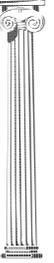


City of Lake Stevens Mission Statement



The City of Lake Stevens' mission is not only to preserve the natural beauty that attracted so many of its citizens, but to enhance and harmonize with the environment to accommodate new people who desire to live here. Through shared, active participation among Citizen, Mayor, Council, and City Staff, we commit ourselves to quality living for this and future generations.

Growth in our community is inevitable. The City will pursue an active plan on how, when, and where it shall occur to properly plan for needed services, ensure public safety, and maintain the unique ambience that is Lake Stevens.



CITY COUNCIL REGULAR MEETING AGENDA
Lake Stevens School District Educational Service Center (Admin. Bldg.)
12309 22nd Street NE, Lake Stevens
Monday, July 9, 2012 - 7:00 p.m.

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

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

ROLL CALL:

GUEST BUSINESS:

CONSENT AGENDA:

- *A. Approve July 2012 vouchers. Barb
- *B. Approve minutes of June 25, 2012 regular Council meeting. Norma
- *C. Resolution 2012-3 Fees Resolution Barb
- **D. Department of Corrections Agreement Authorization Mick

ACTION ITEMS:

- *A. Approve Small Public Works Contract with Bill's Tree Topping & Removal Mick
- *B. First Reading Ordinance #879 Budget Amendments Barb

DISCUSSION ITEMS:

- *A. Subarea Planning – Draft Comprehensive Plan and Land Use Code Amendments. Karen

COUNCIL PERSON'S BUSINESS:

MAYOR'S BUSINESS:

STAFF REPORTS:

INFORMATION ITEMS:

Lake Stevens City Council Meeting

July 9, 2012

**EXECUTIVE
SESSION:**

ADJOURN:

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

Special Needs

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

NOTICE:

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

**BLANKET VOUCHER APPROVAL
2012**

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

Payroll Direct Deposits	905944-906010	\$146,181.13
Payroll Checks	33708-33709	\$3,173.17
Claims	33710-33761	\$59,176.25
Electronic Funds Transfers	472-477	\$141,806.93
Void Checks		
Tax Deposit(s)	6/29/2012	\$53,635.72
Total Vouchers Approved:		\$403,973.20

This 9th day of July 2012:

Mayor

Councilmember

Finance Director

Councilmember

Councilmember

Councilmember



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Direct Deposit Register

03-Jul-2012

Wells Fargo - AP

Lake Stevens

Direct Deposits to Accounts

03-Jul-2012	<u>Vendor</u>	<u>Source</u>	<u>Amount</u>	<u>Draft#</u>	<u>Bank Name</u>	<u>Transit</u>	<u>Account</u>
12112	AFLAC	C	\$1,756.14	472	Wells Fargo	121000248	4159656917
101	Assoc. Of Washington Cities	C	\$78,600.80	473	Wells Fargo	121000248	4159656917
9407	Department of Retirement (Pers	C	\$54,744.19	474	Wells Fargo	121000248	4159656917
9408	NATIONWIDE RETIREMENT SOL	C	\$1,098.25	475	Wells Fargo	121000248	4159656917
1418	Standard Insurance Company	C	\$5,205.09	476	Wells Fargo	121000248	4159656917
9405	Wash State Support Registry	C	\$402.46	477	Wells Fargo	121000248	4159656917
Total:			\$141,806.93		Count:	6.00	

Direct Deposit Summary

<i>Type</i>	<i>Count</i>	<i>Total</i>
C	6	\$141,806.93

Pre-Note Transactions

Detail Check Register

28-Jun-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor			Check Amount
33710	28-Jun-12	12187	AUCKLAND ENTERPRISES			\$450.00
563			danger tree removal	\$450.00	\$0.00	\$450.00
101016542004800			Street Fund - Repair & Mainten	\$450.00		
33711	28-Jun-12	11869	PUGET SOUND ENERGY			\$33.60
06/12 8866053005			Utilities - Gas	\$33.60	\$0.00	\$33.60
001008521004700			Law Enforcement - Utilities	\$33.60		
Total Of Checks:						\$483.60

Detail Check Register

03-Jul-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount		
33712	03-Jul-12	13824	Wash Teamsters Welfare Trust		\$1,256.31	
07/12		Insurance Premiums		\$1,256.31	\$0.00	\$1,256.31
001010576802000		Parks - Benefits		\$48.86		
101016542002000		Street Fund - Benefits		\$537.42		
410016542402000		Storm Water - Benefits		\$670.03		
Total Of Checks:						\$1,256.31

Detail Check Register

03-Jul-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount		
33713	03-Jul-12	13951	BMI			\$320.00
License		Base license fee		\$320.00	\$0.00	\$320.00
001010576803100		Parks - Operating Costs		\$320.00		
Total Of Checks:						\$320.00

Detail Check Register

05-Jul-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount		
33714	09-Jul-12	13328	ACES			\$329.00
8712			Safety mtg	\$329.00	\$0.00	\$329.00
001003517620000			Admin. Safety program	\$77.64		
101016517620000			safety program	\$146.08		
410016517620000			safety program	\$105.28		
33715	09-Jul-12	13945	ASCAP			\$5.50
192000234599			License fee adj	\$5.50	\$0.00	\$5.50
001010576803100			Parks - Operating Costs	\$5.50		
33716	09-Jul-12	11952	Carquest Auto Parts Store			\$597.50
2421-176729			oil and filters for 3 vehicles	\$597.50	\$0.00	\$597.50
101016542004800			Street Fund - Repair & Mainten	\$597.50		
33717	09-Jul-12	13952	Century Manufacturing Corp			\$133.93
505490			Diesel fuel Additive	\$133.93	\$0.00	\$133.93
101016542003200			Street Fund - Fuel	\$133.93		
33718	09-Jul-12	13776	Chris L Griffen			\$450.00
120843513			Public defender services	\$300.00	\$0.00	\$300.00
001013512800000			Court Appointed Attorney Fees	\$300.00		
C8249L			Public defender services	\$150.00	\$0.00	\$150.00
001013512800000			Court Appointed Attorney Fees	\$150.00		
33719	09-Jul-12	276	City Of Lake Stevens			\$35.05
1252			Retainage - New Chapter	\$35.05	\$0.00	\$35.05
001007558004100			Planning - Professional Servic	\$1.15		
001007559004100			Building Department - Professi	\$1.15		
001008521004100			Law Enforcement - Professional	\$20.10		
001013519904100			General Government - Professio	\$5.75		
00101355504100			Community Center - Cleaning	\$4.60		
101016542004100			Street Fund - Professional Ser	\$1.15		
410016542404101			Storm Water - Professional Ser	\$1.15		
33720	09-Jul-12	12004	CITY OF MARYSVILLE			\$8,633.37
12-009			Citations May 2012	\$8,189.22	\$0.00	\$8,189.22
001013512500001			Municipal Court Fees	\$8,189.22		
5905			Hwy 9 Prof services	\$444.15	\$0.00	\$444.15
001013519904100			General Government - Professio	\$444.15		
33721	09-Jul-12	13030	COMCAST			\$81.90

Detail Check Register

05-Jul-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor		Check Amount
06/12 0810218			Internet - evidence room	\$81.90	\$81.90
001008521004200			Law Enforcement - Communicatio	\$81.90	
33722	09-Jul-12	13030	COMCAST		\$71.90
06/12 0692756			Internet - South station	\$71.90	\$71.90
001008521004200			Law Enforcement - Communicatio	\$71.90	
33723	09-Jul-12	322	Concrete NorWest		\$646.17
810512			Eco Blocks for Storage Bins PW Sh	\$461.55	\$461.55
101016543504802			Facilities R&M (City Shop)	\$461.55	
810842			Eco Blocks for Storage Bins PW Sh	\$184.62	\$184.62
101016543504802			Facilities R&M (City Shop)	\$184.62	
33724	09-Jul-12	91	Corporate Office Supply		\$578.74
129452i			office supplies, paper, cd-r	\$353.53	\$353.53
001008521003100			Law Enforcement - Office Suppl	\$353.53	
129589			stamps	\$36.82	\$36.82
001008521003100			Law Enforcement - Office Suppl	\$36.82	
129808i			Supplies	\$188.39	\$188.39
001003516103100			Human Resources-Office Supplie	\$19.15	
001004514233100			Finance - Office Supplies	\$139.95	
001013519903100			General Government - Operating	\$29.29	
33725	09-Jul-12	13582	Deborah Smith		\$30.00
070212			Wellness supplies	\$30.00	\$30.00
001003517400000			Admin. Wellness program	\$30.00	
33726	09-Jul-12	12369	DELL MARKETING L.P.		\$4,799.02
XFTCR3NN8			Server Memory Upgrades and XenS	\$2,964.74	\$2,964.74
510013519606400			Purchase Computer Equipment	\$2,964.74	
XFTDNFCW2			Server Memory Upgrades and XenS	\$1,834.28	\$1,834.28
510013519606400			Purchase Computer Equipment	\$1,834.28	
33727	09-Jul-12	13027	DEPARTMENT OF LICENSING		\$72.00
59462-59465			Weapons permits	\$72.00	\$72.00
633008586000000			Gun Permit - State Remittance	\$72.00	
33728	09-Jul-12	13782	Department of Revenue		\$202.55

Detail Check Register

05-Jul-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor		Check Amount	
3109-2012-Qtr1			Credit Card bank fees Q1.2012	\$202.55	\$0.00	\$202.55
001003514104901			City Clerk-Misc CC Fees (DOL)	\$202.55		
33729	09-Jul-12	12800	DEPT OF CORRECTIONS			\$410.71
MCC4591 0512			DOC Work crew	\$410.71	\$0.00	\$410.71
101016542004800			Street Fund - Repair & Mainten	\$320.11		
410016542404800			Storm Water - Repairs & Maint.	\$90.60		
33730	09-Jul-12	473	Electronic Business Machines			\$527.62
062612			Copier maint	\$78.76	\$0.00	\$78.76
001007558004800			Planning - Repairs & Maint.	\$39.38		
101016542004800			Street Fund - Repair & Mainten	\$19.69		
410016542404800			Storm Water - Repairs & Maint.	\$19.69		
076827			Copier maint	\$231.74	\$0.00	\$231.74
001007558004800			Planning - Repairs & Maint.	\$115.87		
101016542004800			Street Fund - Repair & Mainten	\$57.93		
410016542404800			Storm Water - Repairs & Maint.	\$57.94		
076861			copier maint	\$217.12	\$0.00	\$217.12
001008521004800			Law Enforcement - Repair & Mai	\$217.12		
33731	09-Jul-12	13390	Evergreen State Heat			\$615.23
19198			HVAC service	\$403.45	\$0.00	\$403.45
001007558004800			Planning - Repairs & Maint.	\$50.43		
001008521004800			Law Enforcement - Repair & Mai	\$100.86		
001013519904800			General Government - Repair/Ma	\$100.86		
001013555504800			Community Center - Repair & M	\$100.86		
101016542004800			Street Fund - Repair & Mainten	\$25.22		
410016542404800			Storm Water - Repairs & Maint.	\$25.22		
19199			HVAC service - Senior Center	\$211.78	\$0.00	\$211.78
001013555506400			New Senior Center	\$211.78		
33732	09-Jul-12	549	Foster Press			\$297.29
29677			2012 Pavement Overlay	\$297.29	\$0.00	\$297.29
101016542606400			Street Fund - Overlays	\$297.29		
33733	09-Jul-12	13254	Gibson Traffic Consultants			\$3,799.66
12-014-2			Traffic Mitigation Impact Prof svcs	\$3,799.66	\$0.00	\$3,799.66
101016542004106			Prof Svc - GMA Traffic Plan	\$3,799.66		
33734	09-Jul-12	12393	GLENS RENTAL SALES & SERVICE			\$153.65
S2042			sidewalk and street repair	\$153.65	\$0.00	\$153.65

Detail Check Register

05-Jul-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
101016542004500			Street Fund - Rentals/Leases	\$153.65	
33735	09-Jul-12	13010	Grainger		\$215.42
9852721548			Remonte microphone	\$100.16	\$0.00
101016542004800			Street Fund - Repair & Mainten	\$100.16	
9858764088			brake controler PW42	\$115.26	\$0.00
101016542004800			Street Fund - Repair & Mainten	\$115.26	
33736	09-Jul-12	13949	Guardian ID Systems Inc		\$70.15
20120619-ID-05			Ink for Child ID printer	\$70.15	\$0.00
001008521003100			Law Enforcement - Office Suppl	\$70.15	
33737	09-Jul-12	13509	Industrial Supply, Inc		\$43.33
498566			Shovel	\$43.33	\$0.00
410016542403102			Storm Water - Operating Costs	\$43.33	
33738	09-Jul-12	13869	Ink It Your Way		\$41.25
3104			Ubert uniform shirt	\$41.25	\$0.00
001008521002600			Law Enforcment Clothing	\$41.25	
33739	09-Jul-12	13327	Jennifer Anderson		\$416.66
07/1-07/31/12			Dep Care Reimb	\$416.66	\$0.00
001000281000000			Payroll Liabilities	\$416.66	
33740	09-Jul-12	12751	LAKE STEVENS POLICE GUILD		\$1,116.00
06/29/12			Union Dues	\$1,116.00	\$0.00
001000281000000			Payroll Liabilities	\$1,116.00	
33741	09-Jul-12	12215	LOWES COMPANIES		\$132.99
927227			Senior Center lighting	(\$21.82)	\$0.00
001013555506400			New Senior Center	(\$21.82)	
951265			Senior Center lighting	\$125.54	\$0.00
001013555506400			New Senior Center	\$125.54	
961431			Senior Center lighting	\$29.27	\$0.00
001013555506400			New Senior Center	\$29.27	
33742	09-Jul-12	1019	NATIONAL BARRICADE COMPANY		\$2,593.56
242120			sijgns mini roundabouts	\$2,593.56	\$0.00

Detail Check Register

05-Jul-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
101016595616442			Cap Proj -Mini Roundabouts	\$2,593.56	
33743	09-Jul-12	13953	National Specialties LLC	\$338.83	
7968			Magnets	\$338.83	\$0.00
410016531503104			DOE-G1100060 SW Capacity Exp	\$338.83	
33744	09-Jul-12	12684	NORTHWEST CASCADE INC.	\$115.00	
1-479408			SaniCan rental	\$115.00	\$0.00
001010576804500			Parks - Equipment Rental	\$115.00	
33745	09-Jul-12	1091	Office Of The State Treasurer	\$13,737.90	
06/2012			June 2012 State Court Fees	\$13,737.90	\$0.00
633008559005100			Building Department - State Bl	\$211.50	
633008589000003			Public Safety And Ed. (1986 As	\$6,332.92	
633008589000004			Public Safety And Education	\$3,737.23	
633008589000005			Judicial Information System-Ci	\$1,430.65	
633008589000008			Trauma Care	\$572.23	
633008589000009			school zone safety	\$94.93	
633008589000010			Public Safety Ed #3	\$160.22	
633008589000011			Auto Theft Prevention	\$779.64	
633008589000012			HWY Safety Act	\$67.82	
633008589000013			Death Inv Acct	\$52.62	
633008589000014			WSP Highway Acct	\$298.14	
33746	09-Jul-12	1110	PACIFIC POWER BATTERIES	\$68.91	
11273988			New Battery/Patrol jump box battery	\$33.01	\$0.00
001008521004800			Law Enforcement - Repair & Mai	\$33.01	
11273990			Patrol Operations/Maglite light bulbs	\$35.90	\$0.00
001008521004800			Law Enforcement - Repair & Mai	\$35.90	
33747	09-Jul-12	13304	Purchase Power	\$420.00	
06/12 01831977			Postage	\$420.00	\$0.00
001007558004200			Planning - Communication	\$34.02	
001013519904200			General Government - Communica	\$362.92	
101016542004200			Street Fund - Communications	\$11.53	
410016542404200			Storm Water - Communications	\$11.53	
33748	09-Jul-12	12069	Seattle Pump	\$76.06	
61549			Vactor Hose	\$76.06	\$0.00
410016542404800			Storm Water - Repairs & Maint.	\$76.06	
33749	09-Jul-12	13043	Sno Co Sheriff & Police Chiefs	\$35.00	

Detail Check Register

05-Jul-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor		Check Amount	
2012			2012 Dues SCSPCA	\$35.00	\$0.00	\$35.00
		001008521004900	Law Enforcement - Miscellaneou	\$35.00		
33750	09-Jul-12	13878	Snohomish Conservation Dist			\$609.59
397			LID Project	\$609.59	\$0.00	\$609.59
		410016531503106	DOE - G1100280 LID Grant Exp	\$609.59		
33751	09-Jul-12	12961	SNOHOMISH COUNTY PUD			\$2,521.04
0390007291			Light pole - senior center pkg lot	\$1,834.00	\$0.00	\$1,834.00
		001010576803101	Parks-Eagle Ridge Pk Exp	\$1,834.00		
130434915			Utilities - Electric	\$156.21	\$0.00	\$156.21
		410016542404700	Storm Water-Aerat. Utilities	\$156.21		
140282585			Utilities - Electric	\$296.33	\$0.00	\$296.33
		101016542630000	Street Fund - Street Lighting	\$296.33		
150218859			Utilities - Electric	\$234.50	\$0.00	\$234.50
		001010576804700	Parks - Utilities	\$78.17		
		101016542004700	Street Fund - Utilities	\$78.17		
		410016542404701	Storm Water Utilities	\$78.16		
33752	09-Jul-12	1388	Snohomish County Treasurer			\$283.99
06/12			June 2012 Crime Victims Comp	\$283.99	\$0.00	\$283.99
		633008589000001	Crime Victims Compensation	\$283.99		
33753	09-Jul-12	13139	Steven Edin			\$38.23
062912			Wellness supplies	\$38.23	\$0.00	\$38.23
		001003517400000	Admin. Wellness program	\$38.23		
33754	09-Jul-12	13891	Tacoma Screw Products Inc			\$98.20
10922189			Hardware	\$98.20	\$0.00	\$98.20
		101016542003102	Street Fund Operating Costs	\$98.20		
33755	09-Jul-12	13173	Taser International			\$619.02
S11287468			Repair/Replacement of Taser	\$619.02	\$0.00	\$619.02
		001008521004800	Law Enforcement - Repair & Mai	\$619.02		
33756	09-Jul-12	11787	Teamsters Local No. 763			\$547.00
06/29/12			Union Dues	\$547.00	\$0.00	\$547.00
		001000281000000	Payroll Liabilities	\$547.00		

Detail Check Register

05-Jul-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
33757	09-Jul-12	11788	United Way of Snohomish Co.		\$325.68
06/29/12			Employee Contributions	\$325.68	\$0.00
001000281000000			Payroll Liabilities	\$325.68	
33758	09-Jul-12	13045	UPS		\$14.71
74Y42242			late fees	\$2.24	\$0.00
001008521004200			Law Enforcement - Communicatio	\$2.24	
74Y42252			evidence shipping	\$12.47	\$0.00
001008521004200			Law Enforcement - Communicatio	\$12.47	
33759	09-Jul-12	12158	VERIZON NORTHWEST		\$2,601.21
1095988559			Wireless phone service	\$2,601.21	\$0.00
001003511104200			Executive - Communication	\$55.66	
001003513104200			Administration-Communications	\$87.86	
001003514104200			City Clerks-Communications	\$35.02	
001003516104200			Human Resources-Communications	\$57.84	
001003518104200			IT Dept-Communications	\$113.50	
001007558004200			Planning - Communication	\$120.87	
001008521004200			Law Enforcement - Communicatio	\$1,525.76	
001010576804200			Parks - Communication	\$201.57	
101016542004200			Street Fund - Communications	\$201.57	
410016542404200			Storm Water - Communications	\$201.56	
33760	09-Jul-12	13055	WA State Dept of Enterprise		\$41.26
68761			business cards and letterhead	\$41.26	\$0.00
001008521003100			Law Enforcement - Office Suppl	\$41.26	
33761	09-Jul-12	12845	ZACHOR & THOMAS, INC. P.S.		\$7,524.56
606			Prosecutor services	\$7,524.56	\$0.00
001013515210000			Prosecutor fees	\$7,524.56	
Total Of Checks:					\$57,116.34



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

Monday, June 25, 2012
Lake Stevens School District Educational Service Center (Admin. Bldg.)
12309 22nd Street N.E. Lake Stevens

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

COUNCILMEMBERS PRESENT: Todd Welch, Suzanne Quigley, Kathy Holder, Kim Daughtry, Marcus Tageant, and John Spencer

COUNCILMEMBERS ABSENT: Neal Dooley

STAFF MEMBERS PRESENT: City Administrator Jan Berg, City Attorney Cheryl Beyer, Planning Director Becky Ableman, Finance Director/Treasurer Barb Lowe, Senior Planner Russ Wright, Public Works Director Mick Monken, Human Resource Director Steve Edin, Police Chief Randy Celori, and City Clerk/Admin. Asst. Norma Scott

OTHERS: Dawn Darrington, Laura and Chris Healy, Ally Sonsleng, Marcus Cravens

Excused Absence. Councilmember Quigley moved to excuse Councilmember Dooley, seconded by Councilmember Spencer; motion carried unanimously. (6-0-0-1)

Guest Business. Mark Wakefield, 121 95th Ave SE, read a letter dated June 25 he wrote to City Prosecuting Attorney Zachor about his being a victim of domestic violence and requesting a no contact order. The case was closed, no one told him why it was closed, and you don't close a case without contacting the victim.

Consent Agenda. Councilmember Tageant moved to approve the Consent Agenda (A. Approve June 2012 vouchers [Payroll Direct Deposits 905886-905943 in the amount of \$130,956.29; Payroll Checks 33638-33639 in the amount of \$3,390.50; Claims 33640-33707 in the amount of \$89,322.14; Electronic Funds Transfers 468-471 for \$16,332.06; Tax Deposit for 6.15.12 for 47,826.87; for total vouchers approved of \$287,827.86]; B. Approve minutes of June 11, 2012 regular Council meeting; C. Approve Revised Professional Services Agreement for Child Interviewing Specialist Services with Dawson Place; D. Approve Federal Emergency Management Agency resolution for designation of applicant's agent to process grant funding for the January 2012 snow storm event), seconded by Councilmember Daughtry; motion carried unanimously. (6-0-0-1)

Public hearing and first and final reading of Ordinance No. 874, extending the moratorium prohibiting the establishment of medical marijuana / cannabis dispensaries and collective gardens for an addition six months. City Clerk Scott read the public hearing procedure. Senior Planner Wright noted the first moratorium was adopted July 2011 and second moratorium January 2012. Due to the legal uncertainties, Council felt comfortable with this extended moratorium. There will be a ballot issue in November and Governor Gregoire is working to reclassify medical marijuana as a Type 2 drug which would be purchased through a pharmacy. Mr. Wright noted that Scott Private provided written public testimony that was

distributed to Council (letter on file in Planning & Community Development File # LS2011-7, Medical Marijuana Moratorium Extension).

Public Comments. Dawn Darrington, 11318 5th Avenue, Seattle, commented she is 66 years old, has cancer and is being cured by cannabis. Cannabis is not a drug but an herb that has been used for thousands of years, which gives pain relief and cures. The City is punishing their constituents by forcing them to drive to Seattle to obtain medication. Give medical users a safe access storefront and well lit area to go to without shame and have it legal. There are 140 accesses in Seattle.

Laura Healy, 8014 Maple Lane, worked with City of Shoreline City Council to have safe access in town. They understand the need for a safe place to receive the medicine. Doctor authorization is checked and medicine is all natural and no pesticides. The man on the side of the street is selling uncontrolled and unsafe marijuana. They are fighting to get this unscheduled and should be made readily available. Initiative I502 is for recreational use only and not medical marijuana. Many cities are allowing and regulating and Lake Stevens should choose to do the same.

Chris Healy, 8014 Maple Lane, asked Council for their opinion on marijuana. Councilmember Tageant commented he listen to all constituents, is gathering information and has not decided yet. Councilmember Holder is trying to gather information and taking input from as many sources as she can. Councilmember Quigley is here to listen. .

Ally Sonsleng 440103 Fir Road, mentioned she started using a year ago. Marijuana can be bought anywhere; you can buy it on a school bus. Better to have in Lake Stevens than drive to Seattle

Marcus Cravens, 11709 34th Street NE, has lived there 15 years. Mr. Cravens commented I502 is for recreational use but speculates that it could affect medical law. Governor Gregoire's Schedule 2 change has not happened and will take years. There is no reason to wait on this; it is an amazing drug. He uses for medical purposes. He disagrees with the Hartford location because there is nothing for rent, not willing to rent, and has a high crime rate.

MOTION: Councilmember Holder moved to close the public portion, seconded by Councilmember Welch; motion carried unanimously. (6-0-0-1)

Senior Planner Wright reviewed the medical marijuana schedule. The draft zoning regulations are done and will go to Council in September for their opinion. In October will finalize the regulations and then public hearing in November/December. Schedule could be pushed up some.

City Attorney Beyer commented some cities are not regulating at all, conduct is still federally illegal, and some have zoning in order to say where they would be located.

Councilmember Spencer is supportive of the schedule but would be great if completed a month or so sooner.

MOTION: Councilmember Daughtry moved to reopen public comments, seconded by Councilmember Spencer; motion carried unanimously. (6-0-0-1)

Councilmember Daughtry asked Laura Healy for clarification on dispensaries being illegal or is she here for collective gardens. Ms. Healy responded she is trying to start a collective garden. Councilmember Daughtry asked who regulates. Ms Healy responded someone is in charge of it, usually a director like a food bank, and is self-regulating at the moment. Councilmember Welch asked if Council zones collective gardens can staff be accused of committing a crime if approving. City Attorney Beyer stated that is one of the most troubling aspects of the whole piece. Ms. Healy mentioned the feds did shut down some collective gardens but didn't go after staff.

MOTION: Councilmember Spencer moved to close the public comment portion of the public hearing, seconded by Councilmember Daughtry; motion carried unanimously. (6-0-0-1)

Councilmember Quigley asked if any cities are incurring legal issues. Senior Planner Wright is not aware of any and noted the City of Mukilteo adopted last year and some jurisdictions in South County have been operating longer.

Mayor and Council discussed moving the schedule back 1-2 months.

MOTION: Councilmember Welch moved to close the public hearing, seconded by Councilmember Spencer; motion carried unanimously. (6-0-0-1)

MOTION: Councilmember Spencer moved to extend the moratorium on establishing medical marijuana ordinance to six months with the request that staff have a draft ordinance reported the first week in August with completion before end of the year on Ordinance 874 (first and final reading), seconded by Councilmember Tageant; motion carried unanimously. (6-0-0-1)

Approve On-call Professional Engineering Services Agreements with KPFF Consulting Engineers; Tetra Tech, Inc; WH Pacific, Inc; and Robinson Noble, Inc. Public Works Director/Engineer Monken reported they solicited for a number of types of consultants, which they asked to submit proposals and qualifications. Over thirty submittals were received and four were selected not to exceed a \$50,000 cap each. These agreements do not provide authorization for staff to spend the funds until Council approves amended agreements for a specific project. This saves staff time and costs as the selection process only needs to be performed once over the next 2 ½ years. The contracts expire December 31, 2014.

MOTION: Councilmember Tageant moved to pre-approve the use of the selected consultants for on-call profession services and authorize the Mayor to execute a professional service agreement for on-call services with KPFF Consulting Engineers, Tetra Tech, Inc., WH Pacific, Inc. and Robinson Noble, Inc. for an amount not to exceed \$50,000 each, seconded by Councilmember Daughtry; motion carried unanimously. (6-0-0-1)

Accept Transportation Level of Service methodology for the 20th Street SE Corridor and Lake Stevens Center subarea plans. Public Works Director/Engineer Monken briefly reviewed levels of service C, E and F (undesirable). The City currently has a level C. He is recommending Level E for each subarea. This would allow development and control and can be revised if it does not work.

City Administrator Berg arrived.

Councilmember Spencer left the meeting at 8:11 p.m.

MOTION: Councilmember Holder moved to accept Transportation Level of Service methodology for 20th Street SE Corridor and Lake Stevens Center, seconded by Councilmember Tageant, motion carried unanimously with Councilmember Spencer absent for the vote. (5-0-0-2)

Authorize the Mayor to execute Quit Claim Deeds from Snohomish County for Lundeen Creek Restoration Project Easements and continue vegetation monitoring. Public Works Director/Engineer Monken reported the City entered into an annexation agreement with Snohomish County where the City would assume these easements including inspections and maintenance. The easements expire in 2016. The City did not contribute to any of the prior inspections and maintenance. Snohomish County has submitted a proposal to continue the vegetation monitoring program for 2012 and 2016 at a total cost of \$8,600.

Councilmember Spencer returned to the meeting at 8:14 p.m.

MOTION: Councilmember Welch moved to authorize the Mayor to execute the Quit Claim Deeds from Snohomish County for the Lundeen Creek Restoration Project Easements and continue the vegetation monitoring program through 2016 at a cost not to exceed \$8,600, seconded by Councilmember Holder; motion carried unanimously. (6-0-0-1)

Subarea plans Design Guidelines and Zoning Map review. Senior Planner Wright reviewed the design guidelines, where they apply, structures, and application on how they are used. For site orientation and design he reviewed pedestrian and streetscape, architectural landmarks and gateway, plazas, courtyards and seating areas, including lighting, crosswalk and intersections and pedestrian connections, parking lots, screening of trash and service areas. For Building Design he reviewed primary orientation, ground level details, massing and articulation, architectural character and signs. For Multifamily neighborhoods he reviewed site design, parking, and building design.

Councilmember Quigley mentioned she wants to keep discussion on table about current signage.

Senior Planner Wright reviewed the preliminary draft zoning map for 20th Street. At the open house last week there were considerable supportive comments as well as phone calls – nothing unreasonable.

Senior Planner Wright reviewed Lake Stevens Center preliminary draft zoning map and Council discussed at length the various zones and their potential development.

Executive Session. At 8:56 p.m. Mayor Little called for an executive session on potential litigation for 15 minutes with no action to follow. After a brief break the executive session began at 9:00 p.m. and ended at 9:15 p.m.

Adjourn. Councilmember Tageant moved to adjourn at 9:16 p.m., seconded by Councilmember Welch; motion carried unanimously. (6-0-0-1)

Vern Little, Mayor

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

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LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: July 9, 2012

Subject: Resolution 2012-3 – Fees Resolution

Contact Person/Department: Barb Lowe/ Finance **Budget Impact:** N/A

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:

Adopt Resolution 2012-3 repealing Fees Resolution 2012-1

SUMMARY/BACKGROUND:

The changes to the fees schedule are summarized below and are highlighted in the resolution using strikeouts and underlines.

Title and Recitals – Updated resolution number and resolution appealed.

Section 1. Fees and Deposits – General. – Part C. Late Payment Penalties

Late payment penalties are intended to recover interest that would have been received had the funds been invested, which ensures the City does not put itself in a position of lending credit. The fees are also intended to recover the cost of administrative time spent tracking, billing, and receipting payments.

The current late penalty charge is 1.5% per month, where as the interest rate we are currently receiving on investments, is closer to 0.14% per month. Additionally, very little staff time is required for this process. Based on the current low rates of interest on investments and the minimal resources needed, a maximum monthly charge of \$20 would adequately recover all associated costs.

Recommended Change in Bold:

*Late Payment Penalties. If payment is not received within 30 days of the due date specified on the invoice, the amount due shall accrue interest at the rate of 1.5 percent per month, **with a maximum monthly interest accrual of \$20.00**, from the date the fee became due and the date payment is actually made.*

Section 6. Miscellaneous Police Fees. – Table E: Schedule of Miscellaneous Police Fees & Fines

The police department has begun offering lamination of Concealed Pistol Licenses. This service is offered at other entities including Snohomish County.

Lamination Services – Concealed Pistol Licenses \$3.50

APPLICABLE CITY POLICIES:

LSMC 14.04.020 Fees allows for reasonable fees to be collected sufficient to cover costs and established by resolution.

BUDGET IMPACT:

N/A

ATTACHMENTS:

- ▶ Exhibit A: Resolution No. 2012-3 Fees Resolution

CITY OF LAKE STEVENS
Lake Stevens, Washington

RESOLUTION NO. 2012-3

A RESOLUTION REPEALING RESOLUTION NO. 2012-1 AND ADOPTING AMOUNTS FOR THE RATES, FEES, AND DEPOSITS FOR VARIOUS SERVICES PROVIDED AND ACTIONS PERFORMED BY THE CITY AND FINES LEVIED AGAINST CODE VIOLATORS, TO INCLUDE NEW LAND USE FEES FOR SERVICES ACTIONS OR PERMITS

WHEREAS, the City Council, through ordinance, has adopted regulations requiring certain actions and services; and,

WHEREAS, these various ordinances set forth that fees shall be set by resolution, and;

WHEREAS, the cost of providing these various services consistent with applicable codes, regulations, and policies periodically increase or decrease, or certain services or practices are discontinued and fees are no longer needed; and,

WHEREAS, it is the intent of the City of Lake Stevens to charge appropriate fees and charges that are consistent with the services provided and to cover the public cost of providing these various services so that the public is not subsidizing individual benefits derived therefrom;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE STEVENS AS FOLLOWS: Resolution No. 2012-1 is hereby repealed and the following rates, fees, and deposits for various services provided and actions performed by the city and fines levied against code violators are hereby adopted:

Section 1. Fees and Deposits-General.

- A. **Fees.** Fees are intended to cover the normal, recurring administrative costs associated with said action, such as secretarial staff time, advertising, mailings, file distribution, etc. and project review. Fees are non-refundable. The applicant is responsible for costs incurred for any portion of project/permit reviewed by a consultant hired by the City for such review.
- B. **Payment Due.** Fees and deposits are due at the time the action is requested (e.g., at time of application) or occurs (e.g., prior to a specific action). An applicant may pay all fees and deposits of a multi-phased project in advance; however, doing so does not vest applicable fees due. Fees due are those in effect at the time the specific action or phase of an action is requested or occurs.
- C. **Late Payment Penalties.** If payment is not received within 30 days of the due date specified on the invoice, the amount due shall accrue interest at the rate of 1.5 percent per month, with a maximum monthly interest accrual of \$20.00, from the date the fee became due and the date payment is actually made.
- D. **Waivers.** Upon petition by the applicant, the City Council may waive any of the fees or portions thereof, for any non-profit organization that provide services for the necessary support of the poor or infirm.
- E. **Concurrent Applications.** Concurrent applications requiring land use fees established by this resolution shall be subject to each fee cumulatively as if reviewed separately. There shall be no reduction in fees where more than one type of fee is charged for a project.

Section 2. Land Use Fees. Fees for various services, actions, and permits regarding land use, as per LSMC Title 14 and 16, shall be as listed in Table A. Land Use fees are in addition to Building Permit fees. Attorney fees may be recovered for specific projects. (Note: "X.XX" number refers to Use Category from Title 14 Table of Permissible Uses.)

Table A: Schedule of Land Use Fees

Action/Permit/Determination	Fee (\$)
ADMINISTRATIVE APPROVALS/DETERMINATIONS – TYPE I REVIEW	
Administrative Modifications	450
Boundary Line Adjustments	1,000
Changes of Use	750
Code Interpretations	150
Docks – Private (6.410)	200
Floodplain Development Permit (may also require SEPA and critical area review fees)	150
Grading Permits	375
Home Occupations	Reviewed as part of business license
Lot Line Consolidation	500
Reasonable Use Exceptions	200+critical areas review
Temporary Use	
- Temporary Residence (1.700)	125
- Temporary Mobile/Modular Public Structures (15.500) in any zone	100
- Temporary Structures (23.000)	200
ADMINISTRATIVE CONDITIONAL USE PERMITS (formerly Special Use Permits)	
Basic Review & administrative decision	1,000
If hearing called for in addition to previous costs)	Hearing Examiner cost
ANNEXATIONS	
Submission of 10% Petition	0
Submission of 60% Petition	0
If it goes to BRB hearing	0
ATTORNEY FEES	Applicant pays actual cost charged City plus 10/hr
APPEALS PER TITLE 14	
To City Council	350
To Hearing Examiner	350+Hearing Examiner cost
To Shoreline Hearings Board	75/hr
BINDING SITE PLANS	
Revision	1,000
COMPREHENSIVE PLAN AMENDMENTS (including area-wide-rezones)	
Minor Amendment (annual cycle)	2,400
Major Amendment (5-year cycle)	3,500
CONDITIONAL USE PERMITS	5,500+ Hearing Examiner cost
CONSTRUCTION PLAN APPROVAL	
Residential developments 1-9 units	1,300 for first two reviews + 200 for each additional review

Action/Permit/Determination	Fee (\$)
Residential developments 10 or more units	1,500 + 150 per lot for first two reviews + 300 for each additional review
Commercial and/or non-residential developments	2,000 for first two reviews + 300 for each additional review
CONSULTANT FEES	Applicant pays actual cost charged City plus 10/hr
CRITICAL AREA REVIEW	Applicant pays actual cost charged City plus 10/hr
DESIGN REVIEW	
Design Review – Administrative Decision	450
Design Review - without other permit – Design Review Board	750
Design Review – with other permit – Design Review Board	300
DEVELOPMENT AGREEMENT	1,400
EDDS DEVIATION REQUEST	100
ESSENTIAL PUBLIC FACILITIES (in addition to conditional use permit fees)	
Essential Public Facility	Public participation costs (e.g., mailings, noticing, room rental) +consultant fees +attorney fees
Secure Community Transition Facility	Public participation costs (e.g., mailings, noticing, room rental) +consultant fees +attorney fees
EVENT PERMITS	
Event Level1	75
Event Level 2	225
Event Level 3	300
Event Level 4	1,050
Event Level 4 Deposit	80% of City estimated cost for City services
Event Expedited Review Fee	100
Boat Launch Closure	100/day
Recycle Containers	10/unit deposit 35/unit replacement fee for unreturned or damaged units
FIREWORKS PERMITS	
Fireworks Display	100
Fire Works Stand	185
IMPACT FEES	
Park Mitigation	
Single Family Residence and Apartments with 3+ bedrooms	2,363/dwelling
Duplex and Apartments with 2 bedrooms	1,733/dwelling
Apartments with 0-1 bedrooms	1,103/dwelling
School Mitigation	
Detached Single Family Residence	4,532/dwelling
Duplex/Apartment/Townhouse with 2 or more bedrooms	3,035/dwelling
Duplex/Apartment/Townhouse with 1 or fewer bedrooms	0
Traffic Mitigation	Based on a project specific

Action/Permit/Determination	Fee (\$)
	traffic report
LAND USE CODE AMENDMENTS	3,000
MISCELLANEOUS ACTIONS/ITEMS	
Permit Extension	150
Public Notice Signs Rental Fee	50
Sign Non-Return Charge – If not returned within 7 days of permit approval	10/sign
Security Administration Fee, per each security	100
MISCELLANEOUS TASKS	
Miscellaneous Engineering Review (e.g., storm drainage plans for Single-Family Residential & Duplexes, drainage studies, etc.)	75/hr
Miscellaneous Research or other staff time	75/hr
PARK PERMITS	
Park Permit without Picnic Shelter	35
Park Permit is included if Picnic Shelter is rented	0
PLANNED NEIGHBORHOOD DEVELOPMENTS	3,500+Hearing Examiner cost
PRE-APPLICATION CONFERENCE FEE (Credited toward preliminary subdivision/short subdivision application fee upon submittal of said application if received within 12 months from date of pre-application conference.)	
Without Consultant Review	400
With Consultant Review	1,100
RECONSIDERATION OF DECISION by:	
Planning Director	200
Design Review Board	200
City Council	200
Hearing Examiner	100+Hearing Examiner cost
RECORDING FEES	At cost (paid directly to Snohomish County)
REZONES - ZONING MAP AMENDMENTS	
Rezone Minor	500+Hearing Examiner cost
Rezone Major	1,000+Hearing Examiner cost
Area-wide Rezones	See Comprehensive Plan Amendments fee
RIGHT-OF-WAY	
Right-of-Way Permit	
Individual Residential (outside roadway improvements)	50
All Others	200
Right-of-Way Vacation	1,000
Road Cuts (required only for pavement cuts where roadway overlay is not required by City)	2 per square foot
SEPA REVIEW (does not include critical areas review, which is a separate fee)	
Review of SEPA Checklist	750
Review of requested studies	75/study per hour 2 hour minimum
Review of requested traffic studies	75 per hour 2 hour minimum
Review of requested drainage studies	75 per hour 2 hour minimum
Environmental Impact Statement (EIS)	75 per hour 10 hour minimum
Addendum	300

Action/Permit/Determination	Fee (\$)
SEPA Appeals (to Hearing Examiner)	150+Hearing Examiner cost
SHORELINE PERMITS (may also require SEPA and critical area review fees)	
Shoreline Conditional Use	1,200+Hearing Examiner cost
Shoreline Exemption	200
Shoreline Substantial Development	1,875
Shoreline Variance	1,200+Hearing Examiner cost
SIGN PERMITS	
Sign Permit	150+50/sign
Master Sign Program Permit	450
Action/Permit/Determination	Fee (\$)
SUBDIVISIONS (1-9 lots – Short Plat; more than 9 lots – Plat)	
Preliminary Short Plat	4,320
Final Short Plat	765
Short Plat Alteration	1,225
Short Plat Vacation	1,225
Preliminary Plat	10,030
Final Plat	1,565 + 100 per lot or unit + Survey Consultant Review cost
Plat Alteration	1,600
Plat Vacation	1,600
Street Signs (per Manual on Uniform Traffic Control Devices)	Purchased & installed by applicant per code & consistent with MUTCD
VARIANCE (Hearing Examiner review)	1,100+Hearing Examiner cost
ZONING CERTIFICATION LETTER	150

Section 3. Building Permit Fees. (Land Use fees, if required, are in addition to Building Permit fees.)

- A. Washington State Building Codes Adopted. The City of Lake Stevens does hereby incorporate by this reference as though fully set forth the fees from:
1. 2009 edition of the International Building Code (IBC)
 2. 2009 edition of the International Residential Code (IRC)
 3. 2009 edition of the International Mechanical Code including the 2009 International Fuel Code, 2008 National Fire Protection Association 58 (Liquefied Petroleum Gas Code) and 2009 National Fire Protection Association 54 (National Fuel Gas Code)
 4. 2009 edition of the Uniform Plumbing Code
 5. Washington State Barrier Free Regulations (Title 51 WAC)
 6. Current edition of the Washington State Energy Code
 7. 2009 edition of the International Fire Code
 8. Current edition of the Washington State Ventilation & Indoor Air Quality Code
- B. Valuation for Calculating Building Permit Fees. Any building or structure not addressed in Subsection C, below, shall be determined according to the International Code Council "Building Valuation Data" which is herein incorporated by reference as though fully set forth. The "Building Valuation Data," including modifiers, is found in Building Safety Journal, and is published quarterly by the International Code Council. Subsequent semi-annual revisions of the "Building Valuation Data" shall be automatically incorporated by this reference to be effective immediately following each new publication. Building permit fees shall be based on the formulas contained in Table 1A.

(Building Code) Table 1A: Building Permit Fees

Total Valuation	Fee
\$1.00 to \$499.99	\$23.50
\$500.00 to \$1,999.99	\$23.50 for the first \$499.99 plus \$3.05 for each additional \$100, or fraction thereof, up to and including \$1,999.99.
\$2,000.00 to \$24,999.99	\$69.25 for the first \$1,999.99 plus \$14 for each additional \$1,000, or fraction thereof, up to and including \$24,999.99.
\$25,000.00 to \$49,999.99	\$391.25 for the first \$24,999.99 plus \$10.10 for each additional \$1,000, or fraction thereof, up to and including \$49,999.99.
\$50,000 to \$99,999.99	\$643.75 for the first \$49,999.99 plus \$7.00 for each additional \$1,000, or fraction thereof, up to and including \$99,999.99.
\$100,000 to \$499,999.99	\$993.75 for the first \$99,999.99 plus \$6.50 for each additional \$1,000, or fraction thereof, up to and including \$499,999.99.
\$500,000 to \$999,999.99	\$3,233.75 for the first \$499,999.99 plus \$4.75 for each additional \$1,000, or fraction thereof, up to and including \$999,999.99.
\$1,000,000 and up	\$5,608.75 for the first \$999,999.99 plus \$3.65 for each additional \$1,000, or fraction thereof.

- C. Plan Review Fees:

Building: Residential: 65% of the building permit fee using table 1A, Commercial 85% of the building permit fee using table 1A . Plumbing and Mechanical: 25% of permit fee or City's hourly cost or \$75 per hour, whichever is greater.

D. Fire Department Commercial Plan Review.

New or Tenant Improvement Building Permits – Applies to all Occupancies except Groups R-3 and U

Construction Valuation		Fee
From:	To:	
\$0	\$1,000	\$30
\$1,001	\$5,000	\$115
\$5,001	\$10,000	\$175
\$10,001	\$20,000	\$200
\$20,001	\$45,000	\$260
\$45,001	\$100,000	\$315
\$100,001	\$250,000	\$430
\$250,001	\$500,000	\$545
\$500,001	\$1,000,000	\$690
\$1,000,001	\$1,500,000	\$775
\$1,500,001	\$2,000,000	\$835
>\$2 million		\$865 plus \$55 per \$500,000 (prorated over \$2 million)

E. Other Inspections and Fees:

See Section II Tables D and E for Sprinkler and Alarm fees.

Inspections outside of normal business hours: \$75/ hour, 2 hour minimum.

Reinspection fees assessed at \$75 per hour (1 hour minimum).

Penalty for commencing work prior to permit issuance: Double permit fee.

Inspections for which no fee is specifically indicated: \$75 /hour (1/2 hour minimum).

Additional plan review required by changes, additions or revisions to plans: \$75/hour.

For use of outside consultants for plan checking and inspections, or both: Actual Costs

F. Miscellaneous Building Permit Fees: Tables B2 and B3 specifies those fees charged for permits to be issued pursuant to the Washington State Building Code and which are not included in the provisions of Subsections A and B:

Table B2: Schedule of Miscellaneous Building Permit Fees

Permit	Fee (\$)		
	Permit	Plan Check	Total
Accessory Structures/Porch Cover	Valued as for carport or garage per IRC, whichever it more closely resembles		
Building Code fee - WA State per RCW 19.27.085: per unit	\$4.50		\$4.50
Each additional unit	\$2.00		\$2.00
Deck Permit	Refer to Table 1A	65% of permit fee	Permit fee + plan check fee

Permit	Fee (\$)		
	Permit	Plan Check	Total
Demolition Permit	50		50
Dock Permit	Refer to building standards valuation list		
Fence/Retaining Wall	75		75
Masonry Fireplace	Refer to building standards valuation list		
Mobile Home Placement & Skirting	225		225
Certificate of Occupancy	100		100
Temporary C of O valid for 30 days	75		75
Reroof: Residential	40.00		40.00
Residential with sheathing	90.00		90.00
Commercial	Refer to Table B1	85% of permit fee	Permit fee + plan check fee

Table B3: Mechanical and Plumbing Fees

Mechanical Fees		Plumbing Fees	
Mechanical Permit	27.00	Plumbing Permit	27.00
AC unit < 100,000k	20.00	Back Flow Preventer	10.00
AC unit 100,000k – 499,999 k	30.00	Bathtub	10.00
AC unit 500,000k and up	40.00	Commercial Dishwasher	15.00
Air Handlers <10,000 CFM	13.00	Drinking Fountain	10.00
Air Handlers 10,000 CFM and up	23.00	Floor Sink or Drain	10.00
Boilers	15.00	Grease Interceptor	50.00
Commercial Incinerator	30.00	Grease Traps	10.00
Condensers	20.00	Hose Bibs	10.00
Domestic Incinerator	20.00	Ice Makers	10.00
Duct Work	15.00	Kitchen Sink	10.00
Evaporative Cooler	15.00	Laundry Tray	10.00
Forced Air System <100,000 BTU	18.00	Lavatory	10.00
Forced Air System 100,000 or more BTU	24.00	Lawn Sprinkler System	10.00

Mechanical Fees		Plumbing Fees	
Gas Clothes Dryer	15.00	Medical Gas 1- 5	50.00
Gas Piping 1 – 4 Outlets	11.00	Medical Gas, for each one over five	10.00
Additional Outlets	1.00	Mop Sink	10.00
Heat Exchanger	15.00	Other	10.00
Heat Pump	15.00	Pedicure Chair	10.00
Manf. Fireplace/ Log Lite	18.00	Reclaimed Water System	40.00
Misc. Appliance	15.00	Residential Dishwasher	10.00
Range Hood – Residential	15.00	Roof Drains	10.00
Range Hood – Commercial	150.00	Shower	10.00
Refrigeration Unit <100K	20.00	Specialty Fixtures	10.00
Refrigeration Unit 100K – 499K	30.00	Supplemental Permit	15.00
Refrigeration Unit 500K and up	40.00	Testing of Reclaimed Water System	30.00
Relocation Repair	15.00	Urinal	10.00
Stove Appliance	15.00	Vacuum Breakers 1- 5	10.00
Supplemental Permit	15.00	Vacuum Breakers, for each one over five	2.00
Vent Systems	15.00	Washing Machine	10.00
Vent w/o Appliance	10.00	Waste Interceptor	10.00
Ventilation Fans	10.00	Water Closet	10.00
Wall/Unit Heaters	20.00	Water Heater	15.00
Water Heater	15.00	Water Service	10.00
Wood Stoves	18.00		

Section 4. Sewer Fees. Fees for various services, actions, and permits regarding sewerage, as per LSMC Titles 6 and 14, shall be as listed in Table C (below).

