



PLANNING COMMISSION AGENDA

Regular Meeting Date: 07.20.2016

Planning Commission
Meeting:

First Wednesday of every
Month @ 7:00pm

Planning & Community
Development Department

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

www.lakestevenswa.gov

Municipal Code

Available online:

www.codepublishing.com/WA/LakeStevens/

*Items attached

**Items previously
distributed

Items to be
distributed

A. CALL TO ORDER: 7:00pm

Pledge of Allegiance

B. ROLL CALL

C. GUEST BUSINESS

D. ACTION ITEMS

1. Approval of Minutes#

E. PUBLIC HEARING:

1. Impact Fee Deferrals—Wright*

2 Administrative Authority — Wright*

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

PUBLIC HEARING FORMAT

1. PC Chair Opens Public Hearing

2. Staff Presentation

3. Commission's questions for staff

4. Proponent's comments

5. Comments from the audience

6. Proponent rebuttal comments

7. Close public comments portion of hearing by motion

**8. Re-open public comment portion of hearing for additional comments
(optional)**

9. Close Hearing by motion

10. COMMISSION ACTION BY MOTION—Recommendation to Council

A. Approve

B. Deny

C. Continue

F. DISCUSSION ITEMS

G. COMMISIONER REPORTS

H. DIRECTOR'S REPORT

I. ADJOURN

SPECIAL NEEDS

The City of Lake Stevens strives to provide accessible opportunities for individuals with disabilities. Please contact Steve Edin, City of Lake Stevens ADA Coordinator, at (425) 377-3227 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,



Staff Report
City of Lake Stevens Planning Commission

Public Hearing
Date: **July 20, 2016**

SUBJECTS: Impact Fee Deferrals

CONTACT PERSON/DEPARTMENT: Russ Wright, *Community Development Director*

SUMMARY: Amendments to the city's impact fee regulations to enact recent state legislation allowing the deferral of impact fees for the construction of single-family construction.

ACTION REQUESTED OF PLANNING COMMISSION: No action requested at this time.

BACKGROUND/HISTORY:

The Washington State Legislature passed Engrossed Senate Bill 5923 last year providing a limited deferral of impact fees for single-family constructions. ES 5923 becomes effective September 1, 2016. This bill requires counties, cities and towns collecting impact fees to adopt a deferral system for new detached and attached single-family residential construction. In response to ES 5923, the city proposes to add Chapter 14.124 Deferred Collection of Impact Fees for Residential Construction and amend Chapters 14.100, .112 and .120 of the Lake Stevens Municipal Code (**Exhibit 1**).

Chapter 14.124 LSMC adds a purpose statement and defines a process that includes:

- A. Deferring collection of the impact fee payment until certificate of occupancy or equivalent certification is issued, which was Planning Commission's recommendation;
- A. Deferral is 18 months from issuance of the building permit;
- B. The amount of impact fees that may be deferred is determined by the fees in effect at the time the applicant applies for a deferral;
- C. The deferral is limited to the first 20 single-family residential building permits, annually, per applicant;
- D. An applicant seeking a deferral must grant and record a lien against the property in favor of the municipality in the amount of the deferred impact fee;
- E. Establishes an administrative fees from applicants seeking a deferral;
- F. Defines "Applicant" as "an entity that controls the applicant, is controlled by the applicant, or is under common control with the applicant;" and
- G. Municipalities and school districts are authorized to institute foreclosure proceedings if impact fees are not paid.

Chapters 14.100, .112 and .120 are amended to provide appropriate references to Chapter 14.124 LSMC.

Since the first briefing with the Planning Commission, staff has issued a SEPA DNS (**Attachment 2a**), and sent the proposed amendments out for agency review. No comments have been received.

FINDINGS AND CONCLUSIONS:

1. *Compliance with selected Goals of the Comprehensive Plan*

- INTRODUCTION GOAL 1.3 – Ensure that the city's development review process provides certainty and clarity in timelines and standards that results in a timely and predictable decision making process for all development applications.
- ECONOMIC DEVELOPMENT GOAL 6.7 – Provide a predictable development atmosphere.

Conclusions – The proposed code amendments are consistent with Introduction and Economic Development goals.

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

- Staff prepared an environmental checklist for the proposed code revisions, dated May 31, 2016 (**Exhibit 2a**).
- The SEPA official issued a Determination of Non-significance on June 8, 2016 (**Exhibit 2b**).
- The city did not receive any comments or appeals related to the SEPA determination.

Conclusions – The proposed code amendments have met local and state SEPA requirements.

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

- The city requested expedited review from the Department of Commerce on June 2, 2016 (**Exhibit 3a**).
- The Department of Commerce sent granted approval on June 22, 2016 (**Exhibit 3b**).
- Staff will file the final ordinance with the Department of Commerce within 10 days of City Council action.

Conclusions – The proposed code amendments have met Growth Management Act requirements.

4. *Public Notice and Comments (Exhibit 4)*

- The city published a notice of SEPA determination in the Everett Herald on June 8, 2016.
- The city published a notice of Public Hearing in the Everett Herald twice per LSMC 1416B LSMC.

Conclusions – The City has met public notice requirements per Chapter 14.16B LSMC.

RECOMMENDATION: Forward a recommendation to the City Council to APPROVE the proposed amendments adding Chapter 14.124 Deferred Collection of Impact Fees for Residential Construction and amending Chapters 14.100, .112 and .120 LSMC.

ATTACHED:

1. Code Amendment
2. SEPA
3. Commerce Review
4. Affidavit(s) of Notice – to be provided

Chapter 14.124

DEFERRED COLLECTION OF IMPACT FEES FOR RESIDENTIAL CONSTRUCTION

A. Purpose. Allow and maintain a system for the deferred collection of impact fees for single-family detached and attached residential construction pursuant to RCW 82.02.050.

