AGENDA

Call to Order: Mayor Neil Johnson

Roll Call:
Mayor Neil Johnson, Deputy Mayor Dan Swatman, Councilmember David Bowen
Councilmember Phil DeLeo, Councilmember Mark Hamilton, Councilmember Dave King,
Councilmember Cheryle Noble and Councilmember James Rackley.

Expected Staff Members: City Administrator Don Morrison, Director of Planning and Community
Development Bob Leedy, Public Works Director Dan Grigsby, Community Services Director Gary
Leaf, Interim Police Chief Buster McGehee, Chief Financial Officer Beth Anne Wroe, Judge James
Helbling, City Attorney Jim Dionne and Administrative Services Director/City Clerk Harwood
Edvalson.

Agenda Items

1. **Action:** Motion Of The Bonney Lake City Council To Immediately Adjourn The Regular Council
   Workshop To A Joint Special Meeting Of The City Council And Planning Commission. (It is
   anticipated the Council will reconvene their regular workshop after completion of the Special Joint
   Meeting.)

SPECIAL JOINT MEETING OF THE CITY COUNCIL AND PLANNING COMMISSION

Roll Call:
Mayor Neil Johnson, Deputy Mayor Dan Swatman, Councilmember David Bowen Councilmember Phil
DeLeo, Councilmember Mark Hamilton, Councilmember Dave King, Councilmember Cheryle Noble and
Councilmember James Rackley.

Planning Commission Chairman Randy McKibbin, Vice-Chairman Grant Sulham, Commissioner Quinn
Dahlstrom, Commissioner David Eck, Commissioner Winona Jacobsen, Commissioner Katrina Minton-
Davis and Commissioner Dennis Poulsen.

Agenda Items:

A. Joint Public Hearing Of The Planning Commission And City Council To Hear Testimony On The
   Proposed Annexation Of Area 1-A And The Proposed R-1 Zoning.

B. Presentation: AB06-175 – Recap of Downtown Centers Tour.

C. Discussion: AB06-173 – 2007 Pierce County Comprehensive Plan Amendment Applications.

D. Adjournment of Special Meeting

--- Reconvene the Regular City Council Workshop – (Agenda Continued on Page 2.)
2. Discussion and Action: AB06-179 – A Motion of the Bonney Lake City Council Confirming the Mayor’s Appointment of Michael L. Mitchell as Police Chief. (20 Mins.)


6. Council Open Discussion (20 Mins.)

7. EXECUTIVE SESSION: RCW 42.30.110(2) - “Before convening in executive session, the presiding officer of a governing body shall publicly announce the purpose for excluding the public from the meeting place, and the time when the executive session will be concluded.”

ITEMS:

A. Joint Public Hearing Of The Planning Commission And City Council To Hear Testimony On The Proposed Annexation Of Area 1-A And The Proposed R-1 Zoning.

B. Presentation: AB06-175 – Recap of Downtown Centers Tour.

C. Discussion: AB06-173 – 2007 Pierce County Comprehensive Plan Amendment Applications.

D. Adjournment of Special Meeting
City of Bonney Lake, Washington
Council Agenda Bill (C.A.B.) Approval Form

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**Explanation:**

**Agenda Subject:** “Annexation Area 1-A” – Island method (RCW 35A.14.295-299)

**Administrative Recommendation:** Council to approve Res. 1531 initiating an island method of annexation for “Area 1-A”

**Background Summary:** Please refer to attached staff report for background. In accordance with RCW 35A.14.295, Resolution 1531:

- Establishes R-1 zoning for proposed annexation area
- Establishes geographic boundaries of area
- States that the annexation area will assume current city indebtedness
- States approximate number of registered voters in the area (90)
- States measurements for acreage and city boundaries – meeting RCW 35A.14.295(1)(a)
- States that a joint public hearing will be held between City Council and Planning Commission on Wed. 8/15/06 at 5:30 to hear testimony on the proposed annexation and R-1 zoning.

**Attachments:**

- Timeline for processing “Annexation Area 1-A” (draft 7/5/06)
- July 17, 2006 Staff Report
- Resolution 1531 and Exhibit A (legal), Exhibit B (map)

**Council Committee Dates:**

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**Signatures:**

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Date City Attorney reviewed [Date]
City Council Staff Report

"Annexation Area 1-A" – PLN 2005-0583; project 58100583
Staff Report: 7/17/06

Date: July 17, 2006

Applicant(s): City of Bonney Lake


Location: Section 28, Township 20N, R5E W.M.
The annexation area is surrounded on three sides (north, west, east) by existing city limits. The southern border is the southern boundary of Church Lake Rd. E.
The existing plat of Lakeview Terrace and proposed preliminary plat of Montanaro are located within the proposed annexation area.

Staff Contact: Shannon Mayfield-Porter, 253-447-4354

SUMMARY
The City of Bonney Lake attempted to annex the entirety of “Annexation Area 1” (260 acres) in 2004/early 2005 using the alternative petition method (50% acreage, 50% voters). Staff was unable to secure the requisite number of signatures before the petitions expired (6 months); the annexation effort failed.

Staff then recommended, and Council agreed, to break the 260 acre UGA into three smaller sub-areas to increase the possibility for a successful annexation.

Sub-Area 1-A is 97.629 acres, is surrounded 81% by existing city limits and therefore qualifies for the unincorporated island method of annexation established by RCW 35A.14.295-299.


(1) The legislative body of a code city may resolve to annex territory containing residential property owners to the city if there is within the city, unincorporated territory:

(a) Containing less than one hundred acres and having at least eighty percent of the boundaries of such area contiguous to the code city; or

Sub-Area 1-B The City is concurrently pursuing annexation of Sub-Area 1-B by petition method (60% valuation). At the June 5, 2006 CDC meeting, Council members indicated that the City should proceed with annexing 1-A and 1-B now, and since there is little to no current interest from the property owners of 1-C, wait until a later date to annex 1-C.

Sub-Area 1-C No action at this time.

"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."
STAFF ANALYSIS

Existing comprehensive plan land use designation
The site is located within the City of Bonney Lake's approved Urban Growth Area created under RCW 36.70A.110. Per RCW 35A.14.005, only territories within urban growth areas may be annexed by code cities. Pierce County has not completed a community plan for the area due to the area's location within the City's approved UGA. The current Pierce County Comprehensive Plan designation for the site is MSF, Moderate Density Single Family. The City's Comprehensive Plan designates this property as Single Family Residential.

Proposed Comprehensive Plan Land Use Designation

Existing Zoning
The subject property is currently located in the City's UGA within unincorporated Pierce County, and is zoned Moderate Density Single Family (MSF) by Pierce Co.

Proposed Zoning
To implement the adopted land use designation assigned by the city's Comprehensive Plan, the proposed zoning for the annexation area is R-1, Low-Density Residential. The R-1 zone classification is consistent with the Comprehensive Plan Land Use Designation of Low-Density Residential. The proposed City zoning for the area is also consistent with current County zoning. Future buildout under City zoning has been analyzed in its environmental documents and comprehensive land use plans.

REQUIREMENTS OF RCW 35A.14.295(2):
The resolution shall describe the boundaries of the area to be annexed, state the number of voters residing therein as nearly as may be, and set a date for a public hearing on such resolution for annexation.

- **Boundaries.** Proposed boundaries are described above, detailed in a legal description (Resolution 1531, Exhibit A), and identified on a map (Resolution 1531, Exhibit B);
- **Voters.** As of 6/29/06, Pierce Co. Elections records indicate there are 90 registered voters in the proposed annexation area;
- **Hearing.** August 15, 2006 is suggested for a joint City Council and Planning Commission hearing⁴;
- **Zoning.** The proposed zoning regulation for the annexation area is R-1. *BLMC 18.52.030 (F) The assignment of zoning to an annexation area shall be deemed a form of rezone, to be processed as a Type 6 permit or area-wide rezone depending on whether the annexation is site-specific or area-wide. (E) The criterion for granting rezones shall be conformance to the comprehensive plan.*

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¹ RCW 35A.14.295-297 requires City Council to hold a public hearing on the annexation. The application of zoning to the annexation area is considered a legislative action "Type 6 permit" under Bonney Lake Municipal Code 14.140. As a result, the Planning Commission must hold a hearing on the proposed zoning and make a recommendation to City Council. A joint public hearing with City Council and the Planning Commission would be the most efficient way to satisfy both requirements.
The City did not establish “preannexation zoning” for this area but it did adopt land use designations for its urban growth areas when the Comprehensive Plan was adopted. The adopted comprehensive plan land use designation for this parcel is low-density residential. The implementing zoning classification is R-1 low-density zoning. In accordance with the City’s adopted Comprehensive Plan and Municipal Code, the proposed zoning for this annexation area is therefore R-1 low-density residential. Staff recommends the simultaneous adoption of zoning, concurrent with annexation effectiveness.

- **Assumption of Indebtedness.** A statement about assumption of indebtedness must be included in the final ordinance. The only outstanding General Obligation bond is for the Public Safety building, with a final maturity date of 2011. Bonney Lake’s tax rates per $1,000 of assessed valuation with and without bonded indebtedness are:

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<td>$1.9939/$1,000 of assessed valuation</td>
<td>$1.60/$1,000 of assessed valuation</td>
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Even if the City requires an assumption of current indebtedness, the residents will experience a slight decrease in their property tax rate over what they currently pay to the County road fund.

**OTHER CONSIDERATIONS**

If the annexation progresses to the point of adoption, Council will need to concurrently adopt an ordinance revising Council Ward 5 boundary to assign council representation to the newly annexed area.

**STAFF RECOMMENDATION**

Approve Resolution 1531 authorizing initiation of “Annexation Area 1-A” by unincorporated island method.
RESOLUTION NO. 1531

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, PROPOSING THE ANNEXATION OF CERTAIN REAL PROPERTY, IDENTIFIED AS "ANNEXATION AREA 1-A" TO THE CITY PURSUANT TO RCW 35A.14.295-.299.

WHEREAS, the City of Bonney Lake adopted its Comprehensive Plan and Urban Growth Area (UGA) by Ordinance 721 on May 28, 1996, and adopted amendments to the Comprehensive Plan’s UGA by Ordinance 721A on September 10, 1996; and

WHEREAS, it is the intention of the City of Bonney Lake to commence an annexation utilizing the “island method” provided for in RCW 35A.14.295-.299; and

WHEREAS, the proposed annexation will fulfill Goal 3-3 and Policies 3-3b and 3-3c (adopted 1/27/04) of the City of Bonney Lake Comprehensive Plan, Land Use Element, related to requiring annexation before providing city services and striving for regular city boundaries, respectively; and

WHEREAS, proposed “Annexation Area 1-A” is surrounded on three sides by existing city limits with Church Lake Rd. E. as the southern border; a full legal description of the area is attached in Exhibit A and the area is identified in Exhibit B (map); and

WHEREAS, “Annexation Area 1-A” is approximately 97.629 acres and is contiguous to existing city limits with the city limit boundary totaling 81% of the border of the proposed annexation area, thereby satisfying the criteria established by RCW 35A.14.295(1)(a); and

WHEREAS, the legal description for the area was approved by the Pierce Co. Boundary Review Board on December 16, 2005; and

WHEREAS, the legal description was approved by Washington State Department of Transportation on May 24, 2006; and

WHEREAS, pursuant to Pierce Co. Election records as of June 29, 2006, there are approximately 90 registered voters in the proposed “Annexation Area 1-A” (all located within Precinct 31656); and

WHEREAS, the proposed zoning classification for “Annexation Area 1-A” is R-1 (BLMC 18.14), the appropriate zone to implement the previously adopted Single Family Residential land use designation; and

WHEREAS; upon annexation, all property within the proposed annexation area shall be assessed and taxed at the same rate and on the same basis as other property within the City of Bonney Lake, including all indebtedness existing as of the effective date of the annexation; and

WHEREAS, the annexation area is entirely within the Pierce County Urban Growth Area and such incorporation-annexation is authorized by RCW 35A.14.295-299; and
WHEREAS, the proposed annexation represents a logical extension of the corporate limits of the City of Bonney Lake into its established UGA; and

WHEREAS, RCW 35A.14.295(2) requires the Bonney Lake City Council to hold a public hearing for the purpose of hearing testimony from residents of the proposed annexation area and Bonney Lake Municipal Code 14.140.080 requires the Bonney Lake Planning Commission to hold a public hearing to hear testimony on the proposed zoning of the annexation area;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE HEREBY RESOLVES that a joint City Council and Planning Commission public hearing shall be held on Wednesday August 15, 2006 at 5:30 p.m. at City Hall, Council Chambers, 19306 Bonney Lake Blvd, Bonney Lake, WA 98391 to receive testimony on proposed “Annexation Area 1-A” and application of R-1 zoning. Notice of such hearing shall be provided in accordance with RCW 35A.14.295(2). Following such hearing, the Council may effectuate the proposed annexation by ordinance pursuant to RCW 35A.14.297.

PASSED by the City Council of the City of Bonney Lake this 25th day of July, 2006.

Neil Johnson, Mayor

ATTEST:

Harwood T. Edvalson, City Clerk

APPROVED AS TO FORM:

James Dionne, City Attorney
CITY OF BONNEY LAKE
SUB AREA "A"
ANNEXATION LEGAL DESCRIPTION

Beginning at the Northwest corner of the Northeast Quarter of the Southwest Quarter of Section 27, Township 20 North, Range 5 East, Willamette Meridian, Pierce County, Washington, said point being on Bonney Lake City Limits Line; Thence East along said City Limits Line and the North line of said subdivision to the Northeast corner of the Southwest Quarter of said Section 27; Thence continuing along said City Limits Line, South along the East line of said Southwest Quarter to the Southeast corner of the Northeast Quarter of said Southwest Quarter; Thence continuing along said City Limits Line, West along the South line of said Northeast Quarter to the Northwest corner of the East 495 feet of the Southeast Quarter of the Southwest Quarter of said Section 27; Thence continuing along said City Limits Line, South along the West line of said East 495 feet to the South line of the North half of the Southeast Quarter of the Southwest Quarter of said Section 27; Thence leaving said City Limits Line, West along the South line of said North half to the East line of the West 330 feet of the Southeast Quarter of the Southwest Quarter of said Section 27; Thence South along the East line of said West 330 feet to the South margin of Church Lake Road East; Thence West along said South margin to the Northeast corner of the Plat of Kelly Creek Vista as recorded under AFN 8410160215 records of said County, said corner being on the Bonney Lake City Limits Line; Thence North along said City Limits Line and the easterly prolongation of said Plat to the North margin of Church Lake Road East; Thence continuing along said City Limits Line and said North margin, West to the East line of the West half of the Southwest Quarter, of the Southwest Quarter, of the Southwest Quarter of said Section 27; Thence continuing along said City Limits Line and leaving said North margin, North along the East line of said West half to the North line of the South half of the Southwest Quarter of the Southwest Quarter of said Section 27; Thence continuing along said City Limits Line, West along said North line to the West line of the Southwest Quarter of said Section 27; Thence continuing along said City Limits Line, North along said West line to the Northwest corner of the Southwest Quarter of the Southwest Quarter of said Section 27; Thence continuing along said City Limits Line, East along the North line of the Southwest Quarter of the Southwest Quarter of said Section 27 to the Southwest corner of the East Half of the Southeast Quarter of the Northwest Quarter of the Southwest Quarter of said Section 27; Thence continuing along said City Limits Line as described in Bonney Lake Ordinance Number 162-A, North along the West line of said East Half to an angle point in Tract ‘B’ of Church Lake Waterfront Tracts Division No. 1 as recorded under AFN 1931505 of said County; Thence continuing along said City Limits Line and said Ordinance
description East along said Tract B a distance of 100 feet to an angle point therein; Thence continuing along said City Limits Line and said Tract 'B' North a distance of 300 feet to the North line of the Southeast Quarter of the Northwest Quarter of the Southwest Quarter of said Section 27; Thence continuing along said City Limits Line and leaving said Tract 'B' East along last said North line to the Northeast corner of the Southeast Quarter of the Northwest Quarter of the Southwest Quarter of said Section 27 said point being the Southwest corner of Lot 2 of Pierce County Short Plat No. 79-307; Thence continuing along said City Limits Line and the South line of said Lot 2 to the Southeast corner thereof; Thence continuing along said City Limits Line, North along the east line of said Short Plat to the Northeast corner of Lot 1 thereof; Thence continuing along said City Limits Line, West to the West line of the Northeast Quarter of the Southwest Quarter of said Section 27; Thence continuing along said City Limits Line, and last said West line, North to the Northwest corner of the Northeast Quarter of the Southwest Quarter of said Section 27 and the True Point of Beginning.

City of Bonney Lake
Sub Area "A"
Annexation Legal Description

11/18/05
City of Bonney Lake, Washington
Council Agenda Bill (C.A.B.) Approval Form

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**BUDGET INFORMATION**

**2006 Budget Amount**  Required Expenditure Impact Remaining Balance
Not Applicable

**Explanation:**

**Agenda Subject:** Recap of Downtown Tours of Kent, Redmond and Mill Creek

**Administrative Recommendation:** N/A

**Background Summary:**

Staff will present a slide show of the Downtown Tour that included several members of the City Council, Planning Commission, Design Commission, Staff and interested business and property owners as well as consultants. The tour included Kent Station, Redmond Town Center and Mill Creek Town Center.

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Mayor: [Signature]
Date City Attorney reviewed: [Date]
City of Bonney Lake, Washington  
Council Agenda Bill (C.A.B.) Approval Form

**Department/Staff Contact:** P&CD/Bob Leedy  
**Council/Wrkspt Mtg Date:** 8/15/06  
**Agenda Item Number:** ABO6-173

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**Explanation:**

**Agenda Subject:** 2007 Pierce Co. Comprehensive Plan Amendment Applications

**Administrative Recommendation:**

**Background Summary:**

In 2002 the Bonney Lake City Council approved several Urban Growth Area (UGA) boundary amendments. Subsequent applications were submitted to Pierce Co. during their 2003 cycle. Pierce Co. initially approved the boundary amendments but after a challenge before the Central Puget Sound Growth Management Hearings Board (CPSGMHB), they reversed their approval. The CPSGMHB required Bonney Lake to revise its maps to remove the previously approved UGA amendment areas. Because each UGA amendment area already went through the Bonney Lake comp plan amendment public process and was approved by Council, Figure 3-4 “Future Land Use Plan” in the Bonney Lake Comprehensive Plan Land Use Element now identifies those UGA amendment areas as “Proposed Urban Growth Area”. The annual 2005 Bonney Lake comp plan amendment process authorized an additional UGA boundary amendment – a portion of 214th Ave. E., the ROW of 96th St. E. and the 17-acre city-owned parcel 0520353062.

The Pierce Co. comp plan amendment cycle allows applications to be submitted from 12/1/06-1/15/07 - then not again until 2009. Staff is seeking direction from Council about which, if any, UGA boundary amendment applications to submit to Pierce Co. for their 2007 cycle.

**Attachments:**

- 8/8/06 Staff Report to Council – 2007 Pierce Co. UGA Amendments
- 8/1/06 memo re 96th Street city-owned property
- Map of proposed UGAs

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- Public Safety Committee:
- Community Development & Planning Committee:
- Council Workshop:

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- Park Board:
- Hearing Examiner:

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**Council Call for Hearing:** Council Hearings Date:

**Council Referred Back to:** Workshop: Committee

**Council Tabled Until:** Council Meeting Dates:

**Signatures:**

- Dept. Dir.: [Signature]
- Mayor: [Signature]
- Date City Attorney reviewed
SUMMARY
In 2002 the Bonney Lake City Council approved several Urban Growth Area (UGA) boundary amendments. Subsequent applications were submitted to Pierce Co. during their 2003 cycle. Pierce Co. initially approved the boundary amendments but after a challenge before the Central Puget Sound Growth Management Hearings Board (CPSGMHB), they reversed their approval. The CPSGMHB required Bonney Lake to revise its maps to remove the previously approved UGA amendment areas. Because each UGA amendment area already went through the Bonney Lake comp plan amendment public process and was approved by Council, Figure 3-4 “Future Land Use Plan” in the Bonney Lake Comprehensive Plan Land Use Element now identifies those UGA amendment areas as “Proposed Urban Growth Area”.

The annual 2005 Bonney Lake comp plan amendment process authorized an additional UGA boundary amendment – a portion of 214th Ave. E., the ROW of 96th St. E. and the 17-acre city-owned parcel 0520353062.

If the City of Bonney Lake plans to submit any UGA boundary amendments to Pierce Co during their 2007 cycle, staff needs to begin the application preparation as soon as possible. The Pierce Co. comp plan amendment process was recently changed back to a 2-year cycle:

- **Next application period:** 12/1/06-1/15/07
- **Staff review/recommendations:** 2007
- **Final Pierce Co. Council action:** Fall 2007
- **Next cycle:** 2009

A separate memo (8/1/06) is attached detailing options for the city-owned 96th St. property. In order for the City to construct any public facility, it will have to first apply for a Pierce Co. comp plan amendment. An area-wide map amendment would allow a zone change within which a public facility would be permitted. However, an animal control facility would not be permitted in any Pierce Co. rural zone. The most feasible option for both uses is to apply for a UGA boundary amendment and ultimately annex the property so the City can apply its Public Facilities zoning classification and build its desired facilities.

Staff is seeking direction from Council on which, if any, urban growth boundary amendment applications to submit to Pierce Co.

POSSIBLE APPLICATION SCENARIOS
1. Portion of 214th Ave. E. and 96th St. E. ROW and city-owned parcel only;
2. 96th St. property and UGA 2A (or 2A and 2B);
3. 96th St. property, UGA 2A, UGA 2B and UGA 1; or
4. 96th St. property, UGA 2A, UGA 2B, UGA 1, and UGA 5 (least likely to be approved).
CHALLENGES
When reviewing potential UGA boundary amendment applications from Bonney Lake, Pierce Co. Staff will consider the following:

1.) CPSGMB appeal and the County’s requirement to repeal their earlier approval; and
   19A.30.010 Land Use Element – Urban Growth Areas. This section of Pierce Co. Code outlines eight objectives used when considering land use within urban growth areas.
   Particularly, PCC 19A.30.010
   B. LU-UGA Objective 1. Ensure that there is sufficient land within the Urban Growth Areas to accommodate the projected population growth for the 20 year planning period.
   1. The conclusions from the evaluation of the residential and commercial/industrial development capacity, in compliance with RCW 36.70A.215 – Buildable Lands, should be reviewed once every five years to determine whether adjustment of the urban growth areas is appropriate…
   2. The land safety factor for the Pierce County urban growth areas should not exceed 25 percent and be documented in a report incorporated in the Plan by reference…
   b. The 25 percent safety factor should be derived from the combined urban growth areas, not individual urban growth areas.

   G. LU-UGA Objective 6. Provide criteria and priorities for the expansion of urban growth areas.
   1. Expansions of the Comprehensive Urban Growth Area (CUGA) and satellite urban growth areas shall be approved by the County Council through a Comprehensive Plan amendment process as established in Chapter 19C.10 PCC, only if the following criteria are met:
   a. Residential land capacity within all urban growth areas is evaluated and the need for additional residential land capacity is clearly demonstrated. The results of the Buildable Lands Report required pursuant to RCW 36.70A.215 should indicate any county-wide urban land deficiency.
   b. The supply of land available for employment growth is evaluated and the need for additional commercial/industrial land outside urban growth areas is clearly demonstrated.
   c. The observed development densities are consistent with the density assumptions as documented in the most recent published Buildable Lands Report as required by RCW 36.70A.215….

The 2004 revisions to the Pierce Co. Code above elevate the standards a City must achieve in order to have an UGA amendment approved. Specifically, the language mentions that the land safety factor for all urban growth areas in the County should not exceed 25%. The figures used for this calculation are based on the most recent adopted Buildable Lands Report dated September 2002 (1996-2000 data). The next update will occur in late 2007 (2001-2005 data). In short, a proposed UGA amendment shall result in “no net gain in residential capacity.” If the City applies for an amendment that involves just the 96th Street property with a proposed public facilities use, there would be no net gain to residential capacity. However, if any of the other UGA areas are included (1, 2A, 2B, 5), it would be difficult to prove no net gain to residential capacity. The City could propose to zone the area using the Pierce Co. Employment Center classification (all others - even commercial – allow residential uses). However, upon annexation, the City doesn’t have an equivalent “Employment Center” zone. The closest implementing classification would be C2-C3 which allows high-density residential – and would thereby still result in a net residential gain.

STAFF RECOMMENDATION
If the City wishes to build a public works facility and/or animal control facility on the 96th Street site, it must submit an UGA amendment application to Pierce Co. If Council chooses to apply for any other areas, they should be submitted as separate applications to ensure a higher success rate for the 96th Street property.
Memo

Date: August 1, 2006
To: Bob Leedy, Steve Ladd, Don Morrison, Dan Grigsby
From: Shannon Mayfield-Porter
Re: 96th Street City-Owned property

**ISSUE:** City wants to build public works and animal control facilities on existing city-owned property (17 acres – parcel 0520353062) in unincorporated Pierce Co. and outside UGA. The current Pierce Co. R10 (rural) zoning doesn’t allow for these uses.

**POSSIBLE SOLUTIONS:**

1.) APPLY FOR PIERCE CO. REZONE (from R-10 to ______________):
   PW building is considered Administrative Gov’t Facilities and Services (PCC 18A.33.220(A))
   Animal Control Facility is considered a Public Safety Services/Level 2 (PCC 18A.33.220(I))

   According to the Rural Zone Classification Use Table (PCC 18A.17.020):

   (A) Public Institution (PI) – The PW building would be permitted outright. Animal control facility is not permitted at all – even with a Conditional Use Permit (Level 1 Public Safety Services permitted, Level 3 with a CUP, Level 2 not permitted at all).

   (B) Rural Activity Center (RAC) – both PW building and animal control are allowed under this zone BUT criteria says the property must be at least 5 miles or more away from UG Boundary. In this case, the property is too close to the existing UGB. While the uses are allowed, the property doesn’t meet the location criteria. Mike Erkkinen did concede that the language says “should” be 5+ miles away and not “shall”, but it would still be very difficult to meet the burden of this requirement.

**CONCLUSION:** The only way a rezone in Pierce Co. would work is if the City applied for a rezone to Public Institution for the PW facility. The City wouldn’t be permitted under any rural zone in PC to build an animal control facility. Both uses would be permitted in a Mixed Use District (MUD). Unfortunately the MUD zone is an urban zoning classification. The City could not apply to rezone the property from its current rural status (R10) to any urban zone without first applying for a comp plan/urban growth boundary amendment. If approved, the property would then become part of the City UGA – and therefore eligible for urban zoning designations. See #4 below for details about a comp plan amendment.

2.) APPLY FOR PC CONDITIONAL USE PERMIT – PROPERTY TO REMAIN ZONED R10:
   R10 doesn’t allow either uses - even with a CUP.

**CONCLUSION:** Not an option.
3.) ANNEX THE PROPERTY USING MUNICIPAL PURPOSES ANNEXATION (RCW 35A.14.300).

RCW states that a city can annex a territory outside its city limits — whether contiguous or not — for any municipal purpose (if the City owns the property). However, for cities planning under GMA, there is a statutory prohibition on annexing territory outside an urban growth area. There are no exceptions for municipal purposes annexations, even though there may be valid policy reasons to exclude such annexations from the prohibition.

CONCLUSION: Not an option.

4.) APPLY FOR PIERCE CO. COMP PLAN AMENDMENT (two possible types of applications):

(A) Area-Wide Map Amendment: The purpose for applying for this type of amendment would be to change the PC Land Use Designation from R10 to PI (Public Institution) to allow for the PW Facility. There is no rural zone classification that would allow the animal control facility. If approved, Pierce Co. would implement the area-wide map amendment by applying the appropriate zone to implement the PI designation (Public Institution Zone). After the rezone is effective (approximately early 2008), the City could apply through Pierce Co. for the PW facility permits.

(B) Urban Growth Boundary Amendment: The primary goal of this type of amendment would be to obtain an urban zoning classification so both the PW facility and animal control facility would be permitted on this property. In order to obtain an urban zone classification, an urban growth boundary amendment must be approved first so the property changes from unincorporated Pierce Co./rural to the City’s UGA. If the UGB amendment is approved, the City could choose to either (1) annex the property, apply City Public Facilities zone, and do the permitting in the City; or (2) request an urban implementing rezone (MUD) that would follow the UGB amendment. After the County applied the new zoning district (early 2008), the City could apply for permits in Pierce Co.

An area-wide map amendment is more likely to be approved (than the UGB amendment) for several reasons: 1,000 Friends of Washington appeal to CPSGMHB of the City’s 2002 UGB applications and comp plan amendments must meet the criteria established in PCC 19C.10.060 (B). Pierce Co. recently adopted “Amendment 11” to their comp plan which made it more difficult for cities to get a UGB amendment. Since Pierce Co. made these changes in 2004, they have received no requests for UGB amendments.

Another challenge to this type of application is that because the property is not contiguous to existing city limits, any UGB application would have to include other adjacent/contiguous properties. The changes Pierce Co. made in 2004 to their UGB approval criteria now say that due to residential capacity issues (UGA over capacity now), if a City applies for a UGB amendment that adds residential capacity, the City would have to find someplace else in the county adjacent to a UGA from which to remove that portion of UGA. In other words, if the City wanted to add the additional properties with a residential zoning classification (i.e. MSF), the City would be responsible for finding property elsewhere in Pierce Co. adjacent to a UGB and removing the designation of that property from UGB to unincorporated/rural status. The purpose of this requirement is to balance out the addition of residential land to a UGB — considering the county as a whole is over GMA required residential land capacity — so there is no net gain to residential capacity.

One way to alleviate this “trading” problem is to propose a non-residential zone for the additional property next to the City property. If the City proposed an Employment Center zone for those properties, it would be more likely to be approved. However, the properties between the existing city limits and the city-owned property are currently rural/residential. If the City proposed to change their designation to Employment Center, such a drastic change in use could be problematic as well.

PIERCE CO. COMP PLAN SCHEDULE:

- Application period: 12/1/06-1/15/07
- Staff review/recommendations: 2007
- Final council action: Fall 2007
- Next cycle: 2009

Mike Erkkinen, Pierce Co. PALS, suggested that the City apply for both a UGB amendment and area-wide map amendment. The County would evaluate both options and staff would make their recommendation. If the UGB application was denied, hopefully the County would consider approving the area-wide map amendment.
City of Bonney Lake, Washington  
Council Agenda Bill (C.A.B.) Approval Form

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<td>August 15, 2006</td>
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**BUDGET INFORMATION**

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**Explanation:** Salary within adopted salary range

**Agenda Subject:** Confirmation of Mike Mitchell as Police Chief

**Administrative Recommendation:** Approve

**Background Summary:** Mayor Johnson has appointed Mike Mitchell to serve as the regular Police Chief for the City, pending confirmation by the City Council. This workshop session is an opportunity to meet Mr. Mitchell (for those who were not on the panel) and ask him any questions prior to the confirmation vote, which is anticipated to be 8/22/06, but could be taken at this workshop if desired as Mayor Johnson, Councilmember King, and possibly Councilmember Noble will be absent 8/22.

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**Signatures:**

Dire. Authorization: Mayor: Date City Attorney Reviewed:
MICHAEL L. MITCHELL

SUMMARY OF QUALIFICATIONS

Assistant Chief of Police Mountlake Terrace, In the past five years the Chief of Police has had three open heart surgeries which left two assistant chief of police to run the department in his absence. During those years, the second assistant chief of police was ill for extended periods at which time I served as acting chief of police. I produce and administer the 4.6 million dollar budget for the police department as well as presentation and justification to the City Manager and City Council.

Supervisor for the South Snohomish County Narcotics Task Force. The duties for this position included representing the cities of Lynnwood, Edmonds and Mountlake Terrace. Budgeting for equipment and supplies, vehicle maintenance, accounting for the money in the buy fund, working with federal agencies and supervising during multi agency search and arrest situations.

Twenty-one years of experience in city police and county sheriffs' department law enforcement.

Executive level management qualifications, through the Washington State Criminal Justice Training Commission.

Work style is recognized as focused and highly professional, with the ability to manage the most complex, high profile situations with discretion, strict confidentiality and technical competence.

EDUCATION

Grays Harbor Community College (1979)
Certificate of Completion for Welding Apprentice

Washington State Criminal Justice Training Academy (1985)
Graduate

Shoreline Community College (2001)
A.A. Criminal Justice Program

Command College

Central Washington University (2005)
B.S. Law and Justice
EXPERIENCE  (Law Enforcement)

1983 to 1985
Grays Harbor County Sheriffs Department
  Reserve Deputy Sheriff
  Provisional Hire for temporary position

1985 to 1990
City of Hoquiam Police Department
  Patrol officer
  Detective Major Crimes
  Fire Cause and Origin Investigator

1990 to 1991
Grays Harbor County Sheriffs Office
  Deputy Sheriff

1991 to present
City of Mountlake Terrace Police Department
  Patrol Officer  (1 1/2 years)
  Narcotics Detective  (2 years)
  Patrol Sergeant  (2 years)
  Supervisor for Three City Joint Narcotics Task Force  (4 years)
  Assistant Chief of Police  (5 years)
I. CALL TO ORDER – Mayor Neil Johnson called the meeting to order at 7:00 p.m. in the Bonney Lake Council Chambers at 19306 Bonney Lake Boulevard.

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

B. Roll Call [A1.3]

City Clerk Edvalson called the roll. In addition to Mayor Johnson, elected officials attending were Deputy Mayor Dan Swatman, Councilmember David Bowen, Councilmember Phil DeLeo, Councilmember Mark Hamilton, Councilmember Dave King, Councilmember Cheryle Noble and Councilmember Jim Rackley.

Staff members present were City Administrator Don Morrison, Interim Police Chief ‘Buster’ McGehee, Planning and Community Development Director Bob Leedy, City Attorney Jim Dionne, Administrative Services Director / City Clerk Harwood Edvalson, Chief Financial Officer Beth Anne Wroe, City Engineer John Woodcock, Assistant City Engineer Doug Budzynski and Planning Manager Steve Ladd.

C. Announcements, Appointments and Presentations [A3.6.9]

1. Announcements: None.

2. Appointments: Mayor Johnson introduced Joel Thompson as the new Executive Assistant in the Executive Department.

3. Presentations: None.

D. Agenda Modifications: None.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE


B. Citizen Comments:

Todd Olsen, 19803 103rd St. E., spoke to the Council about traffic and the proposed Lowe’s Development. He said he has no problem with Lowe’s in general, but is
concerned with the associated traffic and it being funneled onto 200th from such a large store.

Margie Duggan, 10105 199th Ave. E., said she doesn’t blame Lowe’s for wanting to locate in Bonney Lake, but is concerned about the traffic. She added she has reviewed the initial traffic study from Lowe’s and is concerned about the decrease in service level for some of the adjacent intersections and potential safety issues. Ms. Duggan said 200th is an inappropriate entrance to a major facility. She said the initial submittals for SEPA do not adequately address noise and light pollution from the project. She added that the proposed development represents a major inconvenience to the surrounding community. She noted the number of additional residential developments planned in the general area and commented that a roundabout is not the best solution for the Lowe’s development.

Cecil Sidwell, 10302 179th Ave. E., noted that traffic currently on 200th is at a standstill from 2 – 3 p.m. when school is in session. He predicted the standstill will reach well into the evening if Lowe’s is allowed to develop as now planned. He said there is no apparent improvement in traffic from the proposed traffic improvements. He suggested the residential property values will be negatively impacted from the Lowe’s development.

Keith Stanley, 10900 193rd Ave. E., said Lowe’s is a bad idea for the proposed site. He suggested it would be a more appropriate use in Eastown. He noted that any proposed traffic relief from improvements to the Rhodes Lake Road corridor are years into the future.

Councilmember Rackley noted the millions of dollars currently going into improvements along SR410 and South Prairie Road. He said all intersections in the City are currently designed to Level of Service D. He said the City’s growth planning is impacted by the Growth Management Act. He added the County’s development in the area outside the City limits is irresponsible. He concluded the City can’t tell a property owner they can’t build, as long as the property is properly zoned.

Mr. Stanley asked who will make the decision on the Lowe’s proposed traffic. Director Grigsby said the City is waiting for the traffic analysis to be finalized. He said the next step is for the City’s independent consultant to analyze the proposal and analysis. He added Lowe’s has agreed to use 2010 as the traffic planning horizon, even though they could have used 2008 as their event horizon.

Councilmember Hamilton noted the City originally encouraged Lowe’s to look at alternative access to connect to 195th Ave. E. behind City Spas. Councilmember King said the City needs to consider all the collective impacts of the proposed development. He said the analysis of the project’s impacts requires juggling a lot of data from multiple jurisdictions. He said the City must assure that due diligence is done.

Michelle Cook, 19802 101st St. E., noted Lowe’s must gain access across Tract M if
it is to exit from the development as they’ve proposed. She said there has been no contact with the Brookwater Homeowners Association from Lowe’s. She said she had been informed that Lowe’s is waiting for the City to condemn the needed access across Tract M. She urged the Council to refrain from condemnation of the land, forcing Lowe’s to consider other alternatives. She described safety issues anticipated for the school children of Brookwater if the proposed roundabout is installed.

David Ambrose, said he is a property owner in Eastown and would be more than willing to negotiate with Lowe’s.

Keola Pang-Ching, 20004 104th St. E., described the wait for traffic coming out of Albertson’s he experienced on his way to the meeting tonight. He said the Albertson’s parking lot is already a roundabout in the area. He asked the Council not to condemn Tract M. He urged the Council to look at the proposed Lowe’s project in light of the City’s mission statement. He asked what level of citizen input would be required to get the Council’s attention.

Director Leedy said citizen input is desirable and welcome. Deputy Mayor Swatman informed the audience of the Pierce County meeting regarding the development of the 198th Ave. E. corridor. He said the meeting will be at the high school on July 18th from 5 – 8 p.m. He encouraged the audience to participate and express their feelings about traffic in the area.

Mayor Johnson responded that the design for 192nd Ave. E. is in progress. City Engineer Woodcock said the corridor is in the 30% design stage and some of the needed right-of-way is being acquired. He said the project cost will be $8 to $14 million. He added the Lowe’s proposal is still being reviewed.

Laurie Martin, 19809 103rd St. E., asked the Council to do something to separate the residential neighborhood from large commercial. She said she does not want to have to look at Lowe’s from her front window.

Councilmember Rackley assured Ms. Martin that there will be screening and buffering required of the project. He said the Design Review Commission will also have input on the project.

Don Sangesand, 5616 195th Pl. E., asked why the new street signs are not marked clearly. He described situations where the design can lead to misunderstanding of the street numbers. He also referenced his ongoing comments about the Ball Park Well water quality. He asked how long they would be forced to put up with the conditions.

Mayor Johnson replied that the Community Development Committee has issued an RFP for a study of the issues involved at the Ball Park Well. Director Grigsby added that the selected consultant will look at things not readily visible before the water is treated and chlorinated. Mayor Johnson asked that Mr. Sangesand be kept informed of progress on the study and conditions. Councilmember Hamilton said the CDC is
committed to resolving the issues.

Brian Duggan, 10105 199th Ave. E., said he is happy to hear the level of concern expressed concerning the proposed Lowe’s development this evening. He said the initial submitted proposal is unacceptable and would cut off access to his new neighborhood. He asked Council to block the Lowe’s development at the currently proposed location.

Dan Schwartz, 20017 105th St. E., said the Lowe’s issue has only recently come to his attention. He said a company like Lowe’s will not present their bottom-line up front. He asked the Council to remember Lowe’s is not particularly interested in the community, but in profits.

Dave Morehouse, 11022 197th Ave. E., noted the City needs the revenues generated by a Lowe’s to help with its infrastructure needs. He said the City must, however, consider the impacts to the current residents. He added the impacts from school traffic will only worsen. He urged the City to work with the County to blend jurisdictional needs in the area.

Anthony Cochilla, 19807 103rd St. E., said he does not understand why the property is zoned commercial. He said Lowe’s does not fit into the neighborhood. He noted traffic is already failing in the area. He suggested a strip mall would be better than a Lowe’s.

Councilmember Rackley advised Mr. Cochilla the Lowe’s parcel was annexed into the City as a commercial property a number of years ago. Councilmember DeLeo urged Mr. Morehouse and audience members to speak to the County about the traffic issues. Councilmember Hamilton noted Lowe’s wants to build in the proposed location because of the potential for Cascadia customers.

Dan Decker, 20401 70th St. E., suggested the City lacks foresight in dealing with its traffic issues. He suggested zoning to allow buildings of 7 – 8 stories where underground parking could be accommodated. He asked why the Council would even consider condemnation of private property for a commercial entity.

Councilmember Noble asked why Lowe’s is limited in the timeframe for which it must plan for traffic. Directed Grigsby responded state law provides that an applicant only has to plan for the horizon year, which is the year the project is completed. He said Lowe’s voluntarily agreed to plan out to 2010.

Councilmember Bowen said the traffic and parking issues should have been mitigated years ago. He agreed that taller buildings should be considered by the City in certain areas. He urged the Council to look to the future when considering present actions.

Deputy Mayor Swatman asked for clarification on the question of eminent domain. City Attorney Dionne assured the Council it is a legislative decision to pursue eminent domain, not the developer’s.
Laura Brannon, 9910 198th Ave. Ct. E., said she is all for growth in Bonney Lake. She said, however, her family chose to locate in Bonney Lake to avoid the traffic problems of Puyallup. She said they wanted a safe community, and the discussion tonight about the Lowe’s development has raised several issues of alarm for the safety of residents in the community.

Councilmember Rackley assured her the Design Commission will make sure the applicant complies with the City’s code. Councilmember Hamilton said the residents who own Tract M are in control because Lowe’s needs access across the tract to build the proposed roundabout. He said it is unlikely the City will condemn the property for Lowe’s use.

Robert Ceola, 9104 189th Ave. Ct. E., described the process he pursued to have a revaluation of his property after receiving a substantial increase in his property taxes.

Kathy Brown, 10103 199th Ave. E., said the current traffic is difficult. She predicted the traffic circle will effectively block exit from her neighborhood.

Leota Musgrave, 9308 202nd Ave. E., thanked the Council for the honorary bench and plaque at Cedarview Park.

Councilmember Rackley moved the Council take a ten minute break in their proceedings. Deputy Mayor Swatman seconded the motion.

Motion approved 7 – 0.

The break commenced at 8:32 p.m. The Council resumed their business at 8:49 p.m.

C. Correspondence: None.

III. COUNCIL COMMITTEE REPORTS:

A. Finance Committee
   Deputy Mayor Swatman said the Finance Committee met this evening and discussed the following:
   1. Proposed Resolution 1596 – Bank of America Treasury Services;
   2. LID 05-13 – 95th St. and the need to go back and pursue some additional steps in the LID process; and
   3. Discussion regarding the structure of permit fees.

B. Community Development Committee
   Councilmember Rackley said the Community Development Committee did not meet last week.
C. **Public Safety Committee**

Councilmember DeLeo said the Public Safety Committee met last week and discussed:
1. Towing rotation and criteria for tow companies;
2. Congestion, use and night disturbances at Allan Yorke Park. He added the suggestion was made to close the street and reroute traffic; and
3. The 800 MGHZ radio system.

He said the Committee also received a tour of the buoy system on the lake. He added the Committee heard from Mr. Cantrell, a neighbor to Allan Yorke Park who described the noise of kids at night in the swim area and on the floating dock. He said the Committee will soon meet with the Police Chief to discuss department policies and changes implemented based on a survey last year.

D. **Other Reports:**

Mayor Johnson said the Citizen’s Advisory Council met on June 29th. He said the discussion was very good. He noted the minutes from the meeting were forwarded to the Council today.

Mayor Johnson reported his attendance at a meeting with other local Mayor’s and Congressman Dave Reichert. He listed a number of projects for which neighboring cities have received funding through the Congressman. He said he spoke to the Congressman about Cascadia and noted the Congressman was unaware Cascadia is not within Bonney Lake’s Urban Growth Area.

Councilmember DeLeo urged the Council to complete their NIMS 700 test as a follow-up to the training completed last weekend.

**IV. CONSENT AGENDA:** [A3.6]

Councilmember Rackley moved to approve the Consent Agenda as printed. Deputy Mayor Swatman seconded the motion.

A. **Checks/Vouchers:** Accounts payable checks/voucher #44350 thru #44461 in the amount of $449,878.87. Accounts payable checks/voucher #44298 thru #44349 for utility refunds in the amount of $3,765.68. [A3.9]

B. **Payroll:** Payroll for June 16-30, 2006 for checks 25045-25101, including Deposits and Electronic Transfers in the amount of $431,450.62. [A4.9]

C. **AB06-105 - Resolution 1569** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract For A Canon C5870u Copier, 60 Month Lease With 0 Down And A Fair Market Value Buyout. [A2.6]
D. **AB06-106 – Resolution 1570** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract For Quarterly Maintenance Agreement With Copiers Northwest To Support A Canon C-5870u Copier. [A.2.6]

Motion approved 7 – 0.

V. **FINANCE COMMITTEE ISSUES:** None.

VI. **COMMUNITY DEVELOPMENT COMMITTEE ISSUES:** None.

VII. **PUBLIC SAFETY COMMITTEE ISSUES:** None.

VIII. **FULL COUNCIL ISSUES:**

A. Discussion: **AB06-146 – Ordinance D06-146** – An Ordinance Of The City Council Of The City Of Bonney Lake Adopting, As Part Of The Comprehensive Plan, A New Utilities Element Incorporating A New Comprehensive Sewer Plan And Comprehensive Water Plan. [O3.5.1.5]

B. Discussion: **AB06-147 – Ordinance D06-147** – An Ordinance Of The City Council Of The City Of Bonney Lake Adopting, As Part Of The Comprehensive Plan, A New Transportation Element. [O3.5.1.4]

Councilmember Rackley moved to table Items A & B to the next Council workshop. Councilmember Hamilton seconded the motion.

Motion approved 7 – 0.

C. **AB06-154** – A Motion of the City Council Of The City of Bonney Lake Postponing The July 18, 2006 Council Workshop to the Night of July 19th. [A1.1.2]

Councilmember Rackley moved to postpone the July 18th Council Workshop to the night of July 19th. Councilmember Noble seconded the motion.

Deputy Mayor Swatman said the suggestion to move the Council meeting was to accommodate both the citizens and Council participation at the County’s meeting on the 198th Ave. He added the citizens should not have to choose between participation at the Council meeting and participation at this important meeting on transportation planning. Mayor Johnson confirmed that representatives of Quadrant affirmed their ability to make the presentation at the Wednesday night meeting.

A brief discussion followed about the delay of consideration of the proposed Comprehensive Plan Elements. Planning Manager Ladd advised the Council that the
Comprehensive Plan could be amended only once per year by the City. Deputy Mayor Swatman said the Council’s focus should be on the Transportation Element first, although he acknowledged that both would have to be adopted at the same time.

Councilmember DeLeo moved to amend the motion to add that the meeting will be held at the Bonney Lake High School. Councilmember Noble seconded the amendment.

Amendment approved 7 – 0.
Amended Motion approved 7 – 0.

IX. EXECUTIVE SESSION: None.

X. ADJOURNMENT

At 9:08 p.m., Councilmember Noble moved to adjourn the meeting. Councilmember King seconded the motion.

Motion approved 7 – 0.

Harwood T. Edvalson, CMC
City Clerk

Mayor Neil Johnson, Jr.
Call to Order:
Mayor Neil Johnson, Jr. called the July 19th Council Workshop to order at 5:30 p.m. The meeting was advertised and held at the Bonney Lake High School Commons located at 10920 199th Ave Ct. E.

Roll Call:
Also in attendance were Deputy Mayor Dan Swatman, Councilmember David Bowen, Councilmember Mark Hamilton, Councilmember Dave King, Councilmember Cheryle Noble and Councilmember Jim Rackley. Councilmember Phil DeLeo joined the meeting in progress.

[Staff members attending were City Administrator Don Morrison, Planning and Community Development Director Bob Leedy, Chief Financial Officer Beth Anne Wroe, Community Services Director Gary Leaf, Interim Police Chief Buster McGehee, City Attorney Jim Dionne and Administrative Services Director / City Clerk Harwood Edvalson.]

Agenda Items:

1. Presentation and Discussion: Quadrant Plans for WSU Demonstration Forest – Wally Costello, Quadrant Homes.

Mayor Johnson introduced Wally Costello, Senior Vice President, Quadrant Homes. Mr. Costello presented two poster-board displays showing the most recent proposal for use of the WSU Demonstration Forest. He summarized a letter provided earlier to the Mayor and Council. He described how the latest proposal includes the granting of 45 contiguous acres of forest to the City of Bonney Lake. He valued the land at between $15 and $20 million dollars. He described how the remainder of the site is proposed for development of over 500 single family homes. He said there will be additional neighborhood parks, and the street access points to the development will be located along SR410, 214th Ave. E and South Prairie Road.

Mr. Costello advised the Council this would be their preferred plan for their current application and Environmental Impact Statement review. He explained a pre-development timeline which would give the City control of the 45-acre parcel by the 3rd or 4th Quarter of 2007.

Councilmembers questioned Mr. Costello about some of the perceived shortcomings in the proposal. Their comments included a concern the proposed housing will generate greater traffic volumes during peak traffic hours than commercial uses would generate. Also expressed was a concern for the proposed density of 5 to 7.7 units per acre for the single family homes. Security for the homes abutting the commercial areas was mentioned, and the proposed addition to an already abundant housing stock in the City.
A discussion followed about the timeline for amendments to the City’s General Comprehensive Plan. Mayor Johnson thanked Mr. Costello for his presentation and response to Council’s questions.

2. Presentation and Discussion: Eastown ULID Update.

Director Grigsby explained the staff’s current understanding of Council’s intent for the Eastown ULID. He said it is his understanding the water system development for those within the City’s service area will be done by developer initiative. He said he also understands the sewer system development will include not only the backbone lift station and pressure system, but the gravity lines as well. He said he believes there is no further plan at this time to include intersection or transportation improvements in the ULID. There was general council consensus on this approach to the Eastown ULID.

Councilmember DeLeo noted the presence of Bonney Lake High School Principal Linda Mastellar and asked if the Council would allow her to address them. Mayor Johnson invited Ms. Mastellar to address the Council. Ms. Mastellar welcomed the City and expressed pleasure the high school is able to serve as a useful community facility. She said when she heard about the Quadrant Homes proposal for the WSU property and the desire to add value to the community, she was impressed that a portion of the property could be used for a performing arts center. She described how the Sumner performing arts facility at Sumner High is used a great deal by the local community. She noted the high school property also has space to build a facility. Ms. Mastellar introduced Brenda Williams who is the Drama Director for Bonney Lake. Ms. Williams encouraged consideration and support for a performing arts center for Bonney Lake. She noted the community clearly benefits from a performing arts center to provide cultural opportunities.

3. Council Open Discussion.

Agenda Modification. Deputy Mayor Swatman proposed to amend the current agenda with the addition of discussion on proposed ordinances to assist with the implementation of the Nestor Traffic Enforcement Systems. He proposed they be added between Agenda Items 4 and 5.

Councilmember DeLeo moved to add discussion of the proposed ordinances to the meeting agenda. Deputy Mayor Swatman seconded the motion.

Motion approved 7 – 0.

Fuel Conservation Plans. Councilmember Hamilton asked if the City has considered plans for fuel conservation in light of projected increases in fuel costs. City Administrator Morrison replied that some thought has been given the issue. Councilmember advocate a specific plan for the Public Works and Police Departments on fuel conservation. Director Leaf noted the City has currently budgeted for fuel costs of $3.00/gal.

Fireworks Violations. Councilmember Hamilton said he has received several comments about the discharge of fireworks before and after the City’s allowed time period. Chief McGeehe responded his officers seized 25 lbs of fireworks, but were also working 3 major incidents on July 4th. He cited a possible conflict between the City’s noise and fireworks ordinances. Mayor Johnson asked if the Public Safety Committee would look into and make recommendations on the enforcement issues. He noted the City of Auburn spent $12,000 in overtime to provide additional enforcement.
Allan Yorke Park Restrooms. Councilmember Hamilton said he received some comments from visitors to Allan Yorke Park who generally enjoyed the park very much. He said they commented on the lack of doors on the stalls in the women’s restroom. Director Leaf said he would check into it. Park Commissioner Leota Musgrave said the doors were removed long ago due to continued vandalism. Deputy Mayor Swatman said the issue appears to be the stalls are not shielded when the outside door is opened. Mayor Johnson said the staff will address the issue.


There were no suggested corrections from the City Council.

At 6:37 p.m., Councilmember Rackley moved the Council take a ten-minute break in their meeting. Deputy Mayor Swatman seconded the motion.

Motion approved 7 – 0.

Mayor Johnson brought the meeting to order again at approximately 7:00 p.m.

5. Discussion: Proposed Ordinances to Facilitate the Nestor Traffic Enforcement Systems.

The City Council discussed the proposed ordinances. One is to update the penalty for violation of any vehicle code provision relating to stopping, standing or parking. The Council agreed by majority consensus to increase this penalty to $41 plus court costs and statutory assessments, if any. The second ordinance allows for the implementation of the Nestor automated traffic safety program and the use of cameras to detect violations of WAC Sections 308-330-421 and 423. The City Council had a majority consensus to set this fine at $101.00.


After a brief Council discussion, Councilmember DeLeo suggested the City explore the possibility of transferring some of the capacity from the 198th Ave. E. corridor to the 192nd Ave. E. corridor. He stressed the benefit of relieving some of the pressure on South Prairie Road and its intersection with SR410. Director Grigsby discussed with the Council the possibility of talking to the County about the transferring or some their planned capacity for the second phase of Cascadia to the City’s 192nd Ave. E. corridor. There was general Council consensus to change 192nd Ave. E. from a collector street to a minor arterial in the Transportation Element. A brief discussion followed about method and timelines for adoption of the Transportation and Utilities Elements.


As part of the discussion of the Utilities Element, the City Council discussed the use of MBR sewage treatment facilities to meet future demand for treatment capacity south of the City. Use of treated discharge was also mentioned for use to recharge aquifers. Sewer connection to King County Metro through Auburn to the north was also mentioned.

Water service boundaries in the north Lake Tapps area with respect to Auburn were discussed. Opposition was expressed to any action which would increase the rates to “in-city” rate payers.

The City Council again discussed the pros and cons to this proposed zoning text amendment. Opposition was expressed because of the potential impacts of the proposed ordinance on older established neighborhoods. Support was expressed over the potential for encouragement of "entry-level" homes and townhouses permitted by the proposed ordinance. There was a majority consensus to not move forward with the proposed ordinance, but to look at the issues again in about one year when the City will have completed its Buildable Lands Inventory.

9. Adjournment

At 8:10 p.m., Councilmember Rackley moved to adjourn the meeting. Deputy Mayor Swatman seconded the motion.

Motion approved 7 – 0.

Harwood T. Edvalson, CMC
City Clerk

Mayor Neil Johnson, Jr.
I. CALL TO ORDER – Mayor Neil Johnson called the meeting to order at 7:00 p.m. in the Bonney Lake Council Chambers at 19306 Bonney Lake Boulevard.

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

B. Roll Call [A1.1]

City Clerk Edvalson called the roll. In addition to Mayor Johnson, elected officials attending were Deputy Mayor Dan Swatman, Councilmember David Bowen, Councilmember Phil DeLeo, Councilmember Mark Hamilton, Councilmember Dave King and Councilmember Jim Rackley. Councilmember Cheryle Noble was absent.

Staff members present were City Administrator Don Morrison, Interim Police Chief ‘Buster’ McGehee, Planning and Community Development Director Bob Leedy, Public Works Director Dan Grigsby, Community Services Director Gary Leaf, City Attorney Jim Dionne, Administrative Services Director / City Clerk Harwood Edvalson, Chief Financial Officer Beth Anne Wroe.

Councilmember Rackley moved to excuse Councilmember Noble from the meeting. Deputy Mayor Swatman seconded the motion.

Motion approved 6 – 0.

C. Announcements, Appointments and Presentations [A1.6.9]

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

D. Agenda Modifications: None.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE

B. **Citizen Comments:**

Don Sangesand, 5616 195th Pl. E., asked the City to investigate other cities which may have dealt with problems similar to those experienced with Bonney Lake’s Ball Park Well. He suggested specifically contacting the Federal Way – Lake Haven Utility District to see if they’ve had similar experiences.

Councilmember Rackley asked Director Grigsby if an RFP for water analysis at the well had been issued. Director Grigsby responded that a request for qualifications had been issued for consultant services to respond by the end of August. He added once consultants have been identified, then the City will issue a request for proposal based on the scope of work which has already been developed.

Robert Ceola, 9104 189th Ave. Ct. E., said he has had further discussions with the County Assessor’s Office about the apparent miscalculations of property values. He said contrary to his earlier belief the County would be sending out correction notices to all residents, it appears the Assessor will only be looking at those who have filed an appeal. He advised audience members to file an appeal to preserve their opportunity to address the apparent miscalculations.

C. **Correspondence:** None.

III. **COUNCIL COMMITTEE REPORTS:**

[A3.6.4]

A. **Finance Committee**

Deputy Mayor Swatman said the Finance Committee met this evening and discussed the following:

1. A motion on this evening’s agenda to set a public hearing for the 95th St. local improvement district;
2. Out-of-state travel for the GIS analyst; and
3. A proposed budget amendment which may be the means of adopting the transportation and utilities elements.

B. **Community Development Committee**

Councilmember Rackley said the Community Development Committee met on July 18th and discussed the following three items which were forwarded to tonight’s agenda.

1. Resolution 1531 – proposing the annexation of Area A-1; and
2. Resolution 1598 – an agreement with Stripe Rite for street striping; and
3. AB06-159 - a motion to accept completion of Ball Park Off-site Water Main project.

C. **Public Safety Committee**

Councilmember DeLeo said the Public Safety Committee has not met since the last Council meeting.
D. Other Reports: None.

IV. CONSENT AGENDA: [A3.6]

Councilmember DeLeo asked that Items D & E be removed from the consent agenda. There was general consensus to rename and discuss Item D as Item VIIA. And Item E as VIA. Councilmember Rackley moved to approve the Consent Agenda as modified. Deputy Mayor Swatman seconded the motion.

A. Approval of Minutes: June 6th Council Workshop, June 13th Council Meeting, June 27th Council Meeting, July 8th Special Council Meeting.

B. Checks/Vouchers: Accounts payable checks/voucher #44462 thru #44600 and wire transfer #2057094 in the amount of $1,707,277.65 [F4.9]

C. Payroll: Payroll for July 1 - 15, 2006 for checks 25102-25148, including Deposits and Electronic Transfers in the amount of $332,576.75. [F4.9]

D. **AB06-148—Ordinance 1194 [D06-148]—An Ordinance Of The City Of Bonney Lake, Washington Relating To Controlled Substance Violations Amending Chapter 9.36 Of The Bonney Lake Municipal Code And Ord. Nos. 704 And 845.** [A3.5.6][O1.5]

E. **AB06-26—Resolution 1531—A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Proposing The Annexation Of Certain Real Property, Identified As “Annexation Area 1-A” To The City Pursuant To RCW 35A.14.295-299.** (Signifies City’s intent to annex, provides certain information and sets date for public hearing.) [F1.7]

F. **AB06-156—Resolution 1596—A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With Bank Of America For Treasury Services.** [F1.7]

G. **AB06-161—Resolution 1598—A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement For The 2006 Street Striping To Stripe Rite, Inc.** [O3.5.1]

H. **AB06-159—A Motion Of The Bonney Lake City Council Accepting Completion Of The Ball Park Off-Site Water Main Project.** [O3.10.2]

Motion approved 6 – 0.

V. FINANCE COMMITTEE ISSUES:

A. **AB06-157 - A Motion Of The Bonney Lake City Council setting A Public Hearing For August 22, 2006 At 7:00 P.M., Or As Soon Thereafter As Possible, On the Final Assessment Roll For Local Improvement District No. 05-13.** [A3.6.12]
Councilmember Rackley moved to set the public hearing as proposed. Deputy Mayor Swatman seconded the motion.

Motion approved 6 – 0.

B. **AB06-162** - A Motion Of The Bonney Lake City Council Authorizing Out-of-State Travel for GIS Analyst Catanzaro to San Diego, CA. [A4.7]

Councilmember Rackley moved to authorize the out-of-state travel. Councilmember King seconded the motion.

Director Leedy explained that Pierce County is funding the conference registration costs, and Mr. Catanzaro is taking care of his own food and lodging. He added the City’s only cost will be the estimated $500 airfare.

Motion approved 6 – 0.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:

A. **AB06-26 - Resolution 1531** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Proposing The Annexation Of Certain Real Property, Identified As “Annexation Area 1-A” To The City Pursuant To RCW 35A.14.295-299. [O3.2.2] (Signifies City’s intent to annex, provides certain information and sets date for public hearing.)

Councilmember Rackley moved to approve Resolution 1531. Deputy Mayor Swatman seconded the motion.

Director Leedy explained the City identified several years ago three areas for annexation. He said Area 1-A is at least 80% surrounded by Bonney Lake’s corporate limits. He added this qualifies the area for the “island” method of annexation. Director Leedy said the proposed resolution gives notice of the City’s intent, sets a public hearing and does other things outlined in the accompanying agenda bill.

Motion approved 6 – 0.

VII. PUBLIC SAFETY COMMITTEE ISSUES:


Councilmember DeLeo moved to adopt Ordinance 1194. Deputy Mayor Swatman seconded the motion.
Councilmember DeLeo noted the proposed ordinance makes it illegal to possess drug paraphernalia rather than just using it. Councilmember Bowen asked if cigarette papers fall under the ordinance. He observed more people are rolling their own cigarettes again with the increased costs of packaged cigarettes. Chief McGehee said they are not covered by the ordinance.

Motion approved 6 – 0.

VIII. FULL COUNCIL ISSUES:

A. **AB06-163 – Ordinance 1195** [D06-163] – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 10.04 Of The Bonney Lake Municipal Code And Ordinance Nos. 660 § 2, 1992; 540 § 1, 1984; And 461 § 3, 1977 Relating To Penalties For Driving And Parking Violations. [A3.5.5] [O1.2]

Councilmember Rackley moved to approved Ordinance 1195. Deputy Mayor Swatman seconded the motion.

The City Council discussed the proposal to set the parking violation at $41. Councilmember King questioned the source of the proposed figure. Court Administrator Seymour indicated the $41 figure suggested at the last meeting was a clerical error. Councilmember Rackley suggested a fine of $35 to be more in line with the $20 – $30 range suggested by the City Attorney’s Office. City Attorney Dionne suggested the Council act with consideration for the next ordinance and set the parking penalty at the same level as the moving violations when caught by a camera.

Director Morrison observed the state statutes seem to imply, and other cities have interpreted them as giving cities discretion within a range of from $20 - $250 to set parking fines. He noted the $250 is the state fine for violation of a disabled parking space. City Attorney Dionne noted this discussion might be appropriate for an executive session.

Deputy Mayor Swatman moved the Council adjourn to executive session for 15 minutes to discuss potential litigation. Councilmember Rackley seconded the motion.

Motion approved 6 – 0.

The session started at 7:25 p.m., and the regular meeting resumed at 7:41 p.m.

City Attorney Dionne noted Seattle, Auburn and Lakewood have all set fines of $101 for red light violations recorded by camera. He said the justification is this falls within the range of fines established by the state of between $20 and $150.
Motion approved 5 – 1.  
Councilmember Hamilton voted no.


Councilmember King moved to adopt Ordinance 1196. Deputy Mayor Swatman seconded the motion.

Deputy Mayor Swatman moved to amend Ordinance 1196 at Section 10.36.050 – Monetary Penalties – the last words to be, ...*including disabled parking infractions.* Councilmember DeLeo suggested the period after the word City be changed to a comma. Deputy Mayor Swatman agreed. Councilmember DeLeo seconded the motion.

Councilmember King asked if the proposed ordinance is consistent with the intent of the original Nestor Agreement. City Attorney Dionne said it is.

Motion to Amend approved 4 – 2.  
Councilmembers Bowen and Hamilton voted no.

Amended original motion approved 4 – 2.  
Councilmembers Bowen and Hamilton voted no.

IX.  **EXECUTIVE SESSION**. Mayor Johnson announced the City Council will meet in executive session for 15 minutes to discuss property acquisition. The session started at 7:47 p.m. At 8:02 p.m., it was announced the executive session would be extended five minutes. The session concluded at 8:08 p.m.

At 8:08 p.m., Mayor Johnson announced the Council would again hold an executive session for 20 minutes to discuss potential litigation. The executive session started at 8:09 p.m. and concluded at 8:27 p.m.

X.  **ADJOURNMENT**

At 8:27 p.m., Deputy Mayor Swatman moved to adjourn the meeting. Councilmember Rackley seconded the motion.

Motion approved 6 – 0.
Documents submitted for or at the Council Meeting of July 25, 2006:

- Bonney Lake Resident -- *Bonney Lake City Council Meeting 7-25-06* -- Don Sangesand.
City of Bonney Lake

"Where Dreams Can Soar"

July 27, 2006
10:00 a.m.

DRAFT MINUTES

Location: Kent Station Development – 512 Ramsay Way, Kent, WA. [The meeting venues also included the Redmond Town Center and Mill Creek Town Center.]

Elected Officials In Attendance: Mayor Neil Johnson, Deputy Mayor Dan Swatman, Councilmember David Bowen, Councilmember Mark Hamilton, Councilmember Dave King and Councilmember Jim Rackley. Councilmember Phil DeLeo and Councilmember Cheryle Noble were absent.

Appointed Officials In Attendance: Planning Commission Chairman Randy McKibbin, Vice Chairman Grant Sulham, Planning Commissioner David Eck, Planning Commissioner Winona Jacobsen, Planning Commissioner Katrina Minton-Davis, Planning Commissioner Dennis Poulsen, Design Commissioner Tom Kennedy.

Appointed Staff In Attendance: Planning Manager Steve Ladd, Executive Assistant Joel Thompson and Associate Planner Heather Stinson.

Agenda Items:

1. Kent Station. The meeting convened at 10:00 a.m. at Kent Station in the City of Kent, WA. Angela Wingate of Investco officially began the tour by welcoming everyone and briefly reviewing the day’s schedule. Ms. Wingate’s opening remarks were followed by self-introductions of those in attendance. Michael Luis, a consultant for the City of Bonney Lake passed out sheets of paper for those on the tour to write down thoughts and comments regarding the sites visited.

   John Hodgson, the Chief Administrative Officer for the City of Kent, spoke about the creation of Kent Station and what the City’s role is and has been in the project. He next introduced Tarragon representatives President Joe Blattner and Senior Development Manager Kristin Jensen. Tarragon is the company the City engaged to develop Kent Station. Mr. Blattner and Ms. Jensen spoke about the creation of Kent Station and cited the building of the parking structure and movie theater as key elements of the project’s development. Lunch was provided following the tour.

2. Redmond City Hall and The Redmond Town Center. The next stop on the schedule was Redmond City Hall. The group met with Redmond Mayor Rosemarie Ives and Development Review Planning Manager Judd Black. Mayor Ives shared some of the background regarding the Redmond Town Center and its relationship to the City of Redmond. She also addressed questions from tour members and discussed possible future plans relating to the Town Center.

   Upon arrival at Redmond Town Center, Senior Manager of Property Development Kim Campbell led a tour and answered questions.
3. **Mill Creek City Hall and Town Center.** Bill Trimm, Community Development Director for Mill Creek, made a presentation and answered questions about the Mill Creek Town Center. He escorted the group on a walking tour of Town Center.

4. **Adjournment.** The group returned by bus to their starting point at Kent Station, where the meeting was adjourned by common consent at approximately 6:30 p.m.

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Harwood T. Edvalson, CMC  
City Clerk

Neil Johnson, Mayor
CALL TO ORDER – Mayor Neil Johnson called the meeting to order at 7:01 p.m. in the Bonney Lake Council Chambers at 19306 Bonney Lake Boulevard.

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

B. Roll Call [A1.3]

City Clerk Edvalson called the roll. In addition to Mayor Johnson, elected officials attending were Deputy Mayor Dan Swatman, Councilmember David Bowen, Councilmember Phil DeLeo, Councilmember Mark Hamilton, Councilmember Dave King, Councilmember Cheryl Noble and Councilmember Jim Rackley.

Staff members present were City Administrator Don Morrison, Planning and Community Development Director Bob Leady, Public Works Director Dan Grigsby, City Attorney Jim Dionne, Administrative Services Director / City Clerk Harwood Edvalson, Chief Financial Officer Beth Anne Wroe. Community Services Director Gary Leal joined the meeting in progress.

C. Announcements, Appointments and Presentations [A3.6.9]

1. Announcements:
   Mayor Johnson announced that the developer of the “French” property in the Eastown area has indicated they will be designing and building the sewer system for Eastown and creating a latecomer’s agreement for others to join. He observed it appears to be Council’s desire to stop further efforts toward an Eastown UED. He said more information would be provided as it becomes available.

   Councilmember Hamilton said he would like as much information as possible to make sure the latecomer’s agreement will accomplish the Council’s goal for that area. Councilmember Bowen urged the location of sewer facilities in the SR410 right-of-way if there is no other access to the sewer at the time the parcel is being developed. Director Grigsby added there is a very detailed plan for sewer location in the Eastown Comprehensive Plan. He said the only lift station needed is on the “French” property, and all other lines should be a gravity system.

   Mayor Johnson introduced State Senator Pam Roach as an attendee at tonight’s meeting.
2. Appointments: None.

3. Presentations: None.

D. Agenda Modifications:
Deputy Mayor Swatman moved to remove Agenda Item VA – AB06-167 from the evening’s agenda. Councilmember DeLeo seconded the motion.

Responding to Councilmember Hamilton’s inquiry, Deputy Mayor Swatman explained the ordinance requires further study and preparation before the full Council considers it.

Motion approved 7 – 0.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE


B. Citizen Comments:

David Cosmo, PO Box 1962, Auburn, spoke about the Eastown ULID. He said the majority of property owners in the area have signed a petition. He said the Council informed them at the July 19th meeting that staff would prepare the legal petitions for the property owners to circulate. While he supported any workable solution to the infrastructure deficiencies in the Eastown area, he objected to the lack of information being provided to the property owners. He urged any solution be applicable to all property owners. He asked that water and sewer availability certificates be issued to all property owners. He also asked that work continue on the ULID until the owners in the Eastown area are satisfied with the new proposal.

Councilmember Noble noted the Council has taken no formal action on an Eastown ULID. Councilmember Rackley said the announcement of a potential latecomer’s agreement is new to the Council as well. Deputy Mayor Swatman said the upfront costs to the City of a ULID might stop the process. Mr. Cosmo offered the services of the property owners to help keep the ULID moving forward until the latecomer’s agreement is better understood. Mayor Johnson said information would be made available as soon as there is something in writing. Councilmember Rackley asked if it might be ready for review by the CDC at their meeting next Monday. He invited Mr. Frey to come to the CDC meeting.

Bob Stoby, 3240 B. St. N.W., said he is a property owner in Eastown. He said the City would be reimbursed for the ULID’s upfront costs. He expressed concern the improvements proposed for the latecomer’s agreement will not benefit the properties at the far end of the area. He suggested incorporating the latecomer’s agreement into the ULID plans for Eastown and moving forward with the ULID.

Don Sangesand, 5616 195th Pl. E., said he is fed up with the bad water from the Ball
Park Well. He reminded Council he had asked that someone contact the Lakewater District to see if they had had solutions to similar experiences. Mr. Sangesand said no one called. He noted some of the residents regularly forced to use Ball Park Well water have unknowingly gone to the expense of replacing pipes in their homes. He claimed after all this time, the City did not even know the source of the problem. On another topic, Mr. Sangesand noted occurrences at Allan Yorke Park where he observed the improper parking and operation of fire district and City vehicles. He said these are further examples of inadequate safety training and management on the part of the City.

**Gary Johnson, 1615 West Tapps Hwy.**, congratulated the Parks Department for having Allan Yorke Park picked up so quickly after a busy weekend. He suggested the use of school resource officers at the park. He reported his observations of aggressive behavior at the park by teens who might be well served by turning the Moriarty House into a teen center. He asked if there might be a committee appointed to look at the problems before they escalate.

Councilmember Noble informed Mr. Johnson there is a Park Board working to address these issues. She invited him to speak with the Park Commissioners.

**Cheryl Laurendau, 19010 63rd St. E.**, encouraged the Council not to allow the development of the WSU Demonstration Forest. She said most people she's talked to do not want it. With respect to Allan Yorke Park, she offered her experience managing properties to implement some solutions for park control. She said she has contacted a security agency who has visited the park and proposed some suggestions for crowd control. She suggested using the gravel area near the dike on Lake Tapps as handicapped parking.

Councilmember Noble observed that handicapped parking is currently located near the restrooms. Councilmember DeLeo reported the Public Safety Committee recommends the closure of the Moriarty property until adequate passage can be arranged from the property to the rest of the park. He said the Committee has also discussed the further control or closure of the floating swim dock at Allan Yorke Park for safety issues. He invited Mr. Laurendau to the Public Safety Committee meetings which generally meet on the first and third Mondays of the month at 5:00 p.m. at the Public Safety Building. Deputy Mayor Swatman suggested the Park Board needs to further discuss these issues and make recommendations.

**Louise Smith, 20112 Church Lake Road**, said the proposal for security gates and key cards is an interesting proposal for the park. She praised the work of Chief McGehee and the Police Guild for arranging for off-duty officers to provide security at a recent band concert for her husband's band, the Great Pretenders. She also noted the marvelous work being done by David Wells for Bonney Lake Days. She added he has brought the event to a new level of professionalism.

Mayor Johnson said Mr. Wells is an intern with the City for this event. He added that data is being collected during this event for use in next year's celebration. He noted nearly ninety booths have been reserved for the event.
Vera Lockwood, 19814 99th St. Ct. E., said she is a property owner in Area 44 and has an interest in seeing Lowe's developed. She said the Lowe's representatives have gone to great effort to reduce the impacts to the residents in the area. She urged the Council and citizens to have an open mind about the proposed development. She noted Lowe's will make traffic improvements via the installation of a large roundabout which will further help with existing and future circulation issues in an area where no improvements from the City are planned.

Judy Reano, 19815 99th St. Ct. E., said there are no traffic improvements proposed by the City for 100th and 200th. She said Lowe's will provide a solution. Regarding the recent announcement of a new police chief, she noted this is the first time the City has selected a chief from the outside.

Linda Youngberg, 8507 182nd St. E., urged the Council to hold off on the adoption of the transportation element until it can specifically address the proposed Lowe's development. She asked if the plan can be amended later to address this development proposal.

A general discussion between Ms. Youngberg, the Mayor and Council and the City Attorney ensued about the purpose of comprehensive plans as planning tools. Ms. Youngberg again urged the Council to hold off adoption until the Lowe's proposed traffic study could be properly reviewed.

Dan Decker, 20401 70th St. E., first spoke regarding proposed Resolution 1600. He urged the Council to not vacate streets and abandon rights-of-way which may have use in the future. He urged the Council to reconsider the City's development height limitations. He said raising the height limits would increase property values and help address some of the density issues the City faces.

Councilmember Rackley said the City is not giving the property away, but selling it. He said the right-of-way at issue is not needed by the City. Councilmember Bowen said he supports the increase in height limitations.

Ron Newman, Milestone Homes and Developer of Orchard Grove Plats, said he is speaking in support of several homeowners adjacent to the property who are requesting removal of the requirement to install sidewalks. He said the property was originally platted without sidewalks. He said the requirement to install sidewalks is negatively affecting some of the neighbors.

Mayor Johnson urged Mr. Newman to speak with the City Attorney during the anticipated break in the Council meeting this evening.

Andy Gellar, 18216 84th St. E., said there was a prior verbal agreement with the previous plat developer that there would be no sidewalks. He said the installation of sidewalks will remove on-street parking and bring foot traffic in front of their homes. He said he has observed vandalism and fighting as the result of foot traffic in the area and does not want it shifted to the front of his house.
Doug McCoy, 18218 84th St. E., says his property fronts both 184th and 183rd. He opposes installation of a sidewalk at this time.

Councilmember Rackley observed the improvements are needed as the City grows. Councilmember DeLeo said most citizens want sidewalks and requiring new development to provide them is one mechanism to accomplish this.

At 8:21 p.m., Councilmember Rackley moved the Council take a ten-minute break. Councilmember Bowen seconded the motion.

Motion approved 7 – 0.

Mayor Johnson reconvened the meeting at 8:41 p.m.

C. Correspondence:
Although not discussed, the City received the following prior to the meeting:
Bonney Lake Resident – Dear City Council of Bonney Lake – Michele Johnson – Letter opposing placement of a sidewalk in front of her home on 84th.

III. COUNCIL COMMITTEE REPORTS:
[A3.6.4]

A. Finance Committee
Deputy Mayor Swatman said the Finance Committee met this evening at 5:30 p.m. and discussed the following:
1. Resolution 1597 – a consultant agreement to assist with grant applications;
2. Out-of-state travel for the Finance Officer and Information Services Coordinator; and
3. A new date for the public hearing on the assessment roll for the LID 05-13;
4. Developments in the process for payback and billing to Cascadia for street improvements along South Prairie Road;
5. A proposed renewal of the contract for public defender services; and
6. A recommendation to pull the budget amendment from the agenda.

B. Community Development Committee
Councilmember Rackley said the Community Development Committee did not have a meeting since the last Council meeting.

C. Public Safety Committee
Councilmember DeLeo said the Public Safety Committee met last Monday evening and discussed the following:
1. Criteria for assignment of tow truck services for police department service calls;
2. Solutions to unsafe conditions at the floating swim dock; and
3. The closure of overflow parking on the Moriarty property until safe access issues to the rest of Allen Yorke Park can be addressed.

Councilmembers discussed the impacts and safety of overflow parking on the Moriarty property. Director Grigsby said a quick plan to address the concerns would be returned to the Public Safety Committee for review.

D. Other Reports:

Councilmember Noble reminded the audience of the Relay for Life Event on August 11th and 12th at the Sunset Chevrolet Stadium in Sumter. She offered raffle tickets for sale and urged more participation in the event from Bonney Lake.

Councilmember DeLeo said he handed out a small packet of information to the Councilmembers about proposed legislation regarding restriction of franchising of cable TV services. He urged Councilmembers to provide their reactions to congressional and senate representatives.

IV. CONSENT AGENDA: [A3.6]

Councilmember Rackley moved to approve the Consent Agenda as presented. Deputy Mayor Swatman seconded the motion.

A. Checks/Vouchers: Accounts payable checks/voucher #44601 thru #44716 in the amount of $216,920.72. Accounts payable checks/voucher #44717 thru 44718 in the amount of $1,690.00. [F4.9]

B. Payroll: Payroll for July 16 - 31, 2006 for checks 25147-25203, including Deposits and Electronic Transfers in the amount of $412,785.28. [F4.9]

Motion approved 7 – 0.

V. FINANCE COMMITTEE ISSUES:

A. AB06-167 – Ordinance D06-167 – An Ordinance Of The City Of Bonney Lake, Washington, Amending Ordinance No. 1178 And The Annual Budget For The Calendar Year 2006. [F3.9] (Removed from the Agenda. See Agenda Modifications.)

B. AB06-158 – Resolution 1597 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With Bruce Dees & Associates For WSDOT And DOE Grant Application Assistance. [O4.11.1]

Councilmember Rackley moved to approve Resolution 1597. Deputy Mayor Swatman seconded the motion.
Director Leaf explained the triple grant opportunity available to the City which may provide up to $1 million for use in improvements for the Fennel Creek Trail. Councilmember Hamilton asked if delay in adoption of the Non-Motorized Transportation plan will negatively impact the grant opportunity. Director Leaf said he believes it will have no impact. Mayor Johnson said he has asked our local state legislators for their support with this grant.

Motion approved 7 – 0.

C. AB06-171 - A Motion Of The Bonney Lake City Council Authorizing Out-of-State Travel To Scottsdale, AZ For Beth Anne Wroe And Chuck McEwen. [A3.6.10] [A4.7]

Councilmember Rackley moved to authorize the out-of-state travel. Deputy Mayor Swatman seconded the motion.

City Administrator Morrison explained the City has put a lot of time and money into the Eden software for a variety of uses in the City. He added this training opportunity will help the City more efficiently use the software.

Motion approved 7 – 0.

D. AB06-172 - A Motion Of The Bonney Lake City Council Rescheduling A Public Hearing to October 10, 2006 At 7:00 P.M., Or As Soon Thereafter As Possible, For The Final Assessment Roll For Local Improvement District No. 05-13. [A6.10] [A7.6.17]

Councilmember Rackley moved to reschedule the public hearing for the final assessment roll for LID 05-13 as provided in the printed motion. Deputy Mayor Swatman seconded the motion.

Chief Financial Officer Wroe explained the need to verify the use of proper procedures for the financing of the local improvement district. She said the delay in the public hearing will allow the City to put in place an ordinance to handle the financing of the district.

Motion approved 7 – 0.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES: None.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.
VIII. FULL COUNCIL ISSUES:

A. **AB06-146 – Ordinance D06-146** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting, As Part Of The Comprehensive Plan, A New Utilities Element Incorporating A New Comprehensive Sewer Plan And Comprehensive Water Plan. [A3.5.1.5]

B. **AB06-147 – Ordinance D06-147** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting A New Transportation Element As Part Of The Comprehensive Plan. [A3.5.1.4]

Deputy Mayor Swatman discussed the appropriate procedure to combine the two proposed ordinances into one new proposed ordinance. City Attorney Dionne suggested a motion to amend the agenda would be appropriate to introduce the new ordinance.

Councilmember Rackley moved to amend the agenda to add a single substitute ordinance, Ordinance D06-147, in place of Ordinances D06-147 and D06-147 which appear on the evening’s agenda. Councilmember DeLeo seconded the motion.

The Council discussed the need to adopt the proposed comprehensive plan elements in this manner, and the potential impacts of delay on these and other elements in process. City Attorney Dionne helped clarify how the ordinances should be framed to accomplish the various stated purposes of the Council.

Motion to amend the agenda approved 7 – 0.

**Ordinance D06-147** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting New Transportation And Utilities Elements As Part Of The Comprehensive Plan.

Councilmember DeLeo moved to adopt Ordinance 1197 [D06-147]. Deputy Mayor Swatman seconded the motion.

Councilmembers discussed concerns which delay in adoption of the elements would reduce the amount of revenues to the City for construction of needed traffic improvements. Other concerns were expressed about the differing opinions between the City staff and City Attorney on the method of adoption. Deputy Mayor Swatman urged Councilmembers to individually seek legal advice if they felt uncomfortable with the proposed action.

At 9:23 p.m., Councilmember Bowen moved the Council take a five-minute break. Councilmember Noble seconded the motion.

Motion to break approved 7 – 0.
Mayor Johnson brought the meeting back to order at 9:28 p.m., and invited comment from the audience.

Linda Youngberg asked for clarification on the proposed ordinance. She asked if the comprehensive plan is just for City streets, or if it also regulates future street development by developers.

Discussion with Council and the City Attorney ensued. Ms. Youngberg again urged the Council to table the motion to adopt the proposed ordinance for a few weeks. She added she would like to be part of any future Transportation Impact Fee discussions.

Vera Lockwood asked for clarification on the purpose of the comprehensive plan elements. Mayor Johnson responded it is a planning document for the City's development.

Judy Reano asked if the City had received the proposed Lowe's traffic plan. Director Grigsby said he has not seen the Lowe's plan, but acknowledged it may have been submitted by the developer. Ms. Reano urged the Council to put off adoption of this ordinance if it could impact the Lowe's roundabout.

Dan Decker urged tabling the proposed ordinance for further discussion at the next Council workshop.

Motion to adopt ordinance approved 7 – 0.


Councilmember Rackley moved to approve Resolution 1600. Deputy Mayor Swarman seconded the motion.

Councilmember DeLeo asked if a better map could be provided defining the sidewalk locations in this area. Director Leedy said staff would try, but added the sidewalks are a different issue than the proposed street vacation. He said the preliminary plat application will have a hearing before the Hearing Examiner and a recommendation which will require a closed-record hearing by the City Council. He said the staff will show where the sidewalk is proposed to be and why. Councilmember Rackley asked if the rights-of-way were purchased by the City. Director Leedy responded the rights-of-way have been owned by the City for more than 25 years, so there should be some monetary exchange involved in the street vacation.

Motion approved 7 – 0.
D. **AB06-155** – A Motion Of The Bonney Lake City Council Accepting The Petition To Commence Annexation Proceedings And Authorizing Circulation Of The Official 60% Petitions For Annexation Area 1-B. [A3.6.10][O3.2.2]

Councillor Rackley moved to accept the petition to commence annexation proceedings and authorize circulation of the official petitions for annexation of Area 1-B. Councillor Deleo seconded the motion.

Director Leedy explained this proposed annexation is consistent with the Council’s direction in the past.

**Motion approved 7 – 0.**

IX. **EXECUTIVE SESSION**: Pursuant to authority of RCW 42.30.110(1)(b), Mayor Johnson announced an executive session for 10 minutes to discuss potential property acquisition. The session started at 9:44 p.m. and concluded at 9:53 p.m.

X. **ADJOURNMENT**

At 9:53 p.m., Deputy Mayor Swatman moved to adjourn the meeting. Councillor Noble seconded the motion.

**Motion approved 7 – 0.**

Harwood T. Edvalson, CMC
City Clerk

Mayor Neil Johnson, Jr.

Documents submitted for or at the Council Meeting of August 8, 2006:

- Bonney Lake Resident – *Dear City Council of Bonney Lake – Michele Johnson.*
**City of Bonney Lake, Washington**  
**Council Agenda Bill (C.A.B.) Approval Form**

<table>
<thead>
<tr>
<th>Department/Staff Contact: Planning (Leedy / Ladd)</th>
<th>Council Meeting Date: August 15, 2006</th>
<th>Agenda Item Number AB06-180</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ordinance Numbers: D 06-180A &amp; D 06-180B</td>
<td>Resolution Number:</td>
<td>Councilmember Sponsor:</td>
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<td><strong>BUDGET INFORMATION</strong></td>
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<td>Required Expenditure</td>
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<tr>
<td><strong>Explanation:</strong> The increased traffic impact fees will increase revenues.</td>
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<td><strong>Agenda Subject:</strong> Increased traffic impact fees.</td>
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</tbody>
</table>
| **Administrative Recommendation:** Approve Executive Proposed Ordinance  
Discuss and ultimately adopt Ordinances D 06-180A & D 06-180B which together will increase traffic impact fees in accordance with new Transportation Element. |
| **Background Summary:** On August 8 the Council adopted the new Transportation Element, which relies upon increased traffic impact fees. The attached ordinances accomplish the fee increase.  
D 06-180A adopts a new Attachment B into Chapter 19.04 BLMC. (See 19.04.060). Attachment B consists of the list of land uses, each with their updated impact fee per unit of measure. D 06-180A also promotes the redevelopment of the Downtown core by exempting TIF, and promotes small business attraction and retention by exempting the first 1000 GFA of tenant improvements to existing buildings.  
D 06-180B adopts a new Attachment A into Chapter 19.04 BLMC. (See 19.04.080). Attachment A consists of the updated list of street improvement projects that will be funded in part by impact fees. |

| Council Committee Dates: Finance Committee:  
Public Safety Committee:  
Comm. Dev. & Planning Committee:  
Council Workshop: | Commission Dates: Planning Commission:  
Civil Service Commission: | Board/Hearing Examiner Dates: Park Board:  
Hearing Examiner: |

| Council Action: Council Call for Hearing:  
Council Referred Back to: Workshop Committee  
Council Tabled Until: |

| Signatures: Dept. Dir.  
Mayor/City Administrator  
Date City Attorney reviewed |
City of Bonney Lake, Washington
Council Agenda Bill (C.A.B.) Approval Form

Department/Staff Contact: Planning (Leedy / Ladd)
Council Meeting Date: August 15, 2006
Agenda Item Number: AB06-180

Ordinance Numbers: D 06-180A & D 06-180B
Resolution Number:
Councilmember Sponsor:

BUDGET INFORMATION

2006 Budget Amount Required Expenditure Impact Remaining Balance

$0 $0 $0 n/a

Explanation:
The increased traffic impact fees will increase revenues.

Agenda Subject:
Increased traffic impact fees.

Administrative Recommendation:
Discuss and ultimately adopt Ordinances D 06-180A & D 06-180B which together will increase traffic impact fees in accordance with new Transportation Element.

Background Summary:
On August 8 the Council adopted the new Transportation Element, which relies upon increased traffic impact fees. The attached ordinances accomplish the fee increase.

D 06-180A adopts a new Attachment B into Chapter 19.04 BLMC. (See 19.04.060). Attachment B consists of the list of land uses, each with their updated impact fee per unit of measure.

D 06-180B adopts a new Attachment A into Chapter 19.04 BLMC. (See 19.04.080). Attachment A consists of the updated list of street improvement projects that will be funded in part by impact fees.

Council Committee Dates: Finance Committee: Public Safety Committee: Comm. Dev. & Planning Committee: Council Workshop:
Commission Dates: Planning Commission: Civil Service Commission:
Board/Hearing Examiner Dates: Park Board: Hearing Examiner:

Council Action:
Council Call for Hearing: Council Hearings Date: Council Referred Back to: Workshop: Committee Council Tabled Until:

Signatures:
Dept. Pgm: Mayor/City Administrator Date City Attorney reviewed
ORDINANCE NO. 06-180A

AN ORDINANCE OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, ADOPTING AN UPDATED SCHEDULE OF TRANSPORTATION IMPACT FEES

WHEREAS, Bonney Lake Municipal Code § 19.04.050 states that the schedule of transportation impact fees is set forth in “Attachment B,” which the Code incorporates by reference; and

WHEREAS, the transportation impact fees contained in Attachment B was updated on August 8, 2006.

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

Section 1. The updated schedule of transportation impact fees, as shown in the new Attachment B, shall be adopted. The new Attachment B, dated August 8, 2006, is hereby incorporated by reference.

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 ____________________, 2006.

____________________
Neil Johnson, Jr., Mayor

ATTEST:

__________________
Harwood T. Edvalson, CMC, City Clerk

APPROVED AS TO FORM:

____________________
James J. Dionne, City Attorney
## Schedule of Transportation Impact Fees, Updated August 8, 2006

<table>
<thead>
<tr>
<th>Land Use Category - ITE 7th Edition</th>
<th>Notes</th>
<th>ITE Land Use Code</th>
<th>ITE Average PM Peak Hour Trip Rate (1)</th>
<th>Unit*</th>
<th>Pass-By Trip Reduction Factor **</th>
<th>Net New Trip Rate (4)</th>
<th>Impact Fee Per Unit (5)</th>
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The Transpo Group
### Schedule of Transportation Impact Fees, Updated August 8, 2006

<table>
<thead>
<tr>
<th>Land Use Category - ITE 7th Edition</th>
<th>Notes</th>
<th>ITE Land Use Code</th>
<th>ITE Average PM Peak Hour Trip Rate (1)</th>
<th>Unit*</th>
<th>Pass-By Trip Reduction Factor **</th>
<th>Net New Trip Rate (4)</th>
<th>Impact Fee Per Unit (5)</th>
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<td>General Office Building</td>
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<td>Person</td>
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<td>Administrative Building</td>
<td>1</td>
<td>710</td>
<td>1.69</td>
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<td>$39.70</td>
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| **INDUSTRIAL**                      |       |                  |                                      |       |                               |                      |                       |
| General Light Industrial            | 1     | 630              | 1.88                                 | Person | 1.00                          | 0.66                 | $37.88                |
| General Heavy Industrial            | 1     | 630              | 1.88                                 | Person | 1.00                          | 0.66                 | $37.88                |
| Industrial Park                     | 3     | 170              | 1.80                                 | Person | 1.00                          | 0.66                 | $37.88                |
| Manufacturing                       | 3     | 170              | 1.80                                 | Person | 1.00                          | 0.66                 | $37.88                |
| Warehousing                         | 3     | 170              | 1.80                                 | Person | 1.00                          | 0.66                 | $37.88                |
| Mixed Warehouse                     | 3     | 170              | 1.80                                 | Person | 1.00                          | 0.66                 | $37.88                |
| Utilities                           | 3     | 170              | 1.80                                 | Person | 1.00                          | 0.66                 | $37.88                |

| **PORT and TERMINAL**               |       |                  |                                      |       |                               |                      |                       |
|                                     |       |                  |                                      |       |                               |                      |                       |

* Abbreviations include: GFA = Gross Floor Area, sf = square feet, and GLA = Gross Leasable Area.

** NET NEW TRIP RATE CALCULATION:**

\[
\text{ITE Trip Rate} \times \text{Pass-By Reduction Factor} = \text{Net New Trip Rate}
\]

** IMPACT FEE CALCULATION:**

\[
\text{Net New Trip Rate} \times \$3,886 = \text{Impact Fee per Unit of Development}
\]

**NOTES:**

1. *Trip Generation (7th Edition, 2003) has less than 6 studies supporting this average rate. Applicants are strongly encouraged to conduct, at their own expense, independent trip generation studies in support of their application.*

2. *No pass-by rates are available. Pass-by rates were estimated from other similar uses.*

3. *Alternatively, the PM peak hour trip regression equation in Trip Generation can be used instead of the average trip rate identified in the table.*

4. *No Average PM peak hour trip rate available. Need to perform own PM peak hour traffic count for the identified land use to calculate impact fee.*


**SOURCE:** The Transpo Group (2006). Intended for the sole use by the City of Bonney Lake.
ORDINANCE NO. D 06-180B

AN ORDINANCE OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, ADOPTING AN UPDATED LIST OF TRAFFIC IMPACT FEE ELIGIBLE IMPROVEMENT PROJECTS

WHEREAS, Bonney Lake Municipal Code § 19.04.080 states that a list of projects eligible for funding through transportation impact fees shall be set forth in “Attachment A,” which the Code incorporates by reference; and

WHEREAS, the Code requires that the list, along with the Comprehensive Plan, be reviewed annually and amended if necessary, and be adopted annually by Council; and

WHEREAS, Attachment A, which contains the list, has been reviewed, amended, and updated on August 8, 2006.

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

Section 1. The amended project list, August 8, 2006, attached and incorporated by reference as Attachment A, shall be adopted.

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 ______________________, 2006.

__________________________
Neil Johnson, Jr., Mayor

ATTEST:

__________________________
Harwood T. Edvalson, CMC, City Clerk

APPROVED AS TO FORM:

__________________________
James J. Dionne, City Attorney

Passed:
Valid:
Published:
Effective Date:
City of Bonney Lake, Washington
Council Agenda Bill (C.A.B.) Approval Form

<table>
<thead>
<tr>
<th>Department/Staff Contact: Planning (Leedy / Ladd)</th>
<th>Council Meeting Date: August 15, 2006</th>
<th>Agenda Item Number AB06-181</th>
</tr>
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<tbody>
<tr>
<td>Ordinance Number: D 06-181</td>
<td>Resolution Number:</td>
<td>Councilmember Sponsor:</td>
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</table>

**BUDGET INFORMATION**

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<tr>
<th>2006 Budget Amount</th>
<th>Required Expenditure</th>
<th>Impact</th>
<th>Remaining Balance</th>
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<tr>
<td>$0</td>
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<td>$0</td>
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</tbody>
</table>

**Explanation:**

<table>
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<tr>
<th>Agenda Subject: Mapped street ordinance.</th>
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</thead>
</table>

**Administrative Recommendation:**
Discuss and ultimately adopt Ordinances D 06-181 which require developers to build new streets in accordance with new Transportation Element.

**Background Summary:**
On August 8 the Council adopted the new Transportation Element, which envisions certain new “mapped streets”, especially in Eastown and Downtown. Ordinance D 06-181 will require that developers build the new streets according to plan. This pertains to private property where development is envisioned which will require streets, public or private.

<table>
<thead>
<tr>
<th>Council Committee Dates: Finance Committee:</th>
<th>Commission Dates: Planning Commission:</th>
<th>Board/Hearing Examiner Dates: Park Board:</th>
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<tbody>
<tr>
<td>Public Safety Committee:</td>
<td>Civil Service Commission:</td>
<td>Hearing Examiner:</td>
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<tr>
<td>Comm. Dev. &amp; Planning Committee: Council Workshop:</td>
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**Council Action:**

<table>
<thead>
<tr>
<th>Council Call for Hearing:</th>
<th>Council Hearings Date:</th>
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</thead>
<tbody>
<tr>
<td>Council Referred Back to: Workshop: Committee</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Council Tabled Until:</th>
</tr>
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</table>

**Signatures:**

<table>
<thead>
<tr>
<th>Dept. Dr.</th>
<th>Mayor/City Administrator</th>
<th>Date City Attorney reviewed</th>
</tr>
</thead>
</table>
ORDINANCE NO. D 06-181

AN ORDINANCE OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON ADDING A NEW CHAPTER TO THE BONNEY LAKE MUNICIPAL CODE RELATING TO THE CONSTRUCTION OF MAPPED STREETS

WHEREAS, a substantial amount of future development is expected to take place in the City of Bonney Lake, and additional streets, frontage roads, and connecting roads will need to be constructed to serve the development and the general public; and

WHEREAS, the 2006 Bonney Lake Transportation Plan contemplates that developers will contribute to the construction of highway frontage roads and connecting roads, especially in the State Route 410 corridor, as part of mitigation for the impacts of their projects; and

WHEREAS, increased commercial and residential development along State Route 410 will need to be tempered with the provision of appropriate circulation roadways to allow alternate access routes and maintain acceptable levels of roadway system performance; and

WHEREAS, the City has police power to regulate access to public rights-of-way in order to maintain traffic flow and protect the safety of the motoring public; and

WHEREAS, required rights-of-way for existing and planned streets and roadways and intersections must be protected and preserved from encroachment by land use development or modifications.

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

Section 1. A new Chapter is added to the Bonney Lake Municipal Code, to read as follows:

CHAPTER 12.30
MAPPED STREETS

12.30.010 Definitions.
The following are definitions provided for use in administering this Chapter. The public works director shall have the authority to resolve questions of interpretation or conflicts between definitions.

A. "Development" means any construction or expansion of a building, structure, or use, or any changes in the use of land governed by any part of the Bonney Lake Development Code (BLMC Titles 14, 15, 16, 17, 18, and 19).

B. "Latecomer agreement" means an agreement authorized by RCW 35.72.010-040.
C. A “mapped street” is designated as a future road or street in the Transportation Element of the Bonney Lake Comprehensive Plan.  
D. “Road” or “street” means an arterial, minor arterial, collector, or local street that is part of the City of Bonney Lake’s transportation system inventory or that is designated as a mapped street.

12.30.020 Dedication of right-of-way for mapped streets  
Where a mapped street is within the boundaries of, adjacent to, or abutting a development, the developer may be required to dedicate the entire right-of-way for the construction of the mapped street and its eventual use by the public.

12.30.030 Construction of mapped streets  
A developer may be required, as a condition of development approval, to construct a mapped street across the frontage of his or her property. Property owners shall extend the mapped street across their property at the time development of the structure(s) occurs or when a frontage road, public road, or street is extended to the boundary of their property, whichever occurs first. Construction of the mapped street will be subject to the terms of BLMC § 12.04.020 and governed by then-current Bonney Lake design standards.

12.30.040 Latecomer agreements  
A developer whose development has been conditioned upon the construction of a mapped street may request the City to enter into a latecomer agreement.

12.30.050 Restriction of access to State Route 410  
To achieve traffic safety objectives and maintain traffic flow, the Public Works Director or designee may restrict or prohibit the construction of driveways or other means of vehicular ingress and egress on State Route 410 to and from abutting development, and require as a condition of development approval that the developer construct a mapped street that provides indirect access to State Route 410 via a signalized intersection.

12.30.060 Temporary access allowed  
A developer may be granted temporary approval to use an alternative means of access from the property until a mapped street can be built, so that the developer can make reasonable use of the property. The alternative means of access must cease once the mapped street has been constructed.

12.30.070 Appeals  
Any decision to approve, condition or deny a development proposal based on the requirements of this Chapter may be appealed pursuant to the provisions of BLMC Title 14 with respect to the underlying development approval.
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 August, 2006.

__________________________
Neil Johnson, Jr., Mayor

ATTEST:

__________________________
Harwood T. Edvalson, City Clerk

APPROVED AS TO FORM:

__________________________
James J. Dionne, City Attorney

Passed:
Valid:
Published:
Effective Date: