Mountlake Terrace City Council
Regular Meeting Agenda
Thursday, July 16, 2026, 7:00 PM
City Hall and via Telephone or Teleconference

AGENDA

1. Call to Order – Flag Salute – Roll Call
2. Late Changes to Agenda
3. General Public Comment
4. Consent Agenda
   a. Payment of Claims
   b. Ordinance Adopting Code Amendments to Chapters 19.95 and 15.05 for Public Infrastructure Improvements
   c. Interlocal Agreement with WA State Department of Social and Health Services for Respite Care
   d. Ordinance Adopting Amendment to 2026 Budget
   e. Ordinance Adopting Code Amendments to Chapters 18.05, 18.25 19.110, and 19.120 for Community Development Administrative Procedures
5. Presentation by Habitat for Humanity of Snohomish County
6. Resolution Supporting Sno-Isles Libraries Levy
7. Review and Vote on Ordinance and Resolution for Development Agreement with Whiskey 6, LLC and Concurrent Zoning (Terrace Station 5)
8. Appointment for Lodging Tax Advisory Committee and Diversity, Equity and Inclusion Commission Member Vacancies
9. City Manager's Report
10. Council Liaison Reports
11. New Business
12. Adjournment

To listen to the meeting via telephone, call 1-253-215-8782. To watch the meeting online: 1) Go to https://zoom.us/join; 2) Enter meeting ID 810 1113 9518 and click "join." No passcode needed.

To provide public comment or testimony remotely (via Zoom or telephone), please refer to the Public Comment and Public Hearing Testimony Protocol on the city website https://www.cityofmlt.com/129/Agendas-and-Minutes.

To submit written public comment or hearing testimony, mail to/drop off at City Hall (23204 58th Avenue W., Mountlake Terrace, WA 98043) or email remarks to Jennifer Joki, jjoki@mltwa.gov, no later than 4 p.m. on the public hearing date.

No person shall make personal attacks or threatening remarks while addressing the Council which disrupts, disturbs, or otherwise impedes the orderly conduct of the meeting. All hate speech will be construed as threatening remarks.

CITY OF MOUNTLAKE TERRACE

STAFF REPORT

To: Mountlake Terrace City Council
From: Jeff Niten, City Manager
Meeting Date: July 16, 2026
Subject: Payment of Claims

Required Reviews:

Jennifer Joki	Created -
Jeff Niten	-

Council Goal(s):
Responsible Governance to Ensure Desired Level of Service

Legislative History:
The Finance Committee, consisting of two Councilmembers and the Finance Director, meets monthly to review and discuss the claims subject to approval.

Subject Summary:

Financial/Budget Impacts:
Budget Amendment Required? No.

Budget and Sources:	N/A
Expenditure:	N/A
New Appropriation Required + Sources:	N/A

Additional Financial Information:
N/A

Community Notifications:
City Council Agenda
If "Other," please specify:

Board/Commission Recommendation:
N/A

Staff Recommendation:
Staff recommends the City Council vote to approve the claims as presented. This can be accomplished as part of the motion to approve the Consent Agenda.

Council Motion:
N/A

Attachments:
None

CITY OF MOUNTLAKE TERRACE

STAFF REPORT

To: Mountlake Terrace City Council
From: Lucas Kragt, Civil Engineer II
Meeting Date: July 16, 2026
Subject: Ordinance Adopting Code Amendments to Chapters 19.95 and 15.05 for Public Infrastructure Improvements

Required Reviews:

Jennifer Joki	Created/Initiated - 06/24/2026
Gary Schimek	Approved - 06/25/2026
Hillary Evans	Approved - 06/25/2026
Carolyn Hope	Final Approval - 07/02/2026

Council Goal(s):
Responsible Governance to Ensure Desired Level of Service

Legislative History:
This item was discussed by the Planning Commission at their meeting on June 8, 2026, with a Public Hearing held on June 22nd.

This item was presented to Council for review on July 2.

Subject Summary:
Current MTMC exempts single-family development from frontage improvements. State law prohibits cities from requiring development regulations for middle housing that are more restrictive than those required for detached single-family residences (RCW 36.70A.536(1)(b)(i)), and specifically exempts accessory dwelling units from public street improvements. Based on this state law change, it is proposed to eliminate this exemption for single family development. In order to not increase the public infrastructure development burden, staff recommends allowing existing overhead utilities to remain overhead. Feedback from PUD has called out that repairing damaged lines that are partly underground and partly overhead is more costly and time consuming than repairing entirely overhead lines. Additionally, street tree regulations adopted in the 2024 and 2026 Engineering Development Manual call out correct trees that will not grow too large to impact overhead lines.

One minor revision to the ordinance changes the wording of MTMC 19.95.030(B) from "interior remodels" to "development" to ensure the exemption from frontage improvements captures all potential types of small scale work.

Financial/Budget Impacts:
Budget Amendment Required? N/A

Budget and Sources:	
Expenditure:	
New Appropriation Required + Sources:	

Additional Financial Information:
N/A

Community Notifications:
City Council Agenda
If "Other," please specify:

Board/Commission Recommendation:
The Planning Commission held a Public Hearing on June 22 and voted unanimously to recommend approval of the proposed amendments.

Staff Recommendation:
Staff recommends the City Council vote to adopt the ordinance.

Council Motion:
N/A

Attachments:
1. Ordinance Amending 15.05, 19.95
2. Presentation Public Infrastructure Requirements

CITY OF MOUNTLAKE TERRACE

ORDINANCE _____

AN ORDINANCE OF THE CITY OF MOUNTLAKE TERRACE, WASHINGTON, AMENDING MOUNTLAKE TERRACE MUNICIPAL CODE CHAPTER 15.05, BUILDING CODE, AND CHAPTER 19.95 MTMC, TRANSPORTATION CODE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City has the authority under common law and Title 35A RCW to adopt regulations related to land use development; and

WHEREAS, the City has adopted a Zoning Code as Title 19 of the Mountlake Terrace Municipal Code ("Zoning Code") to implement the Comprehensive Plan and to ensure compatible and rational land development and land use in all portions of the City; and

WHEREAS, the City Council seeks to reduce financial barriers for development and redevelopment in the City, while meeting the intent of the Town Center Subarea Plan and applicable design standards; and

WHEREAS, on June 26, 2025, the City Council adopted Ordinance 2884 to implement state legislation related to middle housing and accessory dwelling units; and

WHEREAS, State law prohibits cities from requiring development regulations for middle housing that are more restrictive than those required for detached single-family residences (RCW 36.70A.536(1)(b)(i)), and specifically exempts accessory dwelling units from public street improvements (RCW 36.70A.681(1)(l)); and

WHEREAS, City staff developed amendments to Chapters 15.05 and 19.95 MTMC to address these concerns ("proposed amendments"); and

WHEREAS, the Planning Commission held a work session to consider the matter and the impacts of the proposed amendments on June 8, 2026; and

WHEREAS, on June 2, 2026, a 30-day notice of intent to amend development regulations as proposed was sent to the Washington State Department of Commerce in accordance with City of Mountlake Terrace procedures and regulations as required by RCW 36.70A.106; and

WHEREAS, pursuant to the State Environmental Policy Act, the City, as designated as the lead agency for review of the proposed amendments, issued a Determination of Non-Significance (DNS) on June 9, 2026 pursuant to WAC 197-11-340(2). The City did not receive any appeal of the DNS and the DNS is therefore final; and

WHEREAS, on June 22, 2026, the Planning Commission held a duly noticed public

hearing to receive staff and public input concerning the proposed code amendments and all persons who wished to be heard on the matter were heard; and

WHEREAS, following the public hearing, the Planning Commission made written findings and issued a recommendation to the City Council to approve the proposed amendments, finding the proposed amendments are internally consistent with the City's Comprehensive Plan, the Growth Management Act, and the State Environmental Policy Act, and are in the interest of the public health, safety, and welfare of Mountlake Terrace residents; and

WHEREAS, on July 2, 2026, at a duly noticed public meeting the City Council considered the Planning Commission's recommendation and all persons wishing to be heard on the matter were heard;

WHEREAS, on July 16, 2026, the City Council voted to approve the proposed amendments;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MOUNTLAKE TERRACE, WASHINGTON DO ORDAIN AS FOLLOWS:

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

Section 2. **Adoption of Planning Commission findings, conclusions, and analysis.** In support of the amendments approved in this Ordinance, the Mountlake Terrace City Council adopts the findings, conclusions, and analysis contained in the Planning Commission's Findings of Fact and Conclusions, attached hereto as "Exhibit A" and incorporated herein by reference, including but not limited to the findings that the Zoning Code regulations and amendments adopted by this Ordinance are:

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

Section 3. **MTMC 15.05.330, amended**. MTMC 15.05.330, entitled "Underground utility services", is hereby amended to read as follows:

15.05.330 Underground utility services.

A. The intent of this section is to provide for the undergrounding of power and other wireline services (data and communications) to the greatest extent practical and to avoid unnecessary extensions of overhead wireline services across City rights-of-way.

B. Where new electrical service to a property is underground, any other wireline service shall also be provided underground.

C. New Development. Any electrical or wireline service connecting to a new development or its accessory structure(s) shall be placed underground when the service is new, provided to a new or replaced building, or relocated by the property owner or their agent.

D. Modifications to Electrical Service for Existing Single-Family Dwellings.

1. Where there are modifications to electrical service for an existing single-family dwelling/accessory structure(s), and project improvements (remodels or other construction improvements) are made in excess of 50 percent of the assessed value of the single-family dwelling, utilities shall be undergrounded. Project improvement valuation will accumulate over a consecutive three-year period.

Exceptions:

a. When the nearest point of connection to the distribution system is an overhead facility on a utility pole and is greater than 100 feet away from the single-family dwelling, the property will be exempt from requiring undergrounding of power and other wireline services.

2. Where there are modifications to electrical service for an existing single-family dwelling/accessory structure(s) in town center zones, the property shall be required to provide for undergrounding of power and other wireline services, except in the case of a life safety situation.

~~E. No additional utility poles, traffic signal poles, or poles of similar type shall be installed for any reason without plans being first approved by the City and, as required, a utilities permit issued.~~

~~F. Any preexisting or new proposed overhead utility lines and services which are under 20,000 volts, and which go over and through a subdivision, planned unit development, or through commercial or industrial development, shall be placed underground as a requirement of approval of such development.~~

~~G. When and where overhead wires are being undergrounded in the public right-of-way, all other existing overhead lines shall be undergrounded as provided in MTMC 12.20.200.~~

E~~H~~. Night Lights. Night lights, yard lights, etc., shall not be powered by means of overhead wiring when the primary service to the house is already underground.

Section 4. **MTMC 19.95.030(B), amended.** MTMC 19.95.030(B), entitled "Street design and access standards; Exemptions", is hereby amended to read as follows:

B. Exemptions. Exemptions to this section shall be authorized by the Community ~~and Economic~~ Development Director for development comprised of the following:

1. ~~New construction or a~~Addition of up to 800 square feet to an existing house~~with valuation less than 50 percent of assessed value that occurs or is permitted within any three-year period~~;

2. ~~Within the TC zoning district, interior remodels~~Development with valuation less than 50 percent of assessed value that occurs or ~~are~~is permitted within any five-year period; or

~~3. Outside of the TC zoning district, interior remodels of any valuation; or~~

34. The construction of up to ~~one single-family house, including~~ two accessory dwelling units~~, or the modification of or addition to an existing house; provided, that the lot on which a new house would be constructed is not part of a subdivision that occurred within the previous three years~~.

Section 5. **MTMC 19.95.060(G), adopted.** A new section MTMC 19.95.060(G), entitled "Streets – Special regulations; Overhead utilities", is hereby adopted to read as follows:

G. Overhead utilities.

1. No additional utility poles, traffic signal poles, or poles of similar type shall be installed for any reason without plans being first approved by the City and, as required, a utilities permit issued.

2. Any preexisting overhead or new proposed utility lines and services which are located within or next to a development within the region defined by Interstate 5 on the west, 230th St SW on the north, 55th Ave W or its extension on the east, and 244th St SW on the south, shall be placed underground as a requirement of approval of such development.

3. When and where overhead wires are being undergrounded in the public right-of-way, all other existing overhead lines shall be undergrounded as provided in MTMC 12.20.200.

Section 6. **Severability.** If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance or its application to any person or situation should be held to be invalid or unconstitutional for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to any other person or situation.

Section 7. **Authority to make necessary corrections.** The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance and attachments including, but not limited to, the correction of scrivener's clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 8. **Effective Date**. Summary, Publication, and Effective Date. This Ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after its publication as required by law.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE ____ of _____, 2026.

CITY OF MOUNTLAKE TERRACE

Steve Woodard, Mayor

ATTEST/AUTHENTICATED:

Jennifer Joki, City Clerk

APPROVED AS TO FORM:

Hillary J. Evans, City Attorney

EXHIBIT A

Mountlake Terrace Planning Commission Findings of Fact & Conclusions

Based on the review of the proposed code amendments to amend Chapters 15.05 and 19.95 MTMC, the Planning Commission of the City of Mountlake Terrace makes the following Findings of Fact:

1. The City has the authority under RCW Title 35A to adopt regulations related to land use development.

2. The City has adopted a Zoning Code as Title 19 of the Mountlake Terrace Municipal Code ("Zoning Code") to implement the Comprehensive Plan and to ensure compatible and rational land development and land use in all portions of the City.

3. The City Council desires to reduce financial barriers for development and redevelopment in the city, while meeting the intent of the Town Center Subarea Plan and applicable design standards.

4. On June 26, 2025, the Mountlake Terrace City Council adopted Ordinance 2884 to implement state legislation related to middle housing and accessory dwelling units.

5. State law prohibits cities from requiring development regulations for middle housing that are more restrictive than those required for detached single-family residences (RCW 36.70A.536(1)(b)(i)), and specifically exempts accessory dwelling units from public street improvements (RCW 36.70A.681(1)(l)).

6. The Planning Commission held a work session to consider the matter and the impacts of the proposed amendments on June 8, 2026.

7. The following Comprehensive Plan policies support the proposed code amendments:

   HO-1.5: Develop and implement creative solutions for development regulations and incentive-based tools to encourage the production of ownership and rental housing affordable to all income levels.

   LU-3.6: Encourage quality smaller scale infill and redevelopment projects in existing neighborhoods.

   UT-2.2: Require undergrounding of new electrical distribution and communication lines where appropriate to improve redundancy and reliance in the system.

8. Pursuant to RCW 36.70A.106 and consistent with the City of Mountlake Terrace procedures, on June 2, 2026, the City notified the Washington State Department of Commerce of the City's intent to amend development regulations.

9. Pursuant to the State Environmental Policy Act, the City of Mountlake Terrace was designated as the lead agency for review of the proposed amendments. On June 9, 2026, a Determination of Non-Significance was issued on the proposed code amendments pursuant

to WAC 197-11-355. No appeal of that determination was received so the determination became final.

10. A Notice of Public Hearing, consistent Mountlake Terrace Municipal Code requirements, was published on June 12, 2026.

11. On June 22, 2026, the City of Mountlake Terrace Planning Commission held a public hearing to consider code amendments to amend Chapters 15.05 and 19.95 MTMC. After hearing a staff presentation on the proposed amendments, asking questions, and receiving public testimony, the public hearing was closed and the Commission deliberated before making its recommendation to the City Council that the proposed code amendments be approved.

Based on the foregoing Findings of Fact, the Mountlake Terrace Planning Commission hereby makes the following conclusions:

1. The proposed code amendments will implement and be consistent with the goals and policies of the City of Mountlake Terrace Comprehensive Plan.
2. The proposed code amendments are consistent with the Washington State Growth Management Act.
3. The proposed code amendments are consistent with the Washington State Environmental Policy Act (Chapter 43.21C RCW).
4. The proposed code amendments will protect the public health, safety, and general welfare.
5. No new impacts will be created by modifying the exemptions for utility and frontage improvements.
6. The proposed code amendments will remove ambiguity and improve clarity for middle housing development in the City.

Date: 6/22/2026

By: /s/ Nick Bautista
Nick Bautista, Planning Commission Chair

CITY OF
MOUNTLAKE
TERRACE

CITY OF MOUNTLAKE TERRACE

Public Infrastructure Requirements

City Council Regular Meeting: June 18, 2026

Lucas Kragt, Civil Engineer II, Public Works

PURPOSE

- To update the MTMC to fill a gap in requirements to construct frontage improvements caused by recent middle housing changes.
  - Current MTMC exempts single-family development from frontage improvements
  - State law prohibits cities from requiring development regulations for middle housing that are more restrictive than those required for detached single-family residences (RCW 36.70A.536(1)(b)(i)), and specifically exempts accessory dwelling units from public street improvements.
  - Based on this state law change, it is proposed to eliminate this exemption for single family development.
- Help offset cost of these frontage improvements by allowing existing overhead utility lines to remain overhead outside of Town Center area.

CITY OF MOUNTLAKE TERRACE

COUNCIL GOALS

- Growing a vibrant community
- Responsible governance to ensure desired level of service

CITY OF MOUNTLAKE TERRACE

CURRENT CODE

All Developments Trigger Frontage Improvements with exemptions found in MTMC 19.95.030

Frontage Improvement Exemptions

- New construction or addition under 50% of the assessed value
- Within Town Center, interior remodels under 50% of the assessed value
- Outside Town Center, interior remodels of any value
- New construction, modification, or addition to an existing single family house
- Construction of up to 2 Accessory Dwelling Units

CITY OF MOUNTLAKE TERRACE

PROPOSED EXEMPTIONS

Frontage Improvement Exemptions

- Addition up to 800 square feet
- Interior remodels under 50% of the assessed value
- Construction of up to 2 Accessory Dwelling Units

CITY OF MOUNTLAKE TERRACE

OVERHEAD UTILITY UNDERGROUNDING

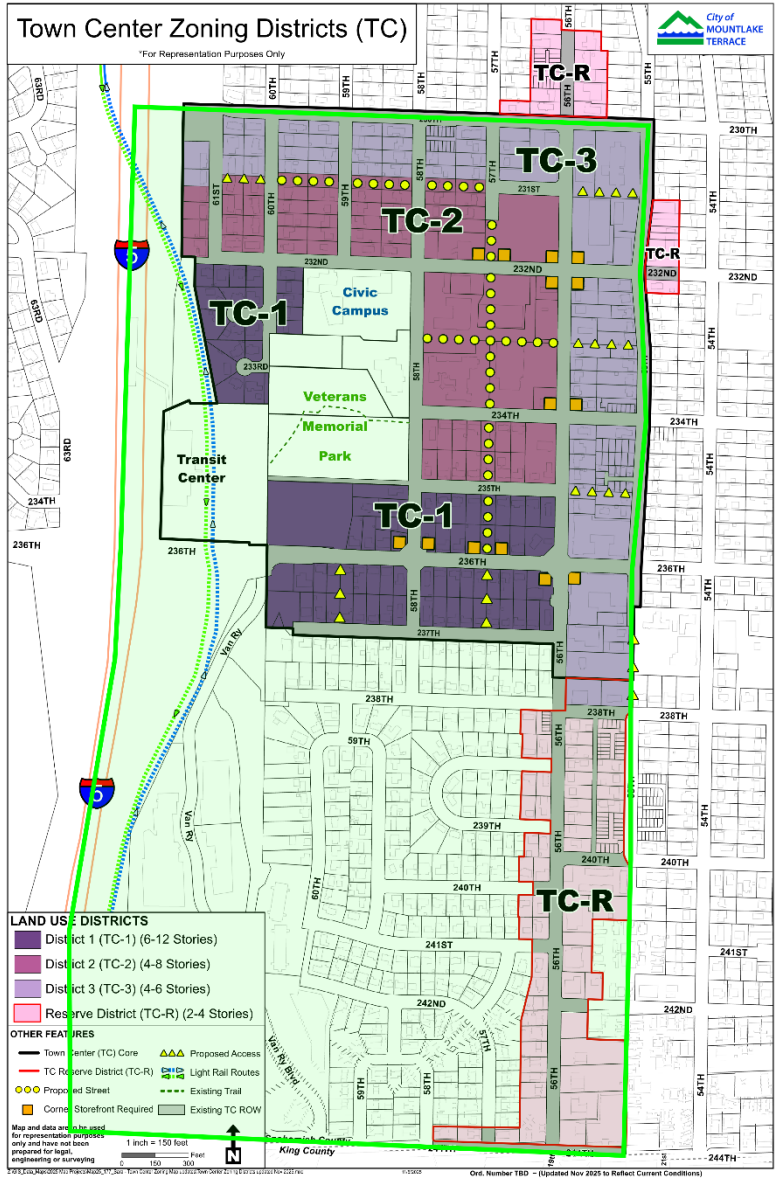
Currently entire city is proposed to be undergrounded as part of City's 100 year plan

- Proposal is to only underground existing overhead utilities near Town Center
  - Between I-5 and 55th Ave W
  - Between 230th St SW and 244th St SW
- Overhead utilities outside this region may remain

CITY OF MOUNTLAKE TERRACE

PROPOSED UNDERGROUNDING MAP

Proposal is to only underground existing overhead utilities near Town Center as shown in green shading



CITY OF MOUNTLAKE TERRACE

QUESTIONS & NEXT STEPS

Planning Commission Public Hearing

- June 22

City Council Action

- July 2

CITY OF MOUNTLAKE TERRACE

Thank you

CITY OF MOUNTLAKE TERRACE

CITY OF MOUNTLAKE TERRACE

STAFF REPORT

To: Mountlake Terrace City Council
From: Jeff Betz, Parks and Recreation Director
Meeting Date: July 16, 2026
Subject: Interlocal Agreement with WA State Department of Social and Health Services for Respite Care

Required Reviews:

Jennifer Joki	Created/Initiated - 07/07/2026
Jeff Betz	Approved - 07/08/2026
Hillary Evans	Approved - 07/08/2026
Carolyn Hope	Final Approval - 07/08/2026

Council Goal(s):
Growing our Vibrant Community
Responsible Governance to Ensure Desired Level of Service

Legislative History:
ILA was last approved on July 6, 2020 and July 17, 2023. This item was presented to Council for review on July 9 Work Session.

Subject Summary:
The city has contracted with the State of Washington's Department of Social and Health Services (DSHS) for Respite Care for over a decade. This is an updated Interlocal Agreement that formalizes the process of providing services to DSHS clients. The Interlocal Agreement allows DSHS respite care clients to utilize the Pavilion services with caregiver support. As part of services the Recreation Pavilion offers to the public many developmentally disabled clients utilize the facility. These clients participate in activities including summer camps and classes as well as other services as respite care for the client's caretakers. DSHS will reimburse the city for each program attended at a portion of the cost of services according to the fee schedule. Many clients would not be able to afford these services without the subsidy from DSHS and the city in turn benefits from having additional patronage.

Financial/Budget Impacts:

Budget Amendment Required?	No

Budget and Sources:	Recreation Fund

Expenditure:	N/A
New Appropriation Required + Sources:	N/A

Additional Financial Information:
N/A

Community Notifications:
City Council Agenda
If "Other," please specify:

Board/Commission Recommendation:
N/A

Staff Recommendation:
Staff recommends the City Council vote to authorize Recreation and Parks Director to sign the interlocal agreement with the State of Washington for Respite Care.