B. Process. The applicant, as defined herein, may request to defer the collection of the impact fee payment for single-family detached and attached residential construction, on forms provided by the city, subject to the following restrictions:

1. The impact fee must be paid in full at or before the time the city issues a certificate of occupancy, or equivalent certification;
2. The deferral term may not exceed 18 months from issuance of the building permit;
3. The amount of impact fees that may be deferred will be determined by the fees in effect at the time the applicant applies for a deferral;
4. Deferral of impact fees is limited to the first 20 single-family residential building permits, annually, per applicant;
5. An applicant seeking a deferral must grant and record a lien against the property in favor of the municipality in the amount of the deferred impact fee. The lien shall include the legal description, the tax account number, the address of the property, must also be
 - i. In a form approved by the city,
 - ii. Signed by all owners of the property, with all signatures acknowledged as required for a deed, and recorded in the county where the property is located,
 - iii. Binding on all successors in title after the recordation, and
 - iv. Junior and subordinate to one mortgage for the purpose of construction upon the same real property granted by the person who applied for the deferral of impact fees.
6. Municipalities may collect reasonable administrative fees from applicants seeking a deferral;
7. “Applicant” is defined to include “an entity that controls the applicant, is controlled by the applicant, or is under common control with the applicant;”
8. Municipalities and school districts are authorized to institute foreclosure proceedings if impact fees are not paid pursuant to Chapter 61.12 RCW:
 - i. Upon receipt of final payment of all deferred impact fees for a property, the city must execute a release of deferred impact fee lien for the property.
 - ii. The property owner at the time of the release, at his or her expense, is responsible for recording the lien release.
 - iii. -The extinguishment of a deferred impact fee lien by the foreclosure of a lien having priority does not affect the obligation to pay the impact fees as a condition of issuing a certificate of occupancy or equivalent certification.

Chapter 14.100

SCHOOL IMPACT MITIGATION

14.100.170 Fee Determination.

(a) On or before the time of development approval, the City shall determine whether school impact fees will be due pursuant to this chapter. Where such fees are due, the development approval shall state that the payment of school impact fees will be required ~~prior to issuance of building permits~~. The amount of the impact fee due shall be based on the fee schedules in effect at the time a building permit application is accepted by the City. ~~The impact fees shall be paid on or before the time of building permit issuance.~~

14.100.200 Collection and Transfer of Fees, Fund Authorized and Created.

(a) School impact fees shall be due and payable at or before the time of issuance of residential building permits for all development activities, unless deferred pursuant to Chapter 14.124.

(b) When a short plat or subdivision is approved, a note shall be included on the face of the plat indicating that the impact fee is due upon issuance of the building permit but no later than certificate of occupancy or equivalent certification~~building permit~~. The specific language of the note shall be provided to the applicant by the Planning Director.

Chapter 14.112
TRAFFIC IMPACT MITIGATION FEES

14.112.100 Collection of Impact Fees.

Impact fees for each development shall be assessed and collected at the time of issuance of a building permit, unless deferred pursuant to Chapter 14.124. Where no building permit will be associated with the development, such as a development requiring a conditional use permit, payment is required as a precondition to approval.

Chapter 14.120
PARK IMPACT MITIGATION FEES

14.120.120 Collection of Impact Fees.

Impact fees for each lot shall be assessed and collected at the time of issuance of a building permit unless deferred pursuant to Chapter 14.124.



CITY OF LAKE STEVENS
PLANNING AND COMMUNITY DEVELOPMENT
PO BOX 257, LAKE STEVENS, WA 98258
PHONE: (425) 377-3235 / FAX: (425) 212-3327

SEPA ENVIRONMENTAL CHECKLIST ***UPDATED 2014***

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. BACKGROUND

1. Name of proposed project, if applicable:
Deferral of impact fees for new single-family construction.

2. Name of applicant:
City of Lake Stevens

3. Address and phone number of applicant and contact person:
Russ Wright, Community Development Director
City of Lake Stevens
1812 Main Street / PO Box 257
Lake Stevens, WA 98258
(425) 212 - 3315

4. Date checklist prepared:
May 31, 2016

5. Agency requesting checklist: **City of Lake Stevens**

6. Proposed timing or schedule (including phasing, if applicable):

SEPA Determination:	June 06, 2016
Planning Commission Public Hearing:	June 15 or 22, 2016
City Council Public Hearing (1 st Reading):	July 12, 2016
City Council Public Hearing (2 nd Reading) / Adoption:	July 26, 2016

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

No this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

10. List any government approvals or permits that will be needed for your proposal, if known.

City Council approval and Department of Commerce review

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The City of Lake Stevens is proposing changes to the city of Lake Stevens Municipal Code amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction. The proposal will include the addition of Chapter 14.124 Deferred Collection of Impact Fees for Residential Construction and amendments to chapters 14.100 School Impact Mitigation, 14.112 Traffic Impact Mitigation Fees, and 14.120 Park Impact Fees.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The proposed amendment will apply to development regulations for project actions within the city boundaries of Lake Stevens, WA.

B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other:

The City of Lake Stevens' topography includes steep slopes, ravines, hilly and some flat land areas.

- b. What is the steepest slope on the site (approximate percent slope)?

Moderate slopes between 15 and 40 percent, and some steep slopes over 40 percent exist within the city boundaries of Lake Stevens

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

The city contains the following soil series:

- Tokul gravelly loam
- Mukilteo Muck
- Everett gravelly sandy loam
- Norma loam
- Urban Land
- Disturbed/Fill
- Winston gravelly loam
- Bellingham silty clay loam
- McKenna gravelly silt loam
- Rober silt loam
- Pastik silt loam
- Terric Medisaprast

- d. Are there surface indications or history of unstable soils in the immediate vicinity?

yes no

If so, describe.

The Land Capability Classification from the USDA Web Soil Survey shows soil types ranging from 2e to 7e. This index rates the suitability of soil for cultivation. This means some soil types in the city are potentially unstable depending on site conditions, such as soil depth, water content and may be susceptible to erosion without proper soil management. The Tokul, Winston, and Paskit series are most susceptible to erosion. The Bellingham, McKenna, and Pilchuck series may be unstable with excessive water.

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

2. Air

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

3. Water

- a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names.

yes no

If appropriate, state what stream or river it flows into.

The city of Lake Stevens has several bodies of water including Lake Stevens, Catherine Creek, Stevens Creek, Lundein Creek, Stitch Lake and associated wetland complexes. Catherine Creek flows into Little Pilchuck Creek.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

yes no

If so, note location on the site plan.

