

PLANNING COMMISSION MEETING AGENDA



City of Lake Stevens Vision Statement

We are a thriving community that promotes a vibrant economy, preserves natural beauty, and supports an exceptional quality of life for all.

November 19, 2025 - 6:00 PM
Hybrid - In-Person at The Mill or Remote via Zoom
[Join Zoom Meeting:](#)
or call in at: 253-215-8782 Meeting ID: 83213991301

- 1. Call to Order**
- 2. Roll Call**
- 3. Guest Business**
- 4. Action Items**
 - A. Approve minutes of Planning Commission Public Hearing meeting of November 5, 2025
- 5. Public Hearing**
 - A. Process Code Phase I Public Hearing (LUA2023-0188) David Levitan
 - B. Public Hearing for Code Revisions to Chapters 14.08 – Definitions, 14.110 – Concurrency Management System and 14.112 LSMC – Traffic Impact Mitigation Fees Christi Schmidt, Russ Wright
- 6. Discussion Items**
 - A. Draft Work Program 2026 Russ Wright
- 7. Commissioner Report**
- 8. Planning Director's Report**
 - A. 3rd Quarter 2025 PCD Staff Report Russ Wright
- 9. Adjourn**

THE PUBLIC IS INVITED TO ATTEND

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PLANNING COMMISSION MEETING MINUTES



HYBRID/REMOTE AND IN-PERSON AT THE MILL

November 5, 2025

CALL TO ORDER: 6:00 PM by Chair Janice Huxford

MEMBERS PRESENT: Chair Janice Huxford, Vice-Chair Jennifer Davis, Commissioner Bruce Morton, Commissioner Mike Duerr, Commissioner Nathan Packard, Commissioner Connor Davis, and Council Liaison Ryan Donoghue

MEMBERS ABSENT: No members were absent.

STAFF PRESENT: Principal Planner David Levitan, Planning Manager Christi Schmidt, Administrative Assistant Dawn Erickson

OTHERS PRESENT: Robb Stanton, Lake Stevens School District

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

Roll Call: As noted above.

Guest business: None.

Approval of Minutes: The October 15, 2025 meeting minutes were approved as written. Commissioner Morton made the motion, and Commissioner Connor Davis seconded. The motion passed unanimously.

Public Hearing: Commissioner Duerr moved to open the Public Hearing; Commissioner Morton seconded the motion, and Chair Huxford opened the Public Hearing. Principal Planner Levitan presented a summary of the Commission's work to date on the STEP Housing Code Amendment, which includes a Co-Living housing type where residential sleeping units are independently rented out with a common kitchen area. Parking codes cannot require more than .25 parking spaces per sleeping unit. Staff and the Commissioners have supported a split approach, where Permanent Supportive and Transitional housing would be outright permitted uses, while Emergency housing and Emergency shelters would be subject to a land use review as a Type II permit.

Emergency housing types would also require a site management plan and be subject to 500' buffers between individual uses and between "protected uses" (schools, childcare centers, parks, and libraries). He also illustrated the effects of the 500' buffer with maps; including parks in this buffer width would effectively prohibit housing/shelters in the downtown area, conflicting with HB 1220 requirements. Council also suggested that it may be more appropriate to limit buffers to schools and childcare centers. After reviewing the code amendment decision criteria and presenting staff recommendations (code

language in Attachment 1 is consistent with criteria in LSMC 14.16C.075 and applying the buffers only to schools and childcare centers), Principal Planner Levitan opened discussion.

Chair Huxford asked for any public comments either online or in-person; hearing none, she turned time over to the Commission.

Topics included:

- Major transit stops definition (Lake Stevens currently doesn't have any major transit stops as defined in the RCW) and associated parking requirements
- Refining/omitting subjective language throughout the document

After a final request for public discussion and hearing none, Chair Huxford closed the public hearing.

The 500' buffer, except for parks and libraries, was unanimously supported. The discussion centered on monitoring changes between the application and renewals, as well as remedies for misrepresentation or code violations. It was decided to recommend that any material changes that involve an updated site management plan would be subject to re-application prior to the changes being made. With this provision, parking, buffers, and re-permitting were all addressed. Motion to approve as amended made by Commissioner Packard, Commissioner Duerr seconded, and the motion passed unanimously.

Principal Planner Levitan discussed the ongoing process code changes to comply with state legislation. The interim ordinance adopted at the end of 2024 provided another year to incorporate legislative changes into our process code. Due to the volume of additional code work in 2025, staff have not gotten as far as hoped. The ordinance regarding permit review timelines needs to be made permanent by the end of the year. Staff have focused on HB1293 (clear and objective language regarding design review), alignment of definitions regarding permit types, and making design review an associated permit rather than a standalone permit. Site plan review is proposed to change from Type II to Type I permit, and plat alterations from Type V to Type II to better align with an additional year to incorporate the administrative modification section. He then opened it up for questions. There were none at this time.

Commissioner Reports:

- Commissioner Jennifer Davis had a reason to contact the city through VueWorks, and the city responded within one day, so she was complimentary of the city for that.
- Commissioner Packard commented about the high cost of growing an existing business or starting a business in the city due to design review requirements and impact fees.
- Commissioner Connor Davis congratulated Commissioner Packard on his successful City Council run and commented on the amazing group of middle-schoolers this year.
- Commissioner Packard said if he is elected to City Council, he will continue to participate in the Planning Commission as long as possible.
- Chair Huxford requested to be part of the interviews for new Planning Commissioners. Commission Packard's potential vacancy would be re-advertised per Planning Manager Schmidt.
- Commissioner Morton will be unavailable for a meeting on November 19, 2025

Director's Report

Planning Manager Schmidt advised the Commissioners that the public hearing on November 19, 2025 will be a double-header on Traffic Impact Fees and Concurrency Management Systems. Staff will also provide the Q3 report and the 2026 work Program.

Adjourn: Motion by Commissioner Morton, with a second by Commissioner Connor Davis, to adjourn the meeting at 7:08 p.m. The motion carried unanimously.

Respectfully,

Dawn Erickson, Administrative Assistant

PLANNING COMMISSION STAFF REPORT



Agenda Date: 11/19/2025

Subject: Process Code Phase I Public Hearing (LUA2023-0188)

Contact Person/Department: David Levitan, Community Development

Budget Impact:

Legal Review: No

RECOMMENDATION(S)/ACTION REQUESTED:

Hold a public hearing and forward a recommendation to City Council to approve 1) proposed amendments to multiple LSMC chapters (LUA2023-0188) as shown in Attachment 1 and 2) the findings of fact included in the staff report.

SUMMARY/BACKGROUND:

At their [November 5, 2025 meeting](#), the Planning Commission reviewed proposed Phase I "Process Code" amendments to the Lake Stevens Municipal Code (LSMC) that include new and revised definitions and other changes that aim to streamline and revise permit review processes and remove subjective code language to comply with recent changes to the Growth Management Act (GMA).

Work on the Process Code updates began in 2023 and was subsequently carried over to 2024 and 2025. Staff provided an overview of state legislation driving the updates, including [HB 1293](#) and [SB 5290](#), as well as on the City Council's adoption of [Interim Ordinance 1192](#). The proposed changes represent the first phase of Process Code Updates, with future work intended to result in more substantive changes to Chapters 14.16A (Administration and Procedures) and 14.16B (Types of Land Use Review) to remove redundant language and improve readability and administration of the code.

PROPOSAL AND STAFF RECOMMENDATION

As shown in Attachment 1, the proposed changes include:

- New definitions in Chapter 14.08 for Design Review (as defined in [HB 1293](#)) and Major and Minor Subdivision Alterations.
- Changes to Table 14.16A-I for Type I, II, III and V land use permits, including:
 - Addition of several Type I permits already covered in other LSMC sections that were previously missing from the table, such as Adult Family Homes, Concurrency Certifications, and Waste Management Plans;
 - Reclassification of Site Plan Review from a Type II permit to a Type I permit, to reflect the city's larger efforts to streamline review processes and recognize that Site Plan Review serves to implement clear and objective development and design standards;
 - Addition and reclassification of several Type II permits to be consistent with other code sections, including Binding Site Plan Revisions, Minor Subdivision Alterations, Final Short Subdivisions, and Final Subdivisions;
 - Additions and revisions of Type III permits, including Preliminary Subdivisions and Major Subdivision Alterations, the latter of which was removed from the list of Type V permits; and
 - Updates to the list of Associated Land Use Determinations to include Design Review, better integrating it into the permit review process as intended by HB 1293.
- Adoption of the interim code language in Interim Ordinance 1192, which revised Section 14.16A.230 (Time Frames for Review) to comply with SB 5290. Interim Ordinance 1192 is effective through December 9, 2025 and must be adopted by permanent ordinance by that date.
- Revisions to LSMC 14.16C.050 (Design Review) to remove subjective code language and eliminate the optional public meeting for design review applications, in the interest of streamlining the development process by relying on clear and objective standards and processes.
- Revisions to LSMC 14.16C.105 (Site Plan Review) and 14.18.060 (Alterations of Subdivisions) to reflect updated definitions in LSMC 14.08.010 and review processes in Table 14.16A-I and to clarify that single-family residential and infill/middle housing are exempt from site plan review.
- Removal of LSMC 14.44.090 (Planned Business District supplementary use regulations), as the PBD zoning district was eliminated by Ordinance 1189 (2024 Concurrent Rezones).
- Removal of subjective design code language from Chapter 14.46 (Innovative Housing and Infill) and Chapter 14.68 (Signs).

FINDINGS AND CONCLUSIONS

Per [LSMC 14.16C.075\(f\)](#), the City Council (following a recommendation from the Planning Commission) shall make the following findings when approving land use code amendments:

1. The amendment is consistent with the Lake Stevens Comprehensive Plan

- Land Use Element Policy 2.3.1 – Review development standards and regulations to ensure that they possess an appropriate level of flexibility to promote efficient use of buildable lands, balanced with the need for predictable decision-making and environmental protection.
- Land Use Element Policy 2.3.6 – Review Development and Design Guidelines for Multifamily Residential, Planned Residential Developments, Commercial and Mixed-Use development.
- Economic Development Policy 6.7.1 - Create streamlined process for licensing and permitting development projects that meet the city’s land use goals.

Conclusion– Adoption of the city-initiated amendment is consistent with the goals and policies of the city’s Comprehensive Plan, which specifically call for the city to streamline and provide flexibility in the development code.

2. The amendment complies with the Growth Management Act (RCW 36.70A.106)

- The amendments have been drafted to comply with recent amendments to the GMA adopted by the passage of HB 1293 and SB 5290 (2023).
- Code amendments are subject to review by the Washington State Department of Commerce.
- The city provided the required 60-day notice to the Department of Commerce on October 10, 2025 with its intent to amend several LSMC sections. The Department of Commerce acknowledged the proposed amendment under Submittal ID 2025-S-10989.
- If approved by the City Council, staff will file the final ordinance with the Department of Commerce within 10 days of its adoption.

Conclusion – The proposed code amendment has met all Growth Management Act requirements.

3. The amendment serves to enhance the public health, safety and welfare

Conclusion – The recommended amendments are largely administrative in nature and intended to comply with recent changes to the GMA and other state statutes, with a focus on streamlining the development/design review process and providing clear and objective standards. Changes maintain protections related to public health, safety and welfare while improving readability and implementation of the code.

Public Notice and Comments

- Land use code amendments are reviewed through the city’s Type VI legislative review process identified in [LSMC 14.16B.605-660](#), which requires the Planning Commission to hold a public hearing and make a recommendation to City Council.

- The city published a Notice of Public Hearing in the Everett Herald on November 8 and November 14, 2025. The notice was also posted at City Hall and on the city website.
- As of November 12, no public or agency comments have been received in response to the Notice of Public Hearing. If comments are received prior to the hearing, the comments will be distributed on the night of the hearing.
- Planning Commission held four work sessions to discuss the proposed amendments and review draft code language.

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

State Environmental Policy Act (SEPA) (Chapter 197-11 WAC and Title 16 LSMC)

- The proposed amendments are procedural actions that are categorically exempt from SEPA under [WAC 197-11-800](#)(19). Notice of this exemption was included in the Notice of Public Hearing.

Conclusions – The proposed code amendment has met all local and state SEPA requirements.

APPLICABLE CITY POLICIES:

ATTACHMENTS:

1. Attachment 1 - Phase I Process Code Amendments

Chapter 14.08 – Basic Definitions and Interpretations

New Definitions in Section 14.08.010

Design Review. An associated land use determination integrated into the permit review process by which projects are reviewed for compliance with city design standards and guidelines, which must be clear and objective when related to the exterior design of new development.

Subdivision, Major Alteration. Subdivision alterations (not including short subdivision alterations) which substantially change the basic design, density, open space, or other similar requirements or provisions and do not meet the criteria in LSMC 14.16C.025.

Subdivision, Minor Alteration. Subdivision alterations which meet the criteria in LSMC 14.16C.025.

Chapter 14.16A – Administration and Procedures

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	<ul style="list-style-type: none"> • Administrative Deviation • Administrative Modifications • <u>Adult Family Home</u> • Associated Land Use Determinations • Boundary Line Adjustments • Change of Use 	None	None	Department director or designee	Hearing Examiner, except shoreline permits to State Shoreline Hearings Board, and Open Record
TYPE I Administrative without Public Notice	<ul style="list-style-type: none"> • Code Interpretations • <u>Concurrency Certification</u> • <u>Design Review</u> • Events • Floodplain Development Permits 				

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
<p>TYPE I Administrative without Public Notice</p>	<ul style="list-style-type: none"> • Home Occupations • Legal Lot Status Determinations • Master Sign Program • Minor Land Disturbance • Mobile Food Vendors • Multifamily Tax Exemption • Pasture Plan • Reasonable Use Exceptions • Short-Term Rentals • Signs • Site Plan Review • Temporary Uses 				

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	<ul style="list-style-type: none"> • <u>Waste Management Plan</u> • Zoning Verification Letter 				

Type of Review	Land Use Actions and Permits	Recommendation By	Public Hearing Prior to Decision	Permit-Issuing Authority	Administrative Appeal Body and Hearing
TYPE II Administrative with Public Notice	<ul style="list-style-type: none"> • Administrative Conditional Use (formerly Special Use) • Administrative Variance • Binding Site Plans • <u>Binding Site Plan Revision</u> • Final Plats (short subdivisions and subdivisions) • Major Land Disturbance (with or without Class IV Forest Practices) • Planned Action Certification • SEPA Review (early or when not combined with another permit) • Shoreline Substantial Developments • Short Plat <u>Subdivision</u>, s - Preliminary • Short Plat <u>Subdivision</u>, Alterations 	None	None	Planning Director or designee	Hearing Examiner, except shoreline permits to State Shoreline Hearings Board, and Open Record

<p>TYPE II Administrative with Public Notice</p>	<ul style="list-style-type: none"> • <u>Short Subdivision, Final</u> • <u>Short Plat Subdivision, Vacations</u> • <u>Site Plan Reviews</u> • <u>Subdivision, Minor Alteration</u> • <u>Subdivision, Final</u> • Temporary Encampments (as modified by Section 14.44.038) 				
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Type of Review	Land Use Actions and Permits	Recommendation By	Public Hearing Prior to Decision	Permit-Issuing Authority	Administrative Appeal Body and Hearing
TYPE III Quasi-Judicial, Hearing Examiner	<ul style="list-style-type: none"> • Conditional Uses • <u>Subdivision, Preliminary Plats</u> • Shoreline Conditional Uses • Shoreline Variances • Variances • <u>Subdivision, Major Alteration</u> 	Planning Director or designee	Open Record	Hearing Examiner	Superior Court, except shoreline permits to State Shoreline Hearings Board, and Closed Record
TYPE V Quasi-Judicial, City Council	<ul style="list-style-type: none"> • <u>Plat Alterations</u> • Plat Vacations • Right-of-Way Vacations 	Planning Director or designee	Open Record	City Council	None, appeal to Superior Court

(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 for compliance with city design review regulations pursuant to Section 14.16C.050. Associated land use determinations shall follow the appeal path for Type I reviews pursuant to Section 14.16B.710.

Table 14.16A-II: Associated Land Use Determinations

Associated Land Use Determinations
<ul style="list-style-type: none">• Design Review
<ul style="list-style-type: none">• EDDS Deviations
<ul style="list-style-type: none">• Construction Plan Approval
<ul style="list-style-type: none">• Miscellaneous Administrative Determinations
<ul style="list-style-type: none">• Frontage Improvement Waiver
<ul style="list-style-type: none">• Underground Utility Deviations

14.16A.230, Time Frames for Review (Adopt Interim Language from Ordinance 1192)

(a) Purpose. RCW [36.70B.070](#) and [36.70B.080](#) ~~require establish determination of completeness procedural requirements and maximum review~~ time frames ~~be established~~ to ensure ~~that project permit~~ applications are reviewed ~~and processed~~ in a timely and predictable manner. This subsection establishes the time frames and procedures for a determination of completeness and final decision for Type ~~I, II, III, IV or V~~ reviews ~~identified in Tables 14.16A-I and 14.16A-II~~. No time frames ~~or completeness requirements~~ are established by these statutes for Type ~~I or VI~~ ~~legislative~~ reviews.

(b) Computing Time. ~~Unless otherwise specified, a~~All time frames are indicated as calendar days, not working days. For the purposes of computing time, the day the determination or decision is rendered shall not be included. The last day of the time period shall be included; ~~provided, that if it is a Saturday, Sunday, a day designated by RCW 1.16.050 or by the City’s ordinances as a legal holiday, then it also is excluded and the time period concludes at the end of the next business day.~~ Applications submitted electronically during non-working hours (weekdays from 5 pm – 8 am, weekends, and holidays) shall be considered to have been submitted the following business day.

(c) ~~Complete Determination of Completeness Process~~Application Review Time Frame. The following procedures shall be applied to new applications requiring Type ~~I, II, III, IV, or V~~ reviews. Applications requiring Type ~~I or VI~~ review are excluded from this requirement.

- (1) An application is considered complete for the purposes of this section when:
 - ~~(i) if the application meets the submittal requirements established listed by the Planning Director on the applicable project permit application, including supplemental handouts and checklists; and~~
 - ~~(ii) the application fee for the applicable project permit application(s) as listed in the city’s current fees resolution has been paid.~~

(2) and is sufficient for continued processing, even though additional information may be required or project modifications may be undertaken subsequently. The determination of completeness signifies that the application is provides sufficient for continued processing information to process. It shall not preclude the Planning Director or designee) from requesting additional information or studies either at the time of the Notice of Completeness or subsequently, if new information is required to complete review of the application or substantial changes in the permit application are proposed.

~~(31)~~ Within 28 days after receiving an application, the Planning Director ~~or designee~~ shall mail, email, fax, or otherwise provide to the applicant a written determination that

the application is complete, or that the application is incomplete, and what is necessary to make the application complete. The applicant has 90 days to submit the necessary information to the City.

(i) Type I applications shall not require the issuance of a written determination of completeness and shall be considered complete upon meeting the requirements in subsection (c)(1).

(i) If a Type I application fails to provide information as required in subsection (c)(1), However, a notice of incompleteness shall be issued within 28 days for Type I applications.

(42) If the Planning Director or designee does not provide a written determination within the 28 days, the application shall be deemed considered complete at the end of the twenty-eighth day.

(53) If additional information is needed to make the application complete, the Planning Director shall notify the applicant whether the application is complete or what additional information is necessary within 14 days after an applicant has submitted the information identified by the Planning Director as being needed.

~~(4) An application is complete for purposes of this section when it meets the submittal requirements established by the Planning Director and is sufficient for continued processing, even though additional information may be required or project modifications may be undertaken subsequently. The determination of completeness shall not preclude the Planning Director from requesting additional information or studies either at the time of the Notice of Completeness or subsequently, if new information is required to complete review of the application or substantial changes in the permit application are proposed.~~

(65) To the extent known by the City, other agencies with jurisdiction over the project permit application shall be identified in the City's determination of completeness required by subsections (c)(1-5) of this section.

(7) For Type II, III, IV, and V applications, the notice of application shall be provided within 14 days after the determination of completeness, pursuant to RCW 36.70B.110 and Chapter 14.16B LSMC.

(d) Application Review and Decision Time Framess.

(1) Final dDecisions on Type II, III, IV, or V applicationsproject permit applications shall not exceed 120 daysthe following time frames from the date of the determination of completeness, unless the Planning Director makes written findings that a specified amount of additional time is needed for processing of a specific complete project

~~application. Applications for developments that are complex or that have extensive or difficult issues may take additional time. The applicant and the City may mutually agree in writing to extend the time period or the application is covered by subsections (d)(2-5):-~~

~~(i) Type I Reviews: 65 days~~

~~(ii) Type II Reviews: 100 days~~

~~(iii) Type III, IV and V Reviews: 170 days~~

(2) Preliminary Plats. Pursuant to RCW [58.17.140](#), preliminary plats of any proposed subdivision and dedication shall be approved, disapproved, or returned to the applicant for modification or correction within 90 days from the date of filing thereof unless the applicant consents to an extension of such time period or the 90-day limitation is extended to include up to 21 days as specified under RCW [58.17.095\(3\)](#). The 90-day period shall not include the time spent preparing and circulating an environmental impact statement by the local governmental agency. ~~Preliminary plat applications that are reviewed concurrently with a Type II-V application shall be subject to the timelines established in subsection (d)(1).~~

(3) Final Plats and Short Plats. Pursuant to RCW [58.17.140](#), final plats and short plats shall be approved, disapproved, or returned to the applicant within 30 days from the date of filing thereof, unless the applicant consents to an extension of such time period.

~~(4) Consolidated reviews of multiple project permit applications shall be subject to LSMC 14.16A.220(g), and the time period for a final decision shall be the longest of the permit time periods identified in subsections (d)(1) and (d)(2).~~

~~(54)~~ Appeals. The time period for consideration and decision on appeals shall not exceed 90 days for an open record appeal hearing and 60 days for a closed record appeal. The parties may agree in writing to extend these time periods. Any extension of time mutually agreed upon by the applicant and the City shall be in writing.

~~(65)~~ Exemptions. The time limits established in this title do not apply if a project permit application:

(i) Requires an amendment to the Comprehensive Plan or a development regulation;

(ii) Requires approval of the siting of an essential public facility as provided in RCW [36.70A.200](#);

(iii) Is reviewed as a Type ~~I~~ or VI permit;

(iv) Is substantially revised by the applicant, in which case the time period shall start from the date at which the revised project application is determined to be complete:-

(v) Is listed in RCW 36.70B.140.

(e) Calculating Decision Time Frame. In determining the number of days that have elapsed after the City has notified the applicant that the application is complete for purposes of calculating the time for issuance of the notice of final decision, the following periods shall be excluded:

(1) Any period during which the applicant has been requested by the City to correct plans, perform required studies, or provide additional required information. If the City determines that the information submitted by the applicant is insufficient, it shall notify the applicant of the deficiencies. The period shall be calculated from the date the City notifies the applicant of the need for additional information until ~~the earlier of the date the local government determines whether the additional information satisfies the request for information or 14 days after the date the information has been provided responsive information is resubmitted by the applicant~~ to the City;

~~(2) Any period during which an environmental impact statement is being prepared following a determination of significance (DS) pursuant to Chapter 43.21C RCW, or if the City and the applicant in writing shall agree to a time period for completion of an environmental impact statement;~~

~~(2) Any period after an applicant informs the city in writing that they would like to temporarily suspend review of the application until the time that the applicant notifies the city in writing that they would like to resume the application.~~

~~(3) Any period for an administrative appeals of project permits, if an open record appeal hearing or a closed record appeal, or both, are allowed; or is filed until the appeal is resolved and any additional time period provided by the administrative appeal has expired.~~

(4) Any extension of time mutually agreed upon by the applicant and the City.

~~(f) Possible Extension of Time for Final Decision. If the City is unable to issue a final decision within the time limits provided herein, the applicant shall be provided written notice of this fact. The notice shall include a statement of reasons why the time limits have not been met and an estimated date for issuance of the notice of final decision. (Ord. 1015, Sec. 4 (Exh. C), 2018; Ord. 811, Sec. 2 (Exh. 1), 2010)~~

(f) The time for issuing a decision on a project permit application shall start over if an applicant proposes a change in use that adds or removes residential components from the original application that would make the application fail to meet the determination of procedural requirements for the new use.

Chapter 14.16C, Land Use Actions, Permits and Determination – Decision Criteria and Standards

14.16C.050 Design Review.

(a) Design review is ~~required to review and make urban design decisions~~an associated land use determination that ~~is integrated into the development review process and will~~ promotes visual quality throughout the City ~~by evaluating development proposals for compliance with adopted design standards and guidelines~~. The purpose of design review includes but is not limited to the following:

(1) To encourage and promote aesthetically pleasing and functional ~~neighborhood residential, and~~ commercial, ~~mixed-use, public and industrial~~ developments for the citizens of Lake Stevens by establishing design review standards and guidelines including site layout, landscaping, parking and preferred architectural features;

~~(2) To establish clear and objective design standards and guidelines related to the exterior design of new developments that reflect design best practices and community priorities and provide certainty to project applicants.~~

~~(32)~~ To implement the City's Comprehensive Plan policies and supplement the City's land use regulations, promote high-quality urban design and development, supplement land use regulation, promote a coordinated development of the unbuilt areas, improve walkability, lessen traffic congestion, provide light and air, prevent the overcrowding of land, and conserve and restore natural beauty and other natural resources;

~~(43)~~ To encourage originality, flexibility, and innovation in site planning and development, including the architecture, landscaping and graphic design of proposed developments in relation to the City or subarea as a whole;

~~(54)~~ To encourage low impact development (LID) by conservation and use of existing natural site features in order to integrate small-scale stormwater controls and to prevent measurable harm to natural aquatic systems from commercial, residential or industrial development sites by maintaining a more hydrologically functional landscape;

~~(65)~~ To encourage green building practices in order to reduce the use of natural resources, create healthier living environments, and minimize the negative impacts of development on local, regional, and global ecosystems;

~~(6) To encourage creative, attractive and harmonious developments and to promote the orderliness of community growth, the protection and enhancement of property values for the community as a whole and as they relate to each other, the minimization~~

~~of discordant and unsightly surroundings, the need for harmonious and high quality of design and other environmental and aesthetic considerations which generally enhance rather than detract from community standards and values for the comfort and prosperity of the community and the preservation of its natural beauty and other natural resources which are of proper and necessary concern of local government, and to promote and enhance construction and maintenance practices that will tend to prevent visual impairment and enhance environmental and aesthetic quality for the community as a whole;~~

(7) To aid in assuring that structures, signs and other improvements are properly related to their sites and the surrounding sites and structures, with due regard to the aesthetic qualities of the natural terrain and landscaping, and that proper attention is given to exterior appearances of structures, signs and other improvements;

(8) To protect and enhance the City's community vision for living and working and thus support and stimulate business and industry and promote the desirability of investment and occupancy in business and other properties;

(9) To stabilize and improve property values to help provide an adequate tax base to the City to enable it to provide required services to its citizens;

(10) To foster civic pride and community spirit by reason of the City's favorable environment and thus promote and protect the health, safety and welfare of the City and its citizens; and

(11) To ensure compatibility between new and existing developments.

(b) The City ~~Council~~ shall adopt, update and maintain design guidelines or standards by ordinanceresolution. If design guidelines appear to conflict with other provisions of this title, the design guidelines shall prevail.

(c) Procedure. Applicants that seek design review shall follow the procedures established in Chapter 14.16B for a Type I permit process and as follows:

(1) Pre-Application Meeting. If design review is required, a pre-application meeting with the City is highly recommended prior to submittal of a formal application.

(2) Concurrent Review. Design review shall occur concurrently with associated applications for the same development via consolidated project review, as governed by Section 14.16A.220(g) and RCW 36.70B.120, unless specifically requested by the applicant to be reviewed separately.

(32) Design Review Submittal Requirements. One electronic copy is required for each submittal for review.

