

CITY COUNCIL REGULAR MEETING AGENDA
Lake Stevens School District Educational Service Center (Admin. Bldg.)
12309 22nd Street NE, Lake Stevens

Tuesday, June 26, 2018 – 7:00 p.m.

NOTE:

WORKSHOP ON VOUCHERS AT 6:45 P.M.

CALL TO ORDER:	7:00 P.M.	Mayor
PLEDGE OF ALLEGIANCE		Council President
ROLL CALL		
APPROVAL OF AGENDA		Council President
NEW EMPLOYEE INTRODUCTIONS / OATH OF OFFICE	Jason Holland Alan Anderson	Mayor / John D.
CITIZEN COMMENTS		
COUNCIL BUSINESS		Council President
MAYOR'S BUSINESS		
CITY DEPARTMENT REPORT	Update	
CONSENT AGENDA:		
	*A Approve 2018 Vouchers	Barb
	*B Approve Separation Agreement	Teri
	*C Approve Concession Agreement with Hydrology Stand Up Paddle for Recreation at Lundeen Park	Russ
	*D Approve Memorandum of Understanding with Snohomish County re Public Safety at Wyatt Park	Gene
PUBLIC HEARING:		
	*E Lake Stevens Downtown Subarea Plan	Russ
	*F Temporary Encampments and Approve Ordinance No. 1031	Josh M.

- *G Six-Year Transportation Improvement Plan and Cory
Approve Resolution 2018-18
- *H Approve Ordinance No. 1030 re Accessory Dwelling Dillon
Units

ACTION ITEMS:

- *I Public Meeting and Final Plat Approve of Westlake Dillon
Crossing
- *J Approve Professional Services Agreements for On- Eric
Call Engineering Services

DISCUSSION ITEMS:

- K Annual Fire Inspections Chief Kevin O'Brien &
Marshall Mike Messer
- *L Traffic and Park Mitigation Fees Russ

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 Human Resources, City of Lake Stevens ADA Coordinator, (425) 334-1012, 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
2018**

Payroll Direct Deposits	6/15/2018	\$218,708.13
Payroll Checks	45484-45486	\$4,734.77
Tax Deposit(s)	6/15/2018	\$83,289.38
Electronic Funds Transfers	ACH	\$13,745.47
Claims	45482-45483, 45487-45568	\$290,872.70
Void Checks	45412, 45368, 45286	(\$1,502.65)
Total Vouchers Approved:		\$609,847.80

This 26th day of June 2018:

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment or a contractual obligation, and that the claim is a just, due and unpaid obligation against the City of Lake Stevens, and that I am authorized to authenticate and certify to said claim.

Finance Director/Auditing Officer

Mayor

We, the undersigned Council members of the City of Lake Stevens, Snohomish County, Washington, do hereby approve for payment of the above mentioned claims:

Councilmember

Councilmember

Councilmember

Councilmember

Councilmember

Councilmember

Councilmember

June 26th, 2018



City Expenditures by Type on this voucher packet

Personnel Costs	\$	223,443	37%
Payroll Federal Taxes	\$	83,289	14%
Other Employer paid Benefits	\$	6,905	1%
Employee paid benefits - By Payroll	\$	9,820	2%
Supplies	\$	27,377	4%
Professional Services	\$	145,274	24%
Intergovernmental	\$	99,634	16%
Capital	\$	15,608	3%
Void Check	\$	(1,503)	0%
Total	\$	609,848	100%



Checks to be Approved for 6/8/2018 to 6/21/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	Check Total	
Ace Hardware	45487							\$408.37
		6/21/2018	58978	101-016-544-90-31-02	ST-Operating Cost	Bushing	\$5.71	
				410-016-531-10-31-02	SW-Operating Costs	Bushing	\$5.71	
			59046	101-016-544-90-31-02	ST-Operating Cost	Bushings/elbow/tape/mopple/valve box	\$55.18	
				410-016-531-10-31-02	SW-Operating Costs	Bushings/elbow/tape/mopple/valve box	\$55.18	
			59134	101-016-544-90-31-02	ST-Operating Cost	Nozzle/sprinkler	\$29.93	
				410-016-531-10-31-02	SW-Operating Costs	Nozzle/sprinkler	\$29.92	
			59136	001-013-518-20-31-00	GG-Operating	Paper plates	\$4.35	
			59137	001-013-518-20-31-00	GG-Operating	Paper plates	\$13.04	
			59138	101-016-544-90-31-02	ST-Operating Cost	Tape measure	\$4.90	
				410-016-531-10-31-02	SW-Operating Costs	Tape measure	\$4.89	
			59168	001-012-572-20-31-00	CS-Library-Office & Operating	Hose Bib locks/electirical box covers	\$26.10	
			59223	101-016-544-90-31-02	ST-Operating Cost	Hole saws	\$23.94	
				410-016-531-10-31-02	SW-Operating Costs	Hole saws	\$23.94	
			59294	001-008-521-20-31-02	LE-Minor Equipment	Keys	\$10.85	
			59308	410-016-531-10-31-02	SW-Operating Costs	Lawn seed for 93rd SE project	\$59.88	
			59318	101-016-542-61-31-00	ST-Sidewalk Repair Supply	Snap line	\$19.58	
			59327	001-010-576-80-31-03	PK-Lundeen-Op Costs	Weed eater line	\$10.85	
			59340	410-016-531-10-31-02	SW-Operating Costs	Mulch for 93rd SE Project	\$6.61	
			59360	001-008-521-20-31-02	LE-Minor Equipment	Sheild Strap Parts	\$12.38	
			59361	001-008-521-21-31-00	LE-Boating Minor Equipment	Wheel chock	\$5.43	
Amazon Capital Services	45488							\$2,489.37
		6/21/2018	16GN-T7PV-7YQR	101-016-544-90-31-01	ST-Office Supplies	Post-its/Markers/Flags	\$25.25	
				410-016-531-10-31-01	SW-Office Supplies	Post-its/Markers/Flags	\$25.24	
			16YH-HNRC-DCGP	001-008-521-20-31-02	LE-Minor Equipment	Tactical Ear Piece	\$84.94	
			1N7C-3GWR-MVJV	101-016-544-90-31-01	ST-Office Supplies	3M Monitor Mount Document Clip	\$7.18	
				410-016-531-10-31-01	SW-Office Supplies	3M Monitor Mount Document Clip	\$7.17	
			1NHT-TCFM-6TGV	001-008-521-20-31-02	LE-Minor Equipment	Wedge it Door Stop	\$27.20	
			1NHT-TCFM-RNDW	001-008-521-40-49-01	LE-Registration Fees	Window Registry Forensics=Advanced Digital Forensic Analysis	\$63.98	
			1NJT-KVF1-JFLR	101-016-544-90-31-01	ST-Office Supplies	Retractable Gel Pens	\$13.85	



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Amazon Capital Services	45488	6/21/2018	1NJT-KVF1-JFLR	410-016-531-10-31-01	SW-Office Supplies	Retractable Gel Pens	\$13.85
			1QXV-K6C6-3QDH	001-006-518-80-48-00	IT-Repair & Maintenance	Fiber Patch Cable	\$102.17
			1V4F-1PKW-X1H4	001-008-521-20-31-01	LE-Fixed Minor Equipment	Quick release Earphone Adapter	\$49.09
			1V6Y-GDQH-GXFQ	001-008-521-30-31-00	LE-Community Outreach Supplies	Health & Safety Fair supplies	\$62.47
			1XFN-HFHK-FQKW	101-016-544-90-31-01	ST-Office Supplies	72 inch Aluminum Tripod	\$56.70
				410-016-531-10-31-01	SW-Office Supplies	72 inch Aluminum Tripod	\$56.70
			1XHJ-7JRF-WCX9	001-006-518-80-48-00	IT-Repair & Maintenance	ECC Network Server Memory	\$1,869.12
			1Y49-4WRM-Q7W4	001-007-558-50-31-01	PL-Operating Costs	Heavy Duty Hole Punch	\$24.46
Bio Clean Inc	45489	Check Total					\$321.26
		6/21/2018	8805	001-008-521-20-41-00	LE-Professional Services	Decontamination PT75	\$321.26
BMI	45490	Check Total					\$349.00
		6/21/2018	32218613	001-013-518-20-31-00	GG-Operating	2018-2019 Music Fees account 2460509	\$349.00
Business Card	45491	Check Total					\$13,813.48
		6/21/2018	1923 0618	001-006-518-80-31-00	IT-Office Supplies	Mini DisplayPort to DisplayPort Cable	\$59.55
			2288 0618	001-008-521-20-31-02	LE-Minor Equipment	Adhesive	\$90.00
					LE-Minor Equipment	QuickLIFT Tape Strips	\$114.91
					LE-Minor Equipment	Wire shelving rack	\$185.12
					001-008-521-20-41-00	LE-Professional Services	Database Searches
			001-008-521-20-43-00	LE-Travel & Per Diem	Airfare-Laserfiche Conf-Long Beach CA-J Ubert	\$164.41	
				LE-Travel & Per Diem	Hotel-Fire Symposium-LLeavenworth WA-Wachtveitl	\$518.00	
				LE-Travel & Per Diem	Hotel-Command Leadership-Spokane WA-J Ubert	\$564.40	
				LE-Travel & Per Diem	Hotel-Fire Symposium-LLeavenworth WA-Warbis	\$518.00	
			001-008-521-40-49-04	Finance Charges	Bank Card Finance Charges-J Ubert	\$49.52	
			2956 0618	001-000-369-91-00-00	Miscellaneous Revenue - Other	CC reimbursement from Dyer	\$143.62
				001-008-521-20-32-00	LE-Fuel	Fuel	\$60.86
				001-008-521-20-43-00	LE-Travel & Per Diem	Hotel-Exec Leadership-Portland OR-Dyer	\$1,031.95
					LE-Travel & Per Diem	Hotel-WHIA Conf-Suquamish-Miner	\$309.69
			4396 0618	001-001-511-60-43-00	Legislative - Travel & Mtgs	Bottled water for Council	\$5.43
				001-002-513-11-43-00	AD-Travel & Meetings	Toll fee - AWWA Conference-Brazel/Durpos	\$2.75
				001-003-514-20-31-00	CC-Office Supply	Portable DVD Rewriter	\$31.87



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Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	
Business Card	45491	6/21/2018	4396 0618	001-003-514-20-43-00	CC-Travel & Meetings	Lodging-Laserfiche Conf-Long Beach-Pugh	\$566.67
				001-004-514-23-43-00	FI-Travel & Meetings	Lodging-Laserfiche Conf-Long Beach-B Stevens	\$566.67
				001-005-518-10-43-00	HR-Travel & Meetings	Toll fee-LRI Conference-PW41-Brazel/Smith/Ubert	\$2.75
				001-008-521-20-43-00	LE-Travel & Per Diem	Lodging-Laserfiche Conf-Long Beach-J Ubert	\$566.66
			4517 0618	001-005-518-10-31-01	HR-Operating Cost	SighUpGenius appt setting site access	\$9.99
					HR-Operating Cost	USD flash drives	\$46.86
				001-005-518-10-43-00	HR-Travel & Meetings	Hotel-AWC Labor Relations Inst-Yakima-Brazel	\$245.31
					HR-Travel & Meetings	Hotel-AWC Labor Relations Inst-Yakima-Good	\$245.31
					HR-Travel & Meetings	Hotel-AWC Labor Relations Inst-Yakima-Smith	\$245.31
				001-005-518-10-49-00	HR-Miscellaneous	Labor Law Newsletter subscription	\$299.47
				001-013-518-30-41-01	GG-Advertising	Recruitment advertising tokens for AWC	\$350.00
				410-016-531-10-31-02	SW-Operating Costs	Standing desk mat-Everett	\$57.99
			6247 0618	001-008-521-20-31-00	LE-Office Supplies	Achievement award	\$74.60
				001-008-521-20-31-01	LE-Fixed Minor Equipment	Glock parts	\$478.07
				001-008-521-20-31-02	LE-Minor Equipment	DSG Arms Magazine Pack	\$599.75
					LE-Minor Equipment	Pelican Case	\$60.63
				001-008-521-40-49-04	Finance Charges	CC Finance Charges-Beazizo	\$49.98
			6437 0618	001-008-521-20-43-00	LE-Travel & Per Diem	Hotel-Command Leadership-Spokane-R Brooks	\$564.40
					LE-Travel & Per Diem	Hotel-Crime Prevention-Spokane-C Brooks	\$335.09
					LE-Travel & Per Diem	Hotel-Command Leadership-Spokane-Beazizo	\$564.40
				001-008-521-30-31-00	LE-Community Outreach Supplies	Supplies for Natl Night Out	\$12.51
			7588 0618	101-016-542-30-49-01	ST-Staff Development	Registration-Lamps & Ballasts-R Anderson	\$59.50
				101-016-544-90-31-02	ST-Operating Cost	Portable sprinkler system	\$1,298.00
				302-010-594-76-61-02	PM - Lundeen Park Capital	Irrigation supplies-Lundeen park restoration	\$332.15
				302-010-594-76-61-03	PM - Soccer Field 20th Street	Temporary Construction Fill Station Permit	\$487.82
				410-016-531-10-49-01	SW-Staff Development	Registration-Lamps & Ballasts-R Anderson	\$59.50
			7638 0618	001-008-521-20-31-02	LE-Minor Equipment	Dump fees	\$26.00
				001-008-521-20-41-01	LE-Proessional Serv-Fixed	Transcription services case 2018-9060	\$234.00
				001-008-521-20-43-00	LE-Travel & Per Diem	Ferry fare	\$37.40
			8232 0618	001-001-511-60-43-00	Legislative - Travel & Mtgs	Catering for Legislators Reception 5/24/18	\$108.90
					Legislative - Travel & Mtgs	Sno Co City mtg 5/17/18 Welch/McDaniel/Gailey/Daughtry	\$140.00
				001-002-513-11-43-00	AD-Travel & Meetings	Airfare-LRI Conference-Baltimore MD-Brazel	\$282.39



Checks to be Approved for 6/8/2018 to 6/21/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	
Business Card	45491	6/21/2018	8232 0618	001-013-518-20-32-00	GG-Fuel	Fuel PW41	\$28.63
				001-013-518-20-41-00	GG-Professional Service	Background checks	\$24.00
			8484 0618	001-007-558-50-41-03	PL-Advertising	Postcard mailing-NOA Westlake Crossing	\$65.05
					PL-Advertising	Postcard mailing-Rhodora	\$154.30
					PL-Advertising	Postcard mailing-LUA2018-0151	\$99.40
					PL-Advertising	Postcard mailing-LSMS Portable	\$109.78
					PL-Advertising	Postcard mailing-Kane Plat	\$42.73
					PL-Advertising	Postcard mailing-Aquafest	\$106.04
					PL-Advertising	Postcard mailing-LUA2018-0068	\$16.97
					PL-Advertising	Postcard mailing-LUA2018-0083	\$7.80
					PL-Advertising	Postcard mailing-LUA2018-0087	\$36.29
					PL-Advertising	Postcard mailing-LUA2018-0078	\$20.12
					PL-Advertising	Postcard mailing-BLD2018-0178	\$42.01
			9438 0618	520-008-594-21-63-00	Capital Equipment	Licensing for PT78/79/80	\$147.75
CDW Government Inc	45492	Check Total					\$981.27
		6/21/2018	MQG5907	001-008-521-20-31-02	LE-Minor Equipment	Car adapter	\$77.40
			MXB3949	510-006-518-80-31-00	Purchase Computer Equipment	Fortinet Fortifone	\$903.87
Central Welding Supply	45493	Check Total					\$17.55
		6/21/2018	RN05181010	101-016-544-90-31-02	ST-Operating Cost	Argon gas	\$17.55
City of Marysville	45494	Check Total					\$31,005.69
		6/21/2018	POLIN18-0038	001-008-523-60-51-00	LE-Jail	Prisoner Housing/Medical SCORE April 2018	\$1,638.67
			POLIN18-0042	001-008-523-60-51-00	LE-Jail	Prisoner Housing February/March/April 2018	\$27,962.02
			POLIN2018-0047	001-008-523-60-51-00	LE-Jail	Prisoner Housing SCORE April 2018	\$1,405.00
	45495	Check Total					\$15,206.58
		6/21/2018	18-009	001-013-512-50-41-00	GG-Municipal Court Fees	Court Citations May 2018	\$15,206.58
Clerk of the Court	45482	Check Total					\$60,000.00
		6/8/2018	Vodegel	301-016-544-40-41-00	Street Op - P&D - 20th St SE	20th Street SE ROW Acquisition - Vodegel	\$60,000.00
Code Publishing Co Inc	45496	Check Total					\$749.78
		6/21/2018	60294	001-003-514-20-41-00	CC-Professional Services	Municipal Code updates Ordinances 1023/1024/1028	\$549.84
			60366	001-003-514-20-41-00	CC-Professional Services	Sewer District Code update-Ord 943-946	\$199.94



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Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	
Comcast	45497						Check Total
		6/21/2018	0808840 0518	001-010-576-80-42-00	PK-Communication	Internet services - City Shop	\$86.18
				101-016-543-30-42-00	ST-Communications	Internet services - City Shop	\$28.73
				410-016-531-10-42-00	SW-Communications	Internet services - City Shop	\$28.72
	45498						Check Total
		6/21/2018	0991976 0518	001-010-576-80-42-00	PK-Communication	Internet services - Parks & Rec office	\$136.18
Cory Jorgensen	45499						Check Total
		6/21/2018	813	001-007-558-50-41-02	PL-Software Maint.	Annual Maintenance PermitTrax	\$5,445.00
Crystal Springs	45500						Check Total
		6/21/2018	16015194052618	001-008-521-50-30-00	LE-Facilities Supplies	Bottled Water	\$577.91
			5249844060118	001-007-558-50-31-01	PL-Operating Costs	Bottled Water	\$140.24
				001-007-559-30-31-01	PB-Operating Cost	Bottled Water	\$67.59
				001-013-518-20-31-00	GG-Operating	Bottled Water	\$44.67
				101-016-544-90-31-02	ST-Operating Cost	Bottled Water	\$44.67
				410-016-531-10-31-02	SW-Operating Costs	Bottled Water	\$140.37
Databar Inc	45501						Check Total
		6/21/2018	234883	001-004-514-23-31-00	FI-Office Supplies	Multipurpose Checks	\$403.49
Dataquest LLC	45502						Check Total
		6/21/2018	5656	001-010-576-80-41-00	PK-Professional Services	Background checks	\$140.00
				001-013-518-20-41-00	GG-Professional Service	Background checks	\$55.00
Day Wireless Systems	45503						Check Total
		6/21/2018	463899	001-008-521-20-31-01	LE-Fixed Minor Equipment	Flexible Ear insert	\$13.15
Dept of Licensing	45504						Check Total
		6/21/2018	52313D	001-013-518-20-49-00	GG-Miscellaneous	Affidavit of Lost Title VIN 6G1MK5R34CL646369	\$31.00
Dept of Retirement (Deferred Comp)	0						Check Total
		6/21/2018	061518	001-000-282-00-00-00	Payroll Liability Retirement	Employee Portion-State Deferre	\$3,345.00
Dicks Towing Inc	45505						Check Total
		6/21/2018	129290	001-008-521-20-41-00	LE-Professional Services	Evidence towing case 2018-11262	\$493.67
			168495	001-008-521-20-41-00	LE-Professional Services	Evidence towing case 2018-10825	\$126.16
			169311	001-008-521-20-41-00	LE-Professional Services	Evidence towing case 2018-10852	\$126.16
			177194	001-008-521-20-41-00	LE-Professional Services	Towing services PT-11-55	\$126.16
							\$115.19



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Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	Check Total
Dunlap Industrial Hardware	45506						\$556.18
		6/21/2018	1408448-01	001-010-576-80-31-00	PK-Operating Costs	Snap hook	\$164.33
			1408680-01	001-010-576-80-31-00	PK-Operating Costs	Wire Rope Clip/Yellow Float	\$239.37
			1409131-01	001-010-576-80-31-00	PK-Operating Costs	Sea Float	\$152.48
E&E Lumber Inc	45507						\$1,823.54
		6/21/2018	136266	101-016-542-61-31-00	ST-Sidewalk Repair Supply	Sidewalk form materials	\$1,823.54
Electronic Federal Tax Pmt System EFTPS	0						\$83,289.38
		6/21/2018	061518	001-000-281-00-00-00	Payroll Liability Taxes	Federal Payroll Taxes	\$83,289.38
Electronic Business Machines	45508						\$397.46
		6/21/2018	AR103283	101-016-542-30-48-00	ST-Repair & Maintenance	Copier maintenance & repair	\$12.88
				410-016-531-10-48-00	SW-Repairs & Maintenance	Copier maintenance & repair	\$12.87
			AR103553	001-013-518-20-48-00	GG-Repair & Maintenance	Copier maintenance & repair	\$371.71
Enerspect Medical Solutions LLC	45509						\$6,455.99
		6/21/2018	38607	001-008-521-20-31-02	LE-Minor Equipment	Philips OnSite Defibrillator	\$3,455.99
				001-008-521-20-31-04	LE - Donation Exp - Other	Philips OnSite Defibrillator	\$3,000.00
Feldman and Lee	45510						\$29,720.00
		6/21/2018	060118	001-011-515-91-41-00	LG-General Indigent Defense	Social Service Clients - Local Portion	\$4,720.00
				001-011-515-91-41-01	Social Worker Program (Grant)	Social Service Clients served from Lake Stevens	\$10,000.00
				001-011-589-40-00-00	Grant Exp - Arlington	Social Service Clients served from Arlington	\$15,000.00
Glen Gardner	45511						\$4,220.66
		6/21/2018	648	520-008-594-21-63-00	Capital Equipment	New vehicle setup PT80	\$1,839.08
			649	001-008-521-20-48-00	LE-Repair & Maintenance Equip	Vehicle repair PT60	\$217.00
			650	001-008-521-20-48-00	LE-Repair & Maintenance Equip	Vehicle repair PT61	\$108.50
			652	520-008-594-21-63-00	Capital Equipment	New vehicle setup PT77	\$2,056.08
Granite Construction Supply	45512						\$318.08
		6/21/2018	262_00072088	101-016-542-61-31-00	ST-Sidewalk Repair Supply	Metal Rebar Insert	\$71.31
			262_00072096	101-016-542-61-31-00	ST-Sidewalk Repair Supply	Sidewalk closed signs	\$246.77
HB Jaeger Co LLC	45513						\$2,726.53
		6/21/2018	200684/1	302-010-594-76-61-03	PM - Soccer Field 20th Street	Poly Pipe and fittings for 20th St Soccer field	\$1,063.75
			200995/1	410-016-531-10-31-02	SW-Operating Costs	Shear Gate/Man Hole for Storm Pond repair	\$1,662.78



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Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	Check Total	
Horizon Distributors Inc	45514							\$455.50
		6/21/2018	2M071342	302-010-594-76-61-03	PM - Soccer Field 20th Street	Irrigation supplies for Soccer field		\$455.50
HSA Bank	45515							\$199.00
		6/21/2018	061518	001-000-284-00-00-00	Payroll Liability Other	Health Savings Account Employee Contributions		\$199.00
Theodore Hunter	45516							\$952.00
		6/21/2018	2105	001-007-558-60-41-02	PL-Prof Serv-Hearing E	Hearing Examiner services re LUA2017-0169		\$952.00
HW Lochner Inc	45517							\$1,955.91
		6/21/2018	12	301-016-595-30-60-03	T11 - 24th St & 91st Extension	24th Street SE Extension project		\$1,955.91
International Code Council	45518							\$135.00
		6/21/2018	3198673	001-007-559-30-49-00	PB-Miscellaneous	Membership ICC - D Williamson		\$135.00
Iron Mountain Quarry LLC	45519							\$2,389.29
		6/21/2018	0276830	302-010-594-76-61-03	PM - Soccer Field 20th Street	Rock for 20th St Soccer Field		\$409.59
			0276896	302-010-594-76-61-03	PM - Soccer Field 20th Street	Rock for 20th St Soccer Field		\$413.47
			0276928	302-010-594-76-61-03	PM - Soccer Field 20th Street	Rock for Soccer Field		\$374.61
			0276976	302-010-594-76-61-03	PM - Soccer Field 20th Street	Rock for Soccer Field		\$137.67
			0277033	302-010-594-76-61-03	PM - Soccer Field 20th Street	Rock for Soccer Field		\$256.48
			0277078	302-010-594-76-61-03	PM - Soccer Field 20th Street	Rock for Soccer Field		\$263.23
			0277181	302-010-594-76-61-03	PM - Soccer Field 20th Street	Rock for Soccer Field		\$403.31
			0277230	302-010-594-76-61-03	PM - Soccer Field 20th Street	Rock for Soccer Field		\$130.93
J Thayer Company Inc	45520							\$995.58
		6/21/2018	1253572-0	001-008-521-20-31-00	LE-Office Supplies	Paper/Keyboard/Pens/Post-its/binder clips/etc		\$698.05
			1254662-0	001-007-558-50-31-00	PL-Office Supplies	Storage file/pens		\$56.12
				001-007-559-30-31-00	PB-Office Supplies	Storage file/pens		\$56.11
			1256124-0	001-008-521-20-31-00	LE-Office Supplies	Paper		\$46.26
			1258688-0	001-003-514-20-31-00	CC-Office Supply	Binder clips/stapler		\$57.42
				001-007-558-50-31-00	PL-Office Supplies	Stapler/folders		\$43.49
				001-013-518-20-31-00	GG-Operating	Flags/envelope/folders		\$38.13
King County Directors Association Purchasing Dept	45521							\$557.74
		6/21/2018	300280067	001-013-594-18-60-02	GG - City Hall Demo	Charcoal worksurface		\$557.74
KPG Inc PS	45522							\$3,295.00
		6/21/2018	5-4218	301-016-595-30-60-02	Main Street Project 1	Main Street Improvements		\$3,295.00

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc		
Lake Industries LLC	45523	Check Total						\$2,480.00
		6/21/2018	35314	101-016-542-67-41-00	ST-Street Cleaning	Street Sweepings disposal	\$100.00	
				410-016-531-10-41-03	SW-Street Cleaning	Street Sweepings disposal	\$100.00	
		35324	101-016-542-67-41-00	ST-Street Cleaning	Street Sweepings disposal	\$75.00		
			410-016-531-10-41-03	SW-Street Cleaning	Street Sweepings disposal	\$75.00		
		35332	101-016-542-67-41-00	ST-Street Cleaning	Street Sweepings disposal	\$75.00		
			410-016-531-10-41-03	SW-Street Cleaning	Street Sweepings disposal	\$75.00		
		35344	101-016-542-67-41-00	ST-Street Cleaning	Street Sweepings disposal	\$75.00		
			410-016-531-10-41-03	SW-Street Cleaning	Street Sweepings disposal	\$75.00		
		35349	101-016-542-67-41-00	ST-Street Cleaning	Street Sweepings disposal	\$75.00		
			410-016-531-10-41-03	SW-Street Cleaning	Street Sweepings disposal	\$75.00		
		35379	302-010-594-76-61-02	PM - Lundeen Park Capital	Concrete/Asphalt Hauled in by the yard	\$280.00		
		35387	302-010-594-76-61-02	PM - Lundeen Park Capital	Concrete/Asphalt Hauled in by the yard	\$280.00		
		35460	101-016-542-67-41-00	ST-Street Cleaning	Street Sweepings disposal	\$75.00		
			410-016-531-10-41-03	SW-Street Cleaning	Street Sweepings disposal	\$75.00		
		35483	101-016-542-67-41-00	ST-Street Cleaning	Street Sweepings disposal	\$50.00		
			410-016-531-10-41-03	SW-Street Cleaning	Street Sweepings disposal	\$50.00		
		35490	101-016-542-67-41-00	ST-Street Cleaning	Street Sweepings disposal	\$50.00		
			410-016-531-10-41-03	SW-Street Cleaning	Street Sweepings disposal	\$50.00		
		35506	101-016-542-67-41-00	ST-Street Cleaning	Street Sweepings disposal	\$75.00		
			410-016-531-10-41-03	SW-Street Cleaning	Street Sweepings disposal	\$75.00		
		35518	101-016-542-67-41-00	ST-Street Cleaning	Street Sweepings disposal	\$50.00		
			410-016-531-10-41-03	SW-Street Cleaning	Street Sweepings disposal	\$50.00		
		35527	101-016-542-67-41-00	ST-Street Cleaning	Street Sweepings disposal	\$100.00		
			410-016-531-10-41-03	SW-Street Cleaning	Street Sweepings disposal	\$100.00		
		35536	101-016-542-67-41-00	ST-Street Cleaning	Street Sweepings disposal	\$100.00		
			410-016-531-10-41-03	SW-Street Cleaning	Street Sweepings disposal	\$100.00		
		35543	101-016-542-67-41-00	ST-Street Cleaning	Street Sweepings disposal	\$25.00		
			410-016-531-10-41-03	SW-Street Cleaning	Street Sweepings disposal	\$25.00		
		35551	302-010-594-76-61-02	PM - Lundeen Park Capital	Concrete/Asphalt disposal-Lundeen Restoration	\$70.00		
Lake Stevens Chamber of Commerce	45524	Check Total						\$1,500.00
		6/21/2018	JULY2018	001-013-518-90-49-01	GG-Chamber of Commerce	July 2018 Contributions for VIC	\$1,500.00	



Checks to be Approved for 6/8/2018 to 6/21/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	Check Total
Lake Stevens Mini Mart	45525						\$100.11
		6/21/2018	1010713	001-008-521-21-32-00	LE-Boating-Fuel	Boating fuel	\$100.11
Lake Stevens Police Guild	45526						\$1,189.00
		6/21/2018	061518	001-000-284-00-00-00	Payroll Liability Other	Employee Paid Union Dues	\$1,189.00
Lake Stevens School District	45527						\$35.42
		6/21/2018	0017180145	001-010-576-80-32-00	PK-Fuel Costs	Fuel	\$35.42
Lake Stevens Sewer District	45528						\$946.00
		6/21/2018	JUNE2018	001-008-521-50-47-00	LE-Facility Utilities	Sewer - N Lakeshore Dr	\$86.00
					LE-Facility Utilities	Sewer - Police Station	\$86.00
				001-010-576-80-47-00	PK-Utilities	Sewer - Lundeen Park	\$172.00
				001-012-572-20-47-00	CS-Library-Utilities	Sewer - Library	\$86.00
				001-013-518-20-47-00	GG-Utilities	Sewer - Vacant Houses 20th St SE	\$86.00
					GG-Utilities	Sewer - Permit Center	\$86.00
					GG-Utilities	Sewer - City Hall	\$172.00
					GG-Utilities	Sewer - Family Center	\$86.00
				101-016-543-50-47-00	ST-Utilities	Sewer - 99th Ave SE Property	\$86.00
Law Enforcement Targets Inc	45529						\$128.00
		6/21/2018	0381699-IN	001-008-521-20-31-01	LE-Fixed Minor Equipment	Targets	\$128.00
LN Curtis & Sons	45530						\$88.10
		6/21/2018	INV185685	001-008-521-20-31-05	LE-Equipment - New Officers	Patches - A Anderson	\$55.92
			INV186512	001-008-521-20-31-05	LE-Equipment - New Officers	Tie & Hat - A Anderson	\$32.18
Marysville Printing	45531						\$281.59
		6/21/2018	23691	001-008-521-20-31-00	LE-Office Supplies	Violation Notice labels	\$281.59
Nationwide Retirement Solution	0						\$3,684.84
		6/21/2018	061518	001-000-282-00-00-00	Payroll Liability Retirement	Employee Portion-Nationwide	\$3,684.84
New York Life	0						\$6,552.13
		6/21/2018	62934 0518	001-002-513-11-20-00	AD-Benefits	Life Insurance Premiums	\$64.85
				001-003-514-20-20-00	CC-Benefits	Life Insurance Premiums	\$67.55
				001-004-514-23-20-00	FI-Benefits	Life Insurance Premiums	\$117.65
				001-005-518-10-20-00	HR-Benefits	Life Insurance Premiums	\$84.36
				001-006-518-80-20-00	IT-Benefits	Life Insurance Premiums	\$83.90



Checks to be Approved for 6/8/2018 to 6/21/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	
New York Life	0	6/21/2018	62934 0518	001-007-558-50-20-00	PL-Benefits	Life Insurance Premiums	\$274.39
				001-007-559-30-20-00	PB-Benefits	Life Insurance Premiums	\$133.94
				001-008-521-20-20-00	LE-Benefits	Life Insurance Premiums	\$1,395.42
				001-010-576-80-20-00	PK-Benefits	Life Insurance Premiums	\$122.12
				001-013-518-30-20-00	GG-Benefits	Life Insurance Premiums	\$41.40
				101-016-542-30-20-00	ST-Benefits	Life Insurance Premiums	\$448.32
				401-070-535-10-20-00	SE-Benefits	Life Insurance Premiums	\$6.22
				410-016-531-10-20-00	SW-Benefits	Life Insurance Premiums	\$419.93
			62934 0618	001-002-513-11-20-00	AD-Benefits	Life Insurance Premiums	\$64.85
				001-003-514-20-20-00	CC-Benefits	Life Insurance Premiums	\$67.55
				001-004-514-23-20-00	FI-Benefits	Life Insurance Premiums	\$117.65
				001-005-518-10-20-00	HR-Benefits	Life Insurance Premiums	\$84.36
				001-006-518-80-20-00	IT-Benefits	Life Insurance Premiums	\$83.90
				001-007-558-50-20-00	PL-Benefits	Life Insurance Premiums	\$274.39
				001-007-559-30-20-00	PB-Benefits	Life Insurance Premiums	\$133.94
				001-008-521-20-20-00	LE-Benefits	Life Insurance Premiums	\$1,427.45
				001-010-576-80-20-00	PK-Benefits	Life Insurance Premiums	\$122.12
				001-013-518-30-20-00	GG-Benefits	Life Insurance Premiums	\$41.40
				101-016-542-30-20-00	ST-Benefits	Life Insurance Premiums	\$448.32
				401-070-535-10-20-00	SE-Benefits	Life Insurance Premiums	\$6.22
				410-016-531-10-20-00	SW-Benefits	Life Insurance Premiums	\$419.93
North Sound Hose Fittings Inc	45532	Check Total					\$95.24
		6/21/2018	N004045	302-010-594-76-61-03	PM - Soccer Field 20th Street	Irrigation supplies for Soccer Field	\$45.43
			N004046	302-010-594-76-61-03	PM - Soccer Field 20th Street	Irrigation supplies for Soccer Field	(\$3.03)
			N4040	302-010-594-76-61-03	PM - Soccer Field 20th Street	Irrigation supplies for Soccer Field	\$52.84
Office of The State Treasurer	45533	Check Total					\$23,213.45
		6/21/2018	MAY2018	633-000-589-30-00-03	State Building Permit Remit	May 2018 State Court Fees	\$333.00
				633-000-589-30-00-04	Vehicle License Fraud Account	May 2018 State Court Fees	\$1.53
				633-000-589-30-00-07	Public Safety And Ed. 1986	May 2018 State Court Fees	\$10,168.67
				633-000-589-30-00-08	Public Safety And Education	May 2018 State Court Fees	\$6,197.84
				633-000-589-30-00-09	Judicial Information System-Ci	May 2018 State Court Fees	\$3,494.86
				633-000-589-30-00-12	Trauma Care	May 2018 State Court Fees	\$1,071.16



Checks to be Approved for 6/8/2018 to 6/21/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	
Office of The State Treasurer	45533	6/21/2018	MAY2018	633-000-589-30-00-13	School Zone Safety	May 2018 State Court Fees	\$329.51
				633-000-589-30-00-14	Public Safety Ed #3	May 2018 State Court Fees	\$70.46
				633-000-589-30-00-15	Auto Theft Prevention	May 2018 State Court Fees	\$1,534.81
				633-000-589-30-00-16	HWY Safety Act	May 2018 State Court Fees	\$2.22
				633-000-589-30-00-17	Death Inv Acct	May 2018 State Court Fees	\$1.39
				633-000-589-30-00-18	WSP Highway Acct	May 2018 State Court Fees	\$8.00
Outcomes by Levy LLC	45534	Check Total					\$4,570.30
		6/21/2018	2018-05-LS	001-013-511-70-40-00	Lobbying Services	Legislative/Regulatory Consulting for May 2018	\$4,570.30
Kristen Parnell	45535	Check Total					\$19.00
		6/21/2018	060118	001-008-521-20-43-00	LE-Travel & Per Diem	PerDiem-Police Skills Refresher-Everett-Parnell	\$19.00
Perteet Inc	45536	Check Total					\$886.02
		6/21/2018	20120176.001-36	301-016-544-40-41-00	Street Op - P&D - 20th St SE	20th Street SE Phase II-Segment 1 Design	\$886.02
Pilchuck Rentals	45537	Check Total					\$818.25
		6/21/2018	65977	301-016-544-40-41-00	Street Op - P&D - 20th St SE	Kubota Tractor rental-20th Street	\$818.25
Public Safety Selection PC	45538	Check Total					\$400.00
		6/21/2018	4055	001-008-521-20-41-00	LE-Professional Services	New Hire Psychological Evaluation	\$400.00
Puget Sound Energy	45539	Check Total					\$33.93
		6/21/2018	24316495 0618	001-010-576-80-47-00	PK-Utilities	Natural Gas - City Shop	\$11.31
				101-016-543-50-47-00	ST-Utilities	Natural Gas - City Shop	\$11.31
				410-016-531-10-47-00	SW-Utilities	Natural Gas - City Shop	\$11.31
	45540	Check Total					\$70.38
		6/21/2018	3723810 0618	001-008-521-50-47-00	LE-Facility Utilities	Natural Gas - N Lakeshore Dr	\$70.38
Republic Services 197	45541	Check Total					\$1,498.81
		6/21/2018	0197-002275296	001-010-576-80-31-00	PK-Operating Costs	Dumpster services - City Shop	\$421.85
				101-016-542-30-45-00	ST-Rentals-Leases	Dumpster Rental - City Shop	\$116.62
				101-016-544-90-31-02	ST-Operating Cost	Dumpster services - City Shop	\$421.86
				410-016-531-10-31-02	SW-Operating Costs	Dumpster services - City Shop	\$421.86
				410-016-531-10-45-00	SW-Equipment Rental	Dumpster Rental - City Shop	\$116.62
	45542	Check Total					\$464.80
		6/21/2018	0197-002275124	001-010-576-80-31-00	PK-Operating Costs	Dumpster svcs - Lundeen Park	\$443.76
001-010-576-80-45-00	PK-Equipment Rental			Dumpster rental - Lundeen Park	\$21.04		



Checks to be Approved for 6/8/2018 to 6/21/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	Check Total
Republic Services 197	45543						\$135.70
		6/21/2018	0197-002275919	001-013-518-20-31-00	GG-Operating	Dumpster services - City Hall	\$119.50
				001-013-518-20-45-00	GG-Equipment Rental	Dumpster rental - City Hall	\$16.20
Smarsh Inc	45544						\$654.00
		6/21/2018	INV00377165	510-006-518-80-49-05	LR - Smarsh	Archiving Platform Content Usage-NetGuard Cloud	\$654.00
Smernis Enterprises	45545						\$819.53
		6/21/2018	389064	001-008-521-20-48-00	LE-Repair & Maintenance Equip	Repair & maintenance PT-15-72	\$819.53
Snohomish County 911	45546						\$29,799.49
		6/21/2018	466	001-008-528-00-51-00	LE-Snopac Dispatch	Dispatch Services	\$29,799.49
Snohomish County PUD	45547						\$4,591.88
		6/21/2018	124791768	001-010-576-80-47-00	PK-Utilities	201513934 Parks	\$16.44
			128079977	001-008-521-50-47-00	LE-Facility Utilities	202766820 Police Dept Electric	\$528.41
			131392888	101-016-542-63-47-00	ST-Lighting - Utilities	202648705 Street Lights	\$43.26
			131393307	101-016-542-63-47-00	ST-Lighting - Utilities	205320781 SR92 Roundabout at 99th	\$39.45
			134684380	101-016-542-63-47-00	ST-Lighting - Utilities	203730189 Traffic Signal	\$58.05
			134684383	101-016-542-63-47-00	ST-Lighting - Utilities	203731153 Traffic Signal	\$69.73
			134689358	001-013-518-20-47-00	GG-Utilities	201783685 New City Hall	\$287.53
			137901197	101-016-542-63-47-00	ST-Lighting - Utilities	201860178 Traffic Signal	\$158.80
			141211104	001-010-576-80-47-00	PK-Utilities	202513354 Park lighting	\$16.57
			141211348	001-012-575-30-47-00	CS-Historical-Utilities	202289237 Museum	\$10.94
				001-012-575-51-47-00	CS-Grimm House Utilities	202289237 Grimm House	\$10.95
			144544957	101-016-542-63-47-00	ST-Lighting - Utilities	203115522 Street Light meter	\$101.15
			144550504	001-010-576-80-47-00	PK-Utilities	203599006 City Shop	\$150.42
				101-016-543-50-47-00	ST-Utilities	203599006 City Shop	\$150.42
				410-016-531-10-47-00	SW-Utilities	203599006 City Shop	\$150.47
			147835611	101-016-542-63-47-00	ST-Lighting - Utilities	202648101 Street Lights - Soper Hill Annexation	\$1,264.08
			147835683	101-016-542-63-47-00	ST-Lighting - Utilities	202670725 Street Lights	\$1,239.49
			151143680	101-016-542-63-47-00	ST-Lighting - Utilities	202342622 Street Lights	\$70.42
			154384092	001-013-518-20-47-00	GG-Utilities	221412273 Admin Annex	\$98.69
			160775208	001-008-521-50-47-00	LE-Facility Utilities	203033030 Police Dept Water	\$73.40
			163994104	101-016-542-63-47-00	ST-Lighting - Utilities	205338056 SR92 Roundabout at 113th	\$30.53
			167237064	101-016-542-63-47-00	ST-Lighting - Utilities	204719074 Catherine Creek Bridge lights	\$22.68



Checks to be Approved for 6/8/2018 to 6/21/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc		
Snohomish County PUD	45548						Check Total	\$1,192.13
		6/21/2018	100348156	001-010-576-80-47-00	PK-Utilities	203531959 Mobile at 2424 Soper Hill Rd	\$45.10	
			104913005	001-013-518-20-47-00	GG-Utilities	200245215 Family Center	\$112.34	
			104921075	101-016-542-63-47-00	ST-Lighting - Utilities	200178218 Traffic Signal	\$131.81	
			111530863	001-012-572-20-47-00	CS-Library-Utilities	200206977 Library	\$280.84	
				001-013-518-20-47-00	GG-Utilities	200206977 Library water meter	\$101.46	
			111531565	001-013-518-20-47-00	GG-Utilities	200206019 Old City Hall	\$139.67	
			111533000	101-016-542-63-47-00	ST-Lighting - Utilities	200363505 Traffic Signal	\$68.32	
			111535132	001-010-576-80-47-00	PK-Utilities	200493443 Cath Creek Park meter 73867	\$15.88	
			114838719	001-012-575-50-47-00	CS-Community Center-Utilities	200860922 Community Center	\$175.18	
			118157845	001-013-518-20-47-00	GG-Utilities	201956075 War Memorial	\$24.43	
			121475970	001-010-576-80-47-00	PK-Utilities	200748721 Parks	\$50.17	
124790136	101-016-542-63-47-00	ST-Lighting - Utilities	201973682 Street Lights	\$46.93				
Snohomish County PW V	45549						Check Total	\$481.98
		6/21/2018	I000468482	001-008-521-20-48-00	LE-Repair & Maintenance Equip	Vehicle repair & Maintenance	\$481.98	
Snohomish County Treasurer	45550						Check Total	\$339.51
		6/21/2018	MAY2018	633-000-589-30-00-06	Crime Victims Compensation	May 2018 Crime Victims Compensation	\$339.51	
Sonsray Machinery LLC	45551						Check Total	\$4,271.06
		6/21/2018	P08980-09	101-015-543-30-31-00	ME - Operating Costs	Tracks for PW70	\$2,135.53	
				410-015-531-10-31-00	ME - Operating Costs	Tracks for PW70	\$2,135.53	
Sound Publishing Inc	45552						Check Total	\$618.56
		6/21/2018	EDH808531	001-007-558-50-41-03	PL-Advertising	LUA2017-0171 ADU code Amendment	\$182.56	
			EDH809300	001-007-558-50-41-03	PL-Advertising	Public Hearing Temp Encampment	\$96.56	
			EDH810144	001-007-558-50-41-03	PL-Advertising	Public Hearing Rhodora Annexation	\$113.76	
			EDH810503	001-007-558-50-41-03	PL-Advertising	LUA2018-0074 & 0076 Larry Thibeault	\$80.96	
			EDH810506	001-007-558-50-41-03	PL-Advertising	LUA2014-0084 & LUA2018-0072 Sedona	\$98.16	
			EDH810930	001-007-558-50-41-03	PL-Advertising	Public Hearing Planning Commission 6/13/18	\$46.56	
SP Marketplace Holdings Inc	45553						Check Total	\$1,750.00
		6/21/2018	5901	001-006-518-80-41-00	IT-Professional Services	Application Customization - HR Portal	\$1,750.00	
John Spencer	45554						Check Total	\$37.80
		6/21/2018	061318	001-001-513-10-43-00	Executive - Travel & Mtgs	Mileage May-June 12 2018-Spencer	\$37.80	



Checks to be Approved for 6/8/2018 to 6/21/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc		
Springbrook Nursery	45555						Check Total	\$706.78
		6/21/2018	265039	001-013-594-18-60-02	GG - City Hall Demo	Cobbles for New City Hall	\$41.20	
			265703	001-010-576-80-31-02	PK-Eagle Ridge Pk-Ops	Mulch - Eagle Ridge Park	\$84.00	
			265704	001-010-576-80-31-02	PK-Eagle Ridge Pk-Ops	Topsoil - Eagle Ridge Park	\$581.58	
Stericycle Inc	45556						Check Total	\$10.36
		6/21/2018	3004285432	001-008-521-20-41-01	LE-Proessional Serv-Fixed	Hazardous waste disposal	\$10.36	
Steuber Distributing Co	45557						Check Total	\$556.30
		6/21/2018	2858016	001-010-576-80-31-00	PK-Operating Costs	Herbicide for right of way spraying	\$294.46	
			2858763	302-010-594-76-61-03	PM - Soccer Field 20th Street	Rye Grass for soccer field	\$261.84	
Stoney Creek Outfitters	45558						Check Total	\$132.69
		6/21/2018	220000001892	001-008-521-20-31-02	LE-Minor Equipment	Detective rain gear	\$132.69	
Tacoma Screw Products Inc	45559						Check Total	\$654.66
		6/21/2018	18201731	101-016-544-90-31-02	ST-Operating Cost	Sunscreen Wipes	\$20.15	
				410-016-531-10-31-02	SW-Operating Costs	Sunscreen Wipes	\$20.14	
			18201733	101-016-544-90-31-02	ST-Operating Cost	Screws/nuts/engine oil/nitrile gloves	\$135.08	
				410-016-531-10-31-02	SW-Operating Costs	Screws/nuts/engine oil/nitrile gloves	\$135.08	
			18203423	101-016-544-90-31-02	ST-Operating Cost	Marking paint/screws/nuts/washers/etc	\$172.10	
				410-016-531-10-31-02	SW-Operating Costs	Marking paint/screws/nuts/washers/etc	\$172.11	
Technological Services Inc	45560						Check Total	\$1,659.51
		6/21/2018	08502	001-008-521-20-48-00	LE-Repair & Maintenance Equip	Vehicle repair & Maint PT-14-56	\$83.87	
			08688	001-008-521-20-48-00	LE-Repair & Maintenance Equip	Vehicle repair & Maint PT-14-58	\$882.91	
			08716	001-008-521-20-48-00	LE-Repair & Maintenance Equip	Vehicle repair & Maint A-07-40	\$67.68	
			08728	001-008-521-20-48-00	LE-Repair & Maintenance Equip	Vehicle repair & Maint PT-16-60	\$75.64	
			08745	001-008-521-20-48-00	LE-Repair & Maintenance Equip	Vehicle repair & Maint A-14-68	\$112.66	
			08748	001-008-521-20-48-00	LE-Repair & Maintenance Equip	Vehicle repair & Maint PT-16-65	\$281.65	
			08761	001-008-521-20-48-00	LE-Repair & Maintenance Equip	Vehicle repair & Maint A-08-38	\$71.80	
			08771	001-008-521-20-48-00	LE-Repair & Maintenance Equip	Vehicle repair & Maint I-17-73	\$83.30	
Tribune	45561						Check Total	\$305.32
		6/21/2018	805097.03	101-016-542-30-41-01	ST-Advertising	Help wanted - Crew worker	\$34.67	
				410-016-531-10-41-05	SW-Advertising	Help wanted - Crew worker	\$34.66	
			805366.03	101-016-542-30-41-01	ST-Advertising	Help wanted - Crew worker	\$34.67	



Checks to be Approved for 6/8/2018 to 6/21/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	
Tribune	45561	6/21/2018	805366.03	410-016-531-10-41-05	SW-Advertising	Help wanted - Crew worker	\$34.66
			805368.03	001-003-514-20-49-00	CC-Miscellaneous	Help wanted - Deputy CC/AP clerk	\$39.33
				001-004-514-23-41-01	FI-Advertising	Help wanted - Deputy CC/AP clerk	\$39.33
			805370.03	101-016-542-30-41-01	ST-Advertising	Help wanted - Sr Engineer	\$44.00
				410-016-531-10-41-05	SW-Advertising	Help wanted - Sr Engineer	\$44.00
UPS	45562	Check Total					\$24.65
		6/21/2018	74Y42238	001-008-521-20-42-00	LE-Communication	Evidence Shipping	\$24.65
Vantagepoint Transfer Agents - 108991	45563	Check Total					\$352.81
		6/21/2018	061518	001-000-282-00-00-00	Payroll Liability Retirement	ICMA Deferred Comp - Employer Contribution	\$352.81
Vantagepoint Transfer Agents - 307428	45564	Check Total					\$1,238.35
		6/21/2018	061518	001-000-282-00-00-00	Payroll Liability Retirement	ICMA Deferred Comp - Employee Contribution	\$1,238.35
Washington State Dept of Agriculture	45565	Check Total					\$50.40
		6/21/2018	1483	001-008-521-20-41-00	LE-Professional Services	Evidense scales inspected	\$50.40
Washington State Patrol	45566	Check Total					\$276.00
		6/21/2018	I18008245	633-000-589-30-00-10	Gun Permit - FBI Remittance	Weapons premit background checks	\$276.00
Washington State Support Registry	0	Check Total					\$163.50
		6/21/2018	061518	001-000-284-00-00-00	Payroll Liability Other	Employee Paid Child Support	\$163.50
Watershed LLC	45567	Check Total					\$500.25
		6/21/2018	0076060-IN	001-008-521-20-31-02	LE-Minor Equipment	Gore-Tex for SWAT	\$500.25
Weed Graafstra & AssociatesTrust Account	45483	Check Total					\$10,968.73
		6/8/2018	Vodegel	301-016-544-40-41-00	Street Op - P&D - 20th St SE	20th Street SE ROW Acquisition - Vodegel	\$10,968.73
Willards Pest Control Co	45568	Check Total					\$103.46
		6/21/2018	216854	001-013-518-20-41-00	GG-Professional Service	Pest Control City hall and Family Center	\$103.46
Total							\$387,907.55



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LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda 6/26/18
Date: _____

Subject: Employee Separation Agreement Authorization

Contact
Person/Department: Teri Smith/Human Resources **Budget**
Impact: Less than \$50,000

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL: Authorize the Mayor and City Administrator to sign Employee Separation Agreement as per the briefing with City Council on 6/19/18.

SUMMARY/BACKGROUND:

Many factors and considerations occur before getting to an employee Separation Agreement. As the chief personnel officers for the city, the Mayor and City Administrator have sought the advice of legal counsel for a recent employee situation. Due to confidentiality concerns that usually surround such agreements it is not always practical to publicly air all the details in a specific agreement. A sample agreement is attached to inform you of the items included in the agreement, while protecting the employee's confidentiality of the matter. The Mayor, City Administrator, Human Resources Director and City Attorney provided to council the information of the employee matter, in an executive session as allowed by state law, on Tuesday, June 19, 2018.

RECOMMENDATION:

Authorize the Mayor and City Administrator to sign an employee Separation Agreement discussed on June 19, 2018.

APPLICABLE CITY POLICIES: N/A

BUDGET IMPACT: Less than \$50,000.

Attachment A: Sample Separation Agreement

SEPARATION AGREEMENT

This separation agreement ("Separation Agreement") is entered into by and between _____ (or the "City") and _____ ("[Last Name]").

I. RECITALS

As part of its efforts to reduce costs and enhance operational efficiencies, the City is implementing a reduction in force and eliminating [Last Name]'s position. The parties desire to agree on a separation package to aid [Last Name]'s transition to alternative employment.

II. AGREEMENT

In consideration of the foregoing recitals, the parties agree as follows:

1. Separation from Employment. [Last Name]'s last date of employment with the City shall be _____ (the "Separation Date").

2. Separation Benefits.

a. Severance Pay. The City agrees to pay [Last Name] _____ weeks of severance pay at [Last Name]'s current regular rate of pay. Such severance pay shall be paid by check in a lump sum payment. The severance payment shall not be made until after [Last Name] has returned the executed Separation Agreement to the City and the Revocation Period specified in Paragraph 7 below has expired.

b. Health Insurance. In accordance with federal law (COBRA), [Last Name] may elect continuing medical, dental and vision benefits under the City's current health insurance policies for 18 months following the Separation Date ("COBRA benefits"); COBRA continuation coverage is at the covered individual's expense. [Last Name] will receive detailed information regarding his/her COBRA entitlements separate from this Agreement, as those entitlements are as provided by law and are in no way dependent on this Agreement. [Last Name] will also have the opportunity to review healthcare options in the marketplace.

Pursuant to this Agreement, the City will provide additional compensation to [Last Name] equivalent to the value of _____ months of COBRA coverage at [Last Name]'s current benefit election level. This additional compensation will allow [Last Name] to review his/her healthcare options and make the decision whether to elect COBRA or pursue another option in the marketplace. The City shall not be obligated to provide this additional compensation unless and until [Last Name] has returned the executed Agreement to the City, the Revocation Period specified in Paragraph 7 below has expired.

The parties agree that the separation benefits described in this Paragraph 2 are designed to aid [Last Name]'s transition to alternative employment, and that the specified benefits do not constitute benefits to which he/she would otherwise be entitled upon separation under existing employee benefit plans provided by the City or under any pre-existing agreement between [Last

Name] and the City. The parties further agree that the compensation described in this Paragraph 2 shall be subject to payroll withholdings required by law.

3. Accrued Vacation. In accordance with City policy or applicable collective bargaining agreement, the City will pay [Last Name] for vacation that [Last Name] has accrued but not used, if any, as of the Separation Date. *[Modify to reflect City policy/practice regarding vacation cash-out]*

4. Release. [Last Name] accepts the benefits contained in this Separation Agreement in full satisfaction of all his/her rights and interests relating to his/her employment with and separation from the City and, in consideration therefore, [Last Name] hereby releases the City, its affiliates, successors, predecessors, parent, subsidiaries, past and present officers, directors, board members, agents, representatives and employees (collectively, the “Released Parties”) from all claims (other than claims for the payments provided for under this Separation Agreement), causes of action or liabilities, suspected or unsuspected and irrespective of any present lack of knowledge of any possible claim or of any fact or circumstance pertaining thereto, which [Last Name] may have or claim to have against any of the Released Parties arising from or during employment with the City or as a result of separation from employment. This release specifically covers, but is not limited to, any claims of discrimination based on race, color, national origin, sex, sexual orientation, marital status, age (including claims under the Age Discrimination in Employment Act), physical or mental disability, or other protected status under any federal, state, or local law, rule, or regulation; any contract or tort claims arising under federal, state, or local law; any claims for unpaid wages or benefits; any claims arising under federal, state or local law based on promises made or allegedly made by the City to [Last Name]; and any claims under any express or implied contract or legal restrictions on the City’s right to terminate its employees. [Last Name] releases the Released Parties from all such claims and promises not to assert any such claims or causes of action (the only exceptions being a suit filed solely to challenge the validity of this release under the ADEA; a claim for benefits under workers compensation; or a suit based on acts or omissions occurring after [Last Name] signs this Separation Agreement). **This release is intended to be all encompassing, and to fully resolve all matters and relations between the parties up to the date [Last Name] signs this Separation Agreement.**

5. Continuing Rights. Nothing in this Agreement shall be construed to prohibit [Last Name] from filing a charge with, reporting potential violations of law to, or participating in any investigation or proceeding conducted by the Equal Employment Opportunity Commission or a comparable state or local agency, or to any other federal or state agency responsible for enforcement of the law (hereinafter a “Government Agency”). Notwithstanding the foregoing, [Last Name] hereby waives and releases his/her right to recover any form of personal relief from the City, including but not limited to monetary damages or reinstatement, in connection with any such charge, complaint, investigation or other proceeding conducted by a Government Agency, whether initiated by [Last Name] or any other person or entity; provided that this waiver and release does not apply to any whistleblower incentive award from the Securities and Exchange Commission.

6. No Admission. Nothing in this Separation Agreement shall be construed as any indication that the City or any of the Released Parties has acted wrongfully towards [Last Name] or any other person.

7. Review and Revocation. [Last Name] acknowledges that:

a. Pursuant to applicable law, he/she has been offered the opportunity to review a copy of this Separation Agreement for a period of twenty-one (21) days (the "Review Period"), and the parties have agreed that any changes to this Separation Agreement during the Review Period, whether material or immaterial, shall not restart the running of the 21-day Review Period;

b. The City advised [Last Name] at the beginning of the Review Period to consult with an attorney concerning the terms and conditions of this Separation Agreement, including without limitation the release set forth in this Separation Agreement; and

c. [Last Name] shall have seven (7) calendar days (the "Revocation Period") following the date on which Employee signs this Separation Agreement to revoke his/her acceptance of the Separation Agreement and the release set forth in this Separation Agreement, and this Separation Agreement shall not become effective until the Revocation Period has expired.

8. Voluntary Execution. [Last Name] represents that he/she has read, considered, and fully understands this Separation Agreement and all its terms, and executes it freely and voluntarily.

9. Construction of Agreement; Governing Law. Each party has had a full and complete opportunity to review this Separation Agreement, and has been given the opportunity to have counsel review it. Accordingly, the parties agree that the common law principles of construing ambiguities against the drafter shall have no application to this Separation Agreement. Interpretation of this Separation Agreement shall be under Washington law. If any such action is necessary to enforce the terms of this Separation Agreement, the substantially prevailing party shall be entitled to receive reasonable attorneys' fees and costs.

10. No Representations. [Last Name] represents that in entering into this Separation Agreement, he/she does not rely and has not relied upon any representation or statement made by the City or any of its employees or agents concerning this Separation Agreement.

11. Confidentiality. [Last Name] agrees to keep the terms of this Separation Agreement confidential, except for communications about it with his/her immediate family, attorney or accountants or other professional financial advisors. [*Consider removal of this paragraph where confidentiality is unnecessary or not practical.*]

12. Complete Agreement. This Separation Agreement constitutes a full and final resolution of all matters in any way related to [Last Name]'s employment with and separation

from the City. This Separation Agreement supersedes any and all other agreements between the parties. The parties agree that no modification, change or amendment of this Separation Agreement or any of its provisions shall be valid, unless in writing and signed by the party against whom such claimed modification, change or amendment is sought to be enforced.

13. Severability. If any provision of this Separation Agreement, or portion thereof, shall be held invalid or unenforceable by a court of competent jurisdiction or in any arbitration proceeding, such invalidity or unenforceability shall attach only to such provision or portion thereof, and shall not in any way affect or render invalid or unenforceable any other provision of this Separation Agreement or portion thereof, and this Separation Agreement shall be carried out as if any such invalid or unenforceable provision or portion thereof were not contained herein. In addition, any such invalid or unenforceable provision shall be deemed, without further action on the part of the parties, modified, amended or limited to the extent necessary to render the same valid and enforceable.

14. Titles. The titles of the paragraphs of this Separation Agreement are inserted merely for convenience and ease of reference and shall not affect or modify the meaning of any of the terms, covenants or conditions of the Separation Agreement.

IN WITNESS WHEREOF, the parties have executed this Separation Agreement as their free and voluntary act on the dates set forth below.

[EMPLOYEE'S NAME]

[Employee's Name]

Date: _____

[CITY NAME]

By _____

Date: _____

Title: _____



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LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda

Date: June 26, 2018

Subject: Concession Agreement for Recreational Activity at Lundeen Park

Contact Russ Wright, Community Development **Budget** N/A
Person/Department: Director **Impact:** _____

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL: **Approve the Concessions Agreement with Hydrology Stand Up Paddle to provide recreational activities at Lundeen Park.**

SUMMARY/BACKGROUND: At the May 15, 2018 Council meeting, Council approved the request for qualifications and concessions agreement for recreational activities, after which Staff went out to bid for a provider of recreational activities at Lundeen Park. Only one bid response was received, and the bidder, Hydrology Stand Up Paddle, agreed to all of the terms of the Concession Agreement. If approved, the Concession Agreement provides that Hydrology Stand Up Paddle will provide water-related concession activities at Lundeen Park with an anticipated start date of July 14, 2018 through September 3, 2018.

APPLICABLE CITY POLICIES:

BUDGET IMPACT: N/A.

ATTACHMENTS:

- Exhibit A: Concession Agreement



CONCESSIONAIRE LICENSE AGREEMENT

THIS CONCESSIONAIRE LICENSE AGREEMENT is made this ____ day of June, 2018, by and between CITY OF LAKE STEVENS, a municipal corporation, of the State of Washington ("City"), and HYDROLOGY STANDUP PADDLE, LLC, a Washington limited liability company, ("Licensee"). In consideration of the mutual promises stated herein, each of the parties hereto agrees as follows:

1. **License.** City hereby grants to Licensee a nonexclusive license to sell the list of services at referenced prices, as set forth in attached Schedule C, from Lundeen Park in Lake Stevens (the "Premises") in accordance with this Agreement. Licensee understands that this is not an exclusive contract excluding other concession services from any City park. Refer to Schedule A, attached hereto and incorporated herein, for exact dates and times of operation, services, prices and pictures identifying the type of temporary concession unit that will be used to sell the services. Licensee further understands that this license is limited to the services listed in Schedule C and may not be changed or modified during the time of this Agreement.

2. **Duration.** This Agreement shall commence upon full execution, but no sooner than July 14, 2018, and shall continue in effect through end of business on September 3, 2018 at Lundeen Park unless earlier terminated as provided below. The agreement term may be renewed annually in writing for a maximum of three (3) additional terms at the sole discretion of the City.

3. **Other Licenses & Permits.** The Licensee shall obtain and maintain a City of Lake Stevens business license and all other permits and approvals as required by law consistent with the operations of Licensee prior to opening operations.

4. **Licensee's Duties.**

a. Licensee and its employees shall comply with all rules and regulations of the City relating to the use of, and conduct at the Premises. Licensee and its employees shall comply with all applicable federal, state, and local laws while acting under this license. Licensee shall be liable to the City for loss or damage it or its employees, cause to the Premises during the periods of use of this license.

b. Licensee shall maintain and operate the concession building in a commercially reasonable manner. The Licensee shall remove all Licensee owned items from the Premises at the termination of this Agreement and shall leave the premises in as good or better condition than before occupancy by Licensee.

c. If the Licensee wishes to make capital improvements to the concessions building, the surrounding area including dock or other existing permanent structures, or wants to construct a permanent or temporary unit, Licensee must propose the improvements or construction to City in writing, addressed to the Community Development Director. This proposal must include site plans and specific construction drawings. City may approve or disallow the improvements. If the proposal is approved by City a separate written agreement will be developed between the City and the Licensee. The Licensee will be responsible to apply and pay for and obtain all necessary permits that may be required by the City, the Health District

or other regulatory agencies. At such time as this Agreement is terminated, the improvements become the property of the City.

d. Licensee further agrees to install all necessary equipment such as signage and display equipment at its own expense. All such installations shall be in accordance with the requirements of the most recent International Fire Code, and all other applicable codes and regulations.

5. Monthly Payments. The Licensee must agree to pay the City in consideration for concession rights and privileges, a monthly payment equal to 8% of gross sales, plus the monthly 12.84% Leasehold Tax for permanent locations. The Licensee will be required to pay the City on or before the 10th day of each succeeding month during the term of the permit. The Licensee will also be required to submit with each payment a signed statement attesting to the total gross receipts for said month. These statements must be made on a form provided by the City. Gross monthly receipts are defined as total revenue excluding Washington State Sales Tax. The City reserves the right to conduct audits and inspections without advance notice. The Licensee must agree to provide copies of all receipts and relevant documents upon request by the City.

a. **Late Fee:** A late fee of \$30 will be assessed for payments not received by the 10th of the month. Multiple late payments may result in suspension or termination of this agreement.

b. **Products:** Licensee shall submit all proposed services and prices to the City for prior written approval. Prices charged for services must be comparable and competitive with those generally charged in the area for similar items.

c. **Cleaning Deposit:** The Licensee will be required to pay a \$300 cleaning deposit prior to commencement of operation. The Licensee will be required to clean the concession area and remove all supplies and equipment within 7 days of the final day of operation. The City will conduct an inspection of the area to determine compliance. Any cleaning/disposal deemed necessary by the City would be conducted by City employees at the Licensee's sole expense. The Licensee will be required to timely reimburse the City for any such cleaning/disposal expense. Further, City may retain the Licensee's cleaning deposit to offset any such expense, or return to Licensee, should the concession be left in satisfactory condition.

6. Insurance Requirements. Maintenance of insurance as required herein shall not be construed to limit the liability of the Licensee to the coverage provided by insurance or to limit the City's recourse.

a. The Licensee shall obtain and maintain continuously, at its own expense, the insurance referenced in attached Schedule B, which is incorporated herein by this reference.

7. Indemnification. Licensee shall defend, indemnify, and hold harmless the City, its officers, officials, employees, and volunteers from and against any and all claims, suits, actions, or liabilities for injury or death of any person, or for loss or damage to property, which arises out of Licensee's use of Premises, or from the conduct of Licensee's business, or from any activity, work or thing done, permitted, or suffered by Licensee in or about the Premises, except only such injury or damage as shall have been occasioned by the sole negligence of the City. It is further specifically and expressly understood that the indemnification provided herein constitutes the Licensee's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated and agreed to by the Licensee and City. The provisions of this section shall survive the expiration or termination of this Lease.

8. Non-discrimination. Vendor shall ensure that there shall be no unlawful discrimination against any employee or applicant for employment in violation of RCW 49.60.180, as currently written or hereafter amended, or other applicable law prohibiting discrimination, unless based upon a bona fide occupational qualification as provided in RCW 49.60.180 or as otherwise permitted by other applicable law. Further, no person shall be denied or subjected to discrimination in receipt of the benefit of any services or activities made possible by or resulting from this Agreement in violation of RCW 49.60.215 or other applicable law prohibiting discrimination.

9. Termination. Either party may terminate this Agreement by giving at least ten (10) days' written notice of termination to the other party, except that the City may, at its election, terminate this Agreement at any time without notice if Licensee fails to comply with any of the provisions of this Agreement. City may retain any advanced payments.

10. Non-assignment. The Licensee shall not assign, subcontract or transfer any of the rights, duties or obligations covered by this Agreement without the prior express written consent of the City.

11. Governing Law and Venue. This Agreement shall be governed by the laws of the State of Washington and any lawsuit regarding this Agreement must be brought in Snohomish County, Washington.

12. Severability. Should any clause, phrase, sentence or paragraph of this Agreement be declared invalid or void by a court of competent jurisdiction, the remaining provisions of this Agreement shall remain in full force and effect.

13. Entire Agreement. This Agreement is the complete expression of the terms and conditions hereunder. Any oral or written representations or understandings not incorporated herein are specifically excluded.

“CITY”

“LICENSEE”

CITY OF LAKE STEVENS

By: _____
John Spencer, Mayor

By: _____
Owner

Approved as to Form:

Grant K. Weed, City Attorney

Schedule A GENERAL OPERATION

1. The Licensee is authorized to provide only such services as are listed on attached Schedule C.
2. The concession site will only be used as a site to sell or rent approved items and services and the Licensee agrees to not let or sublet the whole or any part of the concession building or assign this agreement or any interest within the property described.
3. Licensee will not provide food or beverage products of any kind.
4. Licensee shall not stock, offer to sell or sell any tobacco or tobacco products, marijuana or marijuana products or vaping products.
5. Licensee shall not distribute, hand out or offer any leaflets, brochures or literature unrelated to authorized offerings listed in attached Schedule C.
6. All personal property kept at the concession stand shall be at Licensee's own risk. The City will not be held liable, in any manner or account, for any loss or damage sustained by action of fire, water, elements, theft or any third party.
7. The Licensee will be responsible for all litter clean up in and about the premises.
8. The Licensee operating hours will be from 8:30 a.m. until dusk. No exceptions will be made without prior written approval from the Community Development Director or his/her designee. The City will provide advanced notice of scheduled special events that may require modified operating hours.
9. The Licensee is responsible for paying all taxes, wages and other costs associated with the sale and distribution of items from the Concession.
10. Licensee expressly assumes FULL LEGAL RESPONSIBILITY for the conduct of employees, volunteers, or third parties hired to provide services ("Workers").
11. Licensee shall ensure that Workers in the concession are at least fourteen (14) years old per WAC 296-125-027. There must be one adult supervisor for every two minors; adult supervisors must be at least eighteen (18) years old.
12. Pursuant to the Child and Adult Abuse Information Act (CAAIA), a Licensee operating in any City of Lake Stevens park where children, developmentally disabled persons and/or vulnerable adults are present, the Licensee is required to perform criminal history/background checks on all its Workers at its own cost. All Workers must pass the criminal history/background check prior to beginning work for Licensee.
13. The criminal history/background check will be completed by Licensee no less than fourteen (14) days prior to the commencement of business under this Agreement, and no less than fourteen (14) days prior to any new Workers providing services in the concession. The City reserves the right to request copies of background check documents.
14. Licensee shall comply with all City of Lake Stevens ordinances, rules and regulations. If at any time any members of the business, its employees or volunteers, behave inappropriately or in a manner that conflicts with any laws, park codes, or rules and regulations outlined in this contract, they will be asked to leave and this contract may be subject to termination in the City's sole discretion.
15. Licensee shall limit launch of water craft to areas designated by the City of Lake Stevens and shall not restrict use of the area so designated as an exclusive launch.

EQUIPMENT STORAGE

Licensee may store all equipment and supplies related to the Services ("Equipment and Supplies") in concession building or one storage container provided by the Licensee and at the location in the Park designated by the Community Development Director or his/her designee. Any additional storage requirements must be approved by the Community Development Director. The City at its sole discretion shall request the storage container be moved as needed. The City is not responsible for lost, stolen, or damaged Equipment and Supplies.

All Licensee-owned Equipment and Supplies must be removed from the Park within seven (7) days of the last day of this Agreement.

SIGNAGE

Concession will be allowed one A-board sign and one temporary banner on concession building not to exceed standards of the sign code.

SAFETY AND SAFETY EQUIPMENT

Licensee will operate water-related Services and use the Premises according to accepted industry and U.S. Coast Guard approved standards. When in or on the water, every patron will be required, at all times and without exception, to wear a personal flotation device that is Coast Guard approved and meets additional "safe for use" guidelines. Licensee staff must be trained in recreational water safety standards and must be present and on site at all times during water activities. Patrons and users must be provided safety instructions and taught how to properly enter and exit the water, and navigate their watercrafts.

Licensee shall comply with all Washington State and U.S. Coast Guard water safety laws. Licensee must have written rules and procedures for water activities, including an emergency action plan specific to the Premises location. In addition, Licensee staff must be First Aid and CPR-certified, and First Aid kit must be located on site and accessible to staff.

SCHEDULE B INSURANCE REQUIREMENTS

A. Insurance Term

The Lessee shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the Lessee's operation and use of the leased Premises.

B. No Limitation

The Lessee's maintenance of insurance as required by the agreement shall not be construed to limit the liability of the Lessee to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy available at law or in equity.

C. Minimum Scope of Insurance

The Lessee shall obtain insurance of the types and coverage described below:

1. Commercial General Liability insurance shall be at least as broad as Insurance Services Office (ISO) occurrence form CG 00 01 and shall cover premises and contractual liability. The City shall be named as an additional insured on Lessee's Commercial General Liability insurance policy using ISO Additional Insured-Managers or Lessors of Premises Form CG 20 11 or a substitute endorsement providing at least as broad coverage.
2. Property insurance shall be written on an all risk basis.

A. Minimum Amounts of Insurance

The Lessee shall maintain the following insurance limits:

1. Commercial General Liability insurance shall be written with limits no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate.
2. Property insurance shall be written covering the full value of Lessee's property and improvements with no coinsurance provisions.

B. Other Insurance Provisions

The Lessee's Commercial General Liability insurance policy or policies are to contain, or be endorsed to contain that they shall be primary insurance as respects the City. Any insurance, self-insurance, or self-insured pool coverage maintained by the City shall be excess of the Lessee's insurance and shall not contribute with it.

C. Acceptability of Insurers

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

D. Verification of Coverage

The Lessee shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of the Lessee.

E. Waiver of Subrogation

Lessee and City hereby release and discharge each other from all claims, losses and liabilities arising from or caused by any hazard covered by property insurance on or in connection with the premises or said building. This release shall apply only to the extent that such claim, loss or liability is covered by insurance.

F. Public Entity's Property Insurance

City shall purchase and maintain during the term of the lease all-risk property insurance covering the Building for its full replacement value without any coinsurance provisions.

G. Notice of Cancellation

The Lessee shall provide the City with written notice of any policy cancellation within two business days of their receipt of such notice.

H. Failure to Maintain Insurance

Failure on the part of the Lessee to maintain the insurance as required shall constitute a material breach of lease, upon which the City may, after giving five business days notice to the Lessee to correct the breach, terminate the Lease or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the Public Entity on demand.

I. Public Entity Full Availability of Lessee Limits

If the Lessee maintains higher insurance limits than the minimums shown above, the City shall be insured for the full available limits of Commercial General and Excess or Umbrella liability maintained by the Lessee, irrespective of whether such limits maintained by the Lessee are greater than those required by this contract or whether any certificate of insurance furnished to the City evidences limits of liability lower than those maintained by the Lessee.

May 30, 2018

City of Lake Stevens
Lake Stevens Parks & Recreation
1812 Main Street
Lake Stevens, WA 98258-0257



RE: Request for proposal of Water Recreation Concession at Lundeen Park

Dear Mr. Russ Wright,

This letter is to propose the use of the water recreation concession at Lundeen Park in Lake Stevens. We are a family owned and operated small business originating in Everett, WA. We have been offering stand up paddleboard rentals, lessons classes, events and retail for the past four years at several locations as a mobile operation. We have contracts with The City of Everett, Silver Lake and Forest Park Swim Center, The Port of Everett, The City of Mukilteo at Edgewater Beach and The Snohomish Aquatic Center. Our goal is to share our love of stand up paddle with as many people possible. We take pride in offering top-notch customer service. We love to collaborate with local companies to create new and fun offerings for all levels of paddle boarders. We are proud to volunteer and host the 4th annual Aquafest Stand Up Paddle Race and the 2nd annual Olympic Day with the Lake Stevens Rowers Club. We are excited to launch our fifth year in business with Lake Stevens! We are looking forward to offering a wide variety of activities to your community.

A. Services Products To Be Offered For Sale

The services we intend to offer are:

- Stand Up Paddleboard Rentals; Hourly (\$20) & Full Day Options (\$50) / Sale of tee shirts & related items
- Lessons; Individual (\$55) & Group (\$30)
- Monthly Classes; Paddleboard Yoga, Paddle Pilates, SUP Fit, Self Care Floating Sessions, & Youth Classes (\$27- \$30)
- Events (Aquafest Paddle Race, Olympic Day, Workshops, Other Community Involvement Opportunities & Collaborations With Local Lake Stevens businesses).

Hydrology is committed to keeping our lakes and beaches clean and safe. We are 100% committed to keeping our beaches clean by recycling all recyclable items when possible. We have a fleet of 20 boards, paddles, leashes, and PFD's. We would keep 8 at Lundeen Park unless designated otherwise for a specific event and you need more boards for a larger event. We are flexible and will happily adapt to the needs of your community. All of our rental gear is top brand gear. Our paddleboard rentals are the top inflatable boards in the world, Red Paddle Co. They are 10'8 in length and 34 inches wide. We choose to use this top brand with intention of people loving stand up paddle the first time they are on a board.

As a side note, we are open to the idea of offering sit on top kayaks as additional rental equipment in the future.

B. Consideration

Compensation for the City of Lake Stevens would include a monthly percentage of gross receipt's of 8% to start plus monthly 12.84% Leasehold Tax.

C. Concession Experience/Business References

We intend to seek employees that are locals who are vested in the betterment of the community. Each employee will be First aid/CPR certified and up to date on recreational water safety standards.

Safety procedures will include:

- Each patron will be required to wear a type III life jacket (USCG approved) and a leash attached to the paddle board at all times.
- Each patron will be required to partake in a 10-12 minute orientation that will include written safety guidelines, current weather conditions, water movement, and basics of using the paddleboard.
- Each patron will sign a liability waiver covering Hydrology Stand Up Paddle, LLC and the City of Lake Stevens.
- Trained certified instructors will guide all lessons and classes.

2

- Each patron will be at least 18 years old. Unless accompanied by their parent, guardian or in a lesson/class with an instructor.
- Insured with the City of Lake Stevens named as additional insured.
- Hydrology will call 911 in any instance warranting police or fire support.

Erin is a certified Red Cross Lifeguard/First Aid/CPR, Professional Stand Up Paddle Association Paddle Instructor, and Dave is a Firefighter Paramedic and Professional Stand Up Paddle Association Paddle Instructor as well.

Business References include:

- Cory Rettenmier, City of Everett Business Manager, 802 E. Mukilteo Blvd. Everett, WA 09203, 425-257-7314, crittenmier@everettwa.gov, Direct Supervisor for City of Everett.
- Janice Huxford, Aquafest Past President/Co-Owner of Sno Val Roofing, 625 South Lake Stevens Road, Lake Stevens, WA 98258, 425-766-1219. janicehuxford@snovalinc.com, Aquafest board member/community volunteer.
- Carly Hayden, Owner of Catalyst Yoga, PO BOX 4238, Everett, WA 98204, 425-346-4192. carlyhaydenyoga@gmail.com Business partnership.
- Manjeet Russell, Owner of Infinite Balance Life Coaching and Scanners LLC, 8725 Cascadia Ave., Everett, WA 98208, 206-409-2787. Mbasran@frontier.com Business partnership.

Sincerely,

 5/30/18

Dave & Erin Matthews
Owner Operators
Hydrology Stand Up Paddle
4816 College Ave. Everett, WA 98203
erin@hydrologysup.com
425-330-4990



LAKE STEVENS CITY COUNCIL
STAFF REPORT

**Council Agenda
Date:**

June 26, 2018

Subject: Approve Memorandum of Understanding with Snohomish County re Public Safety at Wyatt Park

**Contact
Person/Department:** Gene Brazel, City Administrator

**Budget
Impact:** \$20,000

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:

Authorize Mayor to sign Memorandum of Understanding with Snohomish County Parks, Recreation and Tourism Department to provide Snohomish County with funds to support Park Ranger staff at Wyatt County Park

SUMMARY/BACKGROUND:

Over the past several years there has been a growing need to have official presence at Wyatt Park to monitor park user activity and uphold the park rules and laws. Currently Lundeen Park is closed for construction and citizens have been asked to utilize Wyatt Park during this closure. Because of this, Snohomish County has requested the City of Lake Stevens contribute \$20,000 toward funding Park Ranger staff at Wyatt Park during the 2018 summer months.

While the \$20,000 can be absorbed in 2018 salary savings, it was not included in the 2018 budget so this will be included in the next budget amendment.

APPLICABLE CITY POLICIES:

BUDGET IMPACT: \$20,000

ATTACHMENTS:

- Exhibit A: Memorandum of Understanding

MEMORANDUM OF UNDERSTANDING:

**BETWEEN SNOHOMISH COUNTY PARKS, RECREATION AND
TOURISM DEPARTMENT AND CITY OF LAKE STEVENS TO
PROVIDE SNOHOMISH COUNTY WITH FUNDS TO SUPPORT PARK
RANGER STAFF AT WYATT COUNTY PARK**

RECITALS:

- A. SNOHOMISH COUNTY, a political subdivision of the State of Washington, by and through the Department of Parks, Recreation and Tourism (the "COUNTY") manages and operates Wyatt County Park located at 10508 Chapel Hill Road, within the city limits of the City of Lake Stevens ("CITY"); and
- B. The COUNTY and CITY recognize that the COUNTY does not have enough full-time special deputy commissioned park ranger staff available during the peak season each summer to adequately monitor, educate, oversee and enforce county park rules of the public's use of Wyatt County Park seven (7) days a week;

Now, therefore the COUNTY and CITY mutually agree as follows:

- 1. The CITY will provide the COUNTY twenty thousand dollars and 00/100 (\$20,000) annually by May 1 thus allowing the COUNTY to hire seasonal park ranger staff to be relocated at other county park facilities allowing the full-time limited commissioned park rangers to provide education, enforcement, monitoring and oversight of Wyatt County Park for a minimum of seven (7) hours a day, seven days a week from Memorial Day weekend through Labor Day weekend each year. It is anticipated that the County Park Rangers will be onsite seven days a week from 12pm – 7pm, when a majority of the public is at and using Wyatt County Park. In the first year of this MOU, CITY will pay COUNTY on or before July 15, 2018. Except as provided in paragraph 2 below, the City's only obligation is to assist with funding as provided herein and the City assumes no other responsibility with regard to the operation, maintenance, security or any other matters concerning Wyatt Park which is solely owned and operated by Snohomish County.
- 2. It is also anticipated that the COUNTY's Sheriff's Department along with the CITY'S Marine Patrol will stop by on a regular basis to also educate, enforce, monitor and oversee the public's use of Wyatt County Park from Memorial Day weekend through Labor Day Weekend each year.
- 3. MOU Term. The MOU shall become effective June 15, 2018 and shall continue through September 3, 2018. The MOU term may be renewed annually in writing, as described in paragraph 1 above, for a maximum of three (3) additional terms at the sole discretion of the CITY.

4. The COUNTY and CITY will meet annually, or as needed, to review and assess the MOU, and to discuss and make adjustments as needed.
5. Either party may terminate this MOU by giving at least thirty (30) days' written notice of termination to the other party.
6. Day to Day contacts for each party are:

For the COUNTY:

Park Operations Supervisor

Rich Patton
Cell 425-508-6614
rich.patton@snoco.org

For the County's Sherriff's Office
Support Services Bureau
Lt. Rick Hawkins
Cell 425-366-5401
Richard.Hawkins@snoco.org

For CITY:

Chief of Police

John Dyer
Cell: 425530-6274
jdyer@lakestevenswa.gov

This Memorandum of Understanding is not intended to create any legally binding obligations on the parties hereto or to create any rights in third parties.

CITY OF LAKE STEVENS

SNOHOMISH COUNTY PARKS, RECREATION
DEPARTMENT

John Spencer, Mayor

Tom Teigen, Director



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**LAKE STEVENS CITY COUNCIL
STAFF REPORT**

Council Agenda Date: June 26, 2018

Subject: Downtown Subarea Plan

Contact Person/ Department:	Russ Wright , Community Development Director	Budget Impact:	Capital Improvement/ Service Costs
--	--	---------------------------	---------------------------------------

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:

1.. Hold a public hearing to approve first reading of Ordinances 1025, 1026 and 1027 adopting the Downtown Lake Stevens Subarea Plan, Development Regulations and Planned Action Ordinance

BACKGROUND:

Over the past two years, staff has briefed the public, affected agencies, Citizen's Advisory Committee, Planning Commission and City Council on the fundamental concepts, land use / zoning, proposed infrastructure improvements, zoning regulations, potential environmental impacts related to the draft subarea plan.

- Community meetings to solicit public comment and to present plan elements occurred between June 2016 and March 2017
- A scoping meeting for Environmental Impact Statement (EIS) was held July 17, 2017
- A Public Meeting covering the Draft EIS was held January 17, 2018 – the comment period ended February 6, 2018
- City Council Workshop covering Draft EIS held February 6, 2018
- On February 12, 2018, the City Council adopted a preferred alternative, which was a modified high growth alternative, for the Downtown Lake Stevens Subarea Plan.
- Staff discussed the preferred alternative and subarea plan with the Planning Commission on April 18, 2018.
- The Planning Commission held an open house on the Planned Action Ordinance and reviewed the draft development regulations on May 16, 2018.
- Staff presented the Draft Capital Facilities Plan and Revised Design Guidelines to the Planning Commission on June 06, 2018.
- Staff has also held individual meetings with each subcommittee of the Citizen's Advisory Committee for the project.
- The Planning Commission held a public hearing on June 13, 2018 and recommended approval of the subarea plan and associate documents.

The purpose of the meeting is to hold a public hearing and receive public comment on the various pieces of the subarea plan package including Ordinance 1026 - Downtown Lake Stevens Subarea Plan (Attachment 1), Ordinance 1025 - the Planned Action Ordinance (Attachment 2), and Ordinance 1027 Updated Development Regulations and Subarea Design Guidelines (Attachment 3). Public Comments are attached as Exhibit 4.

The Subarea Plan and FEIS are available at: <http://lakestevensdowntown.com>. Hard copies of the plan and documents are available for pick up at the Permit Center upon request.

FINDINGS AND CONCLUSIONS

The following section identifies how the plan and associated documents are consistent with Comprehensive Plan, State Environmental Policy Act, Growth Management Act and Public Participation.

1. Compliance with selected elements of the Comprehensive Plan

Land Use Element

- GOAL 2.1 Provide sufficient land area to meet the projected needs for housing, employment and public facilities within the city of Lake Stevens
- GOAL 2.2 Achieve a well-balanced and well-organized combination of residential, commercial, industrial, open space, recreation and public uses.
- GOAL 2.3 Apply the comprehensive plan as a guide for community development implemented through the city's development regulations to ensure preferred community growth patterns are achieved.
- GOAL 2.4 Encourage the continued planning of local growth centers to develop a balanced and sustainable community that provides a focus for employment, public and residential development.
- GOAL 2.5 Develop a subarea plan for downtown Lake Stevens that encourages a compact commercial district that facilitates easy pedestrian access between shops and buildings, allows mixed-use development, promotes economic development compatible with the character of lake stevens and stimulates a diverse array of business types to attract visitors and meet the needs of residents.
- GOAL 2.10 Ensure that land uses optimize economic benefit and the enjoyment and protection of natural resources while minimizing the threat to health, safety and welfare.
- GOAL 2.14 Design and build a healthy community to improve the quality of life for all people who live, work, learn, and play within the city.

Housing Element

- GOAL 3.1 Provide fair and equal access to a range of housing types and choices to meet the existing and projected housing needs of all lake stevens residents regardless of income level or demographic status.
- GOAL 3.5 Provide a balanced development pattern, which promotes pedestrian activities, a sense of community and safety.
- Environment and Natural Resources
- GOAL 4.1 Sustain environmental quality through the preservation and conservation of the natural environment and resources, and require development to be sensitive to site characteristics and protect natural and cultural resources.
- GOAL 4.2 Implement the state shorelines management act along shorelines of statewide significance in the current or ultimate city limits of lake stevens. protect and enhance shoreline visual and physical access consistent with public trust doctrine principles.
- GOAL 4.3 Protect the natural environment, surface water and ground water and aquifer recharge areas, conserve all critical areas including wetlands, shorelines, creeks/streams, geological hazard areas and wildlife habitats by locating development within geographically suitable and geologically stable areas, and coordinate local development regulations with state and federal policies.

Parks Recreation and Open Space Element

- GOAL 5.1 Provide a high-quality, diversified parks, recreation and open space system that provides recreational and cultural opportunities for all ages and interest groups.
- GOAL 5.2 Provide an interconnected system of high-quality, accessible trails and greenway corridors that offer diverse, healthy outdoor experiences within a variety of landscapes and natural habitats, public facilities, local neighborhoods, business districts and regional trails.
- GOAL 5.6 The city recognizes that land is in high demand and that acquisitions must be pursued as quickly as possible to implement the community's vision concurrently with developing and improving existing facilities to achieve a high quality and balanced park and recreation system.

Economic Development Element

- GOAL 6.1 Improve the city's economic conditions for a healthy vibrant, and sustainable community with a high quality of life
- GOAL 6.2 Manage commercial growth in centers.
- GOAL 6.3 Enhance retail and personal services growth to address the community's needs and expand the city's retail sales tax base
- GOAL 6.4 Support employment growth in the city.
- GOAL 6.5 Enhance and support tourism in Lake Stevens.
- GOAL 6.8 Support businesses and job creation, investing in all people, sustaining environmental quality, and creating great central places, diverse communities and high quality of life.

Public Services and Utilities Element

- GOAL 7.1 Coordinate with city departments, special purpose districts, utility companies and other service providers to ensure the adequate distribution of public services and facilities throughout the city and consistency with the land use element.
- GOAL 7.5 Provide adequate stormwater facilities and services.
- GOAL 7.6 Strive to provide adequate sewer services to every residence and business in the city
- GOAL 7.9 Promote conservation and energy efficiency, and allow for alternative design standards and/or material.

Transportation Element

- GOAL 8.2 Provide a roadway network which meets adopted level of service standards.
- GOAL 8.3 Provide an affordable level of service for the roadway network.
- GOAL 8.4 Provide a transportation system that supports existing land uses and accommodates anticipated growth.
- GOAL 8.6 Strive for continuous and long-term expansions to the trail and pedestrian systems.
- GOAL 8.7 Promote pedestrian and bicycle access to public facilities and centers.
- Capital Facilities Element
- GOAL 9.1 The city will strive to be a sustainable community around the lake with unsurpassed infrastructure for an exceptional quality of life.
- GOAL 9.4 Provide needed capital improvements to maintain adopted levels of service.
- GOAL 9.5 Coordinate land use decisions and financial resources with a schedule of capital improvements to meet adopted level of service standards, measurable objectives.

Conclusions – The proposed subarea plan, land use code amendments, subarea design guidelines, subarea development regulations, planned action ordinances, map updates and capital facilities plan have met the applicable Comprehensive Plan Goals as they relate to the development of the Downtown Lake Stevens Subarea.

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

- The city issued a Draft Environmental Impact Statement on January 5, 2018 – all comments received were addressed.
- The Final Environmental Impact Statement (FEIS) was issued on April 27, 2018. The end of the comment period was May 11, 2018 –no additional comments were received.
- The Planning Commission held an open house on the Planned Action Ordinance on May 16, 2018.

Conclusions – The proposed subarea plan, land use code amendments, subarea design guidelines, subarea development regulations, planned action ordinances, map updates and capital facilities plan have met state SEPA requirements.

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

- The City provided the Department of Commerce with 60-Day Review Notices for Comprehensive Plan and Zoning Code Amendments on April 27, 2018.
- The Department of Commerce sent a letter of acknowledgment to the city on April 30, 2018.
- The 60-day review will end June 27, 2018 before final action is taken.
- Staff will file the final ordinances and regulations with the Department of Commerce within 10 days of City Council adoption.

Conclusions – The proposed subarea plans, land use code amendments, subarea design guidelines, subarea development regulations, planned action ordinances, map updates and capital facilities plan have met state SEPA requirements

Public Notice and Comments

- The City has published and posted public notices throughout the planning process (e.g., environmental review, planned action ordinance and public hearings) for public comment in accordance with city and state requirements. In addition, emails were sent throughout the process to a Subarea Email List as documents were available on the City website and notices for availability of documents or upcoming public meetings and hearings.

Conclusions – The City has met all public notice requirements.

Attachments

Attachment 1: Subarea Plan (Ordinance 1026)

Attachment 2: Planned Action Ordinance (Ordinance 1025)

Attachment 3: Development Regulations (Ordinance 1027)

Attachment 1

**CITY OF LAKE STEVENS
Lake Stevens, Washington
ORDINANCE NO. 1026**

**AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON
AMENDING THE 2015 – 2035 CITY OF LAKE STEVENS COMPREHENSIVE
PLAN BY ADOPTING THE DOWNTOWN LAKE STEVENS SUBAREA PLAN,
ADOPTING A SUBAREA CAPITAL FACILITIES PLAN, AND AMENDING THE
OFFICIAL COMPREHENSIVE PLAN LAND USE AND SHORELINE MAPS;
PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

WHEREAS, the City completed a citywide economic development strategy in 2010, memorialized in the city's Comprehensive Plan, that recommended adopting four subarea plans for distinct areas of the city. The first two plans, which were the 20th Street SE Corridor and Lake Stevens Center were adopted in 2012, as Planned Action Areas; and

WHEREAS, RCW 36.70A.130(2)(a)(i) and (v) allows jurisdictions to amend its comprehensive plan with the initial adoption of a subarea plan and adoption of comprehensive plan amendments necessary to enact a planned action under RCW 43.21C.031(2); and

WHEREAS, the City is concurrently adopting planned action ordinance (Ordinance No.1025), subarea design guidelines, subarea land use regulations, and zoning map amendments (Ordinance No. 1027) in association with this Comprehensive Plan Amendment Ordinance; and

WHEREAS, the City held workshops and open houses to elicit public input on the scoping, vision and fundamental concepts for the subarea plan between June 2016 – March 2017 in; and

WHEREAS, the City organized a Citizen's Advisory Committee comprised of topical subcommittees (e.g., business, parks, technical, land use and special community interests) a steering committee and executive committee to help guide the subarea planning process through all phases;

WHEREAS, the City held a Scoping Meeting on July 17, 2017 for the Environmental Impact Statement (EIS), held a public meeting for the Draft EIS on January 17, 2018, held a public meeting for the Final EIS on February 6 and 13, 2018, and held a public meeting for the Planned Action Ordinance on May 16, 2018; and

WHEREAS, the city has held meetings with the public, CAC, Service Clubs, Interested Parties, the Planning Commission and City Council at key milestones of the project since June 2016; and

WHEREAS, the City issued draft and final environmental impact statements for the subarea plan, planned action ordinances, and other related documents including land use / shoreline map amendments, zoning map amendments and development regulation amendments pursuant to the State Environmental Policy Act (SEPA) (Chapter 43.21C RCW) and implementing rules (Chapter 197-11 WAC) in January 2018, and April 2018 with published notices of issuance and availability of documents; and

WHEREAS, in taking the actions set forth in this ordinance, the City has complied with the requirements of the State Environmental Policy Act, Chapter 43.21C RCW; and

WHEREAS, the Comprehensive Plan land use designations for the subarea include Waterfront Residential (HDR), Downtown/Local Commerce (D/LC), Mixed Use (MU), and Public/Semi-Public (P/SP); and

WHEREAS, the Shoreline Master Plan environment designations for the subarea include High Intensity, Shoreline Residential, Natural and Urban Conservancy; and

WHEREAS, the zoning classifications allowed under the Comprehensive Plan are proposed to be Waterfront Residential (WR), Central Business District (CBD), Mixed-Use Neighborhood (MUN) and Public/Semi-Public (P/SP); and

WHEREAS, the City submitted the proposed subarea plan, land use map amendments, zoning map amendments and development regulation amendments for the 60-day review to the Washington State Department of Commerce on April 27, 2018 and received an acknowledgement letter on April 30, 2018; and

WHEREAS, the Department of Commerce's 60-day review period ended June 27, 2018, and

WHEREAS, the Planning Commission held three public meetings reviewing various aspects of the subarea plan between April 2018 and June 2018; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on June 13, 2018 and forwarded a recommendation that the City Council adopt the subarea plan, planned action ordinance and other related documents including the capital facilities plan, land use / shoreline / zoning map amendments, and development regulation /design guideline amendments; and

WHEREAS, the City Council has been briefed on various aspects of the subarea plan throughout the planning process; and

WHEREAS, the City Council conducted a duly noticed public hearing on June 26, 2018 and July 10, 2018 to consider the subarea plan, planned action ordinance and other related documents including the capital facilities plan, land use / shoreline / zoning map amendments, and development regulation /design guideline amendments; and

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

Section 1. The City Council hereby finds that the amendments in this Ordinance meet the necessary criteria for approval of amendments to the Comprehensive Plan, in that:

1. The Amendments are consistent with the Growth Management Act and other applicable State laws;
2. The Amendments are consistent with the applicable Countywide Planning Policies;
3. The Amendments are consistent with the Community Vision or other goals, policies, and provisions of the Comprehensive Plan;

4. The Amendments can be accommodated by all applicable available or planned public services and facilities;
5. The Amendments will change the development or use potential of a site or area without creating significant adverse impacts on existing sensitive land uses, businesses, and/or residents; and
6. The Amendments will result in long-term benefits to the community and are in the best interest of the community.

Section 2. The City Council hereby amends by reference the 2015 – 2035 Comprehensive Plan with the adoption of a revised Official Comprehensive Plan Land Use Map, as attached and incorporated herein as **Exhibit 1**

Section 3. The City Council hereby amends by reference the 2015 – 2035 Comprehensive Plan with the adoption of the Downtown Lake Stevens Center Subarea Plan, as attached and incorporated herein as **Exhibit 2**

Section 4. The City Council hereby amends by reference the 2015 – 2035 Comprehensive Plan, with the adoption of the Downtown Lake Stevens Center Capital Facilities Plan, as attached and incorporated herein as **Exhibit 3**.

Section 5. The City Council hereby amends by reference the Shoreline Master Program with the adoption of a revised Official Shoreline Environment Designation Map, as attached and incorporated herein as **Exhibit 4**.

Section 6. Severability. If any section, clause, phrase, or term of this ordinance is held for any reason to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance, and the remaining portions shall be in full force and effect.

Section 7. Effective Date and Publication. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five days after the date of publication.

Section 8. Appeals. The action of the City Council on a Type VI proposal may be appealed together with any SEPA threshold determination by filing a petition with the Growth Management Hearings Board pursuant to the requirements set forth in RCW [36.70A.290](#). The petition must be filed within the 60-days as set forth in RCW [36.70A.290](#)(2). The appeal period shall commence upon the City Council's final decision and not upon expiration of the reconsideration period. Judicial appeal is to Snohomish County Superior Court.

PASSED by the City Council of the City of Lake Stevens this 10th day of July 2018.

John Spencer, Mayor

ATTEST/AUTHENTICATION:

Kathy Pugh, City Clerk

APPROVED AS TO FORM:

Grant K. Weed, City Attorney

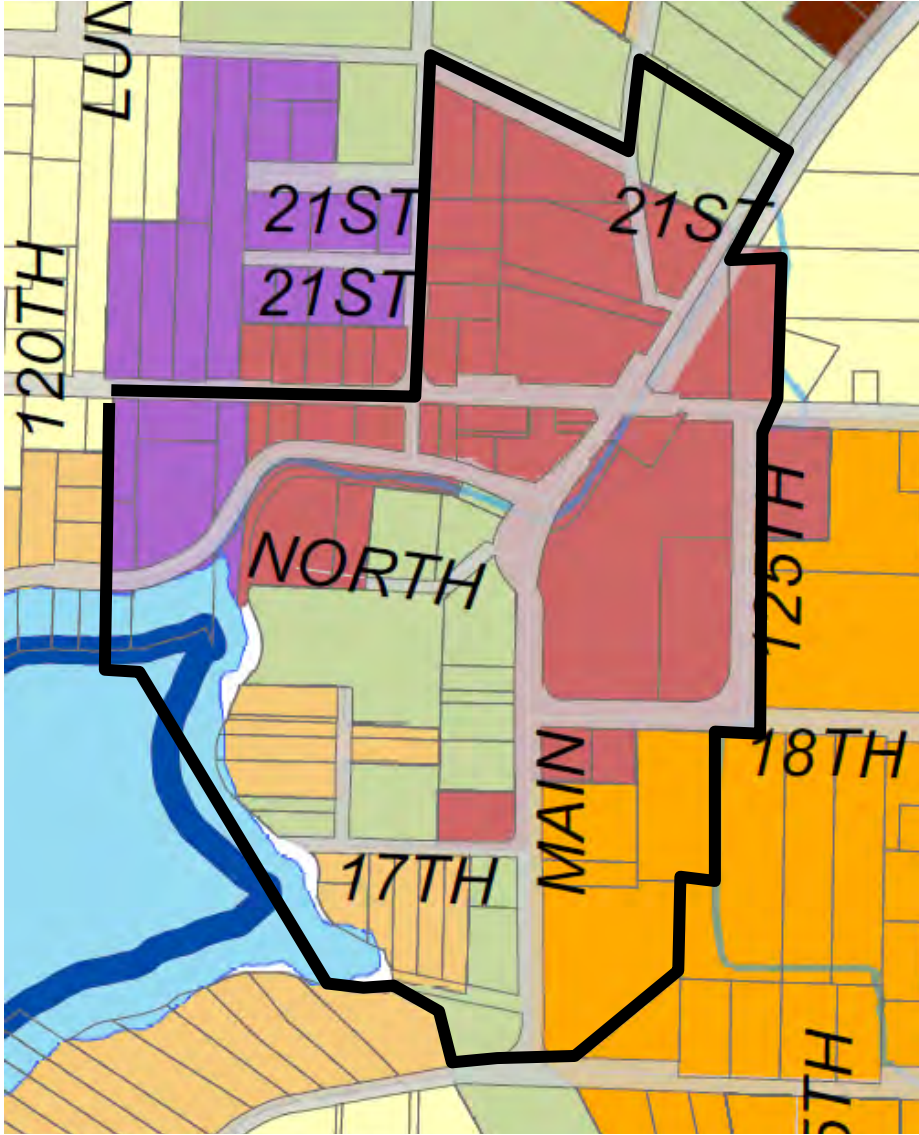
First Reading: June 26, 2018

Second Reading & Final Reading: July 10, 2018

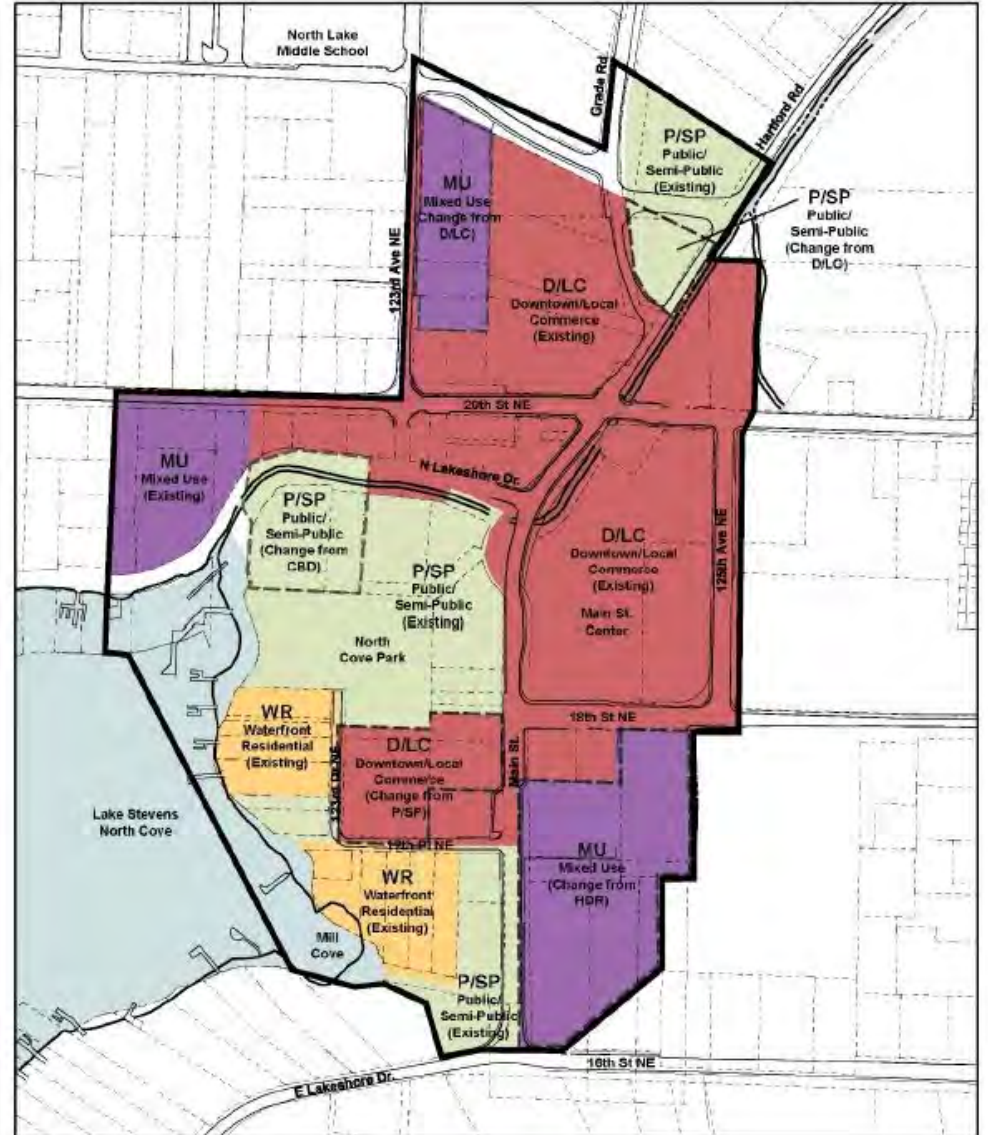
Published:

Effective Date:

LAND USE Exhibit 2



Existing



Proposed

Putting the Lake back in Lake Stevens

Downtown Lake Stevens

Exhibit 3



Subarea Plan

**DRAFT May 2018
Ordinance No. xxx**

Acknowledgements

TBD

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Table of Contents

I. Introduction	1
A. Planning Process	1
B. Public Process Summary	1
1. Early Public Review	1
2. Environmental Impact Statement Process.....	1
3. Subarea Plan and Associated Documents.....	2
C. Plan Area	3
D. Purpose & Authority.....	Error! Bookmark not defined.
E. Existing Conditions	4
1. Roadway Network.....	4
2. Transit Services	5
3. Pedestrian and Bicycle Network	5
4. Parking	5
5. Residential.....	5
6. Commercial	5
7. Other Land Uses	6
II. Economic Development	6
A. Economic Growth Strategy	6
B. Retail Capture Opportunities & Retail Destination.....	6
C. Tourism.....	6
III. Community Vision	8
A. Vision	8
B. Objectives.....	8
C. Fundamental Concept.....	8
IV. Plan Concept	10
A. Land Use Framework.....	10
1. North Cove Park	12
2. Retail Emphasis	14
3. Community Facilities	15
4. Commercial Emphasis	16
5. Public Parking.....	17
6. Housing Emphasis	19

7. Housing Transition.....	20
8. Open Space.....	21
B. Land Use Designations	22
C. Shoreline Designations	23
D. Zoning Districts	24
E. Development Typologies	25
1. Retail and Commercial	25
2. Multifamily Residential.....	27
F. Complete Streets Framework	28
1. Active Transportation	30
2. Street Hierarchy	34
V. Plan Elements	60
A. Goals and Policies.....	60
1. Community Character	60
2. A Vibrant Downtown and Lakefront Destination	62
3. Land Use & Intensity.....	66
4. Circulation & Mobility.....	67
5. Sustainability & Natural Resources	69
6. Public Places & Community Facilities	70
VI. Implementation.....	72
A. Early Momentum and Game Changing Projects	72
B. Projects Schedule.....	74
C. Market and Promotion	75
D. Partnerships	75
E. Gateways and Wayfinding	75
VII. Associated Documents	75
A. Zoning.....	75
B. Design Guidelines.....	75
C. Capital Improvement Plan	75
D. Environmental Impact Statement (EIS) and Planned Action Ordinance.....	76
E. Planned Action Submittal Packet.....	76

List of Figures

Figure 1.1 Public Meeting.....	2
Figure 1.2 Plan Area – Lake Stevens Downtown and Vicinity	Error!
Bookmark not defined.	
Figure 1.3 Main Street Center	Error! Bookmark not defined.
Figure 2.1 Lake Stevens Aquafest (view north along Main Street)	7
Figure 3.1 Fundamental Concept Diagram	9
Figure 4.1 Subarea Preferred Land Use.....	11
Figure 4.2 North Cove Park Expansion Conceptual Plan.....	12
Figure 4.3 North Cove Park	13
Figure 4.4 Retail Emphasis	14
Figure 4.5 Community Facilities	15
Figure 4.6 Commercial Emphasis	16
Figure 4.7 Public Parking	17
Figure 4.8 Housing Emphasis.....	19
Figure 4.9 Housing Transition.....	20
Figure 4.10 Open Space.....	21
Figure 4.11 Downtown Subarea Plan Comprehensive Plan	22
Figure 4.12 City of Lake Stevens Shoreline Boundaries and Features	23
Figure 4.13 Downtown Subarea Plan Zoning	24
Figure 4.14 Single Use Retail Building	25
Figure 4.15 Low Rise Mixed-Use Office Over Street Oriented Retail Building	25
Figure 4.16 Multi-Story Mixed-use Office Over Street-Oriented Retail Building	25
Figure 4.17 Multi-Story Mixed-Use Multifamily Over Street-Oriented Commercial Building.....	26
Figure 4.18 Single Use Street-Oriented Commercial Building	26
Multi-Story Single Use Street-Oriented Commercial Building	26
Figure 4.19 Low-Rise Mixed-Use Office Over Street-Oriented Commercial Building	26
Figure 4.20 Example of Single Use Multifamily Building.....	27

Figure 4.21 Multifamily Building	27
Figure 4.22 Example of Mixed Use Multifamily Housing	27
Figure 4.23 Active Transportation Routes	31
Figure 4.24 Active Transportation	33
Figure 4.25 Street Hierarchy	35
Figure 4.26 Main Street (Lakeshore Dr. NE to 18 th St. NE).....	36
Figure 4.27 Typical Section Main Street (Lakeshore Dr. NE to 18 th St. NE)	36
Figure 4.29 Main Street (18 th St. NE to 17 th Pl. NE)	38
Figure 4.30 Typical Section Main Street (18 th St. NE to 17 th Pl. NE)	38
Figure 4.31 Retail Street Illustration (Main Street View Looking Northwest Between 17 th Pl. NE and 18 th St. NE).....	39
Figure 4.32 Main Street (17 th Pl. NE to 16 th St. NE).....	40
Figure 4.33 Typical Section Main Street (17 th Pl. NE to 16 th St. NE)	40
Figure 4.34 Retail Street Illustration (Main Street View Looking North Between 17 th Pl. NE and 16 th St. NE).....	41
Figure 4.35 Main Street (20 th St. NE to N Lakeshore Dr.)	42
Figure 4.36 Typical Section Main Street (20 th St. NE to Lakeshore Dr. NE)	42
Figure 4.37 Retail Street Illustration (Main Street View Looking North Between Lakeshore Dr. NE and 20 th St. NE)	43
Figure 4.38 18 th Street (123 rd Dr. NE to Main St.)	44
Figure 4.39 Typical Section 18 th Street (123 rd Dr NE to NE Main St)	44
Figure 4.40 Retail Street Illustration (18 th St NE View Looking East to Main Street).....	45
Figure 4.41 18 th Street (Main Street to 125 th Ave NE)	46
Figure 4.42 Typical Section 18 th St NE (Main Street to 125 th Ave NE) ..	46
Figure 4.43 Retail Street Illustration (18 th Street View Looking West to Main Street).....	47
Figure 4.44 ‘Front Door’ Entry Concept	49
Figure 4.46 Existing Grade Road (View South).....	49
Figure 4.45 Existing 20 th Street NE.....	49
Figure 4.47 Grade Road Segments 1 and 2	50

Figure 4.48 Grade Road Segment 1 (View North)..... 50

Figure 4.49 ‘Front Door’ Entry—Road and Hartford Road Realignment
(View Looking South Between 22nd Street NE to 20th Street
NE) 51

Figure 4.50 Typical Section Segment 1 (22nd St. NE to SR 92) 51

Figure 4.51 Typical Section Segment 2 (20th St NE to 22nd St. NE) 51

Figure 4.52 20th Street NE (123rd Ave NE to Main Street 52

Figure 4.53 Typical Section 20th St. NE (Main St. to 123rd Avenue NE). 52

Figure 4.54 Downtown Streets..... 53

Figure 4.55 Typical Section Downtown Streets..... 53

Figure 4.56 20th Street N (Main St. to Centennial Trail) 54

Figure 4.57 Typical Section 20th St. NE (Main St to Centennial Trail) 54

Figure 4.58 Retail Street Illustration 20th St NE (View Looking East to
Main Street)..... 55

Figure 4.59 Hartford Dr. Segment 1 (Grade Rd. to 21st St. NE) 56

Figure 4.60 Typical Section Hartford Dr. Segment 1 (Grade Rd. to 21st St.
NE) 56

Figure 4.61 Hartford Dr. Segment 2 (21st St. NE to Centennial Trail)..... 57

Figure 4.62 Typical Section Hartford Dr. Segment 2 (21st St NE to
Centennial Trail)..... 57

Figure 4.63 16th St. NE (Main Street to Centennial Trail) 58

Figure 4.64 Typical Section 16th St. NE (Main Street to Centennial Trail)58

Figure 4.65 N. Lakeshore Dr. and E. Lakeshore Dr. 59

Figure 4.66 Potential Street Section: Lake-side Boardwalk 59

Figure 4.67 Potential Street Section: Land-side Multi-Use Path..... 59

Figure 5.1 North Cove Park/Retail Emphasis 62

Figure 5.2 Street Hierarchy 67

Figure 5.3 Active Transportation..... 68

Figure 6.1 Early Momentum and Game Changing Projects 73

I. Introduction

A. Planning Process

The Downtown Lake Stevens Subarea Plan is a key tool for revitalizing and expanding the city's core downtown area. The plan creates a framework to refine the area's land uses and zoning, analyze required improvements to the street network and other capital facilities, establish a vision for upgrading the aesthetic environment, and help attract new businesses and residents. The plan's vision provides the foundation for developing a plan of action; establishing regulations and standards; identifying the desired outcomes necessary to realize the overall vision for the downtown, North Cove Park and the lakefront; and to direct subsequent redevelopment. The plan also provides conceptual guidance on the intent of subsequent regulations and actions.

Lake Stevens' Comprehensive Plan promotes a growth strategy, calling for master planning growth centers to ensure future development that meets the needs of the community's residents and businesses and attracts new businesses to provide jobs, services and retail opportunities. Four growth centers are identified: Downtown Lake Stevens, 20th Street SE Corridor, Lake Stevens Center, and the Hartford Industrial area. The growth strategy is coupled with several economic assessments produced since 2010 to create a 'road map' for improving the city's fiscal condition.

The city's goal is to develop a unique subarea plan for each center based on economic and demographic assessments and with distinguishing characteristics to serve slightly different markets, ensuring economic diversity and vitality. Each center's purpose will complement the strengths of the other areas. Subarea Plans and Planned Actions include:

- 20th Street SE Corridor. Focus on creating new areas for employment growth.
- Lake Stevens Center. Focus on revitalizing and expanding retail opportunities and personal services in its largest shopping district.
- Downtown Lake Stevens. Focus on revitalizing and expanding the core downtown area.

B. Public Process Summary

The city of Lake Stevens engaged the public consistently throughout the Subarea Planning and Planned Action process for the Lake Stevens Center. The Subarea Planning Process began in June 2016. The city notified residents and relevant organizations and agencies at the beginning of the project and sought their input throughout the visioning, environmental review, planning and adoption process of the subarea plan, planned actions, and associated documents.

1. Early Public Review

The city completed an integrated SEPA/GMA review process for the Subarea Plan. The subarea plan was developed with an executive and citizen advisory committees who presided over the subarea plan development in conjunction with the community input gathered over four milestones period from July 2016 to March 2017. The Scoping Meeting for the subarea Environmental Impact Statement occurred on July 18, 2017.

2. Environmental Impact Statement Process

Scoping Meeting

- July 18, 2017 Downtown Lake Stevens Subarea Plan scope for the environmental impact statement.

Noticing and Document Issuance Dates

- July 18, 2017 Downtown Lake Stevens Subarea Plan scope for the environmental impact statement.
- January 2018 Notice of Publication and Availability of Draft EIS for Downtown Lake Stevens.
- April 2018 Notice of Publication and Availability of Final EIS for Downtown Lake Stevens.

Public Meetings

- July 18, 2017 Downtown Lake Stevens Subarea Plan scope for the environmental impact statement.
- January 17, 2018 Draft Environmental Impact Statement (DEIS) – public review
- April 27, 2018 Final Environmental Impact Statement (FEIS) – public review

City Council

- February 6, 2018, Subarea Plan/EIS Draft Alternatives
- Date, Downtown Lake Stevens DEIS
- February 13, 2018 Downtown Lake Stevens Preferred Alternative
- June 26, 2018 Downtown Lake Stevens Subarea Plan Public Hearing
- July 10, 2018 Downtown Lake Stevens Subarea Plan Public Hearing and adoption

Planning Commission

- April 18, 2018, Subarea Plan/ Preferred Alternatives
- May 16, 2018 Downtown Lake Stevens Planned Action Ordinance and draft zoning regulations
- June 6, 2018, Downtown Lake Stevens Capital Plan / Design Guideline updates
- June 13, 2018 Downtown Lake Stevens Subarea Plan Public Hearing

3. Subarea Plan and Associated Documents

The development of the Lake Stevens Downtown Subarea Plan occurred over a period from July 2016 to July 2018. Oversight of the subarea plan process consisted of a formal executive committee, which included the mayor, select councilors, boards and commissions, who provided guidance and recommendations to City Council and a Citizen's Advisory Committee consisting of representatives from business interests, parks and recreation, technical resources, land use, and special community interest. A total of four public workshop sessions occurred during each phase of the project. Each session consisted of meetings with the executive and citizen advisory committees, individual key stakeholders and a general public meeting. Invites were distributed via print, mail/email, social media and posted on the project website lakestevensdowntown.com.

Subarea Plan Community Workshop and Meetings

- Community Meeting #1— Existing conditions and identify community goals: Wednesday, September 7, 2016;
- Community Meeting #2— Redevelopment and complete streets concepts: Tuesday, November 1, 2016;
- Community Meetings #3— Redevelopment concepts refinements: Wednesday, January 25, 2017

Figure 1.1 Public Meeting



- Community Meetings #4— Preferred Land Use Alternatives and Fundamental Elements Implementation: Wednesday, March 7, 2017

City Council

- February 6, 2018 – City Council Workshop
- February 12, 2018 – City Council Adopts Preferred Alternative
- June 26, 2018 – 1st Public Hearing
- July 10, 2018 – 2nd Public Hearing / Adoption

Planning Commission

- April 18, 2018 – Planning Commission review of draft plan
- May 16, 2018 – Planning Commission review of Planned Action Ordinance & Draft Zoning Regulations
- June 06, 2018 – Planning Commission review of draft design guideline updates & capital framework plan
- June 13, 2018 – Planning Commission Public Hearing & Recommendation

C. Plan Area

The city of Lake Stevens is located about 2.5 miles east of Everett, Washington. The current city boundaries, established in December 2009 following a series of annexations, encompass an area of approximately 9 square miles and surround most of the Lake Stevens' shoreline. The downtown area is approximately 200 acres and is roughly centered at the intersections of 20th Street NE, Main Street and Hartford Drive NE.

The area is characterized primarily by low-intensity commercial and residential development on small to medium-sized parcels. The historic town center adjacent to the northwestern tip of the lake includes the city's current municipal buildings spread over a few sites, a small commercially zoned area and a larger residential area. A map of current zoning is included on the following page. The boundary of the downtown subarea plan (illustrated in Figure 1.2) is roughly centered along Main Street, bound by the lake to the west, wetland areas to the east, Lakeshore Drive to the south, and reaches north to 22nd St NE.

D. Purpose and Authority

To help realize its economic strategy, the city of Lake Stevens has developed a subarea plan for Downtown Lake Stevens, as authorized under the Revised Code of Washington (RCW) 36.70A.080, to promote balanced development in this growth center and to support a compact commercial district that facilitates easy pedestrian access between shops and buildings, allows mixed-use development, and promotes economic development compatible with the character of Lake Stevens

The city will adopt the subarea plan as a supplementary document to the city's Comprehensive Plan. The subarea plan identifies the land use goals and policies for the area that, in turn, frame the regulatory development regulations attached as appendices. The plan will also be the primary mechanism to identify actions and capital investments necessary to implement the plan.



The city will adopt the Downtown Lake Stevens Subarea Plan in accordance with the Lake Stevens Comprehensive Plan and incorporate associated regulations as part of the municipal code. The city will also adopt the subarea plan as a planned action. A planned action is a tool that cities can use to provide regulatory certainty and encourage economic development, as allowed under the State Environmental Policy Act (RCW 43.21C.031 and WAC 197-11-164). Performing early environmental review as part of a subarea plan will streamline SEPA review for subsequent projects that are consistent with the plan.

The 2015-2035 Comprehensive Plan states the following goal and policies for the Downtown Subarea:

GOAL 2.5: Develop a subarea plan for downtown Lake Stevens that encourages a compact commercial district that facilitates easy pedestrian access between shops and buildings, allows mixed-use development, promotes economic development compatible with the character of Lake Stevens, and stimulates a diverse array of business types to attract visitors and meet the needs of residents.

E. Existing Conditions

Downtown Lake Stevens, the oldest part of the city, faces infrastructure challenges that must be addressed to modernize the area. Several road improvements are needed to improve access throughout downtown, the Hartford Industrial Center, and to the regional highway system. The city continues to work with utility providers to assess needed public water and sewer improvements.

With the development of downtown Lake Stevens, certain environmental constraints must be considered. Specific areas of concern include Lake Stevens' shoreline, large wetland complexes, Stevens Creek, and Catherine Creek. North Cove Park and adjacent developments are not conducive to the public use and enjoyment of the waterfront. Buildings and topography block views to Lake Stevens and privately-owned parcels prevent access to much of the shoreline.

1. Roadway Network

Downtown Lake Stevens is accessed from several key roadways. 20th Street NE provides the most direct route for residents along the northern edge of the lake and from Lake Stevens Center, a commercial hub west of the lake. Grade Road is a key access route for travelers from communities to the north, including Granite Falls and Marysville. Local access is provided via 20th and 16th Streets NE, which connect to N. Machias Road and to E. Lakeshore Drive.

The heart of the downtown subarea is Main Street, a north-south roadway with one lane in each direction that extends between 20th Street NE and 16th Street NE/E. Lakeshore Drive. Sidewalks exist along both sides of the street and there is on-street parking along some segments.

From a regional perspective, the key transportation constraint for Downtown Lake Stevens is its location. While a variety of routes access the downtown, all are two-lane roadways within residential areas, making access challenging for visitors. These roadways have very limited non-motorized facilities. Implementing changes along these roadways may be challenging due to the limited right-of-way and number of residential properties with frontage.

2. Transit Services

Downtown Lake Stevens is served by Snohomish County's Community Transit. One bus route, Route 280, serves the Lake Stevens Downtown Subarea. The route starts in Granite Falls and travels via SR 92, Grade Road, Main Street, 16th Street NE, and 20th Street NE to Everett and the Boeing campus. Route 280 operates between 5 am and 10 pm on weekdays, 7 am and 9 pm on Saturdays, and 8 am and 8 pm on Sundays. On weekdays and Saturdays, buses operate with 30-minute headways. On Sundays service is much less frequent, with one bus every two hours.

3. Pedestrian and Bicycle Network

Within the project study area, sidewalks are provided along Main Street. On roads connecting Main Street to residential areas, however, sidewalks are provided along only one side of the roadway. Where sidewalks do not exist, there are often paved pedestrian shoulders. Marked crosswalks are provided at some key locations but are not provided on all intersection legs or along all key desire lines (e.g., leading into North Cove Park).

The Centennial Trail provides non-motorized recreational opportunity for residents of Lake Stevens. The trail runs north-south and parallel to N. Machias Road approximately half a mile to the east of downtown Lake Stevens and extends from Pilchuck in the north to Snohomish in the south. Within the study area, dedicated bicycle facilities are not provided along roadways. While shoulders are provided along some roadways, widths are inconsistent, making bicycling challenging.

Opportunities for improved pedestrian and bicycle connections exist both within the Downtown core and to nearby recreational assets such as the lakefront and the Centennial Trail. Downtown street character improvements could also encourage more pedestrian activity.

4. Parking

Off-street parking is generally provided for commercial, residential and civic functions and is typically located between primary buildings and the street or on the side of buildings. Downtown's compact scale lends itself to parking once and then traveling by foot. During a weekday PM peak period, there was an ample supply of on-street parking along Main Street and of off-street parking in

the commercial lots, indicating an excess of parking supply for the land uses currently in place in the Downtown subarea.

5. Residential

The downtown study area includes a mix of residential types, ranging from single-family detached to larger multi-unit apartments. Single-family development constitutes the largest single land use category, in terms of both parcel count and total market value, with 103 parcels. No single-family development has occurred in the study area over the past ten years.

Multifamily development includes approximately 50 condominium units. The 26-unit condo portion of the Lake Villa Apartments at 12506 16th Street (built in 1993). The 10-unit condominium project at 2210 Grade Road (built in 1996).

Major multifamily rental developments include the 51-unit non-condo portion of the Lake Villa Apartments, the 32-unit age-restricted (55+) Senior Manor at 12510 18th Street (built in 1988), and the 32-unit Hartford Court Apartments at 1901 125th Ave. NE, built in 1990. An additional property, Craigmont Apartments, is a public housing project consisting of 36 subsidized units constructed in 1978.

6. Commercial

Commercial development in downtown Lake Stevens includes retail stores, restaurants, and miscellaneous service providers.

Retail properties generally consist of smaller, independent establishments, with the largest center being the Jay's Market grocery store and associated in-line shops. The Lake Stevens Athletic Club is the study area's second-largest commercial tenant, located just north of the Main Street Center.

Restaurants in the study area include Creekside Ale House & Grill and a restaurant under renovation at Main Street and 20th Street NE, with sit-down service at interior and patio seating. Other downtown restaurants tend to be smaller casual and quick-service establishments. The Subway store adjacent to Jay's Market is the only national chain represented.

Downtown Lake Stevens has approximately 74,000 square feet of retail and dining space, with 3.4 percent overall vacancy.

7. Other Land Uses

Downtown Lake Stevens includes a mix of smaller office spaces, totaling just under 30,000 square feet. Almost half of this space is accounted for by offices occupied by the Lake Stevens School District. The remainder is generally found alongside retail establishments or housed in smaller, freestanding buildings.

Public and quasi-public uses are predominantly located west of Main Street, and include the Library, First Baptist Church, City Hall, the Lake Stevens Family Center, and Lake Stevens Public Boat Launch. These facilities, along with the adjacent recreational park space serve, as a major activity center for the city. The lakeside area west of Main Street, between 17th Place and Lakeshore Drive, is a valuable amenity and one that appears under-leveraged in terms of its potential to benefit the surrounding private-sector land uses.

II. Economic Development

A. Economic Growth Strategy

The city's growth strategy envisions residential, commercial and employment growth occurring in 'growth centers', with infrastructure and services available to increase employment, improve the jobs-to-housing balance citywide, conserve environmental resources, and provide efficient services and facilities. One of the most important benefits of redeveloping Downtown Lake Stevens is the opportunity to capitalize on its lakeside location. Waterfront developments in several other communities are appealing to businesses and residents. This Plan balances existing and future commercial, housing and community uses in the greater downtown area and in proximity to Lake Stevens.

B. Retail Capture Opportunities & Retail Destination

Main Street's existing retail and commercial make-up provides daily-use goods and services that support adjacent residents. The downtown Lake Stevens subarea, set along the shore of Lake Stevens and fronting an expanded North Cove Park, is also a strategic setting for attracting retail, dining, and destination uses that benefit from proximity to the park and lake.

The Downtown Subarea Plan is an opportunity for a strategy that preserves and expands existing goods and services uses, such as the downtown grocery, while attracting new retail shopping, fine dining, and community facilities along Main Street that draw residents and visitors to this waterfront destination. While downtown probably does not need any new retail centers, there is sufficient citywide growth and recapturable leakage to support strategically located new stores and restaurants, especially as mixed-use co-tenants of multifamily residential, boutique lodging, or added community meeting space.

The city is committed to revitalizing Main Street through improving the streetscape appearance, improving traffic and pedestrian/bike circulation; expansion of North Cove Park as a central community gathering space with improved access and visibility to Lake Stevens; and transforming underutilized and vacant parcels with storefront retail, a greater array of restaurants, visitor lodging, family-oriented entertainment, and a community meeting/conference center. These actions will make the subarea a destination for recreation, shopping, services, dining, and entertainment.

C. Tourism

The Lake Stevens community has always had a tourism draw, primarily due to the recreational amenities offered by a large scenic lake. Over time, the area transformed from a weekend and summer resort destination to a residential community with public parks and city services. In recent years, Lake Stevens has hosted many community and athletic events attracting spectators and athletes from the region, the country, and worldwide. Many of the activities that occur in Lake Stevens also benefit the larger community, Snohomish County, and the Puget Sound area.

Tourism is an excellent economic development opportunity for generating employment, supporting business, and contributing to a vibrant Lake Stevens economy. The following goals support tourism in Lake Stevens:

- Protect and enhance the city's tourism assets;
- Encourage and advocate for the growth and development of diverse tourism businesses that reflect the community's values and assets;

- Support the natural, historic and cultural features and facilities of the Lake Stevens area as part of our economy and quality of life;
- Support and encourage outdoor recreation as a prime community asset and tourism draw;
- Support attractions such as events & festivals, performing and visual arts, sporting events and the unique qualities of Downtown Lake Stevens, shopping areas and neighborhoods;
- Identify and encourage public and/or private development of new products, services and infrastructure that attract and serve visitors; and
- Support ongoing destination marketing and the development of tools that facilitate tourists' explorations of the Lake Stevens community.

Specific objectives and or activities that could enhance tourism opportunities include, but are not limited to the following:

- Promote development of places to stay;
- Support uniqueness – food, retail, etc;
- Encourage entertainment and other unique destination attractions;
- Support with way-finding infrastructure – No clutter at entryways – first impressions;
- Garner support and promotion from State and county Tourism organizations;
- Tourism focus downtown with support and encouragement from the other areas;
- Get passers-by to stop to spend new money into the community; and
- Support efforts and activities to keep them here longer.

Figure 2.1 Lake Stevens Aquafest (view north along Main Street)



III. Community Vision

A. Vision

The city intends to provide a framework for the development of downtown Lake Stevens that:

- Includes an appropriate mix of land uses, development intensities, parking requirements, public improvements, recreational opportunities, and community spaces;
- Supports community events and provides complementary retail, restaurant, and housing development at a scale appropriate for the area;
- Incorporates key governmental uses into downtown to complement a mixed-use environment;
- Improves and upgrades waterfront park spaces to support community gatherings and provide quality access to the lake; and
- Encourages redevelopment of the existing underutilized downtown areas to create an enhanced and vibrant community town center

B. Objectives

Comprehensive Plan policies provide a basis for defining the objectives for the Lake Stevens Center Subarea Plan. In turn, the subarea plan objectives identified by the community and stakeholders provide a foundation for developing and evaluating the plan's land use and circulation alternatives. The subarea plan objectives are as follows.

Land Use Objectives

- Ensure Downtown is a vibrant destination
- Increase use, visibility and access to the Lake
- Preserve and enhance creeks/wetland areas
- Create a public gathering space/plaza
- Provide for civic uses Downtown
- Provide adequate parking for business/public areas

Circulation Objectives

- Enhance the street environment and encourage walking/biking
- Improve access to Centennial Trail
- Improve neighborhood connections & vehicular circulation

Implementation Objectives

- Establish design standards and limit heights
- Preserve and embrace history and unique character

C. Fundamental Concept

The fundamental concept identifies the essential plan elements that are necessary to set the stage for near term redevelopment and reinvestment in the downtown and establish momentum to carry the plan through to the 10 to 20-year horizon. The fundamental concept includes:

North Cove Expansion

- Anchor Downtown
- Create a regional and community destination
- Open visual and physical access to lake
- Accommodate space for community events

Retail Street Improvements

- Rebuild Main Street to promote walking, biking, and auto access
- Extend 18th Street to connect downtown retail
- Improve roadway to support retail/commercial development
- Improve roadway to compliment park improvements

Main Street Retail Destination

- Expand Jay's Market
- Establish street-oriented retail & commercial nodes on both sides of Main Street and 18th Street

Regional Attractor

- Construct a new Community/ Conference Center for
 - Community meetings
 - Classes
 - Satellite offices
 - Private events
 - Conference activities
 - Corporate retreats
- Potential boutique hotel
- Improve the boat house facilities & moorage

Public Parking

- Strategically promote public parking to serve retail, community events and the boat launch
- Parking may include surface lots or structured parking
- Parking can be phased to meet demand

'Front Door' Entry

- Create a New 'Front Door' Entry to Downtown
- Realign and Extend Main Street Improvements to Grade Road
- Incorporate Boulevard Treatments along Grade Road to SR 92
- Provide enhanced pedestrian, bicycle, and auto access to downtown

Figure 3.1 Fundamental Concept Diagram



IV. Plan Concept

The plan concept for downtown Lake Stevens respects historic development patterns and reflects community desires, real estate market trends, and projected growth capacity. Existing healthy or desirable uses are strengthened and sites for infill and redevelopment are maximized. Downtown's anticipated development capacity is represented in a low development scenario and a high development scenario that were used for growth assumptions and evaluated through the EIS analysis.

Central to the plan concept is the expansion of North Cove Park with direct visual and physical access to Lake Stevens and the establishment of Main Street as a destination for pedestrian-friendly and street-oriented retail storefronts.

Alternatives Analyzed

The draft Environmental Impact Statement (EIS) considered three land use alternatives. Anticipated development capacity of the downtown was analyzed using two Action Alternatives, a low-growth scenario and a high-growth scenario, to compare growth assumptions against a no-action scenario. The Lake Stevens City Council selected the high-growth alternative.

A. Land Use Framework

The high-growth alternative is illustrated in the land use framework diagram. The preferred types and locations of downtown subarea uses identified will establish distinctive mixed-use housing and commercial areas and provide for community-oriented facilities that have historically defined the downtown. On many parcels, a mix of vertical uses is suggested. Where parcels contain a vertical mix of uses, the most likely predominant land use is indicated. The land use framework is intended to encourage flexibility and includes development areas where a mix of uses are designated. Predominant uses have been sited and categorized into complementary development areas that will:

- Maximize development potential based upon existing adjacent uses and site attributes.
- Maximize utilization of existing and planned improvements such as roadways, utilities, storm water lines and other utilities.
- Respond to a conceptual short-term and long-term phasing strategy

Land Use	Existing	No Action	Low Growth	High Growth
Park (acres)	1.67	1.67	4.1	4.1
Retail/ Commercial (gross sq. ft.)	73,365	15,000	40,000	170,000
Office (gross sq. ft.)	30,000	50,000	20,000	50,000
Community Facilities (gross sq. ft.)	40,000	40,000	11,150	21,150
Housing (du)	112-300	180	240	600
Hotel (rooms)	0	0	50	100
Open Space (acres)	3.9	3.9	3.9	3.9
Public Parking (spaces)	95	95	270	465

- Provide flexibility to respond to possible changing market conditions. (In most instances, multiple uses are appropriate for a given site)
- Provide the basis for new zoning and comprehensive plan designations.

Growth Assumptions

Development and growth levels within the subarea were based on the following assumptions:

- Commercial and Retail uses calculated at 0.50 Floor Area Ratio (FAR).
- Residential densities calculated at 50 dwelling units per acre.

Development Emphasis Areas

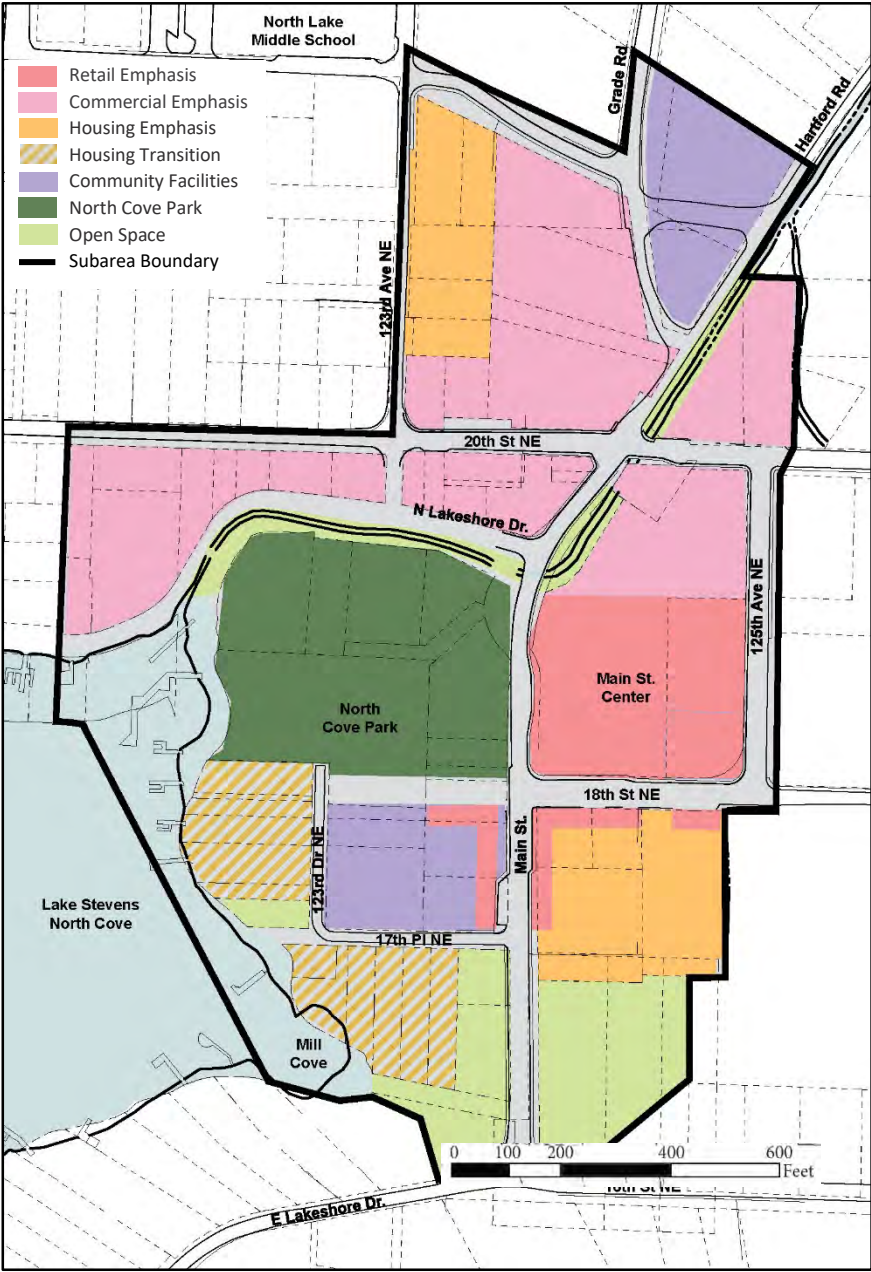
The character, intent of development, and types of uses for development emphasis areas include:

- North Cove Park. An expanded park will support daily use and special event activities, improve community access to the lake, and provide an amenity for downtown development.
- Retail Emphasis. A concentration of street-oriented retail will establish Main Street as a local and regional destination for shopping, dining, and lakefront activities.

- **Community Facilities.** Providing for events and meeting space, enhancing use of the lake, preserving some city administrative functions, supporting fire department facilities/operations and establishing a parking reserve for existing and future development will ensure that downtown remains a civic focus.
- **Commercial Emphasis.** At the crossroads of Grade Road and 20th Street, a range of street-oriented community-serving retail and commercial services that cater to the daily needs of nearby residents and drive-by traffic to and from the downtown will be fostered.
- **Housing Emphasis.** Emphasize higher density residential development in close proximity to retail and commercial services uses, schools, parks, and open space amenities.
- **Housing Transition.** Anticipate future need for expanded community facilities and ensure the long-term ability to accommodate expansion of community facilities on key parcels.
- **Public Parking.** Strategically located sites are identified to ensure adequate parking for existing and future businesses, community facilities, and downtown events and activities.
- **Hotel Use –** Anticipate future need for a downtown hotel to support tourism and compliment the community/conference facility.

Land Use	Existing	Preferred Concept
Park (acres)	1.67	4.1
Retail/Commercial (gross sq. ft.)	73,365	242,500
Office (gross sq. ft.)	30,000	50,000
Community Facilities (gross sq. ft.)	40,000	21,150
Housing (du)	112-300	600
Open Space (acres)	3.9	3.9
Public Parking (spaces)	95	up to 300

Figure 4.1 Subarea Preferred Land Use



1. North Cove Park

Today, North Cove Park is a 1.67-acre passive-use park with limited amenities and lake access via a pedestrian dock. The park is located atop a small hill approximately 8 feet above Main Street and behind City Hall, the library, and the historical museum. Visual access to the lake from Main Street is limited.

An expanded North Cove Park is envisioned to become a major amenity as the focus for re-development, a central location for community events, and provide expanded access to Lake Stevens.

Expansion of North Cove Park will require:

- Relocating City Hall, the library, and historical museum (1.87 acres)
- Acquisition of the Williams Property (1.09 acres)
- Re-grading the park to slope down from Main Street to the water's edge, allowing for direct visual access to the lake and active/passive park use

The primary design components of the park would include:

- A large paved plaza area with covered pavilions and a pedestrian promenade along Main Street for staging farmers markets, Aquafest activities, or the winter Christmas tree.
- A multi-purpose lawn/assembly space for staging concerts and events as well as daily active/passive activities.
- A multi-use path linking the waterfront and park areas with adjacent streets
- A naturalized area with water access adjacent to the shoreline
- Preserving or relocating the Veteran's Memorial, historic Grimm House and other historic elements within the park.
- Child/adult activity zone
- Potential removal or repurposing of the pedestrian dock

The design of park structures should incorporate the use of natural materials that reflect the setting of this unique location.

- Provide a mix of areas for hardscape, lawn, and planting beds.
- Include fire resilient/water resistant plantings and those most responsive to local climate and soil conditions.
- Preserve and enhance tree stands and plantings along Stevens Creek

Further park design, phasing and a temporary City Hall location, will be provided in a follow-up North Cove Park Master Plan process. A separate city initiated process for relocating the historic museum and retaining some city hall and library functions is ongoing.

Figure 4.2 North Cove Park Expansion Conceptual Plan

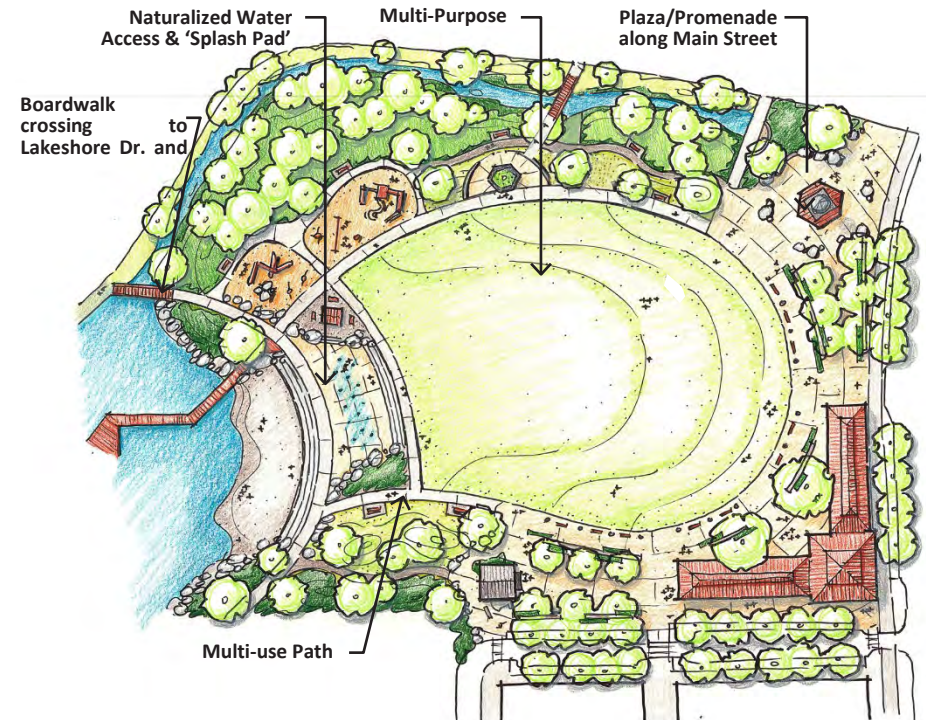


Figure 4.3 North Cove Park



2. Retail Emphasis

Storefront retail is envisioned for parcels adjacent to North Cove Park and along Main Street and 18th Street NE. A concentration of continuous retail storefronts is to be located:

- Within the Main Street Center block bounded by Main Street on the west, 125th Avenue NE on the east, and 18th Street NE on the south.
- Along Main Street between 18th Street NE and 17th Place NE.
- Along 18th Street NE from 125th Avenue NE to 123rd Drive NE.

These development areas provide for a range of neighborhood-serving retail opportunities, including the retention and potential expansion of Jay's Market. Storefront retail development is intended to be largely incorporated in buildings with, or adjacent to, a mix of uses such as housing, community facilities, or public parking structures.

These areas meet the following real estate siting criteria essential for storefront retail development:

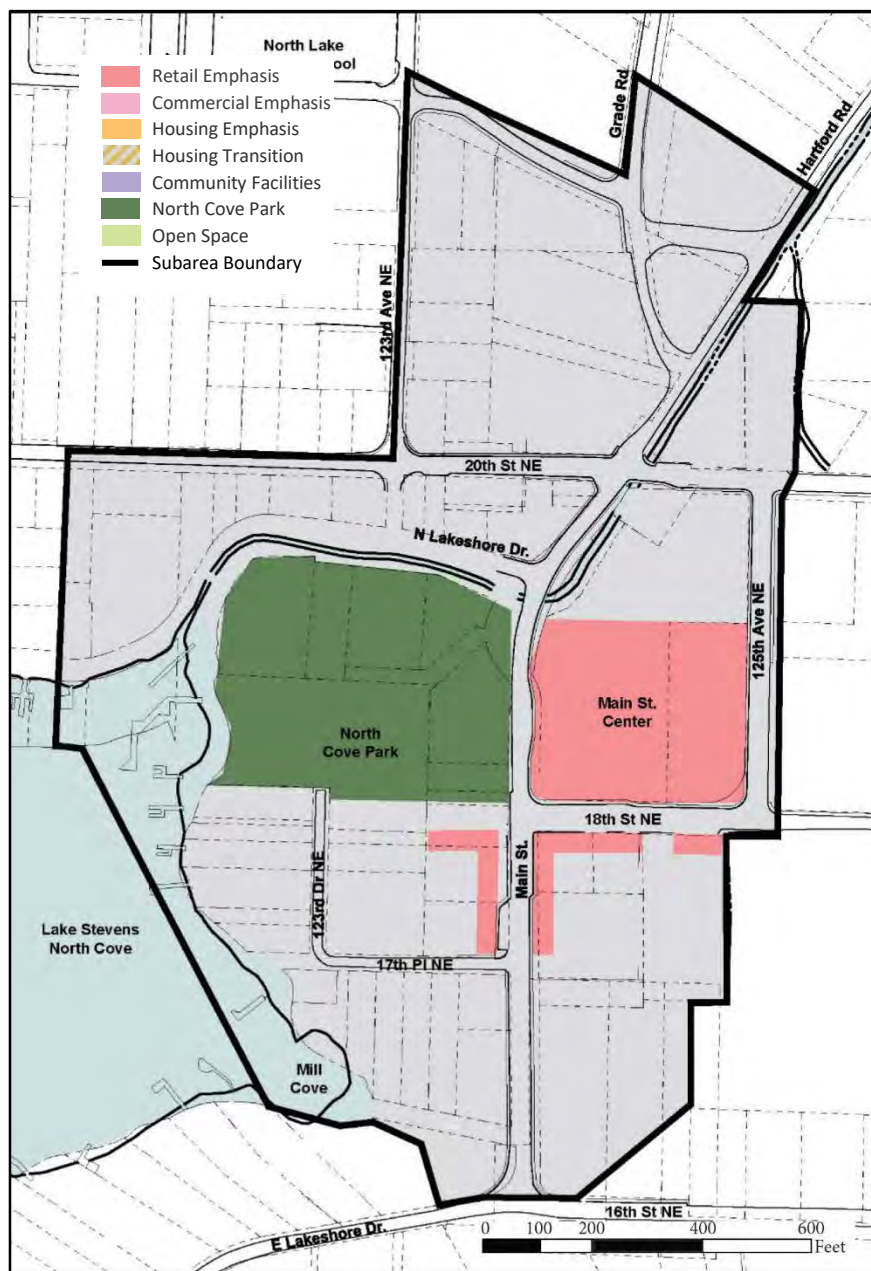
Proximity. North Cove Park is an opportunity to attract customers over an extended period throughout the day, evening, and during events where shopping or dining can be linked to active or passive use of the park and pedestrian/bike connections to Centennial Trail.

Access. Main Street is directly accessible from the traffic-generating streets 20th Street and Grade Road.

Prominent Address. Retail-supportive pedestrian, bike, and streetscape improvements—including widened sidewalks, street furniture, landscaping lighting, street trees, and curbside parking—will establish Main Street as a pedestrian-scaled shopping environment not found elsewhere in the community.

Amenity. Expansion of North Cove Park provides an enhanced setting for Main Street to support storefront retail, dining, and entertainment uses that benefit from visual access and proximity to the waterfront.

Figure 4.4 Retail Emphasis



3. Community Facilities

Downtown has historically served as the civic and cultural center of the community, anchored by city hall, a community meeting room, the library, historical museum, and essential services. While growth has shifted the population and development center of the community to the west side of the lake, preservation and enhancement of some essential community facilities and services is desired, including:

- **Community/Conference Facility.** Support a community/conference facility with space for community meetings, classes, and accommodate private events, conference meetings/activities and corporate retreats on parcels bounded by 123rd Drive NE, 17th Place NE, Main Street and North Cove Park. To complement the community facilities the site would include lodging, storefront retail and structured public parking.
- **Fire Station.** Expand the existing Fire Station parcel by vacating the 21st Street NE right-of-way and utilizing existing city owned property for fire station redevelopment with the benefit of improving vehicle access and operations.
- **Retain some city services as practicable**

These development areas meet the following site criteria essential to supporting community facilities.

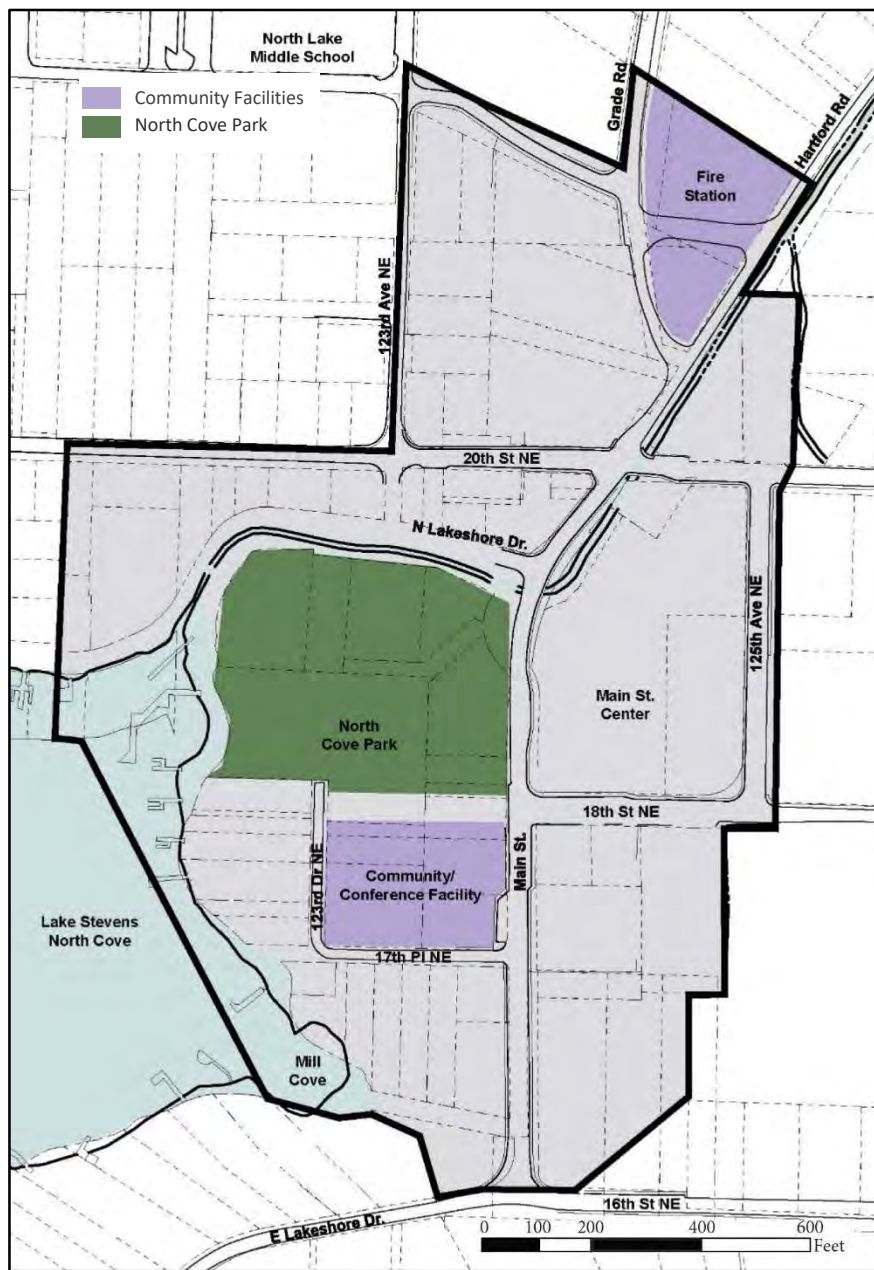
Proximity. The sites have the advantage of proximity to downtown activity areas including retail and commercial services, North Cove Park, and the lake.

Access. Traffic-generating streets, 20th Street and Grade Road, provide direct access to sites on Main Street and 18th Street NE, while fire services are provided enhanced access along Grade Road and Hartford Road.

Prominent Address. Pedestrian, and bike improvements with widened sidewalks, bikeways, street furniture, landscaping lighting, street trees, and curbside parking will establish Main Street and 18th Street NE as an attractive pedestrian-scaled environment to support community facilities.

Amenity. North Cove Park provides an enhanced setting for use as a break-out area and amenity for community meetings, retreats and conferencegoers.

Figure 4.5 Community Facilities



4. Commercial Emphasis

The Grade Road and 20th Street NE corridors provide the necessary drive-by traffic and visibility to support commercial uses that will complement the storefront retail uses envisioned along Main Street and provide for daily needs goods, services, and employment uses that serve close-in neighborhoods.

A large portion of the identified area is currently occupied by low intensity and aging auto-oriented commercial development. The intent of this development area is to promote street-oriented buildings with ground-floor uses that include a diverse range of commercial services, retail, dining/ drinking and small office uses. Upper floors would be encouraged to allow for office or residential uses.

These areas meet the following site criteria essential to supporting commercial uses:

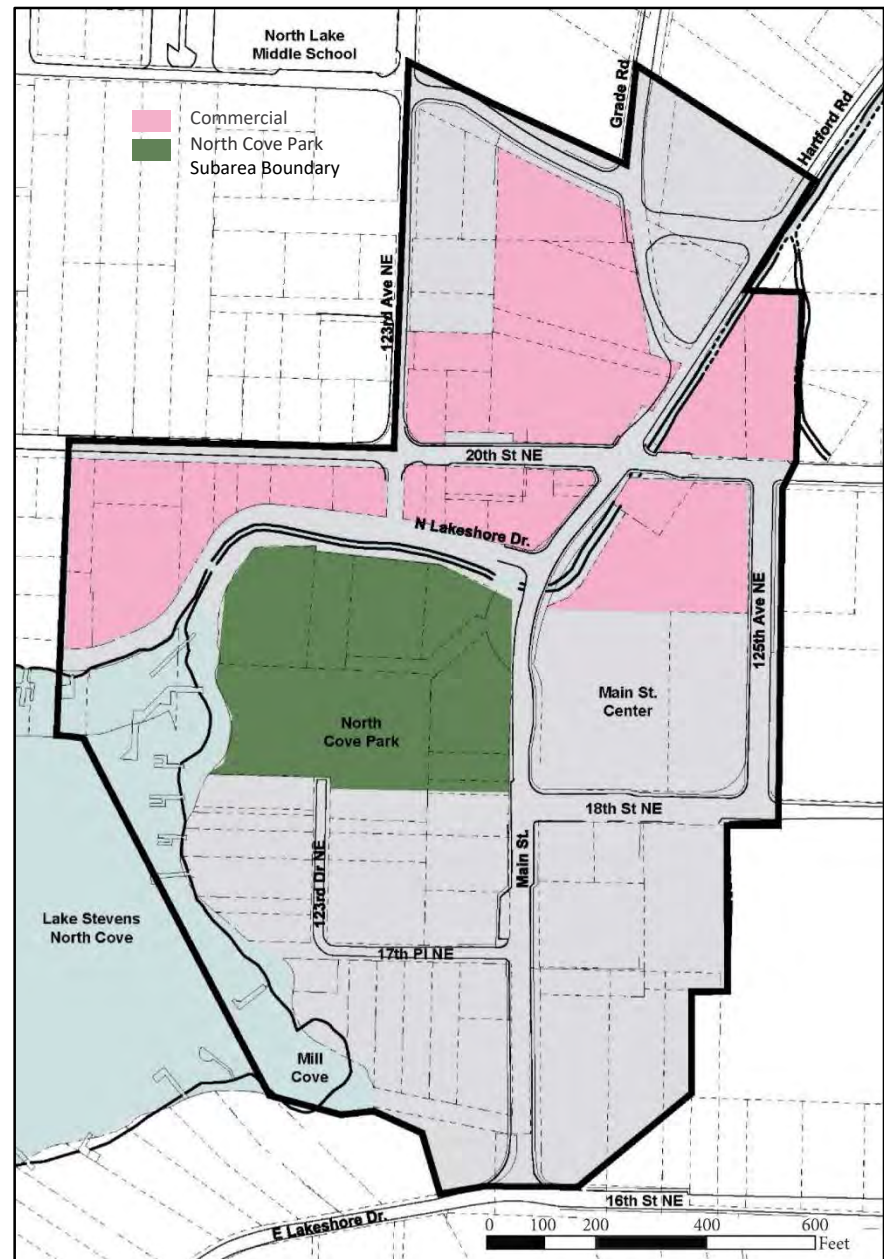
Proximity. Much of the area will benefit from topography and higher elevations that afford views to the mountains and Lake Stevens.

Visibility and Access. 20th Street and Grade Road provide sufficient drive-by auto traffic and good visibility. Pedestrian and bicycle improvements to these roadways will provide for improved access and better capture of additional customers within a convenient walk or bike ride.

Prominent Address. Commercial uses can capture the benefits of multiple 'front door' addresses along Grade Road and 20th Street NE.

Amenity. The expansion of North Cove Park provides an enhanced setting and activity area to draw additional customers and extend the amount of time spent in the downtown.

Figure 4.6 Commercial Emphasis



5. Public Parking

Strategically promoting public parking facilities close to retail and commercial development, North Cove park, and the boat launch will facilitate growth and redevelopment by:

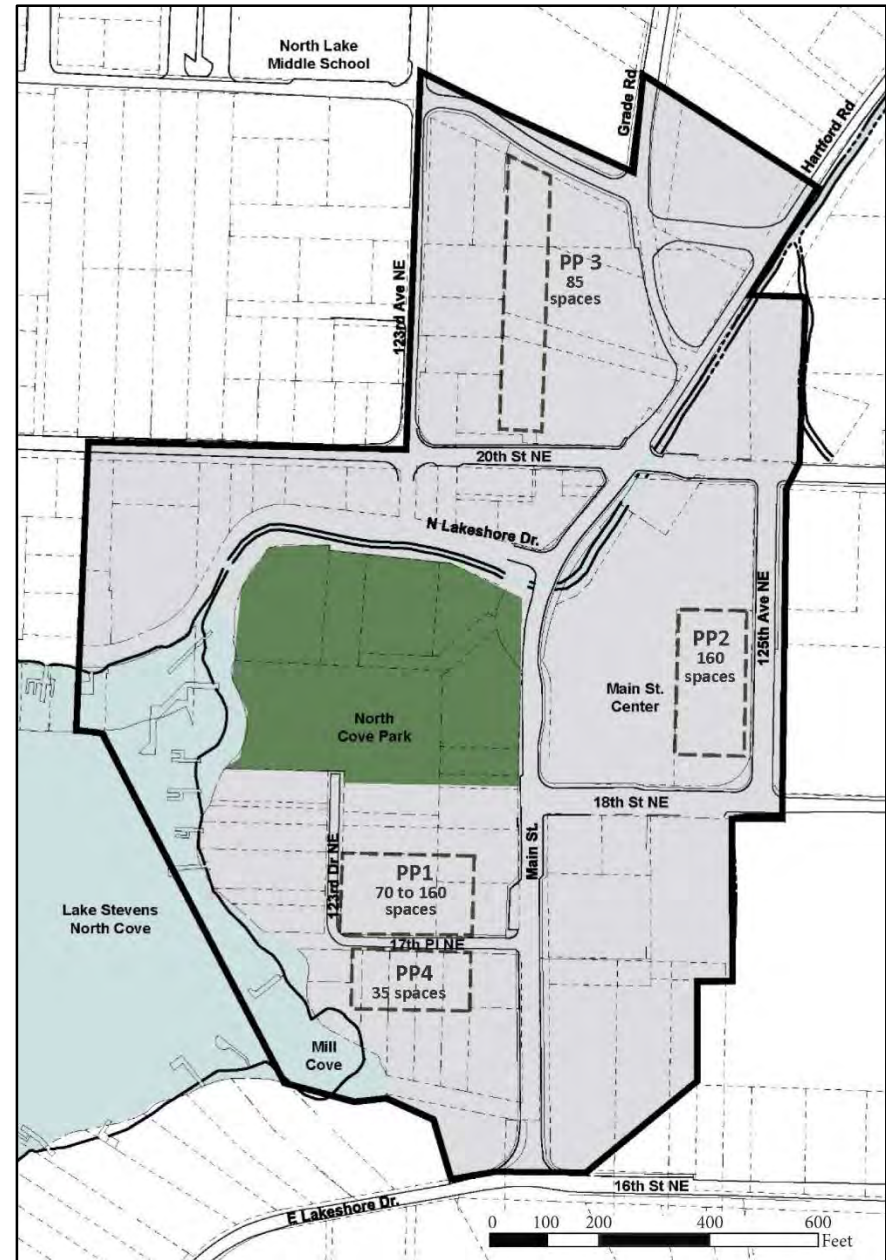
- Reducing or eliminating the cost associated with requiring off-street parking on each development site
- Allowing for more intense development of parcels that support a pedestrian-oriented and walkable downtown environment.

Four potential sites have been identified for public parking, either in surface parking lots or in multi-level parking structures:

- Parking Sites 1 (PP1) and 2 (PP2). These sites are optimal for structured parking due to their central downtown location and parcel size.
- Parking Site 3 (PP3). Surface parking lot to provide parking for commercial uses along 20th Street NE and Grade Road
- Parking Site 4 (PP4). Surface parking lot to serve the boat launch.

* Parking site locations are indicated by the dashed line with parking totals as indicated on the public parking diagram to the right.

Figure 4.7 Public Parking



Determining Public Parking Need

Assumptions for parking needs can be determined by taking the downtown subarea's potential development yield in square feet and applying the standard parking ratios/requirements for each development type and then subtracting the number of on-street parking available within the subarea. Based on the downtown subarea concept plan's growth assumption for the low and high development scenarios it anticipated that approximately 320 to 550 spaces would be necessary to support future growth.

The parking sites identified in Figure X.X could provide public parking within a range of 300 to 565 spaces. The figure identifies the number of potential parking spaces for each public parking site, which are based on the following:

- Parking Site 1 assumes a 150-feet x 210-feet floor plate dimension (w/ground-floor retail)
- Parking Site 2 assumes a 120-feet x 224-feet floor plate dimension
- Each structure would include three levels of parking with a ground-floor (level 1), second floor (level 2), and roof (level 3).

Assumption for Parking Requirements

Off-street parking requirements within the subarea were based on the following assumptions:

- Retail and Commercial- 1.0 space per 400 square feet
- Residential- 1.0 space per unit (parking required to be built within development sites)
- Hotel- 0.75 spaces per guest room
- Conference/Meeting Rooms- 1.0 space per 50 square feet of gross floor meeting/assembly area
- Boat Launch- Requires 35 spaces
- Existing On-street Parking- 200 spaces along existing downtown streets (average length of space estimated at 22')

6. Housing Emphasis

Multifamily residential development is envisioned for blocks fronting 123rd Avenue NE and 22nd Street NE in the northwest portion of the subarea and for blocks fronting Main Street and 18th Street NE in the southwest portion of the subarea. Opportunities for upper-story residences over ground-floor retail commercial are encouraged elsewhere in the subarea.

As noted in the market analysis, multifamily residential development is the most immediate opportunity in the downtown with the clearest case for strong market support. Robust household growth and strong income demographics should drive new unit demand well into the coming decade and beyond.

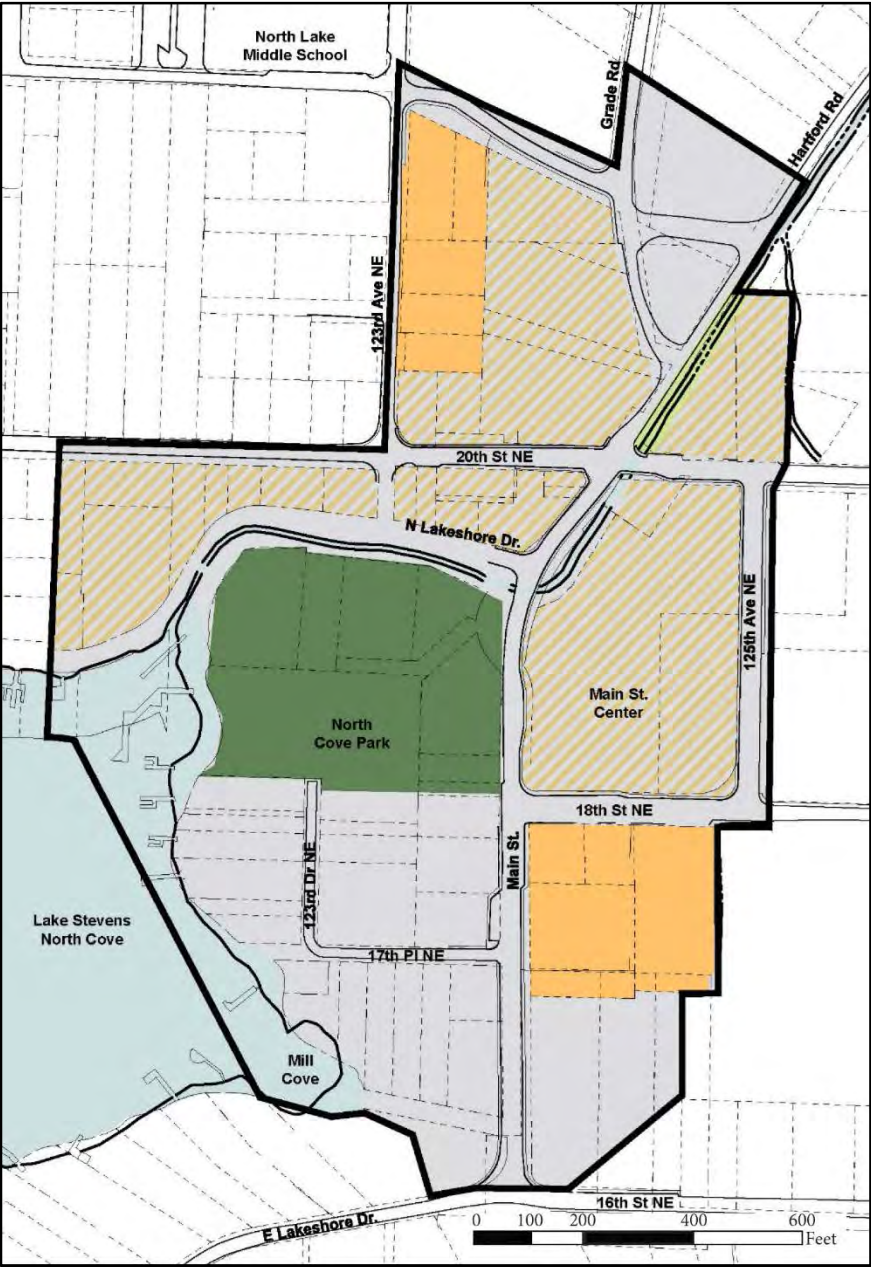
Multifamily residential uses within the housing emphasis development areas meet the following essential real estate siting criteria for successful housing development.

Amenity. Located within walking distance to parks, the waterfront, schools, shopping and dining.

Visual Impact. Located far enough away from the lake that multi-story buildings do not impact views or encroach on lower density single-family homes.

Views. Lake and mountain views afforded to properties along 123rd Avenue NE and upper floors of buildings along Main Street, 20th Street, and Grade Road.

Figure 4.8 Housing Emphasis



7. Housing Transition

Two development areas adjacent to the lakefront and located west of 123rd Drive NE and south of 17th Place NE consist of single family homes. Over time the transition of these single-family homes to higher and best uses will support downtown as a unique destination for community gathering, shopping, recreation and entertainment, and enhanced public access and use of Lake Stevens.

Each development area provides opportunity for long-term redevelopment that will:

- Allow for potential future expansion of lodging or community/conference facilities and public waterfront access between North Cove Park and the boat launch on parcels bound by 123rd Drive NE, North Cove Park, the boat launch and the lake.
- Accommodate future expansion of boat launch parking and/or an enhanced rowing facility or other water recreation facility on parcels located south of 17th Place NE and adjacent to the lake.

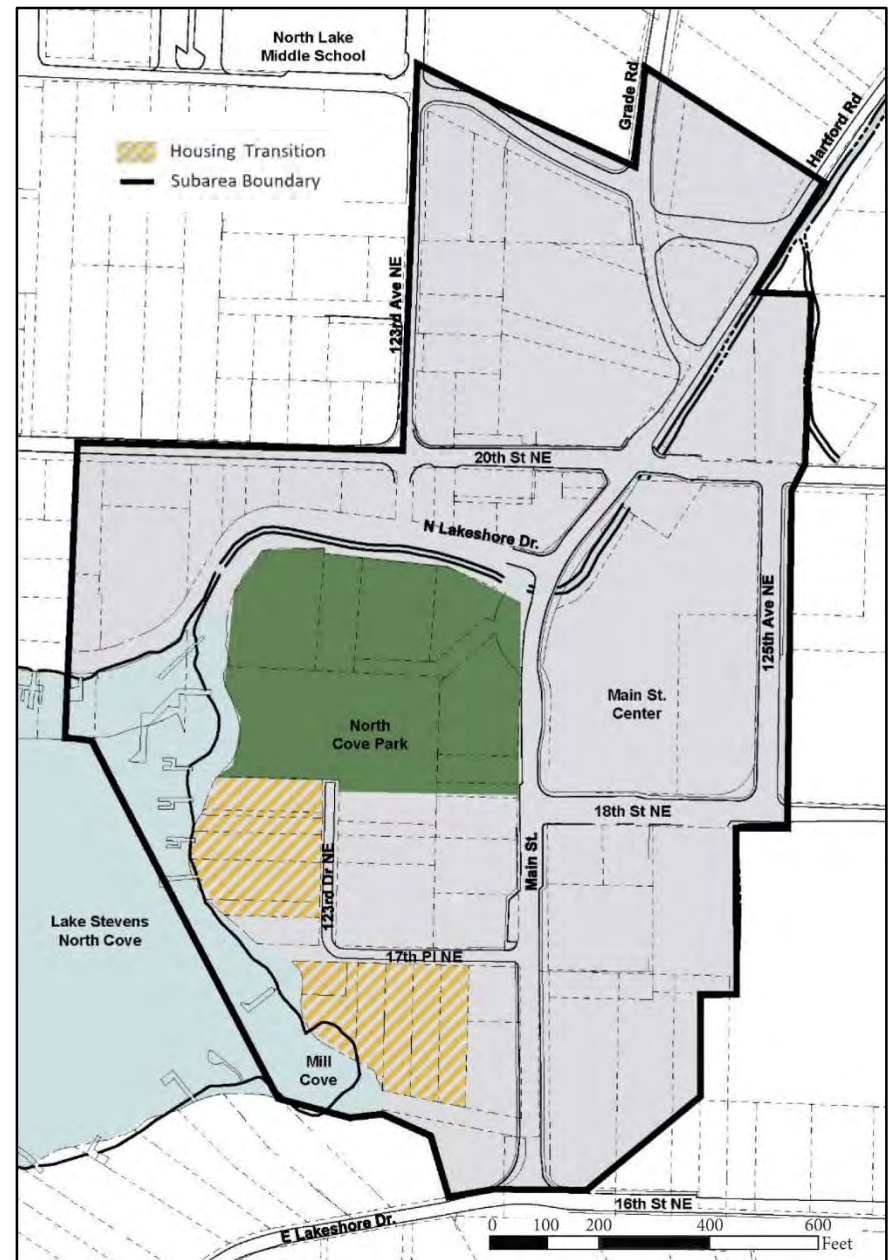
The development areas meet the essential siting criteria for supporting expanded residential uses:

Proximity. Parcels are adjacent to planned or existing community facilities, lodging, and the boat launch with direct access to the waterfront and North Cove Park.

Access. Sites are easily accessible from Main Street and adjacent to local streets that ensure adequate access and servicing of future development

Amenity. The lake and North Cove Park provide a unique setting and access to the lake that is desirable for development.

Figure 4.9 Housing Transition



8. Open Space

Stevens Creek on one end and tall tree stands and vegetation on the other establish the beginning and end to Main Street and are essential open space elements that define the extents of the downtown core area.

The enhancement and preservation of these waterways and wetland areas should include opportunities for:

- Stevens Creek bank stabilization and vegetation enhancements that remove potential invasive plant materials and manage waterflow and temperatures to support fish habitat and wildlife; and
- Establishing a Mill Cove Reserve and potential trail complex with consideration of future wetland enhancements integrated with an interpretative trail network that would link Stevens Creek to the former mill site located south of the boat launch.

Figure 4.10 Open Space



B. Land Use Designations

Based on the plan concept's land use framework, new Comprehensive Plan land use designations were assigned to specific parcels within the subarea, shown in Figure 4.11.

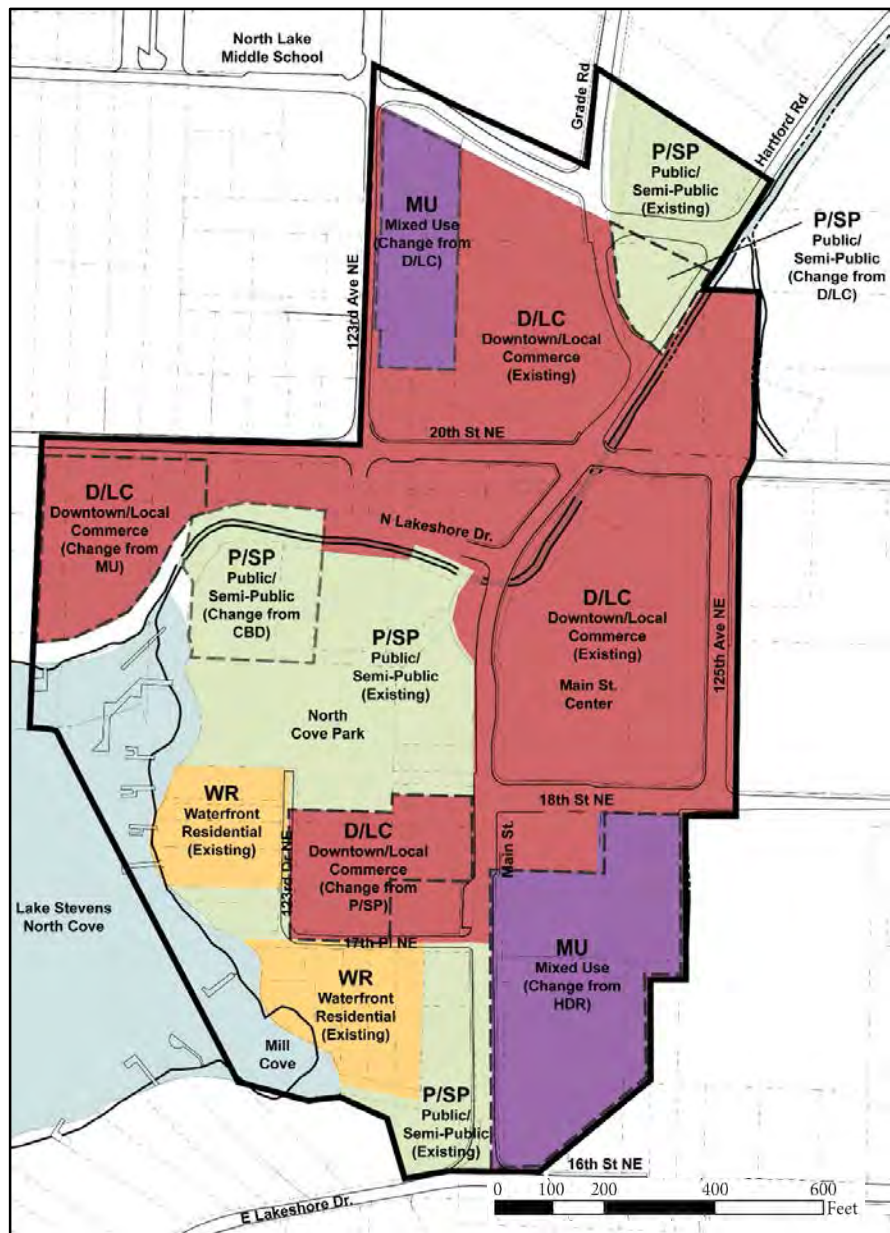
The subarea along Main Street, 20th Avenue NE, and Grade Road is designated as Downtown Local Commerce (D/LC). Additional areas west of Main Street have changed from Public/Semi-Public (P/SP) to Downtown Local Commerce (D/LC). Between Grade Road and Hartford Road the Downtown Local Commerce (D/LC) area changed to Public/Semi-Public (P/SP) to accommodate future expansion or modification of the fire station. The high density residential area east of Main Street (south of 18th Street NE) changed to Mixed Use (MU). South of N Lakeshore Drive, the Downtown/Local Commerce (D/LC) changed to Public/Semi-Public (P/SP).

Table 3.1 shows acreages for the existing subarea land use designations.

Table 3.1 Summary of Subarea Land Use Designations

Subarea Comprehensive Plan Designation	Acres
Downtown/Local Commerce	20.38
Waterfront Residential	2.53
Public/Semi-Public	7.26

Figure 4.11 Downtown Subarea Plan Comprehensive Plan

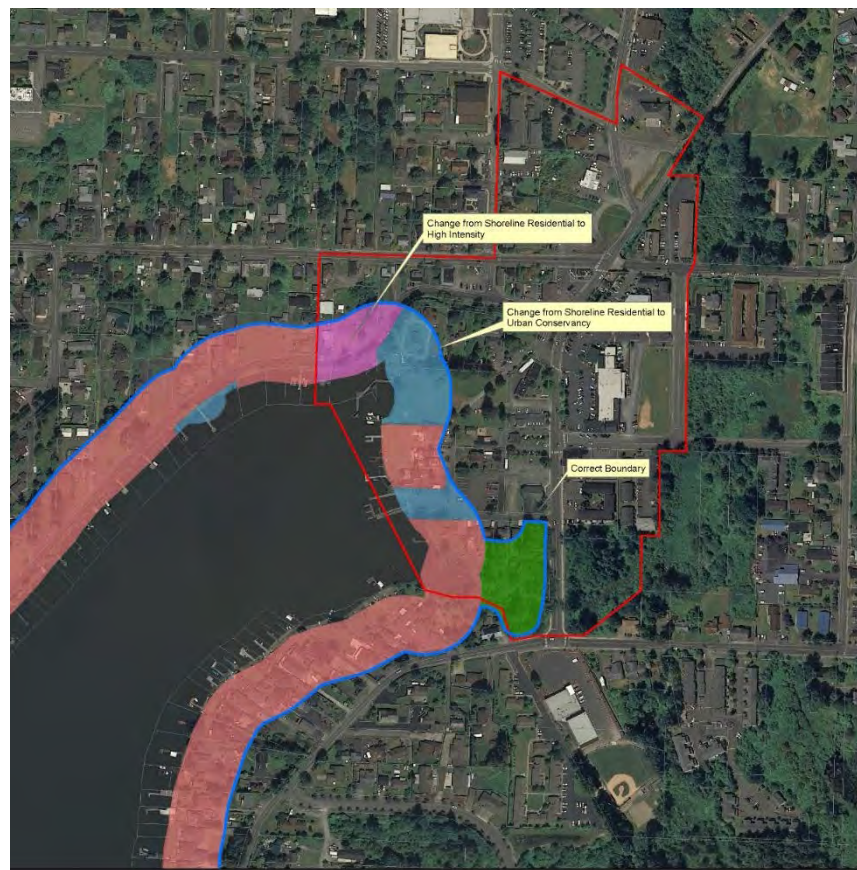


C. Shoreline Designations







Based on the plan concept's land use framework, new Shoreline Environments designations were assigned to specific parcels within the subarea, shown in Figure 4.12.

