

City of Lake Stevens Vision Statement



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

CITY COUNCIL REGULAR MEETING AGENDA
Lake Stevens School District Educational Service Center (Admin. Bldg.)
12309 22nd Street NE, Lake Stevens
Monday, July 8, 2013 - 7:00 p.m.

- NOTE:** **WORKSHOP ON VOUCHERS AT 6:45 P.M.**
- CALL TO ORDER:** 7:00 p.m.
Pledge of Allegiance
- ROLL CALL:**
- GUEST BUSINESS:** Senator Steve Hobbs
- CONSENT AGENDA:**
- | | | |
|-----|---|-------|
| *A. | Approve July vouchers. | Barb |
| *B. | Approve Council regular meeting minutes of June 24, 2013. | Norma |
- PUBLIC HEARINGS:** PUBLIC HEARING FORMAT:
1. Open Public Hearing
 2. Staff presentation
 3. Council's questions of staff
 4. Proponent's comments
 5. Comments from the audience
 6. Close public comments portion of hearing
 7. Discussion by City Council
 8. Re-open the public comment portion of the hearing for additional comments (optional)
 9. Close Hearing
 10. COUNCIL ACTION:
 - a. Approve
 - b. Deny
 - c. Continue
- | | | |
|-----|--|-------|
| *A. | Public Hearing in consideration of first and final reading of Ordinance No. 896 Duane Smith Right-of-Way Vacation/dedication (LUA 2013-0048) | Mick |
| *B. | Public Hearing in consideration of Resolution 2013-5 Comprehensive Plan Amendment Proposals (2013 Docket Ratification) | Karen |
- PUBLIC MEETING:**
- | | | |
|----|-------------------------------|-----------------|
| *A | Sonterra Final Plat Approval. | Becky/
Karen |
|----|-------------------------------|-----------------|
- ACTION ITEMS:**
- | | | |
|-----|--|------|
| *A. | Acceptance of 20 th Street sidewalk bid award and contract. | Mick |
|-----|--|------|

Lake Stevens City Council Regular Meeting Agenda

July 8, 2013

**DISCUSSION
ITEMS:**

**COUNCIL PERSON'S
BUSINESS:**

MAYOR'S BUSINESS:

STAFF REPORTS:

**INFORMATION
ITEMS:**

**EXECUTIVE
SESSION:**

ADJOURN:

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

Special Needs

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

NOTICE:

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

**BLANKET VOUCHER APPROVAL
 2013**

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

Payroll Direct Deposits	907407-907469	\$122,063.54
Payroll Checks	35352-35353	\$2,816.64
Electronic Funds Transfers	612-617	\$54,951.95
Claims	35354-35411	\$67,973.70
Void Checks		
Tax Deposit(s)	7/1/2013	\$48,185.78
Total Vouchers Approved:		\$295,991.61

This 8th day of July 2013:

 Mayor

 Councilmember

 Finance Director

 Councilmember

 Councilmember

 Councilmember



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Direct Deposit Register

02-Jul-2013

Wells Fargo - AP

Lake Stevens

Direct Deposits to Accounts

02-Jul-2013	<u>Vendor</u>	<u>Source</u>	<u>Amount</u>	<u>Draft#</u>	<u>Bank Name</u>	<u>Transit</u>	<u>Account</u>
12112	AFLAC	C	\$1,812.28	612	Wells Fargo	121000248	4159656917
13027	DEPARTMENT OF LICENSING	C	\$204.00	613	Wells Fargo	123456789	123123123
9407	Department of Retirement (Pers	C	\$46,785.36	614	Wells Fargo	121000248	4159656917
9408	NATIONWIDE RETIREMENT SOL	C	\$998.25	615	Wells Fargo	121000248	4159656917
1418	Standard Insurance Company	C	\$4,749.60	616	Wells Fargo	121000248	4159656917
9405	Wash State Support Registry	C	\$402.46	617	Wells Fargo	121000248	4159656917
Total:			\$54,951.95		Count:	6.00	

Direct Deposit Summary

<i>Type</i>	<i>Count</i>	<i>Total</i>
C	6	\$54,951.95

Pre-Note Transactions

Detail Check Register

01-Jul-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
35354	01-Jul-13	13824	Wash Teamsters Welfare Trust		\$1,017.80
08/2013		Insurance Premiumns		\$1,017.80	\$0.00
101016542002000		Street Fund - Benefits		\$581.60	
410016542402000		Storm Water - Benefits		\$436.20	
Total Of Checks:					\$1,017.80

Detail Check Register

03-Jul-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
35355	08-Jul-13	1579	ACE HARDWARE		\$278.17
38549			Screws	\$4.66	\$0.00
			101016542640000 Street Fund - Traffic Control	\$4.66	
38479			Toilet seat and handle	\$74.34	\$0.00
			001013519903100 General Government - Operating	\$74.34	
38510			Construction Adhesive/screws	\$24.28	\$0.00
			101016542003102 Street Fund Operating Costs	\$24.28	
38524			Paint	\$54.80	\$0.00
			001010576803103 Parks-Lundeen-Operating Costs	\$54.80	
38561			Painting supplies	\$36.29	\$0.00
			001010576803103 Parks-Lundeen-Operating Costs	\$36.29	
38595			Caulk	\$15.18	\$0.00
			001010576803103 Parks-Lundeen-Operating Costs	\$15.18	
38614			Pipe insulation	\$52.04	\$0.00
			101016542003102 Street Fund Operating Costs	\$39.03	
			410016542403102 Storm Water - Operating Costs	\$13.01	
38619			Toilet valve	\$16.58	\$0.00
			001008521003104 Law Enforcement-Operating Cost	\$16.58	
35356	08-Jul-13	12921	ADVANTAGE BUILDING SERVICES		\$651.70
13-0330			Janitorial Services	\$651.70	\$0.00
			001007558004100 Planning - Professional Servic	\$21.38	
			001007559004100 Building Department - Professi	\$21.38	
			001008521004100 Law Enforcement - Professional	\$373.73	
			001013519904100 General Government - Professio	\$106.91	
			001013555504100 Community Center - Cleaning	\$85.53	
			101016542004100 Street Fund - Professional Ser	\$21.38	
			410016542404101 Storm Water - Professional Ser	\$21.39	
35357	08-Jul-13	12187	AUCKLAND ENTERPRISES		\$1,500.00
620			Limbed/topped trees at Lundeen Par	\$850.00	\$0.00
			001010576804800 Parks - Repair & Maintenance	\$850.00	
625			Removal of danger trees behind 124	\$650.00	\$0.00
			001010576804800 Parks - Repair & Maintenance	\$650.00	

Detail Check Register

03-Jul-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
35358	08-Jul-13	179	Blumenthal Uniforms		\$629.88
4409-01			Clothing	\$223.66	\$0.00
			001008521002600 Law Enforcment Clothing	\$223.66	
5291			Clothing - Lorentzen	\$199.72	\$0.00
			001008521002600 Law Enforcment Clothing	\$199.72	
8068			Drug Kit	\$206.50	\$0.00
			001008521003104 Law Enforcement-Operating Cost	\$206.50	
35359	08-Jul-13	11952	Carquest Auto Parts Store		\$182.23
2421-190846			Oil and filters	\$63.14	\$0.00
			101016542003102 Street Fund Operating Costs	\$47.36	
			410016542403102 Storm Water - Operating Costs	\$15.78	
2421-191466			Filters	\$35.19	\$0.00
			101016542003102 Street Fund Operating Costs	\$35.19	
2421-191673			Oil/Antifreeze	\$83.90	\$0.00
			101016542003102 Street Fund Operating Costs	\$62.92	
			410016542403102 Storm Water - Operating Costs	\$20.98	
35360	08-Jul-13	12404	CDW GOVERNMENT INC		\$312.82
CQ14358			2 MDC equipment & Firewalls	\$2,871.61	\$0.00
			001008521006400 Law Enforcement - Capital Outl	\$2,871.61	
CT74545			2 MDC equipment & Firewalls	\$2,881.49	\$0.00
			001008521006400 Law Enforcement - Capital Outl	\$2,881.49	
CW95320			2 MDC equipment & Firewalls	(\$5,440.28)	\$0.00
			001008521006400 Law Enforcement - Capital Outl	(\$5,440.28)	
35361	08-Jul-13	13969	Child Advocacy Center		\$1,767.23
396			Q2.2013 Child interview services	\$1,767.23	\$0.00
			001008521004100 Law Enforcement - Professional	\$1,767.23	
35362	08-Jul-13	13776	Chris L Griffen		\$187.50
2Z0765326			Public Defender	\$187.50	\$0.00
			001013512800000 Court Appointed Attorney Fees	\$187.50	
35363	08-Jul-13	14027	Citrix Systems Inc		\$282.36
91412021			Yearly Software Maintenance Rene	\$282.36	\$0.00

Detail Check Register

03-Jul-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
510013519103101			License Renewal/Annual Maint	\$282.36	
35364	08-Jul-13	274	City of Everett		\$2,845.00
I13001252			Lab analysis	\$210.00	\$0.00
410016531503104			DOE-G1100060 SW Capacity Exp	\$210.00	
I13001285			Animal shelter services	\$2,635.00	\$0.00
001008539004100			Code Enforcement - Professiona	\$2,635.00	
35365	08-Jul-13	276	City Of Lake Stevens		\$34.30
13-0330			Retainage - Advantage	\$34.30	\$0.00
001007558004100			Planning - Professional Servic	\$1.13	
001007559004100			Building Department - Professi	\$1.13	
001008521004100			Law Enforcement - Professional	\$19.67	
001013519904100			General Government - Professio	\$5.63	
001013555504100			Community Center - Cleaning	\$4.50	
101016542004100			Street Fund - Professional Ser	\$1.12	
410016542404101			Storm Water - Professional Ser	\$1.12	
35366	08-Jul-13	12004	CITY OF MARYSVILLE		\$6,104.85
13-009			Court Citations May 2013	\$6,104.85	\$0.00
001013512500001			Municipal Court Fees	\$6,104.85	
35367	08-Jul-13	296	Code Publishing Co.		\$376.95
43849			Municipal Code Publishing	\$376.95	\$0.00
001003514104100			City Clerks-Professional Servi	\$376.95	
35368	08-Jul-13	13030	COMCAST		\$117.75
06/13 0443150			Internet services - city wide	\$117.75	\$0.00
001003513104200			Administration-Communications	\$2.36	
001003514104200			City Clerks-Communications	\$7.07	
001003516104200			Human Resources-Communications	\$2.36	
001003518104200			IT Dept-Communications	\$4.71	
001004514234200			Finance - Communications	\$4.71	
001007558004200			Planning - Communication	\$18.84	
001008521004200			Law Enforcement - Communicatio	\$68.30	
001010576804200			Parks - Communication	\$3.14	
101016542004200			Street Fund - Communications	\$3.13	
410016542404200			Storm Water - Communications	\$3.13	
35369	08-Jul-13	13030	COMCAST		\$85.71
06/13 0810218			Internet svc - Lakeshore Dr	\$85.71	\$0.00

Detail Check Register

03-Jul-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
001008521004200			Law Enforcement - Communicatio	\$85.71	
35370	08-Jul-13	13030	COMCAST		\$75.71
06/13 0692756			Internet - Market PI	\$75.71	\$0.00
001008521004200			Law Enforcement - Communicatio	\$75.71	
35371	08-Jul-13	9386	Crystal and Sierra Springs		\$289.92
5249844060113			Bottled water	\$289.92	\$0.00
001007558003200			Planning-Operating Costs	\$72.92	
001007559003101			Building Department - Operatin	\$72.92	
001013519903100			General Government - Operating	\$79.41	
101016542003102			Street Fund Operating Costs	\$32.34	
410016542403102			Storm Water - Operating Costs	\$32.33	
35372	08-Jul-13	13090	Daily Journal of Commerce		\$151.20
3276621			LUA2013-0061 20th St sidewalk	\$151.20	\$0.00
309016595616301			Sidewalk Construction	\$151.20	
35373	08-Jul-13	13907	Fastenal Company		\$83.90
WAEV121646			Duct tape,Hose nozzle	\$35.45	\$0.00
101016542003102			Street Fund Operating Costs	\$35.45	
WAEV121727			Pry Bar	\$48.45	\$0.00
410016542403103			Tools	\$48.45	
35374	08-Jul-13	13468	Feldman & Lee		\$5,250.00
06/2013			Public Defender	\$5,250.00	\$0.00
001013512800000			Court Appointed Attorney Fees	\$5,250.00	
35375	08-Jul-13	549	Foster Press		\$410.51
31605			Vandalism stickers for traffic control	\$410.51	\$0.00
101016542640000			Street Fund - Traffic Control	\$410.51	
35376	08-Jul-13	13764	Frontier		\$85.91
06/13 4253340835			Phone services	\$85.91	\$0.00
001013519904200			General Government - Communica	\$28.64	
101016542004200			Street Fund - Communications	\$28.63	
410016542404200			Storm Water - Communications	\$28.64	
35377	08-Jul-13	13486	GeoLine Inc		\$237.84
319661			Juno SB Battery/Stylus	\$237.84	\$0.00
410016531503104			DOE-G1100060 SW Capacity Exp	\$237.84	

Detail Check Register

03-Jul-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
35378	08-Jul-13	12393	GLENS RENTAL SALES & SERVICE	\$348.88	
S8097			Ignithion/Plug/Chain	\$88.29	\$0.00
			410016542403102 Storm Water - Operating Costs	\$88.29	
S8149			Replace hedge trimmer on Stihl pow	\$260.59	\$0.00
			101016542003102 Street Fund Operating Costs	\$225.00	
			410016542403102 Storm Water - Operating Costs	\$35.59	
35379	08-Jul-13	14009	Great Floors	\$294.98	
07/01/13			Retainage Release-Great Floors	\$294.98	\$0.00
			621000586000005 Public Bldg Maint Retain Reimb	\$294.98	
35380	08-Jul-13	13455	Harbor Freight Tools	\$40.35	
582798			10 inch tires	\$40.35	\$0.00
			001008521003102 Law Enforcement - Boating Oper	\$40.35	
35381	08-Jul-13	13500	HB Jaeger Co LLC	\$1,031.70	
1388351			48 bird cage/Bee hive for storm drai	\$1,031.70	\$0.00
			410016531503104 DOE-G1100060 SW Capacity Exp	\$1,031.70	
35382	08-Jul-13	13509	Industrial Supply, Inc	\$99.78	
517663			Refuse Hooks	\$99.78	\$0.00
			101016542003102 Street Fund Operating Costs	\$74.83	
			410016542403102 Storm Water - Operating Costs	\$24.95	
35383	08-Jul-13	13232	Integra Telecom, Inc	\$882.62	
10993448			Phone services	\$882.62	\$0.00
			001003513104200 Administration-Communications	\$12.97	
			001003514104200 City Clerks-Communications	\$25.95	
			001003516104200 Human Resources-Communications	\$12.97	
			001003518104200 IT Dept-Communications	\$38.92	
			001004514234200 Finance - Communications	\$25.95	
			001007558004200 Planning - Communication	\$84.38	
			001007559004200 Building Department - Communci	\$12.97	
			001008521004200 Law Enforcement - Communicatio	\$441.31	
			001010575304200 Historical - Communications	\$12.97	
			001013519904200 General Government - Communica	\$51.90	
			001013555504200 Community Center-Communication	\$12.97	
			101016542004200 Street Fund - Communications	\$74.68	
			410016542404200 Storm Water - Communications	\$74.68	
35384	08-Jul-13	13279	KCDA Purchasing Coop	\$3,759.48	
3695382			Bathroom supplies for all city/parks	\$3,759.48	\$0.00

Detail Check Register

03-Jul-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
001008521003104			Law Enforcement-Operating Cost	\$451.14	
001010576803103			Parks-Lundeen-Operating Costs	\$1,804.55	
001013519903100			General Government - Operating	\$150.38	
001013551503100			Community Center - Operations	\$902.28	
101016542003102			Street Fund Operating Costs	\$75.19	
410016542403102			Storm Water - Operating Costs	\$375.94	
35385	08-Jul-13	13885	Lake Industries LLC		\$480.00
26876			Hauling spoil from storm water ditch	\$120.00	\$0.00
410016531503104			DOE-G1100060 SW Capacity Exp	\$120.00	
26892			Hauling spoil from storm water ditch	\$15.00	\$0.00
410016531503104			DOE-G1100060 SW Capacity Exp	\$15.00	
26894			Hauling spoil from storm water ditch	\$30.00	\$0.00
410016531503104			DOE-G1100060 SW Capacity Exp	\$30.00	
26898			Hauling spoil from storm water ditch	\$180.00	\$0.00
410016531503104			DOE-G1100060 SW Capacity Exp	\$180.00	
26900			Hauling spoil from storm water ditch	\$135.00	\$0.00
410016531503104			DOE-G1100060 SW Capacity Exp	\$135.00	
35386	08-Jul-13	12751	LAKE STEVENS POLICE GUILD		\$921.50
07/01/13			Union Dues	\$921.50	\$0.00
001000281000000			Payroll Liabilities	\$921.50	
35387	08-Jul-13	9340	Lake Stevens School District		\$4,340.20
711			Fuel	\$4,002.20	\$0.00
001007559003200			Building Department - Fuel	\$139.65	
001010576803200			Parks - Fuel Costs	\$74.79	
101016542003200			Street Fund - Fuel	\$3,465.89	
410016542403200			Storm Water - Fuel	\$321.87	
8425			Room rent for Council mtgs	\$338.00	\$0.00
001001511604501			Legislative - Rentals	\$338.00	
35388	08-Jul-13	12841	Law Offices of Weed, Graafstra		\$5,977.50
114			Professional Services	\$5,977.50	\$0.00
001005515204100			Legal - Professional Service	\$3,586.50	
101016542004100			Street Fund - Professional Ser	\$1,793.25	
410016542404101			Storm Water - Professional Ser	\$597.75	
35389	08-Jul-13	13996	Lennar Northwest		\$10.54

Detail Check Register

03-Jul-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor		Check Amount	
44043			Refund overpmt BLD2013-0161	\$10.54	\$0.00	\$10.54
001000389000000			Refunds or Overpayments	\$10.54		
35390	08-Jul-13	12215	LOWES COMPANIES			\$254.78
911075			15 4x6x16 treated boards to repair s	\$192.63	\$0.00	\$192.63
001010576803100			Parks - Operating Costs	\$192.63		
961245			Step Risers for Police Boat	\$62.15	\$0.00	\$62.15
001008521003102			Law Enforcement - Boating Oper	\$62.15		
35391	08-Jul-13	14031	Martin Reimers			\$347.17
Refund			Reimb for Banners	\$347.17	\$0.00	\$347.17
001010575304900			Arts Commission	\$347.17		
35392	08-Jul-13	1019	NATIONAL BARRICADE COMPANY			\$198.74
247409			7 NGPA signs	\$198.74	\$0.00	\$198.74
410016531503104			DOE-G1100060 SW Capacity Exp	\$198.74		
35393	08-Jul-13	12684	NORTHWEST CASCADE INC.			\$115.00
1-681541			Honey bucket rental	\$115.00	\$0.00	\$115.00
001010576804500			Parks - Equipment Rental	\$115.00		
35394	08-Jul-13	1091	Office Of The State Treasurer			\$9,269.37
06/2013			June 2013 State Court Fees	\$9,269.37	\$0.00	\$9,269.37
633008559005100			Building Department - State Bl	\$126.00		
633008589000003			Public Safety And Ed. (1986 As	\$4,411.79		
633008589000004			Public Safety And Education	\$2,629.07		
633008589000005			Judicial Information System-Ci	\$779.02		
633008589000008			Trauma Care	\$307.53		
633008589000009			school zone safety	\$30.54		
633008589000010			Public Safety Ed #3	\$185.47		
633008589000011			Auto Theft Prevention	\$437.77		
633008589000012			HWY Safety Act	\$69.33		
633008589000013			Death Inv Acct	\$43.93		
633008589000014			WSP Highway Acct	\$248.92		
35395	08-Jul-13	1066	PERTEET ENGINEERING, INC.			\$2,863.48
20110012.005-1			Planning services 20th st sidewalk	\$2,863.48	\$0.00	\$2,863.48
309016595616301			Sidewalk Construction	\$2,863.48		
35396	08-Jul-13	12450	PITNEY BOWES			\$112.17
9619164-JN13			Postage machine rental	\$112.17	\$0.00	\$112.17

Detail Check Register

03-Jul-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
001013519904500			General Government-Equip Renta	\$112.17	
35397	08-Jul-13	13304	Purchase Power		\$350.00
06/13 01831977			Postage	\$350.00	\$0.00
001007558004200			Planning - Communication	\$48.16	
001013519904200			General Government - Communica	\$291.32	
101016542004200			Street Fund - Communications	\$5.26	
410016542404200			Storm Water - Communications	\$5.26	
35398	08-Jul-13	11856	Robin Newman		\$269.25
Uniform refund			Uniform deduction refund	\$269.25	\$0.00
101016542001100			Street Fund - Salaries	\$269.25	
35399	08-Jul-13	12069	Seattle Pump		\$228.60
13-2444			Hose and reducer plate for vactor tr	\$228.60	\$0.00
410016531503104			DOE-G1100060 SW Capacity Exp	\$228.60	
35400	08-Jul-13	12722	SHRED-it WESTERN WASHINGTON		\$49.50
101307450			shredding services	\$49.50	\$0.00
001008521003104			Law Enforcement-Operating Cost	\$49.50	
35401	08-Jul-13	12363	SNOHOMISH COUNTY PLANNING		\$369.00
I000326668			April 2013 Interlocal Svcs	\$369.00	\$0.00
001007559004100			Building Department - Professi	\$369.00	
35402	08-Jul-13	12961	SNOHOMISH COUNTY PUD		\$928.44
100103234			Electric - Case# 5013-9959	\$98.50	\$0.00
001008521003104			Law Enforcement-Operating Cost	\$98.50	
117310824			202150405	\$298.58	\$0.00
410016542404700			Storm Water-Aerat. Utilities	\$298.58	
127261801			202988481	\$303.10	\$0.00
101016542630000			Street Fund - Street Lighting	\$303.10	
137089727			203599006	\$228.26	\$0.00
001010576804700			Parks - Utilities	\$76.09	
101016542004700			Street Fund - Utilities	\$76.09	
410016542404701			Storm Water Utilities	\$76.08	
35403	08-Jul-13	14007	Snohomish County PW (S)		\$1,337.04
I000328757			Signal Maint	\$1,337.04	\$0.00

Detail Check Register

03-Jul-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
101016542640000			Street Fund - Traffic Control	\$1,337.04	
35404	08-Jul-13	1382	Snohomish County PW (V)		\$7,598.15
8870			Vehicle R&M/Signs R&M	\$7,598.15	\$0.00
001008521004800			Law Enforcement - Repair & Mai	\$7,304.74	
101016542640000			Street Fund - Traffic Control	\$293.41	
35405	08-Jul-13	1388	Snohomish County Treasurer		\$211.82
06/2013			June 2013 Crime Victims Comp	\$211.82	\$0.00
633008589000001			Crime Victims Compensation	\$211.82	
35406	08-Jul-13	13415	Staples		\$727.81
3201700318			Personal Eyewash bottles	\$21.92	\$0.00
001008521003104			Law Enforcement-Operating Cost	\$21.92	
3202663973			Office and bathroom supplies	\$394.70	\$0.00
001007558003100			Planning - Office Supplies	\$51.69	
001008521003104			Law Enforcement-Operating Cost	\$0.00	
001010576803103			Parks-Lundeen-Operating Costs	\$313.32	
001013519903100			General Government - Operating	\$0.00	
001013551503100			Community Center - Operations	\$0.00	
101016542003102			Street Fund Operating Costs	\$0.00	
410016531503104			DOE-G1100060 SW Capacity Exp	\$16.92	
410016542403101			Storm Water - Office Supplies	\$12.77	
410016542403102			Storm Water - Operating Costs	\$0.00	
3202663974			Office and bathroom supplies	\$17.50	\$0.00
001007558003100			Planning - Office Supplies	\$17.50	
001008521003104			Law Enforcement-Operating Cost	\$0.00	
001010576803103			Parks-Lundeen-Operating Costs	\$0.00	
001013519903100			General Government - Operating	\$0.00	
001013551503100			Community Center - Operations	\$0.00	
101016542003102			Street Fund Operating Costs	\$0.00	
410016531503104			DOE-G1100060 SW Capacity Exp	\$0.00	
410016542403101			Storm Water - Office Supplies	\$0.00	
410016542403102			Storm Water - Operating Costs	\$0.00	
3202941781			Office supplies	\$293.69	\$0.00
001008521003100			Law Enforcement - Office Suppl	\$293.69	
35407	08-Jul-13	13891	Tacoma Screw Products Inc		\$444.30
30383490			Hex Bit	\$47.12	\$0.00
101016542003102			Street Fund Operating Costs	\$35.34	
410016542403103			Tools	\$11.78	

Detail Check Register

03-Jul-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor		Check Amount	
30386791			Asphalt and concrete blade for chop	\$313.95	\$0.00	\$313.95
		101016542003102	Street Fund Operating Costs	\$262.50		
		410016542403103	Tools	\$51.45		
30387538			screws/washers	\$83.23	\$0.00	\$83.23
		101016542003102	Street Fund Operating Costs	\$62.42		
		410016542403102	Storm Water - Operating Costs	\$20.81		
35408	08-Jul-13	11787	Teamsters Local No. 763			\$570.00
07/2013			Union Dues	\$570.00	\$0.00	\$570.00
		001000281000000	Payroll Liabilities	\$570.00		
35409	08-Jul-13	1491	The Everett Herald			\$246.44
1822996			LUA2013-0058 SR92 Roundabouts	\$79.24	\$0.00	\$79.24
		001007558004400	Planning - Advertising	\$79.24		
1823580			Ordinance 894	\$34.52	\$0.00	\$34.52
		001013514304400	General Government - Advertisin	\$34.52		
1823739			Shoreline master program update	\$50.00	\$0.00	\$50.00
		001007558004400	Planning - Advertising	\$50.00		
1824170			LUA2013-0061 20th St sidewalk	\$82.68	\$0.00	\$82.68
		309016595616301	Sidewalk Construction	\$82.68		
35410	08-Jul-13	11788	United Way of Snohomish Co.			\$315.68
06/13			Employee Donations	\$315.68	\$0.00	\$315.68
		001000281000000	Payroll Liabilities	\$315.68		
35411	08-Jul-13	13045	UPS			\$20.19
74Y42243			Evidense shipping	\$20.19	\$0.00	\$20.19
		001008521004200	Law Enforcement - Communicatio	\$20.19		
Total Of Checks:						\$66,955.90

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

Monday, June 24, 2013
Lake Stevens School District Educational Service Center (Admin. Bldg.)
12309 22nd Street N.E. Lake Stevens

CALL TO ORDER: 7:00 p.m. by Mayor Pro Tem John Spencer

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

COUNCILMEMBERS ABSENT: Mayor Vern Little

STAFF MEMBERS PRESENT: City Administrator Jan Berg, City Attorney Cheryl Beyer, Planning Director Becky Ableman, Finance Director Barb Stevens, Public Works Director Mick Monken, Human Resource Director Steve Edin, Interim Police Chief Dan Lorentzen, and City Clerk/Admin. Asst. Norma Scott

OTHERS: William Tackitt, Jeff Gray, Josh Herschlip, Samuel Low

Guest Business. William Tackitt, 12009 North Lakeshore Drive, commented as follows: purchased two single-family homes on 83rd Avenue, demolished the houses and rebuilt on the same footprint, and paid for sewer since there was no sewer hookup. The purchase closed in October and when submitted building permits he was told it has wetlands. Homes were unoccupied for five years and water from catch basins dumped onto this property. Twenty-seven houses drained onto his lots. PUD would not bring in a power pedestal because of the wetlands. Homes are ready to be occupied but do not have power. There are 39 lines going across the property and requests to hook to the line that was used for the original houses. Have dedicated 10 feet of right-of-way to the City and paid mitigation fees.

Josh Herschlip, 12009 N. Lakeshore Drive, noted the project has been costly and behind schedule with unforeseen costs. Mr. Herschlip is asking for overhead power. The line hook up is right there. In the future if everyone switches to underground, he would be willing to do so, but is asking for an exception now. The houses were run down and their project made significant changes to the area.

Jeff Gray, 3511 Glacier Park Avenue, Everett, commented the City said if the building is in the same footprint there are no problems, then the wetland issue came up. Jeff Holt, from the PUD, drew a sketch of overhead not knowing if the City would allow. The PUD then said they would not go through the wetlands. The owners are under a time crunch with the bank.

Samuel Low, 8409 4th Place SE, commented he lives in this neighborhood and these homes were truly drug houses. Thanked the developers for beautifying his neighborhood. He hopes Council can find a way to allow them hook up to overhead power.

Consent Agenda. Councilmember Daughtry moved to approve the Consent Agenda (A. Approve June vouchers [Payroll Direct Deposits 907351-907406 for \$126,648.89; Payroll Checks 35283 for \$2,463.37; Electronic Funds Transfers 607-311 for \$15,961.26; Claims

35284-35351 for \$229,798.20; Tax Deposit 6.14.13 for \$50,640.84 for total vouchers approved of \$425,512.56]8; B. Approve Council regular meeting minutes of June 10, 2013; C. Authorize Interlocal Agreement for Furnishing Equipment Maintenance/Repair Service with Snohomish County for cooperative purchasing; D. Authorize bid award and contract to innovative Door Solution Inc. for City Library ADA door; and E. Approve Master Contracts Usage Agreement (MCUA) with the State of Washington), seconded by Councilmember Tageant; motion carried unanimously. (7-0-0-0)

Feldman & Lee public defender contract amendment. City Administrator Berg noted the City has contracted with them since 2007 when the City went out for a Request for Proposals (RFP). Last November the City did an extension of the contract because of expected changes in the case load standard. With the caseload standard now set and with recent changes in the firm, Mr. Feldman has agreed to extend the contract to August 31 which allows the cities of Lake Stevens, Arlington, and Marysville to go out for an RFP.

MOTION: Councilmember Welch moved to approve the amendment for contract with Feldman and Lee to August 31, seconded by Councilmember Daughtry; motion carried unanimously. (7-0-0-0)

Request to Council to waive underground code requirements on 83rd Avenue. Public Works Director Monken reported the PUD is getting ready to submit plans to the City. Mr. Monken reviewed the process. There were critical wetlands on the property as identified by Snohomish County prior to annexation. The drainage course had been filled in on the property by a prior property owner and plugged up. The current owners requested a waiver of frontage improvements and undergrounding of power. The frontage improvements were waived with the dedication of 10 feet of right-of-way. The owners were informed there are no exemptions for having power remain overhead which were made a condition of the building permits. They had 21 days to protest/appeal and they didn't. PUD was contacted by the City who said that they have no issue with undergrounding from either side of the street and that both were feasible. Mr. Gray requested a pole on his side of the street be relocated two feet from its current location which would allow for the drop to be performed on his side of the street. This was approved by the City provided that no additional poles would be installed and no new overheads or guides would be installed. Mr. Gray requested a hardship waiver which staff is not allowed to grant. If Council wishes to consider an exemption for hardship, it would require a code amendment which would require about 60 days to process. Power is available and the question is the cost. The permits were issued in February and June 10 the applicant requested a hardship waiver on power.

William Tackitt commented that on an old map there was drainage about 200 feet back which they inherited and a broken pipe shooting water onto the front of their property.

Mr. Monken commented that after a recent discussion with the PUD they would allow undergrounding, but the developer's request is for overhead. It appears that undergrounding will work for the PUD and developer.

Councilmember Spencer suggested looking at a temporary occupancy if undergrounding works.

Planning Director Ableman noted the City allows undergrounding through wetlands.

Council Person's Business: Councilmembers reported on the following meetings: Welch – Arts Commission is sponsoring a movie in the park; Dooley – attended Sewer meeting where they reviewed sewer planning issues with the City as lead; and Daughtry – Economic Development Committee and SCCIT discussed the Transportation Package.

Staff Reports: Staff reported on the following: City Administrator Berg – Transportation Package; Planning Director Ableman – Park Board meeting tomorrow and Ironman update; Public Works Director Monken – held first open house educational meeting on phosphorus and will have follow up meetings, 20th Street sidewalk out to bid and to Council at the July 8 meeting, update on asphalt overlay, and received two grants for school safety; and Interim Police Chief Lorentzen – participated in safety fair, posting collision reports online which will make more public records available to the public, and working on accreditation.

Adjourn. Councilmember Tageant moved to adjourn at 8:15 p.m., seconded by Councilmember Welch; motion carried unanimously. (7-0-0-0)

John Spencer, Mayor Pro Tem

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



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LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: July 8, 2013

Subject: 20th Street SE Mixed-Use Right-of-Way Vacation/Dedication
LUA2013-0048 (Ordinance No. 896)

Contact Person/Department: Russ Wright, Planning &
Community Development

Budget Impact: none

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL: Hold a public hearing for and take action on Ordinance No. 896 for a proposed balanced right-of-way vacation and dedication of approximately 5,400 square feet of land between the Smith property (Parcel No. 29061900301200) and adjacent city property (Parcel No. 29061900302700), off 20th Street SE.

BACKGROUND/HISTORY:

Duane Smith had previously received grading permit approval from Snohomish County to clear the subject property and install infrastructure to support a proposed mixed-use development. The city is currently reviewing a binding site plan to subdivide the property into commercial/residential building pads for construction. The original project created unavoidable impacts to onsite wetlands. Following review by the Army Corps of Engineers, Smith proposed moving the project driveway to the east to reduce wetland impacts and regularize portions of the common boundary with the adjacent city property.

The current request is for a balanced right-of-way vacation (ROW) and dedication of approximately 5,400 square feet of land between the Smith property (Parcel No. 29061900301200) and adjacent city property (Parcel No. 29061900302700) subject to the requirements of LSMC 14.16C.095. The requested action will create a shared access point off 20th Street SE for the city's stormwater detention facility and the Smith property. The action will also place the access drive for the Smith property entirely on his property. The city will receive an access easement across the Smith property.

The requested project is a Type V permit subject to a public hearing with City Council. Before the city staff can approve the pending binding site plan, City Council would need to approve the ROW vacation/dedication.

APPLICABLE CITY POLICIES: Lake Stevens Municipal Code 14.16C.095 – Right-of-Way Vacation and Chapter 14.16B LSMC, Part V – Type V Review - Quasi-Judicial, City Council Decisions

BUDGET IMPACT: None – the city would receive equivalent property in dedication for vacated properties as compensation.

ATTACHMENTS:

1. Staff Report with Exhibits



Planning and Community Development
 Staff Report and Recommendation
 Right-of-Way Vacation/Dedication

July 8, 2013 20th St SE Mixed-Use Row Vacation LUA2013-0048

A. PROJECT DESCRIPTION AND REQUEST

Duane Smith had previously received grading permit approval from Snohomish County to clear the subject property and install infrastructure to support a proposed mixed-use development. The city is currently reviewing a binding site plan to subdivide the property into commercial/residential building pads for construction. The original project created unavoidable impacts to onsite wetlands. Following review by the Army Corps of Engineers, Smith proposed moving the project driveway to the east to reduce wetland impacts and regularize portions of the common boundary with the adjacent city property.

The current request is for a balanced right-of-way vacation (ROW) and dedication of approximately 5,400 square feet of land between the Smith property (Parcel No. 29061900301200) and adjacent city property (Parcel No. 29061900302700) subject to the requirements of LSMC 14.16C.095. The requested action will create a shared access point off 20th Street SE for the city’s stormwater detention facility and the Smith property. The action will also place the access drive for the Smith property entirely on his property. The city will receive an access easement across the Smith property.

The requested project is a Type V permit subject to a public hearing with City Council. Before city staff can approve the pending binding site plan, City Council would need to approve the ROW vacation/dedication.

B. GENERAL INFORMATION

1. Property Owner: Duane Smith, 8914 56th Place SW, Mukilteo, WA 98275
2. Contact Person: Laurey Tobiason
3. Property Address: 10227 20th Street SE
4. Parcel Numbers: 29061900301200
5. Acreage: Approximately 8 acres
6. Comprehensive Plan Land Use Designations, Zoning Designation and Existing Land Uses of the Site and Surrounding Area:

AREA	LAND USE DESIGNATION	ZONING	EXISTING USE
Project Site	Mixed Use	Mixed-Use Neighborhood	Undeveloped
North of Site	High-Density Residential	High Urban Residential	Vacant
East of Site	HDR / Commercial	HUR / Business District	Residential / Commercial
South of Site	Commercial	Business District	20 th Street SE
West of Site	High-Density Residential	High Urban Residential	Residential

7. Public Utilities and Services Provided by:

UTILITY	PROVIDER	UTILITY	PROVIDER
Water:	Snohomish County PUD	Gas:	Puget Sound Energy
Sewer:	Lake Stevens Sewer District	Cable TV:	Comcast
Garbage:	Allied Waste/Waste Management	Police:	City of Lake Stevens
Storm Water:	City of Lake Stevens	Fire:	Lake Stevens Fire District
Telephone:	Verizon	School:	Lake Stevens School District
Electricity:	Snohomish County PUD	Hospital:	Providence Hospital

C. FINDINGS OF FACT

1. Application: The city received a Type V application (**Exhibit 1**) and associated site plan (**Exhibit 2**) on May 06, 2013, which staff deemed complete on May 06, 2013.
2. Public Notification (Exhibit 3):
 - a. The Notice of Application was published in the Everett Herald on June 21, 2013.
 - b. The Notice of Application was mailed to property owners within 300 feet of the site on June 21, 2013.
 - c. The Notice of Application was posted on the subject property June 21, 2013.
 - d. City staff has not received any comments to date.
3. Right-of-Way Vacation LSMC 14.16C.095 establishes the procedure and decision criteria for right-of-way vacations. The applicant provided a narrative responding to LSMC 14.16C.095 with the application (**Exhibit 4**).
 - a. Laurey Tobiason, on behalf of Duane Smith, petitioned the city to consider a balanced right-of-way vacation/dedication of approximately 5,400 square feet.
 - b. The application contains the signature of Duane Smith, the adjacent property owner.
 - c. An attorney-approved ordinance is attached, for City Council's consideration (**Exhibit 5**).
 - d. The applicant has provided an accurate survey and legal descriptions for the affected portions of the properties under review, which the Public Works Department has reviewed and accepted.
 - e. The applicant has provided documentation for the assessed value of the adjacent property on a square foot basis. The proposed compensation for the right-of-way vacation is acceptance of an equivalent area in dedication of same value.
 - f. Decision Criteria:
 - (1) This criterion is not applicable, as the property does not adjoin any fresh water body.
 - (2) Responses to City Council criteria for deciding upon the petition
 - i. The proposal would provide a public benefit by consolidating driveways off 20th Street SE, reducing impacts to adjacent critical areas, and reducing driveway maintenance for the city.

- ii. The proposal would benefit traffic circulation by combining access points to the two adjacent properties.
 - iii. The ROW vacation does not affect the areas of the city property dedicated to stormwater detention.
 - iv. The vacation will not affect the function of the stormwater detention facility (ROW) needed for public purposes. The existing stormwater system was designed to accommodate the stormwater detention and water quality needs for 20th Street SE as built.
 - v. The applicant is proposing to dedicate a concurrent access easement to the city.
- (3) Using Snohomish County assessor's data, the applicant estimates the Smith property to be valued \$1.84 per square foot and assumes the same value for the adjacent city property. The applicant is proposing to dedicate an equivalent area of land to the city to compensate for the areas proposed to be vacated resulting a balanced exchange.

