

CITY COUNCIL MEETING

**June 9, 2015
7:00 P.M.**

AGENDA



“Where Dreams Can Soar”

The City of Bonney Lake’s Mission is to protect the community’s livable identity and scenic beauty through responsible growth planning and by providing accountable, accessible and efficient local government services.
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Location: Bonney Lake Justice & Municipal Center, 9002 Main Street East, Bonney Lake, Washington.

I. CALL TO ORDER – Mayor Neil Johnson, Jr.

- A. Flag Salute
- B. Roll Call: Mayor Neil Johnson, Jr., Deputy Mayor Dan Swatman, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember James Rackley, and Councilmember Tom Watson.
- C. Announcements, Appointments and Presentations:
 - 1. Announcements: None.
 - 2. Appointments: None.
 - 3. Presentations:
 - a. **Presentation:** Representative Stokesbary, 31st Legislative District. (No advance materials provided)
- D. Agenda Modifications

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

- A. Public Hearings: None.
- B. Citizen Comments:

Citizens are encouraged to attend and participate at all Council Meetings. You may address the Mayor and City Council on matters of City business, or over which the City has authority, for up to 5 minutes. Sign-up is not required. When recognized by the Mayor, please state your name and address for the official record. Designated representatives recognized by the chair who are speaking on behalf of a group may have a total of 10 minutes to speak. Each citizen is allowed to speak only once during Citizen Comments.
- C. Correspondence

III. COUNCIL COMMITTEE REPORTS:

- A. Finance Committee
- B. Community Development Committee
- C. Economic Development Committee

- D. Public Safety Committee
- E. Other Reports

IV. **CONSENT AGENDA:**

The items listed below may be acted upon by a single motion and second of the City Council. By simple request to the Chair, any Councilmember may remove items from the Consent Agenda for separate consideration after the adoption of the remainder of the Consent Agenda items.

- p. 5 A. **Approval of Minutes:** May 5, 2015 Workshop, May 12, 2015 Special Meeting, May 12, 2015 Regular Meeting, and May 26, 2015 Meeting
- B. **Approval of Accounts Payable and Utility Refund Checks/Vouchers:** Accounts Payable checks/vouchers #71212-71255 (including wire transfer #20150504) in the amount of \$307,662.76; Accounts Payable checks/vouchers #71256 in the amount of \$1,962,852.54; Accounts Payable checks/vouchers #71257-71336 (including wire transfer #'s 2015051301) in the amount of \$124,781.33; and Accounts Payable wire transfer #2015051501 in the amount of \$43,587.21.
- C. **Approval of Payroll:** Payroll for May 16th – 31th, 2015 for checks #32415-32444 including Direct Deposits and Electronic Transfers is \$ 832,502.38.
- p. 21 D. **AB15-15 – Ordinance D15-15 – Land Use Matrix Amendments - An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending The Land Use Matrix Codified In Section 18.08.020 Of The Bonney Lake Municipal Code Related To Single Family Homes In The R-2 Zone, Essential Public Facilities, Electrical Vehicle Infrastructure, And Family Day Cares In Zones That Allow Residential Development.**
- p. 43 E. **AB15-38 – Ordinance No. D15-38 – Park Impact Fee Amendment – Expenditure Timeframe - Ordinance D15-38 - An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Portions Of Section 19.06.080 Of The Bonney Lake Municipal Code Related To The Timeframe To Expend Collected Park Impact Fees.**
- p. 53 F. **AB15-48 – Resolution 2449 – Notice of Intent to Adopt the Community Facilities and Services Element - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington Expressing The Intent To Adopt The Community Services And Facilities Element Of The Comprehensive Plan.**
- p. 57 G. **AB15-50 – Resolution 2451 – Notice of Intent to Adopt the Implementation Element of Bonney Lake 2035 - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington Expressing The Intent To Adopt The Implementation Element Of Bonney Lake 2035.**
- p. 61 H. **AB15-65 – Resolution 2459 – Approving the City’s Inclusion in the Pierce Conservation District. - A Resolution Of The City Of Bonney Lake, Pierce County, Washington, Approving The City’s Inclusion In Pierce Conservation District Pursuant To State Law; And Requesting That The Pierce County Council Approve The Conservation District Resource Conservation Fee Or Other Authorized Funding Within The Corporate Boundaries Of The City Of Bonney Lake.**

- V. **FINANCE COMMITTEE ISSUES:** None.
- VI. **COMMUNITY DEVELOPMENT COMMITTEE ISSUES:** None.
- VII. **ECONOMIC DEVELOPMENT COMMITTEE ISSUES:** None.
- VIII. **PUBLIC SAFETY COMMITTEE ISSUES:** None.
- IX. **FULL COUNCIL ISSUES:**
 - p. 65 A. **AB15-68** – Cancellation of Council Meeting, Workshop and Council Committee meetings on June 23, 2015 and August 4, 2015.
 - p. 67 B. **AB15-49 – Resolution 2450** – Notice of Intent to Adopt the Mobility Element - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington Expressing The Intent To Adopt The Community Mobility Element Of The Comprehensive Plan.
- X. **EXECUTIVE SESSION:**

Pursuant to RCW 42.30.110, the City Council may hold an executive session. The topic(s) and the session duration will be announced prior to the executive session.
- XI. **ADJOURNMENT**

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

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

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**CITY COUNCIL
WORKSHOP**

**May 5, 2015
5:30 P.M.**

MINUTES



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.

www.ci.bonney-lake.wa.us

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

- I. CALL TO ORDER** –Mayor Neil Johnson, Jr. called the meeting to order at 5:33 p.m.
- II. ROLL CALL:** Administrative Specialist II Renee Cameron called the roll. In addition to Mayor Johnson, elected officials attending were Deputy Mayor Dan Swatman, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember James Rackley, and Councilmember Tom Watson. Councilmember Katrina Minton-Davis was absent.

Councilmember Watson moved to excuse Councilmember Minton-Davis. Councilmember McKibbin seconded the motion.

Motion to excuse Councilmember Minton-Davis approved 6 – 0.

Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Community Development Director John Vodopich, Police Chief Dana Powers, Facilities & Special Projects Manager Gary Leaf, City Attorney Kathleen Haggard, and Administrative Specialist II Renee Cameron.

III. Agenda Items:

A. Council Open Discussion:

White River School District Families First Coalition Meeting. Councilmember Lewis said he attended the White River School District's Families First Coalition meeting at the Buckley Fire Station, where discussion was focused on the Village Tutor Program, which is a summer math program that is free of charge and the teachers and high school students donate their time to assist students who need assistance with their math. The group also spoke about services and donations offered by the church group. He said the next meeting will be the 3rd Monday in May, instead of the 4th Monday.

Fennel Creek Trail Open House. Councilmember Watson said he attended the Fennel Creek Trail Open House last night and he said it was very well attended. He said the presentation was nicely done, and it appeared to him that those in attendance were supportive of the project.

Chamber of Commerce Meetings. Councilmember Watson advised that on Thursday the Economic Development Committee (EDC) members will be meeting with the Bonney Lake Chamber of Commerce to put together a program for monthly training sessions for Chamber members, hosted by the City, to present different speakers and presentations to promote economic development within the City. The EDC members have coordinated with Community Development staff and City Administrator Morrison to assist and for approval of these meetings.

Pierce County South Sound 911 Program. Councilmember Watson said that Pierce County Councilmember Dan Roach sent an email to the Council regarding the upcoming May 11th Open House, to be held at the Public Safety Building at 6:00 p.m. to discuss the South Sound 911 Program.

Public Safety Committee Meeting. Councilmember Watson said the Public Safety Committee met last night and forwarded items to the full Council. He spoke regarding the number of transients in the WSU forest and urged the creation of a road back into the property to assist public safety with keeping the transients out, as well as the debris that they leave behind. He spoke regarding Judge Heslop's suggestion of utilizing the community service workers with inside cleaning and maintenance of the Justice & Municipal Center, such as the stairwells and public places. He also advised there are eight applicants to be considered for the East Pierce Fire & Rescue Chief position, and there is a meet and greet scheduled in Edgewood on May 11th, which Council have been invited to attend.

Finance Budget Recap Report. Councilmember Watson thanked the Finance Department for the budget recap report the Council was provided.

Election Filing Deadline. Councilmember Rackley reminded the Council that those up for reelection, must have their official filing submitted by Friday, May 15th.

B. Review of Draft Minutes: April 21, 2015 Workshop and April 28, 2015 Meeting.

The April 21, 2015 Workshop and April 28, 2015 Meeting minutes were forwarded to the May 12, 2015 Meeting for action, with minor corrections.

C. ~~Discussion: AB15-15 – Ordinance D15-15 – Land Use Matrix Amendments.~~

This item was tabled to a future Council Workshop.

D. Discussion: AB15-64 – Realignment of Fennel Creek Trail.

Facilities & Special Projects Manager Gary Leaf summarized the agenda bill and advised that the project is at the point where staff require guidance from the Council on the City's willingness to use eminent domain to acquire needed right-of-way acquisitions. He said the potential trail alignments may need to use eminent domain for one or more parcels, but some alignment options would require a much greater reliance on eminent domain.

Councilmember Rackley asked Mr. Leaf how the City acquired the land in the first phase of the project. Mr. Leaf explained some of the conditions of the federal grant, including deed restrictions, and that the City cannot use federal grant money for project design. City Attorney Haggard advised that she and Mr. Leaf have worked with WSDOT for months as to what they will allow for the realignment of the Fennel Creek Trail.

Bruce Dees, of Bruce Dees and Associates, who is the consultant for the City introduced himself and presented a recap from the Open House that was held on May 4, 2015. He has been reviewing trail alignment options for Fennel Creek Trail Segment 2. He explained the trade-offs between construction costs (mainly bridges) and use of eminent domain, as was contained in the agenda packet memorandum. Mr. Dees discussed the options and depicted the maps for the Council. He said the next step is a construction cost estimate, depending on whether the trail will cross a wetland. Mayor Johnson said it appears that easiest path will be that of Option AB1.A, and Deputy Mayor Swatman agreed. Councilmember Hamilton asked

about the possibility of building a bridge for the trail, which Mr. Dees advised would be very expensive. Councilmember Watson said he would like to hear discussion about the parking allotted for the trail. Mr. Dees advised that for parking purposes it would make the most sense to place parking at the City-purchased Cimmer property. There was discussion about the culvert and how the water from the creek goes under SR410, tunnels, and walls possibly needed to construct because of the terrain. Councilmember Watson advised he believes that it would be too expensive to add the trail up Angeline Road. Mr. Leaf said that it would be best to get an estimate before an option is determined. Councilmember Hamilton compared the proposed project and option to the bridges over the foothills trail in Buckley that go over two private property parcels. Councilmember Lewis said he wants to see the community to welcome the trail, and would prefer to stay away from private properties. Councilmember Watson said property values were discussed at the Open House. Council consensus was to plan to move forward with trail Option AB1.A.

E. Discussion: Bonney Lake Chamber of Commerce Joint Meetings.

This issue was also discussed in Council Open Discussion during this Workshop. City Administrator Morrison said he has had discussions with the Bonney Lake Chamber of Commerce and would like to inquire of Council's interest to host monthly or quarterly meetings at the Justice & Municipal Center to discuss and encourage economic development within the City. As the City would be hosting these meetings, the Chamber would not incur a rental fee for use of the conference room. Council agreed it is in the City's best interest to host monthly or quarterly meetings with the Bonney Lake Chamber of Commerce.

F. Discussion: City Web site update

Councilmember Watson said that with all of the challenges the City has had to get the website updated and correct and ranked with Google, the City would have to have a mobile site, which it does not. He said discussion at the EDC's meetings in order to go forward with an eventual update, is to have Information Services (IS) make suggestions as to who the City should go out to bid for, and to recommend that monies be budgeted to update the City's website, and the requirements, as the website needs to be updated and improved. Mayor Johnson said the IS Manager does a tremendous job, and is more than able and capable to put together his suggestions for updating the website, but believes because of the cost it needs to be done in stages. Councilmember Rackley said that as websites become more and more important to businesses and cities and more work is done over the web, the less citizens need to come in to conduct business with the City. Mayor Johnson briefly discussed podcasts and online services that can save the citizens and staff time. Councilmember Hamilton discussed the importance of coding of websites to have them function properly, and not to get hung up on design, as coding is the key. This item was for discussion purposes only and no action was taken.

IV. EXECUTIVE\CLOSED SESSION: None

V. ADJOURNMENT:

At 6:32 p.m., Councilmember Watson moved to adjourn the Council Workshop. Councilmember Lewis seconded the motion.

Motion to adjourn approved 6 - 0.

Harwood Edvalson, MMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council at the May 5, 2015 Meeting: None

Note: Unless otherwise indicated, all documents submitted at City Council meetings and workshops are on file with the City Clerk. For detailed information on agenda items, please view the corresponding Agenda Packets, which are posted on the city website and on file with the City Clerk.

**CITY COUNCIL
SPECIAL MEETING –
COMMITTEE-OF-THE-
WHOLE/FINANCE
COMMITTEE**

**May 12, 2015
5:30 P.M.**



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MINUTES

Location: Bonney Lake Justice & Municipal Center, Suite 200 Conference Room, 9002 Main Street East, Bonney Lake, Washington.

- I. CALL TO ORDER** – Deputy Mayor Dan Swatman called the special meeting to order at 5:30 p.m.
- II. ATTENDANCE:** Elected officials attending were Deputy Mayor Dan Swatman, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember James Rackley, and Councilmember Tom Watson.

Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Community Development Director John Vodopich, Administrative Services Director/City Clerk Harwood Edvalson, and Human Resources Manager Jenna Richardson. Mayor Neil Johnson and City Attorney Kathleen Haggard joined the meeting in progress.

III. AGENDA ITEMS:

A. Updates and/or Reports:

1. Personnel Updates and/or Issues. HR Manager Jenna Richardson reported on the recruitments for two maintenance worker vacancies and an administrative specialist vacancy in the Public Works Department. She also informed the Council of the resignation of the court probation officer and the potential for two retirements in the near future. Ms. Richardson noted that recruitments are also open for temporary seasonal laborers in the Public Works Department.

Councilmember Rackley asked that staff look into the underwriting provisions for the ICMA-RC deferred compensation program. He noted that while he had participated in this program as a councilmember, he was not allowed to draw on his account because the system considers him as an active employee of the city, even though he is retired from his regular full-time employment.

Ms. Richardson reported that her next labor negotiations meeting with the police guild is on May 28th.

B. Old Business:

1. Minutes. By consensus, the Council accepted the proposed minutes from the March 24th Finance Committee meeting, asking that two clerical errors be corrected.

C. New Business:

1. AB15-67 Authorizing the defense of Deputy Mayor Swatman in the Crew V. Swatman, et al, marijuana suit. City Attorney Kathleen Haggard explained that the Bonney Lake Municipal Code provides that the Council may upon its own motion consider the defense and indemnification of a city official or employee. She explained that the proposed motion for Council consideration at the regular Council meeting includes a finding that the Deputy Mayor performed the official duties of the meeting chair acting in good faith. There was general consensus that the item be considered as part of the Consent Agenda of the regular meeting starting at 7 p.m. that evening.

D. New Discussion Items:

1. Status and option on the new Public Works site. The City Council considered two staff presented options. Alternate A showed the public works site off of SR410 with its entrance/exit oriented to 96th St E. Alternate B was drawn to show an orientation allowing ingress/egress onto SR410, but no access to 96th St. E. Public Works Director Dan Grigsby expressed a preference for Alternate A which would allow for more direct access to the additional storage yard site proposed next to the Peaking Storage Tank on 96th St. E. Council discussed the options. A majority seemed to favor a combination of the two proposals promoting the development of the intersection at SR410 and 225th Ave E., while also allowing for private access only to 96th St. E. for public works use. City Administrator Morrison agreed to ask the design consultants to study the combination of the two alternatives. Councilmember McKibbin offered to discuss the potential impacts to the City’s development and marketing of its property with contacts at the upcoming International Council of Shopping Centers conference.

2. First quarter financial report. There was general consensus that the format of the report was good. Councilmembers noted little concern for the first quarter’s performance and looked forward to the next quarter’s report to give them a better feel for the year’s projections of revenues.

IV. ADJOURNMENT:

Noting no further business to conduct, Deputy Mayor Swatman closed the meeting at 6:26 p.m.

Harwood Edvalson, MMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council at the May 12, 2015 Special Meeting:

- Dan Grigsby – *Bonney Lake Public Work Center (Preliminary)* – Public Works Director.

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CITY COUNCIL MEETING

May 12, 2015
7:00 P.M.

MINUTES



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

I. CALL TO ORDER – Mayor Neil Johnson, Jr. called the meeting to order at 7:00 p.m.

- A. Flag Salute: Mayor Johnson led the audience in the Pledge of Allegiance.
- B. Roll Call: Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Mayor Johnson, elected officials attending were Deputy Mayor Dan Swatman, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember James Rackley, and Councilmember Tom Watson.

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

C. Announcements, Appointments and Presentations:

- 1. Announcements: None.
- 2. Appointments: None.
- 3. Presentations:
 - a. **Proclamation:** Building Safety Month – May 2015.
 - b. **Proclamation:** Public Works Week – May 17-23, 2015.

Mayor Johnson read both proclamations aloud and presented the Building Safety Month proclamation to Community Development Director John Vodopich, and the Public Works week proclamation to Public Works Director Grigsby. He thanked both departments' staff for their service to the City.

D. Agenda Modifications: None.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

- A. Public Hearings: None.
- B. Citizen Comments:

Fred Jacobsen, 9100 189th St E, Bonney Lake, reminded those in attendance that the Greater Bonney Lake Historical Society is hosting the first-ever Trivia Contest at Midtown Grill on May 13, 2015 at 7:00 p.m., and is also hosting a meeting of the South Sound Heritage Association on May 13th at 10:00 a.m.

Robert Kanany, 7410 182nd Ave E, Bonney Lake, spoke about an ongoing issue he has had with the City regarding a duplex and accessory dwelling unit (ADU). He described the history since 2002 including code enforcement actions and litigation. He said he is looking to resolve the issue and has contacted the Council in the past. He said he is available to meet with or discuss the issue with Councilmembers.

- C. Correspondence: None.

III. COUNCIL COMMITTEE REPORTS:

- A. Finance Committee/Committee of the Whole: Deputy Mayor Swatman said the Committee met at 5:30 p.m. earlier in the evening as the Committee of the Whole and discussed personnel updates, meeting notes, planning for a new Public Works Center facility, proposed Resolution 2461 (on the current Consent Agenda) and first quarter financial reports.
- B. Community Development Committee: Councilmember Lewis said the Committee met on May 5, 2015 and forwarded proposed Resolution 2458 to the current agenda under Consent Agenda.
- C. Economic Development Committee: Councilmember Minton-Davis said the Committee met at 4:00 p.m. earlier in the day. She said the Master Builders Association (MBA) held a quarterly meeting at the Justice & Municipal Center, which Committee members and staff attended. She congratulated Director John Vodopich and Permit Coordinator Jen Francis for their presentations at the MBA meeting. Councilmember Minton-Davis said Bonney Lake is doing well compared to other cities in the area, with the fastest turn-around time for building permits (1 week) and a good number of permits in process. The MBA group heard a report on the Electronic Plan Review process, which has been well-received. Councilmember Minton-Davis said she and Councilmember McKibbin will attend the International Council of Shopping Centers (ICSC) Conference on May 17-20, 2015, and will provide a report at the next meeting.
- D. Public Safety Committee: Councilmember Watson said the committee met on May 4, 2015 and forwarded proposed Resolution 2460 to the current agenda under Public Safety Committee Issues. The Committee discussed a citizen's question about the use of unmarked vehicles; heard an update on the probation program; and discussed illegal camp sites in Midtown Park/WSU Forest.
- E. Other Reports:
- Lake Tapps Water Levels: Mayor Johnson noted that due to the slow refill of Lake Tapps, the lake may not reach recreational water levels and Cascade Water Alliance may close the lake to motorized boats entirely this summer. He said staff are monitoring the situation and the City's boat launch may not open this summer.
- Pierce County Flood Control Committee: Councilmember Rackley said the Committee did not meet as planned due to lack of a quorum.
- South Sound 911: Councilmember Rackley said he attended the South Sound 911 outreach meeting on May 11, 2015 at the Bonney Lake Public Safety Building. He said attendees included Police Chiefs from several jurisdictions, the Mayor of Buckley,

various Fire Department staff and Pierce County Councilmember Dan Roach. The group heard general information, projects, and updates, including plans to begin accepting text message reports to the 911 center.

IV. CONSENT AGENDA:

- A. **Approval of Minutes:** April 21, 2015 Workshop and April 28, 2015 Meeting.
- B. **Approval of Accounts Payable and Utility Refund Checks/Vouchers:** Accounts Payable checks/vouchers #71000-71029 (including wire transfer # 20150406) in the amount of \$231,739.29.
Accounts Payable checks/vouchers #71030-71108 (including wire transfer # 15421824) in the amount of \$128,164.03.
Accounts Payable wire transfer #2015041701 in the amount of \$39,513.55 for p-card purchases.
VOIDS: #70478 – replaced with check #71109.
- C. **AB15-63 – Resolution 2458** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Local Agency Agreement With Parametrix For Construction Management Services And Construction Surveying For The SR 410 And Veterans Memorial Drive Intersection Improvements – Phase 1 Project.
- D. **AB15-67 – Resolution 2461** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing Defense And Indemnification Of Deputy Mayor Dan Swatman In Crew v. Swatman Et Al.

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

Consent Agenda approved 7 – 0.

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

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

VII. **ECONOMIC DEVELOPMENT COMMITTEE ISSUES:** None.

VIII. PUBLIC SAFETY COMMITTEE ISSUES:

- A. **AB15-66 – Resolution 2460** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign An Interlocal Agreement Between The City Of Bonney Lake, Washington And The SCORE Jail, Washington, For The Housing Of Bonney Lake Inmates.

Councilmember Lewis moved to approve Resolution 2460. Councilmember Watson seconded the motion.

Councilmember Watson said the proposed agreement provides a back-up resource for the City if other jails are full or not accepting inmates. Chief Powers confirmed that female inmates are included at the same cost as male inmates. Councilmember McKibbin noted there is no end date to the proposed agreement. Chief Powers confirmed it is an open-ended agreement which either party can end with 30-day notification. Councilmember Rackley said with current issues between Pierce County, Fife, and other jail systems, the City needs an alternative option to house inmates.

Resolution 2460 approved 7 – 0.

IX. FULL COUNCIL ISSUES: None.

X. EXECUTIVE/CLOSED SESSION: None.

XI. ADJOURNMENT:

**At 7:21 p.m., Councilmember Watson moved to adjourn the Council Meeting.
Councilmember Rackley seconded the motion.**

Motion to adjourn approved 7 – 0.

Harwood Edvalson, MMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council at the May 12, 2015 Meeting: None.

Note: Unless otherwise indicated, all documents submitted at City Council meetings and workshops are on file with the City Clerk. For detailed information on agenda items, please view the corresponding Agenda Packets, which are posted on the city website and on file with the City Clerk.

CITY COUNCIL MEETING

May 26, 2015

7:00 P.M.

MINUTES



“Where Dreams Can Soar”

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

I. CALL TO ORDER – Mayor Neil Johnson, Jr. called the meeting to order at 7:00 p.m.

- A. Flag Salute: Mayor Neil Johnson, Jr. led the audience in the Pledge of Allegiance.
- B. Roll Call: Administrative Services Director/City Clerk Harwood Edvalson called the roll. Elected officials attending were Mayor Neil Johnson, Jr., Deputy Mayor Dan Swatman, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember James Rackley, and Councilmember Tom Watson.

Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Community Development Director John Vodopich, Chief Financial Officer Cherie Gibson, Police Chief Dana Powers, Administrative Services Director/City Clerk Harwood Edvalson, City Attorney Kathleen Haggard, Senior Planner Jason Sullivan, and Administrative Specialist II Renee Cameron.

C. Announcements, Appointments and Presentations:

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

a. **Proclamation:** Daffodil Queen Ashley Becker Day – May 26, 2015

Mayor Johnson read the Proclamation, introduced Daffodil Queen Ashley Becker, congratulated her for winning the crown, and thanked her for representing the City of Bonney Lake. Queen Ashley spoke about her duties as a princess, the honor and privilege as the reigning queen, and spoke of the other amazing women of the 2015 Daffodil Court. Steve James, Executive Director of the Daffodil Festival, advised what it takes to even apply and be considered for the position of a Daffodil Princess. He said Ashley is doing an amazing job as the reigning Queen, and how proud the City should be of her, and hopes to have another queen from Bonney Lake in the near future. He also advised that he has approved having the Daffodil Float available and participating in this year’s Bonney Lake Days Parade.

b. **Presentation:** AB15-69 – 2015 Stormwater Pollution Prevention Art Contest Award Ceremony

City Assistant Engineer Andrew Fonda spoke of the NPDES program, the process of making the City calendar, the number of submittals for the art contest

(which was 118 submittals this year), and advised that this year's winning artists were selected by the newly formed Arts Commission. Mayor Johnson and Mr. Fonda presented and recognized the winning art contest students who were present at the meeting with their certificates and prizes: Adaline McCormick, Amaya Udager, Brynn Feroy, Cashaya Fondue, Elle Budinich, Kalayha Cochran, Katlyn Daniels, Kjersti Eriksen, Mackenzie Seymour, Melina Kintigh, Olivia Beringer, and Thea Eriksen.

- c. **Presentation:** Stew Bowen – Proposed Relocation of the Food Bank to the City Hall Annex Overflow Parking Lot.

Stew Bowen, Director of the Bonney Lake Bread of Life Food Bank, made a presentation to the Council regarding a proposed relocation of the Bonney Lake Food Bank. He said that Bonney Lake Community Resources (BLCR) serves a lot of the community for the plateau and spoke of the programs that they offer, and is very proud that in 2014 BLCR served over 49,000 individuals, of which 17,920 were children. He said BLCR provided over 3,200 backpacks for children, and approximately 3,500 summer meals for kids. He spoke of the safety net that BLCR provides the community, and provided examples of BLCR's success, spoke of the fundraising done to get the program(s) going, and how the City assists BLCR. He then spoke of relocation needs of the Food Bank and asked the Council to continue supporting them and to allow the downtown design standards to be waived. He presented the proposed space and buildings to be located on the City's gravel lot, which would be donated buildings, and the services donated for the relocation. He thanked the Mayor and the Council. Mayor Johnson said he will gather all of the information and bring it to a Council workshop. Mr. Bowen said the relocation would increase BLCR's space from approximately 900 sq. ft. to approximately 3200 sq. ft., and everything would fit into the buildings, with extra space. Mr. Bowen asked for a list from the City as to what will be required to utilize the City's property. Mr. Bowen advised that there will be an upcoming BLCR Board meeting this Thursday, and invited Council to attend. This item will be brought back to a near future Council workshop for further discussion.

- d. **Presentation:** Senior Planner Jason Sullivan Regarding AB15-15 – Ordinance D15-15 – Land Use Matrix Amendments; AB15-38 – Ordinance No. D15-38 – Park Impact Fee Amendment – Expenditure Timeframe; AB15-48 – Resolution 2449 – Notice of Intent to Adopt the Community Facilities and Services Element; and AB15-49 – Resolution 2450 – Notice of Intent to Adopt the Mobility Element

Senior Planner Jason Sullivan presented the proposed updates to Comprehensive Plan Land Use Matrix Amendments; the Park Impact Fee Amendment – Expenditure Timeframe; and summarized the agenda bills for Resolution 2449, regarding the Notice of Intent to Adopt the Community Facilities and Services Element; and Resolution 2450, regarding the Notice of Intent to Adopt the Mobility Element. He said the City's final amendments need to be to the State on or before June 30, 2015.

Regarding the Land Use Matrix Amendments, Deputy Mayor Swatman inquired about the amendments to include religious facilities with the essential public

facilities. Senior Planner Sullivan advised that staff pulled the religious facilities sitings to focus on the mandatory requirements of the comprehensive plan update, and as the religious facilities sitings issue requires extensive research and complying with the federal statutes, and a public hearing process, and it had not yet been added to the Planning Commission Work Plan (“Work Plan”), and needs to be, so they can fully review the topic. He said the Land Use Matrix amendment focuses on essential public facilities and all of their effort is currently focused on the comprehensive plan update, which is due by June 30th. Mayor Johnson asked the City Attorney if it was proper to add this to the Work Plan. Attorney Haggard advised that it would be proper to request staff add the item to the Work Plan, but advised that it is important to make sure that the City complies with the federal statutes, as well as constitutional provisions. Deputy Mayor Swatman said he would support an agenda modification to recommend adding this issue to the Work Plan. The Land Use Matrix Amendment will be brought back to the June 9th Council meeting for approval.

Mr. Sullivan addressed the Park Impact Fee Amendment, Notice of Intent to Adopt Community Facilities and Services Element, and the Notice of Intent to Adopt Mobility Element, and Council had no issues or comments for these items.

Mr. Sullivan advised if there were any questions from Council for staff as to how to move forwarded the remaining elements. Council had no questions with the remaining elements. Mr. Sullivan also inquired of Council how they would like to receive the complete ordinance adopting the full Comprehensive Plan Update, and advised that it will likely be in excess of 400 pages. Council agreed that website links to the full Comprehensive Plan Update would be sufficient, as most of the Council reviews the packets electronically.

D. Agenda Modifications:

Deputy Mayor Swatman entertained a motion to add an amendment to the zoning code preserving certain commercial zones in the City for commercial uses.

Councilmember Rackley moved to amend the agenda to add an item to the Full Council Issues Item B for an amendment to the zoning code preserving certain commercial zones in the City for commercial uses. Councilmember Lewis seconded the motion.

Motion approved 7 – 0.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings: None.

B. Citizen Comments:

JoAnn Taylor, 1928 197th Ave E, Bonney Lake, introduced herself as the President of the Greater Bonney Lake Historical Society. She spoke about Daffodil Queen Ashley Becker’s accomplishments and presented the Mayor and the City with a picture of the 1950 Daffodil Parade and the Bonney Lake float. She requested the Mayor to hang the picture, along with a picture of the City’s first Daffodil Queen Ashley Becker in a public place, and display them both proudly.

Winona Jacobsen, 9100 189th Ave Ct E, Bonney Lake, reminded everyone to check out the Greater Bonney Lake Historical Society display case in the Justice & Municipal Center lobby, which has a section dedicated to the Daffodil Festival. She said it has handmade Daffodil jewelry made from a local resident here in Bonney Lake, gave some history of the jewelry, and said orders of the jewelry were even requested for royalty in Europe.

- C. Correspondence: None.

III. COUNCIL COMMITTEE REPORTS:

- A. Finance Committee: Deputy Mayor Swatman said the Committee met at 5:30 p.m. earlier in the evening and discussed the replacement options for the Senior Center range and exhaust fan which will be forwarded onto a Council Workshop. The Committee also discussed budget issues and permit fees.
- B. Community Development Committee: Councilmember Lewis said the May 19th meeting was cancelled.
- C. Economic Development Committee: Councilmember Minton-Davis said the Committee met earlier in the afternoon and discussed the International Conference at Shopping Centers (“ICSC”) Convention and the items they brought back and issues they discussed. The Committee will meet with the Chamber of Commerce to discuss education and seminar functions, with their first meeting in June, while other Council members are at the AWC Conference. Councilmember Minton-Davis said the Community Development Department will be making a presentation at the June 2nd Council Workshop.
- D. Public Safety Committee: Councilmember Watson said the Committee has not met since the last meeting.
- E. Other Reports:
Pierce County Regional Council. Councilmember Lewis said the Pierce County Regional Council met last week. He said he attended the transportation meeting with City of Steilacoom Mayor Ron Lucas, and they are working on a transportation package with legislature in Olympia, and this will not be the last special session meeting. He said they also are passing a Liquor Control Board amendment regarding medical marijuana, and they were briefed on those issues. He said one of the projects approved was Bonney Lake’s project for the SR410 and Veterans Memorial Drive intersection, which is likely one of the projects to get approved for funding.

IV. CONSENT AGENDA:

- A. **Approval of Accounts Payable and Utility Refund Checks/Vouchers**: Accounts Payable checks/vouchers #71110-71153 in the amount of \$1,085,423.02.
 Accounts Payable checks/vouchers #71154-71211 (including wire transfer #'s 20150501, 20150502, and 20150503) in the amount of \$1,088,711.01.
VOIDS: None
- B. **Approval of Payroll**: Payroll for April 1st – 15th, 2015 for checks #32348-32368 including Direct Deposits and Electronic Transfers is \$ 458,038.57.

Payroll for April 16th – 30st, 2015 for checks #32369-32392 including Direct Deposits and Electronic Transfers is \$ 664,786.25.

Payroll for May 1st – 15th, 2015 for checks #323393-32414 including Direct Deposits and Electronic Transfers is \$ 484,658.07.

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

Consent Agenda approved 7 – 0.

V. FINANCE COMMITTEE ISSUES: None.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES: None.

VII. ECONOMIC DEVELOPMENT COMMITTEE ISSUES: None.

VIII. PUBLIC SAFETY COMMITTEE ISSUES: None.

IX. FULL COUNCIL ISSUES:

A. **AB15-70** – Motion Selecting City’s Voting Delegates to the AWC Conference 2015.

Council discussed who is attending the AWC Conference. Councilmember Rackley said he would like to submit his name for consideration as a voting delegate. Councilmember McKibbin said he has already had that opportunity. Deputy Mayor Swatman was willing to serve again, but, wanted to give another Councilmember the opportunity to serve if they desired; Councilmember Watson advised that he too had already had the opportunity to serve, however, would gladly act again on behalf of the City. Councilmember Lewis recommended closing the nominations. Mayor Johnson confirmed that the City’s three Voting Delegates to the 2015 AWC Conference would be Councilmember Rackley, Deputy Mayor Swatman, and Councilmember Watson.

Deputy Mayor Swatman moved to approve the Motion AB15-70 Resolution 2433. Councilmember Rackley seconded the motion.

Motion approved 7 – 0.

B. **Agenda Modification Item: Amendment to Planning Commission Work Plan to add zoning code preserving certain commercial zones in the City for commercial uses.**

City Attorney Haggard said the issue or concern for this item is to ensure that certain zones of the City remain commercial zones for revenue generation, for economic development, and for other legal reasons. She said approval of this amendment would provide for this. Mayor Johnson said action for approval of this item would add the issue to the Work Plan so staff can work on it and have it prepared by the end of the year.

Councilmember Hamilton moved to amend the Planning Commission Work Plan to add zoning code preserving certain commercial zones in the City for commercial uses. Councilmember Watson seconded the motion.

Motion approved 7 – 0.

X. EXECUTIVE SESSION: None.

XI. ADJOURNMENT:

At 8:05 p.m., Councilmember Watson moved to adjourn the Council Meeting. Councilmember Lewis seconded the motion.

Motion to adjourn approved 7 – 0.

Harwood Edvalson, MMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council at the May 26, 2015 Meeting: None.

Note: Unless otherwise indicated, all documents submitted at City Council meetings and workshops are on file with the City Clerk. For detailed information on agenda items, please view the corresponding Agenda Packets, which are posted on the city website and on file with the City Clerk.

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

Department/Staff Contact: Community Development/ Jason Sullivan – Senior Planner	Meeting/Workshop Date: May 19, 2015	Agenda Bill Number: AB15-15
Agenda Item Type: Ordinance	Ordinance/Resolution Number: D15-15	Councilmember Sponsor: Donn Lewis

Agenda Subject: Amendments to the City’s Land Use Matrix

Full Title/Motion: An ordinance of the City Council of the City Of Bonney Lake, Pierce County, Washington, Amending the land use matrix codified in Section 18.08.020 of the Bonney Lake Municipal Code related to single-family homes in the R-2 zone, essential public facilities, electrical vehicle infrastructure, and family day cares in zones that allow residential development.

Administrative Recommendation:

Background Summary: The proposed amendments to the land use matrix are related to single family homes in the R-2 zone, essential public facilities, electronic vehicle infrastructure, and family day cares in zones that allow residential development. These proposed amendments are required to bring the City into compliance with state law and to address internal inconsistency within the Municipal Code. A complete discussion of each amendment is provided in the attached Planning Commission recommendation memo.

All of the proposed amendments were identified in the *2015 – 2016 Planning Commission Work Plan* adopted pursuant to Resolution 2423.

The amendments related to essential public facilities, electronic vehicle infrastructure, and family day cares were identified as mandatory change in the *Bonney Lake 2035: 2015 Comprehensive Plan Periodic Update – Consistency Report* which was adopted by the City Council pursuant to Resolution 2379.

Addressing the prohibitions against family daycare in zones that allow residential developments was also identified as a mandatory change in the City’s recent Land Use Liability audit completed by the Washington Cities Insurance Authority (WCIA). Progress toward addressing this mandatory change will be monitored and failure to comply with the mandatory requirements may result in a financial penalty pursuant to the WCIA Membership Compact.

Attachments: Ordinance D15-15 and Planning Commission Recommendation Memo

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

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:	Date:	Approvals:	Yes No
		Chair/Councilmember	<input type="checkbox"/> <input type="checkbox"/>
		Councilmember	<input type="checkbox"/> <input type="checkbox"/>
		Councilmember	<input type="checkbox"/> <input type="checkbox"/>
	Forward to:	Consent Agenda:	<input type="checkbox"/> Yes <input type="checkbox"/> No
Commission/Board Review:	Planning Commission – March 4, 2015 and April 15, 2015		
Hearing Examiner Review:			

COUNCIL ACTION

Workshop Date(s): May 26, 2015

Public Hearing Date(s):

Meeting Date(s):

Tabled to Date:

APPROVALS

Director:

John P. Vodopich, AICP

Mayor:

Date Reviewed

by City Attorney: May 12, 2015
(if applicable):

ORDINANCE NO. D15-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING THE LAND USE MATRIX CODIFIED IN SECTION 18.08.020 OF THE BONNEY LAKE MUNICIPAL CODE RELATED TO SINGLE FAMILY HOMES IN THE R-2 ZONE, ESSENTIAL PUBLIC FACILITIES, ELECTRICAL VEHICLE INFRASTRUCTURE, AND FAMILY DAY CARES IN ZONES THAT ALLOW RESIDENTIAL DEVELOPMENT.

WHEREAS, during the 2009 session the Washington State Legislature passed House Bill 1481 an act relating to electric vehicles; and

WHEREAS, Section 12 of HB 1481 codified as RCW 36.70A.695 requires all municipalities required to plan under the Growth Management Act with a population under 20,000 to adopt regulations that allow battery charging stations by July 1, 2011; and

WHEREAS, the City of Bonney Lake is a municipality required to plan under the Growth Management Act with a population under 20,000; and

WHEREAS, the City's development regulations cannot "preclude" the siting of essential public facilities (hereinafter "EPFs") pursuant to RCW 36.70A.200(5); and

WHEREAS, WAC 365-196-550(5)(b) provides that "[E]xcept where county-wide planning policies have otherwise dictated siting choices, provision should be made for the possibility of siting each of the listed EPFs somewhere within each city's planning area," and

WHEREAS, the Pierce County Planning Policies contain policies on EPFs, but do not specifically dictate siting choices; and

WHEREAS, the City is required to allow family day cares in all zoning classification that allow residential developments pursuant to RCW 36.70A.450; and

WHEREAS, the C-2, Eastown and Midtown Core zoning classifications allow residential uses but do not list family day cares as a permitted use; and

WHEREAS, the amendments related to electrical vehicle charging stations, essential public facilities, and family day cares were identified as mandatory change in the *Bonney Lake 2035: 2015 Comprehensive Plan Periodic Update – Consistency Report* adopted by the City Council pursuant to Resolution 2379; and

WHEREAS, bringing the City's regulation of family day cares into compliance with RCW 36.70A.450 was identified as a mandatory action in the City's 2014 Land Use Audit conducted by the Washington Cities Insurance Authority; and

WHEREAS, the R-2 zone is intended to be a higher density residential zone and has been applied to the Comprehensive Urban Growth Area (CUGA) proposed to be annexed into the City; and

WHEREAS, the amendment to allow single family residential in the R-2 zone is required to ensure that upon annexation the entire area would not be non-conforming; and

WHEREAS, all of the amendments were identified in the *2015 – 2016 Planning Commission Work Plan* adopted by the City Council pursuant to Resolution 2423; and

WHEREAS, the Community Development Director acting as the SEPA Responsible Official issued a Determination of Non-Significance on March 16, 2015 pursuant to WAC 197-11-340 in order to comply with the requirements of Chapter 43.21C RCW; and

WHEREAS, pursuant to the Growth Management Act - Chapter 36.70A RCW this Ordinance was provided to the Department of Commerce for 60-day review and comment by the Department and other State agencies; and

WHEREAS, expedited review was requested and granted by the Department of Commerce and the review period concluded on March 24, 2015; and

WHEREAS, notice of the public hearing was given to the public in accordance with law and a public hearing was held by the Planning Commission on April 15, 2015;

WHEREAS, the amendments are consistent with the comprehensive plan and the laws of the state of Washington as required by BLMC 14.140.090.B, and

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

Section 1. A new Chapter 18.40 of the Bonney Lake Municipal Code is enacted entitled “Electric Vehicle Infrastructure,” to read as follows:

18.40.010 Purpose

The purpose of this chapter is to:

- (A) Provide adequate and convenient electric vehicle charging stations to serve the needs of the traveling public;
- (B) Provide opportunities for Bonney Lake residents to have safe and efficient personal electric charging stations located at their place of residence;
- (C) Provide the opportunity for commercial and industrial businesses to supply electrical vehicle charging station services to their customers and employees; and

- (D) Create standard criteria to encourage and promote safe, efficient, and cost effective electric vehicle charging opportunities in a full range of zones and settings for convenient service to those that use electric vehicles

18.40.020 Designation.

An electronic vehicle station is a public or private parking space(s) that are served by battery charging equipment for the purpose of transferring electric energy to a battery or other energy storage device in an electrical vehicle and is classified based on the following levels:

- (A) Level 1 is considered slow charging and operates on a 15 to 20 amp breaker on a 120 volt AC circuit.
- (B) Level 2 is considered medium charging and operates on a 40 to 100 amp breaker on a 208 or 240 volt AC circuit.
- (C) Level 3 is considered fast or rapid charging and operates on a 60 amp or higher breaker on a 480 volt or higher three phase circuit with special grounding equipment. Level 3 stations can also be referred to as Rapid Charging Stations that are typically characterized by industrial grade electrical outlets that allows for faster recharging of electrical vehicles.

18.40.030 Electric Vehicle Charging Stations.

Electric vehicle charging stations utilizing parking stalls located in a parking lots or parking garages or on-street parking spaces shall comply with the following standards:

- A. Signage. Each charging station space shall be posted with signage indicating the space is only for electric vehicle charging purposes. Directional signage may be provided to guide motorist to charging stations space(s) provided that directional signs shall be consistent with MUTCD D9-11b and D9-11bP.
- B. Accessibility. The design and location of the charging stations shall comply with the following barrier free accessibility requirements:
 - 1. Accessible charging stations shall be provided at a ratio of 1 per 25 charging stations.
 - 2. Accessible charging stations shall be located in close proximity to the buildings or facility entrance and shall be connected to a barrier-free accessible route of travel.
 - 3. Accessible charging stations shall comply with the requirements of WAC 51-50-005.

- C. **Charging Station Equipment.** Charging station equipment shall comply with the following standards:
1. Equipment mounted on pedestals, lighting posts, bollards, or other devices for on-street charging stations shall be designed and located so as to not impede pedestrian travel or create trip hazards within the right-of-way.
 2. Charging station outlets and connector shall be no less than 36 inches and no higher than 48 inches from the top of the surface where mounted and shall contain a retraction device or a place to hang cords and connectors above the ground surface.
 3. Equipment shall be protected by wheel stops or concrete-filled bollards.
- D. **Notification.** At all charging stations the following information shall be posted:
1. Voltage and amperage levels
 2. Hours of Operations if time limits or tow away provisions are to be enforced by the property owner.
 3. Usage Fees
 4. Safety Information
 5. Contact Information for reporting when the equipment is not operating or other problems.
- E. **Minimum Parking Requirements.** Electric vehicle charging stations located within parking lots or garages may be included in the calculation of the minimum required parking spaces.

Section 2. Section 18.04.050, “E” of the Bonney Lake Municipal Code and the corresponding portions of Ordinance Nos. 746 § 19 are hereby amended to read as follows:

18.04.050 “E”.

“EIA” means the Electronics Industry Association.

“Essential public facilities” means those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities as defined in RCW 47.06.140, regional transit authority facilities as defined in RCW 81.112.020, state and local correctional facilities, solid waste handling facilities, and inpatient facilities including substance abuse facilities, mental health facilities, group homes, and secure community transition facilities as defined in RCW 71.09.020.

“Enlargement or extension” is:

- A. An addition to the floor area of an existing building, or an increase in the size of any other structure.
- B. An increase in that portion of a tract of land occupied by an existing use.
- C. To “enlarge” is to make an enlargement.
- D. An “extension” is an increase in the amount of existing area used for an existing use.
- E. To “extend” is to make an extension.

“Equipment shelter or enclosure” means a structure, shelter, cabinet, or vault used to house and protect the electronic equipment necessary for processing wireless communications signals. Associated equipment may include air conditioning, backup power supplies and emergency generators.

“Expressive dance” means any dance which, when considered in the context of the entire performance, constitutes an expression of art, theme, story or ideas, but excluding any dance such as, but not limited to, common barroom type topless dancing which, when considered in the context of the entire performance, is presented primarily as a means of displaying nudity as a sales device or for other commercial exploitation without substantial expression of theme, story or ideas, and the conduct appeals to the prurient interest, depicts sexual conduct in a patently offensive way and lacks serious literary, artistic, political or scientific value.