Table C: Schedule of Sewer Service Rates, Fees, and Fines

Service/Action	Fee/Fine (\$)
Sewer Disconnection Inspection – Capping	125
Sewer Re-Connection - Uncapping	125
Side Sewer Permit Fee	
- Single-family dwelling units	250
- Duplex	375
- Tri-plex	500
- Multiple Units 4+ (apartments & condos)	250 for the first unit served, next 3 units 125 each. Sequence restarts with 5 th unit.
- Commercial or industrial buildings	250for the first unit served, next 3 units 125 for each additional separate leasable area. Sequence restarts with 5 th unit.
- Modifications or additions to an existing side sewer servicing a building where such modification or addition is done entirely on private property	125 each
Local Facilities Charge	
- Sewer stub permit (except in case below)	3,530 each
- No stub provided by District	
- Exception per Developer Extension Agreement or through ULID Agreement. Stub extension is subject to reimbursable.	Check with Lake Stevens Sewer District
Illegal connections to District sewer system	1000 fine and 100per day
Sewer Connection Charges	6,850 per residential unit or equivalent
- Grade Road Basin Charge	1,080 per residential unit or equivalent within Grade Road Basin per LSMC 6.16.100
- Grade Road Frontage Charge*	6,280 per residential unit or equivalent fronting Grade Road Sewer Main Extension per LSMC 6.16.100
	*Units subject to Grade Road Frontage charge are also subject to Grade Road Basin Charge
	The Grade Road Basin and Frontage Charges shall be updated with interest annually in January of each year with the current State Investment Pool rate until January 1, 2015

Service/Action	Fee/Fine (\$)
<ul style="list-style-type: none"> - General Facilities (except some properties in ULID 70-1) - General Facility Reimbursable Fee per Developer Extension Agreement - Administrative Fee for processing sewer assessment agreements 	<p style="text-align: right;">6,850 per residential unit or equivalent</p> <p style="text-align: center;">May be applicable on a basin to basin case. Check with Lake Stevens Sewer District.</p> <p style="text-align: right;">1,100</p>
<p>Monthly Sewer Service Rate (LSMC 6.20.020)</p> <ul style="list-style-type: none"> - Except grandfathered qualified Low Income Senior Citizens and Low Income Disabled Persons. 	<p style="text-align: center;">65/unit for the first 900 ft³ of water consumption/unit 7.22/100 ft³ (or part thereof) of water consumption/unit over 900 ft³</p>
<p>Late Payment Charge (effective 1/1/97)</p> <ul style="list-style-type: none"> - If the monthly sewer service charge is not received by the District on or by the last calendar day of the month there will be assessed a 10% late charge on the current month's outstanding charges and 8% annum interest charge on the total outstanding balance. 	
<p>Lien Fee</p> <ul style="list-style-type: none"> - The fee for filing/releasing liens shall include the cost set by the Snohomish County Auditor's Office plus District administrative fee. 	<p style="text-align: right;">County Fee + 35</p>
<p>Collection of delinquent accounts</p> <ul style="list-style-type: none"> - The fee shall be set by the collection agency <p>Foreclosure (attorney and administrative fees)</p>	<p style="text-align: right;">2,500</p>

Section 5. Animal Code Fees. Fees for other various services, actions, and permits related to Animal Control, as per LSMC Title 5, shall be as listed in Table D.

Table D: Animal Code Fees

Permit/Action	Fee (\$)
Dog/Cat License:	
– Each dog or cat licensed within 60 days of residency or within 60 days of acquiring pet, lifetime	Free
– Each dog or cat neutered or non-neutered, lifetime	20
– Senior Citizen (defined as being 62 years of age or older) owners, lifetime	Free
– Service and guide dogs, lifetime	Free
– Duplicate license for lost or destroyed dog/cat tag	4
– Other Code Violations:	
■ First Offense, For first offense the fee for such violation will be set equivalent to the Basic Rule Violation as set forth in the Justice Information System (JIA) Law Table as published by the Administrative Office of the Courts.	
■ Second Offense, For the second offense, the fee for such violation shall be set equivalent to double the Basic Rule Violation as set forth in the Justice Information System (JIA) Law Table as published by the Administrative Office of the Courts.	
Impound Fees for Cost Recovery:	
– Dogs and cats (at police kennel)	25
– Dogs, Cats and other animals (at/or transported to animal shelter) As set forth by the Everett Animal Shelter animal impound fee schedule, plus an additional \$5.00 administrative fee for reviewing and processing billing statements.	
– Animals	30
– Additionally, any costs incurred which exceed the base fee and which are associated with the collection, impoundment, maintenance, treatment, and destruction of the animal(s), any fees owing, and any costs of damage cause by the animal(s) shall be the liability of the owner. The City is not responsible for such costs incurred.	Varies
Pasture/Waste Management Plan (Sec 5.18.040):	
– Plan review fee	75
– Subsequent plan modification review	75/hour

Section 6. Miscellaneous Police Fees. Fees for various Police services, actions, and permits shall be as listed in Table E.



Table E: Schedule of Miscellaneous Police Fees & Fines

Permit/Action/Service	Fee (\$)
Fingerprinting:	
1. For Concealed Pistol Licenses	State fee
2. People who work or reside in the City (per 2 cards)	10
3. People who do not work or reside in the City (per 2 cards)	20
Lamination Services – Concealed Pistol Licenses	3.50
Boat Launch Parking Fees and Fine:	
1. Daily	5
2. Annual Permit	75
3. Low-income Seniors (defined as being 62 years of age or older)	40
4. Failure to pay fee (50% reduction if paid with in 24 hours)	40
5. Current Washington State Fishing License decal affixed to vehicle	Free
DUI cost recovery:	
1. Administrative fee	200
2. Jail booking fee (or as revised by Snohomish County or City of Marysville)	82
3. Daily lodging fee (or as revised by Snohomish County or City of Marysville)	61
False Alarm Fees:	
1. Second response to premises within six months after the first response	25
2. Third response to premises within six months after a second response	50
3. Fourth response to premises in six months after the third response and for all succeeding responses within six months of last response	100
Impound Fees for Cost Recovery:	
Signs if owner wants returned, per sign	25
Impound fee for wheeled recreational devices	60
Administrative storage fee for impounded vehicles	15
Fine for parking:	
1. Fine for parking as described in Lake Stevens Municipal Code Section 7.12.090, Prohibited Parking	40
2. Fine if paid within 24 hours	20
Off-duty Officer:	Refer to current billable rate schedule
Security for Non-profits	
Security for others (includes a 15% administrative fee)	
Special Event Services Deposit: (For special planned events that require additional police services)	\$100 per hour of event with one hour minimum
Private buoy or marker permit (annual) (LSMC 10.16.070)	30
Letters for search of local criminal justice data bases	10
Police records research, 1 hour minimum, billed in ½ hr increments, paid in advance	Rate effective beginning: 1/1/10 61.00/hr
Administrative dismissal of infraction for operating motor vehicle without insurance – administrative fee	25

Section 7. Miscellaneous Fees. Fees for various other services, actions, and permits shall be as listed in Table F.

Table F: Schedule of Miscellaneous Fees and Fines

Permit/Action	Fee or Fine (\$)
Public Works :	Refer to current billable rate schedule
Hourly Rate for Service for Non-profits	
Hourly Rate for Service for others (includes a 15% administrative fee)	
Business Licenses:	
- Non-refundable Adult Entertainment (Cabaret) application Fee	100
- Adult Entertainment (Cabaret) Establishment (annual)	500
- Adult Entertainment (Cabaret) Establishment Manager/Entertainer (annual)	50/person
- Business License Registration – Application	40
- Business License Registration – Annual Renewal	25
- Temporary business license	40
- Renewal	5
- Canvassers, Solicitors and Peddlers (includes City application fee, does not include Washington State Patrol application fee. License expires one year from date of application.)	75 for the 1 st three employees, and \$10 for each additional employee
- Live music and/or dance entertainment (annual)	50
- Games (annual)	50
- Pawnbroker and Second Dealers (annual)	500
- Washington State Department of Licensing's Master License Service	Currently New Application \$15 Renewal \$9
- Business license handling fee (fees shall be automatically amended by the State)	
Duplication of Public Records: (postage/delivery costs extra)	
- In-house Copying of City documents for the public	15¢/page/side first \$2 charge is free
- In-house Copying of City documents to pdf when original document is not in electronic format	10¢/page/side first \$2 charge is free \$1 extra for copy to CD
- In-House duplication of City documents to CD, such as Comprehensive Plan, Lake Stevens Municipal Code Title 14, Urban Design Standards, Engineering Design and Development Standards, etc.	10/CD
- Documents or CDs printed by outside party	Actual cost to reproduce
- Maps - Duplication of maps less than 11"X17"	2
- Maps - Duplication of maps greater than 11"x17"	6
- Special requests for plotted maps, aerials, plans, etc. (each)	12
- Audio cassette recordings of meetings: Duplicated by staff	1/tape

Permit/Action	Fee or Fine (\$)
Duplicated by outside party <ul style="list-style-type: none"> - Color photos (cost to reproduce) - Duplication of all other types of City media (i.e., photographs, audio/video tapes, blueprints) shall include the cost of duplication, postage/delivery costs, and actual staff time - Certified copy of a public record 	Actual cost to reproduce 40¢ \$5 for 1 st Page and \$1 each after the 1 st Page
Dishonored Check Fine (in payment of City services)	35
Passports (fees shall be automatically amended by U.S. Dept. of State)	Consistent with effective federal changes
Age 16 and Over	Passport Fee 110 Execution Fee 25
Under Age 16	Passport Fee 80 Execution Fee 25
Passport Photos	\$16.00/set including sales tax

Section 8. Community Center Rental Fees. Fees for renting the City's Community Center shall be as listed in Table G.

Table G: Schedule of Rental Fees

Classification	Rental Amount (\$)
*Local users – see definition below	\$10/ hour or \$60/day
Non-local users	\$15/hour or \$90/day
**Non-Profit Community Interest Groups - see definition below	\$5/hour
Public utilities and any instrumentality of the United States, State of Washington, or political subdivision thereof with respect to the exercise of governmental functions	Free

1. If the City requires general liability insurance coverage, the event shall be required to provide proof of insurance in compliance with the Facility Use Permit rules ten days prior to the event. If applicant requests additional time (less than 10 days prior to the event) to provide proof of insurance, a City expedite fee of \$25 will be charged. If proof of insurance is not provided, the event will be cancelled.
2. "Local" user is a group whose coordinator or assigned member is a citizen of the City of Lake Stevens.
3. **Non-Profit Community Interest Groups devoted to community interest whose activities generally take place within the geographical confines of the City of Lake Stevens. This classification would include, but not be limited to: Girl Scouts, Lake Stevens Historical Society and Lake Stevens Rowing Club. Non-profit group is defined as being registered with the Secretary of State as a non-profit.
4. A minimum security deposit of \$25 MAY be required of users when, in the judgment of the facilities scheduler, the type of facility use may necessitate such a deposit.
5. In case of a cancellation, a written ten-day advance notice must be received to qualify for a refund.

Section 9. Lundeen Park Shelter Fees. Fees for the rental of Lundeen Park Shelters shall be as listed in Table H (below).

Table H: Schedule of Lundeen Park Shelter Rental Fees

	Group Size	Number of shelters	Rate
Lundeen Park Single Shelter Pricing	1-25	1	\$ 40 <i>reservation fee</i> + \$ 7 \$ 47
	26-50	1	\$ 60 <i>reservation fee</i> + \$ 7 \$ 67
Lundeen Park Double Shelter Pricing	1-50 <i>(patron requests both shelters)</i>	2	\$ 80 <i>reservation fee</i> + \$ 7 \$ 87
	51-75	2	\$ 100 <i>reservation fee</i> + \$ 7 \$ 107
	76-100	2	\$ 120 <i>reservation fee</i> + \$ 7 \$ 127

Maximum of 50 people per shelter.

Section 10. Stormwater Utility and Lake Management Charges. Fees for the Stormwater Management Utility, as per LSMC Title 11, shall be as listed in Table IA (below).

Table I: Stormwater Management Utility

Class	Impervious Surface %	Monthly Rate	Annual Rate
Single Family	NA	\$8.67/parcel	\$104.00 per parcel
Condominium	NA	\$7.17 per unit	\$86.02per unit
Undeveloped Lot	NA	Exempt	Exempt
Exempt	Less than 1%	No Charge	No Charge
Very Light	1% to 19%	\$2.38 per 1/4 acre	\$28.61per 1/4 acre
Light	20% to 39%	\$8.00 per 1/4 acre	\$96.00 per 1/4 acre
Moderate	40% to 59%	\$13.28 per 1/4 acre	\$159.36 per 1/4 acre
Heavy	60% to 79%	\$18.06 per 1/4 acre	\$216.77 per 1/4 acre
Very Heavy	80% to 100%	\$23.90 per 1/4 acre	\$286.85 per 1/4 acre
City Roads	NA	Set in accordance with RCW 90.03.525	Set in accordance with RCW 90.03.525
State Highways	NA	Set in accordance with RCW 90.03.525	Set in accordance with RCW 90.03.525

Mobile Home parks shall be charged under the appropriate rate category by their percentage of impervious surface. Duplex, Triplex, Four-plex will be charged the base single family rate multiplied by the number of units. Parcels with multiple single family structures will be charged the base single family rate multiplied by the number of structures. Miscellaneous structures over 120sf, parking lots, play areas, and sport courts will be charged under the appropriate rate category by their percentage of impervious surface. Segregated plat roads and driveways in private easements will be charged a single family base rate. Unsegregated plat roads will be charged under the appropriate rate category by their percentage of impervious surface. Undeveloped lots are not altered from the natural state by construction and include lakefront and split lots.

Fees for the Lake Management, as per Title 11 LSMC, shall be listed in Table IB (below).

Table IB: Lake Management Benefit Assessment

Class	Impervious Surface %	Monthly Rate	Annual Rate
Lakefront Lot	NA	\$16.00per parcel	\$192.00 per parcel
Split Lot	NA	\$11.33 per parcel	\$136.00per parcel

The lake front lot assessment applies to each land parcel abutting the lake shore. The split lot assessment applies to each land parcel with a portion of the lot abutting the lake shore and a portion of the lot separated from the lake shore by the city road. Each parcel abutting the lake will be charged a lakefront/split lot surcharge in addition to the appropriate Stormwater Management Utility rate. Lakefront lots developed with only a dock or other over the water structure will receive a lakefront assessment. Lakefront /split lot parcels with multiple single family structures will be charged the applicable assessment in addition to the single family Stormwater Management Utility rate multiplied by the number of units. Commercial lakefront/split lot parcels will be charged a lakefront/split lot assessment in addition to the appropriate rate category by their percentage of impervious surface. Parcels with a common interest in a community beach will be charged a proportionate share of the lakefront assessment in addition to their single family (or other) Stormwater Management Utility rate.

Section 11. Annual Fire Inspection Fees and Fire Department Related Service fees. Fees for fire inspection and Fire Department related Services fees shall be as listed in Table J below.

Table J: ANNUAL FIRE INSPECTION

AND FIRE DEPARTMENT RELATED SERVICE FEES

TABLE A -- ANNUAL FIRE INSPECTION FEE			
Building size In square feet	FEE		
	B, M, R	A, E, LC, R	F, H, I, S Occupancies
0-1000	\$45	\$75	\$95
1,001-2,500	\$65	\$105	\$165
2,501-5,000	\$95	\$155	\$245
5,001-7,500	\$115	\$185	\$285
7,501-10,000	\$125	\$195	\$300
10,001-12,500	\$145	\$230	\$315
12,501-15,000	\$165	\$275	\$330
15,001-17,500	\$175	\$295	\$345
17,501-20,000	\$190	\$310	\$365
20,001-30,000	\$215	\$350	\$375
30,001-40,000	\$230	\$375	\$385
40,001-50,000	\$245	\$400	\$400
50,001-60,000	\$260	\$425	\$425
60,001-70,000	\$275	\$450	\$450
70,001-100,000	\$300	\$475	\$475
100,001-150,000	\$350	\$500	\$500
150,001-200,000	\$400	\$525	\$525
OVER 200,000	\$450	\$550	\$550
REINSPECTION FEES			
For uncorrected violations at time of first re-inspection			\$25
For uncorrected violations at time of second re-inspection			\$50
SPECIAL INSPECTION FEES			
Riser system Re testing			\$58 each

Fuel storage tank abandonment	\$58.00 each
Alarm System re-testing	\$58.00 each
SPECIAL EVENT PERMIT FIRE INSPECTIONS	
During regular business hours	\$115
After regular business hours/weekends	\$69/hour of actual
PYROTECHNIC FIREWORKS	
Retail fireworks	\$115
Wholesale fireworks	\$115

FIRE DEPARTMENT RELATED SERVICE

Table B -- SPECIAL ASSEMBLY PERMITS(IFC 105.6.43)	
Temporary Membrane Structures, Tents & Canopies	
(See IFC 105.6.43& IFC 24)	
Duration / Commercial Use	Fee:
< 3 days	No Fee
4 to 180 days	\$58
Temporary Assembly	
For <99 people	\$58
For >100 people	\$115
Table C -- EXPLOSIVES (105.6.15)	
Retail Fireworks Stand	
Retail Sales - Wood Stand	included in Fireworks Permit fee
Retail Sales – Tent	included in Fireworks Permit fee
Must meet requirements of Table B, but no additional fees required.	
Public Display	
Licensed Pyrotechnic Operators Only	\$115
Temporary Storage	\$173

Table D -- NFPA 72 FIRE ALARM SYSTEMS 105.7.4		
Comprehensive Fees for Permit, Review & Inspection		
Tenant Improvement or System Modification		
Number of Devices*		Fee:
From:	To:	
1	2	\$ 86
3	5	\$ 144
6	10	\$ 201
11	20	\$ 259
21	40	\$ 345
41	100	\$ 431
101	200	\$ 546
>200		\$575 plus \$58 per 100 additional devices (prorated)
New System		
Number of Devices*		Fee:
From:	To:	
1	100	\$403
101	200	\$546
>200		\$575 plus \$58 per 100 additional devices (prorated)
In addition to device* fees shown, the following fees also apply:		
FACP and/or Transmitter		
Replaced		\$144
New		\$230
Note: All Central Station Monitoring must be UL or FM listed.		
*Devices include separate individual portions of a Fire Alarm System such as: Initiation Devices, Notification Appliances, Flow Switches, Supervisory Switches, Magnetic Door Hold-Open devices, Remote Annunciators, Pull Stations, Beam Detectors (each piece is one device), and other such devices.		

Table E -- FIRE SPRINKLER SYSTEMS (105.7.1, 105.7.11, 105.7.4)		
Tenant Improvement or System Modification (NFPA 13 / 13R)		
Number of Sprinklers or Devices** From: To:		Fee:
1	2	\$ 86
3	5	\$ 144
6	10	\$ 201
11	20	\$ 259
21	40	\$ 345
41	100	\$ 460
101	200	\$ 546
201	300	\$ 661
>300		\$690 plus \$58 per 100 additional devices (prorated)
New System (NFPA 13 / 13R)		
Number of Sprinklers or Devices** From: To:		Fee:
1	100	\$431
101	200	\$546
201	300	\$690
>300		\$719 plus \$58 per 100 additional devices (prorated)
NFPA 13-D (RESIDENTIAL)		
Number of Sprinklers:		Fee*:
1 to 10		\$ 201
11 to 25		\$ 259
26+		\$ 316
*Non-required NFPA 13-D Systems Fee 50% of listed fees for voluntary installations		
Hood Suppression Systems		
Type of System:		Fee:

Pre-Engineered	\$144
Custom Engineered	\$316
Standpipe Systems	
Class I, II or III new or existing	\$173
Fire Pump (each)	
\$345 each, maximum \$575	
**Devices include separate individual portions of a Fire Sprinkler System such as: Sprinklers, Risers, Valves, Pull Stations, Beam Detectors (each piece is one device) and other such devices.	
Table F -- HAZARDOUS MATERIALS FACILITY CONSTRUCTION (105.7.7)	
Hazardous Materials Installation, Repair, Abandonment, Removal, Closure or Substantial Improvement	
Permits in addition to Annual Operational Permit	
Permits required when quantity exceeds permit amounts in Table 105.6.20.	
QUANTITY	FEE
1-2 Materials in Excess of Permit Amount	\$115.00
3-5 Materials in Excess of Permit Amount	\$230.00
>5 Materials in Excess of Permit Amount	\$460.00
Table G -- COMPRESSED GASES (105.7.3) AND FLAMMABLE & COMBUSTIBLE LIQUIDS (105.7.6) AND LP-GAS (105.7.9)	
Compressed Gas Installation, Repair, Abandonment, Closure or Substantial Modification to a Compressed Gas System when the Compressed Gases used or Stored exceed the amounts listed in Table 105.6.8.	
Modification or repair of a flammable or combustible liquids pipeline. Installation or construction or Alteration of those items listed in 105.7.6	
For installation of or modification to an LP-gas system.	
Compressed Gas System	\$201
Flammable & Combustible Liquids	
< 500 Gallons	\$115
>= 500 Gallons	\$230
>= 1000 Gallons	\$575
LP-Gas System	\$86

Table H -- SPRAY BOOTHS (105.7.11) AND INDUSTRIAL OVENS (105.7.8) Note: Separate Sprinkler Permit Required under Table E	
NOT SUBJECT TO TABLE A FEES	

SPRAY BOOTHS Type:	Fee:
Pre-Engineered w/ documents	\$ 173
Site-Built or used w/o documents	\$ 288
INDUSTRIAL OVENS	\$ 288
Table I -- ANNUAL BUSINESS INSPECTION FEES	
1 st Inspection	In accordance with LSMC 2.52
Table J -- MISCELLANEOUS FEES	
Work Begun or Completed before Permit Issuance	Permit Fees Triple / No inspections until paid
After Hours Inspection (Regular Inspection Hours: 7:30am to 3:30pm)	\$86 per hour / 1 hour minimum
Firefighter Fire Watch or Standby	\$75 per hour / per firefighter 2-hour minimum per firefighter
Fire Flow Determination	\$115
Re-Inspection Fee for each inspection after the 3rd site visit, or as required by the fire code official.	\$86
<p>Fees may be reduced by the fire code official for small or short duration projects. Note: \$25 of each fire permit issued is retained by the permit department as an administrative fee. The remainder of the fees listed is remitted to the Fire Department. "Additional plan review required by changes, additions or revisions to plans \$58.00 per hour." Outside Consultant Review: Actual Costs plus 10% (Fire Marshal Review Fee)</p>	
TABLE K -- OPERATIONAL PERMITS	
An Operational Fire Permit constitutes permission to store, or handle hazardous materials, or to operate processes which may produce conditions hazardous to life or property.	
An Operational Fire Permit is required prior to engagement in the activities, operations, practices or functions described in IFC 105.6 AND, if an ongoing operation, is required to be renewed annually before expiration.	
Unless otherwise indicated, Operational Permit Fees are \$100 each. If more than one permit is required for a single occupancy, all permits shall be issued under a single permit fee in the amount of \$150.	
Request for waivers of fees for non-profit events, in accordance with Title 9.28.135, shall be made in writing to the Fire Marshal no less than 7 days before the event or will not be considered.	
Permit Type:	Required for:
Aerosol Products	Level 2 or 3 in excess of 500 lbs

Amusement buildings	Operation of a special amusement building
Aviation Facilities	Using a Group H or Group S occupancy for aircraft servicing or aircraft fuel-servicing vehicles
Carnivals & Fairs	Conducting a carnival or fair
Battery Systems	Installing or using lead-acid battery systems w/ a liquid capacity > 50 gallons
Cellulose Nitrate film	Storing, handling or using cellulose nitrate film in a Group A occupancy
Combustible Dust	Operation of a grain elevator, flour starch mill, feed mill, or a plant pulverizing aluminum, coal, cocoa, magnesium, spices or sugar, or other operations producing combustible dusts as defined in Chapter 2 of the IFC
Combustible Fibers	Storage and handling of combustible fibers in excess of 100 cubic feet (Agricultural storage exempt)
Compressed Gases	Storage, use or handling at normal temperature and pressure of compressed gases in excess of quantities listed in IFC 105.6.8(compressed gas-fueled vehicles exempt)
Covered Mall Buildings	1. Placement of retail fixtures or displays, concession equipment, displays of highly combustible goods and similar items in the mall 2. Display of liquid- or gas- fired equipment in the mall. 3. The use of open-flame or flame-producing equipment in the mall.
Cryogenic Fluids	Production, storage, transport on site, using, handling or dispensing cryogenic fluids in excess of the amounts listed in Table 105.6.11. Exception: Permits are not required for vehicles equipped for and using cryogenic fluids as a fuel for propelling the vehicle or for refrigerating the lading.
Cutting and Welding	Cutting or welding operations within the jurisdiction
Dry Cleaning Plants	Engaging in the business of dry cleaning or to change to a more hazardous cleaning solvent used in existing dry cleaning equipment
Exhibits and Trade Shows	Operating an exhibit or trade show
Explosives	The manufacture, storage, handling, sale or use of any quantity of explosive, explosive material, fireworks, or pyrotechnic special effects within the scope of IFC 33
Flammable and Combustible Liquids	See WAC 51-54-0100, 105.6.16
Floor Finishing	Floor finishing or surfacing operations exceeding 350 square feet (33 m2) using Class I or Class II liquids
Fruit and Crop Ripening	Operating a fruit-, or crop-ripening facility or conducting a fruit-ripening process using ethylene gas.