(i) Buildings and Site Development Plans. The following information and materials shall be submitted to the City for review under this chapter:

- a. A completed application.
- b. Site plan at an engineering scale from one inch equals 20 feet to one inch equals 50 feet, showing:
 1. Location of all proposed structures and any existing structures to be retained or incorporated into the development.
 2. Location of building setback lines.
 3. Proposed pedestrian and vehicular circulation including driveways, access points, sidewalks and pedestrian pathways.
 4. Parking lot layout, design and, if applicable, loading areas.
 5. Public improvements including sidewalks, curbs, gutters, etc.
 6. Location of existing trees and vegetation to be retained.
- c. Building material samples and color chips.
- d. Plans and section drawings depicting the relationship of the proposed project to abutting properties and buildings.
- e. Building elevations and/or perspective renderings drawn to scale and indicating the exterior color and material composition (including mechanical equipment and screening).
- f. Roof plan including the location of mechanical equipment.
- g. A lighting plan, if required, adequate to determine the location, character, height and style of fixtures and the amount and impacts of spillover on adjacent properties.
- h. A brief narrative description of the design elements or objectives of the proposal and discussion of the project's relationship to surrounding properties.

(ii) Landscape Plans. The following information and materials shall be submitted to the City for review under this chapter:

- a. A completed application.

b. Site plan at an engineering scale from one inch equals 20 feet to one inch equals 50 feet, showing:

1. Location of all proposed structures and any existing structures to be retained or incorporated into the development.
2. Proposed pedestrian and vehicular circulation including driveways, access points, sidewalks and pedestrian pathways.
3. Parking lot layout, design and loading areas if applicable.
4. Public improvements including sidewalks, curbs, gutters, etc.
5. Location and size of existing trees and vegetation to be retained.
6. Plans and section drawings depicting the relationship of the proposed project to abutting properties and buildings.
7. Landscape plan showing the location of proposed plant materials, including a plant schedule identifying plants by common and scientific names, spacing, size at time of planting, size at maturity, location of any existing vegetation and trees to be retained, and special notes.
8. Photographs of proposed plant material.
9. Plans showing proposed grading/topography, drawn to the same scale as the landscape plan.

(iii) Sign Plans. Applicants shall submit conceptual sign plans for design review of a new multi-tenant structure and if off-site signage is proposed. All signs associated with a project undergoing design review are subject to the design guidelines and sign permit regulations in Chapters [14.38](#) and/or [14.68](#).

(iv) The Director may require the submission of such other information determined to be appropriate and necessary for a proper review of the requested action.

~~(3) Public Notice and Optional Public Meeting. A notice of application shall be completed pursuant to Section 14.16B.225 for new structures, as described in subsection (d) of this section. A design review public meeting is not required unless requested by a person within 14 days of issuance of the notice of application. The request for a public meeting shall be made in writing and submitted to the Planning and Community Development Department. The notice of application materials shall include a statement that a public meeting may be requested.~~

(4) Recommendation. A staff report of findings, conclusions and recommendations shall be forwarded to the Director or designee. The conclusions and recommendations shall indicate how the recommendations carry out the goals, policies, plans and requirements of the development design guidelines, including compliance with clear and objective regulations related to exterior design. The findings shall be referenced to contested issues of fact, and the conclusions shall be referenced to specific provisions of the development design guidelines and review criteria incorporated therein, together with reasons and precedents relied upon to support the same. The conclusions shall make reference to the effect of the decision upon the Comprehensive Plan, as well as the effect of both approval and denial on property in the vicinity, on business or commercial aspects, if relevant, and on the general public. The decision shall be based upon a consideration of the whole record of the application.

(d) Applicability.

(1) All new commercial, industrial, multifamily, civic and institutional structures, and large public assembly buildings including but not limited to places of worship, auditoriums and similar buildings, must comply with the design guidelines or standards adopted per subsection (b) of this section. Existing structures with exterior facade changes, that are not exempt by subsection (d)(4) of this section, must also comply with the adopted design guidelines to the greatest extent possible.

(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 [14.18.300](#)); and
- (iii) Innovative Housing Options Program (Chapter [14.46](#)).

(3) No associated building or land use permit shall be issued for structures or uses which do not conform to the applicable guidelines or standards, except as allowed under subsection (d)(4) of this section.

(4) A building or land use permit may be issued for a structure without a design review permit, if any one of the following findings can be made by the permit-issuing authority:

- (i) The structure is of a temporary nature which, in all likelihood, will be replaced by a permanent structure within a reasonable time frame.

(ii) The structure is minor to the overall use of the property and will not be noticeably visible from a public right-of-way.

(iii) The structure will not be visible from an existing, planned, or proposed public right-of-way.

(iv) The structure is pre-existing with proposed changes to portions of the facade that are not visible from public rights-of-way or are considered minor by the Community Development Director. For example, minor facade changes that do not trigger design review include a change to the facade color scheme, re-siding, re-roofing, replacement of doors and windows of the same size, or similar minor improvements that do not change the form or shape of the building. (Ord. 1179, Sec. 8, 2024; Ord. 1068, Sec. 2 (Exh. B), 2019; Ord. 1027, Sec. 3, 2018; Ord. 903, Sec. 19, 2013; Ord. 876, Sec. 12, 2012; Ord. 811, Sec. 4 (Exh. 3), 2010)

14.16C.105 Site Plan Review.

(a) The intent of this section is to establish procedures for reviewing site plans submitted as part of permit applications. Binding site plans are reviewed under Sections [14.18.105](#) through [14.18.180](#). The purpose of the site plan review process is to determine compliance with the City's applicable development regulations and Comprehensive Plan provisions and to ensure the following have been achieved:

(1) To coordinate the proposal, as is reasonable and appropriate, with other known or anticipated development on private properties in the area and with known or anticipated right-of-way and other public projects within the area;

(2) To encourage proposals that embody good design principles, following adopted guidelines and standards, that will result in high quality development on the subject property;

(3) To determine whether the streets and utilities in the area of the subject property are adequate-available to serve the anticipated demand from the proposal; and

(4) To review the proposed access to the subject property to determine that it is the optimal location and configuration for access.

(b) Scope. ~~The review and approval of site plans shall be made as a part of the application approval process unless otherwise provided in this chapter.~~ Site plan review and approval is required for all multiple-family, commercial, industrial, utility, shoreline development, public-initiated land use proposals, the expansion and exterior remodeling of structures, parking, and landscaping, and as otherwise specified in this title.

(1) Single-family residential and infill and middle housing projects developed under Chapter 14.46, Part III are exempt from site plan review.

(c) Procedures. A site plan shall be submitted as part of all permit and project approval applications with the information required in subsection (d) of this section. Additional information may be required to conduct an adequate review. Each site plan application shall be reviewed as a ~~Type II~~ Type I review pursuant to Chapter [14.16B](#).

Chapter 14.18 – Subdivision, Boundary Line Adjustments and Binding Site Plans

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 Development requesting the alteration. The application shall contain the signatures of 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 an ~~administrative modification, per Section [14.16C.025](#) minor plat alteration~~, or a major [plat](#) alteration. Major [plat](#) 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 Section [14.16C.025](#), the alteration will be reviewed as a Type II ~~administrative modification~~[minor plat alteration](#).

(2) When the alteration exceeds the requirements of this section and Section [14.16C.025](#), the alteration shall be ~~considered a major plat alteration and be reviewed by the same body that reviewed the original application~~ [\(the Hearing Examiner\)](#). The criteria for approval of such a modification shall be those criteria governing the permit which is the subject of the proposed alteration.

Chapter 14.44 – Supplementary Use Regulations

~~14.44.090 Planned Business District:~~

~~(a) The Planned Business District is designed to accommodate commercial or mixed use development on sites containing sensitive resources or other sites where, due to property-specific circumstances, detailed planning would benefit all property owners involved as well as the public by allowing for comprehensive site planning and a transfer of densities among parcels in order to avoid impacts to sensitive resources.~~

~~(b) Development of all contiguous properties within a Planned Business District shall be in conformance with a master development plan developed for each of the Planned Business Districts in conformance with subsection (g) of this section. A master development plan is an area plan adopted by the City Council, which includes single and/or multiple ownerships of parcel(s) that relate through common objectives and design elements. The boundaries of the master development plan shall be an area generally delineated by principal/intermediate/minor arterial/collector streets within the PBD Zone.~~

~~(c) The master development plan shall not create a contract or be considered as absolutely binding upon the City or adjacent owners as to future development of adjacent land (unless so specified in a separate development agreement), but shall be used as a guide to landowners, developers, and the City.~~

~~(d) If a master development plan has not been adopted, property owners may request grading or building permits for existing or accessory structures. No new residential structures are allowed unless allowed as a permissible use pursuant to Chapter 14.40.~~

~~(e) The master development plan for any Planned Business District may be developed either by an applicant or group of applicants working collectively or by the City. However, the City is not obligated to do so.~~

~~(f) The master development plan shall be processed (and amended) as a conditional use permit. However, once a master development plan is adopted for a Planned Business District, all subsequent individual permitted uses shall be permitted through a site plan review and subsequent building permits and shall be consistent with the master development plan.~~

~~(g) Master development plans shall address the following:~~

~~(1) Site Design. A site plan for the entire Planned Business District shall be developed, indicating where the various land uses and the below listed elements will be located:~~

~~(2) Permitted Uses. Individual residential uses consistent with Table 14.40-I may be allowed when:~~

~~(i) An economic analysis is submitted with the master development plan application, supporting the change or mix of commercial and/or nonresidential uses and the increased need for residential development within the immediate area of the Planned Business District. The analysis, at a minimum, shall demonstrate that the potential commercial components being replaced by residential uses do not diminish the City's overall economic viability as set forth in the goals, policies, and strategies of the Comprehensive Plan; and~~

~~(ii) The uses proposed in the master development plan include at least five percent commercial and/or civic uses based on the total square footage of the use structure. If the exact residential square footage is not known at the time of application for the master development plan, the applicant may use 1,500 per residential unit square footage factor to calculate the required commercial and/or civic use component; and~~

~~(iii) The residential development is proposed at a minimum of three dwelling units per acre on the site area allocated to the residential uses. A single-family residence may be permitted on sites where the property qualifies for a reasonable use provision pursuant to Sections 14.88.900 through 14.88.950. Development rights only shall be calculated using a base of three dwelling units per acre and may only be transferred to other sites within the same PBD master development plan area; and~~

~~(iv) Multifamily apartments shall be limited to 75 percent of the total residential uses on site. This provision does not apply to mixed use structures.~~

~~(3) Transportation and Circulation. The layout and design of all streets, rights-of-way, parking, ingress and egress, and mass transit facilities for the entire Planned Business District shall be provided.~~

~~(4) Utilities. The layout and design of all major utility facilities, including stations, main pipes, and detention facilities shall be provided.~~

~~(5) Recreational and Cultural Facilities. At least 10 percent of the portions of a Planned Business District that are not within sensitive areas or buffers shall be developed as usable open space. Such open space may be comprised of park space, public or private porches and patios, public trails, art facilities, or other similar uses which are intended to provide opportunities for recreational, cultural, or personal experiences.~~

~~(6) Critical Areas. All critical areas shall be identified and protected in conformance with Chapter 14.88 (Critical Areas). A protection and mitigation program for the entire site may be developed; provided, that mitigation for approved impacts shall be required at the time of the impact, regardless of whether the impact is located on the same parcel as the mitigation.~~

~~(7) Design. A master design concept shall be developed in conformance with the City's development design guidelines, addressing architecture, massing, signage, streetscape, street furniture, etc. All development within the Planned Business District shall then need to conform to the design concept. Innovative design concepts may be considered and approved pursuant to the design review process in Section 14.16C.050(f), when the applicant demonstrates the overall design complies with the City's Comprehensive Plan goals and policies. Design concepts and requirements may be administered through the master development plan and subsequent site plan review.~~

~~(8) Landscaping. A landscaping concept shall be developed addressing plant species, design, installation, and maintenance. (Ord. 811, Sec. 44, 2010; Ord. 798, Sec. 6, 2009; Ord. 797, Sec. 5, 2009; Ord. 744, Sec. 4, 2007; Ord. 676, Sec. 34, 2003; Ord. 468, 1995)~~

Chapter 14.46 – Innovative Housing and Infill

14.46.020 Application.

Applications for an innovative housing project shall be made on forms provided by the City, pursuant to the permit path associated with the underlying permit. In addition, the following items shall be provided at the time of submittal:

- (a) Preliminary Development Plan. A preliminary development plan indicating property lines, proposed setbacks, proposed structures, parking, roads, infrastructure and open space/landscape areas, and other items identified in Section [14.16C.105](#), Site Plan Review.
- (b) A detailed description of how the proposed development is consistent and not in conflict with the surrounding ~~neighborhood character and~~ neighborhood design.
- (c) A detailed description of how the proposed development meets the purpose and goals of this chapter and complies with all the criteria and project parameters for an innovative housing project.
- (d) A detailed description of how the proposed development is applying development bonuses including but not limited to parking reductions, lot width reductions, and lot size reductions.
- (e) Additional information as required by the application forms provided by the City or deemed necessary by City staff to consider the application. (Ord. 1081, Sec. 3, 2020; Ord. 903, Sec. 37, 2013; Ord. 798, Sec. 7 (Exh. 2), 2009)

Chapter 14.68 – Signs

14.68.124 Incentive Provisions for Exceptional Efforts:

~~(a) To encourage the integration of signage into the visual framework of its location, special consideration may be given to signs of exceptional design. Special consideration may, at the Planning Director’s discretion, result in a relaxation of the number, dimensional and locational standards specified in this chapter. No other standards may be relaxed. This is not to be confused with a variance. It is to be based on an exceptional effort toward creating visual harmony between the sign, the building(s), and the site.~~

~~(b) Petitions for consideration of signs pursuant to this section shall be made to and decided by the Planning Director. The petition and application shall be presented with the entire sign plan to the Design Review Board with a narrative outlining the proposed plan addressing, but not limited to, the following:~~

~~(1) How the components of the sign improve legibility, readability, and aesthetics;~~

~~(2) The relationship of the proposed sign to the community vision for the zone, as expressed in the Comprehensive Plan, intent of the zone, and Development Design Guidelines. In the Central Business District in particular, signs designed to enhance the historic character of downtown may be given special consideration;~~

~~(3) Relationship of the sign to the immediate surroundings, including existing and proposed buildings, other signs, and landscape;~~

~~(4) Relationship of the sign to the business that the sign is to promote; and~~

~~(5) A colored rendering, showing the proposed sign, dimensions of the sign, and location of the sign. (Ord. 876, Sec. 21, 2012; Ord. 799, Sec. 2, 2009; Ord. 661, Sec. 4, 2002; Ord. 590, 1998; Ord. 468, 1995)~~

PLANNING COMMISSION STAFF REPORT



Agenda Date: 11/19/2025

Subject: Public Hearing for Code Revisions to Chapters 14.08 – Definitions, 14.110 – Concurrency Management System and 14.112 LSMC – Traffic Impact Mitigation Fees

Contact Person/Department: Christi Schmidt, Russ Wright, Community Development

Budget Impact:

Legal Review: No

RECOMMENDATION(S)/ACTION REQUESTED:

1. Hold a public hearing on the proposed revisions to Chapters 14.08 – Definitions, 14.110 – Concurrency Management System and 14.112 LSMC – Traffic Impact Mitigation Fees (File Nos. LUA2025-0073 and LUA 2025-0082).
2. Forward a recommendation to the City Council to approve the revisions and adopt the findings of fact included within the staff report.

SUMMARY/BACKGROUND:

City staff briefed the Planning Commission on proposed amendments to the city's concurrency management system (LUA2025-0073) and traffic impact mitigation fees (LUA2025-0082) codes three times in 2025. Planning and Community Development staff, in coordination with the Public Works Department and the city's transportation consultant, recommend the proposed code updates and associated changes to the city's administrative documents to ensure consistency with the adopted 2024 Comprehensive Plan. Specifically, we recommend the Planning Commission forward a recommendation to adopt amendments to Chapters 14.08, 14.110, and 14.112 of the Lake Stevens Municipal Code (LSMC) as shown in **Attachments 1 and 2**. For reference, we have included the administrative implementation documents (which do not require an action from Planning Commission), including the *Traffic Concurrency*

Handbook for New Development (Attachment 3), *Traffic Impact Fee Methodology (Attachment 4)*, and the *Traffic Impact Fee Developer's Workbook (Attachment 5)*. Based on these documents, we have created a concurrency certificate, reservation, and tracking documents along with an updated traffic impact fee worksheet. These code revisions are proposed to ensure that our development regulations are consistent with the comprehensive plan and are legally defensible. A summary of the proposed revisions to each document is provided below.

LSMC 14.08 Definitions

- Added new definitions for several concurrency and traffic-related terms

LSMC 14.110 Concurrency Management System

- Updated and moved administration elements into a single section
- Clarified exemptions, including basic exemptions and specific exemptions for transportation
- Refined and moved section on concurrency testing for development
- Updated the level of service standards, including multi-modal, to match the comprehensive plan
- Added language requiring consideration of nexus and proportionality
- Refined requirements for meeting concurrency through non-construction methods and fee-in-lieu of payments

LSMC 14.112 Traffic Impact Mitigation Fees

- Refined purpose and authority statements
- Updated applicability and exemptions
 - Council will consider a complete or partial exemption for low-income housing, and other development activities with broad public purposes to be paid from public funds other than impact fee accounts. Partial exemptions require development covenants.
- Revised service area section – note TIZ maps and project language were moved to the *Traffic Impact Fee Methodology* document
- Updated traffic impact fee calculation section
- Moved methodology section to the administrative documents
- Revised offsets and credits section, which includes administrative parity with concurrency chapter

The Traffic Concurrency Handbook

The Traffic Concurrency Handbook provides guidance on how to determine concurrency for new developments, specifically potential impacts on the transportation

system. The handbook summarizes requirements for new traffic studies looking at key intersections, level of service standards, exempt developments and projects within subareas. Finally, the handbook outlines requirements for monitoring and annual reporting considering the items listed above. Note: Final formatting and adjustments will occur after adoption of the code requirements and before publication as needed.

Traffic Impact Fee Cost Basis

The last update to this document occurred in 2012. The revised document establishes a legal framework for the city's Transportation Impact Fee (TIF) program by detailing its purpose, relationship to the comprehensive plan, calculation methodology, and projected costs associated with transportation-related projects to accommodate growth through 2044. The document reviews the adopted six-year and 20-year capital, identifies vehicular and active transportation facilities, determines eligible projects and defines impact fees by each traffic impact zone. Note: the city council will review options to finalize impact fees for the different traffic impacts at the November 18th meeting. Once completed, this documentation will be updated to reflect any changes.

Traffic Impact Fee Developer's Workbook

The Developer's Workbook includes the methodology to assess fees based on new development impacts on the city's transportation infrastructure to ensure new development mitigates its proportionate share of impacts. Impact fees are calculated by multiplying the projected number of new weekday PM peak hour vehicle trips by a per vehicle trip fee. The workbook allows adjustments to fees based on site-specific characteristics to ensure the fee is equitable and reflects the actual impact.

FINDINGS AND CONCLUSIONS:

LSMC 14.16C.075 establishes the procedure and requirements for amending the municipal code. Land Use Code Amendments are Type VI applications requiring Planning Commission Review and City Council Approval per **Table 14.16.A-I: Classification of Permits and Decisions**. The proposed amendments were included as part of the Planning Commission's 2025 work program and have been filed as permit numbers LUA 202-0073 and LUA 2025-0082.

Per LSMC 14.16C.075(f), the City Council (following a recommendation from the Planning Commission) shall make the following findings when approving land use code amendments.

1. The amendment is consistent with the Lake Stevens Comprehensive Plan
• **Land Use Goal 2.1** Provide sufficient land area to meet the projected needs for housing, employment and public facilities within the city of lake Stevens

Policy 2.1.5 Direct new growth to areas where infrastructure and services are available, planned or have undergone an infrastructure analysis to ensure growth occurs in a fiscally responsible manner to support a variety of land uses.

Policy 2.1.6 Coordinate land use decisions with capital improvement needs for public facilities including streets, sidewalks, lighting systems, traffic signals, water, storm and sanitary sewer, parks and recreational facilities, cultural facilities and schools.

- **Land Use Goal 2.3** Apply the comprehensive plan as a guide for community development implemented through the city's development regulations to ensure preferred community growth patterns are achieved.

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

- **Economic Development Goal 6.7** Provide a predictable and efficient development atmosphere

Policy 6.7.1- Create streamlined process for licensing and permitting development projects that meet the city's land use goals.

- **Transportation Goal 8.2** Provide a transportation system that supports existing and future land uses and accommodates the regional growth strategy

Policy 8.2.1 Prioritize investments for both motorized and non-motorized transportation in activity centers.

Policy 8.2.2 Prioritize multimodal investments in local centers and connections to regional employment centers.

- **Transportation Goal 8.7** Maintain, preserve, and operate the transportation system in a safe and usable way, and regularly monitor and inventory the conditions and performance

Policy 8.7.7 Ensure that the transportation system is adequate to serve existing and future land uses by developing a multimodal transportation concurrency management system.

- **Capital Facilities Goal 9.3** Development shall bear its fair share of costs of providing public facilities at the adopted level of service.

Policy 9.3.1 Transportation and park impact fees shall be established, and new development shall contribute a proportionate share of costs to offset impacts to the system for improvements necessitated by the new development to maintain adopted levels of service.

- **Capital Facilities Goal 9.5** Coordinate land use decisions and financial resources with a schedule of capital improvements to meet adopted level of service standards, measurable objectives.

Policy 9.5.1 Certain public facilities and services needed to support development shall be available concurrent with the development, including transportation, parks, surface and stormwater, sanitary sewer and potable water.

Policy 9.5.4 Proposed Plan amendments and requests for new development or

redevelopment shall be evaluated according to the following guidelines as to whether the proposed action would:

1. Contribute to a condition of public hazards
2. Exacerbate any existing condition of public facility capacity deficits;
3. Generate public facility demands that exceed capacity increase planning in the Six-Year Schedule of Improvements;
4. Conform to future land uses as shown on the future land use map of the Land Use Element;
5. Accommodate public facility demands based upon adopted LOS standards and attempts to meet specified measurable objectives, when public facilities are developer-provided;
6. Demonstrate financial feasibility, subject to this element, when public facilities are provided, in part or whole, by the city; and
7. Affect state agencies' facilities plans and the siting of essential public facilities.

Conclusion – Adoption of the city-initiated amendment is consistent with the goals and policies of the city’s Comprehensive Plan. The selected goals and policies emphasize balanced and sustainable growth within the city and the need for predictable development standards. The cited goals and policies also highlight the relationship between transportation facilities and development patterns. Finally, the goals and polices clearly identify the need for development to share in the cost of public facilities and consider the timing of activities to be concurrent with available public services.

2. The amendment complies with the Growth Management Act (GMA) -- RCW 36.70A.106

- The amendments have been drafted to comply with the city’s adopted GMA compliant comprehensive plan, including integrated land use and transportation planning.
- The amendments are consistent with Chapter 82.02 RCW, which authorizes the city to assess impact fees. • Code amendments are subject to review by the Washington State Department of Commerce. The city provided the required 60-day notice to the Department of Commerce on October 03, 2025 with the intent of amending several LSMC sections. The Department of Commerce acknowledged the proposed amendment under Submittal ID 2025-S-10958.
- If approved by the City Council, staff will file the final ordinance with the Department of Commerce within 10 days of its adoption.

Conclusion – The proposed code amendment has met all Growth Management Act requirements.

3. The amendment serves to enhance the public health, safety and welfare

The recommended amendments are largely designed to ensure the city's development regulations are consistent with the comprehensive plan, the GMA and other state statutes, with a focus on ensuring there is a clearly defined relationship between development activity and implementation of fair and equitable impact fees and concurrency requirements.

Conclusion – the changes maintain protections related to public health, safety and welfare, specifically related to maintaining optimal infrastructure and the city's adopted levels of service while through implementation of the municipal code.

Public Notice and Comments

- Land use code amendments are reviewed through the city's Type VI legislative review process identified in LSMC 14.16B.605-660, which requires the Planning Commission to hold a public hearing and make a recommendation to City Council.
- The city published a Notice of Public Hearing in the Everett Herald on **November 8 and November 14, 2025**. The notice was also posted at City Hall and on the city website on November 8th (**Attachment 6**).
- The city received parallel comments directed to the City Council from the Master Builders Association related to proposed changes to the city traffic impact fees, but they have not commented on changes to the controlling code regulations. No other comments have been received.
- The Planning Commission held three work sessions to discuss the proposed amendments and review draft code language.
- **Conclusions – The city has met all public notice requirements per Chapter 14.16B LSMC.**

State Environmental Policy Act (SEPA) (Chapter 197-11 WAC and Title 16 LSMC)

- The proposed amendments are procedural actions that are categorically exempt from SEPA under WAC 197-11-800(19). Notice of this exemption was included in the Notice of Public Hearing.
- The City issued a SEPA Exemption Letter on November 13, 2025 (**Attachment 7**). **Conclusions – The proposed code amendment has met all local and state SEPA requirements.**

Recommendation:

1. Forward a recommendation to the City Council to approve the proposed revisions to Chapters 14.08 – Definitions, 14.110 – Concurrency Management System and 14.112 LSMC – Traffic Impact Mitigation Fees (File Nos. LUA2025-

0073 and LUA 2025-0082) and adopt the findings of fact included within the staff report.

APPLICABLE CITY POLICIES:

ATTACHMENTS:

1. Attach 1- LSMC 14.110 Concurrency Management System_11-7-2025 PC hearing
2. Attach 2 - LSMC 14.112 Traffic Impact Mitigation Draft_11-3-2025 PC Hearing
3. Attach 3 - City of Lake Stevens Concurrency Handbook11-06-2025
4. Attach 4 - Lake Stevens TIF Cost Basis_11-16-2025
5. Attach 5 - Traffic Impact Fee Developer's Worksheet_DRAFT
6. Attach 6 - Notice of PH Process Code and Traffic
7. Attach 7 - 11-13-25 SEPA Exemption Letter LSMC 14.110 and 14.112

Chapter 14.110 CONCURRENCY MANAGEMENT SYSTEM

Sections:

- 14.110.010 Purpose
- 14.110.020 Applicability
- 14.110.025 Administration
- 14.110.030 Exemptions
- 14.110.040 Review of Development Activity - Concurrency Testing
- ~~14.110.040~~ 050 Level of Service Standards
- ~~14.110.050~~ 060 Relationship to the State Environmental Policy Act
- ~~14.110.060~~ Administration
- ~~14.110.070~~ Review of Development Proposals - Concurrency Testing
- ~~14.110.080~~ 070 Methods for Meeting Concurrency
- ~~14.110.090~~ 080 Requirements for Design and Construction of Facilities Necessary to Achieve Adopted Levels of Service
- ~~14.110.100~~ 090 Implementation of Strategies In Lieu of Capital Improvements
- ~~14.110.110~~ 100 Fees
- ~~14.110.115~~ 110 Concurrency of Projects Vested in the County Pre-Annexation
- 14.110.120 Appeals

14.110.010 Purpose.

This chapter provides the necessary regulatory mechanism for determining if a development ~~proposal~~ activity meets the concurrency provisions of the Comprehensive Plan and to ensure that public facilities are available to support the development activity's impact at adopted levels of service.

14.110.020 Applicability.

(a) This chapter applies to:

- (1) All development ~~approval~~ activity applications filed after its effective date, unless exempted.
- (2) Changes of occupancy or changes of use that result in increased demand ~~for~~ for system improvements including public parks, ~~roads~~ transportation facilities or sewer.
- (3) Reconstruction or expansions of buildings that results in an increase in vehicular trips, housing units or sewage demand ~~in excess of~~ exceeding the pre-existing demand on roads, parks and/or sewer facilities.
- (4) Phased Development, which is any development involving the review of multiple buildings on a single-site or as part of a related project or distinct phases of a subdivision, where the issuance of building permits and/or final land use actions occur at different times, per a defined schedule. For phased developments, the city shall consider the potential impacts and need for public services cumulatively for the entire project, to determine concurrency.

14.110.025 Administration

- (a) The Director of Planning and Community Development, or designee shall administer this chapter including but not limited to:
- (1) Establishing application requirements;
 - (2) Evaluating development activities to determine if the project meets level of service standards, “no impact” criteria or identified exemptions;
 - (3) Tracking cumulative project impacts and available capacity to streets and parks; and
 - (4) Monitoring projects and maintaining records.
- (b) The Directors of Planning and Community Development and Public Works, or their designees shall jointly assess transportation impacts and identify appropriate mitigation strategies to meet concurrency, including construction of system improvements or alternative concurrency strategies considering engineered design solutions, impact to public infrastructure and the assessment of in-lieu fees, as identified in this chapter.

14.110.030 Exemptions.

- (a) No Impact. Development activities, which ~~creates need~~ do not create additional, measurable ~~additional~~ impacts on any transportation or parks facility, is-are exempt from the requirements of this chapter, including but not limited to: ~~This type of development includes, but is not necessarily limited to:~~
- (1) Any addition or accessory structure to a residence with no change in use or increase in the number of dwelling units.
 - (2) Interior alterations with no change of use or increased demand for system improvements per LSMC 14.110.020, or additional dwelling units for residential uses. ~~Interior renovations with increase in floor area and no change of use or, if a residential use, no increase in the number of dwelling units.~~
 - (3) Replacement structures with no change of use, expansion in floor area or increased demand for system improvements per LSMC 14.110.020, or additional dwelling units for residential uses. ~~Replacement structure with no change in use, no increase in floor area or, if a residential use, no increase in the number of dwelling units.~~
 - (4) Temporary construction trailers.
 - (5) Driveway resurfacing or parking lot paving.
 - (6) Normal repair and maintenance activities, which do not increase floor area or add residential dwelling units, such as re-roofing.
 - (7) Demolitions.
 - (8) Clearing, grading, filling.
 - ~~(9) The Public Works and Planning and Community Development Departments shall jointly be responsible for determining if other types of development also meet this “no impact” standard so as to be included under this exemption.~~
- (b) Exempt Permits and Decisions. The following development permits and decisions are exempt from the requirements of this chapter:

- (1) Boundary line adjustment.
- (2) Final plat.
- (3) Land use permit for temporary uses such as fireworks stands and Christmas tree lots.
- (4) Variance when not associated with a development that is subject to this chapter.
- (5) Clearing, filling and grading permit.
- (6) Sign permit.
- (7) Building permit for a fence or wall.
- (8) Right-of-way use permit.
- (9) Rezones/comprehensive plan amendments.
- (10) Planned action projects. (Ord. 876, Sec. 22, 2012; Ord. 811, Sec. 88, 2010)

(c) Transportation Exemptions. The transportation concurrency requirements, in this chapter, do not apply to the development activities listed below.

- (1) A single-family residence, duplex or accessory dwelling unit as defined in Chapter 14.08 LSMC.
- (2) Development activities that do not add new projected trips to key intersections listed in the *Traffic Concurrency Handbook for New Development*.
- (3) Development activities located within the city's subareas, as identified in Chapter 14.38 LSMC, that do not exceed the adopted subarea EIS thresholds and that do not add new projected trips to key intersections listed in the *Traffic Concurrency Handbook for New Development*, outside of subareas.
- (4) Development activities or uses generating 25 or fewer new p.m. peak hour trips.

14.110.040 Review of Development Activities - Concurrency Testing

(a) Application. All development applications for land use and/or building permits shall include a concurrency application, which the city will review for consistency with LSMC 14.110.070 to determine its impact on the transportation, parks, and sewer facilities. This review may be conducted before a development application is submitted to the city.

- (1) Non-exempt development activities must include a traffic analysis to inform the concurrency decision. The scope of the traffic analysis shall be consistent with the requirements in the city's *Overview of Typical Traffic Study Requirements*.
- (2) All development activities subject to the requirements of this chapter shall submit a traffic concurrency worksheet containing PM peak-hour trip estimates calculated using the latest edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual or other information supported by studies and data submitted by the developer.
- (3) For potable water and sanitary sewer, availability letters from the utility purveyor will be used in conducting the concurrency test.

(b) Certificate of Concurrency Approval. A certificate of concurrency will be issued under this chapter if it is determined that the adopted LOS for transportation, parks and sewer are met; and the project will not degrade the LOS below the adopted standard. Concurrency testing may rely on:

- (1) Capacity provided by projects in the city's current Six-year Capital Facilities Plan;

- (2) Projects funded for construction within six years by other agencies or jurisdictions; and
- (3) Improvements under contract as part of other approved development activities.
- (4) The concurrency testing shall consider development projects already in the pipeline but not yet completed. Development in the pipeline includes projects that either were vested prior to the adoption of this chapter or have received a certificate of concurrency.
- (c) Transferability. A certificate of concurrency runs with the land, for active permits and is valid only for the subsequent development approval(s) for the same parcel that has not expired under subsection(d) and is transferable to new owners of the original parcel for which it was issued.
- (d) Expiration. A certificate of concurrency will expire when:
 - (1) A complete land use or building permit application is not submitted within 180 days of the date of issuance; or
 - (2) The underlying land use permit application expires; or
 - (3) The accompanying land use or building permit expires. If that permit has no expiration date, the certificate of concurrency shall expire 12 months following its issuance; or
 - (4) The permit application is denied or revoked.
- (e) Once a certificate of concurrency expires, is revoked, or if development does not use the total capacity allotted, the unused capacity will be returned to the available pool of capacity.
- (f) Certificate of Concurrency Denial. A certificate of concurrency will not be approved under this chapter if degradation is caused beyond the adopted LOS standard unless mitigated to meet the LOS standard.

14.110.040050 Level of Service Standards.

- (a) Transportation. All transportation facilities shall maintain multimodal Levels of Service (LOS) in accordance with the adopted Comprehensive Plan or the applicable Subarea Plan. The city's concurrency requirements for transportation do not apply to state highways or private streets.
 - (1) Vehicular LOS: Intersection levels of service shall meet the vehicular LOS standards identified in the Comprehensive Plan.
 - (2) Vehicular LOS standards in subareas, as identified in Chapter 14.38 LSMC, shall meet the LOS standards identified in the Subarea Plan.
 - (i) If a development activity falls within the applicable planned action threshold, the project is deemed to meet concurrency requirements.
 - (ii) The city reserves its authority to require projects within subareas to evaluate intersections for level of service concurrency, including intersections within other subareas or outside of subareas, when the trip generation from the proposal adds new projected trips to key

- intersections listed in the City's Overview of Typical Traffic Study Requirements and is not otherwise exempt under this chapter.
- (3) Active Transportation LOS: Pedestrian and bicycle facility levels of service shall meet the active transportation LOS standards identified in the Comprehensive Plan.
- (i) Active transportation LOS standards do not apply directly to determine concurrency for specific development projects.
- (ii) The City shall consider active transportation LOS standards when it updates the annual Six-year Capital Improvement Plan.
- (4) Transit LOS: Transit stop levels of service shall meet the transit LOS standards identified in the Comprehensive Plan.
- (i) Transit LOS standards do not apply directly to determine concurrency for specific development projects.
- (ii) The City shall consider Transit LOS standards when it updates the annual Six-year Capital Improvement Plan and for coordination with Community Transit.
- (b) For the purpose of this section, vehicular level of service uses the methodology outlined in the most recent version of the Transportation Research Board's Highway Capacity Manual (HCM), which defines levels of service based on average delay per vehicle.
- (1) Level of service standards for signalized intersections are based on the overall average delay per vehicle for the whole intersection. For signalized intersections, an average delay per vehicle greater than 80 seconds shall be defined LOS F; an average delay per vehicle between 55 and 80 seconds shall be defined LOS E; and an average delay per vehicle between 35 and 55 seconds shall be defined LOS D.
- (2) Level of service standards at all-way, stop-controlled and roundabout intersections are based on the overall average delay per vehicle for the whole intersection. For these intersections, an average delay per vehicle greater than 50 seconds shall be defined LOS F; an average delay per vehicle between 35 and 50 seconds shall be defined LOS E; and an average delay per vehicle between 25 and 35 seconds shall be defined LOS D.
- (3) Level of service standards at two-way, stop-controlled intersections are based on the average delay per vehicle for the worst traffic movement. For stop-controlled approaches, an average delay per vehicle greater than 50 seconds shall be defined LOS F; an average delay per vehicle between 35 and 50 seconds shall be defined LOS E; and an average delay per vehicle between 25 and 35 seconds shall be defined LOS D.
- ~~(a) Transportation. All City streets shall maintain an LOS C or better at peak hour traffic in residential areas and LOS E along arterials and collectors in other areas at peak hour.~~
- ~~(b) As part of the subarea plans, the level of service for the subareas has been modified from an intersection LOS Standard "C" or "E" to a system LOS Standard "E" for each subarea. The system would consist of key intersections and connecting roads servicing each subarea. Under this approach, the~~

~~LOS analysis would take the accumulative average LOS from intersections within the transportation network, while excluding intersections with State Route facilities.~~

~~(1) For the 20th Street SE Corridor Subarea, this would include all intersections within the defined subarea boundaries of the 20th Street SE Corridor with the exclusion of SR 9 intersections.~~

~~(2) For the Lake Stevens Center Subarea, this would include all intersections within the defined subarea boundaries of the Lake Stevens Center excluding SR 9 and SR 204 intersections.~~

~~(3) For the Downtown Lake Stevens Subarea, this would include all intersections within the defined subarea boundaries. The westbound leg of the intersection at Main Street/20th Street NE may fall below the defined LOS standard in 2035. Over the plan horizon, it is reasonable to accept a reduced LOS standard for the PM peak at this intersection because of physical constraints and given the vision for a mixed use district that functions as a local and regional destination, with the inclusion of multimodal transportation elements that emphasizes safe pedestrian amenities to maintain the character of the district.~~

~~(c) For the purpose of this section, transportation level of service shall be the percentage of the capacity of the roadway (number of cars that a road is capable of handling) which is actually used by traffic during any one hour. For example, if the roadway has a capacity to serve 100 cars per hour, and it is observed that there are 70 cars per hour on that road, the percentage is 70 percent, which is also called a volume/capacity ratio. LOS C shall be defined as having a volume/capacity ratio greater than 70 percent and less than or equal to 80 percent. For LOS D, that ratio is greater than 80 percent and less than or equal to 90 percent. For LOS E, that ratio is greater than 90 percent and less than or equal to 100 percent.~~

~~(d)~~ Parks. Per the Comprehensive Plan.

14.110.050060 Relationship to the State Environmental Policy Act (SEPA).

This chapter establishes the minimum standards which are to be applied to all development proposals~~activities in order~~ to provide transportation, parks and sewer improvements and is not intended to eliminate the application of SEPA to specific proposals. Each proposal shall be reviewed and be subject to the substantive authority of SEPA.

14.110.060 Administration

~~The Directors of Public Works and Planning and Community Development shall be responsible for the administration of this chapter including but not limited to determining application submittal requirements, records maintenance, monitoring and evaluation, and administration of a capacity waiting list.~~

~~14.110.070~~ Review of Development Proposals—Concurrency Testing

- (a) ~~Application. Any proposed development which is subject to the chapter will be reviewed by the Planning and Public Works Directors to determine its impact on the transportation, parks, and sewer facilities. This review may be conducted before a development application is submitted to the City.~~
- (b) ~~Certificate of Concurrency Approval. A certificate of concurrency will be issued under this chapter if it is determined that the adopted LOS for transportation, parks and sewer are met; and the project will not degrade the LOS below the adopted standard. Concurrency testing may rely on:~~
- ~~(1) Capacity provided by fully funded projects, including projects in the current six year Capital Facilities Plan;~~
 - ~~(2) Projects funded for construction within six years by other agencies or jurisdictions; and~~
 - ~~(3) Improvements under contract as part of other approved development proposals.~~
 - ~~(4) The concurrency testing shall take into account development projects already in the pipeline but not yet completed. Development in the pipeline includes projects that either were vested prior to the adoption of this chapter or have received a certificate of concurrency.~~
- (c) ~~Transferability. A certificate of concurrency runs with the land, is valid only for the subsequent development approvals for the same parcel, and is transferable to new owners of the original parcel for which it was issued.~~
- (d) ~~Expiration. A certificate of concurrency will expire when:~~
- ~~(1) A complete land use or building permit application is not submitted within 120 days of the date of issuance; or~~
 - ~~(2) The underlying land use permit application expires; or~~
 - ~~(3) The accompanying land use or building permit expires. If that permit has no expiration date, the certificate of concurrency shall expire 12 months following its issuance; or~~
 - ~~(4) The permit application is denied or revoked.~~
- (e) ~~Once a certificate of concurrency expires, is revoked, or if development does not use the total capacity allotted, the unused capacity will be returned to the available pool of capacity.~~
- (f) ~~Certificate of Concurrency Denial. A certificate of concurrency will not be approved under this chapter if degradation is caused beyond the adopted LOS standard unless mitigated to meet the LOS standard.~~

14.110.080070 Methods for Meeting Concurrency.

- (a) If mitigation is required to meet the LOS standard to maintain concurrency, the applicant may choose to:
- (1) Reduce the size of the development until the standard is met; or
 - (2) Delay the development until the City and/or others provide needed improvements; or
 - (3) Design and/or construct the facilities necessary to achieve the LOS in compliance with Section 14.110.090080 considering nexus and proportionality of the impact to the level of service standard being exceeded by the proposed development.

14.110.090080 Requirements for Design and Construction of Facilities Necessary to Achieve Adopted Levels of Service.

- (a) If the developer chooses to design and construct the facilities necessary to achieve the adopted LOS standard(s), the following requirements must be met:
- (1) Issuance of a final plat or building permit approval, ~~which ever~~whichever comes first, will not be made unless improvements are made by the developer or sufficient financial security pursuant to Section 14.16A.180(d) is in place to ensure the improvements will be made within six years of the issuance of the approval, to mitigate the proportionate impact of the development activity. This allowance for up to a six-year deferral applies only to supplemental mitigation not normally required of the development.
 - (2) The developer shall be responsible for engineering and design of the facilities and shall provide documentation showing the improvements will ensure the LOS is met. The developer shall receive City approval of the engineering and design of the facilities, which shall be consistent with accepted engineering standards and practices.
 - (3) The developer shall enter into a detailed agreement with the City identifying the improvements required and the schedule for their completion. This shall include any necessary interim deadlines necessary to ensure the improvements are completed within the six-year time frame. ___
 - (4) Alternatively, the city may accept a fee-in lieu, for transportation and parks levels of services, based on an alternatives analysis of needed improvements and an engineer's cost estimate, to mitigate a proportionate share of the impact created by the development activity. If a developer makes improvements to the sewer general facilities, those cost of those improvements shall be credited against the developer's general facilities charges, except no such credit shall be given if the developer is to be reimbursed through a latecomer's agreement. The credit shall not exceed the general facilities charge that would normally be applied to the project.
 - (5) If a developer makes improvements to a transportation project that would otherwise require SEPA mitigation, the developer shall be given credit for the amount spent on that project against the SEPA mitigation required for that project, but not to exceed the mitigation that would normally be applied to the project.
 - (6) The effect of the improvement shall not degrade another related objective. For example, adding a vehicular lane at the expense of eliminating a bike lane.
 - (7) The project shall comply with the procedural and substantive requirements of the State Environmental Policy Act (SEPA).
 - (8) The improvements shall not create a significant safety hazard.
- (b) Supplemental Mitigation Denial Process. If the City determines that the proposed supplemental mitigation does not meet the requirements of this section, the ~~Public Works and Planning and Community Development Directors may deny the issuance of a~~ development activity will not receive a certificate of concurrency. (Ord. 811, Sec. 89, 2010)

14.110.100090 Implementation of Strategies in Lieu of Capital Improvements.

- (a) With approval from the Public Works and Planning and Community Development Directors, non-construction strategies for reducing demand for public facilities, including payment of agreed in lieu fees, to assureensure LOS are met may be implemented if the following requirements are met:

- (1) The proponent clearly demonstrates to the satisfaction of the City that the proposed strategies have a demonstrated historical track record for effectiveness and reliability for projects similar to that being proposed.
 - (2) The proponent shall provide an analysis as to how much capacity is available, which will provide a maximum amount of demand the project may put upon the public improvements.
 - (3) The effectiveness of the strategies must be easily measured and annual reports must be provided to the City to ensure the actual demand ~~actually~~ put on the public improvements does not exceed the amount allocated to the development pursuant to subsection (a)(2) of this section.
 - (4) The developer shall ~~provided~~ a financial guarantee for a period of up to ~~ten-10~~ years which the City may use to construct the necessary improvements, at any time during that ~~ten-10~~-year period, where it finds the demands on the public system exceed the amounts allocated to the project.
- (b) For the purposes of this section, non-construction strategies include any programs which reduce demand for public facilities during peak hour constraints, including but not limited to car/van pooling, staggered work hours, or transfer flow of sewer use to off-peak hours.

14.110.~~110~~100 Fees.

The City shall charge processing fees to any individual that requests a concurrency determination or approval of a supplemental mitigation program. The fees shall be set by Council resolution.

14.110.~~115~~110 Concurrency of Projects Vested in the County Pre-Annexation.*

Pursuant to the terms of an interlocal agreement with Snohomish County, the City will accept the County's concurrency determination for projects vested to the County Code, where the subject property of a vested application has been annexed to the City since the concurrency determination was made by the County. ~~The terms of the concurrency, including expiration, shall be regulated by the vested County code.~~ (Ord. 859, Sec. 2, 2011)

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

14.110.120 Appeals.

Appeals of requirements imposed pursuant to the chapter shall be governed by the appeal provisions of Section 14.16A.265. (Ord. 903, Sec. 56, 2013; Ord. 643, Sec. 1, 2001)

14.08 Definitions

"Capacity" means the ability of an affected intersection or intersections to handle increased traffic from a development without causing delays that fall below the LOS standards established in this chapter.

"Development activity" means any proposal or action requiring a development permit, not otherwise exempted, including the construction or expansion of a building, structure, or use, any change in the use of a building or structure, or any land use change that creates additional demand for public facilities.

"Development activity" does not include:

(a) Buildings or structures constructed by a regional transit authority; or

(b) Buildings or structures constructed as shelters providing emergency housing for people experiencing homelessness, or emergency shelters for victims of domestic violence, as defined in RCW 70.123.020.

"Development approval" means any written authorization from a county, city, or town that permits the commencement of development activity.

"Impact fee" means a payment imposed on development as a condition of approval to fund public facilities needed to serve new growth and development. This fee must be reasonably related to the new development, proportionate to the cost of the public facilities, and used for facilities that benefit the new development.

"Level of service" means the established minimum capacity of public facilities or services that must be provided per a defined unit of demand or other appropriate measure of need. Level of service standards are synonymous with locally established minimum standards.

"Off-site road improvement" means an improvement, excluding a frontage improvement, to an existing or proposed city road outside the boundaries of a development.

"Owner" means the owner of record of real property or when real property is being purchased under a real estate contract, the purchaser is considered the owner of the real property if the contract is recorded.

"PM Peak hour" means the highest volume of traffic for a continuous hour between 4:00 p.m. and 6:00 p.m.

"Project improvement" means site improvements and facilities planned and designed to serve a particular development project, necessary for the use and convenience of the occupants or users of the project that are not system improvements.

"Proportionate share" means that portion of the cost of public facility improvements that are reasonably related to the service demands and needs of new development.

"Public facilities" means capital facilities owned or operated by government entities: (a) Public streets, roads, and bicycle and pedestrian facilities that were designed with multimodal commuting as an intended use; (b) publicly owned parks, open space, and recreation facilities; (c) school facilities; and (d) fire protection facilities.

"Service area" means a geographic area defined by a county, city, town, or intergovernmental agreement where a defined set of public facilities provide service to development within the area. Service areas must be designated based on sound planning or engineering principles.

"System improvement" means public facilities included in the capital facilities plan, designed to provide service to specific areas within the community at large, in contrast to project improvements.

DRAFT

Chapter 14.112

TRAFFIC IMPACT MITIGATION FEES*

Sections:

- 14.112.010 Purpose
- 14.112.020 Authority
- 14.112.030 Applicability [and Exemptions](#)
- ~~14.112.040 Exemptions~~
- 14.112.050 ~~040~~ Service Areas
- 14.112.060 ~~050~~ Mitigation of Traffic Impacts Required
- 14.112.070 ~~060~~ Relationship to the State Environmental Policy Act (SEPA)
- 14.112.080 ~~070~~ Calculation of [Street Traffic System](#) Impact Fees
- 14.112.090 ~~080~~ Offsets [and credits](#)
- 14.112.100 ~~090~~ Collection of Impact Fees
- 14.112.110 ~~100~~ Uses of Traffic Impact Fee Revenues
- 14.112.120 ~~110~~ Expenditure Requirements for Impact Fee
- 14.112.130 ~~120~~ Refund of Fees Paid
- [14.112.130 Appeals](#)

~~* Code reviser's note: Ordinance 955 establishes a temporary traffic impact fee adjustment to stimulate growth of new retail businesses within established subareas, pursuant to Section 14.112.080(d). The ordinance is effective from August 31, 2016, to August 22, 2019, unless extended by ordinance.~~

14.112.010 Purpose.

The purpose of this chapter is to implement the Capital Facilities Element of the Lake Stevens Comprehensive Plan and the Growth Management Act by:

- (a) Ensuring adequate [public street system transportation](#) facilities are available to serve [multimodal trip traffic](#) from new development.
- (b) Ensuring adequate [public streets transportation facilities](#) are available to serve growth and maintain [established levels of service existing service levels](#) for present businesses and residents.
- (c) ~~Establishing procedures to impose fees for new development to pay a proportionate share of the costs of transportation facility improvements, reasonably related to the new development. This reduces transaction costs for both the city and developer, ensuring new developments do not pay arbitrary or duplicative fees. Establishing procedures whereby new development pays its proportionate share of the costs of street system capacity improvements, reducing transaction costs for both the City and developers, ensuring new developments do not pay arbitrary or duplicative fees. (Ord. 876, Sec. 6 (Exh. 4), 2012)~~

14.112.020 Authority.

- (a) This chapter is adopted under ~~RCW 82.02.050 through 82.02.100~~ [Chapter 82.02 RCW](#), which ~~authorize~~ [authorizes](#) cities planning under the Growth Management Act, Chapter 36.70A RCW, to

~~assess~~impose, collect, and use traffic impact fees to help finance public facilities and system improvements needed to accommodate growth and development.

(b) The city will collect traffic impact mitigation fees for development activities approved by the County, when the subject property has been annexed to the city.

~~Under the authority of RCW 36.70A.070(3) and 82.02.050(4), the City is authorized to impose, collect, and use impact fees. (Ord. 876, Sec. 6 (Exh. 4), 2012)~~

14.112.030 Applicability and Exemptions.

This chapter applies to all new development activities, except ~~as may be for those~~ exempted below by the concurrency management system described in LSMC 14.110.030(a) and 14.110.030(b).

Note: The City Council will consider optional exemptions complete or partial exemption for low-income housing, and other development activities with broad public purposes to be paid from public funds other than impact fee accounts. Partial exemptions require development covenants.

~~14.112.040 Exemptions.~~

~~The exemptions for traffic impact fees are the same as for concurrency in Section 14.110.030 except for planned action projects identified in Section 14.110.030(b)(10), which are not exempt under this chapter. (Ord. 876, Sec. 6 (Exh. 4), 2012)~~

14.112.050040 Service Areas.

(a) The city has established service areas referred to as traffic impact zones (TIZ), as defined in the *Traffic Impact Fee Cost Basis for the City of Lake Stevens*, to help prioritize capital improvements throughout the city and assess appropriate traffic impact fees.

~~For the provision of public streets, implementation of the Capital Facilities and Transportation Elements of the Comprehensive Plan and administration of this chapter, three traffic impact zones (TIZ) are established. They consist of TIZ 1 – East Lake Stevens, TIZ 2 – West Lake Stevens, and TIZ 3 – South Lake Stevens. The precise boundaries of these service areas are shown in Figure 14.112-1.~~

(a) ~~The exterior TIZ boundaries follow the city limits.~~ Properties within the Urban Growth Area (UGA), ~~that are~~ annexed into the city, shall ~~be~~ automatically be assigned the same TIZ (service area) as city properties directly contiguous to the annexation, unless an independent TIZ is established per the *Traffic Impact Fee Cost Basis for the City of Lake Stevens*, as shown in Figure 14.112-1.

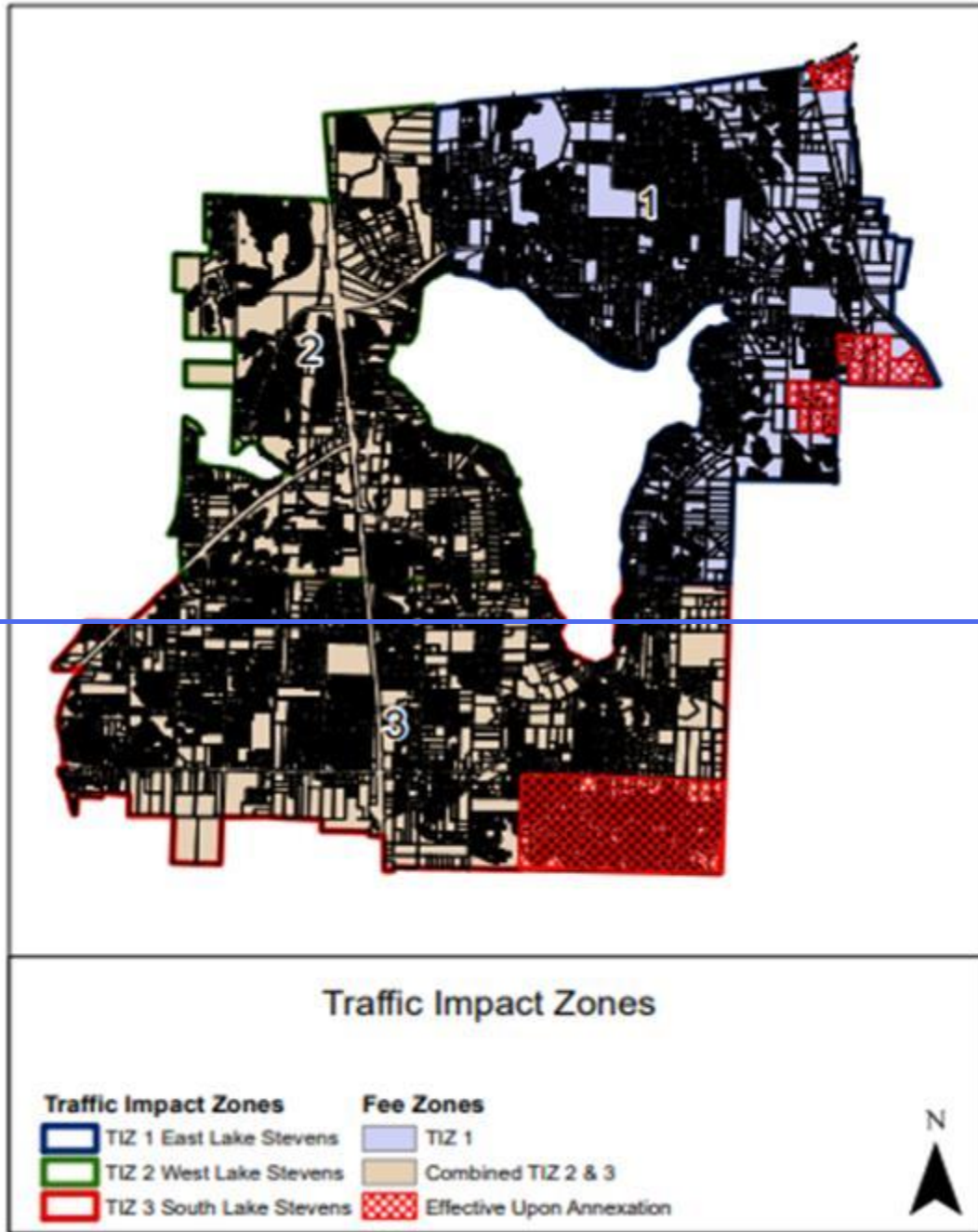


Figure 14.112 | Traffic Impact Zones

(Ord. 1123, Sec. 2 (Exh. A), 2021; Ord. 876, Sec. 6 (Exh. 4), 2012)

14.112.060050 Mitigation of Traffic Impacts Required.

Any new development activity shall mitigate ~~the development's identified~~ impacts ~~to~~ on the city's ~~street transportation facilities~~ system either by payment of an amount calculated pursuant to Section 14.112.080070, ~~or by dedication of dedicating~~ land pursuant to Section 14.112.090080, ~~by construction of constructing~~ off-site ~~street system capacity~~ transportation facility improvements pursuant to Section 14.112.090080, or as otherwise provided in Section 14.112.070. (Ord. 876, Sec. 6 (Exh. 4), 2012)

14.112.070060 Relationship to the State Environmental Policy Act (SEPA).

This chapter establishes minimum ~~traffic~~ impact fees, applied to all developments. These fees are presumed to mitigate traffic demand on the capacity of the city's ~~street transportation facilities~~ system. However, each ~~non-exempt~~ development ~~activity~~ shall be ~~reviewed and be~~ subject to the substantive authority of SEPA (LSMC 16.04.105) ~~for to mitigate~~ potential adverse ~~traffic~~ impacts on ~~the transportation street system facilities~~ not mitigated by this fee. (Ord. 876, Sec. 6 (Exh. 4), 2012)

14.112.080070 Calculation of ~~Street Traffic~~ System Impact Fees.

(a) The traffic impact fees will be collected and spent for ~~capacity system~~ improvements to ~~the public street system transportation facilities~~ as identified in the city's ~~adopted~~ Capital Facilities Plan, ~~in~~ accordance with RCW 82.02.050~~(43)~~.

~~(1) the~~ impact fees shall only be imposed for system improvements reasonably related to ~~new~~ development impacts.

~~(2) and~~ Impact fees shall not exceed a proportionate share of the costs of the identified system improvements.

~~(3) Impact fees shall be used for system improvements that will reasonably benefit the new development in the adopted Capital Facilities Plan.~~

~~(4) Impact fees may only be collected and spent on system improvements, included in the capital facilities element of the Comprehensive Land Use Plan, identifying:~~

~~(i) Deficiencies in public facilities serving existing development and how existing deficiencies will be eliminated within a reasonable period of time;~~

~~(ii) Additional demands placed on existing public facilities by new developments; and~~

~~(+)(iii) Additional public facility improvements required to serve new development;~~

(b) The ~~street system~~ traffic impact fee cost basis is established in the *Traffic Impact Fee Cost Basis for the City of Lake Stevens*, ~~or~~ as amended, based on methodology consistent with the requirements of RCW 82.02.050 through 82.02.100. ~~including, but not limited to, the following:~~

~~(1) Street system capacity improvements identified in the City GMA Capital Facilities Plan that are reasonably necessary to maintain adopted street system levels of service while accommodating the future development envisioned in the City's adopted GMA Comprehensive Plan.~~

~~(2) The costs of the needed street system capacity improvements estimated by the Public Works Director using generally accepted engineering practices.~~

~~(3) The estimated costs adjusted (reduced) to account for portions of the identified street system improvements that will likely be constructed by new development as part of their required on-site public street improvements and/or frontage improvements.~~

- ~~(4) The estimated costs adjusted (reduced) to provide a credit for taxes (excluding impact fees paid under this section) paid by new development which help pay for the identified capacity improvements.~~
 - ~~(5) The estimated costs adjusted (reduced) to account for any improvements needed to remedy any level of service deficiencies in the street system serving existing uses.~~
 - ~~(6) The estimated costs adjusted (reduced) to reflect impacts on the capacity of the street system from new vehicle trips which have neither origin nor destination within the City of Lake Stevens (often referred to as "pass-through" trips).~~
 - ~~(7) The final adjusted total costs of the identified improvements, as adjusted above, and aggregated for each traffic impact zone, are the cost basis of the impact fee.~~
 - ~~(8) The number of weekday afternoon (PM) peak hour trips likely generated by existing land uses and future land uses (i.e., new development) are estimated based on current land use data and the adopted GMA Comprehensive Plan future land use map. The total existing and new trips are aggregated into the traffic impact zones.~~
 - ~~(9) The maximum impact fee that can legally be charged to new development for each new weekday PM peak hour trip generated equals the cost basis of the impact fee divided by the new weekday PM peak hour trips for each traffic impact zone.~~
 - ~~(10) The actual level of impact fees as established in *Traffic Impact Fee Cost Basis for the City of Lake Stevens*, as amended, shall not exceed the maximum as calculated above.~~
- (c) A development shall mitigate its traffic impact by paying an impact fee reasonably related to the impact of the development activity on transportation facilities in the same traffic impact zone. A development shall mitigate its traffic impact upon the future capacity of the street system by paying an impact fee reasonably related to the impact of the development on public streets located in the same traffic impact zone as the development. A development's street traffic system impact fee will equal the number of new average weekday afternoon (PM) peak-hour trips generated by the development, ~~based and on calculated using the latest edition of the Institute of Traffic Engineers (ITE) Trip Generation Report Manual as a basis,~~ times the per trip amount as identified in the currently adopted fees resolution, for the type and location of the development, except that the following adjustments may be made:
- (1) In accordance with RCW 82.02.060~~(56)~~, the ~~Public Works Director city~~ shall have the authority to adjust the amount of the impact fee to consider unusual circumstances in specific cases, based on analysis of specific trip generating characteristics of the development (e.g., mixed-use characteristics, ridesharing programs, transit availability, etc.), to ensure that traffic impact fees are fairly imposed, when approved by the Directors of Planning and Community Development and Public Works, or their designees; and
 - (2) In accordance with RCW 82.02.060~~(57)~~, the ~~Public Works Director shall~~has have the authority to adjust the amount of the impact fee to be imposed on a particular development to reflect local information when available, including studies and data submitted by the developer when approved by the Directors of Planning and Community Development and Public Works, or their designees.

(3) Cost Indexing. The city may adjust the traffic impact fees annually considering the Consumer Price Index (CPI) for the most recent 12-month period as guide for adjusting fees.

- (d) The City Council shall have the authority to adjust the amount of ~~the traffic~~ impact fees pursuant to RCW 82.02.060(2) ~~through (4) to reflect other public benefits resulting from for development activities with defined broad public purposes proposed development or redevelopment~~ in accordance with specific programs as determined and adopted by the City Council. ~~Public benefits and/or broad public purposes for adjustments primarily include the economic development goals identified in the City's Comprehensive Plan related to job creation and growth of new retail sales tax receipts.~~ The City Council shall identify the public funding source other than impact fees collected to compensate for any reductions in impact fees pursuant to this provision. (Ord. 922, Sec. 1, 2014; Ord. 876, Sec. 6 (Exh. 4), 2012)

14.112.099080 Offsets and credits.

- (a) The ~~city shall reduce~~ required traffic impact fees ~~or provide a credit shall be reduced by the amount of any for~~ payment for ~~public transportation street system facility~~ improvements previously made for the development ~~either~~ as a condition of approval or under voluntary agreements with the City entered into after the effective date of the ordinance ~~codified in this chapter.~~
- (b) ~~The city shall reduce required traffic impact fees or provide a credit w~~Whenever a development has agreed to, pursuant to the terms of a voluntary agreement with the City, or is granted approval subject to a condition that the developer provide right-of-way for or construct off-site ~~street transportation system capacity facility~~ improvements that are identified in the Traffic Impact Fee Cost Basis for the City of Lake Stevens, as amended, as being part of the ~~street traffic system~~ impact fee cost basis, ~~the developer shall be entitled to an offset for~~ up to the value of land or up to the actual cost of construction against the impact fee assessed under Section 14.112.060.
- (c) ~~The city shall reduce required traffic impact fees or provide a credit for the value of any dedication of land for, improvement to, or new construction of any system improvements provided by the developer, to facilities that are identified in the six-year capital facilities plan and that are required a condition of approving the development activity. The land value or cost of construction shall be estimated at the time of approval and shall be based on acceptable evidence and documentation provided by the developer. The evidence and documentation shall be reviewed and, if acceptable, approved by the Public Works Director or designee. When land is proposed for dedication, the person required to pay impact fees shall present either a Member of the Appraisal Institute (MAI) appraisal or evidence of the assessed value as determined by the County Assessor's Office. If construction costs are estimated, the documentation shall be confirmed after the construction is completed to assure that an accurate offset amount is provided. If the land value or construction cost is less than the calculated fee amount, the difference remaining shall be chargeable as an impact fee.~~
- (d) ~~The amount of the offset or credit~~ for a development activity shall not exceed the amount of the impact fee the development ~~activity~~ is required to pay.
- (1) The land value or cost of construction shall be estimated at the time of approval and shall be based on acceptable evidence and documentation provided by the developer. The evidence and documentation shall be reviewed and, if acceptable, approved by the Directors of Planning and Community Development and Public Works, or their designees.

(2) When land is proposed for dedication, the person required to pay traffic impact fees shall present either a Member of the Appraisal Institute (MAI) appraisal or evidence of the assessed value as determined by the County Assessor's Office.

(3) If construction costs are estimated, the estimate must be provided by a professional engineer or use construction values established by the city and the documentation shall be confirmed after the construction is completed to assure that an accurate offset amount is provided.

(4) If the land value or construction cost is less than the calculated fee amount, the difference remaining shall be chargeable as an impact fee.

(ef) Any claim for offset should be made at least 30 days prior to application for a building permit ~~so as to~~ eliminate or minimize any delays in issuance of a permit. (Ord. 876, Sec. 6 (Exh. 4), 2012)

14.112.100090 Collection of Impact Fees.

Impact fees for each development shall be assessed and collected at the time of issuance of a building permit, unless deferred pursuant to Chapter 14.124. Where no building permit will be associated with the development, such as a development requiring a conditional use permit, payment is required as a precondition to approval. (Ord. 970, Sec. 5, 2016; Ord. 876, Sec. 6 (Exh. 4), 2012)

14.112.110100 Uses of Traffic Impact Fee Revenues.

- (a) Traffic impact fee revenue will be used for capital improvements ~~on the public street system to~~ transportation facilities, not operating or maintenance expenses.
- (b) Traffic impact fees shall be used for costs associated with City ~~street transportation system~~ capacity facility improvements, including, but not limited to, planning, design, engineering, right-of-way acquisition, financing, project administration, construction, and/or construction engineering.
- (c) ~~In the event that~~ if bonds or similar debt instruments are issued for the advanced provision of system improvements, for which impact fees may be expended and where consistent with provisions of the bond covenants, impact fees may be used to pay debt service on such bonds or similar debt instruments to the extent that facilities or improvements provided are consistent with the requirements of this section.
- (d) Traffic impact fees are collected and spent on system improvements as opposed to project improvements, ~~in accordance with~~ as defined in RCW 82.02.090. (Ord. 876, Sec. 6 (Exh. 4), 2012)

14.112.120110 Expenditure Requirements for Impact Fees.

Traffic impact fee ~~payments~~ not expended or encumbered within 10 years ~~shall~~ may be refunded, pursuant to RCW 82.02.070, .080 and Section 14.112.130; unless the City Council makes written findings that there exists an extraordinary and compelling reason for fees to be held longer than 10 years. ~~In order to~~ To verify these two requirements, impact fee revenues must be deposited into separate accounts of the City, and annual reports must describe revenue and expenditures. (Ord. 876, Sec. 6 (Exh. 4), 2012)

14.112.130120 Refund of Fees Paid.

- (a) Traffic impact fees collected pursuant to this chapter shall be deposited into an ~~interest bearing~~ interest-bearing account established for the City.
- (b) If a development approval expires without commencement of construction, ~~then~~ the developer shall be entitled to a refund of traffic impact fees paid, with interest, ~~of the impact fee paid for that~~

~~development.~~ The developer must submit ~~an application for such a~~ written refund request to the Finance Director within 30 days prior to the expiration of the permit. By resolution, the City Council may adopt fees to offset administrative costs of collecting and refunding mitigation fees.

- (c) Any funds not expended or encumbered by the end of 10 years from the date the fee was paid shall be returned to the developer/owner with interest; provided, that the developer/owner submits a written refund request to the Finance Director ~~a request for a refund to the City of Lake Stevens~~ within one year of the expiration of the 10-year period.
- (d) Impact fees that are not expended or encumbered within these time limitations, and for which no ~~application of a written~~ refund request has been made in accordance with this section, shall be retained and expended on ~~public transportation street system~~ facilities.
- (e) Interest due upon the refund of traffic impact fees shall be calculated according to the average rate received by the City on invested funds throughout the period during which the fees were retained. (Ord. 876, Sec. 6 (Exh. 4), 2012)

14.112.130 Appeals

A developer may appeal the amount of an impact fee determined, following the appeal process for the underlying development approval, pursuant to LSMC 14.16A.265. The developer shall bear the burden of proving:

- (a) The city erred in its impact fee assessment of the developer's proportionate share, as determined by an individual fee calculation or as set forth in the fee schedule, or in granting a credit or offset.
- (b) The impact fee assessed on the development activity was based upon incorrect data.

Chapter 16.04 SEPA

16.04.105 Substantive Authority.

- (e) Through its substantive authority, in conjunction with the Master Annexation Interlocal Agreement between the City of Lake Stevens and Snohomish County, the City hereby establishes a process for collecting traffic and park mitigation fees, for properties annexed into the City of Lake Stevens, when Snohomish County received the initial development application and said application vested to Snohomish County regulations, including those related to the payment of traffic or park mitigation fees.
- (1) The City shall apply Snohomish County code requirements related to the payment of traffic and/or park mitigation fees.
 - (2) The City shall collect required traffic and/or park mitigation fees directly when such fees were not previously paid to Snohomish County.
 - (3) Payment of said fees to the City shall satisfy the requirements of [Sections 14.56.190 and 14.56.192](#) [Chapter 14.112](#) for traffic mitigation and Chapter 14.120 for park impact mitigation.
 - (4) The City shall assess and collect required impact fees at the time of building permit issuance.

City of Lake Stevens

Traffic Concurrency Handbook for New Development

This document outlines the process applicants must follow when submitting development applications for the city of Lake Stevens (Lake Stevens) to make concurrency determinations under Chapter 14.110 Lake Stevens Municipal Code (LSMC). Depending on the type, size and location of a development, a licensed Professional Engineer or Transportation Planner with traffic study expertise may need to prepare a traffic study.

Chapter 14.110 Lake Stevens Municipal Code (LSMC) 14.110 Concurrency Management System – Concurrency requirements are established in Chapter 14.110 LSMC to make concurrency determinations related to proposed development activities. Applicants should read these code provisions to understand the basis for concurrency determinations and the traffic study requirements.

Exempt Developments – A development that creates no measurable additional impacts on any transportation facility will likely be exempt from requirements to provide detailed traffic information. Examples include proposals that do not increase the number of residential dwelling units or add commercial space, unless the proposal changes the use and increases trip generation. See LSMC 14.110.030 for a complete list of exemptions.

Subareas – Developments located *within* a subarea are assumed to meet the concurrency provisions of Chapter 14.110 LSMC. Each subarea has undergone a significant environmental analysis resulting in the adoption of planned action ordinances for SEPA compliance. Additional details are available at LSMC 14.38.120. The three adopted subareas are listed below:

- **Lake Stevens Center**, See map **Error! Reference source not found.** or on the city’s website at <http://www.ci.lake-stevens.wa.us/DocumentCenter/View/829>
- **20th Street SE Corridor Subarea**, See map **Error! Reference source not found.** or on the web at <http://www.ci.lake-stevens.wa.us/DocumentCenter/View/916>
- **Lake Stevens Downtown**, See map Figure 3 or on the city’s website at https://www.lakestevenswa.gov/DocumentCenter/View/6733/ADOPTED-DT-Lake-Stevens-Subarea-Plan_-7-10-18 (page 21)

Developments Required to Provide Concurrency Evaluation –Development projects **outside** of the adopted subareas are required to provide a complete traffic study as outlined below. Developments within subareas are not required to provide a complete LOS analysis except when additional traffic analysis is required to make a concurrency or threshold determination when a proposal meets or exceeds one or more of the following criteria:

- 1) The development requires a land use change;
- 2) The development exceeds the established development thresholds for the subarea;
- 3) The development contributes significant PM peak hour trips to key intersections, Appendix B, outside of subareas, that may negatively affect the level or service; and
- 4) The development requires additional infrastructure improvements beyond what was identified in the Capital Facilities Plan¹. To support the Lake Stevens concurrency tracking process, proposed developments within subareas must provide the minimum traffic study elements for non-exempt developments.

¹ LSMC 14.110.060 defines the relationship of the city’s concurrency rules with the State Environmental Policy Act (SEPA). In general, the city’s concurrency rules are not intended to eliminate the application of SEPA to specific development proposals that may be subject to the substantive authority of SEPA.

Figure 1 - Lake Stevens Center Zoning Map

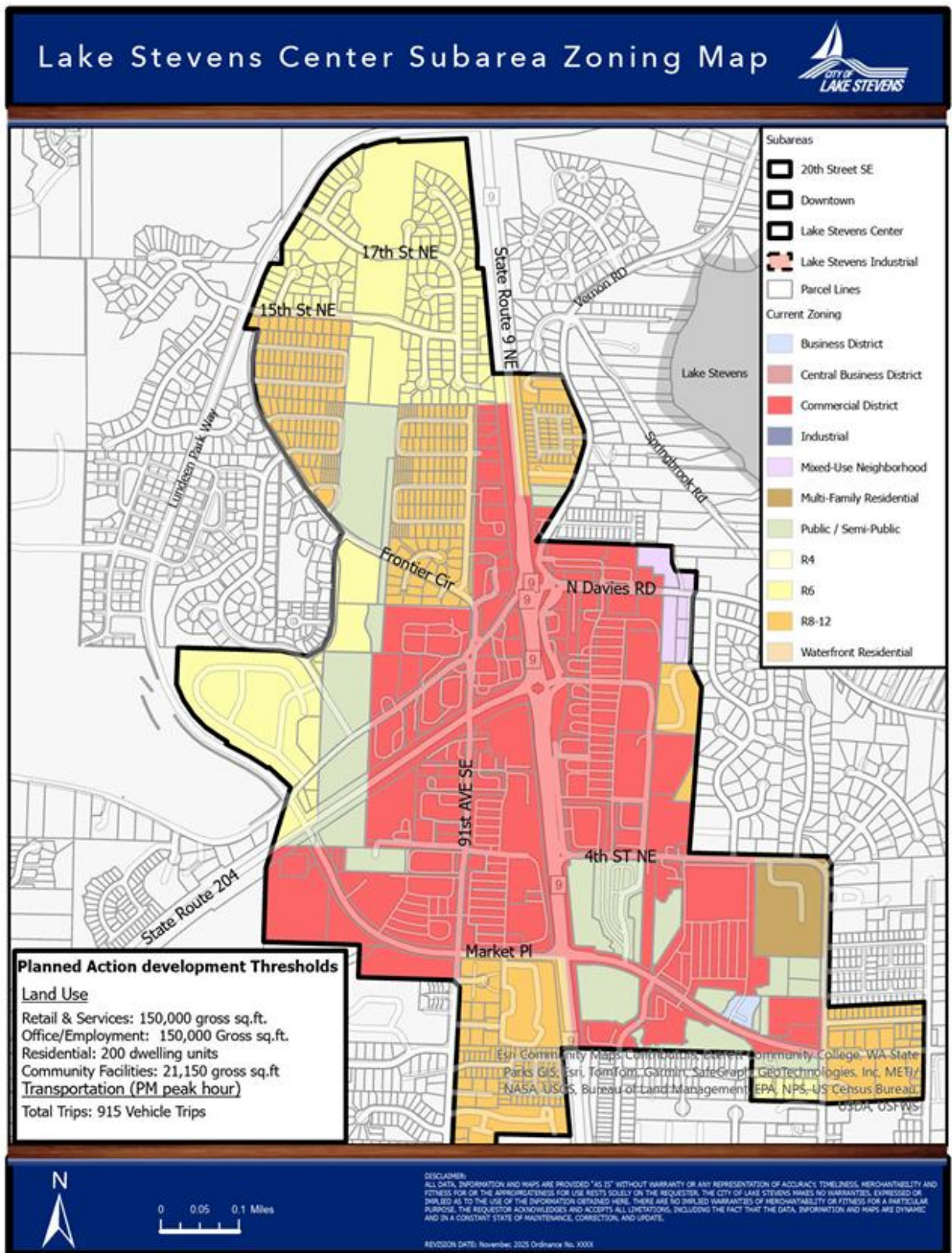


Figure 2 - 20th Street SE Corridor Subarea Zoning Map

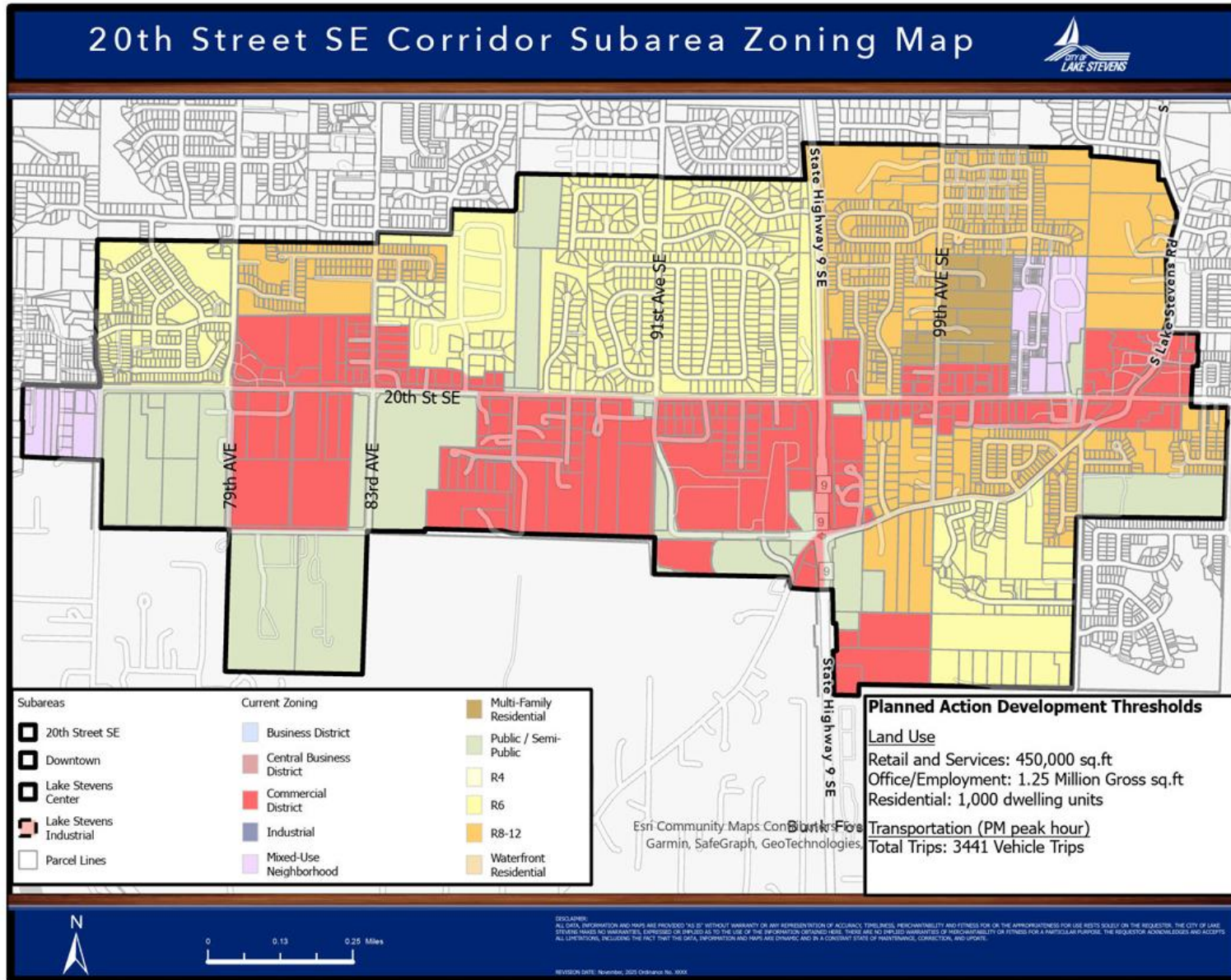
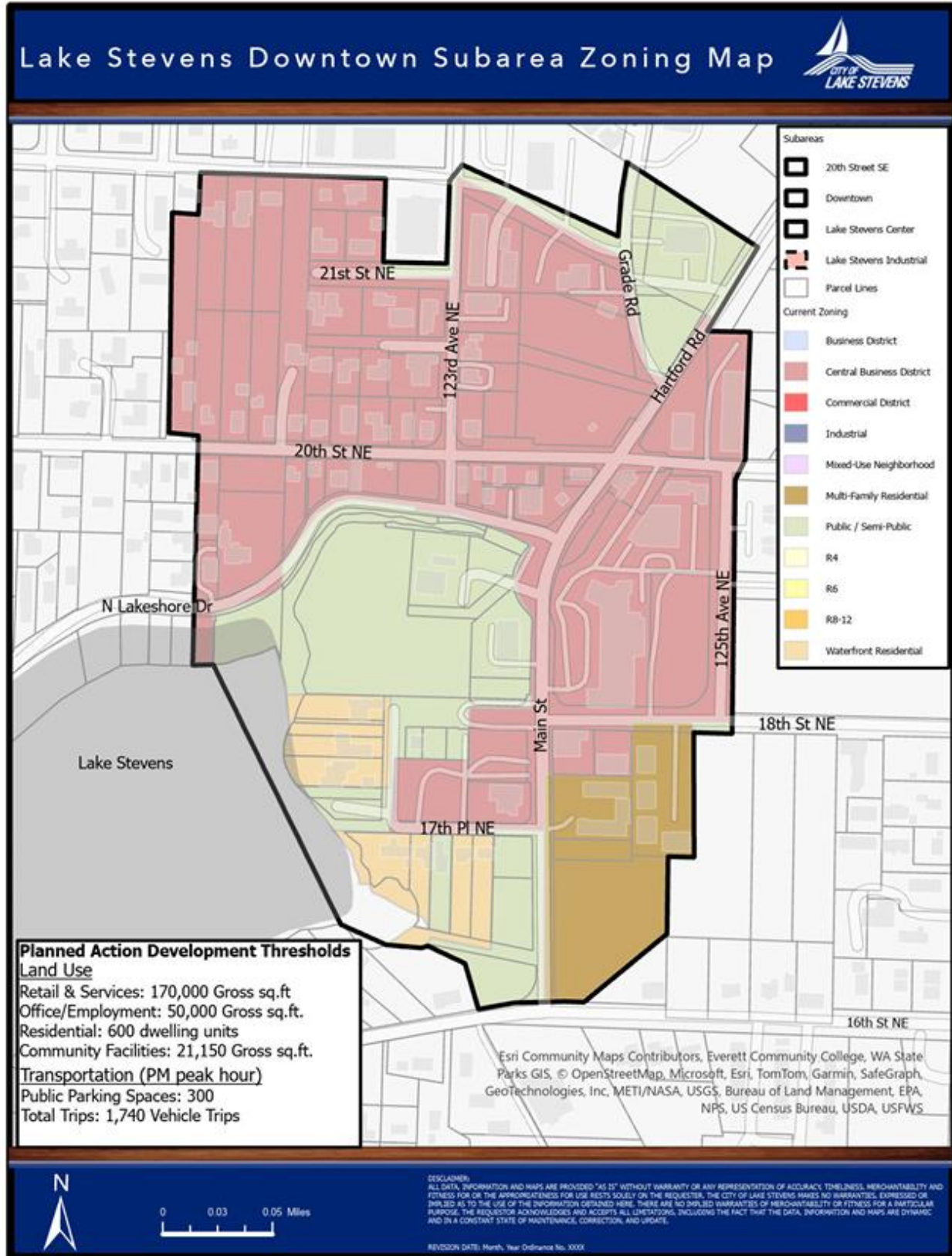


Figure 3– Lake Stevens Downtown Subarea Zoning Map



Minimum Traffic Study Elements for Non-Exempt Developments – Non-Exempt Developments must provide sufficient information and/or analysis to determine likely traffic impacts on the street system. A non-exempt development project generating fewer than 25 trips must include the following items:

1. Traffic Impact Fee (TIF) Worksheet following the *city of Lake Stevens TIF Handbook*.
2. An Access Plan that shows how vehicles and pedestrians will safely and efficiently access the street system consistent with the Engineering Design and Development Standards <http://www.lakestevenswa.gov/DocumentCenter/Home/View/53> or otherwise show how the proposal will meet established safety and operational standards. Depending on the size and location of the development, a licensed Professional Engineer or Transportation Planner may need to prepare the plan.