Council Motion:
N/A

Attachments:
1. Interlocal Agreement with DSHS for Respite Care (Draft)

DSHS WASHINGTON STATE Department of Social and Health Services	**INTERLOCAL AGREEMENT** Respite in Community Settings	DSHS Agreement Number: 2664-71159
This Agreement is by and between the State of Washington Department of Social and Health Services (DSHS) and the Contractor identified below, and is issued pursuant to the Interlocal Cooperation Act, chapter 39.34 RCW.		Program Contract Number: Contractor Contract Number: P1 SSL: 102973301

CONTRACTOR NAME		CONTRACTOR doing business as (DBA)	
City of Mountlake Terrace		CITY OF MOUNTLAKE TERRACE - 01	
CONTRACTOR ADDRESS 5303 228th Street SW Mountlake Terrace, WA 98043		WASHINGTON UNIFORM BUSINESS IDENTIFIER (UBI)	DSHS INDEX NUMBER 1437
CONTRACTOR CONTACT Jeff Betz	CONTRACTOR TELEPHONE (425) 776-9173	CONTRACTOR FAX (425) 775-2365	CONTRACTOR E-MAIL ADDRESS jbetz@mltwa.gov

DSHS ADMINISTRATION	DSHS DIVISION	DSHS CONTRACT CODE
Developmental Disabilities Admin	Division of Developmental Disabilities	1803LP-64

DSHS CONTACT NAME AND TITLE	DSHS CONTACT ADDRESS
Gina M. Thomas Contract Specialist	840 N Broadway 540 Everett, WA 98201

DSHS CONTACT TELEPHONE	DSHS CONTACT FAX	DSHS CONTACT E-MAIL ADDRESS
(425)740-6443	(425)252-1364	gina.thomas@dshs.wa.gov

IS THE CONTRACTOR A SUBRECIPIENT FOR PURPOSES OF THIS CONTRACT?	ASSISTANCE LISTING NUMBER(S)
No	

AGREEMENT START DATE	**AGREEMENT END DATE**	MAXIMUM AGREEMENT AMOUNT
08/01/2026	07/31/2029	Fee For Service

EXHIBITS. The following Exhibits are attached and are incorporated into this Agreement by reference:
Exhibits (specify): A - DDA Policies & Agreements
☐ **No Exhibits.**

The terms and conditions of this Agreement are an integration and representation of the final, entire and exclusive understanding between the parties superseding and merging all previous agreements, writings, and communications, oral or otherwise regarding the subject matter of this Agreement, between the parties. The parties signing below represent they have read and understand this Agreement, and have the authority to execute this Agreement. This Agreement shall be binding on DSHS only upon signature by DSHS.

CONTRACTOR SIGNATURE	PRINTED NAME AND TITLE	DATE SIGNED
	Jeff Betz, Recreation and Parks Director	
DSHS SIGNATURE	PRINTED NAME AND TITLE	DATE SIGNED
	Joseph Carter, R2 DD Operations Manager	

1. Definitions. The words and phrases listed below, as used in this Contract, shall each have the following definitions:

a. "Central Contracts and Legal Services" means the DSHS central headquarters contracting office, or successor section or office.

b. "Confidential Information" or "Data" means information that is exempt from disclosure to the public or other unauthorized persons under RCW 42.56 or other federal or state laws. Confidential Information includes, but is not limited to, Personal Information.

c. "Contract" or "Agreement" means the entire written agreement between DSHS and the Contractor, including any Exhibits, documents, or materials incorporated by reference. The parties may execute this contract in multiple counterparts, each of which is deemed an original and all of which constitute only one agreement. E-mail or Facsimile transmission of a signed copy of this contract shall be the same as delivery of an original.

d. "CCLS Chief" means the manager, or successor, of Central Contracts and Legal Services or successor section or office.

e. "Contractor" means the individual or entity performing services pursuant to this Contract and includes the Contractor's owners, members, officers, directors, partners, employees, and/or agents, unless otherwise stated in this Contract. For purposes of any permitted Subcontract, "Contractor" includes any Subcontractor and its owners, members, officers, directors, partners, employees, and/or agents.

f. "Debarment" means an action taken by a Federal agency or official to exclude a person or business entity from participating in transactions involving certain federal funds.

g. "DSHS" or the "Department" means the state of Washington Department of Social and Health Services and its employees and authorized agents.

h. "Encrypt" means to encode Confidential Information into a format that can only be read by those possessing a "key;" a password, digital certificate or other mechanism available only to authorized users. Encryption must use a key length of at least 256 bits for symmetric keys, or 2048 bits for asymmetric keys. When a symmetric key is used, the Advanced Encryption Standard (AES) must be used if available.

i. "Personal Information" means information identifiable to any person, including, but not limited to, information that relates to a person's name, health, finances, education, business, use or receipt of governmental services or other activities, addresses, telephone numbers, Social Security Numbers, driver license numbers, other identifying numbers, and any financial identifiers.

j. "Physically Secure" means that access is restricted through physical means to authorized individuals only.

k. "Program Agreement" means an agreement between the Contractor and DSHS containing special terms and conditions, including a statement of work to be performed by the Contractor and payment to be made by DSHS.

l. "RCW" means the Revised Code of Washington. All references in this Contract to RCW chapters or sections shall include any successor, amended, or replacement statute. Pertinent RCW chapters can be accessed at http://apps.leg.wa.gov/rcw/.

m. "Regulation" means any federal, state, or local regulation, rule, or ordinance.

n. "Secured Area" means an area to which only authorized representatives of the entity possessing the Confidential Information have access. Secured Areas may include buildings, rooms or locked storage containers (such as a filing cabinet) within a room, as long as access to the Confidential Information is not available to unauthorized personnel.

o. "Subcontract" means any separate agreement or contract between the Contractor and an individual or entity ("Subcontractor") to perform all or a portion of the duties and obligations that the Contractor is obligated to perform pursuant to this Contract.

p. "Tracking" means a record keeping system that identifies when the sender begins delivery of Confidential Information to the authorized and intended recipient, and when the sender receives confirmation of delivery from the authorized and intended recipient of Confidential Information.

q. "Trusted Systems" include only the following methods of physical delivery: (1) hand-delivery by a person authorized to have access to the Confidential Information with written acknowledgement of receipt; (2) United States Postal Service ("USPS") first class mail, or USPS delivery services that include Tracking, such as Certified Mail, Express Mail or Registered Mail; (3) commercial delivery services (e.g. FedEx, UPS, DHL) which offer tracking and receipt confirmation; and (4) the Washington State Campus mail system. For electronic transmission, the Washington State Governmental Network (SGN) is a Trusted System for communications within that Network.

r. "WAC" means the Washington Administrative Code. All references in this Contract to WAC chapters or sections shall include any successor, amended, or replacement regulation. Pertinent WAC chapters or sections can be accessed at http://apps.leg.wa.gov/wac/.

2. Amendment. This Contract may only be modified by a written amendment signed by both parties. Only personnel authorized to bind each of the parties may sign an amendment.

3. Assignment. The Contractor shall not assign this Contract or any Program Agreement to a third party without the prior written consent of DSHS.

4. Billing Limitations.

a. DSHS shall pay the Contractor only for authorized services provided in accordance with this Contract.

b. DSHS shall not pay any claims for payment for services submitted more than twelve (12) months after the calendar month in which the services were performed.

c. The Contractor shall not bill and DSHS shall not pay for services performed under this Contract, if the Contractor has charged or will charge another agency of the state of Washington or any other party for the same services.

5. Compliance with Applicable Law and Washington State Requirements.

a. **Applicable Law**. Throughout the performance of this Agreement, Contractor shall comply with all federal, state, and local laws, regulations, and executive orders to the extent they are applicable to this Agreement.

b. **Civil Rights and Nondiscrimination**. Contractor shall comply with all federal and state civil rights

and nondiscrimination laws, regulations, and executive orders to the extent they are applicable to this Agreement, including, but not limited to, and as amended, Titles VI and VII of the Civil Rights Act of 1964; Sections 503 and 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act (ADA); Executive Order 11246; the Health Insurance Portability and Accountability Act of 1996 (HIPAA); the Age Discrimination in Employment Act of 1967, the Age Discrimination Act of 1975, the Vietnam Era Veterans' Readjustment Assistance Act of 1974, and Chapter 49.60 of the Revised Code of Washington, Washington's Law Against Discrimination. These laws, regulations and executive orders are incorporated by reference herein to the extent that they are applicable to the Contract and required by law to be so incorporated.

In the event of the Contractor's noncompliance or refusal to comply with any applicable nondiscrimination laws, regulations, and executive orders, this Agreement may be rescinded, canceled, or terminated in whole or in part.

c. **Nondiscrimination.**

(1) **Nondiscrimination Requirement**. During the term of this Contract, Contractor, including any subcontractor, shall not discriminate on the bases enumerated at RCW 49.60.530(3). In addition, Contractor, including any subcontractor, shall give written notice of this nondiscrimination requirement to any labor organizations with which Contractor, or subcontractor, has a collective bargaining or other agreement.

(2) **Obligation to Cooperate**. Contractor, including any subcontractor, shall cooperate and comply with any Washington state agency investigation regarding any allegation that Contractor, including any subcontractor, has engaged in discrimination prohibited by this Contract pursuant to RCW 49.60.530(3).

d. **Certification Regarding Russian Government Contracts and/or Investments**. The Contractor, by signature to this Contract, certifies that the Contractor is not presently an agency of the Russian government, an entity which is Russian-state owned to any extent, or an entity sanctioned by the United States government in response to Russia's invasion of Ukraine. The Contractor also agrees to include the above certification in any and all Subcontracts into which it enters. The Contractor shall immediately notify DSHS if, during the term of this Contract, Contractor no longer complies with this certification. DSHS may immediately terminate this Contract by providing Contractor written notice if Contractor does not comply with this certification during the term hereof. This is a requirement under Directive of the Governor 22-03.

e. **Reporting Certain Requests from the Federal Government or Law Enforcement Entities**. Contractor shall report to DSHS, within 24 hours, all non-routine requests from a law enforcement authority or federal agency for any of the following: (i) health care information, as defined in RCW 70.02.010, (ii) program eligibility information for individuals, or (iii) information that may identify a health care provider's or facilities delivery of health care services to noncitizens, or delivery of protected health care services as defined in RCW 7.115.010 (gender affirming treatment and reproductive health care services that are lawful in the state of Washington). This is a requirement under Chapter 424, Laws of 2025.

Examples of non-routine requests include surveys, requests for disclosure, subpoenas, and other mechanisms for obtaining data or information. Additionally, search warrants or other requests for disclosure are considered non-routine if they expressly seek data or information about services to noncitizens, gender affirming services, or reproductive health care services.

6. Confidentiality.

a. The Contractor shall not use, publish, transfer, sell or otherwise disclose any Confidential Information gained by reason of this Contract for any purpose that is not directly connected with Contractor's performance of the services contemplated hereunder, except:

(1) as provided by law; or,

(2) in the case of Personal Information, with the prior written consent of the person or personal representative of the person who is the subject of the Personal Information.

b. The Contractor shall protect and maintain all Confidential Information gained by reason of this Contract against unauthorized use, access, disclosure, modification or loss. This duty requires the Contractor to employ reasonable security measures, which include restricting access to the Confidential Information by:

(1) Allowing access only to staff that have an authorized business requirement to view the Confidential Information.

(2) Physically Securing any computers, documents, or other media containing the Confidential Information.

(3) Ensure the security of Confidential Information transmitted via fax (facsimile) by:

(a) Verifying the recipient phone number to prevent accidental transmittal of Confidential Information to unauthorized persons.

(b) Communicating with the intended recipient before transmission to ensure that the fax will be received only by an authorized person.

(c) Verifying after transmittal that the fax was received by the intended recipient.

(4) When transporting six (6) or more records containing Confidential Information, outside a Secured Area, do one or more of the following as appropriate:

(a) Use a Trusted System.

(b) Encrypt the Confidential Information, including:

i. Encrypting email and/or email attachments which contain the Confidential Information.
ii. Encrypting Confidential Information when it is stored on portable devices or media, including but not limited to laptop computers and flash memory devices.

Note: If the DSHS Data Security Requirements Exhibit is attached to this contract, this item, 6.b.(4), is superseded by the language contained in the Exhibit.

(5) Send paper documents containing Confidential Information via a Trusted System.

(6) Following the requirements of the DSHS Data Security Requirements Exhibit, if attached to this contract.

c. Upon request by DSHS, at the end of the Contract term, or when no longer needed, Confidential Information shall be returned to DSHS or Contractor shall certify in writing that they employed a DSHS approved method to destroy the information. Contractor may obtain information regarding

approved destruction methods from the DSHS Contact identified on the cover page of this Contract.

d. Paper documents with Confidential Information may be recycled through a contracted firm, provided the contract with the recycler specifies that the confidentiality of information will be protected, and the information destroyed through the recycling process. Paper documents containing Confidential Information requiring special handling (e.g. protected health information) must be destroyed on-site through shredding, pulping, or incineration.

e. Notification of Compromise or Potential Compromise. The compromise or potential compromise of Confidential Information must be reported to the DSHS Contact designated on the contract within one (1) business day of discovery. Contractor must also take actions to mitigate the risk of loss and comply with any notification or other requirements imposed by law or DSHS.