Fumigation and Thermal Insecticidal Fogging	Operating a business of fumigation or thermal insecticidal fogging and to maintaining a room, vault or chamber in which a toxic or flammable fumigant is used.
Hazardous Materials	Storage or Use in excess of quantities shown in Table 105.6.20.
High-piled Storage	Using a building or portion thereof as a high-piled storage area exceeding 500 square feet (46 m ²)
Hot Work Operations	Hot work including, but not limited to: 1. Public exhibitions and demonstrations where hot work is conducted. 2. Use of portable hot work equipment inside a structure. Exception: Work that is conducted under a construction permit. 3. Fixed-site hot work equipment such as welding booths. 4. Hot work conducted within a hazardous fire area. 5. Application of roof coverings with the use of an open-flame device. 6. When approved, the fire code official shall issue a permit to carry out a Hot Work Program. This program allows approved personnel to regulate their facility's hot work operations. The approved personnel shall be trained in the fire safety aspects denoted in this chapter and shall be responsible for issuing permits requiring compliance with the requirements found in Chapter 26. These permits shall be issued only to their employees or hot work operations under their supervision.
Industrial Ovens	Operation of industrial ovens regulated by IFC 21
Lumberyards and Woodworking Plants	Storage or processing of lumber exceeding 100,000 board feet (8,333 ft ³) (236 m ³)
Liquid- or gas-fueled vehicles or equipment in assembly buildings	Display, operation or demonstration of liquid- or gas-fueled vehicles or equipment in assembly buildings
LP Gas	1. Storage and use of LP-gas Exception: A permit is not required for individual containers with a 500-gallon (1893 L) water capacity or less serving occupancies in Group R-3. 2. Operation of cargo tankers that transport LP-gas.
Magnesium	Melting, casting, heat treating or grinding more than 10 pounds (4.54 kg) of magnesium
Miscellaneous Combustible Storage	Storing in any building or upon any premises in excess of 2,500 cubic feet (71 m ³) gross volume of combustible empty packing cases, boxes, barrels or similar containers, rubber tires, rubber, cork or similar combustible material
Open Burning	Contact Fire District Directly at 425.334.3034
Open Flames and Torches	Removing paint with a torch; or using a torch or open-flame device in a hazardous fire area
Open Flames and Candles	Using open flames or candles in connection with assembly areas, dining areas of restaurants or drinking establishments
Organic Coatings	Any organic-coating manufacturing operation producing more than 1 gallon (4 L) of an organic coating in one day

Places of Assembly	Operating a place of assembly
Pyrotechnic special effects material	Use and handling of pyrotechnic special effects material
Pyroxylin Plastics	Storage or handling of more than 25 pounds (11 kg) of cellulose nitrate (pyroxylin) plastics and for the assembly or manufacture of articles involving pyroxylin plastics
Refrigeration Equipment	Operation of a mechanical refrigeration unit or system regulated by IFC 6
Repair garages and motor fuel-dispensing facilities.	Operation of repair garages and automotive, marine and fleet motor fuel-dispensing facilities
Rooftop Heliport	Operation of a rooftop heliport
Spraying and Dipping	Conducting a spraying or dipping operation utilizing flammable or combustible liquids or the application of combustible powders regulated by IFC 15
Storage of scrap tires and tire byproducts	Establishing, conducting or maintaining storage of scrap tires and tire byproducts that exceeds 2,500 cubic feet (71m3) of total volume of scrap tires and for indoor storage of tires and tire byproducts
Temporary Membrane Structures, Tents & Canopies	The fees for this permit are in Table B. An operational permit is not required – but a construction permit is required under Table B.
Tire-rebuilding Plants	Operation and maintenance of a tire-rebuilding plant
Waste Handling	Operation of wrecking yards, junk yards and waste material-handling facilities
Wood products	Storing chips, hogged material, lumber or plywood in excess of 200 cubic feet (6 m3)

PASSED BY THE CITY COUNCIL OF THE CITY OF LAKE STEVENS THIS ____ DAY OF _____ 2012.

ATTEST:

 Vern Little, Mayor

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

APPROVED AS TO FORM:

 Grant K. Weed, City Attorney



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LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: 9 July 2012

Subject: On-Call Tree Removal Services

Contact Person/Department: Mick Monken Public Works Budget Impact: NA

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL: Pre-approve the use for on-call tree removal services and authorize the Mayor to execute a Small Public Works Contract for on-call services with of Bill's Tree Topping & Removal for a total amount not to exceed \$5,000.

SUMMARY/BACKGROUND: Throughout the year, the City deals with emergency and hazardous tree removal. Frequently, the Public Works field staff performed this service. In some cases, a tree is very large or in a particularly difficult location where a professional tree removal service is needed to safely fall and remove the tree. The past practice has been to execute small contracts, typically in the range of \$500 to \$1,500. While this amount falls under the authority of approval by only the Mayor, this action results in time and cost to prepare a contract for each event, get legal approval, and process a contract. This proposal is to execute a single contract that will be used for on-call services as needed up to a total accumulative expenditure of \$5,000 over the next 1 1/2 years.

The selection of the recommended service provider was performed through a competitive bidding process. In May 2012, the City sought bids from professional tree removal services using the PSRC small works roster. A total to two bids were received. The lowest responsive bid was selected.

This action provides a preapproval for the use of the selected service provider. When this service provider is intend to be used, it will still follow the current purchase practices employed by the City. This is limited to an accumulative amount of not to exceed \$5,000 over the duration of the contract. Approval of an expenditure will be performed at an administrative level.

APPLICABLE CITY POLICIES: NA

BUDGET IMPACT: To be determined on a as needed but not to exceed \$5,000 total without prior Council authorization. This will be funded by the 2012 and 2013 Public Works Street and Storm budgets.

ATTACHMENTS:

- ▶ Attachment A: Small Public Works Contract – Bill's Tree Topping & Removal

SMALL PUBLIC WORKS CONTRACT

THIS SMALL PUBLIC WORKS CONTRACT (“Contract”) is made and entered into this _____ day of _____, 2012, by and between Bill's Tree Topping & Removal (“Contractor”) and the City of Lake Stevens, a municipal corporation (“City”).

WHEREAS, remove danger trees at various locations determined by City staff and within City limits of the City of Lake Stevens ; and

WHEREAS, the Contractor represents that it is qualified and possesses sufficient skills and the necessary capabilities to perform, carry out and complete said work and submitted a bid proposal to the City to do said work; and

WHEREAS, the Contractor and the City desire to enter into this Contract for said work in accordance with the terms and conditions of this Contract.

NOW, THEREFORE, in consideration of the terms, conditions and agreements contained herein, the City and Contractor agree as follows:

1. Scope of Work—the Project.

The Contractor shall perform, carry out and complete the Dangerous Tree Removal Project (“Project”) in accordance with this Contract and the incorporated Contract Documents specified in Section 2. The Project shall be completed no later than December 31, 2013.

2. Contract Documents.

The following documents are incorporated into the Contract by this reference:

- a. Plans and Contract Drawings.
- b. Scope of Work.
- c. Proposal/Bid Submittal (attached).
- d. 2010 Standard Specifications for Road, Bridge, and Municipal Construction (WSDOT/APWA) (“Standard Specifications”) (referenced but not attached).
- e. 2010 APWA Supplement General Special Provisions (referenced but not attached).
- f. Addenda (**if any**)
- g. Payment and Performance Bond (attached) (**optional-see Section 5**).
- h. Retainage Bond (attached) (**optional-see Section 5**).

In the event of any inconsistencies or conflicts between the language of this Contract and these incorporated documents, the language of the Contract shall prevail over the language of the documents.

3. Commencement of Work.

Work shall not proceed under this Contract until the following conditions have been met by the Contractor:

- a. Contract has been signed and fully executed by the parties.
- b. The Contractor has provided the City with the certificates of insurance required under Section 21.
- c. The Contractor has obtained a City of Lake Stevens Business License.
- d. The Contractor has provided the City with satisfactory documentation that Contractor is licensed and bonded as a contractor in the Washington State.

These conditions shall be satisfied within ten (10) calendar days of the City's Notice of Award of the Contract to the Contractor. Upon satisfaction of these conditions, the City shall issue a Notice to Proceed and Contractor shall commence work within five (5) calendar days of the date of said Notice.

4. Time is of the Essence/Liquidated Damages.

Time is of the essence in the performance of this Contract. The Contractor shall diligently pursue the Project work to physical completion by the date specified in Section 1. If said work is not completed within the time specified, the Contractor agrees to pay the City as liquidated damages the sum set forth in Section 1-08.9 of the Standard Specifications for each and every calendar day said work remains uncompleted after expiration of the specified time.

5. Payment for Project.

a. Total Contract Sum for Project. Excluding approved changes orders, the City shall pay the Contractor for satisfactory completion of the Project under the Contract a total Contract Sum not to exceed \$5,000.00 (five thousand dollars) in accordance with the bid price in the bid Proposal and including all applicable Washington State Sales Tax. The total Contract Sum includes all expenses and costs incurred in planning, designing and constructing the Project, including, but not limited to, applicable sales and use taxes, costs and expenses for overhead, profit, labor, materials, supplies, permits, subcontractors, consultants, and professional services necessary to construct and complete the Project.

b. Payments shall be for Performance of Project Work. Payments for work provided hereunder shall be made following the performance of such work, unless otherwise permitted by law and approved in writing by the City. No payment shall be made for any work rendered by the Contractor except as identified and set forth in this Contract.

c. Right to Withhold Payments if Work is Unsatisfactory. If during the course of the Contract, the work rendered does not meet the requirements set forth in the Contract, the Contractor shall correct or modify the required work to comply with the requirements of the Contract. The City shall have the right to withhold payment for such work until it meets the requirements of the Contract.

d. Payments. Progress payments shall be based on the timely submittal by the Contractor of the City's standard payment request form. The form shall be appropriately completed and signed by the Contractor. Applications for payment not signed and/or completed shall be considered incomplete and ineligible for payment consideration. The City shall initiate authorization for payment after receipt of a satisfactorily completed payment request form and shall make payment to the Contractor within approximately thirty (30) calendar days thereafter.

e. Payments for Alterations and/or Additions. Requests for changes orders and/or payments for any alterations in or additions to the work provided under this Contract shall be in accordance with the change order process set forth in Section 1-04.4 of the Standard Specifications.

f. Final Payment. As a small public works project under \$35,000, the City shall not withhold statutory retainage under RCW Chapter 60.28. However, the parties agree that the City shall not make the Final Payment to the Contractor under this Contract until the Public Works Director has issued a Final Acceptance of the Project and the following has occurred:

- i. A release has been obtained from the Washington State Department of Revenue.
- ii. Affidavits of Wages Paid for the Contractor and all Subcontractors are on file with the Contracting Agency (RCW 39.12.040).
- iii. A certificate of Payment of Contributions Penalties and Interest on Public Works Contract is received from the Washington State Employment Security Department.
- iv. Washington State Department of Labor and Industries (per Section 1-07.10 of the Standard Specifications) shows the Contractor is current with payments of industrial insurance and medical premiums.

- v. Releases from all of Contractor's subcontractors and/or suppliers have been provided to the City, or the period for filing claims by said subcontractors and/or suppliers has expired without claims being filed.
- vi. If requested by the City, the Contractor shall provide the City with proof that insurance required under Section 22 remains in effect.
- g. Final Acceptance. Final Acceptance of the Project is determined when the Project is accepted by the Public Works Director as being one hundred percent (100%) complete.
- h. Payment in the Event of Termination. In the event this Contract is terminated by the either party, the Contractor shall not be entitled to receive any further amounts due under this Contract until the work specified in the Scope of Work is satisfactorily completed, as scheduled, up to the date of termination. At such time, if the unpaid balance of the amount to be paid under the Contract exceeds the expense incurred by the City in finishing the work, and all damages sustained by the City or which may be sustained by the City or which may be sustained by the reason of such refusal, neglect, failure or discontinuance of Contractor performing the work, such excess shall be paid by the City to the Contractor. If the City's expense and damages exceed the unpaid balance, Contractor and his surety shall be jointly and severally liable therefore to the City and shall pay such difference to the City. Such expense and damages shall include all reasonable legal expenses and costs incurred by the City to protect the rights and interests of the City under the Contract.
- i. Maintenance and Inspection of Financial Records. The Contractor and its subcontractors shall maintain reasonable books, accounts, records, documents and other evidence pertaining to the costs and expenses allowable, and the consideration paid under this Contract, in accordance with reasonable and customary accepted accounting practices. All such books of account and records required to be maintained by this Contract shall be subject to inspection and audit by representatives of City and/or of the Washington State Auditor at all reasonable times, and the Contractor shall afford the proper facilities for such inspection and audit to the extent such books and records are under control of the City, and all Project Contracts shall similarly provide for such inspection and audit rights. Such books of account and records may be copied by representatives of City and/or of the Washington State Auditor where necessary to conduct or document an audit. The Contractor shall preserve and make available all such books of account and records in its control for a period of three (3) years after final payment under this Contract, and Bunker Repair Project subcontracts shall impose similar duties on the subcontractors.

6. Term of Contract.

The term of this Contract shall commence upon full execution of this Contract by the City and Contractor and shall terminate upon final payment by the City to the Contractor, unless sooner terminated by either party under Section 7 or applicable provision of the Contract.

7. Termination of Contract.

a. Except as otherwise provided under this Contract, either party may terminate this Contract upon ten (10) working days' written notice to the other party in the event that said other party is in default and fails to cure such default within that ten-day period, or such longer period as provided by the non-defaulting party. The notice of termination shall state the reasons therefore and the effective date of the termination.

b. The City may also terminate this Contract in accordance with the provisions of Section 1-08.10 of the Standard Specifications.

8. Status of Contractor.

The Contractor is a licensed, bonded and insured contractor as required and in accordance with the laws of the State of Washington. Contractor is acting as an independent contractor in the performance of each and every part of this Contract. No officer, employee, volunteer, and/or agent of either party shall act on behalf of or represent him or herself as an agent or representative of the City. Contractor and its officers, employees, volunteers, agents, contractors and/or subcontractors shall make no claim of City employment nor shall claim against the City any related employment benefits, social security, and/or retirement benefits. Nothing contained herein shall be interpreted as creating a relationship of servant, employee, partnership or agency between Contractor and the City.

9. Permits.

The Contractor will apply for, pay for and obtain any and all City, county, state and federal permits necessary to commence, construct and complete the Project. All required permits and associated costs shall be included in the Total Contract Sum for Project.

10. Business License Required.

The Contractor shall obtain a City of Lake Stevens Business License prior to commencement of work under this Contract.

11. Work Ethic.

The Contractor shall perform all work and services under and pursuant to this Contract in timely, professional and workmanlike manner.

12. City Ownership of Work Products.

All work products (reports, maps, designs, specifications, etc.) prepared by or at the request of Contractor regarding the planning, design and construction of the Project shall be the property of the City. Contractor shall provide the City with paper and electronic copies of all work products in possession or control of Contractor at the request of final payment from Contractor or upon written request from the City.

13. Job Safety.

a. General Job Safety. Contractor shall take all necessary precaution for the safety of employees on the work site and shall comply with all applicable provisions of federal, state and local regulations, ordinances and codes. Contractor shall erect and properly maintain, at all times, as required by the conditions and progress of the work, all necessary safeguards for the protection of workers and the public and shall post danger signs warning against known and unusual hazards.

b. Trench Safety Systems. The Contractor shall ensure that all trenches are provided with adequate safety systems as required by RCW Chapter 49.17 and WAC 296-155-650 and -655. The Contractor is responsible for providing the competent person and registered professional engineer required by WAC 296-155-650 and -655.

14. Prevailing Wages.

Contractor shall pay its employees, and shall require its subcontractors to pay their employees, prevailing wages as required by and in compliance with applicable state and/or federal law and/or regulations, including but not limited to RCW Chapter 39.12 and RCW Chapter 49.28. Prior to final payment under this Contract, Contractor shall certify in writing that prevailing wages have been paid for all work on the Project as required and in accordance with applicable law and/or regulations.

15. Taxes and Assessments.

The Contractor shall be solely responsible for compensating its employees, agents, and/or subcontractors and for paying all related taxes, deductions, and assessments, including, but not limited to, applicable use and sales taxes, federal income tax, FICA, social security tax, assessments for unemployment and industrial injury, and other deductions from income which may be required by law or assessed against either party as a result of this Contract.

16. Nondiscrimination Provision.

During the performance of this Contract, the Contractor shall comply with all applicable equal opportunity laws and/or regulations and shall not discriminate on the basis of race, age, color, sex, sexual orientation, religion, national origin, creed, veteran status, marital status, political affiliation, or the presence of any sensory, mental or physical handicap. This provision shall include but not be limited to the following: employment, upgrading, demotion, transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, selection for training, and the provision of work and services under this Contract. The Contractor further agrees to maintain notices, posted in conspicuous places, setting forth the provisions of this nondiscrimination clause. The Contractor understands that violation of this provision shall be cause for immediate termination of this Contract and the Contractor may be barred from performing any services or work for the City in the future unless the Contractor demonstrate to the satisfaction of the City that discriminatory practices have been eliminated and that recurrence of such discriminatory practices is unlikely.

17. The Americans with Disabilities Act.

The Contractor shall comply, and shall require its subcontractors to comply, with the Americans with Disabilities Act of 1990, 42 U.S.C. § 12101 et seq. (ADA), and its implementing regulations, and Washington State's anti-discrimination law as contained in RCW Chapter 49.60 and its implementing regulations, with regard to the work and services provided pursuant to this Contract. The ADA provides comprehensive civil rights to individuals with disabilities in the area of employment, public accommodations, public transportation, state and local government services, and telecommunications.

18. Compliance With Law.

The Contractors shall perform all work and services under and pursuant to this Contract in full compliance with any and all applicable laws, rules, and regulations adopted or promulgated by any governmental agency or regulatory body, whether federal, state, local, or otherwise.

19. Guarantee of Work.

a. The Contractor guarantees and warrants all of its work, materials, and equipment provided and utilized for this Project to be free from defects for a period of one (1) year from the date of final acceptance of the Project work. The Contractor shall remedy any defects in its Project work, and the materials, and equipment utilized in the Project and pay for any damages resulting therefrom which shall appear within a period of one (1) year from the date of final acceptance of the Project work unless a longer period is specified. The City will give notice of observed defects with reasonable promptness.

b. The guarantee/warranty period shall be suspended from the time a significant defect is first documented by the City until the work or equipment is repaired or replaced by the Contractor and accepted by the City. In the event that fewer than ninety (90) calendar days remain in the guarantee period after acceptance of such repair or replacement (after deducting the period of suspension above), the guarantee period shall be extended to allow for at least ninety (90) calendar days guarantee of the work from the date of acceptance of such repair or equipment.

c. The Contractor shall also provide the City with manufacturer's warranties for all components, materials and equipment installed as part of the Project.

20. Contractor's Risk of Loss.

It is understood that the whole of the work under this Contract is to be done at the Contractor's risk, and that he has familiarized himself with all existing conditions and other contingencies likely to affect the work, and has made his bid accordingly, and that he shall assume the responsibility and risk of all loss or damage to materials or work which may arise from any cause whatsoever prior to completion.

21. Indemnification and Hold Harmless.

a. The Contractor shall indemnify, defend and hold the City, its elected officials, agents, officers and/or employees harmless from and against any and all claims, demands, liabilities, losses, costs, damages or expenses of any nature whatsoever (including all costs and attorneys' fees) to or by third parties arising from, resulting from or connected with the work and services performed or to be performed under this Contract by the Contractor and/or its directors, officers, agents, employees, consultants, and/or subcontractors to the fullest extent permitted by law and subject to the limitations provided below.

b. The Contractor's duty to indemnify the City shall not apply to liability for damages arising out of bodily injury to persons or damage to property caused by or resulting from the sole negligence of the City or its elected officials, agents, officers and/or employees.

c. The Contractor's duty to indemnify the City for liability for damages arising out of bodily injury to persons or damage to property caused by or resulting from the concurrent negligence of (a) the City and/or its elected officials, agents, officers and/or employees, and (b) the Contractor and/or its directors, officers, agents, employees, consultants, and/or subcontractors, shall apply only to the extent of negligence of Contractor and/or its directors, officers, agents, employees, consultants, and/or subcontractors.

d. The Contractor specifically and expressly waives any immunity that may be granted it under the Washington State Industrial Insurance Act, Title 51 RCW, as provided in RCW 4.24.115. The indemnification obligation under this Contract shall not be limited in any

way by any limitation on the amount or type of damages, compensation or benefits payable to or for any third party under workers compensation acts, disability benefits acts, or other employee benefits acts; provided the Contractor's waiver of immunity by the provisions of this paragraph extends only to claims against the Contractor by the City and does not include, or extend to, any claims by the Contractor's employees directly against Contractor. The obligations of Contractor under this subsection have been mutually negotiated by the parties hereto, and Contractor acknowledges that the City would not enter into this Contract without the waiver thereof of Contractor.

e. Nothing contained in this section or Contract shall be construed to create a liability or a right of indemnification by any third party.

f. The provisions of this section shall survive the expiration or termination of this Contract with respect to any event occurring prior to such expiration or termination.

22. Insurance.

The Contractor shall procure, and maintain for the duration of the Contract, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the Contractor, their agents, representatives, employees or subcontractors. Failure by the Contractor to maintain the insurance as required shall constitute a material breach of contract upon which the City may, after giving five (5) working days notice to the Contractor to correct the breach, immediately terminate the Contract or at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the City on demand, or at the sole discretion of the City, off set against funds due the Contractor from the City.

a. Minimum Scope of Insurance.

The Contractor shall obtain insurance of the types described below:

- i. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage.
- ii. Commercial General Liability insurance shall be written on ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, stop gap liability, independent contractors, products-completed operations, personal injury and advertising injury, and liability assumed under an insured contract. The Commercial General Liability insurance shall be endorsed to provide the Aggregate Per Project Endorsement ISO form CG 25 03 11 85. There shall be no

endorsement or modification of the Commercial General Liability insurance for liability arising from explosion, collapse or underground property damage. The City shall be named as an insured under the Contractor's Commercial General Liability insurance policy with respect to the work performed for the City using ISO Additional Insured endorsement CG 20 10 10 01 and Additional Insured-Completed Operations endorsement CG 20 37 10 01 or substitute endorsements providing equivalent coverage.

- iii. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.
 - iv. Builders Risk insurance covering interests of the City, the Contractor, Subcontractors, and Sub-contractors in the work. Builders Risk insurance shall be on a all-risk policy form and shall insure against the perils of fire and extended coverage and physical loss or damage including flood and earthquake, theft, vandalism, malicious mischief, collapse, temporary buildings and debris removal. This Builders Risk insurance covering the work will have a deductible of \$5,000 for each occurrence, which will be the responsibility of the Contractor. Higher deductibles for floor and earthquake perils may be accepted by the City upon written request by the Contractor and written acceptance by the City. Any increased deductibles accepted by the City will remain the responsibility of the Contractor. The Builders Risk insurance shall be maintained until final acceptance of the work by the City.
- b. Minimum Amounts of Insurance.

The Contractor shall maintain the following insurance limits:

- i. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.
 - ii. Commercial General Liability insurance shall be written with limits no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate and a \$2,000,000 products-completed operations aggregate limit.
 - iii. Builders Risk insurance shall be written in the amount of the completed value of the project with no coinsurance provisions.
- c. Other Insurance Provisions.

The insurance policies are to contain, or be endorsed to contain, the following provisions for Automobile Liability and Commercial General Liability insurance.

- i. The Contractor's insurance coverage shall be primary insurance with respect to the City. Any insurance, self-insurance, or insurance pool coverage maintained by the City shall be in excess of the Contractor's insurance and shall not contribute with it.

- d. Acceptability of Insurers.

Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII.

- e. Verification of Coverage.

The Contractor shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the Automobile Liability and Commercial General Liability insurance of the Contractor before commencement of the work. Throughout the term of this Contract, the Contractor shall provide the City with proof of insurance upon request by the City. Before any exposure to loss may occur, the Contractor shall file with the City a copy of the Builders Risk insurance policy that includes all applicable conditions, exclusions, definitions, terms and endorsements related to this Project.

- f. Contractor's Insurance for Other Losses.

The Contractor shall assume full responsibility for all loss or damage from any cause whatsoever to any tools, Contractor's employee owned tools, machinery, equipment, or motor vehicles owned or rented by the Contractor, or the Contractor's agents, suppliers or subcontractors as well as to any temporary structures, scaffolding and protective fences.

- g. Subcontractors.