D. CONCLUSIONS

1. The proposal meets the procedural and noticing requirements for Type V permits.
2. The proposal meets the right-of-way vacation criteria per LSMC 14.16C.095. The proposed right-of-way vacation/dedication will create a public benefit, will not adversely affect traffic patterns, will not adversely affect the public need, will not affect right-of-way needs, and will not land lock neighboring properties.
3. The project will not create long-term impacts to the environment or neighboring properties.

E. RECOMMENDATION

The city of Lake Stevens, Planning and Community Development Department recommends that City Council **APPROVE** the proposed Right-Of-Way Vacation/Dedication, subject to the following condition:

1. The proponent or successor shall record the record of survey for the dedication/vacation, access easement, and associated ordinance with the Snohomish County Auditor, prior to approval of the binding site plan (LU2011-5), and return conformed copies of the same to the Lake Stevens Planning and Community Development Department.
2. The proponent or successor shall create a 10-foot wide maintenance easement for the city stormwater facility due west of the proposed property line for Parcel No. 29061900302700, as illustrated on (**Exhibit 6**) as part of the binding site plan (LU2011-5).

F. APPEALS

The decision of the City Council on a Type V application is the final decision and may be appealed to Snohomish County Superior Court by filing a land use petition, which meets the requirements set forth in Chapter 36.70C RCW. The petition must be filed and served upon all necessary parties as set forth in State law and within the 21-day time period as set forth in RCW 36.70C.040. The appeal period shall commence upon the City Council's final decision and not upon expiration of the reconsideration period.

G. EXHIBITS

1. Application
2. Site Plan
3. Affidavit Of Public Notice
4. Right-of-Way Vacation Narrative
5. Draft Ordinance 896
6. Proposed Stormwater Maintenance Easement

For additional information on this decision or the appeal process, you may contact the Department of Planning and Community Development at 1812 Main Street, Lake Stevens, WA or call (425) 377-3235.



RECEIVED
 MAY 06 2013
 CITY OF LAKE STEVENS

Planning and Community Development
 1812 Main Street, P O Box 257
 Lake Stevens WA 98258
 Phone Number (425) 377-3235

To Be Completed By Staff

Date of Application: 5-6-13
 Staff Initials: JLE
 Permit Number: LUA 2013-0048

**TYPE IV, V AND VI - COUNCIL DECISIONS
 LAND USE DEVELOPMENT APPLICATION**

CHECK ONE		
<p>TYPE IV – Quasi-judicial</p> <p><input type="checkbox"/> Essential Public Facility</p> <p><input type="checkbox"/> Planned Neighborhood Development</p> <p><input type="checkbox"/> Rezone – Site Specific Zoning Map Amendment</p> <p><input type="checkbox"/> Secure Community Transition Facility</p> <p><input type="checkbox"/> Type IV Other: _____</p>	<p>TYPE V – Quasi-judicial</p> <p><input type="checkbox"/> Final Plats</p> <p><input type="checkbox"/> Plat Alterations</p> <p><input type="checkbox"/> Plat Vacations</p> <p><input checked="" type="checkbox"/> Right-of-Way Vacations</p> <p><input type="checkbox"/> Type V Other: _____</p>	<p>TYPE VI – Legislative</p> <p><input type="checkbox"/> Comprehensive Plan Amendment, Map and Text</p> <p><input type="checkbox"/> Development Agreements</p> <p><input type="checkbox"/> Land Use Code Amendments</p> <p><input type="checkbox"/> Rezones – Area Wide Zoning Map Amendments</p> <p><input type="checkbox"/> Type VI Other: _____</p>

ARE ANY LOWER LEVEL PERMITS REQUIRED? Yes No Describe: _____

Property Information	Site Address: <u>10227 207th ST. S.E.</u>		
	Assessor Parcel No: <u>29061900301200</u>	Area of property	Square Feet: <u>346127</u> Acres: <u>7.946</u>
	Land Use Designation: <u>MIXED USE</u>		Zoning: <u>MUN</u>
	Number of Buildings on Site/: <u>0</u>		Number to be Retained: <u>0</u>
	Existing Impervious Surface Area: <u>0</u>		Proposed Impervious Surface Area: <u>N/A</u>
Applicant	Name/Company: <u>DUANE SMITH</u>		
	Address: <u>8914 56th PL. S.W.</u>	City/State/Zip: <u>MUKILTEO WA. 98275</u>	
	Phone: <u>425-330-2125</u>	Applicants relationship to owner: <u>SAME</u>	
	Fax: <u>425-353-6606</u>	Email: <u>ALPINE RESOURCES@FRONTIER.COM</u>	
Primary Contact	Name/Company: <u>LAUREY TOBIASON, TOBIASON & CO.</u>		
	Address: <u>20434 10th A. SW</u>	City/State/Zip: <u>SEATTLE, WA 98166-4106</u>	
	Phone: <u>206-375-7775</u>	Email: <u>LAUREY@TOBIASON.BIZ</u>	
	Fax: <u>206-824-1133</u>		

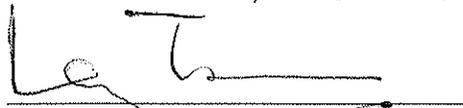
Property Owner	Name/Company: <i>SFE APPLICANT</i>				
	Address:		City/State/Zip:		
	Phone:		Email:		
	Fax:				
Project Description	Grading Quantities <i>N/A</i>		Cut:		Fill:
	Proposed project/land use (attach additional sheets if necessary):				
	<i>ROW VACATION/DEDICATION</i>				
Building Information	Gross Floor Area of Existing and Proposed Buildings: <i>N/A</i>				
	Bldg 1:	Bldg 2:	Bldg 3:	Bldg 4:	Bldg 5:
	Gross Floor Area by Use of Buildings (please describe use as well as floor area):				
	Use 1:				
	Use 2:				
	Use3:				
	Use4:				

You may not begin any activity based on this application until a decision, including the resolution of any appeal, has been made. Conditions or restrictions may be placed on your permit if it is approved. After the City has acted on your application, you will receive notice of the outcome. If an appeal is filed, you may not begin any work until the appeal is settled. You may also need approvals from other agencies; please check this before beginning any activity.

This application expires 180 days after the last date that additional information is requested (LSMC 14316A.245)

If you suspect that your site contains a stream or wetland or is adjacent to a lake, you may need a permit from the state or federal government.

I DECLARE UNDER PENALTY OF THE PERJURY LAWS THAT THE INFORMATION I HAVE PROVIDED ON THIS APPLICATION IS TRUE, CORRECT AND COMPLETE.


 Signature of Property Owner/Agent

5-6-13
 Date of Application

By affixing my signature I certify that I am the legal owner of the property for which this application is issued or an authorized agent of the owner.



AFFIDAVIT OF POSTING

Before the Lake Stevens City Council
 Date of Hearing July 8, 2013
 Project Name Smith ROW Vacation/ Dedication
 Project Number LUA 2013-0048
 Purpose of Hearing Decision on creating a shared access
off 20th St. NE for the city's stormwater facility + the Smith property

Please be advised that on this day, the undersigned, representing the City of Lake Stevens, did post in a minimum of three (3) separate places as provided by City Ordinances and State Laws the following Notice of Public Hearing:

<u>Place Posted</u>	<u>Date Posted</u>	<u>Signature</u>
1. Property: # of signs -	<u>6/21/13</u>	<u>RSW</u>
2. City Hall	<u>6-21-13</u>	<u>JSE</u>
3. Permit Center	<u>6/20/13</u>	<u>gmm</u>
4. Web Page	<u>6/21/13</u>	<u>gmm</u>
5. Publication in Lake Stevens Journal	_____	_____
Emailed:	_____	_____
OR		
Everett Herald	<u>6/21/13</u>	<u>gmm</u>
Emailed:	<u>6/20/13</u>	<u>gmm</u>
6. Mailings (300') # <u>15</u> , Date <u>6/21/13</u> By, <u>gmm</u>		

RECEIVED
MAY 06 2013
CITY OF LAKE STEVENS

TOBIASON

LAND USE CONSULTING/LANDSCAPE ARCHITECTURE

April 30, 2013

Russ Wright
C/o City of Lake Stevens Permit Center
P.O. Box 257
1820 Main Street
Lake Stevens, WA 98258

Subject: Petition for ROW Vacation and Concurrent ROW Dedication between Duane Smith and City of Lake Stevens

Dear Russ:

This cover letter accompanies our submittal of a survey, legal descriptions, defined access easement, and appraisal as necessary to accomplish a ROW Vacation and concurrent ROW dedication. Included in this letter is an analysis of LSMC 14.16c.095(f)(2) as well.

The area being vacated is at the entrance to the City regional detention pond. The area vacated would become part of the parcel owned by Duane Smith. The proposal will allow Mr. Smith ownership of his proposed access driveway. He is the sole owner abutting the right of way vacation. An access easement will be provided to the City across the Smith property, which will allow them to access their regional detention pond in perpetuity.

Survey and Legal Descriptions:

ASPI Land Surveyors has prepared the attached survey and legal descriptions showing the area to be vacated, and dedicated.

Defined Access Easement:

ASPI also prepared the attached access easement.

Appraisal:

Per the attached Snohomish County Assessor's Property Account Summary, the Smith property has a value of \$1.84/SF. We are assuming the same value for the adjacent detention pond property. The calculation used to arrive at \$1.84 is as follows: 8.09 acre = 352,400 SF. $\$647,200/352,400 \text{ SF} = \$1.84/\text{SF}$. The right of way area being vacated is equal to an area being dedicated by Smith to the City. This results in a no-net gain of area for either parcel; hence the value of the exchange is \$0.00.

LSMC 14.16c.095(f)(2):

Lake Steven's code requires that:

20434 10TH PLACE SW SEATTLE, WA 98166-4106 206-375-7775
LAUREY@TOBIASON.BIZ WEBSITE: TOBIASONLANDUSECONSULTING.COM

TOBIASON

LAND USE CONSULTING/LANDSCAPE ARCHITECTURE

- (2) The City Council shall use the following criteria for deciding upon the petition:
- (i) The vacation will provide a public benefit, and/or will be for a public purpose;
 - (ii) The right-of-way vacation shall not adversely affect the street pattern or circulation of the immediate area or the community as a whole;
 - (iii) The public need shall not be adversely affected;
 - (iv) The right-of-way is not contemplated or needed for future public use; and
 - (v) No abutting owner will become landlocked or its access will not be substantially impaired (i.e., there must be an alternative mode of ingress and egress, even if less convenient); provided, that the City Council may, at the time of its public hearing, determine that the City may retain an easement or right to exercise and grant easements in respect to the vacated land for the construction, repair, and maintenance of public utilities and services.

These criteria are a satisfied as follows:

(i). The ROW vacation is totally offset by a dedication of right of way, so that the public experiences a no-net loss of area. This property exchange allows for a shared driveway, serving both the Smith property and the City regional detention pond. This benefits the public safety by eliminating one access point onto 20th Street SE, a busy arterial. Additionally, it reduces the length of driveway which the City must maintain. The detention pond is rarely accessed, hence a single dedicated driveway solely for access to the pond is not needed, and a shared driveway is adequate and appropriate. By accessing the pond through the Smith driveway, a greater level of security and monitoring is provided to the pond, which may reduce liability concerns for the City.

(ii). The ROW vacation will improve traffic circulation by eliminating one driveway onto 20th Street SE.

(iii). The regional detention pond has been constructed, and is in full function. This ROW vacation will not affect the functionality of the pond, which is the sole purpose of this ROW property.

(iv). The sole purpose of this ROW property is to provide storm detention for the ultimate road section for 20th Street SE. This road section has been fully constructed, and the pond is active and functioning, and has existed for several years. There is no additional need of this property by the public beyond what it is currently providing.

20434 10TH PLAGE SW SEATTLE, WA 98166-4106 206-375-7775
LAUREY@TOBIASON.BIZ WEBSITE: TOBIASONLANDUSECONSULTING.COM

TOBIASON

LAND USE CONSULTING/LANDSCAPE ARCHITECTURE

(v). No parcel becomes landlocked by virtue of this ROW vacation. Access to the City property will be maintained by an access easement across the Smith property.

Sincerely,
TOBIASON & COMPANY, INC.

Laurey Tobiason, President
Principal Planner/Landscape Architect

CC: Duane Smith.

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LAUREY@TOBIASON.BIZ WEBSITE: TOBIASONLANDUSECONSULTING.COM

**CITY OF LAKE STEVENS
Lake Stevens, Washington
ORDINANCE NO. 896**

AN ORDINANCE OF THE CITY OF LAKE STEVENS PROVIDING FOR A BALANCED RIGHT-OF-WAY VACATION AND DEDICATION OF APPROXIMATELY 5,400 SQUARE FEET OF LAND BETWEEN THE SMITH PROPERTY (PARCEL NO. 29061900301200) AND ADJACENT CITY PROPERTY (PARCEL NO. 29061900302700), OFF 20TH STREET SE.

WHEREAS, the City of Lake Stevens is the owner of PARCEL NO. 29061900302700, a public right-of-way, used for regional stormwater detention facility; and

WHEREAS, Duane Smith is the owner of Parcel No. 29061900301200 and did petition the City Council to vacate portions of Parcel No. 29061900302700, described and shown in Exhibit A, to create a shared driveway and to regularize the abutting property lines, in accordance with the provisions of Lake Stevens Municipal Code (LSMC) 14.16C.095; and

WHEREAS, Duane Smith proposed to dedicate equivalent portions of Parcel No. 29061900301200 to the city of Lake Stevens to compensate the city for the proposed vacation of portions of Parcel No. 29061900302700; and

WHEREAS, Right-of-way vacations are Type V (quasi-judicial) land use permits subject to public notice and a public hearing before the City Council; and

WHEREAS, Planning and Community Developments staff prepared a staff report for City Council's consideration describing the project and provided findings of fact, conclusions, and recommendations; and

WHEREAS, Public notice for the land use action and hearing was provided by publication in the Everett Herald, mailing postcards to residents within 300-feet of the properties; and the posting a sign on the site June 21, 2013, in accordance with Chapter 14.16B LSMC, Part V; and

WHEREAS; The Lake Stevens City Council held a public hearing on July 8, 2013 to receive public comment and testimony, in accordance with Chapter 14.16B LSMC, Part V; and

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

Section 1. The findings, conclusion, and recommendations contained in the staff report dated July 8, 2013 are hereby adopted in support of the proposed request;

Section 2. Conditioned on the dedication required in Section 2 hereof, the city of Lake Stevens does hereby vacate the portions of Parcel No. 29061900302700, described and shown in Exhibit A to Duane Smith, the adjacent landowner, to become part of Parcel No. 29061900301200. Recording of a Deed and Dedication in accordance with Section 2 hereof shall confirm satisfaction of the condition to this right-of-way vacation.

Section 3. Duane Smith agrees to dedicate and the city of Lake Stevens does accept the dedication of the portions of Parcel No. 29061900301200, described and shown in Exhibit A from Duane Smith, the adjacent landowner, to become part of 29061900302700 for public purposes. Duane Smith shall execute a deed and dedication for the property, described and shown in Exhibit A, in such form as acceptable to the City. All cost of recording shall be the responsibility of Duane Smith.

Section 4. The proponent or successor shall record the record of survey for the dedication/vacation, access easement, Ordinance 896, and Deed and Dedication with the Snohomish County Auditor, prior to approval of the binding site plan (LU2011-5), and return conformed copies of the same to the Lake Stevens Planning and Community Development Department.

Section 5. Severability. If any section, subsection, sentence, clause, phrase or work of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

Section 6. Effective Date. This Ordinance shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

ADOPTED by the City Council and **APPROVED** by the Mayor this 8th day of July, 2013

CITY OF LAKE STEVENS

By: _____
Vern Little, Mayor

ATTEST/AUTHENTICATED:

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

APPROVED AS TO FORM:

By: _____
Grant K. Weed, City Attorney

1st and Final Reading: July 8, 2013

Date of Publication:

Effective Date:

EXHIBIT A

**RECORD OF SURVEY FOR
RIGHT-OF-WAY VACATIONS & DEDICATIONS**

DRAFT



LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: July 8, 2013

Subject: 2013 Comprehensive Plan Amendments – 2013 Docket Ratification (LUA2013-0008)

Contact Person/Department: Becky Ableman/Karen Watkins **Budget Impact:** N/A

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL: Hold an authorization public hearing on the proposed map and text amendments and proposed code housekeeping amendments on June 24, 2013, to determine whether or not a proposal merits consideration by meeting specific findings to be included in this year’s annual docket cycle, called the “2013 Docket”. The Council shall pass Resolution 2013-5 for those map and text amendment proposals and code housekeeping amendments which should be included for further analysis as the “2013 Docket”.

SUMMARY: This year, there are no private applications for comprehensive plan amendments. Staff is proposing two minor map amendments with related rezones and eight text amendments. There are twenty-one proposed code housekeeping amendments. The Council may add additional items to the Docket at the hearing. The Planning Commission held a public hearing for ratification of the 2013 Docket on June 5, 2013 and recommend ratification of the proposed docket (*Attachment A*).

BACKGROUND: Under the Growth Management Act, the City is allowed to amend the Comprehensive Plan and Future Land Use Map only once per year with a few exceptions, such as adopting new subarea plans. This process is called the “Docket.” The Comprehensive Plan has a specified docket process to follow (pages 1-21 to 1-27). This year’s docket has no private proposals, two minor City proposed map amendments and eight City proposed text amendments. A staff summary of each amendment proposal is attached (*Attachment B*). Analysis sheets for each map and text proposal are included in *Attachment C*. Resolution 2013-5 is in *Attachment D* and is approved as to form by the City Attorney.

The Comprehensive Plan (page 1-22) includes requirements for annual amendments:

Annual amendments shall not include significant policy changes, which would be found inconsistent with the adopted Vision Goals (VG-1 through VG-7); rather, they are intended to address the following:

- *Major or minor land use and road classification changes*
- *Amendments to Plan text including support data and implementation*
- *Changes to Element maps*
- *Minor changes to policies or clarification*
- *Other minor text changes*

Each summary sheet includes a section to show which issue(s) the proposed amendment is intended to address (see *Attachment C*).

ATTACHMENT A

The Comprehensive Plan (page 1-26) lists findings that must be met in order to authorize an amendment for inclusion in an annual amendment cycle or docket.

The City shall use the following decision criteria in selecting proposals for further analysis and consideration. Proposals must meet subsections 1 through 4 below and either subsection 5 or 6 below.

- 1. Is the proposed amendment appropriate to the Comprehensive Plan or is it more appropriate to implement the proposal as a development regulation or program?*
- 2. Is the proposed amendment legal? Does the proposed amendment meet existing state and local laws?*
- 3. Is it practical to consider the proposed amendment? Reapplications for reclassification of property reviewed as part of a previous proposal are prohibited unless the applicant establishes there has been a substantial change of circumstances and support a plan or regulation change at this time.*
- 4. Does the City have the resources, including staff and budget, necessary to review the proposed amendment?*
- 5. Does the proposed amendment correct an inconsistency within or make a clarification to a provision of the Plan OR*
- 6. All of the following:*
 - a. The proposed amendment demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan; and*
 - b. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later subarea plan review or plan amendment process.*

Each amendment proposal includes an analysis of which decision criteria are met by the proposed amendment, if any (see **Attachment C**).

The GMA requires that development regulations be consistent with and implement the comprehensive plan. A full review of the development regulations for consistency with the Comprehensive Plan is required for the 2015 Periodic Comprehensive Plan Update. However, there are numerous minor code corrections and amendments for consistency with internal documents, which should be made before the update. Therefore, twenty-one chapters with code housekeeping amendments are proposed. The proposed code housekeeping amendments are summarized in **Attachment A**. There are no specific decision criteria for code housekeeping amendments.

DISCUSSION: Staff will begin the briefing by discussing the requirements for ratification specified in the Comprehensive Plan. Next, each of the amendment proposals will be summarized. In order to move a proposal forward to the 2013 Docket the appropriate findings must be met. The two map proposals and all eight text proposals do meet the decision criteria.

Once the 2013 Docket is ratified, staff will provide proposed amendments and detailed analysis for each proposal so decisionmakers can determine if the proposal meets the criteria to grant or deny. The bottom of each proposal sheet shows staff and Planning Commission recommendations and includes a space for Council recommendations.

ATTACHMENT A

The proposed code housekeeping amendments are summarized and if recommended to move forward through the Docket process, specific revisions will be included as part of the final review of the 2013 Docket.

APPLICABLE CITY POLICIES: Comprehensive Plan (pages 1-21 through 1-27)

BUDGET IMPACT: None

ATTACHMENTS:

- A Planning Commission Recommendation Letter
- B Summary Table of 2013 Comprehensive Plan Proposals
- C Summaries of Each Map and Text Proposal (10 total)
- D Resolution No. 2013-5 (Approved as to Form by City Attorney)



June 5, 2013

Lake Stevens City Council
1812 Main Street
Lake Stevens, WA 98258

**Subject: Planning Commission Recommendation
2013 Comprehensive Plan Docket Ratification – LUA2013-0008**

Dear Council Members:

The Lake Stevens Planning Commission held a public hearing on Wednesday, June 5, 2013 to consider proposed map and text amendments to the Comprehensive Plan and housekeeping amendments to the municipal code to determine whether these proposals should be included for further analysis on the 2013 Docket.

Commissioners Present: Barnet, Davis, Hoult, Huxford, Matlack, Petershagen, Thurber

PLANNING COMMISSION PUBLIC HEARING (June 5, 2013)

Planning and Community Development staff presented the proposed amendments and responded to questions. Staff discussed the background and overview of the Docket and Comprehensive Plan amendments before presenting each proposed amendment individually and describing whether each proposal met the requirements for annual amendments and the findings to allow the proposal to proceed through the amendment cycle. The detailed analysis will be completed for these projects on the final 2013 Docket ratified by the City Council. No public comment was received.

FINDINGS AND CONCLUSIONS

The Planning Commission hereby adopts staff’s findings and conclusions, as outlined in the staff report dated June 5, 2013, and concludes that the proposed amendments:

- (1) Are consistent with the adopted Lake Stevens Comprehensive Plan;
- (2) Meet the criteria for inclusion on the annual Comprehensive Plan Amendment Docket; and
- (3) Comply with the Growth Management Act.

PLANNING COMMISSION RECOMMENDATION

MOTION (Code Amendment) – RECOMMENDATION: The Planning Commission unanimously recommended the Council include the proposed map and text amendments and proposed municipal code housekeeping amendments as part of the 2013 Docket.

Respectfully submitted,

Lake Stevens Planning Commission


 Janice Huxford, Chair


 Gary Petershagen, Vice Chair

SUMMARY OF 2013 DOCKET PROPOSALS

RATIFICATION MAPS			
#	NAME	PARCELS/ ACREAGE	REQUEST
RM-1	Minor Map Amendment, Zoning & Land Use	TBD	PLACEHOLDER: To be included if Council land use action occurs before Final Docket review. Minor map amendment to update land use and zoning designations for city and adjacent property resulting from right-of-way vacation / dedication near the city's stormwater detention facility on 20 th Street SE
RM-2	Minor Map Amendment, Zoning & Land Use	TBD	PLACEHOLDER: To be included if Council approves Downtown Framework Plan before Final Docket review. Minor map amendment to update land use and zoning maps with new Downtown Overlay District boundaries

RATIFICATION TEXT		
#	NAME	REQUEST
RT-1	Chapter 1 Introduction	<ul style="list-style-type: none"> • <u>Page 1-7 to 1-9</u> – Modify section “Public Process for Docket Cycles” by describing general process for all comprehensive plan amendments and removing all the yearly tables • <u>Page 1-29</u> – Add reference to appendix with 2013 Docket SEPA documents
RT-2	Chapter 4 Land Use Element	<ul style="list-style-type: none"> • <u>Page 4-16 to 4-17</u> – PLACEHOLDER: To be included if Council approves Downtown Framework Plan before Final Docket review. Add new Downtown Overlay District in the “Existing Zoning in City and UGA” section • <u>Page 4-30 to 4-31</u> – PLACEHOLDER: To be included if Council approves Downtown Framework Plan before Final Docket review. Update “Old Town/Central Business District” based on Downtown Framework Plan
RT-3	Chapter 5 Parks and Recreation Element	Replace entire element with separately reviewed chapter
RT-4	Chapter 6 Transportation Element	<u>Page 6-26 to 6-44</u> – Update Table 6-1 Street Inventory with correct classifications (e.g., major arterials)
RT-5	Chapter 7 Utilities & Public Services & Facilities Element	<ul style="list-style-type: none"> • <u>Page 7-10</u> – Update Figure 7.4 to show Snohomish School District boundaries • <u>Page 7-22</u> – Update Utility Policy 7.3.6 to be consistent with amended underground utilities code.
RT-6	Appendices	<u>Add Appendix M</u> – SEPA Addendum No. 6 to be prepared as environmental review for 2013 Docket

SUMMARY OF 2013 DOCKET PROPOSALS

RT-7	Update Dates & Table of Contents	Update dates on cover and footers and update Table of Contents
RT-8	Unknown Additional Amendments	Council may add items to the Docket based on recommendation from Planning Commission, discussion of proposed amendments or public testimony

CODE HOUSEKEEPING		
#	<u>CODE SECTION</u>	<u>PROPOSED CODE AMENDMENTS</u>
CH-1	Title 5 – Animal Regulations	<u>5.16.080</u> – change “Planning Commission” to “Planning Director or designee” for who may revoke any permit
CH-2	Chapter 14.04 – General Provisions	<u>14.04.120</u> – remove list of administratively adopted documents and just reference their availability at the Planning and Community Development Department
CH-3	Chapter 14.08 – Basic Definitions and Interpretations	<ul style="list-style-type: none"> • <i>Impervious Surface</i> – add definition from Chapter 11.04 to this title also • <i>Access Tract</i> – change “one or more lots” to “four or fewer dwelling units” for consistency with 14.56.160 • <i>Road, Private</i> – change to include “lots <u>or</u> units” to definition • Remove definition for <i>Year-Round Driving Surface</i> • Move 14.08.020 to Chapter 14.36 in a new section 14.36.120
CH-4	Chapter 14.16A – Administration and Procedures	<p><u>14.16A.130(b)(2)</u> – correct name of application forms to refer to construction plan forms rather than master forms</p> <p><u>14.16A.210, Table 14.16A-I</u> – Type II – add clarification to “Short Plats” to say “Short Plats – Preliminary or Final”; Type V – add asterisk to Final Plats and in Public Hearing column put note of “Public meeting only for final plats”; change type of record for Type VI in the Public Hearing Prior to Decision column from “Closed Record” to “Open Record”</p> <p><u>14.16A.225(b)(3)(i)</u> – correct size of special notice sign for major land use actions from “four feet by eight feet in size” to “two feet by two and a half feet in size” to be consistent with the pre-printed signs used for permit notices</p> <p><u>14.16A.250(e) and (f)</u> – update permit extension deadlines to be consistent with State law, allow additional permit extensions to be submitted up to six months before original permit extension expiration, and modify “normal permit extension” to “original permit extension”</p>
CH-5	Chapter 14.16B – Types of Land Use Review	<p><u>14.16B.325</u> – correct code section reference from 14.16A.290 to .260</p> <p><u>14.16B.505</u> – add specific note that a public meeting is held for Final Plats</p> <p><u>14.16B.525</u> - add sentence that Council action for Final Plats is a public meeting</p> <p><u>14.16B.540</u> – add language that Final Plats have public meetings; and correct notice requirements before Council public hearings for Quasi-Judicial decisions from 14 days to 10 days for consistency with all other Council hearing notices for land use review.</p> <p><u>14.16B.545</u> – add language that Final Plats have public meetings</p> <p><u>14.16B.630(c)(7)</u> – correct department name from “Planning and Development Services” to “Planning and Community Development”</p>

SUMMARY OF 2013 DOCKET PROPOSALS

CODE HOUSEKEEPING		
#	CODE SECTION	PROPOSED CODE AMENDMENTS
CH-6	Chapter 14.16C – Land Use Actions, Permits and Determinations	<p><u>14.16C.050(e)(3)</u> – remove “Planning Commission and” as design review is now reviewed by the Design Review Board only</p> <p><u>14.16C.050(f)(1)(vii)</u> – remove this subsection as the “Commercial Recreation” zone does not exist</p> <p><u>14.16C.050(f)(2)(iii)</u> – remove “Demonstration” in the title of the “Innovative Housing Options Demonstration Program” as Ordinance No. 872 changed the program to a permanent code in 2012</p> <p><u>14.16C.075(c)(2)</u> - correct department name from “Planning and Development Services” to “Planning and Community Development”</p> <p><u>14.16C.090(g)</u> – add “Hearing Examiner” as one of the decisionmakers for rezones</p>
CH-7	Chapter 14.18 – Subdivisions, Boundary Line Adjustments and Binding Site Plans	<p><u>14.18.070(b)</u> – modify name of application from “master permit” to “land use development”</p> <p><u>14.18.175(a)</u> – correct “boundary line adjustment” to “binding site plan”</p> <p><u>14.18.175(b)</u> – correct “BLA” to “binding site plan”</p>
CH-8	Chapter 14.36 – Zoning Districts and Zoning Map	<u>14.36.100(a) and (b)</u> – remove reference to official map being on acetate
CH-9	Chapter 14.38 – Subarea Plans	<p><i>PLACEHOLDER: To be included if Council approves Downtown Framework Plan before Final Docket review.</i> Update chapter based on final Framework Plan adopted. <i>PLACEHOLDER: Code corrections related to implementation of the Adopted Subarea Plans and Planned Actions</i> Minor code amendments have been identified since implementation of the Subarea Plans.</p>
CH-10	Downtown Design Guidelines	<p><i>PLACEHOLDER: To be included if Council approves Downtown Framework Plan before Final Docket review.</i> Update guidelines based on final Framework Plan adopted.</p>
CH-11	Chapter 14.40 – Permissible Uses	<p><u>14.40.010, Table 14:40-I</u> –</p> <ul style="list-style-type: none"> • Remove Use Descriptions “32.000 Land Clearing, Logging in Conformance with Chapter 14.88” & “33.000 Respective Uses Permissible in Respective Sensitive Areas as Per Chapter 14.88) • Add “P¹⁷” in the “LB” column to Use Description “9.100 Motor Vehicle Sales or Rental; Mobile Home Sales” and • Add footnote to the table to read as follows: ¹⁷ <u>Only permitted in the Local Business zone on a road designated as a major arterial.</u> • Add reference #18 to “PA” in CBD column for Use Description “9.100” • Add footnote to the table to read as follows: ¹⁸ <u>Only allowed in the Central Business District on properties north of 20th Street NE.</u> • Add reference #19 to Use Description “15.340 Sewage/septic sludge recycling” • Add footnote to the table to read as follows: ¹⁹ <u>Only allowed as an Essential Public Facility pursuant to</u>

SUMMARY OF 2013 DOCKET PROPOSALS

CODE HOUSEKEEPING		
#	<u>CODE SECTION</u>	<u>PROPOSED CODE AMENDMENTS</u>
		<p style="text-align: center;"><u>Section 14.16C.060.</u></p> <p>14.40.020(c) – Update description of the “PA” and “PC” designations on the Permissible Uses Table</p> <p>14.40.040 – Add new subsection “(5) Sewage/septic sludge recycling except when approved as an Essential Public Facility pursuant to 14.16C.060.”</p>
CH-12	Chapter 14.44 – Supplementary Use Regulations	<p>14.44.020(h) – remove reference to Chapter 14.52, which no longer exists</p> <p>14.44.075(2) and (3) – combine the two subsections for clarity of when and where farm animals are permitted</p> <p>14.44.085 – repeal and move as a note to the Permissible Uses Table</p> <p>14.44.110(a) – correct “environmentally sensitive areas” to refer to “critical areas”</p> <p>14.44.240 – correct the reference to the air regulating agency from “Puget Sound Air Pollution Control Agency” to “Puget Sound Clean Air Agency”</p> <p>14.44.330 – correct heading for subsection to remove “Two-Family and” as duplexes are considered single-family homes and the subsection only refers to multifamily uses</p>
CH-13	Chapter 14.46 – Innovative Housing Options Program	<p>14.46.020 – remove “demonstration” as the program is now a permanent code</p>
CH-14	Chapter 14.48 – Density and Dimensional Regulations	<p>14.48.040(a)(3) – remove “eaves” as a substantial part of a building in regards to setbacks and add a new subsection “(4) Eaves may project into the required setback up to 18 inches.”</p> <p>14.48.050(a)(2)(i) – modify the size of the allowed accessory structure in the setback to be 200 sq.ft. rather than 170 sq.ft. to be consistent with the International Residential Code</p> <p>14.48.070 – remove reference to Chapter 14.52, which no longer exists</p> <p>Table 14.48-I – remove the “Lake (Mean High Water Mark)” and “Critical Area Buffer” columns and instead add a footnote referring to the Critical Areas Regulations and the Shoreline Master Program</p>
CH-15	Chapter 14.56 – Streets and Sidewalks	<p>14.56.135(b) – change reference from an administrative guideline to the Engineering Design and Development Standards</p> <p><i>PLACEHOLDER: Amendments to ensure consistency between Land Use Regulations and Engineering Design and Development Standards</i></p> <p>Current examples include cul-de-sacs and fire access requirements.</p>
CH-16	Chapter 14.68 – Signs	<p>14.68.020(i) – add one word to better clarify that “one <u>sign</u> per abutting street” is allowed</p> <p>14.68.110(c)(3) – correct reference from 14.68.040(b) to 14.68.084(b)</p> <p>14.68.130(c) – correct reference from 14.68.075(c) to 14.68.150(c)</p> <p>14.68.124(b) – correct Planning Commission with Design Review Board</p>
CH-17	Chapter 14.76 – Screening and Trees	<p>14.76.090 – add other state route “State Route 204” to the subsection related to 30-foot wide landscaped screen</p> <p>14.76.120(j)(1) – correct “Planning and Development” to “Planning and Community Development”</p>

SUMMARY OF 2013 DOCKET PROPOSALS

CODE HOUSEKEEPING		
#	CODE SECTION	PROPOSED CODE AMENDMENTS
CH-18	Chapter 14.88 – Critical Areas	<u>14.88.310(c)(1)</u> – correct “environmentally sensitive areas” to refer to “critical areas” <u>14.88.400(d)</u> – correct RCW reference from 77.09.020 to 77.08.020
CH-19	Chapter 14.110 – Concurrency Management System	<u>14.110.120</u> – correct reference from 14.20 to 14.16A.265
CH-20	PLACEHOLDER	<i>PLACEHOLDER: Code corrections related to 2012 International Building codes</i>
CH-21	Unknown Additional Code Corrections	Council may add items to the Docket based on recommendation from Planning Commission, discussion of proposed amendments or public testimony



Comprehensive Plan Docket 2013 Ratification of Docket RM-1 - Staff Summary City of Lake Stevens Planning Commission

City Council Hearing Date: July 8, 2013
 Planning Commission Hearing Date: June 5, 2013

Subject: Map Amendments, PLACEHOLDER for 20th Street SE Vacation/Dedication

SUMMARY: The proposal is a PLACEHOLDER for map changes to the Comprehensive Plan as part of the 2013 Comprehensive Plan amendments, if Council land use action occurs before Final Docket review. A right-of-way vacation and dedication near the City's stormwater detention facility on 20 th Street SE is pending review and approval by the Council. If the vacation/dedication is approved, the Land Use Map and Zoning Map will need to be amended.	
LOCATION IN COMPREHENSIVE PLAN: Chapter 4 Land Use Element, page 4-13, Figure 4.1 – City Land Use Map (Official Zoning Map will be concurrently amended by City Council)	
PROPERTY OWNER: City Contact: Mick Monken	PROPERTY LOCATION: 20 th Street SE (west of Tom Thumb), Lake Stevens (X.XX acres) X.XX acres total
LAND USE DESIGNATION	
EXISTING: TBD	PROPOSED: TBD
ZONING (Quasi-Judicial Decision)	
EXISTING: TBD	PROPOSED: TBD

ANALYSIS

ADDRESSES (Annual amendments shall not include significant policy changes which would be found inconsistent with the adopted Vision Goals (VG-1 through VG-7.)

<input type="radio"/> Major or minor land use and road classification changes?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<input type="radio"/> Amendments to Plan text including support data and implementation?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<input type="radio"/> Changes to Element maps?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<input type="radio"/> Minor changes to policies or clarifications?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<input type="radio"/> Other minor text changes?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

FINDINGS The City shall use the following decision criteria in selecting proposals for further analysis and consideration. Proposals must meet subsections 1 through 4 below and either subsection 5 or 6 below.

1. Is the proposed amendment appropriate to the Comprehensive Plan rather than implementation as a development regulation or program?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
---	---

2. Is the proposed amendment legal? Does the proposed amendment meet existing state and local laws?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
3. Is it practical to consider the proposed amendment? Reapplications for reclassification of property reviewed as part of a previous proposal are prohibited unless the applicant establishes there has been a substantial change of circumstances and support a plan or regulation change at this time.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
4. Does the City have the resources, including staff and budget, necessary to review the proposed amendment?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
5. Does the proposed amendment correct an inconsistency within or make a clarification to a provision of the Plan? OR	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
6. All of the following: a. The proposed amendment demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan? AND	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
b. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later subarea plan review or plan amendment process.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

Staff recommends this proposal be considered by the City Council for inclusion in the 2012 Comprehensive Plan Work Program:
 YES NO

The Planning Commission recommends this proposal be considered by the City Council for inclusion in the 2012 Comprehensive Plan Work Program:
 YES NO

The City Council recommends this proposal be ratified for inclusion in the 2012 Comprehensive Plan Work Program:
 YES NO



Comprehensive Plan Docket 2013 Ratification of Docket RM-2 - Staff Summary City of Lake Stevens Planning Commission

City Council Hearing Date: July 8, 2013
 Planning Commission Hearing Date: June 5, 2013

Subject: Map Amendments, PLACEHOLDER: Downtown Overlay District

SUMMARY: The proposal is a PLACEHOLDER for map changes to the Comprehensive Plan as part of the 2013 Comprehensive Plan amendments IF Council approves the Downtown Framework Plan before Final Docket review. The City Council will be presented with a Downtown Overlay District this year to review. If the district boundaries are approved, the Land Use Map and Zoning Map will need to be amended.	
LOCATION IN COMPREHENSIVE PLAN: Chapter 4 Land Use Element, page 4-13, Figure 4.1 – City Land Use Map (Official Zoning Map will be concurrently amended by City Council)	
PROPERTY OWNER: City Contact: Rebecca Ableman	PROPERTY LOCATION: Downtown Lake Stevens 160 acres total
LAND USE DESIGNATION	
EXISTING: TBD	PROPOSED: TBD
ZONING (Quasi-Judicial Decision)	
EXISTING: TBD	PROPOSED: TBD

ANALYSIS

ADDRESSES (Annual amendments shall not include significant policy changes which would be found inconsistent with the adopted Vision Goals (VG-1 through VG-7.)

<input type="radio"/> Major or minor land use and road classification changes?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<input type="radio"/> Amendments to Plan text including support data and implementation?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<input type="radio"/> Changes to Element maps?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<input type="radio"/> Minor changes to policies or clarifications?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<input type="radio"/> Other minor text changes?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

FINDINGS The City shall use the following decision criteria in selecting proposals for further analysis and consideration. Proposals must meet subsections 1 through 4 below and either subsection 5 or 6 below.

