

COUNCIL WORKSHOP

**December 7, 2010
5:30 p.m.**

AGENDA

City of



“Where Dreams Can Soar”

The City of Bonney Lake’s Mission is to protect the community’s livable identity and scenic beauty through responsible growth planning and by providing accountable, accessible and efficient local government services.

Website: www.ci.bonney-lake.wa.us

*The City Council may act on items listed on this agenda, or by consensus give direction for future action.
The council may also add and take action on other items not listed on this agenda.*

Call to Order: Mayor Neil Johnson @ Bonney Lake City Hall – 19306 Bonney Lake Blvd.

Roll Call:

Elected Officials: Mayor Neil Johnson, Deputy Mayor Dan Swatman, Councilmember Donn Lewis, Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, Councilmember Randy McKibbin and Councilmember James Rackley.

Expected Staff Members: City Administrator Don Morrison, Public Works Director Dan Grigsby, Director of Community Development John Vodopich, Police Chief Mike Mitchell, Chief Financial Officer Al Juarez, Community Services Director Gary Leaf, Administrative Services Director/City Clerk Harwood Edvalson and City Attorney Jim Dionne.

Agenda Items

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4. Discussion: Tabled from 11/23/10 - AB10-150 – Ordinance D10-150 – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Updating R-1 Zoning To Allow Accessory Dwelling Units As A Conditional Use.	19
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6. Discussion: AB10-180 – Ordinance D10-180 – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 15.04 Of The Bonney Lake Municipal Code And Ordinance Nos. 700, 711, 778, 826, 851 And 885, Relating To Adoption Of Revised International Codes Of Building And Related Regulations.	41
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- 10 **Discussion: AB10-189 – Ordinance D10-189** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting The Biennial Budget For Calendar Years 2011 And 2012. 56

*** Please Bring Your Copy of the Proposed Biennial Budget ***

11. **Executiv Session:** RCW 42.30.110(1)(i) – Meet with legal counsel to discuss potential litigation
12. Adjournment.

For citizens with disabilities requesting translators or adaptive equipment for communication purposes, the City requests notification as soon as possible of the type of service or equipment needed.

THE COUNCIL MAY ADD AND TAKE ACTION ON OTHER ITEMS NOT LISTED ON THIS AGENDA

**SPECIAL CITY
COUNCIL MEETING**

**November 16, 2010
4:45 P.M.**

MINUTES



"Where Dreams Can Soar"

The City of Bonney Lake's Mission is to protect the community's livable identity and scenic beauty through responsible growth planning and by providing accountable, accessible and efficient local government services.

Website: www.ci.bonney-lake.wa.us

Location: Bonney Lake Justice Center – 9002 Main Street E, Bonney Lake, WA 98391

I. CALL TO ORDER – Deputy Mayor Dan Swatman called the special meeting to order at 4:45 p.m.

A. Roll Call:

In addition to, Deputy Mayor Dan Swatman, elected officials attending were Councilmember Laurie Carter, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin and Councilmember Jim Rackley. Mayor Neil Johnson, Jr. was not in attendance.

Various members of the professional staff were also in attendance.

II. BUSINESS ITEMS:

A. Tour of Justice Center.

Director of Community Development, John Vodopich, led the Council, staff and public on a tour of all three floors of the new Justice Center.

III. ADJOURNMENT:

The special meeting concluded and Councilmembers and staff left for the regular Council Meeting at City Hall at 5:20 p.m.

Harwood Edvalson, CMC
City Clerk

Neil Johnson
Mayor

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COUNCIL WORKSHOP

November 16, 2010
5:30 p.m.

DRAFT MINUTES



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Website: www.ci.bonney-lake.wa.us

Audio Time
Stamp ↓

Location: City Hall Council Chambers, 19306 Bonney Lake Blvd, Bonney Lake.

I. Call to Order: Mayor Neil Johnson, Jr. called the Workshop to order at 5:34p.m.

II. Roll Call: [A1.3]

Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Mayor Johnson, elected officials attending were Deputy Mayor Dan Swatman, Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin and Councilmember James Rackley.

[Staff members in attendance were City Administrator Don Morrison, Chief Financial Officer Al Juarez, Public Works Director Dan Grigsby, Police Chief Mike Mitchell, Community Development Director John Vodopich, Planning Manager Heather Stinson, Code Enforcement Officer Denney Bryan, Community Services Director Gary Leaf, Assistant City Attorney Kathleen Haggard, Assistant City Attorney Sarah Hale, Administrative Services Director/City Clerk Harwood Edvalson, and Administrative Specialist Shawn Campbell.]

III. Agenda Items:

5:35:24

A. Presentation: Fennel Creek – WSDOT Restoration/Mitigation Project
Carl Ward and Marylou Nebergall from WSDOT Olympic Region presented an overview of the SR 410 widening mitigation site. Mr. Ward shared how WSDOT chose the 20.17 acre Fennel Creek Mitigation Site, which is adjacent to two other mitigation sites. He explained this is an out-of-kind resource tradeoff; which replaces an affected wetland with habitats or ecosystems other than wetlands. In this case, they have added .23 acres of flood storage, riparian enhancement, upland buffer enhancement, and 1,150 linear feet of stream enhancement, with addition of large woody material and planting. Mr. Ward shared problems that have been identified in the basin and how the mitigation will help offset those concerns, through plantings woody materials, and wildlife habitat. He stated when WSDOT applied for permits to do the project they added allowances for the Fennel Creek Trail to be added through the mitigation site. He concluded the presentation with the plan for site maintenance and monitoring. Mr. Ward said after the contractor finished the project, citizen assistance would be appreciated at the site. Councilmember Rackley asked if the mitigation site is for collecting storm water. Mr. Ward said the site is to offset the damage done in the road construction. Councilmembers thanked Mr. Ward and Ms. Nebergall for their time.

6:12:33

B. Public Hearing: 2011-2012 Biennial Budget

Mayor Johnson opened the public hearing at 6:12 p.m. Seeing no speakers, the public hearing was closed at 6:13 p.m.

6:13:18

C. Council Open Discussion:

Bonney Lake Food Bank: Councilmember Carter reminded Council about her challenge to bring peanut butter for the Bonney Lake Food Bank. She will match each jar brought in. She encouraged everyone to donate to the Food Bank during the holiday season.

Fire Suppression Systems: Councilmember Rackley passed around a sample piece of fire retardant siding and a DVD showing how manufactured homes are currently assembled. He said these homes come from the manufacturer with the fire retardant siding as a standard feature. He said if the City required fire proof exteriors the requirement of fire sprinklers in the home could be amended. Councilmember Hamilton asked about the cost of retrofitting a manufactured home opposed to the sprinkler system being installed at the time of manufacturing. He asked about permitting requirements for manufactured homes that were built before the ordinance was passed. Deputy Mayor Swatman said that no one has died in a home with a working fire sprinkler system. He said 75% of deaths from smoke inhalation were in homes with working fire alarms. Councilmember Carter said the siding would not help the occupants inside the home or the contents of the home in case of a fire. Councilmember Rackley said it would keep the fire from spreading from one home to another in areas where the homes are placed close together. He questioned if the City is over protecting the citizens, and said there is one death every 7 years from a fire. Councilmember Decker asked about the number of house fires in the area. Councilmember Rackley said there were 72 structure fires last year with no deaths. Councilmember Rackley also mentioned additional insurance requirements for the citizens resulting from this ordinance.

Mt. View Youth Summit: Mayor Johnson attended the summit this year. He said the biggest concern of students is drugs, mainly marijuana. The second biggest issue is the trail that runs between Mt. View Middle School and Bonney Lake High School. Parents and students in each group voiced concerns about being on the trail due to rowdy kids intimidating parents and a couple of assaults that have happened on the trail. The City is working on cleaning up their portion of the trail and is in contact with the County and the School District to maintain their section of the trail as well. Mayor Johnson said the City would respond immediately to this issue. He intends to report to the students on the progress and action taken on the trail. The students also expressed concern about tree clearing on the Corliss property, and said if a tree is cut down, a tree should be replanted. Mayor Johnson explained to the students the process that Corliss went through to be allowed to cut the trees on the ridge and that the City would like to see the trees replanted.

Victor Falls Elementary: Councilmember Lewis said the ribbon cutting ceremony will be Wednesday, November 17, 2010 at 4:30pm, and the dedication ceremony will begin at 6:00pm. He encouraged Councilmembers to attend.

Pierce County DUI Victim's Impact Panel: Councilmember Rackley said he would be attending the annual candlelight vigil on Friday November 19, 2010. He said

Bonney Lake Police Officer Rob Hoag has been selected to receive an award for his dedication and effort in working to curb impaired driving.

6:31:17

- D. **Review of Council Minutes:** November 2, 2010 Council Workshop and November 16, 2010 Council Meeting.

Councilmember Carter said the November 2nd minutes, page 3, should be revised to reflect that the Veteran's Monument Dedication was Sunday not Thursday; the Chamber of Commerce held a "decorating contest" and asked that page 4, be revised to say "Wall Street Journal article". She noted a spelling error in the November 9th minutes page 1.

The corrected minutes were moved forward to the November 23, 2010 Meeting for Council action.

6:33:09

- E. **Discussion: Amendments to Nuisance Code**

Councilmember Hamilton stated the Public Safety Committee is looking at the nuisance code for ways to make it more effective and easier to enforce. He thanked Assistant City Attorney Sarah Hale and Code Enforcement Officer Denney Bryan for their effort with this. Ms. Hale shared codes from two other cities with the Council. She stated the Bonney Lake Municipal Code only allows for a criminal penalty if a citizen does not rectify the code violation voluntarily, while other cities' codes allow for civil penalties as well. She said this would give the code enforcement officer more discretion and would cut the time for violators to respond. She said the burden of proof is much higher in criminal court, as opposed to civil court. Mr. Bryan thanked the Public Safety Committee for allowing him to have input during this process. He said it is hard for citizens to respond when the only alternative is a large fine. He stated in most cases citizens comply with the code at the first notice of violation. Only about 4 to 5 percent of the cases are troublesome, and they either will not comply or are habitual violators. In those cases it would be helpful to have another option. Ms. Hale stated the code could be written to allow for cost recovery from the person failing to follow through with the code. She said they are updating the code to ensure that it complies with all State laws. Councilmember Hamilton stated that the abatement does not have to be done by paid City staff. The City could work with the court to have the work done by people doing community service as part of their sentence. Councilmember Carter shared that the City of Bothell code allows the city to recover costs for abatement as well as legal and professional fees.

At 6:50 p.m., Councilmember Rackley moved for a ten-minute break. Mayor Johnson reconvened the Workshop at 7:02 p.m.

7:02:31

- F. **Discussion: AB10-150 – Ordinance D10-150 – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Updating R-1 Zoning To Allow Accessory Dwelling Units As A Conditional Use.**

Planning Manager Heather Stinson said this ordinance was put on the Planning Commission's Work Plan after Inlet Island and Church Lake were down zoned from R-2 to R-1. Homeowners were concerned about losing ability to have an Accessory

Dwelling Unit. The Planning Commission suggested that ADU's be allowed as a conditional use in R-1 zoning. This would allow property owners to get more value out of the property and the opportunity for rental units. She said concerns are parking and crowding in the area. She said having ADU's only allowed as a conditional use would require the property owner to go before the Hearing Examiner, which would allow the City to require special conditions for parking and any other concerns.

Councilmember McKibbin asked about the cost of the Hearing Examiner. Deputy Mayor Swatman asked about public testimony at the Planning Commission level, and how citizens receive notice about Hearing Examiner hearings. He said he would like to have more public comment on this issue. He stated having ADU's in the different zones has merit. Councilmember Decker is supportive of ADU's in R-1 zoning. He asked about the definition of an ADU. Mrs. Stinson said the design requirements must be met for a structure to be considered as an ADU. Councilmember Carter asked about an ADU over a garage or a space in the backyard as an office. Director Vodopich said the homeowner would need to meet the requirements for a conditional use permit and go before the Hearing Examiner.

Councilmember Hamilton asked about the purpose of ADU's in the City and if they affect the City's density calculations. Mrs. Stinson said ADU's provide a housing opportunity that is not currently available and an income source for homeowners. She said ADU's are not counted in the City's density numbers at this time, but the County does use ADU's for their density numbers. Councilmember Hamilton expressed concerns of allowing rental units in R-1 zones, and asked about water and sewer connection requirements for an ADU. Public Works Director Grigsby said if the homeowner requires an additional connection they would be required to pay an Sewer Development Charge. If the homeowner could tie into their existing sewer then they would not have to pay additional fees. Councilmember Decker suggested requiring ADU's to tie into City sewer. Mrs. Stinson stated that having the ADU's approved by a conditional use permit allows for the hearing examiner to require property owners to hook up to City sewer or any other requirement that the City feels is necessary. Councilmember Carter asked about notification to surrounding property owners if a homeowner applies for a conditional use permit. Director Vodopich stated notice must be mailed to any property owner within 600 feet. By consensus Council forwarded the ordinance to the November 23, 2010 Council Meeting for action.

7:33:30

- G. **Discussion: AB10-172 – Ordinance D10-172** — An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending The Transportation Element Of The Comprehensive Plan.

Director Vodopich said the Puget Sound Regional Council has not certified the Transportation Plan, and therefore, the City is not able to apply for federally funded grant programs. He said the ordinance proposes a minor amendment to the Transportation Element allowing the City to receive conditional certification. He added that if the City is successful in getting grant funds the complete update and internal consistency report would have to be completed prior to getting the grant approved. By consensus this ordinance will be forwarded to the December 14, 2010 Council Meeting for action.

7:35:25

- H. **Discussion: AB10-174 – Ordinance D10-174** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending The Eastown Subarea Element Of The Comprehensive Plan, Moving The Eastown Design Standards To The Municipal Code, And Amending The Commercial Parking Lot Landscaping Standards.

Assistant City Attorney Kathleen Haggard said the original proposed ordinance violated the single subject rule that applies to city ordinances, so it was broken up into three separate ordinances: a) changing the Eastown Subarea Element of the Comprehensive Plan; b) removing the Eastown Design Standards from the Comprehensive Plan and making them part of the Bonney Lake Municipal Code; c) amending the landscaping standards for parking lots in all commercial areas. She said the first ordinance needs to be adopted as part of the City's Comprehensive Plan amendments, but the other two do not. Deputy Mayor Swatman asked about the procedure of having legal review of new ordinances. Director Vodopich said the Planning Commission used a template from other Comprehensive Plan amendments. Councilmember Carter asked if the road changes will have sidewalks, curbs and gutters. Director Grigsby said they will be two lane roads with a sidewalk on one side, landscaping on the other, with curbs and gutters. By consensus, all three ordinances will be moved to the December 7, 2010 workshop for further discussion.

7:45:11

- I. **Discussion: AB10-169- Ordinance D10-169** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting Ordinance No. D10-169, An Update To The City's Capital Facilities Element Of The Comprehensive Plan.

City Administrator Don Morrison said the Capital Facilities Element is mandatory under the Growth Management Act. He said when the City initially adopted the Capital Facilities Element it only met the minimum standards. This update is more in line with the intent of the GMA. This plan addresses general government facilities such as the Public Safety Building and the Senior Center, which have never been addressed in the Capital Facilities Element before. The plan starts with an inventory, and level of service, and looks at the space the City needs to operate now and in the future. He said this will help with planning for future growth. He said the plan includes strategies, goals and priorities that have been talked about over the years, but never put on paper. The last section addresses financing options the City can use to finance the plan. Councilmember Carter asked about the lease for the Snack Shack. She likes that the plan lays everything out. Councilmember Hamilton asked about the deficit in office space for the Justice Center. City Administrator Morrison said the deficit includes leasing a portion of the Justice Center, and if the City occupies the whole Justice Center, it would be very close. Councilmember McKibbin asked who had prepared the document. City Administrator Morrison said there were not budgeted funds available to hire a consultant so he volunteered to complete the project.

7:55:23

- J. **Discussion: (After Public Hearing Held 11/09/10) – AB10-177 – Ordinance D10-177** – Setting the Ad Valorem Tax Rate for Fiscal Year 2011.

Chief Financial Officer Juarez said the City is proposing a 1% increase in the Ad Valorem Tax Levy for 2011. Councilmember Rackley asked if due to the tax rate increase if property taxes would actually go down in 2011. City Administrator

Morrison said the new levy would approximately 1.01% down from the current 1.116%, for a total decrease in individual property taxes. Deputy Mayor Swatman said in the future he would like to consider taking a proposition to the voters to raise the Ad Valorem rate to the maximum allowed for targeted programs.

IV. Executive Session: None.

7:58:33

V. Adjournment:

At 7:58p.m. Councilmember Lewis moved to adjourn the Workshop. Councilmember Rackley seconded the motion.

Motion approved 7 – 0.

Harwood T. Edvalson, CMC
City Clerk

Neil Johnson, Jr.
Mayor

Items submitted to Council at the November 16, 2010 Workshop:

- WSDOT – *SR410 Widening - 214th Ave E to 234th Ave - Fennel Creek Mitigation Site* – Carl Ward, WSDOT.
- City of Bonney Lake – *Washington Administrative Code – List of Noxious Weeds* – Councilmember Laurie Carter
- City of Bonney Lake – *City of Bothell Municipal Code Chapter 8.24* – Councilmember Laurie Carter
- City of Bonney Lake – *City of Tacoma Municipal Code Chapter 8.23* – Councilmember Laurie Carter
- City of Bonney Lake – *Ordinance D10-174; a,b,c* – Assistant City Attorney Kathleen Haggard

**SPECIAL JOINT
CITY COUNCIL, DESIGN
COMMISSION, AND
PLANNING COMMISSION
MEETING**

**November 18, 2010
5:30 p.m.**

DRAFT MINUTES



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Website: www.ci.bonney-lake.wa.us

Audio Time
Stamp ↓

Location: City Hall Council Chambers, 19306 Bonney Lake Blvd, Bonney Lake.

I. Call to Order: Deputy Mayor Dan Swatman called the meeting to order at 5:32 p.m.

II. Roll Call: [A1.3]

Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Deputy Mayor Dan Swatman, elected officials attending were, Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Donn Lewis, and Councilmember Randy McKibbin. Councilmembers Mark Hamilton and James Rackley were absent.

In attendance from the Planning Commission were Chairman Grant Sulham, Commissioner Brad Doll, Commissioner David Eck, Commissioner Brandon Frederick, Commissioner Winona Jacobsen, Commissioner Katrina Minton-Davis and Commissioner Richards Rawlings.

In attendance from the Design Commission were Chairwoman Debbie Strous-Boyd, Commissioner Jamie Bendon, Commissioner David Colbeth and Commissioner Tom Watson. Commissioners Raymond Bunk III, Tom Kennedy and Paul Webber were absent.

[Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Community Development Director John Vodopich, Planning Manager Heather Stinson and Administrative Services Director/City Clerk Harwood Edvalson.]

III. Agenda Items:

A. General Discussion between the Council and Commissions – Issues and Concerns

Communications. Various commissioners voiced a desire to have frequent communication between the Planning Commission and City Council. Concern was expressed the Council may not be aware of the amount of work and depth of discussion preceding Planning Commission recommendations to the Council, and that communications may be filtered by staff perspectives. Commissioner Jacobsen pointed out that the Council failed to invite the Park Board to participate in this meeting. She felt the Park Board should have been invited to give their perspective regarding the significant park resources in the midtown area. Deputy Mayor Swatman explained that legal counsel has suggested that frequent attendance by the Council at Board and Commission meetings may unduly influence the considerations and pre-dispose Councilmembers on deliberations they will have later at the Council level. He said Councilmembers will continue to periodically

5:33:12

attend the board and commission meetings. Councilmember Carter reminded board and commission members that the Council’s agendas and minutes are available on the City’s website and that Councilmembers know they can find the agendas and minutes from the boards and commissions there as well. The group discussed several instances where increased communication led to greater understanding of the actions taken by the individual boards, commissions and Council. Councilmember Lewis assured the commissioners their work is considered and appreciated, and is definitely not wasted.

Annexation. Deputy Mayor Swatman invited questions concerning the proposed annexation. Responding to individual questions, he explained the annexation will bring municipal services to the residents of the unincorporated area who currently shop and receive other services in Bonney Lake. He said the incorporation will include about 7,000 residents and anticipates the election will take place sometime in the spring. He added, if the area is annexed, the boards and commissions may have a future role in the planning and design for the area. Deputy Mayor Swatman said he met with homeowners groups, and they are mostly positive, but there are many people who are reluctant to face change.

6:25:12

B. AB10-183 – Discussion of Creation and Scope of a Midtown Development Plan.

Councilmembers and commissioners discussed elements they feel should be addressed in a midtown plan, such as, barriers to transportation, commercial impacts to residences, development of sewer and parks, and the boundaries assigned to the midtown. Councilmember Carter provided handouts including pictures of some of the elements she sees as desirable for inclusion in the plan.

The Council and commissioners discussed the concept of extending the Easttown development standards to the Midtown area. Subsequent discussion began to focus on the issues that make Midtown different from Easttown, particularly the impact of commercial on the residential areas located in Midtown. Needs for both Easttown and Midtown planning were discussed. There was general consensus that the next step for the Midtown plan was to define the area’s boundaries, which may include the schools and residential neighborhoods.

7:29:02

C. Design Commission Excused from Meeting.

The Design Commission was excused from the joint meeting to allow the Council and Planning Commission to discuss the Planning Commission Workplan for 2011-2012.

7:30:04

D. AB10-182 – Planning Commission Workplan 2011-2012.

Planning Manager Stinson reviewed the proposed plan with the Council and Commission. She explained that those items not addressed in 2010 would be moved forward. Discussion of the individual items ensued. With proposed Council action before the end of the year, there was consensus to remove the update of the energy code from the 2011 workplan. The Council suggested that incentives for green building may be largely Council driven and while input from the Planning or Design Commissions may be valuable, it is probably not a priority item for those commissions. There was also direction from the Council to drop an update to Title

18 – Provisions for Shared Housing from the workplan.

The next item discussed was the proposed update of the Comprehensive Plan to include land use elements for the annexation area. The conclusion was to plan for the adoption of land use and zoning as currently described by County ordinance.

The Council and Commission discussed the structure of the plan and agreed the priority column should be eliminated from the plan. The group touched briefly on the cultural resources element of the Comprehensive Plan and the inclusion of historic preservation in the element. Commissioners noted that this element would help build identity for the City and discussed the possibility of highlighting views of Mt. Rainier, Victor Falls, the use of trails, bird-watching and historical tourism.

Planning Manager Stinson noted the Planning Commission still plans to deal with an update of the transportation element, shoreline master plan and parks element of the Comprehensive plan. Another item identified for work is the allowed use matrix for the zoning code.

8:15:40

E. Adjournment

At 8:15 p.m., Chairman Sulham moved to adjourn the special meeting. Councilmember Lewis seconded the motion.

Motion approved unanimously.

Harwood T. Edvalson, CMC
City Clerk

Neil Johnson, Jr.
Mayor

Items submitted to Council at the November 18, 2010 Special Meeting:

- City of Bonney Lake, *Pictures of Design and Development Standards* – Councilmember Laurie Carter.

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CITY COUNCIL MEETING

**November 23, 2010
7:00 P.M.**



The City of Bonney Lake's Mission is to protect the community's livable identity and scenic beauty through responsible growth planning and by providing accountable, accessible and efficient local government services.

DRAFT MINUTES

"Where Dreams Can Soar"

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Audio Time
Stamp ↓

Location: City Hall Council Chambers, 19306 Bonney Lake Blvd., Bonney Lake.

I. CALL TO ORDER – Mayor Neil Johnson, Jr. called the meeting to order at 7:02 p.m.

A. Flag Salute: Mayor Johnson led the audience in the Pledge of Allegiance.

B. Roll Call:

Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Mayor Johnson, elected officials attending were Deputy Mayor Swatman, Councilmember Dan Decker, Councilmember Mark Hamilton, Councilmember Donn Lewis, and Councilmember Randy McKibbin. Councilmembers Laurie Carter and Jim Rackley were absent.

[Staff members in attendance were City Administrator Don Morrison, Police Chief Mike Mitchell, Chief Financial Officer Al Juarez, Administrative Services Director/City Clerk Harwood Edvalson and City Attorney Jim Dionne.]