The Contractor shall include all subcontractors as insured under its policies or shall furnish separate certifications and endorsements for each subcontractor. All coverage for subcontractors shall be subject to all of the same insurance requirements as stated herein for the Contractor.

- h. Waiver of Subrogation.

The Contractor and the City waive all rights against each other, any of their subcontractors, lower tier subcontractors, agents and employees, each of the other, for damages caused by fire or other perils to the extent covered by Builders Risk insurance or other property insurance obtained pursuant to the Insurance Requirements Section of this Contract or other property insurance applicable to the work. The policies shall provide such waivers by endorsement or otherwise.

i. Notice of Cancellation of Insurance.

In the event that the Contractor receives notice (written, electronic or otherwise) that any of the above required insurance coverage is being cancelled and/or terminated, the Contractor shall immediately (within forty-eight (48) hours) provide written notification of such cancellation/termination to the City.

23. Assignment and Subcontractors.

a. The Contractor shall not assign this Contract or any interest herein, nor any money due to or to become due hereunder, without first obtaining the written consent of the City.

b. The Contractor shall not subcontract any part of the services to be performed hereunder without first obtaining the consent of the City and complying with the provisions of this section.

c. In the event the Contractor does assign this Contract or employ any subcontractor, the Contractor agrees to bind in writing every assignee and subcontractor to the applicable terms and conditions of the Contract documents.

d. The Contractor shall, before commencing any work, notify the City in writing of the names of any proposed subcontractors. The Contractor shall not employ any subcontractor or other person or organization (including those who are to furnish the principal items or materials or equipment), whether initially or as a substitute, against whom the City may have reasonable objection. Each subcontractor or other person or organization shall be identified in writing to the City by the Contractor prior to the date this Contract is signed by the Contractor. Acceptance of any subcontractor or assignee by the City shall not constitute a waiver of any right of the City to reject defective work or work not in conformance with the contract documents. If the City, at any time, has reasonable objection to a subcontractor or assignee, the Contractor shall submit an acceptable substitute.

e. The Contractor shall be fully responsible for all acts and omissions of its assignees, subcontractors and of persons and organization directly or indirectly employed by it and of persons and organizations for whose acts any of them may be liable to the same extent that it is responsible for the acts and omissions of person directly employed by it.

f. The Contract does not and shall not create or be construed to create any relationship, contractual or otherwise, between the City and any subcontractor or assignee. Nothing in the Contract shall create any obligation on the part of the City to pay or to assure payment of any monies due any subcontractor or assignee.

24. Severability.

a. If a court of competent jurisdiction holds any part, term or provision of this Contract to be illegal or invalid, in whole or in part, the validity of the remaining provisions shall not be affected, and the parties' rights and obligations shall be construed and enforced as if the Contract did not contain the particular provision held to be invalid.

b. If any provision of this Contract is in direct conflict with any statutory provision of the State of Washington, that provision which may conflict shall be deemed inoperative and null and void insofar as it may conflict, and shall be deemed modified to conform to such statutory provision.

25. Integration and Supersession.

This Contract sets forth all of the terms, conditions, and Contracts of the parties relative to the Project, and supersedes any and all such former Contracts which are hereby declared terminated and of no further force and effect upon the execution and delivery hereof. There are no terms, conditions, or Contracts with respect thereto except as provided herein, and no amendment or modification of this Contract shall be effective unless reduced to writing and executed by the parties. In the event of any conflicts or inconsistencies between this Contract and the Declaration, the terms of this Contract shall control in all cases.

26. Non-Waiver.

A waiver by either party hereto of a breach of the other party hereto of any covenant or condition of this Contract shall not impair the right of the party not in default to avail itself of any subsequent breach thereof. Leniency, delay or failure of either party to insist upon strict performance of any Contract, covenant or condition of this Contract, or to exercise any right herein given in any one or more instances, shall not be construed as a waiver or relinquishment of any such Contract, covenant, condition or right.

27. Survival.

Any provision of this Contract which imposes an obligation after termination or expiration of this Contract shall survive the term or expiration of this Contract and shall be binding on the parties to this Contract.

28. Contract Representatives and Notices.

This Contract shall be administered for the City by the City's Contract Representative Scott Wicken, and shall be administered for the Contractor by the Contractor's Contract Representative William Eylander. Unless stated otherwise herein, all notices and demands shall be in writing and sent or hand-delivered to the parties at their addresses as follows:

To the City: Justin Evans
 City of Lake Stevens
 Department of Public Works
 1812 Main Street
 Lake Stevens, WA 98258-0257
 425-334-1012

To Contractor: William Eylander
 Bill's Tree Topping & Removal
 11904 84th Street NE
 Lake Stevens WA 98258
 360-659-9623

or to such addresses as the parties may hereafter designate in writing. Notices and/or demands shall be sent by registered or certified mail, postage prepaid, or hand-delivered. Such notices shall be deemed effective when mailed or hand-delivered at the addresses specified above.

29. Third Parties.

The City and Contractor are the only parties to this Contract and are the only parties entitled to enforce its terms. Nothing in this Contract gives, is intended to give, or shall be construed to give or provide, any right or benefit, whether directly or indirectly or otherwise, to third persons.

30. Governing Law.

This Contract shall be governed by and construed in accordance with the laws of the State of Washington.

31. Venue.

The venue for any action to enforce or interpret this Contract shall lie in the Superior Court of Washington for Snohomish County, Washington.

32. Attorney Fees

Should either the City or the Contractor commence any legal action relating to the provisions of this Contract or the enforcement thereof, the prevailing party shall be awarded judgment for all costs of litigation including, but not limited to, costs, expert witnesses, and reasonable attorney fees.

33. Authority

The person executing this Agreement on behalf of Contractor represents and warrants that he or she has been fully authorized by Contractor to execute this Agreement on its behalf and to legally bind Contractor to all the terms, performances and provisions of this Agreement. The person executing this Contractor on behalf of the City represents and warrants that he or she has been fully authorized by the City to execute this Contractor on its behalf and to legally bind the City to all the terms, performances and provisions of this Contractor.

34. Counterparts.

This Contract may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same Contract.

IN WITNESS WHEREOF, the parties hereto have caused this Contract to be executed the day and year first hereinabove written.

CITY OF LAKE STEVENS

CONTRACTOR

By: _____
Vern Little, Mayor

By: _____

Print Name: _____

Title: _____

Approved as to form:

Grant Weed, City Attorney

Acknowledgement of Waiver of Contractor's Industrial Insurance Immunity:

City

Contractor

ATTACHMENTS:

- a. Plans and Contract Drawings.
- b. Scope of Work.
- c. Proposal/Bid Submittal.
- d. Payment and Performance Bond.
- e. Retainage Bond
- f. Addenda.

Scope of Work

Overview: Work is for the removal of danger trees under the direction of the City. Most cases the debris created from the tree removal is to be left at the site. There will be on some occasions that will require the debris to be picked up and removed from the location.

Location: Citywide

Time: Within 24 hours or less from notification from the City

RECEIVED

JUN 15 2012

CITY OF LAKE STEVENS

City of Lake Stevens

Bid Proposal for Removal of Danger Trees Service

The following bid proposal is for the removal of danger trees under the direction of the City. Most cases the debris created from the tree removal is to be left at the site. There will be on some occasions that will require the debris to be picked up and removed from the location.

Item	Description	Unit Price
1.	Cutter - (Per Hour) (Includes mobilization, labor, equipment, and material necessary for the contractor to perform the services to trim, cut, and fall a City identified danger tree.)	\$ <u>70.00 per man hour</u>
2.	Assistant - (Per Hour) (Includes labor, equipment, and material necessary for the assistant to support the Cutter)	\$ <u>70.00 per man hour</u>
3.	Removal of debris hourly rate (Lump Sum) (Includes mobilization, equipment, material, off site haul with labor, and disposal of debris. Labor to perform the collection, process, and loading of debris at the site is paid under Item 2)	\$ <u>70.00 per man hour</u>
	Sub-TOTAL Item 1 + 2 + 3)	\$ <u>210 3 Man crew</u>
	Washington State Sales tax (8.6%)	\$ <u>18.06</u>
	TOTAL BID (Item 1 + 2 + 3)	\$ <u>228.06</u>

I am familiar and Bonded for the services required to complete this work and submit this bid understanding the terms of the attached sample small works contract. If awarded this bid, I will be able to respond to a call for services within 24 hours or less from the City's issuance of Notice to Proceed for a specific identified danger tree.

Company: Bill's Tree Topping & Removal Email: BillEylander@yahoo.com

Address: 11904 84th St. NE City: LAKE STEVENS Zip: 98258

Phone: 360-659-9623

Signature: William Eylander Date: June 15 2012

Print Name: William Eylander

Bid Proposal must be turned into the City by 4:00 PM on 15th of June 2012. Email and FAX acceptable: Email to swicken@lakestevenswa.us or FAX 425-212-3327 or deliver to 1812 Main Street, Lake Stevens, WA 98258.



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LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: July 9, 2012

Subject: 2012 Budget Amendment #2

Contact Person/Department: Barb Lowe/ Finance **Budget Impact:** Yes

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:

Approve first reading of Ordinance No. 879 Amending Ordinance No. 865

SUMMARY/BACKGROUND:

The City adopts an annual budget prior to the start of each year and then monitors and reviews the activity throughout the year. Any required changes needed in expenditures or unanticipated revenues are brought forward to the City Council through a budget amendment to update the impact on the City's financials. The budget amendment that follows includes adjustments to the specific line items that will be affected.

Detailed explanations of the changes requested are described below:

General Fund - 001

Total Revenue increase of \$49,717:

Due to the receipt of Annexation Sales Tax Credit funds in 2012, this revenue source has ceased for the current year.

Total expenditures decreased of (\$44,557) made up of:

An increased of \$45,332 for the first half of a payment to Snohomish County for reimbursement of SnoPac related fee due to the SW Annexation, the second half of this payment will occur in 2013.

An increase of \$17,350 related to the 800Mhz SERS radio system that was underestimated during the budget process

A decreased of (\$103,414) in salaries and benefits for 2012 for not replacing a current vacant Police Officer position and laying off a current Officer position in 2012.

A decrease of (\$3,825) for not replacing a current Public Works Crew Worker 1 (partially funded by Parks Department).

Street Fund - 101

Total Revenues increase of revenues of \$37,634 made up of:

A school safety grant of \$11,380 for school zone safety beacons

A FEMA emergency relief grant for \$26,254 relating to the 2012 snow storm

Total Expenditures decrease by (\$61,292) due to:

A decrease of (\$72,672) for not replacing one vacant Public Works Crew Worker 1 staff position

An increased of \$11,380 for the purchase of the traffic safety beacon that coincides with the grant revenues received. The ending fund balance reflects these changes.

Equipment Fund – Computer – 510

An increase in revenue in the amount of \$2,217 is due to reimbursement of shared costs from the Fire District for the email archive appliance.

An increase in expenditures \$1,964 reflects various cost increases for budgeted equipment and software upgrades. Many of the cost increases are due to the limited availability of parts coming out of Japan. The ending fund balance has increased by \$253 due to these changes.

APPLICABLE CITY POLICIES:

In accordance with the Financial Management Policies, Budget Themes and Policies, and the Revised Code of Washington, changes in the adopted budget must be brought before the City Council.

BUDGET IMPACT:

The budget ordinance will amend the beginning and ending balances, and revenues and expenditures in the funds set forth in the ordinance.

ATTACHMENTS:

- ▶ Exhibit A: Ordinance No. 879
- ▶ Exhibit B: 2012 Budgeted Salaries & Benefits Amendments

**CITY OF LAKE STEVENS
 LAKE STEVENS, WASHINGTON
 ORDINANCE NO. 879**

AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON, AMENDING THE 2012 BUDGET AS SET FORTH IN ORDINANCE NO. 865 CONCERNING FUND BALANCES AND EXPENDITURES FOR VARIOUS FUND BALANCES FOR THE YEAR 2012.

WHEREAS, the City of Lake Stevens adopted the 2012 budget pursuant to Ordinance No. 865; and

WHEREAS, the City of Lake Stevens will incur expenditures in categories and amounts other than anticipated in the adopted 2012 budget;

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

SECTION 1. The 2012 budget, as adopted in Ordinance No. 865, is hereby amended as follows:

<i>Fund</i>	<i>Description</i>	<i>Current Budget</i>	<i>Amended Budget</i>	<i>Amount of Inc/(Dec)</i>	<i>ExpRev</i>
001 - General	Revenue	\$7,653,418	\$7,703,135	\$49,717	Rev.
001 - General	Expenditures	\$8,079,040	\$8,034,483	(\$44,557)	Exp.
001 - General	Ending Fund Balance	\$2,851,349	\$2,945,623	\$ 94,274	EndBal.
101 - Street	Revenues	\$2,037,700	\$2,075,334	\$37,634	Rev.
101 - Street	Expenditures	\$1,902,277	\$1,840,985	(\$61,292)	Exp.
101 - Street	Ending Fund Balance	\$1,909,314	\$2,008,240	\$ 98,926	EndBal.
510 - Equip Fund - Computer	Revenues	\$51,966	\$54,183	\$2,217	Rev.
510 - Equip Fund - Computer	Expenditures	\$54,046	\$ 56,010	\$1,964	Exp.
510 - Equip Fund - Computer	Ending Fund Balance	\$80,562	\$ 80,815	\$253	EndBal.

SECTION 2. Except as set forth above, all other provisions of Ordinance 865 shall remain in full force, unchanged.

SECTION 3. Effective Date and Publication. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in force five (5) days after the date of publication.

PASSED by the City Council of the City of Lake Stevens this 23rd day of July, 2012.

 Vern Little, Mayor

ATTEST/AUTHENTICATION:

Norma J. Scott, City Clerk/Admin Asst

APPROVED AS TO FORM:

First Reading: July 9, 2012
Final Reading: July 23, 2012
Published:
Effective:

Grant Weed, City Attorney

Budgeted Salaries Benefits Amendment

2012

Dept	Status	Title	FTE	2012 Amended Salary	2012 Amended Benefits
Administration	Director	City Administrator	1.00	123,773.04	40,480.88
Administration	Management	City Clerk	1.00	72,577.92	21,072.73
Administration	Non-Union	Receptionist/Office Assistant	0.50	20,887.52	12,101.34
Administration	Non-Union	Receptionist/Office Assistant	0.50	22,248.00	12,344.50
Finance	Director	Finance Director	1.00	93,635.76	24,629.17
Finance	Non-Union	Accountant	1.00	66,752.92	24,134.84
Human Resources	Director	Human Resources Director	1.00	84,752.52	23,087.74
Information Technology	Management	IT Manager	1.00	88,794.24	31,051.31
Information Technology	Non-Union	IT Specialist	1.00	69,154.20	34,563.91
Law Enforcement	Director	Police Chief	1.00	121,511.16	34,735.37
Law Enforcement	Management	Police Administrative Supervisor	1.00	70,167.72	26,914.12
Law Enforcement	Management	Police Commander	1.00	99,633.96	24,539.81
Law Enforcement	Police Guild	Police Officer	1.00	66,104.60	19,913.01
Law Enforcement	Police Guild	Police Officer	1.00	60,379.77	33,369.72
Law Enforcement	Police Guild	Police Officer	1.00	62,944.59	33,769.49
Law Enforcement	Police Guild	Police Officer	1.00	71,013.48	34,561.47
Law Enforcement	Police Guild	Police Officer	1.00	66,003.01	27,106.35
Law Enforcement	Police Guild	Police Officer	1.00	64,383.24	33,672.04
Law Enforcement	Police Guild	Police Officer	1.00	41,522.03	14,110.14
Law Enforcement	Police Guild	Police Officer	1.00	58,119.36	25,926.91
Law Enforcement	Police Guild	Police Officer	1.00	67,060.70	33,957.59
Law Enforcement	Police Guild	Police Officer	1.00	11,349.00	1,394.00
Law Enforcement	Police Guild	Police Officer	1.00	72,228.87	20,662.10
Law Enforcement	Police Guild	Police Officer	1.00	58,264.43	22,071.16
Law Enforcement	Police Guild	Police Officer	1.00	67,654.53	19,973.38
Law Enforcement	Police Guild	Police Officer	1.00	60,899.94	33,065.05
Law Enforcement	Police Guild	Police Officer	1.00	67,355.11	19,932.51
Law Enforcement	Police Guild	Police Officer	1.00	72,228.87	20,677.70
Law Enforcement	Police Guild	Police Officer	1.00	72,228.87	29,371.19
Law Enforcement	Police Guild	Police Officer	1.00	69,463.18	34,707.16
Law Enforcement	Police Guild	Police Officer	1.00	74,312.40	35,004.09
Law Enforcement	Police Guild	Police Officer	1.00	71,013.48	27,827.23
Law Enforcement	Police Guild	Police Sergeant	1.00	89,516.25	30,368.07
Law Enforcement	Police Guild	Police Sergeant	1.00	86,311.61	36,786.58
Law Enforcement	Police Guild	Police Sergeant	1.00	86,311.61	22,721.31
Law Enforcement	Police Guild	Police Sergeant	1.00	87,379.82	37,332.42
Law Enforcement	Police Guild	Police Sergeant	1.00	89,729.89	23,187.90
Law Enforcement	Police Guild	Police Support Officer	1.00	54,000.84	17,993.73
Law Enforcement	Police Guild	Records Clerk	1.00	49,118.53	28,358.73
Law Enforcement	Police Guild	Records Clerk	1.00	40,452.01	23,027.71
Law Enforcement	Police Guild	Records Clerk	1.00	49,713.48	31,282.40
Legislative	Elected	Council Member	1.00	6,000.00	459.00

Budgeted Salaries Benefits Amendment

			2012		
Legislative	Elected	Council Member	1.00	6,000.00	459.00
Legislative	Elected	Council Member	1.00	6,000.00	459.00
Legislative	Elected	Council Member	1.00	6,000.00	459.00
Legislative	Elected	Council Member	1.00	6,000.00	459.00
Legislative	Elected	Council Member	1.00	6,000.00	459.00
Legislative	Elected	Mayor	1.00	14,400.00	1,391.93
Planning	Director	Planning Director	1.00	103,564.44	37,318.24
Planning	Management	Building Official	1.00	81,143.40	35,510.22
Planning	Non-Union	Associate Planner	1.00	64,043.74	26,963.29
Planning	Non-Union	Permit Specialist	1.00	56,163.84	25,651.73
Planning	Non-Union	Principal Planner	1.00	81,996.24	22,651.82
Planning	Non-Union	Public Works/Planning Coordinator	1.00	53,086.20	31,869.87
Planning	Non-Union	Senior Planner	1.00	79,029.18	29,347.96
Public Works	Director	Public Works Director	1.00	116,245.80	39,302.87
Public Works	Management	PW Superintendent	1.00	76,845.82	30,408.78
Public Works	Non-Union	Engineering Technician	1.00	69,154.20	21,786.89
Public Works	Non-Union	Engineering Technician	1.00	60,036.54	18,971.53
Public Works	Non-Union	Seasonal Parks Worker	0.25	5,623.69	831.52
Public Works	Non-Union	Seasonal Parks Worker	0.25	5,623.69	831.52
Public Works	Teamsters	Crew Leader	1.00	56,979.64	33,635.33
Public Works	Teamsters	Crew Leader	1.00	60,989.70	31,529.79
Public Works	Teamsters	Crew Worker I	1.00	46,366.53	29,045.06
Public Works	Teamsters	Crew Worker I	1.00	-	-
Public Works	Teamsters	Crew Worker II	1.00	50,645.51	29,783.96
Public Works	Teamsters	Crew Worker II	1.00	58,487.52	24,269.41
Public Works	Teamsters	Crew Worker II	1.00	60,827.02	21,302.56
Public Works	Teamsters	Crew Worker II	1.00	58,487.52	31,125.35
Public Works	Teamsters	Crew Worker II	1.00	50,645.51	32,562.80
Public Works	Teamsters	Crew Worker II	1.00	59,072.40	24,367.42



LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: July 9, 2012

Subject: Subarea Plans – Briefing on Draft Comprehensive Plan Amendments and Draft Code Amendments

Contact Person/Department: Russ Wright, Senior Planner
Karen Watkins, Principal Planner
Rebecca Ableman, Planning &
Community Development Director

Budget Impact: Contract for
Consultant
Services

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL: Briefing only, no Council action required at this time.

SUMMARY:

This briefing is to present draft Comprehensive Plan amendments and draft Land Use Code amendments related to adoption of the Subarea Plans and Planned Action ordinances.

BACKGROUND/HISTORY:

Over the past few months, staff has presented documents and maps that will become part of the final Subarea Adoption Package. Adoption of the two subarea plans and planned action ordinances require amendments to the Comprehensive Plan and amendments to the Land Use Code (Title 14 LSMC). The proposed amendments are included in Attachments A and B.

SUBAREA ADOPTION PACKAGE:

The final adoption package will include at least four ordinances and one resolution to be adopted concurrently:

- A separate Planned Action Ordinance for each subarea plan;
- An ordinance for Comprehensive Plan-related amendments for the LSC Subarea Plan, 20th Street SE Corridor Subarea Plan, Land Use Map amendments, and comprehensive plan amendments including capital facilities plans;
- A separate ordinance for Land Use Code-related amendments for subarea design guidelines, Official Zoning Map amendments, subarea development regulations, traffic mitigation, and land use code amendments; and
- The fees resolution will include a new Planned Action Certification fee and Traffic Mitigation fees.

NEXT STEPS:

The next steps include:

1. A Community Meeting on Wednesday, July 18, 2012, 6:30 – 7:00 pm before Planning Commission at the Community Center to answer questions related to the subarea plans and planned actions. This is a new requirement effective July 10, 2012 to state environmental legislation (Engrossed Substitute Senate Bill 6406, new section RCW 43.21C.303). The Community Meeting is required to be held before the notice is issued for a planned action ordinance.
2. Issuance of the Lake Stevens Center Final Environmental Impact Statement in mid-July.
3. Issuance of the 20th Street SE Corridor Final Environmental Impact Statement in late July.
4. Planning Commission Public Hearings begin August 1, 2012 and continue to August 15, if needed.
5. City Council Public Hearings begin August 27, 2012 and continue to September 10 and September 24, if needed.

APPLICABLE CITY POLICIES: Lake Stevens Comprehensive Plan and Title 14 LSMC

BUDGET IMPACT: There is no immediate budget effect; the subarea planning and environmental review process is subject to an existing contract for services.

ATTACHMENTS:

- A. Proposed Comprehensive Plan Amendments Related to Subarea Plans
- B. Proposed Land Use Code Amendments Related to Subarea Plans

Cover Page – Add new amendment date to title.
All Footers – Add new amendment date to footer.
Table of Contents – Update as necessary.

Planning in Lake Stevens

Amendments to pages vi and vii as provided below:

PLANNING IN LAKE STEVENS

Prior to 2006, much of what is now the City was governed and controlled by County government. As the area grew, there was a desire to secure more local control and become “One Community Around the Lake.” As a City which has grown in the past five years from a small town to a large city((-F)), the City of Lake Stevens is currently involved in many planning efforts which may present future amendments to the Comprehensive Plan. All the projects should be completed before or with the required seven year Comprehensive Plan update in 2015((4)). The planning projects are summarized below.

Citywide Economic Development Strategy. The City hired a consultant to complete an economic analysis and development strategy for the entire City in 2010, including four growth areas: Frontier Village, South Lake (20th Street SE Corridor), Old Town (Downtown), and Hartford Industrial. The Economic Development Plan included an economic assessment, fiscal outlook and retail forecast. The main findings identified that residents were spending retail dollars outside the City and that most residents left the City for employment. The UGA is the primary retail market area, but a larger area from Granite Falls to Monroe and south to Snohomish is a secondary retail market, which could be captured to increase retail dollars collected within the City. The final recommendation was to complete plans for four distinct areas of the City: Downtown, Frontier Village, Hartford area, and 20th Street SE Corridor, which correspond to the areas mentioned above.

Subarea Planning. Based on the economic development strategy, the City decided to move forward with two subarea plans – one for Frontier Village and the other for the 20th Street SE Corridor in addition to a framework plan for Downtown. In 2011, the City hired consultants to complete a subarea plan and planned action for Lake Stevens Center (a larger area around Frontier Village) and the 20th Street SE Corridor, and the framework plan for Downtown. The two subarea plans and Planned Action Ordinances with associated development regulations, design guidelines, capital facilities plans, new zoning and land use, and amendments to the land use code and comprehensive plan were adopted in 2012. The framework plan was approved in 2012.

Annexations. Since 2005, the City of Lake Stevens has increased in population and size through three large annexations. Population increased from 6,900((7,400)) to over 28((6)),000 by 2010. During the same period, the city area increased by over 2,400 acres. The City is working through the implementation of the ((recent 10,500 person)) 2009 annexation. Therefore, some chapters of the Comprehensive Plan will be updated as the information is collected and analyzed: 4 - Land Use Element, 5 - Parks & Recreation Element, 6 - Transportation Element, 7 - Capital Facilities Element, and 9 - Economic Development Element.