Section 3. Section 18.18.020, “Land Use Matrix” of the Bonney Lake Municipal Code and Ordinance Nos. 1483 § 1 are hereby amended to read as follows:

Zone Use	RC-5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
Residential Uses											
Accessory dwelling unit			P ¹	P ¹							
Adult family home	P	P	P	P	P						
Apartments/condominiums				P		P ²	P ²		P ³	P	
Boarding homes			P	P							P
Duplexes (two-family residences)			P	P							
Family day cares	A	A	A	A	A	<u>A</u>	<u>A</u>	<u>A</u>	A	A	
Group homes				C							C
Home occupations; provided the criteria in BLMC 18.22.010 are met	A	A	A	A	A				A	A	
Mobile/manufactured homes subject to Chapter 15.08 BLMC	P	P	P								
Mobile/manufactured home parks in existence as of annexation into the city							P				
Nursing homes and Continuing care communities (NAICS 623110 and NAICS 623311)							P	C			C
Senior assisted living facilities (NAICS 623312)			P	P		C	P	C	P ³	P	
Private docks, mooring facilities and boathouses; provided the project complies with shoreline management regulations and the provisions of BLMC 18.22.070 Title 16 Division III BLMC - Shoreline Code	A	A	A	A							P
Residences in connection with a business establishment					P	C	A	C	P ³	P	
Residential care facilities				P							
Single-family residences, detached	P	P	<u>P</u>		P						
Townhouses			P	P	C	C	P	C			

Zone Use	RC-5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
Educational Uses											
Colleges and universities or extension classrooms						P	P	P	P ³	P	P
Dancing, music, art, drama and instructional/vocational schools					P	P	P	P	P ³	P	P
Elementary school		C	P	P	P	C		C			P
Junior high, high schools and junior colleges, public or private		C	C	C	C	C		C			P
Preschool		C	P	P	P	P		P			
Cultural, Religious, Recreational, and Entertainment Uses											
Adult entertainment facilities subject to the provisions of Chapter 18.32 BLMC							P				
Amphitheater						P	P	P			
Campgrounds							P	C			C
Essential public facilities							P				
Galleries					P	P		P	P	P	
Golf courses	C										C
Golf driving range							P				C
Government buildings and facilities		C	C	C	P	P	P	P	P	P	P
Gymnasiums and fitness centers, public or commercial						P	P	P			P
Libraries				P	P	P	P	P	P	P	P
Museums	C	C			P	P	P	P	P	P	P
Parks, open space and trails	P	P	P	P	P	P	P	P	P	P	P
Pocket park	P	P	P	P	P	P	P	P	P	P	P
Private meeting halls	A	A	C	P	P	P	P	P			P
Public meeting halls			C	P	P	P	P	P			P
Recreation facilities, outdoor	C						P				P
Recreational vehicle parks							P				
Religious institutions	P ⁴	P ⁴	P ⁴	P ⁴	P	P		P	P ³	P	C
Swimming pools, public or private	A	A	A	A	A	P	P	P			P
Theaters						P	P	P	P	P	

Zone Use	RC-5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
Industrial Uses											
Assembly or processing of previously prepared materials in a fully enclosed building							C ¹				
Junk, salvage or wrecking yard; provided a solid fence and/or solid screening hedge at least eight feet high is built and maintained to screen from view the open storage use.							C				
On-site treatment and storage facility as an accessory use to a permitted use which generates a hazardous waste subject to compliance with the state siting criteria adopted pursuant to the requirements of Chapter 17.105 RCW and issuance of state hazardous waste management facility permit						A	A				
Storage or distribution of sand, gravel, top soil, or bark; provided a solid fence and/or solid screening hedge at least eight feet high is built and maintained to screen from view the storage area							P				
Storage or processing of any hazardous waste as defined in Chapter 70.105 RCW is not permitted as a principal use							C				

Zone Use	RC-5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
Trailer-mix concrete plant; provided a solid fence and/or solid screening hedge at least eight feet high is built and maintained to screen from view the concrete plant and storage yard							C				
Retail and wholesale warehousing and distribution of goods within a fully enclosed building						P	P	P			
Resource Management Uses											
Agriculture and orchards	P										
Forestry and tree farms	P										
Raising of livestock, small animals and fowl; provided the requirements of BLMC 18.22.060 are met	P										
Transportation, Communication, Utilities											
<u>Electric Vehicle Charging Stations – Level 1 and 2</u>	<u>P⁵</u>										
<u>Electric Vehicle Charging Stations – Level 3</u>	<u>C²</u>	<u>C²</u>	<u>C²</u>	<u>C²</u>	<u>P⁵</u>						
Parking garages						C	P	C	C		
Public utility facility; provided the requirements of BLMC 18.22.050 are met	P		P	P	P	P	P	P			
Commercial Uses											
Ambulance service						C	P	C			
Antique shops					C	P	P	P	P	P	
Arcade							P	P			
Automatic teller machines (ATMs)						P	P	P		P	
Automatic teller machines (ATMs) with no drive-through					P	P	P	P	P	P	
Automobile fuel and recharging stations and car washes						P	P	P			

Zone Use	RC-5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
Automobile, boat and trailer sales							P	C			
Automobile, boat and trailer repair						P	P	P			
Bakery, retail					P	P	P	P	P	P	
Bakery, wholesale							P				
Banks, savings and loan associations						P	P	P			
Banks, savings and loan associations with no drive-through					P	P	P	P	P	P	
Barber shops and beauty shops					P	P	P	P	P	P	
Bars					C	P	P	P	P	P	
Bed and breakfast houses; provided the criteria in BLMC 18.22.030 are met	A	C	C	C	P						
Beer and wine specialty shops					P	P	P	P	P	P	
Bookstores				A	P	P	P	P	P	P	
Bowling alley											
Brewpubs and microbreweries					C	P	P	P	P	P	
Cabinet and carpenter shop						C	P	C			
Candy shop					P	P	P	P			
Cart vendors					P	P	P	P			
Cinema						P	P	P			
Coffee shops, cafes, no drive-through					P	P	P	P	P	P	A
Coffee stand, drive-through						P	P	P			

Zone Use	RC-5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
Commercial, professional and service uses associated with a residential complex, including banks, savings and loan associations, barber and beauty shops, business and professional offices, medical and dental clinics and neighborhood grocery, coffee shops, or restaurants, provided such uses occupy no more than 10 percent of the land area of the parcel or parcels within the residential complex and no individual commercial, professional or service use exceeds 5,000 square feet of floor area				A			P				
Commercial uses associated with a permitted use, such as a snack bar or gift shop, provided the commercial activity is open for business no more than 150 days per year or is within the same building as the permitted use							P				A
Contractor yards, provided a solid fence and/or solid screening hedge at least eight feet high is built and maintained to screen from view the open storage use							P				
Day care centers				C	P	P	P	P			P
Department store						P	P	P			
Dry cleaning						P	P	P	P	P	
Food markets, delicatessen and meat markets (beer and wine may be sold)					P	P	P	P	P	P	
Furniture and small household appliance repair shops					C	P	P	C			

Zone Use	RC-5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
Furniture building, repair and upholstery							P				
Hardware stores						P	P	P	P	P	
Horticultural nursery and garden supply, indoor or outdoor						P	P	P	P	P	
Hospitals		C	C	C		P	P	P			C
Hotels, motels						C	P	C	P	P	
Kennels	C		C	C	A	A	P	A			
Laundromats					P	P	P	P			
Liquor stores					C	P	P	P			
Locksmiths and security alarm shops					P	P	P	P			
Machine shops						C	P	C			
Massage therapy/spas					P	P	P	P	P	P	
Medical-dental clinics						P	P	P	P ³	P	
Medical offices					P	P	P	P	P ³	P	
Mini day care center				C	P	A	P	A	P	P	
Mini-storage facilities						C	C	C			
Nail salons					P	P	P	P	P	P	
Nightclub							P				
Open storage yards, including storage and sale of building materials and heavy equipment, provided a solid fence and/or solid screening hedge at least eight feet high is built and maintained to screen from view the open storage use							P				
Outdoor storage and sale of building materials and nursery stock, provided such use is accessory to a permitted use and enclosed within a sight-obscuring fence						A	A	A			
Pet shop, grooming and supplies					P	P	P	P	P	P	
Pharmacies						P	P	P	P	P	

Zone Use	RC-5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
Photographic processing and supply						P	P	P	P	P	
Photography studios					P	P	P	P	P	P	
Plumbing shops, electricians, heating, air conditioning sales or repair						C	P	C			
Pool hall						P	P	P			
Printing, copying and mailing services					P	P	P	P	P	P	
Professional offices					P	P	P	P	P ³	P	
Restaurants, including drive-in restaurants					C	P	P	P			
Restaurants, no drive-through					C	P	P	P	P	P	
Retail shops					C	P	P	P	P	P	
Roadside produce stands	P				P	P	P	P			P
Shoe repair					P	P	P	P	P	P	
Shopping center						P	P	P			
Skating rink						P	P	P			
Stables and riding schools	P										P
Tailor shops					P	P	P	P	P	P	
Tanning salon					P	P	P	P	P	P	
Tavern					C	P	P	P	P	P	
Veterinary clinics, animal hospitals						P	P	P			
Veterinary clinics with no outdoor kennel space or dog runs						P	P	P	P ³	P	
Wireless communications facilities are permitted as principal or accessory uses provided the requirements of Chapter 18.50 BLMC are met	P		P	P	A	A	P	A			
Essential public facilities											
<u>Airports (NAICS 481)</u>							<u>C</u>				
<u>Colleges and Universities (NAICS 6112 and 6113)</u>						<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u> ³	<u>P</u>	<u>P</u>
<u>State Transportation Facilities</u>							<u>P</u> ⁶				

Zone Use	RC-5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
<u>Transit Facilities</u>		<u>C</u> ³	<u>C</u> ³	<u>P</u> ⁷							
<u>Correctional Institutions (NAICS 922140)</u>							<u>C</u>				<u>C</u>
<u>Solid Waste Handling Facilities (NAICS 5621 and NAICS 5622)</u>							<u>C</u>				
<u>Psychiatric and Substance Abuse Hospitals (NAICS 622210)</u>							<u>P</u>	<u>C</u>			
<u>Group homes</u>	<u>P</u>	<u>P</u>	<u>P</u>								
<u>Secure Community Transition Facilities</u>							<u>C</u> ⁴				
<p>P = Permitted C = Conditional use A = Accessory use P1 = No accessory dwelling units are allowed in conjunction with a duplex P2 = Subject to the commercial design standards of Chapter 18.31 BLMC P3 = Allowed outright on second floor, requires a CUP if on the first floor P4 = Subject to the provisions of BLMC 18.22.040 <u>P5 = Subject to the limitations and provisions of Chapter 18.40 BLMC</u> <u>P6 = As defined in RCW 47.06.140</u> <u>P7 = As defined in RCW 81.112.020</u> C1 = Exclusions are listed in BLMC 18.29.040 <u>C2 = Subject to the limitations and provisions of Chapter 18.40 BLMC</u> <u>C3 = As defined in RCW 81.112.020</u> <u>C4 = As defined in RCW 71.09.020</u></p>											

Section 4. Section 18.52.020, “Conditional Use Permits” of the Bonney Lake Municipal Code and Ordinance Nos. 1505 § 23 are hereby amended to read as follows:

- A. A conditional use permit is required for certain uses in certain zones because of those uses’ unusual size, infrequent occurrence, special requirements, possible safety hazards or detrimental effects on surrounding properties, or similar reasons.
- B. Conditional use permits shall be Type 3 permits.
- C. In determining whether a conditional use permit should be granted, the hearing examiner shall consider the following factors:

1. Whether the proposed use is injurious to the public welfare and convenience;
 2. The impact of the proposed use on the subject property and/or other properties in the surrounding area;
 3. The character of the area in which the use is proposed;
 4. The intent of the zoning code and comprehensive plan of the City; and
 5. The availability of municipal services such as water, sewer, roads, fire and police protection which might be required by reason of the proposed use.
- D. In addition to the requirements of 18.52.020.A through 18.52.02.C conditional use permits for essential public facilities (EPF) shall be subject to the requirements of this section.
1. In addition to the application materials required for any permit required to construct or modify the EPF, the applicant shall submit the following material:
 - a. Information demonstrating compliance with any existing multi-jurisdictional siting criteria in selecting the proposed location for the EPF; and
 - b. Information regarding all alternative sites considered for the proposed EPF, including information about why such alternative sites were not selected.
 2. In addition to the decision criteria applicable to any permit required to construct or modify the EPF, the City may approve, or approve with modifications, a proposal to construct or modify an EPF if:
 - a. The location and design are consistent with any planning document under which the proposing agency, special district or organization operates, as determined by the person or body having authority to interpret such document;
 - b. The location, design, use and operation of the EPF complies with any applicable guidelines, rules, regulations or statutes adopted by state law, or any agency or jurisdiction with authority;

A building which houses all or a majority of an EPF must be compatible with the architectural form of surrounding buildings. This requirement is not applicable to an EPF where significant elements of the facility are not housed in a building or to isolated minor elements such as utility meters;

- c. An EPF may be permitted in in the R-1, R-2, R-3, RC-5, DM or DC zoning classification, only if there is an operational or other need that requires locating in that district to achieve the purpose or function of the EPF;
 - d. If the City determines that the EPF is potentially dangerous to human life, appropriate protective measures may be required.
3. The Hearing Examiner may impose conditions on the location, design, use or operation of the EPF within the scope of the City's authority in order to mitigate identified environmental, public safety or other impacts of the EPF.

Section 5. Severability. If any one or more section, subsection, or sentence of this ordinance is held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force effect.

Section 6. Effective Date. This ordinance shall take effect five (5) days after its passage, approval and publication as required by law.

PASSED BY THE CITY COUNCIL this _____ day of _____, 2015.

Neil Johnson, Jr., Mayor

AUTHENTICATED:

Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

Kathleen Haggard, City Attorney



Memo

Date : April 15, 2015
To : Mayor and City Council
From : Grant Sulham, Planning Commission Chair
Re : **Ordinance D15-15**

A. Family Day Cares

The proposed amendment would add family day cares to the list of permitted use in the C-2, Eastown, and Midtown Core zoning classifications. All of these zones allow residential uses; however, family day cares are not listed as a permitted use in these zones. Pursuant to RCW 36.70A.450, the City cannot enact, enforce, or maintain an ordinance, development regulation, zoning regulation, or official control, policy, or administrative practice that prohibits the use of a residential dwelling, located in an area zoned for residential or commercial, as a family daycare facility.

B. Essential Public Facilities

The City is required to provide a process for permitting Essential Public Facilities (EPFs) and cannot adopt development regulations that preclude the siting of EPFs pursuant to RCW 36.70A.200(5).

EPFs as defined in RCW 36.70A.200(1) include:

“... those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities as defined in RCW 47.06.140, regional transit authority facilities as defined in RCW 81.112.020, state and local correctional facilities, solid waste handling facilities, and inpatient facilities including substance abuse facilities, mental health facilities, group homes, and secure community transition facilities as defined in RCW 71.09.020.”

Development regulations as defined in 36.70A.030(7) include:

“... the controls placed on development or land use activities by a county or city, including, but not limited to, zoning ordinances, critical areas ordinances, shoreline

master programs, official controls, planned unit development ordinances, subdivision ordinances, and binding site plan ordinances together with any amendments thereto. A development regulation does not include a decision to approve a project permit application, as defined in RCW 36.70B.020, even though the decision may be expressed in a resolution or ordinance of the legislative body of the county or city.”

Additionally, the City’s process cannot allow the City to deny a permit for an EPF as provided in WAC 365-196-550(6)(a):

“The siting process may not be used to deny the approval of the essential public facility. The purpose of the essential public facility siting process is to allow a county or city to impose reasonable conditions on an essential public facility necessary to mitigate the impacts of the project while ensuring that its development regulations do not preclude the siting of an essential public facility.”

The Central Puget Sound Growth Management Hearings Board (CPSGMHB) in *King County v. Snohomish County* (Case Number 03-3-011) found that:

“... [N]o local government plan or regulation, including permit processes, and conditions, may preclude the siting, expansion or operation of an essential public facility. Local plans and regulations may not render EPFs impossible or impracticable to site, expand, or operate, either by the outright exclusion of such uses, or by imposition of process requirements or substantive conditions that render EPF impracticable. While there is no absolute time limit for how long an EFP Permit may take, and EFP permit process lacking provisions that assure an ultimate decisions may bound to be so unfair, untimely, and unpredictable as to substantively violate RCW 36.70A.020(7).”

While CPSGMHB has interpreted “preclude” to mean “... impossible or impracticable to site, expand, or operate, either by the outright exclusion of such uses, or by imposition of process requirements or substantive conditions that render EPF impracticable”, the CPSGMHB in *Port of Seattle v. City of Des Moines* (Case No. 97-3-0014 – Final Order)) found that “[A] zoning code that confines certain EPFs to certain zones is not automatically considered preclusive.”

Additionally, the CPSGMHB in *DOC/DSHS v. City of Tacoma* (Case No. 00-3-0007 – Order Finding Compliance) upheld Tacoma’s decision to limit work release facilities to certain industrial and commercial zones.

Based on RCW 36.70A.200(5) and the decisions of the CPSGMHB, the land use matrix adopted in BLMC 18.08.020 was amended to add a specific section that address EPFs, which identifies the zoning classification(s) that permits each of facilities defined as EPF in RCW 36.70A.200(1).

As part of the process to review and site EFPs, WAC 365-196-500(5) and WAC 365-196-550(6) allows the City to:

- Impose reasonable conditions on EPFs necessary to mitigate the impacts. The combination of any existing development regulations and any conditions may not render impossible or impracticable the siting, development, or operation of the EPF;
- Provide notice and an opportunity to comment to other interested counties and cities and the public.
- Require a use permit, but the process used must ensure a decision on the EPF is completed without unreasonable delay.
- Impose design conditions to make an EPF compatible with its surroundings. Cities may also consider provisions for amenities or incentives for neighborhoods in which the EPF is sited. Any conditions imposed must be necessary to mitigate an identified impact of the EPF.

Therefore, in addition to limiting the zones that permit certain EPFs, some EPFs are required to obtain a conditional use permit to further ensure that all impacts associated with that EPF is sufficiently mitigated. Additional criteria was added to the City's current conditional use permit requirements to address the special nature of EPFs.

C. Single Family Residents in R-2 Zone

This amendment to the land use matrix would allow single family homes in the R-2 zone. The R-2 is intended to be a higher density residential zone and has been applied to the Comprehensive Urban Growth Area (CUGA) proposed to be annexed into the City. However, the R-2 does not allow single family residential, which means upon annexation the entire area would be non-conforming. Additionally, there are a number of areas around Lake Tapps that have been zoned R-2 and are developed with single family homes.

The current land use matrix would also indicate that allowing single families homes in the R-2 was inadvertently left off of the land use matrix when it was adopted in 2011. Currently, accessory dwelling units are only allowed in the R-2 and R-3 zoning classifications, but only in conjunction with any single-family residence and not permitted in conjunction with any duplex or multiple-family dwelling units pursuant to BLMC 18.22.090.C.1. The regulations related to accessory dwelling units were adopted in 1997 and last amendment in 2007; whereas, the land use matrix was adopted four years later in 2011. Finally, prior to the adoption of the land use matrix, single family homes were specifically permitted in the R-2 zone. The proposed amendment would ensure consistency in the Municipal Code and ensure that areas proposed to be annexed into the City are not made non-conforming upon annexation.

The Planning Commission finds that the proposed amendments in Ordinance D15-15 will ensure consistency between the state law and the Bonney Lake Municipal Code. On April 15, 2015, the Planning Commission held a public hearing on Ordinance D15-15 which amends the City's Land Use Matrix and voted 7-0-0 to recommend that the City Council approve Ordinance D15-15. Comments from the public were neither made at the public hearing nor submitted in writing to the City.

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

Department/Staff Contact: Community Development/ Jason Sullivan – Senior Planner	Meeting/Workshop Date: June 9, 2015	Agenda Bill Number: AB15-38
Agenda Item Type: Ordinance	Ordinance/Resolution Number: D15-38	Councilmember Sponsor: Donn Lewis

Agenda Subject: Park Impact Fee Amendment – Expenditure Timeframe

Full Title/Motion: An Ordinance of the City Council of the City Of Bonney Lake, Pierce County, Washington, amending portions of section 19.06.080 of the Bonney Lake Municipal Code related to the timeframe to expend collected park impact fees.

Administrative Recommendation:

Background Summary: Currently, the City’s park impact fee program requires that the funds collected by the City be spent within six years of receipt or refunded to the applicant that paid the impact fees. However, in 2011, the state legislature amended RCW 82.02.070(3)(a) extending the timeframe to spent collected impact fees from six years to ten years. The City adopted the longer timeframe for the transportation and school impact fees, but did not amend the park impact fee regulation to provide for the longer timeframe. The proposed amendment would extend the timeframe to ten years.

This amendment was identified as mandatory change in the *Bonney Lake 2035: 2015 Comprehensive Plan Periodic Update – Consistency Report* which was adopted by the City Council pursuant to Resolution 2379.

Attachments: Ordinance D15-38, Planning Commission Recommendation Memo, and RCW 82.02.080

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

COMMITTEE, BOARD & COMMISSION REVIEW									
Council Committee Review: Date:	<i>Approvals:</i> Chair/Councilmember Councilmember Councilmember	Yes No	<table border="1" style="width: 100%; height: 30px;"> <tr><td style="width: 50%;"></td><td style="width: 50%;"></td></tr> <tr><td></td><td></td></tr> <tr><td></td><td></td></tr> </table>						
Forward to:	Consent Agenda:	<input type="checkbox"/> Yes	<input type="checkbox"/> No						
Commission/Board Review: Planning Commission – March 18, 2015 and April 8, 2015									
Hearing Examiner Review:									

COUNCIL ACTION	
Workshop Date(s): May 26, 2015	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

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

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ORDINANCE NO. D15-38

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING PORTIONS OF SECTION 19.06.080 OF THE BONNEY LAKE MUNICIPAL CODE RELATED TO THE TIMEFRAME TO EXPEND COLLECTED PARK IMPACT FEES.

WHEREAS, in 2011, the state legislature amended RCW 82.02.070(3)(a) extending the timeframe to spent collected impact fees from six years to ten years; and

WHEREAS, BLMC 19.06.080 requires that park impact fees be expended within six years from the date that the fee was collected by the City of Bonney Lake; and

WHEREAS, amending BLCM 19.60.080 to require that park impacts be expended within ten years from the date collected by the City was identified as mandatory change in the *Bonney Lake 2035: 2015 Comprehensive Plan Periodic Update – Consistency Report* adopted by the City Council pursuant to Resolution 2379; and; and

WHEREAS, the Community Development Director acting as the SEPA Responsible Official determined that the proposed amendment is categorically exempt from the SEPA pursuant to WAC197-11-800(19)(b); and

WHEREAS, pursuant to the Growth Management Act - Chapter 36.70A RCW this Ordinance was provided to the Department of Commerce for 60-day review and comment by the Department and other State agencies; and

WHEREAS, expedited review was requested and granted by the Department of Commerce and the review period concluded on March 25, 2015; and

WHEREAS, notice of the public hearing was given to the public in accordance with law and a public hearing was held by the Planning Commission on April 8, 2015;

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

Section 1. Section 19.06.080, “Funding of projects” of the Bonney Lake Municipal Code and Ordinance Nos. 1185 § 2 is hereby amended to read as follows:

19.06.080 Funding of projects.

- A. Parks impact fees shall be placed in appropriate deposit accounts within the parks capital improvement fund.
- B. The parks impact fees paid to the city shall be held and disbursed as follows:
 - 1. The parks impact fees collected shall be deposited in accordance with subsection A of this section;

2. When the council appropriates parks capital improvement fund funds for a project in the parks plan, impact fees held within such fund may be used in accordance with the parks plan. The non-impact fee moneys appropriated for the project may comprise both the public share of the project cost and an advancement of that portion of the private share that has not yet been collected in parks impact fees;
 3. The first money spent by the director on a project after a council appropriation shall be deemed to be the fees from the impact fee account;
 4. Fees collected after a project has been fully funded by means of one or more council appropriations shall constitute reimbursement to the city of the public moneys advanced for the private share of the project;
 5. All interest earned on parks impact fees paid shall be retained in the account and expended for the purpose or purposes for which the parks impact fees were imposed.
- C. Projects shall be funded by a balance between parks impact fees and other sources of public funds, and shall not be funded solely by parks impact fees.
- D. Parks impact fees shall be expended or encumbered for a permissible use within ~~six~~ ten years of receipt, unless there exists an extraordinary or compelling reason for fees to be held longer than ~~six~~ ten years. The finance director may recommend to the council that the city hold fees beyond ~~six~~ ten years in cases where extraordinary or compelling reasons exist. Such reasons shall be identified in written findings by the council.
- E. The city shall prepare an annual report on the parks impact fee account showing the source and amount of all moneys collected, earned or received and projects that were financed in whole or in part by parks impact fees.
- F. If the city fails to expend or encumber the impact fees within ten years of when the fees were paid or other such period of time established pursuant to 19.06.080D, the city shall notify the current owner of property on which an impact fee was paid by first-class mail deposited with the United States postal service that there is a potential that the impact fee paid may be refunded and requesting that the property owner submit a request for a refund if the property owner believes they are entitled to a refund.
- G. The request for a refund must be submitted to the city in writing within one year of the date the right to claim the refund arises or the date that notice is given, whichever is later. Any impact fees that are not expended within these time limitations, and for which no application for a refund has been made within this one-year period, shall be retained and expended on the indicated capital facilities. Refunds of impact fees under this subsection shall include interest earned on the impact fees.