7. **Digital Accessibility**. If this Contract includes the acquisition, procurement, development, modification or enhancement of public-facing digital content or tools; including websites, applications, and media (Covered Technology), the following requirements shall apply:

a. All Covered Technology under this Contract must meet Level AA compliances with Web Content Accessibility Guidelines (WCAG) 2.2.

b. Contractor shall validate compliance with this requirement through either a third-party accessibility validation report, a Vendor Product Accessibility Template (VPAT), or compliance review documentation.

c. Should the Covered Technology under this Contract fails to meet the required compliance level, the Contractor shall submit a remediation plan addressing all issues identified to the DSHS Contact identified on the cover page of this Contract. DSHS may immediately terminate this Contract by providing the Contractor written notice if the Contractor fails to timely remediate all issues identified.

8. **Debarment Certification.** The Contractor, by signature to this Contract, certifies that the Contractor is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency from participating in transactions (Debarred). The Contractor also agrees to include the above requirement in any and all Subcontracts into which it enters. The Contractor shall immediately notify DSHS if, during the term of this Contract, Contractor becomes Debarred. DSHS may immediately terminate this Contract by providing Contractor written notice if Contractor becomes Debarred during the term hereof.

9. **E-Signature and Records.** An electronic signature or electronic record of this Contract or any other ancillary agreement shall be deemed to have the same legal effect as delivery of an original executed copy of this Contract or such other ancillary agreement for all purposes.

10. **Governing Law and Venue.** This Contract shall be construed and interpreted in accordance with the laws of the state of Washington and the venue of any action brought hereunder shall be in Superior Court for Thurston County.

11. **Independent Contractor.** The parties intend that an independent contractor relationship will be created by this Contract. The Contractor and his or her employees or agents performing under this Contract are not employees or agents of the Department. The Contractor, his or her employees, or agents performing under this Contract will not hold himself/herself out as, nor claim to be, an officer or employee of the Department by reason hereof, nor will the Contractor, his or her employees, or agent make any claim of right, privilege or benefit that would accrue to such officer or employee.

12. Inspection. The Contractor shall, at no cost, provide DSHS and the Office of the State Auditor with reasonable access to Contractor's place of business, Contractor's records, and DSHS client records, wherever located. These inspection rights are intended to allow DSHS and the Office of the State Auditor to monitor, audit, and evaluate the Contractor's performance and compliance with applicable laws, regulations, and these Contract terms. These inspection rights shall survive for six (6) years following this Contract's termination or expiration.

13. Maintenance of Records. The Contractor shall maintain records relating to this Contract and the performance of the services described herein. The records include, but are not limited to, accounting procedures and practices, which sufficiently and properly reflect all direct and indirect costs of any nature expended in the performance of this Contract. All records and other material relevant to this Contract shall be retained for six (6) years after expiration or termination of this Contract.

Without agreeing that litigation or claims are legally authorized, if any litigation, claim, or audit is started before the expiration of the six (6) year period, the records shall be retained until all litigation, claims, or audit findings involving the records have been resolved.

14. Order of Precedence. In the event of any inconsistency or conflict between the General Terms and Conditions and the Special Terms and Conditions of this Contract or any Program Agreement, the inconsistency or conflict shall be resolved by giving precedence to these General Terms and Conditions. Terms or conditions that are more restrictive, specific, or particular than those contained in the General Terms and Conditions shall not be construed as being inconsistent or in conflict.

15. Severability. If any term or condition of this Contract is held invalid by any court, the remainder of the Contract remains valid and in full force and effect.

16. Survivability. The terms and conditions contained in this Contract or any Program Agreement which, by their sense and context, are intended to survive the expiration or termination of the particular agreement shall survive. Surviving terms include, but are not limited to: Billing Limitations; Confidentiality, Disputes; Indemnification and Hold Harmless, Inspection, Maintenance of Records, Notice of Overpayment, Ownership of Material, Termination for Default, Termination Procedure, and Treatment of Property.

17. Contract Renegotiation, Suspension, or Termination Due to Change in Funding.

If the funds DSHS relied upon to establish this Contract or Program Agreement are withdrawn, reduced or limited, or if additional or modified conditions are placed on such funding, after the effective date of this contract but prior to the normal completion of this Contract or Program Agreement:

a. At DSHS's discretion, the Contract or Program Agreement may be renegotiated under the revised funding conditions.

b. At DSHS's discretion, DSHS may give notice to Contractor to suspend performance when DSHS determines that there is reasonable likelihood that the funding insufficiency may be resolved in a timeframe that would allow Contractor's performance to be resumed prior to the normal completion date of this contract.

(1) During the period of suspension of performance, each party will inform the other of any conditions that may reasonably affect the potential for resumption of performance.

(2) When DSHS determines that the funding insufficiency is resolved, it will give Contractor written notice to resume performance. Upon the receipt of this notice, Contractor will provide written

notice to DSHS informing DSHS whether it can resume performance and, if so, the date of resumption. For purposes of this subsubsection, "written notice" may include email.

(3) If the Contractor's proposed resumption date is not acceptable to DSHS and an acceptable date cannot be negotiated, DSHS may terminate the contract by giving written notice to Contractor. The parties agree that the Contract will be terminated retroactive to the date of the notice of suspension. DSHS shall be liable only for payment in accordance with the terms of this Contract for services rendered prior to the retroactive date of termination.

c. DSHS may immediately terminate this Contract by providing written notice to the Contractor. The termination shall be effective on the date specified in the termination notice. DSHS shall be liable only for payment in accordance with the terms of this Contract for services rendered prior to the effective date of termination. No penalty shall accrue to DSHS in the event the termination option in this section is exercised.

18. Waiver. Waiver of any breach or default on any occasion shall not be deemed to be a waiver of any subsequent breach or default. Any waiver shall not be construed to be a modification of the terms and conditions of this Contract. Only the CCLS Chief or designee has the authority to waive any term or condition of this Contract on behalf of DSHS.

Additional General Terms and Conditions – Interlocal Agreements:

19. Disputes. Both DSHS and the Contractor ("Parties") agree to work in good faith to resolve all conflicts at the lowest level possible. However, if the Parties are not able to promptly and efficiently resolve, through direct informal contact, any dispute concerning the interpretation, application, or implementation of any section of this Agreement, either Party may reduce its description of the dispute in writing, and deliver it to the other Party for consideration. Once received, the assigned managers or designees of each Party will work to informally and amicably resolve the issue within five (5) business days. If managers or designees are unable to come to a mutually acceptable decision within five (5) business days, they may agree to issue an extension to allow for more time.

If the dispute cannot be resolved by the managers or designees, the issue will be referred through each Agency's respective operational protocols, to the Secretary of DSHS ("Secretary") and the Contractor's Agency Head ("Agency Head") or their deputies or designated delegates. Both Parties will be responsible for submitting all relevant documentation, along with a short statement as to how they believe the dispute should be settled, to the Secretary and Agency Head.

Upon receipt of the referral and relevant documentation, the Secretary and Agency Head will confer to consider the potential options of resolution, and to arrive at a decision within fifteen (15) business days. The Secretary and Agency Head may appoint a review team, a facilitator, or both, to assist in the resolution of the dispute. If the Secretary and Agency Head are unable to come to a mutually acceptable decision within fifteen (15) business days, they may agree to issue an extension to allow for more time.

The final decision will be put in writing, and will be signed by both the Secretary and Agency Head. If the Agreement is active at the time of resolution, the Parties will execute an amendment or change order to incorporate the final decision into the Agreement. The decision will be final and binding as to the matter reviewed and the dispute shall be settled in accordance with the terms of the decision.

If the Secretary and Agency Head are unable to come to a mutually acceptable decision, the Parties will request intervention by the Governor, per RCW 43.17.330, in which case the governor shall employ whatever dispute resolution methods that the governor deems appropriate in resolving the dispute.

Both Parties agree that, the existence of a dispute notwithstanding, the Parties will continue without delay to carry out all respective responsibilities under this Agreement that are not affected by the dispute.

20. Hold Harmless.

a. The Contractor shall be responsible for and shall hold DSHS harmless from all claims, loss, liability, damages, or fines arising out of or relating to the Contractor's, or any Subcontractor's, performance or failure to perform this Agreement, or the acts or omissions of the Contractor or any Subcontractor. DSHS shall be responsible for and shall hold the Contractor harmless from all claims, loss, liability, damages, or fines arising out of or relating to DSHS' performance or failure to perform this Agreement.

b. The Contractor waives its immunity under Title 51 RCW to the extent it is required to indemnify, defend, and hold harmless the State and its agencies, officials, agents, or employees.

21. Ownership of Material. Material created by the Contractor and paid for by DSHS as a part of this Contract shall be owned by DSHS and shall be "work made for hire" as defined by Title 17 USCA, Section 101. This material includes, but is not limited to: books; computer programs; documents; films; pamphlets; reports; sound reproductions; studies; surveys; tapes; and/or training materials. Material which the Contractor uses to perform the Contract but is not created for or paid for by DSHS is owned by the Contractor and is not "work made for hire"; however, DSHS shall have a perpetual license to use this material for DSHS internal purposes at no charge to DSHS, provided that such license shall be limited to the extent which the Contractor has a right to grant such a license.

22. Subrecipients.

a. General. If the Contractor is a subrecipient of federal awards as defined by 2 CFR Part 200 and this Agreement, the Contractor shall:

(1) Maintain records that identify, in its accounts, all federal awards received and expended and the federal programs under which they were received, by Assistance Listing Numbers (ALN) title and number, award number and year, name of the federal agency, and name of the pass-through entity;

(2) Maintain internal controls that provide reasonable assurance that the Contractor is managing federal awards in compliance with laws, regulations, and provisions of contracts or grant agreements that could have a material effect on each of its federal programs;

(3) Prepare appropriate financial statements, including a schedule of expenditures of federal awards;

(4) Incorporate 2 CFR Part 200, Subpart F audit requirements into all agreements between the Contractor and its Subcontractors who are subrecipients;

(5) Comply with the applicable requirements of 2 CFR Part 200, including any future amendments to 2 CFR Part 200, and any successor or replacement Office of Management and Budget (OMB) Circular or regulation; and

(6) Comply with the Omnibus Crime Control and Safe streets Act of 1968, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, Title IX of the Education Amendments of 1972, The Age Discrimination

Act of 1975, and The Department of Justice Non-Discrimination Regulations, 28 C.F.R. Part 42, Subparts C.D.E. and G, and 28 C.F.R. Part 35 and 39. (Go to https://ojp.gov/about/offices/ocr.htm for additional information and access to the aforementioned Federal laws and regulations.)

b. Single Audit Act Compliance. If the Contractor is a subrecipient and expends $1,000,000 or more in federal awards from any and/or all sources in any fiscal year, the Contractor shall procure and pay for a single audit or a program-specific audit for that fiscal year. Upon completion of each audit, the Contractor shall:

(1) Submit to the DSHS contact person the data collection form and reporting package specified in 2 CFR Part 200, Subpart F, reports required by the program-specific audit guide (if applicable), and a copy of any management letters issued by the auditor;

(2) Follow-up and develop corrective action for all audit findings; in accordance with 2 CFR Part 200, Subpart F; prepare a "Summary Schedule of Prior Audit Findings" reporting the status of all audit findings included in the prior audit's schedule of findings and questioned costs.

c. Overpayments. If it is determined by DSHS, or during the course of a required audit, that the Contractor has been paid unallowable costs under this or any Program Agreement, DSHS may require the Contractor to reimburse DSHS in accordance with 2 CFR Part 200.

23. Termination.

a. Default. If for any cause, either party fails to fulfill its obligations under this Agreement in a timely and proper manner, or if either party violates any of the terms and conditions contained in this Agreement, then the aggrieved party will give the other party written notice of such failure or violation. The responsible party will be given 15 working days to correct the violation or failure. If the failure or violation is not corrected, this Agreement may be terminated immediately by written notice from the aggrieved party to the other party.

b. Convenience. Either party may terminate this Interlocal Agreement for any other reason by providing 30 calendar days' written notice to the other party.

c. Payment for Performance. If this Interlocal Agreement is terminated for any reason, DSHS shall only pay for performance rendered or costs incurred in accordance with the terms of this Agreement and prior to the effective date of termination.