1. Is the proposed amendment appropriate to the Comprehensive Plan rather than implementation as a development regulation or program?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
---	---

2. Is the proposed amendment legal? Does the proposed amendment meet existing state and local laws?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
3. Is it practical to consider the proposed amendment? Reapplications for reclassification of property reviewed as part of a previous proposal are prohibited unless the applicant establishes there has been a substantial change of circumstances and support a plan or regulation change at this time.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
4. Does the City have the resources, including staff and budget, necessary to review the proposed amendment?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
5. Does the proposed amendment correct an inconsistency within or make a clarification to a provision of the Plan? OR	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
6. All of the following: a. The proposed amendment demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan? AND	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
b. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later subarea plan review or plan amendment process.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

Staff recommends this proposal be considered by the City Council for inclusion in the 2012 Comprehensive Plan Work Program:
 YES NO

The Planning Commission recommends this proposal be considered by the City Council for inclusion in the 2012 Comprehensive Plan Work Program:
 YES NO

The City Council recommends this proposal be ratified for inclusion in the 2012 Comprehensive Plan Work Program:
 YES NO



Comprehensive Plan Docket 2013 Ratification of Docket

RT-1 - Staff Summary

City of Lake Stevens City Council & Planning Commission

City Council Hearing Date: July 8, 2013

Planning Commission Hearing Date: June 5, 2013

Subject: **Text Amendments, Chapter 1 Introduction**

<p>SUMMARY: The proposal is for text changes to the Comprehensive Plan as part of the 2013 Comprehensive Plan amendments. Two amendments are proposed in Chapter 1 Introduction.</p>
<p>LOCATION IN COMPREHENSIVE PLAN: Chapter 1, pages 1-7 to 1-9 and 1-29.</p>
<p>PROPOSED CHANGES: <i>Pages 1-7 to 1-9 – Modify “Public Process for Docket Cycles” by describing general process for all comprehensive plan amendments and removing all the yearly tables.</i> <i>Page 1-29 –Add reference to new Appendix M, which will include the 2013 Docket SEPA documents</i></p>

ANALYSIS

ADDRESSES (Annual amendments shall not include significant policy changes which would be found inconsistent with the adopted Vision Goals (VG-1 through VG-7.)

<input type="radio"/> Major or minor land use and road classification changes?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<input type="radio"/> Amendments to Plan text including support data and implementation?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<input type="radio"/> Changes to Element maps?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<input type="radio"/> Minor changes to policies or clarifications?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<input type="radio"/> Other minor text changes?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

FINDINGS The City shall use the following decision criteria in selecting proposals for further analysis and consideration. Proposals must meet subsections 1 through 4 below and either subsection 5 or 6 below.

1. Is the proposed amendment appropriate to the Comprehensive Plan rather than implementation as a development regulation or program?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
2. Is the proposed amendment legal? Does the proposed amendment meet existing state and local laws?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
3. Is it practical to consider the proposed amendment? Reapplications for reclassification of property reviewed as part of a previous proposal are prohibited unless the applicant establishes there has been a substantial change of circumstances and support a plan or regulation change at this time.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
4. Does the City have the resources, including staff and budget, necessary to review the proposed amendment?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

5. Does the proposed amendment correct an inconsistency within or make a clarification to a provision of the Plan? OR	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
6. All of the following: a. The proposed amendment demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan? AND	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
b. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later subarea plan review or plan amendment process.	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

Staff recommends this proposal be considered by the City Council for inclusion in the 2012 Comprehensive Plan Work Program:
 YES NO

The Planning Commission recommends this proposal be considered by the City Council for inclusion in the 2012 Comprehensive Plan Work Program:
 YES NO

The City Council recommends this proposal be ratified for inclusion in the 2012 Comprehensive Plan Work Program:
 YES NO



Comprehensive Plan Docket 2013 Ratification of Docket

RT-2 - Staff Summary

City of Lake Stevens City Council & Planning Commission

City Council Hearing Date: July 8, 2013

Planning Commission Hearing Date: June 5, 2013

Subject: **Text Amendments, PLACEHOLDER: Chapter 4 Land Use Element**

SUMMARY: The proposal is a PLACEHOLDER for text changes to the Comprehensive Plan as part of the 2013 Comprehensive Plan amendments if Council approves the Downtown Framework Plan before Final Docket review. Two amendments are proposed in Chapter 4 Land Use Element. Both proposed amendments are related to the Downtown Framework Plan, which will be reviewed by the Planning Commission and Council later in the year.

LOCATION IN COMPREHENSIVE PLAN: Chapter 4, pages 4-16 to 1-17 and 4-30 to 4-31.

PROPOSED CHANGES:

Pages 4-6 to 4-17 – PLACEHOLDER: Add new Downtown Overlay District in the “Existing Zoning in City and UGA” section.

Page 4-30 to 4-31 – PLACEHOLDER: Update “Old Town/Central Business District” based on Downtown Framework Plan.

ANALYSIS

ADDRESSES (Annual amendments shall not include significant policy changes which would be found inconsistent with the adopted Vision Goals (VG-1 through VG-7).)

<input type="radio"/> Major or minor land use and road classification changes?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<input type="radio"/> Amendments to Plan text including support data and implementation?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<input type="radio"/> Changes to Element maps?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<input type="radio"/> Minor changes to policies or clarifications?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<input type="radio"/> Other minor text changes?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

FINDINGS The City shall use the following decision criteria in selecting proposals for further analysis and consideration. Proposals must meet subsections 1 through 4 below and either subsection 5 or 6 below.

1. Is the proposed amendment appropriate to the Comprehensive Plan rather than implementation as a development regulation or program?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
2. Is the proposed amendment legal? Does the proposed amendment meet existing state and local laws?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
3. Is it practical to consider the proposed amendment? Reapplications for reclassification of property reviewed as part of a previous proposal are prohibited unless the applicant establishes there has been a substantial change of circumstances and support a plan or regulation change at this time.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

4. Does the City have the resources, including staff and budget, necessary to review the proposed amendment?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
5. Does the proposed amendment correct an inconsistency within or make a clarification to a provision of the Plan? OR	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
6. All of the following: a. The proposed amendment demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan? AND	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
b. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later subarea plan review or plan amendment process.	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

Staff recommends this proposal be considered by the City Council for inclusion in the 2012 Comprehensive Plan Work Program:
 YES NO

The Planning Commission recommends this proposal be considered by the City Council for inclusion in the 2012 Comprehensive Plan Work Program:
 YES NO

The City Council recommends this proposal be ratified for inclusion in the 2012 Comprehensive Plan Work Program:
 YES NO



Comprehensive Plan Docket 2013 Ratification of Docket

RT-3 - Staff Summary

City of Lake Stevens City Council & Planning Commission

City Council Hearing Date: July 8, 2013

Planning Commission Hearing Date: June 5, 2013

Subject: **Text Amendments, Chapter 5 Parks and Recreation Element**

SUMMARY: The proposal is for text changes to the Comprehensive Plan as part of the 2013 Comprehensive Plan amendments. The entire chapter is proposed to be replaced. A separate process will occur to propose and review the new chapter; however, the adoption will occur as part of the 2013 Docket.

LOCATION IN COMPREHENSIVE PLAN: Chapter 5, entire chapter.

PROPOSED CHANGES:

To be determined as the separate Parks and Recreation Element process proceeds.

ANALYSIS

ADDRESSES (Annual amendments shall not include significant policy changes which would be found inconsistent with the adopted Vision Goals (VG-1 through VG-7.)

<input type="radio"/> Major or minor land use and road classification changes?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<input type="radio"/> Amendments to Plan text including support data and implementation?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<input type="radio"/> Changes to Element maps?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<input type="radio"/> Minor changes to policies or clarifications?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<input type="radio"/> Other minor text changes?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

FINDINGS The City shall use the following decision criteria in selecting proposals for further analysis and consideration. Proposals must meet subsections 1 through 4 below and either subsection 5 or 6 below.

1. Is the proposed amendment appropriate to the Comprehensive Plan rather than implementation as a development regulation or program?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
2. Is the proposed amendment legal? Does the proposed amendment meet existing state and local laws?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
3. Is it practical to consider the proposed amendment? Reapplications for reclassification of property reviewed as part of a previous proposal are prohibited unless the applicant establishes there has been a substantial change of circumstances and support a plan or regulation change at this time.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
4. Does the City have the resources, including staff and budget, necessary to review the proposed amendment?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
5. Does the proposed amendment correct an inconsistency within or make a clarification to a provision of the Plan? OR	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

6. All of the following: a. The proposed amendment demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan? AND	___ YES <input checked="" type="checkbox"/> NO
b. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later subarea plan review or plan amendment process.	___ YES <input checked="" type="checkbox"/> NO

Staff recommends this proposal be considered by the City Council for inclusion in the 2012 Comprehensive Plan Work Program:
 YES ___ NO

The Planning Commission recommends this proposal be considered by the City Council for inclusion in the 2012 Comprehensive Plan Work Program:
 YES ___ NO

The City Council recommends this proposal be ratified for inclusion in the 2012 Comprehensive Plan Work Program:
 ___ YES ___ NO



Comprehensive Plan Docket 2013 Ratification of Docket

RT-4 - Staff Summary

City of Lake Stevens City Council & Planning Commission

City Council Hearing Date: July 8, 2013

Planning Commission Hearing Date: June 5, 2013

Subject: **Text Amendments, Chapter 6 Transportation Element**

SUMMARY: The proposal is for text changes to the Comprehensive Plan as part of the 2013 Comprehensive Plan amendments. One table is proposed to be updated.
LOCATION IN COMPREHENSIVE PLAN: Chapter 6, pages 6-26 to 6-44.
PROPOSED CHANGES: <i>Pages 6-26 to 6-44 – Table 6-1 Street Inventory is proposed to be updated with correct classifications (e.g., major arterials).</i>

ANALYSIS

ADDRESSES (Annual amendments shall not include significant policy changes which would be found inconsistent with the adopted Vision Goals (VG-1 through VG-7).)

<input checked="" type="checkbox"/> Major or minor land use and road classification changes?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<input type="checkbox"/> Amendments to Plan text including support data and implementation?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<input type="checkbox"/> Changes to Element maps?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<input type="checkbox"/> Minor changes to policies or clarifications?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<input type="checkbox"/> Other minor text changes?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

FINDINGS The City shall use the following decision criteria in selecting proposals for further analysis and consideration. Proposals must meet subsections 1 through 4 below and either subsection 5 or 6 below.

1. Is the proposed amendment appropriate to the Comprehensive Plan rather than implementation as a development regulation or program?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
2. Is the proposed amendment legal? Does the proposed amendment meet existing state and local laws?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
3. Is it practical to consider the proposed amendment? Reapplications for reclassification of property reviewed as part of a previous proposal are prohibited unless the applicant establishes there has been a substantial change of circumstances and support a plan or regulation change at this time.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
4. Does the City have the resources, including staff and budget, necessary to review the proposed amendment?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
5. Does the proposed amendment correct an inconsistency within or make a clarification to a provision of the Plan? OR	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

6. All of the following: a. The proposed amendment demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan? AND	___ YES <u>X</u> NO
b. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later subarea plan review or plan amendment process.	___ YES <u>X</u> NO

Staff recommends this proposal be considered by the City Council for inclusion in the 2012 Comprehensive Plan Work Program:
X YES ___ NO

The Planning Commission recommends this proposal be considered by the City Council for inclusion in the 2012 Comprehensive Plan Work Program:
X YES ___ NO

The City Council recommends this proposal be ratified for inclusion in the 2012 Comprehensive Plan Work Program:
___ YES ___ NO



Comprehensive Plan Docket 2013 Ratification of Docket

RT-5 - Staff Summary

City of Lake Stevens City Council & Planning Commission

City Council Hearing Date: July 8, 2013

Planning Commission Hearing Date: June 5, 2013

Subject: Text Amendments, Chapter 7 Utilities & Public Services & Facilities Element

SUMMARY: The proposal is for text changes to the Comprehensive Plan as part of the 2013 Comprehensive Plan amendments. One figure and one policy are proposed to be updated.
LOCATION IN COMPREHENSIVE PLAN: Chapter 7, pages 7-10 and 7-22.
PROPOSED CHANGES: <i>Page 7-10 – Update Figure 7.4 to show Snohomish School District boundaries.</i> <i>Page 7-22 – Update Utility Policy 7.3.6 to be consistent with recently amended underground utilities code.</i>

ANALYSIS

ADDRESSES (Annual amendments shall not include significant policy changes which would be found inconsistent with the adopted Vision Goals (VG-1 through VG-7.)

<input type="radio"/> Major or minor land use and road classification changes?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<input type="radio"/> Amendments to Plan text including support data and implementation?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<input type="radio"/> Changes to Element maps?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<input type="radio"/> Minor changes to policies or clarifications?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<input type="radio"/> Other minor text changes?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

FINDINGS The City shall use the following decision criteria in selecting proposals for further analysis and consideration. Proposals must meet subsections 1 through 4 below and either subsection 5 or 6 below.

1. Is the proposed amendment appropriate to the Comprehensive Plan rather than implementation as a development regulation or program?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
2. Is the proposed amendment legal? Does the proposed amendment meet existing state and local laws?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
3. Is it practical to consider the proposed amendment? Reapplications for reclassification of property reviewed as part of a previous proposal are prohibited unless the applicant establishes there has been a substantial change of circumstances and support a plan or regulation change at this time.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
4. Does the City have the resources, including staff and budget, necessary to review the proposed amendment?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

5. Does the proposed amendment correct an inconsistency within or make a clarification to a provision of the Plan? OR	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
6. All of the following: a. The proposed amendment demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan? AND	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
b. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later subarea plan review or plan amendment process.	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

Staff recommends this proposal be considered by the City Council for inclusion in the 2012 Comprehensive Plan Work Program:
 YES NO

The Planning Commission recommends this proposal be considered by the City Council for inclusion in the 2012 Comprehensive Plan Work Program:
 YES NO

The City Council recommends this proposal be ratified for inclusion in the 2012 Comprehensive Plan Work Program:
 YES NO



Comprehensive Plan Docket 2013 Ratification of Docket RT-6 - Staff Summary

City of Lake Stevens City Council & Planning Commission

City Council Hearing Date: July 8, 2013
 Planning Commission Hearing Date: June 5, 2013

Subject: Text Amendments, Appendices

<p>SUMMARY: The proposal is for text changes to the Comprehensive Plan as part of the 2013 Comprehensive Plan amendments. One appendix is proposed to be added.</p>
<p>LOCATION IN COMPREHENSIVE PLAN: New Appendix M.</p>
<p>PROPOSED CHANGES: <i>Add a new Appendix M for the SEPA environmental review documents for the 2013 Docket.</i></p>

ANALYSIS

ADDRESSES (Annual amendments shall not include significant policy changes which would be found inconsistent with the adopted Vision Goals (VG-1 through VG-7.)

<input type="radio"/> Major or minor land use and road classification changes?	__ YES __X_ NO
<input checked="" type="radio"/> Amendments to Plan text including support data and implementation?	_X_ YES __ NO
<input type="radio"/> Changes to Element maps?	__ YES __X_ NO
<input type="radio"/> Minor changes to policies or clarifications?	__ YES __X_ NO
<input type="radio"/> Other minor text changes?	__ YES __X_ NO

FINDINGS The City shall use the following decision criteria in selecting proposals for further analysis and consideration. Proposals must meet subsections 1 through 4 below and either subsection 5 or 6 below.

1. Is the proposed amendment appropriate to the Comprehensive Plan rather than implementation as a development regulation or program?	_X_ YES __ NO
2. Is the proposed amendment legal? Does the proposed amendment meet existing state and local laws?	_X_ YES __ NO
3. Is it practical to consider the proposed amendment? Reapplications for reclassification of property reviewed as part of a previous proposal are prohibited unless the applicant establishes there has been a substantial change of circumstances and support a plan or regulation change at this time.	_X_ YES __ NO
4. Does the City have the resources, including staff and budget, necessary to review the proposed amendment?	_X_ YES __ NO
5. Does the proposed amendment correct an inconsistency within or make a clarification to a provision of the Plan? OR	_X_ YES __ NO

6. All of the following: a. The proposed amendment demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan? AND	___ YES <input checked="" type="checkbox"/> NO
b. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later subarea plan review or plan amendment process.	___ YES <input checked="" type="checkbox"/> NO

Staff recommends this proposal be considered by the City Council for inclusion in the 2012 Comprehensive Plan Work Program:
 YES ___ NO

The Planning Commission recommends this proposal be considered by the City Council for inclusion in the 2012 Comprehensive Plan Work Program:
 YES ___ NO

The City Council recommends this proposal be ratified for inclusion in the 2012 Comprehensive Plan Work Program:
 ___ YES ___ NO



Comprehensive Plan Docket 2013 Ratification of Docket

RT-7 - Staff Summary

City of Lake Stevens City Council & Planning Commission

City Council Hearing Date: July 8, 2013

Planning Commission Hearing Date: June 5, 2013

Subject: **Text Amendments, Update Dates and Table of Contents**

<p>SUMMARY: The proposal is for text changes to the Comprehensive Plan as part of the 2013 Comprehensive Plan amendments. The proposed amendments are to update the dates on the cover and footnotes and to update the Table of Contents.</p>
<p>LOCATION IN COMPREHENSIVE PLAN: Cover, footers and Table of Contents.</p>
<p>PROPOSED CHANGES: <i>Update cover and footer dates. Update Table of Contents.</i></p>

ANALYSIS

ADDRESSES (Annual amendments shall not include significant policy changes which would be found inconsistent with the adopted Vision Goals (VG-1 through VG-7.)

<input type="radio"/> Major or minor land use and road classification changes?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<input type="radio"/> Amendments to Plan text including support data and implementation?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<input type="radio"/> Changes to Element maps?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<input type="radio"/> Minor changes to policies or clarifications?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<input type="radio"/> Other minor text changes?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

FINDINGS The City shall use the following decision criteria in selecting proposals for further analysis and consideration. Proposals must meet subsections 1 through 4 below and either subsection 5 or 6 below.

1. Is the proposed amendment appropriate to the Comprehensive Plan rather than implementation as a development regulation or program?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
2. Is the proposed amendment legal? Does the proposed amendment meet existing state and local laws?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
3. Is it practical to consider the proposed amendment? Reapplications for reclassification of property reviewed as part of a previous proposal are prohibited unless the applicant establishes there has been a substantial change of circumstances and support a plan or regulation change at this time.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
4. Does the City have the resources, including staff and budget, necessary to review the proposed amendment?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
5. Does the proposed amendment correct an inconsistency within or make a clarification to a provision of the Plan? OR	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

6. All of the following: a. The proposed amendment demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan? AND	___ YES <input checked="" type="checkbox"/> NO
b. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later subarea plan review or plan amendment process.	___ YES <input checked="" type="checkbox"/> NO

Staff recommends this proposal be considered by the City Council for inclusion in the 2012 Comprehensive Plan Work Program:
 YES ___ NO

The Planning Commission recommends this proposal be considered by the City Council for inclusion in the 2012 Comprehensive Plan Work Program:
 YES ___ NO

The City Council recommends this proposal be ratified for inclusion in the 2012 Comprehensive Plan Work Program:
 ___ YES ___ NO



Comprehensive Plan Docket 2013 Ratification of Docket

RT-8 - Staff Summary

City of Lake Stevens City Council & Planning Commission

City Council Hearing Date: July 8, 2013

Planning Commission Hearing Date: June 5, 2013

Subject: **PLACEHOLDER: Additional Amendments Proposed by City Council**

SUMMARY: The docket item is a PLACEHOLDER in case Council wants to add additional amendments to the Comprehensive Plan as part of the 2013 Docket based on Planning Commission recommendation, Council discussion or public comments.
LOCATION IN COMPREHENSIVE PLAN: To be determined.
PROPOSED CHANGES: <i>To be determined.</i>

ANALYSIS

ADDRESSES (Annual amendments shall not include significant policy changes which would be found inconsistent with the adopted Vision Goals (VG-1 through VG-7.)

<input type="radio"/> Major or minor land use and road classification changes?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<input type="radio"/> Amendments to Plan text including support data and implementation?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<input type="radio"/> Changes to Element maps?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<input type="radio"/> Minor changes to policies or clarifications?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<input type="radio"/> Other minor text changes?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

FINDINGS The City shall use the following decision criteria in selecting proposals for further analysis and consideration. Proposals must meet subsections 1 through 4 below and either subsection 5 or 6 below.

1. Is the proposed amendment appropriate to the Comprehensive Plan rather than implementation as a development regulation or program?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
2. Is the proposed amendment legal? Does the proposed amendment meet existing state and local laws?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
3. Is it practical to consider the proposed amendment? Reapplications for reclassification of property reviewed as part of a previous proposal are prohibited unless the applicant establishes there has been a substantial change of circumstances and support a plan or regulation change at this time.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
4. Does the City have the resources, including staff and budget, necessary to review the proposed amendment?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
5. Does the proposed amendment correct an inconsistency within or make a clarification to a provision of the Plan? OR	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

6. All of the following: a. The proposed amendment demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan? AND	___ YES <input checked="" type="checkbox"/> NO
b. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later subarea plan review or plan amendment process.	___ YES <input checked="" type="checkbox"/> NO

Staff recommends this proposal be considered by the City Council for inclusion in the 2012 Comprehensive Plan Work Program:
 YES ___ NO

The Planning Commission recommends this proposal be considered by the City Council for inclusion in the 2012 Comprehensive Plan Work Program:
 YES ___ NO

The City Council recommends this proposal be ratified for inclusion in the 2012 Comprehensive Plan Work Program:
 ___ YES ___ NO

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

RESOLUTION 2013-5

A RESOLUTION OF THE CITY OF LAKE STEVENS, RATIFYING A LIST OF DOCKET ITEMS FOR FURTHER ANALYSIS FOR THE 2013 COMPREHENSIVE PLAN DOCKET

WHEREAS, the Washington City of Lake Stevens is a City in Snohomish County, Washington, planning under the Growth Management Act; and

WHEREAS, the City of Lake Stevens has established procedures and schedules to update, amend or revise the Comprehensive Plan as required under RCW 36.70A.130(2)(a) no more frequently than once every year; and

WHEREAS, the 2013 Docket proposals include no privately proposed amendments, two City proposed land use map redesignations and associated rezones, eight text revisions proposed by the City, and twenty-one code housekeeping amendments; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on the proposed list of docket items attached hereto as Exhibit A on June 5, 2013, and all public testimony has been given full consideration and is included in the Planning Commission's recommendation to the City Council; and

WHEREAS, this action is exempt from the requirements of the State Environmental Policy Act pursuant to WAC 197-11-800(147) and LSMC 16.12.010; and

WHEREAS, the City Council conducted a public hearing on the proposed list of docket items listed in Exhibit A on June 24, 2013, which was duly noticed, and considered all public testimony and the Planning Commission recommendation.

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

Section 1. Requested Action. The Lake Stevens City Council requests the Department of Planning and Community Development individually analyze the attached list of docket items, prepare reports, and present the detailed findings for each item to the Planning Commission and the City Council for action by December 31, 2013.

Section 2. 2013 Docket. The approved list of docket items, two land use redesignations with associated rezones, eight text revisions and twenty-one code housekeeping amendments, is the official 2013 Docket for the City of Lake Stevens and will serve as the only potential Comprehensive Plan changes as allowed under RCW 36.70A.130(2)(a) and the City of Lake Stevens Comprehensive Plan, Goal 1.1 which states: "Provide for a Consistent Review and Revision of the Comprehensive Plan."

Section 3. Severability. If any section, sentence, clause or phrase of this resolution should be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this resolution.

Section 4. Effective Date. This resolution shall take effect immediately upon passage by the Lake Stevens City Council.

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

Vern Little, Mayor

ATTEST:

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

APPROVED AS TO FORM:

Grant K. Weed, City Attorney

EXHIBIT A - 2013 DOCKET PROPOSALS

RATIFICATION MAPS			
#	NAME	PARCELS/ ACREAGE	REQUEST
RM-1	Minor Map Amendment, Zoning & Land Use	TBD	PLACEHOLDER: To be included if Council land use action occurs before Final Docket review. Minor map amendment to update land use and zoning designations for city and adjacent property resulting from right-of-way vacation / dedication near the city's stormwater detention facility on 20 th Street SE
RM-2	Minor Map Amendment, Zoning & Land Use	TBD	PLACEHOLDER: To be included if Council approves Downtown Framework Plan before Final Docket review. Minor map amendment to update land use and zoning maps with new Downtown Overlay District boundaries

RATIFICATION TEXT		
#	NAME	REQUEST
RT-1	Chapter 1 Introduction	<ul style="list-style-type: none"> Page 1-7 to 1-9 – Modify section “Public Process for Docket Cycles” by describing general process for all comprehensive plan amendments and removing all the yearly tables Page 1-29 – Add reference to appendix with 2013 Docket SEPA documents
RT-2	Chapter 4 Land Use Element	<ul style="list-style-type: none"> Page 4-16 to 4-17 – PLACEHOLDER: To be included if Council approves Downtown Framework Plan before Final Docket review. Add new Downtown Overlay District in the “Existing Zoning in City and UGA” section Page 4-30 to 4-31 – PLACEHOLDER: To be included if Council approves Downtown Framework Plan before Final Docket review. Update “Old Town/Central Business District” based on Downtown Framework Plan
RT-3	Chapter 5 Parks and Recreation Element	Replace entire element with separately reviewed chapter
RT-4	Chapter 6 Transportation Element	Page 6-26 to 6-44 – Update Table 6-1 Street Inventory with correct classifications (e.g., major arterials)
RT-5	Chapter 7 Utilities & Public Services & Facilities Element	<ul style="list-style-type: none"> Page 7-10 – Update Figure 7.4 to show Snohomish School District boundaries Page 7-22 – Update Utility Policy 7.3.6 to be consistent with amended underground utilities code.

RT-6	Appendices	Add Appendix M – SEPA Addendum No. 6 to be prepared as environmental review for 2013 Docket
RT-7	Update Dates & Table of Contents	Update dates on cover and footers and update Table of Contents
RT-8	Unknown Additional Amendments	Council may add items to the Docket based on recommendation from Planning Commission, discussion of proposed amendments or public testimony

CODE HOUSEKEEPING		
#	CODE SECTION	PROPOSED CODE AMENDMENTS
CH-1	Title 5 – Animal Regulations	<u>5.16.080</u> – change “Planning Commission” to “Planning Director or designee” for who may revoke any permit
CH-2	Chapter 14.04 – General Provisions	<u>14.04.120</u> – remove list of administratively adopted documents and just reference their availability at the Planning and Community Development Department
CH-3	Chapter 14.08 – Basic Definitions and Interpretations	<ul style="list-style-type: none"> • <i>Impervious Surface</i> – add definition from Chapter 11.04 to this title also • <i>Access Tract</i> – change “one or more lots” to “four or fewer dwelling units” for consistency with 14.56.160 • <i>Road, Private</i> – change to include “lots <u>or</u> units” to definition • Remove definition for <i>Year-Round Driving Surface</i> • Move 14.08.020 to Chapter 14.36 in a new section 14.36.120
CH-4	Chapter 14.16A – Administration and Procedures	<u>14.16A.130(b)(2)</u> – correct name of application forms to refer to construction plan forms rather than master forms <u>14.16A.210, Table 14.16A-I</u> – Type II – add clarification to “Short Plats” to say “Short Plats – Preliminary or Final”; Type V – add asterisk to Final Plats and in Public Hearing column put note of “Public meeting only for final plats”; change type of record for Type VI in the Public Hearing Prior to Decision column from “Closed Record” to “Open Record” <u>14.16A.225(b)(3)(i)</u> – correct size of special notice sign for major land use actions from “four feet by eight feet in size” to “two feet by two and a half feet in size” to be consistent with the pre-printed signs used for permit notices <u>14.16A.250(e) and (f)</u> – update permit extension deadlines to be consistent with State law, allow additional permit extensions to be submitted up to six months before original permit extension expiration, and modify “normal permit extension” to “original permit extension”
CH-5	Chapter 14.16B – Types of Land Use Review	<u>14.16B.325</u> – correct code section reference from 14.16A.290 to .260 <u>14.16B.505</u> – add specific note that a public meeting is held for Final Plats <u>14.16B.525</u> - add sentence that Council action for Final Plats is a public meeting <u>14.16B.540</u> – add language that Final Plats have public meetings; and correct notice requirements before Council public hearings for Quasi-Judicial decisions from 14 days to 10 days for consistency with all other Council hearing notices for land use review. <u>14.16B.545</u> – add language that Final Plats have public meetings <u>14.16B.630(c)(7)</u> – correct department name from “Planning and

CODE HOUSEKEEPING		
#	CODE SECTION	PROPOSED CODE AMENDMENTS
		Development Services” to “Planning and Community Development”
CH-6	Chapter 14.16C – Land Use Actions, Permits and Determinations	<p><u>14.16C.050(e)(3)</u> – remove “Planning Commission and” as design review is now reviewed by the Design Review Board only</p> <p><u>14.16C.050(f)(1)(vii)</u> – remove this subsection as the “Commercial Recreation” zone does not exist</p> <p><u>14.16C.050(f)(2)(iii)</u> – remove “Demonstration” in the title of the “Innovative Housing Options Demonstration Program” as Ordinance No. 872 changed the program to a permanent code in 2012</p> <p><u>14.16C.075(c)(2)</u> - correct department name from “Planning and Development Services” to “Planning and Community Development”</p> <p><u>14.16C.090(g)</u> – add “Hearing Examiner” as one of the decisionmakers for rezones</p>
CH-7	Chapter 14.18 – Subdivisions, Boundary Line Adjustments and Binding Site Plans	<p><u>14.18.070(b)</u> – modify name of application from “master permit” to “land use development”</p> <p><u>14.18.175(a)</u> – correct “boundary line adjustment” to “binding site plan”</p> <p><u>14.18.175(b)</u> – correct “BLA” to “binding site plan”</p>
CH-8	Chapter 14.36 – Zoning Districts and Zoning Map	<u>14.36.100(a) and (b)</u> – remove reference to official map being on acetate
CH-9	Chapter 14.38 – Subarea Plans	<p><i>PLACEHOLDER: To be included if Council approves Downtown Framework Plan before Final Docket review.</i></p> <p>Update chapter based on final Framework Plan adopted.</p> <p><i>PLACEHOLDER: Code corrections related to implementation of the Adopted Subarea Plans and Planned Actions</i></p> <p>Minor code amendments have been identified since implementation of the Subarea Plans.</p>
CH-10	Downtown Design Guidelines	<p><i>PLACEHOLDER: To be included if Council approves Downtown Framework Plan before Final Docket review.</i></p> <p>Update guidelines based on final Framework Plan adopted.</p>
CH-11	Chapter 14.40 – Permissible Uses	<p><u>14.40.010, Table 14:40-I</u> –</p> <ul style="list-style-type: none"> • Remove Use Descriptions “32.000 Land Clearing, Logging in Conformance with Chapter 14.88” & “33.000 Respective Uses Permissible in Respective Sensitive Areas as Per Chapter 14.88) • Add “P¹⁷” in the “LB” column to Use Description “9.100 Motor Vehicle Sales or Rental; Mobile Home Sales” and • Add footnote to the table to read as follows: ¹⁷ <u>Only permitted in the Local Business zone on a road designated as a major arterial.</u> • Add reference #18 to “PA” in CBD column for Use Description “9.100” • Add footnote to the table to read as follows: ¹⁸ <u>Only allowed in the Central Business District on properties</u>

CODE HOUSEKEEPING		
#	CODE SECTION	PROPOSED CODE AMENDMENTS
		<p><u>north of 20th Street NE.</u></p> <ul style="list-style-type: none"> • Add reference #19 to Use Description “15.340 Sewage/septic sludge recycling” • Add footnote to the table to read as follows: ¹⁹ <u>Only allowed as an Essential Public Facility pursuant to Section 14.16C.060.</u> <p><u>14.40.020(c)</u> – Update description of the “PA” and “PC” designations on the Permissible Uses Table <u>14.40.040</u> – Add new subsection “(5) Sewage/septic sludge recycling except when approved as an Essential Public Facility pursuant to 14.16C.060.”</p>
CH-12	Chapter 14.44 – Supplementary Use Regulations	<p><u>14.44.020(h)</u> – remove reference to Chapter 14.52, which no longer exists <u>14.44.075(2) and (3)</u> – combine the two subsections for clarity of when and where farm animals are permitted <u>14.44.085</u> – repeal and move as a note to the Permissible Uses Table <u>14.44.110(a)</u> – correct “environmentally sensitive areas” to refer to “critical areas” <u>14.44.240</u> – correct the reference to the air regulating agency from “Puget Sound Air Pollution Control Agency” to “Puget Sound Clean Air Agency” <u>14.44.330</u> – correct heading for subsection to remove “Two-Family and” as duplexes are considered single-family homes and the subsection only refers to multifamily uses</p>
CH-13	Chapter 14.46 – Innovative Housing Options Program	<p><u>14.46.020</u> – remove “demonstration” as the program is now a permanent code</p>
CH-14	Chapter 14.48 – Density and Dimensional Regulations	<p><u>14.48.040(a)(3)</u> – remove “eaves” as a substantial part of a building in regards to setbacks and add a new subsection “(4) Eaves may project into the required setback up to 18 inches.” <u>14.48.050(a)(2)(i)</u> – modify the size of the allowed accessory structure in the setback to be 200 sq.ft. rather than 170 sq.ft. to be consistent with the International Residential Code <u>14.48.070</u> – remove reference to Chapter 14.52, which no longer exists <u>Table 14.48-I</u> – remove the “Lake (Mean High Water Mark)” and “Critical Area Buffer” columns and instead add a footnote referring to the Critical Areas Regulations and the Shoreline Master Program</p>
CH-15	Chapter 14.56 – Streets and Sidewalks	<p><u>14.56.135(b)</u> – change reference from an administrative guideline to the Engineering Design and Development Standards <i>PLACEHOLDER: Amendments to ensure consistency between Land Use Regulations and Engineering Design and Development Standards</i> Current examples include cul-de-sacs and fire access requirements.</p>
CH-16	Chapter 14.68 – Signs	<p><u>14.68.020(i)</u> – add one word to better clarify that “one <u>sign</u> per abutting street” is allowed <u>14.68.110(c)(3)</u> – correct reference from 14.68.040(b) to 14.68.084(b) <u>14.68.130(c)</u> – correct reference from 14.68.075(c) to 14.68.150(c) <u>14.68.124(b)</u> – correct Planning Commission with Design Review Board</p>

CODE HOUSEKEEPING		
#	CODE SECTION	PROPOSED CODE AMENDMENTS
CH-17	Chapter 14.76 – Screening and Trees	<u>14.76.090</u> – add other state route “State Route 204” to the subsection related to 30-foot wide landscaped screen <u>14.76.120(j)(1)</u> – correct “Planning and Development” to “Planning and Community Development”
CH-18	Chapter 14.88 – Critical Areas	<u>14.88.310(c)(1)</u> – correct “environmentally sensitive areas” to refer to “critical areas” <u>14.88.400(d)</u> – correct RCW reference from 77.09.020 to 77.08.020
CH-19	Chapter 14.110 – Concurrency Management System	<u>14.110.120</u> – correct reference from 14.20 to 14.16A.265
CH-20	PLACEHOLDER	<i>PLACEHOLDER: Code corrections related to 2012 International Building codes</i>
CH-21	Unknown Additional Code Corrections	Council may add items to the Docket based on recommendation from Planning Commission, discussion of proposed amendments or public testimony



LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: July 8, 2013

Subject: Final Plat - Sonterra Subdivision (LUA2013-0067)

Contact Person/Department: Becky Ableman/Karen Watkins **Budget Impact:** N/A

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL: Hold a public meeting pursuant to 14.18.0358(a). Final plats shall be approved if it is found that the requirements of preliminary plat, including applicable conditions of approval, have been met, and the requirements of Chapter [58.17](#) RCW have been met.

SUMMARY: A draft Final Plat Permit is attached for review. A signed Final Plat Permit with final plat documents will be available for review at the Public Meeting on July 8, 2013 (*Attachment*).

BACKGROUND/DISSION: Final Plat acceptance is a Type V Quasi-Judicial decision by the City Council after a public hearing. A Notice of Application and Public Meeting was issued on June 22, 2013. The attached Final Plat Permit Approval is being submitted to Council for review as a draft, but the final will be brought to Council on Monday, July 8, 2013 with the final plat maps.

As the draft Permit illustrates, the Final Plat submittal meets the requirements of the Lake Stevens Municipal Code, conditions of approval and the requirements of Chapter 58.17 RCW (Subdivisions-Dedications) with the recommended conditions in Section G of the permit.

APPLICABLE CITY POLICIES: Chapter 14.18 Subdivisions, Boundary Line Adjustments and Binding Site Plans

BUDGET IMPACT: None

ATTACHMENT: Draft Final Plat Permit dated July 8, 2013



Planning and Community Development Type V Permit: Final Plat

July 8, 2013

Sonterra Subdivision

LUA2013-0067

APPROVAL OF THE FINAL PLAT REQUEST IS RECOMMENDED SUBJECT TO THE RECOMMENDED CONDITIONS IN SECTION G.

A. PROJECT DESCRIPTION AND REQUEST

Project Description: On January 22, 2007, a corrected preliminary plat approval was granted by Snohomish County for a division of 13.9 acres into 41 lots (*Exhibit 1*). This property was annexed into the City of Lake Stevens on December 31, 2009. On June 8, 2012, the Quadrant Corporation submitted an application to the City of Lake Stevens for a plat alteration. The plat alteration was approved by the City Hearing Examiner on September 24, 2012 which increased the number of lots in the subdivision to 44 and altered some of the street layouts and landscaping as permitted under the Snohomish County regulations (*Exhibit 2*). Construction Plan approval was applied for on July 13, 2012 and granted on September 28, 2012 under permit number CP2012-1 (*Exhibit 3*). All required improvements were installed, inspected, and approved by the City and the applicable utility providers on June 4, 2013.

An application for Final Plat approval was submitted on June 17, 2013 (*Exhibit 4*). The plat will divide four existing lots totaling 13.9 acres into forty-four new lots for single-family development. The City has inspected the site for completion of required plat improvements, reviewed the final plat map (*Exhibit 5*) and supporting documentation, verified compliance with the preliminary approval and applicable State and City codes, and obtained all necessary fees and financial guarantees. Per LSMC 14.18.035, final plat approval is granted by the City Council following a public meeting.

LSMC section 14.56.170 requires that dedication and right-of-way improvements be installed prior to development. With approval of the final plat, the applicant will be dedicating all proposed roads to the City as public rights-of-way. These roads have been constructed to Snohomish County road standards except for final asphalt lift, for which bonds have been provided and will be completed by the developer after all of the lots are developed. Additionally, twenty feet of right-of-way has been dedicated along the development's frontage on 10th Ave SE. Half street improvements have been constructed by the applicant along this entire frontage.

The proposed subdivision contains a drainage facility. The final plat contains a maintenance covenant which requires that the facility be maintained by the owners of the land platted. The maintenance covenant gives the City the right of entry to inspect the facility and require maintenance of the facility by the owners.

Two Native Growth Protection Area Tracts will be established with acceptance of this subdivision. These tracts will provide permanent protection for two category 3 wetlands, two type 4 (type Ns) streams and areas with steep slopes as well as the required buffers associated with them. These areas have already been demarcated with fencing and signage identifying them as protected areas.

The proposed subdivision contains six open space tracts. The final plat document to be recorded contains language that the Homeowners Association shall be responsible for the cost of maintenance, repairs or reconstruction of the open space tracts.