Councilmember Decker moved to excuse Councilmembers Carter and Rackley from attendance at the meeting. Deputy Mayor Swatman seconded the motion.

Motion approved 5-0.

C. Announcements, Appointments and Presentations:

1. Announcements: None.
2. Appointments: None.
3. Presentations: None.

C. Agenda Modifications: None.

7:03:42

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings:

1. **Public Hearing: 2011-2012 Proposed Biennial Budget.**

Mayor Johnson opened the public hearing at 7:03 p.m. There being no speakers from the public, the hearing was closed at 7:03 p.m.

B. Citizen Comments: None.

- C. Correspondence: The following correspondence was received and forwarded to the City Council for their consideration:

Email – From: Lewisdonnm@aol.com; Sent: 11/20/10 at 9:45 AM; To: John Vodopich, et.al.; Subject: Fw: Eastown Sub-area Plan Changes Ordinance D10-174.

Email – From: Raymond Frey; Sent: 11/22/10 at 3:30 PM; To: Woody Edvalson, et.al.; Subject: Eastown Plan.

Email – From: Roger Watt; Sent: 11/23/10 at 10:06 AM; To: Woody Edvalson; Subject: Eastown Sub-area Plan Changes Ordinance D10-174.

Email – From: Delores Magruder; Sent: 11/23/10 at 2:09 PM; To: Woody Edvalson; Subject: Eastown Sub-area Plan Changes Ordinance D10-174.

Email – From: Mary Miller; Sent 11/23/10 at 4:24 PM; To: Woody Edvalson; Subject: [BULK] follow up e-mail from tnt.

7:06:10 **III. COUNCIL COMMITTEE REPORTS:**

- A. Finance Committee: Deputy Mayor Swatman said the committee met at 5:30 p.m. earlier in the evening and discussed the MOU with the Police Guild, renewing the interlocal for planning services with Buckley and resolutions to renew the high efficiency clothes washer and toilet rebate programs.
- B. Community Development Committee: Councilmember Lewis said the committee has not met since the last Council meeting.
- C. Public Safety Committee: Councilmember Hamilton said the committee has not met since the last Council meeting.
- D. Other Reports: Mayor Johnson reported he met with Pierce Transit where they discussed emergency planning scenarios.

7:08:15 **IV. CONSENT AGENDA:**

- A. **Approval of Corrected Minutes**: November 2, 2010 Council Workshop and November 16, 2010 Council Meeting.
- B. **Accounts Payable Checks/Vouchers**: Totaling \$792,483.09.
- C. **Approval of Payroll**: Payroll for November 1 - 15, 2010 for Payroll for November 1-15, 2010 for checks 29421-29444 including Direct Deposits and Electronic Transfers in the amount of \$ 387,854.28.

**Councilmember Decker moved to approve the Consent Agenda.
Councilmember Lewis seconded the motion.**

Consent Agenda approved 5-0.

V. FINANCE COMMITTEE ISSUES:

- A. **AB10-184 – Resolution 2085** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing the Mayor to Sign a Memorandum of Understanding with the Bonney Lake Police Guild for Police Officers and Support Services.

Councilmember Decker moved to approve Resolution 2085. Councilmember Lewis seconded the motion.

Police Chief Mitchell expressed appreciation to the Police Guild for volunteering the terms of the proposed agreement.

Resolution 2085 approved 5-0.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES: *None.*

VII. PUBLIC SAFETY COMMITTEE ISSUES: *None.*

7:09:56

VIII. FULL COUNCIL ISSUES:

- A. **AB10-177 – Ordinance 1367** [D10-177] – An Ordinance of the City of Council of the City of Bonney Lake, Pierce County, Washington, Setting the Amount of the Annual Ad Valorem Tax Levy Necessary for the Fiscal Year 2011.

Councilmember Lewis moved to adopt Ordinance 1367. Councilmember Decker seconded the motion.

Deputy Mayor Swatman noted, although the tax rate is increasing, the net effect to the individual tax payer is to see a decrease in the taxes paid.

Ordinance 1367 approved 5-0.

- B. **AB10-150** – An Ordinance of the City Council of the City of Bonney Lake, Pierce County, Washington, Amending R-1 Zoning to Allow Accessory Dwelling Units as a Conditional Use.

Councilmember Decker moved to approve AB10-150. Councilmember Lewis seconded the motion.

Deputy Mayor Swatman said the proposed ordinance has some merit, however, he feels the language has not been fully perfected. He noted it is not part of the proposed Comprehensive Plan amendments, and, therefore, is not of a time-sensitive nature.

**Observing that two councilmembers are absent from the meeting,
Councilmember Lewis moved to table this ordinance to the December 7, 2010
Council Workshop for further discussion.**

Motion to Table approved 5-0.

IX. EXECUTIVE SESSION: Pursuant to RCW 42.30.140 (4)(b), Mayor Johnson announced the City Council will hold a closed session for five minutes to discuss strategy and negotiating position during the course of a grievance. The closed session began at 7:15 p.m. and was extended another five minutes at 7:20 p.m. The closed session concluded at 7:25 p.m.

7:26:07

X. ADJOURNMENT:

At 7:26 p.m., Councilmember Lewis moved to adjourn the meeting. Deputy Mayor Swatman seconded the motion.

**Motion to adjourn
approved 5-0.**

Harwood Edvalson, CMC
City Clerk

Neil Johnson
Mayor

Items presented to Council at the November 23, 2010 Meeting: *None.*

City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: CD / Heather Stinson	Meeting/Workshop Date: 7 December 2010	Agenda Bill Number: AB10-150
Agenda Item Type: Ordinance	Ordinance/Resolution Number: D10-150	Councilmember Sponsor:

Agenda Subject: Allowing ADU's in R-1 as a conditional use

Full Title/Motion: An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Updating R-1 Zoning To Allow Accessory Dwelling Units As A Conditional Use.

Administrative Recommendation: The Mayor and City Administrator recommend that this ordinance not be passed. We would support an amendment to allow ADUs in an R-1 zone with a CUP provided the ADU was an addition to, or remodel of, the primary residence, but not a stand alone structure. The Council may also want to develop specific CUP approval criteria for ADUs, instead of relying on the general CUP criteria outlined in BLMC 18.52.020(C).

Background Summary: In 2009 when those properties zoned R-2 on Inlet Island and the Church Lake area were downzoned to R-1, the main complaint heard by property owners in that area was that R-1 no longer allowed them to build Accessory Dwelling Units (ADU's). In May of 2010, City Council added an item to the Planning Commission workplan to consider allowing ADU's in R-1. The Planning Commission recommends that ADU's be allowed in R-1 as a conditional use only.

Attachments: Draft Ordinance; Planning Commission recommendation memo

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
Budget Explanation:			

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:	<i>Approvals:</i>		Yes No
Date:	Chair/Councilmember NAME		<input type="checkbox"/> <input type="checkbox"/>
	Councilmember NAME		<input type="checkbox"/> <input type="checkbox"/>
	Councilmember NAME		<input type="checkbox"/> <input type="checkbox"/>
Forward to:	Consent		
	Agenda: <input type="checkbox"/> Yes <input type="checkbox"/> No		
Commission/Board Review: 20 Oct 2010			
Hearing Examiner Review:			

COUNCIL ACTION			
Workshop Date(s):	16 Nov 2010	Public Hearing Date(s):	20 Oct 2010
Meeting Date(s):	23 Nov 2010	Tabled to Date:	

APPROVALS		
Director: JVP	Mayor:	Date Reviewed by City Attorney: (if applicable):



Memo

Date : November 3, 2010
To : Mayor, City Council
From : Grant Sulham, Chair, Planning Commission
CC :
Re : **Accessory Dwelling Units as a Conditional Use in R-1**

In 2009 when those properties zoned R-2 on Inlet Island and the Church Lake area were downzoned to R-1, the main complaint heard by property owners in that area was that R-1 no longer allowed them to build Accessory Dwelling Units (ADU's). In May of 2010, City Council added an item to the Planning Commission workplan to consider allowing ADU's in R-1.

Currently Accessory Dwelling Units (ADU's) are defined by BLMC 18.04.010 as:

A second dwelling unit either in or added to an existing single-family detached dwelling, or in a separate structure on the same lot as the primary dwelling for use as a complete, independent living facility with provision within the accessory unit for cooking, eating, sanitation, sleeping and entry separate from that of the main dwelling. Such a dwelling is an accessory use to the main dwelling. Accessory units are also commonly known as "mother-in-law" units or "carriage houses."

The requirements of ADU's are regulated by BLMC 18.22.090 which in summary require:

1. Only one ADU per lot.
2. A minimum of 300 square feet and a maximum of 1,200 square feet.
3. Shall not exceed 45 percent of the total square footage of the primary and accessory residences, excluding any related garage and stair areas.
4. Have one parking space in addition to those required by the main residence.
5. Be designed to be compatible with the existing residence.

ADU's are currently allowed in all of the residential zones except R-1 including RC-5, R-2 and R-3. They are not factored into density calculations.

The pros and cons of allowing ADU's in R-1 include the following:

Pros	Cons
- Allows property owners to house aging parents and adult children just starting out.	- Creates a situation in which all residential zones essentially become multi-family zones except in those areas with Covenants that prohibit ADU's. While this may not be a downside in and of itself, it may be perceived as such.
- Affords property owners extra income	- Potential for parking issues if not regulated.
- Provides affordable housing options	
- Helps the City meet its Comprehensive Plan and Buildable Lands housing and density goals.	
- Infill development takes advantage of existing infrastructure so new lines don't have to be extended. (i.e. does not create suburban sprawl)	
- Potential for increased revenue to the City for infrastructure maintenance and improvement	
- Has the potential for providing more affordable housing options for local workers.	
- "Landlord" resides on the premises so is more likely to maintain the property.	

In any situation where zoning allows increased density and more than one family on a lot, there is often a perception by the single-family home owners that property values will be affected negatively by the allowance of Accessory Dwelling Units. Also, the perception of rental properties is that they are not taken care of as well as those properties where the property owners reside.

In regards to the latter, there are some zoning codes that try to remedy this situation by requiring that the primary residence be occupied by the property owner. This attempts to prevent both the primary residence and ADU from being rented out, and keep the property owner on site to perform property maintenance. BLMC currently does not have this provision and that may be because this provision is difficult to enforce. The City is not informed when a property owner rents out a property.

In terms of property values, an Accessory Dwelling Unit typically increases the property value of the property that the Unit is on.

The Planning Commission finds that ADU's may be beneficial in R-1 but we are concerned with the negative impacts that an ADU might create in a single-family neighborhood. Making ADU's subject to the requirements of a Conditional Use permit gives the City the opportunity to condition site-specific issues.

In addition, the Planning Commission recognizes that the Shoreline Master Plan may be more restrictive in terms of allowing ADU's and that these regulations should be followed on properties within 200 feet of Lake Tapps.

Recommendation:

The Planning Commission recommends that the City Council adopt the attached ordinance which allows ADU's in R-1 as a Conditional Use.

ORDINANCE NO. D10-150

AN ORDINANCE OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, UPDATING R-1 ZONING TO ALLOW ACCESSORY DWELLING UNITS AS A CONDITIONAL USE

WHEREAS, The purpose of this ordinance is to allow for accessory dwelling units in the R-1 zone as a conditional use; and

WHEREAS, the State Environmental Policy Act was complied with through the issuance of a DNS on October 4, 2010; and

WHEREAS, the Planning Commission conducted a public hearing on October 6, 2010; and

WHEREAS, the Planning Commission issued a recommendation for passage of this Ordinance on November 3, 2010; and

WHEREAS, a letter requesting review of this ordinance by the Washington State Department of Commerce was mailed on September 7, 2010.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. BLMC Chapter 18.14.040 is hereby amended to read as follows:

18.14.040 Conditional uses.

The following conditional uses are permitted on a lot in this district:

A. Educational Facilities.

1. Junior high, high schools and junior colleges, public or private.

B. Commercial Uses.

1. Hospitals; provided the criteria in BLMC [18.22.040](#) are met.

C. Municipal offices.

D. Single-family residences, attached, on lots within subdivisions.

E. Lots with reduced dimensional requirements per BLMC [18.14.060](#)(H) within subdivisions.

F. Accessory Dwelling Units; provided that on properties within 200 feet of a shoreline of statewide significance, the development must meet the provisions of the City's Shoreline Master Plan, and provided the criteria in BLMC 18.22.090(C) are met.