Shoreline Master Program. The City received a grant from the Washington State Department of Ecology (Ecology) to update the Shoreline Master Program (SMP) for consistency with the Growth Management Act and the Shoreline Master Program Guidelines by mid-2012. The City’s shoreline jurisdictional areas are the shores of Lake Stevens (approximately seven miles) and one mile of Catherine Creek down river from where the outlet creek of Lake Stevens enters it. The SMP project involves a participation process with the public, and local and state agencies; an inventory of shoreline conditions; analysis of shoreline conditions to address any special issues; assigning or developing proposed environmental designations;

development of shoreline goals, policies, and regulations; development of a restoration plan with implementation strategies; and final review and adoption. Amendments to the Plan may be required once the SMP update is adopted in 2012.

Park Planning. The Park Board ~~((is-))~~adopted~~((ing))~~ the Eagle Ridge Park Master Plan with review and assistance from the public in 2010. The Master Plan includes all uses intended to be available in the park. These uses may include railings on trail; tot lot or small playground; swings; interpretive signs; use barn as interpretive center or other educational programs (Master Gardener); maintenance and clean up; picnic tables; and amphitheater. ~~((The Master Plan will be adopted in 2010.--))~~In addition, the Park Board ~~((is))~~will begin studying Level of Service (LOS) for parks to reflect and categorize the different types of parks and facilities. ~~((This project should be completed by 2012.))~~

~~((Citywide Economic Development Strategy. The City hired a consultant to complete an economic analysis and development strategy for the entire City, including four growth areas (Frontier Village, South Lake/20th Street SE Corridor, Downtown, and Hartford Industrial). One or more subarea plans may be adopted as part of the project. The project is expected to be completed and adopted in early 2011. It is expected the study will include detailed changes to the growth areas, which will need to be carried forward into the Plan. Therefore, amendments to the Comprehensive Plan will occur in 2011 or later.))~~

2010 Census. The Census Bureau began collecting information for the 2010 Census. The information collected ~~((will be))~~was released in 2011~~((and 2012))~~. The reconciled OFM and Census Bureau data for Lake Stevens is 28,069. (Source: OFM Fact Sheets. OFM/Forecasting Division, February 24, 2011.) The information will allow the City to update population and other related statistics with future updates to the Comprehensive Plan. ~~((The Comprehensive Plan will be updated in 2011 or later based on the date the information is received.))~~

Chapter 1 - Introduction

New paragraph related to citizen involvement to be inserted on page 1-9 before “The Lake Stevens Vision”.

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

New subsection related to subarea visions to be inserted on page 1-13 before “Consistency Requirements”.

Subarea Plan Visions

The objectives, goals, and policies of the 20th Street SE Corridor Subarea Plan and Lake Stevens Center Subarea Plan echo the City’s overall vision to ensure that future development is sensitive to the natural environment, considers sustainable approaches to development and mitigates related impacts. *The following sections describe the vision for each subarea plan.*

20th Street SE Corridor Subarea Plan. The plan provides a framework for the development of an Employment Center. Being a crossroads for markets, the 20th Street SE Corridor’s location favors its

position for employment growth with considerable pass-through traffic from commuters to the east and north. This subarea could provide a needed alternative regional employment center, specifically for northern Snohomish County and communities east of Interstate 5.

The primary impetus of the subarea plan is to add employment opportunities in business parks and mixed-use nodes, increase the City's retail opportunities, and bestow a renewed vitality, purpose and character to the district that capitalizes on the existing infrastructure and natural setting that offers views to the west of the Snohomish River valley and the Olympic Mountains. The subarea plan will guide the transformation of the area into a vibrant employment and commercial corridor for a wide variety of small and mid-sized companies by adding retail and office complexes in distinctive commercial/mixed-use nodes balanced with higher-density residential housing opportunities available to all residents. Larger employers will develop in campus-like settings alongside small nodes of shops, services, restaurants, and larger retail centers. Enhanced transit services, new trails and greenbelts will connect new development to existing uses, especially parks and schools. A variety of new housing types will be integrated with existing development and provide innovative options like cottage housing and some retirement housing. New development will be bound to high-quality design and development standards to sustain a positive development atmosphere and community image.

Lake Stevens Center Subarea Plan. The plan provides a framework for the development of this area as a regional retail center. The primary impetus of the subarea plan is to influence the revitalization of the City's retail core positively and to bestow a renewed vitality, purpose and character to the district that capitalizes on the existing infrastructure and natural setting that offers views of the lake and mountains. The subarea plan will guide the transformation of the area by adding or improving retail and office complexes in distinctive commercial /mixed-use neighborhoods balanced with higher density residential housing opportunities. New development will be bound to high-quality design and development standards to sustain a positive development atmosphere and community image.

New paragraph describing SEPA review for subarea plans to be inserted on page 1-28 at end of chapter.

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

Chapter 4 - Land Use Element

Remove Figure 4.0b – Existing Land Use Map on page 4-5 and reference on page 4-4.

Add sentence to end of first partial paragraph on page 4-7:

As described in the introduction, the City began an implementation process to transform Frontier Village and South Lake from conceptual to community growth centers to adopted subarea plans. The Lake Stevens Center Subarea Plan and 20th Street SE Corridor Subarea Plan were adopted by the City Council in 2012 and are incorporated into the Comprehensive Plan as part of this Land Use Element.

New Subsection to be inserted on page 4-7 before “Rural Urban Transition Area”.

Subarea Plans

The Growth Management Act provides for subarea plans to be developed. Subarea plans focus on a specific area within a City or Urban Growth Area that has unique planning needs different from the

jurisdiction as a whole. The City of Lake Stevens has adopted the following subarea plans as described in the following sections.

20th Street SE Corridor Subarea Plan

In September 2012, the City Council adopted the 20th Street SE Corridor Subarea Plan. This plan provides specific goals and policies for approximately 850 acres located in across the southern portion of the city along 20th Street SE east and west of State Route 9. The plan also amended the Land Use Map for many parcels within the subarea. The Subarea Plan was prepared under the Growth Management Act; it includes plan, goals and policies, capital improvement plan, environmental impact statement, and a Planned Action Ordinance. Adoption of the plan has resulted in area specific design guidelines, development regulations and zoning districts.

Goals

The following goals are contained in the 20th Street SE Corridor Subarea Plan, and are reprinted here to provide a complete set of land use goals in this document. The subarea plan includes policies for each goal.

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

Goal 2: *Create a collection of neighborhoods offering a range of choices in housing type and size, tenured retail goods and services, and employment with high quality design.*

Goal 3: *Identify business/office park locations, and areas of commercial/mixed use nodes and specific locations for higher density housing to create a vibrant district for economic development, jobs, regional shopping and housing options over a 10 to 20 year period with some areas developing earlier and others later depending upon access, market demand, environmental factors and other variables.*

Goal 4a: *Develop a complete and efficient transportation system that supports all modes of travel based on an attainable Level of Service.*

Goal 4b: *Acknowledge that designing a road network to accommodate the peak one hour of vehicle travel per day may not be economically feasible and has negative consequences for other modes of travel and the environment.*

Goal 5: *Development and infill projects should apply best management practices and integrate site design into the natural systems and greenbelts while striving to retain natural elements such as existing vegetation and significant trees and take advantage of mountain and valley views.*

Goal 6: *Invest in and/or plan for public and semi-public gathering places and community facilities to attract high-quality residential and employment development throughout the subarea.*

Lake Stevens Center Subarea Plan

In September 2012, the City Council adopted the Lake Stevens Center Subarea Plan. This plan provides specific goals and policies for approximately 360 acres centered on the State Route 9/State Route 204 intersection. The plan also amended the Land Use Map for many parcels within the subarea. The Subarea Plan was prepared under the Growth Management Act; it includes plan, goals and policies, capital improvement plan, environmental impact statement, and a Planned Action Ordinance. Adoption

of the plan has resulted in area specific design guidelines, development regulations and zoning districts.

Goals

The following goals are contained in the Lake Stevens Center Subarea Plan and are reprinted here to provide a complete set of land use goals in this document. The subarea plan includes policies for each goal.

Goal 1: *Dramatically upgrade the appearance, function, identity and economic value of the area.*

Goal 2: *Transform the subarea into a safe, complete, and vibrant district with a wide range of retail, employment, and housing uses that are mutually supportive and integrated through appropriate design requirements and zoning regulations.*

Goal 3: *Encourage a mix of uses, including retail, office, entertainment, institutional, civic, tourism, and residential throughout the subarea that support the redevelopment of older properties into a more vibrant, intense and diverse center.*

Goal 4a: *Develop a complete and efficient transportation system that supports all modes of travel based on an attainable Level of Service.*

Goal 4b: *Acknowledge that designing a road network to accommodate the peak one hour of vehicle travel per day may not be economically feasible and has negative consequences for other modes of travel and the environment.*

Goal 5: *Redevelopment and infill projects should apply best management practices, integrate site design with elements of natural environment such as existing vegetation and significant trees, and take advantage of lake and mountain views.*

Goal 6: *Invest in and/or plan for public and semi-public open spaces to attract high-quality residential and employment development throughout the subarea.*

Replace Figure 4.1 – City Land Use Map on page 4-12 with updated map.

Add one new commercial land use description at the end of the Commercial Land Use section on page 4-14 after “Planned Business District”.

Commercial: This is a high intensity land use that includes both high-intensity retail and employment uses including community and regional retail centers, offices, business parks, and associated uses. Multi-family residential uses could be included above or behind commercial uses. It should be located in areas with direct access to highways and arterials in addition to transit facilities, adequate public services and traffic capacity.

Change Figure 4.0c to Figure 4.0 and amend reference on page 4-7; add note that Frontier Village and South Lake are no longer Growth Centers, but included in adopted Subarea Plans.

Amend pages 4-15 to 4-17 as proposed below to include changes in proposed subarea plans: (Yellow highlights are numbers that need to be updated.)

Existing Zoning in City and UGA

The City establishes zoning for areas within city limits while Snohomish County establishes zoning for areas within the unincorporated portions of the Lake Stevens UGA. Existing zoning within the City and its UGA allows a range of residential and employment uses.

With adoption of the Lake Stevens Center and 20th Street SE Corridor subarea plans, ~~((A))~~ approximately 11% of the land within the City, or 6% of total UGA (City plus UGA) is zoned for commercial and employment uses. This compares with approximately; 26% in the City of Snohomish’s total UGA; and 29% in the City of Monroe’s total UGA.

The City’s ~~eleven~~~~((seven))~~ zones that allow employment uses primarily occur within growth centers and subareas. These zones vary in number and type of permitted uses and requirement for special or conditional use permits. The two industrial zones – Light Industrial (LI) and General Industrial (GI) – are exclusively within the Hartford Industrial Center. These zones permit a range of uses including manufacturing, processing and equipment repair uses, as well as allowing indoor recreational uses, restaurants, storage, motor vehicle sales, and home occupations. Other employment zones include Planned Business District (PBD), Local Business (LB), Central Business District (CBD), Mixed Use (MU), and Public/Semi-Public (P/SP). These zones allow a wide range of employment uses including sales and rental of goods, office, some manufacturing uses, and retail uses. New employment zones since adoption of the subarea plans include Business District (BD), Commercial District (CD), Main Street District (MS), and Mixed-Use Neighborhood (MUN). Residential uses above and/or behind permitted non-residential uses are allowed in PBD, LB, CBD, ~~((and-))~~ MU, BD, CD, MS, and MUN. The MUN zone is mainly a residential zone that allows mixed-use buildings or sites. ~~((t))~~The CBD zone allows two-family and multi-family residences.

According to the City’s Comprehensive Plan there remains untapped capacity for new commercial development in the two Planned Business District zones and in Central Business District (CBD) and Mixed Use (MU) zones where existing houses have not yet converted to commercial uses. In 2007, the City purchased approximately 40 acres north of the existing police station to develop a complex of civic facilities, which could include a library, city hall, and a public safety facility including both police and fire stations. The remainder of the site would contain retail development and residential uses within cottage housing, townhouses, and two- or three-story multi-family buildings. ~~((However, two proposed projects in the Planned Business District (PBD) zone mean that the actual space available in this zone is limited. The two projects include a 70,000 square foot commercial/retail/office development on a 15 acre site in the SR 92 PBD area (within the Hartford Industrial Growth Center), and the City’s planned Civic Center in the Grade Road PBD area (within the Old Town Growth Center). The Civic Center will include 60,000 square feet of government and public service uses, 7,500 square feet of retail, and 100 residential units on a 40 acre site. These projects are currently under land use review by the City.))~~

Table 4.0a shows a summary of employment zones by acres within the City and its UGA.

Approximately 10.7% of the City is zoned multi-family while 71.7% is zoned for single-family residential uses. Areas zoned for multi-family development are found ~~((both-))~~ within designated growth centers, subareas, and several areas outside of these centers, along SR 9 and Callow Road in the northern portion of the City. A smaller area zoned for multi-family residential uses occurs along Lundeen Parkway, approximate to the northwest tip of the Lake.

TABLE 4.0a - EMPLOYMENT ZONING IN LAKE STEVENS UGA

EMPLOYMENT ZONE	ACRES	PERCENT OF CITY AND UNINCORPORATED UGA
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EMPLOYMENT ZONE	ACRES	PERCENT OF CITY AND UNINCORPORATED UGA
General Industrial	72.1	1.6%
Light Industrial	17.7	0.4%
Sub Regional Center	78.2	1.7%
Central Business District	9.9	0.2%
Planned Business District	40.5	0.9%
Local Business	7.8	0.2%
Mixed Use	3.7	0.1%
Business District		
Commercial District		
Main Street District		
Mixed-Use Neighborhood		
Urban Industrial (SCC)	28.3	0.6%
Urban Commercial (SCC)	27.0	0.6%
(Urban Village (SCC))	40.7	0.2%
TOTAL	295.8	6.4%

SCC is Snohomish County Code

Table 4.0b shows a summary of residential zones by acres within the City and its unincorporated UGA.

TABLE 4.0b - RESIDENTIAL ZONING

	CITY ONLY		UNINCORPORATED UGA	
	Acres	Percent	Acres	Percent
Multi-family Zoning	232	10.7%	551.5	22%
Single-family Zoning	1,548	71.7%	1,788	72%

The County’s zoning applies to unincorporated areas within the Lake Stevens UGA. Approximately 22% of the unincorporated UGA is zoned for multi-family residential uses while 72% of the area is zoned for single-family residential. Approximately 2.7% (1.4% of total UGA) of the unincorporated UGA is zoned for employment uses. These employment zones in unincorporated areas are found ((in the South Lake area and an area)) in the northeast portion of the City adjacent to the Hartford Industrial Center. It is assumed that similar City zoning would be applied once these areas are annexed to the City.

Amend pages 4-21 and 4-28 to 4-32 as proposed below to include changes from subarea planning process:

Analysis of Employment Growth Strategy

The following is an analysis of the City's employment growth strategy and potential based on the documents and information summarized in this chapter, and the existing attributes of each of the defined centers. The City's existing growth strategy, in growth centers, is illustrated in Figure 4.0((e)). It is the City's vision to accommodate and attract new businesses that provide approximately 3,500 new family-wage jobs in the UGA (2011 City limits) by 2025, 1,000 of which are targeted for the hi-tech sector. The City's current employment growth strategy calls for a mix of employment and residential uses within its Growth Centers and employment uses within the Hartford Industrial Center.

Each defined Growth Center has varying suitability and potential for future employment uses due to location, access, overall size, redevelopment potential, and range of parcel sizes. The attributes of each of these Centers are described in detail in Table 4.4. Summaries of the growth potential and issues that may limit it for each Growth Center are described.

In 2010, the City hired consultants to assist the City with an Economic Development Strategy. The main findings suggested residents were spending retail dollars outside the City and leaving the City to work. In order to capture the retail spending and provides jobs within the City, the City began implementing the economic development strategy by adopting subarea plans for two Growth Centers (Frontier Village and South Lake). The Lake Stevens Center Subarea (a larger area around Frontier Village) and the 20th Street SE Corridor Subarea (including South Lake) were adopted in 2012. In order to attract development to the City, a Planned Action Ordinance was also adopted for each subarea. In addition, a framework plan was completed for Old Town (Downtown) as a precursor to a future subarea plan. Therefore, three of the initial Growth Centers have moved closer to development.

Old Town/Central Business District

The Old Town, or Central Business District, is a 239 acre area centered on 20th St NE, Main St and Hartford Dr NE. It consists of the historic town center adjacent to the northwestern tip of the lake, a larger commercially zoned area between Hartford Dr NE and Grade Road, and large areas that are zoned residential. The historic town center portion serves as the City's Civic Center and is characterized primarily by low-intensity commercial and residential development on small to medium-sized parcels. The Civic Center is moving to a new site within the Old Town area, as discussed above under "Existing Zoning and City." The Grade Road portion of the Old Town Growth Center is made up of medium to large parcels that are largely undeveloped. It is one of the two areas in the City zoned Planned Business District (PBD). The Grade Road Planned Business District Master Plan prepared in 2006 shows that the area has several constraints. A significant portion (just under 40%) of the Grade Road area is encumbered by wetlands and streams and the area is prone to flooding. In addition, access to the Grade Road area is constrained by limited roadway frontage, growing congestion along Grade Road, and the substandard condition of Hartford Dr. NE. At the same time, the potential for developing new residential development at greater densities in this area is seen as a catalyst for downtown revitalization efforts.

The Buildable Lands Report shows limited capacity for new employment uses (84 jobs) within the Old Town area based upon the existing zoning and redevelopment potential of properties. The Old Town area also includes the Civic Center project on a 40-acre site, which is currently under land use review by the City; this project reduces the amount of available land in Old Town. In addition, the Old Town Growth Center may not be suitable for some employment uses due to access. The Center is removed from any major arterial or regional highway, and access is limited to several minor arterial roadways. Grade Road, a minor arterial, provides a connection to SR 92 to the north. Several road improvements and new road segments are proposed to improve access to the Hartford Industrial Center, which is immediately adjacent to the Old Town Growth Center; these could also improve access to the Old Town

area. Relatively small parcel sizes may also limit the potential for some employment uses within the Old Town Growth Center.

The historic town center has several key attributes in place to support its revitalization including its lake front setting, strong projected population growth, and the potential for higher density residential development in the adjacent Grade Road area. Development of an effective plan and an active marketing campaign for this area is a high priority for the City. Key factors related to further development of the Old Town Growth Center that must be studied and discussed with stakeholders during subarea planning include use mixture, development intensity, parking, public improvements, and program development. However, the historic town center portion of the Old Town Growth Center has limited potential for large employment uses.

The Old Town Growth Center has limited potential for accommodating larger employment uses due to transportation access and small parcel sizes. It is more suitable as mixed-use Town Center consisting of civic and local-serving retail uses, higher density residential uses, and limited office uses.

A Framework Plan was approved for Old Town (Downtown) in 2012 after public input on the vision for the area. A basic street grid and new streets with suggestions for types of land use for the area are included in the Framework Plan. A full subarea plan will be completed in the next few years.

((Frontier Village))Lake Stevens Center Subarea (formerly Frontier Village Growth Center)

Lake Stevens Center is comprised of approximately 360 acres of land centered on the State Route 9/State Route 204 intersection. A Subarea Plan was adopted for the growth center in 2012 to revitalize the center, emphasizing retail and office growth. Future residential development would be primarily high density residential. The general land use pattern would consist of a commercial core, smaller commercial and mixed-use areas, a main street area, and transit-oriented development. The plan assumes future growth of 140,000-150,000 gross square feet of retail, 140,000-150,000 gross square feet of office, and 180 to 200 additional dwelling units. A Planned Action Ordinance, capital facilities plan, development regulations, and design guidelines were also adopted.

~~((Frontier Village is located west of the lake at the intersection SR 204 and SR 9. It serves as a regional commercial center for east Snohomish County from North Marysville to the City of Snohomish. The 279 acres of Frontier Village consist of large scale, auto-oriented uses with a large proportion of the area dedicated to parking and low intensity strip malls on relatively large parcels. Frontier Village is primarily surrounded by single family residential neighborhoods. The Center has excellent access, being situated at the intersection of two regional highways, however large parcels result in a limited local road network.~~

~~The City recently annexed Frontier Village and the surrounding areas, therefore much of the development within the area occurred while it was part of unincorporated Snohomish County. The City is committed to the success of this Center, and is working accordingly with owners, developers, and service agencies in the area to organize land use, transportation, infrastructure and service plans. The City will also be developing a subarea plan for the Frontier Village Growth Center to better plan for intensification and subsequent improvements in the area. However, the suitability of this area for larger employment uses may be limited due to the redevelopment potential of parcels. The Buildable Lands Report shows limited employment capacity (130 jobs) for the area.~~

~~The Frontier Village Growth Center has potential as a commercial mixed use center consisting primarily of regional retail commercial uses and higher density residential uses toward the periphery of the center. It has some potential for larger employment uses given its excellent transportation access, however, this potential is contingent upon the redevelopment potential of larger parcels.))~~

((South Lake/))20th Street SE Corridor (formerly South Lake Growth Area)

The 20th Street SE Corridor is comprised of approximately 850 acres of land crossing the southern portion of the City from approximately South Lake Stevens Road in the east to Cavalero Road in the west. A Subarea Plan was adopted for the growth center in 2012 to create an employment center emphasizing business parks and commercial development. Future residential development would be primarily higher density development including townhomes, row houses, cottage housing, and live/work units. The general land use pattern would consist of at least one large business park, a regional retail center, and commercial or mixed-use nodes with higher-density residential growth in transitional areas between existing single-family developments and higher intensity development. The plan assumes future growth of 400,000-450,000 gross square feet of retail, 1-1.25 million gross square feet of office, and 900 to 1,000 additional dwelling units. A Planned Action Ordinance, capital facilities plan, development regulations, and design guidelines were also adopted.

((The South Lake/20th Street SE Corridor is an area located generally along 20th-St SE from the Highway 2 trestle at State Route 204 to South Lake Stevens Road within the Lake Stevens City limits. The City annexed this area on December 31, 2009. Most of the existing uses within the center are residential with a small amount of retail and professional office uses. There is also a considerable amount of vacant land.

The City is currently completing a Citywide Economic Development and Planning Strategy which includes this corridor. There is potential for South Lake to become an expanded mixed use commercial/residential center given the low intensity of existing development both within and adjacent to the existing center boundaries, and undeveloped or underdeveloped properties.

Infrastructure would need to be expanded and upgraded to City standards before any significant expansion of the Corridor occurs. The intention of the City is to develop a subarea plan which would better define the Center's boundaries, include development regulations that would avoid strip commercial development along 20th-St SE, and ensure that any development is compatible with the transportation needs of 20th-St SE, including auto, pedestrian, and transit access. The employment capacity could potentially increase given an expanded corridor boundary and rezoning of portions of the area that are currently underdeveloped, however the City recognizes that any expansion of this Corridor must be timed on market demand.

The South Lake/20th Street SE Corridor has potential as a residential mixed use center consisting primarily of residential uses with some office and local serving retail commercial uses.

Its ability to accommodate larger employment uses is limited due to predominant residential uses both within and immediately adjacent to the Corridor, and its location and transportation access.))

Hartford Industrial Center

The Hartford Industrial Center is a 267 acre area located in the northeast portion of the City, between the Old Town Center and unincorporated Snohomish County outside the Lake Stevens UGA. Access to this Center is presently constrained by inadequate connections to SR 92 and a discontinuous network of undersized roads, which affects its suitability for certain types of employment uses. The City has identified improvements in its Transportation Plan, including extending 28th St NE from Old Hartford Rd to Hartford-Machias Road and upgrading 131st Ave NE as an arterial roadway south to the Machias area. Provided these and possibly other improvements are made, this area would have good access to the regional highway network with Machias Road providing access to US 2 to the south, and SR 92 providing connections to SR 9.

However, the area is still distant from the I-5 and US 2 corridors. The area is zoned General Industrial (GI) and Light Industrial (LI), which allow a wide range of non-industrial uses. The Hartford Center is adjacent to industrially zoned areas currently outside City limits, but within the City's UGA. The City and the Sewer District have attempted over the past 4 years to establish a Local Improvement District to bring the needed infrastructure into the area. Because of limitations discussed, including location, the cost benefit ratio does not yet support an improvement project.

The Hartford Industrial Center currently has capacity for 1,097 jobs, the highest employment capacity of any area within the City's UGA. However, this capacity is reduced based on a commercial/retail/office project on a 15-acre site currently under land use review by the City in the SR 92 area. It is the City's intention to promote and develop the Hartford Industrial Center as an employment center. The City will conduct a market study of the area to determine any need for expansion, infrastructure improvements, and marketing strategies to attract the types of industries expected to locate in the Snohomish County area. Policy 3.D.5 of the Snohomish County Comprehensive Plan provides support for this effort, and states that the county shall prioritize the redevelopment of existing industrial areas and investigate potential incentives that may make redevelopment a greater financial opportunity. However, while Hartford Center could accommodate considerable employment growth in a strong market, its location and industrial emphasis have resulted in limited recent growth.