B. GENERAL INFORMATION

1. Property Address: 77xx 10th Ave SE, Lake Stevens, WA 98258

2. Parcel Numbers: 00431400600201, 00476200200902, 00476200201000, 00476200201100
3. Applicant/ Contact Person: The Quadrant Company
14725 SE 36th St STE 100
Bellevue, WA 98006
4. Property Owner: The Quadrant Company
14725 SE 36th St STE 100
Bellevue, WA 98006
5. Property Size: 13.9 Acres
6. Comprehensive Plan Land Use Designations, Zoning Designation and Existing Land Uses of the Site and Surrounding Area:

AREA	LAND USE DESIGNATION	ZONING	EXISTING USE
Project Site	Medium Density Residential	Urban Residential	Single-Family Residential
North of Site	Medium Density Residential	Urban Residential	Single-Family Residential/SR 204
South of Site	Medium Density Residential	Urban Residential	Single-Family Residential
East of Site	Medium Density Residential	Urban Residential	Single-Family Residential
West of Site	Medium Density Residential	Urban Residential	Single-Family Residential/SR 204

7. Public Utilities and Services Provided by:

Water:	Snohomish County PUD	Gas:	Puget Sound Energy
Sewer:	Lake Stevens Sewer District	Cable TV:	Comcast
Garbage:	Allied Waste/Waste Management	Police:	City of Lake Stevens
Stormwater:	City of Lake Stevens	Fire:	Lake Stevens Fire District
Telephone:	Verizon	School:	Lake Stevens School Dist.
Electricity:	Snohomish County PUD	Hospital:	Providence Hospital

C. ENVIRONMENTAL REVIEW

A determination of nonsignificance was made under the State Environmental Policy Act on December 19, 2006 by Snohomish County during preliminary plat review. The appeal period elapsed without an appeal being received.

D. FINDINGS OF FACT

1. Application Process: Application for the Final Plat approval was received by the City of Lake Stevens on June 17, 2013 and determined to be complete on June 19, 2013. A Notice of Application and Public Meeting was issued for the project on June 22, 2013 (**Exhibit 6**). The notice was mailed to all property owners within 300 feet, posted on the subject property, and publically posted at City Hall. At the time that this staff report was authored no comments had been received.

This staff report meets the requirements of LSMC 14.16B.535 as the written report from staff making a recommendation to the City Council for decision.

2. Density and Dimensional Standards: Density and dimensional standard review was completed during preliminary plat approval by Snohomish County. The City has confirmed the proposed final plat complies with the preliminary plat approval. No encroachments have been identified by the City during review.

3. Critical Areas: The project site contains two Category 3 wetlands, two Type 4 (Type Ns) streams and steep slopes over 33% grade. These areas will be permanently protected by being placed into two Native Growth Protection Area (NGPA) Tracts. The tracts are delineated on the final plat document and language is included on the face of the plat which describes the protections for the NGPA Tracts.

The Snohomish County Hearing Examiner has previously approved a mitigation plan based on a conceptual critical area study prepared by Wetland Resources, Inc. The recommended mitigation measures have been installed by the applicant and accepted by the City after inspection. The applicant has posted bonds to ensure these mitigation measures are maintained as required by the approved mitigation plan.

4. Stormwater Management: Stormwater impacts were reviewed during preliminary plat approval. All required stormwater improvements have been reviewed, inspected and approved by the City. The stormwater facilities include a detention pond with a landscape buffer. The City has inspected and approved the stormwater facilities including the landscaping installed around the pond. A maintenance bond has been received by the City for these improvements. As-built drawings of all public stormwater facilities have been submitted to the City and approved by the Public Works Department. The subdivision complies with all applicable stormwater standards.
5. Traffic Impacts: Traffic impacts were reviewed for this project by Snohomish County during preliminary plat approval. Traffic impact fees have been calculated to address these impacts. These fees have been noted on the face of the final plat document, and will be collected prior to building permit issuance. Additionally, capacity improvements at the intersection of 79th Ave SE and 20th St SE were required by the Snohomish County preliminary plat decision to address a level of service deficiency. A turn lane and traffic signal have been installed at this intersection, which have addressed this deficiency.
6. Public Roads and Frontage Improvements: Lots within the subdivision will be accessed by public roads constructed to the Snohomish County standards applicable at the time of preliminary plat application. Roads have been constructed to the approved plans save for final asphalt lift. The applicant proposed providing a bond in lieu of final asphalt lift to protect the surface from damage during construction of homes on lots within the development. Providing a performance bond for the final lift of asphalt is preferred by the Public Works Director. A bond in an amount approved by the Public Works Department for this work has been provided prior to application for final plat approval.

In addition to the new public roads dedicated to the City, preliminary plat approval required that 20 feet of right-of-way be dedicated as public right-of-way to the City parallel and adjoining the existing right-of-way along the subdivision's frontage on the north side of 10th Street SE. The applicant has installed the required frontage improvements and half street improvements. These improvements have been inspected and approved by City staff.
7. Utilities: Public utilities have been installed to serve all of the proposed lots in the proposed subdivision. The Snohomish County PUD (water and electricity) and Lake Stevens Sewer District have granted approval for the utility improvements prior to final flat application.
8. Fire Department Review: The Fire Marshall for the Lake Stevens Fire District has reviewed the proposed subdivision and approved the design as shown on the final plat drawings.
9. Impact Fees: Impact fees are required for the lots in the proposed subdivision and were defined in the preliminary plat approval. The following fees are indicated on the face of the plat and shall be collected prior to building permit issuance:

- a. The lots within this subdivision will be subject to school impact mitigation fees for the Lake Stevens School District to be determined by the certified amount within the Base Fee Schedule in effect at the time of building permit application, and to be collected prior to building permit issuance, in accordance with the provisions of SCC 30.66C.010. Credit shall be given for four existing parcels. Lots 1 through 4 shall receive credit.
- b. The dwelling units within the development are subject to park impact fees as mitigation for impacts to the Centennial Parks Service Area of the County Parks System in accordance with SCC 30.66A. Payment of these mitigation fees is required prior to building permit issuance.
- c. \$3,225.09 per lot for mitigation of impacts on city roads paid to the city.
- d. \$75.75 per lot for Transportation Demand Management (TDM) to be paid to the City for TSA A.

E. CONCLUSIONS

1. The City has confirmed that all required improvements for subdivision approval have been installed or provided for through a financial security as approved by the Public Works Director and the Director of Planning and Community Development.
2. The proposed subdivision documents submitted to the City of Lake Stevens meet all requirements of the Preliminary Plat Approval issued by Snohomish County, revisions by the Lake Stevens Hearing Examiner, and the City's standards for Final Plat approval.
3. The subdivision as proposed is consistent with all applicable requirements, permit processing procedures, and other applicable codes.

F. RECOMMENDATION

The Planning and Community Development Department recommends **APPROVAL**, of the Final Plat of the Sonterra Subdivision **subject to the conditions specified in Section G below:**

G. RECOMMENDED CONDITIONS

The applicant shall meet the following required conditions in order to receive Final Plat approval:

1. An Auditor's recording fee shall be the obligation of the subdivision applicant.
2. The applicant shall provide conformed copies of the approved final plat to the City of Lake Stevens after recording with Snohomish County.
3. The applicant must comply with any federal, state, or local statutes, ordinances, or regulations applicable to this project. Failure to meet or maintain strict compliance with these regulations and conditions shall be grounds for revocation of this permit.

H. APPEALS

Per LSMC 14.16B.740, to appeal the Council's decision an appeal application must be filed, with all required fees, within 14 days of the date of issuance of this permit. An appeal of this decision would be heard by the Snohomish County Superior Court.

I. EXHIBITS

1. Corrected Preliminary Plat Approval issued by the Snohomish County Hearing Examiner dated January 22, 2007
2. Preliminary Plat Alteration issued by the Lake Stevens Hearing Examiner dated September 24, 2012

3. Staff Report recommending approval of Construction Plans dated September 14, 2012
4. Final Plat Application received on June 17, 2013
5. Final Plat documents for Sonterra Subdivision received on June 17, 2013 (three originals, too large to scan)
6. Notice of Application and Public Meeting issued on June 22, 2013

Rebecca Ableman, Planning & Community Development Director

Distributed to the Following Parties:

1. The Lake Stevens City Council
2. Mike Behn, Applicant
3. Mick Monken, Public Works Director, electronic copy
4. Building Official, electronic copy
5. Address File



Snohomish County

Hearing Examiner's Office

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**CORRECTED
REPORT and DECISION of the SNOHOMISH
COUNTY HEARING EXAMINER**

DATE OF DECISION: January 8, 2006¹
DATE OF CORRECTION: January 22, 2007

PLAT/PROJECT NAME: *MILLER PROPERTY*

APPLICANT/
LANDOWNER: Burnstead Construction Company, Inc.

FILE NO.: 04 118541SD

TYPE OF REQUEST: **SUBDIVISION** of 13.9 acres into 41 lots utilizing the lot size averaging provisions of SCC 30.23.210

DECISION (SUMMARY): APPROVED subject to CONDITIONS

BASIC INFORMATION

GENERAL LOCATION: The property is located on the east side of SR 204 at 8th Street SE, Everett, WA

ACREAGE: 13.9 acres

NUMBER OF LOTS: 41

AVERAGE LOT SIZE: 6,166 square feet

MINIMUM LOT SIZE: 4,517 square feet

DENSITY: 2.95 du/ac (gross)
5.49 du/ac (net)

ZONING: R-7,200

COMPREHENSIVE PLAN DESIGNATION:

General Policy Plan Designation: Urban Low Density Residential – Limited (6 du/ac)
Subarea Plan: Lake Stevens
Subarea Plan Designation: Urban Low Density Residential (6 du/ac)

¹ Scrivener's error
04118541.doc

UTILITIES:

Water: Snohomish County PUD No. 1
Sewage: Lake Stevens Sewer District

SCHOOL DISTRICT: Lake Stevens

FIRE DISTRICT: No. 8

SELECTED AGENCY RECOMMENDATIONS:

Department of:

Planning and Development Services (PDS): Approval subject to conditions

Public Works (DPW): Approval subject to conditions

INTRODUCTION

The applicant filed the Master Application on May 4, 2005. (Exhibit 1)

The Hearing Examiner (Examiner) made a site familiarization visit on December 12, 2006 in the morning.

The Department of Planning and Development Services (PDS) gave proper public notice of the open record hearing as required by the county code. (Exhibits 20, 21 and 22)

A SEPA determination was made on October 16, 2006. (Exhibit 19) No appeal was filed.

The Examiner held an open record hearing on December 14, 2006, the 122nd day of the 120-day decision making period. Witnesses were sworn, testimony was presented, and exhibits were entered at the hearing.

PUBLIC HEARING

The public hearing commenced on December 14, 2006 at 2:04 p.m.

1. The Examiner indicated that he has read the PDS staff report, reviewed the file and viewed the area and therefore has a general idea of the particular request involved.
2. The applicant, Burnstead Construction Company, Inc., was represented by Tiffany Brown. Snohomish County was represented by Monica McLaughlin of the Department of Planning and Development Services.

The hearing concluded at 2:12 p.m.

NOTE: For a complete record, an electronic recording of this hearing is available in the Office of the Hearing Examiner.

FINDINGS, CONCLUSIONS AND DECISION

FINDINGS of FACT:

1. Burnstead Construction Company, Inc. (Applicant) proposes to subdivide a 13.9 acre tract on the north side of 10th Street SE and west of 79th Avenue SE into 41 single-family lots, utilizing the lot size averaging provisions of the SCC. The L-shaped site slopes from east to west and descends steeply toward SR 204.
2. Access to the site will be from 10th Street SE by a new public road to a turn-around at the north property line. An east-west road will be developed on unopened 8th Street SE and stubbed at the east and west property lines, anticipating future development of adjacent properties.
3. The site has two Category 3 wetlands and two Type 4 streams with steep slopes over one-third of the site. Storm water will be captured and routed to an above-ground detention pond. From there it will be released at a controlled rate to a culvert under SR 204 and eventually to Ebey Slough.
4. The site is designated for urban low density residential land uses and is zoned R-7200. Adjacent properties are zoned R-7200 or R-5 and developed with single-family uses. The property is within an Urban Growth Area. The proposal is subject to the development phasing overlay provisions of the SCC (Chapter 30.33C), which applies although repealed in December, 2005. The project was vested prior to the repeal. The Applicant will satisfy the requirements of the DPO by dedicating 20 feet of right-of-way along the parcel's frontage on the north side of 10th Street SE and by providing urban standard half-street improvements along the north side of 10th Street SE, all the way from the western property line to 79th Avenue SE. Construction of capacity improvements at the intersection of 20th Street SE and 79th Avenue SE, which will include a southbound right turn lane on 79th Avenue SE, an eastbound left turn lane on 20th Street SE and a traffic signal at the intersection shall have been completed or under construction prior to the issuance of any building permits. Twenty feet of right-of-way must be dedicated along 10th Street SE.
5. A Determination of Nonsignificance (DNS) for the proposal was issued on October 16, 2006. There was no appeal.
6. Applicant will pay impact fees for county roads, Transportation Demand Management, state roads, parks and schools.
7. Children will have safe walking conditions to the school bus stop on 10th Street SE on sidewalks provided on all streets, including 10th Street SE.
8. Any Finding of Fact in this Report and Decision, which should be deemed a Conclusion, is hereby adopted as such.

CONCLUSIONS of LAW:

1. The Examiner having fully reviewed the PDS staff report, hereby adopts said staff report as properly setting forth the issues, the land use requests, consistency with the existing regulations, policies, principles, conditions and their effect upon the request. It is therefore hereby adopted by the Examiner as a conclusion as if set forth in full herein, in order to avoid needless repetition. There are no changes to the recommendations of the staff report.
2. The decision criteria for approval of a subdivision are set forth in RCW 58.17.100-120 and require that the proposed plat conform to applicable zoning ordinances and comprehensive plan, and make appropriate provisions for the public health, safety and general welfare for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and other planning features including safe walking conditions for students.
3. Staff concludes that the proposed plat satisfies these criteria and the Examiner concurs. The plat should be approved, subject to the following Conditions to assure compliance with the statutory criteria:
4. Any Conclusion in this Report and Decision, which should be deemed a Finding of Fact, is hereby adopted as such.

DECISION:

The request for a Subdivision of 41 lots on 13.9 acres is hereby **CONDITIONALLY APPROVED**, subject to compliance by the applicant with the following conditions:

CONDITIONS:

- A. The preliminary plat, received by Planning and Development Services (PDS) on September 21, 2006 (Exhibit 15) shall be the approved plat. Changes to approved preliminary plats are governed by SCC 30.41A.330.
- B. Prior to initiation of any further site work, and/or prior to issuance of any development permits by the county;
 - i. The plattor shall mark with temporary markers in the field the boundary of all Native Growth Protection Areas (NGPA) required by Chapter 30.62 SCC, or the limits of the proposed site disturbance outside of the NGPA, using methods and materials acceptable to the county.
 - ii. A final detention pond landscape plan shall have been submitted to and approved by PDS. The plan shall be in conformance with Exhibit 7.
 - iii. A final mitigation plan based on the conceptual Critical Area Study for Burnstead Miller prepared by Wetland Resources, Inc. dated Revision #3 September 6, 2006 (Exhibit 18) shall be submitted for review and approval during the construction review phase of this project.
 - iv. The applicant shall have filed and recorded with the County Auditor a Concomitant Agreement (after it has been executed by the landowner(s) and executed by the County) that identifies the

required DPO Transportation improvements that the applicant has committed to construct (and/or any Alternative Technical Solutions mutually agreed to by the applicant and the county) and which identifies the timing, completion and financing of those improvements.

v. deleted¹

C. The following additional restrictions and/or items shall be indicated on the face of the final plat:

- i. "The lots within this subdivision will be subject to school impact mitigation fees for the Lake Stevens School District to be determined by the certified amount within the Base Fee Schedule in effect at the time of building permit application, and to be collected prior to building permit issuance, in accordance with the provisions of SCC 30.66C.010. Credit shall be given for four existing parcels. Lots 1 through 4 shall receive credit."
- ii. "The dwelling units within this development are subject to park impact fees in the amount of \$1,361.22 per single family unit as mitigation for impacts to the Centennial parks service area of the County parks system in accordance with SCC 30.66A. Payment of these mitigation fees is required prior to building permit issuance, provided that the building permit is issued by May 4, 2010 (5 years after the completeness date of the subject application). After this date, park impact fees shall be based upon the rate in effect at the time of building permit issuance."
- iii. All Critical Areas shall be designated Native Growth Protection Areas (NGPA) (unless other agreements have been made) with the following language on the face of the plat;

"All NATIVE GROWTH PROTECTION AREAS shall be left permanently undisturbed in a substantially natural state. No clearing, grading, filling, building construction or placement, or road construction of any kind shall occur, except removal of hazardous trees. The activities as set forth in SCC 30.91N.010 are allowed when approved by the County."
- iv. In accordance with SCC 30.66B.170 (6), and as offered in the applicant's letter of November 1, 2004, construction of capacity improvements at the intersection of 20th Street SE and 79th Avenue SE in order to remedy a level of service deficiency on arterial unit #385 (79th Avenue SE from 20th Street SE to 8th Street SE), which will include a southbound right turn lane on 79th Avenue SE, an eastbound left turn lane on 20th Street SE, and a traffic signal at the intersection shall have been completed or under contract prior to the issuance of any building permits and must be complete prior to approval for occupancy or final inspection.
- v. Chapter 30.66B SCC requires the new lot mitigation payments in the amounts shown below for each single-family residential building permit:

\$3,225.09 per lot for mitigation of impacts on county roads paid to the county;

\$75.75 per lot for Transportation Demand Management (TDM) to be paid to the county for TSA A.

\$109.46 per lot for mitigation of impacts on DOT-08 (SR-9 at SR-2) paid to the county,

These payments are due prior to or at the time of each building permit issuance. Notice of these mitigation payments shall be contained in any deeds involving this subdivision, short subdivision

¹ Scrivener's error – Condition B.v. was eliminated by PDS at the Open Record Hearing

of the lots therein or binding site plan. Once building permits have been issued all mitigation payments shall be deemed paid by PDS.

- vi. 20 feet of right-of-way shall be dedicated to Snohomish County, parallel and adjoining the existing right-of-way along the parcel's frontage on the north side of 10th Street SE.
- vii. On lots with more than one road frontage, county Engineering Design and Development Standards (EDDS) restricts lot access to the minor road, unless the Department of Public Works grants a formal deviation.
- viii. "Your real property is within, adjacent to, or within 1,300 feet of designated farmland; therefore, you may be subject to inconveniences or discomforts arising from agricultural activities, including but not limited to noise, odors, fumes, dust, smoke, the operation of machinery of any kind (including aircraft), the storage and disposal of manure, the application by spraying or otherwise of chemical or organic fertilizers, soil amendments, herbicides and pesticides, hours of operation, and other agricultural activities.

Snohomish county has adopted Agricultural Lands Regulations (chapter 30.32B SCC) which may affect you and your land. You may obtain a copy of Chapter 30.32B SCC from Snohomish County.

A provision of chapter 30.32B SCC provides that "agricultural activities conducted on designated farmlands in compliance with acceptable agriculture practices and established prior to surrounding non-agricultural activities are presumed to be reasonable and shall not be found to constitute a nuisance unless the activities have a substantial adverse effect on the public health and safety."

This disclosure applies to the real property which is subject to a development or building permit as of the date of the development or building permit approval or, in the case of real property transfers, the disclosure applies to the subject property as of the date of the transfer. This disclosure may not be applicable thereafter if areas designated farmland are changed from the farmland designation.

Nothing in chapter 30.32B SCC shall affect or impair any right to sue for damages."

D. Prior to recording of the final plat:

- i. Urban standard frontage improvements shall be constructed along the property frontage on 10th Street SE, unless bonding of improvements is allowed by PDS, in which case construction is required prior to any occupancy of the development. [SCC 30.66B.410]
- ii. Urban standard offsite half-street improvements along the north side of 10th Street SE from the eastern property line eastward to 79th Avenue SE required by the DPO ordinance and/or any Alternative Technical Solutions mutually agreed to by the applicant and the county² shall either be constructed or bonded for. The improvements will include roadway widening, storm drainage, sidewalk, curb and gutter.

² Scrivener's error – Added by PDS at the Open Record Hearing
04118541.doc

- iii. Native Growth Protection Area boundaries (NGPA) shall have been permanently marked on the site prior to final inspection by the county, with both NGPA signs and adjacent markers which can be magnetically located (e.g.: rebar, pipe, 20 penny nails, etc.). The plat may use other permanent methods and materials provided they are first approved by the county. Where an NGPA boundary crosses another boundary (e.g.: lot, tract, plat, road, etc.), a rebar marker with surveyors' cap and license number must be placed at the line crossing.

NGPA signs shall have been placed no greater than 100 feet apart around the perimeter of the NGPA. Minimum placement shall include one Type 1 sign per wetland, and at least one Type 1 sign shall be placed in any lot that borders the NGPA, unless otherwise approved by the county biologist. The design and proposed locations for the NGPA signs shall be submitted to the Land Use Division for review and approval prior to installation.

- iv. The final mitigation plan shall be completely implemented.
- v. The detention pond landscaping shall be installed, inspected and approved.

E. Prior to occupancy of any unit in the development:

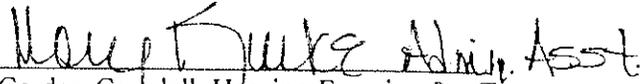
- i. The applicant shall provide a maintenance bond for required landscape improvements, in an amount and form satisfactory to PDS.

Nothing in this permit/approval excuses the applicant, owner, lessee, agent, successor or assigns from compliance with any other federal, state or local statutes, ordinances or regulations applicable to this project.

Preliminary plats which are approved by the county are valid for five (5) years from the date of approval and must be recorded within that time period unless an extension has been properly requested and granted pursuant to SCC 30.41A.

Decision issued this 8th day of January, 2007.

Corrected decision issued this 22nd day of January, 2007


Gordon Crahdall, Hearing Examiner Pro-Tem

EXPLANATION OF RECONSIDERATION AND APPEAL PROCEDURES

The decision of the Hearing Examiner is final and conclusive with right of appeal to the County Council. However, reconsideration by the Examiner may also be sought by one or more parties of record. The following paragraphs summarize the reconsideration and appeal processes. For more information about reconsideration and appeal procedures, please see Chapter 30.72 SCC and the respective Examiner and Council Rules of Procedure.

Reconsideration

Any party of record may request reconsideration by the Examiner. A petition for reconsideration must be filed in writing with the Office of the Hearing Examiner, 2nd Floor, County Administration-East Building, 3000 Rockefeller Avenue, Everett, Washington, (Mailing Address: M/S #405, 3000 Rockefeller Avenue, Everett WA 98201) on or before **January 18, 2007**. There is no fee for filing a petition for reconsideration. **“The petitioner for reconsideration shall mail or otherwise provide a copy of the petition for reconsideration to all parties of record on the date of filing.”** [SCC 30.72.065]

A petition for reconsideration does not have to be in a special form but must: contain the name, mailing address and daytime telephone number of the petitioner, together with the signature of the petitioner or of the petitioner’s attorney, if any; identify the specific findings, conclusions, actions and/or conditions for which reconsideration is requested; state the relief requested; and, where applicable, identify the specific nature of any newly discovered evidence and/or changes proposed by the applicant.

The grounds for seeking reconsideration are limited to the following:

- (a) The Hearing Examiner exceeded the Hearing Examiner’s jurisdiction;
- (b) The Hearing Examiner failed to follow the applicable procedure in reaching the Hearing Examiner’s decision;
- (c) The Hearing Examiner committed an error of law;
- (d) The Hearing Examiner’s findings, conclusions and/or conditions are not supported by the record;
- (e) New evidence which could not reasonably have been produced and which is material to the decision is discovered; or
- (f) The applicant proposed changes to the application in response to deficiencies identified in the decision.

Petitions for reconsideration will be processed and considered by the Hearing Examiner pursuant to the provisions of SCC 30.72.065. Please include the County file number in any correspondence regarding this case.

Appeal

An appeal to the County Council may be filed by any aggrieved party of record. Where the reconsideration process of SCC 30.72.065 has been invoked, no appeal may be filed until the reconsideration petition has been disposed of by the hearing examiner. An aggrieved party need not file a petition for reconsideration but may file an appeal directly to the County Council. If a petition for reconsideration is filed, issues subsequently raised by that party on appeal to the County Council shall be limited to those issues raised in the petition for reconsideration. Appeals shall be addressed to the Snohomish County Council but shall be filed in writing with the Department of Planning and Development Services, 2nd Floor, County Administration-East Building, 3000 Rockefeller Avenue, Everett, Washington (Mailing address: M/S #604, 3000 Rockefeller Avenue, Everett, WA 98201) on or before **January 22, 2007** and shall be accompanied by a filing fee in the amount of five hundred dollars (\$500.00); PROVIDED, that the filing fee shall not be charged to a department of the County or to other than the first appellant; and PROVIDED FURTHER, that the filing fee shall be refunded in any case where an appeal is dismissed without hearing because of untimely filing, lack of standing, lack of jurisdiction or other procedural defect. [SCC 30.12.010]

An appeal must contain the following items in order to be complete: a detailed statement of the grounds for appeal; a detailed statement of the facts upon which the appeal is based, including citations to specific Hearing Examiner findings, conclusions, exhibits or oral testimony; written arguments in support of the appeal; the name, mailing address and daytime telephone number of each appellant, together with the signature of at least one of the appellants or of the attorney for the appellant(s), if any; the name, mailing address, daytime telephone number and signature of the appellant's agent or representative, if any; and the required filing fee.

The grounds for filing an appeal shall be limited to the following:

- (a) The decision exceeded the Hearing Examiner's jurisdiction;
- (b) The Hearing Examiner failed to follow the applicable procedure in reaching his decision;
- (c) The Hearing Examiner committed an error of law; or
- (d) The Hearing Examiner's findings, conclusions and/or conditions are not supported by substantial evidence in the record. [SCC 30.72.080]

Appeals will be processed and considered by the County Council pursuant to the provisions of Chapter 30.72 SCC. Please include the County file number in any correspondence regarding the case.

Staff Distribution:

Department of Planning and Development Services: Monica McLaughlin/Ann Goetz

The following statement is provided pursuant to RCW 36.70B.130: "Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation." A copy of this Decision is being provided to the Snohomish County Assessor as required by RCW 36.70B.130.

PARTIES OF RECORD REGISTER
4 118541 SD MILLER PROPERTY
IRG: 12/14/06
4118541 KW

BURNSTEAD CONSTRUCTION
TIFFINY BROWN
1215 120TH AVE NE #201
BELLEVUE WA 98005

SNO CO PUD NO 1
DEAN SAKSENA
PO BOX 1107
EVERETT WA 98206-1107

WA ST DEPT OF TRANSPORTATION
RAMIN PAZOOKI
PO BOX 330310
SEATTLE WA 98133-9710

STILLAGUAMISH TRIBE
VICTORIA YEAGER
PO BOX 277
ARLINGTON WA 98223-0277

SNOHOMISH HEALTH DIST
BRENT RAASINA
3020 RUCKER AVE SUITE 104
EVERETT WA 98201-3900

SNO CO PLANNING & DEVEL SVCS
MONICA MCLAUGHLIN/ANN GOETZ
1000 ROCKEFELLER AVE M/S 604
EVERETT WA 98201

TRANS ENGINEERING NW
JEFF SCHRAMM
16625 REDMOND WAYSUITE M PMB
323
REDMOND WA 98052

SNO CO PUD WATER
LAURIE WADE
PO BOX 1107
EVERETT WA 98201

LAKE STEVENS SCHOOL DIST
ROBB STANTON
12309 22ND ST NE
LAKE STEVENS WA 98258-9500

LAKE STEVENS SEWER DIST
DARWIN SMITH
1106 VERNON RD SUITE A
LAKE STEVENS WA 98258

LOZIER HOMES
JENNIFER MCCALL
1203 114TH AVE SE
BELLEVUE WA 98004

BARBARA BEEDLE
DARI & ROBERT CROOK 604 79TH
AVE SE
EVERETT WA 98205

JOHN DICKEY
7718 SR 204
EVERETT WA 98205



MEMORANDUM

Snohomish County

January 22, 2007

Hearing Examiner's Office

Email: Hearing.Examiner@co.snohomish.wa.us

Robert J. Backstein
Hearing Examiner

Ed Good
Deputy Hearing Examiner

M/S 405
3000 Rockefeller Ave.
Everett, WA 98201

(425) 388-3538
FAX (425) 388-3201

To: Parties of Record

From: Mary Kurke, Administrative Services Assistant

Subject: Burnstead Construction Company, Inc. (*Miller Property*)

A Report and Decision of the Snohomish County Hearing Examiner (Pro-Tem) was issued on this case on January 8, 2007.

Three scrivener's errors appeared in the original decision. Corrections have been made as follows:

The date of decision on page one should be January 8, 2007.

Condition B.v. was deleted at the request of the Department of Planning and Development Services at the Open Record Hearing that was held on December 14, 2006, but was inadvertently included in the original decision.

Condition D.ii. added additional wording which was offered by the Department of Planning and Development Services at the Open Record Hearing held on December 14, 2006, but was inadvertently omitted in the original decision.

A corrected copy of the decision is attached for your use.

I apologize for any confusion this may have caused. If you need further explanation, please call our office at the number listed above.

Sincerely,

Mary Kurke
Administrative Services Assistant
Hearing Examiner's Office



Millie Judge, Hearing Examiner
City of Lake Stevens
1812 Main Street
P.O. Box 257
Lake Stevens, WA 98258
(425) 334-1012

FINAL DECISION OF THE LAKE STEVENS HEARING EXAMINER

DATE: September 24, 2012

PROJECT NAME: Sonterra (Previously Miller Property)

APPLICANT/
LANDOWNER: The Quadrant Corporation
14725 SE 36th Street
Bellevue, WA 98006

FILE NO.: LU 2012-15

TYPE OF REQUEST: **Preliminary Plat Alteration**

DECISION SUMMARY: The Preliminary Plat Alteration is **GRANTED, Subject to Conditions**

BASIC INFORMATION

GENERAL LOCATION: The subject property is located at 77XX 10th Street, Lake Stevens, WA.

TAX ACCOUNT NOS.: 00431400600201, 00476200201100, 00476200201000, and 00476200200902

ACREAGE: 13.63 acres

COMPREHENSIVE
PLAN DESIGNATION: Medium Density Residential

ZONING: Urban Residential, R-7200

DECISION CRITERIA: LSMC 14.18.060

SEPA DETERMINATION: A Mitigated Determination of Non-significance (MDNS) was issued on October 16, 2006. The City adopted the prior SEPA Checklist (Exhibit 3) and issued a DNS for the proposed Plat Alteration on August 26, 2012. (Exhibit 4)

UTILITIES:

Water: Snohomish County PUD No. 1
Sewer: Lake Stevens Sewer District
Electricity: Snohomish County PUD No. 1
Natural Gas: Puget Sound Energy
Cable TV: Comcast
Stormwater: City of Lake Stevens
Telephone: Verizon
Solid Waste: Allied Waste/Waste Management

SCHOOL DISTRICT: Lake Stevens School District

FIRE DISTRICT: Lake Stevens Fire District

PCD STAFF RECOMMENDATION: Approve, subject to conditions.

I. INTRODUCTION

1. Public Hearing. The Examiner held an open record hearing on the proposed plat modification on September 11, 2012 at approximately 6:00 p.m. Witnesses were sworn, testimony was presented, and exhibits were entered into the record at the hearing. Andy Galuska, Planner, appeared on behalf of the City's Planning and Community Development Department ("PCD"), and gave an overview of the plat alteration request. Rebecca Ableman, Director of PCD, was also in attendance. Mike Behn, Senior Development Manager for Quadrant Homes, appeared as the applicant and presented additional information about the proposed plat modification. Geoff Tamble, Principal of the Blueline Group also appeared. No one from the public appeared at the hearing on the requested modification.
2. The Record. Exhibits 1 through 9 included on the Master Exhibit List set forth in the Staff Report were entered into evidence, along with the testimony of witnesses. Additionally, the Hearing Examiner takes official notice of the evidence in the original record of Snohomish County Hearing Examiner File No. 04-118541SD, including Exhibits 1 through 39 and the Corrected Report and Decision of the Snohomish County Hearing Examiner, which is incorporated into the record by this reference as if set forth in full. The entire record was considered by the Examiner in reaching the decision in this matter.

NOTE: For a complete record, an electronic recording of this hearing is available through the Department of Planning and Community Development ("PCD").

3. Regulatory Review and Vesting. A complete application was originally submitted to Snohomish County on May 4, 2005, by the Burnstead Construction Company. Preliminary subdivision approval was granted by the Snohomish County Hearing Examiner on January 22, 2007 in a Corrected Decision. (Exhibit 6) The subject property was subsequently annexed into the City of Lake Stevens and acquired by the Quadrant Corporation. (Exhibits 1, 6) Although the subject property was annexed and is now within the City of Lake Stevens, changes to the approved subdivision are reviewed under the County's land use regulations pursuant to LSMC 14.16.160.

Based on a decision issued on appeal of the *Embella* matter (Snohomish County File No. 10-102951 issued in 2011), the Snohomish County Council has determined that an application for a major revision to an approved preliminary plat is vested to the land use regulations that were in effect on the date that the original complete application was filed. Accordingly, this application for a major revision to the approved preliminary plat (“plat alteration”), is vested to and reviewed under the regulations in effect on May 4, 2005. (See, Snohomish County Council Motion 12-095)

4. Public Notice. The Examiner finds that PCD gave proper public notice of the application, public hearing, and SEPA Threshold Determination as required by Chapter 14.16.060 of the Lake Stevens Municipal Code (LSMC). (Exhibit 9)

II. FINDINGS, CONCLUSIONS AND DECISION

A. FINDINGS OF FACT

Based on a preponderance of the evidence of record, the following Findings of Fact are entered:

1. Applicant’s proposal. The Applicant proposes to subdivide four tracts totaling 13.63 acres on the north side of 10th Street SE and west of 79th Avenue SE into 44 single-family lots utilizing the lot size averaging provisions of the SCC. This represents an increase of three (3) lots over the approved 41-lot subdivision. The L-shaped site slopes from east to west and descends steeply toward SR 204. Access to the site will be from 10th Street SE by a new public road to a turn-around at the north property line. An east-west road will be developed on unopened 8th Street SE and stubbed at the east and west property lines, anticipating future development of adjacent properties.
2. The information set forth in the Introduction is incorporated herein as if set forth in full.
3. State Environmental Policy Act Compliance. PCD adopted the prior SEPA Checklist that was made for the subject property at the time of the preliminary plat application request. A Determination of Non-Significance (DNS) was issued on August 26, 2012. (Exhibit 4) No comments were received and no SEPA appeal was filed.
4. Plat Alteration Requests: The applicant proposes four changes to the approved subdivision:
 - The applicant proposes to subdivide 13.63 acres using lot size averaging into 44 lots instead of 41 lots;
 - The applicant also proposes to reduce the road width of 77th Drive S.E. between the intersections of 8th Street SE and 10th Street SE from 40 feet to 28 feet of paved roadway;
 - The applicant further requests an alteration to the approved boulevard style entrance to the plat by reducing the width of the center planting strip from 20 feet to 10 feet; and

- Finally, the applicant proposes to reduce the amount of landscaping around the stormwater detention pond to more closely meet the minimum code requirements of Type A landscaping.

5. Site description: The subject property is located on the east side of SR 204 at 8th Street SE, in Lake Stevens, Washington. The L-shaped site slopes from east to west and descends steeply toward SR 204. The site has two Category 3 wetlands and two Type 4 streams with steep slopes over one-third of the site.
6. Adjacent uses: The City's staff prepared an analysis of the surrounding uses and zones. The Staff found that the following table represents the adjacent uses:

AREA	COMPREHENSIVE PLAN LAND USE DESIGNATION	ZONING	EXISTING USE
Project Site	Medium Density Residential	Urban Residential	Single Family Residence
North of site	Medium Density Residential	Urban Residential	Single Family Residence
South of Site	Medium Density Residential	Urban Residential	Single Family Residence
East of Site	Medium Density Residential	Urban Residential	Single Family Residence
West of Site	Medium Density Residential	Urban Residential	Single Family Residence

7. Issues of Concern: The City received no letters of concern relating to this plat alteration. There are no issues of concern that were raised by PCD or other reviewing agencies.
8. Plat Modification -- Criteria for Approval. Modification of an approved preliminary plat is governed by SCC 30.41A.330. It provides:

30.41A.330 Revisions after preliminary subdivision approval.

Approved preliminary subdivisions may be revised prior to installation of improvements and recording of the final subdivision. Revisions that are generally consistent with the approved preliminary subdivision, which do not alter conditions of preliminary approval and do not adversely affect public health, safety, and welfare may be administratively approved by the department; provided that any increase in trip generation or change in access points shall be reviewed pursuant to SCC 30.66B.075. Any other change shall require processing as a new preliminary subdivision. Relevant county departments and agencies shall be notified of any administrative revision. A revision does not extend the life or term of the preliminary subdivision approval, which shall run from the original date of preliminary approval.

Quadrant Homes filed a new application on June 8, 2012. In order to be approved, the application must meet the requirements of the Snohomish County Code.

C. Compliance with Codes and Policies

Subdivision Approval

In order to grant preliminary subdivision approval, the Hearing Examiner must find that the applicant has met the approval criteria set forth in SCC 30.41A.100 et seq. as well as the other, applicable development regulations set forth in Title 30 SCC. The Examiner considers each regulation in turn.

9. Park and Recreation Impact Mitigation (Chapter 30.66A SCC) The project complies with Chapter 30.66A, which in this case requires payment for each new single family residential unit based on the rate in effect at the time of building permit issuance. The Examiner finds that such payment or contribution of in-kind mitigation is acceptable as mitigation for parks and recreation impacts in accordance with County policies.
10. Traffic Mitigation and Road Design Standards (Title 13 SCC, & Chapters 30.24 and 30.66B SCC) The Hearing Examiner has considered the impacts of the development in light of the requirements under Title 13 SCC and Chapters 30.24 and 30.66B SCC and finds that the development proposal, as conditioned based on the information in the record, and in the PCD Staff Recommendation, meets the County's traffic mitigation and road design standards.

A. Road System Impacts, Concurrency and Inadequate Road Conditions (IRC).

- i. Road System Capacity Impacts (SCC 30.66B.330) In terms of addressing the capacity issues raised by citizens, according to SCC 30.66B.330(1), a development shall mitigate its impact upon the future capacity of the road system by paying a road system impact fee reasonably related to the impacts of the development on arterial roads located in the same transportation service area as the development, at the rate identified in SCC 30.66B.330 for the type and location of the proposed development. A development's road system impact fee will be equal to the development's new average daily traffic (ADT), based on the latest edition of the ITE Trip Generation report published by the Institute of Transportation Engineers, times the per trip amount for the specific transportation service area identified in SCC 30.66B.330, with a few exceptions.

The impact fee for the subject development is based on the new ADTs generated by 44 single-family residences. The development will generate 421 new ADT and has a road system capacity impact fee of \$141,877 (\$337/ADT). Payment of such impact fees as mitigation for impacts to county roads demonstrates compliance with SCC 30.66B.330. Payment must be paid proportionately, prior to the issuance of each building permit.

- ii. Concurrency (SCC 30.66B.120) The County makes a concurrency determination for each development application to ensure the development will not impact a county arterial unit in arrears or cause a county arterial to go in arrears. The subject development is located in TSA B, which, as of the date of submittal, had the following arterial units in arrears: unit # 385 (79th Ave. SE from 20th Street SE to 8th Street SE).

Based on peak-hour trip distributions, the subject development did add three (3) or more peak-hour trips to the following arterial units in arrears: (79th Ave. SE from 20th Street SE to 8th Street SE). However, the development has been deemed concurrent pursuant to SCC 30.66B.167 based on conditions which will be a DPW recommended condition of approval for this project. The development generates 33 a.m. peak-hour trips and 44 p.m. peak-hour trips which is not more than the threshold of 50 peak-hour trips in which case the development would also have to be evaluated under SCC 30.66B.035.

The development was determined to be concurrent as of November 14, 2004. The concurrency determination expired 6 years from the date of the

determination, on November 14, 2010. However, where preliminary subdivision approval is granted prior to that expiration date, which was the case here, no additional concurrency determination is required. SCC 30.66B.155(4). Accordingly, the Hearing Examiner finds that the concurrency requirements have been met.

iii. Inadequate Road Conditions (SCC 30.66B.210) Regardless of the existing level of service, development which adds three or more p.m. peak-hour trips to a location in the road system determined to have an existing IRC at the time of imposition of mitigation requirements, or development whose traffic will cause an IRC at the time of full occupancy of the development, must eliminate it. To eliminate an IRC means to make sufficient changes to the road system to allow the County engineer to determine that the location no longer constitutes an IRC. (SCC 30.66B.210(1)) An inadequate road condition (IRC) means *“any road condition, whether existing on the road system or created by a new development's access or impact on the road system, which jeopardizes the safety of road users, including non-automotive users, as determined by the county engineer.”* (SCC 30.911.020)

The County Engineer determines whether or not a location constitutes an IRC in accordance with the Department of Public Works' adopted Administrative Rule 4223, using a 3-step process. First a technical evaluation of hazards is done in accordance with the 1997 Federal Highway Administration, Department of Transportation's Report No. FHWA-RD-77-82, "Identification of Hazardous Locations." Second, a 3-person review board, consisting of DPW senior level transportation professionals, meets to confer as to whether the location constitutes an IRC. Third, the County Engineer makes a final evaluation and signs off on the IRC determination. (DPW Rule 4223) The County Engineer's determination that a location constitutes an IRC is final and is not subject to review or appeal pursuant to SCC 30.66B.820, but the effect of an IRC location determination on a development may be appealed in accordance with SCC 30.66B.820.

Here, the subject development proposal will not impact any IRC locations identified within TSA B as of the date of vesting with three or more of its p.m. peak hour trips, nor will it create any. Therefore, no IRC-related mitigation is required.

B. Frontage Improvements (SCC 30.66B.410) All developments will be required to make frontage improvements along the parcel's frontage on any opened, constructed, and maintained public road. The required improvement shall be constructed in accordance with the EDDS, including correction of horizontal and vertical alignments, if applicable. Construction of frontage improvements is required prior to recording unless bonding of improvements is allowed by PDS, in which case construction is required prior to any occupancy of the development.

According to Snohomish County DPW Rule 4222.020(1), full urban frontage improvements are required along the subject parcel's frontage on 10th Street S.E. The Applicant will be required to construct 18 feet of asphalt pavement widening. Construction of frontage improvements is required prior to recording the subdivision unless bonding of improvements is allowed by PCD, in which case construction is required prior to any occupancy of the development.

- C. Access and Circulation (SCC 30.66B.420 and Chapter 30.24 SCC) All developments are required to: (1) Provide for access and transportation circulation in accordance with the comprehensive plan and this chapter applicable to the particular development; (2) Design and construct such access in accordance with the EDDS; (3) Improve existing roads that provide access to the development in order to comply with adopted design standards, in accordance with SCC 30.66B.430; (4) Access to state highways and city streets must be made in accordance with the applicable state or city standards and requirements; and (5) All developments that propose to take access via an existing public or private road which, for the vehicle trips projected to use the road after full occupancy of the development, is not designed and constructed in accordance with the EDDS, must improve such road to bring it into compliance with the EDDS, when the DPW Director determines it necessary to provide for safety and the operational efficiency of the road. The extent of improvements is established by the director of public works in accordance with SCC 30.66B.430.

For the original preliminary plat approval, County staff considered the application in light of the applicant's proposed access and road circulation, the extent of existing facilities and right-of-way, sight-distances and any needed improvements to any of these items, as well as proposed EDDS deviations. They found:

Access is proposed from 10th Street SE via a new public road stubbing to the north property line. An east/west road intersects with that at 8th Street SE, which is unopened right-of-way having a 20-foot width through the entire property. The applicant proposes to dedicate additional property to total 51 feet of right-of-way and improve 8th Street SE in the east area of the development where the lots are located, stubbing at the east property line.

West of Road C [77th Ave S.E.], a short cul-de-sac road, a 5.5-foot property dedication is proposed for 8th Street SE to total 25.5 feet for a half road section where the road fronts lot 30. West of that, 8th Street is used for the drainage pond access road, and no additional right-of-way beyond the 20 feet of existing right-of-way is proposed to be dedicated. The pond access road will be paved to near the west property line, which is near the intersection with SR 204. The properties on the south side of 8th Street SE in that area have the potential to develop, and would dedicate additional right-of-way and construct the remainder of 8th Street on the south side. It has been determined that frontage improvements and pavement widening are not needed on the north side of 8th Street SE since there will be no homes built on that side in that area where those facilities would be needed. However, the pond access road sub grade and pavement section must meet the requirements of EDDS 3-050 for an urban residential road.

An EDDS deviation was requested to section 3-07 (A), related to maximum grade on any new or reconstructed road not exceed the limits in Table 3-5, which is 12% for a residential or subcollector urban road. The request was approved based on the following:

in order to match the existing slopes and provide a future roadway connection that would tie into the grade west of the existing right-of-way for 8th Street SE, a segment of Road B will be designed with a 15% slope. That would allow the road to meet the minimum landing criteria, and provide for future access to neighboring properties while minimizing offsite grading and temporary walls.

A temporary turnaround is only needed at the end of the north property line stub; the two stubs on 8th Street SE are less than 150 feet in length, so meet the requirements as shown on the plans.

In order to comply with EDDS 3-01 B for road circulation, a connection to another property is required. The applicant requested a deviation to EDDS to approve the design that will have only one operable access point at the time of construction, which was approved based on the following: the proposed public road inside the plat has been designed to stub to the north property line, and will serve the property to the north if and when it develops. A stub has been provided to the east property line and a half road will be constructed to the west. Both the east and the west roads do have the potential to connect through to another road some day. A boulevard section is proposed at the first section of Road A between 10th Street SE and Road B (8th Street SE) with 88 feet of right-of-way for the first 140 feet or so and tapering down to a 63-foot right-of-way width for the remainder to 8th Street. The boulevard section proposes two 20-foot travel/parking lanes, separated by a median in the wider first section. DPW finds the design acceptable.

(Exhibit 38 of the Original Record). The applicant proposes to alter the last sentence shown above, as discussed in "D" below.

- D. Road Classification and Right-of-Way Requirements (SCC 30.66B.510 and 30.66B.520) The extent of right-of-way and improvements required from a developer is based on an analysis of various factors including the road classification(s) serving the development (both internally and externally), access and circulation requirements, sight distance, and the factors described below in SCC 30.66B.430, above.

In the present case, the external road off of which access is taken, 10th Street SE, was designated as a "collector arterial" on the County's Arterial Circulation Map. This requires a right-of-way width of 35 feet on each side of the right-of-way centerline. Fifteen feet of right-of-way presently exists on the development's side of the right-of-way. Therefore, the original decision approving the preliminary plat required 20 feet of additional right-of-way, which was shown on the plans.

In its Plat Alteration Application, the applicant has proposed to make two changes to the access road (77th Drive SE). First, the applicant proposes to change the boulevard entrance by reducing the planter width from 20 feet in width to 10 feet. Second, the applicant proposes to reduce the paved roadway

width of the entrance boulevard known as 77th Drive SE, between 8th and 10th streets SE, from two 20-foot travel/parking lanes for a paved portion of 40 feet, down to a paved portion of 28 feet.

The justification provided for this reduction is that (a) the original approved 40 feet pavement section is excessive and unnecessary, especially in light of the fact that they will provide three future road stubs; (b) the Fire Marshall for Snohomish County requires only a 28-foot minimum pavement section; (c) the City of Lake Stevens Fire Marshal requires only a 24-foot minimum pavement section; and (d) Snohomish County has approved several similar subdivision projects with 28-foot minimum pavement sections where secondary access roads were replaced with future road stubs and cul-de-sacs/dead-end roads. (Exhibit 1)

The City staff reviewed the Plat Alteration Application in light of the County's EDDS and proposed alterations and found that the changes would meet the requirements for access and circulation, and recommend approval. (Exhibit 9)

- E. Off-Site Improvements (Development Phasing Overlay Requirements) The proposed development will be required to provide offsite infrastructure improvements as part of the removal of the development phasing overlay (DPO). The infrastructure improvements are: "Provide off-site half-street improvements along the north side of 10th Street SE from the proposal's eastern property line eastward to 79th Avenue SE."
- F. Impacts to State Highways (SCC 30.66B.710) After the annexation of the subject property by the City of Lake Stevens, the City is now the administrator of the development application for purposes of collecting impact fees. The City does not have an interlocal agreement with WSDOT that would allow it to collect impact fees on its behalf. Accordingly, no mitigation is required. (Exhibits 7, 9)
- G. Impacts to City Streets and Roads (SCC 30.66B.720) This section does not apply, given that the City has annexed the subject property, and no other city streets are impacted by this development.
- I. Transportation Demand Management (TDM) (SCC 30.66B.630) The County Code provides that: (1) All new development in urban growth areas shall provide sufficient transportation demand management measures to indicate the potential for removing a minimum of five percent of a development's p.m. peak-hour trips from the road system. This requirement may be met by: (a) Earning trip reduction credits for construction of onsite design features pursuant to SCC 30.66B.640; (b) Construction of offsite TDM measures pursuant to SCC 30.66B.620; or (c) A voluntary payment into an account established for the purpose of contributing to the construction or purchase of specific TDM measures pursuant to SCC 30.66B.625.

The County has determined that the cost of removing one peak hour trip from the road system is approximately \$1,500. This is based on the average cost of one stall in a park and ride lot and the average cost of one "seat" in a 15-passenger van. For a development required to provide TDM, the development's

TDM obligation will equal \$1,500 times the required trip reduction percentage times the development's peak hour trip generation. [SCC 30.66B.615]

The trip reduction percentage for this development is five percent. In the original decision, the TDM obligation was agreed to at the amount of \$3,105.75 based on 41.41 PM peak hour trips. Based on the plat alteration, the TDM obligation for this development is therefore equivalent to 5% of the 44.0 new PM peak hour trips x \$1,500.00 which equals \$3,300.00 or \$75.00 per lot. Payment of this revised amount, based on the increased number of lots and PM peak hour trips, shall be a condition of approval.

Based on the Findings of Fact set forth above, the Hearing Examiner finds that the proposed development as conditioned, will meet the County's traffic mitigation and road design standards.

11. Pedestrian Facilities (RCW 58.17.110) The County is required to make findings regarding safe walking conditions for school children that may reside in the subject development. Comments dated May 18, 2005 were received from the Lake Stevens School District indicating that all grade levels of public school children will be provided with bus service to school, and the bus stop location was identified as adjacent to the entrance of the development (on 10th Street SE). The district requested that safe walking to the bus stop and a safe waiting area be provided. PDS has determined that safe walking conditions will be provided since the required frontage improvements along 10th Street SE and along the interior plat roads will provide sidewalks for any children residing in the development to walk safely to, and wait at the designated bus stop on 10th Street SE. The Examiner finds that the frontage improvements along 10th Street SE are directly linked to the need to provide safe walking conditions for school children from the development to the bus stop and that the facilities will provide for the general public health, safety and welfare.
12. Mitigation for Impacts to Schools (Chapter 30.66C SCC) Pursuant to Chapter 30.66C SCC, school impact mitigation fees will be determined according to the Base Fee Schedule in effect for the Lake Stevens School District at the time of building permit submittal and collected at the time of building permit issuance for the proposed units. Credit will be given for 4 existing lots. Payment of school impact fees has been included as a condition of approval of the development.
13. Drainage and Land Disturbing Activities (Clearing and Grading) (Chapters 30.63A and 30.63B SCC) The County originally found the targeted drainage plan (Exhibit 16) and drainage report (Exhibit 14) of the original preliminary plat record submitted with the land use application, to be in conformance with the regulatory provisions of Chapter 30.63A SCC. Stormwater runoff from the roads will be collected and transported via catch basins and pipes to an above ground detention/water quality pond located in the west corner of the northern portion of the site. Water from the detention pond will be released at a controlled rate into an existing culvert that discharges westerly under SR-204 towards Ebey Slough. Roof and rockery drains will be connected either to pipes leading to the pond or discharged into the onsite wetlands for recharge. With the proposed plat alteration, impervious surfaces will be decreased from 249,754 square feet to 248,360 square feet. The stormwater drainage system will serve the same catchment area. As a condition of approval, PCD recommends that the applicant design and construct a stormwater system that meets the required code standards before final plat approval can be given.

Grading to accommodate site development is estimated at 45,000 cubic yards excavation and 26,800 cubic yards fill. A Land Disturbing Activity permit (grading permit), including a temporary erosion and sedimentation control plan (TESCP) consistent with regulatory provisions of Title 30.63B SCC must be obtained for any grading or clearing outside of the county right-of-way.

14. Critical Areas Regulations (Chapter 30.62 SCC) The County reviewed the Critical Areas Study submitted with the original application (Exhibit 18 in the original plat application record), and determined that the project could comply with county Critical Areas Regulations (CAR). There are two Category 3 wetlands, two Type 4 streams and steep slopes over 33%. These critical areas will be preserved from development and placed within Native Growth Protection Area (NGPA) Tracts 996 and 998. To create level building pads for the homes the applicant is proposing to construct rockeries immediately adjacent to the buffers on portions of the property. To ensure that construction of these rockeries do not reduce functions and values of the wetland/stream buffers a tree analysis was conducted. Rockeries will not be placed nearer than 15 feet from any significant trees. Also, as additional mitigation for any potential impacts to significant trees located within the buffers, 30 big leaf maple and western red cedar trees will be planted throughout the buffer in areas that are currently lacking trees.

The Hearing Examiner previously approved the mitigation plan in the original decision. (Exhibit 6) No changes are proposed that would alter the proposed critical areas study or mitigation plan as part of the plat alteration. Accordingly, PCD determined that the application is in conformance with Chapter 30.62A SCC (critical areas regulations) and is consistent with the purpose and objectives of the chapter to safeguard the public health, safety and welfare. The Hearing Examiner agrees, subject to the required conditions of approval.

15. International Fire Code – (Chapter 30.53A SCC)

The City Fire Marshall has found that the proposed preliminary plat alteration meets the minimum requirements of Snohomish County Code 30.53A.51.

16. Utilities. The Hearing Examiner finds that adequate public utilities exist to serve the development:

- A. Sewer. Sewer will be supplied by the Lake Stevens Sewer District. (Exhibit 31 of the original record)
- B. Electricity. Snohomish County PUD No. 1 notified the County that they can provide electrical service to the development. (Exhibit 29 of the original record)
- C. Water. Potable water will be supplied by Snohomish County PUD No. 1. The PUD has indicated that adequate water supply is available to serve the development. (Exhibit 30 of the original record)

17. Zoning (Chapter 30.2 SCC) This project will meet zoning code requirements for lot size, bulk regulations and other zoning code requirements, including those required under the Lot Size Averaging regulation. Pursuant to SCC 30.41A.240, the minimum lot size within a residential subdivision may be reduced below the size required by zoning pursuant to SCC 30.23.210. That Section provides:

A subdivision or short subdivision will meet the minimum lot area of the zone in which it is located if the area in lots plus half of the area of all critical areas and their buffers that must be permanently protected under chapter 30.62SCC and chapter 30.62A SCC, if any, plus and areas designated as open space or recreational uses, if any, divided by the total number of lots equals or exceeds the minimum lot area of the zone in which the property is located. In no case shall the density achieved be greater than the gross site area divided by the underlying zoning.

PCD staff has analyzed the proposed lots sizes and density proposed in the plat alteration. Each lot is proposed to be 4,005 square feet, which is well above the required minimum of 3,000 square feet. The maximum lot coverage will be 55%, and shall be a required condition of approval. All lots will meet or exceed the required 40-foot minimum lot width. (Exhibit 9)

18. State Environmental Policy Act (SEPA) (Chapter 30.61 SCC) PDS issued a Determination of Nonsignificance (DNS) for the subject application on April 18, 2012 (Exhibit E.2). The DNS was not appealed. Accordingly, the Hearing Examiner finds that compliance with the procedural requirements of SEPA has been met.
19. Subdivision Code (Chapter 30.41A SCC) The proposed plat also meets Chapter 30.41A SCC requirements. As conditioned, the plat will meet all of the County's transportation and road regulations and design standards. The Examiner finds that all lots as proposed are outside of all regulated flood hazard areas and that none of the lots are proposed in areas that are subject to flood, inundation or swamp conditions. (SCC 30.41A.110) The Fire Marshall has determined that the project will meet the County's fire regulations subject to the proposed conditions included in the Staff Recommendation. Accordingly, the Hearing Examiner finds that the proposed plat, as conditioned, also meets the general requirements under SCC 30.41A.100 with respect to health, safety and general welfare of the community.
20. Plats – Subdivisions – Dedications (Chapter 58.17 RCW) The subdivision has been reviewed for conformance with criteria established by RCW 58.17.100, .110, .120, and .195. The criteria require that the plat conform with applicable zoning ordinances and comprehensive plans, and make appropriate provisions for the public health, safety and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and other planning features including safe pedestrian facilities for students.

The proposed subdivision conforms generally with the development regulations of the Snohomish County Code. There is open space provided within the subdivision in the form of active open space, wetland, stream and buffer areas. The single-family homes within the subdivision will be in character with the urban area and meet the County's design standards. Provisions for adequate drainage have been made in the conceptual plat design which indicates that the final design can conform to Chapter 30.63A SCC and Chapter 30.63C SCC. The plat, as conditioned, will conform to Chapters 30.66A, 30.66B and 30.66C SCC, satisfying County requirements with respect to parks and recreation, traffic, roads and walkway design standards, and school mitigation.

Adequate drinking water and sewage disposal will be provided by the Snohomish County PUD No. 1 and Lake Stevens Sewer District, respectively.

21. Any Finding of Fact in this Report and Decision, which should be deemed a Conclusion, is hereby adopted as such.

CONCLUSIONS OF LAW

1. The Examiner has jurisdiction to decide this matter pursuant to Chapter 14.16B LSMC.
2. The City's Type III review procedures have been followed in this case. Public notice was provided as required by the Lake Stevens Municipal Code. The Examiner has jurisdiction over subdivision applications (plats) pursuant to LSMC 14.18.025(a).
3. Pursuant to LSMC 14.16B.350, the Hearing Examiner shall approve a project or approve with modifications if the applicant has demonstrated that the proposal complies with the applicable decision criteria of this title. The applicant carries the burden of proof and must demonstrate that a preponderance of the evidence supports the conclusion that the application merits approval or approval with modifications. In all other cases, the Hearing Examiner shall deny the application. The Hearing Examiner may include conditions to ensure a proposal conforms to the relevant decision criteria.
4. Pursuant to SCC 30.41A.740, a subdivision alteration may be approved if the application is found to be consistent with the general decision criteria of SCC 30.41A.100, and with any other applicable county regulations.
5. The City's Staff reviewed the application and determined that the decision criteria have been met and recommended approval of the permit. (Exhibit 9)
6. The Examiner concludes that the requirements of SCC 30.41A.100 (subdivisions) and SCC 30.23.210 (lot size averaging) have been met and the alteration to the approved preliminary plat should be granted.
7. The request for an alteration to the preliminary plat was based upon the information and impacts identified in the adopted SEPA Checklist and DNS. (Exhibits 3 and 4) No SEPA appeal was filed. The Examiner concludes that all SEPA procedural and substantive requirements have been met in this case.
8. Additionally, the Examiner must review the proposed subdivision application under RCW 58.17.110, the legal standard for approval of a preliminary subdivision. The Examiner must find that:

The proposed subdivision complies with the established criteria therein and makes the appropriate provisions for public, health, safety and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and other planning features including safe walking conditions for students . . .

- RCW 58.17.110. Having considered the entire record, the Examiner concludes that the Applicant has met its burden in showing the established criteria have been met. The proposal, revising the approved preliminary subdivision, is consistent with the state subdivision statute, the GMACP; GMA-based county codes, the type and character of land use permitted on the project site, the permitted density and applicable design and development standards.
9. Given the information provided in the record and the Findings of Fact made above, the Examiner also concludes that the Applicant has met its burden in showing that the proposed Application for a Preliminary Plat Alteration meets the requirements of SCC 30.41A.740.
 10. The Examiner concludes that adequate public services exist to serve this proposal.
 11. If approved with the recommended preconditions and conditions, the proposal will make adequate provisions for the public health, safety, and general welfare.
 12. Any Conclusion of Law in this Decision, which should be deemed a Finding of Fact, is hereby adopted as such.

C. DECISION

The Hearing Examiner hereby **GRANTS** the requested alteration to the approved preliminary plat, **subject to the following Conditions of Approval:**

CONDITION OF APPROVAL

- A. The revised preliminary plat received by the City on June 8, 2012 (Exhibit 2) shall be the approved plat. Changes to an approved preliminary plat are governed by LSMC 14.18.060. All development shall be in conformance with the revised preliminary site plan (Exhibit 2) subject to conditions or modifications that may be required as part of the future construction plan submittal and approval.
- B. Prior to initiation of any further site work, and/or prior to issuance of any development permits by the city;
 - i. The plattor shall mark with temporary markers in the field the boundary of all Native Growth Protection Areas (NGPA) required by Chapter 30.62 SCC, or the limits of the proposed site disturbance outside of the NGPA, using methods and materials acceptable to the county.
 - ii. The detention pond landscape plan and plan drawing received by the City on June 8, 2012, which is dated June 4, 2012, shall have be the approved by detention pond landscaping plan. (Exhibit 8)
 - iii. A final mitigation plan based on the conceptual Critical Area Study for Burnstead Miller prepared by Wetland Resources, Inc. dated Revision #3 September 6, 2006 (Exhibit 18 in the original record) shall be submitted for review and approval during the construction review phase of this project.

- iv. The applicant shall have filed and recorded with the County Auditor a Concomitant Agreement (after it has been executed by the landowner(s) and executed by the County) that identifies the required Development Phasing Overlay (DPO) Transportation improvements that the applicant has committed to construct (and/or any Alternative Technical Solutions mutually agreed to by the applicant and the City) and which identifies the timing, completion and financing of those improvements.
- C. The following additional restrictions and/or items shall be indicated on the face of the final plat:
- i. "The lots within this subdivision will be subject to school impact mitigation fees for the Lake Stevens School District to be determined by the certified amount within the Base Fee Schedule in effect at the time of building permit application, and to be collected prior to building permit issuance, in accordance with the provisions of SCC 30.66C.010. Credit shall be given for four existing parcels. Lots 1 through 4 shall receive credit."
 - ii. "The dwelling units within this development are subject to park impact fees in the as mitigation for impacts to the Centennial parks service area of the County parks system in accordance with SCC 30.66A. Payment of these mitigation fees is required prior to building permit issuance. Park impact fees shall be based upon the rate in effect at the time of building permit issuance."
 - iii. All Critical Areas shall be designated Native Growth Protection Areas (NGPA) (unless other agreements have been made) with the following language on the face of the plat:

"All NATIVE GROWTH PROTECTION AREAS shall be left permanently undisturbed in a substantially natural state. No clearing, grading, filling, building construction or placement, or road construction of any kind shall occur, except removal of hazardous trees. The activities as set forth in SCC 30.91N.010 are allowed when approved by the City."
 - iv. In accordance with SCC 30.66B.170(6), and as offered in the applicant's letter of November 1, 2004, construction of capacity improvements at the intersection of 20th Street SE and 79th Avenue SE in order to remedy a level of service deficiency on arterial unit #385 (79th Avenue SE from 20th Street SE to 8th Street SE), which will include a southbound right turn lane on 79th Avenue SE, an eastbound left turn lane on 20th Street SE, and a traffic signal at the intersection shall have been completed or under contract prior to the issuance of any building permits and must be complete prior to approval for occupancy or final inspection.
 - v. Chapter 30.66B SCC requires the new lot mitigation payments in the amounts shown below for each single-family residential building permit:

\$3,225.09 per lot for mitigation of impacts on county roads paid to the county;
\$75.00 per lot for Transportation Demand Management (TDM) to be paid to the county for TSA B.

These payments are due prior to or at the time of each building permit issuance. Notice of these mitigation payments shall be contained in any deeds involving

this subdivision, short subdivision of the lots therein or binding site plan. Once building permits have been issued all mitigation payments shall be deemed paid by PCD.

- vi. Twenty (20) feet of right-of-way shall be dedicated to Snohomish County, parallel and adjoining the existing right-of-way along the parcel's frontage on the north side of 10th Street SE.
- vii. On lots with more than one road frontage, county Engineering Design and Development Standards (EDDS) restricts lot access to the minor road, unless the City grants a formal deviation.
- viii. "Your real property is within, adjacent to, or within 1,300 feet of designated farmland; therefore, you may be subject to inconveniences or discomforts arising from agricultural activities, including but not limited to noise, odors, fumes, dust, smoke, the operation of machinery of any kind (including aircraft), the storage and disposal of manure, the application by spraying or otherwise of chemical or organic fertilizers, soil amendments, herbicides and pesticides, hours of operation, and other agricultural activities.

Snohomish county has adopted Agricultural Lands Regulations (chapter 30.32B SCC) which may affect you and your land. You may obtain a copy of Chapter 30.32B SCC from Snohomish County.

A provision of chapter 30.32B SCC provides that "agricultural activities conducted on designated farmlands in compliance with acceptable agriculture practices and established prior to surrounding non-agricultural activities are presumed to be reasonable and shall not be found to constitute a nuisance unless the activities have a substantial adverse effect on the public health and safety."

This disclosure applies to the real property which is subject to a development or building permit as of the date of the development or building permit approval or, in the case of real property transfers, the disclosure applies to the subject property as of the date of the transfer. This disclosure may not be applicable thereafter if areas designated farmland are changed from the farmland designation.

Nothing in chapter 30.32B SCC shall affect or impair any right to sue for damages."

- ix. "The maximum allowed lot coverage for all lots is 55%."
- x. "For all lots in the proposed subdivision that are smaller than 7,200 square feet, the following setbacks shall apply:
 - a. The setback from rights-of-way will be 15 feet, except that garages shall be setback 18 feet.
 - b. Corner lots may reduce one right-of-way setback to no less than 10 feet."

- xi. "No parking signs shall be placed along one side of all rights-of-way in the subdivision. These signs must be installed before the construction plan will receive final inspection approval."
 - xii. "The planter areas of all rights-of-way improved by this subdivision will be maintained by the Home Owners Association."
 - xiii. "The developer shall meet all local, state and federal code requirements."
- D. Prior to recording of the final plat:
- i. Urban standard frontage improvements shall be constructed along the property frontage on 10th Street SE, unless bonding of improvements is allowed by PDS, in which case construction is required prior to any occupancy of the development. [SCC 30.66B.410]
 - ii. Urban standard offsite half-street improvements along the north side of 10th Street SE from the eastern property line eastward to 79th Avenue SE required by the DPO ordinance, and/or any Alternative Technical Solutions mutually agreed to by the applicant and the county, shall either be constructed or bonded for. The improvements will include roadway widening, storm drainage, sidewalk, curb and gutter.
 - iii. Native Growth Protection Area boundaries (NGPA) shall have been permanently marked on the site prior to final inspection by the county, with both NGPA signs and adjacent markers which can be magnetically located (e.g.: rebar, pipe, 20 penny nails, etc.). The plat may use other permanent methods and materials provided they are first approved by the county. Where an NGPA boundary crosses another boundary (e.g.: lot, tract, plat, road, etc.), a rebar marker with surveyors' cap and license number must be placed at the line crossing.

NGPA signs shall have been placed no greater than 100 feet apart around the perimeter of the NGPA. Minimum placement shall include one Type 1 sign per wetland, and at least one Type 1 sign shall be placed in any lot that borders the NGPA, unless otherwise approved by the county biologist. The design and proposed locations for the NGPA signs shall be submitted to the Land Use Division for review and approval prior to installation.
 - iv. The final mitigation plan shall be completely implemented.
 - v. The detention pond landscaping as modified herein shall be installed, inspected and approved.
 - vi. All outstanding fees shall be paid and final inspection shall be completed for all outstanding permits.
 - vii. The Applicant must submit a stormwater plan which is sufficient for the proposed impacts (and changes to them resulting from the Preliminary Plat Alteration).
 - viii. Final plat drawings shall be submitted to the City for signature after site improvements are completed and approved. The final plat must comply with all Snohomish County Auditor requirements for recorded documents.

- E. Prior to occupancy of any unit in the development:
- i. The applicant shall provide a maintenance bond for required landscape improvements, in an amount and form satisfactory to the City.

Nothing in this permit/approval excuses the applicant, owner, lessee, agent, successor or assigns from compliance with any other federal, state or local statutes, ordinances or regulations applicable to this project.

Preliminary plats which are approved by the county are valid for seven (7) years from the date of approval and must be recorded within that time period unless an extension has been properly requested and granted pursuant to Chapter 30.41A SCC.

Dated Issued: September 24, 2012



Millie M. Judge, Hearing Examiner
City of Lake Stevens

EXPLANATION OF RECONSIDERATION AND APPEAL RIGHTS

According to the Lake Stevens Municipal Code, this matter is a Type III decision, which constitutes a final decision of the City of Lake Stevens.

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

The grounds for reconsideration shall be limited to the following

:

- (1) The Hearing Examiner exceeded his or her jurisdiction;
- (2) The Hearing Examiner failed to follow the applicable procedure in reaching his or her decision;
- (3) The Hearing Examiner committed an error of law or misinterpreted the applicable city regulation, ordinance or other state law or regulation;
- (4) The Hearing Examiner's findings, conclusions and/or conditions are not supported by the record; and/or
- (5) Newly discovered evidence alleged to be material to the Hearing Examiner's decision which could not reasonably have been produced prior to the Hearing Examiner's decision.

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

Appeals. Pursuant to LSMC 14.16B.720, except for shoreline conditional use or shoreline variance, (which is appealed to the Shoreline Hearings Board as per Section 14.16B.710(i) LSMC), a Type III decision of the Hearing Examiner may be appealed to Snohomish County Superior Court by filing a land use petition which meets the requirements set forth in Chapter 36.70C RCW. The petition must be filed and served upon all necessary parties, as set forth in State law and **within the 21-day time period** as set forth in RCW 36.70C.040. The appeal period shall commence upon the Hearing Examiner's final decision and not upon expiration of the reconsideration period.

Staff Distribution: Andy Galuska, Planning and Community Development



RECEIVED
 JUN 08 2012
 CITY OF LAKE STEVENS

Planning and Community Development
 1812 Main Street, P O Box 257
 Lake Stevens WA 98258
 Phone Number (425) 377-3235

To Be Completed By Staff	
Date of Application:	<u>6-8-12</u>
Staff Initials:	<u>JLE / Andy</u>
Permit Number:	<u>LU 2012-15</u>

TYPE IV, V AND VI - COUNCIL DECISIONS LAND USE DEVELOPMENT APPLICATION

CHECK ONE		
TYPE IV – Quasi-judicial <input type="checkbox"/> Essential Public Facility <input type="checkbox"/> Planned Neighborhood Development <input type="checkbox"/> Rezone – Site Specific Zoning Map Amendment <input type="checkbox"/> Secure Community Transition Facility <input type="checkbox"/> Type IV Other: _____	TYPE V – Quasi-judicial <input checked="" type="checkbox"/> Plat Alteration <input type="checkbox"/> Plat Vacation <input type="checkbox"/> Right-of-Way Vacation <input type="checkbox"/> Type V Other: _____	TYPE VI – Legislative <input type="checkbox"/> Comprehensive Plan Amendment, Map and Text <input type="checkbox"/> Land Use Code Amendment <input type="checkbox"/> Type VI Other: _____
ARE ANY LOWER LEVEL PERMITS REQUIRED? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Describe: _____		

Property Information	Site Address: 77xx 10th St. SE			
	Assessor Parcel No: 00431400600201	Area of property	Square Feet: 603883	Acres: 13.63
	Land Use Designation: Medium Density Res		Zoning: Urban Residential	
	Number of Buildings on Site/: 0		Number to be Retained: 0	
	Existing Impervious Surface Area: 0		Proposed Impervious Surface Area:	
Applicant	Name/Company: The Quadrant Corporation			
	Address: 14725 SE 36th St		City/State/Zip: Bellevue, WA 98006	
	Phone: 425-452-6563		Applicants relationship to owner: Same	
	Fax: 253-928-1693		Email:	
Primary Contact	Name/Company: Mike Behn/The Quadrant Corporation			
	Address: same		City/State/Zip:	
	Phone: same		Email: mike.behn@quadranthomes.com	
	Fax: same			

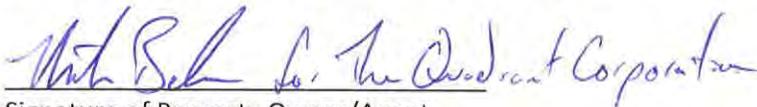
Property Owner	Name/Company: Same as Applicant				
	Address:		City/State/Zip:		
	Phone:		Email:		
	Fax:				
Project Description	Grading Quantities		Cut: 1000		Fill: 1000
	Proposed project/land use (attach additional sheets if necessary):				
	Sonterra is an approved 41-lot plat that is partially constructed. The proposed plat alteration would adjust lot lines to create three additional lots, narrow the proposed road widths per County standards, and revise the				
	landscape plan for the storm pond.				
Building Information	Gross Floor Area of Existing and Proposed Buildings: 44 detached sf homes are proposed ranging in size from 1600 to 3000 sf				
	Bldg 1:	Bldg: 2	Bldg 3:	Bldg 4:	Bldg 5:
	Gross Floor Area by Use of Buildings (please describe use as well as floor area):				
	Use 1:				
	Use 2:				
	Use3:				
	Use4:				

You may not begin any activity based on this application until a decision, including the resolution of any appeal, has been made. Conditions or restrictions may be placed on your permit if it is approved. After the City has acted on your application, you will receive notice of the outcome. If an appeal is filed, you may not begin any work until the appeal is settled. You may also need approvals from other agencies; please check this before beginning any activity.

This application expires 180 days after the last date that additional information is requested (LSMC 14316A.245)

If you suspect that your site contains a stream or wetland or is adjacent to a lake, you may need a permit from the state or federal government.

I DECLARE UNDER PENALTY OF THE PERJURY LAWS THAT THE INFORMATION I HAVE PROVIDED ON THIS APPLICATION IS TRUE, CORRECT AND COMPLETE.


 Signature of Property Owner/Agent

6/8/12
 Date of Application

By affixing my signature I certify that I am the legal owner of the property for which this application is issued or an authorized agent of the owner.



RECEIVED
JUN 08 2012
CITY OF LAKE STEVENS
FILE COPY

June 8, 2012

Andy Galuska
Associate Planner
City of Lake Stevens
1812 Main Street
Lake Stevens, WA 98258

RE: *Sonterra* (Previously Miller Property) Preliminary Plat Minor Revision Narrative
(PFN 04-118541 SD)
Blueline Job No. 12-053

Dear Mr. Galuska:

A request has been submitted for a Plat Alteration to the Preliminary Plat Map for the Miller Property Preliminary Plat (now Sonterra). Snohomish County Hearing Examiner approved the preliminary plat with conditions on January 8, 2007 and revisions January 22, 2007. Sonterra Preliminary Plat Alteration petitions for an increase in plat lots yield from 41 lots to 44 lots in addition to the reduction in pavement width of a portion of the main interior roadway (77th Drive SE between 8th Street SE and 10th Street SE) from 40' of pavement with a boulevard entrance to 28' (see attached exhibit).

Miller Property Preliminary Plat (now Sonterra) was approved by the Hearing Examiner of Snohomish County January 8, 2007 and January 11, 2007. Since the preliminary plat approval the site has been annexed into the City of Lake Stevens. The property currently consists of four underlined parcels, designated as Urban Low Density Residential Planning Designation and zoned R-7,200. Density for this development site allows for a total of 84 lots. Sonterra Preliminary Plat Alteration, requests to increase the number of approved lots from 41 to 44.

With regard to the boulevard entrance, the design and location was never an issue with Snohomish County, however, we would like to point out that we will be reducing the width of the planter island from 20' to 10' as requested by the new developer.

Pertaining to the original 40' pavement section, this was an idea promoted by the Snohomish County Public Works Department in order to satisfy the Snohomish County Road Standards requirement for a secondary access for roadways serving more than 250 ADT (essentially 25 lots). Snohomish County's justification was based on the fact that the minimum roadway pavement width for the lowest classification of roadway is 20'; therefore a 40' paved section could be considered two roadways. Snohomish County felt any future road stubs within the plat would be tied to other through streets in the near future. The Sonterra plat has 3 future road stubs, 2 of which are aligned with existing half street ROW (unimproved).

LU 2012-15

Subsequent to preliminary plat approval, Snohomish County has shown support of single access 28 foot paved roadways serving an excess of 250 ADT. The 51 lot plat Beaumont (PFN 05-123119 SD), which has received final plat approval (March 21, 2007), has a similar configuration

of a long narrow piece of property serving over 250 ADT (see attached exhibit). This plat was approved with 2 future road stubs and a 28' pavement section throughout the entire plat. The 39 lot plat of Glennwick Grove (PFN 11-109332 PA), which is currently in the preliminary plat review process, is showing 1000' of a single access roadway with no future road stubs. This plat is also being proposed with a 28' pavement section throughout the entire plat (see attached exhibit).

The Snohomish County Road Standards have not established any codes or standards to satisfy this code requirement if a site has certain constraints that don't allow for a secondary access. The solution to this code constraint has been somewhat subjective and inconsistent dependent on which plan reviewer was assigned to the project. BlueLine asserts that the requirement of a 40' pavement section is excessive and unnecessary especially in light of the fact that we provide 3 future road stubs, the Fire Marshall in Snohomish County requires a 28' minimum pavement section, The City of Lake Stevens Fire Marshal requires a 24' minimum pavement section, and Snohomish County has shown support of similar 28' paved internal dead end roads.

In support of this plat modification we have also taken in to consideration the impact of the utilities serving this plat. The sanitary sewer, water, power, phone, CATV and gas services are all capable of serving 3 additional lots. The storm system will serve the same catchment area and result in a decrease in the overall impervious area for this site plan (248,360 SF) compared to the previous site plan (249,754 SF).

We sincerely appreciate your time reviewing this request and ask for your support and approval of this Plat Alteration. Please contact me with any questions or if you need any additional information (425-216-4051 ext 225).

Sincerely,

THE BLUELINE GROUP



Geoff Tambie, PE
Principal

Enclosures:

Sonterra-Preliminary Plat Modification 11'x17' (Pages 1-2)
Beaumont-Approved as built road way drawing 8 ½ x 11
Beaumont-Approved final plat map 8 ½ x 11
Glennwick Grove-Preliminary Plat Map 8 ½ x 11

LEGAL DESCRIPTION

PARCEL A:
LOT 2, BLOCK 6, EAST EVERETT FIVE ACRE TRACTS, DIVISION B, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 5 OF PLATS, PAGE 36, RECORDS OF SNOHOMISH COUNTY, WASHINGTON; EXCEPT THE SOUTH 240 FEET OF THE EAST 60 FEET THEREOF.

