



PLANNING COMMISSION AGENDA

Regular Meeting Date: 02.04.2015

Planning Commission Meeting:

First Wednesday of every Month @ 7:00pm

Planning & Community Development Department

1812 Main Street
Lake Stevens, WA 98258
(425) 377-3235

www.lakestevenswa.gov

Municipal Code

Available online:

www.codepublishing.com/WA/LakeStevens/

*Items attached

**Items previously distributed

Items to be distributed

A. CALL TO ORDER: 7:00pm
Pledge of Allegiance

B. ROLL CALL

C. GUEST BUSINESS

D. ACTION ITEMS
1. Approval of 01.21.15 Meeting Minutes*
2. 2015 Proposed Work Program*

E. PUBLIC HEARING:

Public hearing presentation will follow the public hearing format listed below:

PUBLIC HEARING FORMAT

1. PC Chair Opens Public Hearing
2. Staff Presentation
3. Commission's questions for staff
4. Proponent's comments
5. Comments from the audience
6. Proponent rebuttal comments
7. Close public comments portion of hearing by motion
8. Re-open public comment portion of hearing for additional comments (optional)
9. Close Hearing by motion
10. COMMISSION ACTION BY MOTION—Recommendation to Council
 - A. Approve
 - B. Deny
 - C. Continue

a. Subarea Plan Zone District Warehouse Allowance Code Amendment LUA2015-0075*

F. DISCUSSION ITEMS
1. Comp Plan update – Housing, Public Services and Utilities and Transportation*

G. COMMISSIONER REPORTS

H. PLANNING DIRECTOR'S REPORT
1. Economic incentives follow-up*
2. Meeting procedure review *

I. ADJOURN

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, at (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, at (800) 833-6388, and ask the operator to dial the City of Lake Stevens City Hall number.

PLANNING COMMISSION REGULAR MEETING MINUTES

Community Center
1808 Main Street, Lake Stevens
Wednesday, January 21, 2015

CALL TO ORDER: 7:02 pm by Chair Tom Matlack

MEMBERS PRESENT: Tom Matlack, Chairman, Janice Huxford, Pamela Barnett, Mirza Avdic, Linda Hoult, Gary Petershagen

MEMBERS ABSENT: Jennifer Davis, Vice Chair

STAFF PRESENT: Planning Director Rebecca Ableman, Lead Senior Planner Russ Wright, Senior Planner Sally Payne, and Clerk Jill Meis

OTHERS PRESENT: None

Excused Absence: Commissioner Huxford made a motion to excuse Commissioner Davis, Commissioner Hoult Second. Motion carried. 5-0-0-2.

Commissioner Petershagen arrived at 7:05pm.

Guest business. None.

Special Presentation. None.

Action Items:

1. *Approve January 7, 2015 Meeting Minutes.* Commissioner Hoult made a motion to approve January 7, 2015 minutes, Commissioner Barnett Second. Motion carried 6-0-0-1.

Public Hearing: None.

Discussion Items: Lead Senior Planner Wright provided an overview of the chapters and updates to the Comprehensive Plan pertaining to the specific requirements from the Department of Commerce to implement the Growth Management Act and the requirements from the Puget Sound Regional Council. He also described changes to the introduction chapter. Commissioner Hoult provided feedback on the references to Frontier Village; she suggested keeping the brand consistent by omitting Frontier Village and instead using Lake Stevens Center. Planner Wright agreed and suggested the same would be done for all subareas.

Senior Planner Payne presented the housing profile element of the Comprehensive Plan in a PowerPoint presentation, created for City Council by the housing alliance. Senior Planner Payne fielded questions regarding the presentation and how the element harmonized with the GMA. Commissioner Avdic asked questions about acquiring more UGA areas. The city will be looking at that over a five-year time frame.

Director Ableman fielded questions on affordable housing and procedures for GMA.

Director Ableman presented and discussed the Parks and Recreation element. She went over the suggested alternative plan and layout of the Cavalero Park and fielded questions regarding infrastructure and bus lines.

Director Ableman briefed the Commission on the Draft 2015 Work Program.

Commissioner Reports: None

Commissioner Huxford reported that the Chamber of Commerce will be linking to our calendar to display current events.

Planning Director Report: Director Ableman will present meeting procedure guidelines at the next meeting as well as an update on the economic incentives.

Adjourn. Motion by Commissioner Avdic, Second by Commissioner Hoult, to adjourn at 8:10 p.m. Motion carried 6-0-0-1.

Tom Matlack, Chair

Jill Meis, Clerk, Planning &
Community Development



LAKE STEVENS PLANNING COMMISSION
STAFF REPORT

Planning Commission

Agenda Date: February 4, 2015

Subject: Proposed 2015 Planning Commission Work Program

Contact Person/Department:	Rebecca Ableman Planning & Community Development Director	Budget Impact:	None
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RECOMMENDATION(S)/ACTION REQUESTED OF PLANNING COMMISSION: The action for the Planning Commission is to review the proposed 2015 Work Program (**Attachment A**) and forward to the Council for review and approval.

SUMMARY/BACKGROUND:

The Planning Commission reviewed a draft 2015 work program at their meeting on January 21, 2015. The program is primarily focused on completing the City's mandated Comprehensive Plan Update that started in 2014 and related code amendments. The draft program also includes placeholders for beginning the Downtown Subarea Plan and any Economic Development Strategy implementation work items that may come up during the year.

APPLICABLE CITY POLICIES: The proposed program is consistent with Lake Stevens Comprehensive Plan and the City's Economic Development Strategy and current staffing levels. Note that Council will need to approve funding for the Downtown Subarea Planning process.

ATTACHMENTS:

- A. Proposed 2015 Planning Commission Work Program



ATTACHMENT A
2015 Proposed PLANNING COMMISSION WORK PROGRAM

PROJECT	PROCESS	SCHEDULE	START	PROJECT MANAGER
2015 Comprehensive Plan Update – Coordinate with work groups and proposed update process. Review and/or make recommendations on proposed element & map amendments, and facilitate the public process.	1. Stakeholder/Public involvement and consensus building opportunities 2. Project Team 3. Plan development 4. Formal adoption process 5. PC will hold workshops, a public hearing and make recommendation to CC. 6. Implementation work as identified in the final plan	Approximate 18 month process – PC Completion April 2015	On-going	RW/SP
Downtown Subarea Plan	Potential Project as assigned by City Council	12 month process	3 rd or 4 th Quarter	TBD
Economic Development Strategy Implementation Items	Potential Projects as assigned by City Council	TBD	TBD	TBD
Zoning Code Amendments				
1. Floodplain Code Amendments – REQUIRED BY DEPT. OF ECOLOGY	PC will hold workshops, a public hearing and make recommendation to CC.	12 Week Process	3 rd Quarter	RW
2. Grading and Clearing Code – Update clearing and grading code – NPDES REQUIRED UPDATES	PC will hold workshops, a public hearing and make recommendation to CC.	Approximate 3-4 month process	3 rd Quarter	RW
2. Park Impact Fee Code – Update park impact fee code to reflect updated capital facilities list	PC will hold workshops, a public hearing and make recommendation to CC.	Approximate 3-4 month process	4 th Quarter	SP
3. Code amendments - Associated with 2015 Comprehensive Plan update	PC will review full list of 2015 Comprehensive Plan Update implementation code amendments and hold workshops, a public hearing and make recommendation to CC as appropriate.	Approximate 18 month process	2015	RW/SP



Staff Report City of Lake Stevens Planning Commission

Planning Commission Public Hearing
Date: **February 4, 2015**

Subject: Subarea Plan Zone District Warehouse Allowance Code Amendment (LUA2014-0075)

Contact Person/Department: Sally Payne, Senior Planner

SUMMARY:

The item before the Planning Commission is a Public Hearing covering proposed code amendments to subarea plan zone districts regarding the allowances for warehouse uses found in 14.38.020. The proposed changes would allow a broader range of warehouse options for potential employers and large retailers looking to locate in the City and correct a code citation found in 14.38.030.

ACTION REQUESTED OF PLANNING COMMISSION:

Conduct a Public Hearing and make a Recommendation to City Council to approve the proposed code amendments.

BACKGROUND/DISCUSSION:

The City Council adopted Subarea Plans including new development regulations for the 20th Street SE Corridor and the Lake Stevens Center in September 2012. These regulations include allowances for "warehousing" within a development. The primary purpose of the parameters is to avoid large buildings that contain "storage" limiting actual space for jobs. This is a typical tool used in land use codes. However, after actually working with both potential employers and property owners over the past several months, there is reason to consider an adjustment to the allowances in order to support a broader range of potential desired employers locating to Lake Stevens. Staff proposed revisions to the existing code found in 14.38.020 for the Subarea Plan Business and Commercial Districts.

On November 10, 2014, staff presented the proposed code revision to City Council for discussion. Staff discussed adjusting the current warehouse allowances by zone districts to provide more flexibility in the Subareas. The basic changes include:

14.38.020(a) – Business District (intended employment areas)

Proposal: Remove 25 percent limitation of warehousing, storage and distribution and increase wholesale trade accessory use from 15 percent to 25 percent.

Result: *Nearly doubles the allowable warehousing use but keeps warehousing as a secondary use consistent with the intent of promoting employment not just storage buildings. Increases opportunities for wholesaling.*

14.38.020(b) – Commercial District (commercial/retail areas)

Proposal: Add warehousing, storage and distribution as a secondary use with a 25% allowance.

Result: *Allows some warehousing for retail and other potential large businesses but supports the goal of primarily retail space that is needed in the city.*

14.38.030(b)(7) Other Use

Proposal: Corrects citation applicable to warehousing provisions.

Result: *Clarification and correction.*

The result of the City Council discussion on this code revision was to move forward with the proposed code amendment as presented. The revised code language can be found in (**Attachment 1**). A schedule for implementation of the revised code is included as (**Attachment 2**). The first reading is scheduled before City Council on February 23, 2015 and second reading on March 9, 2015.

FINDINGS AND CONCLUSIONS:

1. Compliance with selected Land Use Goals of the Comprehensive Plan

- Economic Development Goal 4.3 – Attain the highest level of economic well-being possible for all citizens in Lake Stevens through the achievement of a stable and diversified economy offering a wide variety of employment opportunities.

Compliance with selected Goals of the Lake Stevens Center Subarea Plan

- Goal 1: Dramatically upgrade the appearance, function, identify and economic value of the area.

Compliance with selected Goals of the 20th Street SE Corridor Subarea Plan

- Goal 1: Dramatically modify the appearance, function, identity and economic value of the area by creating a cohesive district.

Conclusions – The proposed code amendments are consistent with some Land Use and Subarea Plan goals of the Comprehensive Plan.

2. Compliance with the State Environmental Policy Act (SEPA)(Chapter 97-11 WAC and Title 16 LSMC

- Staff prepared an environmental checklist for the proposed code revisions dated October 6, 2014 (**Attachment 3**).
- The SEPA official issued a Determination of Nonsignificance on January 16, 2015 (**Attachment 4**).
- The city has not received any appeals related to the SEPA determination.

Conclusions – The proposed code amendments have met local and state SEPA requirements.

3. Compliance with the Growth Management Act (RCW 36.70A.106)

- The city requested expedited review from the Department of Commerce on January 16, 2015 (**Attachment 5**).
- The Department of Commerce sent a letter of acknowledgment on January 20, 2015 (**Attachment 6**).
- Staff will file the final ordinance with the Department of Commerce within 10 days of City Council action.

Conclusions – The proposed code amendments have met Growth Management Act requirements.

4. Public Notice and Comments

- The city published a notice of SEPA determination in the Everett Herald on January 20, 2015.
- The city published a notice of Public Hearing in the Everett Herald on January 25, 2014.

- The city notified interested parties of the SEPA DNS and public hearing on January 16, 2015.

Conclusions – The City has met public notice requirements per Chapter 14.16B LSMC.

RECOMMENDATION: Forward a recommendation to the City Council to APPROVE the proposed Subarea Plan Zone District Warehouse Allowance Code Amendment (LUA2014-0075).

ATTACHMENTS:

1. Draft Revised Code
2. Code Amendment Schedule
3. Environmental Checklist
4. SEPA Determination
5. Department of Commerce Expedited Review
6. Letter of Acknowledgement

**City of Lake Stevens
Draft Code Amendment Warehousing Allowance Subareas
October 13, 2014**

14.38.020 Zoning Districts – The following zoning districts implement the goals, policies and distribution of land uses set forth in the Subarea Plans.

- (a) **Business District (BD)** – The purpose of this district is to promote community and regional employment and accommodate land uses such as corporate offices, general offices, research and development, medical clinics, technology, and light manufacturing and assembly. Secondary uses include warehousing, storage and distribution associated with a principal use and small-scale retail and services that support the principal uses and objectives of the district. This district should be located in areas with direct access to highways and arterials in addition to transit facilities, adequate public services and traffic capacity.

(1) Principal Uses

- (i) Educational services (colleges and or technical schools);
- (ii) Finance and insurance;
- (iii) Health care services;
- (iv) Light manufacturing and assembly;
- (v) Management of companies and enterprises;
- (vi) Professional, scientific, and technical services; and
- (vii) Transit-Oriented Development (including transit facilities/stops).

(2) Secondary Uses

- (i) Food services;
- (ii) Information services;
- (iii) Personal services
- (iv) Retail trade;
- (v) Wholesale trade; and
- (vi) Warehousing, storage and distribution.

(3) Special Regulations

- (i) Secondary service uses and retail trade shall not exceed 5,000 gross square feet;
- (ii) Wholesale trade accessory to the principal use shall not exceed 15-25 percent of the gross floor area of individual structures;
- ~~(iii) Warehousing, storage and distribution accessory to the principal use shall not exceed 25 percent of the gross floor area of individual structures;~~
- ~~(iv)~~(iii) Places of Worship over 10,000 gross square feet require a Conditional Use Permit per Section 14.16C.045; and
- ~~(v)~~(iv) Wireless and cellular communications facilities require an Administrative Conditional Use Permit per Section 14.16C.015.

- (b) **Commercial District (CD)** – The purpose of this district is to accommodate the high-intensity retail needs of the community and regional market by attracting a mix of large to small format retail stores and restaurants to create a vibrant and unified regional shopping center. Transportation

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accessibility, exposure to highways and arterials with adequate public services and traffic capacity characterize this district.

(1) Principal Uses

- (i) Accommodation services;
- (ii) Arts and entertainment;
- (iii) Food services;
- (iv) Retail trade; and
- (v) Transit-Oriented Development (including transit facilities/stops).

(2) Secondary Uses

- (i) Amusement and recreation industries;
- (ii) Commercial parking structures/lots;
- (iii) Educational services (colleges and/or technical schools);
- (iv) Finance and insurance;
- (v) Health care services;
- (vi) Information services;
- (vii) Personal services;
- (viii) Professional, scientific, and technical services; and

(ix) Public administration; and

(ix)(x) Warehousing, storage and distribution.

(3) Residential Uses

- (i) Mixed-use multifamily residential units including apartments, condominiums, and live/work units, where the majority of residential units are located above commercial uses.

(4) Special Regulations

- (i) Health care, professional, scientific, and technical services require a Conditional Use Permit per Section 14.16C.045 when the structure's footprint exceeds 10,000 gross square feet;
- (ii) Places of Worship over 10,000 gross square feet require a Conditional Use Permit per Section 14.16C.045;

(iii) Wireless and cellular communications facilities require an Administrative Conditional Use Permit per Section 14.16C.015;

(iii)(iv) Warehousing, storage and distribution accessory to the principal use shall not exceed 25 percent of the gross floor area of individual structures; and

(iv)(v) Outdoor retail sales of building materials, garden equipment and supplies, and vehicles are permitted.

- (c) **Main Street District (MS)** – The purpose of this district is to provide pedestrian-oriented commercial uses that serve the community and region by attracting a variety of small (up to 10,000 gross square feet) to mid-sized (approximately 30,000 gross square feet) businesses along with high-density residential uses in proximity to other retail and residential areas. Building design and pedestrian-oriented features would support an active and pleasant streetscape. This district should include

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enhanced sidewalks, public spaces and amenities for pedestrians and cyclists that emphasize pedestrian movement over vehicular movement.

(1) Principal Uses

- (i) Arts and entertainment;
- (ii) Food services;
- (iii) Small to mid-size retail trade; and
- (iv) Transit facilities/stops.

(2) Secondary Uses

- (i) Amusement and recreation industries
- (ii) Commercial parking structures/lots;
- (iii) Finance and Insurance;
- (iv) Health care services;
- (v) Personal services;
- (vi) Professional, scientific, and technical services;
- (vii) Public administration; and

(3) Residential Uses

- (i) Mixed-use multifamily residential units including apartments, condominiums, and live/work units, where the majority of residential units are located above commercial uses.

(4) Special Regulations

- (i) Automotive, boat, and recreational vehicle sales and services are not allowed.
- (ii) Drive-through uses are not allowed between the building and right-of-way and are subject to screening requirements found in the applicable design guidelines.
- (iii) Theaters and performing arts venues are limited to a maximum size of 500 seats.
- (iv) The footprint of small to mid-size retail trade uses, in any single-use structure, may not exceed 30,000 gross square feet.
- (v) Health care, professional, scientific, or technical service structures' footprints may not exceed 5,000 gross square feet.
- (vi) Wireless and cellular communications facilities require an Administrative Conditional Use Permit per Section 14.16C.015.

(d) Mixed-Use Neighborhood (MUN) – The purpose of this district is to accommodate higher density residential development in proximity to employment and retail centers and provide basic convenience goods and services, in areas, with available public services and adequate traffic capacities. This district would have a minimum density of 15 dwelling units per acre. This district would create a transition between higher and lower intensity land uses.

(1) Principal uses

- (i) Multifamily apartments and condominiums;
- (ii) Townhomes and row houses; and

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- (iii) Residential over retail/office including live/work units.
- (2) Secondary uses
 - (i) Neighborhood-oriented retail trade and personal services that meet the convenience shopping and services needs of the immediate and surrounding area.
- (3) Special Regulations
 - (i) Mixed-use building configurations may include a vertical or horizontal stratification.
 - Retail and service uses located in attached mixed-use buildings are limited to the ground level;
 - Sites with retail and service uses located in detached buildings are limited to a maximum floor area of 10,000 gross square feet;
 - Detached buildings with a footprint greater than 10,000 gross square feet require a Conditional Use Permit per Section 14.16C.045;
 - Commercial uses should be oriented toward the primary frontage, with residential uses behind.
 - (ii) In the 20th Street SE Corridor, the district will allow innovative housing options per Chapter 14.46 LSMC.
 - (iii) Automotive, boat, and recreational vehicle sales and services are not allowed.
 - (iv) Drive-through uses are not allowed between the building and right-of-way and are subject to screening requirements found in the applicable design guidelines.
 - (v) Wireless and cellular communications facilities require an Administrative Conditional Use Permit per Section 14.16C.015.
- (e) **Neighborhood Business (NB)** – The purpose of this district is to provide convenience goods, services, and opportunities for smaller scale shopping centers near neighborhoods that cater to pedestrians and commuters. This district should be located in areas with available public services, transportation accessibility to arterials and adequate traffic capacities.
 - (1) Principal Uses
 - (i) Arts and entertainment;
 - (ii) Food services;
 - (iii) Personal services;
 - (iv) Small retail trade; and
 - (v) Transit facilities/stops.
 - (2) Secondary Uses
 - (i) Amusement and recreation industries;
 - (ii) Finance and insurance;
 - (iii) Professional, scientific, and technical services; and
 - (iv) Public administration.
 - (3) Special Regulations
 - (i) Automotive, boat, and recreational vehicle sales are not allowed.

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- (ii) Drive-through uses are subject to screening requirements found in the applicable design guidelines.
 - (iii) The footprint of any single structure may not exceed 10,000 gross square feet.
 - (iv) Wireless and cellular communications facilities require an Administrative Conditional Use Permit per Section 14.16C.015.
- (f) **Other Zones** – The subareas may also contain the Urban Residential (UR), High Urban Residential (HUR), and Public / Semi-Public (PSP) zoning districts, as described in Chapter 14.36 LSMC or as modified below.
- (1) **High Urban Residential (HUR)** – Within the subareas, the purpose of the HUR district is to accommodate higher-density residential uses that may include multifamily condominiums, apartments, townhouses and row houses, as well as any small lot single-family residential units or innovative housing options per Chapter 14.46 LSMC in areas served by public water and sewer facilities, as well as the other uses described in Table 14.40-I of Chapter 14.40 LSMC.
 - (2) **Public / Semi-Public (P/SP)** – Within the subareas, the purpose of P/SP district is to accommodate public and semi-public uses, such as schools, government facilities, public utilities, community facilities, parks, etc., as well as the other uses described in Table 14.40-I of Chapter 14.40 LSMC.

14.38.030 Other Uses

The intent of all of the subarea zoning districts is to encourage a wide range of uses, while restricting uses that do not support the primary purpose of the zoning district. The identified uses are derived from the *North American Industry Classification System (NAICS)*.

(a) **Director's Authority** – The Director has the authority to determine if uses comply with the intent of the zoning district and support the principal uses and objectives of the district following the methodology described in Section 14.40.040(a) and based on a review of specific use categories defined in the NAICS.

(b) **Prohibited Uses within the subarea districts:**

- (1) Adult entertainment;
- (2) Construction facilities;
- (3) Industrial uses ,except as allowed in Section 14.38.020;
- (4) Mining, quarrying, and oil and gas extraction;
- (5) Waste management and remediation services;
- (6) Uses involving outdoor sales and storage of inventory, equipment, vehicles, or materials, including towing, wrecking, and impound lots, except as allowed in Section 14.38.020(b); and
- (7) Warehousing, storage and distribution, except as allowed in Section 14.38.020(ad) and (b).

CITY OF LAKE STEVENS

**WAREHOUSE ALLOWANCE – SUBAREAS CODE AMENDMENT SCHEDULE
(LUA 2014-0075)**

ACTIVITY	JANUARY	FEBRUARY	MARCH
Draft Ordinances	-----		
Attorney Review		---	
Commerce Review (Request Expedited Review - 15 days)	1/16/15		
Prepare & Issue SEPA (comment/appeal) 14 days	1/16/15		
Notice Planning Commission and City Council Public Hearing in	1/25/15		
Planning Commission Public Hearing		2/4/15	
City Council Public Hearing, 1 st Reading		2/23/15	
City Council Public Hearing, 2nd & Final Reading			3/9/15
Effective date			3/20/15



City of Lake Stevens
 Planning and Community Development
 1812 Main Street, PO Box 257
 Lake Stevens, WA 98258

CITY OF LAKE STEVENS ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. BACKGROUND

1. Name of proposed project, if applicable:

Warehouse Allowances – Subareas Chapter 14.38 Code Amendments

2. Name of applicant:

City of Lake Stevens

3. Address and phone number of applicant and contact person:

Rebecca Ableman, Planning and Community Development Director
City of Lake Stevens, PO Box 257, Lake Stevens, WA 98258
425-377-3229

4. Date checklist prepared:

October 6, 2014

5. Agency requesting checklist:

City of Lake Stevens

6. Proposed timing or schedule (including phasing, if applicable):

SEP Determination – October 10, 2014
Public Hearing – October 22, 2014
Public Hearing – November 10, 2014
Final City Council Adoption – November 24, 2014

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

Not at this time.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

None

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

This amendment will affect projects submitting applications after the effective date.

10. List any government approvals or permits that will be needed for your proposal, if known.

Department of Commerce Review, Planning Commission Recommendation, City Council Approval

10. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

Code amendments to LSMC 14.38.020(a) & (b) and 14.38.030(b)(7) to increase the warehouse space allowance from 25% to a secondary use % (less than 50%) in the Business District zone (BD) and allow a limited amount (25%) of warehousing space as a secondary use in the Commercial Business District (CB) where currently not allowed.

11. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The code amendment would be implemented citywide. Currently, the applicable zoning districts are only located in the 20th Street SE Corridor and the Lake Stevens Center Subareas.

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site

(circle one): Flat, rolling, hilly, steep slopes, mountainous,
other _____

The City of Lake Steven's topography includes steep slopes, ravines, hilly and some flat land areas.

b. What is the steepest slope on the site (approximate percent slope)?

NA – this nonproject action updates the City's land use regulations pertaining to warehousing space allowances in the Business District and Commercial Districts in the 20th Street SE Corridor and the Lake Stevens Center Subareas.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

The city contains the following soil series:

- Tokul gravelly loam

- Winston gravelly loam

- Mukilteo Muck
- Everett gravelly sandy loam
- Norma loam
- Urban Land
- Distributed/Fill
- Bellingham silty clay loam
- McKenna gravelly silt loam
- Rober silt loam
- Paskit silt loam
- Terric Medisaprist

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. Yes.

The Land Capability Classification from the USDA Web Soil Survey shows soil types ranging from 2e to 7e. This index rates the suitability of soil for cultivation. This means some soil types in the city are potentially unstable depending on site conditions, such as soil depth, water content and may be susceptible to erosion without proper soil management. The Tokul, Winston, and Paskit series are most susceptible to erosion. The Bellingham, McKenna, and Pilchuck series may be unstable with excessive water.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

NA – this nonproject action updates the City’s land use regulations pertaining to warehousing space allowances in the Business District and Commercial District zones.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

NA – this nonproject action updates the City’s land use regulations pertaining to warehousing space allowances in the Business District and Commercial District zones.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

NA – this nonproject action updates the City’s land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

NA – this nonproject action updates the City’s land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

2. Air

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

NA – this nonproject action updates the City’s land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

NA – this nonproject action updates the City’s land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

b. Proposed measures to reduce or control emissions or other impacts to air, if any:

NA – this nonproject action updates the City’s land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

3. Water

a. Surface Water:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

The city of Lake Stevens has several bodies of water including Lake Stevens, Catherine Creek, Stevens Creek, Lundeen Creek, Stitch Lake and associated wetland complexes. Catherine Creek flows into Little Pilchuck Creek.

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

NA – this nonproject action updates the City’s land use regulations pertaining to warehousing space allowances in the Business District and Commercial District zones.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

NA – this nonproject action updates the City’s land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

NA – this nonproject action updates the City’s land use regulations pertaining to warehousing space allowances in the Business District and Commercial District zones.

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

Yes. The city of Lake Stevens has lands with Special Flood Hazard Area Zone A, depicted on the FIRMs for Lake Stevens, WA.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

NA – this nonproject action updates the City’s land use regulations pertaining to warehousing space allowances in the Business District and Commercial District zones.

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

NA – this nonproject action updates the City’s land use regulations pertaining to warehousing space allowances in the Business District and Commercial District zones.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

NA - this nonproject action updates the City’s land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

NA - this nonproject action updates the City’s land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

NA – this nonproject action updates the City’s land use regulations pertaining to warehousing space allowances in the Business District and Commercial District zones.

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

NA – this nonproject action updates the City’s land use regulations pertaining to warehousing space allowances in the Business District and Commercial District zones.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

NA - this nonproject action updates the City’s land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

4. Plants

a. Check the types of vegetation found on the site:

- deciduous tree: alder, maple, aspen, other
 evergreen tree: fir, cedar, pine, other
 shrubs
 grass
 pasture
 crop or grain
 Orchards, vineyards or other permanent crops.
 wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
 water plants: water lily, eelgrass, milfoil, other
 other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

b. List threatened and endangered species known to be on or near the site.

c.

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

e. List all noxious weeds and invasive species known to be on or near the site.

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

5. Animals

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include:

birds: hawk, heron, eagle, songbirds, other:
mammals: deer, bear, elk, beaver, other:
fish: bass, salmon, trout, herring, shellfish, other _____

c. List any threatened and endangered species known to be on or near the site.

- Lake Stevens - Puget Sound Coho salmon (*O. kisutch*) – Federal Species of Concern, and State Priority Species
- Streams - Puget Sound Steelhead (*O. mykiss*) – Federal Threatened Species

- Streams - Bull Trout (*S. Confluentus*) – Federal Threatened Species

d. Is the site part of a migration route? If so, explain.

Yes. Pacific flyway, salmonid migratory route.

e. Proposed measures to preserve or enhance wildlife, if any:

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

f. List any invasive animal species known to be on or near the site.

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

6. Energy and natural resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

b. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

7. Environmental health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

NA – this nonproject action updates the City's land use regulations pertaining to warehousing space allowances in the Business District and Commercial District zones.

- 1) Describe any known or possible contamination at the site from present or past uses.

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

- 4) Describe special emergency services that might be required.

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

- 5) Proposed measures to reduce or control environmental health hazards, if any:

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)?
Indicate what hours noise would come from the site.

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

- 3) Proposed measures to reduce or control noise impacts, if any:

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The city of Lake Stevens includes a variety of urban land uses including residential, commercial, office, industrial and public.

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

Some parcels within the city of Lake Stevens were likely used for agriculture in the past. Currently, some larger parcels include fruit trees and may still have farm animals.

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

- c. Describe any structures on the site.

There is a mix of residential, commercial and public buildings within the City.

- d. Will any structures be demolished? If so, what?

NA – this nonproject action updates the City's land use regulations pertaining to warehousing space allowances in the Business District and Commercial District zones.

- e. What is the current zoning classification of the site?

The city of Lake Stevens includes a variety of urban zones including residential, commercial, office, industrial and public. The proposed amendments will apply to two subarea zones, Business District (BD) and Commercial District (CD).

- f. What is the current comprehensive plan designation of the site?

The city of Lake Stevens includes a variety of comprehensive plan designations including residential, commercial, office, industrial and public. The proposed Amendments would apply to properties designated Commercial (COM) with corresponding BD and CD zoning.

g. If applicable, what is the current shoreline master program designation of the site?

The city's Shoreline Master Program lists the following Environment Designations: Aquatic, Natural, High Intensity, Urban Conservancy, and Shoreline Residential. There are currently no properties within the shoreline jurisdiction with the zoning of BD or CD.

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

Yes, the city of Lake Stevens includes a variety of critical areas including streams, wetlands, fish and wildlife habitat conservation areas, flood hazard areas and geologically hazardous areas.

i. Approximately how many people would reside or work in the completed project?

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones. Projects in these zones would bring jobs to Lake Stevens and the number of people would be dependent on the type of business.

j. Approximately how many people would the completed project displace?

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

k. Proposed measures to avoid or reduce displacement impacts, if any:

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

c. NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

- d. Proposed measures to reduce or control housing impacts, if any:

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones. All projects would meet the existing requirements for height.

- b. What views in the immediate vicinity would be altered or obstructed?

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

- c. Proposed measures to reduce or control aesthetic impacts, if any:

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

- c. What existing off-site sources of light or glare may affect your proposal?

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

- d. Proposed measures to reduce or control light and glare impacts, if any: [help]

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

The city of Lake Stevens includes a variety of recreational facilities including the lake, city and county parks, schools, athletic fields, and the Centennial Trail.

- b. Would the proposed project displace any existing recreational uses? If so, describe.
NA – this nonproject action updates the City’s land use regulations pertaining to warehousing space allowances in the Business District and Commercial District zones.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:
NA - this nonproject action updates the City’s land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.

The WA Dept. of Archaeology and Historic Preservation database shows two historical properties adjacent to Lake Stevens including the Grimm House a nationally registered historic place.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

NA - this nonproject action updates the City’s land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

NA - this nonproject action updates the City’s land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

NA - this nonproject action updates the City’s land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

The city of Lake Stevens includes several major roads including highways SR-9, SR-92, and SR-204. Major roads through the city include Vernon, Lundeen Parkways, 20th Street NE and 20th Street SE.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

Yes.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

NA - this nonproject action updates the City's land use regulations pertaining to warehousing space allowances in the Business District and Commercial District zones.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

- h. Proposed measures to reduce or control transportation impacts, if any:

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

NA - this nonproject action updates the City's land use regulations pertaining to warehousing space allowances in the Business District and Commercial District zones.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

16. Utilities

- a. Circle utilities currently available at the site:
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,
other _____
- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.
- NA - this nonproject action updates the City's land use code pertaining to warehousing space allowances in the Business District and Commercial District zones.

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____

Name of signer _____

Position and Agency/Organization _____

Date Submitted: _____

Rebecca Ableman
Rebecca Ableman
Planning Director, City of Lake Stevens
10.6.14

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposal is not likely to increase discharge to water discharge; air emissions; production, storage, or release of toxic or hazardous substances, or production of noise.

Proposed measures to avoid or reduce such increases are:

The proposal would likely have no affect on discharge to water; emissions to the air; production, storage, or release of toxic or hazardous substances; or production of noise as the requirements for for building size remain the same and in most cases warehousing is a less intensive use than manufacturing or office.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposal is not likely to affect plants, animals, fish, or marine life.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:
Impacts to plants, animals, fish or marine life would remain unchanged as a result of the increase in allowable warehouse space within a proposed building. Critical area regulations will still apply and any adverse impact to critical areas must be avoided or adequately mitigated on a project specific basis.

3. How would the proposal be likely to deplete energy or natural resources?

The proposal would not be likely to deplete energy resources. All new development would be subject to the International Energy Code and all municipal code requirements.

Proposed measures to protect or conserve energy and natural resources are:
The proposal would tend to reduce the depletion of energy and natural resources would remain unchanged as the regulations only affect how a building is used and does not waive requirements to protect or conserve energy and natural resources.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposal would have no additional impacts to environmentally sensitive areas or areas designated for governmental protection as critical area regulations would apply to any specific project.

Proposed measures to protect such resources or to avoid or reduce impacts are:
Critical areas would still apply to specific projects including mitigation in accordance with LSMC 14.88 Critical Areas or the SEPA pursuant to LSMC 16. Cultural resources shall be protected in accordance with all applicable state and federal laws on a project specific basis.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The proposal would not likely affect land and shoreline use.

Proposed measures to avoid or reduce shoreline and land use impacts are:
Future development would fall under LSMC 14.88 Critical Areas that adequately protects land and shoreline uses including avoidance and mitigation measures that will apply to specific project.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

It is not likely the proposal will increase demands on transportation or public services and utilities.

Proposed measures to reduce or respond to such demand(s) are:

The proposed code revision is only changing the square footage allowance in an approved project to include more warehousing space. It would not likely increase demands on public services and utilities than already planned..

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposal creates no known conflicts with local and state law. It is consistent with the *City of Lake Stevens Comprehensive Plan*, the Growth Management Act (Chapter 36.70A RCW) and Chapter 314-55 WAC.



DETERMINATION OF NONSIGNIFICANCE

Issuance Date: January 16, 2015

Project Name (No.): Subarea Plan Zone District Warehouse Allowance Code Amendment (LUA2014-0075)

Proponent: City of Lake Stevens

Applicants: City of Lake Stevens, 1812 Main St., P.O. Box 257, Lake Stevens, WA 98258

Description of Proposal: This is a land use code amendment to Lake Stevens Municipal Code 14.38.20 to amend the subarea plan zone districts to allow a broader range of warehouse options for potential employers locating to the City and correction of a code citation to 14.38.30.

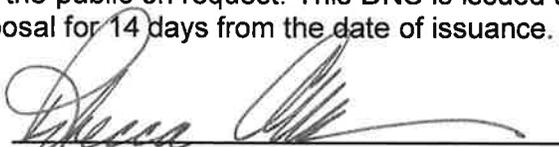
Project Location: Within City Limits of Lake Stevens

Contact Person: Sally Payne, Senior Planner

Phone: (425) 377-3221

Threshold Determination: The City of Lake Stevens, acting as lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request. This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date of issuance.

SEPA Responsible Official:


Rebecca Ableman, Planning Director, City of Lake Stevens

Comments on the Threshold Determination: If you would like to comment on this Threshold Determination, your written comments should be sent to the address below by **February 3, 2015**. The Responsible Official may incorporate any substantial comments into the DNS. If the DNS is substantially modified, it will be reissued for further public review.

Appeals: You may appeal this determination of non-significance by submitting an appeal to the address below no later than 5:00 PM, **February 3, 2015**. The appeal must be in written form, contain a concise statement of the matter being appealed and the basic rationale for the appeal. A fee is required per the City's Fee Resolution. Please note that failure to file a timely and complete appeal shall constitute a waiver of all rights to an administrative appeal under City code. All comments or appeals are to be directed to City Hall, P.O. Box 257, Lake Stevens WA, 98258, Attn: Sally Payne.



Department of Commerce

Innovation is in our nature.

Notice of Proposed Amendment Request for Expedited Review

Pursuant to RCW 36.70A.106(3)(b), the following jurisdiction provides notice of a proposed development regulation amendment and requests expedited state agency review under the Growth Management Act.

****Under statute, proposed amendments to comprehensive plans are not eligible for expedited review. The expedited review period is 10 business days (14 calendar days).**

(If needed, you may expand this form and the fields below, but please try to keep the entire form under two pages in length.)

Jurisdiction:	City of Lake Stevens, WA
Mailing Address:	P.O. Box 257, Lake Stevens, WA 98258
Date:	January 16, 2015

Contact Name:	Sally Payne
Title/Position:	Senior Planner
Phone Number:	425-377-3221
E-mail Address:	spayne@lakestevenswa.gov

Brief Description of the Proposed/Draft Development Regulations Amendment: <i>(40 words or less)</i>	Rewriting of LSMC 14.38.020, <u>Zoning Districts</u> to adjust warehouse allowance provisions in the subarea zone districts to allow a broader range of potential employers locating to the City. Correction of a code citation in LSMC 14.38.030, <u>Other Uses</u> .
Public Hearing Date:	Planning Commission: February 4, 2015 City Council: February 23, 2015
Proposed Adoption Date:	March 9, 2015

REQUIRED: Attach or include a copy the proposed amendment text. **Attachment A is the Current Code, Attachment B is the Proposed Revised Code.**

ATTACHEMENT A CURRENT CODE

14.38.020 Zoning Districts.

The following zoning districts implement the goals, policies and distribution of land uses set forth in the subarea plans.

(a) **Business District (BD).** The purpose of this district is to promote community and regional employment and accommodate land uses such as corporate offices, general offices, research and development, medical clinics, technology, and light manufacturing and assembly. Secondary uses include warehousing, storage and distribution associated with a principal use and small-scale retail and services that support the principal uses and objectives of the district. This district should be located in areas with direct access to highways and arterials in addition to transit facilities, adequate public services and traffic capacity.

(1) **Principal Uses.**

- (i) Educational services (colleges and/or technical schools);
- (ii) Finance and insurance;
- (iii) Health care services;
- (iv) Light manufacturing and assembly;
- (v) Management of companies and enterprises;
- (vi) Professional, scientific, and technical services; and
- (vii) Transit-oriented development (including transit facilities/stops).

(2) **Secondary Uses.**

- (i) Food services;
- (ii) Information services;
- (iii) Personal services;
- (iv) Retail trade;
- (v) Wholesale trade; and

(vi) Warehousing, storage and distribution.

(3) Special Regulations.

(i) Secondary service uses and retail trade shall not exceed 5,000 gross square feet;

(ii) Wholesale trade accessory to the principal use shall not exceed 15 percent of the gross floor area of individual structures;

(iii) Warehousing, storage and distribution accessory to the principal use shall not exceed 25 percent of the gross floor area of individual structures;

(iv) Places of worship over 10,000 gross square feet require a conditional use permit per Section 14.16C.045;

(v) Wireless and cellular communications facilities require an administrative conditional use permit per Section 14.16C.015; and

(vi) Marijuana facilities are not allowed.

(b) Commercial District (CD). The purpose of this district is to accommodate the high-intensity retail needs of the community and regional market by attracting a mix of large to small format retail stores and restaurants to create a vibrant and unified regional shopping center. Transportation accessibility, exposure to highways and arterials with adequate public services and traffic capacity characterize this district.

(1) Principal Uses.

(i) Accommodation services;

(ii) Arts and entertainment;

(iii) Food services;

(iv) Retail trade; and

(v) Transit-oriented development (including transit facilities/stops).

(2) Secondary Uses.

(i) Amusement and recreation industries;

- (ii) Commercial parking structures/lots;
 - (iii) Educational services (colleges and/or technical schools);
 - (iv) Finance and insurance;
 - (v) Health care services;
 - (vi) Information services;
 - (vii) Personal services;
 - (viii) Professional, scientific, and technical services; and
 - (ix) Public administration.
- (3) Residential Uses.
- (i) Mixed use multi-family residential units including apartments, condominiums, and live/work units, where the majority of residential units are located above commercial uses.
- (4) Special Regulations.
- (i) Health care, professional, scientific, and technical services require a conditional use permit per Section 14.16C.045 when the structure's footprint exceeds 10,000 gross square feet;
 - (ii) Places of worship over 10,000 gross square feet require a conditional use permit per Section 14.16C.045;
 - (iii) Wireless and cellular communications facilities require an administrative conditional use permit per Section 14.16C.015;
 - (iv) Outdoor retail sales of building materials, garden equipment and supplies, and vehicles are permitted; and
 - (v) Marijuana retail facilities are permitted, subject to Section 14.44.097.
- (c) Main Street District (MS). The purpose of this district is to provide pedestrian-oriented commercial uses that serve the community and region by attracting a variety of small (up to 10,000 gross square feet) to mid-sized (approximately 30,000 gross square feet) businesses along with high-density residential uses in proximity to other retail and residential areas. Building design and pedestrian-oriented features would support an active

and pleasant streetscape. This district should include enhanced sidewalks, public spaces and amenities for pedestrians and cyclists that emphasize pedestrian movement over vehicular movement.

(1) Principal Uses.

- (i) Arts and entertainment;
- (ii) Food services;
- (iii) Small to mid-size retail trade; and
- (iv) Transit facilities/stops.

(2) Secondary Uses.

- (i) Amusement and recreation industries;
- (ii) Commercial parking structures/lots;
- (iii) Finance and insurance;
- (iv) Health care services;
- (v) Personal services;
- (vi) Professional, scientific, and technical services; and
- (vii) Public administration.

(3) Residential Uses.

- (i) Mixed use multi-family residential units including apartments, condominiums, and live/work units, where the majority of residential units are located above commercial uses.

(4) Special Regulations.

- (i) Automotive, boat, and recreational vehicle sales and services are not allowed.
- (ii) Drive-through uses are not allowed between the building and right-of-way and are subject to screening requirements found in the applicable design guidelines.
- (iii) Theaters and performing arts venues are limited to a maximum size of 500 seats.

(iv) The footprint of small to mid-size retail trade uses, in any single-use structure, may not exceed 30,000 gross square feet.

(v) Health care, professional, scientific, or technical service structures' footprints may not exceed 5,000 gross square feet.

(vi) Wireless and cellular communications facilities require an administrative conditional use permit per Section 14.16C.015.

(vii) Marijuana facilities are not allowed.

(d) **Mixed Use Neighborhood (MUN).** The purpose of this district is to accommodate higher density residential development in proximity to employment and retail centers and provide basic convenience goods and services in areas with available public services and adequate traffic capacities. This district would have a minimum density of 15 dwelling units per acre. This district would create a transition between higher and lower intensity land uses.

(1) **Principal Uses.**

(i) Multi-family apartments and condominiums;

(ii) Townhomes and row houses; and

(iii) Residential over retail/office including live/work units.

(2) **Secondary Uses.**

(i) Neighborhood-oriented retail trade and personal services that meet the convenience shopping and services needs of the immediate and surrounding area.

(3) **Special Regulations.**

(i) Mixed use building configurations may include a vertical or horizontal stratification.

a. Retail and service uses located in attached mixed use buildings are limited to the ground level;

b. Sites with retail and service uses located in detached buildings are limited to a maximum floor area of 10,000 gross square feet;

c. Detached buildings with a footprint greater than 10,000 gross square feet require a conditional use permit per Section 14.16C.045;

d. Commercial uses should be oriented toward the primary frontage, with residential uses behind.

(ii) In the 20th Street SE Corridor, the district will allow innovative housing options per Chapter 14.46.

(iii) Automotive, boat, and recreational vehicle sales and services are not allowed.

(iv) Drive-through uses are not allowed between the building and right-of-way and are subject to screening requirements found in the applicable design guidelines.

(v) Wireless and cellular communications facilities require an administrative conditional use permit per Section 14.16C.015.

(vi) Marijuana facilities are not allowed.

(e) Neighborhood Business (NB). The purpose of this district is to provide convenience goods, services, and opportunities for smaller scale shopping centers near neighborhoods that cater to pedestrians and commuters. This district should be located in areas with available public services, transportation accessibility to arterials and adequate traffic capacities.

(1) Principal Uses.

(i) Arts and entertainment;

(ii) Food services;

(iii) Personal services;

(iv) Small retail trade; and

(v) Transit facilities/stops.

(2) Secondary Uses.

(i) Amusement and recreation industries;

(ii) Finance and insurance;

(iii) Professional, scientific, and technical services; and

(iv) Public administration.

(3) Special Regulations.

(i) Automotive, boat, and recreational vehicle sales are not allowed.

(ii) Drive-through uses are subject to screening requirements found in the applicable design guidelines.

(iii) The footprint of any single structure may not exceed 10,000 gross square feet.

(iv) Wireless and cellular communications facilities require an administrative conditional use permit per Section 14.16C.015.

(v) Marijuana facilities are not allowed.

(f) Other Zones. The subareas may also contain the Urban Residential (UR), High Urban Residential (HUR), and Public/Semi-Public (P/SP) zoning districts, as described in Chapter 14.36 or as modified below.

(1) High Urban Residential (HUR). Within the subareas, the purpose of the HUR district is to accommodate higher-density residential uses that may include multi-family condominiums, apartments, townhouses and row houses, as well as any small lot single-family residential units or innovative housing options per Chapter 14.46 in areas served by public water and sewer facilities, as well as the other uses described in Table 14.40-I of Chapter 14.40.

(2) Public/Semi-Public (P/SP). Within the subareas, the purpose of P/SP district is to accommodate public and semi-public uses, such as schools, government facilities, public utilities, community facilities, parks, etc., as well as the other uses described in Table 14.40-I of Chapter 14.40. (Ord. 908, Sec. 6, 2014; Ord. 876, Sec. 5 (Exh. 3), 2012)

14.38.030 Other Uses.

The intent of all of the subarea zoning districts is to encourage a wide range of uses, while restricting uses that do not support the primary purpose of the zoning district. The identified uses are derived from the North American Industry Classification System (NAICS).

(a) Director's Authority. The Director has the authority to determine if uses comply with the intent of the zoning district and support the principal uses and objectives of the district following the methodology described in Section 14.40.040(a) and based on a review of specific use categories defined in the NAICS.

(b) Prohibited Uses within the Subarea Districts:

- (1) Adult entertainment;
- (2) Construction facilities;
- (3) Industrial uses, except as allowed in Section 14.38.020;
- (4) Mining, quarrying, and oil and gas extraction;
- (5) Waste management and remediation services;
- (6) Uses involving outdoor sales and storage of inventory, equipment, vehicles, or materials, including towing, wrecking, and impound lots, except as allowed in Section 14.38.020(b); and
- (7) Warehousing, storage and distribution, except as allowed in Section 14.38.020(d). (Ord. 876, Sec. 5 (Exh. 3), 2012)

**ATTACHMENT B
PROPOSED REVISED CODE**

14.38.020 Zoning Districts – The following zoning districts implement the goals, policies and distribution of land uses set forth in the Subarea Plans.

(a) **Business District (BD)** – The purpose of this district is to promote community and regional employment and accommodate land uses such as corporate offices, general offices, research and development, medical clinics, technology, and light manufacturing and assembly. Secondary uses include warehousing, storage and distribution associated with a principal use and small-scale retail and services that support the principal uses and objectives of the district. This district should be located in areas with direct access to highways and arterials in addition to transit facilities, adequate public services and traffic capacity.

(1) Principal Uses

- (i) Educational services (colleges and or technical schools);
- (ii) Finance and insurance;
- (iii) Health care services;
- (iv) Light manufacturing and assembly;
- (v) Management of companies and enterprises;
- (vi) Professional, scientific, and technical services; and
- (vii) Transit-Oriented Development (including transit facilities/stops).

(2) Secondary Uses

- (i) Food services;
- (ii) Information services;
- (iii) Personal services
- (iv) Retail trade;
- (v) Wholesale trade; and
- (vi) Warehousing, storage and distribution.

(3) Special Regulations

- (i) Secondary service uses and retail trade shall not exceed 5,000 gross square feet;
- (ii) Wholesale trade accessory to the principal use shall not exceed 25 percent of the gross floor area of individual structures;
- (iii) Places of Worship over 10,000 gross square feet require a Conditional Use Permit per Section 14.16C.045; and
- (iv) Wireless and cellular communications facilities require an Administrative Conditional Use Permit per Section 14.16C.015.

- (b) **Commercial District (CD)** – The purpose of this district is to accommodate the high-intensity retail needs of the community and regional market by attracting a mix of large to small format retail stores and restaurants to create a vibrant and unified regional shopping center. Transportation accessibility, exposure to highways and arterials with adequate public services and traffic capacity characterize this district.
- (1) **Principal Uses**
 - (i) Accommodation services;
 - (ii) Arts and entertainment;
 - (iii) Food services;
 - (iv) Retail trade; and
 - (v) Transit-Oriented Development (including transit facilities/stops).
 - (2) **Secondary Uses**
 - (i) Amusement and recreation industries;
 - (ii) Commercial parking structures/lots;
 - (iii) Educational services (colleges and/or technical schools);
 - (iv) Finance and insurance;
 - (v) Health care services;
 - (vi) Information services;
 - (vii) Personal services;
 - (viii) Professional, scientific, and technical services;
 - (ix) Public administration; and
 - (x) Warehousing, storage and distribution.
 - (3) **Residential Uses**
 - (i) Mixed-use multifamily residential units including apartments, condominiums, and live/work units, where the majority of residential units are located above commercial uses.
 - (4) **Special Regulations**
 - (i) Health care, professional, scientific, and technical services require a Conditional Use Permit per Section 14.16C.045 when the structure's footprint exceeds 10,000 gross square feet;
 - (ii) Places of Worship over 10,000 gross square feet require a Conditional Use Permit per Section 14.16C.045;
 - (iii) Wireless and cellular communications facilities require an Administrative Conditional Use Permit per Section 14.16C.015;
 - (iv) Warehousing, storage and distribution accessory to the principal use shall not exceed 25 percent of the gross floor area of individual structures; and

- (v) Outdoor retail sales of building materials, garden equipment and supplies, and vehicles are permitted.
- (c) **Main Street District (MS)** – The purpose of this district is to provide pedestrian-oriented commercial uses that serve the community and region by attracting a variety of small (up to 10,000 gross square feet) to mid-sized (approximately 30,000 gross square feet) businesses along with high-density residential uses in proximity to other retail and residential areas. Building design and pedestrian-oriented features would support an active and pleasant streetscape. This district should include enhanced sidewalks, public spaces and amenities for pedestrians and cyclists that emphasize pedestrian movement over vehicular movement.
- (1) Principal Uses
 - (i) Arts and entertainment;
 - (ii) Food services;
 - (iii) Small to mid-size retail trade; and
 - (iv) Transit facilities/stops.
 - (2) Secondary Uses
 - (i) Amusement and recreation industries
 - (ii) Commercial parking structures/lots;
 - (iii) Finance and Insurance;
 - (iv) Health care services;
 - (v) Personal services;
 - (vi) Professional, scientific, and technical services;
 - (vii) Public administration; and
 - (3) Residential Uses
 - (i) Mixed-use multifamily residential units including apartments, condominiums, and live/work units, where the majority of residential units are located above commercial uses.
 - (4) Special Regulations
 - (i) Automotive, boat, and recreational vehicle sales and services are not allowed.
 - (ii) Drive-through uses are not allowed between the building and right-of-way and are subject to screening requirements found in the applicable design guidelines.
 - (iii) Theaters and performing arts venues are limited to a maximum size of 500 seats.
 - (iv) The footprint of small to mid-size retail trade uses, in any single-use structure, may not exceed 30,000 gross square feet.

- (v) Health care, professional, scientific, or technical service structures' footprints may not exceed 5,000 gross square feet.
 - (vi) Wireless and cellular communications facilities require an Administrative Conditional Use Permit per Section 14.16C.015.
- (d) **Mixed-Use Neighborhood (MUN)** – The purpose of this district is to accommodate higher density residential development in proximity to employment and retail centers and provide basic convenience goods and services, in areas, with available public services and adequate traffic capacities. This district would have a minimum density of 15 dwelling units per acre. This district would create a transition between higher and lower intensity land uses.
- (1) Principal uses
 - (i) Multifamily apartments and condominiums;
 - (ii) Townhomes and row houses; and
 - (iii) Residential over retail/office including live/work units.
 - (2) Secondary uses
 - (i) Neighborhood-oriented retail trade and personal services that meet the convenience shopping and services needs of the immediate and surrounding area.
 - (3) Special Regulations
 - (i) Mixed-use building configurations may include a vertical or horizontal stratification.
 - Retail and service uses located in attached mixed-use buildings are limited to the ground level;
 - Sites with retail and service uses located in detached buildings are limited to a maximum floor area of 10,000 gross square feet;
 - Detached buildings with a footprint greater than 10,000 gross square feet require a Conditional Use Permit per Section 14.16C.045;
 - Commercial uses should be oriented toward the primary frontage, with residential uses behind.
 - (ii) In the 20th Street SE Corridor, the district will allow innovative housing options per Chapter 14.46 LSMC.
 - (iii) Automotive, boat, and recreational vehicle sales and services are not allowed.
 - (iv) Drive-through uses are not allowed between the building and right-of-way and are subject to screening requirements found in the applicable design guidelines.
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(e) Neighborhood Business (NB) – The purpose of this district is to provide convenience goods, services, and opportunities for smaller scale shopping centers near neighborhoods that cater to pedestrians and commuters. This district should be located in areas with available public services, transportation accessibility to arterials and adequate traffic capacities.

(1) Principal Uses

- (i) Arts and entertainment;
- (ii) Food services;
- (iii) Personal services;
- (iv) Small retail trade; and
- (v) Transit facilities/stops.

(2) Secondary Uses

- (i) Amusement and recreation industries;
- (ii) Finance and insurance;
- (iii) Professional, scientific, and technical services; and
- (iv) Public administration.

(3) Special Regulations

- (i) Automotive, boat, and recreational vehicle sales are not allowed.
- (ii) Drive-through uses are subject to screening requirements found in the applicable design guidelines.
- (iii) The footprint of any single structure may not exceed 10,000 gross square feet.
- (iv) Wireless and cellular communications facilities require an Administrative Conditional Use Permit per Section 14.16C.015.

(f) Other Zones – The subareas may also contain the Urban Residential (UR), High Urban Residential (HUR), and Public / Semi-Public (PSP) zoning districts, as described in Chapter 14.36 LSMC or as modified below.

(1) High Urban Residential (HUR) – Within the subareas, the purpose of the HUR district is to accommodate higher-density residential uses that may include multifamily condominiums, apartments, townhouses and row houses, as well as any small lot single-family residential units or innovative housing options per Chapter 14.46 LSMC in areas served by public water and sewer facilities, as well as the other uses described in Table 14.40-I of Chapter 14.40 LSMC.

(2) Public / Semi-Public (P/SP) – Within the subareas, the purpose of P/SP district is to accommodate public and semi-public uses, such as schools, government facilities, public utilities, community facilities, parks, etc., as well as the other uses described in Table 14.40-I of Chapter 14.40 LSMC.

14.38.030 Other Uses

The intent of all of the subarea zoning districts is to encourage a wide range of uses, while restricting uses that do not support the primary purpose of the zoning district. The identified uses are derived from the *North American Industry Classification System (NAICS)*.

(a) Director's Authority – The Director has the authority to determine if uses comply with the intent of the zoning district and support the principal uses and objectives of the district following the methodology described in Section 14.40.040(a) and based on a review of specific use categories defined in the NAICS.

(b) Prohibited Uses within the subarea districts:

- (1) Adult entertainment;
- (2) Construction facilities;
- (3) Industrial uses ,except as allowed in Section 14.38.020;
- (4) Mining, quarrying, and oil and gas extraction;
- (5) Waste management and remediation services;
- (6) Uses involving outdoor sales and storage of inventory, equipment, vehicles, or materials, including towing, wrecking, and impound lots, except as allowed in Section 14.38.020(b); and
- (7) Warehousing, storage and distribution, except as allowed in Section 14.38.020(a) and (b).



STATE OF WASHINGTON
DEPARTMENT OF COMMERCE

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

January 20, 2015

Sally Payne
Senior Planner
City of Lake Stevens
Post Office Box 257
Lake Stevens, Washington 98258

Dear Ms. Payne:

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 - Proposed amendment to rewrite LSMC 14.38.020, Zoning Districts to adjust warehouse allowance provisions in the subarea zone districts to allow a broader range of potential employers locating to the City. Correction of a code citation in LSMC 14.38.030, Other Uses. These materials were received on January 16, 2015 and processed with the material ID # 20980. Expedited Review is requested under RCW 36.70A.106(3)(b).

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 requesting expedited review, then we have forwarded a copy of this notice to other state agencies for expedited review and comment. If one or more state agencies indicate that they will be commenting, then Commerce will deny expedited review and the standard 60-day review period (from date received) will apply. Commerce will notify you by e-mail regarding approval or denial of your expedited review request. If approved for expedited review, then final adoption may occur no earlier than fifteen calendar days after the original 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



Staff Report City of Lake Stevens Planning Commission

Planning Commission Briefing
Date: **February 4, 2015**

Subject: **2015 Comprehensive Plan Update**

Contact Person/Department: **Russ Wright**, Senior Planner and **Sally Payne**, Senior Planner

SUMMARY: Updates on the following chapters: Housing, Public Utilities and Services, Transportation

ACTION REQUESTED OF PLANNING COMMISSION: No action requested at this time.

Discussion Item A – Housing Element

The Housing Element includes updated statistical information based on the 2013 *Housing Characteristics and Needs in Snohomish County Report*, prepared by the Planning Advisory Committee of Snohomish County Tomorrow and the *Draft Affordable Housing Profile for the City of Lake Stevens*, prepared for the city of Lake Stevens by the Alliance for Housing Affordability. The major changes to this section will include an updated discussion of state, regional and countywide planning policies, updated statistical data and analysis and updated goals and policies. Staff has attached a clean copy of the draft chapter (**Attachment A**) for your review (a strike-through underline version is available upon request). Please note the analysis and goals and polices will be subject to additional revisions.

Discussion Item B – Public Utilities and Services

The Public Utilities and Services Element addresses utilities and public services in the City. It considers the health and safety needs of the community in proportion to future population growth and outlines coordination efforts with local service providers. A brief overview of the planning context for the Growth Management Act (GMA) and Puget Sound Regional Council (PSRC) goals and policies will be included. Updates are provided on local service providers such as the Fire District, Sewer Service, School District and PUD electrical and water services. Future needs will be discussed in relation to the various services provided. The goals and policies will be updated to ensure required components are addressed and to reduce redundancy. Staff has attached a clean copy of the draft chapter (**Attachment B**) for your review (a strike-through underline version is available upon request). Please note the analysis and goals and polices will be subject to additional revisions.

Discussion Item C – Transportation

The Transportation Element will contain updated information related to the road classifications, level of service standards, the street inventory, multi-modal planning, and mass transit. The chapter will be reviewed to ensure GMA, PSRC and county required elements are included as well as subarea plan policies. Analysis of future roadway, safety, and pedestrian and bicycle needs will be reviewed and updated. The goals and policies will be revised as needed to ensure required elements are included and they are consistent with other Comp Plan elements. A draft of the Transportation Element will be provided for the February 18 Planning Commission meeting.

Discussion Item D – MRSC Article

Staff has included a recent article, published by the Municipal Research Service Center, written by a multidisciplinary team that analyzes changes over the last 25 years following the implementation of the Growth Management Act. The article concludes the act has led to reduction in urban sprawl based on buildable lands data, established different roles for counties and cities, facilitated essential public facilities, provided increased protections of critical areas, and led to fewer appeals of local decisions. The authors contend GMA principles will continue to guide local decision-making in the Central Puget Sound with denser and continued growth into the future.

Attached:

- A. Housing Element
- B. Public Utilities and Services Element
- C. MRSC Publication – *GMA at 25: Looking Back, Looking Forward*

Chapter 3: Housing Element





CHAPTER 3: HOUSING ELEMENT



A Vision for Housing

The city will provide a regulatory framework that supports the creation of high-quality housing (e.g., single-family houses, townhomes and apartments) with a range of densities, which implement community design preferences and are affordable to all community members across the city.

INTRODUCTION

The Housing Element includes:

- an inventory and analysis of existing and projected housing needs;
- a statement of goals policies and objectives;
- mandatory provisions for the preservation, improvement, and development of housing;
- identification of sufficient land for housing; and
- adequate provisions for existing and projected needs of all economic segments of the community.

Housing includes the entire range of single-family, multifamily dwellings, including, but not limited to, government-assisted housing, housing for low-income families, manufactured housing, group homes and foster care facilities.

Much of the information regarding housing in Lake Stevens is taken from the 2010 census. Snohomish County and affected cities prepared a Housing Characteristics and Needs Report for Snohomish County in 2014 and some of that information is provided below. Additional information was taken from the City of Lake Stevens 2014 Affordable Housing Profile prepared by the Alliance for Housing Affordability. Housing data is difficult to keep current. Housing prices, rates of construction, income qualifications for home purchase and other demographics are constantly changing. The City of Lake Stevens cooperates with Snohomish County as it maintains on-going housing analysis as a basis for land use and other growth policies. The following section describes



housing trends in the City, but readers are cautioned that the facts and trends discussed are ever-changing. Although the information must be viewed cautiously, the fact remains that housing demand in 2014 is high; and that gaps exist between what people want and what they can afford.

With those limitations, the objective of this section of the current Plan is to outline policies and strategies that will meet the long term housing need for the projected 46,380 people who will live in Lake Stevens UGA in 2035. Providing for all housing needs is a regional issue. Given the degree of personal mobility and the dispersion of job opportunities throughout the County and region, we have long since passed the time when the majority of people lived, worked, recreated and socialized in the same city. Just as Lake Stevens will strive to provide job opportunities for its citizens, it is also dedicated to providing affordable housing to all who desire it. A major challenge for growing communities is to provide a range of housing that meets the desires of those wishing to live there and that meets the housing needs of those who work here. This is in line with our desire to be a sustainable community.

Housing Characteristics and Needs Report for Snohomish County provides a framework for understanding housing issues in Snohomish County. The report states affordability is an issue where low to moderate income families are paying more than 30% of their incomes on housing. Affordable housing is a function of land availability, density of development, local household income and quality of housing. The Land Use Element (**Chapter 4**) shows that there should be enough buildable land within the Lake Stevens UGA to accommodate the projected population through 2035, provided the land is used efficiently and a diversity of housing types is provided. A household (rental or with mortgage) is “burdened” when it spends 30 percent or more of its gross income on housing costs / Severe housing cost burden, which occurs when a household must pay more than 50 percent of income on rent and utilities

The City of Lake Stevens Affordable Housing Profile provides specific information on the status of affordable housing in the City. The Profile looks at the household demographics of the City and highlights data concerning the housing burden experienced by some residents. In addition, data is provided on housing units outlining the current inventory of subsidized, workforce and market rate rental units. Finally, the Profile discusses the current challenges and opportunities in providing adequate affordable housing to City residents.



State Context

Washington’s Growth Management Act (GMA) encourages a full range of housing types to meet the needs of all segments of the population, and to encourage the preservation of the existing housing stock. Specifically, it requires the housing element of local comprehensive plans:

- (a) Include an inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth;
- (b) Include a statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing, including single-family residences;
- (c) Identify sufficient land for housing, including, but not limited to, government-assisted housing, housing for low-income families, manufactured housing, multifamily housing, and group homes and foster care facilities; and
- (d) Make adequate provisions for existing and projected needs of all economic segments of the community.

Puget Sound Regional Council (PSRC) Vision 2040

VISION 2040 plan provides a regional strategy for housing planning in the Puget Sound. A primary goal would be to, “preserve, improve, and expand its housing stock to provide a range of affordable, healthy, and safe housing choices for every resident.” VISION 2040’s policies promote establishing local housing targets based on population projections and local housing and employment capacity, particularly for each designated regional growth center. The VISION 2040 housing policies emphasize locating housing near growth and employment centers and along transportation corridors.

Key housing-related elements of this strategy include:

- Providing for diversity and choice in housing and employment options by creating a system of central places within corridors and a regional urban form characterized by compact, well defined communities in coordination with the larger Puget Sound region while respecting unique community characteristics.
- Promoting a balance of jobs to housing within agreed upon service areas to provide the opportunity for more residents to live nearer to jobs and urban activities.
- Providing for higher-density residential areas of new single-family and multiple family homes in urban locations within walking distance of either jobs or transit services.
- Providing enough urban land to allow private enterprise to effectively create the urban structures for housing and employment.



- Preserving existing affordable housing and serve it with transit. Provide affordable housing near all urban centers.

Snohomish County Countywide Policies

The goal of the countywide housing policies is”

“Snohomish County and its cities will promote an affordable lifestyle where residents have access to safe, affordable, and diverse housing options near their jobs and transportation options.” The countywide planning policies chapter suggests Snohomish County faces the following housing challenges:

1. Adequate supply of affordable housing for all economic segments in each community.
2. Adequate supply of quality housing options in proximity or satisfactory access to places of employment.
3. Infill housing development and community concerns about density and design.
4. Adequate resources for, and equitable distribution of low-income and special needs housing across the county.
5. Housing types suitable for changing household demographics and an aging population.
6. Maintenance of existing affordable housing stock, including mobile home and manufactured housing.

Specific policies of relevance to Lake Stevens include the following:

HO-1 The county and cities shall support the principle that fair and equal access to housing is available to all persons regardless of race, color, religion, gender, sexual orientation, age, national origin, familial status, source of income, or disability. HO-2 The county and cities shall make provisions in their comprehensive plans to accommodate existing and projected housing needs, including a specific assessment of housing needs by economic segment within the community as indicated in the housing report prescribed in CPP HO-5. Those provisions should consider the following factors:

- a. Avoiding further concentrations of low-income and special needs housing.
- b. Increasing opportunities and capacity for affordable housing in urban centers.
- c. Increasing opportunities and capacity for affordable housing close to employment, education, shopping, public services, and public transit.
- d. Increasing opportunities and capacity for affordable and special needs housing in areas where affordable housing is currently lacking.



- e. Supporting affordable housing opportunities in other Snohomish County jurisdictions, as described below in CPP HO-4.

HO-3 County and city comprehensive plans shall include policies for accommodating affordable housing goals throughout the County consistent with Vision 2040. The land use and housing elements should demonstrate they can accommodate needed housing availability and facilitate the regional fair share of affordable housing. Housing elements of comprehensive plans shall be periodically evaluated for success in facilitating needed housing.

HO-4 The county and cities should participate in a multi-jurisdictional affordable housing program or other cooperative effort to promote and contribute to an adequate and diversified supply of housing countywide.

HO-5 The cities and the county shall collaborate to report housing characteristics and needs in a timely manner for jurisdictions to conduct major comprehensive plan updates and to assess progress toward achieving CPPs on housing. The report shall be sufficiently easy to understand and use for planning and evaluation. To the extent made possible by the availability of valid data, this report shall, for the entire county and each jurisdiction:

- a. Describe the measures that jurisdictions have taken (individually or collectively) to implement or support CPPs on housing, especially measures taken to support housing affordability.
- b. Quantify and map existing characteristics that are relevant to the results prescribed in the CPPs on housing, including (but not limited to):
 - i. The supply of housing units, including subsidized housing, by type, tenure, affordability, and special needs populations served.
 - ii. The availability and general location of existing affordable housing units and the distribution and location of vouchers and similar assistance methods.
 - iii. The supply of undeveloped, partially used and re-developable residential land.
- c. Identify the number of housing units necessary to meet the various housing needs of the projected population, by income ranges, and special needs populations. The number of units identified for each jurisdiction will be utilized for planning purposes and to acknowledge the responsibility of all jurisdictions to plan for affordable housing within the regional context.

HO-6 The county and cities should implement policies and programs that encourage the upgrading of neighborhoods and the rehabilitation and preservation of existing legally established, affordable housing, including but not limited to mobile/manufactured housing and single - room occupancy (SRO) housing.



- HO-7 Jurisdictions shall use housing definitions consistent with those of the Snohomish County Tomorrow growth monitoring report. Definitions may be periodically revised based on consideration of local demographic data and the definitions used by the Department of Housing and Urban Development.
- HO-8 Each jurisdiction's comprehensive plan should reconcile the need to encourage and respect the vitality of established residential neighborhoods with the need to identify and site essential public residential facilities for special needs populations, including those mandated under RCW 36.70A.200.
- HO-9 In order to improve the jobs-to-housing balance in Snohomish County, jurisdictions shall adopt comprehensive plans that provide for the development of:
- a. A variety of housing choices, including affordable housing, so that workers at all income levels may choose to live in proximity to existing and planned employment concentrations and transit service; and
 - b. Provide for employment opportunities in proximity to existing residential communities.
- HO-10 Jurisdictions should encourage the use of environmentally sensitive housing development practices in order to minimize the impacts of growth on the county's natural resource systems.
- HO-11 The county and cities should consider the economic implications of proposed building and land use regulations so that the broader public benefit they serve is achieved with the least additional cost to housing.
- HO-12 The county and cities should minimize housing production costs by considering the use of a variety of infrastructure funding methods, such as existing revenue sources, impact fees, local improvement districts, and general obligation bonds.
- HO-13 Jurisdictions should ensure that their impact fee programs add no more to the cost of each housing unit produced than a fairly-derived proportionate share of the cost of new public facilities necessary to accommodate the housing unit as determined by the impact fee provisions of the Growth Management Act cited in chapter 82.02 RCW.
- HO-14 The county and cities should provide incentives for affordable housing such as height or density bonuses, property tax incentives and parking requirement reductions. The incentives should apply where feasible to encourage affordable housing.



Inventory and Analysis

The following section describes housing trends in the City, but readers are cautioned that the facts and trends discussed are ever-changing. Housing data is difficult to keep current. Housing prices, rates of construction, income qualifications for home purchase and other demographics are constantly changing. The City of Lake Stevens cooperates with Snohomish County as it maintains on-going housing analysis as a basis for land use and other growth policies.

As the demographic patterns in the county change, housing demand and desires will also change. This section highlights some current trends as identified in the Housing Needs and Characteristics report using 2011 American Community Survey (ACS), census data primarily. The ACS estimates the 2010 Snohomish County population to be 713,335, which is a gain of approximately 17 percent or 107,311 people since the last census. Since 2000, larger cities generally experienced the greatest population growth in Snohomish County.

The median age for Washington is 37.3, which is similar to the Snohomish County median age of 36.9. Larger Cities had the lowest median age of 33. Lake Stevens has the youngest median age 32.1. Nearly 45 percent of the county’s population will be over 50 in the next decade. The unincorporated areas of the county have the largest population of elderly at over 25,000, and the larger cities are a close second with approximately 24,700. About seven (7) percent (1,951 people) of the Lake Stevens population is over 65. This means the county and cities will need to plan for additional multifamily, senior housing, assisted living facilities or group homes to accommodate an aging population.

The household make up is also changing across the county. The number of “family households” in Snohomish County is 182,282 or 70 percent. Larger cities comprise 31.2 percent or nearly 57,000 of the total family households in the county. The average household size for all of Snohomish County is approximately 2.61 persons, which is a decrease since 2000 when the average was 2.65. The average household size considering owner-occupied and renter-occupied households in Lake Stevens is 2.87.

The 2011 ACS 5-year estimates predict a special needs population of over 110,000 within the county with approximately 43,600 residing in the unincorporated areas and approximately 32,000 in larger cities. **Special needs populations are XX.** The Lake Stevens special needs population for the same time is 3,009 or 2.7% of the county special needs population.

Assisted Living Units/Vouchers/Other Support (2012)

CITY	SENIORS			FAMILIES/INDIVIDUAL			TOTALS			%County
	Fixed	Vouchers	Total	Fixed	Vouchers	Total	Fixed	Vouchers	Total	
Lake	150	9	150	161	86	247	311	95	397	3.30%



Stevens										
County	4068	696	4677	5975	1584	7360	9804	2261	12037	100%

Assisted Rental Units

- Lake Stevens (2012)
 - Total DUS – 10,414
 - Assisted DUs – 311
 - % Assisted – 3.0%
- Snohomish County
 - Total DUS – 237,899
 - Assisted DUs – 9,065
 - % Assisted – 3.8%

The 2011 ACS 5-year estimates suggest the median household income (gross) for Snohomish County is nearly \$68,000 (28% increase from 2000) / mean income has also increased from \$61,291 in 2000 to \$81,073. The median income in Lake Stevens is \$73,000 for the same period, which is slightly higher than other larger cities (\$72,000 in Snohomish County). **The 2014 median income in the city is XX** Since 2000, countywide households with an income of less than \$10,000 per year has decreased by nearly two percent. However, the adjusted family household poverty rate has increased by the same amount during that time. Currently, 6.5 percent of the family households in Snohomish County are in poverty. The current poverty rate in **Lake Stevens is XX.**

- Household income from the American Community Survey (ACS) 5-year ACS estimate for 2007-2011
 - 28,394 (10.7 percent) very low income households,
 - 29,909 (11.2 percent) low income households, and
 - 45,037 (16.9 percent) moderate income households in the county.

Estimated Low-Moderate Income Housing Needs / 2010-35 Growth

Jurisdiction	Total Housing Unit Growth Need	Under 30% AMI (11% of Total)	30-50% AMI (11% of Total)	51-80% AMI (11% of Total)
Snohomish County	21,969	2,417	2,417	3,735
Lake Stevens	4,469	492	492	760
Larger Cities	25,541	2,810	2,810	4,342
Countywide Totals	97,128	10,684	10,684	16,512

City of Lake Stevens Affordable Housing Profile



Demographics: Over the past decade the City has been steadily annexing lands within the Urban Growth Area surrounding the Lake. The current City population of 28,960 represents an increase of 350% over the 2000 population which was 6,361. Steady growth is projected to continue over the next several years as the City looks at annexing additional land within the Urban Growth Area.

There are currently 9,550 households in the City. Approximately 74% of those are family households with two or more individuals. Fifty-four percent of the households have children. This is compared to Snohomish County as a whole which has 68% family households with 32% of those households having children. Family households with children is substantially higher in the City creating more demand for housing suitable for families.

The 2011 median income in the City was \$71,224, higher than the County median income at \$67,777. Despite this higher median income in the City, there are economic segments of the City's population that could be at risk of housing burden. Approximately 24% of all households in the City earn less than 50% area median income (AMI).

Based on 2011 census data and comparing the City against income levels for the Seattle-Bellevue Housing Mortgage Finance Authority (HMFA):

- 1,135 households, or 12% of Lake Steven's total, are considered to be extremely low income, earning less than 30% of AMI,
- 1,141, or 12% are considered very low income earning between 30 and 50% AMI,
- 2,160, or 23% are considered low income earning between 50 and 80% AMI, and
- 1,068, or 11% are considered moderate income earning between 80 and 90% AMI.

The above percentages do not take into account household size which means large families would be more cost burdened than individual households.

On average, 44% of households in Lake Stevens are cost burdened meaning they spend more than 30% of their income on housing, renters and owner combined. Extremely low income renters are less likely to be cost burdened in the City than the County overall. As income rises, renters become more likely to be cost burdened compared to the County. Homeowners in the City in all income levels are more likely to be cost burdened than County homeowners.

In looking at the dispersion of renters and owners around the City, the highest levels of cost burden for owners are concentrated in tracts to the northwest and generally decrease moving south with the exception of the tract to the northeast of the lake which



is among the least cost burdened for both renters and owners. Renters in the north are generally less cost burdened while those on the west side are the most cost burdened. In downtown Lake Stevens, both renters and owners tend to be cost burdened as compared to those living elsewhere. The highest concentration of renters is centered in downtown.

The 2011 unemployment rate in the City was 5.5% compared to 5.7% for the County. Thirty-three percent of Lake Stevens' employed population works in occupations such as management, business, science and the arts followed by sales and office with 26.5% of the employed population. The two most dominant industries employing city residents are education, healthcare at 17.5% and manufacturing at 14.8%. According to PSRC, Lake Stevens is home to 4,056 jobs. Most of these are in the services and education sectors.

The City's population pyramid offers insights into the housing needs and how they may be changing. In 2010, births appear to be staying strong rather than dropping as in other communities. However, the fact the two largest segments around the child and middle age cohorts are relatively even in size shows that the birth rate is not exceeding replacement levels. Therefore, the population will likely remain steady with any significant growth coming from migration or future change in birth rates.

Housing Units: There are approximately 10,000 housing units in the City. Seventy-eight percent of units are owner occupied and 25% are renter occupied with about a 2% vacancy rate. Eighty percent of the City's housing stock are single family homes. The bulk of the City's rental stock is low density with 71% of renters living in single family home or duplexes. Ninety percent of homeowners live in single family detached or attached homes.

For purposes of the Housing Profile report, the Lake Stevens housing stock was divided into subsidized units, workforce units, market rate unit rental units and home ownership. Subsidized rental units are targeted towards households with the lowest incomes typically less than 30% AMI. There are currently 155 subsidized (Section 8 Housing Choice Vouchers) units in Lake Stevens with an additional 271 units of other dedicated subsidized housing in several properties. There are also approximately 121 units that are specifically targeted for the low income senior or disabled population. Workforce rental units are targeted to working households that still cannot afford market rate units. There are approximately 131 workforce units in the City.

In terms of market rate multifamily rental units, the 2014 average rents not including utilities are:

- 1 bedroom units: \$755 (affordable to household earning \$14.52 an hour)
- 2 bedroom units: \$990 (affordable to household earning \$19.04 an hour)
- 3 bedroom units: \$1,481 (affordable to household earning \$28.48)



- 4 bedroom units: \$1,934 (affordable to household earning \$37.19)

The stock of larger rental units being single family homes means that rents on larger units will tend to be higher. Smaller units are more difficult to find in the City. Only 21% of units are one or two bedrooms with 47% of households made up of two individuals or less. This points to the need for more one and two bedroom units in the City to meet the needs of the large number of smaller households.

Looking at home ownership in the City, the 2012 median sale price was \$224,000. Between 2007 and 2012, 88% of home sales were either three or four bedrooms homes. In order to afford the 2012 median home price without being cost burdened, a family would require an annual income of \$43,040 which is below both the Snohomish County and Seattle-Bellevue median incomes. \$43,040 is considered low income for a three or four person, and very low income for a five person household.

Type of Dwelling Units: In 2010, 79.4% of all dwellings in the City were single-family residential. The remaining 20.6% were in duplexes, apartments, condominiums and mobile homes. The countywide average was 74.4% of all residences being single-family. Of the 20 Snohomish County cities, Lake Stevens ranked 4th for the highest ratio of single-family dwellings. It is assumed that in 2010, the vast majority of dwellings in Lake Stevens are single-family. Several large subdivisions have been constructed in the UGA including conventional homes, townhouses and condominiums. Based on the current level of construction activity and several large development proposals, this trend is expected to continue.

Age of the Housing Stock:

For unincorporated Snohomish County, 60 percent of its housing was built prior to 1989. For cities such as Lake Stevens, Monroe, and Gold Bar, approximately 50 percent of their housing stock was constructed during the same period. The city of Lake Stevens has experienced rapid growth in its housing stock over the last two decades, during which almost three quarters of the total number of dwellings were built. This in turn has resulted in a decline in the average age of its dwellings.

In Snohomish County, 106,600 out of 225,257 households are cost-burdened (rental and with mortgages). This means that 47 percent of the occupied housing units in the County are not affordable to their current occupants. There are 65,305 cost-burdened households with mortgages and 41,343 cost-burdened rental households. There are over 82,000 occupied rental units in Snohomish County, of these over 41,000 or 50 percent are households that are paying 30 percent and above of their income in rent. In the larger cities there are 12,000 renter households paying 30 percent or more of their income on rent. In Lake Stevens of the 2,018 renter households 879 are cost burdened or 36.7%.



Tenure: Owner vs. Renter Occupied Dwellings: Owner occupancy increased slightly from 75% in 2000 to 78.2% in 2010. (the state average was 64.4%), Owner occupied dwellings are mostly single-family residences (90.0%) reflecting a decrease.. In 2014, 71% of renters lived in single-family homes indicating a large increase in single-family rental properties.

Vacancy Rates: Overall vacancy rates increased to 6.4% in 2010 from 4.3% in 2000. Rental unit vacancy increased from 5.4% in 2001 to 9.1% in 2010. The homeowner vacancy rates in 2010 were 3,5 percent.

Value of Owner Occupied Housing: In 2005, the median value of a single-family residence in Snohomish County was \$289,174. This number increased to \$332,000 in 2010 for the County. The median home value in Lake Stevens in 2010 was \$280,600. By comparison, in 2010 median home values in King County were \$402,500 ; in Pierce County \$269,100 . The consensus is that sharp increases in housing costs are a direct result of growth creating more demand for housing than the market can supply; and, the fact that people are moving further north from King County to find affordable housing.

Monthly Cost of Renter Occupied Housing: The median monthly rent in 2000 was \$716. The monthly rent in 2010 increased to \$1,254. Twenty five percent of the renting households paid \$464 or less and 25% paid \$828 or more in 2000.. In 2010, 10% of renters paid \$500 or less with 47% paying \$1,000 or more. A 2001 survey found that half of single-family detached units rented for \$1,200 or more and 83% rented for \$800 or more. In 2010, the median rent for a three bedroom single family home was \$1,714. (Needs to be updated) Apartment rental rates varied by the size of the complex. Facilities with 19 or fewer apartments provided less expensive units, with 43% less than \$600 per month in rent. Facilities with 20 or more apartments had no units for less than \$700 in rent.

Estimated Affordable Rental Units for Low-Moderate Income Households (2011)

Jurisdiction	Total Rental Units	51-80% AMI Units/%	31-50% AMI Units/%	30% AMI Units/%
Lake Stevens	2,029	607 (30%)	508 (25%)	215 (11%)
County (Total)	82,980	35,670 (43%)	17,912 (22%)	5,255 (6%)
Jurisdiction	Total Mortgaged Units	51-80% AMI Units/%	31-50% AMI Units/%	30% AMI Units/%
Lake Stevens	6,367	727 (11%)	116 (2%)	0 (0%)

Lot Size: The average lot size in Lake Stevens varies by zone. Historically most homes were on lots with 9,600 s.f. or more. The 1990s saw the construction of several planned residential developments (PRDs) with smaller lots, typically around 6,000 s.f. but as



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small as 4,000 s.f. Many of the annexation areas also contain subdivisions with smaller more compact lots.

Dwelling Unit Size: It has been informally observed that the sizes of new houses have been growing over the past few decades at the same time household sizes are falling. This trend to more space per person has not been quantified for the City of Lake Stevens, but seems to be the case in several new developments.

Condition of the Housing Stock: As can be expected by the relatively youthful housing stock within the City, as a whole the homes are in good condition. . A 2003 windshield survey identified very few homes that were in a dilapidated condition. That would be in the case in 2010 as well. While some houses may be in need of repair, they are generally located among houses that are not. Neighborhoods on the whole are well maintained.

Snohomish County Housing Characteristics and Needs Report

(Update to this section to follow)

Strategies to Achieve Affordable Housing Objectives



This is true for the actual number of units, but does not address specific dwelling unit types in terms of cost and housing affordability issues. Encouraging higher densities, planned residential developments, mixed use town center developments and possible density bonuses where new developments contain a certain number of lower income units, best address these issues. All of these mechanisms assist and provides incentives to the developer producing affordable developments. With the City's residential design guidelines, planned residential development review authority, open space and environmental review standards, these types of developments can successfully be integrated into the Lake Stevens community.

The Snohomish County Council-adopted a 2035 population target of 955,280, which means approximately 97,000 additional housing units would need to be constructed in the county.

Projected Housing Need



Jurisdiction	2035 Target	Total 2035 Need	Additional Units
Snohomish County	955,280	383,787	97,128
Lake Stevens	39,340	14,883	4,469
Larger Cities	286,293	114,003	25,541

State Planning Grant to Study Affordable Housing

The City was awarded a Competitive GMA Planning Grant for the 2007-2009 grant period to conduct a study to identify alternatives and techniques for developing and preserving affordable housing. In conjunction with our local jurisdictions and agencies, SCT developed best practices for encouraging affordable housing. These techniques were refined in 2014 following the updated Housing Characteristics and Needs Report and fall into four basic categories: Single-family, Multifamily, Site Requirements and Design. These categories may include some overlap in implementation. Lake Stevens has considered the following items in its Comprehensive Plan and development regulations.

Land Use Strategies

Upzoning: Because lenders typically look for a 3:1 ratio between total housing value and land value, increases in land costs drive up all other housing costs as well. One of the most direct methods of reducing per unit land costs is by reducing minimum lot sizes by rezoning to allow use that is more intensive.. Upzoning should be reviewed carefully however, for several important reasons: first, neighbors have purchased their homes in anticipation of certain zoning around their property. Second, utility and service providers have planned infrastructure using assumptions about how many homes will be in an area. Finally, as mentioned, zoning in the City and County has been planned based on long-range population forecasts.

Lot Size Averaging: The environmental and growth goals of the plan may require that lot sizes within new subdivision be of varying sizes, to allow buffers and setbacks from critical areas. Lot size averaging allows these variations while ensuring that the total number of new homes does not exceed that called for in the Plan.

Innovative Housing Options: Innovative housing encourages diversity in housing choices from the large-lot single-family home. They are not meant to replace, but to expand alternative options for a different segment of the population known as the 4 S's: singles, single-parent households, starter families, and seniors. Many local jurisdictions have adopted innovative development regulations. Smaller homes also create a more sustainable development because fewer construction materials are required, promoting housing affordability, and fewer impervious surfaces are created. These options include



attached and detached single-family housing types such as cottage housing, small lots, duplexes/triplexes, accessory dwelling units, compact houses, and skinny houses.

Small Lot: Small lot districts such as the High Urban Residential zone and alternative subdivision methods including Planned Residential Developments and Cluster Subdivisions can provide denser housing, but with specific design review and controls to better integrate developments into existing neighborhoods

Infill Housing: With the advent of urban growth areas in former rural areas and small towns, a trend of “urban in-fill” is emerging. Former large lots inside cities are being subdivided with homes being built in former backyards. The resulting lot meets the new, lower minimum lot area requirements.

Minimum Densities: Traditionally, zoning regulations establish maximum land use densities while builders' market-based decisions determine the extent to which maximum permitted densities are actually achieved. In some instances, residential land may be built to the full extent allowed by the zoning. In order to discourage sprawl, reduce the per unit cost of land, and improve the cost-effectiveness of capital finance plans, jurisdictions may require that new plats be designed to achieve minimum densities. In 2006 it is assumed that lands inside Urban Growth Area boundaries will develop at a minimum density of four (4) units to the acre.

Density Bonus: Providing density bonuses in exchange for the construction of affordable housing can create the necessary incentive for a developer to provide such housing.

Inclusionary Zoning: Inclusionary zoning programs typically require that a percentage of lots in a new subdivision or residential units in a new apartment project be set aside for low cost housing. Density bonuses are often provided to offset the cost of the inclusionary requirement.

Cluster Subdivisions: Cluster subdivisions offer a means of keeping housing development costs down by reducing minimum lot sizes and confining development to the most suitable portion of a building site. Cluster housing may entail the use of shared driveways and parking areas; reduced, but more usable yard space; and architectural "techniques" to maintain privacy and sense of space. Quality design is key to providing such housing while making it palatable to existing residents and potential buyers.

In addition to providing a means of achieving greater land efficiency, other advantages that cluster subdivisions offer include 1) lower infrastructure development and maintenance costs by reducing street lengths, sidewalks, and utility lines; 2) lower site grading and drainage costs when natural stormwater drainage features can be retained; and, 3) the preservation of open space, native vegetation, and other natural features for



community use and enjoyment. The City currently has a cluster subdivision regulation that allows such developments.

Planned Residential Development (PRD): The City also encourages PRDs which offer incentives to projects that integrate mixed-income housing, mixed types of housing (detached, duplex and apartments), and encourage clustering to achieve desired densities while protecting environmentally sensitive areas. PRDs do not directly provide affordable housing, but they do make more efficient use of land and capital facilities to keep the costs lower.

Home Office and Home Businesses: Another innovative housing concept responds to the issue of providing housing options for allowing stay-at-home parents and reducing commute times. It extends the concept of “home occupations” that have long been allowed in local zoning codes, where the homeowner could maintain a business inside the home. Traditional home occupation rules require that all activity occur inside the home with strict limits on signing, appearance, etc. The newer concept would have a more mixed-use appearance where a professional office could occur on a first floor, with a residence occupying the balance of the building.

Administrative Procedures

Streamlined Approval Processing: Holding costs are one of the hidden expenses in a housing development budget. They include the variety of costs involved in carrying a project through the development phase, such as insurance, office and staff, equipment, security patrols, landscape maintenance, the financing of land and construction, etc. Shorter approval periods translate into less expensive development costs. Many jurisdictions in Snohomish County are studying or have adopted a permit streamlining model developed by the Economic Development Council. It has proven successful in reducing the processing time for projects while ensuring compliance with development codes.

Priority Permit Processing: Priority permit processing can reduce housing costs by minimizing the amount of time and expense involved in permit and approval processing. The more permits that receive priority attention however, the less valuable the incentive may become if the priority waiting line is as long as the normal waiting line. Priority processing is most effective when used selectively, such as an inducement to develop a particular type of housing the market is not currently producing. If priority processing is offered as an incentive to develop low-cost housing, the City should establish a means of ensuring the housing is actually occupied by persons in need of low-cost housing and the housing remains affordable for an extended period.

Impact Mitigation Payment Deferral: Jurisdictions can minimize the effect of impact fees on market rate housing by deferring the collection of impact mitigation payments from the permit approval stage of development to either final project approval or



occupancy. In Lake Stevens, for instance, school mitigation fees are deferred to the building permit stage, rather than at the platting state. Deferring the collection of impact fees can reduce the developers finance costs. Fees postponed until occupancy can be paid from project proceeds, rather than funds borrowed at interest. Jurisdictions can secure impact fee deferral agreements with a bank letter of credit or equivalent security that guarantees payment to the named infrastructure development account. Impact mitigation exemptions are not recommended for consideration because of the potential community-wide impacts they can cause.

Development Standards

For projects that provide affordable housing, the City may adopt policies, which allow reduced development standards including but not limited to reduced setbacks, street standards, parking, sidewalks and utilities. The City already allows some reductions for cluster subdivisions and PRD's.

Lower Cost Housing Types

Shared Housing: With the steady trend of larger houses for fewer people, there is greater opportunity for shared housing arrangements, whereby non-related persons live together and share the housing costs. Two examples of shared housing that is allowed by Title 14 includes allowing non-related persons (roommates) to live together as a single housekeeping unit and it allows a homeowner to rent out one or two rooms in their house. Shared housing could also include related persons living together such as grandparents living with their married children and grandchildren.

Cottage Housing Developments (CHD): Cottage housing developments have been proposed as one means of providing smaller and less expensive detached housing in single-family neighborhoods. CHD's would allow the construction of more than one single-family unit on an existing single-family lot when strict design standards and special review processes have been met.

Co-Op Housing: There have been suggestions that "co-op" housing be permitted in areas of Lake Stevens. This concept allows cluster housing around joint community centers and is intended to promote a close "communal" type relationship among the participating homeowners. Taken from a European model it has been raised as a topic for possible discussion by some citizens of Lake Stevens.

Mixed-Use Development: Mixed-use developments integrate various land uses into a single development or district, such as office, commercial and residential buildings grouped together in a single building or around a single site. Mixed-use developments may offer more acceptable sites for higher density housing than established single-family neighborhoods. Mixed-use developments situated along public transportation



routes can help reduce dependency on private vehicles, provide housing opportunities for persons who require public transportation and may produce an income stream from commercial rents that help subsidize low-cost housing. .

Mobile/Manufactured Housing: Manufactured (mobile and modular) housing provides an established record of successfully addressing affordable housing needs. Manufactured homes may occur throughout the city in standard residential neighborhoods or in dedicated parks.

Cluster Housing: Cluster housing is an architectural/design technique used in urban settings to obtain high density single-family units on small lots.

Housing Production & Preservation Programs

Housing Preservation: Existing housing often provides the best source of affordable housing. As such, preservation and enhancement of the existing stock must be a key element in a program for assuring affordable housing.

Public Housing Authority: While the City has not created its own housing authority, the Snohomish County Housing Authority, created pursuant to the enactment of the Housing Authorities Law in 1939 provides housing assistance within the City limits.

The housing authority is able to underwrite the cost of low-income housing development by a variety of means, including eligibility to administer HUD housing assistance programs and payment contracts, exemption from property taxes on housing authority facilities, and authority to issue tax-exempt bonds and low interest bond anticipation notes. Under state statute, bonds and other obligations of a housing authority are neither a debt of its respective city nor are cities liable for housing authority obligations.

Public Development Authority (PDA): Jurisdictions interested in coordinating their initiatives in the areas of economic development, community revitalization, and low income housing may consider creating a public development authority (PDA) to achieve these ends. Under RCW 35.21.730-757, cities or towns to “improve general living conditions in the urban areas of the state” and “to perform all manner and type of community services” may create PDAs.

PDAs may exercise many of the powers of housing authorities, such as own and sell property, contract for services, loan and borrow funds, and to issue bonds and other debt instruments. Any property owned or operated by a PDA that is used primarily for low income housing receives the same exemption from taxation as the municipality that created it. By statute, all PDA liabilities must be satisfied exclusively from PDA assets and PDA creditors are denied any right of action against the municipality that created it.



Public and Nonprofit Housing Developers: A less direct mode of involvement may be to establish cooperative arrangements with public or nonprofit housing developers to ensure adequate levels of low income or special needs housing is available in the community. In addition to the Everett and County housing authorities, there are ranges of practical housing development experiences that extend from the production of homeless shelters to special needs housing to low-rent senior housing and first-time homebuyer programs.

The City may encourage the production of these types of housing by committing land use incentives, modified development standards, surplus land, or financial resources to housing authority or nonprofit sponsored projects targeted for their jurisdiction.

Market Housing: By far, private market housing provides the greatest number of dwelling units. The trends in new home prices have consistently demonstrated that the market housing more often than not is not attainable to many households. There is probably some legitimacy to the “trickle down” theory that while new homes are not affordable to many, those that move into them are likely to vacate a more affordable dwelling, therefore putting it on the market.

GOALS AND POLICIES

GOAL 3.1 SUPPORT A VARIETY OF HOUSING TYPES AND DENSITIES, AND THE NEED FOR AFFORDABLE HOUSING THROUGH REGULATIONS AND CAPITAL INVESTMENTS.

Policies

- 3.1.1 Ensure various types and densities of housing are permitted in appropriate places throughout the City.
- 3.1.2 Promote residential development at a density that will allow pedestrian access to commercial areas, employment, public transportation routes, schools, and park or recreational areas.
- 3.1.3 Consider revisions to the Planned Residential Development regulations to revise the minimum area standard and consider density bonuses.
- 3.1.4 Adopt land use and zoning in newly annexed areas that is comparable to the pre-annexation zoning in unincorporated Snohomish County.
- 3.1.6 Permit innovative housing options as infill with specific design considerations to ensure it is compatible with the expected future development of the neighborhood.



- 3.1.7 Adopt innovative housing codes to encourage small-sized housing. Codes should be more prescriptive to begin with and can be relaxed for more flexibility as experience dictates.
- 3.1.8 Allow flexibility in setback, lot coverage and unit size standards in return for exemplary design and neighborhood amenities.

GOAL 3.2 ENCOURAGE THE DEVELOPMENT OF MULTIFAMILY HOUSING AND SMALL SINGLE-FAMILY UNITS IN A MANNER THAT IS COMPATIBLE WITH EXISTING NEIGHBORHOODS.

Policies

- 3.2.1 Allow accessory units in all residential zones so long as the unit maintains the appropriate residential character and quality living environment.
- 3.2.2 Encourage the distribution of various housing types equitably throughout the City to provide for a wide variety of neighborhood settings, and to avoid undue concentration in single neighborhood types.

GOAL 3.3 INCREASE THE OPPORTUNITY FOR ALL RESIDENTS TO PURCHASE OR RENT AFFORDABLE, SAFE, AND SANITARY HOUSING.

Policies

- 3.3.
- 3.3.2 Coordinate with willing neighborhood-based groups or other volunteer organizations to promote rehabilitation and community revitalization efforts.
- 3.3.3 Review the appropriateness of innovative techniques to provide affordable housing, including a housing trust fund, inclusionary zoning, design/regulation flexibility and design standards, impact fee waivers, density bonuses, fast track processing, or area-wide housing authority.
- 3.3.4 Increase the opportunities for current and future residents with special housing needs. While it cannot meet these needs immediately, clarifying the responsibilities of various public and private agents is an important step towards meeting these needs. The City will carefully examine the needs of the current residents, in order to direct new housing development, rehabilitated housing, and assisted housing to where it is most needed.

GOAL 3.4 TO ADDRESS THE NEEDS OF THE ELDERLY HANDICAPPED, OR OTHER SPECIAL-NEEDS, A PORTION OF THE RESIDENTIAL LAND SHOULD BE ZONED FOR HIGH DENSITIES TO ENCOURAGE THE



PROVISION OF COMPACT HOUSING TYPES (CLUSTER, TOWNHOUSE, APARTMENT, OR CONDOMINIUMS) AND PLANNED RESIDENTIAL DEVELOPMENTS (PRDs).

Policies

- 3.4.1 Support the development of housing for the elderly, handicapped, or other special-needs populations through the allowance of PRDs, mixed-use housing, group housing, and other measures in appropriate areas.
- 3.4.2 In siting development for the elderly, handicapped, or other special-needs review the proximity to shopping, hospitals, public transportation routes, retail and service centers, and parks.

GOAL 3.5 STRIVE TO PROVIDE A DEVELOPMENT PATTERN, WHICH PROMOTES PEDESTRIAN ACTIVITIES, A SENSE OF COMMUNITY AND SAFETY. STRIVE TO PROVIDE HOUSING IN GOOD CONDITION, WITH HIGH-QUALITY DESIGNS, PROTECTIONS FROM NOISE, ODORS, AND OTHER ENVIRONMENTAL STRESSES.

Policies

- 3.5.1 Revise and adopt Development Design Guidelines, which ensure a conscientious vision for the community.
- 3.5.2 Continue the primary role in the conservation of housing through public investment in the infrastructure servicing the area (storm drainage, street paving, and recreation) and zoning to prevent incompatible land uses and depreciation of property values.
- 3.5.3 The zoning ordinance will be reviewed to establish zoning classifications for manufactured housing as part of the overall program to bring the land development regulations into consistency with the Comprehensive Plan. The Land Use Element shows density ranges into which these manufactured homes, parks and subdivisions would fall.

GOAL 3.6 STREAMLINE AND SHORTEN PERMIT PROCESSING WHERE AND WHEN EVER POSSIBLE.

Policies

- 3.6.1 Implement streamlined approval processing procedures, such as centralized counter services, continuing pre-application conferences, printed information summarizing building permit and approval requirements, area-wide environmental assessments, reducing the number of residential zoning districts, reducing complicated administrative procedures, concurrent permit and



approval processing, fast-tracking routine applications, keeping permit and approval deadlines, and elimination of multiple hearings for a single project.

GOAL 3.7 PROMOTE MEASURES THAT WILL PROLONG THE USEFUL LIFE OF STRUCTURES.

Policies

- 3.7.1 Implement an active code enforcement program to catch problems early and avoid extensive deterioration of housing units.
- 3.7.2 Continue to implement code enforcement programs and motivate owners to repair and improve maintenance of their structures.
- 3.7.3 Promote public and private sources of home improvement grants and loans for housing repair needs.
- 3.7.4 Weatherization of housing units should be encouraged and information disseminated regarding assistance available from the electric and gas utility companies, charitable organizations, and public agencies.

GOAL 3.8 ENSURE THAT THE CITY CONTINUES TO MOVE IN A POSITIVE DIRECTION IN PROVIDING AFFORDABLE HOUSING OPPORTUNITIES TO ALL ECONOMIC SEGMENTS OF THE POPULATION.

Policies

- 3.8.1 Implement a monitoring strategy that will assist the City Council in determining if the policies as adopted herein are meeting the affordable housing needs of the citizens of the City.
- 3.8.2 Use Snohomish County’s monitoring strategy to obtain needed information on whether the City is providing jobs at wages that will allow citizens to live and work in the same City and improve the ability of families to obtain housing at market rates.



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Chapter 7: Public Utilities and Services Element





CHAPTER 7: PUBLIC UTILITIES AND SERVICES ELEMENT

A Vision for Public Utilities and Services

Lake Stevens will strive to provide excellent public utilities & services to meet the health and safety needs of the community in proportion to future population growth and will continue to coordinate with local service providers such as the Lake Steven Sewer District, Lake Stevens Fire, and the Lake Stevens School District to ensure service continuity as the community grows.

INTRODUCTION

This element has been developed to address public utilities and services in the City of Lake Stevens. It specifically considers the general location, proposed location, and capacity of all existing and proposed utilities and public facilities, including public structures and utility lines. It also discusses levels of services for current and future residents and businesses. The discussion in this section is related to other Plan elements including Parks, Transportation and Capital Financing.

Much of the planning for utilities in the UGA is the responsibility of the various service providers. The City and utility plans are often interrelated, as the utilities provide service to the City and activities in the City affect the demands upon the utilities.

The City cooperates with other cities and service providers in the joint delivery of utilities and services. It is coordinating its street asphalt overlay program with Snohomish County at a potential saving to both. The City is open to all opportunities to coordinate and cooperate with neighboring service providers.

In its Vision Goals, the City asserts its interest in areas outside the UGA where it is possible that future UGA expansions could occur. Utility and service planning requires that the City be involved in these areas' planning and decision making, both to comment on future service impacts and to do its own service planning.

The Planned Action EIS documents for the 20th Street SE Corridor and Lake Stevens Center subarea plans included updated information on utilities and public services and facilities. The City met with service and utility providers to determine the availability of service for future development within the subareas. The EIS documents provide details for each subarea plan including mitigation measures, if required.



PLANNING CONTEXT

State Context

Growth Management Act

Washington Administrative Code (WAC) and Washington Utilities and Transportation Commission

The Washington Utilities and Transportation Commission (WUTC) regulate utilities and transportation. The WUTC is empowered to regulate utilities such as electrical, gas, irrigation, telecommunication, and water companies. The WUTC has jurisdiction over rates and charges, services, facilities and practices of utilities. Any change in customer charges or service provision policy requires WUTC approval. The WUTC also requires gas providers to demonstrate that existing ratepayers will not subsidize new customers. Thus, historically gas main extensions have not been planned in advance, but have been initiated only when there is sufficient customer demand.

Regional Context

PSRC Goals/Policies

Local Government

.The City provides the majority of municipal services, including governance, administration, planning and community development, building permits, public works and projects, governmental financing, grant development and management, fire inspection, and police services. Planning and provision of other services and utilities in the UGA is the responsibility of special purpose districts and utility providers. The City coordinates its land use planning efforts with the various utility providers and encourages those providers to use the City's Land Use Element and the County's Urban Growth Area Plan in planning future facilities. ADD SECTION ON STORMWATER UTILITY

Services provided jointly by the City and special purpose districts include sewer services. ADD SENTENCE ON COMBINED SEWER UTILITY FROM ILA. Services provided directly by special purpose districts include health, school, fire, power, judicial, and library services. Lake Stevens Fire and Lake Stevens Sewer District are both City partners. The city does not currently have a central municipal campus. Services are spread out at different locations in the downtown area including City Hall, the Permit Center, Public Works Maintenance and Equipment yard, Shop and Police Station. The city desires to create a centralized municipal campus in the future to combine many city services in one location.



Chapter 7 – Utilities and Public Services and Facilities Element

The City cooperates with other cities and service providers in the joint planning and delivery of services within its UGA based on adopted levels of service and concurrency requirements. The Comprehensive Plan provides policy guidance on how utilities and services shall be planned and provided.

As stated in its Vision Goals, the City asserts its interest in areas outside of the UGA where future UGA expansions could occur, i.e., the RUTA. Utility and service planning requires that the City be involved in the planning and decisionmaking of these areas both to comment on future service impacts and to do its own service planning. (UPDATE TO REFLECT REVISED GOALS AND POLICIES WITH SPECIFIC REFERENCE(S))

The following section provides specific descriptions of public services and utilities within the city and its UGA.

Police Services

The City of Lake Stevens Police Department currently provides a variety of services to its citizens. These services include marine and road patrol, crime and accident investigation, traffic enforcement, crime prevention, School Resource Officer Program, concealed weapons permits, passports, records and evidence keeping, and animal control. The Department also contracts some of its services, including dispatch, jail, court services and vehicle maintenance. The Department currently responds to approximately 25,000 incidents annually. The average response time for the Department is 3 to 4 minutes for emergency calls and 6 to 10 minutes for all other calls.

Stormwater

The City of Lake Stevens provides stormwater services for the entire City. The system consists of surface runoff areas (e.g., roadways), inlets, pipe and ditch conveyance, water quality devices, storm ponds, and outfalls. Within the system are two lakes, Stitch Lake and Lake Stevens. The stormwater system covers an area of approximately 5,700 acres (8.9 square miles) and is broken into 18 basins. Within the system are approximately 68 City owned or operated stormwater facilities, 4562 Catch Basins, 13.5 Miles of roads side ditch, 66.2 miles of pipe and 22942' of culverts. The city updates its Stormwater Management plan yearly per the requirement of its NPDES permit. The service area and drainage basins of the City are shown on Figure 7.

The largest stormwater feature for the City is Lake Stevens. This functions as a recreation facility. The lake has multiple inflow areas and one outfall that are monitored by the City. Between April and through September, the City manages the level of the lake. This serves three purposes:

- 1) Maintain the lake at a level to sustain downstream channel flows for aquatic habitat;



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- 2) Protect downstream channel/flood from flash surges during heavy rainfall events; and
- 3) Maintain recreational usage of the lake in the historical shallow areas on the northwest side of the lake.

A weir system located at controls the lake level control. In 2010, the City adopted a Lake Level Management Plan to provide guidance and policy to perform this service.

Some of the detention systems and ditches within subdivisions and commercial developments are privately owned and maintenance is the responsibility of the individual property owner/s which is sometimes under a homeowners' association or property management service. As the city approves new projects, these projects must meet the requirements of the Department of Ecology (DOE) stormwater manual and include maintenance provisions for the owner(s).

NPDES Phase II Stormwater. In January of 2007, the Washington State Department of Ecology (Ecology) issued two new "NPDES Phase II" municipal stormwater permits that affect Lake Stevens. These permits were issued under the authority delegated to Ecology to implement requirements of the Federal Clean Water Act. The stormwater permits cover municipal storm sewer systems that discharge to surface waters, which are not part of a combined sewer system. The City is currently operating under the requirement of this permit.

Sewer Service

As of May 2005 the City and District formally cooperate as a "Unified Sewer System" (USS). The two agencies operate under an interlocal agreement under which the District will provide, maintain and operate sewer facilities throughout the Lake Stevens UGA. The Lake Stevens Sewer District provides sewer facilities and sewer treatment for the Lake Stevens UGA. The entire boundary is shown in Figure 7.1. Their system includes a network of trunk and collector lines, a flow telemetry system, manholes, and pump/lift stations. It is assumed that the City could take complete ownership of District operations by 2025, if mutually beneficial.

The City contracts with the District for collection and treatment of all raw sewage. Secondary treatment is provided at the Ebey Slough plant. Construction for the new Sunnyside Wastewater Treatment Plant (WWTP) has been completed and is fully operational. The Sunnyside WWTP is located on a 14-acre site next to SR204. The new plant has greater capacity, contains more modern technology, , and is more environmentally friendly.

The new plant was built to handle the increased population and commercial growth forecast within the District's boundaries. It also will keep the District in compliance with State and Federal requirements. The Ebey Slough facility will be retained as a pump station.



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Figure 7.1 - Lake Stevens Sewer District System Improvements Map

(Map to be included)



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This Plan asserts a goal of eliminating all septic systems over time as the sewer system and the City Limits expand. New developments, re-built structures, new industrial development in the Hartford Road and other non-residential areas would all be required to provide sewers to the extent the existing system is within 200 feet of the affected property. This may take time, but the need for the expanded and growing city to eventually become fully served is significant.

Additionally, the City and the Lake Stevens Sewer District do joint capital facilities planning to benefit the community and its economic development.

Lake Stevens Fire District

Lake Stevens Fire serves an area of about 46 square miles (Figure 7-3). To the City it provides fire prevention and suppression services, emergency medical services (EMS) including Advanced Life Support (ALS), technical rescue and fire marshal services. The District has three fire stations, administrative offices and conference center:

- Station 81 (12409 21st Street NE, Lake Stevens 98258)
- Station 82 (9811 Chapel Hill Road, Lake Stevens 98258)
- Station 83 (13717 Division Street, Snohomish 98290)
- Administration Office and Conference Center (1825 S. Lake Stevens Rd, Lake Stevens)

The conference center provides a venue for conferences, retreats, and meetings for local government. It is also available as a rental for the public.

Lake Stevens Fire is the seventh busiest fire department in Snohomish County. In 2013, the Lake Stevens Fire responded to 4659 calls. Over the past five years, the District has experienced an average annual increase in call volume of 1.50%. The District currently maintains a minimum on-duty staffing of 11 firefighters 24 hours a day-365 days a year. Through strategic planning the department is on course to increase the daily staffing level to 14 firefighters by year 2017. Lake Stevens Fire plans to construct an additional fire station for the year 2022.

In 2013, the Washington Surveying and Rating Bureau completed its evaluation of the fire protection capabilities for the City of Lake Stevens. This evaluation resulted in an improved protection class rating from Protection Class 5 to Protection Class 4.

Annually the Department performs fire code compliance activities, inspects commercial and public buildings for the city of Lake Stevens (381 in 2013) and reviews land use and building permits through the Fire Marshal's office.

Lake Stevens Fire and the City will continue to partner together to meet the fire protection and emergency medical services needs of the community. The City has adopted by reference the Lake Stevens Fire Capital Facilities Plan.



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School Districts

Lake Stevens School District. The Lake Stevens School District covers approximately 37 square miles, roughly following the boundaries of the Urban Growth Area (see Figure 7.4). The District includes most of the Lake Stevens UGA, as well as areas outside the UGA and a small portion of the City of Marysville.

Within the Lake Stevens School District there are six elementary schools grades K-5 (Mt. Pilchuck, Hillcrest, Sunnycrest, Glenwood, Highland and Skyline), two middle schools grades 6-7 (Lake Stevens and North Lake), one mid-high school grades 8-9 (Cavelero), one high school grades 10-12 (Lake Stevens), and one alternative high school serving grades 9-12 (PROVE) and an alternative K-12 school (HomeLink). It also owns approximately 76 acres of vacant land.



The Lake Stevens School District has experienced steady upward growth in enrollment for the past four decades. Student enrollment in the School District remained relatively constant between 1973 and 1985 (15%) and then grew significantly from 1985 through 2005 (approximately 120%). Between October 2008 and October 2013, student enrollment increased by 7%. Overall, there was a 2% decline countywide during this period. The October 2013 enrollment was 7,759 students, an increase of 1.6% over October of 2011, the last reporting period. The District has been, and is projected to continue to be one of the fastest growing districts in Snohomish County, based on the Office of Financial Management-based population forecast. Population is estimated to rise from 41,238 in 2013 to over 61,000 in 2035.



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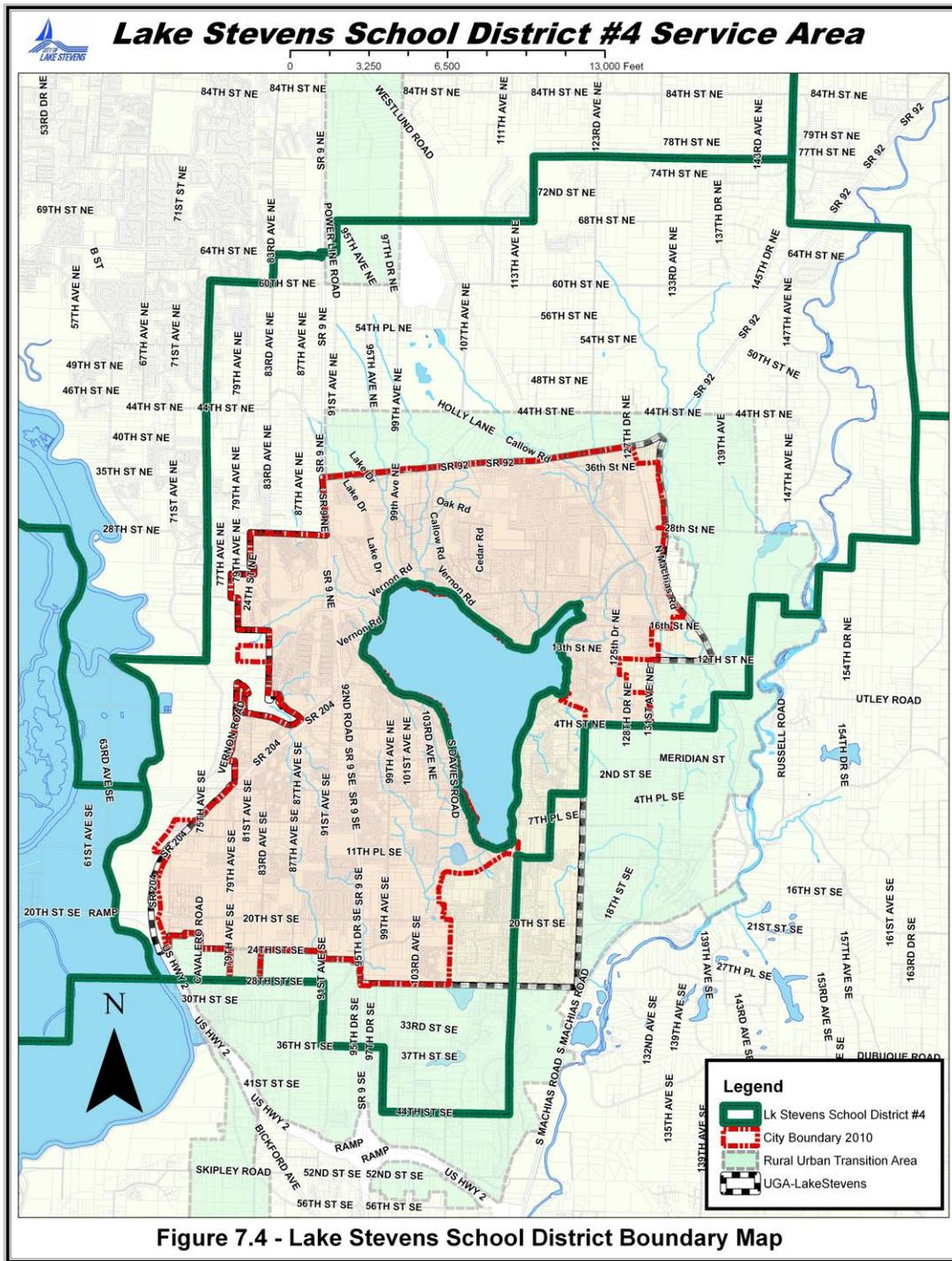


Figure 7.4 - Lake Stevens School District Boundary



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The City has adopted by reference the current Lake Stevens School District No. 4 2014-2019 Capital Facilities Plan. This Plan provides the basis for charging GMA based impact fees, as implemented in the City's Land Use Code. The District participates in the school impact mitigation fee program and issues an updated Capital Facilities Plan every two years. The City applies a discount to the calculated rate as do most other cities in the County.

Snohomish School District. The Snohomish School District covers a small corner of the southeastern portion of the UGA, south of 4th Street NE and east of 115th Avenue SE, and serves residents south of the Lake Stevens School District. No Snohomish School District schools are currently located within the Lake Stevens UGA. The city will adopt the Snohomish School District's Capital Facilities Plan by reference into the Comprehensive Plan when the area served by the District is annexed into the City.

Snohomish County Health District

The City contracts with the Snohomish County Health District for public health services. The most common task the District performs in the Lake Stevens area is approving septic systems. Other responsibilities include food service inspections and issuing state permits for certain (potentially noxious) activities (e.g., septic sludge recycling, soil processing, etc.).

Solid Waste UPDATE THIS SECTION – THE CITY HAS TWO WASTE PROVIDERS FOLLOWING ANNEXATION

Solid waste service within the City is provided by the City, contracting with Waste Management Northwest, Incorporated. Solid waste service is contracted out for a three year period. Recycling is provided by East Snohomish County Association of Recycling Cities (ESCARC), contracting with Fiber International. ESCARC consists of Monroe, Snohomish, Lake Stevens, Sultan, Granite Falls and Gold Bar. These cities pooled their resources to provide the capital facilities for lower cost recycling. The City receives curbside service from Bill's Disposal service which is a division of Fiber International.

Natural Gas

Puget Sound Energy (PSE) provides natural gas service through a City franchise. PSE is the largest natural gas company in Washington serving approximately 400,000 customers in five counties and sixty-four cities. It is a demand-driven utility, meaning that no service is initiated until requested by a specific customer. As natural gas is a competitive energy source, it can be assumed that the demand for it will continue to grow, particularly if substantial savings over other fuels can be effectively demonstrated (Acme, 1993).

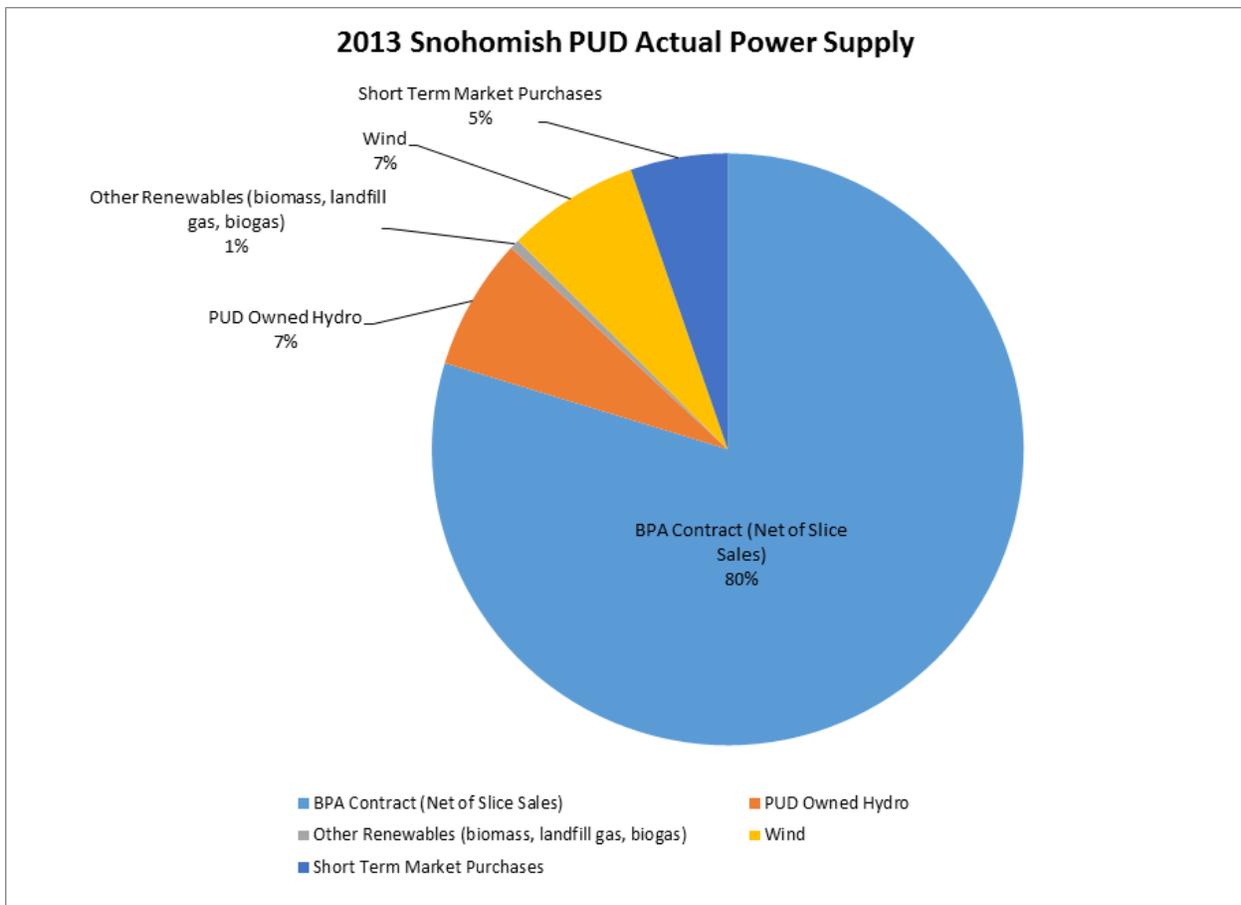


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The U.S. Department of Energy estimates a 60-year supply of conventional natural gas reserves exists. Unconventional reserves requiring advanced technology are estimated at a 150-200 year supply.

Electrical Utilities

The Public Utility District No. 1 of Snohomish County (PUD), which purchases 80% of its power from the Bonneville Power Administration (BPA), serves the City of Lake Stevens. The remainder of the PUD’s power is provided by a mix of other renewable resources that include output from the PUD’s Jackson, Youngs Creek and Woods Creek hydroelectric projects, and several long-term contracts for wind, landfill gas, biogas, and biomass.



The PUD uses an 115,000 volt transmission system to distribute electricity from three major BPA delivery points in Snohomish County to distribution substations. These substations transform the transmission voltage to 12,500 volt distribution voltage. PUD electrical facilities of less than 55,000 volts (55 kV) are referred to as distribution facilities. Facilities of more than 55,000 volts (55 kV) are referred to as transmission facilities.

There are three distribution substations, Hartford, Lake Stevens and Frontier, within the city limits of City of Lake Stevens. The City is fully served by these substations with distribution



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lines that extend service to all residential, commercial, and public customers. According to the PUD, there is ample capacity to meet existing demand for both the incorporated city limits as well as the UGA.

Water Utilities

Except for a few homes on wells, the Public Utility District No. 1 of Snohomish County (PUD) provides water service. The PUD currently owns and operates nine water systems. The City of Lake Stevens is served by PUD's Lake Stevens water system. This system is in PUD's Integrated Water Service area, which is bounded on the west by Ebey Slough and the Snohomish River; on the north by Marysville and Arlington; on the east by the Snohomish County Commercial Forest-Forest Transition Area (CF-FTA); and on the south by the boundaries of other water systems.

Everett's 2, 3, 4 and 5 transmission lines from Spada Lake, pass through the PUD's water service area, delivering water to Everett and to many wholesale water customers. In 2012, PUD converted its emergency wells, in the northeast corner of the City, to full-time use to supplement the Everett purchased water supply. The PUD's Walker Hill storage reservoirs (4 million gallons capacity) and Hillcrest reservoirs (6 million gallons capacity) serve both the City and the UGA. The distribution system within the City is shown in Figure 7.6. In 2012, PUD constructed water main extensions to merge its Lake Roesiger water system into the Lake Stevens system and, in 2014, PUD constructed water main extensions to merge its Dubuque water system into the Lake Stevens system. The following is an overview of the Lake Stevens water system and its major facilities, including updates provided by the PUD since its *2011 Water System Plan*:

Source -- Eleven connections to the City of Everett's Transmission Pipeline Nos. 2, 3 and 5 provide the PUD Lake Stevens water system's primary water supply. Water from five of these connections flows by gravity into the water system, and the remaining six have pump stations to deliver the water. Four connections are inside the Lake Stevens city limits, including one connection shared with the City of Marysville. As stated earlier, two wells formerly used as an emergency standby source are now operating full time to supplement the primary water supply.

Storage -- The PUD Lake Stevens water system contains eight storage reservoirs, with a combined capacity of over 14 million gallons. Four of these reservoirs are located in the city at the Walker Hill and Hillcrest tank sites. The combined in-city water storage capacity is 10 MG.

Transmission and Distribution Pipelines – There are over 330 miles of pipe in the PUD's Lake Stevens water system. Pipeline sizes range from 3/4 to 40 inches and materials include cast iron, asbestos cement, ductile iron, galvanized, and steel.

Booster Pump Stations -- At the higher elevations, additional pressure is provided by booster pump stations. In the city, there are two booster pump stations serving the Walker Hill and Hillcrest areas.



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Pressure Reducing Stations -- There are thirty-five pressure reducing stations installed throughout the PUD Lake Stevens water system to help regulate pressure and define the separate pressure zones. Inside the city limits, there are six pressure zones served by seven pressure reducing stations, which provide reasonable pressure to all city consumers.

The PUD normally designs its water facilities to provide fire flow capacity of at least 1,000 gallons per minute (gpm). In some areas, flows up to 3,000 gpm are available. Proposed projects are individually evaluated on a case by case basis. Developers must fund and construct any improvements necessary to bring water to their projects and to achieve fire flow required by the fire marshal. The PUD's water source and storage will continue to be more than adequate for projected growth within its water service area.



Chapter 7 – Utilities and Public Services and Facilities Element

Figure 7.6 – Public Utility District Water Distribution

(Updated map to be included)



FUTURE NEEDS – (MIGHT CONSIDER MOVING FUTURE NEEDS UNDER THE UTILITY SECTION)

City Personnel

Future staffing levels are directly related to the degree to which annexations occur. With the present size of the City, existing 2001 staffing levels are found generally to be adequate. If and when annexations occur, staffing levels will need to be re-evaluated.

Sewer

In May of 2005, the District and City of Lake Stevens entered into an agreement entitled “Unified Sewer Services and Annexation Agreement.” This agreement essentially conveys all of the City’s sewer system, including equipment to operate and maintain the system, to the District for operation and management. The agreement also lays the groundwork for the eventual assumption of the District, including the new wastewater treatment plant, by the City in the future.

On October 24, 2007, the Lake Stevens Sewer District adopted a new Sanitary Sewer Comprehensive Plan. In 2010, the Lake Stevens Sewer District adopted Amendment No. 1-2010 to the 2007 Sanitary Sewer Comprehensive Plan. An updated Sewer District Comprehensive Plan is to be completed in the summer of 2015. Table 7-1 is the Capital Improvements Project Summary for the Lake Stevens Sewer District. The summary includes areas within the existing City and in the UGA. The District boundaries also include most of the rural urban transition area around the Lake Stevens UGA. Figure 7.7 shows the location of the projects in the summary. (Tables 7-2 and 7-3 were removed during the 2007 docket cycle.)

Due to the new agreement, the City and the District are partners in operating and managing the sewer system within the City of Lake Stevens. The City adopted the Lake Stevens Sewer District Sanitary Sewer Comprehensive Plan and Amendment No. 1-2010 as Appendix D of the City of Lake Stevens Comprehensive Plan in 2006..

During the environmental impact process for the 20th Street SE Corridor and Lake Stevens Center subarea plans in 2012, the City and District reviewed projects required for development of the two subareas. Most of the projects are included in the District’s Sewer Comprehensive Plan as a capital improvement project and listed in Table 7-1. A few projects are not currently included in the District’s CIP, but will be required at some point in development of the subareas over the next 20 years. The Subareas Capital Facilities Plan and Lake Stevens Sewer District Capital Facilities Plan identify sewer system capital improvements required within the Lake Stevens Center Subarea and 20th Street SE Corridor Subarea over the next 20 years.



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Stormwater

The City has numerous older developments that were approved and constructed to rural standards. In some cases, storm detention/retention, water quality, and conveyance was not a concern at that time and storm drainage facilities were not required. While new projects have provided facilities to urban standards, the older developments continually impact neighborhoods, streets, and the lake by conveying runoff that is not channeled and not treated. . As part of a citywide stormwater inventory, opportunities for regional stormwater treatment systems should be developed.

Solid Waste

Snohomish County Solid Waste Division estimates that current landfill capacity should last for at least the next 20 years. However, we have only bought some time, and put off a problem that eventually needs to be dealt with. It is only prudent to do what can be done.



