



PLANNING COMMISSION AGENDA

Regular Meeting Date: 1/3/18

Planning Commission
Meeting:
First Wednesday of every
Month @ 7:00pm

Planning & Community
Development Department

1812 Main Street
Lake Stevens, WA 98258
(425) 377-3235

www.lakestevenswa.gov

Municipal Code

Available online:

www.codepublishing.com/WA/LakeStevens/

- A. **CALL TO ORDER: 7:00pm**
Pledge of Allegiance
- B. **ROLL CALL**
- C. **GUEST BUSINESS**
- D. **ACTION ITEMS**
 - 1. Election of Officers
 - 2. Design Review Board Liaison (Primary and Alternate)
 - 3. Approval of November 15, 2017 Minutes
- E. **PUBLIC HEARING—**
 - 1. 2017 Comprehensive Plan Docket
 - 2. Chapel Hill Properties Rezone
 - 3. Eagle Ridge Park Rezone
 - 4. LUA2017-0010 Amendment to allow Storage in Local Business

Public hearing presentation will follow the public hearing format listed below:

PUBLIC HEARING FORMAT

- 1. PC Chair Opens Public Hearing
- 2. Staff Presentation
- 3. Commission's questions for staff
- 4. Proponent's comments
- 5. Comments from the audience
- 6. Proponent rebuttal comments
- 7. Close public comments portion of hearing by motion
- 8. Re-open public comment portion of hearing for additional comments (optional)
- 9. Close Hearing by motion
- 10. COMMISSION ACTION BY MOTION—Recommendation to Council
 - A. Approve
 - B. Deny
 - C. Continue

- F. **DISCUSSION ITEMS**
 - 1. Breifing-LUA2016-0025 Land Disturbance Code Senior Planner Machen
 - 2. Briefing-LUA2016-0171 Stormwater Manual Senior Planner Machen
- G. **COMMISSIONER REPORTS**
- H. **PLANNING DIRECTOR'S REPORT**
- I. **FUTURE AGENDA ITEMS**
- G. **ADJOURN**

SPECIAL NEEDS

The City of Lake Stevens strives to provide accessible opportunities for individuals with disabilities. Please contact Human Resources Director, City of Lake Stevens ADA Coordinator, at (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

*Items attached

**Items previously
distributed

Items to be
distributed

PLANNING COMMISSION REGULAR MEETING MINUTES

Community Center
1808 Main Street, Lake Stevens
Wednesday, November 15, 2017

CALL TO ORDER: 7:00 pm by Chair Jennifer Davis

MEMBERS PRESENT: Jennifer Davis, Vicki Oslund, Linda Hoult, Janice Huxford, Tracey Trout, Brett Gailey, Karim Ali

MEMBERS ABSENT: None

STAFF PRESENT: Community Development Director Russ Wright and Clerk Jennie Fenrich

OTHERS PRESENT: Rauchel McDaniel, Gary Petershagen, Kim Daughtry, 22 citizens

Excused Absence: None

Guest business. None

Action Items: The minutes we approved for October 4, 2017, October 18, 2017 and November 1, 2017. Commissioner Hoult made a motion and Commissioner Huxford seconded. Minutes were approved 7-0-0-0.

Public Hearing:

PC Chair Opens Meeting - Commissioner Davis opened the public hearing. Commissioner Hoult made motion to open the Public Hearing. Commissioner Trout seconded. Motion Passed 7-0-0-0.

Staff Presentation – Community Development Director Wright gave a briefing on the citizen request for a code amendment that would allow a second retail marijuana store in the City of Lake Stevens. After Planning Commission, City Council, and outside agencies reviewed the proposal, staff is recommending that the city maintain its current allowance for one retail store location and that retail stores only be allowed in Industrial Zoning. The Planning Commission's role is to deliberate the merits of the proposal and forward a recommendation to City Council on the action as proposed.

Commissioner's questions for staff – Commissioner Huxford asked if all the minutes, public testimony and audio would be available to council. Planning and Community Development Director said it will be available to the Council.

Proponent's comments – Shaun Preder is the applicant. He is licensed by the State to have a retail store in Lake Stevens. When he researched where to locate his potential space, he followed the current code to choose his location before signing the lease. He acknowledges this is a new industry and has researched this. He found there to be a lot more pros than cons to selling marijuana. He knows citizens have concerns of the location. He states that currently it is being used as a parking lot and there is no economic value to that. If a retail marijuana store was located there, people will be there

10 minutes – in and out. It is against the law for patrons to use product on site, no loitering is allowed. The signage will be minimal at 42 inches. He said there is no odor as all product is wrapped. This location is well lit and it would be less likely for criminal activity as it is out in the open. He argues this is the best thing for children as it is heavily regulated. Mr. Preder has spoken to surrounding businesses and didn't find any opposition. He says other merchants are excited for the traffic. This store will bring more retail dollars to our community. He wonders why we would want to turn away business when we have open retail spaces. Mr. Preder also wants to support efforts on educating our youth about dangers of drugs. This business has opened-up many conversations with his own children and would like to help with education to others. He stated alcohol consequences are way worse than marijuana. He doesn't see any reason to push sales out to hide rather than use it as a tool to educate.

Comments from the audience:

Cynthia Tanlan is an aromatherapist, who originally voted against anything marijuana related, state that she learned from her patients who have PTSD, Cancer, Glaucoma and Parkinson's, that the medication is used to help with pain and nausea so they can keep up their strength for recovery. Law enforcement will be monitoring. She says it's imperative that people be able to purchase it locally and safely.

Heidi Lawson is opposed. She believes that it is not the best things for kids. She doesn't support the location or any commercial location. There is a strong sense of community, she doesn't want Lake Stevens to be known as the place to get marijuana, alcohol or opioids. This is not the image she thinks Lake Stevens wants to have. She suggested Lake Stevens is known for being a family-oriented, safe place for kids.

Kimberly Shipman is opposed. She does not feel this is best for children. She states this will be the first generation of children that legal marijuana will be normalized and we don't know the repercussions of it yet. Of the tax dollars that will be generated, the City will get a very small percent, the State will get 40%. She believes this will impact the "face" of Lake Stevens. Lake Stevens' marijuana smell is a landmark for people who use the Centennial Trail. She says we don't know the long-term collateral damage of marijuana and doesn't want to be the first ones to find out the repercussions.

Megan Stevens was here a year ago to address the same issue. She encourages a no vote for additional location and would like to include the UGA. She also encourages a no vote for rezone. She wants to maintain a family look and feel that our City currently has.

Linda Brown has a favorable opinion of a second retail. She doesn't have any problems with the proposal. She commented that she has grandchildren and she will educate them on the dangers of drugs.

Monika Preder is a nurse. She was very skeptical at first. Then she researched statistics and learned that crime has decreased since I-502 laws have gone into effect. She also said that DUI have not changed since the new law was enacted.

Telesa Packard mom of five is opposed to a second retail. She doesn't see a need to have additional retail.

Amber Steen shared that she is a medical marijuana user and she favors a second location. Retail stores are highly monitored. Visibility will keep it safer and it will be well lit.

Linda Thomas is opposed to a retail shop in the commercial zone and has concerns that

we couldn't handle the added traffic and there's not enough infrastructure to support this.

Janelle McCall in favor of another store. She feels it is safer to purchase from a regulated shop, from a person she knows rather than a stranger.

Dawn Roberts stated everyone is undereducated. She does not feel that it is ok to pick and choose where businesses can go. Marijuana is a highly regulated industry and there will not be the problem people imagine. She stated it is parents' responsibility to educate their children.

Laura Dana owner of the Vault supports a second location. She states most of her clientele is 55+ years old. They use it for medical purposes. She says it is safer to have it in a retail where it can be monitored. Educate your kids. It is time to stop the stigma.

Darren Stevens is opposed. He would like to set the bar higher and have the community raise their expectations.

Proponent rebuttal comments – Phillip Dawdy noted his disappointment in the recommendation. He suggested that the Liquor Control Board was clumsy in the handling of this legislation. He discussed petitions submitted that included signatures of employees in many of the surrounding businesses and suggested local businesses are in support this location as well. He addressed the odor complaints and reminded people to contact Puget Sound Clean Air Agency if there are odor issues. He also refutes that it would deter investment dollars. He stated that didn't believe traffic would be an issue. Mr. Dawdy said the crime rates are down since I-502 passed. He informed us that legislation will determine allocation issues.

Comments from the audience – Chad Taylor said there is a misconception of how the industry works He has a legal grow operation and would like to be able to sell more product. He is not a drug dealer but is a legal marijuana producer. He thinks the retail dollars would be beneficial for everyone.

Close public comments portion of hearing by motion – Commissioner Gailey made motion to close public portion. Commissioner Ali seconded. Motion carried 7-0-0-0.

Close public hearing – Commissioner Huxford made a motion to close the public hearing. Commissioner Hoult seconded. The motion carried 7-0-0-0.

Commission Action and discussion by Motion – Commissioner Ali asked if we could be selective of what was sold, to which Director Wright responded no, State law will not allow separate retail and medical stores. Commissioner Trout acknowledges that Mr. Preder is a good person, but she still doesn't support a second location in the Commercial District. Commissioner Gailey said he did not appreciate the proponent's lobbyist discrediting the commission and public process. He considers Mr. Preder a friend, but as a police officer he is against a second retail shop. Commissioner Huxford agreed with Mr. Gailey on his comments about the proponents' rebuttal statements. She acknowledged that the resolution to the marijuana ruling has taken an inordinate amount of time. She also said that other municipalities have had overwhelming voter support to disallow retail locations. Commissioner Huxford is a not in favor of second location. Commissioner Ali says there is plenty of access and he feels we could work with Shaun to find another location. He is a no vote for this location. Commissioner Hoult wishes there was a way to only sell medical marijuana but as that is not legally allowable, she is a no vote. Commissioner Oslund is no vote as it is not in character with the City. Finally, Commissioner Davis asked for a restatement of the proposed language.

Commissioner Trout made a motion to approve the recommendation to Council to limit retail stores to one and to only allow retail sales in Industrial Zones. Commissioner Oslund seconded. The motion carried 7-0-0-0.

Commissioner Reports – Commissioner Huxford requested to have the Planning Commission attendance record be sent to Council. Commissioner Gailey attended the Council Meeting and he announced this would be his last Planning Commission Meeting as he is getting sworn in City Council in December. Chair Davis thanked staff for the leadership in navigating through amendments with such professionalism.

Directors Report – Community Development Director Wright told the Commission that there is Planning Boot Camp opportunity on December 15th at the Lake Stevens Fire Conference Center and that Planning Commissioners are invited to attend. He also asked that the commissioners make sure we have all their correct contact information.

Adjourn. Motion to adjourn by Commissioner Gailey seconded by Commissioner Ali. Motion carried 7-0-0-0. Meeting adjourned at approximately 8:30 p.m.

Jennifer Davis, Chair

Jennie Fenrich, Clerk, Planning &
Community Development



Staff Report City of Lake Stevens Planning Commission

2017 Comprehensive Plan Docket Public Hearing
Date: January 3, 2018

Subject: 2017 Comprehensive Plan Docket Public Hearing

Contact Person/Department: Josh Machen, Senior Planner and Melissa Place, Senior Planner

ACTION REQUESTED: Hold a public hearing on the 2017 Comprehensive Plan Docket and forward a recommendation to the City Council.

SUMMARY: Public hearing to consider two (2) city-initiated amendments to the land use map and city-initiated text amendments that include annual updates to the land use element, parks element and capital facility element.

BACKGROUND/ HISTORY:

Under the Growth Management Act, the City can amend its Comprehensive Plan and Future Land Use Map once per year, with a few exceptions, through an annual docket process.

The city is proposing two city-initiated map amendments, text amendments to the land use element, parks element and capital facility element, and other minor administrative amendments to the Comprehensive Plan (LUA2017-0016). The amendments are summarized in **Exhibit 1**.

1. T-1 – The city is proposing a text amendment to Chapter 2 – the Land Use Element, which would revise the narrative for downtown, update the city land use map, update development trends (and the associated map) for residential development, and update the development trends for industrial development (**Exhibit 2**).
2. T-2 – The city is proposing a text amendment to Chapter 5 – the Parks, Recreation and Open Space Element, which would add park projects to the Capital Project List for improvements to North Cove Park, Lundeen Park among others. The amendments would also revise narratives throughout the Element, update figures, and add/update park planning descriptions (**Exhibit 3**).
3. T-3 – The city is proposing a text amendment to Chapter 9 – the Capital Facilities Element, which would include amendments to add updated park and road projects to the Capital Facilities Element. The amendments would also update the public facilities map and include updates to tables in the chapter. (**Exhibit 4**).
4. T-4 – T6 – Along with the above-defined text amendments, staff will also include standard administrative amendments including updating the dates on the cover, the Executive Summary and Title Page, Appendices (including SEPA Addendums), and Table of Contents. (**Exhibit 5**).

The two city-initiated map amendments and concurrent rezone applications include:

1. M-1 – Chapel Hill Properties Map Amendment - A city request (LUA2017-0017) to change the land use designation of four (4) parcels adjacent to 99th Avenue and Chapel Hill Road from Commercial and Mixed Use Neighborhood to Public / Semi-Public to support new civic buildings. The city will process a concurrent rezone to change the zoning designation of the subject parcels to Public / Semi-Public. The subject properties are located within the city's Lake Stevens Center Subarea. (**Exhibit 6**).
2. M-2 – Eagle Ridge Park Map Amendment - The second city request (LUA2017-0050) is to change the land use designation for two (2) parcels adjacent to Soper Hill Road from Medium Density Residential to Public/Semi-Public to support park activities. The city will process a concurrent rezone to change the zoning designation of the two (2) subject parcels to the Public/Semi-Public zoning district (**Exhibit 7**).

The Planning Commission held a public hearing for recommendation to ratify the 2017 Docket on March 15, 2017. City Council ratified the 2017 Docket on April 11, 2017.

The proposed Comprehensive Plan amendments were sent to the Washington Department of Commerce on November 9, 2017 for the required 60-day review by State agencies. A SEPA Addendum and Adoption of Existing Documents was issued for the Docket on November 9, 2017 (**Exhibit 8**). A SEPA Addendum and Adoption of Existing Documents to the Final Environmental Impact Statement (FEIS) for the Center Subarea Plan was issued on November 9, 2017 (**Exhibit 9**).

The items on the ratified docket have been analyzed against the criteria to grant or deny an amendment. An analysis form for each proposed Comprehensive Plan map correction and text amendment is attached. All Comprehensive Plan and code proposals meet requirements for granting the proposed amendments.

A staff summary and analysis for each map and text proposal is attached.

DISCUSSION:

Staff will discuss how each proposed amendment meets the defined criteria.

RECOMMENDATION:

Forward a recommendation to City Council approving:

1. The City-initiated Comprehensive Plan Amendment T-1 through T-6 (2017-0016);
2. The Chapel Hill Properties Comprehensive Plan Amendment M1 (2017-0017); and
3. The Eagle Ridge Park Comprehensive Plan Amendment M2 (2017-0050).

Note: the Commission can take separate actions on each of the identified items.

Staff will prepare a letter of recommendation to the City Council for review and signature by the Commission Chair and Co-Chair.

ATTACHMENTS:

- 1. Amendments Summary**
- 2. T-1 Analysis Sheet**
- 3. T-2 Analysis Sheet**
- 4. T-3 Analysis Sheet**
- 5. T-4-T-6 Analysis Sheets**
- 6. M-1 Analysis Sheet**
 - a. Map**
- 7. M-2 Analysis Sheet**
 - a. Map**
- 8. SEPA Addendum #10 to the 2005 Comprehensive Plan and FEIS**
- 9. SEPA Addendum #3 to the FEIS for the Center Subarea Plan**

EXHIBIT 1

SUMMARY OF 2017 DOCKET PROPOSALS

RATIFICATION MAPS			
#	NAME	PARCELS/ ACREAGE	REQUEST
M-1	City-Initiated Map Amendment (LUA2017-0017)	Four (4) parcels totaling 4.14 acres.	City request to change the land use designation for four (4) parcels adjacent to 99 th Avenue from Commercial and Mixed Use Neighborhood to Public / Semi-Public to support new civic buildings. The city will also process a concurrent area-wide, minor rezone (LUA2017-0018) to change the zoning designation of the four (4) subject parcels to the Public / Semi-Public zoning designation.
M-2	City-Initiated Map Amendment (LUA2017-0050)	Two (2) parcels totaling 7.63 acres.	City request to change the land use designation for two (2) parcels adjacent to Soper Hill Road from Medium Density Residential to Public / Semi-Public to support park activities. The city will also process a concurrent area-wide, minor rezone (LUA2017-0054) to change the zoning designation of the two (2) subject parcels to the Public / Semi-Public zoning designation.
RATIFICATION TEXT (LUA2017T-6)-0016)			
#	NAME	REQUEST	
T-1	Chapter 2 – Land Use	City-initiated text amendment to modify the description of the Local Commercial land use designation in support of two (2) citizen-requested land use code amendments to permit car washes and mini-storage in the Local Business zoning designation.	
T-2	Chapter 5 – Parks, Recreation & Open Space	City-initiated text amendment to add a park project(s) to the Capital Project List including improvements to North Cove Park, the Hartford Road Walking Path and Lundeen Park.	
T-3	Chapter – 8 Capital Facilities	City-initiated text amendments to add park and road projects to the Capital Project List and 6-year Capital Improvement Plan.	
T-4	Placeholder	Placeholder to address any inconsistencies identified during docket review process.	
T-5	Appendices	Update Appendix A – SEPA Addendum # 10 and FEIS Addendum # 2 (Center Subarea) to be prepared as environmental review for the 2017 Docket.	
T-6	Update Dates & Table of Contents	Update dates, cover, footers, Executive Summary and Table of Contents as needed.	
POTENTIAL DOCKET ITEMS			
Council may add items to the Docket based on recommendation from Planning Commission, discussion of proposed amendments and / or public testimony			

EXHIBIT 2



2017 Comprehensive Plan Docket Ratification

T-2 Staff Summary
Lake Stevens City Council & Planning Commission

City Council Hearing Date: April 11, 2017
Planning Commission Hearing Date: March 15, 2017

SUBJECT: City-initiated text amendment to the Comprehensive Plan (LUA2016-0016).

Summary
Location in Comprehensive Plan: Chapter 5 - Parks, Recreation & Open Space Element
Proposed Change(s): City-initiated placeholder to add, describe and update the status of parks projects in Chapter 5 and on the Capital Project List, including improvements to North Cove Park, the Hartford Walking Path and Lundeen Park.
Applicant: City of Lake Stevens Planning & Community Development

ANALYSIS: Annual amendments shall not include significant policy changes inconsistent with the adopted Comprehensive Plan Element Visions and must meet the identified criteria included in Revisions and Amendments to the Comprehensive Plan Section H.

Ratification Review – Decision Criteria	Yes	No
1. Is the proposed amendment appropriate to the Comprehensive Plan rather than implementation as a development regulation or program? Discussion: The proposed revisions to Chapter 5 are not designed to implement a development regulation or program.	X	
2. Is the proposed amendment legal? Does the proposed amendment meet existing state and local laws? Discussion: The proposed revisions will be reviewed against the current Comprehensive Plan and applicable state laws related to process and environmental review.	X	
3. Is it practical to consider the proposed amendment? Discussion: The city evaluates amendments to the Capital Facilities plan annually to ensure appropriate projects are identified.	X	
4. Does the City have the resources, including staff and budget, necessary to review the proposed amendment? Discussion: The Growth Management Act and the city's Comprehensive Plan set a process to review annual amendments to the Comprehensive Plan. This is a Planning and Community Development department function.	X	
5. Does the proposed amendment correct an inconsistency within or make a clarification to a provision of the Plan? OR		X

<p>6. All of the following:</p> <p>a. The proposed amendment demonstrates a strong potential to serve the public interest by implementing specifically identified goals of the Comprehensive Plan? AND</p> <p>Discussion: The amendments will follow selected goals and policies of the current Comprehensive Plan's Park and Capital Facilities Element.</p> <ul style="list-style-type: none"> • 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 5.5 maintain park facilities to maximize life of the facilities and to provide an attractive and pleasing environment for users; • 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; • Goal 9.4 provide needed capital improvements to maintain adopted levels of service. 	X	
<p>b. The public interest is best served by considering the proposal in the current year rather than delaying consideration to a later subarea plan review or plan amendment process.</p> <p>Discussion: The Comprehensive Plan sets a procedure for evaluating amendments annually. There is not a need to postpone review of the request.</p>	X	

Recommendation	Yes	No
Staff recommends City Council and the Planning Commission consider this proposal for inclusion in the 2017 Comprehensive Plan Docket.	X	
The Planning Commission recommends City Council consider this proposal for inclusion in the 2017 Comprehensive Plan Docket (see attached recommendation letter).	X	
The City Council accepts this proposal for inclusion in the 2017 Comprehensive Plan Docket.		

EXHIBIT 3



2017 Comprehensive Plan Docket Ratification

T-2 Staff Summary

Lake Stevens City Council & Planning Commission

City Council Hearing Date: April 11, 2017

Planning Commission Hearing Date: March 15, 2017

SUBJECT: City-initiated text amendment to the Comprehensive Plan (**LUA2016-0016**).

Summary
Location in Comprehensive Plan: Chapter 5 - Parks, Recreation & Open Space Element
Proposed Change(s): City-initiated placeholder to add, describe and update the status of parks projects in Chapter 5 and on the Capital Project List, including improvements to North Cove Park, the Hartford Walking Path and Lundeen Park.
Applicant: City of Lake Stevens Planning & Community Development

ANALYSIS: Annual amendments shall not include significant policy changes inconsistent with the adopted Comprehensive Plan Element Visions and must meet the identified criteria included in Revisions and Amendments to the Comprehensive Plan Section H.

Ratification Review – Decision Criteria	Yes	No
1. Is the proposed amendment appropriate to the Comprehensive Plan rather than implementation as a development regulation or program? Discussion: The proposed revisions to Chapter 5 are not designed to implement a development regulation or program.	X	
2. Is the proposed amendment legal? Does the proposed amendment meet existing state and local laws? Discussion: The proposed revisions will be reviewed against the current Comprehensive Plan and applicable state laws related to process and environmental review.	X	
3. Is it practical to consider the proposed amendment? Discussion: The city evaluates amendments to the Capital Facilities plan annually to ensure appropriate projects are identified.	X	
4. Does the City have the resources, including staff and budget, necessary to review the proposed amendment? Discussion: The Growth Management Act and the city's Comprehensive Plan set a process to review annual amendments to the Comprehensive Plan. This is a Planning and Community Development department function.	X	
5. Does the proposed amendment correct an inconsistency within or make a clarification to a provision of the Plan? OR		X

<p>6. All of the following:</p> <p>a. The proposed amendment demonstrates a strong potential to serve the public interest by implementing specifically identified goals of the Comprehensive Plan? AND</p> <p>Discussion: The amendments will follow selected goals and policies of the current Comprehensive Plan's Park and Capital Facilities Element.</p> <ul style="list-style-type: none"> • 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 5.5 maintain park facilities to maximize life of the facilities and to provide an attractive and pleasing environment for users; • 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; • Goal 9.4 provide needed capital improvements to maintain adopted levels of service. 	X	
<p>b. The public interest is best served by considering the proposal in the current year rather than delaying consideration to a later subarea plan review or plan amendment process.</p> <p>Discussion: The Comprehensive Plan sets a procedure for evaluating amendments annually. There is not a need to postpone review of the request.</p>	X	

Recommendation	Yes	No
Staff recommends City Council and the Planning Commission consider this proposal for inclusion in the 2017 Comprehensive Plan Docket.	X	
The Planning Commission recommends City Council consider this proposal for inclusion in the 2017 Comprehensive Plan Docket (see attached recommendation letter).	X	
The City Council accepts this proposal for inclusion in the 2017 Comprehensive Plan Docket.		

EXHIBIT 4



2017 Comprehensive Plan Docket Ratification

T-3 Staff Summary
Lake Stevens City Council & Planning Commission

City Council Hearing Date: April 11, 2017
Planning Commission Hearing Date: March 28, 2017

SUBJECT: City-initiated text amendment to the Comprehensive Plan (**LUA2016-0016**).

Summary
Location in Comprehensive Plan: Chapter 9 - Capital Facilities Element
Proposed Change(s): Placeholder for city-initiated text amendments to add, update and describe park and road projects to the Capital Project List and 6-year Capital Improvement Plan.
Applicant: City of Lake Stevens Planning & Community Development

ANALYSIS: Annual amendments shall not include significant policy changes inconsistent with the adopted Comprehensive Plan Element Visions and must meet the identified criteria included in Revisions and Amendments to the Comprehensive Plan Section H.

Ratification Review – Decision Criteria	Yes	No
1. Is the proposed amendment appropriate to the Comprehensive Plan rather than implementation as a development regulation or program? Discussion: The proposed revisions to Chapter 8 are not designed to implement a development regulation or program.	X	
2. Is the proposed amendment legal? Does the proposed amendment meet existing state and local laws? Discussion: The proposed revisions will be reviewed against the current Comprehensive Plan and applicable state laws related to process and environmental review.	X	
3. Is it practical to consider the proposed amendment? Discussion: The city evaluates amendments to the Capital Facilities plan annually to ensure appropriate projects are identified.	X	
4. Does the City have the resources, including staff and budget, necessary to review the proposed amendment? Discussion: The Growth Management Act and the city's Comprehensive Plan set a process to review annual amendments to the Comprehensive Plan. This is a Planning and Community Development department function.	X	
5. Does the proposed amendment correct an inconsistency within or make a clarification to a provision of the Plan? OR		X
6. All of the following:	X	

<p>a. The proposed amendment demonstrates a strong potential to serve the public interest by implementing specifically identified goals of the Comprehensive Plan? AND Discussion: The proposed amendments meet the following selected goals and policies of the current Comprehensive Plan's Parks, Transportation and Capital Facilities Elements.</p> <ul style="list-style-type: none"> • 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 5.5 maintain park facilities to maximize life of the facilities and to provide an attractive and pleasing environment for users; • 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; • 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. • Goal 8.17 maintain, preserve, and operate the existing transportation system in a safe and usable state; • Goal 9.4 provide needed capital improvements to maintain adopted levels of service; and • 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. 		
<p>b. The public interest is be served by considering the proposal in the current year rather than delaying consideration to a later subarea plan review or plan amendment process. Discussion: The Comprehensive Plan sets a procedure for evaluating amendments annually. There is not a need to postpone review of the request.</p>	X	

Recommendation	Yes	No
Staff recommends City Council and the Planning Commission consider this proposal for inclusion in the 2017 Comprehensive Plan Docket.	X	
The Planning Commission recommends City Council consider this proposal for inclusion in the 2017 Comprehensive Plan Docket (see attached recommendation letter).	X	
The City Council accepts this proposal for inclusion in the 2017 Comprehensive Plan Docket.		

EXHIBIT 5



2017 Comprehensive Plan Docket Ratification

T-4 Staff Summary

Lake Stevens City Council & Planning Commission

City Council Hearing Date: April 11, 2017

Planning Commission Hearing Date: March 15, 2017

SUBJECT: City-initiated text amendment to the Comprehensive Plan (LUA2016-0016).

Summary
Location in Comprehensive Plan: Placeholder
Proposed Change(s): Placeholder to address any inconsistencies identified during the yearly docket review process.
Applicant: City of Lake Stevens Planning & Community Development

ANALYSIS: Annual amendments shall not include significant policy changes inconsistent with the adopted Comprehensive Plan Element Visions and must meet the identified criteria included in Revisions and Amendments to the Comprehensive Plan Section H.

Ratification Review – Decision Criteria	Yes	No
1. Is the proposed amendment appropriate to the Comprehensive Plan rather than implementation as a development regulation or program? Discussion: Proposed placeholder updates are not designed to implement a development regulation or program.	X	
2. Is the proposed amendment legal? Does the proposed amendment meet existing state and local laws? Discussion: The proposed placeholder updates will be reviewed against the current Comprehensive Plan and applicable state laws related to process and environmental review.	X	
3. Is it practical to consider the proposed amendment? Discussion: The city reviews its Comprehensive Plan annually.	X	
4. Does the City have the resources, including staff and budget, necessary to review the proposed amendment? Discussion: The Growth Management Act and the city's Comprehensive Plan set a process to review annual amendments to the Comprehensive Plan. This a Planning and Community Development function.	X	
5. Does the proposed amendment correct an inconsistency within or make a clarification to a provision of the Plan? OR		X
6. All of the following:	X	

<p>a. The proposed amendment demonstrates a strong potential to serve the public interest by implementing specifically identified goals of the Comprehensive Plan? AND</p> <p>Discussion: The proposed amendments meet the following selected goals and policies of affected Elements.</p> <ul style="list-style-type: none"> • Goal 1.1 provide for a consistent review and revision of the comprehensive plan; • Goal 1.2 ensure that the city's comprehensive plan is consistent with state, regional and countywide planning policies and ensure each element is internally consistent; and • Others to be evaluated as needed 		
<p>b. The public interest is served by considering the proposal in the current year, rather than delaying consideration to a later subarea plan review or plan amendment process.</p> <p>Discussion: The Comprehensive Plan sets a procedure for evaluating amendments annually. There is not a need to postpone review of the request.</p>	X	

Recommendation	Yes	No
Staff recommends City Council and the Planning Commission consider this proposal for inclusion in the 2017 Comprehensive Plan Docket.	X	
The Planning Commission recommends City Council consider this proposal for inclusion in the 2017 Comprehensive Plan Docket (see attached recommendation letter).	X	
The City Council accepts this proposal for inclusion in the 2017 Comprehensive Plan Docket.		



2017 Comprehensive Plan Docket Ratification

T-5 Staff Summary

Lake Stevens City Council & Planning Commission

City Council Hearing Date: April 11, 2017

Planning Commission Hearing Date: March 15, 2017

SUBJECT: City-initiated text amendment to the Comprehensive Plan (**LUA2016-0016**).

Summary
Location in Comprehensive Plan: Appendices
Proposed Change(s): Update Appendix A – SEPA Addendum #10 to be prepared as environmental review for 2017 Docket and FEIS Addendum #2 to be prepared as environmental review for the Chapel Hill Property Land Use Amendment / Rezone (LUA2017-0017 and -0018) within the City of Lake Stevens Center Subarea.
Applicant: City of Lake Stevens Planning & Community Development

ANALYSIS: Annual amendments shall not include significant policy changes inconsistent with the adopted Comprehensive Plan Element Visions and must meet the identified criteria included in Revisions and Amendments to the Comprehensive Plan Section H.

Ratification Review – Decision Criteria	Yes	No
1. Is the proposed amendment appropriate to the Comprehensive Plan rather than implementation as a development regulation or program? Discussion: The preparation of a SEPA addendum will not be designed to implement a development regulation or program.	X	
2. Is the proposed amendment legal? Does the proposed amendment meet existing state and local laws? Discussion: The SEPA addendum will be reviewed against the current Comprehensive Plan and applicable state laws related to process and environmental review.	X	
3. Is it practical to consider the proposed amendment? Discussion: The city reviews its Comprehensive Plan annually.	X	
4. Does the City have the resources, including staff and budget, necessary to review the proposed amendment? Discussion: The Growth Management Act and the city's Comprehensive Plan set a process to review annual amendments to the Comprehensive Plan. This is a Planning and Community Development function.	X	
5. Does the proposed amendment correct an inconsistency within or make a clarification to a provision of the Plan? OR		X

<p>6. All of the following:</p> <p>a. The proposed amendment demonstrates a strong potential to serve the public interest by implementing specifically identified goals of the Comprehensive Plan? AND</p> <p>Discussion: The SEPA addendum will fulfill the following selected goals and policies of the current Comprehensive Plan's Introductory Element.</p> <ul style="list-style-type: none"> • Goal 1.1 provide for a consistent review and revision of the comprehensive plan; and • Goal 1.2 ensure that the city's comprehensive plan is consistent with state, regional and countywide planning policies and ensure each element is internally consistent. 	X	
<p>b. The public interest is best served by considering the proposal in the current year, rather than delaying consideration to a later subarea plan review or plan amendment process.</p> <p>Discussion: The Comprehensive Plan sets a procedure for evaluating amendments annually. There is not a need to postpone review of the request.</p>	X	

Recommendation	Yes	No
Staff recommends City Council and the Planning Commission consider this proposal for inclusion in the 2017 Comprehensive Plan Docket.	X	
The Planning Commission recommends City Council consider this proposal for inclusion in the 2017 Comprehensive Plan Docket (see attached recommendation letter).	X	
The City Council accepts this proposal for inclusion in the 2017 Comprehensive Plan Docket.		



2017 Comprehensive Plan Docket Ratification

T-6 Staff Summary

Lake Stevens City Council & Planning Commission

City Council Hearing Date: April 11, 2017

Planning Commission Hearing Date: March 15, 2017

SUBJECT: City-initiated text amendment to the Comprehensive Plan (**LUA2016-0016**).

Summary
Location in Comprehensive Plan: Updates to dates, covers, footers, the Executive Summary and the Table of Contents as needed.
Proposed Change(s): Updates to dates, covers, footers, the Executive Summary and the Table of Contents as needed.
Applicant: City of Lake Stevens Planning & Community Development

ANALYSIS: Annual amendments shall not include significant policy changes inconsistent with the adopted Comprehensive Plan Element Visions and must meet the identified criteria included in Revisions and Amendments to the Comprehensive Plan Section H.

Ratification Review – Decision Criteria	Yes	No
1. Is the proposed amendment appropriate to the Comprehensive Plan rather than implementation as a development regulation or program? Discussion: Proposed text updates are not designed to implement a development regulation or program.	X	
2. Is the proposed amendment legal? Does the proposed amendment meet existing state and local laws? Discussion: The proposed text updates will be reviewed against the current Comprehensive Plan and applicable state laws related to process and environmental review.	X	
3. Is it practical to consider the proposed amendment? Discussion: The city reviews its Comprehensive Plan annually.	X	
4. Does the City have the resources, including staff and budget, necessary to review the proposed amendment? Discussion: The Growth Management Act and the city's Comprehensive Plan set a process to review annual amendments to the Comprehensive Plan. This a Planning and Community Development function.	X	
5. Does the proposed amendment correct an inconsistency within or make a clarification to a provision of the Plan? OR		X

<p>6. All of the following:</p> <p>a. The proposed amendment demonstrates a strong potential to serve the public interest by implementing specifically identified goals of the Comprehensive Plan? AND</p> <p>Discussion: The proposed text updates fulfill the following selected goals and policies of affected Elements.</p> <ul style="list-style-type: none"> • Goal 1.1 provide for a consistent review and revision of the comprehensive plan; • Goal 1.2 ensure that the city's comprehensive plan is consistent with state, regional and countywide planning policies and ensure each element is internally consistent; and • Others to be evaluated as needed 	X	
<p>b. The public interest is served by considering the proposal in the current year, rather than delaying consideration to a later subarea plan review or plan amendment process.</p> <p>Discussion: The Comprehensive Plan sets a procedure for evaluating amendments annually. There is not a need to postpone review of the request.</p>	X	

Recommendation	Yes	No
Staff recommends City Council and the Planning Commission consider this proposal for inclusion in the 2017 Comprehensive Plan Docket.	X	
The Planning Commission recommends City Council consider this proposal for inclusion in the 2017 Comprehensive Plan Docket (see attached recommendation letter).	X	
The City Council accepts this proposal for inclusion in the 2017 Comprehensive Plan Docket.		

EXHIBIT 6



2017 Comprehensive Plan Docket Ratification

M-1 - Staff Summary
Lake Stevens City Council & Planning Commission

City Council Hearing Date: April 11, 2017
Planning Commission Hearing Date: March 15, 2017

SUBJECT: City-initiated map amendment and text amendments to the Comprehensive Plan.

Summary	
Location in Comprehensive Plan: Chapter 2 Land Use Element – Figure 2.3 Land Use Map and associated text amendments.	
Proposed Change(s): City request to change the land use designation for four (4) parcels totaling approximately 4.14 acres adjacent to 99 th Avenue from Commercial and Mixed Use Neighborhood to Public / Semi-Public to support new civic buildings (LUA2017-0017). The city will also process a concurrent area-wide, minor rezone to change the zoning designation of the four (4) subject parcels from Business District and Mixed Use Neighborhood to the Public / Semi-Public zoning designation (LUA2017-0018).	
Applicant: City of Lake Stevens	Property Location(s): 26 99 th Avenue NE, Lake Stevens, WA
Existing Land Use Designations	Proposed Land Use Designation
Commercial and Mixed Use	Public / Semi-Public
Existing Zoning Districts	Proposed Zoning District
Business District and Mixed Use Neighborhood	Public / Semi-Public

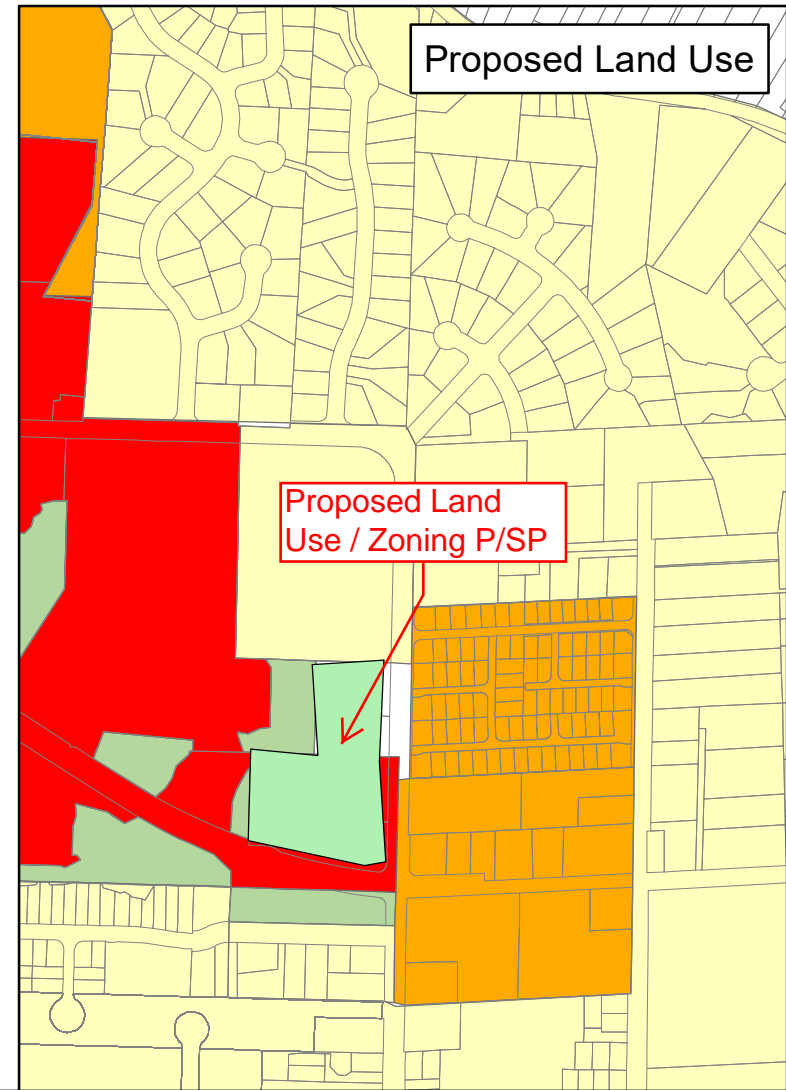
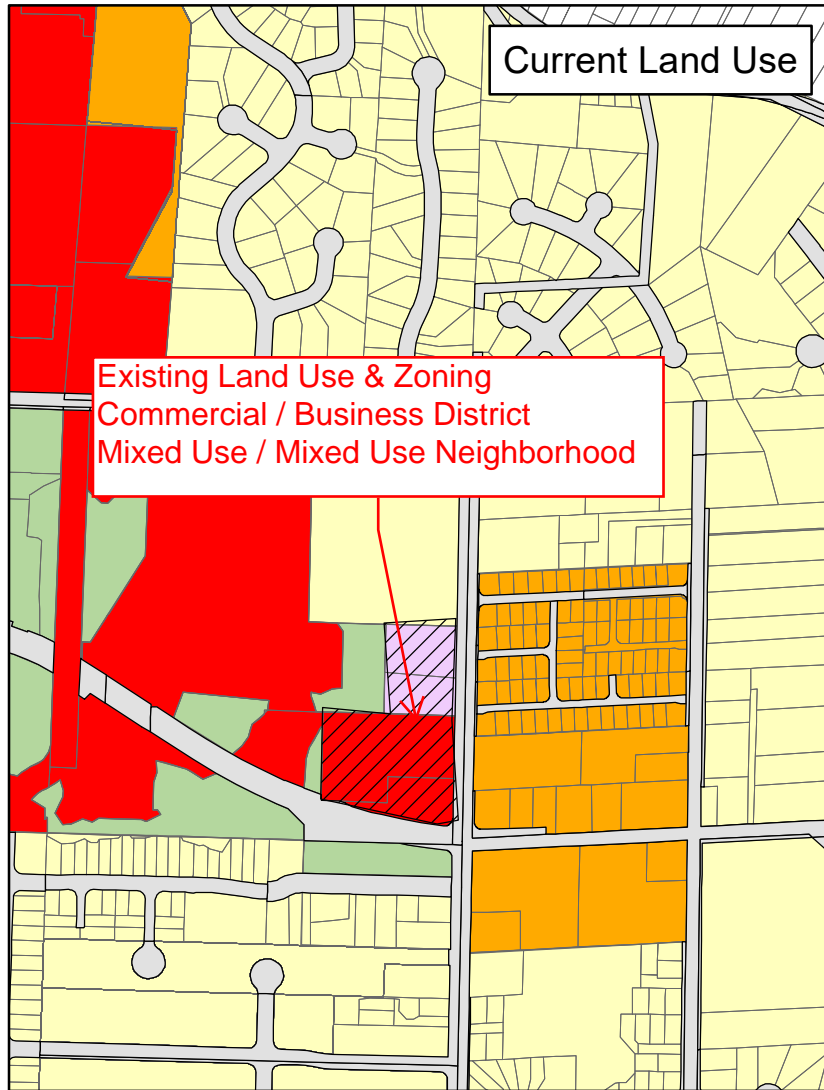
ANALYSIS: Annual amendments shall not include significant policy changes inconsistent with the adopted Comprehensive Plan Element Visions and must meet the identified criteria included in Revisions and Amendments to the Comprehensive Plan Section H.

Ratification Review – Decision Criteria	Yes	No
1. Is the proposed amendment appropriate to the Comprehensive Plan rather than implementation as a development regulation or program? Discussion: The proposed land use map change is not designed to implement a development regulation or program.	X	

<p>2. Is the proposed amendment legal? Does the proposed amendment meet existing state and local laws? Discussion: The proposed land use map change will be reviewed against the current Comprehensive Plan and applicable state laws related to process and environmental review.</p>	X	
<p>3. Is it practical to consider the proposed amendment? Reapplications for reclassification of property reviewed as part of a previous proposal are prohibited, unless the applicant establishes there has been a substantial change of circumstances and support a plan or regulation change at this time. Discussion: The land use designation for the subject properties has not been considered previously.</p>	X	
<p>4. Does the City have the resources, including staff and budget, necessary to review the proposed amendment? Discussion: The Growth Management Act and the city's Comprehensive Plan set a process to review annual amendments to the Comprehensive Plan. By extension, this is a Planning and Community Development function.</p>	X	
<p>5. Does the proposed amendment correct an inconsistency within or make a clarification to a provision of the Plan? OR</p>		X
<p>6. All of the following: a. The proposed amendment demonstrates a strong potential to serve the public interest by implementing specifically identified goals of the Comprehensive Plan? AND Discussion: the proposed minor land use map change meets the following selected goals and policies of the current Comprehensive Plan's Land Use and Housing Elements.</p> <ul style="list-style-type: none"> • 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 2.10 ensure that land uses optimize economic benefit and the enjoyment and protection of natural resources while minimizing the threat to health, safety and welfare; and • 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. 	X	












<p>b. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later subarea plan review or plan amendment process.</p> <p>Discussion: The Comprehensive Plan sets a procedure for evaluating amendments annually. The city is not considering a subarea plan or other amendments for the property; therefore, there is not a need to postpone review of the request to ensure consistent land use designations in the area.</p>	X	
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Recommendation	Yes	No
Staff recommends City Council and the Planning Commission consider this proposal for inclusion in the 2017 Comprehensive Plan Docket.	X	
The Planning Commission recommends City Council consider this proposal for inclusion in the 2017 Comprehensive Plan Docket (see attached recommendation letter).	X	
The City Council accepts this proposal for inclusion in the 2017 Comprehensive Plan Docket.		



Chapel Hill Land Use Map Amendment

Land Use Designations

 Commercial	 Public / Semi-Public	 Unincorporated UGA
 General Industrial	 Med Density Residential (MDR)	 Lake Stevens Boundary
 Planned Business District	 High Density Residential (HDR)	 Parcels
 Mixed Use		 Subject Parcels

All data, information and maps are provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the requester. The city of Lake Stevens makes no warranties, expressed or implied as to the use of the information obtained here. There are no implied warranties of merchantability or fitness for a particular purpose. The requestor acknowledges and accepts all limitations, including the fact that the data, information and maps are dynamic and in a constant state of maintenance, correction and update.

Data Sources: Snohomish County (2017), City of Lake Stevens (2017)

Date: March 2017



EXHIBIT 7



2017 Comprehensive Plan Docket Ratification

M-2 - Staff Summary
Lake Stevens City Council & Planning Commission

City Council Hearing Date: April 11, 2017
Planning Commission Hearing Date: March 15, 2017

SUBJECT: City-initiated map amendment and text amendments to the Comprehensive Plan.

Summary	
Location in Comprehensive Plan: Chapter 2 Land Use Element – Figure 2.3 Land Use Map and associated text amendments.	
Proposed Change(s): City request to change the land use designation for two (2) parcels totaling approximately 7.63 acres adjacent to Soper Hill Road from Medium Density Residential to Public / Semi-Public to support park activities (LUA2017-0050). The city will also process a concurrent area-wide, minor rezone to change the zoning designation of the two (2) subject parcels from Urban Residential to the Public / Semi-Public zoning designation (LUA2017-0054).	
Applicant: City of Lake Stevens	Property Location(s): 2424 and 2420 Soper Hill Road, Lake Stevens, WA
Existing Land Use Designations	Proposed Land Use Designation
Medium Density Residential	Public / Semi-Public
Existing Zoning Districts	Proposed Zoning District
Urban Residential	Public / Semi-Public

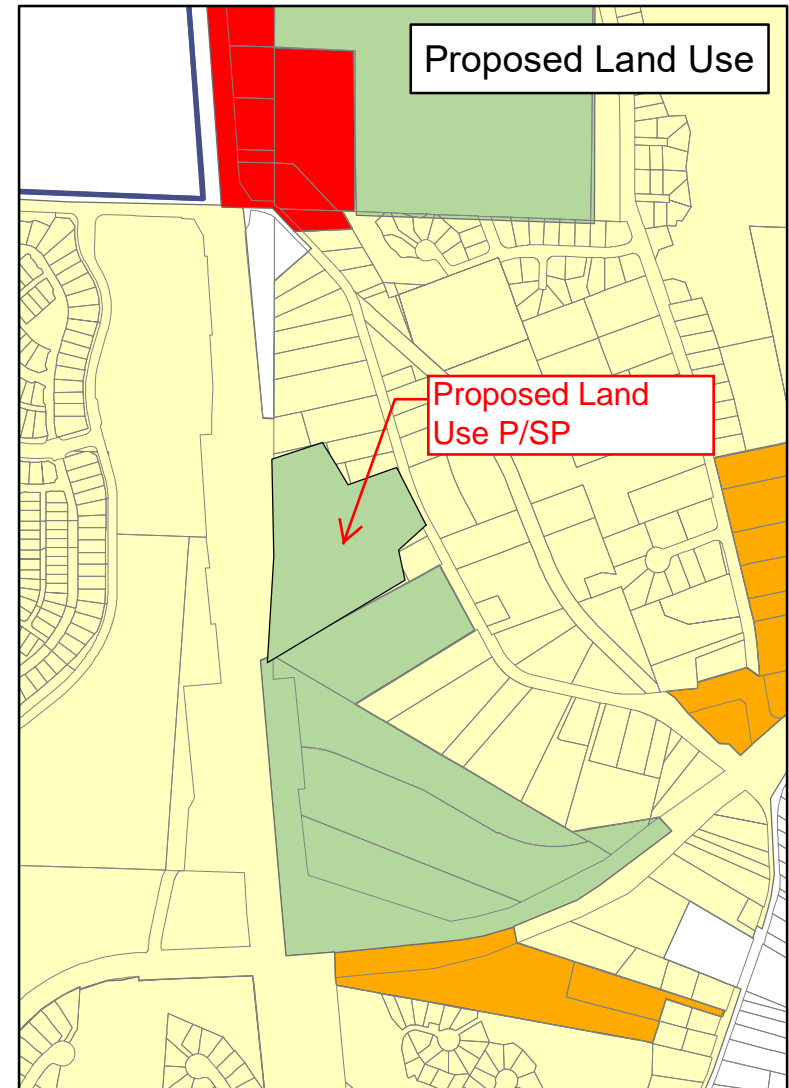
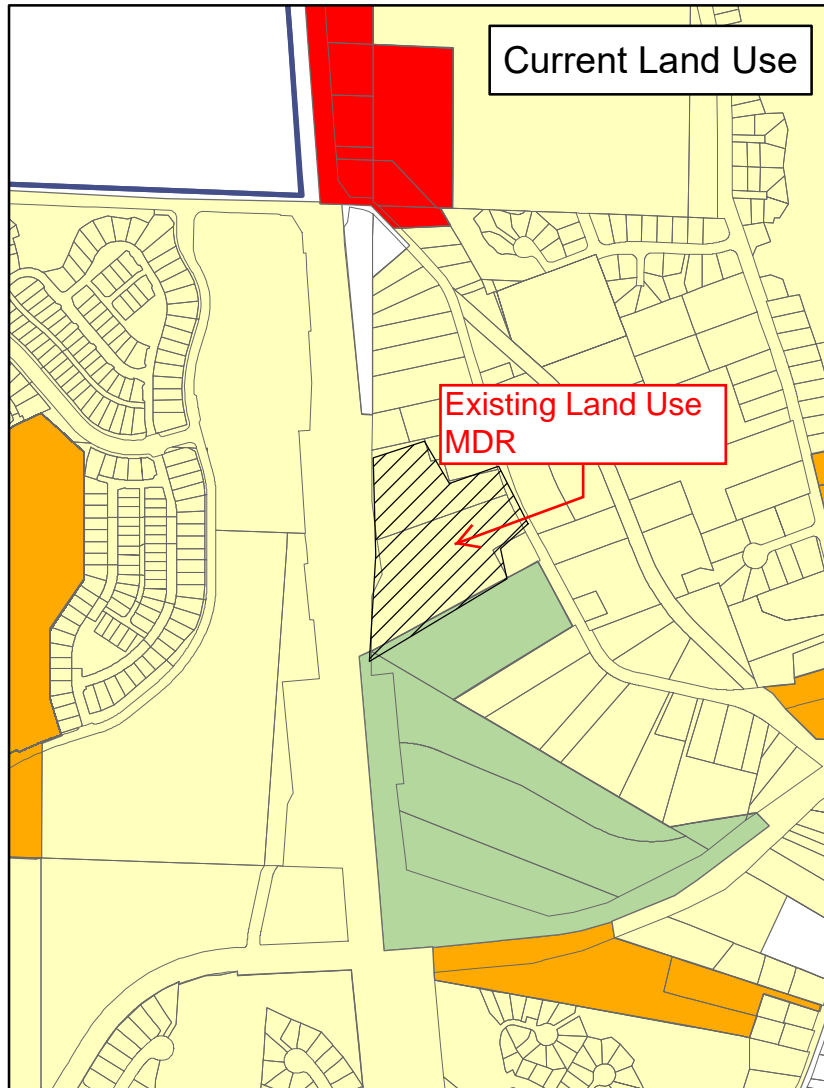
ANALYSIS: Annual amendments shall not include significant policy changes inconsistent with the adopted Comprehensive Plan Element Visions and must meet the identified criteria included in Revisions and Amendments to the Comprehensive Plan Section H.

Ratification Review – Decision Criteria	Yes	No
1. Is the proposed amendment appropriate to the Comprehensive Plan rather than implementation as a development regulation or program? Discussion: The proposed land use map change is not designed to implement a development regulation or program.	X	

<p>2. Is the proposed amendment legal? Does the proposed amendment meet existing state and local laws? Discussion: The proposed land use map change will be reviewed against the current Comprehensive Plan and applicable state laws related to process and environmental review.</p>	X	
<p>3. Is it practical to consider the proposed amendment? Reapplications for reclassification of property reviewed as part of a previous proposal are prohibited, unless the applicant establishes there has been a substantial change of circumstances and support a plan or regulation change at this time. Discussion: The land use designation for the subject properties has not been considered previously.</p>	X	
<p>4. Does the City have the resources, including staff and budget, necessary to review the proposed amendment? Discussion: The Growth Management Act and the city's Comprehensive Plan set a process to review annual amendments to the Comprehensive Plan. By extension, this is a Planning and Community Development function.</p>	X	
<p>5. Does the proposed amendment correct an inconsistency within or make a clarification to a provision of the Plan? OR</p>		X
<p>6. All of the following: a. The proposed amendment demonstrates a strong potential to serve the public interest by implementing specifically identified goals of the Comprehensive Plan? AND Discussion: the proposed minor land use map change meets the following selected goals and policies of the current Comprehensive Plan's Land Use and Housing Elements.</p> <ul style="list-style-type: none"> • 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 2.10 ensure that land uses optimize economic benefit and the enjoyment and protection of natural resources while minimizing the threat to health, safety and welfare; and • 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. 	X	











<p>b. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later subarea plan review or plan amendment process.</p> <p>Discussion: The Comprehensive Plan sets a procedure for evaluating amendments annually. The city is not considering a subarea plan or other amendments for the property; therefore, there is not a need to postpone review of the request to ensure consistent land use designations in the area.</p>	X	
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Recommendation	Yes	No
Staff recommends City Council and the Planning Commission consider this proposal for inclusion in the 2017 Comprehensive Plan Docket.	X	
The Planning Commission recommends City Council consider this proposal for inclusion in the 2017 Comprehensive Plan Docket (see attached recommendation letter).	X	
The City Council accepts this proposal for inclusion in the 2017 Comprehensive Plan Docket.		



Eagle Ridge Land Use Map Amendment

Land Use Designations

 Commercial	 Public / Semi-Public	 Unincorporated UGA
 General Industrial	 Med Density Residential (MDR)	 Lake Stevens Boundary
 Planned Business District	 High Density Residential (HDR)	 Parcels
		 Subject Parcels

All data, information and maps are provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the requester. The city of Lake Stevens makes no warranties, expressed or implied as to the use of the information obtained here. There are no implied warranties of merchantability or fitness for a particular purpose. The requestor acknowledges and accepts all limitations, including the fact that the data, information and maps are dynamic and in a constant state of maintenance, correction and update.

Data Sources: Snohomish County (2017), City of Lake Stevens (2017)

Date: March 2017



EXHIBIT 8

ADDENDUM NO. 10 AND ADOPTION OF EXISTING ENVIRONMENTAL DOCUMENTS

TO THE CITY OF LAKE STEVENS INTEGRATED 2005 COMPREHENSIVE PLAN AND FINAL ENVIRONMENTAL IMPACT STATEMENT

**Adoption of Two Map Amendments and Text Revisions to
Chapter 2 Land Use Element, Chapter 5 Parks, Recreation
and Open Space Element, Chapter 9 Capital Facilities
Element, Appendices and Covers, Footers, Dates, and Table
of Contents pursuant to the 2017 Docket**



Prepared in Compliance with
The Washington State Environmental Policy Act of 1971
Chapter 43.21C Revised Code of Washington
Chapter 197-11 Washington Administrative Code
Lake Stevens Municipal Code Title 16

Date of Issuance: November 9, 2017

ADDENDUM #10 TO INTEGRATED 2005 COMPREHENSIVE PLAN & FEIS

FACT SHEET

ADDENDUM NO. 10 AND ADOPTION OF EXISTING ENVIRONMENTAL DOCUMENTS

TO THE CITY OF LAKE STEVENS INTEGRATED 2005 COMPREHENSIVE PLAN AND FINAL ENVIRONMENTAL IMPACT STATEMENT

Proposed Non-Project Action:

Under the Growth Management Act, the city of Lake Stevens may amend its Comprehensive Plan and Future Land Use Map once per year, with a few exceptions, through an annual docket process. The proposed non-project action consists of minor map and text amendments for the 2017 Docket, including two city-initiated map amendments (with concurrent rezones), city text amendments to the Land Use Element, the Parks, Recreation and Open Space Element, the Capital Facilities element and the Appendices. Standard administrative updates and SEPA documents will be incorporated into the plan. The GMA requirements contained in Chapter 36.70A RCW apply to this action.

Planning and Community Development prepared this Addendum No. 10 to the City of Lake Stevens Integrated 2005 Comprehensive Plan and Final Environmental Impact Statement (FEIS) issued July 17, 2006 along with an adoption of existing environmental documents.

Description of Proposal:

The 2017 Docket contains two map amendments, text amendments and minor administrative amendments to the city of Lake Stevens Comprehensive Plan.

RCW 36.70A.130 allows amendments to the Comprehensive Plan once per year, with some exceptions. The following actions comprise the City's annual changes to its Comprehensive Plan:

Title Page and Table of Contents – Updates to the title page, header and footers and table of contents as needed with final draft (**Exhibit 1**).

Chapter 2 – Land Use Element – The following-described text amendments and updates to applicable Figures and Tables to reflect the adoption of two city-initiated map amendments (**Exhibit 2**):

- LU-10 – Revised narrative related to Downtown Plan and Planned Business District;
- LU-13 – Update Figure 2.3 City Land Use Map
 - Chapel Hill Properties – City request to change the land use designation of four parcels adjacent to 99th Avenue and Chapel Hill Road from Commercial and Mixed Use Neighborhood to Public / Semi-Public to support new civic buildings. The city will also process a concurrent area-wide, minor rezone to change the zoning designation of the subject parcels to the Public / Semi-Public zoning designation. The subject properties are located within the city's Lake Stevens Center Subarea and are subject to a SEPA addendum to the Final Environmental Impact Statement established for the subareas (**Exhibit 3**).

ADDENDUM #10 TO INTEGRATED 2005 COMPREHENSIVE PLAN & FEIS

- Eagle Ridge Park Properties City request to change the land use designation for two (2) parcels adjacent to Soper Hill Road from Medium Density Residential to Public / Semi-Public to support park activities. The city will also process a concurrent area-wide, minor rezone to change the zoning designation of the two (2) subject parcels to the Public / Semi-Public zoning designation.
- LU-21 – Update Development Trends narrative for residential development;
- LU-22 – Update Figure 2.4 Development Trends Map;
- LU-23 – Update Development trends narrative for industrial development

Chapter 5 – Parks, Recreation and Open Space Element - City-initiated text amendments to add park projects(s) to the Capital Project List for improvements to North Cove Park and Lundeen Park (**Exhibit 4**).

- P-4 – Revised narrative for inventory of park facilities;
- P-6 – Update Figure 5.1 to include new neighborhood parks (e.g., Frontier Heights and 20th Street Ballfields);
- P-7 – Update description of Cavelero Park planning;
- P-11 – Add description for Frontier Heights and the 20th Street SE Ballfields;
- P-12 – Update Table 5.3 to add information for Frontier Heights and the 20th Street SE Ballfields;
- P-13 – Revised narrative describing neighborhood park needs;
- P-14 – Update Figure 5.3 Neighborhood Park Distribution;
- P-29 – Update acquisition project narratives;
- P-31 through P-36 – Update capital project descriptions;

Chapter 9 – Capital Facilities Element – City-initiated text amendment to add park and road projects to the Capital Facilities Plan that will include the following additions (**Exhibit 5**):

- CF-7 – Update the Public facilities Map;
- CF-30 – Update Table 9.1 Capital Facilities Program; and
- CF-38 – Update Table 9.2 Six Year Capital Improvement Plan

Appendices – Updates to the following sections:

- **Appendix A** – Add this document as “Addendum No. 10”.

Purpose of the FEIS Addendum:

This addendum and adoption of existing environmental documents is to add information relating to the 2017 Comprehensive Plan amendments. This addendum and adoption of existing environmental documents does not substantially change the analysis of alternatives considered in the City’s Integrated 2005 Comprehensive Plan (July 2006) and FEIS (July 17, 2006). The City

ADDENDUM #10 TO INTEGRATED 2005 COMPREHENSIVE PLAN & FEIS

has considered the impacts of the proposed programmatic actions to the FEIS document. No additional significant impacts beyond those identified in the FEIS are expected to occur. To the extent that the existing environmental documents listed in this Addendum or other published documents have analyzed such changes, no additional programmatic action level environmental review will be required. This Addendum is issued in accordance with WAC 197-11-625 and WAC 197-11-630. Additional changes to the proposal may be considered during the public hearing process. The addendum and adoption of existing environmental documents satisfies the City of Lake Stevens' environmental review for the 2017 Comprehensive Plan Docket.

Location of Proposal: City of Lake Stevens

Proponent: City of Lake Stevens, P.O. Box 257, Lake Stevens, WA 98258
Lead Agency: (425) 377-3235


Required Approvals: Adoption of 2017 Comprehensive Plan Docket map and text amendments granted by Lake Stevens City Council.

Circulation: This addendum and adoption of existing environmental documents is being sent to SEPA review agencies and interested parties.

Comment: No comment period is required for this addendum.

Contact Person: Russell Wright, *Community Development Director*
(425) 212-3315 or rwright@lakestevenswa.gov

Date of Issuance: November 9, 2017

Responsible Official: Signature: 
Russell Wright, *Community Development Director*

Public Hearing: Staff has held briefings with both City Council and the Planning Commission related to the analysis of each of the Docket items. The Lake Stevens Planning Commission and City Council will hold public hearings to receive final comments and testimony prior to adoption.

Documents: All application materials and staff documents are available at the Permit Center upon request.

Exhibit List:

1. Administrative Amendments
2. Chapter 2 Amendments
3. SEPA Addendum #3 to the FEIS for the Subareas
4. Chapter 5 Amendments
5. Chapter 9 Amendments

EXHIBIT 2

Chapter 2: Land Use Element



CHAPTER 2: LAND USE ELEMENT

A VISION FOR LAND USE

As Lake Stevens continues to grow in population and area, the city will strive to create balanced opportunities for residential growth, varied housing types, employment, commercial endeavors and public services for all people to live, work, learn and play throughout the community.

INTRODUCTION

The current city boundaries, established in December 2009, following a series of annexations between 2000 and 2009, encompass an area of approximately 5,760 acres (8.9 square miles). Small pockets of unincorporated areas comprise the remainder of the Lake Stevens Urban Growth Area (UGA) with an area of 2,192 acres (3.4 square miles) including the lake. The current Lake Stevens UGA provides sufficient capacity to accommodate population and employment forecasts considering environmental constraints, existing development, infrastructure and services, existing and/or planned transportation corridors and areas where urban services could be extended logically. The city limits currently surround the northern, northeastern and western banks of Lake Stevens. The city anticipates that the remainder of the Urban Growth Area (UGA) will be annexed over the next planning horizon.

Directly west of the city is the Snohomish River flood plain, which consists of critical habitat areas and agricultural uses. To the east are largely forested lands with limited residential development. The area south of the current city boundaries and an unincorporated portion of the UGA is a patchwork of large-lot residences, small farms, and wooded areas with limited commercial areas.

Beyond the Lake Stevens UGA to the north, east and south the city and Snohomish County have established a Rural Urban Transition Area (RUTA) as a future planning area to accommodate growth beyond the 20-year planning horizon. The city's Comprehensive Plan acknowledges that development policies within the RUTA will have direct and indirect impacts on the Lake Stevens community, and it has an interest in decision-making in these areas as it affects development. The RUTA directly adjacent to the Lake Stevens UGA totals approximately 5,400 acres and is largely rural in character. It contains large lot residences, several sizable tracts of forested land and limited agricultural uses. According to the Snohomish County Comprehensive Plan, RUTAs are intended as areas to set aside for potential supply of land for employment and residential land uses and possible inclusion in a UGA.

PLANNING CONTEXT

The Land Use Element presents a blueprint for growth over the next 20 years. This element considers the general location, intensity and density of land uses, how traffic, drainage, community services, etc. interact with and affect development. The Land Use Element influences how the community develops through the implementation of municipal code. This section provides an overview of the existing land use patterns within the city and its unincorporated UGA, and describes the city's existing strategy for accommodating residential and employment growth within city limits and beyond.

In implementing its growth strategy, the city faces several challenges including development of land within city limits and the unincorporated UGA constrained by topography, critical areas, infrastructure needs, or ability to accommodate larger employment uses. The city and partner agencies also face challenges to fund the infrastructure needs associated with population and employment growth.

State Planning

The Land Use Element is one of the six mandatory elements required by the Growth Management Act, RCW 36.70A.070(1). Within the Land Use Element, the city must:

- Provide a future land use map;
- Consider approaches to promote physical activity;
- Provide a consistent population projection;
- Estimate population densities and building intensities based on future land uses;
- Include provisions for the protection of groundwater;
- Describe lands useful for public purposes, including essential public facilities, airports and military installations as applicable;
- Identify open space corridors;
- Consider review of drainage, flooding and stormwater run-off;
- Designate policies to protect critical areas; and
- Considers transfer of development rights for significant forest or agricultural lands.

These specific state requirements are discussed in subsequent sections or as specific goals and policies as applicable.

Regional Planning

VISION 2040 supports using the urban lands efficiently and sustainably to accommodate population and employment growth across the central Puget Sound. Some specific land use concerns mirror those found in the GMA, such as establishing consistent planning targets for housing and employment. The city's plan identifies housing and employment targets that are consistent with the 2012 Buildable Lands Report within the Land Use and Housing elements. Many 2040 provisions cross over into different elements, such as Environment, Development Patterns, Housing, Economic Development, Public Services and Transportation. Another important aspect of the regional strategy is to promote centers and compact urban development, which is a central theme of the city's plan, which focuses on local growth centers implemented as subarea plans. The city's subarea plans present an integrated planning approach based on incorporating economic development, environmental protection, sustainability, social justice and well-being, compact and mixed-use development and multimodal transportation. In addition, the city's municipal code provides several effective mechanisms supporting compact infill development. Another PSRC provision is healthy and active living. The city's plan promotes this ideal in the Parks, Recreation and Open Space, Land Use and Transportation elements. Finally, the city has considered the role of adjacent rural areas as they relate to the city beyond the planning horizon.

Countywide Planning

Snohomish County has adopted Countywide Planning Policies that provide a consistent framework for each jurisdiction to develop its comprehensive plans adopted.

The Development Patterns Goal found in the Countywide Planning Policies states,

"The cities, towns, and Snohomish County will promote and guide well-designed growth into designated urban areas to create more vibrant urban places while preserving our valued rural and resource lands."

Specific policies relevant to the Land Use Element include the role of Urban Growth Areas in land use planning including future expansions or modifications, inter-jurisdictional coordination, utilities, and location of employment and housing in relation to infrastructure and transit. Another theme relevant to this element previously identified in the state and regional planning strategies is designating local centers, promoting compact urban developments and transit-oriented developments that encourage higher residential density and infill while integrating new development into existing neighborhoods. Finally, the land use element should consider annexation policies for the unincorporated UGA.

The city recognizes the importance of efficient planning and use of land within the entire UGA in order to meet the population, employment, environmental and other objectives of the GMA and established countywide planning policies. The city's Comprehensive Plan and

existing growth strategy is reflective of the policies and vision within the County's Comprehensive Plan and Countywide Planning Policies.

Lake Stevens Planning

The city's Land Use Element considers the themes expressed in the state, regional and countywide plans. Specifically the Land Use Element describes anticipated land use assumptions and growth targets over the current planning period. This information is the basis for current land use designations and zoning districts as well as the city's local growth strategy.

In order to meet projected growth targets, the Lake Stevens UGA must accommodate a population of **46,380** and **7,821** jobs by 2035 (Source: Appendix A Table 1 Snohomish County 2035 Population Growth Targets). The city's portion would include a population of 39,340 or an increase of 11,130 people over the planning period. The current employment target for the city is 7,412 or an increase of 3,818 jobs by 2035. (Source: Appendix D, Table 1 - 2035 Population Growth Targets for Cities, UGAs and the Rural/Resource Area). Figure 2.1 illustrates the total number and percent of both the city's and the unincorporated UGA's 2035 population and employment growth targets.

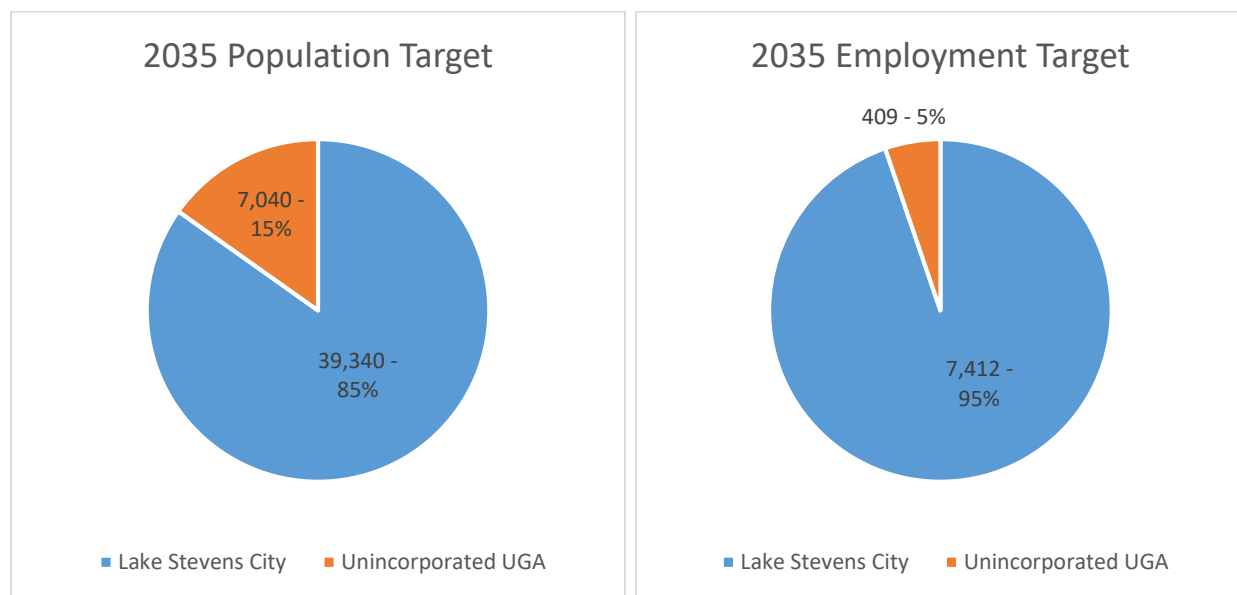


Figure 2.1 – 2035 Growth Targets

LAKE STEVENS GROWTH STRATEGY

The Snohomish County Growth Monitoring Report indicates the population of the city grew by over 341 percent between 2000 and 2010 adding 21,708 people. Annexation and steady residential development fueled this rapid growth. Since 2010, the city population has continued to grow annually by approximately 3.9 percent.

The city's growth strategy directs the majority of residential and employment growth into concentrated centers readily available for development. It is the city's vision to accommodate and attract new businesses that provide family-wage jobs by growing a range of employment sectors near Growth Centers in proximity to housing. Downtown Lake Stevens, Lake Stevens Center, and the 20th Street SE Corridor are identified as Community Growth Centers, while the Hartford Industrial area is an Industrial Center. Figure 2.2 illustrates the location of the four primary centers. A summary of development potential for each growth center is summarized in Table 2.1.

Each defined Growth Center has varying suitability and potential for future employment uses due to location, access to the transportation network, overall size, development potential, and range of parcel sizes. This growth center strategy implements countywide, regional and statewide goals by focusing development where infrastructure and services are or will be available and preserving the natural characteristics of the city. The city's growth center strategy is consistent with the public vision expressed during the community outreach for this project and others.

To complement its growth strategy, the city began developing an economic development approach. In 2010, the city completed an Economic Development Assessment. The main findings suggested residents were spending retail dollars outside the city and leaving the city to work. This document was followed by a demographic assessment and economic profile of the city. These documents laid the foundation for future economic development and complemented the evolving growth strategy.

The city's ultimate goal for each center, based on the economic and demographic assessments, is to develop a unique subarea plan with distinguishing characteristics that serve slightly different markets ensuring economic diversity and vitality. The first big achievement in the city's strategy was the adoption of two Subarea Plans in 2012 (e.g., Lake Stevens Center and the 20th Street SE Corridor). As a development incentive, the city adopted a Planned Action Ordinance for each subarea to satisfy State Environmental Policy Act review requirements. Adoption of the plans resulted in area-specific design guidelines, development regulations and zoning districts. In addition, a framework plan has been completed for Downtown Lake Stevens as a precursor to a future subarea plan. City Council has authorized a subarea plan to be completed by the end of 2016.



Table 2.1 - Growth and Development Potential of Existing Growth Centers

	DOWNTOWN LAKE STEVENS	LAKE STEVENS CENTER	HARTFORD CENTER	20TH STREET SE CORRIDOR
Size (Acres)	239	359	267	845
Subarea Planning	<ul style="list-style-type: none"> • Framework plan completed in 2012 • Subarea plan proposed for 2016 	<ul style="list-style-type: none"> • Subarea Plan adopted 2012 • Planned Action Ordinance adopted 2012 	<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • Subarea Plan adopted 2012 • Planned Action Ordinance adopted 2012
Relation to Transportation System	<ul style="list-style-type: none"> • Local access via 20th St NE • Indirect access to SR 92 via Grade Rd 	<ul style="list-style-type: none"> • Direct access to SR 9 and SR 204 • Indirect access to US 2 via SR 204 	<ul style="list-style-type: none"> • Indirect access to SR 92 via Machias Rd., Old Hartford Dr. • Indirect access to US 2 via Machias Road • Limited internal network of roads 	<ul style="list-style-type: none"> • Indirect access to SR 9 via 20th St SE, S Lake Stevens Rd.
Existing Land Use Pattern	<ul style="list-style-type: none"> • Small to medium parcels (0.2-3.0 acres) in Historic Town Center • Existing residential uses on commercially zoned parcels • Significant amount of multi-family residential uses and zoning in southeast portion of center with small to large parcels (0.3-10 acres) • Medium to large parcels (1-10 acres) in Grade Rd. area, largely undeveloped 	<ul style="list-style-type: none"> • Auto-oriented commercial uses primarily on large parcels (>10 acres) with smaller parcels (<0.5 acres) carved out along street frontage • Primarily multi-family residential uses and zoning at edges of center with some single family residential uses in eastern portion of center • Significant portion of government-owned property on eastside of SR 9 @ Market Pl. 	<ul style="list-style-type: none"> • Primarily medium to large parcels (3-30 acres) • Cluster of smaller parcels (< 1 acre) in middle of center • Largely undeveloped 	<ul style="list-style-type: none"> • Primarily medium to large parcels (1-10 acres) with several irregular parcels due to diagonal intersection • Limited existing commercial uses and zoning at intersection of 20th St SE and S Lake Stevens Rd. in eastern portion of center • Primarily mix of multi-family and single-family residential uses • Several large parcels (> 10 acres) zoned multi-family

	DOWNTOWN LAKE STEVENS	LAKE STEVENS CENTER	HARTFORD CENTER	20TH STREET SE CORRIDOR
Environmental Constraints	<ul style="list-style-type: none"> Wetlands and flood prone areas within Grade Rd. area Category 2 wetlands east of historic town center area where zoned multi-family residential. Catherine Creek bisects the Grade Rd. area and downtown 	<ul style="list-style-type: none"> Wetlands between SR 9 and 91st Ave SE, near SR 204 	<ul style="list-style-type: none"> Small amount of wetlands just north of Hartford Dr. NE and just north of 36th St NE 	<ul style="list-style-type: none"> Wetlands at northeast corner of S Lake Stevens Rd and 20th St SE, north of S Lake Stevens Rd
Amenities	<ul style="list-style-type: none"> Lake Stevens shoreline access Catherine Creek View potential 	<ul style="list-style-type: none"> View potential 	<ul style="list-style-type: none"> View potential 	<ul style="list-style-type: none"> View potential
Potential Land Use Issues	<ul style="list-style-type: none"> Center has lower intensity single-family uses to the north, west, and south and higher intensity industrial uses to the east 	<ul style="list-style-type: none"> Center is surrounded by lower-intensity single-family and multi-family residential uses 	<ul style="list-style-type: none"> Center is surrounded by lower intensity residential uses Lack of Utilities & Infrastructure 	<ul style="list-style-type: none"> Center is surrounded by lower-intensity single-family residential uses
Conclusion	<ul style="list-style-type: none"> Limited potential for larger employment uses due to transportation access and small parcel sizes More suitable for local-serving retail and small commercial uses Potential as a Mixed-Use Town Center consisting of civic and local-serving retail uses, limited office and residential uses 	<ul style="list-style-type: none"> Some potential for larger employment uses given transportation access and large parcels, but contingent upon redevelopment potential Potential for Main Street center on 91st Street NE between Market Place/SR204 Potential as a Commercial Mixed-Use Center consisting primarily of regional retail commercial uses with multi-family residential uses towards the edges of the center 	<ul style="list-style-type: none"> Potential to accommodate larger employment uses, but limited by location and transportation access Potential as an Industrial Center consisting primarily of industrial uses and limited office uses 	<ul style="list-style-type: none"> Potential for larger employment uses including business parks and retail centers Potential for Mixed-Use Centers consisting primarily of residential uses with some office and local-serving retail commercial uses

DOWNTOWN LAKE STEVENS

Downtown Lake Stevens includes an area of more than 200 acres near 20th St NE, Main St and Hartford Drive NE, and consists of the historic town center adjacent to the northwestern tip of the lake, the Grade Road Planned Business District, and associated residential areas. This area has been characterized primarily by low-intensity commercial and residential development on small to medium-sized parcels.

The historic town center has several key attributes to support its revitalization including its lake front setting, strong projected population growth and the potential for higher density residential development. Development of an effective plan and an active marketing campaign for this area is a high priority for the city. In 2005, the city developed a conceptual plan for downtown Lake Stevens. In 2012, the city proposed a framework plan for the area that identified preferred land uses and potential infrastructure improvements to facilitate desired growth patterns. This framework will lead to a full subarea plan, ~~scheduled for completion in 2016, to that will~~ identify uses, development intensity, parking requirements, public improvements, program development, etc.

Downtown Lake Stevens will have some challenges, specifically access and infrastructure. Several road improvements are proposed to improve access throughout downtown and to the Hartford Industrial Center, and to the to the regional highway system. The city continues to work with utility providers to assess needed infrastructure improvements.

~~In 2007, the city purchased a 40-acre site off Grade Road that includes a collection of medium to large parcels, located directly north of Downtown Lake Stevens. It is one of the two areas in the city zoned Planned Business District (PBD). The Grade Road PBD Master Plan, prepared in 2006, proposes to establish the city's future Municipal Campus at this location. The plan also envisions complimentary residential and commercial uses. Wetlands and streams encumber parts of the Grade Road site. Portions of the area are prone to local flooding. Limited roadway frontage currently restricts access to the Grade Road site. At the same time, the potential for constructing new residential development at greater densities in this area is seen as a catalyst for downtown revitalization efforts.~~

LAKE STEVENS CENTER SUBAREA (FORMERLY FRONTIER VILLAGE GROWTH CENTER)

Lake Stevens Center is comprised of approximately 360 acres of land centered on the State Route 9/State Route 204 intersection. In September 2012, the City Council adopted the Lake Stevens Center Subarea Plan to revitalize the center, emphasizing retail and office growth. The plan also amended the Land Use Map for many parcels within the subarea. Future residential development would be primarily high-density residential. The general land use pattern would consist of a commercial core, smaller commercial and mixed-use areas, a main street area, and transit-oriented development. The plan assumes future growth of 140,000-

150,000 gross square feet of retail, 140,000-150,000 gross square feet of office, and 180 to 200 additional dwelling units. A Planned Action Ordinance, capital facilities plan, development regulations, and design guidelines were also adopted.

20TH STREET SE CORRIDOR (FORMERLY SOUTH LAKE GROWTH CENTER)

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

HARTFORD INDUSTRIAL CENTER

The Hartford Industrial Center is an area of approximately 267 acres located in the northeast portion of the city, between Downtown Lake Stevens and unincorporated Snohomish County. The Hartford Center is adjacent to industrially zoned properties outside the city limits. The area is zoned General Industrial (GI) and Light Industrial (LI), which allow a wide range of industrial uses. The area currently has a mix of low-intensity industrial uses, some retail and older single-family residential pockets. The Hartford Industrial Center currently has additional employment capacity available for redevelopment. It is the city's intention to promote and develop the Hartford Industrial Center as a local employment center. The Hartford Industrial Center's potential to accommodate larger employment uses are currently limited by location, limited visibility, lack of extensive public infrastructure and transportation access. The city will conduct a market study of the area to determine any need for expansion, infrastructure improvements, and marketing strategies to attract appropriate industries.

NEIGHBORHOOD SERVICE CENTERS

In addition to the defined growth centers, the city has several small Neighborhood Service Centers located throughout the city zoned Local Business (LB) or Mixed Use. Small neighborhood service centers serve the immediate shopping and service needs for the surrounding residential areas. These neighborhood service centers augment economic

development activity citywide and balance the commercial uses found in larger growth centers.

ANNEXATION AND RURAL URBAN TRANSITION AREA (RUTA)

The city will continue to coordinate annexation of the remaining unincorporated UGA throughout the 2035 planning horizon. Additionally, the city of Lake Stevens is looking outside its borders given the impact that planning efforts have on the entire Lake Stevens community in preparation for future UGA expansions after build-out.

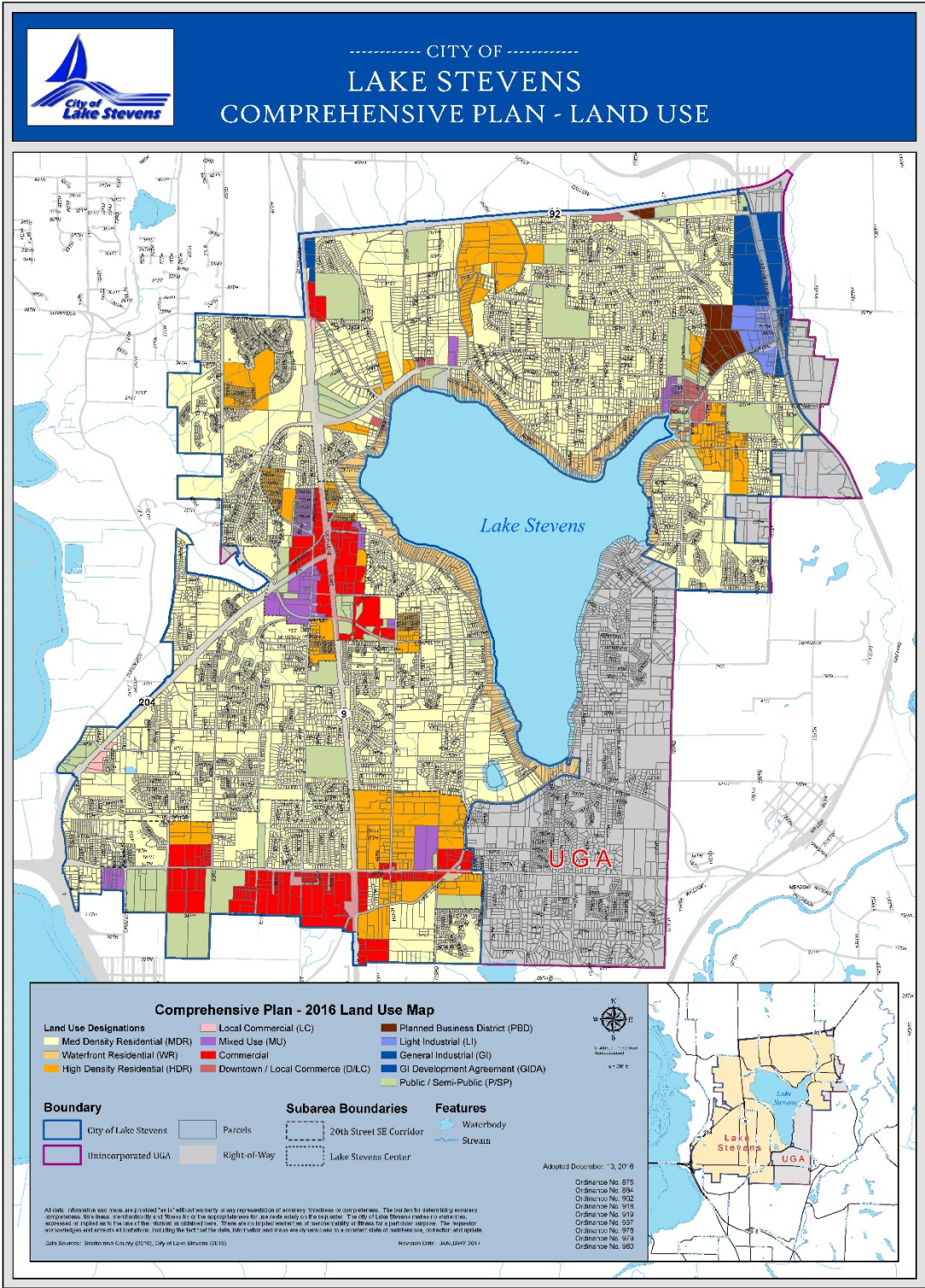
For the purposes of defining a Framework Plan that includes the Rural Urban Transition Area (RUTA) as an area for long-term employment growth, the city's existing strategy for growth within the UGA has been reviewed and analyzed. Related documents such as County plans and Buildable Lands Report are discussed further below, together with summaries of information related to public services and utilities. The city completed a project report for the Lake Stevens South Rural Urban Transition Area in August 2008. The city recognizes the importance of review and analysis of all adjacent RUTA areas for future comprehensive planning and benefit.

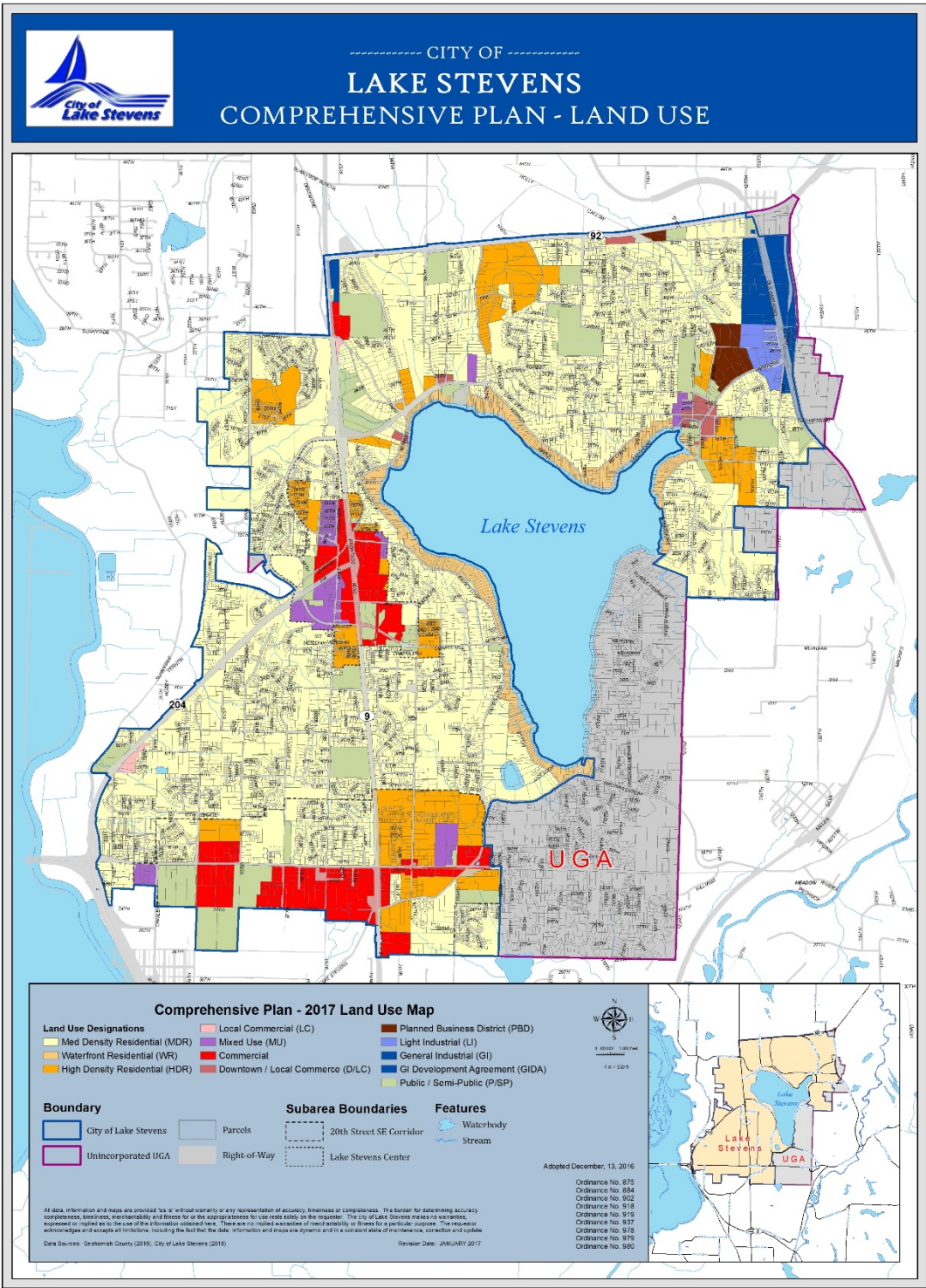
The city of Lake Stevens recognizes that the UGA is bordered by areas labeled by the County as "transitional". The city also recognizes that development policies within these areas and beyond will have direct and indirect impacts on the Lake Stevens community, its quality of life, infrastructure, transportation, services, finance and the stewardship of land and lake water quality. Therefore the city's vision requires its involvement in the decision-making in these areas as they affect development and its impacts.

LAND USES AND ZONING

Lake Stevens includes a mix of residential, commercial, industrial and public/semi-public land use designations. Residential designations are spread throughout the city and include both high-density and single-family oriented land uses. There are several commercial designations that vary in intensity by location. For example, the highest intensity commercial land uses are located along highways and arterials, while neighborhood level commercial use may be congregated at the intersections of arterials and collectors. The city's industrial land uses are primarily located in the northeastern corner of the city, with the exception of one area in the northwestern corner, subject to a development agreement. Public/Semi-public land uses are spread across the city. Most public/semi-public areas include school sites, municipal services and parks. Figure 2.3, the current Comprehensive Plan Land Use Map, illustrates the distribution of land use throughout the city.

Residential Land Uses – Residential land uses include all single-family development and multifamily uses including, apartments, condominiums, manufactured housing, foster care facilities, group quarters, and cooperative housing.





- High Density Residential allows any form of single-family, two-family, and multifamily residential uses with no density limits. It also allows limited public/semi-public, community and recreational uses. This designation should be generally located in transitional areas between single-family designations and commercial designations where infrastructure and public transportation is readily available.
- Medium Density Residential allows single-family, two-family and some multifamily residential development with a gross density between four (4) to 12 units per acre based on zoning. This designation includes detached and attached units, accessory units, townhouses, condominiums, duplexes, tourist homes, special service homes and manufactured/mobile structures. It also allows limited public/semi-public, community and recreational uses. This designation should be generally located in transitional areas between high density designations and rural areas where infrastructure is readily available.
- Waterfront Residential allows single-family (1 du/lot) residential uses with a gross density of four (4) units per acre. It includes detached, tourist homes, and special service homes. It also allows limited public/semi-public, community, and recreational uses. This designation is located in residential neighborhoods within the shoreline jurisdiction.

Through implementation of zoning regulations, the city will consider innovative and flexible residential options, in appropriate zoning districts, to allow a variety of housing. For example, the High Urban Residential Zone (HUR) allows higher-density residential uses such as townhouses and small-lot, single-family residential units, and innovative housing options such as cottage housing. In all residential zones, cluster subdivisions and planned residential developments allow variations in housing styles and increases in housing density as a means of encouraging good design, specifically on challenging sites where natural characteristics (slopes, wetlands, streams, etc.) require careful design and development.

Commercial Land Uses – Commercial land uses include all commercial and mixed-use configurations including, small scale/neighborhood commercial, large scale retail, and employment designations.

- Downtown/Local Commercial: This designation permits moderate to higher intensity land uses including the Central Business District and other dense arrangements of professional offices and retail stores. This designation discourages uses that are land consumptive (i.e., warehouses) or that generate high-traffic volumes (e.g., drive-through businesses or gas stations). It allows mixed-use development.
- Mixed-Use Commercial: This designation permits moderate to higher intensity land use that includes both commercial and residential elements and encourages mixed-use (commercial and residential). It is intended that this land use designation will be placed where a "village atmosphere" is desired, or as a transition between high and low intensity zones.

- **Planned Business District:** The Planned Business District allows moderate intensity commercial or mixed-use development through a Master Development Plan. It is intended that this land use designation be placed on lands between high and low intensity uses to act as a buffer; or on sites containing sensitive resources; or other sites where, due to property specific circumstances, detailed planning would benefit all property owners involved as well as the public by allowing transfer of densities among parcels in order to avoid impacts to critical areas or local infrastructure. It also allows limited public/semi-public, community, and recreational uses.
- **Commercial:** This is a high intensity land use that includes both high-intensity retail and employment uses including community and regional retail centers, offices, business parks, and associated uses. Multifamily residential uses could be included above or behind commercial uses. It should be located in areas with direct access to highways and arterials in addition to transit facilities, adequate public services and traffic capacity.

Industrial Land Uses – Industrial uses include a mix of light and general industrial trades geared toward manufacturing, resource extraction, agriculture, warehousing and other intensive types of land uses.

- **General Industrial** – This designation allows a full range of industrial uses which may impact surrounding properties. This category also allows retail sales, public/semi-public, community and recreational uses. It should be located in areas with direct access to truck routes, adequate public services, infrastructure and traffic capacity.
- **Light Industrial** – This designation allows a full range of industrial uses with less impact to surrounding properties than general industrial properties. The city looks to this designation as accommodating the future high-tech industries and family-wage jobs. This category also allows retail sales, public/semi-public, community and recreational uses. It should be located in areas with direct access to truck routes, adequate public services, infrastructure and traffic capacity, and be transitional to commercial/mixed-use areas.

Public/Semi-Public – This category includes public buildings, public services, and transportation facilities to support operations of the city, the school district, fire district and miscellaneous other governmental functions. These services require land throughout the city.

EXISTING ZONING IN CITY AND UGA

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

Commercial/Industrial Zoning Districts

The city's zoning districts that allow employment uses primarily occur within growth centers and subareas. These zones vary in type of permitted uses and requirements for special or conditional use permits. Residential uses above and/or behind permitted non-residential uses are allowed in PBD, LB, CBD, MU, BD, CD, MS and MUN. There remains untapped capacity for new commercial development in the two Planned Business District zones, and in the Central Business District (CBD) and Mixed Use (MU) zones, where existing houses have not yet converted to commercial uses. Table 2.2 shows a summary of employment zones by acres within the city and its UGA, which is followed by a brief description of the various employment zoning districts.

TABLE 2.2 - EMPLOYMENT ZONING IN LAKE STEVENS UGA

EMPLOYMENT ZONE	ACRES	PERCENT OF CITY	PERCENT OF UNINCORPORATED UGA ¹
General Industrial	94.39	1.64%	1.19%
General Industrial w/Development Agreement	7.02	0.12%	0.09%
Light Industrial	40.19	0.70%	0.51%
Central Business District	21.78	0.38%	0.27%
Planned Business District	43.83	0.76%	0.55%
Local Business	18.88	0.33%	0.24%
Mixed Use	14.98	0.26%	0.19%
Business District	104.07	1.81%	1.31%
Commercial District	196.96	3.42%	2.48%
Main Street District	32.78	0.57%	0.41%
Neighborhood Business	50.10	0.87%	0.63%
Mixed-Use Neighborhood	58.89	1.02%	0.74%
Heavy Industrial (Snohomish County Code)	62.35	1.08%	0.78%
Business Park (Snohomish County Code)	23.62	0.41%	0.30%
Total	769.84	13.37%	9.68%

The three industrial zones – General Industrial (GI), Light Industrial (LI) and General Industrial with Development Agreement (GIDA), permit a range of uses including manufacturing, processing and equipment repair uses, as well as allowing indoor recreational uses, restaurants, storage, motor vehicle sales, and home occupations.

¹ Combined UGA (city and unincorporated UGA) total approximately 7,952 acres, city portion is 5,760 acres.

Other employment zones include Planned Business District (PBD), Local Business (LB), Central Business District (CBD), Mixed Use (MU), and Public/Semi-Public (P/SP). These zones allow a wide range of employment uses including sales and rental of goods, office, some manufacturing uses, and retail uses. The CBD zone allows two-family and multifamily residences.

New employment zones since adoption of the subarea plans include Business District (BD), Commercial District (CD), Neighborhood Business (NB), Main Street District (MS), and Mixed-Use Neighborhood (MUN). The BD zone is geared toward high-tech and other professional occupations. The CD zone allows the most intensive retail uses in the city, while the BD zone is geared toward retail needs of adjacent neighborhoods. The MS and MUN zones are mixed-use zones. With adoption of the Lake Stevens Center and 20th Street SE Corridor subarea plans, approximately 13 percent of the land within the city, or 10 percent of total UGA (city plus UGA) is zoned for commercial and employment uses.

Employment zones in the unincorporated UGA are found in the northeast portion of the city adjacent to the Hartford Industrial Center. It is assumed that similar city zoning would be applied once these areas are annexed into the city.

Residential Zoning Districts

Table 2.3 shows a summary of residential zones by acres within the city and in the unincorporated UGA. Single-family zones include Suburban Residential, Urban Residential, and Waterfront Residential. The higher-density residential zones include High-Urban Residential, Multi-family Residential, and MF Development Agreement.

TABLE 2.3 - RESIDENTIAL ZONING

	CITY ONLY		UNINCORPORATED UGA	
	Acres	Percent	Acres	Percent
Higher-Density Zoning	791.63	13.74%	9.8	0.12%
Single-family Zoning	3733.38	64.82%	1,165.7	14.65%

Approximately 14 percent of the city is zoned for higher-density residences while approximately 65 percent is zoned for single-family residential uses. Areas zoned for higher-density residential development are found within designated growth centers, subareas and several areas outside of these centers, along SR 9 and Callow Road in the northern portion of the city. A smaller area zoned for multifamily residential uses occurs along Lundeen Parkway, approximate to the northwest tip of the lake. Snohomish County zoning applies to unincorporated areas within the Lake Stevens UGA. Approximately 0.12 percent of the

unincorporated UGA is zoned for multifamily residential uses while approximately 15 percent of the area is zoned for single-family residential.

BUILDABLE LANDS ANALYSIS / GROWTH TARGETS

The annexation of lands through 2009 increased the amount of buildable land in the city. The city recognizes the importance of efficient planning and use of remaining lands to meet the population, employment, environmental and other objectives of growth management. The amount of land that is fully developable within the city limits is limited, with large portions of remaining land constrained by topography, critical areas and infrastructure needs. A vital community must find a balance between inevitable growth, a quality environment, good service to citizens and fiscal responsibility. The Land Use Plan is a key factor in developing this balance. Coordination between the Land Use Element and the Capital Facilities Element is essential to produce a Plan that can realistically be implemented. The Comprehensive Plan must ensure that infrastructure can support existing and new development.

Under the GMA, Snohomish County and its cities review and evaluate the adequacy of suitable residential, commercial and industrial land supplies inside the UGA for accommodating projected population and employment growth every five years. Regular updates to the buildable lands report ensure that communities continue to meet growth targets for the remaining portion of its current planning horizon.

Going into the 2007 buildable lands update, the Lake Stevens UGA had a population surplus and employment deficit of 264 jobs. These findings were generally consistent between Snohomish County's analysis and the city's independent analysis. The city's independent study was designed to reflect a more accurate picture of the growth potential and/or limitations in the city limits and the UGA given the city's annexation goals and schedule. The county and cities worked diligently to reach consensus on the methodologies used to calculate land capacity; all major differences were reconciled at the UGA level.

Since 2007, as the city limits grew through annexation, the city identified reasonable measures to address capacity deficiencies and inconsistencies within the UGA. A detailed list of reasonable measures are found later in this section. As discussed previously, through the city's growth center strategy it has developed two subarea plans, which directly address employment deficiencies. Moving into the 2012 BLR, the Lake Stevens UGA has reconciled its forecasted employment deficit. Overall, there is an adequate land capacity to accommodate the adopted 2035 population and employment growth targets. Table 2.4 compares the 2012 buildable lands capacity estimates and adopted 2035 growth targets for population and employment for the Lake Stevens UGA. The city's portion of the 2035 growth targets for employment would be 7,412 jobs and 39,340 population respectively.

Table 2.4 Buildable Lands / 2035 Growth Target Comparison

	2035 GROWTH TARGETS	2025 POPULATION CAPACITY	DIFFERENCE
Population	46,380	46,634 (BLR)	254
Employment	7,821	7,988 (BLR)	167

Tables 2.5 summarizes the 2012 buildable lands capacity for residential zoning districts within the city of Lake Stevens. Each total includes the remaining acreage.

Table 2.5 - Buildable Lands Analysis – Residential Capacity² (2012)

ZONING DISTRICT – RESIDENTIAL	TOTAL ACRES ³	BUILDABLE ACRES ⁴	ADDITIONAL HOUSING CAPACITY	ADDITIONAL POPULATION CAPACITY
Commercial District	197.07	0.165	1	3
Main Street	32.78	9.248	178	327
Mixed-Use Neighborhood	71.27	31.939	297	585
Mixed-Use	14.98	1.636	3	5
Multifamily Development Agreement	80.03	29.881	288	802
Multifamily Residential	136.93	10.346	163	300
High Urban Residential	588.09	205.271	1,198	2,278
Suburban Residential	1,500.54	144.852	531	1,481
Urban Residential	1,976.72	268.448	1,082	3,009
Waterfront Residential	256.11	14.844	43	119
City Totals		716.63	3,784	8,909
Unincorporated UGA Residential		385.923	1,211	3,372
Lake Stevens UGA Total		1,212.016	5,465	13,416

Of the estimated 3,784 city units, 3,145 would be single-family and 639 would be multifamily. The 2035 housing unit target is 4,413, which is less than assumed buildable lands capacity.

² Adapted from the Lake Stevens UGA - Additional Population Capacity Table Snohomish County Tomorrow 2012 Buildable Lands Report, June 2013

³ Approximate zone area that includes rights-of-way.

⁴ This column represents estimates the amount of buildable land that is not constrained by critical areas or other limiting factors and includes pending, vacant, partially-used and redevelopable parcels from the 2012 Buildable Lands Report. The estimate is not a precise inventory. Site-specific studies are necessary at the time of development to identify location and size of potentially unbuildable lands precisely.

The 2012 BLR did not provide a complete estimate for potential mixed-use residential developments in the commercial and mixed-use zones. By comparison, the unincorporated UGA has approximately 385 buildable acres. After reductions, the estimated buildable housing capacity in the unincorporated UGA would be 1,211 new single-family units.

Tables 2.6 summarizes the 2012 buildable lands capacity for employment zoning districts within the city of Lake Stevens. Each total includes the remaining acreage.

Table 2.6 - Buildable Lands Analysis– Employment Capacity⁵ (2012)

ZONING DISTRICT - EMPLOYMENT	TOTAL ACRES	BUILDABLE ACRES	ADDITIONAL EMPLOYMENT CAPACITY
High Urban Residential	588.09	33.86	75
Mixed-Use Neighborhood	71.27	25.36	53
Mixed-Use	14.98	1.64	19
Main Street	71.27	5.86	49
Commercial District	197.07	32.61	477
Neighborhood Business	37.75	8.04	67
Local Business	18.88	4.36	32
Business District	104.11	47.53	1,167
General Industrial	93.85	2.18	15
City Totals		161.43	1,954
Unincorporated UGA Employment		56.74	455
Lake Stevens UGA Total		218.17	2,410

DEVELOPMENT TRENDS

A look at development trends inside city limits is helpful to understand how current zoning affects future development potential inside the city and shapes the city's growth strategy. A review of development trends also provides insight into growth potential outside city limits as the city contemplates annexation of unincorporated portions of the UGA. Figure 2.4 shows development activity in the city since 2012.

⁵ Adapted from the Lake Stevens UGA - Additional Population Capacity Table Snohomish County Tomorrow 2012 Buildable Lands Report, June 2013

Residential

The current population target for the Lake Stevens UGA is 46,380. Under current zoning the city and unincorporated UGA should have a surplus population of nearly 509 people based on the buildable lands report. Large portions of the city have developed within the past several decades resulting in a relatively new housing stock. Much of the development within recently annexed areas of the city occurred while these areas were part of unincorporated Snohomish County. The present-day land use pattern within the city and its surrounding UGA remains predominantly single-family residential:

- Approximately 64 percent of land within city (not including HUR zoning district), and
- 61 percent of the entire UGA is zoned for single-family use.

Multifamily residential zones are located near the perimeter of the downtown Central Business District, along Grade Road to the north, along 16th Street NE to the south, and in and around Lake Stevens Center.

- The city has designated nearly 800 acres for high-density single-family and multifamily residential land uses, most of which is High Urban Residential.

The city has also designated several commercial and mixed-use zones that allow multifamily development associated with the underlying commercial use.

Since 2006, Lake Stevens has experienced a steady stream of residential construction, as anticipated in the 2012 Buildable Lands Report.

- Between 2012 and mid-~~2016~~2017, approximately ~~739~~926 new single-family dwellings were constructed. ~~Almost half of these occurred in 2016 (320 single-family permits were issued). Approximately 450 new lots are pending through subdivision.~~

These growth numbers equate to the city achieving over 30 percent of its 2035 housing capacity. As the trend for steady residential construction continues approximately 200 acres of vacant land remains inside the city with another 900 acres of partially-used/redevelopable land available for infill development as of early 2015.

As mentioned, the buildable lands study did not assign a large amount of residential capacity to commercially zoned and mixed-use properties, which allow apartments above the ground floor. It is difficult to predict how many dwellings these zones would accommodate because of a lack of past development history in the city. The potential for accommodating additional dwellings in mixed-use projects is increasing as the city continues to become more urban and with the focus on growth centers through the adoption of distinct subarea plans.

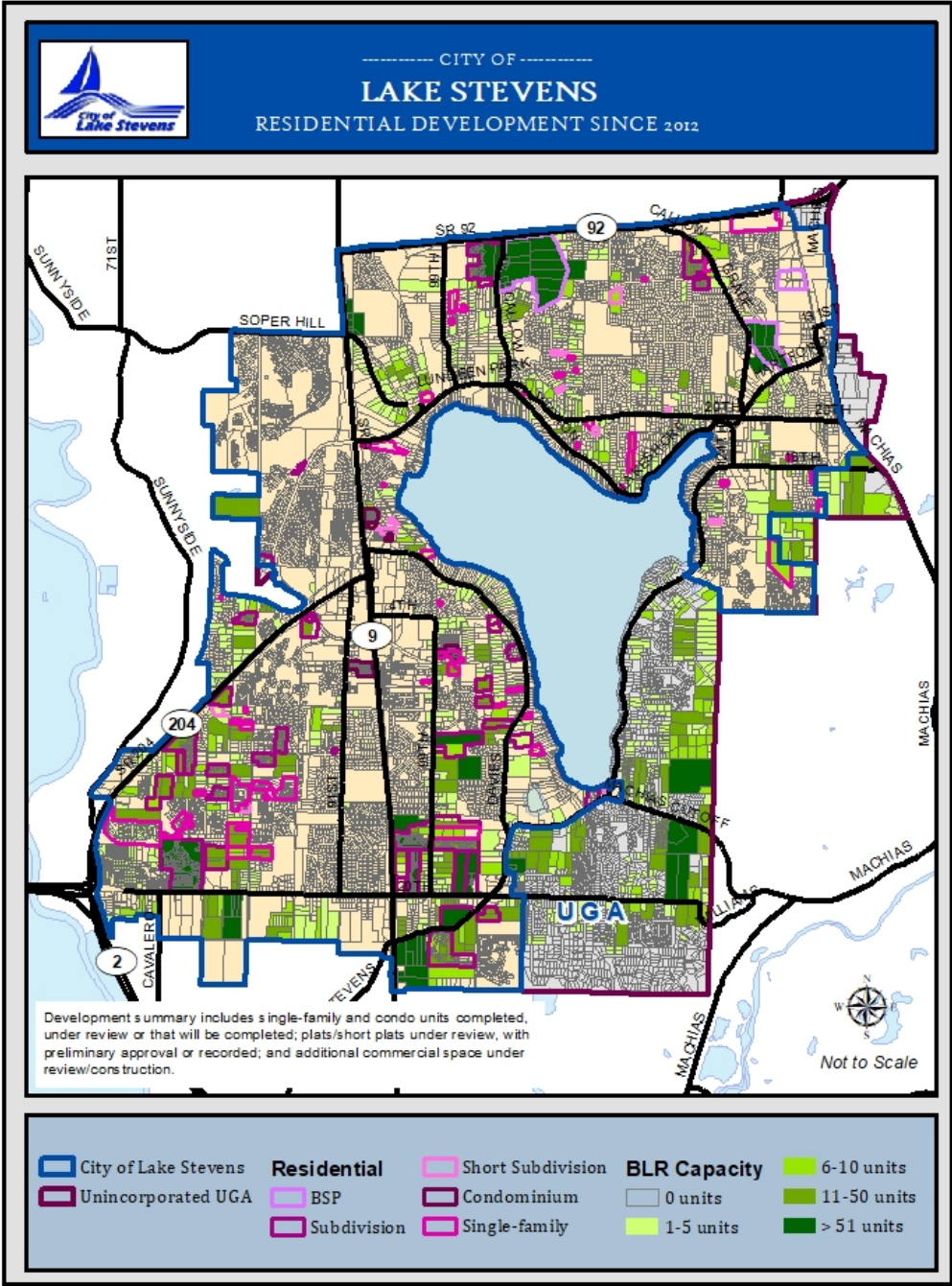


Figure 2.4 – Development Trends Map

Commercial

Lake Stevens has historically had one of the lowest job to household ratios compared to other Snohomish County cities. The city desired to increase the number of employment opportunities given the increasing size of its population and the need to maintain a sustainable and economically healthy community. The city continues to work to improve its house-to-employment ratio through the implementation of reasonable measures, development of subarea plans and its growth strategy. At present, the entire UGA has an employment growth target of 7,821 jobs by 2035. The 2012 BLR estimates a surplus of 1,373 jobs at build out based on a capacity of 7,988 jobs, which exceeds the growth target.

Commercial development has been modest in the city's commercially zoned districts. Downtown Lake Stevens and Lake Stevens Center continue to redevelop.

Between 2012 and mid-2016, the city has approved 43 new commercial/industrial projects, with roughly half of those approved in 2016. The city has also approved a new elementary school and early learning center off of Soper Hill Road and a new shopping center in Lake Stevens Center. There remains untapped capacity for new commercial development throughout the city, notably in the two Planned Business Districts, undeveloped or underdeveloped downtown properties, and properties located in the Lake Stevens Center and 20th Street SE Corridor.

Industrial

The industrial zones remain largely underdeveloped. Much of the industrial activity has occurred on the individual sites or within existing buildings. New construction has been in the form of small additions or low-employment activities (e.g. self-storage, etc.).

- Since the 2012 Buildable Lands Report, the city has approved two industrial projects adding 13 buildings and approximately 108,000 square feet of storage space.
- At present, just over 68 acres of buildable industrial land remains. Most of this land is in the Hartford Road industrial area in the northeastern part of the city.
- The city ~~is reviewing a current~~ approved an industrial land segregation in 2017 that will add additional industrial employment capacity ~~in 2017~~.

The city added approximately 100 acres of employment-oriented zoning, as part of the subarea plans which remain available for development. For example, the new Business District is geared toward high-tech employment, manufacturing and professional offices and medical as principal uses. This zone should attract employers as the city continues to grow because of its central locations and availability of infrastructure.

REASONABLE MEASURES

The Growth Management Act requires that cities consider “reasonable measures” to allow growth to meet the adopted population and employment targets. The following table (Table 4-3) lists the reasonable measures included in the Countywide Planning Policies (part of the 2005 County Comprehensive Plan update), identifies those in effect in Lake Stevens, and comments on their effectiveness or potential.

The reasonable measures with the greatest potential to increase employment in suitable locations include establishment of an economic development strategy and then, encouraging development in centers through subarea planning.

As the city moves forward with the implementation of its Comprehensive Plan, these reasonable measures will be reviewed, revised or added to the city’s regulations and development programs.

Table 2.7 – Reasonable Measures Included in Countywide Planning Policies

MEASURES TO INCREASE RESIDENTIAL CAPACITY			
MEASURE	ADOPTED?	APPLICABILITY	EFFECTIVENESS/POTENTIAL
Permit Accessory Dwelling Units (ADUs) in single family zones	Yes	Allows small accessory units	Good tool for providing affordable housing. The city currently allows accessory apartments in all residential zones on lots having at least 150 percent of the minimum square footage.
Multi-family Housing Tax Credits to Developers	No		
Transfer of Development Rights	Yes	Properties with critical areas	The city has adopted provision in its subdivision code and critical areas codes to allow reduced lots size and development transfers.
Clustered Residential Development	Yes	PRDs and Cluster Subdivisions	The city has adopted provision in its subdivision code and critical areas codes to allow reduced lots size and development transfers.
Allow Co-Housing	Yes	Shared housing by non-family members	The zoning code allows boarding houses and other congregate living arrangements in specified zones.
Increased Residential Densities	Yes	Single-family zones.	The city allows a range of single-family densities ranging from 4 -12 gross units per acre.
Maximum Lot Sizes	No		
Minimum Residential Densities	Yes	Discourages residential sprawl	The city allows a range of single-family densities ranging from 4 -12 gross units per acre.

Reduce Street Width	Yes	Reduced street standards in residential areas	The city allows a variety of standard and reduced road profiles in its Engineering Design & Development Standards
Allow Small Residential Lots	Yes	Smaller lots in compact neighborhoods	The city allows a range of single-family lot sizes ranging from 3,600 to 9,600 square feet.
Encourage Infill and Redevelopment	Yes	New or redevelopment in urban areas	The zoning code allows innovative housing and small lots housing options for infill development.
Inclusionary Zoning	No		Subarea plans encourage as an optional development incentive
Manufactured Housing	Yes	Manufactured homes allowed under the same rules as other housing types	Lake Stevens allows manufactured housing in all residential zoning districts.

MEASURES TO INCREASE EMPLOYMENT CAPACITY

MEASURE	ADOPTED?	APPLICABILITY	EFFECTIVENESS/POTENTIAL
Economic Development Strategy	Yes	Lake Stevens Center and 20 th Street SE Corridor Subareas	In 2012, two subareas were adopted with planned actions to create areas for employment and additional commercial development. An Economic Development Strategy began as part of the subarea planning and will continue in the future. The Downtown subarea plan anticipated for 2016.
Create Industrial Zones	Yes	General and Light Industrial Zones	Capacity exists. Largely undeveloped. Minimal potential for additional implementation.
Zone by building type, not use	Yes, some	Current city zoning is based on use; adopted subarea plans include some regulation by building type	Minimal potential for implementation to significantly alter the growth strategy except within subareas.
Brownfields Programs	No	No known brownfields within the city	
Urban Centers/Villages	Yes	City adopted two subareas that permit a higher density mix of residential and non-residential uses	Implementation through subarea planning with rezoning to increase intensity and density with transition areas between existing residential areas and planning for multi-model transportation system
Allow Mixed Uses	Yes	CBD, PBD and MU zones and within the subareas	City allows mixed-use in MU zones and most commercial zones.
Transit Oriented Design	Yes	Currently there is limited transit service within the Lake Stevens area	Included within subarea plans and Community Transit has identified 20 th Street SE as a transit emphasis corridor for future frequent service.

Downtown Revitalization	Yes	A plan has been developed for the Grade Road portion of the historic town area.	Began historic town center planning in 2006. Downtown framework plan approved in 2013. The Downtown subarea plan anticipated for 2016.
Adequate Public Facilities	Yes	Concurrency standards for infrastructure.	The city has adopted concurrency standards and GMA-based traffic impact, school and park mitigation fees.
Transportation Efficient Land Use	Yes	Mixed-use zoning	No specific measures for transit oriented development.
Urban Growth Management Agreements	Yes		Annexation interlocal agreement with Snohomish County; Traffic interlocal agreement with Snohomish County.
Annexation plans	Yes		Annexation plan adopted for eventual "One Community Around the Lake" in the future.
Reduce off-street surface	Yes	Reduced minimum standard required for office uses	Subarea plans include use of low impact development and building height incentives for reducing surface coverage. Also added use of Floor Area Ratios (FARs) within subareas.
Identify and redevelop vacant buildings	No	Few vacant buildings within city and UGA	Minimal potential for additional implementation to significantly alter the growth strategy. Due to market conditions, some of the few vacant buildings have been redeveloped.
Concentrate critical services near homes, jobs and transit	Yes	Subareas	Subarea plans should bring much needed services to the city at Lake Stevens Center and along 20 th Street SE and additional planning to Downtown.
Locate civic buildings in existing communities rather than in greenfield areas	Yes		City campus, library and post office are located in historic downtown. Plans for new Civic Center north of historic downtown.
Implement permit expedition	Yes	Processing Code and Planned Actions	Although permit review times are not currently extensive, the new processing code adopted in 2010, planned actions adopted in 2012 and a new permit tracking system in 2012 should provide specific requirements for submittal and minimize necessary review times.

MEASURES TO MITIGATE IMPACTS OF DENSITY			
MEASURE	ADOPTED?	APPLICABILITY	EFFECTIVENESS/POTENTIAL
Design Standards	Yes	Applies to commercial and high-density residential development	Community design quality and expectations have increased as a result of the adopted standards. Creating new design standards for cottage housing. City has a Design Review Board. Subarea Design Guidelines were adopted for development within the subareas using the Design Review Board and administrative review.
Urban Amenities for Increased Densities	Yes	PRDs and subareas	PRD plats are required to provide additional amenity. Subarea plans allow for increased floor area ratios with a menu of amenity options.
Community Visioning	Yes		Provided basis of land use policies. Updated in 2006 Plan. Important part of subarea planning, downtown framework planning and shoreline planning.
OTHER MEASURES			
MEASURE	ADOPTED?	APPLICABILITY	EFFECTIVENESS/POTENTIAL
Low Densities in Rural and Resource Lands	N/A		
Urban Holding Zones	Yes	Does not apply to areas within the city	None
Capital Facilities Investment	Yes	Subarea Plans and GMA Traffic Impact Fees	Subarea planning included adoption of a subarea capital facilities plan and GMA traffic impact fees adopted. Expectation is that investment will spur development.
Environmental review and mitigation built into subarea planning process	Yes		Planned actions adopted for the subareas include required mitigation measures. In addition, a GMA-base traffic impact mitigation fee code was adopted with specific fees identified.
Partner with non-governmental organizations to preserve natural resource lands	In Process		City in discussions with various organizations.

LAND USE GOALS AND POLICIES

GOAL 2.1 PROVIDE SUFFICIENT LAND AREA TO MEET THE PROJECTED NEEDS FOR HOUSING, EMPLOYMENT AND PUBLIC FACILITIES WITHIN THE CITY OF LAKE STEVENS.

Policies

- 2.1.1 Accommodate a variety of land uses to support population and employment growth, consistent with the city's responsibilities under the Growth Management Act, Regional Growth Strategy and the Countywide Planning Policies.
- 2.1.2 Review cumulative changes to residential, commercial, industrial and public land use designations during the annual comprehensive plan cycle to ensure employment and population capacity estimates are being met.
- 2.1.3 Review land uses in conjunction with updates to the Buildable Lands Report and Growth Monitoring Report to ensure employment and population capacity estimates are being met. The strategy will be used to amend the Plan as necessary to remain consistent with actual development trends.
- 2.1.4 Direct new growth to areas where infrastructure and services are available or planned to ensure growth occurs in a fiscally responsible manner to support a variety of land uses.
- 2.1.5 Coordinate land use decisions with capital improvement needs for public facilities including streets, sidewalks, lighting systems, traffic signals, water, storm and sanitary sewer, parks and recreational facilities, cultural facilities and schools.

GOAL 2.2 ACHIEVE A WELL BALANCED AND WELL-ORGANIZED COMBINATION OF RESIDENTIAL, COMMERCIAL, INDUSTRIAL, OPEN SPACE, RECREATION AND PUBLIC USES.

Policies

- 2.2.1 Allow the following residential land use designations as described.
 - 1. High Density Residential – Encourage a variety of residential forms of residential structures containing three or more dwellings. Multiple structures may be located on a single parcel, and there are no density limits, provided the project meets the zoning district requirements and other pertinent codes, standards and adopted development guidelines. This land use category also allows limited public/semi-public, community, recreational, and commercial uses.

2. Medium Density Residential – Encourage single-family (1 du/lot), two-family residential and some multifamily housing with a gross density between 4 and 12 units per acre. This designation allows detached, attached, conversion, accessory apartments, townhouses, condominiums, duplexes, tourist homes, special service homes and some manufactured/mobile structures. Also allows limited public/semi-public, community, recreational, and neighborhood commercial uses.
3. Low Density Residential – Allows for single-family homes on large lots, with fewer than four units per acre. Buildings usually have fewer stories and are spaced farther apart with large setbacks to side boundaries and the street, and have large areas of private open space.
2. Waterfront Residential – Provides single-family (1 du/lot) residential uses with a gross density of 4 units per acre on residential properties located adjacent to Lake Stevens subject to the regulations of the shoreline master program. This designation includes detached, tourist homes, special service homes, limited public/semi-public, community, and recreational uses.

2.2.2 Allow the following commercial land use designations as described.

1. Downtown/Local Commercial – Encourages medium to high intensity commercial uses and other dense arrangements of professional offices and retail stores. This designation allows mixed-use development. This land use designation may be placed on lands between higher-intensity commercial areas and residential areas to act as a buffer. This designation also allows limited public/semi-public, community and recreational uses.
2. Mixed-Use – Allows medium to high intensity mixed-use (commercial and residential). It is intended that this land use designation will be placed where a "village atmosphere" is desired, or on lands between higher and lower intensity uses to buffer commercial and residential areas. This designation also allows limited public/semi-public, community and recreational uses.
3. Planned Business District – The Planned Business District allows moderate intensity commercial or mixed-use development. It is intended that this land use designation be placed on lands between higher and lower intensity uses as a buffer or on sites containing sensitive resources. The intent of this designation is to provide detailed planning that would benefit all property owners involved, as well as the public, by allowing transfer of densities among parcels in order to avoid impacts to sensitive resources. It achieves this by requiring that a Master Development Plan be developed for all similarly zoned contiguous parcels before any one parcel can be developed, and that any parcel developed is developed according to that plan. This designation encourages high floor area ratios by allowing a minimum of 2:1, with a 3:1 ratio allowed in designated density receiving areas when excess density is

transferred from a designated sending area. This designation also allows limited public/semi-public, community, and recreational uses.

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

2.2.3 Allow the following industrial land use designations as described

1. General Industrial – This category allows a full range of industrial and employment uses which traditionally can cause impacts to surrounding properties because of the high intensity uses. This designation does not allow any residential (except temporary or caretaker residences). This land use designation should be located in areas with direct access to highways and arterials that provide adequate public services and traffic capacity.
2. Light Industrial – This category includes only those types of industrial, sale, or service uses, which have minimal externalities, but can cause impacts to surrounding properties because of the high intensity uses. This designation does not allow any residential (except temporary or caretaker residences). This land use designation should be located in areas with direct access to highways and arterials that provide adequate public services and traffic capacity.

2.2.4 Allow the Public/Semi-Public land use designation, which is intended for use on all land that is publicly owned. It allows public buildings and services, recreational uses, utilities, and transportation facilities. This designation may also allow a limited range of commercial 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.

Policies

- 2.3.1 Review development standards and regulations to ensure that they possess an appropriate level of flexibility to promote efficient use of buildable land, balanced with the need for predictable decision-making.

- 2.3.2 Preserve and promote the character of existing neighborhoods through thoughtful development regulations and design standards.
- 2.3.3 Encourage infill development on suitable vacant parcels and redevelopment of underutilized parcels. Ensure that the height, bulk and design of infill and redevelopment projects are compatible with their surroundings.
- 2.3.4 Maintain development regulations to promote compatibility between uses; retain desired neighborhood character; ensure adequate light, air and open space; protect and improve environmental quality; and manage potential impacts on public facilities and services.
- 2.3.5 Promote architecture that is pedestrian friendly and conducive to human interaction (e.g., front porches, garages behind houses, small front yard setbacks, no "walled" neighborhoods).
- 2.3.6 Ensure that subdivisions are pedestrian friendly and include ample street trees, adequate sidewalks, walkways and paths connecting plats.
- 2.3.7 Review Development and Design Guidelines for Multifamily Residential, Planned Residential Developments, Commercial and Mixed-Use development outside of subareas.
- 2.3.8 Promote neighborhood commercial uses in appropriate places where the property:
 - a. is located at an intersection with at least one arterial street;
 - b. is at least one-half mile distance from other similarly designated properties; and
 - c. results in no more than two acres of land being designated for neighborhood commercial uses at the same intersection.
- 2.3.9 Promote commercial uses catering to day to day needs of neighbors in locations that are easily reached by foot or local commuters. Proposed uses shall clearly reflect this intent.
- 2.3.10 Encourage nodal development through adoption of zoning designations, specific design guidelines and development regulations.
- 2.3.11 The Planning Commission shall continue to welcome citizen input from all citizens within the incorporated city and unincorporated Urban Growth Area when making planning decisions that affect the city and future annexation areas.

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.

Policies

- 2.4.1 Prior to the adoption of a subarea plan, the city should develop a thorough economic analysis for each growth center that considers investments and expenditures to provide a full range of services and infrastructure in relation to project revenue.
- 2.4.2 Each growth center should consider impacts on existing commercial properties, and residential areas to ensure the compatibility and synergy between existing and new development as a subarea plan is developed.
- 2.4.3 Future subarea planning of growth centers shall include substantial public involvement through multiple meetings, updates in the media and on city-owned modes of communication. The city shall provide clear information as to the benefits, costs, and risks so that the community can provide informed opinions to the Planning Commission and City Council.
- 2.4.4 Ensure that adequate connections are made to link growth centers, subareas and adjacent residential areas.

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.

Policies

- 2.5.1 The lakefront property owned by the city is a valuable community asset under public ownership and with public access. The subarea plan shall ensure that significant lakeside non-commercial public access is maintained for informal and formal recreational opportunities, and is balanced with the desire to develop a vibrant mixed-use downtown
- 2.5.2 Develop or revise specific design guidelines for Downtown Lake Stevens that emphasize a high-quality design and pedestrian orientation and integrated

flexibility in the downtown design concept, within certain parameters such as building location, building massing and circulation.

- 2.5.3 Encourage a design standard that accentuates historic commercial elements and storefronts in Lake Stevens, as documented in Lake Stevens' Historical Museum photography collection and avoids trendy and artificial themes which may be quickly out dated. The architecture should incorporate strong traditional downtown elements and the design concept shall be stable enough to survive the life of the buildings.

GOAL 2.6 PROMOTE AN ACTIVE, HEALTHY AND DIVERSE HARTFORD ROAD INDUSTRIAL DISTRICT.

Policies

- 2.6.1 Pursue and implement incentive programs that would encourage industrial uses which result in high employment densities.
- 2.6.2 Aggressively market the Hartford Industrial Center and aggressively pursue family-wage employers to that revitalized area.
- 2.6.3 Review development regulations to ensure that impacts are kept to a minimum, especially those that affect adjoining, non-industrially zoned areas.
- 2.6.4 Conduct a market study as part of the Hartford Road Industrial Area study to determine any need for expansion, infrastructure needs and marketing strategies.
- 2.6.5 Consider developing a framework plan for the Hartford Industrial Center based on market study.
- 2.6.6 Pursue local improvement districts and grant funding for infrastructure development.

GOAL 2.7 PROVIDE APPROPRIATE BUFFERS BETWEEN LAND USES ADJACENT TO MACHIAS ROAD AND SR-92.

- 2.7.1 Require retention of all trees within a 30' visual/noise buffer along SR-92, SR-9, and the Hartford/Machias Road (as measured from the edge of ultimate right-of-way). Where trees need to be removed because of instability, require replanting of 5-gallon (minimum) conifers at a 3:1 ratio within the 30' buffer.

- 2.7.2 Ensure that design of highway accessible/visible commercial uses along SR-92, SR-9, and the Hartford/Machias Road is aesthetically pleasing from both the roadway and the local roads.

GOAL 2.8 COORDINATE GROWTH AND DEVELOPMENT WITH ADJACENT JURISDICTIONS TO PROMOTE AND PROTECT INTERJURISDICTIONAL INTERESTS.

Policies

- 2.8.1 Participate in the Snohomish County Tomorrow Planning Advisory Committee (PAC) to improve inter-jurisdictional coordination of land use planning activities in the adopted urban growth area.
- 2.8.2 Coordinate planning efforts among jurisdictions, agencies, and federally recognized Indian tribes, where there are common borders or related regional issues, to facilitate a common vision.
- 2.8.3 Promote cooperation and coordination among transportation providers, local governments and developers to ensure that developments are designed to promote and improve physical, mental and social health, and reduce the impacts of climate change on the natural and built environments.

GOAL 2.9 PROMOTE ANNEXATIONS OF LANDS INTO THE CITY IN A MANNER THAT IS FISCALLY RESPONSIBLE TO ENSURE THE CITY IS ABLE TO PROVIDE A HIGH LEVEL OF URBAN SERVICES.

Policies

- 2.91 Affiliate all urban unincorporated lands appropriate for annexation with an adjacent city or identify those that may be feasible for incorporation.
- 2.9.2 It is the city's intent to annex the entire Lake Stevens Urban Growth Area over the planning horizon to become one city, considering the following:
- a. To manage growth in the UGA it is important to note that elected officials who reside within, and represent the Lake Stevens community make the best land use and Comprehensive Plan decisions for the Lake Stevens area.
 - b. To keep locally generated sales tax revenues within the community to meet local needs rather than allowing those revenues to be distributed throughout the entire county.
 - c. To provide an accessible and open forum in which citizens may participate in their own governance.

- d. To create a larger city which can have greater influence on regional and state policy decisions and can be more competitive for grants.
 - e. To stabilize the development environment, striving to bring land use predictability to residents and property owners.
 - d. To ensure that urban infrastructure is provided at the time development occurs to minimize the need to retrofit substandard improvements in the future.
- 2.9.3 To the degree reasonably possible, annexations should serve to regularize city boundaries, and not divide lots. The intent is to ensure practical boundaries in which services can be provided in a logical, effective and efficient manner.
- 2.9.4 Prior to any annexation, the city should consider the effects on special purpose districts and County services within the Urban Growth Area, considering the following:
 - a. Outstanding special bonds or other debt,
 - b. Absorbing the district's or county's service provision responsibilities and acquiring the necessary assets at the appropriate stage (set by state law); and
 - c. Impacts on the district's or county's operations and personnel.
- 2.9.5 The city's intent is to minimize disruption to residents, businesses and property owners in annexed areas, considering the following:
 - a. Annexed property should be designated in the Comprehensive Plan and zoning ordinance in a manner that most closely reflects the pre-annexation designations adopted by Snohomish County. The City Council will consider alternative designations proposed by those properties included in the annexation. Council may adopt alternative designations if it finds the proposal protects the general health, safety, and welfare of the community and it meets the requirements of the Growth Management Act.
 - b. Uses that are either previously established legal non-conforming, or are made non-conforming with the annexation, will be allowed to continue in a manner consistent with the rights established in the city's land use code.
 - c. Annexed areas shall be accorded equal accommodation in the distribution of capital improvements, maintenance of roads and other facilities, police and other services.
 - d. For annexed areas, the city shall strive to ensure annexed areas are fairly represented by the Mayor and city Council, with extra care during the initial two years in which the annexed area may have not had a chance to vote for their local officials.

- 2.9.6 At such time an annexation proposal is made, the city shall make every reasonable effort to provide accurate, timely and useful information to community members so that they may make reasoned and well-informed decisions.

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.

Policies

- 2.10.1 Preserve and accentuate the lake as the centerpiece of Lake Stevens in compliance with the shoreline master program.
- 2.10.2 Preserve and promote a safe, clean living environment.
- 2.10.3 Prohibit storage of soil, yard waste, refuse, machines and other equipment in front yard setbacks.
- 2.10.4 Where a sight distance or safety problem is created, prohibit storage of vehicles in front and side yard setbacks, except on driveways (and then no more than three) or in parking lots.
- 2.10.5 Protect and preserve wetlands and riparian corridors associated with Shorelines of the State and open space corridors within and between urban growth areas useful for recreation, wildlife habitat, trails, and connection of critical areas.
- 2.10.6 Encourage growth that is responsive to environmental concerns and that enhances the natural environment of the lake drainage basin and the area watersheds.

GOAL 2.11 WHERE POSSIBLE, USE ELEMENTS OF THE NATURAL DRAINAGE SYSTEM TO MINIMIZE STORM WATER RUNOFF IMPACTS.

Policies

- 2.11.1 Encourage new developments to use natural drainage patterns and incorporate means to contain storm water pollutants.
- 2.11.2 Encourage new developments to implement “low impact development” techniques which can better manage stormwater while providing cost savings in terms of land and improvements.
- 2.11.3 Recognize that storm drainage problems cross jurisdictional lines and therefore create the need to work with the Drainage Improvement District and residents to address those problems.

- 2.11.4 Adopt and keep current a stormwater control ordinance requiring best management practices for stormwater control, addressing such issues as detention, release, erosion and siltation, etc.

GOAL 2.12 ENCOURAGE ENERGY-SAVING METHODS IN TRANSPORTATION, LAND USE AND BUILDING CONSTRUCTION.

Policies

- 2.12.1 Encourage the development of paths and easements for non-motorized transportation to facilitate pedestrian and bicycle use throughout the city.
- 2.12.2 Encourage new developments to compliment and improve development of a grid system to reduce public and private utility and transportation costs.
- 2.12.3 Encourage energy-saving construction and building operation practices and the use of energy-conserving materials in all new construction and rehabilitation of buildings.
- 2.12.4 Encourage small scale, neighborhood compatible, commercial uses to be distributed throughout the community, thus reducing the need to drive to the nearest “big-box” retailer to pick up day-to-day convenience items. This also provides the opportunity for pedestrian access to stores along with the health and social benefits related to pedestrian activity.

GOAL 2.13 PROMOTE THE IDENTIFICATION, MAINTENANCE, AND PRESERVATION OF SPECIAL HISTORIC, GEOGRAPHIC, ARCHITECTURAL, AESTHETIC OR CULTURAL RESOURCES OR STRUCTURES WHICH HAVE SPECIAL SIGNIFICANCE BECAUSE OF HISTORICAL, ARCHAEOLOGICAL, ARCHITECTURAL, RECREATIONAL, SOCIAL, CULTURAL, AND/OR SCENIC IMPORTANCE THROUGH THE DESIGNATION OF HISTORIC LANDMARKS AND DISTRICTS AND THE ADOPTION OF APPROPRIATE INCENTIVES

Policies

- 2.13.1 Work with other public agencies and/or a local historical society to determine priorities and establish methods for public and private funding to achieve this goal.
- 2.13.2 Encourage the development of written narratives and maps for self-guided tours of significant areas and the provision for site markers to identify significant sites.
- 2.13.3 Encourage additions and alterations to significant architectural buildings to conform to the style and period of the initial construction as much as possible.

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.

Policies

- 2.14.1 Encourage mixed land use and greater land density to shorten distances between homes, workplaces, schools and recreation so people can walk or bike more easily to them.
- 2.14.2 Provide good mass transit to reduce the dependence upon automobiles.
- 2.14.3 Decreases dependence on the automobile by building good pedestrian and bicycle infrastructure, including sidewalks and bike paths that are safely removed from automobile traffic as well as good right of way laws and clear, easy-to-follow signage in proximity to homes, businesses, schools, churches and parks closer to each other so that people can more easily walk or bike between them.
- 2.14.4 Provide opportunities for people to be physically active and socially engaged as part of their daily routine, improving the physical and mental health of citizens by promoting community centers , public/semi-public areas and by offering access to green space and parks where people can gather and mingle as part of their daily activities.
- 2.14.5 Allow persons, if they choose, to age in place and remain all their lives in a community that reflects their changing lifestyles and changing physical capabilities.
- 2.14.6 Develop high quality, compact urban communities throughout the region's urban growth area that impart a sense of place, preserve local character, provide for mixed uses and choices in housing types, and encourage walking, bicycling, and transit use.

EXHIBIT 3

ADDENDUM NO. 3 AND ADOPTION OF EXISTING ENVIRONMENTAL DOCUMENTS

TO THE CITY OF LAKE STEVENS FINAL ENVIRONMENTAL IMPACT STATEMENT (FEIS) FOR THE CENTER SUBAREA PLAN

Adoption of a Proposed Map Amendment and Concurrent Rezone with the 2017 Comprehensive Plan Docket



Prepared in Compliance with
The Washington State Environmental Policy Act of 1971
Chapter 43.21C Revised Code of Washington
Chapter 197-11 Washington Administrative Code
Lake Stevens Municipal Code Title 16

Date of Issuance: November 9, 2017

**ADDENDUM #3 TO THE CITY OF LAKE STEVENS 2012 FINAL ENVIRONMENTAL
IMPACT STATEMENT FOR THE LAKE STEVENS CENTER SUBAREA PLAN**

FACT SHEET

**ADDENDUM NO. 3 AND ADOPTION OF EXISTING ENVIRONMENTAL DOCUMENTS TO
THE CITY OF LAKE STEVENS 2012 FINAL ENVIRONMENTAL IMPACT STATEMENT FOR
THE LAKE STEVENS CENTER SUBAREA PLAN**

Proposed Non-Project Action:

Under the Growth Management Act, the City of Lake Stevens may amend its Comprehensive Plan and Future Land Use Map once per year, with a few exceptions, through an annual docket process. The proposed non-project action consists of minor map and text amendments for the 2017 Docket, including two city-initiated map amendments (with concurrent rezones), city text amendments to the Land Use Element, the Parks, Recreation and Open Space Element, the Capital Facilities element and the Appendices. Standard administrative updates and SEPA documents will be incorporated into the plan. The GMA requirements contained in Chapter 36.70A RCW apply to this action.

City request to change the land use designation of four parcels adjacent to 99th Avenue and Chapel Hill Road from Commercial and Mixed Use Neighborhood to Public / Semi-Public to support new civic buildings (**Attachment 1**). The city will also process a concurrent area-wide, minor rezone to change the zoning designation of the subject parcels to the Public / Semi-Public zoning designation. The subject properties are located within the city's Lake Stevens Center Subarea and are subject to a SEPA addendum to the Final Environmental Impact Statement established for the subareas.

The Lake Stevens Center Subarea was the subject of a Final Environmental Impact Statement (FEIS) and subsequent adoption by Ordinance #877 (October 2012). The FEIS amended and became an element of the Lake Stevens Comprehensive Plan in 2012. The FEIS includes goals, policies, maps and design guidelines that are reflected in Chapter 14.38 of Lake Stevens Municipal Code (LSMC). The city has determined that the proposed map amendment and concurrent rezone as described above will not significantly alter the analysis of alternatives considered in the FEIS for the Center Subarea, including the planned action thresholds. No updates to the currently adopted FEIS are proposed.


Planning and Community Development has prepared this Addendum No. 3 to the City of Lake Stevens 2012 FEIS for the Center Subarea Plan along with an adoption of existing environmental documents.

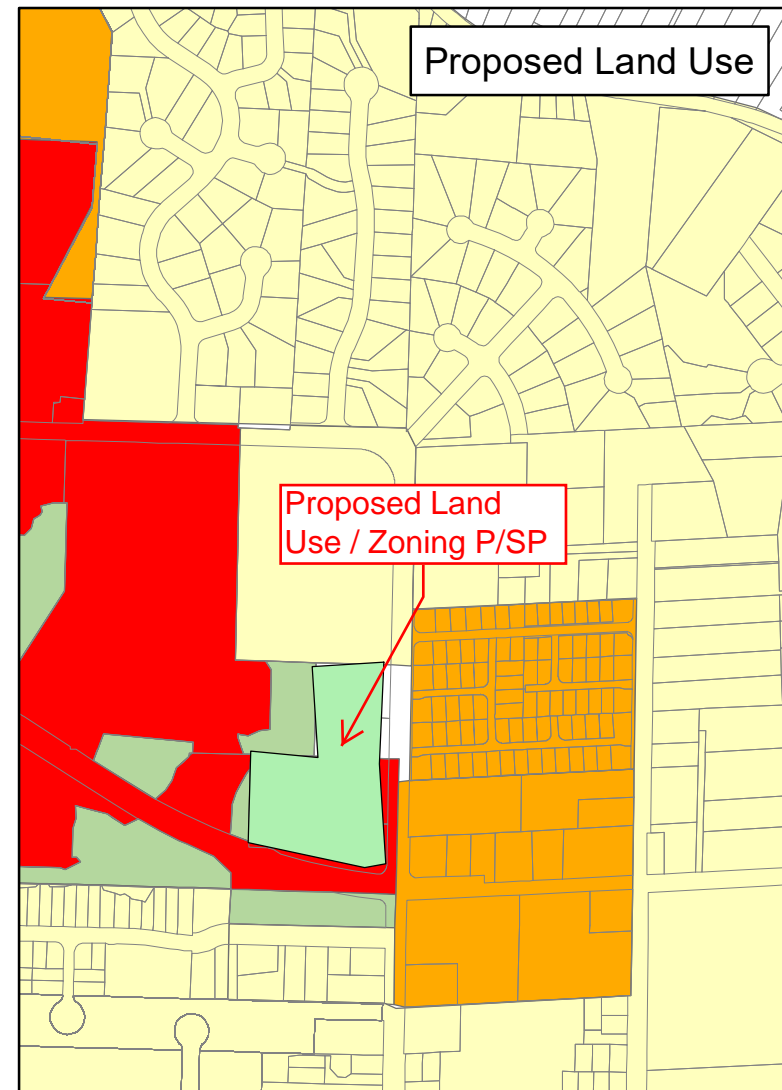
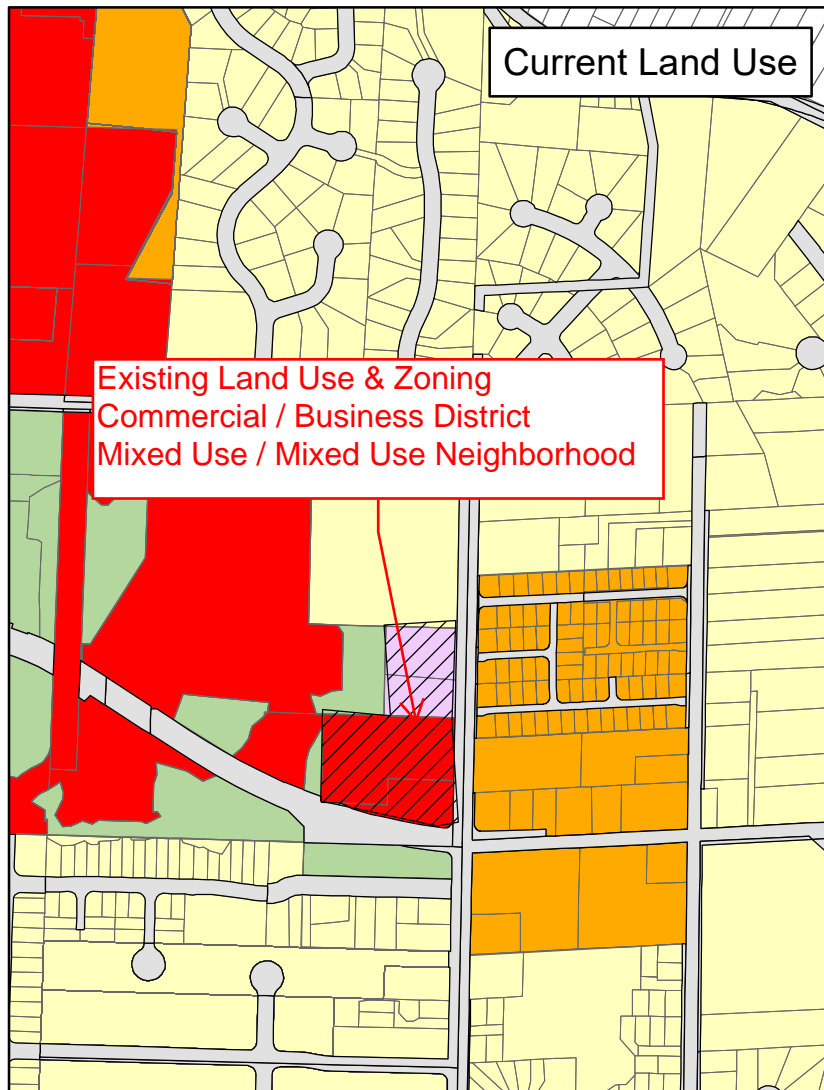
Purpose of the FEIS Addendum:

This addendum and adoption of existing environmental documents is to add information relating to the 2012 Final Environmental Impact Statement (FEIS) for the Lake Stevens Center Subarea Plan. This addendum and adoption of existing environmental documents does not substantially change the analysis of alternatives considered in the City's Center Subarea FEIS or the adopting Ordinance #877 (October 2012). The City has considered the impacts of the proposed

**ADDENDUM #3 TO THE CITY OF LAKE STEVENS 2012 FINAL ENVIRONMENTAL
IMPACT STATEMENT FOR THE LAKE STEVENS CENTER SUBAREA PLAN**












programmatic actions to the FEIS document. No additional significant impacts beyond those identified in the FEIS are expected to occur. To the extent that the existing environmental documents listed in this Addendum or other published documents have analyzed such changes, no additional programmatic action level environmental review will be required. This Addendum is issued in accordance with WAC 197-11-625 and WAC 197-11-630. Additional changes to the proposal may be considered during the public hearing process. The addendum and adoption of existing environmental documents satisfies the City of Lake Stevens' environmental review for the 2017 Comprehensive Plan Docket.

- Location of Proposal:** City of Lake Stevens
- Proponent:** City of Lake Stevens, P.O. Box 257, Lake Stevens, WA 98258
Lead Agency: (425) 377-3235
- Required Approvals:** Adoption of 2017 Comprehensive Plan Docket map and text amendments granted by Lake Stevens City Council.
- Circulation:** This addendum and adoption of existing environmental documents is being sent to SEPA review agencies and interested parties.
- Comment:** No comment period is required for this addendum.
- Contact Person:** Russell Wright, *Community Development Director*
(425) 212-3315 or rwright@lakestevenswa.gov
- Date of Issuance:** November 9, 2017
- Responsible Official:** Signature: 
Russell Wright, *Community Development Director*
- Public Hearing:** Staff has held briefings with both City Council and the Planning Commission related to the analysis of each of the Docket items. The Lake Stevens Planning Commission and City Council will hold public hearings to receive final comments and testimony prior to adoption.
- Documents:** All of the application materials and staff documents are available at the Permit Center. Electronic copies may be requested.
- Attachments:**
1. Chapel Hill Properties map



Chapel Hill Land Use Map Amendment

Land Use Designations

 Commercial	 Public / Semi-Public	 Unincorporated UGA
 General Industrial	 Med Density Residential (MDR)	 Lake Stevens Boundary
 Planned Business District	 High Density Residential (HDR)	 Parcels
 Mixed Use		 Subject Parcels

All data, information and maps are provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for the appropriateness for use rests solely on the requester. The city of Lake Stevens makes no warranties, expressed or implied as to the use of the information obtained here. There are no implied warranties of merchantability or fitness for a particular purpose. The requestor acknowledges and accepts all limitations, including the fact that the data, information and maps are dynamic and in a constant state of maintenance, correction and update.

Data Sources: Snohomish County (2017), City of Lake Stevens (2017)

Date: March 2017



EXHIBIT 4

Chapter 5: Parks, Recreation & Open Space Element



CHAPTER 5: PARKS, RECREATION, AND OPEN SPACE ELEMENT

A VISION FOR PARKS

The city of Lake Stevens will create diverse recreational opportunities for all ages to enjoy parks, trails and activities and local events throughout the community and with expanded access to Lake Stevens. □

INTRODUCTION

Public parks, recreational facilities and open spaces improve the quality of life for community residents by providing areas for families and friends to socialize. Parks and open spaces create natural buffers between neighborhoods and create functional corridors for humans and wildlife throughout the urban environment.

The Parks, Recreation and Open Space Element of the Comprehensive Plan ("Park Plan") establishes specific goals and policies that will help guide decision-making related to acquisition, development and improvement of facilities and lands. The Park Plan contains an inventory of the city's current parks, recreation facilities and open spaces; analyzes the city's ability to provide adequate parks, open space and recreation services; sets service standards and guidelines; and identifies implementation strategies.

PLANNING CONTEXT

State Planning

The Park Plan conforms to the Growth Management Act (GMA) (Chapter 36.70A RCW) and considers the planning criteria developed by the Washington State Recreation and Conservation Office (RCO).

The GMA includes several sections relating to parks, recreation, and open spaces:

- RCW 36.70A.020(9) establishes a planning goal to "Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities." Capital improvements are included within the definition of "Public Facilities."

- RCW 36.70A.030 (Mandatory Element). Cities may impose impact fees for the provision of Public Facilities (including publicly owned parks, open space and recreation facilities) (RCW 36.70A.040, RCW 82.02.050). Impact fees must be based on demands on existing facilities by new development, and additional improvements required to serve new development (RCW 82.02.090).
- RCW 36.70A.070(8) requires a park and recreation element, which is consistent with the capital facilities plan element as it relates to park and recreation facilities. Furthermore, this section states, “The element shall include: (a) Estimates of park and recreation demand for at least a ten-year period; (b) an evaluation of facilities and service needs; and (c) an evaluation of intergovernmental coordination opportunities to provide regional approaches for meeting park and recreational demand.”
- RCW 36.70A.150 states jurisdictions shall identify lands useful for public purposes and that includes recreation.
- RCW 36.70A.160 requires jurisdictions to “identify open space corridors within and between urban growth areas. They shall include lands useful for recreation, wildlife habitat, trails and connection of critical areas as defined in RCW 36.70A.030.”

Regional Planning

The regional perspective for parks and recreation emphasizes identifying availability of lands and opportunities for parks and co-location of facilities, such as schools and parks, in support of its growth strategy including links between open space and neighborhoods.

Countywide Planning

In its General Policy Plan, Snohomish County sets goals and policies for countywide parks and recreation facilities. The county’s plan emphasizes the implementation of state and regional standards and guidance. Some of the primary goals include providing access to diverse, sustainable, effective and efficient services, programs and facilities, maintaining a level of service tied to growth, preserving cultural and historic resources, and coordination with other agencies.

Lake Stevens Planning

The Park Plan incorporates the state, regional and countywide perspectives and includes the planning elements (listed below) as recommended by the RCO, which ensures continued eligibility for grant funds administered by that agency:

- Inventory,
- Public Involvement,
- Demand & Need Analysis,
- Goals & Objectives,
- Capital Improvement Program (six year plan for acquisition, development, renovation, & restoration projects), and
- Plan Adoption.

FACILITY CLASSIFICATIONS, CHARACTERISTICS AND INVENTORY

There are many reasons for governments to provide parks, open space, recreational opportunities, cultural amenities, and trails for their citizens. Parks offer innumerable physical and psychological benefits by providing safe places for the community to exercise, recreate, meditate, and generally escape daily pressures. The city of Lake Stevens has a variety of parks ranging from small mini-parks serving a block or two to community parks designed to provide recreational opportunities to the city and beyond. In addition, special use and school parks, open spaces, and trails expand the variety of recreation areas available to the community. The inventory of parks, open spaces, and trails includes a mix of city and county facilities. Table 5.1 provides a brief description of the facilities, within or adjacent to the city of Lake Stevens, and describes the various park classifications; provides descriptions for each classification; and lists typical sizes, amenities and community service areas.

Inventory of Facilities

The following section includes an inventory of the parks, open space tracts, recreational facilities, and cultural programs and facilities found within or near the city. The city has approximately ~~146-158~~ acres of public parks, 10 acres devoted to special uses, 122 acres of open space and approximately seven miles of the Centennial trail (adjacent to or within city limits) in addition to approximately five miles of park trails. The numbers include city and county facilities (mini-parks, neighborhood parks and community parks), special use parks, trails and open space (undeveloped property and Native Growth Protection Areas). In addition to the public facilities described, there are approximately ~~145-139~~ acres of private parks and open spaces and an additional three miles of private trails that complement the city's inventory. Different homeowner's associations are responsible for these facilities created during the subdivision process for specific neighborhoods.

Community Parks

Community parks have the largest service area and attract citizens from across the community. A large size and variety of amenities characterize community parks. These parks provide a mix of informal, active, and passive recreation areas with permanent facilities. Community Parks are generally at least 10 acres, but must be large enough to provide room for multiple uses such as sports fields, a recreation center and group-use shelters alongside large open areas and playgrounds.

Table 5.1 – Park, Recreation & Open Space Classifications and Characteristics

TYPE	TYPICAL SIZE	DESCRIPTION & TYPICAL AMENITIES	TYPICAL AREA SERVED
Community Park	> 10 acres	Informal, formal, active, & passive recreation parks that serve a community with a mix of features (e.g., playgrounds, landscaping, picnic areas, trails, sports fields, structures, parking, special features, permanent restrooms, etc.)	Within 2.5 miles of residential areas
Neighborhood Park	≤ 10 acres	Informal, active, & passive recreation areas that serve adjacent residential neighborhoods that provide multi-use areas with a mix of playgrounds, landscaping, picnicking, trails, single or small sports fields, parking, restrooms, etc.	Within 1 mile of residential areas
Mini-Park	≤ 1 acre	Small public/private areas including playgrounds, landscaping, plazas, and picnic benches that serve the needs of the immediate neighborhood or commercial district	Within 1/2 mile of residential or commercial areas
School Parks	Varies	Playfields, playgrounds, sports & recreation facilities located at schools, distributed throughout the City, that may substitute for other park types and compliment the City's inventory	Varies
Special Use Parks & Facilities	Varies	Any public or private park or facility providing a unique experience or specific recreation need and/or commercial purpose distributed throughout the city	Varies
Trails & Pedestrian Facilities	Varies	Soft surface or paved trails, walking paths, sidewalks or multi-use trails for walking, hiking, and bicycling distributed throughout the city	1 multi-use trail w/in 1 mile of residential areas
Open Space	Varies	Low intensity and passive recreation areas such as Native Growth Protection Areas, greenbelts, or undeveloped areas distributed throughout the city	Varies, based on resource availability

Community parks should provide easy vehicular and pedestrian access to park users from the street network, sidewalks and bike lanes with dedicated parking areas. Community parks may benefit from multijurisdictional cooperation for facility planning, development and maintenance.

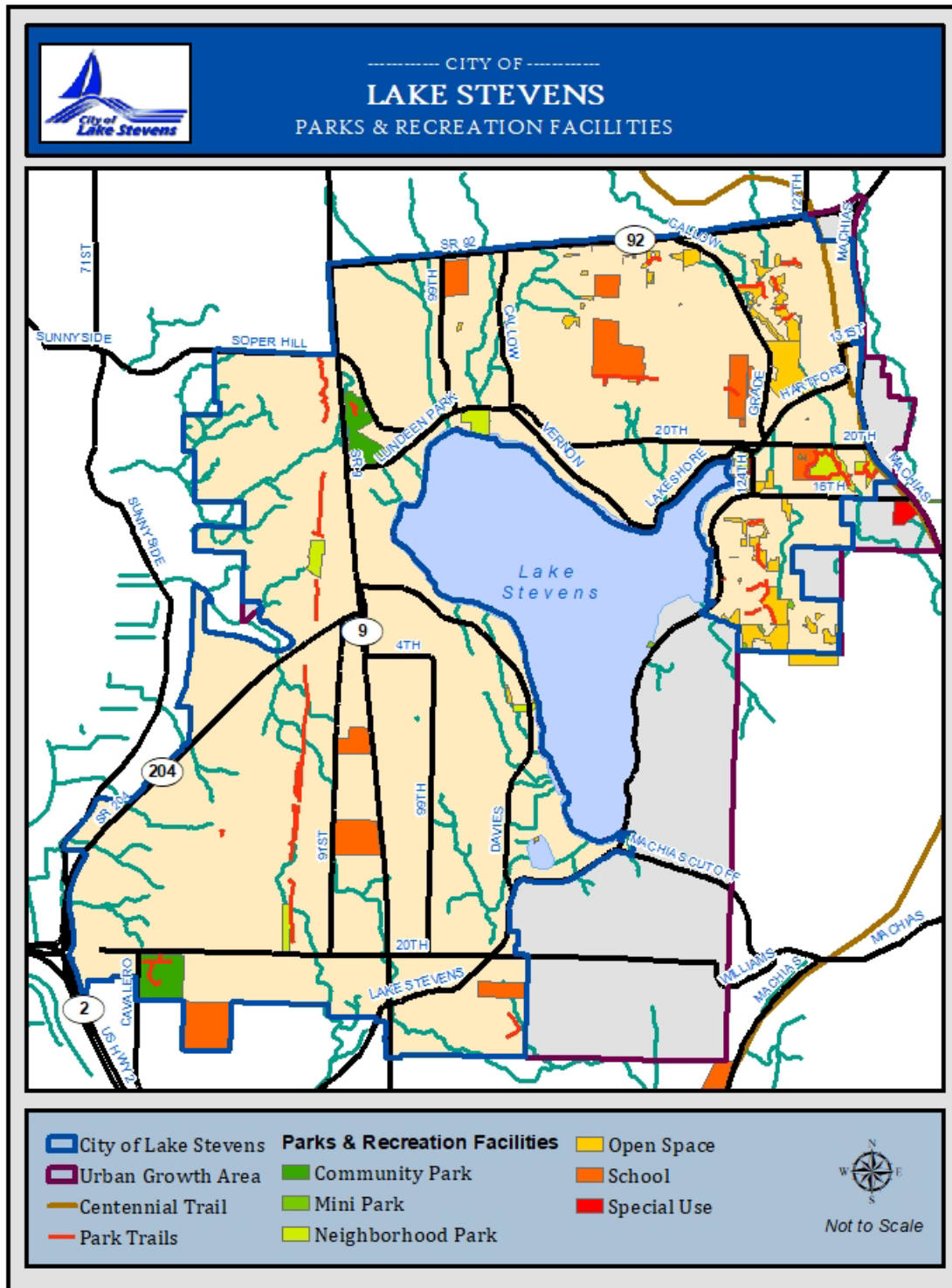
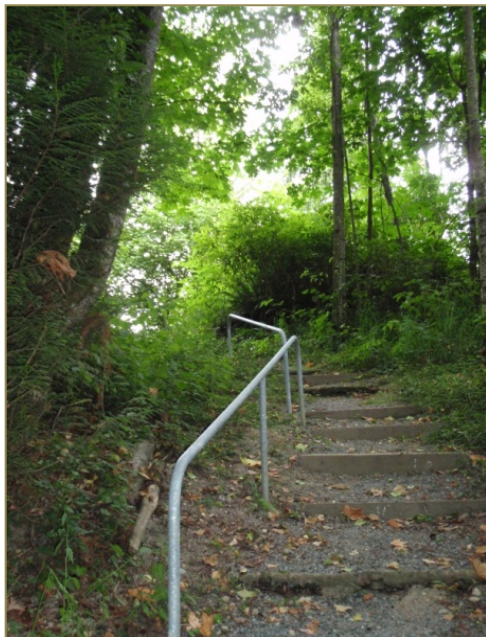


Figure 5.1 – Lake Stevens Parks & Recreation Facilities

Cavelero Community Park – The park is located off 20th Street SE, in the southwestern part of the city. Because the park has a large undeveloped area and is located within the city of Lake Stevens, the city and Snohomish County are ~~preparing to revise~~revising the master plan ~~for this facility~~ through a joint planning effort ~~to include a skatepark, basketball court, playground, parking and a continuation of the 79th Avenue SE. in the near future.~~ Currently Cavelero has an off-leash dog area and undeveloped open space.



Eagle Ridge Park — City Council adopted the Eagle Ridge Park Master Plan in 2010. The plan includes a capital cost estimate and a schedule to implement the Master Plan in three phases over a 10-~~to~~ 15 year period. The master plan includes details for park development and proposed amenities and recreational opportunities. The overall vision for the park is that of an ‘outdoor classroom’ with both passive and active recreational activities that embrace and enhance the natural beauty of this park. Eagle Ridge currently houses the Lake Stevens Senior Center, soft trails, ~~community garden~~ and open spaces. This park is notable for its eagle habitat. The master plan for this park envisions picnic shelters; ~~a community garden~~; amphitheater; interconnected trails and educational features such as an interpretive center, outdoor classrooms and interpretive signage. The plan promotes the use of Low Impact Development in design and construction.



Lake Stevens Community Athletic Park

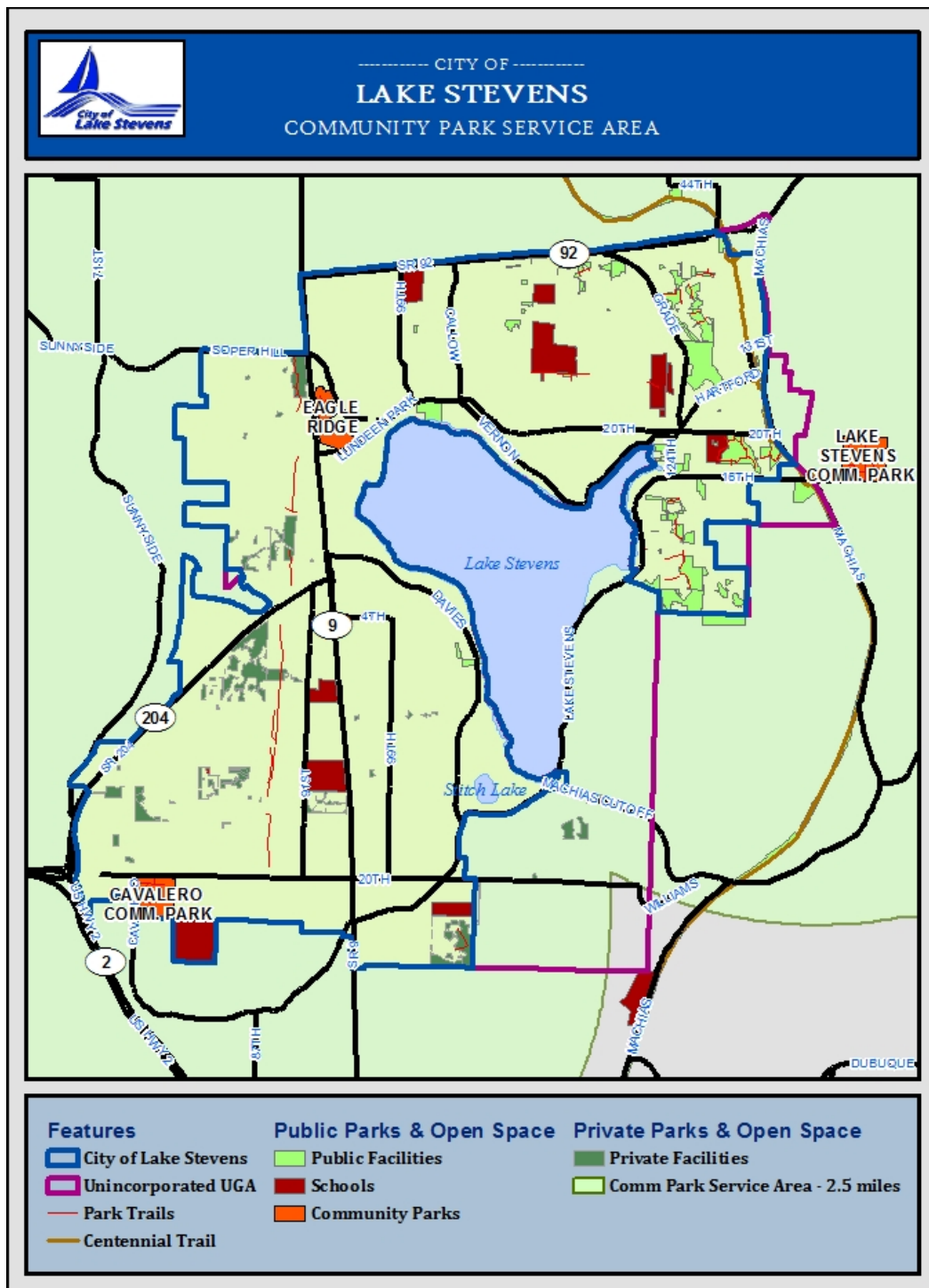
LSC Park, east of the city limits, is a 43-acre Snohomish County park. This park provides the largest athletic complex near Lake Stevens with baseball/softball fields, soccer fields and basketball courts. LSC Park also includes a picnic shelter, playground, walking path, permanent restrooms and landscaping.



Table 5.2 – Community Park Inventory

FACILITY	LOCATION	OWNER	ACRES	PICNIC SHELTER/BENCHES	PLAYGROUND	TRAIL/PATHWAY	BASKETBALL	FOOTBALL/SOCCER FIELDS	SOFTBALL/BASEBALL	VIEW CORRIDOR	RESTROOMS	COMMUNITY CENTER	OPEN SPACE	LANDSCAPING	OTHER
Cavalero Community Park	2032 79th Ave SE	Snohomish County	32.93			X				X			X		X
Eagle Ridge	2424 Soper Hill Road	City of Lake Stevens	28.20			X				X		X	X		X
Lake Stevens Community Park	1601 North Machias Rd	Snohomish County	43.24	X	X	X	X	X	X		X		X	X	
<i>Total Acres</i>			<i>104.37</i>												

As shown in Table 5.2, Lake Stevens Community Park provides the widest variety of recreational and active amenities. However, once Eagle Ridge and Cavelero parks are completed, each park will add amenities.



will diversify the overall profile for community-level parks and contribute a unique set of Planning efforts for these parks should build on the unique characteristics of the site and address underrepresented or community preferred recreational uses. Figure 5.2 illustrates the distribution of community parks within and adjacent to Lake Stevens. As shown, there is a small gap, in the service area, located in the southeastern border of the Urban Growth Area. This small gap creates a minor divergence from the service standard for community parks. This gap may need to be addressed in the future if opportunities arise to provide additional meaningful recreation lands in the vicinity. It is more important to assure that Eagle Ridge and Cavelero parks provide a mix of high-quality recreational amenities, as they develop.

Neighborhood parks

Neighborhood parks are the “backbone” of the city’s parks inventory. These parks offer common gathering sites for social interaction, physical activity and play to residents from contiguous neighborhoods or a larger service area depending on amenities provided. Neighborhood parks should be located in highly visible and centralized locations that provide convenient and safe access for vehicles, pedestrians and bicyclists.

This park type often incorporates passive and active recreational opportunities as well as providing multi-purpose facilities. Neighborhood parks should include permanent restrooms and parking areas.

Catherine Creek Park – An eight-acre community park, which the city leases from the Lake Stevens School District. This park is located adjacent to Mount Pilchuck Elementary School, between 20th Street NE and 16th Street NE. The park is maintained primarily as a "natural" park with a network of trails, access to Catherine Creek, and picnic facilities. It also includes a unique disc golf course, installed and maintained by the community in 2000.



Centennial Woods Park — A 6.3 acre passive recreation park purchased in 1997 through the Snohomish County Conservation Futures grant program. This park includes trails through the site, which connect the Centennial Trail to Catherine Creek Park (with an eye on an eventual connection to downtown).

Frontier Heights – A 6.2-acre park has been recently acquired from the Frontier Heights Home Owners Association. The city is working on design improvements that will include a new playground, multi-use trails and walking paths, sports fields, added and improved parking and other park improvements.

Lundeen Park – A nine-acre multi-use park located south of Lundeen Parkway at 99th Avenue NE. Facilities include a public pier, 500 feet of shoreline, swimming area, two basketball courts, a children's playground and a tot lot (Sarita's Playground), interpretive stations along a salmon-spawning creek, a caretaker's residence, public restrooms, a rinse-off shower, a covered picnic area and 98 parking spaces. The Lake Stevens Chamber of Commerce has a Visitor Center at the park.



North Cove Park – A four-acre waterfront park located at the extreme northeast end of the lake. Access is available to downtown Lake Stevens, next to the City Hall complex. The park has a 250-foot municipal boardwalk/pier (interpretation, fishing & picnicking, but no boat access), picnic tables, and two horseshoe pits. Parking facilities are shared with the City Hall complex. The city is currently planning for future expansion and development of the park.



20th Street Ballfields – A 6.33-acre park acquired that will be developed to include sports fields, parking, walking trails and a new playground.

Wyatt County Park – A three-acre regional park, formerly known as Davies Beach, located four miles from downtown, across the lake, on Davies Road. Facilities include a public boat launch, a dock (for boats), a fishing pier, a swimming area, restrooms, picnic tables, and 80 parking spaces. This park is especially busy during summer weekends.



As shown in Table 5.3, Lundeen Park provides the widest variety of amenities, notably beach access, picnic facilities and playgrounds. Both Centennial Woods and Catherine Creek provide good locations to expand nature trails and add permanent restrooms and parking areas. Many people consider North Cove Park the “heart of downtown”. This Park should undergo a master planning effort to complement the “Downtown Plan” when completed. All of the neighborhood parks could expand playground facilities and add small athletic components. North Cove and Lundeen parks should continue to promote and develop water-related activities.

Table 5.3 – Neighborhood Park Inventory

FACILITY	LOCATION	OWNER	ACRES	PICNIC SHELTER / BENCHES	PLAYGROUND	TRAIL / PATHWAY	BASKETBALL	BEACH / SWIMMING	DOCK	BOAT LAUNCH	VIEW CORRIDOR	RESTROOMS	OPEN SPACE	LANDSCAPING	OTHER
Catherine Creek	12708 20th St NE	Lake Stevens School District	16.55	X		X							X		X
Centennial Woods	131st Dr NE	City of Lake Stevens	6.02			X							X		
<u>Frontier Heights</u>	<u>Frontier Circle West & 88th Avenue NE</u>	<u>City of Lake Stevens</u>	<u>6.2</u>		<u>X</u>	<u>X</u>	<u>X</u>								<u>X</u>
Lundeen Park	10108 Lundeen Parkway	City of Lake Stevens	10.05	X	X		X	X	X		X	X		X	X
North Cove	Main St & North Lane	City of Lake Stevens	2.28	X		X			X		X			X	X

<u>20th Street Ballfields</u>	<u>20^{6.34+2.48} Street SE & 88th Avenue SE</u>	<u>City of Lake Stevens</u>	<u>6.34</u>										<u>X</u>		<u>X</u>
Wyatt Park	20 South Davies Rd	Snohomish County	2.48	X				X	X	X	X	X		X	X
<i>Neighborhood Parks Total Acres</i>			<u>37.3741.10</u>												

Figure 5.3 illustrates the distribution of neighborhood-level parks within Lake Stevens. As shown, there are gaps in the services area in the southern and western part of the city. To provide equity of distribution, the city should concentrate on acquiring lands in the southern part of the city for additional neighborhood parks as opportunities arise. In 2017, the city acquired Frontier Heights as a public park, which eliminated the ~~The~~ gap in the western

part of the city. The city received property from Snohomish County in the southwest part of the city that will be developed into ballfields in the future. is smaller and not as crucial, as two largeA large private parks and an informal trail network provides some recreational outlets for the neighborhoods west of SR-9.

Mini-Parks

Mini-parks often referred to as “pocket parks” or “tot lots” are the smallest recreation sites within the park inventory. Mini-parks may be public or private. Many were created with neighborhood subdivisions. Mini-parks should be easily accessible to surrounding neighborhoods or within commercial centers. Ideally, mini-parks connect neighborhoods or commercial centers by paths, trails, sidewalks, bikeways or greenways.

Kid's Oasis Playground – A 0.5-acre playground located on the grounds of Mt. Pilchuck Elementary School. This park was built in 1992 as a community volunteer project, with help from individuals, businesses, the city and the Lake Stevens School District. The playground is a "fantasy-style" wooden castle. Parking is available in the school parking lot. Children and parents use the playground throughout the year.

North Lakeshore Swim Beach – A popular 0.5-acre waterfront park providing lake access for summertime swimmers on North Cove. This park is located approximately 0.2 miles west of downtown on North Lakeshore Drive. Facilities include 560 square feet of useable beach, a 600 square foot municipal swimming dock, a portable restroom, and 10 parking spaces.



Sunset Beach – This is a 0.25-acre, County-owned, waterfront park whose primary use is water access and picnicking. It is located 0.3 mile south of downtown on East Lake Stevens Road. Facilities include a public dock, picnic tables, and six parking spaces. This park is especially busy during the summer season.

North Lakeshore Swim Beach and Sunset Park provide parallel amenities, while Kids Oasis provides the largest community playground, as shown in Table 5.4. In addition to the public mini-parks there are approximately 18 acres of private mini-parks.

Table 5.4 – Mini-Park Inventory

FACILITY	LOCATION	OWNER	ACRES	PICNIC SHELTER/BENCHES	PLAYGROUND	TRAIL/PATHWAY	BEACH/SWIMMING	SOFTBALL/BASEBALL	DOCK	VIEW CORRIDOR	OPEN SPACE	LANDSCAPING
Mini-Park – Public												
Kids Oasis	12708 20th St NE	Lake Stevens School District	0.36		X							
North Lakeshore Swim Beach	North Lakeshore Dr	City of Lake Stevens	0.71				X		X	X		
Sunset Park	410 E Lake Stevens Rd	Snohomish County	0.60	X			X		X	X		X
Mini-Park – Created w/ Subdivisions Dedicated to the Public												
Semi-Public Mini-Parks			3.26		X	X					X	X
<i>Mini-Park Parks Total Acres</i>			4.93									

The city will continue to promote mini-parks in new neighborhoods and commercial areas as they develop, especially where gaps exist in the city, as shown in Figure 5.4.

School Parks

School parks constitute ancillary facilities, complementing the community's inventory. School parks often provide recreational needs not available at other parks, or provide similar functions as other park types. For example, elementary playgrounds provide a similar benefit to residential areas commonly met by mini-parks or neighborhood parks; whereas, middle schools and high schools may provide community-level or special-use park functions depending on available amenities. Because schools are typically located within residential neighborhoods, they are easily accessible and evenly distributed throughout the community.

Additionally, school campuses provide areas for sports activities, informal recreation uses, and potentially special activities.



The Lake Stevens School District (LSSD) owns the largest percentage of formal recreational/athletic facilities in the city. Many of the facilities are open to the public on a regular basis. The Park Plan promotes policies, which will allow the city to participate in jointly developing and managing parks and recreational facilities with the LSSD and other providers of leisure services to ensure efficient and effective use of the community's resources, avoiding redundant services and facilities.

As described in Table 5.5, the LSSD has six elementary schools – each has playground facilities and a mix of other amenities. There are three middle schools, one mid-high school and a single high school. Each school contains a different mix of athletic fields and play courts. The high school also houses a swimming pool, open to the public, which functions as a special use site.

Table 5.5 – School Parks Inventory (LSSD)

FACILITY	LOCATION	PLAYGROUND	TRAIL/PATHWAY	BASKETBALL	TRACK	TENNIS	FOOTBALL/SOCCER FIELDS	SOFTBALL/BASEBALL	SWIMMING POOL	GYMNASIUM	OPEN SPACE
Cavelero Mid-High	8220 24th St SE		X		X	X	X	X		X	X
Centennial Middle	3000 S Machias Rd			X	X	X		X		X	X
Glenwood Elementary	2221 103rd Ave SE	X					X	X		X	X
Highland Elementary	3220 113th Ave NE	X					X	X		X	X
Hillcrest Elementary	9315 4th St SE	X		X	X			X		X	X
Lake Stevens High	2602 115th Ave NE				X	X	X	X	X	X	
Lake Stevens Middle/ Skyline Elementary	1031 91st Ave SE	X	X	X	X			X		X	X
North Lake Middle	2226 123rd Ave NE		X		X		X	X		X	X
Pilchuck Elementary	12708 20th St NE	X	X				X	X		X	X
Sunnycrest Elementary	3411 99th Ave NE	X	X	X						X	X

Open Spaces and Natural Resources

Open spaces consist of undeveloped lands, passive recreation areas or Native Growth Protection Areas, both public and private. Open spaces allow residents to engage in low-intensity and passive recreation activities such as hiking and bird/wildlife watching, while protecting natural areas and resources. Typical amenities include soft trails, boardwalks, interpretive signage and scenic views. Open space may provide habitat corridors for wildlife and links between neighborhoods for humans. Open spaces frequently buffer potentially incompatible land uses. Open space should be distributed throughout the city.

Currently, the land use code requires dedication of Native Growth Protection Areas on lands with critical areas such as wetlands, streams, and steep slopes during development. The city also requires the dedication or creation of open space as a condition of approval for some subdivisions and attached housing developments. These set asides form a large portion of the open space inventory for the city that must be managed cooperatively between the city, homeowners, homeowners' associations, other agencies and even non-profit land trusts.

The city has many natural resources with the primary resource being Lake Stevens, a 1,040-acre lake and its tributaries, which provide migration, spawning, and rearing habitat for resident and anadromous fish species. The city provides a variety of habitat niches for terrestrial and aquatic wildlife and birds; notably there are many Bald Eagles that live around the lake. Public agencies own many of these open spaces; others are dedicated through the development process or as gifts from property owners. Generally, open spaces are located in critical areas and are retained in a natural state to protect the resource. In total, the city of Lake Stevens includes nearly 124 acres of public and semi-public open space and an additional 111 acres of privately held open space. Together these areas equal approximately four percent of the city. As previously noted, much of this property is within dedicated Native Growth Protection Areas. Open spaces with the potential for passive recreation uses are listed below.

Downtown Open Spaces – Approximately five acres of open space exist between 16th Street NE and 18th Street NE, in downtown Lake Stevens. This area could be developed into a natural classroom with interpretive information, and connected by trails, sidewalks, and boardwalks.



Mill Cove Reserve Park – A one-acre passive recreation park purchased in 1997 through the Snohomish County Conservation Futures grant program. The wooded site is at the location of the historic Rucker Mill and contains wetlands and shore lands. From the site, one can see the pilings that supported the old mill over the lake. The city will continue to seek grant opportunities to finance trails, signage and other passive recreation amenities.

Grade Road/Hartford Open Space – A 25-acre open space originally purchased as a potential municipal campus site located between Grade Road and Hartford Drive. The city has not officially incorporated this site into the open space inventory. However, this site has the potential for an additional natural area for fish and wildlife habitat protection and passive recreation. Appropriate development could include boardwalks and interpretive signage. Additionally, this site could be linked to other natural sites near downtown Lake Stevens.

Trails and Pedestrian Facilities

Soft surface and paved trails, walking paths, sidewalks and multi-use trails for walking, hiking and bicycling make up the category of trails and pedestrian facilities. Paths and trails enhance connectivity between neighborhoods, parks, schools, transit facilities and commercial areas throughout the community and provide opportunities for alternative transportation. Recreational paths and trails can meander away from the road network, creating a focus on interacting with the natural or built environment. Sidewalks provide safe, direct routes between points along a road network.

Approximately five miles of public or semi-public trails exist in the city. Many of the shorter trails link road segments. Some of the newer subdivisions include soft trails within the outer portions of critical area buffers or as paths between different areas. One trail circumscribes the western and southern borders of the high school property. Two miles of trails meander through Catherine Creek Park. Gravel trails leading through Centennial Woods Park connect Catherine Creek Park to the Centennial Trail. There is also a network of informal trails in the power line corridor, located in the western portion of the city. Over time, the city should look for opportunities to enhance and connect these trails into an organized network throughout the city.

The Snohomish County Centennial Trail skirts the eastern city limits, 1.7 miles of which are within the city. Nearly seven miles of the Centennial Trails is adjacent to the city between Centennial Middle School and the Rhododendron Trail Head.

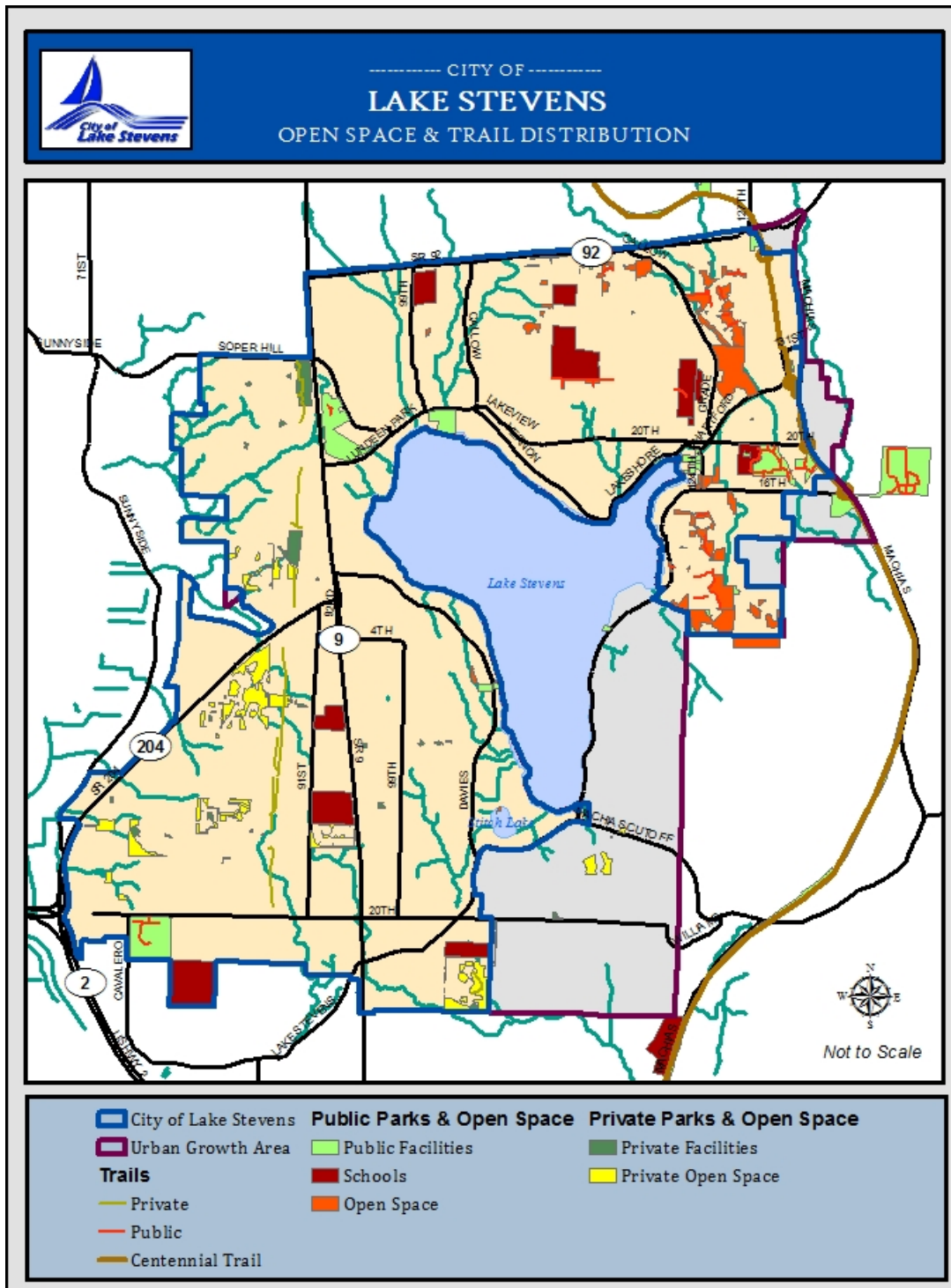


Figure 5.5 – Open Space and Trail Distribution

The trail stretches between the city of Arlington to the north and the city of Snohomish to the south. The trail is planned to extend from the southern Snohomish/King County line to the northern Snohomish/ Skagit County line. The trail serves pedestrians, bicyclists, skaters, and equestrians.

Figure 5.5 provides an overview of public and private open spaces and trail locations within or near the city.

Special Use Parks & Facilities

Special use parks may be any park type or facility (private or public) with a specialized amenity that provides a unique experience, a particular sport or activity, and may provide a revenue income. Special use parks may include boat launches, cultural facilities, community centers, recreation centers/facilities or public art. Commercial enterprises geared toward the lake such as non-motorized uses or the Centennial Trail could compliment the city's inventory of special use facilities. The size of these facilities varies depending on the proposed use and available amenities. Special use parks should be distributed throughout the city. Because demand for special use facilities is generated from within and outside the city limits, the city, county, and other recreation providers should cooperate on locating special use sites.

Bonneville Field Ball Park – A three-acre baseball field, which also provides informal trailhead parking for the Centennial Trail, is located at the intersection of 16th Street NE and Hartford-Machias Road. The Lake Stevens Junior Athletic Association operates this site. Facilities include a baseball diamond and approximately 35 parking spaces. The park is used primarily by organized little league teams during the summer.

City Boat Launch – A one-acre public boat launch and parking lot, with 30 spaces, is located on the eastern shore of North Cove. Access is from 17th Place NE, off Main Street. The Washington State Department of Fish and Wildlife owns this site and leases it to the city. Most users are boaters, anglers, and jet-skiers launching their watercraft. Use is heaviest on summer weekends.



Community Center – Within the City Hall complex is a 1,800 square foot meeting/activity hall with a small (<150 square foot) kitchen. The Center is used for public meetings, activities and classes. The Center is available for rent by the public for specific activities.

Grimm House – The historic Grimm House, associated with the Rucker Mill, is located next to the Historical Museum and serves as an adjunct to the museum. Through volunteer efforts, the house has been relocated and renovated.

Historic Sites – The potential for historic sites in Lake Stevens is excellent because of the city's rich past linked to logging and railroads, evident in remains around the lake. For example, the concrete footing of the water tower serving the Rucker Brothers' Saw Mill is still located in North Cove Park. There are also trestle remains from the mill operations, in the lake, dating back to the turn of the century.

Lake Stevens Historical Museum – Adjacent to the Lake Stevens branch of the Sno-Isle Regional Library is the 1,600 square foot Lake Stevens Historical museum. The museum houses permanent and rotating exhibits illuminating the town's history, the Society's office, and a 1,000-piece historical photograph collection. The Lake Stevens Historical Society, formed in 1982, operates this museum. The Lake Stevens Historical Society is a group of about 150 individuals dedicated to preserving community history through the collecting of information and artifacts and educating the public.

Lake Stevens Senior Center – The Lake Stevens Senior Center, located at Eagle Ridge Park, welcomes all older adults to share in fellowship, classes and social events in the Lake Stevens area. The Senior Center is in a 2,800 square foot building with a commercial kitchen, dining/multi-purpose room, barrier-free bathrooms, office space and additional class and meeting rooms.

Lochsloy Field – The Lake Stevens School District owns this 15-acre site, located north of SR-92, between Lake Stevens and Granite Falls. Facilities include a baseball diamond, numerous soccer fields and a large parking area. Organized league teams use the park primarily during the summer.

Sno-Isle Regional Library, Lake Stevens Branch – The city owns a 2,500 square foot building at 1804 Main Street that serves as a library. The Sno-Isle Libraries provide library services to the community here. The building's size limits the possibility of increasing the collection, adding computer access and increasing programming. Based on current activity levels and 2025 population projections for the Lake Stevens area, Sno-Isle Libraries estimates a need for a 15,000 square foot facility.

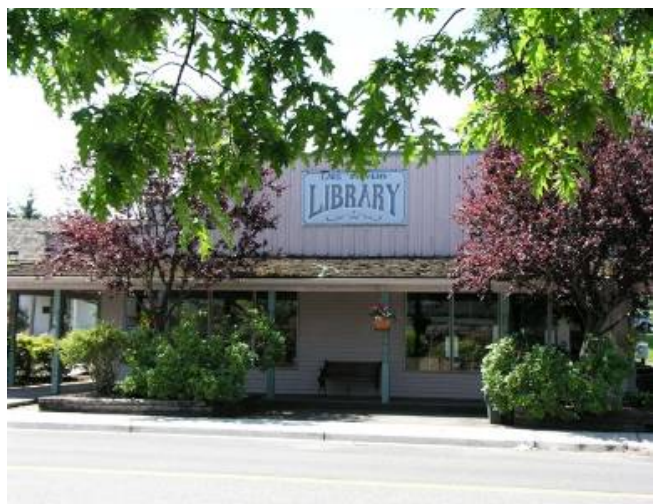


Table 5.6 lists some well-known and popular special use sites and facilities.

Table 5.6 – Special Use Inventory

FACILITY	LOCATION	OWNER	ACRES	FOOTBALL/SOCCER FIELDS	SOFTBALL/BASEBALL	DOCK	BOAT LAUNCH	SWIMMING POOL	VIEW CORRIDOR	OTHER
Bonneville Field	1530 N Machias Road	Snohomish County	7.32		X					X
City Boat Launch	North Drive	WA Dept of Fish & Wildlife	0.89			X	X		X	X
Community Center/City Hall	1805 Main Street	City of Lake Stevens	0.58							X
Grimm House	1804 Main Street	City of Lake Stevens	0.60							X
Library / Historic Society	1804 Main Street	City of Lake Stevens	0.25							X
Lochsloy Field	6710 147th Ave NE	Lake Stevens School District	15.17	X	X					
<i>Special Use Parks Total Acres</i>			24.81							

Recreation Programs, Events and Special Providers

Aquafest – Lake Stevens’ annual city celebration is usually held in July. It includes an aqua-run, children’s activities, fireworks, vendor booths and several parades.

Ironman Triathlon – Lake Stevens hosts an annual World Qualifying Triathlon event with competitors swimming, running and bicycling through Lake Stevens.

Lake Stevens Boys and Girls Club – A one-acre property located at the intersection of 16th Street NE and Main streets. Clubs, Inc., a non-profit organization composed of representatives of the Lake Stevens Lions Club and the Lake Stevens Junior Athletic Association (LSJAA), owns this property. The Boys and Girls Club includes a recently remodeled building, gymnasium and a small meeting room (50-60 person occupancy) available for rent. This room is available at no cost to service clubs and scout troops. The

property also includes a baseball diamond (Bond field), used for youth team sports, and storage/concession area, operated and maintained by LSJAA, behind the gymnasium. Approximately 75 parking spaces are available on the property.

Lake Stevens Junior Athletic Association (LSJAA) – A non-profit youth organization, the LSJAA organizes seasonal teams for baseball, softball, soccer, football, and basketball. User fees fund LSJAA programs.

Lake Stevens School District – The LSSD offers evening and weekend classes in sports, hobbies, job skills, continuing education and other recreational classes. The LSSD operates the indoor swimming pool. The LSSD Community Education program currently provides recreation and leisure service programming, such as summer youth recreation programs and adult programs, in the fall, winter and spring.

Rowing Clubs – Different rowing clubs use Lake Stevens frequently, hosting several large regattas on the lake, including the Washington State Games, as well as offering competitive rowing opportunities for juniors and adults.

Scouting, 4-H, Church Youth Programs, Other Special Interest Groups – All the scouting organizations are represented in Lake Stevens, as well as 4-H. Additionally, many of the churches have youth programs.

FUTURE NEEDS AND LEVELS OF SERVICE

Methodology and Public Process

The city has traditionally based its level of service for parks and recreation facilities on an overall population ratio. Under this model, using the 2012 population estimate of 29,104, the city provides approximately five acres of developed or planned parkland per 1,000 residents. Comparatively, this is within the level of service ranges provided by neighboring communities. As a first step to providing an adequate land supply, setting a broad population-based goal is acceptable. However, there are inherent problems with this method. The city and its UGA have a limited amount of large usable lands remaining. As the city's population grows, it is not likely that it can continue to acquire a larger inventory of new parkland. Secondly, a population-based model ignores access to different types of parks, special features and an equitable distribution throughout the community. Finally, this older method does not inform a jurisdiction on the city's satisfaction with individual facilities, the inventory as a whole or identify preferences for specific types of amenities.

The current needs assessment and proposed service standards seek to address the deficiencies of the previous model. First, the city developed a park classification system previously described in Table 5.1. Second, the city completed an updated inventory of public and private facilities. The inventory categorized the facility by its classification, included

current acreage and identified specific amenities available at each location. Third, the city proposed new level of service standards and mapped the distribution of different park facilities throughout the community based on the defined levels of service. The maps include an overall park distribution and individual distribution of different park types to determine access to residential areas. Fourth, the city developed and distributed a parks and recreation survey. The survey contained questions related to demographics, access to facilities, facility use and preferences, community desires, satisfaction and potential funding sources. Staff distributed the survey by direct mailing to a random sample population, posted it on the city's website and circulated it at city events and meetings during the summer of 2013. Fifth, the Park and Recreation Planning Board held several regular meetings throughout the year and hosted two open houses, at different venues, to reach different city residents. The first open house included a presentation focusing on the current facility inventory and proposed changes to the level of service. The second open house was an informal "meet and greet" allowing Park Board members and staff to discuss parks and recreation issues directly with the public. Staff also briefed the Planning Commission and City Council about the project throughout 2013 at open public meetings. Finally, staff refined the earlier elements based on survey responses and comments from the community and city officials to develop the proposed model.

Level of Service Standards and Goals

The level of service standard (LOS) for park facilities are based on residential access and equitable distribution of facilities to different park types and trails community wide. The LOS standard for community parks is one park within 2.5 miles of residential areas. The LOS standard for neighborhood parks is one park within one mile of residential areas. The service goal for mini-parks (public and private) is one mini-park within 0.5 miles of residential areas. The LOS standard for multi-use trails is one trail within one mile of residential areas. The LOS standard for open space is five percent of the community. Within each facility, the city will strive to maintain a mix of amenities that reflect community use preferences as defined in the most current Lake Stevens Parks and Recreation Survey.

Needs Assessment

Survey respondents suggested that community and neighborhood level parks should receive the highest priorities. Some of the most popular uses included walking/hiking, picnicking, beach/dock use, and swimming. Some of the most desired improvements include walking, hiking and multi-use trails, picnic areas, public docks, a community garden, playgrounds, a skate park, and improved restrooms. Overall respondents claim to be somewhat satisfied with the facilities and amenities. The most common complaint was a perceived lack of amenities. Respondents identified the cost of park maintenance and land for additional access as major issues to be resolved. Popular funding sources include public and private partnerships and user fees.

Through a process of applying the adopted parks and open space LOS standards, reviewing the current inventory and analyzing the 2013 Community Survey, a clear picture of the city's needs for public park and recreation facilities emerges. Four main categories comprise the current needs assessment: Planning, Acquisition, Site Development and Improvements & Maintenance. Each element provides the basis for developing a capital improvement plan. Decision-makers should prioritize the selection of capital projects based on gaps in the service for different park types, distribution of amenities throughout the park network, community preferences, opportunities, and likelihood of partnerships with other jurisdictions or private groups.

Park Planning

To improve existing recreational facilities and design new facilities, the city needs to develop master plans for specific uses in existing parks, in addition to new facilities added to the inventory. Master plans should consider the distribution of existing inventoried facilities and identify locations for improving and developing preferred uses and amenities from the community survey. Specifically, new master plans should consider opportunities to add playgrounds, picnic areas, permanent restrooms and active recreation areas including the location of a permanent skate/BMX park. Additionally master plans should identify potential locations for additional trails and shoreline acquisition and development.

The following list includes a series of proposed planning efforts, based on responses from the community survey, to implement the Park Plan.

1. Coordinate with Snohomish County to plan park facilities jointly within or adjacent to the city. A specific example for a capital project would be developing a coordinated master plan for Cavalero Community Park. This project would meet the identified preference for development of community level parks. This site should include a more formal trail network and could continue to include an off-leash dog area. A master plan for Cavalero should provide a formal parking area, restrooms, playgrounds, scenic views, picnic areas, and consider the inclusion of some type of active recreation amenity.
2. Craft a master plan for trails emphasizing formalizing the power line trail system into a multi-use trail, developing a lakefront path within the public right-of-way along Lake Stevens that provides pedestrian access to the waterfront at various locations and creating trail links between the western and eastern portions of the city, ultimately linking to downtown and the Centennial trail. Survey respondents identified walking paths and multi-use trails as preferred uses consistently throughout the community survey.
3. Develop a master plan to improve North Cove Park that addresses the need for additional beach access, playgrounds, picnicking, restrooms, etc. – all of which are community-preferred improvements. A master plan for North Cove Park should parallel downtown planning efforts.

4. Develop a master plan for non-motorized uses of the waterfront including swimming areas, beach use, rowing/paddling and public docks/piers. Improved shoreline access and a variety of water-related activities are important identified issues by residents. This project should be coordinated with a variety of user groups and stakeholders.
5. Prepare an open space plan for the various downtown shorelines, wetlands and riparian open spaces (e.g., Mill Cove Reserve, 16th and 18th Street wetlands and Grade Road open space) with an emphasis on low impact development, interpretative education and linkages. The community identified habitat protection and development of interpretive sites as an important goal for the community parks, recreation and open space system.
6. Produce a park wayfinding program, to identify the locations of parks and recreational facilities throughout the community. A wayfinding program would be crucial to providing a uniform image and highlighting existing and proposed site improvements.

Acquisition

Based on the distribution of park facilities and survey responses, the city should identify opportunities to acquire the following lands to meet the recreational needs of city residents. Decision-makers should include one or more of these potential acquisitions as placeholders on the capital program list to act on as opportunities are identified.

1. The city should identify a locations for ~~two a~~ new public neighborhood level parks in the south~~eastern~~ ern part of the city, near 20th Street SE. ~~Acquisitions should include one park on each side of SR-9 to ensure equity of distribution. It is advisable to provide one park on the northern side of 20th Street SE that can be accessed on foot from the numerous developments occurring in this area.~~
- ~~2. The city should identify a location for a public neighborhood level park in the central part of city – west of SR-9. As noted earlier, acquisition of public property in this vicinity is important, but is secondary to acquiring lands in the southern part of the city because of the two large private parks in this area.~~
- ~~3.2.~~ The city should identify locations for additional shoreline properties on Lake Stevens. Shoreline acquisition should consider expansion of current properties, a balanced distribution of access points on all sides of the lake, lands that can provide a mix of active and passive recreation activities and linear access tracts for trails, paths and view corridors.
- ~~4.3.~~ Rights-of-way/easements for multi-use trails, pedestrian paths and sidewalks throughout the city with an emphasis on lakefront locations, the power line corridor in the western part of the city and east/west connections to the Centennial Trail and downtown.

Site Development

Some projects are ready for immediate implementation and construction. Decision-makers should give these projects a high-priority for inclusion on the capital project list. As the city completes other master plans, Council should consider adding these as future capital projects.

1. Complete construction of Eagle Ridge Master Plan's Phase 1 improvements (e.g., roofing garage and barn, vegetation maintenance, landscaping, community garden, trail development, interpretive signs, interpretation center, etc.) and start construction of Phase 2 improvements (e.g., restroom facilities and trailhead parking area, etc.) and Phase 3 improvements (e.g. playgrounds, parking lot, picnic shelter, amphitheater, etc.
2. After acquisition of right-of-way/easements, the city should begin constructing the power line trail in phases.
3. Frontier Heights
- 2.4. 20th Street Ballfields

Park Improvements / Maintenance

Several projects do not need significant planning, but will help implement community desires and preferences and should be included on the capital project list. Such projects involve maintenance and repairs or improvements to existing facilities. Many of these projects could be completed through cooperative efforts between the city and stakeholder groups. Specific examples for consideration as a capital project follow.

1. Repair existing soft trails at Catherine Creek Park and Centennial Woods. This may include clearing brush and installing new surface materials on trails. The city should endeavor to define trailheads and install location and wayfinding signage between the two sites. As appropriate, city staff could install additional amenities at these sites including formal seating areas and picnic facilities along with restroom facilities.
2. Coordinate with user groups to repair and improve the disc golf course in Catherine Creek Park.
3. Construct a pedestrian pathway between Downtown Lake Stevens and the Centennial Trail along Hartford Drive NE terminating at land dedicated to the city for creating a new trail connection. The project would include improvements along Hartford Drive NE such as directional signage, striping and other safety features. The new trailhead should include landscaping, a paved trail connection, signage and possibly a seating area. If space is available, the site could include parking spaces for one or two cars.
4. Coordinate with the Washington Department of Fish and Wildlife on necessary repairs and improvements to the city boat launch. Improvements may include repairs to the boat launch, parking area, and the addition of a non-motorized launch.

Capital Projects

An analysis of existing conditions and projected needs in the previous section highlighted the areas of concern and opportunities for Lake Stevens. The Capital Facilities Element contains a strategy for achievement of the city's goals in light of the existing conditions in the city and identified needs. Capital projects will be prioritized based on the survey result preferences, needs assessment, levels of service and relationship to economic development opportunities. The following list of different project types should be considered for inclusion in the Capital Facilities Element.

Planning Project No.1 - Wayfinding Plan

Total Cost: \$20,000

Target Start Date: ~~2016~~2018-2017-2020

Description: Produce a park wayfinding program in conjunction with economic development efforts to create a standard package for locating parks and recreational facilities and identifying amenities throughout the community.

Proposed Funding Sources: Impact fees

Location: Citywide

Justification: A wayfinding program would be crucial to providing a uniform image and highlighting existing and proposed site improvements to support economic development.

Planning Project No.2 - Trails, Paths and Pedestrian Facilities Master Plan

Total Cost: \$15,000

Target Start Date: ~~201518~~On-going

Description: Master plan for trails, paths, and pedestrian facilities identifying appropriate connections and engineered details for various trail types with an emphasis on trail connections, the power line trail, and a path around the lake.

Proposed Funding Sources: Impact fees, Development

Location: Citywide

Justification: This project would meet the identified preference for developing safe walking paths and multi-use trails throughout the community.

Planning Project No.3 - Downtown Open Space Master Plan / North Cove Park

Total Cost: ~~\$802,000~~,000 (Phase I)

Target Start Date: ~~2017-2018~~2018-2023

Description: Open space plan for various downtown open spaces including shoreline, wetland, and riparian areas. The plan would include environmental analysis, identify

appropriate connections between areas, develop interpretive information and provide engineered details for boardwalks, viewing areas and signage.

Proposed Funding Sources: Impact fees, Grants

Location: Mill Cove Reserve, Grade Road Open Space, Wetlands between 16th Ave NE and 18th Ave NE

Justification: This project would meet the identified preference for balanced habitat protection and development of interpretive sites as an important component in the community parks, recreation and open space system.

Acquisition Project No.1 - Lakeside Path Right-of-Way/Easement Acquisition

Total Cost: \$1,610,066

Phase 1 (Northern Section approximately 3,800 linear feet) – \$237,382

Phase 2 (Eastern Section approximately 3,600 linear feet) – \$222,684

Phase 3 (Western/Southern approximately 18,000 linear feet) – \$1,150,000

Target Start Date: 2015-2034

Description: Purchase rights-of-way/easements for walking paths around the lake.

Proposed Funding Sources: Local Contributions, Impact fees, Grants

Location: Road network around Lake Stevens

Justification: This project would meet the identified preference for developing safe walking paths and multi-use trails throughout the community.

Acquisition Project No.2 - Neighborhood Park Acquisition

Total Cost: ~~\$317,671~~500,000

Phase 1 ~~(Southwest Lake Stevens between 5 – 10 acres) – \$158,835~~

Phase 2 ~~(Southeast Lake Stevens between 5 – 10 acres) – \$158,835~~500,000

Target Start Date: ~~2019~~2019 - 2024

Description: Identify locations for and acquire lands for ~~two a~~ neighborhood level parks in the southe~~aste~~rn part of the city. ~~Acquisitions should include one park on each side of SR-9 to ensure equity of distribution.~~

Proposed Funding Sources: Impact fees

Location: Southern part of the city, near 20th Street SE

Justification: This project would meet the Level of Service standard for access and distribution of neighborhood level parks.

Acquisition Project No.3 - Shoreline Acquisition

Total Cost: \$1 – 1.5 million

Target Start Date: 2017-2022

Description: Identify locations for and acquire shoreline property that can provide a balance mix of water related activities around Lake Stevens.

Proposed Funding Sources: Impact fees, Grants

Location: Lake Stevens

Justification: This project would meet the identified preference for acquisition and development of additional shoreline properties as an important part of the community parks, recreation and open space system.

Acquisition Project No.4 – Power Line Trail Right-of-Way/Easement Acquisition

Total Cost: \$838,200

Phase 1 (Northern Portion approximately 6,350 linear feet) – \$419,100

Phase 2 (Southern Portion approximately 6,350 linear feet) – \$419,100

Target Start Date: ~~2020-2025~~ On-going

Description: Purchase rights-of-way/easements for multi-use trails in the power line corridor.

Proposed Funding Sources: Impact fees, Grants

Location: Power line corridor in the western part of Lake Stevens

Justification: This project would meet the identified preference for developing safe walking paths and multi-use trails throughout the community.

Acquisition Project No. 5 – Frontier Heights Park Acquisition

~~**Total Cost:** \$191,000~~

~~**Target Start Date:** 2016-2017~~

~~**Description:** Acquire Frontier Heights from a private Homeowners Association and renovate existing facilities to increase safety standards.~~

~~**Proposed Funding Sources:** Grants, Impact Fees~~

~~**Location:** Adjacent to Frontier Circle East and west of SR-9~~

~~**Justification:** This facility would add a public neighborhood level park in western Lake Stevens~~

Development Project No.1 – Complete Phases 1, 2, and 3 of the Eagle Ridge Master Plan

Total Cost: ~~\$911,922~~\$884,422

Phase 1 – ~~\$100,000~~ 72,500

Phase 2 – \$271,205

Phase 3 – \$540,717

Target Start Date: 2015-2020

Description: Construct remaining improvements identified as Phase 1 improvements and then begin construction of Phase 2 and Phase 3 improvements identified in the Eagle Ridge Master Plan.

Proposed Funding Sources: Impact fees, Development

Location: Eagle Ridge Park

Justification: This project would meet the identified preference for developing community level parks.

Development Project No.2 - Power Line Trail Construction

Total Cost: \$1,341,660

Phase 1 (Northern Segment construct approximately 6,350 linear feet) – \$699,960

Phase 2 (Southern Segment construct approximately 6,350 linear feet) – \$641,700

Target Start Date: ~~2017-2018~~ On-going

Description: Construct multi-use trail along utility corridor.

Proposed Funding Sources: Impact fees

Location: Power line corridor in the western part of Lake Stevens

Justification: This project would meet the identified preference for developing safe walking paths and multi-use trails throughout the community.

Development Project No. 3 - Cavelero Community Park Master Plan Joint Planning

Total Cost: \$2,425,000

Start Date: ~~2016-2017~~ - ~~2017~~ 2019

Description: Coordinate with Snohomish County on its planning efforts for Cavalero Community Park to ensure it provides city preferred recreation amenities. Park master planning to be completed in 2016. Development of initial phases to begin in 2017.

Proposed Funding Sources: State, Local Contributions, Impact fees

Location: 20th Street SE and 79th Ave SE

Justification: This project would meet the identified preference for developing community level parks.

Development Project No. 4 – Frontier Heights Redevelopment

Total Cost: \$460,000

Target Start Date: 2018-2022

Description: Renovate existing facilities in two phases to increase safety standards. Phase I improvements will include installing a new playground, restrooms, picnic facilities, sports courts and a walking path along with parking. Phase II will include the renovation of the ballfields and trail extension.

Proposed Funding Sources: Grants, Impact Fees

Location: Adjacent to Frontier Circle East and west of SR-9

Justification: This facility would improve a public neighborhood level park in western Lake Stevens

Development Project No. 5 – 20th Street Ballfields Development

Total Cost: \$200,000

Target Start Date: 2018-2022

Description: Renovate existing facilities in two phases to increase safety standards. Phase I will include re-grading the existing fields. Phase II will include installing a new playground, walking path and parking along with renovation of the ballfields and trail extension.

Proposed Funding Sources: Grants, Impact Fees

Location: 20th Street SE and 88th Ave SE

Justification: This facility would improve a public neighborhood level park in southwestern Lake Stevens

Improvement Project No.1 - Hartford Road Walking Path/Trail Head

Total Cost: \$41,173

Target Start Date: ~~2016~~2018-20172019

Description: Improve the pedestrian pathway between Downtown Lake Stevens and the Centennial Trail along Hartford Drive NE and construct a new trailhead at the intersection of Hartford Road and 131st Ave NE.

Proposed Funding Sources: Mitigation, Grants

Location: Hartford Drive NE between 20th Street NE and 131st Ave NE

Justification: This project would meet the identified preference for developing safe walking paths and multi-use trails throughout the community.

Improvement Project No.2 - Catherine Creek and Centennial Woods Trail Improvements

Total Cost: \$15,206

Phase 1 (Catherine Creek approximately 4,460 linear feet) – \$11,097

Phase 2 (Centennial Woods approximately 1,127 linear feet) – \$4,110

Target Start Date: 2020

Description: Improve existing soft trails at Catherine Creek and Centennial Woods.

Proposed Funding Sources: Impact fees, Local Contribution

Location: Catherine Creek and Centennial Woods Parks

Justification: This project would meet the identified preference for developing safe walking paths and multi-use trails throughout the community.

Improvement Project No.3 – City Boat Launch Improvement

Total Cost: \$544,000

Target Start Date: 2017 - 2019

Description: Construction of a fully renovated boat launch along with development of associated amenities to modernize the site, improve public safety and enhance access for all users.

Proposed Funding Sources: Washington State Recreation and Conservation Office Grant and park mitigation

Location: Lake Stevens Town Center on the lake's North Cove off 17th Place NE

Justification: This project would meet the identified preference for improved boat launching facilities and increased site usability and safety for all boaters.

Improvement Project No. 4 – Lundeen Park Improvements

Total Cost: \$~~234,959~~315,000

Target Start Date: ~~2016-2017~~2017 - 2020

Description: ~~Establishing a civic office as a visitor center for the city and Chamber of Commerce, tThe removal of~~Remove trees to improve visibility and safety, promote healthy growth of crowded planting beds and to remove hazardous / unhealthy trees, and promote healthy growth of crowded planting beds and to remove hazardous / unhealthy trees. ~~Install new irrigation and drainage system. Upgrade playground equipment. Install~~ The installation of a non-motorized craft launch, new play equipment and a walking path. ~~Earthwork will be performed to provide access to the approximate 1600 square foot Visitor Center including providing ADA compliant access and new parking spaces.~~ Future phases will include improvements to the parking lot and site

~~drainage. — removal of approximately additional hazardous / unhealthy trees, tree replacement and site restoration.~~

Proposed Funding Sources: Impact fees

Location: 10020 Lundeen Parkway, Lake Stevens, WA 98258

Justification: This project would meet the identified preference for improving neighborhood level parks.

Financing

Parks and recreation facilities users do not necessarily recognize political boundaries; therefore, it is imperative that jurisdictions plan for and provide recreation facilities to meet the needs of the community jointly. Recognizing this fact also allows a more efficient system to be established using scarce tax dollars to provide for the recreational needs of regional populations. For example, it is more efficient to build a swimming pool between two jurisdictions where demand exists than to build two separate pools three blocks from each other simply because each city feels that tax dollars should be spent in individual communities. The city should continue to place emphasis on a balanced, cooperative approach to parks and recreation planning.

In accordance with the Revised Code of Washington Sections 82.02.050 and 82.02.060, the city is to provide a balance between impact fees and other sources of public funds to meet its capital project needs. Revenues from property taxes, user fees (if imposed), sales taxes, real estate taxes, grants and other revenue sources need to be used to pay the proportionate share of the growth-generated capital facilities costs. Therefore, the city's commitment to improving the parks system is not solely reliant on impact fees.

Impact Fees

Once a LOS is adopted, impact fees may be assessed under GMA to ensure that levels of services are maintained as the population grows. It is required that impact fees be based on the LOS in place at the time of development. It is in the city's interest to ensure impact fees are current as allowed under GMA based upon the level of service established in this element. The amount that could be charged new development would be determined through a separate fee study.

General Revenues

Unlimited general obligation bonds may be submitted to voters for park and recreation purposes. These bonds require approval by at least 60% of the resident voters during an election that has a turnout of at least 40% of those who voted in the last state general election. The bond must be repaid from a special levy which is not governed by the six percent statutory limitation on the property tax growth rate.

Grants

While the city has been successful in obtaining grants for parks, the lack of match has proved to be a constraint on obtaining even more grants. With a larger community, it is anticipated that the city's resources could be better leveraged with more and larger grants.

Special Revenue Funds

Conservation Futures: By state law, counties can elect to levy up to \$0.065 per \$1,000 of assessed valuation for all county properties to acquire shoreline or other open space lands. In 1997, the city obtained conservation future funds to purchase about 21 acres of open space lands contained in three parks.

Real Estate Excise Tax (REET): State law allows counties the option of imposing excise taxes on the sale of real estate. The tax may be imposed up to \$0.25 per \$1,000 in sale value to be used to finance capital facility developments, including the acquisition and development of park and recreational facilities.

Foundations

As another source of revenue, being explored, could be fundraising through the Parks and Arts foundation. The Parks Board and Arts Commission have agreed to look at developing a non-profit 501C Foundation that would provide the ability for people to make tax-exempt contributions that directly support parks and art activities.

GOALS AND POLICIES

An analysis of existing park, recreation and open space facilities along with community input provide the basis for establishing goals and policies within the Park Plan. The goals and policies provide guidelines and actions for achieving that Plan. Goals are broad intent statements that describe a desired outcome. Policies provide the framework for developing specific measurable actions.

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.

Policies

- 5.1.1 Provide a system of multi-purpose neighborhood and community parks, throughout the community, accessible to all residents that meet the following levels of service:
 - a. Neighborhood Parks – one park within a one-mile radius of all residential areas and
 - b. Community Parks – one park within a 2.5-mile radius of all residential areas.

- 5.1.2 Provide a park, recreation and open space system with activities for all age groups and abilities, equally distributed throughout the community, with an emphasis on youth-oriented activities.
- 5.1.3 Provide a balanced mix of active recreational facilities including but not limited to court and field activities, skateboard/BMX areas, and multi-use trails and passive recreation facilities, including but not limited to, hiking/walking, shoreline access and picnicking accessible to the largest number of participants.
- 5.1.4 Promote balanced lake access for pedestrians and motorized and non-motorized watercraft so all segments of the population can enjoy the lake and have access to its recreational opportunities.
- 5.1.5 Encourage the inclusion of performing arts facilities in public parks and recreation areas and incorporate visual arts into the design of park features, such as railings, benches, buildings and other amenities.
- 5.1.6 Support the use of indoor community spaces for arts and crafts, music, video, classroom instruction, meeting facilities and other spaces for all age groups on a year-round basis.
- 5.1.7 When appropriate and economically feasible, participate in the development of special interest recreational facilities.
- 5.1.8 Continue to participate in the annual Aquafest community celebration.
- 5.1.9 Identify recreational and cultural needs opportunities for special needs populations.
- 5.1.10 Support the Lake Stevens Historical Society in their efforts to inventory significant historical and archaeological resources and to provide information to the community on its history.

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.

Policies

- 5.2.1 Provide a comprehensive network of multi-use trails for pedestrians, bicycles and skating using alignments along the public rights-of-way, through public landholdings as well as across cooperating private properties, which link residential neighborhoods to community facilities, parks, special use areas, commercial areas and the waterfront that meets the following level of service: one trail within one mile of residential areas.

- 5.2.2 Provide for a comprehensive city trail system linking the downtown area, schools, parks, and the Centennial Trail.
- 5.2.3 Establish a multi-use trail around the lake, choosing a route that best provides lake access and/or views.
- 5.2.4 Establish a north/south trail under the power lines as identified in the Lake Stevens Center and 20th Street SE Corridor subarea plans.
- 5.2.5 Establish an east/west sidewalk trail along 24th Street SE and South Lake Stevens Road that will eventually connect to the Centennial Trail as identified in the 20th Street SE Corridor subarea plan.
- 5.2.6 Establish, expand and/or improve nature trails and boardwalks through open spaces with an emphasis on Eagle Ridge Park, Catherine Creek Park, Centennial Woods, Mill Cove Reserve, and the Grade Road Open Space.

GOAL 5.3 PRESERVE AND ENHANCE OPEN SPACE AND NATURAL RESOURCES AREAS INCLUDING FISH AND WILDLIFE HABITAT, MIGRATION CORRIDORS, NATURAL MEADOWS AND WATER RESOURCES.

Policies

- 5.3.1 Preserve open space corridors and buffers to provide separation between natural areas and urban land uses with a goal of maintaining five percent of city as open space.
- 5.3.2 Plan, locate and manage park and recreation facilities so that they enhance wildlife habitat, minimize erosion, complement natural site features and create linkages within the developed area.
- 5.3.3 Balance the desire for public access and interpretive education with preservation of environmentally sensitive areas and other natural sites
- 5.3.4 Maintain and enforce leash laws and animal at-large laws to stem wildlife predation.
- 5.3.5 Preserve lake and other scenic views for the public when considering land use decisions and when siting park and recreation facilities.
- 5.3.6 Plan for an open space system that may include:
 - a. Natural or scenic areas,
 - b. Water bodies and drainage easements,
 - c. Public/private passive park and recreation sites,
 - d. Cultural, archaeological, geological and historical sites,
 - e. Large reserve tracts, private parks, common ground, and buffer areas from residential development,
 - f. Utility corridors, and
 - g. Trail corridors that may function as wildlife corridors.

GOAL 5.4 MAXIMIZE PARK FACILITIES BY LEVERAGING, SHARING AND EFFICIENTLY USING RESOURCES.

Policies

- 5.4.1 Cooperatively plan for joint-use facilities, meeting and classrooms, athletic fields, and other facilities with the Lake Stevens School District, Lake Stevens Junior Athletic Association, Snohomish County Parks Department and other public or private providers of recreation services and facilities that are of mutual benefit to each agency and the users/participants in the city and its Urban Growth Area.
- 5.4.2 Create a comprehensive, balanced park, recreation and open space system that integrates city facilities and services with resources available from the Lake Stevens School District, Snohomish County and other state, federal and private park and recreational lands and facilities in a manner that will best serve and provide for area residents' interests.
- 5.4.3 Support continued cooperation between the city, non-profit organizations, the Lake Stevens School District and other agencies for continuation and development of recreation programming for youths, senior citizens and other segments of the population to avoid duplication, improve facility quality and availability, which reduces costs and represents area residents' interests through joint planning and development efforts.
- 5.4.4 Establish inter-local agreements between the city, county, school district and private non-profit organizations and other agencies to provide for athletic facilities to serve the needs of the city and the Urban Growth Area.

GOAL 5.5 MAINTAIN PARK FACILITIES TO MAXIMIZE LIFE OF THE FACILITIES AND TO PROVIDE AN ATTRACTIVE AND PLEASING ENVIRONMENT FOR USERS.

Policies

- 5.5.1 Design and develop facilities, which reduce overall facility maintenance and operations requirements and costs. Where appropriate, use low maintenance materials, settings or other value engineering considerations that reduce care and security requirements and retain natural conditions and experiences.
- 5.5.2 Develop a maintenance management system to estimate and plan for life cycle maintenance in addition to replacement costs.
- 5.5.3 Provide operation and maintenance to insure safe, serviceable, and functional parks and facilities. Provide adequate funding to operate and maintain existing and new special use sites.

- 5.5.4 The city shall establish creative methods to efficiently expand park and trail maintenance services such as encouraging volunteer efforts, continued use of the State Department of Corrections crews and mutual coordination with other local agencies.
- 5.5.5 Where appropriate, the city should initiate joint planning and operating programs with other public and private agencies to provide for special activities like shoreline access, aquatic facilities, marinas and community festivals.
- 5.5.6 In the design of parks, encourage the use of materials and designs to reduce the occurrence and impacts of vandalism. Parks design which provides for easy surveillance of facilities by residents and by police can reduce vandalism. Use of materials such as graffiti resistant coatings can reduce these impacts.
- 5.5.7 Repair acts of vandalism immediately to discourage park property and city recreation facilities from becoming targets for further such acts.
- 5.5.8 Ensure that all park and recreation facilities owned and operated by the city comply with ADA accessibility requirements.
- 5.5.9 Establish a formal volunteer network as volunteerism is a significant source of energy and ideas. The city must continue to tap and improve existing opportunities to involve the community in its own programs. The city shall formalize a volunteer program that includes "adopt a park," and "adopt a trail," and similar programs.

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.

Policies

- 5.6.1 Add capacity at existing parks by expanding or improving facilities to accommodate current and future populations and desired uses including walking/hiking trails, active recreation and passive recreation.
- 5.6.2 Acquire additional shoreline lands for trails, public docks, waterfront fishing, wading, swimming, boating and other water related recreational activities.
- 5.6.3 Cooperate with public and private agencies and with private landowners to set aside land and resources necessary to provide high-quality, convenient park and recreation facilities before the most suitable sites are lost to development.
- 5.6.4 Work with developers to identify additional parks, recreation and open space opportunities in redeveloping areas.
- 5.6.5 Prioritization for new park and recreation facilities shall take into consideration areas within the community that are under-represented by parks, types of desired facilities not presently available, availability of properties appropriate for a particular type of park and availability and opportunities for grants and other funding sources.
- 5.6.6 With a developer requirement of paying GMA-based park mitigation fees, developers are still encouraged to install mini-parks voluntarily for the benefit of their developments; however, such mini-parks shall not be credited against meeting the developer's mitigation obligation. The city has not defined a LOS for mini-parks, but encourages one park within a half-mile radius of all residential areas

GOAL 5.7 DEVELOP PARK AND TRAIL DESIGN STANDARDS.

Policies

- 5.7.1 Standardize facility design to ensure consistency and quality in the Lake Stevens park system, and establish a standard for trail signage including interpretive, safety and regulatory signs.
- 5.7.2 Develop trail improvements to a design and development standard that facilitates maintenance, security and other appropriate personnel, equipment and vehicles and includes:

- a. Trail systems with appropriate supporting trailhead improvements that include interpretive, directory and mileage signage as well as rules and regulations for trail use.
 - b. Provide site furnishings such as benches, bike racks, dog waste stations and trash containers.
 - c. Locate trails in conjunction with park sites, schools, and other community facilities to increase local area access to the trail system and to take advantage of access to existing restrooms and drinking water, thereby reducing duplication of supporting improvements.
 - d. Design outdoor picnic areas, trails, playgrounds, courts, fields, parking lots, restrooms, and other active and supporting facilities to be accessible to individuals and organized groups of all physical capabilities, skill levels, age groups, income and activity interests.
- 5.7.4 Implement the provisions and requirements of the Americans with Disabilities Act (ADA) and other design and development standards that will improve park facility safety and security features for park users, department personnel, and the public-at-large.
- 5.7.5 Promote sustainable landscapes to increase the ecological functions of natural areas and utilize native vegetation in planted areas, where possible.
- 5.7.6 Choose durable products to promote human health in a safe environment and consider life-cycle analysis of materials options. Incorporate green building technology including nontoxic materials and sustainable development practices. Select local products where feasible. Consider environmental as well as economic impacts

GOAL 5.8 INCREASE AWARENESS OF PARK AND RECREATION ACTIVITIES.

Policies

- 5.8.1 Promote the use of local parks through the media, Aquafest, other festivals and by providing information as to their availability such as publishing maps showing park locations and their available facilities.
- 5.8.2 Promote and provide volunteer opportunities.
- 5.8.3 Facilitate community involvement and stewardship.
- a. Continue and expand the volunteer work party program.
 - b. Continue and expand the Adopt-a-Trail program.
 - c. Develop interlocal management agreements.
 - d. Encourage participation in community trail events.

- e. Expand on existing relationships with schools, business and non-profit organizations.
- 5.8.4 Promote environmental protection as part of providing a successful park and recreation program by establishing a permanent celebration promoting Earth Day activities
- 5.8.5 Where appropriate, use adopt-a-park programs, neighborhood park watches, park police patrols and other innovative programs that will increase safety and security awareness and visibility.
- 5.8.6 Provide historic and natural interpretation opportunities throughout the city's park system.
- 5.8.7 Promote commercial recreation opportunities along the Centennial Trail and on and near the lake.
- 5.8.8 Utilize interpretive materials to highlight features such as native flora and historic points of interest

GOAL 5.9 CREATE EFFECTIVE AND EFFICIENT METHODS OF ACQUIRING, DEVELOPING, OPERATING AND MAINTAINING FACILITIES AND PROGRAMS THAT ACCURATELY DISTRIBUTE COSTS AND BENEFITS TO PUBLIC AND PRIVATE INTERESTS.

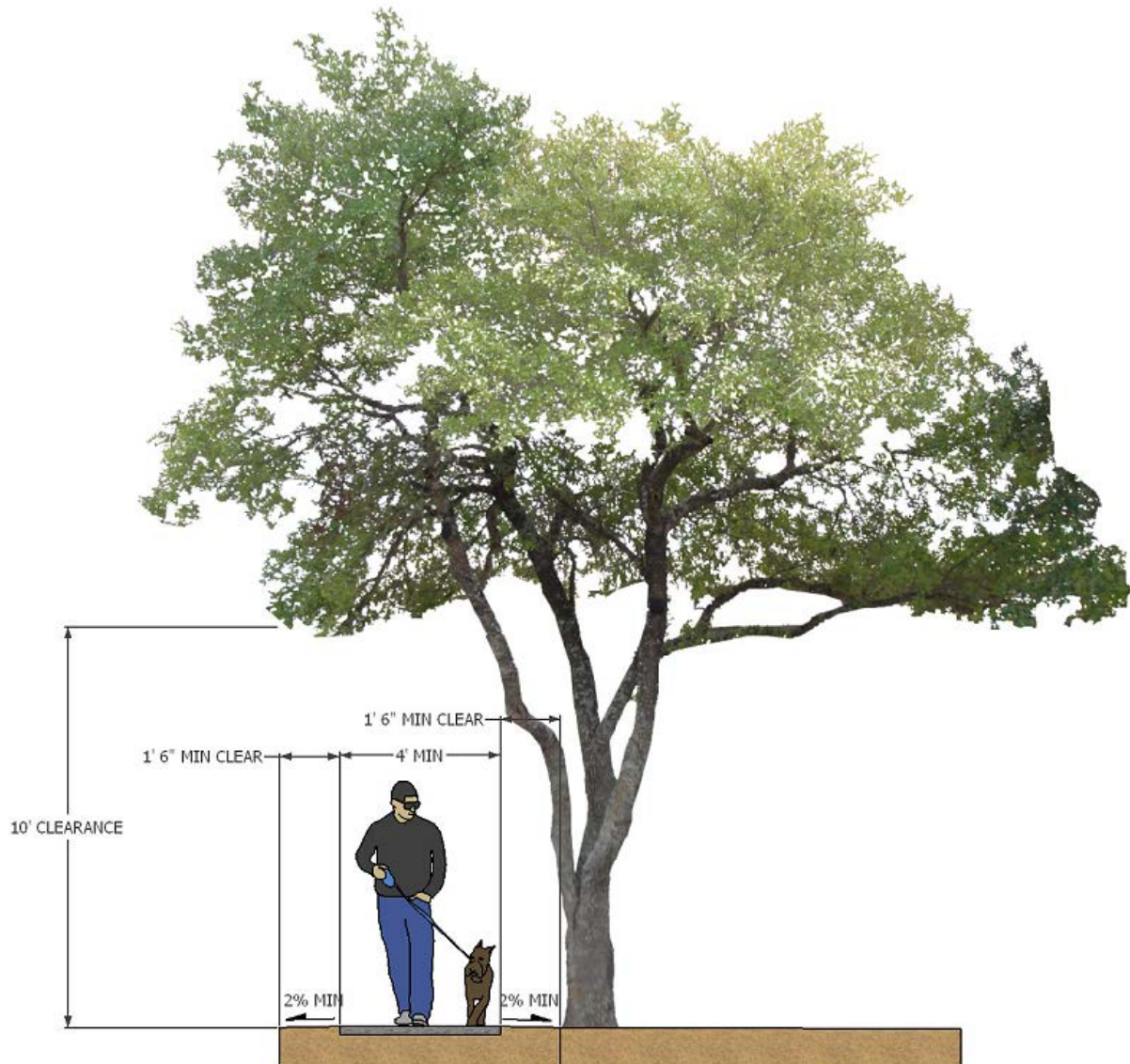
Policies

- 5.9.1 Establish financing mechanisms to ensure that adequate parks, open space and recreation facilities are available to the community.
- 5.9.2 Investigate innovative available methods or the financing of maintenance and operating needs in order to reduce costs, retain financial flexibility, match user benefits and interests and increase facility services.
- 5.9.3 The city shall explore, and where appropriate, adopt a creative funding strategy which takes advantage of traditional sources such as capital budgeting, grants, and developer contributions, but also non-traditional sources including, but not limited to, volunteers, interlocal agreements, donations, foundations, interjurisdictional partnerships and other appropriate mechanisms.
- 5.9.4 In developing the park system, encourage donations and dedications, conservation easements, innovative land use contractual agreements and other methods involving foundations, organizations, associations, trusts, developers, landowners, others from the private sector and neighboring and regional governments.
- 5.9.5 Allow fee stewardship programs to be established in conjunction with recognized land conservancies to maintain dedicated natural areas in lieu of permitting

homeowner associations to assume such responsibilities (assuming the city does not wish to assume such responsibility).

EXHIBIT 5

Chapter 9: Capital Facilities Element



CHAPTER 9: CAPITAL FACILITIES ELEMENT

A VISION FOR CAPITAL FACILITIES

The city will develop a realistic and achievable capital facilities plan that ensures an effective use of taxpayer and ratepayer dollars that prioritizes capital investments to maintain adopted levels of service; responds to project urgency and feasibility; is consistent with the city's growth strategy; and provides a clear community benefit.

INTRODUCTION

The Comprehensive Plan is a tool for helping government officials think strategically about all aspects of the community and the way the elements interact. The Capital Facilities Element is used to guide public decisions on the use of capital funds. It will also indirectly guide private development decisions by providing strategically planned public capital expenditures which affects the timing and scale of development. Strategic provision of capital infrastructure also helps to mitigate the impacts of growth.

Capital facilities planning requires ongoing communication and cooperation between various disciplines including engineering, finance and planning. The Comprehensive Plan is the common basis relied upon by these disciplines and is intended to provide a realistic and achievable plan. It also requires close communication between the many service providers in Lake Stevens to ensure a coordination of capital improvements and effective use of taxpayer and rate payer dollars.

The Capital Facilities Element promotes effectiveness and efficiency by requiring the city to plan in advance for capital improvements rather than relying on a mechanism with a shorter horizon such as the annual budget. Long range financial planning presents the opportunity to schedule projects so that the various steps in development logically follow one another, with regard to relative urgency, economic desirability and community benefit. In addition, the identification of funding sources results in the prioritization of needs and allows the trade-off between projects to be evaluated.

PLANNING CONTEXT

State Planning

The Washington State Growth Management Act (GMA) requires that the city of Lake Stevens prepare and maintain a comprehensive plan capital facilities element. This element is required “in order to assure that public facilities will be reasonably available to accommodate planned growth over the next twenty years.” This requirement is referred to as concurrency and specifically means:

- Public facilities that are needed to serve new development and population within a jurisdiction or service area must be in place at the time of development.
- Such facilities must be sized to adequately serve the area without decreasing the services levels established by the jurisdiction.

The GMA also requires that the comprehensive plan be of at least a twenty year planning horizon and be based on population projections supplied by the Office of Financial Management (OFM), and include a capital facilities element with a six-year plan for financing identified capital needs.

WAC 365-195-315 requires that the capital facilities plan address the following:

- An inventory of existing capital facilities owned by the public entity;
- At least a six year plan that will finance such capital facilities within project funding capacities and clearly identifies sources of public money for such purposes;
- Provide or finance capital facilities in a manner that meets concurrency and level-of-service requirements.

Regional Planning

The Puget Sound Regional Council Vision 2040 specifies the Regional Growth Strategy and directs growth primarily into urban growth areas where public services and facilities are better served. The Regional Growth Strategy highlights the need for strategic investments in services and facilities, especially to support growth and development in centers and compact urban communities.

Countywide Planning

The Snohomish Countywide Planning Policies include provisions to ensure the orderly transition of unincorporated areas to city governance, including the provision of services and infrastructure financing. These policies also address the need for consistency of capital

improvement programming with local comprehensive plans, countywide planning policies and VISION 2040.

Many policies give guidance for counties (and, where appropriate, cities) to review special district plans for consistency with local comprehensive plans and VISION 2040; also, they provide guidance for the review of special district criteria for location and design of schools and other public facilities. And finally, the policies direct jurisdictions to develop strategies to reduce the number of special districts where appropriate.

Lake Stevens Planning

The city of Lake Stevens is somewhat unique to its neighboring jurisdictions because it is responsible for general government services, police services, roads, stormwater and parks while special purpose districts provide all other services and utilities as identified in Chapter 7, Public Utilities and Services Comprehensive Plan Element. These include schools, wastewater, potable water, library, fire prevention, suppression and emergency medical services, and all other utility services.

Lake Stevens has established level of services standards (LOS) for the city's responsibilities detailed in these Comprehensive Plan Chapters and summarized later in this Chapter:

Level of Service Standards

SERVICE	LOCATION IN COMPREHENSIVE PLAN
General Government Services:	Chapter 7- Utilities & Public Services
Police Services	Chapter 7- Utilities & Public Services
Roads and Transportation	Chapter 8 — Transportation
Stormwater	Chapter 7- Utilities & Public Services
Parks	Chapter 5 — Parks, Recreation & Open Space

The city therefore coordinates closely with community service providers to plan appropriate capital investments.

REVENUE SOURCES

Municipal Revenues

Lake Stevens faces continuing fiscal challenges common to most cities. These are driven in large part by increased costs of doing business, increased service requirements mandated by legislation and restriction or elimination of certain tax revenue streams as a result of prior voter initiatives.

A diverse mix of municipal revenue sources is important, including property taxes, utility taxes, sales taxes and others. Fiscal diversity, like economic diversity, limits risk of over-reliance on a single revenue source. Lake Stevens' General Fund, which supports citizen services and the operations of the city government itself, is heavily dependent on tax revenues and especially property tax and sales and use taxes, for its funding. Property taxes account for 30 percent of General Fund revenues and sales and use taxes account for 25 percent. Other sources of revenue are utility and other taxes, licenses and permits, intergovernmental transfers, charges for services and other minor revenue sources.

Potential New Revenue Sources

Long-term economic sustainability for the city of Lake Stevens requires one or more of the following: increased local jobs, increased municipal revenues derived from business and industry, use of additional land to support community develop and retention of current jobs and revenue sources. Increasing municipal revenues from commercial sources is generally seen as one of the few ways that cities can improve their fiscal situation, recognizing the perception that housing and residents increase demands for services. Cities frequently look toward business attraction and creation to increase local revenues from utility taxes and sales taxes.

Taxes and Fees

There are limited additional sources of revenue that the city could use to meet its fiscal needs. These potential taxes and fees increase the cost of doing business or creating development in the city, and therefore may not be the solution to Lake Stevens' projected fiscal deficit with annexation.

- B&O taxes could potentially generate more revenue; however, at this stage, the city has elected to remain economically competitive by not enacting a B&O tax as a strategy to attract businesses considering locating in the city.
- Impact mitigation fees from new development are used as a means of funding portions of parks or traffic capital projects.

LAND USE PLANNING CONSIDERATIONS

All land uses generate fiscal impacts on the city by changing revenue collections and the cost of providing services. Costs stem from impacts on city capital facilities and services as well as internal city operations. Revenues come from collection of taxes and fees.

Land use planning can incorporate several considerations related to the city's fiscal position: the anticipated revenues from new development; necessary infrastructure investments and on-going expenses to support future uses; and the current and future market feasibility of each use type.

Diversity of land uses is an important consideration. For example, multifamily housing can play a necessary and critical role in supporting local retail and other businesses by providing housing that workers can afford (keeping the cost of labor and prices down at local retail). Growth in population or business activity creates increased local demand for goods or services by introducing new consumers or producers. New property generates property tax revenues, while consumer spending by additional residents and businesses generates sales tax revenues. Similarly, attracting or growing businesses that draw traffic and spending from elsewhere in the region increases local economic activity and revenue.

Infrastructure investments must also be considered in land use planning. While such investments can be costly to build and support over time, those costs may be outweighed by the increase in property values and spillover effects that such investments can lead to.

INVENTORY AND ANALYSIS

Capital Improvement Plan

This Capital Facilities Element identifies needed improvements, which are of relatively large scale, are generally a non-recurring high cost and may require multi-year financing. The list of improvements focuses on major projects, leaving smaller improvements (less than \$10,000) to be addressed in the annual budget. Figure 9.1 identifies the location of publically-owned facilities, which may be included in the capital facilities plan. Smaller facilities such as traffic signals and drainage ponds are not included on the map.

The Capital Improvement Plan is a six-year financing plan for capital expenditures to be incurred on a year-by-year basis. It is based on priority improvements taking into account, the forecasted revenue over the next six years from various sources. The six-year plan uses the long range 2035 Plan as a key factor to set priorities for capital projects that the jurisdiction plans to undertake, and presents estimates of the resources needed to finance them. The first year of the Capital Facilities Program will be converted to the annual capital budget, while the remaining five-year program will provide for long term planning. Only the expenditures and appropriations in the annual budget represent financial commitments.

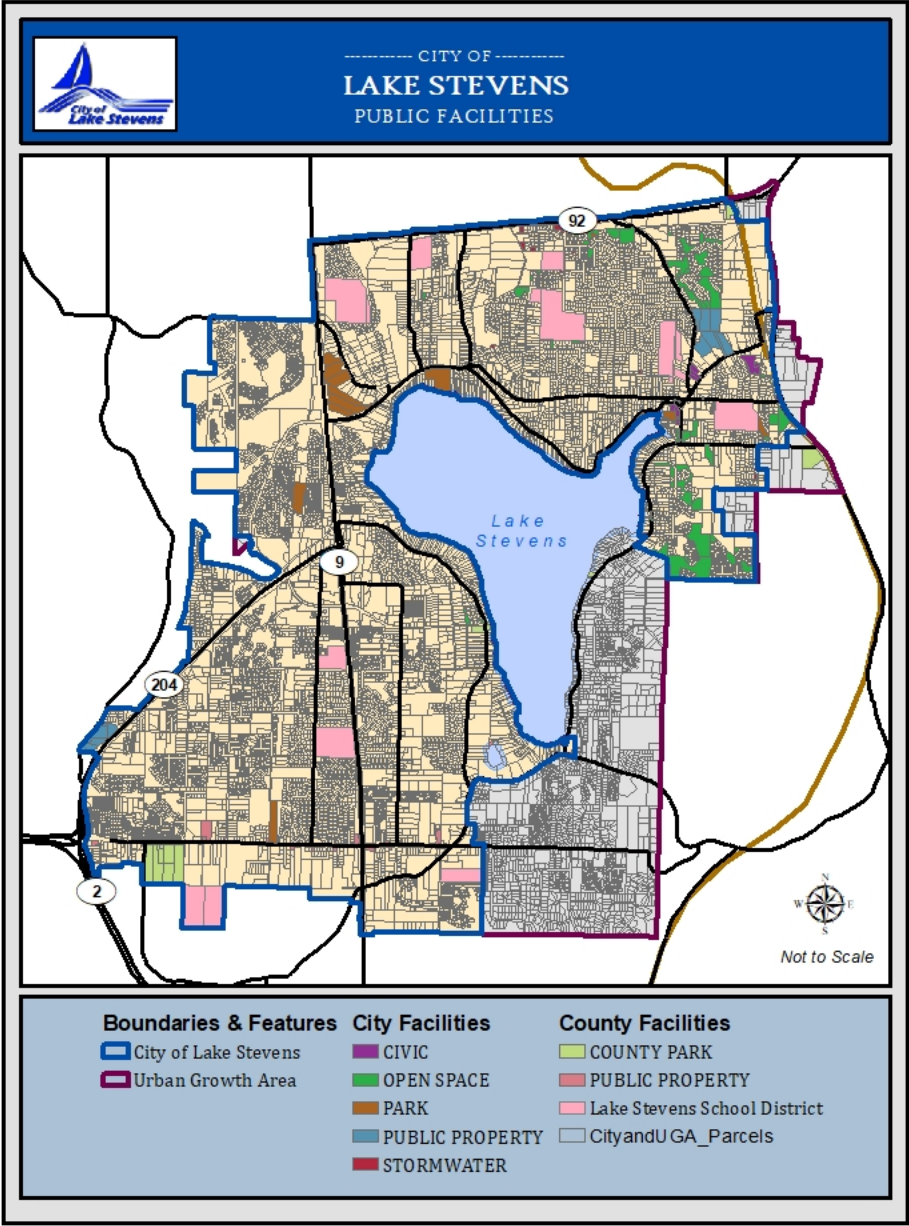


Figure 9.1 – Public Facilities Map

Definition of Capital Improvement

For the purposes of capital facility planning, “capital improvements” are major projects, activities or maintenance costing over \$10,000 and requiring the expenditure of public funds over and above annual operating expenses. They have a life expectancy of more than ten years and result in an addition to the city's fixed assets and/or extend the life of the existing capital infrastructure. The cost estimates may include design, engineering efforts, permitting, environmental analysis, land acquisition, construction, major maintenance, site improvements, energy conservation projects, landscaping and initial furnishings and equipment. Capital improvements do not include equipment or the city's rolling stock, nor does it include the capital expenditures of private or non-public organizations.

Subarea Capital Facilities Planning

The city has embarked on subarea planning over the past few years. As part of these subarea plans, the city adopted a Subareas Capital Facilities Plan which is an important associated document to this Element. The study describes utility infrastructure required for redevelopment of the Lake Stevens Center and development of the 20th Street SE Corridor, including transportation, sewer, water and stormwater. The city is currently responsible for transportation outside of state routes, except that the city is responsible for maintenance of state routes within city limits and stormwater facilities. Special purpose districts provide sewer and water infrastructure and services.

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

PROJECTION OF CAPITAL FACILITY NEEDS

Identified Needs

All public facility needs have been identified in the other elements of the Comprehensive Plan. Through the process of developing this Capital Facilities Element the financial feasibility of the other elements has been ensured. The other Plan elements describe the location and capacity of any facilities available through December 31, 2014 and analyze the need for increased capacity from 2015-2035. The capital improvements needed to satisfy future and existing substandard development and maintain adopted level of service

standards are identified and listed in Table 9.4, and include projects from the adopted Subarea Capital Facilities Plan, adopted by Council on September 24, 2012, which provides a detailed discussion and list of infrastructure needs and projects in the subareas.

Table 9.1, which includes the adopted Subarea Capital Facilities Plan, provides a brief description of each of the capital improvement projects with an estimate of the total project costs. The year indicates when the projects must be completed in order to maintain the adopted level of service standards for the respective facilities. Capital improvement projects have been identified for transportation, parks and recreation, government and stormwater drainage facility improvements. Facilities for wastewater, potable water, fire protection, schools and solid waste are contained in district and agency plans, coordinated with, but independent of the city's Comprehensive Plan.

Prioritization of Capital Facilities

The capital improvement needs listed in Table 9.1 (attached at the end of the chapter) that includes the projects found in the adopted Subarea Capital Facilities Plan were developed by the city staff based on community-wide input and the other elements of this Comprehensive Plan. The following criteria were applied in developing the final listing of proposed projects:

- Service Considerations: Safety, Health and Welfare Factors, Environmental Impact, Effect on Quality of Service;
- Economic Considerations: Potential for Financing, Impact on Future Operating Budgets, Timeliness of Opportunity, Benefit to Economy and Tax Base;
- Feasibility Considerations: Legal Mandates, Citizen Support, Staff Availability; and
- Consistency Considerations: Goals and Objectives in Other Elements of this Plan, Linkage to Other Planned Projects, Plans of Other Jurisdictions, County-Wide Planning Policies.

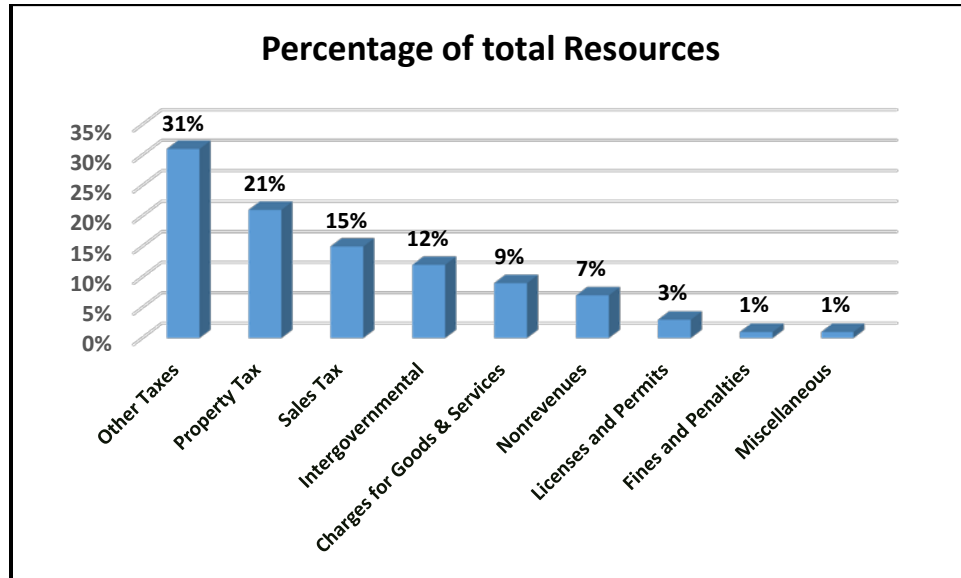
Cost estimates in this element are presented in 2016 dollars and were derived from various federal and state documents, published cost estimates, records of past expenditures and information from private contractors.

FUTURE NEEDS AND ALTERNATIVES

Current Revenue Sources

The largest single source of non-restricted revenue for the city is the *ad valorem* property tax, which generally accounts for 20 percent of city revenue. The city's assessment for this tax is usually set at the maximum rate. Figure 9.2 depicts the distribution of revenue sources for the city.

FIGURE 9.2 – Source of Existing City Resources, Average 2014



FINANCIAL RESOURCES

To ensure that the city is using the most effective means of collecting revenue, the city inventoried the various sources of funding currently available. Financial regulations and available mechanisms are subject to change; furthermore, changing market conditions influence the city's choice of financial mechanism. Therefore, the city should periodically review the impact and appropriateness of its financing system. The following list of sources includes all major financial resources available and is not limited to those sources which are currently in use or will be used in the six-year schedule of improvements.

Debt Financing

Short-Term Borrowing: The high cost of many capital improvements requires local governments to occasionally use short-term financing through local banks.

Revenue Bonds: These bonds are financed by those benefiting from the capital improvement. The debt is retired using charges collected from the users of public facilities such as sewer systems and electrical power plants. Interest rates tend to be higher than for general obligation bonds and issuance of the bonds may be approved without a voter referendum.

Industrial Revenue Bonds: Bonds issued by a local government, but actually assumed by companies or industries that use the revenue for construction of plants or facilities. The attractiveness of these bonds to industry is that they carry comparatively low interest rates

due to their tax-exempt status. The advantage to the jurisdiction is the private sector is responsible for retirement of the debt.

General Obligation Bonds: Bonds backed by the value of the property within the jurisdiction. Voter-approved bonds increase property tax rates and dedicate the increased revenue to repay bondholders. Councilmanic bonds do not increase taxes and are repaid with general revenues. Revenue may be used for new capital facilities, or maintenance and operations of existing facilities. This debt should be used for projects that benefit the city as a whole.

Local Multi-Purposes Levies

Ad Valorem Property Taxes: Tax rate in millions (1/10 cent per dollars of taxable value). The maximum rate is \$3.60 per \$1,000 assessed valuation. The city is prohibited from raising its levy more than 1 percent of the previous year's amount levied before adjustments, new construction and annexation. A temporary or permanent access levy may be assessed with voter approval. Revenue may be used for new capital facilities, or maintenance and operations of existing facilities.

Local Single Purpose Levies

Emergency Medical Services Tax: The EMS tax is a property tax levy of \$0.50 for emergency medical services. Revenue may be used for new capital facilities, or maintenance and operations of existing facilities. The city's EMS service are currently provided by the Lake Stevens Fire District.

Motor Vehicle Fuel Tax: This tax is paid by gasoline distributors and distributed by the Department of Licensing. Revenues must be spent for highway (city streets, county roads and state highways) construction, maintenance or operations; policing of local roads; or related activities.

Local Option Fuel Tax: This is a countywide voter approved tax equivalent to 10 percent of Statewide Motor Vehicle Fuel Tax and a special fuel tax of 2.3 cents per gallon. Revenue is distributed to the city on a weighed per capita basis. Revenues must be spent for highway (city streets, county roads and state highways) construction, maintenance or operations; policing of local roads; or highway-related activities.

Local Non-Levy Financing Mechanisms

Reserve Funds: Revenue that is accumulated in advance and earmarked for capital improvements. Sources of funds can be surplus revenues, funds in depreciation reserves or funds resulting from the sale of capital assets.

Fines, Forfeitures and Charges for Services: This includes various administrative fees and user charges for services and facilities operated by the jurisdiction. Examples are franchise fees, sales of public documents, property appraisal fees, fines, forfeitures, licenses, permits, income received as interest from various funds, sale of public property, rental income and all private contributions to the jurisdiction. Revenue from these sources may be restricted in use.

User Fees, Program Fees and Tipping Fees: Fees or charges for using park and recreational facilities, solid waste disposal facilities, sewer services, water services, surface water drainage facilities. Fees may be based on measure of usage, a flat rate or design features. Revenues may be used for new capital facilities, or maintenance and operations of existing facilities.

Street Utility Charge: Fee up to 50 percent of actual costs of street construction, maintenance and operations charged to businesses and households. The tax requires local referendum. The fee charged to businesses is based on the number of employees and cannot exceed \$2.00 per employee per month. Owners or occupants of residential property are charged a fee per household that cannot exceed \$2.00 per month. Both businesses and households must be charged. Revenue may be used for activities such as street lighting, traffic control devices, sidewalks, curbs, gutters, parking facilities and drainage facilities.

Special Assessment District: District created to service entities completely or partially outside of the jurisdiction. Special assessments are levied against those who directly benefit from the new service or facility. This includes Local Improvement Districts, Road Improvement Districts, Utility Improvement Districts and the collection of development fees. Funds must be used solely to finance the purpose for which the special assessment district was created.

Special Purpose District: District created to provide a specified service. Often the district will encompass more than one jurisdiction. This includes districts for fire facilities, hospitals, libraries, metropolitan parks, airports, ferries, parks and recreation facilities, cultural arts, stadiums and convention centers, sewers, water flood controls, irrigation and cemeteries. Voter approval is required for airport, parks and recreation and cultural arts, stadium and convention districts. District has authority to impose levies or charges. Funds must be used solely to finance the purpose for which the special purpose district was created.

Transportation Benefit Districts: Chapter 36.73 RCW enables cities and counties to create transportation benefit districts in order to finance and carry out transportation improvements necessitated by economic development and to improve the performance of the transportation system.

Lease Agreements: Agreement allowing the procurement of a capital facility through lease payments to the owner of the facility. Several lease packaging methods can be used. Under the lease-purchase method the capital facility is built by the private sector and leased back to the local government. At the end of the lease, the facility may be turned over to the municipality without any future payment. At that point, the lease payments will have paid the construction cost plus interest.

Privatization: Privatization is generally defined as the provision of a public service by the private sector. Many arrangements are possible under this method ranging from a totally private venture to systems of public/private arrangements, including industrial revenue bonds.

Impact Fees: These fees are paid by new development based upon its impact to the delivery of services. Impact fees must be used for capital facilities needed by growth, not for current deficiencies in levels of service, and cannot be used for operating expenses. These fees must be equitably allocated to the specific entities which will directly benefit from the capital improvement and the assessment levied must fairly reflect the true costs of these improvements. Impact fees may be imposed for public streets and roads, publicly owned parks, open space and recreational facilities, school facilities and fire protection facilities (in jurisdictions that are not part of a fire district).

Storm Drainage Utility Charge: Utility district created to specifically provide storm and drainage management, maintenance and operation. Fees would be levied against properties receiving benefit of storm water management.

State Grants and Loans

Community Development Block Grant (CDBG): Grant funds available for public facilities, economic development, housing and infrastructure projects which benefit low and moderate income households. Grants distributed by the Department of Community Development primarily to applicants who indicate prior commitment to project. Revenue restricted in type of project and may not be used for maintenance and operations.

Community Economic Revitalization Board: Low-interest loans (rate fluctuates with State bond rate) and occasional grants to finance infrastructure projects for a specific private sector development. Funding is available only for projects which will result in specific private developments or expansions in manufacturing and businesses that support the trading of goods and services outside of the State's borders. Projects must create or retain

jobs. Funds are distributed by the Department of Trade and Economic Development primarily to applicants who indicate prior commitment to project. Revenue restricted in type of project and may not be used for maintenance and operations.

Public Works Trust Fund (PWTF): Low interest loans to finance capital facility construction, public works emergency planning and capital improvement planning. To apply for the loans the city must have a capital facilities plan in place and must be levying the original 1/4 real estate excise tax. Funds are distributed by the Department of Community Development. Loans for construction projects require matching funds generated only from local revenues or state shared entitlement revenues. PWTF revenues may be used to finance new capital facilities, or for maintenance and operations of existing facilities.

Federal Project Grants (LWCF): Federal monies are available for the acquisition and construction of outdoor park facilities from the National Park Service's (NPS) Land and Water Conservation Fund (LWCF). The grants are administered by the Washington State Recreation and Conservation Office (RCO).

NPS grants usually do not exceed \$150,000 per project and must be matched on an equal basis by the local jurisdiction. The RCO assigns each project application a priority on a competitive statewide basis according to each jurisdiction's need, population benefit, natural resource enhancements and a number of other factors. In the past few years, project awards have become extremely competitive as the federal government has significantly reduced the amount of federal monies available under the NPS program. The state has increased contributions to the program over the last few years using a variety of special funds, but the overall program could be severely affected by pending federal deficit-cutting legislation.

Applicants must submit a detailed comprehensive park and recreation plan to be eligible for NPS funding. The plan must demonstrate facility need and prove that the city's project proposal will adequately satisfy local park and recreation needs and interests. This Comprehensive Plan functions as the city's detailed park and recreation plan for such grant purposes (See Chapter 5).

State Project Grants (ALEA): Washington State created a number of new programs in recent years for park and recreation development purposes using special state revenue programs. Recently enacted programs include the 1985 Aquatic Lands Enhancement Act (ALEA) using revenues obtained by the Washington Department of Natural Resources from the lease of state owned tidal lands. The ALEA program is administered by RCO for the development of shoreline-related trail improvements and may be applied for the full cost of the proposal.

Urban Arterial Trust Account (UATA): Revenue available for projects to alleviate and prevent traffic congestion. Entitlement funds are distributed by the State Transportation Improvement Board (STIB) subject to UATA guidelines and with a 20 percent local matching requirement. Revenue may be used for capital facility projects to alleviate roads that are

structurally deficient, congested with traffic, or have accident problems.

Transportation Improvement Account: Revenue available for projects to alleviate and prevent traffic congestion caused by economic development or growth. Entitlement funds are distributed by the State Transportation Improvement Board with a 20 percent local match requirement. For cities with a population of less than 500 the entitlement requires only a 5 percent local match. Revenue may be used for capital facility projects that are multi-modal and involve more than one agency.

Centennial Clean Water Fund: Grants and loans for the design, acquisition, construction and improvement of Water Pollution Control Facilities and related activities to meet state and federal water pollution control requirements. Grants and loans are distributed by the Department of Ecology with a 50-25 percent matching share. Use of funds limited to planning, design and construction of Water Pollution Control Facilities, storm water management, ground water protection and related projects.

Water Pollution Control State Revolving Fund: Low interest loans and loan guarantees for water pollution control projects. Loans distributed by the Department of Ecology. Applicant must show water quality need, have a facility plan for treatment works and show a dedicated source of funding for repayment.

Washington State Recreation and Conservation Office: Provides leadership, grant funding and technical assistance for the building of trails, parks, boating facilities, water access and more. Office administers 12 grant programs for providing recreation, conserving habitat, measuring farmland and recovering salmon. Applicants must complete a planning process before applying for funding. Most grants require either a cash or in-kind contribution of up to 50 percent of the cost of the project.

Federal Grants and Loans

Federal Aid Bridge Replacement Program: Funds available with a 20 percent local matching requirement for replacement of structurally deficient or obsolete bridges. Funds are distributed by the Washington State Department of Transportation on a statewide priority basis. Therefore, the bridge must be on the State of Washington Inventory of Bridges.

Federal Aid Safety Programs: Revenue available for improvements at specific locations which constitute a danger to vehicles or pedestrians as shown by frequency of accidents. Funds are distributed by Washington State Department of Transportation from a statewide priority formula and with a 10 percent local match requirement.

Federal Aid Emergency Relief: Revenue available for restoration of roads and bridges on the federal aid system which are damaged by extraordinary natural disasters or catastrophic failures. Local agency declares an emergency and notifies Division of Emergency Management, upon approval entitlement funds are available with a 16.87 percent local matching requirement.

Department of Health Water Systems Support: Revolving, low-interest loans for upgrading existing small water systems, ensuring effective management and achieving maximum conservation of safe drinking water. Grants distributed by the State Department of Health through intergovernmental review.

Intermodal Surface Transportation Efficiency Act (ISTEA): ISTEA (referred to as "ice tea") provides funding to the State for transportation oriented projects. Several federal programs were combined to create one umbrella program. Separate areas of funding are made available through Washington State Department of Transportation (WSDOT) or the Puget Sound Regional Council (PSRC) focusing on motor vehicles, bicycles, pedestrians, carpooling, HOV lanes, commuter trains, bridges, highway safety, environmental and "enhancement" projects. Grants are generally awarded on a competitive basis within the County, Puget Sound region or the State.

CAPITAL FACILITY STRATEGIES

In order to realistically project available revenues and expected expenditures on capital facilities, the city must consider all current policies that influence decisions about the funding mechanisms, as well as policies affecting the city's obligation for public facilities. The most relevant of these are described below. These policies along with the goals and policies articulated in the other elements of the Comprehensive Plan were the basis for the development of various funding scenarios. Any variations from the current policies in the development of the six-year Capital Improvement Plan Table 9.2 were incorporated into the goals and policies of the Comprehensive Plan.

Mechanisms to Provide Capital Facilities

Increase Local Government Appropriations: The city will investigate the impact of increasing current taxing rates and will actively seek new revenue sources. In addition, on an annual basis the city will review the implications of the current tax system as a whole.

Analysis of Debt Capacity: Generally, Washington State law permits a city to ensure a general obligation bonded debt equal to 1.5 percent of its property valuation without voter approval. By a 60 percent majority vote of its citizens, a city may assume an additional general obligation bonded debt of 1 percent, bringing the total for general purposes up to 2.5 percent of the value of taxable property. The value of taxable property is defined by law as

being equal to 100 percent of the value of assessed valuation. For the purpose of supplying municipally-owned electric, water or sewer service, and with voter approval, a city may incur another general obligation bonded debt equal to 2.5 percent of the value of taxable property. At the current time, the city of Lake Stevens does not supply these services; however, the city has an interest in where the utility purveyors invest in infrastructure. With voter approval, cities may also incur an additional general obligation bonded debt equal to 2.5 percent of the value of taxable property for parks and open space. Thus, under State law, the maximum general obligation bonded debt which a city may incur cannot exceed 7.5 percent of the assessed property valuation.

Municipal revenue bonds are not subject to a limitation on the maximum amount of debt which can be incurred. These bonds have no effect on the city's tax revenues because they are repaid from revenues derived from the sale of services.

The city of Lake Stevens has used general obligation bonds and municipal revenue bonds very infrequently. Therefore, under state debt limitations, it has ample debt capacity to issue bonds for new capital improvement projects as shown in Table 9.3. However, the city does not currently have policies in place regarding the acceptable level of debt and how that debt will be measured.

The city has developed the 20-year Capital Facilities Program to address future growth plans and anticipates new development will pay a proportionate share of impacts to meet concurrency requirements.

User Charges and Connection Fees: User charges are designed to recoup the costs of public facilities or services by charging those who benefit from such services. As a tool for affecting the pace and pattern of development, user fees may be designed to vary for the quantity and location of the service provided. Thus, charges could be greater for providing services further distances from centers.

Mandatory Dedications or Fees in Lieu of: The jurisdiction may require, as a condition of plat approval, that subdivision developers dedicate a certain portion of the land in the development to be used for public purposes, such as roads, parks, or schools. Dedication may be made to the local government or to a private group. When a subdivision is too small or because of topographical conditions a land dedication cannot reasonably be required, the jurisdiction may require the developer to pay an equivalent fee in lieu of dedication.

The provision of public services through subdivision dedications not only makes it more feasible to serve the subdivision, but may make it more feasible to provide public facilities and services to adjacent areas. This tool may be used to direct growth into certain areas.

Table 9.3 – Limitation of Indebtedness

I. INDEBTEDNESS FOR GENERAL PURPOSES WITHOUT A VOICE OF THE PEOPLE					
Councilmanic: Legal Limit 1.5% of taxable property			Capacity	Less Outstanding	Remaining Debt Capacity
1.5% times 2,375,391,203 equals			35,630,868	4,607,704	31,023,164
II. INDEBTEDNESS FOR GENERAL PURPOSES WITH A 3/5 VOTE OF THE PEOPLE					
Councilmanic: Legal Limit 2.5% of taxable property			Capacity	Less Outstanding	Remaining Debt Capacity
2.5% times 2,375,391,203 equals			59,384,780	0	59,384,780
I & II. TOTAL INDEBTEDNESS FOR GENERAL PURPOSES					
Councilmanic: Legal Limit 2.5% of taxable property			Capacity	Less Outstanding	Remaining Debt Capacity
2.5% times 2,375,391,203 equals			59,384,780	4,607,704	54,777,076
III. INDEBTEDNESS FOR CITY UTILITY PURPOSES WITH A 3/5 VOTE OF THE PEOPLE					
Councilmanic: Legal Limit 2.5% of taxable property			Capacity	Less Outstanding	Remaining Debt Capacity
2.5% times 2,375,391,203 equals			59,384,780	0	59,384,780
IV. INDEBTEDNESS FOR OPEN SPACE AND PARK FACILITIES WITH A 3/5 VOTE OF THE PEOPLE					
Councilmanic: Legal Limit 2.5% of taxable property			Capacity	Less Outstanding	Remaining Debt Capacity
2.5% times 2,375,391,203 equals			59,384,780	0	59,384,780
TOTAL	7.50%		TOTAL CAPACITY	TOTAL LESS OUTSTANDING	TOTAL REMAINING DEBT CAPACITY
			178,154,340	4,607,704	173,546,636

Negotiated Agreement: Agreement whereby a developer studies impact of development and proposes mitigation for city's approval. These agreements rely on the expertise of the developer to assess the impacts and costs of development. Such agreements are enforceable by the jurisdiction. The negotiated agreement will require lower administrative and enforcement costs than impact fees.

Impact Fees: Impact fees may be particularly useful for a community that is facing rapid growth and with existing residents desiring to minimize the impacts to the existing levels of service.

Obligation to Provide Capital Facilities

Coordination with Other Public Service Providers: Local goals and policies as described in the other Comprehensive Plan elements are used to guide the location and timing of development. However, many local decisions are influenced by state agencies, special purpose districts and utilities that provide public facilities within the city of Lake Stevens. The planned capacity of public facilities operated by other entities is essential not only for the location and timing of public services, but also in the financing of such services and for the community to realize infrastructure and growth sustainability.

The city's plan for working with the natural gas, electric and telecommunication providers is detailed in the Public Services and Utilities Element Chapter 8. This Plan includes policies for sharing information and a procedure for negotiating agreements for provision of new services in a timely manner.

The Level of Service Standards for other public service providers such as school districts, sewer provider and private water providers are addressed in their respective Capital Facility programs. The city's policy is to exchange information with these entities and to provide them with the assistance they need to ensure that public services are available and that the quality of the service is maintained.

Level of Service Standards: Level of service standards are an indicator of the extent or quality of service provided by a facility that are related to the operational characteristics of the facility. They are a summary of existing or desired public service conditions. The process of establishing level of service standards requires the city to make quality of service decisions explicit. The types of public services for which the city has adopted level of service standards will be improved to accommodate the impacts of development and maintain existing service in a timely manner with new development.

Level of service standards will influence the timing and location of development, by clarifying which locations have excess capacity that may easily support new development and by delaying new development until it is feasible to provide the needed public facilities.

TABLE 9.4 – LEVEL OF SERVICE STANDARDS

FACILITY	ADOPTED LOS
Streets and Roads	
Major and Minor Arterials	LOS E
Collector Roadways	LOS E
Local Access Roadways	LOS C
SR9, SR204 and SR92*	LOS set by Puget Sound Region Council
Transit*	Coordination with Community Transit
Domestic Water*	
Domestic Supply	100 per capita per day - Adopted by Snohomish County PUD
Commercial	Adopted by Snohomish County PUD
Fire Flow	
Domestic and Commercial	Per IFC
Sewer	
Residential & Equivalent Commercial*	70 gallons per capita per day
Schools*	
Early Learning	State mandated LOS
K-5	State mandated LOS
6-8	State mandated LOS
9-12	State mandated LOS
Home School Program	State mandated LOS
Fire Protection*	
Fire Response	COORDINATE WITH Lake Stevens FD
Medical Response	COORDINATE WITH Lake Stevens FD
Law Enforcement	
Emergency Response	3 – 4 minutes
Non-emergency Response	6 – 10 minutes
Parks, Recreation and Open Space	
Community Parks	> 10 acres, within 2.5 miles
Neighborhood Parks	≤ 10 acres, within 1 mile
Mini-Parks	≤ 1 acre, within ½ mile residential or commercial
School Parks	Varies
Special Use Parks & Facilities	Varies
Trails & Pedestrian Facilities	Varies, within 1 mile of residential
Open space	Varies
Libraries*	
Building	Coordinated with Sno-Isle Library District
Solid Waste*	
Residential	3.3 pounds per capita per day
Other Government Services	
Building	Varies

*City considers and adopts special purpose district Capital Planning Document

In addition, to avoid over extending public facilities, the provision of public services may be phased over time to ensure that new development and projected public revenues keep pace with public planning. The city has adopted a level of service standard for six public services. The specific standards are identified in Chapters 5, 7 and 8 and summarized in Table 9.4 below.

Concurrency Management System Ordinance: The city adopted a concurrency implementation ordinance which contains procedures for reviewing proposed development within the city based on the available capacity of public facilities coupled with the adopted Level of Service standard for them.

Methods for Addressing Shortfalls

The city will not be able to finance all proposed capital facility projects, therefore, it has clearly identified the options available for addressing shortfalls and how these options will be exercised. The city evaluates capital facility projects on both an individual basis and a system-wide basis. In deciding how to address a particular shortfall the city will balance the equity and efficiency considerations associated between each of these options.

When the city identifies a potential shortfall, the city may address it by increasing revenue, examining and adjusting levels of service as appropriate, look for additional creative, cost effective solutions for constructing the facility, use a phasing solution to implement the facility construction and/or other methods as appropriate.

Six-Year Capital Improvement Plan

Financial Assumptions

The following assumptions about future operating conditions in the local government and market conditions were used in the development of the six-year Capital Improvement Plan Table 9.2:

- The city will maintain its current fund accounting system to handle its financial affairs.
- The cost of running the local government will continue to increase due to inflation and other factors, while revenues will decrease.
- New revenue sources, including new taxes, may be necessary to maintain and improve city services and facilities.
- Significant capital investment is needed to maintain, repair and rehabilitate the city's aging infrastructure and to accommodate future growth.
- Public investment in capital facilities is the primary tool of local government to

support and encourage economic growth.

- A comprehensive approach to review, consider and evaluate capital funding requests is needed to aid decision-makers and citizenry in understanding the capital needs of the city.
- Special purpose districts will cooperate and coordinate in the city's approach to capital facility planning to ensure growth is guided as directed.

In accordance with the existing accounting system, financial transactions are recorded in individual "fund" accounts. Capital improvements will be financed through the following funds:

- General Fund
- Capital Improvement Fund
- Transportation Improvement Fund
- Enterprise Fund

PROJECTED REVENUES

Projected Tax Base

The city's tax base was projected to increase at a 1 percent annual rate of growth for the adjusted taxable value of property (including new construction). The assessment ratio is projected to remain stable at 100 percent. This is important to the overall fiscal health of the city; however, capital improvements are also funded through non-tax resources.

Revenue by Fund

General Fund: This is the basic operating fund for the city, however, historically a number of capital improvements have been financed through this fund. Ad valorem tax yields were projected using the current tax rate and the projected 1 percent annual rate of growth for the city's assessed valuation. The General Fund will generally be allocated 72 percent of the annual tax yield from ad valorem property taxes. Sales tax projection estimates are based on historical trend data and increase approximately 1 percent per year.

Transportation Funds: Expenditures from these funds include direct annual outlays for capital improvement projects as well as the operating expenditures of the Street Fund. The revenues in this fund represent total receipts from state and local gas taxes. The projection estimates are based on state projections for gasoline consumption, current state gas tax revenue sharing methodologies and continued utilization of local option gas taxes at current levels. This fund also includes state and federal grant monies dedicated to transportation improvements.

Capital Improvement Funds: These revenues are committed to annual debt service and capital projects. The revenues in this fund represent continued capture of the real estate excise tax revenues necessary to meet annual debt service obligations on outstanding general obligation bonds.

Enterprise Fund: The revenue in this fund is used for the annual capital, debt service and operating expenditures for services that are operated and financed similar to private business enterprises. The projected revenues depend upon income from user charges, bond issues, state or federal grants and carry-over reserves.

Table 9.5 indicates the expected revenue available to the city to finance capital improvements and related operation and maintenance costs for the years 2015-2020.

Revenue amounts projected are based on past trends.

**Table 9.5 – Revenue Projections Affecting Capital Improvements (Thousands)
- 2015**

FUNDS	2015	2016	2017	2018	2019	2020
General Fund	9,229	8,741	8,696	8,789	8,878	8,985
Total General	9,229	8,741	8,696	8,789	8,878	8,985
Street Fund	2,155	2,209	2,264	2,321	2,379	2,438
Total Transportation	2,155	2,209	2,264	2,321	2,379	2,438
Storm Water Management	1,545	1,560	1,576	1,592	1,608	1,624
Total Proprietary	1,545	1,560	1,576	1,592	1,608	1,624
CIP - Development Contributions	315	99	28	28	28	28
REET	804	614	620	626	633	639
Sidewalk Capital Project	-	-	-	-	-	-
Total Capital Project	1,119	713	648	654	661	667

Plan Implementation and Monitoring

Projected Expenditures

For the purpose of this fiscal assessment, projected capital expenditures have been aggregated to include:

- The direct cost of scheduled capital improvement projects presently underway;
- Capital improvement debt service expenditures for outstanding and planned bond issues; and
- The direct cost of capital facilities in Table 9.1.

These expenditures represent additional costs to maintain adopted level of service standards under projected growth conditions.

The Six-Year Schedule of Funded Improvements referred to as the 6-Year CIP (Table 9.2) is the mechanism by which the city can stage the timing, location, projected cost and revenue sources for the capital improvements identified for implementation in the other Comprehensive Plan Elements. The Six-Year Schedule of Funded Improvements is economically feasible within the target revenues discussed in the preceding sections of this element entitled Inventory and Analysis.

Table 9.1 lists the capital facilities by type and provides estimates of project costs by year. The distribution among years matches the years in which capital improvement work is planned in order to achieve or maintain the adopted Level of Service standards and measurable objectives for various public facilities.

The capital improvement projects listed in Table 9.2 are inclusive of all anticipated capital improvements as assessed by city departments for the six year planning period.

Monitoring and Evaluation

Monitoring and evaluation are essential in ensuring the effectiveness of the Capital Facilities Program Element. This element will be regularly reviewed and amended to verify that fiscal resources are available to provide public facilities needed to support adopted LOS standards and measurable objectives. The review will reevaluate the following considerations in order to determine their continued appropriateness:

1. Any needed changes to costs, revenue sources, acceptance of dedicated facilities, or the date of construction of any facility enumerated in the element.
2. The Capital Facilities Element's continued consistency with the other elements and its support of the Land Use Element.
3. The priority assignment for addressing public facility deficiencies.
4. The city's progress in reducing or eliminating deficiencies.
5. The criteria used to prioritize capital improvement projects.
6. The city's effectiveness in maintaining the adopted LOS standards and achieving measurable objectives.
7. The city's effectiveness in reviewing the impacts of plans and programs of state agencies

that provide public facilities with the city's jurisdiction.

8. The effectiveness of impact fees and dedications for assessing the degree to which new development pays for its impacts.
9. The impacts of special districts and any regional facility and service provision upon the city's ability to maintain its adopted LOS standards or to achieve its measurable objectives.
10. Success of securing grants or private funds to finance capital improvements.
11. Capital improvements needed for the latter part of the planning period for update of the Six-Year Schedule of Improvements.
12. Concurrency status.

Analysis of Infrastructure

Capacity of Infrastructure

City Hall Facilities/Library Building: As the city organization has grown through annexation, so has the need for larger, updated facilities. In 2008 the city purchased property at the edge of downtown on Grade Road, north of the current Police Station, for the purposes of a civic campus. Sno-Isle Regional Library System and the city are coordinating the opportunity to jointly locate on this property and seek funding for new facilities.

Water System: The quality of the water provided by the PUD is good and the service meets present needs, with each household using approximately 300 gallons of water per day. Relying on standards developed for previous water supply plans, the city has decided to adopt 100 gallons of water per capita per day as a level of service standard.

Provision of water to future development not only depends on capacity, but also on design considerations. The PUD anticipates having enough capacity to serve the projected population; however, the costs of providing this service will vary significantly due to design. The PUD will also need to carefully consider the impact of very large industrial developments.

Wastewater Disposal Facilities: The city of Lake Stevens and the Lake Stevens Sewer District have a combined sewer system currently operated by the Sewer District. The Sewer District completed construction of a new wastewater treatment plant to serve the larger population in the city and the urban growth boundary for the planning period. The plant is capable of expansion to service additional needs beyond 2035.

There are few homes still on septic within the city and most of these do not pose a health threat. If such a threat becomes imminent, city ordinance does allow the city to mandate that a home with a failing septic system and within 300 feet of a sewer line be hooked up to the

system. Most new homes being built are on the sewer system, as the minimum parcel size for a septic system to be used is 12,500 square feet.

Solid Waste Disposal: The County anticipates that it will have adequate landfill capacity during this planning period, especially since most jurisdictions have or are initiating a curbside recycling program. The city has a mandatory garbage and recycling program.

Medical and Emergency Facilities: The city is adequately served by Providence Hospitals. EMS services are provided by the Lake Stevens Fire Prevention District No.8.

Police and Fire Protection: The provision of safe, commercial and industrial areas improves the quality of life for current residents and makes the city more attractive for new residents and businesses. As specified in Public Services and Utilities Element Chapter 7, the Police Department will strive for a level of service that maintains an Emergency Response Time of 3 to 4 minutes and a non-emergency response time of 6 to 10 minutes. Periodic staffing review will ensure the level of service is being met.

Public Education Facilities: To meet the demand generated by growth, the Lake Stevens School Districts' capital facilities plan calls for construction of two new elementary schools and a middle school in that time frame.

Library: Current library space is undersized to serve the existing library service area. The city is currently working with Sno-Isle Regional Library on a joint location for a new facility.

Transportation Facilities: Various types of land uses will need different types of transportation and will place different demands on the transportation system. Residential areas need access to centers of employment; commercial and industrial enterprises need access to supplier and consumer markets; and transportation corridors are often used to extend public services and utilities. This plan projects future transportation needs according to the Land Use Plan and recent annexations.

Parks: Chapter 5 is the Parks, Recreation and Open Space Element, which establishes specific goals and policies to guide decision-making and contains a detailed needs assessment for planning, acquisition, development and improvement of facilities and lands. The needs assessment provides the framework for the capital parks and recreation projects identified in Table 9.1.

GOALS AND POLICIES

GOAL 9.1 THE CITY WILL STRIVE TO BE A SUSTAINABLE COMMUNITY AROUND THE LAKE WITH UNSURPASSED INFRASTRUCTURE FOR AN EXCEPTIONAL QUALITY OF LIFE.

Policies

- 9.1.1 Ensuring good fiscal stewardship.
- 9.1.2 Using smart growth principles to understand how the city's planned growth pattern affects the investments that will be needed, and investing in where new growth should occur.
- 9.1.3 Expertly planning for the short and long term costs to support infrastructure expenditures and leave a quality legacy.

GOAL 9.2 PROVIDE PUBLIC FACILITIES IN A MANNER WHICH PROTECTS INVESTMENTS IN, AND MAXIMIZES USE OF, EXISTING FACILITIES AND PROMOTES ORDERLY COMPACT URBAN GROWTH.

Policies

- 9.2.1 Capital improvements shall be provided to correct existing deficiencies, to replace worn out or obsolete facilities and to accommodate desired future growth.
- 9.2.2 Capital improvement projects identified for implementation in this Plan and at a cost of at least \$10,000 shall be included in the Six-Year Schedule of Improvement. Capital improvements with a cost of less than \$10,000 should be reviewed for inclusion in the six-year Capital Improvement Program and the annual capital budget.
- 9.2.3 Proposed capital improvement projects shall be evaluated and prioritized in consideration of the following criteria:
 - a. Need exists to correct existing deficiencies, replace facilities, or to provide for growth;
 - b. Elimination of public hazards;
 - c. Elimination of capacity deficits;
 - d. Financial feasibility;
 - e. Site needs based on projected growth patterns;
 - f. Environmental impacts;
 - g. New development and redevelopment;
 - h. Plans of state agencies; and
 - i. Local budget impact including costs for operations and maintenance.

GOAL 9.3 DEVELOPMENT SHALL BEAR ITS FAIR SHARE OF COSTS OF PROVIDING PUBLIC FACILITIES AT THE ADOPTED LEVELS OF SERVICE.

Policies

- 9.3.1 Transportation and park impact fees shall be sufficient to pay the fair share of improvement costs necessitated by new development.
- 9.3.2 Appropriate funding mechanisms for developments' contribution of a fair share of other public facility improvements [such as recreation, drainage and solid waste] will be considered for implementation as the city develops them.

GOAL 9.4 PROVIDE NEEDED CAPITAL IMPROVEMENTS TO MAINTAIN ADOPTED LEVELS OF SERVICE.

Policies

- 9.4.1 The city shall continue to adopt an annual capital budget and a six-year capital improvement program as part of its budgeting process.
- 9.4.2 Debt shall be managed so that city general obligation debt will not exceed debt limitations set by state law and the city's ability to pay. There are no limits placed on revenue bonds other than the ability to pay.
- 9.4.3 Efforts shall be made to secure grants or private funds whenever available to finance the provision of capital improvements.
- 9.4.4 Fiscal policies to direct expenditures for capital improvements will be consistent with other Comprehensive Plan Elements.

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.

Policies

- 9.5.1 Certain public facilities and services needed to support development shall be available concurrent with the development. The city shall adopt a concurrency program subject to concurrency requirements which shall include transportation, parks and sanitary sewer. The city will consider in the future the feasibility of implementing concurrency for stormwater and potable water.

- 9.5.2 The city will support and encourage the joint development and use of cultural and community facilities with other governmental or community organizations in areas of mutual concern and benefit.
- 9.5.3 The city will emphasize capital improvement projects, which promote the conservation, preservation or revitalization of commercial, industrial and residential areas in Lake Stevens.
- 9.5.4 Proposed Plan amendments and requests for new development or redevelopment shall be evaluated according to the following guidelines as to whether the proposed action would:
 - a. Contribute to a condition of public hazards;
 - b. Exacerbate any existing condition of public facility capacity deficits;
 - c. Generate public facility demands that exceed capacity increase planning in the Six-Year Schedule of Improvements;
 - d. Conform to future land uses as shown on the future land use map of the Land Use Element;
 - e. Accommodate public facility demands based upon adopted LOS standards and attempts to meet specified measurable objectives, when public facilities are developer-provided;
 - f. Demonstrate financial feasibility, subject to this element, when public facilities are provided, in part or whole, by the city; and
 - g. Affect state agencies' facilities plans and siting of essential public facilities.
- 9.5.5 Continue to update prioritizations on Table 9.2 as needs are identified; and move projects/facilities to and/or from Table 9.1 to 9.2 as funding becomes available.

TABLE 9.1 – CAPITAL FACILITIES PROGRAM, 2015-2035

TABLE 9.1 – CAPITAL FACILITIES PROGRAM, 2015-2035 (Updated in 2016 2017) TRANSPORTATION								
ROAD	FROM	TO	COST	YEAR/S	Local	State/Fed	Mitigation	Dev Imp
SR9/SR204/System (SR9/204, 91 st /204, 4 th /SR9	North of SR204	South of 4 th and West of 91 st	\$69,000	2015-2021		X		
Frontier Village Internal Access Rd	No Davies	4th St NE	\$6,265,000	>2021	X		X	X
N Davies/Vernon - RAB	Vernon Rd	-	\$150,000	>2021			X	X
N Davies/FV - RAB	north Frontier Village	-	\$150,000	>2021			X	X
93rd Ave NE (new)	Market	4th St NE	\$3,840,000	>2021	X	X	X	X
93rd Ave NE (existing)	Market	1st St SE	\$3,597,000	>2021	X	X	X	X
91st Ave NE/4th NE - Intersection	4th St NE	-	\$400,000	>2022	X	X	X	X
91st Ave NE	4th St NE	SR 204	\$751,500	>2021	X		X	X
91st Ave NE	SR 204	Vernon	\$351,000	2018-2019	X		X	X
91st Ave NE - Intersection	Vernon Rd	-	\$200,000	2018	X		X	X
Frontier Circle E	91st Ave NE	13th St NE	\$750,000	>2021	X		X	X
4th St NE	SR 9	93rd Ave NE (new)	\$315,000	>2021	X		X	X
4th St NE	93rd Ave NE (new)	94th Ave NE (Target)	\$522,000	>2021			X	X

4th St NE	94th Ave NE (Target)	99th Ave NE	\$864,000	>2021	X		X	X
99th Ave NE	Market	4th St NE	\$1,170,000	2019>2020	X		X	X
4th St SE	91st Ave SE	SR-9	\$622,000	2017-2018	X	X		
4th St NE	91st Ave NE	SR 204	\$7,578,460	>2021			X	X
90th Ave NE shop center road	4th Ave NE	Market	\$4,648,540	>2021			X	X
13th St NE (SR 204)	SR 9	93rd Ave NE (new)	\$195,500	>2021	X		X	X
Vernon Road	91st Ave NE	SR 9	\$935,000	2020	X		X	X
Lundeen/Vernon - Intersection	Vernon Rd	-	\$400,000	2021	X	X	X	X
91st Ave NE	4th St SE	Market	\$1,710,000	>2021	X	X	X	X
94th Ave NE (Target)	Market	4th St NE	\$2,937,000	>2021	X		X	X
2nd St NE Connector (Target)	94th Ave NE (Target)	99th Ave NE	\$191,000	>2021	X		X	X
20th St SE	83rd Ave SE	88th Ave SE	\$4,051,080	2015-2020	X	X	X	X
20th St SE/83rd SE - Intersection	83rd Ave SE	-	\$400,000	2015-2020	X	X	X	X
20th St SE	79th Ave SE	83rd Ave SE	\$2,864,400	2021-2026	X		X	X
20th St SE/79th SE - Intersection	79th Ave SE	-	\$300,000	>2021	X	X	X	X
20th St SE	73rd Ave SE	79th Ave SE	\$2,455,200	>2021	X	X	X	X
20th St SE/73rd SE - Intersection	73rd Ave SE	-	\$500,000	2015>2021			X	X
20th St SE	US 2	73rd Ave SE	\$2,557,500	>2021	X	X	X	X
24th St SE/73rd SE - Intersection	73rd Ave SE	-	\$800,000	2021-2022			X	X

24th St SE	73rd Ave SE	79th Ave SE	\$3,653,000	2021-2022			X	X
24th St SE/79th SE - Intersection	79th Ave SE	-	\$800,000	2021-2022			X	X
24th St SE	83rd Ave SE	87th Ave SE	\$5,278,000	>2021			X	X
24th St SE/83rd SE - Intersection	83rd Ave SE	-	\$800,000	>2021			X	X
24th St SE	SR 9	91st Ave SE	\$2,970,000	2016-2017			X	X
24th St SE/SR 9 - Intersection			\$3,500,000	>2021	X		X	X
20th St SE/SR 9 - Intersection			\$4,327,000	>2021	X		X	X
91st Ave SE	20th St SE	4th St SE	\$4,770,000	2019-2020	X	X	X	X
91st Ave SE	20th St SE	24th St SE	\$5,499,800	2019-2020			X	X
99th Ave SE	20th St SE	4th St SE	\$4,763,800	2021-2024	X	X	X	X
99th Ave SE	20th St SE	Lake Stevens Rd	\$5,507,800	2021-2024			X	X
83rd Ave SE	20th St SE	24th St SE	\$2,369,500	>2021			X	X
79th Ave SE	20th St SE	24th St SE	\$2,369,500	>2021			X	X
24th St SE	83rd Ave SE	79th Ave SE	\$1,728,300	>2021			X	X
S Lake Stevens Road	SR 9	18th Street SE	\$7,382,000	>2021			X	X
S. Lake Stevens Road	S. Davies Road	Stitch Road	\$430,000	2017	X			
City Campus Rd (26th NE)	Intersection		\$4,105,221	>2021	X		X	X
20th St NE	Grade Rd	500' w of 123rd SE	\$1,500,257	>2021	X		X	X
123rd Ave NE	20th St NE	N Lakeshore Dr	\$1,263,630	>2021	X		X	X

20th St NE & Main Intersection	Intersection		\$1,112,004	2021-2024	X	X	X	X
North Lakeshore Dr	123rd Ave NE	550 west of 123rd NE	\$788,739	>2021	X	X	X	X
North Lakeshore Dr	123rd Ave NE	Main St NE	\$282,920	>2021	X		X	X
123rd Ave NE	N Lakeshore Dr	18th St NE	\$4,040,621	>2021			X	X
Main Street	20th St NE	17th St NE	\$1,274,558	>2021	X		X	X
19th St NE	Main St	125th Ave NE	\$2,649,804	>2021			X	X
18th St NE	123rd Ave NE	Main St NE	\$1,287,281	>2021			X	X
18th St NE	Main St	125th Ave NE	\$428,820	>2021	X		X	X
123rd Ave NE	18th St NE	17th St NE	\$1,094,300	>2021	X		X	X
18th Pl NE	123rd Ave NE	Main St NE	\$808,375	>2021	X		X	X
17th Pl NE	123rd Ave NE	180' west of 123rd NE	\$899,614	>2021	X		X	X
17th Pl NE	123rd Ave NE	Main St NE	\$938,474	>2021	X		X	X
Grade Road	20th St NE	SR 92	\$15,607,836	2021>2024	X	X	X	X
20th Street NE	east of Main St	Centennial Trail	\$1,284,475	>2021	X	X	X	X
SR 92 & Grade Rd RAB	Intersection		\$4,105,221	2020>2022	X	X	X	X
Lundeen Pkwy Corridor Ped Imp	Vernon Rd	99 th Ave NE	\$900,000	>2021	X		X	
Hartford Rd & Drainage Imp	Catherine Creek Crossing		\$700,000	>2021	X	X	X	
20th Street NE Widening	Main St	111 th Dr NE	\$1,668,000	>2021	X		X	
30th Street NE non-motorized	113rd Ave NE	Cedar Rd NE	\$540,000	>2021	X	X	X	
Mitchell Ro/Manning Road	200ft W of 116 th Dr NE	600 ft. E of 116 th Dr NE	\$360,000	>2021	X		X	X

117th Avenue NE	20th St NE	150 ft. S of 28th St NE	\$1,932,000	>2021	X		X	X
116th Avenue NE	20th St NE	26th St NE	\$1,900,000	>2021	X		X	
26th Street NE	115th Ave NE	117th Ave NE	\$280,000	>2021	X		X	
Mitchell Dr/118th Ave NE	N. Lakeshore Dr	20th St NE	\$1,400,000	>2021	X		X	
131st Avenue NE	20th St NE	Hartford Rd	\$1,489,000	>2021	X		X	
22nd Street NE	117th Ave NE	123rd Ave NE	\$768,000	>2021	X		X	
28th Street NE	Old Hartford Rd	N. Machias Rd	\$470,000	>2021	X		X	
32nd Street NE	118th St NE	Grade Rd	\$545,000	>2021	X		X	X
East Lakeshore Drive — non motorized	Main St	7th St NE	\$1,450,000	>2021	X	X	X	
Old Hartford Road	36th St NE	Hartford Road	\$2,323,000	>2021	X		X	
36th Street NE	Grade Road	Old Hartford Road	\$2,340,000	>2021	X		X	
16th Street NE	Main St	134th Ave NE	\$1,737,000	>2021	X		X	
SR 92 and 127th Ave NE RAB	Intersection		\$1,750,000	>2021		X		
SR 92 and Lake Dr Rechannelization	Intersection		\$200,000	2016		X		
S. Davies Rd and S Lake Stevens Rd	Intersection		\$800,000	>2021	X		X	X
Cedar Road	Forest Road	29th St NE	\$2,273,000	2017-2022	X	X		
City-Wide Mini-RAB Intersection Improvements.	Various		\$900,000	2017-2022	X	X		
Soper Hill Road Intersection Improvements	83rd Ave NE	Soper Hill Road	\$750,000	2017-2022	X		X	X

Soper Hill Road Intersection Improvements	87th Ave NE	Soper Hill Road	\$750,000	2017-2027	X		X	X
91st Street SE Pedestrian Improvements	8th Street NE	12 Street NE	\$610,000	2016-2018		X	X	
	12 Street NE	20 th Street SE	\$1,100,000	2016				

Improvements

Hartford Road Walking Path/Trail Head			41,173	>2016 2018		X	X	
Catherine Creek and Centennial Woods Trail Improvements			15,206	2020	X		X	
Boat Launch North Cove Park			544,000	2017-2019		X	X	
Lundeen Park			234,959 15,000	2016 2017- 20172020	X		X	

Table 9.2 - 2017-2022 6-Year Capital Improvement Plan Summary

Proj ID #	PROJECT NAME	DESCRIPTION OF WORK (Road Projects Only)	YEAR/S	TOTAL PROJECT COST	2017 2018	2018- 2022 2024	Beyond
	ROAD PROJECTS						
1	SR 9/4th NE - Intersection - sub-project of 2(1)	Improve egress WB alignment right turn onto SR 9 and add a new right turn ingress for EB onto 4th St NE. Additional improvement is the construction of a new alignment N-S Village Way Road (93rd).	2017-2018	\$3,000,000	\$-	\$3,000,000	\$-
2	SR 9/SR 204 - System	System improvement that includes roundabouts at SR 9/SR 204 and SR 9/91st Ave NE, improvements to the SR 9/4th Intersection. This is a safety, economical, local circulation, and capacity improvements.	2022	\$69,000,000	\$3,510,000	\$65,490,000	\$-
3	SR 92 & Grade Rd RAB	Roundabout intersection improvement with gateway treatment	2017>2018	\$4,105,221	\$-	\$4,105,221	\$-
4	90th Ave NE Connector	Construction of a new roadway segment that would allow for right in-right out movement for SR 204. Roadway would be developer driven	2018	\$1,140,000	\$-	\$1,140,000	\$-
5	91st Ave NE	Upgrade roadway to create a pedestrian friendly downtown style streetscape	2016	\$351,000	\$-	\$351,000	\$-
6	SR 92 and Lake Dr Re-channelization	State driven safety project to reduce vehicle conflicts	2016	\$200,000	\$-	\$200,000	\$-

7	20th St SE - Segment 1	Widening of existing two lane to four lane, providing non-motorized travel area with pedestrian sidewalks and improved drainage and lighting.	2013>2018	\$4,980,567	\$624,160	\$4,356,407	\$-
8	20th St SE - Segment 2	Widening of existing two lane to four lane, providing non-motorized travel area with pedestrian sidewalks and improved drainage and lighting.	2013>2018	\$3,970,366	\$-	\$897,838	\$3,072,528
9	20th St SE - Segment 3	Widening of existing two lane to four lane, providing non-motorized travel area with pedestrian sidewalks and improved drainage and lighting.	2013>2018	\$2,770,169	\$-	\$464,674	\$2,305,495
10	20th St SE - Segment 4	Widening of existing two lane to four lane, providing non-motorized travel area with pedestrian sidewalks and improved drainage and lighting.	2013>2018	\$2,599,205	\$-	\$25,000	\$2,574,205
11	24th St SE/73rd SE - Intersection	Construction of a new intersection to provide internal vehicle and non-motorized circulation adjacent to 20th Street SE. Construction is developer driven.	2013>2018	\$800,000	\$-	\$25,000	\$775,000
12	24th St SE	Construction of a new roadway segment to provide internal vehicle and non-motorized circulation adjacent to 20th Street SE. Construction is developer driven.	2013>2018	\$3,653,000	\$-	\$365,300	\$3,287,700
13	24th St SE/79th SE - Intersection	Construction of a new intersection to provide internal vehicle and non-motorized circulation adjacent to 20th Street SE. Construction is developer driven.	2013>2018	\$800,000	\$-	\$80,000	\$720,000
14	24th St SE	Construction of a new roadway segment to provide internal vehicle and non-motorized circulation adjacent to 20th Street SE. Construction is developer driven.	2013>2018	\$5,278,000	\$-	\$2,555,100	\$2,722,900
15	24th St SE/83rd SE - Intersection	Construction of a new intersection to provide internal vehicle and non-motorized circulation	2013>2018	\$800,000	\$-	\$682,000	\$118,000

		adjacent to 20th Street SE. Construction is developer driven.					
16	24th St SE	Construction of a new roadway segment to provide internal vehicle and non-motorized circulation adjacent to 20th Street SE. Construction is developer driven.	2013>2018	\$2,970,000	\$991,600	\$1,978,400	\$-
17	91st Ave NE/SR 204 - RTP	Widen southbound outside lane to provide for a dedicated right turn lane	2013-2015	\$337,000	\$-	\$337,000	\$-
18	91st Ave NE/SR 204 - RTP	Widen north bound outside lane to provide for a dedicated right turn lane	2013-2015	\$454,100	\$-	\$454,100	\$-
19	91st Ave SE	Widen to a three lane section with non-motorized improvements and pedestrian improvements that include sidewalk segments and curb separated walking paved shoulder areas along the east side of the roadway	2014>2018	\$4,770,000	\$-	\$1,093,730	\$3,676,270
20	91st Ave SE	New connector roadway to 24th St SE	2014>2018	\$1,950,000	\$-	\$1,950,000	\$-
21	99th Ave NE	Enhance Streetscape with improvement with non-motorized enhancements and circulation improvements with a possible roundabout intersection at 4th NE	2015>2018	\$1,170,000	\$-	\$1,170,000	\$-
22	4th St NE	New internal connector and circulation roadway. Will require a new break in access on to SR 204. Intersection would be a right turn only.	2015>2018	\$7,578,460	\$-	\$1,007,847	\$6,570,613
23	99th Ave SE	Widen to a three lane section with non-motorized improvements and pedestrian improvements that include sidewalk segments and curb separated walking paved shoulder areas along the east side of the roadway	2015>2018	\$4,763,800	\$-	\$476,380	\$4,287,420
24	99th Ave SE	Widen to a three lane section with non-motorized improvements and pedestrian improvements that include sidewalk segments and curb separated walking paved shoulder areas along the east side of the roadway	2015>2018	\$5,507,800	\$-	\$550,780	\$4,957,020

25	20th St NE & Main Intersection	Widening to provide turn pockets or possible roundabout improvements	2015>2018	\$1,112,004	\$-	\$444,801	\$667,203
26	Grade Road	Widen to a three lane section with non-motorized improvements and pedestrian improvements that include sidewalk segments and curb separated walking paved shoulder areas along the west side of the roadway	2015>2018	\$15,607,836	\$-	\$780,392	\$14,827,444
27	91st Ave NE - Intersection	Minor widening and possible mini-roundabout to improvement safety and circulation	2016>2018	\$200,000	\$-	\$200,000	\$-
28	Lundeen/Vernon - Intersection	Channelization enhancement to improvement safety and circulation. May restrict through movement for east-east crossing (Vernon)	2016>2018	\$400,000	\$-	\$400,000	\$-
29	Vernon Road	Minor widening to provide for turn movement and improved pedestrian movement	2017>2018	\$935,000	\$-	\$327,250	\$607,750
30	116th Avenue NE	Construct vehicular, bicycle and pedestrian improvements to improve safety.	2017>2018	\$1,000,000	\$-	\$1,000,000	\$-
31	117th Avenue NE	Construct vehicular, bicycle and pedestrian improvements to improve safety.	2017>2018	\$600,000	\$-	\$600,000	\$-
32	4th Street SE	Construct pedestrian improvements to improve safety around schools.	2017>2018	\$622,000	\$622,000	\$-	\$-
33	Cedar Road	Construct vehicular, bicycle and pedestrian improvements to improve safety.	2017>2018	\$2,273,000	\$643,000	\$1,630,000	\$-
34	City-wide Mini-RAB Intersection Improvements	Construct mini-roundabouts at various locations to improve safety and traffic operation	2017>2018	\$900,000	\$150,000	\$750,000	\$-
35	S. Lake Stevens Road	Construct pedestrian improvements to improve safety.	2017	\$430,000	\$430,000	\$-	\$-
	TOTAL			\$157,028,528	\$6,972,777	\$98,888,220	\$51,169,548
	FACILITY PROJECTS						
1	City Hall/Civic Center Police Station		2018- 2022	\$2514,000,000	<u>1,500,000</u>	\$2514,000,000	
2	Civic Center		<u>>2018</u>	<u>\$4,000,000</u>		<u>\$4,000,000</u>	
23	Public Works Shop/Pole Building		2018	\$80,000		\$80,000	
34	Regional Stormwater Pond (20th St. between 83rd & 79th)		2018-2019	\$3,784,000		\$3,784,000	

45	Regional Stormwater Pond (24th St. Area)		2018	\$2,500,000		\$2,500,000	
	TOTAL			\$2824,836,000			
	PARK PROJECTS						
	<i>Planning</i>						
1	Wayfinding Plan		2017-2018	\$20,000		\$20,000	
2	Trails, Paths and Pedestrian Facilities Master Plan		2015-2018 On-going	\$15,000		\$15,000	
3	North Cove/Downtown Open Space Master Plan		2015-2018-2020 2023	\$6,000,000 \$80,000	\$5300,000 \$0	\$30,000 \$3,500,000	
	<i>Acquisition</i>						
1-1	Lakeside Path Right-of-Way/Easement Acquisition (northern section)		>2021	\$237,382		\$237,382	
1-2	Lakeside Path Right-of-Way/Easement Acquisition (eastern section)		>2021	\$222,684		\$222,684	
1-3	Lakeside Path Right-of-Way/Easement Acquisition (southern portion)		>2021	\$1,150,000		\$1,250,000	
2	Neighborhood Park Acquisition (near 20th Street SE)		2017-2019-2021 2024	\$317,671 \$500,000		\$317,671 \$500,000	
3	Shoreline Acquisition		2017-2021	\$1,500,000		\$1,500,000	
4	Power Line Trail Right-of-Way/Easement Acquisition		>2021	\$838,200		\$838,200	
5	Frontier Heights Park Acquisition		2016-2017	\$191,000	\$191,000		
	<i>Development</i>						
1-1	Complete Phase 1 of the Eagle Ridge Master Plan		2016- 2018 2020	\$100,000 \$72,500	\$100,000 \$72,500	72,500	
1-2	Complete Phase 2 of the Eagle Ridge Master Plan		2018-2021	\$271,205		\$271,205	
1-3	Complete Phase 3 of the Eagle Ridge Master Plan		>2021	\$540,717		\$540,717	

2-1	Power Line Trail Construction (northern segment)		>2021 On- going	\$699,600		\$699,600	
2-2	Power Line Trail Construction (southern segment)		>2021 On- going	\$641,700		\$641,700	
3	Cavalero Community Park Development (Partnership with Snohomish County)		2016 2018- 2021 2022	\$2,425,000	\$250,000	\$2,175,000	
4	<u>Frontier Heights Redevelopment</u>		<u>2018-2022</u>	<u>\$460,000</u>	<u>\$100,000</u>	<u>\$360,000</u>	
5	<u>20th Street Ballfields</u>		<u>2018-2022</u>	<u>\$200,000</u>	<u>\$20,000</u>	<u>\$180,000</u>	
	<i>Improvements</i>						
1	Hartford Road Walking Path/Trail Head		>2018 6	\$41,173			
2	Catherine Creek and Centennial Woods Trail Improvements		2020	15, 206		\$15,206	
3	Boat Launch North Cove Park (Budgeted by State Funds)		2017-2019	\$544,000			
4	Lundeen Park		2016-2017	\$234,959	\$195,000		
	TOTAL			\$10,169,291			

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EXHIBIT 9

ADDENDUM NO. 3 AND ADOPTION OF EXISTING ENVIRONMENTAL DOCUMENTS

TO THE CITY OF LAKE STEVENS FINAL ENVIRONMENTAL IMPACT STATEMENT (FEIS) FOR THE CENTER SUBAREA PLAN

Adoption of a Proposed Map Amendment and Concurrent Rezone with the 2017 Comprehensive Plan Docket



Prepared in Compliance with
The Washington State Environmental Policy Act of 1971
Chapter 43.21C Revised Code of Washington
Chapter 197-11 Washington Administrative Code
Lake Stevens Municipal Code Title 16

Date of Issuance: November 9, 2017

**ADDENDUM #3 TO THE CITY OF LAKE STEVENS 2012 FINAL ENVIRONMENTAL
IMPACT STATEMENT FOR THE LAKE STEVENS CENTER SUBAREA PLAN**

FACT SHEET

**ADDENDUM NO. 3 AND ADOPTION OF EXISTING ENVIRONMENTAL DOCUMENTS TO
THE CITY OF LAKE STEVENS 2012 FINAL ENVIRONMENTAL IMPACT STATEMENT FOR
THE LAKE STEVENS CENTER SUBAREA PLAN**

Proposed Non-Project Action:

Under the Growth Management Act, the City of Lake Stevens may amend its Comprehensive Plan and Future Land Use Map once per year, with a few exceptions, through an annual docket process. The proposed non-project action consists of minor map and text amendments for the 2017 Docket, including two city-initiated map amendments (with concurrent rezones), city text amendments to the Land Use Element, the Parks, Recreation and Open Space Element, the Capital Facilities element and the Appendices. Standard administrative updates and SEPA documents will be incorporated into the plan. The GMA requirements contained in Chapter 36.70A RCW apply to this action.

City request to change the land use designation of four parcels adjacent to 99th Avenue and Chapel Hill Road from Commercial and Mixed Use Neighborhood to Public / Semi-Public to support new civic buildings (**Attachment 1**). The city will also process a concurrent area-wide, minor rezone to change the zoning designation of the subject parcels to the Public / Semi-Public zoning designation. The subject properties are located within the city's Lake Stevens Center Subarea and are subject to a SEPA addendum to the Final Environmental Impact Statement established for the subareas.

The Lake Stevens Center Subarea was the subject of a Final Environmental Impact Statement (FEIS) and subsequent adoption by Ordinance #877 (October 2012). The FEIS amended and became an element of the Lake Stevens Comprehensive Plan in 2012. The FEIS includes goals, policies, maps and design guidelines that are reflected in Chapter 14.38 of Lake Stevens Municipal Code (LSMC). The city has determined that the proposed map amendment and concurrent rezone as described above will not significantly alter the analysis of alternatives considered in the FEIS for the Center Subarea, including the planned action thresholds. No updates to the currently adopted FEIS are proposed.

Planning and Community Development has prepared this Addendum No. 3 to the City of Lake Stevens 2012 FEIS for the Center Subarea Plan along with an adoption of existing environmental documents.

Purpose of the FEIS Addendum:

This addendum and adoption of existing environmental documents is to add information relating to the 2012 Final Environmental Impact Statement (FEIS) for the Lake Stevens Center Subarea Plan. This addendum and adoption of existing environmental documents does not substantially change the analysis of alternatives considered in the City's Center Subarea FEIS or the adopting Ordinance #877 (October 2012). The City has considered the impacts of the proposed

**ADDENDUM #3 TO THE CITY OF LAKE STEVENS 2012 FINAL ENVIRONMENTAL
IMPACT STATEMENT FOR THE LAKE STEVENS CENTER SUBAREA PLAN**

programmatic actions to the FEIS document. No additional significant impacts beyond those identified in the FEIS are expected to occur. To the extent that the existing environmental documents listed in this Addendum or other published documents have analyzed such changes, no additional programmatic action level environmental review will be required. This Addendum is issued in accordance with WAC 197-11-625 and WAC 197-11-630. Additional changes to the proposal may be considered during the public hearing process. The addendum and adoption of existing environmental documents satisfies the City of Lake Stevens' environmental review for the 2017 Comprehensive Plan Docket.

Location of Proposal: City of Lake Stevens

Proponent: City of Lake Stevens, P.O. Box 257, Lake Stevens, WA 98258
Lead Agency: (425) 377-3235


Required Approvals: Adoption of 2017 Comprehensive Plan Docket map and text amendments granted by Lake Stevens City Council.

Circulation: This addendum and adoption of existing environmental documents is being sent to SEPA review agencies and interested parties.

Comment: No comment period is required for this addendum.

Contact Person: Russell Wright, *Community Development Director*
(425) 212-3315 or rwright@lakestevenswa.gov

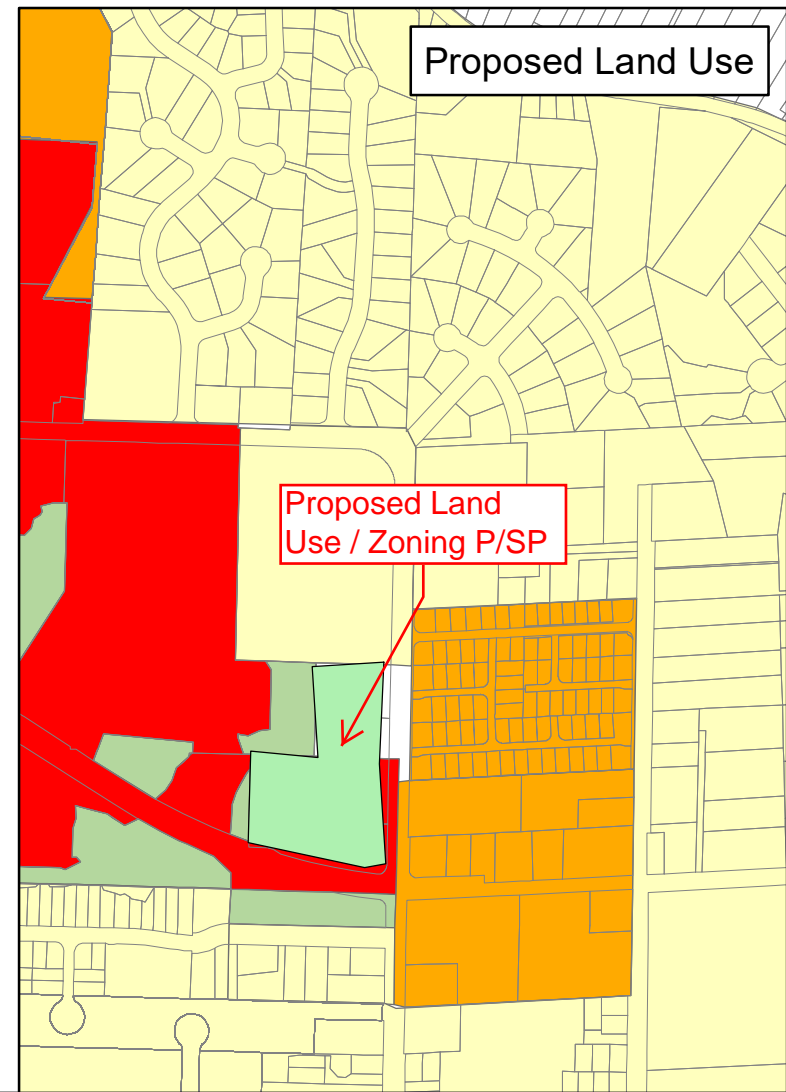
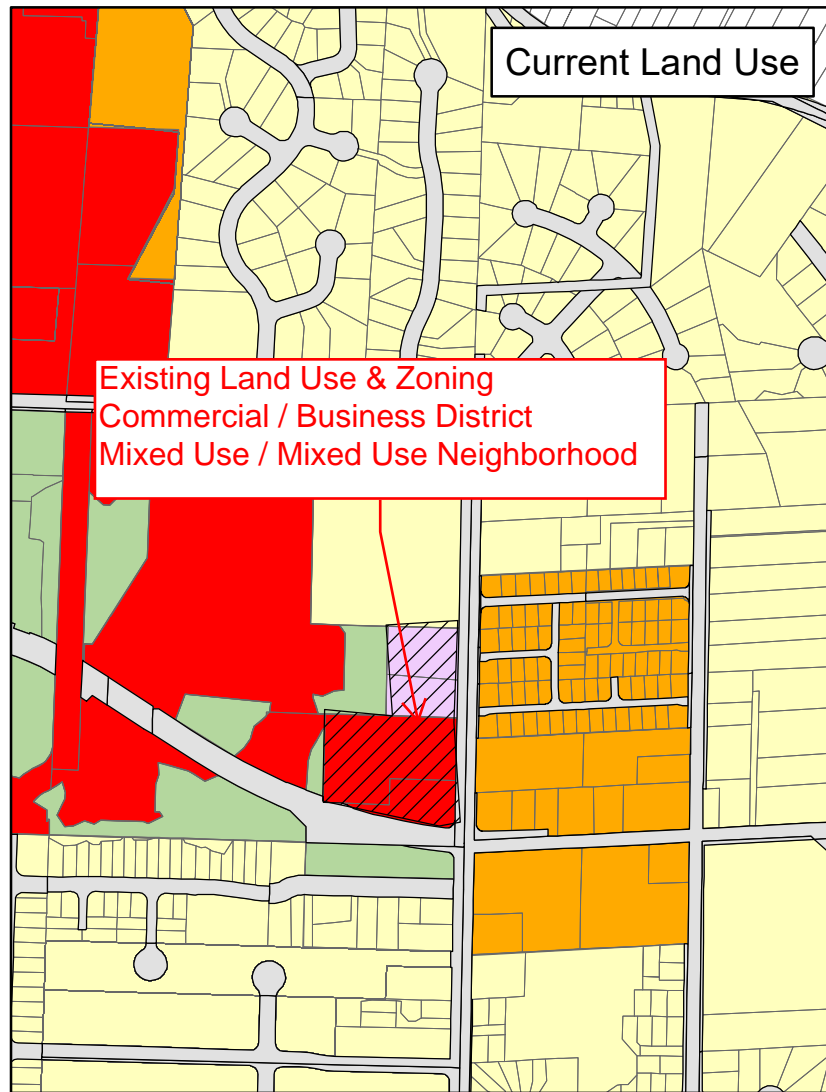
Date of Issuance: November 9, 2017

Responsible Official: Signature: 
Russell Wright, *Community Development Director*

Public Hearing: Staff has held briefings with both City Council and the Planning Commission related to the analysis of each of the Docket items. The Lake Stevens Planning Commission and City Council will hold public hearings to receive final comments and testimony prior to adoption.












Documents: All of the application materials and staff documents are available at the Permit Center. Electronic copies may be requested.

Attachments:
1. Chapel Hill Properties map



Chapel Hill Land Use Map Amendment

Land Use Designations

 Commercial	 Public / Semi-Public	 Unincorporated UGA
 General Industrial	 Med Density Residential (MDR)	 Lake Stevens Boundary
 Planned Business District	 High Density Residential (HDR)	 Parcels
 Mixed Use		 Subject Parcels

All data, information and maps are provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the requester. The city of Lake Stevens makes no warranties, expressed or implied as to the use of the information obtained here. There are no implied warranties of merchantability or fitness for a particular purpose. The requestor acknowledges and accepts all limitations, including the fact that the data, information and maps are dynamic and in a constant state of maintenance, correction and update.

Data Sources: Snohomish County (2017), City of Lake Stevens (2017)

Date: March 2017





Type VI Decision
Area-wide Rezone
City of Lake Stevens Planning and Community
Development

January 3, 2018

Chapel Hill Properties

LUA2017-0018 M-1

A. PROJECT DESCRIPTION AND REQUEST

The City of Lake Stevens has requested a comprehensive plan map change and concurrent rezone to change the land use designation for four parcels adjacent to 99th Avenue from Commercial and Mixed Use Neighborhood to Public/Semi-Public with a concurrent rezone from Business District and Mixed Use Neighborhood to the Public/Semi-Public zone to support new civic buildings (Map – **Exhibit 1**).

B. GENERAL INFORMATION

1. Date of Application: January 2, 2017
2. Property Location: 26 99th Ave NE, Lake Stevens, WA / APN's 00493400500301, 00493400500303, 00493400500302, and 00493400500403
3. Total Area of Project: Approximately 4.14 acres (study area)
4. Applicant / Contact: Melissa Place, City of Lake Stevens
5. Comprehensive plan land use designation, zoning designation and existing uses of the site and surrounding area:

AREA	LAND USE DESIGNATION	ZONING	EXISTING USE
Project Site	Commercial and Mixed Use Neighborhood	Business District and Mixed Use Neighborhood	Undeveloped & Residential
North of Site	Medium Density Residential	Urban Residential	Multi-Family Residential
South of Site	Chapel Hill Road & Public/Semi-Public	Public/Semi-Public	Roadway & fire station
East of Site	99 th Ave NE & High Density Residential	99 th Ave NE & High Urban Residential	99 th Ave NE & Residential
West of Site	Public/Semi-Public & Commercial	Public/Semi-Public, Business District, & Commercial	Commercial & Office

C. ANALYSIS¹

1. Application Process

- a. The city of Lake Stevens requested a rezone in concurrence with requested changes to the Comprehensive Plan as part of the 2017 Docket. Area wide rezones are Type

¹ Project analysis is based on review of current materials applicable to the project.

Chapel Hill Properties Rezone

VI applications subject to Planning Commission recommendation and City Council approval pursuant to Chapter 14.16B LSMC, Part VI.²

- b. A written analysis was provided as part of the docket review (**Exhibit 2**).

CONCLUSION: The application meets the procedural requirements for Type VI applications established in Title 14 of the LSMC.

2. Notices, Community Outreach and Public Comment³

- a. Planning Commission Notice of Docket Hearing for March 15, 2017 (**Exhibit 3a**);
- b. City Council Notice of Docket Hearing for April 11, 2017 (**Exhibit 3b**);
- c. Planning Commission Public Hearing Notice for January 3, 2018 (**Exhibit 3c**); and
- d. No public comments have been received to date.

CONCLUSION: The city has met the noticing requirements for Type VI applications established in Chapter 14.16B LSMC, Part VI.

3. Comprehensive Plan, Zoning, and Uses:

- a. The existing and proposed comprehensive plan designations and zoning districts in the study area are identified in Section B as are adjacent land use designations.
- b. **Zoning Analysis** – the proposed rezone would meet the intent of the public/semi-public zoning district as described below and in LSMC 14.38.020(f)(2) – Subarea Plans, Zoning Districts.

LSMC 14.36.034 states, “A Public/Semi-Public district is hereby established to accommodate public and semi-public uses, such as schools, government services and facilities, public utilities, community facilities, parks, etc., on publicly owned land.”

c. **Applicable Comprehensive Plan Goals & Policies**

LAND USE GOAL 1.1 Provide for a consistent review and revision of the comprehensive plan.

LAND USE GOAL 2.1 Provide sufficient land area to meet the projected needs for housing, employment and public facilities within the city of Lake Stevens.

LAND USE GOAL 2.2 Achieve a well-balanced and well-organized combination of residential, commercial, industrial, open space, recreation and public uses.

LAND USE 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.

PUBLIC SERVICES & UTILITIES GOAL 7.1 Coordinate with city departments, special purpose districts, utility companies and other service providers to ensure the

² The rezone application is an area-wide rezone because the proposed changes require a Comprehensive Plan Amendment. The rezone is a Type VI application being reviewed in concurrence with the comprehensive plan map amendment and will include a public hearing in front of the Planning Commission who will recommend approval to the City Council. Final approval will be by ordinance following a Public Hearing

³ Public notice includes a combination of posting, publication and mailing pursuant to the requirements of Lake Stevens Municipal Code 14.16A.225 and LSMC 14.16B.630.

Chapel Hill Properties Rezone

adequate distribution of public services and facilities throughout the city and consistency with the land use element.

PUBLIC SERVICES & UTILITIES GOAL 7.2 Provide the best city hall service attainable within budget parameters and minimize governmental expenditures by reducing duplication of services.

CAPITAL FACILITIES GOAL 9.2 Provide public facilities in a manner which protects investments in, and maximizes use of, exiting facilities and promotes orderly compact urban growth.

CAPITAL FACILITIES 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.

Lake Stevens Center Subarea Plan (dated September 24, 2012) – a subarea plan of the city's Comprehensive Plan.

4. Rezone criteria: Rezone Criteria is found in LSMC 14.16C.090. The following section addresses how the proposal meets the specific criteria.
 - a. The rezone if approved will be consistent with Comprehensive Land Use Map as amended.
 - b. The rezone is consistent with the Growth Management Act as the city can establish its local zoning and has met public notice requirements.
 - c. The proposed rezone advances identified goals and policies of the Comprehensive Plan and the Lake Stevens Center Subarea Plan. At the time of development, any application will need to meet state and local regulations in effect and ensure concurrency standards are met.
 - d. This proposal will help provide additional opportunities for new civic buildings in the proposed zoning district.
 - e. The site contains adequate area to develop in conformance with the zoning standards. At the time of development, any application will need to meet state and local regulations in effect and ensure concurrency standards are met.
 - f. The proposal will not be materially detrimental to adjacent land uses as conditioned.
 - g. As conditioned and in accordance with municipal standards there will be adequate infrastructure to develop the site under the proposed zoning.
 - h. Environmental impacts can be mitigated.
 - i. The proposal complies with municipal standards for a rezone application.
 - j. The project is located within a designated subarea and the proposed zoning designation of Public/Semi-Public is allowed within the applicable subarea.
 - k. The rezone mitigates increased or additional impacts by addending the planned action final environmental impact statement (see section 5d below).

CONCLUSION: The proposal as conditioned meets the rezone standards.

Chapel Hill Properties Rezone

5. Environmental Review:

- a. There are no known critical areas within the study area – however, future development will need to verify the presence of critical areas and will need to meet state and local regulations in effect at the time of development.
- b. Shoreline Designation and Shoreline Uses: the properties are not located with the shoreline boundaries of Lake Stevens.
- c. Flood Zones: the properties are not located within the 100-year flood zone.
- d. The city issued a SEPA addendum to the 2005 Comprehensive Plan and Final Environmental Impact Statement (FEIS) and a SEPA addendum to the FEIS for the Lake Stevens Center Subarea Plan on November 9, 2017. Both combined stand as the environmental review for the combined analysis of the comprehensive plan change and proposed rezone (**Exhibits 4 & 5**). No comments or appeals have been received to date.

CONCLUSION: The proposal as conditioned meets the SEPA standards identified in Chapter 16.04 LSMC and will not create significant environmental impacts. Development near identified critical areas will be subject to Chapter 14.88 LSMC.

6. Traffic Impacts

- a. Staff analysis suggests the revised proposal will likely result in reduced traffic impacts, as the development intensity for civic uses would be reduced from that of the current zoning of Business District and Mixed Use Neighborhood.
- b. Actual traffic impacts and any required road installation or improvements would be reviewed at the time of development. Any required updates to the Capital Improvement Plan would also be made at this time.

CONCLUSION: The proposal as conditioned meets the Traffic Impact standards at the time of development.

D. CONDITIONS

The requested rezone (LUA2017-0018 **M-1**) is consistent with rezone criteria, applicable Comprehensive Plan Goals and Policies, the FEIS for the 2005 Comprehensive Plan and FEIS for the Lake Stevens Center Subarea Plan, permit processing procedures and all other applicable municipal code requirements, subject to conditions noted below:

1. **Exhibit 1** depicts the areas to be rezoned to Public/Semi-Public, contingent on the Planning Commission and City Council approving the concurrent Comprehensive Land Use Map Amendment.
2. All future development must comply with all federal, state and local regulations in effect at the time of application.

E. STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a **RECOMMENDATION OF APPROVAL, SUBJECT TO THE CONDITIONS IN SECTION D**, to City Council.

Chapel Hill Properties Rezone

CITY OF LAKE STEVENS, DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

Recommendation Completed by



January 3, 2018

Melissa Place, *Senior Planner*

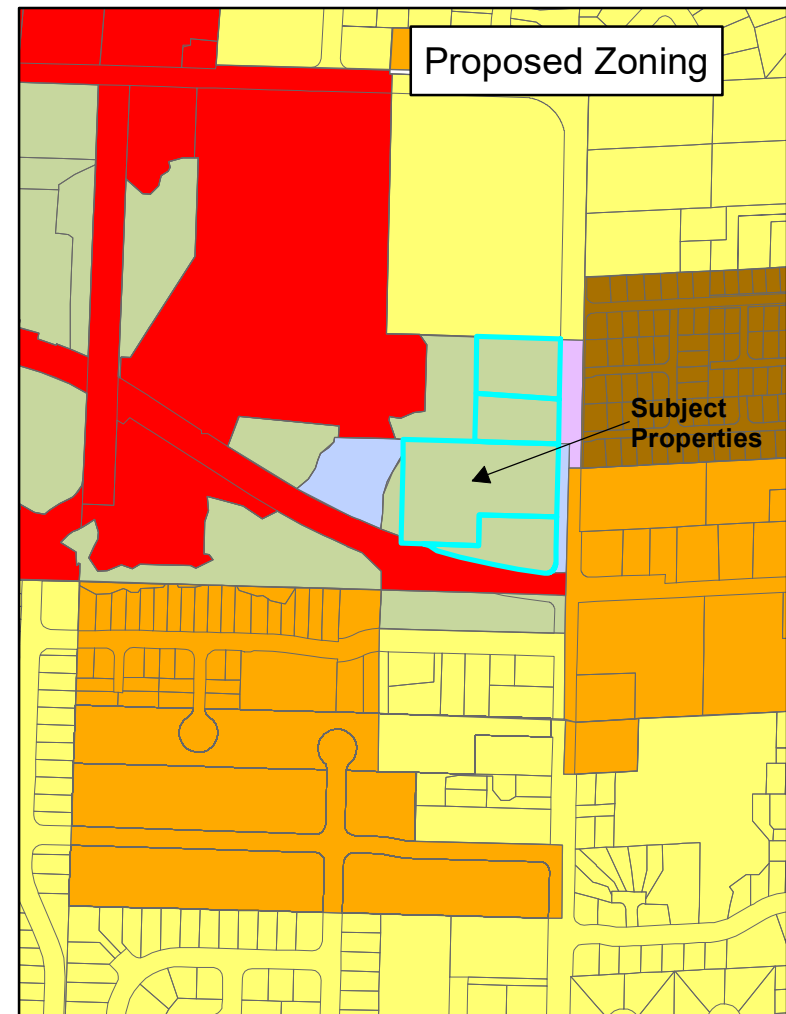
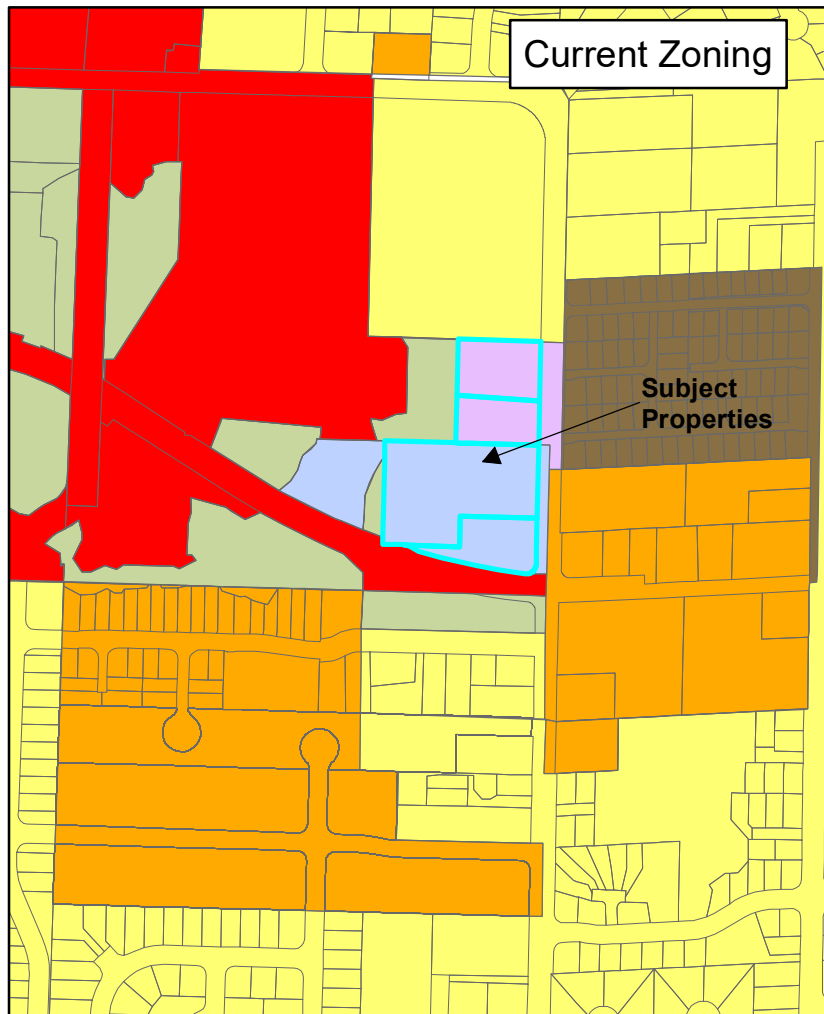
Date

F. EXHIBITS

1. Rezone Map
2. Docket Analysis Sheet
3. Notices, Community Outreach and Public Comment
 - a. Planning Commission Notice of Docket Hearing for March 15, 2017
 - b. City Council Notice of Docket Hearing for April 11, 2017
 - c. Planning Commission Public Hearing Notice for January 3, 2018
4. SEPA Addendum #10 to the 2005 Comprehensive Plan and FEIS (omitted from PC Packet as it is already included under the overall 2017 Docket hearing packet).
5. SEPA Addendum #3 to the FEIS for the Lake Stevens Center Subarea Plan

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.

EXHIBIT 1



Chapel Hill Rezone Map

- Lake Stevens Boundary
- Unincorporated UGA
- Parcels

City Zones

- Urban Residential (UR)
- High Urban Residential (HUR)
- Multi-Family Residential (MFR)
- Commercial District (CD)
- Business District (BD)
- Mixed-Use Neighborhood (MUN)
- Public / Semi-Public (P/PS)

All data, information and maps are provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the requester. The city of Lake Stevens makes no warranties, expressed or implied as to the use of the information obtained here. There are no implied warranties of merchantability or fitness for a particular purpose. The requestor acknowledges and accepts all limitations, including the fact that the data, information and maps are dynamic and in a constant state of maintenance, correction and update.

Data Sources: Snohomish County (2016), City of Lake Stevens (2016)

Date: December 2017



EXHIBIT 2



2017 Comprehensive Plan Docket Ratification

M-1 - Staff Summary
Lake Stevens City Council & Planning Commission

City Council Hearing Date: April 11, 2017
Planning Commission Hearing Date: March 15, 2017

SUBJECT: City-initiated map amendment and text amendments to the Comprehensive Plan.

Summary	
Location in Comprehensive Plan: Chapter 2 Land Use Element – Figure 2.3 Land Use Map and associated text amendments.	
Proposed Change(s): City request to change the land use designation for four (4) parcels totaling approximately 4.14 acres adjacent to 99 th Avenue from Commercial and Mixed Use Neighborhood to Public / Semi-Public to support new civic buildings (LUA2017-0017). The city will also process a concurrent area-wide, minor rezone to change the zoning designation of the four (4) subject parcels from Business District and Mixed Use Neighborhood to the Public / Semi-Public zoning designation (LUA2017-0018).	
Applicant: City of Lake Stevens	Property Location(s): 26 99 th Avenue NE, Lake Stevens, WA
Existing Land Use Designations	Proposed Land Use Designation
Commercial and Mixed Use	Public / Semi-Public
Existing Zoning Districts	Proposed Zoning District
Business District and Mixed Use Neighborhood	Public / Semi-Public

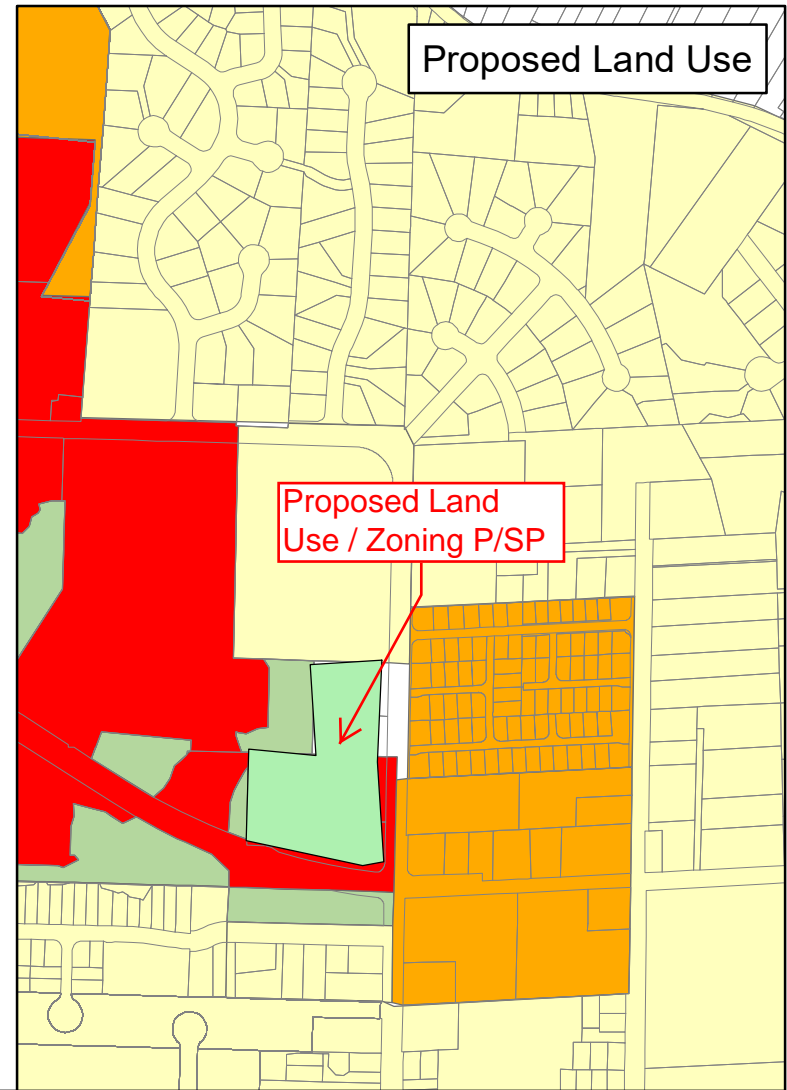
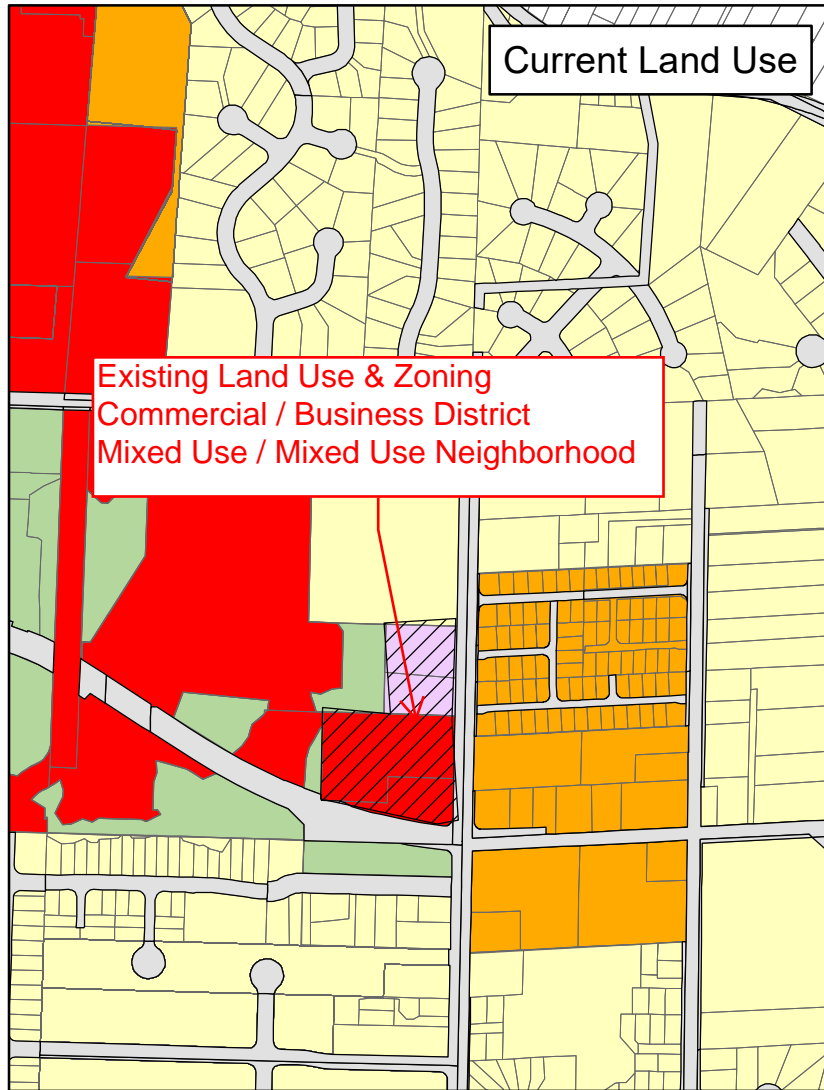
ANALYSIS: Annual amendments shall not include significant policy changes inconsistent with the adopted Comprehensive Plan Element Visions and must meet the identified criteria included in Revisions and Amendments to the Comprehensive Plan Section H.

Ratification Review – Decision Criteria	Yes	No
1. Is the proposed amendment appropriate to the Comprehensive Plan rather than implementation as a development regulation or program? Discussion: The proposed land use map change is not designed to implement a development regulation or program.	X	

<p>2. Is the proposed amendment legal? Does the proposed amendment meet existing state and local laws? Discussion: The proposed land use map change will be reviewed against the current Comprehensive Plan and applicable state laws related to process and environmental review.</p>	X	
<p>3. Is it practical to consider the proposed amendment? Reapplications for reclassification of property reviewed as part of a previous proposal are prohibited, unless the applicant establishes there has been a substantial change of circumstances and support a plan or regulation change at this time. Discussion: The land use designation for the subject properties has not been considered previously.</p>	X	
<p>4. Does the City have the resources, including staff and budget, necessary to review the proposed amendment? Discussion: The Growth Management Act and the city's Comprehensive Plan set a process to review annual amendments to the Comprehensive Plan. By extension, this is a Planning and Community Development function.</p>	X	
<p>5. Does the proposed amendment correct an inconsistency within or make a clarification to a provision of the Plan? OR</p>		X
<p>6. All of the following: a. The proposed amendment demonstrates a strong potential to serve the public interest by implementing specifically identified goals of the Comprehensive Plan? AND Discussion: the proposed minor land use map change meets the following selected goals and policies of the current Comprehensive Plan's Land Use and Housing Elements.</p> <ul style="list-style-type: none"> • 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 2.10 ensure that land uses optimize economic benefit and the enjoyment and protection of natural resources while minimizing the threat to health, safety and welfare; and • 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. 	X	

<p>b. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later subarea plan review or plan amendment process.</p> <p>Discussion: The Comprehensive Plan sets a procedure for evaluating amendments annually. The city is not considering a subarea plan or other amendments for the property; therefore, there is not a need to postpone review of the request to ensure consistent land use designations in the area.</p>	X	
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Recommendation	Yes	No
Staff recommends City Council and the Planning Commission consider this proposal for inclusion in the 2017 Comprehensive Plan Docket.	X	
The Planning Commission recommends City Council consider this proposal for inclusion in the 2017 Comprehensive Plan Docket (see attached recommendation letter).	X	
The City Council accepts this proposal for inclusion in the 2017 Comprehensive Plan Docket.		



Chapel Hill Land Use Map Amendment

Land Use Designations

- | | | |
|---------------------------|--------------------------------|-----------------------|
| Commercial | Public / Semi-Public | Unincorporated UGA |
| General Industrial | Med Density Residential (MDR) | Lake Stevens Boundary |
| Planned Business District | High Density Residential (HDR) | Parcels |
| Mixed Use | | Subject Parcels |

All data, information and maps are provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the requester. The city of Lake Stevens makes no warranties, expressed or implied as to the use of the information obtained here. There are no implied warranties of merchantability or fitness for a particular purpose. The requestor acknowledges and accepts all limitations, including the fact that the data, information and maps are dynamic and in a constant state of maintenance, correction and update.

Data Sources: Snohomish County (2017), City of Lake Stevens (2017)

Date: March 2017





EXHIBIT 3a

NOTICE OF PUBLIC HEARING Lake Stevens Planning Commission

Comprehensive Plan Amendments – 2017 Docket Authorization

The Lake Stevens Planning Commission will hold a hearing on proposed Comprehensive Plan amendments to recommend inclusion as part of the annual docket.

Hearing Date & Time: March 1, 2017 at 7 pm

Location: Lake Stevens Community Center (1808 Main Street, Lake Stevens WA 98258)

City-initiated map amendment with a concurrent rezone application.

1. **LUA2017-0017 - Chapel Hill Properties Map Amendment:** A city-initiated request to change the land use designation for (2) two undeveloped parcels and (2) two parcels with existing homes (4 lots totaling approximately 4.14 acres) adjacent to 99th Avenue NE from Commercial and Mixed Use Neighborhood to Public / Semi-Public and associated text amendments to the Land Use Element.
2. **LUA2017-0018 - Chapel Hill Properties Area-Wide, Minor Rezone:** A city-initiated request in concurrence with **LUA2017-0017** to change the zoning designation for four (4) parcels adjacent to 99th Avenue NE from the Business District and Mixed Use zones to the Public / Semi-Public zone. The purpose of the proposed changes is to support new civic buildings at the Chapel Hill properties.

The city is also proposing text amendments to the Comprehensive Plan (**LUA2017-0016**) to add capital projects to the Parks and Capital Facilities Elements. Along with the specific defined text amendments, staff will also include standard administrative amendments. The city may add additional items to the 2017 docket prior to or subsequent the hearing.

Substantial changes to the proposed amendments may be made following the public hearing.

Public testimony on the proposed changes will be accepted at the hearing. Comments regarding the proposed amendments may be submitted orally or in writing during the hearing. Written comments prior to the hearing may be submitted to Lake Stevens Planning & Community Development PO 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.



EXHIBIT 3b

NOTICE OF PUBLIC HEARING Lake Stevens City Council

Comprehensive Plan Amendments – 2017 Docket Authorization

The Lake Stevens City Council will hold a hearing on proposed Comprehensive Plan amendments for inclusion as part of the annual docket.

Hearing Date & Time: April 11, 2017 at 7:00 PM

Location: School District Educational Center (12309 22nd Street NE, Lake Stevens, WA 98258)

Description: Text amendments and city-initiated map amendments with concurrent rezone applications.

1. **LUA2016-0016 – Comprehensive Plan Text Amendments:** City-initiated amendments to add capital projects to the Parks and Capital Facilities Elements and proposed map amendments in the Land Use Element (see descriptions below). The city will in addition to the defined text amendments include standard administrative amendments. Substantial changes to the proposed amendments may be made following the public hearing.
2. **LUA2017-0017 – Chapel Hill Properties Map Amendment:** A city-initiated request to change the land use designation of four (4) lots totaling approximately 4.14 acres adjacent to 99th Avenue NE from Commercial and Mixed Use Neighborhood to Public/Semi-Public and associated text amendments to the Land Use Element.
3. **LUA2017-0018 – Chapel Hill Properties Area Wide, Minor Rezone:** A city-initiated request in concurrence with **LUA2017-0017** to change the zoning designation of four (4) parcels adjacent to 99th Avenue NE from the Business District and Mixed Use zones to the Public / Semi-Public zone. The purpose of the proposed changes is to support new civic buildings at the Chapel Hill properties.
4. **LUA2017-0050 - Eagle Ridge Park Map Amendment:** A city-initiated request to change the land use designation for two (2) parcels totaling approximately 7.63 acres adjacent to Soper Hill Road from Medium Density Residential to Public / Semi-Public and associated text amendments in the Land Use Element.
5. **LUA2017-0051 – Eagle Ridge Park Area Wide, Minor Rezone:** A city-initiated request in concurrence with **LUA2017-0050** to change the zoning designation of two (2) parcels adjacent to Soper Hill Road from Urban Residential zone to the Public / Semi-Public zone. The purpose of the proposed changes is to implement the Eagle Ridge Park Master Plan.

A complete list describing the proposed amendments and the Planning Commission's recommendation is available at the Planning & Community Development Department and available on the city's website. Public testimony on the proposed changes will be accepted at the hearing. Comments regarding the proposed amendments may be submitted orally or in writing during the hearing. Written comments prior to the hearing may be submitted to Lake Stevens Planning & Community Development PO Box 257, Lake Stevens, WA 98258.

EXHIBIT 3c

PROJECT NAME/ FILE NUMBER: Chapel Hill Properties Area-Wide, Minor Rezone/LUA2017-0018

HEARING DATE / TIME: Planning Commission Public Hearing: Wednesday, January 3, 2018 at 7:00 PM

LOCATION: Lake Stevens Community Center (next to City Hall)
1808 Main Street
Lake Stevens, WA 98258

DOCKET DESCRIPTION:

A city-initiated request in concurrence with LUA2017-0017 (Comprehensive Plan land use map amendment) to change the zoning designation for four (4) parcels adjacent to 99th Avenue NE from the Business District and Mixed Use zones to the Public/Semi-Public zone. The purpose of the proposed changes is to support new civic buildings at the Chapel Hill properties. A SEPA Addendum and Adoption of Existing Documents was issued for the Comprehensive Plan Docket on November 9, 2017. A SEPA Addendum and Adoption of Existing Documents to the Final Environmental Impact Statement (FEIS) for the Center Subarea Plan was issued on November 9, 2017.

The Lake Stevens Planning Commission will conduct a public hearing and receive public testimony on January 3, 2018 at 7:00 PM to consider the rezone described above. If the rezone is recommended for approval, the Lake Stevens City Council will conduct a public hearing and first ordinance reading on January 9, 2018 at the Lake Stevens School District Educational Center (12309 22nd Street NE) at 7:00 PM. There will be a separate public noticing for the City Council hearing pursuant to Chapter 14.16B LSMC.

PUBLIC REVIEW AND COMMENT:

Interested parties may submit written comments before the hearing or testify in person. Comments can be submitted to City Hall, Attn: Melissa Place, PO Box 257, Lake Stevens, WA 98258 or by email at mplace@lakestevenswa.gov.

The project files, including the staff reports, site maps and supporting materials are available for review at the Permit Center, located behind City Hall, Monday-Friday 9am-4 pm. Limited materials are available at: <http://www.ci.lake-stevens.wa.us/index.aspx?nid=380>.

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.

EXHIBIT 5

ADDENDUM NO. 3 AND ADOPTION OF EXISTING ENVIRONMENTAL DOCUMENTS

TO THE CITY OF LAKE STEVENS FINAL ENVIRONMENTAL IMPACT STATEMENT (FEIS) FOR THE CENTER SUBAREA PLAN

Adoption of a Proposed Map Amendment and Concurrent Rezone with the 2017 Comprehensive Plan Docket



Prepared in Compliance with
The Washington State Environmental Policy Act of 1971
Chapter 43.21C Revised Code of Washington
Chapter 197-11 Washington Administrative Code
Lake Stevens Municipal Code Title 16

Date of Issuance: November 9, 2017

**ADDENDUM #3 TO THE CITY OF LAKE STEVENS 2012 FINAL ENVIRONMENTAL
IMPACT STATEMENT FOR THE LAKE STEVENS CENTER SUBAREA PLAN**

FACT SHEET

**ADDENDUM NO. 3 AND ADOPTION OF EXISTING ENVIRONMENTAL DOCUMENTS TO
THE CITY OF LAKE STEVENS 2012 FINAL ENVIRONMENTAL IMPACT STATEMENT FOR
THE LAKE STEVENS CENTER SUBAREA PLAN**

Proposed Non-Project Action:

Under the Growth Management Act, the City of Lake Stevens may amend its Comprehensive Plan and Future Land Use Map once per year, with a few exceptions, through an annual docket process. The proposed non-project action consists of minor map and text amendments for the 2017 Docket, including two city-initiated map amendments (with concurrent rezones), city text amendments to the Land Use Element, the Parks, Recreation and Open Space Element, the Capital Facilities element and the Appendices. Standard administrative updates and SEPA documents will be incorporated into the plan. The GMA requirements contained in Chapter 36.70A RCW apply to this action.

City request to change the land use designation of four parcels adjacent to 99th Avenue and Chapel Hill Road from Commercial and Mixed Use Neighborhood to Public / Semi-Public to support new civic buildings (**Attachment 1**). The city will also process a concurrent area-wide, minor rezone to change the zoning designation of the subject parcels to the Public / Semi-Public zoning designation. The subject properties are located within the city's Lake Stevens Center Subarea and are subject to a SEPA addendum to the Final Environmental Impact Statement established for the subareas.

The Lake Stevens Center Subarea was the subject of a Final Environmental Impact Statement (FEIS) and subsequent adoption by Ordinance #877 (October 2012). The FEIS amended and became an element of the Lake Stevens Comprehensive Plan in 2012. The FEIS includes goals, policies, maps and design guidelines that are reflected in Chapter 14.38 of Lake Stevens Municipal Code (LSMC). The city has determined that the proposed map amendment and concurrent rezone as described above will not significantly alter the analysis of alternatives considered in the FEIS for the Center Subarea, including the planned action thresholds. No updates to the currently adopted FEIS are proposed.

Planning and Community Development has prepared this Addendum No. 3 to the City of Lake Stevens 2012 FEIS for the Center Subarea Plan along with an adoption of existing environmental documents.

Purpose of the FEIS Addendum:

This addendum and adoption of existing environmental documents is to add information relating to the 2012 Final Environmental Impact Statement (FEIS) for the Lake Stevens Center Subarea Plan. This addendum and adoption of existing environmental documents does not substantially change the analysis of alternatives considered in the City's Center Subarea FEIS or the adopting Ordinance #877 (October 2012). The City has considered the impacts of the proposed

**ADDENDUM #3 TO THE CITY OF LAKE STEVENS 2012 FINAL ENVIRONMENTAL
IMPACT STATEMENT FOR THE LAKE STEVENS CENTER SUBAREA PLAN**

programmatic actions to the FEIS document. No additional significant impacts beyond those identified in the FEIS are expected to occur. To the extent that the existing environmental documents listed in this Addendum or other published documents have analyzed such changes, no additional programmatic action level environmental review will be required. This Addendum is issued in accordance with WAC 197-11-625 and WAC 197-11-630. Additional changes to the proposal may be considered during the public hearing process. The addendum and adoption of existing environmental documents satisfies the City of Lake Stevens' environmental review for the 2017 Comprehensive Plan Docket.

Location of Proposal: City of Lake Stevens

Proponent: City of Lake Stevens, P.O. Box 257, Lake Stevens, WA 98258
Lead Agency: (425) 377-3235


Required Approvals: Adoption of 2017 Comprehensive Plan Docket map and text amendments granted by Lake Stevens City Council.

Circulation: This addendum and adoption of existing environmental documents is being sent to SEPA review agencies and interested parties.

Comment: No comment period is required for this addendum.

Contact Person: Russell Wright, *Community Development Director*
(425) 212-3315 or rwright@lakestevenswa.gov

Date of Issuance: November 9, 2017

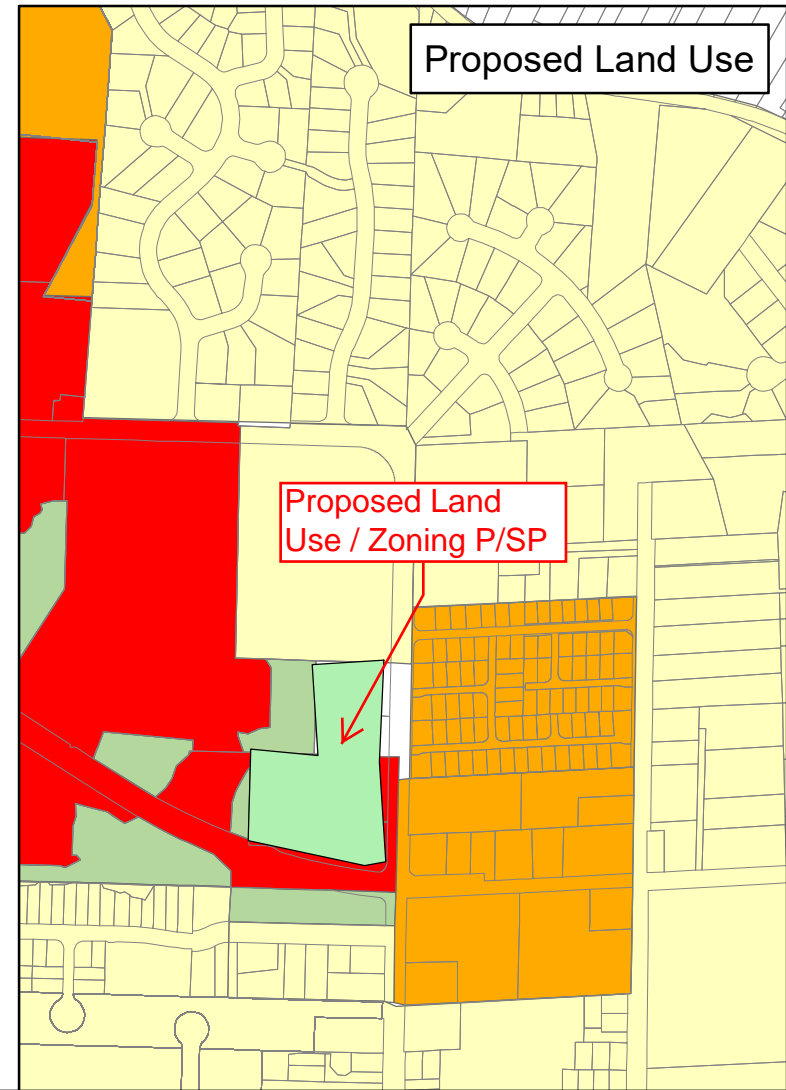
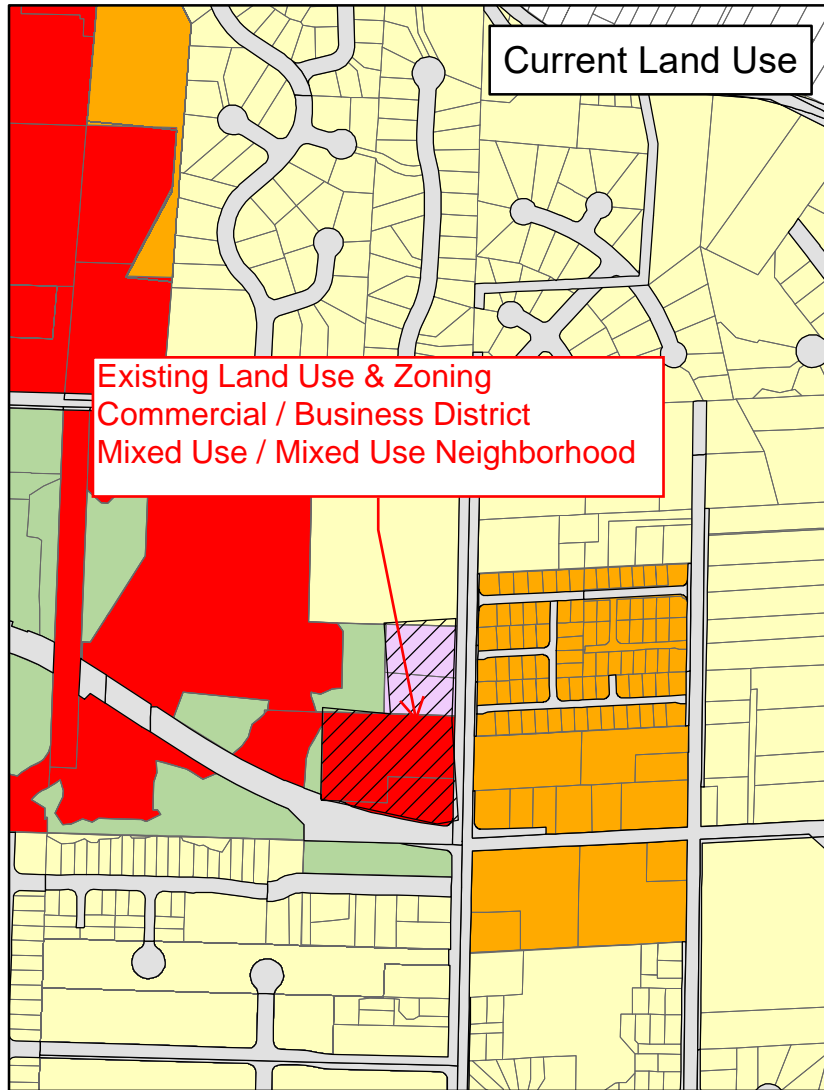
Responsible Official: Signature: 
Russell Wright, *Community Development Director*

Public Hearing: Staff has held briefings with both City Council and the Planning Commission related to the analysis of each of the Docket items. The Lake Stevens Planning Commission and City Council will hold public hearings to receive final comments and testimony prior to adoption.

Documents: All of the application materials and staff documents are available at the Permit Center. Electronic copies may be requested.












Attachments:

1. Chapel Hill Properties map



Chapel Hill Land Use Map Amendment

Land Use Designations

 Commercial	 Public / Semi-Public	 Unincorporated UGA
 General Industrial	 Med Density Residential (MDR)	 Lake Stevens Boundary
 Planned Business District	 High Density Residential (HDR)	 Parcels
 Mixed Use		 Subject Parcels

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Data Sources: Snohomish County (2017), City of Lake Stevens (2017)

Date: March 2017





Type VI Decision
Area-wide Rezone
City of Lake Stevens Planning and Community
Development

January 3, 2018

Eagle Ridge Park

LUA2017-0050 M-2

A. PROJECT DESCRIPTION AND REQUEST

The City of Lake Stevens has requested a comprehensive plan map change and concurrent rezone to change the land use designation for two parcels adjacent to Soper Hill Road from Medium Density Residential to Public/Semi-Public with a concurrent rezone to change the zoning designation from Urban Residential to the Public/Semi-Public zone to support park activities and implement the Eagle Ridge Park Master Plan (Map – **Exhibit 1**).

B. GENERAL INFORMATION

1. Date of Application: January 2 , 2017
2. Property Location: 2420 and 2424 Soper Hill Road, Lake Stevens, WA / APN's 00604900000601 and 00604900000501
3. Total Area of Project: Approximately 7.63 acres (study area)
4. Applicant / Contact: Melissa Place, City of Lake Stevens
5. Comprehensive plan land use designation, zoning designation and existing uses of the site and surrounding area:

AREA	LAND USE DESIGNATION	ZONING	EXISTING USE
Project Site	Medium Density Residential	Urban Residential	Undeveloped
North of Site	Medium Density Residential	Urban Residential	Undeveloped & Residential
South of Site	Public/Semi-Public	Public/Semi-Public	Undeveloped & public park
East of Site	Medium Density Residential	Urban Residential	Soper Hill Road & Residential
West of Site	SR-9 / Medium Density Residential	SR-9 / Urban Residential	Highway

C. ANALYSIS¹

1. Application Process

- a. The city of Lake Stevens requested a rezone in concurrence with requested changes to the Comprehensive Plan as part of the 2017 Docket. Area wide rezones are Type

¹ Project analysis is based on review of current materials applicable to the project.

VI applications subject to Planning Commission recommendation and City Council approval pursuant to Chapter 14.16B LSMC, Part VI.²

- b. A written analysis was provided as part of the docket review (**Exhibit 2**).

CONCLUSION: The application meets the procedural requirements for Type VI applications established in Title 14 of the LSMC.

2. Notices, Community Outreach and Public Comment³

- a. Planning Commission Notice of Docket Hearing for March 15, 2017 (**Exhibit 3a**);
- b. City Council Notice of Docket Hearing for April 11, 2017 (**Exhibit 3b**);
- c. Planning Commission Public Hearing Notice for January 3, 2018 (**Exhibit 3c**); and
- d. No public comments have been received to date.

CONCLUSION: The city has met the noticing requirements for Type VI applications established in Chapter 14.16B LSMC, Part VI.

3. Comprehensive Plan, Zoning, and Uses:

- a. The existing and proposed comprehensive plan designations and zoning districts in the study area are identified in Section B as are adjacent land use designations.
- b. **Zoning Analysis** – the proposed rezone would meet the intent of the public/semi-public zoning district as described below.

LSMC 14.36.034 states, “A Public/Semi-Public district is hereby established to accommodate public and semi-public uses, such as schools, government services and facilities, public utilities, community facilities, parks, etc., on publicly owned land.”

c. **Applicable Comprehensive Plan Goals & Policies**

LAND USE GOAL 1.1 Provide for a consistent review and revision of the comprehensive plan.

LAND USE GOAL 2.1 Provide sufficient land area to meet the projected needs for housing, employment and public facilities within the city of Lake Stevens.

LAND USE GOAL 2.2 Achieve a well-balanced and well-organized combination of residential, commercial, industrial, open space, recreation and public uses.

PARKS, RECREATION, AND OPEN SPACE GOAL 5.2 Provide a high-quality, diversified parks, recreation, and open space system that provides recreational and cultural opportunities for all ages and interest groups.

PARKS, RECREATION, AND OPEN SPACE POLICY 5.2.6 Establish, expand and/or improve nature trails and boardwalks through open spaces with an emphasis on Eagle Ridge Park, Catherine Creek Park, Centennial Woods, Mill Cove Reserve, and the Grade Road Open Space.

² The rezone application is an area-wide rezone because the proposed changes require a Comprehensive Plan Amendment. The rezone is a Type VI application being reviewed in concurrence with the comprehensive plan map amendment and will include a public hearing in front of the Planning Commission who will recommend approval to the City Council. Final approval will be by ordinance following a Public Hearing

³ Public notice includes a combination of posting, publication and mailing pursuant to the requirements of Lake Stevens Municipal Code 14.16A.225 and LSMC 14.16B.630.

Eagle Ridge Park Master Plan (dated revised February 5, 2014) – a subarea plan of the city's Comprehensive Plan.

4. Rezone criteria: Rezone Criteria is found in LSMC 14.16C.090. The following section addresses how the proposal meets the specific criteria.
 - a. The rezone if approved will be consistent with Comprehensive Land Use Map as amended.
 - b. The rezone is consistent with the Growth Management Act as the city can establish its local zoning and has met public notice requirements.
 - c. The proposed rezone advances identified goals and policies of the Comprehensive Plan and the Eagle Ridge Park Master Plan. At the time of development, any application will need to meet state and local regulations in effect and ensure concurrency standards are met.
 - d. This proposal will help provide additional opportunities for park activities in the proposed zoning district.
 - e. The site contains adequate area to develop in conformance with the zoning standards. At the time of development, any application will need to meet state and local regulations in effect and ensure concurrency standards are met.
 - f. The proposal will not be materially detrimental to adjacent land uses as conditioned.
 - g. As conditioned and in accordance with municipal standards there will be adequate infrastructure to develop the site under the proposed zoning.
 - h. Environmental impacts can be mitigated.
 - i. The proposal complies with municipal standards for a rezone application.
 - j. The project is located within a designated subarea and thus is not subject to the additional criteria listed.

CONCLUSION: The proposal as conditioned meets the rezone standards.

5. Environmental Review:
 - a. There are no known critical areas within the study area – however, future development will need to verify the presence of critical areas and will need to meet state and local regulations in effect at the time of development.
 - b. Shoreline Designation and Shoreline Uses: the properties are not located with the shoreline boundaries of Lake Stevens.
 - c. Flood Zones: the properties are not located within the 100-year flood zone.
 - d. The city issued a SEPA addendum to the 2005 Comprehensive Plan and Final Environmental Impact Statement (FEIS) on November 9, 2017 that stands as the environmental review for the combined analysis of the comprehensive plan change and proposed rezone (**Exhibit 4**). No comments or appeals have been received to date.

CONCLUSION: The proposal as conditioned meets the SEPA standards identified in Chapter 16.04 LSMC and will not create significant environmental impacts. Development near identified critical areas will be subject to Chapter 14.88 LSMC.

6. Traffic Impacts

- a. Staff analysis suggests the revised proposal will result in reduced traffic impacts, as the development intensity for parks and recreational use would be reduced from that of the current zoning of Urban Residential.
- b. Actual traffic impacts and any required road installation or improvements would be reviewed at the time of development.

CONCLUSION: The proposal as conditioned meets the Traffic Impact standards at the time of development.

D. CONDITIONS

The requested rezone (LUA2017-0050 **M-2**) is consistent with rezone criteria, applicable Comprehensive Plan Goals and Policies, the FEIS for the 2005 Comprehensive Plan, permit processing procedures and all other applicable municipal code requirements, subject to conditions noted below:

1. **Exhibit 1** depicts the areas to be rezoned to Public/Semi-Public, contingent on the Planning Commission and City Council approving the concurrent Comprehensive Land Use Map Amendment.
2. All future development must comply with all federal, state and local regulations in effect at the time of application.

E. STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a **RECOMMENDATION OF APPROVAL, SUBJECT TO THE CONDITIONS IN SECTION D**, to City Council.

CITY OF LAKE STEVENS, DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

Recommendation Completed by

January 3, 2018

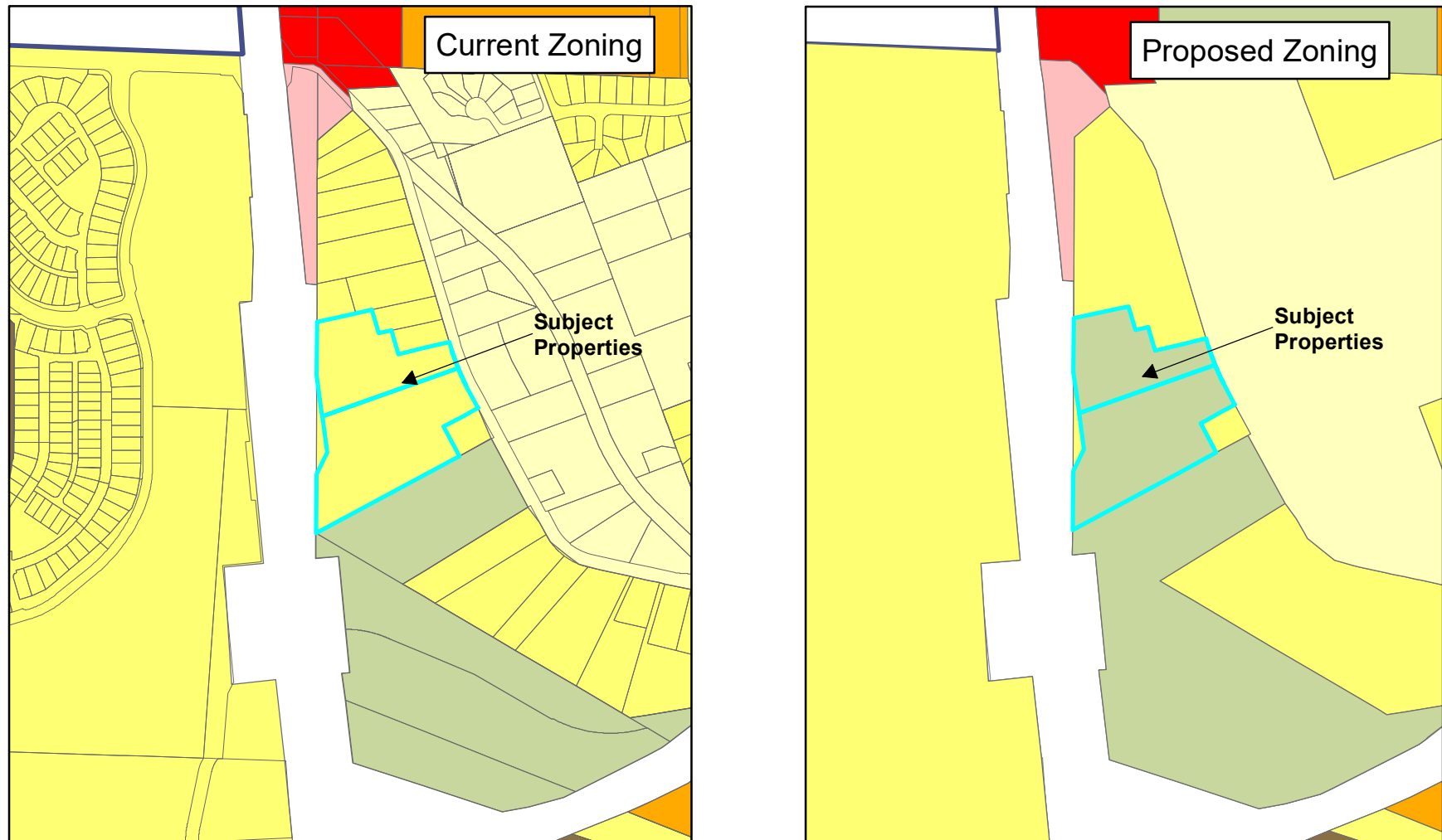
Melissa Place, *Senior Planner*

Date

F. EXHIBITS

1. Rezone Map
2. Docket Analysis Sheet
3. Notices, Community Outreach and Public Comment
 - a. Planning Commission Notice of Docket Hearing for March 15, 2017
 - b. City Council Notice of Docket Hearing for April 11, 2017
 - c. Planning Commission Public Hearing Notice for January 3, 2018
4. SEPA Addendum #10 to the 2005 Comprehensive Plan and FEIS (omitted from PC Packet as it is already included under the overall 2017 Docket hearing packet).

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.



Eagle Ridge Park Rezone Map

- Lake Stevens Boundary
- Unincorporated UGA
- Parcels

City Zones

- Urban Residential (UR)
- Suburban Residential (SR)
- High Urban Residential (HUR)
- Commercial District (CD)
- Local Business (LB)
- Public / Semi-Public (P/PS)

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Data Sources: Snohomish County (2016), City of Lake Stevens (2016)

Date: December 2017



EXHIBIT 2



2017 Comprehensive Plan Docket Ratification

M-2 - Staff Summary
Lake Stevens City Council & Planning Commission

City Council Hearing Date: April 11, 2017
Planning Commission Hearing Date: March 15, 2017

SUBJECT: City-initiated map amendment and text amendments to the Comprehensive Plan.

Summary	
Location in Comprehensive Plan: Chapter 2 Land Use Element – Figure 2.3 Land Use Map and associated text amendments.	
Proposed Change(s): City request to change the land use designation for two (2) parcels totaling approximately 7.63 acres adjacent to Soper Hill Road from Medium Density Residential to Public / Semi-Public to support park activities (LUA2017-0050). The city will also process a concurrent area-wide, minor rezone to change the zoning designation of the two (2) subject parcels from Urban Residential to the Public / Semi-Public zoning designation (LUA2017-0054).	
Applicant: City of Lake Stevens	Property Location(s): 2424 and 2420 Soper Hill Road, Lake Stevens, WA
Existing Land Use Designations	Proposed Land Use Designation
Medium Density Residential	Public / Semi-Public
Existing Zoning Districts	Proposed Zoning District
Urban Residential	Public / Semi-Public

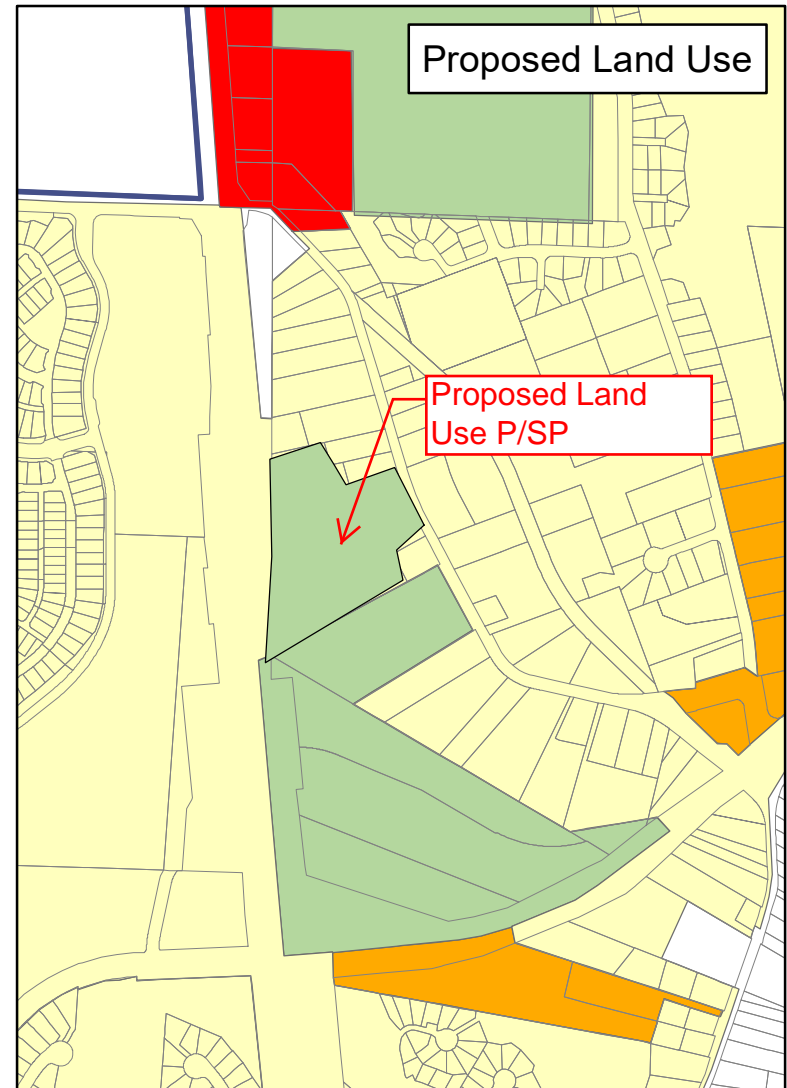
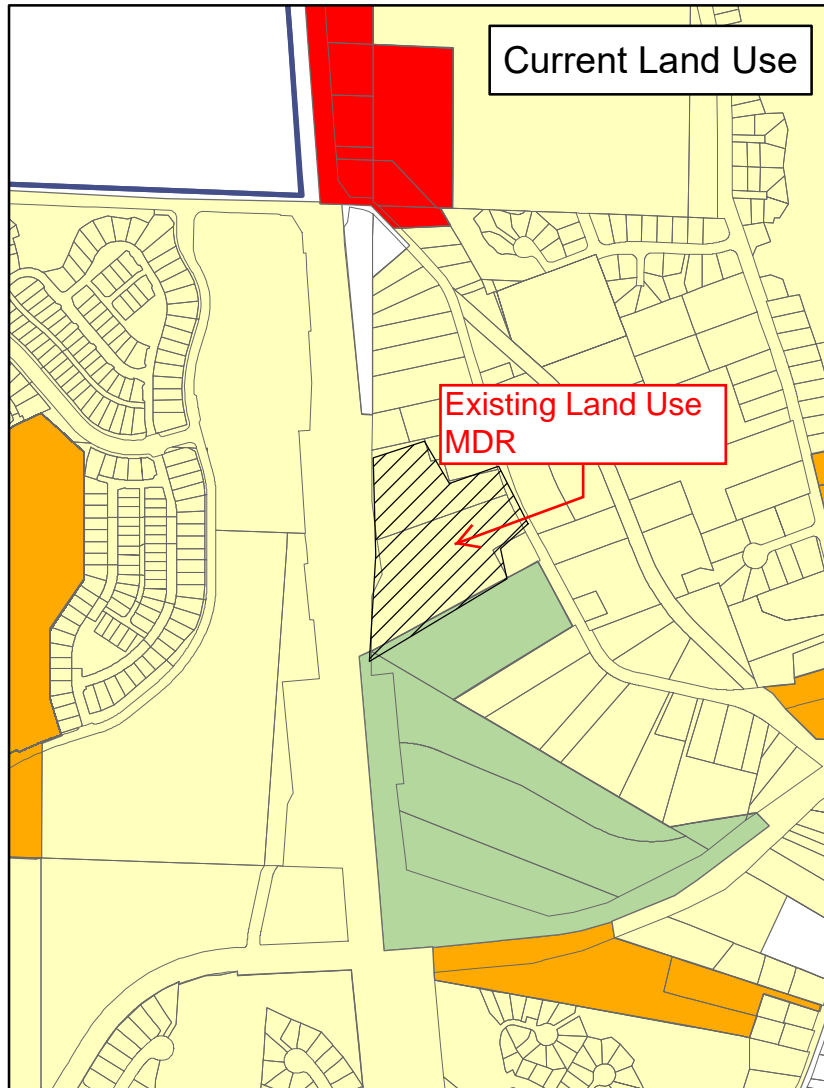
ANALYSIS: Annual amendments shall not include significant policy changes inconsistent with the adopted Comprehensive Plan Element Visions and must meet the identified criteria included in Revisions and Amendments to the Comprehensive Plan Section H.

Ratification Review – Decision Criteria	Yes	No
1. Is the proposed amendment appropriate to the Comprehensive Plan rather than implementation as a development regulation or program? Discussion: The proposed land use map change is not designed to implement a development regulation or program.	X	

<p>2. Is the proposed amendment legal? Does the proposed amendment meet existing state and local laws? Discussion: The proposed land use map change will be reviewed against the current Comprehensive Plan and applicable state laws related to process and environmental review.</p>	X	
<p>3. Is it practical to consider the proposed amendment? Reapplications for reclassification of property reviewed as part of a previous proposal are prohibited, unless the applicant establishes there has been a substantial change of circumstances and support a plan or regulation change at this time. Discussion: The land use designation for the subject properties has not been considered previously.</p>	X	
<p>4. Does the City have the resources, including staff and budget, necessary to review the proposed amendment? Discussion: The Growth Management Act and the city's Comprehensive Plan set a process to review annual amendments to the Comprehensive Plan. By extension, this is a Planning and Community Development function.</p>	X	
<p>5. Does the proposed amendment correct an inconsistency within or make a clarification to a provision of the Plan? OR</p>		X
<p>6. All of the following: a. The proposed amendment demonstrates a strong potential to serve the public interest by implementing specifically identified goals of the Comprehensive Plan? AND Discussion: the proposed minor land use map change meets the following selected goals and policies of the current Comprehensive Plan's Land Use and Housing Elements.</p> <ul style="list-style-type: none"> • 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 2.10 ensure that land uses optimize economic benefit and the enjoyment and protection of natural resources while minimizing the threat to health, safety and welfare; and • 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. 	X	

<p>b. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later subarea plan review or plan amendment process.</p> <p>Discussion: The Comprehensive Plan sets a procedure for evaluating amendments annually. The city is not considering a subarea plan or other amendments for the property; therefore, there is not a need to postpone review of the request to ensure consistent land use designations in the area.</p>	X	
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Recommendation	Yes	No
Staff recommends City Council and the Planning Commission consider this proposal for inclusion in the 2017 Comprehensive Plan Docket.	X	
The Planning Commission recommends City Council consider this proposal for inclusion in the 2017 Comprehensive Plan Docket (see attached recommendation letter).	X	
The City Council accepts this proposal for inclusion in the 2017 Comprehensive Plan Docket.		



Eagle Ridge Land Use Map Amendment

Land Use Designations

■ Commercial	■ Public / Semi-Public	 Unincorporated UGA
■ General Industrial	■ Med Density Residential (MDR)	 Lake Stevens Boundary
■ Planned Business District	■ High Density Residential (HDR)	 Parcels
		 Subject Parcels

All data, information and maps are provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the requester. The city of Lake Stevens makes no warranties, expressed or implied as to the use of the information obtained here. There are no implied warranties of merchantability or fitness for a particular purpose. The requestor acknowledges and accepts all limitations, including the fact that the data, information and maps are dynamic and in a constant state of maintenance, correction and update.

Data Sources: Snohomish County (2017), City of Lake Stevens (2017)

Date: March 2017





EXHIBIT 3a

NOTICE OF PUBLIC HEARING Lake Stevens Planning Commission

Comprehensive Plan Amendments – 2017 Docket Authorization

The Lake Stevens Planning Commission will hold a hearing on proposed Comprehensive Plan amendments to recommend inclusion as part of the annual docket.

Hearing Date & Time: March 1, 2017 at 7 pm

Location: Lake Stevens Community Center (1808 Main Street, Lake Stevens WA 98258)

City-initiated map amendment with a concurrent rezone application.

1. **LUA2017-0017 - Chapel Hill Properties Map Amendment:** A city-initiated request to change the land use designation for (2) two undeveloped parcels and (2) two parcels with existing homes (4 lots totaling approximately 4.14 acres) adjacent to 99th Avenue NE from Commercial and Mixed Use Neighborhood to Public / Semi-Public and associated text amendments to the Land Use Element.
2. **LUA2017-0018 - Chapel Hill Properties Area-Wide, Minor Rezone:** A city-initiated request in concurrence with **LUA2017-0017** to change the zoning designation for four (4) parcels adjacent to 99th Avenue NE from the Business District and Mixed Use zones to the Public / Semi-Public zone. The purpose of the proposed changes is to support new civic buildings at the Chapel Hill properties.

The city is also proposing text amendments to the Comprehensive Plan (**LUA2017-0016**) to add capital projects to the Parks and Capital Facilities Elements. Along with the specific defined text amendments, staff will also include standard administrative amendments. The city may add additional items to the 2017 docket prior to or subsequent the hearing.

Substantial changes to the proposed amendments may be made following the public hearing.

Public testimony on the proposed changes will be accepted at the hearing. Comments regarding the proposed amendments may be submitted orally or in writing during the hearing. Written comments prior to the hearing may be submitted to Lake Stevens Planning & Community Development PO 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.



EXHIBIT 3b

NOTICE OF PUBLIC HEARING Lake Stevens City Council

Comprehensive Plan Amendments – 2017 Docket Authorization

The Lake Stevens City Council will hold a hearing on proposed Comprehensive Plan amendments for inclusion as part of the annual docket.

Hearing Date & Time: April 11, 2017 at 7:00 PM

Location: School District Educational Center (12309 22nd Street NE, Lake Stevens, WA 98258)

Description: Text amendments and city-initiated map amendments with concurrent rezone applications.

1. **LUA2016-0016 – Comprehensive Plan Text Amendments:** City-initiated amendments to add capital projects to the Parks and Capital Facilities Elements and proposed map amendments in the Land Use Element (see descriptions below). The city will in addition to the defined text amendments include standard administrative amendments. Substantial changes to the proposed amendments may be made following the public hearing.
2. **LUA2017-0017 – Chapel Hill Properties Map Amendment:** A city-initiated request to change the land use designation of four (4) lots totaling approximately 4.14 acres adjacent to 99th Avenue NE from Commercial and Mixed Use Neighborhood to Public/Semi-Public and associated text amendments to the Land Use Element.
3. **LUA2017-0018 – Chapel Hill Properties Area Wide, Minor Rezone:** A city-initiated request in concurrence with **LUA2017-0017** to change the zoning designation of four (4) parcels adjacent to 99th Avenue NE from the Business District and Mixed Use zones to the Public / Semi-Public zone. The purpose of the proposed changes is to support new civic buildings at the Chapel Hill properties.
4. **LUA2017-0050 - Eagle Ridge Park Map Amendment:** A city-initiated request to change the land use designation for two (2) parcels totaling approximately 7.63 acres adjacent to Soper Hill Road from Medium Density Residential to Public / Semi-Public and associated text amendments in the Land Use Element.
5. **LUA2017-0051 – Eagle Ridge Park Area Wide, Minor Rezone:** A city-initiated request in concurrence with **LUA2017-0050** to change the zoning designation of two (2) parcels adjacent to Soper Hill Road from Urban Residential zone to the Public / Semi-Public zone. The purpose of the proposed changes is to implement the Eagle Ridge Park Master Plan.

A complete list describing the proposed amendments and the Planning Commission's recommendation is available at the Planning & Community Development Department and available on the city's website. Public testimony on the proposed changes will be accepted at the hearing. Comments regarding the proposed amendments may be submitted orally or in writing during the hearing. Written comments prior to the hearing may be submitted to Lake Stevens Planning & Community Development PO Box 257, Lake Stevens, WA 98258.

EXHIBIT 3c

PROJECT NAME/ FILE NUMBER: Eagle Ridge Park Area-Wide, Minor Rezone/LUA2017-0051

HEARING DATE / TIME: Planning Commission Public Hearing: Wednesday, January 3, 2018 at 7:00 PM

LOCATION: Lake Stevens Community Center (next to City Hall)
1808 Main Street
Lake Stevens, WA 98258

DOCKET DESCRIPTION:

A city-initiated request in concurrence with LUA2017-0050 (Comprehensive Plan land use map amendment) to change the zoning designation for two (2) parcels adjacent to Soper Hill Road from Urban Residential to the Public/Semi-Public zone. The purpose of the proposed changes is to implement the Eagle Ridge Park Master Plan. A SEPA Addendum and Adoption of Existing Documents was issued for the Comprehensive Plan Docket on November 9, 2017. A SEPA Addendum and Adoption of Existing Documents to the Final Environmental Impact Statement (FEIS) for the Center Subarea Plan was issued on November 9, 2017.

The Lake Stevens Planning Commission will conduct a public hearing and receive public testimony on January 3, 2018 at 7:00 PM to consider the rezone described above. If the rezone is recommended for approval, the Lake Stevens City Council will conduct a public hearing and first ordinance reading on January 9, 2018 at the Lake Stevens School District Educational Center (12309 22nd Street NE) at 7:00 PM. There will be a separate public noticing for the City Council hearing pursuant to Chapter 14.16B LSMC.

PUBLIC REVIEW AND COMMENT:

Interested parties may submit written comments before the hearing or testify in person. Comments can be submitted to City Hall, Attn: Melissa Place, PO Box 257, Lake Stevens, WA 98258 or by email at mplace@lakestevenswa.gov.

The project files, including the staff reports, site maps and supporting materials are available for review at the Permit Center, located behind City Hall, Monday-Friday 9am-4 pm. Limited materials are available at: <http://www.ci.lake-stevens.wa.us/index.aspx?nid=380>.

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.



Staff Report City of Lake Stevens Planning Commission

Planning Commission Public Hearing
Date: **January 3, 2018**

SUBJECT: Code amendment to allow the storage use in the Local Business (LB) zone (LUA2017-0010)

CONTACT PERSON/DEPARTMENT: Dillon Roth, *Associate Planner*

SUMMARY: Public Hearing for a code amendment to allow the storage use in Local Business zoning districts adjacent to state highways.

ACTION REQUESTED OF PLANNING COMMISSION: Forward a recommendation to City Council.

BACKGROUND / HISTORY:

Between May 17, 2017 and October 4, 2017, the Planning Commission was briefed four times on this code amendment. Over the course of those meetings, the Planning Commission, the applicant and Planning staff discussed concerns with proposal, mitigation measures, comprehensive plan consistency, development challenges and the appropriate regulation and permit path for allowing storage uses in the Local Business zoning district.

As a result, a new code section was drafted, LSMC 14.44.044. This section is intended to regulate the development of storage facilities in select Local Business zones in a way that does not conflict with the comprehensive plan or zoning district intent, minimizes potential impacts to neighbors and allows a developer flexibility to further develop the site with other uses. The new code section would restrict the location of storage uses to Local Business zones adjacent to state highways and limit the size of storage use to no more than 25% of the total site. The new code would also require storage facilities to include architectural and design features that promote visual compatibility with a commercial or mixed-use development as opposed to a warehouse or single-story linear shed design. To further mitigate visual impacts, storage facilities will also be required to provide landscaping and shield exterior lighting.

The code amendment would permit a storage facility through an administrative conditional use permit (ACUP). These types of permits are decided administratively with a notice of application to the public and a two-week public comment period. A proposed storage facility would also be subject to design review and potentially a public meeting at the Design Review Board, pursuant to LSMC 14.16C.050. Decision criteria for an ACUP includes consistency with the comprehensive plan, compliance with municipal code regulations and ensuring that the proposal is compatible with characteristics of the site and immediate vicinity.

The code amendment also adds a definition for *storage facility* in Chapter 14.08 and amends the permissible use table in Chapter 14.40. See Exhibit 1 for the draft code language and Exhibit 2 for the applicable locations of the regulations.

A SEPA Determination of Non-Significance was issued on December 19, 2017. As of this writing no public or agency comments have been received. On December 17, 2017 the Washington State Department of Commerce reviewed the code amendment and provided no further comments.

RECOMMENDATION: Forward a recommendation to the City Council to APPROVE the proposed amendments adding LSMC 14.44.044 Storage Facilities and amending Chapters 14.08 Definitions and 14.40.010 Table of Permissible Uses.

Exhibits:

- 1) Draft code language
- 2) Map of affected Local Business zoning districts

14.08.010 Definitions of Basic Terms

Storage facility. A facility that can be enclosed or open, constructed for the purpose of storing personal goods for short or long-term lease.

14.44.044 Storage Facilities.

a) Intent.

Storage facilities include characteristics common to commercial and industrial uses. This section provides regulations to help guide appropriate siting of storage facilities in the Local Business zoning district, while maintaining the desired character and function of that district. If designed appropriately, storage facilities can emulate the exterior architecture and site design of commercial or mixed-use developments, reducing inconsistencies with Comprehensive Plan goals or zoning district intent and limiting impacts to surrounding neighborhoods. Storage facilities in the Local Business zoning district shall adhere to the additional development standards of this section.

b) Applicable Location of LSMC 14.44.044 Regulations.

Storage facilities shall be allowed in the Local Business zoning districts on roads designated as State routes or State highways.

c) Special Restrictions.

(1) The storage use shall be limited in size to 25% coverage or less per development.

i. Each development is defined as the area of contiguous Local Business parcels.

ii. The use coverage is defined as the amount of space solely devoted to supporting the storage use on each development. This may include building footprints, drive aisles between storage facilities, loading bays, parking, landscape screening, offices and associated appurtenances. The use coverage percentage may exclude critical areas and features shared within a development like pedestrian facilities, internal access and circulation roads, and shared parking.

d) Design Standards.

(1) Storage facilities shall have an outward appearance that more closely resembles a commercial or mixed-use development, than a warehouse or single-story linear shed design, and shall be subject to the design review requirements of LSMC 14.16C.050.

(2) Storage facilities shall include architectural and design features that promote visual compatibility with commercial or mixed-use developments. Examples of these features may include providing façade modulation; using varied or contrasting exterior building materials and detailing; screening blank walls; incorporating varied roof-lines among other features.

(3) Storage facilities shall shield exterior lighting so as not to directly illuminate, or create visible glare from adjacent residential properties subject to the requirements of LSMC 14.38.080.

(4) Storage facilities are subject to the screening requirements of a Type A screen, as described in Chapter 14.76 LSMC, when abutting residential zoning districts.

i. Open storage facilities must provide an additional Type C screen that includes trees, shrubs and ground cover or similar vegetation to screen the exterior of the open storage facility's enclosure.

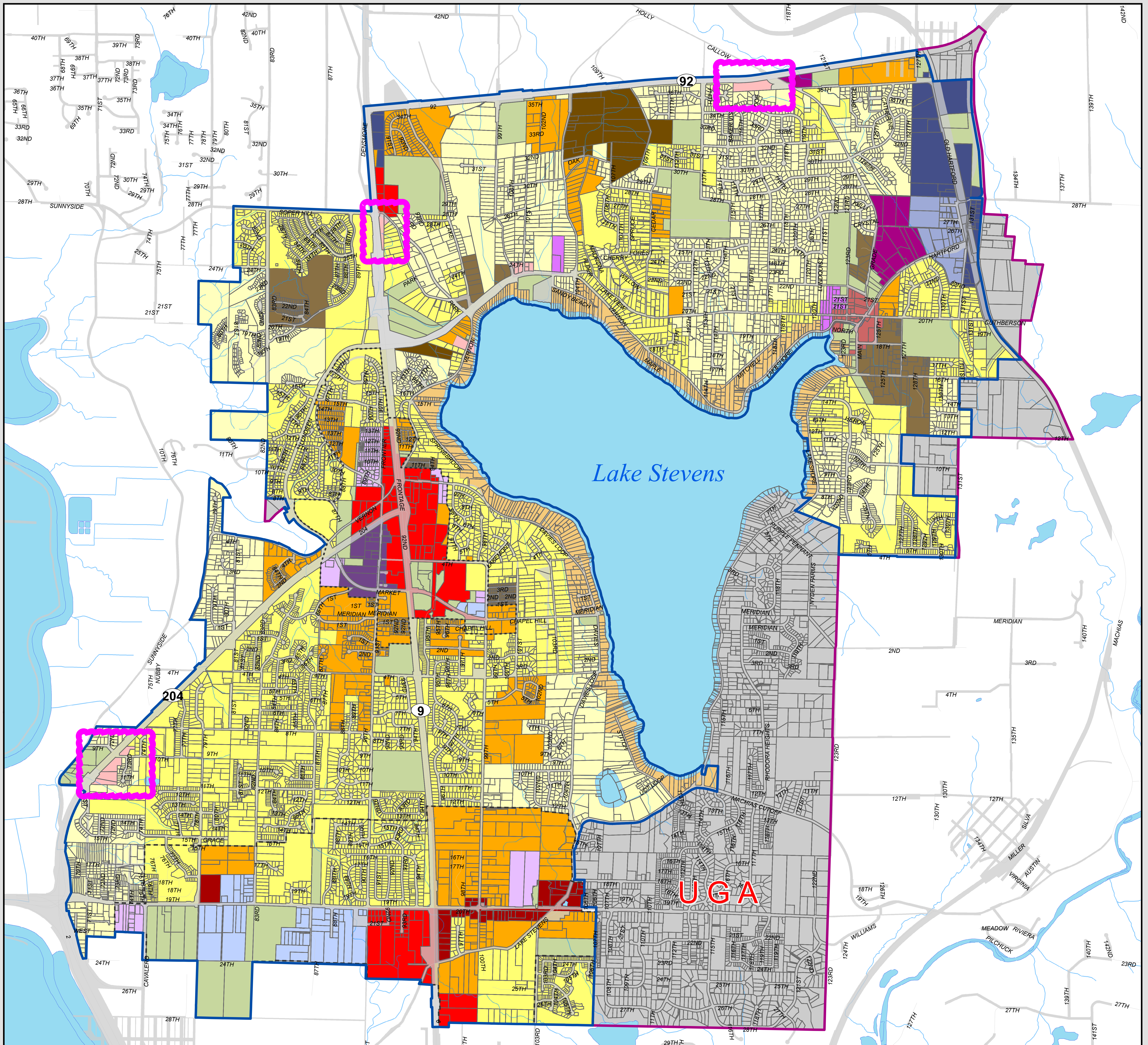
Table 14.40-I: Table of Permissible Uses By Zones¹⁶

USE DESCRIPTIONS		SR	WR	UR	HUR	MFR	NC ⁴	LB	CBD	MU ¹	PBD ⁵	SRC	LI	GI	P/SP
10.000	STORAGE AND PARKING														
10.100	Automobile Parking Garages or Parking Lots Not Located on a Lot on Which There Is Another Principal Use to Which the Parking Is Related							PA	PA	PA	P	P	P	P	P
10.200	Storage of Goods Not Related to Sale or Use of Those Goods on the Same Lot Where They Are Stored														
10.210	All storage within completely enclosed structures							<u>A²⁵</u>				P	P	P	P
10.220	Storage inside or outside completely enclosed structures							<u>A²⁵</u>				A		P	P
10.300	Parking of Vehicles or Storage of Equipment Outside Enclosed Structures Where: (1) Vehicles or Equipment Are Owned and Used by the Person Making Use of Lot, and (2) Parking or Storage Is More Than a Minor and Incidental Part of the Overall Use Made of the Lot											A	P	P	P

²⁵ Subject to Section 14.44.044 (Storage Facilities).



CITY OF LAKE STEVENS ZONING MAP



City Zoning

City Zones

Suburban Residential (SR)	Multi-Family Residential (MFR)	Neighborhood Business (NB)	Business District (BD)
Urban Residential (UR)	MF Development Agreement (MFDA)	Central Business District (CBD)	Light Industrial (LI)
High Urban Residential (HUR)	Mixed Use (MU)	Main Street (MS)	General Industrial (GI)
Waterfront Residential (WR)	Mixed-Use Neighborhood (MUN)	Commercial District (CD)	GI Development Agreement (GIDA)
	Local Business (LB)	Planned Business District (PBD)	Public / Semi-Public (P/PS)

Boundaries

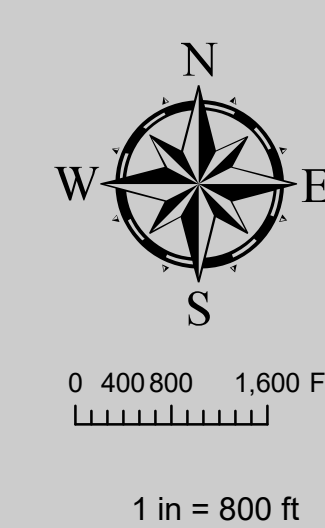
City of Lake Stevens
Unincorporated UGA
Parcels
Right-of-Way

Subarea Boundaries

20th Street SE Corridor
Lake Stevens Center

Features

Waterbody
Stream

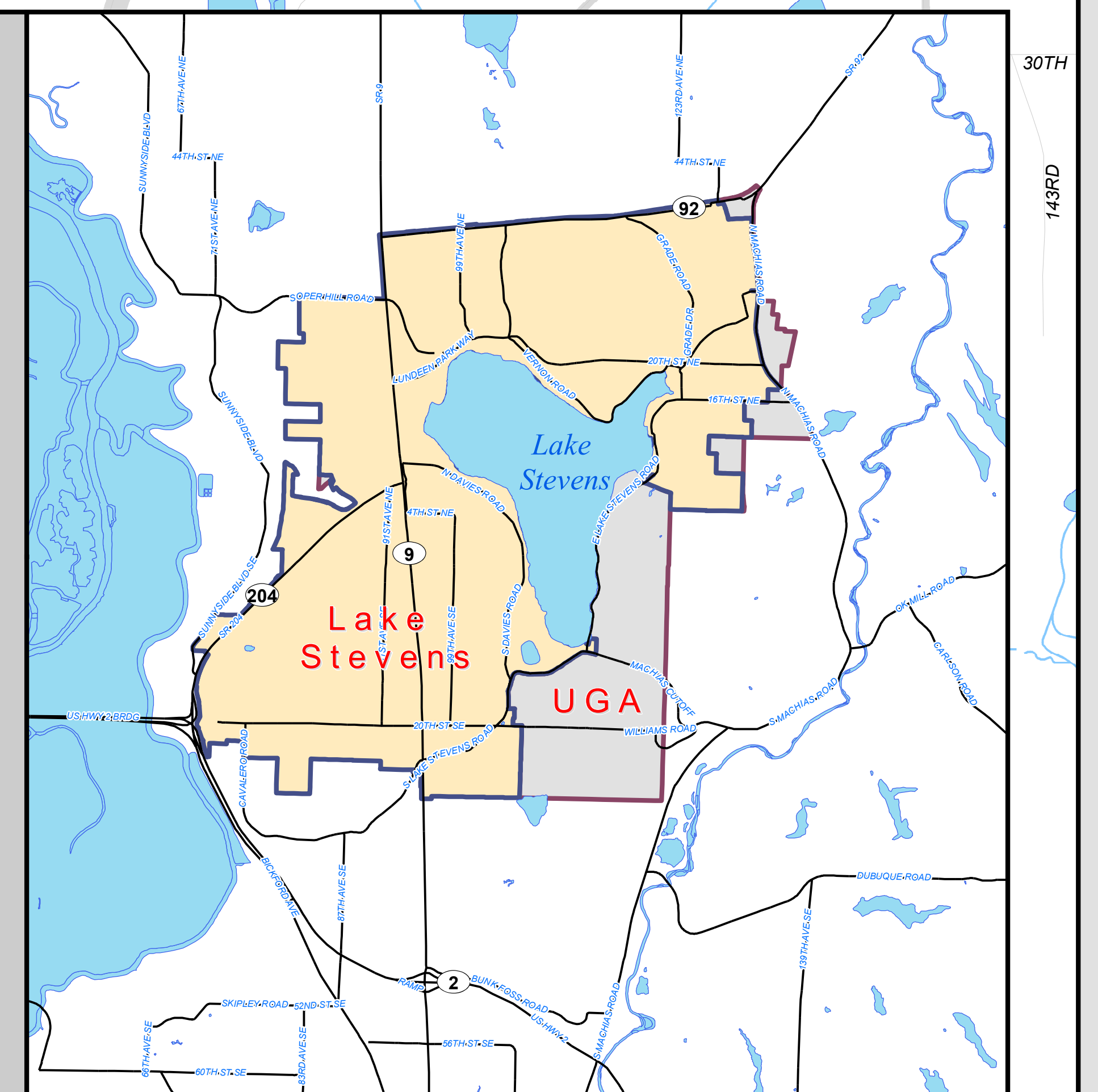


Adopted via:
Ordinance No. 876
Ordinance No. 885
Ordinance No. 903
Ordinance No. 920
Ordinance No. 921
Ordinance No. 960
Ordinance No. 961
Ordinance No. 974
Ordinance No. 981
Ordinance No. 982
Ordinance No. 983

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Data Sources: Snohomish County (2016), City of Lake Stevens (2016)

Revision Date: JANUARY 2017





Staff Report City of Lake Stevens Planning Commission

Briefing

Date: **January 3, 2018**

Subject: **LUA2016-0025:** Amendments to the City of Lake Stevens Land Disturbance Code (LUA2016-0025)

Contact Person/Department: Joshua Machen, *Senior Planner* / Russ Wright, *Community Development Director*

SUMMARY: Amendments to the municipal code to update and streamline the clearing and grading regulations and assume regulatory authority of Class IV-Forest Practices permits.

ACTION REQUESTED OF PLANNING COMMISSION:

Affirm previous recommendation of approval of code amendments to the City Council.

BACKGROUND / HISTORY:

Under the Planning Goals outlined in the Growth Management Act (RCW 36.70A.020), Cities and Counties subject to plan under RCW 36.70A.040, are required to adopt regulations that require appropriate approvals for clearing and grading and appropriate approvals for all phases of the conversion of forest lands (RCW 36.70A.570).

The scope for amendments to the city's grading and clearing regulations includes three major issues which require an update to the grading and clearing permit regulations:

1. Evaluate current thresholds for requiring clearing and grading permits and review process as found in Chapter 14.64 LSMC – Part II;
 - Consider modifying process for major clearing and grading projects – the current process requires an administrative conditional use process;
 - Clarify the administration of landscaping bonds associated with site stabilization after fill and grade activities;
 - Review the applicability of stand-alone land disturbance permits; and
 - Add language that requires the applicant to submit a letter to verify erosion controls are properly installed.
2. Integrate the forest practices regulations as outlined in RCW 76.09.010, authorizing the city to issue class IV forest practice conversion permits; and
3. Address Cultural Resource Management with land disturbing permits.

As part of the amendments, new definitions are needed, those new definitions are being added to the Land Use Code under LSMC 14.08.

A Public Hearing was held with the Planning Commission on January 4, 2017 after DNR comments were received and integrated into the proposed changes. The Planning Commission had recommended approval to the City Council to adopt the proposed amendments. Since, that time the staff put the adoption of the land disturbance amendments on hold to ensure that there was not any conflict between proposed amendments to the land disturbance code and the updated stormwater code. Based on the direction received from the City Council at a workshop on December 12, 2017, the staff has brought back the land disturbance amendments to the Planning Commission with only minor revisions from that which was recommended to the Council a year ago. The minor changes are in direct response to comments received by the Master Builders Association and developers using the existing code and are shown as redlined changes in the proposed amended code.

RECOMMENDATION: Forward a recommendation to the City Council to APPROVE the proposed amendments, replacing LSMC 14.44.100 - *Clearing and Grading Permits* with LSMC 14.50 - *Land Disturbance* and the adoption of an amended definition section to the Land Use Code LSMC 14.08

Attachments:

- A. LSMC 14.50 Draft Code Amendments (The redlines in this document describe the changes made since the Planning Commission's recommendation on these amendments)
- B. LSMC 14.08 Draft Code Amendments
- C. LSMC 14.16A Draft Code Amendments

Draft Land Disturbance Code

Chapter 14.44 Part II Grading, Filling and Excavation is repealed in its entirety.

NEW CHAPTER

Chapter 14.50 LAND DISTURBANCE

Part I. Land Disturbance

14.50.100 Purpose and Intent.

The purpose of this chapter is to regulate land disturbance activities, including the clearing and removal of vegetation, excavation, grading, filling and other earthwork such as cuts and fills within the city of Lake Stevens ~~in order~~ to protect public health, safety and welfare by requiring the following elements:

- (a) Encouraging holistic site planning to reduce negative impacts to the community and the environment;
- (b) Preserving vegetation and where appropriate requiring commensurate replanting;
- (c) Requiring the implementation of best management practices (BMP's) during land disturbing activities;
- (d) Minimizing adverse stormwater impacts related to land disturbance per the requirements of the 2012 Department of Ecology Stormwater Manual for Western Washington or as amended;
- (e) Assuming regulatory authority for Class IV Forest Practices as defined by Chapter 76.09 RCW;
- (f) Establishing administrative procedures to issue permits, approve plans and inspect land disturbance activities; and
- (g) Reducing the amount of time between land disturbance and the beginning of actual site construction.

Land disturbance activities within or near a critical area or within the shoreline jurisdiction must be consistent with the provisions of Chapter 14.88 LSMC and the Lake Stevens Shoreline Master Program, as applicable.

14.50.105 Permit Required, Applicability and Authority.

- (a) The Community Development Director or designee shall review and approve or conditionally approve all applications for land disturbance permits, which meet the requirements of this chapter.
- (b) A land disturbance permit is required for all land disturbance unless exempted in Section 14.50.115.
- (c) The provisions of this chapter apply to all land disturbance activity within the city. No action shall be taken by any person, which results in any alteration to the landscape except as consistent with the purposes, objectives, and goals of this chapter.
- (d) Activities exempt a land disturbance permit, as described in Section 14.50.115, must still comply with the restrictions and requirements contained in Section 14.50.140.
- (e) By submitting an application under this Section, the applicant consents to entry upon the subject site by the city during regular business hours for the purposes of making inspections to verify information provided by the applicant to verify that work is being performed in accordance with the requirements of this chapter.

14.50.110 Definitions.

The definitions related to land disturbance and forest practices are included in Chapter 14.08 LSMC.

~~*CESCL.*—A Certified Erosion and Sediment Control Lead who has current certification through an approved erosion and sediment control training program that meets the minimum training standards established by the Washington Department of Ecology.~~

~~*Clearing.*—The act of removing or destroying vegetation or other organic plant materials by physical, mechanical or chemical means.~~

~~*Compaction.*—Densification of a fill by mechanical means.~~

~~*DBH.*—The diameter of a tree as measured from breast height (54 inches above the ground).~~

~~*Earth material.*—Any rock, natural soil or any combination thereof.~~

~~*Excavation.*—The removal of any earth material.~~

~~*Existing Site Conditions.*—The current site features, natural features, cultural features and infrastructure of a specific location.~~

~~*Fill.*—A deposit of earth material placed by mechanical means.~~

~~*Forest Practices.*—Any activity conducted on or directly pertaining to forest land and related to growing, harvesting, or processing timber or removing forest biomass as defined by the WAC 222-16-010.~~

~~*Grade.*—The elevation of the ground surface.~~

~~(a) “Existing grade” is the grade prior to grading.~~

~~(b) “Rough grade” is the stage at which the grade approximately conforms to an approved site plan.~~

~~(c) “Finished grade” is the final grade of the site that conforms to the approved site plan.~~

~~(d) “Grading” is any excavating, filling, removing of the duff layer or combination thereof.~~

~~*Land Disturbance.*—Any activity that results in a change in the existing soil cover (both vegetative and non-vegetative) and / or existing soil topography.~~

~~*Landscaping area.*—Any portion of a site not used for building, parking, driveway or accessory storage area. A landscape area may include patios, plazas, walkways, walls and fences, fountains or pools, and planting areas. Ponds, streams, natural areas, or areas for the detention of storm water runoff are not considered part of the landscaped area of a site unless they are integrated with required landscaping as a water feature.~~

~~*NPDES.*—National Pollutant Discharge Elimination System.~~

~~*Pollution-generating pervious and impervious surfaces.*—Surfaces that are considered a significant source of pollutants in storm water runoff. Pollution-generating surfaces include both pervious and impervious surfaces, such as surfaces subject to vehicular use, roofs, lawns and landscaped areas.~~

~~*Predeveloped condition.*—The native vegetation and soils that existed at a site prior to the influence of Euro-American settlements.~~

~~*Retaining wall.*—A wall designed to resist lateral earth and/or fluid pressures, including any surcharge in accordance with accepted engineering practice.~~

- ~~(a) "Exposed wall height is the vertical distance measured from the finished grade at the bottom of the wall (lower soil grade) to the finished grade at the top of the wall. This height does not include the wall and depth of footing below grade.~~
- ~~(b) "Retained Wall Height" is the vertical distance measured from the bottom of the footing to the finished grade at the top of the wall. It includes the wall and depth of footing below grade.~~
- ~~(c) "Surcharge" is a vertical load imposed on retained soil that may impose a lateral force in addition to the lateral earth pressure of the retained soils. Examples of surcharge include sloping retained soil, structure footings supported by the retained soil or adjacent vehicle loads supported by the retained soil.~~

~~*Significant Tree.* Any deciduous tree eight inches or greater in diameter (25 inches in circumference or greater), and any evergreen tree 12 inches or greater (37 inches in circumference or greater) measured one foot above the root crown.~~

~~*Stormwater.* Surface water runoff that occurs when precipitation from rain or snowmelt flows over the lands surface.~~

~~*Toe of slope.* The lowest part of an embankment slope. It is the point at which the front of a slope intersects with the natural ground line.~~

14.50.115 Exemptions.

The following activities do not require a land disturbance permit.

- (a) Land disturbance associated with an approved building permit or approved construction plans.
- (b) Land disturbance associated with public improvements and maintenance within the existing right-of-way; provided this does not include activities that expand into a critical area or buffer including, but not limited to:
 - (1) Roadside ditch cleaning, provided the ditch does not contain salmonids;
 - (2) Pavement maintenance;
 - (3) Normal grading of gravel shoulders;
 - (4) Maintenance of culverts;
 - (5) Maintenance of flood control or other approved stormwater facilities; and
 - (6) Routine clearing within road right-of-way.
- (c) Site investigations such as surveys, soil borings, test pits, percolation tests and other related activities, necessary for preparing land use or building permit applications provided the land disturbing activities are not greater than is necessary to accomplish the work and do not create permanent site impacts.
- (d) Any excavation, grading or fill activities less than 50 cubic yards.
- ~~(de)~~ Landscape installation or site improvements, which do not result in a fill being placed behind a wall greater than four feet in height as, measured from the bottom of the footing to the top of the wall or a cut more than four feet in depth or which does not exceed 15 cubic yards on any lot.(e) Cutting, clearing or removal of vegetation within any fully developed lot, parcel, street or utility right-of-way or park land outside of a critical area or its buffers not requiring any other permits or SEPA review, such as

lawn mowing, rototilling, composting, gardening, non-commercial firewood cutting and pruning of vegetation.

(f) The removal of plants designated as noxious or invasive weeds by governmental agencies.

(g) Emergency removal of ground cover or hazardous trees by any person, the public works department, parks department, fire department and/or public or private utility necessary to protect public safety or private or public property from imminent danger.

14.50.120 Land Disturbance Permit Thresholds.

(a) ~~Type-I~~Minor Land Disturbance - A ~~Type-I~~Minor Land Disturbance permit shall follow the procedures established in Chapter 14.16B for a Type I permit process and shall be required for each of the following actions or any combination thereof.

(1) Any land clearing activity that removes vegetation equal to or greater than 1,000 square feet but ~~equal to or~~ less than 5,000 square feet within any 12-month period. Removal of any vegetation from wetlands, streams or their buffers shall comply with Chapter 14.88 LSMC and may not occur without prior approval from the Community Development Director and state agencies with jurisdiction.

(2.) Any excavation, grading or fill activities equal to or greater than 50 cubic yards, but less than 100 cubic yards.

(3) Land disturbance increases ~~impervious~~hard surface area by five percent of the lot area or 2,000 square feet, whichever is less.

(4) Land disturbance that redirects stormwater from 5,000 square feet or more of drainage area so that it is released onto adjacent properties in a concentrated manner.

(5) Land disturbance that alters, redirects or impedes natural watercourses or manmade drainage channels.

(6) Construction of finished slopes that will exceed a ratio of 2:1 (horizontal to vertical).

~~.(7) A retaining wall of three feet or higher is to be built. Retaining walls that are equal to or greater than four feet in height as measured from the bottom of the footing to the top of the wall and/or walls that support a surcharge shall require a building permit in addition to a land disturbance permit per the requirements of LSMC 14.80.100.~~

~~(7)~~ Land disturbance proposed within the boundaries of any drainage, access or utility easements.

(b) ~~Type-II~~Major Land Disturbance - A ~~Type-II~~Major Land Disturbance permit shall follow the procedures established in 14.16B for a Type II process and be required for each of the following actions or any combination thereof.

(1) Any excavation, grading or fill activities on a lot that equals or exceeds 100 cubic yards within any 12-month period.

~~.(2) Any land clearing activity that removes vegetation equal to or greater than 5,000 square feet within any 12-month period unless part of another land use permit approval. Removal of any vegetation from wetlands, streams or their buffers shall comply with Chapter 14.88 LSMC and may not occur without prior approval from the Community Development Director and state agencies with jurisdiction.~~

~~.(2) Any tree clearing equal to or greater than 5000 square feet in total canopy.~~

~~(3)~~ Class IV Forest Practices as described in Chapter 14.50 – Part II.

14.50.125 Application Requirements.

A land disturbance application shall include the following items:

- (a) Completed Type I/II permit application form;
- (b) A narrative of the project that describes the existing site conditions and development goals of the proposed work by including (1) Specific work to be accomplished, (2) A time schedule for land clearing activities, (3) Type of equipment to be used, (4) Measures proposed to protect the site and adjacent properties from potential adverse impacts, and (5) The estimated quantities/area of work involved;
- (c) Public noticing documents per Chapter 14.16B LSMC;
- (d) An environmental checklist if the land disturbance will exceed 100 cubic yards;
- (e) A critical areas report identifying wetlands, streams and their associated buffers, if applicable;
- (f) A drainage and stormwater report, if applicable;
- (g) A geotechnical and soils report, if applicable;
- (h) A cultural resource management report, if applicable;
- (i) The correct intake fees as determined by the currently adopted Fee Schedule;
- (j) Any other materials required by the Community Development Director; and
- (k) A site plan of the subject property that meets the requirements of Section 14.16C.105(d).

14.50.130 Restrictions and Requirements.

All land disturbance, regardless of whether or not a permit is required, is subject to the following requirements.

- (a) No land disturbance is allowed in a critical area and its buffers otherwise prohibited by Chapter 14.88 LSMC.
- (b) For single-family and duplex lots, no activities shall be allowed, which results in the impervioushard surface area of the lot exceeding the maximum thresholds as defined by section 14.48.055.
- (c) No land disturbing activities are permitted outward from the shores of Lake Stevens except as permitted pursuant to the restrictions of the Lake Stevens Shoreline Master Program.
- (d) Adequate temporary erosion and sedimentation control (TESC) measures shall be approved and installed per Chapter 14.64 (Special Flood Hazard Areas, Drainage, and Erosion) LSMC prior to any disturbance of soils.
- (e) All disturbed areas shall be hydro-seeded and mulched, sodded or otherwise protected within 48 hours of disturbance.
- (f) All potentially impacted critical areas and their buffers shall be delimited with a construction limits fence prior to any disturbance of the soil.
- (g) The project proponent shall present to the city a valid NPDES permit, where required, prior to any disturbance of soil.
- (h) Environmental review of land disturbance associated with site development may be done concurrently with the environmental review of the project (e.g., preliminary plat, land use permit, or building permit), allowing for public improvements to be permitted by approval of the construction drawings. However, the application shall specifically state that such land disturbance is a part of the

application, and the permit shall specifically state what land disturbance is permitted or the activities shall not be considered permitted.

(i) Land disturbing activities that include tree removal on residential lots shall be required to demonstrate retention of the minimum number of shade trees on site as defined in Section 14.76.124 LSMC.

~~(j) During the below listed dates all land disturbing activities shall be phased as follows:~~

~~(1) For land disturbing activity not associated with a plat, between October 1st and March 31st no more than one-fourth acre, or 50 cubic yards of soil, whichever represents the least amount of soil, may be moved or graded at any one time before that portion of the project is closed up per subsection (d) of this section; and~~

~~(2) Between October 1st and March 31st, land disturbance of individual building lots in a plat shall be phased, with no more than 10 lots being graded in a plat at any one time. Before additional lots can be graded, the previously graded lots shall be hydro-seeded and mulched, sodded, or otherwise protected.~~

(k) Clearing activities of 1,000 square feet or more in any 12-month period shall comply with the retention and protection of large-significant tree requirements as contained in Section 14.76.120.

(1) Replacement trees shall be located in such a manner they will not be disturbed when the site develops in the future.

(2) No more than 10 percent of significant trees or 50 percent of all trees on a site may be removed unless and until it is done as part of a land use permit~~plan~~, which has received the appropriate land use permit(s) from the city.

(3) The applicant shall include a conceptual plan showing how the protected trees will be able to be retained at the time of site development.

(l) Hours of operation shall be between 7:00 AM and 9:00 PM on weekdays and 9:00 AM to 9:00 PM on weekends.

14.50.135 Minimum Performance Standards.

(a) No land disturbing activities may be approved unless the project proponent demonstrates that the requirements of Chapter ~~14.50-11.06~~ LSMC have been met.

(b) Any land disturbance activity, whether requiring a permit or not, shall provide erosion and sediment (ESC) measures that prevent the transport of sediment from the site to adjacent properties and facilities.

(c) Cuts and fills shall conform to the following provisions:

(1) No slope of cut and fill surfaces shall be steeper than is safe for the intended use and shall not exceed two horizontal to one vertical; and

(2) All disturbed areas including faces of cuts and fill slopes shall be prepared and maintained to control erosion in compliance with subsection (b) of this section.

(d) Access roads to grading sites shall be maintained and located to the satisfaction of the city engineer to minimize problems of dust, mud and traffic circulation.

(e) Setbacks. The tops and the toes of cut and fill slopes shall be set back from property boundaries as far as necessary for safety of the adjacent properties and to prevent damage resulting from water runoff or erosion of the slopes based on the recommendation of a geotechnical engineer.

(f) The tops and the toes of cut and fill slopes shall be set back from structures as far as is necessary for adequacy of foundation support and to prevent damage as a result of water runoff or erosion of the slopes based on the recommendation of a geotechnical engineer.

14.50.140 Top Soil.

In order to provide a suitable vegetation growth medium for final site stabilization, the following requirements shall be met prior to residential final plat approval or if on an existing lot, prior to issuance of a final inspection/certificate of occupancy (Note: this section is intended to complement the requirements of the "Stormwater Manual" referenced in LSMC 11.06, if there is a conflict, the more restrictive regulations apply).:

(a) A minimum of eight inches of top soil is to be placed in all areas not developed with impervioushard surface area.

(b) In order to ensure a proper bond between the topsoil and subsoil, the topsoil shall be worked into the layer below for a minimum of six-four inches, resulting in a consistent mix of topsoil and subsoil throughout.

(c) The topsoil shall be friable and loamy (loam, sandy loam, silt loam, sandy clay loam, clay loam).

(d) When native topsoil is to be stockpiled and reused, the following should apply to ensure that the mycorrhizal bacterial, earthworms, and other beneficial organisms will not be destroyed:

(1) Topsoil is to be re-installed within four to six weeks;

(2) Topsoil is not to become saturated with water; and

~~(3) Covers placed over the pile must first be approved by Public Works to ensure the material is breathable to allow sufficient passage of oxygen—plastic is not allowed;~~

(e) Stockpiling of topsoil shall comply with the following:

(1) The slopes of the pile shall not exceed 2:1;

(2) An interceptor dike with gravel outlet and silt fence shall surround all topsoil stockpiles;

~~(3) Erosion control seeding or covering with clear plastic or other mulching materials of stockpiles shall be completed within two days from October 1st through April 30th, or within seven day from May 1st through September 30th. Native topsoil stockpiles shall not be covered with plastic; and~~

(4) Topsoil shall not be placed while in a frozen or muddy condition, when the subgrade is excessively wet, or when conditions exist that may otherwise be detrimental to proper grading or proposed sodding or seeding.

14.50.145 Maintenance and Security.

(a) The Community Development Director or designee may require the applicant to establish a security pursuant to Section 14.16A.180 which may be acceptable to the city at its sole discretion, in an amount deemed by the city to be sufficient to reimburse the city if it should become necessary to enter the property for the purpose of correcting and/or eliminating hazardous conditions relating to land disturbance activities or for other purposes authorized in this chapter.

(b) In no case shall the security be less than the city's estimate of the cost of correcting or eliminating hazardous conditions that reasonably may occur, and/or of insuring compliance with the stipulations of the permit and the approved plans and specifications.

14.50.150 Inspections.

- (a) The applicant must submit a written determination from a Certified Erosion and Sediment Control Lead (CESCL) that appropriate temporary erosion and sediment control (TESC) measures are in place prior to starting any land disturbance activities.
- (b) The applicant must submit as-built drawings to reflect any changes from the original approval made in the field as required by the Community Development Director or designee.
- (c) All land disturbance permits are subject to a mandatory final inspection to ensure that all work on a site has been completed pursuant to the approved permit and the requirements of this chapter.

14.50.150 Violations and Penalties.

- (a) Violations of the provisions of this chapter shall be subject to the enforcement and review criteria of Title 17 LSMC.

PART II. FOREST PRACTICES

14.50.155 Forest Practices

- (a) The purpose of this section is to assume regulatory authority from the Washington Department of Natural Resources over certain forest practices as permitted by Washington state law and pursuant to Chapter 76.09 RCW and WAC 222-20. This section ensures that the forest practices described in the following subsections occur in compliance with the Lake Stevens Comprehensive Plan, the Lake Stevens Shoreline Master Program and the regulations of this Title.
- (b) The definitions contained in RCW [76.09.020](#) of the Forest Practices Act and in WAC [222-16-010](#) and [222-16-050](#) of the Forest Practices Act's implementing regulations shall apply to all terms used in this chapter, provided that the definitions contained in Title 14 shall be applicable where not in conflict with the above-referenced Forest Practices Act and the Forest Practices Act's implementing regulations. In the event of any conflict between the definitions, the definitions in chapter [222-16](#) WAC shall prevail. This chapter shall apply to Class-IV general and special forest practices as defined by WAC 222-16-050 for the purpose of conversion to a non-forestry use.
- (c) The following activities are exempt from the requirements of this chapter when located outside of critical areas and their buffers:
 - (1) Forest practices regulated exclusively by the Washington State Department of Natural Resources pursuant to chapter [76.09](#) RCW;
 - (2) The removal of less than 5,000 board feet of timber (including live, dead, and down material) for personal use in any 12-month period;
 - (3) The removal of trees which have been grown to be sold as Christmas trees or used in landscaping such as trees sold by commercial nurseries;
 - (4) The abatement of an emergency, such as the removal of trees necessary to protect the safety of persons or property from clear and imminent danger;
 - (5) Landscape maintenance or pruning which does not impair the health or survival of trees required to be retained or planted pursuant to this chapter; and

(6) The removal of trees in the public right-of-way as required by the city engineer for the purpose of public safety or for the maintenance of existing public roads and existing facilities, consistent with chapter [76.09](#) RCW.

(d) A Class IV-General Forest Practices permits shall follow the procedures established in Chapter 14.16B for a Type II permit process and be required for those forest practices described in the WAC 222-16-050(1) and (2). A forest practices application shall include the following submittal items:

(1) A completed State Environmental Policy Act checklist.

(2) Written verification from the Washington State Department of Natural Resources that the subject site is not and has not been subject to a notice of conversion to nonforestry use under RCW 76.09.060 during the six-year period prior to submission of the permit application.

(3) A title report as proof that the parcel is not currently subject to a six-year development moratorium. If the property is subject to a six-year development moratorium, the application will not be accepted until the end of the moratorium or until the moratorium has been lifted.

(3) All submittal items as described in 14.50.125.

(4) An application fee in an amount set by resolution by the city council.

(e) The department shall notify the Washington State Department of Revenue within 60 days of approving a forest practices permit issued under this chapter. Such notification shall include the following information:

(1) Landowner's legal name, address, and telephone number;

(2) Decision date of permit; and

(3) Parcel number and legal description (section, township, and range) of the subject site.

(f) To improve the administration of the forest excise tax created by Chapter 84.33 RCW, the city will report permit information to the Department of Revenue for all approved forest practices permits no later than sixty days after the date the permit was approved.

(g) The hearing examiner may consider the removal of a six-year development moratorium established pursuant to Chapter 76.09 RCW when the applicant strictly meets the following requirements:

(1) Any property owner subject to a moratorium may request a release from the six-year moratorium by filing a Type III permit application with the Community Development department.

(2) Following such request, the Community Development department shall set a date for an open record public hearing pursuant to the requirements of Chapter 14.16B for Type III permits before the hearing examiner.

(3) The hearing examiner shall consider the removal of a development moratorium established pursuant to this chapter when the following criteria are strictly met:

i. The proponent submits a Type III application for removal of the moratorium; and

ii. The proponent proposes corrective actions to bring the violation into compliance with this chapter and mitigate any existing damage through the submittal of a reforestation plan or mitigation plan, prepared by a qualified professional consistent with Chapter 14.88;

(4) Hearing Examiner Authority.

i. The hearing examiner shall review requests for removal of a development moratorium, any comments received, and applicable city regulations or policies and may inspect the property before rendering a decision.

ii. The hearing examiner may approve the request to remove a development moratorium, approve the request with conditions, require modification of the proposal to strictly comply with specified requirements or local conditions, or deny the request if it fails to comply with requirements of this chapter.

(5) Required Written Findings and Determinations. The hearing examiner will address the following items as written findings and determinations before issuing a decision:

i. The removal of the six-year development moratorium will not be detrimental to public health, safety, and general welfare.

ii. The removal of the six-year development moratorium will not be injurious to the property or improvements adjacent to the proposal.

iii. The removal of the six-year development moratorium will not result in significant adverse environmental impacts.

iv. The removal of the six-year development moratorium is consistent and compatible with the goals, objectives, and policies of the comprehensive plan and the provisions of this chapter and other applicable municipal codes.

Part III Cultural Resource Management

14.50.160 Archaeological and Historical Resources

(a) The destruction of or damage to any site having historic or cultural values as identified by the appropriate agencies, including but not limited to affected tribes and the Washington State Department of Archaeology and Historic Preservation, should be prevented.

(b) Archaeological sites located both within and outside of shoreline jurisdiction are subject to the provisions of Chapter 27.44 RCW (Indian Graves and Records) and Chapter 27.53.

(1) Whenever historical, cultural or archaeological sites or artifacts of potential significance are discovered in the process of development, work on the development site shall be stopped immediately. The project proponent or responsible party must report and the find to the city immediately.

(2) The city will notify the Washington State Department of Archaeology and Historic Preservation, the Tulalip and Stillaguamish Tribes and other appropriate agencies of the discovery. The city will require that the project proponent or responsible party retain a professional archaeologist to conduct an immediate site assessment and determine the significance of the discovery. If a negative determination is received, i.e., the report does not determine that the find is significant, the work may resume after consultation with the State and the affected Tribes

(3) On receipt of a positive determination of the site's significance, work shall remain stopped on the project site and the project proponent or responsible party shall not resume development activities without authorization from the State and the affected Tribes.

Chapter 14.08 BASIC DEFINITIONS AND INTERPRETATIONS

Sections:

[14.08.010](#) Definitions of Basic Terms

[14.08.020](#) *Recodified*

14.08.010 Definitions of Basic Terms.

Unless otherwise specifically provided, or unless clearly required by the context, the words and phrases defined in this section shall have the meaning indicated when used in this title.

Access Easement. An easement for vehicle access over another piece of property and dedicated primarily for ingress/egress to one or more lots.

Access Tract. A privately owned tract of land used primarily for ingress/egress for four or fewer dwelling units.

Accessory Use. (See Section 14.40.050)

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

Administrative Conditional Use (previously *Special Use*). A use allowed in a zone after review by the department and with approval of permit conditions as necessary to make the use compatible with other permitted uses in the same vicinity and zone.

Adult Entertainment.

(a) "Adult entertainment establishments" means adult motion picture theaters, adult drive-in theaters, adult bookstores, adult cabarets, adults video stores, adult retail stores, adult massage parlors, adult sauna parlors or adult bathhouses, which are defined as follows:

(1) "Adult bathhouse" means a commercial bathhouse which excludes any person by virtue of age from all or any portion of the premises.

(2) "Adult bookstore" means a retail establishment in which:

(i) Ten percent or more of the "stock-in-trade" consists of books, magazines, posters, pictures, periodicals or other printed materials distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas"; and

(ii) Any person is excluded by virtue of age from all or part of the premises generally held open to the public where such material is displayed or sold.

(3) "Adult cabaret" means a commercial establishment which presents go-go dancers, strippers, male or female impersonators, or similar types of entertainment and which excludes any person by virtue of age from all or any portion of the premises.

(4) "Adult massage parlor" means a commercial establishment in which massage or other touching of the human body is provided for a fee and which excludes any person by virtue of age from all or any portion of the premises in which such services are provided.

(5) "Adult motion picture theater" means a building, enclosure, or portion thereof, used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to "specified sexual activities" or "specified anatomical areas" for observation by patrons therein.

(6) "Adult retail store" means retail establishment in which:

(i) Ten percent or more of the "stock-in-trade" consists of books, magazines, posters, pictures, periodicals or other printed materials distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas"; and

(ii) Any person is excluded by virtue of age from all or part of the premises generally held open to the public where such material is displayed or sold.

(7) "Adult sauna parlor" means a commercial sauna establishment which excludes any person by virtue of age from all or any portion of the premises.

(8) "Adult video store" means a retail establishment in which:

(i) Ten percent or more of the stock-in-trade consists of books, magazines, posters, pictures, periodicals or other printed materials distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas; and

(ii) Any person is excluded by virtue of age from all or part of the premises generally held open to the public where such material is displayed or sold.

(b) "Specified anatomical areas" means:

(1) Less than completely and/or opaquely covered human genitals, pubic region, buttock, or female breast below a point immediately above the top of the areola;

(2) Human male genitals in a discernably turgid state even if completely or opaquely covered.

(c) "Specified sexual activities" means:

(1) Acts of human masturbation, sexual intercourse, or sodomy; or

(2) Fondling or other erotic touching of human genitals, pubic region, buttock or female breast; or

(3) Human genitals in a state of sexual stimulation or arousal.

(d) "Stock-in-trade" means:

(1) The dollar value of all products, equipment, books, magazines, posters, pictures, periodicals, prerecorded video tapes, discs, or similar material readily available for purchase, rental, viewing, or use by patrons of the establishment, excluding material located in any storeroom or other portion of the premises not regularly open to patrons; or

(2) The number of titles of all products, equipment, books, magazines, posters, pictures, periodicals, other printed materials, prerecorded video tapes, discs, or similar material readily available for purchase, rental, viewing, or use by patrons of the establishment, excluding material located in any storeroom or other portion of the premises not regularly open to patrons.

Agency with Jurisdiction. An agency with authority to approve, veto, or finance all or part of a SEPA-nonexempt proposal (or part of a proposal). The term does not include an agency authorized to adopt rules or standards of general applicability that could apply to a proposal, when no license or approval is required from the agency for the specific proposal. The term also does not include a local, State, or federal agency involved in approving a grant or loan, that serves only as a conduit between the primary administering agency and the recipient of the grant or loan. Federal agencies with jurisdiction are those from which a license or funding is sought or required.

Agriculture Land. Land used for commercial production (as shown by record of any income) of horticultural, viticultural, floricultural, dairy, apiary, or animal products, or of vegetables, Christmas trees, berries, grain, hay, straw, turf, seed, or livestock, and that has long-term (six years or longer) commercial significance for agricultural production.

Alley. A thoroughfare or right-of-way, usually narrower than a street, which provides access to the rear boundary of two or more residential or commercial properties and is not intended for general traffic circulation. Alleys are only permitted for properties fronting a public road.

Alteration. Any human-induced action which impacts the existing condition of a critical area. Alterations include but are not limited to grading; filling; dredging; draining; channelizing; cutting, pruning, limbing or topping, clearing, relocating or removing vegetation; applying herbicides or pesticides or any hazardous or toxic substance; discharging pollutants; grazing domestic animals; paving, construction, application of gravel; modifying for surface water management purposes; or any other human activity that impacts the existing vegetation, hydrology, wildlife or wildlife habitat. Alteration does not include walking, passive recreation, fishing or other similar activities.

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

Animated Display Boards. Any display designed to catch attention by using animated graphics or moving text, excluding information screens located on drive-through window menu boards which are used to convey order information to the customer.

Antenna. Equipment designed to transmit or receive electronic signals.

Antenna Array. Consists of one or more rods, panels, discs or similar devices used for the transmission or reception of radio frequency signals, which may include omni-directional antenna (rod), directional antenna (panel) and parabolic antenna (disc).

Appeal (Definition related to flood permits only). A request for a review of the interpretation of any provision of this title or a request for a variance.

Applicant. A person, partnership, corporation, or other legal entity who applies for any approval under this title and who is an owner of the subject property or the authorized agent of the owner. The applicant for a project permit is deemed to be a participant in any comment period, open record hearing, or closed record appeal.

Aquifer Recharge Area. Geological formations with recharging areas having an effect on aquifers used for potable water where essential source of drinking water is vulnerable to contamination.

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

Base Flood. The flood having a one percent chance of being equaled or exceeded in any given year (also referred to as the "100-year flood"). The area subject to the base flood is the special flood hazard area designated on Flood Insurance Rate Maps as Zones "A" or "V" including AE, AO, AH, A1-99 and VE.

Base Flood Elevation (BFE). The elevation of the base flood above the datum of the effective FIRM to which floodwater is anticipated to rise during the base flood.

Basement. Any area of a building having its floor below ground level (subgrade) on all sides in relationship to Chapter [14.64](#), Part I, and Chapter [14.88](#), Part V.

Best Available Science. Current scientific information, which is used to designate, regulate, protect, or restore critical areas and which is derived from a valid scientific process as set forth in WAC [365-195-900](#) through [365-195-925](#) and Section [14.88.235](#).

Best Management Practices (BMPs). The best available conservation practices or systems of practices and management measures that:

- (a) Control soil loss and protect water quality from degradation caused by nutrients, animal waste, toxins, and sediment; and
- (b) Minimize adverse impacts to surface water and groundwater flow, circulation patterns, and to the chemical, physical, and biological characteristics of critical areas.

Billboard. An off-premises sign owned by a person, corporation, or other entity that engages in the business of selling the advertising space on that sign.

Binding Site Plan. A drawing to a scale specified in this title which: (a) identifies and shows the areas and locations of all streets, roads, improvements, utilities, open spaces, and any other matters specified herein; (b) contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land as are established in this title; and (c) contains provisions making any development be in conformity with the site plan.

Block. A group of lots, tracts, or parcels within well defined and fixed boundaries.

Boarding House. A residential use consisting of at least one dwelling unit together with more than two rooms that are rented or are designed or intended to be rented but which rooms, individually or collectively, do not constitute separate dwelling units. A rooming house or boarding house is distinguished from a tourist home in that the former is designed to be occupied by longer term residents (at least month-to-month tenants) as opposed to overnight or weekly guests.

Boathouse or Boat Shelter. An over-water structure specifically designed or used for storage of boats with permanent walls and/or roofs.

Bog. A wetland with limited drainage and generally characterized by extensive peat deposits and acidic waters. Vegetation can include, but is not limited to, sedges, sphagnum moss, eriogonums, shrubs, and trees.

Bond. A written certificate guaranteeing to pay up to a specified amount of money if specified work is not performed; or any similar mechanism whereby the City has recourse to an identified fund from which to secure performance of specified work.

Boundary Line Adjustment. The adjustment of boundary lines between two abutting platted or unplatted lots, tracts or parcels, which does not create any additional lot, tract, parcel, or site and which results in no lot, tract, parcel, or site that contains insufficient area and dimension to meet minimum requirements for width and area.

Breakaway Wall. A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system in relationship to Chapter [14.64](#), Part I, and Chapter [14.88](#), Part V.

Buffer Areas. Areas which provide a margin of safety through protection of slope stability, attenuation of surface water flows, and landslide hazards reasonably necessary to minimize risk to the public from loss of life or well-being or property damage resulting from natural disasters; or an area which is an integral part of a stream or wetland ecosystem and which provides shading, input of organic debris and coarse sediments, room for variation in stream or wetland edge, habitat for wildlife and protection from harmful intrusion necessary to protect the public from losses suffered when the functions and values of aquatic resources are degraded.,
~~*Wetlands.* Areas that are contiguous to and protect a critical area and are required for the continued maintenance, functioning, and/or structural stability of a critical area.~~

Buffer Management. An activity proposed by a public agency, public utility, or private entity, and approved by the Planning and Community Development Director, within a buffer required by this title, that is proposed to:

- (a) Reduce or eliminate a verified public safety hazard;
- (b) Maintain or enhance wildlife habitat diversity; or
- (c) Maintain or enhance a fishery or other function of stream, wetland, or terrestrial ecosystems.

Building. A structure designed to be used as a place of occupancy, storage or shelter.

Building, Accessory. A minor building that is located on the same lot as a principal building and that is used incidentally to a principal building or that houses an accessory use.

Building Permit. An official document or certificate issued by the Building Official authorizing performance of construction or alteration of a building or structure.

Building, Principal. The primary building on a lot or a building that houses a principal use.

Bulletin Board. A board or wall on which bulletins, notices or displays are attached by pushpin, tape, staple or similar method and which are intended for communicating information to the target audience at a close distance, usually not to exceed four feet.

Cannabis. All parts of the plant Cannabis, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. For the purposes of this definition, “cannabis” does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted therefrom, fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. The term “cannabis” includes cannabis products and useable cannabis.

Carriage House. A single-level unit on top of a common garage in a cottage housing development.

Certificate of Concurrency. The certificate issued by the Department of Planning and Community Development upon finding that an application for a development approval will not result in the reduction of the level of service standards set forth in the Comprehensive Plan.

Certify. Whenever this title requires that some agency certify the existence of some fact or circumstance to the city, the city may require that such certification be made in any manner that provides reasonable assurance of the accuracy of the certification. By way of illustration, and without limiting the foregoing, the city may accept certification by telephone from some agency when the circumstances warrant it, or the city may require that the certification be in the form of a letter or other document.

CESCL. A Certified Erosion and Sediment Control Lead who has current certification through an approved erosion and sediment control training program that meets the minimum training standards established by the Washington Department of Ecology.

Change of Use. A change of the type of use of a building from one principal use category to another. It shall be determined to have occurred when it is found that the general character of the building use has been modified and results in an intensification of land use that will require new development conditions to comply with existing regulations.

Channel Migration Area. The area within the lateral extent of likely stream channel movement due to stream bank destabilization and erosion, rapid stream incision, aggradations, avulsions, and shifts in location of stream channels locally characterized to include the outer limits of the special flood hazard area.

Child Care Center (definition related to recreational marijuana facilities regulations only). An entity that regularly provides child day care and early learning services for a group of children for periods of less than 24 hours licensed by the Washington State Department of Early Learning under Chapter [170-295](#) WAC. Child care centers include “Commercial Day Care Center” and “In-Home Day Care” entities.

Circulation Area. That portion of the vehicle accommodation area used for access to parking or loading areas or other facilities on the lot. Essentially, driveways and other maneuvering areas (other than parking aisles) comprise the circulation area.

City. The City of Lake Stevens.

City-Sponsored/Co-Sponsored Event. The City Administrator may consider some events for City sponsorship or co-sponsorship. City-sponsored events must benefit the community as a whole, be open to the general public and offer activities that would encourage the participation of residents.

Classes, Wetland. The wetland taxonomic classification system of the United States Fish and Wildlife Service (Cowardin, et al. 1978).

Clearing. The act of removing or destroying vegetation or other organic plant materials by physical, mechanical, or chemical means.

Cluster. A group of residential dwelling units arranged around usable open space (Cluster Subdivisions, Section 14.48.070) or a common open area (Cottage Housing Development Standards, Chapter 14.46).

Combination Use. A use consisting of a combination on one lot of two or more principal uses separately listed in the Table of Permissible Uses, Section [14.40.010](#). (Under some circumstances, a second principal use may be regarded as accessory to the first, and thus a combination use is not established. See Section [14.40.050](#) (Accessory Uses). In addition, when two or more separately owned or separately operated enterprises occupy the same lot, and all such enterprises fall within the same principal use classification, this shall not constitute a combination use.)

Common Open Area. An area improved for passive recreational use or gardening. A common open area is required to be owned and maintained commonly, through a homeowners' or condominium association or similar mechanism. It does not include cottages, other buildings, driveways, parking areas, and the individual dwelling unit areas that define the spacing around each cottage. Except for interior walkways, it does not include paved surfaces.

Community Group-Care Facility. An agency, other than a foster-family home, which is maintained and operated for the care of a group of children on a 24-hour basis.

Compaction. **Densification of a fill by mechanical means.**

Compensation. The replacement, enhancement, or creation of an undevelopable critical area equivalent in functions, values and size to those being altered by or lost to development.

Complete Application. An application which contains all required information and signatures and which is accompanied by payment of all fees required to be submitted by Title [14](#) or by any formal written rule or procedure adopted by the City. (See Section 14.16A.220(f).)

Comprehensive Plan. The City's adopted land use plan.

Concurrency. When adequate public facilities meeting the level of service standard are in place at the time a development permit is issued, or a development permit is issued subject to the determination that the necessary facilities will be in place when the impacts of the development occur, or that improvements or strategy are in place at the time of development or that a financial commitment is in place to complete the improvements or strategies within six years of the time of the development.

Concurrency Determination. A non-binding determination of what public facilities and services are available at the date of inquiry.

Concurrency Management System. The procedures and processes utilized by the City to determine that development approvals, when issued, will not result in the reduction of the level of service standards set forth in the Comprehensive Plan.

Conditional Use. A use allowed in a zone only after review by the Hearing Examiner and with approval of permit conditions as necessary to make the use compatible with other permitted uses in the same vicinity and zone.

Consistency. For the purpose of reviewing a project per ESHB 1724, the term "consistency" shall include all terms used in Chapter IV of that bill and Chapter [36.70A](#) RCW to refer to performance in accordance with Chapter IV of that bill and Chapter [36.70A](#) RCW, including but not limited to compliance, conformity, and consistency.

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

Convenience Store. A one story, retail store containing less than 2,000 square feet of gross floor area that is designed and stocked to sell primarily food, beverages, and other household supplies to customers who purchase only a relatively few items (in contrast to a "supermarket"). It is designed to attract and depends upon a large volume of stop and go traffic. Illustrative examples of convenience stores are those operated by the "Arco AM/PM" and "7/11" chains.

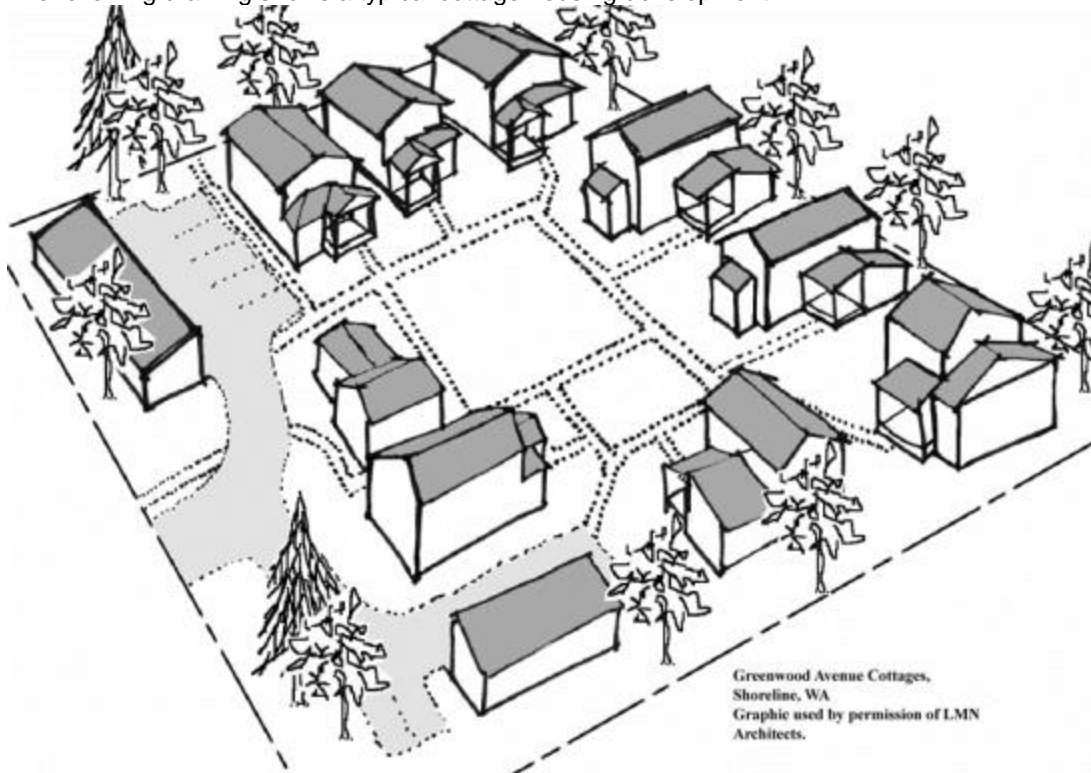
Cooperative. A cooperative established under RCW [69.51A.250](#) to produce and process marijuana only for the medical use of members of the cooperative (definition related to medical marijuana regulations only).

Cottage. A single-family detached dwelling unit, not larger than 1,500 square feet, constructed as part of a cottage housing development. More than one cottage may occupy a single lot.

Cottage Housing Development. One or more clusters of cottages developed under a single land development plan or as part of another land development plan (mixed use development or planned business district) (see Chapter 14.46). A cottage housing development shall have the following characteristics:

- (a) Each cottage is of a size and function suitable for one to three people;
- (b) Each cottage has the construction characteristics of a single-family house as set forth in this chapter;
- (c) Cottages are developed as a detached dwelling or carriage house, common interest community, and share use of common elements such as a common open area, tool shed, community building, gazebo, workshop or parking areas; and
- (d) The site is designed with a unified concept that includes homes surrounding a shared common open area, detached parking arranged on site perimeters, access within the site and from the site, and visually consistent landscaping and architecture.

The following drawing shows a typical cottage housing development:



Cottage Housing Development Lot. The undivided lot on which a cottage housing development takes place.

Council. The City Council of the City of Lake Stevens.

County Auditor. As defined in Chapter [36.22](#) RCW or the office or person assigned such duties under a county charter.

County Treasurer. As defined in Chapter [36.29](#) RCW or the office or person assigned such duties under a county charter.

Covered Animal. Any hoofed animal usually found on farms, such as horses, ponies, mules, bovine animals, sheep and goats.

Creation, Wetland Mitigation. The manipulation of the physical, chemical, or biological characteristics present to develop a wetland on an upland or deepwater site, where a wetland did not previously exist. Activities typically involve excavation of upland soils to elevation that will produce a wetland hydroperiod, create hydric soils, and support the growth of hydrophytic plant species. Establishment results in a gain in wetland acres.

Crisis Residential Center. An agency which is a temporary protective residential facility operated to perform the duties specified in Chapter [13.32A](#) RCW, in the manner provided in RCW [74.13.032](#) through [74.13.036](#).

Critical Areas. Areas of the City that are subject to natural hazards or any landform feature that carries, holds, or purifies water and/or supports unique, fragile or valuable natural resources including fish, wildlife, and other organisms and their habitat. Critical areas include the following features: geologically hazardous areas, wetlands, streams, frequently flooded hazard areas, fish and wildlife conservation areas, aquifer recharge areas, and groundwater discharge areas.

Critical Facility. A facility necessary to protect the public health, safety and welfare during a flood. Critical facilities include, but are not limited to, schools, nursing homes, hospitals, police, fire and emergency operations installations, water and wastewater treatment plants, electric power stations, and installations which produce, use, or store hazardous materials or hazardous waste (other than consumer products containing hazardous substances or hazardous waste intended for household use) in relationship to Chapter [14.64](#), Part I, and Chapter [14.88](#), Part V.

Critical Habitat. Habitat necessary for the survival of endangered, threatened, sensitive species as listed by the Federal Government or the State of Washington. Habitat for species listed on the candidate list, or monitored species as listed by the Federal Government or the State of Washington, may be considered critical habitat.

Day Care Center, Commercial. Any child care arrangement that provides day care on a regular basis for more than 12 children of whom at least one is unrelated to the provider. See *Child Care Center*.

Day Care, In-Home. Any child care arrangement that provides day care on a regular basis for less than 12 children of whom at least one is unrelated to the provider. See *Child Care Center*.

DBH. The diameter of a tree as measured from breast height (54 inches above the ground).

De Minimis. Lacking significance, importance, or so minor as to merit disregard.

Dedication. The deliberate appropriation of land by an owner for any general and public uses, reserving to himself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a final plat or short plat showing the dedication thereon; and the acceptance by the public shall be evidenced by the approval of such plat for filing by the appropriate governmental unit.

Degraded Wetland. A wetland in which the vegetation, soils, and/or hydrology have been adversely altered, resulting in lost or reduced functions and values.

Developable (e.g., land, acres). Land on which development can occur per the regulations of this and other titles of the Lake Stevens Municipal Code. Specifically, lands that are considered critical areas per Chapter [14.88](#) (Critical Areas) are not considered developable.

Developable Area. Land outside of critical areas, their setback, and buffers.

Developer. A person, firm or corporation applying for or receiving a permit or approval for a development.

Development (Definition related to flood permits only). Any manmade change to improved or unimproved real estate in the regulatory floodplain, including but not limited to buildings or

other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, storage of equipment or materials, subdivision of land, removal of more than five percent of the native vegetation on the property, or alteration of natural site characteristics in relationship to Chapter [14.64](#), Part I, and Chapter [14.88](#), Part V.

Development (Definition related to shoreline permits only). A use consisting of the construction or exterior alteration of structures; dredging, drilling, dumping, filling, removal of sand, gravel or minerals, bulkheading, driving of pilings, placing of obstructions, or any project of a permanent or temporary nature which interferes with the normal public use of the surface of the waters of the State subject to Chapter [90.58](#) RCW at any stage of water level.

Development Activity. Any construction or expansion of a building, structure or use; any change in use of a building or structure; or any changes in the use of land.

Development Approval. An approval issued by a body or officer of the City that authorizes a developer or applicant to take or initiate specific development actions within the City.

Development or Development Proposal. Any land use action or manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, site work, or installation of utilities, regulated by Title [14](#) of the Lake Stevens Municipal Code.

Dimensional Nonconformity. A nonconforming situation that occurs when the height, size, floor space, lot coverage, or other dimensional requirements of a structure or the relationship between an existing building or buildings and other buildings or lot lines does not conform to the regulations applicable to the district in which the property is located.

Disabled. Qualified persons with a disability as that term is defined by the Federal Fair Housing Act Amendments, [42](#) USC Section [12131](#)(2), [442](#) USC 3602(h) and (i) and [42](#) USC Section [12210](#)(b)(1) and (2). The term includes persons with a handicap as that term is defined by applicable Federal and State law as the same exists or is hereafter amended. A handicap is:

- (a) A physical or mental impairment which substantially limits one or more of a person's major life activities;
- (b) A record of having such an impairment; or
- (c) Being regarded as having such an impairment.

The term "disabled" includes alcoholics and recovering drug addicts but does not include those who currently and illegally use controlled substances or who constitute a threat to the community.

DNS (Determination of Nonsignificance). The written decision by the responsible official of the lead agency that a proposal is not likely to have a significant adverse environmental impact, and therefore an EIS is not required. See WAC [197-11-734](#).

Driveway. That portion of the vehicle accommodation area that consists of a travel lane bounded on either side by an area that is not part of the vehicle accommodation area.

DS (Determination of Significance). The written decision by the responsible official of the lead agency that a proposal is likely to have a significant adverse environmental impact, and therefore an EIS is required. See WAC [197-11-736](#).

Duplex. See *Residence, Duplex*.

Dwelling Unit. A single unit providing complete, independent living facilities for one family, including permanent provisions for living, sleeping, eating, cooking and sanitation.

Earth material. Any rock, natural soil or any combination thereof.

Easement. Land which has specific air, surface, or subsurface rights conveyed for use by someone other than the owner of the subject property or to benefit some property other than the subject property.

Edge. The boundary of a wetland as delineated based on the criteria contained in Chapter [14.88](#).

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

Effective Date of This Chapter. Whenever this title refers to the effective date of this chapter, the reference shall be deemed to include the effective date of the chapter as originally adopted, or the effective date of an amendment to it if the amendment creates a nonconforming situation.

Effective Date of This Title. Whenever this title refers to the effective date of this title, the reference shall be deemed to include the effective date of any amendments to this title if the amendment, rather than this title as originally adopted, creates a nonconforming situation.

EIS (Environmental Impact Statement). Defined in WAC [197-11-738](#).

Elementary School (definition related to recreational marijuana facilities regulations only). A school for early education that provides the first four to eight years of basic education and recognized by the Washington State Superintendent of Public Instruction.

Elevated Building. A non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings, or columns.

Elevation Certificate. The official form (Form 81-31) used by FEMA to provide elevation information necessary to determine the proper flood insurance premium rate.

Emergency. An action that must be undertaken immediately or within a time frame too short to allow full compliance with this chapter, in order to avoid an immediate threat to public health or safety, to prevent an imminent danger to public or private property, or to prevent an imminent threat of serious environmental degradation.

Emergent Wetland. A wetland with at least 30 percent of its surface covered by erect, rooted, herbaceous vegetation at the uppermost vegetative strata.

Enhancement, Wetland Mitigation. The manipulation of the physical, chemical or biological characteristics of a wetland site, in order to heighten, intensify or improve functions or to change the growth stage or composition of the vegetation present. Enhancement is undertaken for specified purposes such as water quality improvement, flood water retention or habitat improvement. Activities typically consist of planting vegetation, controlling non-native or invasive species, modifying the site elevation or the proportion of open water to

influence hydroperiods, or some combination of these activities. Enhancement results in a benefit to some wetland functions and can lead to a decline in other wetland functions but does not result in a gain in wetland acres. Activities typically consist of planting vegetation, controlling non-native or invasive species, modifying site elevations or the proportion of open water to influence hydroperiods, or some combination of these activities.

Erosion Hazard Areas. Lands or areas that, based on a combination of slope inclination and the characteristics of the underlying soils, are susceptible to varying degrees of risk of erosion.

Essential Public Facility. Any facility owned, operated or contracted to be operated by a unit of local or State government, by a public utility or transportation company, or by any other entity providing a public service as its primary mission may qualify as an essential public facility. In general, an essential public facility is a necessary component of a system or network which provides a public service or good; and may be difficult to site because of potential significant opposition.

Essential Public Facility of a County-Wide Nature. Essential public facilities which serve a population base extending beyond the host community, which may include several local jurisdictions within Snohomish County or a significant share of the total County population.

Essential Public Facility of a Regional or Statewide Nature. Essential public facilities which serve a multi-county population base; and other large public facilities appearing on the Office of Financial Management (OFM) list created and maintained pursuant to Chapter [36.70A](#) RCW.

Event. An “event” is:

- (a) Any organized formation, parade, procession or assembly consisting of persons, animals, motorized or nonmotorized vehicles or any combination thereof, traveling in unison and with a common purpose upon any public street, highway, alley, sidewalk, body of water, or other public right-of-way which does not normally comply with normal and usual traffic regulations or controls; or
- (b) Any organized assemblage of 100 or more persons at any public park, beach, body of water, right-of-way, or other publicly owned property, gathering for a common purpose under the direction and control of a responsible person or agency; or
- (c) Any other organized activity or set of activities conducted by an individual, group or entity for a common or collective use or benefit and which may be conducted on public or private property which would have a direct significant impact on:
 - (1) Traffic congestion or traffic flow to and from the event over public streets, bodies of water or rights-of-way;

- (2) Public streets or rights-of-way near the event; or
- (3) City-provided emergency and/or public services such as those provided by police, fire, medical aid or public works personnel.

Event Sponsor. A person making application to hold, host or sponsor an event or person authorized to make application on behalf of a group, organization or agency to hold, host or sponsor an event and who is responsible for being in compliance with any conditions outlined in the event permit for which application was made.

Excavation. The removal of any earth material.

Existing Site Conditions. The current site features, natural features, cultural features and infrastructure of a specific location.

Exotic Species. Plants or animals that are not native to the Puget Sound Lowlands region.

Expenditure. A sum of money paid out in return for some benefit or to fulfill some obligation. The term also includes binding contractual commitments to make future expenditures, as well as any other substantial changes in position.

Exterior Side Property Line. Means the property line, on a corner lot, that abuts the street that is not the front property line.

Extraordinary Hardship. Prevention of all reasonable economic use of the parcel due to strict application of this chapter and/or programs adopted to implement this chapter.

Facade. Any face of a building.

Family. One or more persons related by blood, marriage or adoption, or a group of not more than six persons (excluding servants), not related by blood, marriage or adoption, living together as a single housekeeping unit in a dwelling unit. The term “family” shall also include consensual living arrangements of any number of disabled persons living in a family-like setting which are protected by the provisions of the Federal Fair Housing Act and the Washington Fair Housing Practices Act, RCW [36.70.990](#).

Farm Animals. Includes but is not limited to covered animals, poultry and rabbits.

FEMA. The Federal Emergency Management Agency, the agency responsible for administering the National Flood Insurance Program.

Fill. A deposit of earth material placed by mechanical means.

Final Plat. The final drawing of the subdivision and dedication prepared for filing for record with the county auditor and containing all elements and requirements set forth in Chapter [58.17](#) RCW and in this title.

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

Fire Department. Lake Stevens Fire District.

Fire Marshal. The City of Lake Stevens Fire Marshal or his designee.

Fish and Wildlife Habitats (of Local Importance). A seasonal range or habitat element with which a given species has a primary association, and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long-term. These might include areas of relative density or species richness, breeding habitat, winter range, and movement corridors. These also include habitats of limited availability or high vulnerability to alteration, such as cliffs and wetlands.

Flood or Flooding. A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters, and/or the unusual and rapid accumulation of runoff of surface waters from any source.

Flood Fringe. The portion of the floodplain lying outside of the floodway.

Flood Insurance Rate Map (FIRM). The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Flood Insurance Study. The official report provided by the Federal Emergency Management Agency that includes flood profiles, the Flood Insurance Rate Map, and the water surface elevation of the base flood.

Floodplain. See *Regulatory Floodplain*.

Flood Protection Elevation (FPE). The base flood elevation plus one foot.

Floodway. The channel of a stream or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot at any point. As used in this title, the term refers to that area designated as a floodway on the Flood Insurance Rate Map prepared by the U.S. Federal Emergency Management Agency, a copy of which is on file in the Planning and Community Development Department.

Flood Zones. Geographic areas that the FEMA has defined according to varying levels of flood risk. These zones, as depicted on the city's Flood Insurance Rate Map (FIRM), reflect the severity or type of flooding in the area.

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

Flow. The flow rate of a water supply, measured at 20 pounds per square inch (psi) (138 kPa) residual pressure, that is available for firefighting (2006 International Fire Code).

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

Footprint. The total floor area, measured at ground level, within the inside perimeter of the exterior walls of the building under consideration.

Forest Land. Land used for growing trees, not including Christmas trees, for commercial purposes (as shown by record of any income) that has long-term (six years or more) commercial significance.

Forest Practices. Any activity conducted on or directly pertaining to forest land and related to growing, harvesting, or processing timber or removing forest biomass as defined by the WAC 222-16-010.

Forested Wetland. Wetlands with at least 20 percent of the surface area covered by woody vegetation greater than 30 feet in height.

Foster-Family Home. An agency which regularly provides care on a 24-hour basis to one or more children, expectant mothers, or persons with developmental disabilities in the family abode of the person or persons under whose direct care and supervision the child, expectant mother, or person with a developmental disability is placed.

Fowl. Birds which are sometimes raised for their eggs or meat including but not necessarily limited to, chickens, turkeys, pigeons, doves, geese, pheasants, and peacocks.

Freestanding Sign. See *Sign, Freestanding*.

Frequently Flooded Areas. Lands indicated on the most current FEMA map to be within the 100-year floodplain. These areas include, but are not limited to, streams, lakes, coastal areas, and wetlands.

Front Property Line. Means the property line abutting a street. In the event of a corner lot, the front property line is that which faces the principal entry into the principal structure.

Functions and Values. The beneficial roles served by critical areas including, but not limited to, water quality protection and enhancement, fish and wildlife habitat, food chain support, flood storage, conveyance and attenuation, groundwater recharge and discharge, erosion control, wave attenuation, aesthetic value protection, and recreation. These roles are not listed in order of priority.

Game Arcade (definition related to recreational marijuana facilities regulations only). An entertainment venue featuring primarily video games, simulators, and/or other amusement devices where persons under 21 years of age are not restricted.

Geologically Hazardous Areas. Areas susceptible to erosion, sliding, seismic activity, or other geological events. They may pose a threat to the health and safety of citizens when used as sites for incompatible commercial, residential or industrial development.

G.I.S. Geographic Information System.

G.P.S. Global Positioning System.

Grade. The elevation of the ground surface.

- (a) "Existing grade" is the grade prior to grading.
- (b) "Rough grade" is the stage at which the grade approximately conforms to an approved site plan.
- (c) "Finished grade" is the final grade of the site that conforms to the approved site plan.
- (d) "Grading" is any excavating, filling, removing of the duff layer or combination thereof.

Grading. Any excavating or filling of land, including the duff layer, or any combination thereof.

Gross Floor Area. The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

Habitable Floor. Any floor usable for living purposes, which includes working, sleeping, eating, cooking, or recreation, or any combination thereof. A floor used only for storage is not a habitable floor.

Hard surfaces. Are all impervious surfaces (asphalt, concrete pavement, compacted gravel areas, buildings, driveways, parking lots, sidewalks, etc) and permeable surfaces like pavements, or vegetated roofs. Hard surfaces can be impervious or pervious.

Harmony. For the purposes of this title, a project may be found to be in harmony with the area in which it is located in terms of design and use when it meets the following criteria:

Harmony of Design. Where a project is subject to the City's Development Design Guidelines or design regulations within this Title it is presumed to be in harmony with the neighborhood in terms of design when it is

found to be in conformance with those guidelines or regulations, even if it does not resemble existing development, as it is the intent of the City Council that neighborhoods should eventually develop or redevelop according to those design specifications. Where a project is

not subject to those design guidelines or regulations, it may be found to be in harmony with the neighborhood in terms of design when it generally conforms to the architectural aspects (i.e., those aspects addressed in the Development Design Guidelines) of the existing development.

Harmony of Use. A project may be found to be in harmony with the existing uses of a neighborhood if it causes no significant impacts on surrounding uses or, if it could cause significant impacts, that those impacts have been mitigated through project design or by conditioning the permit to restrict or limit certain aspects of the use so as to minimize those impacts.

Health and Social Service Facilities- Levels I, II and III:

Level I Health and Social Service Facility (Level I HSSF). A Level I HSSF means a use which occupies a residential structure used by the disabled as a residence along with their family members and caregivers. By way of illustration and not limitation, this definition shall include:

- (a) Group homes for the disabled and consensual living arrangements equivalent to a familial setting which are protected by State or federal law as residential uses.
- (b) Adult family homes, licensed pursuant to RCW [70.128.050](#).
- (c) Foster homes licensed pursuant to Chapter [74.15](#) RCW for the placement of youth, disabled or expectant mothers in a residential setting, including but not limited to Foster Family homes, Community Group Care facilities and Crisis Residential Centers.
- (d) Any other residential facilities for the disabled which must be accommodated in a single-family zone pursuant to RCW [36.70.990](#) (Washington Fair Housing Practices Act).

Level II Health and Social Service Facility (Level II HSSF). A Level II HSSF means a use which is licensed or regulated by the State to provide emergent medical treatment on a 24-hour per day basis or which houses persons in an institutional setting that provides chronic care or medical service on a regular recurring basis to its residents and which includes, but are not limited to a:

- (a) Hospital (including acute alcoholism/drug, psychiatric and State mental hospitals).
- (b) Nursing home.
- (c) Private adult treatment home.

- (d) Mental health facility, adult and child residential.
- (e) Soldiers' home and veterans home.
- (f) Large institutional boarding home for the care of senior citizens and the disabled (sometimes known as assisted living facilities).
- (g) State residential school for hearing and visually impaired.
- (h) Alcoholism and drug residential treatment facility.
- (i) Child birthing center/facility.
- (j) Hospice.

Level III Health and Social Service Facility (Level III HSSF). A Level III HSSF means a use, including commercial enterprises and charitable institutions, which provides social, medical, counseling or other forms of treatment in a clinical setting or on an outpatient basis. Shelters providing services to the homeless or other transients shall be included in this category. Level III HSSF includes, but are not limited to an:

- (a) Ambulatory surgical center.
- (b) Blood bank.
- (c) Medical claims processing facility.
- (d) Counseling, psychological and psychiatric treatment clinics in an office setting.
- (e) Eye bank.
- (f) Renal disease center and kidney dialysis treatment center.
- (g) Home health care agency.
- (h) Medical laboratory.
- (i) Occupational and physical therapy facility.
- (j) Rehabilitation facility.
- (k) Homeless and transient shelter.

Health and Social Service Facilities Levels I, II and III do not include:

(a) Correctional facilities, including but not limited to, group homes for juvenile offenders, juvenile detention facilities, work release, pre-release, or similar facilities, prisons and jails.

(b) Secure community transition facilities.

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

Hearing Examiner. A person appointed by the City to conduct public hearings, make decisions, and prepare a record and findings of fact and conclusions on those permit applications outlined in this title.

Hearing Officer. The person, or chair of the board, before whom a hearing is being held. This can be the Planning Director or the Hearing Examiner.

High Volume Traffic Generation. All uses in the 2.000 classification other than low volume traffic generation uses.

Home Occupation. A commercial activity that: (i) is conducted by a person on the same lot (in a residential district) where such person resides, and (ii) is not so insubstantial or incidental or is not so commonly associated with the residential use as to be regarded as an accessory use (see Section [14.40.050](#), Accessory Uses).

Household Pet. Any domestic or exotic animal which because of its relatively small size, generally gentle temperament, and ability to learn from or serve man is normally bred and raised to live in or around a residence. The term does not include fowl, livestock or bees.

Hydrant, Private. A fire hydrant which is situated and maintained so as to provide water for firefighting purposes, with restrictions as to its use and accessibility as to public use.

Hydrant, Public. A fire hydrant that is situated within a public or private easement or right-of-way and maintained so as to provide water for firefighting purposes without restrictions as to use or accessibility for fire suppression.

Hydric Soil. Soil that is saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper part. The presence of hydric soil shall be determined following the methods described in the Washington State Wetlands Identification and Delineation Manual 1997, or as amended hereafter.

Impervious Surface. A type of hard surface area, which either prevents or retards the entry of water into the soil mantle as it entered under natural conditions prior to development, and/or a hard surface area, which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under

natural conditions prior to development. Common impervious surfaces include, but are not limited to, roofs, walkways, patios, driveways, parking lots, storage areas, areas that are paved, graveled or made of packed or oiled earthen materials, or other surfaces which similarly impede the natural infiltration of surface and stormwater. Open, uncovered retention/detention facilities shall not be considered as impervious surfaces for the purpose of this chapter.

Infill Development. The creative recycling of vacant or underutilized lands within cities and suburbs. Examples include a vacant lot within an existing neighborhood, surface parking lots, or empty buildings. Infill development can reduce traffic congestion, save open space, and create more livable communities. Infill development contributes to a more compact form of development, which consumes less land and resources and offers increased mobility for those who cannot drive or prefer not to drive.

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

Innovative Housing Options. Different housing styles that provide a choice of housing in the City including, but not limited to, cottages, compact single-family homes, accessory dwelling units, "skinny" houses, and duplexes, triplexes, and fourplexes designed to look like single-family homes.

Internally Illuminated Signs. Signs where the source of the illumination is inside the sign and light emanates through the message of the sign, rather than being reflected off the surface of the sign from an external source. Without limiting the generality of the foregoing, signs that consist of or contain tubes that (a) are filled with neon or some other gas that glows when an electric current passes through it and (b) are intended to form or constitute all or part of the message of the sign, rather than merely providing illumination to other parts of the sign that contain the message, shall also be considered internally illuminated signs.

International Building Code (IBC). The International Building Code as adopted and amended by the City of Lake Stevens.

International Fire Code (IFC). The International Fire Code as adopted and amended by the City of Lake Stevens.

Junk. Any scrap, waste, reclaimable material, or debris, whether or not stored, for sale or in the process of being dismantled, destroyed, processed, salvaged, stored, baled, disposed, or other use or disposition.

Junkyard. Any area, lot, land, parcel, building, or structure, or part thereof, used for the storage, collection, processing, purchase, sale, salvage, or disposal of junk.

Kennel. A commercial operation that: (a) provides food and shelter and care of animals for purposes not primarily related to medical care (a kennel may or may not be run by or associated with a veterinarian), or (b) engages in the breeding of animals for sale.

Lake Stevens. Any lands or waters contained within the incorporated boundaries of the City.

Land Clearing. The cutting, logging, or removal of enough vegetation so that the overall nature of a site's vegetation is altered, except for what would otherwise be considered gardening, landscaping, or yard maintenance on a developed lot or portion of a lot where not all of the lot is developed. For example, selectively logging a few mature trees from many trees would not be considered clearing, while logging all mature trees (even if immature ones are left) so that habitat value or shading is altered, shall be considered clearing. Another example of clearing would be to grub or remove all groundcover (blackberries, etc.) over the area limits specified in the code, while partial grubbing of this area may not be.

Land Disturbance. Any activity that results in a change in the existing soil cover (both vegetative and non-vegetative) and / or existing soil topography.

Land Uses, High Intensity. Uses which are associated with moderate or high levels of human disturbance or substantial impacts including, but not limited to, a zone classification allowing four or more dwelling units per acre, active recreation, and commercial and industrial land uses.

Land Uses, Low Intensity. Land uses which are associated with low levels of human disturbance or low habitat impacts, including, but not limited to, passive recreation and open space.

Landscaping area. Any portion of a site not used for building, parking, driveway or accessory storage area. A landscape area may include patios, plazas, walkways, walls and fences, fountains or pools, and planting areas. Ponds, streams, natural areas, or areas for the detention of storm water runoff are not considered part of the landscaped area of a site unless they are integrated with required landscaping as a water feature.

Landslide Hazard Areas. Areas that, due to a combination of slope inclination and relative soil permeability, are susceptible to varying degrees of risk of landsliding.

Library (definition related to recreational marijuana facilities regulations only). An organized collection of resources made accessible to the public for reference or borrowing supported with money derived from taxation.

Light Manufacturing and Assembly. Enterprises engaged in the mechanical, physical, or chemical transformation of materials, substances, or assemblage of components into new products. This category typically includes electronics production and assembly, machine shops, medical supplies, clothing

manufacturing and similar industries, but does not include smelting, pulp mills, fertilizer production, refineries, animal products, and similar intensive industries that require large footprints and land area.

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

Loading and Unloading Area. That portion of the vehicle accommodation area used to satisfy the requirements of Section [14.72.100](#) (Loading and Unloading Areas).

Lot. A fractional part of divided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area. The term shall include tracts or parcels.

If a public body or any authority with the power of eminent domain condemns, purchases, or otherwise obtains fee simple title to or a lesser interest in a strip of land cutting across a parcel of land otherwise characterized as a lot by this definition, or a private road is created across a parcel of land otherwise characterized as a lot by this definition, and the interest thus obtained or the road so created is such as effectively to prevent the use of this parcel as one lot, then the land on either side of this strip shall constitute a separate lot.

Subject to Section [14.32.020](#) (Nonconforming Lots), the permit-issuing authority and the owner of two or more contiguous lots may agree to regard the lots as one lot if necessary or convenient to comply with any of the requirements of this title.

Lot Area. The total area circumscribed by the boundaries of a lot, except that: (a) when the legal instrument creating a lot shows the boundary of the lot extending into a public street right-of-way, then the lot boundary for purposes of computing the lot area shall be the street right of way line, or if the right-of-way line cannot be determined, a line running parallel to and 30 feet from the center of the traveled portion of the street; and (b) in a residential district, when a private road that serves more than three dwelling units is located along any lot boundary, then the lot boundary for purposes of computing the lot area shall be the inside boundary of the traveled portion of that road.

Lot, Parent. The initial lot from which unit lots are subdivided.

Lot, Unit. One of the individual lots created by the subdivision of a parent lot pursuant to Section [14.46.030](#).

Lowest Floor. The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements per Chapter [14.64](#) (Floodways, Floodplains, Drainage and Erosion).

Low-impact development (LID). Is a stormwater and land use management strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation, and transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design.

Low-Volume Traffic Generation. Uses such as furniture stores, carpet stores, major appliance stores, etc. that sell items that are large and bulky, that need a relatively large amount of storage or display area for each unit offered for sale, and that therefore generate less customer traffic per square foot of floor space than stores selling smaller items.

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

Marijuana. All parts of the plant Cannabis, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

Marijuana Concentrates. Any product consisting wholly or in part of the resin extracted from any part of the plant Cannabis and having a THC concentration greater than 10 percent.

Marijuana Facility. A State-licensed marijuana facility and is either a marijuana processing facility or a marijuana retailer.

Marijuana-Infused Products. Products that contain marijuana or marijuana extracts, are intended for human use, are derived from marijuana as defined in this section, and have a THC concentration no greater than 10 percent. The term "marijuana-infused products" does not include either usable marijuana or marijuana concentrates.

Marijuana Processing Facility (definition related to recreational marijuana facilities regulations only). A person or entity licensed by the Washington State Liquor and Cannabis Board to process marijuana into marijuana concentrates, usable marijuana and marijuana-infused products, package and label marijuana concentrates, usable marijuana and marijuana-infused products for sale in retail outlets, and sell marijuana concentrates, usable marijuana and marijuana-infused products at wholesale to marijuana retailers.

Marijuana Production Facility (definition related to recreational marijuana facilities regulations only). A person or entity licensed by the Washington State Liquor and Cannabis Board to produce marijuana at wholesale to marijuana processor licensees and to other marijuana producers.

Marijuana Products. Usable marijuana, marijuana concentrates, and marijuana-infused products as defined in this section.

Marijuana Retailer (definition related to recreational marijuana facilities regulations only). A person or entity licensed by the Washington State Liquor and Cannabis Board to sell marijuana concentrates, usable marijuana, and marijuana-infused products in a retail outlet.

Marina. A system of piers, buoys, or floats to provide moorage for four or more boats.

Medical Cannabis (Marijuana) Collective Gardens or Collective Garden. A garden where qualifying patients engage in the production, processing, and delivery of cannabis for medical use as set forth in Chapter [69.51A](#) RCW and subject to the limitations therein and in the ordinance codified in this definition.

Medical Cannabis (Marijuana) Dispensary or Dispensary. Any facility or location where medical marijuana is grown, made available to and/or distributed by or to two or more of the following: a primary caregiver, a qualified patient, or a person with an identification card.

Mineral Resource Lands. Lands primarily devoted to the extraction of gravel, sand, other construction materials, or valuable metallic or mineral substances.

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

Mitigation (Definition related to critical areas and shoreline permits only). An action or combination of actions which avoids, minimizes, or compensates for adverse impacts to critical areas or sensitive resources. Mitigation is considered in the following order of preference:

- (a) Avoiding the impact altogether by not taking a certain action or parts of an action;
- (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology or by taking affirmative steps to avoid or reduce impacts;
- (c) Rectifying the impacts by repairing, rehabilitating, or restoring the affected environment;
- (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action;
- (e) Compensating for the impact by replacing, enhancing, or providing substitute resources or environments;
- (f) Monitoring the impact and the compensation project and taking appropriate corrective measures.

Mitigation (Definition related to flood permits only). An action taken to reduce or eliminate the risk of a hazard such as flooding; mitigation

actions attempt to prevent flood hazards from developing into disasters, or to reduce the effects of flooding when it occurs in relationship to Chapter [14.64](#), Part I, and Chapter [14.88](#), Part V.

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

Mobile Home, Class A. A mobile home constructed after July 1, 1976, that meets or exceeds the construction standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time of construction and that satisfies each of the following additional criteria:

- (a) The home has a length not exceeding four times its width;
- (b) The pitch of the home's roof has a minimum vertical rise of one foot for each five feet of horizontal run, and the roof is finished with a type of shingle that is commonly used in standard residential construction;
- (c) The exterior siding consists of wood, hardboard, or aluminum (vinyl covered or painted, but in no case exceeding the reflectivity of gloss white paint) comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction;
- (d) A continuous, permanent masonry foundation, unpierced except for required ventilation and access, is installed under the home; and
- (e) The tongue, axles, transporting lights, and removable towing apparatus are removed after placement on the lot and before occupancy.

Mobile Home, Class B. A mobile home constructed after July 1, 1976, that meets or exceeds the construction standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time of construction but that does not satisfy the criteria necessary to qualify the house as a Class A mobile home.

Mobile Home, Class C. Any mobile home that does not meet the definitional criteria of a Class A or Class B mobile home.

Mobile Home Park. A residential use in which more than one mobile or manufactured home is located on a single lot.

Mobile or Manufactured Home. A dwelling unit that: (a) is not constructed in accordance with the standards set forth in the International Building Code applicable to site-built homes; and (b) is composed of one or more

components, each of which was substantially assembled in a manufacturing plant and designed to be transported to the home site on its own chassis; and (c) exceeds 40 feet in length and eight feet in width.

Moderate-to-Low-Risk Areas or Non-Special Flood Hazard Area. Lands outside the one percent special flood hazard areas where the risk of being flooded is reduced, but not completely removed. FIRM maps designate non-special flood hazard areas with the letters B, C or X (or a shaded X).

Modular Home. A dwelling unit constructed in accordance with the standards set forth in the International Building Code applicable to site-built homes and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. Among other possibilities, a modular home may consist of two sections transported to the site in a manner similar to a mobile home (except that the modular home meets requirements of the International Building Code applicable to site-built homes), or a series of panels or room sections transported on a truck and erected or joined together on the site.

National Marine Fisheries Service (NMFS). One of two federal agencies responsible for overseeing the Endangered Species Act (ESA). NMFS is primarily responsible for marine species and anadromous species.

Native Growth Protection Areas (NGPA). Areas where native vegetation is permanently preserved for the purpose of preventing harm to property and the environment, including, but not limited to, controlling surface water runoff and erosion, maintaining slope stability, buffering and protecting plants and animal habitat.

Native Vegetation. Plant species which are indigenous to the Puget Sound Lowlands region.

Natural Floodplain Functions. The contribution that a floodplain makes to support habitat, including, but not limited to, providing flood storage and conveyance, reducing flood velocities, reducing sedimentation, filtering nutrients and impurities from runoff, processing organic wastes, moderating temperature fluctuations, and providing breeding and feeding grounds, shelter, and refugia for aquatic or riparian species.

Natural Resource Lands. Agriculture, forest, and mineral resource lands as defined in Chapter [14.88](#).

Nonconforming Lot, Legal. A lot which does not meet the current minimum area requirement of the district in which the lot is located, but at the time of its creation, it was legally subdivided consistent with the laws in place at the time the lot was created, as well as it met all area and dimension standards for such a lot at that time.

Nonconforming Project. Any structure, development, or undertaking that is incomplete at the effective date of this title and would be inconsistent with any regulation applicable to the district in which it is located if completed as proposed or planned.

Nonconforming Sign. See *Sign, Nonconforming*.

Nonconforming Situation. A situation that occurs when, on the effective date of this title, any existing lot or structure or use of an existing lot or structure does not conform to one or more of the regulations applicable to the district in which the lot or structure is located. Among other possibilities, a nonconforming situation may arise because a lot does not meet minimum acreage requirements, because structures exceed maximum height limitations, because the relationship between existing buildings and the land (in such matters as density and setback requirements) is not in conformity with this title, or because land or buildings are used for purposes made unlawful by this title. Nonconforming signs shall not be regarded as nonconforming situations for purposes of Chapter [14.32](#) but shall be governed by the provisions of Sections [14.68.150](#) and [14.68.160](#) (Amortization of Nonconforming Signs).

Nonconforming Use. A nonconforming situation that occurs when property is used for a purpose or in a manner made unlawful by the use regulations applicable to the district in which the property is located. (For example, a commercial office building in a residential district may be a nonconforming use.) The term also refers to the activity that constitutes the use made of the property. (For example, all the activity associated with operating a retail clothing store in a residentially zoned area constitutes a nonconforming use.)

NPDES. National Pollutant Discharge Elimination System

Occupancy. The purpose for which a building or part thereof is used, or intended to be used.

On-Premises Sign. See *Sign, On-Premises*.

Open Space. Areas of varied size which contain distinctive geologic, botanic, zoologic, historic, scenic or other critical area or natural resource land features.

Ordinary High Water Mark. A mark that has been found where the presence and action of waters are common and usual and maintained in an ordinary year long enough to mark a distinct character from that of the abutting upland.

Ordinary High Water Mark on Lake Stevens. The mark that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation, as that condition exists on June 1, 1971, as it may naturally change thereafter, or as it may change thereafter in accordance with permits issued by the City or the Department of Ecology; provided, that in any area where the ordinary high water mark cannot be found, the ordinary high water mark shall be the line of mean high water. (RCW [90.58.030](#)(2)(b) and (c))

Owner. All persons, partnerships, corporations, and other legal entities that have an ownership interest (including purchasers and sellers under a real estate contract) in the subject property.

Parking Area Aisles. A portion of the vehicle accommodation area consisting of lanes providing access to parking spaces.

Parking Space. A portion of the vehicle accommodation area set aside for the parking of one vehicle.

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

Party of Record. The following persons in an application or appeal are considered a party of record:

- (a) The applicant and any appellant;
- (b) Any person who submitted written comments to the department prior to a Type I or II decision;
- (c) Any person, City department and/or public agency who individually submitted written comments or testified at the open record hearing (excluding persons who have only signed petitions or mechanically produced form letters); and
- (d) Any person, City department and/or public agency who specifically requests notice of decision by entering their name and mailing address on a register provided for such purpose at the open record hearing.

A party of record does not include a person who has only signed a petition or mechanically produced form letters. A party of record to an application/appeal shall remain such through subsequent City proceedings involving the same application/appeal. The City may cease mailing material to any party of record whose mail is returned by the postal service as undeliverable.

Permit-Issuing Authority. Person, board, office, or institution having jurisdiction over the permit in question, as specified in Chapters [14.16A](#) and [14.16B](#).

Person. An individual, trustee, executor, other fiduciary, corporation, firm, partnership, association, organization, or other entity acting as a unit.

Person (Definition related to shoreline permits only). An individual, partnership, corporation, association, organization, cooperative, public or municipal corporation or agency of the State or local governmental unit however designated. (RCW [90.58.030](#)(1)(e))

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

Pervious Hard Surface. A hard surface that is porous allowing water to pass through, ie: porous concrete, permeable asphalt or pavers, grasscrete.

Pesticide Management Plan. A guidance document for the prevention, evaluation, and mitigation for occurrences of pesticides or pesticide breakdown products in ground and surface waters.

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

Planned Neighborhood Development (PND). A development constructed on at least 15 acres under single application, planned and developed as an integral unit, and consisting of a combination of residential and nonresidential uses on land within a PND district (see Section [14.36.040](#), Planned Neighborhood Development Districts Established) in accordance with Section [14.16C.080](#).

Planned Residential Development. A development constructed on at least five acres under single application, planned and developed as an integral unit, and consisting of single-family detached residences and may be combined with two-family residences, multi-family residences, public/semi-public amenities (e.g., usable open space, a community center, recreational facilities, etc.), or a combination thereof, all developed in accordance with Section [14.44.020](#), Planned Residential Developments.

Planning Director. The Director of the Department of Planning and Community Development.

Planning Jurisdiction. The area within the City limits as well as any area beyond the City limits within which the City is authorized to plan for and regulate development, as set forth in Section [14.04.030](#) (Jurisdiction).

Planning Official. The Director of the Department of Planning and Community Development or his/her designee.

Plat. A map or representation of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, streets and alleys, or other divisions and dedications.

Plat, Final. The final drawing of a long or short subdivision and dedication prepared for filing for record with the county auditor and containing all elements and requirements set forth in this title.

Plat, Formal. See *Plat, Long*.

Plat, Long. A map or representation of a long or formal subdivision.

Plat, Preliminary Long, or Plat, Preliminary Short. A neat and approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks, restrictive covenants, and other elements of a subdivision consistent with the requirements of this title. The preliminary plat shall be the basis for the approval or disapproval of the general layout of a subdivision.

Plat, Short. A map or representation of a short subdivision.

Playground (definition related to recreational marijuana facilities regulations only). A public outdoor recreation area for children, usually equipped with swings, slides, and other playground equipment, owned and/or managed by a city, county, state, or federal government.

Pollution-generating pervious and hard surfaces. Surfaces that are considered a significant source of pollutants in storm water runoff. Pollution generating surfaces include both pervious and hard surfaces, such as surfaces subject to vehicular use, roofs, lawns and landscaped areas.

Practicable Alternative. An alternative that is available and capable of being carried out after taking into consideration cost, existing technology, and logistics in light of overall project purposes, and having less impacts to critical areas. It may include an area not owned by the applicant which can reasonably be obtained, utilized, expanded, or managed in order to fulfill the basic purpose of the proposed activity.

Predeveloped condition. The native vegetation and soils that existed at a site prior to the influence of Euro-American settlements.

Priority Habitats. Areas that support diverse, unique, and/or abundant communities of fish and wildlife, as determined by the Washington Department of Fish and Wildlife Map Products 2006.

Priority Species. Wildlife species of concern due to their population status and their sensitivity to habitat alteration.

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

Protected Area (Definition related to flood permits only). The lands that lie within the boundaries of the floodway, the riparian habitat zone, and the channel migration area. Because of the impact that development can have on flood heights and velocities and habitat, special rules apply in the protected area in relationship to Chapter [14.64](#), Part I, and Chapter [14.88](#), Part V.

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

Public Park (definition related to recreational marijuana facilities regulations only). An area of land for the enjoyment of the public, having facilities for rest and/or recreation, such as a baseball diamond or basketball court, owned and/or managed by a city, county, state, federal government, or metropolitan park district. Public park does not include trails.

Public Place of Adult Entertainment. Any exhibition or dance constituting “adult entertainment,” as defined in this section, which is for the use or benefit of a member or members of the adult public, or advertised for the use or benefit of a member or members of the adult public, held conducted, operated or maintained for a profit, direct or indirect.

Public Transit Center (definition related to recreational marijuana facilities regulations only). A facility located outside of the public right-of-way that is owned and managed by a transit agency or city, county, state, or federal government for the express purpose of staging people and vehicles where several bus or other transit routes converge. They serve as efficient hubs to allow bus riders from various locations to assemble at a central point to take advantage of express trips or other route to route transfers.

Public Water Supply System. Any water supply system furnishing potable water to two or more dwelling units or businesses or any combination thereof.

Public Water System. A water system that serves two or more connections.

Receive-Only Earth Station. An antenna and attendant processing equipment for reception of electronic signals from satellites.

Recreation Center or Facility (definition related to recreational marijuana facilities regulations only). A supervised center that provides a broad range of activities and events intended primarily for use by persons under 21 years of age, owned and/or managed by a charitable nonprofit organization, city, county, state, or federal government.

Recreational Vehicle. A vehicle which is:

- (a) Built on a single chassis;
- (b) 400 square feet or less when measured at the largest horizontal projection;
- (c) Designed to be self-propelled or permanently towable by a light-duty truck; and
- (d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

Re-establishment, Wetland Mitigation. The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural or historic functions to a former wetland. Activities could include removing fill material, plugging ditches, or breaking drain tiles. Re-establishment results in a gain in wetland acres.

Regulatory Floodplain. The regulatory floodplain is comprised of the special flood hazard area and all protected areas within the jurisdiction.

Regulated Wetlands. Wetlands, including their submerged aquatic beds, and those lands defined as wetlands under the 1989 Federal Clean Water Act, [33](#) USC Section [251](#), et seq., and rules promulgated pursuant thereto, and shall be those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Regulated wetlands generally include swamps, bogs, and similar areas. Wetlands created as mitigation and wetlands modified for approved land use activities shall be considered as regulated wetlands. Regulated wetlands do not include those constructed wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention/retention facilities, wastewater treatment facilities, farm ponds, and landscape amenities or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway.

Rehabilitation, Wetland Mitigation. The manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural or historic function of a degraded wetland. Activities could involve breaching a dike or reconnecting wetland to a floodplain or returning tidal influence to a wetland. Rehabilitation results in a gain in wetland function but does not result in a gain in wetland acres.

Religious, Political, or Other Noncommercial Messages. Messages which state scripture, opinion, ideas, sentiments and postures and do not advertise events, goods and services of any kinds.

Repair or Maintenance Activities. An action to restore the character, size, or scope of a project only to the previously authorized condition.

Residence, Duplex. A two-family residential use in which the dwelling units share a common wall (including without limitation the wall of an attached garage or porch) and in which each dwelling unit has living space on the ground floor and a separate, ground floor entrance.

Residence, Multi-Family. A residential use consisting of a building containing three or more dwelling units. For purposes of this definition, a building includes all dwelling units that are enclosed within that building or attached to it by a common floor or wall (even the wall of an attached garage or porch).

Residence, Multi-Family Apartments. A multi-family residential use other than a multi-family conversion or multi-family townhouse.

Residence, Multi-Family Conversion. A multi-family residence containing not more than four dwelling units and results from the conversion of a single building containing at least 2,000 square feet of gross floor area that

was in existence on the effective date of this provision and that was originally designed, constructed and occupied as a single-family residence.

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

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.

Residence, Single-Family Attached, One Dwelling Unit Per Lot. A residential use consisting of a single building containing two dwelling units which share a common wall (including without limitation the wall of an attached garage or porch), but located on two separate lots containing no other dwelling units in such a manner that a lot line bisects the building along the common wall and that each dwelling unit is completely on a separate lot.

Residence, Single-Family Detached, More Than One Dwelling Per Lot. A residential use consisting of two or more single-family detached dwelling units on a single lot.

Residence, Single-Family Detached, One Dwelling Unit Per Lot. A residential use consisting of a single detached building containing one dwelling unit and located on a lot containing no other dwelling units.

Residence, Two-Family. A residential use consisting of a building containing two dwelling units. If two dwelling units share a common wall, even the wall of an attached garage or porch, the dwelling units shall be considered to be located in one building.

Residence, Two-Family Apartment. A two-family residential use other than a duplex, two-family conversion, or primary residence with accessory apartment.

Residence, Two-Family Conversion. A two-family residence resulting from the conversion of a single building containing at least 2,000 square feet of gross floor area that was in existence on the effective date of this provision and that was originally designed, constructed and occupied as a single-family residence.

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

Retaining wall. A wall designed to resist lateral earth and/or fluid pressures, including any surcharge in accordance with accepted engineering practice.

- (a) “Exposed wall height is the vertical distance measured from the finished grade at the bottom of the wall (lower soil grade) to the finished grade at the top of the wall. This height does not include the wall and depth of footing below grade.

- (b) “Retained Wall Height” is the vertical distance measured from the bottom of the footing to the finished grade at the top of the wall. It includes the wall and depth of footing below grade.
- (c) “Surcharge” is a vertical load imposed on retained soil that may impose a lateral force in addition to the lateral earth pressure of the retained soils. Examples of surcharge include sloping retained soil, structure footings supported by the retained soil or adjacent vehicle loads supported by the retained soil.

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.

Riparian Area. A transitional area between terrestrial and aquatic ecosystems and which is distinguished by gradients in biophysical conditions, ecological processes, and biota.

Riparian Habitat. An ecosystem that borders a stream which is occasionally flooded and periodically supports predominantly hydrophytes.

Riparian Habitat Zone. The riparian habitat zone includes those watercourses within the special flood hazard area and adjacent land areas that are likely to support aquatic and riparian habitat that correlate locally to the applicable, adopted fish and wildlife conservation area buffers. The size and location of the riparian habitat zone is dependent on the type of water body, as described in Section [14.88.430](#). The riparian habitat zone includes the water body and adjacent lands, measured perpendicularly from ordinary high water on both sides of the water body.

Riparian Zone. A transitional area between aquatic ecosystems (lakes, streams, and wetlands) and upland terrestrial habitats.

Road. An open way for vehicles. All public and private ways used to provide motor vehicle access to and from a destination.

Road, Private. A privately maintained easement or parcel created to provide vehicle access from a public road to one or more lots or units.

Rooming House. See *Boarding House*.

Scrub-Shrub Wetland. A wetland with at least 30 percent of its surface area covered with woody vegetation less than 20 feet in height.

Secondary School (definition related to recreational marijuana facilities regulations only). A high and/or middle school: A school for students who have completed their primary education, usually attended by children in grades seven to 12 and recognized by the Washington State Superintendent of Public Instruction.

Secure Community Transition Facility. A residential facility for persons civilly committed and conditionally released to a less restrictive alternative under Chapter [71.09](#) RCW. A secure community transition facility has supervision and security, and either provides or ensures the provision of sex offender treatment services. Secure community transition facilities include but are not limited to the facilities established pursuant to RCW [71.09.250](#) and any community-based facilities established under this chapter and operated by the secretary or under contract with the secretary.

Seismic Hazard Areas. Areas that, due to a combination of soil and groundwater conditions, are subject to severe risk of ground shaking, subsidence or liquefaction of soils during earthquakes.

SEPA. The Washington State Environmental Policy Act of 1971 (Chapter [43.21C](#) RCW).

SEPA Rules. Chapter [197-11](#) WAC.

Servient Lot. Any lot which has the burden of providing an access easement for use by other lots.

Setbacks. ~~Means the required distance measured horizontally between every building, structure or use and the lot lines, planned rights-of-way, rights-of-way or streets. Protective buffers which provide a margin of safety through protection of slope stability, attenuation of surface water flows, and landslide hazards reasonably necessary to minimize risk to the public from loss of life or well-being or property damage resulting from natural disasters; or an area which is an integral part of a stream or wetland ecosystem and which provides shading, input of organic debris and coarse sediments, room for variation in stream or wetland edge, habitat for wildlife and protection from harmful intrusion necessary to protect the public from losses suffered when the functions and values of aquatic resources are degraded.~~

Shared Driveway. A private driveway located on two easements used for the access of one or more dwelling units, where each easement provides half the width of the driveway.

Shorelands or Shoreland Areas. Lands extending landward for 200 feet in all directions as measured on a horizontal plane from the ordinary high water mark; floodways and contiguous floodplain areas landward 200 feet from such floodways; and all wetlands and river deltas associated with the streams, lakes, and tidal waters which are subject to the provisions of this chapter; the same to be designated as to location by the Department of Ecology. (RCW [90.58.030](#)(2)(d))

Shoreline Master Program. The City's comprehensive shoreline plan and supplemental land use regulations for shorelines adopted pursuant to Chapter [90.58](#) RCW.

Shoreline Substantial Development. Any development of which the total cost or fair market value exceeds \$6,416 (WSR 07-15-090), as adjusted for inflation by the Office of Financial Management every five years, or any development which materially interferes with the normal public use of the water or shorelines of the State; except that the types of development defined in Section [14.16C.100](#)(c) shall not be considered substantial

developments for the purpose of this chapter. A dock is not considered substantial development if the fair market value of the dock does not exceed \$10,000, but if subsequent construction having a fair market value exceeding \$2,500 occurs within five years of completion of the prior construction, the subsequent construction shall be considered a substantial development for the purpose of Chapter [14.92](#) and the Shoreline Master Program.

Shorelines. All of the water areas of the State, including reservoirs, and their associated wetlands, together with the lands underlying them; except:

- (a) Shorelines of Statewide significance;
- (b) Shorelines on segments of streams upstream of a point where the mean annual flow is 20 cubic feet per second or less and the wetlands associated with such upstream segments;
- (c) Shorelines on lakes less than 20 acres in size and wetlands associated with such small lakes. (RCW [90.58.030](#)(2)(e))

Shorelines of Statewide Significance. In the Lake Stevens area, those lakes, whether natural, artificial or a combination, with a surface acreage of 1,000 acres or more measured at the ordinary high water mark, and those natural rivers or segments thereof downstream of a point where the annual flow is measured at 1,000 cubic feet per second or more.

Shorelines of the State. The total of all “shorelines and shorelines of Statewide significance” within the State.

Short Plat. See *Plat, Preliminary*.

Short Subdivision. See *Subdivision, Short*.

Side lot line. Means any lot line that is neither a front nor rear lot line.

Sign. Any device that (a) is sufficiently visible to persons not located on the lot where such device is located to accomplish either of the objectives set forth in subdivision (b) of this definition; and (b) is designed to attract the attention of such persons or to communicate information to them.

Sign, Freestanding. A sign that is attached to, erected on, or supported by some structure (such as a pole, mast, frame, or other structure) that is not itself an integral part of or attached to a building or other structure having a principal function other than the support of a sign. A sign that stands without supporting elements, such as a “sandwich sign,” is also a freestanding sign.

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

Sign, Internally Illuminated. Any lighted sign whereby the light source is located within the sign cabinet, excluding use of lighting for animated display boards.

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

Sign, Nonconforming. A sign that, on the effective date of this title, does not conform to one or more of the regulations set forth in this title, particularly Chapter [14.68](#), Signs.

Sign, Off-Premises. A sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other activity that is conducted, sold, or offered at a location other than the premises on which the sign is located.

Sign, On-Premises. A sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other enterprise or activity that exists or is conducted, sold, offered, maintained, or provided on the premises where the sign is located.

Sign Permit. A permit issued by the Planning Director that authorizes the recipient to erect, move, enlarge, or substantially alter a sign.

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

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

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

Sign, Temporary. A sign that (a) is used in connection with a circumstance, situation, or event that is designed, intended or expected to take place or to be completed within a reasonably short or definite period after the erection of such sign; or (b) is intended to remain on the location where it is erected or placed for a period of not more than 15 days. If a sign display area is permanent but the message displayed is subject to periodic changes, that sign shall not be regarded as temporary.

Significant Tree(s). See *Tree(s), Significant*.

Site Plan Review. The process whereby local officials review the site plans or master plans to ensure they meet the stated purposes and standards of the zone, provide for necessary public facilities such as roads, and accomplish the goals of the City as stated in adopted comprehensive plans and development regulations.

Special Flood Hazard Area (SFHA). Land subject to inundation by the base flood having a one percent chance of being equaled or exceeded in any given year. FIRM maps designate special flood hazard areas as Zone A, Zone AO, Zone AH, Zones A1-A30, Zone AE, Zone A99, Zone AR, Zone AR/AE, Zone AR/AO, Zone AR/A1-A30, Zone AR/A, Zone V, Zone VE, and Zones V1-V30.

Sphagnum. Any of a large genus of mosses that grow only in wet acidic soils and whose remains become compacted with other plant debris to form peat.

Standard Record of Survey. A record of survey form approved by the City of Lake Stevens and in accordance with Chapter [58.09](#) RCW.

Start of Construction (Definition related to flood permits only). Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Stormwater. Surface water runoff that occurs when precipitation from rain or snowmelt flows over the lands surface.

Streams. Water contained within a channel, either perennial or intermittent, and classified according to a locally appropriate stream classification system based on WAC [222-16-030](#). Streams also include open natural watercourses modified by man. Streams do not include irrigation ditches, waste ways, drains, outfalls, operational spillways, channels, stormwater runoff facilities or other wholly artificial watercourses, except those that directly result from the modification to a natural watercourse. Streams are further characterized as S, F, Np, or Ns.

Street. A facility providing access, including the roadway and all other improvements.

Street, Arterial. A main street in the City's street system that serves as an avenue for the circulation of traffic onto, out, or around the City and carries high volumes of traffic. Major arterials are inter-community roadways connecting community centers or major facilities. Minor arterials are intra-community roadways for areas bounded by the major arterials.

Street, Collector. A street whose principal function is to carry traffic between local access streets and arterial streets, but they may also provide direct access to abutting properties.

Street, Cul-de-sac. A street that terminates in a vehicular turnaround.

Street, Freeway/Expressway. An inter-regional divided or undivided highway connecting major centers.

Street, Local Access. A street whose sole function is to provide access to abutting properties.

Street, Private. See *Road, Private.*

Structure. Anything constructed or erected.

Structure (Definition related to flood permits only). A walled and roofed building including a gas or liquid storage tank that is principally above ground in relationship to Chapter [14.64](#), Part I, and Chapter [14.88](#), Part V.

Subdivision. The division or redivision of land into lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership; but the following shall not be included within this definition nor be subject to the regulations of this title applicable strictly to subdivisions: the public acquisition by purchase or dedication of strips of land for widening or opening streets.

Subdivision, Architecturally Integrated. (Deleted by Ord. 676)

Subdivision, Formal. See *Subdivision, Long.*

Subdivision, Long. The division or redivision of land into 10 or more lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership; provided, however, unbuildable areas outside of such lots, tracts, parcels, sites or divisions for other purposes, such as access, drainage, and the protection of critical areas, shall not be considered a lot, tract, parcel, site or division.

Subdivision, Short. The division or redivision of land into nine or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership; provided, however, unbuildable areas outside of such lots, tracts, parcels, sites or divisions for other purposes, such as access, drainage, and the protection of critical areas, shall not be considered a lot, tract, parcel, site or division.

Substantial Damage. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the assessed market value of the structure

before the damage occurred. Substantial damage also means flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the assessed market value of the structure before the damage occurred in relationship to Chapter [14.64](#), Part I, and Chapter [14.88](#), Part V.

Substantial Improvement (Definition related to flood permits only). Means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

- (a) Before the improvement or repair is started; or
- (b) If the structure has been damaged and is being restored, before the damage occurred. For the purpose of this definition “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term can exclude:

- (a) Any project for improvement of a structure to correct pre-cited existing violations of state or local health, sanitary, or safety code specifications which have previously been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- (b) Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

Swamp. A wetland whose dominant vegetation is composed of woody plants and trees.

Temporary Emergency, Construction, or Repair Residence. A residence (which may be a mobile home) that is:

- (a) located on the same lot as a residence made uninhabitable by fire, flood, or other natural disaster and occupied by the persons displaced by such disaster; or (b) located on the same lot as a residence that is under construction or undergoing substantial repairs or reconstruction and occupied by the persons intending to live in such permanent residence when the work is completed; or (c) located on a nonresidential construction site and occupied by persons having construction or security responsibilities over such construction site.

Temporary Sign. See *Sign, Temporary*.

Temporary Use. An incidental use of limited duration and/or frequency allowed over a specified period.

Toe of slope. The lowest part of an embankment slope. It is the point at which the front of a slope intersects with the natural ground line.

Tourist Home. A single-family structure in which rooms are rented by the day or week.

Tower. Any structure whose principal function is to support an antenna.

Tract. A lot (see Lot). The term “tract” is used interchangeably with the term “lot,” particularly in the context of subdivisions, where one tract is subdivided into several lots.

Traffic Calming Technique. Any technique, whether physical, visual or regulatory, which is designed to slow the speed of vehicles to safe and posted speed limits.

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

Travel Trailer. A structure that (a) is intended to be transported over the streets and highways (either as a motor vehicle or attached to or hauled by a motor vehicle) and (b) is designed for temporary use as sleeping quarters but that does not satisfy one or more of the definitional criteria of a mobile home.

Tree(s), Significant. Any deciduous tree eight inches or greater in diameter (25 inches in circumference or greater), and any evergreen tree 12 inches or greater in diameter (37 inches in circumference or greater), measured one foot above the root crown.

Trees(s), Significant Stands of. Any stand of healthy trees, not particularly of a large size, that has a high likelihood of withstanding wind-throw even after adjacent trees are removed, and serves or could serve as biological habitat, a recreational or aesthetic amenity, or screening as required by this title.

Unavoidable and Necessary Impacts. Impacts that remain after a person proposing to alter critical areas has demonstrated that no practicable alternative exists for the proposed project.

Undetermined-Risk Areas. Land where no flood-hazard analysis has been conducted, but a flood risk still exists. FIRM maps designate these areas with the letter D on the flood maps.

Urban Growth Area. That portion of the City’s planning jurisdiction that lies outside the corporate limits of the City and within the urban growth boundary.

Usable Open Space. Land to be devoted to meet usable open space requirements of this title must not be encumbered with any substantial structure; not devoted to use as a roadway and associated sidewalks or parking area; be left in its natural or undisturbed state if wooded, except for the cutting of trails for walking or jogging, or, if not wooded, is landscaped for ball fields, picnic areas, or similar facilities, or is properly vegetated and landscaped with the objective of creating a wooded area; is capable of being used and enjoyed for purposes of informal and unstructured recreation and relaxation; is legally and practicably accessible to the public; and consists of land no more than 25 percent of which lies within a floodplain or floodway as those terms are defined in Section [14.08.010](#).

Use. The activity or function that actually takes place or is intended to take place on a lot.

Use, Principal. A use listed in the Table of Permissible Uses.

Utility Facilities. Any above ground structures or facilities (other than buildings, unless such buildings are used as storage incidental to the operation of such structures or facilities) owned by a governmental entity, a nonprofit organization, a corporation, or any entity defined as a public utility for any purpose by RCW [80.04.015](#) and used in connection with the production, generation, transmission, delivery, collection, or storage of water, sewage, electricity, gas, oil, or electronic signals. Excepted from this definition are utility lines and supporting structures listed in Section [14.60.450](#).

Utility Facilities, Community or Regional. All utility facilities other than neighborhood facilities.

Utility Facilities, Neighborhood. Utility facilities that are designed to serve the immediately surrounding neighborhood and that must, for reasons associated with the purpose of the utility in question, be located in or near the neighborhood where such facilities are proposed to be located.

Variance. A grant of permission by the City for the purpose of granting relief from specific development standards of this title as applied to a particular piece of property.

Vehicle Accommodation Area. That portion of a lot that is used by vehicles for access, circulation, parking, and loading and unloading. It comprises the total of circulation areas, loading and unloading areas, and parking areas.

Vested Right. The guarantee that an application will be reviewed and a project can be developed (if a permit is issued) under regulations and procedures existing at one moment in time and regardless of changes that may have been made later and prior to final completion of a project or use.

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

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

Water-Dependent. A use for which the use of surface water would be essential in fulfilling the purpose of the proposed project.

Water Purveyor, Recognized. Any entity legally bound to supply to any area of the City of Lake Stevens and, in addition, shall have a water supply capable of delivering at least 500 gallons per minute for one hour for fire protection above the maximum daily demand rate as defined by State statute.

Wetland Mitigation Bank. A site where wetlands and buffers are restored, created, enhanced, or, in exceptional circumstances, preserved expressly for the purpose of providing compensatory mitigation in advance of authorized impacts to similar resources.

Wetlands. Areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, bogs, marshes, and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including but not limited to irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. However, wetlands include those artificial wetlands intentionally created to mitigate conversion of wetlands. See the Washington State Wetlands Identification and Delineation Manual.

Wholesale Sales. On-premises sales of goods primarily to customers engaged in the business of reselling the goods.

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

Wireless Communication Tower. A support structure to which is attached equipment used for the transmission and/or reception of wireless telecommunications services, usually consisting of an antenna array, connection cables, and equipment cabinet.

Wireless Communications. Any personal wireless services as defined in the Telecommunications Act of 1996 or as may be subsequently amended. This includes FCC licensed commercial wireless telecommunications services including cellular, personal communication services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), paging and similar services that currently exist or that may in the future be developed.

Wooded Area. An area of contiguous wooded vegetation where trees are at a density of at least one six-inch or greater caliper tree per 325 square feet of land and where the branches and leaves form a contiguous canopy.

Work Release, Pre-Release or Similar Facilities. Any dwelling or place licensed, certified or authorized by State, Federal or local authorities for inmates on release from more restrictive custodial confinement or initially placed in lieu of such more restrictive custodial confinement, wherein supervision, rehabilitation and counseling are provided to transition residents back into society, enabling them to live independently.

Zone. A classification of land use that provides a range of allowed uses that are subject to bulk and performance standards. A zone is applied to parcels within the City limits and depicted on the zoning map.

Zoning. The process by which the City legally controls the use of property and physical configuration of development upon tracts of land within its jurisdiction by establishing zones and adopting the zoning map. Zoning is an official control that implements the Comprehensive Plan and is enacted for the protection of the public health, safety and welfare.

Zoning Map or Official Zoning Map. A map adopted by the City which depicts the boundaries of the various zones established by this title. (Ord. 969, Sec. 2, 2016; Ord. 964, Sec. 2, 2016; Ord. 958, Sec. 1, 2016; Ord. 908, Sec. 4, 2014; Ord. 903, Secs. 3 – 5, 2013; Ord. 898, Sec. 1, 2013; Ord. 894, Sec. 1, 2013; Ord. 876, Secs. 7, 8, 2012; Ord. 860, Sec. 2 (Exh. 1), 2011; Ord. 855, Secs. 1 – 4, 2011; Ord. 821, Secs. 4, 5, 2009; Ord. 811, Secs. 17, 18, 19, 2010; Ord. 798, Sec. 1, 2009; Ord. 797, Sec. 2, 2009; Ord. 796, Secs. 2 – 4, 2009; Ord. 775, Secs. 2 – 15, 2008; Ord. 746, Secs. 2, 3, 2007; Ord. 741, Sec. 4, 2007; Ord. 737, Sec. 2, 2006; Ord. 699, Sec. 1, 2005; Ord. 676, Sec. 1, 2003; Ord. 666, 2002; Ord. 662, Sec. 1, 2002; Ord. 661, Sec. 1, 2002; Ord. 643, 2001; Ord. 615, 1999; Ord. 608, 1999; Ord. 607, 1999; Ord. 595, 1999; Ord. 590, 1998; Ord. 511, 1996; Ord. 510, 1996; Ord. 499, 1995; Ord. 468, 1995)

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Part I. General Provisions

14.16A.010 Purpose and Applicability.

The purpose of this chapter is to establish procedures for processing project permit applications and for adopting and amending Comprehensive Plans and development regulations. These procedures are intended to promote land use decisions that further the goals and policies of the Comprehensive Plan. (Ord. 811, Sec. 2 (Exh. 1), 2010)

14.16A.020 Delegation of Authority.

Wherever this title refers to any of the following agents or any other agents of authority in the City, such agent may delegate the agent's authority in the implementation of this title to another competent agent acting in the agent's behalf. (Ord. 811, Sec. 2 (Exh. 1), 2010)

14.16A.030 Planning Agency Identified.

The Planning Agency (Chapter [35A.63](#) RCW) for the City shall be composed of the following:

- (a) The Director of the Department of Planning and Community Development;
- (b) The Building Official;
- (c) The Director of the Department of Public Works;
- (d) Design Review Board;
- (e) The Lake Stevens Hearing Examiner;
- (f) The Lake Stevens Planning Commission;

- (g) The Lake Stevens Park Board; and
- (h) The Lake Stevens City Council. (Ord. 811, Sec. 2 (Exh. 1), 2010)

14.16A.040 Compliance with Title 14 Required.

- (a) All land uses, activities, construction, clearing, grading, filling, development, intensification, and structural modifications or alterations shall comply with this title and with all permits and approvals granted for the use, activity, construction, clearing, grading, filling, development, intensification, or structural modifications or alterations. No permit or approval shall be issued for any parcel of land developed or divided in violation of this title.
- (b) All divisions of land shall comply with this title. Any portion of a lot or lots that was used to calculate compliance with this title, standards, or regulations shall not be subsequently subdivided or segregated from such lot or lots or sold or transferred separately from such lot or lots.
- (c) Violations and Penalties.
 - (1) Any person violating any provisions of this title shall be subject to Title [17](#), Enforcement Code, and Chapter [14.28](#), Enforcement and Review.
 - (2) Any building, structure, development, activity, land use, or division of land, not in conformance with this title and not a legal nonconformance or exempted by a policy governing existing nonconforming structures or uses, is declared to be unlawful, substandard, and a public nuisance, and is subject to the enforcement and abatement provisions in Title [17](#), Enforcement Code, and Chapter [14.28](#), Enforcement and Review. (Ord. 811, Sec. 2 (Exh. 1), 2010)

14.16A.050 Effect of Decisions.

- (a) No Occupancy or Use of Property Until Requirements Fulfilled. Issuance of a land use permit authorizes the recipient to commence construction activity, subject to obtaining appropriate building permits, designed to support the approved land use. Actual commencement of the approved land use may not occur until all requirements of the permit have been satisfied.
- (b) Transfer of Permit and Permit Applications on Successors and Assigns. Active land use permits and pending land use permit applications, including subdivisions, run with the land and therefore are transferable to new owners.
- (c) Reapplication Following Denial of Permit. Whenever a land use permit or a variance is denied, such action may not be reconsidered for a period of one year from the date of denial unless the applicant clearly demonstrates that:
 - (1) The zoning classification or relevant development standards have changed;

(2) New information is available that could not with reasonable diligence have been presented at a previous hearing; or

(3) The project is modified in such a manner so as to correct the defects on which the original denial was based. (Ord. 811, Sec. 2 (Exh. 1), 2010)

14.16A.060 Official File.

(a) The Planning Director shall compile an official file on each application filed containing the following:

(1) The application materials submitted by the applicant.

(2) Any staff reports prepared.

(3) All written testimony received on the matter.

(4) The electronic recording and minutes of any public hearing on the matter.

(5) The decision of the permit-granting authority on the permit.

(6) Any other information relevant to the matter.

(7) Certification of publication, and a copy of the mailed notification and the date of mailing.

(b) The official file is a public record. It is available for inspection and copying in the Planning Department during regular business hours, though availability may be temporarily restricted during or prior to public hearings while staff is preparing for the hearing.

(c) Official files shall be kept pursuant to State retention requirements. (Ord. 811, Sec. 2 (Exh. 1), 2010)

14.16A.070 Acknowledgement of Owner.

(a) All applications shall be signed by the property owner or an authorized representative and shall include an accurate description of the property to be subject to the requested permit.

(b) A developer shall operate under the property owner's authority.

(c) The developer and/or property owner is either an individual or a duly formed and qualified corporation, partnership or other legal entity.

(d) The person signing all applications or other legal documents is authorized by the legal entity and/or property owner to do so. (Ord. 811, Sec. 2 (Exh. 1), 2010)

Part II. General Review Procedures

14.16A.110 Purpose.

The purpose of Part II is to provide general procedures for the review of development applications. Detailed administrative review procedures for applications and land use actions classified as Types I through Type VI are outlined in Chapter [14.16B](#). Decision criteria for specific permits are outlined in Chapter [14.16C](#). (Ord. 811, Sec. 2 (Exh. 1), 2010)

14.16A.120 Environmental Review.

Environmental review is conducted pursuant to Title [16](#), SEPA Procedures and Policies. (Ord. 811, Sec. 2 (Exh. 1), 2010)

14.16A.130 Construction Plan Review.

(a) The purpose of this section is to establish procedures for reviewing site construction plans for site improvements. Site construction drawings are engineering documents that are required for improvements to a particular site.

(b) Public Works Construction Plan Approval.

(1) Upon receipt of approval of a land use permit or preliminary subdivision, the applicant is required to apply for construction plan approval relating to following elements: on-site and off-site stormwater management, erosion control measures, public road and frontage improvements, dedication or deeding of right-of-way, street trees and other required landscaping elements, utilities, and any other improvement related to the development.

(2) The application for construction plan approval shall include a completed construction plan review application form, plans and materials as outlined in the construction plan submittal checklist, and fee as set by Council resolution.

(3) The applicant is required to obtain approvals from the Postmaster and utility purveyors.

(4) Following approval of the construction plans and prior to any site work, the applicant shall schedule a preconstruction meeting with the Public Works Department. All contractors, subcontractors and utility representatives are to meet to discuss any issues related to the construction activity and minimizing impacts to the neighborhood and nearby facilities.

(5) Pursuant to Section [14.16A.180\(b\)](#), the Public Works Director may require a performance security to be in place before construction activities are commenced.

(c) Public Improvements Required Before Occupancy or Final Plat. Final plat approval or certificate of occupancy shall not be granted unless the required public improvements have been installed and accepted by the Public Works Department or the subdivider has provided a completion security pursuant to Section [14.16A.180\(c\)](#) to ensure that all of these requirements will be fulfilled within not

more than 12 months after final plat approval or until half of the dwelling units within the plat or phase are issued building permits, whichever comes first. Replacement trees to be located on public property must be planted prior to final plat approval. Replacement trees to be located on a private lot must be installed prior to issuing a final inspection or certificate of occupancy for that lot.

(d) Dedication of Public Stormwater Facilities. Stormwater facilities shall be dedicated to the City at the completion of development. Private and commercial stormwater facilities remain the responsibility of the property owner(s).

(e) Maintenance of Dedicated Facilities Until Acceptance. Facilities intended to be dedicated to the City shall be maintained by the owner until such time as the dedication is accepted by the City.

(f) Protection Against Defects.

(1) Whenever public improvements are to be dedicated to the City, the developer shall post a maintenance bond or other sufficient surety pursuant to Section [14.16A.180](#)(d) to guarantee that the developer will correct all defects in such facilities or improvements that occur within two years after the acceptance of dedication of the improvements.

(2) An architect or engineer retained by the developer shall certify to the City that all facilities and improvements to be dedicated to the City have been constructed in accordance with the requirements of this chapter. This certification shall be a condition precedent to acceptance by the City of the offer of dedication of such facilities or improvements.

(3) For purposes of this section, the term “defects” refers to any condition that requires repairs over and above the normal amount of maintenance required for a particular improvement.

(g) Authorizing Use and/or Occupancy Before Completion of Development Under Land Use Permits. When weather conditions or other factors beyond the control of the permittee (exclusive of financial hardship) make it unreasonable for the permittee to comply with all of the requirements of the permit (exclusive of subdivision approvals), the Planning Director may authorize the commencement of the intended use or the occupancy of buildings, if the permit recipient provides a performance bond or other security to ensure that all of these requirements will be fulfilled within a reasonable period (not to exceed 12 months) and if the Building Official finds that such occupancy will not result in a safety or health hazard. (Ord. 903, Sec. 7, 2013; Ord. 811, Sec. 2 (Exh. 1), 2010)

14.16A.140 Building and Construction Permit Review.

Procedures and requirements for administering and enforcing building and construction codes are set forth in Chapter [14.80](#). (Ord. 811, Sec. 2 (Exh. 1), 2010)

14.16A.150 Phasing Development.

- (a) Projects may be completed in phases, provided the phasing meets the requirements of this section.
- (b) The developer shall submit site plans that clearly show the various phases or stages of the proposed development and the requirements of this title that will be satisfied with respect to each phase or stage.
- (c) Each phase must stand on its own in terms of meeting the requirements of the permit and this title. For example, improvements necessary to support Phase 1 cannot be deferred to be constructed at Phase 2.
- (d) The circulation pattern at the end of each phase must result in a configuration that does not create traffic hazards and that adequately supports the level of traffic anticipated to be generated. (Ord. 811, Sec. 2 (Exh. 1), 2010)

14.16A.160 Post-Annexation Processing of Building and Related Permits and Land Use Applications.

- (a) The purpose of this section is to clearly state the process for processing of permits in newly annexed areas consistent with any adopted interlocal agreements.
- (b) The City will honor subdivisions, short plats, and other projects that have already vested under Snohomish County development standards pursuant to this section.
- (c) The County will continue the building permit review and project inspections of vested active projects and active land use permits pursuant to any adopted annexation interlocal agreement.
- (d) After the effective date of an annexation, all new land use and building applications shall conform to City regulations, and all plan reviews and inspections will be conducted by the City.
- (e) Transfer by Request of an Applicant. An applicant may request a transfer of a pending building permit application from the County to the City by submitting a written request to the City. The City will recognize any intermediate approvals that are effective prior to transfer of the permit application.
- (f) Permit Renewal or Extension. After the effective date of annexation, any request to renew a building permit or to renew or extend a land use permit issued by the County in the annexation area shall be made to and administered by the City pursuant to Section [14.16A.250](#).
- (g) Applicant-Requested Change to County Vested Project or County Approved Land Use Permit. Once permit processing has been transferred to the City pursuant to subsections (c) and (d) of this section, or a permit has been approved by the County pursuant to an adopted annexation interlocal agreement, an applicant may request a change to a permit from the City in compliance with the requirements in

Section [14.16A.235](#). Administrative modifications will be pursuant to County code; all other modifications will be pursuant to City code.

(h) Expiration of County Vested Permits. The vested status of permits in an annexation area which vested in the County before the effective date of the annexation shall expire pursuant to the County code. If the County code does not specifically address expiration, then Section [14.16A.250](#) shall govern expiration of vested status. (Ord. 811, Sec. 2 (Exh. 1), 2010)

14.16A.170 Engineering Design and Development Standards.

(a) The Engineering Design and Development Standards, cited routinely as the EDDS, shall govern all new construction and upgrading of transportation facilities, storm drainage facilities and utilities within City rights-of-way, whether occurring under permit or franchise, and other transportation-related improvements mandated by the City's Land Use Code.

(b) Work and materials installed in the existing or future rights-of-way shall conform to the currently adopted version of the EDDS.

(c) The EDDS may be amended or revised by the City Engineer in accordance with the policies in this 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. Copies of the EDDS amendments or revisions may be secured from the Department of Public Works at appropriate fees in accordance with copying charges established by the City Council.

(d) The City Engineer may adopt and incorporate into the EDDS, by reference, other federal, state and local design standards and specifications and other professionally accepted engineering standards and specifications.

(e) The currently adopted version of the Engineering Design and Development Standards shall be available in the City Clerk's office and the Public Works Department. (Ord. 811, Sec. 2 (Exh. 1), 2010)

14.16A.180 Security Mechanisms.

(a) General Requirements.

(1) As security the City may accept any of the following: bonds, letters of credit from an insured bank, a secured account with an insured bank, or a cash deposit. Other forms of security may be accepted if approved by the City Finance Director in consultation with the City Attorney.

(2) In each case where the City requires or allows an applicant to post a security, the Public Works Director shall determine the type of security to be used.

(b) Performance Securities.

(1) Except as provided in subsection (d) of this section, a performance security shall be required for any project on a site greater than one acre in size to guarantee that a site can be closed and/or winterized if necessary, or that measures can be taken by the City to respond to weather-related emergencies.

(2) In addition, an augmented performance security may be required by the Public Works Director to cover the cost of installing any system-wide public improvements that an applicant has agreed to install as part of his project where the lack of installation would cause the system to fail or not be completed in a timely manner.

(3) Performance securities may be presented to the City after preliminary approval of a project but in all circumstances shall be presented prior to any site work, including clearing, grading, or construction.

(4) Submission of a performance security may be waived by the Public Works Director if, in his opinion, said guarantee of installation is not necessary.

(c) Completion Securities. In lieu of installing public improvements per this title or a condition of a permit, a developer may propose to post a security to ensure completion of the improvements within one year of permit approval. An extension not to exceed one year may be approved by the Public Works Director upon extension of the security or submission of a new one.

(d) Maintenance Securities. Any developer shall provide to the City a maintenance security to cover the cost of replacing or repairing any of the public improvements installed per this title or a condition of a permit.

(e) Amount of the Security.

(1) The amount of a security shall be a percentage, as specified in this subsection, of the estimated cost of design, materials, and labor, based on the estimated costs on the last day covered by the device, of installing, replacing, or repairing (whichever is appropriate) the improvements covered by the security.

(i) Performance. One hundred fifty percent of the costs specified in subsection (e)(1) of this section.

(ii) Completion. One hundred fifty percent of the costs specified in subsection (e)(1) of this section.

(iii) Maintenance. Twenty percent of the costs specified in subsection (e)(1) of this section.

(2) The Public Works Director shall approve the amount of a security under subsection (a) of this section. The applicant shall prepare for the Public Works Director's review and approval a cost estimate of the items to be covered by the security.

(f) Reduction of Securities. In those cases where improvement securities have been made, the amount of the guarantee may be reduced upon acceptance of the dedication of a portion of the required improvements. The amount of the reduction shall not exceed the percentage which the improvements just accepted for dedication made up of all originally required improvements. In no case, however, shall the guarantee be reduced to less than 15 percent of the original amount.

(g) Duration of Securities. All securities shall be held until released by the Public Works Director; however, the standard duration of the various securities should be as follows:

(1) Performance. One year or until all improvements are installed and accepted by the City, whichever is greater.

(2) Completion. One year or until all improvements are installed and accepted by the City, whichever is greater.

(3) Maintenance. Two years; extendable by the City if repairs are made at the end of the bonding period which, in the opinion of the Public Works Director, require additional guarantee of workmanship.

(h) Supplemental Administrative Costs. In addition to the security, the applicant shall pay a fee to the City covering the City's actual expenses of administering, and if necessary, using the proceeds of the security. The amount of this fee will be set by resolution.

(i) Security Agreement. In each case where a security is posted, the applicant and the Public Works Director shall sign a notarized security agreement, approved in form by the City Attorney. This agreement shall be recorded with the Snohomish County Auditor. The agreement shall provide the following information:

(1) A description of the work or improvements covered by the security.

(2) Either the period of time covered by the maintenance security or the date after which the City will use the proceeds of the performance security to complete the required work or improvements.

- (3) The amount and nature of the security and the amount of the cash deposit.
- (4) The rights and duties of the City and the applicant.
- (5) An irrevocable license to run with the property to allow the employees, agents, or contractors of the City to go on the subject property for the purpose of inspecting and, if necessary, doing the work or making the improvements covered by the security.
- (6) The mechanism by and circumstances under which the security shall be released. At a minimum, after the work or improvements covered by a performance security have been completed, or at the end of the time covered by a maintenance security, the applicant may request the City to release the security. If the applicant has complied with the security agreement and this Code, the Public Works Director shall release the security remaining. If the work has not been completed or repairs not made, then the City shall not release the security until such work is completed per subsection (j) of this section. Partial release of the security may be allowed; provided, that the developer provides a new security in the amount specified in subsection (e) of this section for the remaining work.
- (7) Upon release of any recorded security mechanism, a copy of the letter of release shall be filed with the Snohomish County Auditor.

(j) Use of Security Funds by the City.

- (1) If during the period of time covered by a maintenance security, or after the date by which the required work or improvements are to be completed under a performance security, the Public Works Director determines that the security agreement has not been complied with, he shall notify the applicant of this. The notice must state:
 - (i) The work that must be done or the improvements that must be made to comply with the security agreement; and
 - (ii) The amount of time, not to exceed 30 days, that the applicant has to commence and complete the required work or improvements; and
 - (iii) That, if the work or improvements are not commenced and completed within the time specified, the City will use the proceeds of the security to have the required work or improvements completed.
- (2) If the work or improvements covered by the security are not completed within the time specified in the notice, the City shall obtain the proceeds of the security and shall cause such work to be completed.

(3) The applicant is responsible for all costs incurred by the City in administering, maintaining, or making the improvements covered by the security(ies). The City shall release or refund any proceeds of a performance or maintenance security remaining after subtracting all costs for doing the work or making the improvements covered by the security. The applicant shall reimburse the City for any amount expended by the City that exceeds the proceeds of the security. The City may file a lien against the subject property for the amount of any excess.

(4) In each case where the City uses any of the funds of a security, it shall give the applicant an itemized statement of all funds used. (Ord. 811, Sec. 2 (Exh. 1), 2010)

Part III. Administrative Review Procedures

14.16A.205 Purpose.

It is the intent of Part III to provide the administrative review procedures for applications and land use actions classified as Types I through VI. (Ord. 811, Sec. 2 (Exh. 1), 2010)

14.16A.210 Types of Review.

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

(b) Classification of Permits and Decisions.

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

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

(3) Type III Review - Quasi-Judicial Decisions - Hearing Examiner. This Type III process is a quasi-judicial review and decision by the Hearing Examiner. The Hearing Examiner makes a decision based on a staff report and, if required, the Design Review Board. A public meeting may be held prior to the Design Review Board recommendation. The Hearing Examiner considers public testimony received at an open record public hearing. Public notification is provided at the application, public hearing, and decision stages of application review. Appeals of Hearing Examiner decisions are made to Snohomish County Superior Court, except shoreline permit appeals are made to the Shoreline Hearings Board. The permits and actions reviewed and decided as Type III are listed in the table in subsection (d) of this section.

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

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

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

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

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

Table 14.16A-I: Classification of Permits and Decisions

Type of Review	Land Use Actions and Permits	Recommendation By	Public Hearing Prior to Decision	Permit-Issuing Authority	Administrative Appeal Body & Hearing
TYPE I Administrative without Public Notice	<ul style="list-style-type: none"> • Administrative Design Review • Administrative Deviation • Administrative Modifications • Boundary Line Adjustments • Change of Use • Code Interpretations • Events • Floodplain Development Permits • Grading Permit <u>Minor Land Disturbance</u> • Home Occupations • Master Sign Program 	None	None	Department director or designee	Hearing Examiner, except shoreline permits to State Shoreline Hearings Board, & Open Record

	<ul style="list-style-type: none"> • Reasonable Use Exceptions • Shoreline Exemptions • Signs • Temporary Uses 				
TYPE II Administrative with Public Notice	<ul style="list-style-type: none"> • Administrative Conditional Use (formerly Special Use) • Administrative Variance • Binding Site Plans • Major Land Disturbance • Planned Action Certification • SEPA Review (early or when not combined with another permit or required for a Type I permit) • Shoreline Substantial Developments • Short Plats - Preliminary or Final • Short Plat Alterations • Short Plat Vacations • Site Plan Reviews 	None	None	Planning Director or designee	Hearing Examiner, except shoreline permits to State Shoreline Hearings Board, & Open Record
TYPE III Quasi-Judicial, Hearing Examiner	<ul style="list-style-type: none"> • Conditional Uses • Preliminary Plats • Shoreline Conditional Uses 	Design Review Board (if required)	Open Record	Hearing Examiner	Superior Court, except shoreline permits to State

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

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

**Table 14.16A-II: Associated Land Use
Determinations**

Associated Land Use Determinations
• EDDS Street Deviations
• Design Review
• Miscellaneous Administrative Determinations (e.g., application requirements, waiver allowed by code in parking or landscaping, etc.)
• Right-of-Way Improvement Exception
• Underground Utility Deviations

(Ord. 969, Sec. 3, 2016; Ord. 903, Sec. 8, 2013; Ord. 876, Sec. 9, 2012; Ord. 860, Sec. 3, 2011; Ord. 855, Sec. 5, 2011; Ord. 811, Sec. 2 (Exh. 1), 2010)

14.16A.215 Land Use Permits Required.

(a) Prior to building construction or alteration, substantial change of use, land clearing, or grading, the property owner is required to obtain a land use permit for the proposal.

(b) Whenever a proposed project requires more than one land use permit, the permits will be processed simultaneously using the consolidated permit process specified in Section [14.16A.220\(g\)](#).

(Ord. 811, Sec. 2 (Exh. 1), 2010)

14.16A.220 Application Procedures.

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

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

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

(d) Pre-Application Conferences.

- (1) To achieve efficient and effective application of the requirements of this title, a pre-application conference between the applicant and the City staff is required for projects needing a conditional use permit, planned action certification and planned neighborhood developments.
- (2) Pre-application conferences are highly recommended for applications requiring Type III, IV or V reviews, and/or design review. Pre-application conferences are optional for applications requiring Type I, II and VI reviews.
- (3) Prior to submitting an application, the applicant may arrange a conference with Planning and Public Works staff to review the proposed action, to become familiar with City policies, plans and development requirements and to coordinate all necessary permits and procedures. Pre-application procedures and submittal requirements shall be determined by the Planning Director and available in the Department of Planning and Community Development.
- (4) Since it is impossible for the conference to be an exhaustive review of all potential issues, the discussions at the conference shall not bind or prohibit the City's future application or enforcement of all applicable law.
- (5) To request a pre-application conference, an applicant shall submit a set of preliminary plans to the City. The amount and quality of the information submitted is up to the applicant; however, better information provided initially is more likely to result in better feedback and discussion with Planning staff. At a minimum, the plans should include a basic layout of the proposal, including circulation, lot patterns and building locations, location of critical areas, and other site constraints.

(e) Submittal Requirements.

- (1) The Planning Director shall specify submittal requirements, including type, detail, and number of copies, for an application to be complete. Submittal requirements for each permit application shall be available in the Department of Planning and Community Development. At a minimum the following shall be submitted with new applications:
 - (i) General application form;
 - (ii) Applicable fees;
 - (iii) Environmental checklist (if not exempt);

(iv) Applicable signatures, stamps or certifications;

(v) All required items stated in the applicable development handouts.

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

(3) Applications for shoreline substantial development permits shall include submittal of the supplemental requirements set forth in Chapter 7 of the Shoreline Master Program and shoreline permits application materials.

(f) Determination of Complete Application.

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

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

(g) Consolidated Permit Process.

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

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

(3) No hearing or deliberation upon an application for a conditional use permit, subdivision, variance, planned neighborhood development, site plan review, administrative conditional use permit, shoreline permit, or similar quasi-judicial or administrative action, which is inconsistent with the existing Zoning Map, shall be scheduled for the same meeting at which the required

Zoning Map amendment will be considered by the Hearing Examiner or the City Council. This section is intended to be a procedural requirement applicable to such actions as noted in RCW [58.17.070](#).

(h) Application and Inspection Fees. Fees are set forth in a separate fees resolution adopted by the City Council. (Ord. 898, Sec. 2, 2013; Ord. 876, Sec. 10, 2012; Ord. 811, Sec. 2 (Exh. 1), 2010)

14.16A.225 Noticing Requirements.

(a) Mailed Notices and Postcard Notices.

(1) Mailings shall include a mailed notice or postcard notice to owners of real property within 300 feet of the project site, or 20 property owners (whichever results in more property owners being noticed), including the project name and number and the following information. Mailings may provide a website address where detailed information is available for viewing. Mailings shall include the following information or Internet addresses to the following information:

- (i) The date of application and the date of the notice of application;
- (ii) A description of the proposed project action and a list of the project permits included in the application and, if applicable, a list of any studies requested under RCW [36.70B.070](#);
- (iii) The identification of other permits not included in the application, to the extent known by the City;
- (iv) The identification of existing environmental documents that evaluate the proposed project, and, if not otherwise stated on the document providing notice of application, the location where the application and any studies can be reviewed;
- (v) A statement of the limits of the public comment period;
- (vi) A statement of the right of any person to comment on the application, receive notice of and participate in any hearings, request a hearing, if applicable, request a copy of the decision once made, and any appeal rights;
- (vii) The date, time, place and type of meeting or hearing, if applicable and if it is scheduled at the date of notice of the application;
- (viii) A statement of the preliminary determination of consistency, if one has been made at the time of notice, and of those development regulations that will be used for project mitigation;

(ix) A map depicting the boundaries of the project site and, when applicable, a site map showing the proposal or website address where maps can be viewed;

(x) A statement announcing the City's goal of complying with the intent of the Americans with Disabilities Act, announcing accessibility, offer of assistance to persons with special needs, and availability of TDD services;

(xi) Any other information determined appropriate by the City, such as the City's threshold determination, if complete at the time of issuance of the notice of application.

(2) Mailings will be sent to adjacent jurisdictions if the proposed development is within one-quarter mile of the jurisdiction's boundary; the State Department of Transportation if the proposed development is adjacent to a state highway; and to all other agencies with jurisdiction.

(3) Mailings shall also include the mailed or emailed notice of application or postcard notice including at least the information required in subsection (a)(1) of this section to each person who has requested such notice.

(4) No proceeding of any procedure established in this chapter shall be found to be invalid for failure to provide mailed notice as required in this section as long as the other methods of notice have met their respective requirements and there was a good faith attempt to comply with the mailed notice requirements.

(5) The records of the Snohomish County assessor's office or title company shall be used for determining the property owner of record. Addresses for a mailed notice required by this code shall be obtained from the Snohomish County real property tax records.

(6) All public notices shall be deemed to have been provided or received on the date the notice is deposited in the mail or personally delivered, whichever occurs first.

(b) Posted Notices.

(1) On-Site Posting. At least one public notice board shall be posted on the site on each public right-of-way fronting on the site. The sign shall be erected in a manner that is accessible and easy to read by the general public. The Planning Director shall establish standards for size, color, layout, design, wording and placement of the notice boards, which generally shall consist of the items listed in subsection (a)(1) of this section. The Department of Planning and Community Development will provide prepared signs for on-site posting to the applicant. The applicant is responsible for posting the on-site notice and submitting a signed affidavit of on-site posting with a photo of each on-site notice.

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

(3) Special Posting for Major Land Use Actions. In addition to the general notice requirements set forth in subsections (a) and (b)(1) of this section, major land use actions shall comply with the following extraordinary signage requirements (see Section 14.16B.315(d)(3)):

(i) Sign Size and Placement. Each sign shall be two feet by two and one-half feet in size, placed no closer than five feet from the right-of-way, visible from each public street on which the subject property has frontage, and placed outside the sight distance triangle.

(ii) Content of Notice. Signs shall be prepared using templates or attachable letters. Hand lettered signs are not acceptable. The required sign shall include:

- a. The title "Notice of Land Use Application";
- b. A graphic or written description of the site boundaries;
- c. Type of action/application (preliminary plat, etc.);
- d. The date of public hearing;
- e. The name and telephone number of the Department of Planning and Community Development;
- f. City of Lake Stevens logo;
- g. Other information as the Planning Director may determine to be necessary to adequately notify the public of the pending land use application.

(iii) Responsibility for Installation and Removal.

- a. The applicant shall be solely responsible for the construction, installation, and removal of the sign(s) and the associated costs.
- b. The sign(s) shall be erected at least 10 days prior to the public hearing. The applicant shall sign an affidavit, stating that the sign(s) were installed and the date and posting of property. Photos of each sign shall also be submitted with the affidavit.
- c. The sign(s) shall be removed immediately following final action by the Hearing Examiner.

d. If the sign is removed prior to the final action, the applicant is responsible for immediate replacement of the sign.

(c) Responsibility for Notice. The Planning Director is responsible for providing published legal notices, mailed notices, and posted notices at City Hall. The applicant is responsible for complying with on-site posted notice requirements. (Ord. 903, Sec. 9, 2013; Ord. 811, Sec. 2 (Exh. 1), 2010)

14.16A.230 Time Frames for Review.

(a) Purpose. RCW [36.70B.070](#) and [36.70B.080](#) require time frames be established to ensure applications are reviewed in a timely and predictable manner. This subsection establishes the time frames and procedures for a determination of completeness and final decision for Type II, III, IV or V reviews. No time frames are established by these statutes for Type I or Type VI reviews.

(b) Computing Time. Unless otherwise specified, all time frames are indicated as calendar days, not working days. For the purposes of computing time, the day the determination or decision is rendered shall not be included. The last day of the time period shall be included; provided, that if it is a Saturday, Sunday, a day designated by RCW [1.16.050](#) or by the City's ordinances as a legal holiday, then it also is excluded and the time period concludes at the end of the next business day.

(c) Complete Application Review Time Frame. The following procedures shall be applied to new applications requiring Type II, III, IV, or V reviews. Applications requiring Type I or Type VI review are excluded from this requirement.

(1) Within 28 days after receiving an application, the Planning Director shall mail, email, fax, or otherwise provide to the applicant a written determination that the application is complete, or that the application is incomplete, and what is necessary to make the application complete. The applicant has 90 days to submit the necessary information to the City.

(2) If the Planning Director does not provide a written determination within the 28 days, the application shall be deemed complete at the end of the twenty-eighth day.

(3) If additional information is needed to make the application complete, the Planning Director shall notify the applicant whether the application is complete or what additional information is necessary within 14 days after an applicant has submitted the information identified by the Planning Director as being needed.

(4) An application is complete for purposes of this section when it meets the submittal requirements established by the Planning Director and is sufficient for continued processing, even though additional information may be required or project modifications may be undertaken subsequently. The determination of completeness shall not preclude the Planning

Director from requesting additional information or studies either at the time of the Notice of Completeness or subsequently, if new information is required to complete review of the application or substantial changes in the permit application are proposed.

(5) To the extent known by the City, other agencies with jurisdiction over the project permit application shall be identified in the City's determination of completeness required by subsection (c)(1) of this section.

(d) Application Review and Decision Time Frame.

(1) Decisions on Type II, III, IV, or V applications shall not exceed 120 days, unless the Planning Director makes written findings that a specified amount of additional time is needed for processing of a specific complete project application. Applications for developments that are complex or that have extensive or difficult issues may take additional time. The applicant and the City may agree in writing to extend the time period.

(2) Preliminary Plats. Pursuant to RCW [58.17.140](#), preliminary plats of any proposed subdivision and dedication shall be approved, disapproved, or returned to the applicant for modification or correction within 90 days from the date of filing thereof unless the applicant consents to an extension of such time period or the 90-day limitation is extended to include up to 21 days as specified under RCW [58.17.095](#)(3). The 90-day period shall not include the time spent preparing and circulating an environmental impact statement by the local governmental agency.

(3) Final Plats and Short Plats. Pursuant to RCW [58.17.140](#), final plats and short plats shall be approved, disapproved, or returned to the applicant within 30 days from the date of filing thereof, unless the applicant consents to an extension of such time period.

(4) Appeals. The time period for consideration and decision on appeals shall not exceed 90 days for an open record appeal hearing and 60 days for a closed record appeal. The parties may agree in writing to extend these time periods. Any extension of time mutually agreed upon by the applicant and the City shall be in writing.

(5) Exemptions. The time limits established in this title do not apply if a project permit application:

- (i) Requires an amendment to the Comprehensive Plan or a development regulation;
- (ii) Requires approval of the siting of an essential public facility as provided in RCW [36.70A.200](#);

(iii) Is reviewed as Type I or VI permit;

(iv) Is substantially revised by the applicant, in which case the time period shall start from the date at which the revised project application is determined to be complete.

(e) Calculating Decision Time Frame. In determining the number of days that have elapsed after the City has notified the applicant that the application is complete for purposes of calculating the time for issuance of the notice of final decision, the following periods shall be excluded:

(1) Any period during which the applicant has been requested by the City to correct plans, perform required studies, or provide additional required information. If the City determines that the information submitted by the applicant is insufficient, it shall notify the applicant of the deficiencies. The period shall be calculated from the date the City notifies the applicant of the need for additional information until the earlier of the date the local government determines whether the additional information satisfies the request for information or 14 days after the date the information has been provided to the City;

(2) Any period during which an environmental impact statement is being prepared following a determination of significance (DS) pursuant to Chapter [43.21C](#) RCW, or if the City and the applicant in writing shall agree to a time period for completion of an environmental impact statement;

(3) Any period for administrative appeals of project permits, if an open record appeal hearing or a closed record appeal, or both, are allowed; or

(4) Any extension of time mutually agreed upon by the applicant and the City.

(f) Possible Extension of Time for Final Decision. If the City is unable to issue a final decision within the time limits provided herein, the applicant shall be provided written notice of this fact. The notice shall include a statement of reasons why the time limits have not been met and an estimated date for issuance of the notice of final decision. (Ord. 811, Sec. 2 (Exh. 1), 2010)

14.16A.235 Modifications to Approved Permits.

(a) Administrative modifications are reviewed and approved pursuant to Section [14.16C.025](#).

(b) All other requests for changes in approved permits will be processed as new applications.

(c) The Planning Director shall determine whether modifications of permits fall within the categories set forth above in subsections (a) and (b) of this section. However, the Planning Director shall provide the original permit issuing authority with a report on the modification and request feedback within 21 days from that authority as to the appropriateness of the determination.

(d) An applicant requesting approval of changes shall submit a written request for such approval to the Planning Director, which request shall identify the changes. Approval of all changes must be given in writing. (Ord. 811, Sec. 2 (Exh. 1), 2010)

14.16A.240 Vacation of Approved Permits and Variances.

(a) Requests to vacate a permit or variance shall be made in writing to the Department of Planning and Community Development.

(b) The Planning Director may vacate the permit or variance if the following conditions are present:

(1) The use authorized by the permit or variance does not exist and is not actively being pursued; or

(2) The use has been terminated and no violation of the terms and the conditions of the variance or permit exists.

(c) Vacation of any permit or variance shall be documented by the filing of a notice of land use permit or variance vacation with the County Auditor on a form provided by the Department of Planning and Community Development. (Ord. 811, Sec. 2 (Exh. 1), 2010)

14.16A.245 Expiration of Inactive Applications.

(a) An application shall expire 180 days after the last date that additional information is requested, if the applicant has failed to provide the information, except that:

(1) The Planning Director may grant one 90-day extension if the following criteria are met:

(i) A written request for extension is submitted at least 30 days prior to the expiration date;

(ii) The applicant demonstrates that circumstances beyond the control of the applicant prevent timely submittal of the requested information; and

(iii) The applicant provides a reasonable schedule for submittal of the requested information.

(2) The Department may set an expiration date of less than 180 days, when the permit application is the result of a code enforcement action. Permit application expiration does not affect permits under code enforcement action.

(3) No application shall expire, when under review by the Department following submittal of a complete application or timely resubmittal of an application when all required information has been provided.

(4) The Department may extend an expiration date for an application with no written request from an applicant, when additional time for City processing or scheduling of appointments is required, when the Department needs information or responses from other agencies, or under other similar circumstances.

(b) A permit application approved for issuance, but not paid for and issued, shall expire 90 days after the date it is approved for issuance. (Ord. 811, Sec. 2 (Exh. 1), 2010)

14.16A.250 Expiration of Approvals and Approved Permits.

(a) Land use approvals/permits other than subdivisions or shoreline permits shall expire automatically within one year after the issuance of such permits, if:

(1) The use authorized by such permits has not commenced, in circumstances where no substantial construction, excavation or demolition is necessary before commencement of such use; or

(2) Less than 10 percent of the total cost of all construction, excavation or demolition of the approved development has been completed.

(b) Land use permits other than subdivisions shall also expire automatically if construction, grading or excavation is commenced but such work is discontinued for a period of one year.

(c) Shoreline Development Permits. Construction activities shall be commenced or, where no construction activities are involved, the use or activity shall be commenced within two years of the effective date of a substantial development permit. However, the City may authorize a single extension for a period not to exceed one year based on reasonable factors, if a request for extension has been filed before the expiration date and notice of the proposed extension is given to parties of record on the substantial development permit and to the Department of Ecology. [RCW [90.58.143](#)(2)]

(d) For land use permits other than preliminary short subdivisions, subdivisions and sign permits:

(1) The Planning Director may grant one six-month extension to a permit upon showing proper justification, if:

(i) The extension is requested at least 30 calendar days before the permit expires;

(ii) The permittee has proceeded with due diligence and in good faith; and

(iii) The zoning designation of the property has not changed.

(2) Proper justification consists of one or more of the following conditions:

(i) Economic hardship;

(ii) Change of ownership;

(iii) Unanticipated construction and/or site design problems;

(iv) Other circumstances beyond the control of the applicant and determined acceptable by the appropriate department director.

(e) Preliminary short subdivision and subdivision approvals shall expire automatically if, within five years after the issuance of such approvals:

(1) The final plat or short plat has not been submitted to the City for approval; or

(2) An extension has not been granted. The Planning Director may approve a single one-year original extension to the approval, if:

(i) The request was delivered in writing to the Planning Department at least 30 calendar days prior to the approval's expiration and meets one of the proper justifications listed in subsection (d)(2) of this section;

(ii) The permittee has proceeded with due diligence and in good faith to complete the plat; and

(iii) Conditions have not changed so substantially as to warrant a new application.

(f) Additional Extension of Original Approvals for Preliminary Short Subdivisions, Preliminary Subdivisions, Conditional Use Permits, Special Use Permits, Zoning Permits, and Site Plans.

(1) After requesting and receiving the original permit extension provided in subsection (d) or (e) of this section, a permittee or his or her successors may request of the Planning Director six months prior to expiration of permit extension a one- or two-year extension as provided in subsections (f)(3) and (4) of this section for an extension above the original extension request in subsection (e) of this section, provided all other requirements of this section are met including:

(i) Filing with the Planning Director a sworn and notarized declaration that substantial work has not commenced as a result of adverse market conditions and an inability of the applicant to secure financing;

- (ii) Paying applicable permit extension fees;
- (iii) Paying all outstanding invoices for work performed on the permit review; and
- (iv) There are no substantial changes in the approved plans or specifications.

(2) The total combined time period for any preliminary short subdivision or preliminary subdivision may be extended by the Planning Department under this section and shall not exceed a total extension of two years for a total of seven years' approval; except for approvals dated on or before December 31, 2007, shall not exceed a total extension of five years by requesting additional one- or two-year extensions. The total combined time period for any conditional use permit, special use permit, zoning permit, or site plan may be extended by the department under this section and shall not exceed a total extension of one and one-half years.

(3) The one-year original extension of preliminary short subdivisions and preliminary subdivisions established in subsection (e) of this section may be further extended by up to an additional four years for original approvals prior to December 31, 2007, and up to an additional two years for original approvals prior to March 31, 2010. Associated permit approvals before December 31, 2014, including construction plans, clearing and grading permits, rezones, right-of-way construction, sidewalk and street deviations, and building permits shall be automatically extended for the same period subject to subsection (f)(2) of this section.

(4) The six-month extension of conditional use permits, special use permits, zoning permits, and site plans established in subsection (d) of this section may be further extended by up to an additional one year for original approvals prior to March 31, 2010. Associated permit approvals before March 31, 2010, including construction plans, clearing and grading permits, rezones, right-of-way construction, sidewalk and street deviations, and building permits shall be automatically extended for the same period subject to subsection (f)(5) of this section.

(5) Related shoreline development permit time requirements may not be extended past the allowed limits in WAC [173-27-090](#) and RCW [90.58.143](#).

(6) Permits are vested to the codes in effect at the time of original approval.

(g) Construction Plan Approvals.

(1) Construction plans for projects reviewed under the development code shall be approved for a period of 60 months from the date the City signs the plans or until expiration of the preliminary plat, preliminary short plat, binding site plan, conditional use permit, or site plan approval. If the construction plan is not connected to another permit, it shall expire in one year with one six-month extension allowed.

(2) The City may grant an extension of up to 12 months if substantial progress has been made by the applicant to complete construction of the approved project. Extensions shall be considered on a case-by-case basis by the Public Works Director or designee and will require a letter to be submitted to the City requesting the extension at least 30 calendar days prior to the approval's expiration. Said letter shall demonstrate that the project has made substantial construction progress, the reason for the extension request, and an estimated timeline for completion of construction.

(3) When the approval period or any extension thereof expires, the City's approval of the construction plans shall be deemed automatically withdrawn. In order to receive further consideration by the City after such expiration and automatic withdrawal, construction plans must be re-submitted and must comply with the current code requirements.

(h) Once the time period and any extensions have expired, approval/permit shall terminate and the application is void and deemed withdrawn. (Ord. 903, Sec. 10, 2013; Ord. 811, Sec. 2 (Exh. 1), 2010)

14.16A.255 Revocation of Approved Permits.

(a) The hearing entity may revoke an approved permit through the same approval and/or hearing procedures for the original approval.

(b) An approved permit may be revoked only upon finding that:

(1) The use for which the approval was granted has been abandoned for a period of at least one year;

(2) Approval of the permit was obtained by misrepresentation of material fact; or

(3) The permit is being exercised contrary to the terms of approval. (Ord. 811, Sec. 2 (Exh. 1), 2010)

14.16A.260 Public Meetings and Public Hearings.

(a) This section sets forth procedures for public meetings and hearings in addition to processes set forth in each of the review types in Chapter [14.16B](#).

(b) Public Meetings. The purpose of a public meeting is to provide the public with the opportunity to learn about a project and/or the City, a board or panel, or decision maker to ask questions for a better understanding of a project. Meetings are not as formal as a hearing, do not require public testimony, and are not required to be taped. Public meetings may be required for Type III, IV or V reviews.

(c) Public Hearings. The purpose of having hearings is to provide decision makers with an opportunity to obtain additional information and to provide the public with an opportunity to introduce that

information and to make their views known. Public hearings are required for Type III, IV, V, and VI reviews. When this title or State law requires a hearing, the following shall apply:

- (1) A verbatim record shall be kept;
- (2) Those present shall be given the opportunity to testify;
- (3) The hearing authority shall be allowed to ask questions of those testifying;
- (4) The hearing shall be conducted to ensure fairness to all parties;
- (5) The hearing authority may subpoena witnesses; and
- (6) A hearing may be kept open to take additional information up to the point a final decision is made. No further notice of a continued hearing need be published unless a period of six months or more elapses between meeting dates.

(d) Notices of public meetings or hearings shall include the following information:

- (1) The date, time, and place of the hearing.
- (2) Location of the site.
- (3) A brief description of the request, and any proposed modifications or variances.
- (4) Applicant's name.
- (5) Project name and file number and a statement of its availability for inspection by the public.
- (6) A statement of the right of any person to submit written testimony to the appropriate permit-issuing authority and to appear at the public hearing to give testimony orally.
- (7) A statement that only persons who submit written or oral testimony to the permit-issuing authority may appeal the decision.
- (8) A statement announcing the City's goal of complying with the intent of the Americans with Disabilities Act, announcing accessibility, offer of assistance to persons with special needs, and availability of TDD services.

(e) Burden of Proof/Testimony.

(1) The burden of presenting evidence to the permit-issuing entity sufficient to lead it to conclude that the application should be approved, conditioned, or denied shall be upon the party advancing the position.

(2) All persons in attendance that wish to testify shall be sworn in.

(3) All findings and conclusions necessary to the issuance of a decision shall be based upon reliable evidence.

(f) Joint Public Meetings or Hearings.

(1) Approval Authority's Decision to Combine Joint Hearing. At the applicant's request, the approval authority may combine any public hearing on a project permit application with any hearing that may be held by another local, State, regional, Federal, or other agency, on the proposed action, as long as:

(i) The hearing is held within the City limits; and

(ii) The requirements of subsection (f)(3) of this section are met. [RCW [36.70B.110\(7\)](#)]

(2) Applicant's Request for a Joint Meeting or Hearing. The applicant may request that the public hearing on a permit application be combined as long as the joint hearing can be held within the time periods set forth in this title. In the alternative, the applicant may agree to a particular schedule if that additional time is needed in order to complete the hearings. [RCW [36.70B.110\(7\)](#)]

(3) Prerequisites to Joint Public Meeting or Hearing. A joint public hearing may be held with another local, State, regional, Federal or other agency and the City, as long as:

(i) The other agency is not expressly prohibited by statute from doing so; [RCW [36.70B.110\(8\)](#)]

(ii) Sufficient notice of the meeting or hearing is given to meet each of the agencies' adopted notice requirements as set forth in statute, ordinance, or rule;

(iii) The agency has received the necessary information about the proposed project from the applicant in enough time to hold its meeting or hearing at the same time as the local government hearing; and

(iv) The meeting or hearing is held within the geographic boundary of the local government.

(g) Modification of Application at Hearing.

- (1) In response to questions or comments by the decision maker or public at the hearing, the applicant may offer to modify the application, including the plans and specifications submitted.
- (2) If the modifications are such that the decision maker, staff or public cannot reasonably be expected to perceive the nature and impact of the proposed changes without revised plans available for review, the decision making entity may continue the hearing and direct the applicant to prepare revisions or approve the application with conditions deemed necessary to ensure the proposal meets the approval criteria.
- (3) In order to approve the modifications at the meeting, the modifications must be such that they clearly would not require re-evaluations of the SEPA checklist and traffic report, additional public notice, and additional agency review. An additional review deposit may be required, if the additional review is expected to incur costs in excess of the previous deposit(s).

(h) Record.

- (1) Tape recordings shall be made of all hearings required by this title, and such recordings shall be kept for at least two years. Accurate minutes shall also be kept of all such proceedings, but a transcript need not be made. The written decision of a Hearing Examiner shall meet the requirement for minutes of the Hearing Examiner public hearing.
- (2) Whenever practicable, all documentary evidence presented at a hearing, as well as all other types of physical evidence, shall be made a part of the record of the proceedings and shall be kept by the City for at least two years. (Ord. 811, Sec. 2 (Exh. 1), 2010)

14.16A.265 Appeals.

- (a) This section sets forth procedures for appeals, in addition to any specific procedures set forth in each of the review types in Chapter [14.16B](#).
- (b) Processing of Appeals. Appeals of decisions on project permit decisions shall be processed according to the procedures outlined in each of the review types in Chapter [14.16B](#). The decision maker on the appeal may reverse or affirm or modify the decision, if it is found the original decision was based on faulty facts or incorrect application of the law. Any modifications to the decision shall be limited to those necessary to ensure the decision criteria of this title are met.
- (c) Effect of Appeal. Decisions on Type I, Type II, Type III, and Type IV permits are assumed valid unless overturned by an appeal decision. An appeal stays all actions by the Planning Director seeking enforcement of or compliance with the order or decision appealed from, unless the Planning Director

finds that a stay would, in his opinion, cause imminent peril to life or property, in which case proceedings shall not be stayed except by order of the Hearing Examiner or a court.

(d) Exhaustion of Administrative Remedies. No action to obtain judicial review may be commenced unless all rights of administrative appeal provided by this title or State law have been exhausted. The cost of transcription of all records ordered certified by the court for such review shall be borne by the appellant. A copy of each transcript prepared by an appellant shall be submitted to the City for confirmation of its accuracy.

(e) Consolidated Appeals. All appeals of project permit application decisions, other than an appeal of determination of significance (DS), shall be considered together in a consolidated appeal. [RCW [43.21C.075](#), [36.70B.060](#)(6)] (Ord. 811, Sec. 2 (Exh. 1), 2010)

Part IV. Duties, Authorities and Qualifications of Permit-Issuing and Review Bodies

14.16A.310 Purpose.

The purpose of this part is to define the authorities, roles and responsibilities for the positions or entities responsible for administering this title. (Ord. 811, Sec. 2 (Exh. 1), 2010)

14.16A.320 Planning Director.

(a) The Planning Director enforces the municipal code unless otherwise specified. As specified in this title, the Planning Director shall be the City's Planning and Community Development Director or designated representative.

(b) Authority and Duties. The Planning Director or designee shall have the authority to enter and inspect buildings and land during reasonable hours with permission of the occupant or owner or by court order, to issue abatement orders and citations and to cause the termination and abatement of violations of this title unless otherwise specified. The duties of the Planning Director shall include, but not be limited to, the following: enforce and administer this title unless otherwise specified; investigate complaints and initiate appropriate action; render decisions or make recommendations as specified in this title; and keep adequate records of land use applications enforcement actions, and appeals. The Planning Director may also review administrative modifications pursuant to Section [14.16C.025](#) to items previously approved by the Design Review Board, Planning Commission, and/or City Council.

(c) Appeals. Appeals of final decisions of the Planning Director made in the course of interpretation or administration of this title shall be governed by Section [14.16A.265](#), Appeals. Code enforcement actions pursuant to Section [14.16A.040](#), Compliance with Title [14](#) Required, are not "final decisions" for the purpose of this section, except as otherwise provided in this title. (Ord. 811, Sec. 2 (Exh. 1), 2010)

14.16A.325 Public Works Director.

The Public Works Director is the administrative head of the Department of Public Works. As provided in various sections, the Public Works Director is responsible for planning, administration, enforcement, and decision making as it pertains to public improvements as specified in this title, including the approval of plans for public improvements and approval of public improvements for acceptance by the City, or to delegate such authority to the Public Works staff or Planning and Community Development Director. In delegating authority, the Public Works Director or his or her representative reserves the right of final decision. (Ord. 811, Sec. 2 (Exh. 1), 2010)

14.16A.330 Building Official.

The office of the Building Official is established to administer and enforce the building and construction codes. The rules, regulations and procedures under which the Building Official shall operate are established in Chapter [14.80](#). (Ord. 811, Sec. 2 (Exh. 1), 2010)

14.16A.340 Design Review Board.

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

- (1) To encourage and promote aesthetically pleasing and functional neighborhood and commercial developments for the citizens of Lake Stevens by establishing design review standards including site layout, landscaping, parking and preferred architectural features;
- (2) To implement the City's Comprehensive Plan policies and supplement land use regulation: promote high-quality urban design and development, promote a coordinated development of the unbuilt areas, lessen traffic congestion and accidents, secure safety from fire, provide light and air, prevent the overcrowding of land, and conserve and restore natural beauty and other natural resources;
- (3) To encourage originality, flexibility, and innovation in site planning and development, including the architecture, landscaping and graphic design of proposed developments in relation to the City or design area as a whole;
- (4) To encourage low impact development (LID) by conservation and use of existing natural site features to integrate small-scale stormwater controls, and to prevent measurable harm to natural aquatic systems from commercial, residential or industrial development sites by maintaining a more hydrologically functional landscape;
- (5) To encourage green building practices to reduce the use of natural resources, create healthier living environments and minimize the negative impacts of development on local, regional, and global ecosystems;

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

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

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

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

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

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

(b) Appointments and Qualifications.

(1) The Design Review Board shall consist of five individuals, of which at least three are City residents, from the following representatives selected by the City Council and shall include staff as a resource:

(i) At least one member and a designated alternate of the Lake Stevens Planning Commission;

(ii) At least one member and a designated alternate who work as urban design professionals experienced in the disciplines of architecture, landscape architecture, urban design, graphic design or similar disciplines and need not be residents of the City; and

(iii) At least one member and a designated alternate who is a city resident that has expressed an interest in urban design.

(2) The term of each professional and resident position is three years and shall expire on December 31st in the final year of each term. When establishing the Design Review Board, one professional shall have a term of three years and the second, if required, shall have a term of two years to start. The Planning Commission representatives shall be voted on by the Planning Commission yearly.

(c) Authority and Duties. The Design Review Board shall review all structures and site features in specific zones and for specific regulations listed in Section [14.16C.050](#).

(d) Meetings. The Design Review Board shall meet on an as-needed basis.

(e) Rules. The Design Review Board may adopt rules for the transaction of its business. The rules shall be consistent with the development code and may provide for but are not limited to:

- (1) Date, time, place and format of public meetings;
- (2) Record of proceedings, reports, studies, findings, conclusions and decisions;
- (3) Election of a chairman and vice chairman of the design review board for a one-year term.

(f) Approval Required. No design review approval shall be granted, no building permit shall be issued, and no construction shall begin until the Design Review Board has completed the review specified in this section and determined that the requested action is consistent with the adopted design criteria.

(g) Appeals of Design Review Board Decisions. Applicants and any interested party may appeal decisions of the Design Review Board. Only those issues under the authority of the Design Review Board as established by this section are subject to appeal. Appeals of the decision of the Design Review Board will be heard as follows:

- (1) If a related land use permit does not require an open record public hearing, then the appeal shall be heard by the permit-issuing or review body.
- (2) If a related development permit requires an open record public hearing, then the appeal shall be heard at that hearing and decided upon by the hearing body or officer hearing the related development permit. (Ord. 811, Sec. 2 (Exh. 1), 2010)

14.16A.350 Hearing Examiner.

(a) The purpose of establishing a Hearing Examiner is to separate the application of land use regulations from policy making; to provide a level of expertise to conduct administrative and quasi-judicial hearings arising from the application of this title and the rules and procedures developed under it; to better protect and promote the interests of the community; and to expand the principles of fairness and due process in public hearings.

(b) Authority and Duties. The Hearing Examiner's authority and duties are provided in Chapter [2.48](#) and below:

(1) Meetings of the Hearing Examiner.

(i) The Hearing Examiner shall have no regularly scheduled meetings but shall meet on an as needed basis so that he or she can take action in conformity with this title.

(ii) The Hearing Examiner shall conduct meetings in accordance with the quasi-judicial procedures set forth in Chapters [14.16A](#) and [14.16B](#).

(iii) All meetings of the Hearing Examiner, except for mediation proceedings, shall be open to the public, and whenever feasible the agenda for each board meeting shall be made available in advance of the meeting.

(2) Powers and Duties of the Hearing Examiner.

(i) The Hearing Examiner shall hear and decide:

a. Applications for conditional use permits.

b. Appeals from any order, decision, requirement, or interpretation made by the Planning Director or City Council.

c. Any other matter the Hearing Examiner is required to act upon by any other City ordinance.

(ii) In addition, the Hearing Examiner is invested within those duties and powers as specified in Chapter [2.48](#) (Hearing Examiner).

(3) In carrying out the duties and powers, the Examiner shall review available information, determine findings of fact from the record, and form conclusions in support of recommendations and decisions. The findings and conclusions shall also set forth the manner in which the recommendation or decision carries out and conforms to the regulations, goals and policies of the City. The Examiner shall have the power to issue summons to compel the

appearance of witnesses, to preserve order, to reconsider decisions, and shall be free from the interference of individual City Council members, Planning Commission members, City officials, or any other person. The Hearing Examiner may also exercise administrative powers and such other quasi-judicial powers as may be granted by the City Council.

(4) On a periodic basis or as the need arises, the Examiner shall report to the Planning Commission on recommended changes to this title, the resolution of conflicts within it, and additions that address omissions.

(5) Appeals from Final Decisions. Appeals from final decisions of the Hearing Examiner shall be governed by Section [14.16A.265](#), Appeals. (Ord. 811, Sec. 2 (Exh. 1), 2010)

14.16A.360 Planning Commission.

(a) A Planning Commission is created by Chapter [2.64](#) to involve residents of the City in advising the City Council on matters of community development.

(b) Authority and Duties. The Planning Commission's authority and duties are provided in Chapter [2.64](#) and this section. The Planning Commission shall serve as an advisory body to the City Council in the following respects:

(1) The Planning Commission may make recommendations to the City Council based on its findings and conclusions and on those of its committees. It shall prepare the elements of the Comprehensive Plan or this title for adoption or modification; advise the Council regarding comprehensive land use and development policy or special area concerns; and investigate and make recommendations on matters suggested by the Council, the Mayor, Lake Stevens citizens, or upon its own initiative. Ad hoc committees may be created for special studies.

(2) The Planning Commission shall monitor the growth and development of the City and the areas surrounding the City and shall continually reevaluate and recommend revisions to the elements of the Comprehensive Plan or Land Use Code.

(3) The Planning Commission shall forward to the Council a periodic report on the status of this title. The Planning Commission shall monitor the hearings of the Hearing Examiner in order to stay abreast of development activities and the concerns of the public.

(c) Public Hearings. The Planning Commission shall conduct its public hearings under this title in accordance with Section [14.16A.260](#), Public Hearings. The Planning Commission may hold additional hearings and meetings as it sees fit to conduct its business.

(d) Quorum. A quorum shall be considered a majority of the currently constituted membership. (Ord. 811, Sec. 2 (Exh. 1), 2010)

14.16A.370 City Council.

(a) The City Council makes decisions on changes to the text of this title and to the Official Zoning Map pursuant to Section [14.16C.090](#).

(b) Authority and Duties. The City Council's authority and duties are provided in Chapter [2.08](#).

(c) Public Hearings. The City Council shall conduct its public hearings under this title in accordance with Section [14.16A.260](#).

(d) Public Hearings and Appeals. The City Council may hold additional hearings and meetings as it sees fit to conduct its business. (Ord. 811, Sec. 2 (Exh. 1), 2010)

14.16A.380 Park Board.

The authority, membership, powers, and duties of the Lake Stevens Park Board are established in Chapter [2.56](#) of the Lake Stevens Municipal Code. (Ord. 811, Sec. 2 (Exh. 1), 2010)



Staff Report
City of Lake Stevens Planning
Commission

Briefing
Date: **January 3, 2018**

Subject: **LUA2016-0171:** Amendments to the City of Lake Stevens Municipal Code to Adopt the 2012 DOE Stormwater Manual

Contact Person/Department: Joshua Machen, *Senior Planner* / Russ Wright, *Community Development Director*

SUMMARY: Amendments to the municipal code to adopt the 2012 Department of Ecology Stormwater Management Manual for Western Washington.

ACTION REQUESTED OF PLANNING COMMISSION:

Affirm previous recommendation of approval of code amendments to the City Council.

BACKGROUND / HISTORY:

Under the Federal Clean Water Act, jurisdictions must implement stormwater management programs and regulations within prescribed time frames. The Department of Ecology (DOE) has been delegated authority by the Environmental Protection Agency (EPA) to administer these regulations. The DOE issued the Western Washington Phase II Municipal Stormwater Permit (NPDES), effective August 1, 2013 through July 13, 2018, which requires local governments like the City of Lake Stevens to adopt the 2012 (amended 2014) DOE Stormwater Management Manual for Western Washington.

A public hearing was held with the Planning Commission on January 4, 2017 to review the original scope of the proposed updates. A first reading and public hearing was held with the City Council on January 24, 2017, with a motion passed to continue the hearing and hold a second reading later. Staff described the revised scope of the required updates to the Planning Commission on February 15, 2017. Staff presented the completed Low Impact Development (LID) Summary Reporting Template provided by DOE on March 15, 2017. In April, staff had briefed you on some revised code, however due to comments received from DOE and change in staff, new revised sections throughout the municipal code were proposed to remove barriers to implement LID practices throughout. On October 18, 2017, staff briefed you on some of the LID principals and on November 1, 2017 staff presented amended code.

After the November briefing to Planning Commission, the Department met with the Master Builders Association and local developers. Major discussion points included the following:

- Technical changes to the adoption chapter to integrate the current Stormwater Manual
- Changes to setback requirements
- Reduction in total hard/impervious surface allowances
- Changes to the landscaping screening requirements
- Retention and replacement requirements for significant trees

In addition, staff met with the City Council Public Works Committee and the Mayor on separate occasions, who also expressed some concerns with the drafted code changes, specifically the implementation of specific low impact development standards. Staff has also contracted with the consulting firm OTAK, to help guide the city's implementation and look at alternatives that would be functional within Lake Stevens. One such discussion item was the possibility of contracting with them to perform an infeasibility study for areas throughout the city. The infeasibility study would look at existing data available to the city through submitted geotechnical reports along with additional soil analysis and testing to determine infiltration rates and determine which types of low impact development techniques would be best to use locally.

Based on the concerns raised the Staff sought guidance from the full City Council on to how to proceed with the adoption process of the Stormwater Manual, LID standards, and other implementing code sections. At the December 12, 2017 City Council workshop, the Council directed staff to separate the adoption and implementation of the Stormwater Code, Low Impact Development, Land Disturbance and Landscaping. Therefore, the code changes are being separated into separate tasks to be considered by the Planning Commission and then Council as follows:

1. Adoption of the 2012 (Amended 2014) Stormwater Manual.
2. Processing and adoption of a Land Disturbance ordinance, addressing our need to take over conversion forest practice permits within the City.
3. Adoption of new EDDS allowing for LID design.
4. Consideration of an infeasibility study for infiltration and setting implementation policy for LID best management practices implementation. A budget and scope of services would be provided.
5. Consider other changes to municipal code to further implement LID including a review of zoning regulations.
6. Revisions to landscape and tree retention as a separate project.

Based on the direction received from the City Council the staff has returned to the Planning Commission with an ordinance adopting the Department of Ecology Stormwater Manual that is very similar to the ordinance that was before the Planning Commission on January 4, 2017.

The primary changes to the municipal code are the specific adoption the 2012 (Amended 2014) Department of Ecology Stormwater Manual and the designation that low impact development (LID) techniques are the common and preferred approach to stormwater management and not just as an available alternative.

Staff recommends that the Planning Commission reaffirm their previous recommendation of approval to the City Council.

Attachments

A - Revised Chapter 11.06

B.-Revised Chapter 14.64

Chapter 11.06 STORMWATER MANAGEMENT

Sections:

- 11.06.010 Purpose
- 11.06.020 Authority
- 11.06.02030 Stormwater Management Manual Adopted
- 11.06.03040 Stormwater Management Review and Approval Required
- 11.06.04050 Standards, Definitions, and Requirements
- 11.06.05060 Adjustments and Exceptions
- 11.06.06070 Low Impact Development Alternative Standards: Application of Measures:
- 11.06.07080 Construction and Maintenance of Stormwater Facilities
- 11.06.08090 Bonding and Insurance for Stormwater Facilities
- 11.06.090100 Prohibited, Allowable, and Conditional Discharges and Connections
- 11.06.100110 Administration, Inspection, and Fees
- 11.06.110.120 Enforcement
- 11.06.120130 Appeals

11.06.010 Purpose.

The City Council finds that this chapter is necessary ~~in order~~ to promote ~~the~~ public health, safety and welfare ~~by providing for through~~ the comprehensive management of surface and stormwater~~s~~, erosion control, and flooding. The Council also finds that this chapter is necessary ~~in order~~ to ~~minimize-prevent~~ water quality degradation; to prevent flood damage, siltation and habitat destruction in the City's creeks, streams and other water bodies; to protect property owners adjacent to developing land from increased runoff rates which could cause stream erosion and damage to public and private property; to promote sound development and redevelopment policies which respect and preserve the City's watercourses and aquatic habitat; to ~~promote-low impact development strategies that~~ reduce~~s~~ ~~impervioushard~~ surface and stormwater runoff; to ensure the safety of City streets and rights-of-way; and to ~~prevent water quality degradation and~~ promote ground water recharge through the implementation of ~~comprehensive and~~ thorough permit review, construction inspection, enforcement, and maintenance programs ~~in order to promote the effectiveness of the requirements contained in this chapter.~~ (Ord. xxx, Ord. 808, Sec. 1 (Exh. A), 2009)

11.06.020 Authority

This chapter is enacted pursuant to Chapter 35A.63 RCW (Planning and Zoning in Code Cities), Chapter 36.70A RCW (Growth Management - Planning by Selected Counties and Cities), in compliance with the Federal Clean Water Act (Title 33 United States Code Section 1251 et seq.) and the requirements of the City's National Pollution Discharge Elimination System (NPDES) Phase II permit issued by the Washington State Department of Ecology. Its provisions shall be implemented to accomplish the

purposes of the NPDES program and to protect and preserve public health, safety and general welfare through implementation of the Stormwater Manual.

11.06.02030 Stormwater Management Manual Adopted.

(a.) The ~~2005~~2012 Washington State Department of Ecology's Storm Water Management Manual for Western Washington, as amended ~~in 2014 by Sections 1 through 6 of Appendix 1 of the NPDES Phase II Municipal Stormwater Permit~~, as now or hereafter amended, is hereby adopted as the City's minimum stormwater regulations and as a technical reference manual and is hereinafter referred to as the "Stormwater Manual." (Ord. 985, Ord. 808, Sec. 1 (Exh. A), 2009).

11.06.03040 Stormwater Management Review and Approval Required.

Stormwater management review and approval by the City is required when any development or proposed project meets or exceeds the threshold conditions defined in the Stormwater Manual (e.g., new and replaced impervious hard area, drainage system modifications, redevelopments, etc.) and is subject to a City development permit or approval requirement. (Ord. 808, Sec. 1 (Exh. A), 2009)

11.06.04050 Standards, Definitions, and Requirements.

- (a) Unless otherwise specified in this chapter, all standards, definitions, and requirements shall be in accordance with the City's Engineering Design and Development Standards (EDDS) and the Stormwater Manual.
- (b) Plan and Report Submittal. Stormwater site plans, supporting technical analyses and other required documentation shall conform to the requirements contained in the Stormwater Manual.
- (c) Where to Submit. All stormwater site plans prepared in connection with any of the permits and/or approvals set forth in this chapter shall be submitted to the Departments of Planning and Community Development and of Public Works.
- (d) All plans, drawings and calculations designed to control surface water and subsurface water, submitted to the City, will be prepared by a licensed professional engineer, registered in the State of Washington, or by a person qualified as set forth in the Stormwater Manual, and those plans, drawings and calculations will be stamped showing that engineer's registration, if applicable.
- (e) Interpretation. The provisions of this chapter shall be held to be minimum requirements in their interpretation and application and shall be liberally construed to serve the purposes of this chapter.
- (f) More Strict Standard Applies. When any provision of any other ordinance of the City's regulations conflicts with this chapter, that which provides greater environmental protection shall apply unless otherwise provided for in this chapter.

~~(g) Determining Construction Site Sediment Damage Potential. Any person submitting a stormwater site plan must also determine the construction site sediment damage potential. Qualified personnel must use the rating system described in Appendix 7 of the NPDES Phase II permit to determine the site's potential to discharge sediment. (Ord. 808, Sec. 1 (Exh. A), 2009)~~

11.06.05060 Adjustments and Exceptions.

Adjustments and exceptions to the minimum standards and requirements may be granted as set forth in the Stormwater Manual. (Ord. 808, Sec. 1 (Exh. A), 2009).

11.06.06070 Low Impact Development: Application of Measures.—~~Alternative Standards~~

~~(a) LID is a common stormwater management approach prescribed through the stormwater manual. The intent of LID as a stormwater approach is to mimic a site's predevelopment hydrology by employing design techniques that infiltrate, store, evaporate and detain runoff close to its source. Applicability of methods are determined through a feasibility analysis according to the Stormwater Manual based on existing site conditions and limitations.~~

~~The City allows and encourages low impact development (LID) best management practices (BMPs), as an alternative to conventional stormwater management systems that rely on detention ponds and closed conveyance. Low impact development is intended to manage runoff close to the source of generation and to mimic the predeveloped hydrologic condition of a site.~~

~~(b) Low impact development is accomplished first through implemented by minimizing the impervioushard surface coverage and second by managing runoff through dispersion, infiltration, evapotranspiration, or a combination of these approaches as directed by the Stormwater Manual. Use of LID BMPs may reduce or eliminate the need for conventional detention facilities but does not remove the obligation to comply with the minimum requirements of the Stormwater Manual.~~

~~(c) A variety of Best Management Practices (BMPs) to minimize impervioushard surfaces and to manage stormwater have been developed and tested for use in Western Washington. Common LID techniques address stormwater control through using landscape and site features such as rain gardens, bioretention cells and permeable pavements as directed by the Stormwater Manual. These BMPs and the overall LID approach are described in the LID Technical Guidance Manual for Puget Sound (LID Manual).~~

~~(d) The menu of LID BMPs identified in the LID Manual is accepted by the City for use in stormwater site plans to address the minimum requirements for flow control and runoff treatment in this chapter, subject to the specifications, performance standards, and design criteria in the LID Manual and review and approval under this chapter.~~

~~(e) A covenant or easement shall be recorded with the Snohomish County Auditor's Office for each lot containing or served by bioretention facilities in a form approved by the City Attorney. The covenant shall identify requirements and liability for preservation and maintenance of low impact development~~

~~facilities approved under this chapter and privately held in individual or undivided ownership or intended for public ownership, shall restrict conversion of LID facilities, and shall grant the City access to low impact development facilities on private property to allow inspection, maintenance, and repair. (Ord. 808, Sec. 1 (Exh. A), 2009)~~

11.06.07080 Construction and Maintenance of Stormwater Facilities.

(a) All stormwater facilities required under this chapter shall be constructed and maintained as set forth in the Stormwater Manual and the permits and/or approvals of the City.

(b) Maintenance of Private Stormwater Facilities.

(1) The person or persons holding title to the property and the applicant required to construct a stormwater facility shall remain responsible for the facility's continual performance, operation, and maintenance in accordance with the standards and requirements of the Stormwater Manual, this chapter, and the permits and/or approvals of the City and shall remain responsible for any liability as a result of these duties. This requirement shall apply to all facilities not otherwise accepted by the City for maintenance as set forth in subsection (c) of this section.

(2) The City shall have authority to periodically enter upon the property and inspect the facilities to ensure such compliance and to issue orders requiring maintenance and/or repair. In event that the titleholders or other responsible parties do not effect such maintenance and/or repairs, the City may perform such work, and the cost thereof shall be recoverable by the City from said titleholders or other responsible parties and/or by filing a lien against the property.

(3) When an inspection identifies an exceedance of the maintenance standard, maintenance shall be performed in accordance with the following schedule:

- Within one year for typical maintenance of facilities, except catch basins.
- Within six months for catch basins.
- Within two years for maintenance that requires capital construction of less than \$25,000.

(c) Maintenance by City of Stormwater Facilities on Single-Family Residential Property.

(1) The City is authorized to assume the total responsibility for all maintenance and repair of stormwater facilities serving single-family residential property if:

- (i) The stormwater facilities have been conveyed to and accepted by the City, at the City's sole discretion, by bill of sale and accompanied by: (a) a warranty of the grantor that the utility lines, facilities and appurtenances are free of debt and were constructed in accordance with City

standards and specifications; and (b) an agreement by the grantor to indemnify and hold the City harmless from any claims or damages arising from defective materials or workmanship;

(ii) If the lines or facilities are on or cross private property, the grantor shall have conveyed to the City the required easements for constructing, repairing, maintaining, altering, changing, controlling and operating the lines or facilities in perpetuity;

(iii) The bonding and insurance requirements of Section [11.06.080](#) have been fully complied with;

(iv) The facilities have been inspected and approved by the City;

(v) The City Council has adopted an increase in the stormwater user's fee for the single-family residential property being served by the stormwater facilities, which fee increase shall cover the City's cost of maintaining and repairing the facilities; and

(vi) All other requirements of this chapter have been fully complied with.

(2) The City is authorized to assume the partial responsibility for only normal and routine maintenance of stormwater facilities serving single-family residential property if:

(i) The City and the titleholders or other responsible parties of the property have entered into an agreement in which the titleholders or other responsible parties: (a) indemnify and hold the City harmless from any claims or damages arising from the City's acts or omissions related to maintenance of the facilities; (b) give the City access rights to maintain the facilities; and (c) agree to remain responsible for all maintenance and repair of the facilities;

(ii) The bonding and insurance requirements of Section [11.06.080](#) have been fully complied with;

(iii) The facilities have been inspected and approved by the City;

(iv) The City Council has adopted an increase in the stormwater user's fee for the single-family residential property being served by the stormwater facilities, which fee increase shall cover the City's cost of maintaining the facilities; and

(v) All other requirements of this chapter have been fully complied with.

All major structural and nonstructural repairs beyond the scope of "normal and routine maintenance" shall remain the responsibility of the titleholders or responsible parties. (Ord. 808, Sec. 1 (Exh. A), 2009)

~~11.06.080~~ 11.06.090 Bonding and Insurance for Stormwater Facilities.

(a) The City may require all persons constructing stormwater facilities under this chapter to post with the City cash or surety bonds to cover the cost of defects in materials, workmanship, and installation and also to correct

maintenance deficiencies during the initial two-year maintenance period following satisfactory completion of the facilities. Posting of such bonds shall be consistent with the City's policy for security deposits and subject to review by the City Attorney.

(b) The person constructing the stormwater facility and/or the property owner shall maintain a liability policy during the construction period and the initial two-year maintenance period or until the point in time if and when the City assumes maintenance responsibilities, with limits no less than \$1,000,000 combined single limit per occurrence and \$2,000,000 aggregate for personal injury, bodily injury and property damage, and with the City named as an additional insured. A copy of the endorsement naming the City as additional insured shall be attached to the certificate of insurance, which shall be provided to the City prior to commencement of the work. (Ord. 808, Sec. 1 (Exh. A), 2009)

11.06.090100 Prohibited, Allowable, and Conditional Discharges and Connections.

(a) Definitions. The following definitions shall be applicable to this section:

(1) "AKART" means all known, available, and reasonable methods of prevention, control, and treatment. See also the State Water Pollution Control Act, RCW [90.48.010](#) and [90.48.520](#).

(2) "Best management practices (BMPs)" means schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and structural or managerial practices to prevent or reduce the discharge of pollutants directly or indirectly to storm water, receiving waters, or storm water conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

~~(23)~~ "Ground water" means water in a saturated zone or stratum beneath the surface of the land or below a surface water body.

~~(34)~~ "Hazardous materials" means any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

~~(45)~~ "Hyperchlorinated" means water that contains more than 10 mg/liter chlorine.

~~(56)~~ "Illicit discharge" means any direct or indirect nonstormwater discharge to the City's storm drain system, except as expressly exempted by this chapter.

~~(67)~~ "Illicit connection" means any man-made conveyance that is connected to a municipal separate storm sewer without a permit, excluding roof drains and other similar type connections. Examples

include sanitary sewer connections, floor drains, channels, pipelines, conduits, inlets, or outlets that are connected directly to the municipal separate storm sewer system.

(78) "Municipal separate storm sewer system (MS4)" means a conveyance or system of conveyances, including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains, which are:

- (i) Owned or operated by the City of Lake Stevens;
- (ii) Designed or used for collecting or conveying stormwater;
- (iii) Not part of a publicly owned treatment works (POTW) ("POTW" means any device or system used in treatment of municipal sewage or industrial wastes of a liquid nature which is publicly owned); and
- (iv) Not a combined sewer ("combined sewer" means a system that collects sanitary sewage and stormwater in a single sewer system).

(89) "National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit" means a permit issued by the Environmental Protection Agency (EPA) (or by the Washington Department of Ecology under authority delegated pursuant to 33 USC Section 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

(910) "Nonstormwater discharge" means any discharge to the storm drain system that is not composed entirely of stormwater.

(101) "Person" means any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner of a premises or as the owner's agent.

(142) "Pollution" means any pollutants which cause or contribute to adverse ecological effects or degradation. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; nonhazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

(123) "Storm" or "stormwater drainage system" means publicly owned facilities, including the City's municipal separate storm sewer system, by which stormwater is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm

drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

(134) "Stormwater" means runoff during and following precipitation and snowmelt events, including surface runoff and drainage.

(145) "Stormwater pollution prevention plan (SWPPP)" means a document which describes the best management practices and activities to be implemented by a person to identify sources of pollution or contamination at a premises and the actions to eliminate or reduce pollutant discharges to stormwater, stormwater conveyance systems, and/or receiving waters to the maximum extent practicable.

(b) Prohibited Discharges.

(1) No person shall throw, drain, or otherwise discharge, cause or allow others under his/her control to throw, drain or otherwise discharge into the municipal storm drain system any materials other than stormwater.

(2) Examples of prohibited contaminants include but are not limited to the following:

- (i) Trash or debris.
- (ii) Construction materials.
- (iii) Petroleum products including but not limited to oil, gasoline, grease, fuel oil and heating oil.
- (iv) Antifreeze and other automotive products.
- (v) Metals in either particulate or dissolved form.
- (vi) Flammable or explosive materials.
- (vii) Radioactive material.
- (viii) Batteries.
- (ix) Acids, alkalis, or bases.
- (x) Paints, stains, resins, lacquers, or varnishes.
- (xi) Degreasers and/or solvents.
- (xii) Drain cleaners.

- (xiii) Pesticides, herbicides, or fertilizers.
- (xiv) Steam cleaning wastes.
- (xv) Soaps, detergents, or ammonia.
- (xvi) Swimming pool cleaning wastewater or filter backwash.
- (xvii) Chlorine, bromine, or other disinfectants.
- (xviii) Heated water.
- (xix) Domestic animal wastes.
- (xx) Sewage.
- (xxi) Recreational vehicle waste.
- (xxii) Animal carcasses.
- (xxiii) Food wastes.
- (xxiv) Bark and other fibrous materials.
- (xxv) Lawn clippings, leaves, or branches.
- (xxvi) Silt, sediment, concrete, cement or gravel.
- (xxvii) Dyes. Unless approved by the City.
- (xxviii) Chemicals not normally found in uncontaminated water.
- (xix) Any other process-associated discharge except as otherwise allowed in this section.
- (xxx) Any hazardous material or waste not listed above.

(c) Allowable Discharges. The following types of discharges shall not be considered illegal discharges for the purposes of this chapter unless the City determines that the type of discharge, whether singly or in combination with others, is causing or is likely to cause pollution of surface water or ground water:

- (1) Diverted stream flows.
- (2) Rising ground waters.

- (3) Uncontaminated ground water infiltration - as defined in 40 CFR 35.2005(20).
 - (4) Uncontaminated pumped ground water.
 - (5) Foundation drains.
 - (6) Air conditioning condensation.
 - (7) Irrigation water from agricultural sources that is commingled with urban stormwater.
 - (8) Springs.
 - (9) Water from crawl space pumps.
 - (10) Footing drains.
 - (11) Flows from riparian habitats and wetlands.
 - (12) Discharges from emergency fire fighting activities.
- (d) Conditional Discharges. The following types of discharges shall not be considered illegal discharges for the purposes of this chapter, if they meet the stated conditions, or unless the City determines that the type of discharge, whether singly or in combination with others, is causing or is likely to cause pollution of surface water or ground water:
- (1) Potable water, including water from water line flushing, hyperchlorinated water line flushing, fire hydrant system flushing, and pipeline hydrostatic test water. These planned discharges shall be de-chlorinated to a concentration of 0.1 ppm or less, pH-adjusted if necessary and in volumes and velocities controlled to prevent re-suspension of sediments in the stormwater system. Discharges shall be thermally controlled to prevent an increase in temperature of the receiving water. Swimming pool cleaning waste water and filter backwash shall not be discharged to the storm water system.
 - (2) Lawn watering and other irrigation runoff.
 - (3) De-chlorinated swimming pool discharges. These discharges shall be de-chlorinated to a concentration of 0.1 ppm or less, pH-adjusted and reoxygenized if necessary, volumetrically and velocity controlled to prevent re-suspension of sediments in the stormwater system.
 - (4) Street and sidewalk wash water, water used to control dust, and routine external building wash down that does not use detergents. These discharges shall be permitted, if the amount of street wash and dust control water used is minimized. At active construction sites, street sweeping must be performed prior to washing the street.

(5) Nonstormwater discharges covered by another NPDES permit. These discharges shall be in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations.

(6) Other nonstormwater discharges. These discharges shall be in compliance with the requirements of a stormwater pollution prevention plan (SWPPP) reviewed and approved by the City, which addresses control of such discharges by applying AKART to prevent contaminants from entering surface or ground water.

(e) Prohibited Connections.

(1) The construction, use, maintenance, or continued existence of illicit connections to the stormwater system is prohibited.

(2) This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

(3) A person is considered to be in violation of this section, if the person connects a line conveying sewage to the MS4 or allows such a connection to continue. (Ord. 808, Sec. 1 (Exh. A), 2009)

11.06.100110 Administration, Inspection, and Fees.

(a) Administration.

(1) This chapter shall be primarily administered by the Director of Public Works or a designee, hereafter referred to as the Director, with the cooperation and assistance of the Department of Planning and Community Development. The Director of Public Works and the Director of Planning and Community Development shall have the authority to develop and implement administrative procedures to administer and enforce this chapter.

(2) The Director may approve, conditionally approve, or deny activities regulated by this chapter.

(b) Inspections.

(1) The Director or their designee is authorized to gain access to private property as provided by law and in this chapter, make such inspections of stormwater facilities, and take such actions as may be required to enforce the provisions of this chapter.

(2) Inspection prior to clearing and construction will apply to sites with a high potential for sediment damage, as identified by the applicant during civil review based on definitions and requirements of Appendix 7 of the Western Washington Phase II Municipal Stormwater Permit.

(3) Whenever necessary to make an inspection to enforce any of the provisions of this chapter, monitor for proper function of stormwater facilities, or whenever the Director or their designee has reasonable cause to believe that violations of this chapter are present or operating on a subject property or portion thereof, the Director or a designee may enter such premises at all reasonable times to inspect the same or perform any duty imposed upon the Director or their designee by this chapter; provided, that if such premises or portion thereof is occupied, the Director shall first make a reasonable effort to locate the owner or other person having charge or control of the premises or portion thereof and request entry. If after reasonable effort, the Director or their designee inspector is unable to locate the owner or other person having charge or control of the premises or portion thereof and has reason to believe an imminent hazard exists, the inspector may enter.

(4) Property owners shall provide proper ingress and egress to any stormwater facility to the Director or a designee to inspect, monitor or perform any duty imposed upon the Director or their designee by this chapter. The Director or their designee shall notify the responsible party in writing of failure to comply with this access requirement. Failing to obtain a response within seven days from the receipt of notification, the Director or their designee may order the work required completed or otherwise address the cause of improper access. The obligation for the payment of all costs that may be incurred or expended by the City in causing such work to be done shall thereby be imposed on the person holding title to the subject property and/or imposed against the subject property by filing a lien.

(c) Fees. Fees for all reviews, inspections, permits and/or approvals, and appeals, which are set forth in this chapter, shall be set by resolution of the City Council. (Ord. 808, Sec. 1 (Exh. A), 2009)

11.06.140120 Enforcement.

(a) Violations of this chapter shall be enforced pursuant to Title 17 of the Lake Stevens Municipal Code.

(b) Violations of this chapter shall either be (1) a misdemeanor subject to a jail term of not more than one year, a fine of not more than \$1,000, or both such fine and imprisonment, or (2) a civil violation subject to a monetary penalty of \$500.00 for each violation per day or portion thereof. (Ord. 808, Sec. 1 (Exh. A), 2009)

11.06.120130 Appeals.

The decisions of the Director may be appealed by an aggrieved ~~party to the Hearing Examiner by filing written notice of appeal, including an appeal fee as set by resolution of the City Council, with the City Clerk within 10 days of notice of the Director's decision, pursuant to the requirements of Section 14.16A.265.~~ (Ord. 808, Sec. 1 (Exh. A), 2009)