



# CITY OF SNOHOMISH

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## NOTICE OF REGULAR MEETING

### SNOHOMISH CITY COUNCIL

in the  
George Gilbertson Boardroom  
1601 Avenue D

**TUESDAY**  
**February 4, 2020**  
**6:00 p.m.**

**NOTE:**  
**COUNCIL WORKSHOP**  
**BEGINS AT 5:00 P.M.**

### AGENDA

*Estimated  
time*

- 6:00 1. **CALL TO ORDER:**
  - a. Pledge of Allegiance
  - b. Roll Call
- 2. **APPROVE AGENDA** contents and order
- 3. **APPROVE MINUTES** of the meetings of January 21, 2020
  - a. Workshop (P.3)
  - b. Regular Meeting (P.7)
- 6:05 4. **CITIZEN COMMENTS** - *Three minutes allowed for citizen comments on subjects not on the agenda. Three minutes will be allowed for citizen comments during each Public Hearing, Action or Discussion Agenda Item immediately following council questions and before council deliberation. Citizen comments are not allowed under New Business or Consent items.*
- 5. **ACTION ITEMS:**
  - 6:15 a. **APPROVE** Pilchuck Julia Landing Master Plan (P.13)
  - 6:30 b. **ADOPT** Binding Site Plan Procedures - Ordinance 2385 (P.15)
  - 6:40 c. **AMEND** Title 14 - Parks, Open Space and Public Land Use Designation - **ADOPT** Ordinance 2379 (P.25)
- 6:50 6. **DISCUSSION ITEM: REVIEW** Outline of Midtown Planning District - Resolution 1408 (P.51)

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- 7:15 7. **CONSENT ITEMS:**
- a. **ESTABLISH** Procedures for the Conduct of Business at Council Meetings - **PASS** Resolution 1407 (P.57)
  - b. **AUTHORIZE** payment of claim warrants # 72331 through # 72391 in the amount of \$182,891.77, and payroll warrants # 70106 through # 72402 in the amount of \$468,891.79, issued since the last regular meeting. (P.75)
- 7:20 8. **OTHER BUSINESS/INFORMATION ITEMS**
- 7:25 9. **COUNCILMEMBER COMMENTS/LIAISON REPORTS**
- 7:30 10. **COUNCIL PRESIDENT’S ITEMS/REPORTS**
- 7:35 11. **CITY ADMINISTRATOR’S COMMENTS**
- 7:40 12. **MAYOR’S COMMENTS**
- 8:05 13. **ADJOURN**

**NEXT MEETING:** The next regular meeting is Tuesday, February 18, 2020, at 6 p.m., in the George Gilbertson Boardroom, Snohomish School District Resource Center, 1601 Avenue D.

***The City Council Chambers are ADA accessible. Specialized accommodations will be provided with 5 days advanced notice. Contact the City Clerk's Office at 360-568-3115.***

***This organization is an Equal Opportunity Provider.***

**Snohomish City Council Workshop Minutes  
January 21, 2020**

1. **CALL TO ORDER:** Mayor Kartak called the Snohomish City Council Joint Workshop with the Planning Commission to order at 5:00 p.m., Tuesday, January 21, 2020, in the Snohomish School District Resource Service Center, George Gilbertson Boardroom, 1601 Avenue D, Snohomish, Washington.

**COUNCILMEMBERS/MAYOR PRESENT**

Larry Countryman  
Judith Kuleta  
Tom Merrill  
Donna Ray

Linda Redmon (*arr. 5:41 p.m.*)  
Jason Sanders  
John Kartak, Mayor

**STAFF PRESENT**

Debbie Burton, Finance Director  
Glen Pickus, Planning Director  
Steve Schuller, City Administrator and  
Utility General Manager  
Brandi Whitson, Administrative Assistant

**PLANNING COMMISSION PRESENT**

Gordon Cole  
Mitch Cornelison (*arr. 5:02 p.m.*)  
Hank Eskridge  
Terry Lippincott

2. **DISCUSSION ITEM:** 2019 Planning Commission's Annual Report and 2020 Work Program

Planning Director Glen Pickus provided background on the Planning Commission's annual report as required by SMC 2.16.060, and introduced the Commission's 2020 Work Program.

Mr. Pickus explained the Work Program is for guidance and planning purposes only, and is not meant to bind the Commission in their goals for the year. He provided a chart showing the projects, in order of priority, and the estimated timeframe for consideration.

Mr. Pickus introduced the first topic for discussion, the Midtown Snohomish Subarea Plan/Revision of "Commercial" Regulations. He explained staff is determining a process with which to review the Commercial zoning of the subarea along Avenue D, which includes the former County Public Works site, the "keystone" site for the area. Since the site is vacant and is the largest parcel in the area, it possesses the highest potential for development. It may be best to tailor regulations of the area based on what might happen at that site. To assist with the process, staff proposed retaining Bill Trimm, a planning consultant, to facilitate a Task Force composed of two City Councilmembers, two Planning Commissioners, two or three City residents, and four or five business owners/developers. The Task Force would meet four times to review and discuss what type of development they feel would be appropriate for the Midtown Area. Staff anticipates a resolution outlining the structure, responsibilities, and goals of the Task Force to be presented to Council in February.

Councilmember Merrill questioned if Snohomish County had consultants for the former public works yard. Mr. Pickus confirmed they did, and are attempting to include the City in their process knowing it is part of a larger area within the City.

Councilmember Kuleta questioned the timeframe for the planning. Mr. Pickus stated the County is following its own schedule with their market analysis of the site, but the City's next step would be to review the proposed resolution, due next month. The entire process will

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hopefully be completed this year. Impacts of the code revisions that may evolve from the Task Force might impact what can be done at the County site.

The Council and Commission discussed the various aspects the Task Force will determine, which may include building design, density and parking regulations. In response to Council President Sander's question, Mr. Pickus explained the Task Force meetings would be open to the public, and public comments and feedback would be solicited. In addition, Mr. Pickus explained Task Force recommendations could lead to code amendments, which will follow the normal amendment process: Planning Commission discussion, a public hearing before the Commission, then to the City Council for adoption.

The group discussed current zoning of the area (Commercial with some Mixed Use), and how the site could accommodate growth. Staff advised the Midtown Area was the best place within the City to accommodate commercial growth, increasing sales tax revenues which the City uses to provide services.

Commission Chair Lippincott questioned if transfer development rights (TDR) would be allowed in the area. Mr. Pickus advised it was possible, with the Pilchuck District as the receiving area.

Council President Sanders asked what would happen to the trailer park on 14th Street. Mr. Pickus advised it is in the subarea, and since it is adjacent to the County yard site, it could be sold for development. The Commission and Council discussed affordable housing, and whether that could be incorporated either in the Midtown Area or elsewhere in the City. Mr. Pickus advised affordable housing could be part of the direction for the Task Force to consider and included in the initiating resolution. However, he cautioned leaving the resolution fairly open, allowing the Task Force the opportunity to consider the bigger picture, and not be too constrained. Council President Sanders commented on the Pilchuck District having too many regulations, which has left development stagnant. The Council and Commission agreed avoiding another Pilchuck District would be prudent when considering the Midtown Area.

Mr. Pickus advised Council he will have a bullet list of Task Force responsibilities at the next Council meeting, so Councilmembers will have plenty of time to review them prior to the resolution being presented. Commissioners Cole and Cornelison requested the Planning Commission be provided with the same details as the Council so they could organize Planning Commission activities accordingly. Mr. Pickus agreed.

Mr. Pickus then provided a brief description of each of the remaining projects listed, but noted the top three were the most critical:

- Midtown Area
- Consolidate Definitions in Land Use Code Chapter 14 SMC
- Comprehensive Plan Amendments

The group discussed VRBOs and Airbnbs briefly, and potential development of regulations beyond the current requirement of only obtaining a City business license.

Discussion returned to the Task Force for the Midtown Area. Commission Chair Lippincott inquired about the application process for the Task Force. Mr. Pickus advised those details will be determined with the resolution, as well as requiring the Task Force report to the Planning Commission at one of its meetings.

**AGENDA ITEM 3a.**

Councilmember Ray questioned the Planning Commission's involvement with parking studies. Commissioner Cole responded it has been discussed, and explained parking requirements vary in different areas. Parking, in general, is adequate for Commercial and Multifamily zones.

Council President Sanders commented on the Council's current objective of reviewing its goals, and how important it is for the Council to align those goals with what other groups are doing, such as the Planning Commission. He is concerned about too much time spent on items that are not high priority, especially by staff. Mr. Schuller explained the Midtown Area planning will be successful, if staff can focus on it, and although Mr. Trimm will help, planning will still require a considerable amount of staff time.

The group briefly discussed the Pilchuck District, potential developments, and causes for limited development. Commissioner Cornelison cautioned against zone activities competing with one another within the City. Commissioner Cole agreed, and suggested the Council not make "wish lists" that would constrain development, potentially creating another Pilchuck District.

3. **ADJOURN** at 5:50 p.m.

APPROVED this 4<sup>th</sup> day of February 2020.

CITY OF SNOHOMISH

ATTEST:

\_\_\_\_\_  
John T. Kartak, Mayor

\_\_\_\_\_  
Brandi Whitson, Administrative Assistant

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**Snohomish City Council Meeting Minutes  
January 21, 2020**

3. **CALL TO ORDER:** Mayor Kartak called the Snohomish City Council regular meeting to order at 6:00 p.m., Tuesday, January 21, 2020, in the Snohomish School District Resource Service Center, George Gilbertson Boardroom, 1601 Avenue D, Snohomish, Washington.

**COUNCILMEMBERS/MAYOR PRESENT**

Larry Countryman  
Steve Dana  
Judith Kuleta  
Tom Merrill  
Donna Ray  
Linda Redmon  
Jason Sanders  
John T. Kartak, Mayor

**STAFF PRESENT**

Debbie Burton, Finance Director  
Glen Pickus, Planning Director  
Yoshihiro Monzaki, City Engineer  
Keith Rogers, Police Chief  
Steve Schuller, City Administrator and Utility  
General Manager  
Grant Weed, City Attorney  
Brandi Whitson, Administrative Assistant

4. **APPROVE AGENDA** contents and order

Councilmember Kuleta requested moving Consent Item 8a to Action Item 6c.

**MOTION** by Sanders, second by Redmon, to approve the agenda as amended. Motion passed unanimously (7-0).

3. **APPROVE MINUTES** of the January 7, 2020 regular meeting

**MOTION** by Redmon, second by Countryman, to approve the minutes of the regular meeting. The motion passed unanimously (7-0).

4. **CITIZEN COMMENTS** on items not on the Agenda

Mayor Kartak welcomed the citizens to the meeting and discussed the procedures for providing citizen comment.

Citizen Comments: None  
Citizen Comments: Closed

5. **PRESENTATION:** Introduce Newly Hired and Promoted Employees

City Engineer Yoshihiro Monzaki introduced new employee Project Manager Brennan Collins, and newly-promoted employee Senior Engineering Technician Koi Simpson to the Engineering Department.

City Administrator and Utilities General Manager Steve Schuller recognized Tim Cross, newly-promoted Public Works Manager, responsible for the streets, parks, facilities and fleet divisions.

6. **ACTION ITEMS:**

- a. **ACCEPT** the Planning Commission's 2019 Annual Report and 2020 Work Program

Planning Director Glen Pickus explained Snohomish Municipal Code 2.16.060 requires the Planning Commission provide an annual report to the City Council on its activities of

**AGENDA ITEM 3b.**

the past year. The Planning Commission approved an annual report for its 2019 activities and a work program for 2020. Both documents required City Council review and approval, and were discussed in detail at the City Council-Planning Commission joint workshop held earlier in the evening.

Citizen Comments: None

Citizen Comments: Closed

**MOTION** by Sanders, second by Merrill, to ACCEPT the Planning Commission 2019 Annual Report to the City Council; and APPROVE the 2020 Planning Commission Work Program. The motion passed unanimously (7-0).

b. **AUTHORIZE** the Mayor to Sign Amended Lease Agreement with the Boys & Girls Club

City Attorney Grant Weed presented the staff report and provided background on the new lease agreement with the Boys & Girls Clubs of Snohomish County (B&GC). The topic was discussed in detail at the October 1, 2019 City Council meeting. The Park and Recreation Board reviewed the proposed Teen Room addition at its October 9, 2019 meeting, and unanimously recommended City Council approval.

Mr. Weed explained rather than amend the existing lease, a new lease agreement would be expedient for the addition, as well as clarifying other sections such as a requirement for approval of a boundary line adjustment, parking, and maintenance responsibilities. The new agreement expires December 31, 2040, with an option for the B&GC to extend it for fifteen (15) years.

Mr. Weed explained the B&GC had reviewed the new agreement and approved it as written. The Boys and Girls Club Executive Director Bill Tsoukalas was also present to answer questions.

Citizen Comments: None

Citizen Comments: Closed

Council President Sanders asked Mr. Tsoukalas what the anticipated growth would be over the next few years. Mr. Tsoukalas responded other facilities with Teen Center renovations, such as Lake Stevens and Arlington, experienced a substantial increase of teen attendance, enrollment, and retention, as the dedicated space for teens helped alleviate sharing space with younger kids.

**MOTION** by Sanders, second by Countryman to AUTHORIZE the Mayor to Sign an Amended Lease Agreement with the Boys & Girls Clubs of Snohomish County. The motion passed unanimously (7-0).

c. **DESIGNATE** the Mayor as the Authority to Approve Applications for Retail Fireworks Stands, as Provided for by SMC 5.54.040 Fireworks (*Moved from Consent Item 8a to Action Item 6c at beginning of meeting*)

Mr. Pickus explained SMC 5.54.040 details a retail fireworks stand permit shall be granted by the City Council or their designee. This proposal is to have the Council designate the Mayor as the approver of the permits, to alleviate staff time in preparing

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reports for the Council. The proposal does not affect any other measure in regards to fireworks.

Citizen Comments: None

Citizen Comments: Closed

**MOTION** by Merrill, second by Sanders, to DESIGNATE the Mayor as the Authority to Approve Applications for Retail Fireworks Stands, as Provided for by SMC 5.54.040 Fireworks.

Councilmember Kuleta commented for the record while she understands and supports this item is an administrative action, she is opposed to fireworks in general, having seen the devastation they cause both as a fire chief and a nurse.

**VOTE ON MOTION:** The motion passed (6-1), with Kuleta voting nay.

**7. DISCUSSION ITEM: REVIEW of City Priorities**

Mr. Schuller introduced a slide presentation outlining current City priorities, including updates on revenues, economic development, community partnerships, Puget Sound Regional Council (PSRC) VISION 2050, and regional growth, such as Midtown Planning Area and the City's Urban Growth Area (UGA). Finance Director Debbie Burton provided an introduction to the City's 2021/2022 Budget process, outlining current revenue and expenses, projected sales tax revenues, spending limits, park impact fees, and one-time capital project considerations. Mr. Schuller and Ms. Burton requested the City Council keep these in mind as they discussed their goals and priorities for the next budget cycle.

Councilmember Merrill requested clarification that General Fund revenues could be used for capital projects. Ms. Burton advised that was correct.

Council President Sanders commented on topics he would like to consider for the next budget cycle: safety and security measures, housing availability and impacts of VRBOs, thinking outside City limits to incorporate agritourism, and the importance of working with local farmers on methods to draw people to the area.

Councilmember Dana commented on PSRC's review of Urban Growth Boundaries (UGB) and how the City of Snohomish has not been as aggressive as other communities in taking advantage of those boundaries. He voiced concern over PSRC's VISION 2050 recommendation regarding no adjustments to the City's UGBs. He noted Snohomish needs to take a stand to ensure its UGB is set for the City's future and best interest, and to not allow other agencies to influence those decisions.

Mr. Schuller explained maximizing the City's UGB could be included as part of the Midtown Area, which is a Council priority in 2020. He also advised the decision to not modify UGBs was made by elected leaders as part of the Growth Management Hearing Board, and would not be reviewed again for another ten years. One could, however, lobby Snohomish County leaders for boundary adjustment consideration, provided the City met other regulations, such as proving capacity and applicable zoning changes.

Councilmember Dana again voiced his concern regarding being locked into the current UGB, without consideration for the City's future. Councilmember Countryman agreed with

**AGENDA ITEM 3b.**

Councilmember Dana, comparing the City's area reach to that of the Snohomish School District.

**Citizen Comments:**

**Mitch Cornelison, 331 Avenue F**, appreciated the discussion and comments. He believed most residents enjoy the size the City is now, and stated there are still many underutilized areas within the current UGA.

**Citizen Comments:** Closed

Mayor Kartak commented the footprint Snohomish has established seems to be doing well for the residents, as well as the region.

Councilmember Ray stated her concern is less about size, and more about maintaining a quality of life with a tight budget, which could be impacted by the cost of extending services to a wider area. She supported reviewing current areas within the City, such as the Pilchuck District and Midtown Area.

**8. CONSENT ITEMS:**

- a. **DESIGNATE** the Mayor as the Authority to Approve Applications for Retail Fireworks Stands, as Provided for by SMC 5.54.040 Fireworks (*Moved from Consent Item 8a to Action Item 6c at beginning of meeting*)
- b. **AUTHORIZE** payment of claim warrants #72210 through #72329 in the amount of \$435,822.15 issued since the last regular meeting.

**MOTION** by Countryman, second by Sanders, to pass the Consent Items. The motion passed unanimously (7-0).

9. **OTHER BUSINESS/INFORMATION ITEMS:** Mayor Kartak advised that he, Councilmember Merrill, Councilmember Kuleta, Council President Sanders, and Mr. Schuller will be attending the AWC City Action Days in Olympia January 28 and 29. He explained this is an opportunity to speak with legislators on statewide issues and those directly impacting Snohomish He will present requests for funding assistance for construction of the B&GC Teen Center, as well as for the Bickford/Weaver signal. He asked Council if they had any feedback or other issues they would like presented. Councilmember Merrill mentioned continued funding for the Public Works Trust Fund.

**10. COUNCILMEMBER COMMENTS/LIAISON REPORTS:**

Councilmember Ray requested Council input for the direction of the Public Safety Commission and how the Commission can be most effective. Their next meeting is February 11, 2020. She also questioned developing a charter for the Commission.

Councilmember Kuleta attended the SnoWorks opening, Engage Snohomish's first meeting, and the Historic Downtown Snohomish Association meeting. She reported the HDSA is in contract negotiations for an Executive Director.

Councilmember Merrill attended the Community Transit meeting and was elected to its

**AGENDA ITEM 3b.**

Board of Directors. He met with Councilmember Dana and Council President Sanders to review Council goal-setting procedures. They will have something to present to Council soon.

Councilmember Redmon attended the Board of Health meeting. She reported their focus is on future policies around revenues, as well as the Health District's actions in regards to the Wuhan coronavirus case recently confirmed in Snohomish County. She mentioned the Youth Council's upcoming "Snohomish's Got Talent" show next week.

11. **COUNCIL PRESIDENT'S ITEMS/REPORTS:** Council President Sanders described a calendar of regional meetings that will be provided to Council, and asked Councilmembers to let him and City Clerk Pat Adams know if they would like to attend any of the meetings. He attended the State of Everett breakfast, Snohomish County Cities Membership meeting, and taken on the Snohomish County Economic Development Committee first alternate position. He reiterated his goal to engage with regional committees and organizations, commented on the goal-setting meetings with Councilmembers Merrill and Dana, and announced the possibility of workshops the second and fourth Tuesdays in February.

He thanked Police Chief Keith Rogers and the Snohomish County Sherriff's Office for their hard work, having attended a ride-along recently, where he viewed their activities first-hand.

12. **CITY ADMINISTRATOR'S COMMENTS:** Mr. Schuller provided the Council with a preliminary construction schedule for the Carnegie Building Restoration Project, and reminded Council of its joint workshop with the Park and Recreation Board scheduled prior to their next regular meeting on February 4.

13. **MAYOR COMMENTS:** Mayor Kartak expressed his appreciation to the Council for their involvement with regional issues and organizations. He invited Police Chief Keith Rogers to provide an update on his recent training. Chief Rogers explained he attended a three-month training with the FBI in Washington, D.C., and expressed his honor at having been invited to it. He reported on what he learned, and the network of worldwide colleagues he acquired and remains in contact with. He was glad to return to Snohomish, and realized this is the assignment he desires to retain.

Council President Sanders expressed his gratitude for Chief Rogers wanting to remain in Snohomish, and remarked the department did very well in his absence. Mayor Kartak agreed, and stated Chief Rogers is a great fit for the City.

Councilmember Merrill questioned current trends in policing. Chief Rogers expressed the trends are fairly universal, especially officer recruitment and retention, working with the public, and issues of racism. He mentioned the biggest concerns are internal, dealing with officer fitness, health and stress management. He would like to explore and develop solutions, such as how the fire department, a similar service profession, successfully deals with these issues.

14. **RECESS to EXECUTIVE SESSION** at 7:47 p.m., for twenty (20) minutes, to discuss two matters concerning potential litigation pursuant to RCW 42.30.110(1)(i), with no action to follow.

Mr. Schuller returned to the Council chambers at 8:07 p.m. to extend the meeting an additional twenty (20) minutes.

**AGENDA ITEM 3b.**

Mr. Schuller returned to the Council chambers at 8:27 p.m. to extend the meeting an additional twenty-five (25) minutes.

**15. RECONVENE and ADJOURN:**

**MOTION** by Redmon, second by Sanders, to **ADJOURN** the regular City Council Meeting at 8:52 p.m. The motion passed unanimously (7-0).

APPROVED this 4<sup>th</sup> day of February, 2020.

CITY OF SNOHOMISH

ATTEST:

\_\_\_\_\_  
John T. Kartak, Mayor

\_\_\_\_\_  
Brandi Whitson, Administrative Assistant

**ACTION ITEM 5a.**

**Date:** February 4, 2020

**To:** City Council

**From:** Steve Schuller, City Administrator & Utility General Manager

**Subject:** **Pilchuck Julia Landing Master Plan**

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**BACKGROUND:** The master plan incorporates the work of the Park and Recreation Board, input staff has received to date from the community and adjacent park neighbors, and the work completed by staff this past fall with the Snohomish Conservation District.

The goal is to demonstrate within the master plan how the needs for park users and the community members have been met. This includes:

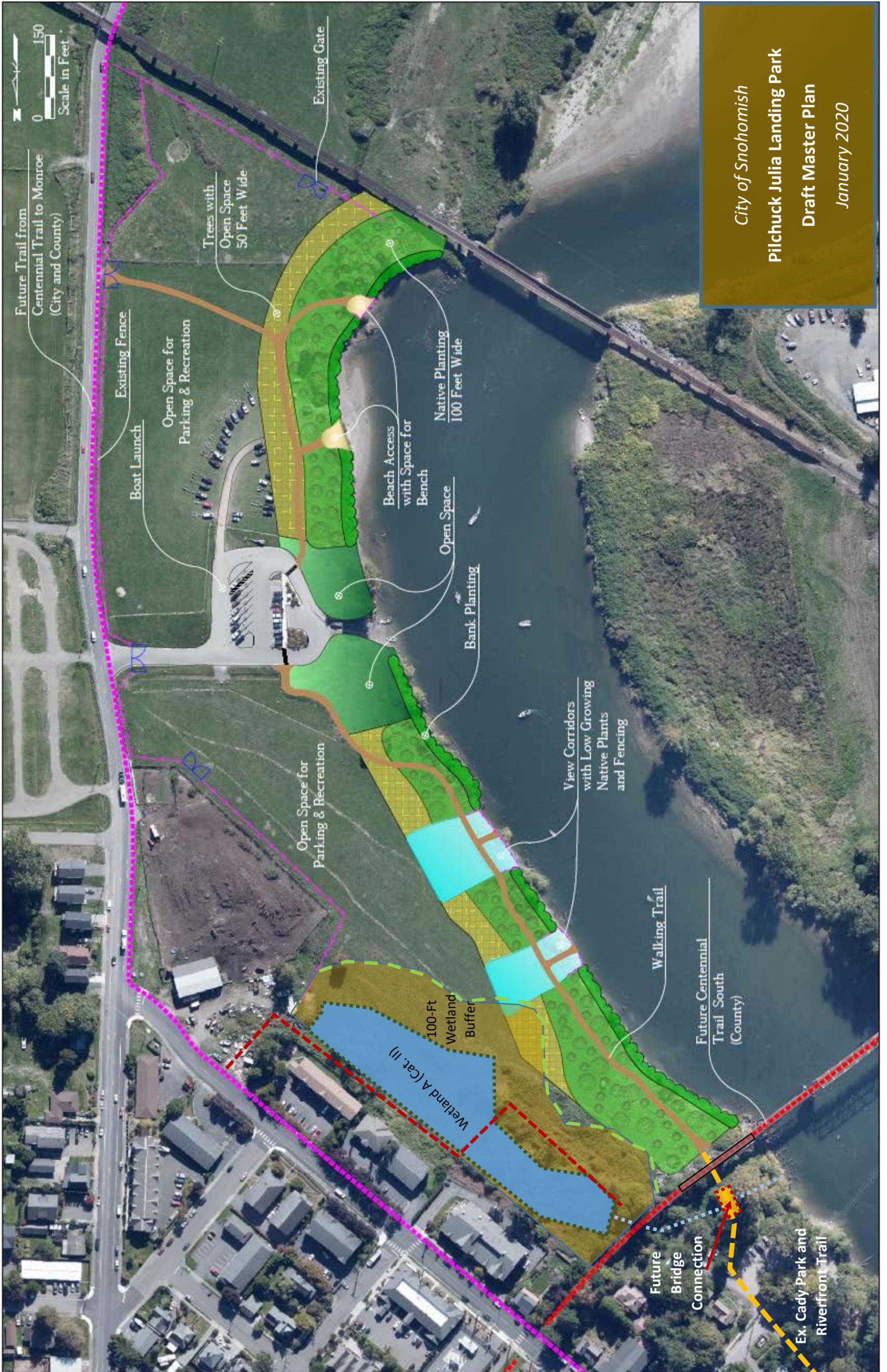
- Native plantings along the riverbank for enhanced buffer and salmon recovery;
- View corridors with low growing plants for adjacent neighbors and to allow sunshine into the open space areas;
- Walking trails throughout the park;
- Open space for parking and recreation;
- Access to the river and existing sand bars for fishing and direct views to the water;
- Nut and fruit trees within the open space for eatable local non-profits and volunteers;
- Showing the future Centennial Trail South to Woodinville, and how a bike path can connect to a future trail to Monroe;
- Showing how in the future, the walking trail can connect to Cady Park, the existing Riverfront Trail, and a potential paved trail to Monroe; and
- Existing boat launch and paved parking.

**SUMMARY:** At its January 22, 2020 meeting, the City's Park and Recreation Board unanimously approved (4-0) the Pilchuck Julia Landing Master Plan, and recommended approval by the City Council. The Board did suggest adding the proposed future trail connection "under" the existing railroad trestle and over the small stream between Pilchuck Julia Landing and the existing Cady Park/Riverfront Trail to the west, which has been incorporated into the attached plan.

A joint workshop with the City Council and the Park Board will be held before the Council's regular meeting, and may provide additional time to discuss plan feedback prior to tonight's action item.

**RECOMMENDATION:** That the City Council **APPROVE** the Pilchuck Julia Landing Master Plan.

**ATTACHMENT:** Proposed Pilchuck Julia Landing Master Plan



**ACTION ITEM 5b.**

**Date:** February 4, 2020

**To:** City Council

**From:** Glen Pickus, Planning Director

**Subject: Binding Site Plan Procedures Code Amendment**

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**SUMMARY:** Proposed Ordinance 2385 creates a new section in the Land Use Development Code (Title 14 Snohomish Municipal Code) to provide for a binding site plan process.

**BACKGROUND:** Binding site plans are an alternative method of land division authorized in RCW 58.17.035. Binding site plans may only be used for land divisions for:

- Industrial or commercial use;
- Lease of mobile homes or travel trailers (typically at a mobile home park); and
- Condominiums.

Binding site plans are a useful tool for property owners to manage their property. It allows them to segregate different parts of their industrial or commercial land, before or after it is developed, while providing overall rules for the entire site (e.g. who gets to park where). With the segregation, they have the availability to market (to sell or rent) individual portions of their property. In the case where the binding site plan is completed prior to development, and before the property owner knows who will be the eventual leasee or owner, binding site plans allow for the creation of marketable lots in advance of deciding what infrastructure improvements will be needed.

The end product of binding site plans is a record of survey recorded with the County. The record of survey displays lots lines, easements, structures (if any) and other such information. They are similar to boundary line adjustments, as they are primarily a survey exercise. However, unlike boundary line adjustments which cannot be used to create lots, a binding site plan can create lots, but only for commercial and industrial uses.

For the City to be able to use binding site plans, procedures must be adopted for their review and approval.

**ANALYSIS:** Snohomish Municipal Code (SMC) 14.215, entitled “Subdivisions,” provides for formal (or “long”) plats, short plats, fee simple unit lot subdivisions, and boundary line adjustments.

The proposed code amendment would add binding site plans to SMC 14.215 as another acceptable, but simpler, method of subdividing land for commercial and industrial sites. Without binding site plans, owners of commercial and industrial land intending to divide their property, must use the more complex and costlier platting process.

Some municipalities use the binding site plan to extensively control development on sites, so their regulations are complex and detailed. Staff research indicates cities engaged in this, appear to have substantial amounts of undeveloped industrial property. Because this is not the situation in Snohomish, staff proposes a simple binding site plan review process without the

**ACTION ITEM 5b.**

significant plat requirements to help facilitate development and render a more efficient permitting pathway.

The Ordinance establishes application and approval procedures in a new section, SMC 14.215.140 to be entitled "Binding Site Plans". Approval criteria will ensure:

- No nonconforming situations are created or intensified;
- Legal access and parking areas are provided/protected; and
- Only buildable lots are created.

**PLANNING COMMISSION DELIBERATIONS AND RECOMMENDATION:** The draft code presented by staff to the Planning Commission for consideration was based on RCW 58.17.035, which allows binding site plans to be used for:

- Division of commercial or industrial land;
- Division of property for the purpose of lease when no residential structure other than mobile homes, tiny houses or tiny houses with wheels, or travel trailers are permitted to be placed on the land; and
- Division of land into lots or tracts as provided for in RCW 58.17.040(7).

During deliberations, the Planning Commission decided against providing the second bullet item above--the division of residential property other than for mobile homes, etc.--due to uncertainty as to how the subsection would be used and its potential impacts.

**CITY ATTORNEY RECOMMENDATION:** The City Attorney's Office recommended SMC 14.215.140(D), "Alteration or Vacation of a Binding Site Plan," provide separate processes for alterations and vacations. By doing so, simple alterations would not be required to go through the entire binding site plan process again. Ordinance 2385, attached, includes the City Attorney's recommended language, but the City Council should be aware this language was not considered by the Planning Commission. The version considered by the Planning Commission stated:

*Alteration or vacation of binding site plans shall be accomplished by following the same process and applying the same criteria as for an initial application for binding site plan approval.*

**BUDGETARY IMPACTS:** None

**CITY COUNCIL GOALS:** Not applicable

**STRATEGIC PLAN REFERENCE:** Not applicable

**COMPREHENSIVE PLAN REFERENCE:** GOAL LU 2: Manage growth and community change in accordance with the values and vision of the Snohomish community of residents, land owners, and business people, and consistent with the Growth Management Act.

**RECOMMENDATION:** That the City Council ADOPT Ordinance 2385, establishing a new Snohomish Municipal Code section 14.215.140, entitled "Binding Site Plans," to create a process for reviewing and approving binding site plans.

**ATTACHMENT:** Ordinance 2385

**REFERENCE:** [RCW 58.17.035](#)

## ATTACHMENT

### CITY OF SNOHOMISH Snohomish, Washington

#### ORDINANCE 2385

**AN ORDINANCE OF THE CITY OF SNOHOMISH, WASHINGTON, RELATING TO SUBDIVISIONS BY CREATING A NEW SECTION IN CHAPTER 14.215, SNOHOMISH MUNICIPAL CODE, “SUBDIVISIONS”, AS PROVIDED FOR BY RCW 58.17.035, TO BE TITLED “BINDING SITE PLANS”; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the City has the authority under Title 35A and Chapter 58.17 RCW to adopt regulations related to zoning and land uses and the processing of land use development permits; and

**WHEREAS**, RCW Chapter 58.17.035 provides for binding site plans as an alternative land use division process provided the municipality adopts procedures for the review and approval of binding site plans; and

**WHEREAS**, the City has adopted a Land Use Development Code under Title 14 of the Snohomish Municipal Code (“Development Code”) to implement the Comprehensive Plan and to ensure compatible and rational land development and land use in all portions of the City; and

**WHEREAS**, Title 14 SMC includes Chapter 14.215, “Subdivisions”, but the Chapter does not include any provisions for the review and approval of binding site plans; and

**WHEREAS**, pursuant to the State Environmental Policy Act (SEPA), the City of Snohomish, as the designated lead agency for review of the proposed amendment, issued a Determination of Non Significance on January 3, 2020 pursuant to WAC 197-11-340(2). No appeals were filed so the determination stands as issued; and

**WHEREAS**, on October 24, 2019, the proposed amendments contained herein were transmitted to the State Department of Commerce as required by RCW 36.70A.106; and

**WHEREAS**, on December 4, 2019, following notice as required by law, the Planning Commission held a duly-noticed public hearing to receive staff and citizen input concerning the proposed code amendments and all persons who wished to be heard on the matter were heard; and

**WHEREAS**, the Planning Commission adopted Findings of Facts & Conclusions and recommended City Council approval of the proposed code amendments, which are attached hereto as Exhibit A and incorporated by this reference; and

**WHEREAS**, on February 4, 2020, at a duly-noticed public meeting, the City Council received staff and citizen input and considered the recommendation of the Planning Commission, and all persons who wished to be heard on the matter were heard; and

**WHEREAS**, the City Council has determined that it is in the public interest to provide for the alternative binding site plan land use division process;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SNOHOMISH, WASHINGTON, DO ORDAIN AS FOLLOWS:**

**ACTION ITEM 5b.**

**Section 1.**     **Adoption of recitals as findings.** The City Council hereby adopts each of the recital paragraphs above as findings and hereby incorporates them by reference as though fully stated herein.

**Section 2.**     **Adoption of Planning Commission findings.** The Planning Commission findings as set forth in “Exhibit A” are hereby adopted and incorporated by reference, including but not limited to the findings that the Development Code regulations and amendments adopted by this Ordinance are:

- a. Internally consistent with the City of Snohomish Comprehensive Plan;
- b. Consistent with the Washington State Growth Management Act;
- c. Consistent with the Washington State Environmental Policy Act (Chapter 43.21C RCW);  
and
- d. In the interest of the public health, safety, and welfare of Snohomish residents.

**Section 3.**     **New Section 14.215.140. SMC adopted.** A new Section 14.215.140 SMC entitled “Binding Site Plans” is hereby adopted to read as set forth in attached “Exhibit B” which is hereby incorporated by this reference as though fully contained herein.

**Section 4.**     **Severability.** If any section, subsection, sentence, clause, phrase, or word of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase, or word of this ordinance.

**Section 5.**     **Authority to make necessary corrections.** The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance and attachments including, but not limited to, the correction of scrivener’s clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

**Section 6.**     **Effective date.** This Ordinance shall be effective five days after adoption and publication by summary.

**ADOPTED** by the City Council and **APPROVED** by the Mayor this 4<sup>th</sup> day of February, 2020.

CITY OF SNOHOMISH

By \_\_\_\_\_  
John T. Kartak, Mayor

ATTEST:

APPROVED AS TO FORM:

By \_\_\_\_\_  
Pat Adams, City Clerk

By \_\_\_\_\_  
Grant K. Weed, City Attorney

Date of Publication: \_\_\_\_\_

Effective Date: \_\_\_\_\_

## EXHIBIT A

### Snohomish Planning Commission Findings of Fact & Conclusions

Based on the review of the proposed amendment to Title 14 Snohomish Municipal Code related to creating a Binding Site Plans section, the Planning Commission of the City of Snohomish makes the following Findings of Fact:

1. The City has the authority under RCW Title 35A to adopt regulations related to land use development.
2. RCW 58.17.035 provides for binding site plans as an alternative land use division process but requires municipalities to procedures and regulations for their review and approval and currently Snohomish Municipal Code does not include those procedures and regulations.
3. The proposed amendment implements the following goal contained in the Snohomish Comprehensive Plan:

**Goal LU 2:** Manage growth and community change in accordance with the values and vision of the Snohomish community of residents, land owners, and business people, and consistent with the Growth Management Act.
4. Procedural requirements.
  - a. The proposed amendment is consistent with state law.
  - b. Pursuant to RCW 36.70A.106(1), a notice of intent to adopt the proposed amendments was transmitted to the Washington State Department of Commerce for distribution to state agencies on October 24, 2019.
  - c. The public process used in the adoption of the proposed amendments has complied with all applicable requirements of the GMA and the SMC.
5. The Planning Commission held a public hearing on December 4, 2019, to receive public testimony concerning the proposed amendment.
6. At the conclusion of the public hearing, the Planning Commission voted to recommend City Council approval of the proposed amendment.

**Based on the foregoing Findings of Fact, the Snohomish Planning Commission hereby makes the following conclusions.**

1. The proposed amendment satisfies the requirements of RCW 58.17.035.
2. The proposed amendment will provide property owners an additional tool that can facilitate the development of their commercial and industrial properties.
3. The proposed amendment is consistent with Washington State law and the SMC.

**ACTION ITEM 5b.**

4. The proposed amendment implements and is consistent with the goals and policies of the Comprehensive Plan.
5. The proposed amendment protects the public health, safety, and general welfare.
6. The proposed amendment does not result in an unconstitutional taking of private property for public purpose and it does not violate substantive due process guarantees.

Date: 12/4/19

By: Terry Lippincott  
Terry Lippincott, Planning Commission Chair

## **EXHIBIT B**

### **14.215.140 Binding Site Plans**

- A. Binding site plans are a Type 2 permit under Chapter 14.20 SMC. They are an alternative to the subdivision procedures set forth in this Chapter for the following divisions of land:
1. Division of commercially or industrially designated land; and
  2. Divisions of land into lots or tracts as provided for in RCW 58.17.040(7).
- B. Application and approval procedures.
1. The binding site plan application shall include, at a minimum, the following:
    - a. A title certificate;
    - b. The required fees related to the review of the binding site plan;
    - c. If the property is within the NE Sewer Area, an affirmation of the obligation of the property owners binding the properties to the payment of all present or future charges for the Cemetery Creek Special Project, and a preliminary description of developer proposed sewer extensions and capacity improvements; and
    - d. Submittal materials listed in SMC 14.20.060(C).
  2. Binding site plans may only be approved by the Planning Director if, at a minimum, all of the following criteria are met:
    - a. The requirements of RCW 58.17.035 are met as well as those of RCW 58.17.040(4, 5, 7) as applicable to the specific project;
    - b. The requirements in SMC [15.04.047](#) are satisfied if the property is in the NE Sewer Area;
    - c. The proposal is found consistent with the Comprehensive Plan;
    - d. Appropriate provisions are made for protecting the public health, safety, and general welfare;
    - e. No nonconforming lot or structure shall be created nor shall the intensity of an existing nonconformance be increased; and
    - f. Lots that do not qualify as a building site pursuant to this title shall not be created.
  3. In the event that the Planning Director determines that the criteria set forth in subsection 2 above are not met, the Planning Director may approve the binding site plan with conditions which, if complied with, will cause the plan to meet the criteria.
  4. The signature on the record of survey of the binding site plan by the City Engineer and City Planner shall serve as approval of the binding site plan.
- C. Recording - Binding effect.
1. All binding site plans, after approval, shall be recorded with the County Auditor's Office with a record of survey.
  2. The record of survey shall include, at a minimum, the following information:
    - a. The name of the binding site plan;
    - b. Legal description of existing lots;
    - c. The date, north arrow and appropriate engineering scale as approved by the Planning Director;
    - d. Boundary lines, right-of-way for streets, easements, and property lines of lots and other sites with accurate bearings, dimensions or angles and arcs, and of all curve data;

**ACTION ITEM 5b.**

- e. Names and right-of-way widths of all streets within the parcel and immediately adjacent to the parcel. Street names shall be consistent with the names of existing adjacent streets;
- f. Number of each lot consecutively;
- g. Reference to covenants and special restrictions either to be filed separately or on the face of the binding site plan;
- h. Location, dimensions and purpose of any easements, noting if the easements are private or public;
- i. Location, physical description, and date visited of monuments and all lot corners set and found;
- j. Existing structures, including any within 50 feet of existing or proposed lot lines, all setbacks, and all encroachments;
- k. Primary control points identified (i.e., calculated, found, established, or reestablished), basis of bearing, and horizontal and vertical datums as required by the Public Works Department. Descriptions and ties to all control points will be shown with dimensions, angles and bearings;
- l. A dedicatory statement acknowledging public and private dedications and grants;
- m. Parking and general vehicle circulation areas when required;
- n. Other restrictions and requirements as deemed necessary by the City;
- o. The applicable requirements of RCW 58.17.040(7) shall be met, including inscription of the following statement on the binding site plan:

*All development and use of the land described herein shall be in accordance with this binding site plan, as it may be amended with the approval of the city, town, or county having jurisdiction over the development of such land, and in accordance with such other governmental permits, approvals, regulations, requirements, and restrictions that may be imposed upon such land and the development and use thereof. If the project is a condominium, upon completion the improvements on the land shall be included in one or more condominiums or owned by an association or other legal entity in which the owners of units therein or their owners' associations have a membership or other legal or beneficial interest. This binding site plan shall be binding upon all now or hereafter having any interest in the land described herein.*

3. Lots, parcels, or tracts created through the binding site plan procedure shall be legal lots of record.
4. All provisions, conditions, and requirements of the binding site plan shall be shown on the face of the record of survey or in attachments recorded with the record of survey and shall be legally enforceable on the purchaser or any other person acquiring a lease or other ownership interest of any lot, parcel, or tract created pursuant to the binding site plan.

**D. Alteration or vacation of binding site plans.**

1. The Planning Director may allow for modifications to binding site plans, upon application, only if the modification is minor in nature and the original intent of the recorded binding site plan is not changed and if the modification does not impact the public health, safety, or welfare, nor does it adversely impact the environment or the

**ACTION ITEM 5b.**

delivery of services to the site. The proposed modification must be clearly shown on a revised map and be accompanied by a letter of explanation of the proposed modification. Upon administrative approval of such modification, the modification(s) shall become part of the binding site plan and recorded with the County Auditor as applicable. If, in the opinion of the Director, the modification constitutes more than a minor modification, the proposal shall be processed as a new binding site plan.

2. The Planning Director may allow for vacation of an entire binding site plan, upon application, if no permits have been issued. Vacations of this type may be done as a whole only. Vacating a binding site plan releases all conditions and obligations on the parcel associated with such plan. A binding site plan may be vacated with the submission of a letter of intent to vacate with the City of Snohomish Planning Department. The applicant is subject to payment of all outstanding fees for City permit review at the time of vacation submittal.
3. After issuance of any building or site development permits, the vacation of all or part of a binding site plan shall be accomplished by following the same process and applying the same criteria as for an initial application for binding site plan approval. Any vacated portion of a binding site plan shall be considered to be one lot, unless divided by an approved subdivision or short subdivision.

**E. Violation.**

1. Any sale, transfer, or lease of any lot, tract, or parcel created pursuant to a binding site plan that does not conform to the requirements of the binding site plan or without binding site plan approval, shall be considered a violation of the Snohomish Municipal Code and Chapter 58.17 RCW, and may be restrained by injunctive action.
2. Compliance with the requirements of this code shall be mandatory. The general penalties and remedies established in Chapters 1.14 and 14.85 SMC for such violations shall apply to any violation of this code. The enforcement actions authorized under this code shall be supplemental to those general penalties and remedies of Chapters 1.14 and 14.85 SMC.

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**ACTION ITEM 5c.**

**Date:** February 4, 2020

**To:** City Council

**From:** Brooke Eidem, Planner

**Subject:** **New Parks, Open Space & Public Land Use Designation Code Amendments**

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**SUMMARY:** Ordinance 2379 will implement the new “Parks, Open Space & Public” land use designation created when the City Council amended the Comprehensive Plan in December 2018.

**BACKGROUND:** In the 2018 Comprehensive Plan Amendment cycle, the Public Park and Open Space land use designations were consolidated into a new “Parks, Open Space & Public” designation. Because the two designations were regulated similarly and there was little value in keeping them separate, the City Council adopted the Comprehensive Plan amendment to reduce the complexity of the plan and associated regulations.

There are multiple chapters and sections in Title 14, Land Use Code, that reference the Public Park and Open Space designations. All of these references must be amended, and in one case repealed, to implement and be consistent with the new Parks, Open Space & Public designation. The affected chapters are:

- SMC 14.205 – Permitted Land Uses;
- SMC 14.207 – Land Use Tables;
- SMC 14.210 – Dimensional Standards;
- SMC 14.235 – Off-Street Parking, Loading, and Access Requirements;
- SMC 14.240 – Landscaping, Screening, Fencing and Retaining Walls; and
- SMC 14.242 – Wireless Communications Facilities.

**ANALYSIS:** The bulk of the proposed changes are primarily non-substantive in that they simply change the references to the two designations into a single reference to the new designation. The draft code language is almost entirely derived from existing language. For the most part, the uses and language related to the old Public Parks designation have been retained. Because the Open Space designation was slightly more restrictive than Public Parks, by retaining the Public Parks uses there are minor additional uses that will be able to occur in open space areas.

**SMC 14.210.235 – Public Park**

This section describes general criteria to govern development in the Public Park land use designation. In addition to the non-substantive changes made to make the section applicable to the new “Parks, Open Space & Public” designation, staff is proposing more clearly written criteria which should be considered substantive, but not significant, changes. The goal in revising the criteria is to provide the Planning Director with clearer criteria when evaluating proposed development in the Parks, Open Space & Public land use designation.

All of the following changes are non-substantive in that they are drafted merely to merge the Public Parks and Open Space designations into a single Parks, Open Space & Public designation.

**ACTION ITEM 5c.**

**SMC 14.205.075 – Open Space Designations**

This section is repealed because there on longer is an Open Space designation.

**SMC 14.205.090 – Public Park Designation**

This section is retitled and amended so it will be relevant to all properties under the new combined “Parks, Open Space & Public” land use designation. Some of the language in the repealed SMC 14.205.075 is carried over into this section.

**SMC 14.207.020 – Permitted Uses Tables**

This section includes nine tables showing allowed uses by category of land use. The tables regulate the following types of land uses:

- Residential
- General Services
- Government/Business Services
- Retail
- Manufacturing
- Regional
- Recreational/Cultural
- Resource
- Essential Public Facility

Each table has column headings representing the current 14 land use designations in the Comprehensive Plan. All of these tables are amended to delete the Public Park column and to relabel the Open Space column to read “Parks, Open Space & Public.” The allowed uses that had been shown in the Public Park column are then included in the relabeled Parks, Open Space & Public column.

The only substantive change is the removal of the “recreational vehicle parks” land use from the Residential table because it was already regulated in the Recreational/Cultural table (SMC 14.207.130). This change also required amending the “Residential Land Uses: Regulations” section (SMC 14.207.075) to reflect the deletion of a regulation related to recreational vehicle parks.

**SMC 14.210.330 – Dimensional Requirements**

Table 2: Residential and Other Misc. Designations is amended to delete the Public Park column and relabel the Open Space column “Parks, Open Space & Public” and copying the Public Park requirements in this column.

**SMC 14.210.020 – Interpretation of Tables; SMC 14.235.130 – Minimum Requirements for Off-street Parking; and SMC 14.242.040 – Prohibitions [of wireless communication facilities]**

The amendments to these three sections are limited to changing references to either Public Parks or Open Space to read “Parks, Open Space & Public.”

**BUDGETARY IMPACTS:** None

**CITY COUNCIL GOALS:** Not applicable

**STRATEGIC PLAN REFERENCE:** Not applicable

**RECOMMENDATION:** That the City Council ADOPT Ordinance 2379, implementing the 2018 Comprehensive Plan amendment, consolidating the Public Parks and Open Space land use designations into a single Parks, Open Space & Public designation.

**ATTACHMENT:** Ordinance 2379

**ATTACHMENT**  
**CITY OF SNOHOMISH**  
**Snohomish, Washington**

**ORDINANCE 2379**

**AN ORDINANCE OF THE CITY OF SNOHOMISH, WASHINGTON, AMENDING SMC CHAPTER 14.205 (PERMITTED LAND USES), SMC CHAPTER 14.207 (LAND USE TABLES), SMC CHAPTER 14.210 (DIMENSIONAL AND OTHER REQUIREMENTS), SMC CHAPTER 14.235 (OFF-STREET PARKING, LOADING, AND ACCESS REQUIREMENTS), SMC CHAPTER 14.240 (LANDSCAPING, SCREENING, FENCING, AND RETAINING WALLS), SMC CHAPTER 14.242 (WIRELESS COMMUNICATIONS FACILITIES), TO CONSOLIDATE THE CURRENT PUBLIC PARKS LAND USE DESIGNATION AND THE OPEN SPACE LAND USE DESIGNATION INTO A NEW LAND USE DESIGNATION TO BE CALLED PARKS, OPEN SPACE & PUBLIC, PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE.**

**WHEREAS**, the City has the authority under Title 35A and Chapter 58.17 RCW to adopt regulations related to zoning and land uses and the processing of land use development permits; and

**WHEREAS**, the City has adopted a Land Use Development Code under Title 14 SMC (“Development Code”) to implement the Comprehensive Plan and to ensure compatible and rational land development and land use in all portions of the City; and

**WHEREAS**, on December 4, 2018 the Snohomish City Council adopted Ordinance 2354 to amend the City of Snohomish Comprehensive Plan, which contained provisions that consolidated the Public Parks land use designation with the Open Space land use designation into a new Parks, Open Space & Public land use designation; and

**WHEREAS**, pursuant to the State Environmental Policy Act, the City of Snohomish as the designated lead agency for review of the proposed regulations, issued a Determination of Non Significance on September 24, 2019 pursuant to WAC 197-11-340(2) and since no appeals to the determination were made the determination stands as issued; and

**WHEREAS**, on September 5, 2019, the proposed amendments contained herein were transmitted to the State Department of Commerce as required by RCW 36.70A.106; and

**WHEREAS**, on October 2, 2019, following notice as required by law, the City of Snohomish Planning Commission held a duly-noticed public hearing to receive staff and citizen input concerning the proposed code amendments and all persons who wished to be heard on the matter were heard; and

**WHEREAS**, the Planning Commission adopted “Findings of Facts & Conclusions” and recommended City Council approval of the proposed code amendments, which are attached hereto as “Exhibit A” and incorporated by this reference; and

**WHEREAS**, on February 4, 2020, at a duly-noticed public meeting, the City Council received staff and citizen input, and considered the recommendation of the Planning Commission, and all persons who wished to be heard on the matter were heard; and

**WHEREAS**, the City Council has determined that it is in the public interest to consolidate the Public Parks land use designation with the Open Space land use designation into a new Parks, Open Space & Public land use designation;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SNOHOMISH, WASHINGTON, DO ORDAIN AS FOLLOWS:**

**Section 1.**     **Adoption of Recitals as Findings.** The City Council hereby adopts each of the recital paragraphs above as findings and hereby incorporates them by reference as though fully stated herein.

**Section 2.**     **Adoption of Planning Commission Findings.** The Planning Commission findings as set forth in “Exhibit A” are hereby adopted and incorporated by reference, including but not limited to the findings that the Development Code regulations and amendments adopted by this Ordinance are:

- a. Internally consistent with the City of Snohomish Comprehensive Plan;
- b. Consistent with the Washington State Growth Management Act;
- c. Consistent with the Washington State Environmental Policy Act (Chapter 43.21C RCW); and
- d. In the interest of the public health, safety, and welfare of Snohomish residents.

**Section 3.**     **SMC 14.205.075 Deleted.** SMC 14.205.075, entitled “Open Space Designations” is hereby deleted in its entirety.

**Section 4.**     **SMC 14.205.090 Amended.** SMC 14.205.090, is hereby amended to read as follows:

**14.205.090 Parks, Open Space & Public Park-Designation.**

1. The purpose of this designation is to:
  - a. Identify land that generally is owned and operated by public entities for parks, recreation and other low intensity public uses. Any new designations to Parks, Open Space & Public should be restricted to property owned by a public entity.
  - ab. Preserve and enhance as open space environmental resources and amenities, including environmentally sensitive areas such as stream corridors, wildlife habitat, steep slopes, wetlands, and critical aquifer recharge areas.
  - ~~b. Identify publicly owned land used or planned for use as a public park.~~
  - bc. Protect and promote land use compatibility between public parks and open space and neighboring land uses.
  - ed. Prevent the displacement or elimination of public parks, except as may be allowed through the Comprehensive Plan amendment process for the Land Use Designation Map.