The Hartford Industrial Center has potential as an employment center consisting primarily of industrial uses and limited office uses. Its potential to accommodate larger employment uses may be limited by location, limited visibility, and transportation access

Small Neighborhood Service Centers

Small neighborhood service centers are mentioned in Vision Goal 3 of the City's Comprehensive Plan as areas where the City will focus its economic development activity (in addition to the Hartford Industrial and Community Growth Centers), but no specific policies or narrative about these centers can be found elsewhere in the Plan. There are two small areas on the northwest side of the Lake zoned Local Business (LB). These areas could potentially be developed as small neighborhood service centers, however their capacity for employment is limited.

Conclusion Regarding Existing Employment Growth Strategy

The City's growth strategy focuses new development primarily within three designated Community Growth Centers and the Hartford Industrial Center. Within its Community Growth Centers, the City has capacity for a limited number of new employment uses while the Hartford Industrial Center has significant capacity for new employment uses. However, each of the designated Growth Centers have varying suitability for the development of the types of employment uses that will provide a significant amount of jobs due to their location, transportation access, and availability of sizable developable parcels. Existing land use and transportation patterns, as well as topographical and environmental constraints present some challenges to the full utilization of land zoned for employment uses within the UGA.

The City's analysis of its annexation plan has revealed a fiscal deficit, limiting the City's ability to pay for needed infrastructure to serve residents and promote economic development. It is unlikely that existing Growth Centers will accommodate the types of employment uses needed to facilitate the City meeting its fiscal needs. Section III provides more discussion and analysis of the City's fiscal condition and how it relates to land use.

Amend Table 4.4 on pages 4-26 and 4-27 to reflect adoption of subarea plans as shown below:

Table 4.4 - Growth and Development Potential of Existing Growth Centers

	OLD TOWN (DOWNTOWN)	LAKE STEVENS CENTER SUBAREA (FRONTIER VILLAGE))	HARTFORD CENTER	20TH STREET SE CORRIDOR SUBAREA ((SOUTH LAKE))
Size (Acres)	239	359((278))	267	845((296))
Subarea Planning	<ul style="list-style-type: none"> • <u>Framework plan approved in 2012</u> 	<ul style="list-style-type: none"> • <u>Subarea Plan adopted 2012</u> • <u>Planned Action Ordinance adopted 2012</u> 	<ul style="list-style-type: none"> • <u>None</u> 	<ul style="list-style-type: none"> • <u>Subarea Plan adopted 2012</u> • <u>Planned Action Ordinance adopted 2012</u>
Relation to Transportation System	<ul style="list-style-type: none"> • Local access via 20th St NE • Indirect access to SR 92 via Grade Rd 	<ul style="list-style-type: none"> • Direct access to SR 9 and SR 204 • Indirect access to US 2 via SR 204 	<ul style="list-style-type: none"> • Indirect access to SR 92 via Machias Rd., Old Hartford Dr. • Indirect access to US 2 via Machias Road • Limited internal network of roads 	<ul style="list-style-type: none"> • Indirect access to SR 9 via 20th St SE, S Lake Stevens Rd.
Existing Land Use Pattern	<ul style="list-style-type: none"> • Small to medium parcels (0.2-3.0 acres) in Historic Town Center • Existing residential uses on commercially zoned parcels • Significant amount of multi-family residential uses and zoning in southeast portion of center with small to large parcels (0.3-10 acres) • Medium to large parcels (1-10 acres) in Grade Rd. area, largely undeveloped 	<ul style="list-style-type: none"> • Auto-oriented commercial uses primarily on large parcels (>10acres) with smaller parcels (<0.5 acres) carved out along street frontage • Primarily multi-family residential uses and zoning at edges of center with some single family residential uses in eastern portion of center • Significant portion of government-owned property on eastside of SR 9 @ Market Pl. 	<ul style="list-style-type: none"> • Primarily medium to large parcels (3-30 acres) • Cluster of smaller parcels (< 1 acre) in middle of center • Largely undeveloped 	<ul style="list-style-type: none"> • Primarily medium to large parcels (1-10 acres) with several irregular parcels due to diagonal intersection • Limited existing commercial uses and zoning at intersection of 20th St SE and S Lake Stevens Rd. in eastern portion of center • Primarily mix of multi-family and single-family residential uses • Several large parcels (> 10 acres) zoned multi-family

	OLD TOWN (<u>DOWNTOWN</u>)	<u>LAKE STEVENS CENTER SUBAREA ((FRONTIER VILLAGE))</u>	HARTFORD CENTER	<u>20TH STREET SE CORRIDOR SUBAREA ((SOUTH LAKE))</u>
Environmental Constraints	<ul style="list-style-type: none"> Wetlands and flood prone areas within Grade Rd. area Category 2 wetlands east of historic town center area where zoned multi-family residential. Catherine Creek bisects the Grade Rd. area and downtown 	<ul style="list-style-type: none"> Wetlands between SR 9 and 91st Ave SE, near SR 204 	<ul style="list-style-type: none"> Small amount of wetlands just north of Hartford Dr. NE and just north of 36th St NE 	<ul style="list-style-type: none"> Wetlands at northeast corner of S Lake Stevens Rd and 20th St SE, north of S Lake Stevens Rd
Amenities	<ul style="list-style-type: none"> Lake Stevens shoreline access Catherine Creek View potential 	<ul style="list-style-type: none"> View potential 	<ul style="list-style-type: none"> View potential 	<ul style="list-style-type: none"> View potential
Potential Land Use Compatibility Issues	<ul style="list-style-type: none"> Center has lower intensity single-family uses to the north, west, and south and higher intensity industrial uses to the east 	<ul style="list-style-type: none"> Center is surrounded by lower-intensity single-family <u>and multi-family</u> residential uses 	<ul style="list-style-type: none"> Center is surrounded by lower intensity residential uses 	<ul style="list-style-type: none"> Center is surrounded by lower-intensity single-family residential uses
Conclusion	<ul style="list-style-type: none"> Limited potential for larger employment uses due to transportation access and small parcel sizes More suitable for local-serving retail and small commercial uses Potential as a Mixed-Use Town Center consisting of civic and local-serving retail uses, limited office and residential uses 	<ul style="list-style-type: none"> Some potential for larger employment uses given transportation access and large parcels, but contingent upon redevelopment potential <u>Potential for Main Street center on 91st Street NE between Market Place/SR 204</u> Potential as a Commercial Mixed-Use Center consisting primarily of regional retail commercial uses with multi-family residential uses towards the edges of the center 	<ul style="list-style-type: none"> Potential to accommodate larger employment uses, but limited by location and transportation access Potential as an Industrial Center consisting primarily of industrial uses and limited office uses 	<ul style="list-style-type: none"> ((Limited-p)) Potential for larger employment uses <u>including business parks and retail centers</u> ((due to predominant residential uses both within and immediately adjacent to Center)) Potential ((as a Residential)) <u>for</u> Mixed-Use Center consisting primarily of residential uses with some office and local-serving retail commercial uses

Add a new Commercial land use designation for “Commercial District” on page 4-35.

5. **Commercial District** – The Commercial District allows for high-intensity commercial and employment with some mixed-use. Principal uses include community and regional retail centers, offices, business parks, civic, cultural, recreational, and associated uses. Multi-family residential uses could be included above or behind commercial uses. This land use designation should be located in areas with direct access to highways and arterials in addition to transit facilities, adequate public services and traffic capacity.

Chapter 6 - Transportation Element

Add the following subsection after the “Introduction” on page 6-3.

Subarea Plans

In 2012, the City adopted subarea plans for the Lake Stevens Center and the 20th Street SE Corridor. As part of the environmental impact statement, the consultant identified the transportation projects required for development of both subareas. A Planned Action Ordinance was also adopted setting the development thresholds for land use and the available maximum trip thresholds for each subarea, and identified mitigation measures for development. The need for transportation projects will depend on the pace of development within the subareas.

As part of the subarea plans, the Level of Service for the subareas has been modified from an intersection LOS Standard “C” to a system LOS Standard “E” for each subarea. The system would consist of key intersections and connecting roads servicing each subarea. Under this approach, the LOS analysis would take the accumulative average LOS from intersections within the transportation network, while excluding intersections with State Route Facilities. For the 20th Street SE Corridor Subarea, this would include the intersections along 20th Street SE with the exclusion of SR-9. For the Lake Stevens Center Subarea, this would include all intersections within the defined subarea boundaries of the LSC excluding SR-9 and SR-204 intersections.

The subarea plans include discussion of the layered street network for the subareas that prioritize various types of travel on different roadways to reflect and emphasize the character of the neighborhood. The network includes state highways, boulevards, local streets, school connection streets, and trail streets.

Chapter 7 – Utilities and Facility and Public Services Element

Add to page 7-3 the following paragraph to the end of the “Introduction” section.

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. This Element will be entirely updated in 2015 as part of the 7-Year Comprehensive Plan Update.

Add to page 7-14 the following paragraph to the end of the “Sewer” subsection.

During the environmental impact process for the 20th Street SE Corridor and Lake Stevens Center subarea plans, 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. Table 7.0a identifies sewer system capital improvements required within the Lake Stevens Center Subarea over the next 20 years. Table 7-0b identifies sewer system capital improvements required with the 20th Street SE Corridor Subarea over the next 20 years. The improvements are divided by those in the current District Comprehensive Plan and those not identified in the District Plan.

**Table 7-0a Lake Stevens Center Subarea –
 Sewer System Capital Improvements**

Sewer System Capital Improvements – Comprehensive Plan		Current Schedule
B1-A Vernon Rd West @ Vernon Rd Diversion – District funded upgrade	\$1,230,000	2023
B1-B Vernon Rd West @ Lift Station 15 Discharge – District funded upgrade	\$1,230,000	2023
Sewer System Capital Improvements – Not identified in Comprehensive Plan		Current Schedule
SR9/SR204 Intersection – Possibly lift station E of SR9 as Vernon Road Diversion (VRD) pipe is shallow across SR9 & depth increased if new roadway including new piping to lift station and VRD	Unknown, needs feasibility study	With SR9/SR204 construction

**Table 7-0b 20th Street SE Corridor Subarea –
 Sewer System Capital Improvements**

Sewer System Capital Improvements – Comprehensive Plan		Current Schedule
G1-B Southwest Interceptor Phase II-B – District funded upgrade	\$1,400,000	With 20th Street SE road improvement
B5 Lift Stations 1 and 11 – District funded upgrade	\$460,000	2016
C2-A1 Lift Station 17 – Donated	\$420,000	Any development south of S LS Rd from SR9 to 107th Ave SE to UGA Boundary
C1-A and C1-B Lift Station 14 and Reroute flows to SWI – Donated	\$1,280,000	Completion of Lift Station 17 could push out need
G3 new Lift Station and Pipe west of 79th – Donated	\$2,620,000	Any development S of 20th and west of 79th
Sewer System Capital Improvements – Not identified in Comprehensive Plan		Current Schedule
Two new Lift Stations and Pipes east of 79th to SR 9 – Donated	\$2,190,000 \$2,200,000	Any development S of 20th between 79th and SR9

Chapter 8 – Capital Facilities Element

Add following new subsection after “Definition of Capital Improvement” on page 8-5.

As part of the adopted subarea plans, the City adopted a Lake Stevens Center Revitalization and 20th Street SE Corridor Development Capital Facilities Phasing, Cost Partitioning, and Financing Study,

which is adopted by reference into this Element. The study describes utility infrastructure required for redevelopment of the Lake Stevens Center and development of the 20th Street SE Corridor including transportation, sewer, water, and stormwater. The City is currently responsible for transportation outside of state routes and stormwater facilities. Special purpose districts provide sewer and water infrastructure and services.

The proposed projects are described for each proposed alternative and estimated costs representing costs typical for public works projects bid competitively in accordance with Washington State law. The estimated costs are partitioned by expected funding, which could change based on available public funding, grants, development or private financing, or negotiated development agreements. Part 1 describes the infrastructure requirements, phasing, cost partitioning and proposed financing for the Lake Stevens Center. Part 2 describes the same information for 20th Street SE Corridor. Part 3 describes financing alternatives, which can be used for either subarea.

The Capital Facilities Element is not updated with this information, as the entire chapter will be updated as part of the 7-Year Comprehensive Plan Update in 2015.

Table 8-1 Schedule of Funded Improvements on page 8-7 should be updated with all projects included within the traffic impact fee program for subareas.

Table 8-6 Revenue Projections Affecting Capital Improvements on page 8-21, Street Fund line should be updated for consistency with impact fee projects for subareas.

Chapter 9 – Economic Development Element

Remove the Hartford Center Study Area map from page 9-3.

Add a new section on the Economic Development Strategy, Subarea Plans and Framework Plan at the end of the Introduction on page 9-4.

Economic Development Strategy

In 2010, the City hired the Leland Consulting Group and LMN Architects to complete a Citywide Economic Development Plan. The plan assessed the entire city (including the urban growth area) to better understand the economic conditions, characteristics, qualities, and drivers affecting the City and each of its major commercial and mixed-use subareas (Downtown, 20th Street SE Corridor, Frontier Village, the Hartford Industrial District). It provides a base of economic information and collected the visions for the City from City documents and key stakeholders. The plan looks at the fiscal realities of the city in order to help prioritize where the biggest effect is found in terms of stabilizing and enhancing revenues. The plan also looks at the strategic value of each subarea and how they interrelate. The reports completed as part of the Citywide Economic Development Plan include a retail forecast, fiscal outlook, market profiles, economic assessment, and action plan.

The action plan identified three focus areas for completion of framework plans: Downtown, Frontier Village, and 20th Street SE Corridor. In 2011, the City hired consultants to assist in completing two subarea plans for Lake Stevens Center (larger area around Frontier Village) and 20th Street SE Corridor, and a framework plan for Downtown. The subarea plans were adopted by the City Council in 2012. The framework plan was approved in 2012 with plans to complete as a subarea plan in the next few years.

The information collected and reports completed as part of the Citywide Economic Development Plan

provides updated information to many sections of this chapter. This chapter will be updated completely as part of the 2015 7-Year Comprehensive Plan Update.

Planned Actions

A separate Planned Action Ordinance was adopted for the Lake Stevens Center Subarea Plan and the 20th Street SE Corridor Subarea Plan in 2012. Projects within the two subareas may request review as a planned action project. If the proposed projects meet the requirements of the Planned Action Ordinance, they will be considered planned action projects.

A planned action is a development project whose impacts have been addressed by an EIS associated with a plan for a specific geographic area before individual projects are proposed. A planned action involves detailed SEPA review and preparation of EIS documents in conjunction with subarea plans and adoption of a Planned Action Ordinance designating the types of projects to be considered planned actions and including mitigation measures to be applied. Such up-front analysis of impacts and mitigation measures then facilitates environmental review of subsequent individual development projects.

The intent of a Planned Action is to provide a more streamlined environmental review process at the project stage by conducting more detailed environmental analysis during planning. Early environmental review provides more certainty to permit applicants with respect to what will be required and to the public with respect to how the environmental impacts will be addressed.

While normal project review requires a threshold determination, a project qualifying as a planned action project does not require a new threshold determination. If the city or county reviews the project, verifies that it is consistent with the planned action project(s) previously designated, and determines that the impacts are adequately addressed in the EIS on which the planned action relies, project permit review continues without a threshold determination.

Designating planned action projects reduces permit-processing time. There are no SEPA public notice requirements or procedural administrative appeals at the project level because a threshold determination or new EIS is not required. The only notice requirements are those required for the underlying permit.

Framework Plan

Approval of a Framework Plan for the Old Town/Downtown area in 2012 provides the first step towards completion of a Subarea Plan and Planned Action. The City plans to continue the planning process for Downtown in order to attract economic development to a town center development with lakeside access.

14.08.010 Definitions of Basic Terms.

Amended:

Residence, Multi-Family~~((Townhouses))~~*Townhomes and Row Houses.* ~~((A multi-family resident use in which each dwelling unit shares a common wall (including without limitation the wall of an attached garage or porch) with at least one other dwelling unit and in which each dwelling unit has living space on the ground floor and a separate, ground floor entrance.))~~A multi-story structure containing a group of three or more attached dwelling units, in which each dwelling unit shares a common wall (including without limitation the wall of an attached garage or porch) with at least one other dwelling unit; has a separate, ground floor entrance; and each dwelling unit has open space on at least two sides.

New:

Amusement and Recreation. Enterprises that operate facilities or provide services that enable patrons to participate in recreational activities or pursue amusement, hobby, and leisure-time interests that may include specific uses, such as amusement parks, arcades, golf courses, and bowling centers.

Arts and Entertainment. Enterprises involved in producing or promoting performances, events, exhibits, or spectator sports intended for public viewing; and enterprises that exhibit objects of historical, cultural, and educational interest or animals, such as art galleries, museums and zoos.

Commercial Parking Structures/Lots. Facilities that provide motor vehicle parking spaces on an hourly, daily, or monthly basis and/or valet parking services.

Construction Facilities. Establishments designed primarily to store construction equipment and materials for the construction of buildings or engineering projects.

Educational Services. Facilities that provide instruction and training in a wide variety of subjects by specialized enterprises, such as schools, colleges, universities, and training centers.

Finance and Insurance. Enterprises engaged in financial transactions and/or in facilitating financial transactions including banking, insurance and annuities, specialized services facilitating or supporting financial intermediation, insurance, and employee benefit programs.

Food Services. Enterprises that prepare meals, snacks, and beverages for on-premises and off-premises consumption including full service restaurants, cafes, fast food restaurants, coffee shops, and taverns.

Floor Area Ratio. The ratio of the floor area of a building to the area of the lot on which the building is located.

Health Care Services. Facilities that provide health care and social assistance for individuals, such as physicians, dentists, mental health and social health care specialists, nursing facilities, and clinics.

Information Services. Enterprises that produce and distribute information and cultural products; provide the means to transmit or distribute these products as well as data or communications, and process data including publishing (software, traditional media, and internet); recording industries; broadcasting industries; and telecommunications industries.

Light Manufacturing and Assembly. Enterprises engaged in the mechanical, physical, or chemical transformation of materials, substances, or assemblage of components into new products. This category

typically includes electronics production and assembly, machine shops, medical supplies, clothing manufacturing and similar industries, but does not include smelting, pulp mills, fertilizer production, refineries, animal products, and similar intensive industries that require large footprints and land area.

A Live/Work Unit. A structure or portion of a structure combining a commercial/office activity and a residential unit, where the owner of the business or the owner's employee and that person's household occupy the residential space.

Management of Companies and Enterprises. Enterprises that administer, oversee, and manage the operation of companies, corporations, or enterprises.

Mining, Quarrying, and Oil and Gas Extraction. Enterprises that extract naturally occurring mineral solids (e.g., coal and ores); liquid minerals (e.g., petroleum); and gases (e.g., natural gas), processing of these materials (e.g., crushing, screening, washing, and flotation), and other preparation customarily performed at the mine site, or as a part of mining activity or mining support activities

Mixed-Use. A building or site with two or more different land uses, such as residential, office, manufacturing, retail, public or entertainment.

Personal Services. Enterprises that provide personal benefits to individuals, such as repairs shops, laundry services, personal care services, death care services, pet care services, etc.

Places of Worship. A church, synagogue, temple, or other place of religious worship.

Professional, Scientific, and Technical Services. Enterprises that perform professional, scientific, and technical activities for others that require a high degree of expertise and training. Activities performed may include legal services; accounting, bookkeeping, and payroll services; architectural, engineering, and specialized design services; computer services; consulting services; research services; advertising services; veterinary services; and other professional, scientific, and technical services.

Public Administration. Federal, state, and local government agencies that administer, oversee, and manage public programs and have emergency, executive, legislative, or judicial authority within a given area.

Retail Trade. Enterprises, such as department stores, electronic stores and hardware stores engaged in direct retail sales of goods and merchandise to the public.

Sign, Informational/Directional. a small sign of a noncommercial nature intended primarily for the convenience of the public. Included are signs designating restrooms, address numbers, hours of operation, entrances to buildings, directions, help wanted, public telephone, parking directions, etc.

Sign, Portable. A sign not permanently attached to a building or the ground that includes A-frame, sandwich boards, and signs with mobile bases, etc, but does not include real estate, open house, or political signs.

Sign, Projecting. A sign that extends out from the face of a building supported by a frame or arm attached to the structure.

Sign, Monument. A ground-mounted, freestanding sign with a wide, solid, and decorative base attached to the ground.

Sign, Suspended. a sign hanging down from a marquee, awning, canopy or similar structure.

Transit-Oriented Development. Developments that emphasize access to public transportation and often incorporate features that encourage pedestrian activity and transit ridership.

Travel Accommodation Services. Facilities that provide lodging or short-term accommodations for travelers, vacationers, and others that include bed and breakfasts, hotels, inns, and motels.

Waste Management and Remediation Services. Enterprises engaged in the collection, treatment, and disposal of waste materials, including hauling waste materials; operating materials recovery facilities; remediation services and facilities (i.e., those that provide for the cleanup of contaminated buildings, mine sites, soil, or groundwater); and septic pumping and other miscellaneous waste management services.

Warehousing, Storage and Distribution. Enterprises that provide facilities to store general merchandise, refrigerated goods, and other warehouse products. These establishments generally handle goods in containers, such as boxes, barrels, and/or drums, using equipment, such as forklifts, pallets, and racks

Wholesale Trade. Enterprises that sell or arrange the purchase of goods for resale (i.e., goods sold to other wholesalers or retailers), nonconsumer goods, and raw and intermediate materials and supplies used in production that are normally operated from a warehouse or office, characterized by having little or no display of merchandise.

14.16A.210 Types of Review.

(a) The purpose of this section is to provide an overview of the six levels of land use review. Land use and development decisions are classified into six processes based on who makes the decision, the amount of discretion exercised by the decision maker, the level of impact associated with the decision, the amount and type of input sought, and the type of appeal opportunity.

(b) Classification of Permits and Decisions.

(1) Type I Review - Administrative Decisions without Notice. A Type I process is an administrative review and decision by the appropriate department or division. Applications reviewed under the Type I process are minor administrative decisions and are exempt from certain administrative procedures, such as complete application review, noticing, and decision time frames. Appeals of Type I decisions are made to the Hearing Examiner, except shoreline permit appeals are made to the Shoreline Hearings Board. The permits and actions reviewed and decided as Type I are listed in the table in subsection (d) of this section.

(2) Type II Review - Administrative Decisions with Notice. A Type II process is an administrative review and decision with recommendation from staff, City departments or others and requiring public notice at the application and/or decision stages of the review. Appeals of Type II decisions are made to the Hearing Examiner, except shoreline permit appeals are made to the Shoreline Hearings Board. The permits and actions reviewed and decided as Type II are listed in the table in subsection (d) of this section.

(3) Type III Review - Quasi-Judicial Decisions - Hearing Examiner. This Type III process is a quasi-judicial review and decision by the Hearing Examiner. The Hearing Examiner makes a decision based on a staff report and, if required, the Design Review Board. A public meeting may be held prior to the Design Review Board recommendation. The Hearing Examiner considers

public testimony received at an open record public hearing. Public notification is provided at the application, public hearing, and decision stages of application review. Appeals of Hearing Examiner decisions are made to Snohomish County Superior Court, except shoreline permit appeals are made to the Shoreline Hearings Board. The permits and actions reviewed and decided as Type III are listed in the table in subsection (d) of this section.

(4) Type IV Review - Quasi-Judicial Decisions - City Council with Hearing Examiner Recommendation. A Type IV process is a quasi-judicial review and recommendation by the Hearing Examiner and a decision by the City Council. The Hearing Examiner considers the recommendation from the Design Review Board, if required, as well as public testimony received at an open record public hearing. The City Council makes a decision based on a recommendation from the Hearing Examiner during a closed record public meeting. Public notification is provided at the application, public hearing, and decision stages of application review. There is no opportunity for an administrative appeal. Appeals of City Council decisions are made to Snohomish County Superior Court. The permits and actions reviewed and decided as Type IV are listed in the table in subsection (d) of this section.

(5) Type V Review - Quasi-Judicial Decisions - City Council. A Type V process is a quasi-judicial review and decision by the City Council. Public notification is provided at the application, public hearing (if any), and decision stages of application review. There is no opportunity for an administrative appeal. Appeals of City Council decisions are made to Snohomish County Superior Court. The permits and actions reviewed and decided as Type V are listed in the table in subsection (d) of this section.

(6) Type VI Review - Legislative Decisions - City Council with Planning Commission Recommendation. A Type VI review is for legislative and/or nonproject decisions by the City Council under its authority to establish policies and regulations regarding future private and public development and management of public lands. The Planning Commission makes a recommendation to the City Council. The Planning Commission will conduct a public hearing to obtain public testimony on the proposed legislation. The City Council may elect to conduct an additional public hearing. The actions reviewed and decided as Type VI are listed in the table in subsection (d) of this section.

(c) Permits and Actions Not Listed. If a permit or land use action is not listed in Table 14.16A-I, the Planning Director shall make the determination as to the appropriate review procedure.

