

CITY COUNCIL WORKSHOP

April 2, 2013
5:30 p.m.

AGENDA



“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.*

Location: Bonney Lake Justice & Municipal Center, 9002 Main Street East, Bonney Lake, Washington.

I. Call to Order: Mayor Neil Johnson

II. Roll Call:

Elected Officials: Mayor Neil Johnson, Jr., Deputy Mayor Dan Swatman, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember James Rackley, and Councilmember Tom Watson.

III. Agenda Items:

A. Council Open Discussion.

Pg. 3 **B. Review of Council Minutes:** March 19, 2013 Workshop and March 26, 2013 Council Meeting.

Pg. 13 **C. Presentation:** AB12-149 – Ordinance D12-149 – Landscaping Code – Grant Sulham, Planning Commission Chairperson.

Pg. 49 **D. Presentation:** AB13-40 – Ordinance D13-40 – Eastown Zoning – Grant Sulham, Planning Commission Chairperson.

Pg. 59 **E. Presentation:** AB 13-41 – Ordinance D13-41 – Adoption of the Official Zoning Map – Grant Sulham, Planning Commission Chairperson.

Pg. 69 **F. Presentation:** AB13-51 – Update regarding work on CUGA designations.

Pg. 79 **G. Discussion:** AB13-31 – Ordinance D13-31 – Boat Launch Fees.

Pg. 83 **H. Discussion:** AB13-53 – Ordinance D13-53 – Amending Section 2.08.010 of the Bonney Lake Municipal Code Relating to Appointive Officers.

Pg. 87 **I. Discussion:** AB13-54 – Resolution 2296 – Establishing Policies Regarding the Recruitment and Selection of the Appointed Officers of the City.

IV. Executive Session: Pursuant to RCW 42.30.110(b), the City Council may hold an executive session. The topic(s) and the session duration will be announced prior to the executive session.

V. Adjournment

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

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CITY COUNCIL WORKSHOP

**March 19, 2013
5:30 P.M.**

DRAFT 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 East, Bonney Lake, Washington.

I. CALL TO ORDER – Deputy Mayor Dan Swatman called the workshop to order at 5:35 p.m.

II. ROLL CALL:

Administrative Services Director/City Clerk Harwood Edvalson called the roll. Elected officials attending were Mayor Neil Johnson, Jr., Deputy Mayor Dan Swatman, Councilmember Randy McKibbin, Councilmember Mark Hamilton, Councilmember Katrina Minton-Davis, Councilmember Jim Rackley, Councilmember Donn Lewis, and Councilmember Tom Watson. Mayor Johnson arrived at 5:47 p.m.

Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Community Development Director John Vodopich, Assistant Police Chief Kurt Alfano, City Attorney Kathleen Haggard, Administrative Services Director/City Clerk Harwood Edvalson, and Administrative Specialist II Renee Cameron.

III. AGENDA ITEMS:

A. Review of Council Minutes: March 5, 2013 Workshop, and March 12, 2013 Meeting.

The March 5, 2013 Workshop, and March 12, 2013 Meeting minutes were forwarded to the March 26, 2013 Council Meeting for action, with corrections noted by Councilmembers Lewis and Hamilton of the March 5, 2013 meetings related to Agenda Item III.C, Mandatory Refuse Collection Enforcement Issue.

B. Council Open Discussions:

Chamber of Commerce Luncheon. Councilmember Watson said he attended the Chamber Luncheon last Thursday and reported that Cascade Regional Blood Services provided a great presentation. He said the annual Chamber Awards are coming up and encouraged everyone to vote to nominate their favorite home based businesses, best new business, Citizen of the Year, Chamber volunteer, and Excellence in Customer Service. He said you can vote on-line.

Community Summit. Councilmember Watson said the Community Summit will be on Thursday and he will be on the panel with supporting businesses in the community session. He said pre-registration is available on-line, and there will be some great giveaways.

Death by Chocolate Event. Councilmember Watson said that the Lion’s Club “Death by Chocolate” event is on March 23rd and he has reserved a table. He said if others wish to attend they can pay for tickets on-line.

Council Retreat Date. Deputy Mayor Swatman noted that the Council Retreat is on March 30th, which is on Easter weekend and unfortunately Council will be unable to attend the annual Easter Egg Hunt as they normally do.

C. Discussion: Finalize Council Retreat Agenda

City Administrator Morrison said the Workshop agenda packet included a discussion draft agenda for the March 30, 2013 Council Retreat about issues the Council wanted to talk about. He said a copy of the draft agenda has been given to the facilitator and asked if Council had any concerns or additions. Councilmember Lewis asked about what the definition of the “Economic Development Vision” means. He said he did not understand the phrase “EDC focuses on attracting sustainable business to the view corridor.” Councilmember Hamilton said it relates to businesses along SR 410 and that have a view of Mt. Rainier. Councilmember Minton-Davis advised that this language is, and has been, in the Council’s current vision statement. City Administrator Morrison said the agenda reflects a majority opinion from the survey he sent out of what Council wants to discuss at the retreat. He said the Retreat facilitator has already had contact with some of the Councilmembers and has already had some great discussions.

D. Discussion: AB13-49 – Resolution 2294 - Amending Resolution 1695 Designating and Appointing the City Clerk and/or City Administrator as Agents of the City of Bonney Lake to Receive Claims for Damages Under the Provisions of RCW 4.96.020.

City Administrator Morrison said the proposed resolution is a housekeeping item due to the recent move to the Justice & Municipal Center. He said that the street address for both of the officers designated as the City’s designated agents to receive claims for damages has now changed. This resolution will approve the change of address and it will be filed with the County Auditor, as required by law.

This item was forwarded to the March 26, 2013 Council Meeting for action.

E. Discussion: AB13-32 – Ordinance D13-32 - Amending Section 13.12.130 And Repealing Sections 13.12.140 13.12.150 Of The Bonney Lake Municipal Code Related To Temporary Private Sewer Connections.

Deputy Mayor Swatman said the Community Development Committee (CDC) reviewed this item and did extensive work on this issue, as did the City Attorney. City Attorney Haggard said these proposed amendments provide for some specific issues related to the zoning in Eastown, as well as provisions that apply City-wide.

Public Works Director Grigsby said per the proposed ordinance, when a developer builds their septic system they would also construct the dryline for the future sewer system. The dry line would not be activated, nor would they pay an SDC or latecomer fee until they actually connect to an active sewer line. Deputy Mayor Swatman thanked staff for the consideration and preparation of these amendments.

Deputy Mayor Swatman said he does recognize that it will basically be impossible to collect a sewer development charge from a property owner that has a septic system and believes it would be a major uphill battle trying to collect. He said a large development will not be interested in applying for a large septic system when they are so close to being able to connect to sewer.

Councilmember Rackley said if the proposed ordinance allows property owners and developers to expand their septic systems it should be fine. He said if they invest in a large septic system then that will be their individual decision to spend the money. Councilmember McKibbin said that at the CDC meeting property owners said that they at least wanted the ability to have a septic system, but that they would not be required to should they choose to wait for the sewer extension to be installed.

Deputy Mayor Swatman said he is trying to minimize the risk to the sewer utility and asked about pushing out the effective date a couple of months to apply for a temporary septic system making it less likely that applicants would consider this approach, versus waiting until the sewer system is installed. Councilmember Lewis said some property owners have already waited patiently for this opportunity to hook up to private septic. He asked for clarification about sewer connection being mandatory for all new developments. Community Development Director Vodopich clarified that this requirement applies to all new development in the Eastown area. Public Works Director Grigsby said the lift station should be ready next fall.

This item was moved to the March 26th City Council meeting for action.

F. Discussion: AB13-39 – Resolution 2286 – Authorizing the Contract with Shea, Carr, Jewell Alliance for the Completion of the Design Effort of the SR410 Sidewalk Improvements from Angeline Bridge to 192nd Ave E.

Public Works Director Grigsby said this project will design the missing link between 192nd, essentially crossing the Angeline Road Bridge, and build a retaining wall on the north side for the sidewalk to get to 192nd. He said the adopted budget only had \$40,000+ available for this year and now that an actual estimate has been received they are asking Council to increase the dollar amount for this project so the contract can be awarded. Mayor Johnson said this has been a long-missing link and hopes to see this project get done.

Councilmember Lewis asked how much money is needed to fund the project. Public Works Director Grigsby confirmed that \$92,276 is needed for the design phase. He said it is to build a concrete sidewalk on the bridge crossing Angeline Road on the north side of SR 410. He said a retaining wall will have to be built to build the sidewalk on.

Councilmember Minton-Davis said during the discussion at the Community Development Committee (CDC) meeting the Committee members were all in concurrence to forward this project, but because it was an unbudgeted expense the CDC wanted to make sure the Council approved this agreement. Councilmember Rackley said it makes better sense to add a budget amendment. Councilmember Lewis said he believes this is a safety item and pedestrians need to have this project completed to provide a safer route for everyone. He said coming up with the \$92,276 is an issue, but he thinks the project cost can be resolved and is most concerned with the safety of those utilizing the roads and sidewalks along this route.

Mayor Johnson said at the Youth Forum at the Bonney Lake High School, students routinely mention that safe sidewalks are an extremely important priority.

Councilmember Watson asked where funds can be found if this item is forwarded on. City Administrator Morrison said the budget is adopted by fund total, and staff will look at a project that is a lesser priority and move it to next year to allow the City to complete this project at a higher priority. Councilmember Lewis said this project should be moved up on the list of priorities to get it done.

Mayor Johnson said staff will look at the current Public Works project list and their priority status and make a recommendation as to how the Council wants to proceed, whether by delaying another project or something else.

This item was forwarded to a future Council meeting for action.

G. Discussion: AB13-43 – Resolution 2288 – Amending the WSU Property Development Agreement Relating to a New Traffic Signal at 204th Ave E and SR410.

Mayor Johnson said that he wanted Council to know how this discussion item was placed on the agenda. He said with all of the discussion the City has had in the past couple of years with economic development and the changes occurring in Easttown he took it upon himself to reach out to Pete Lymberis who represents Weyerhaeuser Real Estate Development Company and Washington State University to find out the status of what is happening economically with the development of the WSU commercial piece. He said he is thinking of economic development and trying to make sure Easttown and Midtown continue to grow and provide sales tax base to the City. He said he discussed with Mr. Lymberis if anything has changed as far as possible traffic analysis numbers for the highway and what a new traffic signal would do for the City. He said the feedback from Mr. Lymberis, and the information he gained at the ICSC conference, is that the traffic signal is critical in developing this commercial property, for either big box companies or retailers. He said he asked Chairman McKibbin to take it to the CDC for their review, consideration, and recommendation. Councilmember McKibbin said the CDC received a great presentation from a traffic analysis representative.

Councilmember Minton-Davis said the presentation to the CDC made by Pete Lymberis and his staff on their request to have the City support the addition of a new traffic signal at this intersection was very well presented and it showed the Committee members how the traffic signal would actually improve the traffic flow and not further impede it. She said she was hoping to have a presentation in front of the entire Council, however, it appears that is not planned to occur.

Deputy Mayor Swatman said he didn't understand why City resources are being spent to undo a previous Council decision. He said the previous Council was adamant that there would not be a light at this location on SR410. He said he does not want to try to overturn a decision that was previously made. He said although things can change, he will always try to make the best with previous decisions made. He said the entire development agreement was accepted and approved based on the understanding that a traffic signal would not be placed here. He asked legal counsel to advise the Council. He said whether it increases or decreases traffic he feels it was already considered in the process, so he doesn't understand how the City can propose to come back and do a comprehensive plan amendment.

Mayor Johnson said City resources and staff were not used on this presentation. He used his own time to research this, in the City's best interest, and he is the one who asked to bring it forward. He said he remembered that initially there was a condition regarding traffic signals in the original development package, but his memory is that the condition was taken out.

Deputy Mayor Swatman said communications dated February 11, 2013, addressed to the Mayor and the Council were included in the agenda packet, however, he doesn't recall previously receiving a copy of this communication. He said if there is mail addressed to the Council then he wants to know that Council is receiving it too.

City Attorney Haggard advised that she would have to do some research to determine what may have occurred in previous years, however, the only way to make a change is to go through a comprehensive plan amendment process. She said there would not be an automatic deletion of the amendment to the comprehensive plan amendment merely by amending the development agreement. She said that parties to a developer agreement may make an amendment to the agreement if the parties choose to. She said that in regards to the specific traffic signal, it still needs to be approved by WSDOT. She said her understanding is that such a signal would be permitted on a state highway, and secondly it would need to satisfy the City from an engineering standpoint that it could work.

Councilmember Watson said he is surprised this item has even come forward. He said the developer is not bringing any new money to the City and they want the City to bring money forward. He asked what is different now, and why this should even be considered. Mayor Johnson said if it could help improve traffic and bring commercial development to that area then

he would like to consider it. He asked if Council wished to have an official presentation. He said things change, even if a previous Council was not in support of an issue in previous years. He said if Council don't revisit some of these things then there may not be necessary improvements. He said he will continue to bring things forward that are in the best interest of the City.

Deputy Mayor Swatman said he doesn't see that other options have been explored. He would like to see options for connectivity, such as bypasses. He said other areas and intersections could be considered vital intersections while still giving great connectivity to the forest area.

Councilmember Rackley said he would be amenable to take this item back to the CDC to consider other options if the Council so desires. He asked about the 25% cost to the City for construction of this proposed intersection and traffic signal. Public Works Director Grigsby said there is a 25% transportation impact fee reduction only.

Deputy Mayor Swatman said the City is not going to pay to construct an intersection for nothing. He said the City has no surety of anything under this proposal. He said he has no problem considering all options, but once a traffic signal is in they will not take it away.

Community Development Director Vodopich said regarding the 25% transportation impact fee, that the amount is included in the agenda packet materials regarding a traffic signal at 204th Avenue E. and SR 410 and that the City would amend the traffic impact fee list at 25% of the total project cost, so when the traffic signal was built and completed they would receive a 25% credit of the traffic impact fee of the total project cost, upon WSDOT's approval.

Mayor Johnson said he agrees with Deputy Mayor Swatman that the project has to be in the best interest of the City, and the assurances need to be there. He said first they have to be brought forward, and this is one way to start the process.

Councilmember Hamilton said he remembers in the approved development agreement stated that the developer would have to demonstrate to the City's full satisfaction that it would improve traffic flow. He said he thinks the only way to improve traffic flow is to increase capacity to SR 410. He said he is skeptical about this proposal and would like to see a demonstration showing the Council that it would offer increased capacity on to SR 410. He said it is a sensitive area already and he thinks it would be a bottleneck. He also would like to get feedback or approval from WSDOT that this would indeed improve traffic flow. He said the City needs to be very conservative on this issue.

Councilmember Lewis said he has thoroughly studied this item and provided a variety of alternative routes trying to figure out why they would or wouldn't be sufficient. He thinks the Council needs to weigh what is being proposed and whether this proposal would provide jobs and what it would do to the environment.

Councilmember Rackley said if a traffic signal is placed in this location it will attract certain sized business, otherwise he believes businesses will not be attracted to that area. Deputy Mayor Swatman said why not put a traffic signal out at Easttown, where the area is already designed.

Councilmember Rackley asked to invite Mr. Lymberis and his staff to come back once Council has had the opportunity to make a list of major questions to be answered and to allow the Council the opportunity to understand the traffic engineers numbers and why having a road within the development would not be feasible.

Councilmember Hamilton said he remembers that Council did not want a light at the 204th intersection in order to give an advantage to Easttown so when sewer and development began a traffic signal could be placed in Easttown. He said that was a huge element because the City was already investing millions of dollars in Easttown.

Mayor Johnson asked whether Council would like to have this item come back to the full Council, or to the CDC for further review. Councilmember Hamilton said he sees the advantage of the full Council receiving all of the information, especially the engineering side of it. He said the only thing that he didn't have an opportunity to review in 2009 was the inner connections and the increased capacity, however, he said he doesn't see any of that occurring just by placing a light at 204th Ave.

Deputy Mayor Swatman said the CDC could take another look at the other options presented and drill into more of the details so eventually it can be brought back to the full Council for further discussion. Councilmember Lewis said he too would like a full presentation so the entire Council can get a full understanding of the issue as the CDC was afforded.

This item was sent back to the Community Development Committee for further review and ultimately will be sent back to the full Council for further discussion.

IV. Executive Session: Pursuant to RCW 42.30.140(4)(b), the Council entered a closed session with the Human Resources Manager at 6:38 p.m. to discuss labor negotiations for 15 minutes. The Council returned to chambers at 6:53 p.m. No action was taken.

V. ADJOURNMENT:

At 6:54 p.m., Councilmember Watson moved to adjourn the Council Workshop. Councilmember Hamilton seconded the motion.

Motion to adjourn approved 7-0.

Harwood Edvalson, MMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council for the March 19th Workshop: *None*

Note: *Unless otherwise indicated, all documents submitted at City Council meetings are on file with the City Clerk. For detailed/background information on agenda items, please see Agenda Bills on file with the City Clerk or the City website..*

CITY COUNCIL MEETING

March 26, 2013
7:00 P.M.

DRAFT 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 East, Bonney Lake, Washington.

I. CALL TO ORDER – Deputy Mayor Dan Swatman called the meeting to order at 7:02 p.m.

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

B. Roll Call: Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Deputy Mayor Dan Swatman, elected officials in attendance were Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember Jim Rackley, and Councilmember Tom Watson. Mayor Neil Johnson, Jr. was travelling in Yakima for his employment.

Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Community Development Director John Vodopich, Police Chief Dana Powers, Administrative Services Director/City Clerk Harwood Edvalson, City Attorney Kathleen Haggard, and Records & Information Specialist Susan Duis.

C. Announcements, Appointments and Presentations:

1. Announcements: None.

2. Appointments: None.

3. Presentations:

a. **Presentation:** “Libraries 2012” – Pierce County Library Director Neel Parikh.

Pierce County Library System Director Neel Parikh introduced herself and Bonney Lake Library Manager Lauren Murphy. Ms. Parikh gave a presentation on the Library System, including services provided and library usage statistics for Bonney Lake and the system at large. She said they are interested in building a new library in Bonney Lake, but are monitoring the elections climate to be sure a future ballot item for a building bond could be successful.

Councilmember Lewis said students he has spoken to say the library has made a lot of improvements to internet access. He said a lot of computers are available and the library provides free Wi-Fi access. Councilmember Minton-Davis said she uses the library frequently and likes the options to reserve books online and receive messages about due dates via text message.

b. **Proclamation:** Pierce County READS 2013.

Deputy Mayor Swatman read the proclamation aloud, proclaiming Pierce County READS from March 18 to May 17, 2013. Bonney Lake Library Manager Lauren Murphy presented the Councilmembers with gift bags provided by the Friends of Bonney Lake Library group, which included the 2013 book. Ms. Murphy invited

all to attend a program called “April in Paris” at the Bonney Lake Branch on April 3rd as part of the Pierce County READS program.