The city of Lake Stevens has lands with Special Flood Hazard Area Zone A, depicted on the FIRMs for Lake Stevens, WA.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

4. Plants

- a. Check the types of vegetation found on the site:

The following vegetation types are found within the boundaries of the City of Lake Stevens:

- Deciduous tree: alder, maple, aspen, other
- Evergreen tree: fir, cedar, pine, other
- Shrubs
- Grass
- Pasture
- Crop or grain
- Wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- Water plants: water lily, eelgrass, milfoil, other
- Other types of vegetation

- b. What kind and amount of vegetation will be removed or altered?

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- c. List threatened and endangered species known to be on or near the site.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- e. List all noxious weeds and invasive species known to be on or near the site.

Himalayan Blackberry, Holly and English Ivy are known to be present within the boundaries of the City of Lake Stevens. Other noxious weeds or invasive species may be present on a case-by-case basis. This is a Non-project action.

5. Animals

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include:

Birds: hawk, heron, eagle, songbirds, other: various picidae species, various corvidae species, various waterfowl species

Mammals: deer, bear, elk, beaver, other: raccoons, opossums, rodents

Fish: bass, salmon, trout, herring, shellfish, other: sculpin and stickleback

- b. List any threatened and endangered species known to be on or near the site.

- Lake Stevens - Puget Sound Coho salmon (*O. Kisutch*) – Federal Species of Concern, and State Priority Species
- Streams - Puget Sound Steelhead (*O. mykiss*) – Federal Threatened Species
- Streams - Bull Trout (*S. Confluentus*) – Federal Threatened Species

- c. Is the site part of a migration route? If so, explain.

yes no

If so, explain.

The City of Lake Stevens is located within the Pacific flyway and salmonid migratory routes.

- d. Proposed measures to preserve or enhance wildlife, if any:

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- e. List any invasive animal species known to be on or near the site.

Grey squirrels are the only known invasive animal species within the boundaries of the city of Lake Stevens. This is a non-project action.

6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- 1) Describe any known or possible contamination at the site from present or past uses.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- 4) Describe special emergency services that might be required.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- 5) Proposed measures to reduce or control environmental health hazards, if any:

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- 3) Proposed measures to reduce or control noise impacts, if any:

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The city of Lake Stevens includes a variety of urban land uses including residential, commercial, office, industrial and public.

- b. Has the project site been used as working farmlands or working forest lands?

yes no

If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

Some parcels within the city of Lake Stevens were likely used for agriculture in the past. Currently, some larger parcels include fruit trees and may still have farm animals. This is a non-project action and no farmland or forest land of long-term commercial significance exist within the city boundaries of Lake Stevens.

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- c. Describe any structures on the site.

There are a mix of residential, public, and commercial buildings within the City of Lake Stevens.

- d. Will any structures be demolished? If so, what?

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- e. What is the current zoning classification of the site?

The city of Lake Stevens contains a mix of residential, commercial, industrial, mixed use and public zones.

- f. What is the current comprehensive plan designation of the site?

The city of Lake Stevens contains a mix of residential, commercial, industrial, mixed use and public Comprehensive Plan land uses.

- g. If applicable, what is the current shoreline master program designation of the site?

The city's Shoreline Master Program has the following Environment Designations: Aquatic, Natural, High Intensity, Urban Conservancy, and Shoreline Residential.

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

yes no

The city of Lake Stevens includes a variety of critical areas including streams, wetlands, fish and wildlife habitat conservation areas, flood hazard areas and geologically hazardous areas.

- i. Approximately how many people would reside or work in the completed project?

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- j. Approximately how many people would the completed project displace?

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- k. Proposed measures to avoid or reduce displacement impacts, if any:

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction. All required school, park and traffic mitigation fees for new single-family will be collected before final occupancy.

- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

There are no agricultural or forest lands of long-term commercial significance located within the city boundaries of Lake Stevens.

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- c. Proposed measures to reduce or control housing impacts, if any:

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction. All required school, park and traffic mitigation fees for new single-family will be collected before final occupancy.

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- b. What views in the immediate vicinity would be altered or obstructed?

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- c. Proposed measures to reduce or control aesthetic impacts, if any:

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- c. What existing off-site sources of light or glare may affect your proposal?

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- d. Proposed measures to reduce or control light and glare impacts, if any:

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

The city of Lake Stevens includes a variety of recreational facilities including the lake, city and county parks, schools, athletic fields, and the Centennial Trail.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction. All required school, park and traffic mitigation fees for new single-family will be collected before final occupancy.

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

The city of Lake Stevens includes several major roads including highways SR-9, SR-92, and SR-204. Major roads through the city include Vernon, Lundein Parkways, 20th Street NE and 20th Street SE.

- b. Is the site or affected geographic area currently served by public transit?

yes no

If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

Community Transit of Snohomish County provides transit service to select areas of Lake Stevens.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- h. Proposed measures to reduce or control transportation impacts, if any:

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction. All required school, park and traffic mitigation fees for new single-family will be collected before final occupancy.

15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction. All required school, park and traffic mitigation fees for new single-family will be collected before final occupancy.

16. Utilities

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other:

Electricity
 Natural gas
 Water
 Refuse service

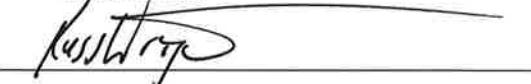
Telephone
 Sanitary sewer
 Septic system
 Other (list)

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Not applicable - this is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction.

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: 

Name of signee: Russ Wright

Position and Agency/Organization: Community Development Director, City of Lake Stevens

Date Submitted: May 31, 2016

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposal is not likely to increase discharge to water; emissions to air; production, storage or release of toxic or hazardous substances, or production of noise - all of these topics will be evaluated as project-specific actions occur.

Proposed measures to avoid or reduce such increases are:

This is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction. All required school, park and traffic mitigation fees for new single-family will be collected before final occupancy. Any proposed development will be required to mitigate any impacts to water; emissions to air; production, storage or release of toxic or hazardous substances.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposal is not likely to affect plants, animals and fish - all of these topics will be evaluated as project-specific actions occur.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

This is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction. All required school, park and traffic mitigation fees for new single-family will be collected before final occupancy. Any proposed development will be required to protect or conserve plants, animals, fish, or marine life.

3. How would the proposal be likely to deplete energy or natural resources?

The proposal is not likely to deplete energy or natural resources - all of these topics will be evaluated as project-specific actions occur.