Section 2. If any portion of this Ordinance shall be invalidated by a court of competent jurisdiction, the remainder shall remain in full force and effect.

Section 3. This Ordinance shall take effect thirty (30) days after its passage, subject to prior approval by the Mayor and prior publication for five days as required by law.

PASSED by the City Council and approved by the Mayor this _____ day of _____, 2010.

Neil Johnson, Mayor

ATTEST:

Harwood T. Edvalson, CMC, City Clerk

APPROVED AS TO FORM:

James J. Dionne, City Attorney

Passed:
Valid:
Published:
Effective Date:

City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: CD / Heather Stinson	Meeting/Workshop Date: 7 December 2010	Agenda Bill Number: AB-174
Agenda Item Type: Discussion	Ordinance/Resolution Number: D10-174	Councilmember Sponsor:

Agenda Subject: Discussion of amendments to the Eastown Subarea Plan element of the Comprehensive Plan.

Full Title/Motion: An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending The Eastown Subarea Plan Element Of The Comprehensive Plan.

Administrative Recommendation: The Mayor and City Administrator recommend that D10-174(B) – the Eastown Design Standards be referred back to the Planning Commission for further study and evaluation based on standards more appropriate for the Council’s vision of Eastown. We support the adoption of D10-174(A) streets, and D10-174(C) parking lot landscape standards.

Background Summary: D10-174A Amends the Eastown Subarea Plan element of the Comprehensive Plan eliminating the 51' private road option and replacing the future sewer and future road network maps. D10-174B removes the Eastown Design Standards from the Comprehensive Plan, updates the standards and places them in the municipal code. D10-174C amends the current commercial parking lot landscaping standards that apply to the entire city.
Attachments: D10-174A, D10-174B, D10-174C, Planning Commission recommendation memo

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
Budget Explanation:			

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:	<i>Approvals:</i>	Yes	No
Date:	Chair/Councilmember NAME	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember NAME	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember NAME	<input type="checkbox"/>	<input type="checkbox"/>
Forward to:	Consent Agenda: <input type="checkbox"/> Yes <input type="checkbox"/> No		
Commission/Board Review:	6 Oct 2010		
Hearing Examiner Review:			

COUNCIL ACTION	
Workshop Date(s): 16 Nov 2010	Public Hearing Date(s): 6 Oct 2010
Meeting Date(s):	Tabled to Date:

APPROVALS		
Director: JVP	Mayor:	Date Reviewed by City Attorney: (if applicable):



Memo

Date : October 20, 2010
To : Mayor and City Council
From : Grant Sulham, Planning Commission Chair
CC :
Re : **Eastown Subarea Plan**

BACKGROUND

The Eastown Subarea Plan currently makes up one of the ten elements of the City's Comprehensive Plan. Section 7 of the Eastown Subarea Plan contains design guidelines that are supposed to be required of developments in Eastown. Enforcing these design guidelines has been problematic in part because they conflict with zoning regulations but also because case law has clarified that it is zoning regulations and not Comprehensive Plan design guidelines that developers are legally bound to abide by. It is for this reason that the attached draft ordinance proposes to remove Section 7 of the Eastown Element of the Comprehensive Plan and place these guidelines in the municipal code instead. Since the Downtown Design guidelines are also contained in the municipal code, an additional benefit of moving the Eastown guidelines is that administration of Design Standards generally more efficient.

In addition to moving the Eastown design guidelines to the municipal code, the relevance of the design guidelines themselves was considered. The current design standards don't allow for any parking between SR 410 and any buildings in Eastown. This requirement had the possibility of precluding some development that might be desirable in Eastown such as big box retailers and vehicle sales lots. The attached draft allows some parking between SR 410 and buildings built in this area. It also allows for vehicle sales but precludes the "sea of parking" aesthetic.

The attached draft ordinance also adds some design requirements that aren't represented in the current guidelines. Among these are:

1. Design modulation for large scale buildings that break up long, large walls.
2. Drive- thru uses are allowed (as is currently the case), but the drive-thru lanes adjacent to any right of way are discouraged but require extra landscaped screening if built.
3. Adds a minimum requirement for visitor parking in multi-family developments.
4. Adds some minimum lighting requirements.
5. Adds a minimum size to the currently required pedestrian plaza for sites over 5 acres in size.

In addition, the attached draft ordinance eliminates the specific landscaping requirements of the Eastown Design Standards and updates the municipal code in regards to landscaping required in all commercial parking lots. Currently the requirement is that at maturity, 30% of parking and maneuvering areas in commercial parking lots must be covered by tree canopy. It's a difficult requirement to meet for developers and administer for staff. The proposed replacement language provides a ratio requirement of 1 tree per four parking spaces. The proposed changes would apply to the entire city.

The Commission understands that the original vision of Eastown was more light industrial in nature. The design changes recommended by the attached memo don't prevent industrial parks or industrial uses. If Council has ideas about limiting the kinds of uses in Eastown, it may better be addressed by zoning use regulations rather than design elements.

In addition to the above, the attached maps represent proposed replacements of the existing maps. The proposed Future Road Network map more closely reflects where existing development plans are building roads in Eastown as well as comments that we've received from Developers and our legal department about the feasibility of the placement of roads.

The attached proposed Sewer map reflects the most current proposed City construction of a sewer system in Eastown.

In discussing Eastown versus Midtown, the Commission felt that while Eastown was originally intended to be more light industrial in nature, the interest from developers appears to be going more in the direction of big box retail. With the location of SR 410 bisecting both Midtown and Eastown, neither area is anticipated to be pedestrian oriented adjacent to SR 410 but in both areas there are opportunities for pedestrian-friendly areas internal to overall site development.

In addition, with the change in land-use designation of the WSU Forest, the Commission is concerned that development could occur in this area in the next year without any design regulations. While we feel that a separate Midtown Plan is important, it wouldn't be adopted until fall of 2011 which may be too late to apply to development in the WSU commercial area.

Recommendation:

The Planning Commission recommends that the City Council adopt the attached draft ordinance and that the design regulations should also apply to Midtown until a Midtown Plan can be adopted next year.

ORDINANCE NO. D10-174A

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING CHAPTERS 4 AND 6 AND REPEALING CHAPTER 7 OF THE EASTOWN SUBAREA PLAN OF THE BONNEY LAKE COMPREHENSIVE PLAN.

WHEREAS, on May 25, 2010 the City Council adopted the Planning Commission annual work plan that included consideration of making changes to the Eastown Subarea Plan of the Bonney Lake Municipal Code; and

WHEREAS, the Planning Commission did recommend several changes to the Eastown Subarea Plan, including Chapter 4, relating to traffic circulation, and Chapter 6, relating to sewer; and

WHEREAS, the Planning Commission also recommended that Chapter 7 of the Eastown Subarea Plan, Development Standards, be repealed in favor of adopting more specific development standards in the Bonney Lake Municipal Code; and

WHEREAS, a Notice of Public Hearing was issued on September 21, 2010; and

WHEREAS, the Planning Commission conducted a public hearing on October 6, 2010; and

WHEREAS, at the October 20, 2010 Planning Commission meeting the Planning Commission recommended that the City Council update the Eastown Development Standards and adopt them as development regulations in the Bonney Lake Municipal Code; and

WHEREAS, SEPA has been complied with via a Determination of Non-Significance issued on October 19, 2010; and

WHEREAS, RCW 36.70A.106 requiring a 60 day review by the Washington State Department of Commerce has been complied with; and

WHEREAS, this is one of three Comprehensive Plan amendments concurrently coming before the City Council; and

WHEREAS, the criteria for amending the Comprehensive Plan set forth in BLMC § 14.140.090 are: 1) the amendments are consistent with the goals and policies of the Comprehensive Plan, 2) the comprehensive plan would remain internally consistent, 3) the amendments are consistent with the Countywide Planning Policies, 4) the amendments are consistent with the Growth Management Act, and 5) the amendments advance the public health, safety, or welfare and are in the best interest of the residents of Bonney Lake.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Chapter 4 of the Eastown Subarea Plan of the Bonney Lake Comprehensive Plan, Circulation, is hereby amended as follows:

- A. The Eastown Future Road Network map shall be replaced with Attachment A to this Ordinance.
- B. Figure 8 shall be retitled "Private Roadway Section."
- C. Figure 9 shall be deleted.

Section 2. Chapter 6 of the Eastown Subarea Plan of the Bonney Lake Municipal Code, Sewer, is hereby amended as follows:

- A. The Eastown Preliminary Sewer Design shall be replaced with Attachment B to this Ordinance.

Section 3. Chapter 7 of the Eastown Subarea Plan of the Bonney Lake Municipal Code, Development Standards, is hereby repealed in its entirety.

Section 4. This Ordinance concerns powers vested solely in the Council, it is not subject to referendum, and shall take effect five (5) days after its passage, approval and publication as required by law.

PASSED by the City Council and approved by the Mayor this ____ day of _____, 2010.

Neil Johnson, Mayor

ATTEST:

Harwood Edvalson
City Clerk

APPROVED AS TO FORM:

James Dionne
City Attorney

Passed:

Valid:

EASTOWN FUTURE ROAD NETWORK

Featuring Fennel Creek and Wetlands

LEGEND

- Sewer Lift Stations
- SR410 Median Islands
- Future Public Roads
- Future Private Roads
- Future Public Works Yard
- Future WSDOT Storm Ponds
- Tax Parcels
- Building
- Paved Road
- Other Impervious Surface
- Bonney Lake City Limits

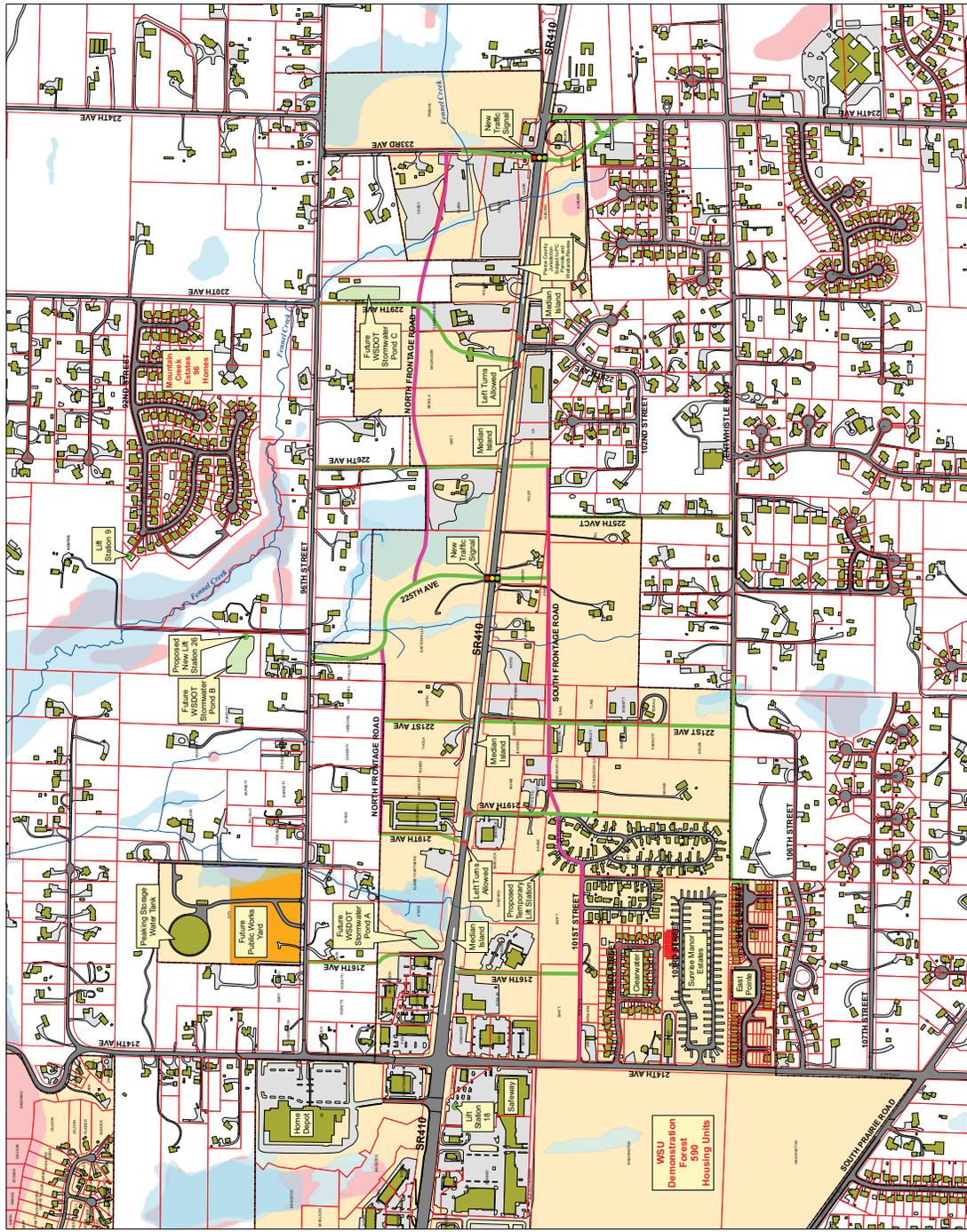
FENNEL CREEK & WETLANDS

- Fennel Creek
- Fennel Creek Tributaries
- CWI Wetlands
- Supplemental Wetland Inventory
- National Wetlands Inventory