PARCEL B:
ALL THAT PORTION OF LOT 9, BLOCK 2, HOLLY ADDITION TO EAST EVERETT, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 10 OF PLATS, PAGE 48, RECORDS OF SNOHOMISH COUNTY, WASHINGTON LYING SOUTHERLY OF STATE HIGHWAY NUMBER 15-A.

PARCEL C:
ALL THAT PORTION OF LOT 10, BLOCK 2, HOLLY ADDITION TO EAST EVERETT, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 10 OF PLATS, PAGE 48, RECORDS OF SNOHOMISH COUNTY, WASHINGTON LYING SOUTHEASTERLY OF STATE HIGHWAY NUMBER 15-A.

PARCEL D:
LOT 11, BLOCK 2, HOLLY ADDITION TO EAST EVERETT, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 10 OF PLATS, PAGE 48, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

GENERAL NOTES

1. THE INFORMATION DEPICTED ON THIS MAP REPRESENTS THE RESULTS OF A SURVEY MADE ON THE DATE INDICATED AND CAN ONLY BE CONSIDERED AS INDICATING THE GENERAL CONDITION EXISTING AT THAT TIME.
2. UNDERGROUND UTILITIES WERE LOCATED BASED ON THE SURFACE EVIDENCE OF UTILITIES (I.E. PAINT MARKS, SAW CUTS IN PAVEMENT, COVERS, LIDS ETC.) THE CONTRACTOR SHALL VERIFY THE EXACT LOCATION, ELEVATION AND SIZE OF EXISTING UTILITIES PRIOR TO CONSTRUCTION.

REFERENCES

1. PLAT OF EAST EVERETT FIVE ACRE TRACTS AS RECORDED IN VOL. 5 OF PLATS, PAGE 36, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.
2. PLAT OF NOVELTY HILL AS RECORDED IN VOL. 19 OF PLATS, PAGE 95, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.
3. JOHNSON SHORT PLAT AS RECORDED UNDER RECORDING NUMBER 9902095005, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.
4. CAVALERO CORNER INTERCHANGE AS RECORDED IN SNOHOMISH COUNTY, WASHINGTON.

MERIDIAN

THE PLAT OF NOVELTY HILL AS RECORDED IN VOL. 19 OF PLATS, PAGE 95, UNDER RECORDING NO. 1448331, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

VERTICAL DATUM

NAVD 88 - CONVERSION TO NGVD 29 BY FACTOR OF -3.681 FT (NAVD 88 HEIGHT MINUS 3.681 FT)

BENCHMARKS

BM BENCHMARK
SNOHOMISH COUNTY BENCH MARK POINT ID. #342 POINT NAME CC03, 2-1/2" IRON PIPE W/ TACK 3 FEET SOUTH OF CENTERLINE OF 20TH ST. S.E. & ±35 FEET WEST OF CENTERLINE OF CAVALERO RD. ELEV. = 257.14' (NAVD 88)

TBM SITE BENCHMARK
CB-746, 30.90' RIGHT OF CENTERLINE OF SR 204 RIM ELEV. = 147.39' (NAVD 88)

BASIS OF BEARING

W1/2, NE1/4, SEC 23, TWP 29 N, RGE 5 E, W.M.

SITE DATA

SITE ADDRESS: 77XX 10TH ST SE, EVERETT, WA 98205
TAX ACCOUNT NUMBER: 00476200200902, 00476200201000, 00476200201100, 00431400600201

EXISTING ZONING: R-7200 (DPO)
PROPOSED ZONING: R-7200
GROSS SITE AREA: 603,882 SF (13.86 AC)
TOTAL NUMBER OF LOTS: 44
LOTS PER ACRE: 3.17
AVERAGE LOT SIZE: 5,839 SF
MINIMUM LOT SIZE: 4,005 SF (LOT 26)
MAXIMUM LOT SIZE: 8,314 SF (LOT 19)

NGPA AREA: 111,222 SF (2.55 AC)
OPEN SPACE: 59,704 SF (1.37 AC)
OPEN SPACE: 170,926 SF (3.92 AC) = 28.3% OF TOTAL SITE AREA

PROPOSED ROAD LENGTH: 2,073 LF
PROPOSED ROAD AREA: 90,282 SF (2.07 AC) = 14.95% OF TOTAL SITE AREA

PUBLIC WATER: SNOHOMISH COUNTY PUD
SANITARY SEWER: LAKE STEVENS SEWER DISTRICT
FIRE DISTRICT: SNOHOMISH COUNTY DISTRICT NO. 08
SCHOOL DISTRICT: LAKE STEVENS SCHOOL DISTRICT NO. 04

THERE ARE NO EXISTING STRUCTURES ON SITE.
NO DUPLEXES ARE PROPOSED.

LOT SIZE AVERAGING CALC

GROSS SITE AREA: 603,882 SF (13.86 AC)
EXISTING ZONING: R-7200 (DPO)
PROPOSED ZONING: R-7200
GROSS LOT YIELD (603,882 ÷ 7,200): 83.87 = 84 LOTS

R-7200 ZONED SITE
LOT AREAS: 256,897 SF (5.90 AC)
NGPA (TRACT 998, 996): 111,222 SF (2.55 AC)
OPEN SPACE (TRACTS 999, 997 & 993): 59,704 SF (1.37 AC)

TOTAL: 427,823 ÷ 44 = 9,723 SF (AVERAGE LOT SIZE)
EXCEEDS MINIMUM LOT AREA FOR UNDERLYING ZONE (7,200 SF)

SLOPE DENSITY CALCS

SLOPE	PERCENT OF SITE	AREA	DU/AC*	MAX LOT YIELD
0-15% SLOPES	65%	392,524 SF (9.01 AC)	6.05**	54.5
15-20% SLOPES	16%	96,621 SF (2.22 AC)	4.00*	8.9
20-25% SLOPES	9%	54,349 SF (1.25 AC)	2.80*	3.5
25-33% SLOPES	6%	36,233 SF (0.83 AC)	1.80*	1.5
OVER 33 SLOPES	4%	24,155 SF (0.55 AC)	0.25*	0.1
				68.5 > 69 LOTS

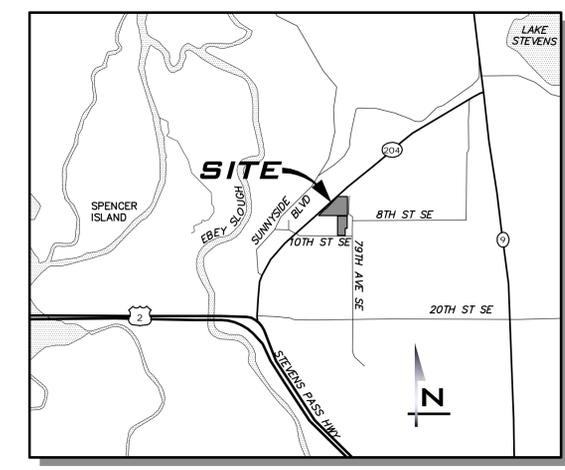
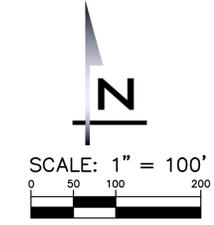
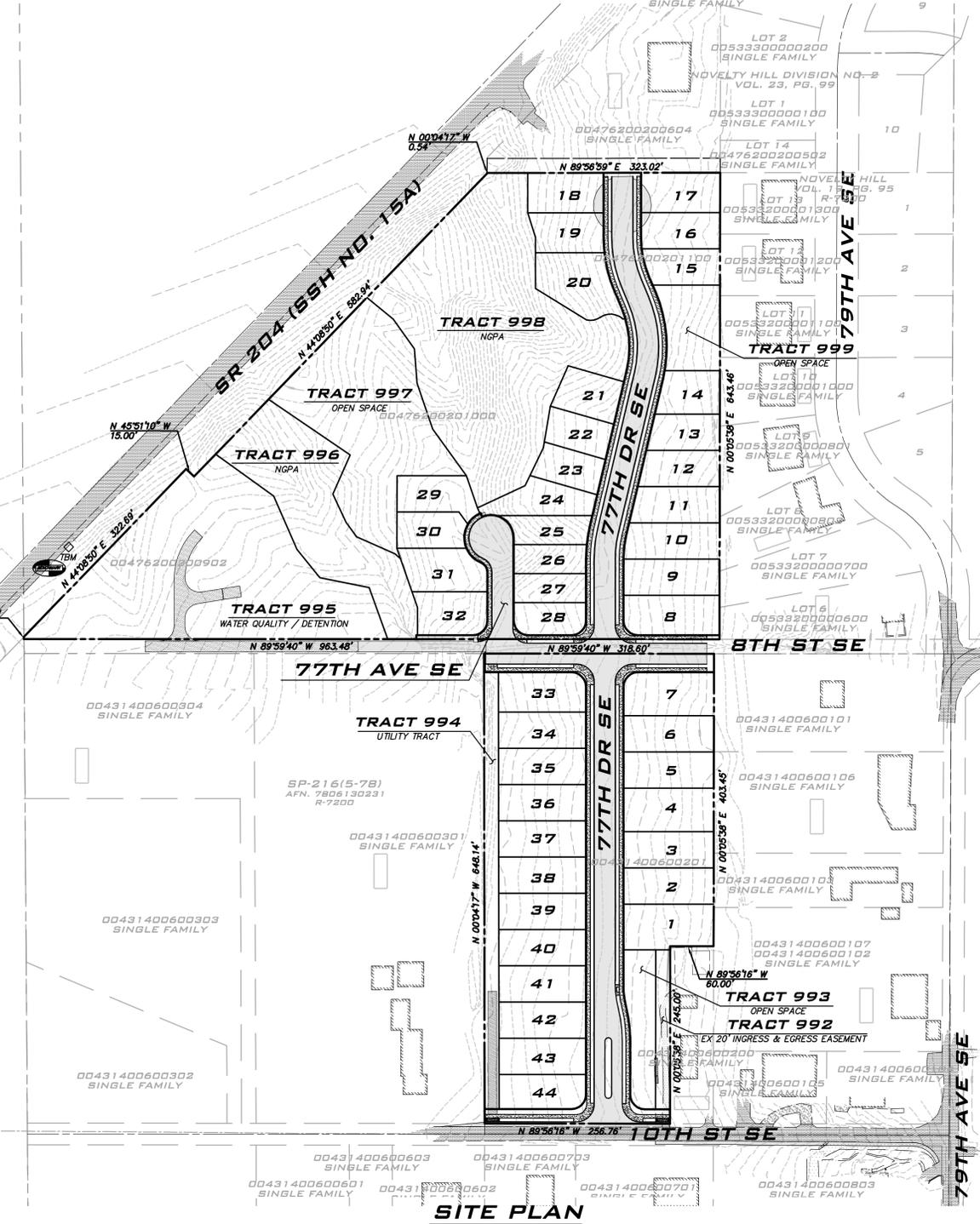
* PER SCC TABLE 30.41A.250(2), UNLESS OTHERWISE NOTED
** BASED ON R-7200 ZONING (43,560 SF/AC + 7,200 SF/DU)

MINIMUM NET DENSITY CALCS

GROSS SITE AREA: 603,882 SF (13.86 AC)
LESS ROADS: 90,282 SF (2.07 AC)
LESS CRITICAL AREAS/BUFFERS (TRACT 998 & 996): 111,222 SF (2.55 AC)
LESS DRAINAGE AREAS (TRACT 995): 69,326 SF (1.59 AC)
LESS AREAS FOR PUBLIC USE (TRACT 999, 997, & 993): 59,704 SF (1.37 AC)

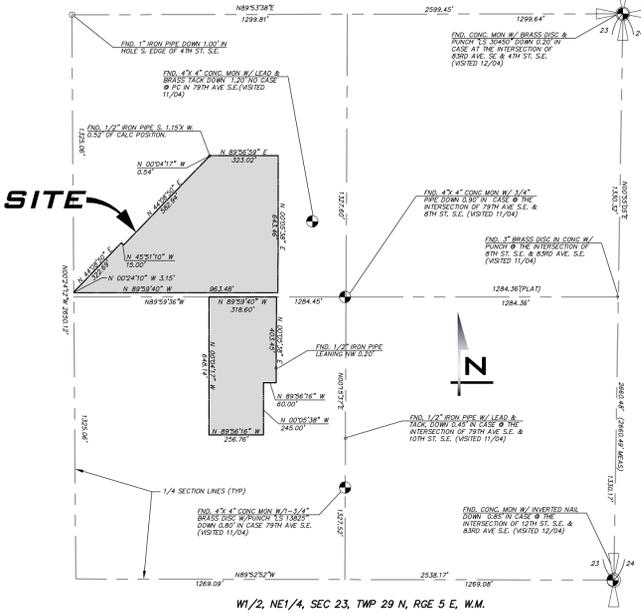
NET SITE AREA: 273,348 SF (6.28 AC)
NET DENSITY (44 ÷ 6.28 AC): 7.0 DU/AC
MINIMUM NET DENSITY REQUIRED: 4.0 DU/AC

W 1/2, NE 1/4, SEC 23, TWP 29N, RGE 5E, W.M.
SONTERRA
PRELIMINARY PLAT MODIFICATION



VICINITY MAP

SCALE: 1" = 2000'
R-7200 (DPO) NORTH, SOUTH, EAST, R-5 WEST



PROJECT TEAM

OWNER / APPLICANT
QUADRANT HOMES
14725 SE 36TH, STE 100
BELLEVUE, WA 98006
CONTACT: MIKE BEHN
PHONE: (425) 452-6563
FAX: MIKE.BEHN@QUADRANTHOMES.COM

CIVIL ENGINEER
THE BLUELINE GROUP
25 CENTRAL WAY, SUITE 400
KIRKLAND, WA 98033
CONTACT: GEOFF E. TAMBLE, PE
PHONE: (425) 216-4051
FAX: (425) 216-4052
EMAIL: GTAMBLE@THEBLUELINEGROUP.COM

WETLAND CONSULTANT
QUADRANT RESOURCES
9505 19TH AVE SE, SUITE 106
EVERETT, WA 98208
CONTACT: SCOTT BRANNARD
PHONE: (425) 337-3174
FAX: (425) 337-3045
EMAIL: MAILBOX@WETLANDRESOURCES.COM

GEOTECHNICAL ENGINEER
CORNERSTONE GEOTECHNICAL
17625 130TH AVE NE, STE C102
WOODINVILLE, WA 98072
CONTACT: THOR R. CHRISTENSEN, PE
PHONE: (425) 844-1977
FAX: (425) 284-2855
EMAIL: RAY.COGLAS@EARTH SOLUTIONS NW.COM

TRAFFIC ENGINEER
TRANSPORTATION ENGINEERING NORTHWEST, LLC
16625 REDMOND WAY, SUITE M, PMB 323
REDMOND, WA 98052
CONTACT: JEFF SCHRAMM, PE
PHONE: (206) 396-8288
EMAIL: SCHRAMM@TENW.COM

LANDSCAPE ARCHITECT
SHA LANDSCAPE ARCHITECTS
1417 NE 80TH
SEATTLE, WA 98115
CONTACT: NEIL BUCHANAN
PHONE: (206) 522-2334
FAX: (206) 526-5667

SITE PLAN
SCALE: 1" = 100'

PRELIMINARY EARTHWORK QUANTITIES

CUT = ±46,400 CY
FILL = ±23,400 CY

NOTES
RAW VOLUMES HAVE NOT BEEN ADJUSTED TO REFLECT SHRINK OR SWELL FOR COMPACTION & EXPANSION AND ARE VOLUMETRIC AREAS ONLY

THE ABOVE QUANTITIES ARE ESTIMATES ONLY AND ARE LISTED SOLELY FOR PERMITTING PURPOSES. THEY ARE NOT TO BE USED FOR BIDDING PURPOSES.

THE SOURCE OF FILL MATERIAL IS YET TO BE DETERMINED.
ANY IMPORTED FILL MATERIAL WILL BE MATERIAL DETERMINED SUITABLE AS STRUCTURAL FILL.

IMPERVIOUS AREA CALCULATIONS

55% OF LOTS: 141,294 SF
PAVEMENT / CURB & GUTTER: 62,368 SF
SIDEWALK: 18,432 SF
POND MMS AREA: 13,290 SF
POND ROAD: 10,917 SF
GRAVEL ACCESS ROAD: 2,040 SF
TOTAL: 248,360 SF

SHEET INDEX

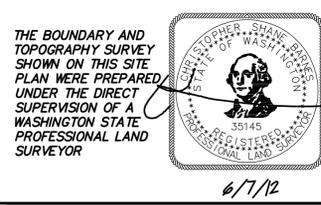
- 1 CV-01 PRELIMINARY PLAT MODIFICATION
- 2 PP-01 PRELIMINARY PLAT MODIFICATION SITE PLAN

NOTE

PRIOR TO BUILDING PERMIT ISSUANCE, VERIFICATION OF FIRE HYDRANT INSTALLATION AND WRITTEN CONFIRMATION FROM THE WATER PURVEYOR OF THE MINIMUM REQUIRED FIRE FLOW AND DURATION SHALL BE PROVIDED. IF THE MINIMUM REQUIRED FIRE FLOW OR DURATION CANNOT BE MET, INSTALLATION OF AN APPROVED NFPA 130 FIRE SUPPRESSION SYSTEM SHALL BE REQUIRED FOR ALL DWELLING UNITS. SAID SYSTEM SHALL BE INSTALLED AND APPROVED PRIOR TO OCCUPANCY.

UNDERGROUND UTILITY NOTE

UNDERGROUND UTILITIES ARE SHOWN IN THE APPROXIMATE LOCATION. THERE IS NO GUARANTEE THAT ALL UTILITY LINES ARE SHOWN, OR THAT THE LOCATION, SIZE AND MATERIAL IS ACCURATE. THE CONTRACTOR SHALL UNCOVER ALL INDICATED PIPING WHERE CROSSING, INTERFERENCES, OR CONNECTIONS OCCUR PRIOR TO TRENCHING OR EXCAVATION FOR ANY PIPE OR STRUCTURES. TO DETERMINE ACTUAL LOCATIONS, SIZE AND MATERIAL, THE CONTRACTOR SHALL MAKE THE APPROPRIATE PROVISION FOR PROTECTION OF SAID FACILITIES. THE CONTRACTOR SHALL NOTIFY ONE CALL AT 1-800-424-5555 AND ARRANGE FOR FIELD LOCATION OF EXISTING FACILITIES BEFORE CONSTRUCTION.



SCALE: AS NOTED
PROJECT MANAGER: GEOFF E. TAMBLE, PE
PROJECT ENGINEER: GEOFF E. TAMBLE, PE
DESIGNER: DOMINIQUE GABALDON
ISSUE DATE: 6/8/2012

NO	DATE	BY	REVISIONS

COVER SHEET
SONTERRA
PRELIMINARY PLAT MODIFICATION
QUADRANT HOMES
WASHINGTON
SNOHOMISH COUNTY

6/7/12
JOB NUMBER:
12-053
SHEET NAME:
CV-01
SHT **1** OF **2**

PFN: 12-04-118541 PA

SCALE:
AS NOTED

PROJECT MANAGER:
GEOFF E. TAMBLE, PE

PROJECT ENGINEER:
GEOFF E. TAMBLE, PE

DESIGNER:
DOMINIQUE GABALDON

ISSUE DATE:
6/8/2012

NO	DATE	BY	REVISIONS

PRELIMINARY PLAT MODIFICATION
SITE PLAN
SONTERRA
PRELIMINARY PLAT MODIFICATION
QUADRANT HOMES
SNOHOMISH COUNTY
WASHINGTON



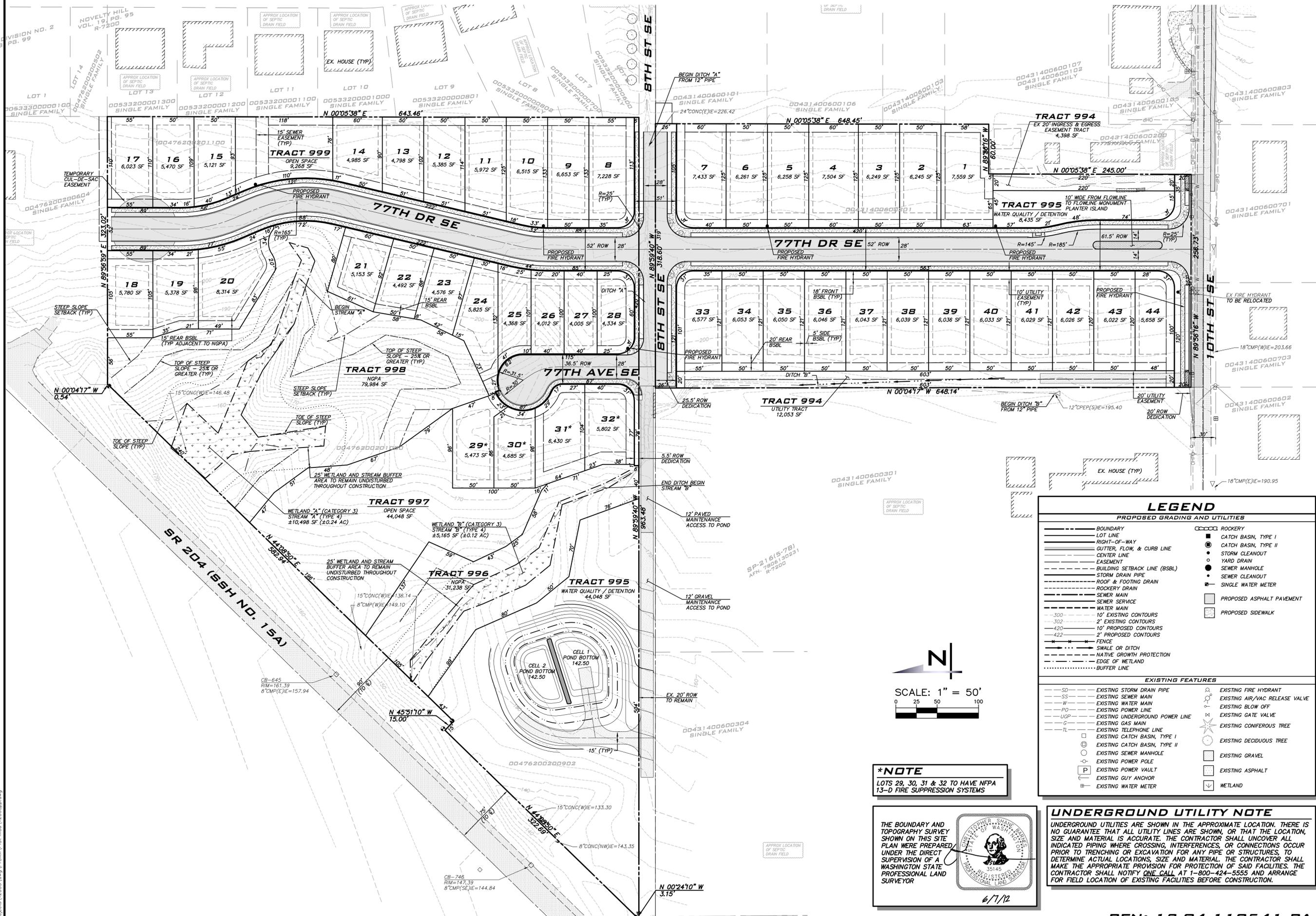
6/7/12

JOB NUMBER:
12-053

SHEET NAME:
PP-01

SHT **2** OF **2**

W 1/2, NE 1/4, SEC 23, TWP 29N, RGE 5E, W.M.



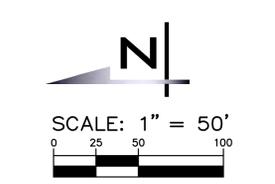
LEGEND

PROPOSED GRADING AND UTILITIES

--- BOUNDARY	--- LOT LINE	--- GUTTER, FLOW, & CURB LINE	--- CENTER LINE	--- EASEMENT	--- BUILDING SETBACK LINE (BSBL)	--- STORM DRAIN PIPE	--- ROOF & FOOTING DRAIN	--- ROCKERY DRAIN	--- SEWER MAIN	--- SEWER SERVICE	--- WATER MAIN	--- 10' EXISTING CONTOURS	--- 2' EXISTING CONTOURS	--- 10' PROPOSED CONTOURS	--- 2' PROPOSED CONTOURS	--- FENCE	--- SWALE OR DITCH	--- NATIVE GROWTH PROTECTION	--- EDGE OF WETLAND	--- BUFFER LINE
--- PROPOSED ASPHALT PAVEMENT	--- PROPOSED SIDEWALK	--- ROCKERY	--- CATCH BASIN, TYPE I	--- CATCH BASIN, TYPE II	--- STORM CLEANOUT	--- YARD DRAIN	--- SEWER MANHOLE	--- SEWER CLEANOUT	--- SINGLE WATER METER	---	---	---	---	---	---	---	---	---	---	---

EXISTING FEATURES

--- SD --- EXISTING STORM DRAIN PIPE	--- SS --- EXISTING SEWER MAIN	--- W --- EXISTING WATER MAIN	--- PO --- EXISTING POWER LINE	--- UGP --- EXISTING UNDERGROUND POWER LINE	--- G --- EXISTING GAS MAIN	--- TL --- EXISTING TELEPHONE LINE	--- EXISTING CATCH BASIN, TYPE I	--- EXISTING CATCH BASIN, TYPE II	--- EXISTING SEWER MANHOLE	--- EXISTING POWER POLE	--- EXISTING POWER VAULT	--- EXISTING GUY ANCHOR	--- EXISTING WATER METER	--- EXISTING FIRE HYDRANT	--- EXISTING AIR/VAC RELEASE VALVE	--- EXISTING BLOW OFF	--- EXISTING GATE VALVE	--- EXISTING CONFEROUS TREE	--- EXISTING DECIDUOUS TREE	--- EXISTING GRAVEL	--- EXISTING ASPHALT	--- WETLAND
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***NOTE**

LOTS 29, 30, 31 & 32 TO HAVE NFPA 13-D FIRE SUPPRESSION SYSTEMS

THE BOUNDARY AND TOPOGRAPHY SURVEY ON THIS SITE PLAN WERE PREPARED UNDER THE DIRECT SUPERVISION OF A WASHINGTON STATE PROFESSIONAL LAND SURVEYOR



6/7/12

UNDERGROUND UTILITY NOTE

UNDERGROUND UTILITIES ARE SHOWN IN THE APPROXIMATE LOCATION. THERE IS NO GUARANTEE THAT ALL UTILITY LINES ARE SHOWN, OR THAT THE LOCATION, SIZE AND MATERIAL IS ACCURATE. THE CONTRACTOR SHALL UNCOVER ALL INDICATED PIPING WHERE CROSSING, INTERFERENCES, OR CONNECTIONS OCCUR PRIOR TO TRENCHING OR EXCAVATION FOR ANY PIPE OR STRUCTURES. TO DETERMINE ACTUAL LOCATIONS, SIZE AND MATERIAL. THE CONTRACTOR SHALL MAKE THE APPROPRIATE PROVISION FOR PROTECTION OF SAID FACILITIES. THE CONTRACTOR SHALL NOTIFY ONE CALL AT 1-800-424-5555 AND ARRANGE FOR FIELD LOCATION OF EXISTING FACILITIES BEFORE CONSTRUCTION.

SNOHOMISH COUNTY ENVIRONMENTAL CHECKLIST

Purpose of Checklist:

The State Environmental Protection Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instruction for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

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

Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D).

For nonproject actions, the references in the checklist to the words "project," "applicant" and "property or site" should be read as "proposal," "proposer" and "affected geographic area" respectively.

A. BACKGROUND

1. Name of the proposed project:
Miller Property
2. Name of Applicant:
Burnstead Construction Co
3. Address and telephone number of applicant and contact person:
Tiffany Brown
1215 120th Ave NE, Suite 210
Bellevue, WA 98005
(425) 454-1900
4. Date checklist prepared:
May 4, 2005
5. Agency requesting checklist:

Snohomish County Department of Planning & Development Services

PFN: 04 118541 000 00 SD Miller Property
Received - 05/04/2005



6. Proposed timing or schedule (including phasing, if applicable):
Pre Plat Approval Spring 2006, Construction Spring 2007, Final Plat Fall 2008
7. Plans for future additions, expansion, or further activity related to or connected with this proposal:
None at this time
8. Environmental information that has been prepared, or will be prepared, directly related to this project:
Downstream Analysis, Geotechnical Report, Wetland Report, SEPA Checklist
9. Applications that are pending for governmental approvals or other proposals directly affecting the property covered by the proposal:
Preliminary and Final Plat
10. List of governmental approvals or permits that will be needed for the proposal:
Clearing and Grading Permit, Utility Permits, Building Permits
11. Brief, complete description of the proposal, including the proposed uses and the size of the project and site:
Subdivide 4 existing parcels (roughly 13.9 acres) into 38 single family lots with public roadway and utility improvements
12. Location of the proposal, including street address, if any, and section, township, and range; legal description; site plan; vicinity map; and topographical map, if reasonably available:
77XX 10th Street SE, Everett, WA 98205
Section 23, Township 29N, Range 5E, W.M.
Parcel #'s: 0476200200902, 00476200201000, 00476200201100, 00476400600201

B. ENVIRONMENTAL ELEMENTS

1. Earth
 - a. General description of the site (underline):
Rolling to mountainous terrain sloping from east to west, north half of site has second growth forest, south half is overgrown with Himalayan Blackberries and Grasses
 - b. What is the steepest slope on the site (approximate percent slope)?
40%

- c. What general types of soils are found on the site (for example clay, sand, gravel, peat, muck)? Specify the classification of agricultural soils and note any prime farmland.
Top 6" to 2' is organics and topsoil. Subsurface consists of dense sands and gravels to very dense gravels and silts, organic top layer
- d. Are there any surface indications or a history of unstable soils in the immediate vicinity? If so, describe.
None known or observed
- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate the source of the fill.
Grading for public roadways, proposed lots, and utilities cut approx. 45,000 CY, fill approx 34,000 CY (onsite material)
- f. Could erosion occur as a result of clearing, construction, or use?
Yes, exposed soils could erode into surrounding stormwater systems during heavy rainfall events.
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example buildings or asphalt)?
Roughly 40%
- h. Describe the proposed measures to reduce or control erosion, or other impacts to the earth, if any.
Use temporary ground cover measures such as straw mulch, silt fence, rock construction entrances, TESC ponds, chitosan

2. Air

- a. What types of emissions to the air would result from the proposal (e.g. dust, automobile, odors, industrial, wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities, if known.
Emissions and dust particulates generated primarily by construction equipment will be produced during the construction phase of this project. The amount of emissions to the air will be minimal and will occur during the actual construction typically associated with residential developments.
- b. Are there any off-site sources of emissions or odors that may affect your proposal? If so, generally describe.
No.
- c. Describe proposed measures to reduce or control emissions or other impacts to air, if any.

Watering of the site during the construction phase of the project would help control dust and other particles generated on the site.

3. Water

a. Surface:

1. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, and wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.
No.
2. Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.
No
3. Estimate the amount of fill and dredge material that could be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill materials.
None
4. Will the proposal require surface water withdrawals or diversion? Give general description, purpose, and approximate quantities, if known.
No
5. Does the proposal lie within a 100 year flood plain? If so, note location on the site plan.
No
6. Does the proposal involve discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.
No

b. Ground

1. Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.
No

2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any. Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) is expected to serve.

None

c. Water Runoff (including storm water)

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

Surface water runoff from streets, roofs and lawn/landscaped areas. All surface water will be treated prior to being infiltrated into the ground. In the case of an overflow event, the system will have an overflow route that will be sized to convey the water safely along its historic flow-path.

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

Some pollutants normally associated with residential developments could enter the surface water; however, any pollutants will be treated in stormwater facilities designed in conformance with the Snohomish County Drainage Standards.

- d. Describe proposed measures to reduce or control surface, ground, and runoff water impacts, if any.

1992 DOE Stormwater Manual as adopted by Snohomish County.

4. Plants

- a. Types of vegetation found on site:

Deciduous trees: **X**

Evergreen trees: **X**

Shrubs: **X**

Grass: **X**

Pasture: **X**

Wet Soil Plants: **X**

Water Plants:

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

All vegetation will be removed as shown on the approved clearing and grading plans.

- c. List threatened or endangered plant species or critical habitat known to be on or near the site.

None

- d. Describe proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on site.

None

5. Animals

- a. Underline any birds and animals which have been observed on or near the site or are known to be on or near the site:

Invertebrates:

Fish:

Amphibians:

Reptiles:

Birds: **Songbirds**

Mammals: **Field mice, moles**

- b. List any threatened or endangered animal species or critical habitat near the site.

None known

- c. Is the site part of a migratory route? If so, explain.

None Known

- d. Proposed measures to preserve or enhance wildlife, if any.

None

6. Energy and Natural Resources

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

When the single family homes are built, electricity will be provided for power and heat sources. If available, natural gas may also be used for heating and household appliance operation.

- b. Would the project affect the potential use of solar energy by adjacent properties? If so, explain.

No.

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

The new homes will comply with applicable energy conservation requirements as specified in the Snohomish County building code.

7. Environmental Health

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

No

1. Describe special emergency services that might be required.

None

2. Describe proposed measures to reduce or control environmental health hazards.

None

b. Noise

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

Traffic from SR 204 and 10th Street SE

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

Construction activities on the site would temporarily increase the peak on-site noise levels to about 80-90 dBA. All construction will be during the Snohomish County approved hours of operation. The completed project would result in a slight increase in typical residential ambient noise levels in the vicinity.

3. Describe proposed measures to reduce or control noise impacts, if any.

None

8. Land and Shoreline Use

- a. What is the current use of the site adjacent to the properties?

Single family residential

- b. Has the site been used for agriculture? If so, describe.

No

- c. Describe any structures on the site.
None
- d. Will any structures be demolished? If so, what?
No
- e. What is the current zoning classification of the site?
R-7200 (DPO)
- f. What is the current comprehensive plan designation of the site?
Single Family Residential
- g. If applicable, what is the current shoreline master program designation of the site?
N/A
- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.
Yes, class 3 wetland, class 4 stream, 33% slopes
- i. Approximately how many people would reside or work in the completed project?
41 lots x 3 people/lot = ±123 people
- j. Approximately how many people would the completed project displace?
0
- k. Describe proposed measures to avoid or reduce displacement impacts, if any.
None
- l. Describe proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any.
Comply with current Snohomish County zoning code

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.
41 Middle to high income houses.
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

None

- c. Describe proposed measures to reduce or control housing impacts, if any.

None

10. Aesthetics

- a. What is the tallest height of any of the proposed structure(s), not including antennas? What is the principal exterior building material(s) proposed?
Building heights and materials are undetermined at this time. However, it is anticipated that all structures and materials will be able to comply with County requirements.
- b. What views in the immediate vicinity would be altered or obstructed?
None
- c. Describe proposed measures to reduce aesthetic impacts, if any.
None

11. Light and Glare

- a. What type of light and glare will the proposal produce? What time of day would it mainly occur?
Light or glare may result from illuminating the new homes. This will likely occur after daylight hours.
- b. Could light or glare from the finished project be a safety hazard or interfere with views?
It is unlikely that light/glare issues will result from this development project. It is anticipated that the lighting system will comply with County specifications.
- c. What existing off-site sources of light or glare may affect your proposal?
None
- d. Describe the proposed measures to reduce or control light and glare impacts, if any.
None

12. Recreation

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

Recreational opportunities may be planned in the yards of the anticipated single family homes. Currently the site will provide a yet to be determined open space area set aside for public use.

- b. Would the proposed project displace any existing recreational uses?
If so, describe.
No
- c. Describe proposed measures to reduce or control impacts on recreation, including recreational opportunities to be provided by the project or applicant.
The proposed project would not result in a reduction in recreational area.

13. Historic and Cultural Preservation

- a. Are there any places or objects listed on or eligible for national, state, or local preservation registers known to be on or next to the site? If so, generally describe.
None known
- b. Generally describe any landmarks or evidence of historic, archeological, scientific, or cultural importance known to be on or next to file site.
No
- c. Describe proposed measures to reduce or control impacts, if any.
None

14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.
The proposed site will connect to 10th St SE
- b. Is the site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?
Lake Stevens Transit Center Park & Ride (2 miles)
- c. How many parking spaces would the completed project have? How many would the project eliminate?
Each home will have an enclosed private garage with a minimum of two spaces, plus the parking capacity of two or more vehicles at each home's driveway. No parking spaces will be eliminated.

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe.
The proposed project will require public roads connecting to 10th St SE
- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.
No
- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.
390 ADT. Peak hours occur between 7:00 am and 9:00 am and between 4:00 pm and 6:00 pm.
- g. Describe proposed measures to reduce or control transportation impacts, if any.
Snohomish County traffic impact fees will be paid.

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally explain.
The completed project may produce a very slight increased need for police and fire protection as well as emergency medical service. There may also be a very slight increase in school enrollment and an increase in demand for area recreational facilities.
- b. Describe proposed measures to reduce or control direct impacts on public services.
If applicable, school impact fees will be paid. Future tax revenue generated from applicable property taxes.

16. Utilities

- a. Underline utilities currently available at the site:
Water, Sanitary Sewer, Telephone, Storm Sewer, Cable TV
- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.
**Snohomish County PUD (Water, Natural Gas and Electrical)
Snohomish County Department of Public Works (Storm Sewer)
Lake Stevens Sewer District (Sanitary Sewer)**

**Comcast (Cable TV)
Qwest (Telephone)**

C. SIGNATURE

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

Signature:  _____

Date Submitted: 5/4/05

TO BE COMPLETED BY APPLICANT

EVALUATION FOR
AGENCY USE ONLY

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS
(Do not use this sheet for project actions)

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

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

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

Proposed measures to avoid or reduce such increases are:

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

Proposed measures to protect or conserve plants, animals, fish or marine life are:

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

Proposed measures to protect or conserve energy and natural resources are:

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

Proposed measures to protect such resources or to avoid or reduce impacts are:

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

TO BE COMPLETED BY APPLICANT

**EVALUATION FOR
AGENCY USE ONLY**

Proposed measures to avoid or reduce shoreline and land use impacts are:

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

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

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



SEPA DETERMINATION OF NONSIGNIFICANCE (DNS) AND ADOPTION OF ENVIRONMENTAL DOCUMENTS

Project Name: Miller Property Subdivision (Sonterra)
Project Location: East of SR 204 and west of 79ths Ave SE at 8th St SE
Tax Parcel Number(s): 00476200201100, 00431400600201, 00476200200902, 00476200201000
Project File No.: 04-118541SD (Snohomish County Permit)
LU2012-15 (Lake Stevens Permit)
Applicant: Quadrant Homes (Original Applicant: Burnstead Construction Company, Inc)

Project Proponent and Lead Agency: City of Lake Stevens

The City of Lake Stevens is adopting the Environmental Checklist dated 5/4/2005, that was submitted to Snohomish County for the Preliminary Plat Approval. This document was used in the previous threshold determination made by Snohomish County on October 16, 2006. This document has not been challenged under WAC 197-11-630. The City is issuing a new Determination of Nonsignificance for the proposed alterations to the approved preliminary plat.

