

NOTICE TO COUNCIL OF EDDS CHAPTER 1 ADOPTION
(Via Email)



Public Works Department

DATE: July 30, 2025

TO: City Council (by Email)

Kelly Chelin, City Clerk

FROM: Whitney Ojalehto, Civil Engineer, Public Works

SUBJECT: Adoption of Amendments to Chapter 1 of the Lake Stevens Engineering Design and Development Standards (EDDS)

Notice Date: July 30, 2025

Summary: The Department of Public Works is adopting amendments to Chapter 1 of the EDDS as generally described below, with future amendments for Chapters 2 through 9 and the Appendices to follow throughout 2025.

Effective Date: The adopted EDDS amendments take effect on July 31, 2025.

EDDS Reference Number with General Summary of Amendments:

Chapter 1 - General Considerations

1. Entire chapter: revise, clarify, and simplify language for brevity and to remove redundancies and inconsistencies with the Lake Stevens Municipal Code (LSMC).

- a) **COMMENT:** from Nico Faz, Assistant Planner, City of Lake Stevens.
Section 1-01 (Previously 1-101): "Match the LSMC abbreviation introduction and the EDDS abbreviation introduction, for continuity."

DECISION: This section is adopted with the following changes:
The Engineering Design and Development Standards, also known as the (EDDS), 1st and 2nd 2025 Edition, replaces all previous editions or references to any other design standards. ~~Section 14.04.021 of the LSMC~~, Lake Stevens Municipal Code (LSMC) 14.16A.170 authorizes the Lake Stevens City Engineer...

- b) **COMMENT:** from Christi Schmidt, Planning Manager, City of Lake Stevens.
(Summarized): Minor housekeeping recommendations throughout chapter as described below.

DECISION: These sections are adopted with the following changes:
Section 1-05(A)(4) add "associated" to read: "prior to any public hearing or official decision on the associated application."
Section 1-05 (A)(5) Any deviation request concerning a provision of the Uniform Washington State Fire Code (WSFC)...
Section 1-06 Policies:
B. State and National Environmental Policy Acts (SEPA, NEPA)
C. Federal Clean Air and Clean Water Acts
D. City of Lake Stevens Municipal Code (LSMC)

E. Department of Public Works Policies and Procedures

F. ~~Washington State Shoreline Management Act~~ City of Lake Stevens Shoreline Master Plan (SMP)

- c) COMMENTS: from Tony Matesi, Resident & Business Owner of the City of Lake Stevens.

i. COMMENT: **“Excessive Centralization of Authority.**

Multiple sections (e.g., 1-01, 1-04, 1-05) give final decision-making power to the Public Works Director or designee regarding amendments, interpretations, and variances. There is no formal appeal process or oversight mechanism. This level of unchecked control is not in the public’s best interest.

Request: Require a public review or appeal process—ideally involving the City Council or Planning Commission—for major deviations, interpretations, and EDDS amendments.”

DECISION:

Sections 1-01, 1-04, and 1-05 are adopted as described below. The processes for EDDS Deviations and amendments are codified. LSMC sections are adopted by the City Council as separate Ordinances prior to codification.

In Sections 1-01 and 1-05, some language changes were made to provide more information about the codified processes and authority for EDDS updates and deviations. The process for amendments to the EDDS is outlined in LSMC 14.16A.170 and includes a 10-day public comment period, which is consistent with industry standards and comparable to other jurisdictions in Washington State. EDDS Deviations are classified as “Associated Land Use Determinations” per LSMC 14.16A.210(e). The process is outlined in LSMC 14.56.135 and the appeal process follows the appeal path for Type I reviews per LSMC 14.16B.710.

Section 1-01 is adopted as follows:

The Engineering Design and Development Standards, also known as the (EDDS), 4th 2nd Edition, replaces all previous editions or references to any other design standards. Section 14.04.021 of the LSMC, Lake Stevens Municipal Code (LSMC) 14.16A.170 authorizes the City of Lake Stevens Public Works Director or designee Lake Stevens City Engineer to amend or revise the EDDS in accordance with sound engineering practices and the policies that title and sound engineering practices. A copy of any such amendment or revision shall be filed with the City Clerk and shall be subject to a 10-day public comment period. Per LSMC 14.16A.325, designates the Public Works Director is designated as the administrative head of Public Works and is responsible for the planning, administration, enforcement, and decision making as it pertains to these EDDS. The Public Works Director is the final authority on administrative decisions including the adoption of EDDS amendments or revisions.

Section 1-05 is adopted as follows:

6. The Public Works Director or designee is the final authority on all deviation requests. In the interest of public health, safety and welfare, the Public Works Director or designee reserves the right to direct or deny a deviation from these EDDS at any time. EDDS Deviations are classified as “Associated Land Use Determinations” per LSMC 14.16A.210(e). The process is outlined in LSMC 14.56.135 and the appeal process follows the appeal path for Type I reviews per LSMC 14.16B.710.

Section 1-04: No additional amendments were incorporated in response to this request. This section reflects the authority of the Public Works Director as provided in LSMC 14.16A.325.

COMMENT: “Removal of Community Vision Language

Language explicitly tying infrastructure design to the city’s Comprehensive Plan, Subarea Plans, and Strategic Plan has been removed (e.g., Section 1-02). This shift downplays community input and long-term planning.

Request: Restore references to community planning documents and reinforce that EDDS must align with public-approved vision and development goals.”

DECISION: No additional amendments to these sections were incorporated in response to this request. The language referenced is new language, and is not proposed to be removed. In the tracked changes version, all underlined text is new language, while strikeout text is proposed for revision or removal.

ii. **COMMENT: “Weakened Safety and Environmental Language**

Wording changes dilute clear commitments to protecting public health, safety, and environmental quality. Additionally, some types of projects are now allowed to sidestep full EDDS compliance without a clear standard for when and why.

Request: Maintain strong, enforceable language around safety, durability, and environmental integrity. Loopholes and discretionary exceptions must be clearly defined and limited.”

DECISION: No additional amendments to these sections were incorporated in response to this request. The amendments do not weaken the criteria, standards, or processes that apply to a project; nor will these amendments grant loopholes or exceptions to those standards. Some language was removed that was redundant to already-existing processes and requirements within the LSMC. For example, deviation criteria was removed from the EDDS as it is redundant to the codified process and criteria under LSMC 14.56.135. Additionally, Section 1-106 “Responsibility to Provide Improvements” was removed due to redundancy with the concurrency requirements of LSMC 14.110.

iii. **COMMENT: “Lack of Transparency in Decision-Making**

There is no requirement to publicly disclose or justify when deviations or amendments are approved. This invites mistrust and removes the opportunity for public accountability.

Request: Publish all approved deviations, interpretations, and revisions online with reasoning and, where appropriate, a chance for public comment.”

DECISION: No additional amendments to these sections were incorporated in response to this request. Deviations and amendments to the EDDS are codified processes as outlined above (see 1.c.i). An annual report deviations is required to be submitted to the City Council per LSMC 14.56.135(d).

d) **COMMENT:** from Erinn Matesi, Resident of the City of Lake Stevens.

Key issues I see:

- Too much decision-making power given to the Public Works Director, with no public oversight.
- Removal of language connecting these standards to the city’s Comprehensive Plan and community vision.
- Weakened language around public safety, environmental protection, and accessibility.
- No requirement to publicly disclose or justify deviations or amendments.

These changes risk putting administrative convenience or developer interests ahead of what's best for the people who live here.

Please revise the proposal to include:

- Transparent oversight and an appeal process for deviations and amendments.
- Reinstatement of references to community planning documents.
- Stronger commitments to public safety, accessibility, and environmental protection.
- Public disclosure of all future deviations or changes.

DECISION: Refer to number 1.c, above, for applicable comment responses and associated decisions.

2. Entire chapter: revised the numbering formatting of text sections from "X-XXX" to "X-XX" (for example, 1-101 became 1-01) to eliminate duplicate references between text sections and standard plans, which currently utilize the same numbering convention.
 - a) DECISION: This chapter is adopted with the following changes:
Revise the title from "EDDS Section 1" to "EDDS Chapter 1" for functionality, especially for clarity of citations/references to specific EDDS sections within chapters.
Revise footer to include the edition and date of revision to provide clarity for future amendments and facilitate utilization of the most recent version of the EDDS. Example: "2025 Edition (Adopted 07/2025)."
3. Section 1-05 "Deviations" (previously section 1-105 "Deviations and Variances"): revised language to align with LSMC. Added section B to provide mechanism for documentation of Americans with Disabilities (ADA) Structural Impracticability Determinations via "Maximum Extent Feasible" (MEF) applications.
 - a) COMMENT: from Carol Manus, Building Official, City of Lake Stevens.
Please correct page I-3 number 5 to be consistent with edits previously submitted and ordinance no. 1160
5. Any deviation request concerning a provision of the [REMOVE - Uniform Fire Code and ADD Washington State Fire Code] Uniform Fire Code requires concurrence by the [REMOVE - City of Lake Stevens] Fire Marshal. Documentation of concurrence by the Fire Marshal is acquired during the review process.

DECISION: This section is adopted with the following changes:
Any deviation request concerning a provision of the Uniform Washington State Fire Code (WSFC) requires concurrence by the City of Lake Stevens Fire Marshal. Documentation of concurrence by the Fire Marshal is acquired during the review process.
 - b) COMMENT: from Carol Manus.
Please correct page I-3 letter B to be consistent with ordinance no. 1160. ADA on private property must comply with Washington State Building Code requirements.
B. ADA Structural Impracticability Determination
All [ADD - public or Right of Way.....The Washington State Building Code controls all features of ADA on private property] pedestrian facilities that are new construction or reconstruction shall comply fully with ADA requirements except in the rare case where a unique physical constraint makes full compliance structurally impracticable. In that case, any feature of the facility that can be constructed to meet ADA requirements shall be designed and constructed to meet ADA requirements. The Public Works Director or designee considers requests for deviations to ADA requirements due to structural impracticability. The designer must submit a completed Maximum Extent Feasible (MEF) Form with associated documentation.

DECISION: This section is adopted with the following changes:

All pedestrian facilities that are new construction or reconstruction shall comply fully with ADA requirements except in the rare case where a unique physical constraint makes full compliance structurally impracticable. In that case, any feature of the facility that can be constructed to meet ADA requirements shall be designed and constructed to meet ADA requirements. For pedestrian facilities within the public right-of-way, tThe Public Works Director or designee considers requests for deviations to ADA requirements due to structural impracticability. The designer must submit a completed Maximum Extent Feasible (MEF) Form with associated documentation.

- c) COMMENT: from Christi Schmidt, Planning Manager, City of Lake Stevens.
“Specify this is for ROW only. IBC, etc & Building regulate building to the ROW.”

DECISION: Refer to number 3(b), above, for applicable comment response and associated decision.

4. Section Removed: “Responsibility to Provide Improvements” (previously section 1-106) due to redundancy with LSMC 14.110 Concurrency Requirements.
5. Section 1-06 “Policies” and 1-07 “References”: replaced previous sections 1-107, 1-108 and 1-109. Revised language and updated policies, reference and design documents, standards, and guidelines to clarify applicability of federal and state law; city regulations, policies and rules; and adopted reference materials.

- a) COMMENT: from Carol Manus.
Please correct page I-5 letter B to be consistent with ordinance no. 1160
6. International Building Code (IBC) [REMOVE International Building Code (IBC) and ADD Washington State Building Code (WSBC)]
7. International Residential Code (IRC) [REMOVE International Residential Code (IRC) and ADD Washington State Residential Code (WSRC)]
8. International Fire Code (IFC) [REMOVE International Fire Code (IFC) and ADD Washington State Fire Code (WSFC)]

DECISION: This section is adopted with the following changes:

6. ~~International~~ Washington State Building Code (WSBC)
7. ~~International~~ Washington State Residential Code (WSRC)
8. ~~International~~ Washington State Fire Code (WSFC)

6. Section 1-10 “Inspections:” (previously section 1-112 “Inspection”): revised language to require approved plans and permits at a job site wherever work is being performed.
7. Added a new section (Section 1-11, “Revisions and Field Changes”) to document and clarify the process of revisions and field changes to approved construction plans.
8. Added a new section (Section 1-13, “Errors and Omissions”) to document and clarify the process for errors or omissions in approved construction plans.
9. Added a new section (Section 1-14, “Right of Way and Site Maintenance”) to document requirements for maintenance of active project sites.
10. Section 1-17 “Definitions” (previously section 1-116 “Meaning of Terms”): revised language to align with the LSMC and add definitions for commonly referenced technical construction and/or engineering terms.