- North of Lakeshore Drive and west of North Cove Park the Shoreline Environments designation will change from Shoreline Residential to High Intensity
- South of Lakeshore Drive and within North Cove Park the Shoreline Environments designation will change from Shoreline Residential to Urban Conservancy

Figure 4.12 City of Lake Stevens Shoreline Boundaries and Features



Boundaries and Features

 Shoreline Boundary	Shoreline Environments	 Shoreline Residential
 Downtown Subarea	 High Intensity	 Urban Conservancy
	 Natural	



D. Zoning Districts

Based on the plan concept's land use framework, zoning districts were assigned to all parcels within the subarea, shown in Figure 4.13.

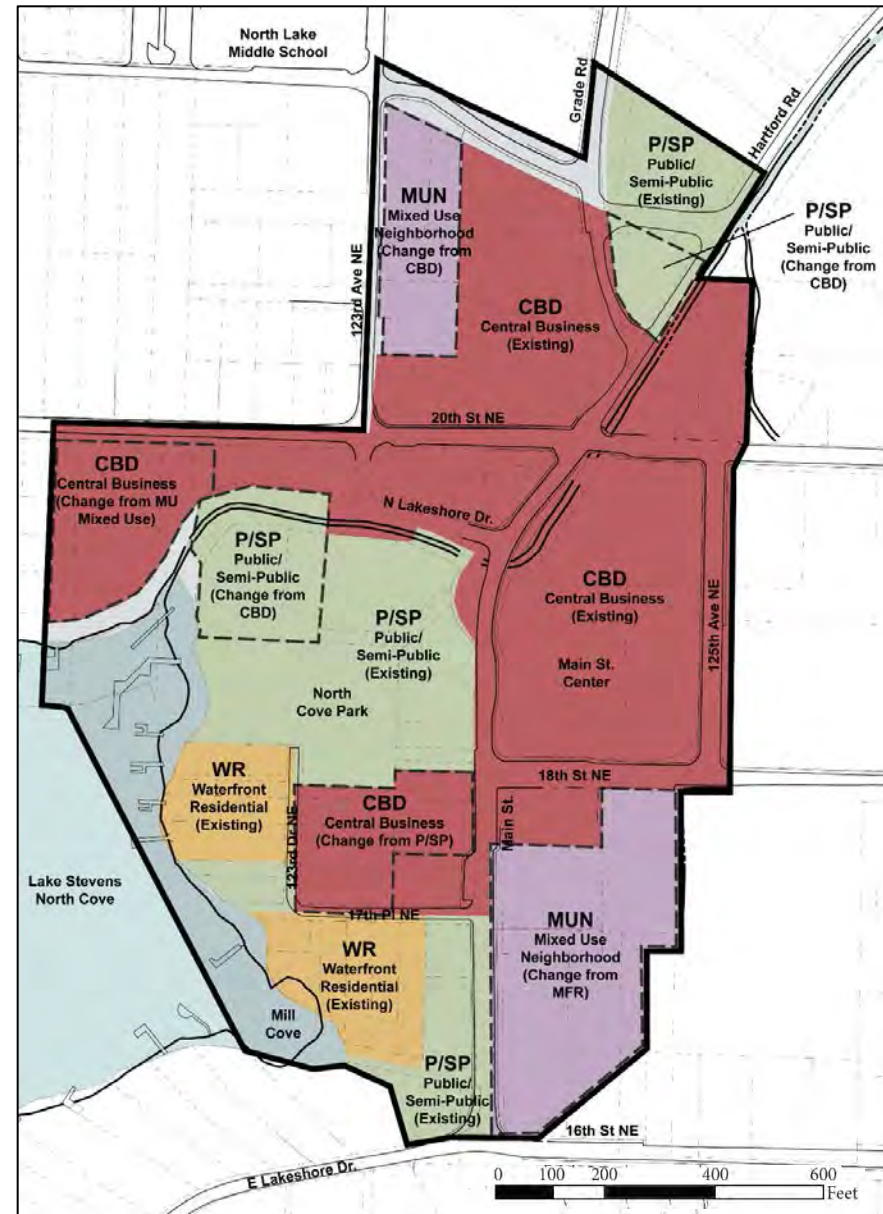
The subarea along Main Street, 20th Avenue NE, and Grade Road is designated as Central Business (CBD). Additional areas west of Main Street have changed from Public/Semi-Public (P/SP) to Central Business (CBD) to accommodate a future community/conference facility, public parking and storefront retail uses. Between Grade Road and Hartford Road the Central Business (CBD) area changed to Public/Semi-Public (P/SP) to accommodate future expansion or modification of the fire station. The Multifamily Residential (MFR) south of 18th Street NE and east of Main Street changed to Mixed Use Neighborhood (MUN). The Central Business (CBD) south of N Lakeshore Drive was changed to Public/Semi-Public (P/SP).

Table 3.2 shows acreages for existing and subarea zoning districts.

Table 3.2 Summary of Subarea Zoning Districts

Subarea Zoning District	Acres
Central Business	16.70
Mixed- Use Neighborhood	3.66
Waterfront Residential	2.53
Public/Semi-Public	7.26

Figure 4.13 Downtown Subarea Plan Zoning



E. Development Typologies

1. Retail and Commercial

Retail (businesses that engage in the sale of goods, dining and entertainment) and commercial (businesses that engage in the sale of services and the sale of goods, dining and entertainment) uses in the downtown will support residential neighborhoods or mixed-use areas within small to mid-sized development that caters to destination and daily-needs goods and services. A more intimate 'main street' shopping, dining, and entertainment district is anticipated to emerge along Main Street and 18th Street NE with daily-needs goods and services oriented to 20th Street NE.

Main Street Retail

Storefront retail is envisioned for parcels adjacent to North Cove Park and along Main Street and 18th Street NE. A concentration of continuous retail storefronts is to be located:

- Within the Main Street Center block (bounded by Main Street on the west, 125th Ave NE on the east, and 18th St NE on the south)
- Along Main Street between 18th Street NE and 17th Place NE
- Along 18th Street NE from 125th Ave NE to 123rd Dr NE.

The development area provides for a range of street-oriented retail opportunities, including the retention and potential expansion of Jay's Market. Storefront retail development is largely intended to be incorporated in buildings with, or adjacent to, a mix of uses such as housing, community facilities, or public parking structures.

The following typologies illustrate types of development appropriate in single-use or mixed-use buildings.

Figure 4.14 Single Use Retail Building



Figure 4.15 Low Rise Mixed-Use Office Over Street Oriented Retail Building



Figure 4.16 Multi-Story Mixed-use Office Over Street-Oriented Retail Building



Commercial

The Grade Road and 20th Street NE corridors provide the necessary drive-by traffic and visibility to support growth and redevelopment of commercial uses that will complement the storefront retail uses envisioned along Main Street and provide for daily needs goods, services and employment uses that serve close-in neighborhoods.

A large portion of the area is currently occupied by low intensity and aging auto-oriented commercial development. The intent of this development area is to promote street-oriented buildings with ground-floor uses that include a diverse range of commercial, retail, dining/drinking, and small office uses. Upper floors would be encouraged to allow for office or residential uses.

The following typologies illustrate types of development appropriate in single-use or mixed-use buildings.

Figure 4.18 Single Use Street-Oriented Commercial Building



Figure 4.19 Low-Rise Mixed-Use Office Over Street-Oriented Commercial Building

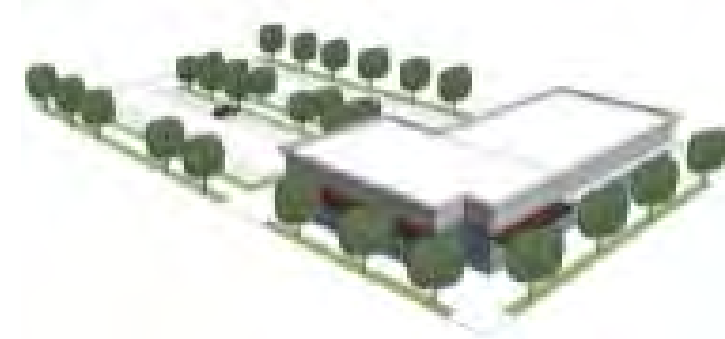


Figure 4.17 Multi-Story Mixed-Use Multifamily Over Street-Oriented Commercial Building



Multi-Story Single Use Street-Oriented Commercial Building



2. Multifamily Residential

Multifamily residential development is envisioned for blocks fronting 123rd Avenue NE and 22nd Street NE in the northwest portion of the subarea and for blocks fronting Main Street and 18th Street NE in the southwest portion of the subarea. Upper-story residences over ground-floor retail commercial are encouraged elsewhere in the subarea. The following typologies illustrate types of development appropriate in single-use or mixed-use buildings.

Figure 4.21 Multifamily Building



Figure 4.22 Example of Mixed Use Multifamily Housing

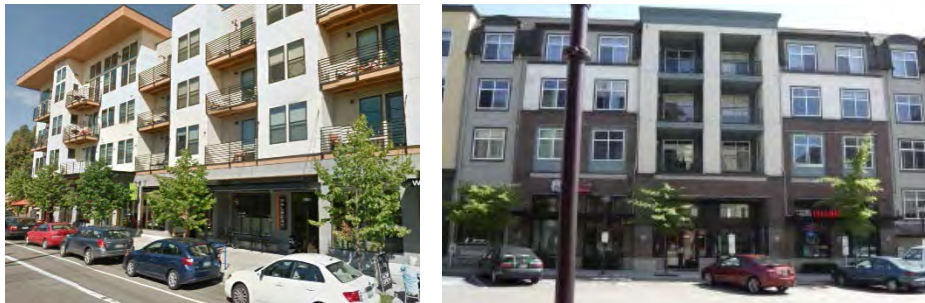


Figure 4.20 Example of Single Use Multifamily Building



F. Complete Streets Framework

The complete streets framework identifies the future design character and function of key downtown streets. It has an emphasis, in terms of focus and detail, on ‘complete street’ multimodal connections located within a half-mile radius of the downtown and provides direct and safe connections to traffic-generating uses and destinations that are desirable to the community.

Recommendations on the location and configuration of automobile, bus, pedestrian and bicycle access throughout the Downtown Lake Stevens Subarea are identified. The framework includes the following elements.

Active Transportation. Emphasizing active transportation fosters pedestrian and bicycle circulation systems as a means of reducing auto dependency and associated traffic/parking impacts, maximizing non-motorized access to downtown, North Cove Park, the waterfront; and fostering community health benefits.

Street Hierarchy. A network of interconnected streets provides balanced facilities for all modes—auto, truck, transit, pedestrian, and bicycle; establishes a framework for pedestrian and bicycle-oriented development; and ensures safe and direct connections between the downtown, and adjacent neighborhoods.

PEDESTRIAN



BICYCLE



TRANSIT



AUTO





Main Street Photo Simulation-View looking north (StudioKPG 2018)

1. Active Transportation

For the Downtown Subarea to see a transfer of a significant number of current and estimated future daily trips away from autos to walking and cycling, it is essential that well-designed, safe, and direct active transportation routes are established. Active transportation routes benefit the community by reducing auto congestion and providing safe, direct pedestrian and bike connections to key destinations such as the waterfront, Centennial Trail, shopping, recreation, employment, and schools.

The Active Transportation Concept includes:

- Routes that build upon the existing multi-use regional Centennial Trail with improved pedestrian and bicycle access between the downtown, North Cove Park and the Centennial Trail.
- An interconnected 'series of loops' between the downtown and Centennial Trail that support active physical recreational use for a range of skill levels.
- Coupled with bicycle facilities, enhanced pedestrian sidewalks and crosswalks to foster walking within a quarter mile of the Main Street and for those willing to travel further distances.

The active transportation framework is designed to include the premium pedestrian and bicycle transportation facilities described on the following pages.

PROTECTED BIKE LANE



MULTI-USE PATH



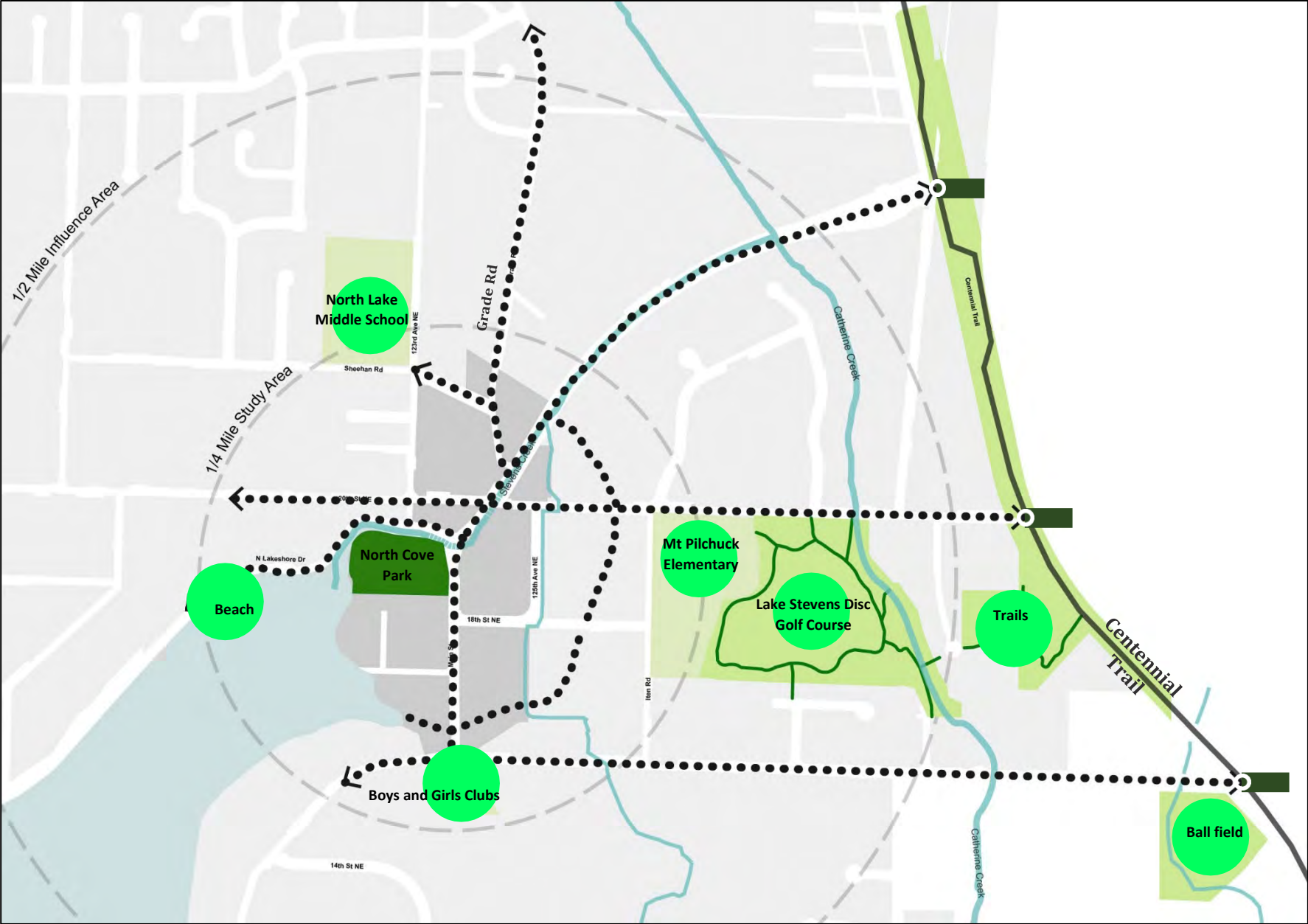
BOARDWALK TRAIL



BIKE LANE



Figure 4.23 Active Transportation Routes



Bicycle and Pedestrian Enhancements

Multi-use Paths

Multi-use paths are physically separated from the street by raised curbs or other vertical elements and attract bicycle riders who do not typically ride on the street with auto traffic due to safety concerns. When implemented as a complete network, multi-use paths can significantly increase bike ridership within the Downtown Subarea. Multi-use paths serve both recreation and commuting uses by pedestrians and cyclists. Multi-use paths also provide access to businesses and residences. When adjacent to arterial roadways, multi-use paths should be physically separated from the travel lanes by a landscape buffer, which eliminates conflicts with autos.

New multi-use paths with 10- to 12-foot-wide paved surfaces are proposed for:

- 20th Street NE from Main Street east to the Centennial Trail complete sidewalk system (Further study required to determine feasibility)
- 16th Street NE (south side of the street) from Main Street east to the Centennial Trail
- Main Street (west side of the street) between Lakeshore Drive and 20th Street NE
- Grade Road (west side of the street) from 20th Street NE to Highway 92
- Hartford Drive (west side of the street) from Grade Road to Centennial Trail

Multi-use paths along North Lakeshore Drive, East Lakeshore Drive, the Lake Stevens waterfront, and 22nd Street NE will require further study to determine location, phasing, and facility design.

- Grade Road (west side of the street) from 20th Street NE to Highway 92
- Hartford Drive (west side of the street) from Grade Road to Centennial Trail

Multi-use paths along North Lakeshore Drive, East Lakeshore Drive, the Lake Stevens waterfront, and 22nd Street NE will require further study to determine location, phasing, and facility design.

Mill Cove Interpretive Trail

Mill Cove Reserve located east of Main Street and the former location of the historic Rucker Mill has returned to a natural state that contains wetlands and shoreline. The wetlands continue east of Main Street, and with the creek, extend north to Hartford Road and Stevens Creek. The historic significance of the mill and location of wetlands provides an opportunity for wetland enhancements coupled with an interpretive trail and boardwalk, and signage along the route. The interpretive trail would:

- Provide an educational forum for wetland enhancement, nature reserves, and the history of logging and the mill
- Connect Mill Cove to Stevens Creek and link to existing and proposed multi-use paths along the waterfront, Hartford Drive, 20th Street NE and Main Street
- Require further study to determine location, phasing and facility design.

Bike Lanes

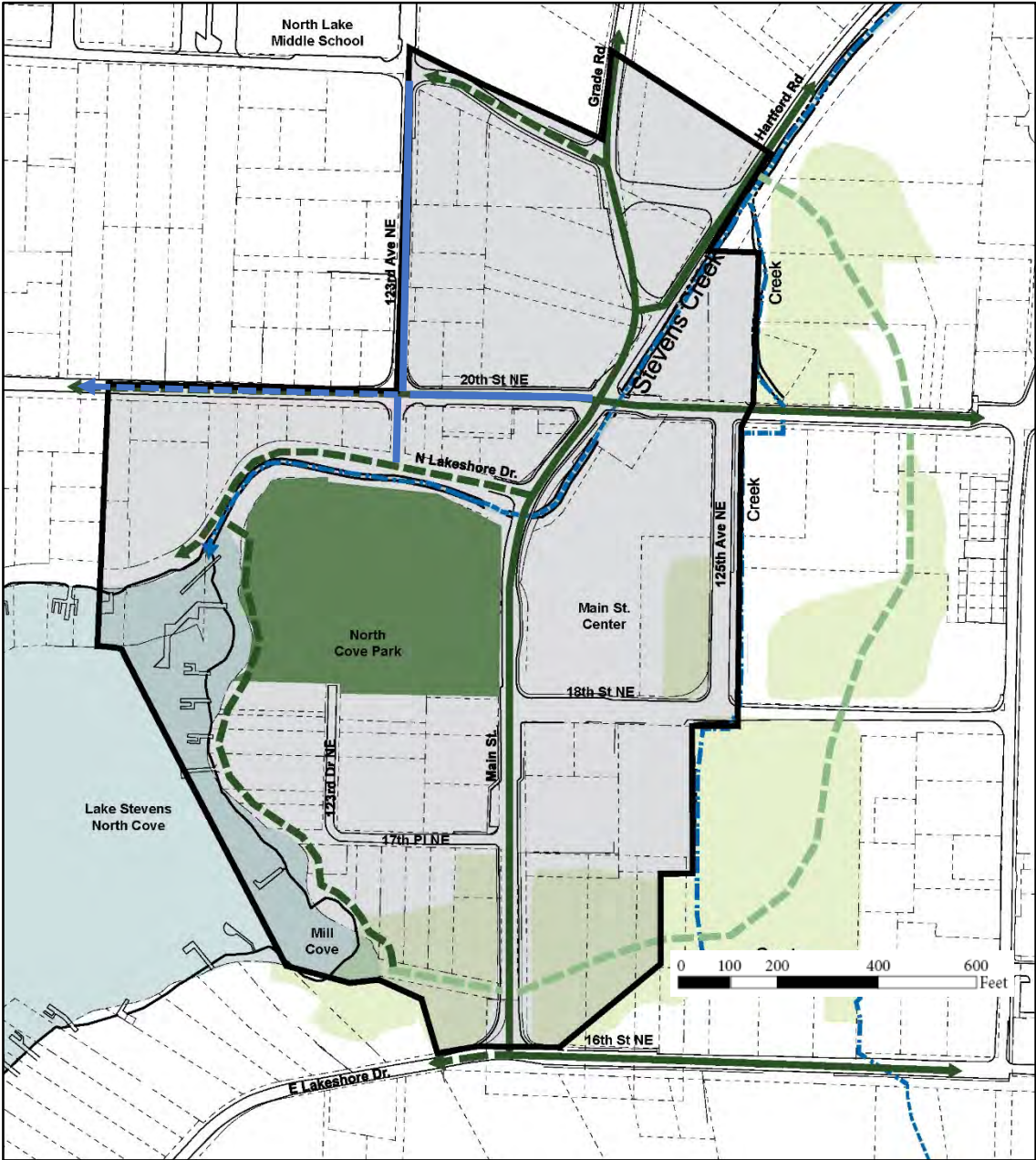
On-street bike lanes (minimum of 6 ft. wide) are proposed for 20th Street NE between Main Street and 123rd Avenue NE. This would require widening the right-of-way on the north side of the street.

Future study should determine feasibility of extending the bike lanes further east to SR 9.

On-street bike lanes are proposed for 123rd Avenue NE from 22nd Street NE to N. Lakeshore Drive. This would require widening the right-of-way on the west side of the street.

Figure 4.24 Active Transportation

- Multi-Use Path (Off-Street)
- Multi-Use Path (Off-Street)- Requires Further Study
- Stevens Creek Interpretive Trail- Requires Further Study
- Bike Lane (On-Street)
- Bike Lane (On-Street)- Requires Further study



2. Street Hierarchy

A prime objective of the Downtown Subarea Plan is to maintain and strengthen Downtown and the lake as a destination for local residents and visitors alike. While essential access and mobility are identified for key routes, a bias toward the pedestrian and cyclist should be fostered for all streets in the downtown, including auto mobility streets such as 20th Street NE and Grade Road.

The Street Hierarchy Framework identifies key routes for auto, pedestrian, and bicycle improvements and creates a network of streets that complement adjacent land uses and spur additional desirable Downtown development. The Street Hierarchy Framework includes the following elements.

Retail Street. Main Street and 18th Street NE provide a unique destination, serving auto traffic to local business auto traffic, pedestrians and cyclists who support storefront retail, and establishing an entry to North Cove Park.

‘Front Door’ Entry. Grade Road is prioritized as the primary regional access route to and from the downtown via HWY 92, while 20th Street NE continues to provide local access to and from Lundeen Parkway and HWY 9.

Downtown Streets. Local traffic access is enhanced along key streets with opportunities for improved pedestrian facilities and added on-street parking to serve downtown businesses.

Neighborhood Connector Street. These streets establish a fine-grained active transportation network that provides opportunities for walking and biking to and from the Downtown subarea’s major traffic generators and public amenities.

RETAIL STREET



FRONT DOOR ENTRY



DOWNTOWN STREET

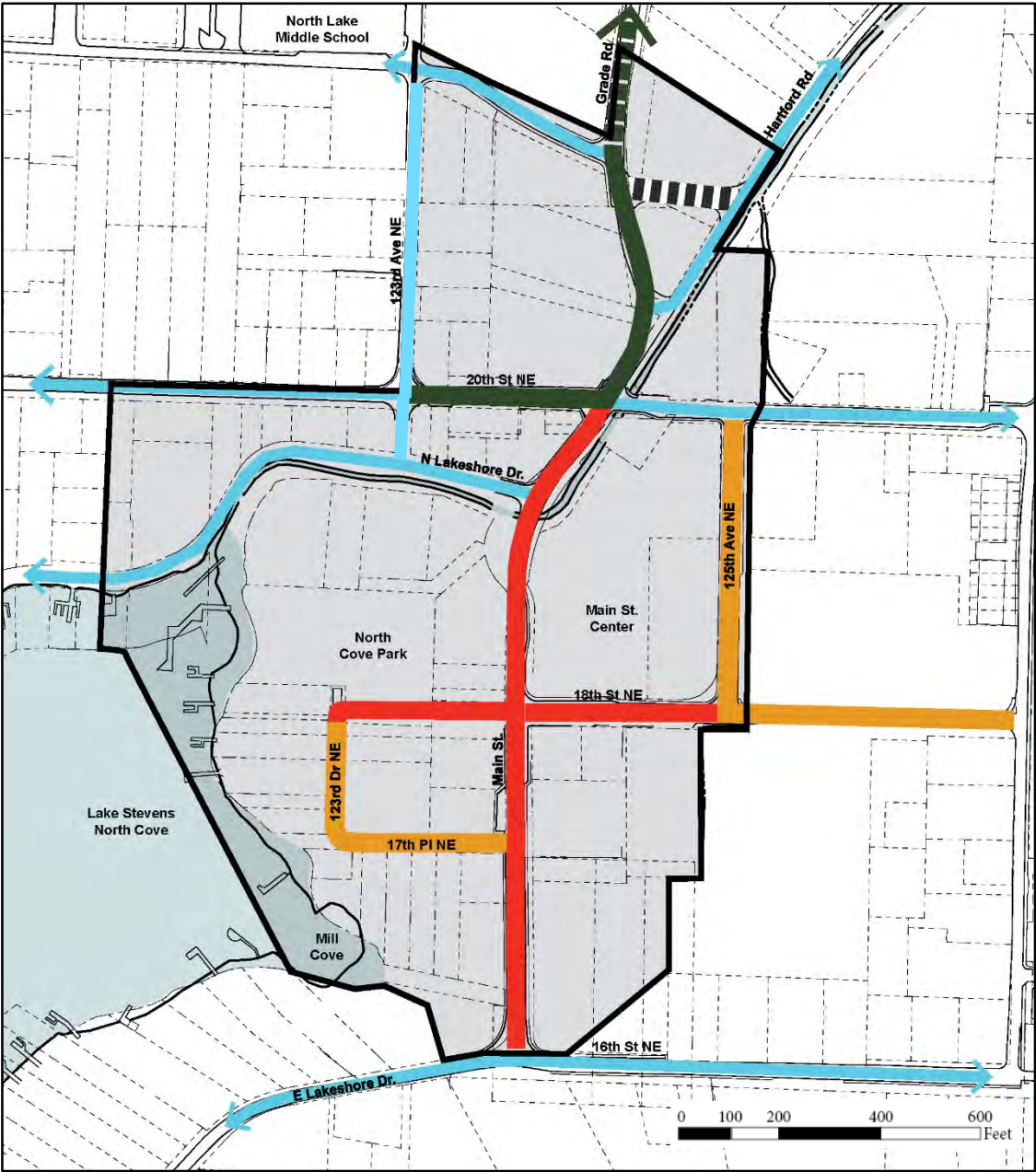


NEIGHBORHOOD CONNECTOR



Figure 4.25 Street Hierarchy

- Retail Street
- 'Front Door' Entry Street
- Downtown Streets
- Neighborhood Connector Streets



Retail Street

Main Street is Lake Stevens' primary 'signature street', serving street-oriented retail development and providing a high-quality pedestrian and bicycle environment that will establish the street as a unique destination. Main Street consists of four unique segments that respond to adjacent land uses or to right-of-way constraints in proximity to Stevens Creek:

- Main Street (Lakeshore Dr. NE to 18th St. NE)
- Main Street (18th St. NE to 17th Pl. NE)
- Main Street (18th St. NE to 17th Pl. NE)
- Main Street (20th St. NE to Lakeshore Dr. NE)
- 18th Street (123rd Dr. NE to Main Street)
- 18th Street (Main Street to 125th Ave. NE)

Main Street (Lakeshore Dr. NE to 18th St. NE)

The design of this Main Street segment supports storefront retail and redevelopment along the east side of the street. The segment functions as the primary entrance to North Cove Park on the west side of the street. The design includes:

- A two-way, two-lane roadway;
- Curbside parking and a widened sidewalk on the east side of the street to support adjacent retail uses (Limited parking is provided on the west side for a drop-off serving North Cove Park);
- Street trees, landscaping, lighting and street furniture between the sidewalk and curbside parking on the east side of the street;
- A wide tree-lined median buffer to include LID stormwater features and street lighting between the multi-use path and the roadway;
- At intersections, striped and/or raised pedestrian crosswalks and two-way bicycle crossing (west side of the street);
- Widening existing right-of-way by 8 ft. along the west side of the street; and a
- Controlled intersection at 18th Street NE.

The conceptual street section is identified to the right and an illustration of the

proposed street character and streetscape elements are identified on the opposite page.

Figure 4.26 Main Street (Lakeshore Dr. NE to 18th St. NE)



Figure 4.27 Typical Section Main Street (Lakeshore Dr. NE to 18th St. NE)

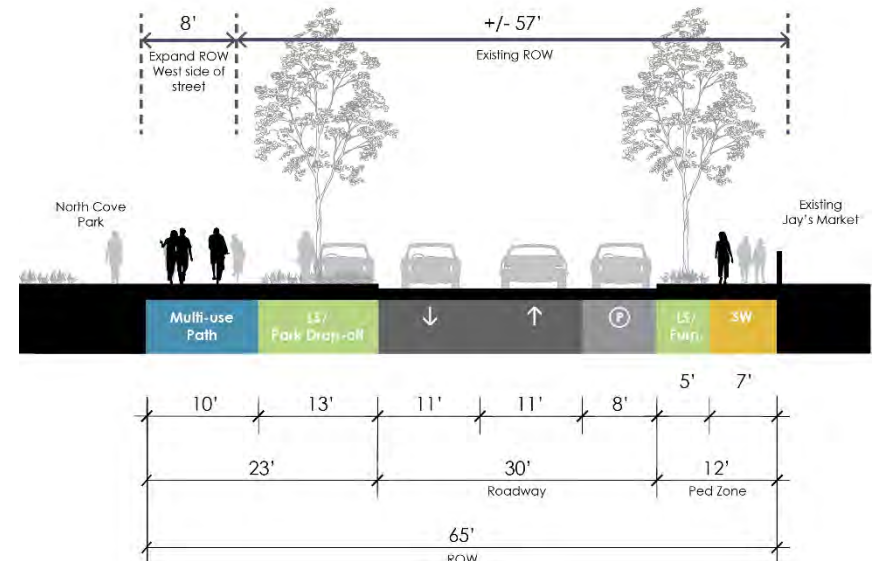


Figure 4.28 Retail Street Illustration (Main Street View Looking North Between Lakeshore Dr. NE and 18th St. NE)



Main Street (18th St. NE to 17th Pl. NE)

The design of this segment of Main Street supports storefront retail and redevelopment along both sides of the street. The design includes:

- A two-way, two-lane roadway
- Curbside parking and a widened sidewalk with street trees, lighting and street furniture on the both sides of the street to support adjacent retail uses.
- A multi-use path on the west side of the street separated from the street with lighting, street furniture and street trees
- At intersections, striped pedestrian and bicycle crosswalks (west side of the street)
- Widening the existing right-of-way by 8 ft. along the west side of the street and requiring a 10-foot building setback on the adjacent parcel for a future sidewalk with access to storefront retail uses.
- A potential all-way controlled intersection at 18th Street NE (requires further study).

The typical street section is identified to the right and an illustration of the proposed street character and streetscape elements is shown on the opposite page.

Figure 4.29 Main Street (18th St. NE to 17th Pl. NE)



Figure 4.30 Typical Section Main Street (18th St. NE to 17th Pl. NE)

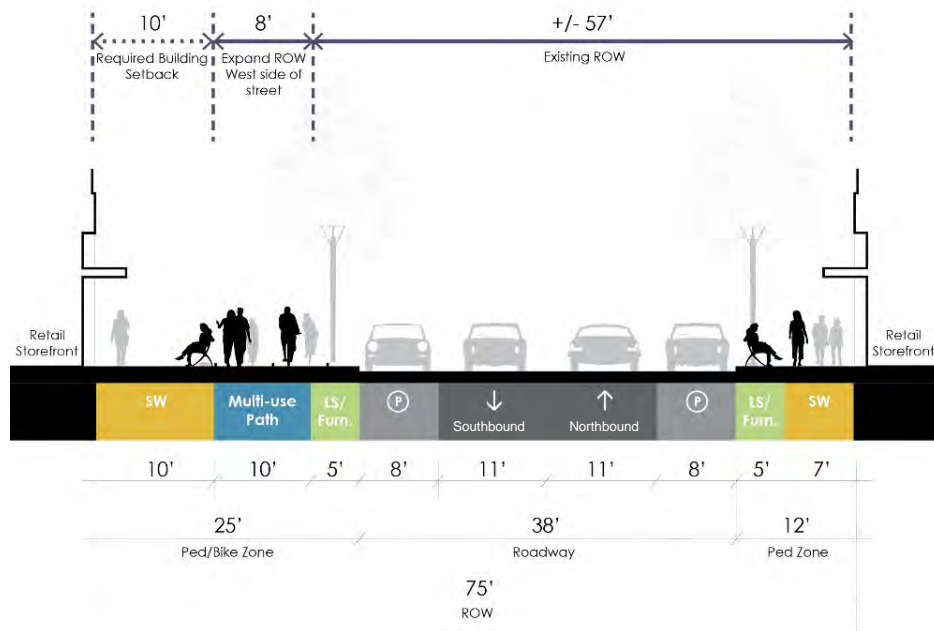


Figure 4.31 Retail Street Illustration (Main Street View Looking Northwest Between 17th Pl. NE and 18th St. NE)



Main Street (17th Pl. NE to 16th St. NE)

The design of this segment of Main Street is adjacent to the wetlands and is the 'gateway entry' to the Main Street from the south. The design includes:

- A two-way, two-lane roadway;
- Curbside parking and a widened sidewalk with street trees, and lighting on the both sides of the street. Curbside parking supports retail and additional parking for the boat launch;
- A multi-use path on the west side of the street separated from the street with lighting and street trees;
- At intersections, striped pedestrian crosswalks and two-way bicycle crossing (west side of the street); and
- Widening the existing right-of-way along the west side of the street as needed.

The typical street section is identified to the right and an illustration of the proposed street character and streetscape elements is shown on the opposite page.

Figure 4.32 Main Street (17th Pl. NE to 16th St. NE)

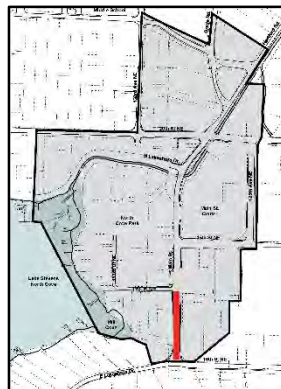


Figure 4.33 Typical Section Main Street (17th Pl. NE to 16th St. NE)

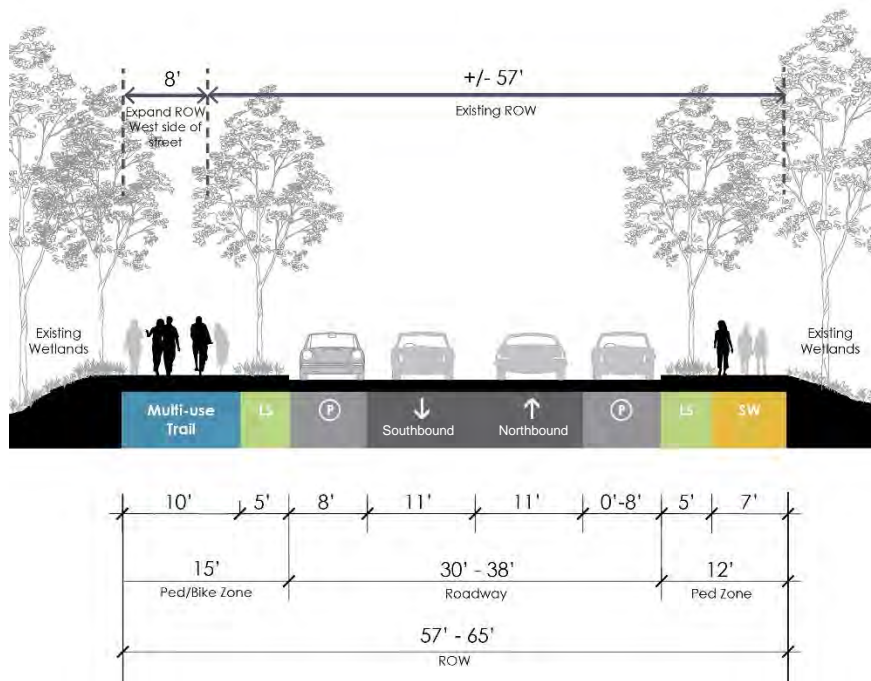


Figure 4.34 Retail Street Illustration (Main Street View Looking North Between 17th Pl. NE and 16th St. NE)



Main Street (20th St. NE to N Lakeshore Dr.)

The design of this segment of Main Street is within a constrained right- of-way adjacent to Stevens Creek and is the 'gateway entry' to the Main Street from the north. The design includes:

- A two-way, two-lane roadway;
- Maintaining the existing sidewalk on the east side of the street;
- Replacing the sidewalk with a 10 to 12 ft. multi-use path on the east side of the street;
- Installation of a decorative fence between the gas station and the mixed-use path;
- Where feasible, add a landscaped buffer with lighting between the mixed-use path and the roadway;
- At intersections, add striped pedestrian crosswalks; and
- An all-way controlled intersection at the intersection Main Street and 20th Street.

The typical street section is identified to the right and an illustration of the proposed street character and streetscape elements is shown on the opposite page.

Figure 4.35 Main Street (20th St. NE to N Lakeshore Dr.)



Figure 4.36 Typical Section Main Street (20th St. NE to Lakeshore Dr. NE)

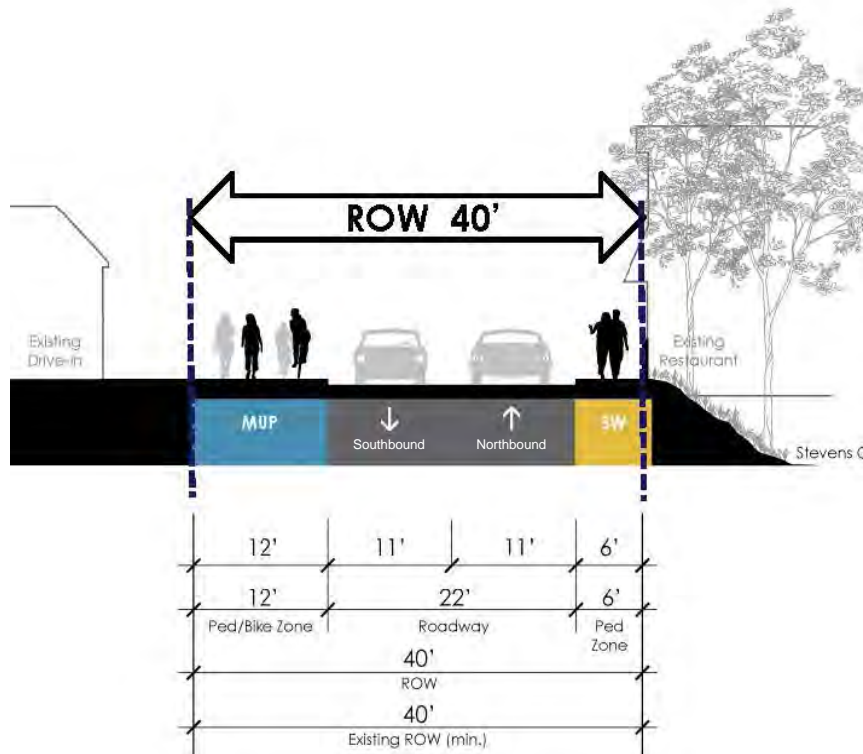
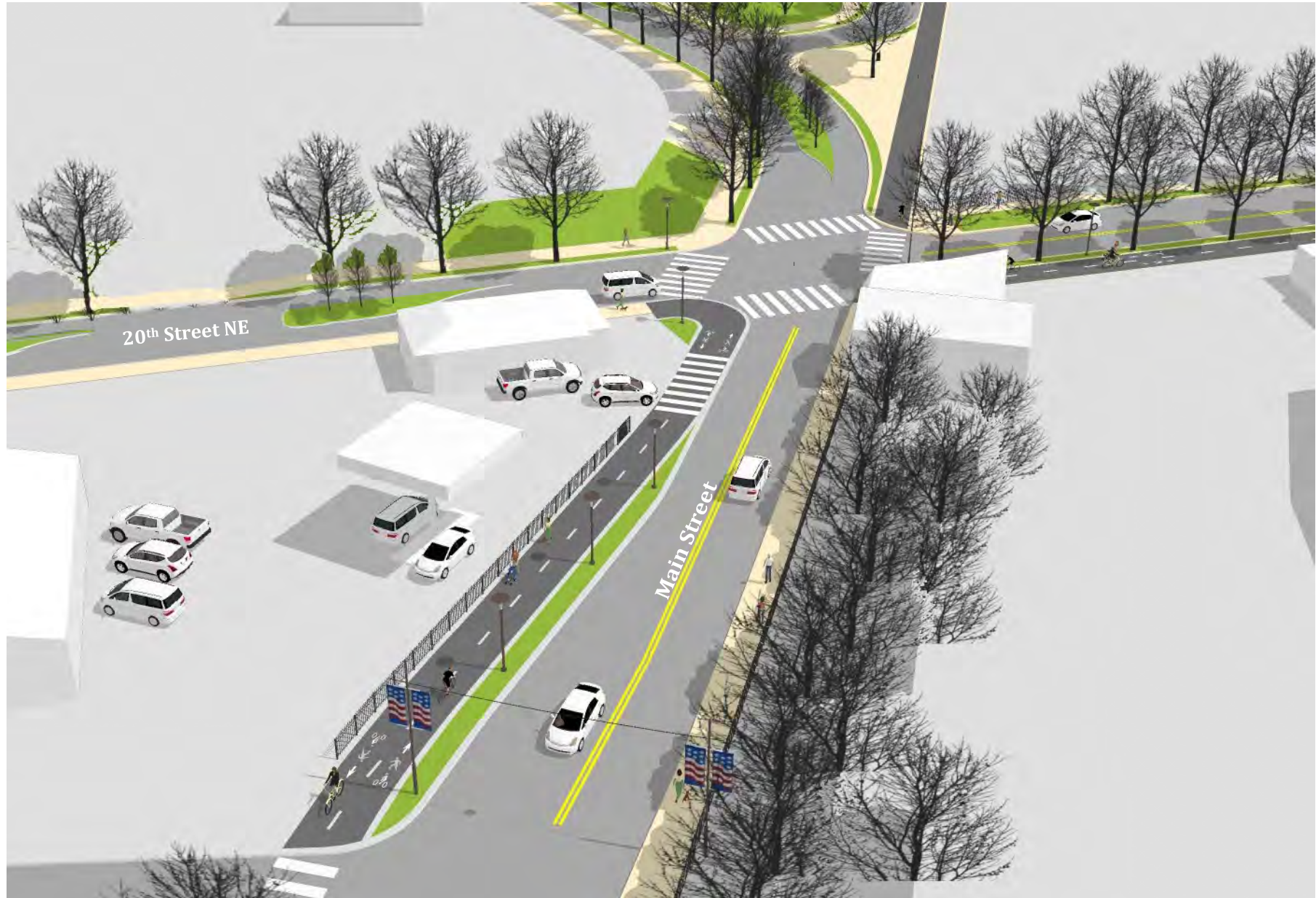


Figure 4.37 Retail Street Illustration (Main Street View Looking North Between Lakeshore Dr. NE and 20th St. NE)



18th Street (123rd Drive NE to Main Street)

18th Street NE serves street-oriented retail development and the community/conference center as well as providing a high-quality pedestrian and bicycle environment adjacent to North Cove Park. 18th Street consists of two unique segments that respond specifically to adjacent land uses.

A new 18th Street NE will extend west from Main Street to 123rd Drive NE, providing access and development frontage for new storefront retail and the community/conference center. The extension also provides additional auto access to the boat launch and parking. The design includes.

- A two-way, two-lane roadway
- Curbside parking and a widened sidewalk, street trees, lighting and street furniture on the south side of the street. (No parking is provided on the north side to preserve visual access to the lake and North Cove Park)
- A pedestrian promenade with a wide sidewalk and landscape buffer adjacent to North Cove Park (North side of the street)
- At intersections, striped pedestrian crosswalks
- A minimum 54-ft. right-of-way which should align with 18 Street NE on the east side of Main Street.
- A potential all-way controlled intersection at Main Street (requires further study).

The typical street section is identified to the right and an illustration of the proposed street character and streetscape elements is identified on the opposite page.

Figure 4.38 18th Street (123rd Dr. NE to Main St.)



Figure 4.39 Typical Section 18th Street (123rd Dr NE to NE Main St)

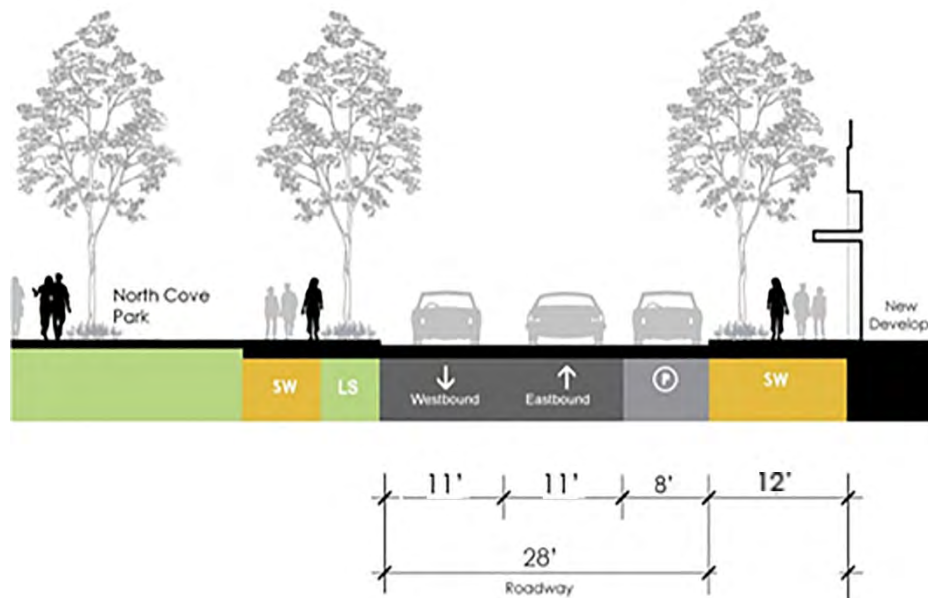


Figure 4.40 Retail Street Illustration (18th St NE View Looking East to Main Street)



18th Street (Main Street to 125th Avenue NE)

18th Street NE from Main Street to 123rd Drive NE serves existing and proposed storefront retail. The design includes:

- A two-way, two-lane roadway;
- Curbside parking and a widened sidewalk with street trees, lighting and street furniture on the both sides of the street. Curbside parking supports downtown retail; and
- At intersections, striped pedestrian crosswalks.

The typical street section is identified to the right, and an illustration of the proposed street character and streetscape elements is identified on the opposite page. Final design will be determined during implementation.

Figure 4.41 18th Street (Main Street to 125th Ave NE)



Figure 4.42 Typical Section 18th St NE (Main Street to 125th Ave NE)

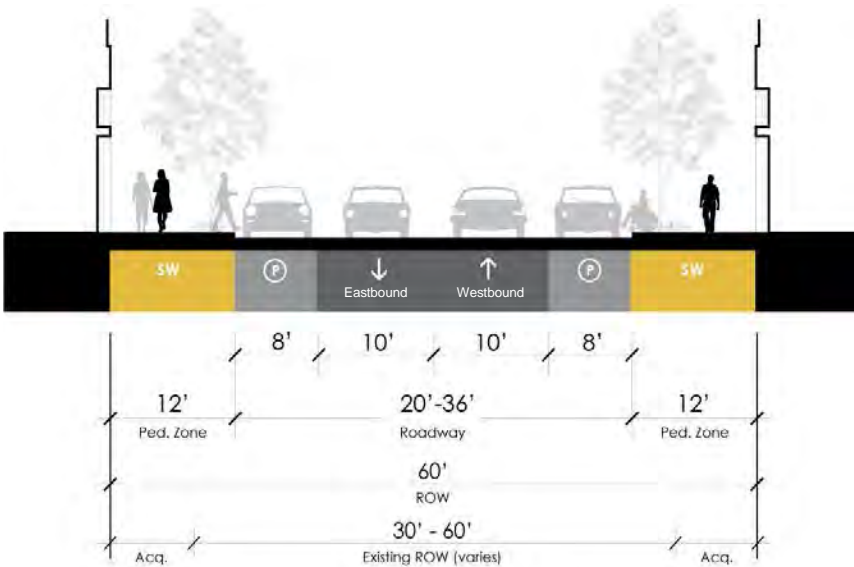


Figure 4.43 Retail Street Illustration (18th Street View Looking West to Main Street)



‘Front Door’ Entry Streets

Today, primary access to downtown Lake Stevens is from Highway 9, approximately 2.25 miles west of downtown Lake Stevens. Roadway signs direct local, visitor, and truck traffic to ‘Lake Stevens’ and ‘City Center’ via Lundeen Parkway/Lake View Drive/20th Street NE. Lundeen Parkway is a limited access minor arterial, that transitions to Lake View Drive and 20th St NE—a two-lane roadway within a constrained right-of-way (40 ft. typical).

Secondary access to downtown is from Highway 92, approximately 1.25 miles north of downtown Lake Stevens. Roadway signs direct local, visitor, and truck traffic to ‘Lake Stevens’ (not ‘City Center’) via Grade Road, a limited access minor arterial.

Primary access to downtown along Lundeen Parkway/Lake View Drive/20th Street NE has some fundamental issues, including:

- A limited ability to construct Lake View Drive and 20th Street NE to minor arterial standards due to a constrained 40-ft. right-of-way and existing houses located close to the roadway. Arterial standards require a minimum three-lane roadway with 48 ft. of roadway pavement (shoulder, gutter and travel lanes) and an overall right-of-way of 70 ft.
- Impacts to through traffic movement and the potential for safety conflicts and delay as a result of numerous driveway access points along Lake View Drive and 20th Street NE.
- This route suffers from visual clutter, a lack of distinctive character, and no sense of ‘arrival’ in the downtown.
- The lake and Main Street, the commercial heart of downtown, are not visible from 20th Street NE and are difficult to find.

To enhance the ‘visitor experience’ of arriving in downtown Lake Stevens while improving local access, a new region-to-downtown access route is proposed. The concept establishes Grade Road as the primary entry to downtown and the lake via a continuous tree lined ‘boulevard’ from Highway 92 to Main Street. The Front Door Entry Concept would:

- Direct primary access to the lake and downtown via Highway 92 and Grade Road.

- Move the ‘City Center’ directional signs from Highway 9 and Lundeen Parkway at a location north on the approach to Highway 92 (the current ‘Lake Stevens’ directional signs would remain in their existing locations at the north and south approaches to Lundeen Parkway).
- Add ‘City Center’ to the existing ‘Lake Stevens’ directional signs on Highway 92 at the approaches to the Grade Road intersection.
- Design and construct a new round-a-bout at the intersection of Highway 92 and Grade Road (this intersection currently has long delays for northbound traffic on Grade Road entering Highway 92).
- Reconstruct Grade Road, at a minimum, with two travel lanes, a center landscaped median/turn lane, and multi-use path on one side of the street.
- Incorporate decorative roadway and multi-use path lighting along the corridor.
- Provide striped crosswalks at controlled intersections.

The ‘Front Door Entry’ concept provides several benefits.

- Potential for improved access along Lundeen Parkway/Lake View Drive/20th Street NE with existing and future traffic diverting to Grade Road.
- Improved regional access to the lake and downtown.
- Improved safety and access to Highway 92 from Grade Road.
- A new gateway and entry to the lake and downtown that is special and reflects the setting and character that makes Lake Stevens unique in the region.
- Improved access and visibility to Main Street with a direct connection and alignment with Grade Road.

‘Front Door Entry’ streets include:

- Grade Road (22nd St. NE to SR 92) Segment 1
- Grade Road (20th St. NE to 22nd St. NE) Segment 2
- 20th Street NE (123rd Ave. NE to Main Street)

Figure 4.44 'Front Door' Entry Concept

Figure 4.45 Existing 20th Street NE



Figure 4.46 Existing Grade Road (View South)



Grade Road (22nd St NE to SR 92) Segment 1

This segment serves as a limited access roadway providing regional access to and from downtown and local access to residences and intersecting streets. The design includes:

- Widening the roadway to include two travel lanes and a landscaped and tree-lined center median/turn-lane.
- Expanding the right-of-way in portions to include at, a minimum, a landscape buffer on the west side of the street and a 12 ft. multi-use path on the east side. Where feasible, an additional landscape buffer of 4 ft. minimum should be located between the multi-use path and the roadway.
- Incorporating pedestrian and roadway lighting.
- Providing striped crosswalks at controlled intersections.

The typical street section and an illustration of the proposed street character and streetscape elements are identified on the opposite page.

Grade Road (20th St NE to 22nd St NE) Segment 2

This segment serves existing commercial uses and proposed future street oriented mixed use commercial and housing development. The design includes:

- Realignment of Grade Road to Main Street and realignment of Hartford Road to Grade Road.
- Vacating 21st NE for future Fire Station expansion.
- Acquisition of right-of-way along the west side of Grade Road for widened sidewalks and street trees.
- Expanding the right-of way on the east side for the median and multi-use path.

The typical Front Door Entry Concept street section is identified on the opposite page.

Figure 4.47 Grade Road Segments 1 and 2

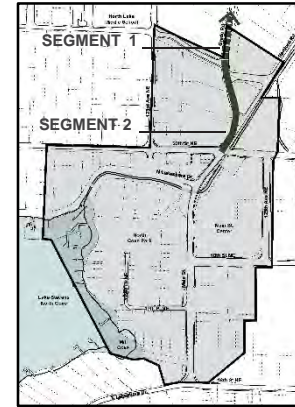


Figure 4.48 Grade Road Segment 1 (View North)



Figure 4.50 Typical Section Segment 1 (22nd St. NE to SR 92)

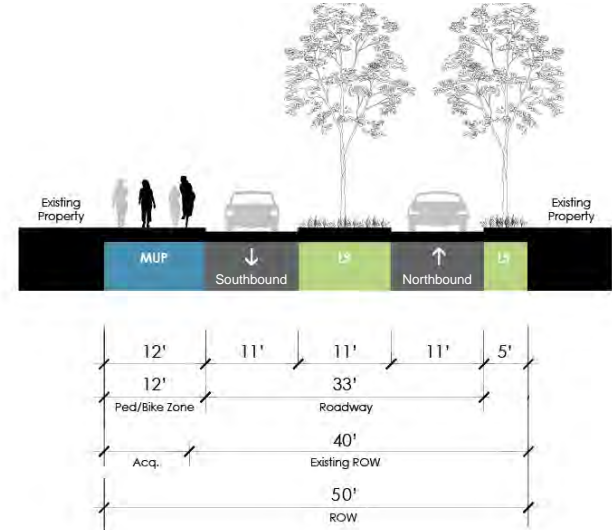


Figure 4.51 Typical Section Segment 2 (20th St NE to 22nd St. NE)

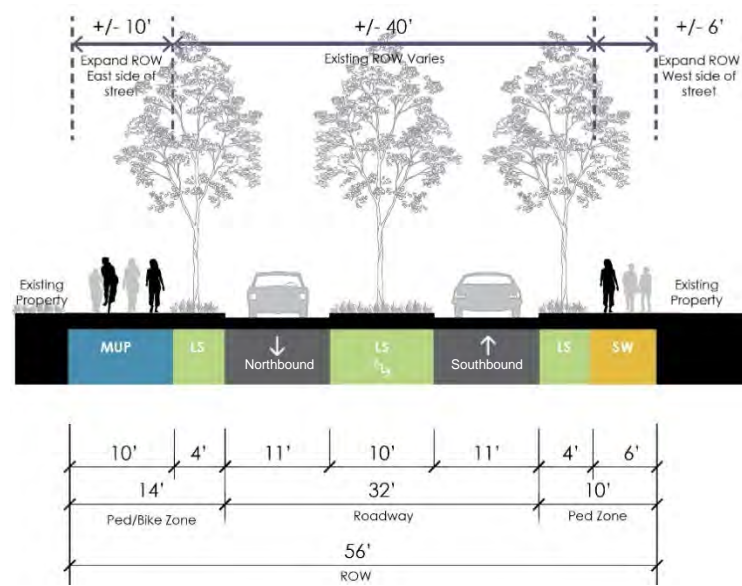


Figure 4.49 'Front Door' Entry—Road and Hartford Road Realignment (View Looking South Between 22nd Street NE to 20th Street NE)



20th Street NE (123rd Ave NE to Main Street)

20th Street NE at 123rd Avenue NE serves as gateway for arrival into the downtown and to Main Street. This segment is envisioned as a 'boulevard' consistent with the median proposed for Grade Road and a secondary 'front door entry' to downtown. The design includes:

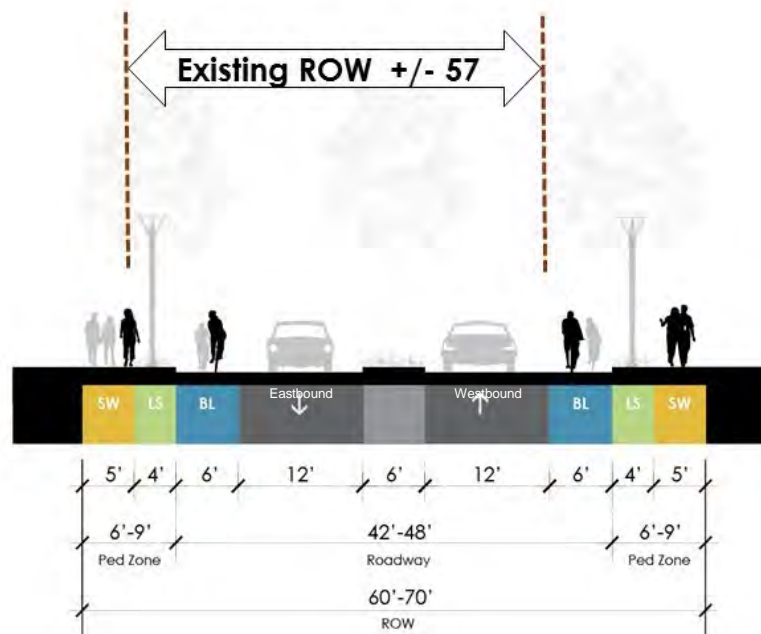
- Widening the right-of-way on the north side of the street.
- A two-way, two-lane roadway with landscaped center median/turn lane.
- New sidewalks, pedestrian scaled lighting and landscaped/street tree buffer.
- A bike lane on each side of the street.
- Striped pedestrian crosswalks at intersections.

The typical street section is identified on the right.

Figure 4.52 20th Street NE (123rd Ave NE to Main Street)



Figure 4.53 Typical Section 20th St. NE (Main St. to 123rd Avenue NE)



Downtown Streets

123rd Drive NE, 17th Place NE, 125th Avenue NE, and 18th Street NE (east of 125th Avenue NE) provide local access to existing and proposed development. Today, these streets are marginally improved. In anticipation of, or in conjunction with, new development, these streets should incorporate all or a portion of the design elements identified, depending on the type of adjacent land uses. For instance, curbside parking may not be necessary adjacent to the wetlands along 125th Ave NE and 18th Street NE and may include only a 12-ft. pedestrian zone with 5-ft. sidewalk and 7-ft. landscaping strip and street trees.

The design may incorporate some or all of the following elements:

- A two-way, two-lane roadway.
- Curbside parking.
- New sidewalks, pedestrian scaled lighting and landscaped/street tree buffer.
- Striped pedestrian crosswalks at intersections.

The typical street section is identified on the right.

Figure 4.54 Downtown Streets

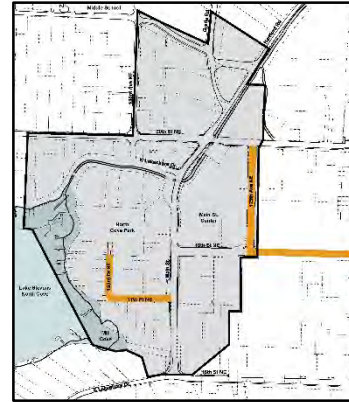
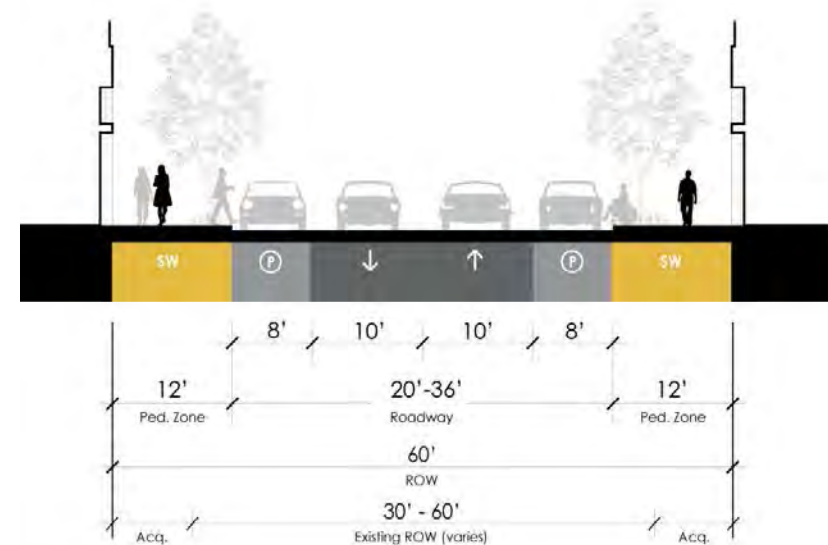


Figure 4.55 Typical Section Downtown Streets



Neighborhood Connector Streets

Neighborhood Connector Streets establish an interconnected network of multi-use paths that allow safe, comfortable and low stress access for residents just outside of a comfortable walking distance to downtown shopping, schools, and recreation. The following neighborhood connector streets have been identified.

- 20th Street NE (Main St. to Centennial Trail)
- Hartford Drive Segment 1 (Grade Rd to 21st St NE)
- Hartford Drive Segment 2 (21st St NE to Centennial Trail)
- 16th Street NE (Main Street to Centennial Trail)
- N. Lakeshore Drive and E. Lakeshore Drive
- 123rd Avenue NE (22nd St NE to N Lakeshore Drive)

20th Street NE (Main St. to Centennial Trail)

20th Street NE is an essential multi-modal route providing safe and direct access to Mt Pilchuck Elementary, Lake Stevens Disc Golf Course, and the Centennial Trail.

Today, this street is marginally improved. The single required improvement is a continuous mixed-use path. In anticipation of, or in conjunction with new development, this street should incorporate all or a portion of the following design elements:

- A two-way, two-lane roadway
- Curbside parking
- New sidewalks, pedestrian scaled lighting and landscaped/street tree buffer
- A 12 ft. multi-use path with buffer from the roadway and pedestrian-scaled lighting (south side of the street)
- Striped pedestrian crosswalks at intersections.
- A left turn at the intersection with Grade Road and Main Street (requires further study)

The typical street section is identified on the right and an illustration of the proposed street character and streetscape elements is identified on the opposite page.

If a multi-use trail is not feasible, bike lanes should be analyzed and determined as a possible refinement.

Figure 4.56 20th Street N (Main St. to Centennial Trail)



Figure 4.57 Typical Section 20th St. NE (Main St to Centennial Trail)

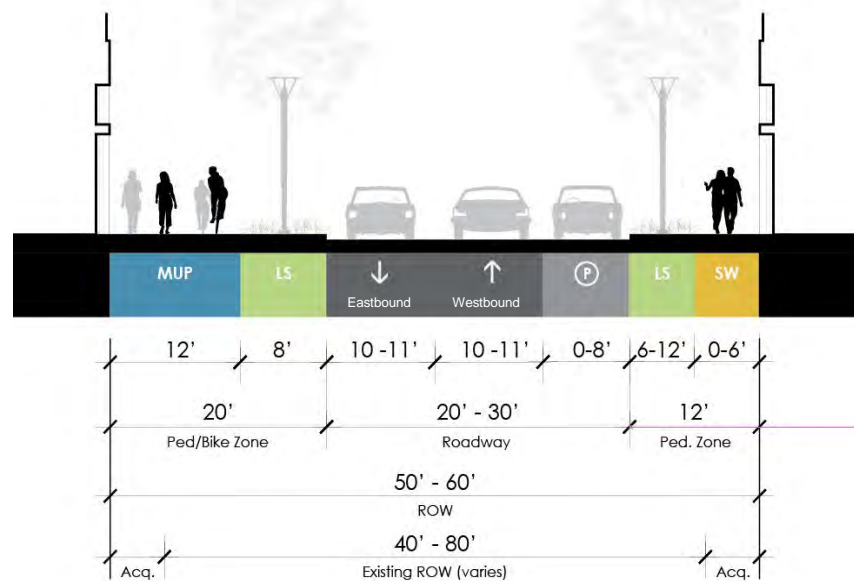


Figure 4.58 Retail Street Illustration 20th St NE (View Looking East to Main Street)



Hartford Drive (Grade Road to Centennial Trail)

Hartford Drive consists of two unique segments that provide necessary two-way travel supporting the Fire Station (Segment 1); one-way travel north to residents and businesses in the Hartford Industrial area (Segment2) and a continuous multi-use path connecting Main Street to the Centennial Trail.

Segment 1 (Grade Rd to 21st St NE)

Hartford Road Segment 1 is located between the realigned Grade Road and 21st Street NE. The design includes:

- Widening the right-of-way on the west side of the street.
- Realigning Hartford Road as a 'T' intersection with Grade Road.
- A two-way, two-lane roadway
- New sidewalk, pedestrian scaled lighting and landscaped/street tree buffer (west side of the street)
- A 12 ft. multi-use path with 3 ft. buffer from the roadway and pedestrian-scaled lighting (east side of the street).
- Striped pedestrian crosswalks at intersections.

The typical street section is identified to the right.

Figure 4.59 Hartford Dr. Segment 1 (Grade Rd. to 21st St. NE)

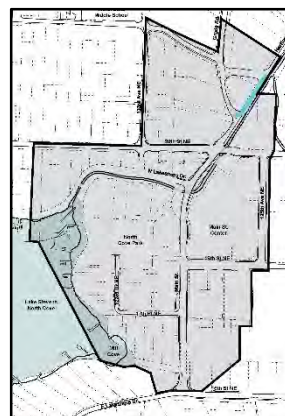
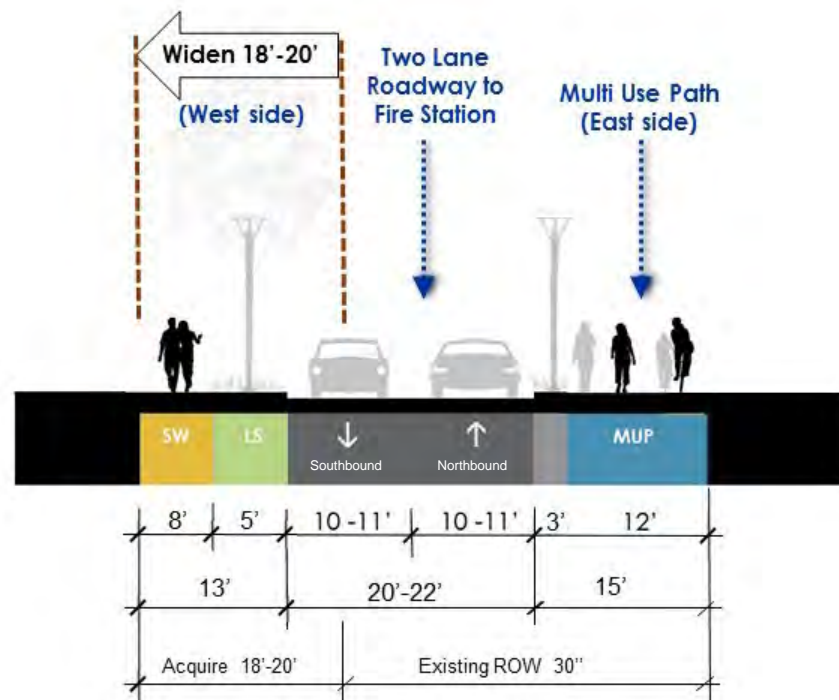


Figure 4.60 Typical Section Hartford Dr. Segment 1 (Grade Rd. to 21st St. NE)



Segment 2 (21st St NE to Centennial Trail)

Hartford Road Segment 2 is located between the 21st Street NE and 131st Avenue NE/Old Hartford Road. The design includes:

- Preserving the single northbound travel lane.
- Widening the existing shoulder for a 12 ft. multi-use path with 3 ft. buffer from the roadway and pedestrian scaled lighting (east side of the street)
- Striped pedestrian crosswalks, at intersections.

The typical street section is identified on the right.

Figure 4.61 Hartford Dr. Segment 2 (21st St. NE to Centennial Trail)

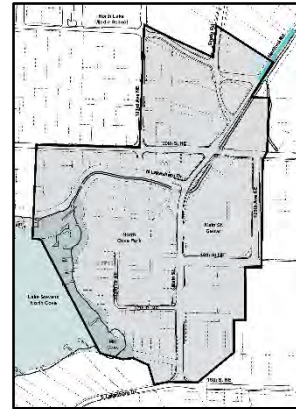
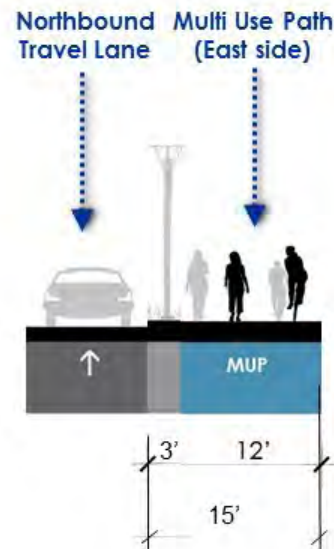


Figure 4.62 Typical Section Hartford Dr. Segment 2 (21st St NE to Centennial Trail)



16th Street NE (Main Street to Centennial Trail)

16th Street NE is an essential multi-modal route providing safe and direct access between the Boys and Girls Club, Lake Stevens Community Park, and the Centennial Trail.

Today, this street is marginally improved. The single required improvement is a continuous mixed-use path. In anticipation of, or in conjunction with, new development, this street should incorporate all or a portion of the following design elements, depending on the type of adjacent land uses.

- A two-way, two-lane roadway.
- Curbside parking.
- A 12 ft. multi-use path (south side of the street).
- Striped pedestrian crosswalks at intersections.

The typical street section is identified on the right.

Figure 4.63 16th St. NE (Main Street to Centennial Trail)

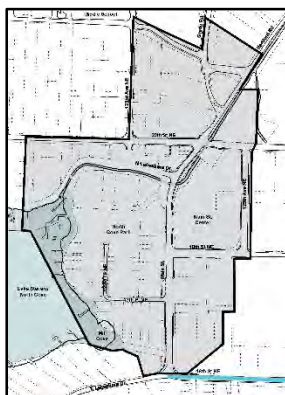
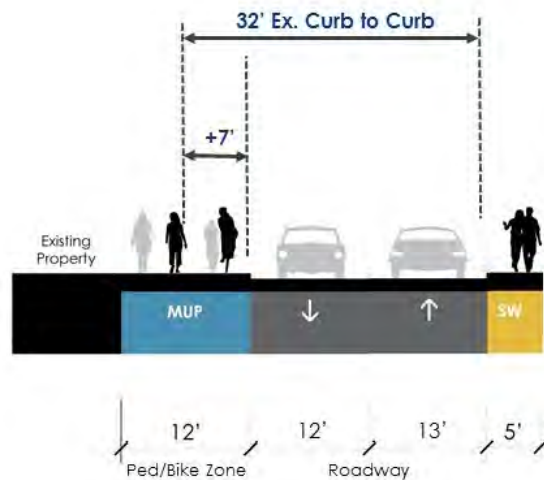


Figure 4.64 Typical Section 16th St. NE (Main Street to Centennial Trail)



N. Lakeshore Drive and E. Lakeshore Drive

N. Lakeshore Drive and E. Lakeshore Drive are essential multi-modal routes providing safe and direct access to the lake.

Today, this street is marginally improved. The single required improvement is a continuous mixed-use path. Further design and refinement is necessary and should be part of a future comprehensive Lake Stevens pedestrian and bicycle study to determine the location and pedestrian/bike design around the entire perimeter of the lake.

N. Lakeshore Drive and E. Lakeshore Drive should incorporate all or a portion of the following design elements.

- A two-way, two-lane roadway.
- A 12-ft. multi-use path.
- Striped pedestrian crosswalks at intersections.

Potential street sections for incorporating a multi-use path are identified below.

Figure 4.67 Potential Street Section: Land-side Multi-Use Path

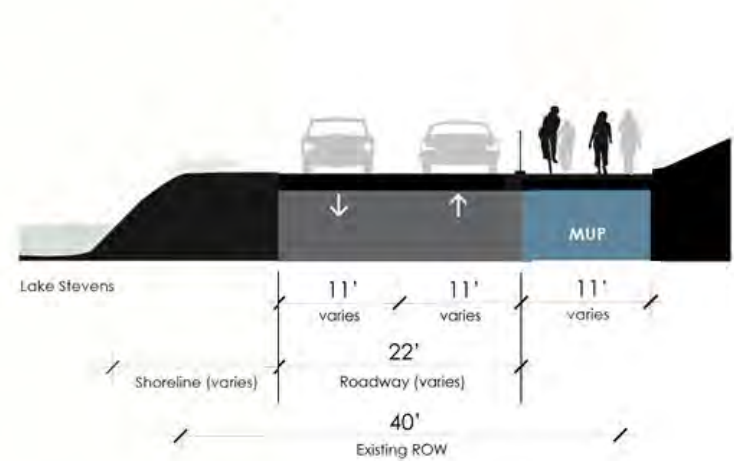


Figure 4.65 N. Lakeshore Dr. and E. Lakeshore Dr.

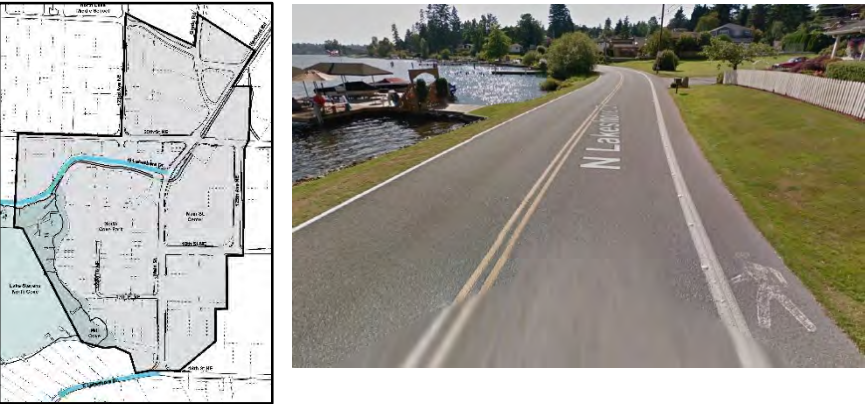
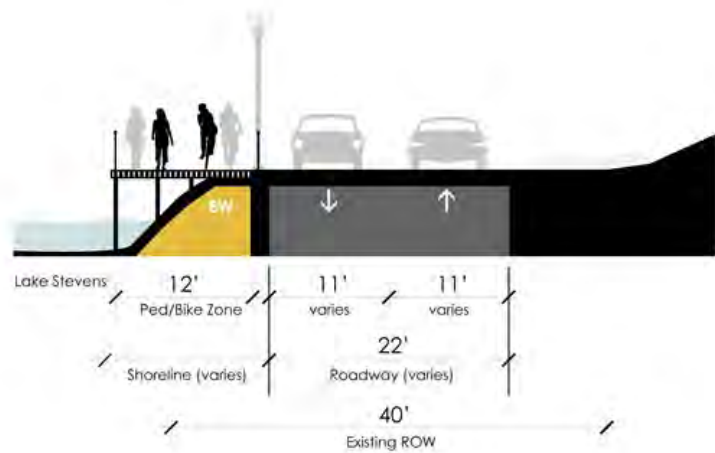


Figure 4.66 Potential Street Section: Lake-side Boardwalk



V. Plan Elements

A. Goals and Policies

1. Community Character

The area is characterized primarily by low-intensity commercial and residential development on small- to medium-sized parcels. The historic town center adjacent to the northwestern tip of the lake includes the city's current municipal buildings spread over a few sites, a small commercially zoned area, and a larger residential area. The following policies seek to enhance the image and identity of the area and its relationship to the community.

Goals

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

Policies

Policy 1.1 – District Identity

1.1.1 Preserve the downtown core as the historic heart of the community and imbed the district identity into the collective perception of the area.

Policy 1.2 – Gateways & Wayfinding

1.2.1 Post the downtown name at highly visible locations and key entrances into the downtown along SR-204, SR- 9, Hwy 92 and other major roads so that it is clear where the downtown is located.

1.2.2 Enhance gateway locations with distinctive high-quality landscaping, lighting, and signage.

1.2.3 Develop a wayfinding system to reinforce the image of the downtown by incorporating unique graphic imagery easily visible from cars that identifies local destinations, such as parks, schools, the lake, etc.



Policy 1.3 – Design Guidelines for New Development

1.3.1 New buildings and structures, while urban in function, should reflect a “Contemporary Northwest character,” human scale architecture, and a welcoming aspect.

1.3.2 The city shall apply design guidelines to new construction and substantial alterations within adopted subareas to reinforce the desired identity of the area and encourage the efficient use of developable land. The application of cohesive design guidelines will promote a consistent quality of development and support the goals and policies of the subarea plan.

1.3.3 The Subarea Design Guidelines will be used in conjunction with Title 14 of the Lake Stevens Municipal Code, specifically Chapter 14.38 LSMC. The development regulations provide the prescriptive standards, while the guidelines will provide options for developing aesthetically pleasing development

1.3.4 All proposed development must follow the prescriptive requirements identified in the Lake Stevens Municipal Code (LSMC) and Engineering Design and Development Standards (EDDS), unless superseded by specific design guidelines. The design guidelines apply to new construction and substantial alterations.

Policy 1.4 – Incentives for Public Amenities in New Developments

1.4.1 Develop new land use regulations, governing uses, intensities and heights that allow additional development potential in return for a development with specified public amenities.

- For example, specific public benefit features could include trails, green belts, park spaces, planted walkways, and green and low impact development.

Policy 1.5 – Streetscapes

1.5.1 Modify or adjust streetscape standards throughout the downtown that are consistent with the section 2. Street Hierarchy of the Lake Stevens

Downtown Subarea Plan as designated for the following street types consisting of: retail streets, ‘front door’ entry streets, downtown streets, and neighborhood connectors.

1.5.2 Develop a cohesive lighting plan for the subarea that specifies the type, designs, and locations of streetlights to ensure a uniform collection of lighting and standards.

1.5.3 Require all lighting fixtures to be equipped with cut-off shields to prevent light spillage onto adjacent properties and to protect night skies

Policy 1.6 – View Corridors

1.6.1 Identify view corridors from public spaces and develop regulations to help maintain or enhance designated views of Lake Stevens, the Olympic or Cascade mountains.

1.6.2 Consider identifying view corridors that are accessible from public spaces as a future element of the Parks and Recreation Plan.

Policy 1.7 – Landmarks

1.7.1 Promote downtown compatible architectural landmark structures at key commercial intersections. Buildings should reflect a “Contemporary Northwest character” but maintain distinguishing characteristics inspired by Northwest urban buildings of the 1900s.

Policy 1.8 – High Quality Public Buildings

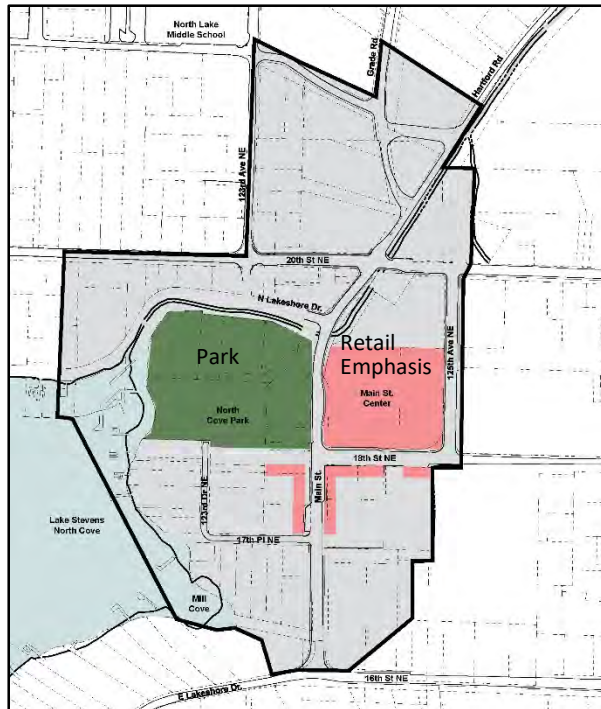
1.8.1 Encourage public agencies, such as the city, school district, transit authority, utility districts, the State, or Snohomish County to construct public buildings with high quality design befitting the role of local or regional government.

- Local examples would include the School District Administration building in downtown Lake Stevens.

2. A Vibrant Downtown and Lakefront Destination

Central to the plan concept is the expansion of North Cove Park and the establishment of Main Street as a destination for pedestrian friendly and street-oriented retail storefronts. The plan's land use framework provides an emphasis on establishing distinctive mixed-use housing and commercial areas and providing community-oriented facilities that have historically defined the downtown.

Figure 5.1 North Cove Park/Retail Emphasis



Goals

Goal 2: Establish downtown as a vibrant mixed-use destination and central gathering space for the community

Policies

Policy 2.1 – North Cove Park

2.1.1 Expand North Cove Park to support daily use and special event activities, improve community access to the lake and provide an amenity for downtown development.

2.1.2 Allow public spaces to be combined with storm drainage facilities with proper enhancements.

Policy 2.2 – Retail Emphasis

2.2.1 Encourage a concentration of street-oriented retail that will establish Main Street as a local and regional destination for shopping, dining, and lakefront activities. Provide for a range of neighborhood serving retail opportunities, including the retention and potential expansion of Jay's Market. Storefront retail development is largely intended to be incorporated in buildings with, or adjacent to, a mix of uses such as housing, community facilities or public parking structures

2.2.2 Development should front Main Street and 18th Street NE to form an active street edge that supports a pedestrian friendly public realm. Primary building access will be from the street rather than directly from internal parking areas

2.2.3 Retail buildings should be urban—if a site is redeveloped, for commercial or retail uses a minimum 0.5 floor area ratio (FAR) will be prescribed. Generally, buildings should range from one story to four stories in height with a minimal ground-floor setback and stepping back of upper floors above the third floor.

2.2.4 Fewer spaces or shared parking should be fostered. Where parking lots are built, parking will be required to be located behind or to the side of buildings.

2.2.5 *Design techniques that minimize parked car visual impacts and the disruption of the vehicles crossing sidewalks will be required. For all development projects bicycle parking should be maximized.*

2.2.6 Along Main Street and 18th Street NE prohibited uses will include those that incorporate a drive-thru or the retail sale of automobiles. Permitted uses along Main Street and 18th Street NE would include the sale of goods, hospitality, dining/drinking, entertainment uses and commercial services such as hair salons, ATM banking, or dry cleaners.

Policy 2.3 – Community Facilities

Downtown has historically served as the civic and cultural center of the community anchored by city hall, a community meeting room, the library, historical museum, and essential services. While growth has shifted the population and development center of the community to the west side of the lake, there is a desire to retain some civic services and enhance others. Within the subarea, three development areas provide the opportunity to:

- Support a community/conference facility with space for community meetings, classes, and accommodate private events, conference meetings/activities and corporate retreats on parcels bounded by 123rd Drive NE, 17th Place NE, Main Street and North Cove Park. To complement the community facilities the site would include lodging, storefront retail and structured public parking.
- Expand the existing Fire Station parcel by vacating the 21st Street NE right-of-way and utilizing existing city owned property for fire station redevelopment with the benefit of improving vehicle access and operations.
- Preserve some essential civic functions as applicable.

2.3.1 Development will front primary streets such as Main Street, 18th Street NE and Grade Road to form an active street edge that supports a pedestrian friendly public realm.

2.3.2 Community buildings should be urban—with a minimum 0.5 floor area ratio (FAR). Buildings should range from one story to four stories in height with a minimal ground-floor setback and stepping back of upper floors above the third floor.

2.3.3 Fewer spaces or shared parking should be fostered. Parking is envisioned to be located in parking structures, with the exception of the fire station. In advance of a parking structure, surface lots may be built. Parking will be required to be located behind or to the side of buildings. Design techniques that minimize parked car visual impacts and the disruption of the vehicles crossing sidewalks will be required. For all development projects bicycle parking should be maximized.

2.3.4 On the community/ conference facility block (indicated on Figure 4.5 Community Facilities) active ground-floor retail storefronts would be required along Main Street and 18th Street NE (Extension) frontage. At the northwest corner of 18th Street NE and 125th Avenue NE active groundfloor commercial or office storefronts would be required.

Policy 2.4 – Commercial Emphasis

The Grade Road and 20th Street NE corridors provide the necessary drive-by traffic and visibility to support growth and redevelopment of commercial uses that will complement the storefront retail uses envisioned along Main Street and provide for daily needs goods, services and employment uses that serve close-in neighborhoods.

2.4.1 Development will front 20th Street NE and Grade Road to form an active street edge that supports a pedestrian friendly public realm. Primary building access will be from the street rather than directly from internal parking areas.

2.4.2 Commercial buildings should be urban—if a site is redeveloped, for commercial or retail uses a minimum 0.25 floor area ratio (FAR) will be prescribed. Generally, buildings should range from one story to four stories in height with a minimal ground-floor setback for outdoor seating, display or landscaping or where steep topography restricts the ability to build directly to the sidewalk.

2.4.3 Fewer spaces or shared parking should be fostered. Where parking lots are built, parking will be required to be located behind or to the side of buildings. Design techniques that minimize parked car visual impacts and the disruption of the vehicles crossing sidewalks will be required. For all development projects bicycle parking should be maximized.

2.4.4 Along 20th Street NE and Grade Road prohibited uses will include those that incorporate the retail sale of automobiles. Drive-thrus should be limited to internal circulation areas and not between the building and the sidewalks fronting Grade Road or 20th Street NE. Permitted uses along Grade Road or 20th Street NE would include the sale of goods, hospitality, dining/drinking, entertainment uses and commercial services such as hair salons, banks, or dry cleaners. Residential and office uses would be allowed on upper floors.

Policy 2.5 – Housing Emphasis

Multifamily residential development in single use or mixed-use buildings are envisioned for blocks fronting 123rd Avenue NE and 22nd Street NE in the northwest portion of the subarea and mixed-use buildings within blocks fronting Main Street and 18th Street NE in the southwest portion of the subarea. Opportunities for upper story residences over ground-floor retail commercial are encouraged elsewhere in the subarea.

As noted in the market analysis, multifamily residential development is the most immediate opportunity in the downtown with the clearest case for strong market support. Robust household growth and strong income demographics should drive new unit demand well into the coming decade and beyond.

2.5.1 Development will front primary streets to create an urban street edge that creates a more pedestrian friendly public realm. Primary building access will be from the street rather than directly from internal parking lots or parking ramps.

2.5.2 Multifamily buildings should be urban, covering a majority of development parcels. Generally, buildings should range from two to four stories in height. Upper floors should be stepped back to allow for views and reduce the scale of buildings.

Prohibited uses will generally include those that are auto-oriented. In the housing area along 123rd Ave NE (indicated on Figure 4.8 Housing Emphasis) ground-floor commercial use would be permitted but not required. In the housing area (indicated on Figure 4.8 Housing Emphasis) ground-floor retail would be required along the Main Street and 18th Street NE frontages.

Policy 2.6 – Housing Transition

Two development areas adjacent to the lakefront and located west of 123rd Drive NE and south of 17th Place NE consist of single-family homes. Over time the transition of these single-family homes to higher and best uses will support downtown as a unique destination for community gathering, shopping, recreation and entertainment while enhancing public use of Lake Stevens.

Each development area provides the opportunity for long term redevelopment that will:

- Allow for potential future expansion of lodging or community/conference facilities and public waterfront access between North Cove Park and the boat launch on parcels bound by 123rd Drive NE, North Cove Park, the boat launch and the lake.
- Accommodate future expansion of boat launch parking and/or an enhanced rowing facility or other water recreation facility on parcels located south of 17th Place NE and adjacent to the lake.

2.6.1 Development between the lake and 123rd Drive NE will be required to front the lake, North Cove Park, and 123rd Drive NE to form an active building edge that supports a pedestrian friendly public realm. Primary building access will be provided on along these frontages.

2.6.2 Buildings should be urban—if a site is redeveloped, for commercial or retail uses a minimum 0.25 floor area ratio (FAR) will be prescribed. Generally, buildings should range from one story to four stories in height with the ground-floor built to the sidewalk or with allowable setbacks of up to 10 feet for outdoor seating, or landscaping.

2.6.3 Fewer spaces or shared parking should be fostered. Where parking lots are built, parking will be required to be located behind or to the side of buildings. Design techniques that minimize parked car visual impacts and the disruption of the vehicles crossing sidewalks will be required. For all development projects bicycle parking should be maximized

2.6.4 Along 123rd Drive NE and 17th Place NE prohibited uses will include those that incorporate the retail sale of automobiles and motorized boats and drive-thrus. Permitted uses fronting 123rd Dr NE would include community meeting or conference facilities, lodging, limited dining/drinking establishments and public/semi-public use. Permitted uses fronting 17th Place NE should be limited to vehicle/boat parking and limited to uses that cater to waterway dependent uses and/ or North Cove Park.

Policy 2.7 – Public Parking

Providing strategically located public parking facilities within proximity to retail and commercial development, North Cove park and the boat launch will facilitate growth and redevelopment by reducing or eliminating the cost associated with required off-street parking on each development site and allow for more intense development of parcels that support a pedestrian oriented and walkable downtown environment. Potential sites have been identified for public parking, see Figure 4.7, in either surface parking lots or in multi-level parking structures and include:

- Parking Sites 1 (PP1) and 2 (PP2) —these sites are optimal for structured parking due to their central downtown location and parcel size.
- Parking Site 3 (PP3) — a surface parking lot to provide parking for commercial uses along 20th Street NE and Grade Road
- Parking Site 4 (PP4) — a surface parking lot to serve the boat launch

2.7.1 The parking structure on Parking Site 1 shall incorporate active ground-floor retail along Main Street and 18th Street NE (fronting North Cove Park) and the parking structure on Parking Site 2 shall be located behind or attached to commercial uses fronting 18th Street NE. Where parking uses abut a street, there should be a landscaped setback to screen the parking. Where active uses are incorporated into a structure they are to be built to the sidewalk or allowed up to a 10-foot setback for outdoor seating, display or landscaping.

2.7.2 Parking structures are to be designed with flat floors around the exterior and include an internal two-way ramp with one-way circulation around the perimeter. No dead ends are allowed. Vehicular access is to occur in a single in/out location for Parking Site 1 from 17th Place NE or from an internal drive and for Parking Site 2 from 125th Avenue NE or from an internal drive.

2.7.3 Where parking lots are built, parking will be required to be located behind or to the side of buildings. Design techniques that minimize parked car visual impacts and the disruption of the vehicles crossing sidewalks will be required. For all development projects bicycle parking should be maximized.

Policy 2.8 – Open Space

Stevens Creek on one end and tall tree stands and vegetation on the other establish the beginning and end to Main Street and are essential open space elements that define the downtown area.

2.8.1 Encourage Stevens Creek bank stabilization and vegetation enhancements that remove potential invasive plant materials and manage waterflow and temperatures to support fish habitat and wildlife.

Consider future wetland enhancements integrated with an interpretative trail network that would link Stevens Creek to the former

3. Land Use & Intensity

While much of this subarea has developed over decades, future changes would result from infill redevelopment and new development on existing vacant or underutilized sites. For example, it will be economically viable to redevelop some strip retail centers, approaching the end of their economic life, into higher intensity buildings to meet demands of the contemporary market place. Moreover, some areas may no longer be suitable for their current use; other uses could succeed them. The plan envisions retail, commercial, employment and housing growth in areas where redevelopment and infill could reasonably occur in the near future up to 20 years with some areas developing earlier and others later depending upon access, market demand, and environmental factors among other variables. The following goals and policies support the intensification of land uses in this area.

Goals

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

Policies

Policy 3.1 – Land Uses

Develop or revise existing comprehensive plan designations to support a distinct mix of land uses throughout the subarea.

3.1.1 Develop or revise existing zoning designations to support a distinct mix of land uses throughout the subarea.

- For example, Main Street, 20th Avenue and Grade Road areas should have the highest intensity uses; while
- Areas along the periphery of the subarea should have less intensive uses that create a transition to residential or less intensive uses.

3.1.2 Land uses, densities and intensities should vary throughout the subarea.

Policy 3.2 – Heights

3.2.1 Encourage multistory story buildings within mixed-use areas, core retail areas, and multifamily developments consistent with the proposed building typologies.

3.2.2 Consider height increases for mixed-use areas and core retail areas for buildings that include high-quality design and public amenities or other defined incentives.

4. Circulation & Mobility

This subarea should have a complete transportation system that supports all modes of travel with:

- An emphasis on ‘active transportation’. Foster pedestrian and bicycle circulation systems to reduce auto dependency and traffic and parking impacts, maximize non-motorized access to downtown, North Cove Park, the waterfront, and foster community health benefits.
- A network of interconnected streets. Provide balanced facilities for all modes—auto, truck, transit, pedestrian, and bicycle; establish a framework for pedestrian and bicycle-oriented development; and ensure safe and direct connections between the downtown, and adjacent neighborhoods

Goals

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

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

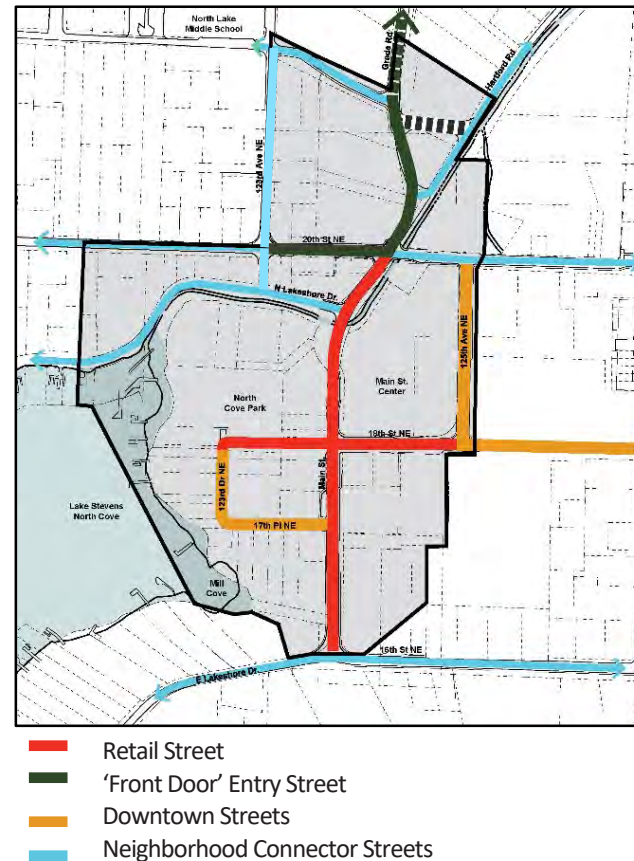
Policies

Policy 4.1 – Street Hierarchy

A prime objective of the Downtown Subarea Plan is to maintain and strengthen Downtown and the lake as a destination for residents and visitors alike. While essential access and mobility are identified for key routes, a priority toward the pedestrian and cyclist should be fostered for all streets in the downtown, including auto mobility streets such as 20th Street NE and Grade Road.

4.1.1 Provide a street hierarchy framework that identifies key routes for auto, pedestrian and bicycle improvements and creates a network of streets that complement adjacent land uses and spur additional desirable Downtown development.

Figure 5.2 Street Hierarchy



4.1.2 Provide an active transportation framework for pedestrian and bicycle facilities that connect the downtown to neighborhoods and area destinations such as existing and planned trails, schools, parks, the lake and open spaces.

Policy 4.2 – Level of Service

4.2.1 Adopt Level of Service (LOS) standards that are consistent with the modal priorities for a given street type.

4.2.2 Adopt an automobile LOS D standard on the major arterials that focus on moving freight, regional traffic, and transit.

4.2.3 Adopt LOS E or F conditions during the peak one hour of travel per day if the additional lanes required to provide LOS D or better conditions would seriously degrade access by other modes of travel or would lead to a streetscape that is inconsistent with the design vision for the subarea.

Policy 4.3 – Streets, Connectivity, & Safety

4.3.1 Identify additional public streets or significant re-alignment of existing streets to achieve more connectivity and accommodate infill development as it occurs.

- For example, connecting roadways could be built between some cul-de-sacs and existing roadway barriers removed.

4.3.2 Establish standard block lengths to aid in the formation of an effective transportation and circulation grid.

- For example, block lengths should not exceed 400 feet in length.

4.3.3 Where appropriate, streets should provide mid-block crosswalks on long blocks to allow more frequent crossing opportunities and reduce jaywalking.

4.3.4 Require landscaping or equivalent to buffer pedestrians from vehicle travel.

Figure 5.3 Active Transportation



- Multi-Use Path (Off-Street)
- - - Multi-Use Path (Off-Street)- Requires Further Study
- ... Stevens Creek Interpretive Trail- Requires Further Study
- Bike Lane (On-Street)
- - - Bike Lane (On-Street)- Requires Further study

4.3.5 Implement Safe Routes to Schools programs for Hillcrest Elementary School, Lake Stevens Middle School, and Skyline Elementary School.

Policy 4.4 – Trail Connections

4.1.1 Develop active transportation links, including an off-street trail network that connects commercial, retail, civic and residential areas to each other.

4.1.2 Encourage the development of multi-use trails through future and existing greenbelts and other open spaces, in the subarea, through the subdivision or other land use processes.

4.1.3 Develop trail standards for major trails and those adjacent to residential areas that include pedestrian-scale and energy efficient lighting to ensure safety and encourage use during the winter months

Policy 4.5 – Enhance Transit

4.5.1 Support expanded transit service to allow convenient access to regional destinations, retail and employment centers, schools, and residential areas.

4.5.2 Encourage the development of amenities, such as shelters, benches, and lighting to provide a comfortable and safe environment for transit passengers in coordination with Community Transit.

5. Sustainability & Natural Resources

The subarea contains wetlands, creeks, a rolling terrain with stands of trees, open fields, interwoven into an otherwise urban environment. Redevelopment and infill projects should integrate into the natural systems of wetlands, creeks, and greenbelts, subject to the city's adopted critical areas regulations and take advantage of the natural setting that offers views of the lake and mountains. To enhance and upgrade the area, the city should continue to support the retention and/or replacement of existing trees and natural vegetation including significant trees. The subarea contains a wetland, which provide valuable stormwater detention and habitat functions.

Goals

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

Policies

Policy 5.1 – Integration of Built Environment & Natural Features

5.1.1 Require the retention of a minimum percentage of existing trees and natural vegetation as part of new or revised zoning regulations.

5.1.2 Where feasible, natural vegetation and topography should be preserved and integrated with built elements of the development site to protect habitat and prevent slope erosion.

5.1.3 Parking lots should be designed as a collection of smaller lots, separated by landscaping and "stepped" to follow natural topography, as feasible.

- Wholesale grading and benching to create large contiguous parking lots is discouraged.
- New trees of significant size should be required for new parking lots.

5.1.4 Incorporate natural resources, view corridors, and sensitive sites as amenities and design elements to enhance the character of the subarea.

Policy 5.2 – Stormwater & Critical Areas

5.2.1 Recognize the importance of natural and critical areas and ensure that all development within the subarea protects ground water, surface water hydrology, and wildlife habitat in a manner consistent with the city's adopted critical areas regulations.

5.2.2 New development should avoid construction on portions of the site characterized by steep slopes, both to avoid threats to building safety and to preserve natural landforms.

5.2.3 Focus the location of new development away from natural resources and critical areas.

5.2.4 As this subarea redevelops and intensifies, provide investments necessary to manage flows, protect natural systems, and encourage infiltration consistent with the requirements of the latest version of the Department of Ecology's Stormwater Management Manual for Western Washington.

Policy 5.3 Sustainability and Low Impact Development

5.3.1 New development should incorporate "best practices" in Low Impact Development, stormwater management and protection of wetlands

5.3.2 New development within the subarea should utilize a variety of environmental enhancement and low impact techniques such as rain gardens, pervious pavement, and other appropriate techniques as appropriate and feasible.

5.3.3 New buildings should incorporate Leadership in Energy and Environmental Design (LEED) standards of the U.S. Green Building Council or similar and include features such as green roofs, rainwater harvesting, pervious paving, water-and energy-efficient fixtures, and renewable building materials.

5.3.4 The zoning code and design guidelines and standards should offer incentives for implementation of Low Impact Development and LEED development.

6. Public Places & Community Facilities

Community Gathering Places can come in many different forms. Investment in or planning for public and semi-public spaces is critical to attract high-quality residential and employment developments.

The city's investment in North Cove Park expansion and future community center facilities illustrates to the development community the desire to attract future development through the creation of high quality parks, trails and community facilities. These actions by the local government in planning, financing and building new spaces will encourage Developers to contribute to the parks, open space and trails network.

Over time, a variety of parks may be beneficial throughout the subarea that could be recreation-oriented; others should be passive and offer a chance for respite and quiet. In addition to formal parks, the land use code should require (and /or provide incentives) usable public spaces.

Goals

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

Policies

Policy 6.1 – Parks

6.1.1 Identify high-level parks and recreation planning needs for the subarea, such as recreational preferences and general locations of spaces needed to serve the anticipated population.

6.1.2 Incorporate identified parks and recreation needs with future updates to the Parks and Recreation element of the Comprehensive Plan. This could include pea patches, parks, or trails as part of a future master plan as part of the Parks and Recreation Element of the Comprehensive Plan.

Policy 6.2 – Community Gathering Places

6.2.1 Encourage development to provide public or semi-public plazas, courtyards, and gardens adjacent to public streets, parks or open space areas

6.2.2 The land use regulations should consider a “sliding scale” requirement for public spaces. Some will tend to be used principally by employees, local residents or shoppers.

6.2.3 The city should support a community/conference facility with space for community meetings, classes, and accommodate private events, conference meetings/activities and corporate retreats on parcels bounded by 123rd Drive NE, 17th Place NE, Main Street and North Cove Park. To complement the community facilities the site should include lodging, storefront retail and structured public parking.

6.2.4 The city should consider expanding the existing Fire Station parcel by vacating the 21st Street NE right-of-way and utilizing existing city owned property for fire station redevelopment with the benefit of improving vehicle access and operations.

6.2.5 Preserve some administrative city hall functions within the greater downtown.

VI. Implementation

A. Early Momentum and Game Changing Projects

Subarea Plan implementation requires the identification of public actions that will produce a sustained and widespread private market reaction. Revitalization of Downtown Lake Stevens will require the expenditure of city financial and staff resources to ‘prime the pump’ for private development.

A menu of projects is identified in the Subarea Plan. Not all projects are equal. Some are time sensitive and need to commence immediately, while others will require additional study and coordination. The Implementation Strategy identifies a concise list of game-changing and early momentum projects that best address the project objectives.

The implementation measures, primarily investments in physical infrastructure improvements (including associated planning, programming, design, engineering and construction), should be initiated primarily by the city of Lake Stevens and in some instances through coordination with the private development sector as public-private partnerships. Early momentum and game changing projects, with required actions, are:

1. North Cove Expansion

- Williams Property Acquisition
- Temporary City Hall and Site Demolition
- Park Design Refinement, Phased Expansion Plan, & Costs
- Prepare Bid Package
- Select Contractor
- Construct Phased Expansion Areas
- Preserve or relocate the war memorial, historic building, and other elements in park or other sites

2. Retail Mainstream Enhancements

- Prepare Street Concept Design, Phasing, & Costs
- Prepare Construction Documents
- Prepare Bid Documents
- Select Contractor
- Construct Street Improvements

3. Community/Conference Center

- Property Acquisition
- Prepare Feasibility Study
- Establish Agreements with Fish and Wildlife for Boat Parking
- Prepare Site Development Framework
- Prepare Developer Offering
- Select Developer
- Prepare Development Agreement
- Construct Project

4. 16th Street Mixed-Use Path

- Prepare Street Concept Design & Costs
- Prepare Construction Documents
- Prepare Bid Documents
- Select Contractor
- Construct Street Mixed Use Path

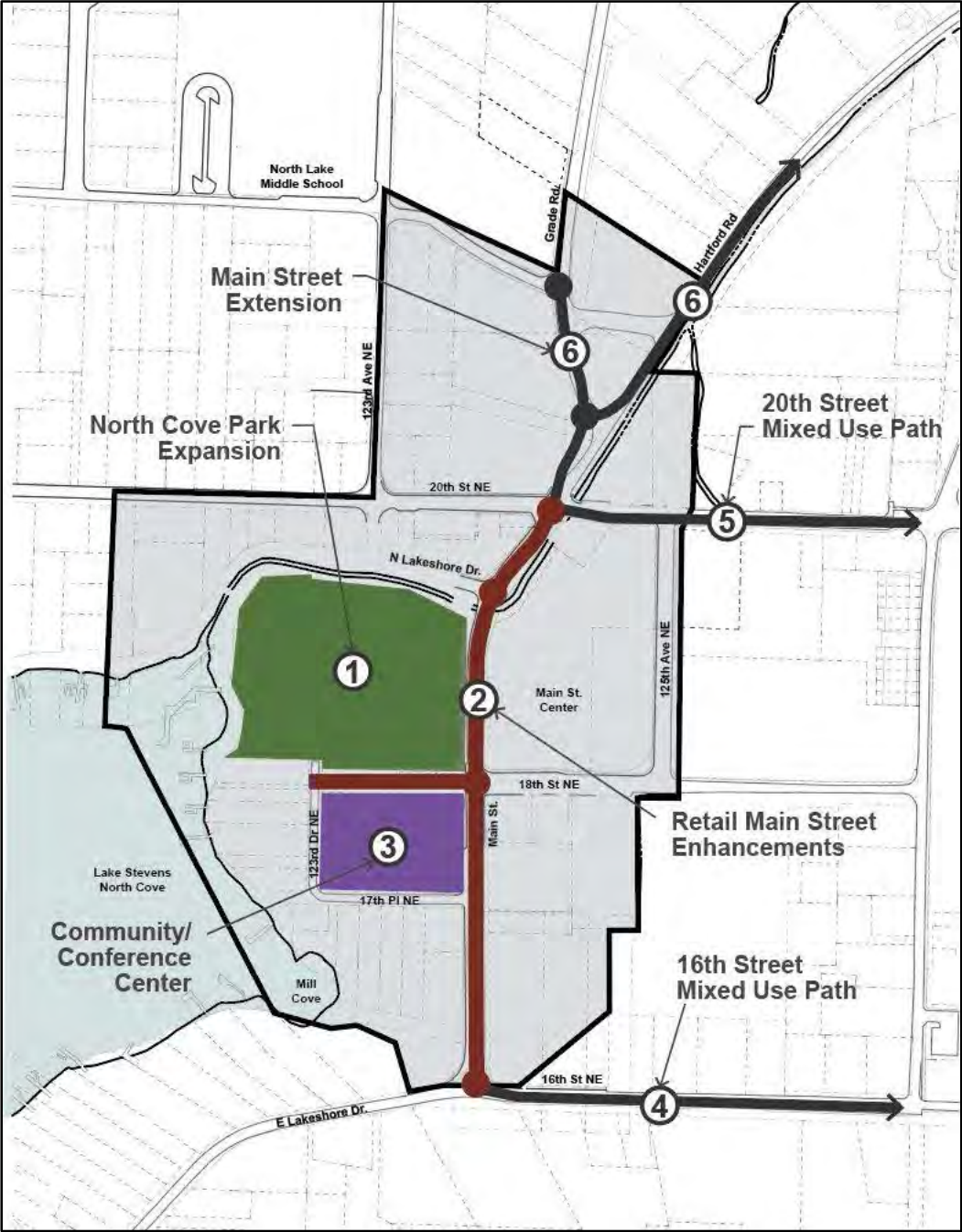
5. 20th Street Mixed-Use Path

- Prepare Street Concept Design, Phasing, & Costs
- Prepare Construction Documents
- Prepare Bid Documents
- Select Contractor
- Construct Street Improvements

6. Main Street Expansion

- Acquire Right-of-Way
- Prepare Street Concept Design, Phasing, & Costs
- Prepare Construction Documents
- Prepare Bid Documents
- Select Contractor
- Construct Street and Mixed-Use Path Improvements

Figure 6.1 Early Momentum and Game Changing Projects



B. Projects Schedule

The schedule calls for action on all projects within the first five years to ensure that Subarea Plan momentum is established.

Projects	Year 1	Year 2	Year 3	Year 4	Year 5
① NORTH COVE PARK EXPANSION	Design/Construct Plaza and Grading				
② RETAIL MAIN STREET ENHANCEMENTS	Design/Construct Westside				
③ COMMUNITY/ CONFERENCE CENTER	Feasibility Study	Prepare Development Framework	Select Developer	Design and Construct	
④ 16TH STREET MIXED USE PATH	Design/Construct				
⑤ 20TH STREET MIXED USE PATH		Design/Construct			
⑥ MAIN STREET EXTENSION			Design/Construct		

C. Market and Promotion

As the previous report on economic development pointed out, the city can choose to be passive in its attitude about development. Indeed, that is the usual stance that local governments take. However, this means that the transformation of the area, along with its concomitant benefits of increased tax revenues, will take longer. In recent years, many communities have accelerated the pace of change by actively promoting themselves and reaching out to developers and real estate professionals with a deliberate marketing approach. The city should prepare a plan to identify individuals and groups who could take on this role. The subarea could see development much earlier using the more assertive method.

D. Partnerships

No city can, on its financial and staff resources transform an area. The city should identify strategic partners who can contribute resources, investments, and efforts to implement the Lake Stevens Downtown Subarea Plan. Potential partners include utility districts, school districts, Snohomish County, Washington Department of Transportation, non-profit groups, civic organizations, and private developers.

E. Gateways and Wayfinding

To capitalize on the positive changes envisioned in the subarea plan, the city should establish a comprehensive Gateway and Wayfinding program. The objective of such a program is to develop a cohesive identification system through public signage. Future signs could reflect the unique character of the subarea and its diverse residential and commercial areas and should provide clear direction to amenities, businesses, and services for visitors and residents. A successful Gateway and Wayfinding program is a key tool for enhancing economic development and helping to establish an attractive and dynamic subarea seamlessly connected to greater Lake Stevens.

VII. Associated Documents

A. Zoning

The Subarea Plan provides guidance for the community vision, but the plan is implemented through land use regulations, design guidelines, capital facilities plan and the planned action ordinance. In addition, amendments were made to the existing Comprehensive Plan elements and Title 14 of the Lake Stevens Municipal Code for consistency with the Subarea Plan and associated documents.

B. Design Guidelines

Design Guidelines typically overlay development standards. Design Guidelines are divided between site and building elements. They are intended to initiate discussion about the types of design elements that create an aesthetically pleasing and vital subarea. The design elements described in this section comply with the city of Lake Stevens' Vision Statement and Comprehensive Plan. Design guidelines provide a framework for how the subareas look, function, and feel. Design guidelines assist developers, property owners, architects, planners, elected officials, and interested citizens understand the types of projects that comply with the community's vision for a vibrant and attractive subarea.

C. Capital Improvement Plan

The Capital Improvement Plan describes utility infrastructure required for redevelopment of the Lake Stevens Center, including transportation, sewer, water, and stormwater.

Proposed infrastructure projects are described with typical costs estimates in accordance with Washington State law. The Capital Facility Plan also describes likely funding mechanisms for infrastructure projects.

D. Environmental Impact Statement (EIS) and Planned Action Ordinance

The city of Lake Stevens adopted the Lake Stevens Downtown Subarea Plan as a Planned Action. A Planned Action is a tool that cities can use to provide regulatory certainty and encourage economic development by streamlining SEPA review for subsequent projects consistent with the plan. The State Environmental Policy Act (SEPA) authorizes this tool. Planned actions operate by allowing jurisdictions to perform up-front SEPA review for specific areas, such as subareas.

A Planned Action is designated by ordinance following preparation of an Environmental Impact Statement (EIS); the EIS evaluates the impacts of growth anticipated in the subarea plan and identifies mitigation measures that the city will require of future development. The Planned Action Ordinance identifies the criteria for project to satisfy. These criteria relate to the type of land use proposed, whether its impacts have been addressed in the EIS, and whether proposed mitigation measures are sufficient. A development proposal that meets these criteria qualifies as a planned action project and does not have to go through an independent SEPA process.

E. Planned Action Submittal Packet

Development projects submitted within the adopted subarea must request review as a Planned Action Project and apply for a Pre-Application Meeting. A Planned Action Submittal Packet is available for interested applicants to assist them in developing within the subarea in a timely manner.

Putting the Lake back in Lake Stevens

City of Lake Stevens Exhibit 4

Downtown Lake Stevens Subarea / TIZ 1 Capital Facilities Improvement Plan

DRAFT June 2018

DOWNTOWN LAKE STEVENS SUBAREA FACILITIES NEEDS ASSESSMENT

This document describes capital expenditures for utility infrastructure and other facility improvements required to implement the Downtown Lake Stevens subarea plan, improve the existing infrastructure, maintain adopted levels of service, and respond to deficiencies identified for the subarea. Infrastructure costs include Transportation, Sewer, and Water, shared by the city and affected agencies. The city is currently responsible for transportation outside of state routes and stormwater facilities; special purpose districts provide sewer and water infrastructure and services. Other facilities include Parks and Recreation Improvements and a Community/Conference Facility for the subarea. The proposed projects to implement the subarea are described in subsequent sections. Estimated costs represent expenses typical for public works projects. The estimated costs are partitioned by expected funding sources, which could change based on available public funding, grants, development or private financing, or negotiated development agreements.

The original project lists grew out of technical cost estimate memoranda, prepared for the city (Gray & Osborne Sanitary Sewer Capacity, 2014; CHS Engineers Cost Avoidance, 2015; city of Lake Stevens TIZ 1 Improvement Framework, 2012; Greenworks North Cove Park Construction Cost Estimate, 2018). Each memorandum included a project list with cost estimates, and project descriptions. The subarea capital projects related to transportation reflect a change in LOS methodology that emphasizes a system-level standard for each subarea, rather an intersection-based approach. The system would consist of key intersections, connecting roads, and pedestrian/bicycle facilities to determine an accumulative average LOS within the transportation network, while excluding intersections with state routes. The following sections describe the utility infrastructure required for implementation of the Downtown Lake Stevens subarea plan. Additional infrastructure currently described in the current Six-Year Traffic Improvement Program and the Capital Facilities Element of the Comprehensive Plan such as parks and recreation facility needs will occur over time. However, additional infrastructure would be required as development occurs.

Figure 1– Lake Stevens Downtown Subarea Boundary



A. CITY IMPROVEMENTS

TRAFFIC IMPACT ZONE (TIZ)1 TRANSPORTATION IMPROVEMENTS

The following section describes conceptual capital transportation improvements for Traffic Impact Zone (TIZ)1 to implement the Downtown Lake Stevens Subarea Plan and other projects identified in the city's current Capital Improvement Plan related to northeast Lake Stevens (Figure 2). These improvements would ensure that the street system meets the proposed level of service (LOS E) for the TIZ 1, community needs are met with reference to parks and open space, and meeting facilities and public utilities are upgraded to support development. Estimated costs represent expenses typical for public works projects. The estimated costs are partitioned by expected funding sources, which could change based on available public funding, grants, development or private financing, or negotiated development agreements (Table I and II).

The Traffic Impact Zone (TIZ)¹ Improvement and Capital Facilities Framework is separate from the city's Six-Year Transportation Improvement Plan; however, projects will be evaluated annually with the city's Six-Year Transportation Improvement Plan to ensure projects priorities are relevant given development activity and funding opportunities.

Table I Traffic Impact Zone 1 Planning Level Transportation Costs*

TIZ 1 Projects	Cost
Downtown Extended (DTE)	\$21,627,457
Downtown (DT)	\$17,386,862
City Total	\$39,014,319

*Planning level cost estimates include right-of-way acquisition and construction/engineering

**Figure 2-
Conceptual TIZ 1 Transportation Improvement Map**

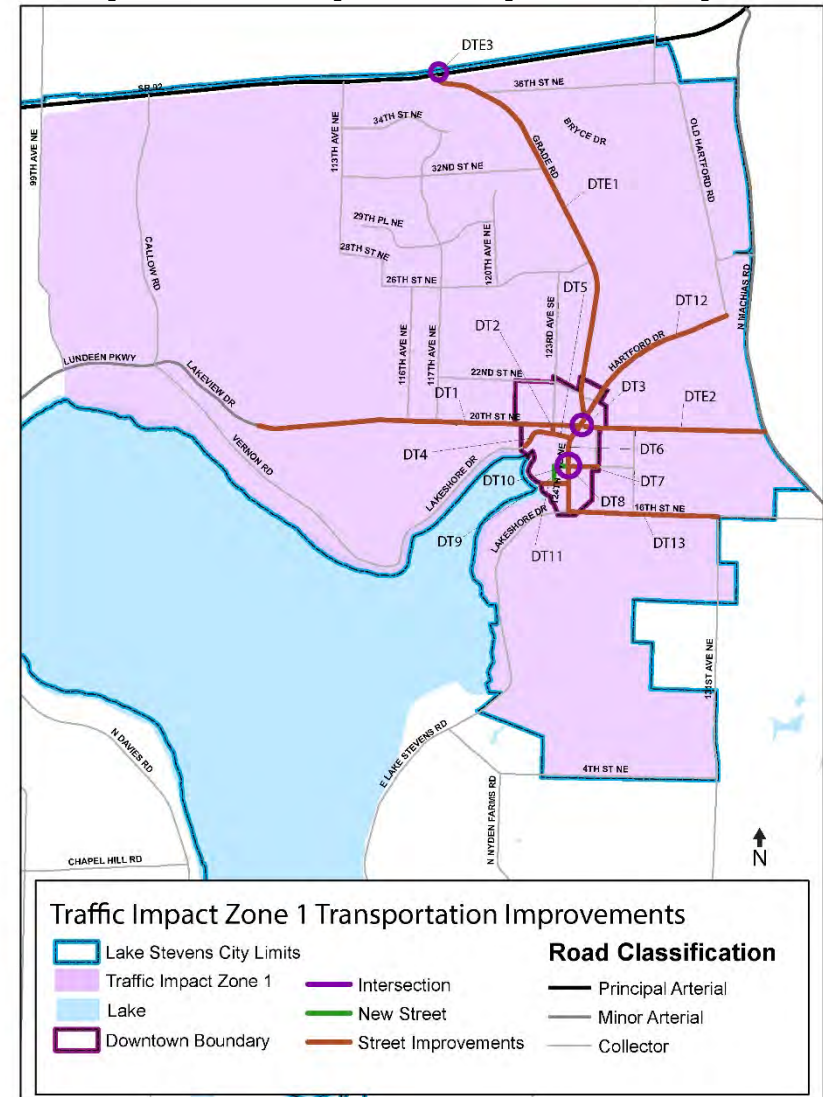


Table II Traffic Impact Zone (TIZ)1 Transportation Improvements

ID #	Project	Total \$
DTE 1	Grade Road	\$16,076,070
DTE 2	20th St NE	\$1,323,010
DTE 3	SR 92 & Grade Rd RAB	\$4,228,377
<i>Downtown Extended Subtotal</i>		<i>\$21,627,457</i>
DT 1	20th St NE	\$1,545,264
DT 2	123rd Ave NE Improvements	\$257,500
DT 3	20th St NE & Main Int/Grade Rd	\$2,250,000
DT 4	North Lakeshore Dr	\$812,400
DT 5	North Lakeshore Dr	\$291,420
DT 6	Main Street	\$4,020,000
DT 7	18th St NE Reconstruction	\$1,140,450
DT 8	18th St NE Int.	\$441,700
DT 9	123rd Ave NE Construction	\$990,000
DT 10	18th Pl NE Construction	\$924,000
DT 11	17th Pl NE Construction	\$966,628
DT 12	Hartford Drive Imp.	\$200,000
DT 13	16 th Street NE Imp.*	\$1,760,000
DT-14	116 th & 117 th Pedestrian Imp	1,787,500
<i>Downtown Subtotal</i>		<i>\$17,386,862</i>
Totals		\$39,014,319

Notes: This table represents estimated funding sources and costs for the entire financial planning period. Previously identified projects include a 3% cost escalation All estimates are subject to change depending upon financial capacity, financing markets, and other expenditures and revenues. * The 16th Street NE improvements cost total represents the low-cost alternative (low: \$1,760,000 versus high: \$ 2,560,000)

PROJECT DESCRIPTIONS

Traffic Impact Zone 1 Planning Level Transportation Costs

Project No.DTE1 – Grade Road Reconstruction

Total Cost: \$16,607,070

Target Start Date: 20XX

Description: Widen Grade Rd and add a multiuse trail along west side only (due to critical lands along east), street lighting, street trees, some planter islands, drainage, and turn pockets at intersections.

Proposed Funding Sources: Mitigation, Grants and Developer Contributions

Location: Grade Road between 20th Street NE and SR-92

Justification: Street network improvements to satisfy legal, health, or safety requirements, increase road capacity, pedestrian circulation and meet established LOS.

Project No.DTE2 – 20th Street NE Reconstruction

Total Cost: \$1,323,010

Target Start Date: 20XX

Description: Reconstruct 20th Street NE to include sidewalks along the south side with widened travel lanes to allow for bikes. Road will be 28-feet wide. Most road improvements exist from Pilchuck. This will be a half road improvement on the south side.

Proposed Funding Sources: Mitigation, Grants and Developer Contributions

Location: 20th Street NE east of Main Street to the Centennial Trail

Justification: Street network improvements to satisfy legal, health, or safety requirements, increase road capacity, pedestrian circulation and meet established LOS.

Project No.DTE3 – SR-92 & Grade Road Intersection

Total Cost: \$4,228,377

Target Start Date: 20XX

Description: Construct a roundabout at the intersection of SR-92 and Grade Road

Proposed Funding Sources: Mitigation, Grants and Developer Contributions

Location: Grade Road between 20th Street NE and SR-92

Justification: Street network improvements to satisfy legal, health, or safety requirements, road capacity, and meet established LOS.

Project No.DT1 – 20th St NE Improvements

Total Cost: \$ 1,545,264

Target Start Date: 20XX

Description: This project consists of reconstructing 930 feet of 20th Street NE to include wider sidewalks with street trees.

Proposed Funding Sources: Mitigation, Grants and Developer Contributions

Location: 20th St NE - Grade Rd to 500 feet west of 123rd Ave SE

Justification: Street improvements to satisfy legal, health, or safety requirements, increase capacity and pedestrian circulation and meet established LOS.

Project No.DT2 – 123rd Ave NE Improvements

Total Cost: \$257,500

Target Start Date: 20XX

Description: This project consists of reconstructing 100 feet of 123rd Ave NE to include, sidewalks with street trees.

Proposed Funding Sources: Mitigation and Developer Contributions

Location: 123rd Ave NE - 20th St NE to N Lakeshore Dr

Justification: Improve pedestrian capacity, connectivity, and safety.

Project No.DT3 – 20th St NE & Main Intersection/Grade Rd.

Total Cost: \$1,300,000

Target Start Date: 20XX

Description: Reconstruct intersection to include realignment, minor widening, landscaped median, crosswalks, bridge to remain unchanged, sidewalk and multi-use trail improvements, ground landscaping where possible, lighting, and street trees 90th Avenue NE Connector.

Proposed Funding Sources: Mitigation, Grants and Developer Contributions

Location: 20th St NE & Main Intersection

Justification: Intersection improvements to satisfy legal, health, or safety requirements, increase road capacity and meet established LOS.

Project No.DT4 – North Lakeshore Drive Improvements

Total Cost: \$812,400

Target Start Date: 20XX

Description: Shoulder widening along north side of roadway transitioning into a sidewalk with tree wells.

Proposed Funding Sources: Mitigation, Grants and Developer Contributions

Location: N Lakeshore Dr between 123rd Ave NE to 550 feet west of intersection

Justification: Improve pedestrian capacity, connectivity, and safety.

Project No.DT5 – North Lakeshore Drive Improvements

Total Cost: \$291,420

Target Start Date: 20XX

Description: Shoulder widening along north side of roadway transitioning into a sidewalk with tree wells

Proposed Funding Sources: Mitigation, Grants, and Developer Contributions

Location: N Lakeshore Dr between 123rd Ave NE & Main Street NE

Justification: Improve pedestrian capacity, connectivity, and safety.

Project No.DT6 – Main Street Improvements

Total Cost: \$4,020,000

Target Start Date: 20XX

Description: This project would include pedestrian and access improvements with minor intersection enhancements, streetscape and decorative street lighting enhancements.

Proposed Funding Sources: Mitigation, Grants and Developer Contributions

Location: Main Street between 20th St NE and 16th St NE

Justification: Street network and pedestrian improvement to satisfy legal, health, or safety requirements.

Project No.DT7 – 18th Street NE Reconstruction

Total Cost: \$1,140,450

Target Start Date: 20XX

Description: Reconstruct street to act as a public connector including one intersection at 18th St NE. The roadway will be 36-feet wide with sidewalks and tree wells.

Proposed Funding Sources: Mitigation Grants and Developer Contributions

Location: 18th St NE between Main St and 125th Ave NE

Justification: Street network improvement to satisfy legal, health, or safety requirements, increase circulation & road capacity for consistency with the subarea plan.

Project No.DT8 – 18th Street NE Intersection

Total Cost: \$441,700

Target Start Date: 20XX

Description: Construct intersection enhancements with tree bulb-outs.

Proposed Funding Sources: Mitigation, Grants and Developer Contributions

Location: 18th Street NE / Main Street Intersection

Justification: Intersection improvements to satisfy legal, health, or safety requirements, increase pedestrian and bicycle mobility, meet established LOS for consistency with the subarea plan.

Project No.DT9 – 123rd Ave NE Construction

Total Cost: \$990,000

Target Start Date: 20XX

Description: Construct 220 feet of new connector road. The roadway will be 28 feet wide with sidewalks and tree wells.

Proposed Funding Sources: Mitigation, Grants and Developer Contributions

Location: 123rd Ave. NE 18th St. NE to 17th Pl. NE

Justification: Street network improvements to satisfy legal, health, or safety requirements, increase road capacity, increase pedestrian mobility and meet established LOS.

Project No.DT10 – 18th Place NE Construction

Total Cost: \$832,625

Target Start Date: Beyond 2018

Description: Construct new connector road (18th Place NE) between 123rd Ave NE and Main Street NE. The new road will include one uncontrolled intersection at 18th Pl NE intersection. The roadway will be 28-feet wide with sidewalks and tree wells.

Proposed Funding Sources: Mitigation, Grants and Developer Contributions

Location: 18th Place NE between Main St and 123th Ave NE

Justification: Street network improvements to satisfy legal, health, or safety requirements, increase circulation and capacity, and meet established LOS.

Project No.DT11 – 17th Place NE Construction

Total Cost: \$966,628

Target Start Date: 20XX

Description: Construct new connector road including one uncontrolled intersection at 17th Place NE. The roadway will be 28 feet wide with sidewalks and tree wells.

Proposed Funding Sources: Mitigation, Grants and Developer Contributions

Location: 17th Place NE between Main St and 123th Ave NE

Justification: Street network improvements to satisfy legal, health, or safety requirements, increase road capacity, increase pedestrian mobility and meet established LOS.

Project No.DT12– Hartford Drive Improvement

Total Cost: \$200,000

Target Start Date: 2020-2021

Description: Shoulder widening 2 feet on each side of roadway and restripe with 2-foot trail buffer and plastic removable tubular markers and 10-foot bi-directional multi-use trail along the east side of the roadway.

Proposed Funding Sources: Mitigation and Grants

Location: Hartford Drive between 21st St. NE and 131st Ave. NE

Justification: Improve pedestrian and bicycle capacity, connectivity, and safety.

Project No.DT13– 16th Street Reconstruction

Total Cost: Low \$1,760,000 - High \$2,560,000

Target Start Date: 20XX

Description: Widen sidewalk on the south side of street to a 12' multi-use trail (adds 7 feet) from Main Street to Nyden Farms Rd. Low cost-Construct new multi-use trail with shoulder widening, and mounted curb on the south side of the street from Nyden Farms Rd. to Centennial Trail. *High Cost-* construct new 12' concrete sidewalk, curb/gutter and storm drain replacement curb on the south side of the street from Nyden Farms Rd. to Centennial Trail.

Proposed Funding Sources: Mitigation, Grants, and Developer Contributions

Location: 16th Street NE from Main Street to Centennial Trail

Justification: Improve pedestrian and bicycle capacity, connectivity, and safety

Project No.DT14– 116&117th

Total Cost: \$1,787,500

Target Start Date: 2019-2020

Description: Construct roadway, bicycle and pedestrian improvements along

Proposed Funding Sources: Mitigation, Grants and Developer Contributions

Location: 116th Ave Ne and 117th Ave NE from 20th Street NE to 26th Street NE.

Justification: Improve pedestrian and bicycle capacity, connectivity, and safety.

OTHER CAPITAL PROJECTS

The city is contemplating additional capital projects to implement the Lake Stevens Downtown Subarea Plan that include Parks and Recreation Projects (North Cove Park expansion, park pavilion and park water tower) and a Community/Conference Center as described in Table III and illustrated on Figure 3. A breakdown of planning level projects costs and project descriptions follow. The city will develop more refined cost estimates with future implementation documents. relevant given development activity and funding opportunities.

Table III Other Capital Projects Costs

Other Capital Projects		Cost
CP-1 North Cove Park		\$4,200,763
CP-1 Park Pavilion	Low \$725,000 to High \$1,100,000	
CP-1 Park Tower		\$240,000
CP-2 Community/Conference Facility	Low \$6,000,000 to High \$8,750,000	
City Total		\$11,160,763 to 14,490,763

PROJECT DESCRIPTIONS

Planning Level Capital Facilities Costs

Project CP-1 – North Cove Park Expansion

Total Cost: Park Improvements \$4,200,763

Target Start Date: 2018-2022

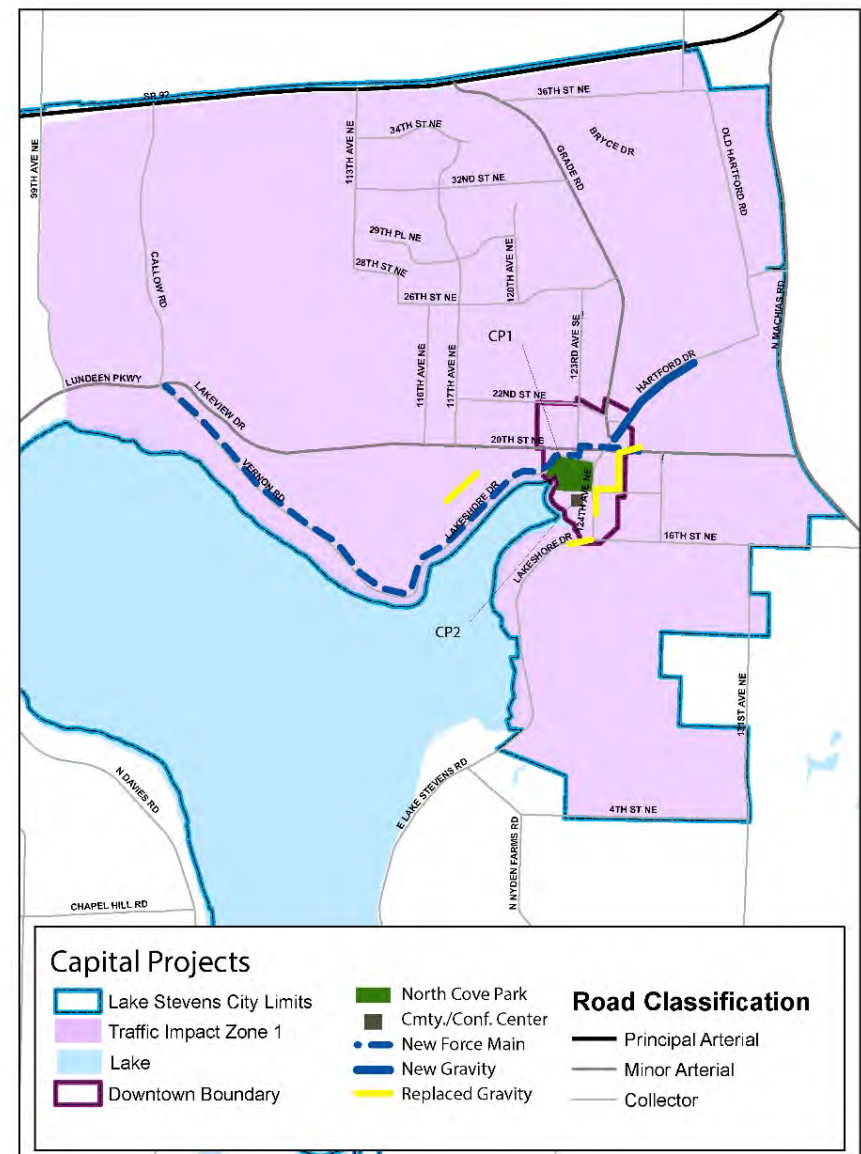
Description: Park expansion, grading, hardscape/paving, water feature, riparian restoration, beach improvements, playground, plaza, landscaping, relocate Veterans Monument, and Stevens Creek pedestrian bridge.

Proposed Funding Sources: Mitigation and Grants

Location: Between Lake Stevens, Main Street, Lakeshore Drive, and 18th Pl. NE

Justification: Provides public gathering/assembly, parks and recreational opportunities for consistency with subarea plan.

Figure 3– Other Capital Projects



Project CP-1 – Park Pavilion

Total Cost: \$725,000

Target Start Date: 2018-2021

Description: 4,500 square foot timber, wood and stone/concrete pavilion with roll-up doors for all-weather use, fireplace, and public restroom.

Proposed Funding Sources: Mitigation and Grants

Location: North of 18th Pl. NE and west of Main Street

Justification: Provides public gathering/assembly and restrooms for consistency with subarea plan.

Justification: Promote economic development and support community and private meeting and conference facility needs for consistency with subarea plan.

*Cost does not include land acquisition, and site improvement or potential infrastructure costs.

Project CP-1 – Park Tower

Total Cost: Low \$240,000

Target Start Date: 2021

Description: Construct a 50,000 gallon wood (low cost) or steel water (high cost) tank and 50-foot tower structure.

Proposed Funding Sources: Mitigation and Grants

Location: Located in the southwest corner of the park near the intersection of 123rd Avenue NE and 18th Pl. NE

Justification: Provides public gathering/assembly and restrooms for consistency with subarea plan.

Project No.CP-2– Community/Conference Facility

Total Cost*: Low \$3,500,000 – \$5,250,000

Target Start Date: 2022

Description: Construct two level 10,000 to 12,000 square foot community/conference facility and replace surface parking.

Proposed Funding Sources: General Fund, Grants and Public/Private Partnership

Location: South of 18th Pl. NE and west of Main Street to 123rd Ave NE.

B. AGENCY PROJECTS

The city has identified capital costs for sewer improvements that affect the subarea (Table IV). In addition, the city has considered the capital projects of Snohomish County PUD and the Lake Stevens School District as they affect the subarea plan.

SEWER IMPROVEMENTS

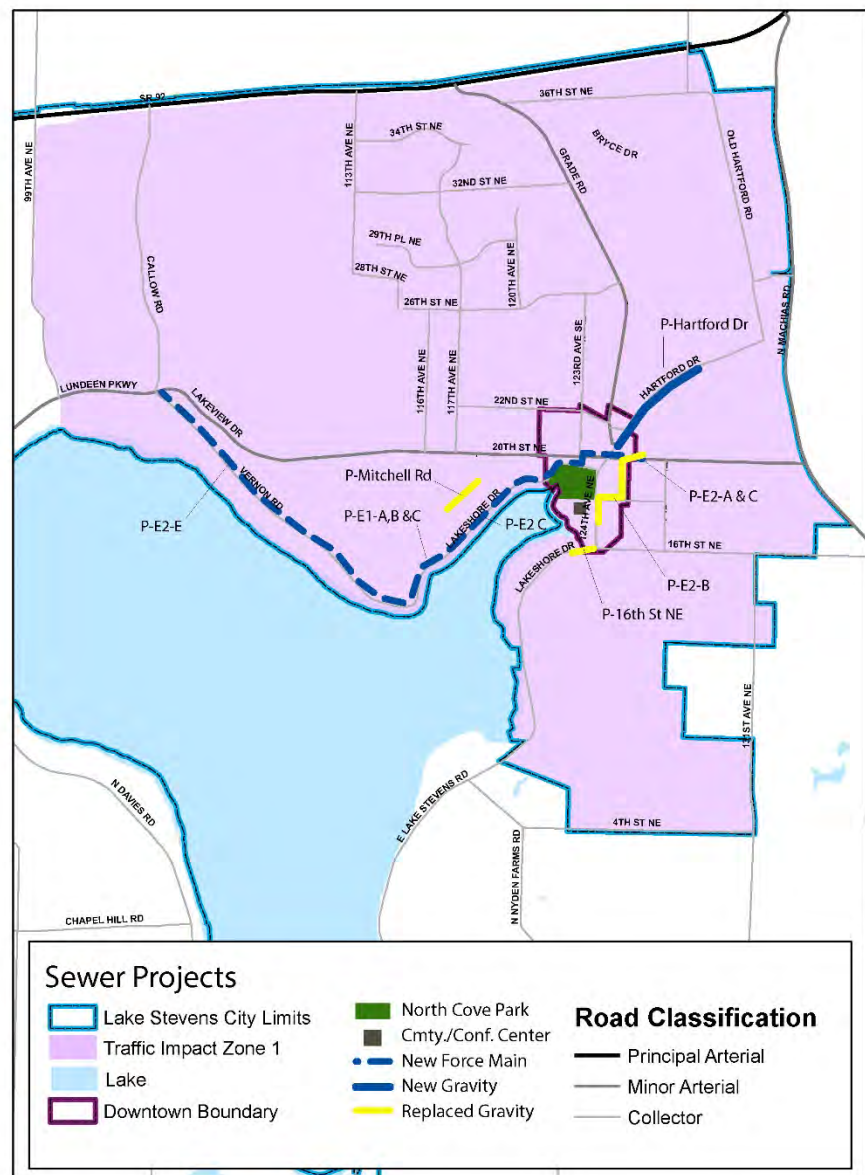
There are sewer system improvements within the public realm that are required. Table XX-X summarizes the descriptions of the sewer improvements and estimated project costs. Figure 4 illustrates the locations of the collection system options to service the Lake Stevens Downtown Subarea. It is important to note also that there are different collection system components (i.e., force mains, gravity sewers, lift stations, etc.) to accomplish service to individual parcels. In addition, differences will occur at the site level depending on the specific development intensity for each site.

*Source: Gray & Osborne Sanitary Sewer Capacity, 2014; CHS Engineers Cost Avoidance, 2015. * Cost include a 3% escalation of previous sourced estimates and project descriptions.*

Table IV Planning Level Sewer Costs

Sewer Projects	Cost
Gravity Sewer System Projects	\$2,679,040
Lift Station Projects	\$12,391,860
Alternative Plan Projects	\$4,556,100

Figure 4– Proposed Sewer Improvements



PROJECT DESCRIPTIONS

Planning Level Sewer Costs

GRAVITY SYSTEMS PROJECTS

Project E2-B – Replace 10-inch Pipe with 12-inch Pipe

Estimated Cost: \$1,205,100

Target Start Date: 20XX

Description: Replace approximately 1,560 feet of 10-inch diameter pipe with 12-inch diameter pipe in Main Street, 18th Street NE, 125th Avenue NE and 20th Street NE.

Project 16th Avenue – Replace 8-inch pipe with 12-inch pipe

Total Cost: \$99,910

Description: Replace approximately 135 feet of 8-inch diameter pipe with 12-inch diameter pipe on 16th Street NE, west of Main Street.

Project Mitchell Road – Replace 8-inch pipe with 10-inch pipe

Total Cost: \$354,320

Target Start Date: 20XX

Description: Replace approximately 550 feet of 8-inch diameter pipe with 10-inch diameter pipe in Mitchell Road south of 19th Street NE.

Project Hartford Drive – Install 8-inch pipe

Total Cost: \$1,019,700

Target Start Date: 20XX

Description: Install approximately 1,700 feet of 8-inch diameter sewer pipe in Hartford Drive, north of Grade Road.

LIFT STATION PROJECTS

Projects E2- A– New wet well storage for LS 2C, mod float controls

Estimated Cost: \$848,450

Target Start Date: 20XX

Description: Construct new wet well storage for LS 2C and modify float controls at LSs 3C, 4C and 5C.

Projects E1- A– Increase capacity of LS 1C

Estimated Cost: \$320,020

Target Start Date: 20XX

Description: Increase capacity of LS 1C from 900 to 1,100 gpm and existing 8-inch diameter force mains, LS6 reduce to 170.

Projects E2- C– Increase capacity of LS 2C

Estimated Cost: \$5,046,480

Target Start Date: 20XX

Description: Increase capacity of LS 2C from 700 to 1,000 gpm and derate LS1C to 600 (2010 Amend).

Projects E1-B– Rehab LS 1C

Estimated Cost: \$933,180

Target Start Date: 20XX

Description: Rehabilitate components of LS 1C including wet well, dry pit, pumps, control panel and instrumentation.

Projects E2-E– Construct new force main LS 1C/LS 2C

Estimated Cost: \$5,216,950

Target Start Date: 20XX

Description: Construct new 6,900 LF 12-inch force main downstream of LS 1C in Vernon Road, including 3,800 LF 8-inch diameter parallel force main and upgrade LS 2C.

Projects E1-C– Upgrade LS 1C

Estimated Cost: \$26,780

Target Start Date: 20XX

Description: Upgrade LS 1C by installing new impellers and utilizing new 8-inch diameter force main to be installed by Project E2-E.

ALTERNATIVE PLAN PROJECTS

Projects Ph 1-LS2C Upgrade

Estimated Cost: \$1,915,800

Target Start Date: 20XX

Description: Convert to submersible 700 to 1165

Projects Ph 1-LS2C- 12" FM to LS1C ex. FM

Estimated Cost: \$1,606,800

Target Start Date: 20XX

Description: 3,800 LF 12" force main 700 to 1165

Projects LS1C/LS2C – Condition rehab, derate, and control mods.

Estimated Cost: \$1,044,300

Target Start Date: 20XX

Description: Condition rehab, derate, controls mod., wet well rehab, FM connect

FUNDING MECHANISMS

Traditionally, the District has expected development to pay for the improvements in advance of installation. However, some system improvements could be coordinated with city road projects for efficiency and cost savings to the public. Project priority and funding alternatives should also be coordinated consistent with the Unification Agreement between the city and the District in order to advance the goals and objectives of the plan.

The LSSD relies on several funding sources for operations, maintenance, and capital improvements including monthly service rates, general facility charges, contributions in aid (grants), and debt financing.

WATER IMPROVEMENTS

The PUD Water System improvements will be identified on a case by case basis and coordinated with city road projects and/or private development projects for efficiency and cost savings to the public.

FUNDING MECHANISMS

The PUD relies on several funding sources for operations, maintenance, and improvements including.

- Bond proceeds include interest income from bond sales.
- Operating revenues include water sales (retail and wholesale) and facilities/connection charges.

Other revenue includes plant contributions, low-interest loans (Public Works Trust Fund and Drinking Water State Revolving Funds), competitive grants, etc. For a detailed explanation of operating revenue and expenses, refer to the Snohomish County PUD #1 Water System Plan.

LAKE STEVENS SCHOOL DISTRICT

The Lake Stevens School District (School District) updates its capital plan every two years based on student projections for the following six-years. The city will continue to collaborate with the school district on capital facilities and continue to collect appropriate mitigation fees on their behalf.

The School District relies on several funding sources for operations, maintenance, and capital improvements including general obligation bonds, state match funds impact fees, and tax levies.

- General obligation bonds are voter approved bonds to construct capital facilities.
- State Match Funds come from the Common School Construction Fund.
- School impact fees are funds collected by the permitting agency at the time building permits to pay for new residential development.

FINANCING ALTERNATIVES

There are a number of financing alternatives available to the city that would provide capital for transportation improvements while providing a rational for the allocation of costs, facilitating private development, and enhancing the value of properties to be redeveloped. Funding comes from a variety of sources including, but not limited to, Federal grant or loan distributions, State grant or loan distributions, Real Estate Excise Taxes, and Developer contributions. Recently, the economic conditions has created deficiencies in grant or loan funding, as well as created new opportunities and programs. The city will determine the overall financing strategy that will likely combine a number of funding methods to meet the strategic objectives for downtown development.

Table V summarizes the primary funding mechanisms for the identified transportation projects.

Table V Summary of Primary Funding Mechanisms

Method of Funding	Description
General Fund	General Fund revenues mainly support general government services, security of persons and property, and parks. Sources of general fund revenue include property taxes, sales tax, fines, fees, charges for services, and investment earnings.
Impact/Mitigation Fees	Fees, based on the impact of the development upon the city's infrastructure (transportation, parks, schools, etc.) assessed to offset the costs of growth to the public facilities.
Developer Contribution	Developer contributions may include direct payments, construction of improvements in lieu of fees, dedication of right of way, development agreement, and late comers agreements.
Secured Debt	Long-term (10-30 years) financing for capital projects from bonds, usually repaid from general funds, utility rates, and user fees.

Grants	Funds received from federal & state governments or other entities to fund specific projects through a competitive application.
LIDs	Local Improvement District (LID) is a special tax assessment fund for projects that benefit a specific geographic area and a specific needed improvement. The city issues bonds for the improvements and liens/bills the benefiting properties for their portions of the assessment.
Special Revenue Funds	Special revenue from taxes, charges for services, & other general sources, such as state shared revenues. Special Revenue Fund expenditures are limited by statute or ordinance to specific purposes. Examples are the Street Arterial Streets, and Hotel/Motel Tax
REET I & II	Real Estate Excise Taxes (REET) are taxes applied to sale of real estate. The city collects an amount equal to 0.5% of the transaction. The proceeds are divided equally between REET I and REET II. These funds must be used for capital projects, which includes planning, acquisition, construction, reconstruction, repair or improvement of streets, roads, sidewalks, street and road lighting systems, traffic signals, bridges, domestic water systems, storm and sanitary sewer systems, parks, recreational facilities, fire protection facilities, trails, libraries, and administrative and judicial facilities. REET II cannot be used for new construction of park, recreational, trails, law enforcement facilities, fire protection facilities, libraries, and administrative and judicial facilities.
Other / Miscellaneous	Undetermined funds not considered that may be applied to projects with or without limitations.

CONCLUSION AND REASSESSMENT

The Downtown Lake Stevens Subarea / TIZ 1 Capital Facilities Improvement Plan allows the city to meet concurrency requirements and the adopted levels of service for capital facilities established in the Comprehensive Plan and the Downtown Subarea Plan and greater northeast Lake Stevens. This document included a conceptual description of the capital facilities necessary to implement the plan as envisioned. It is important to recognize that the Capital Improvement Plan relies on assumptions of likely future investments. However, the city will reassess its needs and priorities annually based on a review of public and market demands on changing capital facility needs.

Attachment 2

ORDINANCE NO. 1025

**AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON
ESTABLISHING A PLANNED ACTION FOR THE DOWNTOWN LAKE
STEVENS SUBAREA PURSUANT TO THE STATE ENVIRONMENTAL
POLICY ACT (CHAPTER 43.21C RCW AND WAC 197-11-164)**

WHEREAS, the State Environmental Policy Act (SEPA) (Chapter 43.21C RCW) and implementing rules (WAC 197-11-164) provide for the integration of environmental review with land use planning and project review through designation of "Planned Actions" by jurisdictions planning under the Growth Management Act (GMA) (Chapter 36.70A RCW); and

WHEREAS, on September 22, 2015 the Lake Stevens City Council enacted Ordinance No. 937 adopting an updated Comprehensive Plan and Land Use Map for the City of Lake Stevens complying with the GMA; and

WHEREAS, the Growth Management Act allows jurisdictions to amend comprehensive plans once a year, except in those situations enumerated in RCW 36.70A.130(2)(a); and

WHEREAS, RCW 36.70A.130(2)(a)(i) and (v) allows jurisdictions to amend the comprehensive plan with initial adoption of a subarea plan and adoption of comprehensive plan amendments necessary to enact a planned action under RCW 43.21C.031(2); and

WHEREAS, the City is concurrently adopting a subarea plan to the comprehensive plan, land use map changes, shoreline map changes and a capital facilities plan (Ordinance 1026) and related zoning map changes and zoning code / design guideline amendments (Ordinance 1027) in association with this Planned Action Ordinance; and

WHEREAS, the City held community meetings to elicit public input on the subarea plan on June 30, September 7 and November 1, 2016; January 25 and March 7, 2017; and

WHEREAS, the City held a scoping meeting on July 18, 2017 to elicit public input on the Environmental Impact Statement (EIS) and a follow-up meeting on January 17, 2018 to review the Draft EIS; and

WHEREAS, the City has prepared a subarea plan for Downtown Lake Stevens, which is referred to as the Planned Action Area; and

WHEREAS, the City issued a Determination of Significance and request for comments on the scope of the environmental impact statement on July 5, 2017 and held a Scoping Meeting on July 18, 2017; and

WHEREAS, on January 6, 2018 the City issued a Draft Environmental Impact Statement (EIS) for the Downtown Lake Stevens Subarea Plan which identifies environmental impacts and mitigation measures associated with planned development in the subarea; and

WHEREAS, staff briefed City Council on the Draft EIS land use alternatives on

February 6, 2018 and City Council adopted a preferred alternative on February 13, 2018; and

WHEREAS, on April 27, 2018 the City issued a Final environmental impact statement (EIS) for the Downtown Lake Stevens Subarea Plan which identifies impacts and mitigation measures associated with planned development in the subarea; and

WHEREAS, on May 16, 2018 the City held a community meeting on the Planned Action Ordinance, pursuant to Chapter 43.21C RCW, prior to issuing notice for the adoption of the planned action ordinance; and

WHEREAS, in taking the actions set forth in this ordinance, the City has complied with the requirements of the State Environmental Policy Act, Ch. 43.21C RCW; and

WHEREAS, the City is concurrently adopting updated design guidelines, development regulations and capital facilities plan for the subarea, which will help protect the environment; and

WHEREAS, the City submitted the proposed subarea plan, land use map amendments, zoning map amendments and development regulation amendments for the 60-day review to the Washington State Department of Commerce on April 27, 2018 and received an acknowledgement letter on April 30, 2018; and; and

WHEREAS, the Department of Commerce's 60-day review period was completed on June 27, 2018 and any Department comments are addressed in this Ordinance; and

WHEREAS, the City held a Planning Commission public hearing on June 13, 2018 and two public hearings with City Council on June 26, 2018 and July 10; and

WHEREAS, the Lake Stevens Planning Commission, after review of the proposed Downtown Lake Stevens Subarea Plan, Planned Action Ordinance, Comprehensive Plan Land Use Map and Zoning Map amendments, Subarea Land Use Map, proposed development regulations and design guidelines, and other related amendments, held a duly noticed public hearing on the amendment, and all public testimony was given full consideration before making a recommendation to the City Council to approve the proposed Subarea Plan, Planned Action and related documents; and

WHEREAS, the Lake Stevens City Council reviewed the Planning Commission's recommendation relating to the proposed Downtown Lake Stevens Subarea Plan, Planned Action Comprehensive Plan Land Use Map and Zoning Map amendments, Subarea Land Use Map and Subarea Zoning Map, proposed development regulations and design guidelines, and related amendments, and held a duly noticed public hearing, and all public testimony and arguments have been given full consideration; and

WHEREAS, designation of a Planned Action expedites the permitting process for subsequent, implementing projects whose impacts have been previously addressed in a Planned Action EIS, and thereby encourages desired growth and economic development; and

WHEREAS, the Downtown Lake Stevens Subarea is deemed to be appropriate for designation of a Planned Action.

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

SECTION 1. Purpose. The City Council declares that the purpose of this ordinance is to:

A. Combine analysis of environmental impacts with the City's development of plans and regulations;

B. Designate the Downtown Lake Stevens Subarea as a Planned Action for purposes of environmental review and permitting of subsequent, implementing projects pursuant to the State Environmental Policy Act (SEPA), RCW 43.21C.031;

C. Determine that the EIS prepared for the subarea plan meets the requirements of a Planned Action EIS pursuant to SEPA;

D. Establish criteria and procedures, consistent with state law, that will determine whether subsequent, implementing projects qualify as Planned Actions;

E. Provide the public with information about Planned Actions and how the City will process applications for implementing projects;

F. Streamline and expedite the land use review and approval process for qualifying projects by relying on the environmental impact statement (EIS) completed for the Planned Action; and

G. Apply the City's development regulations together with the mitigation measures described in the EIS and this Ordinance to address the impacts of future development contemplated by the Planned Action.

SECTION 2. Findings. The City Council finds as follows:

A. The City is subject to the requirements of the Growth Management Act, Chapter 36.70A RCW, and is located within an Urban Growth Area;

B. The City has adopted a Comprehensive Plan complying with the GMA, and is amending the Comprehensive Plan to incorporate a subarea element specific to the Downtown Lake Stevens Planned Action Area;

C. The City is adopting development regulations and design guidelines concurrent with the Subarea Plan to implement said Plan;

D. The City has prepared an EIS for the Downtown Lake Stevens Subarea and finds that this EIS adequately addresses the probable significant environmental impacts associated with the type and amount of development planned to occur in the designated Planned Action Area;

E. The mitigation measures identified in the Planned Action EIS and attached to this ordinance, together with adopted subarea land use regulations and design guidelines, will adequately mitigate significant impacts from development within the Planned Action Area;

F. The subarea plan and Planned Action EIS identify the location, type and amount of development that is contemplated by the Planned Action;

G. Future projects that are implemented consistent with the Planned Action will protect the environment, benefit the public and enhance economic development within the City;

H. The City has provided numerous opportunities for meaningful public involvement in the proposed Planned Action; has considered all comments received; and, as appropriate, has modified the proposal or mitigation measures in response to comments;

I. The Downtown Lake Stevens Subarea Plan is not an essential public facility as defined by RCW 36.70A.200(1);

J. The Planned Action Area is a defined area that is smaller than the overall City boundaries; and

K. Public services and facilities will be adequate to serve the proposed Planned Action with implementation of mitigation measures identified in the EIS.

SECTION 3. Procedures and Criteria for Evaluating and Determining Projects as Planned Actions.

A. Planned Action Area. The Planned Action designation shall apply to the area shown in **Exhibit A**.

B. Environmental Document. A Planned Action determination for a site-specific implementing project application shall be based on the environmental analysis contained in the Draft EIS issued by the City on January 6, 2018 and the Final EIS issued on April 27, 2018. The Draft and Final EISs together shall comprise the Planned Action EIS. The mitigation measures contained in **Exhibit B** are based upon the findings of the Planned Action EIS and shall, along with adopted City regulations, provide the framework that the City will use to impose appropriate conditions on qualifying Planned Action projects.

C. Planned Action Designated. Land uses and activities described in the Planned Action EIS, subject to the thresholds described in subsection 3.D and the mitigation measures contained in Exhibit B, are designated Planned Actions or Planned Action Projects pursuant to RCW 43.21C.031. A development application for a site-specific project located within the Downtown Lake Stevens Subarea shall be designated a Planned Action if it meets the criteria set forth in subsection 3.D of this ordinance and applicable laws, codes, development regulations and standards of the City.

D. Planned Action Qualifications. The following thresholds shall be used to determine if a site-specific development proposed within the Downtown Lake Stevens Subarea is contemplated by the Planned Action and has had its environmental impacts evaluated in the Planned Action EIS:

(1) Land Use. The following general categories/types of land uses, which are permitted or conditionally permitted in zoning districts applicable to the Downtown Lake Stevens Planned Action Area, are considered Planned Actions:

- (a) Park;
- (b) Retail/Commercial;
- (c) Office;
- (d) Community Facilities;
- (e) Housing (residential dwelling units);
- (f) Lodging, such as hotels and motels;
- (g) Open Space;
- (h) Public Parking; and
- (i) Infrastructure improvements identified in the EIS to support planned land uses.

Individual land uses considered to be Planned Actions shall include those uses specifically listed in subarea development regulations, Chapter 14.38 LSMC, applicable to the zoning classifications applied to properties within the Planned Action Area.

(2) Development Thresholds.

(a) The following amount of various new land uses are contemplated by the Planned Action:

Land Use ¹	Development Thresholds
Park	4.1 acres
Retail/Commercial ²	170,000 gross square feet
Office	50,000 gross square feet
Community Facilities ³	21,150 gross square feet
Residential	600 dwelling units
Public Parking	300 spaces
Total Trips	1740 trips

¹ A building with multiple uses will be designated by the majority use.

² Retail/Commercial includes accommodation services, arts and entertainment/, recreation, food services, retail trade, etc.

³ Community facilities may include emergency services such as a fire station; public/semi-public buildings used for community, corporate or private events; or other traditional land uses that support government operations.

(b) Local road projects identified in the EIS to support planned levels of growth identified in subsection (2)(a) are considered planned actions.

(c) Shifting the total build out between categories of uses may be permitted if the total build-out does not exceed the aggregate amount of development and the trip generation reviewed in the EIS, and so long as the impacts of that development have been identified in the Planned Action EIS and are mitigated consistent with **Exhibit B**.

(d) If future development proposals in the Planned Action Area exceed the development thresholds specified in this ordinance or alter the assumptions and analysis in the Planned Action EIS, further environmental review may be required pursuant to WAC 197-11-172.

(3) Building Height. Building height shall not exceed those permitted in the underlying zoning district(s) pursuant to the standards of the Lake Stevens Municipal Code.

(4) Transportation.

(a) *Thresholds.* The City currently uses LOS E as the standard for arterials and collectors and LOS C as the standard for acceptable operations on local access roads; however, given the vision for a mixed-use district that functions as a local and regional destination, with multimodal transportation elements, it is reasonable to modify the LOS standard to LOS F Downtown for the PM peak and emphasize safe pedestrian amenities to maintain the character of the district.

(b) *Concurrency.* The determination of transportation impacts shall be based on the City's concurrency management program contained in Chapter 14.110 LSMC.

(c) *Off-Site Mitigation.* As provided in the EIS and Chapter 14.110 LSMC, to mitigate transportation related impacts, all Planned Action Projects shall pay a traffic impact mitigation fee to participate in and pay a proportionate share of off-site improvements consistent with Chapter 14.112 LSMC and the current Fees Resolution.

(d) *Director Discretion.* The Director of Public Works or designee shall have discretion to determine incremental and total trip generation, consistent with the latest edition of the Institute of Traffic Engineers (ITE) Trip Generation Manual or an alternative manual accepted by the Director of Public Works at his or her sole discretion, for each project permit application proposed under this Planned Action.

(5) Elements of the Environment and Degree of Impacts. A proposed project that would result in a significant change in the type or degree of impacts to any of the elements of the environment analyzed in the Planned Action EIS, or that causes significant impacts to an element of the environment that was not considered in the Planned Action EIS, would not qualify as a Planned Action.

(6) Changed Conditions. Should environmental conditions change significantly from those analyzed in the Planned Action EIS, the City's SEPA Responsible Official may determine that the Planned Action designation is no longer applicable until supplemental environmental review has been conducted.

E. Planned Action Review Criteria.

(1) The City's SEPA Responsible Official may designate as "Planned Actions", pursuant to RCW 43.21C.030, applications that meet all the following conditions:

(a) Proposal is located within the Planned Action Area identified in **Exhibit A** of this ordinance;

(b) Proposed uses and activities are consistent with those described in the Planned Action EIS and Section 3.D of this ordinance;

(c) Proposal is within the Planned Action thresholds and other criteria of Section 3.D of this ordinance;

(d) Proposal is consistent with the City of Lake Stevens Comprehensive Plan;

(e) Proposal's potential significant adverse environmental impacts have been identified in the Planned Action EIS;

(f) Proposal's potential significant impacts have been mitigated by application of the measures identified in **Exhibit B**, and other applicable city regulations, together with any modifications, variances or special permits that may be required;

(g) Proposal complies with all applicable local, state and/or federal laws and regulations, and the SEPA Responsible Official determines that these constitute adequate mitigation; and

(h) Proposal is not an essential public facility as defined by RCW 36.70A.200(1), unless an essential public facility is accessory to or part of a project that is designated as a planned action.

(2) The City shall base its decision on review of a SEPA checklist, or an alternative form adopted with Planned Action Ordinance, and review of the application and supporting documentation.

(3) A proposal that meets the criteria of this section shall be considered to qualify and be designated as a Planned Action, consistent with the requirements of RCW 43.21C.030, WAC 197-11-164 et seq., and this ordinance.

F. Effect of Planned Action

(1) Designation as a Planned Action Project. Designation as a Planned Action Project means that a qualifying proposal has been reviewed in accordance with this ordinance and found to be consistent with its development thresholds, and with the environmental analysis contained in the Planned Action EIS.

(2) SEPA Determination. Upon determination by the City's SEPA Responsible Official that the proposal meets the criteria of Section 3.D and qualifies as a Planned Action, the proposal shall not require a SEPA threshold determination, preparation of an EIS, or be subject to further review pursuant to SEPA.

G. Planned Action Permit Process. Applications for Planned Actions shall be reviewed pursuant to the following process.

(1) Development Applications. Development applications shall meet all applicable requirements of the Lake Stevens Municipal Code (LSMC). Applications for Planned Actions shall be made on forms provided by the City and shall include a SEPA checklist, or an approved Planned Action checklist.

(2) The City's Director of Planning and Community Development or designee shall determine whether the application is complete as provided in LSMC 14.16A.220(f). If the application is for a project within the Planned Action Area defined in **Exhibit A**, the application will be reviewed to determine if it is consistent with the criteria of this ordinance and thereby qualifies as a Planned Action Project. The SEPA Responsible Official shall notify the applicant of his/her decision. If the project is determined to qualify as a Planned Action, it shall proceed in accordance with the applicable permit review procedures specified in Chapter 14.168 LSMC, except that no SEPA threshold determination, EIS or additional SEPA review shall be required. The decision of the SEPA Responsible Official regarding qualification as a Planned Action shall be final.

(3) Public notice of the determination that a project qualifies as a planned action project, pursuant to Chapter 43.21C RCW, shall be mailed or otherwise verifiably provided to:

(a) All affected federally recognized tribal governments and

(b) Agencies with jurisdiction over the future development anticipated for the planned action.

The notice shall state that the project has qualified as a planned action. Other notice may be required for the underlying permit.

(4) Development Agreement.

(a) To provide additional certainty about applicable requirements, the City or an applicant may request consideration and execution of a development agreement for a Planned Action Project. The development agreement may address review procedures applicable to a Planned Action Project, permitted uses, mitigation measures, payment of impact fees or provision of improvements through other methods, design standards, phasing, vesting of development rights, or any other topic that may properly be considered in a development agreement consistent with RCW 36.708.170 et seq.

(b) A development agreement may also include alternative mitigation measures proposed by an applicant, provided that such alternative measures shall provide mitigation that is equivalent to or better than that identified in the Planned Action EIS. The determination that mitigation measures are equivalent shall be made by the SEPA Responsible Official.

(5) If a project is determined to not qualify as a Planned Action, the SEPA Responsible Official shall so notify the applicant and prescribe a SEPA review procedure consistent with the City's SEPA regulations and the requirements of state law. The notice shall describe the elements of the application that result in failure to qualify as a Planned Action.

(6) Projects that fail to qualify as Planned Actions may incorporate or otherwise use relevant elements of the Planned Action EIS, as well as other relevant SEPA documents, to meet their SEPA requirements. The SEPA Responsible Official may limit the scope of SEPA review for the non-qualifying project to those issues and environmental impacts not previously addressed in the Planned Action EIS.

SECTION 4. Monitoring and Review.

A. The City shall monitor the progress of development in the designated Planned Action Area to ensure that it is consistent with the assumptions of this ordinance and the Planned Action EIS regarding the type and amount of development and associated impacts, and with the mitigation measures and improvements planned for the Downtown Lake Stevens Planned Action Area.

B. This Planned Action Ordinance shall be reviewed by the SEPA Responsible Official when development within the Planned Action Area is approaching maximum threshold levels or no later than five years from its effective date to determine the continuing relevance of its assumptions and findings with respect to environmental conditions in the Planned Action Area, the impacts of development, and required mitigation measures. Based upon this review, the City may propose amendments to this ordinance or may supplement, addend or amend the Planned Action EIS.

SECTION 5. Conflict. In the event of a conflict between this Ordinance or any mitigation measure imposed thereto, and any ordinance or regulation of the City, the provisions of this ordinance shall control, EXCEPT that the provision of any International Code shall supersede.

SECTION 6. Severability. If any section, clause, phrase, or term of this ordinance is held for any reason to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance and the remaining portions shall be in full force and effect.

SECTION 7. Effective Date and Publication. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five days after the date of publication.

PASSED by the City Council of the City of Lake Stevens this July 10, 2018.

John Spencer, Mayor

ATTEST/AUTHENTICATION:

By: _____
Kathy Pugh, City Clerk

APPROVED AS TO FORM:

Grant K. Weed, City Attorney

First Reading: June 26, 2018
Second and Final Reading: July 10, 2018
Published:
Effective Date:

EXHIBIT A – DOWNTOWNLAKE STEVENS PLANNED ACTION AREA

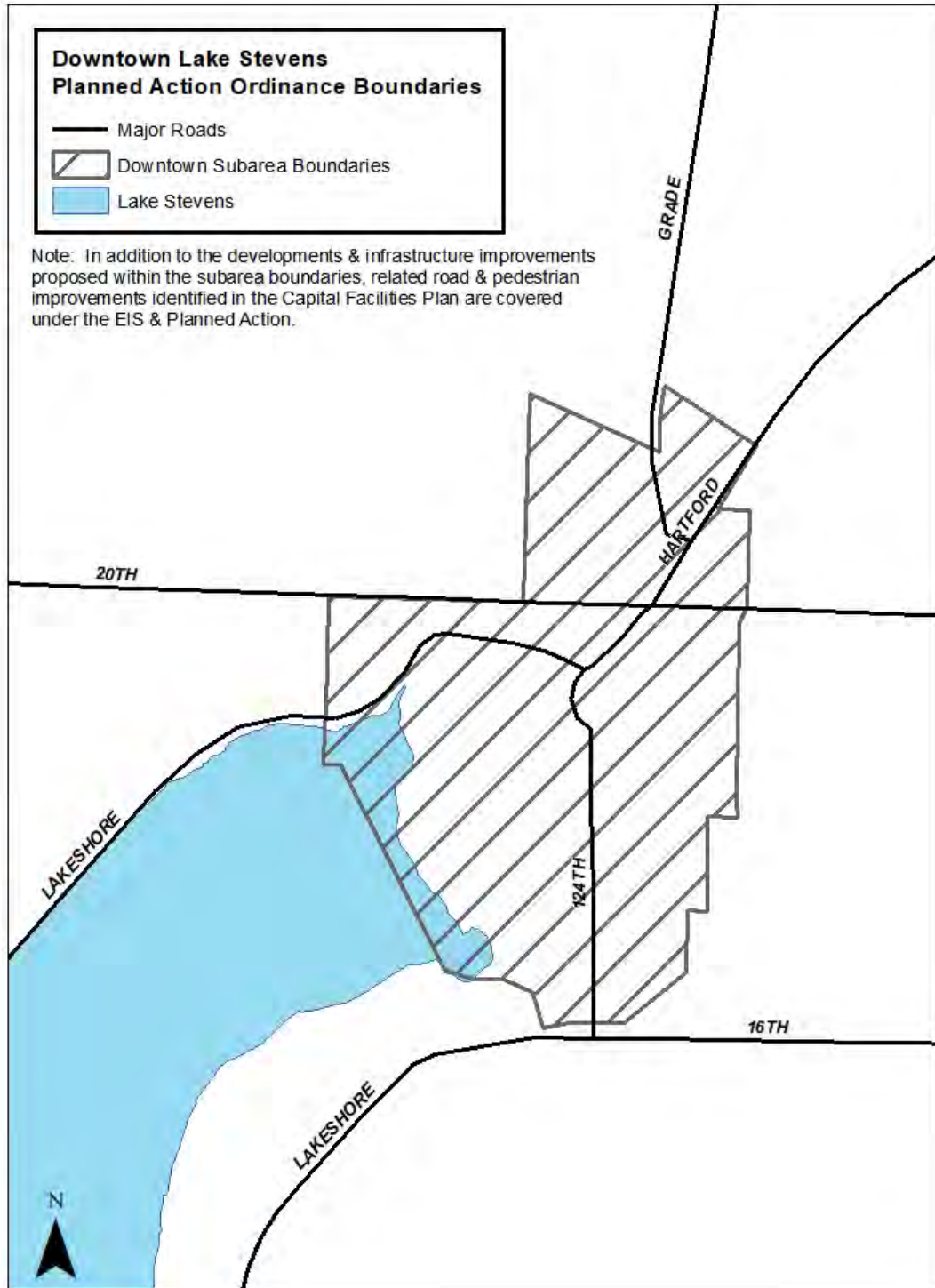


EXHIBIT B DOWNTOWN LAKE STEVENS SUBAREA PLAN PLANNED ACTION ORDINANCE MITIGATION MEASURES

In compliance with the State Environmental Policy Act (SEPA), the City of Lake Stevens prepared and published draft and final environmental impact statements (collectively "the Planned Action EIS") for the Lake Stevens Center Subarea Plan. The Planned Action EIS identifies significant impacts to the environment that would occur because of future growth in the subarea, along with mitigation measures that would avoid, reduce, minimize or compensate for those impacts. The City will designate the subarea as a Planned Action for purposes of future environmental review, consistent with the requirements of RCW 43.21C.031 and WAC 197-11-164 et seq.

This exhibit to the Planned Action Ordinance summarizes mitigation measures identified in the Planned Action EIS. The Planned Action EIS should be reviewed to understand the full context of measures for each element of the environment. As part of its review of future development proposals within the Planned Action Area (Exhibit A), and to determine whether such proposals qualify as planned actions, the City will review the measures identified herein and require them as conditions of approval.

It should be noted that some mitigation measures identified in the Planned Action EIS have already been accomplished (such as adoption of a Planned Action Ordinance) and are not included in this exhibit. References are provided for measures that rely on adopted provisions of the Lake Stevens Municipal Code. In addition, while most mitigation measures identified in the Planned Action EIS apply to development projects (public or private), a few provide direction to the City for future planning and regulatory programs. The City will consider these as part of its ongoing planning processes, including any required monitoring.

1. Natural Environment

A. Earth

Applicable Regulations and Commitments

- **Geological Assessments Required:** The City's critical area regulations require a geological assessment for any development proposal within 200 feet of a designated geologically hazardous area. Geological assessments must contain an analysis of the potential impacts to geologically hazardous areas resulting from the proposed development and identify appropriate mitigation measures to protect development and the geologically hazardous area per LSMC 14.88.630.
- **Native Growth Protection Area:** LSMC 14.88.670 requires developers to place geologically hazardous areas and buffers not approved for alteration in a native growth protection area. Lawfully altered geologically hazardous areas are subject to a covenant of notification and indemnification/hold harmless agreement.
- **Erosion Control Measures Required:** LSMC 14.64.130 requires the implementation of sedimentation and erosion control measures for any development that would entail land disturbance. The Public Works Director must review and approve erosion control plans.

B. Air Quality

Mitigation During Construction

Although significant air quality impacts are not anticipated due to construction, contractors will be required to comply with all relevant federal, state, and local air quality rules. In addition, implementation of best management practices will also reduce emissions related to construction. The city will consider best management practices to minimize the potential air quality impacts during development review including measures for reducing exhaust emissions and fugitive dust. Possible control measures that will be considered include the following:

- Use only equipment and trucks that are maintained in optimal operational condition
- Require all off-road equipment to have emission reduction equipment (e.g., require participation in Puget Sound Region Diesel Solutions, a program designed to reduce air pollution from diesel, by project sponsors and contractors)
- Use bio diesel or other lower-emission fuels for vehicles and equipment
- Use car-pooling or other trip-reduction strategies for construction workers
- Implement restrictions on construction truck and other vehicle idling (e.g., limit idling to a maximum of 5 minutes)
- Spray exposed soil with water or other suppressant to reduce emissions of particulate matter (PM) and deposition of particulate matter
- Pave or use gravel on staging areas and roads that would be exposed for long periods
- Cover all trucks transporting materials, wetting materials in trucks, or providing adequate freeboard (space from the top of the material to the top of the truck bed), to reduce particulate matter (PM) emissions and deposition during transport
- Provide wheel washers to remove particulate matter that would otherwise be carried off site by vehicles to decrease deposition of particulate matter on area roadways
- Remove particulate matter deposited on paved, public roads, sidewalks, and bicycle and pedestrian paths to reduce mud and dust; sweep and wash streets continuously to reduce emissions
- Cover dirt, gravel, and debris piles as needed to reduce dust and wind-blown debris
- Stage construction to minimize overall transportation system congestion and delays to reduce regional emissions of pollutants during construction.

Mitigation During Operation

The air quality analysis indicates that the alternatives would not result in any significant adverse air quality impacts in the subarea. Consequently, no operational impact mitigation measures are warranted or proposed.

C. Water Resources

Applicable Regulations and Commitments

- *Stormwater Management:* The City's municipal code requires the use of natural drainage systems to the extent feasible to preserve natural topography (LSMC 14.64.100). The Code also requires all new stormwater drainage systems to be constructed in accordance with the requirements of the Department of Ecology's *2014 Stormwater Management Manual for Western Washington* (Chapter 11.06 LSMC).
- *NPDES Phase II Municipal Stormwater Permit:* The current Western Washington Phase II Municipal Stormwater Permit was issued in 2012 and amended in 2014 to implement the requirements of the Clean Water Act and the National Pollutant Discharge Elimination System as codified in Chapter 11.06 LSMC. Local jurisdictions covered under the permit, including the City of Lake Stevens, are required to develop a stormwater management program designed to reduce the discharge of pollutants and protect water quality. In accordance with the requirements of the permit, the City of Lake Stevens has adopted a stormwater management plan focused on public education and outreach, detection and elimination of illicit stormwater discharge, controlling runoff generated by new development activities, and prevention of pollution resulting from municipal activities. Continued implementation of the measures contained in the stormwater management program would reduce pollutant loading and improve water quality in the City's lakes, streams and wetlands.

- *Critical Areas Regulations:* The Lake Stevens Center Subarea contains varied critical areas, including wetlands and streams (Fish and Wildlife Conservation Areas). Future development will be subject to the adopted critical areas regulations found in Chapter 14.88 LSMC, including all applicable protection standards, mitigation requirements and mitigation sequencing procedures. Wetland mitigation is required to take the form of in-kind replacement of the impacted wetland functions and values whenever possible, and replacement wetlands must adhere to the design requirements of LSMC 14.88.840, including performance standards and mitigation ratios.
- *Floodplain Development Permit:* Developers are required to acquire a Floodplain Development Permit for construction and/or development activities within the floodplain.

Additional Mitigation Measures

- *Stormwater Detention:* For properties adjacent to identified wetlands and associated buffers, new development and redevelopment shall not result in an increased rate of runoff from the site to the wetland. To prevent alteration of established hydrologic wetland processes, the municipal code requires stormwater to be either detained or infiltrated onsite.
- *Low Impact Development (LID):* The City has incorporated incentives in development regulations (Chapter 14.38 LMSC) to encourage the use of LID techniques to reduce stormwater impacts. LID techniques could include bioretention and tree box filters.
- *Critical Areas:* More detailed analysis will be required for future projects that occur on sites containing critical areas – including full delineation, classification and functional assessment – in conjunction with development permitting. The standards and mitigation requirements of the City's critical area regulations (Chapter 14.88 LSMC) will be applied to such development.
- *Wetland Mitigation Banking:* LSMC 14.88.840 allows the use of credits from an approved wetland mitigation bank to compensate for unavoidable impacts to wetlands. Per LSMC 14.88.840(a)(5), projects using mitigation bank credits must be consistent with the replacement ratios specified in the mitigation bank's certification. If mitigation credits are not available and establishment of a separate mitigation bank is not feasible, the City could encourage preservation and enhancement of these areas in exchange for increased development potential in other portions of the site or subarea.

D. Plants & Animals

Applicable Regulations and Commitments

- *Endangered Species Act (ESA, 16 U.S.C. 15311544):* The ESA provides for the conservation of threatened or endangered plant and animal species and their habitat. Any action taken, authorized, or funded by a federal agency is subject to review by the U.S. Fish and Wildlife Service (USFWS) or the U.S. National Oceanic and Atmospheric Administration (NOAA). The ESA also prohibits "taking" of any listed species.
- *Washington State Water Pollution Control Act (90.48 RCW):* Chapter 90.48 of the Revised Code of Washington (RCW) prohibits discharge of any material that causes pollution into waters of the state. The Act applies the Washington Department of Ecology standards for Clean Water Act Section 404 permits to projects without a federal nexus.
- *Critical Areas Regulations:* Future development in the Subarea has the potential to adversely affect plants and animals through clearing of vegetated areas. Chapter 14.88 of the Lake Stevens Municipal Code regulates development activities that occur in environmentally critical areas, including valuable vegetation, fish and wildlife habitat; geologically hazardous areas; wetlands; streams; frequently flooded areas; and fish and wildlife conservation areas. Development within a designated critical area is subject to additional development standards designed to preserve and protect sensitive natural resources from human influence.
- *Tree Retention:* The City's land use code (LSMC 14.76.120) requires every development to

retain significant trees and stands of trees that occur on the development site unless such retention would create an unreasonable burden on the developer or create a safety hazard. The code requires that significant trees removed as part of a development project be replaced, and that retained and replanted trees be protected during construction.

E. Public Services

Applicable Regulations & Commitments

All development will be required to comply with existing regulations related to emergency access, fire suppression systems, and payment of school and park impact mitigation fees.

F. Aesthetics

Visual Character

- *Development Regulations:* Proposed zoning regulations and design guidelines to implement the subarea plan would address appropriate uses, height, setbacks, and similar development parameters. The code also includes incentives, such as bonuses in height or intensity, in exchange for incorporating a menu of public amenities in new development. Standard landscaping requirements have been modified to create the desired character for development sites, roads, and for sidewalks and trails. Existing tree protection/replacement requirements ensure the subarea maintains a desirable amount of vegetative cover.
- *Design Guidelines:* Proposed subarea-specific design guidelines will ensure that future development achieves a cohesive visual character and high-quality site planning, building design, lighting and signage.

Views

- *Park & Open Space Planning:* The City will update its Parks & Open Space Plan to address parks and open space needs created by planned residential growth in the Lake Stevens Center Subarea. In conjunction with future parks planning, the City may identify new parks or open space areas that provide view opportunities of scenic landscape features. Proposed development regulations also provide incentives for the creation of public spaces in the subarea.
- *Design Guidelines:* In coordination with planning new parks and open spaces and identifying potential viewpoints, the City could consider adopting guidelines that identify when and how site plans or building design can incorporate elements to protect views from parks and other public spaces.

Light & Glare

- *Design Guidelines:* Design guidelines to implement the subarea plan could provide guidance on avoiding light spillage, glare and shadow impacts through site planning, building design and landscaping. The guidelines and standards would specifically address lighting and signage.

G. Transportation

Concurrency

The Growth Management Act (GMA) includes provisions, referred to as "concurrency," to ensure sufficient public facilities are available for new development. GMA requirements include: (1) adopting Transportation and Capital Facilities elements in local Comprehensive Plans that identify facilities needed to accommodate projected growth and to establish a funding program to construct the necessary improvements; (2) establishing level of service (LOS) standards as a measure to determine a project's impact potential; (3) adopting policies that require either denying permits for projects that exceed the LOS standard, modifying the LOS standard, or modifying the land use. Changes may be made to a development proposal to enable it to meet the concurrency requirements, such as by reducing project size, employing travel demand management to reduce the number of trips generated, or financing the needed improvements.

Level of Service Threshold

The Comprehensive Plan establishes LOS standards for intersections in the City. The City sets LOS E as the standard for acceptable operation along arterials and collectors, and LOS C as the standard for acceptable operations on local access roads.

Impacted Intersections and Necessary Road Improvements

The EIS identifies that the 20th Street NE/Main Street intersection would be deficient (i.e., fall below LOS E operations) during the PM peak hour for the Preferred Concept.

To mitigate delay and improve the LOS at this intersection, several potential improvements were examined. Signalization of the intersection would improve the intersection to LOS B and provide pedestrian phases and crosswalks across all legs of the intersection. This improvement is compatible with the plans to create a pedestrian and bicycle friendly environment along Main Street and to enhance it as a retail destination for the community. However, given the vision for a mixed-use neighborhood that functions as a local and regional destination, with multimodal transportation elements, it is reasonable to consider modify the LOS standard to LOS F Downtown for the PM peak and emphasize safe pedestrian amenities to maintain the character of the district.

Other improvements that may be required, included a controlled intersection at 18th Street NE and Main Street; expansion of roadways and pedestrian amenities throughout and connected to the subarea as identified in the capital facilities plan; and an improved intersection at Grade Road and SR-92. The Grade Road / SR-92 intersection will be reviewed under a separate SEPA application.

Traffic Impact Fees

Implementing the improvements described above will require a substantial investment of money. To help address identified impacts, and to generate the funds necessary to implement the mitigation measures described above, the City will update its traffic impact fee program (Chapter 14.112), as authorized by RCW 82.02.050. This citywide program will establish fees within a traffic impact zone including the Downtown Lake Stevens Subarea.

Transportation Demand Management

Transportation demand management (TOM) strategies include commute trip reduction programs and enhanced transit service. The City would consider a commute trip reduction program when a qualifying employer develops within the City. Proposed development regulations also include incentives for alternative or high-efficiency transportation modes (LCMS 14.38.050).

H. Utilities

Drainage

Applicable Regulations and Commitments

- *Ecology Stormwater Manual*: The City has adopted the Department of Ecology's 2012 Stormwater Management Manual for Western Washington as its minimum design standard for stormwater infrastructure. All development meeting the minimum thresholds is required to design associated stormwater infrastructure to be consistent with these standards.
- *City of Lake Stevens Stormwater Ordinance*: Chapter 11.06 of the Lake Stevens Municipal Code adopt the Department of Ecology's 2005 Stormwater Management Manual for Western Washington. Any project that meets or exceeds the thresholds defined in the manual for new impervious area, drainage system modifications, or redevelopment is subject to City review and permit approval.
- *Low Impact Development*: The City's stormwater ordinance identifies Low Impact Development (LID) solutions, as defined and listed in the LID Technical Guidance Manual for Puget Sound, that are acceptable and encourages alternative standards for management of stormwater. In addition, proposed development regulations provide an incentive for the use of LID techniques (Chapter 14.38 LSMC).

Water

Applicable Regulations and Commitments

- *Supply Upgrades:* Snohomish County PUD's *2011 Water System Plan* identifies necessary capital improvements to provide adequate water supply for the next 20 years.
- *Storage Upgrades:* The PUD's *2011 Water System Plan* identifies the following planned and budgeted capital improvements to storage capacity:
- *Distribution Upgrades:* The PUD's ongoing water main replacement program annually evaluates aging pipes for replacement with a focus on the replacement of galvanized iron/steel and asbestos cement pipes.
- *Joint Planning with Snohomish County PUD:* The City should consult with Snohomish County PUD to establish a joint planning process to identify and implement capital improvements necessary to serve anticipated development in the subarea.
- *Design Review for Fire Flow:* The City and developers will coordinate review of development applications with Snohomish County PUD and the Lake Stevens Fire Marshal to determine specific fire flow requirements based on project type, intensity and design. Upgrades to existing lines will be coordinated with the Snohomish County PUD. Installation of new water lines adequate to provide required fire flows shall be the responsibility of the developer, in accordance with the fire flow design thresholds established below.
 - Commercial, Office, and High-Density Residential: 12-inch pipes and 3,000 gpm.
 - Existing Medium and Low-Density Residential Areas: 8-inch pipes and 1,500 gpm.
 - All Other Areas and Development Types: 10-inch pipes and 2,000 gpm.

Sewer

Applicable Regulations and Commitments

- *Planned Capital Improvements:* The Lake Stevens Sewer District adopted updates to its Comprehensive Plan in 2016, describing the capital improvements planned for the near future.
- *Joint Planning with Lake Stevens Sewer District:* The City and the Lake Stevens Sewer District should establish a joint planning process to identify and implement capital improvements necessary to serve anticipated development in the subarea, including new wastewater collection infrastructure and future expansions to the new treatment plant that may be necessary to accept projected flows from development under the subarea plan.
- *Design Review for Wastewater Flows and Loads:* Because planned improvements to the wastewater system will be implemented in phases over several years, the Planned Action should establish size thresholds for new development that, when met or exceeded, would require developers to initiate consultation with Lake Stevens Sewer District. Consultation would confirm that projected wastewater flows and loads from any proposed project would not exceed the treatment or conveyance capacity of the wastewater system existing at that time.

I. Historic and Cultural Resources

Proposed development that could impact properties in the study area that are listed on national, state, or local historic registers must comply with Historic and Archaeological Resources code (Snohomish County Code Chapter 30.32D).

Archaeological testing must be completed for proposed projects that involve significant excavation or any changes made to the vegetation and landforms near existing waterways in the study area. Archaeological project monitoring is suggested for subsurface excavation and construction in these high probability areas. Complete a Washington State Historic Property Inventory form for each of the 22 buildings that meet the 50-year threshold. Carry out an archaeological survey within

North Cove Park, if findings occur, consult DAHP and potentially require monitoring during construction relating to ground disturbance.

Applicable Regulations & Commitments

Under state law (RCW 27.53), prehistoric archaeological sites are protected in all cases. Historic archaeological sites must be determined eligible for listing in the Washington Heritage Register (WHR) (RCW 27.34.220) or National Register of Historic Places (NRHP) before they are considered protected. DAHP will make a final determination whether the resource is eligible or not eligible for register listing. If a resource that is considered protected cannot be avoided, the project proponent must apply for an archaeological excavation permit from DAHP (WAC 25-48-060) to conduct any activity that disturbs the site. DAHP will then provide the archaeological excavation permit application for review to the appropriate stakeholders and Tribes.

Under state law (RCW 27.44), archaeological resources identified during construction would need to be evaluated. If the resources are considered significant, any impacts on archaeological resources would require mitigation, which would likely entail archaeological investigation such as scientific excavation and analysis. For archaeological resources found during construction, an emergency archaeological excavation permit may be issued by DAHP and is typically received within three business days. It is possible that archaeological monitoring would be recommended for portions of the project; this work would be conducted under an Archaeological Resources Monitoring Plan.

J. Noise

Applicable Regulations & Commitments

Current city regulations that address daytime/ nighttime construction and noise limits and implementation of control plans during occurrence of construction activities.

New development in the subarea must adhere to noise standards used by WSDOT if state or federal funds are used.

K. Land Use

Many of the land use changes identified in the EIS- including increased density/intensity and a greater diversification and mix of land uses – are not considered adverse impacts. The change in the subarea's overall land use pattern would be minor and does not require mitigation.

Potential land use conflicts, between proximate land uses of different intensity are addressed in proposed subarea land use regulations and design guidelines and can be mitigated through site plan review. For example, height, bulk, and setback requirements address potential conflicts between commercial and residential land uses. Landscaping requirements will also help buffer and screen land uses of dissimilar intensity or scale. Proposed design guidelines provide approaches to site planning and building design that will reduce a range of potential impacts.

These techniques are incorporated into subarea land use regulations (Chapter 14.38 LSMC).

Attachment 3

**CITY OF LAKE STEVENS
Lake Stevens, Washington
ORDINANCE NO. 1027**

AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON, AMENDING THE OFFICIAL ZONING MAP WITH AN AREA-WIDE REZONE; REVISING CHAPTERS 14.16C, 14.38, 14.40, 14.44, 14.110 OF THE LAKE STEVENS MUNICIPAL CODE; AND AMENDING THE SUBAREA DESIGN GUIDELINES TO BE CONSISTENT WITH THE ADOPTED DOWNTOWN LAKE STEVENS SUBAREA PLAN AND PLANNED ACTION ORDINANCE; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Downtown Lake Stevens Subarea Plan (Ordinance No. 1026) and Planned Action Ordinance (Ordinance 1025) and related land use / shoreline map amendments are being adopted concurrently with this ordinance; and

WHEREAS, the City proposes to rezone portions of Downtown Lake Stevens, pursuant to Section 14.16C.090 of the Lake Stevens Municipal Code (LSMC), as a major map amendment initiated by City Council to implement the adopted Downtown Lake Stevens Subarea Plan; and

WHEREAS, the Comprehensive Plan land use designations for the subarea include Waterfront Residential (HDR), Downtown/Local Commerce (D/LC), Mixed Use (MU), and Public/Semi-Public (P/SP); and

WHEREAS, the zoning classifications allowed under the Comprehensive Plan are proposed to be Waterfront Residential (WR), Central Business District (CBD), Mixed-Use Neighborhood (MUN) and Public/Semi-Public (P/SP); and

WHEREAS, adoption of the new and amended regulations specific to development within subareas will streamline the review and decisionmaking process for land use actions, permits and determinations within the Downtown Lake Stevens Subarea Plan; and

WHEREAS, the subarea design guidelines allowed under LSMC 14.16C.050(b) are amended to implement the Downtown Lake Stevens Subarea Plan; and

WHEREAS, the City submitted the proposed subarea plan, land use map amendments, zoning map amendments and development regulation amendments for the 60-day review to the Washington State Department of Commerce on April 27, 2018 and received an acknowledgement letter on April 30, 2018; and

WHEREAS, the Department of Commerce's 60-day review period ended June 27, 2018, and

WHEREAS, the City issued draft and final environmental impact statements for the subarea plan, planned action ordinances, and other related documents including land use / shoreline map amendments, zoning map amendments and development regulation amendments pursuant to the State Environmental Policy Act (SEPA) (Chapter 43.21C RCW) and implementing rules (Chapter 197-11 WAC) in January 2018, and April 2018 with published notices of issuance and availability of documents; and

WHEREAS, in taking the actions set forth in this ordinance, the City has complied with the requirements of the State Environmental Policy Act, Chapter 43.21C RCW; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on June 13, 2018 and forwarded a recommendation that the City Council adopt the subarea plan, planned action ordinance and other related documents including the capital facilities plan, land use / shoreline / zoning map amendments, and development regulation /design guideline amendments; and

WHEREAS, the City Council conducted a duly noticed public hearing on June 26, 2018 and July 10, 2018 to consider the subarea plan, planned action ordinance and other related documents including the capital facilities plan, land use / shoreline / zoning map amendments, and development regulation /design guideline amendments; and

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

Section 1. The City Council adopts and incorporates the foregoing recitals as findings and conclusions as if set forth fully herein.

Section 2. The Official Zoning Map is hereby amended by changing the zoning designations within the Downtown Lake Stevens Subarea based as attached and incorporated as **Exhibit 1**, based on the decision criteria in LSMC 14.16C.090(g) and the entire record of this proceeding, including all testimony and exhibits:

- A. The Area-Wide Zoning Map amendment adopted by this ordinance is consistent with the adopted Lake Stevens Comprehensive Plan and amendments adopted concurrently with this ordinance.
 1. The proposed zoning within the subareas are permitted in the associated land use designations.
 2. The proposed area-wide rezone will create a land use pattern to enhance economic development of the subject parcels to allow increased employment / commercial opportunities together with higher-density housing as a transition between the new zones and existing single-family neighborhoods.
- B. The rezone adopted by this ordinance complies with the Growth Management Act.
 1. The proposed rezone is consistent with the amended Land Use Map pursuant to Ordinance No. 1026.
 2. The proposed area-wide rezones are consistent with the following GMA goals: focusing urban growth in urban areas, reducing sprawl, providing efficient transportation, encouraging affordable housing, encouraging sustainable economic development, retaining open space and habitat areas and developing recreation opportunities, and ensuring adequate public facilities and services.
- C. The proposed rezone serves to advance public health, safety and welfare because it will create a safe, pedestrian-oriented environment for future work, living, and recreation.
- D. The proposed rezone implements the City's Economic Development Strategy.

- E. The proposed rezone conforms with zoning standards and concurrently adopted land use code amendments.
- F. The proposed rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject properties.
- G. The proposed rezone ensures adequate public facilities and services are likely to be available to serve the development allowed by the proposed zones through the concurrent Comprehensive Plan amendments including a capital facilities plan.
- H. The draft and final environmental impact statements issued for the subarea ensure environmental impacts will not result from the proposed rezones or can be mitigated.
- I. The proposed rezone adopted by this ordinance complies with all other applicable criteria and standards in Title 14 LSMC.

Section 3. LSMC 14.16C.050(b) is hereby amended to read as follows:

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

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

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

Section 4. LSMC 14.16C.083 is hereby amended to read as follows:

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

(1) Lake Stevens Center Subarea Plan; ~~and~~

(2) 20th Street SE Corridor Subarea Plan; and

(3) Downtown Lake Stevens Subarea Plan.

(b) Procedure. Proposed planned action projects shall be submitted for certification as a planned action under one of the planned action ordinances and participate in a pre-application conference.

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

(d) Planned Action Certification. Certification notice requirements for qualifying planned action projects in Section 14.16B.225(e)(1) shall be in accordance with Section 14.38.120(b)(5).

(a) **Business District (BD).** The purpose of this district is to promote community and regional employment and accommodate land uses such as corporate offices, general offices, research and development, medical clinics, technology, and light manufacturing and assembly. Secondary uses include warehousing, storage and distribution associated with

a principal use and small-scale retail and services that support the principal uses and objectives of the district. This district should be located in areas with direct access to highways and arterials in addition to transit facilities, adequate public services and traffic capacity.

(1) Principal Uses.

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

(2) Secondary Uses.

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

(3) Special Regulations.

- (i) Secondary service uses and retail trade shall not exceed 5,000 gross square feet;
- (ii) Wholesale trade accessory to the principal use shall not exceed 25 percent of the gross floor area of individual structures, unless a conditional use permit is granted per Section 14.16C.045;
- (iii) Places of worship over 10,000 gross square feet require a conditional use permit per Section 14.16C.045;
- (iv) Wireless and cellular communications facilities require an administrative conditional use permit per Section 14.16C.015; and
- (v) Marijuana facilities are not allowed.

(b) Central Business District (CBD). The purpose of this district is to provide pedestrian-oriented commercial uses that serve the community and region by attracting a variety of small to mid-sized businesses along with high-density residential uses in proximity to other retail and residential areas. Building design and pedestrian-oriented features would support an active and pleasant streetscape. This district should include enhanced sidewalks, public spaces and amenities for pedestrians and cyclists that emphasize pedestrian movement over vehicular movement.

(1) Principal Uses.

- (i) Amusement and recreation;

(ii) Arts and entertainment;

(iii) Food services;

(iv) Hospitality and lodging;

(v) Personal services; and

(vi) Small to mid-size retail trade.

(2) Secondary Uses.

(i) Commercial parking structures/lots;

(ii) Finance and insurance;

(iii) Health care services;

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

(v) Public administration.

(3) Residential Uses.

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

(4) Special Regulations.

(i) Ground floor retail is required along Main Street and 18th St NE frontages.

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

(iii) Drive-through uses are not allowed to front Main Street or 20th Street NE, but may be allowed on secondary streets.

(iv) Theaters and performing arts venues.

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

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

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

(viii) Marijuana facilities are not allowed.

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

(1) Principal Uses.

(i) Accommodation services;

(ii) Arts and entertainment;

(iii) Food services;

- (iv) Retail trade; and
- (v) Transit-oriented development (including transit facilities/stops).

(2) Secondary Uses.

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

(3) Residential Uses.

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

(4) Special Regulations.

- (i) Health care, professional, scientific, and technical services require a conditional use permit per Section 14.16C.045 when the structure's footprint exceeds 10,000 gross square feet;
- (ii) Places of worship over 10,000 gross square feet require a conditional use permit per Section 14.16C.045;
- (iii) Wireless and cellular communications facilities require an administrative conditional use permit per Section 14.16C.015;
- (iv) Warehousing, storage and distribution accessory to the principal use shall not exceed 25 percent of the gross floor area of individual structures, unless a conditional use permit is granted per Section 14.16C.045;
- (v) Outdoor retail sales of building materials, garden equipment and supplies, and vehicles are permitted; and
- (vi) Marijuana retail facilities are not allowed.

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

(1) Principal Uses.

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

(2) Secondary Uses.

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

(3) Residential Uses.

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

(4) Special Regulations.

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

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

(1) Principal Uses.

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

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

(2) Secondary Uses.

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

(3) Special Regulations.

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

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

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

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

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

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

(iii) In the Downtown Lake Stevens Subarea, ground floor retail is required along Main Street NE frontages.

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

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

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

~~(vii)~~ Marijuana facilities are not allowed.

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

(1) Principal Uses.

(i) Arts and entertainment;

(ii) Food services;

(iii) Personal services;

(iv) Small retail trade; and

(v) Transit facilities/stops.

(2) Secondary Uses.

(i) Amusement and recreation industries;

(ii) Finance and insurance;

- (iii) Professional, scientific, and technical services; and
- (iv) Public administration.
- (3) Special Regulations.
 - (i) Automotive, boat, and recreational vehicle sales are not allowed, except in locations immediately adjacent to a State route or State highway.
 - (ii) Drive-through uses are subject to screening requirements found in the applicable design guidelines.
 - (iii) The footprint of any single structure may not exceed 10,000 gross square feet.
 - (iv) Wireless and cellular communications facilities require an administrative conditional use permit per Section 14.16C.015.
 - (v) Marijuana facilities are not allowed.
- (f) Other Zones. The subareas may also contain the Urban Residential (UR), High Urban Residential (HUR), and Public/Semi-Public (P/SP) zoning districts, as described in Chapter 14.36 or as modified below.
 - (1) High Urban Residential (HUR). Within the subareas, the purpose of the HUR district is to accommodate higher-density residential uses that may include multi-family condominiums, apartments, townhouses and row houses, as well as any small lot single-family residential units or innovative housing options per Chapter 14.46 in areas served by public water and sewer facilities, as well as the other uses described in Table 14.40-I of Chapter 14.40.
 - (2) Public/Semi-Public (P/SP). Within the subareas, the purpose of P/SP district is to accommodate public and semi-public uses, such as schools, government facilities, public utilities, community facilities, parks, etc., as well as the other uses described in Table 14.40-I of Chapter 14.40.

14.38.030 Other Uses.

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

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

(b) Prohibited Uses within the Subarea Districts:

- (1) Adult entertainment;
- (2) Construction facilities;
- (3) Industrial uses, except as allowed in Section 14.38.020;
- (4) Mining, quarrying, and oil and gas extraction;
- (5) Waste management and remediation services;

(6) Uses involving outdoor sales and storage of inventory, equipment, vehicles, or materials, including towing, wrecking, and impound lots, except as allowed in Section 14.38.020(b); and

(7) Warehousing, storage and distribution, except as allowed in Section 14.38.020(a) and (b).

(c) Principal uses are the preferred uses of the zoning district, while secondary uses are also allowed uses, but should be subordinate in a mixed-use configuration, whether in a vertical or horizontal configuration. The principal uses should be located along primary street frontages.

14.38.040 Dimensional Regulations

Table 14.38-I Dimensional Regulations

Zone	Minimum Lot Size	Building Setback (from lot line, tract or easement) (ft) ¹³		Min. Landscape Buffer (ft) ⁷	Min. First Floor Height (ft)	Max. Height (ft) ^{9, 10, 14}
		Front	Side/Rear			
Commercial Zones						
BD	NA	5	10 ^{4,5}	5	12	55
<u>CBD</u>	<u>NA</u>	<u>5</u> ¹	<u>0</u> ^{4,5,6}	<u>5</u>	<u>15</u>	<u>55</u>
CD	NA	5	10 ^{4,5}	5	15	55 ¹⁰
NB	NA	5	10 ^{4,5}	5	15	35
Mixed Use Zones						
MS	NA	5 ¹	0 ^{4,5,6}	5	15	55
MUN	NA	10 ^{2,3}	10 ^{5,6}	5	15 ⁸	45
Residential Zones						
HUR ¹¹	3,600 sq. ft. ¹²	10 ^{2,3}	5 ⁵	5	NA	45
UR	7,500 sq. ft. ¹²	20 ³	5	NA	NA	35

Notes:

1. The minimum required setback is five feet and the maximum allowed setback is 10 feet in the CBD and MS districts to allow an active storefront area.
2. The minimum required setback is 10 feet and the maximum allowed setback is ~~20~~ 25 feet.
3. Porches, covered entries, or pedestrian-oriented spaces may project up to five feet into front yard setbacks in residential districts.

4. Districts that allow commercial uses shall maintain a 10-foot, Type B screen when adjacent to residential zones, per Section 14.76.040(a).
5. Structures 35 feet or taller next to single-family districts must be stepped back five feet for every floor over 35 feet per Figure 14.38-II.

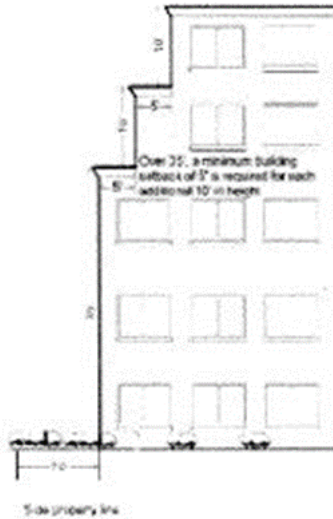


Figure 14.38-II illustrates stepping back the upper stories of a structure, adapted from the Everett Municipal Code.

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

feet for the UR district in return for the dedication of additional open space at the ratio of 400 square feet per dwelling unit.

13. Eaves and other minor architectural features may project into the required setback up to 18 inches.
14. Building heights in the CBD and P/SP zoning districts west of Main Street between North Lakeshore and 16th Street SE may not exceed 45-feet.

14.38.050 Development Intensity Bonuses.

(a) ~~Floor Area Ratios. FAR expresses the relationship between lot area and a building's total floor area. To determine FAR, multiply the lot area by the FAR percentage, for the district, listed in Table 14.38-II. For example, in the NB district, a 10,000-square-foot lot would allow a basic 3,000-square-foot building with an FAR of 0.30 (10,000 x 30% = 3,000) as illustrated in Figure 14.38-III.~~

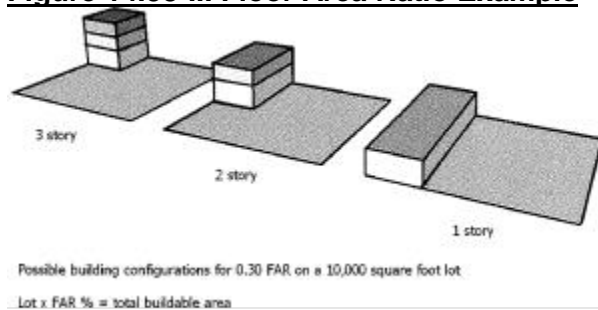
Table 14.38-II Floor Area Ratios

District	Basic Allowable		Maximum Allowable with Bonuses	
	Non-residential	Residential	Non-residential	Residential
BD	0.5	NA	0.7	NA
CD	0.4	0.2	0.6	0.4
MS	0.5	0.6	0.7	1.0
MUN	0.2	0.4	0.4	0.6
NB	0.3	NA	0.5	NA

Notes:

1. ~~Surface, tuck-under at grade or below grade parking shall be excluded from FAR calculations.~~
2. ~~Allowable FAR for residential and nonresidential uses occupying the same building footprint area may be added together for a combined total.~~
3. ~~Hotel and other lodging shall be considered residential for purposes of this chart.~~

Figure 14.38-III Floor Area Ratio Example



~~(b) Eligible Floor Area Ratio Bonus Features.~~ To encourage quality commercial and mixed-use development that incorporates enhanced elements that provide either a public, social or environmental benefit, the city will allow a 10-foot height increase above the maximum height for projects Including any two of the following elements. ~~in the subject development project will qualify for an increase in the basic allowable FAR set out in Table 14.38-II by 0.2, up to the maximum allowable.~~ These bonus provisions do not apply in the Downtwon Lake Stevens Subarea.

- (1) Public Plaza. This is an outdoor space not less than 500 square feet in size, or less than 20 feet in dimension, provided at the ratio of 1.5 square foot of plaza per 100 square feet of building area beyond any other required plaza area.
 - (i) The public plaza must contain substantial design features, defined in the applicable design guidelines.
 - (ii) For larger development sites, the total percentage of area used as a public plaza may be allocated among multiple spaces, so long as each public plaza area complies with the criteria in subsection (b)(1)(i) of this section.
 - (iii) Outdoor seating for restaurants adjacent to the plaza may occupy up to 20 percent of the total area.
 - (iv) The public plaza shall be open to the public during business hours.
- (2) Public Art.
 - (i) The value of the artwork must equal at least one percent of the value of the total project construction.
 - (ii) The artwork must be displayed in a prominent outdoor location (such as a plaza, sidewalk, wall, entry) for public viewing.
 - (iii) The City must approve the form and content of the proposed artwork.
- (3) Public Use. Any use normally provided by government, involving general public access that may include a post office, library, City offices, community center, museum, interpretive center, meeting rooms, visitor information centers, etc. Purely administrative space, storage or maintenance operations do not qualify.
- (4) Public Restroom. A single unisex restroom or two gender-specific restrooms open to the public during normal business hours with signs posted in prominent locations that inform the public of its availability and location.
- (5) Parking Facilities. In order to qualify for this bonus feature, a minimum of 60 percent of the parking for the development must be contained within the principal structure and/or in an adjacent detached structure.
- (6) Sustainable Development Feature. New construction or significant alterations are encouraged to use "green" building methods and incorporate low impact development techniques, be highly energy efficient, and/or seek varying levels of Leadership in Energy and Environmental Design (LEED) certification. To qualify for this bonus, the development must include at least one of the following:
 - (i) Achieve LEED Certification (Silver, Gold, Platinum Rating); and/or
 - (ii) Employ low impact development techniques that may include a combination of the use of high-efficiency building materials, "green-roofs," porous paving, tree retention,

rain gardens, or other methods, as defined in the Low Impact Development Technical Guidance Manual for Puget Sound; and/or

- (iii) Provide incentives for alternative or high-efficiency transportation modes that may include a combination of priority HOV spaces, bicycle parking, and/or electrical hookups for electric vehicles.
- (7) Affordable Housing. Provide at least 15 percent of any housing units, contained within the development, as affordable housing to diverse households.
 - (i) The maximum housing costs for rental units including basic utilities shall not exceed 30 percent of the average median income limit for a comparable housing unit within Snohomish County.
 - (ii) The maximum sales price for any housing unit shall not exceed 80 percent of the average median sales price for a comparable market rate home within Snohomish County. All affordable units developed under this chapter shall remain affordable, as defined in this section, for a period of not less than 30 years, or the minimum period required under applicable state law.
 - (iii) Prior to issuance of a certificate of occupancy, the proponent shall record a binding covenant, with the Snohomish County Auditor's Office, that specifies the terms and conditions of the affordable units to assure that the units remain affordable as required under this section, in a form approved by the City.
 - (iv) Affordable units shall be dispersed throughout the housing development with market rate units; constructed concurrently with market rate units; and provided in a range of sizes, with comparable interior and exterior appearance and a similar number of bedrooms to market rate units in the housing development.
 - (v) In the case of developments constructed solely to provide affordable housing, whether owner-occupied or rental, the development shall provide housing units comparable to market rate units, as defined in subsection (b)(7)(iv) of this section, available to other residents within Lake Stevens.
- (8) Contribution to Off-Site Public Space. To qualify for this bonus, the developer shall contribute monetarily to the construction of a public trail, park or plaza located within the subarea. The contribution shall not be less than two percent of the construction cost of the development and separate from any park mitigation fees assessed under Chapter 14.120 or other credits for fees in lieu related to development. The City shall maintain any contributed funds in a dedicated account for the public space(s).

14.38.060 Parking Regulations.

- (a) Purpose and Application. Ensure that parking requirements are adequate to different land uses and that the parking lot configurations contribute to an inviting and safe development. Developments within the subareas are subject to the parking regulations found in Chapter 14.72, except when this chapter modifies the standard municipal code requirements.
- (b) Parking Ratio. Table 14.38-III establishes the specific parking requirements for the subareas.

Table 14.38-III Parking Standards^{1,2}

Land Use	Minimum	Maximum
Commerce and Industry (per gross floor area)		
Health Care	2.5 stalls per 1,000 gfa	5 stalls per 1,000 gfa
Office and Business Services	2 stalls per 1,000 gfa	4 stalls per 1,000 gfa
Food Services	10 stalls per 1,000 gfa	20 stalls per 1,000 gfa
Retail Trade and Personal Services	2 stalls per 1,000 gfa	4 stalls per 1,000 gfa
Wholesale Trade	1 stall per 1,000 gfa	2 stalls per 1,000 gfa
<u>Hotel</u>	<u>0.75 stalls per room</u>	<u>1 stall per room</u>
<u>Conference Center</u>	<u>1 stall per 50 gfa</u>	<u>1.5 stalls per 50 gfa</u>
Residential (per residential unit or room)		
Group, Convalescent and Nursing Homes	1 per room	1.5 per room
Multi-Family Residential ³	1.25 stalls per unit ⁴	2.5 stalls per unit ⁵
Senior Housing	0.5 stalls per unit	1 stall per unit
Single-Family Residential	2 per unit	NA

Notes:

1. Parking requirements for uses not listed shall be per Table 14.72-I: Table of Parking Requirements in Section [14.72.010](#).
2. Off-street parking shall include the sum of the requirements for the various uses as listed in the required parking table or consistent with subsection (c) of this section. For example, if a site has office and residential uses, the parking area would need to include the required number of parking spaces for both uses.
3. Includes mixed use developments.

4. One and one-quarter spaces minimum to a maximum of two spaces for units with one or less bedrooms.
5. Two and one-quarter spaces minimum to two and one-half maximum for units with two or more bedrooms.
- (c) Modifications. The Director or designee may approve a modification (increase or decrease) of up to 25 percent of the required off-street parking spaces.
 - (1) Parking may be located off site in satellite parking lots, subject to Section [14.72.080](#), if the satellite parking lot is within 400 feet of the property and connected to the property by a lighted sidewalk or pathway.
 - (2) In cases where there are compatible uses within 400 feet of each other, operated or used at entirely different times of the day or week, the uses may share the parking facilities, subject to Section [14.72.070](#) and by execution of a parking agreement, approved by the City, between the owners or responsible officials of the compatible uses.
 - (3) Increases above the maximum allowed parking standard will be allowed when a traffic/parking study, conducted for a similar use and circumstances, documents that a particular use consistently requires a higher parking standard for the use than allowed.
 - (4) For zones that contain on-street parking spaces along improved frontages, adjacent uses may reduce their off-street parking requirements by a maximum 25 percent based upon a parking study demonstrating adequate on-street parking availability.
- (d) Configuration. Parking lots shall be configured as follows:
 - (1) Parking lots that front on designated access streets may not have more than 60 feet fronting on such street, in the CD zoning district modifications may be allowed on a case by case basis according to LSMC 14.16C.120.
 - (2) Parking lots that contain 50 or more parking spaces must be divided into smaller individual lots of no more than 50 spaces per lot.
 - (3) Individual lots must be separated with one of the following elements that are elevated approximately six inches above the adjacent parking lot:
 - (i) A minimum 10-foot-wide Type C landscape screen per Section [14.76.040](#)(a)(3) within a planter bed; or
 - (ii) A minimum five-foot-wide pedestrian pathway flanked on each side with a two-foot-wide Type C landscape screen per Section [14.76.040](#)(a)(3) within a planter bed.
 - (4) Parking areas shall be divided into bays of not more than 10 contiguous parking spaces in a row.
 - (5) At the end of each parking bay, there shall be a curbed planter with a minimum width of five feet measured from the outside of the curb.
 - (6) All parking spaces adjacent to landscape beds must provide a setback for all trees and shrubs where vehicle overhang extends into landscape areas by:
 - (i) Increasing planting bed to seven feet in width; or
 - (ii) Installing wheel stops set back two feet from the end of planting bed.
 - (7) Commercial parking lots need not comply with sections (d)(1) and (d)(3) above, but must provide a perimeter landscaping and defined pedestrian walkway(s) to the abutting public

road. Fences and low walls along sidewalk areas may not exceed 42-inches. Commercial parking structures, are exempt from the requirements of LSMC 14.38.060(d), but must otherwise meet the requirements of Chapter 14.38 LSMC.

14.38.100

Table 14.38-IV Sign Standards

Sign Type ¹		BD	CD ²	NB	MS ²	<u>CBD</u>	MUN ²
Projecting/Suspended	Sign Area	NA	10 sq. ft. max. and no more than 5 ft. in width	6 sq. ft. max. and no more than 3 ft. in width			
	Maximum Number	NA	1 projecting or suspended sign per main facade or leasable frontage				
Wall ³	Sign Area	Main: 10% of building facade Secondary: 5% of building facade	Main: 15% of building facade Secondary: 10% of building facade	Main: 10% of building facade Secondary: 5% of building facade			
	Maximum Number	1 per facade 2 facades may have signs	1 per facade ⁴ 3 facades may have signs	1 per facade 2 facades may have signs			
Window ⁵	Sign Area	10% percent of window area	20% percent of window area	10% percent of window area			

Table 14.38-V Freestanding Sign Standards

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

LSMC 14.28.120

Table 14.38-VI Planned Action Development Thresholds

	Lake Stevens Center	20th Street SE Corridor	<u>Downtown Lake Stevens</u>
Land Use			
Retail and Services	150,000 gross sq. ft.	450,000 gross sq. ft.	<u>170,000 gross sq. ft.</u>
Office/Employment	150,000 gross sq. ft.	1.25 million gross sq. ft.	<u>71,150 gross sq. ft.¹</u>
Residential	200 dwelling units	1,000 dwelling units	<u>600 dwelling units</u>
Parking			<u>300 parking spaces²</u>
Transportation (PM peak hour)			
Total Trips	915	3,441	<u>1,740</u>

1. The office/employment category includes 50,000 square feet of office/employment uses and an additional 21,150 square feet of community facilities.
2. In the Downtown Lake Stevens Subarea, the parking category refers to public or commercial parking lots, not individual parking spaces required for each individual land use.

Section 6. LSMC 14.40.090 More specific Use Controls is hereby amended as follows: the CBD and SRC columns and associated uses of Table 14.40-I: Table of Permissible Uses by Zones will be deleted in their entirety. All other sections remain unchanged.

Section 7. LSMC 14.44.015 Residential Transition in the Central Business District is hereby repealed in its entirety.

Section 8. LSMC 14.110.040 Level of Service Standards is amended to read as follows:

- (a) Transportation. All City streets shall maintain an LOS C or better at peak hour traffic in residential areas and LOS E along arterials and collectors in other areas at peak hour.
- (b) As part of the subarea plans, the level of service for the subareas has been modified from an intersection LOS Standard "C" or "E" to a system LOS Standard "E" for each subarea. The system would consist of key intersections and connecting roads servicing each subarea. Under this approach, the LOS analysis would take the accumulative average LOS from intersections within the transportation network, while excluding intersections with State Route facilities.
 - (1) For the 20th Street SE Corridor Subarea, this would include all intersections within the defined subarea boundaries of the 20th Street SE Corridor with the exclusion of SR-9 intersections.
 - (2) For the Lake Stevens Center Subarea, this would include all intersections within the defined subarea boundaries of the Lake Stevens Center excluding SR-9 and SR-204 intersections.
 - (3) Given the vision for a mixed-use neighborhood that functions as a local and regional destination, with multimodal transportation elements, it is reasonable to modify the LOS standard to LOS F for arterials and collectors in the Downtown Lake Stevens Subarea for the PM peak and emphasize safe pedestrian amenities to maintain the character of the district.

- (3c) For the purpose of this section, transportation level of service shall be the percentage of the capacity of the roadway (number of cars that a road is capable of handling) which is actually used by traffic during any one hour. For example, if the roadway has a capacity to serve 100 cars per hour, and it is observed that there are 70 cars per hour on that road, the percentage is 70 percent, which is also called a volume/capacity ratio. LOS C shall be defined as having a volume/capacity ratio greater than 70 percent and less than or equal to 80 percent. For LOS D, that ratio is greater than 80 percent and less than or equal to 90 percent. For LOS E, that ratio is greater than 90 percent and less than or equal to 100 percent.
- (ed) Parks. ~~Seven and one-half acres per thousand population~~ per the Comprehensive Plan.

Section 9. The Lake Stevens Subarea Design Guidelines are hereby amended as attached and incorporated as **Exhibit 2**:

Section 10. Severability. If any section, clause, phrase, or term of this ordinance is held for any reason to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance, and the remaining portions shall be in full force and effect.

Section 11. Effective Date and Publication. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five days after the date of publication.

Section 12. Appeals. The action of the City Council on a Type VI proposal may be appealed together with any SEPA threshold determination by filing a petition with the Growth Management Hearings Board pursuant to the requirements set forth in RCW [36.70A.290](#). The petition must be filed within the 60-day time period set forth in RCW [36.70A.290\(2\)](#). The appeal period shall commence upon the City Council's final decision and not upon expiration of the reconsideration period. Judicial appeal is to Snohomish County Superior Court.

PASSED by the City Council of the City of Lake Stevens this 10th day of July 2018.

John Spencer, Mayor

ATTEST/AUTHENTICATION:

Kathy Pugh, City Clerk

APPROVED AS TO FORM:

Grant K. Weed, City Attorney

First Reading: June 26, 2018

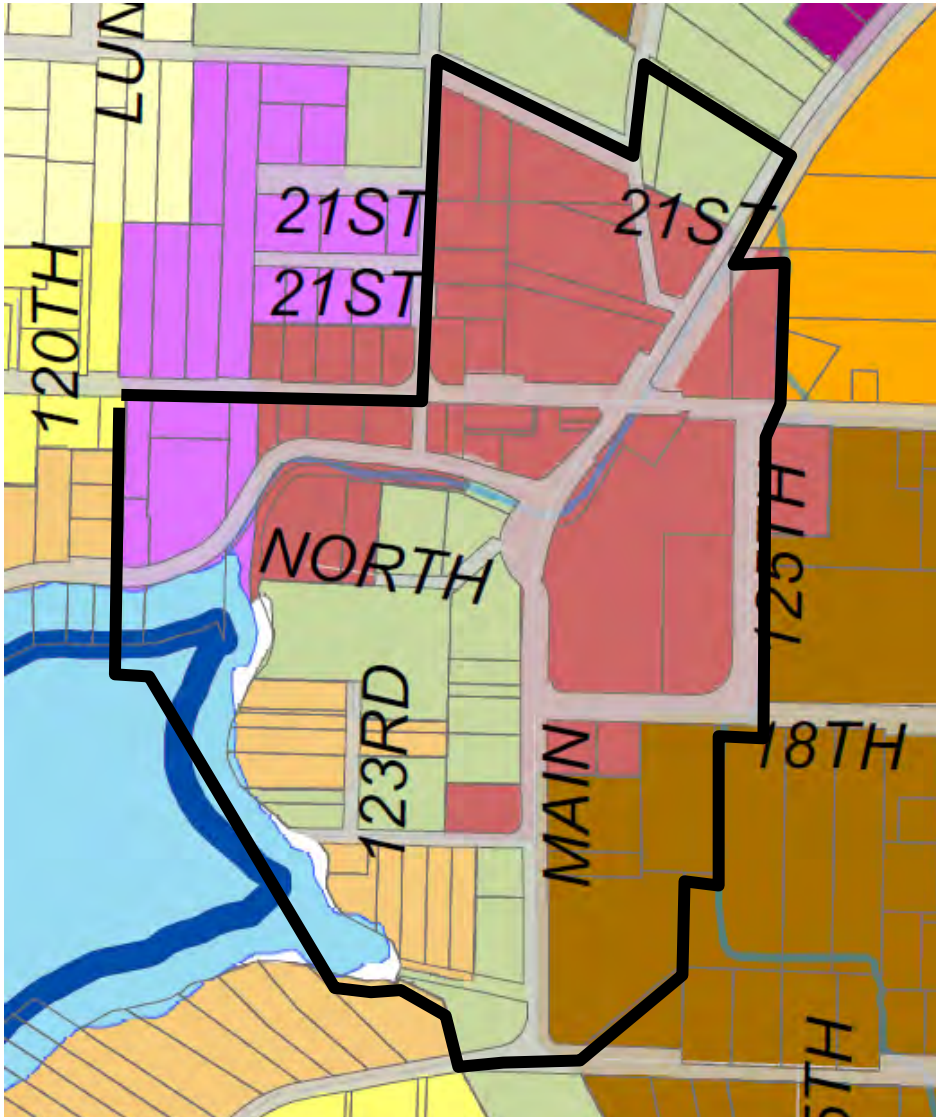
Second Reading and Final Reading: July 10, 2018

Published:

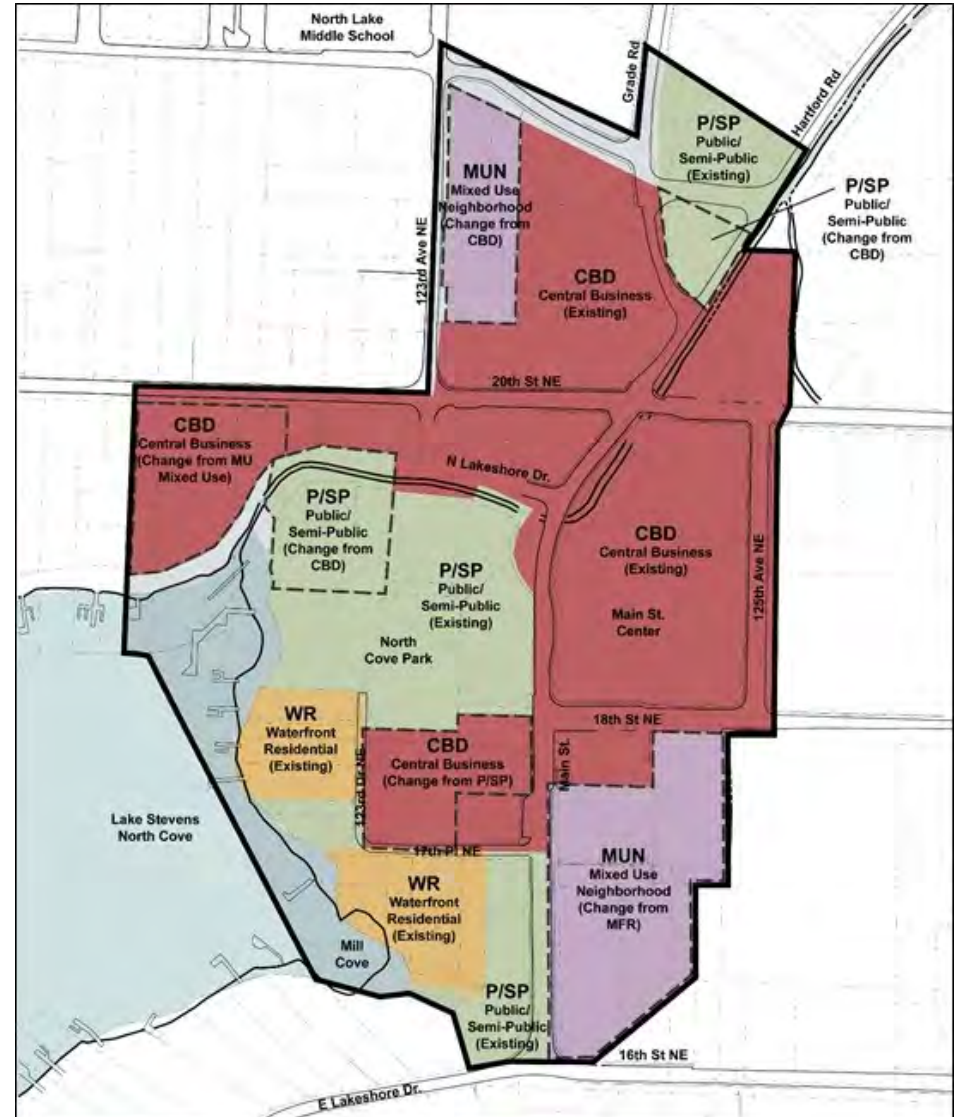
Effective Date:

ZONING

Exhibit 1



Existing



Proposed

Exhibit 2

II. SITE ORIENTATION AND DESIGN

A. Pedestrian Orientation & Streetscape

Intent – Ensure that buildings enhance the community character and pedestrian environment

1. **Pedestrian Oriented Zone** – Commercial buildings shall be set as close as possible to the sidewalk, subject to LSMC 14.38.040, but provide enough space for pedestrian uses. Structures with a defined street orientation must provide a pedestrian area behind the sidewalk and edge of the building that includes at least two of the following elements to compliment the intended use¹:

- Accent lighting to accentuate key landscape and architectural features;
- Public artwork;
- Special paving, such as colored/stained concrete, brick, or other unit paver;
- Site furnishings, such as seating, benches, tables, or low seating walls, etc.; and
- Outdoor dining areas.

1. Commercial buildings within the Downtown Subarea with a defined street orientation to Grade Road, 20th St. NE, Main Street and 18th St. NE must receive approval from the City for the design and construction of the pedestrian area behind the sidewalk and edge of building. City standards for sidewalk paving, lighting and street furnishings are required to preserve the continuity of the streetscape design established by Public Works for improvements to Main Street, Grade Road and 18th Street NE.

2. **Street Landscaping** – all developments must provide landscaping along the street appropriate to the applicable street network identified in the Subarea Plan and according to the City's Engineering Design and Development Standards (EDDS).

- Street trees must be planted in a tree well approximately every thirty feet on center, in the public amenity area, between the sidewalk and street in commercial areas and along arterial and collectors.
 - Street tree wells must include either decorative pervious pavers or ornamental grating level with the sidewalk.
- Full planter strips are allowed along residential streets.

Figures 1 and 2 show pedestrian zones and pedestrian amenities

Figure 3 sidewalk zones

3. Setbacks

- Commercial buildings shall be set as close as possible to the sidewalk, but provide enough space for pedestrian uses and amenities, as described in Section II.A, subject to the following:
 - Distinctive entries or covered courtyards, located along a pedestrian-oriented facade, may touch the sidewalk for design purposes; and
 - Buildings at the corners of intersections should be set back from the corner property lines to incorporate pedestrian amenities.

4. **Site Landscaping** – all developments are encouraged to provide distinctive landscape elements, comprised primarily of hardy, attractive, and easily maintained native Northwest plants, appropriate to the scale of development, within pedestrian- oriented areas that may include a mix of the following elements¹:

- Planter beds that integrate standard planted materials along with perennials and/or annuals to provide seasonal color;

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- b. Planters or large pots with small shrubs and seasonal flowers;
- c. Hanging baskets; and/or
- d. Special features such as rock walls, hardscape, boulders, water features.

1. Developments within the Downtown Subarea with a defined street orientation to Grade Road, 20th St. NE, Main Street and 18th St. NE must receive approval from the City for the design and construction of site landscaping. City standards are required to preserve the continuity of the streetscape design established by the Public Works for improvements to Main Street, Grade Road and 18th Street NE.

5. Drive-through Uses

- a. Uses that require drive-through lanes shall provide adequate vehicle queuing space outside the public right-of-way, but on- site in vehicular circulation aisles.
- b. Drive-through lanes shall be located along secondary and rear facades, but cannot be located between the building and the public right-of-way, unless another intervening building(s) exists between the drive-through and public right-of-way and adequately screens the drive-through;
- c. Two drive-through lanes shall be permitted for the specific business being served by the drive-through lane, with only one drive-through lane allowed in the Main Street District;
- d. Access to the drive-through shall be provided only from an associated parking area; direct access to a drive-through from a project entry drive aisle or from a public or private road shall not be allowed; and
- e. One of the methods identified in Section II.G.I.b must screen drive-through uses.

Figure 4 street orientation and site landscaping

Figure 5 preference for location of drive-through uses

B. Architectural Landmarks & Gateways

Intent – Promote distinctive architectural landmark structures at key commercial intersections

1. **Structure** – developments situated at the intersection of two arterial streets or an arterial street and a collector street shall include an enhanced structure on the corner to mark that location as an architectural landmark. To achieve this effect, the structure's vertical dimension shall be at least 25 feet. The structure may incorporate functional space, but may be merely decorative. Landmark structures should include at least two of the following features 1:

- a. A tower;
- b. A distinctive roof form;
- c. A pergola, trellis or arcade;
- d. Public art with a valuation of at least 0.5% of the total construction cost;
- e. Over-sized windows; and/or
- f. One of the landscape elements from II.A.4.

1 Within the Downtown Lake Stevens Subarea, developments shall not include an enhanced structure on the corner to mark that location as an architectural landmark. The central feature of the Downtown Subarea is North Cove Park and adjacent buildings are intended as 'background' to the natural environment. Rather than buildings as landmarks, development should act to fit in with qualities of the new development that are not in conflict or competition with the qualities of architecturally significant neighboring buildings and architectural design elements within North Cove Park.

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Figures 6 (left), 7(above) and 8(below) illustrate distinctive gateway treatments

C. Plazas, Courtyards, & Seating Areas

Intent –Create a variety of usable and interesting open spaces within private development for pedestrian use

1. New or renovated buildings shall provide plazas, courtyards, or other pedestrian spaces at or near their main entrances 1.
2. Retail Centers or business parks under common ownership, where the primary orientation is not a commercial street, may provide a central combined plaza or other pedestrian open space, easily accessible at or near their main entrances.
3. Pedestrian spaces should be a minimum of one square foot of plaza per 100 square feet of building area.
4. Plazas, courtyards and other pedestrian spaces should include at least one of the landscape elements from II.A.4.
5. Plaza or courtyard should include public seating, such as benches, tables, or low seating walls. When public seating is provided, the area must contain at least three feet of seating or one individual seat per 100 square feet of the plaza or courtyard.
6. Covered plazas or partially covered plazas are encouraged to allow ~~year-round~~year-round use.

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1 New or renovated buildings within the Downtown Lake Stevens Subarea developments along Main Street and 18th Street NE shall provide plazas, courtyards, or other pedestrian spaces at or near their main entrances with designs approved by the City. City standards for pavement, lighting and furnishings are required to preserve the continuity of the streetscape design established by the City for improvements to Main Street, Grade Road and 18th Street NE.

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Figure 9 mixed-use building with plaza space at the corner

Figure 10 pedestrian open space within a private development

D. Lighting

Intent – Ensure that lighting reinforces the design concept, contributes to the streetscape character, and does not disturb adjacent developments

1. Street Lights

- a. Pedestrian-scaled lighting, generally below 16 feet, is required along streets and in plazas and courts.
- b. Use city-approved street light fixtures along street frontages.
- c. Provide complementary lighting fixtures throughout the subarea, that enhance the area's architecture and character, including but not limited to pathway, accent, bollards, parking lot, and wall mounted light fixtures.

Figures 11 (left) and 12(right) examples of lighting fixtures

2. Site Lighting

- a. Accent lighting may be incorporated in design to draw attention to special building and/or landscape features.
- b. Up-lighting on trees and provisions for seasonal lighting are encouraged.

- c. Exterior lighting fixtures shall be high quality, incorporate architectural detail, and maintain a pedestrian-scale that enhances the site's architecture and character.

Figures 13 pedestrian scaled lighting

E. Crosswalks & Intersections

Intent – Enhance pedestrian safety by consolidating driveways, while providing for adequate vehicular and service access

1. Crosswalks & Intersection Treatments

- a. Major intersections where two arterial streets or an arterial street and a collector street intersect shall use different materials and textures from the adjacent street paving (e.g., stamped or stained concrete, decorative pervious pavers, etc.) to demarcate crosswalks ¹.
- b. To increase area wide aesthetic appeal, intersection control features, such as raised islands, dividers, etc. must be treated in the following manner:
 - i. When the feature is paved, it must be paved in a different material and texture than the adjacent street paving (e.g., stamped or stained concrete, decorative pervious pavers, etc.); or
 - ii. When the feature is not paved, it must provide special landscaping that may integrate planters with perennials and/or annuals, rock walls, boulders, water features, and/or accent lighting with standard planted materials.

¹ Within the Downtown Lake Stevens Subarea, the design of all intersections, crossing and intersection control features must receive approval from the City to preserve the continuity of the streetscape and intersection design established by the Public Works for improvements to Main Street, Grade Road and 18th Street NE.

Figures 14 (left), 15 (above), and 16(below) illustrate decorative road treatments

F. Pedestrian Connections

Intent – Create a network of safe and attractive pedestrian linkages that connect buildings, pedestrian spaces, and parking areas

1. Pedestrian pathways

- a. Provide clearly defined and convenient pedestrian pathways not less than five feet wide in the following locations:
 - i. Between public rights-of-way and building entrances;
 - ii. Between parking lots and building entrances;
 - iii. Between adjacent developments;
 - iv. Where a transit stop abuts a site include a pedestrian walkway from the main entrance to the transit stop; and
 - v. On sites abutting vacant or underdeveloped land, provide connections for future pathways and sidewalks.
- b. Pedestrian connections should be clearly defined in a combination of at least two of the following ways:
 - i. Six-inch vertical curb;
 - ii. Trellis;
 - iii. Special railing;
 - iv. Bollards;
 - v. Special paving;

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- vi. Low seat wall and/or other architectural features;
- vii. Pedestrian scale lighting, bollard lighting, accent lighting, or combination thereof; and/or
- viii. Continuous landscape area (minimum three foot width) on at least one side of the walkway, except where the walkway crosses vehicular travel lanes.

Figures 17 (above) and 18 (below) pedestrian pathways and connections

G. Parking Lots

Intent – Reduce the visual impact of parking lots through landscaping and/or architectural features; Maintain pedestrian visibility and security; and Encourage parking structures

1. Parking Lot Configuration & Screening

- a. Locate parking lots behind buildings, when possible.
- b. Where parking lots remain in front of or beside buildings, parking lots shall be screened adjacent to the right-of-way with one of the following treatments:
 - i. Low walls made of concrete, masonry, or similar material not to exceed a total height of three feet, within a minimum five-foot landscape bed that contains a mix of trees and shrubs per Section 14.38.070 LSMC; and
 - ii. Raised planters made of concrete, masonry, or similar material not to exceed a total height of three feet including planter and landscape material that contains a mix of trees and shrubs per Section 14.38.070; and
 - iii. A minimum 10-foot wide landscape buffer per Section 14.38.070.

Figure 19 low wall with landscaping along street edge

Figure 20 raised planter along street edge

Figure 21 enhanced landscaping along street edge

- c. Fencing around parking lots shall be allowed if the following conditions are met:
 - i. The fence does not exceed a maximum height of six feet and any portion higher than three feet must be 75% transparent;
 - ii. The fence compliments the material or architectural style used in the development; and
 - iii. Chain link fencing, coated or uncoated, shall not be used on any street frontage, adjacent public sidewalk or adjacent to a residential or pedestrian area, but may be allowed in service areas not visible to the public.

2. Parking Lot Landscaping

- a. Provide landscaping within all parking areas to reinforce circulation patterns, especially at entrances, the ends of drive aisles, and along pedestrian walkways and streetscape.
- b. Provide a mix of evergreen and deciduous trees and shrubs, annuals and perennials, and groundcover to provide multi- seasonal interest, color, and texture as a unifying design element to frame human-made elements with a natural backdrop.
- c. Encourage the use of hardy, attractive, and easily maintained native Northwest plant material to conserve water.
- d. As feasible, it is strongly encouraged that all developments consider using required landscape areas to augment the developments stormwater system with Low Impact Development techniques, such as rain gardens as seen in the city's EDDS document.

Figure 22 parking lot landscaping

Figure 23 pedestrian path through a parking area

Figures 24(above) and 25 (below) show multipurpose landscape areas for screening and stormwater control

3. Parking Structures

- a. Ground level parking structures shall complement the architecture of the building and cannot dominate the ground level of street frontages or primary facades and must be screened from view by at least one of the following ¹:
 - i. Screen exterior walls with architectural details, such as banding, a frieze, cornice, trellis, reveal, decorative metal artwork, or similar;
 - ii. Provide a minimum five-foot wide landscape area along the length of the parking structure that includes the elements of Section 14.38.070 LSMC.
 - iii. Wrap the front of structured parking areas with active building spaces, such as retail storefronts to blend in with other buildings; and
 - iv. Excavate structured parking areas, so that living or retail space above is brought closer to ground level.

¹ Within the Downtown Lake Stevens Subarea, parking structures along Main Street and 18th Street NE (fronting North Cove Park) shall incorporate active ground-floor uses such as retail, and parking structures on 18th Street NE (east of Main Street) shall be located behind or attached to commercial uses fronting 18th Street NE. Where active uses, such as retail, are incorporated into a structure they are to be built to the sidewalk or allowed up to a 10-foot setback for outdoor seating, display or landscaping.

Parking structures shall be designed with flat floors around the exterior when abutting and visible from the street. Vehicle access shall include an internal two-way ramp with one-way circulation around the perimeter. No dead ends are allowed. No vehicular access to a parking structure is allowed along Main Street or 18th Street NE (west of Main Street).

Figure 26 structured parking along street edge

H. Screening of Trash & Service Areas

Intent: Screen trash, service, utility, and mechanical areas from public view in pedestrian or residential areas

1. Service Areas

- a. Locate service areas away from primary pedestrian areas, such as near the rear of a building or off an alley, when possible.
- b. Loading and service areas shall not face any residential district, public street or plaza space; unless no other location is possible.
- c. Consolidate garbage/recycling dumpsters.
- d. Screen all visible service, loading and trash collection areas by a combination of plantings and architectural treatments.
- e. Acceptable screening methods include:
 - i. A masonry or wood enclosure that reflects the primary building's architecture, including but not limited to consideration of proportion, color, texture, and materials (chain link fencing with complementary colored slats are acceptable on gates);
 - ii. Five-foot wide landscape screen per 14.76.040(a)(2); or

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- iii. Other treatment approved by the City.

Figure 27 screening of trash area

Figure 28 consolidated meters screened by landscaping

III. BUILDING DESIGN

A. Primary Orientation

- a. Orient windows, main entrances, and other principal building elements toward the street¹ to strengthen the pedestrian- oriented environment and street front pattern.
- b. Storefronts, windows, merchandise, and other aspects of business activity should be visible to people traveling along streets or along primary facades inside shopping centers.
- c. Buildings, landscaping, and other public amenities (e.g., accent lighting, outdoor dining areas, drinking fountains, distinctive paving, public art and/or water features, etc.) should be the predominant site features, rather than parking lots.
- d. Buildings/businesses facing a public street on one side and a parking lot, pedestrian pathway, and/or street on other sides, are strongly encouraged to provide a secondary entry from the parking lot, pedestrian pathway, or alley.

Figures 29 (left), 30 (above), and 31(below) commercial buildings oriented toward pedestrian spaces

¹ Private lanes or principal drive aisles inside shopping centers shall be considered streets for design purposes.

B. Ground Level Details

Intent – Enhance building facades and entrances to increase the visual ground-level appeal; Ensure that entrances and primary facades are easily identifiable, protected, and accessible from streets, sidewalks, and parking areas; and Provide a visual connection between activities inside and outside of buildings.

1. Entrances

- a. Principal building entrances shall be visible from the street or primary façade and marked by at least one of the following elements:
 - i. Large entry doors;
 - ii. Recessed entrance;
 - iii. Protruding entrance; or
 - iv. Portico, arcade, or like.
- b. Principal building entrances should be further enhanced with a change in material, color, or texture.

2. Weather Protection

- a. Principal building entrances and primary facades shall incorporate weather protection with a minimum depth of five feet) such as awnings, canopies, pergolas, etc. that meet the following requirements:
 - i. The weather protection features shall extend along a minimum of 75% of the ground floor façade;

- ii. The vertical dimension between the underside of a canopy and the sidewalk or entry pathway shall be at least eight feet and no more than 12 feet; and
- iii. Plastic or similar low-quality materials are not allowed for weather protection features.

Figure 32 covered entrance

Figure 33 ground level weather protection features

3. Facade Details

- a. Principal building entrances and primary facades of commercial and mixed-use buildings shall project a pedestrian-friendly design by including at least three of the following elements:
 - i. Kickplates and transoms for storefront windows;
 - ii. Projecting window sills;
 - iii. Pedestrian scale signs;
 - iv. Plinths, pedestals, or similar features;
 - v. Seasonal hanging baskets supported by ornamental brackets;
 - vi. Pedestrian-oriented lighting; and
 - vii. Architectural details that may include ornamental tile work medallions, or similar.
- b. Windows:
 - i. Storefront windows shall cover approximately 75 percent of the façade, between two feet and eight feet above, grade where the primary façade fronts a commercial street to retain visual continuity with the street.
 - ii. Within retail centers and in business parks, where the primary orientation is not a commercial street, structures should include storefront windows as integral design elements with consideration to form and function.
- c. When a building has a public secondary façade, the secondary façade shall include the following elements:
 - i. Visible and easily accessible entries, architecturally related to the main entry;
 - ii. Weather protection over entries;
 - iii. Storefront windows, between two feet and eight feet above grade, covering approximately 50% of the portion of the façade at entries; and
 - iv. At least two of the elements in section III.B.3.a.

Figure 34 different desirable ground level detail

Figure 35 storefront window transparency along the street

4. Blank Wall Treatments

- a. Blank walls longer than 30 feet facing streets or visible from pedestrian or residential areas shall incorporate at least two of the following:
 - i. Substantial landscaping that may include trees, shrubs, ground cover and/or planters or trellises with vines or similar vegetation adjacent to the wall;
 - ii. Architectural detailing, reveals, contrasting materials or other special visual interest;
 - iii. Integrated artwork, such as bas-relief or sculpture;

- iv. Display windows; and
- v. Other treatment approved by the City.

Figures 36 (left), 37 (above) and 38 (below) different blank wall treatments

C. Massing & Articulation

Intent – Reduce the apparent bulk of buildings and facades and maintain human scale architecture

1. Massing

- a. Buildings above 30 feet in height must provide a defined building top, middle, and base.
 - i. The base will include distinct architectural features, masonry, and colors. For the Downtown Subarea, colors should use natural earth tone colors and emphasize materials in their natural form where possible.
 - ii. The middle of the building will include a change in materials or color, or inclusion of distinct windows, balconies, step-backs and signage.
 - iii. The top of the building will emphasize a distinct profile or outline with elements such as a projecting parapet, cornice, upper level setback or pitched roofline.

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2. Articulation

- a. Horizontal building façades shall include articulation, at least every 30 feet, along façades that face streets and/or where the primary entrance is oriented to a parking lot to visually divide the façade with at least three of the following methods:
 - i. Varied building heights, roof forms, and orientation;
 - ii. Changes in building material;
 - iii. Changes in building color;
 - iv. Different window types, including bay windows; and/or
 - v. Project, recess, and/or offset portions of the façade to a minimum depth 18 inches with a width of four feet.

Figures 39 (top right), 40 (middle right), and 41 (bottom right) illustrate scale- reducing elements through vertical and horizontal articulation

D. Architectural Character

Intent – Provide well-designed buildings that use high-quality materials that highlight subtle and refined design elements to enhance the visual character of the district

1. Design Concept

- a. Establish vibrant contemporary urban districts that use high- quality, modern building materials and methods to create a visual identity that is distinct from historic architectural styles.
- b. Create a varied, non-homogenous set of buildings within each neighborhood and throughout the district.
- c. Architectural design for commercial and mixed-use buildings should minimize corporate architecture.
For example, some fast food franchises have specific architectural features that reinforce their identity.
Buildings that function as signs are discouraged because they are difficult to adapt to other future uses.

Figures 42 (left – commercial) and 43 (left – office / mixed-use) show desirable subarea amenities
Figures 44 (above – mixed-use) and 45 (below –office) typify desirable design concepts for different uses

2. Building Materials

- a. Construct buildings with durable, high-quality materials that enhance the character of the area ¹:
 - i. Building façades should be composed predominantly of durable materials such as decorative masonry (but not flat concrete block) wood siding, and/or quality materials resembling wood, stone or masonry siding;
 - ii. Incorporate metal cladding, concrete, glass, tile as well as natural materials as secondary materials to increase aesthetic appeal;
 - iii. Tilt-up construction is allowed, when exposed concrete is finished with other materials, design patterns and colors compatible with surrounding buildings;
 - iv. Change finish materials, colors, or textures on building elements to provide further articulation, add variety, and define building details or even functions; and¹
 - v. Limit the use of low-quality, less durable materials with high life-cycle costs, such as plywood sheathing, “T-111”- like siding, and vinyl siding for exterior cladding.
- vii. No more than three types or methods of cladding are to be used on a building.

¹ Within the Downtown Lake Stevens Subarea use colors and material palettes that complement and fit in with Lake Steven’s natural environment of hillsides, rivers/creeks and the lake.

Use natural earth tone colors and emphasize materials in their natural form where possible. Warm neutral color schemes of gray and white are encouraged for buildings utilizing stone, concrete or stucco. Warm tans and browns are recommended for buildings utilizing brick and wood.

The richness of color and texture inherent to the materials available in the Northwest shall be emphasized by layering and mixing cool and warm materials to create a well-rounded palette. Cool materials include steel, concrete, glass, and white/gray/black brick. Warm materials include natural brick and wood. Materials like metal panel, concrete, and brick can be warm or cool as desired for contrast.

3. Windows

- a. Consider multi-paned window fenestration (windows with several panes separated by mullions).
- b. Consider incorporating window trim that differs in material, provides a contrasting color to the building and/or incorporates projecting window sills.

Figures 46 (above) and 47 (below) demonstrate use of materials and windows to enrich the quality of the building

4. Rooflines

- a. Include a variety of roof slopes, details, materials, and configurations.
 - i. Provide dormers, stepped roofs, gables, or other elements to reinforce the modulation or articulation for storefront development or to break up larger buildings.
 - ii. Buildings with pitched or sloping roofs shall have a minimum slope of 4:12 and a maximum slope of 12:12.

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- b. Commercial buildings with flat roofs shall be architecturally treated or articulated with a parapet wall, combined with ornamental molding, entablature, frieze, cornice or other architectural detail to create a prominent edge when viewed against the sky.
- c. Cornices shall be made of a different material and color than the predominate siding of the building.

5. Screening Rooftop Equipment

- a. Use low profile or recessed mechanical units on rooftops.
- b. Screen rooftop mechanical and communications equipment from the ground level of nearby streets.
- c. Screen mechanical and communications equipment with architectural features, such as an extended parapet wall or other integrated elements.
- d. Integrate mechanical and communication equipment into the design of the roofs and buildings.

Figure 48 varied roof pattern along the street in an office building

Figure 49 different roof forms

E. Signs

Intent – Encourage creative and unique sign designs to ensure signs complement the design concept, and are not principally oriented to automobile traffic

1. Creativity and Quality Design

- a. Signs should be highly graphic in form, expressive and individualized.
- b. Signage must include design and materials, consistent with the design and architecture of the primary building(s).
- c. Signs should use clear, bold graphic symbols and logos.
- d. Signs should convey the product or service offered by the business in a bold, graphic form.
- e. Projecting signs or suspended signs, supported by ornamental brackets, oriented toward pedestrians are strongly encouraged where allowed.
- f. Signs shall not be roof mounted or extend higher than the roof edge, parapet, or exterior wall.
- g. Signs fabricated out of mixed-media, including metal reverse- illuminated letters, illuminated individual letters, signs etched or cutout of solid material, such as wood or brass and illuminated from behind are preferred.
- h. Cabinet and plastic sheet type signs are discouraged and subject to design approval.

Figures 50 (above) and 51 (below) show creative pedestrian- oriented signage along the street

2. Freestanding Signs

- a. All freestanding signs are subject to the following restrictions:
 - i. Freestanding signs that are low and generally horizontal in form are preferred;
 - ii. All freestanding signs must sit on a substantial base constructed out of brick, rock, masonry, aggregate, treated concrete or similar material that extends a minimum of 12- inches out of the ground;
 - iii. Freestanding signs must include design and materials, consistent with the design and architecture of the primary building(s).

- iv. Freestanding signs must be surrounded by low shrubs, ground cover and/or seasonal flowers to create visual interest and seasonal color; and
- v. Monument signs in commercial areas can be internally illuminated or externally lighted, but in other areas, particularly residential, external illumination is required

Figures 52 (left), 53 (above), and 54 (below) illustrate desirable freestanding sign elements

3. Pedestrian-Oriented and Wall Signs

- a. All pedestrian-oriented and wall signs are subject to the following restrictions:
 - i. Pedestrian-oriented signs should be smaller in scale than those oriented to passing traffic;
 - ii. Signs projecting from facades or are suspended over walkways or sidewalks are preferred in mixed-use districts;
 - iii. Signs shall not cover architectural features such as building trim, or ornamentation including areas between vertical piers or columns, blank areas on a gabled roof, or upper reaches of a false-fronted building
- b. Wall signs must be integrated into the building's architecture and tenant layout by at least one of the following means:
 - i. Wall signs must be centered above the business' entrance;
 - ii. Wall signs must fit within the architectural features of the building, such as being centered on a recessed panel or area specifically designed for signage;
 - iii. Sign aligned within a major building element such as centered under a roof gable or special corner feature; and
 - iv. Other measures acceptable to the city that meets the intent of these guidelines.

Figures 55 (above) and 56 (below) examples of high quality wall sign and pedestrian-oriented signs

IV. MULTIFAMILY NEIGHBORHOODS

Intent – Reinforce the residential character of multifamily developments; and Create usable areas such as plazas, courtyards, and other outdoor spaces with robust landscaping.

A. Site Design²

1. Orientation

- a. Orient building entrances to public streets, within the confines of the site characteristics, to enhance the character of the street that include the following:
 - i. Direct entries and access to the sidewalk on exterior buildings including to the public sidewalk;
 - ii. Pedestrian walkways or paths to every unit;
 - iii. A minimum of five-foot front landscaping that may include a mix of lawn, trees, shrubs, and seasonal flowers, subject to LSMC 14.38.070, between the building and sidewalk; and
 - iv. Decorative features, such as trellises, benches, special lighting, boulders, etc are encouraged between the building and sidewalk.
- b. Provide a frontage character compatible with existing neighborhoods, as appropriate.

2. Landscaping

- a. Use landscaping to unify the overall site design and to reduce the visual impact of multifamily developments and provide usable outdoor space for residents.

2 applicable to High Urban Residential and Mixed-Use Neighborhood districts

Figure 57 appropriate interior landscaping

Figure 58 enhanced perimeter landscaping

- i. Provide internal landscaping, in areas of the site not otherwise developed, comprised of native plants, with a mix of lawn, planting beds, trees and shrubs, annuals and perennials, rock features, water features, and/or accent lighting.
- ii. Retain existing native or desirable mature vegetation
- b. Encourage the use of hardy, attractive, and easily maintained native Northwest plant material to provide multi-seasonal interest, color, and texture.
- c. Integrate stormwater features into the landscape as attractive site amenities, not merely, as utilitarian features.

3. Outdoor Spaces

- a. Provide a combination of both private and common outdoor spaces visible and accessible to residents large enough to provide functional leisure or recreational activity.
 - i. Common outdoor spaces shall be a minimum of 20 percent of the site with a minimum width of 20 feet. To maximize usability, multifamily developments should combine common open spaces into larger areas.
 - ii. Common outdoor spaces used to meet these guidelines shall not be located within required buffer areas.
 - iii. Do not locate outdoor spaces adjacent to dumpster enclosures, loading/service areas or other incompatible service areas.
 - iv. Open spaces should be oriented to receive sunlight, when possible.
 - v. Taller mixed-use structures may provide roof top outdoor spaces.
 - vi. Provide lighting within outdoor spaces to provide visual interest as well as an additional security function.
- b. Common outdoor spaces shall provide at least three of the following amenities to accommodate a variety of ages and activities:
 - i. Site furnishings (benches, tables, bike racks, etc.);
 - ii. Picnic areas;
 - iii. Patios, plazas, atriums, or courtyards;
 - iv. Tot lots and play fields;
 - v. Gardens;
 - vi. Open lawn; and/or
 - vii. Sports courts, such as tennis or basketball courts.

Figure 59 inviting outdoor space

- c. Provide each dwelling unit with a private outdoor space that may include balconies, yards, decks, terraces, and patios not less than 50 square feet with no dimension less than five feet. Within the Downtown Subarea, upper floor residential units are not required to have balconies.

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d. Ground level open spaces are subject to the following standards:

- i. Screen private open spaces with berms, low walls, fences, hedges, and/or landscaping¹;
- ii. Limit walls, hedges, and fences to a maximum height of 42 inches that is no more than 60% opaque; and
- iii. Walls or fences must integrate with the architecture of the building and add visual interest in detail, materials, or color of the feature.
- iv. Within the Downtown Subarea, ground-level street fronting dwelling units with individual doors accessing the street shall have stoops or entry areas setback from the sidewalk and utilize landscaping, low walls or open picket fencing to provide a level of privacy between dwellings and the sidewalk. The use of solid walls or solid fencing greater than 42 inches is prohibited.

B. Parking and Access

Intent – Reduce the impact of parking facilities on the streetscape and neighboring properties

1. Limit shared ingress and egress lanes to one lane for every 300 linear feet of street frontage or one lane per lot if the frontage is less than 300 feet.
2. Preferred Parking:
 - i. Side, rear, or internal for stacked apartments or condominiums using surface lots or structures or providing carports or garages;
 - ii. Surface lots must follow the elements of Section II.G; or
 - iii. First level from streets for townhomes. Front yard parking aprons or pullouts are allowed if no alternative exists.
3. Carports and detached garages shall incorporate pitched roofs of a design similar to the principal structure; minimize blank garage doors; and provide architectural details on the garage door or structure.
4. Attached carports and garages shall incorporate pitched roofs of a design similar to the principal structure or recess garage doors from structures; minimize blank garage doors; and provide architectural details on the garage door or structure.

5. Within the Downtown Subarea, no immediate driveway access to a parking structure is allowed from Main Street.

Figures 60 (above) and 61 (below) examples of structured parking facilities

5. Ground level parking structures should be screened from view by the following methods:
 - i. Screen exterior walls with architectural details, such as banding, a frieze, cornice, trellis, decorative metal artwork, or similar; and
 - ii. Provide a minimum five-foot wide landscape area along the length of the parking structure that includes the elements of LSMC 14.38.070.

iii. Within the Downtown Subarea, ground level parking structures are not allowed to face on to Main Street. Parking structures located behind ground level storefronts is allowed.

C. Building Design

Intent – Maintain the residential scale and character of neighborhoods and project an image of quality

1. Pitched Roof Forms

- a. Residential structures are encouraged to use gabled roofs to emphasize vertical proportions and create modulation.
- b. Incorporate pitched roof forms having slopes between 4:12 and 12:12.

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- c. Alternate dormers and rooflines to reinforce roofline modulation.

d. Within the Downtown Subarea, mixed-use residential buildings with gabled or flat roofs are appropriate.

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2. Design to Increase Privacy

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- a. Provide designs to maximize privacy from adjacent yards and residences.
- i. Locate windows high on walls & stagger placement of windows on adjacent buildings (use sight-obscuring glass, when design cannot practically minimize privacy impacts.
- ii. Set balconies back at least 10 feet from side or rear property lines.
- iii. Fences used to separate private and public spaces shall not exceed 42-inches in height.

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Figure 62 varied pitched roof forms

Figure 63 private interior open spaces

3. Architectural Character & Scale

- a. Use lines and rhythms to create a human scale streetscape by including a mix of vertical and horizontal elements as expressed by bays, belt lines, doors and windows.
- b. Modulate building facades along the public street at least every 30 feet by projecting or recessing portions of the façade at least four feet.
- c. Residential structures shall emphasize single-story massing elements using architectural features such as porches and bays, dormers, etc. as seen from the street.
- d. Residential structures are encouraged to change materials, colors, and/or textures on different elements to provide further articulation and additional variety and character.

Figures 64 (above) and 65 below provide examples of articulation and modulation along street

V GLOSSARY & DEFINITIONS

Arcade – An arched covered passageway along a building facade open to the street frontage.

Architrave – The lowest division of an entablature resting immediately on the capital of the column in classical architecture and/or the molding around a rectangular opening, such as a door.

Articulation – Articulation means a design emphasis placed on particular architectural details, materials, changes in building plane (recessed or extended from building surface), contrast in materials, or decorative artwork.

Awning – Awning means a roof-like cover extending over or in front of a structure (as over the deck or in front of a door or window) as a shelter.

Balcony – Balcony means an outdoor space built as an above-ground platform projecting from the wall of a building and enclosed by a parapet or railing.

Bay Window – Bay window means typically a multi-paned window protruding from the main exterior wall.

Belt Course – A course of masonry that extends the length of a façade and visually stands out from the rest of the wall by color, texture, pattern, projection or recess.

Blank Walls – Any wall or portion of a wall over four feet in height at ground level that is longer than 30 feet and has a surface area of 400 square feet of vertical surface without a window, door, or building modulation or other architectural feature

Bollard – A low post made of stone, concrete, or metal or other material that delineates a pedestrian area or walkway.

Column – A supporting pillar that typically consists of a round shaft, a capital, and a base

Cornice – Cornice means in classical architecture, the top, projecting section of an architrave, also any projecting ornamental molding along the top of a building, wall, arch, etc., finishing or crowning it.

Courtyard – Courtyard means a partially enclosed landscaped space.

Cupola – Cupola means a small dome or other shaped roof projection crowning a roof or turret.

Deck – Deck means an outdoor space built as an above-ground platform projecting from the wall of a building or above an occupied building floor.

Decorative Paving – Decorative paving means any paving surface that includes colored, textured, or stamped cement concrete, in addition to decorative unit pavers, bricks, tiles, or pavers, but does not include colored or stamped asphalt.

Eaves – Eaves mean the under-part of a sloping roof overhanging a wall.

Entablature – Entablature means the upper part of an order, consisting of architrave, frieze, and cornice.

Façade – Any face of a building.

Fenestration – The design, proportioning, and disposition of windows and other exterior openings of a building.

Frieze – Frieze means the middle division of an architrave, between the architrave and cornice; usually decorated but may be plain.

Frontage – Frontage means the portion of a parcel typically abutting a public street.

Gateway building – Developments situated at the intersection of two arterial streets or an arterial street and a collector street shall include an enhanced structure on the corner to mark that location as an architectural landmark.

Ground Level Transparency – Windows made of clear glass.

Landscaping – Area that is planted with vegetation in the form of trees, shrubs, grass, annuals, perennials, and groundcover that may include accent elements such as sculpture, fountains or pools, accent lighting, benches, or other outdoor furnishings; or decorative pavers.

Low-Impact Development – A variety of building techniques and systems designed to lessen the environmental impact of construction activities including but not limited to bio-retention cells, engineered landscapes, green/vegetated roofs, pervious/porous pavement, drought-tolerant landscapes, tree retention, etc.

Main Entrance – Entrance of the building, which is most architecturally prominent and contains operable doors.

Modulation – Stepping back or projecting portions of a building face within specified intervals of building width and depth, as a means of breaking up the apparent bulk of a structure's exterior walls.

Mullion – Solid vertical strip or other upright that divides parts of a window.

Native Landscaping – Landscaping that exclusively uses any mix of trees, shrubs, ground cover, and flowers indigenous to the Pacific Northwest.

Parapet – Low wall or railing designed to architecturally protect or enhance the edge of a roof or balcony.

Pergola – Covered walk in a garden, or along a commercial frontage, usually formed by a double row of posts or pillars with beams above and covered with climbing plants.

Pilaster – Rectangular or round column or shallow pier attached to a wall constructed to coordinate with the style of the building.

Plinth – A continuous, horizontal portion of a wall that is closest to the ground or an adjacent walkway typically made of different material than the wall above it that extends out slightly from the wall above it.

Portico – Covered entrance of a building especially in classical architecture.

Projecting Sill – Window sill that extends at least 3 inches out from the wall in order to create a shadow line below the window.

Public Art – Element or feature whose primary purpose is to express, enhance, or illustrate aesthetic quality, feeling, physical entity, idea, local condition, historical or mythical happening, or cultural or social value visible to the public.

Examples of artwork include sculpture, bas-relief sculpture, mural, or unique specially crafted lighting, furniture, pavement, landscaping, or architectural treatment.

Reveal – A long, narrow, vertical or horizontal recess in a wall intended to create a shadow line and/or diminish the scale of the wall.

Scale, Architectural – Perceived relative height and bulk of a building relative to that of neighboring buildings.

Scale, Human – Perceived size of a building relative to a human being. A building is considered to have “good human scale” if there is an expression of human activity or use that indicates the building’s

size. For example, traditionally sized doors, windows, and balconies are elements that respond to the size of the human body, and therefore are elements in a building that indicate a building’s overall size.

Site Furnishings – Elements intended to be used by pedestrians, such as benches, bollards, waste receptacles, drinking fountains, chairs, tables, and telephone booths.

Special Landscape Treatment – Landscaping provided in addition to any planting required by code that typically includes elements such as seasonal flowers, unique specimen trees, artistically designed retaining walls, accent lighting, and/or sculpture.

Street Right-of-Way – Land dedicated primarily to the movement of vehicles and pedestrians and providing for primary access to adjacent parcels. Secondly, the land provides space for utility lines and appurtenances and similar components.

Streetscape – Visual character of a street as determined by various elements such as structures, greenery, open space, views, etc.

Transom – Horizontal glass plane, typically encased in a wood or metal frame that separates the storefront from the upper facade.

Trellis – A frame supporting open latticework used as a screen or a support for growing vines or plants.

Trim – Framing or edging of openings and other features on a facade or indoors. It is usually of a color and material different from that of the adjacent wall surface.

Turret – A very small and slender tower.

Vertical Articulation – Visual division of a building’s facade into distinct sections or elements to reduce the apparent horizontal length of the facade.

Visually Permeable – Allows for views through the element or feature, although such views may be partially obstructed or obscured.

Attachment 4

June 8, 2018

Lake Stevens City Council and Planning Commission
1812 Main Street / PO Box 257
Lake Stevens, WA 98258

Dear Planning Commission and City Council:

I am writing as a member of the Citizen's Advisory Committee to express my backing for the proposed plan. I have been able to participate in the plan as a member of the Technical Resources Group and have had the opportunity to produce professional videos chronicling the plan's development. I have followed closely as the concept began as community ideas related to improving Main Street and North Cove Park to a full-blown plan that encapsulates a vision for redevelopment culminating in tangible implementation tasks.

Please move forward with the plan's adoption.

Sincerely,

A handwritten signature in black ink, appearing to read 'Abe Martinez', with a stylized, flowing script.

Abe Martinez

June 7, 2018

Lake Stevens City Council
Lake Stevens Planning Committee

Re: Down Town Plan

A lot of planning and outreach has gone into a wonderful plan for the downtown area.

The concept has evolved into a nice mixed use plan of park, commercial and residential.

This plan is forward looking and will take time to come to completion.

The park area is the last available lakefront access for the public on Lake Stevens. This plan is an excellent use for the down town area for future enjoyment of the lake.

I urge the approval of the down town plan that will be a great asset for future generations.

Thank you.

Sincerely,

Carl Johnson
425.334.3464
akfiskbuyer@frontier.com

Member of : Lake Stevens Park Board
Lake Stevens Citizen Advisory Committee



Greater Lake Stevens CHAMBER OF COMMERCE

Serving Our Community Since 1981

June 7, 2018

RE: Lake Stevens Civic Center Capital Request

Dear Honorable Planning Commission and City Council,

On behalf of the Chamber of Commerce, a local business person and resident of Lake Stevens, I support the proposed Downtown Plan. The Downtown plan will rejuvenate the business climate in downtown Lake Stevens by encouraging new shops, restaurants, mixed-use developments and new housing opportunities for our community. The city's goal to invest in roads, parks, related infrastructure and civic buildings will complement private investment and lead to a dynamic downtown. The mix of public and private investment will make Lake Stevens a regional draw helping boost the local economy and grow businesses.

Sincerely,

A handwritten signature in black ink that reads 'Lance Morehouse'.

Lance Morehouse, Board President

From: [Jaime Crawford](#)
To: [Russell Wright](#)
Subject: RE: Special Interest Group - Downtown Plan Meeting
Date: Monday, June 4, 2018 11:09:53 AM

Russ,

Thanks for your quick response, you addressed all my concerns. I'm very excited to see how things evolve over the next few years. Thanks for all your hard work on this effort.

Jaime

From: Russell Wright <rwright@lakestevenswa.gov>
Sent: Monday, June 4, 2018 11:02 AM
To: Jaime Crawford <Jaime.Crawford@critigen.com>
Subject: RE: Special Interest Group - Downtown Plan Meeting

See below in your table.

Russ Wright, *Community Development Director*

City of Lake Stevens | Planning & Community Development
1812 Main Street | PO Box 257
Lake Stevens, WA 98258-0257
425.212.3315 | rwright@lakestevenswa.gov

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From: Jaime Crawford [<mailto:Jaime.Crawford@critigen.com>]
Sent: Sunday, June 3, 2018 11:39 AM
To: Russell Wright <rwright@lakestevenswa.gov>
Subject: RE: Special Interest Group - Downtown Plan Meeting

Russell,

Here are my comments on the Downtown Plan:

Page #	Comment/Question
8	What happens to the current waterfront residential parcel where Land Use is changed to D/LC? The existing residence can continue per the Shoreline Master Program (SMP). The goal is to extend the Central Business District (CBD) zoning in this area to create a large enough area for future redevelopment.
9	What type of development can occur in the new Shoreline High Intensity designation? The High-Intensity designation zoning would support the CBD zone and allow a mix of residential and retail/commercial.
10 and 39	With the addition/change of Grade Rd becoming a "Front Door" entry, how will the City

	<p>encourage the use of this road to get into downtown instead of Lundeen Parkway to 20th? I didn't see any traffic mitigation discussions. Is this the solution?</p> <p>We are updating the capital facilities plan, which will be included in the road profile and be used to set updated mitigation fees for this traffic zone. Any development on Grade Road will be required to build to this profile. We will also need to advertise an education and wayfinding strategy on our website, social media etc.</p>
16	<p>What is the status of the residential parcel(s) adjacent to North Cove Park? Is the City going to purchase this property to expand the park? If so will you be able to access the park from N. Lakeshore Drive?</p> <p>The city is in the process of acquiring these properties. There will be eventual walking bridges across the slough into the park, no vehicular access is currently planned.</p>
20	<p>I really like the full build out proposal. I'm very supportive and feel like this will make Downtown Lake Stevens a true destination. I live within 1/2 mile and would walk downtown all the time if there were more attractions/events (Goal 2 on Slide 22). It is a bit more "developed" than I initially envisioned but am still supportive, especially if this level is required to create Goal 2 and 3.</p>
22	<p>I agree with all the Subarea Plan Goals</p>
23	<p>I understand the Plan will have a phased Implementation. Are the projects listed in sequential order? I also assume these are projects that the City can undertake or have some level of control over. Please confirm. Are these projects required in order to encourage outside investment to add the new residential and retail development?</p> <p>We have a grant and mitigation dollars in place to move forward with the design and construction for portions of the implementation projects. The city is under contract for designs of North Cove Park and Main Street. Both of these projects will have some phases of construction happen in 2019. The other projects are roughly prioritized and will depend on funding availability. All of these projects are designed to entice private development.</p>
25	<p>Love the concept for the park. Will the War Memorial get relocated within the park?</p> <p>The current plan is to relocate the War Memorial into the park, we are still refining a final location.</p>
29	<p>Love the Main Street Retail Destination plan. I'd love to see an expanded Jay's Market so you don't have to go to Frontier Village for weekly shopping. I also like the additional retail, which I would shop at regularly, especially if I didn't have to drive into Everett or Snohomish.</p>
30	<p>Would the upper floors of the multi-story buildings be apartments/condos? Also....how would this be built out without putting the existing business out of business? The current plan is a pretty drastic change. If there are restaurants going into this building I suggest having some outdoor seating along the sidewalks if that is possible. The drawings don't reflect this opportunity.</p> <p>The drawings are only conceptual, but the idea would be to have a mix of uses that could include apartments or condominiums and retail / dining. The design guidelines require outdoor plazas for all new commercial developments.</p>
34	<p>How do you develop the new multi-family without displacing the current residents of Colonial Gardens and Senior Manor? Also is the new housing going to be affordable enough for the current residents? Or will they be forced to move anyway?</p> <p>The concept drawings reflect untapped potential in several areas; the plan does not require redevelopment. Bonuses are included in the zoning regulations to incentivize the construction of affordable housing.</p>

35	<p>I like the Conference Center concept and that the Museum will be relocated. What I haven't seen so far is what will happen to the current Library Building? I don't think this is officially a "historic building" but I think it's one of the oldest standing buildings in Lake Stevens.</p> <p>The current library building is located over portions of the new road extension and park expansion and is slated to be demolished. The city is continuing to work with Sno-Isle Library District to find a new location.</p>
36	<p>Will the height of the new retail space obstruct any new views that would be created in the residential units in the multi-story building across the street? I think we have an opportunity to create new views, and don't want to immediately block them.</p> <p>The goal is to keep the block along North Cove Park free from obstructions – create new view corridors. The areas south of the proposed 18th would have a reduced height from the rest of the CBD zone.</p>
36 and 37	<p>I doesn't seem like we've created any additional boat parking. In the summer this can be problematic. Are we creating enough parking to support the new retail and conference center?</p> <p>The boat parking will remain. In fact the city and WDFW are working to rebuild the boat launch and parking lot this summer. The boat street parking will be maintained. Over time, the city has identified other areas to expand parking for downtown and boating.</p>
46	<p>Once all the plans are finalized/adopted what will the City do to encourage the development to occur? I'm assuming the City can create the public infrastructure to support the development, but there will need to be outside commercial development investment. Are there any commercial investors looking at development opportunities? I just don't want this plan to stay a plan.</p> <p>The city is adopting incentives: 1. The Planned Action Ordinance streamlines environmental review, 2. The city will consider a tax incentive for multifamily housing and 3. The city will consider going out for a development proposal. The city is committed to constructing Main Street and North Cove Park to kick off the plan.</p>

As you can tell I'm very support of the current plan. I live close to downtown and feel the development of downtown would be great for the City as well as my family. There currently isn't much incentive to go downtown, and I think there is so much potential. I know traffic will be an issue and I didn't see much in the plan on how to mitigate that, which is really my only serious concern.

Thanks for reaching out to get my feedback. I've been travelling a lot for work and haven't been in town for most of the meetings.

Jaime

From: Russell Wright <rwright@lakestevenswa.gov>
Sent: Friday, June 1, 2018 12:09 PM
To: Jaime Crawford <Jaime.Crawford@critigen.com>
Subject: Special Interest Group - Downtown Plan Meeting

There is a 4 pm session if that works for your schedule. If not, I have attached the slideshow being shared with the CAC. Call me next week with any questions.

Best regards,

Russ Wright, *Community Development Director*

City of Lake Stevens | Planning & Community Development

1812 Main Street | PO Box 257

Lake Stevens, WA 98258-0257

425.212.3315 | rwright@lakestevenswa.gov

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-----Original Appointment-----

From: Jaime Crawford [<mailto:Jaime.Crawford@critigen.com>]

Sent: Friday, June 1, 2018 10:43 AM

To: Russell Wright

Subject: Tentative: Special Interest Group - Downtown Plan Meeting

When: Friday, June 1, 2018 2:00 PM-3:00 PM (UTC-08:00) Pacific Time (US & Canada).

Where: City Hall Conference Room A

Russell,

I don't think I'll be able to make the meeting today due to work commitments. I will send you some comments over the weekend regarding the downtown plan.

Thanks,

Jaime

Jaime Crawford, GISP
VP Geospatial Systems Integration

CRITIGEN

Jaime.Crawford@critigen.com

1 425 280 9108 Mobile

critigen.com

critigen.co.uk

From: olson5219@comcast.net
To: [Russell Wright](#)
Subject: down town meeting
Date: Thursday, May 31, 2018 8:42:30 AM

yes, Jo Olson Lake Stevens Family Center

From: [Jerry Stumbaugh](#)
To: [Russell Wright](#)
Cc: Sgustafson@sno-isle.org; bryan.heigert@boeing.com
Subject: Re: DT Plan
Date: Thursday, May 31, 2018 1:27:46 PM

Russell Wright,
City of Lake Stevens | Planning & Community Development Director

Dear Mr. Wright

Thank you for the very informational Subcommittee meetings that I attended from the beginning of this project. I am aware of the enormous amount of time, devoted to the development of this project by the planning committee, mayor, and City council members, and am pleased that all of you and the Architectural contractors, and engineers had an open mind, and listened to input the sub committees and general public had to offer, with regard to this massive project.

That being said I am in agreement with the direction the Planning committee, City council and Mayor of Lake Stevens are taking to allow this major project to move forward.

Yours Restively
Jerry Stumbaugh
Special interest Citizen Advisory Committee
Email
jerrystumbaaugh2@gmail.com

On Wed, May 30, 2018 at 5:39 PM, Russell Wright <rwright@lakestevenswa.gov> wrote:

Thank you for attending the Special Interest Subcommittee meeting tonight. Your continued interest and feedback was appreciated.

Best regards,

Russ Wright, *Community Development Director*

City of Lake Stevens | Planning & Community Development

1812 Main Street | PO Box 257

Lake Stevens, WA 98258-0257

425.212.3315 | rwright@lakestevenswa.gov

NOTICE: All emails and attachments sent to and from the city of Lake Stevens are public records and may be subject to disclosure pursuant to the Public Records Act (RCW 42.56).

--

Jerry Stumbaugh
Vice President
The Pointe at Crosswater

June 6, 2018

Lake Stevens City Council and Planning Commission
1812 Main Street / PO Box 257
Lake Stevens, WA 98258

RE: Downtown Lake Stevens Subarea Plan

Honorable Councilmembers and Commissioners,

On behalf of the Land Use Subcommittee, to the Citizen's Advisory Committee for the Downtown Lake Stevens Subarea Plan, we wanted to formally voice our support for the proposed plan. As part of the Citizen's Advisory Committee, we have been involved with the scoping of the project and have been briefed over the last two years on key milestones of the project including the fundamental concepts, environmental review, draft plan / regulations and implementation.

As a group, we believe that the plan has exceeded our expectations, specifically the city has identified key projects and is working towards implementation of the two core components: Reconstructing Main Street and Expanding North Cove Park. The proposed redevelopment of downtown encapsulates a vision the community can wholeheartedly support.

In review of the zoning regulations, we recommend that the building heights on the westside of Main Street be limited to three stories. We also recommend that the city continue to look for opportunities to provide pedestrian connections to downtown from other areas including the proposed paths and sidewalks to the Centennial Trail, in addition, to a moorage facility providing access from the lake. Finally, we recommend keeping the CAC intact to monitor progress as the plan is implemented.

This project will be a positive change for the city.

Sincerely,



Sammie Thurber, Chairperson
Land Use Subcommittee
Citizen's Advisory Committee



Doug Warren
Financial Services Professional

2008 123rd Ave NE
Lake Stevens, WA 98258
Phone: (425) 335-4600 or (800) 692-5103
Fax: (425) 335-3241
www.larsenfinancial.net

June 11, 2018

RE: Lake Stevens Civic Center Capital Request

Dear Planning Commission and City Council,

As a representative of the Business Interest Group serving on the Citizen's Advisory Committee for the Downtown Lake Stevens Subarea Plan and a local business owner, I would like to express my excitement for the Downtown Plan.

This plan supports the revitalization of downtown focusing on city investment in the infrastructure, which in turn will support economic development opportunities and private re investment in the community. This project would be a game-changer for the city by modernizing the city, transforming the local economy by increasing access to services and retail.

Sincerely,

A handwritten signature in black ink, appearing to read "Doug Warren", with a long horizontal flourish extending to the right.

Doug Warren

**Doug Warren, Registered Representative offering securities through NYLIFE Securities LLC,
Member FINRA/SIPC. A Licensed Insurance Agency 10885 NE 4th St. Ste 1400, Bellevue, WA 98004
Tel: 425-462-4800
Larsen Financial Services is not owned or operated by NYLIFE Securities LLC or its affiliates.**



LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda

Date: June 26, 2018

Subject: LUA2018-0035- City initiated code amendment regarding Temporary Encampments

Contact	Joshua Machen, <i>Senior Planner / Russ</i>	Budget	None
Person/Department:	Wright, <i>Community Development Director</i>	Impact:	

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:

Hold a public hearing considering public comment, then review and approve Ordinance No. 1031 (**Attachment A**).

SUMMARY/BACKGROUND:

The City has drafted regulations regarding the sitting of Temporary Encampments within the City.

What is a Temporary Encampment?

Temporary encampment. Means a short-term residence facility for a group of people that is composed of tents or other temporary structures on a site provided or arranged for by a sponsor with services provided by a sponsor and supervised by a managing agency. These encampments are most often sponsored by a church or religious organization.

Purpose of Code Amendment

The City of Lake Stevens insurance provider, WCIA, performs regular audits of our municipal codes, among other things, to limit the City's potential liability. As part of their last audit, they pointed out that the City needed to develop "temporary homeless encampment" regulations as preemptive measures, providing protection to the City. On the WCIA website, they provide permitting guidance and a sample Temporary Homeless Encampment Ordinance. (**Attachments B & C**).

FINDINGS AND CONCLUSIONS FOR THE FINAL PLAT AUTHORITY CODE AMENDMENTS:

The Planning Commission hereby adopts staff's findings and conclusions as outlined in this letter and as described in the staff reports dated June 6, 2018 and concludes that the proposed amendments comply with the following:

1. *Compliance with the Comprehensive Plan:*

- Public Health and Safety: An overriding policy of the Comprehensive plan and zoning is to ensure public health and safety of the citizens of the City of Lake Stevens.

Conclusions – The proposed code amendments are consistent with the Comprehensive Plan goals and policies as they relate to providing public health and safety regulations related to temporary encampments that may be established within the City.

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

- The SEPA official issued a SEPA Determination of Nonsignificance (DNS) on April 24, 2018.

Conclusions – The proposed code amendment meets local and state SEPA requirements.

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

- The city requested expedited review from the Department of Commerce on April 11, 2018.
- The Department of Commerce sent granted approval on April 26, 2018
- Staff will file the final ordinance with the Department of Commerce within 10 days of City Council action.

Conclusions – The proposed code amendments will meet Growth Management Act requirements.

4. Public Notice and Comments

- The city published a notice of Public Hearing in the Everett Herald on May 10, 2018 and May 17, 2018 per LSMC 14.16B.

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

Proposed Regulations

During the City Council meeting of June 19, 2018, the City council requested staff and the City Attorney to work together to modify the ordinance to limit the temporary encampments to religious organizations, to restrict them to one per year within the City of Lake Stevens, to provide specific requirements for sanitation and clarify penalties and enforcement measures in addition to general clean-up of the proposed regulations. The attached regulations represent a collaborative effort that staff and the City Attorney firmly believe will adequately protect the City interests.

APPLICABLE CITY POLICIES:

Protection public health and safety of the citizens of Lake Stevens.

BUDGET IMPACT:

None:

ATTACHMENTS:

- A: Ordinance 1031
- B: WCIA-Sample Temporary Homeless Encampment Ordinance
- C: WCIA- Temporary Homeless Encampment Permitting Guidance

CITY OF LAKE STEVENS
LAKE STEVENS, WASHINGTON**ORDINANCE NO. 1031**

AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON, AMENDING LAKE STEVENS MUNICIPAL CODE SECTIONS 14.08.010, 14.16C.110, 14.40.090, AND ADDING NEW SECTION 14.44.038 TITLED "TEMPORARY ENCAMPMENTS", RELATING TO TEMPORARY ENCAMPMENTS, BEING PROPERLY TRANSMITTED TO THE DEPARTMENT OF COMMERCE, PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, in 2010, the legislature codified [RCW 35.21.915](#), which, among other things, prevents cities from enacting ordinances or regulations or taking any other action that imposes conditions other than those necessary to protect public health and safety and that do not substantially burden the decisions or actions of a religious organization;

WHEREAS, the City desires to enact this Ordinance to set forth the requirements for issuance of a temporary use permit for an applicant wishing to host a temporary encampment;

WHEREAS, the standards and requirements set forth in this Ordinance are the minimum necessary to protect the public health and safety and do not substantially burden the decisions or actions of a religious or non-profit humanitarian organization regarding the location of housing or shelter for homeless persons on property owned by the religious or community-based organization; and

WHEREAS, on April 24, 2018, the City's SEPA Responsible Official complied with the State Environmental Policy Act (SEPA) by issuing a Determination of Nonsignificance (DNS), complying with SEPA's procedural requirements; and

WHEREAS, on April 11, 2018 the proposed amendments contained herein were transmitted to the State Department of Commerce as required by law and on April 26, 2018, the Department of Commerce granted expedited review of the proposed code amendments;

WHEREAS, on June 6, 2018, following notice as required by law, the Planning Commission held a public hearing to receive staff and citizen input concerning the proposed code amendments and all persons who wished to be heard on the matter were heard; and

WHEREAS, the planning Commission adopted Findings, Conclusion and a Recommendation to the City Council which is attached hereto and incorporated by this reference; and

WHEREAS, following notice as required by law, the City Council held a public hearing on June 26, 2018 to receive staff and citizen input and to consider the recommendation of the Planning Commission and all persons who wished to be heard on the matter were heard; and

WHEREAS, the City Council has determined that it is in the public interest to have regulations that govern temporary encampments within the City of Lake Stevens as set forth below and in the attached **Exhibit A**.

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

SECTION 1. The City Council hereby makes the following findings:

- A. This ordinance amending the City's municipal code adopting regulations related to temporary encampments imposes restrictions necessary to protect public health and safety, while not substantially burdening the decisions or actions of religious organizations regarding the location of housing or shelter for homeless persons on property owned by a religious or community-based organization.
- B. These proposed regulations were properly sent to the Washington State Department of Commerce for expedited review on April 11, 2018 as required by the Growth Management Act and received approval on April 26, 2018.
- C. The requirements of Chapter 14.16C.075 LSMC for land use code amendments have been met.
- D. As required by LSMC 14.16C.075(f), the adoption and amendment of codes in ordinance sections in the attached Exhibit A. are consistent with the Comprehensive Plan, comply with the Growth Management Act and serve to advance the public health, safety and welfare.
- E. The Findings of Fact, Conclusions and Recommendation of the Planning Commission attached hereto is hereby approved and adopted by the City Council as its own **(Exhibit B)**.

SECTION 2. LSMC sections 14.08.010, 14.16C.110, 14.40.090, and a new section 14.44.038 titled "temporary encampments" are hereby amended and added to the City of Lake Stevens Municipal Code as set forth in **Exhibit A which is incorporated herein by this reference**. All other provisions set forth in LSMC sections 14.08.010, 14.16C.110, 14.40.090 shall remain in full force and effect, unchanged.

SECTION 3. Severability. If any section, subsection, sentence, clause, phrase or word 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 4. Effective Date and Publication. The summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect five (5) days after the date of publication and shall apply to all applications submitted after the effective date.

PASSED by the City Council of the City of Lake Stevens this 26th day of June, 2018.

John Spencer, Mayor

ATTEST/AUTHENTICATION:

By: _____
Kathy Pugh, City Clerk

APPROVED AS TO FORM:

Grant K. Weed, City Attorney

First Reading: June 19, 2018

Second and Final Reading June 26, 2018:

Published:

Effective Date:

DRAFT

Proposed Changes to the Lake Stevens Municipal Code to regulate Temporary Encampments

The following definitions and code sections shall be added to the municipal code:

LSMC 14.08.010 Definitions

Religious organization. Means the federally protected practice of a recognized religious assembly, school, or institution that owns or controls real property.

Temporary encampment. Means a short-term residence facility for a group of people that is composed of tents or other temporary structures on a site provided or arranged for by a Sponsor with services provided by a Sponsor and supervised by the Sponsor or a Managing agency.

Managing agency. Means an organization identified as the manager of a temporary encampment that has the capacity to organize and manage a temporary encampment. A “managing agency” may be the same entity as the Sponsor.

Sponsor. Means an organization that is recognized by the Internal Revenue Service as exempt from federal income taxes as a religious organization that expresses its mission to include organizing living accommodations for the temporary.

All other definitions in LSMC 14.08 shall remain in full force and effect, unchanged.

14.16C.110 Temporary Use.

(a) This section provides for certain temporary uses incidental to the principal long-term use of property. Temporary uses are to be permitted only under the conditions as set forth herein, and where it is found to be safe and compatible with the general vicinity and adjacent uses.

(b) Procedure. Applications for a temporary use permit shall follow the procedures for a Type I review, except temporary encampments shall be processed as a Type II review pursuant to Chapter [14.16B](#).

(c) Permitted Temporary Uses. The following temporary uses and structures shall be allowed:

(1) A temporary dwelling for use as a residence by the owners of a lot during construction of a permanent residential structure on the lot. The temporary building need not comply with the requirements of the International Building Code but shall meet minimum health and safety standards prescribed by the Building Official. It shall be removed from the lot upon completion of the permanent residential structure.

(2) A temporary structure for use by a contractor as a construction shed or office while building or remodeling a permanent structure on the same lot. The temporary structure shall not be open to the public. The temporary building need not comply with the requirements of

the International Building Code but shall meet minimum health and safety standards prescribed by the Building Official. It shall be removed from the lot upon completion of the permanent structure.

(3) A temporary real estate sales office located in a model or display home, subject to the following conditions:

(i) If situated in a residential zone, the office may only be used for sale activities related to the plat in which it is located.

(ii) If situated in a commercial zone, the office may only be used for sales related to the model or display home itself.

(iii) Within a period of one year, the use of the building for a temporary real estate sales office shall terminate, and the building shall be used exclusively thereafter for uses permitted within that zone and shall meet all building and fire codes applicable thereto, or shall be immediately removed.

(4) Temporary encampments are to be reviewed as a Type II application pursuant to supplemental regulations contained in LSMC 14.44.038.

(d) Recreational Vehicles as Temporary Dwelling Units. No recreational vehicle shall be occupied for residential or commercial purposes anywhere in the City of Lake Stevens except:

(1) In the case of temporary uses per subsection (c) of this section; or

(2) Recreational vehicles may be occupied by visitors within residential zones for a period not to exceed 30 days where a Planning Director approval has been granted for such use, provided:

(i) Temporary occupancy shall not exceed 30 days in a calendar year per visitor;

(ii) Under no circumstances shall a recreational vehicle be occupied while parked overnight ~~on~~ within a public ~~street~~ right-of-way or within a public park;

(iii) No recreational vehicle shall be serviced by a temporary or permanent sewer hook-up emptying into the City's system or a private septic system; and

(iv) Space shall not be provided for an occupied recreational vehicle for monetary or other compensation.

(3) Recreational vehicles and recreational park trailers may be occupied inside manufactured/mobile home parks pursuant to Section 14.44.070 as a temporary use.

(e) Decision Criteria. A temporary use permit may be granted by the Planning Director, only if the applicant demonstrates:

- (1) The proposed temporary use will not be materially detrimental to the public welfare;
- (2) The proposed temporary use is compatible with existing land use in the immediate vicinity in terms of noise and hours of operation;
- (3) Adequate public off-street parking and traffic control for the exclusive use of the proposed temporary use can be provided in a safe manner; and
- (4) The proposed temporary use is not otherwise ~~permitted~~ prohibited in the zone in which it is proposed.

(f) Duration and Frequency. Unless specified elsewhere in this section, temporary use permits shall be limited in duration and frequency as follows:

- (1) When sudden, unforeseen damage occurs to a residence making it uninhabitable, thus necessitating occupancy in a temporary residence, occupancy may occur immediately provided an application for the temporary use permit is made within seven days from the first day of occupancy in the temporary residence;
- (2) The temporary use permit shall be effective for no more than 180 days from the date of the first occurrence, except that temporary encampments are limited to 90 days;
- (3) The temporary use permit shall specify a date upon which the use shall be terminated and removed; and
- (4) A temporary use permit shall not be granted for the same temporary use on a property more than once per calendar year, except that for temporary residences the Planning Director may renew such permit for one additional period not to exceed three months if it is determined such renewal is reasonably necessary to allow the proposed occupants of the permanent residential building to complete the construction, repair, renovation, or restoration work necessary to make such building habitable.

(g) Temporary Public Structures. Public agencies may erect and use temporary structures (e.g., portable school classrooms, civic uses, emergency command centers, health and social services centers, etc.) upon demonstrating that such a use is for the public benefit and that the use is temporary in nature. Permits for temporary public structures shall expire one year after issuance, but may be renewed annually by the Planning Director upon demonstration of demonstrated public benefit. (Ord. 991, Sec. 4, 2017; Ord. 811, Sec. 4 (Exh. 3), 2010)

LSMC 14.40.090 "More Specific Use Controls" (Table 14.40-I: Table of Permissible Uses by Zones) is hereby amended to add use "1.460 Temporary Encampments" as shown below, **all other uses shall remain in full force and effect, unchanged:**

TABLE 14.40-I: TABLE OF PERMISSIBLE USES BY ZONES¹⁶

Blank box indicates a use is not allowed in a specific zone. Note: Reference numbers within matrix indicate special conditions apply.

Permitted Use; A - Administrative Conditional Use; C - Conditional Use (See Section [14.40.020](#) for explanation of combinations)

E DESCRIPTIONS		SR	WR	UR	HUR	MFR	NC ⁴	LB	CBD	MU ¹	PBD ⁵	SRC	LI	GI	P/SP
60	Temporary Encampments	P	P	P	P	P		P	P	P	P	P			

LSMC 14.44.038 Temporary Encampments (New Section)

An application for a temporary encampment will be reviewed and decided upon by the Director of Planning and Community Development or designee and must meet the following standards (Planning Director as used in this section 14.44.038 shall mean the Director of Planning and Community Development or designee.):

(a) Regulations established:

(1) Regulations concerning the establishment and processing of applications for temporary encampments in the city are hereby established. Establishing such facilities contrary to the provisions of this chapter is prohibited. Temporary use permits shall be required for temporary encampments in the city.

(2) If a temporary encampment is established in violation of this chapter or if, after the temporary use permit is issued, the Planning Director determines that the permit holder has violated this chapter or any condition of the permit, the temporary encampment, its Sponsor and managing agency shall be subject to code enforcement and all activities associated with the temporary encampment shall cease, and the site shall be vacated and restored to its pre-encampment conditions.

(b) Duration, Frequency, Location, and Permits Required:

(1) No temporary encampment shall operate within the city of Lake Stevens for more than 90 consecutive calendar days, except that the Planning Director may allow up to five additional days to accommodate moving onto or off the site on which the temporary encampment is/was being operated.

(2) Only one temporary encampment shall be allowed within the city limits at any one time, and no less than 270 days must pass between the occupancy of each temporary encampment.

(3) Only an established Religious Organization may be a "Sponsor."

(4) The temporary encampment shall be located on the Sponsor's property.

(5) All temporary encampments shall obtain, prior to occupancy, all applicable city of Lake Stevens permits, licenses and approvals, and shall obtain any other applicable permits, licenses and approvals required by other agencies. A temporary encampment permit shall be processed as a Type II application, unless specifically modified by this section 14.44.038, and submitted with the appropriate fee as set forth in the City of Lake Stevens fee schedule

(c) Application. A Sponsor for a temporary encampment use permit shall submit all the following, unless modified by the Planning Director:

(1) Application form for a temporary encampment use permit;

(2) A site plan, which extends 50 feet beyond the proposed site's property boundaries, drawn to scale showing all the following:

(i) All existing structures;

(ii) Existing parking stalls;

(iii) Parking stalls proposed to be unavailable for parking vehicles during the temporary encampment;

(iv) All proposed temporary structures;

(v) Proposed electrical and plumbing connections;

(vi) Location of trash receptacles, including trash dumpsters;

(vii) Location of toilets and other sanitary facilities, and the frequency by which they will be cleaned;

(viii) Method for providing and location and details of any proposed connection to wastewater, potable water, stormwater, electrical supply, or other public or private utility systems;

(ix) Proposed and existing ingress and egress;

(x) Proposed screening detail;

(xi) Any permanent alterations on the lot to the site or structures;

(xii) A designated smoking area; and

- (xiii) Access routes for emergency vehicles;
- (3) Proposed fencing, vegetative screen or other screening detail or a typical section of same;
- (4) Written authorization from the Sponsor on whose property the temporary encampment is to be located;
- (5) A copy of any agreements with other parties regarding use of parking, either on site or off site;
- (6) A copy of any agreement between the Sponsor, the managing agency, and any schools and/or child care services;
- (7) A copy of the code of conduct;
- (8) The Sponsor shall provide the following neighborhood meeting documentation:
 - (i) The date, time, and location of the meeting;
 - (ii) Contact information for all persons representing the managing agency and Sponsor at the meeting;
 - (iii) A summary of comments provided for the meeting attendees by the Sponsor, managing agency or Sponsor prior to or during the meeting;
 - (iv) A summary of comments received from meeting attendees or other persons prior to or during the meeting; and
 - (v) Copies of documents submitted or presented at the meeting;
- (9) The transportation and security management plans;
- (10) Any other information deemed necessary by the Planning Director to protect public health and safety for the processing of a temporary encampment use permit; and
- (11) Application filing fees in an amount established by city resolution.

(d) Permit Process Requirements:

(1) Notice of Application. The city shall provide a notice of application in accordance with LSMC 14.16B.225.

(2) A public meeting shall be held in accordance with the procedures for a Type III application in LSMC section 14.16B.325:

(i) Prior to the public meeting, a representative of the Sponsor and managing agency shall meet and confer with the following entities regarding the public meeting and any proposed security measures for the temporary encampment: the Lake Stevens police department; the administration of any public or private elementary, middle, junior high, or high school; and the operators of any properly licensed child care service, within 300 feet of the boundaries of the proposed site, and unaffiliated with the Sponsor.

(ii) At the public meeting, a representative of the Sponsor and managing agency shall present, both in writing and orally, the proposed temporary encampment location, timing, site plan, code of conduct, encampment concerns, and a security management plan. The presentation shall also include copies of all previously submitted comments received on the proposed temporary encampment, including comments from neighbors (whether they received notice of the neighborhood meeting or not) the Lake Stevens police department, schools, and child care services. Copies of the agenda and the other specified comments and materials shall be provided by the Sponsor at the meeting. The meeting shall be conducted on the proposed temporary encampment site whenever feasible.

(3) Outstanding Warrant and Sex Offender Checks. Sponsor's or Managing agencies shall use identification and take all reasonable and legal steps to obtain warrant and sex offender checks from the Snohomish County sheriff's office, the Washington State Patrol, or other law enforcement agency of competent jurisdiction (collectively the "warrant check") for all proposed temporary encampment residents. For temporary encampment residents initially moving onto the site with the temporary encampment, the warrant check must be completed at least seven days prior to the temporary encampment moving onto the site. For residents moving into the temporary encampment during the permit period, the warrant check must be completed on or before the date that the new resident moves on site. If a warrant check reveals a temporary encampment resident or prospective resident is or is required to be a registered sex offender or

has an active warrant for his/her arrest, the managing agency or Sponsor shall immediately contact and so advise the Lake Stevens police department. The Sponsor shall be responsible for verifying and ensuring that the warrant checks timely occur for each resident.

(e) Parking, Transportation, and Security:

(1) Parking:

(i) Each site upon which a temporary encampment is operated must provide or have available a parking and vehicular maneuvering area.

(ii) A temporary encampment and the parking of any vehicles associated with a temporary encampment shall not displace the Sponsor site's parking lot in such a way that the Sponsor site no longer meets the minimum or required parking of the principal use as required by code or previous approvals unless an alternative parking plan has first been approved by the Planning Director.

(iii) The use of vehicles, including recreational vehicles as a location for sleeping is not allowed.

(2) Transportation Plan:

(i) The Sponsor or managing agency shall submit a plan with the permit application demonstrating the ability for residents to obtain access to methods of communication and services such as grocery, supplies, and medical care.

(ii) The plan shall provide for a means of transportation to an appropriate public transportation stop and include any proposed alternative means of transportation such as private or volunteer shuttle service and/or reasonable bicycle/pedestrian paths.

(3) Security Management Plan:

(i) The Sponsor or managing agency shall submit a plan with the permit application demonstrating security measures, site specific or otherwise, necessary to ensure the safety of the residents of the temporary encampment and the public.

(ii) At a minimum, the plan shall specify the following:

(A) The person or entity responsible for providing security and the location of an on-site management/security tent that will be staffed 24 hours a day for the duration of the encampment;

(B) The type of security to be used, e.g., private security firm, volunteers, or other means; and

(C) Recommendations and/or requirements provided by the police department.

(iii) The Sponsor will appoint a designated representative to serve 'on-duty' as a Temporary encampment manager at all times and serve as a point of contact for the Police Department and will orient the Police as to how the management/security tent operates. The names of the on-duty designated representative will be posted daily in the management/security tent.

(f) Timing Plan. The Sponsor or managing agency of the temporary encampment shall be required to submit a plan outlining, at a minimum, the move-in and move-out procedures that will be implemented and followed to ensure compliance with the duration and frequency requirements above.

(g) Additional Approval Criteria for Temporary Encampment:

(1) Code of Conduct. The Sponsor or Managing agency shall ensure enforcement of a code of conduct at the encampment site. Sponsor shall have a code of conduct that articulates the rules and regulation of the encampment and demonstrates mitigation of impacts to neighbors and the community. These rules shall include, at a minimum the following prohibitions:

(i) No possession, consumption, or use of alcohol and/or illegal drugs

(ii) No weapons

(iii) No violence

(iv) No loitering in the surrounding neighborhood

(vi) Quiet hours

(vii) No open flames

(viii) No trespassing onto private property in the surrounding neighborhoods

(2) Maximum number of residents:

(i) The Sponsor shall keep a cumulative list of all residents who stay overnight in the encampment, including names and dates. The list shall be kept on site for the duration of the encampment. The Sponsor shall provide an affidavit of assurance with

the permit submittal package that this procedure is being met and will continue to be updated during the duration of the encampment.

(ii) The maximum number of residents at a temporary encampment site shall be determined by taking into consideration site conditions, but shall in no case be greater than 50 residents at any one time. Any proposed site shall meet the site requirements in subsection (g)(3)(i) of this section and be of sufficient size to support the activities of the temporary encampment without overcrowding of residents.

(3) Site Requirements:

(i) The minimum useable site area for a temporary encampment shall be: 7,500 square feet. The useable site area may be a combination of contiguous parcels in the same ownership of the Sponsor.

(ii) Tents and supporting facilities within an encampment must meet 20-foot setbacks from neighboring property lines or rights-of-way except for properties under the same ownership as the host agency. Setbacks to neighboring property lines may be reduced by the Planning Director to a minimum of five feet if it can be determined that the reduction will result in no adverse impact on the neighboring properties, considering site conditions that extend along the entire encampment area, including but not limited to:

(a) Topography changes from adjoining property;

(b) Visually solid, minimum six-foot height, intervening structures;

(c) Distance from nearest structure on neighboring property;

(d) Vegetation that creates a visual screen.

(iii) Encampment facilities, improvements, activities, and uses must located outside critical areas and required buffer as provided for in Chapter 14.88 LSMC.

(iv) The property is not an unopened public right of way; or designated as a park, playground, viewpoint, or multi-use trail by the City, Snohomish County or other governmental agency.

(v) Screening of Activities. Where deemed necessary by the Planning Director, activities of the transitory accommodation shall be obscured from view from adjacent properties, by a six-foot-high sight-obscuring fence, existing dense vegetation, existing

topographic difference, distance from exterior property lines, or other means, to the maximum extent feasible.

(vi) Exterior lighting must be directed downward and glare contained within the temporary encampment.

(viii) A fire permit is required for all tents over 400 square feet. Fire permit fees are waived.

(ix) All tents must be made of fire resistant materials and labeled as such.

(x) Provide adequate number of 2A-10BC rated fire extinguishers so that they are not more than 75 feet travel distance from any portion of the complex. Recommend additional extinguishers in cooking area and approved smoking area.

(xi) Emergency vehicle access to the site must be maintained at all times.

(xii) Members of the temporary encampment shall monitor entry points at all times. A working telephone shall be available to ensure the safety and security of the temporary encampment at all times.

(4) Health & Welfare Requirements

The Sponsor and/or managing agency shall meet all applicable public health regulations, including but not limited to the following:

(i) Sanitary portable toilets, which shall be set back at least 25 feet from all property lines, or access to indoor restroom facilities. One portable toilet shall be provided for each five residents of the encampment with at least one accessible portable toilet, unless existing facilities on the property have capacity and are available for use by the residents of the encampment on a 24-hour basis. All portable toilets are to be serviced a minimum of once per week. If portable toilets are being used, an executed contract between the Sponsor and the portable toilet company must be submitted, prior to the issuance of the temporary encampment permit, that will provide the necessary number of toilets and provide for the delivery, maintenance and removal for the entire length of proposed temporary encampment;

(ii) Hand-washing stations by the toilets and food preparation areas, or access to indoor facilities;

(iii) Food preparation areas or service tents, or access to indoor facilities;

(iv) Refuse receptacles-facilities for dealing with trash shall be provided on-site throughout the encampment. All trash receptacles shall be emptied weekly. A regular trash patrol in the immediate vicinity of the temporary encampment site shall be provided;

(v) Public health guidelines on food donations and food handling and storage, including proper temperature control, shall be followed and temporary encampment residences involved in food donations and storages shall be made aware of these guidelines consistent with the Snohomish Health District requirements;

(vi) Smoking in designated areas only; these areas must be a minimum of 25 feet from any neighboring residential property. Provide ashtrays in areas approved for smoking; and

(vii) The Sponsor and/or managing agency shall provide a plan for the social welfare of those residing within the camp. The plan should include provisions for substance addiction and mental health counseling services, unemployment assistance and low-income housing assistance.

(viii) The encampment shall permit inspections by City, Snohomish Health District, and Fire Department, and any other local, state, or federal agency having jurisdiction to determine compliance with the permit conditions inspectors at reasonable times during the permit period without prior notice to ensure compliance with the conditions of the permit. The Sponsor shall implement all directives resulting from such inspections within 48 hours, unless otherwise noted.

(ix) No children under 18 are allowed in the temporary encampment. If a child under the age of 18 attempts to stay at the temporary encampment, the Sponsor or Managing agency shall immediately contact Washington State Department of Social Health Services Child Protective Services or its successor.

(x) Given the density and abundance of flammable materials at temporary encampments, temporary encampments shall conform to the following fire requirements:

(A) There shall be no open fires for cooking without pre-approval by the Fire Marshal and no open fires for heating;

(B) No heating appliances within the individual tents are allowed without pre-approval by the Fire Marshal;

(C) No cooking appliances are allowed in individual tents;

(D) An adequate number, with appropriate rating, of fire extinguishers shall be provided as approved by the Fire Marshal;

(E) Adequate access for fire and emergency medical apparatus shall be provided, and remain clear for the duration of the temporary encampment. This shall be determined by the Fire Marshal;

(F) Adequate separation between tents and other structures shall be maintained as determined by the Fire Marshal; and

(G) Electrical service shall be in accordance with recognized and accepted practice. Electrical cords must be approved for exterior use by the Fire Marshal.

(H) Applicable requirements of the state building code. Approval and determination by the Building Official/Fire Marshal for the above requirements shall be consistent with the goals, purpose and intent of the state building code.

(5) Encampment Removal.

(i) The Sponsor and/or managing agency shall provide before-encampment photos of the host site with the application. Upon vacation of the temporary encampment, all temporary structures and debris shall be removed from the host site within one calendar week. At expiration of the permit, the Sponsor or managing agency shall restore the property to the same or similar condition as at permit issuance.

(ii) The Sponsor and/or managing agency shall provide a financial security on a form acceptable to the City Attorney and in an amount approved by the Director, sufficient to

ensure the restoration of the property to pre-camp conditions. The financial security shall not be released until the subject property is restored to the same or improved pre-camp condition and has been inspected by the City's Code Enforcement Officer in coordination with other affected departments.

(h) Planning Director's Decision.

(1) Purpose. The Planning Director shall review the proposal to ensure compliance with the provisions of this chapter and all other applicable law, to ensure that the health, safety and welfare of the citizens of the City is preserved in accordance with the Washington State's public duty doctrine, and to provide an expedient and reasonable land use review process for decisions and interpretations of this chapter.

(2) Planning Director Authority. The Planning Director may modify the submittal requirements as deemed appropriate to achieve the purpose stated above. In addition, because each temporary encampment has unique characteristics, including but not limited to size, duration, uses, number of occupants and composition, the Director shall have the authority to impose conditions to the issuance of the permit for temporary encampments to mitigate effects on the community upon finding that said effects are materially detrimental to the public welfare or injurious to the property or improvements in the vicinity. Conditions, if imposed, must relate to findings by the Director, and must be calculated to minimize nuisance generating features in matters of noise, waste, air quality, unsightliness, traffic, physical hazards and other similar matters that the temporary encampment may have on the area in which it is located.

In cases where the application for a temporary encampment does not meet the requirements and standards of this ordinance or adequate mitigation may not be feasible or possible, the Director shall deny issuance of a temporary encampment permit.

(3) Notice of Decision. The Planning Director shall notify the Sponsor of his or her decision to approve, modify or deny the application within a timely manner. The Planning Director's decision is an administrative action and is appealable to the Hearings Examiner pursuant to LSMC 14.16B.250.

(i) Permit Condition Violation and Permit Revocation. Upon a determination that there has been a violation of any condition of permit approval, the Planning Director may give written notice to the sponsor describing the alleged violation pursuant to Chapter 17.20 LSMC and other applicable code authority and providing a timeframe for compliance, or may instead immediately pursue available judicial or other remedies.

The city may also issue stop work order or order to cease and desist under Chapter 17.20 LSMC is declared a nuisance and may be remedied by injunctive relief, revocation of the temporary encampment use permit and vacation of the site by the temporary encampment, or any other available remedy in law or equity.

Additionally, the Planning Director, in addition to the remedies described herein, may revoke a Temporary Encampment Permit for violation of any of the requirements as set forth in LSMC 14.44.038. A decision to revoke is an administrative decision that may be appealed to the Hearing Examiner pursuant to LSMC 14.16B.250. If the Hearing Examiner upholds the determination to revoke, the revocation may be appealed to the Snohomish County Superior Court as provided in chapter 36.70C RCW.

**Planning & Community Development**

1812 Main Street
P.O. Box 257
Lake Stevens, WA 98258

June 13, 2018

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

**Subject: Planning Commission Recommendation – Temporary Encampment Code Amendment-
LUA2018-0035**

Dear Council Members:

The Lake Stevens Planning Commission has held multiple briefings in April and May and held a public hearing on June 6, 2018, to consider a new code amendment providing regulations for temporary encampments that may come to the City of Lake Stevens.

Commissioners Present: Janice Huxford, Vicki Oslund, Jennifer Davis, Linda Hoult and Tracy Trout

Commissioners Absent: Karim Ali

PLANNING COMMISSION DISCUSSION (June 6, 2018)

At the public hearing, staff explained that the City's insurance provider, WCIA, performs regular audits of our municipal codes, among other things, to limit the City's potential liability. As part of their last audit, they pointed out that the City needed to develop "temporary encampment" regulations as preemptive measures, providing protection to the City.

Staff then walked the Planning Commissioners through the proposed regulations. The following concerns were raised by citizens and/or Planning Commissioners:

- General concern regarding temporary encampment impacts on neighborhoods and the community.
- Safety and policing of the temporary encampments
- Code enforcement and fines for violations of conduct or disregard of regulations
- Insurance requirement for the sponsor
- Liability to the City

FINDINGS AND CONCLUSIONS FOR THE FINAL PLAT AUTHORITY CODE AMENDMENTS:

The Planning Commission hereby adopts staff's findings and conclusions as outlined in this letter and as described in the staff reports dated June 6, 2018 and concludes that the proposed amendments comply with the following:

1. *Compliance with the Comprehensive Plan:*

- Public Health and Safety: An overriding policy of the Comprehensive plan and zoning is to ensure public health and safety of the citizens of the City of Lake Stevens.

Conclusions – The proposed code amendments are consistent with the Comprehensive Plan goals and policies as they relate to providing public health and safety regulations related to temporary encampments that may be established within the City.

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

- The SEPA official issued a SEPA Determination of Nonsignificance (DNS) on April 24, 2018.

Conclusions – The proposed code amendment meets local and state SEPA requirements.

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

- The city requested expedited review from the Department of Commerce on April 11, 2018.
- The Department of Commerce sent granted approval on April 26, 2018
- Staff will file the final ordinance with the Department of Commerce within 10 days of City Council action.

Conclusions – The proposed code amendments will meet Growth Management Act requirements.

4. *Public Notice and Comments*

- The city published a notice of Public Hearing in the Everett Herald on May 10, 2018 and May 17, 2018 per LSMC 14.16B.

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

PLANNING COMMISSION RECOMMENDATION

1. PC held a public hearing on June 6, 2018 with a recommendation of approval for new regulations pertaining to Temporary Encampments as proposed by staff with the addition of requirements for insurance and indemnification. **Commissioner Jennifer Davis made a motion to approve the recommendation to Council. Commissioner Linda Hoult seconded the motion. Motion passed 5-0-0-1.**

Respectfully submitted,
Lake Stevens Planning Commission

Janice Huxford, Chair

ADM.39.01
SAMPLE TEMPORARY HOMELESS ENCAMPMENT ORDINANCE
Issued: 02/16

ORDINANCE NO. _____

AN ORDINANCE of the City of [Member], Washington, relating to Temporary Homeless Encampments; amending Chapter XX of the [Member] Municipal Code.

WHEREAS, in 2010, the legislature codified [RCW 35.21.915](#), which, among other things, prevents cities from enacting ordinances or regulations or taking any other action that imposes conditions other than those necessary to protect public health and safety and that do not substantially burden the decisions or actions of a religious organization;

WHEREAS, the City desires to enact this Ordinance to set forth the requirements for issuance of a temporary use permit to an applicant wishing to host a homeless encampment;

WHEREAS, the standards and requirements set forth in this Ordinance are the minimum necessary to protect the public health and safety and do not substantially burden the decisions or actions of a religious organization regarding the location of housing or shelter for homeless persons on property owned by the religious organization;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF [MEMBER], WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section XXXXX of the [Member] Municipal Code is amended to add “Temporary Homeless Encampment” to the permitted uses table as shown in Exhibit XXXX.

Section 2. Section XXXXX of the [Member] Municipal Code, Use Specific Standards, is amended to add the following subsection:

Temporary Homeless Encampment

An application for a homeless encampment will be reviewed and decided upon by the Director of Planning and Community Development (hereafter “Director”) and must meet the following standards.

- a. An application for a Temporary Homeless Encampment permit [must include a local church as a sponsor or managing agency.] or [is only allowed on property in conjunction with a Religious Facility.] [An application for a homeless encampment must include a Religious Facility or other community-based organization as a sponsor or managing agency.] or [Must include an organization recognized by the Internal Revenue Service as exempt from federal income taxes as a religious organization.]

- b. The applicant shall submit an irrevocable, signed, and notarized statement granting the City permission to summarily abate the temporary use and all physical evidence of that use if it is not removed by the applicant within the period specified as part of the permit, and agreeing to reimburse the City for any expenses incurred by the City in abating the temporary use.
- c. The encampment shall meet all setbacks for the zoning districts described in Section XXXX of the [Member] Municipal Code. The encampment shall be located a minimum of 20 feet from the property line of abutting properties containing residential uses.
- d. The Director may require a sight-obscuring fence around the perimeter of the homeless encampment unless it is determined that there is sufficient vegetation, topographic variation, or other site conditions such that fencing would not be needed.
- e. Exterior lighting for the homeless encampment must meet the requirements of the [Member] Municipal Code Section XXXX.
- f. The maximum number of residents within a homeless encampment is XXX.
- g. Parking for XX vehicles shall be provided.
- h. The applicants shall submit a transportation plan which shall include provision of transit services. The homeless encampment shall be located within one-half (1/2) mile of transit.
- i. No [children under the age of 18] [unaccompanied children] are allowed in the homeless encampment. If a child under the age of 18 attempts to stay at the homeless encampment, the managing agency shall immediately contact Child Protective Services.
- j. No animals shall be permitted in the encampments except for service animals.
- k. The applicant shall submit a code of conduct for the encampment and describe how it is to be enforced by the managing agency. The code shall contain the following at a minimum:
 - i. No drugs or alcohol
 - ii. No weapons
 - iii. No violence
 - iv. No open flames
 - v. No loitering in the surrounding neighborhood
 - vi. Quiet hours
- l. The managing agency shall ensure compliance with Washington State and City codes concerning, but not limited to, drinking water connections, human waste, solid waste disposal, electrical systems, and fire-resistant materials. The City shall coordinate review of the Temporary Homeless Encampment permit with the [County Name] Health District and [Member] Fire Department to check compliance with the standards for homeless encampments.

- m. The managing agency shall take all reasonable and legal steps to obtain verifiable identification from prospective encampment residents and use the identification to obtain sex offender and warrant checks from the appropriate agency. All requirements by the City of [Member] Police Department related to identified sex offenders or prospective residents with warrants shall be met.
- n. The managing agency shall permit daily inspections by the City and/or Health Department to check compliance with the standards for homeless encampments.
- o. Homeless encampments may be approved for a time period not to exceed XXX days.
- p. There is no administrative appeal of the Director's decision for a temporary use permit. The action of the City in granting or denying an application under this chapter may be reviewed pursuant to the standards set forth in [RCW 36.70C.130](#) in the [County Name] Superior Court. The land use petition must be filed within 21 calendar days of the issuance of the final land use decision of the City. For more information on the judicial process for land use decisions see [Chapter 36.70C RCW](#).

Section 3. Section XXXX of the [Member] Municipal Code is amended to add the following definitions:

Temporary Homeless Encampment

“Temporary Homeless Encampment” means a group of homeless persons temporarily residing out of doors on a site with services provided by a sponsor and supervised by a managing agency.

Managing Agency

“Managing Agency” means an organization that has the capacity to organize and manage a homeless encampment. A “managing agency” may be the same entity as the sponsor.

Sponsor

“Sponsor” means an entity that has an agreement with the managing agency to provide basic services and support for the residents of a homeless encampment and liaison with the surrounding community and joins with the managing agency in an application for a temporary use permit. A “sponsor” may be the same entity as the managing agency.

Section 4. This ordinance shall take effect and be in force XX-XX-XXXX following the end of the State Environmental Policy Act (SEPA) appeal period.

ADM.39
TEMPORARY HOMELESS ENCAMPMENT PERMITTING
Issued: 02/16

POSSIBLE EXPOSURES:

Cities and towns may regulate camping and other related activities within their jurisdiction through the exercise of their general police powers, however Washington law has specifically restricted a municipality's ability to regulate the hosting of temporary encampments for the homeless on property owned or controlled by religious organizations. [RCW 35.21.915](#) was adopted in 2010 in part, in response to the Washington Supreme Court decision of *City of Woodinville v. Northshore United Church of Christ*, where the court found that the imposition of a moratorium on tent cities upon a religious institution was unconstitutional.

As a result, a Member's prohibition of religious organizations hosting temporary homeless encampments could lead to lawsuits alleging a violation of the U.S. or State of Washington Constitutions or a violation of Washington law.

RECOMMENDED CONTROLS:

[RCW 35.21.915](#) sets forth the following restrictions:

“A city or town may not enact an ordinance or regulation or take any other action that:

- (a) Imposes conditions other than those necessary to protect public health and safety and that do not substantially burden the decisions or actions of a religious organization regarding the location of housing or shelter for homeless persons on property owned by the religious organization;
- (b) Requires a religious organization to obtain insurance pertaining to the liability of a municipality with respect to homeless persons housed on property owned by a religious organization or otherwise requires the religious organization to indemnify the municipality against such liability; or
- (c) Imposes permit fees in excess of actual costs associated with the review and approval of the required permit applications.”

Members may provide for the siting of temporary encampments for the homeless located on property owned or controlled by religious organizations by use of a conditional use or temporary use permitting application process. This process may include but is not limited to the following elements:

1. Require the encampment to be sited on property owned or controlled by a religious organization. An application for an encampment must include a religious facility or other community-based organization as a sponsor or managing agency.
2. Establish zoning setbacks in relationship to abutting property lines containing residential uses.
3. Establish a maximum number of residents allowed within the homeless encampment.
4. Establish parking requirements and requirements for nearby transit services.
5. Prohibit minor children [or unaccompanied children] from staying in the encampment.
6. Require that the managing agency establish a code of conduct for residents of the encampment and description of how the code will be enforced.
7. Prohibit alcohol and other intoxicant use in the encampment.
8. Prohibit weapons in the encampment.
9. Require that the managing agency ensure compliance with Washington State and City codes concerning but not limited to potable water connections, handling of human waste, refuse disposal, electricity and use of fire retardant materials.
10. Require that the managing agency take all reasonable steps to obtain verifiable identification from prospective encampment residents and use the identification to obtain sex offender and warrant checks from the appropriate agency.
11. Establish the duration of the encampment.

Jurisdictions have adopted ordinances restricted only to activities related to a religious organization or allowing temporary encampments for the homeless more generally within a municipality.



LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: 26 June 2018

Subject: Adoption of 2018- 2023 Six Year Transportation Improvement Plan

Contact / Department: Eric Durpos, Public Works Director **Budget Impact:** NA

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL: Hold the Public Hearing and comment on the projects proposed to be included in the 2018-2023 Six Year Transportation Improvement Plan (TIP).

RECOMMENDED MOTION: Adopt Resolution number 2018-21 adopting a Six-Year Transportation Improvement Plan for the years 2018-2023 and directing the same to be filed with the State Secretary of Transportation and the Puget Sound Regional Council.

SUMMARY/BACKGROUND: Each year the City is required under State statute RCW 35.77 to prepare a six-year Transportation Improvement Plan (TIP). The intent of the TIP is to provide information to the State for regional and statewide planning that includes project type and location identification, potential impacted utilities, funding needs, and inter-agency coordination. The TIP is a subset of the City's current 20-year transportation list (2012-2032) in the Comprehensive Plan's Capital Element (Chapter 8).

The projects identified in the TIP have been selected based on the priority established in the adopted 20-year transportation list.

The TIP is important to the City when seeking grant funding for future transportation projects. This gives advance notice to the funding agencies of potential grant dollar demands. However, not listing a project does not prohibit seeking funding for a non-listed project. In this case, the TIP would require an amendment be adopted by Resolution. One of the key points of an agency's TIP is that it be realistic. This means that the projects listed should be able to be constructed within the 6-year period if funding can be secured.

There are 25 projects on the 2018-2023 TIP. The projects are expected to be completed in this 6-year period. These dollars are comprised of local, grants, and mitigation fees. The local fund consists largely of mitigation dollars with a small percentage covered by administration under salaries and possibly street funds (typically planning and environmental preliminary work). Mitigation funds are dollars collected through the City's adopted Traffic Impact Fee plan for new development trips. Grant funding includes both State and Federal dollars and typically requires match dollars.

A large portion of the project funding is expected to come from development mitigation and improvements with approximately 75% balance coming from grants. Each year, the TIP is reviewed and updated to reflect what has occurred and adjustments are made. If a mid-year change in priorities occurs or a new project is added, the TIP can be updated.

APPLICABLE CITY POLICIES: NA

BUDGET IMPACT: NA (Funding on the TIP comes from a variety of sources and are only preliminary estimates.)

ATTACHMENTS:

- ▶ Exhibit A: Resolution 2018-21
 - Attachment A: Proposed 2018-2023 Six Year TIP Reports
- ▶ Exhibit B: Project map

EXHIBIT A
CITY OF LAKE STEVENS
Lake Steven Washington

RESOLUTION NO. 2018-21

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF LAKE STEVENS, WASHINGTON, ADOPTING A SIX-
YEAR TRANSPORTATION IMPROVEMENT PLAN FOR
THE YEARS 2018-2023 AND DIRECTING THE SAME TO
BE FILED WITH THE STATE SECRETARY OF
TRANSPORTATION AND THE PUGET SOUND
REGIONAL COUNCIL.**

WHEREAS, pursuant to the requirements of Chapters 35.77 and 47.26 RCW, the City Council of the City of Lake Stevens previously adopted a comprehensive street plan, including an arterial street construction plan, and has thereafter periodically modified said as part of the City's Comprehensive Plan resolution; and

WHEREAS, the City Council has reviewed the work accomplished under the Plan, determined current and future City street and arterial needs, and based upon these findings has prepared a Six-Year Transportation Improvement Plan (TIP) for the ensuing six (6) calendar years; and

WHEREAS, on 26th June 2018, following public notice as required by law, a public hearing has been held on the TIP as required by RCW 35.77.0 10; and

WHEREAS, the TIP has been updated for 2018-2023 in accordance with the State Requirements,

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE STEVENS
DOES RESOLVE AS FOLLOWS:**

Section 1. Plan Adopted. The Six-Year Transportation Improvement Plan for the City of Lake Stevens, as revised and extended for the ensuing six (6) calendar years (2018-2023), a copy of which is attached hereto as Attachment A and incorporated herein by this reference as if fully set forth herein, which Plan sets forth the project location, type of improvement and the estimated cost thereof, is hereby adopted and approved.

Section 2. Filing of Plan. Pursuant to Chapter 35.77 RCW, within 30 days of the adoption of this resolution the City Clerk is hereby authorized and directed to file a copy of this Resolution, together with the Attachment A (Project Descriptions) and Attachment B (Expenditure year projections) also attached hereto and incorporated herein by this reference, with the Secretary of Transportation for the State of Washington.

ADOPTED this 26th day of June 2018.

John Spencer, Mayor

ATTEST:

Kathy Pugh, Deputy City Clerk

APPROVED AS TO FORM:

Grant K. Weed, City Attorney

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
17		123rd Ave NE Construction [DT9] 123rd Ave NE 0.00 to 0.05 Construct 220 feet of new connector road. The roadway will be 28 feet wide with sidewalks and tree wells	LS 18(5)					03		0.050		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2023		0	OTHER	74,250	24,750	99,000
P	RW	2023		0		0	69,300	69,300
P	CN	2023		0	OTHER	616,275	205,425	821,700
Totals				0		690,525	299,475	990,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	0	0	0	9,900
RW	0	0	0	0	69,300
CN	0	0	0	0	821,700
Totals	0	0	0	0	900,900

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
17		17th PI NE Construction [DT11] 17th PI NE 0.00 to 0.10 Construct new connector road including one uncontrolled intersection. The roadway will be 28 feet wide with sidewalks and tree wells	LS 18(7)					01		0.100		Yes

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2023		0	OTHER	72,497	24,166	96,663
P	RW	2023		0	OTHER	50,748	16,916	67,664
P	CN	2023		0	OTHER	601,726	200,575	802,301
Totals				0		724,971	241,657	966,628

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	0	0	0	96,663
RW	0	0	0	0	67,664
CN	0	0	0	0	802,301
Totals	0	0	0	0	966,628

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
19		18th Street NE Intersection [DT8] 18th St NE 0.00 to 0.00 Construct intersection enhancements with tree bulb-outs	LS 18(4)					04		0.000		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2023		0	OTHER	30,000	11,700	41,700
P	CN	2023		0	OTHER	300,000	100,000	400,000
Totals				0		330,000	111,700	441,700

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	0	0	0	41,700
CN	0	0	0	0	400,000
Totals	0	0	0	0	441,700

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
19		18th Street NE Reconstruction [DT7] 18th St NE 0.00 to 0.10 Reconstruct street to act as public connector including one intersection and 36-feet wide. Include sidewalks and tree wells	LS 18(3)					04		0.100		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2021		0	OTHER	85,534	28,511	114,045
P	RW	2021		0	OTHER	75,000	25,000	100,000
P	CN	2022		0	OTHER	694,804	231,601	926,405
Totals				0		855,338	285,112	1,140,450

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	0	0	114,045	0
RW	0	0	0	100,000	0
CN	0	0	0	0	926,405
Totals	0	0	0	214,045	926,405

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
17		20th ST NE Improvements [DT1] 20th St NE 1.13 to 1.31 Reconstructing 930 feet of 20th St NE to include wider sidewalks with street trees	LS 18(2)					04		0.180		Yes

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2021		0	OTHER	115,894	38,631	154,525
P	RW	2021		0	OTHER	45,000	15,000	60,000
P	CN	2022		0	OTHER	998,054	332,685	1,330,739
Totals				0		1,158,948	386,316	1,545,264

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	0	0	154,525	0
RW	0	0	0	60,000	0
CN	0	0	0	0	1,330,739
Totals	0	0	0	214,525	1,330,739

	Federal Funds		State Funds	Local Funds	Total Funds
Grand Totals for Lake Stevens	0		3,759,782	1,324,260	5,084,042

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
17		18th PI NE Construction [DT10] 18th PI NE 0.00 to 0.10 Construct New connector road between 123rd Ave NE and Main Street. THe new road will include one uncontrolled intersection at 18th PI NE. The roadway will be 28 feet wide with sidewalks and tree wells	LS 18(6)					03		0.100		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2018		0		0	83,263	83,263
P	RW	2019		0		0	58,346	58,346
P	CN	2019		0	OTHER	518,309	172,707	691,016
Totals				0		518,309	314,316	832,625

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	83,263	0	0	0	0
RW	0	58,346	0	0	0
CN	0	200,000	491,016	0	0
Totals	83,263	258,346	491,016	0	0

	Federal Funds		State Funds	Local Funds	Total Funds
Grand Totals for Lake Stevens	0		518,309	314,316	832,625

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
19		116th and 117th Pedestrian Improvements 116th Ave NE 0.00 to 0.39 Construct roadway, bicycle and pedestrian improvements along 116th Ave NE and 117th Ave NE from 20th St to 26th.	LS 16(1)					04		0.390		Yes

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
S	PE	2018		0		0	125,000	125,000
P	RW	2019		0	OTHER	168,750	56,250	225,000
P	CN	2020		0	SRTS	1,078,125	359,375	1,437,500
Totals				0		1,246,875	540,625	1,787,500

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	50,000	75,000	0	0	0
RW	0	225,000	0	0	0
CN	0	0	1,437,500	0	0
Totals	50,000	300,000	1,437,500	0	0

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
16		20th St SE - Segment 1 20th St SE 0.83 to 1.33 20th Street SE Phase 2 Segment 1 - Widening of existing roadway to 5 lanes with pedestrian sidewalk improvements, drainage improvements, and lighting	LS 7(1)					03		0.500	EA	Yes

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
S	CN	2022		0	OTHER	2,500,000	3,500,000	6,000,000
Totals				0		2,500,000	3,500,000	6,000,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
CN	0	0	0	0	6,000,000
Totals	0	0	0	0	6,000,000

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
16		20th St SE - Segment 2 20th St SE 0.58 to 0.83 20th Street SE Phase 2 Segment 2 - Widening of existing roadway to 5 lanes with pedestrian sidewalk improvements, drainage improvements, and lighting	LS 7(2)					03		0.250	EA	Yes

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2021		0	TIB	300,000	97,839	397,839
P	RW	2022		0	TIB	750,000	150,000	900,000
P	CN	2023		0	TIB	2,000,000	650,606	2,650,606
Totals				0		3,050,000	898,445	3,948,445

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	0	0	99,460	0
RW	0	0	0	0	900,000
CN	0	0	0	0	2,650,606
Totals	0	0	0	99,460	3,550,606

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
16		20th St SE - Segment 3 20th St SE 0.20 to 0.58 20th Street SE Phase 2 Segment 3 - Widening of existing roadway to 5 lanes with pedestrian sidewalk improvements, drainage improvements, and lighting	LS 7(5)					03		0.380	EA	Yes

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2021		0	TIB	280,000	65,853	345,853
P	RW	2022		0		0	118,821	118,821
P	CN	2023		0	TIB	1,800,000	505,495	2,305,495
Totals				0		2,080,000	690,169	2,770,169

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	0	0	86,463	259,390
RW	0	0	0	0	118,821
CN	0	0	0	0	2,305,495
Totals	0	0	0	86,463	2,683,706

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
16		20th St SE - Segment 4 20th St SE 0.00 to 0.20 20th Street SE Phase 2 Segment 1 - Widening of existing roadway to 5 lanes with pedestrian sidewalk improvements, drainage improvements, and lighting	LS 7(6)					03		0.200	EA	Yes

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2022		0	TIB	240,000	54,930	294,930
P	RW	2023		0	TIB	270,000	71,610	341,610
P	CN	2023		0	TIB	1,400,000	562,665	1,962,665
Totals				0		1,910,000	689,205	2,599,205

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	0	0	0	294,930
RW	0	0	0	0	341,610
CN	0	0	0	0	1,962,665
Totals	0	0	0	0	2,599,205

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
17		24th St & 91st Ave Extensions -0.25 to 0.00 Two new connectors between 20th St SE and SR 9. The alignments are an extension of 91st Ave SE south of 20th St SE, and the new 24th St SE alignment West of SR 9 from South Lake Stevens Road.	LS 6(6)					01		0.250		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	CN	2019		0		0	7,740,000	7,740,000
Totals				0		0	7,740,000	7,740,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
CN	0	7,740,000	0	0	0
Totals	0	7,740,000	0	0	0

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
17		24th St SE / 79th SE Intersection 24th St SE 0.00 to 0.00 Construction of a new intersection to provide internal vehicle and non-motorized circulation adjacent to 20th St SE.	LS 6(3)					01		0.000		Yes

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2021		0	OTHER	60,000	20,000	80,000
P	RW	2021		0	OTHER	30,000	10,000	40,000
P	CN	2022		0	OTHER	510,000	170,000	680,000
Totals				0		600,000	200,000	800,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	0	0	80,000	0
RW	0	0	0	40,000	0
CN	0	0	0	0	680,000
Totals	0	0	0	120,000	680,000

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
17		4th St Safe Routes to School 4th St SE 0.00 to 0.02 Safe Routes to School project - Add sidewalk to the north and east sides of 4th St SE and 91st Ave SE, respectively.	LS 17(1)					21		0.020		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
S	PE	2018		0	SRTS	68,335	10,665	79,000
S	CN	2018		0	SRTS	469,695	73,305	543,000
Totals				0		538,030	83,970	622,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	79,000	0	0	0	0
CN	543,000	0	0	0	0
Totals	622,000	0	0	0	0

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
17		91st Ave NE / SR 204 Intersection Improvements 1.68 to 1.68 Widen SB and NB lanes to provide for a dedicated right turn lane onto SR 204.	LS 1(1)					04		0.000		Yes

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2019		0	OTHER	66,832	22,278	89,110
P	RW	2019		0	OTHER	20,000	10,000	30,000
P	CN	2020		0	OTHER	511,492	170,498	681,990
Totals				0		598,324	202,776	801,100

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	89,110	0	0	0
RW	0	30,000	0	0	0
CN	0	0	681,990	0	0
Totals	0	119,110	681,990	0	0

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
17		91st Ave NE and Vernon Road Intersection 91st Ave NE 1.77 to 1.77 Construct a roundabout or another intersection treatment to 91st Ave NE and Vernon intersection	LS 12(5)					04		0.000		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
S	PE	2019		0	OTHER	45,000	15,000	60,000
P	CN	2020		0	OTHER	405,000	135,000	540,000
Totals				0		450,000	150,000	600,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	60,000	0	0	0
CN	0	0	540,000	0	0
Totals	0	60,000	540,000	0	0

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
17		91st Ave NE from Vernon to SR 204 91st Ave NE 1.68 to 1.76 Upgrade roadway to create a pedestrian friendly downtown style streetscape	LS 7(4)					04		0.080	CE	Yes

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2019		0	OTHER	26,325	8,775	35,100
P	RW	2019		0	OTHER	15,000	5,000	20,000
P	CN	2020		0	OTHER	221,925	73,975	295,900
Totals				0		263,250	87,750	351,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	35,100	0	0	0
RW	0	20,000	0	0	0
CN	0	0	295,900	0	0
Totals	0	55,100	295,900	0	0

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
17		99th Ave SE - Market to 4th St NE 1.18 to 1.43 Enhance Streetscape with improvement with non-motorized enhancements and circulation improvements.	LS 8(4)					04		0.250		Yes

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2020		0	OTHER	110,250	36,750	147,000
P	RW	2020		0	OTHER	30,000	10,000	40,000
P	CN	2021		0	OTHER	759,750	253,250	1,013,000
Totals				0		900,000	300,000	1,200,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	0	147,000	0	0
RW	0	0	40,000	0	0
CN	0	0	0	1,013,000	0
Totals	0	0	187,000	1,013,000	0

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
17		Main Street 1 - 16th to 20th Improvements Main Street 0.00 to 0.25 Pedestrian and roadway improvements to Main St.	LS D(1)					04		0.250		Yes

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
S	PE	2018		0		0	300,000	300,000
S	RW	2018		0		0	250,000	250,000
P	CN	2019		0		0	3,541,450	3,541,450
Totals				0		0	4,091,450	4,091,450

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	300,000	0	0	0	0
RW	250,000	0	0	0	0
CN	0	3,541,450	0	0	0
Totals	550,000	3,541,450	0	0	0

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
17		Main Street 2 - 20th St NE & Main Intersection Main Street 0.26 to 0.26 Widening to provide turn pockets or another intersection treatment	LS D(1A)					04		0.000		Yes

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2019		0	OTHER	67,500	22,500	90,000
P	RW	2019		0	OTHER	37,500	12,500	50,000
P	CN	2020		0	OTHER	663,469	221,156	884,625
Totals				0		768,469	256,156	1,024,625

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	90,000	0	0	0
RW	0	50,000	0	0	0
CN	0	0	884,625	0	0
Totals	0	140,000	884,625	0	0

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
19		Main Street 3 - Multi Use Path 22nd to Hartford Hartford 0.00 to 0.52 Multi Use Path construction to connect Main street to Hartford Trail.	LS D(1C)					04		0.520		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2020		0	Ped/Bike Program	100,000	50,000	150,000
P	CN	2021		0	Ped/Bike Program	1,117,086	372,362	1,489,448
Totals				0		1,217,086	422,362	1,639,448

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	0	150,000	0	0
CN	0	0	0	1,489,448	0
Totals	0	0	150,000	1,489,448	0

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
17		Main Street 4 - Grade Road from 20th St NE to SR 92 [DTE1] Grade Road 0.00 to 1.21 Widen to three lane sections throughout roadway with non-motorized improvements and pedestrian improvements that include sidewalk segments and curb separated walking paved shoulder areas.	LS D(1B)					03		1.210		Yes

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2021		0	OTHER	900,000	300,000	1,200,000
P	RW	2021		0	OTHER	750,000	250,000	1,000,000
P	CN	2022		0	OTHER	10,278,672	4,128,398	14,407,070
Totals				0		11,928,672	4,678,398	16,607,070

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	0	0	1,200,000	0
RW	0	0	0	1,000,000	0
CN	0	0	0	0	14,407,070
Totals	0	0	0	2,200,000	14,407,070

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
17		South Lake Stevens Road Multi Use Path 0.95 to 1.41 Construct Multi-Use Path on South Lake Stevens Road from S Davies to Stitch	LS 18(1)					04		0.460		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
S	PE	2018		0	OTHER	130,000	0	130,000
S	RW	2018		0	OTHER	70,000	0	70,000
S	CN	2019		0	OTHER	1,100,000	0	1,100,000
Totals				0		1,300,000	0	1,300,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	130,000	0	0	0	0
RW	30,000	40,000	0	0	0
CN	0	1,100,000	0	0	0
Totals	160,000	1,140,000	0	0	0

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
16		SR 92 & Grade Road Roundabout [DTE3] SR 92 1.72 to 1.72 Construction of a roundabout at the Grade Road and SR 92 intersection. This project is anticipated to also construct a City of Lake Stevens gateway for the enhanced Grade Road/Main Street Improvements	WA-11319					04		0.000	EA	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2021		0	WSDOT	310,522	100,000	410,522
P	CN	2022		0	WSDOT	2,800,000	1,017,855	3,817,855
Totals				0		3,110,522	1,117,855	4,228,377

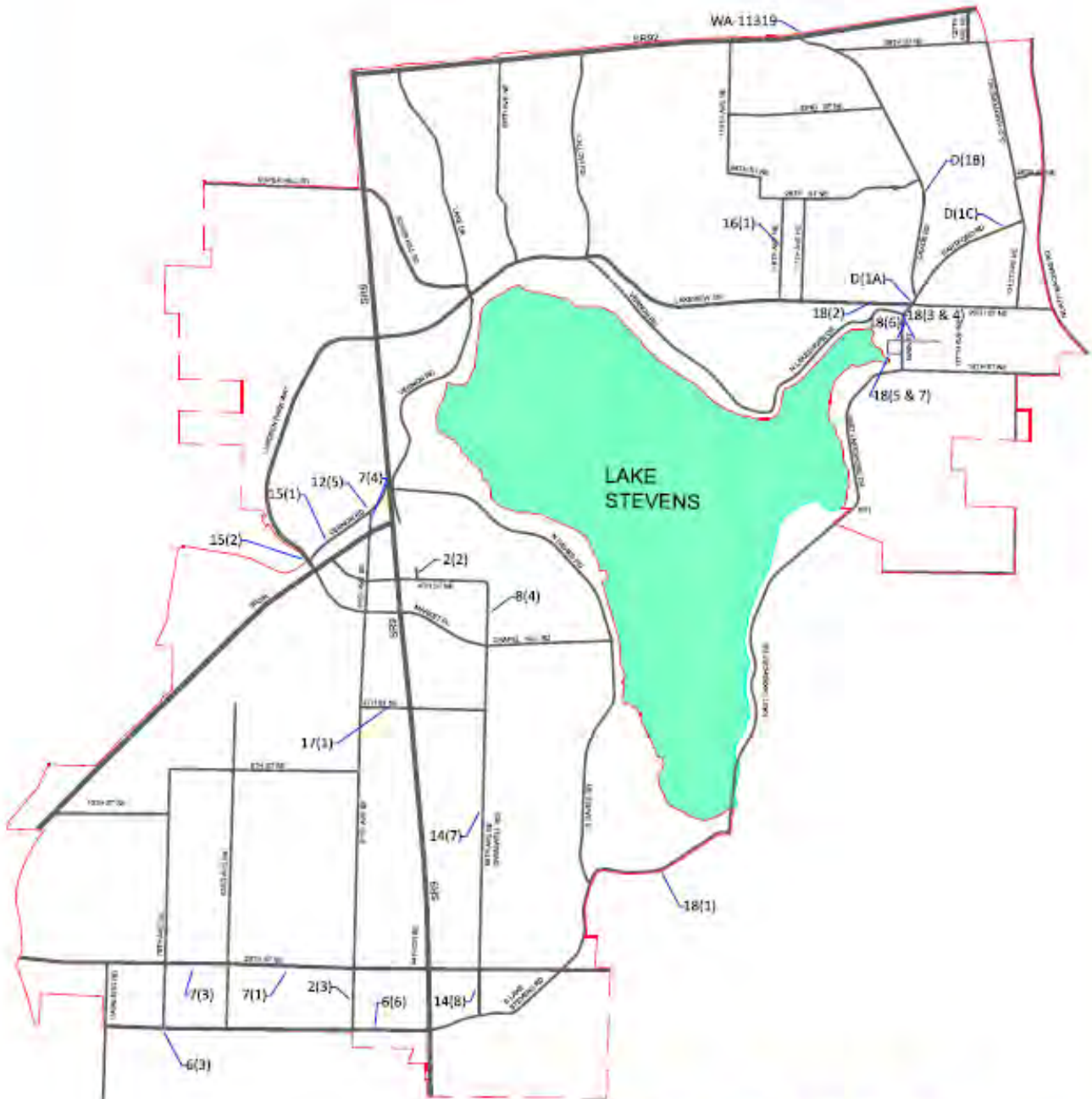
Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	0	0	410,522	0
CN	0	0	0	0	3,817,855
Totals	0	0	0	410,522	3,817,855

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
19		Village Way South 4th St NE N/A to N/A Construction of a new roadway alignment allowing a public southern access to Frontier Village prior to the SR9/SR204 construction disruption.						01		0.000	EA	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
S	PE	2018		0	OTHER	78,000	0	78,000
S	CN	2018		0	OTHER	342,000	0	342,000
Totals				0		420,000	0	420,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	78,000	0	0	0	0
CN	342,000	0	0	0	0
Totals	420,000	0	0	0	0

	Federal Funds		State Funds	Local Funds	Total Funds
Grand Totals for Lake Stevens	0		32,881,228	25,649,161	58,530,389



2018-2023
6 YEAR TIP



LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: June 26, 2018

Subject: Code Amendment to Accessory Dwelling Unit (ADU) regulations (LUA2017-0171)

Contact	Dillon Roth / Planning and Community	Budget	None
Person/Department:	Development	Impact:	

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:

Conduct a public hearing taking public comment and reviewing the proposed code amendments and approve Ordinance 1030.

SUMMARY/BACKGROUND:

On December 14, 2017, the city initiated a code amendment to update regulations governing accessory dwelling units (ADU). The purpose of the update is to create clear and more flexible regulations for ADUs. The advantages of ADUs and flexible regulations include an expansion of property rights for current residential property owners; provide homeowners a means of obtaining rental income, companionship, security and services; make it possible for adult children to care for a parent or other relative in need of assisted living within their own homes; and build a more diverse housing stock to accommodate a wider variety of housing demands.

On March 21, 2018, the Planning Commission was briefed on the code amendment. Staff presented basic facts of the benefits and issues associated with ADUs, other cities' ADU regulations, the context of housing regulations in the City of Lake Stevens, and the proposed ADU regulations. In the following discussion, the Planning Commission agreed to loosen the restrictions currently governing ADUs and generally agreed on the proposed regulations.

On April 3, 2018, the code amendment was discussed at a City Council work session. Council supported further loosening the proposed regulations and directed staff to remove the owner occupancy requirement and exempt the construction of ADUs from triggering frontage improvements.

On May 2, 2018, the Planning Commission was briefed a second time. In this briefing, a first draft of the code language was reviewed. The first draft reflected the previously proposed regulatory framework and adjustments as directed by Council.

On June 6, 2018, the Planning Commission held a public hearing on the proposed code amendment. The Planning Commission voiced their support for ADUs and heard public testimony. Four members of the public provided testimony during the hearing. All testimony given was in support of the proposed code and one was in support of further changes to the code to be more ADU-friendly. The supportive testimony focused on the benefits ADUs can provide to current residential property owners. Specifically, testimony was about how ADUs provide a lower cost housing option for folks just starting their careers, but can't afford the typical single family home in Lake Stevens. Also, how ADUs provide a means for obtaining rental income for people on a fixed income that are increasingly feeling squeezed by rising costs of living. The Planning Commission recommended approval of the code amendment to Council at the close of the

hearing (Exhibit A).

FINDINGS AND CONCLUSIONS:

1. Compliance with elements of the Comprehensive Plan

- Housing Element Goal 3.1 – Provide fair and equal access to a range of housing types and choices to meet the existing and projected housing needs of all Lake Stevens residents regardless of income level or demographic status.
- Housing Element Policy 3.1.6 – Allow accessory dwelling units in all residential zones so long as the unit maintains an appropriate residential character and provides a quality living environment.
- Housing Element Goal 3.2 – Increase the opportunity for all residents and special needs populations to have access to affordable, safe, and sanitary housing.

Conclusions – The proposed code amendments are consistent with Comprehensive Plan goals as they relate to housing and land use.

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

- A DNS was issued on May 17, 2018 (Exhibit B).
- No comments or appeals from agencies or the public were received regarding the SEPA determination.

Conclusions – The proposed code amendment has met local and state SEPA requirements.

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

- The city requested expedited review from the Department of Commerce on May 10, 2018.
- The Department of Commerce sent granted approval on May 29, 2018 (Exhibit C).
- Staff will file the final ordinance with the Department of Commerce within 10 days of City Council action.

Conclusions – The proposed code amendment has met Growth Management Act requirements.

4. Public Notice and Comments

- The city published a joint notice of SEPA determination and notice of public hearing before Planning Commission in the Everett Herald on May 17 and May 29, 2018. The notice was also posted at City Hall and on the city's website.
- The city published a notice of public hearing before City Council in the Everett Herald on June 17 and June 19, 2018. The notice was also posted at City Hall and on the city's website.
- Five public comments were received as of this writing. The public testimony at the Planning Commission public hearing was summarized above and summarized in the attached Planning Commission recommendation. The written public comments are summarized below and are also attached.
 - i. The public comments from Babin, Keller, and Miller express their support for the proposed code to make ADUs easier to construct. Mr. Ellis submitted a written comment prior to the Planning Commission public hearing and submitted a follow-up written comment at the hearing. Both comments support further loosening the regulations to become more ADU-friendly.

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

BUDGET IMPACT: None

ATTACHMENTS:

1. Ordinance 1030 with Planning Commission recommendation letter and proposed code changes as attachments
2. SEPA DNS
3. Department of Commerce confirmation
4. Public Comment, Babin
5. Public Comment, Miller
6. Public Comment, Keller
7. Public Comment, Ellis
8. Public Comment, Ellis (submitted at Commission hearing)

Attachment 1

CITY OF LAKE STEVENS
LAKE STEVENS, WASHINGTON

ORDINANCE NO. 1030

AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON, AMENDING LAKE STEVENS MUNICIPAL CODE SECTIONS 14.08.010, TABLE 14.40-I, 14.44.065, 14.48.020, TABLE 14.72-I, AND ADDING SECTION 14.44.045 RELATING TO ACCESSORY DWELLING UNITS (ADU), PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, RCW 43.63A.215 requires cities with populations greater than twenty thousand to include provisions for ADUs in their development regulations; and

WHEREAS, the city's Housing Element in the Comprehensive Plan encourages the development of ADUs to promote affordable and diverse housing; and

WHEREAS, residential property owners have a means of obtaining rental income, companionship, security, and services to help them remain in their homes and neighborhoods despite rising costs of living; and

WHEREAS, on May 17, 2018, the City's SEPA Responsible Official complied with the State Environmental Policy Act (SEPA) by issuing a SEPA Determination of Non-Significance, complying with SEPA's procedural requirements; and

WHEREAS, on May 10, 2018, the proposed amendments contained herein were transmitted to the State Department of Commerce as required by law and on May 29, 2018, the Department of Commerce granted expedited review of the proposed code amendments;

WHEREAS, on June 6, 2018, following notice as required by law, the Planning Commission held a public hearing to receive staff and citizen input concerning the proposed code amendments and all persons who wished to be heard on the matter were heard; and

WHEREAS, the planning Commission adopted Findings, Conclusion and a Recommendation to the City Council which is attached hereto (**Exhibit A**) and incorporated by this reference; and

WHEREAS, following notice as required by law, the City Council held a public hearing on June 26, 2018 to receive staff and citizen input and to consider the recommendation of the Planning Commission and all persons who wished to be heard on the matter were heard; and

WHEREAS, the City Council has determined that it is in the public interest to adopt the proposed ADU regulations, as set forth below and in the attached **Exhibit B**.

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

SECTION 1. The City Council hereby makes the following findings:

- A. This ordinance amending the City's municipal code changing regulations governing ADUs, was sent to the Washington State Department of Commerce for expedited review on May 10, 2018 as required by the Growth Management Act and received approval on May 29, 2018.
- B. The requirements of Chapter 14.16C.075 LSMC for land use code amendments have been met.
- C. As required by LSMC 14.16C.075(f), the adoption and amendment of codes in ordinance sections in the attached Exhibit B are consistent with the Comprehensive Plan, comply with the Growth Management Act and serve to advance the public health, safety and welfare.
- D. The Findings of Fact, Conclusions and Recommendation of the Planning Commission attached hereto is hereby approved and adopted by the City Council as its own **(Exhibit A)**.

SECTION 2. LSMC sections 14.08.010, 14.44.065, 14.48.020, Table 14.40-I, Table 14.72-I, and adding section 14.44.045 are hereby amended/created as set forth in **Exhibit B which is incorporated herein by this reference**. All other provisions set forth in Chapters 14.08, 14.40, 14.44, 14.48, 14.72 LSMC, shall remain in full force and effect, unchanged.

SECTION 3. Severability. If any section, subsection, sentence, clause, phrase or word 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 4. Effective Date and Publication. The summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect five (5) days after the date of publication and shall apply to all final plat applications submitted after the effective date. Any final plat application submitted prior to the effective date shall follow the regulations that were in place at the time of submittal.

PASSED by the City Council of the City of Lake Stevens this 26th day of June, 2018.

John Spencer, Mayor

ATTEST/AUTHENTICATION:

By: _____
Kathy Pugh, City Clerk

APPROVED AS TO FORM:

Grant K. Weed, City Attorney

First and Final Reading June 26, 2018:
Published:
Effective Date:

Exhibit A



Planning & Community Development

1812 Main Street
P.O. Box 257
Lake Stevens, WA 98258

June 6, 2018

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

Subject: Planning Commission Recommendation – Accessory Dwelling Unit (ADU) Code Amendment – LUA2017-0171

Dear Council Members:

The Lake Stevens Planning Commission held two briefings on March 21 and May 2, 2018, to consider a code amendment to create more flexible and permissive ADU regulations than currently adopted. A public hearing was held on June 6, 2018 where the Planning Commission forwarded a recommendation to City Council to approve the code amendment.

Commissioners Present: Janice Huxford, Vicki Oslund, Tracy Trout, Linda Hoult and Jennifer Davis
Commissioners Absent: Karim Ali

PLANNING COMMISSION PUBLIC HEARING (June 6, 2018)

City staff gave a brief presentation on the proposed code amendment, summarized the code amendment process and milestones reached and answered the Commission's questions related to the proposal.

Four members of the public provided testimony during the hearing. All testimony given was in support of the proposed code and one was in support of further changes to the code to be even more ADU-friendly. The supportive testimony focused on the benefits ADUs can provide to current residential property owners. Specifically, testimony was about how ADUs provide a lower cost housing option for folks just starting their careers, but can't afford the typical single family home. Also, how ADUs provide a means for obtaining rental income for people on a fixed income that are increasingly feeling squeezed by rising costs of living.

The Planning Commission discussion included members voicing their support for the amendment and a detailed discussion on the definition of ADU. To give staff the flexibility to determine what is and what is not an ADU, the phrase "or any combination of these" was left in the definition of ADU. In the past, applicants have tried to subvert ADU regulations by proposing additions to their homes that have everything needed to be a dwelling unit, except space for "cooking" facilities. Staff has previously determined that if an addition has a combination of facilities that provide basic requirements for living,

then it is considered a dwelling unit. Having the phrase “or any combination of these” in the definition of ADU explicitly allows staff to consider an addition with a separate entrance, insulation, kitchen sink, bathroom, bedroom and closets to be an ADU, even without including an oven in the addition.

FINDINGS AND CONCLUSIONS:

The Planning Commission hereby adopts staff’s findings and conclusions as outlined in this staff report and as described in the staff reports dated March 21, May 2 and June 6, 2018 and concludes that the proposed amendments comply with the following:

1. Compliance with elements of the Comprehensive Plan

- Housing Element Goal 3.1 – Provide fair and equal access to a range of housing types and choices to meet the existing and projected housing needs of all Lake Stevens residents regardless of income level or demographic status.
- Housing Element Policy 3.1.6 – Allow accessory dwelling units in all residential zones so long as the unit maintains an appropriate residential character and provides a quality living environment.
- Housing Element Goal 3.2 – Increase the opportunity for all residents and special needs populations to have access to affordable, safe, and sanitary housing.

Conclusions – The proposed code amendments are consistent with Comprehensive Plan goals as they relate to housing and land use.

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

- A DNS was issued on May 17, 2018.
- No comments or appeals from agencies or the public were received regarding the SEPA determination.

Conclusions – The proposed code amendment has met local and state SEPA requirements.

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

- The city requested expedited review from the Department of Commerce on May 10, 2018.
- The Department of Commerce sent granted approval on May 29, 2018.
- Staff will file the final ordinance with the Department of Commerce within 10 days of City Council action.

Conclusions – The proposed code amendment has met Growth Management Act requirements.

4. Public Notice and Comments

- The city published a joint notice of SEPA determination and notice of public hearing in the Everett Herald on May 17, 2018. The notice was also posted at City Hall and on the city’s website.
- Four comments were received to date.
 - i. The first comment from the Kellers noted their support for the proposed code amendment to give homeowners the legal flexibility to obtain the advantages of ADUs.
 - ii. The second comment from Mr. Ellis advocates for further loosening the proposed regulations to encourage more affordable housing in the city. To summarize the

comment, it requests among other things, allow property owners to conditionally provide two ADUs rather than one, reducing the parking requirements and removing the requirement to make the ADU entrance less visible than the existing home's entrance. Mr. Ellis also submitted a second written comment at the meeting that further clarified and slightly changed his initial written comment.

- iii. The third comment from Mr. Miller expressed support for the proposed code amendment.

Conclusions – The city has met public notice requirements per Chapter 14.16B LSMC. All comments will be included in the Council packet prior to the public hearing before City Council.

PLANNING COMMISSION RECOMMENDATION

ADU Code Amendment: Commissioner Davis made a motion to approve the recommendation to Council. Commissioner Hoult seconded the motion. Motion passed 5-0-0-1.
Respectfully submitted,

Lake Stevens Planning Commission



Janice Huxford, Chair

Exhibit B

14.08.010 Definitions of Basic Terms.

~~Residence, Primary with Accessory Apartment. A residential use having the external appearance of a single-family residence but in which there is located a second dwelling unit that comprises not more than 25 percent of the gross floor area of the building nor more than a total of 750 square feet.~~

~~Accessory Dwelling Unit. A residential use having the external appearance of a residence and located on the same parcel as the single-family dwelling that it accompanies. The dwelling unit is an independent self-sustaining unit that provides the basic requirements of shelter, heating, cooking and sanitation or any combination of these.~~

~~Residence, Two-Family Apartment. A two-family residential use other than a duplex, two-family conversion, or primary residence with accessory apartment.~~

(All other definitions in LSMC 14.08 shall remain in full force and effect, unchanged.)

TABLE 14.40-I: TABLE OF PERMISSIBLE USES BY ZONES¹⁶

Use Descriptions	SR	WR	UR	HUR	MFR	NC ⁴	LB	CBD	MU ¹	PBD ⁵	SRC	LI	GI	P/SP
1.220 Primary residence with Accessory apartment Dwelling Unit	P ³	P ³	P ³	P ^{3,8}	P ⁸				P					
1.115 Class A, B, or C mobile home or apartment used exclusively for a night watchman and his/her family ⁷												A	A	

⁷ Subject to Section 14.44.065 (Accessory Apartment in Industrial Zones).

⁸ Accessory dwelling units in the HUR and MFR zones shall only be permitted on lots larger than 125% of the minimum lot size for that zone.

14.44.065 Accessory Apartment in Industrial Zones.

Any accessory apartments permitted in the Light or General Industrial Zone pursuant to Use Class 1.~~447-115~~ shall meet the following standards:

- The total number of accessory dwellings on a site shall not exceed one.
- The gross floor area of an accessory apartment site shall not exceed 1,000 square feet.
- The accessory apartment shall be integrated into a larger building which also houses activities for the principally permitted use.
- The apartment use shall not enjoy the protection of the Manufacturing and Processing Performance Standards as contained in Part III of Chapter 14.40. (Ord. 606, 1999)

14.48.020 Duplexes in Single-Family Zones.

Duplexes, ~~and~~ two-family conversions, ~~and primary residences with an accessory apartment,~~ in single-family zones, shall be allowed only on lots having at least 150 percent of the minimum square footage required for one dwelling unit on a lot in such district. (Ord. 676, Sec. 44, 2003; Ord. 590, 1998; Ord. 468, 1995)

TABLE 14.72-I: TABLE OF PARKING REQUIREMENTS

1.200	Two family residences.	2 spaces for each dwelling unit, except that one-bedroom units require only one space.
<u>1.220</u>	<u>Accessory Dwelling Unit</u>	<u>Single family detached residences with accessory dwelling units require 1 space in addition to the 2 spaces required for the principal dwelling.</u>

14.44.045 Accessory Dwelling Units (ADU).

The installation of an ADU in new and existing single-family dwellings shall be allowed in residential zones subject to specific development and design standards.

(a) Purpose. The purpose of allowing ADUs is to:

1. Offer a means for residents to remain in their homes and neighborhoods, despite rising costs of living; while obtaining rental income, companionship, security and services.
2. Expand housing options for residential property owners, particularly family caregivers, adult children, aging parents, and families seeking smaller households.
3. Provide another means for homeowners to reinvest in and improve their residential property.
4. Develop housing units in single-family neighborhoods that are appropriate for people at a variety of stages in the life cycle.
5. Promote a broader range of affordable housing options in Lake Stevens.
6. Comply with RCW 43.63A.215, which requires cities with populations greater than twenty thousand to include provisions for ADUs in their development regulations.
7. Comply with the goals and policies of the Housing Element in the Comprehensive Plan.
8. Protect neighborhood stability, property values, and the single-family residential appearance of the neighborhood by ensuring that ADUs are installed under the conditions of this Ordinance.

(b) Development Standards.

1. The ADU may be, within, attached to, or detached from, the principal dwelling unit or as part of a detached garage.
2. Only one ADU may be constructed per residence. Residential lots with a duplex are not eligible to construct an ADU.
3. An ADU can be constructed to a maximum size of up to 50% of the principal dwelling unit's total gross floor area, or to a maximum size of 800 square feet of total gross floor area, whichever is less.
 - i. Buildings and garages detached from the principal dwelling shall be excluded from the total gross floor area calculation.
 - ii. If the ADU is completely located on a single floor of the principal dwelling unit, the Director or designee may allow an increased size to efficiently use the floor area, so long as all other standards set forth in this section are met.
4. An ADU shall not be smaller than 250 square feet of gross floor area.
5. In High Urban Residential and Multi-Family Residential zoning districts, ADUs may only be constructed on lots larger than 125% of the minimum lot size for that zone.
6. An ADU shall not be segregated from the ownership of the principal dwelling unit through any process that would subvert state and local statutes and ordinances.

7. The construction of an ADU shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire and any other applicable codes, laws, rules, and regulations as adopted by the city and/or state, including but not limited to the development standards applicable to the underlying zone where the ADU is being proposed.
8. An ADU shall be on a foundation as regulated by the current International Residential Code.
9. Applicants shall obtain all necessary approvals from agencies with jurisdiction over utility infrastructure.
10. The construction of ADUs shall not require the construction of frontage improvements in the public right-of-way pursuant to LSMC 14.56.170.
11. For the purposes of calculating impact fees, an ADU shall be considered an Apartment in the currently adopted fees resolution.

(c) Design Standards.

1. ADUs shall include architectural and design features that are visually compatible with single-family homes. Examples of these features may include using matching materials, colors, window style, or roof design. An ADU may be exempt from this design requirement if the structure is substantially screened from view of surrounding properties.
2. The privacy of dwelling units on adjacent lots and ADUs shall be protected to a reasonable extent by including a landscape screen, fencing, strategic window and door placement, or orienting the ADU to maximize privacy.
3. If the ADU's primary entrance is not the same as that for the principal dwelling unit, it shall be less visible from the street than the main entrance of the principal dwelling unit, and the ADU's stairways may not be constructed on the front of the principal dwelling unit.

Attachment 2



CITY OF LAKE STEVENS DETERMINATION OF NONSIGNIFICANCE (SEPA DNS)

Issuance Date: May 17, 2018

Project Name (No.): Accessory Dwelling Unit Ordinance (LUA 2017-0171)

Proponent: City of Lake Stevens

Applicant: City of Lake Stevens
1812 Main Street
Lake Stevens, WA 98258

Description of Proposal: The City of Lake Stevens is proposing code amendments to the regulations governing accessory dwelling units (ADU). The purpose of the code amendment is to create clear and more flexible regulations for ADUs while also including provisions to mitigate impacts to existing neighbors. The code amendment would result in a new definition for ADUs, changes to the permissible use table in Chapter 14.40 LSMC, and a new section LSMC 14.44.045 that sets development and design standards for ADUs.

Project Location (including street address, if any): Within the city limits of Lake Stevens

Contact Person: Dillon Roth, Associate Planner **Phone:** (425) 212 - 3324

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

SEPA Responsible Official:

Russ Wright, Community Development Director, City of Lake Stevens

Comments on the Threshold Determination: If you would like to comment on this Threshold Determination, your written comments should be sent to the address below by **May 31, 2018 (14 days from issuance)**. The Responsible Official may incorporate any substantial comments into the DNS. If the DNS is substantially modified, it will be reissued for further public review.

Appeals: You may appeal this determination of non-significance by submitting an appeal to the address below no later than 4:00 PM, **May 31, 2018 (14 days from issuance)**. The appeal must be in written form, contain a concise statement of the matter being appealed and the basic rationale for the appeal. A fee is required per the City's Fee Resolution. Please note that failure to file a timely and complete appeal shall constitute a waiver of all rights to an administrative appeal under City code. All comments or appeals are to be directed to City Hall, P.O. Box 257, Lake Stevens WA, 98258.

Attachment 3

From: [COM GMU Review Team](#)
To: [Dillon Roth](#)
Cc: [Andersen, Dave \(COM\)](#)
Subject: 24900, City of Lake Stevens, Expedited Review Granted, DevRegs
Date: Tuesday, May 29, 2018 6:27:21 AM

Dear Mr. Roth:

The City of Lake Stevens has been granted expedited review for the: Proposed amendment to change to their zoning code governing accessory dwelling units. This results in changes to LSMC 14.08.010, LSMC 14.48.020, Chapters 14.40 and 14.72, and adds a new section LSMC 14.44.045. This proposal was submitted for the required state agency review under RCW 36.70A.106.

