

PLANNING COMMISSION MEETING AGENDA



City of Lake Stevens Vision Statement

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

December 6, 2023 - 6:00 PM

In-person at The Mill's Sawyers room, 1808 Main Street or Via Zoom:

<https://us02web.zoom.us/j/89831382220>

or call in at: 253-215-8782, Meeting ID: 898 3138 2220

1. **Call to Order**
2. **Roll Call**
3. **Guest Business**
4. **Action Items**
 - A. Approve November 15, 2023 Minutes Jennie Fenrich
5. **Discussion Items**
 - A. Code Clean Up Work Session: Additions, Revisions and Next Steps David Levitan
 - B. Introduction to 2024 Long Range Planning Work Program Russ Wright
6. **Commissioner Report**
7. **Planning Director's Report**
8. **Adjourn**

THE PUBLIC IS INVITED TO ATTEND

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PLANNING COMMISSION MEETING MINUTES



Hybrid-via Zoom or in the Mill's Sawyers Room

11-15-2023

CALL TO ORDER: 6:00 pm by Chair Mike Duerr

MEMBERS PRESENT: Chair Mike Duerr, Vice-Chair Jennifer Davis, Commissioner Janice Huxford, Commissioner Bruce Morton, Commissioner Linda Hoult, Commissioner Nathan Packard and Commissioner Conner Davis

MEMBERS ABSENT: None

STAFF PRESENT: Community Development Director Russ Wright, Senior Planner David Levitan and Clerk Jennie Fenrich

OTHERS PRESENT: Councilmember Ryan Donaghue

Chair Mike Duerr called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

Roll Call: All members present.

Guest business: None

Action Items: Minutes for Planning Commission Meeting of October 4th, 2023 were approved as written. Motion made by Commissioner Huxford; seconded by Commissioner Hoult. The motion passed unanimously (7-0-0-0).

Discussion Items: Senior Planner Levitan gave a presentation on the public input received during early stages of community outreach for the 2024 Comprehensive Plan update, including the community survey. Commissioner Huxford suggested that staff go to multiple places to “reach people where they are,” such as Frontier Village or Market Place, to make it easier for the public to provide feedback.

Senior Planner also presented a draft of potential changes to the Parks, Recreation and Open Spaces for the Comp Plan, including several new goals and policies. Questions regarding the museum, reconfiguring the Centennial Trail, and potentially charging for parking at the park to help with costs of maintaining parks were discussed as well.

Commissioner Report: Commissioner C. Davis reported the Lake Stevens Rotary Club raised \$40,000 in the annual fundraiser. Half will be donated to Bridges Organization, which provides immediate help for foster care. The other half will be used for Scholarships for graduating students in the community.

Commissioner J. Davis gave appreciation for the community outreach effort City staff did for the Comprehensive plan Update. Chair Duerr commented on the success of the October 18th Open House.

Director Report: Planning Director Wright reported on the City Council meeting, which discussed the Process Code. City Council directed they want to incorporate some of the Process Code changes as part of the Code Clean-up.

Adjourn: Commissioner Hoult motioned to close the meeting, seconded by Commissioner C Davis to adjourn at 7:17 p.m. The motion carried unanimously (7-0-0-0).

Jennie Fenrich, Planning Commission Clerk

PLANNING COMMISSION STAFF REPORT



Agenda Date: 12/6/2023

Subject: Code Clean Up Work Session: Additions, Revisions and Next Steps

Contact Person/Department: David Levitan, Community Development

Budget Impact:

Legal Review: No

RECOMMENDATION(S)/ACTION REQUESTED:

Review proposed amendments to the Lake Stevens Municipal Code (LSMC) included in the Code Clean Up project, with a focus on additions/revisions made since the Commission's August 21, 2023 meeting. The Planning Commission is tentatively scheduled to hold a public hearing and make a recommendation to City Council at their January 3, 2024 meeting.

SUMMARY/BACKGROUND:

At their [August 21, 2023 meeting](#), the Planning Commission held a work session to review early draft code language for the Code Cleanup project, which is included on the 2023 Long-Range Planning Work Program. When it was initiated in 2022, the project was focused on amending various sections of the Lake Stevens Municipal Code (LSMC) to clarify intent, improve language consistency, and maximize administration efficiency. Following the passage of a series of bills during the 2023 state legislative session, the scope of the project was expanded to also address recent and upcoming statutory changes, including topics such as duplexes within single family zones (HB 1110) and accessory dwelling units, or ADUs (HB 1337).

On August 21, Community Development Director Wright walked through the proposed changes with commissioners ([video available here](#)), utilizing a matrix summarizing and categorizing the changes (an updated version of which is included in Attachment 1) and list of the amended code sections in ~~strike through~~/underline format (an updated version of which is included in Attachment 2) and Director Wright noted that several identified amendments required additional work, which have since been incorporated into

Attachments 1 and 2 and are discussed further below. He also clarified that while the city is required to update its code to comply with specific state regulations on duplexes and ADUs, the city still has the authority to apply development standards for things such as maximum impervious surface area, setbacks and the presence of critical areas, so long as they don't conflict with state law.

Commissioners provided feedback and comments on several of the proposed changes, including:

- Questions about where Home Occupation regulations would ultimately reside (Amendment 3 in Attachments 1 and 2). Staff has added a note that the regulations will continue to reside in LSMC 14.44.015 following the proposed deletion of LSMC 14.16C.070.
- A request to simplify the proposed language regarding the lot status of non-conforming lots that were previously combined with adjoining parcels , which staff has incorporated into revised language in Amendment 20 in an effort to make the language easier for the public to read and interpret.
- Questions about revised Footnote 6 to Table 14.48-I (Amendment 14) regarding impervious surfaces in previously developed and new projects, which staff has attempted to further clarify.
- A discussion of whether the city should require two off-street parking spaces per ADU (Amendment 19) for lots above 6,000 sf (as allowed by state law) or require just one off-street parking space per ADU regardless of lot size. Commissioners spoke both for and against requiring two parking spaces per ADU for larger lot sizes. Based on additional research as well as the city's current parking standards (which requires one parking space per ADU regardless of lot size), staff has revised Amendment 19 to require one parking space regardless of lot size and would welcome additional feedback from commissioners.

Additions/Changes since August 21, including Incorporation of Minor Process Code Updates

The August 21 meeting materials included placeholders for several topics for which updated code language had yet to be developed. The right column of Attachment 1 highlights (in red) amendments that were not previously reviewed by the Planning Commission and also summarizes additional changes that have been made since the August 21 meeting. Code amendments that have been changed are shown in black.

Attachments 1 and 2 are organized into four different categories. Category 1 (Housekeeping Updates), Category 2 (Minor Updates), and Category 3 (Substantial Updates) were previously used in the August 21 materials. Based on feedback from commissioners at their [October 4 work session](#) and from the City Council at their [November 14 meeting](#) on proposed revisions to the city's Process Code sections, staff

has also incorporated minor process code refinements as Category 4 of the Code Cleanup project. Staff will continue to undertake more substantial amendments to the Process Code as a standalone code amendment in 2024, include a larger reorganization of Chapters 14.16A and 14.16B that are likely to replace several of these short-term fixes. It should be noted that there is some overlap and redundancy between some of the Category 4 amendments and other categories, which staff will clean up and consolidate when preparing the ordinance.

Staff will walk through the new amendments during the Commission's December 6 meeting. Some of the more prominent additions/revisions include:

- Amendment 1: Includes several new and revised definitions.
- Amendment 12: Clarifies when (and through what processes) townhomes are permitted in single-family residential zones.
- Amendment 15: Increases the timeline to remove certain temporary signs from 10 days to 30 days.

Staff note on proposed sign code amendments: Staff previously explored and discussed potential amendments to LSMC 14.68.025(d) – Temporary Signs in Public Right-of-Way – to modify the required distance between temporary signs (such as election signs) at the Council's direction. However, based on conversations with the city's code enforcement officer, staff is no longer proposing such a change, as better education and public outreach in advance of the August and November 2023 elections appears to have helped to mitigate the issue. Staff will discuss with the City Council to see if they would still like to see modifications to this language.

- Amendment 19: As previously mentioned, code language has been updated to require one off-street parking space per ADU, regardless of lot size. Additional discussion by commissioners is welcome.
- Amendment 20: As previously mentioned, Section 14.16C.078(c)(3) has been revised to make language on lot status determinations for nonconforming lots easier to read and interpret.
- Amendment 21: Updates language to comply with recent state legislations regarding daycares and adult family homes (with a new subsection (l) for adult family homes).
- Amendment 22: Code language from the city's building official has been incorporated to clarify that model homes need to be connected to water and sewer prior to occupancy, as well as the permitting/inspection process for model homes.
- Amendment 23: Delete Section 14.44, Part V (Multifamily Apartments Annexed into the City), which was added to the code in 2012 to account for several recent annexations but which has never been utilized and is adequately covered by other chapters.

- Amendments 24-26 (Process Code): A number of “low hanging fruit” from the Process Code project have been incorporated, including:
 1. Revisions to the bonds/security mechanisms language in Section 14.16A.180 (Amendment 24);
 2. A more comprehensive list/categorization of land use applications in Section 14.16A.120 (Amendment 25); and
 3. Amending Section 14.16A.250 related to expiration timelines/processes for subdivisions and other land use applications (Amendment 26).
 4. As noted above, more comprehensive changes to these sections are anticipated in 2024 as part of the Process Code Update.

Next Steps and Tentative Adoption Schedule

Land use code amendments are reviewed through a Type VI (legislative) process, which requires a Planning Commission public hearing and recommendation to City Council, before the City Council holds a separate public hearing and considers adoption of an ordinance to amend the code. If commissioners are comfortable with the proposed amendments, staff has identified January 3, 2024 as the potential date for the required public hearing. Alternatively, city staff can bring back additional refinements to the draft code language on January 3, and hold the Planning Commission’s public hearing on January 17, 2024.

In addition to the required Planning Commission and City Council public hearings, the following steps must also be completed:

- Submittal of a 60-day notice to the Washington State Department of Commerce of its intent to modify its development regulations. The City Council may not take formal action to approve the ordinance until the end of the 60 day period.
- Preparation of an environmental checklist and issuance of a threshold determination under the State Environmental Policy Act, as detailed in Chapter 16.04 LSMC.

Staff is available to answer questions in advance of or during the December 6 meeting.

APPLICABLE CITY POLICIES:

ATTACHMENTS:

1. Attachment 1 - Summary Matrix of Code Amendments
2. Attachment 2 - Amended Code Language in Strikethrough Underline Format

2023 Code Clean Up

Number	Topic(s)	Summary/Notes	Level	Changes since August 21 PC Meeting
Category 1: Housekeeping - Revise codes for clarity, fixing references, deleting/relocating text				
1	Definitions	14.08.010: Revise and add definitions as needed. Notable additions/revisions include the definitions of ADUs, attached ADUs, detached ADUs, and primary residence to coincide with HB 1337, as well as kitchens and security mechanisms.	Housekeeping	Updated with new and revised definitions.
2	Design Review	14.16C.050(c) update submittal requirements and references	Housekeeping	No new changes proposed.
3	Home Occupations	14.16C.070: Delete duplicate code section for home occupations (established via Ordinance 811) while retaining 14.44.015 (established via Ordinance 1124), which was intended to replace 14.16C.070.	Housekeeping	Minor revisions to Section 14.44.015 covered in Amendment 21 (Adult Family Home and In-Home Daycares)
4	Subdivisions	14.18.015: edit for gender neutrality 14.18.030(b): change to draft copies 14.18.035: update language for digital requirements 14.18.040: (d) gender neutrality and (s) add "plat or preliminary" 14.18.060 (a,d,e and f): updated to align with state law and more clearly define a review process for alteration consistent with other code sections and code interpretation.	Housekeeping	No new changes proposed.
5	Subareas	14.38.040: In footnote 10, replace "SE" with "NE"	Housekeeping	No new changes proposed.
6	Boundary Line Adjustments	14.38.200: correct section title to 14.18.200	Housekeeping	No new changes proposed.
7	Temporary Public Structures and Temporary Emergency, Construction, or Repair Residences	14.44.048: remove duplicate code section for temporary public structures (Ordinance 468) while retaining 14.16C.110(g) (Ordinance 2018) 14.44.040: Remove and relocate language to 14.16C.110(c), which already addresses the topics. 14.16C.110(c)(1: require temporary dwelling units to adhere to the IBC, as required by building code. 14.16C.110(c)(3): allow temporary real estate offices to continue use until all units are sold.	Housekeeping	Section 14.44.040 has been deleted and incorporated into Section 14.16C.110.
8	Outdated Zoning Districts	Table 14.44-I: remove references to SRC zone. 14.68.070(b) and 14.68.084(b): remove reference to SRC zone. 14.76.124(b): remove references to SR, UR, and HUR zones and exception. Table 14.76-I: remove references to SRC zone.	Housekeeping	Removed additional outdated zoning district references beyond landscaping section.
9	Gender Neutrality	Update Titles 4 and 14 to ensure gender neutrality.	Housekeeping	Updated several additional sections to ensure gender neutrality.
10	Landscaping in Right-of-Way	14.56.270(c): clarify requests for other enhancements in the ROW are landscape improvements per Ordinance 483.	Housekeeping	New amendment (not included in August 21 packet).
11	Mobile Food Vendors	14.44.085(e)(3): update reference to correct table (Table 14.40-II)	Housekeeping	New amendment (not included in August 21 packet).
12	Townhomes within Single Family Zones	Update footnotes in Table 14.40-I to clarify when townhomes are permitted; townhomes in R4 and R6 require a Planned Residential Development (PRD) while they do not require a PRD in R8-12 zone.	Housekeeping	New amendment (not included in August 21 packet).