- a) COMMENT: from Christi Schmidt.
“My comment is...removing all general definitions from the EDDS and retaining or adding

into the LSMC so the city has one place to update general city wide definitions.”

DECISION: This section is adopted without additional changes. General definitions were not removed from the EDDS. Terminology that is used regularly throughout the EDDS should be defined in the EDDS for ease of reference and effectiveness for customers. The definitions have been cross-referenced with the LSMC. Some vary, for example, the EDDS describes that “PRD” is an acronym for “Planned Residential Development” without expanding to include the full definition under the code, but these references are not in conflict with each other. In the event of conflict, LSMC 14.56.130 states that the code is the controlling document.

- b) COMMENT: from Nico Faz.
Ensure that the definitions provided in 1-17 either (a) do not conflict with the same / similar definitions in LSMC, (b) Planning and PW are aligned with what the definitions should be and how they will be updated in LSMC, or (c) removed and deferred to LSMC.

DECISION: Refer to number 10(a), above, for applicable comment response and associated decision.

11. Section 1-18 “General Construction Plan Notes” (Section 1-18; previously section 1-117 “General Notes”): revised language for clarity and applicability.

- a) DECISION: This section is adopted with the following changes:
6. The contractor shall be responsible for obtaining all permits for utility, road, and right-of-way construction, and stormwater. Prior to performing any work within a public right-of-way, the person performing the work shall obtain a right-of-way permit from the Public Works Director, who may condition the permit as necessary to protect the public health, safety and welfare.

- b) COMMENT: from Christi Schmidt.
5: “Different then current practice...contact Project Planner for private development.”

DECISION: This section is adopted with the following changes:

5. Prior to any site work, the contractor shall ~~contact the Department of Public Works at 425-377622-3222 9400~~ to schedule a preconstruction conference per LSMC 14.16A.130(b)(4).

- c) COMMENT: from Carol Manus.
“5. Prior to any site work, the contractor shall [REMOVE - contact the Department of Public Works at 425-377622-3222 94003 ADD - Inspections can be scheduled online or by calling 425-622-9404] to schedule a preconstruction conference.”

DECISION: Refer to number 11(b), above, for applicable comment response and associated decision.

- d) COMMENT: from Carol Manus.
Please correct page I-12 number 13.
13. A [REMOVE - grading] permit [ADD - approval] issued pursuant to the current adopted [REMOVE - International Building Code ADD - LSMC], and approval of the temporary erosion and sedimentation control plan shall be obtained from the [REMOVE - Planning and Land Use Department ADD - Planning & Community Development] prior to any on-site grading work not expressly exempt [REMOVE - by the current adopted International Building Code].
Please correct page I-12 number 14.

14. Prior to commencement of framing, final drainage inspection and approval of the roof leader and positive footing systems shall be completed by the [REMOVE - Building Department ADD - Planning & Community Development]. [ADD Inspections can be scheduled online or by calling 425-622-9404 REMOVE - Call 425-377-3223 622-94000 to schedule the inspection].

DECISION: This section is adopted with the following changes:

13. A ~~grading~~ permit issued pursuant to the ~~current adopted International Building Lake Stevens Municipal Code, and approval of the temporary erosion and sedimentation control plan~~ shall be obtained from the Planning and ~~Land Use~~ Community Development Department prior to any on-site grading work not expressly exempt by the ~~current adopted International Building Lake Stevens Municipal Code~~.

14. Prior to commencement of framing, final drainage inspection and approval of the roof leader and positive footing systems shall be completed by the Building Planning and Community Development Department. ~~Call 425-377-3223 622-94000 to schedule the inspection. Inspections can be scheduled online or by calling 425-622-9404.~~

To learn more about the adopted amendments:

- Refer to the EDDS web page at: <https://lakestevenswa.gov/751/Engineering-Design-and-Development-Stand>, or
- Contact Whitney Ojalehto by email at wojalehto@lakestevenswa.gov.

ADA Notice: 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.

Attachments:

- A copy of the proposed EDDS amendments with the text sections shown in Track Changes format (i.e. changes are in color with deleted language shown with ~~strikeouts~~ and new language shown as underlined).
- A clean copy of the proposed EDDS amendments shown without changes.