- D. Agenda Modifications: None.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

- A. Public Hearings: None.

- B. Citizen Comments:

Dan Decker, 20401 70th St E, Bonney Lake, spoke against Proposition 1 (Metropolitan Parks District) on the April 2013 ballot. He said he agrees with Shawnta Mulligan and members of the group “Families for a Responsible Bonney Lake” that the City does not need another tax that will not go away and only increase over time. He said MPD funds could be diverted to the general fund and spent any way the City wants. He said he felt the election should have been split into two issues; one for recreation and one for parks, and questioned why the YMCA is part of these discussions. Mr. Decker reviewed his property tax statement and said the additional costs of new taxes will be too much for some to afford.

Councilmember Rackley said MPD funds cannot be comingled with City funds. He also noted that the Proposition 1 ballot asks the citizens whether they want to form an MPD, and the decision is not being made by the City Council.

- C. Correspondence: None.

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 personnel updates and recruitments, and proposed boat launch fee changes for residents outside city limits. Staff are working on updated quarterly statements, and a proposed Accounts Receivable policy will be coming forward to the Council for review in the future.

- B. Community Development Committee: Councilmember McKibbin said the committee met on March 17th at 4:00 p.m. in the Justice & Municipal Center 3rd floor conference room, and forwarded one item to the current Consent Agenda.

- C. Public Safety Committee: Councilmember Hamilton said the committee has not met since the last Council Meeting.

- D. Other Reports:

Pierce County Regional Council: Councilmember Hamilton said he attended the PCRC meeting on March 21, 2013. The group discussed an amendment to the Countywide Planning Policies amendment for a new ‘Center of Local Importance’ designation. He said nearly all the cities submitted an area to be considered for this designation, as they think it might help with receiving federal funds. He said the cities of Bonney Lake and Buckley did not submit areas, but an area like the Bonney Lake Town Center or the

Downtown Plan could be submitted. Councilmember Hamilton said he has been assigned to the PCRC Operating Committee, which will work with PCRC's consultant in the coming year.

Community Updates: Councilmember Lewis said he attended the White River Families First Coalition meeting on March 25th at Glacier Middle School. The group reviewed the results of a survey of youth in grades 6, 8, 10, and 12. He said the survey shows there is less smoking, alcohol, and bullying than in the past. He said these results show that school campaigns against drinking and smoking seem to be working. He said the survey also shows an increase in marijuana use and prescription drug abuse. He reminded all that a prescription drug drop-off bin is available at the Bonney Lake Public Safety Building. He said results from the Sumner School District survey should be available soon.

Councilmember Watson said he, Councilmember Lewis, Deputy Mayor Swatman, and City Administrator Morrison attended the annual Bonney Lake Lions Club "Death by Chocolate" event on March 23rd. He said it was well-attended and helped raised \$13,000. He thanked all those who attended and supported the event.

IV. CONSENT AGENDA:

- A. **Approval of Corrected Minutes:** March 5, 2013 Council Workshop and March 12, 2013 Council Meeting.
- B. **Approval of Accounts Payable and Utility Refund Checks/Vouchers:** Accounts Payable checks/vouchers #65751-65825 (including wire transfers #3012013, 10948863, 20130304, 2013030401, 2013031501, and 2013031601) in the amount of \$564,512.87. Accounts Payable check/voucher #65826-65830 in the amount of \$16,645.25 for AR deposit refunds. Accounts Payable checks/vouchers #65831-65840 in the amount of \$2,186.95 for utility refunds. For a grand total of \$583,345.07. VOIDS: Check #64872 – replaced with check #65804.
- C. **Approval of Payroll:** Payroll for March 1st - 15th 2013 for checks #31002-31020 including Direct Deposits and Electronic Transfers in the amount of \$ 416,711.45.
- D. **AB13-42 – Resolution 2287** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract With Accu-Comm, Inc. To Complete A Radio System Survey Of The City's Water And Sewer Infrastructure Communication System.
- E. **AB13-49 – Resolution 2294** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Designating And Appointing the City Clerk and/or City Administrator As Agents Of The City Of Bonney Lake To Receive Claims For Damages Under The Provisions of RCW 4.96.020.

Councilmember Rackley moved to approve the Consent Agenda. Councilmember Watson seconded the motion.

Consent Agenda approved 7 – 0.

V. FINANCE COMMITTEE ISSUES: None.

VI. COMMUNITY DEVELOPMENT ISSUES: None.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

VIII. FULL COUNCIL ISSUES:

- A. **AB13-32 – Ordinance 1453 [D13-32]** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Repealing Sections 13.12.130, 13.12.140, And 13.12.150 Of The Bonney Lake Municipal Code And Enacting A New Section 13.12.130 Related To Sewer Connections.

Councilmember Lewis moved to approve Ordinance 1453. Councilmember Rackley seconded the motion.

Deputy Mayor Swatman said this is another piece of legislation to help Eastown owners to develop their properties. He said the Council passed Resolution 2256 in 2012, listing principles and actions needed to develop sewers in Eastown, and the City's sewer system project is getting started. He said this proposed ordinance is a great idea that came through the Community Development Committee. The ordinance allows property owners to develop on septic system but requires them to install a dry line, so they can hook up when the sewer system becomes available.

Ordinance 1453 approved 7 – 0.

IX. EXECUTIVE SESSION:

Pursuant to RCW 42.30.140(4)(b), the Council adjourned to a closed session with the Human Resources Manager at 7:55 p.m. for 15 minutes to discuss labor negotiations. The Council returned to Chambers at 8:13 p.m. No action was taken.

X. ADJOURNMENT:

At 8:13 p.m., Councilmember Watson moved to adjourn the Council Meeting. Councilmember Lewis seconded the motion.

Motion to adjourn approved 7 – 0.

Harwood Edvalson, MMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council at the March 26, 2013 Meeting:

- Neel Parikh, Director – *Pierce County Library System Information Packet* – Pierce County Library System.

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

Department/Staff Contact: Community Development / Jason Sullivan - Senior Planner	Meeting/Workshop Date: 2 April 2013	Agenda Bill Number: AB12-149
Agenda Item Type: Presentation	Ordinance/Resolution Number: Substitute D12-149	Councilmember Sponsor:

Agenda Subject: An Ordinance Adopting New Landscaping Standards

Full Title/Motion: An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Adopting New Landscaping Standards, Amending Bonney Lake Municipal Code Sections 18.33.040 And 18.39.040, Adding A New Section To Chapter 18.35 Of The Bonney Lake Municipal Code, And Repealing All Or Portions Of Ordinances 1171, 1230, 1348, And 1416..

Administrative Recommendation:

Background Summary: In June 2011, an item was added to the Planning Commission work plan that involved the updating of Chapter 16.14 of the Municipal Code to enhance landscape buffering between incompatible uses.

This ordinance was drafted by Planning Staff and is based the City of Ferndale landscaping standards. Both the Pierce County Master Builders Association and the Department of Ecology commented on the original and revised versions of Ordinance D12-149. These comments have been incorporated into Substitute Ordinance D12-149 recommended for approval.

Attachments: Substitute Ordinance D12-149, Planning Commission recommendation memorandum, and March 20, 2013 Draft Planning Commission minutes

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
n/a			
Budget Explanation:			

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

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

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

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SUBSTITUTE ORDINANCE NO. D12-149

AN ORDINANCE OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, ADOPTING NEW LANDSCAPING STANDARDS, AMENDING BONNEY LAKE MUNICIPAL CODE SECTIONS 18.33.040 AND 18.39.040, ADDING A NEW SECTION TO CHAPTER 18.35 OF THE BONNEY LAKE MUNICIPAL CODE, AND REPEALING ALL OR PORTIONS OF ORDINANCES 1171, 1230, 1348, AND 1416.

WHEREAS, the City Council wishes to address noise and other nuisances between commercial and residential property; and

WHEREAS, while the existing landscaping code attempts to buffer incompatible uses, City Council wishes to enhance these buffer requirements; and

WHEREAS, the textual code amendments proposed by this Ordinance have been processed in accordance with the requirements of Chapter 43.21C RCW, the State Environmental Policy Act (SEPA); and

WHEREAS, a determination of nonsignificance was issued on February 27, 2013 by the Community Development Director acting as the City SEPA Responsible Official, and the applicable SEPA comment and appeal periods concluded on March 20, 2013 and April 4, 2013 respectively; and

WHEREAS, a copy of the this Ordinance was provided on January 17, 2013 to the Washington State Department of Commerce as required by RCW 36.70.A.106 and the Department's review and comment period concluded on February 1, 2013;

WHEREAS, notice of the public hearing was given to the public in accordance with law and a public hearing was held by the Planning Commission on March 20, 2013, and all persons wishing to be heard were heard,

NOW, THEREFORE, the City Council of the City of Bonney Lake do hereby ordain as follows:

Section 1. Chapter 16.14 of the Bonney Lake Municipal Code entitled "Landscaping" is reenacted to read as follows:

16.14.010 Administrative provisions.

See Chapter 16.12 BLMC.

16.14.020 Purpose of landscape standards.

Landscape standards are designed to:

- A. Improve the appearance and visual character of the community.

- B. Promote compatibility between all land uses by reducing the visual, noise, and lighting impacts of development on adjacent properties.
- C. Unify development, and enhance and define public and private spaces on a site.
- D. Reduce the visual impact of glare, headlights, and parking lot lights from the public right-of-way and from adjoining properties.
- E. Reduce the area of impervious surfaces.
- F. Reduce the level of carbon dioxide in areas of heavy vehicle use and return pure oxygen to the atmosphere.
- G. Encourage safe and efficient on-site circulation.
- H. Encourage the retention and use of existing vegetation.
- I. Provide shade as a means of mitigating heat and exposure in parking lots and other paved areas.
- J. Encourage efficient water use and conservation.
- K. Encourage a pedestrian-oriented street environment.

16.40.030 Applicability.

The landscape standards reflected in Tables 16.14A and 16.14B establish minimum landscape requirements that apply to all developments, except:

- A. Minor building alterations.
- B. Site improvements for improved public access.
- C. Change of use not affecting exterior of building.
- D. Construction of one detached single-family home or duplex.
- E. Short plats.

16.40.040 General requirements.

- A. All portions of development sites not used for buildings, parking, driveways, walkways, outdoor storage, plazas, stormwater ponds, or similar improvements shall either remain in their native state or be landscaped in accordance with the purpose of this chapter.
- B. Required landscaping elements shall be designed by a licensed landscape architect.
- C. The type, quantity, and arrangement of installed plants shall be appropriate to the size and purpose of the landscape area.

- D. Nonvegetative material such as gravel, mulch, and bark may supplement but not substitute for plantings.
- E. Based on site-specific factors such as topography and micro-climate, the Director or designee may waive or amend specific landscaping requirements as necessary to achieve the purpose of this chapter.
- F. The Director or designee may require berms or similar artificial topographical features.
- G. Planting beds shall not be located over impervious surfaces.

Table 16.14A Site Specific Buffering Requirements

	L-1 Basic	L-2 Low Screen	L-3 High Screen	L-4 High Wall	L-5 Partial Screen Fence	L-6 Full Screen Fence
In setback areas of multiple-family development (except as otherwise noted)	X					
Multiple-family parking (where parking areas abut interior property line or right-of-way)		X				
Recycling and garbage areas in residential zones						X
Property lines within 75 feet of delivery and loading areas on commercially zoned lots abutting residential zones				X		
Street frontage of commercial development where frontage is not occupied by parking, except those properties in the Downtown subject to Design Standards as set forth in BLMC 18.35.	X					
Outdoor merchandise display areas of greater than 300 square feet in Commercial zones, excluding plant merchandise displays			X			
Garbage and recycle screening in Commercial zones						X
Parking area landscaping along a public or private right-of-way		X				
Parking area driveway or primary circulation route landscaping		X				
Parking and loading areas for institutional and commercial uses abutting a residentially zoned property				X		
Campground or recreational vehicle park street frontage screening			X			
Manufactured home park property boundaries			X			
Electrical substation unless fully enclosed within a building			X			
Telecommunication or satellite relay station unless fully enclosed within a building			X			
Pump station, wellhead, tank-style reservoir, and other water or sewer facilities unless fully enclosed within a building			X			
Vehicle or equipment storage yard in Commercial zones					X	
Interior property lines for essential public facility sites			X			

16.14.050 Buffering.

Buffering between zones is required based on the provisions of Table 16.14B.

- A. Buffering requirements between abutting zones is the requirement of each developing or redeveloping property. Buffering requirements established by Table 16.14B do not apply to the portion of the property adjacent to a public or private road.
 - 1. Cooperative Agreements. Developers are encouraged to enter into cooperative agreements with adjacent properties to develop a single buffer with joint responsibility for maintenance. This eliminates the need for double buffering.
 - 2. Cooperative Buffering. It is the intent of this code to require cooperative buffering to maximize benefit and equitably burden each property owner where cooperative agreements are not achieved. Where cooperative buffering would create an alleyway or “no man’s land” between walls, fences, or linear plantings, an alternative landscape standard shall be applied so as to accentuate the benefits of a barrier without creating the negative effects of an isolated alleyway.
- B. Critical Area Buffers. In cases where critical area buffers occupy the area that would be required for a landscaping, the landscaping requirement may be eliminated or reduced by the Director or designee in keeping with the substantive requirements found in BLMC 16.22.040.D and BLMC 16.22.040.E.
- C. Residential Buffers. Where buffers required by Table 16.14B occur on residential plats, the buffer shall be on a separate parcel or tract and shall be owned and maintained by a homeowners’ association.
- D. Large Retail Buffers.
 - 1. For retail establishments with buffers along interior property lines that exceed 12 feet in width, as required by the City of Bonney Lake Downtown Design Standards, the L-3 and L-4 planting requirements shall be modified to require two rows of trees within the required landscape buffer. Tree rows shall be staggered.
 - 2. For retail establishments with buffers along interior property lines that exceed 20 feet in width, as required by the City of Bonney Lake Downtown Design Standards, the L-3 and L-4 planting requirements shall be modified to require two rows of trees and a four-foot high berm within the required landscape buffer. Tree rows shall be staggered.

Table 16.14B Zone Buffering Requirements

	RC-5, R-1, R-2	R-3	C-1	C-2, E, MC,	PF, DM, or DC
RC-5, R-1, R-2		L-3	L-3	L-3	L-3
R-3	L-3			L-3	L-3
C-1	L-3	L-3		L-3	
C-2, E, MC,	L-4	L-3	L-3		L-3
PF, DM, or DC	L-3	L-3	L-3	L-3	

16.14.060 Required plant materials.

Plants used within required landscape areas shall be locally hardy, noninvasive plants with a mature size and growth habit appropriate to the location and use. The City of Bonney Lake maintains a plant materials list to aid in the selection of plant materials. Plants shall be selected from this list.

16.14.070 Description of landscape standards.

A. Basic Landscape Standard (L-1). A landscape treatment to enhance the appearance of street frontages and yard areas. A linear effect is not the goal, but a visually pleasing, park-like effect should be achieved. The minimum width shall be consistent with the setback area unless otherwise specified herein.

1. Required Plant Materials. Basic landscape standard (L-1) requires the installation and maintenance of all of the following:
 - a. One tree per 30 linear feet as measured along the front lot line.
 - b. Six shrubs per 30 linear feet as measured along the front lot line.
 - c. The use of turf as ground cover is discouraged. Drought-tolerant, low-maintenance vegetative ground cover is encouraged.
 - d. Living plant materials covering a minimum of 70 percent of the required landscape area within five years of planting. The required plant materials may be installed in the required area in any arrangement and do not need to be linear in design.
2. Exceptions to Required Plant Materials. An exception to the requirement in BLMC 16.14.070.A.1.a shall be granted if, excluding any required parking area landscaping, the landscape area required to comply with the L-1 basic landscape standard is located entirely within 15 feet of a building.

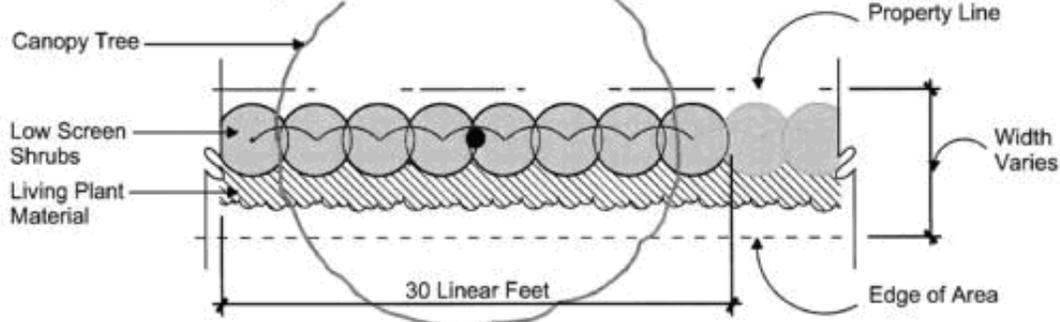
B. Low Screen Landscape Standard (L-2). A landscape treatment to enhance the visual appearance of linear spaces while allowing high visibility and an open effect. Low screen landscape areas shall be a minimum of seven feet wide unless otherwise specified herein.

1. Required Plant Materials. Low screen landscape standard (L-2) requires the installation and maintenance of all of the following:
 - a. Low shrubs to form a continuous screen at least 24 inches high within five years and maintained at a height not to exceed 42 inches.
 - b. One canopy tree per 30 linear feet as measured along the street lot line.
 - c. Living plant materials covering a minimum of 70 percent of the required landscape area within five years of planting.
 - d. The use of turf as ground cover is discouraged. Drought-tolerant, low-maintenance vegetative ground cover is encouraged.
2. A masonry wall, solid wood fence, or a berm between 30 and 42 inches high shall be permitted as a substitute for the required low shrubs, but the trees and other plant materials are still required. When applied along street frontage, the masonry wall is to be placed farthest from the street with the required landscaping in between the wall and street. When applied along an abutting property, the masonry wall may be placed along the interior lot line

Low Screen Landscape (L-2)

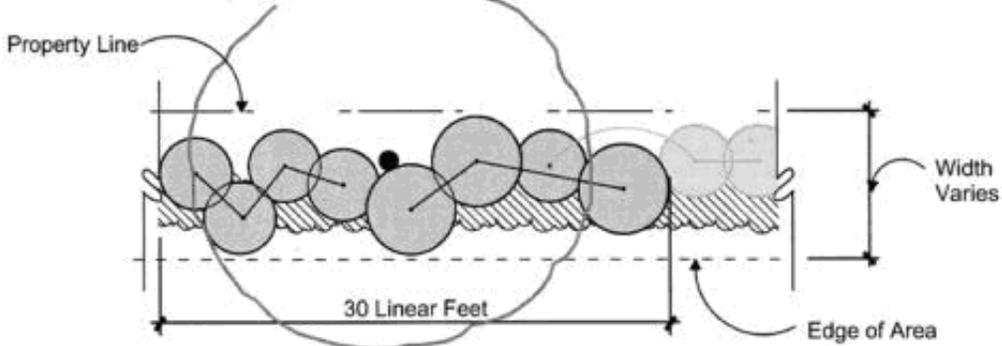
GENERIC PLAN:

Version A - Formal Arrangement



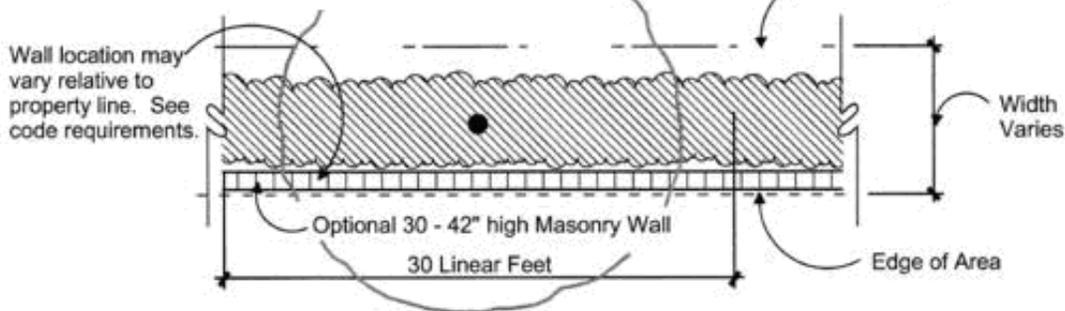
GENERIC PLAN:

Version B - Informal Arrangement



GENERIC PLAN:

Version C - Optional Masonry Wall or Soild Wood Fence



Required Plant Materials

- Low Screen Shrubs (3 gallon minimum) to form continuous screen at least 24 inches tall in 3 years; maximum 42 inches in height.
- 1 canopy tree per 30 linear feet as measured along the property line.
- Living plant material covering a minimum of 70 percent of the required landscaped area within 3 years.

Plan Label Requirements for all required

- trees, shrubs and living plant material:
- Scientific Name and Common Name
 - Quantity, Size, and Spacing



Figure 16.14A

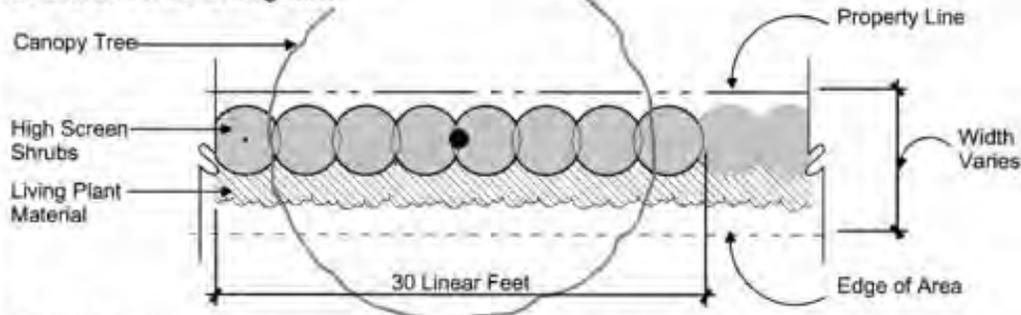
C. High Screen Landscape Standard (L-3). A landscape treatment to create a living visual barrier and insert a psychological separation. A high screen landscape area shall have a minimum width of seven feet unless otherwise specified herein.

1. Required Plant Materials. High screen landscape standard (L-3) requires the installation and maintenance of all of the following:
 - a. Evergreen shrubs that are in at least five-gallon containers at the time of planting to form a continuous screen, at least six feet high, within five years of planting.
 - b. One tree per 30 linear feet as measured along interior lot lines. Evergreens or canopy trees may be used as appropriate to provide the desired screening.
 - c. Living plant materials covering a minimum of 70 percent of the required landscape area within five years of planting.
 - d. The use of turf as ground cover is discouraged. Drought-tolerant, low-maintenance vegetative ground cover is encouraged.
2. A masonry wall or solid wood fence at least six feet high shall be permitted as a substitute for the shrubs but the trees and other plant materials are still required. When this landscape standard is applied along street frontage, the screen or wall is to be placed farthest from the street with the required landscaping in between the wall and street. When along a street frontage, vines shall be planted a maximum of eight feet on center on the streetward side of the wall. When applied along an abutting property, the masonry wall may be placed along the interior lot line.

High Screen Landscape (L-3)

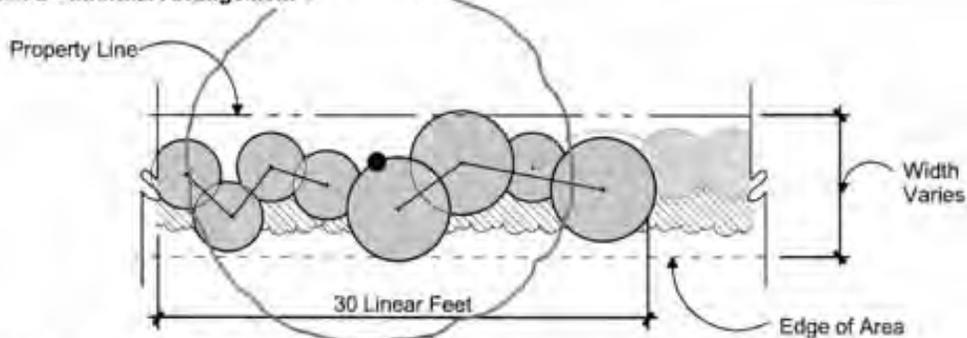
GENERIC PLAN:

Version A - Formal Arrangement



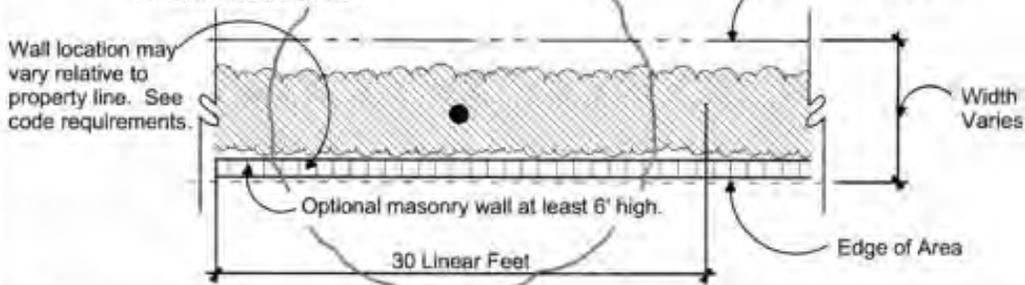
GENERIC PLAN:

Version B - Informal Arrangement



GENERIC PLAN:

Version C - Optional Masonry Wall or Solid Wood Fence



Required Plant Materials

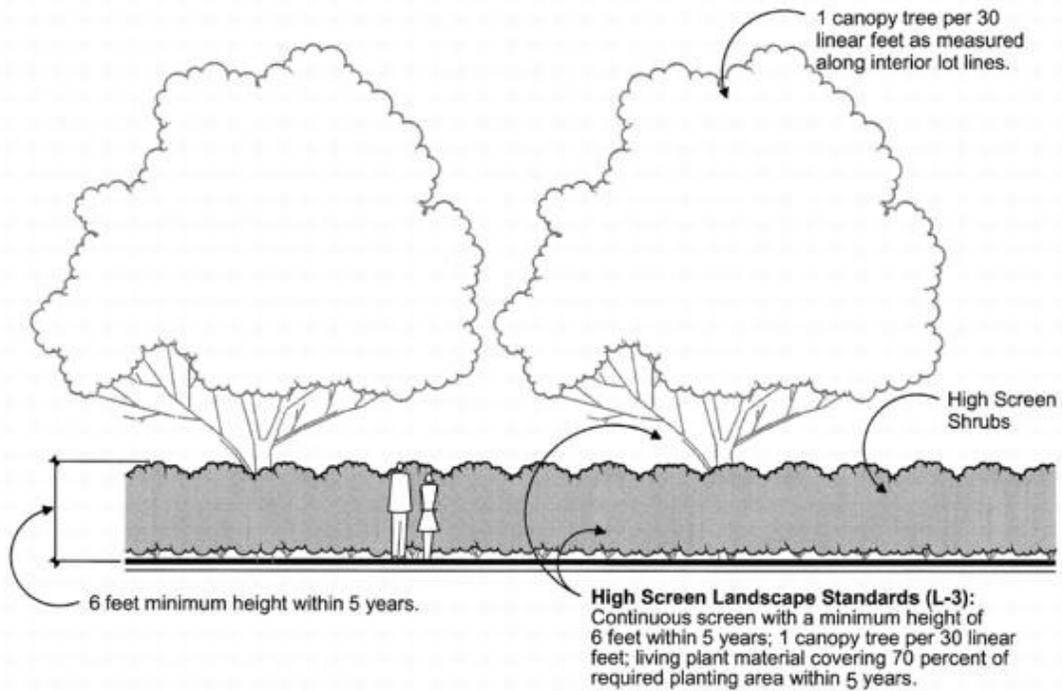
- HighScreen Shrubs (5 gallon minimum) to form continuous screen at least 6 feet tall within 5 years.
- 1 canopy tree per 30 linear feet as measured along interior lot lines.
- Living plant material covering a minimum of 70 percent of the required landscaped area within 5 years.

Plan Label Requirements for all required trees, shrubs and living plant material:

- Scientific Name and Common Name
- Quantity, Size, and Spacing

Figure 16.14B

High Screen Landscape (L-3) (Continued)



View along Interior Lot Line

Figure 16.14C

D. High Wall Landscape Standard (L-4). A landscape treatment to create a visual separation that provides noise buffering and added security and privacy. A high wall landscape area shall have a minimum width of seven feet and requires the installation and maintenance of all of the following:

1. Masonry wall at least six feet high with a maximum height of seven feet. When applied along street lot lines, the wall shall be placed farthest from the street with the required landscaping in between the wall and the street. When along a street frontage, vines shall be planted a maximum of eight feet on center on the streetward side of the wall. When abutting an adjacent parcel, the wall may be placed along the interior lot line.
2. One tree per 30 linear feet as measured along interior lot lines. Evergreens or canopy trees may be used as appropriate to provide the desired screening.
3. Four high shrubs or vines are required per 30 linear feet of wall.
4. Living plant material must cover a minimum of 70 percent of the required landscape area within five years of planting.
5. The use of turf as ground cover is discouraged. Drought-tolerant, low-maintenance vegetative ground cover is encouraged.

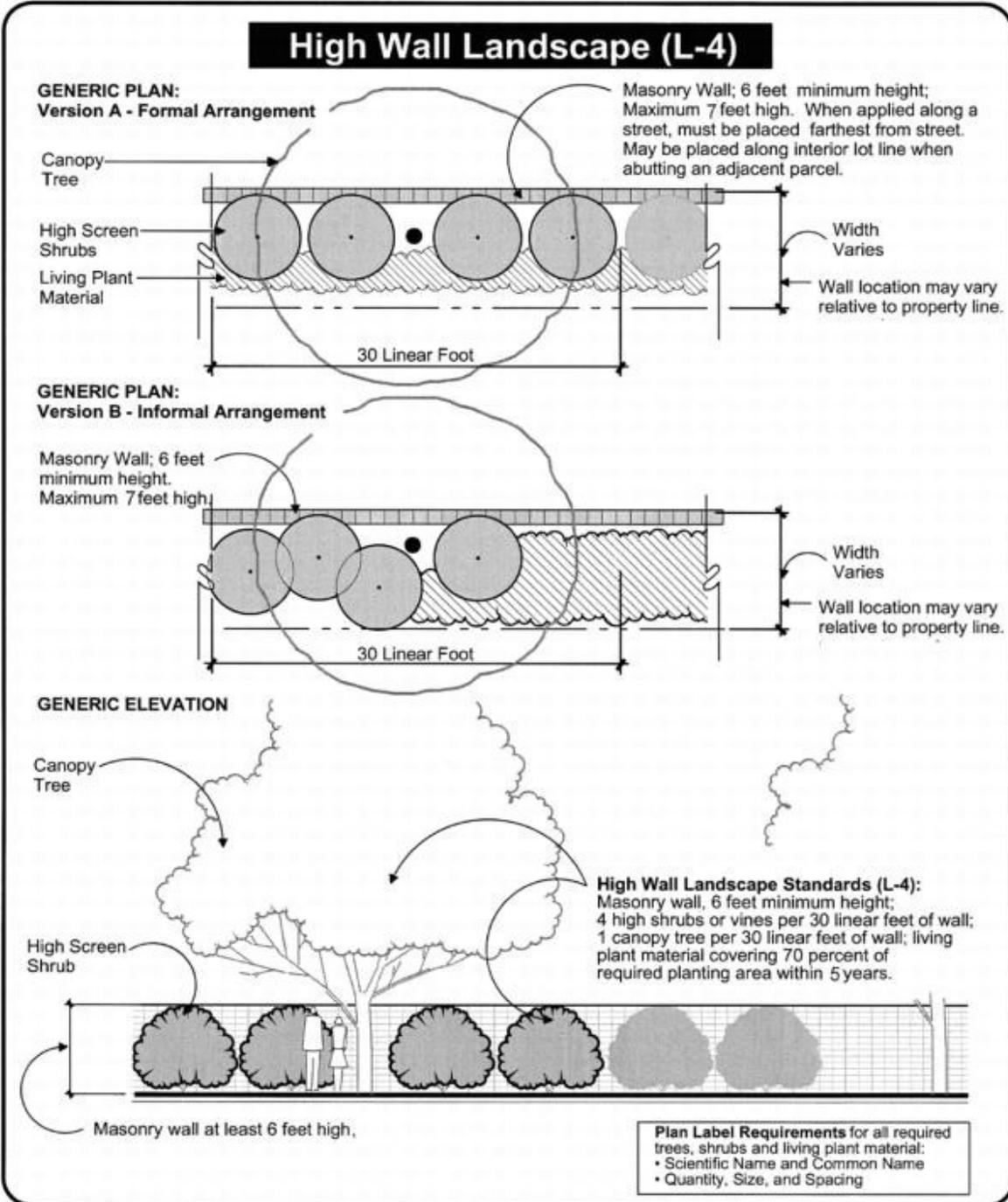


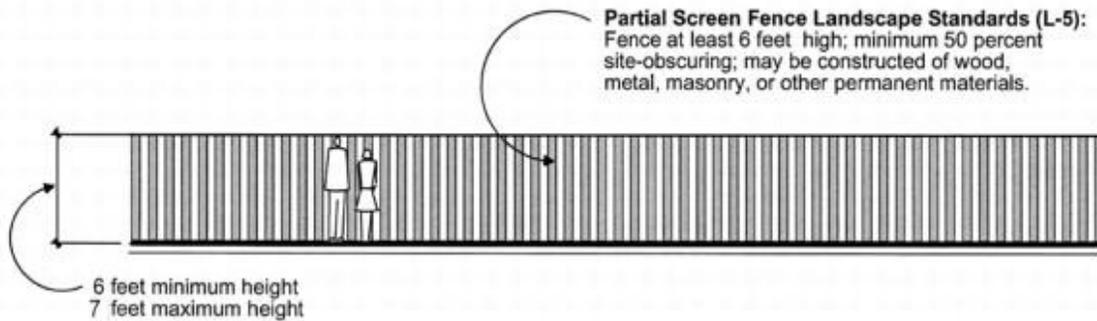
Figure 16.14D

- E. Partial Screen Fence Landscape Standard (L-5). A landscape treatment to create a psychological definition of separate spaces while allowing some visibility for security purposes. A partial screen fence landscape area shall have a minimum width as necessary to allow for maintenance of the fence and requires the installation and maintenance of fences at least six feet high that are at least 50 percent site-obscuring, such as a dark colored, vinyl coated chain link fence. Vines are permitted on fences to fulfill the requirement for a screening fence provided they would be 50 percent site-obscuring within five years of planting. Fences may be made of wood, metal, masonry, or other permanent materials.

Partial Screen Fence Landscape (L-5)

GENERIC ELEVATION:

Version A: Minimum Fence Requirement



GENERIC ELEVATION:

Version B: Optional Vine Screening

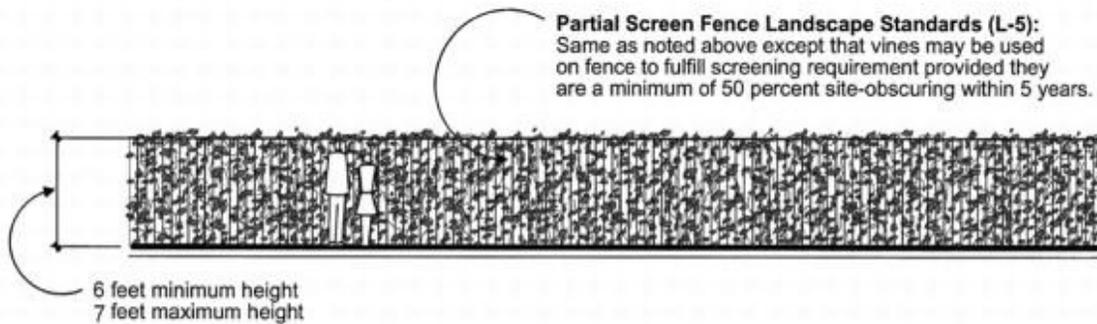


Figure 16.14E

- F. Full Screen Fence Landscape Standard (L-6). A landscape treatment to create a complete visual break between separate spaces. A full screen fence landscape area shall have a minimum width as necessary to allow for maintenance of the and requires the installation and maintenance of fences at least six feet high with a maximum height of seven feet that are 100 percent site-obscuring. Fences may be made of wood, metal, masonry or other permanent materials.

Full Screen Fence Landscape (L-6)

GENERIC ELEVATION:
Version A: Minimum Fence Requirement

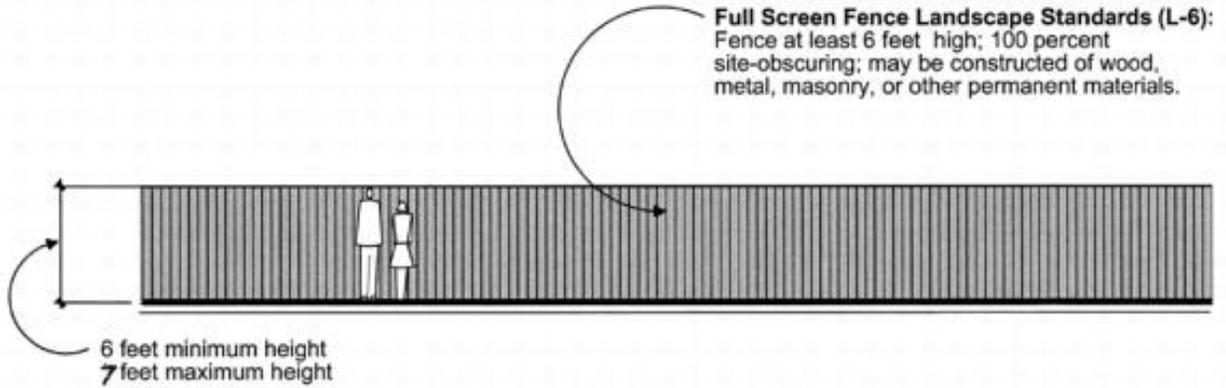


Figure 16.14F

16.14.080 General provisions.

- A. Rain gardens, fully landscaped infiltration basins, vegetated swales and other water quality features may be counted as required landscape areas, provided the required planting standard can be substantially achieved. Landscaping design that encourages rainwater retention and infiltration is encouraged.
- B. The use of native plants is encouraged. Flexibility in interpreting planting standards shall be applied where necessary to accommodate the unique growth habits of native plants and the limits on availability of appropriately sized native plant specimens.
- C. Drought-tolerant plantings are encouraged. Water conservation is a primary purpose of this code. However, if any planting used for required landscaping is not drought tolerant, an irrigation system shall be installed to ensure plant survival. (see BLMC 16.14.090)
- D. Outdoor art, street furniture, and landscape architectural elements are encouraged.

16.14.090 Installation

Plants shall be installed using best landscaping practices. Prior to planting, soils shall be made conducive to healthy growth. Newly planted trees shall be properly staked. Plants shall be manually irrigated if necessary until they are established.

16.14.100 Irrigation.

An automatically controlled irrigation system shall be provided for all plant materials used to meet these landscape standards. The use of drought-tolerant plant species may preclude the need for irrigation. Drip irrigation and low-gallon systems are encouraged for nonturf areas. The irrigation systems shall not provide water to unplanted areas, or to areas where existing native plants have been preserved. The irrigation systems shall be maintained and operated in a manner that promotes the health and appearance of the plant material while minimizing water use and avoiding excessive runoff. It is a primary purpose of this code to minimize the need for irrigation, and to minimize waste of water through improperly designed and operated irrigation systems. A separate water connection will be required for landscape irrigation systems.

16.14.110 Landscape plans.

If a proposed land development or change of land use requires landscaping per this chapter, the permit application pertaining to said proposal shall include a landscaping plan containing the following.

- A. A conceptual landscaping plan showing existing and proposed shrubs and trees as masses, to be submitted during preapplication review.
- B. A scaled plan showing existing property lines, ground elevations, streets, buildings, fences, walls, curbs, plants with species names, and similar elements.

- C. Three copies of the proposed landscape plan, drawn to scale, showing proposed and retained property lines, ground elevations, streets, buildings, fences, walls, curbs, plants (with species names and numbers of each), irrigation, and other elements affecting the landscape.
- D. As appropriate, cross sections of proposed berms or mounds.
- E. If required by the Director or designee, a tree survey indicating the location, species, and diameter of existing trees, or stands of trees, greater than six inches in diameter, with notes as to which trees will be retained. The trees to be retained shall be noted on the grading plan by dripline boundary.
- F. If irrigation is installed, an as-built irrigation drawing to be submitted prior to the issuance of the certificate of occupancy or release of the performance bond.

16.14.120 Plant materials standards.

A. Shrubs and Ground Cover.

- 1. All required plant materials shall be of sufficient size and number to meet the required 70 percent coverage standard within 5 years according to the type of landscape standard being addressed. Mulch is not a substitute for ground cover plants.
- 2. All required shrubs shall be in at least three-gallon containers prior to planting, unless otherwise specified herein. All required ground cover shall be in at least one-gallon containers prior to planting, unless otherwise specified herein.

B. Trees. Except where one or the other is specified elsewhere in this code, trees may be either deciduous or evergreen varieties. Required canopy trees at the time of planting must have a minimum diameter of two inches DBH. Required evergreen trees at the time of planting must be a minimum of six feet in height.

16.14.130 Credit for preservation of existing vegetation.

Variable credit shall be allowed for preservation of mature trees and groves of small trees. No credit shall be provided for the preservation of existing invasive species, such as Himalayan Blackberry. The Director or designee shall determine the value of the preserved vegetation based on visual impact and area required for preservation. Approved preservation shall relieve the contractor/developer from installing landscaping in relation to the area preserved and the visual impact of the preserved vegetation.

16.14.140 Preservation of existing vegetation.

Preservation of existing vegetation shall be consistent with Chapter 16.13 BLMC.

16.14.150 Street frontages.

- A. For subdivisions, four- to nine-lot short plats, and commercial developments, the proponent shall install street trees along all street frontages.

- B. Trees under power lines shall be of a species whose height at maturity is compatible with such location. Street trees shall be consistent with the City's Street Tree Master Plan.
- C. Street trees shall be at least two-inch caliper and shall be planted at least every 30 feet on center where practical.
- D. Shrubs planted along street frontage shall be of species that when mature are less than 36 inches tall.
- E. Where the Downtown, Midtown and Eastown subarea plans and design standards specify alternative landscaping requirements, the individual plans shall prevail.

16.14.160 Vision clearance area landscaping.

Within vision clearance triangles (see BLMC 16.12.010, Definitions), no plants nor structures shall be allowed which substantially impair vision at a height between three feet and eight feet above the street grade. See also public works road approach standards.

16.14.170 Parking lot landscape standards.

A. Applicability of Parking Area Landscape Standards.

1. General Provisions. Subject to any exceptions herein, the standards in this code apply to all parking areas, including carports, which provide for six or more spaces except for the following:
 - a. A parking area for a single-family dwelling, accessory dwelling, or duplex.
 - b. A legal nonconforming parking area. See Section 2.17.A.2.
2. Provisions Applicable to Legal Nonconforming Parking Areas. Parking areas with legal nonconforming landscaping are subject to the following parking area landscape standards:
 - a. When a new building is constructed on a site with a preexisting parking lot, the parking area landscape standards herein shall apply to a portion of the parking area sufficient to meet the minimum required parking for the new building and to any additional parking area proposed by the applicant to serve the building.
 - b. When a building is expanded, the parking area landscape standards herein shall apply to a portion of the parking area that is sufficient to meet the minimum required parking spaces for the expanded area of the building and to any additional parking area proposed by the applicant to serve the expanded area of the building.
 - c. When a legal nonconforming parking area is physically expanded in size (not simply re-striped to increase, decrease, or reconfigure the number of parking

spaces), the parking area landscape standards herein shall apply only to the expanded portion of the parking area.

- d. When a legal nonconforming gravel parking area is paved, the parking area landscape standards herein shall apply only to the paved portion of the parking area.

B. General Parking Area Landscape Standards. Canopy trees shall be required at the minimum rate of one tree for every 3,000 square feet of paved vehicular use areas on the site and shall be distributed throughout the paved area. Trees shall be planted in a landscaped area such that the tree trunk is at least three feet from any outside curb edge or paved area. Vehicular use areas include parking spaces, driveways, interior roadways, loading areas, and fleet vehicle storage areas. Large-scale coniferous trees may be substituted for required canopy trees at a maximum rate of 10 percent of the overall required number of trees. Parking area screening requirements may be achieved through a combination of change of grade and use of plant materials. The use of berms or drainage swales is acceptable, as is lowering the grade of the parking area. Rain gardens, fully landscaped infiltration basins, vegetated swales and other water quality features may be counted as required landscape areas provided the required planting standard can be substantially achieved. Landscaping design that encourages rainwater retention and infiltration is encouraged.

C. Parking Area Landscaping Along Street and Driveway Entrances.

1. Parking areas within 25 feet of a street, except an alley, shall provide a landscape strip between the street and the parking areas as follows:
 - a. In all areas except those where other standards are specified, a landscape strip at least seven feet in width shall be provided.
 - b. Landscape strips along a street may be pierced by pedestrian and vehicular accessways. Landscape strips along a street shall be landscaped as per Table 16.14A.
2. Parking area driveway entrances, except those entering from alleys, shall be provided with a landscape strip at least seven feet in width, measured from the outside edges of six-inch wide curbs. These landscape strips shall be at least the length of a full parking space, or such distance necessary to heighten entryway visibility and improve parking area circulation. Entrance driveway landscape strips shall be landscaped according to the low screen landscape standard (L-2) except the height of the low screen within vision clearance areas shall not exceed 24 inches.

D. Perimeter Parking Area Landscaping.

1. Along the perimeter of the parking area, a landscape strip, at least seven feet in width, measured from the outside edge of a six-inch wide curb, shall be provided. The landscape strip may be pierced by pedestrian and vehicular accessways.

2. Where abutting lots share parking and/or loading areas, the perimeter of these shared areas shall be considered the outside of the parking area. Perimeter landscaping shall not be required along the interior lot lines of the lots that are sharing parking and/or loading areas.
3. All parking areas shall provide perimeter landscaping according to low screen landscape standard (L-2), except as otherwise specified in Table 16.14A.

E. Interior Parking Area Landscaping.

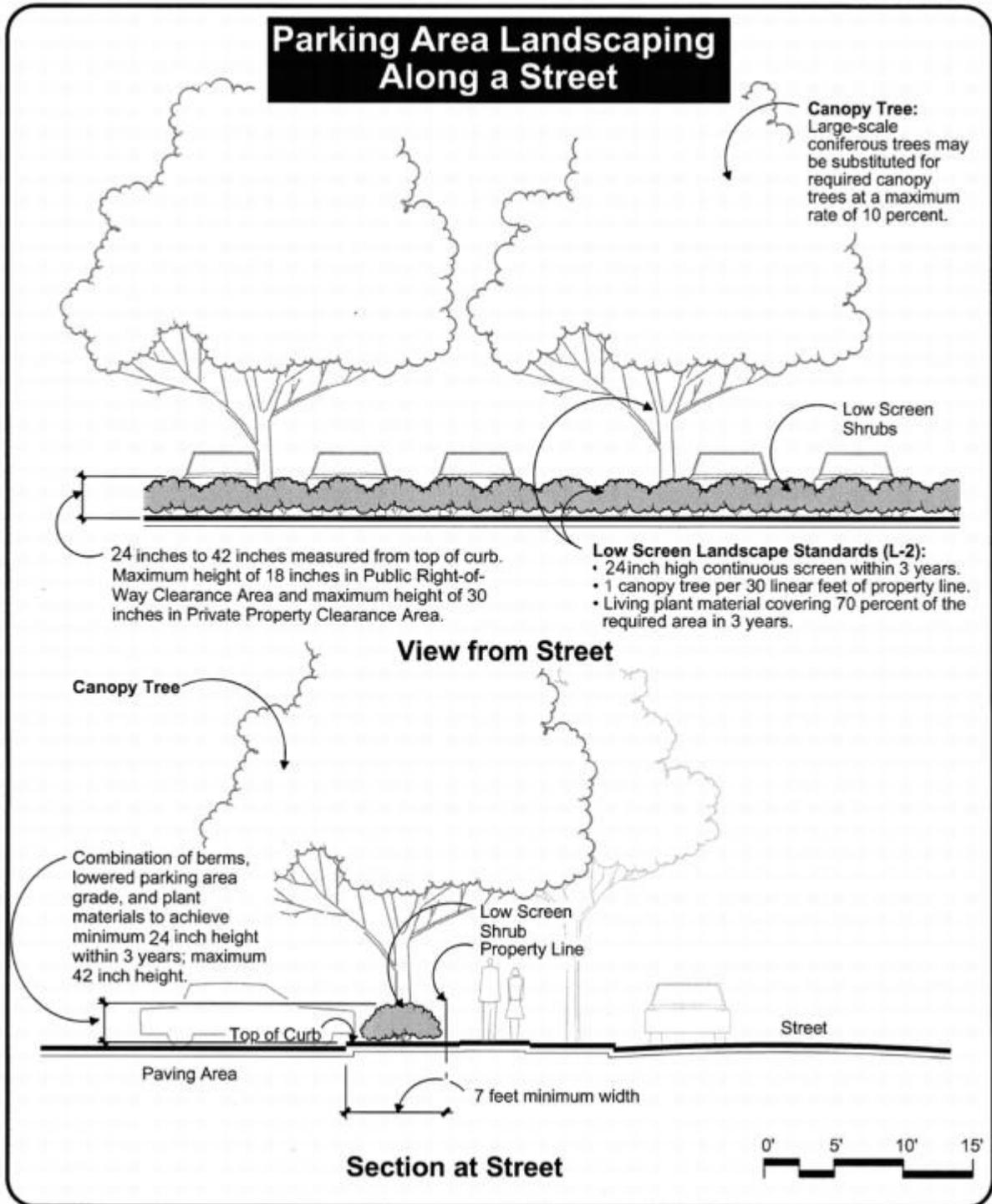
1. In addition to the landscaping required in BLMC 16.14.170.C and BLMC 16.14.170.D, landscaping shall be provided within the interior of surface parking areas for 50 or more motor vehicles so as to:
 - a. Improve the visual qualities of these areas.
 - b. Delineate and define circulation movements of motorists and pedestrians.
 - c. Improve air quality.
 - d. Encourage energy conservation by reducing solar heat gain.
2. Parking area landscaping shall be provided according to Table 16.14C, Interior Parking Area Landscaping.

Table 16.14C Interior Parking Area Landscaping

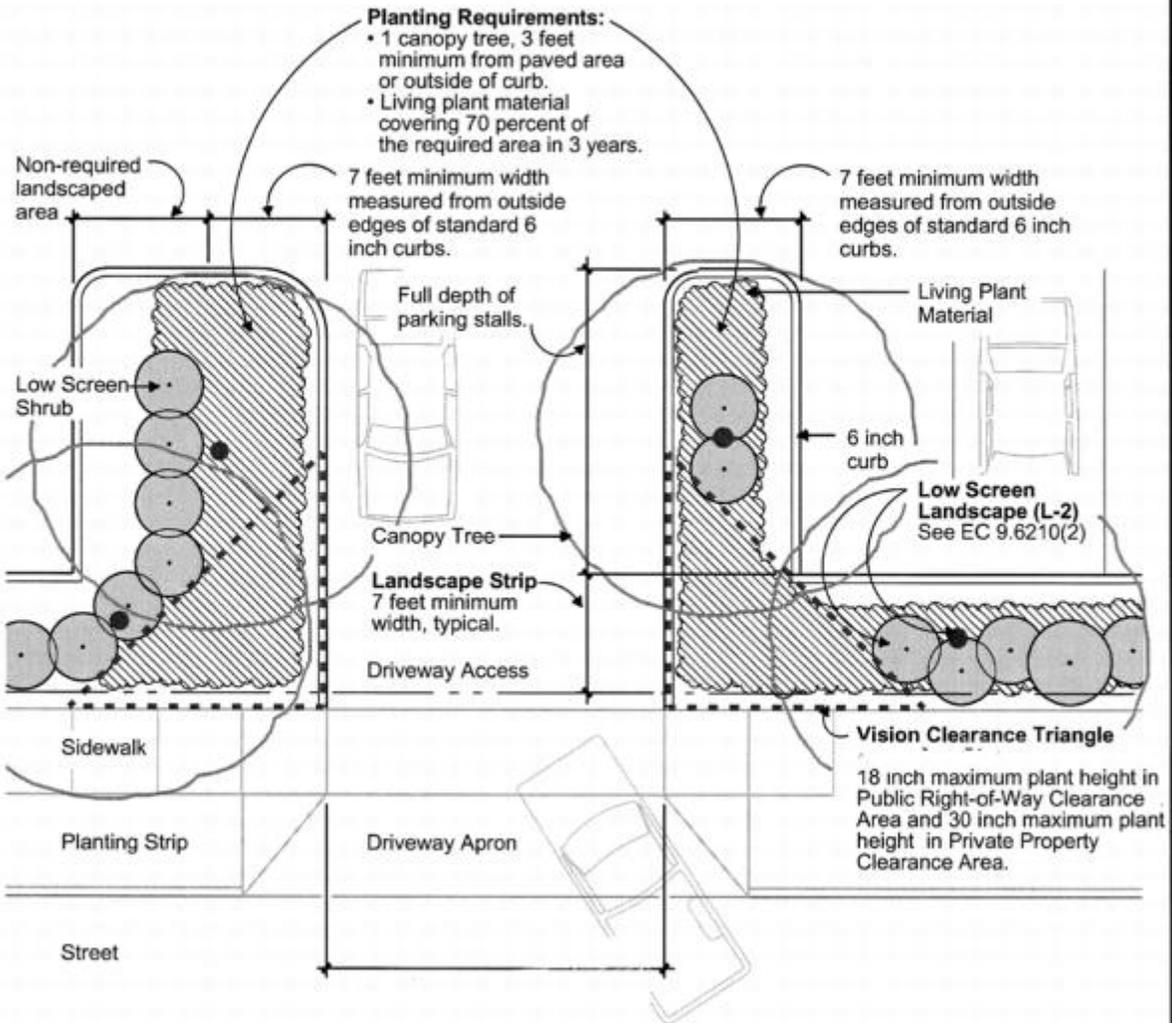
Total Number of Spaces in Parking Area	Minimum Interior Parking Area Landscape Area
50 to 99 spaces	15 square feet per parking space
100 or more spaces	22 square feet per parking space

3. A continuous landscape strip or raised pedestrian path shall be provided between every six rows of parking. The landscape strip or pedestrian path shall be a minimum of seven feet in width, measured from the outside edge of a six-inch wide curb.
4. Planting islands shall be provided at the ends of each parking row and at intervals within parking rows so that no parking stall is more than 45 feet from a planting island, or no more than 10 parking spaces may be allowed in a row without the installation of a planting island. Planting islands shall be at least seven feet in width, as measured from the outside edge of a six-inch wide curb, and a minimum area of 140 square feet. Each of these islands shall provide at least one canopy tree. Low maintenance vegetative ground cover shall be planted at a spacing of 12 inches on center within the planter bed.

Mulch shall be installed to suppress weeds, but shall not substitute for vegetative ground cover.



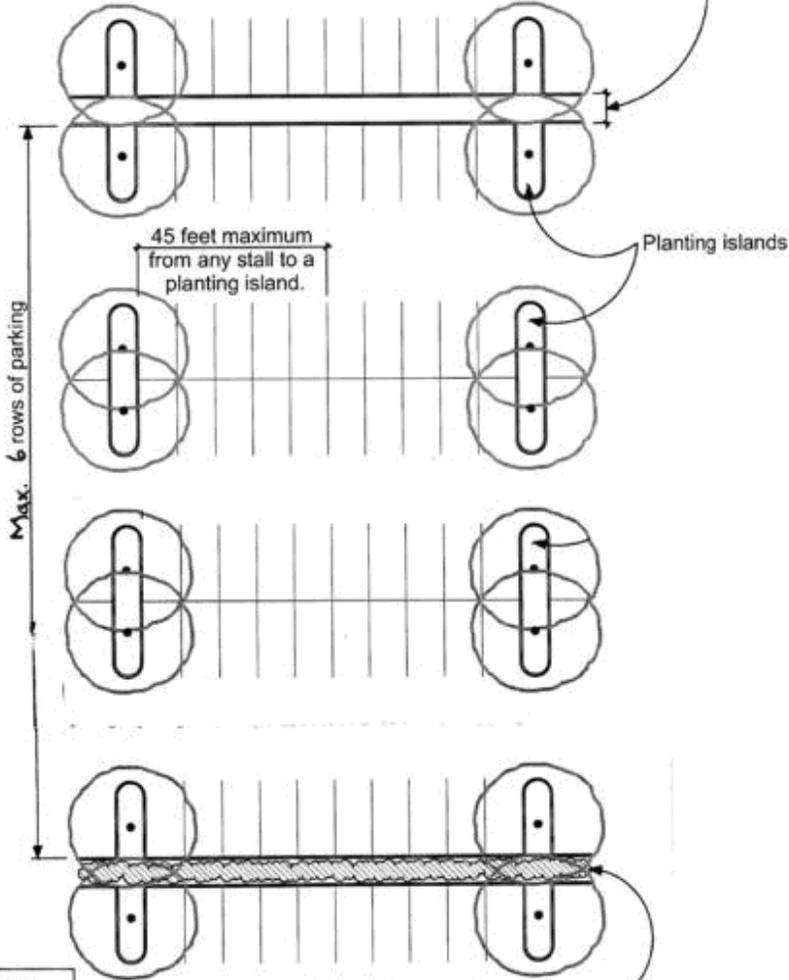
Parking Area Landscaping Along a Driveway Entrance



Interior Parking Area Landscaping

Planting required within surface parking areas for 50 or more vehicles.

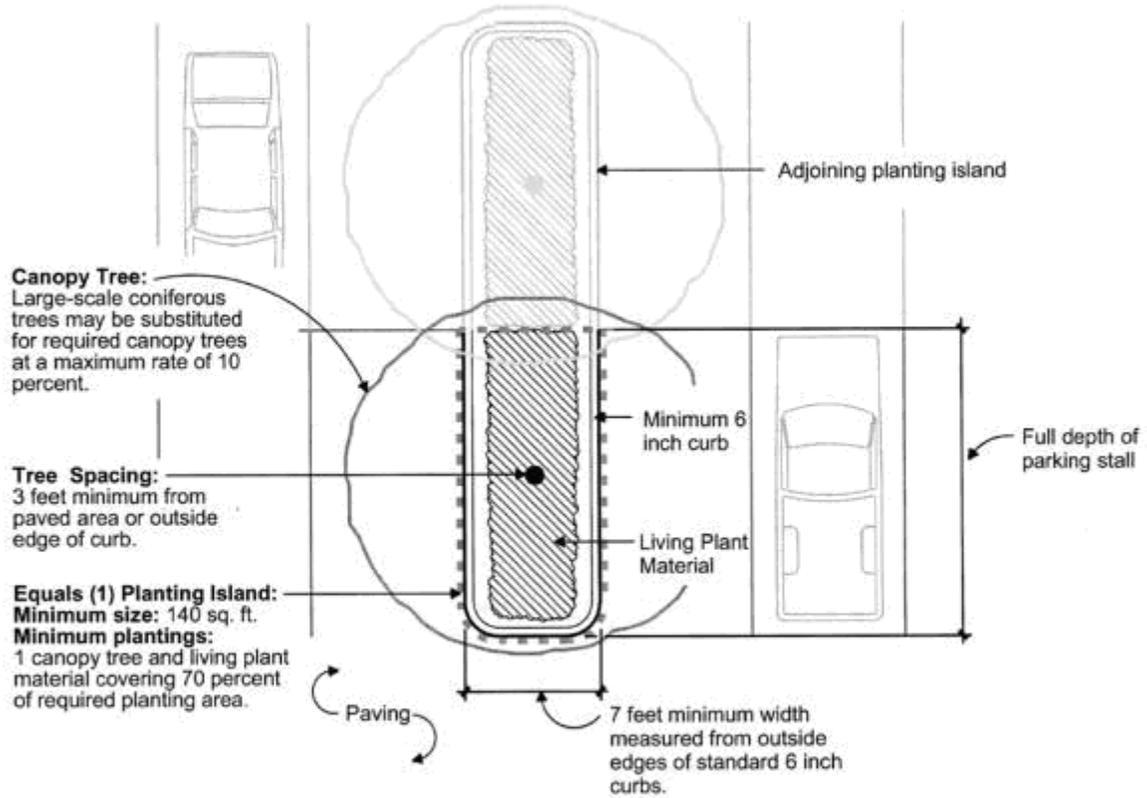
The landscape strip or pedestrian path shall be a minimum of 7 feet in width, measured from the outside edge of a 6 inch wide curb.



Canopy trees are required at the rate of 1 per 3,000 square feet of paved area.

The landscape strip must meet requirements of Low Screen Landscape L-2.

Parking Area Interior Planting Islands



Planting islands shall be provided at the ends of each parking row and at intervals within parking rows so that no parking stall is more than 45 feet from a planting island.

16.14.180 Landscaping maintenance.

- A. Whenever landscaping was required as a condition of development approval under the provisions of this chapter, the current property owner must continue to maintain shrubs, trees, and other plants in the landscaping and planting areas in a healthy growing condition by:
 - 1. Replacing dead or dying trees, shrubs, and other plants;
 - 2. Maintaining the landscaped area reasonably free of noxious weeds and trash;
 - 3. Pruning or removing trees or shrubs to avoid the creation of a safety hazard or nuisance.
- B. Failure to maintain landscaping according to this section shall constitute a civil violation and shall subject the violator to the enforcement procedures of Chapter 14.130 BLMC. The property owner shall be entitled to 60 days' advance notice of the violation prior to penalties accruing. The property owner may assert as a defense to a code enforcement action any unusual weather patterns, plant disease, or other factors affecting plant viability beyond the property owner's control.

Section 2. A new section is added to Chapter 18.35 BLMC – Downtown Design Standards as follows:

18.35.020 Downtown Design Standard Amendments.

The adopted design standards identified in BLMC 18.35.010, which is on file with the city clerk, is amended, as identified below:

- A. Section 5.2 Landscaping, Fences, and Retaining Walls
 - 1. 2012 Amendment: Selective portions of this section of the Downtown Design Guidelines are amended as described in Exhibit "A" to Ordinance No. .

Section 3. BLMC Section 18.33.040 and the corresponding portion section 1 (Att. A) of Ordinance 1407 is hereby amended to read as follows:

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 L-2 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 L-2 landscaping and/or architectural elements that are consistent with the building design.

C. Drive-through speakers shall not be audible off site.

Section 4. BLMC Section 18.39.040 and the corresponding portion section 1 (Att. A) of Ordinance 1407 is hereby amended to read as follows:

18.39.040 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 L-2 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 -L-2 landscaping and/or architectural elements that are consistent with the building design.

C. Drive-through speakers shall not be audible off site.

Section 5. Repealer. The previously codified provisions of Chapter 16.14 BLMC and corresponding portion of section 1 of Ordinance No. 1171, section 13 of Ordinance 1230, sections 1 – 4 of Ordinance 1348, and the corresponding portion of Section 9 (Attachment A) of Ordinance 1416 are each repealed.

Section 6. 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 _____ day of _____, 2013.

Neil Johnson, Mayor

ATTEST:

Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

Kathleen Haggard, City Attorney

5.2.7 Side and rear yard buffer requirements. All developments excluding those in the Central Triangle and those developments featuring storefronts adjacent to the sidewalk shall incorporate one or more of the following design options:

- a) Provide L-2 or L-3 landscaping (as defined in BLMC Chapter 16.14) at least 10 feet deep along side or rear property line.
- b) Other treatments that meet the intent of the standards as approved by the *Director*. Factors that must be considered in determining the appropriate treatment include views, applicable uses, connectivity, and desired level of privacy. Depending on terrain and adjacent uses, some options include:
 - i) Tall privacy fence or hedge (up to 6 feet tall). This is most applicable to residential uses – where the fence doesn’t negatively impact views from the street or nearby properties.
 - ii) Low screen fence or hedge (up to 3 feet tall). This may be a more attractive option where a taller fence might provide negative visual impacts.
 - iii) Shared pathway along or adjacent to the property line with landscaping. This is a desirable configuration that can enhance pedestrian circulation and provides an efficient use of space. This treatment requires a recorded agreement with applicable adjacent property owner(s).

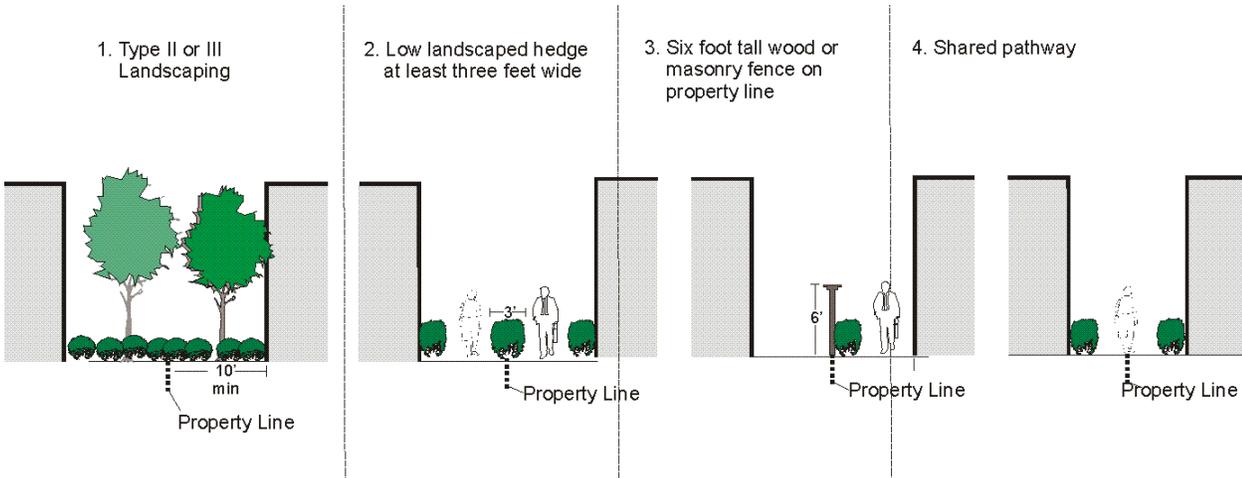


Figure 67. Side and rear yard design treatment options.

5.2.8 Fence standards:

- a) Fences within the front setback area and between any street and buildings shall not exceed 42 inches and be no more than 70% solid to maintain views into the street for security.
- b) Fences taller than 42 inches and visible from a street shall be screened with L-3 Landscaping (at least 5 feet wide, as defined in BLMC Chapter 16.14) to mitigate the visual impact of a wall on the street.
- c) Chain link fences are prohibited.

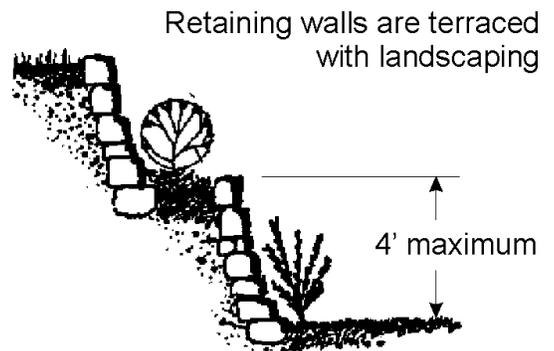
Figure 68. Tall fences like this between buildings and streets are prohibited.



5.2.9 Retaining wall standards:

Retaining walls taller than 4 feet and visible from a street shall be terraced so that no individual segment is taller than 4 feet. Terraced walls shall be separated by a landscaping bed at least 2 feet in width including one shrub every 3 lineal feet of retaining wall. Departures from this standard may be considered provided the combination of wall treatment and landscaping reduce the bulk and scale of the retaining wall and enhance the streetscape. In determining whether departures will be granted, the *Director* will consider the level of visibility of the wall (from adjacent uses, streets, parks, and pathways), quality of landscaping, and wall materials, detailing, and overall design quality.

Figure 69. Retaining wall standards.





Memo

Date : March 20, 2013
To : Mayor and City Council
From : Grant Sulham, Planning Commission Chair
Re : **Revision to the Landscaping Standards**

In June 2012, the Planning Commission held a public hearing and recommended that the City Council adopt Ordinance D12-149 which established a new Landscaping Code (Chapter 16.14 BLMC) enhancing the landscape buffering between incompatible uses. Following the action of the Planning Commission, the Ordinance was scheduled to be presented to the City Council at the November 6, 2012 City Council Work Session. The item was pulled from the agenda the day of the work session at the request of staff due to concerns regarding ambiguity with the previous version of Tables 16.14A and 16.14B. Both of the original tables established multiple landscaping buffer options for a given use or zone which would be selected by City staff during the permit review process without criteria on how or which buffer would be selected. This approach was inconsistent with current case law which requires that development regulations provide clear and predictable guidance to applicants. The pervious ordinance also included inconsistency between the written portion of the text and the requirements illustrated by the figures and did not amend other sections of the code which included references to a previous version of Chapter 16.14 BLMC.

Over the last 4 months, the Planning Commission, working with City Staff, has prepared Substitute Ordinance D12-149 which addresses the ambiguity issues, corrects the inconsistencies between the text and the figures, and amends other sections of the code to correctly reference the new version of Chapter 16.14 BLMC.

Both the Pierce County Master Builders Association and the Department of Ecology commented on the original and revised versions of Ordinance D12-149. These comments have been incorporated into Substitute Ordinance D12-149 recommended for approval.

Recommendation:

At the March 20, 2013 meeting, the Planning Commission voted 6-0-0 to recommend that the City Council adopt Substitute Ordinance D12-149 amending Chapters 16.14, 18.33, and 18.39 BLMC and the Downtown Design Standards.



Community Development Department

Planning Commission Minutes

March 20, 2013 Regular Scheduled Meeting
City of Bonney Lake Council Chambers

DRAFTED

The meeting was called to order at 5:30 P.M.

Planning Commission Present

Grant Sulham, **Chair**
L. Winona Jacobsen, **Vice-Chair**
Brandon Frederick
Richards Rawlings
Brad Doll
Dennis Poulsen
Dave Baus

City Staff Present

Jason Sullivan, Senior Planner
Debbie McDonald, Commission Clerk

A poll determined that a majority of Commissioners would be available for the regular scheduled meeting on April 3, 2013.

I. APPROVAL OF MINUTES:

MOTION WAS MADE BY VICE-CHAIR JACOBSEN AND SECONDED BY COMMISSIONER DOLL TO APPROVE THE MINUTES FROM THE FEBRUARY 6, 2013 MEETING WITH MINOR CORRECTIONS.

MOTION APPROVED 6-0

II. PUBLIC HEARING:

Ordinance D12-149 Landscaping Code

Chair Sulham opened the Public Hearing at 5:31

Mr. Sullivan reviewed the changes to the Landscaping Code to make it consistent. He also had received comments from Vice-Chair Jacobsen on some minor changes.

Chair Sulham open the floor for comments. Having no public comments the Public Hearing was closed 5:38.

Chair Sulham opened the Public Hearing at 5:39

Mr. Sullivan reviewed the updates made to the Eastown Zoning.

Commissioner's only had a few minor spelling corrections.

Chair Sulham open the floor for comments. Having no public comments the Public Hearing was closed 5:41.

Ordinance D13-41 Adoption of Official Zoning Map

Chair Sulham opened the Public Hearing at 5:41

Mr. Sullivan reviewed the Official Zoning Map with Planning Commissioners.

Chair Sulham open the floor for comments. Having no public comments the Public Hearing was closed 5:46.

MOTION WAS MADE BY COMMISSIONER POULSEN AND SECONDED BY COMMISSIONER DOLL TO APPROVE ORDINANCE D12-149 LANDSCAPING CODE WITH MINOR CORRECTIONS.

MOTION APPROVED 6-0

MOTION WAS MADE BY VICE-CHAIR JACOBSEN AND SECONDED BY COMMISSIONER RAWLINGS TO APPROVE ORDINANCE D13-40 EASTOWN ZONING WITH MINOR CORRECTIONS.

MOTION APPROVED 6-0

MOTION WAS MADE BY COMMISSIONER BAUS AND SECONDED BY VICE-CHAIR JACOBSEN TO APPROVE ORDINANCE D13-41 ADOPTION OF OFFICIAL ZONING MAP.

MOTION APPROVED 6-0

III. PUBLIC COMMENT AND CONCERNS: NONE

IV. NEW BUSINESS: NONE

V. OLD/CONTINUING BUSINESS:

Joint Meeting of the Planning Commission and the City Council

Mr. Sullivan informed Commissioners that the Joint Meeting will be on April 22, 5:30 in the City Council Chambers.

VI. FOR THE GOOD OF THE ORDER:

Correspondence – NONE

Staff Comments – Mr. Sullivan handed out the next part of the SMP for the Commissioners to review. Will be working on it at the next meeting, just wanted to handout the packet to get an early look at it.

Commissioner Comments – Vice-Chair Jacobsen gave a quick summary of the Short Course that Commissioner Doll, Mr. Sullivan and herself attended. The session made her look at economic development differently. They did mention that one of the factors that help to bring in development is parks and the arts.

VI. ADJOURNMENT:

MOTION WAS MADE BY VICE-CHAIR JACOBSEN AND SECONDED BY COMMISSIONER RAWLINGS TO ADJOURN.

MOTION APPROVED 6-0

The meeting ended at 6:03 P.M.

Debbie McDonald, Planning Commission Clerk

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

Department/Staff Contact: Community Development / Jason Sullivan - Senior Planner	Meeting/Workshop Date: 2 April 2013	Agenda Bill Number: AB13-40
Agenda Item Type: Presentation	Ordinance/Resolution Number: D13-40	Councilmember Sponsor:

Agenda Subject: Eastown Zoning

Full Title/Motion: An Ordinance Of The City Of Bonney Lake, Pierce County, Washington Changing The Zoning Classification Of Properties Within The Eastown Nieghborhood.

Administrative Recommendation:

Background Summary: Following the adoption of the 2012 Comprehensive Plan Amendments, the GIS Division began modifying the existing Future Land Use Map (FLUM) to reflect the modifications adopted by the City Council pursuant to Ordinance 1445. During the review of the revised FLUM, staff determined that when the City Council adopted the Eastown Subarea Plan and modified the Bonney Lake Municipal Code to delete the C2/C3 zone and add the Eastown zone, the City Council did not adopted an ordinance amending the land use designation on the FLUM to Eastown or change the zoning classification to Eastown on the Zoning Map. The Community Development Department has prepared an Ordinance that would officially amend the zoning map to change the zoning classification from C2/C3 to Eastown.

Attachments: Ordiance D13-40, Planning Commission recommendation memorandum, and March 20, 2013 Draft Planning Commission minutes

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
n/a			
Budget Explanation:			

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

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

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

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ORDINANCE NO. D13-40

**AN ORDINANCE OF THE CITY OF BONNEY LAKE, PIERCE COUNTY,
WASHINGTON CHANGING THE ZONING CLASSIFICATION OF PROPERTIES
WITHIN THE EASTOWN NEIGHBORHOOD.**

WHEREAS, the City Council adopted Ordinance 1416 amending BLMC 18.02.090 and Chapter 18.29 BLMC to change the name of the C2/C3 – Combined Retail Commercial, Warehousing and Light Manufacturing District to Eastown; and

WHEREAS, Ordinance 1416 did not amend Ordinance 903 which established a C2/C3 zoning classification for the Eastown area when it was annexed into the City; and

WHEREAS, a determination of nonsignificance issued on August 19, 2011 by the Community Development Director acting as the City SEPA Responsible Official was adopted pursuant to WAC 197-11-600(3) to fulfill the requirements of Chapter 43.21C RCW, the State Environmental Policy Act (SEPA); and

WHEREAS, a copy of the this Ordinance was provided on February 27, 2013 to the Washington State Department of Commerce as required by RCW 36.70.A.106 and the Department’s review and comment period concluded on March 18, 2013;

WHEREAS, notice of the public hearing was given to the public in accordance with law and a public hearing was held by the Planning Commission on March 20, 2013, and all persons wishing to be heard were heard.

NOW, THEREFORE, the City Council of the City of Bonney Lake do hereby ordain as follows:

Section 1. Area of Zoning Reclassification. The zoning classification of the properties depicted in Attachment “A with a land use designation of – Combined Retail Commercial, Warehousing and Light Manufacturing District shall be changed from C2/C3 – Combined Retail Commercial, Warehousing and Light Manufacturing District to Eastown.”

Section 2. 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 ____ day of _____, 2013.

Neil Johnson, Mayor

ATTEST:

Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

Kathleen Haggard, City Attorney

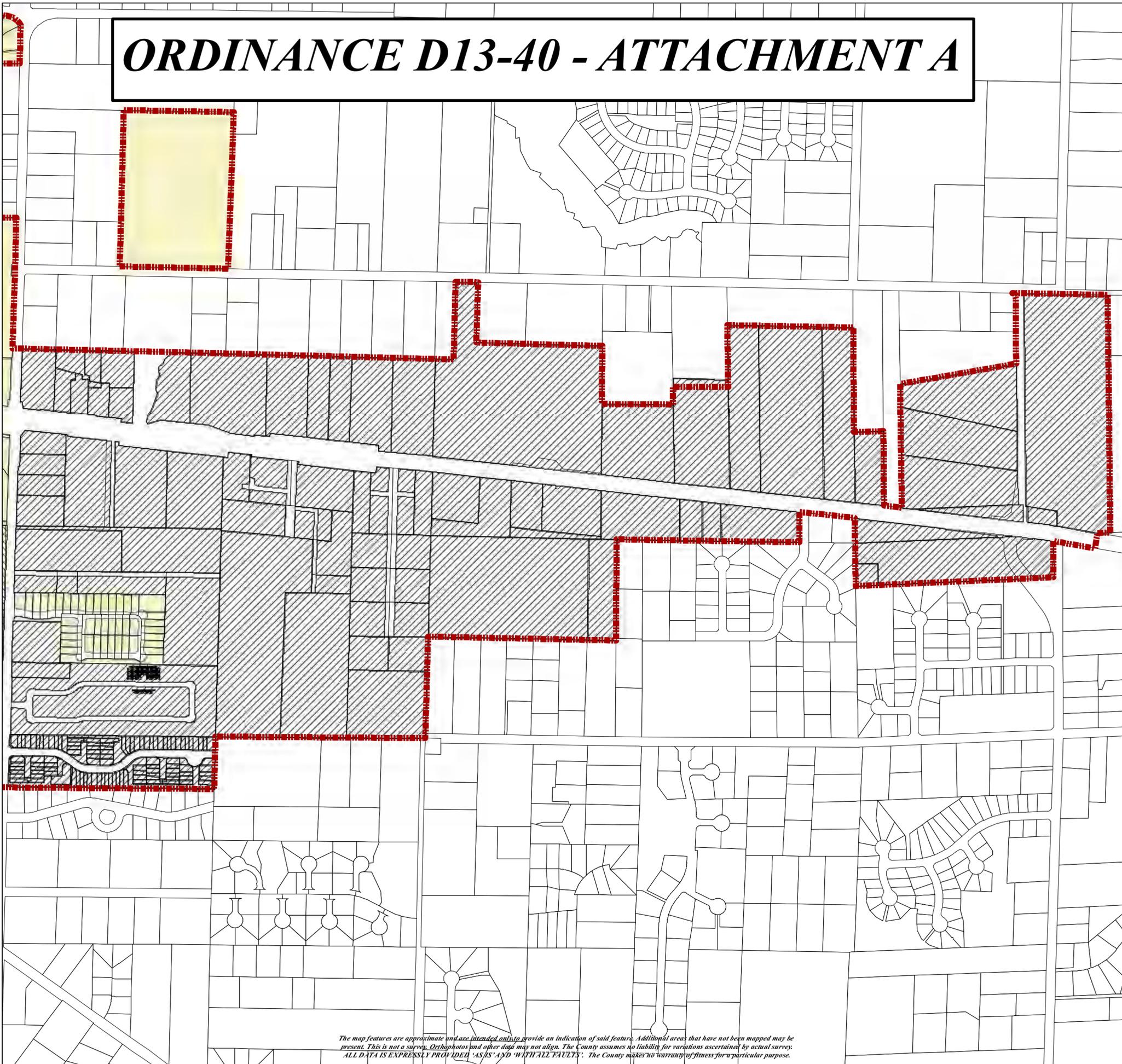
ORDINANCE D13-40 - ATTACHMENT A



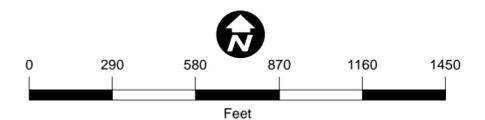
Eastown Zoning Reclassification

Legend

-  Bonney Lake City Limits
-  Proposed Eastown Zone



The map features are approximate and are intended only to provide an indication of said feature. Additional areas that have not been mapped may be present. This is not a survey. Orthophotos and other data may not align. The County assumes no liability for variations ascertained by actual survey. ALL DATA IS EXPRESSLY PROVIDED AS IS AND WITH ALL FAULTS. The County makes no warranty of fitness for a particular purpose.



27 February 2013



Memo

Date : March 20, 2013
To : Mayor and City Council
From : Grant Sulham, Planning Commission Chair
Re : **Eastown Zoning**

Background:

The area commonly referred to as Eastown was annexed into the City of Bonney Lake as part of the SR410 Annexation in 2001 pursuant to Ordinance 903. At the time of the annexation, the City Council established a land use designation and zoning classification of C2/C3 – Combined Retail Commercial, Warehousing and Light Manufacturing District for the area. This designation is also reflected on the 2004 Future Land Use Map (FLUM) that was adopted under Ordinance 1075 following a Central Puget Sound Growth Management Hearings Board Decision related to an appeal of the City’s urban growth area boundaries.

In 2011, the City adopted Ordinance 1406 which added the Eastown Subarea Plan to the City’s Comprehensive Plan to guide the development in the area, Ordinance 1407 which established Chapter 18.33 BLMC entitled “Eastown Development Standards”, and Ordinance 1416 which amended BLMC 18.02.090 and Chapter 18.29 BLMC to change the name of the C2/C3 – Combined Retail Commercial, Warehousing and Light Manufacturing District to Eastown. However, none of these ordinances amended the land use designation and zoning classification illustrated on the FLUM and the Zoning Map.

Discussion:

While the Council clearly intended the area to change from C2/C3 to Eastown, the City Council did not adopt an ordinance to amend the land use designation and zoning classification; therefore, the FLUM and Zoning Map were never changed to reflect the Eastown land use designation and zoning classification. In regards to the zoning classification, the Community Development Department prepared Ordinance D13-40 to officially change the zoning classification from C2/C3 to Eastown.

However, the Eastown land use designation will not be added to the FLUM, the area will retain the C2/C3 land use designation. Changing the designation to Eastown will be part of the City’s 2013 Comprehensive Plan Amendments; as the Comprehensive Plan can only be amended once a year.

Recommendation:

At the March 20, 2013 meeting, the Planning Commission voted 6-0-0 to recommend that the City Council adopt Ordinance D13-40 changing the zoning classification of properties in the Eastown Subarea currently zoned C2/C3 to Eastown.



Community Development Department

Planning Commission Minutes

March 20, 2013 Regular Scheduled Meeting
City of Bonney Lake Council Chambers

DRAFTED

The meeting was called to order at 5:30 P.M.

Planning Commission Present

Grant Sulham, **Chair**
L. Winona Jacobsen, **Vice-Chair**
Brandon Frederick
Richards Rawlings
Brad Doll
Dennis Poulsen
Dave Baus

City Staff Present

Jason Sullivan, Senior Planner
Debbie McDonald, Commission Clerk

A poll determined that a majority of Commissioners would be available for the regular scheduled meeting on April 3, 2013.

I. APPROVAL OF MINUTES:

MOTION WAS MADE BY VICE-CHAIR JACOBSEN AND SECONDED BY COMMISSIONER DOLL TO APPROVE THE MINUTES FROM THE FEBRUARY 6, 2013 MEETING WITH MINOR CORRECTIONS.

MOTION APPROVED 6-0

II. PUBLIC HEARING:

Ordinance D12-149 Landscaping Code

Chair Sulham opened the Public Hearing at 5:31

Mr. Sullivan reviewed the changes to the Landscaping Code to make it consistent. He also had received comments from Vice-Chair Jacobsen on some minor changes.

Chair Sulham open the floor for comments. Having no public comments the Public Hearing was closed 5:38.

Chair Sulham opened the Public Hearing at 5:39

Mr. Sullivan reviewed the updates made to the Eastown Zoning.

Commissioner's only had a few minor spelling corrections.

Chair Sulham open the floor for comments. Having no public comments the Public Hearing was closed 5:41.

Ordinance D13-41 Adoption of Official Zoning Map

Chair Sulham opened the Public Hearing at 5:41

Mr. Sullivan reviewed the Official Zoning Map with Planning Commissioners.

Chair Sulham open the floor for comments. Having no public comments the Public Hearing was closed 5:46.

MOTION WAS MADE BY COMMISSIONER POULSEN AND SECONDED BY COMMISSIONER DOLL TO APPROVE ORDINANCE D12-149 LANDSCAPING CODE WITH MINOR CORRECTIONS.

MOTION APPROVED 6-0

MOTION WAS MADE BY VICE-CHAIR JACOBSEN AND SECONDED BY COMMISSIONER RAWLINGS TO APPROVE ORDINANCE D13-40 EASTOWN ZONING WITH MINOR CORRECTIONS.

MOTION APPROVED 6-0

MOTION WAS MADE BY COMMISSIONER BAUS AND SECONDED BY VICE-CHAIR JACOBSEN TO APPROVE ORDINANCE D13-41 ADOPTION OF OFFICIAL ZONING MAP.

MOTION APPROVED 6-0

III. PUBLIC COMMENT AND CONCERNS: NONE

IV. NEW BUSINESS: NONE

V. OLD/CONTINUING BUSINESS:

Joint Meeting of the Planning Commission and the City Council

Mr. Sullivan informed Commissioners that the Joint Meeting will be on April 22, 5:30 in the City Council Chambers.

VI. FOR THE GOOD OF THE ORDER:

Correspondence – NONE

Staff Comments – Mr. Sullivan handed out the next part of the SMP for the Commissioners to review. Will be working on it at the next meeting, just wanted to handout the packet to get an early look at it.

Commissioner Comments – Vice-Chair Jacobsen gave a quick summary of the Short Course that Commissioner Doll, Mr. Sullivan and herself attended. The session made her look at economic development differently. They did mention that one of the factors that help to bring in development is parks and the arts.

VI. ADJOURNMENT:

MOTION WAS MADE BY VICE-CHAIR JACOBSEN AND SECONDED BY COMMISSIONER RAWLINGS TO ADJOURN.

MOTION APPROVED 6-0

The meeting ended at 6:03 P.M.

Debbie McDonald, Planning Commission Clerk

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

Department/Staff Contact: Community Development / Jason Sullivan - Senior Planner	Meeting/Workshop Date: 2 April 2013	Agenda Bill Number: AB13-41
Agenda Item Type: Presentation	Ordinance/Resolution Number: D13-41	Councilmember Sponsor:

Agenda Subject: An Ordinance Adopting the Official Zoning Map

Full Title/Motion: An Ordinance Of The City Of Bonney Lake, Pierce County, Washington Adding A New Chapter To Title 18 Blmc Entitled Map Adopting The Official Zoning Map For The City Of Bonney Lake.

Administrative Recommendation:

Background Summary: The Community Development Department has drafted a proposed ordinance that would add a new chapter to Title 18 BLMC entitled "Map" officially adopting the City's Zoning Map. These would ensure that a true and correct copy of the Zoning Map for the City can be easily identified without having to search through each of the individual ordinances that have amended the Zoning Map over time.

Attachments: Ordinance D13-41, Planning Commission recommendation memorandum, and March 20, 2013 Draft Planning Commission minutes

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
n/a			
Budget Explanation:			

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

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

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

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ORDINANCE NO. D13-41

AN ORDINANCE OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON ADDING A NEW CHAPTER TO TITLE 18 BLMC ENTITLED MAP ADOPTING THE OFFICAL ZONING MAP FOR THE CITY OF BONNEY LAKE.

WHEREAS, Bonney Lake's regulations took effect in 1949 following the City's incorporation; and

WHEREAS, since their initial adoption in 1982, the City's current Zoning Code and Zoning Map have been amended numerous times; and

WHEREAS, the original Zoning Map was prepared using ink, tape, and patterns upon mylar; and

WHEREAS, geographic information system (GIS) and computer aided drafting (CAD) technology now allow the City to prepare maps that are easier to use, more accurate, and generally offer greater benefit to the community; and

WHEREAS, the City Council has never officially adopted a computer based Zoning Map; and

WHEREAS, future ordinances may be enacted that refine zone boundaries, correct technical errors, and make zoning more consistent with the *City of Bonney Lake Comprehensive Plan*; and

WHEREAS, the textual code amendments proposed by this Ordinance have been processed in according with the requirements of Chapter 43.21C RCW, the State Environmental Policy Act (SEPA); and

WHEREAS, a determination of nonsignificance was issued on February 27, 2013 by the Community Development Director acting as the City SEPA Responsible Official and the applicable SEPA comment and appeal periods concluded on March 20, 2013 and April 4, 2013 respectively; and

WHEREAS, the a copy of the this Ordinance was provided on March 12, 2013 to the Washington State Department of Commerce as required by RCW 36.70.A.106 and the Department's review and comment period concluded on April 12, 2013; and

WHEREAS, notice of the public hearing was given to the public in accordance with law and a public hearing was held by the Planning Commission on March 20, 2013, and all persons wishing to be heard were heard.

NOW, THEREFORE, the City Council of the City of Bonney Lake do hereby ordain as follows:

Section 1 Chapter 18.12 of the Bonney Lake Municipal Code is reenacted and shall be entitled “Map” to read as follows:

18.12.010 Designated.

The map filed in the City Clerk's office and marked Attachment A to Ordinance No. _____ and adopted _____, constitutes the official zoning map for the City. The map referenced herein supersedes all previously adopted maps. If the zoning classifications of the map are found to be in conflict with other zoning classifications or land use designations, the map is deemed to control. Zoning reclassifications or other special zoning designations shall be clearly outlined on the map along with the associated ordinance number.

Section 2. 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 _____ day of _____, 2013.

Neil Johnson, Mayor

ATTEST:

Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

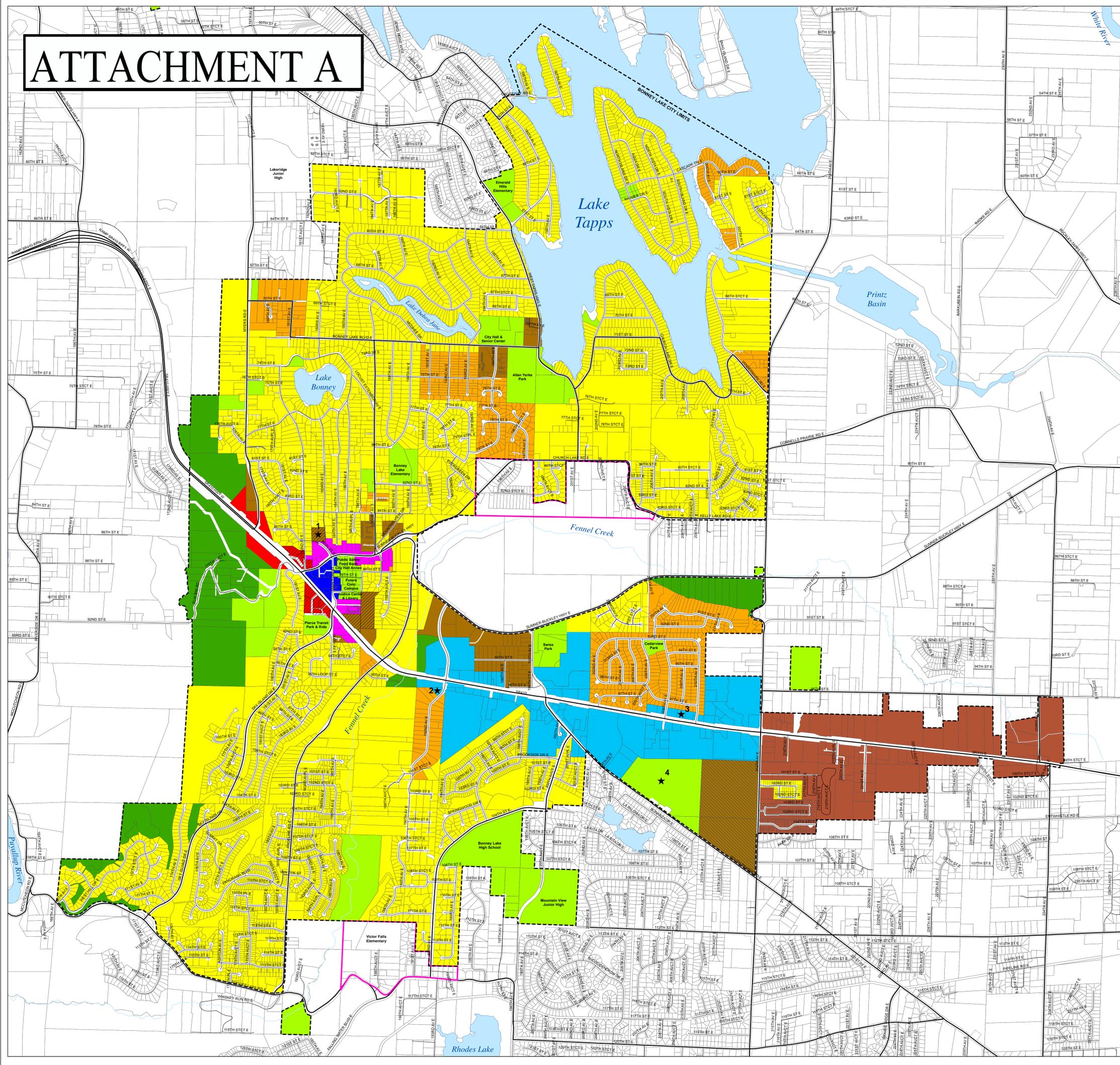
Kathleen Haggard, City Attorney

ATTACHMENT A



City of Bonney Lake

Official Zoning Map



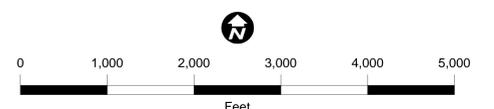
- Tax Parcels
- City Limits
- Urban Growth Area (UGA)
- R3 Overlay
- Transit-Oriented Development Overlay
- Residential/Conservation District (RC-5)
- Residential (R-1) (4-5 units per net acre)
- Medium-Density Residential (R-2) (SF: 8,600 sq. ft. & Duplexes: 10,000 sq. ft.)
- High-Density Residential (R-3) (20 units/acre)
- Neighborhood Commercial (C-1)
- Commercial (C-2)
- Eastown (E)
- Midtown Core (MC)
- Downtown Core District (DC)
- Downtown Mixed District (DM)
- Public Facilities (PF)

★ **Special Zoning Conditions**

1. See Ordinance 1257
2. See Ordinance 1077
3. See Hearing Examiner Report and Findings, May 26, 1998, Bonney Lake File #98-07, plus Administrative Determination 2002-04. No Rezone Ordinance.
4. See Ordinance 1340

Community Development Department

This Zoning map was compiled and integrated from the most current and accurate sources generally available at the time of publication. Information portrayed on this map is approximate and not intended to serve as legal record. Original survey notes, legal descriptions and on-site investigation should be utilized to determine exact property boundaries and locations of other features. Please contact the Bonney Lake Community Development Department for an interpretation of zoning boundaries when in question.



September 19, 2012



Memo

Date : March 20, 2013
To : Mayor and City Council
From : Grant Sulham, Planning Commission Chair
Re : **Adoption of the Official Zoning Map**

At the March 20th Planning Commission Meeting, the Commission conducted a public hearing on Ordinance D13-41 which would add a new chapter to Title 18 BLMC entitled “Map” officially adopting the City’s Zoning Map.

Historically, zoning maps were paper documents prepared using ink, tape, and patterns. However, with the invention of geographic information system technology (GIS) zoning information is now stored in an electronic format that is not based on a single tangible document adopted by the City Council. The proposed ordinance would ensure that a true and correct copy of the official Zoning Map for the City can be easily identified without having to search through each of the individual ordinances that have amended the Zoning Map over time.

Recommendation:

At the March 20, 2013 meeting, the Planning Commission voted 6-0-0 to recommend that the City Council adopt Ordinance D13-41 adding a new chapter to Title 18 BLMC entitled “Map” adopting the City’s official zoning map.



Community Development Department

Planning Commission Minutes

March 20, 2013 Regular Scheduled Meeting
City of Bonney Lake Council Chambers

DRAFTED

The meeting was called to order at 5:30 P.M.

Planning Commission Present

Grant Sulham, **Chair**
L. Winona Jacobsen, **Vice-Chair**
Brandon Frederick
Richards Rawlings
Brad Doll
Dennis Poulsen
Dave Baus

City Staff Present

Jason Sullivan, Senior Planner
Debbie McDonald, Commission Clerk

A poll determined that a majority of Commissioners would be available for the regular scheduled meeting on April 3, 2013.

I. APPROVAL OF MINUTES:

MOTION WAS MADE BY VICE-CHAIR JACOBSEN AND SECONDED BY COMMISSIONER DOLL TO APPROVE THE MINUTES FROM THE FEBRUARY 6, 2013 MEETING WITH MINOR CORRECTIONS.

MOTION APPROVED 6-0

II. PUBLIC HEARING:

Ordinance D12-149 Landscaping Code

Chair Sulham opened the Public Hearing at 5:31

Mr. Sullivan reviewed the changes to the Landscaping Code to make it consistent. He also had received comments from Vice-Chair Jacobsen on some minor changes.

Chair Sulham open the floor for comments. Having no public comments the Public Hearing was closed 5:38.

Chair Sulham opened the Public Hearing at 5:39

Mr. Sullivan reviewed the updates made to the Eastown Zoning.

Commissioner's only had a few minor spelling corrections.

Chair Sulham open the floor for comments. Having no public comments the Public Hearing was closed 5:41.

Ordinance D13-41 Adoption of Official Zoning Map

Chair Sulham opened the Public Hearing at 5:41

Mr. Sullivan reviewed the Official Zoning Map with Planning Commissioners.

Chair Sulham open the floor for comments. Having no public comments the Public Hearing was closed 5:46.

MOTION WAS MADE BY COMMISSIONER POULSEN AND SECONDED BY COMMISSIONER DOLL TO APPROVE ORDINANCE D12-149 LANDSCAPING CODE WITH MINOR CORRECTIONS.

MOTION APPROVED 6-0

MOTION WAS MADE BY VICE-CHAIR JACOBSEN AND SECONDED BY COMMISSIONER RAWLINGS TO APPROVE ORDINANCE D13-40 EASTOWN ZONING WITH MINOR CORRECTIONS.

MOTION APPROVED 6-0

MOTION WAS MADE BY COMMISSIONER BAUS AND SECONDED BY VICE-CHAIR JACOBSEN TO APPROVE ORDINANCE D13-41 ADOPTION OF OFFICIAL ZONING MAP.

MOTION APPROVED 6-0

III. PUBLIC COMMENT AND CONCERNS: NONE

IV. NEW BUSINESS: NONE

V. OLD/CONTINUING BUSINESS:

Joint Meeting of the Planning Commission and the City Council

Mr. Sullivan informed Commissioners that the Joint Meeting will be on April 22, 5:30 in the City Council Chambers.

VI. FOR THE GOOD OF THE ORDER:

Correspondence – NONE

Staff Comments – Mr. Sullivan handed out the next part of the SMP for the Commissioners to review. Will be working on it at the next meeting, just wanted to handout the packet to get an early look at it.

Commissioner Comments – Vice-Chair Jacobsen gave a quick summary of the Short Course that Commissioner Doll, Mr. Sullivan and herself attended. The session made her look at economic development differently. They did mention that one of the factors that help to bring in development is parks and the arts.

VI. ADJOURNMENT:

MOTION WAS MADE BY VICE-CHAIR JACOBSEN AND SECONDED BY COMMISSIONER RAWLINGS TO ADJOURN.

MOTION APPROVED 6-0

The meeting ended at 6:03 P.M.

Debbie McDonald, Planning Commission Clerk

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

Department/Staff Contact: Community Development / Jason Sullivan - Senior Planner	Meeting/Workshop Date: 2 April 2013	Agenda Bill Number: AB13-51
Agenda Item Type: Presentation	Ordinance/Resolution Number:	Councilmember Sponsor:

Agenda Subject: Status of the Comprehensive Urban Growth Area (CUGA)

Full Title/Motion: n/a .

Administrative Recommendation:

Background Summary: Staff has prepared the attached memo to update the City Council on the status of the planning for the CUGA and recommended next steps to prepare for the possible annexation of the area.
Attachments: Community Development Department Memo dated March 27, 2013.

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
n/a			
Budget Explanation:			

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:	<i>Approvals:</i>	Yes	No
Date:	Chair/Councilmember	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember	<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: JPV	Mayor:	Date Reviewed by City Attorney: (if applicable):

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Memo

Date : March 27, 2013
To : Mayor and City Council
From : Jason Sullivan – Senior Planner
Re : **Comprehensive Urban Growth Area (CUGA) – Update**

BACKGROUND:

In 2010, the City filed a Notice of Intent to Annex a portion of the CUGA laying between South Prairie Road and the northern boundary of the Tehaleh Employment Based Planned Community (formerly known as Cascadia). However, the Pierce County Executive objected to the annexation of the area and invoked the jurisdiction of the Washington State Boundary Review Board for Pierce County (BRB) pursuant to RCW 36.93.100(2). The BRB ultimately disapproved the City’s annexation proposal for the following reasons:

1. The lack of a pre-annexation or joint planning agreement between the City and the County addressing transportation, infrastructure, and planning issues for the area proposed to be annexed into the City.
2. The City’s Comprehensive Plan did not include the area within its Land Use Element and did not establish appropriate levels of service for public facilities that are needed to serve the proposed annexation area.
3. The portion of the proposed annexation area referred to as Plateau 465 was not characterized by urban development at the time and there were no agreements between the City and County regarding the development of this area.

As part of the process to develop a joint planning agreement, the County requires that the portion of the CUGA proposed to be annexed is within the City of Bonney Lake’s Urban Growth Area (BLUGA) as the City is considered a satellite city with its own urban growth area and is not within the CUGA. Pierce County is unique as it establishes two sets of urban growth areas: the first is the CUGA which includes the boundaries for unincorporated areas of the county as well as specific cities

located within the CUGA and the second is an urban growth area for individual “satellite or stand-along” cities that are outside of the CUGA¹.

The County requires that satellite cities wishing to affiliate or add areas to its urban growth area file a Comprehensive Plan Amendment requesting expansion of its urban growth area regardless if the area is already located within the CUGA. These applications are only accepted by the County on odd years and must be submitted by the end of January.

DISCUSSION:

In order to address the BRB’s concern regarding the lack of a joint planning agreement for the proposed annexation area, staff submitted a Comprehensive Plan Amendment application to the County in January of 2013 to add the portion of the CUGA, illustrated on Attachment 1, to the BLUGA: the cost of this application was \$3,000. The City was also required to mail notices to all properties within the area affected by the proposed Comprehensive Plan Amendment prior to submitting the application to the County. Approximately 2,500 notices were mailed out to the area affected by the City’s requested amendment: the cost of mailing the notices was \$1,200 not including labor cost or materials. At February 26, 2013 County Council meeting, the County Council voted to initiate the City’s requested Comprehensive Plan Amendment. This decision means that the County staff will now begin the review of the amendment for compliance with the County’s criteria to amend County’s Comprehensive Plan and complete a review of the amendment under the State Environmental Policy Act (SEPA). The process for the County to consider the application is likely to take the rest of the year with a decision not expected until late in 2013. The County will hold public meetings and hearings regarding the City’s applications through the year; the dates for these meeting have not yet been identified by the County.

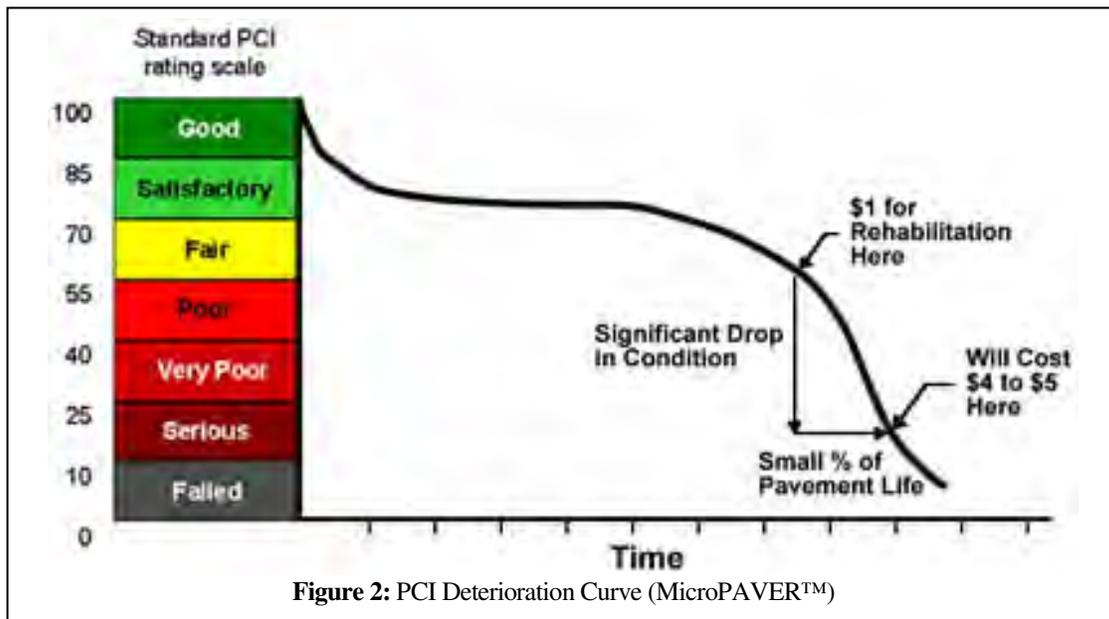
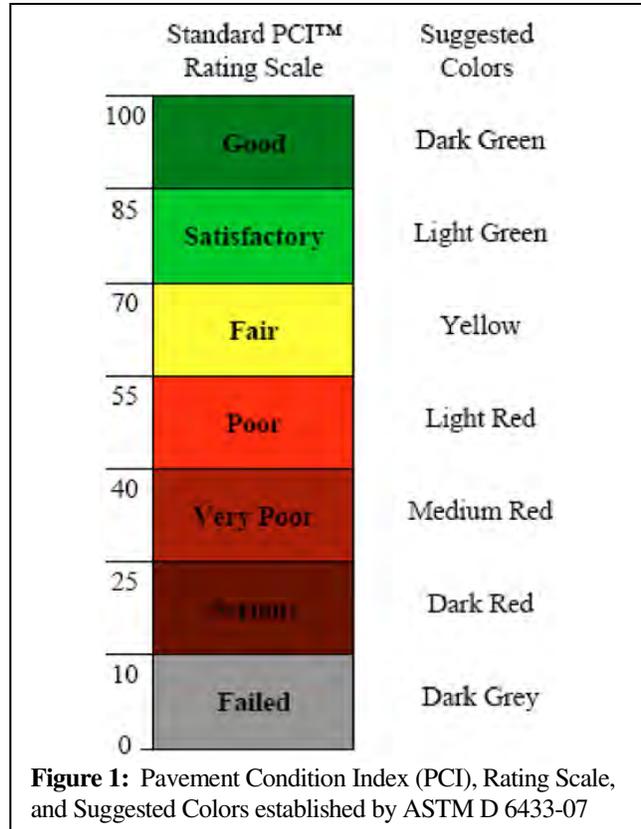
As part of this process, the City must also develop a joint planning agreement addressing transportation, infrastructure, and planning issues for the area to be included in the BLUGA. County staff have indicated that its two biggest concerns are related to the how the mitigation agreement between the County and Tehaleh is impacted if the area is annexed and ensuring that the conditions of approval established as part of the Plateau 465 zoning reclassification approved by the County are enforced if the City annexes the area. This joint planning agreement must be presented and approved by the County Council as part of the City’s requested Comprehensive Plan Amendment. Staff is beginning to work on a draft of this agreement which will be presented to the CDC and Council prior to submitting it to the County for review. Presentation of the draft joint planning agreement to CDC will likely occur in May or June.

Staff would recommend that an evaluation of the condition of the pavement of the public roads be complete this summer to assist in the development of the joint planning agreement. The annexation

¹ *Pierce County v. City of Bonney Lake*, Boundary Review Board for Pierce County, Final Decision A-10-1, pg.3 (2011)

study complete by AHBL in 2008 assigned either a “Good” or “Fair” condition to the roadways. This type of classification system does not provide quantitative information regarding the cost the City may incur if the area is annexed and the City assumes responsibility for the roads. The study is also five years old now. This recommended pavement condition assessment should utilize the Pavement Condition Index (PCI) method. The PCI method rates the surface condition of the pavement, the structural integrity, and surface operational condition using a numerical indicator from 0 to 100 based on the distress observed on the surface of the pavement².

This type of assessment will allow the City to determine how long the roads will last and the approximate cost the City can expect to incur to maintain the roads within the annexation area.



² D 6433-07, ASTM International (2008) pg. 2

If the requested amendment is approved by the County, the City can recommence with the process to annex the area. In preparation, staff has attended census training provided by the Office of Financial Management (OFM) as the City will be required to complete a door to door census of the area within 30 days of the annexation being approved by the voters and accepted by the City Council. The door to door census will cost between \$10 and \$15 per house; therefore, the City should expect the cost of the required census to be between \$25,000 and \$37,500³.

Staff has also talk with a number of individuals and homeowner associations affected by the proposed amendment and the possible annexation. The residents biggest concerns, so far, have been that the proposed amendment and/or the possible annexation would require them to hook up to sewers now or that the City plans to form an Local Improvement District (LID) to assess each property owner for the construction of the sewer system. Staff has been working to provide information to the residences in the area in an effort to alleviate these concerns: Attachment 2 is an email that includes the information that has been provided to the residents of the area.

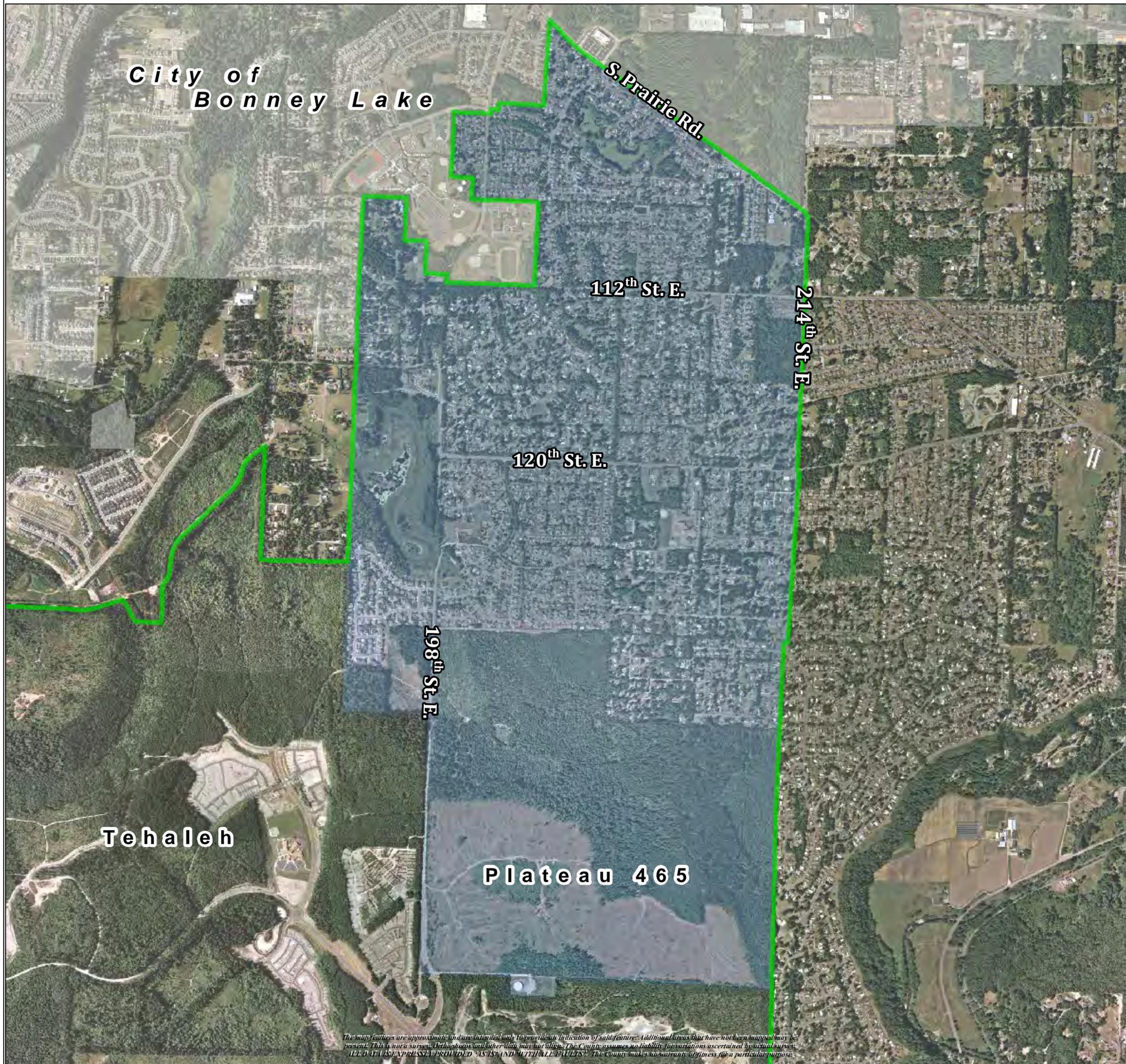
³ Census Administrator Manual, Office of Financial Management (2013) pg. 6



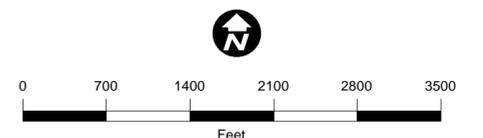
**2013 UGA/USA
Amendment
Attachment 1
Bonney Lake UGA/USA
Expansion Area**

Legend

-  Unaffiliated CUGA
-  Proposed Bonney Lake UGA/USA



The map features are approximate and are intended only to provide an indication of said feature. Additional areas that have not been mapped may be present. This is not a survey. Orthophotos and other data may not align. The County assumes no liability for variations ascertained by actual survey. USED AT USER'S RISK. PROVIDED "AS IS" AND "WITH ALL FAULTS". The County makes no warranty of fitness for a particular purpose.



Community Development Department
January 8, 2013

Jason Sullivan

From: Jason Sullivan
Sent: Tuesday, January 15, 2013 11:17 AM
To: Todd or Colleen Lammers
Subject: RE: South Sewer Service Area
Attachments: 2013 UGA Amendment Application.pdf

Mr. and Mrs. Lammers,

Thank you for contacting the City regarding the notice that you received in the mail. The notice was provided to inform residents in the area that the City of Bonney Lake has submitted a Comprehensive Plan Amendment Application requesting that Pierce County amend the Pierce County Comprehensive Plan to illustrate the area as part of the City's Urban Growth Area.

The area shown on the back page of the notice is within the County's Urban Growth Area, but is not associated with or officially affiliated with any specific city in the County. The application that was submitted to Pierce County request that the area be officially affiliated with the City of Bonney Lake and considered part of the City's Urban Growth Area. The affiliation means that if the area were ever to be part of a city, it should be part of the City of Bonney Lake.

The process for the County to consider the application is likely to take the rest of the year with a decision not expected until late in 2013. The County will hold public meetings and hearings regarding this and other applications through the year; the dates for these meeting have not yet been identified by the County. This application does not incorporate or annex the area into the City. If the County approves the application, the area would remain in unincorporated Pierce County. In order for the area to be annexed into the City; a ballot proposition would have to be approved by the residences within the area.

The reference to the City of Bonney Lake South Sewer Service Area was simple meant to describe the boundaries of the area affected by the amendment. The area shown on the back page of the notice has been part of the City of Bonney Lake's South Sewer Service Area since the mid-1980's. The designation means that it is the responsibility of the City to eventually provide sewer to the area; even if the area is never annexed into the City of Bonney Lake. However, at this time there are no physically plans to extend sewer into that area in the next 10 to 15 years.

The application would not require the residents of the area to hook-up to sewer as there is no system hook up to. Please note that if a sewer system was available, residents would not be required to hook-up just because it is available. Typically, in order to be required to hook-up to sewer, the existing septic system would need to have failed or a resident is building a new home.

The City is also not proposing to form a Low Improvement District or LID to assess the residents a "special tax" to construct a sewer system. Please note that the City also has no plans to propose the formation of an LID and that the formation of a LID requires approval of the residence within the area affected by the LID.

The UGA application would not affected your current property taxes or the current zoning of the property.

I have attached a copy of the City's application that was submitted to the County which provides additional information. If there are other questions or concerns please let me know.

Sincerely,

Jason Sullivan | Senior Planner | City of Bonney Lake

8720 Main Street E | Bonney Lake, WA 98391 | Phone: (253) 447-4355

[|http://www.ci.bonney-lake.wa.us](http://www.ci.bonney-lake.wa.us) | SullivanJ@ci.bonney-lake.wa.us

 *Please consider the environment before printing this email.*

From: Todd or Colleen Lammers [mailto:lammerstorc@msn.com]
Sent: Saturday, January 12, 2013 2:17 PM
To: Jason Sullivan
Subject: South Sewer Service Area

Hi Jason.

I received a notice in the mail that Bonney Lake City has submitted a Urban Growth Area amendment application to Pierce County. Then it talks about the South Sewer Service Area. What does this all mean? Is the city proposing to install a sewer system? Would we be required to hook up? What is the intent of the City? To include us inside city limits?

Please, publish more information.

Todd and Colleen Lammers

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

Department/Staff Contact: Executive / Gary Leaf	Meeting/Workshop Date: 2 April 2013	Agenda Bill Number: AB13-31
Agenda Item Type: Motion	Ordinance/Resolution Number: D13-31	Councilmember Sponsor:

Agenda Subject: Boat Launch Fee Update

Full Title/Motion: An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Updating Boat Launch Fees.

Administrative Recommendation: Approve

Background Summary: The Park Board, Administration, Public Safety Committee, and Finance Committee would like to revisit Bonney Lake’s boat launch fees. This proposal includes a non-resident annual pass. Pierce County’s annual passes are \$75 for residents and \$150 for no-n-residents. A non-resident annual pass is proposed at \$200 for a pilot program. The resident annual pass fee, currently \$25, is proposed to increase to \$30. Both of these fees will be revisited after the end of this summer's boating season. The current single launch fee is \$17 (\$8.50 each way), slightly higher than the \$15 single launch fee Pierce County charges at North Tapps Park. This fee will remain the same to keep it competitive and avoid creating an issue with the State, which provided a 1971 grant that paid for almost half of the land for Allan Yorke Park.

Attachments: Ordiannce D13-31

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
Budget Explanation: This will have minor positive impact on the GF revenue budget			

COMMITTEE, BOARD & COMMISSION REVIEW											
Council Committee Review:	Finance Committee Date: 12 March 2013	<i>Approvals:</i> Chair/Councilmember Dan Swatman Councilmember Mark Hamilton Councilmember Randy McKibbin	<table style="width: 100%; border: none;"> <tr> <td style="text-align: right;">Yes</td> <td style="text-align: left;">No</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	Yes	No	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	Forward to: 4/2/2013 Workshop	Consent Agenda: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No									
Commission/Board Review:											
Hearing Examiner Review:											

COUNCIL ACTION	
Workshop Date(s): 4/2/2013	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

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

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ORDINANCE NO. D13-31

AN ORDINANCE OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING CHAPTER 12.12 OF THE BONNEY LAKE MUNICIPAL CODE AND CORRESPONDING PORTIONS OF ORDINANCE NOS. 1338, 1232, 1037, 826, AND 669 RELATING TO BOAT LAUNCH FEES.

WHEREAS, the Bonney Lake Park Board, the Public Safety Council Committee, and the Finance Council Committee have reviewed Chapter 12.12 of the Bonney Lake Municipal Code, and each recommends establishing an annual pass for nonresidents; and

WHEREAS, the City would like to increase the resident annual pass fee by \$5 to generate additional funds for water safety activities and enforcement; and

WHEREAS, the City desires the nonresident annual pass fee to provide a potential benefit to nonresident boat launch users;

NOW THEREFORE, the City Council of the City of Bonney Lake do ordain as follows:

Section 1. Bonney Lake Municipal Code Chapter 12.12.051 and portions of Ordinance Nos. 1338, 1232, 1037, 826, and 669 are hereby amended to read as follows:

12.12.051 Boat launch facilities – Fees established.

The following schedule of fees shall be charged by the city for use of the boat launch facilities:

- A. A resident boat launch admission card (“resident card”) shall be available at ~~Bonney Lake City Hall~~ the Justice & Municipal Center. The cost of the resident card shall be ~~\$25.00~~ 30.00 per watercraft per year. Residency will be verified through utility accounts information, current Washington State driver’s license or other acceptable proof of residency. The resident card shall not be transferable to other watercraft. Resident watercraft ownership must be verified by state license(s) if applicable, or some other acceptable proof of ownership. The resident card will expire on December 31st of each year.
- B. A fee of \$8.50, paid electronically, will be required, per launch or recovery, at the boat launch facilities for any watercraft not issued a valid resident boat launch admission card.
- C. A nonresident boat launch admission card (“nonresident card”) shall be available as a pilot program at the Justice & Municipal Center. The cost of the nonresident card shall be \$200.00 per watercraft per year. The nonresident card shall not be transferable to other watercraft. Watercraft ownership shall be verified by state license(s) if applicable, or some other acceptable proof of ownership. The nonresident card will expire on December 31st of each year. This pilot program shall be reviewed after one year to determine if it will continue or be revised.

The administrative fee for replacement of a card is \$100.00. No refunds will be given for lost, stolen, or unused cards.

D. The city may temporarily close the boat launch facility without advance notice. No refunds will be given for the temporary or permanent closure of the boat launch facility.

E. The mayor is authorized to promulgate policies and procedures necessary for the implementation of this section and the administration of the boat launch program. (Ord. 1338 § 1, 2009; 1232 § 1, 2007; Ord. 1037 § 1, 2004; Ord. 826 § 8, 1999; Ord. 669 § 1, 1993).

Section 2. 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 _____ day of _____, 2013.

Neil Johnson, Mayor

ATTEST:

Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

Kathleen Haggard, City Attorney

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

Department/Staff Contact: Executive / Don Morrison	Meeting/Workshop Date: 2 April 2013	Agenda Bill Number: AB13-53
Agenda Item Type: Ordinance	Ordinance/Resolution Number: D13-53	Councilmember Sponsor: Deputy Mayor Swatman

Agenda Subject: Recruitment of Appointive Officers

Full Title/Motion: An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Relating To The Recruitment Of Appointive Officers Of The City.

Administrative Recommendation:

Background Summary: This Ordinance would authorize the City Council to establish policies and procedures for the recruitment of Appointive Officers of the City.

Attachments: Ordinance

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

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:	Finance Committee	<i>Approvals:</i>	Yes No
	Date:	Chair/Councilmember NAME	<input checked="" type="checkbox"/> <input type="checkbox"/>
		Councilmember NAME	<input checked="" type="checkbox"/> <input type="checkbox"/>
		Councilmember NAME	<input checked="" type="checkbox"/> <input type="checkbox"/>
	Forward to: April 2, 2013 Workshop		
		Consent Agenda:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Commission/Board Review:			
Hearing Examiner Review:			

COUNCIL ACTION	
Workshop Date(s): 4/2/2103	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

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

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ORDINANCE NO. D13-53

AN ORDINANCE OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING SECTION 2.08.010 OF THE BONNEY LAKE MUNICIPAL CODE RELATING TO APPOINTIVE OFFICERS.

WHEREAS, the Bonney Lake City Council wishes to amend the Municipal Code to provide for the establishment of procedures governing the recruitment and evaluation of appointive officers.

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

Section 1. Section 2.08.010 of the Bonney Lake Municipal Code and the corresponding portion of Ordinance No. 1378 are hereby amended to read as follows:

2.08.010 City appointive officers.

A. Pursuant to RCW 35A.12.020, the following shall be appointive officers of the city: city administrator, administrative services director/city clerk, police chief, city attorney, public works director, community development director, community services director, chief financial officer and prosecuting attorney.

B. The general functions, powers and duties of appointive officers shall be as provided in this chapter; provided, however, that the general functions, powers and duties of the municipal court judge shall be as provided in Chapter [2.16](#) BLMC.

C. Persons appointed by the mayor to an appointive office described in this section shall be subject to confirmation by a majority vote of the city council. In the case of vacancies, the mayor is authorized to employ an interim or acting officer for up to 12 months without council confirmation. Thereafter, any continued or new interim appointment shall be subject to council approval.

D. All appointive officers shall serve at the pleasure of the mayor as per the provisions of RCW 35A.12.090.

E. The City Council may adopt procedures for the recruitment, evaluation, and selection of candidates for appointive office.

Section 2. 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 _____ day of _____, 2013.

Neil Johnson, Mayor

ATTEST:

Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

Kathleen Haggard, City Attorney

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

Department/Staff Contact: Executive / Don Morrison	Meeting/Workshop Date: 2 April 2013	Agenda Bill Number: AB13-54
Agenda Item Type: Resolution	Ordinance/Resolution Number: 2296	Councilmember Sponsor: Deputy Mayor Swatman

Agenda Subject: Recruitment of Appointive Officers

Full Title/Motion: A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Relating To The Recruitment Of Appointive Officers Of The City.

Administrative Recommendation: The Administration has practiced what is being proposed for many years. However, when the Mayor proposes to promote an existing employee to an appointive position, and the Council concurs, the taxpayers, staff and potential applicants should be spared the expense of going through a recruitment. The resolution should be amended to reflect that.

Background Summary: This Resolution is intended to implement Ordinance D13-53 which would authorize the City Council to establish policies and procedures for the recruitment of Appointive Officers of the City.
Attachments: Resolution

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

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:	Finance Committee	<i>Approvals:</i>	Yes No
	Date:	Chair/Councilmember NAME	<input checked="" type="checkbox"/> <input type="checkbox"/>
		Councilmember NAME	<input checked="" type="checkbox"/> <input type="checkbox"/>
		Councilmember NAME	<input checked="" type="checkbox"/> <input type="checkbox"/>
	Forward to: April 2, 2013 Workshop	Consent Agenda:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Commission/Board Review:			
Hearing Examiner Review:			

COUNCIL ACTION	
Workshop Date(s): 4/2/2103	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

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

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RESOLUTION NO.

A RESOLUTION OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, ESTABLISHING POLICIES REGARDING THE RECRUITMENT AND SELECTION OF THE APPOINTED OFFICERS OF THE CITY.

WHEREAS, in 1995 the City Council passed Resolution No. 728A, adopting the administrative personnel polices of the City; and

WHEREAS; Administrative Policies 100.002 through 100.005 related to the recruitment and selection of City employees; and

WHEREAS; many aspects of said Administrative Policies are obsolete and need to be updated; and

WHEREAS; the City Council wishes to establish specific policy elements to be incorporated into the recruitment and selection of those appointive officers of the City who are subject to Council confirmation pursuant to BLMC 2.08.010;

NOW THEREFORE, the City Council of the City of Bonney Lake, Washington hereby resolves as follows:

Section 1. The Mayor is directed to update the administrative policies of the City relating to the recruitment and selection of City personnel;

Section 2. The Council hereby establishes certain requirements that shall be incorporated into the recruitment and selection processes of all positions which are appointive officers and subject to city council confirmation as outlined in BLMC 2.08.010:

A. Open Recruitment. Whenever the need arises to fill a vacancy in an appointive officer that is subject to Council confirmation, the Human Resources office will distribute to all City departments copies of the job announcement. In addition, the job announcement will be distributed to appropriate local governments in the region for posting. Ads for newspapers, trade publications, professional journals, job boards and sites, etc. will be developed and placed as directed by Executive Department with assistance provided by the Human Resources office. At a minimum, all appointive officer vacancies shall be advertised on the AWC Job Net for not less than two (2) weeks. Funding of all general advertisements will be accomplished through the human resources budget. If the HR budget is not sufficient to fund the desired level of advertising, ad costs may be charged to the departmental budget. The City shall use for job advertising purposes only those recruitment services which do not discriminate on the basis of race, color, religion, creed, age, sex, national origin, marital status, sexual preference, or disability. The Mayor may not bypass an open recruitment process and promote a current City employee to the position unless the City Council, by unanimous vote, authorizes the Mayor to bypass the open recruitment process and promote a current employee to the vacant position.

B. Examination Process. All applications received will be screened to determine the best qualified candidates. Only those qualified candidates with the knowledge, ability, and skill to be successful in the position should be considered for further examination. Examinations may be developed based on the position's responsibilities, the qualifications required, and resources available. The examination may consist of application review, oral interview, questionnaire, practical test, written test, in-basket exercise or assessment center, reference checks, etc. In all cases, the examination shall be job related and designed to determine the candidate's knowledge, skills and abilities (KSA's) for the position. At a minimum, the selection process shall include at least one (1) oral interview conducted by a panel of not less than three (3) persons. It is preferred that interview panels be diverse and include both males and females. The Mayor is authorized to include a councilmember on the interview panel. Generally, the council representative will be the chair of the committee which has legislative oversight for that particular department's work. The councilmember will serve as the liaison to the Council during the appointive officer's confirmation process.

PASSED by the City Council and approved by the Mayor this _____ day of _____, 2013.

Neil Johnson, Mayor

ATTEST:

Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

Kathleen Haggard, City Attorney