2023 Code Clean Up

Number	Topic(s)	Summary/Notes	Level	Changes since August 21 PC Meeting
Category 2: Minor Updates - Changes to existing internal regulations for increased clarity or to fix internal inconsistencies				
13	Land Disturbance	14.50.125: update exceptions for environmental review to match city's SEPA categorical exemptions in 16.04.050(b)(6).	Update	New amendment (not included in August 21 packet).
14	Dimensional Standards	1) 14.48.045: reinstate exception for accessory structures within side and rear setbacks removed by Ordinance 1080 2) Table 14.48-I: a) Footnote 3: update to clarify that 2,800 square feet is a proxy for determining density b) Footnote 6: update to clarify application of maximum impervious surfaces in previously developed projects and new projects. c) New Footnote 9: Add footnote to side setbacks column clarifying that side setbacks are 10 feet along side streets of corner lots (alternative to adding new definition for street side setbacks).	Update	New language clarifies that street side setbacks are 10 feet.
15	Signs	14.68.030(5): change timeframe from 10 days to 30 days 14.68.060(b): clarify applicability and exception for subdivision signs which can go up to 16 sf.	Update	Revised 14.68.030(5) to allow 30 days to remove temporary signs.
16	Subarea Signs	14.38.100(3) Provide definitions for main and secondary façade as well as applicability of section (vii) to project area.	Update	New amendment (not included in August 21 packet).
17	Off-Street Parking Requirements within Downtown Subarea	Table 14.38-III: Clarify that specific off-street parking requirements listed in Section 5 (Public Parking) of the Downtown Lake Stevens Subarea Plan supersede the requirements in Table 14.38-III for uses within the CBD and MUN zones (if and when there are conflicts between the two) .	Update	New amendment (not included in August 21 packet).
Category 3: Substantial Updates - Changes to provide clarification through new administrative determinations or changes in law				
18	Duplexes in Single Famly Zones	Update Sections 14.46.230 and 14.48.020 to comply with changes in state law (HB 1110) - the city must allow duplexes on any lot that allows a detached single family residence and cannot require a larger lot size or more stringent design review.	Substantial	Includes additional revisions to 14.46.230 to clarify that larger lot size not required for duplexes.
19	Accessory Dwelling Units	14.44.045: Revised to comply with HB 1337. Based on PC feedback in August 2023, limited parking space requirement to one per ADU, regardless of lot size. Reduced off-street parking to one per ADU regardless of lot size, per PC direction. Table 14.72-I: Update to clarify that one space required per ADU unit.	Substantial	Reduced required off-street parking to one space per ADU, regardless of lot size (previously required 2 spaces for ADUs on lots over 6,000 sf) .
20	Lot Status	14.16C.078: Include new language from City Attorney to address situations where a non-conforming lot was previously combined with an adjacent lot and the property owner is now seeking lot status for the non-conforming lot.	Substantial	Minor revisions to the structure of 14.16C.078(c)(3).
21	Adult Family Homes and In-Home Daycares	14.44.015(k): Update to comply with changes in state law. 14.44.015(l): Add new section for Adult Family Homes: Reference in section and include citation to RCW 70.128 – Definition, Operation without a license, Fees, Inspection, Suspension of license.	Substantial	New amendment (not included in August 21 packet).
22	Model Homes	14.44.025: updated to require connections to water/sewer/storm prior to occupancy and to clarify the building permit and inspection process for temporary conversions to sales office or other non-residential uses.	Substantial	New amendment (not included in August 21 packet).
23	Multifamily Apartments Annexed into the City	Section 14.44, Part V: Delete entire section detailing multifamily apartment developments that were annexed into the city and now have single family zoning, as it has never been used and is adequately covered by other chapters.	Substantial	New amendment (not included in August 21 packet).

2023 Code Clean Up

Number	Topic(s)	Summary/Notes	Level	Changes since August 21 PC Meeting
Category 4: Process Code Updates - Minor updates to Chapter 14.16A absorbed from larger Process Code Update project				
24	Security Mechanisms	14.16A.180: updated language regarding bonds and other security mechanisms. Reviewed and approved by Public Works Director.	Process Code	New amendment (not included in August 21 packet). Minor process code update.
25	Types of Review	14.16A.210: Update to reflect all types of Type I and II land use applications and clarify Associated Land Use Determinations.	Process Code	New amendment (not included in August 21 packet). Minor process code update.
26	Expirations	14.16A.250: Update to extend land use permit expirations (other than subdivisions) to one year and refine the expirations for subdivisions to be consistent with state law.	Process Code	New amendment (not included in August 21 packet). Minor process code update.

2023 Code Cleanup - ~~Strikethrough~~/Underline Language

Category 1: Housekeeping Amendments

1. Definitions (New and Revised)

Section 14.08.010: Definitions of Basic Terms

Accessory Dwelling Unit. ~~A residential use having the external appearance of a residence and located on the same parcel as the single-family dwelling that it accompanies. The dwelling unit is an independent self-sustaining unit that provides the basic requirements of shelter, heating, cooking and sanitation. A dwelling unit located on the same lot as a single-family housing unit, duplex, triplex, townhome, or other housing unit.~~

Attached Accessory Dwelling Unit. ~~An accessory dwelling unit located within or attached to a single-family housing unit, duplex, triplex, townhome, or other housing unit.~~

Adult Family Home. ~~A residential home in which a person or persons provide personal care, special care, room, and board to more than one but not more than six adults who are not related by blood or marriage to the person or persons providing the services, pursuant to Chapter 70.128 RCW. An adult family home may provide services to up to eight adults upon approval from the Department of Social and Health Services. See RCW 70.128 for further information on exemptions, licensing, operations, fee schedules, and inspections.~~

Bond. ~~A written certificate guaranteeing to pay up to a specified amount of money if specified work is not performed; or any similar mechanism whereby the City has recourse to an identified fund from which to secure performance of specified work.~~

Detached Accessory Dwelling Unit. ~~An accessory dwelling unit that consists partly or entirely of a building that is separate and detached from a principal unit or other housing unit on the same property.~~

Fire Marshal. ~~The City of Lake Stevens Fire Marshal or his~~ designee.

Kitchen. ~~An area used, or designed to be used, for the preparation and consumption of food and which contributes to an independent living facility.~~

Maintenance Security. ~~A bond or other security mechanism that guarantees the repair or replacement of installed public improvements.~~

Performance Security. ~~A bond or other security mechanism that guarantees the completion of required public improvements.~~

Planned Residential Development. ~~A development constructed on at least five acres~~ one acre under a single application, planned and developed as an integral unit, and consisting of single-family detached residences and may be combined with two-family residences, multifamily residences, public/semi-public amenities (e.g., usable open space, a community center, recreational facilities, etc.), or a combination thereof, all developed in accordance with Section ~~14.44.020~~ 14.18.300, Planned Residential Developments.

Primary Residence. ~~A person's usual place of return for housing where one makes their home and conducts their daily affairs, including, without limitations, paying bills and receiving mail. A primary residence is generally the dwelling unit with the residential address used on documentation related to identification, taxation and insurance purposes, including, without limitation, income tax returns, medical service plans, voter registration, paycheck stubs, lease or rental agreement, mortgage agreements, bank~~

statements, driver's licenses, valid state identifications, and/or vehicle registrations. See also principal unit per RCW 36.70A.696.

Security Mechanism. A bond, assignment of funds, or other mechanism approved by the city that guarantees the performance or maintenance of work, as further detailed in Section 14.16A.180.

Note: All other sections remain unchanged.

2. Design Review

Section 14.16C.050: Design Review

(c)(2) Design Review Submittal Requirements. ~~Two color, hard copies and One~~ electronic copy ~~are is~~ required for each submittal for review.

(d)(2) Structures are subject to the design guidelines or standards adopted per subsection (b) of this section when developed under specified regulations listed below, except when the project meets the limitations in Section 14.16C.020(d):

- (i) Planned neighborhood developments (Section 14.16C.080);
- (ii) Planned residential developments (Section ~~14.44.020~~ 14.18.300); and
- (iii) Innovative Housing Options Program (Chapter 14.46).

Note: All other sections remain unchanged.

3. Home Occupations (Delete Duplicate Section, which was replaced by 14.44.015)

Section 14.16C.070: Home Occupations (Delete entire section, which contains duplicate language)

~~(a) The purpose of this section is to allow small-scale commercial occupations incidental to residential uses to be located in residences while guaranteeing all residents freedom from excessive noise, traffic, nuisance, fire hazard, and other possible effects of commercial uses being conducted in residential neighborhoods.~~

~~(b) Procedure. A home occupation permit is approved by the Planning Director for each home occupation. Home occupations shall be reviewed in the manner and following the procedures established in Chapters 14.16A and 14.16B for a Type I review.~~

~~(c) Standards. Home occupations are permitted as an accessory use to the residential use of a property only when all of the following conditions are met:~~

- ~~(1) The total area devoted to all home occupation(s) shall not exceed 25 percent of the floor area of the dwelling unit or 500 square feet, whichever is less. Areas within attached garages and storage buildings shall not be considered part of the dwelling unit for purposes of calculating allowable home occupation area but may be used for storage of goods associated with the home occupation;~~
- ~~(2) The home occupation may be located in the principal dwelling, except that those related to growing or storing of plants used by the home occupation(s) may be in an accessory structure. If located in an accessory structure, the area devoted to the occupation, as described in subsection (c)(1) of this section, shall be based upon the floor area of the dwelling only;~~
- ~~(3) No business activity may occur outside of any buildings on site, including displays of goods, stock in trade or other commodities;~~
- ~~(4) Not more than one person outside of the family shall be employed on the premises;~~
- ~~(5) The home occupation shall in no way alter the normal residential character of the premises;~~
- ~~(6) No objectionable noise, fumes, odor, or dust shall be allowed;~~
- ~~(7) The home occupation(s) shall not use electrical or mechanical equipment that results in:
 - ~~(i) A change to the fire rating of the structure(s) used for the home occupation(s);~~~~

- ~~(ii) Visual or audible interference in radio or television receivers, or electronic equipment located off premises; or~~
 - ~~(iii) Fluctuations in line voltage off premises;~~
- ~~(8) No equipment or material may be stored, altered or repaired on any exterior portion of the premises;~~
- ~~(9) Sales shall be limited to:~~
 - ~~(i) Products accessory to the home occupation (e.g., shampoo for beauty shop, etc.);~~
 - ~~(ii) Merchandise which is produced on the premises; and/or~~
 - ~~(iii) Mail order, internet and telephone sales; and~~
 - ~~(iv) With appointment for pick up or off-site delivery;~~
- ~~(10) Services to patrons shall be arranged by appointment or provided off site;~~
- ~~(11) In addition to required parking for the dwelling unit, one on-site parking stall shall be provided when services are rendered on-site;~~
- ~~(12) The home occupation(s) may use or store a vehicle for pickup of materials used by the home occupation(s) or the distribution of products from the site, provided:~~
 - ~~(i) No more than two such vehicles shall be allowed;~~
 - ~~(ii) Such vehicles shall not be parked within any required setback areas of the lot or on adjacent streets; and~~
 - ~~(iii) Such vehicles shall not exceed the weight capacity of one ton;~~
- ~~(13) Signs in connection with the home occupation shall comply with the restrictions of Chapter 14.68, Signs; and~~
- ~~(14) No sales or services will be conducted on the premises which will generate more than 10 average daily round trips per day by customers except for day care.~~
- ~~(d) The following is a nonexhaustive list of examples of enterprises that may be granted a home occupation permit if they meet the foregoing standards:~~
 - ~~(1) Office or studio of a physician, dentist, artist, musician, lawyer, architect, engineer, teacher, or similar professional;~~
 - ~~(2) Workshops, greenhouses, or kilns;~~
 - ~~(3) Dressmaking or hairdressing studios; and~~
 - ~~(4) Day care.~~
- ~~(e) Prohibited home occupations are enterprises which may create objectionable noise, fumes, odor, dust or electrical interference and may involve hazardous materials or on-site storage of petroleum products, and which are not compatible with residential development. The following is a nonexhaustive list of examples of such prohibited enterprises:~~
 - ~~(1) Automobile, truck and heavy equipment repair;~~
 - ~~(2) Autobody work or painting;~~
 - ~~(3) Parking and storage of heavy equipment;~~
 - ~~(4) Storage of building materials for use on other properties;~~
 - ~~(5) Marijuana production, processing or retail facility; or~~
 - ~~(6) Similar types of enterprises.~~
- ~~(f) Transferability. A home occupation permit issued to one person shall not be transferable to any other person; nor shall a home occupation permit be valid at any other address than the one listed on the permit.~~
- ~~(g) Additional Conditions. In granting approval for a home occupation, the Planning Director may attach additional conditions to ensure the home occupation will be in harmony with, and not detrimental to, the character of the residential neighborhood.~~

~~(h) — Inspections. Any home occupation authorized under the provisions of this chapter shall be open to inspection and review at all reasonable times by enforcement officials for purposes of verifying compliance with the conditions of approval and other provisions of this title.~~

~~(i) — Modification. The Planning Director shall have authority to grant an administrative modification to the standards listed in subsection (c) of this section, provided the use is consistent with the purposes of this chapter and will be operated in harmony with the character of and create no significant impact to the residential neighborhood. The Planning Director is authorized to approve administrative modifications only in cases of unique circumstances, such as large property acreage, remote site access or site location, or small scale of use, when these circumstances ensure the commercial operation remains incidental to the dwelling and in no way alters the normal residential character of the premises. No modification shall be granted which would be detrimental to the public health, or welfare or the environment.~~

~~(j) — In Home Day Care Standards:~~

~~(1) Home day care and adult family care facilities shall meet State licensing requirements, including those pertaining to building, fire safety, and health codes. A copy of the required State license, if applicable, shall be furnished by the applicant with the City business license application.~~

~~(2) There shall be minimal, if any, change in the outside appearance of the residence.~~

~~(3) Where outdoor recreation facilities are provided for children in day care facilities, they shall be screened by a fence at least four feet high, where abutting residentially zoned property.~~

~~(4) The facility shall provide a safe passenger loading area.~~

~~(5) The day care provider shall provide written notification to immediately adjoining property owners of the intent to locate and maintain a facility and provide a copy of the notification to the Planning Department. (Ord. 908, Sec. 5, 2014; Ord. 811, Sec. 4 (Exh. 3), 2010)~~

Note: Section 14.44.015 Home Occupations will remain as written.

4. Subdivisions

Section 14.18.015: Review of Subdivisions

No person may subdivide ~~his land property~~ except in accordance with the provisions of this title. ~~Long Subdivisions~~ and short subdivisions are subject to a three-step approval process. The first step is approval of the preliminary plat, the second is approval and construction of the infrastructure necessary to serve the ~~plat subdivision~~, and the third step is for approval of the final plat. Each step requires a separate application and fee as set by Council resolution.

Section 14.18.030: Application for Final Plat Approval

(b) ~~Two draft-Draft~~ copies of the following information:

Section 14.18.035: Approval of Final Plats

(d) The applicant shall also provide all final plat maps and engineered as-builts in digital form. ~~Files shall be submitted, in a format approved by the city “*.dwg” or other AutoCad-compatible format approved by Public Works.~~

Section 14.18.040: Content of the Final Plat

(d) The name, registration number, and seal of the professional land surveyor responsible for preparation of the plat, and a certification on the plat by said surveyor to the effect that (1) it is a true and correct representation of the land actually surveyed by ~~him/under his or under the surveyor’s~~ supervision;

(2) that the exterior plat boundary, and all interior lot corners have been set on the applicant’s property by ~~him/under his or under the surveyor’s~~ supervision using appropriate permanent materials, with a field traverse with a linear closure of one to 10,000 and corresponding angular closure as specified

in WAC 173-303-610; and (3) that all street centerline monuments (points of intersection, points of curve, points of tangency, etc.) within the plat and all intersections with existing street centerlines have been monumented with concrete monuments in case or other permanent material approved by the City.

(s) The following declaration: "All conditions of the preliminary plat or preliminary short plat, embodied within the Form of Decision [recorded in Book ____, Page ____ of the Snohomish County Registry/which is attached hereto as Exhibit ____], shall remain conditions of construction of the public improvements."

Section 14.18.060: Alterations of Subdivisions

(a) If an applicant wishes to alter a subdivision or short subdivision or any portion thereof, except as provided in Section 14.18.065, that person shall submit an application to the Department of Planning and Community Services-Development requesting the alteration. The application shall contain the signatures of ~~all the majority of~~ persons having an ownership interest in lots, tracts, parcels, sites or divisions within the subdivision or short subdivision or in that portion to be altered.

(1) Upon receiving an application for an alteration of a short subdivision or subdivision, the Planning Director or designee shall provide a notice of application to all owners of property within the subdivision, per Chapter 14.16B-Part II for short subdivisions and Chapter 14.16B-Part III for subdivisions.

(2) The notice shall establish a date for a public hearing or provide a person receiving notice to request a public hearing within 14 days of issuance of the notice of application. The Hearing Examiner shall conduct the hearing.

(b) The Planning Director shall have the authority to determine whether the proposed alteration constitutes ~~a minor~~ an administrative modification, per LSMC 14.16C.025, or a major alteration. Major alterations are those which substantially change the basic design, density, open space, or other similar requirements or provisions.

(1) When the alteration meets the requirements of this section and LSMC 14.16C.025, the alteration will be reviewed as a Type II Administrative Modification.

(2) When the alteration exceeds the requirements of this section and LSMC 14.16C.025, the alteration shall be reviewed by the same body that reviewed the original application. The criteria for approval of such a modification shall be those criteria governing the permit which is the subject of the proposed alteration.

(c) If the subdivision or short subdivision is subject to restrictive covenants, which were filed at the time of the approval, and the application for alteration would result in the violation of a covenant, the application shall contain an agreement signed by all parties subject to the covenants providing that the parties agree to terminate or alter the relevant covenants to accomplish the purpose of the alteration of the subdivision or short subdivision or any portion thereof.

~~(d) If the alteration is requested prior to final plat or final short plat review and signature, a minor alteration may be approved with consent of the Planning Director. A long plat or short plat major alteration shall require consent of the Planning Director as a Type II review for short subdivisions after public notice or the Hearing Examiner as a Type III review for subdivisions after public notice and a public hearing is held. Notice shall be provided of the application for a long plat or short plat alteration to all owners of property within the subdivision or short subdivision, all parties of record, and as was required by the original subdivision or short subdivision application. The Planning Director shall have the authority to determine whether the proposed alteration constitutes a minor or major alteration pursuant to subsection (b) of this section.~~

~~(e) If the alteration is requested after final plat or final short plat review and signature, but prior to filing the final plat or final short plat with Snohomish County, a plat or short plat alteration may be~~

~~approved with consent of the Planning Director for short subdivisions as a Type II review or the City Council for subdivisions as a Type V review. Upon receipt of an application for alteration, notice shall be provided of the application to all owners of property within the subdivision or short subdivision, all parties of record, and as was required by the original application. The notice shall establish a date for a public hearing.~~

- (f) ~~If the alteration is requested after filing the final plat or final short plat with Snohomish County, a minor plat alteration may be approved with consent of the Planning Director as a Type II review. If the Planning Director determines that the proposed alteration is a major alteration, pursuant to subsection (b) of this section, then the Planning Director may require replatting pursuant to this chapter. Upon receipt of an application for alteration, notice shall be provided of the application to all owners of property within the subdivision or short subdivision, all parties of record, and as was required by the subdivision or short subdivision plat application. The notice shall establish a date for a public hearing.~~
- (g) ~~(d)~~ The City shall determine the public use and interest in the proposed alteration and may deny or approve the application for alteration. If any land within the alteration is part of an assessment district, any outstanding assessments shall be equitably divided and levied against the remaining lots, parcels, or tracts, or be levied equitably on the lots resulting from the alteration. If any land within the alteration contains a dedication to the general use of persons residing within the subdivision, such land may be altered and divided equitably between adjacent properties.
- (h) ~~(e)~~ After approval of the alteration, the City shall order the applicant to produce a revised drawing of the approved alteration of the subdivision or short subdivision, and after signature the final plat or final short plat shall be filed with Snohomish County to become the lawful plat or short plat of the property.
- (i) ~~(f)~~ This section shall not be construed as applying to the alteration or replatting of any plat or short plat of State-granted shore lands.

Note: All other sections remain unchanged.

5. Subareas (Incorrect Street Name Directional Listed)

Section 14.38.040, Table 14.38-I: Dimensional Regulations

Table Footnote 10. Building heights in the CBD and P/SP zoning districts west of Main Street between North Lakeshore and 16th Street ~~SE~~ NE may not exceed 45 feet.

Note: All other sections remain unchanged.

6. Boundary Line Adjustments (Wrong section listed)

Section ~~14.38.200~~ 14.18.200: Boundary Line Adjustments

Note: All other sections remain unchanged.

7. Temporary Public Structures (Delete duplicate sections and consolidate with 14.16C.110)

Section ~~14.44.048: Temporary Public Structures.~~

~~Public agencies may erect and use temporary structures (e.g., portable school classrooms, civic uses, emergency command centers, health and social services centers, etc.) upon demonstrating that such a use is in the public benefit and that the use is temporary in nature. Permits for temporary public structures shall expire one year after issuance, but may be renewed annually by the Planning Director upon demonstration of demonstrated public benefit. (Ord. 468, 1995)~~

Section 14.44.040: Temporary Emergency, Construction, or Repair Residences

~~(a) Temporary residences used on construction sites of nonresidential premises shall be removed immediately upon the completion of the project.~~

~~(b) Permits for temporary residences to be occupied pending the construction, repair, or renovation of the permanent residential building on a site shall expire within six months after the date of issuance, except that the Planning Director may renew such permit for one additional period not to exceed three months if he determines that such renewal is reasonably necessary to allow the proposed occupants of the permanent residential building to complete the construction, repair, renovation, or restoration work necessary to make such building habitable.~~

~~(c) When sudden, unforeseen damage occurs to a residence making it uninhabitable, thus necessitating occupancy in a temporary residence, occupancy may occur immediately provided an application for the temporary use permit is made within seven days from the first day of occupancy in the temporary residence. (Ord. 676, Sec. 31, 2003; Ord. 468, 1995)~~

Section 14.16C.110(c): Permitted Temporary Uses. The following temporary uses and structures shall be allowed:

(1) A temporary dwelling for use as a residence by the owners of a lot during construction, repair or renovation of a permanent residential structure on the lot. The temporary building need not comply with the requirements of the International Building Code but shall meet minimum health and safety standards prescribed by the Building Official. Permits for temporary dwellings shall expire within six months of the date of issuance, except that the Planning Director may renew such permit for one additional period not to exceed three months to allow for the completion of the permanent structure. When sudden, unforeseen damage occurs to a residence making it uninhabitable, occupancy may occur immediately provided an application for a temporary use permit is submitted with seven days from the first day of occupancy in the temporary dwelling. ~~It~~ The temporary dwelling shall be removed from the lot upon completion of the permanent residential structure.

(2) A temporary structure for use by a contractor as a construction shed or office while building or remodeling a permanent structure on the same lot. The temporary structure shall not be open to the public. The temporary building need not comply with the requirements of the International Building Code but shall meet minimum health and safety standards prescribed by the Building Official. It shall be removed from the lot upon completion of the permanent structure.

(3) Temporary residences used on non-residential construction sites shall be removed immediately upon completion of the project.

~~(4)~~ A temporary real estate sales office located in a model or display home, subject to the following conditions:

(i) If situated in a residential zone, the office may only be used for sale activities related to the plat in which it is located.

(ii) If situated in a commercial zone, the office may only be used for sales related to the model or display home itself.

(iii) Within a period of ~~one year~~ one month of the last residential property within the subdivision being sold, the use of the building for a temporary real estate sales office shall terminate, and the building shall be used exclusively thereafter for uses permitted within that zone and shall meet all building and fire codes applicable thereto, or shall be immediately removed.

(54) Temporary encampments are to be reviewed as a Type II application pursuant to supplemental regulations contained in Section [14.44.038](#).

Note: Section 14.16C.110(g) Temporary Public Structures will remain as written.

8. Update/Remove References to Outdated Zoning Districts

Table 14.44-I: Maximum Permitted Sound Levels, dB(A)

Zoning of Lot Where 4.000 Use Located	(re: 0.0002 Microbar) Zoning of Adjacent Land				
	Residential and PND		NC, LB, CBD, MU, PBD 7	LI	GI
	7:00 a.m. - 9:00 p.m.	9:00 p.m. - 7:00 a.m.	SRC		
LI & GI	60	50	65	70	70

Note: All other sections remain unchanged.

Section 14.68.070: Freestanding Sign Surface Area

(a) The area of a freestanding sign may not exceed 0.3 square feet in surface area for every linear foot of street frontage along the street toward which the sign is oriented, provided the following maximums are not exceeded:

- (1) Sites with 200 or less feet of frontage: 50 square feet;
- (2) Sites with 200 to 400 feet of frontage: 75 square feet; and
- (3) Sites with more than 400 feet of frontage: 100 square feet.

(b) In all nonresidential zoning districts ~~except Sub-Regional Commercial~~, freestanding sign area may not exceed 0.75 square feet in surface area for every linear foot of street frontage along the street toward which such sign is primarily oriented to a maximum of 250 square feet.

(c) Freestanding signs that have no discernible sides, such as spheres or other shapes not composed of flat planes, may not exceed the maximum total surface area allowed under subsection (a) or (b) of this section for a single side of a freestanding sign. (Ord. 799, Sec. 2, 2009)

Section 14.68.084: Changeable Text Signs

(a) Changeable text signs are permanent sign fixtures with non-changing sign faces on non-moving text consisting of opaque individual letters mounted on plexiglass or similar materials may manually be periodically changed (e.g., for short term sales or specials). While the fixture must be permitted, the text may change without a permit as long as it fits within the dimensional parameters of the fixture.

(b) Changeable text signs are permissible in the Local Business, Central Business District, ~~Sub-Regional Commercial~~, and Public/Semi-Public districts, except that churches, synagogues, and temples (use class 5.200) may have a changeable text sign in any zone district in which they may be located, provided such sign is not internally illuminated. Each occupant may have changeable text signs, though the total aggregate surface area of such sign(s) may not exceed 10 percent of the occupants' total allowable permitted signage. (Ord. 799, Sec. 2, 2009; Ord. 676, Sec. 58, 2003; Ord. 661, 2002; Ord. 468, 1995)

Table 14.76-I: Screening Requirements

Zone in Which Development Occurs	R4, WR, R6, R8-12	MFR	PRD	CBD, MU, LB	SRC , PBD	LI	GI	P/SP
Zone of Adjacent Property								
R4, WR, R6, R8-12		B	B	B	A	A	A	B
MFR	-		-	B	A	A	A	B
PRD	-	-		-	A	A	A	B
CBD, MU, LB	B	-	B		-	A	A	-
SRC , PBD	C	B	B	-		A	A	-
LI	C	C	C	-	-		B	-
GI	A	A	A	A	A	B		A
P/SP	B	B	C	-	-	A	A	

Section 14.76.124: Shade Trees on Residential Lots

(b) The minimum number of required trees depends on the zoning district in which the site falls, as follows:

~~Suburban Residential R4, Waterfront Residential WR~~ - three trees/lot

~~Urban Residential R6, High Urban Residential R8-12~~ - two trees/lot

~~Except: lots developed through a Planned Residential Development (Section 14.44.020) or a Cluster Subdivision (Section 14.48.070) - three trees/lot for lots greater than or equal to 9,600 square feet, two trees/lot for lots less than 9,600 square feet~~

Note: All other sections remain unchanged.

9. Gender Neutrality

Section 4.04.060: Procedure for Obtaining License

(c) No person shall engage in any business for which a license is required under this section without being registered and licensed in compliance with the provisions of this chapter; nor shall any person holding such a business license suffer or allow any other person for whom separate license is required to operate under or display ~~his~~their license.

Section 4.04.150: Suspension or Revocation of License – Grounds

(c) It is unlawful for any person whose license has been revoked, denied or suspended to keep the license issued to him/her in his/her possession or under ~~his~~their control, and the same shall immediately be surrendered to the Planning and Community Development Department. When revoked or denied, the license shall be cancelled, and when suspended the Planning and Community Development Department shall retain the same during the period of suspension.

Section 4.04.220: Penalties

(b) Any taxpayer who engages in or carries on any business subject to a tax hereunder without having ~~his-a~~ business license, shall be guilty of a separate violation of this chapter for each day during which the business is so operated.

Section 14.04.070: No Use or Sale of Land or Buildings Except in Conformity with Title Provisions.

(a) Subject to Chapter 14.32 (Nonconformities), no person may use, occupy, or sell any land or buildings or authorize or permit the use, occupancy, or sale of land or buildings under ~~his-their~~ control except in accordance with all of the applicable provisions of this title.

Section 14.16A.180: Performance Securities *(Note: Additional changes proposed under Amendment 24)*

(b)(2) Site Performance Security. In addition, an ~~siteaugmented~~ performance security may be required by the Public Works Director to cover the cost of installing any system-wide public improvements that an applicant has agreed to install as part of ~~his-an approved~~ project where the lack of installation would cause the system to fail or not be completed in a timely manner.

(i)(1) If during the period of time covered by a maintenance security, or after the date by which the required work or improvements are to be completed under a performance security, the Public Works Director and/or Community Development Director determines that the security agreement has not been complied with, ~~he- they~~ shall notify the applicant of this. The notice must state:

- (i) The work that must be done or the improvements that must be made to comply with the security agreement; and
- (ii) The amount of time, not to exceed 30 days, that the applicant has to commence and complete the required work or improvements; and
- (iii) That, if the work or improvements are not commenced and completed within the time specified, the City will use the proceeds of the security to have the required work or improvements completed.

Section 14.16A.265: Appeals

(c) Effect of Appeal. Decisions on Type I, Type II, Type III, and Type IV permits are assumed valid unless overturned by an appeal decision. An appeal stays all actions by the Planning Director seeking enforcement of or compliance with the order or decision appealed from, unless the Planning Director finds that a stay would, ~~in his-opinion,~~ cause imminent peril to life or property, in which case proceedings shall not be stayed except by order of the Hearing Examiner or a court.

Section 14.16A.350: Hearing Examiner

(b)(1)(i) The Hearing Examiner shall have no regularly scheduled meetings but shall meet on an as-needed basis so that ~~he-or-she- they~~ can take action in conformity with this title.

Section 14.16C.115: Variances

(c) Decision Criteria. A variance may be approved if findings are made that the strict enforcement of this title would result in practical difficulties or unnecessary hardships for the applicant and that, by granting the variance, the spirit of this title will be observed, public safety and welfare secured, and substantial justice done. The Hearing Examiner may reach these conclusions if ~~he-or-she- they~~ find that:

- (1) The requested use is permitted in the zone in which the property is located;
- (2) If the applicant complies strictly with the provisions of this title, the applicant can make no reasonable use of ~~his-the owned~~ property;

Section 14.18.015: Review of Subdivisions.

No person may subdivide ~~his~~ their land except in accordance with the provisions of this title. Long and short subdivisions are subject to a three-step approval process. The first step is approval of the preliminary plat, the second is approval and construction of the infrastructure necessary to serve the plat, and the third step is for approval of the final plat. Each step requires a separate application and fee as set by Council resolution.

Section 14.44.040: Temporary Emergency, Construction, or Repair Residences

(b) Permits for temporary residences to be occupied pending the construction, repair, or renovation of the permanent residential building on a site shall expire within six months after the date of issuance, except that the Planning Director may renew such permit for one additional period not to exceed three months if ~~he~~ they determines that such renewal is reasonably necessary to allow the proposed occupants of the permanent residential building to complete the construction, repair, renovation, or restoration work necessary to make such building habitable.

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

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

Section 14.60.200: Building Sewer Permits Required

(c) A permit which includes building sewer work on private property only may be issued to the owner of the property or to a registered building sewer contractor, or qualified City employee, but such permit shall not allow the owner to connect the building sewer to a public sewer except through the normal opening of a wye, tee, or stub under the supervision of the Public Works Director or ~~his representative.~~ designee.

Section 14.60.230: Building Sewer Contractor Registration Required

(a) For the purpose of assuring safe and quality construction of building sewers, safe and quality connection of building sewers to the public sewers of the City, no person, other than the owner of the property involved, may construct, install, repair, reconstruct, excavate, or connect to the public sewers of the City any building sewer, unless ~~he is~~ they are a building sewer contractor holding a valid, un-suspended current certificate of registration issued by the Department of Licenses of the State of Washington pursuant to Chapter 18.27 RCW, or is a qualified employee of the City.

Section 14.60.250: Reuse of Building Sewers

Old building sewers, including septic tank lines, may be used only when they are found, on examination and test by the Public Works Director, to meet all requirements of this chapter. The owner or ~~his-the~~ owner's agent shall demonstrate to the Public Works Director that no connection to such building sewer or septic tank line exists which conveys any material prohibited by LSMC Section 6.04.210 (Unlawful Discharge into Public Sewers).

Section 14.60.270: Building Sewer Construction Requirements

(e)(8) With respect to building sewer connections to public sewers in or adjacent to Lake Stevens, the excavation for the connection into the public sewer or stub serving the public sewer and the connection thereto shall be made only under the visual inspection of the Public Works Director or ~~his representative~~ designee.

Section 14.62.070: Application Submittal Requirements

(b)(12)(i) ~~He or she~~ They understands that if the use is abandoned the tower must be removed within one year; and

Section 14.68.150: Nonconforming Signs

(j) As soon as reasonably possible after the effective date of the ordinance codified in this title, the Planning Director shall make every reasonable effort to identify all the nonconforming signs within the City's planning jurisdiction. ~~He~~ The director shall then contact the person responsible for each such sign (as well as the owner of the property where the nonconforming sign is located, if different from the former) and inform such person (1) that the sign is nonconforming, (2) how it is nonconforming, (3) what must be done to correct it and by what date, and (4) the consequences of failure to make the necessary corrections.

Section 14.72.080: Satellite Parking

(c) The developer wishing to take advantage of the provisions of this section must present satisfactory written evidence that ~~he the developer~~ has the permission of the owner or other person in charge of the satellite parking spaces to use such spaces. The developer must also sign an acknowledgement that the continuing validity of his permit depends upon his continuing ability to provide the requisite number of parking spaces.

Note: All other sections of Title 4 and 14 remain unchanged.

10. Landscaping in Public Right-of-Way

Section 14.56.270: Private Landscape Usage of Public Right-of-Way

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

Note: All other sections remain unchanged.

11. Mobile Food Vendors

Section 14.44.085: Mobile Food Vendors

(e) Permitted Locations.

(1) Mobile food vending units shall be prohibited in any residential zones and abutting rights-of-way.

(2) Mobile food vending units shall not be located within 150 feet of any restaurant without written permission from the restaurant owner. Distance shall be measured using the shortest possible straight line from the closest edge of the mobile vending unit to the closest edge of the restaurant building on the same side of the street.

(3) Mobile food vending units are allowed on private properties in commercial and industrial areas pursuant to Table 14.40-~~II~~, and subject to written approval from the owner and the following requirements and restrictions:

Note: All other sections remain unchanged.

12. Townhomes within Single Family Zones

Table 14.40-I: Table of Residential Uses by Zone

NAICS Code	Use	R4	WR	R6	R8-12	MFR	LB	MU ¹	PBD ²
N/A	Single-family detached, site built or modular	P	P	P	P	P			
N/A	Class A or B mobile home	P	P	P	P	P			
N/A	Mobile/manufactured home park	A	A	A	A	P			
N/A	Apartment(s) above permitted nonresidential use					A	P	P	P
N/A	Cottage housing development ³	P	P	P	P	P			P
N/A	Duplexes	p ⁴	p ⁴	p ⁴	p ⁴	P			P
N/A	Apartments (five or more attached units)					P			P
N/A	Townhomes/rowhouse ¹²	<u>p¹²</u>		<u>p¹²</u>	P	P			P

12. Townhomes are permitted per Chapter 14.46, Part III or as part of a planned residential development (PRD) ~~in single family zones,~~ subject to Section 14.18.300 (Planned Residential Developments).

13. Subject to Type I review and requirements of Section 14.44.064

Note: Only affected rows/columns and footnotes shown. All other sections remain unchanged.

Category 2: Minor Updates

13. Land Disturbance

Section 14.50.125: Application Requirements

A land disturbance application shall include the following items:

- (a) Completed Type I/II permit application form;
- (b) A narrative of the project that describes the existing site conditions and development goals of the proposed work by including (1) specific work to be accomplished, (2) a time schedule for land clearing activities, (3) type of equipment to be used, (4) measures proposed to protect the site and adjacent properties from potential adverse impacts, and (5) the estimated quantities/area of work involved;
- (c) Public noticing documents per Chapter 14.16B;
- (d) An environmental checklist if the land disturbance will exceed ~~100 cubic yards~~, the thresholds established in Section 16.04.050(b) for fills or excavations;

Note: All other sections remain unchanged.

14. Dimensional Standards

Section 14.48.045: Accessory Structures

- (a) In single-family residential zones, accessory structures must meet the following conditions:
 - (1) The gross floor area of all accessory structures shall not exceed 200 square feet without a building permit;
 - (2) The height of the accessory structure shall not exceed 12 feet without a building permit; and
 - (3) The accessory structure may be set back five feet from rear and side property lines but shall be no closer to the front property line than the principal dwelling unit front setback of the underlying zoning district. Accessory dwelling units shall adhere to the setbacks of the underlying zoning district unless otherwise noted in Section 14.44.045.

Table 14.48-I: Residential Density and Dimensional Standards¹

Zoning District	Lot Size		Lot Width	Front Setback ²	Side Setback ⁹	Rear Setback	Maximum Impervious Area ⁶	Maximum Height
R4	8,000 sq ft		60 feet internal 65 feet corner	25 feet	15 total (no less than 5 feet one side)	20 feet	50%	35 feet
WR	9,600 sq ft		variable - not less than 50 feet	25 feet	15 total (no less than 5 feet one side)	20 feet ⁷	40% ⁵	35 feet
R6	6,000 sq ft		50 feet internal 55 feet corner	20 feet	10 total (no less than 5 feet one side)	15 feet	55%	35 feet
R8-12 ³	Detached	4,000 sq ft	45 feet internal	15 feet (25 feet max.) ⁸	10 total (no less than 5 feet one side)	10 feet	65%	35 feet

			50 feet corner					
	Attached	2,800 sq ft	16 feet internal 26 feet corner	15 feet (25 feet max.) ⁸	10 feet between other districts or buildings on site	10 feet	75%	45 feet
MFR	None		20 feet ⁴	Variable	10 feet between other districts or buildings on site	10 feet between other districts	80%	55 feet

Notes:

1. Unless otherwise stated, the dimensional standards refer to minimum requirements.
2. The minimum required setback for garages is 20 feet from the front lot line to ensure sufficient space for cars to park in driveways without blocking sidewalks.
3. The R8-12 zoning district applies two sets of development standards depending on if the project is a detached single-family or attached townhouse development. Developments may apply a mix of standards if both types of housing are represented in the project up to the maximum adjusted gross density. For attached units, the 2,800 square foot lot size is not a minimum lot size and is instead used to determine adjusted gross density per Section 14.48.085.
4. Twenty-foot minimum street frontage.
5. Per Lake Stevens Shoreline Master Program.
- ~~6. The allowance for impervious surfaces shall only apply to parcels with adequate stormwater facilities developed following the 2012 Washington State Department of Ecology Storm Water Management Manual for Western Washington, as amended in 2014, as now or hereafter revised; otherwise the lot coverage remains 40 percent for single family zones (R4, R6 and WR) and 65 percent for the R8-12 zoning district on existing developed parcels.~~
6. The allowance for maximum impervious surfaces shall apply to new subdivisions, short subdivisions, infill development and multifamily developments on parcels with adequate stormwater facilities developed under the current Washington State Department of Ecology Stormwater Management Manual for Western Washington or hereafter revised. The lot coverage for lots or developments created prior to 2020 shall be 40 percent for single-family zones (R4, R6 and WR), 65 percent for the R8-12 zoning district and 80 percent for multifamily developments. Any applicant requesting an increase in impervious surfaces to current standards, on existing developed parcels, shall demonstrate that the cumulative increase of impervious surfaces will not impact the overall capacity of the existing stormwater system or the increase in impervious surface cannot be mitigated including the cumulative impervious surface for the entire subdivision or development project as developed.
7. The Lake Stevens Shoreline Master Program requires a 50-foot buffer from the lake and 10-foot setback. On Waterfront Residential parcels separated from the lake by roads the rear (upland) setback is 20 feet; otherwise, rear setbacks from the water will be per the Lake Stevens Shoreline Master Program.
8. The maximum driveway length is mandatory for standard platted lots. Exceptions to this standard may be considered on a case basis for infill lots and lots with unique site conditions including but not limited to critical areas, topography and location of easements and utility corridors.
9. Per LSMC 14.48.035(a), side setbacks are 10 feet along side streets of corner lots.

Note: All other sections of Section 14.48.045 and Table 14.48-I remain unchanged.

15. Signs

Section 14.68.030: Certain Temporary Signs: Permit Exceptions

(a)(5) Temporary displays, including lighting, flags, or pennants, erected in connection with the observance of holidays or seasons when not displayed in connection with a commercial promotion or as an advertising device. These shall be removed within ~~10~~ 30 days following the holidays or seasons.

Section 14.68.060: Total Allowable Sign Area

(a) The total area devoted to all signs on any lot shall not exceed the limitations set forth in this section. All signs except temporary signs and subdivision signs shall be included in this calculation.

Note: All other sections of 14.68 remain unchanged.

16. Subarea Signs

Section 14.38.100: Signs

(d)(3)(vii). The wall sign area calculation is defined in Table 14.38-IV and the maximum sign area per façade will be based on the size of the associated gross business area, as follows:

Table 14.38-IV Sign Standards

Sign Type ¹		BD	CD ²	NB	MS ²	CBD	MUN ²
Projecting/Suspended	Sign Area	NA	10 sq. ft. max. and no more than 5 ft. in width	6 sq. ft. max. and no more than 3 ft. in width			
	Maximum Number	NA	1 projecting or suspended sign per main facade or leasable frontage				
Wall ³	Sign Area	Main: 10% of building facade Secondary: 5% of building façade ⁶	Main: 15% of building facade Secondary: 10% of building façade ⁶	Main: 10% of building facade Secondary: 5% of building façade ⁶			
	Maximum Number	1 per facade 2 facades may have signs	1 per facade ⁴ 3 facades may have signs	1 per facade 2 facades may have signs			
Window ⁵	Sign Area	10% percent of window area	20% percent of window area	10% percent of window area			

Notes:

1. Each leased space or building frontage may have one projecting sign or one suspended sign, but not both.
2. Residential signage shall conform to Section 14.68.090.
3. Wall sign calculation: the facade area (first 12 feet of the building height) multiplied by the total facade length or leasable frontage for multi-tenant buildings (example: $[12 \times 30 = 360]$ $[360 \times 15\% = 54 \text{ sq. ft.}]$). The sign calculation for second story signage would be the leasable frontage multiplied by the height of the story (example: $[12 \times 20 = 240]$ $[240 \times 15\% = 36 \text{ sq. ft.}]$).
4. Building over 15,000 gross square feet, with a primary facade length over 100 linear feet, may have two signs along the primary facade for the primary businesses and one sign per enclosed secondary business. Sign area for all signs will be included in the maximum sign area.
5. Commercial signage for businesses on third stories and above would be limited to window signs.
6. Main facade is defined as a façade with a primary pedestrian entrance; there may be more than one main facade. All other facades are secondary. The maximum number of facades (main or secondary) with signs shall follow the table above.

17. Off-Street Parking Requirements within Downtown Subarea

14.38.060: Parking Regulations

- (a) Purpose and Application. Ensure that parking requirements are adequate to different land uses and that the parking lot configurations contribute to an inviting and safe development. Developments within the subareas are subject to the parking regulations found in Chapter [14.72](#), except when this chapter modifies the standard municipal code requirements.
- (b) Parking Ratio. Table 14.38-III establishes the specific parking requirements for the subareas.

Table 14.38-III
Parking Standards^{1, 2, 3}

Land Use	Minimum	Maximum
Commerce and Industry (per gross floor area)		
Health Care	2.5 stalls per 1,000 gfa	5 stalls per 1,000 gfa
Office and Business Services	2 stalls per 1,000 gfa	4 stalls per 1,000 gfa
Food Services	10 stalls per 1,000 gfa	20 stalls per 1,000 gfa

Table 14.38-III
Parking Standards^{1, 2, 3}

Land Use	Minimum	Maximum
Retail Trade and Personal Services	2 stalls per 1,000 gfa	4 stalls per 1,000 gfa
Wholesale Trade	1 stall per 1,000 gfa	2 stalls per 1,000 gfa
Hotel	0.75 stalls per room	1 stall per room
Conference Center	1 stall per 50 gfa	1.5 stalls per 50 gfa
Residential (per residential unit or room)		
Group, Convalescent and Nursing Homes	1 per room	1.5 per room
Multi-Family Residential ^{3,4}	1.25 stalls per unit ^{5,4}	2.5 stalls per unit ^{6,5}
Senior Housing	0.5 stalls per unit	1 stall per unit
Single-Family Residential	2 per unit	ON

Notes:

1. Where an adopted subarea plan establishes parking standards for a use or zoning district that differs from this table, the standards in the subarea plan shall prevail.

21. Parking requirements for uses not listed shall be per Table 14.72-I: Table of Parking Requirements in Section 14.72.010.

32. Off-street parking shall include the sum of the requirements for the various uses as listed in the required parking table or consistent with subsection (c) of this section. For example, if a site has office and residential uses, the parking area would need to include the required number of parking spaces for both uses.

43. Includes mixed use developments.

54. One and one-quarter spaces minimum to a maximum of two spaces for units with one or less bedrooms.

65. Two and one-quarter spaces minimum to two and one-half maximum for units with two or more bedrooms.

Category 3: Substantial Updates

18. Duplexes

Section 14.46.230(c): Infill Residential Standards

(5) Attached dwelling units of up to four units shall be allowed in single-family zones as infill development subject to the following lot size standards:

- (i) Duplex lots shall be ~~100~~125 percent of equal to the minimum lot size of the underlying zone.
- (ii) Triplex lots shall be 150 percent of the minimum lot size of the underlying zone.
- (iii) Fourplex lots shall be 175 percent of the minimum lot size of the underlying zone.
- (iv) Up to four units may be provided in a garden/courtyard apartment with a minimum of two units per structure on a single lot.

Note: All other sections of 14.46.230 remain unchanged.

Section 14.48.020: Duplexes in Single-Family Zones

Duplexes and two-family conversions in single-family zones shall be allowed on ~~lots having at least 125 percent of the minimum square footage required for one dwelling unit on a lot in such district. all residential lots having at least the minimum square footage required for one dwelling unit on a lot per the underlying zoning district.~~

Note: All other sections of 14.48.020 remain unchanged.

19. Accessory Dwelling Units

Section 14.44.045: Accessory Dwelling Units (ADU)

The installation of ~~an two accessory dwelling units (ADU) in any configuration (attached or detached) in new and existing single-family dwellings~~ shall be allowed in residential ~~zones-zoning districts with a principal unit~~ subject to specific development ~~and design~~ standards.

(a) Purpose. The purpose of allowing ADUs is to:

- (1) Offer a means for residents to remain in their homes and neighborhoods, despite rising costs of living, while obtaining rental income, companionship, security and services.
- (2) Expand housing options for residential property owners, particularly family caregivers, adult children, aging parents, and families seeking smaller households.
- (3) Provide another means for homeowners to reinvest in and improve their residential property.
- (4) Develop housing units in single-family neighborhoods that are appropriate for people at a variety of stages in the life cycle.
- (5) Promote a broader range of affordable housing options in Lake Stevens.
- ~~(6) Comply with RCW 43.63A.215, which requires cities with populations greater than 20,000 to include provisions for ADUs in their development regulations.~~
- ~~(7)~~(6) Comply with the goals and policies of the Housing Element in the Comprehensive Plan.

~~(8) Protect neighborhood stability, property values, and the single-family residential appearance of the neighborhood by ensuring that ADUs are installed under the conditions of this section~~

(b) Development Standards.

(1) The ADUs may be within, attached to, or detached from the principal dwelling unit or as part of a ~~legal accessory structure-detached garage.~~

~~(2) Only one ADU may be constructed per residence. Residential lots with a duplex are not eligible to construct an ADU.~~

~~(3) An ADU can be constructed to a maximum size of up to 50 percent of the principal dwelling unit's total gross floor area, or to a maximum size of 800-1,000 square feet of total gross floor area, whichever is less.~~

(i) Buildings and garages detached from the principal dwelling shall be excluded from the total gross floor area calculation.

(ii) If the ADU is completely located on a single floor within the footprint of the primary residential unit or an existing legal accessory structure of the principal dwelling unit, the Director or designee may allow an increased size to efficiently use the floor area, so long as all other standards set forth in this section are met.

~~(34) An ADU shall not be smaller than 250 square feet of gross floor area.~~

~~(5) In High Urban Residential and Multi-Family Residential zoning districts, ADUs may only be constructed on lots larger than 125 percent of the minimum lot size for that zone.~~

~~(46) Individual ADUs can be conveyed separately as condominium units per Chapter 64.34 RCW, subject to an approved binding site plan per Chapter 14.18. An ADU shall not be segregated from the ownership of the principal dwelling unit through any process that would subvert state and local statutes and ordinances.~~

~~(57) The construction of an ADU shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire and any other applicable codes, laws, rules, and regulations as adopted by the City and/or State, including but not limited to the development standards applicable to the underlying zone where the ADU is being proposed.~~

~~(68) An ADU shall be on a foundation as regulated by the current International Residential Code.~~

~~(79) Applicants shall obtain all necessary approvals from agencies with jurisdiction over utility infrastructure.~~

~~(840) The construction of ADUs shall not require the construction of frontage improvements in the public right-of-way pursuant to Section 14.56.170.~~

~~(911) For the purposes of calculating impact fees, an ADU shall be considered an apartment in the The impact fee for accessory dwelling units shall be no more than 50 percent of the impact fee imposed on the principal unit per the~~ currently adopted fees resolution.

(c) Design Standards.

~~(1) ADUs shall include architectural and design features that are visually compatible with single-family homes. Examples of these features may include using matching materials, colors, window style, or roof design. An ADU may be exempt from this design requirement if the structure is substantially screened from view of surrounding properties.~~

~~(2) The privacy of dwelling units on adjacent lots and ADUs shall be protected to a reasonable extent by including a landscape screen, fencing, strategic window and door placement, or orienting the ADU to maximize privacy.~~

~~(3) If the ADU's primary entrance is not the same as that for the principal dwelling unit, it shall be less visible from the street than the main entrance of the principal dwelling unit, and the ADU's stairways may not be constructed on the front of the principal dwelling unit.~~

(c) Parking.

1. Per Table 14.72-I, one off-street parking space per ADU unit is required in addition to the parking required for the primary dwelling unit.
2. No parking spaces are required for ADU's within one-half mile of a walking distance of a major transit stop as defined in RCW 36.70A.696 unless the city demonstrates implementation of this subsection will be significantly less safe for vehicle drivers or passengers, pedestrians, or bicyclists than if the jurisdiction's parking requirements were applied to the same location for the same number of detached houses.

(d) Other regulations.

1. The provisions of this section do not apply to lots with designated critical areas or their buffers per Chapter 14.88.

Note: All other sections of 14.44.045 remain unchanged.

Table 14.72-I: Table of Parking Requirements

Use	Parking Requirement
Single-family detached residences.	2 spaces per dwelling unit plus one space per room rented out (see Accessory Uses, Section 14.40.040)
Duplex residences.	2 spaces for each dwelling unit, except that one-bedroom units require only one space.
Accessory dwelling units.	Single-family detached residences with accessory dwelling units require 1 space <u>per accessory dwelling unit</u> in addition to the 2 spaces required for the principal dwelling.
Multifamily residences.	2 spaces per unit plus 1 additional space for every four units in the development, except multifamily units limited to senior citizens require only 1 space per unit.

Note: All other sections of Table 14.72-I remain unchanged.

20. Legal Lot Status Determination

Section 14.16C.078: Legal Lot Status Determination

(c) Determination Process.

- (1) Lot Status Determinations as Part of a Building Permit or Other Land Use and Development Request.
 - (i) Lot status determinations involving building permit or other land use and development applications shall submit all materials set forth in subsection (d) of this section, along with the underlying applications, and required application fees.
 - (ii) Concurrent review with an underlying application shall follow the process for the underlying building permit or land use permit.
 - (iii) A separate written approval of a lot status determination will not be issued unless requested by the applicant.

(2) Lot Status Determinations Without a Building Permit or Other Land Use and Development Request.

(i) Lot status determinations not involving any other concurrent City reviews shall submit all materials set forth in subsection (d) of this section, a complete Type I application and current fee.

(ii) The lot status determination shall be reviewed for compliance with the criteria in this section.

(iii) The City will issue a written determination of lot status.

(3) If any nonconforming lot is held in common ownership with an adjacent lot or lots and the combined lots have previously functioned as a single lot to support or allow a use or development, then the nonconforming lot is deemed to have been combined with the adjacent lot or lots and may only be used in accordance with this title as a single lot.

(f) Alternate Decision Criteria for Determining Lot Status. The Planning Director or designee may determine that a parcel is a legal lot of record when the parcel meets one or more of the following criteria:

(1) The parcel was created through territorial platting prior to 1937, was not subsequently developed, altered or improved, and the applicant can demonstrate that the parcel meets the requirement of subsection (f)(3) of this section.

(2) The parcel is a tax parcel created for tax segregation purposes by the County Assessor and the applicant can demonstrate that the parcel meets the requirement of subsection (f)(3) of this section and the following:

(i) The parcel was created by a tax segregation process prior to March 4, 1972; and

(ii) The parcel was defined by metes and bounds legal description or fractional section description and conveyed by notarized deed prior to December 31, 1968; or

(iii) The parcel was conveyed as an individually described parcel to separate, noncontiguous ownerships through a fee simple transfer or purchase.

(3) For consideration for an alternative determination of lot status, the applicant shall demonstrate that:

~~(i) The parcel meets the zoning regulations in effect at the time the lot was created; or~~

~~(ii)~~ (i) The parcel substantially meets or can meet current zoning standards per Title 14 including but not limited to access to public utilities, site access, road, sidewalk, stormwater, lot size, setbacks, etc.; and

~~(iii)~~ (ii) The parcel does not adversely impact public health or safety; and

~~(iviii)~~ (iii) The parcel does not adversely affect or interfere with the implementation of the Comprehensive Plan.

~~(iv)~~ (iv) For purposes of reviewing the status of preexisting parcels, parcels within 10 percent of lot size standards shall be considered to substantially meet the current standards unless the Planning Director or designee determines that public health or safety impacts are present.

Note: All other sections of 14.16C.078 remain unchanged.

21. Adult Family Homes and In-Home Daycares

Section 14.44.015: Home Occupations

(k) In-Home Day Care Standards.

(1) Home day care ~~and adult family care~~ facilities shall meet State licensing requirements, including those pertaining to building, fire safety, and health codes found in 110-300 WAC. A copy

of the required State license, if applicable, shall be furnished by the applicant with the City business license application.

- (2) There shall be minimal, if any, change in the outside appearance of the residence.
- (3) Where outdoor recreation facilities are provided for children in day care facilities, they shall be screened by a fence at least four feet high, where abutting residentially zoned property.
- (4) The facility shall provide a safe passenger loading area outside the public right-of-way.
- (5) The day care provider shall provide written notification to immediately adjoining property owners of the intent to locate and maintain a facility and provide a copy of the notification to the Planning Department. (Ord. 1124, Sec. 2 (Exh. A), 2021)

(I) Adult Family Home Standards.

- (1) Adult family homes shall meet State licensing requirements, including those pertaining to building, fire safety, and health codes found in Chapter 70.128 RCW. A copy of the required State license, if applicable, shall be furnished by the applicant with the City business license application.
- (2) There shall be minimal, if any, change in the outside appearance of the residence.

Note: All other sections of 14.44.015 remain unchanged.

22. Model Homes

Section 14.44.025: Model Homes

(c) Occupancy of model homes is limited as follows:

- (1) No model home shall be occupied for residential use prior to the recording of the final plat and until water, sewer, and storm sewer service is installed and provided to the home.
- (2) Model homes used as temporary real estate offices shall obtain a temporary use permit in accordance with Section 14.16C.110 subject to the conditions of Section 14.16C.110(c)(3).
- (3) One additional preliminarily approved lot may be used to furnish off-street parking provided a hard surface approved by the Public Works Director or designee is installed. This provision is not intended to increase the total number of model homes permitted under subsection (a)(1) of this section. (Ord. 1019, Sec. 2 (Exh. A), 2018)
- (4) Building permits for model homes must be kept active by scheduling inspections and/or submitting building permit extension requests until the final inspection is approved.

(5) Building permit revisions may be required to convert garages to non-residential uses (such as sales areas or real estate offices) and return them to residential use.

Note: All other sections of 14.44.025 remain unchanged.

23. Multifamily Apartments Annexed into the City (Delete Entire Section)

Section 14.44, Part V: Multifamily Apartments Annexed into the City

14.44.500 Authority.

This chapter contains the City's procedures and policies related to the expansion or replacement of existing multifamily structures located in WR, **R4**, R6, or R8-12 zoning districts, annexed into the City on or after January 1, 2006. (Ord. 1124, Sec. 2 (Exh. A), 2021; Ord. 871, Sec. 3, 2012)

14.44.510 Conditional Use Permit Required.

Any requests to expand and/or replace existing multifamily structures (regardless of reason), located in WR, **R4**, R6, or R8-12 zoning districts, annexed into the City on or after January 1, 2006, shall require a conditional use permit per Section 14.16C.045 prior to approval of the expansion and/or replacement. (Ord. 1124, Sec. 2 (Exh. A), 2021; Ord. 871, Sec. 3, 2012)

14.44.520 Additional Requirements.

- ~~(a) The proposed expansion and/or replacement cannot increase the number of units.~~
- ~~(b) The proposed expansion and/or replacement must comply with current regulations and obtain all applicable permits and approvals, including but not limited to a building permit per the current International Construction Codes.~~
- ~~(c) The density and dimensional standards of the MFR (Multifamily) zone shall apply per Table 14.48-I, Density and Dimensional Standards, to Chapter 14.48; however, if a building is destroyed by fire, accident, or natural disaster the structure can be reconstructed within the existing footprint.~~
- ~~(d) All other provisions of the LSMC associated with multifamily development, including but not limited to critical areas, landscaping, design guidelines, and parking, shall apply.~~
- ~~(e) The project proponent shall submit the original County approved official site plan and supporting County decision documents to the City with the conditional use permit application or equivalent documentation that identifies the approved number of units and lot configuration prior to expansion or replacement. (Ord. 871, Sec. 3, 2012)~~

Category 4: Minor Process Code Updates

24. Security Mechanisms

Section 14.16A.180: Security Mechanisms

(a) General Requirements.

(1) As security, the City may accept ~~any of the following: bonds, letters of credit from an insured bank, a secured account with an insured bank, or a cash deposit or assignment of funds.~~ Other forms of security may be accepted if approved by the City Finance Director in consultation with the City Attorney.

(2) In each case where the City requires or allows an applicant to post a security, the Public Works Director ~~and/or Community Development Director (based on type of improvement),~~ shall determine the type of security to be used.

~~(3) There are four standard types of financial securities: site improvements (public and/or private), landscaping, temporary erosion and sediment control (TESC), and critical areas improvements.~~

~~(4) The Public Works Director is responsible for review and approval of site improvements and TESC. The Community Development Director is responsible for review and approval of landscaping and critical areas improvements.~~

~~(5) Performance securities may be presented to the City after preliminary approval of a project but in all circumstances shall be presented prior to any site work, including clearing, grading, or construction.~~

~~(6) Submission of a performance security may be waived by the Public Works Director if, in the director's opinion, said guarantee of installation is not necessary.~~

(b) Performance Securities.

(1) TESC Security. Except as provided in subsection (d) of this section, a performance security shall be required for any project on a site greater than one acre in size to guarantee that a site can be closed and/or winterized if necessary, or that measures can be taken by the City to respond to weather-related emergencies. This may include removal of TESC measures and site restoration measures, including implementation of permanent erosion control including soil amendment and replanting with native plants and trees.

(2) Site Performance Security. In addition, ~~an augmented site~~ performance security may be required by the Public Works Director to cover the cost of installing any system-wide public improvements that an applicant has agreed to install as part of ~~his~~ an approved project where the lack of installation would cause the system to fail or not be completed in a timely manner. An engineer's estimate (or other qualified professional) is required for location-specific issues or critical areas.

i. In lieu of installing public improvements per this title or a condition of a permit, a developer may propose to post a security to ensure completion of the improvements within one year of permit approval.

ii. An extension not to exceed one year may be approved by the Public Works Director upon extension of the security or submission of a new one.

~~(3) Performance securities may be presented to the City after preliminary approval of a project but in all circumstances shall be presented prior to any site work, including clearing, grading, or construction.~~

~~(4) Submission of a performance security may be waived by the Public Works Director if, in his opinion, said guarantee of installation is not necessary.~~

~~(c) Completion Securities. In lieu of installing public improvements per this title or a condition of a permit, a developer may propose to post a security to ensure completion of the improvements within one year of permit approval. An extension not to exceed one year may be approved by the Public Works Director upon extension of the security or submission of a new one.~~

~~(c)~~ Maintenance Securities. Any developer shall provide to the City a maintenance security to cover the cost of replacing or repairing any of the public improvements installed per this title or a condition of a permit.

~~(d)~~ Amount of the Security.

(1) The amount of a security shall be a percentage, as specified in this subsection, of the estimated cost or engineer's estimate (or other qualified professional) of design, materials, and labor, based on the estimated costs ~~on the last day covered by the device,~~

of installing, replacing, or repairing (whichever is appropriate) the improvements covered by the security.

(i) Performance. One hundred fifty percent of the costs specified in subsection (e)(1) of this section.

~~(ii) Completion. One hundred fifty percent of the costs specified in subsection (e)(1) of this section.~~

(iii) Maintenance. Twenty percent of the costs specified in subsection (e)(1) of this section. An updated engineer's estimate is required for dedicated rights-of-way securities and the security must be provided to the city prior to rights-of-way dedication. The engineer's estimate is to be multiplied by twenty percent.

(2) The Public Works Director and/or Community Development Director shall approve the amount of a security under subsection (a) of this section. The applicant shall prepare for the Public Works Director's and/or Community Development Director's review and approval a cost estimate of the items to be covered by the security.

~~(e)~~ Reduction of Securities. In those cases where improvement securities have been made, the amount of the guarantee may be reduced upon acceptance of the dedication of a portion of the required improvements. The amount of the reduction shall not exceed the percentage which the improvements just accepted for dedication made up of all originally required improvements. In no case, however, shall the guarantee be reduced to less than 15 percent of the original amount, unless replaced with a new security per subsection (i)(6) of this section.

(fg) Duration of Securities. All securities shall be held until released by the Public Works Director; however, the standard duration of the various securities should be as follows:

(1) Performance. One year or until all improvements are installed and accepted by the City, whichever is greater.

~~(2) Completion. One year or until all improvements are installed and accepted by the City, whichever is greater.~~

(23) Maintenance. Two years (for frontage improvements, landscaping, and other infrastructure improvements); extendable by the City if repairs are made at the end of the bonding period which, in the opinion of the Public Works and/or Community Development Director, require additional guarantee of workmanship. Five years for wetland maintenance securities in accordance with 14.88.278. TESC work does not require a maintenance security.

(gh) Supplemental Administrative Costs. In addition to the security, the applicant shall pay a fee to the City covering the City's actual expenses of administering, and if necessary, using the proceeds of the security. The amount of this fee will be set by resolution.

(hi) Security Agreement. In each case where a security is posted, the applicant and the Public Works Director shall sign a notarized security agreement, approved in form by the City Attorney. ~~This agreement shall be recorded with the Snohomish County Auditor.~~ The agreement shall provide the following information:

(1) A description of the work or improvements covered by the security and the approved permit numbers.

(2) Either the period of time covered by the maintenance security or the date after which the City will use the proceeds of the performance security to complete the required work or improvements.

(3) The amount and nature of the security. ~~and the amount of the cash deposit.~~

(4) The rights and duties of the City and the applicant.

(5) ~~An irrevocable license to run with the property to allow the employees, agents, or contractors of the City to go on the subject property for the purpose of inspecting and, if necessary, doing the work or making the improvements covered by the security.~~ Responsibility for securities runs with the land and is transferred to the new owner upon sale of the property.

(6) The mechanism by and circumstances under which the security shall be released. At a minimum, after the work or improvements covered by a performance security have been completed, or at the end of the time covered by a maintenance security, the applicant may request the City to release the security. If the applicant has complied with the security agreement and this Code, the Public Works Director shall release the security remaining. If the work has not been completed or repairs not made, then the City shall not release the security until such work is completed per subsection (j) of this section. Partial release of the security may be allowed; provided, that the developer provides a new security in the amount specified in subsections (de) & (e) of this section for the remaining work.

~~(7) Upon release of any recorded security mechanism, a copy of the letter of release shall be filed with the Snohomish County Auditor.~~

(j) Use of Security Funds by the City.

(1) If during the period of time covered by a maintenance security, or after the date by which the required work or improvements are to be completed under a performance security, the Public Works Director and/or Community Development Director determines that the security agreement has not been complied with, ~~he~~ they shall notify the applicant of this. The notice must state:

(i) The work that must be done or the improvements that must be made to comply with the security agreement; and

(ii) The amount of time, not to exceed 30 days, that the applicant ~~has to~~ must commence and complete the required work or improvements; and

(iii) That, if the work or improvements are not commenced and completed within the time specified, the City will use the proceeds of the security to have the required work or improvements completed.

(2) If the work or improvements covered by the security are not completed within the time specified in the notice, the City shall obtain the proceeds of the security and shall cause such work to be completed.

(3) The applicant is responsible for all costs incurred by the City in administering, maintaining, or making the improvements covered by the security(ies). The City shall release or refund any proceeds of a performance or maintenance security remaining after subtracting all costs for doing the work or making the improvements covered by the security. The applicant shall reimburse the City for any amount expended by the City that exceeds the proceeds of the security. The City may file a lien against the subject property for the amount of any excess.

(4) In each case where the City uses any of the funds of a security, it shall give the applicant an itemized statement of all funds used. (Ord. 1015, Sec. 4 (Exh. C), 2018; Ord. 811, Sec. 2 (Exh. 1), 2010)

Note: All other sections of 14.16A.180 remain unchanged.

25. Types of Review

Section 14.16A.210: Types of Review

(b) Classification of Permits and Decisions.

(6) Type VI Review - Legislative Decisions - City Council with Planning Commission Recommendation. A Type VI review is for legislative and/or non-project decisions by the City Council under its authority to establish policies and regulations regarding future private and public development and management of public lands. The Planning Commission makes a recommendation to the City Council. The Planning Commission will conduct a public hearing to obtain public testimony on the proposed legislation. The City Council may elect to conduct an additional public hearing. The actions reviewed and decided as Type VI are listed in the table in subsection (d) of this section.

(c) Permits and Actions Not Listed. If a permit or land use action is not listed in Table 14.16A-I, the Planning Director shall make the determination as to the appropriate review procedure.

(d) Permit-Issuing Authority and Appeal Authority. The permit-issuing authority and appeal authority for permit applications and legislative actions are established in Table 14.16A-I. A detailed explanation for each review procedure is in Chapter 14.16B under each part for each review type.

Table 14.16A-I: Classification of Permits and Decisions

Type of Review	Land Use Actions and Permits	Recommendation By	Public Hearing Prior to Decision	Permit-Issuing Authority	Administrative Appeal Body and Hearing
TYPE I Administrative without Public Notice	• Design Review • Administrative Deviation • Administrative Modifications • <u>Associated Land Use Determinations</u> • Boundary Line Adjustments • Change of Use • Code Interpretations • <u>Design Review</u> • Events • Floodplain Development Permits • Home Occupations • <u>Legal Lot Status Determination</u> • Master Sign Program • Minor Land Disturbance • <u>Mobile Food Vendors</u> • <u>Multi-Family Tax Exemption</u> • <u>Pasture Plan</u> • Reasonable Use Exceptions • Shoreline Exemptions • Short-Term Rentals • Signs • Temporary Uses	None	None	Department director or designee	Hearing Examiner, except shoreline permits to State Shoreline Hearings Board, and Open Record

Type of Review	Land Use Actions and Permits	Recommendation By	Public Hearing Prior to Decision	Permit-Issuing Authority	Administrative Appeal Body and Hearing
	• <u>Zoning Verification Letter</u>				
TYPE II Administrative with Public Notice	• Administrative Conditional Use (formerly Special Use) • Administrative Variance • Binding Site Plans • Final Plats (short subdivisions and subdivisions) • Major Land Disturbance • Planned Action Certification • SEPA Review (early or when not combined with another permit or required for a Type I permit) • Shoreline Substantial Developments • Short Plats - Preliminary • Short Plat Alterations • Short Plat Vacations • Site Plan Reviews • <u>Temporary Encampments (as modified by LSMC 14.44.038)</u>	None	None	Planning Director or designee	Hearing Examiner, except shoreline permits to State Shoreline Hearings Board, and Open Record
TYPE III Quasi-Judicial, Hearing Examiner	• Conditional Uses • Preliminary Plats • Shoreline Conditional Uses • Shoreline Variances • Variances	Planning Director or designee	Open Record	Hearing Examiner	Superior Court, except shoreline permits to State Shoreline Hearings

Type of Review	Land Use Actions and Permits	Recommendation By	Public Hearing Prior to Decision	Permit-Issuing Authority	Administrative Appeal Body and Hearing
					Board, and Closed Record
TYPE IV Quasi-Judicial, City Council with Hearing Examiner Recommendation	• Essential Public Facilities • Planned Neighborhood Developments • Rezone - Site-Specific Zoning Map Amendments • Secure Community Transition Facilities	Hearing Examiner with Open Record Hearing	Closed Record	City Council	None, appeal to Superior Court
TYPE V Quasi-Judicial, City Council	• Plat Alterations • Plat Vacations • Right-of-Way Vacations	Planning Director or designee	Open Record	City Council	None, appeal to Superior Court
TYPE VI Legislative, City Council with Planning Commission Recommendation	• Comprehensive Plan Amendments, Map and Text • Development Agreements • Land Use Code Amendments • Rezones - Area-Wide Zoning Map Amendments	Planning Commission with Open Record Hearing	Open Record	City Council	Growth Management Hearings Board and Closed Record

(e) Associated Land Use Determinations. Associated land use determinations are decisions that need to be made as part of another land use action or permit review, as set forth in Table 14.16A-II. Each type of determination has a separate review process determined by the Planning Director or Public Works Director, except design review, which is reviewed pursuant to Section 14.16C.050. Associated land use determinations shall follow the appeal path for Type I reviews pursuant to LSMC 14.16B.710.

Table 14.16A-II: Associated Land Use Determinations

Associated Land Use Determinations	
•	EDDS Street Deviations
•	Design Review <u>Construction Plan Approval</u>

Associated Land Use Determinations	
•	Miscellaneous Administrative Determinations (e.g., application requirements, waiver allowed by code in parking or landscaping, etc.)
•	Right-of-Way Frontage Improvement Exception Waiver
•	Underground Utility Deviations

(Ord. 1139, Sec. 3, 2023; Ord. 1068, Sec. 2 (Exh. B), 2019; Ord. 1023, Sec. 2 (Exh. A), 2018; Ord. 1015, Sec. 4 (Exh. C), 2018; Ord. 969, Sec. 3, 2016; Ord. 903, Sec. 8, 2013; Ord. 876, Sec. 9, 2012; Ord. 860, Sec. 3, 2011; Ord. 855, Sec. 5, 2011; Ord. 811, Sec. 2 (Exh. 1), 2010)

Note: All other sections of 14.16A.210 remain unchanged.

26. Expirations

Section 14.16A.250: Expiration of Approvals and Approved Permits

(a) Land use approvals/permits other than subdivisions or shoreline permits shall expire automatically within one year after the issuance of such permits, if:

- (1) The use authorized by such permits has not commenced, in circumstances where no substantial construction, excavation or demolition is necessary before commencement of such use; or
- (2) Less than 10 percent of the total cost of all construction, excavation or demolition of the approved development has been completed.

(b) Land use permits other than subdivisions shall also expire automatically if construction, grading or excavation is commenced but such work is discontinued for a period of one year.

(c) Shoreline Development Permits. Construction activities shall be commenced or, where no construction activities are involved, the use or activity shall be commenced within two years of the effective date of a substantial development permit. However, the City may authorize a single extension for a period not to exceed one year based on reasonable factors, if a request for extension has been filed before the expiration date and notice of the proposed extension is given to parties of record on the substantial development permit and to the Department of Ecology. (RCW 90.58.143(2))

(d) For land use permits other than preliminary short subdivisions, subdivisions and sign permits:

- (1) The Planning Director may grant ~~a one-year one six month~~ extension to a permit upon showing proper justification, if:

- (i) The extension is requested at least 30 calendar days before the permit expires;
 - (ii) The permittee has proceeded with due diligence and in good faith; and
 - (iii) The zoning designation of the property has not changed.
- (2) Proper justification consists of one or more of the following conditions:
 - (i) Economic hardship;
 - (ii) Change of ownership;
 - (iii) Unanticipated construction and/or site design problems;
 - (iv) Other circumstances beyond the control of the applicant and determined acceptable by the appropriate department director.
- (e) Preliminary short subdivision and subdivision approvals shall expire automatically if, within five years after the issuance of such approvals:
 - (1) The final plat or short plat has not been submitted to the City for approval; or
 - (2) An extension has not been granted. The Planning Director may approve a single one-year original extension to the approval, if:
 - (i) The request was delivered in writing to the Planning Department at least 30 calendar days prior to the approval's expiration and meets one of the proper justifications listed in subsection (d)(2) of this section;
 - (ii) The permittee has proceeded with due diligence and in good faith to complete the plat; and
 - (iii) Conditions have not changed so substantially as to warrant a new application.
- (f) Additional Extension of Original Approvals for Preliminary Short Subdivisions, Preliminary Subdivisions, Conditional Use Permits, Special Use Permits, Zoning Permits, and Site Plans.
 - (1) After requesting and receiving the original permit extension provided in subsection (d) or (e) of this section, a permittee or ~~his or her~~their successors may subsequently request ~~of the Planning Director six months (at least one month~~ prior to expiration of the permit extension) that the Planning Director approve an additional one- or two-year six-month or one-year extension as provided in subsections (f)(~~23~~) and (~~34~~) ~~of this section for an extension above the original extension request in subsection (e) of this section~~, provided all other requirements of this section are met including:
 - (i) Filing with the Planning Director a sworn and notarized declaration that substantial work has not commenced as a result of adverse market conditions and an inability of the applicant to secure financing;
 - (ii) Paying applicable permit extension fees;
 - (iii) Paying all outstanding invoices for work performed on the permit review; and

(iv) There are no substantial changes in the approved plans or specifications.

(2) The one-year extension of preliminary short subdivisions and preliminary subdivisions established in subsection (e) of this section may be further extended by up to an additional one-year for original approvals. The total combined time period for any preliminary short subdivision or preliminary subdivision may ~~be extended by the Planning Department under this section and shall not exceed a total extension of two years for~~ a total of seven years' approval, ~~if the date of preliminary plat approval is on or before December 31, 2014, and may not exceed a total of five years of the date of preliminary plat approval if the date of preliminary plat approval is on or after January 1, 2015, except for approvals dated on or before December 31, 2007, shall not exceed a total extension of five years by requesting additional one or two year extensions.~~

~~The total combined time period for any conditional use permit, special use permit, zoning permit, or site plan may be extended by the Department under this section and shall not exceed a total extension of one and one-half years.~~

~~(3) The one-year original extension of preliminary short subdivisions and preliminary subdivisions established in subsection (e) of this section may be further extended by up to an additional four years for original approvals prior to December 31, 2007, and up to an additional two years for original approvals prior to March 31, 2010. Associated permit approvals before December 31, 2014, including construction plans, clearing and grading permits, rezones, right of way construction, sidewalk and street deviations, and building permits shall be automatically extended for the same period subject to subsection (f)(2) of this section.~~

~~(34) The six-month one-year extension of conditional use permits, special use permits, zoning permits, and site plans established in subsection (d) of this section may be further extended by up to an additional one year six months for original approvals prior to March 31, 2010. Associated permit approvals before March 31, 2010, including construction plans, clearing and grading permits, rezones, right-of-way construction, sidewalk and street deviations, and building permits shall be automatically extended for the same period subject to subsection (f)(5) of this section.~~

(4) The total combined time period for any conditional use permit, special use permit, zoning permit, or site plan may be extended by the Department under this section and shall not exceed a total extension of one and one-half years.

(5) Related shoreline development permit time requirements may not be extended past the allowed limits in WAC 173-27-090 and RCW 90.58.143.

(6) Permits are vested to the codes in effect at the time of original approval.

(g) Construction Plan Approvals.

(1) Construction plans for projects reviewed under the development code shall be approved for a period of 60 months from the date the City signs the plans or until expiration of the preliminary plat, preliminary short plat, binding site plan, conditional use permit, or site plan approval. If the construction plan is not connected to another permit, it shall expire in one year ~~with one six-month extension allowed unless otherwise extended per subsection (2) below.~~

(2) The City may grant an extension of up to 12 months if substantial progress has been made by the applicant to complete construction of the approved project. Extensions shall be considered on a

case-by-case basis by the Public Works Director or designee and will require a letter to be submitted to the City requesting the extension at least 30 calendar days prior to the approval's expiration. Said letter shall demonstrate that the project has made substantial construction progress, the reason for the extension request, and an estimated timeline for completion of construction.

(3) When the approval period or any extension thereof expires, the City's approval of the construction plans shall be deemed automatically withdrawn. In order to receive further consideration by the City after such expiration and automatic withdrawal, construction plans must be resubmitted and must comply with the current code requirements.

(h) Once the time period and any extensions have expired, approval/permit shall terminate and the application is void and deemed withdrawn. (Ord. 1015, Sec. 4 (Exh. C), 2018; Ord. 903, Sec. 10, 2013; Ord. 811, Sec. 2 (Exh. 1), 2010)

Note: All other sections of 14.16A.250 remain unchanged.

PLANNING COMMISSION STAFF REPORT



Agenda Date: 12/6/2023

Subject: Introduction to 2024 Long Range Planning Work Program

Contact Person/Department: Russ Wright, Community Development

Budget Impact:

Legal Review: No

RECOMMENDATION(S)/ACTION REQUESTED:

No formal action is required. The Planning Commission is asked to review and discuss the draft 2024 Long-Range Planning Work Program (Attachment 1). The Planning Commission will be holding a joint meeting with City Council in January 2024 to further discuss the 2024 work program and review tasks completed in 2023.

SUMMARY/BACKGROUND:

Each year, staff develops a Long-Range Planning Work Program that is reviewed and approved by City Council and includes items such as Comprehensive Plan amendments, development code amendments, annexations and other long-range planning projects. The draft 2024 work program is made up primarily of the Planning Commission's and department's (PCD's) proposed long-range work plan (Attachment 1). Dates identified in the work program are subject to change, depending on feedback from the Planning Commission and City Council that may result in additional research, workshops or committees. Staff is currently working with the City Clerk to identify a date in early 2024 for a joint meeting with City Council to discuss the work program.

General Code Amendments

The draft 2024 work plan contains the following carry-over and new code amendment projects:

- **Code Clean Up** (carryover) – This project is a comprehensive overview of the zoning code to identify inconsistencies and clarify any ambiguous sections. It also addresses compliance with HB 1110 (duplexes/middle housing) and HB

1337 (ADUs) and has incorporated minor components of the Process Code Update discussed below. The Planning Commission public hearing is tentatively scheduled for January 3, 2024.

- **Review Process Code** (carryover) – The Process Code aims to streamline the processes identified in Chapter 14.16A and 14.16B. It is broken up into two phases, with the first phase focused on improving/consolidating existing code language and second phase addressing recent state legislation such as HB 1293 (design review) and SB 5290 (permitting processes).
- **Solicitor's License** (carryover) – Updates to simplify the process for reviewing licenses for canvassers and solicitors. These sections are found in Chapter 4.04 LSMC and thus do not require a public hearing or recommendation from the Planning Commission .
- **Building Code** (carryover) – The schedule for state adoption of the 2021 building code updates has been delayed until at least March 2024. The city will update Chapter 14.80 once the updates have been adopted by the Building Code Council.
- **Mixed-Use Regulations** (carryover/yet to start) – City staff would like to clean up the city's mixed-use regulations both within subareas and the city's designated mixed use zoning districts to provide more clarity on topics such as horizontal vs. vertical mixed-use components. Staff anticipates working on this concurrently with adoption of the Comprehensive Plan periodic update.

Comprehensive Plan Periodic Update and Code Implementation Projects

The City is in the process of completing the state-mandated periodic update to its Comprehensive Plan, which must be completed by December 2024. Staff has identified several implementation projects that will occur concurrently with and immediately following the comprehensive plan update.

- **Comprehensive Plan Update** (carryover) – Staff will continue public outreach, technical analysis, and policy development in advance of the adoption of the Comprehensive Plan, which is expected in the third quarter of 2023.
- **Transportation Analysis** – As part of the Comprehensive Plan Update, the city is addressing requirements for a multi-modal transportation analysis.
- **Streets and Sidewalk Code** (carryover/yet to start) – Following the update to the Comp Plan Transportation Element, staff will work with the Public Works Department to update Chapter 14.56 and other sections, as well as update the city's Engineering Development and Design Standards (EDDS).
- **Lake Stevens Industrial Center Implementation** – Staff has identified several potential updates to various sections of the code to implement the analysis completed in 2023 for the Lake Stevens Industrial Center (LSIC).

- **Design Review** – The City must update its within six months of its periodic update to comply with HB 1293, which requires that city's only have "clear and objective" standards related to design review.
- **Housing Action Plan Implementation** – In addition to ongoing code work on middle housing and ADUs (covered in the Code Clean Up), design review (described above), and permitting process improvements (covered in Phase II of the Process Code Update), the city must update its code to comply with updates to the Growth Management Act as amended by HB 1220 (2021). This includes topics such as permanently supportive housing and emergency housing. The city will also be updating the temporary encampment regulations in Chapter 14.44.
- **Park Impact Fee Review** – Following adoption of the Comprehensive Plan, staff will work with the Parks Department to update Chapter 14.120, which governs how impacts and park mitigation fees are calculated.
- **Utilities Element/Sewer Plan Update** – The Utilities and Public Services Element of the Comprehensive Plan will need to be updated upon the successful merger with the Lake Stevens Sewer District. Additional code implementation is also likely.

Annexations and Miscellaneous Projects

- **Annexations** – The city will continue to review and process annexation petitions from individual property owners, and work with the City Council to identify a strategy and timeline for annexing the remaining areas of its UGA.
- **Other Miscellaneous Items** – Staff will continue to participate in regional planning efforts such as Snohomish County Tomorrow (SCT) and the Alliance for Housing Affordability (AHA), as well as undertake economic development efforts.

Staff is ready to discuss any of the work plan items. It should be noted, the work plan is subject to change and addition as the city receives citizen-initiated code amendments that the City Council may want to consider, or other code changes initiated by the city in response to case law or legislative changes. As noted, staff is working to schedule a joint meeting with the City Council in January 2024 to discuss the work program, with the City Council expected to approve the work program later in the month.

APPLICABLE CITY POLICIES:

ATTACHMENTS:

1. Attachment 1 - Draft 2024 Long Range Work Program



Lake Stevens 2024 Long Range Work Program					
Amendment/Project	1 st quarter	2 nd quarter	3 rd quarter	4 th quarter	Status / Notes
<i>General Zoning Code</i>					
1. Code Clean Up (Various Sections)	PC/CC				Carryover Minor code updates plus HB 1110 (middle housing) and HB 1337 (ADUs) changes. Public hearings in January (PC) and February (CC).
2. Process Code Update Phase I (14.16A and 14.16B)	PC	CC			Carryover Consolidate processes in 14.16A and 14.16B for topics such as noticing, project review, and appeals. Minor components included in Code Clean Up.
3. Solicitor's License (4.04)	CC				Carryover Complete the updates to the city's solicitor's license code to comply with State Patrol requirements.
4. Building Code Update (14.80)	CC				Carryover Complete the updates to the city's building code to comply with state requirements. Waiting on Code Council direction.
5. Mixed-Use Code Update (14.36 and others)		PC/CC	PC/CC		Carryover Review the city's mixed-use regulations, both within subareas and designated mixed-use zoning districts.
<i>Comprehensive Plan Zoning Code Implementation</i>					
6. Streets and Sidewalk Code (14.56 and others)			PC/CC	PC/CC	Update streets code to reflect transportation analysis, including multi-modal uses following the Comprehensive Plan. Concurrently, the city will update its EDDS.
7. LS Industrial Center Code Implementation (Various Sections)		PC/CC	PC/CC		Code updates to implement Lake Stevens Industrial Center Analysis.



Amendment/Project	1 st quarter	2 nd quarter	3 rd quarter	4 th quarter	Status / Notes
8. Design Review (Various Sections)			PC/CC	CC	Update design review code language to include only “clear and objective standards”, as required by HB 1293. Must be completed by June 2025.
9. Process Code Update Phase II (14.16A and 14.16B)		PC/CC	CC		Code updates to the city’s review process to improve and streamline permit review in accordance with new state law timelines as well as HB 1293 and SB 5290.
10. Housing Action Plan Implementation (Various Sections)		PC	PC/CC	PC/CC	Update infill code and address HB 1220 requirements for permanently supportive housing (PSH) and emergency housing. Update temporary encampment regulations.
11. Parks Impact Fees (14.120)	TBD following Comp Plan adoption. Will coordinate with Parks Dept.				Carryover. Update Parks Impact Fees, including methodology and exemptions
Comprehensive Plan					
1. 2024 Periodic Update a. Citizen-Initiated Docket Requests b. Update remainder of Comprehensive Plan	PC/CC	PC/CC	PC/CC		Carryover. Complete public engagement, land use alternatives analysis, goal/policy development, and revised elements and maps. Adoption due by December 2024. Incorporate any 2024 docket requests. Anticipated adoption in Q3.
2. Transportation Analysis	PC/CC	PC/CC	PC/CC		Carryover. Complete multi-modal transportation analysis and update of the Comprehensive Plan Transportation Element as part of 2024 Periodic Update. Anticipated adoption in Q3.



Amendment/Project	1 st quarter	2 nd quarter	3 rd quarter	4 th quarter	Status / Notes
3. Utilities Element/Sewer Plan Update	TBD. Timeline likely 12-18 months, carrying forward into 2025.				Implementation task for merger with sewer district.
Annexations					
1. Explore annexation of remaining portions of UGA	TBD				There are three remaining areas of UGA (Hwy 92, 12 th St NE, and south of 20 th St SE) which the city may consider for annexation.
2. Annexation Petitions	TBD				Process citizen-initiated annexation as requested.
Miscellaneous					
1. Snohomish County Tomorrow / Alliance for Affordable Housing	Continue participation in SCT, TAC and AHA – report out to PC and Council on actions				
2. Economic Development Marketing Materials	Ongoing				

General Schedule – subject to change based on staff and funding availability.

1st Quarter January through March

2nd Quarter April through June

3rd Quarter July through September

4th Quarter October through December