Concurrency Traffic Study Requirements – If a project generates 25 or more trips, a licensed Professional Engineer or Transportation Planner, with traffic/transportation expertise must prepare a traffic study, including the elements above, and three additional elements. Figure 4 presents a flowchart depicting the process for determining the level of traffic analysis required for a proposed development project.

1. Trip Generation – The study must identify the new PM peak-hour trips (PHT) likely to be generated by the proposed development based on the most recent edition of the *Institute of Traffic Engineers (ITE) Trip Generation Manual*.
2. Trip Distribution – The study must show the distribution of the new PM PHT onto the transportation system. The distributions must be carried out to all adjacent streets and any key intersections affected by more than 25 PM PHT. This intersection threshold is reached by combining both the incoming and outgoing trips from the development. It does not mean 25 directional trips on a single leg of the intersection.
3. Level-of-Service Analysis – If the trip distribution shows the addition of more than 25 new PM PHT to any key intersection, the study must provide a level-of-service analysis to enable the city to make a concurrency determination under Chapter 14.110 LSMC. For guidance on standard traffic study requirements see Appendix A.

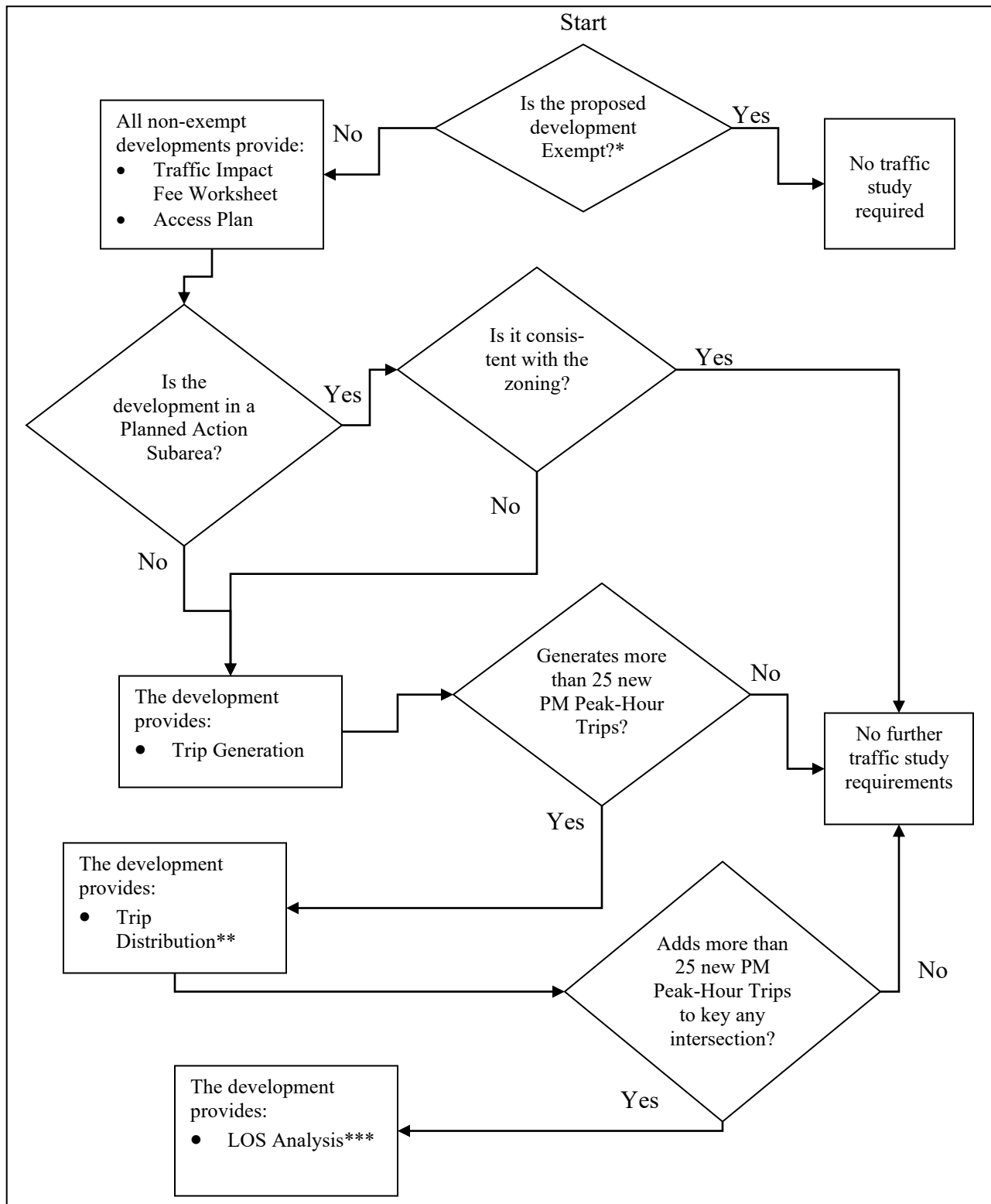
Level-of-Service Analysis Detailed Requirements – The following sections of this handbook provide detailed information and instructions related to LOS analysis for concurrency determinations. Analysis assumptions and other technical requirements are found in Appendix A. Key intersections are shown in Appendix B. Traffic Impact Zones (TIZs) are illustrated in Appendix C. Intersections of city streets with state highways are excluded from the calculation of the average “system” delay and LOS.

Translating Average Delay into LOS – The most-recent edition of the *Transportation Research Board’s Highway Capacity Manual (HCM)* is the primary reference for measuring level of service and translating seconds of delay into a graded A through F scale. For concurrency tracking, the city applies the vehicular LOS standards identified in the Comprehensive Plan as follows:

- LOS E or better for major / minor arterials and collector roadways.
- LOS C or better for local access roadways.

Within subareas, vehicular LOS is measured on a system-wide basis by averaging delays across key intersections. Intersections with more traffic are weighted by total approach volumes. Lake Stevens has established a system LOS E standard for its subareas.

Figure 4 - Typical Traffic Study Requirements for Developments in Lake Stevens



* A development that creates no measurable additional impact on any transportation facility. Examples include proposals that add no net increase to the number of residential dwelling units or no additional commercial space.

** Must be prepared by a licensed Professional Engineer or Transportation Planner with expertise in traffic studies

*** See Appendix A.

Active Transportation and Transit –The Comprehensive Plan identifies LOS standards for active transportation and transit. The city does not evaluate concurrency for these transportation elements on a project-by-project basis; rather, active transportation and transit concurrency will be tracked through the *Annual Concurrency Program Report*. Active transportation concurrency will be based on the city’s progress towards completing active transportation connections within the city. The city will consider Transit LOS standards annually as coordinated with Community Transit. Individual developments will be deemed to have satisfied concurrency requirements for active transportation and transit LOS through the payment of traffic impact fees (TIF) and/or construction of required improvements.

Which Subarea to Evaluate – Applicants must conduct a level-of-service (LOS) analysis if trip distribution contributes more than 25 entering PM peak hour trips (PHT) at any key intersection. This threshold is reached by combining both incoming and outgoing trips from the development, not by counting 25 directional trips on any single leg of the intersection. When this impact threshold is met, applicants must evaluate LOS for the subarea containing the affected key intersection, using the subarea-wide averaging.

- For the predominantly signalized set of key intersections in the Lake Stevens Center and 20th Street SE Corridor subareas, the HCM scale for signalized intersections is used. The 7th Edition defines the threshold between LOS E and LOS F as 80 seconds of average vehicle delay.
- For the predominantly un-signalized set of intersections in the Downtown Lake Stevens subarea, the scale for stop-controlled intersections is used. The threshold between LOS E and LOS F is 50 seconds of average vehicle delay.

If a development affects more than one key intersection within a subarea, the same LOS analysis applies. If key intersections are affected in multiple subareas, each subarea with an affected intersection must be evaluated. For example, if a large development adds more than 25 entering PM PHT to two key intersections—one in the Lake Stevens Center subarea and one in the 20th Street SE Corridor subarea—the LOS analysis must calculate the separate average weighted vehicle delay for both subareas.

Note that the calculation of average weighted vehicle delay does not include intersections of city streets and state highways. Project contributions of more than 25 PM PHT trips to intersections along SR 9, SR 92 and SR 204 do not require calculation of the subarea average weighted delay.

Transportation Demand Management TDM – LSMC 14.110.100 contemplates using Transportation Demand Management (TDM) strategies, on a case-by-case basis, as an alternative to constructing capital improvements to address LOS deficiencies. With approval from the Public Works Director and the Planning and Community Development Director, applicants may propose non-construction strategies to reduce demand on public facilities and ensure LOS requirements are met.

Annual Concurrency Program Report – As part of the Lake Stevens Concurrency Program, city staff will prepare an annual report in conjunction with the annual *Six-year Transportation Improvement Program* (TIP), identifying ongoing and planned development throughout the city and within each subarea. Subsequently, staff will review and update the list of key intersections as needed for any intersection operating at or approaching the established LOS standards. The annual concurrency report will:

- List ongoing/planned development (including land uses and intensities);
- Summarize remaining development and trip capacity within subareas and the city;
- Evaluate LOS at key intersections, listed in Appendix B, approaching the identified thresholds;
- Identify completed vehicular and active transportation improvement projects; and
- Discuss progress towards achieving the active transportation and transit networks identified in the Comprehensive Plan.

Appendix A – LOS Analysis (Traffic Study) Requirements

If a proposed development contributes more than 25 PM peak hour trips (PHT) to any key intersection listed in Appendix B, the applicant must prepare a level-of-service (LOS) analysis evaluating all key intersections affected by more than 25 trips. General assumptions and requirements for the traffic study are provided in LSMC 14.110 and summarized below.

Modeling Existing Conditions – LOS analysis begins by modeling existing conditions and estimating average vehicle delay at affected key intersections. Traffic volumes used for modeling must be collected within two years prior to application submittal. For intersections not affected by more than 25 PM PHT, counts and delay estimates from recent studies may be used if approved by the city.

Modeling Future Traffic Volumes – Future LOS conditions are modeled by adding expected growth volumes to existing counts. These include new volumes from proposed development, developments in the pipeline, and developments outside the city. Pipeline developments are those approved by Lake Stevens but not yet completed/occupied. For intersections not affected by more than 25 PM PHT, future volumes and delay estimates from recent studies may be used if approved by the city.

Determining the Volumes in the Pipeline – The Planning and Community Development Department will provide applicants with lists of approved developments generating more than 25 PM PHT. If occupancy dates are not available, applicants must conduct fieldwork. The study may assume the worst-case scenario, with all pipeline trips added to existing counts.

Trip Distributions for Volumes in the Pipeline – If the traffic studies for pipeline developments are not available, then the applicant must distribute those trips as well.

Trips from Developments Outside the city – To estimate additional volumes from development activity outside the city, applicants must apply a 2% annual growth rate to existing counts.

Alternative to Pipeline for Internal Growth – Instead of adding volumes from actual pipeline developments, applicants may use a 2% annual growth rate applied to existing counts, in addition to the 2% growth factor for external growth. If system LOS does not exceed LOS E using this alternative, applicants do not need to obtain pipeline volumes.

Future Horizon for LOS Calculations – The horizon year for LOS calculations is six years from the date of a complete application or the year of project build-out, whichever is greater. This aligns with the six-year horizon for the city's *Transportation Improvement Program (TIP)* and *Capital Facilities Plan (CFP)*. For a six-year horizon, future LOS volumes can be estimated using a 24% increase from existing counts $[(2\% + 2\%) \times 6]$.

Assumptions on Future Capital Improvements to Model LOS – Future LOS analysis must include any capacity improvements identified in the city's capital improvement program as fully funded for completion within six years of application submittal. Improvements on state highways are included if fully funded for completion within two years.

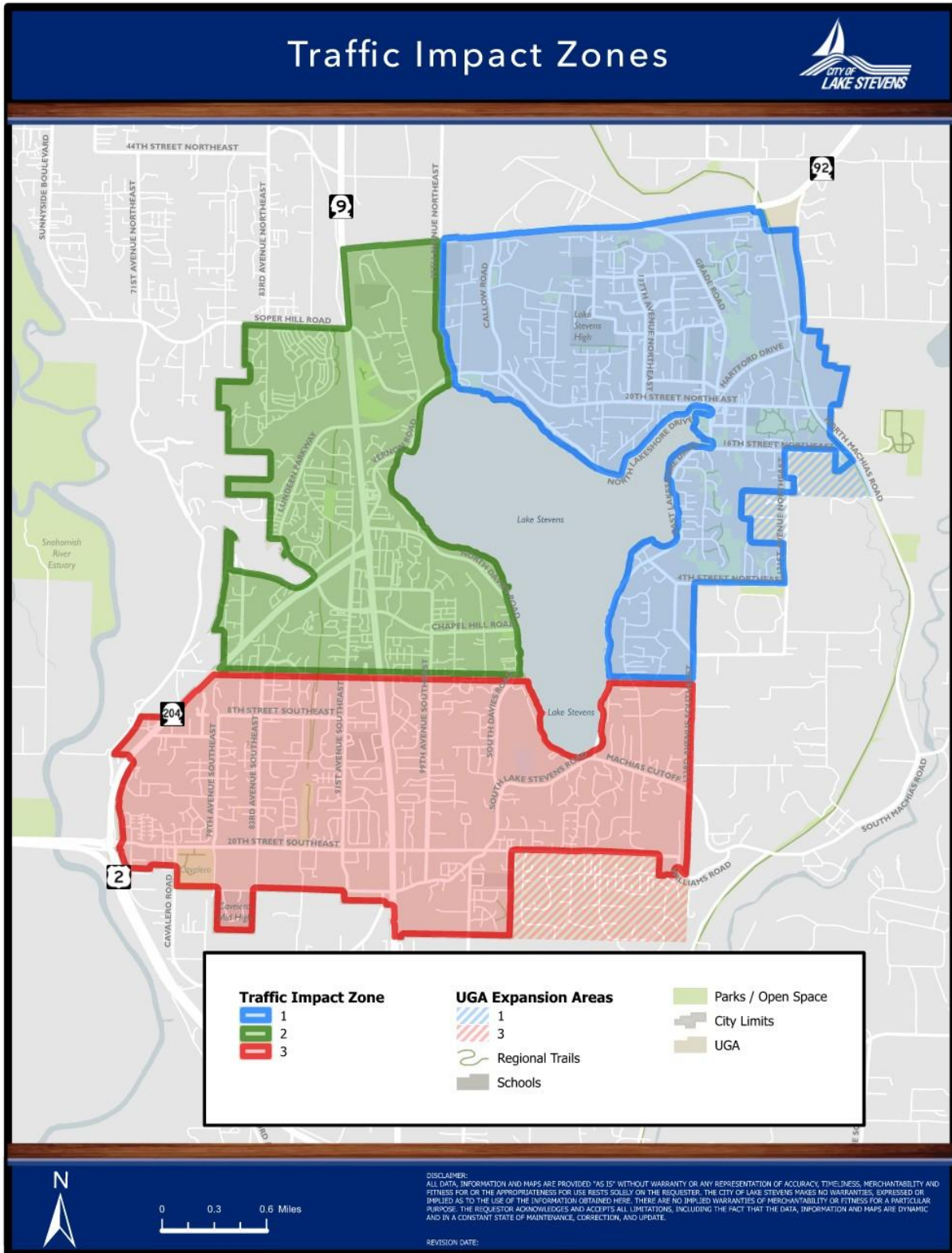
Future Year Growth Assumptions – To be deemed concurrent, the traffic study must show that future vehicle delay at the intersection, or averaged across all key intersections within a subarea, meets LOS E or better. Future counts include the applicant's traffic, traffic from pipeline developments (or the 2% alternative growth factor), and a 2% growth factor for external growth. If future LOS fails, the applicant may make capacity improvements at any key intersection to reduce the average delay and achieve LOS E.

Conclusion – This document outlines the city’s traffic study requirements for developments that must provide LOS analysis for concurrency determinations. The city will make the final determination of specific traffic study requirements for each proposal, but this handbook covers most development situations. For more information, contact the Lake Stevens Planning and Community Development Department.

Appendix B – Key Intersections by Traffic Impact Zone (TIZ)

TIZ	#	Location
1	1	Callow Road and SR 92
	2	Grade Road and SR 92 ^[1]
	3	127th Drive NE and SR 92 ^[1]
	4	127th Drive NE and 36th Street NE ^[1]
	5	Grade Road and 32nd Street NE
	6	Grade Road and 26th Street NE
	7	117th Avenue NE and 20th Street NE
	8	123rd Avenue NE and 20th Street NE ^[2]
	9	Main Street and 20th Street NE ^[2]
	10	Main Street and North Lakeshore Drive ^[2]
	11	18th Street NE and Main Street ^[2]
	12	Main Street and East Lake Stevens Road ^[2]
	13	North Machias Road and 28th Street NE ^[1]
	14	North Machias Road and 20th Street NE ^[1]
	15	North Machias Road and 16th Street NE
	16	East Lake Stevens Road and 118th Ave NE
2	1	91st Avenue NE and Market Place ^[3]
	2	91st Avenue SE and 4th Street SE
	3	99th Avenue NE and Market Place ^[3]
	4	99th Avenue NE and Lundeen Park Way
	5	Davies Road and Chapel Hill Road
3	1	91st Avenue and 8th Street SE
	2	SR 204 and Everett Road
	3	SR 204 and Sunnyside Boulevard
	4	79th Avenue SE and 20th Street SE ^[4]
	5	83rd Avenue SE and 20th Street SE ^[4]
	6	91st Avenue SE and 20th Street SE ^[4]
	7	99th Avenue SE and 20th Street SE ^[4]
	8	South Lake Stevens Road and 20th Street SE ^[4]
	9	South Lake Stevens Road and South Davies Road ^[4]
	10	South Lake Stevens Road and Machias Cut-Off
	11	118th Avenue SE and Machias Cut-Off
^[1] Intersection is in the Lake Stevens Industrial Center subarea ^[2] Intersection is in the Downtown Lake Stevens subarea ^[3] Intersection is in the Lake Stevens Center subarea ^[4] Intersection is in the 20th Street SE Corridor subarea		

Appendix C –Traffic Impact Zones (TIZs)



Attachment 4

TRAFFIC IMPACT FEE COST BASIS FOR THE CITY OF LAKE STEVENS

Prepared for:
City of Lake Stevens

October 2025

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Appendix A: Intersection LOS Summary	
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Executive Summary

This report presents the Transportation Impact Fee (TIF) program for the city of Lake Stevens (City). The TIF program has been updated based on the transportation project list from the Transportation Element (TE) within the City’s 2024 Comprehensive Plan, with further revisions in 2025. This report outlines the methodology for determining the amount of transportation-related project costs eligible for TIF funding, based on forecasted land use growth within the City considering projected total PM peak hour vehicle trips. As required by the Growth Management Act (GMA), the impact fee calculation presented here reflects transportation improvement costs needed to accommodate growth and does not include existing network deficiencies. The multimodal level of service (MMLoS) standards established in the TE were used to identify the transportation improvements needed to accommodate growth.

Table ES.1 summarizes the key findings of the TIF program. TIF-eligible project costs across the three Traffic Impact Zones (TIZs) are estimated at \$91.6 million. The expected increase in PM peak hour trips associated with planned land use growth citywide through 2044 is estimated to be 12,201 trips. The TIF-eligible costs are divided by the estimated growth in PM peak hour trips in each TIZ to arrive at the base TIF rates shown in [Table ES.1](#).

Table ES.1 Citywide Transportation Impact Fee Rate

	TIZ 1 – East Lake Stevens	TIZ 2 – West Lake Stevens	TIZ 3 – South Lake Stevens	Combined TIZ 2 & 3
A. Growth Share of TIF Cost ¹	\$59,577,471	\$16,408,883	\$15,660,380	\$32,069,263
B. Growth in Trips ²	5,014	4,196	2,991	7,187
C. Base TIF Rate for Service Area ³	\$11,882	\$3,911	\$5,236	\$4,462

1. See Table 5 for how share of cost is allocated by TIZ.
 2. Based on analysis of land use growth from the 2024 Land Use Plan and PM peak hour trip generation rates from the *ITE Trip Generation Manual, 11th Edition*.
 3. Values in line A are divided by values in line B and rounded up to the nearest dollar.

New developments within the city must pay the necessary TIF fees at the time of building permit issuance, as outlined in Chapter 14.112 of the Lake Stevens Municipal Code (LSMC). The City uses impact fees collected to fund the transportation projects outlined in Table 1 of this report.

The city will update the impact fee base rate annually in the fees resolution using the Consumer Price Index (CPI) in the region, unless a more applicable industry standard construction cost index is available. The City will prepare an annual report summarizing the fees collected and the projects financed using TIF funds for the previous calendar year.

Introduction

Lake Stevens, like many local government agencies in Washington State, has implemented transportation impact fee (TIF) program to help fund improvements to its transportation system. The Growth Management Act (GMA) allows agencies to develop and implement a TIF program to help fund some of the costs of transportation facilities needed to accommodate growth. Chapter 82.02 of the Revised Code of Washington (RCW) requires TIFs to be:

- Related to improvements serving new developments, not existing deficiencies;
- Assessed proportional to the impacts of new developments;
- Allocated for improvements that reasonably benefit new development; and
- Spent on facilities identified in the Capital Facilities Plan

The city adopted its TIF program in 2012 (Ordinance No. 876) codified in Chapter 112 of the Lake Stevens Municipal Code (LSMC). The analysis, provided in the Transportation Element (TE), from the current Comprehensive Plan sets the basis for the TIF program.

The TIF program is built from the long-term transportation project lists contained in the Transportation and Capital Facilities Elements of the Comprehensive Plan. The project list was prepared utilizing the city's travel demand model to evaluate future transportation system needs. The travel demand model is a tool for forecasting traffic volumes based on the projected growth in housing and employment identified in the Land Use Element. The travel demand model provides the technical basis for the TIF program. The scope and cost of transportation projects have been updated and refined since adoption of the Comprehensive Plan to reflect further design elements, increased costs, or modifications to the general scope of the project.

In line with the multimodal level of service (MMLOS) requirements enacted by House Bill 1181 (HB1181) in 2023, the Washington State Legislature also passed Senate Bill 5452 (SB 5452) expanding the transportation improvements eligible for TIF funding. RCW 82.02.090(7) includes pedestrian and bicycle facilities on the list of "public facilities" eligible for TIF funding. The revised TIF cost basis analysis now includes an expanded project list with pedestrian and bicycle projects and incorporates the cost of these improvements into the fee calculation.

Further, recent legal rulings have changed the manner with which impact fees are calculated and documented. The U.S. Supreme Court in *Sheetz v. El Dorado County* (2024) ruled that legislatively imposed conditions to all development are not exempt from the Takings Clause outlined in the Fifth Amendment. Thus, impact fees must provide a nexus to the development and be roughly proportional to its impact. While TIFs in the state have long been subject to nexus and proportionality requirements, the *Sheetz* decision shifts the responsibility onto public agencies to document and support the methodology used to calculate the impact fee. The city's updated TIF program, outlined herein, has been refined to meet the heightened requirements of this ruling.

This report outlines the City's TIF program. It also highlights what transportation impact fees are and how they relate to other development regulations. An overview of the TIF program summarizes how the program was created and how the fees were established. It also details how the program will be implemented by Lake Stevens.

What are Transportation Impact Fees?

Transportation impact fees (TIFs) are allowed under the GMA to help fund growth-related capital facility improvements to public streets and roads. Impact fees are also allowed under

the GMA to fund other public capital facilities such as parks, open space, recreation facilities, schools, and fire protection. The following summarizes the GMA definition of an impact fee:

“Impact fee” means a payment of money imposed upon development as a condition of development approval to pay for public facilities needed to serve new growth and development, and that is reasonably related to the new development that creates additional demand and need for public facilities, that is a proportionate share of the cost of the public facilities, and that is used for facilities that reasonably benefit the new development. (source: RCW 82.02.090[3])

Public transportation facilities for which TIF funding can be used include:

Public streets, roads, and bicycle and pedestrian facilities that were designed with multimodal commuting as an intended use; (source: RCW 82.02.090[7](a))

Impact fees are an optional element of the GMA; agencies are not required to implement them; however, they are used to help jurisdictions mitigate some of the transportation impacts due to new development or redevelopment.

TIFs cannot be the only funding used to pay for the growth-related transportation improvements. The project cost allocations must account for other public funding, which would be generated by development in forms of taxes or user fees.

Transportation impact fees help mitigate development impacts for system wide traffic impacts. The following summarizes the key points:

- Supports “growth pays for growth” principle
- Funds must be spent on transportation improvement projects that will serve new growth and not fix existing deficiencies
- Funds must be spent on improvements that generally benefit the developments paying the fee
- Impact fee projects are to address “system” improvements, not “project” improvements
- Must be generally proportional to impacts of development
- Provide funding for the agency’s six-year Capital Improvement Program
- Funds assessed for several improvement needs can be “pooled” to address agency’s priority projects

How do Transportation Impact Fees Relate to Other Development Regulations?

TIFs are an optional element allowed under GMA; however, they are a crucial tool to help mitigate development impacts on the transportation system. TIFs are used in conjunction with other development regulations as shown in Figure 1:

- Frontage Improvements/Development Regulations
- State Environmental Policy Act (SEPA)
- Transportation Concurrency

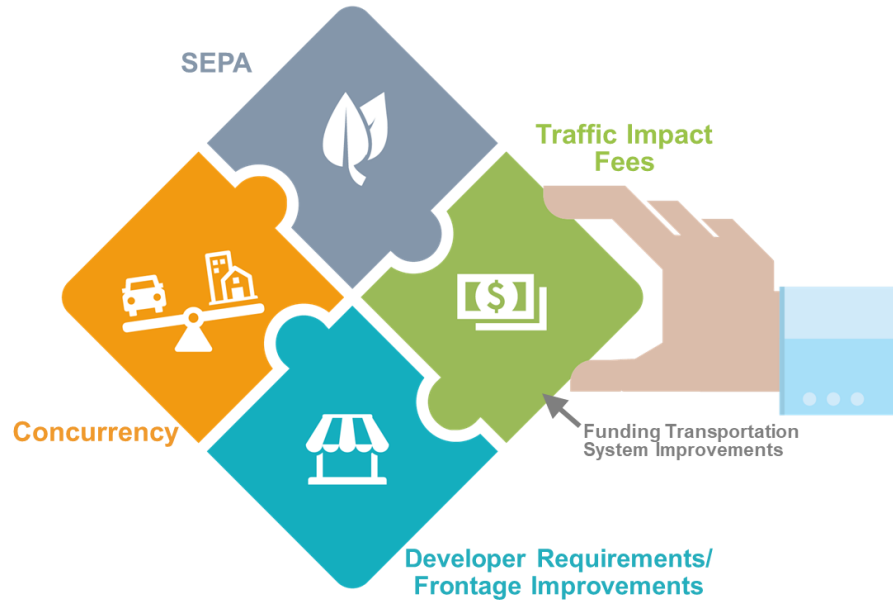


Figure 1. Elements of the Development Review Process

These other requirements cover transportation impacts directly resulting from specific developments. They do not explicitly address the long-term transportation system needs resulting from forecast growth. While transportation impact fees can change how agencies apply some of these other regulations, the other requirements do not cease with the adoption of a TIF. The following summarizes the basic roles of the other transportation review and mitigation programs.

Development Regulations/Frontage Improvements

When properties are subdivided or otherwise developed, the permitting agency can require transportation and other improvements needed to promote the public health, safety, and general welfare (RCW 58.17). Frontage improvements and site development regulations help ensure that the city’s road standards are met and that ultimately, new development is served by transportation facilities in a safe and efficient manner. Developers can be required to construct the site’s frontage and on-site roadways based on the City’s Engineering Design and Development Standards (EDDS). Frontage improvements apply to both vehicular and active transportation facilities. Key elements related to mitigating impacts on the transportation system include:

- Addressing on-site impacts and access onto public rights-of-way;
- Ensuring new development is served by adequate roadways;
- Requiring developers to construct frontages along public and private roads; and
- Defining potential vehicular, transit, and active transportation needs serving the development

State Environmental Policy Act (SEPA)

Washington’s State Environmental Policy Act (SEPA), adopted in 1971 (RCW 43.21C), directs state and local decision-makers to consider the environmental impacts of their actions. “SEPA gives agencies the tools to both consider and mitigate for environmental impacts of proposals.” (*Washington State Department of Ecology, SEPA Handbook, 2003*) Implementing regulations, in the form of the SEPA Rules (WAC 197-11) establish uniform requirements for agencies to

use when evaluating the potential environmental impacts of a proposal. The process also allows review of possible project alternatives or mitigation measures that will reduce the environmental impacts of a project. For transportation, SEPA is typically used to review impacts within the immediate and nearby vicinity, such as vehicular access points, operations and safety at nearby intersections or roadways. Depending on the potential for impacts, SEPA review can extend beyond the immediate vicinity of the development based on an assessment of the likely impacts of the proposed development. The intention of SEPA, as applied for transportation, is to mitigate a development's impact on the transportation system in terms of capacity, operations, and safety, including access, circulation, pedestrian connections and safety, bicycle system needs, and transit facilities and services.

The following list summarizes common SEPA review items related to specific development projects:

- Considers impacts and “significant adverse impact” standard, not just level of service;
- Broad scope can be used to address impacts on capacity, safety, operations, non-motorized travel, and transit; and
- Typically reviewed on a development-by-development basis, or as part of a Planned Action Ordinance

Mitigation measures can include constructing improvements or the payment of proportionate share of improvement costs and can be used to mitigate both on- and off-site impacts.

Concurrency

The GMA (RCW 36.70A.070) requires that infrastructure improvements or strategies to accommodate development be available when the impacts of development occur. For transportation facilities, concurrency is defined in the GMA and the Washington Administrative Code (WAC) to mean that any needed transportation improvements or programs be in place at the time of development or that a financial commitment exists to complete the improvements or strategies within six years. Local governments have flexibility regarding how they set level-of-service standards and how to apply transportation concurrency within their plans, regulations, and permit processes.

As part of the requirement to develop a comprehensive plan, jurisdictions are required to establish level-of-service standards for arterials, transit service, and other facilities, such as water and sewer. With the passage of HB 1181, when evaluating the performance of the transportation networks, jurisdictions are now required to adopt multimodal level-of-service standards by which to measure the performance not just for vehicles, but also pedestrians, bicyclists, and transit users. As part of the major *2024 Comprehensive Plan* update, the city adopted multimodal level of service standards.

Once a jurisdiction adopts a standard, it is used to determine whether the impacts of a proposed development can be accommodated with the existing transportation system. If a “development causes the level of service on a locally owned transportation facility to decline below the standards adopted in its transportation element”, jurisdictions are required to prohibit development approval unless transportation improvements or strategies to accommodate the impacts of development are made **concurrent** with the development. Transportation is the only area of concurrency that specifies denial of development if the standards are not met within six years. The Growth Management Hearings Boards reiterated the role of a concurrency program, finding that “the concept of concurrency is not an end in of itself but a foundation for local governments to achieve the coordinated, consistent, sustainable growth called for by the Act” (source: *Puget Sound Regional Council, Assessing the Effectiveness of Concurrency, 2002*).

Concurrency provides a link between land use, transportation, and public investments. The following identifies key requirements for concurrency programs.



- Compliance with the GMA
- Local governments have flexibility in applying concurrency
- Measured with level of service standards as defined by the City's Comprehensive Plan
- Addresses system wide impacts
- Developments shall not be approved if development causes the level of service to decline below identified standards and the standards cannot be met within six years.

Development of the City of Lake Stevens's Transportation Impact Fee Program

The updated Transportation Impact Fee program for the city of Lake Stevens is based on technical analyses and policy direction as part of the adopted Transportation Element of the City's Comprehensive Plan, which was last updated in 2024. The 2025 update to the TIF program represented a comprehensive review of the existing impact fee methodologies and incorporation of legislative changes allowing consideration of active transportation projects into the program. In addition to refined methodology, the TIF program reviews project eligibility criteria more closely and includes updated cost estimates for the capital projects identified in the Comprehensive Plan. Material and labor costs associated with construction have continued to increase since the last comprehensive update of the TIF program in 2012.

Key elements of the program are presented in this section, including:

- What improvement projects and costs are included?
- What share of the TIF Costs are allocated to growth in Lake Stevens?
- What is the service area for the TIF Program?
- What are the resulting impact fee rates and schedules?
- How are TIF rates determined for uses not specifically included in the rate schedule?
- How are the transportation impact fees collected and spent?
- Are any developments exempt from the fees?
- How will the impact fees be kept up to date?

What Improvement Projects and Costs are Included?

As noted above, the GMA specifies that Transportation Impact Fees shall only be used for system improvements that are reasonably related to new development. As defined by GMA (RCW 82.02.090), "*system improvements mean public facilities that are included in the capital facilities plan and are designed to provide service to service areas within the community at large, in contrast to project improvements.*"

The Transportation Element includes a list of transportation projects needed to address existing and forecast capacity, operations, and safety needs through 2044. The plan builds upon the city's policies, standards, and overall transportation funding strategy. The plan also considers state and regional plans and programs, including planned improvements to the state highway system.

The project list was reviewed to confirm which improvements were needed to address deficiencies and serve growth (and therefore, TIF eligible) and those that were not TIF-eligible. The multimodal level-of-service (LOS) standards established in the Transportation Element

were used to determine whether a project could be considered necessary to address future land use growth. This initial screening of the project list used the results of the analysis conducted as part of the Transportation Element update and evaluated both vehicular and active transportation needs.

TIF Eligible Projects

The first step to calculate the TIF-eligible project costs was to determine which Transportation Element projects are required to address future growth. The process used to determine whether projects were eligible for TIF funding considered the results of the LOS analysis conducted as part of the Transportation Element to determine whether transportation deficiencies are projected under 2044 baseline conditions. All projects at locations identified as operating below either the city's vehicular or active transportation LOS standards (as established in the Transportation Element) were assumed to be TIF-eligible. The city's planned growth adds vehicle trips to these locations operating below the established LOS under future conditions, and therefore, can reasonably be determined to contribute to the network deficiencies.

The following LOS standards are established in the Transportation Element and were used to identify the TIF-eligible projects:

Vehicular LOS

- **State Highway:** LOS D or better for SR 9 and SR 92 and LOS E Mitigated or better SR 204, as established by WSDOT and PSRC
- **Other Intersections:** LOS E or better along major and minor arterials and collector roadways and LOS C or better on local access roadways¹

Active Transportation LOS

- **Planned Pedestrian Network Roadways:** an orange or acceptable LOS, based on the completeness, connectivity, and comfort of active transportation facilities, as defined within the Transportation Element

Table 1 and Figure 2 show the transportation improvements from the 2024 Transportation Element and as revised in 2025 that were identified as being growth-related system improvements needed to address future deficiencies. The projects listed represent most of the improvement projects in the Transportation Element. As shown, the TIF-eligible projects have an estimated total cost of approximately **\$235 million (in 2024 dollars)**.

¹ LOS within the city's subareas is measured based on a system LOS E standard which takes an accumulative average of LOS at key intersections within each subarea (excluding intersections with State Route facilities).

Table 1. TIF Program Projects

TE #	Citywide Project #	Title & Location	Project Description	TIZ	Project Cost (\$1,000s) ^[1]
TE-2	RD-113	20th St NE and Main Street Roundabout	Construct roundabout and frontage improvements per the downtown subarea plan. Includes realignment improvements at Grade Rd/Hartford Dr.	TIZ 1 - East Lake Stevens	\$32,500
TE-3	RD-105	125th Ave NE/18th St NE/20th St NE Downtown Roadway Improvements	Upgrade road to two 10' travel lanes, 8' parking on both sides, 5' planters and 5' sidewalks.	TIZ 1 - East Lake Stevens	\$5,530
TE-4	RD-212	20th St NE - Neighborhood Connector	Upgrade road between Main St and Machias Rd to two 10' travel lanes, 8' parking on one side, 4' landscaping on both sides, a 10' multi-use path on one side, and a 6' sidewalk on one side.	TIZ 1 - East Lake Stevens	\$12,810
TE-5	TBD-01	16th Street NE Multi-Use Path	Construction of an MUP to connect downtown Lake Stevens to the Centennial Trail.	TIZ 1 - East Lake Stevens	\$4,500
TE-6	RD-104	Grade Road - Boulevard	Upgrade road (SR 92 to 20th St SE) to minor arterial road standard including multi-use path or sidewalk with 7' bike lane, 11' travel lanes and 12' center lane with landscape islands.	TIZ 1 - East Lake Stevens	\$38,955
TE-7	CP-103	Hartford Drive - Neighborhood Connector	Install 12' multi-use path adjacent to northbound travel lane between Grade Rd and 131st Ave NE.	TIZ 1 - East Lake Stevens	\$3,320
TE-8	TBD-06	N Lakeshore Dr Sidewalk (Main St to 123rd Ave NE)	TBD sidewalk along one side of N Lakeshore Dr between Main St and 123rd Ave.	TIZ 1 - East Lake Stevens	\$225
TE-9	RD-206	SR 92 Access Improvements (Grade Road)	Improve the intersection of SR 92 / Grade Rd (roundabout) to reduce side street delay	TIZ 1 - East Lake Stevens	\$4,500
TE-10	RD-102-I	91st Ave NE Commercial Revitalization Phase I	Market Place to SR 204, upgrade road to minor arterial road standard between Market Place to SR 204.	TIZ 2 - West Lake Stevens	\$3,850
TE-11a	RD-102-II	91st Ave NE Commercial Revitalization Phase II	SR 204 to Frontier Circle, upgrade road to minor arterial road standard between SR 204 to Frontier Circle.	TIZ 2 - West Lake Stevens	\$1,100
TE-11b	RD-102-III	91st Ave NE Commercial Revitalization Phase III	Custom road profile along Frontier Circle East to 113th Ave NE to support multimodal transit, parking and vehicles	TIZ 2 - West Lake Stevens	\$3,850
TE-12	RD-210	Vernon Road Commercial Corridor Improvements	Widen/restripe roadway to provide one travel lane in each direction with a center TWLTL and sidewalks/landscaping (Minor Arterial standard).	TIZ 2 - West Lake Stevens	\$8,990
TE-13	CP-116	4th St Sidewalk (97th Dr to 98th Dr)	Construction of sidewalk and curb ramp improvements along 4th St between 97th Dr NE and 98th Dr NE.	TIZ 2 - West Lake Stevens	\$1,230



Table 1. TIF Program Projects

TE #	Citywide Project #	Title & Location	Project Description	TIZ	Project Cost (\$1,000s) ⁽¹⁾
TE-14	CP-117	99th Ave Pedestrian/Bicycle Improvements (4th St NE to Market Pl)	Install sidewalks, curb ramps, and bicycle lanes/wide shoulders between 4th Street NE and Market Place.	TIZ 2 - West Lake Stevens	\$1,055
TE-15	RD-103	99th Ave NE - Boulevard (Market Place to 4th St SE)	Upgrade road (Market Pl to 4th St SE) to minor arterial road standard including multi-use path or sidewalk with 7' bike lane, 11' travel lanes and 12' center lane with landscape islands. Potential for roundabout at midblock for circulation into commercial areas	TIZ 2 - West Lake Stevens	\$7,790
TE-16	CP-120-I	99th Ave Pedestrian/Bicycle Improvements (4th St SE to 11th Pl SE)	Install sidewalks, curb ramps, and bicycle lanes/wide shoulders between 4th Street SE and 11th Place SE.	TIZ 3 - South Lake Stevens	\$3,655
TE-17	TBD-05	91st Ave SE Pedestrian/Bicycle Improvements (12th St SE to 20th St SE)	Install sidewalks, curb ramps, and bicycle lanes/wide shoulders between 12th Street SE and 20th Street SE.	TIZ 3 - South Lake Stevens	\$3,100
TE-18	CP-120-II	99th Ave Pedestrian/Bicycle Improvements (11th Pl SE to S Lake Stevens Rd)	Install sidewalks, curb ramps, and bicycle lanes/wide shoulders between 11th Pl SE and S Lake Stevens Road.	TIZ 3 - South Lake Stevens	\$3,000
TE-19	RD-100	79th Ave SE Access Road	Construct new roadway including bike lane, two travel lanes, landscape strips and sidewalks for through road to Cavalero Mid-High School.	TIZ 3 - South Lake Stevens	\$3,180
TE-20	RD-211	20th St SE Corridor Improvements	Widen roadway west of 83rd Avenue SE to provide an additional eastbound travel lane. Install a sidewalk along the south side of the roadway and bike lanes/wide shoulders in both directions.	TIZ 3 - South Lake Stevens	\$14,200
TE-22	CP-126S	20th St Sidewalk (Lake Stevens Rd to 122nd Ave)	Construction of sidewalk and curb ramp improvements along 20th St SE between S Lake Stevens Rd and 122nd Ave SE, including 8 RRFB crosswalk improvements.	TIZ 3 - South Lake Stevens	\$4,820
TE-23	CP-140S	"S Lake Stevens Rd Multi-Use Path Phase II	Install a multi-use path along along S Lake Stevens Dr between SR 9 and 100th Dr SE.	TIZ 3 - South Lake Stevens	\$3,650
TE-25	RD-209	131st Ave/28th St NE Intersection Alignment	Upgrade road between 36th St NE and 20th St NE to two 18' travel lanes, 5' landscaping on both sides, and a 5' sidewalk on both sides. Maintain the existing multi-use path along the east side of the roadway.	TIZ 1 - East Lake Stevens	\$23,730
TE-26	RD-213	131st Ave/Old Hartford Rd - Collector	Improve the intersection of Machias Rd/28th St NE (potential roundabout or signal) to reduce delay and improve access to the Industrial Center.	TIZ 1 - East Lake Stevens	\$4,500



Table 1. TIF Program Projects

TE #	Citywide Project #	Title & Location	Project Description	TIZ	Project Cost (\$1,000s) ^[1]
TE-32	TBD-04	117th Ave NE Sidewalk (20th to 26th St NE)	TBD sidewalk along one side of 117th Ave NE between 20th St and 26th St. Includes ROW and typical frontage improvements including stormwater.	TIZ 1 - East Lake Stevens	\$2,000
TE-33	CP-158	116th Ave NE Sidewalk (20th to 26th St NE)	Sidewalk and curb ramp improvements along one side of 116th Ave NE between 20th St and 26th St	TIZ 1 - East Lake Stevens	\$1,335
TE-34	TBD-07	Soper Hill Sidewalk (Lake Drive to SR9)	TBD sidewalk along one side of Soper Hill Rd between Lake Dr and SR9. Includes ROW and typical frontage improvements including stormwater.	TIZ 2 - West Lake Stevens	\$3,700
TE-35	TBD-18	South Lake Stevens Multi-Use Path Phase III	Construction of MUP to connect pedestrian generators to the existing trail along Machias Cutoff (Lake Stevens Road to 123rd Avenue)	TIZ 3 - South Lake Stevens	\$5,600
TE-37	CP-102	123rd Ave NE Sidewalk (22nd St to N Lakeshore Dr)	Construction of sidewalk and curb ramp improvements along 123rd Ave between 22nd St NE and N Lakeshore Dr.	TIZ 1 - East Lake Stevens	\$665
TE-38	CP-108	Lake View Dr Sidewalk (112th Dr to Callow Rd)	Construction of sidewalk and curb ramp improvements along Lake View Dr between 112th Dr and Callow Rd.	TIZ 1 - East Lake Stevens	\$4,390
TE-39	CP-111	Lake Dr Sidewalk (Lundeen Pkwy to 28th St)	Construction of sidewalk and curb ramp improvements along Lake Dr between Lundeen Pkwy to 28th St.	TIZ 2 - West Lake Stevens	\$2,180
TE-40	CP-121	32nd St Sidewalk (Grade Rd to 118th Dr)	Construction of sidewalk and curb ramp improvements along 32nd Street NE between Grade Rd and 118th Dr NE.	TIZ 1 - East Lake Stevens	\$665
TE-41	CP-136S	8th St Sidewalk (79th Ave to 91st Ave)	Construction of sidewalk and curb ramp improvements along 8th St SE between 79th Ave SE and 91st Ave SE, including 2 RRFB crosswalk improvements.	TIZ 3 - South Lake Stevens	\$3,705
TE-42	CP-123	79th Ave Sidewalk (8th St to 16th St)	Construction of sidewalk and curb ramp improvements along 79th Ave SE between 8th St SE and 16th St SE, including 6 RRFB crosswalk improvements.	TIZ 3 - South Lake Stevens	\$4,205
TE-43	CP-125	Vernon Rd Sidewalk (12th Pl to 15th St)	Construction of sidewalk and curb ramp improvements along Vernon Rd between 12th Pl NE and 15th St NE.	TIZ 2 - West Lake Stevens	\$895
TE-44	CP-129S	83rd Ave Sidewalk (20th St to 17th St)	Construction of sidewalk improvements along 83rd Ave NE between 20th St SE and 17th St SE.	TIZ 3 - South Lake Stevens	\$742
TE-45	CP-135S	99th Ave Sidewalk (Sunnycrest Elementary to 30th St)	Construction of sidewalk and curb ramp improvements along 99th Ave NE between Sunnycrest Elementary School and 30th St NE.	TIZ 1 - East Lake Stevens	\$2,430



Table 1. TIF Program Projects

TE #	Citywide Project #	Title & Location	Project Description	TIZ	Project Cost (\$1,000s) ⁽¹⁾
TE-46	CP-137S	30th St Sidewalk (99th Ave to Callow Rd)	Construction of sidewalk and curb ramp improvements along 30th St NE between 99th Ave NE and Callow Road, including 2 RRFB crosswalk improvements.	TIZ 1 - East Lake Stevens	\$1,830
TE-47	CP-138S	Cedar Rd Sidewalk (20th St to 30th St)	Construction of sidewalk and curb ramp improvements along Cedar Rd between 20th St NE and 30th St NE, including 2 RRFB crosswalk improvements.	TIZ 1 - East Lake Stevens	\$5,020
TE-48	CP-142S	Lakeshore Dr Sidewalk (123rd Ave to Lakeshore Swim Beach)	Construction of sidewalk and curb ramp improvements along N Lakeshore Dr between 123rd Ave NE and N Lakeshore Swim Beach, including 2 RRFB crosswalk improvements.	TIZ 1 - East Lake Stevens	\$2,430
TE-49	CP-143S	N Lakeshore Dr Sidewalk (Mitchell Rd to 114th Dr)	Construction of sidewalk and curb ramp improvements along N Lakeshore Dr between Mitchell Rd and 114th Dr NE.	TIZ 1 - East Lake Stevens	\$2,340
TE-50	CP-146S	Frontier Circle Sidewalk (Frontier Circle E to 11th St)	Construction of sidewalk and curb ramp improvements along Frontier Circle between Frontier Circle E and 11th St SE.	TIZ 2 - West Lake Stevens	\$1,475
TE-51	CP-148S	118th Ave SE Sidewalk (2nd St SE to 9th Pl SE)	Construction of sidewalk and curb ramp improvements along 118th Ave SE between 2nd Street SE and 9th Place SE.	TIZ 3 - South Lake Stevens	\$6,265
TE-52	CP-149S	E Lake Stevens Multi-Use Path (Main St to Sunset Beach)	Construction of a multi-use path along E Lake Stevens Rd between Main St and Sunset Beach.	TIZ 1 - East Lake Stevens	\$5,575
TE-53	CP-150S	Lundeen Pkwy Non-Motorized Improvements (Lake Drive and 101st Ave NE)	Install a multi-use trail along Lundeen Pkwy between Lake Drive and 101st Ave NE.	TIZ 2 - West Lake Stevens	\$460
TE-54	CP-151S	Vernon Rd/Lakeshore Dr Non-Motorized Improvements (Lakeview Dr to 123rd Ave)	Implement sharrow makings along the roadway and extend/connect existing sections of the 4-foot sidepath along the roadway. Traffic calming measures are recommended for the corridor as well.	TIZ 1 - East Lake Stevens	\$1,490
TE-55	CP-125S	Davies Rd Non-Motorized Improvements (Vernon Rd to Lake Stevens Rd)	Implement sharrow makings along the roadway and extend/connect existing sections of the 4-foot sidepath along the roadway.	TIZ 2 - West Lake Stevens	\$1,670
TE-56	CP-153S	Vernon Rd Non-Motorized Improvements (15th St to Lundeen Pkwy)	Implement sharrow makings along the roadway and extend/connect existing sections of the 4-foot sidepath along the roadway.	TIZ 2 - West Lake Stevens	\$470
TE-57	CP-154	10th St SE Sidewalk (SR 204 to 79th Ave)	Construction of sidewalk and curb ramp improvements along 10th Street SE between SR 204 and 79th Ave SE.	TIZ 3 - South Lake Stevens	\$445



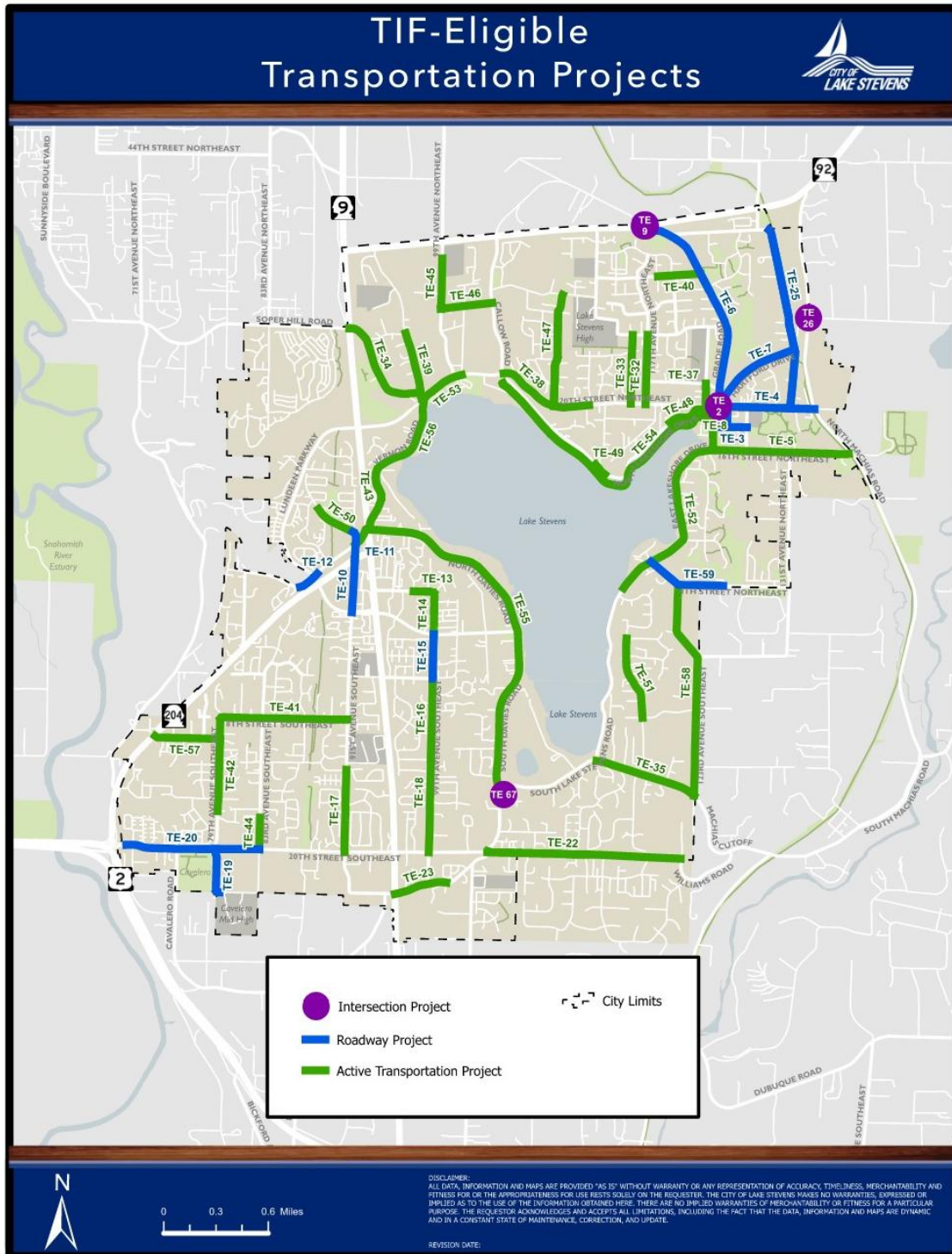
Table 1. TIF Program Projects

TE #	Citywide Project #	Title & Location	Project Description	TIZ	Project Cost (\$1,000s) ⁽¹⁾
TE-58	CP-155-I	122nd Ave/123rd Ave Sidewalk (4th St NE to Machias Cutoff)	Construction of sidewalk and curb ramp improvements along 122nd Avenue SE and 123rd Avenue SE between 4th Street NE and 20th Street SE.	TIZ 3 - South Lake Stevens	\$3,685
TE-59	CP-156S	4th St NE/Purple Pennant Rd Sidewalk (Lake Stevens Rd to 5th Pl NE)	Construction of sidewalk and curb ramp improvements along 4th Street NE and Purple Pennant Road between Lake Stevens Road and 5th Place NE.	TIZ 1 - East Lake Stevens	\$940
TE-67		S Lake Stevens Rd & Davies Rd Intersection Improvements	Intersection improvements to address LOS deficiencies at the intersection	TIZ 3 - South Lake Stevens	\$2,000
					\$235,342

1. Costs in 2024 dollars (2024 \$).



Figure 2. TIF-Eligible Transportation Projects



What are the Total TIF Program Project Costs?

Table 1 summarizes the improvements projects included in the City’s TIF program. The project locations are shown in Figure 2. The first two columns in Table 1 indicate the project identification numbers used in the Transportation Element and Capital Facilities Element, respectively. The project identifiers do not represent the City’s priorities or implementation sequence.

TIF Eligibility Percentages

Projects identified as TIF eligible were reviewed to determine what portion of the project costs could be included in the TIF rate calculation. The review addressed existing and forecast traffic volumes and levels of service. The primary focus of the technical analysis was to determine if the improvements were adding capacity to the transportation system that was needed to serve growth. The evaluation also assessed each improvement in resolving existing deficiencies - which cannot be covered by impact fees.

Since the project list identifies both vehicular and active transportation projects, separate TIF-eligible cost percentages were calculated for projects addressing vehicular LOS deficiencies and those addressing active transportation LOS deficiencies. The calculation of separate TIF eligibility percentages based on project type allows for a stronger nexus between the improvement type and development impacts.

The City has divided its transportation into three service areas, Traffic Impact Zones (TIZs), for which separate TIF rates are applied. For consistency with each TIZ, separate TIF eligibility percentages have been developed for each TIZ.

Vehicular Project TIF Eligibility Percentages

As shown in Table 1, several projects are proposed throughout the city to address future vehicular LOS deficiencies. The results of existing intersection LOS analysis in the Transportation Element, conducted in 2023, were reviewed to determine whether the proposed projects are needed to address existing deficiencies. A summary of the vehicular LOS results for the Transportation Element is provided in Appendix A. As shown, all intersections operate above the city’s LOS standards². The proposed improvement projects in the TIF program address future growth issues and are considered eligible projects.

The TIF eligibility percentages for projects addressing vehicular LOS deficiencies were derived based on data from the travel demand model updated as part of the Transportation Element. The percentage of PM peak hour traffic growth at each project location was calculated from the model and averaged across each TIZ. The resulting vehicle eligibility percentages for each TIZ are presented in Table 2.

Table 2. TIF Eligibility – Vehicular Projects

Traffic Impact Zone (TIZ)	Traffic Growth % ¹
TIZ 1 – East Lake Stevens	50%
TIZ 2 – West Lake Stevens	50%
TIZ 3 – South Lake Stevens	30%

1. Rounded to the nearest 5 percent.

Active Transportation Project TIF Eligibility Percentages

While the travel demand model has historically been used to calculate the nexus between growth and traffic increase, the travel demand model does not calculate active mode trips

² In line with the city’s LOS standards, the existing LOS in the subareas was measured on a system-wide basis averaging the delay and LOS at all non-WSDOT facility intersections.



directly. As a result, a different measurement was needed to capture the link between development and active transportation trips. The assumption for this linkage is that active transportation improvement projects located nearer to areas of more dense development and existing pedestrian and bicycle generators (schools, parks, etc.) are more likely to shift traveler choice toward walking, biking and rolling and away from default automobile trips. Therefore, the TIF eligibility for active transportation improvement projects was calculated using proximity to planned growth. The level of planned housing and employment growth was categorized into low, medium and high for each transportation analysis zone (TAZ) within the updated travel demand model. The planned growth is shown in Figure 3.

Active transportation projects were then awarded TIF eligibility based on their proximity to the highest level of growth shown in Figure 3. This criterion was selected to create a measurable nexus between areas of higher development and likely walk / bicycle activity.

Table 3 summarizes the link between the proximity to household growth and the TIF eligibility percentage. Note that the upper limit of TIF eligibility for active transportation projects was linked to the higher of the Vehicular TIF Eligibility percentages for each TIZ shown in Table 2.

Table 3. TIF Eligibility – Active Transportation Projects

Traffic Impact Zone (TIZ)	Household & Employment Growth		
	Low	Medium	High
TIZ 1 – East Lake Stevens	17%	33%	50%
TIZ 2 – West Lake Stevens	17%	33%	50%
TIZ 3 – South Lake Stevens	10%	20%	30%

TIF Eligible Costs

The TIF eligibility percentages presented in Tables 2 and 3 for the vehicular and active transportation projects, respectively, were applied to the total project costs presented in Table 1 to determine the TIF-eligible cost for each project. The vehicular TIF eligibility percentages (Table 2) were applied to all projects addressing only vehicular LOS deficiencies. The active transportation TIF eligibility percentages (Table 3) were applied to all projects addressing only active transportation LOS deficiencies. Projects addressing both vehicular and active transportation LOS deficiencies applied the larger of the two TIF eligibility percentages. Table 4 summarizes the TIF eligibility percentages and TIF-eligible costs for the Transportation Element project list.

The TIF eligible costs presented in Table 4 were reviewed against grant funding awards received for project implementation. TIF-eligible project costs for all projects which have received have funding were reduced to be the lesser of the TIF-eligible project cost (as calculated using the methodology described above) or the non-grant funded portion of the project.

The total TIF-eligible cost allocated to the program is **\$91.6 million**.

Figure 3. Growth by TAZ and Proximity to Active Transportation Improvement Projects

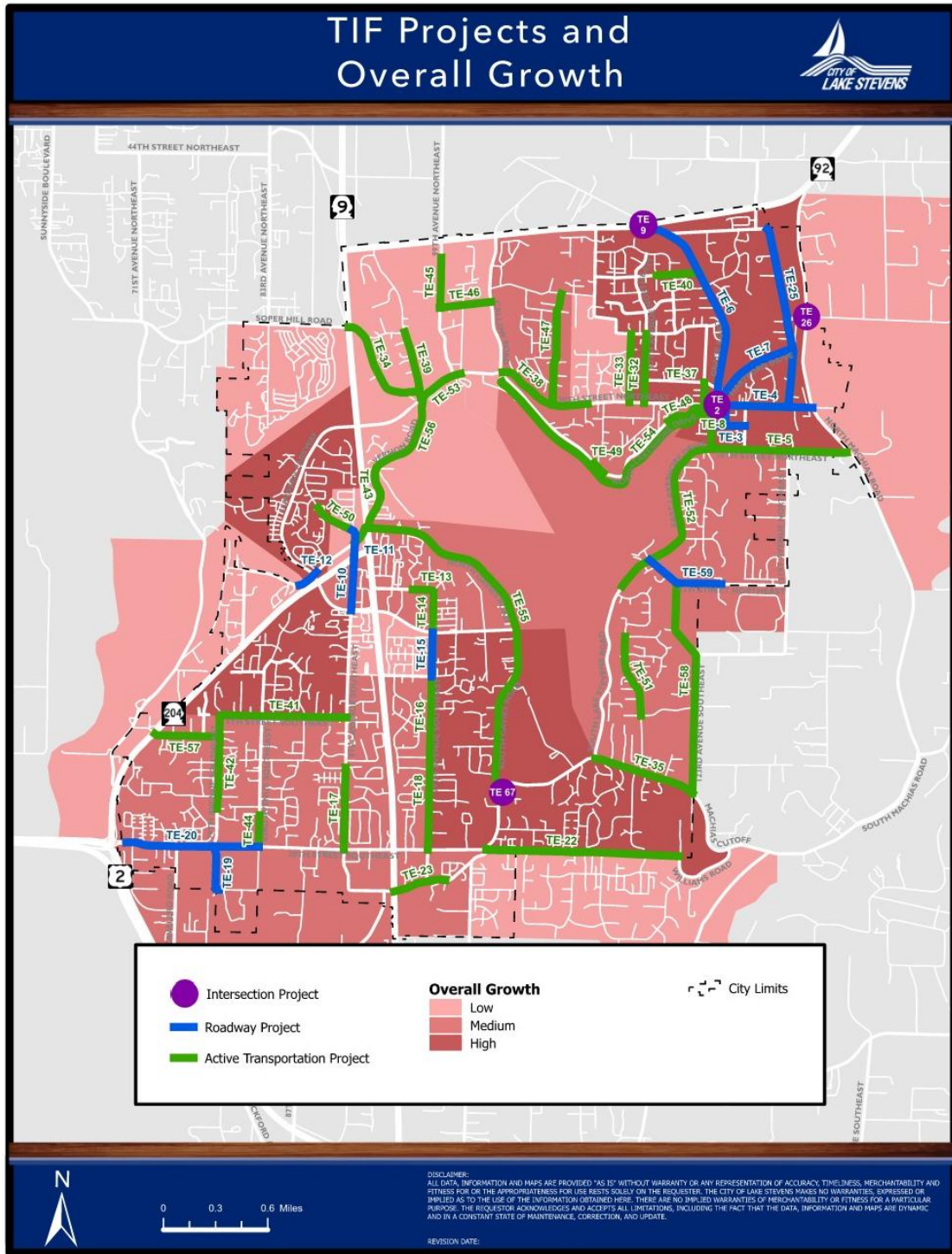


Table 4. TIF Eligible Project Costs

TE #	Citywide Project #	Title & Location	TIF Eligibility %			TIZ	TIF-Eligible Cost (\$1,000s) ⁽¹⁾
			Vehicular	Active Transportation	Overall		
TE-2	RD-113	20th St NE and Main Street Roundabout	50%	50%	0%	TIZ 1 – East Lake Stevens	\$0
TE-3	RD-105	125th Ave NE/18th St NE/20th St NE Downtown Roadway Improvements	50%	50%	50%	TIZ 1 – East Lake Stevens	\$2,765
TE-4	RD-212	20th St NE – Neighborhood Connector	N/A	50%	50%	TIZ 1 – East Lake Stevens	\$6,405
TE-5	TBD-01	16th Street NE Multi-Use Path	N/A	50%	44%	TIZ 1 – East Lake Stevens	\$2,000
TE-6	RD-104	Grade Road – Boulevard	50%	50%	50%	TIZ 1 – East Lake Stevens	\$19,478
TE-7	CP-103	Hartford Drive – Neighborhood Connector	N/A	50%	50%	TIZ 1 – East Lake Stevens	\$1,660
TE-8	TBD-06	N Lakeshore Dr Sidewalk (Main St to 123rd Ave NE)	N/A	50%	50%	TIZ 1 – East Lake Stevens	\$113
TE-9	RD-206	SR 92 Access Improvements (Grade Road)	50%	N/A	50%	TIZ 1 – East Lake Stevens	\$2,250
TE-10	RD-102-I	91st Ave NE Commercial Revitalization Phase I	50%	N/A	50%	TIZ 2 – West Lake Stevens	\$1,925
TE-11a	RD-102-II	91st Ave NE Commercial Revitalization Phase II	50%	N/A	50%	TIZ 2 – West Lake Stevens	\$550
TE-11b	RD-102-III	91st Ave NE Commercial Revitalization Phase III	50%	33%	50%	TIZ 2 – West Lake Stevens	\$1,925
TE-12	RD-210	Vernon Road Commercial Corridor Improvements	50%	50%	50%	TIZ 2 – West Lake Stevens	\$4,495
TE-13	CP-116	4th St Sidewalk (97th Dr to 98th Dr)	N/A	33%	33%	TIZ 2 – West Lake Stevens	\$410
TE-14	CP-117	99th Ave Pedestrian/Bicycle Improvements (4th St NE to Market Pl)	N/A	33%	33%	TIZ 2 – West Lake Stevens	\$352



Table 4. TIF Eligible Project Costs

TE #	Citywide Project #	Title & Location	TIF Eligibility %			TIZ	Project Cost (\$1,000s) ⁽¹⁾
			Vehicular	Active Transportation	Overall		
TE-15	RD-103	99th Ave NE – Boulevard (Market Place to 4th St SE)	50%	50%	50%	TIZ 2 – West Lake Stevens	\$3,895
TE-16	CP-120-I	99th Ave Pedestrian/Bicycle Improvements (4th St SE to 11th Pl SE)	N/A	30%	30%	TIZ 3 – South Lake Stevens	\$1,097
TE-17	TBD-05	91st Ave SE Pedestrian/Bicycle Improvements (12th St SE to 20th St SE)	N/A	20%	20%	TIZ 3 – South Lake Stevens	\$620
TE-18	CP-120-II	99th Ave Pedestrian/Bicycle Improvements (11th Pl SE to S Lake Stevens Rd)	N/A	30%	30%	TIZ 3 – South Lake Stevens	\$900
TE-19	RD-100	79th Ave SE Access Road	30%	20%	30%	TIZ 3 – South Lake Stevens	\$954
TE-20	RD-211	20th St SE Corridor Improvements	30%	20%	30%	TIZ 3 – South Lake Stevens	\$4,260
TE-22	CP-126S	20th St Sidewalk (Lake Stevens Rd to 122nd Ave)	N/A	30%	30%	TIZ 3 – South Lake Stevens	\$1,446
TE-23	CP-140S	“S Lake Stevens Rd Multi-Use Path Phase II	N/A	20%	18%	TIZ 3 – South Lake Stevens	\$650
TE-25	RD-209	131st Ave/28th St NE Intersection Alignment	50%	50%	50%	TIZ 1 – East Lake Stevens	\$11,865
TE-26	RD-213	131st Ave/Old Hartford Rd – Collector	50%	N/A	50%	TIZ 1 – East Lake Stevens	\$2,250
TE-32	TBD-04	117th Ave NE Sidewalk (20th to 26th St NE)	N/A	50%	50%	TIZ 1 – East Lake Stevens	\$1,000
TE-33	CP-158	116th Ave NE Sidewalk (20th to 26th St NE)	N/A	50%	50%	TIZ 1 – East Lake Stevens	\$668



Table 4. TIF Eligible Project Costs

TE #	Citywide Project #	Title & Location	TIF Eligibility %			TIZ	Project Cost (\$1,000s) ^[1]
			Vehicular	Active Transportation	Overall		
TE-34	TBD-07	Soper Hill Sidewalk (Lake Drive to SR9)	N/A	17%	17%	TIZ 2 – West Lake Stevens	\$617
TE-35	TBD-18	South Lake Stevens Multi-Use Path Phase III	N/A	30%	30%	TIZ 3 – South Lake Stevens	\$1,680
TE-37	CP-102	123rd Ave NE Sidewalk (22nd St to N Lakeshore Dr)	N/A	50%	50%	TIZ 1 – East Lake Stevens	\$333
TE-38	CP-108	Lake View Dr Sidewalk (112th Dr to Callow Rd)	N/A	33%	33%	TIZ 1 – East Lake Stevens	\$1,463
TE-39	CP-111	Lake Dr Sidewalk (Lundeen Pkwy to 28th St)	N/A	17%	17%	TIZ 2 – West Lake Stevens	\$363
TE-40	CP-121	32nd St Sidewalk (Grade Rd to 118th Dr)	N/A	50%	50%	TIZ 1 – East Lake Stevens	\$333
TE-41	CP-136S	8th St Sidewalk (79th Ave to 91st Ave)	N/A	20%	20%	TIZ 3 – South Lake Stevens	\$741
TE-42	CP-123	79th Ave Sidewalk (8th St to 16th St)	N/A	20%	20%	TIZ 3 – South Lake Stevens	\$841
TE-43	CP-125	Vernon Rd Sidewalk (12th Pl to 15th St)	N/A	17%	17%	TIZ 2 – West Lake Stevens	\$149
TE-44	CP-129S	83rd Ave Sidewalk (20th St to 17th St)	N/A	20%	20%	TIZ 3 – South Lake Stevens	\$148
TE-45	CP-135S	99th Ave Sidewalk (Sunnycrest Elementary to 30th St)	N/A	17%	17%	TIZ 1 – East Lake Stevens	\$405
TE-46	CP-137S	30th St Sidewalk (99th Ave to Callow Rd)	N/A	17%	17%	TIZ 1 – East Lake Stevens	\$305
TE-47	CP-138S	Cedar Rd Sidewalk (20th St to 30th St)	N/A	33%	33%	TIZ 1 – East Lake Stevens	\$1,673



Table 4. TIF Eligible Project Costs

TE #	Citywide Project #	Title & Location	TIF Eligibility %			TIZ	Project Cost (\$1,000s) ^[1]
			Vehicular	Active Transportation	Overall		
TE-48	CP-142S	Lakeshore Dr Sidewalk (123rd Ave to Lakeshore Swim Beach)	N/A	33%	33%	TIZ 1 – East Lake Stevens	\$810
TE-49	CP-143S	N Lakeshore Dr Sidewalk (Mitchell Rd to 114th Dr)	N/A	33%	33%	TIZ 1 – East Lake Stevens	\$780
TE-50	CP-146S	Frontier Circle Sidewalk (Frontier Circle E to 11th St)	N/A	50%	50%	TIZ 2 – West Lake Stevens	\$738
TE-51	CP-148S	118th Ave SE Sidewalk (2nd St SE to 9th Pl SE)	N/A	20%	20%	TIZ 3 – South Lake Stevens	\$1,253
TE-52	CP-149S	E Lake Stevens Multi-Use Path (Main St to Sunset Beach)	N/A	33%	33%	TIZ 1 – East Lake Stevens	\$1,858
TE-53	CP-150S	Lundeen Pkwy Non-Motorized Improvements (Lake Drive and 101st Ave NE)	N/A	17%	17%	TIZ 2 – West Lake Stevens	\$77
TE-54	CP-151S	Vernon Rd/Lakeshore Dr Non-Motorized Improvements (Lakeview Dr to 123rd Ave)	N/A	33%	33%	TIZ 1 – East Lake Stevens	\$497
TE-55	CP-125S	Davies Rd Non-Motorized Improvements (Vernon Rd to Lake Stevens Rd)	N/A	50%	50%	TIZ 2 – West Lake Stevens	\$835
TE-56	CP-153S	Vernon Rd Non-Motorized Improvements (15th St to Lundeen Pkwy)	N/A	17%	17%	TIZ 2 – West Lake Stevens	\$78
TE-57	CP-154	10th St SE Sidewalk (SR 204 to 79th Ave)	N/A	20%	20%	TIZ 3 – South Lake Stevens	\$89
TE-58	CP-155-I	122nd Ave/123rd Ave Sidewalk (4th St NE to Machias Cutoff)	N/A	20%	20%	TIZ 3 – South Lake Stevens	\$737



Table 4. TIF Eligible Project Costs

TE #	Citywide Project #	Title & Location	TIF Eligibility %			TIZ	Project Cost (\$1,000s) ⁽¹⁾
			Vehicular	Active Transportation	Overall		
TE-59	CP-156S	4th St NE/Purple Pennant Rd Sidewalk (Lake Stevens Rd to 5th Pl NE)	N/A	33%	33%	TIZ 1 – East Lake Stevens	\$313
TE-67		S Lake Stevens Rd & Davies Rd Intersection Improvements	30%	N/A	30%	TIZ 3 – South Lake Stevens	\$600
TIF Eligible Project Costs							\$91,647

1. Costs in 2024 dollars (2024 \$).

As shown on Table 1, the total cost of projects included in the TIF program is approximately **\$235.3 million** (2024 dollars). After applying the adjustments, the TIF related portion of the costs is reduced to **\$91.6 million**. This represents approximately 39 percent of the total project costs included in the TIF analysis.

What is the Service Area for the TIF Program?

GMA requires an agency implementing impact fees to establish one or more service areas (RCW 82.02.060) for assessing the fees. In 2012, the city divided its transportation system into three service areas for implementation of the TIF program. A single service area for the entire City was reviewed but was determined to not be an appropriate approach due to the lake serving as a natural barrier to circulation within the roadway network. The Traffic Impact Zones (TIZ) in the city are shown in Figure 4.

As part of the 2012 TIF program analysis, it was determined that Stevens Creek makes a good dividing point between eastern and western portions of the city, since it is close to SR 9 and only one city street crosses it. SR 9 itself does not make a good zone boundary since it is crossed by several streets, and because parcels east of SR9 along the west side of the lake are well connected with the Lake Stevens Center area and poorly connected to Old Town.

The west side of the city does not have the same issue with lack of connectivity so it realistically could be analyzed as one zone. However, since the city has defined two distinct subareas on the west side for its land-use planning, the Lake Stevens Center and the 20th Street SE Corridor, it made sense to divide the west into two zones, at least to begin with, and for analysis purposes if nothing else. One western zone includes the area around Lake Stevens Center and will be referred to as “TIZ 2 – West Lake Stevens.” The other western zone includes the area around the 20th Street SE Corridor and will be referred to as TIZ 3 – South Lake Stevens.” The boundary between TIZ 2 and TIZ 3 is the centerline of 4th Street SE or its imaginary alignment to the west and east where 4th Street SE does not exist.

Figure 4 also identifies the TIZ for the City’s Urban Growth Area (UGA) expansion areas. Once these areas are annexed into city limits, impact fees will be applied to new development within these areas in alignment with the identified TIZ.

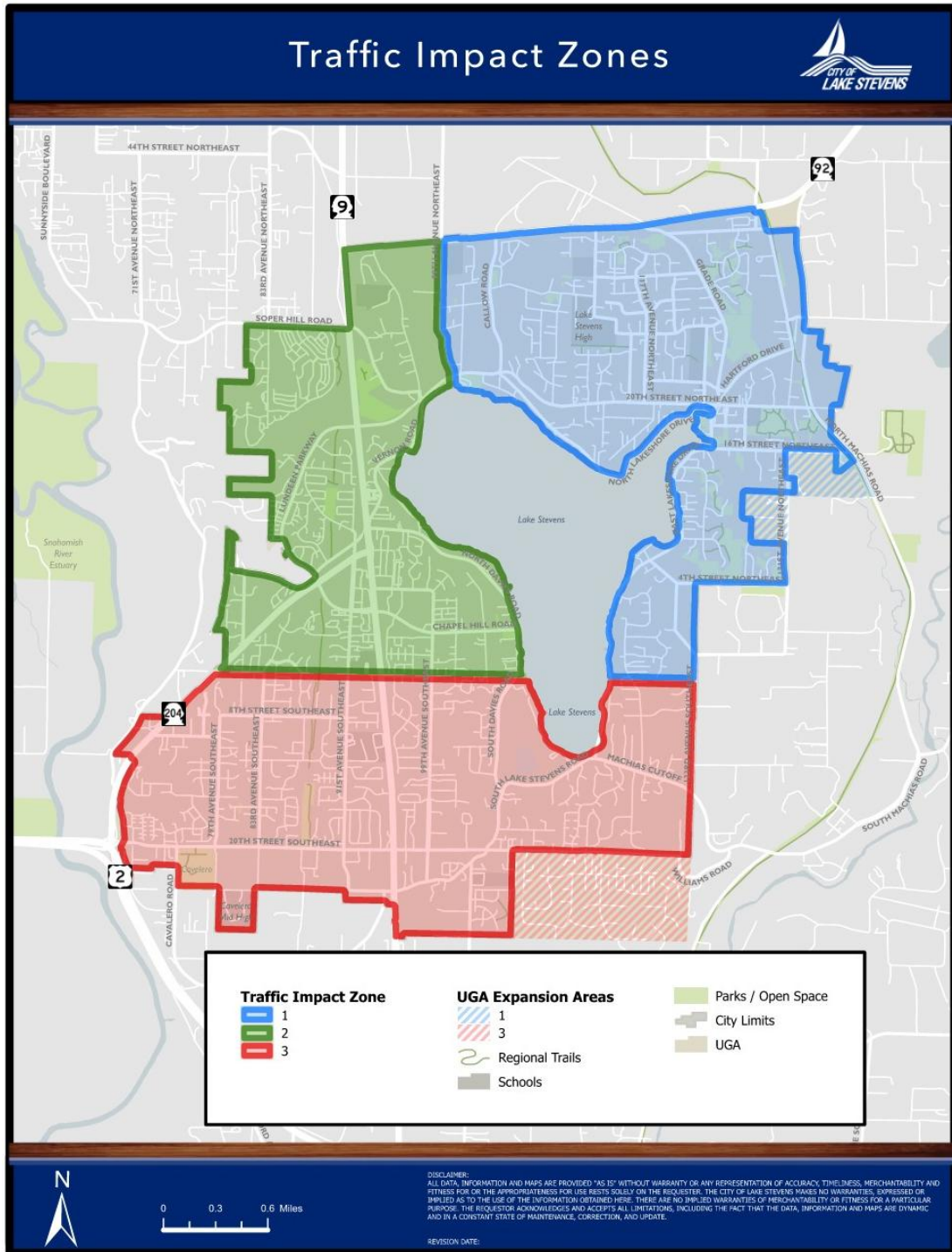
What Share of the TIF Costs Are Allocated to Growth in Lake Stevens

Increases in traffic in Lake Stevens will result from growth within the city as well as increased travel from outside of the city. Without specific Interlocal Agreements, the city can only apply its TIF to growth within its boundaries. The TIF share for growth in the city is based on the proportional share of the growth share of the forecast travel demands on city roadways. As noted previously, the TIF-eligibility rates derived from the travel demand model were calculated to separate out the growth-related travel demands from the existing travel demands.

What are the Resulting Transportation Impact Fees and Rates?

The city share of the impact fee project costs was converted to a base cost per new PM peak hour trip. The base cost per new PM peak hour trip was then used to develop the TIF rate schedule for a wide range of land uses. The rate schedule considers the relative net new trip generation of the various land uses.

Figure 4. Traffic Impact Zones



Project Cost Allocation

To develop TIF rates for each of the three TIZs, the TIF-eligible project costs were proportionately divided between the three zones based on the distribution of growth trips throughout the city. The TIF-eligible project costs were first assigned to each TIZ based on the location of the improvement projects (shown in Figure 2). The total project costs for each TIZ were then proportionately split between based on the amount of vehicle travel occurring within each TIZ. This allocation of project costs based on the amount of travel occurring within each TAZ accounts for land uses in one TIZ contributing trips to intersections and road segments in other TIZs. Table 5 summarized the TIF-eligible project costs by TIZ.

Table 5. TIF Eligibility – Vehicular Projects

Traffic Impact Zone (TIZ)	TIF-Eligible Project Costs
TIZ 1 – East Lake Stevens	\$59,557,471
TIZ 2 – West Lake Stevens	\$16,408,883
TIZ 3 – East Lake Stevens	\$15,660,380

Base Transportation Impact Fee Rate

Based on the City’s adopted Land Use Plan for 2024, growth in the city will generate a total of 12,201 additional PM peak hour trips across the three TIZs. To calculate a base transportation impact fee rate for each zone, the growth share of the TIF project costs for each service area were divided by the increase in trips forecast within the same service area. Table 5 presents the base TIF rates for the City’s three TIZs. These reflect the maximum trip rates for each TIZ justified by this analysis, but adopted rates may be lower.

Since TIZ 2 and TIZ 3 are both within the influence of the SR-9 corridor and access from the west by US-2, a combined impact fee was developed for these two zones to ensure equity in the per vehicle trip cost due to their shared connections with the identified highways. This means, the identified transportation improvements required for the combined area can share resources from fees paid in both TIZ areas to construct projects. In recognition of the importance of the growth centers, the individual TIZ designations were retained.

Table 6. Calculating the Base Transportation Impact Fee Rates

	TIZ 1 – East lake Stevens	TIZ 2 – West Lake Stevens	TIZ 3 – South lake Stevens	Combined TIZ 2 & 3
A. Growth Share of TIF Cost ¹	\$59,577,471	\$16,408,883	\$15,660,380	\$32,069,263
B. Growth in Trips ²	5,014	4,196	2,991	7,187
C. Base TIF Rate for Service Area ³	\$11,882	\$3,911	\$5,236	\$4,462

1. See Table 5.
 2. Based on model analysis of growth in travel based on land use assumptions.
 3. Values in line A divided by values in line B, rounded to nearest dollar.

Development of the TIF Rate Schedules

The base transportation impact fee rate per new PM peak hour trip end is converted to a schedule of fees by land use category. This makes it simpler for staff and applicants to calculate the TIF for a specific development project. *Trip Generation*, Institute of Transportation Engineers (ITE), 12th Edition, 2021 provides data on the average PM peak hour trips generated for a wide range of land uses. The weekday PM peak hour trip rate is used because it is consistent with the modeling analysis of growth trips and was the basis for defining the



improvement projects. The ITE rates are based on studies from around the United States using standardized sampling and reporting methods. The trip rates are defined based on units of development. Typically, trip rates for residential land uses are based on the number of dwelling units. Trip rates for employment land uses can be reported for several different variables, with the most typical being trips per 1,000 square feet of building area. The base trip rates are adjusted to reflect the impacts of “new” trips, consistent with methodologies identified in *Trip Generation*.

Pass-by Trip Adjustment

The base PM peak hour trip rate reported by *Trip Generation* reflects the number of trips entering and exiting the site access driveways or roadways during the weekday afternoon time frame. *Trip Generation* notes that some retail and other commercial land uses, not all driveway trips are “new” to the road system but are “pass-by” trips. Pass-by trips reflect traffic that would otherwise be traveling on the adjacent street system but make an intermediate stop at the new development. A person making a trip between work and home but stops at a gas station along the route is an example of a pass-by trip. The inbound and outbound trips at the gas station would not be new trips to the system and should not be charged in the TIF. Therefore, the rate schedule applies an adjustment to account for the reduction of traffic impacts to account for pass-by trips.

The *Trip Generation Handbook* provides guidance on adjustments for pass-by trips. In addition to using ITE data, data on pass-by trip rates applied in TIF programs by other agencies were reviewed in developing the proposed adjustment for Lake Stevens. The base trip generation rate for residential and many other land use categories do not affect pass-by trips and therefore, the full base trip rate is applied in the rate schedule.

TIF Rate Schedules

A revised transportation impact fee schedule was prepared for the citywide service area for a wide range of typical land uses. The rate schedule was calculated as follows:

Transportation Impact Fee Rate per Unit = Cost per New PM Peak Hour Trip x Base Trip Generation Rate per Unit of Development x Pass-by Trip Adjustment Factor

A spreadsheet was prepared, which includes the resulting rate schedule. The base trip rate and adjustments for pass-by trips are incorporated in the rate schedules. The impact fee assessed for a specific development would simply be calculated by multiplying the number of units by the rate per unit for the corresponding district.

Total Transportation Impact Fee = Number of Units x Transportation Impact Fee per Unit

How are TIF Rates Determined for Uses Not Specifically Included in the Rate Schedule?

The impact fee rate schedule developed for the city includes impact fee rates for a wide range of typical land uses. There will, however, be development applications for land uses that are not included in the rate schedule. The GMA requires that the TIF ordinance allow applicants to submit their own independent studies to reflect unique characteristics that may not be accurately reflected by the average trip rates reported in *Trip Generation*.

For developments where the land use category is not included in the rate schedule, the applicant and/or traffic consultant must provide a base rate for the most comparable type of land use in the schedule, subject to approval by the city considering the definitions in *Trip Generation* or other available studies.

Assigned staff from the departments of Public Works and Planning and Community will consider the type of activity, size of development, and other information provided by the applicant when considering the comparable land use type to establish the trip generation. Additional information may include the hours of operations; number of employees, staff, or visitors; parking requirements; potential market area; and proximity to other land uses. The rationale for selecting a comparable land use must be provided for documentation and included in the project file.

If none of the categories in the rate schedule provides a suitable comparable land use, the city can request the applicant provide an independent fee calculation. An applicant can also choose to submit their own independent fee study for their development if they believe that the characteristics of their project are not accurately reflected by the rate schedule for one or more land uses. The independent fee calculation would provide data and/or analyses on trip generation characteristics including trip rates, mode share. The Directors of Planning and Community Development and Public Works, or their designees may accept the calculation and impose the fee based on the independent fee analysis. If the Directors do not accept the independent fee calculation, the applicant can appeal the decision to the hearing examiner consistent with City code.

How are the Transportation Impact Fees Collected and Spent?

The city of Lake Stevens requires that transportation impact fees be paid prior to the issuance a building permit. If a building permit is not required, the fees would be payable at the time of issuance of an applicable construction permit. The required fees would be those in effect at that time. Under GMA, the city is required to maintain a separate account in its accounting processes for the collected impact fees. The City will use the account to track collection of the TIF and where the funds are spent. The City would encumber the fees as part of its annual budgeting process to ensure the funds are properly spent. Collected fees must be encumbered or spent within 10 years of receipt, unless an extraordinary reason is identified in written findings by the City Council.

The city can only spend the collected fees on improvement projects identified in the TIF program (Figures 2 and 3). The fees can be spent on planning, engineering design, acquisition of right-of-way (for those projects where right-of-way was included in the TIF cost), or construction of any of the TIF improvement projects.

GMA requires that the city provides a credit against the TIF for applicants that are required to construct all or a portion of a TIF project or for dedication of land that was *included in the costs of the TIF project*. This eliminates the potential for double charging a development applicant for the same improvement. Since the costs of rights-of-way and frontage improvements for the parallel road system projects were not included in the TIF cost share, credits would not be required for those project elements.

Are any Developments Exempt from the Fees?

GMA allows jurisdictions to exempt low-income housing or other developments that serve broad public purposes, as defined by the city. Fees that would otherwise be collected from exempt developments would be the responsibility of the city. These could be paid through property taxes, general funds, grants, or other applicable funding sources but cannot be paid with other TIF fees. The total amount of the potential revenues generated by the program would be directly reduced by any exemptions.

How Will the Impact Fees Be Kept Up to Date?

Many communities with adopted impact fee programs incorporate an annual cost escalation to help keep fees more current. The cost escalator is based on an index that reflects changes in improvement costs for the area. Moving forward, the City's TIF program will include a cost escalation factor based on the most recent Consumer Price Index (CPI) in the region, unless a more applicable industry standard construction cost index is available.

The city also should plan to update the base TIF rates as new growth-related transportation improvement projects are defined as part of the next update of its Comprehensive Plan. Significant changes in forecast residential or employment growth from those in the current Land Use Element and travel forecasting model also would result in a need to update the TIF program and base rate schedule. Significant annexations to the city also could trigger a need to update the base TIF rates. Changes in land use and growth-related transportation improvement projects would likely be identified as part of the future updates of the City's Comprehensive Plan

Appendix A: Intersection LOS Summary

TIZ	Intersection/Subarea	Existing			Future (2044) Without Improvements			Future (2044) With Improvements		
		LOS	Delay	WM	LOS	Delay	WM	LOS	Delay	WM
	Outside Subareas									
1	Callow Road and SR 92	C	18.5	NB	C	24.3	NB	C	24.3	NB
1	Grade Road and 32nd Street NE	A	9.2	EB	A	9.6	EB	A	9.6	EB
1	Grade Road and 26th Street NE	A	9.7	EB	B	11.2	EB	B	11.2	EB
1	99th Avenue NE and Lundeen Park Way	C	19.7	SB	E	47.2	SB	E	47.2	SB
1	117th Avenue NE and 20th Street NE	B	11.9	SB	B	12.5	SB	B	12.5	SB
1	North Machias Road and 16th Street NE	C	15.6	EB	E	37.3	EB	E	37.3	EB
1	East Lake Stevens Road and 118th Ave NE	C	15.4	WB	C	18.4	WB	C	18.4	WB
	Downtown Lake Stevens Subarea	B	12.3	-	D	32.3	-	A	6.9	-
1	123rd Avenue NE and 20th Street NE	A	9.7	EB	B	10.2	EB			
1	Main Street and 20th Street NE	B	13.9	WB	F	58.6	-			
1	Main Street and North Lakeshore Drive	B	13.4	EB	C	19.4	EB			
1	18th Street NE and Main Street	C	15.1	SB	D	25.1	SB			
1	Main Street and East Lake Stevens Road	B	10.6	EB	B	14.3	EB			
	Lake Stevens Industrial Center Subarea	B	12.6	-	F	71.8	-	B	11.7	-
1	127th Drive NE and 36th Street NE	A	9.3	SB	B	12.5	SB	B	12.5	SB
1	North Machias Road and 28th Street NE	B	12.4	NB	F	79.6	NB	A	6.2	-
1	North Machias Road and 20th Street NE	B	14.4	EB	E	49.2	EB	E	49.2	EB
	Outside Subareas									
2	Davies Road and Chapel Hill Road	B	10.5	-	B	11.2	-	B	11.2	-
2	91st Avenue SE and 4th Street SE	C	17.8	EB	D	29.4	WB	D	29.4	WB
	Lake Stevens Center Subarea	C	18.7	-	C	23.7	-	C	23.71	-
2	91st Avenue NE and Market Place	C	21.8	-	C	27.4	-			
2	99th Avenue NE and Market Place	B	12.9	EB	C	16.6	EB			
	Outside Subareas									
3	91st Avenue and 8th Street SE	C	18.3	EB	E	42.1	EB	E	42.1	EB
3	South Lake Stevens Road and Machias Cut-Off	B	12.8	SB	B	14.2	SB	B	14.2	SB
3	118th Avenue SE and Machias Cut-Off	B	10	SB	B	10.4	SB	B	10.4	SB
	20th Street SE Corridor Subarea	C	17.6	-	C	24.4	-	C	24.37	-
3	79th Avenue SE and 20th Street SE	B	18.8	-	C	28.6	-	C	28.6	-
3	83rd Avenue SE and 20th Street SE	A	8.8	-	A	9.9	-	A	9.9	-
3	91st Avenue SE and 20th Street SE	B	15.7	-	B	17.1	-	B	17.1	-
3	99th Avenue SE and 20th Street SE	A	8.9	-	A	9.2	-	A	9.2	-
3	South Lake Stevens Road and 20th Street SE	C	28	-	C	33.3	-	C	33.3	-
3	South Lake Stevens Road and South Davies Road	B	14.8	NB	C	20.5	NB	C	20.5	NB



Traffic Impact Fee Determination Worksheet

Name of Development: _____

Site Address: _____

Date Prepared: _____ Prepared by: _____

Base Impact Fee Calculation

1. Land Use Code [] (1)

2. PM Peak Hour Trip Number from Latest Edition of ITE Trip Generation Manual
ITE LAND USE CODE [] Average Trip Generation Rate [] (2) (trips/unit)
(Indicate Unit of Measure, e.g. per 1000 sf, number of dwelling units)

3. Pass-by Trip Reduction Factor (see Schedule of Transportation Impact Fees) [] (3)

4. Net New Trip Rate (see Schedule of Transportation Impact Fees) (2) x (3) [] (4) (trips/unit)

5. Traffic Impact Zone (TIZ) Per Trip Fee: see Figure 1 for a map of TIZs

Table with 4 columns: TIZ 1 = \$, TIZ 2 = \$, TIZ 3 = \$, Per Trip Fee: and 4 rows for fee calculations (5, 6, 7, 8).

Offsite System Improvements - Credits for offsite transportation improvements may be given when the improvements are portions of a project identified in the City's Capital Facility Plan used in the determination of the Traffic Impact fee "per trip fee."

State Environmental Policy Act (SEPA) - excerpt from City Municipal Code

14.112.060 Relationship to the State Environmental Policy Act (SEPA). This chapter establishes minimum traffic impact fees, applied to all developments. These fees are presumed to mitigate traffic demand on the capacity of the city's transportation facilities.



One Community Around the Lake

CITY OF LAKE STEVENS NOTICE OF PUBLIC HEARINGS

PROJECT NAMES: 1. LUA2023-0188: Process Code Amendments (Multiple Chapters LSMC)
2. LUA2025-0073 and LUA 2025-0082: Concurrency Management (LSMC 14.110) and Traffic Impact Mitigation Fees (LSMC 14.112) Code Amendments

APPLICANT: City of Lake Stevens

NOTICE OF PUBLIC

HEARING ISSUED: November 8 and November 14, 2025

PLANNING COMMISSION PUBLIC HEARING: Wednesday, November 19, 2025 at 6:00 PM

LOCATION/FORMAT: Hybrid Format. City Hall Council Chambers (1808 Main Street) and Zoom Online Platform (see city website calendar for Zoom link)

PROPOSED PROJECT DESCRIPTION:

Staff is proposing amendments to multiple chapters of the Lake Stevens Municipal Code (LSMC) as part of updates to its Process Code (LUA2023-0188), Concurrency Management Systems Code (LUA2025-0073) and Traffic Impact Mitigation Fees Code (LUA2025-0082). Process code amendments include new definitions, changes to permit review timelines and revisions to land use permit types. Concurrency management and traffic impact mitigation fee code amendments would provide consistency between the development code and 2024-2044 Comprehensive Plan. The city is also proposing methodology updates to the associated administrative documents consisting of the City’s Concurrency Handbook, Traffic Impact Fee Program Developer Worksheet and the Traffic Impact Fee Cost Basis.

The proposals are exempt from the State Environmental Policy Act (SEPA) under [WAC 197-11-800\(19\)\(a-b\)](#). The regulations are related to solely to governmental procedures and the proposed amendments contain no substantive changes related to use or modification of the environment.

PUBLIC REVIEW AND COMMENT:

Any interested parties may submit written comments before the hearing(s) or provide oral testimony in person or via Zoom. Copies of the proposed code amendments will be available by November 14, 2025 at <https://apps.lakestevenswa.gov/Citizen/Home/LIVE/PERMIT> by searching for the LUA numbers listed above and in the meeting packet. Comments on the proposed land use code amendments can be submitted to City Hall, Attn: Christi Schmidt at PO Box 257, Lake Stevens, WA 98258 or by email at cschimdt@lakestevenswa.gov. Persons who submit written or oral testimony may appeal the decisions.

It is the City’s goal to comply with the American with Disabilities Act. The City offers its assistance to anyone with special needs, including the provision of TDD services.

Distribution: Posted at Permit Center, City Hall, and Website
Published in Everett Herald



November 13, 2025

City of Lake Stevens
1812 Main Street
Lake Stevens, WA 98258

Re: 2025 Proposed Code Amendments to Chapters 14.08 – Definitions, 14.110 – Concurrency Management System and 14.112 LSMC – Traffic Impact Mitigation Fees (File Nos. LUA2025-0073 and LUA 2025-0082)

Dear Interested Party,

The City of Lake Stevens has determined the proposed revisions to Chapters 14.08 – Definitions, 14.110 – Concurrency Management System and 14.112 LSMC – Traffic Impact Mitigation Fees (File Nos. LUA2025-0073 and LUA 2025-0082) are procedural actions that are categorically exempt from SEPA under WAC 197-11-800(19). Notice of this exemption was included in the Notice of Public Hearing that was issued on November 8th and November 14th, 2025. A copy of this letter has been uploaded to the project permits listed above.

If you have questions regarding this exemption letter, feel free to contact me at 425-622-9438 or cschmidt@lakestevenswa.gov.

Sincerely,

Christi Schmidt
Planning Manager

PLANNING COMMISSION STAFF REPORT



Agenda Date: 11/19/2025

Subject: Draft Work Program 2026

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 2026 Long-Range Planning Work Program (**Attachment 1**) as presented. The Planning Commission will hold a joint meeting with City Council in January 2026 to discuss and provide feedback on the 2026 work program and review tasks completed in 2025.

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 2026 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 2026 for a joint meeting with City Council to discuss the work program.

PROPOSED WORK PROGRAM

The draft 2026 work plan has been restructured to combine carry-over items with mandatory updates to comply with state law and for consistency with recent changes to the Comprehensive Plan as adopted by the City Council on October 22, 2024. The work program projects are categorized into the following topics with a detailed project description (**Attachment 1**).

- Zoning code and comprehensive plan zoning code implementation projects,
- Comprehensive Plan
- Annexations
- Miscellaneous

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 2025 to discuss the work program, with the City Council expected to approve the work program later in the month.

APPLICABLE CITY POLICIES:

ATTACHMENTS:

1. 2026 Long Range Work Program



Lake Stevens 2026 Long Range Work Program – Project Status					
Amendment Type	1 st quarter	2 nd quarter	3 rd quarter	4 th quarter	Status / Notes
<i>Zoning Code and Comprehensive Plan Zoning Code Implementation Projects</i>					
<p>1. Critical Area Regulations</p> <p>Ensure the city’s regulations meet best available science and follow state and federal standards.</p> <p>Staff will complete this analysis with Facet consultants with adoption to occur the first quarter of 2026.</p>	PC/CC				<p>Mandatory Update</p> <p>Revise Chapter 14.88 for wetlands, streams, frequently flooded areas, geologically hazardous areas and critical aquifers.</p>
<p>2. Subareas Plans, Streets and Sidewalks and Parking</p> <ul style="list-style-type: none"> Adopted subarea plans Chapter 14.38 LSMC Chapter 14.56 LSMC Chapter 14.72 LSMC <p>This is Phase II of the transportation-related amendments from 2025.</p>	PC/CC	PC/CC			<p>Mandatory Update</p> <p>Revisions to subarea plans and LSMC Chapters 14.38, 14.56 and 14.72. in coordination with completion of the EDDS update.</p>
<p>3. Process Code Updates - Phase II</p> <ul style="list-style-type: none"> Further process code updates to remove redundant language and streamline/consolidate processes in Chapters 14.16A and 14.16B. 		PC/CC	PC/CC		<p>Process Improvement</p> <p>Code updates to simplify and streamline code and ensure consistency with Comprehensive Plan.</p>
<p>4. Housing Phase II</p> <ul style="list-style-type: none"> Revisit innovative housing and infill standards for cottage housing, infill development and mixed-use developments. <p>This is Phase II of the housing amendments from 2025 to further comply with HB 1220 and HB1293 (design review).</p>		PC/CC	PC/CC		<p>Mandatory Update</p> <p>Revisions to various chapters to implement housing standards and design review to comply with HB1220 and HB1293.</p>



<p>5. LS Industrial Center Code</p> <p>Update various sections of the LSMC and progress, incorporating new industrial development design standards following public input throughout 2026 to implement growth targets outlined in the 2024 Comprehensive Plan.</p>	PC/CC	PC/CC	PC/CC	PC/CC	<p>Economic Development</p> <p>Implement Lake Stevens Industrial Center Analysis with new / revised regulations and standards.</p>
<p>6. Park Impact Fees (Chapter 14.120)</p> <p>Project will follow the completion of the Parks and Recreation Element of the Comprehensive Plan.</p> <p>After the adoption of the PROS Plan anticipated in third quart of 2026 to coincide with the annual budget and annual fee schedule update.</p>			PC/CC	PC/CC	<p>Mandatory Update</p> <p>Staff will coordinate with the Parks and Recreation Dept. to update Parks Impact Fees in Chapter 14.120, including methodology and exemptions.</p>
<p>7. Placeholder – Code Cleanup</p> <ul style="list-style-type: none"> Update Permissible Uses Table and other chapters affected by 2024 Concurrent Rezones (Industrial District, etc.). 	TBD				<p>Process Improvement</p> <p>Update various sections of the LSMC for internal consistency.</p>
<i>Comprehensive Plan</i>					
<p>8. 2025 Comprehensive Plan Docket</p> <p>Late adoption of the 2025 docket includes annual revisions to the Capital Facilities Element (permitted as standalone amendment in 2026).</p>	PC / CC				<p>Mandatory Update</p> <p>Approve city-initiated docket to update the Capital Facilities Plan in January 2026.</p>
<p>9. 2026 Comprehensive Plan Docket</p> <ul style="list-style-type: none"> PROS Plan Capital Facilities Salmonid Basin Plan relationship School District Plans 	PC / CC	PC / CC	PC / CC	PC / CC	<p>Mandatory Update</p> <p>Process citizen and city-initiated docket requests that must be adopted by year end.</p>



<ul style="list-style-type: none"> Lake Stevens Industrial Center 					
10. Subarea Plan Update		PC / CC	PC / CC		Consistency Update the subarea plans (3) to comply with 2024 Comp Plan and remove separate capital facilities elements.
11. Place Holder – Utilities Element / Sewer Plan Update.	TBD.				Future task to revise public services element and potential code changes to the utilities chapter.
Annexations					
12. A. Annexation Placeholder B. Complete Fagerlie West Annexation following BRB review	A. TBD B. First quarter 2026				Process A. Process citizen-initiated annexations as requested. B. Adopt final annexation resolution.
Miscellaneous					
1. Snohomish County Tomorrow / TAC / Alliance for Affordable Housing	Continue participation in SCT, TAC and AHA – report out to PC and Council on actions				
2. Economic Development	Ongoing				
3. Sale and development of city properties	Ongoing				

*General Schedule – subject to change based on staffing and funding availability. Report will be presented to Planning Commission and City Council the following week after the quarter end.

- 1st Quarter January through March
- 2nd Quarter April through June
- 3rd Quarter July through September
- 4th Quarter October through December



PLANNING AND COMMUNITY DEVELOPMENT 3rd Quarter REPORT

This is a third-quarter report, summarizing long-range project activity from the [2025 Long-Range Planning Work Program](#), special projects, and recent development activity.

Comprehensive Plan:

- **Housing Action Plan Implementation** – Staff held five work sessions with the Planning Commission on proposed regulations for permanent supportive housing (PSH), transitional housing, and emergency housing and shelters to comply with updates to the Growth Management Act as amended by HB 1220 (2021). Planning Commission subsequently held a public hearing on November 5 and made a recommendation on the proposed amendments, which will be presented to City Council at a Special Meeting in December. This body of work will be adopted under a single ordinance and also include minor updates related to co-living housing. Separate housing updates will be considered in 2026.
- **2025 Docket and Parks and Recreation and Open Space Element Updates** – As part of the 2025 docket, staff will update the Capital Facilities Element in coordination with Public Works to include revised six- and 20-year project lists. The Parks Department is developing a standalone Parks, Recreation, and Open Space Plan. Once this work is completed, PCD will update to the Parks, Recreation, and Open Space Element in the Comprehensive Plan in 2026, along with other city and citizen-initiated amendments included on the 2026 Docket.
- **Subarea Plan Updates** – PCD staff have started revising the three subarea plans (e.g., Lake Stevens Center, 20th Street SE Corridor, and Downtown Lake Stevens) for consistency with last year’s major comprehensive plan update. Work includes reviewing assumed development capacity to reflect new targets, evaluating goals and policies, and updating maps and tables. This work will be completed in 2026.

Development Code:

- **Process Code Update** – The Process Code update will streamline the review processes with a primary focus on Chapters 14.16A and 14.16B LSMC. To date, the Council adopted [Interim Ordinance 1192](#), to comply with SB 5290 for project permit review timelines. The interim regulations are in place until December 10, 2025.

PCD staff briefed the Planning Commission on the interim regulations, proposed revisions to remove subjective language from the municipal code and design guidelines, along with an extensive audit of process and decision-making language throughout the municipal code to ensure clear and objective language. A public hearing is scheduled with the Planning Commission on November 19 and with the City Council in December to complete this work on time in 2025.

- **Concurrency Management System and Traffic Impact Fees** – As an implementation task to the Comprehensive Plan Transportation Element, staff has been working with Transpo Group and the Public



Works Department to update Chapters 14.110 Concurrency and 14.112 Traffic Impact Fees. The goal of the project is to ensure the city's code and standards reflect best practices for design and administration, promote multimodal traffic, ensure appropriate flexibility, and are sustainable.

Staff have actively worked with our consultants to revise applicable code sections and update administrative documents for traffic impact fee methodology, developer guidance on traffic reports and a concurrency management tracking system. Staff have briefed the Planning Commission several times on this project and have scheduled a public hearing and City Council work sessions. Work will be completed in early December of 2025.

- **Critical Areas Ordinance (CAO) Update** – The purpose of this update is to complete a mandatory update of Chapter 14.88 LSMC (Critical Areas) to reflect and incorporate best available science and comply with current state and federal regulations. The city has contracted with Facet to complete a gap analysis; review the best available science; and recommend critical aquifer protection language. As part of this project, the PCD intern is updating our critical areas inventory map based on approved development reports. Staff have held several work sessions with the Planning Commission and City Council. A public hearing will occur in Q1 of 2026.

Annexations:

- The city has received an annexation petition to incorporate three residential acres into the city off 20th Street SE. The project is under review by the Boundary Review Board (a 45-day process) before it can be considered for potential adoption by City Council ordinance in Q1 of 2026.

Major Projects:

- PCD staff are developing a robust public engagement plan identifying the best practices for communicating with large and small groups for citywide events. The document includes process flows and templates that will scale with the engagement effort.
- PCD staff are developing a department-wide strategic plan to incorporate city values and emphasize the vision of the department to provide integrated, efficient, and high-quality planning and development services for the community.
- The Museum / Retail Building was advertised for construction, with sealed bids due November 13, 2025. Staff have been coordinating with potential tenants interested in leasing commercial spaces.
- Civic Campus – city staff have refined the scope of the project with our architect, leading to final layouts. The next step for the consultants will be completing the architectural and civil plans for permits. An RFQ for painting and some light exterior maintenance is planned to be issued soon.
- Everett Waterline – The city was able to reach an agreement with the city of Everett, which was approved by the Lake Stevens City Council on October 14, 2025 and the Everett City Council on November 05, 2025.

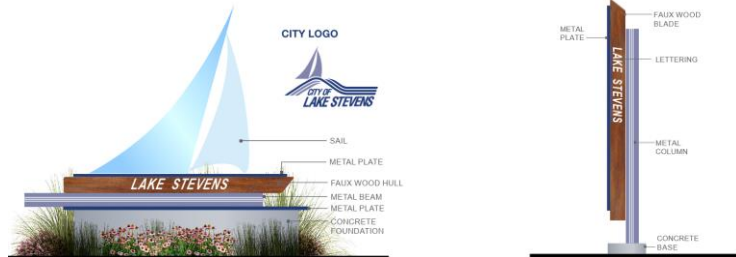


One Community Around the Lake

- Staff have approved final banner designs for Main Street and Mill Spur. See designs below. Installation of the banners will occur later this year or early 2026.



- Permits were issued on November 4, 2025 for the latest round of wayfinding signage. Staff are coordinating installation with the contractor.



- Staff have finalized the Memorandum of Understanding with the Arts and Parks Foundation for the Market Street Mural.

Permitting:

- **Notable building permits** include South Lake Business Park Construction & Tenant Improvements, Dwellers Drinkery, Glacier Oral & Maxillofacial Surgery Tenant Improvements, and Columbia Crest Montessori. Significant progress is being made with the **senior living facilities and Panda Express** opened at Soper Hill. PCD is reviewing several **school district modernization** applications at various sites. As of September 30, 2025, there were 224 active LUA permits.
- There have been three **new preliminary subdivisions in 2025**. Six active subdivisions are applying for building permits, which is keeping the permitting team very busy. Additionally, PCD has held numerous pre-application meetings for future subdivisions projects and is booked into December with more.



- PCD has received five variance requests and one rezone so far in 2025. We have also held a pre-application meeting for a significant mixed-use building at the downtown property northwest of the intersection at Main Street and 20th Street NE.

The permit numbers for the third quarter, ending September 30, 2025, were:

Number of Permits	Permit Type
623 (+5.5% from 2024)	Total Permits
182	Building
115	Business Licenses
65	Code Enforcement
7	Special Events
53	Fire
61	Land Use
16	Sign

*Source: Bitco Reporting

Code Enforcement:

In Quarter 3, eleven new code cases were opened, and 54 cases were closed. The code enforcement officer has continued to remove non-compliant signs in the right-of-way and has coordinated with businesses in the industrial area to ensure that odor requirements are followed. The code enforcement officer continues to work with the PD to monitor and provide outreach to property owners when any graffiti is found on private property. In addition, a new Animal education handout has been development along with directions for residents on how to apply for a pasture management plan which will soon be on the city’s website.

Administration and Process Improvements

- PCD has migrated all data into SharePoint. File and document library clean-up continues.
- Staff have implemented process improvements to achieve compliance with SB 5290, by reducing plan review timelines and improving workflows. Specifically, the city is working on automating as much of the permit review and decision processes as possible.
- Paper records archiving continues as time allows.
- The Building Official continues to work with other cities on consistency across jurisdictions and with Snohomish Fire and Rescue on a revised ILA for fire services.
- Staff have completed the update of all forms used for permits, handouts, and submittal checklists to make the forms fillable, making them easier and more efficient for applicants to use.



- PCD is revising its internal checklists to improve consistency, accuracy, and review time frames. The Planning Manager and the Building Official are working with BITCO to automate and LEAN the city permitting system.
- New accessory dwelling unit (ADU) and short-term rental renewal forms and handouts have been developed to assist residents in their application processes. The city has seen an uptick in interest in developing ADUs following the adoption of updated code language earlier this year.
- Two staff members passed their ICC Commercial Inspector exam, and one earned a Commercial Plan Review certification.
- The city's Code Enforcement officer attended the WACE conference, three of our planners participated at the APA conference and the Planning Manager attended the Washington Planning Directors conference in September, while the Planning Director attended the ICMA conference in October. One Permit Specialist attended the WSAPT conference in September, while the Building Official and Permit Lead attended a Bitco (permitting software) conference in October.
- The new assistant planner and senior planner are well on their way to completing their individualized Lake Stevens training and education plans.
- PCD has enjoyed the benefits of a GIS intern for 20 weeks who has been producing a backlog of maps and data analysis for our department.
- Staff are compiling the 2026 Work Plan, which will be presented to the Planning Commission for feedback on November 19, 2025. Project topics include the Comprehensive Plan Docket and Critical Area Code updates in the first quarter, code updates to Subarea Plans, Streets and Sidewalks, and Parking, as well as Process Code updates for Design Guidelines and LSMC Chapters 14.16A and 14.16B during second and third quarters, and an update to Park Impact Fees and new/updated regulations and standards for the Lake Stevens Industrial Center in the third and fourth quarters.