0 1,000 Feet Scale

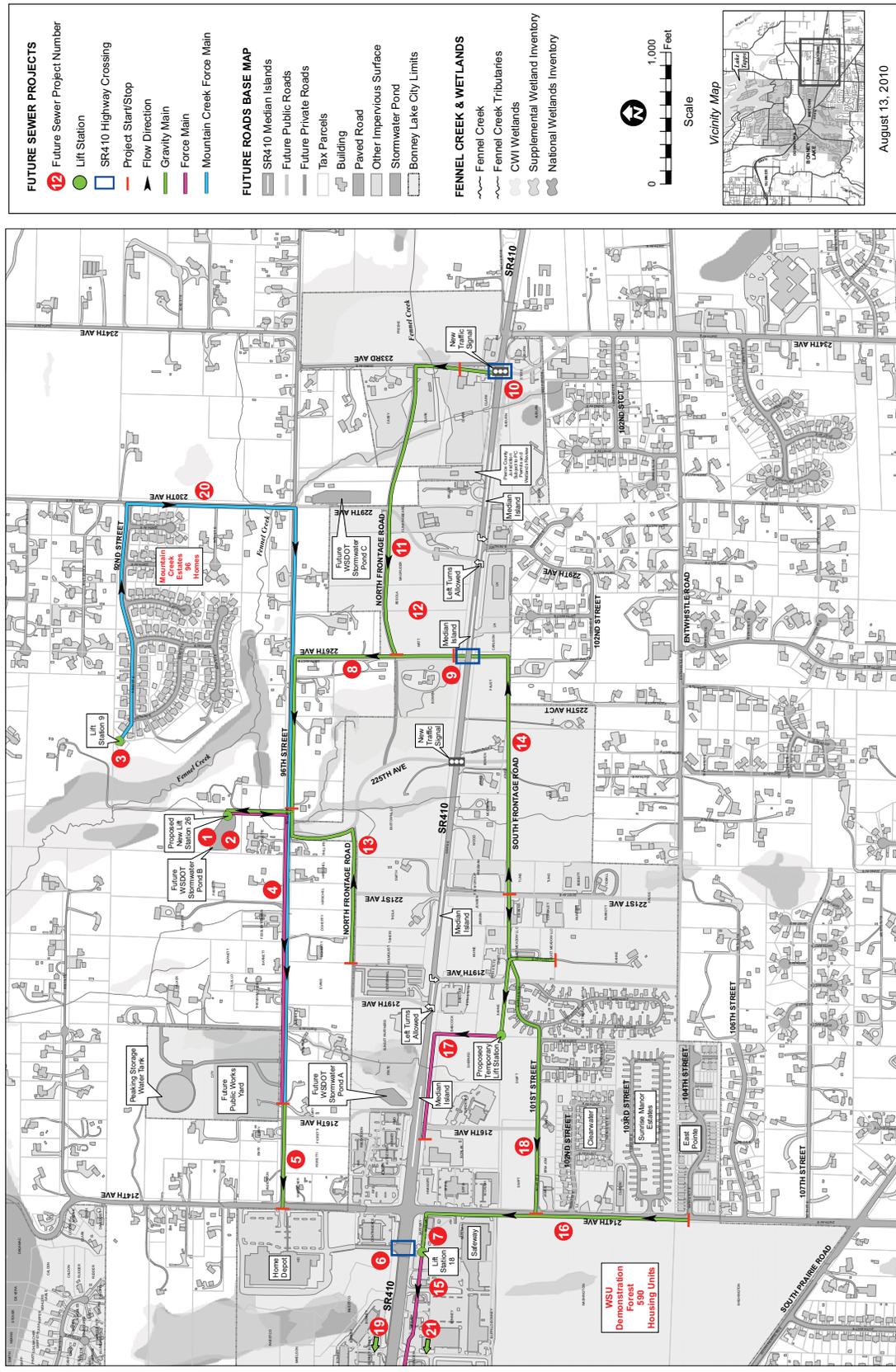
Vicinity Map

August 13, 2010



EASTOWN FUTURE SEWER SYSTEM

Featuring Future Sewer Projects



FUTURE SEWER PROJECTS

- 12 Future Sewer Project Number
- Lift Station
- SR410 Highway Crossing
- Project Start/Stop
- ▲ Flow Direction
- Gravity Main
- Force Main
- Mountain Creek Force Main

FUTURE ROADS BASE MAP

- SR410 Median Islands
- Future Public Roads
- Future Private Roads
- Tax Parcels
- Building
- Paved Road
- Other Impervious Surface
- Stormwater Pond
- Bonney Lake City Limits

FENNEL CREEK & WETLANDS

- Fennel Creek
- Fennel Creek Tributaries
- CWI Wetlands
- Supplemental Wetland Inventory
- National Wetlands Inventory



August 13, 2010

WSU
Demonstration
Facility
Project
SR410
Housing Units

ORDINANCE NO. D10-174B

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, ADOPTING A NEW CHAPTER 18.33 OF THE BONNEY LAKE MUNICIPAL CODE RELATING TO EASTOWN DEVELOPMENT STANDARDS.

WHEREAS, on December ____, 2010 the City Council passed Ordinance No. D10-174, which repealed Chapter 7, Development Standards of the Eastown Subarea Plan of the Bonney Lake Comprehensive Plan; and

WHEREAS, the intent of this repeal was to facilitate the enactment of more specific development standards for Eastown in the Bonney Lake Municipal Code; and

WHEREAS, a Notice of Public Hearing was issued on September 21, 2010; and

WHEREAS, the Planning Commission conducted a public hearing on October 6, 2010; and

WHEREAS, at the October 20, 2010 Planning Commission meeting the Planning Commission recommended that the City Council update the Eastown Development Standards and adopt them as development regulations in the Bonney Lake Municipal Code; and

WHEREAS, SEPA has been complied with via a Determination of Non-Significance issued on October 19, 2010; and

WHEREAS, RCW 36.70A.106 requiring a 60 day review by the Washington State Department of Commerce has been complied with.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. A new Chapter 18.33 shall be added to the Bonney Lake Municipal Code to read as follows:

**Chapter 18.33
Eastown Development Standards**

18.33.010 Purpose.

Land use and development standards provide for cohesive site development which is a crucial element in the creation of an Eastown commercial district that has interconnected parking, complementary site design, and a logical infrastructure. The standards included in this Chapter build upon the goals and policies established in the Community Character and Design Element of the Bonney Lake Comprehensive Plan.

18.33.020 General provisions.

- A. All requirements of applicable underlying zoning shall be met, except as modified in this Chapter.
- B. All site plans shall include sufficient detail to determine whether site and building designs comply with this Chapter, including the Eastown Future Road Network.
- D. Developers are strongly encouraged to work together to coordinate site planning, so that the consistency requirements of this Chapter can be more easily met.

18.33.030 Lighting

- A. Lighting shall be designed and installed so that it does not spill onto adjacent properties.
- B. Lighting shall be provided in all loading, storage, and circulation areas, but shall incorporate cut-off shields to prevent off-site glare.
- C. Lighting standards shall not reduce the amount of landscaping provided for the project.

18.33.040 Drive-through facilities

Drive-through facilities, including but not limited to banks, cleaners, coffee shops, fast food, drug stores, and service stations, shall comply with the following:

- A. Drive-through windows and stacking lanes are prohibited along facades of buildings that face a right-of-way unless they are visually screened from the street by Type III landscaping and/or architectural elements that are consistent with the building design.
- B. The stacking lane shall be physically separated from the parking lot, sidewalk, and pedestrian areas by Type III landscaping and/or architectural elements that are consistent with the building design.
- C. Drive-through speakers shall not be audible off-site.

18.33.050 Parking

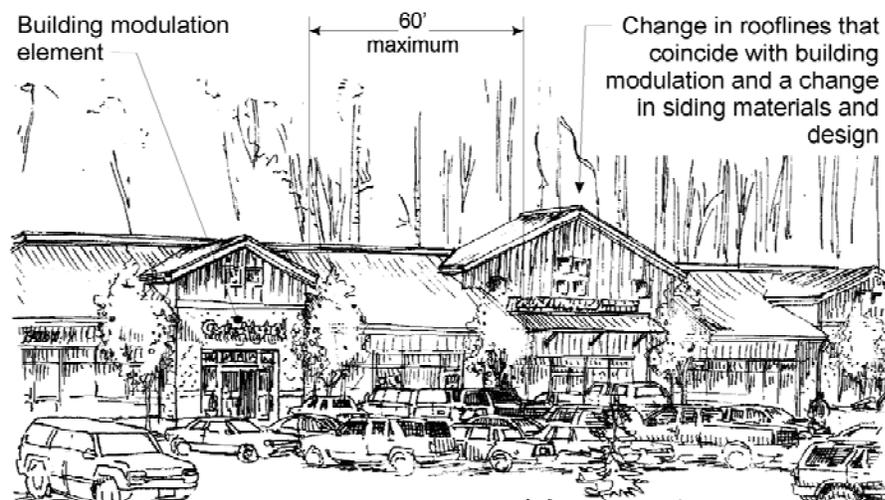
- A. Commercial developments shall design parking facilities to allow for internal traffic circulation with adjacent developments. Where feasible, such circulation shall be achieved through connected parking lots.
- B. Developments shall plan for driveways that can be jointly used by adjacent development.
- C. New driveways shall be spaced as specified in the Access Management chapter of the Easttown Development Plan.
- D. All parking lots containing over 100 parking spaces must contain well-defined pedestrian walkways that separate pedestrians from cars. At least one walkway must be provided for every four rows of parking. Interconnections between walkways shall be provided to create safe walking conditions throughout the parking lot.
- E. On parcels fronting SR 410, the area between the building and front property line shall be limited to required frontage improvements, landscape buffers and a maximum of two rows of parking stalls that must be devoted to customers and / or employees and must include a 20 foot drive aisle.
- F. Multifamily developments shall provide visitor parking at a ratio of one visitor parking space per five dwelling units. This parking may be accomplished by designating visitor spaces within a parking lot or by creating on-street parking on private internal roads.
- G. Bicycle parking must be provided in all new parking lots. A minimum of one bicycle parking space per ten vehicle spaces must be provided, with a maximum ten bicycle stalls per parcel. Bicycle parking areas shall be:
 - 1. located in a covered, secure area with racks for locking bicycles;
 - 2. accessible by means other than stairs;
 - 3. separated from vehicle parking areas by physical barriers such as bollards, posts, or landscaping;
 - 4. located adjacent to each building within a multi-building complex.

18.33.060 Pedestrian Circulation

- A. Pedestrian walkways must provide direct connections between roadways, parking lots and building entrances.
- B. Developments shall be designed to allow pedestrian walkways and bicycle lanes to connect to adjacent developments.
- C. Internal sidewalks must extend to property lines to facilitate pedestrian connections between adjacent developments.