24. Treatment of Client Property. Unless otherwise provided, the Contractor shall ensure that any adult client receiving services from the Contractor has unrestricted access to the client's personal property. The Contractor shall not interfere with any adult client's ownership, possession, or use of the client's property. The Contractor shall provide clients under age eighteen (18) with reasonable access to their personal property that is appropriate to the client's age, development, and needs. Upon termination of the Contract, the Contractor shall immediately release to the client and/or the client's guardian or custodian all of the client's personal property.

Special Terms and Conditions

1. Definitions Specific to Special Terms. The words and phrases listed below, as used in this Contract, shall each have the following definitions:

a. "Assistance" means help provided to a Client for the purpose of aiding him/her in the performance of tasks.

b. "Authorized" means DDA Case Resource Manager, or Social Worker approval of funding for services as evidenced by a social service authorization in ProviderOne.

c. "Case Resource Manager (CRM)" means the DSHS or DDA worker assigned to a Client.

d. "Client" means an individual whom DSHS has determined eligible to receive DDA services.

e. "Culturally Appropriate" means responsive to a Client's cultural beliefs and values, ethnic norms, language needs, religion, and individual differences.

f. "DDA" means the Developmental Disabilities Administration within DSHS.

g. "Family" means a parent, child, sibling, aunt, uncle, cousin, grandparent, grandchild, grandniece, or grandnephew, including such relatives when related through adoption or marriage or registered domestic partnership.

h. "Nurse Delegation" means:

(1) Services in compliance with WAC 246-840-910 through 246-840-970 by a registered nurse to provide training and nursing management for nursing assistants who perform delegated nursing tasks.

(2) Delegated nursing tasks include, but are not limited to, administration of non-injectable medications, except for insulin, blood glucose testing, and tube feedings.

(3) Services include the initial visit, care planning, competency testing of the nursing assistant, consent of the Client, additional instruction, and supervisory visits.

(4) Clients who receive nurse delegation services must be considered "stable and predictable" by the delegated nurse.

i. "Personal care services" means those specific services under WAC 388-106 provided to DSHS Clients.

j. "Physical Assistance" means the provision of hands-on assistance for any task necessary.

k. "Positive Behavior Support Plan" means a written plan developed to implement strategies to relate to others and direct interventions to decrease challenging behaviors.

l. "Positive Behavior Support Principles" means addressing a challenging behavior that focuses on changing the physical and interpersonal environment and increasing a person's skills so that the person is able to get their needs met without having to resort to a challenging behavior.

m. "Primary Caregiver(s)" or "Caregiver" means the person who provides the majority of your care and supervision.

n. "Protective Supervision" means supervision to ensure the safety and well-being of a Client,

exclusive of those responsibilities that should be assumed by a legal representative.

o. "Respite Care" means short-term, intermittent relief for persons who live with and provide care for individuals with developmental and intellectual disabilities on either an emergency or a planned basis.

p. "Service Plan" means the Person-Centered Service Plan or Individual Support Plan, which is a written plan for long-term care service delivery, which identifies ways to meet the Client's needs with the most appropriate services or supports as, described under chapter WAC 388-828.

q. "Transportation Services" means the process of transporting and accompanying a Client from one location to another in accordance with the client's needs.

r. "Unsupervised access" means:

(1) An individual will or may have the opportunity to be alone with a child, juvenile, or a vulnerable adult; and

(2) Neither a qualified employee, contract employee, volunteer, nor student intern of the agency, or entity nor a relative or guardian of the child, juvenile or vulnerable adult is present.

2. Purpose. The purpose of this Contract is to provide short-term intermittent respite care in order to provide relief for primary caregivers as described under chapter 388-845 WAC. Respite Care can be provided in Community Centers, Senior Centers, Parks and Recreation Departments, and Summer Programs.

3. Licenses, Registrations, and Certifications.

a. The Contractor is required to follow all laws, rules, and policies applicable to their license, registration, and/or certification.

b. The Contractor shall meet the training requirements associated with their license, registration, and/or certification.

c. When licensing, certification, and contract requirements differ, the Contractor shall meet the highest standard.

d. In the event that any required license of the Contractor is revoked or expired, this Contract shall be suspended, without the necessity of written notice by DSHS, as of the effective date of revocation or the actual date of expiration. In the case of license revocation, this Contract shall then be terminated in accordance with the terms of this Contract, and such termination shall be effective on the effective date of the license revocation.

e. The provision of Respite Care services cannot result in the licensed provider exceeding their licensed capacity.

4. General Requirements.

a. DSHS shall request services from the Contractor on an as needed basis. This Contract does not obligate DSHS to authorize services to the Contractor.

b. Respite Care provided under the terms of this Contract must be pre-approved in writing by DSHS in accordance with the Client's Service Plan, and shall be provided in a manner that is culturally

appropriate for the Client and the Client's family.

c. All services shall be provided in a manner consistent with the published rules and policies of DSHS and within the scope of acceptable practice as determined by DSHS.

d. The Contractor must emphasize Positive Behavior Support Principles in the provision of all services to Clients. Positive Behavior Support is based on respect, dignity, and personal choice.

5. Contractor Qualifications. The Contractor must:

a. Be licensed by the State of Washington as a business under chapter 19.02 RCW and shall meet or exceed the minimum licensing requirements under chapter 458-02 WAC.

b. Contractors shall hold all appropriate endorsements, licenses and certifications in addition to Washington State Business license as applicable to their business operation.

c. Contractors outside of Washington State must maintain equivalent licensure or certification requirements as paragraph a. and b. above according to their states' requirements for business operation.

d. Publish on a publically accessible website the services offered by the contractor and make publically accessible the services offered by the contractor. The contractor's website must include:

(1) The identified number of service hours being provided in the program/class/event including days/date and start and end time;

(2) Activities that will occur during program/class/event; and

(3) The rate schedule for the program/class/event.

e. The Contractor shall ensure that they or their employees possess the following minimum qualifications:

(1) Meet minimum age requirements as required by license, certification or rule;

(2) Possess the following minimum standards of knowledge and experience:

(a) General knowledge of acceptable standards of performance, including the necessity to perform dependably, report punctually, maintain flexibility, and to demonstrate kindness and caring to the Client;

(b) Knowledge of when and how to contact the Client's legal representative and the Client's CRM;

(c) Adequate skills to read, either directly or through an interpreter, understand, and implement the services authorized in the plan;

(d) Adequate communication skills to convey and understand, either directly or through an interpreter, information required to implement the Client's written Service Plan(s) and verbal instructions; and

(e) Adequate skills to maintain provider records of services performed and payments received.

f. The Contractor shall ensure that employees and volunteers:

(1) Understand specific directions for providing the care that an individual Client requires;

(2) Meet the need of the client as identified in the Service Plan;

(3) Provide services within the scope of practice for their profession/skill level;

(4) Observe the Client for change in health status, including weakness, confusion, and loss of appetite;

(5) Identify problem situations and take appropriate action;

(6) Respond to emergencies without direct supervision; and

(7) Respect and consider the Client's individual differences and preferences when performing routine tasks in a culturally appropriate manner, as described in the DDA Guiding Values.

g. The Contractor shall cooperate with DSHS in the evaluation of the Contractor's performance under the terms of this Contract including the following:

(1) Follow-up contact with Clients, their families, legal representatives or primary caregivers regarding their satisfaction with the services provided;

(2) Investigation and documentation of all complaints about the service provided; and

(3) Periodic monitoring of service documentation records, verification of provider qualifications, and of billing and payment data in ProviderOne.

6. Statement of Work. The Contractor shall provide the services and staff, and otherwise do all things necessary for or incidental to the performance of work, as set forth below:

a. Obtain information about the Client's identified needs and care requirements, and ensure that the Client's needs are met while providing services. This includes following the guidance of any written plans for Client support such as the Service Plan, Nurse Delegation assessment or Positive Behavior Support Plan.

b. Contact the Client's CRM if the Contractor has not heard from the Client or the Client's primary caregiver within seven (7) days of the Contractor's receipt of the service authorization.

c. Make arrangements with the primary caregiver for emergency medical treatment should this become a necessity.

d. Deliver Respite Care in a manner consistent with WAC 388-845-1600 through 1620 and DDA Policies. See **Exhibit A, DDA Policies & Agreements.**

e. Provide all support needs as identified in the Service Plan including personal care, physical assistance, support and protective supervision to the Client in daily routine activities and to prevent injury to him or herself and to others.

f. Maintain transportation records to document the dates, times, destinations, and distances of each Client's transportation services. Upon request, the Contractor shall make the records available to DSHS or DSHS/designee for review and audit.

g. Maintain sufficient vehicle and passenger insurance coverage and current driver's license in accordance with chapter 308-104 and 308-106 WAC.

h. Operate and maintain the transportation vehicle(s) in a manner consistent with protecting and promoting the Client's health and welfare.

i. Contractor shall not require client, client's guardian and/or client's legal representative to enter into any agreement releasing or limiting Contractor's legal liability for injuries arising out of premises operation, acts of independent contractors, products completion, or personal injuries sustained due to contractor's negligence in connection with providing services under this contract unless contractor, at the same time, requires client, client's guardian and/or client's legal representative to release the State of Washington and all of its agencies, agents, contractors, servants and employees from liability for any acts of contractor causing injuries arising out of premises operation, acts of independent contractors, products completion, or personal injuries sustained due to contractor's negligence in connection with providing services under this Contract.

7. Parks and Recreation Department. Parks and Recreation Department contractors are required to comply with the following additional terms:

a. Parks and Recreation Departments are city, county or other publically operated parks and recreation department for the purpose of providing leisure time activities and facilities and recreational facilities, of a nonprofit nature as a public service as defined under RCW 36.69.010.

b. Meet the definition of a park and recreation district under RCW 36.68 and RCW 36.69.

c. Obtain all required licenses, permits or certifications applicable to the program operated by the Parks and Recreation Department.

8. Additional Client Rights:

a. In compliance with Title VI of the Civil Rights Act of 1964, and under RCW 2.42.010, RCW 2.43.010, and RCW 49.60.010, the Contractor shall ensure that Limited English Proficient (LEP) Clients have access to a certified, or, if non-certifiable language, to an otherwise qualified language interpreter, who has successfully passed the DSHS language test. The Contractor shall also ensure that DSHS Clients have access to documents translated into the Client's primary language. To request a qualified interpreter, you must register at https://hcauniversal.com/new-req1.a.uester-registration/ or email scheduling@ulsonline.net. For additional information, visit their Provider FAQs page.

b. In compliance with the Americans with Disabilities Act (ADA) of 1990, under RCW 2.42.010 and RCW 49.60.010, the Contractor shall ensure that deaf, deaf-blind, or hard of hearing Clients have access to the services of an interpreter certified by the National Association of the Deaf (NAD) as a Sign Language Interpreter, or a qualified interpreter having a Registry of Interpreters for the Deaf (RID).

9. Duty to Report Suspected Abuse, Abandonment, Neglect or Financial Exploitation. The Contractor and its employees must immediately report all instances of suspected abandonment, abuse, financial exploitation or neglect of a vulnerable adult under RCW 74.34.035 or a child under RCW 26.44.030.The report shall be made to the Department's current state abuse hotline, 1-866-363-4276 (END-HARM). The Contractor must also report all suspected instances to the Client's case manager. If

the notice to the Client's case manager was verbal then it must be followed up by written notification within one business day. Further, when required by RCW 74.34.035, the Contractor and the Contractor's employees must immediately make a report to the appropriate law enforcement agency.

10. Significant Change in Client's Condition. The Contractor agrees to report any significant change in the Client's condition within twenty-four (24) hours to the Client's Case Manager.

11. Death of Clients. The Contractor shall report all deaths of DSHS Clients receiving services under this Contract to the Client's case manager within one hour upon notification of the death. The Contractor shall follow up with written notification of the Client's death to the Client's case manager within one business day.

12. Provider Screenings.

a. The State must ensure the Department does not pay federal funds to excluded persons or entities. States are also required to check for the death of an individual provider, agency owner or authorized official prior to contracting. The required ownership and control information for individuals with ownership interest of five percent (5%) or more, officers and managing employees will be obtained from the Medicaid Provider Disclosure Statement and checked against all required federal exclusion lists, and the Social Security Death Master List, prior to finalizing a contract.

b. The Contractor will report any change in ownership, managing employees, and/or those with a controlling interest to the Department within thirty-five (35) days of such a change so that these individuals can be screened against the required federal exclusion lists as well as the Social Security Death Master List. For detailed instructions, please refer to the Medicaid Provider Disclosure Statement.

13. Duty to Disclose Business Transactions.

a. Under 42 CFR 455.104, the Contractor is required to provide disclosures from individuals with ownership interest, managing employees, and those with a controlling interest. The State must obtain certain disclosures from providers and complete screenings to ensure the State does not pay federal funds to excluded person or entities. Contractor must complete and submit a Medicaid Provider Disclosure Statement, DSHS Form 27-094. According to 42 CFR 455.104(c) (1), disclosures must be provided:

(1) When the prospective Contractor submits their initial application;

(2) When the prospective Contractor signs the contract;

(3) Upon request of the Department at contract revalidation/renewal;

(4) Within thirty-five (35) days after any change in ownership of the Contractor entity.

b. Failure to submit the requested information may cause the Department to refuse to enter into an agreement or contract with the Contractor or to terminate existing agreements. The State will recover any payments made to a disclosing entity that fails to disclose ownership or control information, as required by 42 CFR 455.104.

c. Under 42 CFR 455.105(b), within thirty-five (35) days of the date of a request by the Secretary of the U.S. Department of Health and Human Services or DSHS, the Contractor must submit full and complete information related to Contractor's business transactions that include:

(1) The ownership of any subcontractor with whom the Contractor has had business transactions totaling more than $25,000 during the twelve (12) month period ending on the date of the request; and

(2) Any significant business transactions between the Contractor and any wholly owned supplier, or between the Contractor and any subcontractor, during the five (5) year period ending on the date of the request.

d. Failure to comply with requests made under this term may result in denial of payments until the requested information is disclosed. See 42 CFR 455.105(c).

14. Background Check. The signatory for this contract agrees to undergo and successfully complete a DSHS criminal history background check conducted by DSHS every three years or more often as required by program rule or as otherwise stated in the contract, and as required under RCW 43.20A.710, RCW 43.43.830 through 43.43.842. If the Contractor has owners, administrators, subcontractors, employees or volunteers who may have unsupervised access to Clients in the course of performing the work under this Contract, the Contractor shall require those owners, administrators, subcontractors, employees or volunteers to successfully complete a criminal history background check prior to any unsupervised access and at least every three years thereafter or more often if required by program rule or as otherwise stated in the contract. The Contractor must maintain documentation of successful completion of required background checks.

15. False Claims Act Education Compliance. Federal law requires any entity receiving annual Medicaid payments of five (5) million or more to provide education regarding federal and state false claims laws for all of its employees, contractors and/or agents. If Contractor receives at least five (5) million or more in annual Medicaid payments under one or more provider identification number(s), the Contractor is required to establish and adopt written policies for all employees, including management, and any contractor or agent of the entity, including detailed information about both the federal and state False Claims Acts and other applicable provisions of Section 1902(a)(68) of the Social Security Act. The law requires the following:

Contractor must establish written policies to include detailed information about the False Claims Act, including references to the Washington State False Claims Act;

a. Policies regarding the handling and protection of whistleblowers;

b. Policies and procedures for detecting and preventing fraud, waste, and abuse;

c. Policies and procedures must be included in an existing employee handbook or policy manual, but there is no requirement to create an employee handbook if none already exists.

16. Bribes and Kickbacks. Federal law stipulates that Medicaid participants be offered free choice among qualified providers, therefore any exclusive relationship between the Contractor and any other Medicaid service is prohibited.

17. State or Federal Audit Requests. The Contractor is required to respond to State or Federal audit requests for records or documentation, within the timeframe provided by the requestor. The Contractor must provide all records requested to either State or Federal agency staff or their designees.

18. Drug-Free Workplace. The Contractor agrees he or she and all employees or volunteers shall not use or be under the influence of alcohol, marijuana, illegal drugs, and/or any substances that impact the Contractor's ability to perform duties under this Contract.

Special Terms and Conditions

19. Execution and Waiver. This Contract shall be binding on DSHS only upon signature by DSHS with an Authorized Countersignature. Only the Contracting Officer or the Contracting Officer's designee has authority to waive any provision of this Contract on behalf of DSHS.

20. Consideration. Total consideration payable to Contractor for satisfactory performance of the work under this Contract shall be based on the following:

a. DSHS shall pay the Contractor at the published rate, for services provided under this contract. The Contractor hereby waives written notice of subsequent rate changes. Subsequent rate changes will not require a revised Contract and are not disputable. Current rates are published at: https://www.dshs.wa.gov/altsa/management-services-division/office-rates-management.

b. DSHS will only reimburse the Contractor for the number of hours authorized and provided per client. DSHS will pay the contractor at an established rate in 15-minute intervals. The Contractor will be reimbursed up to the Contractor's published rate for services provided unless that rate exceeds the equivalent of 15 minute intervals of service the client received.

c. Transportation services must be written in the client's Service Plan. Mileage shall be paid at current State of Washington rates, as published by the Office of Financial Management, for miles driven while transporting one Client to a waiver service. Transportation is to and from the respite service and must be provided in accordance with WAC chapter 388-845.

d. Transportation as a component of the Respite in Community Settings service must be included in the total published rate.

e. Administrative functions, such as record keeping, travel to work site, billing, and report development are not billable as separate services but are included in the established rate schedule

f. DSHS shall not pay the Contractor separately for the cost of other expenses such as equipment rental, meals and snacks for all day activities this must be rolled into the cost of the service.

21. Billing and Payment.

a. The Contractor shall bill for authorized services using the ProviderOne Payment system, which is the state of Washington's Medicaid management system.

b. Billing instructions are located at https://www.hca.wa.gov/billers-providers-partners/providerone/providerone-billing-and-resource-guide

c. The Contractor agrees to accept this payment as total and complete remuneration for services provided under this Contract to DSHS Clients. DSHS clients cannot be billed fees beyond the hourly contracted rate for the service Respite in Community Settings.

d. DSHS shall not pay the Contractor for cancelled or missed appointments, nor for scheduled hours of service when Clients are not seen or served by the Contractor.

e. Only DSHS shall have the authority to authorize services under this Contract.

f. Respite care is a service authorized in 15 minute increments. DSHS shall not pay for more respite units than is received by the client. Client can pay for services provided that exceed waiver allotment as long as it does not surpass the contracted rate.

g. DSHS shall only reimburse or pay for services which are authorized and within the scope of respite services.

h. The contractor shall provide invoices or documentation of the dates of service, duration of time and total cost prior to service being provided. The CRM will create an authorization in CARE in "reviewing" status. After confirmation that the service is completed appropriately, the CRM will change the status of the authorization to "approved" which will allow the authorization to be claimed.

i. The contractor shall provide invoices after service provided, as requested by DSHS

j. If DSHS pays the Contractor for services authorized but not provided by the Contractor, the amount paid shall be considered an overpayment.

k. If this Contract is terminated for any reason, DSHS shall pay for only those services authorized and provided through the date of termination.

l. Payment shall be considered timely if made by DSHS within thirty (30) days Payment shall be sent to the address designated by Contractor. DSHS may, at its discretion, terminate the Contract or withhold payments claimed by Contractor for services rendered if Contractor fails to satisfactorily comply with any term or condition of this Contract.

22. Insurance.

a. DSHS certifies that it is self-insured under the State's self-insurance liability program, as provided by RCW 4.92.130, and shall pay for losses for which it is found liable.

b. The Contractor certifies, by checking the appropriate box below, initialing to the left of the box selected, and signing this Agreement, that:

_____ ☐ The Contractor is self-insured or insured through a risk pool and shall pay for losses for which it is found liable; or

_____ ☐ The Contractor maintains the types and amounts of insurance identified below and shall, prior to the execution of this Agreement by DSHS, provide certificates of insurance to that effect to the DSHS contact on page one of this Agreement.

Commercial General Liability Insurance (CGL) – to include coverage for bodily injury, property damage, and contractual liability, with the following minimum limits: Each Occurrence - $2,000,000; General Aggregate - $4,000,000. The policy shall include liability arising out of premises, operations, independent contractors, products-completed operations, personal injury, advertising injury, and liability assumed under an insured contract. The State of Washington, DSHS, its elected and appointed officials, agents, and employees shall be named as additional insureds.

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Exhibit A

DDA Policies & Agreements

Policies
The following DDA Policies are hereby incorporated as Contractor Requirements.

5.06	Client Rights
5.13	Protection from Abuse: Mandatory Reporting
5.14	Positive Behavior Support Principles
5.19	Positive Behavior Support for Children & Youth
6.15	Nurse Delegation Services

Policies can be located at **https://www.dshs.wa.gov/dda/policies-and-rules/policy-manual.** In the event DSHS updates or changes these policies, the revised policy/policies will be incorporated into this Contract without the requirement of an amendment.

DDA Guiding Values:
The DDA Guiding Values can be located at:
https://www.dshs.wa.gov/sites/default/files/DDA/dda/documents/DDA%20Guiding%20Values%20Booklet.pdf

Disability Rights of Washington (DRW) Agreement:
The following access agreement is regarding "Disability Rights of Washington (DRW) rights and responsibilities. The agreement can be located at:
https://www.dshs.wa.gov/sites/default/files/DDA/dda/documents/WPAS.pdf.

**Note: WPAS has changed its name to "Disability Rights of Washington (DRW)" and DDD has changed its name to "Developmental Disabilities Administration (DDA)*

CITY OF MOUNTLAKE TERRACE

STAFF REPORT

To: Mountlake Terrace City Council
From: Jeff Niten, City Manager
Meeting Date: July 16, 2026
Subject: Ordinance Adopting Amendment to 2026 Budget

Required Reviews:

Jennifer Joki	Created/Initiated - 07/07/2026
Jeff Niten	Approved - 07/07/2026
Hillary Evans	Final Approval - 07/07/2026

Council Goal(s):
Responsible Governance to Ensure Desired Level of Service

Legislative History:
City Council adopted the 2025-2026 biennial budget on November 21, 2024. On November 20, 2025, a mid-biennial review and modification of the biennial budget was brought to Council and Council adopted the modifications. City Council adopted additional modifications on December 18, 2025.

This item was presented to council for review at the 7/9/2026 Work Session.

Subject Summary:

This budget amendment is to modify the current biennial budget for 2026 in response to changes in capital projects that were not completed during 2025. Amendments ensure that budget allocations remain aligned with actual revenue projections, expenditure needs, and strategic priorities.

The modifications to the biennial budget include the following:

•Modification to the beginning fund balances — the previous adopted budget was prepared with forecasted revenues, expenditures, and ending balance. The actual revenues, expenditures, and ending balance are known at year end (2025) which will determine the beginning balance for the following year (2026). The updated beginning balances for each fund are on the Budget Amendment Summary slide and in the ordinance exhibit.

•Vehicle purchases— the Fleet Fund made budgeted vehicle purchases in 2025. However, the

purchased vehicles arrived and were paid for in 2026. Because the City is on cash basis accounting, these purchases went against the 2026 budget. The budget amendment is to include the planned purchase for 2026.

•Line of credit— City Council approved a line of credit of $2,000,000 from the Storm Water Fund to the Parks Capital Fund for cash flow purposes. This amendment includes the revenue and expenditure of the line of credit for each of these funds.

•Staff has revised the timing of capital projects to coincide with grant revenue and the timing of the completion of projects. Several projects are expected to be completed in 2026, instead of 2025. The amendment includes the available budget for the projects from 2025.

Financial/Budget Impacts:

Budget Amendment Required? Yes

Budget and Sources:	Previously adopted budget expenditures $103,871,965
Expenditure:	Expenditure increase $9,140,498
New Appropriation Required + Sources:	Budget amendment forecasted expenditures $113,012,463

Additional Financial Information:

In this amendment, the beginning fund balances for 2026 are more than originally forecasted due to an increase in revenues and a decrease in expenditures in 2025.
The forecasted revenues for 2026 are higher due to capital projects moving from 2025 to 2026. This increases the revenues and expenditures.
Due to these changes, the ending balance is forecasted to be $2.6 million higher than the previously adopted budget.

Community Notifications:

City Council Agenda
If "Other," please specify:

Board/Commission Recommendation:

N/A

Staff Recommendation:

Staff recommends the City Council vote to adopt the ordinance.

Council Motion:

N/A

Attachments:

1. 2026 Budget Amendment Presentation

2. Ordinance for 2025-2026 Budget Amendment (Draft)

CITY OF
MOUNTLAKE
TERRACE

CITY OF MOUNTLAKE TERRACE

2026 Budget Amendment

City Council Working Session: July 9, 2026

Jeff Niten, City Manager
Caitland Reinke, Finance Technician, Finance

PURPOSE

- To modify the 2026 budget to include the available budget from capital projects from 2025.
- To modify the beginning cash balances for 2026 to reflect the actual ending cash balances for 2025.

CITY OF MOUNTLAKE TERRACE

AGENDA

- Council Goals
- Summary
- Fund Updates
- Budget Amendment Summary

CITY OF MOUNTLAKE TERRACE

COUNCIL GOALS

Responsible Governance to Ensure Desired Level of Service

- Modifying the 2026 budget allows the City to maintain the desired level of service through completion of capital projects.
- These amendments demonstrate the City's commitment to effective stewardship of public funds while sustaining service delivery and advancing strategic objectives.

CITY OF MOUNTLAKE TERRACE

SUBJECT SUMMARY

This budget amendment is to modify the current biennial budget for 2026 in response to changes in capital projects that were not completed during 2025. Amendments ensure that budget allocations remain aligned with actual revenue projections, expenditure needs, and strategic priorities.

The modifications to the biennial budget include the following:

- Modification to the beginning fund balances — the previous adopted budget was prepared with forecasted revenues, expenditures, and ending balance. The actual revenues, expenditures, and ending balance are known at year end (2025) which will determine the beginning balance for the following year (2026). The updated beginning balances for each fund are on the Budget Amendment Summary slide and in the ordinance exhibit.
- Vehicle purchases— the Fleet Fund made budgeted vehicle purchases in 2025. However, the purchased vehicles arrived and were paid for in 2026. Because the City is on cash basis accounting, these purchases went against the 2026 budget. The budget amendment is to include the planned purchase for 2026.
- Line of credit— City Council approved a line of credit of $2,000,000 from the Storm Water Fund to the Parks Capital Fund for cash flow purposes. This amendment includes the revenue and expenditure of the line of credit for each of these funds.
- Staff has revised the timing of capital projects to coincide with grant revenue and the timing of the completion of projects. Several projects are expected to be completed in 2026, instead of 2025. The amendment includes the available budget for the projects from 2025.

CITY OF MOUNTLAKE TERRACE

GENERAL FUND 011

2026 Budget Amendment

General Fund 011			
	2026 Original Budget	Budget Amendment	Revised Budget	Reason for Amendment
Beginning Fund Balance	$ 5,114,710	$ 3,394,150	$ 8,508,860	
Revenue Budget	19,041,496		19,041,496	
Expenditure Budget	21,302,652		21,302,652	
Economic Development - Branding		23,000	23,000	Move available budget from 2025 to 2026
Total Expenditures		23,000	21,325,652	
Ending Fund Balance	$ 2,853,554	$ 3,371,150	$ 6,224,704	
		Total BA		

CITY OF MOUNTLAKE TERRACE

SOLID WASTE FUND 064

2026 Budget Amendment

Solid Waste SVC 064								
	2026 Original Budget		Budget Amendment		Revised Budget		Reason for Amendment	
Beginning Fund Balance	$ 73,580		$ 9,610		$ 83,190			
Revenue Budget	49,000				49,000			
Expenditure Budget	53,574				53,574			
Solid Waste Exemptions			40,000		40,000		Increase in customers that qualify for solid waste exemptions	
Total Expenditures			40,000		93,574			
Ending Fund Balance	$ 69,006		$ (30,390)		$ 38,616			
			Total BA					

CITY OF MOUNTLAKE TERRACE

STREET FUND 111

2026 Budget Amendment

Street Fund 111				
	2026 Original Budget	Budget Amendment	Revised Budget	Reason for Amendment
Beginning Fund Balance	$ 581,034	$ 328,827	$ 909,861	
Revenue Budget	1,282,383		1,282,383	
Expenditure Budget	1,820,488		1,820,488	
Transfer to Fleet		32,500	32,500	Transfer to Fleet for 10% of vehicle purchase (hook dump truck)
Total Expenditures		32,500	1,852,988	
Ending Fund Balance	$ 42,929	$ 296,327	$ 339,256	
		Total BA		

CITY OF MOUNTLAKE TERRACE

PARKS CAPITAL IMPROVEMENT FUND 322
2026 Budget Amendment

Parks Capital Improv Fund 322			
	2026 Original Budget	Budget Amendment	Revised Budget	Reason for Amendment
Beginning Fund Balance	$ 1,941,259	$ (2,547,480)	$ (606,221)	
Revenue Budget	3,823,374		3,823,374	
Line of Credit from Storm Water F412		2,000,000	2,000,000	Line of credit from Storm Water Fund for cash flow for projects prior to grant reimbursement
Transfer from REET F330		150,000	150,000	Evergreen Tennis courts $130K; Firefighters Park $20K
Grants		1,332,287	1,332,287	Move available budget from 2025 to 2026
Total Revenues		3,482,287	7,305,661	
Expenditure Budget	2,870,000		2,870,000	
Expenditures		2,000,000	2,000,000	Line of credit principal
Expenditures		50,000	50,000	Line of credit interest
Expenditures		1,700,000	1,700,000	Move available budget from 2025 to 2026
Total Expenditures		3,750,000	6,620,000	
Ending Fund Balance	$ 2,894,633	$ (2,815,194)	$ 79,439	
		Total BA		

CITY OF MOUNTLAKE TERRACE

REAL ESTATE EXCISE TAX 330
2026 Budget Amendment

Real Estate Excise Tax 330				
	2026 Original Budget	Budget Amendment	Revised Budget	Reason for Amendment
Beginning Fund Balance	$ 1,259,882	$ (65,320)	$ 1,194,562	
Revenue Budget	1,025,000		1,025,000	
Expenditure Budget	1,650,000		1,650,000	
Transfer to Parks Capital Fund F322		150,000	150,000	Evergreen Tennis Courts $130K; Firefighters Park $20K
Total Expenditures		150,000	1,800,000	
Ending Fund Balance	$ 634,882	$ (215,320)	$ 419,562	
		Total BA		

CITY OF MOUNTLAKE TERRACE

SEWER UTILITY FUND 410

2026 Budget Amendment

Sewer Utility 410					
	2026 Original Budget	Budget Amendment	Revised Budget	Reason for Amendment
Beginning Fund Balance	$ 5,850,136	$ 932,990	$ 6,783,126	
Revenue Budget	8,858,537		8,858,537	
Expenditure Budget	11,895,148		11,895,148	
Sewer System		107,939	107,939	Move available budget from 2025 to 2026
Transfer to Capital F420		10,000	10,000	Cash for Cedar Grove and Inflow and Infiltration projects
Total Expenditures		117,939	12,013,087	
Ending Fund Balance	$ 2,813,525	$ 815,051	$ 3,628,576	
		Total BA		

CITY OF MOUNTLAKE TERRACE

STORM WATER UTILITY FUND 412

2026 Budget Amendment

Stormwater Utility 412				
	2026 Original Budget	Budget Amendment	Revised Budget	Reason for Amendment
Beginning Fund Balance	$ 7,025,187	$ 134,136	$ 7,159,323	
Revenue Budget	5,443,486		5,443,486	
Expenditure Budget	8,906,900		8,906,900	
Line of credit to Parks Capital F322		2,000,000	2,000,000	Line of credit to Parks Capital F322 Fund for cash flow for projects prior to grant reimbursement
Transfer to capital project F419		55,000	55,000	Transfer to Storm Water Construction fund to cover construction cost
Transfer to Fleet F511		95,000	95,000	Transfer to Fleet toward vehicle purchase
Total Expenditures		2,150,000	11,056,900	
Ending Fund Balance	$ 3,561,773	$ (2,015,864)	$ 1,545,909	
		Total BA		

CITY OF MOUNTLAKE TERRACE

STORMWATER CONSTRUCTION FUND 419

2026 Budget Amendment

Storm Water Construction 419					
	2026 Original Budget		Budget Amendment	Revised Budget	Reason for Amendment
Beginning Fund Balance	$ -		$ 398,086	$ 398,086	
Revenue Budget	5,048,000			5,048,000	
Transfer from Storm Ops F412			55,000	55,000	Transfer from Storm Water Operations to cover construction costs
Total Revenues			55,000	5,103,000	
Expenditure Budget	5,048,000			5,048,000	
Construction Projects			447,600	447,600	Move available budget from 2025 to 2026 for 220th & 70th and Pipe Replacement
Total Expenditures			447,600	5,495,600	
Ending Fund Balance	$ -		$ 5,486	$ 5,486	
			Total BA		

CITY OF MOUNTLAKE TERRACE

SEWER CONSTRUCTION FUND 420

2026 Budget Amendment

Sewer Construction 420				
	2026 Original Budget	Budget Amendment	Revised Budget	Reason for Amendment
Beginning Fund Balance	$ 1,862	$ 746,262	$ 748,124	
Revenue Budget	3,570,715		3,570,715	
Transfer from Sewer Op F410		10,000	10,000	Cash for Cedar Grove and Inflow and Infiltration projects
Total Revenues		10,000	3,580,715	
Expenditure Budget	3,570,713		3,570,713	
Construction Projects		753,138	753,138	Move available budget from 2025 to 2026 for Cedar Grove & Inflow and Infiltration
Total Expenditures		753,138	4,323,851	
Ending Fund Balance	$ 1,864	$ 3,124	$ 4,988	
		Total BA		

CITY OF MOUNTLAKE TERRACE

WATER CONSTRUCTION FUND 421

2026 Budget Amendment

Water Construction 421					
	2026 Original Budget		Budget Amendment	Revised Budget	Reason for Amendment
Beginning Fund Balance	$ 4,500		$ 970,659	$ 975,159	
Revenue Budget	7,648,752			7,648,752	
Expenditure Budget	7,479,891			7,479,891	
Construction Projects			1,026,321	1,026,321	Move available budget from 2025 to 2026 for Westside Water Main & Seismic Retrofit for water tower
Total Expenditures			1,026,321	8,506,212	
Ending Fund Balance	$ 173,361		$ (55,662)	$ 117,699	
			Total BA		

CITY OF MOUNTLAKE TERRACE

FLEET MANAGEMENT FUND 511

2026 Budget Amendment

Fleet Management 511				
	2026 Original Budget	Budget Amendment	Revised Budget	Reason for Amendment
Beginning Fund Balance	$ 2,110,440	$ (91,314)	$ 2,019,126	
Revenue Budget	2,660,562		$ 2,660,562	
Transfer from Storm Water F412		$ 95,000	$ 95,000	Transfer from Storm Water for vehicle purchase
Transfer from Streets		$ 32,500	$ 32,500	Transfer from Streets for 10% of hook dump truck
Total Revenues		$ 127,500	$ 2,788,062	
Expenditure Budget	2,427,769		$ 2,427,769	
Vehicle purchase		$ 85,000	$ 85,000	Police vehicle
Vehicle purchase		$ 140,000	$ 140,000	Storm Water vehicle
Vehicle purchase		$ 325,000	$ 325,000	Hook Dump Truck
Total Expenditures		$ 550,000	$ 2,977,769	
Ending Fund Balance	$ 2,343,233	$ (513,814)	$ 1,829,419	
		Total BA		

