



City of Lake Stevens Vision Statement

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

CITY COUNCIL WORKSHOP MEETING AGENDA 100% Virtual – Via Zoom

Tuesday, February 16, 2021 at 6:00 p.m.

<https://us02web.zoom.us/j/81137067307>

or call in at (253) 215-8782

Meeting ID: 81137067307

- Amendments to SEPA Exemptions for Minor New Construction and Infill Development
David Levitan, Senior Planner
- Parks and Recreation Planning Board Code Amendment Allowing a Nine Member Board
Jill Meis, Parks and Planning Coordinator

THE PUBLIC IS INVITED TO ATTEND BUT WILL NOT BE ALLOWED TO COMMENT

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) 622-9400, 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 recorded, except Executive Sessions.



LAKE STEVENS CITY COUNCIL
STAFF REPORT

Date: February 16, 2021

Subject: Amendments to SEPA Exemptions for Minor New Construction and Infill Development

Contact Person/Department: David Levitan, Senior Planner **Budget Impact:** None

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:

No action required. Staff requests Council direction on moving forward with the Planning Commission's recommendation, which is to 1) raise the minor new construction thresholds and 2) not adopt an infill exemption ordinance.

BACKGROUND/ HISTORY:

The State Environmental Policy Act (SEPA) requires state and local governments to consider the environmental impacts of their decisions, such as issuing project permits and adopting development regulations. [WAC 197-11-800](#) includes a list of categorical exemptions that exempt certain small projects ("minor new construction") from SEPA review.

In 2012, the Washington State Department of Ecology (DOE) updated the SEPA rules to account for the many local, state, and federal environmental regulations that have been adopted over the last several decades. The update included amendments to WAC 197-11-800(1) to create new flexible exemption thresholds for minor new construction. As shown in Table 1 below, local jurisdictions can maintain the standard exemption thresholds in Subsection (b) or raises exemption levels up to the maximums identified in Subsection (d). Given the increased environmental protection from the adoption of local, state and federal regulations over the years, city staff believes it is appropriate to increase exemption levels to simplify and streamline the SEPA regulatory process.

Table 1 – Standard and Flexible SEPA Categorical Exemption Thresholds

	Standard (Current City) Threshold	Maximum (Flexible) Threshold
Single-Family Residential	4 units	30 units
Multi-Family Residential	4 units	60 units
Agricultural Structures	10,000 sf	40,000 sf
Office/School/Commercial	4,000 sf	30,000 sf
Parking Facilities	20 spaces	90 spaces
Fill/Excavation	100 cubic yards	1,000 cubic yards

The Planning Commission has held three work sessions to discuss the proposed amendments. Staff detailed the procedural requirements for jurisdictions to raise their thresholds (Attachment 1). The city must document that potential impacts to all elements of the environment are adequately addressed by other regulations. Staff prepared a table identifying the current regulations in place that address the 16 SEPA elements (Attachment 2) to meet the requirements of Subsection c.

City staff also researched the exemption thresholds adopted by nearby jurisdictions. Table 2 shows that all have adopted at least some of the flexible thresholds since 2012, with changes from the pre-2012 levels **shown in bold**. Flexible thresholds range from minor increases in Arlington to the adoption of the maximum thresholds by Everett, Marysville, Snohomish and Snohomish County.

Table 2 – Flexible Thresholds in Nearby Jurisdictions

	Arlington	Monroe	Everett, Marysville, Snohomish, Snohomish County (Maximum)
Single-Family Residential	9 units	9 units	30 units
Multi-Family Residential	9 units	9 units	60 units
Agricultural Structures	10,000 sf	10,000 sf	40,000 sf
Office/School/Commercial	4,000 sf	12,000 sf	30,000 sf
Parking Facilities	20 spaces	40 spaces	90 spaces
Fill/Excavation	250 cubic yards	500 cubic yards	1,000 cubic yards

Commissioners were supportive of adopting higher flexible thresholds in Lake Stevens, and discussed a range of options during their [October 21, 2020](#) and [December 2, 2020](#) meetings. Proposed amendments to [LSMC 16.04.045](#) (Attachment 3) are shown in the right column of Table 3. At the conclusion of their [January 20, 2021](#) meeting, commissioners expressed support for increasing the categorical exemption thresholds to those identified in Table 3, which they felt represent a reasonable level between the standard and maximum flexible thresholds.

Table 3 – SEPA Thresholds for Minor New Construction in Lake Stevens

	Current Thresholds	Maximum Thresholds	Proposed Thresholds
Single-Family Residential	4 units	30 units	9 units
Multi-Family Residential	4 units	60 units	20 units
Agricultural Structures	10,000 sf	40,000 sf	20,000 sf
Office/School/Commercial	4,000 sf	30,000 sf	20,000 sf
Parking Facilities	20 spaces	90 spaces	40 spaces
Fill/Excavation	100 cubic yards	1,000 cubic yards	500 cubic yards

Staff is providing this briefing to allow the City Council to review the Planning Commission's recommendation to raise the exemption thresholds. If Council agrees with the Planning Commission's recommendation, staff will begin the process to meet the requirements of WAC 197-11-800(1)(c) and amend LSMC 16.04.045.

Potential SEPA Infill Exemption Ordinance

In addition to discussing amendments for minor new construction, staff also briefed commissioners on [Substitute House Bill \(HB\) 2673](#), which became effective in June 2020. HB 2673 amended the existing categorical exemptions for infill development codified in [RCW 43.21C.229](#). The intent of this legislation is to identify additional categorical exemptions for residential and mixed-use developments as well as commercial developments (not including retail) up to 65,000 sf in areas where current development density or intensity is equal to or lower than identified in the city's comprehensive plan (which is true for Lake Stevens). This would be separate from the city's categorical exemptions for minor new construction discussed above.

RCW 43.21C.229 requires that the city must illustrate that there are adequate Comprehensive Plan policies, implementing ordinances (Zoning Code), and other environmental regulations in place to address potential impacts from allowing infill development without SEPA environmental review. This requirement is very similar to that for increasing the minor new construction thresholds, and staff believes that the analysis shown in Attachment 2 would meet the requirement.

Cities have the discretion to establish specific areas where the infill exemption ordinance would apply, so long as the current levels of development are less than those identified in the Comprehensive Plan. In considering areas where an infill exemption ordinance might be appropriate, staff briefed commissioners on a few options. One option would be in areas where the city has adopted a Planned Action ordinance when development is approaching the development caps

covered by the Planned Action. A Planned Action shifts environmental review from the project-level stage to the planning stage and requires the preparation of an Environmental Impact Statement (EIS) that analyzes and mitigates for environmental impacts for a certain level of development (residential units and square feet of commercial/mixed-use development). For the 20th St SE Corridor, the city is approaching the number of residential units covered by the Planned Action.

As previously noted, all areas of the city qualify for the categorical exemptions for minor new construction. Under the proposed minor construction thresholds, an office building up to 20,000 sf or a development with 20 MFR units would be exempt from SEPA. Adoption of an infill exemption ordinance for specific areas of the city could increase that exemption for an office building to 65,000 sf and would also increase the size of residential and mixed-use developments exempt from SEPA.

Following their January 20 work session, commissioners recommended that the city not adopt a separate ordinance to raise the city's infill exemption thresholds, and just increase the minor new construction thresholds. Commissioners felt that the minor new construction thresholds would help streamline the development project for small to medium sized projects, outside of subarea, but that adopting the infill exemption ordinance would exempt larger projects (up to 65,000 sf for commercial and as designated by the city for residential and mixed-use projects) that might still warrant SEPA environmental review and public comment. Infill exemptions would also conflict with the planned action areas and not provide the intended benefit. In the future as planned action are built out, the city could revisit these amendments.

QUESTIONS FOR COUNCIL:

Staff is requesting that the City Council provide input to staff on the following:

1. Do you support increasing the flexible thresholds to those identified in the right column of Table 3, as recommended by the Planning Commission?
2. Do you agree with the Planning Commission's recommendation to *not* move forward with a separate infill exemption ordinance at this time?

NEXT STEPS:

Revising the SEPA exemption thresholds for minor new construction or adopting a new infill exemption ordinance would require a Type VI legislative amendment, and also be subject to the applicable state processes, with public notice provided to stage agencies, affected tribes and neighboring jurisdictions, and the general public. If the Council opts to move forward on one or both ordinances, staff anticipates that the process would take approximately 3-4 months, with public hearings held in May and June 2021.

BUDGET IMPACT: There is not a budget impact.

ATTACHMENTS

Attachment 1 – WAC 19-11-800(1)(c) Requirements to Adopt Flexible Thresholds

Attachment 2 – Other Environmental Regulations for SEPA Exempt Development

Attachment 3 – Draft Code Amendments to LSCM 16.04.045 (Minor New Construction Thresholds)

WAC 197-11-800(1)(c) Requirements

At a minimum, the following process shall be met in order to raise the exempt levels.

- i. Documentation that the requirements for environmental analysis, protection and mitigation for impacts to elements of the environment (listed in WAC [197-11-444](#)) have been adequately addressed for the development exempted. The requirements may be addressed in specific adopted development regulations, and applicable state and federal regulations.

The adopting ordinance will contain a section that addresses this requirement and the findings and conclusions from the adopting body will further describe how this requirement is met. Staff have prepared a table summarizing the environmental elements required by SEPA and the corresponding adopted development regulations that protect and mitigate impacts to the specific element.

- ii. Description in the findings or other appropriate section of the adopting ordinance or resolution of the locally established notice and comment opportunities for the public, affected tribes, and agencies regarding permitting of development projects included in these increased exemption levels.

The adopting ordinance will contain a section that addresses the public notice and comment opportunities for the increased exemption levels.

- iii. Before adopting the ordinance or resolution containing the proposed new exemption levels, the agency shall provide a minimum of sixty days notice to affected tribes, agencies with expertise, affected jurisdictions, the department of ecology, and the public and provide an opportunity for comment.

City staff will issue a notice of proposed code amendment simultaneously with the Notice of Intent to Adopt (Department of Commerce) and provide a minimum of sixty days' notice to the public and stakeholders listed above.

- iv. The city, town, or county must document how specific adopted development regulations and applicable state and federal laws provide adequate protections for cultural and historic resources when exemption levels are raised. The requirements for notice and opportunity to comment for the public, affected tribes, and agencies in (c)(i) and (ii) of this subsection and the requirements for protection and mitigation in (c)(i) of this subsection must be specifically documented. The local ordinance or resolution shall include, but not be limited to, the following:

- Use of available data and other project review tools regarding known and likely cultural and historic resources, such as inventories and predictive models provided by the Washington department of archaeology and historic preservation, other agencies, and tribal governments.
- Planning and permitting processes that ensure compliance with applicable laws including chapters [27.44](#), 27.53, 68.50, and [68.60](#) RCW.

- Local development regulations that include at minimum preproject cultural resource review where warranted, and standard inadvertent discovery language (SIDL) for all projects.

The adopting ordinance will contain a section that describes how the city's regulations, in combination with the state and federal regulations, adequately protects cultural and historic resources. The ordinance will also address the notice and opportunity to comment for the public, affected tribes, and agencies on development projects.

Summary of how existing Lake Stevens, state, and federal regulations address SEPA elements associated with minor new construction activities

SEPA ELEMENT	CITY, STATE or FEDERAL REGULATION AUTHORITY
EARTH	Chapter 11.06 LSMC (Stormwater Management) regulates stormwater discharges from all new development and redevelopment to prevent and control adverse impacts of drainage and stormwater on the public health, safety, and general welfare; Chapter 14.50 LSMC (Land Disturbance) regulates clearing and grading; and Chapter 14.88 LSMC (Critical Areas) regulates development on geologically hazardous areas.
AIR	Chapter 14.44.240 LSMC (Smoke and Air Pollution) regulate air pollution from manufacturing and processing uses; and construction and demolition must comply with the Puget Sound Clean Air Agency requirements.
WATER	Chapter 14.88 LSMC (Wetlands and Fish & Wildlife Conservation Areas) regulates development in and around wetlands and fish and wildlife habitat; Chapter 11.06 LSMC (Stormwater Management) regulates stormwater discharges from all new development and redevelopment to prevent and control adverse impacts of drainage and stormwater on the public health, safety, and general welfare; Chapter 11.06.070 addresses low impact development (LID) techniques; Chapter 14.64 LSMC (Special Flood Hazard Areas) regulates impacts to floodplains and associated habitat functions, flood protection, and flood damage; and Chapter 14.92 (Shoreline Management) regulates development in and around designated shoreline areas within the city; and Chapter 14.60 LSMC (Utilities) regulates water supply and sewage disposal systems. The Snohomish Health District in conjunction with the Washington Department of Health, oversees the regulation of septic systems within the city, implementing WAC 246-270 through 246-274. The Department of Ecology regulates the use of water wells and groundwater protection via RCW 90.36 and 90.44.
PLANTS/ANIMALS	Chapter 14.88 (Critical Areas) regulates development in and around designated critical areas including wetlands and fish and wildlife conservation areas as well as requiring preservation of critical areas as Native Growth Protection Areas during development and demonstrating compliance with state and federal government lists of endangered, threatened or candidate species; Chapter 14.50.155 LSMC (Forest Practices) regulates certain forest practices assumed under DNR within the city; Chapter 14.76.120 LSMC (Retention and Protection of Large Trees) requires retention of existing significant trees or replanting of trees removed. The City's Comprehensive Plan contains policies regarding wildlife habitat areas and corridors.
ENERGY AND NATURAL RESOURCES	Chapter 14.80 (Building and Construction) adopts the International Energy Conservation Code of the State of Washington.
ENVIRONMENTAL HEALTH	Chapter 11.06 LSMC (Stormwater Management) regulates stormwater discharges from all new development and redevelopment to prevent and control adverse impacts of drainage and stormwater on the public health, safety, and general welfare; Chapter 14.44.250 LSMC (Disposal of Liquid and Hazardous Wastes) regulates waste from manufacturing and processing uses; Chapter 16.04.020 LSMC (SEPA General Requirements) adopts WAC 197-11-250 through 258 related to the SEPA/Model Toxics Control Act.
NOISE	Chapter 9.56 LSMC (Noise Control) regulates exposure of citizens to the physiological and psychological dangers of excessive noise and to protect, promote and preserve the public health, safety and welfare; Chapter 14.44.210 (Noise) regulates noise associated with manufacturing and processing uses and construction activity.
LAND/SHORELINE USE	Chapter 14.40 LSMC (Permissible Uses) in conjunction with Chapter 14.38 LSMC (Subarea Plans) establishes which uses or types of uses are permitted, which require special approvals, and which are prohibited in the zones; Chapter 14.92 LSMC (Shoreline Management) implements the goals of the Shoreline Management Act (SMA) (chapter 90.58 RCW) and the state Department of Ecology's implementing guidelines (chapter 173-26 WAC) and provides a uniform basis for applying Lake Stevens Shoreline Management Program (SMP) policies and development regulations within distinctive shoreline areas.
HOUSING	Chapters 14.48 LSMC (Density and Dimensional Regulations) and 14.38 LSMC (Subarea Plans) establish setback, lot coverage, building height, and lot dimension regulations for all zoning districts in Lake Stevens; Chapter 14.120 LSMC (Park Impact Mitigation Fees) requires that new growth and development pay its proportionate share of the costs of new park land and park facilities identified in the capital facilities plan element of the comprehensive plan that are reasonably related to the new development; Chapter 14.112 LSMC (Traffic Impact Mitigation Fees) and Chapter 14.110 LSMC (Concurrency Management System) ensure that public health, safety and welfare will be preserved by having safe and efficient roads serving new and existing developments; and Chapter 14.100 LSMC (School Impact Mitigation) ensure that adequate school facilities are available to serve new growth and development and to require that new growth and development pay its proportionate share of the costs of new school facilities. RCW 59.18.440 provides for relocation assistance for low-income tenants when required.

SEPA ELEMENT	CITY, STATE or FEDERAL REGULATION AUTHORITY
AESTHETICS	Chapter 14.16C.05 LSMC (Design Review) provides design standards for commercial, industrial, multifamily, and innovative housing development; Chapter 14.76 LSMC (Screening and Trees) provides screening and tree requirements for new development; Chapter 14.46 LSMC (Innovative Housing and Infill) regulates innovative housing, cottage housing, and infill projects; and Chapter 14.38 LSMC (Subarea Plans) provides design standards for development within the subareas.
LIGHT/GLARE	Chapter 14.38.080 (Lighting) regulates light for development within the subareas; Chapter 14.68.110 LSMC (Sign Illumination and Signs Containing Lights) regulates artificial lighting from signs; Chapter 14.60 (Utilities) contains lighting requirements for public streets and sidewalks, buildings, and outdoor areas as well as addresses excessive lighting; 14.38 LSMC (Subarea Plans) provides design standards including lighting for development within the subareas.
RECREATION	Chapter 14.46 LSMC (Innovative Housing and Infill) requires open space for cottage housing and infill development; Chapter 14.18 LSMC (Subdivision) requires open space in Planned Residential Developments, cluster, and unit lot subdivisions; Chapter 14.16C.05 LSMC (Design Review) provides design standards including required open space for development subject to the design standards; Chapter 14.120 LSMC (Park Impact Mitigation Fees) requires that new growth and development pay its proportionate share of the costs of new park land and park facilities identified in the capital facilities plan element of the comprehensive plan that are reasonably related to the new development; and Chapter 14.92 LSMC (Shoreline Management) implements the goals of the Shoreline Management Act (SMA). The city's Comprehensive Plan contains policies regarding the level of service for parks and trails. The city has recently prepared a Trails Master Plan and Parks Plan to implement recreational level of service goals within the city.
HISTORIC/CULTURAL PRESERVATION	Chapter 14.50.160 LSMC (Cultural Resource Management) addresses archaeological and historic resources within Lake Stevens; additionally, RCW's 27.34 (historic sites), 27.44. (Indian graves and records), & 27.53 (archaeological sites and resources) and WAC 25.48 (permits) apply to cultural resources and historic properties within the state.
TRANSPORTATION	Chapter 14.56 LSMC (Streets and sidewalks) in combination with the city's Engineering Design and Development Standards (EDDS) regulates the design of streets and sidewalks in the city; Chapter 14.72 LSMC (Parking) regulates off-street parking within city limits; Chapter 14.112 LSMC (Traffic Impact Mitigation Fees) and Chapter 14.110 LSMC (Concurrency Management System) ensure that public health, safety and welfare will be preserved by having safe and efficient roads serving new and existing developments. Public transit is addressed in the city's transportation element of the Comprehensive Plan.
PUBLIC SERVICES	Chapter 14.120 LSMC (Park Impact Mitigation Fees) requires that new growth and development pay its proportionate share of the costs of new park land and park facilities identified in the capital facilities plan element of the comprehensive plan that are reasonably related to the new development; Chapter 14.112 LSMC (Traffic Impact Mitigation Fees) and Chapter 14.110 LSMC (Concurrency Management System) ensure that public health, safety and welfare will be preserved by having safe and efficient roads serving new and existing developments; and Chapter 14.100 LSMC (School Impact Mitigation) ensure that adequate school facilities are available to serve new growth and development and to require that new growth and development pay its proportionate share of the costs of new school facilities. Fire districts are funded by property taxes and are therefore self-funded by development. Chapter 2.32 LSMC addresses the responsibility of the police department.
UTILITIES	Chapter 14.60 LSMC (Utilities) regulates water supply, sewage disposal systems, electric power, natural gas services, and telephone; Chapter 6.16 LSMC (Connection to the Public Sewer System) regulates extensions of sewer inside and outside city limits; Chapter 8.16 LSMC (Solid Waste Disposal) regulates solid waste disposal in the city; Chapter 12 LSMC (Building and Construction) addresses franchises with certain utilities including telecommunications, gas, and cable.

16.04.045 Categorical Exemptions and Threshold Determinations.

This section contains information for deciding whether a proposal has a probable significant, adverse environmental impact, requiring an environmental impact statement (EIS) to be prepared. This section also contains rules for evaluating the impacts of proposals not requiring an EIS. The City adopts the following sections of Chapter [197-11](#) WAC by reference:

- [197-11-300](#) Purpose of this part.
- [197-11-305](#) Categorical exemptions.
- [197-11-310](#) Threshold determination required.
- [197-11-315](#) Environmental checklist.
- [197-11-330](#) Threshold determination process.
- [197-11-335](#) Additional information.
- [197-11-340](#) Determination of nonsignificance (DNS).
- [197-11-350](#) Mitigated DNS.
- [197-11-355](#) Optional DNS process.
- [197-11-360](#) Determination of significance (DS)/invitation of scoping.
- [197-11-390](#) Effect of threshold determination.

(Ord. 870, Sec. 2 (Exh. 1), 2012)

16.04.050 Categorical Exemptions.

(a) The City adopts by reference the following sections of Chapter [197-11](#) WAC regarding categorical exemptions:

- [197-11-800](#) Categorical exemptions ~~-(except as otherwise established below)~~.
- [197-11-880](#) Emergencies.
- [197-11-890](#) Petitioning Department of Ecology to change exemptions.

~~(b) Under WAC [197-11-800\(1\)\(a\) and \(c\)](#), the City may raise categorical exemption levels for certain types of minor new construction described in WAC [197-11-800\(1\)\(b\)](#). Local conditions, including zoning or other land use plans or regulations, implemented by ordinance, shall support any raised categorical exemption level. If the City increases any categorical exemptions levels, they shall send these to the Department of Ecology. The maximum level that any such category exemption may be raised is specified in WAC [197-11-800\(1\)\(c\)](#). (Ord. 870, Sec. 2 (Exh. 1), 2012)~~

b) Flexible Thresholds for Minor New Construction Categorical Exemption

The City establishes the following exempt levels for minor new construction as allowed under WAC 197-11-800(1)(c) and (d), based upon local conditions:

- (i) For single-family residential projects, up to nine (9) dwelling units;
- (ii) For multifamily residential projects, up to twenty (20) dwelling units;
- (iii) For agricultural structures, up to twenty thousand (20,000) square feet;
- (iv) For office, school, commercial, recreational, service or storage buildings, up to twenty thousand (20,000) square feet;
- (v) For parking facilities, up to forty (40) parking spaces;
- (vi) For fills or excavations, up to five hundred (500) cubic yards. All fill or excavation, of any quantity, necessary for an exempt project in subsections 1 through 6 of this section shall be exempt.

c) The exemptions in this subsection apply except when the project:

- (i) Is undertaken wholly or partly on lands covered by water
- (ii) Requires a license governing discharges to water that is not exempt under RCW 43.21C.0383
- (iii) Requires a license governing emissions to air that is not exempt under RCW 43.21C.0381 or WAC 197-11-800 (7) or (8); or
- (iv) Requires a land use decision that is not exempt under WAC 197-11-800(6).

d) Whenever the city establishes new exempt levels under this section, it shall send them to the Department of Ecology, Headquarters Office, Olympia, Washington, 98504 under WAC 197-11-800(1)(c).

16.04.055 Use of Exemptions.

- (a) When the City receives an application or request for a proposed project or non-project action, the responsible official shall determine if the action is properly defined per WAC 197-11-060 and categorically exempt per WAC 197-11-800. The determination that a proposal is exempt shall be final and not subject to administrative review. If a proposal is exempt, none of the procedural requirements of this chapter applies to the proposal. The City shall not require completion of an environmental checklist for an exempt proposal.
- (b) If a proposed project or nonproject action includes both exempt and nonexempt actions, the City may authorize exempt actions prior to compliance with the procedural requirements of this chapter, except that the City shall not authorize:

- (1) Any nonexempt action;
- (2) Any action that would have an adverse environmental impact; or
- (3) Any action that would limit the choice of alternatives. (Ord. 870, Sec. 2 (Exh. 1), 2012)



LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: February 16, 2021

Subject: Parks and Recreation Planning Board Code Amendment Allowing a Nine Member Board

Contact	Jill Meis, Parks Planning and Development	Budget	n/a
Person/Department:	Coordinator	Impact:	_____

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:

Approve code amendment to 2.56.020 allowing a nine-member board.

SUMMARY/BACKGROUND:

The Parks and Recreation Planning Board is comprised of seven members and are an advisory board to staff, Mayor and City Council. With the dissolution of the Arts Commission and some of the duties shifted to the Park Board, staff recommends the increase in size of the board to create effective subcommittees.

As the City moves to activate our parks and public spaces, staff sees the duties of the Park Board broadening to include modernization of parks vision and mission. By increasing the size of the Park Board, the city can leverage the diverse needs of the community by drawing on the individual strengths of the members to respond to changing demographics, need for economic development and updates for compliance with parks initiatives.

In addition, interviews were recently conducted to fill a vacancy on the Parks Board and all three candidates were qualified for the board and would provide unique perspectives for the community. With the increase of the board size all three candidates will be offered positions.

APPLICABLE CITY POLICIES: LSMC 2.56.020

BUDGET IMPACT: n/a

ATTACHMENTS:

- Exhibit A: draft ordinance

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

ORDINANCE NO. 1111

**AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON
AMENDING LAKE STEVENS MUNICIPAL CODE (LSMC) SECTION 2.56.020
ENTITLED “MEMBERSHIP/APPOINTMENT/COMPENSATION”; AMENDING
THE NUMBER OF BOARD MEMBER POSITIONS FROM SEVEN TO NINE
ESTABLISHING AN EFFECTIVE DATE; PROVIDING FOR SUMMARY
PUBLICATION AND PROVIDING FOR SEVERABILITY.**

WHEREAS, the City of Lake Stevens owns, operates and manages several public parks and outdoor recreation facilities within the City; and

WHEREAS, the City has discontinued the Arts Commission; and

WHEREAS, the City Council has identified the need for increased activation of park and public spaces; and

WHEREAS, the City will continue encourage volunteerism of board members at events and festivals; now, therefore,

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

Section 1. Section 2.56.020 of the Lake Stevens Municipal Code is amended to read as follows:

The Park Board shall be composed of ~~seven~~ nine members, appointed by the Mayor with the approval by a majority vote of the City Council, without regard to political affiliation. The Mayor and Council may appoint a member who resides or owns property within the City or the City's Urban Growth Area. At least four members shall be residents of the City. The members of the Park Board shall serve without compensation

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date and Publication. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force and effect five days after its publication in the City's official newspaper.

PASSED by the City Council of the City of Lake Stevens this _____ day of February, 2021.

Brett Gailey, Mayor

ATTEST/AUTHENTICATION:

Kelly Chelin, City Clerk

APPROVED AS TO FORM:

Greg Rubstello, City Attorney

First and Final Reading: April

Published: _____

Effective Date: _____