18.33.070 Building Design

- A. Any developments occupying five acres or more of land area shall provide a plaza or other exterior gathering space equivalent to at least 5% of the overall acreage of the site. The plaza design must include gathering areas with benches or seating spaces, landscaping, and trash receptacles.
- B. Buildings located on corners are encouraged to incorporate special architectural elements.
- C. Multi-story commercial buildings and commercial buildings wider than 100 feet (measured along walls adjacent to streets and / or front entrances) shall include at least three of the following articulation features along all facades at articulation intervals of no wider than 60 feet:
 1. Providing building modulation of at least 2 feet in depth and 4 feet in width.
 2. Repeating distinctive window patterns at intervals narrower than the articulation interval.
 3. Providing a covered entry or separate weather protection feature for each articulation interval.
 4. Change of roofline.
 5. Changing materials and/or color with a change in building plane.
 6. Providing lighting fixtures, trellis, tree, or other landscape feature within each interval.
 7. Other methods that meet the intent of this Chapter as approved by the Director.
 8. The following is an illustration of building modulation:

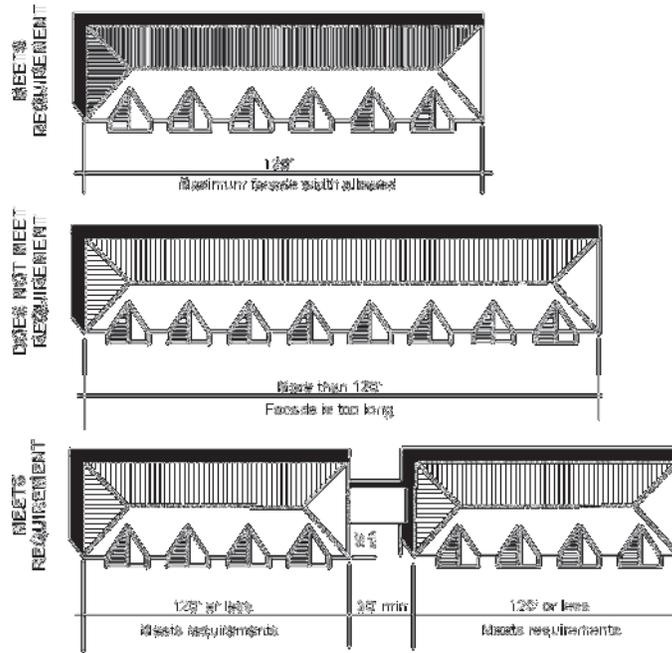


- D. All residential buildings and residential portions of mixed-use buildings shall include at least three of the following modulation and/or articulation features at intervals of no wider than 30 feet along all facades facing a street, common open space, and common parking areas:
 1. Repeating distinctive window patterns at intervals less than the required interval.
 2. Vertical building modulation. Minimum depth and width of modulation is 18 inches and 4 feet (respectively) if tied to a change in color or building material and/or roofline modulation. Otherwise, minimum depth of modulation is 10 feet and minimum width for each modulation is 15 feet. Balconies may not be used to meet modulation option unless they are recessed or projected from the façade and integrated with the building’s architecture as determined by the Director. For example, “cave” balconies or other balconies that appear to be “tacked on” to the façade, as shown in the photographs below, will not qualify for this option



3. Horizontal modulation (upper level step-backs) a minimum of 5 feet.
4. Articulation of the building's top, middle, and bottom. This typically includes a distinctive ground floor or lower floor design, consistent articulation of middle floors, and a distinctive roofline.

E. The maximum façade width, which is the apparent width of the structure facing the street including required modulation, is 120 feet. Buildings exceeding 120 feet in width along the street front shall be divided by a minimum 30-foot wide modulation of the exterior wall, so that the maximum length of a particular façade is 120 feet. Such modulation must be at least 20 feet or deeper and extend through all floors. Other design features will be considered by the Director that effectively break up the scale of the building and add visual interest. This could include a combination of a clear change in vertical articulation and a contrasting change in building materials and/or finishes.



This building is exceeding 120 feet in width along the street front, but is divided by a 30-foot wide modulation of the exterior wall, so that the maximum length of any particular facade is 120 feet or less. Such modulation must be at least 30 feet or deeper and extend through all floors.

- F. Multiple building commercial developments are encouraged to employ a variety of colors, building materials, and architectural treatments to reduce monotony.
- G. Commercial sites divided into outlying pads for small tenants must be configured to ensure that buildings create a strong street edge.



Section 2. This Ordinance concerns powers vested solely in the Council, is not subject to referendum, and shall take effect five (5) days after its passage, approval and publication as required by law.

PASSED by the City Council and approved by the Mayor this ____ day of _____, 2010.

 Neil Johnson, Mayor

ATTEST:

 Harwood Edvalson
 City Clerk

APPROVED AS TO FORM:

 James Dionne
 City Attorney

ORDINANCE NO. D10-174C

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING SECTION 16.14.100 OF THE BONNEY LAKE MUNICIPAL CODE RELATING TO LANDSCAPING REQUIREMENTS FOR PARKING LOTS.

WHEREAS, in the course of considering amendments to the Eastown Development Standards, the Planning Commission identified several needed changes to the landscape requirements for parking lots currently contained in Section 16.14.100 of the Bonney Lake Municipal Code, and has recommended that these changes be adopted by the City Council.

WHEREAS, a Notice of Public Hearing was issued on September 21, 2010; and

WHEREAS, the Planning Commission conducted a public hearing on October 6, 2010; and

WHEREAS, SEPA has been complied with via a Determination of Non-Significance issued on October 19, 2010; and

WHEREAS, RCW 36.70A.106 requiring a 60 day review by the Washington State Department of Commerce has been complied with; and

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. BLMC § 16.14.100 and the corresponding portions of Ordinance Nos. 1230 and 1171 are hereby amended to read as follows:

16.14.100 Parking lots.

~~Parking areas accommodating five or more cars shall have:~~ Interior parking lot landscaping.
Landscaping is required within parking lots to provide shade, reduce pavement heat gain and adjacent building heating during the summer, and soften the appearance of large paved areas.

A. ~~Type III buffers installed along interior, non-street property lines when the adjoining property is not also devoted to parking;~~ Minimum area of landscaping. A minimum of 10 percent of the total off-street parking area shall be landscaped with trees, shrubs, and groundcover; except that this requirement may be reduced during Design Review where it is determined that the specific proposed landscape design will better achieve the intent of this Subsection. The perimeter landscaping required by Subsection C.5 shall not be considered part of the required parking lot landscaping.

B. ~~At least five percent of their surface area, including maneuvering areas but excluding Type III buffer areas, devoted to Type IV buffers to provide tree canopy, improve appearance, and reduce stormwater runoff; and~~ Shading requirement. Canopy trees shall be provided throughout the parking area at the equivalent of one tree for every four spaces, to provide shade. The required trees may be clustered if approved during Design Review.

C. Sufficient number, species, and distribution of trees in Type III and Type IV buffers that, upon maturity, tree canopy shall cover at least 30 percent of parking and maneuvering areas, not counting receiving and refuse areas. Planter dimensions. Planters with trees shall have a minimum interior dimension of five feet by five feet. All ends of parking lanes shall be separated from drive aisles by landscaped islands. Diamond shaped landscaped areas shall not be permitted. See Figure 16-1 for appropriate planter designs.

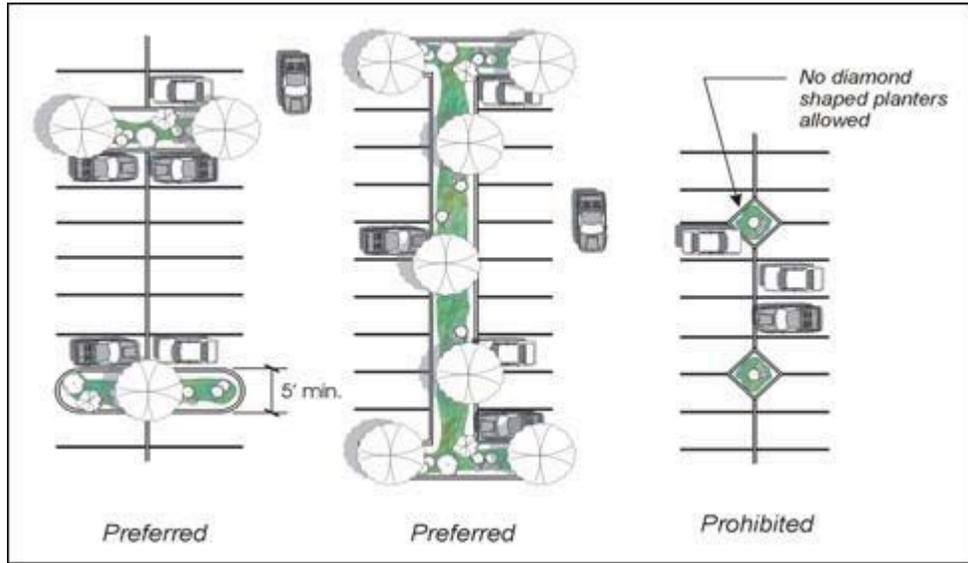


Figure 16-1. Parking Lot Planter Areas

D. Larger projects. Parking lots with more than 150 spaces shall provide a concentration of landscape elements at primary entrances, including specimen trees, flowering plants, enhanced paving, and project identification.

Section 2. This Ordinance concerns powers vested solely in the Council, it is not subject to referendum, and shall take effect five (5) days after its passage, approval and publication as required by law.

PASSED by the City Council and approved by the Mayor this ____ day of _____, 2010.

Neil Johnson, Mayor

ATTEST:

Harwood Edvalson
City Clerk

APPROVED AS TO FORM:

James Dionne
City Attorney

Passed:

Valid:

Published:

Effective Date:

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City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: Community Development / Jerry E Hight	Meeting/Workshop Date: 7 December 2010	Agenda Bill Number: AB10-180
Agenda Item Type: Ordinance	Ordinance/Resolution Number: D10-180	Councilmember Sponsor:

Agenda Subject: Revise section 15.04.020 G to reflect 2009 edition of the Energy Code

Full Title/Motion: An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 15.04 Of The Bonney Lake Municipal Code And Ordinance Nos. 700, 711, 778, 826, 851 And 885, Relating To Adoption Of Revised International Codes Of Building And Related Regulations..

Administrative Recommendation:

Background Summary: This section has been revised to formally adopt the 2009 Washington State Energy Code with an effective date of January 1, 2011. The 2009 energy code was postponed at the request of the Governor until April 1, 2011. At the October 15, 2010 State Building Code Council meeting the date for implementation of the 2009 Washington State Energy Code was set for January 1, 2011.

Attachments: Ord D10-180

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
N/A	N/A	N/A	N/A
Budget Explanation: N/A			

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:	Community Development Date: 6 December 2010	<i>Approvals:</i> Chair/Councilmember NAME Councilmember NAME Councilmember NAME	Yes No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	Forward to:	Consent Agenda: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Commission/Board Review:			
Hearing Examiner Review:			

COUNCIL ACTION	
Workshop Date(s): 7 December 2010	Public Hearing Date(s):
Meeting Date(s): 14 December 2010	Tabled to Date:

APPROVALS		
Director: <i>JPV</i>	Mayor:	Date Reviewed by City Attorney: 11/17/10 (if applicable):

ORDINANCE NO. D10-~~180XX~~

AN ORDINANCE OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING CHAPTER 15.04 OF THE BONNEY LAKE MUNICIPAL CODE AND ORDINANCE NOS. 700, 711, 778, 826, 851 AND 885, RELATING TO ADOPTION OF REVISED INTERNATIONAL CODES OF BUILDING AND RELATED REGULATIONS.

WHEREAS, the City of Bonney Lake is required by RCW 19.27.050 to enforce the provisions of certain uniform codes of technical building and related regulations as adopted by the Washington State Building Code Council (“WSBCC”); and

WHEREAS, the WSBCC has recently adopted new 2009 editions of the Washington State Energy Code ~~several of such International codes~~; and

WHEREAS, the City Council of the City of Bonney Lake finds that both Washington law and the Council’s interest in the safety of its citizens require the Council to ensure that its building codes are kept up to date;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1). BLMC section 15.04.020 and the corresponding portions of Ordinance Nos. 700 § 1, 778 § 1 and 885 § 1 are hereby amended to read as follows:

15.04.020 International codes – Adopted by reference.

Pursuant to RCW 35A.12.140, the following codes of technical regulations are adopted by this reference as if fully set forth, subject to the modifications or amendments set forth in this chapter, and with the exception of those provisions of the codes set forth in this chapter:

A. Adoption of the International Building Code. The International Building Code, 2009 Edition, Appendix I (Patio Covers) and Appendix H (Signs) excluding Sections H101, H102, H105.2, H109.1, H109.2, H110.3, H110.4, and H110.5, published by the International Code Council, as amended by the Washington State Building Code Council, and published in Chapter 51-50 WAC, are adopted by this reference.

B. Adoption of the International Residential Code. The International Residential Code, 2009 Edition, Appendix C, Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems, Appendix H (Patio Covers) except Section AH107, Appendix G Sections AG105 (Swimming Pool and Hot Tub Barriers) and AG106 (Entrapment Protection for Swimming Pool and Spa Suction Outlets), Appendix R (Dwelling Unit Fire Sprinkler Systems), and Appendix S (Fire Sprinklers), published by the International Code Council, as amended by the Washington State Building Code Council, and published as Chapter 51-51 WAC, are adopted by this reference.

C. Adoption of the International Mechanical Code. The International Mechanical Code, 2009 Edition, published by the International Code Council; Section 621, Unvented Room Heaters, in the International Fuel Gas Code is hereby not adopted, as amended by the Washington State Building Code Council, and published as Chapter 51-52 WAC, is adopted by this reference.

D. Adoption of the Uniform Plumbing Code. The Uniform Plumbing Code, 2009 Edition, published by the International Association of Plumbing and Mechanical Officials; Appendix H (Recommended Procedures for Design, Construction and Installation of Commercial Kitchen Grease Interceptors), as amended by the Washington State Building Code Council and published as Chapters 51-56 and 51-57 WAC, are adopted by this reference.

E. Adoption of the International Fire Code. The International Fire Code, 2009 Edition, published by the International Code Council; Appendix B (Fire-flow Requirements for Buildings) and Appendix D (Fire Apparatus Access Roads), as amended by the Washington State Building Code Council and published as Chapter 51-54 WAC, are adopted by this reference.

F. Adoption of the International Property Maintenance Code. The International Property Maintenance Code, 2009 Edition, published by the International Code Council is adopted by this reference.

G. Adoption of the Washington State Energy Code. The Washington State Energy Code, 2009~~6~~ Edition, as amended by the Washington State Building Code Council and filed as Chapter 51-11 WAC, is adopted by this reference.

H. Minimum Design Requirements. The following climatic and geographic design criteria are adopted pursuant to Section R301.2 of the International Residential Code:

Ground snow load	Wind Design		Seismic design category	Weathering	Frost line depth	Termite	Decay	Winter design temp.	Ice shield underlay required	Flood hazards	Air freeze index	Mean annual temp.
	Speed (mph)	Topographic effects										
25 psf	85	Yes	D1	Moderate	12"	Slight	Moderate	27	No	1985	160	51.2

(Ord. 1359 § 1, 2010; Ord. 1358 § 1, 2010; Ord. 1242 § 1, 2007; Ord. 1035 § 1, 2004; Ord. 885 § 1, 2001; Ord. 778 § 1, 1998; Ord. 700 § 1, 1995).

Section 2). The city clerk shall sign and file with the adopting ordinance a copy of the statutes and regulations referenced herein and shall also file and maintain in the city clerk’s office one copy of each of the adopted laws in the form in which they were adopted for use and examination by the public.

Section 3). This Ordinance concerning powers vested solely in the Council, it is not subject to referendum, and shall take effect five (5) days after its passage, approval and publication as required by law; provided, that this Ordinance shall not take effect prior to January 1, 2011.

PASSED by the City Council and approved by the Mayor this ___th day of ~~December~~November, 2010.

Neil Johnson, Mayor

ATTEST:

Harwood T. Edvalson, CMC
City Clerk

APPROVED AS TO FORM:

James J. Dionne, City Attorney

Passed:

Valid:

Published:

Effective Date: January 1, 2011

City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: Executive / Don Morrison	Meeting/Workshop Date: December 7, 2010	Agenda Bill Number: AB10-192
Agenda Item Type: Ordinance	Ordinance/Resolution Number: D10-192	Councilmember Sponsor:

Agenda Subject:

Full Title/Motion: An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Water Service Definitions And Regulations.

Administrative Recommendation: Approve as written

Background Summary: Finance staff have found several instances of "duplexes" and/or ADUs which don't fit a clear interpretation as to how they are to be treated for water utility billing purposes under current BLMC language. The intent of this ordinance to clarify the definition and application of utility billing rules as they apply to duplex and multiple family residences.
Attachments: D10-192

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
Budget Explanation: NA			

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:	Finance Committee Date: Nov. 9, 2010	<i>Approvals:</i> Chair/Councilmember Dan Swatman Councilmember Jim Rackley Councilmember Mark Hamilton	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
	Forward to:	Consent Agenda: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Commission/Board Review:			
Hearing Examiner Review:			

COUNCIL ACTION	
Workshop Date(s): December 7, 2010	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

APPROVALS		
Director:	Mayor:	Date Reviewed by City Attorney: 11/10 (if applicable):

ORDINANCE NO. D10-192

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING CHAPTER 13.04 OF THE BONNEY LAKE MUNICIPAL CODE AND ORDINANCE NOS. 1277 AND 1221 RELATING TO WATER SERVICE DEFINITIONS AND REGULATIONS.

WHEREAS, the City Council finds it necessary to clarify the definition and application of utility billing rules as they apply to duplex and multiple family residences;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Definitions. BLMC Section 13.04.030 and the corresponding portions of Ordinance Nos. 1221 § 1, 1129 § 1, 692 § 1 and 588 § 2 are hereby amended to read as follows:

13.04.030 Definitions.

- A. "Business, commercial or industrial use of water" means any person, partnership or corporation which is a customer of the Bonney Lake water department and possesses a valid business or commercial license.
- B. "City" means the city of Bonney Lake.
- C. "Commodity charge" means the amount the customer must pay the city for water by volume (cost/100 cubic feet).
- D. "Connection charge" means the total of the cost of the customer's connection to the system as defined in the "installation charge" plus the customer's equitable share of the cost of the system.
- E. "Council" means the city council of the city of Bonney Lake.
- F. "Detached Accessory Dwelling Unit (ADU)" means a detached stand alone dwelling structure on the same lot as the primary dwelling for use as a complete, independent living facility with provision within the accessory unit for cooking, eating, sanitation, sleeping and entry separate from that of the main dwelling.
- G. F. "Developer" means any person, partnership or corporation which develops land for subdivision or constructs buildings.
- H. "Duplex" means ~~one structure containing two dwelling units~~ a building not more than 3 stories in height, consisting of 2 attached single-family dwelling units in which each unit extends from foundation to roof. Each unit has a separate means of egress and each unit has separate open space on 3 sides. A detached single family dwelling unit containing two independent living facilities as defined in 13.04.030(I), shall not be not considered a duplex for the purposes of utility billing under this section.

- I. ~~H.~~ “Dwelling unit” means a single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.
- J. ~~I.~~ “Installation charge” means the cost incurred by the city in making the physical connection to the water system, including both direct and indirect cost.
- K. ~~J.~~ “Metered service” means the service for which charges are computed on the basis of measured quantities of water.
- L. ~~K.~~ “Multifamily” means a single structure containing three or more dwelling units.
- M. ~~L.~~ “Public works director” means the public works director of the city of Bonney Lake.
- N. ~~M.~~ “Restoration fee” means a fee charged when service is reinstated to a property from which the owner had previously requested service be discontinued.
- O. ~~N.~~ “Service charge” means the amount the customer must pay the city for the availability of water service, irrespective of whether any water is used.
- P. ~~O.~~ “Utility rates” means those charges made for utility services by ordinance of the city council of Bonney Lake.
- Q. ~~P.~~ “Water department” means the city of Bonney Lake water department.
- R. ~~Q.~~ Unless otherwise defined, all other terms shall have their usual and accustomed meanings. (Ord. 1221 § 1, 2007; Ord. 1129 § 1, 2005; Ord. 692 § 1, 1994; Ord. 588 § 2, 1987).

Section 2 Multiple Residential Unit Billing. BLMC Section 13.04.030(D) and the corresponding portions of Ordinance Nos. 1277 § 1 are hereby amended to read as follows:

13.04.100(D) Multiple Residential Units.

1. The water availability charge for a connection serving multiple (three or more) residential units shall be the availability charge set forth above, multiplied by the number of dwelling units connected to the meter, as follows:

a. Each duplex unit as defined in Section 13.04.030(H) will be billed as though separately connected to the water main, based on five-eighths- or three-quarters-inch meter rates.

b. Any detached accessory dwelling unit (ADU) as defined in Section 13.04.030(F) will be billed as though separately connected to the water main, based on five-eighths- or three-quarters-inch meter rates.

~~c. b.~~ In the case of apartment/trailer courts having one meter, each unit will be billed as though separately connected to the water main, occupied or not, based on five-eighths- or three-quarters-inch meter rates.

d. e. In the case of building lots which have been granted a conditional use permit to allow more than one dwelling on one service meter, each dwelling unit will be billed as though separately connected to the water main, based on five-eighths- or three-quarters-inch meter rates.

2. The consumption charge provided for in this section shall be applied to multiple residential units as provided for above, except that the lower consumption charge rate shall be applied to the first "X" CCF per month, where "X" is the number of units served by the connection multiplied by 10. All consumption greater than that threshold will be charged the higher consumption charge rate.

3. There shall be only one water meter for each building housing more than two residential units.

E. Multiple Commercial and Industrial Buildings. Where all commercial or industrial buildings connected to a single service are used in the same business under single management, billing shall be made as for a single building.

Section 3. Administrative Policies. The Mayor is authorized to develop and implement administrative policies, rules, interpretations and regulations to carry out the intent of this ordinance, including procedures for handling billing complaints and disputes.

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

Section 5 Effective Date. This Ordinance shall take effect thirty (30) days after its passage, approval, and publication as required by law.

PASSED by the City Council and approved by the Mayor this ___th day of , 2010.

Neil Johnson, Jr.
Mayor

ATTEST:

Harwood T. Edvalson
City Clerk, CMC

APPROVED AS TO FORM:

City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: CD / John P. Vodopich, AICP	Meeting/Workshop Date: 7 December 2010	Agenda Bill Number: 10-191
Agenda Item Type: Discussion	Ordinance/Resolution Number: 2090	Councilmember Sponsor:

Agenda Subject: Interim Justice Center Tenant Improvement Project Bid Award

Full Title/Motion: A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Awarding The City Of Bonney Lake Interim Justice Center Tenant Improvement Project Contract To XXX.

Administrative Recommendation:

Background Summary: The City advertised the City of Bonney Lake Interim Justice Center Tenant Improvement Project on November 4, 2010 and opened bids on December 1, 2010. The bid tabulation from the opening will be distributed at the workshop.
Attachments: Resolution No. 2090

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
Budget Explanation:			

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:	<i>Approvals:</i>	Yes	No
Date:	Chair/Councilmember NAME	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember NAME	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember NAME	<input type="checkbox"/>	<input type="checkbox"/>
Forward to:	Consent		
	Agenda: <input type="checkbox"/> Yes <input type="checkbox"/> No		
Commission/Board Review:			
Hearing Examiner Review:			

COUNCIL ACTION	
Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

APPROVALS		
Director: <i>John P. Vodopich, AICP</i>	Mayor:	Date Reviewed by City Attorney: (if applicable):

RESOLUTION NO. 2090

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AWARDED THE CITY OF BONNEY LAKE INTERIM JUSTICE CENTER TENANT IMPROVEMENT PROJECT CONTRACT TO XXX.

WHEREAS, the City Council approved the design contract for the City of Bonney Lake Interim Justice Center Project with the adoption of Resolution 1809 on March 18, 2008; and

WHEREAS, the City advertised the City of Bonney Lake Interim Justice Center Tenant Improvement Project on November 4, 2010 and opened bids on December 1, 2010 and has determined that the lowest responsible bid for this contract was received from XXX; and

NOW, THEREFORE, BE IT RESOLVED that the City of Bonney Lake Council does hereby authorize the Mayor to sign the attached contract with XXX for the base bid in the amount of \$XXX.XX which includes state sales tax.