**ACTION ITEM 5c.**

2. ~~New public parks and public trails may be established and~~ are permitted in any land use designation. ~~At the next appropriate opportunity, the~~ Land Use Designation Map shall then be amended to reflect the presence of the new public park.
3. ~~A change in land use designation shall be required prior to the conversion of a property designated Public Park for other than public recreational use.~~
3. For land uses designated as permitted (P) by Chapter 14.207 SMC, the initial development of or a substantive alteration of a public park ~~will~~ shall require an administrative site development plan (SDP). ~~The City and the applicant may agree to process an administrative development plan application as a Type 5 instead of a Type 1 permit or a Type 6 instead of a Type 4 permit.~~
4. For land uses designated as conditional uses (C) by Chapter 14.207 SMC, the initial development of or a substantive alteration of a public park ~~will~~ shall require approval of a conditional use permit per SMC 14.65.010.

**Section 5.**     **SMC 14.207.070 Amended.** SMC 14.207.070 is amended to read as set forth in attached “Exhibit B” which is hereby incorporated herein by this reference.

**Section 6.**     **SMC 14.207.075 Amended.** SMC 14.207.075 is amended to read as set forth in attached “Exhibit C” which is hereby incorporated herein by this reference.

**Section 7.**     **SMC 14.207.080 Amended.** SMC 14.207.080 is amended to read as set forth in attached “Exhibit D” which is hereby incorporated herein by this reference.

**Section 8.**     **SMC 14.207.100 Amended.** SMC 14.207.100 is amended to read as set forth in attached “Exhibit E” which is hereby incorporated herein by this reference.

**Section 9.**     **SMC 14.207.110 Amended.** SMC 14.207.110 is amended to read as set forth in attached “Exhibit F” which is hereby incorporated herein by this reference.

**Section 10.**    **SMC 14.207.120 Amended.** SMC 14.207.120 is amended to read as set forth in attached “Exhibit G” which is hereby incorporated herein by this reference.

**Section 11.**    **SMC 14.207.130 Amended.** SMC 14.207.130 is amended to read as set forth in attached “Exhibit H” which is hereby incorporated herein by this reference.

**Section 12.**    **SMC 14.207.150 Amended.** SMC 14.207.150 is amended to read as set forth in attached “Exhibit I” which is hereby incorporated herein by this reference.

**Section 13.**    **SMC 14.210.020 Amended.** SMC 14.210.020, is hereby amended to read as follows:

**14.210.020 Interpretation of Tables.**

- A. This chapter defines general design and dimension standards for the various land use designations as well as requirements specific to a particular land use designation.
- B. There are two separate tables which are arranged in a matrix format. Table 1 contains the requirements for the Commercial and Industry land use designations. Table 2 contains the requirements for all of the residential land use designations, as well as the Parks, Open Space & Public, and Urban Horticulture land use designations. The types of dimensional standards are listed down the left side of the table and the land

**ACTION ITEM 5c.**

use designations are listed at the top. The matrix boxes contain the minimum dimensional requirements of the land use designation. A blank box indicates that there are no specific requirements.

**Section 14.** **SMC 14.210.235 Amended.** SMC 14.210.235, is hereby amended to read as follows:

**14.210.235 Parks, Open Space, and Public Park.**

The following general criteria shall govern the development in this designation:

- A. At the time that a change or intensification of land use, or new construction or development is proposed, the City Planner Planning Director shall evaluate the conditions associated with the proposed development, the existing property, and the surrounding property and pursuant to SMC 14.05.050 issue written findings and establish dimensional standards applicable to the subject property, pursuant to SMC 14.05.050. regarding the applicable land development regulations. The City Planner's Planning Director's determination and decision regarding applicable development regulations shall be appealable as prescribed by Chapter 14.20 SMC.
- B. In determining the development regulations applicable to property designated Public Parks, Open Space & Public, the City Planner Planning Director shall consider factors such as:
  1. Compatibility with Existing and proposed land uses, facilities, planned open spaces, and improvements.
  2. Development regulations applicable to nearby properties.
  3. Limitations or controls upon construction, or land use, including but not limited to critical areas on the site and, transportation system level of services, etc., that may be warranted in order to minimize the potential for unmitigated adverse impacts. and establish written dimensional standards applicable to the subject property.

**Section 15.** **SMC 14.210.330 Amended.** SMC 14.210.330 is amended to read as set forth in attached "Exhibit J" which is hereby incorporated herein by this reference.

**Section 16.** **SMC 14.235.130(I) Amended.** SMC 14.235.130(I), is hereby amended to read as follows:

**14.235.130 Minimum Requirements for Off-Street Parking.**

- I. *Surfacing.* All off-street parking areas and vehicle sales areas, including ingress and egress lanes, shall be paved with a hard-surfaced material that may include permeable concrete or asphalt pavement. Marked, unpaved parking areas are permitted in urban horticulture, public parks, and open space & public zones, when a professional parking study or other reliable data shows the area will be for parking spaces in excess of those required pursuant to this chapter.

**Section 17.** **SMC 14.240.060(D) Amended.** SMC 14.240.060(D), is hereby amended to read as follows:

- D. *Fences and Decorative Freestanding Walls in Single-Family, Residential, Parks, and Open Space Parks, Open Space, & Public Land Use Designation Areas.* Fences/freestanding walls constructed in Single-Family, Residential, Parks and Open Space Parks, Open Space & Public use designation areas shall comply with the following requirements:

**ACTION ITEM 5c.**

1. Electrical fences and fences with barbed wire, razor wire, concertina wire, or similar products are prohibited.
2. Within front yard setback area.
  - a. *Solid Fence*. No higher than three feet unless it connects side fences to the structure.
  - b. *Open Fence*. Up to five feet if it does not create a sight obstruction.
3. If located within a side yard setback area the maximum allowed height shall be six feet except fences located in a side yard setback area on the street side of a corner lot shall also be required to meet the sight clearance requirements for intersections as set forth in SMC 14.210.160.

**Section 18.** **SMC 14.242.040 Amended.** SMC 14.242.040, is hereby amended to read as follows:

**14.242.040 Prohibitions.**

- A. The following new wireless communication facilities are prohibited:
  1. Guyed towers.
  2. Lattice towers.
- B. Unless demonstrated to be necessary and without effective alternative, new monopoles are prohibited within the boundaries of the Historic District.
- C. WCFs are prohibited in the ~~Public Parks land use designation.~~

**Section 19.** **Severability.** If any section, subsection, sentence, clause, phrase, or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

**Section 20.** **Effective Date.** This ordinance shall become effective five (5) days following passage and publication.

ADOPTED by the City Council and APPROVED by the Mayor this 4th day of February, 2020.

CITY OF SNOHOMISH

By \_\_\_\_\_  
John T. Kartak, Mayor

ATTEST:

APPROVED AS TO FORM:

By \_\_\_\_\_  
Pat Adams, City Clerk

By \_\_\_\_\_  
Grant K. Weed, City Attorney

Date of Publication: \_\_\_\_\_

Effective Date (5 days after publication): \_\_\_\_\_

## EXHIBIT A

### Snohomish Planning Commission Findings of Fact & Conclusions

**Based on the review of the proposed amendments Title 14 Snohomish Municipal Code related to the Parks, Open Space and Public land use designation, the Planning Commission of the City of Snohomish makes the following Findings of Fact:**

1. The City has the authority under RCW Title 35A to adopt regulations related to land use development.
2. A future land use map is a mandatory element of the Comprehensive Plan under RCW 36.70A.070.
3. The City has adopted a Land Use Development Code as Title 14 of the Snohomish Municipal Code (SMC) to implement the Comprehensive Plan and to ensure compatible and rational land development and land use in all portions of the city.
4. Revisions to the Comprehensive Plan were adopted by the City Council for the City of Snohomish on December 4, 2018 to consolidate and rezone the Public Parks and the Open Space designations into the Parks, Open Space & Public designation.
5. The proposed amendments to Title 14 SMC will amend chapters 14.205 SMC (Permitted Land uses), 14.207 SMC (Land use Tables), 14.210 SMC (Dimensional Standards), 14.235 SMC (Off-Street Parking, Loading, and Access Requirements), 14.240 SMC (Landscaping, Screening, Fencing and Retaining Walls), and 14.242 SMC (Wireless Communications Facilities) to implement and be consistent with the Parks, Open Space & Public land use designation.
6. The proposed amendments implement GMA planning goal 9 related to open space and recreation, "(9) Open space and recreation. Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities."
7. The proposed amendments implement the following goals and policies contained in the Snohomish Comprehensive Plan:
  - a. Goal LU 8: Provide adequate areas for public uses such as schools, parks, and other governmental uses where they are compatible with surrounding uses.
  - b. Goal LU 9: Preserve lands inappropriate for development as natural and open space areas.
  - c. Policy POP 9.1: Parks, Open Space & Public designation. The Parks, Open Space & Public designation identifies those areas that will not be developed for private uses, although low intensity recreational activities and other public uses may be allowed where consistent with the sensitivity of the site.
  - d. Policy ED 3.3: Recreation. Maintain, expand, and promote park, trail, and recreational opportunities as described in the Parks Element, as amenities to attract new residents and businesses.
8. Procedural requirements.

**ACTION ITEM 5c.**

- a. The proposed amendments are consistent with state law.
  - b. Pursuant to RCW 36.70A.106(1), a notice of intent to adopt the proposed amendments was transmitted to the Washington State Department of Commerce for distribution to state agencies on September 5, 2019.
  - c. Pursuant to the State Environmental Policy Act, the City of Snohomish, as the designated lead agency for review of the proposed amendment, issued a Determination of Non-Significance on September 24, 2019, pursuant to WAC 197-11-340(2).
  - d. The public process used in the adoption of the proposed amendments has complied with all applicable requirements of the GMA and the SMC.
9. The Planning Commission held a public hearing on October 2, 2019, to receive public testimony concerning the proposed amendment.
10. At the conclusion of the public hearing, the Planning Commission voted to recommend City Council approval of the proposed amendments.

**Based on the foregoing Findings of Fact, the Snohomish Planning Commission hereby makes the following conclusions.**

1. The proposed amendments will codify the consolidation of the Public Parks designation with the Open Space designation to be consistent with the 2018 Comprehensive Plan amendment.
2. The proposed amendments are consistent with Washington State law and the SMC.
3. The proposed amendments implement and are consistent with the goals and policies of the Comprehensive Plan.
4. The proposed amendments protect the public health, safety, and general welfare.
5. The proposed amendments do not result in an unconstitutional taking of private property for public purpose and they do not violate substantive due process guarantees.

Date: 10/2/19

By: Terry Lippincott

Terry Lippincott, Planning Commission Chair

## EXHIBIT B

### 14.207.070 Residential Land Use Table.

Land Use	<u>Parks, Open Space &amp; Public</u>	<u>Public Park</u>	Urban Horticulture	Single Family Residential	Low Density Residential	Medium Density Residential	High Density Residential	Commercial	Neighborhood Business	Historic Business District	Business Park	Industrial	Airport Industry	Mixed Use
<b>Dwelling Units</b>														
Adult family home				p	p	p	p	p						p
Caretaker residence	p5	p							p14 13		p5	p5		
Foster home				p	p	p	p	p						p
Manufactured home			p1	p	p	p	p							p
Mobile home park					c9	c9	c9							
Multifamily					p	p	p	p10		p	c6			p7
Single-family detached			p1	p	p	p	p	p16 15		p	p16 15			p
Single-family attached				p17 16	p	p	p	p10		p	p6			p7
<b>Group Residences</b>														
Community residential facility-CRF					c	c	c	c		c				p7
CRF-prisoner release												c		
Fraternity, sorority, group student house					c	c	c							c
<b>Accessory Uses</b>														
Accessory dwelling units				p2	p2	p2	p2	p2	p14	p2				p2

**ACTION ITEM 5c.**

<b>Land Use</b>	<b><u>Parks, Open Space &amp; Public</u></b>	<b><u>Public Park</u></b>	<b>Urban Horticulture</b>	<b>Single Family Residential</b>	<b>Low Density Residential</b>	<b>Medium Density Residential</b>	<b>High Density Residential</b>	<b>Commercial</b>	<b>Neighborhood Business</b>	<b>Historic Business District</b>	<b>Business Park</b>	<b>Industrial</b>	<b>Airport Industry</b>	<b>Mixed Use</b>
Accessory structures	p	ϕ		p	p	p	p							
Accessory uses	p	ϕ	p11	p11	p11	p11	p11							
Home occupation			p3	p3	p3	p3	p3	p3		p3				p
Limited agricultural uses			p12	p12										
Animals (see Ch. <u>7.04</u> SMC)														
Private kennels (see Ch. <u>7.04</u> SMC)														
Roomers/boarders				p8	p8	p8	p8			p8	p8	p8		p8
<b>Temporary Lodging</b>														
Bed and breakfast				c4	p	p	p	p		p				p
Bed and breakfast inn					p	p	p	p		p				p
Hotel/motel							p	p		p				p
Recreational vehicle parks		€										€13		

## **EXHIBIT C**

### **14.207.075 Residential Land Use: Regulations.**

1. Related to the operation of a farm, one (1) unit per ten (10) acres.
2. Accessory dwelling units must meet the following conditions:
  - a. One (1) unit must be owner occupied.
  - b. The design of any exterior alteration or new structure necessary for the unit must comply with the City's design standards adopted in Chapters 14.225 and 14.230 SMC.
  - c. One (1) additional on-site parking space must be provided.
  - d. If the accessory unit is in a separate structure, it must be no greater than eight hundred (800) square feet or half the floor area of the existing structure, whichever is less.
  - e. Occupancy of the accessory unit, together with all roomers or boarders permitted under SMC 14.207.075(8), shall not exceed three (3).
3. Home occupations must meet the following conditions:
  - a. The occupation shall be conducted within an enclosed building.
  - b. No indication of the occupation, such as outdoor storage areas, abnormally higher traffic volumes, noise, vibration, dust, smoke or odors, shall be evident from outside the building in which the occupation is located.
  - c. The occupation shall not produce ground water pollution or introduce objectionable waste into the City sewer system.
  - d. Not more than one (1) person outside the immediate family group residing on the premises shall engage in such occupation.
  - e. Signing must comply with Chapter 14.245 SMC.
  - f. The occupation cannot exceed twenty-five percent (25%) of the home square footage.
  - g. The occupation must have a City business license.
  - h. The premises must be occupied by the occupation owner.
4. Bed & Breakfast (B&B) establishments must meet the following conditions:
  - a. The residence must be owner-occupied.
  - b. The Design Review Board must review the plan for off-street parking and, if the property is located within the Historic District, the design of the sign.
  - c. No more than four B&B rooms per residence.
  - d. One (1) on-premise parking space must be provided per B&B room, in addition to parking required for the residence.
  - e. B&B rooms must be located in the structure of the principal residence.
  - f. No meals other than breakfast shall be provided, and no meals shall be sold to non-renters.

**ACTION ITEM 5c.**

- g. No room shall be rented to the same person or persons for more than thirty (30) days per year.
  - h. No rooms shall be rented on a permanent basis, and no other business activity may be conducted on the premises.
  - i. The B&B must maintain a City business license.
5. Employee living quarters as an accessory use shall meet the following conditions:
- a. Living quarters shall be restricted to the use of caretakers, watchmen, and special employees in training.
  - b. Living quarters may be a separate building, manufactured home, or a portion of another building.
  - c. Only two (2) dwelling units shall be used for employee living quarters.
6. Multi-family housing is allowed in conjunction with commercial use as a mixed use.
- a. The gross square footage of multi-family housing must not exceed the gross square footage of commercial use.
  - b. Multiple family density may not exceed eighteen (18) units/acre, in accordance with Chapter 14.210 SMC.
7. Requires an approved ~~administrative~~ site development plan.
8. Up to three (3) roomers or boarders may reside in an owner-occupied, single family home, or accessory dwelling unit associated with the owner-occupied, single family home, irrespective of the definition of family in Chapter 14.100 SMC, provided that, with the exception of an approved accessory dwelling unit, the property contains only one (1) dwelling unit, and provided that any nonfamily members occupying the accessory dwelling unit shall be counted against the limit of three (3) roomers or boarders.
9. Must meet mobile home park design requirements set forth in SMC 14.210.220.
10. Except where a higher density is permitted by SMC 14.285.060 for low-income senior housing, multi-family residential density may not exceed eighteen (18) units per acre, in accordance with SMC 14.210.210.
11. Signs, fences, landscaping and screening in compliance with Title 14 SMC.
12. Agricultural uses shall be limited in accordance with SMC 14.210.320.
- ~~13. Recreational Vehicle Parks must meet the following conditions:~~
- ~~a. Maximum of fifteen (15) dwelling units per acre.~~
  - ~~b. Type III landscaping as defined in SMC 14.240.040(F)(3) shall be required along all property lines.~~
  - ~~c. An emergency flood evacuation plan must be submitted to the City and be approved by the City Planner and City Fire Official. The City Planner and City Fire Official shall develop minimum requirements for the contents of flood evacuation plans.~~
  - ~~d. Must comply with the requirements of Chapter 20.04 SMC relating to the establishment of trailer camps.~~

**ACTION ITEM 5c.**

~~e. Length of stay shall be a total of not more than ninety (90) days in any calendar year.~~

~~f. Recreational trailer camps shall be only permitted south of the Snohomish River.~~

~~1413.~~ Employee and/or accessory living quarters as an accessory use shall meet the following conditions:

- a. Living quarters must be on the second floor above the primary commercial use on the site.
- b. The density of the employee and/or accessory living quarters shall not exceed the density of the highest density adjacent residential designation.

~~1514.~~ Reserved.

~~1615.~~ Permitted only through the unit lot subdivision process in SMC 14.215.125 and only where in compliance with the standards in SMC 14.210.215.

~~1716.~~ Permitted only in conjunction with a planned residential development under the provisions of Chapter 14.220 SMC.

## EXHIBIT D

### 14.207.080 General Services Land Use Table

Land Use	Parks, Open Space & Public	Public Park	Urban Horticulture	Single Family Residential	Low Density Residential	Medium Density Residential	High Density Residential	Commercial	Neighborhood Business	Historic Business District	Business Park	Industrial	Airport Industry	Mixed Use
<b>Personal Services</b>														
Adult uses												p7		
Automotive repair								p		p1	p1	p	p1	
Automotive service								p		p	P	p	p	p
Cemetery, columbarium or mausoleum								p		p	P	p		
Childcare	c	e			p2	p2	p2	p2	p2		P			p2
Childcare, family – 12 children or less	c	e	c	c	c	c	c	c		c				c
Childcare, family – 6 children or less	c	e	p	p	p	p	p	p		p				p
Church, synagogue, temple, mosque				c9	c	c	c	p		p	P	p	p	p
Community stable	c	e	p			c								
Funeral home/crematory								p		p	P	p		
General personal services								p		p	P	p	p	p
Industrial launderers											P	p		
Commercial kennel or cattery			p4	p4				p			P	p		
Animal grooming w/o kenneling/boarding								p		p	P	p		p
Miscellaneous repair								p		p	P	p	p	p

**ACTION ITEM 5c.**

Land Use	Parks, Open Space & Public	Public Park	Urban Horticulture	Single Family Residential	Low Density Residential	Medium Density Residential	High Density Residential	Commercial	Neighborhood Business	Historic Business District	Business Park	Industrial	Airport Industry	Mixed Use
Social services								p		p	P	c		c
Veterinary clinic w/o kenneling/boarding			c8					p4		p4	p4	p		p4
Veterinary clinic w/ kenneling/boarding			c8					p4			p4	p		p4
<b>Health Services</b>														
Hospital								p		p	P	p		p
Medical/dental lab								p		p	P	p		p
Miscellaneous health								p		p	P	p		p
Nursing/convalescent home				c6	c	p	p	p		p	P	p		p
Office/patient clinic								p	p	p	P			p
Congregate care/assisted living				c6	c	p	p	p		p	P			p
Sanctioned drug injection site facility														
<b>Education Services</b>														
Elementary or middle/junior				c	c	c	c	p			P			p
School district support facility					c	c	c	p		p	P	p		p5
Secondary or high school				c	c	c	c	p			P			p
Specialized instruction school	c	e	c		c	c	c	p		p	P		p	p
Vocational school					c	c	c	p		p	P	p	p	p

**EXHIBIT E**

**14.207.100 Retail Land Use Table.**

Land Use	Parks, Open Space & Public	Public Park	Urban Horticulture	Single Family Residential	Low Density Residential	Medium Density Residential	High Density Residential	Commercial	Neighborhood Business	Historic Business District	Business Park	Industrial	Airport Industry	Mixed Use
<b>Retail Land Uses</b>														
Agricultural crop sales								p		p	P	p		p
Apparel and accessory stores								p	p4	p	P			p
Auction houses								p		p		p	p	
Auto supply store								p3		p3	p3	p		p3
Bldg., hardware & garden materials			p1					p		p	P	p		p
Book, stationary, video and art supply								p	p4	p	P	p		p
Bulk retail								p		p	P	p		c
Department and variety stores								p		p	P			p
Drug stores								p		p	P	p		p
Eating, drinking	p7	p7						p	p6	p	P	p	p	c
Fabric shops								p		p	P	p		p
Florist shops								p	p4	p	P			p
Food stores								p	p4/5	p	P	p2		p
Forest products sales								p		p	P	p		
Fuel dealers								p			P	p	p	

**ACTION ITEM 5c.**

<b>Land Use</b>	<b>Parks, Open Space &amp; Public</b>	<b>Public Park</b>	<b>Urban Horticulture</b>	<b>Single Family Residential</b>	<b>Low Density Residential</b>	<b>Medium Density Residential</b>	<b>High Density Residential</b>	<b>Commercial</b>	<b>Neighborhood Business</b>	<b>Historic Business District</b>	<b>Business Park</b>	<b>Industrial</b>	<b>Airport Industry</b>	<b>Mixed Use</b>
Furniture and home furnishing stores							p		p	P				p
Gasoline service station							p		p	P	p	p		c
Hobby, toy and game shops							p	p4	p	P	p			p
Jewelry stores							p		p	P				p
Liquor stores							p		p	P	p			p
Monuments, tombstones, gravestones							p			P	p			c
Motor vehicle and boat dealers							p		p	P	p			c
Personal medical supply stores							p		p	P				p
Pet store with or w/o grooming							p	p4	p	P	p			p
Photographic and electronic shops							p		p	P	p			p
Sporting goods and related stores							p		p	P	p			p
Used goods: antiques/ second hand							p		p	P	p			p

**EXHIBIT F**

**14.207.110 Manufacturing Land Use Table.**

Land Use	<b>Parks, Open Space &amp; Public</b>	<b>Public Park</b>	<b>Urban Horticulture</b>	<b>Single Family Residential</b>	<b>Low Density Residential</b>	<b>Medium Density Residential</b>	<b>High Density Residential</b>	<b>Commercial</b>	<b>Neighborhood Business</b>	<b>Historic Business District</b>	<b>Business Park</b>	<b>Industrial</b>	<b>Airport Industry</b>	<b>Mixed Use</b>
<b>Manufacturing Land Uses</b>														
Aircraft, ship and boating building								c7				p	p	
Apparel & other textile products										P		p		c
Computer and office equipment								p9			p9	p	p9	p9
Custom metal working								p9		P		p		c9
Electronic and other electric equipment								p9		p9		p	p9	c9
Fabricated metal products								p9			p9	p	p9	c9
Food and kindred products			c1							p2	p2	p2	p2	
Furniture and fixtures										p	P	p		c
Heavy machinery and equipment								p9			p9	c	p9	c9
Industrial and commercial machinery								p9			p9	p	p9	c9
Leather and leather goods								p6		p6	p6	p		c6
Measuring and controlling instruments								p			P	p		c
Miscellaneous light manufacturing								p9			P	p	p	c9

**ACTION ITEM 5c.**

<b>Land Use</b>	<b><u>Parks, Open Space &amp; Public</u></b>	<b><u>Public Park</u></b>	<b>Urban Horticulture</b>	<b>Single Family Residential</b>	<b>Low Density Residential</b>	<b>Medium Density Residential</b>	<b>High Density Residential</b>	<b>Commercial</b>	<b>Neighborhood Business</b>	<b>Historic Business District</b>	<b>Business Park</b>	<b>Industrial</b>	<b>Airport Industry</b>	<b>Mixed Use</b>
Miscellaneous transportation vehicles											p			
Motor vehicle and bicycle manufacturing								p9			P	p		c9
Movie production/distribution										p	P	p		p
Paper and allied products												p		
Printing and publishing								p		p	P	p		c
Railroad equipment												p	p	
Stone, clay, glass and concrete products								p8		p8	p8	p		c9
Textile mill products											P	p		
Tire retreading												c		
Winery/brewery				p3				p		p	P	p		c
Wood products			c4					p5		p5	P	p		c5

## EXHIBIT G

### 14.207.120 Regional Land Use Table.

Land Use	<u>Parks, Open Space &amp; Public</u>	<u>Public Park</u>	Urban Horticulture	Single Family Residential	Low Density Residential	Medium Density Residential	High Density Residential	Commercial	Neighborhood Business	Historic Business District	Business Park	Industrial	Airport Industry	Mixed Use
<b>Regional Land Uses</b>														
Airport/heliport													p	
College/university								p		p	P	p	p	p
Jail								p3						
Landing field													p	
Municipal water production												p		
Non-hydroelectric generation facility												p		
Public agency animal control facility												p		
Public agency training facility												p2		
School bus base											P	p		
Stadium/arena	c	e						p						
Transfer station												c		
Transit bus base												c		
Transit park and ride lot								p			P		p	p
Wastewater treatment facility												p		
Zoo/wildlife exhibit	c	e	p1											

## EXHIBIT H

### 14.207.130 Recreational/Cultural Land Use Table.

Land Use	<u>Parks, Open Space &amp; Public</u>	<u>Public Park</u>	Urban Horticulture	Single Family Residential	Low Density Residential	Medium Density Residential	High Density Residential	Commercial	Neighborhood Business	Historic Business District	Business Park	Industrial	Airport Industry	Mixed Use
<b>Parks and Recreation</b>														
Campgrounds	p	p												
Community stables	c	e	c											
Destination resorts	p	p						p		p			p	
Marina	p	p	c					p		p				
Public Park	p	p	p	p	p	p	p	p		p	P	p	p	p
Public trails	p	p	p	p	p	p	p	p		p	P	p	p	p
Recreational center	p	p						p			P			
Recreational vehicle park	c2	e						p2				c2	c2	
<b>Amusement/Entertainment</b>														
Amusement arcades								p		p	P	p		p
Bowling center								p			P			
Golf driving range	c	e											c	
Golf facility	c	e						p						
Community-based theater				c8										
Shoot range												c6		
Sports club	p	p						p		p	P	p		p
Theater	p	p						p		p	P			

**ACTION ITEM 5c.**

Land Use	<u>Parks, Open Space &amp; Public</u>	<u>Public-Park</u>	Urban Horticulture	Single Family Residential	Low Density Residential	Medium Density Residential	High Density Residential	Commercial	Neighborhood Business	Historic Business District	Business Park	Industrial	Airport Industry	Mixed Use
<b>Cultural</b>														
Arboretum	p7	p7		p	p	p	p	p		p	P	p	p	p
Conference center	p7	p7						p		p	P	p	p	p
Library	p7	p7		c	c	c	c	p		p				p
Museum	p7	p7		c	c	c	c	p		p	P	p		p

## EXHIBIT I

### 14.207.150 Essential Public Facility Regulations.

Land Use	Parks, Open Space & Public	Public Park	Urban Horticulture	Single Family Residential	Low Density Residential	Medium Density Residential	High Density Residential	Commercial	Neighborhood Business	Historic Business District	Business Park	Industrial	Airport Industry	Mixed Use
<b>Essential Public Facilities</b>														
Airport													p	
Earth station												c		
Energy resource recovery facility												c		
Hazardous waste storage & recycling												c		
Natural gas/electrical power generating facility												p		
Transfer station												c		
Work release facility												c		

## EXHIBIT J

### 14.210.330 Dimensional Requirements.

**Table 1. Commercial and Industry Designations**

	<b>Commercial CO</b>	<b>Historic District Business HB</b>	<b>Business Park BP</b>	<b>Industry IND</b>	<b>Airport Industry AI</b>	<b>Mixed Use MU</b>
Minimum Lot Size, in sq. ft.	5,000	none	20,000	none	25,000	5,000
Lot Width, in feet	50	none	none	none	none	50
Permitted maximum density, du/ac	18	18	18	na	1 per 10 acres	18
Front Yard Setback, in feet						
a. From street	0	0	0 <sup>2</sup>	0	35	0
b. From property line	0	0	0 <sup>2</sup>	0	0	0
Side Yard Setback <sup>2, 3</sup> , in feet	0	0	0	0	0	0
Side Yard abuts residential designation			50			
Rear Yard Setback, in feet	0	0	0 <sup>2</sup>	0	0	0
Rear Yard abuts residential designation <sup>2</sup>			50			
Rear access from an alley	na	15				
Open space (vegetated) <sup>4</sup>	15% <sup>4</sup>		20%	15%	20%	15%
a. Percent landscaped (excl. screening)	5%	0%	5%	5%	5%	5%
Height limitation <sup>5</sup> in feet <sup>6</sup>	35	40	45	40	40	35

1. An alternative maximum density may be permitted by Chapter [14.285](#) SMC.
2. Subject to compliance with landscape screening requirements of Chapter [14.240](#) SMC.
3. Side yards abutting streets shall conform to one-half (1/2) the front yard setbacks.
4. Twenty percent (20%) vegetated open space required for multi-family developments.
5. Measured per SMC [14.210.170](#).
6. Height limitation of fifty-five (55) feet for public schools and other public educational facilities such as aquatic centers, stadiums and gymnasiums.

**Table 2. Residential and Other Misc. Designations**

	<u>Parks, Open Space &amp; Public</u>	Urban Horticulture	Single Family Residential	Low Density Residential	Medium Density Residential		High Density Residential	Public Park
	<u>OSPOP</u>	UH	SF	LD	MD	MD MHP	HD	PP
Minimum Lot Size, in sq. ft.	none	10 acres	7,200	7,200	6,000	1 acre	5,000	none
Lot Width, in feet	none	none	60	60	50	50	50	none
Permitted density, du/ac <sup>1</sup>	na	1 per 10 acres	6	12	18	10	24	na
Front Yard Setback, in feet			2	2				
a. From arterial	<del>1020</del>	20	20	20	20		20	<del>10</del>
b. From all other streets	<del>20</del>	20	20	20	20		20	?
c. From prop. line (no street)	<del>210</del>	10	20	10	10		10	?
Side Yard Setback <sup>3</sup> , in feet	<del>20</del>	10	5	6	8		10	?
a. From residential	<del>20</del>	10						?
Rear Yard Setback, in feet	<del>20</del>	10	20 <sup>4</sup>	20	15		10	?
Lot coverage	<del>20%</del>	20%		80%	80%		80%	?
Open space	<del>20%</del>	70%		20%	20%		20%	?
a. Percent landscaped	<del>na</del>	na		5%	5%		5%	?
Height limitation <sup>5</sup> in feet <sup>6</sup>	35	40	35	35	35		40	<del>35</del>

1. An alternative maximum density may be permitted by Chapter [14.285 SMC](#).
2. Different front setback regulations apply if a PRD. See Chapter [14.220 SMC](#).
3. Side yards abutting streets shall conform to 1/2 the front yard setbacks.
4. If the property has an alley, vehicle access is required to be from the alley. Garage setback facing the alley SMC [14.210.130](#).
5. Measured per SMC [14.210.170](#).
6. Height limitation of fifty-five (55) feet for public schools and other educational facilities such as aquatic centers, stadiums and gymnasiums.
7. Dimensional requirements determined by the Planning Director as provided by SMC [14.210.235](#).

**DISCUSSION ITEM 6.**

**Date:** February 4, 2020

**To:** City Council

**From:** Glen Pickus, AICP, Planning Director

**Subject: Midtown Planning District - Resolution 1408 Outline**

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**SUMMARY:** The City Council will discuss an outline for the Midtown Planning District resolution, which will establish the parameters for the project and authorize creation of an ad hoc committee (Task Force) and its structure and rules.

**BACKGROUND:** The Midtown Planning District project will examine a portion of the Commercial Land Use Designation Area along Avenue D from Sixth Street north to SR9, and the development regulations for that area to determine how to amend those regulations to facilitate redevelopment which will be beneficial to the community.

The Mayor and staff are preparing a transparent planning process that will rely heavily on the input of an ad hoc Task Force to be comprised of community members selected by the Mayor and confirmed by the City Council. A key element of the process is a City Council resolution to establish the parameters for the planning project and to create the Task Force.

**DISCUSSION:** Attached is a draft outline for Resolution 1408 establishing the Midtown Planning District planning process. Councilmembers are encouraged to provide input regarding the content of the resolution.

The Mayor and staff are still working on a recommendation as to the composition of the Task Force. The recommendation will be offered during tonight's discussion, with input sought from Councilmembers regarding the composition of the Task Force.

**BUDGETARY IMPACTS:** The Midtown Planning District project will require professional services assistance from a planning consultant and a design consultant. The costs for those services are currently estimated to be approximately \$50,000. A more detailed discussion of the budgetary impacts of this project will be provided when the City Council is asked to approve the professional services agreements for the consultants.

**RELEVANT CITY COUNCIL GOALS:**

- Partner with public agencies and non-profit organizations and explore incentives and regulatory tools the City can use to facilitate the development of additional affordable housing units.
- Complete a land use feasibility study of the areas around SR9, Bickford Avenue, and Avenue D that are north of Sixth Street, both within the City and in the urban growth area, which includes the County-owned vacant 9.5-acre property by Avenue D and 13th Street, to understand which land use designations would best spur economic development.
- Explore opportunities to diversify the City's economy and revenues that provide basic services like law enforcement and transportation.

**STRATEGIC PLAN REFERENCE:** Not applicable

DISCUSSION ITEM 6.

**RELEVANT COMPREHENSIVE PLAN REFERENCES:**

**LU 1.1: Capacity.** Maintain capacity to accommodate the City's residential and employment growth targets as adopted in the Countywide Planning Policies.

**GOAL LU 2: Manage growth and community change in accordance with the values and vision of the Snohomish community of residents, landowners, and business people, and consistent with the Growth Management Act.**

**LU 2.1: Innovative zoning.** Utilize innovative zoning models to increase density and achieve other policy goals where it will not adversely affect the character of existing neighborhoods.

**LU 2.3: Residential densities.** Evaluate options for increasing district-wide residential densities where it will not have a detrimental effect on infrastructure and existing neighborhoods and where adequate accommodations are made for public spaces and pedestrian facilities.

**LU 2.4: Innovative design.** Consider innovative design concepts for public and private sites, buildings, and infrastructure to distinguish districts and to continue, improve, and promote the livability of the City and its districts.

**LU 2.5: Design standards.** Continue to improve and apply the adopted design standards to preserve the character of the City and its districts.

**GOAL LU 5: Accommodate a range of housing types and residential densities to provide living options for the spectrum of ages, lifestyles, and economic segments of the City's population.**

**MF 5.1: Density range.** Provide a range of density options for multi-family development types.

**MF 5.2: Multi-family location.** Medium and high density development should be located near public amenities in order to provide easy access.

**GOAL LU 6: Develop thriving commercial areas that are safe, attractive, and convenient.**

**CO 6.1: Commercial capacity.** Designate adequate mixed-use areas to provide for a variety of commercial activities with differing characteristics and emphases as described below:

- a. **Commercial.** Concentrations of retail and service uses in neighborhood and community shopping centers or commercial corridors along arterials. Such commercial areas should provide a wide range of convenience, general merchandise, and specialty goods and services and may incorporate multi-family development to create vibrant centers.

**CO 6.2: Traffic.** All commercial development should be carefully located and designed to eliminate or minimize adverse impact of heavy traffic volumes, and to separate automobiles from pedestrian traffic.

**CO 6.3: Commercial centers.** Commercial centers should be developed so as to encourage aesthetic site arrangements of buildings with landscaping and adequate off-street parking areas and contain pedestrian friendly orientation.

**CO 6.7 Commercial design.** All new commercial development should be designed to be compatible with the character of the neighborhood and immediate context of the site and consistent with applicable design standards.

**RECOMMENDATION: That the City Council DISCUSS the outline for Resolution 1408 and DIRECT staff on the desired contents of the resolution.**

**ATTACHMENT:** Draft outline for Resolution 1408

## ATTACHMENT

### Midtown Planning District Resolution Outline

#### I. Recitals as to Reasons for Resolution

- A. To accomplish three City Council goals (see “Relevant City Council Goals” in staff report)
- B. To implement six Comprehensive Plan goals and their associated policies (see “Relevant Comprehensive Plan References” in staff report)
- C. To seek broad community input
- D. To expand the tax base to allow city to maintain essential public services
- E. To revitalize and energize the Midtown area
- F. To allow the former Snohomish County Public Works Yard site to be revitalized to its highest and best use in a manner consistent with the community’s vision for the area

#### II. Establishment of Task Force. A statement the City Council is establishing the Task Force and applications will be accepted

#### III. Purpose of Task Force. To provide recommendations for the rewriting of the Commercial Land Use Designation Area development regulations and to seek community input on their wants and needs and balance them with market feasibility in order to:

1. Generate economic development
2. Increase housing options
3. Create affordable housing units

#### IV. Membership of Task Force

- A. At least 18 years of age
- B. Diverse experience, backgrounds, and expertise
- C. Desired characteristics of members
  1. Able to represent perspectives of stakeholders and broader community
  2. Have a high degree of commitment with reliable attendance
  3. Good communication skills and ability to listen to and work well with others
  4. Ability to bring new views and information to Task Force members
- D. Members of Task Force should have knowledge in at least one of the following areas:
  1. Land use
  2. Design
  3. Business operations
  4. Land development; builders/construction trade
  5. Real estate market
  6. Banks/financing

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7. Neighborhood residents' perspectives
8. Housing affordability

**V. Powers and Duties of Task Force**

- A. Help develop and review a strategy to rewrite the development regulations for the Commercial Land Use Designation Area to generate redevelopment, increase the tax base, and provide more housing options, including adding affordable housing units
- B. Receive, discuss and respond to information and analysis shared before and during meetings with thoughtful insights, perspectives and ideas
- C. Review comments and information provided during the public process
- D. Bring a community-wide perspective and participate in a constructive manner in the discussion of viable alternatives, creative solutions and potential trade-offs
- E. No formal decision-making role. Input from the work group will be included into specific recommendations to the Planning Commission, and then to the City Council.

**VI. Task Force Member Responsibilities and Operating Principles**

**A. Responsibilities**

1. Mandatory Attendance at Task Force meetings and constructive contributions to the Task Force discussion. Consideration and discussion of issues from a community wide perspective, as well as that of particular stakeholders.
2. Understand and be able to articulate the Task Force's purpose, responsibilities, and work plan.
3. Communicate and coordinate with City staff and City consultants to:
  - a. Represent the Task Force's perspective on key issues; and
  - b. Convey information from the Task Force back to the community.
4. Participation in the Midtown Planning District Task Force's community outreach efforts and attendance at the public open house.
5. Review and provide comments on draft reports.
6. Provide feedback to the Task Force Chair(s), City staff and City Consultants on Task Force process and progress.

**B. Operating Principles**

1. The Task Force will operate by consensus. All members' positions will be respected and considered, and wherever possible the group will work collaboratively to reach consensus on recommendations.
2. The Task Force will communicate questions, issues and suggestions to its City staff liaison, who will coordinate actions and responses among staff and the Task Force.
3. Task Force meetings will start and end on time.
4. Meeting summaries will be prepared by staff following each meeting, summarizing the issues discussed and the decisions reached. A list of members present will be included in the meeting summary. The summaries shall be a public record and posted on the City website as soon as possible after the

**DISCUSSION ITEM 6.**

meeting.

5. E-mail communications among Task Force members shall be conveyed to the City staff liaison, to coordinate information sharing among Task Force members. No communication intended to reach a consensus on any issue shall be sent via email.

6. The Task Force will consist of "principals only" - no alternates.

**VII. Compensation.** Task Force members serve without compensation.

**VIII. Governing Authority.** The City Council is the governing authority for the Task Force and has the discretion to approve/disapprove all of its processes, actions or recommendations.

**IX. Compliance with Statute, Ordinances, and Policies.** The Task Force shall comply with the Open Public Meetings Act and Code of Ethics for Municipal Offices and other applicable codes.

**X. Organization**

A. Establish size and membership of Task Force

B. Task Force shall have a Chairperson and a Vice-Chairperson who are voting members

C. The Task Force will meet at least four (4) times between March and December at a place to be determined, although the City Council can re-evaluate/extend this at the end of the year

D. A majority of Task Force members shall constitute a quorum

E. A written record of all meetings, findings and determinations will be kept and shall be a public record

**XI. Voting.** An affirmative vote of a majority of the members present shall be necessary to approve any decision or matter before the Task Force

**XII. Vacancies and Removal of Members.** Vacancies occurring shall be filled by the Mayor and confirmed by the City Council. Appointees serve at the pleasure of the Mayor and City Council and may be removed by majority vote of the Council, with or without cause, at any time.

**XIII. Staff Support.** The Mayor shall assign City staff to support the Task Force assignments.

**XIV. Term.** Appointed Task Force members shall serve a term commencing March 17, 2020 and end on December 31, 2020, although the City Council can extend the terms of all members with the agreement of the member.

**XV. Effective Date.** The resolution shall take effect immediately upon its adoption.

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**CONSENT ITEM 7a.**

**Date:** February 4, 2020

**To:** City Council

**From:** Steve Schuller, City Administrator and Utility General Manager

**Subject:** **City Council Procedures – Resolution 1407**

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**SUMMARY:** The purpose of this agenda item is for the City Council to pass Resolution 1407, adopting its operating rules and procedures.

**BACKGROUND:** In 1994, the City Council established a policy of procedures for conducting business at Council meetings with Resolution 843. Included with those procedures was a requirement for periodic review, to be completed no less than every two years, in January of even-numbered years, which is the same time new Councilmember terms begin.

During the Council's review of its procedure at its regular meeting on January 7, 2020, staff was directed to amend the Council's order of business on their regular agenda by moving #5 "Proclamations or Presentations" ahead of #4 "Citizen Comments on items not on the agenda." The Council has often placed presentations ahead of citizen comments via a motion during #2 "Approve the Agenda Contents and Order," but this has not been the case for every guest speaker, proclamation or presentation. The City Council agreed amending its order of business on the regular agenda would be more accommodating for attendees at the meeting strictly to deliver presentations to the Council. This change was the sole amendment, and all other rules and procedures remain unchanged.

Resolution 1407 is attached, setting the revised Council meeting order of business:

E. Council Agenda.

1. Order of Business. No Legislative item shall be voted upon which is not on the agenda as approved by the Council at the meeting. The order of business for each Regular Meeting shall be as follows:

Regular Session (6:00 p.m. - 9:00 p.m.)

1. Call to Order
2. Approve the Agenda Contents and Order
3. Approve the Minutes of the Previous Meeting(s)
4. Proclamations or Presentations
5. Citizen Comments on items not on the agenda
6. Public Hearings
7. Action Items
8. Discussion Items
9. Consent Items
10. Other Business/Information Items
11. Councilmember Comments/Liaison Reports
12. Council President's Items/Report
13. City Administrator's Comments
14. Mayor's Comments

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15. Executive Session
16. Reconvene Regular Session
17. Adjourn

**STRATEGIC PLAN REFERENCE:** Not applicable

**RECOMMENDATION:** That the City Council **PASS** Resolution 1407, amending the City Council's regular meeting agenda order of business.

**ATTACHMENT:** Resolution 1407

**ATTACHMENT**  
**CITY OF SNOHOMISH**  
**Snohomish, Washington**

**RESOLUTION 1407**

**A RESOLUTION OF THE CITY OF SNOHOMISH ESTABLISHING  
PROCEDURES FOR THE CONDUCT OF BUSINESS AT COUNCIL  
MEETINGS AND REPEALING RESOLUTION 1371**

**WHEREAS**, RCW 35A.13.170 grants the City Council authority to establish rules of conduct for their meetings; and

**WHEREAS**, a comprehensive procedure for Council meetings will provide the most expedient means of conducting Council meetings; and

**WHEREAS**, pursuant to Resolution 1371, the City Council of the City of Snohomish established procedures for the conduct of business at Council meetings; and

**WHEREAS**, the City Council has studied and reviewed these procedures and determined that periodic review and updates to these procedures is appropriate; and

**WHEREAS**, the City Council decided that in order to keep these rules in the form of one consolidated document, Resolution 1371 should be repealed and replaced by this Resolution;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE  
CITY OF SNOHOMISH AS FOLLOWS:**

Resolution 1371 is hereby repealed and shall be replaced with this Resolution 1407 which shall read as follows:

- I. **General.** These rules constitute the official rules for the conduct of business by Snohomish City Council. In all other contested decisions arising from points of order, the Council shall be guided by Robert's Rules of Order Newly Revised, a copy of which is maintained in the office of the City Clerk.
- II. **Organization.**
  - A. **Swearing in of New Councilmembers.** Newly elected Councilmembers shall be sworn in either (1) within the ten days preceding January 1<sup>st</sup>, or (2) at the last regularly scheduled meeting of the year as per RCW 29A.20.040. In the case of an appointment to fill a vacancy, the Councilmember shall be sworn in at the same meeting as the appointment or the next regular meeting, at the option of the new Councilmember.
  - B. **Election of Council President/Mayor Pro-Tem.** The Council shall elect a Council President who shall serve as Mayor Pro-tem for a term of two years and organize itself at the first Council Meeting during even-numbered years. In the temporary

**CONSENT ITEM 7a.**

absence of the Mayor, the Council President/Mayor Pro-tem shall perform the duties and responsibilities of the Mayor. In the absence of both the Mayor and the Council President/Mayor Pro-Tem, the Council shall appoint one of the members of the Council to act as a temporary Presiding Officer.

In the event the Mayor is unable to serve the remainder of the term, a new Mayor shall be elected as provided by law. Until a new Mayor is elected to fill the vacancy, the Council President/Mayor pro-Tem shall fulfill the duties of Mayor. In the event the Council President/Mayor Pro-tem is unable to serve the remainder of the term, a new Council President/Mayor Pro-tem shall be elected by the City Council at the next Regular Meeting. The Council President which shall fulfill all of the responsibilities of the Mayor Pro-Tem and in addition, shall be authorized to perform additional duties such as acting as liaison between the Council (legislative branch) and the Mayor (executive branch), participate with the Mayor and City Administrator in planning upcoming Council meeting agendas and assisting in the assignment of Councilmembers to subcommittees and as liaison to boards and commissions. The Council may request the Council President to perform other responsibilities that are consistent with the administration of the legislative function of Council.

- C. Quorum. At all Council Meetings, a majority of the Council (four members) shall constitute a quorum for the transaction of business, but a lesser number may recess or adjourn.
  
- D. Attendance and Excused Absences.
  - 1. Councilmembers. RCW 35A.13.020 provides that a Councilmember shall forfeit his or her office by failing to attend three consecutive Regular Meetings of the Council without being excused by the Council. Members of the Council may be so excused by complying with this section. The member shall contact the Mayor; or, if the Mayor is not available, the Council President/Mayor Pro-Tem, or City Clerk, who shall convey the message to the Mayor. Following roll call, the Mayor shall inform the Council of the member's absence, state the reason for such absence, and inquire if there is a motion to excuse the member. This motion shall be non-debatable. Upon passage of such motion by a majority of members present, the absent member shall be considered excused and the City Clerk will make an appropriate notation in the minutes.
  
  - 2. City Clerk. The Clerk or an authorized Deputy Clerk shall attend all Council Meetings. If the Clerk and the Deputy Clerk are absent from any Council Meeting, then the Mayor shall appoint a member of the staff to act as Clerk for that meeting.

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3. Officers or Employees. Any City officer or employee shall have the duty, when requested by the Council, to attend Council Meetings and shall remain for such time as the Council may direct.

E. Decorum.

1. Forms of Address. The Mayor shall be addressed as “Mayor (surname)”. Members of the Council shall be addressed as “Councilmember (surname)” or by the name requested by the Councilmember.
2. Councilmember Communications Protocols During Meetings:
  - a. No Councilmember comments are to be personal in nature or otherwise disruptive. All Councilmember comments are to be addressed to the Presiding Officer. Whenever in these Rules the term “Presiding Officer is used it shall mean the Mayor or in the absence of the Mayor, the Council President/Mayor Pro Tem.
  - b. All Councilmember comments during meetings shall be germane to the business of the City and tempered to advance the debate.
  - c. Councilmember comments during meetings shall be concise and respectful of the time available to complete actions on the agenda and the desire to provide ample opportunities for citizens and other Councilmembers to comment.
  - d. Council members may not take action via electronic device while in an open public meeting of the governing body. “Action,” as defined under RCW 42.30.020, means the transaction of the official business of a public agency by a governing body including but not limited to receipt of public testimony, deliberations, discussions, considerations, reviews, evaluations, and final actions. "Final action" means a collective positive or negative decision, or an actual vote by a majority of the members of a governing body when sitting as a body or entity, upon a motion, proposal, resolution, order, or ordinance.
  - e. City Councilmembers are responsible for complying with the communication guidelines contained in this policy. Violations could result in legal exposure to the Councilmember and the City and loss of privileges to access to technology mediums or systems. Sanctions for violation of Councilmember Communications protocols as described in this section may include the following, although the Council may decide, based on the severity of the violation, to begin with steps other than the first step as listed here:

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- i. On the first violation, the Presiding Officer may issue a warning orally to the Councilmember who has violated these protocols.
  - ii. On the second violation, the Presiding Officer, upon a motion being adopted by the City Council, may issue a written reprimand to the Councilmember who has violated these protocols.
  - iii. On the third violation, the Presiding Officer, upon a motion being adopted by the City Council, may issue a formal resolution of censure to the Councilmember who has violated these protocols.
  - iv. On the fourth violation, the Presiding Officer, upon a motion being adopted by the City Council, may remove the committee and liaison assignments of the Councilmember who has violated these protocols.
3. Right to Eject. While the Council is in session, both the members and the public must preserve order and decorum, and shall neither, by conversation or otherwise, delay or interrupt the meeting or the peace of the Council, nor disrupt any member while speaking or refuse to obey the orders of the Presiding Officer, except as otherwise provided in these Rules. Any person who becomes boisterous, unruly, or who physically or verbally threatens any other person while addressing the Council or while attending a Council meeting shall be asked to leave by the Presiding Officer and the Police Chief shall escort them from the Council Chambers. The Presiding Officer may also call for a recess so that measures may be taken to restore order to the meeting.
4. Hearings. Whenever the Council is conducting a public hearing on a quasi-judicial matter that affect individuals or property rights, such hearings must not only be fair, but must be free from even the appearance of unfairness. Therefore, in their consideration of such matters Councilmembers shall:
  - a. Try to avoid any ex parte contact with the individual or property owner whose rights are under consideration;
  - b. Try to avoid any public or private statements in advance of the hearing that would suggest that the Councilmember has decided the issue before the hearing.
5. Ex parte Communication. Consistent with RCW 42.36.060, if any Councilmember has had ex parte communications with opponents or

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proponents with respect to a quasi-judicial proposal, that Councilmember must disassociate him/herself from the proceedings, unless:

- a. That Councilmember places on the record the substance of any written or oral ex parte communications concerning of the action; and
- b. The Presiding Officer makes a public announcement providing for an opportunity for any party to rebut the substance of the ex parte communication.

6. Conflict of Interest. Councilmembers that disassociate themselves from participating in a public hearing due to the violation of the appearance of fairness doctrine or a conflict of interest shall leave the Council Chambers during Council consideration of a matter.

F. Voting.

1. Method. Unless otherwise provided for by statute, ordinance, or resolution, all votes shall be taken by voice; except that at the request of any Councilmember, a roll call vote shall be taken by the Clerk.
2. Tie Vote. The Mayor shall have a vote only in the case of a tie in the votes of the Councilmembers with respect to matters other than the passage of any ordinance, grant, or revocation of franchise or license, or any resolution for the payment of money. In case of a tie vote on any proposal that may not be broken by the mayoral vote, the proposal shall be considered lost.
3. General. Each Councilmember shall vote on all questions put to the Council, unless a conflict of interest or an appearance of fairness question under state law is present. Unless a member of the Council states that he or she is abstaining, his or her silence shall be recorded as an affirmative vote.
4. Veto By Mayor. Pursuant to RCW 35A.12.100 the Mayor shall have the power to veto ordinances passed by the Council and submitted to him or her as provided in RCW 35A.12.130 but such veto may be overridden by the vote of a majority of all councilmembers plus one more vote.

- G. Adjournment. Council meetings shall adjourn at or before 9:00 p.m.; except the time may be extended in increments until 10:00 p.m. upon approval of a formal motion or motions. At 10:00 p.m. the meeting may be continued to a date and time certain upon approval of a formal motion. The date and time will be announced by the Presiding Officer at the meeting.

III. **Officers.**

A. **Presiding Officer's Duties.** It shall be the duty of the Presiding Officer to:

1. Call the meeting to order.
2. Keep the meeting to its order of business.
3. Control discussion in an orderly manner by:
  - a. Giving every Councilmember who wishes an opportunity to speak when recognized by the Presiding Officer;
  - b. Permitting citizen comments at the appropriate times; and
  - c. Requiring all speakers to speak to the question and to observe the rules of order.
4. Decide all questions of order, subject to the right of appeal to the Council by any member.

IV. **Committees.** Ad hoc committees of Councilmembers may be appointed by the Mayor, with the concurrence of the Council, from time to time as the need arises. The members of such ad hoc committees will select the committee chairperson.

V. **Council Meetings.**

A. **Open to the Public.** All Council Meetings shall comply with the requirements of the Open Meetings Act (RCW 42.30). All Meetings of the Council shall be open to the public. The City shall comply with the provisions of RCW 35A.12.160 regarding notice of public meetings. (*See also Section VII Electronic Media and Technology, Councilmember Communications Outside of Meetings, Open Public Meetings (OPMA) and Public Records Act (PRA).*)

B. **Type of Meetings.**

1. **Regular Meetings.** The Council shall hold their Regular Meetings on the first and third Tuesdays of the month between 6:00 p.m. and 9:00 p.m. Should any Tuesday fall on a legal holiday, the meeting shall be held at the same hour and place *if available* on the next working day. Any change in location will be included in the regular publication notice of the meeting agenda.
2. **Workshops.** The Council may hold a workshop one hour before any regular meeting of the month. Additional workshop sessions may be scheduled as needed. Should any Tuesday fall on a legal holiday, the

**CONSENT ITEM 7a.**

meeting shall be held at the same hour and place if available on the next working day. These meetings will be informal meetings for the purpose of more prolonged discussion of issues and topics selected by the Mayor or Council. Workshops may be held jointly with advisory Boards and Commissions to the Council.

3. Special Meetings. Special Meetings may be called by the Mayor by written notice delivered to each member of the Council at least twenty-four hours before the time specified for the proposed meeting. Special Meetings shall also be called by the Mayor upon the written request of any three members of the Council. The notice of such Special Meetings shall state the Subjects to be considered, and no subjects other than those specified in the notice shall be considered.

C. Executive Sessions.

1. General. The Council may hold Executive Sessions from which the public may be excluded, for the purposes set forth in RCW 42.30.110 and RCW 42.30.140. Before convening an Executive Session, the Presiding Officer shall announce the purpose of the session, the anticipated time when the session will be concluded and shall state whether action by Council is expected following the Executive Session. Should the session require more time, a public announcement shall be made that the session is being extended.
2. Confidentiality. Councilmembers should shall keep confidential all written materials and verbal information provided to them during Executive Sessions unless otherwise agreed by a majority of Council. Confidentiality also includes information provided to Councilmembers outside of Executive Sessions when the information is considered to be exempt from disclosure by State law.
3. Ex parte Contact. If the Council, after Executive Session, has provided direction to City staff on proposed terms and conditions for City business, all contacts with any other party should be done by the designated City staff representative handling the issue. Councilmembers should obtain the permission of the Mayor prior to discussing the information with anyone other than other Councilmembers, the City Attorney, or City staff designated by the Mayor. Any Councilmember having any such contact or discussion needs to make full disclosure to the Mayor and/or Council in a timely manner.

- D. Meeting Place. Regular Council Meetings will be held at the George Gilbertson Board Room in the Snohomish School District Resource and Services Building at 1601 Avenue D or another public meeting facility as advertised. Workshops and

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Special Meetings will usually be held at the same location, but may be held at other appropriate locations, with proper notice.

E. Council Agenda.

1. Order of Business. No Legislative item shall be voted upon which is not on the agenda as approved by the Council at the meeting. The order of business for each Regular Meeting shall be as follows:

Regular Session (6:00 p.m. - 9:00 p.m.)

1. Call to Order
  2. Approve the Agenda Contents and Order
  3. Approve the Minutes of the Previous Meeting(s)
  4. Proclamations or Presentations
  5. Citizen Comments on items not on the agenda
  6. Public Hearings
  7. Action Items
  8. Discussion Items
  9. Consent Items
  10. Other Business/Information Items
  11. Councilmember Comments/Liaison Reports
  12. Council President's Items/Report
  13. City Administrator's Comments
  14. Mayor's Comments
  15. Executive Session
  16. Reconvene Regular Session
  17. Adjourn
2. Consent Items. The Mayor or City Administrator in consultation with the Mayor, shall place matters under the Consent Items which: (a) have been previously discussed by the Council, or (b) based on the information delivered to members of the Council by the administration, can be reviewed by a Councilmember without further explanation, or (c) are so routine or technical in nature that passage is likely. The motion to adopt Consent Items shall be non-debatable and have the effect of moving to adopt all items. Since adoption of any item under the Consent Items implies unanimous consent, any member of the Council shall have the right to remove any item. Therefore, under the item "Approve the Agenda Contents and Order", the Presiding Officer shall inquire if any Councilmembers wishes an item to be withdrawn from the Consent agenda. If any matter is withdrawn, the Presiding Officer shall place the item at an appropriate place on the agenda for deliberation at the current or a future Council Meeting.

VI. Public Testimony.

A. Oral and Written Comments.

1. General. Unless determined otherwise by a majority of Council, public comment will be allowed on all Council action and discussion items, and for public hearings. Time allotted shall not exceed three minutes. Any person may also speak under “Citizen Comments on items not on the Agenda” for no more than three minutes. Citizen comments regarding action and discussion items will be allowed following staff presentations and Council questions and prior to Council deliberations. Testimony given at a Public Hearing shall be limited to three minutes per person unless determined otherwise by the Presiding Officer with the concurrence of Council. Where a public hearing is scheduled (whether quasi-judicial or not) all public comment and testimony will be provided during the hearing so an adequate record can be made. Except for matters of procedure, public comment and/or testimony shall not be given during the general citizen comment portion of the agenda and will be reserved for the time of the hearing.
2. Identification of Speakers. Persons testifying or providing public comment should identify themselves for the record as to name, address, and organization.
3. Time Limitations. Individuals will be allowed three (3) uninterrupted minutes to speak. Providing that all individuals are allowed to speak at the hearing, if time permits another three (3) minutes may be allowed for added comment. At the discretion of the Presiding Officer, with the concurrence of Council, additional time for receipt of oral and written testimony may be allowed. The Mayor or his designee shall be the timekeeper.

At a quasi-judicial hearing, the burden of proof generally lies with the applicant of the action before the Council. During the public testimony portion of the meeting, the applicant and the applicant’s advisors will not be limited in presentation time and will have the opportunity for rebuttal to opposing testimony.

4. Quasi-Judicial Items. A quasi-judicial action is an action of the Council which determines the legal rights, duties, or privileges of specific individuals or properties, such as rezones or plat approvals.

The order of business for a quasi-judicial hearing shall be as follows:

- a. Appearance of Fairness Query
- b. Swearing in of all witnesses who intend to testify by the City Attorney
- c. Staff presentation

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- d. Board or Commission recommendation
- e. Applicant's statement
- f. Council's questions of Staff, Commission, and Applicant
- g. Citizens' testimony
- h. Rebuttal by Applicant
- i. Public testimony closed
- j. Council deliberation
- k. Council action

5. Workshops. The Council may take public comments at a Workshop meeting, but only at the discretion of the Presiding Officer and with the concurrence of Council, when appropriate and practical.

6. Written Comments. Written materials may be submitted to the Council at the Regular Meeting at which an issue is to be considered. However the Council may not be able to consider such written comments at that time. In order for written comments to reach the Council for consideration prior to the meeting or hearing, they must be filed with the Clerk no later than 1 p.m. of the Thursday preceding the Regular Meeting for distribution to the Council with the regular agenda packet.

**VII. Electronic Media and Technology, Councilmember Communications Outside of Meetings, Open Public Meetings (OPMA) and Public Records Act (PRA).**

A. It is the policy of the City Council of the City of Snohomish to adhere to the Revised code of Washington (RCW) 42.30 regarding Open Public Meetings and RCW 42.56 regarding Public Records.

1. All records, regardless of format, related to the conduct of City business reviewed, created or altered must be retained per the State of Washington Local Government Common Records Retention Schedule. (the CORE manual), pursuant to 42.56 RCW and 40.14 RCW, Preservation and Destruction of Public Records.

2. Per state law, all documents, files, communications and messages created, reviewed or altered that are related to the conduct of City business, regardless of format, are property of the City. As a result, these documents, files, communications and messages are not private or confidential unless otherwise noted in the Revised Code of Washington. The City reserves the right to request, access, monitor, and disclose the contents of electronic messages and any record, regardless of format, related to the conduct of City business on City-issued or personal devices that Council members use. Council members should have no expectation of privacy in either sending or receiving electronic messages, or other information on the Internet, City network or other electronic media related to City Business whether done on their own personal device or on a City

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issued device. The City may review the public records for legal exemption or redaction pursuant to the Public Records Act RCW 42.56 or other applicable state or federal laws and may provide third party notice providing affected parties the opportunity to file for a court order to prevent or limit disclosure.

3. Email Accounts.

- a. For ease of public record retention and for ease of document search, councilmembers are strongly encouraged to utilize the City's assigned email account and information system for all City-related business.
- b. Subject to limited exceptions set forth in state law, e-mail accounts established through the City's information system for individual Councilmembers are considered public and subject to public disclosure laws.
- c. E-mails that are public records will be retained and archived according to City and State retention schedules.
- d. Non-City provided email accounts used by individual Councilmembers for the conduct of communicating City business will be subject to public disclosure laws. Councilmembers are responsible for preserving all City business records on their personal devices, systems and servers.

4. Text Messages. Text Messages generated or received by individual Councilmembers for conducting City business on any personal device whether issued by the City or not, are subject to public disclosure laws and records retention schedules. Text messages must be retained and archived according to City and State retention schedules. Councilmembers are responsible for preserving all City business records on their personal devices, systems and servers.

5. Social Media. The City of Snohomish utilizes social media sites to enhance and promote the economic development initiatives of the community and to facilitate discussion of City issues, operations and services. City of Snohomish social media sites and all content therein are subject to the State of Washington's public records laws. City and State records retention schedules apply to all social media content. Guidelines for Councilmember use of social media sites is as follows:

- a. All social media site entries should clearly indicate that any content posted is subject to public disclosure laws and records retention schedules.

**CONSENT ITEM 7a.**

- b. Unless the content is pre-authorized by the City Council, Councilmembers posting to any social media site, whether owned by the City or a private individual or organization social media sites, should be clear that the individual Councilmember is speaking for themselves and not on behalf of the City or the City Council.
  - c. Information that has the potential to compromise the safety or security of the public or public systems should not be posted to social media sites.
  - d. Anything that may be construed as harassment or disparagement of others based on race, national origin, sex, sexual orientation, age, disability, or religious or political beliefs will not be tolerated. This includes, but is not limited to sending threatening messages, slurs, obscenities, sexually explicit images, cartoons or messages.
6. City Issued Cell Phones and Other Devices. Cell phones and other devices, issued by the City, to individual Councilmembers will archive all text messages and retain the records according to records retention schedules. All texting of matters relating to City business will be done on City issued devices.
7. Non-City Issued Cell Phones and Other Devices. Non-City issued cell phones and other devices, used by individual Councilmembers, for texting or receiving texts relating to City business, will require archiving of text messages and retention of records according to records retention schedules.
8. Records Requests/Inspection/Monitoring.
- a. All Council members are required to work collaboratively with the City Clerk's Office for access to a personal or City-issued electronic device when responding to a public records request.
  - b. The City needs to be able to respond to proper requests resulting from public records request and legal proceedings that call for electronically-stored evidence. Therefore, the City must, and does, maintain the right and the ability to access City provided electronics and City email accounts and to inspect and review any and all data recorded in those applications and files. Because the City reserves the right to obtain access to all electronic mail messages left on or transmitted over these applications, Councilmembers should not assume that such messages are private

**CONSENT ITEM 7a.**

and confidential or that the City or its designated representatives will not have a need to access and review this information.

c. The City reserves the right to regularly monitor electronic mail messages, information and all documents. The City will inspect the contents of computers or electronic mail in the course of an investigation.

9. Executive Session. It is recommended that Councilmembers do not use electronic devices or transmit or receive electronic communications during executive sessions.

B. The following is a list of prohibited uses of City communication applications or devices:

1. Transmitting any material or messages in violation of Federal, State, Local law, Ordinance, Regulation or City policy.
2. Distributing sensitive or confidential information, per RCW 42.23.070, Code of Ethics for Municipal Officers, Prohibited Acts.
3. Distributing unauthorized broadcast messages, soliciting or proselytizing others for commercial ventures, religious or political causes, or other non-job related matters except as provided elsewhere in this policy.
4. Accessing or distributing offensive or pornographic materials.
5. Using City-provided electronic media and devices for personal use, to accomplish personal gain, or to manage a personal business.
6. Downloading or distributing copyrighted materials not owned by the City, including software, photographs, or any other media except when authorized by the Mayor or Information Services Manager as it pertains to work related uses.
7. Developing or distributing programs that are designed to infiltrate computer systems internally or externally (viruses) or intentionally disrupting network traffic or crashing the network and connected systems.
8. Accessing or downloading any resource for which there is a fee without prior appropriate City Council authorization / approval and authorized by the Mayor or Information Services Manager.
9. Representing yourself as another user or employee, forging electronic mail messages, unauthorized access of others' files with no substantial business purpose, or vandalizing the data of another user.

**CONSENT ITEM 7a.**

10. Attempting to access any system, which Council member is not authorized to access (hacking).
11. Giving your user name and password to anyone, except the Information Services Manager or designee for any purpose.
12. Inappropriate use, which is deemed by the City Council Policy or City Policies to be a violation of the intended purpose of any electronic media.

**C. Councilmember Communications.**

1. All written communications, including letters and electronic messages, responding to citizens should be distributed to all other Councilmembers and the City Clerk. However, to prevent a violation of the Open Public Meetings Act and a “serial Council meeting” the Council members should not reply “all” or have communications with more than two other members of the Council body.
2. The use of City letterhead by individual Councilmembers for communications to constituents or to other governmental entities shall not be allowed unless approved by Council majority.
3. Within the text of correspondence from Councilmembers to constituents, governmental entities, and community organizations, the Councilmember should not characterize or attempt to describe the views and actions of other Councilmembers in order to ensure that those Councilmembers have an opportunity to characterize their own views and actions.
4. The substance of phone calls by the Mayor to citizens or to officers of other governmental entities should be shared via email or other communication method whenever these phone discussions involve issues of significance for the Council as a whole. However, to prevent a violation of the Open Public Meetings Act and a “serial Council meeting” the Council members should not reply “all” or have communications with more than two other members of the Council body.
5. Letters to the editor for publication in newspapers, magazines and electronic or Internet-based publications submitted by individual Councilmembers should not represent the Councilmember’s personal views as those of the City or the City Council unless specifically directed to do so by the City Council.

**VIII. Periodic Review.** It is the intent of the City Council that Council procedures be periodically reviewed as needed, but no less than every two years. Therefore Council procedures shall be reviewed in the month of January of every even numbered year, and may be amended at any other time that the Council shall choose.

**CONSENT ITEM 7a.**

- IX. **Effect/Waiver of Rules.** These rules of procedure are adopted for the sole benefit of the members of the City Council to assist in the orderly conduct of Council business. These rules of procedure do not grant right or privileges to members of the public or third parties. Failure of the City Council to adhere to these rules shall not result in any liability to the City, its officers, agents, and employees, nor shall failure to adhere to these rules result in invalidation of any Council act. The City Council may, by a majority vote, determine to temporarily waive any of the provisions herein. These rules shall be effective upon the date of adoption as set forth below.

**PASSED** by the City Council and **APPROVED** by the Mayor this 4<sup>th</sup> day of February 2020.

CITY OF SNOHOMISH

\_\_\_\_\_  
John T. Kartak, Mayor

ATTEST:

\_\_\_\_\_  
Pat Adams, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Grant Weed, City Attorney

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**CONSENT ITEM 7b.**

**Schedule of Checks for the Checks Issued Since the January 7, 2020 Meeting**

<b>Name</b>	<b>Check #</b>	<b>Invoice #</b>	<b>Check Date</b>	<b>Description</b>	<b>Amount</b>	<b>Vendor Total</b>
<b>Finish Line Builders</b>						<b>\$50.00</b>
72331	BL Refund		01/29/2020	Applied for HOP/BL but outside City limits	\$50.00	
<b>Gorb Studios LLC</b>						<b>\$50.00</b>
72332	BL Refund		01/29/2020	Applied for HOP/BL but outside City limits	\$50.00	
<b>Michael Flourney</b>						<b>\$75.00</b>
72333	BL Refund		01/29/2020	Applied for HOP/BL but outside City limits	\$75.00	
<b>Snohomish County Treasurer</b>						<b>\$70.19</b>
72334	Dec 2019 - 1		01/29/2020	Crime Victims EDC	\$66.77	
	Dec 2019 - 2			Crime Victims Parking	\$3.42	
<b>Washington State Department of Licensing</b>						<b>\$399.00</b>
72335	SNP000538		01/29/2020	Renewal - Sutin	\$18.00	
	SNP000540			Renewal - Neill	\$18.00	
	SNP000541			Original - Hurd	\$18.00	
	SNP000543			Original - Uderitz	\$18.00	
	SNP000544			Original - Navarro	\$18.00	
	SNP000545			Renewal - Gray	\$18.00	
	SNP000546			Original - Scott	\$18.00	
	SNP000547			Original - Sevillano	\$18.00	
	SNP000548			Original - Jackl	\$18.00	
	SNP000549			Original - Fowler	\$18.00	
	SNP000550			Original - Lewis	\$18.00	
	SNP000551			Original - Noga	\$18.00	
	SNP000552			Late Renewal - Ulrich	\$21.00	
	SNP000554			Renewal - Kimler	\$18.00	
	SNP000555			Original - Grigsby	\$18.00	
	SNP000556			Renewal - Humphrey	\$18.00	
	SNP000557			Original - Redmon, Linda	\$18.00	
	SNP000558			Original - Redmon, Marc	\$18.00	
	SNP000559			Original - Hughes	\$18.00	
	SNP000560			Renewal - Lapp	\$18.00	
	SNP000561			Original - Orton, Lisa	\$18.00	
	SNP000562			Original - Orton, Robert	\$18.00	
<b>Washington State Treasurer</b>						<b>\$4,324.56</b>
72336	Dec 2019 - 01		01/29/2020	EDC ST GEN FUND 40	\$1,766.12	
	Dec 2019 - 02			EDC ST GEN FUND 50	\$1,062.18	
	Dec 2019 - 03			EDC ST GEN FUND 54	\$72.95	
	Dec 2019 - 04			EDC HWY SAFETY ACCT	\$5.95	
	Dec 2019 - 05			EDC DEATH INV ACCT	\$2.45	
	Dec 2019 - 06			EDC JIS ACCT	\$412.52	
	Dec 2019 - 07			EDC TRAUMA CARE	\$90.64	
	Dec 2019 - 08			EDC SCHOOL ZONE SAFETY	\$0.16	
	Dec 2019 - 09			EDC AUTO THEFT PREV	\$180.56	
	Dec 2019 - 10			EDC TRAUMA BRAIN INJ	\$73.31	
	Dec 2019 - 11			WSP HIWAY ACCT	\$14.17	
	Dec 2019 - 12			PARKING ST GEN FUND 50	\$91.53	
	Dec 2019 - 13			PARKING ST GEN FUND 40	\$113.02	
	Dec 2019 - 14			PARKING JIS	\$276.00	
	Dec 2019 - 15			BUILDING SERVICE CHARGE	\$163.00	
<b>Barron Heating &amp; Air Conditioning</b>						<b>\$4,945.67</b>
72337	94562		01/29/2020	50% Dep on Furnace & Air Conditioner - City Hall	\$4,945.67	

**CONSENT ITEM 7b.**

***Schedule of Checks for the Checks Issued Since the January 7, 2020 Meeting***

<b>Name</b>	<b>Check #</b>	<b>Invoice #</b>	<b>Check Date</b>	<b>Description</b>	<b>Amount</b>	<b>Vendor Total</b>
<b>BHC Consultants</b>						<b>\$24,231.16</b>
72338	11754		01/29/2020	2019-2020 WW Engineering Services	\$24,231.16	
<b>Chemsearch</b>						<b>\$144.14</b>
72339	3824816		01/29/2020	Rainbow LS Bugs	\$144.14	
<b>City of Everett Finance</b>						<b>\$390.00</b>
72340	I20000627		01/29/2020	Dec 2019 Animal Shelter Services	\$390.00	
<b>City of Everett Utilities</b>						<b>\$45,443.17</b>
72341	010157 011720		01/29/2020	6600 109th Ave SE	\$39,105.07	
	010164 011720			6400 118th Dr SE	\$491.77	
	016739 011720			99th St SE/5 Line	\$1,088.97	
	017410 011720			6203 107th Ave SE	\$1,192.36	
	019546 011720			3300 Blk Bickford Ave	\$3,565.00	
<b>Code Publishing Inc</b>						<b>\$480.00</b>
72342	65666		01/29/2020	Code Publishing Annual Web Fee	\$480.00	
<b>Core &amp; Main LP</b>						<b>\$2,214.74</b>
72343	L038718		01/29/2020	Resettlers	\$386.18	
	L724439			Resettlers	\$1,828.56	
<b>CPS - Human Resource Services</b>						<b>\$423.50</b>
72344	SOP50663		01/29/2020	Employment Testing	\$423.50	
<b>Cross Match Technologies, Inc.</b>						<b>\$79.37</b>
72345	307495		01/29/2020	Cleaner for PD Fingerprint Machine	\$79.37	
<b>Dell Marketing LP</b>						<b>\$649.63</b>
72346	10368448634		01/29/2020	PC Memory Upgrade Modules	\$649.63	
<b>Dunlap Industry</b>						<b>\$59.89</b>
72347	310565-1		01/29/2020	Wacker Repair	\$59.89	
<b>Edge Analytical</b>						<b>\$163.00</b>
72348	20-00733		01/29/2020	Labs	\$163.00	
<b>En Pointe Technologies Sales LLC</b>						<b>\$3,244.55</b>
72349	1100168		01/29/2020	Adobe Acrobat Pro 2017 Upgrade Licenses	\$3,244.55	
<b>esri</b>						<b>\$4,750.20</b>
72350	93767364		01/29/2020	ArcGIS Software Maintenance & Support for Planning	\$2,074.80	
	93767365			GIS Maintenance Subscription	\$2,675.40	
<b>Firstline Communications, Inc</b>						<b>\$625.53</b>
72351	156885		01/29/2020	City Phone Equipment Software Maintenance & Support	\$625.53	
<b>Frontier</b>						<b>\$62.32</b>
72352	107185 011520		01/29/2020	360-568-5302-110718-5 Gate Line	\$62.32	
<b>Gray &amp; Osborne, Inc.</b>						<b>\$384.40</b>
72353	19439.00-9		01/29/2020	Stormwater On-Call 2019	\$207.30	
	19440.00-9			Water & Sewer On-Call	\$177.10	

**CONSENT ITEM 7b.**

***Schedule of Checks for the Checks Issued Since the January 7, 2020 Meeting***

<b>Name</b>	<b>Check #</b>	<b>Invoice #</b>	<b>Check Date</b>	<b>Description</b>	<b>Amount</b>	<b>Vendor Total</b>
<b>H2O Solutions, LLC</b>						<b>\$8,626.80</b>
72354	061620		01/29/2020	Res 2 Cleaning	\$8,626.80	
<b>IER Environmental Services, Inc.</b>						<b>\$1,402.08</b>
72355	2020-8005		01/29/2020	Polymer	\$1,402.08	
<b>Inland Environmental Resources, Inc.</b>						<b>\$9,295.10</b>
72356	2020-1035		01/29/2020	Magnesium Hydroxide	\$9,295.10	
<b>James Mills</b>						<b>\$402.00</b>
72357	070118 093018		01/29/2020	LEOFF I Medical Reimbursement	\$402.00	
<b>Jaret Joe Palmer</b>						<b>\$16.00</b>
72358	Expense Report 012420		01/29/2020	Meal during Training	\$16.00	
<b>McDaniel Do It Center - Police</b>						<b>\$54.59</b>
72359	522620		01/29/2020	Ceramic Tower Heater	\$54.59	
<b>McDaniel Do It Center - Streets</b>						<b>\$114.33</b>
72360	522682		01/29/2020	Concrete for Sign Posts	\$114.33	
<b>Method Barricade &amp; Construction Supply LLC</b>						<b>\$2,066.00</b>
72361	12606		01/29/2020	Sign Posts	\$546.00	
	12607			Sign Posts	\$1,365.00	
	12616			Signs	\$155.00	
<b>NW Playground Equip Inc</b>						<b>\$2,276.95</b>
72362	46123		01/29/2020	Playground Parts - Claytown/Averill Park	\$2,276.95	
<b>Ryan deLeuw</b>						<b>\$16.00</b>
72363	Expense Report 012420		01/29/2020	Meal during Training	\$16.00	
<b>Shred-It USA, Inc</b>						<b>\$557.76</b>
72364	8128863486		01/29/2020	Shredding Services	\$557.76	
<b>Snohomish Auto Parts</b>						<b>\$34.87</b>
72365	599668		01/29/2020	LED License Kit, Plug - Sweeper	\$34.87	
<b>Snohomish County Planning &amp; Development</b>						<b>\$1,938.00</b>
72366	1000524026		01/29/2020	2020 SCT Dues	\$1,938.00	
<b>Snohomish County Public Defender Association</b>						<b>\$10,285.31</b>
72367	2986		01/29/2020	Indigent Defense Services	\$10,285.31	
<b>Snohomish County PUD</b>						<b>\$13,658.62</b>
72368	108568937		01/29/2020	200346922 VIC	\$134.04	
	108569481			200368603 Shop Pole Bldg	\$203.80	
	111868747			220322705 City Hall	\$863.07	
	115172609			200562023 Shop Portable	\$173.81	
	115176467			200588382 South Zone Res	\$195.76	
	121801545			200865525 Signal	\$49.62	
	121804893			201543238 Terrace Inter-tie	\$18.32	
	125124171			201940830 Downtown Restrooms	\$117.47	
	125125750			204907620 Signal	\$63.61	
	125128575			201908738 Stone Ridge LS PUD	\$40.05	
	125128576			202021309 North Meter	\$5,867.22	

**CONSENT ITEM 7b.**

**Schedule of Checks for the Checks Issued Since the January 7, 2020 Meeting**

<b>Name</b>	<b>Check #</b>	<b>Invoice #</b>	<b>Check Date</b>	<b>Description</b>	<b>Amount</b>	<b>Vendor Total</b>
	128409452		202073995	South Meter	\$3,095.94	
	135020194		201549318	Lighting	\$46.94	
	135021312		201302361	PW Shop	\$1,560.25	
	135023510		204635668	Trail House	\$26.58	
	141542890		200325173	N Zone Tank	\$17.74	
	141542891		200476950	Carnegie	\$175.58	
	144881570		220038632	Shadowood LS PUD	\$99.09	
	148168424		204011530	Clarks Pond LS PUD	\$61.32	
	148170814		202059994	Lighting	\$9.44	
	151474837		202133831	Rainbow LS PUD	\$45.41	
	154713251		203484118	Engineering	\$104.24	
	154713849		202137170	Lighting	\$40.34	
	157914946		203937321	CSO LS PUD	\$540.72	
	161094132		203710900	Signal	\$54.04	
	161095203		222311748	Lighting	\$17.74	
	161095204		222322620	CSO 1 Monitor PUD	\$18.74	
	167541048		201685211	Lighting	\$17.74	
<b>Snohomish County Sheriff's Office Corrections</b>						<b>\$19,250.65</b>
72369	2019-6155		01/29/2020	Dec 2019 Jail Service Fees	\$19,250.65	
<b>Sound Equipment Rental and Sales</b>						<b>\$692.80</b>
72370	17856		01/29/2020	Boom Rental for Christmas Light Removal	\$692.80	
<b>Sound Publishing</b>						<b>\$209.96</b>
72371	EDH886172		01/29/2020	SEPA19-0007 DNS	\$99.55	
	EDH886982			Ordinance Publishing	\$36.20	
	EDH887738			SDP19-0003 NOA	\$74.21	
<b>Sound Safety Products Co.</b>						<b>\$233.66</b>
72372	328775/1		01/29/2020	Boots - Dannie	\$174.34	
	328776/1			Pants - Dannie	\$59.32	
<b>Southern Computer Warehouse</b>						<b>\$284.23</b>
72373	IN-000621124		01/29/2020	Computer Monitor - Jackson	\$284.23	
<b>Summit Law Group PLLC</b>						<b>\$62.00</b>
72374	110043		01/29/2020	Labor Relations	\$62.00	
<b>The Pin Center</b>						<b>\$592.50</b>
72375	0120040		01/29/2020	Service Pins	\$592.50	
<b>United Site Services</b>						<b>\$221.12</b>
72376	114-9771931		01/29/2020	Centennial Trail Porta Potty Rental	\$124.35	
	114-9777429			S Zone Porta Potty Rental	\$96.77	
<b>Unum Life Insurance</b>						<b>\$157.00</b>
72377	0220603-027	012020	01/29/2020	LEOFF I Retiree Medical	\$157.00	
<b>US Bank CPS</b>						<b>\$3,867.75</b>
72378	DA IMSA 46569		01/29/2020	IMSA Certification Fee - Dannie	\$40.00	
	DB EASC 1281-6419			2020 Economic Forecast	\$40.00	
	DL Amazon 2378647			Picture Frame	\$33.37	
	DL Edmac 1183089			Blower Filters	\$1,150.14	
	DL Edmac 1183089 Freight			Blower Filters - Freight	\$222.78	
	DL Home Depot 5613624			Paint	\$59.12	

**CONSENT ITEM 7b.**

***Schedule of Checks for the Checks Issued Since the January 7, 2020 Meeting***

<b>Name</b>	<b>Check #</b>	<b>Invoice #</b>	<b>Check Date</b>	<b>Description</b>	<b>Amount</b>	<b>Vendor Total</b>
		DLg AgileIT 228696		City Exchange Online Email Licenses	\$679.95	
		DLg Comcast 475077 010120		Skate Park Cameras at Boys & Girls Club	\$106.22	
		GP SnoCo Garage 40432		SnoCo Garage Parking	\$4.00	
		JK Amazon 4322662		Ribbon Cutting Scissors	\$32.75	
		JK Building a Foundation HJ5F8F		Foundation for Fiscal Oversight Webinar	\$35.00	
		JK Kiwanis 010920		Kiwanis Meeting 01/09/2020	\$15.50	
		JK Open Public Meeting 9Y68K7		OPMA Common Pitfalls Webinar	\$35.00	
		JK PayPal SkyValley 22554C		Sky Valley Rally Bus Ride & T-Shirt	\$25.00	
		KBI Home Depot 3015003		Marking Flags	\$8.56	
		KS PayPal*WAW 2020 Dues		Wastewater Collection Personnel Assc -Simpson	\$20.00	
		LB Amazon 0677803		Date Stamp	\$26.20	
		LB Home Depot 9621653		Stock Batteries	\$32.72	
		SC Home Depot 1015231		Transformer for Downtown Restrooms	\$21.81	
		SC Home Depot 3014970		Timer for Downtown Restrooms Maglocks	\$61.13	
		SC Home Depot 6010182		Ethernet & Data Plug for City Hall	\$38.50	
		YM CM Inspector QJVKX4		Construction Mgmt Inspector Training -Brennan &Koi	\$1,180.00	
<b>Verizon Wireless</b>						<b>\$24.06</b>
72379	9845967519		01/29/2020	242077659-00001 CSO Auto Dialer	\$24.06	
<b>Washington State Auditor</b>						<b>\$1,401.40</b>
72380	L134410		01/29/2020	Accountability & Financial Audit	\$1,401.40	
<b>Washington State Department of Health</b>						<b>\$5,737.90</b>
72381	80915 8 2020		01/29/2020	Operating Permit Fee	\$5,737.90	
<b>Washington State Dept of Ecology WW Discharge</b>						<b>\$3,930.18</b>
72382	FY20 WAR045543		01/29/2020	2020 DOE NPDES Stormwater Permit Fee	\$3,930.18	
<b>Washington State Employment Security Department</b>						<b>\$61.12</b>
72383	Q4/2019		01/29/2020	Unemployment Benefit Charge	\$61.12	
<b>Whistle Workwear</b>						<b>\$431.77</b>
72384	TR-503904		01/29/2020	Palmer 2020 Pants and Coat	\$431.77	
<b>Xerox Corporation</b>						<b>\$601.66</b>
72385	099149128		01/29/2020	Public Works Shop Printer	\$105.24	
	099149129			City Hall Printer	\$151.16	
	099149130			City Hall New Addition Area Printer	\$134.33	
	099149131			Engineering Printer	\$73.43	
	099149132			Permit Counter Printer	\$50.32	
	099149133			Public Works Shop Printer	\$79.34	
	099149134			Engineering Copier	\$7.84	
<b>LCH Residential LLC</b>						<b>\$50.00</b>
72386	UB Refund		01/29/2020	705 Avenue J Snohomish WA 98290	\$50.00	
<b>Karla Fletcher</b>						<b>\$310.86</b>
72387	UB Refund		01/29/2020	403 Avenue D Snohomish WA 98290	\$310.86	
<b>Antheia Enterprises</b>						<b>\$320.06</b>
72388	UB Refund		01/29/2020	213 Avenue D Snohomish WA 98290	\$320.06	
<b>Michael and Nina Celestine</b>						<b>\$67.77</b>
72389	UB Refund		01/29/2020	408 17th Place Snohomish WA 98290	\$67.77	

**CONSENT ITEM 7b.**

***Schedule of Checks for the Checks Issued Since the January 7, 2020 Meeting***

<b><i>Name</i></b>	<b><i>Check #</i></b>	<b><i>Invoice #</i></b>	<b><i>Check Date</i></b>	<b><i>Description</i></b>	<b><i>Amount</i></b>	<b><i>Vendor Total</i></b>
<b>Jeff Judy</b>						<b>\$327.13</b>
72390	UB Refund		01/29/2020	1018 20th Street Snohomish WA 98290	\$327.13	
<b>Shawn Morris</b>						<b>\$51.76</b>
72391	UB Refund		01/29/2020	2323 Tucker Drive Snohomish WA 98290	\$51.76	
					<b>TOTAL</b>	<b>\$182,891.77</b>

I hereby certify that the goods and services charged on the vouchers listed below have been furnished to the best of my knowledge. I further certify the claims below to be valid and correct.

\_\_\_\_\_  
Finance Director

WE, the undersigned Councilmembers of the City of Snohomish, Washington, do hereby certify that the claim warrants #72331 through #72391 in the total amount of \$182,891.77 through January 29, 2020, are approved for payment on February 4, 2020.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Councilmember

\_\_\_\_\_  
Councilmember

\_\_\_\_\_  
Councilmember