Project Description: On May 4, 2005 Burnstead Construction Company, Inc made application for a 41 lot subdivision on the above properties. A Determination of Nonsignificance was issued by Snohomish County on October 16, 2006 for the project. Snohomish County gave a preliminary approval of the subdivision on January 8, 2007 with a corrected decision issued on January 22, 2007. The property was annexed into the City of Lake Stevens after the application was made and is now under City jurisdiction. The property has been purchased by Quadrant Homes who are requesting an alteration to the preliminary plat approval. Three changes to the original approval are requested. First, the total number of lots is proposed to increase by 3, for a total of 44. Second, the road widths are proposed to be consistent with County standards. Finally, the landscaping around the stormwater retention pond is proposed to be reduced.

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request. This DNS is issued under WAC 197-11-340(2); the lead agency will not act on the proposal for 14 days from the date below. Comments must be submitted by September 10, 2012.

Responsible Official: Rebecca Ableman **Position/Title:** Planning and Community Development Director
Address: 1812 Main St.
PO Box 257
Lake Stevens, WA 98258

Please contact: Andy Galuska **Phone:** (425) 377-3219 **FAX:** (425) 212-3227
Or email agaluska@lakestevenswa.gov if you have questions or comments about this determination.

SIGNATURE  **DATE OF ISSUE:** August 26, 2012



July 26, 2012

The Quadrant Corporation
Attn: Mike Behn
14725 SE 36th St
Bellevue, WA 98006

Re: Sonterra Plat Alteration (LU2012-15)

Dear Mr. Behn,

This letter is in response to the Sonterra Plat Alteration Permit submittal received by the City on June 8, 2012. We have reviewed the above referenced application and found the submittal to be complete for review purposes. Please note that this determination of completeness only implies the necessary materials for commencing review have been received. As we progress with our review, additional materials may be requested to determine project compliance with all relevant regulations and standards.

If you have any questions, please contact me at (425) 377-3219 or by e-mail at agaluska@lakestevenswa.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Andy Galuska", is written over a faint, light blue circular stamp.

Andy Galuska
Associate Planner



Snohomish County

**CORRECTED
REPORT and DECISION of the SNOHOMISH
COUNTY HEARING EXAMINER**

Hearing Examiner's Office

Email: Hearing.Examiner@co.snohomish.wa.us

Robert J. Backstein
Hearing Examiner

Ed Good
Deputy Hearing Examiner

M/S 405
3000 Rockefeller Ave.
Everett, WA 98201

(425) 388-3538
FAX (425) 388-3201

DATE OF DECISION: January 8, 2006¹
DATE OF CORRECTION: January 22, 2007

PLAT/PROJECT NAME: *MILLER PROPERTY*

APPLICANT/
LANDOWNER: Burnstead Construction Company, Inc.

FILE NO.: 04 118541SD

TYPE OF REQUEST: **SUBDIVISION** of 13.9 acres into 41 lots utilizing the lot size averaging provisions of SCC 30.23.210

DECISION (SUMMARY): **APPROVED** subject to **CONDITIONS**

BASIC INFORMATION

GENERAL LOCATION: The property is located on the east side of SR 204 at 8th Street SE, Everett, WA

ACREAGE: 13.9 acres

NUMBER OF LOTS: 41

AVERAGE LOT SIZE: 6,166 square feet

MINIMUM LOT SIZE: 4,517 square feet

DENSITY: 2.95 du/ac (gross)
5.49 du/ac (net)

ZONING: R-7,200

COMPREHENSIVE PLAN DESIGNATION:

General Policy Plan Designation: Urban Low Density Residential – Limited (6 du/ac)
Subarea Plan: Lake Stevens
Subarea Plan Designation: Urban Low Density Residential (6 du/ac)

¹ Scrivener's error
04118541.doc

UTILITIES:

Water: Snohomish County PUD No. 1
Sewage: Lake Stevens Sewer District

SCHOOL DISTRICT: Lake Stevens

FIRE DISTRICT: No. 8

SELECTED AGENCY RECOMMENDATIONS:

Department of:
Planning and Development Services (PDS): Approval subject to conditions
Public Works (DPW): Approval subject to conditions

INTRODUCTION

The applicant filed the Master Application on May 4, 2005. (Exhibit 1)

The Hearing Examiner (Examiner) made a site familiarization visit on December 12, 2006 in the morning.

The Department of Planning and Development Services (PDS) gave proper public notice of the open record hearing as required by the county code. (Exhibits 20, 21 and 22)

A SEPA determination was made on October 16, 2006. (Exhibit 19) No appeal was filed.

The Examiner held an open record hearing on December 14, 2006, the 122nd day of the 120-day decision making period. Witnesses were sworn, testimony was presented, and exhibits were entered at the hearing.

PUBLIC HEARING

The public hearing commenced on December 14, 2006 at 2:04 p.m.

1. The Examiner indicated that he has read the PDS staff report, reviewed the file and viewed the area and therefore has a general idea of the particular request involved.
2. The applicant, Burnstead Construction Company, Inc., was represented by Tiffany Brown. Snohomish County was represented by Monica McLaughlin of the Department of Planning and Development Services.

The hearing concluded at 2:12 p.m.

NOTE: For a complete record, an electronic recording of this hearing is available in the Office of the Hearing Examiner.

FINDINGS, CONCLUSIONS AND DECISION

FINDINGS of FACT:

1. Burnstead Construction Company, Inc. (Applicant) proposes to subdivide a 13.9 acre tract on the north side of 10th Street SE and west of 79th Avenue SE into 41 single-family lots, utilizing the lot size averaging provisions of the SCC. The L-shaped site slopes from east to west and descends steeply toward SR 204.
2. Access to the site will be from 10th Street SE by a new public road to a turn-around at the north property line. An east-west road will be developed on unopened 8th Street SE and stubbed at the east and west property lines, anticipating future development of adjacent properties.
3. The site has two Category 3 wetlands and two Type 4 streams with steep slopes over one-third of the site. Storm water will be captured and routed to an above-ground detention pond. From there it will be released at a controlled rate to a culvert under SR 204 and eventually to Ebey Slough.
4. The site is designated for urban low density residential land uses and is zoned R-7200. Adjacent properties are zoned R-7200 or R-5 and developed with single-family uses. The property is within an Urban Growth Area. The proposal is subject to the development phasing overlay provisions of the SCC (Chapter 30.33C), which applies although repealed in December, 2005. The project was vested prior to the repeal. The Applicant will satisfy the requirements of the DPO by dedicating 20 feet of right-of-way along the parcel's frontage on the north side of 10th Street SE and by providing urban standard half-street improvements along the north side of 10th Street SE, all the way from the western property line to 79th Avenue SE. Construction of capacity improvements at the intersection of 20th Street SE and 79th Avenue SE, which will include a southbound right turn lane on 79th Avenue SE, an eastbound left turn lane on 20th Street SE and a traffic signal at the intersection shall have been completed or under construction prior to the issuance of any building permits. Twenty feet of right-of-way must be dedicated along 10th Street SE.
5. A Determination of Nonsignificance (DNS) for the proposal was issued on October 16, 2006. There was no appeal.
6. Applicant will pay impact fees for county roads, Transportation Demand Management, state roads, parks and schools.
7. Children will have safe walking conditions to the school bus stop on 10th Street SE on sidewalks provided on all streets, including 10th Street SE.
8. Any Finding of Fact in this Report and Decision, which should be deemed a Conclusion, is hereby adopted as such.

CONCLUSIONS of LAW:

1. The Examiner having fully reviewed the PDS staff report, hereby adopts said staff report as properly setting forth the issues, the land use requests, consistency with the existing regulations, policies, principles, conditions and their effect upon the request. It is therefore hereby adopted by the Examiner as a conclusion as if set forth in full herein, in order to avoid needless repetition. There are no changes to the recommendations of the staff report.
2. The decision criteria for approval of a subdivision are set forth in RCW 58.17.100-120 and require that the proposed plat conform to applicable zoning ordinances and comprehensive plan, and make appropriate provisions for the public health, safety and general welfare for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and other planning features including safe walking conditions for students.
3. Staff concludes that the proposed plat satisfies these criteria and the Examiner concurs. The plat should be approved, subject to the following Conditions to assure compliance with the statutory criteria:
4. Any Conclusion in this Report and Decision, which should be deemed a Finding of Fact, is hereby adopted as such.

DECISION:

The request for a Subdivision of 41 lots on 13.9 acres is hereby **CONDITIONALLY APPROVED**, subject to compliance by the applicant with the following conditions:

CONDITIONS:

- A. The preliminary plat, received by Planning and Development Services (PDS) on September 21, 2006 (Exhibit 15) shall be the approved plat. Changes to approved preliminary plats are governed by SCC 30.41A.330.
- B. Prior to initiation of any further site work, and/or prior to issuance of any development permits by the county;
 - i. The platlor shall mark with temporary markers in the field the boundary of all Native Growth Protection Areas (NGPA) required by Chapter 30.62 SCC, or the limits of the proposed site disturbance outside of the NGPA, using methods and materials acceptable to the county.
 - ii. A final detention pond landscape plan shall have been submitted to and approved by PDS. The plan shall be in conformance with Exhibit 7.
 - iii. A final mitigation plan based on the conceptual Critical Area Study for Burnstead Miller prepared by Wetland Resources, Inc. dated Revision #3 September 6, 2006 (Exhibit 18) shall be submitted for review and approval during the construction review phase of this project.
 - iv. The applicant shall have filed and recorded with the County Auditor a Concomitant Agreement (after it has been executed by the landowner(s) and executed by the County) that identifies the

required DPO Transportation improvements that the applicant has committed to construct (and/or any Alternative Technical Solutions mutually agreed to by the applicant and the county) and which identifies the timing, completion and financing of those improvements.

v. deleted¹

C. The following additional restrictions and/or items shall be indicated on the face of the final plat:

i. "The lots within this subdivision will be subject to school impact mitigation fees for the Lake Stevens School District to be determined by the certified amount within the Base Fee Schedule in effect at the time of building permit application, and to be collected prior to building permit issuance, in accordance with the provisions of SCC 30.66C.010. Credit shall be given for four existing parcels. Lots 1 through 4 shall receive credit."

ii. "The dwelling units within this development are subject to park impact fees in the amount of \$1,361.22 per single family unit as mitigation for impacts to the Centennial parks service area of the County parks system in accordance with SCC 30.66A. Payment of these mitigation fees is required prior to building permit issuance, provided that the building permit is issued by May 4, 2010 (5 years after the completeness date of the subject application). After this date, park impact fees shall be based upon the rate in effect at the time of building permit issuance."

iii. All Critical Areas shall be designated Native Growth Protection Areas (NGPA) (unless other agreements have been made) with the following language on the face of the plat;

"All NATIVE GROWTH PROTECTION AREAS shall be left permanently undisturbed in a substantially natural state. No clearing, grading, filling, building construction or placement, or road construction of any kind shall occur, except removal of hazardous trees. The activities as set forth in SCC 30.91N.010 are allowed when approved by the County."

iv. In accordance with SCC 30.66B.170 (6), and as offered in the applicant's letter of November 1, 2004, construction of capacity improvements at the intersection of 20th Street SE and 79th Avenue SE in order to remedy a level of service deficiency on arterial unit #385 (79th Avenue SE from 20th Street SE to 8th Street SE), which will include a southbound right turn lane on 79th Avenue SE, an eastbound left turn lane on 20th Street SE, and a traffic signal at the intersection shall have been completed or under contract prior to the issuance of any building permits and must be complete prior to approval for occupancy or final inspection.

v. Chapter 30.66B SCC requires the new lot mitigation payments in the amounts shown below for each single-family residential building permit:

\$3,225.09 per lot for mitigation of impacts on county roads paid to the county;

\$75.75 per lot for Transportation Demand Management (TDM) to be paid to the county for TSA A.

\$109.46 per lot for mitigation of impacts on DOT-08 (SR-9 at SR-2) paid to the county,

These payments are due prior to or at the time of each building permit issuance. Notice of these mitigation payments shall be contained in any deeds involving this subdivision, short subdivision

¹ Scrivener's error – Condition B.v. was eliminated by PDS at the Open Record Hearing

of the lots therein or binding site plan. Once building permits have been issued all mitigation payments shall be deemed paid by PDS.

- vi. 20 feet of right-of-way shall be dedicated to Snohomish County, parallel and adjoining the existing right-of-way along the parcel's frontage on the north side of 10th Street SE.
- vii. On lots with more than one road frontage, county Engineering Design and Development Standards (EDDS) restricts lot access to the minor road, unless the Department of Public Works grants a formal deviation.
- viii. "Your real property is within, adjacent to, or within 1,300 feet of designated farmland; therefore, you may be subject to inconveniences or discomforts arising from agricultural activities, including but not limited to noise, odors, fumes, dust, smoke, the operation of machinery of any kind (including aircraft), the storage and disposal of manure, the application by spraying or otherwise of chemical or organic fertilizers, soil amendments, herbicides and pesticides, hours of operation, and other agricultural activities.

Snohomish county has adopted Agricultural Lands Regulations (chapter 30.32B SCC) which may affect you and your land. You may obtain a copy of Chapter 30.32B SCC from Snohomish County.

A provision of chapter 30.32B SCC provides that "agricultural activities conducted on designated farmlands in compliance with acceptable agriculture practices and established prior to surrounding non-agricultural activities are presumed to be reasonable and shall not be found to constitute a nuisance unless the activities have a substantial adverse effect on the public health and safety."

This disclosure applies to the real property which is subject to a development or building permit as of the date of the development or building permit approval or, in the case of real property transfers, the disclosure applies to the subject property as of the date of the transfer. This disclosure may not be applicable thereafter if areas designated farmland are changed from the farmland designation.

Nothing in chapter 30.32B SCC shall affect or impair any right to sue for damages."

D. Prior to recording of the final plat:

- i. Urban standard frontage improvements shall be constructed along the property frontage on 10th Street SE, unless bonding of improvements is allowed by PDS, in which case construction is required prior to any occupancy of the development. [SCC 30.66B.410]
- ii. Urban standard offsite half-street improvements along the north side of 10th Street SE from the eastern property line eastward to 79th Avenue SE required by the DPO ordinance and/or any Alternative Technical Solutions mutually agreed to by the applicant and the county² shall either be constructed or bonded for. The improvements will include roadway widening, storm drainage, sidewalk, curb and gutter.

² Scrivener's error - Added by PDS at the Open Record Hearing

- iii. Native Growth Protection Area boundaries (NGPA) shall have been permanently marked on the site prior to final inspection by the county, with both NGPA signs and adjacent markers which can be magnetically located (e.g.: rebar, pipe, 20 penny nails, etc.). The platlor may use other permanent methods and materials provided they are first approved by the county. Where an NGPA boundary crosses another boundary (e.g.: lot, tract, plat, road, etc.), a rebar marker with surveyors' cap and license number must be placed at the line crossing.

NGPA signs shall have been placed no greater than 100 feet apart around the perimeter of the NGPA. Minimum placement shall include one Type 1 sign per wetland, and at least one Type 1 sign shall be placed in any lot that borders the NGPA, unless otherwise approved by the county biologist. The design and proposed locations for the NGPA signs shall be submitted to the Land Use Division for review and approval prior to installation.

- iv. The final mitigation plan shall be completely implemented.
- v. The detention pond landscaping shall be installed, inspected and approved.

E. Prior to occupancy of any unit in the development:

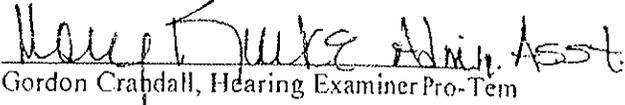
- i. The applicant shall provide a maintenance bond for required landscape improvements, in an amount and form satisfactory to PDS.

Nothing in this permit/approval excuses the applicant, owner, lessee, agent, successor or assigns from compliance with any other federal, state or local statutes, ordinances or regulations applicable to this project.

Preliminary plats which are approved by the county are valid for five (5) years from the date of approval and must be recorded within that time period unless an extension has been properly requested and granted pursuant to SCC 30.41A.

Decision issued this 8th day of January, 2007.

Corrected decision issued this 22nd day of January, 2007


Gordon Crahdall, Hearing Examiner Pro-Tem

EXPLANATION OF RECONSIDERATION AND APPEAL PROCEDURES

The decision of the Hearing Examiner is final and conclusive with right of appeal to the County Council. However, reconsideration by the Examiner may also be sought by one or more parties of record. The following paragraphs summarize the reconsideration and appeal processes. For more information about reconsideration and appeal procedures, please see Chapter 30.72 SCC and the respective Examiner and Council Rules of Procedure.

Reconsideration

Any party of record may request reconsideration by the Examiner. A petition for reconsideration must be filed in writing with the Office of the Hearing Examiner, 2nd Floor, County Administration-East Building, 3000 Rockefeller Avenue, Everett, Washington, (Mailing Address: M/S #405, 3000 Rockefeller Avenue, Everett WA 98201) on or before January 18, 2007. There is no fee for filing a petition for reconsideration. **“The petitioner for reconsideration shall mail or otherwise provide a copy of the petition for reconsideration to all parties of record on the date of filing.”** [SCC 30.72.065]

A petition for reconsideration does not have to be in a special form but must: contain the name, mailing address and daytime telephone number of the petitioner, together with the signature of the petitioner or of the petitioner's attorney, if any; identify the specific findings, conclusions, actions and/or conditions for which reconsideration is requested; state the relief requested; and, where applicable, identify the specific nature of any newly discovered evidence and/or changes proposed by the applicant.

The grounds for seeking reconsideration are limited to the following:

- (a) The Hearing Examiner exceeded the Hearing Examiner's jurisdiction;
- (b) The Hearing Examiner failed to follow the applicable procedure in reaching the Hearing Examiner's decision;
- (c) The Hearing Examiner committed an error of law;
- (d) The Hearing Examiner's findings, conclusions and/or conditions are not supported by the record;
- (e) New evidence which could not reasonably have been produced and which is material to the decision is discovered; or
- (f) The applicant proposed changes to the application in response to deficiencies identified in the decision.

Petitions for reconsideration will be processed and considered by the Hearing Examiner pursuant to the provisions of SCC 30.72.065. Please include the County file number in any correspondence regarding this case.

Appeal

An appeal to the County Council may be filed by any aggrieved party of record. Where the reconsideration process of SCC 30.72.065 has been invoked, no appeal may be filed until the reconsideration petition has been disposed of by the hearing examiner. An aggrieved party need not file a petition for reconsideration but may file an appeal directly to the County Council. If a petition for reconsideration is filed, issues subsequently raised by that party on appeal to the County Council shall be limited to those issues raised in the petition for reconsideration. Appeals shall be addressed to the Snohomish County Council but shall be filed in writing with the Department of Planning and Development Services, 2nd Floor, County Administration-East Building, 3000 Rockefeller Avenue, Everett, Washington (Mailing address: M/S #604, 3000 Rockefeller Avenue, Everett, WA 98201) on or before January 22, 2007 and shall be accompanied by a filing fee in the amount of five hundred dollars (\$500.00); PROVIDED, that the filing fee shall not be charged to a department of the County or to other than the first appellant; and PROVIDED FURTHER, that the filing fee shall be refunded in any case where an appeal is dismissed without hearing because of untimely filing, lack of standing, lack of jurisdiction or other procedural defect. [SCC 30.72.070]

An appeal must contain the following items in order to be complete: a detailed statement of the grounds for appeal; a detailed statement of the facts upon which the appeal is based, including citations to specific Hearing Examiner findings, conclusions, exhibits or oral testimony; written arguments in support of the appeal; the name, mailing address and daytime telephone number of each appellant, together with the signature of at least one of the appellants or of the attorney for the appellant(s), if any; the name, mailing address, daytime telephone number and signature of the appellant's agent or representative, if any; and the required filing fee.

The grounds for filing an appeal shall be limited to the following:

- (a) The decision exceeded the Hearing Examiner's jurisdiction;
- (b) The Hearing Examiner failed to follow the applicable procedure in reaching his decision;
- (c) The Hearing Examiner committed an error of law; or
- (d) The Hearing Examiner's findings, conclusions and/or conditions are not supported by substantial evidence in the record. [SCC 30.72.080]

Appeals will be processed and considered by the County Council pursuant to the provisions of Chapter 30.72 SCC. Please include the County file number in any correspondence regarding the case.

Staff Distribution:

Department of Planning and Development Services: Monica McLaughlin/Ann Goetz

The following statement is provided pursuant to RCW 36.70B.130: "Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation." A copy of this Decision is being provided to the Snohomish County Assessor as required by RCW 36.70B.130.

PARTIES OF RECORD REGISTER
4 118541 SD MILLER PROPERTY
IRG: 12/14/06
4118541 KW

BURNSTEAD CONSTRUCTION
TIFFINY BROWN
1215 120TH AVE NE #201
BELLEVUE WA 98005

SNO CO PUD NO 1
DEAN SAKSENA
PO BOX 1107
EVERETT WA 98206-1107

WA ST DEPT OF TRANSPORTATION
SAMIN PAZOOKI
PO BOX 330310
SEATTLE WA 98133-9710

STILLAGUAMISH TRIBE
VICTORIA YEAGER
PO BOX 277
ARLINGTON WA 98223-0277

SNOHOMISH HEALTH DIST
BRENT RAASINA
3020 RUCKER AVE SUITE 104
EVERETT WA 98201-3900

SNO CO PLANNING & DEVEL SVCS
MONICA MCLAUGHLIN/ANN GOETZ
1000 ROCKEFELLER AVE M/S 604
EVERETT WA 98201

TRANS ENGINEERING NW
JEFF SCHRAMM
16625 REDMOND WAYSUITE M PMB
323
REDMOND WA 98052

SNO CO PUD WATER
LAURIE WADE
PO BOX 1107
EVERETT WA 98201

LK STEVENS SCHOOL DIST
ROBB STANTON
12309 22ND ST NE
LAKE STEVENS WA 98258-9500

LK STEVENS SEWER DIST
DARWIN SMITH
1106 VERNON RD SUITE A
LAKE STEVENS WA 98258

LOZIER HOMES
JENNIFER MCCALL
1203 114TH AVE SE
BELLEVUE WA 98004

BARBARA BEEDLE
SARI & ROBERT CROOK 604 79TH
AVE SE
EVERETT WA 98205

JOHN DICKEY
7718 SR 204
EVERETT WA 98205



MEMORANDUM

DATE: June 4, 2012
TO: Mike Behn, Quadrant Homes
FROM: Jeff Schramm, TENW
SUBJECT: Supplemental Traffic Analysis
SONTERRA – LAKE STEVENS, WA
TENW Project No. 4597

RECEIVED
JUN 08 2012
CITY OF LAKE STEVENS

The purpose of this memorandum is to summarize the supplemental traffic analysis conducted for the proposed Sonterra project in the City of Lake Stevens. A previous traffic study for this site, called the Miller Property (41 single family lots), was completed in April 2005 when this site was located in unincorporated Snohomish County. Since that time, the property has been annexed into the City of Lake Stevens. The project name has changed to Sonterra, and the project proposal now includes 44 single-family lots.

An interlocal agreement (IIA) between the City of Lake Stevens and Snohomish County concerning annexation and urban development within the Lake Stevens Urban Grown Boundary applies to this property. Section 8.4 of the IIA regarding traffic mitigation requires the City and County to mutually enforce traffic mitigation ordinances and policies. Based on this IIA, this Supplemental Traffic Analysis has been prepared to update the trip generation and traffic mitigation for the 44-lot Sonterra project now located within the City of Lake Stevens.

Project Description

The Sonterra development includes 44 single-family lots located north of 10th Street SE east of SR-204 in the City of Lake Stevens. Vehicular access is proposed onto 10th Street SE, which provides access to SR-204 and 79th Ave SE. A vicinity map is shown in Figure 1 and a site plan in Figure 2.

Trip Generation

The previous 2005 Miller Property Traffic Study proposed 41 single-family lots. The number of lots for the Sonterra proposal has increased to 44. The updated trip generation, as shown in Table 1, was based on average rate equations documented in the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 8th Edition (LUC 210 Single-Family Detached Housing). The 3 added lots would increase the daily trip generation by 31 trips, and add 3 new PM peak hour trips.

Table 1
Sonterra – Updated Trip Generation Summary

Time Period	Trip Rate	In	Out	Total
Daily	9.57	210	211	421
AM Peak Hour	0.75	8	25	33
PM Peak Hour	1.01	28	16	44

FILE COPY

L4 2012-15

Trip Distribution & Assignment

The distribution of project-generated traffic was based on the previous 2005 TIA for the Miller Property. Figure 3 illustrates the anticipated trip distribution of project-generated trips in the study area for the Daily and PM peak hour. Based on these distribution patterns, the assignment of Daily and PM peak hour trips on WSDOT State highway systems that are impacted by 3 or more PM peak hour trips are illustrated in Figures 4 and 5 and also provided in Tables 2 and 3 below. Note that the daily and PM peak hour project-generated traffic in Tables 2 and 3 and Figures 4 and 5 are illustrated for the County’s Key Intersections at the time of the 2005 TIA.

Table 2
Sonterra – Daily Project Trip Assignment

Int. ID#	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
120	0	0	0	2	0	0	0	17	2	0	17	0
119	0	0	0	0	0	0	0	17	0	0	17	0
147	0	0	0	0	0	0	0	27	0	0	27	0
289	84	0	0	15	84	6	0	15	0	6	0	0
294	0	13	27	0	13	0	27	0	0	0	0	0
311	0	0	0	0	0	2	0	25	0	2	25	0
434	19	15	0	15	0	0	0	0	0	0	19	0
368	0	34	0	0	0	0	0	0	0	0	0	0
380	4	34	11	0	0	0	0	0	0	0	4	0
399	0	0	0	0	0	49	0	0	99	0	0	0
420	0	0	0	0	0	0	0	27	0	0	27	0

Note: EBL = Eastbound Left, EBT = Eastbound Through, EBR = Eastbound Right, etc.

Table 3
Sonterra – PM Peak Hour Project Trip Assignment

Int. ID#	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
120	0	0	0	0	0	0	0	1	0	0	2	0
119	0	0	0	0	0	0	0	1	0	0	2	0
147	0	0	0	0	0	0	0	3	0	0	2	0
289	11	0	0	1	6	1	0	2	0	1	0	0
294	0	1	2	0	2	0	3	0	0	0	0	0
311	0	0	0	0	0	0	0	3	0	0	2	0
434	1	1	0	2	0	0	0	0	0	0	2	0
368	0	2	0	0	0	0	0	0	0	0	0	0
380	0	2	1	0	0	0	0	0	0	0	0	0
399	0	0	0	0	0	3	0	0	13	0	0	0
420	0	0	0	0	0	0	0	3	0	0	2	0

Note: EBL = Eastbound Left, EBT = Eastbound Through, EBR = Eastbound Right, etc.

Intersection LOS

Consistent with the previous 2005 TIA, WSDOT required PM peak hour level of service analyses at intersections impacted by 10 or more PM peak hour project trips. Based on the anticipated trip distribution patterns, and the 44 PM peak hour trip generation for Sonterra, only intersection #399 at SR-204/10th Street SE would be impacted by 10 or more PM peak hour trips; and this intersection limits left-turn movements so only right-turning project trips would be generated here. It should also be noted that intersection #289 at 20th Street SE and SR-204 is impacted by more than 10 PM peak hour trips, but trips from eastbound SR-2 to northbound SR-204 are grade-separated from the intersection with 20th Street SE.

Access Analysis

The proposed Sonterra development would not create a new access onto a State Highway. Access for the proposed 44 single-family lots would be provided, as shown in Figure 2, via the new roads 77th Avenue SE and 77th Avenue SE that are proposed as part of the Sonterra development.

City Mitigation

Previously as part of the 2005 TIA for this project, traffic impact fees were based on Snohomish County Code 30.66B.330 Fee Schedule for a residential development located within TSA B and inside the Lake Stevens Urban Growth Area, resulting in a unit cost of \$337 per ADT. For this traffic analysis supplement, the 421 ADT generated by the proposed 44-lot Sonterra development would result in a traffic mitigation fee of \$141,877 (\$337 x 421 ADT).

WSDOT Mitigation

For the previous 2005 Miller Property Traffic Study, mitigation for impacts to WSDOT highway facilities was based on payment of a fair share contribution to WSDOT consistent with the IIA between Snohomish County and WSDOT. Currently there is no IIA between the City of Lake Stevens and WSDOT so there is no mechanism by which to mitigation for impacts to WSDOT facilities.

Summary

The previous 2005 Miller Property Traffic Study proposed 41 single-family lots; the number of lots has recently increased to 44 as part of this Sonterra proposal. While the 3 added lots would increase the daily trip generation by 31 trips, and add 3 new PM peak hour trips, no new transportation impacts are anticipated. Since the property has recently been annexed into the City of Lake Stevens, section 8.4 of the City-County IIA requires the City and County to mutually enforce traffic mitigation ordinances and policies. Based on this IIA, the following transportation impact fees have been identified to mitigate impacts of the proposed 44-lot Sonterra development:

- The 421 ADT generated by Sonterra would result in a traffic mitigation fee of \$141,877 ($\337×421 ADT) to the City, which is based on the County's traffic mitigation methodology.
- There is no IIA between the City of Lake Stevens and WSDOT so there is no mechanism by which to collect mitigation for impacts to WSDOT facilities.

Attachments: Figure 1 -- Vicinity Map
Figure 2 -- Site Plan Concept
Figure 3 -- Trip Distribution
Figure 4 -- Daily Trip Assignment
Figure 5 -- PM Peak Hour Trip Assignment

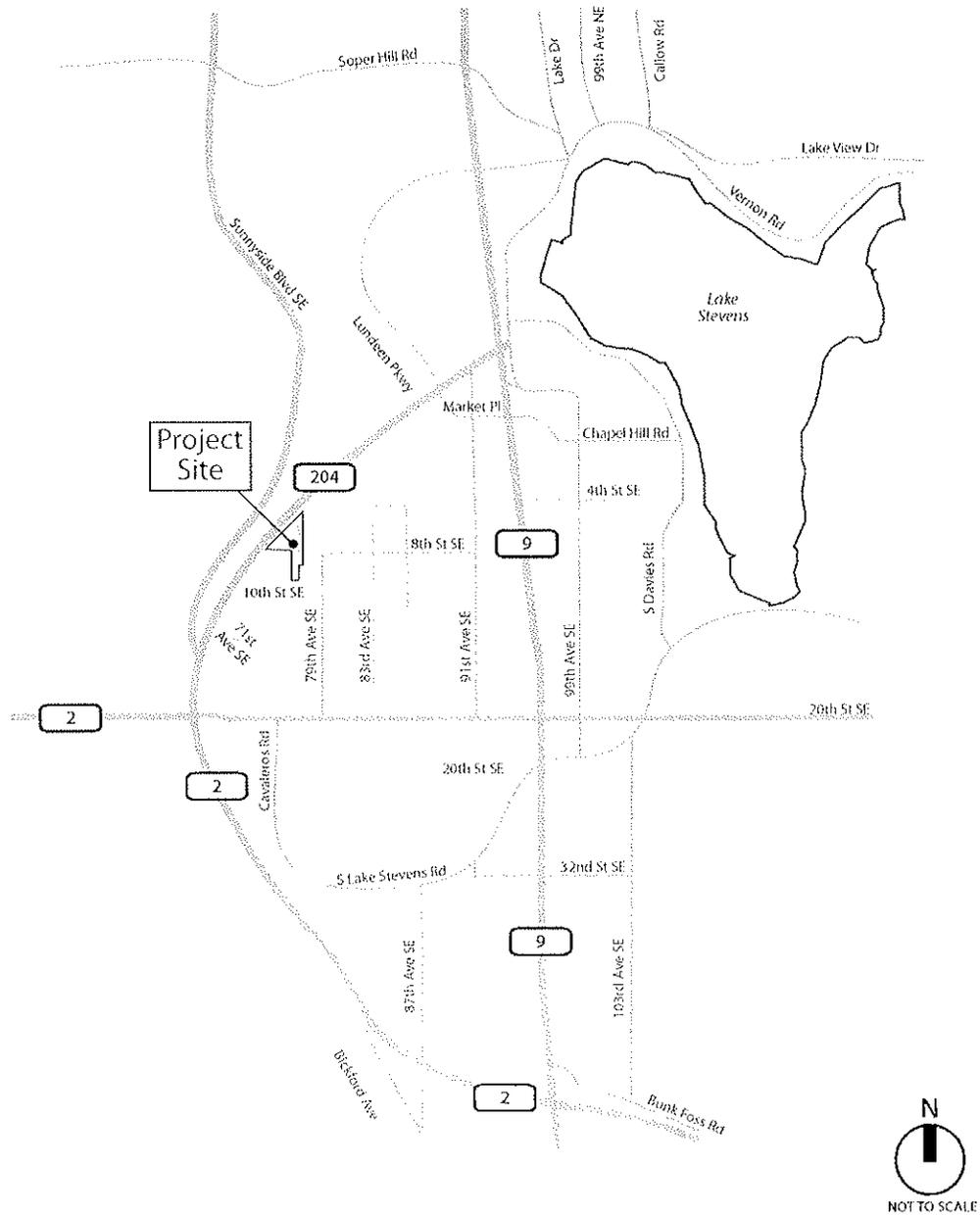
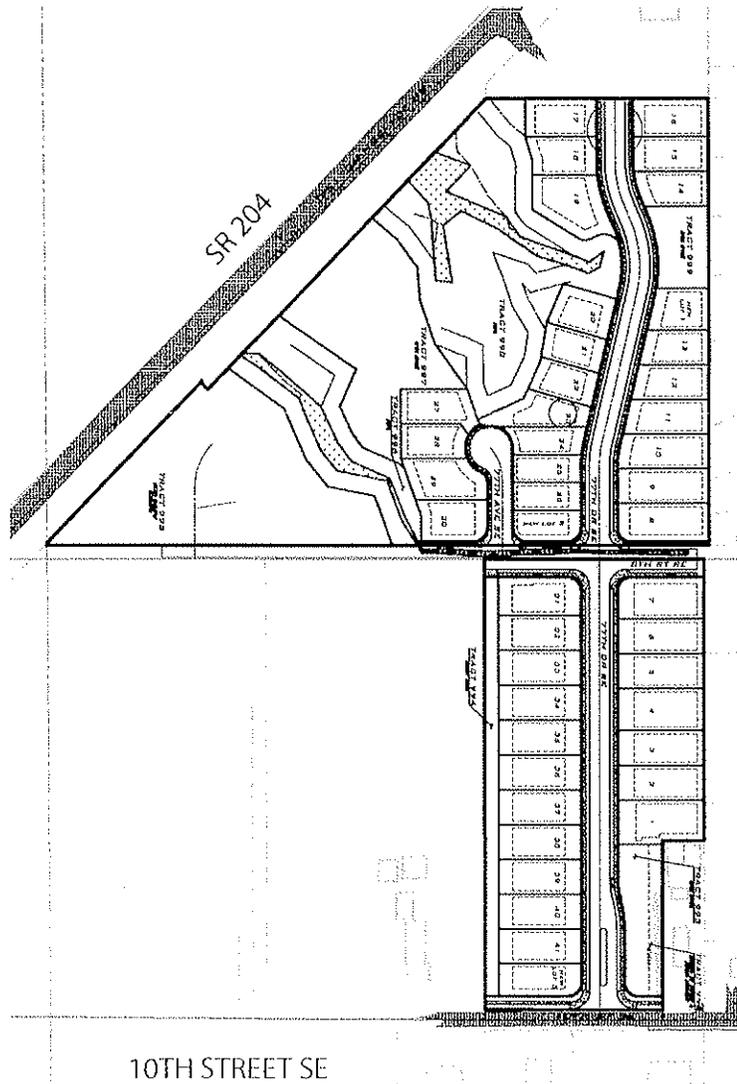


Figure 1: Vicinity Map



Preliminary site plan provided by The Blueline Group May 30, 2012.