(d) Permit-Issuing Authority and Appeal Authority. The permit-issuing authority and appeal authority for permit applications and legislative actions are established in Table 14.16A-I. A detailed explanation for each review procedure is in Chapter [14.16B](#) under each subsection for each review type.

Table 14.16A-I: Classification of Permits and Decisions					
Type of Review	Land Use Actions and Permits	Recommendation By	Public Hearing Prior to Decision	Permit-Issuing Authority	Administrative Appeal Body & Hearing
TYPE I Administrative	• Administrative Design Review	None	None	Department director or designee	Hearing Examiner, except shoreline permits to State

without Public Notice	<ul style="list-style-type: none"> • Administrative Modifications • Boundary Line Adjustments • Change of Use • Code Interpretations • Events • Floodplain Development Permits • Grading Permit • Home Occupations • Master Sign Program • Reasonable Use Exceptions • Shoreline Exemptions • Signs • Temporary Uses 				Shoreline Hearings Board, & Open Record
TYPE II Administrative with Public Notice	<ul style="list-style-type: none"> • Administrative Conditional Use (formerly Special Use) • Binding Site Plans • <u>Design Review</u> • <u>Planned Action Certification</u> • SEPA Review (early or when not combined with another permit or required for a Type I permit) • Shoreline Substantial Developments • Short Plats • Short Plat Alterations • Short Plat Vacations • Site Plan Reviews 	None	None	Planning Director or designee	Hearing Examiner, except shoreline permits to State Shoreline Hearings Board, & Open Record
TYPE III Quasi-Judicial, Hearing Examiner	<ul style="list-style-type: none"> • Conditional Uses • Preliminary Plats • Shoreline 	Design Review Board (if required)	Open Record	Hearing Examiner	Superior Court, except shoreline permits to State Shoreline Hearings Board, & Closed Record

	Conditional Uses • Shoreline Variances • Variances				
TYPE IV Quasi-Judicial, City Council with Hearing Examiner Recommendation	• Essential Public Facilities • Planned Neighborhood Developments • Rezone - Site-Specific Zoning Map Amendments • Secure Community Transition Facilities	Hearing Examiner with Open Record Hearing	Closed Record	City Council	None, appeal to Superior Court
TYPE V Quasi-Judicial, City Council	• Final Plats • Plat Alterations • Plat Vacations • Right-of-Way Vacations	Design Review Board (if required)	Open Record	City Council	None, appeal to Superior Court
TYPE VI Legislative, City Council with Planning Commission Recommendation	• Comprehensive Plan Amendments, Map & Text • Development Agreements • Land Use Code Amendments • Rezones - Area-Wide Zoning Map Amendments	Planning Commission with Open Record Hearing	Closed Record	City Council	Growth Management Hearings Board & Closed Record

(e) Associated Land Use Determinations. Associated land use determinations are decisions that need to be made as part of another land use action or permit review, as set forth in Table 14.16A-II. Each type of determination has a separate review process determined by the Planning Director or Public Works Director, except Design Review, which is reviewed pursuant to Section [14.16C.050](#).

Table 14.16A-II: Associated Land Use Determinations
Associated Land Use Determinations
• EDDS Street Deviations
• Design Review
• Miscellaneous Administrative Determinations

(e.g., application requirements, waiver allowed by code in parking or landscaping, etc.)
• Right-of-Way Improvement Exception
• Underground Utility Deviations

14.16A.220 Application Procedures.

(a) This section describes the requirements for making application for review, including pre-application conferences, submittal requirements, and fees.

(b) Applications for development permits and other land use actions shall be made to the Department of Planning and Community Development, except Type I applications shall be made to the department which has the decision making authority (See Section 14.16A.210(d)).

(c) The property owner or any agent of the owner with authorized proof of agency may apply for a permit or approval under the type of process specified. Consent to the application must be made by the owners or lessees of property or persons who have contracted to purchase property. Signatures by agents of these parties may be accepted, if a letter from the party with ownership interest is submitted which authorizes the agent to sign the application in their name.

(d) Pre-Application Conferences.

(1) To achieve efficient and effective application of the requirements of this title, a pre-application conference between the applicant and the City staff is required for projects needing a conditional use permit, planned action certification and planned neighborhood developments.

(2) Pre-application conferences are highly recommended for applications requiring Type III, IV or V reviews, and/or design review. Pre-application conferences are optional for applications requiring Type I, II and VI reviews.

(3) Prior to submitting an application, the applicant may arrange a conference with Planning and Public Works staff to review the proposed action, to become familiar with City policies, plans and development requirements and to coordinate all necessary permits and procedures. Pre-application procedures and submittal requirements shall be determined by the Planning Director and available in the Department of Planning and Community Development.

(4) Since it is impossible for the conference to be an exhaustive review of all potential issues, the discussions at the conference shall not bind or prohibit the City's future application or enforcement of all applicable law.

(5) To request a pre-application conference, an applicant shall submit a set of preliminary plans to the City. The amount and quality of the information submitted is up to the applicant; however, better information provided initially is more likely to result in better feedback and discussion with Planning staff. At a minimum, the plans should include a basic layout of the proposal, including circulation, lot patterns and building locations, location of critical areas, and other site constraints.

(e) Submittal Requirements.

(1) The Planning Director shall specify submittal requirements, including type, detail, and number of copies, for an application to be complete. Submittal requirements for each permit

application shall be available in the Department of Planning and Community Development. At a minimum the following shall be submitted with new applications:

- (i) General application form;
- (ii) Applicable fees;
- (iii) Environmental checklist (if not exempt);
- (iv) Applicable signatures, stamps or certifications;
- (v) All required items stated in the applicable development handouts.

(2) The Planning Director may waive in writing specific submittal requirements determined to be unnecessary for review of an application. Alternatively, the Planning Director may require additional material such as maps, studies, or models, when the Planning Director determines such material is needed to adequately assess the proposed project and submits the request in writing to the applicant.

(3) Applications for shoreline substantial development permits shall include submittal of the supplemental requirements set forth in Section [14.92.050](#).

(f) Determination of Complete Application.

(1) The presumption established by this title is that all of the information set forth in the specified submittal checklists is necessary to satisfy the requirements of this section. However, each development is unique, and therefore the Planning Director may request additional information, if necessary, or may waive certain items if it is determined they are not necessary to ensure that the project complies with City requirements.

(2) The Planning Director shall make a determination of completeness pursuant to Section [14.16A.230\(c\)](#).

(g) Consolidated Permit Process.

(1) When applying concurrently for a development that involves two or more related applications, individual permit numbers shall be assigned and separate permit fees shall be paid, but the applications shall be reviewed and processed collectively. A consolidated report setting forth the recommendation and decision shall be issued.

(2) Applications processed in accordance with subsection (1) of this section, which have the same highest numbered procedure but are assigned different hearing bodies, shall be heard collectively by the highest decision maker(s). The City Council is the highest, followed by the Hearing Examiner and then the Design Review Board.

(3) No hearing or deliberation upon an application for a conditional use permit, subdivision, variance, planned neighborhood development, site plan review, administrative conditional use permit, shoreline permit, or similar quasi-judicial or administrative action, which is inconsistent with the existing Zoning Map, shall be scheduled for the same meeting at which the required Zoning Map amendment will be considered by the Hearing Examiner or the City Council. This section is intended to be a procedural requirement applicable to such actions as noted in [RCW 58.17.070](#).

(h) Application and Inspection Fees. Fees are set forth in a separate fees resolution adopted by the City Council.

14.16B.225 Notice of Application.

(a) Notice of application for Type II permits shall be provided within 14 days of the determination of completeness pursuant to Section [14.16A.230](#), Time Frames for Review. Notice shall be provided as indicated in subsection (b) of this section.

(b) Notice of Application Requirements of Type II Review.

Type II Action or Permit	Mail	Post	Publish
All Type II Actions and Permits <u>except for Design Review and Planned Action Certification as specified in Section 14.16B.225(e) below</u>	X	X	X

(c) Mailed Notices and Postcard Notices. Mailings shall be completed pursuant to Section [14.16A.225](#) with the following additional requirements for shoreline substantial development permits: a statement that any person desiring to submit written comments concerning an application, or desiring to receive notification of the final decision concerning the application as expeditiously as possible after issuance of the decision, may submit the comments or requests for decisions to the City within 30 days of the last date the notice is to be published pursuant to this section.

(d) Posted Notices. Posted notices shall be completed pursuant to Section [14.16A.225](#).

(1) On-Site Posting. At least one public notice board shall be posted on the site on each public right-of-way fronting on the site.

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

(e) Special Notification Requirements.

(1) Design Review. Public notice requirements for design review is a posted notice at City Hall and the Permit Center stating the date, time, and summary of the project to be heard by the Design Review Board.

(2) Planned Action Certification. A certification notice is required per Section 14.38.120(b)(4) in lieu of a notice of application; however, the planned action certification notice may be combined with other required permit notices including a notice of application.

14.16C.050 Design Review.

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

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

(2) To implement the City’s Comprehensive Plan policies and supplement the City’s land use regulations, promote high-quality urban design and development supplement land use regulation, promote a coordinated development of the unbuilt areas, improve walkability, lessen traffic

congestion, provide light and air, prevent the overcrowding of land, and conserve and restore natural beauty and other natural resources;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(e) Procedure.

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

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

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

- a. A completed application.
- b. Site plan at an engineering scale from one inch equals 20 feet to one inch equals 50 feet, showing:
 1. Location of all proposed structures and any existing structures to be retained or incorporated into the development.
 2. Location of building setback lines.
 3. Proposed pedestrian and vehicular circulation including driveways, access points, sidewalks and pedestrian pathways.
 4. Parking lot layout, design and, if applicable, loading areas.
 5. Public improvements including sidewalks, curbs, gutters, etc.
 6. Location of existing trees and vegetation to be retained.
- c. Building material samples and color chips.
- d. Plans and section drawings depicting the relationship of the proposed project to abutting properties and buildings.
- e. Building elevations and/or perspective renderings drawn to scale and indicating the exterior color and material composition (including mechanical equipment and screening).
- f. Roof plan including the location of mechanical equipment.
- g. A lighting plan, if required, adequate to determine the location, character, height and style of fixtures and the amount and impacts of spillover on adjacent properties.
- h. A brief narrative description of the design elements or objectives of the proposal and discussion of the project's relationship to surrounding properties.

(ii) Landscape Plans. The following information and materials shall be submitted to the City for review under this chapter:

- a. A completed application.
- b. Site plan at an engineering scale from one inch equals 20 feet to one inch equals 50 feet, showing:

1. Location of all proposed structures and any existing structures to be retained or incorporated into the development.
2. Proposed pedestrian and vehicular circulation including driveways, access points, sidewalks and pedestrian pathways.
3. Parking lot layout, design and loading areas if applicable.
4. Public improvements including sidewalks, curbs, gutters, etc.
5. Location and size of existing trees and vegetation to be retained.
6. Plans and section drawings depicting the relationship of the proposed project to abutting properties and buildings.
7. Landscape plan showing the location of proposed plant materials, including a plant schedule identifying plants by common and scientific names, spacing, size at time of planting, size at maturity, location of any existing vegetation and trees to be retained, and special notes.
8. Photographs of proposed plant material.
9. Plans showing proposed grading/topography, drawn to the same scale as the landscape plan.

(iii) Sign Plans. The following information and materials shall be submitted to the City for review under this chapter:

- a. A completed application.
- b. A site plan, drawn to scale, showing the location of the building upon which the sign will be installed, surrounding buildings, and adjacent streets.
- c. A drawing showing the size, shape and exact location of the proposed sign(s). For wall or building-mounted signs, the drawing shall portray the proposed sign's relationship to any existing or proposed signs located on the same facade or common building wall. Drawings must be to scale or contain dimensions indicating the size of the sign and the length and height of the appropriate building surface.
- d. Dimensions, area (in square feet), and style of letters/symbols of the proposed signs.
- e. A colored illustration of the proposed signs.
- f. Sign materials (wood, plastic, metal, etc.) and color samples.

(iv) The Director may require the submission of such other information determined to be appropriate and necessary for a proper review of the requested action.

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

(f) Conformance with Design Guidelines or Standards.

(1) Structures within the following zones are subject to the design guidelines or standards adopted per subsection (b) of this section, except when the project meets the limitations in Section

14.16C.025(d) or when the development is located within an adopted subarea plan and is required to meet the adopted subarea design guidelines:

- (i) Central Business District (except Class 1.100 or 1.200 uses);
 - (ii) Mixed Use (except Class 1.100 or 1.200 uses);
 - (iii) Neighborhood Commercial (except Class 1.100 or 1.200 uses);
 - (iv) Local Business (except Class 1.100 or 1.200 uses);
 - (v) Planned Business District;
 - (vi) Sub-Regional Commercial;
 - (vii) Commercial Recreation;
 - (viii) High Urban Residential;
 - (ix) Multi-Family Residential;
 - (x) Light Industrial;
 - (xi) General Industrial; or
 - (xii) Public/Semi-Public.
- (2) Structures are subject to the design guidelines or standards adopted per subsection (b) of this section when developed under specified regulations listed below, except when the project meets the limitations in Section 14.16C.020(d):
- (i) Planned Neighborhood Developments (Section 14.16C.080);
 - (ii) Planned Residential Developments (Section 14.44.020); and
 - (iii) Innovative Housing Options Demonstration Program (Chapter 14.46).
- (3) No building or land use permit shall be issued for structures or uses which do not conform to the applicable guidelines or standards, except as allowed under subsection (f)(4) of this section.
- (4) A building or land use permit may be issued for a structure or use that does not comply with subsections (f)(1), (2) or (3) of this section, if any one of the following findings can be made by the permit-issuing authority:
- (i) The structure is of a temporary nature which, in all likelihood, will be replaced by a permanent structure within a reasonable time frame.
 - (ii) The structure is minor to the overall use of the property and will not be noticeably visible from a public right-of-way.
 - (iii) The structure will not be visible from an existing, planned, or proposed public right-of-way.
 - (iv) The structure is pre-existing with proposed changes to portions of the facade that are not visible from public rights-of-way.

14.16C.080 Planned Action Projects.

(a) The purpose of this section is to establish a review process for projects submitted under a planned action ordinance within the following adopted subarea plans:

- (1) Lake Stevens Center Subarea Plan; and
- (2) 20th Street SE Corridor Subarea Plan.

(b) Procedure. Proposed planned action projects shall be submitted for certification as a planned action under one of the planned action ordinances.

(c) Development Thresholds and Criteria. The proposed project shall meet the development thresholds and mitigation measures adopted in the appropriate planned action ordinance and codified in Sections 14.38.120(d) and (e), and the planned action review criteria of Section 14.38.120(f).

(d) Planned Action Certification. *Certification notice requirements for qualifying Planned Action Projects in Section 14.16b.225(c)(1) shall be in accordance with Section 14.38.120(b)(4).*

14.16C.090 Rezones - Official Zoning Map Amendments.

(a) The purpose of this section is to set forth criteria for amendments to the Official Zoning Map, adopted pursuant to Section [14.36.100](#).

(b) Types of Rezones and Map Amendments. Rezones are either a site-specific or area-wide. Map amendments are considered major if they rezone five or more tracts of land in separate ownership or any parcel of land, regardless of the number of lots or owners, in excess of 50 acres. All other map amendments are minor.

(1) Site-specific rezones are rezones of a particular property(ies) which conform to the Comprehensive Plan or an adopted subarea plan.

(2) Area-wide rezones are rezones which require a Comprehensive Plan amendment, include a large area, or the adoption of a new or substantially revised neighborhood or area-wide zoning map amendment.

(c) Procedure. A site-specific rezone shall be reviewed in the manner and following the procedures established in Chapters [14.16A](#) and [14.16B](#) for a Type IV review. An area-wide rezone shall be reviewed in the manner and following the procedures for a Type VI review and require a concurrent amendment to the Comprehensive Plan.

(d) Initiation of Amendments.

(1) Amendments to the Official Zoning Map may be initiated by the City Council, the Planning Commission, or the City Administration.

(2) Any other person may also petition the Planning Department to amend the Official Zoning Map. The petition shall be filed with the Department of Planning and Development Services and shall include:

(i) The name, address, and phone number of the applicant;

(ii) A description of all land proposed to be rezoned including a map highlighting the specific parcels; and

(iii) A rationale for the proposed map changes.

(e) Upon receipt of a petition, the Planning Director shall either:

(1) Determine if the proposed zoning map amendments meet the decision criteria in subsection (g) of this section; or

(2) Refer the proposed amendment to the Planning Commission for a recommendation.

(f) Special Application Requirements for Site-Specific Rezones.

(1) No application shall be filed or accepted for filing which on its face will not comply with the Lake Stevens Comprehensive Plan or an adopted subarea plan.

(2) No application without signatures of owners representing 75 percent of the area proposed for rezone shall be filed or accepted for filing.

(g) Decision Criteria. The following factors are to be taken into account by the Planning Commission and the City Council when considering a map amendment:

(1) The amendment complies with the Comprehensive Plan Land Use Map, policies, and provisions and adopted subarea plans;

(2) The amendment is in compliance with the Growth Management Act;

- (3) The amendment serves to advance the public health, safety and welfare;
- (4) The amendment is warranted because of changed circumstances, a mistake, or because of a need for additional property in the proposed zoning district;
- (5) The subject property is suitable for development in general conformance with zoning standards under the proposed zoning district;
- (6) The amendment will not be materially detrimental to uses or property in the immediate vicinity of the subject property;
- (7) Adequate public facilities and services are likely to be available to serve the development allowed by the proposed zone;
- (8) The probable adverse environmental impacts of the types of development allowed by the proposed zone can be mitigated, taking into account all applicable regulations, or the unmitigated impacts are acceptable; and
- (9) The amendment complies with all other applicable criteria and standards in this title.
- (10) If the proposal is located within an adopted subarea plan,
 - (i) The rezone is to a zoning designation allowed within the applicable subarea and
 - (ii) The rezone does not increase the established intensities adopted as part of the planned action ordinance or mitigates increased or additional impacts by supplementing, amending or adding the applicable Planned Action DEIS/FEIS.

- (h) Approval. All amendments shall be approved by ordinance by the Lake Stevens City Council.
- (i) Withdrawal. Any application for a site-specific rezone may be withdrawn upon the written request of any one of the property owners who signed the application, if the remaining owners do not own 75 percent of the area.
- (j) Reapplication after Denial without Prejudice. After the Council's final action denying a rezone, no further rezone action involving substantially the same property shall be requested for at least one year. If the Council finds that extraordinary circumstances exist, or that the request might deserve approval in the near future, but not at the present time, then the rezone may be denied without prejudice. In such a case, if the rezone request is reactivated in writing by the applicant within six months, and is reheard within nine months of the date of the original action, then the original case file and number shall be used and the rezone fee shall be waived.
- (k) Review or Revocation of Approval. Rezones and any concurrent or subsequent approvals issued pursuant to this chapter may be reviewed or revoked in accordance with Section [14.16A.255](#).

14.32.010 Continuation of Nonconforming Situations and Completion of Nonconforming Projects.

Nonconforming situations that were otherwise lawful on the effective date of this chapter may be continued subject to the restrictions and qualifications of this chapter and, if applicable, of an adopted subarea plan.

14.36.020 Commercial Districts Established.

- (a) The following commercial districts are hereby established: Neighborhood Commercial, Central Business District, Local Business, Mixed Use, Planned Business District, and Sub-Regional Commercial. These districts are created to accomplish the purposes and serve the objectives set forth in the remainder of this section.
- (b) The Neighborhood Commercial (NC) zone is designed to accommodate neighborhood commercial activities that would cater to residential needs and to which local residents may walk.

- (c) The Central Business District (CBD) is designed to accommodate a wide variety of commercial activities (particularly those that are pedestrian-oriented) that will result in the most intensive and attractive use of the City's central business district.
- (d) The Local Business (LB) zone is designed to accommodate commercial development generally similar to the types permissible in a Central Business District, except that it is intended that this zone be placed along arterials to cater to commuters, or as a transition in some areas between a higher intensity zone (e.g., commercial, industrial, etc.) (~~(Sub-Regional Commercial zone)~~) and a lower intensity zone (e.g., residential, park, etc.) (~~(zone)~~), or may provide for a smaller scale shopping center that primarily serves one neighborhood or area of the City (as opposed to a sub-regional or regional shopping center).
- (e) The Mixed Use (MU) zone is designed to accommodate a horizontally stratified mixture of residential and commercial uses. It is intended that this zoning classification be applied primarily in areas adjacent to the Central Business District, Community Business, Sub-Regional Commercial, or Planned Business District zones as a transition or buffer zone to residential districts.
- (f) The Sub-Regional Commercial zone (SRC) is designed to accommodate the widest range of commercial activities.
- (g) The Planned Business District (PBD) is designed to accommodate commercial or mixed use development, including supporting residential structures, generally similar to the types permissible in a Central Business District or Mixed Use zone. It is intended that this zone be used on sites containing sensitive resources or other sites where, due to property-specific circumstances, detailed planning would benefit all property owners involved as well as the public by, among other things, allowing for comprehensive site planning and a transfer of densities among parcels in order to avoid impacts to sensitive resources.
- (h) The Business District (BD) is designed 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. 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.
- (i) The Commercial District (CD) is designed 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.
- (j) The Main Street District (MS) is designed 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.
- (k) The Mixed-Use Neighborhood (MUN) zone is designed 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 and create a transition between higher and lower intensity land uses.

<u>Commercial District</u>													<u>X</u>
<u>Main Street District</u>													<u>X</u>
<u>Mixed-Use Neighborhood</u>													<u>X</u>
<u>Neighborhood Business</u>													<u>X</u>
<u>Miscellaneous Designations</u>													
Floodplain and Floodway District	X	X	X	X	X	X	X	X	X	X	X	X	
Shoreline Environment Designation	X	X	X	X	X	X	X	X	X	X	X	X	

- | | |
|----------------------------------|---|
| LDR = Low Density Residential | MU = Mixed Use |
| MDR = Medium Density Residential | PBD = Planned Business District |
| HDR = High Density Residential | LI = Light Industrial |
| WR = Waterfront Residential | GI = General Industrial |
| D/LC = Downtown/Local Commercial | P/SP = Public/Semi-Public |
| SRC = Sub-Regional Commercial | <u>COM</u> = <u>Commercial (Subareas)</u> |

14.40.010 Table of Permissible Uses.

Table 14.40-I, the Table of Permissible Uses, sets forth the permissible uses for the various zoning districts in the City, subject to other applicable provisions in this title. It should be read in close conjunction with the definitions of terms set forth in Section [14.08.010](#) and the other interpretative provisions set forth in this chapter. Permissible uses for the Subarea zoning districts are not included in this table, but are included in Section 14.38.120.

Table 14.40-I – Add Note 14 reference to title and add Note “14 Permissible and prohibited uses for Subarea zoning districts are listed in Section 14.38.120. For development within adopted subareas, see Section 14.44.030.”

<u>USE DESCRIPTIONS</u>	<u>SR</u>	<u>WR</u>	<u>UR</u>	<u>HUR</u>	<u>MFR</u>	<u>NC⁴</u>	<u>LB</u>	<u>CBD</u>	<u>MU¹</u>	<u>PBD⁵</u>	<u>SRC</u>	<u>LI</u>	<u>GI</u>	<u>P/SP</u>
8.000 RESTAURANTS, BARS, NIGHT CLUBS														
8.600 Public Places of Adult Entertainment											((€))	C	A	

14.44.030 (~~(Planned Neighborhood-))Development(s) within Adopted Subareas.~~

~~((Repealed by Ord. 811.))~~ Developments within adopted subareas are subject to the regulations found in the standard municipal code requirements of Title 14 LSMC, except when modified by subarea specific regulations in Chapter 14.38 LSMC.

14.68.124 Incentive Provisions for Exceptional Efforts.

(a) To encourage the integration of signage into the visual framework of its location, special consideration may be given to signs of exceptional design. Special consideration may, at the Planning ~~((Commission))~~ Director's discretion, result in a relaxation of the number, dimensional and locational standards specified in this chapter. No other standards may be relaxed. This is not to be confused with a variance. It is to be based on an exceptional effort toward creating visual harmony between the sign, the building(s), and the site.

(b) Petitions for consideration of signs pursuant to this section shall be made to and decided by the Planning ~~((Commission))~~ Director. The petition and application shall be presented with the entire sign plan to the ~~((Planning Commission))~~ Design Review Board with a narrative outlining the proposed plan addressing, but not limited to, the following:

- (1) How the components of the sign improve legibility, readability, and aesthetics;
- (2) The relationship of the proposed sign to the community vision for the zone, as expressed in the Comprehensive Plan, intent of the zone, and Development Design Guidelines. In the Central Business District in particular, signs designed to enhance the historic character of downtown may be given special consideration;
- (3) Relationship of the sign to the immediate surroundings, including existing and proposed buildings, other signs, and landscape;
- (4) Relationship of the sign to the business that the sign is to promote; and
- (5) A colored rendering, showing the proposed sign, dimensions of the sign, and location of the sign.