BE IT FURTHER RESOLVED that the City of Bonney Lake Council does hereby authorize a 10% Construction Contingency (\$XXX.XX) based on the contract bid.

PASSED and adopted by the City Council this XX day of December 2010.

Neil Johnson, Mayor

ATTEST:

Harwood T. Edvalson, CMC
City Clerk

APPROVED AS TO FORM:

James Dionne, City Attorney

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City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: Fin / Al Juarez	Meeting/Workshop Date: 7 December 2010	Agenda Bill Number: AB10-188
Agenda Item Type: Ordinance	Ordinance/Resolution Number: D10-188	Councilmember Sponsor:

Agenda Subject: Final 2009 - 2010 Budget Amendment

Full Title/Motion: A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending The Biennial Budget For Calendar Years 2009 And 2010. .

Administrative Recommendation:

Background Summary: Revised Code of Washington (RCW) 35A.34 provides procedures for adopting, managing and amending a biennial budget. Pursuant to this guidance the City Council find it necessary to make certain revisions to the 2009 - 2010 biennial budget that was adopted on Decmeber 9, 2008 via Ordinance #1291 and then amended via mid-biennial Ordinance #1339, dated December 8, 2009. Subsequent to the above referenced adoption and mid-biennial adjustment; anticipated revenues and expenditures have changed and the City Council finds it necessary to amend the budget pursuant to "exhibit A," a copy of which is attached.
Attachments: Yes

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
Budget Explanation: See attachment A			

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:	Finance Committee	<i>Approvals:</i>	Yes No
	Date: 23 November 2010	Chair/Councilmember Deputy Mayor Swatman	<input checked="" type="checkbox"/> <input type="checkbox"/>
		Councilmember Mark Hamilton	<input checked="" type="checkbox"/> <input type="checkbox"/>
		Councilmember James Rackley	<input type="checkbox"/> <input type="checkbox"/>
	Forward to: 12/14/2010 Council Mtg	Consent	
		Agenda: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Commission/Board Review:			
Hearing Examiner Review:			

COUNCIL ACTION	
Workshop Date(s): 12/7/2010	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

APPROVALS		
Director: Al Juarez	Mayor:	Date Reviewed by City Attorney: standard (if applicable):

ORDINANCE NO. D10-188

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON AMENDING THE BIENNIAL BUDGET FOR CALENDAR YEARS 2009 AND 2010

WHEREAS, Ch. 35A.34 RCW provides procedures for adopting, managing, and amending a biennial budget; and

WHEREAS, the budget for 2009 and 2010 was initially adopted by the City Council on December 9, 2008 via Ordinance Number 1291, and subsequently amended by Ordinance Number 1339; and

WHEREAS, subsequent to the adoption and initial amendment of the 2009 - 2010 biennial budget, anticipated revenues and expenditures have changed; and

WHEREAS, the City Council finds it necessary to make certain revisions to the 2009 -2010 adopted budget;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. The biennial budget for the City of Bonney Lake for the period January 1, 2009 through December 31, 2010 is hereby amended by total biennial revenues (sources) and total biennial expenditures (uses) for each fund as shown on the attached Exhibit "A" (City of Bonney Lake Amended 2009-2010 Biennial Budget).

Section 2. This ordinance concerning matters set out in RCW 35A.11.090, it is not subject to referendum, and shall take effect (5) days after its passage, approval and publication as required by law.

PASSED by the City Council of the City of Bonney Lake this 14th day of December, 2010.

Neil Johnson, Jr. Mayor

Attested:

Harwood T. Edvalson, City Clerk

Approved as to Form:

James Dionne, City Attorney

Number	Fund Name	2009				2010			
		Adopted	Mid-Biennial	Final BA	Final	Adopted	Mid-Biennial	Final BA	Final
001	General	13,686,357	(1,815,788)	-	11,870,571	14,307,533	(2,335,162)	367,509	12,339,680
126	Contingency	-	35,000	-	35,000	-	3,000	916,000	919,000
208	1997 G.O. Public Safety Building	355,305	-	-	355,305	359,750	-	2,262,435	3,357,060
301	Street CIP	4,886,688	277,660	-	5,164,348	1,234,625	(140,000)	1,522,000	963,532
302	Parks CIP	1,344,687	(396,800)	-	947,887	3,585,532	(1,100,000)	(1,522,000)	230,698
320	General Government CIP	3,615,698	500,000	-	4,115,698	230,698	760,000	(760,000)	2,300,698
325	Chic Center CIP	7,416,825	(6,600,000)	-	816,825	664,638	7,350,000	(4,479,587)	3,535,072
401	Water	11,095,062	288,977	-	11,384,039	13,127,528	1,764,600	(3,947,000)	10,945,128
402	Wastewater (Sewer)	8,182,037	(1,073,038)	-	7,108,999	13,106,534	(2,541,631)	(4,280,095)	6,284,808
415	Stormwater	1,524,954	(405,700)	-	1,119,254	1,312,182	13,000	(42,000)	1,283,182
501	Equipment Rental & Replacement	751,046	-	-	751,046	933,250	-	-	933,250
502	Insurance	340,686	-	-	340,686	357,731	-	-	410,000
Total		53,199,355	(9,209,687)	-	43,989,668	49,219,801	3,773,907	(11,432,449)	41,561,159

Number	Fund Name	2009				2010			
		Adopted	Mid-Biennial	Final BA	Final	Adopted	Mid-Biennial	Final BA	Final
001	General	12,701,861	(692,589)	-	12,009,272	13,147,889	(870,893)	(43,873)	12,233,223
120	Drug Investigation	984,495	(1,123,195)	-	(138,700)	1,159,342	(1,464,287)	411,382	106,457
126	Contingency	-	30,000	-	30,000	-	30,700	235,000	285,700
208	1997 G.O. Public Safety Building	-	18,909	-	18,909	-	19,571	-	19,571
301	Street CIP	355,305	-	-	355,305	359,750	-	-	359,750
302	Parks CIP	4,886,688	172,004	-	5,058,692	1,234,625	285,000	-	1,529,625
320	General Government CIP	3,615,698	(416,000)	-	928,687	3,585,532	(1,102,000)	-	2,483,532
325	Chic Center CIP	7,416,825	1,973,001	-	5,588,699	230,698	2,700,000	-	2,930,698
401	Water	11,095,062	2,188,200	-	13,283,262	664,638	-	-	664,638
402	Wastewater (Sewer)	8,182,037	(313,000)	-	7,869,037	13,127,528	(178,400)	1,338,000	14,287,128
415	Stormwater	1,524,954	(131,000)	-	1,211,954	1,312,182	-	2,091,600	15,198,134
501	Equipment Rental & Replacement	751,046	-	-	751,046	933,250	-	50,000	1,563,182
502	Insurance	340,686	-	-	340,686	357,731	-	-	933,250
Total		53,189,354	1,897,330	-	55,036,684	49,219,799	(570,289)	4,102,109	52,751,619

Number	Fund Name	2009/2010 Biennium			
		Adopted	Mid-Biennial	Final BA	Final
001	General	25,949,850	(1,563,482)	(43,873)	24,242,495
120	Drug Investigation	2,143,837	(2,587,482)	411,382	(92,243)
126	Contingency	-	60,700	235,000	315,700
208	1997 G.O. Public Safety Building	-	38,480	-	38,480
301	Street CIP	715,055	-	-	715,055
302	Parks CIP	6,121,313	467,004	-	6,588,317
320	General Government CIP	4,930,219	(1,518,000)	-	3,412,219
325	Chic Center CIP	3,846,396	4,673,001	-	8,519,397
401	Water	8,081,463	-	-	8,081,463
402	Wastewater (Sewer)	24,222,590	2,009,800	1,338,000	27,570,390
415	Stormwater	21,288,571	-	2,091,600	23,380,171
501	Equipment Rental & Replacement	2,837,136	(313,000)	50,000	2,574,136
502	Insurance	1,684,296	-	-	1,684,296
Total		699,427	1,267,041	4,102,109	107,788,303

F:\Kassandra\Budget\2009&2010 Working\Budget Adjustments\Final Budget Adjustment\2009&2010 Final BA 110310

11/19/2010

General Fund
Revenues + Use of Fund Balance = Expenditures

Revised:

11/19/2010 16:20

24,210,251

City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: Fin / Al Juarez	Meeting/Workshop Date: 7 December 2010	Agenda Bill Number: AB10-189
Agenda Item Type: Ordinance	Ordinance/Resolution Number: D10-189	Councilmember Sponsor:

Agenda Subject: Adopt the 2011 - 2012 Biennial Budget

Full Title/Motion: A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting The Biennial Budget For Calendar Years 2011 And 2012.

Administrative Recommendation:

Background Summary: Revised Code of Washington (RCW) 35A.34 provides procedures for adopting, managing and amending a biennial budget. Pursuant to this guidance and Bonney Lake Municipal Code 3.96, a proposed budget for fiscal years 2011 and 2012 has been prepared, filed and public hearings conducted. This ordinance is intended to adopt the 2011 - 2012 biennial budget, which will be subject to a mid-biennium review during the fall of 2011.
Attachments: Yes

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
Budget Explanation: The Biennial Budget amount of \$94,056,449 includes transfers, reserves and use of fund balance as illustrated in "Attachment A," a copy of which is attached.			

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:	Finance Committee Date: 11/23/2010	<i>Approvals:</i> Chair/Councilmember Deputy Mayor Swatman Councilmember Mark Hamilton Councilmember James Rackley	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Forward to: 12/14/2010 Council Meeting		Consent Agenda: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Commission/Board Review:			
Hearing Examiner Review:			

COUNCIL ACTION	
Workshop Date(s): 11/2; and 12/7/2010	Public Hearing Date(s): 11/16; 11/23; and 12/7/2010
Meeting Date(s):	Tabled to Date:

APPROVALS		
Director: Al Juarez	Mayor:	Date Reviewed by City Attorney: standard (if applicable):

ORDINANCE NO. D10-189

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
BONNEY LAKE, PIERCE COUNTY, WASHINGTON, ADOPTING
THE BIENNIAL BUDGET FOR CALENDAR YEARS 2011 AND
2012**

WHEREAS, Ch. 35A.34 RCW provides procedures for adopting, managing, and amending a biennial budget; and

WHEREAS, a preliminary biennial budget for fiscal years 2011 and 2012 has been prepared and filed as required by law; and

WHEREAS, on November 16; 23; and December 7, 2010 the City Council held public hearings upon notice as prescribed by law, and met for the purpose of fixing the final budget of the City for the 2011-2012 fiscal biennium; and

WHEREAS, the City Council has made adjustments and changes deemed necessary and proper and desires to adopt the 2011-2012 Budget, including the biennial Capital Improvement Program;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. The biennial budget for the City of Bonney Lake for the period January 1, 2011 through December 31, 2012 as contained in the 2011-2012 Biennial Preliminary Budget for total revenues/sources (including use of fund balances) and expenditures/uses and as revised by the City Council, is hereby adopted by Total Biennial Revenues and Total Biennial Expenditures for each fund as shown on the attached Exhibit "A" (City of Bonney Lake Adopted 2011-2012 Biennial Budget).

Section 2. That the budget document entitled "City of Bonney Lake 2011-2012 Biennial Budget" attached hereto as Exhibit "B" is hereby adopted at fund level as set forth, three copies of which shall be on file with the City Clerk.

Section 3. The City Clerk is directed to transmit a certified copy of the City of Bonney Lake adopted 2011-2012 Biennial Budget to the Office of State Auditor and to the Association of Washington Cities.

Section 4. This ordinance concerning matters set out in RCW 35A.11.090, it is not subject to referendum, and shall take effect January 1, 2011 after its passage, approval and publication as required by law.

PASSED by the City Council of the City of Bonney Lake this 14TH day of December, 2010.

Neil Johnson, Jr. Mayor

Attested:

Harwood T. Edvalson, City Clerk

Approved as to Form:

James Dionne, City Attorney

Passed:
Valid:
Published:
Effective Date: