



Planning Commission  
Meeting:

First Wednesday of  
every Month @ 7:00pm

Planning & Community  
Development  
Department

1812 Main Street  
Lake Stevens, WA  
98258 (425) 622-9430

[www.lakestevenswa.gov](http://www.lakestevenswa.gov)

Municipal Code

Available online:

[www.codepublishing.  
com/WA/LakeStevens/](http://www.codepublishing.com/WA/LakeStevens/)

## PLANNING COMMISSION AGENDA

Regular Meeting Date: 04/03/2019

New meeting location: Lake Stevens School District Educational Service Center  
12309 22<sup>nd</sup> St NE, Room B

- **CALL TO ORDER:** 7:00pm  
Pledge of Allegiance
- **ROLL CALL**
- **GUEST BUSINESS**
- **ACTION ITEMS**
  1. Approve minutes from 3/6/19

### DISCUSSION ITEMS

1. Briefing-Buildable Lands Analysis Planner Dillon Roth
2. Briefing-Code Amendment Streets and Sidewalks Planner Dillon Roth
3. Briefing-Land Use Designation for UGA Planner Dillon Roth

- **COMMISSIONER REPORTS**
- **PLANNING DIRECTOR'S REPORT**
- **ADJOURN**

### SPECIAL NEEDS

*The City of Lake Stevens strives to provide accessible opportunities for individuals with disabilities. Please contact City of Lake Stevens ADA Coordinator, at (425) 622-9419 at least five business days prior to any City meeting or event if any accommodations are needed. For TDD users, please use the state's toll-free relay service.*

**PLANNING COMMISSION REGULAR MEETING MINUTES**

Community Center  
1808 Main Street, Lake Stevens  
Wednesday, March 6, 2019

CALL TO ORDER: 7:07 pm by Chair Janice Huxford

MEMBERS PRESENT: Janice Huxford, Jennifer Davis, Linda Hoult, Vicki Oslund, Steve Ewing and John Cronin

MEMBERS ABSENT: Tracey Trout

STAFF PRESENT: Community Development Director Russ Wright and Assistant Planner Sabrina Gassaway and Clerk Jennie Fenrich

OTHERS PRESENT: Councilmember McDaniel

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**Excused Absence:** Commissioner Hoult made a motion and Commissioner Ewing seconded to excuse Commissioner Trout for her absence. Motion approved 6-0-0-1.

**Guest business:** None

**Action Items:**

1. Commissioner Hoult made a motion Commissioner Cronin seconded to approve the minutes for 2/6/19. Approved 6-0-0-1
2. Commissioner Hoult made a motion and Commissioner Ewing to approve the 2/20/19 minutes 6-0-0-1.

**Discussion Items:** Community Development Director Russ Wright introduced a Land Use Code Amendment that will define requirements for revised zoning districts and potential application in future annexation areas. Sabrina Gassaway was introduced to the Planning Commission and led a Visual Preference Survey where the Commission was asked to rate different styles of housing on personal preference. The survey results will be shared at the next meeting. Chair Huxford asked that a representative from the newly annexed area be included on the Advisory Committee consisting of interested citizens and industry constituents to research and brainstorm the new zone.

**Commissioner Reports:** Commissioner Ewing would like to thank Public Works for all the road maintenance and clean up after the snow. Commissioner Hoult asked if there has been a replacement named to take Mayor Spencer's position on Snohomish County Tomorrow after his term is up. She also reported that \$650,000 has been dispersed for homeless through local grants. Chair Huxford reports theft on Hartford has increased and her property has been damaged.

**Planning Director Report:** none

**Adjourn.** Motion to adjourn by Commissioner Hoult, seconded by Commissioner Davis. Motion carried 6-0-0-1. Meeting adjourned 8:25 pm.

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Janice Huxford, Chair

Jennie Fenrich, Clerk, Planning & Community Development



Staff Report  
City of Lake Stevens Planning Commission

Planning Commission Briefing  
Date: **April 3, 2019**

**SUBJECTS:** Buildable Lands Analysis for the City of Lake Stevens

**CONTACT PERSON/DEPARTMENT:** Dillon Roth, *Planner*

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**SUMMARY:** New information on the remaining capacity in the city to accommodate future growth

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**ACTION REQUESTED OF PLANNING COMMISSION:** Review and discuss report.

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***Purpose of Land Analysis***

The city worked with a land development firm, LDC Inc, to understand residential and employment growth in the city and urban growth area (UGA) since the last major comprehensive plan update in 2015. The city sought to answer two basic questions: how much growth has the city accommodated since 2015 and how much development capacity remains to accommodate future growth?

***Methodology***

A Countywide buildable lands report is generated once every eight years, as required by the Growth Management Act. The last report for Snohomish County was completed in 2012. LDC used data from the 2012 report as a baseline for estimating the current amount of remaining capacity. In their capacity analysis, LDC removed land that has been developed since 2012, removed land designated as a critical area, removed 5% of land as a miscellaneous reduction to account for future increases of regulations, and removed 15% of land as a market availability reduction to account for land to be dedicated as stormwater facilities or roads upon development. The remaining land after reductions was considered buildable land.

***Results from Buildable Lands Analysis***

The city has approved more than 2,500 housing units through at least the preliminary approval stages since 2015. It is important to note that many of these housing units have not been built, only approved, and may take 1-2 years to build and be occupied. However, the amount of housing units approved means the city and the UGA have already accommodated 70% of the adopted 2035 growth target.

There is sufficient buildable land in the city and UGA to accommodate more than 5,400 additional residents in more than 1,800 homes; a capacity surplus of 2,211 residents beyond the 2035 target. There is also sufficient buildable land in the city and UGA to accommodate more than 2,800 jobs; a capacity surplus of 213 jobs beyond the 2035 target.

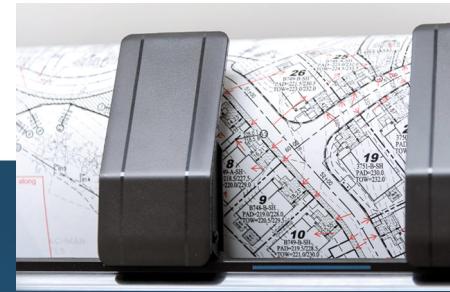
**ATTACHED:**

- 1) DRAFT Buildable Lands Report

# Buildable Land in the Lake Stevens Urban Growth Area

**\*DRAFT REPORT\***

Submitted by  
LDC, Inc.



15<sup>th</sup> ANNIVERSARY  
**LDC** | Surveying  
Engineering  
Planning

Draft Report  
Lake Stevens, WA

March 6, 2019

## SUBMITTED TO:

City of Lake Stevens  
Planning & Community Development  
1812 Main Street  
Lake Stevens, WA 98258  
Attn: Russell Wright, Community Development Director  
[rwright@lakestevenswa.gov](mailto:rwright@lakestevenswa.gov)

[www.LDCcorp.com](http://www.LDCcorp.com)

HQ: 20210 142nd Ave NE, Woodinville, WA 98072

KENT: 1851 Central Place South, Suite 101, Kent, WA 98030

**Study Purpose:** The City of Lake Stevens seeks an understanding of how much of its adopted 2015-2035 population projections and employment targets has been accommodated in the City of Lake Stevens and its unincorporated Urban Growth Area (UGA) since the Comprehensive Plan was last updated in 2015.

Planning staff at LDC, Inc., in coordination with Lake Stevens Community Development Director Russ Wright and Associate Planner Dillon Roth, have produced a geographic information system (GIS) analysis and this accompanying report to summarize and synthesize population and employment growth that has taken place from 2015 through 2018 and remaining land capacity within the UGA.

## Executive Summary

### Summary Findings

- **The City of Lake Stevens and the unincorporated UGA together have accommodated approximately 70 percent of the adopted 2035 growth target between 2015 and the end of 2018**
- **There is sufficient buildable land in the city and UGA to accommodate more than 5,400 additional residents in more than 1,800 homes (capacity surplus beyond 2035 target of 2,211 residents)**
- **There is sufficient buildable land in the city and UGA to accommodate more than 2,800 jobs (capacity surplus beyond 2035 target of 213 jobs)**

The Lake Stevens area has experienced rapid population growth in recent years. In 2015, the city updated its Comprehensive Plan and adopted population and employment targets out to the year 2035. Snohomish County adopted 2035 population and employment targets for the unincorporated UGA in 2015 as well. As Table 1 below demonstrates, when the targets were adopted in 2015, nearly **11,000 additional residents** were projected within the city and unincorporated UGA by 2035. This includes 9,440 new residents in the city and 1,522 in the unincorporated UGA.

<b>Table 1: Population Estimates &amp; Targets, 2015-2035</b>			
	<i>2015 Population Estimates<sup>2</sup></i>	<i>2035 Population Targets<sup>1</sup></i>	<i>Target Population Growth</i>
Lake Stevens Area Total	35,418	46,380	10,962
Lake Stevens City	29,900	39,340	9,440
Unincorporated UGA	5,518	7,040	1,522

<sup>1</sup> Source: 2015 Snohomish County Land Capacity Analysis

<sup>2</sup> Source: Snohomish Co. Tomorrow 2016 Growth Monitoring Report

## Recent Residential Development

From 2015 through the end of 2018, the city has approved more than 2,500 housing units through at least the preliminary approval stage<sup>1</sup>. This equates to 79 percent of the city's 2035 growth target. Within the unincorporated UGA, 67 housing units have been approved since 2015, accounting for around 13 percent of the target population growth for that area. ***Altogether, the City of Lake Stevens and the unincorporated UGA have accommodated approximately 70 percent of the adopted 2035 growth target as of the end of 2018.***

## Residential Land Capacity Summary

At the same time, through an analysis of the Lake Stevens area's buildable land inventory, we calculate that ***there remains sufficient buildable land – vacant or redevelopable – in the City of Lake Stevens and its UGA to accommodate more than 5,400 additional residents (more than 1,800 homes)***. Two-thirds of this supply, or around 227 acres, is located within the City of Lake Stevens, with the remaining third – around 112 acres – within the unincorporated UGA. As a result, the total area has a **capacity surplus beyond the 2035 growth target of 2,211 residents** in its residential zones<sup>2</sup>.

## Employment Targets and Capacity

In 2011, when the Buildable Lands Report was compiled, the City of Lake Stevens and UGA together were home to 4,003 jobs. Between 2011 and 2017, the most recent year for which data is available, the area added 1,217 jobs, mostly within the City of Lake Stevens. The employment targets adopted in the 2015 Comprehensive Plan (and delineated in Snohomish County's Land Capacity Analysis in 2015) point to a total employment target of 7,821 jobs in the year 2035. Based on the most current available data, 2,601 additional jobs are targeted by 2035.

**Table 2: Employment Estimates & Targets, 2011-2035**

	2011 Employment Estimates <sup>2</sup>	2015 Employment Estimates <sup>2</sup>	2017 Employment Estimates <sup>2</sup>	2035 Employment Targets <sup>1</sup>	Target Employment Growth, 2015-2035	Remaining Employment Growth, 2018- 2035
Lake Stevens UGA	4,003	4,787	5,220	7,821	3,034	2,601
City of Lake Stevens	3,932	4,585	5,051	7,412	2,827	2,361
Unincorporated	71	202	169	409	207	240

<sup>1</sup> Source: 2015 Snohomish County Land Capacity Analysis

<sup>2</sup> Source: Data from 2017 Snohomish County Growth Monitoring Report (draft phase, not final)

Using ratios of jobs per acre by zone described in the Land Use chapter of the Lake Stevens Comprehensive Plan, we calculate that roughly 140 acres of buildable commercial and industrial land and 67 acres of publicly owned (vacant and redevelopable) land remains in the City of Lake Stevens and unincorporated UGA with an employment capacity of around 2,814. ***This means there is a surplus of***

<sup>1</sup> "Preliminary approval" means residential developments that have at least preliminary plat approval. Much of this capacity will not actually be realized for 1-2 years due to the time and resources required to get a project from preliminary approval through construction, final plat, and full build out.

<sup>2</sup> This surplus capacity addresses only vacant and redevelopable residential land. Due to uncertainties in assessing the true capacity of partially utilized land, these data were left out of the summary. See assumption #6 on page 17.

**213 jobs between the estimated capacity of buildable commercial and industrial land and the targeted employment in 2035.** See the employment methodology on page 6 for a description of how this calculation was made. A more thorough market study and parcel by parcel analysis would be necessary to get a more accurate picture of projected employment growth in the UGA, particularly for land zoned industrial.

### Remaining Residential Land Capacity

The following tables display remaining developable land and capacity for residential development.

<b>Table 3: Vacant Developable Residential Land</b>					
Unincorporated UGA			City of Lake Stevens		
<b>Zoning</b>	<b>Acres</b>	<b>People</b>	<b>Zoning</b>	<b>Acres</b>	<b>People</b>
R-7,200	36.0	511	HUR	7.5	213
R-9,600	7.8	83	MFR	2.5	71
R-20,000	0	0	SR	15.0	426
R-5	0	0	UR	46.7	1323
<b>SUBTOTAL</b>	<b>44.0</b>	<b>594</b>	<b>SUBTOTAL</b>	<b>71.7</b>	<b>2034</b>
<b>TOTAL, LAKE STEVENS UGA</b>		<b>115.7 ACRES</b>	<b>2628 RESIDENTS</b>		

<b>Table 4: Redevelopable Residential Land</b>					
Unincorporated UGA			City of Lake Stevens		
<b>Zoning</b>	<b>Acres</b>	<b>People</b>	<b>Zoning</b>	<b>Acres</b>	<b>People</b>
R-7,200	59.2	682	HUR	24.2	558
R-9,600	8.8	76	SR	28.5	246
R-20,000	0	0	UR	81.2	898
R-5	4.6	0	WR	12.1	105
			MFR	9.6	265
<b>SUBTOTAL</b>	<b>68.0</b>	<b>758</b>	<b>SUBTOTAL</b>	<b>155.6</b>	<b>2072</b>
<b>TOTAL, LAKE STEVENS UGA</b>		<b>223.6 ACRES</b>	<b>2830 RESIDENTS</b>		

*\*Note: Capacity for population was derived from acres by multiplying Lake Stevens' average household size of 2.93 by the buildable acres after applying deductions for public facilities and applying market factors. See methodology on page 6 and assumptions on page 16.*

**Table 5: Commercial Land Capacity**

	<b>Area</b>	<b>Acres</b>	<b>Employees</b>
Redevelopable	City	7.53	135
	Unincorporated UGA	0.09	1
	Total Redevelopable	7.62	136
Vacant	City	26.48	788
	Unincorporated UGA	4.62	56
	Total Vacant	31.1	844
<b>TOTAL</b>	<b>UGA Total</b>	<b>44.88</b>	<b>1047</b>

**Table 6: Industrial Land Capacity**

	<b>Area</b>	<b>Acres</b>	<b>Employees</b>
Redevelopable	City	41.9	749
	Unincorporated UGA	5.93	69
	Total Redevelopable	47.83	818
Vacant	City	18.78	559
	Unincorporated UGA	3.94	48
	Total Vacant	22.72	607
<b>TOTAL</b>	<b>UGA Total</b>	<b>93.98</b>	<b>1700</b>

*\*Note: Employees per Buildable Acre were calculated using the derived ratios for commercial and industrial land uses of jobs per acre in the 2015 City of Lake Stevens Comprehensive Plan.*

## Report Details and Methodology

### Data Sources

To conduct this analysis, LDC staff used tax parcel polygon and centroid geospatial and tabular data from Snohomish County. The 2012 Buildable Lands Report from Snohomish County, the 2015 Land Capacity Analysis, the 2016 and (draft) 2017 Growth Monitoring Reports, the Critical Areas Ordinance staff report from the City of Lake Stevens planning staff, and the 2015 Lake Stevens Comprehensive Plan informed our approach and defined our analysis and assumptions. We also used buildable land shapefiles from Snohomish County and the City of Lake Stevens inventories conducted by staff at both jurisdictions. Zoning data were acquired from the Lake Stevens Zoning Map. Critical areas (including wetlands, stream buffers, and steep slopes) came from Snohomish County geospatial data, clipped to the entire Lake Stevens area. To account for proposed changes to critical areas regulations, staff applied a 110-foot buffer to wetlands. Staff acquired permit data from Snohomish County staff through records requests and detailed inquiries to GIS and planning staff. Records on recent development in the City of Lake Stevens were pulled from the Project Status – Development, October 2018 map provided by city staff.

To calculate employment density (number of jobs per buildable acre), we derived ratios per zone from the City of Lake Stevens Comprehensive Plan Land Use Element from 2015.

## Map Index

The following maps were created to display the inventory and capacity of buildable land in the Lake Stevens area and are located in the later pages of this report.

- Map 1 (Page 11) – City of Lake Stevens & Unincorporated UGA Evaluated Area. This map shows the total “universe” of land addressed in this study for the purpose of calculating land capacity for residential and employment growth.
- Map 2 (Page 12) – Critical Areas and Buffers. This map shows the combined wetlands, steep slopes, and streams and their buffers as defined by Snohomish County that were used to remove unbuildable land from the residential and employment tax parcels.
- Map 3 (Page 13) – Lands Within UGA Without Critical Areas. This map shows what is commonly referred to as the “Buildable Lands” within the city of Lake Stevens and the unincorporated UGA.
- Map 4 (Page 14) – Vacant Buildable Land. This map shows buildable land that was vacant in 2011, according to the 2012 Buildable Lands Report, and remains vacant after eight years of development.
- Map 5 (Page 15) – Redevelopable Buildable Land. This map shows buildable land that is a candidate for redevelopment within the plan time horizon (to 2035). See category definitions below for details.
- Map 6 (Page 16) – Partially Used Land. This map shows buildable land that is developed on only a portion of the site and could be subdivided or otherwise further developed. See category definitions below for details.

## Methodology

Lake Stevens city staff provided LDC with its methodology and the source data from its own buildable land and capacity analysis. LDC added to and modified this methodology to account for differences in the data available from Snohomish County.

Data on recent development were considered from the beginning of 2015 through Dec. 31<sup>st</sup> of 2018.

Like the Lake Stevens analysis, this work relied on land status as defined in the most recent Snohomish County Buildable Lands Report (BLR), from 2012. Land that is not already used at its zoned capacity is defined as either **vacant, redevelopment, or partially developed**. We used methodologies consistent with those that created these base assumptions in the 2012 report. Land was counted as available capacity if it was marked as vacant, partially used, or redevelopment in the 2012 data and had not been developed since. In some cases, recent development created new vacant capacity due to land division, which is reflected in our analysis.<sup>3</sup>

### A. Category Definitions

#### a. Vacant Land (See Map 4, Page 13)

Vacant land, in the Buildable Lands Report, is defined as those where the Assessor’s building improvement value is less than \$2,000. LDC used tax parcel geospatial and tabular data to filter out land that had been developed since the 2012 BLR, combined it with critical areas features to

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<sup>3</sup> Individual building permits issued by the City of Lake Stevens for single-family homes on existing lots not subject to a plat or site plan were not counted toward recent development.

delete areas covered by critical areas and their buffers, and then removed land that was categorized as common area, open space, water retention, gas utility, streets, trails, or government property.

b. Redevelopable Land (See Map 5, Page 14)

Land is said to be redevelopable if it is not vacant and is a candidate for potential demolition of existing buildings and replacement with something else within the 20-year planning horizon. For single-family zoned or designated land, this means existing homes (improvement values) of less than \$100,000 and less than 75 percent of the land value. For commercial, industrial, mixed-use, or multi-family land, buildings valued at less than 100 percent of the land value (not including condos or certain commercial uses, like gas stations) are redevelopable.

c. Partially Used (See Map 6, Page 15)<sup>4</sup>

In the 2012 Buildable Lands Report, some land is determined to use only a portion of its site and that use of the rest of the site is possible without demolition. For single-family residential zones, parcels at least twice the zoned lot size are counted as partially used. For multi-family zoned land, the building footprint must be less than 20 percent of the buildable parcel area. (The Lake Stevens UGA does not contain any multi-family zoned land.) For commercial, industrial, and mixed-use zoned land, a floor area ratio of less than 25 percent and an improvement to land value ratio of greater than 100 percent can be considered partially used.

## B. GIS Methodology

The GIS methodology for this study began from the documents provided by the City of Lake Stevens. Our approach relied upon the Buildable Lands Report for the overall structure and modifications to the city's outline. Our approach followed this outline:

- a. Download all parcels, parcel centroids, and zoning data from Snohomish County website
- b. Spatial join all, and clip to the unincorporated UGA area
- c. Select tax status as "A", export data as Parcels of Interest
- d. Merge wetlands with 110 foot buffer and 25-foot steep slope buffer into one Critical Areas file
- e. Select vacant parcels (improvement value less than \$2,000 with vacant use code and "XMPTDESC" = NULL)
- f. Union vacant parcels with critical areas and delete pieces of parcels within critical area buffers
- g. Select redevelopable residential parcels (improvement value less than \$100k and improvement-to-land value ratio of less than 0.75 with "XMPTDESC" = NULL)
- h. Union redevelopable residential parcels with critical areas and delete pieces of parcels within critical area buffers
- i. Select redevelopable commercial and industrial parcels (improvement-to-land value ratio of less than 1, not zoned residential, "XMPTDESC" = NULL)
- j. Union redevelopable commercial and industrial parcels with critical areas and delete pieces of parcels within critical area buffers

<sup>4</sup> See assumptions on page 17 for a more thorough discussion of potential partially utilized land capacity.

- k. Select partially-used residential (residential zoning, lot size at least 2 times the minimum lot size)
- l. Union partially-used residential parcels with critical areas and delete pieces of parcels within critical area buffers
- m. Select partially-used commercial and industrial (BP/HI zoning, footprint-to-lot-size ratio of less than 0.25 and improvement-to-land value ratio of greater than 1)
- n. Union partially-used commercial and industrial parcels with critical areas and delete pieces of parcels within critical area buffers
- o. Summarize acreage of each land status category within each zone and proceed to data analysis

## C. Data Analysis Methodology

### *Residential Capacity*

In the analysis that resulted from the GIS outputs, we applied minimum lot sizes in zoning districts to the buildable acreage in each zone as generated from GIS. When rounded to a whole number, this provides the maximum number of units that could be built on this land. Applying the average Lake Stevens household size of 2.93 persons per household yields the anticipated population capacity of the vacant and redevelopable land within the UGA. Consistent with the 2012 Buildable Lands Report and its guidance on calculating land capacity and accounting for uncertainty, a 5% miscellaneous reduction was applied to the acreage of calculated buildable land to adjust for future increases in stormwater detention requirements, future regional or local stormwater facilities, future rights-of-way for utilities and access, and institutional uses. Additionally, a market availability reduction factor of 15% was applied to vacant residential land and 30% applied to redevelopable land. This helps account for the fact that many of these lands, while technically “buildable”, are not necessarily available for development for a variety of reasons within the planning period.

### *Employment Capacity*

Calculating employment capacity is a challenging task due to the uncertainties surrounding what the job market will look like in the future as well as the square footage or acreage per employee across different employment and industry types. Nevertheless, we used existing data from the Snohomish County buildable lands GIS databases and the GIS methodology outlined above to craft an estimate.

We summarized currently developed commercial and industrial parcels with a land status of “Constant” (meaning not likely to develop or redevelop) that had existing employment estimates in the city’s 2018 buildable land update data. We calculated the employees per acre for each parcel or parcel fragment meeting this definition and then averaged these ratios for three different NAICS categories: manufacturing, services, and retail.

For buildable employment land in the unincorporated UGA, which is zoned either for Business Park or heavy industrial and is either redevelopable or partially used, we used the average employees per buildable acre for manufacturing alone. For buildable employment land in the City of Lake Stevens, we used an “average of averages” to assign a composite employees per acre figure across manufacturing, services, and retail uses to the supply of buildable land within the city.

## Detailed Tables

The tables below show the figures from the 2015 Land Capacity Analysis and 2016 Growth Monitoring Report used to calculate remaining demand outputs of the GIS model and details of the calculations used to estimate capacity.

<b>Table 7: Estimates and Growth Targets for Cities and UGAs (from GPP APPENDIX D, Table 1, Adopted by County Council on June 10, 2015)</b>										
	2011 Population Estimates <sup>1</sup>	2015 Population Estimates <sup>2</sup>	2011-15 Pop Growth	2011 DU Estimates	2015 DU Estimates <sup>2</sup>	2011-15 DU Growth	2011 Employ. Estimates <sup>3</sup>	2035 Population Targets <sup>1</sup>	2035 Housing Targets	2035 Employ. Targets
Lake Stevens UGA	33,218	35,418	2,200	12,281	13,042	761	4,003	46,380	17,311	7,821
Lake Stevens City	28,210	29,900	1,690	10,470	10,908	438	3,932	39,340	14,883	7,412
Unincorporated	5,008	5,518	510	1,811	1,918	107	71	7040	2428	409

<sup>1</sup> Source: 2015 Snohomish County Land Capacity Analysis

<sup>2</sup> Source: Snohomish County Tomorrow 2016 Growth Monitoring Report

<sup>3</sup> Source: 2012 Buildable Land Report (Snohomish Co.)

<b>Table 8: Population, Housing, and Employment Capacity and Surplus Estimates</b>									
	Population Capacity Estimates			Housing Capacity Estimates			Employment Capacity Estimates		
	2035 Total Pop Capacity	Addtl. 2011-35 Pop Capacity	Pop Surplus vs. Shortfall	2035 Total Housing Capacity	Addtl 2011-35 Housing Capacity	Housing Surplus vs. Shortfall	2035 Total Employ. Capacity	Addtl 2011-35 Employ. Capacity	Employ. Surplus vs. Shortfall
Lake Stevens UGA	48,397	15,179	2,017	18,180	5,899	869	7,992	3,989	171
Lake Stevens City	39,340	11,130	0	14,883	4,413	0	7,412	3,480	0
Unincorporated	9,057	4,049	2,017	3,297	1,486	869	580	509	171

<sup>1</sup> Source: 2015 Snohomish County Land Capacity Analysis

The following tables summarize the outputs of the GIS model and associated capacity estimations.

<b>Table 9: Vacant Calculations</b>									
Unincorporated					City of Lake Stevens				
zoning	Calc acres	Adjust acres	Max lots	Max pop	Zoning	Calc acres	Adjust acres	Max lots	Max pop
BP	4.6	3.7			All Comm/Ind	45.3	36.2		
HI	3.9	3.2			HUR	7.5	6.0	73	213
R-7,200	36.0	28.8	174	511	SR	15.0	12.0	145	426
R-9,600	7.8	6.2	28	83	MFR	2.5	2.0	24	71
R-20,000	0.2	0.2	0	1	UR	46.7	37.3	452	1323
RES	44.0	35.2	203	594	RES	71.7	57.4	694	2034
<b>TOTAL</b>	<b>52.6</b>				<b>TOTAL</b>	<b>117</b>			
TOTAL									
Max Lots = [adjust_acres] / ([min lot square footage by zone]/43560)									
Max Pop = [Max Lots] x 2.93 ppl/household									
adjust_acres = calc (acres) X 0.8 (includes 0.05 reduction for miscellaneous public/institutional and 0.15 reduction for market availability factor)									

<b>Table 10: Partially Utilized Calculations</b>									
Unincorporated					City of Lake Stevens				
zoning	Calc acres	Adjust acres	Max lots	Max pop	Zoning	Calc acres	Adjust acres	Max lots	Max pop
BP	1.7	1.1			All Comm/Ind	2.3	1.5		
HI	6.5	4.2			HUR	78.6	51.1	618	1811
R-7,200	306.3	199.1	1204	3429	SR	89.3	58.1	263	772
R-9,600	40.7	26.5	120	352	MFR	3.4	2.2	32	93
R-20,000	31.7	20.6	45	131	UR	244.1	158.7	921	2700
					WR	46.0	29.9	136	397
<b>RES TOTAL</b>	<b>378.6</b>	<b>246.1</b>	<b>1369</b>	<b>4012</b>	<b>RES</b>	<b>461.3</b>	<b>299.9</b>	<b>1970</b>	<b>5773</b>
					<b>TOTAL</b>				
Max Lots = [adjust_acres] / ([min lot square footage by zone]/43560)									
Max Pop = [Max Lots] x 2.93 ppl/household									
adjust_acres = calc (acres) X 0.8 (includes 0.05 reduction for miscellaneous public/institutional and 0.15 reduction for market availability factor)									

<b>Table 11: Redevelopable Calculations</b>									
Unincorporated					City of Lake Stevens				
zoning	Calc acres	Adjust acres	Max lots	Max pop	Zoning	Calc acres	Adjust acres	Max lots	Max pop
BP	0.1	0.06			All Comm/Ind	49.5	32.1		

HI	5.93	3.85			HUR	24.2	15.7	191	558
R-7,200	59.2	38.5	233	682	SR	28.5	18.5	84	246
R-9,600	8.8	5.7	26	76	MFR	9.6	6.2	90	265
					UR	81.2	52.8	307	898
					WR	12.1	7.9	36	105
RES TOTAL	378.6	246.1	1369	4012	RES TOTAL	155.6	101.1	707	2072
TOTAL	74.0				TOTAL	205.0			
Max Lots = [adjust_acres] / ([min lot square footage by zone]/43560)									
Max Pop = [Max Lots] x 2.93 ppl/household									
adjust_acres = calc (acres) X 0.8 (includes 0.05 reduction for miscellaneous public/institutional and 0.15 reduction for market availability factor)									

The following table summarizes the development in the unincorporated UGA that was counted toward recent development and remaining capacity.

**Table 12: Recent Development**

By-Right Residential Construction <sup>1</sup>	9
Lakeview Highlands <sup>2</sup>	16
PRD <sup>3</sup>	42
<b>TOTAL</b>	<b>67</b>

1. Review of Single-Family Residential Building Permits, Snohomish County Active Projects Mapping Tool, retrieved 2/11/2019
2. Lakeview Highlands project, LDC preliminary plat file
3. PRD at 115th Ave SE and 22nd St SE, Historic Parcel Number 29062900202900, AFN 15 100485 PSD/SPA

**Table 13: City Owned Commercial/Industrial Land Capacity**

	<i>Area</i>	<i>Acres</i>	<i>Employees</i>
Redevelopable	City	10.17	10
Partially Utilized	City	0.00	0
Vacant	City	7.71	8
<b>TOTAL</b>	UGA Total	<b>17.88</b>	<b>18</b>

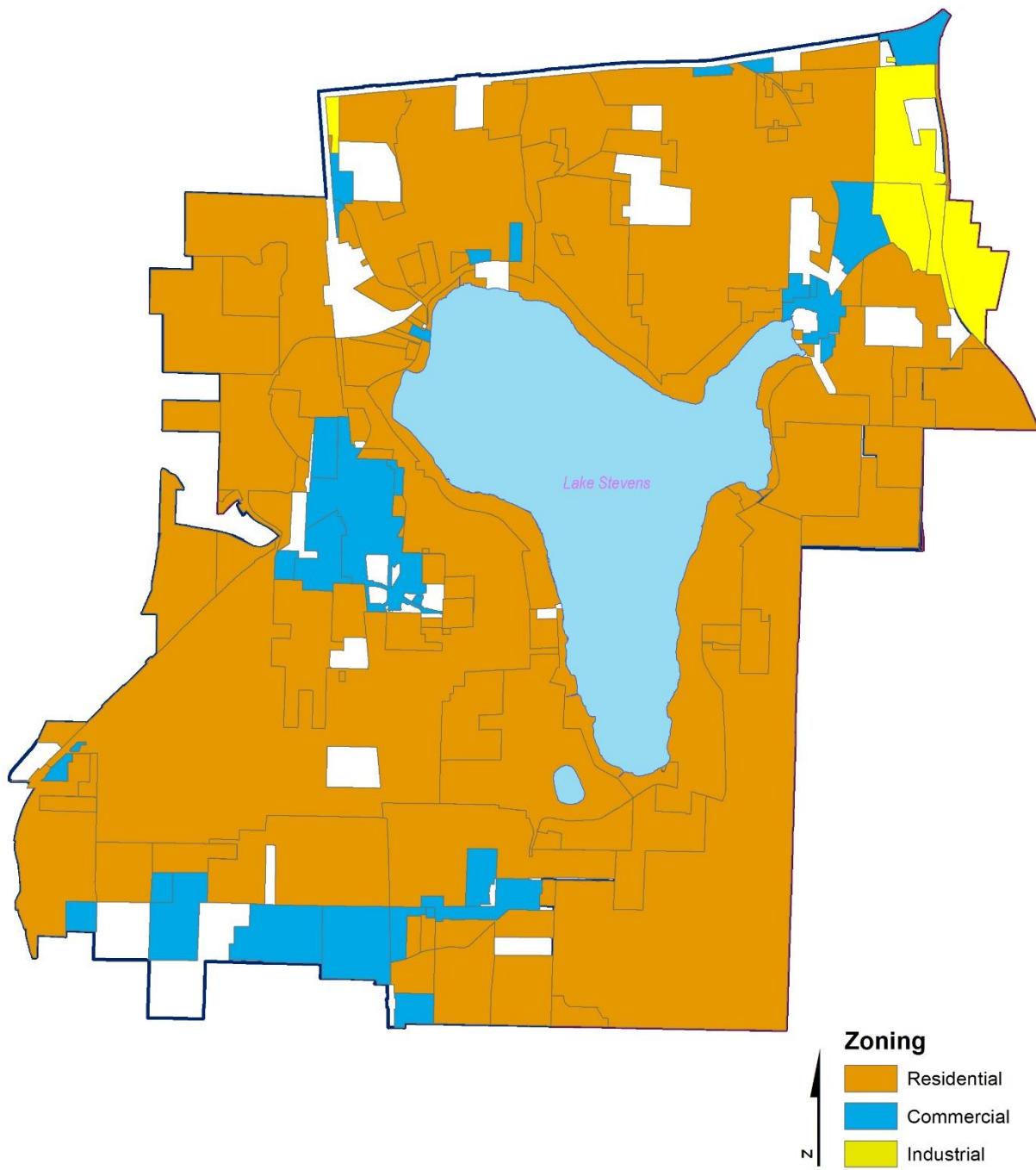
**Table 14: School District Owned Commercial/Industrial Land Capacity**

	<i>Area</i>	<i>Acres</i>	<i>Employees</i>
Redevelopable	City	2.58	3
Partially Utilized	City	0.00	0
Vacant	City	46.70	47
<b>TOTAL</b>	UGA Total	<b>49.28</b>	<b>49</b>

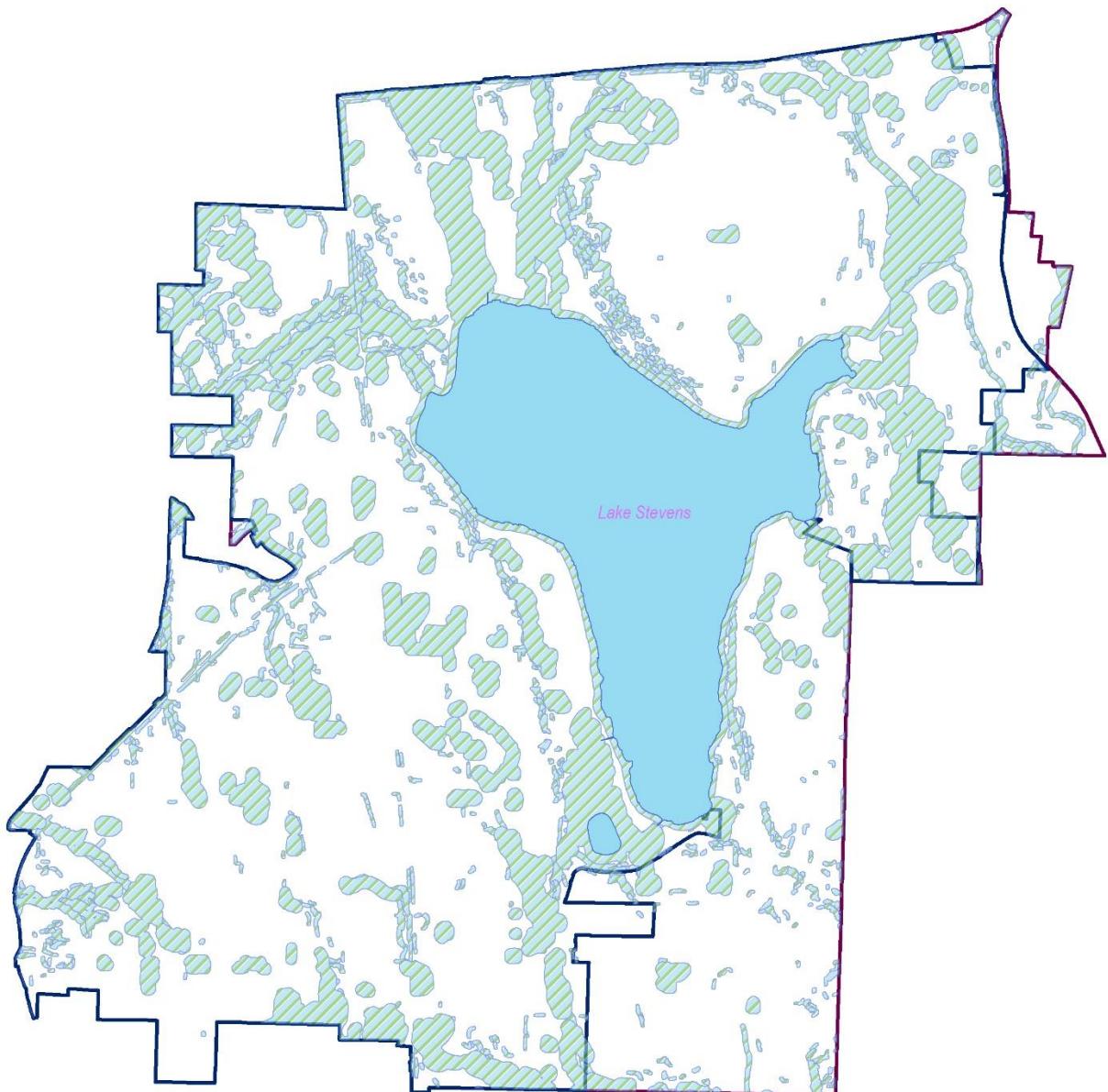
\*Note: Employees per buildable public acre were calculated using the derived ratios for commercial and industrial land uses of jobs per acre in the 2002 City of Lake Stevens UGA buildable lands report.

**Map 1**

### City of Lake Stevens & Unincorporated UGA Evaluated Area

**Map 2**

## City of Lake Stevens & Unincorporated UGA Critical Areas

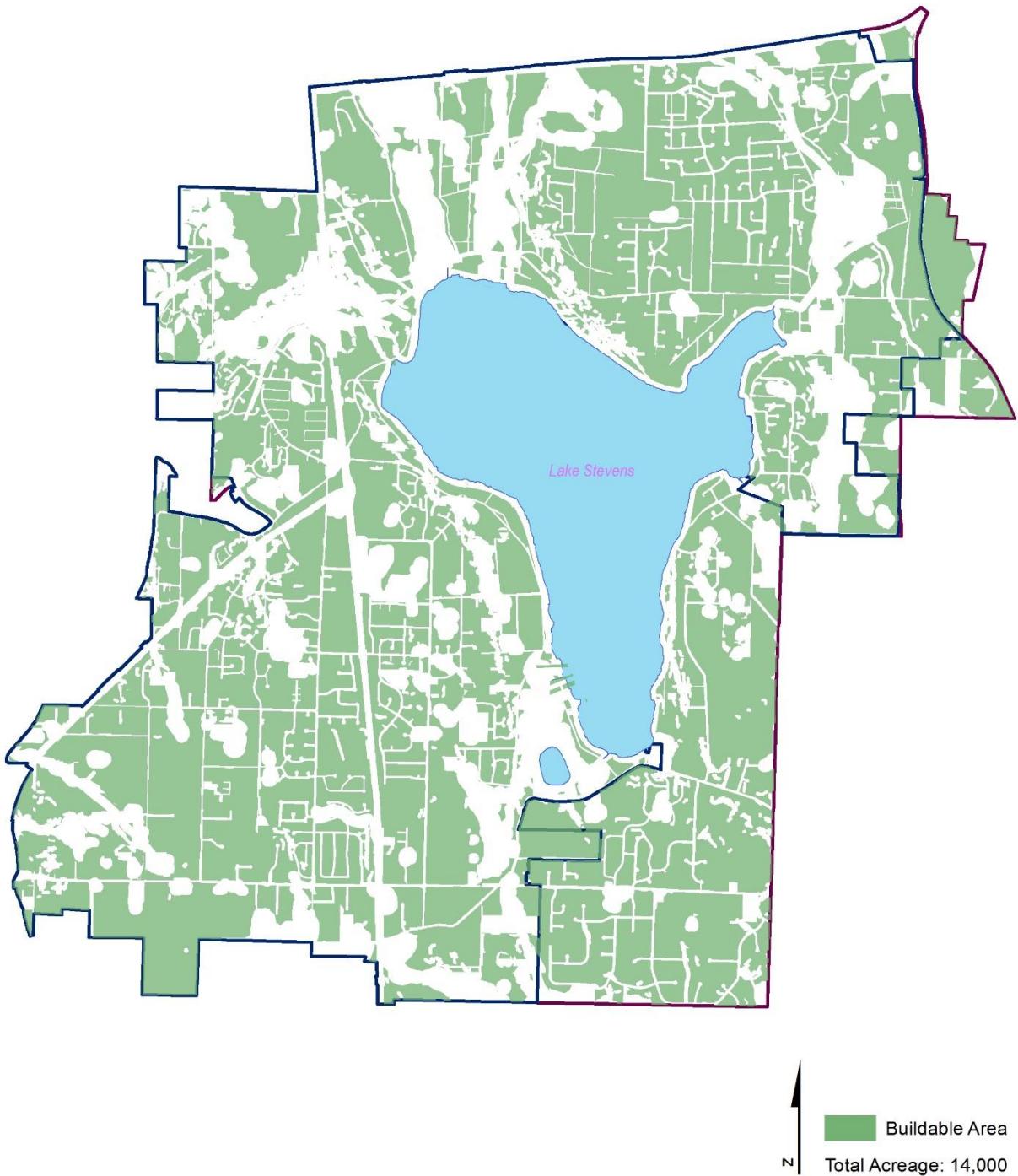


Critical Areas

Total Acreage: 2,727

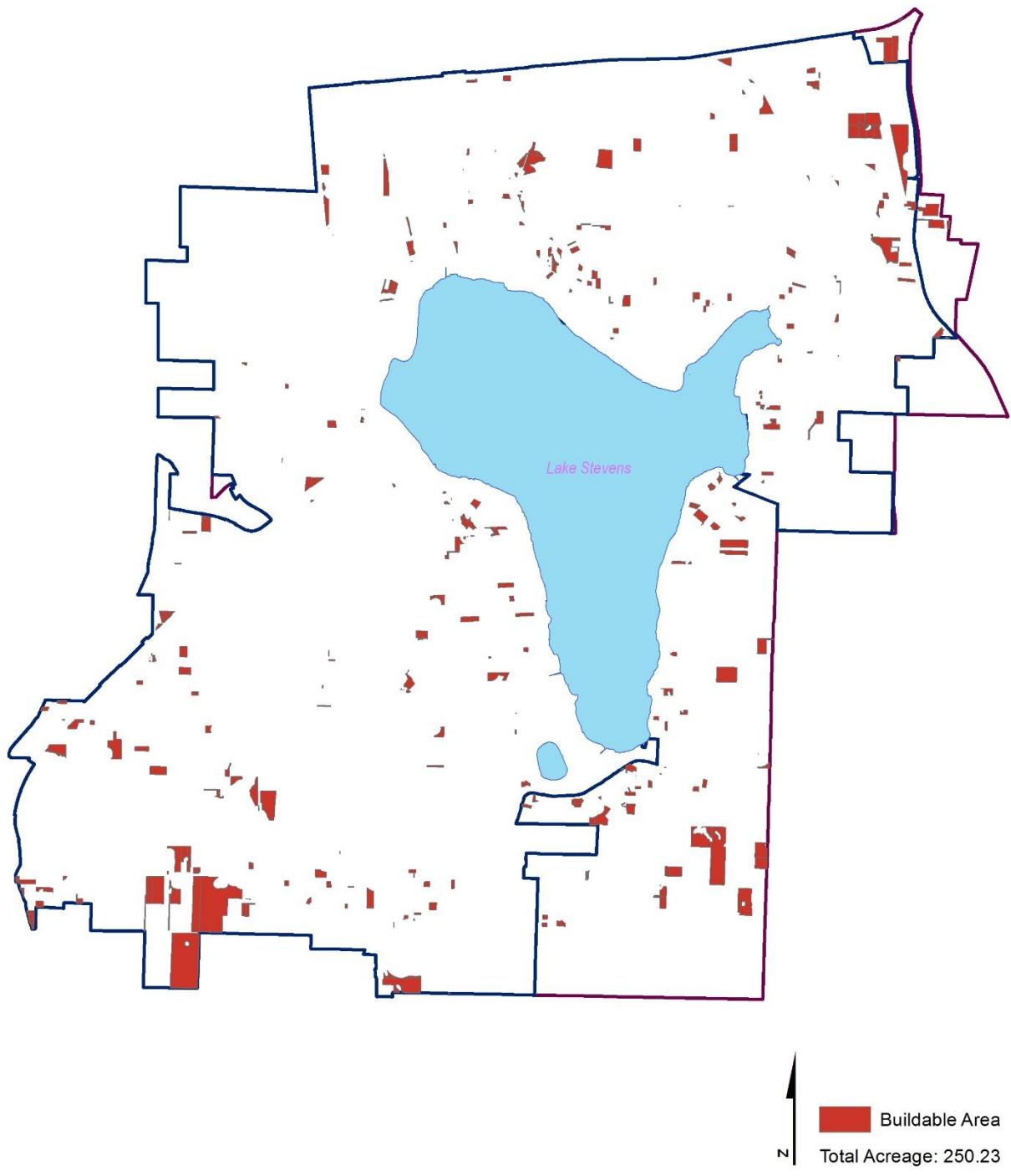
**Map 3**

### City of Lake Stevens & Unincorporated UGA Buildable Area



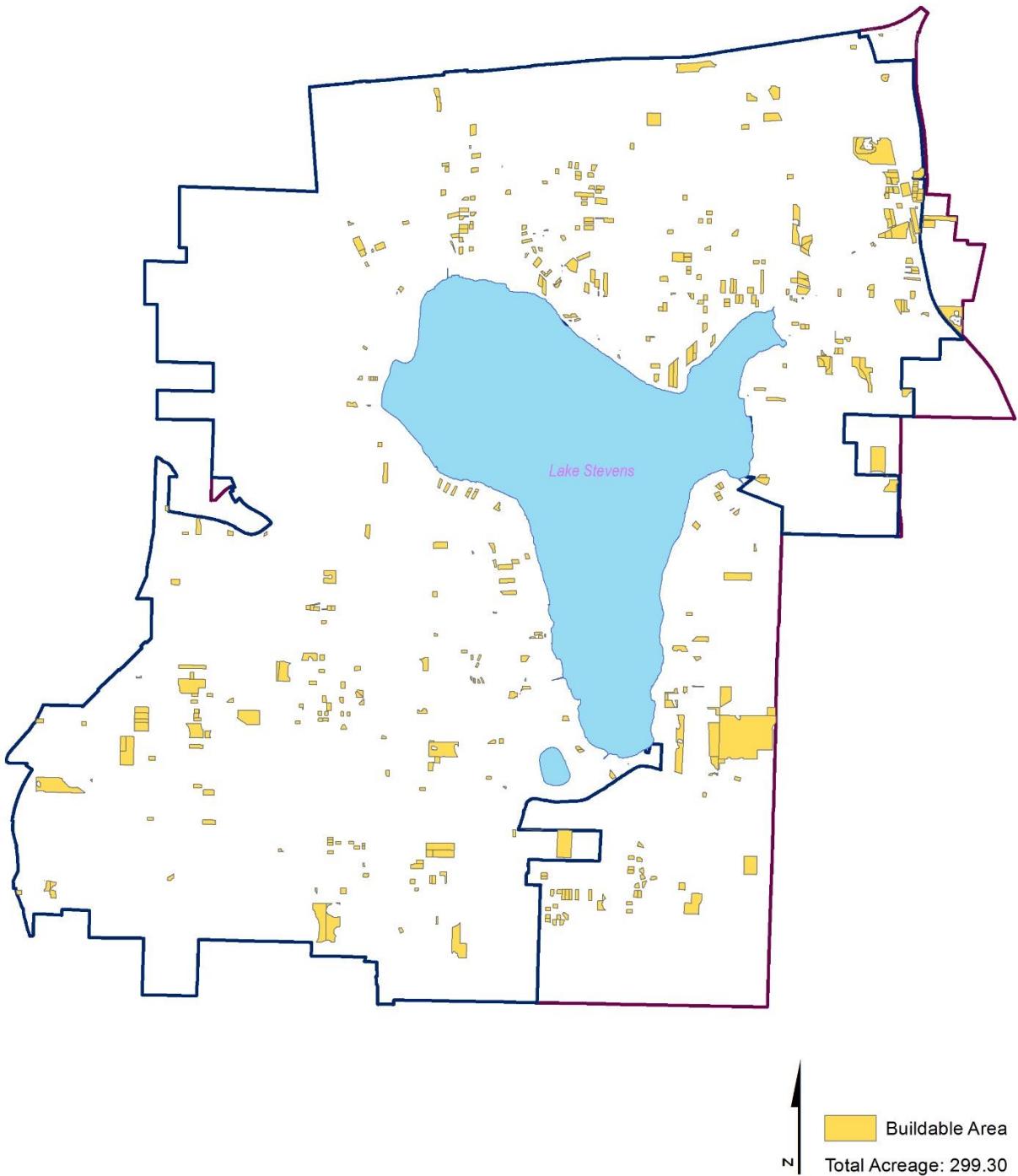
**Map 4**

### City of Lake Stevens & Unincorporated UGA Vacant Buildable Area



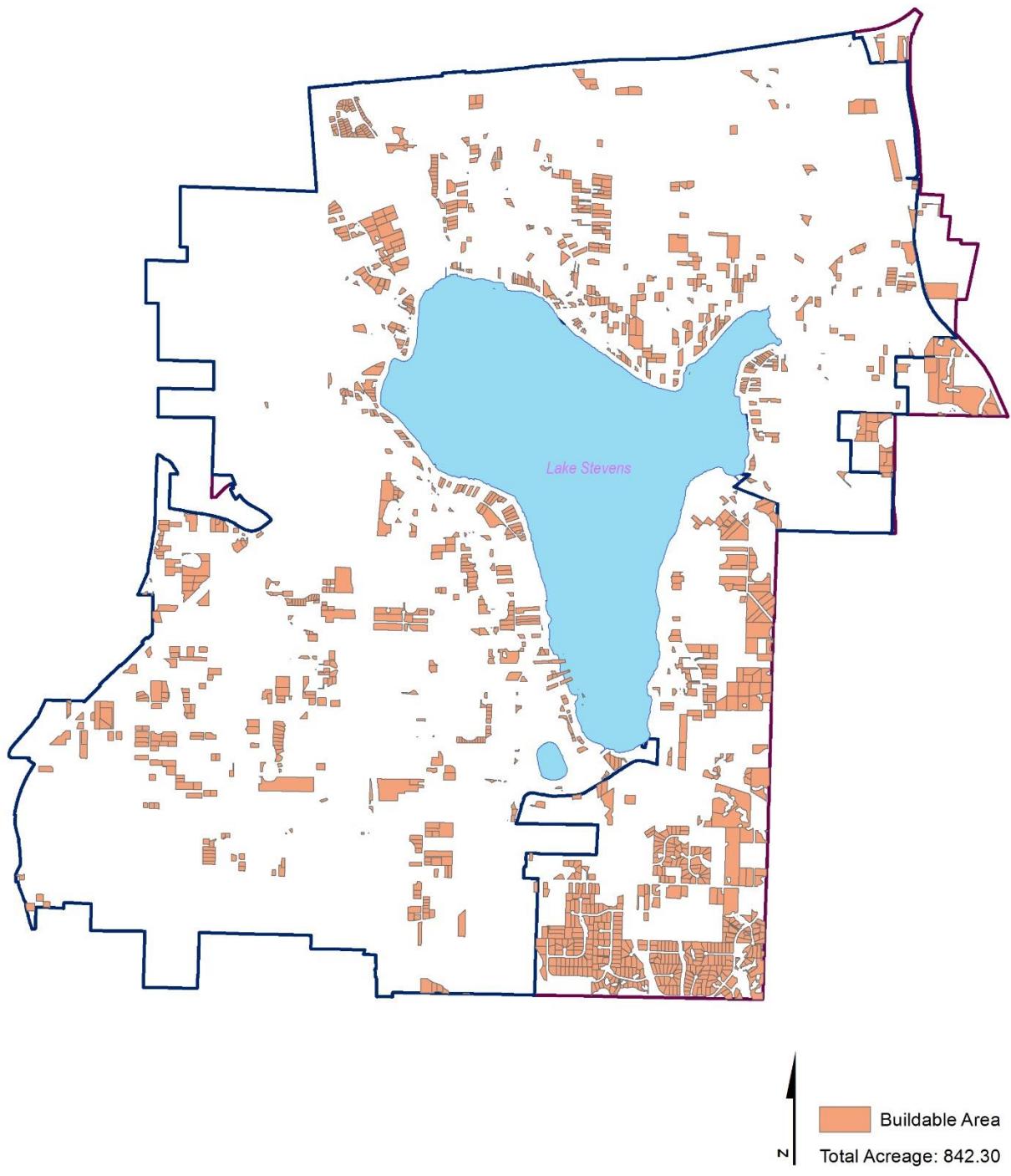
**Map 5**

### City of Lake Stevens & Unincorporated UGA Redevelopable Buildable Area



**Map 6**

### City of Lake Stevens & Unincorporated UGA Partially Used Buildable Area



## Assumptions

- 1) Calculations on population capacity were made on the basis of a simple ratio (area of land divided by minimum lot size) and deductions based on the following assumptions in the Buildable Lands report.
  - a. 5% Miscellaneous Public/Institutional Use Reduction (2012 BLR, pg. 28-29)
  - b. 15% Market Availability Reduction Factor for vacant land (2012 BLR, pg. 30)
  - c. 30% Market Availability Reduction Factor for redevelopable and partially used land (2012 BLR, pg. 30)

Given the unusual shapes of many lot areas due to the presence of critical areas, the numbers reported represent an absolute maximum capacity, and true lot-by-lot capacity is likely lower as some parcel fragments would be difficult to develop. Additionally, these reductions were created for the 2012 Buildable Lands Report. As jurisdictions are just now getting underway with the next round of Buildable Lands Report updates, and in light of newly published guidance from the Department of Commerce on the buildable lands program, these assumptions may be worth revisiting with a more nuanced local analysis.
- 2) Employment capacity calculations are subject to the same assumptions as those made by Snohomish County in the Buildable Lands Report and subsequent Growth Monitoring Reports. Much uncertainty surrounds the actual employment expected out of any particular parcel or site zoned for employment.
- 3) Wetlands, steep slopes, and streams and their buffers were used to create a critical areas layer to remove unbuildable land from the inventory. Buffers were assigned to wetlands based on conversations with city staff and reference the buffers used by Snohomish County and under consideration in the City of Lake Stevens. Buffers for steep slopes and streams were assigned based on those used by Snohomish County.
- 4) While mixed-use parcels are not highly abundant in the Lake Stevens UGA, the Lake Stevens Mixed Use project that is in its early stages is but one example of an important future component of both residential and employment capacity. This study did not look at mixed use.
- 5) The southeast corner of the UGA, in unincorporated Snohomish County, is home to a large area of large-lot single-family homes that are classified in the City of Lake Stevens' buildable land GIS update as potentially able to be short platted if sewer extensions occur. The cost barrier to extending infrastructure to new homes on subdivided lots in these areas currently makes them unlikely to develop or redevelop within the planning window, but by 2035 market conditions could change and make such short plat subdivisions more likely. This important supply of potential residential land capacity is not reflected in our analysis, but the city and county should keep it in mind as plans and buildable lands reports are updated.
- 6) Partially Utilized lands were included in the detailed tables but not included in the executive summary. This is because of a discussion with city staff regarding the difficulties in estimating the true capacity of partially used land. Uncertainties surrounding the tipping point at which a very large single family lot will be subdivided or short platted, and into how many units, mean that a more productive discussion can be had regarding vacant and redevelopable land without delving too deeply into partially utilized as a category.



Staff Report  
City of Lake Stevens Planning Commission

Planning Commission Briefing  
Date: **April 3, 2019**

**SUBJECTS:** Code Amendment to Chapter 14.56 Streets and Sidewalks (LUA2018-0151)

**CONTACT PERSON/DEPARTMENT:** Dillon Roth, *Planner*

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**SUMMARY:** Code amendment to update Chapter 14.56 Lake Stevens Municipal Code (LSMC)

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**ACTION REQUESTED OF PLANNING COMMISSION:** Review and make recommendations on the proposed regulations.

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***Purpose of Code Amendment***

This is a city initiated code amendment to update Chapter 14.56 LSMC Streets and Sidewalks. This chapter addresses right-of-way (ROW) issues, including how the city's street network should be built out, what types of developments are required to build sidewalks and other frontage improvements and how deviations from the approved Engineering Design and Development Standards (EDDS) are granted (See Attachment 1 for draft regulations).

Many of the city's goals for promoting low impact development, accommodating parking demands and increasing the amount of pedestrian facilities can be addressed through this code amendment. In general, the finer engineering details of road standards and the street network are addressed in the EDDS and the higher-level regulations on private property development are addressed through the City's municipal code.

***Major Changes in the Draft Regulations***

The following bullet points highlight some of the changes to the regulations:

- ROW widths, EDDS definitions and references to dimensions in standard plans are removed to avoid future and present discrepancies with the EDDS. Currently, the EDDS and the municipal code overlap and conflict in many areas. Much of the changes in the code amendment are helping to draw a distinction between the two documents; the LSMC being a high level regulatory document and the EDDS being a finer grain document addressing engineering details.
- Require parking spaces be provided in on-street parking lanes.
- Requiring a delineated pedestrian facility on private access tracts.
- Allowing a reduction in shared driveway widths if the length is under 50 feet.

***Next steps***

City staff and the Fire Department have reviewed the attached regulations. Staff will discuss the code amendment with City Council at a work session in the near future.

**ATTACHED:**

- 1) Draft Changes to Chapter 14.56 LSMC

## Chapter 14.56 STREETS AND SIDEWALKS

Sections:

Part I. Requirements

- [14.56.010 Street Classification](#)
- [14.56.020 Costs of Right-of-Way Installation and Improvements Borne by Applicant](#)
- [14.56.030 Access to Lots](#)
- [14.56.040 Access to Arterial Streets](#)
- [14.56.050 Entrances to Streets](#)
- [14.56.060 Coordination with Surrounding Streets](#)
- [14.56.070 Relationship of Streets to Topography](#)
- [14.56.080 Street Width, Sidewalk, and Drainage Requirements in Subdivisions](#)
- [14.56.090 General Layout of Streets](#)
- [14.56.100 Dead End Streets/Cul-de-Sacs](#)
- [14.56.110 Temporary Half-Streets](#)
- [14.56.120 Street Intersections](#)
- [14.56.130 Construction Standards and Specifications](#)
- [14.56.135 Deviations to Construction Standards and Specifications](#)
- [14.56.140 Construction Drawings Required Prior to Construction](#)
- [14.56.150 Inspection of Public Improvements Required Prior to Issuance of Final Permits](#)
- [14.56.160 Residential Public Streets and Private Roads](#)
- [14.56.170 Right-of-Way Dedication and Frontage Improvements](#)
- [14.56.180 Road and Sidewalk Requirements in Unsubdivided Developments](#)
- [14.56.190 Off-Site Traffic Mitigation](#)
- [14.56.192 Collection of Pre-Annexation Traffic Mitigation Fees](#)
- [14.56.200 Attention to Disabled Persons in Street and Sidewalk Construction](#)
- [14.56.210 Street Names and House Numbers](#)
- [14.56.220 Bridges](#)
- [14.56.230 Utilities](#)
- [14.56.240 Vacations of Public Rights-of-Way](#)
- [14.56.250 Right-of-Way Permit Required](#)
- [14.56.260 Implementation of Traffic Calming Techniques](#)
- [14.56.270 Private Landscape Usage of Public Right-of-Way](#)
- [14.56.280 Complete Streets](#)

Part II. Street Assessment Reimbursement Agreements

[14.56.300 Purpose](#)

[14.56.310 Authorization](#)

[14.56.320 Applications](#)

[14.56.340 Assessment Methods](#)

[14.56.350 Notice to Property Owners](#)

[14.56.360 City Council Action](#)

[14.56.370 Contract Execution and Recording](#)

Part I. Requirements

[14.56.010 Street Classification.](#)  SHARE

(a) In all new subdivisions, streets shall be dedicated to public use, and shall be classified ~~as provided~~ in per the City's adopted Engineering Design and Development Standards (EDDS) subsection (b) of this section.

- (1) The classification shall be based upon the projected volume of traffic to be carried by the street, stated in terms of the number of trips per day;
- (2) The number of dwelling units to be served by the street may be used as an indicator of the number of trips but is not conclusive;
- (3) Whenever a subdivision street continues an existing street that formerly terminated outside the subdivision or it is expected that a subdivision street will be continued beyond the subdivision at some future time, the classification of the street will be based upon the street in its entirety, both within and outside of the subdivision.

(b) The classification of streets generally shall be consistent with the Washington State Department of Transportation Design Manual, [Chapter 14.08 LSCM](#) and ~~shall be described as follows~~ the City's adopted EDDS:

(1) "Freeway/Expressway" is an inter-regional divided or undivided highway connecting major centers. Typically, freeways have two or more lanes for traffic in each direction. Access is limited to interchanges designed for higher speed merging/diverging traffic.

(2) "Major Arterial" is an inter-community roadway connecting community centers or major facilities. Major arterials are generally intended to serve predominantly through traffic. Direct access

**Commented [DR1]:** These definitions are already in the EDDS, Table 2-1 and already in our definitions chapter 14.08.

to abutting property will be discouraged. Spacing between parallel major arterials is generally two miles or greater.

(3) "Minor Arterial" is an intra-community roadway for areas bounded by the major arterial system. Minor arterials serve trips of moderate length. Direct access to abutting property will be discouraged. Spacing of minor arterials is typically less than two miles.

(4) "Collector" is a roadway designed for movement within a community, including connecting neighborhoods with smaller community centers. Collectors also provide connections to minor and major arterials. Property access is generally a higher priority for collectors with a lower priority for through traffic movements. Spacing of collectors is generally one mile or less.

(5) "Local Access" is a roadway designed for connections to arterial and collector systems for individual neighborhoods and provides circulation within and/or between neighborhoods. Spacing of neighborhood collectors is typically one-half mile or less.

(6) "Access Tract" is a privately-owned tract of land used primarily for ingress/egress for one or more lots.

(7) "Alley" is a right-of-way providing access to the rear boundary of two or more residential or commercial properties and is not intended for general traffic circulation.

(8) "Cul-de-sac" is a street which terminates in a vehicular turnaround. (Ord. 796, Sec. 10, 2009)

**14.56.020 Costs of Right-of-Way Installation and Improvements Borne by Applicant.** 

When rights-of-way improvements are required in conjunction with permit approval, all costs and expenses incident to the installation of rights-of-way to be dedicated to the public shall be borne by the applicant.

**14.56.025 Abutting Property Owner's Duty to Maintain.**

Whenever any street, lane, square, place, or alley in the city has been improved by the construction of a landscape strip and/or sidewalk, the duty, burden, and expense of the routine maintenance of such sidewalk shall devolve upon the property directly abutting on that side of such street along which such improvements have been constructed. Routine maintenance includes but is not limited to landscaping maintenance and removal of leaves and snow from sidewalks.

**14.56.030 Access to Lots.** 

Every lot shall have access to it that is sufficient to afford a reasonable means of ingress and egress for emergency vehicles as well as for all those likely to need or desire access to the property in its intended use. No single family residential lot may have more than one vehicular access to the public right-of-way, unless the Public Works Director or designee determines more than one access is needed to preserve or enhance a safe condition.

**14.56.040 Access to Arterial Streets.**  

Whenever a major subdivision that involves the creation of one or more new streets borders on or contains an existing or proposed arterial street, no direct driveway access may be provided from the lots within this subdivision onto this street unless no other access is possible.

**14.56.050 Entrances to Streets.**  

(a) All driveway entrances and other openings onto streets within the City's planning jurisdiction shall be constructed so that:

- (1) Vehicles can enter and exit from the lot in question without posing any substantial danger to themselves, pedestrians, or vehicles traveling in abutting streets; and
- (2) Interference with the free and convenient flow of traffic in abutting or surrounding streets is minimized.

(b) Driveway cuts shall be limited to the following widths:

Single-Family Residential

10 feet minimum

20 feet maximum

Multifamily Residential

20 feet minimum

30 feet maximum

Commercial and Industrial

30 feet minimum

40 feet maximum

(c) Specifications for driveway entrances are set forth in the currently adopted version of the Engineering Design and Development Standards EDDS for the City of Lake Stevens. If driveway entrances and other openings onto streets are constructed in accordance with the foregoing EDDS specifications and requirements, this shall be deemed *prima facie* evidence of compliance with the standard set forth in subsection (a) of this section.

**Commented [DR2]:** Driveway widths are addressed in EDDS, 3-103.B.4, page 3-6.

(d) For purposes of this section, the term "prima facie evidence" means that the permit-issuing authority may (but is not required to) conclude from this evidence alone that the proposed development complies with subsection (a) of this section. (Ord. 796, Sec. 11, 2009)

**14.56.060 Coordination with Surrounding Streets.** 

(a) The street system of a subdivision shall be coordinated with existing, proposed, and anticipated streets outside the subdivision or outside the portion of a single tract that is being divided into lots (hereinafter, "surrounding streets") as provided in this section.

(b) Collector streets shall intersect with surrounding collector or arterial streets at safe and convenient locations.

(c) Local access residential streets shall connect with surrounding streets, including existing temporary dead-ends, where necessary to permit the convenient movement of traffic between residential neighborhoods or to facilitate access to neighborhoods by emergency service vehicles or for other sufficient reasons, but connections shall not be permitted where the effect would be to encourage the use of such streets by substantial through traffic.

(d) Whenever connections to anticipated or proposed surrounding streets are required by this section, the street right-of-way shall be extended and the street developed to the property line of the subdivided property (or to the edge of the remaining undeveloped portion of a single tract) at the point where the connection to the anticipated or proposed street is expected. In addition, the permit-issuing authority may require temporary turnarounds to be constructed at the end of such streets pending their extension when such turnarounds appear necessary to facilitate the flow of traffic or accommodate emergency vehicles.

The responsibility of restoring a temporary turnaround to its permanent condition shall be borne by the party connecting to the temporary turnaround. Notwithstanding the other provisions of this subsection, no temporary dead-end street in excess of 1,000~~750~~ feet may be created unless no other practicable alternative is available and approval from the Fire Marshall is granted.

(ed) Whenever convenient access from a subdivision to adjacent schools, parks or other public facilities is not provided through the dedication and improvement of streets pursuant to this chapter, the developer, through coordination with the School District, may be required to include an unobstructed easement of at least 10 feet in width and construct a pathway to provide such access. (Ord. 796, Sec. 12, 2009)

**14.56.070 Relationship of Streets to Topography.** 

(a) Streets shall be related appropriately to the topography. In particular, streets shall be designed to facilitate the drainage and storm water runoff objectives set forth in Chapter 14.64, and street grades shall conform as closely as practicable to the original topography.

(b) The maximum grade at any point on a street shall be in compliance with EDDS Section 2-103 (Road Standards for Arterial and Non-Arterial Roads), not exceed 15 percent unless no other practicable alternative is available. However, in no case may streets be constructed with grades that, in the professional opinion of the Public Works Director, create a substantial danger to the public safety. (Ord. 468, 1995)

#### **14.56.080 Coordination with the Comprehensive Plan Street Width, Sidewalk, and Drainage**

##### **Requirements in Subdivisions.**

 SHARE

(a) Streets are intended to serve several functions. These functions vary depending on the classification of the street: (1) to carry motor vehicle traffic, provide on-street parking; (2) to provide for safe and convenient pedestrian and nonmotorized travel; and (3) to aid in managing stormwater. The requirements outlined in this chapter are intended to ensure these objectives are met.

(b) All existing and planned streets which the City deems necessary for the completion of the City's transportation system are shown and classified in the City's Transportation Element of the Comprehensive Plan. However, the list of planned streets is nonexhaustive and other streets may be proposed by a permit applicant or department director.

(c) Any permit application shall be reviewed for conformance with the Transportation Plan. If a planned street is shown to run through or adjacent to a property proposed for development, the proposal must include roadway dedication and improvements which are generally in conformance to the plan, and meet the development standards identified in this chapter.

(d) ~~Whenever convenient access from a subdivision to adjacent schools, parks or other public facilities is not provided through the dedication and improvement of streets pursuant to this chapter, the developer may be required to include an unobstructed easement of at least 10 feet in width and construct a pathway to provide such access.~~

**Table 14.56.1: Street and Right-of-Way Improvement Requirements<sup>4</sup>**

Classification	ROW Width (ft)	Pavement Width (ft)	Standard Plan
Freeway/Expressway	*	*	-
Major Arterial	*	*	-
Minor Arterial	70	48	2-010

**Commented [DR3]:** This table is in the EDDS, Table 2-2, page 2-4.

**Table 14.56-1. Street and Right-of-Way Improvement Requirements<sup>†</sup>**

**Commented [DR3]:** This table is in the EDDS, Table 2-2, page 2-4.

Classification	ROW Width (ft)	Pavement Width (ft)	Standard Plan
Reduced Standard Minor Arterials <sup>‡</sup>	60	42	2-010
Collector	60	36	2-020
Reduced Standard Collector <sup>‡</sup>	50	32	2-020
Local Access	50	28	2-030
Reduced Standard Local Access <sup>‡</sup>	40	24	2-040
Access Tract (Private)	Varies	20	2-050
Alley	20	16	2-090
Gul-de-sac	50 radius	40 radius	2-120

<sup>†</sup>Access easements shall have a minimum 20-foot width.

<sup>‡</sup>Used in short subdivisions.

<sup>§</sup>Allowed in nonconforming situations by the approval of the Public Works Director or designee.

<sup>\*</sup>Determined by the Director of Public Works, designee, or WSDOT.

(Ord. 903, Sec. 41, 2013; Ord. 811, Sec. 92, 2010; Ord. 796, Secs. 13, 14, 2009; Ord. 676, Sec. 49, 2003; Ord. 662, Sec. 4, 2002; Ord. 590, 1998; Ord. 468, 1995)

#### 14.56.090 General Layout of Streets. SHARE

- (a) All streets shall be straight whenever practicable to the extent necessary to preserve and continue a grid system, except that variations in alignment are allowed as a part of a traffic calming project. Traffic calming projects are expected to be constructed in the context of the grid system, not in conflict with it.
- (b) The width of blocks should be that which is sufficient to allow for two tiers of lots (plus width of an alley or public utility easement, if any), unless existing conditions render such requirements undesirable or impractical.
- (c) The length of residential blocks should range between 500 and 700 feet, unless no other practicable alternative is available. In blocks with a length in excess of 700 feet, the city shall require dedication of a

paved path not less than 10 feet wide through the middle of the block to provide an internal pedestrian walkway to connect other portions of the neighborhood.

- (d) Streets shall be laid out so that the lengths, widths and shapes of blocks adequately:
  - (1) Provide suitable building sites for the type of use to be accommodated;
  - (2) Provide for subsequent construction to be able to comply with the zoning requirements;
  - (3) Address the limitations and opportunities presented by the topography;
  - (4) Address the need for convenient access, circulation, control and safety of vehicles and pedestrians.
- (e) To the extent practicable, driveway access to arterials and collector streets shall be minimized to facilitate the free flow of traffic and avoid traffic hazards.
- (f) Pedestrian ways shall be required near the middle of all blocks longer than 800 feet unless deemed infeasible by the Planning Director.
- (g) Where a tract is subdivided into lots or tracts of an acre or more, the arrangement of lots and streets shall be such as to permit a later re-subdivision in conformance with the street and lot requirements specified in these regulations.
- (h) There shall be no reserve strips controlling access to streets, except where such strips are required by the City.
- (i) A subdivision containing thirty or more dwelling units shall have two vehicular access points, located at least one hundred feet apart. (Ord. 662, Sec. 5, 2002; Ord. 468, 1995).

**14.56.100 Dead-End Streets/Cul-de-Sacs.**  SHARE

- (a) Dead-end streets shall be avoided. Cul-de-sacs may be used only when conditions warrant their use:
  - (1) Whenever a dead-end street serves four or more units; or
  - (2) Extends more than 150 feet from edge of the intersecting right-of-way to the farthest extent of the road.

(b) When allowed under subsection (a) of this section, all permanent dead-end streets (as opposed to temporary dead-end streets; see Section [14.56.060\(d\)](#)) shall be developed as cul-de-sacs in accordance with the standards set forth in [subsection \(d\) of this section](#) [the City's adopted EDDS](#).

(c) Except where no other practicable alternative is available, such streets may not extend more than 500 feet (measured to the center of the turnaround).

[\(d\) The right-of-way of a cul-de-sac shall have a radius of 50 feet. The radius of the paved portion of the turnaround \(measured to the face of the curb\) shall be 40 feet, with curb, gutter, sidewalk and utility strip within the remaining 10 feet.](#)

(e) The city will consider the use of alternative turnarounds described in the EDDS on a case by case basis [through the EDDS deviation process outlined in 14.56.135 LSMC for private tracts and easements](#).

(Ord. 903, Sec. 42, 2013)

#### **14.56.110 Temporary Half-Streets.** [SHARE](#)

(a) Temporary half-streets (i.e., streets of less than the full required right-of-way and pavement width) may be allowed at the discretion of the decision-making authority under the following conditions:

(1) Where such street, when combined with a similar street developed previously, simultaneously, or anticipated to be built within a reasonable time frame on property adjacent to the subdivision [with development capacity](#), creates or comprises a street that meets the right-of-way and pavement requirements of this title.

(2) Where no more than 10 dwelling units will use the half-street [as their sole means of access](#).

(3) Where a temporary half-street is allowed, the first half of the half-street to be built shall [be paved, at a minimum, to a width equal to three-quarters of the ultimate paved width. include but not be limited to two travel lanes. C](#)urb, gutter, sidewalk, planter strip, and street trees, [depending on the street classification, are to be built in conjunction with each respective half-street on the side adjacent to the proposed project.](#)

(4) Where a public right-of-way [easement has been or](#) is being dedicated to the City over those portions of the [adjacent](#) property to be used as a half-street.

(b) [Where a private access tract is used, and an adjacent property is capable of being short platted with a private access tract, such tracts shall be located and constructed in such a way so as to allow them to be combined into one 50-foot right-of-way in the event that the property owners wish to improve and dedicate it as a public street.](#)

**Commented [DR4]:** Moved this language from the private tract subsection to here.

#### 14.56.120 Street Intersections. SHARE

(a) Streets shall intersect at angles as nearly as possible at right angles, and no two streets may intersect at less than 60 degrees in compliance with EDDS Section 2-111. Not more than two streets shall intersect at any one point, unless the Public Works Director certifies to the permit-issuing authority that such an intersection can be constructed with no extraordinary danger to public safety.

(b) Spacing requirements, when connecting with arterial, nonarterial, or other driveway spacing, shall be in compliance with the adopted EDDS. Whenever possible, proposed intersections along one side of a street shall coincide with existing or proposed intersections on the opposite side of such street. In any event, where a centerline offset (jog) occurs at an intersection, For the distance spacing requirements between centerlines of the intersecting streets, shall be refer to e not less than 150 feet EDDS Section 2-111.

(c) Except when no other alternative is practicable or legally possible, no two streets may intersect with an arterial on the same side at a distance of less than 1,000 feet measured from centerline to centerline of the intersecting street.

**Commented [GK5]:** Covered in EDDs section 2-111 (D)

#### 14.56.130 Construction Standards and Specifications. SHARE

All public streets, sidewalks, curbs and gutters and other improvements shall be constructed in accordance with the current of the Engineering Design and Development Standards (EDDS) for the City of Lake Stevens. When feasible, applicants shall utilize Low Impact Development EDDS standards when constructing new public streets. All such facilities shall be completed in accordance with these standards except for deviations as provided for in Section 14.56.135 and modifications allowed for traffic calming purposes in compliance with the requirements contained in Section 14.56.260. In cases where there is a conflict between the EDDS and municipal code, the municipal code shall be the controlling document.

(Ord. 903, Sec. 43, 2013; Ord. 796, Sec. 15, 2009; Ord. 731, Sec. 3, 2006)

#### 14.56.135 Deviations to Construction Standards and Specifications. SHARE

Deviations to the Engineering Design and Development Standards may be granted by the Public Works Director when situations arise where alternatives to the standards may better accommodate existing conditions, overcome adverse topography or allow for more cost-effective solutions without adversely affecting safety, operations, maintenance or aesthetics pursuant to subsection (c) of this section.

(a) Unless otherwise specified in this title, deviations may only be granted for standards and specifications that relate to and implement the City's adopted EDDS Sections 14.56.080(d), Table 14.56-1 (except right-of-way type and standards for state highway), and Sections 14.56.100(b) and (d).

(b) Deviations shall be processed in accordance with the Engineering Design and Development Standards.

(c) Requests for deviation shall, at a minimum, comply with the following criteria:

- (1) The deviation will achieve the intended result of the standards with a comparable or superior design and quality of improvement;
- (2) The deviation will not adversely affect safety or operations;
- (3) The deviation will not adversely affect maintenance and related costs;
- (4) The deviation will not adversely affect the environment; and
- (5) The deviation will not adversely affect aesthetic appearance.

(d) An annual report of deviation requests shall be submitted to the City Council. (Ord. 903, Sec. 44, 2013; Ord. 811, Sec. 92, 2010; Ord. 796, Sec. 16, 2009; Ord. 731, Sec. 3, 2006)

**14.56.140 Construction Drawings Required Prior to Construction.**  

No right-of-way improvements shall be installed without first obtaining construction plan approval from the [City Engineer](#)[Public Works Director or designee](#). Said right-of-way improvement plans shall be certified by a licensed engineer for approval by the Public Works Director prior to starting construction. (Ord. 796, Sec. 17, 2009)

**14.56.150 Inspection of Public Improvements Required Prior to Issuance of Final Permits.**

All public improvement work shall be inspected by the Public Works Director or his representative prior to issuance of any final land use or building permit.

**14.56.160 Residential Public Streets and Private Roads.**  

(a) Except as otherwise provided in this section, all lots created after the effective date of the ordinance codified in this section shall abut a public street at least to the extent necessary to comply with the access requirement set forth in Section [14.56.030](#) (Access to Lots). For purposes of this section, the term "public street" includes a preexisting public street as well as a street created by the subdivider that meets the public street standards of this title and is dedicated for public use. The recordation of a plat shall constitute an offer of dedication of such street. [For the purposes of this section, the term "unit" shall not include accessory dwelling units.](#)

(b) Private roads shall not be allowed in major subdivided developments. However, private access tracts serving four or fewer dwelling units may be allowed in subdivided developments.

(c) Private access tracts ~~may only be created through the short plat process and~~ shall provide access for four or fewer dwelling units and shall have a delineated pedestrian facility. Where an existing private access tract is nonconforming with respect to minimum tract width or minimum pavement width, no additional dwelling units may take access off ~~of~~ the tract without bringing it into conformance with this chapter. Where a private access tract is used, and an adjacent property is capable of being short-platted with a private access tract, such tracts shall be located in such a way so as to allow them to be combined into one 50-foot right-of-way in the event that the property owners wish to improve and dedicate it as a public street.

**Commented [DR6]:** Moved to half streets section above

(d) Access easements shall provide access to no more than two dwelling units. Where an existing access easement is nonconforming with respect to minimum easement width or minimum pavement width, no additional dwelling units may take access off ~~of~~ the easement without the developer bringing it into conformance with this chapter. Access easements shall be a minimum of 20 feet in width and shall have a minimum paved surface of 1840 feet per for the two dwelling units accessed by that paved section of easement. The width of pavement may be reduced to a minimum of 12 feet if the length of the easement is less than 50 feet.

(e) Shared driveways shall meet the requirements of minimum total easement width and minimum paved surface width as described in subsection (d) of this section. Because shared driveways have two easements, the total easement width shall include both easements. No shared driveway may provide access to more than two dwelling units. (Ord. 796, Sec. 18, 2009; Ord. 590, 1998; Ord. 468, 1995)

#### **14.56.165 On-Street Parking Required.**

On-street parking shall be provided on new public streets when such streets are created and dedicated through the subdivision process.

- (a) The minimum amount of on-street parking spaces that is required to be provided on public streets is one space per five new residential parcels. Dimensions of the on-street parking spaces is subject to Section 14.72.030.
- (b) The above requirement shall only apply when the new public street is constructed to an EDDS standard that includes a street parking lane.
- (c) If the ratio of on-street spaces to residential parcels cannot be achieved on the new public street, then off-street public parking spaces are required at the same ratio.

#### **14.56.170 Right-of-Way Dedication and Frontage Improvements.**



Right-of-way dedication to the public and frontage improvements are required for all new development unless the applicant or property owner shows the project qualifies for the exceptions described in this section. No building permit shall be issued for development until right-of-way dedication and frontage improvement requirements have been satisfied.

(a) Right-of-Way Width. The width of right-of-way dedication shall be determined in accordance with the roadway classifications defined in this chapter, the Comprehensive Plan and the classification standards with the adopted Engineering Design and Development Standards (EDDS). Existing right-of-way widths matching or exceeding the current standards shall satisfy the width requirement. A reduction of right-of-way dedication width may be considered by the Public Works Director or his/her designee under the following conditions:

- (1) Where critical areas or their buffers as defined in Chapter [14.88](#) exist within the proposed dedication area; or
- (2) The dedication would deny reasonable economic use of the property under the standards of this title. The applicant or property owner must demonstrate all of the following to receive a reduction in right-of-way width dedication requirements:
  - (i) The allowed land uses cannot reasonably be accomplished; and
  - (ii) A reduction in the size, scope, configuration, density or consideration of alternative designs as proposed will not accomplish the project as allowed under existing land use regulations; and
  - (iii) In cases where the applicant has rejected alternatives to the project as proposed due to other constraints such as zoning or parcel size, the applicant must show there has been a reasonable attempt to remove or accommodate such constraints.

The application or property owner pursuing a reduction in right-of-way dedication width must use the deviation process specified in Section [14.56.135](#). Supporting documentation and applicable application fees shall be submitted with the deviation request.

(b) Frontage Improvements Required. Frontage improvements are required to be installed along the abutting public street frontage of the property to be developed. Resurfacing an existing public street to its centerline shall not be required for single-family or duplex development.

(1) "Frontage improvements" used in this section as defined in the City's adopted EDDS refer to the construction, reconstruction or repair of the following facilities along public rights-of-way abutting a property being developed per the applicable street classification:

- (i) Curbs, gutters, bike lanes and sidewalks;
- (ii) Planter strips (or tree wells);
- (iii) Underground storm drainage and other utility facilities;
- (iv) Resurfacing of the existing public street to the centerline; and
- (v) Construction of new street within dedicated unopened right-of-way.

(2) Frontage improvements shall be constructed for the following new development:

- (i) Subdivisions and short subdivisions;
- (ii) Multifamily developments;
- (iii) Binding site plans;
- (iv) All other residential projects unless expressly exempt pursuant to subsection (b)(3) of this section or a waiver is granted in accordance with subsection (b)(5) of this section;
- (v) Commercial projects;
- (vi) Municipal or agency building projects; and
- (vii) Industrial projects.

(3) Frontage requirements related to the construction of a single-family or duplex dwelling unit shall be considered completed provided the following exceptions apply:

- (i) An existing lot in an existing single-family subdivision, short plat, or binding site plan where the lots are fully developed and frontage improvements were constructed to the standards in effect at the time of final plat recording; or
- (ii) A new single-family residence on an existing lot or replacement of an existing single-family residence where there are no frontage improvements meeting City standards

constructed within ~~200-100~~ feet of the lot or improvements identified through an approved subdivision and potential exists for future development.

(4) The granting of an exception or waiver as outlined in subsection (b)(3) or (5) of this section does not waive the property owner's requirement to dedicate right-of-way as established in this section.

(5) The Public Works Director may ~~accept a fee in-lieu of waive or modify the requirement to constructing~~ frontage improvements for new development when the applicant or property owner demonstrates that at least one of the following conditions exist ~~and the owner of the new development either executes a no-protest agreement to form a local improvement district for the subject street frontage or pays a fee in lieu of constructing frontage improvements as approved by the Public Works Director or designee. Said no-protest agreement shall have an effective term of eight years from the time of the City's acceptance:~~

- (i) There are no existing sidewalks along the same side of the street within two adjacent lots or 100 feet, whichever is less, of the property on either side or on one side for corner lots on each frontage;
- (ii) Construction of frontage improvements will adversely impact critical areas that cannot be adequately mitigated in accordance with Chapter [14.88](#) or the State Environmental Policy Act pursuant to Title [16](#);
- (iii) A safety issue is created by constructing the frontage improvements;
- (iv) A public roadway improvement project is scheduled and fully funded for construction and said project that includes the adjacent site frontage.

The applicant or property owner shall apply for a waiver using the deviation process specified in Section [14.56.135](#). The application shall address how the criteria set forth in Section [14.56.135\(c\)](#) are met and how the applicable conditions in this subsection above apply to the project. Any supporting documentation and applicable application fees shall be submitted with the deviation request.

(c) Dedication of Right-of-Way. Dedication of right-of-way is required to be executed prior to building permit issuance or final project approval. For subdivisions, short subdivisions and binding site plans, the dedication shall be required on the final recording documents. For projects that are not part of a subdivision of land, the applicant shall submit the required executed documents on forms provided by the

City. The City shall record the documents upon obtaining the appropriate City signatures and the applicant or property owner pays the recording fees.

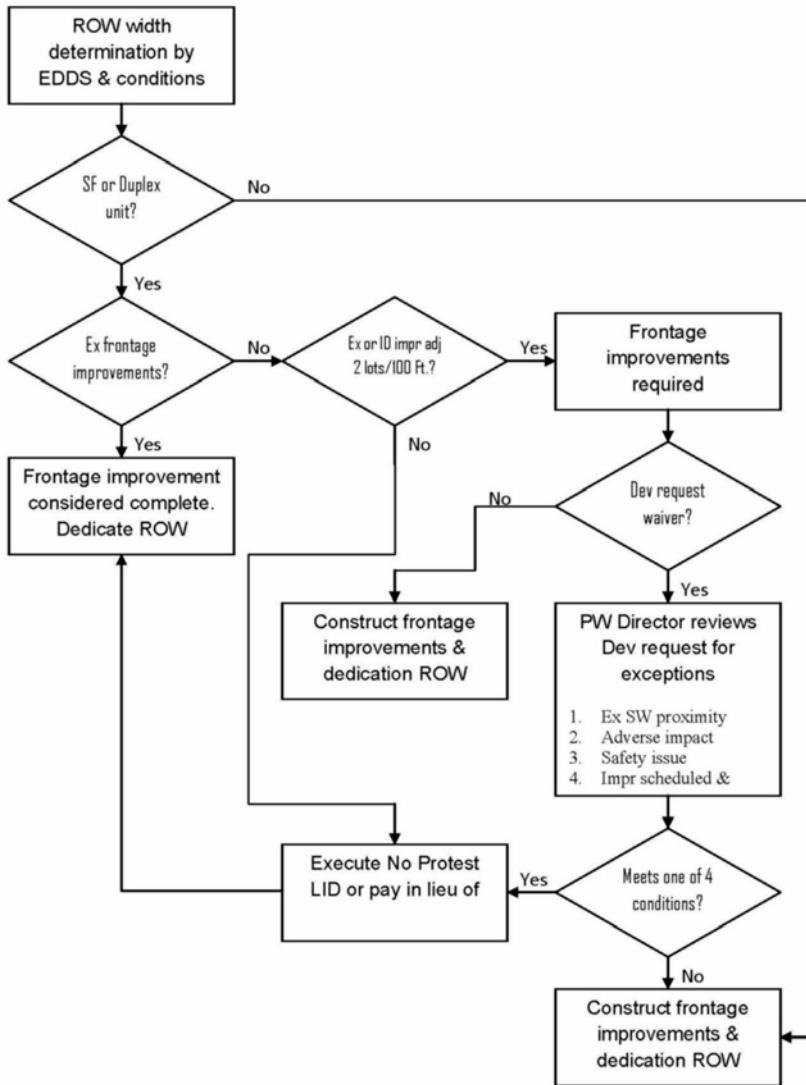
(d) Acceptance of Frontage Improvements. The Public Works Director or designee may approve an extension for the completion of the improvements for up to one year if the Public Works Director or designee receives a surety bond or equivalent cash deposit ensuring the timely completion of the improvements. Said surety bond shall meet the requirements set forth in Section [14.16A.180](#) (Security Mechanisms).

(e) State or Federal Law. Where an applicant demonstrates under applicable State or Federal law that the required dedication or improvements are unlawful, the Public Works Director or designee, to the extent the obligation is unlawful, shall not require the dedication or improvements required by this section as a condition of final acceptance or of building permit issuance.

(f) Appeal of Director Decision. Any appeal of the Director or designee's determination shall be processed using the appeal processes specified for the underlying application pursuant to Section [14.16A.265](#). A timely appeal shall be required in order to constitute an exhaustion of remedies under this section.

Process Flow Chart

Commented [DR7]: Proposing to delete this



(Ord. 916, Sec. 2 (Exh. 1), 2014)

14.56.180 Road and Sidewalk Requirements in Unsubdivided Developments.  SHARE

(a) Within unsubdivided developments, which include multifamily, commercial and industrial developments, all private roads and access ways shall be designed and constructed to facilitate the safe and convenient movement of motor vehicle and pedestrian traffic. Width of roads, use of curb and gutter, and paving specifications shall be determined by the provisions of this title dealing with parking (Chapter [14.72](#)) and drainage (Chapter [11.06](#)). To the extent not otherwise covered in the foregoing chapters, and to the extent that the requirements set forth in this chapter for subdivision streets may be relevant to the roads in unsubdivided developments, the requirements of this chapter may be applied to satisfy the standard set forth in the first sentence of this subsection.

(b) Whenever a road in an unsubdivided development connects two or more collector or arterial streets in such a manner that any substantial volume of through traffic is likely to make use of this road, such road shall be constructed in accordance with the standards applicable to subdivision streets and shall be dedicated to the public. In other cases when roads in unsubdivided developments within the city are constructed in accordance with the specifications for subdivision streets, the city may accept an offer of dedication of such streets.

(c) In all unsubdivided residential development, sidewalks shall be provided linking dwelling units with other dwelling units, the public street, and on-site activity centers such as parking areas, laundry facilities, and recreational areas and facilities. Notwithstanding the foregoing, sidewalks shall not be required where pedestrians have access to a road that serves not more than nine dwelling units.

(d) Whenever the permit-issuing authority finds that a means of pedestrian access is necessary from an unsubdivided development to schools, parks, playgrounds, or other roads or facilities and that such access is not conveniently provided by sidewalks adjacent to the roads, the developer may be required to reserve an unobstructed easement of at least 10 feet to provide such access.

(e) The sidewalks required by this section shall be at least five feet wide and constructed according to the specifications set forth in the currently adopted version of the Engineering Design and Development Standards for the City of Lake Stevens. Alternate pedestrian facilities may be considered on a case by case basis through an EDDS deviation. (Ord. 796, Sec. 20, 2009)

[14.56.190 Off-Site Traffic Mitigation.](#)  SHARE

(a) Applicants for all administrative conditional or conditional use permits, Planning Director or Public Works Director approvals for short subdivisions creating five or more lots, all multifamily residential (four dwelling units or greater), commercial, industrial, or recreational building permits shall, where warranted, contribute to off-site right-of-way improvements based upon traffic volumes generated by the project and other factors indicated below; provided, that in the event the City requires formation of a local

**Commented [DR8]:** This section conflicts with our fees resolution and current practice for collecting traffic mitigation fees. I propose to delete the whole section. Applicants contribute to off-site traffic mitigation through the payment of impact fees.

improvement district (LID) for construction of right-of-way improvements the developer's contribution share shall be determined as provided in Chapter [36.88](#) RCW and by City ordinance. The volume of traffic generated by the project in relationship to the total of current traffic volumes plus the traffic generated by the development expressed in ADT will be used as the primary measurement in establishing the share of cost of the road improvement or its implementation which the permit applicant will be required to fund. The ratio of traffic volumes will be determined by dividing the number of vehicles being added as a result of the applicant's proposal by the ADT using the road system following development. The number of vehicle trips being added by the development will be determined by using the following trip generation factors listed in Table 14.56-II.

(b) Other trip generation factors will be determined and supplied by the Planning Director or Public Works Director as needed using the document Trip Generation (Institute of Transportation Engineers, Arlington, VA, current edition). The Planning Director or Public Works Director may reduce such trip generation factors where adequate public transportation facilities are available, or where the type of development clearly will not generate the number of daily trips set forth as a factor above.

**Table 14.56-II: Trip Generation Factors**

LAND-USE TYPE	DAILY TRIPS	UNIT
Single family	10.0	Dwelling unit
Apartments	6.1	Dwelling unit
Industrial & Warehouse	8.0	1,000 sq. ft. gross leasable floor area

(c) The analysis required in subsections (a) and/or (b) of this section shall be provided by the applicant, in the form of a traffic impact study prepared by a qualified traffic engineer and conforming to the administrative guideline entitled "Traffic Impact Analysis Guidelines (TIAG)." The traffic reports so generated shall be reviewed by the Planning Director, or its representative, for conformance to the intent of this section, the TIAG and traffic engineering standards. Where differences of professional opinion exist, the Planning Director's opinion shall be final.

(d) A fee for traffic report review, as set by resolution, shall be levied against the applicant. (Ord. 811, Sec. 58, 2010)

**14.56.192 Collection of Pre-Annexation Traffic Mitigation Fees.\*** 

~~Pursuant to the terms of an interlocal agreement with Snohomish County, the City may collect traffic impact mitigation fees, that were imposed by the County, under County code and for which the application was vested under County code, where the subject property has been annexed to the City since the fees were imposed by the County. The City may condition the issuance of building permits or a certificate of occupancy on the payment of such fees. When the fees are paid to the City, the City shall issue a receipt to the applicant which deems the fee obligation of the City and the County satisfied and which indemnifies the applicant from payment of such fees to the County.~~ (Ord. 859, Sec. 1, 2011)

\* Code reviser's note: Section 3 of Ordinance 859 adopts sections of the Snohomish County Code concerning mitigation fees and concurrency determination. The text of these sections is attached as Exhibit 1 to the ordinance, on file with the City Clerk's office.

#### **14.56.200 Attention to Disabled Persons in Street and Sidewalk Construction.**

(a) Whenever curb and gutter construction is used on public streets, wheelchair ramps for disabled persons shall be provided at intersections and other major points of pedestrian flow. Wheelchair ramps and depressed curbs shall be constructed in accordance with published standards of the Washington State Building Code addressing accessibility.

(b) In unsubdivided developments, sidewalk construction for disabled persons shall conform to the requirements of the chapter of the Washington State Building Code addressing accessibility. (Ord. 468, Sec. 2, 1995)

#### **14.56.210 Street Names and House Numbers.**

Street names and house numbers assigning procedures are hereby established by policy. (Ord. 539, 1997; Ord. 515, Sec. 1, 1996; Ord. 468, Sec. 2, 1995)

#### **14.56.220 Bridges.**

All bridges shall be constructed in accordance with the standards and specifications of the Washington State Department of Transportation and the Washington State Department of Fish and Wildlife, except that bridges on roads not intended for public dedication may be approved by Public Works Director and Community Planning Director, if designed by a licensed architect or engineer and approved by the Washington State Department of Fish and Wildlife.

#### **14.56.230 Utilities.**

Utilities installed in public rights-of-way or along private roads shall conform to the requirements set forth in Chapter [14.60](#) (Utilities).

#### **14.56.240 Vacations of Public Rights-of-Way.**

Applications for vacations of public rights-of-way shall be processed according to Section [14.16C.095](#).  
(Ord. 811, Sec. 59, 2010)

**14.56.250 Right-of-Way Permit Required.**  

Prior to performing any work within a public right-of-way, the person performing the work shall obtain a right-of-way permit from the Public Works Director, who may condition the permit as necessary to protect the public health, safety and welfare. (Ord. 468, 1995)

**14.56.260 Implementation of Traffic Calming Techniques.**  

(a) The standards contained within this chapter may be varied on new roads or modifications of existing roads for the purpose of implementing traffic calming techniques and the following criteria are met:

- (1) There is a demonstrated need for calming (i.e., not an excuse to build substandard roads).
- (2) The modifications are limited to the least amount necessary to implement the desired technique.
- (3) It is demonstrated to the satisfaction of the Lake Stevens Public Works [and Police Departments](#) that the proposed techniques will be effective in achieving their objectives.
- (4) The proposal does not result in the level of service (LOS) dropping lower than the adopted standard for any City road.
- (5) The proposal does not create a traffic hazard.
- (6) The proposal does not come at cost of bike lane or pedestrian access.
- (7) Developers who install traffic calming techniques are encouraged to also incorporate low impact development techniques for stormwater management. Toward that end, projects may incorporate storm facilities in lieu of landscape strip.
- (8) The proposal must be acceptable to [Public Works](#) for purposes of not creating undue maintenance needs and for ensuring the replacement life of the facilities is acceptable relative to the costs of replacing the facilities.
- (9) The proposal must be acceptable to the fire and police chiefs for public safety purposes.
- (10) For modifications to existing streets where significant use of on-street parking already occurs, the proposal must accommodate on-street parking.

(11) The proposal must accommodate installation of utilities to adopted standards. The proposal does not significantly increase the potential to adversely impact the environment than would building a standard street.

(12) The proposal doesn't significantly impact residents access or adversely impact adjacent or nearby properties.

(b) Prior to approval of modifying an existing street not associated with a land use development, the City Council shall conduct a public meeting to solicit input from people in the affected neighborhood. In making a decision whether to approve a proposal, the Council shall consider public testimony in regards to the previous criteria, and any other information which demonstrates the appropriateness of the proposal.

(c) For new streets in new developments, public comments and testimony shall be afforded through the process set forth for the land use permit associated with the new development. (Ord. 796, Sec. 21, 2009; Ord. 662, Sec. 6, 2002)

**14.56.270 Private Landscape Usage of Public Right-of-Way.** 

(a) Right-of-way dedicated for the purpose of public use may be used by an adjacent private property owner for landscape enhancement as described in subsection (b) of this section, or as described in subsection (c) of this section if approved in writing by the Public Works Director, and provided the enhancement does not:

(1) Occur within a right-of-way adjacent to a designated state route without prior approval from WSDOT of the proposed enhancement; and

(2) Create a sight distance condition for both the public and the adjacent properties within the public right-of-way; and

(3) Impact or alter existing drainage flows or existing drainage systems within the right-of-way; and

(4) Obstruct pedestrian movement as existing prior to any enhancement work; and

(5) Come within three feet from the edge of the existing driving lane; and

(6) Have a casted cement concrete, asphalt, or metal foundation; and

(7) Add additional impervious surface; and

- (8) Create a glare from the sun or headlights that affect users of the public right-of-way; and
- (9) Have electrical power service; and
- (10) Require mechanical excavation for placement; and
- (11) Include a sign or moving object (i.e., wind- or self-power-operated yard display); and
- (12) Create a health, safety, and welfare concern or issue to the public as determined by the Public Works Director.

(b) Private enhancement allowed within the public right-of-way requires the approval of the Public Works Director unless included in the following:

- (1) Manicured lawn.
- (2) Ground cover, bushes, shrubs and plants.
- (3) City-approved street trees.
- (4) Nonstructure landscaping walls less than three feet in height.
- (5) Paver bricks and concrete patio type step blocks.
- (6) Landscaping rocks no larger than six inches at the widest point.
- (7) Landscaping bark.
- (8) Mailbox.
- (9) Irrigation system up to five-eighths-inch in diameter pipe size.

(10) Gravel shoulder using a crush surface base course material with fines that allows for compaction.

(c) Requests for an approval for the placement of an enhancement within the public right-of-way not included in subsection (b) of this section shall be submitted in writing to the Public Works Director. The request must include a detailed description of the proposed enhancement and a sketch showing the location of the proposed enhancement. The Public Works Director shall provide a written response to all requests either approving or denying approval. If a request is denied, an explanation will be provided. The decision of the Public Works Director shall be final and conclusive and there shall be no right of appeal.

(d) A right-of-way permit per Section [14.56.250](#) will be required prior to private enhancement being placed in the public right-of-way with the following private enhancements being exceptions:

- (1) Manicured lawn.
- (2) Ground cover, bushes, shrubs and plants.
- (3) Paver bricks and concrete patio type step blocks.
- (4) Landscaping bark.

(e) Any private enhancement placed within the public right-of-way may be required by the City to be removed at some future date. When practical, the City shall give 15 calendar days' notification to the adjacent property owner to remove such enhancement. In the event that the adjacent property owner does not remove such enhancements following the 15 calendar days' notification or the Public Works Director determines that an immediate action is needed, such as a safety, weather related, or part of a construction project, that requires the use of the public right-of-way, the City may take immediate action to remove any enhancement within the public right-of-way. The costs of such abatement by the City shall be the responsibility of the owner of the adjacent property. Such costs may be recovered by the City in accordance with the provisions of Section [9.60.210](#).

(f) The owner of the adjacent property is responsible for the maintenance of private enhancement along its frontage and sides. If maintenance is needed for public safety, the City may perform the work without notification to the property owner. The costs of such maintenance shall be deemed costs of abatement and shall be the responsibility of the owner of the adjacent property. Such costs may be recovered by the City in accordance with the provisions of Section [9.60.210](#).

(g) The City shall not be responsible to protect, preserve, or return any enhancements removed from the public right-of-way. No reimbursement will be made by the City for any loss, removal, or damage to said enhancements within the public right-of-way.

(h) The City's cost of abatement or costs of maintenance shall be the City's actual costs plus an administrative fee of not less than 15 percent.

(i) Enhancements installed and maintained in accordance with the provisions of this section shall not be deemed a nuisance under Section [9.60.170](#). (Ord. 843, Sec. 1, 2011)

**14.56.280 Complete Streets.** 

(a) The City of Lake Stevens should, to the best of its ability, and subject to the limits of its financial resources, plan for, design and construct new transportation projects to provide appropriate accommodation for pedestrians, bicyclists, motor vehicle drivers, public transportation users and drivers, people of all ages and abilities including, but not limited to, children, youth, families, older adults, and individuals with disabilities.

(b) Exceptions. Exceptions to this policy may be determined by the Public Works Director, City Engineer, Mayor, City Council, City Administrator or designee. Facilities for pedestrians, bicyclists, transit users, motorists, and/or people of all abilities are not required to be provided:

- (1) Where their establishment would promote or accommodate uses of the street that are prohibited by law;
- (2) Where their establishment would be contrary to public health and safety;
- (3) Where there is no City-identified need;
- (4) Where ordinary maintenance activities, designed to keep assets in serviceable condition (e.g., striping, cleaning, sweeping, spot repair and pavement preservation), would be wholly or partially impeded;
- (5) Where the costs associated with planning and implementing "complete streets" is, or would be, disproportionate to the current need or future benefit;
- (6) Where a documented exception or deviation has been granted by the Public Works Director, City Engineer or designee;
- (7) Where implementing "complete streets" practices on a small project would create a short section of improvements that create problematic transitions on either end or that are unlikely to be followed by similar improvements at either end which result in little to no progress toward implementing "complete streets";
- (8) Where implementing "complete streets" practices would have an adverse impact on environmental resources including, but not limited to, streams, rivers, lakes, wetlands, floodplains or historic structures/sites beyond the impacts of existing infrastructure;
- (9) Where implementing a "complete streets" practice would be contrary to or conflict with the City's adopted street design standards and/or the City's adopted Transportation Improvement Plan.

(Ord. 965, Sec. 1, 2016)

Part II. Street Assessment Reimbursement Agreements

**14.56.300 Purpose.**  SHARE

This part implements and makes available to the public the provisions of Chapter [35.72](#) RCW as the same now exists or may hereafter be amended.

**14.56.310 Authorization.**  SHARE

The Public Works Director is authorized to accept applications for the establishment by contract of an assessment reimbursement area as provided by state law, provided, such application substantially conforms to the requirements of this chapter.

**14.56.320 Applications.**  SHARE

Applications for the establishment of an assessment reimbursement area shall be accompanied by the application fee as set by the City Council by resolution and shall include the following items:

- (a) Detailed construction plans and drawings of the entire street project to be borne by the assessment reimbursement area prepared and stamped by a licensed engineer.
- (b) Itemization of all costs of the street project including, but not limited to, design, grading, paving, installation of curbs, gutters, storm drainage, sidewalks, street lights, engineering, construction, property acquisition and contract administration.
- (c) A map and legal description identifying the proposed boundaries of the assessment reimbursement area and each separately owned parcel within such area. Such map shall identify the location of the street project in relation to the parcels of property in such area.
- (d) A proposed assessment reimbursement roll stating the proposed assessment for each separate parcel of property within the proposed assessment reimbursement area as determined by apportioning the total project cost on the basis of the benefit of the project to each such parcel of property within said area.
- (e) A complete list of record owners of property within the proposed assessment reimbursement area certified as complete and accurate by the applicant and which states names and mailing addresses for each such owner.
- (f) Envelopes addressed to each of the record owners of property within the assessment reimbursement area who have not contributed their pro rata share of such costs. Proper postage for registered mail shall be affixed or provided.

(g) Copies of executed deeds and/or easements in which the applicant is the grantee for all property necessary for the installation of such street project.

**14.56.340 Assessment Methods.**  

The Public Works Director shall use a method of assessment which is based on the benefit to the property owner from the project, which may include the methods of assessment authorized in RCW Chapter [35.44](#) for local improvement districts.

**14.56.350 Notice to Property Owners.**  

Prior to the execution of any contract with the City establishing an assessment reimbursement area, the Public Works Director or designee shall mail, via registered mail, a notice to all record property owners within the assessment reimbursement area as determined by the City on the basis of information and materials supplied by the applicant, stating the preliminary boundaries of such area and assessments along with substantially the following statement:

As a property owner within the Assessment Reimbursement Area whose preliminary boundaries are enclosed with this notice, you or your heirs and assigns will be obligated to pay under certain circumstances a pro rata share of construction and contract administration costs of a certain street project that has been preliminarily determined to benefit your property. The proposed amount of such pro rata share or assessment is also enclosed with this notice. You, or your heirs and assigns, will have to pay such share, if any development permits are issued for development on your property within \_\_\_\_\_ (\_\_\_\_) years of the date a contract establishing such area is recorded with Snohomish County provided such development would have required similar street improvements for approval.

You have a right to request a hearing before the City Council within twenty (20) days of the date of this notice. All such requests must be made in writing and filed with the City Clerk. After such contract is recorded it shall be binding on all owners of record within the assessment area who are not a party to the contract.

**14.56.360 City Council Action.**  

If an owner of property within the proposed assessment reimbursement area requests a hearing, notice of the hearing shall be given to all affected property owners in addition to the regular notice requirements specified by this part, the cost of which shall be borne by the applicant. At a hearing the City Council shall take testimony from affected property owners and make a final determination of the area boundaries, the amount of assessments, length of time for which reimbursement shall be required and shall authorize the execution of appropriate documents. The City Council's ruling on these matters is determinative and final.

If no hearing is requested, the Council may consider and take final action on these matters at any public meeting 20 days after notice was mailed to the affected property owners.

**14.56.370 Contract Execution and Recording.** 

- (a) Within 30 days of final City Council approval of an assessment reimbursement agreement, the applicant shall execute and present such agreement for the signature of the appropriate City officials.
- (b) The agreement must be recorded in the Snohomish County Recorder's Office within 30 days of the final execution of the agreement.
- (c) If the contract is so filed and recorded, it shall be binding on owners of record within the assessment area who are not party to the agreement. (Ord. 468, 1995)

**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.

*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.



Staff Report  
City of Lake Stevens Planning Commission

Planning Commission Briefing  
Date: **April 3, 2019**

**SUBJECTS:** Land Use Designation of the Urban Growth Area (UGA)

**CONTACT PERSON/DEPARTMENT:** Dillon Roth, *Planner*

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**SUMMARY:** Assigning land use designations for the city's remaining UGA

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**ACTION REQUESTED OF PLANNING COMMISSION:** Review and make recommendations on the proposed land use designations.

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***Purpose of Land Use Designations***

The city has informally assigned comprehensive plan land use designations for the city's UGA through Resolution 2016-29. Currently, the city formally assigns zoning and land use designations through the annexation process of lands in the UGA as those lands are annexed. City staff proposes to formally assign a land use designation to all parcels currently in the city's UGA (Attachment 1). A pre-designation of the UGA, prior to any annexation process, will provide current UGA residents with more certainty about how land will be used once annexed into the City of Lake Stevens.

***Land Use Map***

The land use designations proposed in Attachment 1 are generally consistent with existing uses and County designations. The attached map shows most of the existing UGA being designated as Medium Density Residential (MDR). There are two sections in the northeast portion of the city being designated as General Industrial (GI). The parcels within 200-feet of the lake are designated as Waterfront Residential (WR), except for Sunset Cove Park which is designated Public/Semi-Public (P/SP).

An area generally between 20<sup>th</sup> St SE and Machias Cutoff is called out on attachment 1 as a Commercial Node Study Area. The area currently consists of single-family residences on very large lots with critical areas interspersed. Staff intends to investigate the feasibility of a commercial designation on some portion of the study area, not the entire study area. The purpose of a commercial designation would be to bring neighborhood scale commercial services closer to where people live in the UGA.

The second page of Attachment 1 shows the two map amendments for the comprehensive plan land use map. The two changes are both parks related. The Frontier Heights park was changed from High Density Residential to Public/Semi-Public. A parcel adjacent to the 20<sup>th</sup> St Ballfields was changed from Medium Density Residential to Public/Semi-Public. Both parcels are owned by the city.

***Next steps***

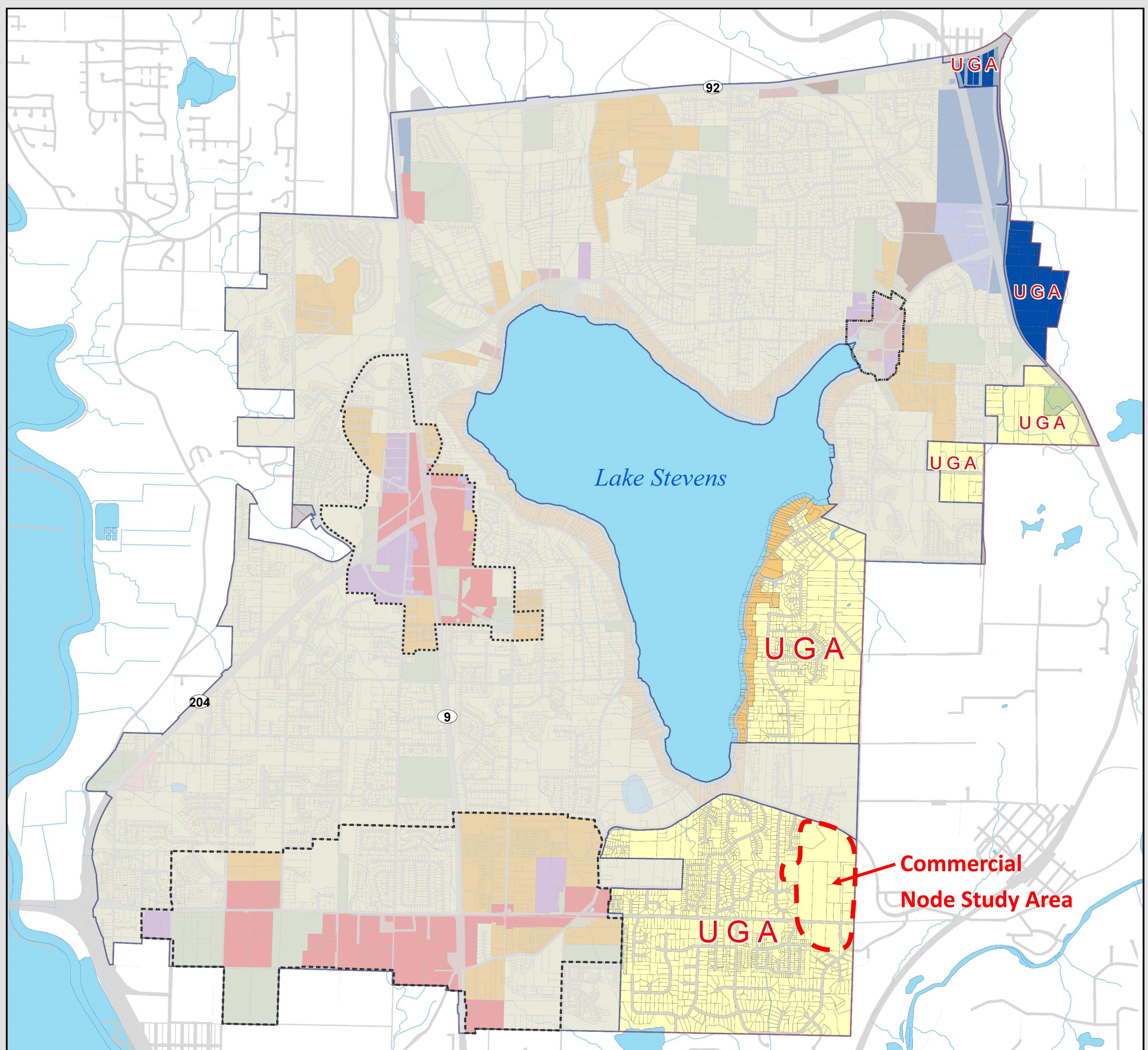
Staff will discuss the land use designations with City Council and initiate the public notice process.

**ATTACHED:**

- 1) Draft Land Use Map for UGA and Citywide



**DRAFT** CITY OF LAKE STEVENS  
COMPREHENSIVE PLAN - LAND USE



**DRAFT** Comprehensive Plan - 2019 Land Use Map

**Land Use Designations**

Med Density Residential (MDR)	Local Commercial (LC)
Waterfront Residential (WR)	Mixed Use (MU)
High Density Residential (HDR)	Commercial

Planned Business District (PBD)

Light Industrial (LI)
General Industrial (GI)
GI Development Agreement (GIDA)

**Boundary**

City of Lake Stevens
Unincorporated UGA

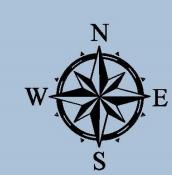
Parcels
Right-of-Way

**Subarea Boundaries**

20th Street SE Corridor
Downtown Lake Stevens
Lake Stevens Center

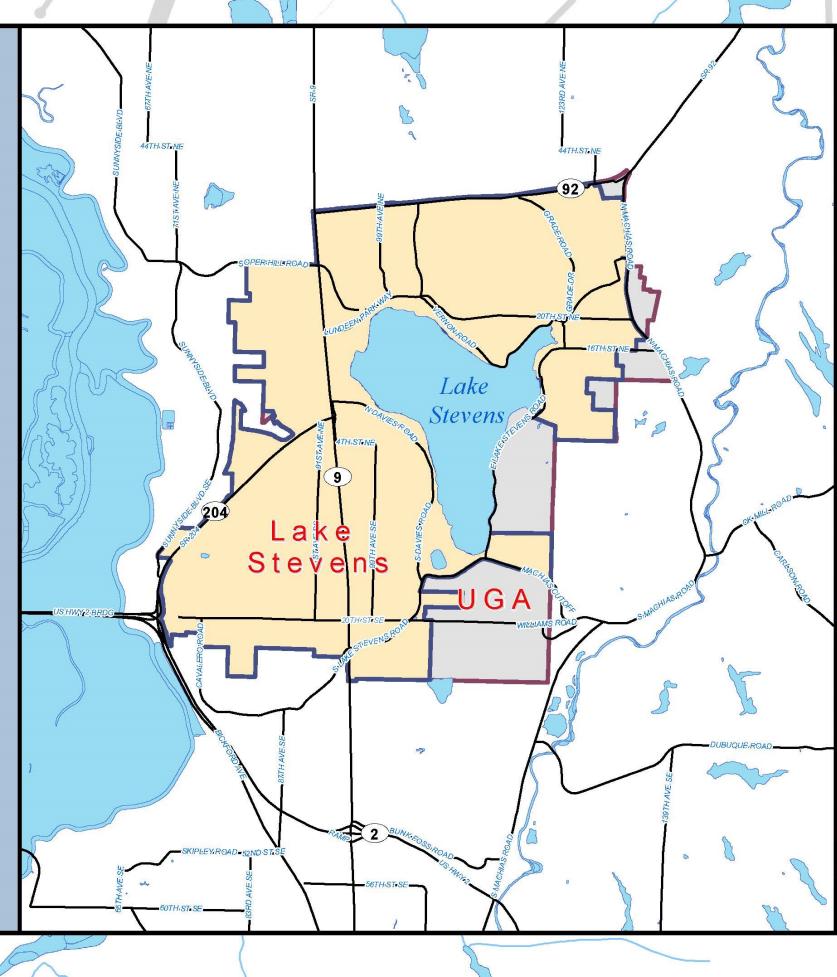
**Features**

Waterbody
Stream



0 500 1,000 2,000 Feet

Revised By Ordinance No. 1041



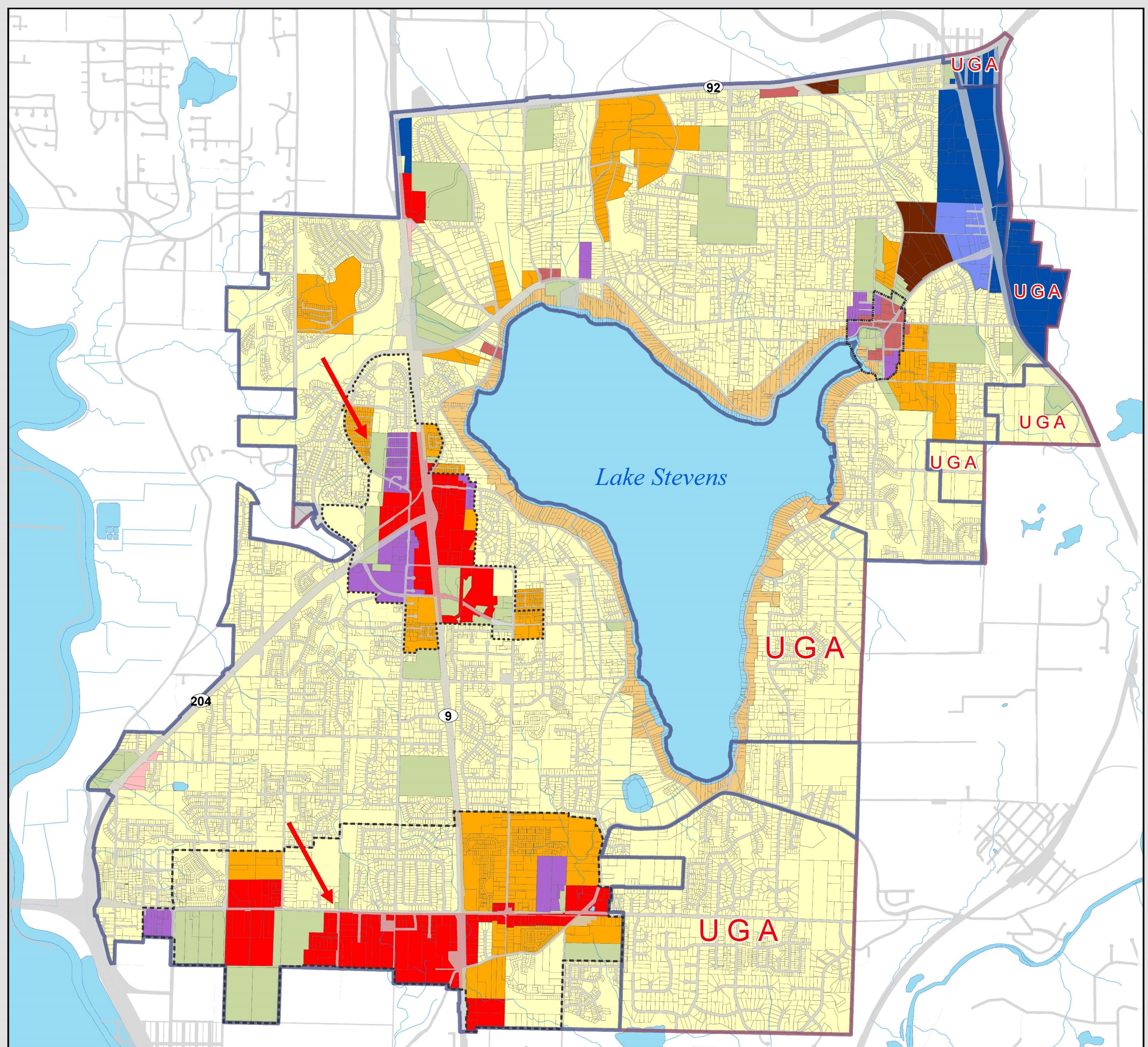
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Data Sources: Snohomish County (2019), City of Lake Stevens (2019)

Revision Date: FEBRUARY 2019



**DRAFT** CITY OF LAKE STEVENS  
COMPREHENSIVE PLAN - LAND USE



**DRAFT** Comprehensive Plan - 2019 Land Use Map

**Land Use Designations**

- Local Commercial (LC)
- Med Density Residential (MDR)
- Waterfront Residential (WR)
- High Density Residential (HDR)

- Mixed Use (MU)
- Commercial
- Downtown / Local Commerce (D/LC)

■ Planned Business District (PBD)

- Light Industrial (LI)
- General Industrial (GI)
- GI Development Agreement (GIDA)
- Public / Semi-Public (P/SP)

**Boundary**

- City of Lake Stevens
- Unincorporated UGA

- Parcels
- Right-of-Way

**Subarea Boundaries**

- 20th Street SE Corridor
- Downtown Lake Stevens
- Lake Stevens Center

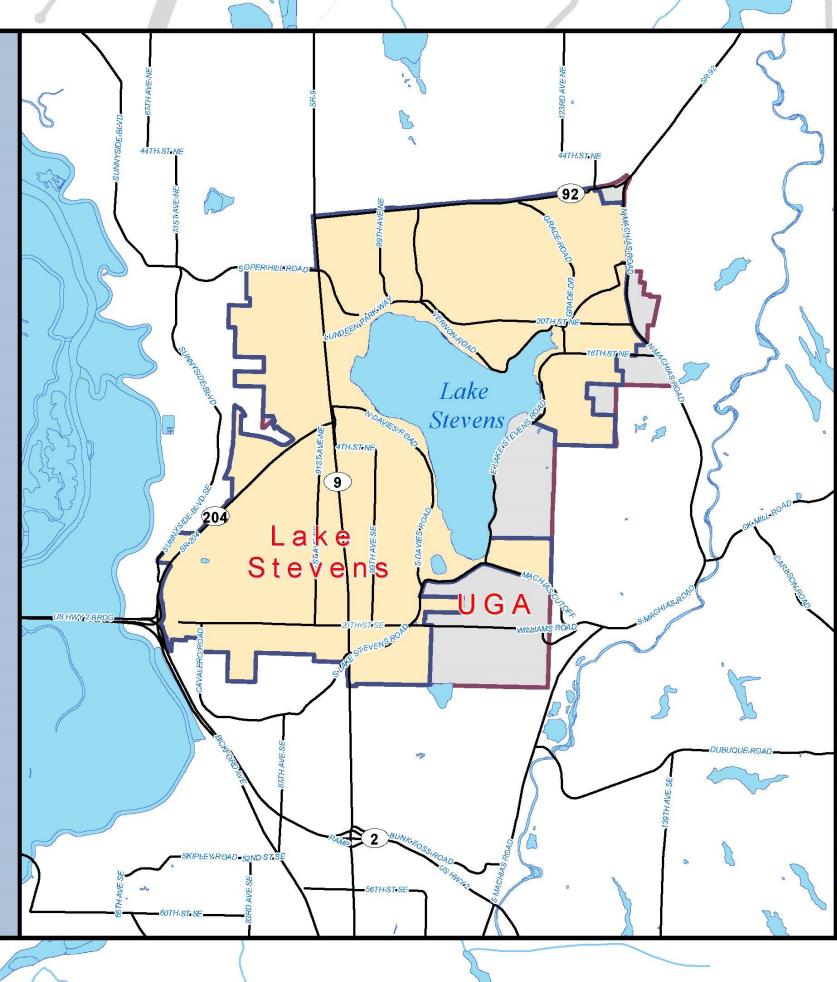
**Features**

- Waterbody
- Stream



0 500 1,000 2,000 Feet

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