Section 2. Severability. If any one or more section, subsection, or sentence of this ordinance is held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force effect.

Section 3. Effective Date. This ordinance shall take effect five (5) days after its passage, approval and publication as required by law.

PASSED BY THE CITY COUNCIL this _____ day of _____, 2015.

Neil Johnson, Jr., Mayor

AUTHENTICATED:

Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

Kathleen Haggard, City Attorney

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Memo

Date : April 8, 2015
To : Mayor and City Council
From : Grant Sulham, Planning Commission Chair
Re : **Ordinance D15-38**

Currently, the City’s park impact fee program requires that the funds collected by the City be spent within six years of receipt or refunded to the applicant that paid the impact fees. However, in 2011, the state legislature amended RCW 82.02.070(3)(a) extending the timeframe to spent collected impact fees from six years to ten years. The City adopted the longer timeframe for the transportation and school impact fees, but did not amend the park impact fee regulation to provide for the longer timeframe. The proposed amendment would extend the timeframe to ten years.

This amendment was identified as mandatory change in the *Bonney Lake 2035: 2015 Comprehensive Plan Periodic Update – Consistency Report* which was adopted by the City Council pursuant to Resolution 2379.

The Planning Commission finds that the proposed amendment in Ordinance D15-38 will ensure consistency between the state law and the Bonney Lake Municipal Code.

On April 8, 2015, the Planning Commission held a public hearing on Ordinance D15-38 which amends the City’s park impact fee regulations and voted 7-0-0 to recommend that the City Council adopted Ordinance D15-38. Comments from the public were neither made at the public hearing nor submitted in writing to the City.

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Mobile

[RCWs](#) > [Title 82](#) > [Chapter 82.02](#) > [Section 82.02.080](#)

[82.02.070](#) << [82.02.080](#) >> [82.02.090](#)

RCW 82.02.080

Impact fees — Refunds.

(1) The current owner of property on which an impact fee has been paid may receive a refund of such fees if the county, city, or town fails to expend or encumber the impact fees within ten years of when the fees were paid or other such period of time established pursuant to RCW [82.02.070](#)(3) on public facilities intended to benefit the development activity for which the impact fees were paid. In determining whether impact fees have been encumbered, impact fees shall be considered encumbered on a first in, first out basis. The county, city, or town shall notify potential claimants by first-class mail deposited with the United States postal service at the last known address of claimants.

The request for a refund must be submitted to the county, city, or town governing body in writing within one year of the date the right to claim the refund arises or the date that notice is given, whichever is later. Any impact fees that are not expended within these time limitations, and for which no application for a refund has been made within this one-year period, shall be retained and expended on the indicated capital facilities. Refunds of impact fees under this subsection shall include interest earned on the impact fees.

(2) When a county, city, or town seeks to terminate any or all impact fee requirements, all unexpended or unencumbered funds, including interest earned, shall be refunded pursuant to this section. Upon the finding that any or all fee requirements are to be terminated, the county, city, or town shall place notice of such termination and the availability of refunds in a newspaper of general circulation at least two times and shall notify all potential claimants by first-class mail to the last known address of claimants. All funds available for refund shall be retained for a period of one year. At the end of one year, any remaining funds shall be retained by the local government, but must be expended for the indicated public facilities. This notice requirement shall not apply if there are no unexpended or unencumbered balances within an account or accounts being terminated.

(3) A developer may request and shall receive a refund, including interest earned on the impact fees, when the developer does not proceed with the development activity and no impact has resulted.

[2011 c 353 § 9; 1990 1st ex.s. c 17 § 47.]

Notes:

Intent -- 2011 c 353: See note following RCW [36.70A.130](#).

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**Severability -- Part, section headings not law -- 1990 1st ex.s. c
17: See RCW [36.70A.900](#) and [36.70A.901](#).**

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

Department/Staff Contact: Community Development/ Jason Sullivan – Senior Planner	Meeting/Workshop Date: June 9, 2015	Agenda Bill Number: AB15-48
Agenda Item Type: Resolution	Ordinance/Resolution Number: 2449	Councilmember Sponsor: Donn Lewis

Agenda Subject: Comprehensive Plan Periodic Update – Community Services and Facilities Element

Full Title/Motion: A resolution of the City Council of the City of Bonney Lake, Pierce County, Washington expressing the intent to adopt the Community Services and Facilities Element of the comprehensive plan.

Administrative Recommendation:

Background Summary: In order to streamline the comprehensive plan, the current Parks Element, Utilities Element, and Capital Facilities Element have been combined into one element entitled “Community Facilities and Services” (CSF) given the highly interrelated nature of these three topics as authorized by WAC 365-196-415(2)(a)(iii). This approach was identified in *Bonney Lake 2035: 2015 Comprehensive Plan Periodic Update Consistency Report*, which was adopted by the City Council pursuant to Resolution 2379. The primary purpose of the CSF Element is to demonstrate that, over the twenty-year life of the plan, needed public facilities and services will be available and provided to residents of Bonney Lake.

The CSF Element includes an inventory of all existing facilities and services: governmental facilities and services, parks and recreation facilities, domestic water supply systems, storm water systems, sanitary sewer systems, utilities, and schools. This inventory includes all publicly owned facilities regardless of whether or not the facilities is owned by the City as required by RCW 36.70A.070(3)(a).

All public facilities and services included in the CSF Element have a minimum level of service standard clearly labeled as such (i.e., not “guidelines” or “criteria”) and explicitly states which of these public facilities and services are determined to be necessary for development as required by the GMA.

The CSF Element also includes a six year Capital Improvement Plan (CIP) for all of the City’s capital facilities as required by RCW 36.70A.070(3)(d), which includes the source of the public funds for the identified improvements. The six year CIP will be updated on a biennium basis and is required to be consistent with the City’s adopted biennium budget.

The CSF Element requires a reassessment of the Community Development Element (Land Use) if probable funding falls short of meeting existing needs to ensure the land use element, capital facilities element, and financing plan within the capital facilities element are coordinated and consistent as required by RCW 36.70A.070(3)(e).

Additionally, in order to maintain eligible for grants from the Recreation and Conservation Funding Board (RCFB), the Parks and Recreation section of the Community Services and Facilities Element meets the requirements for a parks plan established by RCFB.

A copy of the CFS Element of *Bonney Lake 2035* is available at the following link: www.citybonneylake.org/planning/compplanupdates

The adoption of a Community Services and Facilities Element is identified in the *2015 – 2016 Planning Commission Work Plan* adopted pursuant to Resolution 2423.

BUDGET INFORMATION

Budget Amount

Current Balance

Required Expenditure

Budget Balance

Budget Explanation:

COMMITTEE, BOARD & COMMISSION REVIEW

Council Committee Review:

Date:

Approvals:

Chair/Councilmember

Councilmember

Councilmember

Yes No

Forward to:

Consent Agenda: Yes No

Commission/Board Review: Planning Commission – May 6, 2015

Hearing Examiner Review:

COUNCIL ACTION

Workshop Date(s):

Public Hearing Date(s):

Meeting Date(s): May 26, 2015

Tabled to Date:

APPROVALS

Director:

John P. Vodopich, AICP

Mayor:

Date Reviewed

by City Attorney:
(if applicable):

RESOLUTION NO. 2449

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON EXPRESSING THE INTENT TO ADOPT THE COMMUNITY SERVICES AND FACILITIES ELEMENT OF THE COMPREHENSIVE PLAN.

WHEREAS, RCW 36.70A.130(4) requires the City of Bonney Lake to review and revise, if needed, its Comprehensive Plan and development regulations by June 30, 2015 to ensure compliance with the Growth Management Act (GMA) – Chapter 36.70A RCW; and

WHEREAS, the City Council passed Resolution 2379 directing staff to prepare amendments to the Comprehensive Plan consistent with the *Bonney Lake 2035 – Consistency Report*; and

WHEREAS, the Bonney Lake Planning Commission has reviewed the proposed amendments to the Comprehensive Plan related to the Community Services and Facilities Element on May 6, 2015; and

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON DOES HEREBY RESOLVE AS FOLLOWS:

The City Council of the City of Bonney Lake provides notice of its intent to adopt the Community Services and Facilities Element of the Comprehensive Plan, attached as Exhibit A.

BE IT FURTHER RESOLVED, that the City staff is directed to prepare the final version of the Community Services and Facilities Element of the Comprehensive Plan which will be brought back to the City Council for final consideration prior to June 30, 2015.

PASSED by the City Council and approved by the Mayor this _____ day of _____, 2015.

Neil Johnson, Jr., Mayor

AUTHENTICATED:

Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

Kathleen Haggard, City Attorney

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

Department/Staff Contact: Community Development/ Jason Sullivan – Senior Planner	Meeting/Workshop Date: June 9, 2015	Agenda Bill Number: AB15-50
Agenda Item Type: Resolution	Ordinance/Resolution Number: 2451	Councilmember Sponsor: Donn Lewis and Katrina Minton-Davis

Agenda Subject: Comprehensive Plan Periodic Update – Implementation Element

Full Title/Motion: A resolution of the City Council of the City of Bonney Lake, Pierce County, Washington expressing the intent to adopt the Implementation Element of Bonney Lake 2035.

Administrative Recommendation:

Background Summary: The Implementation Element of *Bonney Lake 2035* provides guidance for maintaining accountability, monitoring activities, creating appropriate development regulations and procedures, and involving the community in implementation of *Bonney Lake 2035*. Completion and adoption of *Bonney Lake 2035* is not the end of the planning process. Implementation of *Bonney Lake 2035* will be achieved over the twenty-year planning horizon through the cooperative efforts of the City public, private, and non-profit sectors.

This Element provides implementation actions and performance measures for each of the elements *Bonney Lake 2035* to ensure that decision making related to development review, future long-range planning activities and capital improvements are consistent with those goals and policies

A copy of the Community Mobility Element of *Bonney Lake 2035* is available at the following link:
www.citybonneylake.org/planning/compplanupdates

The establishment of implementation actions and performance measures was identified in *Bonney Lake 2035: 2015 Comprehensive Plan Periodic Update Consistency Report*, which was adopted by the City Council pursuant to Resolution 2379.

The completion of the periodic update of the comprehensive plan for the City was identified in the *2015 – 2016 Planning Commission Work Plan* adopted pursuant to Resolution 2423.

Attachments: Resolution 2451

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

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:	Date:	Approvals:	Yes No
		Chair/Councilmember	<input type="checkbox"/> <input type="checkbox"/>
		Councilmember	<input type="checkbox"/> <input type="checkbox"/>
		Councilmember	<input type="checkbox"/> <input type="checkbox"/>
	Forward to:	Consent Agenda: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Commission/Board Review:	Planning Commission – May 20, 2015		
Hearing Examiner Review:			

COUNCIL ACTION

Workshop Date(s):

Public Hearing Date(s):

Meeting Date(s): June 2, 2015

Tabled to Date:

APPROVALS

Director:

John P. Vodopich, AICP

Mayor:

Date Reviewed

by City Attorney:
(if applicable):

RESOLUTION NO. 2451

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON EXPRESSING THE INTENT TO ADOPT THE IMPLEMENTATION ELEMENT OF BONNEY LAKE 2035.

WHEREAS, RCW 36.70A.130(4) requires the City of Bonney Lake to review and revise, if needed, its comprehensive plan and development regulations by June 30, 2015 to ensure compliance with the Growth Management Act (GMA) – Chapter 36.70A RCW; and

WHEREAS, the City Council passed Resolution 2379 directing staff to prepare amendments to the comprehensive plan consistent with the *Bonney Lake 2035 – Consistency Report*; and

WHEREAS, the Bonney Lake Planning Commission has reviewed the proposed Implementation Element on May 20, 2015; and

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON DOES HEREBY RESOLVE AS FOLLOWS:

The City Council of the City of Bonney Lake provides notice of its intent to adopt the Implementation Element of *Bonney Lake 2035*, attached as Exhibit A.

BE IT FURTHER RESOLVED, that the City staff is directed to prepare the final version of the Implementation Element of *Bonney Lake 2035*, which will be brought back to the City Council for final consideration prior to June 30, 2015.

PASSED by the City Council and approved by the Mayor this ____ day of _____, 2015.

Neil Johnson, Jr., Mayor

AUTHENTICATED:

Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

Kathleen Haggard, City Attorney

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

Department/Staff Contact: Executive / Don Morrison	Meeting/Workshop Date: 9 June 2015	Agenda Bill Number: AB15-65
Agenda Item Type: Resolution	Ordinance/Resolution Number: 2465	Councilmember Sponsor: Swatman, Hamilton, McKibbin,

Agenda Subject: Joining the Pierce County Conservation District

Full Title/Motion: A Resolution Of The City Of Bonney Lake, Pierce County, Washington, Approving The City's Inclusion In Pierce Conservation District Pursuant To State Law; And Requesting That The Pierce County Council Approve The Conservation District Resource Conservation Fee Or Other Authorized Funding Within The Corporate Boundaries Of The City Of Bonney Lake..

Administrative Recommendation: Approve

Background Summary: At the February 17th Workshop, the Council considered a presentation from the Pierce County Conservation District regarding the programs and services of the District, and the benefits and costs of joining the District. This Resolution petitions the Washington State Conservation Commission for the City to become a member of the Conservation District.
Attachments: Resolution, District Background Information

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
Budget Explanation: The general District assessment is \$5 per year per parcel of land in the City.			

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:	Other Date: 2015	Approvals: Chair/Councilmember Councilmember Councilmember	Yes No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	Forward to: June 9 th Mtg	Consent Agenda:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Commission/Board Review:			
Hearing Examiner Review:			

COUNCIL ACTION	
Workshop Date(s): 2/17/2015; 6/2/15	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

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

RESOLUTION NO. 2459

A RESOLUTION OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, APPROVING THE CITY'S INCLUSION IN PIERCE CONSERVATION DISTRICT PURSUANT TO STATE LAW; AND REQUESTING THAT THE PIERCE COUNTY COUNCIL APPROVE THE CONSERVATION DISTRICT RESOURCE CONSERVATION FEE OR OTHER AUTHORIZED FUNDING WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF BONNEY LAKE.

WHEREAS, various Federal and State government laws and regulations mandate local governmental action relative to protection and enhancement of natural resources; and

WHEREAS, the City of Bonney Lake is required to plan and implement programs and projects in response to these Federal and State mandates, including the National Pollutant Discharge Elimination System (NPDES) and the Endangered Species Act (ESA); and

WHEREAS, outside funding for said programs and projects is often insufficient to meet the needs of local government, including local government needs from "unfunded mandates" of the State and Federal governments; and

WHEREAS, the Pierce Conservation District, a locally-led agency of Washington State government offers significant assistance to local governments and private citizens in response to Federal and State mandates; and

WHEREAS, the City of Bonney Lake has significant natural resources that are important for the quality of life of the area; and

WHEREAS, the City of Bonney Lake wishes to take advantage of the Pierce Conservation District programs such as water quality improvement, river bank clean ups and natural habitat restoration, urban flooding reduction, river bank stabilization, water quality monitoring, lake water quality improvement, rain garden and rain barrel program development, and community garden and local food access project development; and

WHEREAS, the Pierce County Council possesses the authority under Chapter 89.08 RCW to enhance the ability of the Pierce Conservation District to assist local governments by enacting an annual Resource Conservation Fee or Rate or Charge as authorized by law within the Pierce Conservation District's boundaries for a period of not greater than ten (10) years.

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

Section 1. The City of Bonney Lake hereby requests to be included in and a part of the Pierce Conservation District (The “District”). The Petition for inclusion in the District shall be submitted to the Washington State Conservation Commission (“commission”), as provided in RCW 89.08.010(4). The Commission is requested to approve the Petition. Upon approval by the District and the Commission, the District is authorized to file such documents with Pierce County as may be necessary to implement this authorization.

Section 2. The City of Bonney Lake requests the Pierce Conservation District Board of Supervisors include eligible properties within the City limits within the Resource Conservation Fee or Rate or Charge (or other lawful funding) to fund said programs in accordance with Chapter 89.08 RCW or other applicable law.

Section 3. No further action of the City shall be necessary following approval by the Commission. The Mayor is authorized to execute on behalf of the City any additional documents necessary to carry out the authorizations and approvals of this Resolution.

PASSED BY THE CITY COUNCIL this 9th day of June 2015.

Neil Johnson, Jr., Mayor

AUTHENTICATED:

Harwood T. Edvalson, City Clerk, MMC

APPROVED AS TO FORM:

Kathleen Haggard, City Attorney

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

Department/Staff Contact: Admin Srvcs / Edvalson	Meeting/Workshop Date: 9 June 2014	Agenda Bill Number: AB15-68
Agenda Item Type: Motion	Ordinance/Resolution Number:	Councilmember Sponsor: Deputy Mayor Swatman

Agenda Subject: Cancellation of Council Meeting, Workshop and Council Committee meetings on June 23, 2015 and August 4, 2015.

Full Title/Motion: A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Canceling The Regular Council Meeting, Concil Workshop And Council Committee Meetings On June 23, 2015 And August 4, 2015.

Administrative Recommendation: Approve, cancelling all council meetings on those two nights.

Background Summary: The Bonney Lake City Council will be participating in activities of the Association of Washington Cities Annual Conference in Wenatchee, WA starting on June 23rd. As a majority of the Council will be in attendance at the conference, it is anticipated their will not be a quorum for the Council meeting that night and Council Committee meetings held the same night. In addition, the City will celebrate National Night Out Against Crime on August 4th, which is also the local primary election night. The Council has canceled their regular meetings and committee meetings in some years to participate in conferences, parades and events throughout the community. It is not anticipated the cancellation of any of these meetings would have a significant impact in the City's business workflow.

Attachments: none

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

Budget Explanation: No budget impact.

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

COUNCIL ACTION	
Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 9 June 2015	Tabled to Date:

APPROVALS		
Director: <i>HTE</i>	Mayor: <i>NHJ</i>	Date Reviewed by City Attorney: N/A (if applicable):

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

Department/Staff Contact: Community Development/ Jason Sullivan – Senior Planner	Meeting/Workshop Date: May 26, 2015	Agenda Bill Number: AB15-49
Agenda Item Type: Presentation	Ordinance/Resolution Number: 2450	Councilmember Sponsor: Donn Lewis

Agenda Subject: Comprehensive Plan Periodic Update – Community Mobility Element

Full Title/Motion: A resolution of the City Council of the City of Bonney Lake, Pierce County, Washington expressing the intent to adopt the Community Mobility Element of the comprehensive plan.

Administrative Recommendation:

Background Summary: The City’s current Transportation Element consist of the *City of Bonney Lake 2006 Transportation Plan* and the *Bonney Lake Non-Motorized Transportation Plan Lake*. Both of these plans were prepared prior to the adoption of VISION 2040 (2008) and Transportation 2040 (2014), while the plans went a long way in addressing many of the provision now in place, there are some significant issues with the current element which required the City to a completely re-write the element to bring it into full compliance with GMA, the MPPs, and the CPPs. Additionally, internal inconsistency between the transportation plans and other elements of the comprehensive plan was one of the specific reasons for PSRC’s conditional certification of the City’s comprehensive plan. A complete write of this element, now entitled “Community Mobility” was identified in *Bonney Lake 2035: 2015 Comprehensive Plan Periodic Update Consistency Report*, which was adopted by the City Council pursuant to Resolution 2379.

The Community Mobility Element is intended to fulfill the requirements of RCW 36.70A.070(6) and RCW 36.70A.108, that local jurisdictions have a transportation element to ensure that transportation planning is directly tied to the jurisdiction’s land use decisions and fiscal planning and that the jurisdiction take steps to support the development of multiple modes of transportation.

The Community Mobility Element is based on the premise that major streets should become great public spaces that define the identity of the City. The Element looks beyond the transportation infrastructure and covers broader issues related to the connections between Bonney Lake and the region, the way that transportation shapes Bonney Lake’s form and identity, and how mobility options improve the health and wellbeing of Bonney Lake residents. The Element also looks at accessibility, or the ease of reaching various destinations in the City, and the barriers to travel for persons of varying physical needs.

The adoption of a Community Mobility Element is identified in the *2015 – 2016 Planning Commission Work Plan* adopted pursuant to Resolution 2423.

Attachments: Resolution 2450, Community Mobility Element, and Comprehensive Plan Update Task Matrix

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

COMMITTEE, BOARD & COMMISSION REVIEW

Council Committee Review:

Date:

Approvals:

Chair/Councilmember

Councilmember

Councilmember

Yes No

Forward to:

Consent Agenda: Yes No

Commission/Board Review: Planning Commission – May 6, 2015

Hearing Examiner Review:

COUNCIL ACTION

Workshop Date(s):

Public Hearing Date(s):

Meeting Date(s): May 26, 2015

Tabled to Date:

APPROVALS

Director:

John P. Vodopich, AICP

Mayor:

Date Reviewed

by City Attorney:
(if applicable):

RESOLUTION NO. 2450

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON EXPRESSING THE INTENT TO ADOPT THE COMMUNITY MOBILITY ELEMENT OF THE COMPREHENSIVE PLAN.

WHEREAS, RCW 36.70A.130(4) requires the City of Bonney Lake to review and revise, if needed, its Comprehensive Plan and development regulations by June 30, 2015 to ensure compliance with the Growth Management Act (GMA) – Chapter 36.70A RCW; and

WHEREAS, the City Council passed Resolution 2379 directing staff to prepare amendments to the Comprehensive Plan consistent with the *Bonney Lake 2035 – Consistency Report*; and

WHEREAS, the Bonney Lake Planning Commission has reviewed the proposed amendments to the Comprehensive Plan related to the Community Mobility Element on May 6, 2015; and

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON DOES HEREBY RESOLVE AS FOLLOWS:

The City Council of the City of Bonney Lake provides notice of its intent to adopt the Community Mobility Element of the Comprehensive Plan, attached as Exhibit A.

BE IT FURTHER RESOLVED, that the City staff is directed to prepare the final version of the Community Services and Facilities Element of the Comprehensive Plan which will be brought back to the City Council for final consideration prior to June 30, 2015.

PASSED by the City Council and approved by the Mayor this ____ day of _____, 2015.

Neil Johnson, Jr., Mayor

AUTHENTICATED:

Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

Kathleen Haggard, City Attorney

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