As of receipt of this email, the City of Lake Stevens has met the Growth Management Act notice to state agency requirements in RCW 36.70A.106 for this submittal. For the purpose of documentation, please keep this email as confirmation.

If you have any questions, please contact reviewteam@commerce.wa.gov

Attachment 4

From: [Travis Babin](#)
To: [Dillon Roth](#)
Subject: Re: Notice of Public Hearing, Accessory Dwelling Unit code amendment; LUA2017-0171
Date: Friday, June 8, 2018 9:57:14 PM

Hello,

My name is Travis Babin and I am in full support of allowing Adu's to be easier to be built. I own a small 3 bed one bath house and both my 60+ year old parents have moved in with me. As well as my brother and his 5 year old son. So for me this would be a great way to expand my space as it is less expensive to build on my property than it is to have them move out and try to buy their own place or to sell and move I to a bigger house. Thank you for looking into this issue.

Sincerely,
Travis Babin

[Sent from Yahoo Mail on Android](#)

On Thu, Jun 7, 2018 at 3:51 PM, Dillon Roth
<droth@lakestevenswa.gov> wrote:

Dear Party of Record,

Please see attached for the notice of public hearing before the City Council. This public hearing will result in a final decision by the City Council. This notice is in regards to the City's code amendment process for changing the regulations governing accessory dwelling units (ADU). If you would like to comment on this rule change, please reply to this email by June 21st.

Also attached for your reference is a draft of the code that the Planning Commission recommended for approval on June 6.

Let me know if you have any questions or comments.

Sincerely,

Dillon

Dillon Roth, Associate Planner

City of Lake Stevens | Planning & Community Development

1812 Main Street | PO Box 257

Lake Stevens, WA 98258-0257

425.212.3324 | droth@lakestevenswa.gov

NOTICE: All emails and attachments sent to and from City of Lake Stevens are public records and may be subject to disclosure pursuant to the Public Records Act (RCW 42.56).

Attachment 5

From: [Eric Miller](#)
To: [Dillon Roth](#)
Subject: RE: Accessory Dwelling Unit code amendment; LUA2017-0171
Date: Thursday, May 31, 2018 1:57:26 PM

Dillon,

No comment, it looks like a much needed update to the rule and I hope it passes through the system smoothly.

Thank you,

Eric Miller

206-618-5992

From: Dillon Roth [mailto:droth@lakestevenswa.gov]
Sent: Tuesday, May 15, 2018 12:14 PM
Subject: Accessory Dwelling Unit code amendment; LUA2017-0171

Dear party of record,

Please see attached for the notice of public hearing and notice of SEPA determination. This notice is in regards to the City's code amendment process for changing the regulations governing accessory dwelling units (ADU). If you would like to comment on this rule change, please reply to this email by May 31st. This public hearing will result in a recommendation from the Planning Commission to City Council. The City Council is the final decision maker and a public hearing will be scheduled with them at a later date.

Also attached for your reference is a draft of the code changes discussed at a briefing at the Planning Commission on May 2.

Let me know if you have any questions or comments.

Take care,
Dillon

Dillon Roth, *Associate Planner*

City of Lake Stevens | Planning & Community Development

1812 Main Street | PO Box 257

Lake Stevens, WA 98258-0257

425.212.3324 | droth@lakestevenswa.gov

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NOTICE: This message and any attachments may contain confidential or privileged information and is only for the use of the intended recipient of this message. If you are not the intended recipient, please notify the sender by return e-mail or phone, and delete or destroy this and all copies of this message and all attachments. Any unauthorized disclosure, use, distribution or reproduction of this message or any attachments is prohibited and may be unlawful. Thank you for your anticipated cooperation.

Attachment 6

From: [Doug Keller](#)
To: [Dillon Roth](#)
Subject: Re: Accessory Dwelling Unit code amendment; LUA2017-0171
Date: Tuesday, May 29, 2018 5:33:15 PM

May 29, 2018

City of Lake Stevens

Community Development

Planning and

Dillon Roth, Associate Planner

Re: Code Amendment to Update ADU

To: Dillon Roth and all others involved in the new ADU regulations,

We want to express in writing our support for modifying current regulations for ADU's and move forward to make the laws for ADU's in the City of Lake Stevens favorable to single family dwelling homeowners so that they can have the legal flexibility for:

"expansion of property rights for current residential property owners; provide ... a means of obtaining rental income, companionship, security and services; make it possible for adult children to care for a parent or other relative in need of assisted living within their own homes; and build a more diverse housing stock to accommodate a wider variety of housing demands."

Thank You,

Doug and Judy Keller

8610 Vernon Rd

Lake Stevens WA 98258

From: Dillon Roth <droth@lakestevenswa.gov>
Sent: Tuesday, May 15, 2018 12:13:51 PM
Subject: Accessory Dwelling Unit code amendment; LUA2017-0171

Dear party of record,

Please see attached for the notice of public hearing and notice of SEPA determination. This notice is in regards to the City's code amendment process for changing the regulations governing accessory dwelling units (ADU). If you would like to comment on this rule change, please reply to this email by May 31st. This public hearing will result in a recommendation from the Planning Commission to City Council. The City Council is the final decision maker and a public hearing will be scheduled with them at a later date.

Also attached for your reference is a draft of the code changes discussed at a briefing at the Planning Commission on May 2.

Let me know if you have any questions or comments.

Take care,
Dillon

Dillon Roth, *Associate Planner*

City of Lake Stevens | Planning & Community Development

1812 Main Street | PO Box 257

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425.212.3324 | droth@lakestevenswa.gov

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Attachment 7



Staff Report
City of Lake Stevens Planning Commission

Planning Commission Briefing
Date: May 2, 2018

SUBJECTS: Accessory Dwelling Unit (ADU) Code Amendment (LUA2017-0171)

CONTACT PERSON/DEPARTMENT: Dillon Roth, Associate Planner

SUMMARY: Code amendment to update ADU regulations

ACTION REQUESTED OF PLANNING COMMISSION: Review and make recommendations on the proposed regulations.

Background on Code Amendment Process

On December 14, 2017, the city initiated a code amendment to update regulations governing accessory dwelling units (ADU). The purpose of the update is to create clear and more flexible regulations for ADUs. The advantages of ADUs and flexible regulations include an expansion of property rights for current residential property owners; provide homeowners a means of obtaining rental income, companionship, security and services; make it possible for adult children to care for a parent or other relative in need of assisted living within their own homes; and build a more diverse housing stock to accommodate a wider variety of housing demands.

On March 21, 2018, the Planning Commission was briefed on the code amendment. Staff presented basic facts of the benefits and issues associated with ADUs, other cities' ADU regulations, the context of housing regulations in the City of Lake Stevens, and the proposed ADU regulations. In the following discussion, the Planning Commission agreed to loosen the restrictions currently governing ADUs and generally agreed on the proposed regulations.

On April 3, 2018, the code amendment was discussed at a City Council work session. Council supported further loosening the proposed regulations and directed staff to remove the owner occupancy requirement. *include that there will be no additional Impact fees for any ADU's added to or included with New Construction where impact fees were, or are being paid for the main residence*
(A forgiveness of impact fees based on financial hardship) and an exemption from frontage improvements was also discussed. Staff revised the proposed regulations and drafted the ADU code based on model ordinances and these discussions with the Planning Commission and City Council (Attachment 1).

Draft Code Summary

The attached draft code is intended for review and comment by the Planning Commission. The draft code generally reflects the proposed regulations that were previously discussed on March 21. To summarize, the draft code revises the definition of ADU, removes the minimum lot size except in high urban residential zones, adds a purpose statement, clarifies the development standards, and adds design requirements. Generally, the draft code reflects a more ADU-friendly code than what the city currently has adopted. In addition to more flexible ADU regulations, the draft code also includes provisions to mitigate impacts. Mitigation measures include, requirements to protect the privacy of neighbors and ADU residents to be visually compatible with single-family homes and to maintain the single-family appearance of the *ie: only 1 set of fees to be paid on each property, None on ADUs as the main Purpose is Low Cost Housing becoming*

more available in the City of Lake Stevens.

neighborhood from the street. *Although Tiny houses of min 120 sq ft and ADU units built above attached or detached Garages with similar character Next steps* *Shan also be Allowed.*
To continue the code amendment process, staff will begin the SEPA review process and the Department of Commerce review process. Staff plans to bring the code amendment before the Planning Commission at a public hearing on June 6 and a public hearing before the City Council on June 26.

ATTACHED:

- 1) Draft ADU Code

14.08.010 Definitions of Basic Terms.

~~Residence, Primary with Accessory Apartment. A residential use having the external appearance of a single-family residence but in which there is located a second dwelling unit that comprises not more than 25 percent of the gross floor area of the building nor more than a total of 750 square feet.~~

Accessory Dwelling Unit. A residential use having the external appearance of a residence. The dwelling unit is an independent self-sustaining unit that provides the basic requirements of shelter, heating, cooking and sanitation or any combination of these.

~~Residence, Two-Family Apartment. A two-family residential use other than a duplex, two-family conversion, or primary residence with accessory apartment.~~

TABLE 14.40-I: TABLE OF PERMISSIBLE USES BY ZONES¹⁶

Use Descriptions	SR	WR	UR	HUR	MFR	NC ⁴	LB	CBD	MU ¹	PRD ⁵	SRC	LI	GI	P/SP
1.220 Primary residence with accessory apartment dwelling unit	p ³	p ³	p ³	p ^{3g}	P				P	P				
1.115 Class A, B, or C mobile home or apartment used exclusively for a night watchman and his/her family ²												A	A	

¹ Subject to Section 14.44.065 (Accessory Apartment in Industrial Zones).

² *Second* Accessory dwelling units in the HUR zone shall only be permitted on lots larger than 125% of the minimum lot size for that zone.

14.44.065 Accessory Apartment in Industrial Zones.

Any accessory apartments permitted in the Light or General Industrial Zone pursuant to Use Class 1.447-115 shall meet the following standards:

- The total number of accessory dwellings on a site shall not exceed ~~one~~ *two one attached & one detached*
- The gross floor area of an accessory apartment site shall not exceed 1,000 square feet.
- The accessory apartment shall be integrated into a larger building which also houses activities for the principally permitted use.
- The apartment use shall not enjoy the protection of the Manufacturing and Processing Performance Standards as contained in Part III of Chapter _____. (Ord. 606, 1999)

14.48.020 Duplexes in Single-Family Zones.

Duplexes, and two-family conversions, and primary residences with an accessory apartment, in single-family zones, shall be allowed only on lots having at least 150 percent of the minimum square footage required for one dwelling unit on a lot in such district. (Ord. 676, Sec. 44, 2003; Ord. 590, 1998; Ord. 468, 1995)

except where the second unit follows the ADU requirements.

TABLE 14.72-J: TABLE OF PARKING REQUIREMENTS

1.200	Two family residences.	1 spaces for each dwelling unit, except that one-bedroom units require only one space.
1.220	Accessory Dwelling Unit	Single family detached residences with accessory dwelling units require 1 space in addition to the 2 spaces required for the principal dwelling.

Cottage Homes shall be required only 1 parking space for the main cottage and 1 space for each ADU up to 2 ADUs

14.44.045 Accessory Dwelling Units (ADU).

The installation of an ADU in new and existing single-family dwellings shall be allowed in residential zones subject to specific development and design standards.

(a) Purpose. The purpose of allowing ADUs is to:

1. Offer a means for residents to remain in their homes and neighborhoods, despite rising costs of living; while obtaining rental income, companionship, security and services.
2. Expand housing options for residential property owners, particularly family caregivers, adult children, aging parents, and families seeking smaller households.
3. Provide another means for homeowners to reinvest in and improve their residential property.
4. Develop housing units in single-family neighborhoods that are appropriate for people at a variety of stages in the life cycle.
5. Promote a broader range of affordable housing options in Lake Stevens.
6. Comply with RCW 43.63A.215, which requires cities with populations greater than twenty thousand to include provisions for ADUs in their development regulations.
7. Comply with the goals and policies of the Housing Element in the Comprehensive Plan.
8. Protect neighborhood stability, property values, and the single-family residential appearance of the neighborhood by ensuring that ADUs are installed under the conditions of this Ordinance.

a. Support Low Cost and Low Income Housing for the Lake Stevens Community

(b) Development Standards.

1. The ADU ^{one may be} may be, within, attached to, or detached from, the principal unit.
2. Only ~~one~~ ADU may be constructed per residential lot. Residential lots with an existing duplex are not eligible to construct ~~an ADU~~ ^{more than 1 ADU}.
3. An ADU can be constructed to a maximum size of up to 50% of the existing single-family home's total gross floor area, or to a maximum size of 800 square feet of total gross floor area, whichever is less.
 - a. The gross floor area is defined in LSMC 14.08.010. Buildings and garages detached from the existing home shall be excluded from calculating the existing home's total gross floor area.
 - b. The total gross floor area of the ADU shall exclude garage space.
 - c. If the ADU is completely located on a single floor, the Director may allow an increased size in order to efficiently use the floor area, so long as all other standards set forth in this section are met.
4. An ADU shall not be smaller than ¹²⁰ ~~250~~ square feet of gross floor area.
5. In High Urban Residential zoning districts, ADUs may only be constructed on lots larger than 125% of the minimum lot size for that zone.
6. An ADU shall not be segregated from the ownership of the principal dwelling through any process that would subvert state and local statutes and ordinances.
7. The construction of an ADU shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire and any other applicable codes.
8. Applicants shall obtain all necessary approvals from agencies with jurisdiction over utility infrastructure.
9. The construction of ADUs shall not require the construction of frontage improvements in the public right-of-way pursuant to LSMC 14.56.170.

except that One RU, Park model or Tiny house Built to RU Code Shall be Allowed in the event new or additional services are necessary.

(c) Design Standards.

1. ADUs shall include architectural and design features that are visually compatible with single-family homes. Examples of these features include using matching materials, colors, window style, or roof design.
2. The privacy of dwelling units on adjacent lots and ADUs shall be protected to a reasonable extent by including a landscape screen, fencing, strategic window and door placement, or orienting the ADU to maximize privacy. *reasonably where possible*
3. *out* If the ADU's primary entrance is not the same as that for the principal dwelling, it shall be less visible from the street view of the principal dwelling than the main entrance of the principal dwelling unit, and the ADU's stairways may not be constructed on the front of the principal dwelling unit. *out*

Out. This clause #3, may penalize some properties with an unusual existing main entrance, or where the ADU may be in front of the main residence that is set back from the main entrance street or over a garage built in front of the main residence etc. external stairways can be built with pleasant appearance and not detract from existing neighborhoods.

Additional ADU Proposal

1. One each up to 800 square foot ADU, plus one Bonus up to 400 square foot ADU, per SFR. The Bonus unit could utilize the following criteria, with at least one of the 3 options being utilized.

Opt. 1. A Family member needs the additional ADU unit.

Opt 2. One of the 3 units is a Low income ADU

Opt 3. At Least one resident of one of the 3 units provides community service to help fulfill a need in the Lake Stevens area. Minimum service of 3 hours once per month.

In the event none of the above 3 options are met at any time. The property owner may make a \$100.00 dollar per month donation to a Local community service fund.

Attachment 8



City of Lake Stevens Planning Commission

Planning Commission Briefing

Date: May 2, 2018

SUBJECTS: Accessory Dwelling Unit (ADU) Code Amendment (LUA2017-0171)

CONTACT PERSON/DEPARTMENT: Dillon Roth, Associate Planner

SUMMARY: Code amendment to update ADU regulations

ACTION REQUESTED OF PLANNING COMMISSION: Review and make recommendations on the proposed regulations.

Background on Code Amendment Process

On December 14, 2017, the city initiated a code amendment to update regulations governing accessory dwelling units (ADU). The purpose of the update is to create clear and more flexible regulations for ADUs. The advantages of ADUs and flexible regulations include an expansion of property rights for current residential property owners; provide homeowners a means of obtaining rental income, companionship, security and services; make it possible for adult children to care for a parent or other relative in need of assisted living within their own homes; and build a more diverse housing stock to accommodate a wider variety of housing demands.

On March 21, 2018, the Planning Commission was briefed on the code amendment. Staff presented basic facts of the benefits and issues associated with ADUs, other cities' ADU regulations, the context of housing regulations in the City of Lake Stevens, and the proposed ADU regulations. In the following discussion, the Planning Commission agreed to loosen the restrictions currently governing ADUs and generally agreed on the proposed regulations.

On April 3, 2018, the code amendment was discussed at a City Council work session. Council supported further loosening the proposed regulations and directed staff to remove the owner occupancy requirement. A forgiveness of impact fees based on financial hardship and an exemption from frontage improvements was also discussed. Staff revised the proposed regulations and drafted the ADU code based on model ordinances and these discussions with the Planning Commission and City Council (Attachment 1).

Draft Code Summary

The attached draft code is intended for review and comment by the Planning Commission. The draft code generally reflects the proposed regulations that were previously discussed on March 21. To summarize, the draft code revises the definition of ADU, removes the minimum lot size except in high urban residential zones, adds a purpose statement, clarifies the development standards, and adds design requirements. Generally, the draft code reflects a more ADU-friendly code than what the city currently has adopted. In addition to more flexible ADU regulations, the draft code also includes provisions to mitigate impacts. Mitigation measures include, requirements to protect the privacy of neighbors and ADU residents to be visually compatible with single-family homes and to maintain the single-family appearance of the

include that there will be no additional Impact Fees for any ADUs added to or included with New Construction where impact fees were, or are being paid for the main residence
Period Remove ie: only 1 set of fees to be paid on each property None on ADUs as the Main Purpose is Low Cost Housing becoming more available in the City of Lake Stevens.

neighborhood from the street.

Although Tiny houses of min 120 sq ft and ADU units built above attached or detached Garages with similar character Next steps

Shan also be Allowed.
To continue the code amendment process, staff will begin the SEPA review process and the Department of Commerce review process. Staff plans to bring the code amendment before the Planning Commission at a public hearing on June 6 and a public hearing before the City Council on June 26.

ATTACHED:

- 1) Draft ADU Code

Additional ADU Proposal

1. One each upto 800 square foot ADU, plus one Bonus upto 400 square foot ADU, per SFR. The Bonus unit could utilize the following criteria, with at least one of the 3 options being utilized.

Opt. 1. A Family member needs the additional ADU unit.

Opt 2. One of the 3 units is a Low income ADU

Opt 3. At Least one resident of one of the 3 units provides community service to help fulfill a need in the Lake Stevens area. Minimum service of 3 hours once per month.

In the event none of the above 3 Options are met at any time. The property owner may make a \$100.00 dollar per month donation to a Local Community service fund.



CITY OF LAKE STEVENS NOTICE OF PUBLIC HEARING & SEPA DETERMINATION

Public Hearing Date: June 6, 2018 at 7 pm at the Lake Stevens Community Center (next to City Hall) 1808 Main Street, Lake Stevens, WA 98258

Notice of Public Hearing & SEPA Determination

Issued on: May 17, 2018
Proposal: Accessory Dwelling Unit (ADU) code amendment – LUA2017-0171
Project Location: Within the city limits of the City of Lake Stevens
Proponent: City of Lake Stevens
Lead Agency: City of Lake Stevens

Project Description &

Environmental Review: The City of Lake Stevens is proposing a code amendment to the regulations governing ADUs. The purpose of the code amendment is to create clear and more flexible regulations for ADUs while also including provisions to mitigate impacts. The code amendment would result in a new definition for ADUs, changes to the permissible use table in Chapter 14.40 LSMC, and a new section LSMC 14.44.045. The full text of the amendment can be obtained from the Department of Planning and Community Development. Changes to the amendment may be made after the public hearing and prior to final adoption. A public hearing before the City Council is required prior to final adoption of the code amendment and will be properly noticed. The City has issued a SEPA Determination of Non-significance concurrently with the Notice of Public Hearing. There will be no adverse environmental impacts.

Date of Application: December 14, 2017

Comment Period: Comments must be submitted by May 31, 2018, 14 days from publication.

Public Review: Interested parties may view the project file at the Lake Stevens Permit Center (1812 Main Street) Monday-Friday 9 am to 4 pm. The city will not take a final action on the proposal until 14 days from the date of this notice. Any person may comment on the proposal and/or the SEPA determination. To receive further information or to submit written comments, please contact Planning and Community Development.

If you have any questions, contact:

Dillon Roth, Associate Planner (425) 212-3324 or droth@lakestevenswa.gov
Planning & Community Development
P.O. Box 257
Lake Stevens, WA 98258

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

Distribution: Official City Notification Boards (City Hall, Subject Property)
Everett Herald
SEPA Agencies

TABLE 14.72-I: TABLE OF PARKING REQUIREMENTS

1.200	Two family residences.	2 spaces for each dwelling unit, except that one-bedroom units require only one space.
1.220	Accessory Dwelling Unit	Single family detached residences with accessory dwelling units require 1 space in addition to the 2 spaces required for the principal dwelling.

Cottage Homes shall be required only 1 parking space for the main cottage and 1 space for each ADU up to 2 ADUs

14.44.045 Accessory Dwelling Units (ADU).

The installation of an ADU in new and existing single-family dwellings shall be allowed in residential zones subject to specific development and design standards.

(a) Purpose. The purpose of allowing ADUs is to:

1. Offer a means for residents to remain in their homes and neighborhoods, despite rising costs of living; while obtaining rental income, companionship, security and services.
2. Expand housing options for residential property owners, particularly family caregivers, adult children, aging parents, and families seeking smaller households.
3. Provide another means for homeowners to reinvest in and improve their residential property.
4. Develop housing units in single-family neighborhoods that are appropriate for people at a variety of stages in the life cycle.
5. Promote a broader range of affordable housing options in Lake Stevens.
6. Comply with RCW 43.63A.215, which requires cities with populations greater than twenty thousand to include provisions for ADUs in their development regulations.
7. Comply with the goals and policies of the Housing Element in the Comprehensive Plan.
8. Protect neighborhood stability, property values, and the single-family residential appearance of the neighborhood by ensuring that ADUs are installed under the conditions of this Ordinance.

a. Support Low Cost and Low Income Housing for the Lake Stevens Community

(b) Development Standards.

1. The ADU may be, within, attached to, or detached from, the principal unit.
2. Only ~~one~~ ADU may be constructed per residential lot. Residential lots with an existing duplex are not eligible to construct ~~an ADU~~ *more than 1 ADU*
3. An ADU can be constructed to a maximum size of up to 50% of the existing single-family home's total gross floor area, or to a maximum size of 800 square feet of total gross floor area, whichever is less.
 - a. The gross floor area is defined in LSMC 14.08.010. Buildings and garages detached from the existing home shall be excluded from calculating the existing home's total gross floor area.
 - b. The total gross floor area of the ADU shall exclude garage space.
 - c. If the ADU is completely located on a single floor, the Director may allow an increased size in order to efficiently use the floor area, so long as all other standards set forth in this section are met.
4. An ADU shall not be smaller than ~~250~~ *120-80* square feet of gross floor area.
5. In High Urban Residential zoning districts, ADUs may only be constructed on lots larger than 125% of the minimum lot size for that zone. *Second*
6. An ADU shall not be segregated from the ownership of the principal dwelling through any process that would subvert state and local statutes and ordinances.
7. The construction of an ADU shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire and any other applicable codes. *except that One RV, Park model or Tiny home*
8. Applicants shall obtain all necessary approvals from agencies with jurisdiction over utility infrastructure.
9. The construction of ADUs shall not require the construction of frontage improvements in the public right-of-way pursuant to LSMC 14.56.170. *Buried to RV Code*

Two

in the event new or additional services are necessary.

shall be Allowed

(c) Design Standards.

1. ADUs shall include architectural and design features that are visually compatible with single-family homes. Examples of these features include using matching materials, colors, window style, or roof design.
2. The privacy of dwelling units on adjacent lots and ADUs shall be protected to a reasonable extent by including a landscape screen, fencing, strategic window and door placement, or orienting the ADU to maximize privacy. *reasonably where possible*
3. *out* If the ADU's primary entrance is not the same as that for the principal dwelling, it shall be less visible from the street view of the principal dwelling than the main entrance of the principal dwelling unit, and the ADU's stairways may not be constructed on the front of the principal dwelling unit. *out*

Out. This clause #3. may penalize some properties with an unusual existing main entrance. or where the ADU may be in front of the main residence that is set back from the main entrance street or over a garage built in front of the main residence etc. external stairways can be built with pleasant appearance and not detract from existing neighborhoods.

14.08.010 Definitions of Basic Terms.

~~Residence, Primary with Accessory Apartment. A residential use having the external appearance of a single-family residence but in which there is located a second dwelling unit that comprises not more than 25 percent of the gross floor area of the building nor more than a total of 750 square feet.~~

~~Accessory Dwelling Unit. A residential use having the external appearance of a residence. The dwelling unit is an independent self-sustaining unit that provides the basic requirements of shelter, heating, cooking and sanitation or any combination of these.~~

~~Residence, Two-Family Apartment. A two-family residential use other than a duplex, two-family conversion, or primary residence with accessory apartment.~~

TABLE 14.40-I: TABLE OF PERMISSIBLE USES BY ZONES¹⁶

Use Descriptions	SR	WR	UR	HUR	MFR	NC ⁴	LB	CBD	MU ¹	PRD ⁵	SRC	LI	GI	P/SP
1.220 Primary residence with accessory apartment dwelling unit	p ³	p ³	p ³	p ³⁸	P				P	P				
1.115 Class A, B, or C mobile home or apartment used exclusively for a night watchman and his/her family ²												A	A	

² Subject to Section 14.44.065 (Accessory Apartment in Industrial Zones).

³⁸ ~~Accessory dwelling units in the HUR zone shall only be permitted on lots larger than 125% of the minimum lot size for that zone.~~

14.44.065 Accessory Apartment in Industrial Zones.

Any accessory apartments permitted in the Light or General Industrial Zone pursuant to Use Class 1.447-115 shall meet the following standards:

- (a) The total number of accessory dwellings on a site shall not exceed ~~one~~ *two one attached & one detached*
- (b) The gross floor area of an accessory apartment site shall not exceed 1,000 square feet.
- (c) The accessory apartment shall be integrated into a larger building which also houses activities for the principally permitted use.
- (d) The apartment use shall not enjoy the protection of the Manufacturing and Processing Performance Standards as contained in Part III of Chapter _____. (Ord. 606, 1999)

14.48.020 Duplexes in Single-Family Zones.

Duplexes, and two-family conversions, ~~and primary residences with an accessory apartment,~~ in single-family zones, shall be allowed only on lots having at least 150 percent of the minimum square footage required for one dwelling unit on a lot in such district. (Ord. 676, Sec. 44, 2003; Ord. 590, 1998; Ord. 468, 1995)

except where the second unit follows the ADU requirements.



LAKE STEVENS CITY COUNCIL

STAFF REPORT

Council Agenda Date: June 26, 2018

Subject: Final Plat – Westlake Crossing Subdivision (LUA2018-0054)

Contact Person/Department: Dillon Roth / Planning Department

Budget Impact: N/A

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:

1. **ACTION:** Hold a public meeting pursuant to LSMC 14.18.035(a); and
2. **MOTION:** Accept the Westlake Crossing subdivision and associated right-of-way dedication (LUA2018-0054) by motion.

SUMMARY: Public meeting and City Council acceptance of the final plat and associated right-of-way dedication (new roads: 6th PI SE, 7th PI SE and 101st Ave SE) for the Westlake Crossing Subdivision – a proposed 66-lot residential subdivision.

At the time of application for final plat approval by the applicant, Final Plats were Type V Quasi-Judicial decisions per Table 14.16A-I. City Council accepts final plats, following a public meeting and dedication of right-of-way, when the subdivision's proponent has met municipal requirements for preliminary plats (Chapter 14.18 LSMC), completed applicable conditions of approval and met the requirements of Chapter 58.17 RCW.

BACKGROUND: The applicant applied for a preliminary subdivision on November 4, 2014. The city issued a SEPA Mitigated Determination of Non-Significance (MDNS) on June 10, 2015 for the subdivision and issued an addendum to the MDNS on February 22, 2016. The SEPA addendum was required because it became evident during the construction plan approval process that existing culverts would need to be replaced and the replacement was not addressed in the original SEPA determination. The Design Review Board recommended approval of the project on August 3, 2015. The City's Hearing Examiner approved the preliminary plat on September 11, 2015. The Hearing Examiner denied a request for reconsideration of the preliminary plat decision on October 8, 2015. A boundary line adjustment was administratively approved on December 17, 2015 that reconfigured the underlying parcels to allow for the Westlake Crossing subdivision. The construction plans were approved April 13, 2016. An administrative modification to the preliminary plat was approved on September 30, 2016. The modification was proposed by a new owner of the plat and requested slight shifts in the location of some tracts and building lots. The city received a pre-application for early review of the final plat on August 30, 2017 at which time staff, partner agencies and the city's surveying consultant reviewed and commented on the final project drawings and lot closure calculations. The city received the application for final plat on April 28, 2018 (**Exhibit 1**); the applicant consented to an extension of the required turnaround time for cities to approve, disapprove or return to the applicant within 30 days from the date of filing the application with the city, pursuant to RCW 58.17.140.

City staff received four public comments during the notice of application comment period (**Exhibit 5**). Each comment is attached to this staff report. Issues raised in the comments include alleged flooding and deficiencies of the drainage report. Some comments received are beyond the scope of the final plat approval criteria and do not concern consistency with the conditions of preliminary plat approval. The applicant has

provided response letters to the public comment, also attached. The following paragraph is a brief history of responses by the city and partner agencies to various complaints of noncompliance. This is intended to provide a background of site visits that demonstrate responsiveness of city staff and partner agencies to public concerns during construction of the subdivision. The site visits listed may not be an exhaustive compilation of all site visits by all applicable agencies.

In addition to routine site visits by the city's Public Works inspector, partner agencies have also completed numerous site inspections to ensure compliance with applicable regulations. The Department of Ecology (DOE) responded to complaints on August 24, 2016, September 23, 2016, December 21, 2016, July 12, 2017 and February 5, 2018. The Army Corps of Engineers, the Department of Fish and Wildlife, and the DOE inspected the site on April 27, 2017 as part of a coordinated site visit with city staff. The final plat inspection was completed by city staff on April 13, 2018. All required plat improvements, like roads and drainage infrastructure, have been installed and inspected by city staff or financially secured.

CONCLUSIONS: Planning and Community Development have prepared this final subdivision recommendation for City Council's review and consideration along with the final plat map (**Exhibit 2**). Staff concludes the final subdivision meets the requirements of the Lake Stevens Municipal Code, conditions of approval and the requirements of Chapter 58.17 RCW (Subdivisions-Dedications).

1. The city has confirmed that all required improvements for subdivision approval have been installed or are financially secured as approved by the Public Works Director and the Community Development Director or designees.
2. The proposed subdivision documents submitted to the city of Lake Stevens meet all requirements of the preliminary plat approval (LUA2014-0087) and the city's standards for final plat approval (LUA2018-0054).
3. The subdivision, as proposed, is consistent with all applicable requirements, permit processing procedures and other applicable codes including public noticing (**Exhibits 3 and 4**).

RECOMMENDATION & CONDITIONS

The Planning and Community Development Department recommends **APPROVAL**, of the Final Plat for the Westlake Crossing Subdivision along with dedication of right-of-way as shown in **Exhibit 2**, subject to the listed conditions:

1. The proponent or successor shall record the approved subdivision (final plat) as depicted in **Exhibit 2** within 12 months of this approval – all recording fees shall be the obligation of the subdivision proponent.
 2. The proponent or successor shall provide conformed copies of the approved final plat to the city of Lake Stevens after recording with Snohomish County.
 3. The proponent or successor must complete all remaining items under the terms of the accepted financial securities in place including but not limited to wetland enhancements, landscaping and maintenance obligations within 12 months of this approval.
 4. The proponent or successor 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.
-

APPLICABLE CITY POLICIES: Chapter 14.18 LSMC - Subdivisions, Boundary Line Adjustments and Binding Site Plans and Chapter 14.16B LSMC

BUDGET IMPACT: None at the time of subdivision; however, the applicant will pay impact fees for schools, parks, and traffic when building permits are issued.

EXHIBIT LIST:

1. Westlake Crossing Subdivision Final Plat Application, received April 28, 2018
2. Westlake Crossing Final Plat Map
3. Notice of Application
 - a. Affidavit of Application Notice
4. Notice of Public Meeting
 - a. Affidavit of Meeting Notice
5. Public Comment
 - a. Public Comment Daudt
 - b. Public Comment Miles
 - c. Public Comment Schwab
 - d. Public Comment Zal
6. Applicant Response Letters
 - a. LDC, dated June 1, 2018
 - b. DR Horton, dated June 7, 2018
 - c. Talasaea, dated May 31, 2018
 - d. Terra Associates, dated May 29, 2018
7. CHS Engineers Recommendation Letter
8. Sewer District plat acceptance letter, dated May 22, 2018
9. Water District plat acceptance letter, dated May 17, 2018

Attachment 1



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: _____

Staff Initials: _____

Permit Number: _____

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

CHECK ONE

TYPE IV – Quasi-judicial

- ☐ Essential Public Facility
- ☐ Planned Neighborhood Development
- ☐ Rezone – Site Specific Zoning Map Amendment
- ☐ Secure Community Transition Facility
- ☐ Type IV Other: _____

TYPE V – Quasi-judicial

- ☒ Final Plats
- ☐ Plat Alterations
- ☐ Plat Vacations
- ☐ Right-of-Way Vacations
- ☐ Type V Other: _____

TYPE VI – Legislative

- ☐ Comprehensive Plan Amendment, Map and Text
- ☐ Development Agreements
- ☐ Land Use Code Amendments
- ☐ Rezones – Area Wide Zoning Map Amendments
- ☐ Type VI Other: _____

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

Property Information	Site Address: 619 99th Ave SE, Lake Stevens, WA 98258			
	Assessor Parcel No: 00493401300300 & 403	Area of property	Square Feet: 645,112	Acres: 14.81
	Land Use Designation: MDR		Zoning: HUR	
	Number of Buildings on Site/: 1		Number to be Retained: 0	
	Existing Impervious Surface Area: 0.21 ac		Proposed Impervious Surface Area: 6.40 ac	
Applicant	Name/Company: Raelyn Hulquist / DR Horton			
	Address: 12910 Totem Lake Blvd NE, Ste 220		City/State/Zip: Kirkland, WA 98034	
	Phone: 425-821-3400		Applicants relationship to owner: Owner	
	Fax:		Email: rhulquist@drhotion.com	
Primary Contact	Name/Company: John Seelbach / LDC, Inc.			
	Address: 20210 142nd Ave NE		City/State/Zip: Woodinville, WA 98072	
	Phone: 425-806-1869		Email: jseelbach@ldccorp.com	
	Fax:			

Property Owner	Name/Company: Raelyn Hulquist / DR Horton				
	Address: 12910 Totem Lake Blvd NE, Ste 220		City/State/Zip: Kirkland, WA 98034		
	Phone: 425-821-3400		Email: rhulquist@drhoton.com		
	Fax:				
Project Description	Grading Quantities		Cut: 38,500 cy		Fill: 19,000 cy
	Proposed project/land use (attach additional sheets if necessary):				
	Final Plat for single family residential subdivision consisting of 62 lots.				
	The above grading quantities are for both the plat and short plat projects.				
Building Information	Gross Floor Area of Existing and Proposed Buildings: To be Determined				
	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.

SSH, LLC dba DR Horton


Signature of Property Owner/Agent
Kevin Kapurzi, PSV President

3.26.18

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.



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: _____

Staff Initials: _____

Permit Number: _____

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: _____

Name: Kevin Capuzzi, Dir Pres.

Address: 11241 Slater Ave NE #200
Kirkland, WA 98033

Phone: 425-825-3180

Email address: rhulquist@drhorton.com

Property Owner(s)

Signature: _____

Name: Kevin Capuzzi, Dir. Pres.

Address: 11241 Slater Ave NE #200
Kirkland, WA 98033

Phone: 425-825-3180

Email address: rhulquist@drhorton.com

Signature: _____

Name: _____

Address: _____

Phone: _____

Email address: _____

WESTLAKE CROSSING
NW 1/4, NW 1/4 OF SEC. 19, TWN. 29 N, RGE. 6 E, W.M.,
CITY OF LAKE STEVENS, SNOHOMISH COUNTY, WASHINGTON
LUA 2018-0054

VOL/PG

DEDICATION

KNOW ALL MEN, (PERSONS) BY THESE PRESENTS THAT SSHI LLC, A DELAWARE LIMITED LIABILITY COMPANY, DBA D R HORTON, THE UNDERSIGNED OWNER, IN FEE SIMPLE OF THE LAND HEREBY PLATTED, HEREBY DECLARE THIS PLAT AND DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, AVENUES, PLACES AND SEWER EASEMENTS OR WHATEVER PUBLIC PROPERTY THERE IS SHOWN ON THE PLAT AND THE USE FOR ANY AND ALL PUBLIC PURPOSES NOT INCONSISTENT WITH THE USE THEREOF FOR PUBLIC HIGHWAY PURPOSES. ALSO, THE RIGHT TO MAKE ALL NECESSARY SLOPES FOR CUTS AND FILLS UPON LOTS, BLOCKS, TRACTS, ETC. SHOWN ON THIS PLAT IN THE REASONABLE ORIGINAL GRADING OF ALL THE STREETS, AVENUES, PLACES, ETC. SHOWN HEREON. ALSO, THE RIGHT TO DRAIN ALL STREETS OVER AND ACROSS ANY LOT OR LOTS WHERE WATER MIGHT TAKE A NATURAL COURSE AFTER THE STREET OR STREETS ARE GRADED. ALSO, ALL CLAIMS FOR DAMAGE AGAINST ANY GOVERNMENTAL AUTHORITY ARE WAIVED WHICH MAY BE OCCASIONED TO THE ADJACENT LAND BY THE ESTABLISHED CONSTRUCTION, DRAINAGE, AND MAINTENANCE OF SAID ROADS.

FOLLOWING ORIGINAL REASONABLE GRADING OF ROADS AND WAYS HEREON, NO DRAINAGE WATERS ON ANY LOT OR LOTS SHALL BE DIVERTED OR BLOCKED FROM THEIR NATURAL COURSE SO AS TO DISCHARGE UPON ANY PUBLIC ROAD RIGHTS-OF-WAY TO HAMPER PROPER ROAD DRAINAGE. THE OWNER OF ANY LOT OR LOTS PRIOR TO MAKING ANY ALTERATION IN THE DRAINAGE SYSTEM AFTER THE RECORDING OF THE PLAT, MUST MAKE APPLICATION TO AND RECEIVE APPROVAL FROM THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS FOR SAID ALTERATION. ANY ENCLOSING OF DRAINAGE WATERS IN CULVERTS OR DRAINS OR REROUTING THEREOF ACROSS ANY LOT AS MAY BE UNDERTAKEN BY OR FOR THE OWNER OF ANY LOT SHALL BE DONE BY AND AT THE EXPENSE OF SUCH OWNER.

TRACT 993 LANDSCAPE & ENTRY SIGN; TRACT 994 LANDSCAPE, UTILITY AND ACCESS TRACT; TRACT 995 DETENTION; TRACTS 996, 997 AND 998 NATIVE GROWTH PROTECTION AREA (NGPA); TRACT 999, STORMWATER AND DETENTION; ARE HEREBY GRANTED AND CONVEYED TO THE WESTLAKE CROSSING HOMEOWNERS ASSOCIATION (HOA) UPON RECORDING OF THIS PLAT SUBJECT TO AN EMERGENCY MAINTENANCE EASEMENT GRANTED AND CONVEYED TO THE CITY OF LAKE STEVENS. OWNERSHIP AND MAINTENANCE OF SAID TRACTS CONSISTENT WITH CITY CODE SHALL BE THE RESPONSIBILITY OF THE HOA UNLESS AND UNTIL TRACT OWNERSHIP BY ALL LOTS WITHIN THIS SUBDIVISION IS AUTHORIZED PURSUANT TO A FINAL PLAT ALTERATION. USE OF SAID TRACTS IS RESTRICTED TO THAT SPECIFIED IN THE APPROVED FINAL PLAT. THE HOA AND THE OWNERS OF ALL LOTS WITHIN THE SUBDIVISION SHALL COMPLY WITH THOSE CITY REGULATIONS AND CONDITIONS OF FINAL SUBDIVISION APPROVAL SPECIFIED ON THE PLAT. THE HOA SHALL REMAIN IN EXISTENCE UNLESS AND UNTIL ALL LOTS WITHIN THIS SUBDIVISION HAVE ASSUMED COMMON OWNERSHIP OF SAID TRACTS. IN THE EVENT THAT THE HOA SHOULD BE DISSOLVED, THEN EACH LOT SHALL HAVE AN EQUAL AND UNDIVIDED OWNERSHIP INTEREST IN THE TRACTS PREVIOUSLY OWNED BY THE HOA AS WELL AS RESPONSIBILITY FOR MAINTAINING THE TRACTS. MEMBERSHIP IN THE HOA AND PAYMENT OF DUES OR OTHER ASSESSMENTS FOR MAINTENANCE PURPOSES SHALL BE A REQUIREMENT OF LOT OWNERSHIP, AND SHALL REMAIN AN APPURTENANCE TO AND INSEPARABLE FROM EACH LOT. THIS COVENANT SHALL BE BINDING UPON AND INURE TO THE BENEFIT OF THE HOA, THE OWNERS OF ALL LOTS WITHIN THE SUBDIVISION AND ALL OTHERS HAVING ANY INTEREST IN THE TRACTS OR LOTS.

IN WITNESS WHEREOF, WE SET OUR HANDS AND SEALS THIS _____ DAY OF _____, 20____.

SSHI LLC, A DELAWARE LIMITED LIABILITY COMPANY, DBA DR HORTON
BY: SHLR OF WASHINGTON INC, A WASHINGTON CORPORATION, IT'S MEMBER

BY: _____
KEVIN A. CAPUZZI, VICE PRESIDENT AND SEATTLE DIVISION PRESIDENT

ACKNOWLEDGMENTS

STATE OF WASHINGTON)
) SS.
COUNTY OF SNOHOMISH)

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT KEVIN A. CAPUZZI IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT HE SIGNED THIS INSTRUMENT, ON OATH STATED THAT HE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE DIVISION PRESIDENT OF SSHI LLC, A DELAWARE LIMITED LIABILITY COMPANY, DBA D R HORTON, TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED _____
SIGNATURE OF NOTARY PUBLIC _____
PRINTED NAME _____
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
RESIDING AT _____
MY APPOINTMENT EXPIRES _____

APPROVALS

CERTIFICATE OF SUBDIVISION APPROVAL
EXAMINED AND APPROVED THIS _____ DAY OF _____, 2018

LAKE STEVENS PLANNING AND COMMUNITY DEVELOPMENT DIRECTOR

APPROVAL OF PUBLIC IMPROVEMENTS
EXAMINED AND APPROVED THIS _____ DAY OF _____, 2018.

LAKE STEVENS PUBLIC WORKS DIRECTOR

CITY COUNCIL APPROVAL
EXAMINED, FOUND TO BE IN CONFORMITY WITH APPLICABLE ZONING AND OTHER LAND USE CONTROLS, AND APPROVED THIS _____ DAY OF _____, 2018.

LAKE STEVENS MAYOR _____ DATE _____

CERTIFICATE OF CITY TREASURER
I HEREBY CERTIFY THAT ALL MONIES AND DEBTS PERTAINING TO THIS DIVISION WERE PAID TO THE CITY OF LAKE STEVENS BY THE _____ DAY OF _____, 2018.

FINANCE DIRECTOR _____ DATE _____

SNOHOMISH COUNTY TREASURER'S CERTIFICATE
I HEREBY CERTIFY THAT ALL STATE AND COUNTY TAXES HERETOFORE LEVIED AGAINST THE PROPERTY DESCRIBED HEREIN, ACCORDING TO THE BOOKS AND RECORDS OF MY OFFICE, HAVE BEEN FULLY PAID AND DISCHARGED, INCLUDING _____ TAXES.

DEPUTY COUNTY TREASURER _____ DATE _____

AUDITOR'S CERTIFICATE

FILED FOR RECORD AT THE REQUEST OF THE CITY OF LAKE STEVENS, THIS _____ DAY OF _____ 2018, AT _____ MINUTES PAST _____ M, AND RECORDED IN VOLUME _____ OF PLATS, PAGES _____, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

AUDITOR, SNOHOMISH COUNTY

BY: _____
DEPUTY COUNTY AUDITOR

SNOHOMISH COUNTY A.F. NO. _____

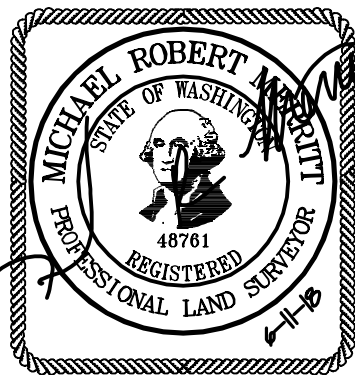
SHEET:
1 OF 7

LAND SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PLAT OF WESTLAKE CROSSING IS BASED UPON AN ACTUAL SURVEY AND SUBDIVISION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER, SECTION 19, TOWNSHIP 29 NORTH, RANGE 6 EAST, W.M. AS REQUIRED BY THE STATE STATUTES; THAT THE DISTANCES, COURSES AND ANGLES ARE SHOWN THEREON CORRECTLY; THAT THE MONUMENTS SHALL BE SET AND LOT AND BLOCK CORNERS SHALL BE STAKED CORRECTLY ON THE GROUND, THAT I FULLY COMPLIED WITH THE PROVISIONS OF THE STATE AND LOCAL STATUTES AND REGULATIONS GOVERNING PLATTING.

MICHAEL R. MERRITT, PROFESSIONAL LAND SURVEYOR
STATE OF WASHINGTON CERTIFICATE NO. 48761

DATE



LDC
THE CIVIL ENGINEERING GROUP

20210 142nd Ave NE
Woodinville, WA 98072

Engineering
Structural
Planning
Survey

Ph. 425.806.1869
Fx. 425.482.2893

www.LDCcorp.com

WESTLAKE CROSSING

NW 1/4, NW 1/4 OF SEC. 19, TWN. 29 N, RGE. 6 E, W.M.,
CITY OF LAKE STEVENS, SNOHOMISH COUNTY, WASHINGTON

DRAWN BY:	DATE:	DRAWING FILE NAME:	SCALE:	JOB NUMBER:
WJT	10-13-16	16-120SV-FP	N.T.S.	16-120

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WESTLAKE CROSSING
NW 1/4, NW 1/4 OF SEC. 19, TWN. 29 N, RGE. 6 E, W.M.,
CITY OF LAKE STEVENS, SNOHOMISH COUNTY, WASHINGTON
LUA 2018-0054

EASEMENTS AND RESTRICTIONS

PER FIRST AMERICAN TITLE INSURANCE COMPANY UNDER ORDER NUMBER 2894280, DATED MAY 31, 2018.

- NO FURTHER DIVISION OF ANY LOT IS ALLOWED WITHOUT SUBMITTING FOR A NEW SUBDIVISION OR SHORT SUBDIVISION.
- THE SALE OR LEASE OF LESS THAN A WHOLE LOT IN ANY SUBDIVISION PLATTED AND FILED UNDER LSMC 14.18.020 FOR RE-SUBDIVISION IS EXPRESSLY PROHIBITED EXCEPT IN COMPLIANCE WITH 14.18.020.
- THE PLANTER AREAS OF ALL RIGHTS-OF-WAY IMPROVED BY THIS SUBDIVISION WILL BE MAINTAINED BY THE WESTLAKE CROSSING HOMEOWNERS ASSOCIATION (HOA).
- THE SUBJECT PROPERTY IS LOCATED WITHIN THE LAKE STEVENS SCHOOL DISTRICT. THE CITY HAS ADOPTED THE DISTRICTS 2002-2007 CAPITAL FACILITIES PLAN AS PART OF THE COMPREHENSIVE PLAN AND HAS ADOPTED A GROWTH MANAGEMENT ACT (GMA)-BASED SCHOOL IMPACT FEE (LSMC 14.100). EXHIBIT A, PAGE 4. THE FEE IS DUE PRIOR TO BUILDING PERMIT ISSUANCE ACCORDING TO THE FEE SCHEDULE IN PLACE AT THE TIME OF BUILDING PERMIT APPLICATION. LSMC 14.100.170.
- THE DEVELOPMENT IS SUBJECT TO PARK IMPACT FEES PURSUANT TO CHAPTER 14.120 LSMC. IMPACT FEES FOR EACH LOT SHALL BE ASSESSED AND COLLECTED AT THE TIME OF ISSUANCE OF A BUILDING PERMIT PURSUANT TO LSMC 14.120.120.
- THE DEVELOPMENT IS SUBJECT TO TRAFFIC IMPACT FEES PURSUANT TO CHAPTER 14.112 LSMC. IMPACT FEES FOR EACH LOT SHALL BE ASSESSED AND COLLECTED AT THE TIME OF ISSUANCE OF A BUILDING PERMIT PURSUANT TO LSMC 14.120.120.
- 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 LSMC 14.88.295 ARE ALLOWED WHEN APPROVED BY THE CITY. DRAINAGE FACILITIES LOCATED IN TRACTS 996, 997, AND 998 ARE SUBJECT TO THE DRAINAGE FACILITY MAINTENANCE COVENANT ON THIS FINAL PLAT.
- EACH LOT WILL INCLUDE A PARKING PAD WITH A MINIMUM DIMENSION OF 18- FEET WIDE BY 19- FEET DEEP, BEHIND THE EDGE OF THE RIGHT-OF-WAY, TO SUPPORT TWO VEHICLES PER TABLE 14.72-I; SATISFY DIMENSIONAL REQUIREMENTS PER LSMC 14.72.030; AND SAFETY STANDARDS PER LSMC14.56.050.
- ANY LOT THAT INCLUDES OR IS ADJACENT TO A RETAINING WALL OR ROCKERY INSTALLED BY THE DEVELOPER THAT IS ADJACENT TO OR STRADDLES ONE OR MORE PROPERTY LINES SHALL BE SUBJECT TO A PERMANENT EASEMENT GRANTED TO THE LOT OWNER ON THE OTHER SIDE OF SUCH RETAINING WALL OR ROCKERY FOR PURPOSES OF MAINTAINING AND REPAIRING SUCH RETAINING WALL OR ROCKERY. REPAIR AND MAINTENANCE OF SUCH RETAINING WALL OR ROCKERY SHALL BE THE SHARED RESPONSIBILITY OF THE LOT OWNERS ON BOTH SIDE OF SUCH RETAINING WALL OR ROCKERY.
- THIS PLAT IS SUBJECT TO AN EASEMENT, INCLUDING TERMS AND CONDITIONS CONTAINED THEREIN, GRANTED TO RAYMOND A. STEINBACK, A SINGLE MAN, FOR INGRESS, EGRESS AND UTILITIES, AS RECORDED ON DECEMBER 03, 1968 UNDER RECORDING NUMBER 2066924.
- THIS PLAT IS SUBJECT TO AN EASEMENT, INCLUDING TERMS AND CONDITIONS CONTAINED THEREIN, GRANTED TO RICHARD D. BEHREND'S AND JOYCE BEHREND'S, HUSBAND AND WIFE, FOR INGRESS AND EGRESS, AS RECORDED ON NOVEMBER 07, 2003 UNDER RECORDING NUMBER 200311070752.
- THIS PLAT IS SUBJECT TO THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "WESTLAKE CROSSING DEVELOPER EXTENSION AGREEMENT" RECORDED SEPTEMBER 11, 2015 AS RECORDING NO. 201509110197 OF OFFICIAL RECORDS.
- THIS PLAT IS SUBJECT TO ANY RIGHTS, INTERESTS OR CLAIMS WHICH MAY EXIST OR ARISE BY REASON OF UNRECORDED SURVEY, JOB NO. 2014-062, DATED APRIL 28, 2015, PREPARED BY LAND RESOLUTIONS, AS DISCLOSED BY DEED RECORDED UNDER RECORDING NO. 201510150325.
- THIS PLAT IS SUBJECT TO THE TERMS, COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, BOUNDARY DISCREPANCIES AND ENCROACHMENTS AS CONTAINED IN RECORDED LOT LINE ADJUSTMENT (BOUNDARY LINE REVISIONS) LUA 2014-0086, AS RECORDED ON DECEMBER 23, 2015, UNDER RECORDING NUMBER 201512235008. AN AFFIDAVIT OF BOUNDARY LINE ADJUSTMENT NO. LUA2015-0059 WAS RECORDED DECEMBER 23, 2015 UNDER RECORDING NO. 201512230650.
- THIS PLAT IS SUBJECT TO THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "SEWER EASEMENT AGREEMENT", AS RECORDED ON MAY 16, 2016, UNDER RECORDING NUMBER 201605160056.
- THIS PLAT IS SUBJECT TO THE SEWER EASEMENT AGREEMENT AND THE TERMS AND CONDITIONS THEREOF BETWEEN MERCY PROPERTIES WASHINGTON III LLC AND WEST LAKE CROSSING, LLC, UNDER RECORDING NUMBER 201607180592.
- THIS PLAT IS SUBJECT TO THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "BARGAIN AND SALE MINERAL DEED" AS RECORDED ON JULY 28, 2016, UNDER RECORDING NUMBER 201607280228. ALSO BEING SUBJECT TO A PARTIAL RELEASE RECORDED UNDER RECORDING NUMBER 201804090499.
- THIS PLAT IS SUBJECT TO AN EASEMENT, INCLUDING TERMS AND CONDITIONS CONTAINED THEREIN, GRANTED TO PUGET SOUND ENERGY, INC., A WASHINGTON CORPORATION, FOR ELECTRIC AND/OR GAS TRANSMISSION AND/OR DISTRIBUTION SYSTEM, AS RECORDED ON DECEMBER 29, 2017 UNDER RECORDING NUMBER 201712290198.
- THIS PLAT IS SUBJECT TO AN EASEMENT, INCLUDING TERMS AND CONDITIONS CONTAINED THEREIN, GRANTED TO PUGET SOUND ENERGY, INC., A WASHINGTON CORPORATION, FOR ELECTRIC AND/OR GAS TRANSMISSION AND/OR DISTRIBUTION SYSTEM, AS RECORDED ON FEBRUARY 5, 2018 UNDER RECORDING NUMBER 201802050480.
- THIS PLAT IS SUBJECT TO A TEMPORARY CONSTRUCTION AND PERMANENT FIRE ACCESS EASEMENT AND MAINTENANCE AGREEMENT AND THE TERMS AND CONDITIONS THEREOF AS RECORDED UNDER RECORDING NUMBER 201805140567.
- THIS PLAT IS SUBJECT TO THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "TITLE TRANSFER OF DONATED FACILITIES" AS RECORDED ON MARCH 23, 2018 UNDER RECORDING NUMBER 201805230223.
- THIS PLAT IS SUBJECT TO AN EASEMENT FOR SEWER LINE IN FAVOR OF LAKE STEVENS SEWER DISTRICT, INCLUDING TERMS AND PROVISIONS CONTAINED THEREIN AS RECORDED UNDER RECORDING NUMBER 201805230224.
- THIS PLAT IS SUBJECT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF WESTLAKE CROSSING HOMEOWNERS' ASSOCIATION AND THE TERMS, CONDITIONS AND PROVISIONS CONTAINED THEREIN RECORDED UNDER AUDITOR'S FILE NUMBER _____.

DRAINAGE FACILITY MAINTENANCE COVENANT

WE, THE OWNERS AND CONTRACT PURCHASERS OF THE LANDS HEREIN PLATTED (GRANTOR), AGREE THAT THE OBLIGATIONS OF GRANTOR SHALL INURE TO THE BENEFIT OF AND BE BINDING UPON THE HEIRS, SUCCESSORS, AND ASSIGNS. GRANTOR AGREES THAT THIS COVENANT TOUCHES AND CONCERNS THE LAND DESCRIBED HEREIN AND SHALL RUN WITH THE LAND.

GRANTOR BY EXECUTION OF THIS COVENANT ACKNOWLEDGES THAT THE BENEFITS OF THIS COVENANT INURE TO GRANTOR, DOWNSTREAM PROPERTY OWNERS, AND THE GENERAL PUBLIC, AND THAT THE CITY OF LAKE STEVENS (CITY) AS THIRD-PARTY BENEFICIARY OF THIS COVENANT HAS THE RIGHT, BUT NOT THE OBLIGATION, TO ENFORCE THIS COVENANT ON BEHALF OF DOWNSTREAM PROPERTY OWNERS AND THE GENERAL PUBLIC. CITY REQUIRES THIS COVENANT TO PROTECT PRIVATE AND PUBLIC PROPERTY, PRIVATE AND PUBLIC DRAINAGE INFRASTRUCTURE, AND NATURAL RESOURCES OF DOWNSTREAM PROPERTY OWNERS AND THE GENERAL PUBLIC.

GRANTOR, IN CONSIDERATION OF THE APPROVAL OF THIS SUBDIVISION, HEREBY COVENANTS TO PERFORM REGULAR MAINTENANCE UPON THE DRAINAGE FACILITIES INSTALLED, OR TO BE INSTALLED, UPON GRANTOR'S PROPERTY. REGULAR MAINTENANCE SHALL INCLUDE, AT A MINIMUM, ANNUAL INSPECTION OF THE STORM WATER DRAINAGE SYSTEM. AS APPLICABLE, THE SYSTEM SHALL INCLUDE THE STORM WATER CONVEYANCE SYSTEM PIPES, DITCHES, SWALES, AND CATCH BASINS; STORM WATER FLOW REGULATION SYSTEM DETENTION PONDS, VAULTS, PIPES, RETENTION PONDS, FLOW REGULATION AND CONTROL STRUCTURES; INFILTRATION SYSTEMS AND WATER QUALITY CONTROL SYSTEM.

THE SCOPE OF THIS COVENANT AND RIGHT OF ENTRY SHALL BE ADEQUATE TO PROVIDE FOR THE ACCESS, INSPECTION, AND MAINTENANCE OF THE STORM WATER DRAINAGE SYSTEM, AND SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

- CITY SHALL HAVE THE PERPETUAL RIGHT OF ENTRY ACROSS ADJACENT LANDS OF THE GRANTOR FOR PURPOSES OF INSPECTION, AUDITING, OR CONDUCTING REQUIRED MAINTENANCE OF THE DRAINAGE FACILITY.
- IF CITY INSPECTION DETERMINES THAT MAINTENANCE IS NOT BEING PERFORMED, CITY SHALL ENDEAVOR TO PROVIDE GRANTOR REASONABLE ADVANCE NOTIFICATION OF THE NEED TO PERFORM THE MAINTENANCE AND A REASONABLE OPPORTUNITY FOR GRANTOR TO PERFORM IT. IN THE EVENT THAT GRANTOR FAILS TO COMPLETE THE REQUIRED MAINTENANCE WITHIN A REASONABLE TIME PERIOD, CITY SHALL HAVE THE RIGHT TO PERFORM OR CONTRACT WITH OTHERS TO PERFORM IT AT THE SOLE EXPENSE OF THE GRANTOR. IF CITY IN ITS SOLE DISCRETION DETERMINES THAT AN IMMINENT OR PRESENT DANGER EXISTS, REQUIRED MAINTENANCE AND/OR REPAIR MAY BEGIN IMMEDIATELY AT GRANTOR'S EXPENSE WITHOUT PRIOR NOTICE TO GRANTOR. IN SUCH EVENT, CITY SHALL PROVIDE GRANTOR WITH A WRITTEN STATEMENT AND ACCOUNTING OF ALL WORK PERFORMED AND THE FEES, CHARGES, AND EXPENSES INCURRED IN MAKING SUCH REPAIRS. GRANTOR SHALL AGREE TO REIMBURSE CITY OR PAY CITY'S VENDORS DIRECTLY FOR ALL REASONABLE FEES, CHARGES, AND EXPENSES IDENTIFIED IN CITY'S STATEMENT.

3. IF CITY IS REQUIRED TO ACT AS A RESULT OF GRANTOR'S FAILURE TO COMPLY WITH THIS COVENANT, CITY MAY REMOVE ANY OBSTRUCTION AND/OR INTERFERENCES THAT IN THE SOLE OPINION OF CITY IMPAIR THE OPERATION OF THE DRAINAGE FACILITY OR THE MAINTENANCE THEREOF. GRANTOR AGREES TO HOLD CITY, ITS OFFICERS, EMPLOYEES, AND AGENTS HARMLESS FROM ANY AND ALL CLAIMS, ACTIONS, SUITS, LIABILITY, LOSS, EXPENSES, DAMAGES AND JUDGMENTS OF ANY NATURE WHATSOEVER, INCLUDING COSTS AND ATTORNEY'S FEES, INCURRED BY THE REMOVAL OF VEGETATION OR PHYSICAL INTERFERENCE FROM THE DRAINAGE FACILITY.

4. WHEN EXERCISING THE MAINTENANCE PROVISIONS OF THE COVENANT, IN THE EVENT OF NONPAYMENT, CITY MAY BRING SUIT TO RECOVER SUCH COSTS, INCLUDING ATTORNEY'S FEES, AND UPON OBTAINING A JUDGEMENT, SUCH AMOUNT SHALL BECOME A LIEN AGAINST THE PROPERTY OF GRANTOR AS PROVIDED IN RCW 4.56.190.

5. GRANTOR COVENANTS THAT ALL OF THE OWNERS, CONTRACT PURCHASERS AND LIEN HOLDERS OF THE PROPERTY DESCRIBED HEREIN HAVE SIGNED THE DEDICATION AND/OR DECLARATION OF THIS SUBDIVISION, THAT THEY HAVE THE RIGHT TO GRANT THIS COVENANT ON THE PROPERTY, AND THAT THE TITLE TO THE PROPERTY IS FREE AND CLEAR OF ANY ENCUMBRANCES WHICH WOULD INTERFERE WITH THE ABILITY TO GRANT THIS COVENANT.

LAKE STEVENS SEWER DISTRICT (LSSD) PROVISIONS

THE SEWER EASEMENT LOCATED ACROSS LOTS 26, 27 AND 28, AS SHOWN HEREON, IS HEREBY RESERVED FOR AND GRANTED TO THE LAKE STEVENS SEWER DISTRICT FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, OPERATING AND MAINTAINING THE SANITARY SEWER SYSTEM, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH PURPOSES.

THIS EASEMENT SHALL BE FREE FROM ALL PERMANENT STRUCTURES OR OTHER STRUCTURES, SUCH AS COVERED PARKING, DECKS, OVERHANGS, SHEDS, ETC., WHICH INTERFERE WITH THE DISTRICT MAINTENANCE AND REPAIR RESPONSIBILITIES.

WATER EASEMENT PROVISION

THE WATER EASEMENT LOCATED ACROSS LOTS 27, 28 AND 29, AS SHOWN HEREON, IS HEREBY RESERVED FOR AND GRANTED TO THE SNOHOMISH COUNTY PUBLIC UTILITY DISTRICT FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, OPERATING AND MAINTAINING THE WATER SYSTEM, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH PURPOSES.

EASEMENT PROVISIONS

AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO ALL UTILITIES SERVING SUBJECT PLAT AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, UNDER AND UPON THE EXTERIOR 10 FEET PARALLEL WITH AND ADJOINING THE STREET FRONTAGE OF ALL LOTS, TRACTS AND COMMON AREAS IN WHICH TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE AND MAINTAIN UNDERGROUND CONDUITS, CABLES, PIPE, AND WRES' WITH NECESSARY FACILITIES AND OTHER EQUIPMENT FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC, TELEPHONE, GAS, TELEVISION CABLE AND OTHER UTILITY SERVICES TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS, TRACTS AND COMMON AREAS AT ALL TIMES FOR THE PURPOSES HEREIN STATED.

DRAINAGE EASEMENTS DESIGNATED ON THE PLAT ARE HEREBY RESERVED FOR AND GRANTED TO THE CITY OF LAKE STEVENS, EXCEPT THOSE DESIGNATED ON THE PLAT AS PRIVATE EASEMENTS, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS AND THE RIGHT TO EXCAVATE, CONSTRUCT, OPERATE, MAINTAIN, REPAIR AND/OR REBUILD AN ENCLOSED OR OPEN CHANNEL STORM WATER CONVEYANCE SYSTEM AND/OR OTHER DRAINAGE FACILITIES, UNDER, UPON OR THROUGH THE DRAINAGE EASEMENT.

JOINT USE DRIVEWAY AND UTILITY EASEMENT PROVISIONS

JOINT USE DRIVEWAY & UTILITY EASEMENTS AS DEPICTED HEREIN ARE FOR THE BENEFIT OF INDIVIDUAL LOTS INDICATED HEREIN. THE RESPONSIBILITY OF AND THE COSTS FOR THE MAINTENANCE, REPAIR, AND/OR RECONSTRUCTION OF THE JOINT USE DRIVEWAY & UTILITIES, INCLUDING STORMWATER, LOCATED WITHIN SAID PRIVATE EASEMENTS SHALL BE BORNE BY THOSE OWNERS BENEFITING FROM SAID SYSTEMS (INCLUDING THE OWNER OF THE LOT ON WHICH THE EASEMENT IS LOCATED IF SUCH LOT USES SUCH DRIVEWAY).

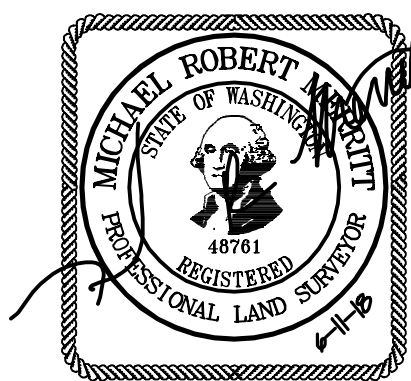
- THE SHARED DRIVEWAY EASEMENT OVER LOTS 27 AND 28 IS GRANTED AND CONVEYED TO LOTS 27, AND 28.
- THE SHARED DRIVEWAY EASEMENT OVER LOTS 47 AND 48 IS GRANTED AND CONVEYED TO LOTS 47, AND 48.

PRIVATE STORM DRAINAGE EASEMENT

- THE 10-FOOT WIDE PRIVATE STORM DRAINAGE EASEMENT LOCATED ACROSS TRACT 996 AS SHOWN HEREON, IS HEREBY RESERVED FOR AND GRANTED TO LOT 1 FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, OPERATING AND MAINTAINING THE PRIVATE SIDE STORM SYSTEM, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH PURPOSES.
- THE 10-FOOT WIDE PRIVATE STORM DRAINAGE EASEMENT LOCATED ACROSS TRACT 997 AS SHOWN HEREON, IS HEREBY RESERVED FOR AND GRANTED TO LOT 20 FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, OPERATING AND MAINTAINING THE PRIVATE SIDE STORM SYSTEM, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH PURPOSES.
- THE 10-FOOT WIDE PRIVATE STORM DRAINAGE EASEMENT LOCATED ACROSS TRACT 998 AS SHOWN HEREON, IS HEREBY RESERVED FOR AND GRANTED TO LOT 40 FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, OPERATING AND MAINTAINING THE PRIVATE SIDE STORM SYSTEM, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH PURPOSES.
- THE 10-FOOT WIDE PRIVATE STORM DRAINAGE EASEMENT LOCATED ACROSS TRACT 998 AS SHOWN HEREON, IS HEREBY RESERVED FOR AND GRANTED TO LOT 47 FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, OPERATING AND MAINTAINING THE PRIVATE SIDE STORM SYSTEM, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH PURPOSES.

SNOHOMISH COUNTY A.F. NO. _____

SHEET:
2 OF 7



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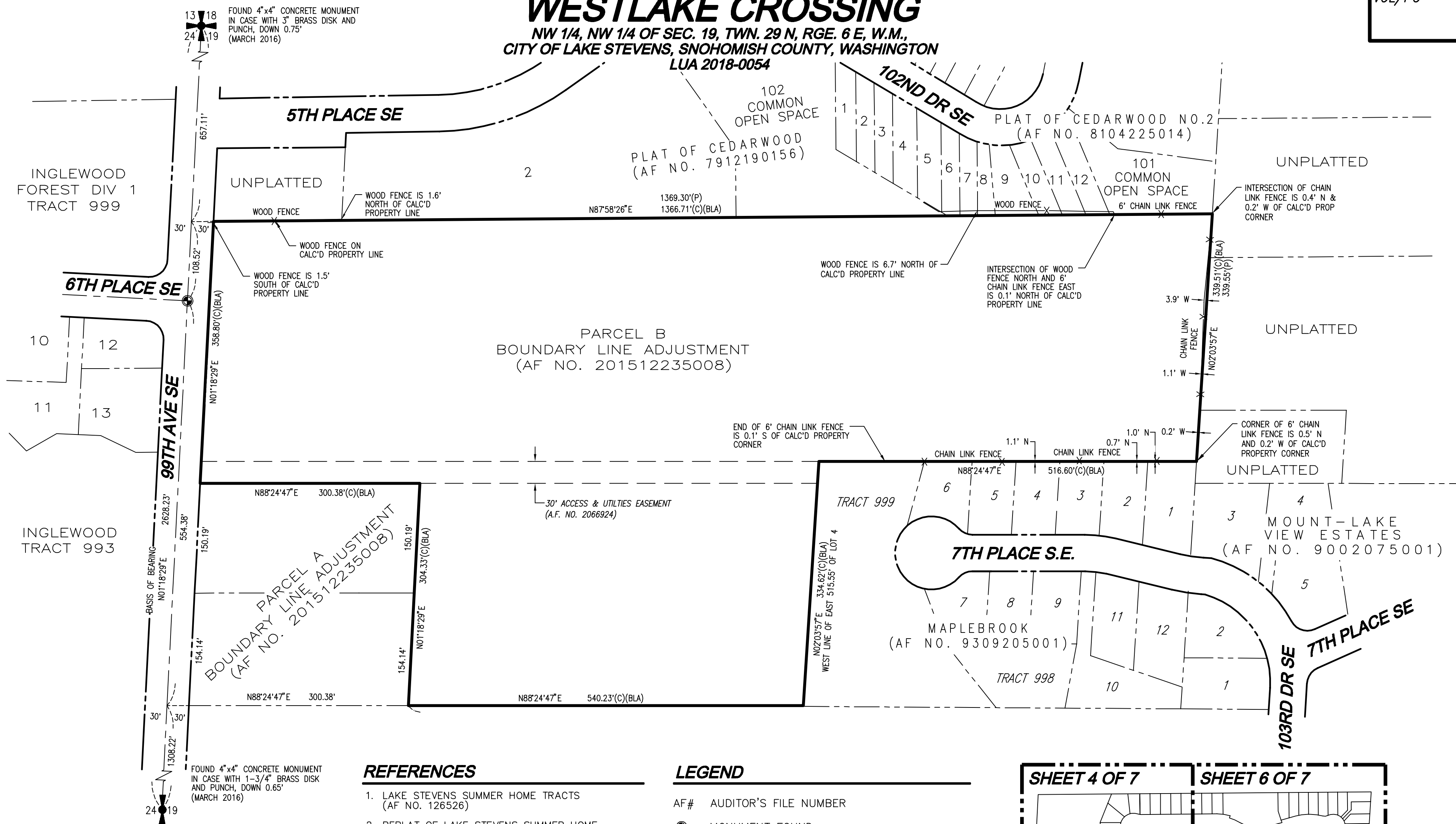
WESTLAKE CROSSING

NW 1/4, NW 1/4 OF SEC. 19, TWN. 29 N, RGE. 6 E, W.M.,
CITY OF LAKE STEVENS, SNOHOMISH COUNTY, WASHINGTON

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WJT	10-13-16	16-120SV-FF	N.T.S.	16-120

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LEGAL DESCRIPTION

PER FIRST AMERICAN TITLE INSURANCE COMPANY UNDER ORDER NUMBER 2894280, DATED MAY 31, 2018.

PARCEL B, BOUNDARY LINE ADJUSTMENT NO. LUA2015-0059, RECORDED UNDER RECORDING NO. 201512230650 AND AS DISCLOSED BY SURVEY RECORDED UNDER RECORDING NO. 201512235008, BEING A PORTION OF LOTS 3 AND 4, BLOCK 13, REPLAT OF LAKE STEVENS SUMMER HOME TRACTS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 9 OF PLATS, PAGE 66, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;

EXCEPT ANY SUBSURFACE RESOURCES AS GRANTED BY BARGAIN AND SALE MINERAL DEED RECORDED UNDER RECORDING NO. 201607280228.

SURVEY INSTRUMENTATION

SURVEYING PERFORMED IN CONJUNCTION WITH THIS MAPPING UTILIZED THE FOLLOWING EQUIPMENT AND PROCEDURES:

5" ROBOTIC TOTAL STATION MAINTAINED TO MANUFACTURE'S SPECIFICATIONS AS REQUIRED BY WAC-332-130-100.

PROCEDURE USED: FIELD TRAVERSE WITH ACCURACY MEETING OR EXCEEDING THE REQUIREMENTS OF WAC-332-130-090.

REFERENCES

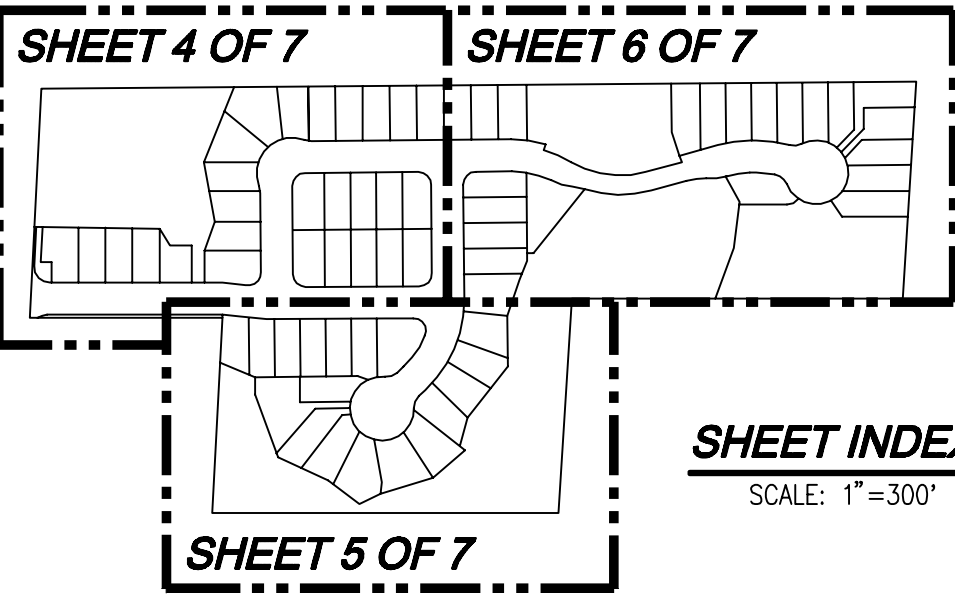
- LAKE STEVENS SUMMER HOME TRACTS (AF NO. 126526)
- REPLAT OF LAKE STEVENS SUMMER HOME TRACTS (VOL. 9, PG. 66)
- PLAT OF CEDARWOOD (AF NO. 7912190156)
- PLAT OF CEDARWOOD NO. 2 (AF NO. 8104225014)
- PLAT OF MAPLEBROOK (AF NO. 9309205001)
- PLAT OF MOUNT-LAKE VIEW ESTATES (AF NO. 9002075001)
- RECORD OF SURVEY (AF NO. 200110245006)
- RECORD OF SURVEY (AF NO. 200111195003)
- RECORD OF SURVEY AND BOUNDARY LINE ADJUSTMENT FOR WESTLAKE CROSSING LUA 2014-0086 (AF NO. 201512235008).
- AFFIDAVIT OF BOUNDARY LINE ADJUSTMENT NO. LUA2015-0059 (AF NO. 201512230650)

BASIS OF BEARINGS

THE MONUMENTED CENTERLINE OF 99TH AVE SE PER GPS OBSERVATION (BEARING = N 01°18'29" E)

LEGEND

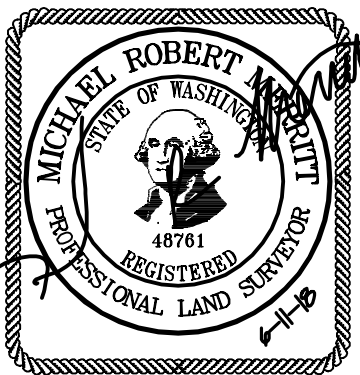
- AF# AUDITOR'S FILE NUMBER
- MONUMENT FOUND
 - MONUMENT CALC'D
 - SET SNOHOMISH COUNTY STANDARD 4-130 MONUMENT AS APPROVED JUNE 5, 2009 WITH A 3" BRASS CAP WITH PUNCH MARK AND STAMPED LS 48761 IN CASE
 - SET 5/8"x24" REBAR WITH ORANGE PLASTIC CAP STAMPED "LDC- LDCCORP.COM - PLS 48761 - PROPERTY CORNER"
 - FOUND REBAR AND CAP AS NOTED



SHEET INDEX
SCALE: 1"=300'

SNOHOMISH COUNTY A.F. NO. _____

SHEET:
3 OF 7



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WESTLAKE CROSSING

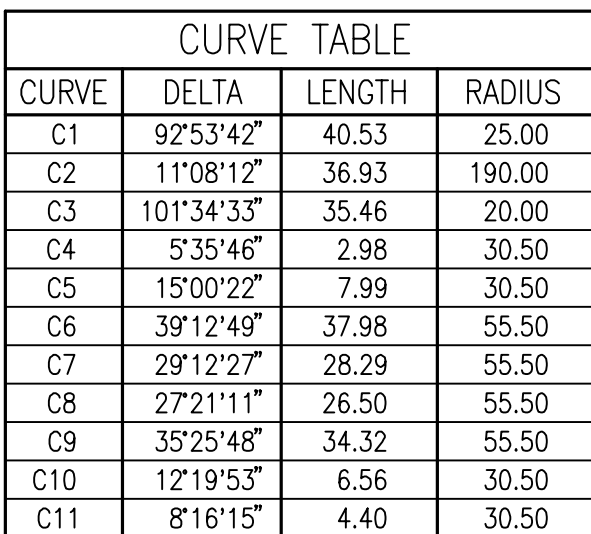
NW 1/4, NW 1/4 OF SEC. 19, TWN. 29 N, RGE. 6 E, W.M.,
CITY OF LAKE STEVENS, SNOHOMISH COUNTY, WASHINGTON

DRAWN BY:	DATE:	DRAWING FILE NAME:	SCALE:	JOB NUMBER:
WJT	10-13-16	16-120SV-PP	1"=100'	16-120

VOL/PG

SCALE: 1" = 40'

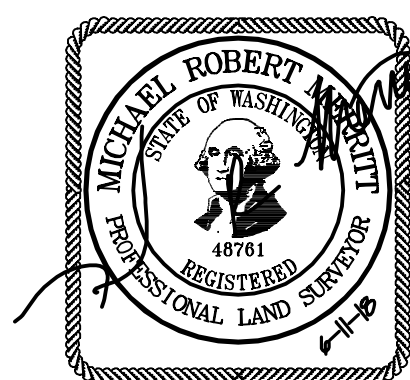
A horizontal graphic scale bar. The top part is a solid black bar. Below it, the bar is divided into segments: a 40-foot segment with alternating black and white squares, followed by a 40-foot solid black segment, and an 80-foot solid black segment. Below the bar, the labels '40'', '0', '40'', and '80'' are placed at the corresponding positions.



CURVE TABLE			
CURVE	DELTA	LENGTH	RADIUS
C12	90°00'00"	31.42	20.00
C13	90°00'00"	31.42	20.00
C14	90°00'00"	31.42	20.00
C15	90°00'00"	31.42	20.00
C16	36°52'12"	16.09	25.00
C17	0°06'13"	0.25	140.00
C18	11°42'05"	28.59	140.00
C19	3°59'22"	13.23	190.00
C20	8°15'16"	27.37	190.00
C21	11°32'59"	39.62	20.00

(A) THIS PORTION HEREBY DEDICATED TO THE CITY
 OF LAKE STEVENS FOR ROAD PURPOSES

UE UTILITY EASEMENT – SEE EASEMENT
 PROVISIONS ON SHEET 2 OF 7.



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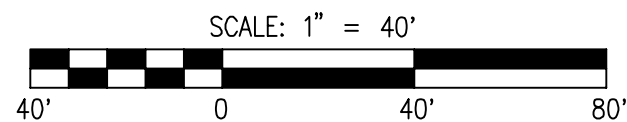
SHEET:
4 OF 7

NW 1/4, NW 1/4 OF SEC. 19, TWN. 29 N, RGE. 6 E, W.M.,
CITY OF LAKE STEVENS, SNOHOMISH COUNTY, WASHINGTON

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VOL/PAGE

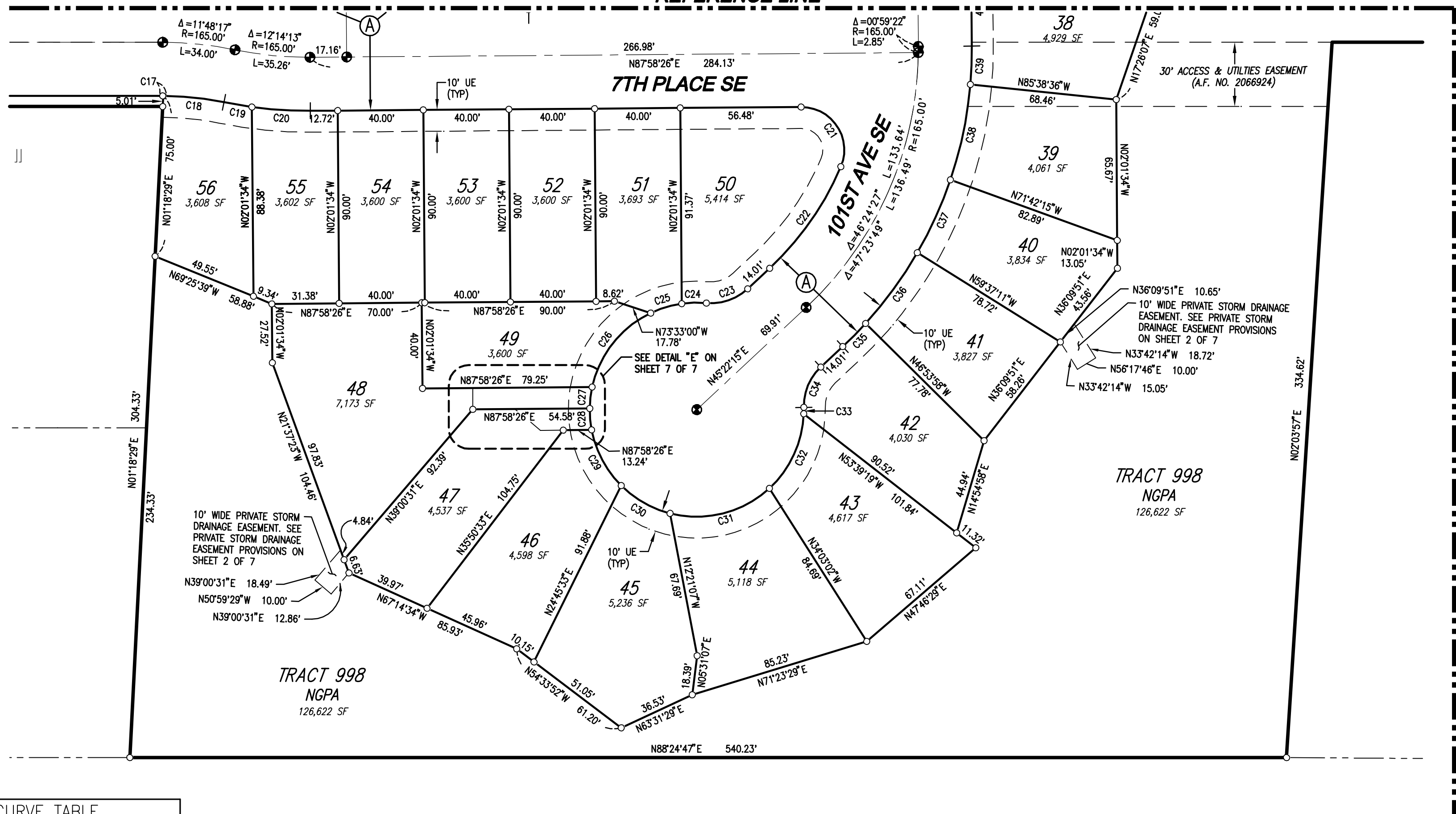
VOL/PG



WESTLAKE CROSSING

NW 1/4, NW 1/4 OF SEC. 19, TWN. 29 N, RGE. 6 E, W.M.,
CITY OF LAKE STEVENS, SNOHOMISH COUNTY, WASHINGTON
LUA 2018-0054

SEE SHEET 4 OF 7
REFERENCE LINE

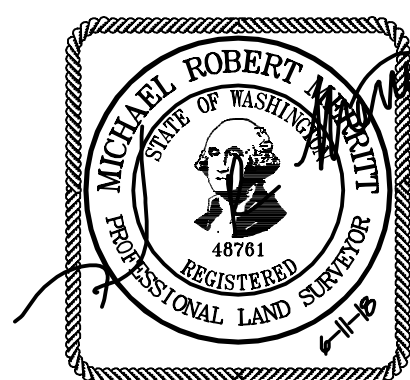


REFERENCE LINE
SEE SHEET 6 OF 7

CURVE TABLE			
CURVE	DELTA	LENGTH	RADIUS
C17	0°06'13"	0.25	140.00
C18	11°42'05"	28.59	140.00
C19	3°59'22"	13.23	190.00
C20	8°15'16"	27.37	190.00
C21	11°32'59"	39.62	20.00
C22	23°53'50"	58.39	140.00
C23	48°11'23"	21.03	25.00
C24	13°14'42"	11.56	50.00
C25	17°24'15"	15.19	50.00
C26	52°18'52"	45.65	50.00
C27	11°33'39"	10.09	50.00
C28	11°31'02"	10.05	50.00
C29	34°16'09"	29.91	50.00
C30	30°21'36"	26.49	50.00
C31	57°10'11"	49.89	50.00
C32	45°07'49"	39.38	50.00
C33	3°24'30"	2.97	50.00
C34	48°11'23"	21.03	25.00
C35	4°34'36"	15.18	190.00
C36	12°22'24"	41.03	190.00
C37	11°16'25"	37.38	190.00
C38	13°45'53"	45.65	190.00
C39	5°24'30"	17.93	190.00

LEGEND

- Ⓐ THIS PORTION HEREBY DEDICATED TO THE CITY OF LAKE STEVENS FOR ROAD PURPOSES
- UE UTILITY EASEMENT - SEE EASEMENT PROVISIONS ON SHEET 2 OF 7.



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SHEET:
5 OF 7

WESTLAKE CROSSING

NW 1/4, NW 1/4 OF SEC. 19, TWN. 29 N, RGE. 6 E, W.M.,
CITY OF LAKE STEVENS, SNOHOMISH COUNTY, WASHINGTON

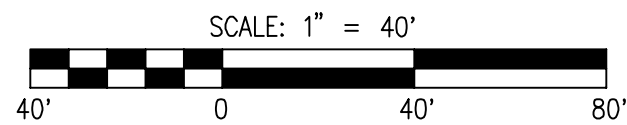
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WJT	10-13-16	16-120SV-FP	1"=40'	16-120

VOL/PG

WESTLAKE CROSSING

NW 1/4, NW 1/4 OF SEC. 19, TWN. 29 N, RGE. 6 E, W.M.,
CITY OF LAKE STEVENS, SNOHOMISH COUNTY, WASHINGTON
LUA 2018-0054

VOL/PG



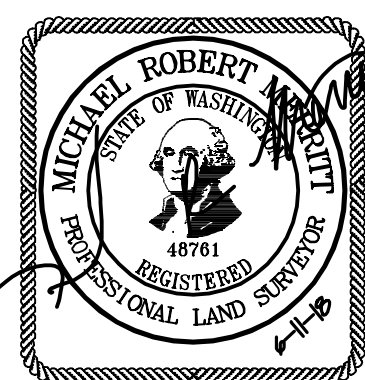
REFERENCE LINE
SEE SHEET 4 OF 7

101ST AVE SE

CURVE TABLE			
CURVE	DELTA	LENGTH	RADIUS
C38	13°45'53"	45.65	190.00
C39	5°24'30"	17.93	190.00
C40	90°00'00"	31.42	20.00
C41	9°29'50"	23.21	140.00
C42	16°54'45"	41.32	140.00
C43	19°43'28"	34.43	100.00
C44	11°30'06"	20.07	100.00
C45	33°17'35"	104.59	180.00
C46	18°11'42"	31.76	100.00
C47	16°53'01"	29.47	100.00
C48	1°18'40"	2.29	100.00
C49	15°06'21"	36.91	140.00

CURVE TABLE			
CURVE	DELTA	LENGTH	RADIUS
C50	12°02'01"	29.40	140.00
C51	56°26'02"	24.62	25.00
C52	34°36'12"	30.20	50.00
C53	61°01'50"	53.26	50.00
C54	25°57'51"	22.66	50.00
C55	48°24'25"	42.24	50.00
C56	14°42'09"	12.83	50.00
C57	11°49'20"	10.32	50.00
C58	11°29'12"	10.02	50.00
C59	17°28'33"	15.25	50.00
C60	47°09'33"	41.15	50.00
C61	3°06'54"	2.72	50.00

CURVE TABLE			
CURVE	DELTA	LENGTH	RADIUS
C62	43°19'16"	18.90	25.00
C63	5°56'30"	19.70	190.00
C64	10°04'53"	33.43	190.00
C65	11°11'46"	37.13	190.00
C66	3°54'36"	12.97	190.00
C67	46°17'16"	121.18	150.00
C68	14°43'36"	46.27	180.00
C69	8°54'08"	29.52	190.00
C70	7°33'11"	25.05	190.00
C71	50°58'25"	21.35	24.00



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WESTLAKE CROSSING

NW 1/4, NW 1/4 OF SEC. 19, TWN. 29 N, RGE. 6 E, W.M.,
CITY OF LAKE STEVENS, SNOHOMISH COUNTY, WASHINGTON

DRAWN BY:	DATE:	DRAWING FILE NAME:	SCALE:	JOB NUMBER:
WJT	10-13-16	16-120SV-PP	1"=40'	16-120

SHEET:
6 OF 7

VOL/PG

10L/PG



- ① 15.00 FOOT WIDE SANITARY SEWER EASEMENT TO LAKE STEVENS SEWER DISTRICT. SEE EASEMENTS & RESTRICTIONS NOTE 22 ON SHEET 2 OF 7
- ② VARIABLE WIDTH JOINT DRIVEWAY AND UTILITY EASEMENT. SEE JOINT DRIVEWAY AND UTILITY EASEMENT PROVISIONS ON SHEET 2 OF 7.
- ④ 15.00 FOOT WIDE WATER EASEMENT TO SNOHOMISH COUNTY PUBLIC UTILITY DISTRICT. SEE WATER EASEMENT PROVISIONS ON SHEET 2 OF 7.
- ⑤ 20.00 FOOT WIDE FIRE ACCESS EASEMENT. SEE EASEMENTS & RESTRICTIONS NOTE ____ ON SHEET 2 OF 7

SHEET:
OF 7



Engineering Structural Planning Survey

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Fx. 425.482.2893

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CITY OF LAKE STEVENS, SNOHOMISH COUNTY, WASHINGTON

DRAWN BY:	DATE:	DRAWING FILE NAME:	SCALE:	JOB NUMBER:
VJT	10-13-16	16-120SV-FP	N.T.S.	16-120

Attachment 3

PROJECT NAME/ FILE NUMBER: Westlake Crossing I & II Final Plat / LUA2018-0054 & 0053
APPLICANT: Raelyn Hulquist, DR Horton
PROJECT LOCATION: 619 & 711 99th Ave SE, Lake Stevens; Parcels: 00493401300300
& 00493401300402
DATE OF FILING: March 28, 2018
NOTICE OF APPLICATION ISSUED: May 4, 2018
END OF COMMENT PERIOD: **May 18, 2018**

PROPOSED PROJECT:

- Description: Finalize a 66-lot subdivision (Westlake Crossing I) and a 5-lot short subdivision (Westlake Crossing II) in the High Urban Residential zone on approximately 15 acres.
- Plat Approval Background: The city issued a SEPA Determination on June 20, 2015 and an Addendum on February 22, 2016 (Westlake Crossing I). The city also issued a SEPA Determination on October 13, 2016 (Westlake Crossing II). The Hearing Examiner gave conditional approval of Westlake Crossing I on September 11, 2015. The city gave conditional approval of Westlake Crossing II on November 4, 2016.
- Permit Process: Pursuant to Table 14.16A-I LSMC, Final Plats (Westlake Crossing I) are a Type V application with a decision by City Council. Final Short Plats (Westlake Crossing II) are a Type II application with an administrative decision. The subdivisions are adjacent to each other and share infrastructure, therefore the applications are noticed concurrently. A notice of public meeting will be issued for Westlake Crossing I when applicable.

PUBLIC REVIEW AND COMMENT:

Interested parties may submit written comments within 14 days of this Notice by sending them to City Hall, Attn: Dillon Roth, PO Box 257, Lake Stevens, WA 98258 or by email at droth@lakestevenswa.gov.

The project file, including a site map is available for review at City Hall, Monday - Friday 9 am - 4 pm. Limited materials are available at: <http://www.ci.lake-stevens.wa.us/index.aspx?nid=380>.

For additional information please contact the Department of Community Development at 425-377-3223.

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

Distribution: Applicant
Posted at Permit Center, City Hall, Subject Property and Website
Mailed to property Owners within 300 feet of project site
Published in Everett Herald
Agencies / Interested Parties

Attachment 3a



AFFIDAVIT OF NOTICE

Project Name: Westlake Crossing 1+11 Final Plat
Project Number: LUA2018-0053 + 0054
619 99th Ave SE

<u>Place Posted</u>	<u>Date Posted</u>	<u>Signature</u>
1. Property	<u>5/4/18</u>	<u>[Signature]</u>
2. City Hall	<u>5/2/18</u>	<u>[Signature]</u>
3. Planning	<u>5/2/18</u>	<u>[Signature]</u>
4. Everett Herald	<u>5/4/18</u>	<u>[Signature]</u>
5. Mailings	<u>5/4/18</u>	<u>[Signature]</u>
6. Website	<u>5/4/18</u>	<u>[Signature]</u>

Attachment 4

PROJECT NAME/ FILE NUMBER: Westlake Crossing Final Plat / LUA2018-0054
APPLICANT: Raelyn Hulquist, DR Horton
PROJECT LOCATION: 619 99th Ave SE, Lake Stevens; Parcels: 00493401300300
DATE OF FILING: March 28, 2018
NOTICE OF PUBLIC MEETING ISSUED: June 12, 2018
PUBLIC MEETING DATE/TIME: **June 26, 2018 at 7pm**
MEETING LOCATION: **Lake Stevens School District Administrative Building, 12309
22nd St NE, Lake Stevens, WA**

PROPOSED PROJECT:

- Description: Finalize a 66-lot subdivision (Westlake Crossing) in the High Urban Residential zone on approximately 15 acres.
- Plat Approval Background: The city issued a SEPA Determination on June 20, 2015 and an addendum on February 22, 2016. The Hearing Examiner gave conditional approval of Westlake Crossing preliminary plat on September 11, 2015.
- The application for final plat approval was received on March 28, 2018. The applicant has submitted the necessary financial securities and/or installed all required improvements prior to final plat approval.
- Permit Process: Pursuant to Table 14.16A-I LSMC, Final Plats are a Type V application with a decision by City Council.

PUBLIC REVIEW:

Interested parties may view the project file, including a site map at City Hall (1812 Main Street, Lake Stevens, WA 98258), Monday - Friday 9 am - 4 pm. Limited materials are available online at: <http://www.ci.lake-stevens.wa.us/index.aspx?nid=380>.

For additional information please contact Dillon Roth in the Department of Planning and Community Development at 425-212-3324 or by email at droth@lakestevenswa.gov.

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

Distribution: Applicant
Posted at Permit Center, City Hall, Subject Property and Website
Mailed to property Owners within 300 feet of project site
Published in Everett Herald
Interested Parties



Attachment 4a

AFFIDAVIT OF NOTICE

Project Name: Westlake Crossing Final Plat P4

Project Number: LUA 2018-0054

619 99th Ave SE

<u>Place Posted</u>	<u>Date Posted</u>	<u>Signature</u>
1. Property	<u>6/12/18</u>	<u>[Signature]</u>
2. City Hall	<u>6/12/18</u>	<u>[Signature]</u>
3. Planning	<u>6/12/18</u>	<u>[Signature]</u>
4. Everett Herald	<u>6/12/18</u>	<u>[Signature]</u>
5. Mailings	<u>6/12/18</u>	<u>[Signature]</u>
6. Website	<u>6/12/18</u>	<u>[Signature]</u>

Attachment 5a

Via Email

May 18, 2018

Dillon Roth
Associate Planner
Planning & Community Development
City of Lake Stevens
1812 Main Street
Lake Stevens, WA 98258

Re: Westlake Crossing Final Plat Applications

Dear Mr. Roth:

We represent four Lake Stevens families, identified below, who are opposed to the Final Plat applications for both Westlake Crossing (aka Westlake Crossing I) and Westlake Crossing II. Please accept these comments on their behalf.

My clients engaged Doug Beyerlein, PE, PH, D.WRE, of Clear Creek Solutions to review the Westlake Crossing Drainage Report and provide a Stormwater Review on Westlake Crossing. That review is enclosed, as is his resume. His review shows multiple problems with the LDC drainage report. Mr. Beyerlein's review shows that this project does not meet state and local standards. The project should not be allowed to proceed until those standards are met as outlined by Mr. Beyerlein. Condition 21 of the Hearing Examiner's September 11, 2015 decision on Westlake Crossing Preliminary Plat states, "The developer shall meet all local, state, or federal code requirements." Condition 21 has not been satisfied.

Adjacent and downstream property owners have experienced flooding since Westlake Crossing started development. Long-time property owners have experienced flooding for the first time since buying their properties decades ago. Various city staff and officials have been notified and/or contacted by various property owners to make them aware of these flooding issues and to ask the city to address these flooding issues. Although several property owners have received on-site visits by city staff members and/or by elected officials, there has been no significant follow-up with property owners or their representatives and significant flooding issues remain. Some property owners with flooding issues have had no authorized visits by city staff.

In addition to the questions raised by Mr. Beyerlein's review and the flooding adjacent and downstream property owners are experiencing, additional issues should be considered in reviewing the final plat applications.

The Native Growth Protection area adjacent to 99th Ave SE currently has a large quantity of invasive blackberries. It does not appear that there has been any removal of non-native or invasive species in the wetlands or buffers. Other NGPA's are difficult to see from public property so their condition is unknown. It will undoubtedly be much more difficult to do the required work in the NGPA's and buffers once home construction has started on the adjacent lots.

Another condition in the Hearing Examiner's decision of September 11, 2015 is Condition 22: "The Applicant shall contact WDFW about the beaver activity in the area to determine if anything should be done to address concerns over beaver dams." It is not clear that this condition has been met or documented.

This final plat should not be approved until these concerns are addressed to meet the conditions of the Preliminary Plat approval and all applicable city, state and federal regulations.

These comments are submitted on behalf of the following:

Sally Jo Sebring (as Attorney in Fact for Mary Pat Sebring)
1023 99th Ave SE
Lake Stevens WA 98258

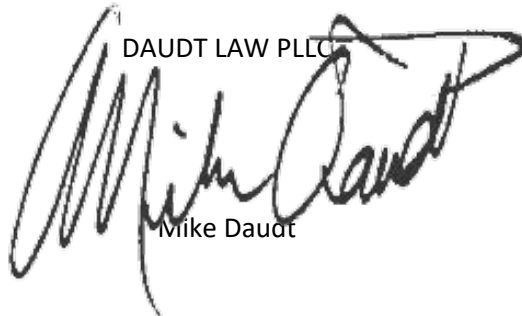
Richard Todd
825 99th Ave SE
Lake Stevens WA 98258

Norman & Mary Jo Preslar
10021 10th PI SE
Lake Stevens WA 98258

Jerry & Linda Dyer
10027 10th PI SE
Lake Stevens WA 98258

Very truly yours,

DAUDT LAW PLLC

A handwritten signature in black ink, appearing to read "Mike Daudt", is written over the printed name "Mike Daudt". The signature is stylized and cursive.

Mike Daudt

Enclosures: (1) Stormwater Review of Westlake Crossing Development, Lake Stevens, WA by Doug Beyerlein, Clear Creek Solutions
(2) Doug Beyerlein resume

cc: Russ Wright, rwright@lakestevenswa.gov
Sally Jo Sebring
Richard Todd
Norman & Mary Jo Preslar
Jerry & Linda Dyer



CLEAR CREEK SOLUTIONS, INC.

**15800 Village Green Drive #3
Mill Creek, WA 98012
425-225-5997
www.clearcreeksolutions.com**

24 April 2018

Sally Jo Sebring
1023 99th Ave SE,
Lake Stevens WA 98258

SUBJECT: Stormwater Review of Westlake Crossing Development, Lake Stevens, WA

This letter report is a summary of my review of the stormwater plans and reports related to the Westlake Crossing development property at 619 99th Ave SE, Lake Stevens, WA.

This letter report is focused on the document "Drainage Report for Westlake Crossing" prepared for the City of Lake Stevens by LDC, Inc., dated June 2016.

This LDC drainage report included the stormwater calculations used in the sizing and design of the Westlake Crossing stormwater mitigation facilities to meet the City of Lake Stevens 2009 engineering standards, which are based on the 2005 Department of Ecology stormwater standards.

This project site is divided into two major stormwater drainage basins: Basin A and Basin B. Basin A (2.53 acres predeveloped; 1.61 acres developed according to the LDC report) drains to a stormwater detention vault. Basin B (8.14 acres predeveloped; 8.40 acres developed) drains to a stormwater pond. Both stormwater facilities drain to adjacent wetlands and then, eventually, through various stream systems to Lake Stevens.

Both the vault and the pond were sized using WWHM4 (Western Washington Hydrology Model, version 4), using the modeling options consistent with WWHM3 (which, in turn, is consistent with the 2005 Ecology stormwater manual). For purposes of full disclosure, it should be noted that our firm, Clear Creek Solutions, created both the WWHM3 and WWHM4 stormwater software packages and I teach WWHM modeling to professional engineers for the Associated General Contractors of Washington Educational Foundation.

As part of my review I recreated the stormwater models and analysis produced by LDC to check their assumptions and calculations. I found a number of inconsistencies and questionable assumptions in the LDC drainage report. These will be described in more detail below.

Clear Creek Solutions, Inc.
Stormwater Review of Westlake Crossing Development, Lake Stevens, WA

The project site soils are described in the LDC report as Tokul gravelly medial loam (page 2-1). According to the NRCS (Natural Resources Conservation Service) hydrologic soil groups these project site soils are Type B soils. In the LDC stormwater models the project site soils are modeled as Type C soils. The difference is substantial. Type A and B soils produce very little stormwater runoff in forested conditions; C soils produce considerably more runoff. By using C soils in the model for the predeveloped forested conditions instead of B soils the size of the stormwater mitigation facilities (vault and pond) are significantly smaller and release more water at higher rates than prior to development. This difference will affect downstream properties as both the rate of flow and the flow volume will increase.

Even if the selection of C soils is appropriate for the project site there are other inconsistencies and problems with the stormwater modeling results.

Basin A is composed of three drainage areas that flow to Vault A (an underground concrete box that provides stormwater detention storage and water quality treatment). Vault A discharges to Wetland E. There are two additional Basin A drainage areas that bypasses Vault A and flow directly into Wetland A and Wetland E, respectively, according to the LDC report. The LDC report states that the purpose of these two bypass drainages is to provide wetland rehydration (more on this subject later).

Bypass of a stormwater mitigation facility is allowed. However, the bypass flow should still be included in the model's analysis. The stormwater mitigation facility (in this case, Vault A) should be oversized to compensate for the bypassed flow not going to the vault but straight to the wetland (WWHM4 includes specific procedures to do this compensation calculation). This was not included in the LDC model. The effect of not including the bypass drainage area in the sizing of Vault A means that increased erosive flows are being discharged into Wetland E and to downstream properties.

Even if the Vault A bypass is allowed as shown in the LDC report there are other problems with the design of Vault A.

Vault A is designed to include both live storage and dead storage. Live storage is the water that flows into the vault and then exits the vault through an outlet control structure (discussed below). Dead storage is the permanent pool of water in the bottom of the vault. Vaults do not have to include dead storage, but it can be included to meet water quality treatment requirements. Sediments and pollutants washed into the vault are captured in the dead storage and are not released downstream into receiving water body (in this case, Wetland E).

Clear Creek Solutions, Inc.

Stormwater Review of Westlake Crossing Development, Lake Stevens, WA

LDC, in their drainage report, include dead storage in Vault A. The bottom 3 feet of stormwater storage in the vault is designated as dead storage for water quality treatment. The amount (volume) of dead storage required for water quality is specified by Ecology. WWHM4 calculates the required water quality volume. As shown in the LDC report, the required water quality volume for Basin A is 0.1317 acre-feet of storage (note that this does not include the bypass flow – which should be included). Based on Vault A's dimensions (interior dimensions: length 42 feet; width 36 feet) the dead storage volume at 3 feet depth is only 0.1041 acre-feet. This is less than the required 0.1317 acre-feet. The LDC report states that the vault meets the water quality requirement by providing 3.8 feet of dead storage (page 5-17). However, the design drawings and text described the vault bottom elevation at 338.0 feet and the bottom orifice elevation at 341.0 feet. The WWHM4 model of Vault A shows this same difference of 3.0 feet. This is not 3.8 feet of dead storage required for water quality. Therefore, Vault A, as designed, fails to meet the City's and Ecology's water quality standard.

Vault A is designed to be 10 feet deep. The upper 7 feet of storage is live storage. The actual amount of live storage fluctuates at any one time based on the inflow to the vault and the flow out. The flow out is controlled by an outlet structure. For Vault A the outlet structure is designated as Catch Basin 6 (CB-6) (see the design drawing on page 86 of report).

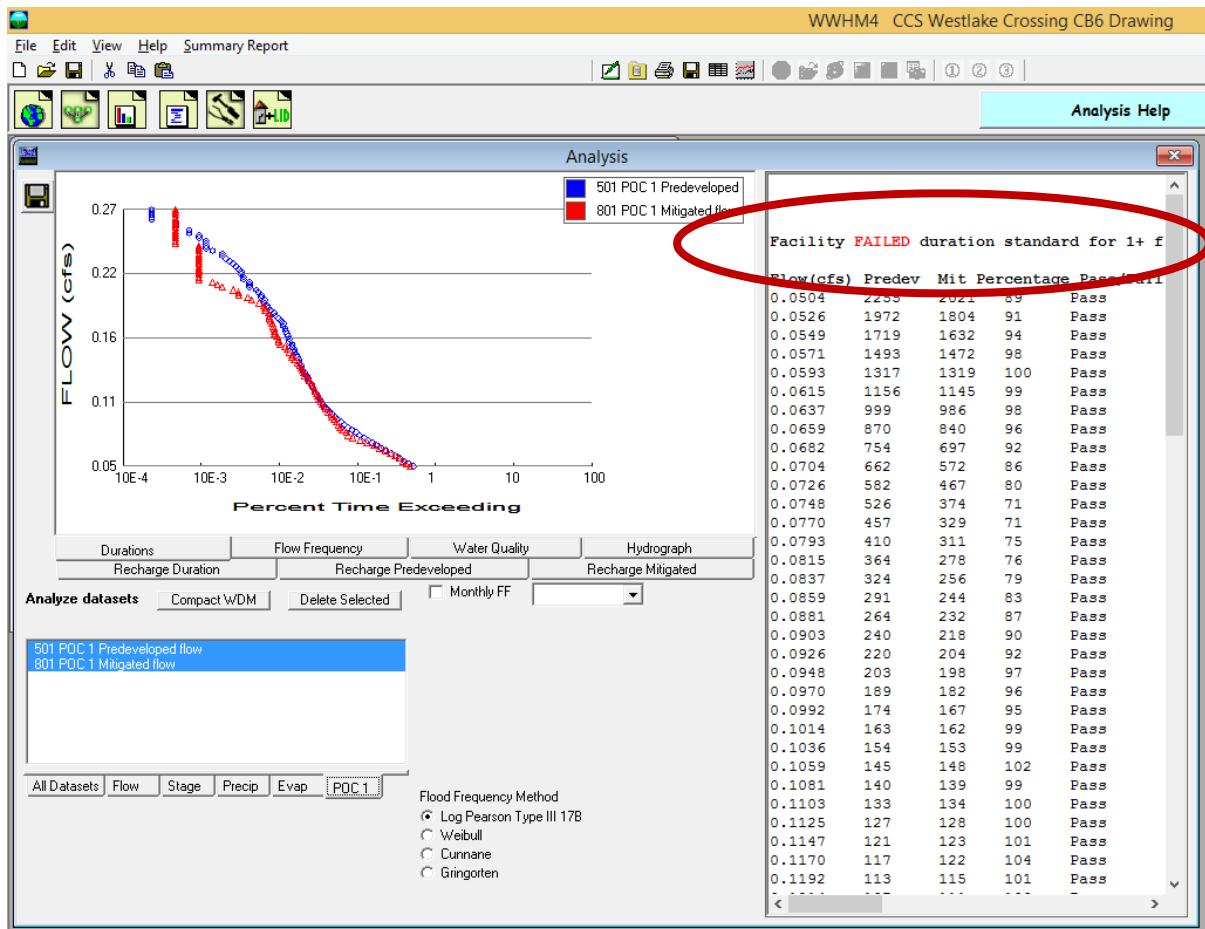
CB-6 contains a 12-inch diameter riser (vertical pipe) with a bottom orifice (opening) and two additional orifices higher on the riser. The three orifices work together to control the release of stormwater from the vault and are sized to meet the City's and Ecology's flow control standard.

The LDC WWHM4 model includes the three orifices plus a rectangular notch in the side of the riser. The design drawing does not include the rectangular notch. The design drawing also shows the upper-most orifice as having a diameter of $1 \frac{7}{16}$ (1.4375) inches. The LDC WWHM4 model input shows the upper-most orifice as having a diameter of 1.5625 inches.

Using the LDC design drawing CB-6 outlet dimensions (and no notch) I ran WWHM4 with the same input data as LDC and checked the model results for compliance with the flow control standard.

As shown in the figure below, Vault A fails the flow control standard with the LDC design drawing CB-6 outlet dimensions. This means that erosive flows will increase downstream of Vault A's outlet.

Clear Creek Solutions, Inc.
Stormwater Review of Westlake Crossing Development, Lake Stevens, WA



Vault A, as designed, fails both the water quality standard and the flow control standard and should not have been approved by the City.

There is one remaining issue related to Basin A (this also applies to Basin B).

In the name of “wetland rehydration” a portion of each drainage basin has been allowed to bypass the stormwater mitigation facility (Vault A for Basin A; Pond B for Basin B) and flow directly into the adjacent wetland. The calculations for the wetland rehydration are based on the Rational Method and the 10-year storm.

Maintaining a constant supply of water to a wetland is important to the wetland’s ecosystem. This is done by replicating the existing seasonal and annual volume of water to the wetland (Ecology has a specific volume criteria in the 2012/2014 stormwater manual). This is not done based on a peak flow rate (in this case, 10-year peak flow), as shown in the LDC report. It is

Clear Creek Solutions, Inc.
Stormwater Review of Westlake Crossing Development, Lake Stevens, WA

certainly not done based on the Rational Method, which is a simple single-event calculation used for conveyance sizing – not wetland rehydration.

The wetlands will receive the discharge of water from the stormwater mitigation facilities. If anything, they will get too much water compared to existing conditions because of the extra stormwater runoff volume produced by the new impervious surfaces (roofs, pavement, etc.). The wetlands do not need unmitigated stormwater runoff from the bypass areas except where they are cut off from their existing source of water. In these situations the determination of the needed extra water for “wetland rehydration” should be calculated in terms of seasonal and annual inflow volume using the continuous simulation methodology in WWHM4 – not the single event peak flow calculation used in the Rational Method.

Basin B and its stormwater mitigation facility, Pond B, were also reviewed.

The sizing of Pond B did include a bypass area of 0.66 acres. The water quality volume required for Pond B is correct and Pond B’s design drawing matches the WWHM4 Pond B input data. Pond B does meet the flow control standard, as modeled.

There is one issue with Pond B that needs more review, but for which I do not have sufficient information. Pond B is modeled as a rectangular pond a flat bottom with 3 to 1 side slopes. The drawing of Pond B in the LDC report (page 87) shows a generally rectangular shape but with an uneven bottom and the presence of a berm in the middle of bottom of the pond. The pond’s actual storage volume may be less than the volume calculated by the model due to these alterations. Without knowing the actual surface area and volume at every one foot (or less) of elevation it is impossible to check the pond’s actual storage volume with the pond’s model storage volume. If there is less actual storage volume than modeled then it is possible that the pond does not meet the water quality and/or flow control standards. But without this additional information this is only speculation.

In summary:

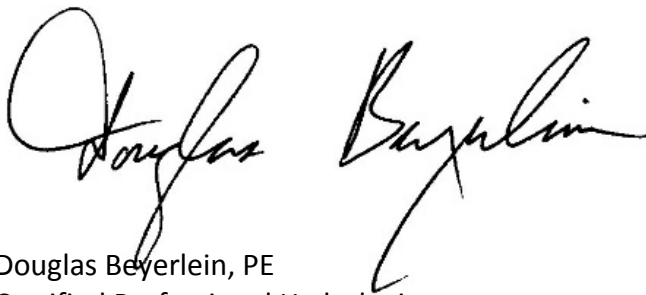
- The selection of project site soils as NRCS Type C soils instead of Type B soils is questionable.
- Not including the Basin A bypass areas in the calculations used in the sizing of Vault A is inappropriate.
- The Vault A dead storage is too small and does not meet water quality standards.
- The Vault A outlet control structure in the design drawings does not match the information in the stormwater model.
- The Vault A design drawing outlet control structure does not meet flow control standards.

Clear Creek Solutions, Inc.

Stormwater Review of Westlake Crossing Development, Lake Stevens, WA

- The Pond B actual design storage volume should be calculated based on the design surface area (footprint) and incremental storage volume and compared with the pond's computed storage volume.
- The wetland rehydration methodology is inappropriate and just plain wrong.

This concludes my review of the document "Drainage Report for Westlake Crossing" prepared for the City of Lake Stevens by LDC, Inc.

A handwritten signature in black ink, reading "Douglas Beyerlein". The signature is fluid and cursive, with the first name "Douglas" and last name "Beyerlein" clearly legible.

Douglas Beyerlein, PE
Certified Professional Hydrologist
Member, American Institute of Hydrology

DOUGLAS C. BEYERLEIN, P.E., P.H., D.WRE
Principal Engineer/Senior Hydrologist
Clear Creek Solutions, Inc.
Mill Creek, WA

Hydrology
Stormwater Modeling
Water Resources Planning
Flood Studies
Expert Witness

Mr. Beyerlein has over 40 years of experience as a senior hydrologist in numerous aspects of water resources planning, flood studies, and stormwater modeling.

Before co-founding Clear Creek Solutions Mr. Beyerlein worked for Hydrocomp and Anderson-Nichols in the San Francisco Bay Area and later Snohomish County Surface Water Management and AQUA TERRA Consultants in Everett, Washington.

As senior hydrologic engineer and engineering group supervisor for Snohomish County, Washington, Mr. Beyerlein helped to develop the surface water management program for the county. His responsibilities included watershed planning, streamflow and water quality monitoring, lake management, public education, flood control planning, development of county drainage code, and compliance with state and federal water quality laws.

He has experience with EPA's HSPF, the Army Corps of Engineers' HEC-1, HEC-2, HEC-5, and HEC-RAS models, and FEQ. Mr. Beyerlein has led the engineering community in the development of new, more accurate tools to analyze the impacts of land development on streams and fish habitat. As a result of his leadership, his firm has been awarded contracts by state and local communities to develop stormwater software to accurately measure land development impacts and size stormwater facilities in California, Oregon, and Washington. He has taught stormwater modeling to over 2000 engineers, planners, and reviewers throughout the western United States.

Mr. Beyerlein teaches workshops on the theory and application of HSPF. His clients include the U.S. Environmental Protection Agency, U.S. Army Corps of Engineers, U.S. Bureau of Reclamation, U.S. Natural Resources Conservation Service, U.S. Geological Survey, Washington State Department of Ecology, and county and city agencies in California, Oregon, and Washington.

He has written and presented landmark stormwater papers including "Why Standard Stormwater Mitigation Doesn't Work" and "Dumbing Down Hydrology".

Mr. Beyerlein is licensed as a Registered Professional Engineer in Washington and California and is certified as a Professional Hydrologist by the American Institute of Hydrology. He is also a member of the American Academy of Water Resources Engineers.

EDUCATION

University of Washington, BS Civil Engineering, 1972
University of Washington, MS Civil Engineering (Water Resources Program), 1973

Attachment 5b

May 17, 2018

City of Lake Stevens

Planning and Community Development

1812 Main Street

Lake Stevens, WA 98258

SUBJECT: Against Final Plat approval for both Westlake Crossing (aka Westlake Crossing I) and Westlake Crossing II

Dear Mr. Roth:

I have great concern of the Final Plat approval of the Westlake Crossing I and II. I want to go on record as against Final Plat approval until the drainage issue is resolved.

I am on the Parties of Record list. (My Tax Parcel number is 00493401600101).

As a property owner of a large property almost adjacent to Westlake Crossing, I believe their drainage plan is inadequate and needs substantial improvement before final plat approval.

The essence of my concern is increased amount of surface water that is being discharged onto my property. This has substantially decreased the value of my property as more of the property is now considered wetlands. I have older wetlands studies that have changed significantly since the Westlake Crossing project has begun. Basically, areas that used to be dry and buildable are now flooded and no longer suitable for use. This has significant potential adverse financial impact on me and my property investment. A 2.3 million dollar offer for my property was cancelled, primarily for the lack of usable land no longer available due to flooding.

I stand ready to provide you several wetland studies that display the recent changes in the wetlands on my property.

Sincerely,



David F. Miles

Trustee

Miles Family Trust

10230 9th Ave SE

Lake Stevens, WA 98258

Attachment 5c

From: Dillon Roth
To: ["Schwab, Tricia"](#)
Subject: RE: Westlake Crossing; LUA2018-0054
Date: Thursday, May 10, 2018 8:37:00 AM
Attachments: [03 Westlake Crossing Final Plat_20180328.pdf](#)

Hi Tricia,

They will plan to build detached single family homes south of your house. Attached is their final plat document. The houses south of your house are on sheet 6 of 7. Lots 20-26. Let me know if you have any other questions.

You will be considered a party of record to the final plat application. This just means I will send you the notice of public meeting and the notice of decision via email.

Take care,
Dillon

Dillon Roth, *Associate Planner*

City of Lake Stevens | Planning & Community Development

1812 Main Street | PO Box 257
Lake Stevens, WA 98258-0257
425.212.3324 | droth@lakestevenswa.gov

NOTICE: All emails and attachments sent to and from City of Lake Stevens are public records and may be subject to disclosure pursuant to the Public Records Act (RCW 42.56).

From: Schwab, Tricia [mailto:tschwab@GAIG.COM]
Sent: Thursday, May 10, 2018 7:45 AM
To: Dillon Roth <droth@lakestevenswa.gov>
Subject: Westlake Crossing

Hello,

I live at 10212 5th place SE. Please let me know what DR Horton plans on building beyond my backyard? My curiosity has reached to the point I really would like to know. Currently there is a roundabout and signs saying no parking.

Sincerely,

Tricia

Tricia Schwab
425-260-3973

The content of this e-mail message and any attachments are confidential and may be legally privileged, intended solely for the addressee. If you are not the intended recipient, be advised that any use, dissemination, distribution, or copying of this e-mail is strictly prohibited. If you receive this message in error, please notify the sender immediately by reply email and destroy the message and its attachments.

Attachment 5d

From: [Ted Zal](#)
To: [Dillon Roth](#)
Subject: Re: Westlake Crossing Final Plat; LUA2018-0053 & 0054
Date: Wednesday, May 23, 2018 12:02:48 PM

Thanks that's helpful a allot

On Wed, May 23, 2018, 9:07 AM Dillon Roth <droth@lakestevenswa.gov> wrote:

Hello Ted,

Please accept my apology, I did not intend to be condescending.

I attached two staff reports from staff to Council regarding the new final plat process. They provide a good background and framework of the subdivision process and provide an explanation for why city staff is proposing this code amendment.

Sincerely,

Dillon

From: Ted Zal [mailto:tedzal59@gmail.com]
Sent: Saturday, May 19, 2018 12:37 AM
To: Dillon Roth <droth@lakestevenswa.gov>
Subject: Re: Westlake Crossing Final Plat; LUA2018-0053 & 0054

Dillon your last email offends me. Do not ever be condensending to me again.

What assurances can the city provide me that their reviews of final plat applications will not be rubber stamped?

With final plat approval now being handled internally with no oversight from City council what assurances do the people of Lake Stevens have, for example the city's review process failed Stich Creek and surrounding private property which has experienced flooding for the first time due to these housing projects in question even after verbal and written assurances from the city stating submittal documents meets guidelines. Meeting guidelines doesn't mean problems won't occure.

I know DOE has inspected Stich Creek several times and construction red flagged and fines assessed.

I also know Sally, Dick and Mike Fear clients property just on the south side of Stich Creek from me has been flooded due to these projects.

They copy me on all their emails, I don't get involved but I do want to know why just an internal review, with no city council oversight, it makes no sense.

I am assuming with having only an internal review for final plat approval is to speed up the review process.

It is not a smart idea and not smart to have outside sources to review for final plat approval now that there is no city council oversight, whats the motive/thinking?

TedZ

On May 18, 2018 3:03 PM, "Dillon Roth" <droth@lakestevenswa.gov> wrote:

I see. Thank you for clarifying.

From: Ted Zal [mailto:tedzal59@gmail.com]

Sent: Friday, May 18, 2018 12:57 PM

To: Dillon Roth <droth@lakestevenswa.gov>

Subject: Re: Westlake Crossing Final Plat; LUA2018-0053 & 0054

But the problem I am hearing about is peoples property flooding due to new plat development at or near Stich Creek. I feel not only the city reviewers and others all missed just how these developments have impacted others outside of their own project sites.

On Fri, May 18, 2018, 12:41 PM Dillon Roth <droth@lakestevenswa.gov> wrote:

Hello Ted,

Thanks for your comment. As you had referred to, the city is in the process of updating the process for approving final plat. However, part of the process that won't change is the review of the final plat document by a third party consultant. The Westlake subdivisions went through this review process last summer.

Take care,

Dillon

Dillon Roth, *Associate Planner*

City of Lake Stevens | Planning & Community Development

1812 Main Street | PO Box 257

Lake Stevens, WA 98258-0257

425.212.3324 | droth@lakestevenswa.gov

NOTICE: All emails and attachments sent to and from City of Lake Stevens are public records and may be subject to disclosure pursuant to the Public Records Act (RCW 42.56).

From: Ted Zal [mailto:tedzal59@gmail.com]

Sent: Wednesday, May 16, 2018 7:58 PM

To: Dillon Roth <droth@lakestevenswa.gov>

Subject:

My comments to the new process for final plat application for approval.

This is in regards to the notification for the public comments for both Westlake Crossing (AKA Westlake Crossing I) and Westlake Crossing II (the additional five lots on an added 1 acre.)

I am a Sr. Construction Manager for 25 plus years, what I have found throughout my career when rubber stamping design documents and consultants reports lens it's self not recognizing fatal flaws in the design documents. Applicants submittals for final plat approval should have checks and balances from a third party which is unbiased. This keeps people honest for the good of our community.

Thank you

Ted Z

Attachment 6a

June 1, 2018



Dillon Roth
Associate Planner
City of Lake Stevens
1812 Main Street
Lake Stevens, WA 98258

RE: Westlake Crossing Final Plat Public Comment Response

Dear Mr. Roth:

The following is our review and response to the letter from Clear Creek Solutions dated April 24, 2018. We have provided our response after each issue raised the letter.

- **Issue: The selection of project site soils as NRCS Type C soils instead of Type B soils is questionable.**
 - *Response: See the Geotechnical Recommendations for the project. There are Type C till soils onsite. Also, see the enclosed May 29, 2018, addendum letter from Terra Associates, Inc., which confirms that the soils at Westlake Crossing are Type C soils.*
- **Issue: Not including Basin A bypass areas in the calculations used in the sizing of Vault A is inappropriate.**
 - *Response: The Basin A "Bypass" areas were accounted for in modeling Basin B. The Basin B pond is sized to handle the area from Basin A that has been routed into Basin B. Therefore, the pond in Basin B was made larger to mitigate the area from Basin A that was routed to the pond. A quick summary of predeveloped areas vs. developed areas for both Basin A and B is as follows:*

	Predeveloped	Developed
Basin A	2.53	1.61
Basin B	8.14	9.06
Total	10.67	10.67

- **Issue: The Vault A dead storage is too small and does not meet water quality requirements.**
 - *Response: There was a typographical error in the drainage report indicating 3' of dead storage, which is not adequate. Construction plans and as-builts for detention Vault A represent 4.04' of dead storage, giving more than the required 0.1317 AC-FT. Please see the enclosed updated drainage report.*
- **Issue: The vault A outlet control structure in the design drawings does not match the information in the stormwater model.**
 - *Response: The control structure was installed as shown on the enclosed as-builts to match the drainage report.*

Westlake Crossing
June 1, 2018
Page 2 of 2

- **Issue:** The Vault A design drawing outlet control structure does not meet flow control standards.
 - *Response:* As stated above, the control structure was installed per the drainage report, and the change is reflected on the enclosed as-builts.
- **Issue:** The Pond B actual design storage volume should be calculated based on the design surface area (footprint) and incremental storage volume and compared with the pond's computed storage volume.
 - *Response:* Pond verification calculations (based off as-built topography) can be found below. At 1' intervals, the live storage of the pond is 8%-10% greater than is required per the modeled WWHM design.

ELEVATION	ASBUILT AREA (SF)	REQUIRED VOL (CF)*	Incremental Volume (CF)	Total Volume (CF)	% Greater than design
323.42	10134	0	0	0	
324.42	11814	10324	11254	11254	8.3%
325.42	13561	22172	12979	24233	8.5%
326.42	15374	35545	14770	39003	8.9%
327.42	17255	50617	16628	55631	9.0%
328.42	19259	67344	18591	74222	9.3%
329.42	21382	85900	20674	94896	9.5%
330.42	23641	106286	22888	117784	9.8%
331.42	26002	128589	25215	142999	10.1%


* Per approved drainage report *Dated 9/1/2016) WWHM Modeling Output

- **Issue:** The wetland rehydration methodology is inappropriate and just plain wrong.
 - *Response:* Please see the enclosed response from Talasaea. Per the drainage report, the flows that are bypass detention and are directed to wetland areas are minor flows of under 0.25 CFS in the predeveloped and developed conditions.

Per the outlined response above, the Westlake Crossing project was designed to the 2005 DOE manual as required by the City of Lake Stevens. Great care was taken in the design to meet the requirements of this manual, and the City reviewed the engineering to verify compliance. Feel free to let us know if you have any questions.

Sincerely,

LDC, Inc.



Mark Villwock, PE
Vice President

Enclosures

cc: D.R. Horton





June 7, 2018

Dillon Roth
Associate Planner
Planning & Community Development
City of Lake Stevens
1812 Main Street
Lake Stevens, WA 98258

RE: Response to Mike Daudt, Daudt Law, PLLC letter, dated May 18, 2018
Westlake Crossing Final Plat Application

Mr. Roth:

We are in receipt of the letter from Mike Daudt of Daudt Law, PLLC, to you dated May 18, 2018. Below are both Mr. Daudt's comments (in italics) along with our responses immediately following in bold.

My clients engaged Doug Beyerlein, PE, PH, D.WRE, of Clear Creek Solutions to review the Westlake Crossing Drainage Report and provide a Stormwater Review on Westlake Crossing. That review is enclosed, as is his resume. His review shows multiple problems with the LDC drainage report. Mr. Beyerlein's review shows that this project does not meet state and local standards. The project should not be allowed to proceed until those standards are met as outlined by Mr. Beyerlein. Condition 21 of the Hearing Examiner's September 11, 2015 decision on Westlake Crossing Preliminary Plat states, "The developer shall meet all local, state, or federal code requirements." Condition 21 has not been satisfied.

Response: Please see the materials included with this letter, which address the concerns raised in the Clear Creek Solutions letter dated April 24, 2018. Items include the following:

- **LDC Letter dated June 1, 2018**
- **LDC Record Drawings dated June 1, 2018**
- **LDC Final Drainage Report dated June 1, 2018**
- **Talasaea Letter dated May 31, 2018**
- **Terra Associates Design Memorandum dated May 29, 2018**

These documents establish that we are meeting all local, state and federal code requirements.

Adjacent and downstream property owners have experienced flooding since Westlake Crossing started development. Long-time property owners have experienced flooding for the first time since buying their properties decades ago. Various city staff and officials have been notified and/or contacted by various property owners to make them aware of these flooding issues and to ask the city to address these flooding issues. Although several property owners have received on-site visits by city staff members and/or by elected officials, there has been no significant follow-up with property owners or their representatives and significant flooding issues remain. Some property owners with flooding issues have had no authorized visits by city staff.

Response: We are unaware of any adjacent or downstream flooding since the development of Westlake Crossing began, nor have we been notified by city staff or officials that flooding has occurred. The release rate of stormwater from this site meets all local, state and federal requirements.

In addition to the questions raised by Mr. Beyerlein's review and the flooding adjacent and downstream property owners are experiencing, additional issues should be considered in reviewing the final plat applications.

Response: The final plat application is complete and all Hearing Examiner Conditions have been met; therefore, the final plat review should continue.

The Native Growth Protection area adjacent to 99th Ave SE currently has a large quantity of invasive blackberries. It does not appear that there has been any removal of non-native or invasive species in the wetlands or buffers. Other NGPA's are difficult to see from public property so their condition is unknown. It will undoubtedly be much more difficult to do the required work in the NGPA's and buffers once home construction has started on the adjacent lots.

Response: A Wetland Mitigation Performance Bond has been submitted and accepted for the required planting of the wetland mitigation area. Home construction will not interfere with standard practices of removal of invasive species and/or plant material installation.

Another condition in the Hearing Examiner's decision of September 11, 2015 is Condition 22: "The Applicant shall contact WDFW about the beaver activity in the area to determine if anything should be done to address concerns over beaver dams." It is not clear that this condition has been met or documented.

Response: WDFW has attended on-site meetings or has been called to the site for various inspections over the course of the construction activities. WDFW has made no mention of any beaver activity nor has WDFW expressed a concern regarding beavers. If WDFW had any specific concerns or requirements regarding beavers, they would have let us know.

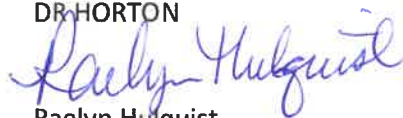
This final plat should not be approved until these concerns are addressed to meet the conditions of the Preliminary Plat approval and all applicable city, state and federal regulations.

Response: Conditions of the Preliminary and Final Plat have been met along with all applicable city, state and federal regulations. Thank you for scheduling the final plat on the City Council's Consent Agenda for June 12, 2018.

If you have any questions or need additional information, please contact me.

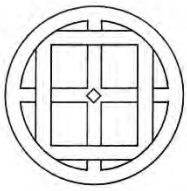
Regards,

DR HORTON



Raelyn Hulquist
Senior Project Manager

Enclosures



TALASAEA
CONSULTANTS, INC.

Attachment 6c

31 May 2018

TAL-1665

Dillon Roth
Associate Planner
City of Lake Stevens
1812 Main Street
Lake Stevens, WA 98258

REFERENCE: Westlake Crossing, Lake Stevens, Washington
SUBJECT: Final Plat Public Comment Response and Corps Comment Response

Dear Mr. Roth:

Clear Creek Solutions submitted a letter dated 24 April 2018 that outlined concerns and questions regarding the Westlake Crossing stormwater facilities. While most of the concerns raised relate to the engineering plans, a concern was raised about wetland rehydration. We have provided our response (in normal font) below the issue raised (in **bold** font).

Issue: The wetland rehydration methodology is inappropriate and just plain wrong.

Response: Six (6) wetlands (Wetlands A, B, C, D, E, and F) occur on or adjacent to the Site that could be affected by the on-site development. Of those wetlands, four (4) (Wetlands A, B, C, and E) are associated with existing riparian systems that convey all water entering these wetlands downstream, and, in fact, merge into a single system off-site to the south. These riparian systems typically convey water generally downstream except where natural depressions (sometimes wetlands, sometimes not) might hold excess water, where existing vegetation might slow down water movement, or where man-made blockages hindered the natural movement of water.

Wetland A and complex receives stormwater runoff from a 36.8-acre basin in the existing condition that is roughly 85% developed with impervious surfaces and managed lawns. The flows from the Site in the predeveloped condition are only 6% of the total Wetland A basin. This water then flows through Wetland A, through a short section of ditch, and into Wetland E, before continuing south. Flows exiting Wetland A were previously hindered by an undersized, poorly

placed culvert that has been upgraded to a larger size more appropriate to the water entering this wetland, as approved and permitted by the City of Lake Stevens and the Washington Department of Fish and Wildlife (WDFW), and as currently under review by the US Army Corps of Engineers (USACE). Some change in hydrology to the wetland may be expected due to the correction of the undersized culvert. The improved culvert will result in an increase in open channel length for the stream, reduced channel length contained within a pipe, and an overall increase to wildlife habitat opportunities within this riparian system. These improvements to this riparian system would more than offset any hydrologic impacts resulting from the culvert upsizing. In addition, a small area near Lots 9 and 10 will discharge clean rooftop and yard runoff into the well vegetated buffer for Wetland A. This combination of runoff source, combined with the native vegetated forest buffer to naturally filter any runoff, will ensure that this area assists in hydrating Wetland A without adding additional pollutants. Given the small size of the on-site contribution to Wetland A relative to the total basin size, the on-site stormwater facility, and maintenance of standard buffers for Wetlands A and E, no deleterious hydrologic impacts are anticipated due to the Project. In turn, as Wetland A feeds Wetland E, no hydrologic impacts to Wetland E are anticipated due to this Project.

The Wetlands B and C complex receives stormwater runoff from a 103.7-acre basin in the existing condition that is also approximately 85% developed with impervious surfaces and managed lawns. The flows from the Site in the predeveloped condition are only 7% of the total Wetlands B and C basin. Water entering Wetland B flows into Wetland C before continuing downstream to the south off-site. Water used to back up in Wetland B in the pre-developed condition due to a very poorly located culvert that severely impacted water movement. This culvert was upsized to a more appropriate 12-foot arch culvert as approved and permitted by the City of Lake Stevens and the WDFW, and as currently under review by the USACE. This corrected culvert crossing will improve overall wildlife habitat along this riparian corridor, and is consistent with the State-wide push to make culvert crossings fish accessible to allow for the potential for fish access and usage. Lot 20 will bypass detention and discharge directly into the Wetland B buffer. Discharge from Lot 20 will be clean roof runoff and associated yard runoff that will pass through a fully vegetated forested buffer before entering Wetland B. This combination of runoff source combined with the native vegetated forest buffer to naturally filter any runoff will ensure that this area assists in hydrating Wetland B without adding additional pollutants. Given the small size of the on-site contribution to Wetland B relative to the total basin size, the on-site stormwater facility, and maintenance of standard buffers for Wetlands B and C, no negative impact to hydrology is anticipated due to the proposed development.

Wetlands D and F are small depressional wetlands located in the south central portion of the Site wetlands that are not directly connected to Wetlands A, B, C, and E. Small, depressional wetlands such as these two (2) tend to receive the majority of their hydrology from intercepting precipitation from the immediate area. These wetlands both have very small contributing basins that will be maintained through the presence of forested buffers that will intercept precipitation, as well as through additional contributions from the rear lawn and patio areas of Lots 40-47. This type of runoff typically does not require detention given the assumed low levels of

pollutants possibly present. Roads and parking areas are generally accepted as the higher pollutant loaded runoff that requires treatment and detention prior to entering natural areas. Through this combination of factors, no deleterious hydrologic impacts are anticipated to Wetlands D or F.

Lastly, Wetlands A, B, C, and E are unlikely to receive excessive hydrologic input from too much runoff in the developed scenario given that these are open-ended riparian wetland systems that continue south. Likely restrictions that could change the hydrology in any of these wetlands would be the addition of beaver dams, or other uncorrected man-made restrictions downstream, neither of which the Applicant has control over. At least one (1) known beaver dam exists within Wetland C, and there are likely others in this large wetland complex off-site. Beaver dams can have a dramatic impact to wetland hydrology, but are a natural part of these riparian systems in the Pacific Northwest.

The Project's stormwater facility as designed, along with the several small areas anticipated to bypass detention, will ensure that the on-site and off-site wetlands will retain adequate hydrology to support wetland functions. The correction of the man-made blockages on-site by upgrading two (2) culverts will also ensure that too much water does not negatively impact the on-site wetlands.

We trust that the information presented here sufficiently answers your comments and that you will be able to move this project forward. If you have additional questions or require more information, please contact Bill Shiels or me at (425) 861-7550.

Thank you.
Sincerely,

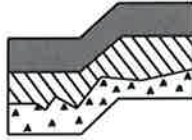
TALASAEA CONSULTANTS, INC.



Jennifer M. Marriott, PWS
Senior Ecologist

cc: Raelynn Hulquist, DR Horton

DESIGN MEMORANDUM



TERRA ASSOCIATES, Inc.

Consultants in Geotechnical Engineering, Geology
and
Environmental Earth Sciences

To:	<u>Mr. Mark Villwock</u>	Date:	<u>5-29-18</u>
	<u>LDC</u>	Project Number:	<u>T-7443-1</u>
From:	<u>Carolyn S. Decker, P.E.</u>	Project Name:	<u>Westlake Crossing</u>
Subject:	<u>Hydrologic Soil Group</u>		<u>Lake Stevens, Washington</u>

Mark:

As requested we have reviewed the soil conditions at the Westlake Crossings project to determine the predevelopment hydrologic soil group. According to the National Engineering Handbook Part 630 Hydrology, Chapter 7, Hydrologic Soils Groups, (USDA Natural Resources Conservation Service), four Hydrologic Soil Groups are identified in order to aid in the determination of stormwater runoff from a site. This classification identifies soil Groups A through D, with Group A soils exhibiting the highest permeability and Group D soils exhibiting the least. There are several factors considered when classifying soils according to the USDA system with the predominant criteria being hydraulic conductivity (permeability), depth to static groundwater, and depth to an impermeable layer.

We were onsite during construction of the Westlake Crossings development. In general, the native soil conditions observed during our observations consisted of dense to very dense silty sand with gravel (weathered and unweathered glacial till). This material was predominately observed just below the approximately 6 to 18 inch surficial topsoil layer. Due to the dense and cemented nature of the glacial till formation, it is typically regarded as an impermeable soil layer. During the winter months, shallow groundwater seepage and ponding water were observed throughout the project site indicating poor draining soils.

Based on our onsite observations, using the criteria outlined in Table 7-1 of the Engineering Handbook, it is our opinion that the soils at the Westlake Crossing development in Lake Stevens, Washington are Hydrologic Soil Group C.

We trust the information presented in this report is sufficient for your current needs. If you have any questions or require additional information, please call.



Attachment 7

MEMORANDUM

To: Eric Durpos, Public Works Director, City of Lake Stevens

From: Rodney Langer, P.E., CHS Engineers, LLC

Date: June 11, 2018

Subject: Westlake Crossing Final Plat Approval LUA2018-0054

Per coordination with Associate Planner Dillon Roth we are writing to support City approval of the subject final plat, per Lake Stevens Code 14.18.030 and 035. You have designated me, a registered professional engineer, and member of CHS Engineers, LLC,¹ to act on behalf of the City for the purposes of considering the subject plat as complete and ready for City approval.

CHS previously reviewed the draft final plat for the subject project with respect to survey matters. All other reviews and coordination have been completed by the City as outlined below and reported to me by Dillon.

- City Staff has confirmed the final plat map has been revised to address corrections identified in the CHS Memo to the City dated August 10, 2017.
- City Staff has confirmed that the final plat map has not changed from the version reviewed by CHS prior to August 10, 2017, except for the corrections identified in said August 10, 2017 memo, and except for specific non-survey changes as directed by City Staff.
- City Staff has confirmed that a final draft of the final plat has been received and has been reviewed by City Staff for conformance with City Code 14.18.040. As of this writing, we understand the applicant is making changes to the final plat document per City review letter and that, prior to a Planning Department recommendation to Council, the final plat will be completed per 14.18.040.
- City Staff has confirmed that the Preliminary Plat for the subject plat was previously approved, and that the applicant has fully complied with all conditions of Preliminary Plat approval.
- City Staff has confirmed that the Construction Drawings for the improvements identified on the Preliminary Plat of the subject plat were approved by the City on April 13, 2016.
- City Staff has confirmed that the work identified in the approved Construction Drawings has been completed to the City's satisfaction and in conformance with City standards, based on a final plat improvements inspection on April 13, 2018.

¹ email June 11, 2018

- City Staff has confirmed that third party utility services are complete and ready for retail service to each lot in the subdivision, including but not limited to sanitary sewer, potable water with fire protection, electrical power, street lighting (if required), natural gas (if so served), telephone and cable communication and that US Postal Service approved mail collection and distribution boxes are in place and ready for service.
- City Staff has confirmed that the City has confirmed compliance with City Code Sections 14.18.030(b)(5), (6) and (7). However, we understand the City is expecting an updated title report upon resubmittal.

Based on the review and information presented above, CHS Engineers, LLC, recommends City Council approval of the subject final plat, upon satisfaction of the following conditions:

- The final plat document be submitted with the signatures and stamp of the professional land surveyor that prepared the plat map and the signatures as appropriate of the owners of the underlying property.
- Receipt of a current title report, and City review thereof to confirm there are no new substantive matters reported in the updated report.
- Completion of the final plat document to the satisfaction of the City Community Development/Planning Director and his concurrent recommendation for approval of the final plat.

Please contact us if you have any questions.

Attachment 8



1106 Vernon Road, Suite A, Lake Stevens, WA 98258

(425) 334-8588 · Fax (425) 335-5947
Web Address: lkstevenssewer.org

Date: May 22nd, 2018

ATTN: City of Lake Stevens
Planning and Community Development

Subject: Westlake Crossing

To Whom It May Concern,

The sanitary sewer system for the Westlake Crossing plat has been constructed, tested and deemed complete by the Lake Stevens Sewer District. All easements have been recorded and the proponent has donated the sewer facilities to the Lake Stevens Sewer District. The Lake Stevens Sewer District would not object to the recording of Final Plat for the Westlake Crossing plat.

Johnathan Dix

Johnathan Dix

Manager of Collection System Maintenance
Lake Stevens Sewer District



Your Community Energy & Water Partner

May 17, 2018

SSHI, LLC DBA DR Horton
11241 Slater Ave NE Suite 200
Kirkland, WA 98033

RE: Final Plat Acceptance
WE 852 Westlake Crossing

Water Service is available to all lots of the above referenced plat subject to payment of all applicable fees.

The Snohomish County Public Utility District No. 1 Water Utility has no objection to the recording of the above mentioned plat.

Please call (425) 397-3016 if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Misty Stevens". The signature is fluid and cursive, with the first name "Misty" being more prominent than the last name "Stevens".

Misty Stevens
Water Service Liaison
Snohomish County PUD No. 1
Water Utility



LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: 26 June 2018

Subject: 2018 On-Call Engineering Services

Contact	Amanda Wells	Budget	N/A
Person/Department:	<u>Public Works Department</u>	Impact:	<u></u>

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL: Authorize the Mayor to execute a Master Professional Service Agreement for on-call engineering services with qualified firms listed in attachment with a term to end 31 December 2021.

SUMMARY/BACKGROUND: City staff seeks to use on-call professional services to assist with technical services for various small size projects and emergency services.

The City released a request for qualifications (RFQ) for professional engineering firms to provide various general and specialized engineering services in an on-call capacity. The intent is to pre-select engineering professionals to use for services up to \$75,000 per calendar year. This action will save the City time and expense for legal services and the selection process as it only needs to be performed once over the next two years. This action satisfies the procedures of RCW 39.87 by advertising for these services and selecting the “most qualified firm”.

Eighteen statements of qualifications (SOQ) were submitted. Three staff members from Public Works reviewed each SOQ based on the consultant’s qualifications, experience and personnel. Of the submittals, 13 firms were selected: Perteet, CHS Engineers, Davido Consulting Group, Associated Earth Sciences, Inc., The Blueline Group, Welch Comer, Wood, Krazan & Associates, Inc., KPFF, Robinson Noble, Otak, Lochner and Century West. Each of the selected firms scored 75 or more of the points available under the decision matrix. By contracting with multiple firms this will give the City alternatives to determine which firm is the best fit for the services needed for the task.

This action provides pre-approval for the use of the selected consultants. When a consultant is intended to be used for a service, the City and consultant will enter into a “Project Specific” Professional Service Supplemental Agreement (PSSA). A PSSA is limited to an amount not to exceed \$75,000.00 per calendar year. The city-adopted Procurement Policy will be followed for each individual PSSA.

BUDGET IMPACT: Not Applicable

ATTACHMENTS:

- ▶ Attachment A: Scoring
- ▶ Attachment B: Master On-Call Professional Services Agreement with Supplemental Form

ATTACHMENT A

Firm Evaluation Matrix

	Perteet	PSI	CHS Engineers	Geo Test	Materials Testing & Consulting, Inc.
Aaron Halverson	125	37	41	29	26
Eric Durpos	138	44	110	100	34
Cory Nau	77	69	77	83	74
Average Rating	113.33	50.00	76.00	70.67	44.67
	Welch Comer	Wood	Krazan & Associates, Inc.	KPFF	Robinson Noble
Aaron Halverson	100	112	185	123	118
Eric Durpos	126	112	111	120	129
Cory Nau	74	76	71	81	72
Average Rating	100.00	100.00	122.33	108.00	106.33

*On call will consist of all firms with score of 75 and above

David Consulting Group	Associated Earth Sciences, Inc.	The Blueline Group	C G Engineering
122	93	93	46
119	94	75	102
84	73	71	70
108.33	86.67	79.67	72.67
Otak	KBA	Lochner	Century West
123	72	111	114
114	71	127	114
81	73	83	75
106.00	72.00	107.00	101.00

**MASTER ON-CALL PROFESSIONAL SERVICES AGREEMENT
BETWEEN CITY OF LAKE STEVENS AND
NAME OF CONSULTANT
FOR ENGINEERING CONSULTANT SERVICES**

THIS AGREEMENT (“Agreement”) is made and entered into by and between the City of Lake Stevens, a Washington State municipal corporation (“City”) and Consultant Name, a Washington Insert legal status, i.e., Limited Liability Company, Sole Proprietor, Inc., P.S., (“Consultant”), licensed to do business in the State of Washington.

This agreement is made pursuant to and in compliance with RCW 39.80 entitled “Contracts for Architectural and Engineering Services” following a Request for Qualifications awarded on _____, 2018.

NOW, THEREFORE, in consideration of the terms, conditions, covenants and performances contained herein, the parties hereto agree as follows:

ARTICLE I. PURPOSE

The purpose of this Agreement is to provide the City with consultant services regarding on-call engineering services as described in Article II. The general terms and conditions of the relationship between the City and the Consultant are specified in this Agreement. The specific projects will be implemented by a Supplemental Agreement to this Master Professional Services Agreement as set forth in **Exhibit A** and **Exhibit B**.

ARTICLE II. SCOPE OF SERVICES

The Scope of Services is attached hereto as **Exhibit “A”** and incorporated herein by this reference (“Scope of Services”). All services and materials necessary to accomplish the tasks outlined in the Scope of Services shall be provided by the Consultant unless noted otherwise in the Scope of Services or this Agreement. All such services shall be provided in accordance with the standards of the Consultant’s profession.

ARTICLE III. OBLIGATIONS OF THE CONSULTANT

III.1 MINOR CHANGES IN SCOPE. The Consultant shall accept minor changes, amendments, or revision in the detail of the Scope of Services as may be required by the City when such changes will not have any impact on the service costs or proposed delivery schedule. Extra work, if any, involving substantial changes and/or changes in cost or schedules will be addressed as follows:

Extra Work. The City may desire to have the Consultant perform work or render services in connection with each project in addition to or other than work provided for by the expressed intent of the Scope of Services in the scope of services. Such work will be considered as extra work and will be specified in a written supplement to the scope of services, to be signed

by both parties, which will set forth the nature and the scope thereof. All proposals for extra work or services shall be prepared by the Consultant at no cost to the City. Work under a supplemental agreement shall not proceed until executed in writing by the parties.

III.2 WORK PRODUCT AND DOCUMENTS. The work product and all documents produced under this Agreement shall be furnished by the Consultant to the City, and upon completion of the work shall become the property of the City, except that the Consultant may retain one copy of the work product and documents for its records. The Consultant will be responsible for the accuracy of the work, even though the work has been accepted by the City.

In the event that the Consultant shall default on this Agreement or in the event that this Agreement shall be terminated prior to its completion as herein provided, all work product of the Consultant, along with a summary of work as of the date of default or termination, shall become the property of the City. Upon request, the Consultant shall tender the work product and summary to the City. Tender of said work product shall be a prerequisite to final payment under this Agreement. The summary of work done shall be prepared at no additional cost to the City.

Consultant will not be held liable for reuse of documents produced under this Agreement or modifications thereof for any purpose other than those authorized under this Agreement without the written authorization of Consultant.

III.3 TERM. The term of this Agreement shall commence on upon notice to proceed and shall terminate at midnight, 31 December 2020. The parties may extend the term of this Agreement by written mutual consent.

III.4 NONASSIGNABLE. The services to be provided by the Consultant shall not be assigned or subcontracted without the express written consent of the City.

III.5 EMPLOYMENT.

a. The term “employee” or “employees” as used herein shall mean any officers, agents, or employee of the of the Consultant.

b. Any and all employees of the Consultant, while engaged in the performance of any work or services required by the Consultant under this Agreement, shall be considered employees of the Consultant only and not of the City, and any and all claims that may or might arise under the Workman's Compensation Act on behalf of any said employees while so engaged, and any and all claims made by any third party as a consequence of any negligent act or omission on the part of the Consultant or its employees while so engaged in any of the work or services provided herein shall be the sole obligation of the Consultant.

c. Consultant represents, unless otherwise indicated below, that all employees of Consultant that will provide any of the work under this Agreement have not ever been retired from a Washington State retirement system, including but not limited to Teacher (TRS), School District (SERS), Public Employee (PERS), Public Safety (PSERS), law enforcement and fire fighters (LEOFF), Washington State Patrol (WSPRS), Judicial Retirement System (JRS), or

otherwise. *(Please indicate No or Yes below)*

_____ No employees supplying work have ever been retired from a Washington state retirement system.

_____ Yes, employees supplying work have been retired from a Washington state retirement system.

In the event the Consultant indicates “no”, but an employee in fact was a retiree of a Washington State retirement system, and because of the misrepresentation the City is required to defend a claim by the Washington State retirement system, or to make contributions for or on account of the employee, or reimbursement to the Washington State retirement system for benefits paid, Consultant hereby agrees to save, indemnify, defend and hold City harmless from and against all expenses and costs, including reasonable attorney’s fees incurred in defending the claim of the Washington State retirement system and from all contributions paid or required to be paid, and for all reimbursement required to the Washington State retirement system. In the event Consultant affirms that an employee providing work has ever retired from a Washington State retirement system, said employee shall be identified by Consultant, and such retirees shall provide City with all information required by City to report the employment with Consultant to the Department of Retirement Services of the State of Washington.

III.6 INDEMNITY.

a. **Indemnification / Hold Harmless.** Consultant shall defend, indemnify and hold the City, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or resulting from the acts, errors or omissions of the Consultant in performance of this Agreement, except for injuries and damages caused by the sole negligence of the City.

b. Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Consultant and the City, its officers, officials, employees, and volunteers, the Consultant's liability, including the duty and cost to defend, hereunder shall be only to the extent of the Consultant's negligence.

c. The provisions of this section shall survive the expiration or termination of this agreement.

d. For the purposes of the indemnity contained in subpart “A” of this paragraph 3.6, Consultant hereby knowingly, intentionally, and voluntarily waives the immunity of the Industrial Insurance Act, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties.

_____ (initials) _____ (initials)

III.7 INSURANCE.

a. **Minimum Limits of Insurance.** The Consultant shall procure, and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work and services hereunder by the Consultant, its agents, representatives, employees or subcontractors. The Consultant shall, before commencing work under this agreement, file with the City certificates of insurance coverage and the policy endorsement to be kept in force continuously during this Agreement, in a form acceptable to the City. Said certificates and policy endorsement shall name the City, its officers, elected officials, agents and/or employees as an additional named insured with respect to all coverages except professional liability insurance and workers' compensation.

b. **Minimum Scope of Insurance – Consultant shall obtain insurance of the types described below:**

(1). Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage.

(2). Commercial General Liability insurance shall be written on ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, independent contractors and personal injury and advertising injury. The City shall be named as an insured under the Consultant's Commercial General Liability insurance policy with respect to the work performed for the City.

(3). Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.

(4). Professional Liability insurance appropriate to the Consultant's profession.

c. **The minimum insurance limits shall be as follows:**

(1) Comprehensive General Liability. \$1,000,000 combined single limit per occurrence for bodily injury personal injury and property damage; \$2,000,000 general aggregate.

(2) Automobile Liability. \$1,000,000 combined single limit per accident for bodily injury and property damage.

(3) Workers' Compensation. Workers' compensation limits as required by the Workers' Compensation Act of Washington.

(4) Professional Liability/Consultant's Errors and Omissions Liability. \$1,000,000 per claim and \$1,000,000 as an annual aggregate.

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

e. **Acceptability of Insurers.** Insurance to be provided by Consultant shall be with a current A.M. Bests rating of no less than A:VII, or if not rated by Bests, with minimum surpluses the equivalent of Bests' VII rating.

f. **Verification of Coverage.** In signing this agreement, the Consultant is acknowledging and representing that required insurance is active and current. Consultant shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of the Consultant before commencement of the work. Further, throughout the term of this Agreement, the Consultant shall provide the City with proof of insurance upon request by the City.

g. **Insurance shall be Primary.** The Consultant's insurance coverage shall be primary insurance as respect the City. Any insurance, self-insurance, or insurance pool coverage maintained by the City shall be excess of the Consultant's insurance and shall not contribute with it.

h. **No Limitation.** Consultant's maintenance of insurance as required by this Agreement shall not be construed to limit the liability of the Consultant to the coverage provided by such insurance or otherwise limit the recourse to any remedy available at law or in equity.

i. **Failure to Maintain Insurance.** Failure on the part of the Consultant to maintain the insurance as required shall constitute a material breach of contract, upon which the City may, after giving five business days' notice to the Consultant to correct the breach, immediately terminate the contract or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the City on demand, or at the sole discretion of the City, offset against funds due the Consultant from the City.

III.8 DISCRIMINATION PROHIBITED AND COMPLIANCE WITH EQUAL OPPORTUNITY LEGISLATION. The Consultant agrees to comply with equal opportunity employment and not to discriminate against client, employee, or applicant for employment or for services because of race, creed, color, religion, national origin, marital status, sex, sexual orientation, age or handicap except for a bona fide occupational qualification with regard, but not limited to, the following: employment upgrading; demotion or transfer; recruitment or any recruitment advertising; layoff or terminations; rates of pay or other forms of compensation; selection for training, rendition of services. The Consultant further agrees to maintain (as appropriate) notices, posted in conspicuous places, setting forth the provisions of this nondiscrimination clause. The Consultant understands and agrees that if it violates this nondiscrimination provision, this Agreement may be terminated by the City, and further that the

Consultant will be barred from performing any services for the City now or in the future, unless a showing is made satisfactory to the City that discriminatory practices have been terminated and that recurrence of such action is unlikely.

III.9 UNFAIR EMPLOYMENT PRACTICES. During the performance of this Agreement, the Consultant agrees to comply with RCW 49.60.180, prohibiting unfair employment practices.

III.10 LEGAL RELATIONS. The Consultant shall comply with all federal, state and local laws and ordinances applicable to work to be done under this Agreement. The Consultant represents that the firm and all employees assigned to work on any City project are in full compliance with the statutes of the State of Washington governing activities to be performed and that all personnel to be assigned to the work required under this Agreement are fully qualified-and properly licensed to perform the work to which they will be assigned. This Agreement shall be interpreted and construed in accordance with the laws of Washington. Venue for any litigation commenced relating to this Agreement shall be in Snohomish County Superior Court.

III.11 INDEPENDENT CONTRACTOR.

a. The Consultant and the City understand and expressly agree that the Consultant is an independent contractor in the performance of each and every part of this Agreement. The Consultant expressly represents, warrants and agrees that his status as an independent contractor in the performance of the work and services required under this Agreement is consistent with and meets the six-part independent contractor test set forth in RCW 51.08.195 or as hereafter amended. The Consultant, as an independent contractor, assumes the entire responsibility for carrying out and accomplishing the services required under this Agreement. The Consultant shall make no claim of City employment nor shall claim any related employment benefits, social security, and/or retirement benefits.

b. The Consultant shall be solely responsible for paying all taxes, deductions, and assessments, including but not limited to federal income tax, FICA, social security tax, assessments for unemployment and industrial injury, and other deductions from income which may be required by law or assessed against either party as a result of this Agreement. In the event the City is assessed a tax or assessment as a result of this Agreement, the Consultant shall pay the same before it becomes due.

c. The City may, during the term of this Agreement, engage other independent contractors to perform the same or similar work that the Consultant performs hereunder.

d. Prior to commencement of work, the Consultant shall obtain a business license from the City.

III.12 CONFLICTS OF INTEREST. The Consultant agrees to and shall notify the City of any potential conflicts of interest in Consultant's client base and shall obtain written permission from the City prior to providing services to third parties where a conflict or potential conflict of interest is apparent. If the City determines in its sole discretion that a conflict is irreconcilable, the City reserves the right to terminate this Agreement.

III.13 CITY CONFIDENCES. The Consultant agrees to and will keep in strict confidence, and will not disclose, communicate or advertise to third parties without specific prior written consent from the City in each instance, the confidences of the City or any information regarding the City or services provided to the City.

III.14 SUBCONTRACTORS/SUBCONSULTANTS.

a. The Consultant shall is responsible for all work performed by subcontractors/subconsultants pursuant to the terms of this Agreement.

b. The Consultant must verify that any subcontractors/subconsultants they directly hire meet the responsibility criteria for the project. Verification that a subcontractor/subconsultant has proper license and bonding, if required by statute, must be included in the verification process. The Consultant will use the following Subcontractors/Subconsultants or as set forth in Exhibit Exhibit No.:

c. The Consultant may not substitute or add subcontractors/subconsultants without the written approval of the City.

d. All Subcontractors/Subconsultants shall have the same insurance coverages and limits as set forth in this Agreement and the Consultant shall provide verification of said insurance coverage.

ARTICLE IV. OBLIGATIONS OF THE CITY

IV.1 PAYMENTS.

a. The Consultant shall be paid by the City for services rendered under this Agreement as described in the Scope of Services and as provided in this section. In no event shall the compensation paid to Consultant under this Agreement exceed \$75,000.00 per calendar year without the written agreement of the Consultant and the City. Such payment shall be full compensation for work performed and services rendered and for all labor, materials, supplies, equipment and incidentals necessary to complete the work. In the event the City elects to expand the scope of services from that set forth in Exhibit A, the City shall pay Consultant a mutually agreed amount.

b. The Consultant shall submit a monthly invoice to the City for services performed in the previous calendar month in a format acceptable to the Cities. The Consultant shall maintain time and expense records and provide them to the Cities upon request.

IV.2 CITY APPROVAL. Notwithstanding the Consultant's status as an independent contractor, results of the work performed pursuant to this Agreement must meet the approval of the City, which shall not be unreasonably withheld if work has been completed in compliance with the Scope of Services and City requirements.

IV.3 MAINTENANCE/INSPECTION OF RECORDS. The Consultant shall maintain all books, records, documents and other evidence pertaining to the costs and expenses allowable under this Agreement in accordance with generally accepted accounting practices. All such books and records required to be maintained by this Agreement shall be subject to inspection and audit by representatives of the City and/or the Washington State Auditor at all reasonable times, and the Consultant shall afford the proper facilities for such inspection and audit. Representatives of the City and/or the Washington State Auditor may copy such books, accounts and records where necessary to conduct or document an audit. The Consultant shall preserve and make available all such books of account and records for a period of three (3) years after final payment under this Agreement. In the event that any audit or inspection identifies any discrepancy in such financial records, the Consultant shall provide the City with appropriate clarification and/or financial adjustments within thirty (30) calendar days of notification of the discrepancy.

ARTICLE V. GENERAL

V.1 NOTICES. Notices by the City to Consultant and by the Consultant to the City shall be sent to the following address:

City of Lake Stevens
Attn: Aaron Halverson
1812 Main Street
Post Office Box 257
Lake Stevens, WA 98258

Consultant Legal Name
Attn: Consultant Contact
Consultant Mailing Address
City, State Zip

Receipt of any notice shall be deemed effective three (3) days after deposit of written notice in the U.S. mail with proper postage and address.

V.2 TERMINATION. The right is reserved by the City to terminate this Agreement in whole or in part at any time upon ten (10) calendar days' written notice to the Consultant.

If this Agreement is terminated in its entirety by the City for its convenience, the City shall pay the Consultant for satisfactory services performed through the date of termination in accordance with payment provisions of Section VI.1.

V.3 DISPUTES. The parties agree that, following reasonable attempts at negotiation and compromise, any unresolved dispute arising under this Agreement may be resolved by a mutually agreed-upon alternative dispute resolution of arbitration or mediation.

V.4 EXTENT OF AGREEMENT/MODIFICATION. This Agreement, together with attachments or addenda, represents the entire and integrated Agreement between the parties and supersedes all prior negotiations, representations, or agreements, either written or oral. This

Agreement may be amended, modified or added to only by written instrument properly signed by both parties.

V.5 SEVERABILITY

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

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

V.6 NONWAIVER. A waiver by either party hereto of a breach by the other party hereto of any covenant or condition of this Agreement shall not impair the right of the party not in default to avail itself of any subsequent breach thereof. Leniency, delay or failure of either party to insist upon strict performance of any agreement, covenant or condition of this Agreement, or to exercise any right herein given in any one or more instances, shall not be construed as a waiver or relinquishment of any such agreement, covenant, condition or right.

V.7 FAIR MEANING. The terms of this Agreement shall be given their fair meaning and shall not be construed in favor of or against either party hereto because of authorship. This Agreement shall be deemed to have been drafted by both of the parties.

V.8 GOVERNING LAW. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington.

V.9 VENUE. The venue for any action to enforce or interpret this Agreement shall lie in the Superior Court of Washington for Snohomish County, Washington.

V.10 COUNTERPARTS. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same Agreement.

V.11 AUTHORITY TO BIND PARTIES AND ENTER INTO AGREEMENT. The undersigned represent that they have full authority to enter into this Agreement and to bind the parties for and on behalf of the legal entities set forth below.

DATED this _____ day of _____, 2018.

CITY OF LAKE STEVENS

TRUE AND ACCURATE NAME OF
CONSULTANT

By: _____
John Spencer, Mayor

By: _____

Printed Name and Title

Approved as to Form:

Grant K. Weed, City Attorney

EXHIBIT A SCOPE OF SERVICES

The purpose is for the selected consulting engineering firm to supplement services performed by the City's engineering and planning staff. Documents developed shall be in accordance with the City's Engineering Design and Development Standards, adopted version of the Department of Ecology Storm Water Management Manual for Western Washington and adopted version of the Washington State Department of Transportation Standard Specifications. The consultant will be responsible for the contract administration, management, inspection, and coordination of all sub-consultant's work. The consultant will be required to stamp and sign any engineering design computations, standard plan sheets, specifications or other documents that the consultant developed as part of this contract.

Services provided under this contract may include but not limited to the following:

- Transportation Engineering/Planning
 - Motorized
 - Non-Motorized
- Storm water Engineering
- Geotechnical Engineering
- Environmental Engineering
- Structural Engineering
- Construction Inspection
- Plan Review
- Right of Way Acquisition
- Survey Services

The specific services for projects awarded under this Master On-call Engineering PSA will be provided in **Project Specific Professional Services Agreement for On-call Engineering Services (PS On-Call Engineering PSA)** with a scope of work and cost estimate including but not limited to:

- a. Project Name
- b. Technical Approach (if necessary)
- c. Deliverables
- d. Schedule
- e. Cost/Hour Estimate
- f. Due Date

Exhibit B
Project Specific - Professional Services Supplemental Agreement

SUPPLEMENTAL AGREEMENT NO. ____
TO
PROFESSIONAL SERVICES AGREEMENT
FOR
CITY OF LAKE STEVENS

This Supplemental Agreement No. ____ is made and entered into on the ____ day of _____, _____, between the City of _____, hereinafter called the "City" and _____, hereinafter called the "Consultant."

This agreement is made pursuant to and in compliance with the Master Professional Services Agreement for On-Call Surveying Services dated _____ and RCW 39.80 entitled "Contracts for Architectural and Engineering Services" following a Request for Qualifications awarded on _____, 20____.

WITNESSETH THAT:

WHEREAS, the parties hereto have previously entered into an Agreement for [insert description of project], hereinafter called the "Project," said Agreement being dated _____, _____; and

WHEREAS, both parties desire to supplement said Agreement, by expanding the Scope of Services to provide for _____ and to amend the total amount payable for this Agreement,

NOW THEREFORE, in consideration of the terms, conditions, covenants and performance contained herein or attached and incorporated, and made a part hereof, the parties hereto agree as follows:

Each and every provision of the Original Agreement for Professional Services dated _____, shall remain in full force and effect, except as modified in the following sections:

1. Article II of the Original Agreement, "SCOPE OF SERVICES", shall be supplemented to include the Scope of Services as described in **Exhibit A1**, attached hereto and by this reference made part of this Supplemental Agreement No. ____.

2. Article IV of the Original Agreement, "OBLIGATIONS OF THE CITY", Paragraph VI.1 Payments, Section (a), Provides that the Consultant shall be paid by the City for services rendered under this Agreement as described in the Scope of Services and as provided in this section. In no event shall the compensation paid to Consultant under this Agreement exceed \$75,000.00 per calendar year without the written agreement of the Consultant and the City. Such payment shall be full compensation for work performed and services rendered and for all labor, materials, supplies, equipment and incidentals necessary to complete the work. In the event the City elects to expand the scope of services from that set forth in Exhibit A, the City shall pay Consultant a mutually agreed amount. The costs for this Supplemental Agreement No. _____ are not to exceed \$ _____ as set forth in **Exhibit A 1** attached.

The Total Amount payable to the Consultant is summarized as follows:

Original Agreement Authorized Amount not to exceed per year
\$ _____

Supplemental Agreement No.1 \$ _____

Supplemental Agreement No.2 \$ _____

Supplemental Agreement No.3 \$ _____

Grand Total \$ _____

3. Article III, Section III.3 of the Original Agreement, Term is amended to add that the parties agree to extend the term of the agreement to terminate at midnight _____, _____.

IN WITNESS WHEREOF, the parties hereto have executed this SUPPLEMENTAL AGREEMENT NO. _____ as of the day and year first above written.

CITY OF _____

By: _____
Mayor

By: _____
Its _____

ATTEST/AUTHENTICATED:

City Clerk

APPROVED AS TO FORM:

City Attorney

Exhibit A 1

- a. Project Name
- b. Technical approach to the task (if necessary)
- c. Specific deliverables

- d. Schedule with milestones and deliverables
- e. Cost/hour estimate
- f. Due date of work



LAKE STEVENS CITY COUNCIL

STAFF REPORT

Agenda Date: June 26, 2018

Subject: Impact Fees

Contact	Russ Wright, Community Development Director	Budget	None at this
Person/Department:	<u>Dillon Roth, Associate Planner</u>	Impact:	<u>time</u>

RECOMMENDATION(S)/ACTION REQUESTED OF CITY COUNCIL:

Discussion of current impact fees and comparisons

SUMMARY:

Impact fees are charges paid by new development to reimburse local governments for the cost of public facilities that are needed to serve new development and the people who occupy or use that new development. Impact fees may only be imposed for “system improvements” - public capital facilities in a local government’s capital facilities plan that are designed to provide service to the community at large (not private facilities), are reasonably related to the new development, and will benefit the new development (WAC 365-196-850).

Impact fees cannot exceed a proportionate share of the cost of the system improvements, and municipalities must have additional funding sources and may not rely solely on impact fees to fund the improvements (RCW 82.050.050).

The city adopted its current traffic fees in 2012 and current park fees in 2009. The attached materials provide an overview of current fees and comparisons with peer cities (Exhibit 1 and 2). In Lake Stevens, impact fees are paid at the issuance of building permits for new development. The city of Lake Stevens currently collects park and school impact fees for new residential development, while traffic impact fees are collected for all new development. The amount of the impact fee varies based on the proposed project. There are different rates for single family development and multi-family development. Other jurisdictions also charge a park impact fee for non-residential development based on total square feet of the new development.

A reexamination of the current fees is warranted to ensure that new development is paying a proportionate share of the cost to provide the necessary infrastructure.

EXHIBITS:

Exhibit 1: Park Impact Fee Comparison

Exhibit 2: Traffic Impact Fee Comparison by City of Bellingham

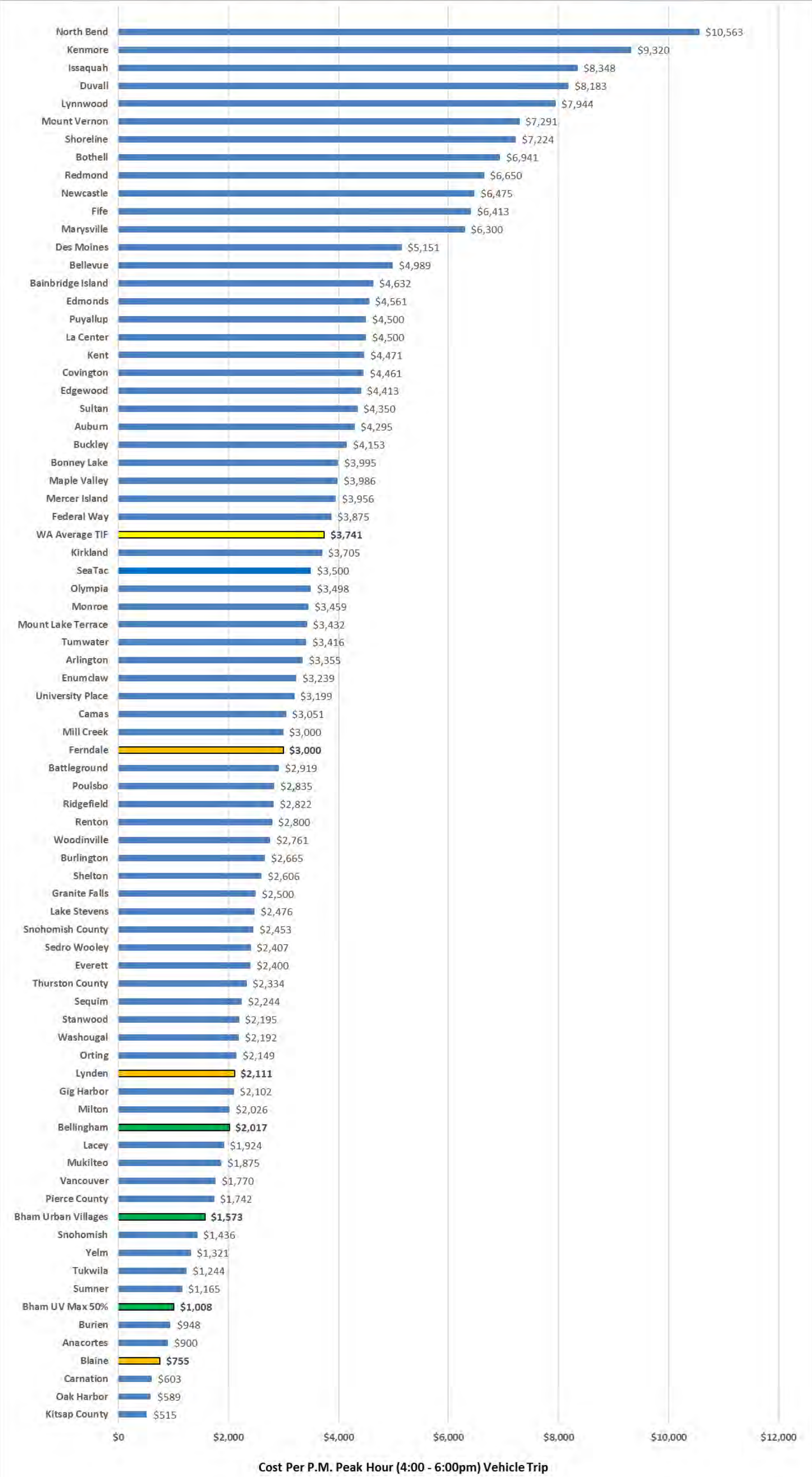
City	Population	Rate	MFR	Non-Residential per sq ft
Bothell	44,370	\$4,010	\$2,797	\$1.09
Edmonds	41,260	\$2,734	\$2,340	\$1.34
Issaquah	36,030	\$6,174	\$5,317	\$2.21
Lynnwood	36,950	\$4,442	\$3,552	\$2.26
Marysville	65,900	\$1,463	\$1,034	
Mercer Island	24,210	\$2,118	\$1,361	
Monroe	18,350	\$2,479	\$2,020	
Mount Vernon	34,360	\$855	\$789	
Puyallup	40,500	\$4,017	\$1,560	0.87
Snohomish	10,010	\$4,150	\$3,600	
University Place	31,440	\$3,644	\$2,660	
Average			\$2,457	
Lake Stevens	32,570	\$2,363	\$1103 - \$1733	

Bothell - fee varies by unit size and includes a park and open space fee (comps shown represent standard

Monroe - average for multifamily fees

Puyallup - fee varies by unit size (comps shown represent standard home size)

Comparison of 2017-2018 TIF Base Rates in 72* Cities and 4 Counties in Western Washington
With Whatcom County Cities and Bellingham's Urban Village TIF Reductions Highlighted for Emphasis
*[*City of Sammamish, WA \$14,707 TIF base rate excluded from graphic due to size - see TIF rate table on next page]*
Data compiled October 2017 by Chris Comeau, AICP-CTP, Transportation Planner, Bellingham Public Works ccomeau@cob.org or (360) 778-7946



2018 Transportation Impact Fee Comparison: 72 Cities + 4 Counties in Western Washington

Data compiled October 2017 from public web sites, telephone calls, and email inquiries by

Chris Comeau, AICP-CTP, Transportation Planner, Bellingham Public Works ccomeau@cob.org or (360) 778-7946

		2018	2018			2018	2018
City	Population	Base Rate	CBD-Incentive	City	Population	Base Rate	CBD-Incentive
Anacortes ¹	16,780	\$900		Mill Creek	19,960	\$3,000	
Arlington	18,690	\$3,355		Milton	7,900	\$2,026	
Auburn ²	78,960	\$4,295	\$3,479	Monroe	18,350	\$3,459	
Bainbridge Island	23,950	\$4,632		Mount Vernon	34,360	\$7,291	
Battleground	20,370	\$2,919		Mount Lake Terrace	21,290	\$3,432	
Bellevue	140,700	\$4,989		Mukilteo	21,240	\$1,875	
Bellingham ³	86,720	\$2,017	\$1,573	Newcastle	11,280	\$6,475	
Blaine ⁴	5,075	\$755		North Bend ¹⁸	6,605	\$10,563	
Bonney Lake	20,500	\$3,995		Oak Harbor ¹⁹	22,840	\$589	
Bothell	44,370	\$6,941		Olympia ²⁰	52,160	\$3,498	\$1,287
Buckley	4,670	\$4,153		Orting	7,835	\$2,149	
Burien ⁵	50,680	\$948		Poulsbo	10,510	\$2,835	
Burlington	8,715	\$2,665		Puyallup	40,500	\$4,500	
Camas ⁶	23,080	\$3,051		Redmond ²¹	62,100	\$6,650	
Carnation	2,030	\$603		Renton	102,700	\$2,800	
Covington	19,850	\$4,461		Ridgefield	7,235	\$2,822	
Des Moines	30,860	\$5,151		Sammamish ²²	62,240	\$14,707	
Duvall	7,500	\$8,183		SeaTac	28,850	\$3,500	
Edgewood	10,420	\$4,413		Sedro Wooley ²³	10,950	\$2,407	\$1,341
Edmonds	41,260	\$4,561		Sequim	7,280	\$2,244	\$2,020
Enumclaw	11,450	\$3,239		Shelton	10,120	\$2,606	
Everett	109,800	\$2,400		Shoreline	55,060	\$7,224	
Federal Way ⁷	96,350	\$3,875		Snohomish	10,010	\$1,436	
Ferndale ⁸	13,470	\$3,000	\$2,550	Stanwood	6,785	\$2,195	
Fife ⁹	10,100	\$6,413		Sultan	5,030	\$4,350	
Gig Harbor	9,500	\$2,102		Sumner	9,920	\$1,165	
Granite Falls	3,485	\$2,500		Tukwila ²⁴	19,660	\$1,244	
Issaquah ¹⁰	36,030	\$8,348		Tumwater	23,210	\$3,416	
Kenmore ¹¹	22,580	\$9,320		University Place	31,440	\$3,199	
Kent ¹²	127,100	\$4,471	\$3,223	Vancouver ²⁵	162,400	\$1,770	
Kirkland	86,080	\$3,705		Washougal	13,807	\$2,192	
La Center ¹³	3,195	\$4,500		Woodinville ²⁶	9,200	\$2,761	
Lacey	48,700	\$1,924		Yelm	6,242	\$1,321	
Lake Stevens ¹⁴	31,740	\$2,476					
Lynden ¹⁵	13,620	\$2,111		County	Population	Base Rate	
Lynnwood ¹⁶	36,950	\$7,944	\$5,107	Kitsap County	240,862	\$515	
Maple Valley ¹⁷	24,900	\$3,986		Pierce County	796,836	\$1,742	
Marysville	65,900	\$6,300		Snohomish County	694,571	\$2,453	
Mercer Island	24,210	\$3,956		Thurston County ²⁷	256,591	\$2,334	

Notes:

All data above obtained from public web sites, telephone, and email inquiries.

1. Anacortes has a very old TIF system, which is being updated, and new TIF rates of \$3,000 anticipated in 2018..

2. Auburn adopted rates August 1, 2013.

3. In Urban Villages, Bellingham allows automatic 22% to 25% TIF reduction and voluntary TDM performance measures up to 50% TIF reduction.

4. The City of Blaine future pm peak hour vehicle trip rate is currently being evaluated.

5. Burien limited improvement project costs to keep rates low . TIF w as adopted in 2009.

6. Camas uses a 2-zone TIF system; Average = \$3,051.

7. Federal Way charges 3% non-refundable admin. fee + base rate + 3-yr WSDOT construction cost index. SF fee = City 2014 rate schedule summary

8. Ferndale uses 3-zone TIF system. \$3,000 citywide; \$3,750 for 443-acre "Main Street" Planned Action; \$2,550 downtown Ferndale.

9. Fife uses a VMT-based TIF system adjusted from ITE ADT rates.

10. Issaquah created development incentive in which the first 10,000 SF of commercial TIF paid from other public funding sources (per WA State law).

11. Kenmore uses a "Person Trip" based TIF system.

12. Kent TIF rates are based on 30% of maximum rate from Rate Study (May 2010) and down to Kent rate memorandum.

13. La Center allow s TIF to be deferred to occupancy by requiring lien on property.

14. Lake Stevens uses a 3-zone TIF system; average - \$2,476

15. Lynden TIF allow s up to 50% reduction in industrial areas w here there is a significant chance that grants can be obtained.

16. Lynnnw ood has two TIF zones and reduces TIF by 15% (per ITE) in portion of City Center.

17. Maple Valley fee per 2013 rate schedule (R-13-909 Jan 28, 2013)

18. North Bend is similar to Sammamish in that most development is residential with little to no pass-by, diverted link trips.

19. Oak Harbor uses a very old TIF system.

20. Olympia TIF allow s up to 20% reduction in dow ntow n for accepted TDM performance measures.

21. Redmond uses "Person Trips/Mobility Units" for Concurrency and TIF

22. Sammamish has highest TIF (\$14,707) in all of Washington due to primarily residential development with little to no pass-by, diverted link trips.

23. Sedro-Woolley uses a 15-zone TIF system; Average = \$2,407; TIF reduction in downtown Sedro-Woolley

24. Tukwila = 4-zone TIF system: Average = \$1,244

25. Vancouver uses 5-zone ADT-based TIF system; Average = \$1,770.

26. Woodinville calculates ADT; Average = \$2,761.

27. Thurston County uses a 6-zone TIF system; Average = \$2,334