Chapter 7 – Utilities and Public Services and Facilities Element

**Table 7-1 Lake Stevens Sewer District – 2007 Comprehensive Plan and Amendment 1-2010
Capital Improvement Project Summary**

Capital Improvement Project	ID	Proposed Funding Source	Estimated Completion	Est. Cost Construction (\$1,000)	Est. District Contribution (\$1,000)
Wastewater Treatment Facility (WWTF)					
Vernon Road Diversion	VRD-A	Capital	2009	In WWTF	
	VRD-B	Capital	2011	In WWTF	
WWTF Construction - Phase I	WWTF	Capital	2012	\$ 120,000	\$ 120,000
Lift Station No. 20 (Sunnyside)	LS 20	Capital	2012	In WWTF	
WWTF Phase II-A	WWTF-IIA	Capital	2013	\$ 3,800	\$ 3,800
WWTF Phase II-B	WWTF-IIB	Capital	2020	\$ 1,400	\$ 1,400
WWTF Phase III	WWTF-III	Capital	2024	\$ 26,300	\$ 26,300
Conveyance System 6-Year Plan					
Southwest Interceptor Phase II	G1-B	Capital	2012	\$ 1,400	\$ 1,400
LS 1C Upgrade & LS 6 Derating	E1-A	Capital	2014	\$ 260	\$ 260
LS 2C Interim Upgrade	E2-A	Capital	2015	\$ 710	\$ 710
Comprehensive Plan Update	Comp	Capital	2015	\$ 180	\$ 180
New Gravity Line - Industrial Area	D6-A	Capital	2016	\$ 290	\$ 290
Conveyance System 10-Year Plan					
Infiltration & Inflow Study	I/I	Capital	2016	\$ 130	\$ 130
Lift LS 11 Moratorium & LS 1 Decommission	B5	Capital	2016	\$ 460	\$ 460
LS 3 & LS 4 Derating	D3-A	Capital	2016	\$ 95	\$ 95
Upgrade SCADA System	Scada	Capital	2016	\$ 300	\$ 300
LS 1C Rehabilitation	E1-B	Capital	2017	\$ 820	\$ 820
Conveyance System 20-Year Plan					
Vernon Road West @ Vernon RD (VRD)	B1-A	Capital	2021	\$ 1,230	\$ 1,30
LS 5 Upgrade	D1-A	Capital	2022	\$ 2,770	\$ 2,770
Vernon Road West Trunk @ LS 15 Discharge	B1-B	Capital	2023	\$ 1,230	\$ 1,230
Downstream of Rhodora Heights Road	B8-B	Capital	2023	\$ 290	\$ 290
Decommission LS 18	C3-A	Capital	2027	\$ 10	\$ 10
Donated Facilities					
New Gravity Line - Industrial Area	D6-B	Donated		\$ 1,450	
LS 14 Upgrade	C1-A	Donated		\$ 138	
LS 2C Upgrade	E2-C	Donated		\$ 4,100	
LS 8C Upgrade & FM Diversion	D9-A	Donated		\$ 1,410	



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Capital Improvement Project	ID	Proposed Funding Source	Estimated Completion	Est. Cost Construction (\$1,000)	Est. District Contribution (\$1,000)
20th St NE & Bus. Loop Rd to LS 2C	E2-B	Donated		\$ 1,070	
New LS F2 & FM	F2	Donated		\$ 1,350	
LS 17 FM Extension (Holly)	C2-A1	Donated		\$ 420	
New LS B7 - Phase 1	B7-A1	Donated		\$ 4,680	
Machias Cutoff	B7-B	Donated		\$ 910	
LS 8 Upgrade	B8-A	Donated		\$ 670	
LS 7 Upgrade	B9	Donated		\$ 260	
LS 14 FM Diversion	C1-B	Donated		\$ 990	
LS 17 Upgrade & FM Extension	C2-A2	Donated		\$ 1,150	
New LS C2 & FM	C2-B	Donated		\$ 2,010	
Springbrook Road	D2	Donated		\$ 136	
New LS D7 & FM	D7	Donated		\$ 2,330	
New LS D8 & FM	D8	Donated		\$ 1,750	
16th Street NE	E2-D	Donated		\$ 690	
LS 2C Upgrade & FM Extension	E2-E	Donated		\$ 4,630	
New LS H2 & FM	H2	Donated		\$ 2,540	
New LS K1 & FM	K1	Donated		\$ 1,360	
LS B7 Upgrade & FM - Phase 2	B7-A2	Donated		\$ 2,470	
LS 6C Upgrade	E5	Donated		\$ 20	
New LS H1 & FM	H1	Donated		\$ 1,590	
New LS H3 & FM	H3	Donated		\$ 1,630	
LS 1C Upgrade	E1-C	Donated		\$ 24	
New LS G3 & FM	G3	Donated		\$ 2,620	
Proposed Future Unified Local Improvement Districts (ULIDs)					
Lakeview Drive Sewers	D1-F	Donated		\$ 2,800	
Cedar Road Sewers - East Side	D1-H	Donated		\$ 420	
Cedar Road Sewers - West Side	D1-G	Donated		\$ 780	
Soper Hill Sewers	D1-I	Donated		\$ 1,810	
White Oaks	C3-B	Donated		\$ 4,600	
On-Going Capital Expenditures					
Miscellaneous Repair & Replacement		Capital	Annual	\$ 250	
System Wide Inflow & Infiltration Program		Capital	Annual	\$ 100	
Unified System Planning		Capital	Annual	\$ 50	
District Vector Truck		Capital	TBD	\$ 330	
Replacement of Rolling Stock		Capital	TBD	\$ 110	



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Capital Improvement Project	ID	Proposed Funding Source	Estimated Completion	Est. Cost Construction (\$1,000)	Est. District Contribution (\$1,000)
Generator to Vernon Business Center		Capital	TBD		
SW Interceptor Ph I Oversizing		Capital	2008	\$ 1,225	
SW Interceptor Ph I Tightline		Capital	2012	\$ 200	

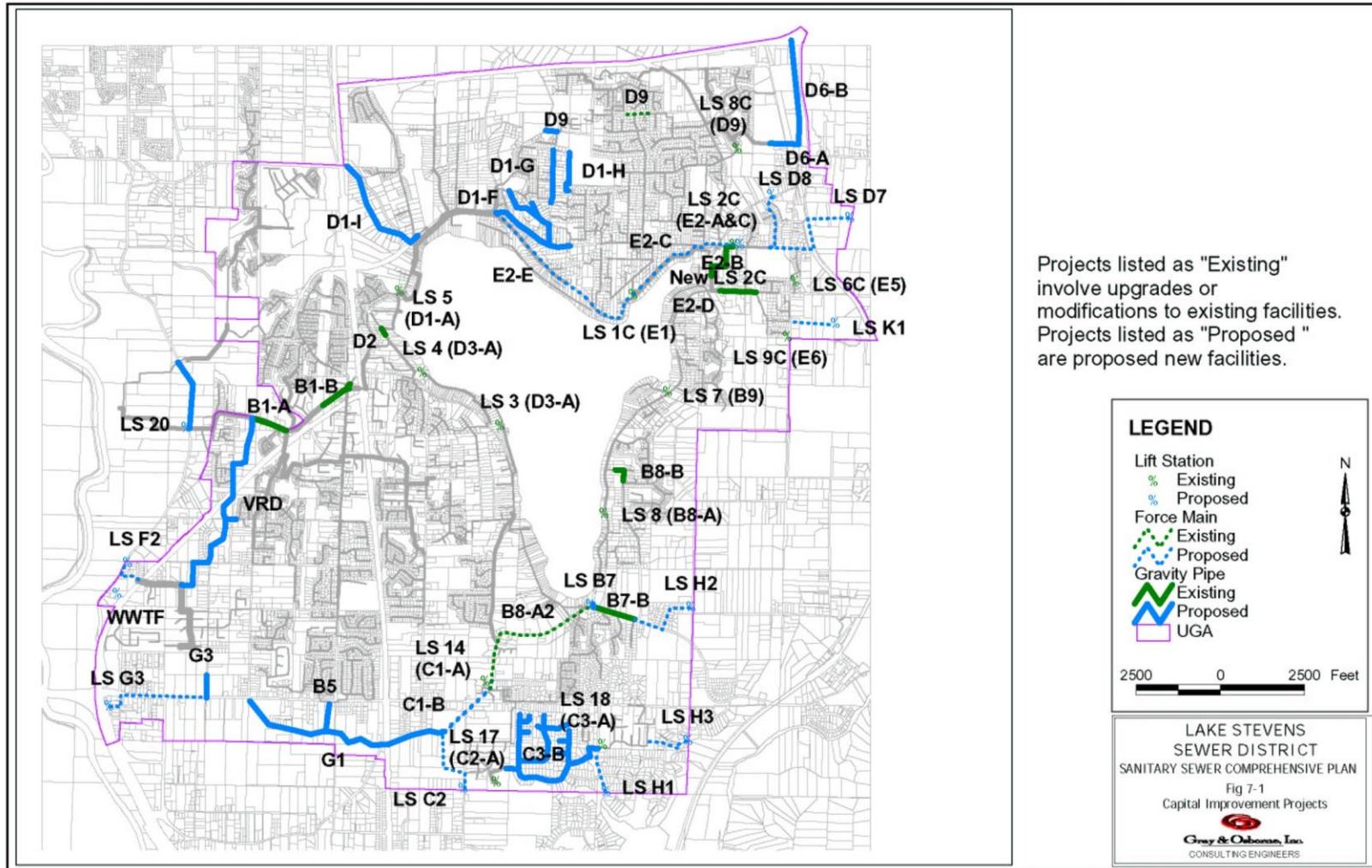


Figure 7.7 Lake Stevens Sewer District – Sanitary Sewer Comprehensive Plan Capital Improvement Projects



Chapter 7 – Utilities and Public Services and Facilities Element

GOALS AND POLICIES

GOAL 7.1 FACILITATE THE DEVELOPMENT OF UTILITIES AT THE APPROPRIATE LEVELS OF SERVICE

Policies

- 7.1.1 Adopt the following levels of services:
 - a. Sanitary Sewer: 80 gallons per capita per day.
 - b. Potable Water: LOS adopted by Snohomish County PUD.
 - c. Drainage – Drainage Swales and Stormwater Management System – Adopt 2005 Department of Ecology Standards.
 - d. Solid Waste (Residential): 3.3 pounds per capita per day.
- 7.1.2 Locate public facilities in a manner that is accessible to the community, provides for multiple uses and otherwise serves the goals of the Comprehensive Plan.
- 7.1.3 The City asserts its interest in areas outside the UGA where it is possible that future UGA expansions could occur. The City will become involved in these areas' planning and decision making, both to comment on future service impacts and to assist its own service planning.

GOAL 7.2 ENSURE THAT UTILITIES PROVIDE SERVICE IN A MANNER THAT IS ENVIRONMENTALLY SENSITIVE, SAFE, RELIABLE AND COMPATIBLE WITH THE SURROUNDING PROPERTIES.

Policies

- 7.2.1 Prepare and adopt a detailed master storm drainage plan for the City to coordinate storm drainage and detention/retention consistent with the concept plan adopted as part of this element to include cumulative watershed effects.
- 7.2.2 Prepare and adopt a detailed master sewer plan for the City to coordinate sewer and detention/retention consistent with the concept plan adopted as part of this element.
- 7.2.3 Protect existing regional transmission facilities for Snohomish County PUD, Lake Stevens Sewer District and Puget Sound Energy from encroachment by incompatible urban development.
- 7.2.4 Proposals for electricity generation facilities should be scrutinized carefully to avoid impacts on local air and water quality.



Chapter 7 – Utilities and Public Services and Facilities Element

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.
- 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.



Chapter 7 – Utilities and Public Services and Facilities Element

GOAL 7.4 PROMOTE CONSERVATION AND ENERGY EFFICIENCY, AND ALLOW FOR ALTERNATIVE DESIGN STANDARDS AND/OR MATERIALS.

Policies

- 7.4.1 The City will facilitate and encourage conservation of resources to delay the need for additional facilities for electrical energy and water resources and achieve improved air quality.
- 7.4.2 The City will facilitate the conversion to cost-effective and environmentally sensitive alternative technologies and energy sources.
- 7.4.3 Encourage low impact development projects and low impact development techniques on non-LID projects to conserve and use existing natural site features
- 7.4.4 Integrate distributed, small-scale stormwater controls and prevent measurable harm to streams, lakes, wetlands and other natural aquatic systems from commercial, residential or industrial development sites by maintaining a more hydrologically functional landscape.
- 7.4.5 The City should support development of a bio fuel technology to provide more options to reduce vehicular pollution (city fleet to cleaner fuels). The City will move toward bio fuel technology as fleet replacement occurs and as the technology is developed and proven.

GOAL 7.5 COORDINATE PROVIDING OF UTILITIES WITH THE LAND USE ELEMENT.

Policies

- 7.5.1 Coordinate the City's land use planning efforts with the various utility providers. Encourage those providers to use the City's Land Use Element and the County's Urban Growth Area Plan in planning future facilities.
- 7.5.2 The City will consider public utility substations, transmission facilities and other regional facilities as "necessary public facilities" for purposes of permit review, provided that utility providers can prove locational need and significant mitigation of impacts.
- 7.5.3 The City will formulate, interpret, and apply the land development regulations so as to allow the timely development of utility facility additions and improvements.

GOAL 7.6 STRIVE TO PROVIDE ADEQUATE SEWER SERVICES TO EVERY RESIDENCE AND BUSINESS IN THE CITY.



Chapter 7 – Utilities and Public Services and Facilities Element

Policies

- 7.6.1 Support the Lake Stevens Sewer District to maintain its adopted level of service.
- 7.6.2 Support the implementation of the Lake Stevens Sewer District capital facilities plan. Coordinate land use density and intensity with the Sewer District's capital budget in order to provide services within the City.
- 7.6.3 Coordinate City-sponsored capital improvements with the Lake Stevens Sewer District, Snohomish County Health District and neighboring jurisdictions to ensure effective and cost efficient provision of sewer service.
- 7.6.4 Provide for the acquisition of sufficient capacity to support build-out within the City and the Lake Stevens Urban Growth Area.
- 7.6.5 As a first priority, support the Lake Stevens Sewer District in accomplishing sewer expansions in future expanded urban growth boundaries and high priority development areas within the City.

GOAL 7.7 SUPPORT LESS RESOURCE CONSUMPTION THROUGH PROGRAMS AIMED TOWARD REDUCING, REUSING, AND RECYCLING OF RESOURCES.

Policies

- 7.7.1 Maintain and expand reduction, re-use, and recycling programs in the City.
- 7.7.2 Support local, regional, state, federal, and private programs aimed at reduction, re-use, and recycling of natural resources.
- 7.7.3 Allow zoning for businesses aimed at recycling materials when it does not pose a threat to the community's health and welfare.
- 7.7.4 Examine the feasibility of requiring, through zoning or other legislative mechanisms, that distributors of hazardous, noxious, or toxic materials accept those materials for recycling.

GOAL 7.8 PROVIDE THE BEST CITY HALL SERVICE ATTAINABLE WITHIN BUDGET PARAMETERS AND MINIMIZE GOVERNMENTAL EXPENDITURES BY REDUCING DUPLICATION OF SERVICES.



Chapter 7 – Utilities and Public Services and Facilities Element

Policies

- 7.8.1 Strive to maintain efficiency in the provision of city government services through continual evaluation and improvement of administrative, technical, and personnel procedures and practices, as well as the Lake Stevens Municipal Code.
- 7.8.2 Devote adequate funds to ensure quality staffing.
- 7.8.3 Ensure that elected officials, appointed commissioners, and staff maintain and/or improve their levels of expertise through continued education, development, and peer consultation.
- 7.8.4 Take advantage of affordable technological advances where it results in better and more efficient levels of service.
- 7.8.5 In order to expand services to the citizens of Lake Stevens in a fiscally responsible manner, continue and expand the practice of interagency cooperation by sharing personnel and facilities wherever possible.
- 7.8.6 Provide adequate public facilities to support the City's administrative and field operations.

GOAL 7.9 AS THE CITY ANNEXES NEW AREAS STRIVE FOR A SMOOTH TRANSITION OF SERVICE PROVIDERS TO MINIMIZE FINANCIAL AND LOGISTICAL IMPACTS ON CITIZENS.

Policies

- 7.9.1 Under the Growth Management Act and Lake Stevens Comprehensive Plan, the City is likely to be the provider of general government services within the Urban Growth Area. For potential annexation it is the City's policy to have interlocal agreements achieving the orderly transition of services during annexation.
- 7.9.2 Establish an interlocal agreement model with Snohomish County and other service provider agencies to facilitate the transfer of governance within the City's UGA in an expeditious and consistent manner.

GOAL 7.10 PROVIDE FOR ADEQUATE POLICE AND FIRE PROTECTION SERVICES.

Policies

- 7.10.1 Annually conduct a police staffing analysis based on national practices using a work-load based model.



Chapter 7 – Utilities and Public Services and Facilities Element

- 7.10.2 Maintain and update the Police Department Strategic Plan including goals to reduce crime and addressing conditions affecting the quality of life of the community.
- 7.10.3 Coordinate police services with fire protection services and other local, state and federal agencies to develop a disaster preparedness program for Lake Stevens.
- 7.10.6 Support the Snohomish County Fire Prevention District #8 to maintain its adopted level of service.
- 7.10.7 Coordinate with the Fire District on review of submitted site and building plans.
- 7.10.6 Coordinate land use density and intensity with the Fire District's capital budget in order to provide services within the City.
- 7.10.7 Consider the disaster response implications in prioritizing Fire District capital improvement and public service planning.

GOAL 7.13 PROVIDE ADEQUATE SCHOOL FACILITIES.

Policies

- 7.13.1 Support the Lake Stevens School District to maintain its adopted level of service.
- 7.13.2 Coordinate land use density and intensity with the School District's capital budget in order to provide services within the City.
- 7.13.3 The City will adopt by reference the Lake Stevens School District Capital Facilities Plan. The City Council shall review the CFP every two years to ensure that it is consistent with the requirements of the GMA; the impact fee calculation is consistent with the City's adopted formula and the CFP has been adopted by the District's Board of Directors.

GOAL 7.14 PROVIDE ADEQUATE STORMWATER FACILITIES AND SERVICES.

Policies

- 7.14.1. Continue to implement programs and projects designed to meet the goals and requirement of the NPDES permit.
- 7.14.2. Maintain and enforce land-use plans and ordinances requiring stormwater controls for new development and re-development.



Chapter 7 – Utilities and Public Services and Facilities Element

- 7.14.3. Actively promote and support education efforts focusing on all facets of stormwater management.
- 7.14.4. Develop a comprehensive stormwater inventory and identify needs to ensure a functioning stormwater system.



Chapter 7 – Utilities and Public Services and Facilities Element

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GMA at 25: Looking Back, Looking Forward

December 12, 2014 by [Planning Advisor \(/Home/Stay-Informed/MRSC-Insight.aspx?aid=135\)](#)

Category: [Planning Advisor \(/Home/Stay-Informed/MRSC-Insight.aspx?catID=40&cat=Planning Advisor\)](#)



By Joseph W. Tovar, FAICP

The year 2015 will be the 25th anniversary of the adoption of Washington State's Growth Management Act (GMA). GMA may be the most important and least understood of state laws from the perspective of today's state, county and city elected officials. Few of them were in office in the 1980's, and therefore understandably lack first-hand knowledge of the serious problems that prompted the 1990

legislature to pass the Act. A 2013 survey of city elected officials revealed that almost none of them had ever received training on the what, why, and how of land use policy-making, much less the GMA.

This lack of information has fed the mistaken belief that the Act narrows local discretion more than it actually does. That in turn causes some to see the GMA as a nuisance rather than what it truly is - a comprehensive framework providing the context, coordination and needed direction to manage growth and change. In view of sobering forecasts about Washington's ongoing growth, and daunting emerging environmental and fiscal challenges, it could even be said that if we didn't already have a growth management act, we'd need to invent it.

Why was the GMA passed in the first place?

What were the problems facing local governments in the 1980's? One was the sheer volume of growth. Between 1980 and 1990, statewide population surged from 4.1 million to 4.9 million, an increase roughly six times that of Bellevue's current population (134,000). Neither state law nor local government processes were configured to anticipate or manage that sheer volume of growth.

A 1988 report to the legislature titled *The Quiet Crisis in Local Governance* documented the problems of competition and conflict among local governments over issues of turf and resources. The report attributed these problems to a lack of clear definition in state law about the proper roles for counties, cities, and special utility districts. Disputes among local governments were addressed case-by-case through the courts because

there was no mechanism to predictably and effectively coordinate local government decisions. Local land use and capital project decision-making were often ad hoc, piecemeal, and reactionary rather than comprehensive, proactive and consistent.

Before the GMA, the primary state law affecting local land use decisions was the State Environmental Policy Act (SEPA), drafted in the 1970's. SEPA focused narrowly on environmental protection at a project-by-project scale. It made no presumption that a broader pattern of urban growth would or should occur nor that such a pattern of growth should be shaped and served by design and choice.

The consequence of this blurred and fragmented decision-making process was a lack of clear accountability, unbridled conversion of rural land to suburban sprawl, the loss of agricultural lands, degradation of natural systems, and the inefficient provision of local government services and facilities. As late as 1989, more than half of all Washingtonians lived in unincorporated areas rather than in cities.

As the 1990s approached, a perfect storm of political forces converged. There was a public outcry over escalating property taxes, housing costs, traffic congestion, and the continued loss of wetlands, farms, and forests. In the summer of 1989, a series of articles in the *Seattle Times* by urban critic Neil Peirce highlighted Washington's broken land-use system and fueled calls for reform. Several conservative county officials in seemingly safe districts were defeated by smart growth advocates that fall, setting the stage for the 1990 state legislature to strike a grand bargain despite its sharp split along partisan and cross-Cascades lines.

The resulting Growth Management Act took a middle path between the centralized, top-down model of Oregon, and the decentralized, bottom-up model of "planning enabling" states like Texas and Alabama. Unlike Oregon, in Washington only the fast-growing counties and their cities were required to fully plan under the GMA, and three regional growth hearings boards were created rather than a single appeals body in the state capital.

This middle path creates a framework of state goals and requirements, but presumes that local government actions were valid upon adoption. City and county actions can only be reversed if an appeal is filed and either the growth hearings board or reviewing court concludes that the local decision was "clearly erroneous"—which as a legal standard for measuring compliance is very deferential to local decisions.

How well has the GMA shaped the last 25 years of growth?

While there has not yet been a comprehensive, empirical evaluation of the Act's effectiveness in fulfilling the original legislative intent¹, there are several indicators of its success. For example, permit data in the "buildable lands counties" (King, Pierce, Snohomish, Kitsap, Thurston, and Clark) shows that the GMA has succeeded in reining in sprawl in these largest, fastest growing urban counties. Washington State Department of Commerce data shows that between 2001 and 2011, the amount of those counties' residential growth occurring within their urban growth areas increased from 85 percent to 96 percent.

Conflict among local governments has declined because the GMA clarifies the very different roles of counties, cities, and special districts². Most counties have ceased competing with their cities to provide urban services and have assumed responsibility for regional decisions such as drawing urban growth boundaries and allocating population and job targets to cities. Cities are identified by the GMA as the primary providers of urban governmental services, while other statutes provide them with authority to absorb special utility district functions within their city limits.

This GMA inspired “transformation of local governance” has evidenced by the incorporation of 15 new cities and dozens of annexations since 1990. Sixty-five percent of Washington citizens now live in incorporated areas, up from 49 percent before the GMA. In King County, the state's most populous, the percentage of those living in cities has risen to 83 percent.

Another major GMA achievement has been the facilitated construction of regional “essential public facilities” by insulating them from parochial vetoes or costly delays. No longer may a local government block the siting, construction, or expansion of a facility which is essential to the greater good.³

Unlike the pre-GMA days, the Act now precludes a city or county from thwarting the expansion of an international airport (e.g., the Third Runway at SeaTac International), dictating the alignment of a regional transit line (e.g., Sound Transit's light rail line through Tukwila), or preempting the siting of a regional sewage treatment plant (e.g., the Metro Brightwater Plant in unincorporated Snohomish County). All three “essential public facilities” were built over the past dozen years in the Seattle region—protected by the GMA provision that insulates local councils from NIMBY pressures.

Wetlands, streams, and shorelines have been protected and the rate of loss of productive agricultural lands has been reduced. A GMA amendment adopted in 2009 prohibits the expansion of urban growth areas into the floodplains of Western Washington Rivers. A major premise of that legislation is that there is sufficient land that is environmentally unconstrained and capable of being served with urban services to avoid further encroachment on floodplains.

Planning for growth is still controversial both at the local and state levels. However, the GMA and comprehensive planning have largely become part of the state's mainstream. Washington voters soundly rejected two extreme property rights measures that would have gutted the Act—Referendum 48 in 1995 and Initiative 933 in 2006. In so doing, the voters affirmed that land use controls are vital to protecting their neighborhoods, their environment and their quality of life - the very development regulations and land use policies both authorized and required by the GMA.

While the first decades of planning under the GMA resulted in many appeals and a number of local government decisions were remanded for correction, most of the law has since been clarified and settled by a series of appellate decisions. This has helped local governments better understand what the law does and does not require and consequently the number of GMA appeals and reversals of local decisions has dropped dramatically in recent years.

The Washington State Department of Commerce estimates that over the last five years, 99 percent of local actions in the six rapidly growing “buildable lands” counties comply with the GMA, meaning that actions were not appealed, or if appealed, were found in compliance. This reality is very different that the popular but erroneous perception that local actions are frequently appealed and overturned.

What will the next 25 years bring?

One thing that we can expect is continued growth and change. The very things that compelled many of us to build careers, grow families, and make our homes here will continue to draw others with similar hopes and aspirations. Many will be drawn by our state's unparalleled beauty and recreational opportunities, still others by the thriving innovation economy centered in the Seattle Metro region.

A recent study at the University of Toronto rated the Seattle region as one of the globe's peak performing economic centers, drawing talent and investment to its innovation economy.⁴ Add to those seeking economic opportunity a likely influx of extreme weather refugees fleeing superstorms, polar vortexes, hurricanes, floods and EF-5 tornadoes.

How much growth are we likely to see? From our existing statewide population of 6.9 million, the Washington State Office of Financial Management projects that by the year 2040 we could add up to 3.8 million more people - which is triple the number of today's combined populations of Seattle, Spokane, Tacoma, and Bellevue! According to estimates from the Puget Sound Regional Council, much of the state's future growth, at least 1 million people, will occur in King, Pierce, Snohomish and Kitsap counties.

In the face of such dramatic population and employment growth, coordinated and effective planning and implementation will be more important than ever. The legislature will be pressed by local governments to reverse recent cuts to local infrastructure funding and consider the creation of more and better financial tools. The existing shortfall in funding, and the crumbling status of our state's infrastructure, is described as an "ugly truth" in a video from the Association of Washington Cities.⁵

As the Central Puget Sound region grows robustly in the coming decades, it will be vital to secure open spaces to serve multiple critical needs: habitat and flood control; carbon sequestration; jobs in the timber, agriculture, and fisheries industries and recreational tourism; as well as maintaining human mental and physical health by reducing obesity and stress.

A collaborative effort of the University of Washington, county governments, the Puget Sound Regional Council and the Bullitt Foundation, called the Regional Open Space Strategy (<http://greenfutures.washington.edu/pro-regional-open-space-strategy.php>), has already begun mapping the priority areas to consider for acquisition. Implementation of the strategy will require buy-in from an informed citizenry and the support of the region's leaders from both the public and private sectors.