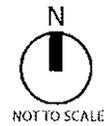


Figure 2: Preliminary Site Plan

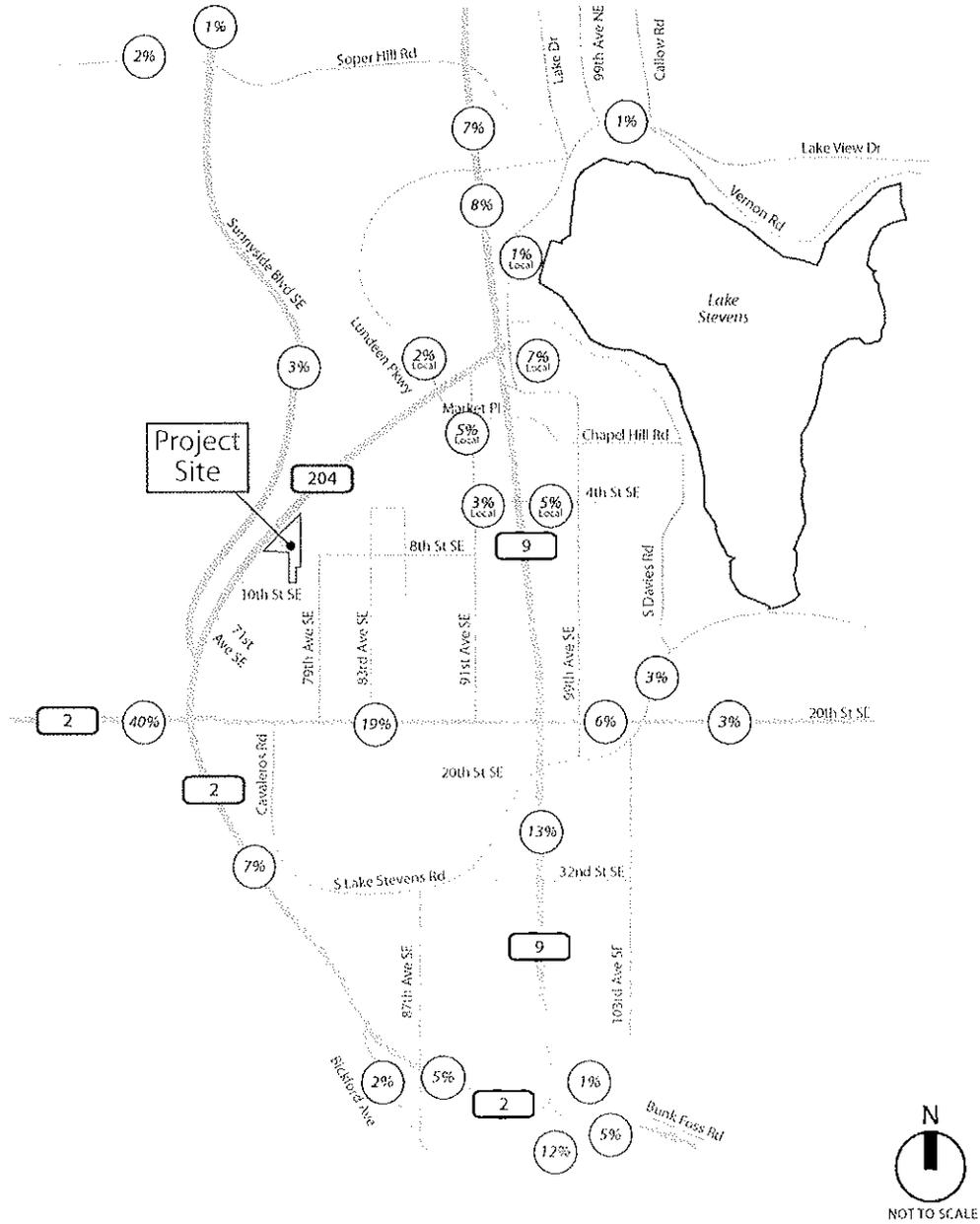


Figure 3: Project Trip Distribution

Memorandum – Sonterra Supplemental Traffic Analysis

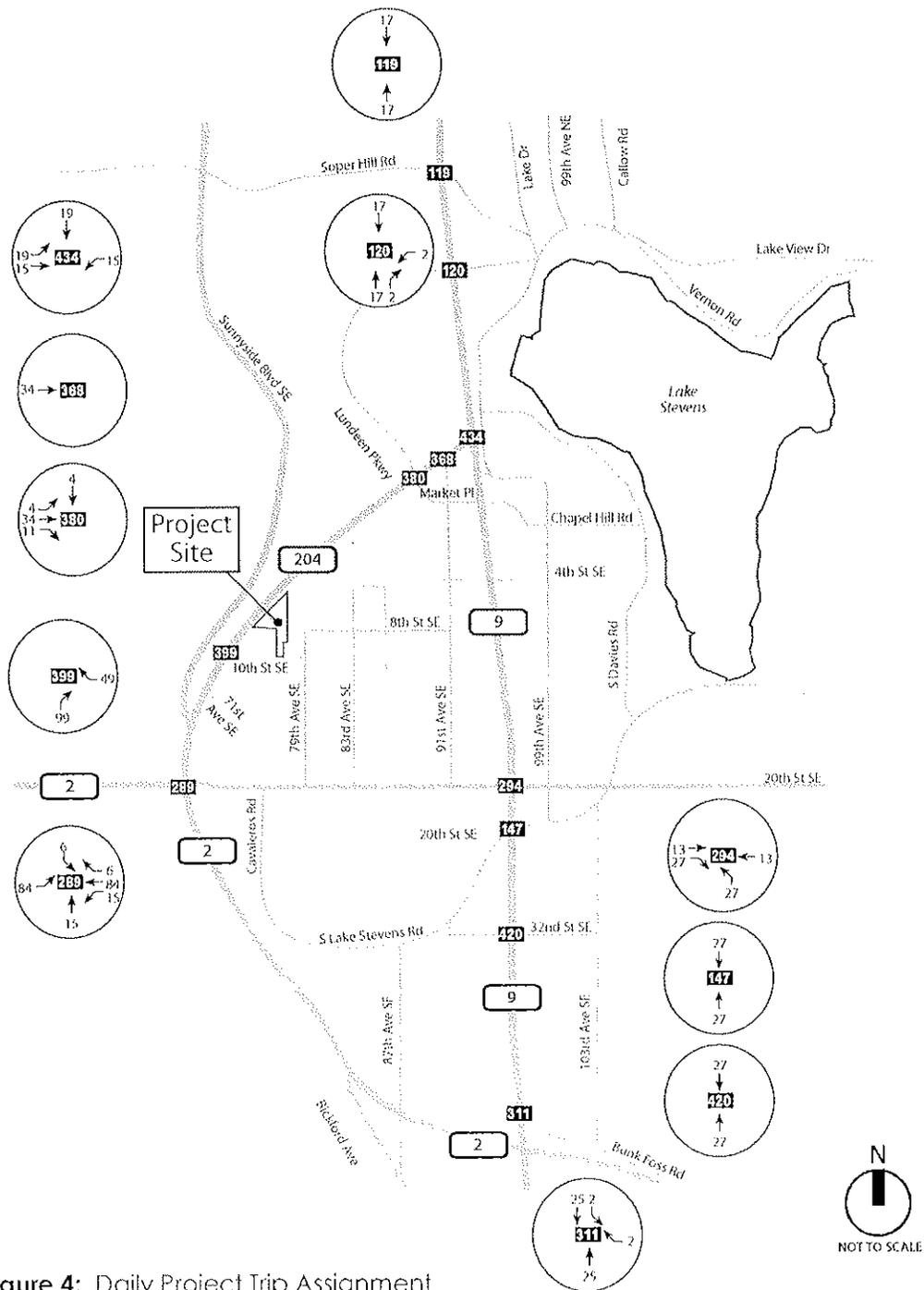


Figure 4: Daily Project Trip Assignment

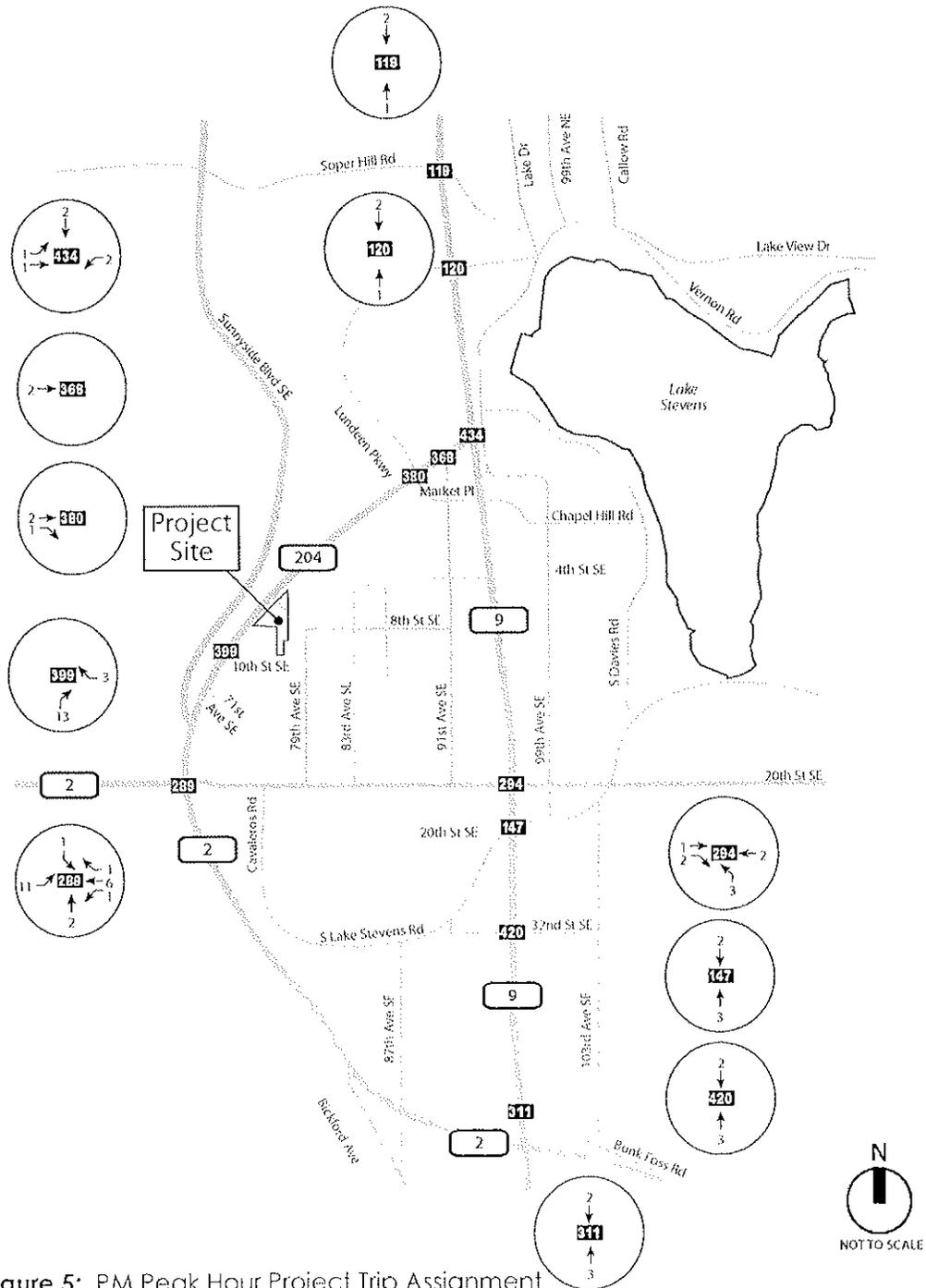


Figure 5: PM Peak Hour Project Trip Assignment

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JUN 08 2012
CITY OF LAKE STEVENS

Pond Landscaping Revision Proposal

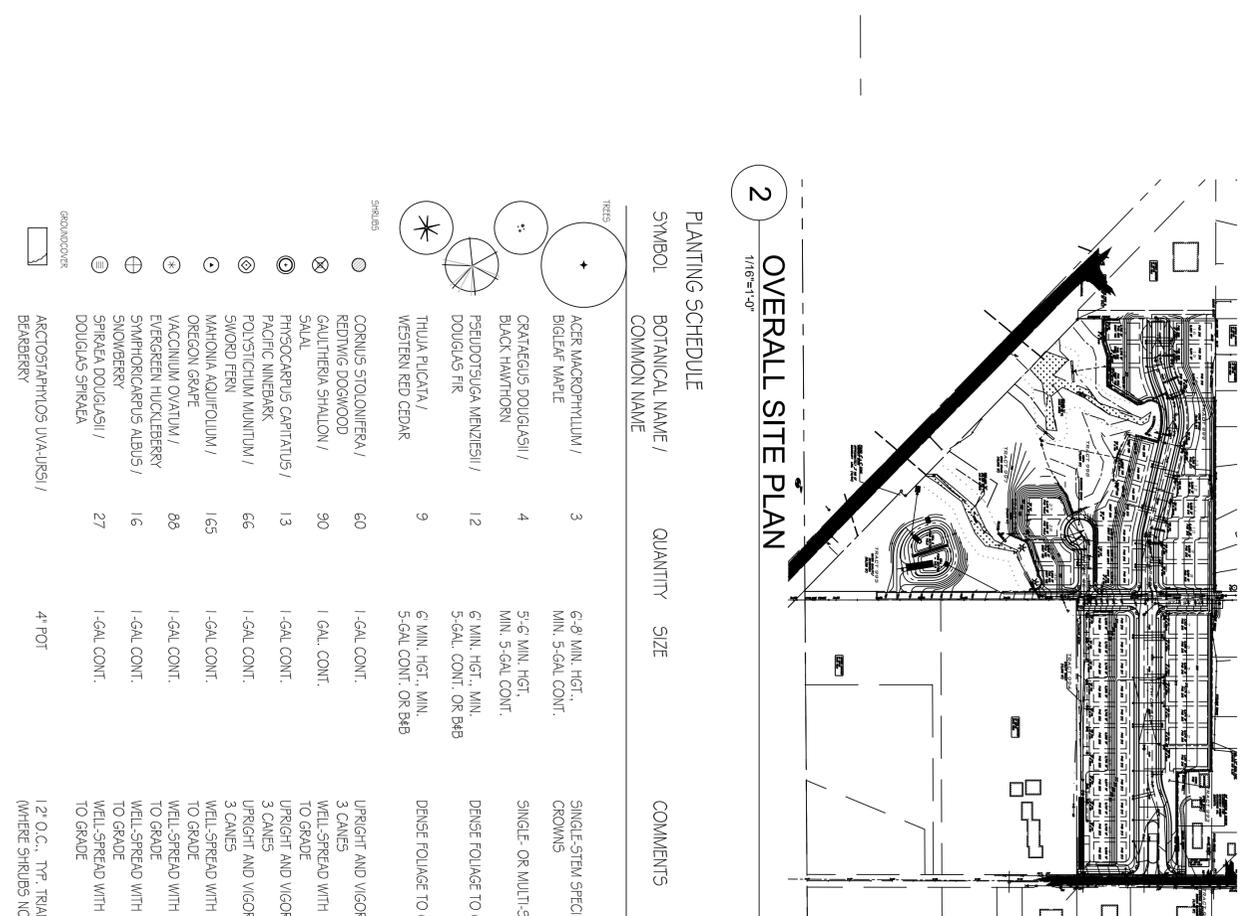
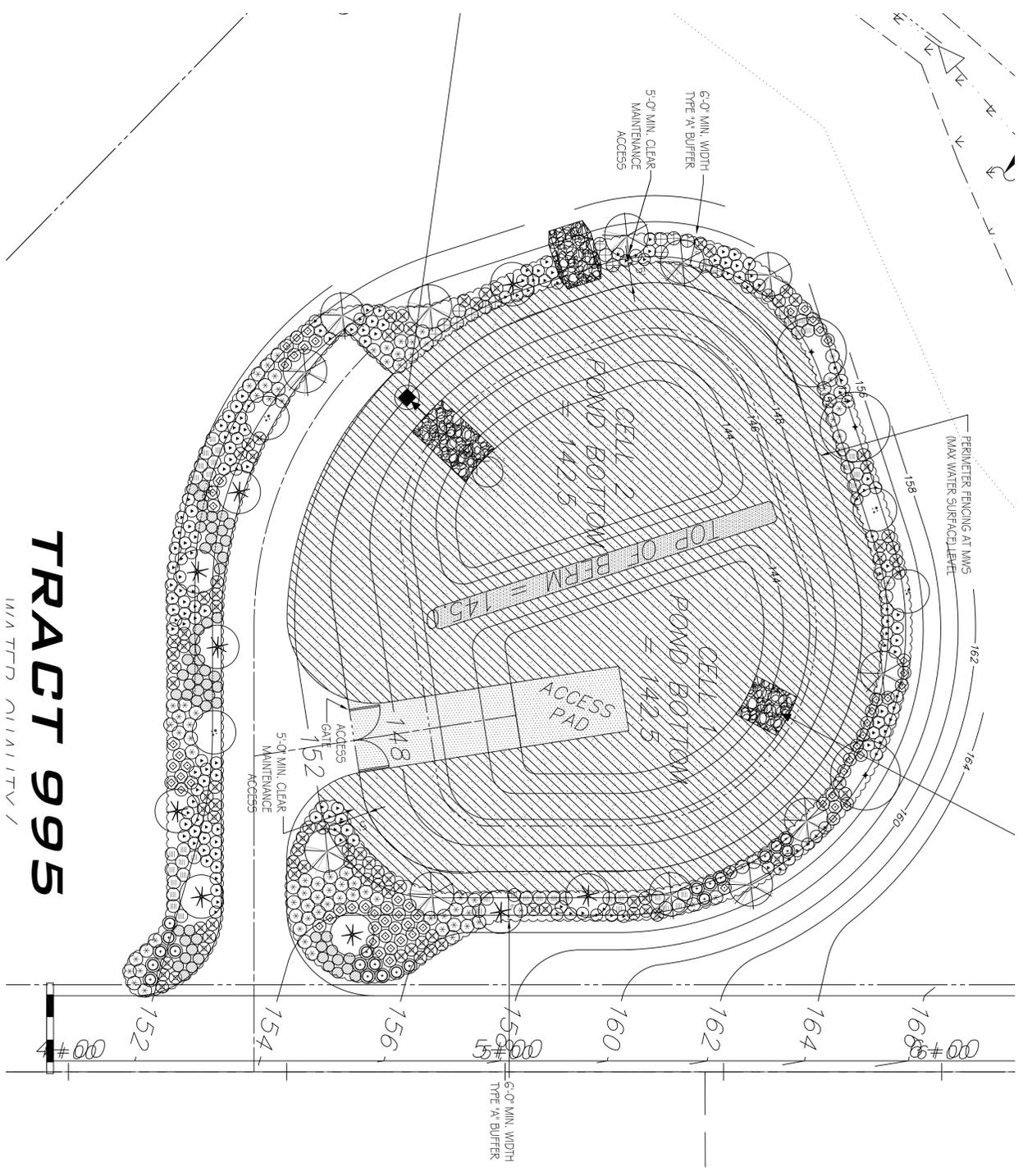
As a part of the Sonterra plat alteration, we request a modification to the approved pond landscaping plan.

Per Snohomish County Code (SCC 30.25.023), the Sonterra plat is required to provide a landscape buffer around the storm pond. Specifically, SCC 30.25.023(3) states that, "Where perimeter fencing of a detention facility is required, Type A landscaping at least six feet in height and six feet in width shall be installed at least five feet from the fence in order to create a maintenance access pathway." Type A landscaping is defined in SCC 30.25.017 with these specific performance standards (a general performance standard, number 6 in the table within the code, addresses general landscaping requirements and is not discussed here):

Performance Standard:	Create a dense sight barrier between uses and zones
1. Tree mixture	At least 75 percent evergreen with a variety of species required and up to 25 percent deciduous.
2. Tree planting pattern	Approximately 20 feet on center in triangular or offset pattern.
3. Shrub mixture	At least 75 percent evergreen with a variety of species required and up to 25 percent deciduous.
4. Shrub planting pattern	Approximately three feet on center in triangular or offset pattern
5. Groundcover	Evergreen planted 12 inches on center in a triangular pattern

The attached proposed landscape plan revises the original plan to more strictly meet the performance criteria. We believe the revision is appropriate due to the surrounding land uses (SR-204 to the north and west, wetland buffer to the east, and two single-family 2.5-acre parcels to the south) that are mostly less-sensitive to visual impacts. Additionally, sight-lines to the pond area are limited due to existing topography and the manner in which the pond is built into the hillside.

The width of the buffer has been reduced to 6' to meet SCC 30.25.023, although it is double that width and more at the entrance and along the south of the pond access road to address the most exposed area of the pond. The shrub and tree spacing has been adjusted to meet the code – plants species are 3:1 evergreens versus deciduous with trees planted 20' on center and shrubs 3' on center. Groundcover would be planted 12" on center. Finally, all plantings are proposed to be at least 5' off of the pond fence for maintenance access as requested.



PLANTING SCHEDULE	PLANTING SCHEDULE	PLANTING SCHEDULE
SYMBOL	BOTANICAL NAME / COMMON NAME	QUANTITY SIZE COMMENTS
	ACER MACROPHYLLUM /	3 6-8" MIN. HGT., MIN. 5-GAL CONT. SINGLE- OR MULTI-STEM SPECIMENS WITH FULL CROWNS
	CRATAEGUS DOUGLASII /	4 5-6" MIN. HGT., MIN. 5-GAL CONT. SINGLE- OR MULTI-STEM SPECIMENS
	PSUEDOTSUGA WENZLERI /	12 6" MIN. HGT., MIN. 5-GAL. CONT. OR B&B DENSE FOLIAGE TO CENTER
	THUJA PLICATA /	9 6" MIN. HGT., MIN. 5-GAL. CONT. OR B&B DENSE FOLIAGE TO CENTER
	CORNUS STOLONIFERA /	60 1-GAL. CONT. UPRIGHT AND VIGOROUS, W/MIN. 3 CANES
	GAUTHERA SPALDONI /	90 1 GAL. CONT. WELL-SPREAD WITH FULL FOLIAGE TO GRADE
	PHYSOCARPUS OPULIFOLIUS /	13 1-GAL. CONT. UPRIGHT AND VIGOROUS, W/MIN. 3 CANES
	POLYSTICHUM MUNIUM /	66 1-GAL. CONT. UPRIGHT AND VIGOROUS, W/MIN. 3 CANES
	MAHONIA AQUIFOLIUM /	165 1-GAL. CONT. WELL-SPREAD WITH FULL FOLIAGE TO GRADE
	VACCINIUM OVATUM /	88 1-GAL. CONT. WELL-SPREAD WITH FULL FOLIAGE TO GRADE
	EVERGREEN HUCKLEBERRY	16 1-GAL. CONT. WELL-SPREAD WITH FULL FOLIAGE TO GRADE
	SYMPHORICARPOS ALBUS /	16 1-GAL. CONT. WELL-SPREAD WITH FULL FOLIAGE TO GRADE
	SPIRAEA DOUGLASII /	27 1-GAL. CONT. WELL-SPREAD WITH FULL FOLIAGE TO GRADE
	DOUGLAS SPRUCE	4" POT
	ARCTOSTAPHYLOS UVA-URSI /	4" POT
	BEARBERRY	12 O.C., TRP. TRIANGULAR SPACING (WHERE SHRUBS NOT PLANTED)

SEED BEDS
GROUP CODES

BREAK GROUP, INC. FRESHWATER WETLAND SEED MIX.
1-800-635-TURF, SEED AT RATE RECOMMENDED BY SUPPLIER

12" O.C., TRP. TRIANGULAR SPACING (WHERE SHRUBS NOT PLANTED)

SONTERRA
SNOHOMISH COUNTY, WA
FOR BURNSTEAD CONSTRUCTION

STATE OF WASHINGTON
REGISTERED LANDSCAPE ARCHITECT
DAVID STUART ANDREWS
CERTIFICATE NO. 439

andrews
LANDSCAPE ARCHITECTS

1 DETENTION POND PLANTING PLAN

TRAJECT 995



SEED BEDS
GROUP CODES

12" O.C., TRP. TRIANGULAR SPACING (WHERE SHRUBS NOT PLANTED)

SONTERRA
SNOHOMISH COUNTY, WA
FOR BURNSTEAD CONSTRUCTION

STATE OF WASHINGTON
REGISTERED LANDSCAPE ARCHITECT
DAVID STUART ANDREWS
CERTIFICATE NO. 439

andrews
LANDSCAPE ARCHITECTS

1 SHRUB PLANTING

TRAJECT 995



SEED BEDS
GROUP CODES

12" O.C., TRP. TRIANGULAR SPACING (WHERE SHRUBS NOT PLANTED)

SONTERRA
SNOHOMISH COUNTY, WA
FOR BURNSTEAD CONSTRUCTION

STATE OF WASHINGTON
REGISTERED LANDSCAPE ARCHITECT
DAVID STUART ANDREWS
CERTIFICATE NO. 439

andrews
LANDSCAPE ARCHITECTS

2 TREE PLANTING

TRAJECT 995



SEED BEDS
GROUP CODES

12" O.C., TRP. TRIANGULAR SPACING (WHERE SHRUBS NOT PLANTED)

SONTERRA
SNOHOMISH COUNTY, WA
FOR BURNSTEAD CONSTRUCTION

STATE OF WASHINGTON
REGISTERED LANDSCAPE ARCHITECT
DAVID STUART ANDREWS
CERTIFICATE NO. 439

andrews
LANDSCAPE ARCHITECTS

3 EVERGREEN PLANTING

TRAJECT 995



SEED BEDS
GROUP CODES

12" O.C., TRP. TRIANGULAR SPACING (WHERE SHRUBS NOT PLANTED)

SONTERRA
SNOHOMISH COUNTY, WA
FOR BURNSTEAD CONSTRUCTION

STATE OF WASHINGTON
REGISTERED LANDSCAPE ARCHITECT
DAVID STUART ANDREWS
CERTIFICATE NO. 439

andrews
LANDSCAPE ARCHITECTS

1 SHRUB PLANTING

TRAJECT 995



SEED BEDS
GROUP CODES

12" O.C., TRP. TRIANGULAR SPACING (WHERE SHRUBS NOT PLANTED)

SONTERRA
SNOHOMISH COUNTY, WA
FOR BURNSTEAD CONSTRUCTION

STATE OF WASHINGTON
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CERTIFICATE NO. 439

andrews
LANDSCAPE ARCHITECTS

2 TREE PLANTING

TRAJECT 995



SEED BEDS
GROUP CODES

12" O.C., TRP. TRIANGULAR SPACING (WHERE SHRUBS NOT PLANTED)

SONTERRA
SNOHOMISH COUNTY, WA
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SEED BEDS
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12" O.C., TRP. TRIANGULAR SPACING (WHERE SHRUBS NOT PLANTED)

SONTERRA
SNOHOMISH COUNTY, WA
FOR BURNSTEAD CONSTRUCTION

STATE OF WASHINGTON
REGISTERED LANDSCAPE ARCHITECT
DAVID STUART ANDREWS
CERTIFICATE NO. 439

andrews
LANDSCAPE ARCHITECTS



PUBLIC WORKS DEPARTMENT
1812 Main Street
Lake Stevens, WA 98258
(425) 212-3313

MEMORANDUM

DATE: September 14, 2012
TO: File
FROM: Yoshihiro Monzaki, P.E.
SUBJECT: Permit No. CP2012-1, Sonterra, 10th Street SE

The following Public Works review comments are based on the drawings submitted for the Sonterra Project date stamped received on September 14, 2012. This project was submitted previously to Snohomish County for permit review.

Approve the plans subject to the following conditions

1. Performance bond (\$298,648.65) must be submitted prior to the preconstruction meeting.
2. Preconstruction meeting must be scheduled prior to the start of construction.
3. Maintenance bond (\$39,819.82) must be submitted after final site inspection and approval.
4. Record drawings and maintenance bond must be submitted prior to the release of the performance bond.

If you have questions regarding these comments, please contact me at (425) 212-3313 or at ymonzaki@lakestevenswa.gov.

RECEIVED
 JUN 17 2013
 CITY OF LAKE STEVENS



Planning and Community Development
 1812 Main Street, P O Box 257
 Lake Stevens WA 98258
 Phone Number (425) 377-3235

To Be Completed By Staff	
Date of Application:	<u>6-17-13</u>
Staff Initials:	<u>JLE</u>
Permit Number:	<u>LUH 2013-0067</u>

**TYPE IV, V AND VI - COUNCIL DECISIONS
 LAND USE DEVELOPMENT APPLICATION**

CHECK ONE		
<p>TYPE IV – Quasi-judicial</p> <p><input type="checkbox"/> Essential Public Facility</p> <p><input type="checkbox"/> Planned Neighborhood Development</p> <p><input type="checkbox"/> Rezone – Site Specific Zoning Map Amendment</p> <p><input type="checkbox"/> Secure Community Transition Facility</p> <p><input checked="" type="checkbox"/> Type IV Other: Final Plat _____</p>	<p>TYPE V – Quasi-judicial</p> <p><input type="checkbox"/> Plat Alteration</p> <p><input type="checkbox"/> Plat Vacation</p> <p><input type="checkbox"/> Right-of-Way Vacation</p> <p><input type="checkbox"/> Type V Other: _____</p>	<p>TYPE VI – Legislative</p> <p><input type="checkbox"/> Comprehensive Plan Amendment, Map and Text</p> <p><input type="checkbox"/> Land Use Code Amendment</p> <p><input type="checkbox"/> Type VI Other: _____</p>
<p>ARE ANY LOWER LEVEL PERMITS REQUIRED? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Describe: _____</p>		

Property Information	Site Address: 77xx 10th St. SE			
	Assessor Parcel No: 00431400600201	Area of property	Square Feet: 603883	Acres: 13.63
	Land Use Designation: Medium Density Res		Zoning: Urban Residential	
	Number of Buildings on Site/: 0		Number to be Retained: 0	
	Existing Impervious Surface Area: 0		Proposed Impervious Surface Area:	
Applicant	Name/Company: The Quadrant Corporation			
	Address: 14725 SE 36th ST		City/State/Zip: Bellevue, WA 98006	
	Phone: 425-452-6563		Applicants relationship to owner: Same	
	Fax: 253-928-1693		Email:	
Primary Contact	Name/Company: Mike Behn/The Quadrant Corporation			
	Address: same		City/State/Zip: same	
	Phone: same		Email: mike.behn@quadranthomes.com	
	Fax: same			

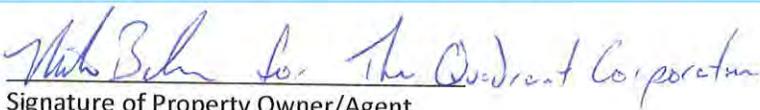
Property Owner	Name/Company: same as applicant				
	Address:		City/State/Zip:		
	Phone:		Email:		
	Fax:				
Project Description	Grading Quantities		Cut: 1000		Fill: 1000
	Proposed project/land use (attach additional sheets if necessary):				
	Sonterra is a 44-lot detached single-family development. Plat infrastructure has been completed				
	and the project is ready for final plat.				
Building Information	Gross Floor Area of Existing and Proposed Buildings:				
	Bldg 1:	Bldg: 2	Bldg 3:	Bldg 4:	Bldg 5:
	Gross Floor Area by Use of Buildings (please describe use as well as floor area):				
	Use 1:				
	Use 2:				
	Use3:				
	Use4:				

You may not begin any activity based on this application until a decision, including the resolution of any appeal, has been made. Conditions or restrictions may be placed on your permit if it is approved. After the City has acted on your application, you will receive notice of the outcome. If an appeal is filed, you may not begin any work until the appeal is settled. You may also need approvals from other agencies; please check this before beginning any activity.

This application expires 180 days after the last date that additional information is requested (LSMC 14316A.245)

If you suspect that your site contains a stream or wetland or is adjacent to a lake, you may need a permit from the state or federal government.

I DECLARE UNDER PENALTY OF THE PERJURY LAWS THAT THE INFORMATION I HAVE PROVIDED ON THIS APPLICATION IS TRUE, CORRECT AND COMPLETE.


 Signature of Property Owner/Agent

6-3-13
 Date of Application

By affixing my signature I certify that I am the legal owner of the property for which this application is issued or an authorized agent of the owner.



RECEIVED
JUN 17 2013
CITY OF LAKE STEVENS

Planning and Community Development
1812 Main Street, P O Box 257
Lake Stevens WA 98258
Phone Number (425) 377-3235

To be completed by staff

Date of Application: 6-17-13
Staff Initials: JLE
Permit Number: LUA 2013-0067

STATEMENT OF OWNERSHIP/APPLICANT AUTHORITY

I certify or declare under penalty of perjury under the laws of the state of Washington that:

1. This application is authorized by the all the land owners with authority to bind the land/property;
2. That the developer is operating under the landowner's authority;
3. That the developer and/or landowner is either an individual or a duly formed and qualified corporation, partnership, or other legal entity; and
4. That the person signing all applications or other legal documents is authorized by the legal entity and/or landowner to do so; and
5. That the application and submittals are true and correct to the best of my information.

Applicant

Signature: *Mike Behn*
Name: Mike Behn/The Quadrant Corporation
Address: 14725 SE 36th St
Bellevue, WA 98006
Phone: 425-452-6563
Email address: mike.behn@quadranthomes.com

Property Owner(s)

Signature: _____
Name: same as applicant
Address: _____

Phone: _____
Email address: _____

Signature: _____
Name: _____
Address: _____

Phone: _____
Email address: _____

NOTE ON ENTERING PROPERTY

The City of Lake Stevens may enter onto the property, which is the subject of this application during the hours of 7:00 a.m. to 5:00 p.m., Monday – Friday, for the sole purpose of inspecting the limited area of the property, which is necessary to process this application. In the event the City determines that such an inspection is necessary during a different time or day, the City employees or agents will contact applicant verbally or in writing at least 24 hours before entering.

LEGAL DESCRIPTION

HOLLY ADD TO EAST EVERETT BLK 002 D-02 - ALL TH PTN LOT 9 LY SELY OF ST HWY 15A

HOLLY ADD TO EAST EVERETT BLK 002 D-00 - ALL THAT PTN LOT 10 LY SELY OF SELYLN ST HWY

HOLLY ADD TO EAST EVERETT BLK 002 D-00 - LOT 11

EAST EVERETT 5 AC TR DIV A & B BLK 006 D-01 - LOT 2 LESS S 240FT OF E 60FT THOF



Planning & Community Development
1812 Main Street / P.O. Box 257
Lake Stevens, WA 98258-0257
(425) 377-3235

NOTICE OF APPLICATION/PUBLIC MEETING

<i>Project Name:</i>	<i>Sonterra Final Plat</i>
<i>Project Number:</i>	<i>LUA2013-0067</i>
<i>Applicant:</i>	<i>The Quadrant Corporation</i>
<i>Project Size:</i>	<i>13.9 Acres</i>
<i>Proposed Lots:</i>	<i>44</i>
<i>Date of Notice:</i>	<i>June 22, 2013</i>
<i>Date of Public Meeting:</i>	<i>July 8, 2013</i>

Project Description: An application was received on June 17, 2013 by the City of Lake Stevens for Final Plat approval of the Sonterra Subdivision. The Lake Stevens Planning Department has scheduled a public meeting during the regular City Council Meeting on Monday, July 8, 2013 at 7:00 PM in the Lake Stevens School District Educational Center (12309 22nd Street NE) to consider final plat approval of the Sonterra Subdivision.

The Snohomish County Hearing Examiner approved the preliminary subdivision on January 22, 2007. Since then, the City of Lake Stevens annexed the property. Lake Stevens Hearing Examiner approved a plat alteration on September 24, 2012 (Permit LU2012-15). The applicant has submitted necessary financial securities and installed required improvements as approved by the City. The Planning and Community Development Department recommends that City Council accept the final subdivision.

Project Location: 77XX 10th St SE, Lake Stevens, WA.

Tax Parcels: 00431400600201, 00476200201100, 00476200201000 and 00476200200902

The staff report for the final subdivision approval is available for review in the Permit Center at 1812 Main Street, Lake Stevens. ADA information may be found at www.lakestevenswa.gov.

Comments regarding the proposed final subdivision approval may be submitted orally during the meeting or in writing before the meeting by sending them to City Hall, attn: Karen Watkins, PO Box 257, Lake Stevens, WA 98258 or by email at kwatkins@lakestevenswa.gov. The project file is available for review at the Planning/Permit Center located behind City Hall, Monday-Friday 8:00 am-4:30 pm. For questions, contact Karen Watkins at (425) 377-3221.

It is the City's goal to comply with the Americans with Disabilities Act. The City offers its assistance to anyone with special needs, including the provision of TDD services.

Distribution:

Applicant
Property Owners within 300'
Official City Notification Boards
Lake Stevens Webpage

City of Lake Stevens, Public Works Department
Posted in Everett Herald on June 22, 2013
Subject Property
Parties of Record



LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: 8 July 2013

Subject: Contract Award – 20th Street NE Sidewalk Connectivity Project

Contact Person/Department: Mick Monken Public Works Budget Impact: To be
presented

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL: Staff will be presenting the bid results and award recommendation at the meeting.

SUMMARY/BACKGROUND: The project was planned to go for award in June of this year but during the design contract, which was awarded in January this year, it was determined that additional environmental study work was necessary. This has been completed but pushed the project construction a month later than originally projected. To gain some additional time back, the bid open has been scheduled on the same day as this meeting. The bid results and bid award recommendation will be presented verbally at this meeting.

The City had applied for and was awarded a State grant through the Transportation Improvement Board (TIB) in late 2012 to design and construction a sidewalk connection on 20th Street NE between Main Street and the Centennial Trail. Over most of this length there is existing sidewalk/designated walkway and the scope of this project is to fill in the missing sections to provide a contiguous designated sidewalk along the entire south side of 20th Street NE. The project budget is \$273,000 with \$33,000 allocated to design. Grant dollars of \$204,750 covers 75% of the project funds.

The City staff had prepared a cost estimate for this project based on recent WSDOT and other local bid results. Due to a recent surge in the construction environment, some unit costs are showing an increase of 25%. This is reflected in the Base Bid (sidewalk connection only), shown in Exhibit A, that has a project cost of \$255,240.65 or \$15,240.65 over last year's preliminary estimate \$240,000. If the lowest responsive bid comes under the Base Bid, staff will make a recommendation to award. If the lowest responsive bid comes in over the Base Bid, staff will discuss with staff options to fund. Regardless of which situation occurs, the maximum Grant funding is approximately \$180,000.

APPLICABLE CITY POLICIES:

BUDGET IMPACT: Budget for Construction \$240,000 with \$180,000 from TIB grant

ATTACHMENTS:

- ▶ Exhibit A: Engineer's Estimate

EXHIBIT A

**20th Street NE Sidewalk Connection
 Engineer's Cost Estimate**

Prepared by: M. Monken, P.E.
 Checked by: E. Gano, P.E.

Rev: 6 June 13

Base Bid

Item No	Description	Section	Unit	Quantity	Unit \$	Total
1	Mobilization	1-09.7	LS	1	\$ 10,000.00	\$ 10,000.00
2	Project Temporary Traffic Control	1-10	LS	1	\$ 11,200.00	\$ 11,200.00
3	Inlet Protection		LS	1	\$ 1,000.00	\$ 1,000.00
4	Silt Fencing for Fitterra Unit		LS	1	\$ 1,000.00	\$ 1,000.00
5	Clearing and Grubbing	2-01	LS	1	\$ 5,000.00	\$ 5,000.00
6	Removal of Structure and Obstruction	2-02	LS	1	\$ 10,000.00	\$ 10,000.00
7	Crush Surfacing Top Course (1 1/2" minus)	4-04	Ton	155	\$ 45.00	\$ 6,967.50
8	HMA CI 1/2 PG 64-22 (includes driveways, ramps, approaches)	5-04	Ton	146	\$ 250.00	\$ 36,512.81
9	Solid Wall PVC Culv. Pipe 8 In. Diam. (C900)	7-02	LF	463	\$ 60.00	\$ 27,780.00
10	Ductile Iron Pipe 6 In. Diam.	7-09	LF	39	\$ 36.00	\$ 1,404.00
11	Ductile Iron Pipe 8 In. Diam.		LF	97	\$ 47.00	\$ 4,559.00
12	Catch Basin Type I	7-05	Each	7	\$ 1,200.00	\$ 8,400.00
13	Metal Frame and Vane Grate (CB Type I)	9-05	Each	1	\$ 500.00	\$ 500.00
14	Metal Frame and Vane Grate w/CB Trash Rack	-	Each	1	\$ 700.00	\$ 700.00
15	Metal Frame and Solid Grate (CB Type I)	9.05.15.(2)	Each	5	\$ 500.00	\$ 2,500.00
16	Cast Iron Inlet assembly with Vane Grate	9.05.15(3)	Each	5	\$ 1,200.00	\$ 6,000.00
17	Fitterra Internal by-Pass Pipe Unit	-	Each	1	\$ 20,000.00	\$ 20,000.00
18	Hand Placed Riprap (4-8 inch)	8-15	CY	192	\$ 35.00	\$ 6,720.00
19	Biofiltration Swale Complete	-	LS	1	\$ 5,000.00	\$ 5,000.00
20	Saw cut concrete and asphalt		LF	2276	\$ 5.00	\$ 11,380.00
21	Cement Conc. Traffic Curb and Gutter	8.04	LF	1072	\$ 27.00	\$ 28,944.00
22	Cement Conc. Sidewalk	8.14	SY	437	\$ 50.00	\$ 21,833.33
23	Cement concrete curb ramp type Parallel A	8.14	Each	5	\$ 1,800.00	\$ 9,000.00
24	Cement Conc. Driveways Entrance Type I	8.06	SY	114	\$ 60.00	\$ 6,840.00
25	Relocation of Signs		LS	1	\$ 2,000.00	\$ 2,000.00
26	Force Account	1-09.6	FC	1	\$ 10,000.00	\$ 10,000.00
						\$ 255,240.65

Alternate Bid

Item No	Description	Section	Unit	Quantity	Unit \$	Total
1	Project Temporary Traffic Control	1-10	LS	1	\$ 6,160.00	\$ 6,160.00
2	Inlet Protection		LS	1	\$ 800.00	\$ 800.00
3	Clearing and Grubbing	2-01	LS	1	\$ 2,000.00	\$ 2,000.00
4	Removal of Structure and Obstruction	2-02	LS	1	\$ 4,000.00	\$ 4,000.00
5	Crush Surfacing Top Course (1 1/2" minus)	4-04	Ton	44	\$ 45.00	\$ 1,980.00
6	HMA CI 1/2 PG 64-22 (includes driveways, ramps, approaches)	5-04	Ton	19	\$ 250.00	\$ 4,750.00
7	Cement Conc. Traffic Curb and Gutter	8.04	LF	352	\$ 27.00	\$ 9,504.00
8	Cement concrete curb ramp type Parallel A	8.14	Each	11	\$ 1,800.00	\$ 19,800.00
9	Saw cut concrete and asphalt		LF	352	\$ 5.00	\$ 1,760.00
10	Chain Link Fence Type 4	8-12.3(1)	LF	15	\$ 25.00	\$ 375.00
						\$ 51,129.00