Proposed measures to protect or conserve energy and natural resources are:

This is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction. All required school, park and traffic mitigation fees for new single-family will be collected before final occupancy. Any proposed development will be required to protect or conserve energy and natural resources.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposal is not likely to affect critical areas or culturally important sites - all of these topics will be evaluated as project-specific actions occur.

Proposed measures to protect such resources or to avoid or reduce impacts are:

This is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction. All required school, park and traffic mitigation fees for new single-family will be collected before final occupancy.

Any proposed development will be required avoid or reduce impacts to critical areas or culturally important sites.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The proposal will not likely affect land and shoreline use or allow or encourage land or shoreline uses incompatible with existing plans - all of these topics will be evaluated as project-specific actions occur.

Proposed measures to avoid or reduce shoreline and land use impacts are:

This is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction. All required school, park and traffic mitigation fees for new single-family will be collected before final occupancy.

Any future development proposals will be required to comply with the Lake Stevens Shoreline Master Program, Comprehesnive Plan and zoning and development regulations.

6. How would the proposal be likely to increase demands on transportation or publicservices and utilities?

The proposal is not likely to increase demands on transporation or public services and utilities.

Proposed measures to reduce or respond to such demand(s) are:

This is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction. All required school, park and traffic mitigation fees for new single-family will be collected before final occupancy. Any future development proposals will be required to submit a traffic impact analysis report and comply with applicable transportation, public service and utility requirements.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposal does not create any known conflicts with local, state or federal laws or requirements. This is a non-project action amending the city's impact fee regulations to enact recent state legislation (Engrossed Senate Bill 5923) allowing the deferral of impact fees for new single-family construction. All required school, park and traffic mitigation fees for new single-family will be collected before final occupancy. The proposal is consistent with the City of Lake Stevens Comprehensive Plan.



SEPA DETERMINATION OF NONSIGNIFICANCE

Issuance Date: June 8, 2016

Project Name (No.): Impact Fee Deferral

Proponent: City of Lake Stevens

Applicants: City of Lake Stevens

Description of Proposal: The city of Lake Stevens is proposing amendments to the city's impact fee regulations (Chapters 14.100, 14.112, 14.120 and 14.124 LSMC) to enact State Legislature Engrossed Senate Bill 5923 allowing the deferral of impact fees for the construction of single-family residences. The proposal is non-project action. No significant impacts will occur with the adoption of this code amendment. All future project actions using these code provisions will be valued for consistency with local, state and federal regulations.

Project Location: Lake Stevens, WA 98258

Contact Person: Russ Wright, Community Development Director

Phone: (425) 212-3315

Threshold Determination: The city of Lake Stevens, acting as lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request. This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date of issuance.

SEPA Responsible Official:

Russ Wright, Community Development Director

Comments on the Threshold Determination: Written comments should be sent to the address below by **June 22, 2016 (14 days from issuance)**. The Responsible Official may incorporate any substantial comments into the DNS. If the DNS is substantially modified, it will be reissued for further public review.

Appeals: You may appeal this determination of non-significance by submitting an appeal to the address below no later than 5:00 PM, June 22, 2016 (*14 days from issuance*). The appeal must be in written form, contain a concise statement of the matter being appealed and the basic rationale for the appeal. A fee is required per the City's Fee Resolution. Please note that failure to file a timely and complete appeal shall constitute a waiver of all rights to an administrative appeal under City code. All comments or appeals are to be directed to City Hall, P.O. Box 257, Lake Stevens WA, 98258, Attn: Russ Wright.



Department of Commerce

Innovation is in our nature.

Notice of Proposed Amendment Request for Expedited Review

Pursuant to RCW 36.70A.106(3)(b), the following jurisdiction provides notice of a proposed development regulation amendment and requests expedited state agency review under the Growth Management Act.

*****Under statute, proposed amendments to comprehensive plans are not eligible for expedited review. The expedited review period is 10 business days (14 calendar days).***

(If needed, you may expand this form and the fields below, but please try to keep the entire form under two pages in length.)

Jurisdiction:	City of Lake Stevens
Mailing Address:	1812 Main Street (PO BOX 257) Lake Stevens, WA 98258
Date:	June 02, 2016

Contact Name:	Russ Wright
Title/Position:	Community Development Director
Phone Number:	425-212-3315
E-mail Address:	rwright@lakestevenswa.gov

Brief Description of the Proposed/Draft Development Regulations Amendment: <i>(40 words or less)</i>	Amendments to the city's impact fee regulations to enact State Legislature Engrossed Senate Bill 5923 allowing the deferral of impact fees for the construction of single-family construction adding.
Public Hearing Date:	Planning Board/Commission: mid July 2016 Council/County Commission: August 2016
Proposed Adoption Date:	August 2016

REQUIRED: Attach or include a copy the proposed amendment text.

Russell Wright

From: COM GMU Review Team <reviewteam@commerce.wa.gov>
Sent: Wednesday, June 22, 2016 6:41 AM
To: Russell Wright
Cc: Andersen, Dave (COM)
Subject: 22476, City of Lake Stevens, Expedited Review Granted, DevRegs

Dear Mr. Wright:

The City of Lake Stevens has been granted expedited review for the: Proposed amendments to the city's impact fee regulations to enact State Legislature Engrossed Senate Bill 5923 allowing the deferral of impact fees for the construction of single-family construction adding. This proposal was submitted for the required state agency review under RCW 36.70A.106.

As of receipt of this email, the City of Lake Stevens has met the Growth Management Act notice to state agency requirements in RCW 36.70A.106 for this submittal. For the purpose of documentation, please keep this email as confirmation.

If you have any questions, please contact reviewteam@commerce.wa.gov

Thank you.

Review Team, Growth Management Services
Department of Commerce
P.O. Box 42525
Olympia WA 98504-2525



Staff Report
City of Lake Stevens Planning Commission

Public Hearing
Date: **July 20, 2016**

SUBJECTS: LUA2016-0026 Administrative Authority

CONTACT PERSON/DEPARTMENT: Russ Wright, *Community Development Director*

SUMMARY: Amendments to the municipal code providing additional administrative authority.

ACTION REQUESTED OF PLANNING COMMISSION: No action requested at this time.

BACKGROUND/HISTORY:

The City Council and Mayor have an interest in providing Directors greater discretion in decision making for minor alterations to zoning code standards especially to sites and/or situations with unique characteristics or challenges or when the change provides an equivalent or superior standard. This authority would be an addition to the Lake Stevens Municipal Code to be codified as LSMC 14.16C.120 along with small changes to other related sections (**Exhibit 1**). Staff has reviewed different models with the Planning commission and City Council that include a process for reviewing insignificant changes, administrative deviations and administrative authorities.

Each option would have a different permit path, but all would require specific criteria to be implemented at the project level for the applicant and decision maker. Any proposed modifications would be reviewed concurrently with the underlying application to ensure consistency with other regulations, but the modification decision would need to proceed or be concurrent with the overall project approval.

Since the last briefing with the Planning Commission, staff has issued a SEPA DNS (**Attachment 2a**), and sent the proposed amendments out for agency review. No comments have been received.

FINDINGS AND CONCLUSIONS:

1. *Compliance with selected Goals of the Comprehensive Plan*

- INTRODUCTION GOAL 1.3 – Ensure that the city's development review process provides certainty and clarity in timelines and standards that results in a timely and predictable decision making process for all development applications.
- LAND USE GOAL 2.2 – Achieve a well-balanced and well-organized combination of residential, commercial, industrial, open space, recreation and public uses.
- ECONOMIC DEVELOPMENT GOAL 6.7 – Provide a predictable development atmosphere.

Conclusions – The proposed code amendments are consistent with Introduction and Economic Development goals.

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

- The SEPA official issued a Determination of Non-significance on June 6, 2016 (**Exhibit 2a**).
- Staff prepared an environmental checklist for the proposed code revisions, dated June 02, 2016 (**Exhibit 2b**).
- The city did not receive any comments or appeals related to the SEPA determination.

Conclusions – The proposed code amendments have met local and state SEPA requirements.

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

- The city requested expedited review from the Department of Commerce on June 2, 2016 (**Exhibit 3a**).
- The Department of Commerce sent granted approval on June 20, 2016 (**Exhibit 3b**).
- Staff will file the final ordinance with the Department of Commerce within 10 days of City Council action.

Conclusions – The proposed code amendments have met Growth Management Act requirements.

4. *Public Notice and Comments (Exhibit 4)*

- The city published a notice of SEPA determination in the Everett Herald on June 6, 2016.
- The city published a notice of Public Hearing in the Everett Herald twice per LSMC 1416B LSMC.

Conclusions – The City has met public notice requirements per Chapter 14.16B LSMC.

RECOMMENDATION: Forward a recommendation to the City Council to APPROVE the proposed amendments adding LSMC 14.16C.120 Administrative Authority and amending Chapters 14.08 Definitions and Table 14.16A-I.

ATTACHED:

1. Code Amendment
2. SEPA
3. Commerce Review
4. Affidavit(s) of Notice – to be provided

14.08 Definitions

De minimis. Lacking significance, importance or so minor as to merit disregard

14.16A Administration and Procedures

Table 14.16A-I: Classification of Permits and Decisions

<u>Type of Review</u>	<u>Land Use Actions and Permits</u>	<u>Recommendation By</u>	<u>Public Hearing Prior to Decision</u>	<u>Permit-Issuing Authority</u>	<u>Administrative Appeal Body & Hearing</u>
<u>TYPE I</u> <u>Administrative without Public Notice</u>	<u>• Administrative Deviation</u>	<u>None</u>	<u>None</u>	<u>Department director or designee</u>	<u>Hearing Examiner, except shoreline permits to State Shoreline Hearings Board, & Open Record</u>
<u>TYPE II</u> <u>Administrative with Public Notice</u>	<u>• Administrative Variance</u>	<u>None</u>	<u>None</u>	<u>Planning Director or designee</u>	<u>Hearing Examiner, except shoreline permits to State Shoreline Hearings Board, & Open Record</u>

Note to code publisher - all other land use actions and permits remain unchanged in Table 14.16A-I

14.16C.120 Administrative Authority.

(a) **Purpose.** The intent of this code is to allow Directors defined flexibility and discretionary authority to consider minor alterations to zoning code regulations including dimensional, parking, landscape and design standards related to sites and/or situations with unique characteristics when the proposed modification provides an equivalent or superior standard to the intended dimensional regulation or design standard.

(b) **Minor alterations.** The director or designee may authorize *de minimis* alterations to development regulations, if the change is deemed inconsequential to the outcome of the request in relation to the entire project. Any applicant requesting consideration of a *de minimis* alteration shall demonstrate, at a minimum, how the request complies with the following criteria:

- (1) The alteration promotes creativity in site layout and design that employs special features not otherwise possible under conventional development regulations;
- (2) The alteration will not visually alter the character of the site or neighborhood; and
- (3) The alteration will not be detrimental to surrounding properties in the immediate vicinity.

(c) **Administrative Deviation.** The director or designee may authorize administrative deviations to development regulations up to 15 percent of a quantifiable development standard when situations arise where alternatives to the standards may better accommodate existing conditions, address unique circumstances or allow for more cost-effective solutions without adversely affecting safety,

aesthetics or alter the character of the neighborhood or site. Applications for administrative deviations shall follow the procedures for a Type I review pursuant to Chapter 14.16B – Part I. Any applicant requesting consideration of a deviation shall demonstrate, at a minimum, how the request complies 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 public safety or the environment;
- (3) The deviation will not adversely affect the aesthetic appearance of the project; and
- (4) The alteration will not be detrimental to surrounding properties in the immediate vicinity.

(d) **Administrative Variance.** The director or designee may authorize administrative variances of development regulations up to 20 percent of a quantifiable development standard where practical difficulty renders compliance with the provisions of the land use code an unnecessary hardship, where the hardship is a result of the physical characteristics of the subject property and where the purpose of that code and of the Comprehensive Plan can be fulfilled. Applications for an administrative variance shall follow the procedures for a Type II review pursuant to Chapter 14.16B – Part II following public notice. Any applicant requesting consideration of an administrative variance shall demonstrate, at a minimum, how the request complies with the following criteria:

- (1) The requested use is permitted in the zone in which the property is located;
- (2) The variance is necessary because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property that do not apply generally to other properties in the vicinity or same zoning district.
- (3) The intent of the standard from which an administrative variance is requested is reasonably maintained;
- (4) The granting of an administrative variance will not constitute a grant of special privilege or pose significant hazards or otherwise be detrimental to the surrounding properties;
- (5) The administrative variance does not detract from the desired character and nature of the vicinity in which it is proposed; and
- (6) The hardship is not the result of the applicant's or recent prior owner's own actions.

(e) **Limitation on authority.** The director or designee will consider all applicable provisions of the zoning code when reviewing any of the modifications described in Sections (b) through (d) including non-conforming codes. The director or designee may not grant an alteration, deviation or variance to:

- (1) Allowed uses in the applicable zoning district;
- (2) Procedural or administrative provisions;
- (3) Increases in the residential density for the applicable zoning district;
- (4) Alterations to critical areas pursuant to Chapter 14.88, except for required buffer widths and building setbacks when the modification includes a mitigation plan meeting the requirements of Chapter 14.88 LSMC.
- (5) Any standard that is inconsistent with the Comprehensive Plan.



SEPA DETERMINATION OF NONSIGNIFICANCE

Issuance Date: June 6, 2016

Project Name (No.): LUA2016-0026 (Administrative Authority)

Proponent: City of Lake Stevens

Applicants: City of Lake Stevens

Description of Proposal: The city of Lake Stevens is proposing to add Section 14.16C.120 Administrative Authority to the municipal code providing Directors greater discretion in decision making for minor alterations to zoning code standards especially to sites and/or situations with unique characteristics or challenges or when the change provides an equivalent or superior standard. The proposal is non-project action. No significant impacts will occur with the adoption of this code amendment. All future project actions using these code provisions will be valued for consistency with local, state and federal regulations.

Project Location: Lake Stevens, WA 98258

Contact Person: Russ Wright, Community Development Director

Phone: (425) 212-3315

Threshold Determination: The city of Lake Stevens, acting as lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request. This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date of issuance.

SEPA Responsible Official:

Russ Wright, Community Development Director

Comments on the Threshold Determination: Written comments should be sent to the address below by June 20, 2016 (*14 days from issuance*). The Responsible Official may incorporate any substantial comments into the DNS. If the DNS is substantially modified, it will be reissued for further public review.

Appeals: You may appeal this determination of non-significance by submitting an appeal to the address below no later than 5:00 PM, June 20, 2016 (*14 days from issuance*). The appeal must be in written form, contain a concise statement of the matter being appealed and the basic rationale for the appeal. A fee is required per the City's Fee Resolution. Please note that failure to file a timely and complete appeal shall constitute a waiver of all rights to an administrative appeal under City code. All comments or appeals are to be directed to City Hall, P.O. Box 257, Lake Stevens WA, 98258, Attn: Russ Wright.



CITY OF LAKE STEVENS
PLANNING AND COMMUNITY DEVELOPMENT
PO BOX 257, LAKE STEVENS, WA 98258
PHONE: (425) 377-3235 / FAX: (425) 212-3327

SEPA ENVIRONMENTAL CHECKLIST

UPDATED 2014

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. BACKGROUND

1. Name of proposed project, if applicable:
LUA2016-0026 Amendments to the city of Lake Stevens Municipal Code -
Adding Section 14.16C.120 Administrative Authority.

2. Name of applicant:
City of Lake Stevens

3. Address and phone number of applicant and contact person:
Russ Wright, Community Development Director
City of Lake Stevens
1812 Main Street / PO Box 257
Lake Stevens, WA 98258
(425) 212 - 3315

4. Date checklist prepared:
June 02, 2016

5. Agency requesting checklist: **City of Lake Stevens**

6. Proposed timing or schedule (including phasing, if applicable):

SEPA Determination:	June 06, 2016
Planning Commission Public Hearing:	July 2016
City Council Public Hearing (1 st Reading):	July 2016
City Council Public Hearing (2 nd Reading) / Adoption:	August 2016

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

No this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

10. List any government approvals or permits that will be needed for your proposal, if known.

City Council approval and Department of Commerce review

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The City of Lake Stevens is proposing amendments to the city of Lake Stevens Municipal Code - Adding Section 14.16C.120 Administrative Authority providing Directors greater discretion in decision making for minor alterations to zoning code standards especially to sites and/or situations with unique characteristics or challenges or when the change provides an equivalent or superior standard.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The proposed amendment will apply to development regulations for project actions within the city boundaries of Lake Stevens, WA.

B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous,other:

The City of Lake Stevens' topography includes steep slopes, ravines, hilly and some flat land areas.

- b. What is the steepest slope on the site (approximate percent slope)?

Moderate slopes between 15 and 40 percent, and some steep slopes over 40 percent exist within the city boundaries of Lake Stevens

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

The city contains the following soil series:

- Tokul gravelly loam
- Mukilteo Muck
- Everett gravelly sandy loam
- Norma loam
- Urban Land
- Disturbed/Fill
- Winston gravelly loam
- Bellingham silty clay loam
- McKenna gravelly silt loam
- Rober silt loam
- Pastik silt loam
- Terric Medisaprast

- d. Are there surface indications or history of unstable soils in the immediate vicinity?

yes no

If so, describe.

The Land Capability Classification from the USDA Web Soil Survey shows soil types ranging from 2e to 7e. This index rates the suitability of soil for cultivation. This means some soil types in the city are potentially unstable depending on site conditions, such as soil depth, water content and may be susceptible to erosion without proper soil management. The Tokul, Winston, and Paskit series are most susceptible to erosion. The Bellingham, McKenna, and Pilchuck series may be unstable with excessive water.

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

Not applicable, this is a Non-project action adding Section 14.16C.120
Administrative Authority to the Lake Stevens Municipal Code

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Not applicable, this is a Non-project action adding Section 14.16C.120
Administrative Authority to the Lake Stevens Municipal Code

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Not applicable, this is a Non-project action adding Section 14.16C.120
Administrative Authority to the Lake Stevens Municipal Code

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Not applicable, this is a Non-project action adding Section 14.16C.120
Administrative Authority to the Lake Stevens Municipal Code

2. Air

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

Not applicable, this is a Non-project action adding Section 14.16C.120
Administrative Authority to the Lake Stevens Municipal Code

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

Not applicable, this is a Non-project action adding Section 14.16C.120
Administrative Authority to the Lake Stevens Municipal Code

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Not applicable, this is a Non-project action adding Section 14.16C.120
Administrative Authority to the Lake Stevens Municipal Code

3. Water

a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names.

yes no

If appropriate, state what stream or river it flows into.

The city of Lake Stevens has several bodies of water including Lake Stevens, Catherine Creek, Stevens Creek, Lundein Creek, Stitch Lake and associated wetland complexes. Catherine Creek flows into Little Pilchuck Creek.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

Not applicable, this is a Non-project action adding Section 14.16C.120
Administrative Authority to the Lake Stevens Municipal Code

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Not applicable, this is a Non-project action adding Section 14.16C.120
Administrative Authority to the Lake Stevens Municipal Code

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

Not applicable, this is a Non-project action adding Section 14.16C.120
Administrative Authority to the Lake Stevens Municipal Code

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

yes no

If so, note location on the site plan.

The city of Lake Stevens has lands with Special Flood Hazard Area Zone A, depicted on the FIRM for Lake Stevens, WA.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

Not applicable, this is a Non-project action adding Section 14.16C.120
Administrative Authority to the Lake Stevens Municipal Code

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

Not applicable, this is a Non-project action adding Section 14.16C.120
Administrative Authority to the Lake Stevens Municipal Code

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

Not applicable, this is a Non-project action adding Section 14.16C.120
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c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Not applicable, this is a Non-project action adding Section 14.16C.120
Administrative Authority to the Lake Stevens Municipal Code

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

Not applicable, this is a Non-project action adding Section 14.16C.120
Administrative Authority to the Lake Stevens Municipal Code

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

Not applicable, this is a Non-project action adding Section 14.16C.120
Administrative Authority to the Lake Stevens Municipal Code

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

Not applicable, this is a Non-project action adding Section 14.16C.120
Administrative Authority to the Lake Stevens Municipal Code

4. Plants

a. Check the types of vegetation found on the site:

The following vegetation types are found within the boundaries of the City of Lake Stevens:

- Deciduous tree: alder, maple, aspen, other
- Evergreen tree: fir, cedar, pine, other
- Shrubs
- Grass
- Pasture
- Crop or grain
- Wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- Water plants: water lily, eelgrass, milfoil, other
- Other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

c. List threatened and endangered species known to be on or near the site.

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

e. List all noxious weeds and invasive species known to be on or near the site.

Himalayan Blackberry, Holly and English Ivy are known to be present within the boundaries of the City of Lake Stevens. Other noxious weeds or invasive species may be present on a case-by-case basis. This is a Non-project action.

5. Animals

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include:

Birds: hawk, heron, eagle, songbirds, other: various picidae species, various corvidae species, various waterfowl species

Mammals: deer, bear, elk, beaver, other: raccoons, opossums, rodents

Fish: bass, salmon, trout, herring, shellfish, other: sculpin and stickleback

b. List any threatened and endangered species known to be on or near the site.

- Lake Stevens - Puget Sound Coho salmon (*O. Kisutch*) – Federal Species of Concern, and State Priority Species
- Streams - Puget Sound Steelhead (*O. mykiss*) – Federal Threatened Species
- Streams - Bull Trout (*S. Confluentus*) – Federal Threatened Species

c. Is the site part of a migration route? If so, explain.

yes no

If so, explain.

The City of Lake Stevens is located within the Pacific flyway and salmonid migratory routes.

d. Proposed measures to preserve or enhance wildlife, if any:

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

e. List any invasive animal species known to be on or near the site.

Grey squirrels are the only known invasive animal species within the boundaries of the city of Lake Stevens. This is a non-project action.

6. Energy and natural resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

- 1) Describe any known or possible contamination at the site from present or past uses.

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

- 4) Describe special emergency services that might be required.

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

- 5) Proposed measures to reduce or control environmental health hazards, if any:

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

3) Proposed measures to reduce or control noise impacts, if any:

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The city of Lake Stevens includes a variety of urban land uses including residential, commercial, office, industrial and public.

- b. Has the project site been used as working farmlands or working forest lands?

yes no

If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

Some parcels within the city of Lake Stevens were likely used for agriculture in the past. Currently, some larger parcels include fruit trees and may still have farm animals. This is a non-project action and no farmland or forest land of long-term commercial significance exist within the city boundaries of Lake Stevens.

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

- c. Describe any structures on the site.

There are a mix of residential, public, and commercial buildings within the City of Lake Stevens.

- d. Will any structures be demolished? If so, what?

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

- e. What is the current zoning classification of the site?

The city of Lake Stevens contains a mix of residential, commercial, industrial, mixed use and public zones.

- f. What is the current comprehensive plan designation of the site?

The city of Lake Stevens contains a mix of residential, commercial, industrial, mixed use and public Comprehensive Plan land uses.

- g. If applicable, what is the current shoreline master program designation of the site?

The city's Shoreline Master Program has the following Environment Designations: Aquatic, Natural, High Intensity, Urban Conservancy, and Shoreline Residential.

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

yes no

The city of Lake Stevens includes a variety of critical areas including streams, wetlands, fish and wildlife habitat conservation areas, flood hazard areas and geologically hazardous areas.

- i. Approximately how many people would reside or work in the completed project?

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

- j. Approximately how many people would the completed project displace?

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

- k. Proposed measures to avoid or reduce displacement impacts, if any:

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

- L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

There are no agricultural or forest lands of long-term commercial significance located within the city boundaries of Lake Stevens.

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

- c. Proposed measures to reduce or control housing impacts, if any:

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

- b. What views in the immediate vicinity would be altered or obstructed?

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

- c. Proposed measures to reduce or control aesthetic impacts, if any:

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

- c. What existing off-site sources of light or glare may affect your proposal?

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

- d. Proposed measures to reduce or control light and glare impacts, if any:

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

The city of Lake Stevens includes a variety of recreational facilities including the lake, city and county parks, schools, athletic fields, and the Centennial Trail.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

The city of Lake Stevens includes several major roads including highways SR-9, SR-92, and SR-204. Major roads through the city include Vernon, Lundein Parkways, 20th Street NE and 20th Street SE.

- b. Is the site or affected geographic area currently served by public transit?

yes no

If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

Community Transit of Snohomish County provides transit service to select areas of Lake Stevens.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

Not applicable, this is a Non-project action adding Section 14.16C.120 Administrative Authority to the Lake Stevens Municipal Code

h. Proposed measures to reduce or control transportation impacts, if any:

Not applicable, this is a Non-project action adding Section 14.16C.120
Administrative Authority to the Lake Stevens Municipal Code

15. Public services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

Not applicable, this is a Non-project action adding Section 14.16C.120
Administrative Authority to the Lake Stevens Municipal Code

b. Proposed measures to reduce or control direct impacts on public services, if any.

Not applicable, this is a Non-project action adding Section 14.16C.120
Administrative Authority to the Lake Stevens Municipal Code

16. Utilities

a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other:

- Electricity
 Natural gas
 Water
 Refuse service

- Telephone
 Sanitary sewer
 Septic system
 Other (list)

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Not applicable, this is a Non-project action adding Section 14.16C.120
Administrative Authority to the Lake Stevens Municipal Code

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: 

Name of signee: Russ Wright

Position and Agency/Organization: Community Development Director, City of Lake Stevens

Date Submitted: June 02, 2016

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposal is not likely to increase discharge to water; emissions to air; production, storage or release of toxic or hazardous substances, or production of noise - all of these topics will be evaluated as project-specific actions occur.

Proposed measures to avoid or reduce such increases are:

The amendments are being proposed to provide Directors with greater discretion in decision making for minor alterations to zoning code standards especially to sites and/or situations with unique characteristics or challenges or when the change provides an equivalent or superior standard. Any proposed development will be required to mitigate any impacts to water; emissions to air; production, storage or release of toxic or hazardous substances as part of a project specific review.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposal is not likely to affect plants, animals and fish - all of these topics will be evaluated as project-specific actions occur.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

The amendments are being proposed to provide Directors with greater discretion in decision making for minor alterations to zoning code standards especially to sites and/or situations with unique characteristics or challenges or when the change provides an equivalent or superior standard. Any proposed development will be required to protect or conserve plants, animals, fish, or marine life as part of a project specific review.

3. How would the proposal be likely to deplete energy or natural resources?

The proposal is not likely to deplete energy or natural resources - all of these topics will be evaluated as project-specific actions occur.

Proposed measures to protect or conserve energy and natural resources are:

The amendments are being proposed to provide Directors with greater discretion in decision making for minor alterations to zoning code standards especially to sites and/or situations with unique characteristics or challenges or when the change provides an equivalent or superior standard. Any proposed development will be required to protect or conserve energy and natural resources as part of a project specific review.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposal is not likely to affect critical areas or culturally important sites - all of these topics will be evaluated as project-specific actions occur.

Proposed measures to protect such resources or to avoid or reduce impacts are:

The amendments are being proposed to provide Directors with greater discretion in decision making for minor alterations to zoning code standards especially to sites and/or situations with unique characteristics or challenges or when the change provides an equivalent or superior standard. Any proposed development will be required to avoid or reduce impacts to critical areas or culturally important sites as part of a project specific review.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The proposal will not likely affect land and shoreline use or allow or encourage land or shoreline uses incompatible with existing plans - all of these topics will be evaluated as project-specific actions occur.

Proposed measures to avoid or reduce shoreline and land use impacts are:

The amendments are being proposed to provide Directors with greater discretion in decision making for minor alterations to zoning code standards especially to sites and/or situations with unique characteristics or challenges or when the change provides an equivalent or superior standard. Any future development proposals will be required to comply with the Lake Stevens Shoreline Master Program, Comprehensive Plan and zoning and development regulations as part of a project specific review.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposal is not likely to increase demands on transportation or public services and utilities.

Proposed measures to reduce or respond to such demand(s) are:

The amendments are being proposed to provide Directors with greater discretion in decision making for minor alterations to zoning code standards especially to sites and/or situations with unique characteristics or challenges or when the change provides an equivalent or superior standard. Any future development proposals will be required to submit a traffic impact analysis report and comply with applicable transportation, public service and utility requirements as part of a project specific review.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposal does not create any known conflicts with local, state or federal laws or requirements. The proposals are consistent with the City of Lake Stevens Comprehensive Plan.



Department of Commerce

Innovation is in our nature.

Notice of Proposed Amendment Request for Expedited Review

Pursuant to RCW 36.70A.106(3)(b), the following jurisdiction provides notice of a proposed development regulation amendment and requests expedited state agency review under the Growth Management Act.

*****Under statute, proposed amendments to comprehensive plans are not eligible for expedited review. The expedited review period is 10 business days (14 calendar days).***

(If needed, you may expand this form and the fields below, but please try to keep the entire form under two pages in length.)

Jurisdiction:	City of Lake Stevens
Mailing Address:	1812 Main Street (PO BOX 257) Lake Stevens, WA 98258
Date:	June 02, 2016

Contact Name:	Russ Wright
Title/Position:	Community Development Director
Phone Number:	425-212-3315
E-mail Address:	rwright@lakestevenswa.gov

Brief Description of the Proposed/Draft Development Regulations Amendment: <i>(40 words or less)</i>	
Public Hearing Date:	Planning Board/Commission: early July 2016 Council/County Commission: late July 2016
Proposed Adoption Date:	August 2016

REQUIRED: Attach or include a copy the proposed amendment text.

Russell Wright

From: COM GMU Review Team <reviewteam@commerce.wa.gov>
Sent: Monday, June 20, 2016 7:16 AM
To: Russell Wright
Cc: Andersen, Dave (COM)
Subject: 22470, City of Lake Stevens, Expedited Review Granted, DevRegs

Dear Mr. Wright:

The City of Lake Stevens has been granted expedited review for the: Proposed code amendments to allow flexible administrative authority. This proposal was submitted for the required state agency review under RCW 36.70A.106.

As of receipt of this email, the City of Lake Stevens has met the Growth Management Act notice to state agency requirements in RCW 36.70A.106 for this submittal. For the purpose of documentation, please keep this email as confirmation.

If you have any questions, please contact reviewteam@commerce.wa.gov

Thank you.

Review Team, Growth Management Services
Department of Commerce
P.O. Box 42525
Olympia WA 98504-2525

