program and adopt permanent regulations, it may extend the moratorium subject to public notice and an additional public hearing.

UPDATED COMPARISON OF PROPOSED/ADOPTED RECREATIONAL MARIJUANA REGULATIONS

	EVERETT² (Council Adopted Interim Regs 10/23)	MUKILTEO	SNOHOMISH COUNTY (Only Urban Zones Shown)	LAKE STEVENS
# Retail Allowed¹	5	1	16	1
Zones Allowed				
Production	<ul style="list-style-type: none"> • Not w/i 1,000 ft of any residential zone • Only Tier 1 allowed (up to 2,000 sq.ft. canopy) 	<ul style="list-style-type: none"> • Commercial Business 	<ul style="list-style-type: none"> • Industrial Park • Business Park • Light Industrial • Heavy Industrial 	<ul style="list-style-type: none"> • Sub-Regional Commercial • Light Industrial • General Industrial
Processing	<ul style="list-style-type: none"> • Not w/i 1,000 ft of any residential zone 	<ul style="list-style-type: none"> • Light Industrial 	<ul style="list-style-type: none"> • Industrial Park • Business Park • Light Industrial • Heavy Industrial 	<ul style="list-style-type: none"> • Business District • Sub-Regional Commercial • Light Industrial • General Industrial
Retail	<ul style="list-style-type: none"> • Only where retail use allowed use • Not in Neighborhood Business • 2,500 ft setback between retailers 	<ul style="list-style-type: none"> • Light Industrial 	<ul style="list-style-type: none"> • Neighborhood Business • Planned Community Business • Community Business • General Commercial • Business Park • Light Industrial • Heavy Industrial • Urban Center 	<ul style="list-style-type: none"> • Business District • Commercial District • Neighborhood Business • Planned Business District • Light Industrial • General Industrial
Business License	<ul style="list-style-type: none"> • Required to get all licenses 	<ul style="list-style-type: none"> • Required to get all licenses (Changes to Business License code) 	<ul style="list-style-type: none"> • Not mentioned. Auditor only issues business licenses for a few uses. 	<ul style="list-style-type: none"> • Required to get all licenses (Changes to Business License code)
Production		<ul style="list-style-type: none"> • Inside permanent structure, not mobile structure 	<ul style="list-style-type: none"> • Indoor only in urban zones 	<ul style="list-style-type: none"> • Indoor only
Definitions	<ul style="list-style-type: none"> • Reference marijuana, processor, producer and retailer in RCW 69.50.101 	<ul style="list-style-type: none"> • Added State definitions 	<ul style="list-style-type: none"> • Added marijuana, processing, production & retail only. Reference RCW 69.50.101 for all other definitions 	<ul style="list-style-type: none"> • Added State definitions
Home Occupation	<ul style="list-style-type: none"> • WSLCB does not allow license in a residence. Considered putting in code, but did not. 	<ul style="list-style-type: none"> • Prohibited 	<ul style="list-style-type: none"> • Prohibited 	<ul style="list-style-type: none"> • Prohibited

¹ In addition, Marysville – 3, Edmonds & Lynnwood – 2, and all others 1 for Total 35 in Snohomish County

²Everett adopted interim regulations for 1 year to see how they work with WSLCB licensing process. May make changes before one year is up.

Ordinance Comparison Table

Jurisdiction	Allow Under Existing Laws	Moratorium	Interim Zoning	Permanent Zoning	Prohibition
Anacortes			X		
Bonney Lake		X			
Bellevue			X		
Burien			X		
Carbonado		X			
Douglas County				X	
Edgewood			X		
Fife		X			
Kennewick		X			
Kent ¹					X
Kirkland	X				
Lacey				X	
Millwood		X			
Milton				X	
Monroe			X		
Mossyrock					X
Mukilteo				X	
Normandy Park			X		
Olympia		X			
Pasco		X			
Puyallup		X			
Redmond		X			
Richland		X			
Seattle				X	
Spokane			X		
Sunnyside ²		X			
Tukwila				X	
Wenatchee ³					X
Yakima				X	

1. The Kent zoning code prohibits all business activities that are not specifically allowed in designated zones. The Kent city council has not amended their zoning code to allow recreational marijuana businesses, so that lack of amendment acts as a prohibition of marijuana businesses.

2. On September 30, 2013, the Sunnyside city council voted to extend the city's moratorium on the producing, processing and selling of recreational marijuana within city limits to 12 months from its original six months.

3. On October 24, 2013, the Wenatchee city council voted against an ordinance that would have exempted marijuana businesses from the city requirement that all businesses comply with federal laws, so marijuana businesses are now prohibited from siting in the city.



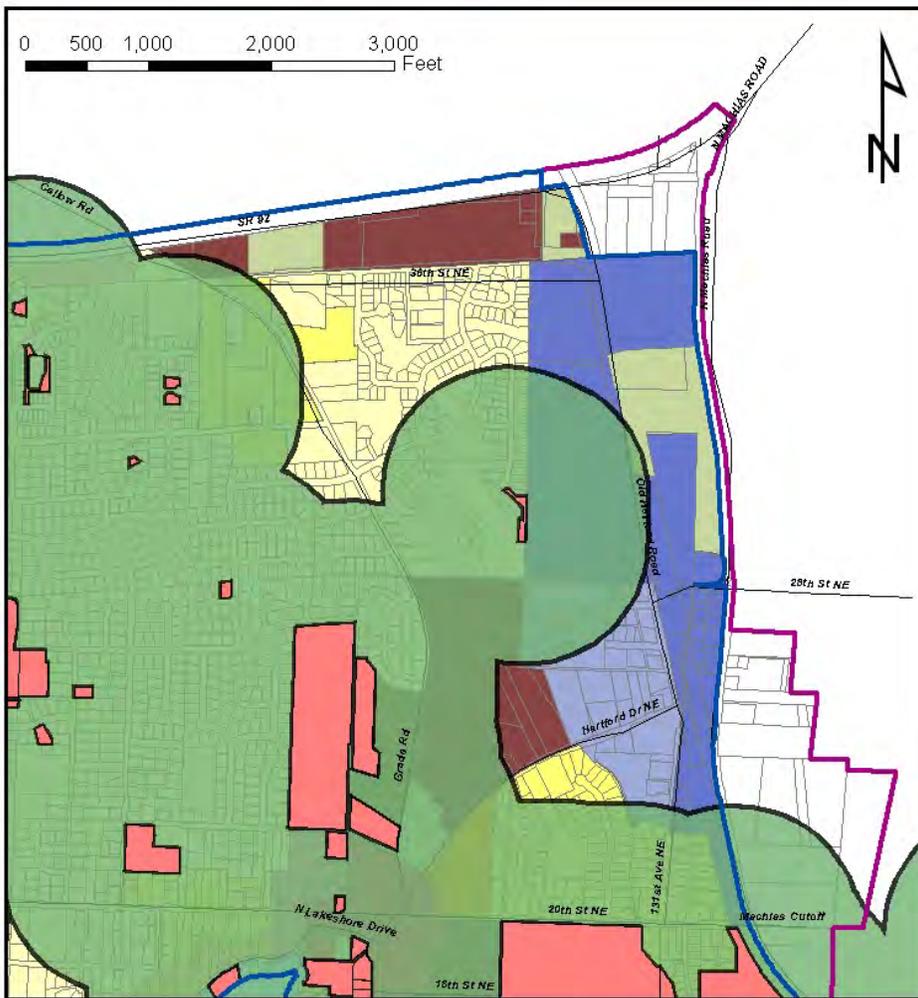
CITY OF
LAKE STEVENS
 DRAFT MARIJUANA OVERLAY MAP - NE

<p>Features</p> <ul style="list-style-type: none"> City of Lake Stevens Unincorporated UGA Protected Entities* 1000-Buffer 	<p>City Zones</p> <ul style="list-style-type: none"> Suburban Residential (SR) Urban Residential (UR) High Urban Residential (HUR) Waterfront Residential (WR) Multi-Family Residential (MFR) MF Development Agreement (MFDA) Local Business (LB) 	<ul style="list-style-type: none"> Mixed Use (MU) Central Business District (CBD) Planned Business District (PBD) Light Industrial (LI) General Industrial (GI) GI Development Agreement (GIDA) Public / Semi-Public (P/SP)
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*Protected entities are those entities described in WAC 314-55-050 (10) and are subject to a 1,000 foot separation from marijuana facilities.

Properties outside the protective buffer with appropriate zoning may have marijuana uses subject to review & approval

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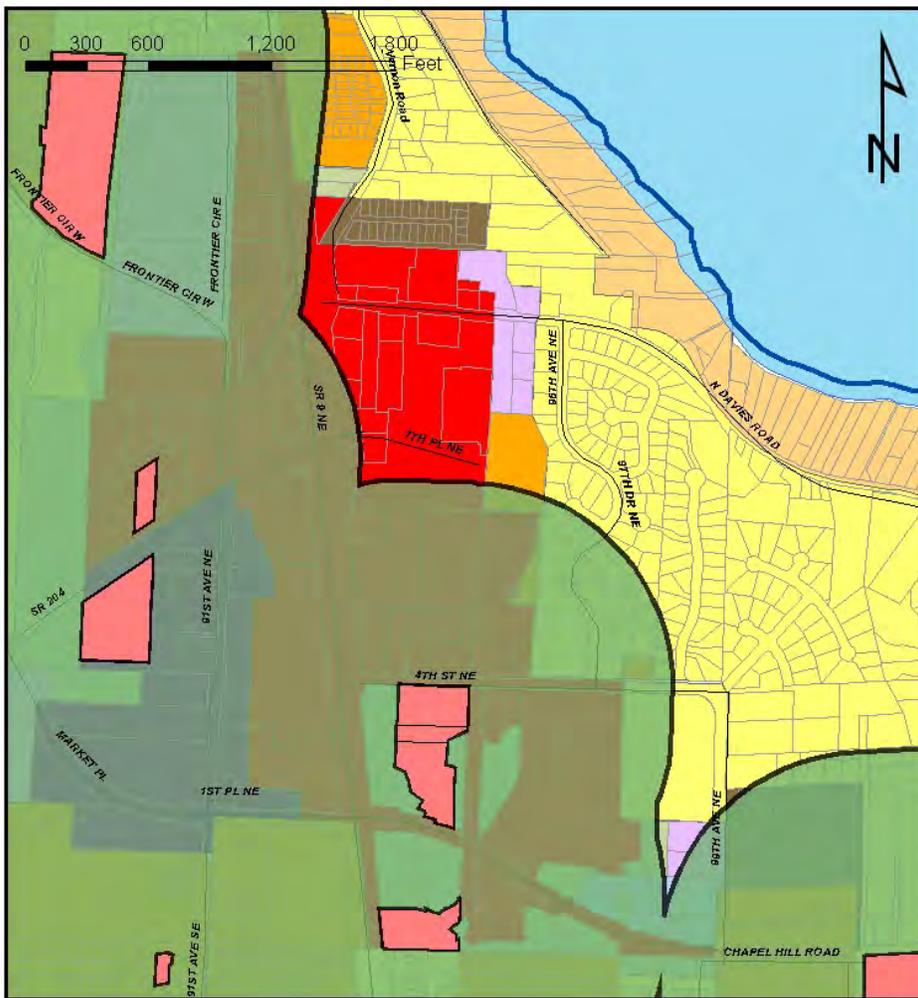
CITY OF
LAKE STEVENS
 DRAFT MARIJUANA OVERLAY MAP - LSC

Features	Subarea Zones	City Zones
City of Lake Stevens	Urban Residential (UR)	Suburban Residential (SR)
Unincorporated UGA	High Urban Residential (HUR)	Urban Residential (UR)
Protected Entities*	Mixed-Use Neighborhood (MUN)	High Urban Residential (HUR)
1000-Buffer	Main Street (MS)	Waterfront Residential (WR)
	Commercial District (CD)	Multi-Family Residential (MFR)
	Neighborhood Business (NB)	MF Development Agreement (MFDA)
	Business District (BD)	Local Business (LB)
	Public / Semi-Public (P/SP)	Mixed Use (MU)
		Central Business District (CBD)
		Planned Business District (PBD)
		Light Industrial (LI)
		General Industrial (GI)
		GI Development Agreement (GIDA)
		Public / Semi-Public (P/SP)

DRAFT 11-5-13

*Protected entities are those entities described in WAC 314-55-050 (10) and are subject to a 1,000 foot separation from marijuana facilities.

Properties outside the protective buffer with appropriate zoning may have marijuana uses subject to review & approval





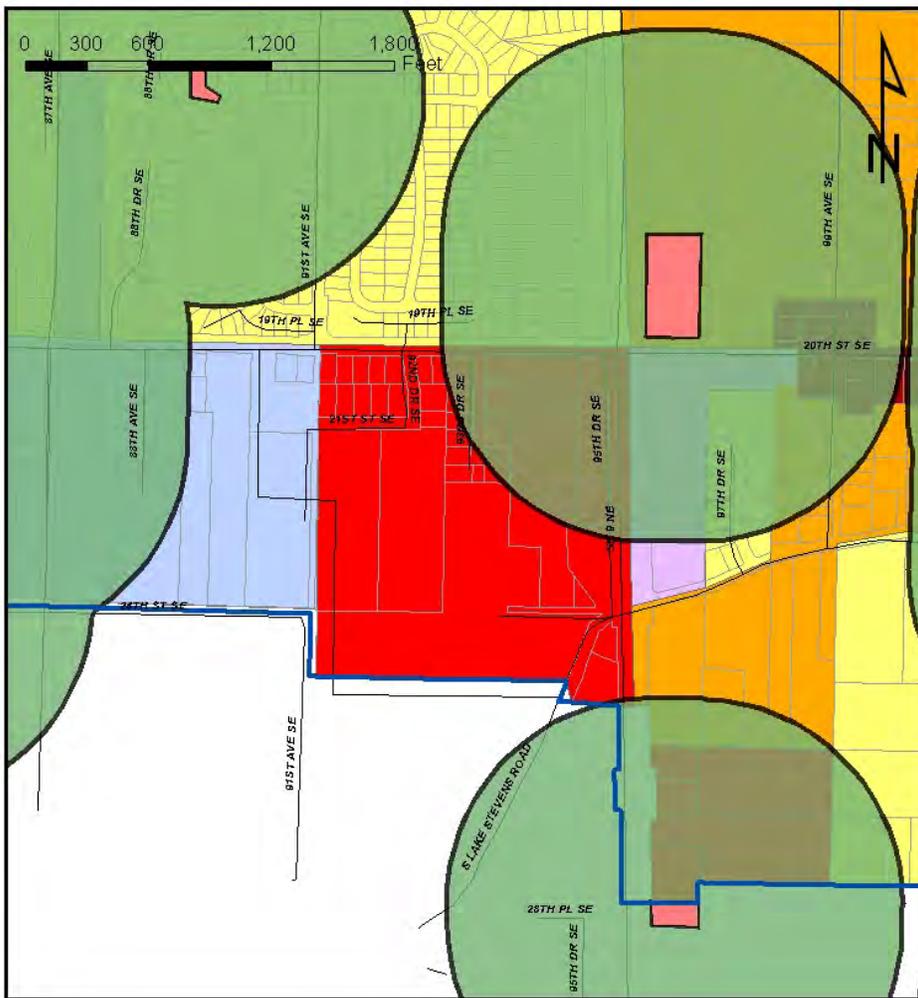
CITY OF
LAKE STEVENS
 DRAFT MARIJUANA OVERLAY MAP - South

Features	Subarea Zones	City Zones
City of Lake Stevens	Urban Residential (UR)	Suburban Residential (SR)
Unincorporated UGA	High Urban Residential (HUR)	Urban Residential (UR)
Protected Entities ¹	Mixed-Use Neighborhood (MUN)	High Urban Residential (HUR)
1000-Buffer	Main Street (MS)	Waterfront Residential (WR)
	Commercial District (CD)	Multi-Family Residential (MFR)
	Neighborhood Business (NB)	MF Development Agreement (MFDA)
	Business District (BD)	Local Business (LB)
	Public / Semi-Public (P/SP)	Mixed Use (MU)
		Central Business District (CBD)
		Planned Business District (PBD)
		Light Industrial (LI)
		General Industrial (GI)
		GI Development Agreement (GIDA)
		Public / Semi-Public (P/SP)

DRAFT 11-5-13

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LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: November 12, 2013

Subject: 2013 Budget Amendment #4

Contact Person/Department: Barb Stevens/ Finance **Budget Impact:** Yes

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:

(No Action Required) Review Ordinance No. 905 Amending Ordinance No. 883

SUMMARY/BACKGROUND:

Throughout the year the City Council authorizes various purchase requests and agreements. At the time of authorization, the budget impact is presented to the Council as part of the information required in order for the Council to make an informed decision. The budget amendment follows to adjust the specific line items that will be affected by purchase or contract award.

Detailed explanations of the changes requested are described below:

General Fund - 001

The increase in expenditures of \$18,200 is due to the costs related to the Police Chief recruiting process. This includes approximately \$5,000 for the WASPC recruitment agreement, \$7,500 for travel expenses for candidates, and \$5,700 for background services. The ending fund balance reflects these changes.

Street Fund - 101

The increased expenditures are related to two projects; the Grade Road Embankment Stability Analysis and Preliminary Design in the amount of \$18,900, and the 123rd Ave NE/Outfall Bridge Preliminary Geotechnical Study in the amount of \$7,500, both brought in front on Council on August 12, 2013 by Director Monken. The ending fund balance reflects these changes.

Sidewalk Capital Project Fund - 309

The increased expenditures in the amount of \$32,054 are due to the increased bid amounts for the partially TIB grant funded 20th Street NE Sidewalk Connectivity Project. This contract was approved by Council August 12, 2013. The ending fund balance reflects these changes.

Storm/Surface Water Fund - 410

The decrease in revenues in the amount of \$17,134 is due to the transfer of funds from the Aerator Equipment Replacement Fund for use against the cost of the Alum Treatment. The amount allowed to be transferred for this use was limited by the ILA between Snohomish County and the City to "funds over \$101,000" in that fund, which left approximately \$32,886 to be transferred. The difference will be paid from the Storm/Surface Water Fund ending fund balance and proportionately reimbursed by Snohomish County. The ending fund balance reflects these changes.

Aerator Replacement Fund - 540

The decrease in expenditures correlates with the decrease in revenues in the Storm/Surface Water Fund as outlined above. The ending fund balance reflects these changes.

APPLICABLE CITY POLICIES:

In accordance with the Financial Management Policies, Budget Themes and Policies, and the Revised Code of Washington, changes in the adopted budget must be brought before the City Council.

BUDGET IMPACT:

The budget ordinance will amend the beginning and ending balances, and revenues and expenditures in the funds set forth in the ordinance.

ATTACHMENTS:

- ▶ Exhibit A: Ordinance No. 905

**CITY OF LAKE STEVENS
 LAKE STEVENS, WASHINGTON
 ORDINANCE NO. 905**

AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON, AMENDING THE 2013 BUDGET AS SET FORTH IN ORDINANCE NO. 883 CONCERNING FUND BALANCES AND EXPENDITURES FOR VARIOUS FUND BALANCES FOR THE YEAR 2013.

WHEREAS, the City of Lake Stevens adopted the 2013 budget pursuant to Ordinance No. 883; and

WHEREAS, the City of Lake Stevens will incur expenditures in categories and amounts other than anticipated in the adopted 2013 budget;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE STEVENS DO ORDAIN AS FOLLOWS:

SECTION 1. The 2013 budget, as adopted in Ordinance No. 883, is hereby amended as follows:

<i>Fund</i>	<i>Description</i>	<i>Current Budget</i>	<i>Amended Budget</i>	<i>Amount of Inc/(Dec)</i>	<i>ExpRev</i>
001 - General	Expenditures	\$8,010,154	\$8,028,354	\$18,200	Exp.
001 - General	Ending Fund Balance	\$4,559,965	\$4,541,765	(\$18,200)	EndBal.
101 - Street	Expenditures	\$1,849,505	\$1,875,005	\$26,400	Exp.
101 - Street	Ending Fund Balance	\$2,564,712	\$2,538,312	(\$26,400)	EndBal.
309 - Sidewalk Cap. Proj.	Expenditures	\$273,000	\$305,054	\$32,054	Exp.
309 - Sidewalk Cap. Proj.	Ending Fund Balance	\$525,263	\$493,209	(\$32,054)	EndBal.
410 - Storm/Surface Water	Revenues	\$1,488,984	\$1,471,850	(\$17,134)	Rev.
410 - Storm/Surface Water	Ending Fund Balance	\$1,064,723	\$1,047,589	(\$17,134)	Exp.
540 - Aerator Replacement	Expenditures	\$52,000	\$34,866	(\$17,134)	Rev.
540 - Aerator Replacement	Ending Fund Balance	\$83,886	\$101,020	\$17,134	EndBal.

SECTION 2. Except as set forth above, all other provisions of Ordinance 883 shall remain in full force, unchanged.

SECTION 3. Effective Date and Publication. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in force five (5) days after the date of publication.

PASSED by the City Council of the City of Lake Stevens this 25th day of November, 2013.

 Vern Little, Mayor

ATTEST/AUTHENTICATION:

 Norma J. Scott, City Clerk/Admin Asst

APPROVED AS TO FORM:

 Grant Weed, City Attorney

First and Final Reading:
 Published:
 Effective:



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