The overriding issue of the day remains the challenge of adapting to and mitigating the effects of climate change. This will require strategic and coordinated action among state, regional and local governments, the private sector and the general citizenry. In 2008, Washington's legislature adopted 1990 as the benchmark year against which to measure future progress in reduction of overall greenhouse gas emissions. Statewide GHG reduction targets were set at 25 percent by 2035 and 50 percent by 2050.

The recent report of the Governor's Carbon Emissions Reduction Task Force (CERT) outlines possible market-based strategies, such as cap and trade and a carbon tax, to encourage energy-intensive industries to transition away from carbon-based energy sources. However, the CERT report does not address how to link the GHG reduction targets to regional or local land use plans, investments, regulations, or actions.

Because transportation priorities and land use policy affect two of the major contributors to GHG emissions, their omission is a significant gap in an effective statewide strategy. Some local governments, such as King County and a number of its cities, aren't waiting for the state to take the lead on this - they have formed the King County Cities Climate Collaboration (<http://www.kingcounty.gov/environment/climate/other-governments/climate-pledge.aspx>) to enhance the effectiveness of local government sustainability and climate action.

How can I find out more about planning under the GMA and the upcoming challenges?

In addition to the resources of the Municipal Research and Services Center, there are many documents and online videos available on the [website of the Washington State Department of Commerce Growth Management Services Program](#)

(<http://www.commerce.wa.gov/Services/localgovernment/GrowthManagement/Short-Course-on-Local-Planning/Pages/default.aspx>). This includes links to the GMA itself, checklists and guidebooks for

comprehensive planning under the Act and recently updated video segments of the “Short Course on Local Planning.”

¹ The legislative findings of the GMA reads: “The legislature finds that uncoordinated and unplanned growth, together with a lack of common goals expressing the public's interest in the conservation and the wise use of our lands, pose a threat to the environment, sustainable economic development, and the health, safety, and high quality of life enjoyed by residents of this state. It is in the public interest that citizens, communities, local governments, and the private sector cooperate and coordinate with one another in comprehensive land use planning. Further, the legislature finds that it is in the public interest that economic development programs be shared with communities experiencing insufficient economic growth.” [1990 1st ex.s. c 17 § 1.]

² RCW 36.70A.210(1) provides: “(1) The legislature recognizes that counties are regional governments within their boundaries, and cities are primary providers of urban governmental services within urban growth areas.”

³ RCW 36.70A.200(5) provides: “No local comprehensive plan or development regulation may preclude the siting of essential public facilities.”

⁴ The “Global Cities Project (<http://www.arcgis.com/apps/MapTour/index.html?appid=044ed497658045eab14b45cbd00bc538&webmap=07bd43dbf3e74d6e82b2c0136936a181>).”

⁵ The “Ugly Truth (<https://www.awcnet.org/LegislativeAdvocacy/LegislativeIssues/InfrastructureResources.aspx>)” video is posted on the Association of Washington Cities' website.

Photo courtesy of Andrew E. Larsen (<https://www.flickr.com/photos/papalars/3299965005/>).

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Bob Bengford, AICP, is a Partner with [MAKERS](http://makersarch.com/) (<http://makersarch.com/>) architecture, planning and urban design firm. Bob's community design work encompasses all transects, from urban downtowns and transit-oriented development to rural area planning. Since joining MAKERS 13 years ago, Bob's specialty has been helping communities craft usable development regulations and design guidelines. The combination of growing up in a sprawling Orange County (CA) track home subdivision, reviewing development plans against antiquated and inconsistent codes in rural Bonner County (ID), and working with a great mentor at MAKERS (John Owen) have helped Bob recognize the critical importance of good development regulations and design

guidelines in shaping vital and healthy communities. As a resident of Bellevue, Bob has been active in various community planning issues. He's also an active four-season bicycle commuter, hiker, gardener, and urban explorer.

Joseph W. Tovar, FAICP, helps communities create visions of their preferred futures, and how to implement them through plans, codes, projects, strategies and organizational training. He has served as planning director for the cities of Shoreline, Kirkland and Covington and as Chair of the Growth Management Hearings Board. Now in private practice, Mr. Tovar has provided consultant services to private clients as well as Snohomish and Kitsap counties, the cities of Everett, Lacey, Kirkland, and Seatac, and the Association of Washington Cities. He is a Fellow of the American Institute of Certified Planners and an Affiliate Associate Professor at the University of Washington. He has taught land use decision-making and city planning best practices to audiences of planning commissioners, elected officials, planning directors and graduate students. More information is posted online at www.tovarplanning.com (<http://www.tovarplanning.com>). He can be reached at joe@toovarplanning.com (<mailto:joe@toovarplanning.com>).

Andy Lane's, practice focuses on land use and environmental law with [Cairncross & Hempelmann](http://www.cairncross.com/) (<http://www.cairncross.com/>). He advises municipalities, landowners, and developers regarding long-range planning issues, permitting, water rights, and compliance with environmental laws. Andy takes a practical approach to the practice of law, recognizing that land use disputes can frequently be resolved by up-front planning and creative thinking rather than prolonged litigation. In addition to helping private and municipal clients resolve legal disputes, Andy also partners with planners and engineers to provide consulting services to municipalities in land use and Growth Management Act ("GMA") matters. Andy has worked with numerous city and county planners, planning consultants, and State agencies on behalf of his municipal and private clients. Andy also educates elected officials, planning commissioners, and planning staff regarding land use law and procedure. In 2012, Andy was elected to the Board of the Planning Association of Washington, where he currently is the Chair of the Education Committee.

Jill Sterrett has more than 30 years of experience as a planner and consultant to federal agencies, utility companies, and local governments in Washington State, Oregon, and California. Jill's areas of expertise include planning for climate change, comprehensive plans, historic preservation, strategic planning, and environmental planning. Jill is currently teaching as an affiliate instructor at the University of Washington in the Department of Urban Design and Planning, where she teaches a graduate course in Climate Change and Infrastructure.

*The Articles appearing in the "Planning Advisor" column represent the opinions of the authors and do not necessarily reflect those of the Municipal Research and Services Center.

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Planning Commission Memo

Date: February 4, 2015
To: Planning Commissioners
From: Rebecca Ableman, Planning and Community Development Director
Subject: **Economic Development – Traffic Impact Fee Incentives Follow-up**

Attached to this memo are the resolutions passed by the City Council and information sheets related to the code amendments developed for the Economic Development Incentives. This information is a follow-up to the Code Amendment passed along to the City Council by the Planning Commission in 2014.

Attachments:

- A: Resolution 2014-12 Job Growth and Information Sheet
- B. Resolution 2014-13 Commercial Retail Sales Tax and Information Sheet

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

RESOLUTION No. 2014-12

**A RESOLUTION OF THE CITY OF LAKE STEVENS, ESTABLISHING A
TRAFFIC IMPACT FEE ADJUSTMENT INCENTIVE PROGRAM FOR A
PERIOD OF THREE YEARS TO STIMULATE JOB GROWTH IN LAKE
STEVENS**

WHEREAS, the City of Lake Stevens, Washington is a city in Snohomish County, Washington, planning under the Growth Management Act, Chapter 36.70A Revised Code of Washington; and

WHEREAS, RCW Chapter 82.02 authorizes cities planning under the Growth Management Act to assess, collect, and use impact fees to help finance public facilities that are needed to accommodate growth; and

WHEREAS, the City Council adopted Ordinance No. 876 effective October 8, 2012 amending Lake Stevens Municipal Code 14.112 relating to traffic impact fees establishing a traffic fee calculation; and

WHEREAS, the City issued the "Traffic Impact Fee Cost Basis for the City of Lake Stevens" Policy Memorandum on October 1, 2012; and

WHEREAS, pursuant to Resolution No. 2013-13 the City established a specific traffic impact fee; and

WHEREAS, the City Council approved Resolution No. 2014-7 supporting the City's intent to create economic development incentives to stimulate job and retail sales tax growth; and

WHEREAS, the City Council adopted Ordinance No. 922 on December 8, 2014, establishing the City Council’s authority to adjust traffic impact fees;

WHEREAS, the Council declares it to be in the public interest to create incentives to promote job growth through growth in local economy and the resulting increase in local job opportunities;

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

Section 1. Traffic Fee Adjustment. Pursuant to RCW 82.02.060(2) and (4), and Lake Stevens Municipal Code 14.112.080(d), there is hereby established a traffic impact fee adjustment program for development activity which meets the criteria of section 3 herein as authorized in LSMC 14.112.080(d).

Section 2. Application for Traffic Impact Fee Adjustment.

A. Any developer applying for or receiving a building permit which meets all criteria set forth in Section 3 herein may apply to the director of public works or designee for an adjustment from the traffic impact fee set forth in Resolution 2013-13 as it now reads or is hereafter amended. Said application shall be on forms provided by the city and shall be accompanied by all information and data the city deems necessary to process the application. The application must accompany the underlying development permit(s) application in order to be considered. To the extent it is authorized by law the city shall endeavor to keep all proprietary information submitted with said application confidential; provided, however, this section shall not create or establish a special duty to do so.

B. The eligible applicant may be entitled to an adjustment to Traffic Impact Fees due pursuant to LSMC 14.112.030 based on the following scale:

Job creation per development	<25	25-50	51-100	101-150	>150
Traffic Impact Fee Adjustment	0	30%	50%	60%	90%

C. The eligible applicant may only use one of the traffic impact fee incentives specified herein or in Resolution 2014-13, for retail sales tax traffic impact fee exemption but shall not qualify for more than one incentive program.

Section 3. Adjustment Criteria. To be eligible for the traffic impact fee adjustment established by this Resolution, the applicant shall meet each of the following criteria:

A. The applicant must be a new business in the Lake Stevens city limits that

establishes at least 25 new jobs in the city limits which applies for a development permit and which is subject to payment of traffic impact fees pursuant to LSMC 14.112.

B. Based on reliable data, as determined by the city, the applicant must make a formal declaration that the new business will generate the specified number of jobs for which the applicant is requesting the adjustment pursuant to Section 2. The job growth must be realized within 12 months of receiving a certificate of occupancy from the city.

Section 4. Annual reporting and penalties.

A. Each business that qualifies and receives a traffic impact fee adjustment under this program will be required to submit annual payroll--reports to the City which demonstrates the perpetuation of all jobs for which the business received a traffic fee credit.

B. Three (3) years from the date of approval of the credit or adjustment of the fees provided for herein, the applicant shall provide all required data to the City to determine the net gain or loss of jobs compared to the number which were utilized to calculate the adjustment to fees. If the number of jobs created at the end of the three year period is the same or greater than the number used to calculate the credit or adjustment, the original credit or adjustment shall be deemed finally approved and confirmed. Any decrease which the applicant received credit for will result in a proportionate reduction of the credit and repayment to the City for the loss of public benefit.

Section 5. Lien. The total amount of the traffic impact fee above shall constitute a lien against the real property which is the subject of the development proposal. Said lien shall secure repayment for the loss of jobs and a reduction of the previously allowed credit as described in Section 2 above. The lien for impact fees shall be in a form approved by the city attorney and include the legal description, tax account number and address of the property.

A. Upon receipt of final repayment of all fees for the development. the department shall execute a separate lien release for the property in a form approved by the city attorney. The property owner, at their expense, will be responsible for recording each lien release.

B. In the event that the fees are not repaid in accordance with Section 22].090.070. the city shall institute foreclosure proceedings under the process set forth in Chapter 61.12 RCW. In addition to any unpaid fees, the city shall be entitled to interest on the unpaid fees at the rate provided for in RCW 19.52.020 and the reasonable attorney fees and costs incurred by the city in the foreclosure process. Notwithstanding the foregoing. prior to commencement of foreclosure. the City shall give not less than thirty (30) days written notice to the person or entity whose name

appears on the assessment rolls of the county assessor as owner of the property via certified mail with return receipt requested and regular mail advising of its intent to commence foreclosure proceedings. If the fees are paid in full to the city within the thirty (30) day notice period, no attorney fees, costs and interest will be owed.

C. In the event that the fees are not paid in accordance with this section, and in addition to foreclosure proceedings provided in subsection (3) the city may initiate any other action(s) legally available to collect such fees.

Section 6. Severability. If any section, sentence, clause or phrase of this Resolution should be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Resolution.

Section 7. Effective Date. This Resolution shall take effect immediately upon passage by the Lake Stevens City Council and shall automatically terminate three (3) years from the date of passage of this Resolution unless otherwise extended by resolution or Ordinance of the Lake Stevens City Council

PASSED by the City Council of the City of Lake Stevens this ____ day of December, 2014.

Vern Little, Mayor

ATTEST:

Kathy Pugh, Deputy City Clerk

APPROVED AS TO FORM:

Grant K. Weed, City Attorney



DEVELOPMENT PROJECT INCENTIVE

JOB GROWTH

Increasing job opportunities in the City is an important Economic Development priority. The City of Lake Stevens enacted an incentive program to stimulate job growth in the City. Below is an outline of this program.

1. What is the incentive?

An eligible applicant may be entitled to an adjustment to Traffic Impact Fees due pursuant to Lake Stevens Municipal Code (LSMC) Section 14.112.030.

2. Who is eligible?

The applicant must be a new business in the Lake Stevens city limits that establishes and maintains at least 25 new jobs in the city limits for a period of not less than three years and is applying for a development permit that is subject to payment of traffic impact fees pursuant to LSMC 14.112.

3. How does it work?

An applicant must make a formal declaration that the new business will generate the specified number of jobs for which the applicant is requesting the adjustment based on reliable data. The job growth must be realized within 12 months of receiving a certificate of occupancy from the City.

Job creation per development	<25	25-50	51-100	101-150	>150
Traffic Impact Fee Adjustment	0	30%	50%	60%	90%

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JOB GROWTH

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4. What are the current fees?

The traffic impact fees due at the time of the implementation of this incentive are adopted in City of Lake Stevens Resolution 2013-13 at \$2,917 per PM Peak Hour trip generated by the business. These fees are periodically updated and may change at any time. Please contact the Planning and Community Development Department for the most current Fee Resolution.

5. Where can the application forms be obtained?

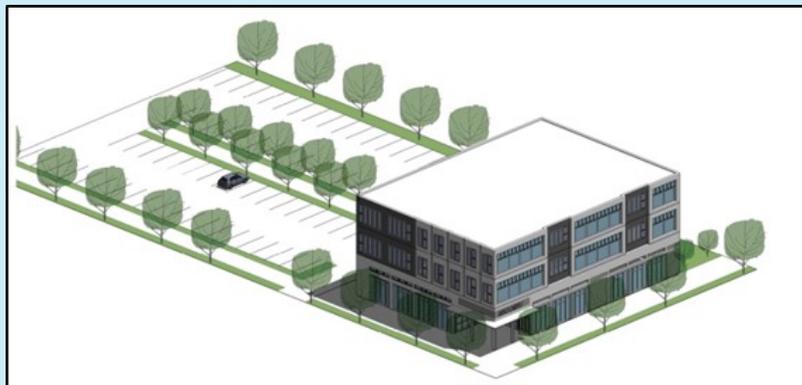
Applications and a list of required submittal materials can be obtained on the City's Economic Development web page at www.lakestevenswa.gov.

6. Where can other incentive details be found?

The complete Resolution 2014-12 approved by the City Council on December 8, 2014 can be obtained on the City's web page www.lakestevenswa.gov.

7. Who is the contact for more information?

Contact the Planning and Community Development Department at (425) 377-3235 located at 1812 Main Street, Lake Stevens, WA 98223.



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

RESOLUTION No. 2014-13

**A RESOLUTION OF THE CITY OF LAKE STEVENS, ESTABLISHING A
TEMPORARY TRAFFIC IMPACT FEE EXEMPTION INCENTIVE
PROGRAM FOR A PERIOD OF THREE YEARS TO STIMULATE
GROWTH OF NEW RETAIL BUSINESSES IN LAKE STEVENS**

WHEREAS, the City of Lake Stevens, Washington is a city in Snohomish County, Washington, planning under the Growth Management Act, Chapter 36.70A Revised Code of Washington; and

WHEREAS, RCW Chapter 82.02 authorizes cities planning under the Growth Management Act to assess, collect, and use impact fees to help finance public facilities needed to accommodate growth; and

WHEREAS, the City Council adopted Ordinance No. 876 effective October 8, 2012 amending Lake Stevens Municipal Code 14.112 relating to traffic impact fees establishing a traffic fee calculation; and

WHEREAS, the City issued the "Traffic Impact Fee Cost Basis for the City of Lake Stevens" Policy Memorandum on October 1, 2012; and

WHEREAS, pursuant to Resolution No. 2013-13 the City established a specific traffic impact fee; and

WHEREAS, the City Council approved Resolution No. 2014-7 supporting the City's intent to create economic development incentives to stimulate job and retail sales tax growth; and

WHEREAS, the City Council adopted Ordinance No. 922 on December 8, 2014, establishing the City Council's authority to adjust traffic impact fees;

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

Section 1. Traffic Fee Exemption. Pursuant to RCW 82.02.060(2) and (4), and Lake Stevens Municipal Code 14.112.080(d), there is hereby established a temporary exemption from the traffic impact fee set forth in LSCM 14.112.080(b) for development activity which meets the criteria of section 3.

Section 2. Application for Traffic Impact Fee Exemption. Any developer applying

for a development permit which meets each of the criteria set forth in Section 3 herein may apply to the director of public works or designee for an exemption from the traffic impact fee established pursuant to fees Resolution 2013-13 as it now reads or is hereafter amended. Said application shall be on forms provided by the city and shall be accompanied by all information and data the city deems necessary to process the application. To the extent it is authorized by law the city shall endeavor to keep all proprietary information submitted with said application confidential; provided, however, this section shall not create or establish a special duty to do so.

Section 3. Exemption Criteria. To be eligible for the temporary traffic impact fee exemption established by this Resolution, the applicant shall meet each of the following criteria:

A. The applicant must be a new commercial retail business in the Lake Stevens city limits. For purposes of this section, "new commercial retail business" shall mean any business which sells retail goods and services which are subject to the retail sales tax provisions of Chapter 3.20, 3.28, 3.32 LSMC and Washington State Law which applies for a development permit and which is subject to payment of traffic impact fees pursuant to LSMC 14.112.

B. Based on similar store sales or other reliable data, as determined by the city, the applicant must demonstrate that it is likely to generate to the city of Lake Stevens average annual city of Lake Stevens portion sales and use tax revenue of at least \$100,000 based upon the three-year period commencing from date of City issuance of a certificate of occupancy.

C. The applicant must be a new retail business located within one of the following prescribed land use zones: Local Commercial (LC), Mixed Use (MU), Commercial District (CD), Downtown/Local Commercial (D/LC), and Planned Business District (PBD).

D. The eligible applicant may only use one of the traffic impact fee incentives specified herein or in Resolution 2014-13, for retail sales tax traffic impact fee exemption but shall not qualify for more than one incentive program.

Section 4. Administration of Traffic Impact Fee Exemption. Upon acceptance of an application for exemption from traffic impact fees pursuant to Section 2, the applicant shall pay to the city the full amount of the traffic impact fees required pursuant to LSMC 14.112, adopted Traffic Impact Fee Cost Basis for the City of Lake Stevens policy document, and Resolution 2013-13 as it now reads or is hereafter amended. Following payment in full of the traffic impact fees the city shall deposit and manage the fees as set forth in Section 5. At the expiration of a three-year period commencing from the date of issuance of a certificate of occupancy the public works director, and with the assistance of the city finance director, the City shall determine if the average annual city of Lake Stevens portion sales and use tax revenue received by the city meets the minimum amount stated in Section 3B. The determination shall be based upon the sales

tax reporting requirements of Chapter 3.28 LSMC and Washington State law as it now reads or is hereafter amended.

A. In the event the three-year average annual city of Lake Stevens portion sales and use tax revenue criteria of Section 3B has been met as determined by the director of public works, there shall be an exemption of 50 percent from the traffic impact fees otherwise due pursuant to LSMC 14.112.030. In such case, 50 percent of the amount paid to the city shall be refunded to the applicant, plus any accrued interest. The remainder of the funds deposited shall belong to the city and shall be released to the city upon payment.

B. In the event the three-year average annual city of Lake Stevens portion sales and use tax revenue criteria of Section 3B has not been met, the traffic impact fee required under 14.112.030 shall immediately belong to and shall be released to the city; provided, however, in cases where the applicant has met at least 75 percent of the amount set forth in Section 3B, the applicant shall receive a partial exemption which shall result in a refund of 25 percent of the amount of the traffic fee paid to the city plus any accrued interest. The remainder of the funds deposited shall belong to the city and shall be released to the city upon payment of the refund to the applicant.

C. In cases where the applicant has not met either the three-year annual sales and use tax revenue of Section 3B or 75 percent thereof, all traffic impact fees paid shall belong to the city.

Section 5. Deposit and Management of Traffic Impact Fees. Traffic impact fees paid by an applicant pursuant to LSMC 14.112.030 shall be deposited by the city into a separate interest bearing account with any qualified public depository for local government as determined by the city. The account holder shall be the city of Lake Stevens. The city may at its option withdraw up to 50 percent of said funds at any time for uses authorized by this title. All other funds deposited in that account shall be used exclusively for payment of refunds to eligible applicants and balances, if any, to which the city is entitled. All refunds and interest to which an applicant is entitled shall be paid by the city within 120 days following the three-year period following the issuance of a certificate of occupancy.

Section 6. Appeals. Any applicant aggrieved by the determination of the director of public works as to whether the criteria of Section 3 have been met or the eligibility for an exemption from LSMC 14.112.030 or the amount of refund to which an applicant is entitled to pursuant to Section 4 may file a written appeal to the city's land use hearing examiner as established by LSMC 2.48 and 14.16A.350. The city examiner is hereby specifically authorized to hear and decide such appeals and the decision of the hearing examiner shall be final action of the city and subject to appeal pursuant to 14.16B.140 for a Type I application LSMC .

Section 7. Application of Sales and Use Tax Revenue from Businesses Which Receive an Exemption or Partial Exemption.

A. All sales and use tax received by the city from applicants who receive an exemption or partial exemption from the requirements of this title shall be deposited in a special account to be administered by the city. Said account shall be established to pay traffic impact fees that otherwise would have been paid had an exemption or partial exemption not been granted. Said amounts shall be expended for purposes authorized by and in accordance with the provisions of this Resolution and the provisions of the city's capital improvement plan for streets. All sales and use tax revenues in excess of the amount paid as traffic impact fees received by the city from the applicant may be deposited in the city's general fund and may be expended for any lawful purpose as directed by the city council.

B. Special Sales Tax Account. The city shall establish by separate ordinance a special sales tax account for the purposes set forth in Section 6A.

Section 8. Severability. If any section, sentence, clause or phrase of this Resolution should be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Resolution.

Section 9. Effective Date. This Resolution shall take effect immediately upon passage by the Lake Stevens City Council and shall automatically terminate three (3) years from the date of passage of this Resolution unless otherwise extended by resolution or Ordinance of the Lake Stevens City Council

PASSED by the City Council of the City of Lake Stevens this ____ day of December, 2014.

Vern Little, Mayor

ATTEST:

Kathy Pugh, Deputy City Clerk

APPROVED AS TO FORM:

Grant K. Weed, City Attorney



DEVELOPMENT PROJECT INCENTIVE

NEW RETAIL BUSINESS GROWTH

The City of Lake Stevens enacted an incentive program to stimulate retail business that generates sales tax receipts for the City. Below is an outline of this program.

1. What is the incentive?

A “new commercial business development” may receive a refund of up to 50% of traffic impact fees that may be due under the City’s impact fee system.

2. Who is eligible?

Any new commercial retail development that:

- *Is located in the following zones of the City:*
 - ◇ *Local Commercial (LC)*
 - ◇ *Mixed Use (MU)*
 - ◇ *Commercial District (CD)*
 - ◇ *Downtown/Local Commercial (D/LC)*
 - ◇ *Planned Business District (PBD); and*
- *Sells retail goods and services which are subject to the retail sales tax provisions of Chapters 3.20, 3.28, 3.32 of the Lake Stevens Municipal Code and Washington State Law; and*
- *Applies for a development permit which is subject to payment of traffic Impact fees; and*
- *Generates to the City of Lake Stevens an annual average of at least \$100,000 city sales and use tax revenue over a three-year period commencing from the date of City issuance of a certificate of occupancy.*



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NEW RETAIL BUSINESS GROWTH

Page 2

3. How does it work?

An application for a traffic impact fee incentive must be submitted to the City at the same time as the development application for the new business. Upon acceptance of the application, the applicant shall pay the City the full amount of the traffic impact fees. Following payment in full, the City shall deposit and manage the fees in a special account. At the expiration of a three-year period commencing from the date of issuance of a certificate of occupancy, the City shall determine if the average annual City portion sales and use tax revenue received by the City meets the minimum amount.

4. What are the current fees?

The traffic impact fees due at the time of the implementation of this incentive are adopted in City of Lake Stevens Resolution 2013-13 at \$2,917 per PM Peak Hour trip generated by the business. These fees are periodically updated and may change at any time. Please contact the Planning and Community Development Department for the most current Fee Resolution.

5. Where can the application forms be obtained?

Applications and a list of required submittal materials can be obtained on the City's Economic Development web page at www.lakestevenswa.gov.

6. Where can other incentive details be found?

The complete Resolution 2014-13 approved by the City Council on December 8, 2014 can be obtained on the City's web page www.lakestevenswa.gov Economic Development.

6. Who is the contact for more information?

Contact the Planning and Community Development Department at (425) 377-3235 located at 1812 Main Street, Lake Stevens, WA 98223.





Planning Commission Memo

Date: February 4, 2015
To: Planning Commissioners
From: Rebecca Ableman, Planning and Community Development Director
Subject: **Rules of Procedure and Summary of Robert's Rules of Order Review**

Staff is providing information regarding the Planning Commission's Rules of Procedures adopted in 2010 for the Commission to review for the new year. Additionally, there is a simple handout that summarizes Robert's Rules of Order for meetings for the Commissioner's and staff to discuss. This information is to help Commissioners and staff understand roles and responsibilities as well as help the public during the public meeting process. Below is a question and answer from the Municipal Research website regarding the approval of minutes that came up at the Planning Commission's meeting in January:

["May a councilmember vote to approve the minutes for a meeting he or she missed?"](#)

Reviewed: 01/15

In our opinion, a councilmember may vote on the approval of minutes for a meeting whether he or she was actually present at the meeting, unless the city council has a specific rule of procedure that provides otherwise. There is no statute that addresses this issue.

Robert's Rules of Order, which many city councils adopt by reference, states at Section 41, page 355:

It should be noted that a member's absence from the meeting for which minutes are being approved does not prevent the member from participating in their correction or approval. We see nothing improper with following this approach."

<http://www.mrsc.org>

Attachments:

- A: City of Lake Stevens Planning Commission Rules of Procedure
- B. Robert Rules of Order Summary



CITY OF LAKE STEVENS PLANNING COMMISSION
Rules of Procedures

I. MEETINGS

Location: All meetings shall be held in the Lake Stevens Community Center, unless otherwise directed by the Chairperson and appropriate notification to the media and public is provided. All meetings shall be open to the public.

Date and Time: Regular meetings shall be held on the first Wednesday of each month, at 7:00 p.m., for the primary purpose of advising the City Council on all matters relating to land use, comprehensive planning and zoning and conducting formal public hearings on Type VI land use applications. If a second meeting is required in a month, it shall be held on the third Wednesday of the month at the same time and place as regular meetings.

Rescheduling Meetings for Holidays: When a regular meeting falls on a holiday or is preempted by a City Council meeting, the meeting shall be rescheduled at the discretion of the Chairperson.

Special Meetings: Special meetings may be requested by the Planning and Community Development Department or City Council and held at the discretion of the Chairperson. Action to recommend approval or denial of an application for development or amend a long-range plan or land use application may take place at a special meeting, provided that appropriate public notice requirements are met.

Meeting Notices and Agenda: Written notice of all regular and special meetings shall be post-marked one week in advance of the meeting date. The notice shall include an agenda of the matters to be considered by the Planning Commission at the meeting. **ATTACHMENT 1** includes procedure for noticing special meetings.

Meeting Cancellation: If no matters over which the Planning Commission has jurisdiction are pending, a meeting may be cancelled at the discretion of the Chairperson.

II. ORGANIZATION OF THE PLANNING COMMISSION (Pursuant to Chapter 2.64 LSMC)

Membership: The Planning Commission membership shall be per the Lake Stevens Municipal Code, Section 2.64.020, as amended.

Term of Office: Each member shall serve a four year term. The term shall terminate on the last day of the respective calendar year.

Election of Officers: The officers of the Planning Commission shall consist of a Chairperson and Vice-Chairperson elected from the members of the Planning Commission by a majority vote of the members. The Chairperson and Vice-Chairperson shall be elected at the first regularly scheduled meeting in January of each year. Any officer may be removed at any time by a majority vote of the Planning Commission. The vacancy of an office

caused by the resignation or removal of any officer of the Planning Commission during his or her term of office shall be filled for the remaining term by a majority vote of the members of the Planning Commission.

Duties of the Chairperson and Vice-Chairperson: The Chairperson shall preside over the meetings of the Planning Commission and will exercise all the powers usually incident to the office. The Chairperson may create standing or temporary committees to examine, investigate and inquire into subjects of interest to the Planning Commission. No standing or temporary committee shall have the power to commit the Planning Commission to endorse any plan or program.

The Vice-Chairperson shall, in the absence of the Chairperson, perform all duties of the Chairperson at a regular or special meeting. In the absence of the Chairperson and Vice-Chairperson, the members present may elect a temporary Chairperson to preside at the meeting.

Secretary: The Planning and Community Development Department shall assign a staff member to serve as the secretary to the Planning Commission. The secretary shall be primarily responsible for all official records, the preparation of minutes of Planning Commission hearings, regular and special meetings, and shall prepare all notices of meetings, requiring notice to be given to the media and the public in according with the appropriate statutes.

III. OPERATIONS AND CONDUCTING BUSINESS

Quorum: A quorum is required for the Planning Commission to conduct business. It shall consist of at least four Planning Commission members of record, including the Chairperson, at the call for a vote on a question. If members leave during the course of a meeting, reducing the attendance below three members, the quorum will have ceased. Action shall be by majority of those present and voting, when those present constitute a quorum, at any regular or special meeting of the Planning Commission.

Motions and Voting: All members of the Planning Commission may make and vote on motions to recommend approval, approval with conditions, or denial of any development proposal or amendment to a long-range plan or land use application. All motions shall be made in the affirmative. For matters requiring a public hearing, all motions shall be accompanied by an oral statement, by the person making the motion, of reasons and findings supporting the motion. This statement may include reference to any part or all of the planning staff's report and to testimony or evidence submitted at the hearing.

Motions addressing development proposals may be acted on by a majority of the Planning Commission present at the time of a vote on the question, provided there is a quorum present. Recommendations for approval on amendments to the text or maps of long-range plans and land use applications require an affirmative vote by a majority of the Planning Commission.

Planning Commission members must be present to vote on motions; proxy votes are not considered valid votes. A tie vote means the motion fails. A member may abstain from voting.

Where not otherwise specified in these rules of procedure, the meetings of the Lake Stevens Planning Commission and the manner of conducting business shall be governed by Robert's Rules of Order Newly Revised (RONR).

Conflict of Interest and Appearance of Fairness: Any member of the Planning Commission who in his or her opinion has a personal interest in any matters before the Planning Commission that would tend to prejudice his or her actions shall indicate such interest. In the event of a conflict, he or she shall remove him or herself from the proceedings and retire to another room until a vote is taken on the item. In the event there is an appearance that any member could not make a fair and impartial decision because of a real or perceived interest in a matter before the commission, the member shall state the real or perceived interest, or have interest described by other members of the commission or the audience and remove him or herself from the proceedings.

IV. GUEST BUSINESS

A time for guest business is included on the agenda of each Planning Commission meeting. **ATTACHMENT 2** includes specific procedures.

V. PUBLIC HEARING PROCEDURES

- A. The Chairperson shall open the public hearing on the subject case by identifying and briefly describing the proposal. **ATTACHMENT 2** includes general public hearing procedures. **ATTACHMENT 3** includes public hearing script for Chair for regular public hearings. **ATTACHMENT 4** includes script for Chair for quasi-judicial, open record hearings.
- B. The chair shall state that testimony and input will be taken in a prescribed fashion. All persons wishing to speak on the matter before the Commission must first be recognized by the Chairperson. For the record, that person shall state his or her name and address, and group or organization he or she represents, if any. All statements by the speaker shall be addressed to the Chairperson of the Planning Commission. The Chairperson may limit the amount of time allowed to any person or group in order to give all who wish the opportunity to speak. Speakers should keep their statements to the issue at hand and avoid repeating information already presented. The Chairperson may limit input to avoid duplication. Because public hearings are to gather information, there will be no cross-examination of speakers.
- C. The presentation and speaking order shall be as follows:
 1. Staff Planner: Presentation of staff report and other materials and correspondence into the record.

- 2. Proponent: Presentation and statements by one representative of the proponent/applicant.
 - 3. Members of the Public: Presentations and statements by the public who wish to speak for or against the application.
- D. The public testimony portion of the public hearing is then closed. Planning commissioners then deliberate on the application and the testimony received. Members may ask questions of both staff and any other speakers to clarify their understanding of relevant points or to gather additional information; all questions shall be coordinated through the Chairperson who shall ask the appropriate party for answers.
- E. A motion for disposition can then be made. This motion may be to continue the hearing to gather additional information, to recommend approval, approval with conditions, or denial of the proposal.
- F. The Planning Commission shall present its actions in unison to the City Council. Planning Commission actions shall be transmitted to the City Council in writing and shall include the recommendation, the tally of the vote, findings of fact if different from the planning staff report, the planning staff report, other correspondence, in any, and a summary of testimony presented to the Planning Commission.
- G. Written minutes of all public hearings shall be prepared for the review and approval of the Planning Commission at its next regularly scheduled meeting.

VI. AMENDMENTS

These Rules of Procedure of the City of Lake Stevens Planning Commission may be amended at any regular or special meeting of the Planning Commission by majority vote of the entire membership.

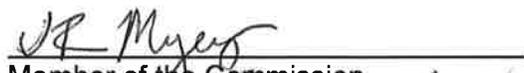
DATED THIS 6th day of October, 2010. SIGNED:



Chairperson



Vice-Chairperson



Member of the Commission



Member of the Commission



Member of the Commission



Member of the Commission



Member of the Commission

Special Meeting Notices

1. A special meeting is when the board/commission changes the date, time or place of their regular meeting as well as adding any additional meetings, i.e. Planning Commission meets on the first Wednesday at 7:00 p.m. at the Community Center, if they decide to have a meeting on the third Wednesday this would be considered a special meeting. **Any item you plan to take action on must be listed on the special meeting notice as an action item, cannot take action on anything not listed.**
2. For special meetings State law requires 24 hour noticing to the board/commission members, newspapers of record (Journal and Herald), and posting on our outdoor bulletin board at City Hall (this is our official posting place). You can e-mail the notice or hand deliver, if there is enough time you can mail the notice (with the PC packet since they are mailed Thursday/Friday for the next Wednesday meeting).
3. The notice is attached.
4. Affidavit of posting and mailing are also attached:
 - a. Attach a copy of the notice to the affidavit of posting and a copy of the e-mail to the affidavit of mailing
 - b. I will forward the distribution lists that I used for Park Board and Planning Commission.
Remember if you mail the notice to the “world” which includes the newspapers and the Planning Commission or Park Board at the same time, make sure the boards are sent as “blind copies” – their e-mails are not public and should never be disclosed to the general public
 - c. Print off the e-mail that was sent and attach to affidavit of mailing
 - d. If the board/commission is receiving an agenda packet for the special meeting – note under “Information” on the agenda that the notice is attached and include in packet (this is your proof of mailing along with the affidavit)
 - e. Your affidavit of mailing for the general e-mail distribution list (which includes the two newspapers) and PC agenda packet should be done on the same day so you don’t have to create two separate affidavits of mailing
 - f. Have the affidavits notarized
5. File the affidavits in a special folder for future reference or audit purposes.

City of Lake Stevens Planning Commission
Public Participation: Rules of Procedure

Guest Business:

This is an opportunity for the public to address the Planning Commission about problems or issues which are not scheduled elsewhere on the Agenda or which will be scheduled for a public hearing at a later date. Essentially, this opportunity is an oral substitute for a letter, although the latter is preferred so that the facts and observations can be reviewed in a more orderly and efficient manner. Comments may be used to summarize an issue which is discussed in greater detail in a letter and submitted to the Commission.

Those who desire to testify should go to the podium and state their full name, address, and relationship to the City (e.g., resident, property owner, business owner / employee, etc.). A five minute limit is strictly observed.

Public Hearing:

The purpose of a public hearing is for interested people to provide the Commission with information and opinions on the subject for which the hearing was convened. It is an official “on-the-record”, direct communication which allows Commission members to obtain data they should consider in their decision-making process.

How to Participate:

1. After the public hearing has been opened, the Chair will ask the representative of the Department of Planning and Community Development to make a presentation. Following that, the applicant will be invited to speak, then those in support of the application, and finally those in opposition.
2. Those who desire to testify may go to the podium, state their name, address, and relationship to the City (e.g. resident, property owner, business owner / employee, etc.), sign in, and give their testimony.
3. Testimony should be limited in length. A three minute limit is usually imposed; the chair person can modify this limit at his discretion. Complex information should be put in writing, with copies provided to the Commission for insertion into the record. Although petitions will not be considered as substantive testimony, the Planning Commission will consider them as an expression of the signatories’ opinion.
4. Repetition should be avoided. Unless new information is presented, a brief statement of support or disagreement with previous testimony is all that should be presented.
5. When the last person desiring to speak has testified, the Chair will allow speakers to rebut the testimony of others. Rebuttals must not be repetitive of previous testimony and should not exceed two minutes per speaker.
6. Commissioners may ask questions of speakers during or immediately after their testimony, or later in the hearing during the deliberation.
7. After all testimony and rebuttal has been given, the Commission will begin its deliberation. When sufficient information is obtained, the public hearing will be closed and a recommendation made.

PUBLIC HEARING PROCEDURE

1. The public hearing before the Planning Commission in consideration of _____ is now open.

2. Everyone present will be given an opportunity to be heard. This meeting is recorded; therefore, when you address the Commission, begin by stating your name and address. Public testimony will be limited to three minutes per person. (Start timer after you type in their name and address) I also ask that those giving testimony sign the register at the back of the room prior to leaving this evening so we have the correct spelling of your name and address for the record.

3. Before hearing from the audience, _____ will present the staff report:

This is where the Chair of the Planning Commission continues with the process and uses the agenda public hearing format.

PUBLIC HEARING PROCEDURE (QUASI-JUDICIAL; OPEN RECORD HEARING)*

1. The public hearing before the Planning Commission, in consideration of _____ is now open.
2. Everyone present will be given an opportunity to be heard. This meeting is recorded; therefore, when you address the Commission, begin by stating your name and address. I also ask those giving testimony to sign the register at the back of the room prior to leaving this evening so that I have the correct spelling of your name and address. Because the applicant has the burden of proof, the applicant will not be limited in time to make a presentation. The initial testimony of other interested persons will be limited to three minutes. After all interested parties have had an opportunity to present testimony, if any interested party wishes to make additional comments, an opportunity will be allowed. The applicant will be allowed an opportunity to present rebuttal comments also.
3. Before hearing testimony, it is necessary to insure that this hearing is fair both in fact and appearance. Does anyone have any objection to me serving as chair of this meeting? [If objections stated, make determination on record] Does anyone have any objection to any member of this commission hearing and deciding this matter? [If objection stated, make determination on the record]
 - a. Does anyone have a conflict of interest to disclose?
 - b. Does anyone have private information about the subject of this application?
 - c. Has anyone received any ex parte communications about this application or matter?
 - d. Can all decide this matter in a fair and impartial manner based upon the record of this proceeding?

Do not read this: *Make determination on the record if all can serve.*

4. Before hearing from the audience, Planning Department, will present the staff report.

Appendix 9

Meeting Tips

Meeting savvy

Consider these pieces of advice when preparing for a meeting:

- **Give colleagues time to assimilate things.** You'll notice that an idea rejected one day may be presented by the one who opposed it earlier.
- **Don't try to please everyone.** This simply does not work and makes you look weak and indecisive.
- **Confront meeting disrupters immediately.** Don't let them take control of the meeting or set its tone.
- **"We've always done it this way."** Don't become so enamored with precedent that it keeps the group from moving forward.
- **Don't waste quality meeting time dealing with routine complaints** that can be resolved by staff outside the meeting.
- **Apply rules equally with all participants.** Don't strictly enforce a time limit for one person and be lax with another.
- **Be careful about using first names of audience members you know** and last names of those you don't. It may be interpreted as bias.
- **Alert staff before the meeting if you intend to bring up an important issue.** This simple courtesy will help staff prepare background information and avoid embarrassment.
- **Be sensitive to audience perceptions** regarding your neutrality during a recess, especially during hot meetings. If you meet with one group and not with another, you may be perceived as favoring that group.
- **If you disagree with a significant statement or proposal made by a colleague or staff member at a meeting, express that disagreement.** Silence may be interpreted by staff as agreement and they may take action based upon that assumption.

Chairperson faux pas

Acting as the chair for a group is a demanding task. Here are some common mistakes:

- Failing to remain impartial during a heated discussion.
- Forgetting to relinquish the gavel when the chair becomes emotionally involved in an issue.
- Treating members unevenly.
- Cutting off discussion before members are ready.
- Failing to close discussion in a timely manner.
- Failing to establish or follow the agenda.
- Allowing the meeting to become too informal; letting the meeting drift.
- Neglecting to explain the process being followed.
- Failing to restate audience questions so all in the audience can hear.
- Failing to recognize and deal with council member objections to procedure or process.
- Failing to protect members and staff from verbal attack.
- Losing track of amendments to motions.
- Failing to restate motions before they are voted upon.
- Forgetting to call recesses during long meetings.
- Neglecting to reconvene the meeting at the specified time after a recess.

Resist the temptation to be a dictator at council meetings. Remember: it's the council's meeting, not the mayor's meeting.

The art of asking questions: How to aid discussion by asking the right questions

Questions are one of the most important tools you can use to obtain information, focus the group and facilitate decision making. Here are some samples:

Asking of colleagues

- How do you feel about this item?
- What do you think the proposed action will accomplish?
- Would you please elaborate on your position?
- What results are we looking for?

Asking of staff

- What other alternatives did you consider?
- Why has this item come to be on our agenda?
- What are we trying to accomplish with this law/ policy?
- What are the benefits and drawbacks?
- Will you please explain the process?
- Have we ever made an exception to this policy?
- What would it take for you to support this?
- What type of feedback have you received from the residents?

Asking of the public

- How will this proposal affect you?
- What do you think about the proposed action?
- What are your concerns?
- What other ways can you suggest for solving the problem?

To broaden participation

- We've heard from some of you. Would others who have not yet spoken like to add their ideas?
- How do the ideas presented thus far sound to those of you who have been thinking about them?
- What other issues related to this problem should we discuss?

To limit participation

- We appreciate your contributions. However, it might be well to hear from some of the others.
- You have made several good statements, and I am wondering if someone else might like to ask a question or make a statement.
- Since all of the group have not yet had an opportunity to speak, I wonder if you could hold your comments until a little later?

To focus discussion

- Where are we now in relation to the decision we need to make?
- Would you like to have me review my understanding of what's been said and where we are?
- Your comment is interesting. However, I wonder if it relates to the problem before us?
- As I understand it, this is the problem...Are there additional comments before we come to a decision?

To help the group move along

- I wonder if we've spent enough time on this and are ready to move along to. . .?
- Have we gone into this part of the problem far enough so that we can shift our attention to...?
- In view of the remaining agenda items, would it be well to go to the next question before us?

To help the group reach a decision

- Do I sense an agreement on these points. . .?
- What have we accomplished up to this point?
- Should we look at our original objective and see how we close we are to it?
- Would someone care to sum up our discussion on this issue?

To lend continuity

- At our last meeting we discussed this issue. Anyone care to review what we covered then?
- Since we cannot reach a decision at this meeting, what issues should we take up at the next one?
- Are there points that need further study before we convene again?

Source:
Elected Official's Little Handbook, Len Wood
If You Only Had More Time - But You Don't, International City
Management Association

Appendix 10

Parliamentary Procedure

Parliamentary procedure provides the process for proposing, amending, approving and defeating legislative motions. Although following parliamentary procedure is not required, it can make council meetings more efficient and reduces the chances of council actions being declared illegal or challenged for procedural deficiencies.

A city may adopt, by ordinance or resolution, its own set of rules governing the conduct of council meetings, or it may adopt by reference formalized rules such as Robert's Rules of Order. Many Washington cities have adopted Robert's Rules, supplementing those rules with additional rules on issues such as voting abstentions and motions for reconsideration. (See Appendix 5, Sample Council Rules of Procedure.)

Motions

Business is brought before the council by motions, a formal procedure for taking actions. To make a motion, a councilmember must first be recognized by the mayor. After the councilmember has made a motion (and after the motion is seconded if required), the chair must then restate it or rule it out of order, then call for discussion. Most motions require a second, although there are a few exceptions.

Exact wording of motions and amendments is important for clarity and recording in the minutes. If it's a complex motion, the motion should be written down for the chair to read.

Use parliamentary procedure

as a tool, not a bludgeon. It is
bad practice to use the power
of the chair to thwart the will
of the majority.

Robert's Rules

The following summarizes important points from Robert's Rules of Order. Other parliamentary rules or your own council rules of procedure may contain different provisions.

- Only one subject may be before a group at one time. Each item to be considered is proposed as a motion which usually requires a "second" before being put to a vote. Once a motion is made and seconded, the chair places the question before the council by restating the motion.
- "Negative" motions are generally not permitted. To dispose of a business item, the motion should be phrased as a positive action to take, and then, if the group desires not to take this action, the motion should be voted down. The exception to this rule is when a governing body is asked to take action on a request and wishes to create a record as to why the denial is justified.
- Only one person may speak at any given time. When a motion is on the floor, an order of speaking is prescribed by Robert's Rules, allowing the mover of a motion to speak first, so that the group understands the basic premise of the motion. The mover is also the last to speak, so that the group has an opportunity to consider rebuttals to any arguments opposing the motion.
- All members have equal rights. Each speaker must be recognized by the moderator prior to speaking. Each speaker should make clear his or her intent by stating, "I wish to speak for/against the motion" prior to stating arguments.
- Each item presented for consideration is entitled to a full and free debate. Each person speaks once, until everyone else has had an opportunity to speak.
- The rights of the minority must be protected, but the will of the majority must prevail. Persons who don't share the point of view of the majority have a right to have their ideas presented for consideration, but ultimately the majority will determine what the council will or will not do.

Types of motions

Robert's Rules of Order provides for four general types of motions.

Main motions

The most important are main motions, which bring before the board, for its action, any particular subject. Main motions cannot be made when any other motions are before the group.

Subsidiary motions

Subsidiary motions are motions which direct or change how a main motion is handled. These motions include:

Tabling. Used to postpone discussion until the group decides by majority vote to resume discussion. By adopting the motion to "lay on the table", a majority has the power to halt consideration of the question immediately without debate. Requires a second, non-debatable, not amendable.

Previous question or close debate. Used to bring the body to an immediate vote. It closes debate and stops further amendment. Contrary to some misconceptions, the majority decides when enough discussion has occurred, not the moderator. The formal motion is to "call for the question" or "call for the previous question," or simply, "I move to close debate." The motion requires a second, is not debatable and requires a two-thirds majority.

Limit/extend debate. May be desired if the group has adopted a rule limiting the amount of time that will be spent on a topic, or if the group desires to impose a time limitation.

Postpone to a definite time. Similar to tabling, except that the motion directs that the matter will be taken up again at some specific date and time.

Refer to committee. Directs that some other body will study the matter and report back.

Amendment. Used to "fine tune" a motion to make it more acceptable to the group. The amendment must be related to the main motion's intent and cannot be phrased in a way that would defeat the main motion. Two amendments may be on the floor at one time: the first amendment modifies the main motion, and the second amendment must relate to the first amendment. When an amendment is on the floor, only

the amendment may be debated. The amendments are voted on in the reverse order in which they were made, as each amendment changes to some degree the intent of the main motion. As each amendment is voted on, an additional primary or secondary amendment may be introduced. Requires a second, debatable, majority vote.

Postpone indefinitely. This motion effectively kills a motion, because, if adopted, a two-thirds vote is subsequently required to take the matter up again.

Incidental motions

Incidental motions are housekeeping motions which are in order at any time, taking precedence over main motions and subsidiary motions. These motions include:

Point of order. To bring to the group's attention that the rules are being violated. You don't need not to be recognized prior to making a point of order. This is not really a motion, but requires the moderator to make a ruling as to whether or not immediate consideration is proper.

Appeal from the decision of the chair. The group can overrule the chair on any decision. While the motion must be seconded, it cannot be amended. When this motion is moved and seconded, the moderator immediately states the question, "Shall the decision of the chair stand as the judgment of the council?" If there is a tie vote, the chair's decision is upheld. The motion is not debatable when it applies to a matter of improper use of authority or when it is made while there is a pending motion to close debate. However, the motion can be debated at other times. Each person may speak once, and the moderator may also state the basis for the decision.

Parliamentary inquiry. Not a motion, but a question as to whether an action would be in order.

Point of information. A person may rise to offer information that is considered necessary for the group. This provision is not used to offer debate.

Division of assembly. To require a more precise method of counting votes than by a voice vote, such as having persons raise hands, or stand. No second, not debatable, no vote required.

Request to withdraw a motion. Contrary to popular misconception, a motion cannot be withdrawn by its mover. This request requires majority approval.

Suspension of the rules. When matters are to be taken out of order, or a particular task can be better handled without formal rules in place, this motion can be approved by a two-thirds vote of the group. However, until the rules are restored, only discussion can occur; no decisions can be made. Second required, not debatable, not amendable.

Object to consideration of a question. When a motion is so outrageous, intended to distract the group from resolving legitimate business. The motion can be objected to and ruled out of order without debate. However, if the chair does not rule the motion out of order, a two-thirds vote of the group can block further consideration.

Renewal motions

Once the group has taken action, renewal motions require the group to further discuss or dispose of a motion. The motions include:

Reconsider. When the group needs to discuss further a motion that has already been defeated at the same meeting. A majority of the council must approve taking additional time to debate the motion again. The motion can be made only by a person who voted on the prevailing side earlier on the question. Contrary to another popular misconception, the motion may be brought up again at a subsequent meeting. If the moderator believes that there is no indication that the group's wishes have changed, however, the motion can be ruled out of order, subject to an appeal from the decision of the chair.

Take from the table. Unless the original motion to table directed that the motion be brought back at a specific date and time, a majority of the group must pass a motion to take from the table. Such a motion is non-debatable.

Rescind. When the group wishes to annul some action, a motion to rescind is in order at any time. If prior notice has been given to the group that this action will be considered, the motion to rescind can pass with a simple majority vote; however, if no prior notice has been given, the vote requires a two-thirds majority.

Questions of privilege

Finally, there are a few questions of privilege that are in order at any time and must be disposed of prior to resuming discussion on the matter at hand:

Fix the time for next meeting. This is in order at any time, including when a motion to adjourn is pending. Second required, not debatable, amendable.

Adjourn. To bring the meeting to a halt. Second required, not debatable, not amendable. Alternatively, instead of a motion, the chair can ask if there is any further business. If no response, the chair can say, "since there is no further business, the meeting is adjourned."

Recess. A temporary break in the meeting; should state a time at which the meeting will resume. Second required, not debatable, not amendable.

Point of privilege. A matter that concerns the welfare of the group. Can be raised even when another person is speaking. No second, not debatable, no vote required.

Call for the orders of the day. A demand that the group return to the agenda. Can be taken when another person is speaking, no second required, not debatable, no vote required.

Source: *Survival Guide for Elected Leaders*, National Association of Towns and Townships.