CITY OF MOUNTLAKE TERRACE

BUDGET AMENDMENT SUMMARY

2026 BUDGET SUMMARY BY FUND
BUDGET AMENDMENT, Proposed July 9, 2026

FUND	BEGINNING FUND BALANCE	REVENUES & OTHER SOURCES	TOTAL BEGINNING FUND BALANCE & REVENUES & OTHER SOURCES	EXPENDITURES & OTHER USES	ENDING FUND BALANCE	TOTAL EXPENDITURES & ENDING FUND BALANCE
GENERAL OPERATING FUNDS						
General Fund	$ 9,475,348	$ 19,041,496	$ 28,516,843	$ 21,325,652	$ 7,191,191	$ 28,516,843
Housing Needs Fund	299,367	7,000	306,367	22,300	284,067	306,367
Strategic Reserve Fund	1,043,280	27,466	1,070,746	-	1,070,746	1,070,746
Accumulated Leave Reserve Fund	64,947	1,999	66,946	-	66,946	66,946
Recreation Fund	272,887	3,681,710	3,954,597	3,767,183	187,414	3,954,597
Solid Waste Service Fund	83,190	49,000	132,190	93,574	38,616	132,190
Street Operating Fund	909,861	1,282,383	2,192,244	1,852,988	339,256	2,192,244
Art Fund	27,274	-	27,274	-	27,274	27,274
Tree Fund	-	20,000	20,000	20,000	-	20,000
American Rescue Plan Act Fund	-	-	-	-	-	-
Opioid Settlement fund	330,070	40,000	370,070	150,000	220,070	370,070
Hotel/Motel Tax Fund	241,355	58,000	299,355	50,000	249,355	299,355
Debt Service Fund	45,056	736,542	781,598	707,900	73,698	781,598
Fleet Management Fund	2,063,950	2,788,062	4,852,012	2,977,769	1,874,243	4,852,012
Information Technology Fund	87,180	1,530,458	1,617,638	1,530,458	87,180	1,617,638
Total General Operating Funds	**$ 14,943,765**	**$ 29,264,116**	**$ 44,207,881**	**$ 32,497,824**	**$ 11,710,057**	**$ 44,207,881**
UTILITY FUNDS						
Sewer Utility Fund	7,788,047	8,858,537	16,646,584	12,013,087	4,633,497	16,646,584
Water Utility Fund	11,156,882	8,938,768	20,095,650	15,763,333	4,332,317	20,095,650
Stormwater Utility Fund	7,159,323	5,443,486	12,602,809	11,056,900	1,545,909	12,602,809
Debt Service Funds	801,372	1,773,944	2,575,316	1,774,292	801,024	2,575,316
Total Utility Funds	**$ 26,905,624**	**$ 25,014,735**	**$ 51,920,359**	**$ 40,607,612**	**$ 11,312,747**	**$ 51,920,359**
CAPITAL FUNDS						
Street Construction Fund	5,989,779	9,017,913	15,007,692	11,911,364	3,096,328	15,007,692
Parks Capital Improvement Fund	-606,221	7,305,661	6,699,440	6,620,000	79,440	6,699,440
Real Estate Excise Tax Fund	1,194,562	1,025,000	2,219,562	1,800,000	419,562	2,219,562
Facilities Construction	-200,849	1,250,000	1,049,151	1,250,000	-200,849	1,049,151
Stormwater Construction Fund	398,086	5,103,000	5,501,086	5,495,600	5,486	5,501,086
Sewer Construction Fund	748,124	3,580,715	4,328,839	4,323,851	4,988	4,328,839
Water Construction Fund	975,159	7,648,752	8,623,911	8,506,212	117,699	8,623,911
Total Capital Funds	**$ 8,498,640**	**$ 34,931,041**	**$ 43,429,681**	**$ 39,907,027**	**$ 3,522,654**	**$ 43,429,681**
TOTAL 2026 BUDGET	**$ 50,348,028**	**$ 89,209,892**	**$ 139,557,921**	**$ 113,012,463**	**$ 26,545,458**	**$ 139,557,921**

CITY OF MOUNTLAKE TERRACE

FINANCIAL/BUDGET IMPACTS

- Transparent budget amendments ensure that residents, council members, and staff clearly understand how and why public funds are being adjusted. While this approach enhances trust and accountability, it also carries operational and financial impacts that cities must plan for.

  - Several capital projects were not completed in 2025 but are forecasted to be completed in 2026.

  - The ending fund balance for 2026 is approximately $2.6 million higher than the previous 2026 adopted budget mainly due to the beginning fund balance increase.

CITY OF MOUNTLAKE TERRACE

STAFF RECOMMENDATION

Staff recommends the City Council vote to adopt the Biennial Budget Amendment ordinance. This can be accomplished by adding it to the July 16, 2026 consent agenda.

CITY OF MOUNTLAKE TERRACE

DISCUSSION & QUESTIONS

CITY OF MOUNTLAKE TERRACE

Thank you

CITY OF MOUNTLAKE TERRACE

CITY OF MOUNTLAKE TERRACE

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MOUNTLAKE TERRACE, WASHINGTON AMENDING THE 2025-2026 BIENNIAL BUDGET; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, on November 21, 2024, the City adopted the 2025-2026 biennial budget by Ordinance No. 2870; and as amended on November 20, 2025 by Ordinance 2898; and as amended on December 18, 2025 by Ordinance 2904; and

WHEREAS, the budget was adopted prior to the close of the year and beginning fund balances have since changed to reflect actual balances; and

WHEREAS, the City would like to amend capital project revenues and expenditures to align with grant revenues and project timing; and

WHEREAS, the Fleet Fund (511) purchased vehicles in 2025 and received them in 2026 which resulted in a decrease to expenditures in 2025 and an increase to expenditures in 2026; and

WHEREAS, the Solid Waste Service Fund (064), which pays for low-income discounts for residential waste collections, will require use of an additional $40,000 from its ending fund balance due to the demand and number of qualifying participants this year; and

WHEREAS, these proposed changes are in alignment with best practice for auditing and compliance with state law; and

WHEREAS, the City Council believes it to be in the best interest of the City to amend the budget to reflect these changes;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOUNTLAKE TERRACE, WASHINGTON DOES ORDAIN AS FOLLOWS:

Section 1. Amending the 2025-2026 Biennial Budget. The City hereby amends its 2025-2026 Biennial Budget of the City of Mountlake Terrace as shown in Exhibit A, attached hereto and incorporated herein by this reference.

Section 2. Corrections. The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener/clerical errors, references, Ordinance numbering, section/subsection numbers and any references thereto.

Section 3. **Severability.** If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such invalidity shall not affect the validity or effectiveness of the remaining portions of this Ordinance.

Section 4. **Publication and Effective Date.** This Ordinance or a summary thereof consisting of the title, shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after its adoption and publication as required by law.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON JULY 16, 2026.

CITY OF MOUNTLAKE TERRACE

_____
Steve Woodard, Mayor

ATTEST/AUTHENTICATED:

_____
Lan Nguyen, Executive Assistant

APPROVED AS TO FORM:

_____
Hillary J. Evans, City Attorney

~~PASSED by the City Council on~~
~~SIGNED in authentication of its passage on~~

_____
~~Mayor Kyoko Matsumoto Wright~~

~~ATTEST: _____~~
~~City Clerk~~

~~APPROVED AS TO FORM: _____~~
~~Hillary Evans, City Attorney~~

EXHIBIT A

2025 BUDGET SUMMARY BY FUND BUDGET AMENDMENT Adopted December 18, 2025						
FUND	**BEGINNING FUND BALANCE**	**REVENUES & OTHER SOURCES**	**TOTAL BEGINNING FUND BALANCE & REVENUES & OTHER SOURCES**	**EXPENDITURES & OTHER USES**	**ENDING FUND BALANCE**	**TOTAL EXPENDITURES & ENDING FUND BALANCE**
GENERAL OPERATING FUNDS						
General Fund	$ 8,218,572	$ 18,712,760	$ 26,931,332	$ 21,816,622	5,114,710	$ 26,931,332
Housing Needs Fund	293,567	8,000	301,567	22,300	279,267	301,567
Strategic Reserve Fund	934,426	101,392	1,035,818	-	1,035,818	1,035,818
Accumulated Leave Reserve Fund	62,984	1,941	64,925	46,000	18,925	64,925
Recreation Fund	285,768	3,565,610	3,851,378	3,613,175	238,203	3,851,378
Solid Waste Service Fund	111,594	49,000	160,594	87,014	73,580	160,594
Street Operating Fund	673,966	1,589,043	2,263,009	1,681,975	581,034	2,263,009
Art Fund	-	119,630	119,630	73,000	46,630	119,630
Tree Fund	-	20,000	20,000	20,000	-	20,000
American Rescue Plan Act Fund	105,175	-	105,175	105,175	-	105,175
Opioid Settlement fund	-	330,070	330,070	-	330,070	330,070
Hotel/Motel Tax Fund	192,125	58,200	250,325	50,000	200,325	250,325
Debt Service Fund	306,130	723,045	1,029,175	712,175	317,000	1,029,175
Fleet Management Fund	1,877,647	2,660,562	4,538,209	2,427,769	2,110,440	4,538,209
Information Technology Fund	-	1,693,323	1,693,323	1,693,323	-	1,693,323
Total General Operating Funds	**$ 13,061,954**	**$ 29,632,576**	**$ 42,694,530**	**$ 32,348,528**	**$ 10,346,002**	**$ 42,694,530**
UTILITY FUNDS						
Sewer Utility Fund	$6,320,687	$8,861,224	$15,181,911	$9,331,775	$5,850,136	$15,181,911
Water Utility Fund	10,693,507	8,779,216	19,472,723	9,223,437	10,249,286	19,472,723
Stormwater Utility Fund	5,934,231	5,371,356	11,305,587	4,280,400	7,025,187	11,305,587
Debt Service Funds	-	2,506,493	2,506,493	1,706,700	799,793	2,506,493
Total Utility Funds	**$ 22,948,425**	**$ 25,518,289**	**$ 48,466,714**	**$ 24,542,312**	**$ 23,924,402**	**$ 48,466,714**
CAPITAL FUNDS						
Street Construction Fund	$8,441,121	$378,658	$8,819,779	$4,245,370	$4,574,409	$8,819,779
Parks Capital Improvement Fund	2,114,293	7,257,422	9,371,715	7,430,456	1,941,259	9,371,715
Real Estate Excise Tax Fund	729,882	1,030,000	1,759,882	500,000	1,259,882	1,759,882
Facilities Construction	-	2,983,086	2,983,086	2,821,306	161,780	2,983,086
Stormwater Construction Fund	-	447,600	447,600	447,600	-	447,600
Sewer Construction Fund	-	755,000	755,000	753,138	1,862	755,000
Water Construction Fund	-	1,030,821	1,030,821	1,026,321	4,500	1,030,821
Total Capital Funds	**$ 11,285,296**	**$ 13,882,587**	**$ 25,167,883**	**$ 17,224,191**	**$ 7,943,692**	**$ 25,167,883**
TOTAL 2025 BUDGET	**$ 47,295,675**	**$ 69,033,452**	**$ 116,329,127**	**$ 74,115,031**	**$ 42,214,096**	**$ 116,329,127**

EXHIBIT A

2026 BUDGET SUMMARY BY FUND

BUDGET AMENDMENT Adopted December 18, 2025

FUND	BEGINNING FUND BALANCE	REVENUES & OTHER SOURCES	TOTAL BEGINNING FUND BALANCE & REVENUES & OTHER SOURCES	EXPENDITURES & OTHER USES	ENDING FUND BALANCE	TOTAL EXPENDITURES & ENDING FUND BALANCE
GENERAL OPERATING FUNDS						
General Fund	$ 5,114,710	$ 19,041,496	$ 24,156,206	$ 21,302,652	$ 2,853,554	$ 24,156,206
Housing Needs Fund	279,267	7,000	286,267	22,300	263,967	286,267
Strategic Reserve Fund	1,035,818	27,466	1,063,284	-	1,063,284	1,063,284
Accumulated Leave Reserve Fund	18,925	1,999	20,924	-	20,924	20,924
Recreation Fund	238,203	3,681,710	3,919,913	3,767,183	152,730	3,919,913
Solid Waste Service Fund	73,580	49,000	122,580	53,574	69,006	122,580
Street Operating Fund	581,034	1,282,383	1,863,417	1,820,488	42,929	1,863,417
Art Fund	46,630	-	46,630	-	46,630	46,630
Tree Fund	-	20,000	20,000	20,000	-	20,000
American Rescue Plan Act Fund	-	-	-	-	-	-
Opioid Settlement fund	330,070	40,000	370,070	150,000	220,070	370,070
Hotel/Motel Tax Fund	200,325	58,000	258,325	50,000	208,325	258,325
Debt Service Fund	317,000	736,542	1,053,542	707,900	345,642	1,053,542
Fleet Management Fund	2,110,440	2,660,562	4,771,002	2,427,769	2,343,233	4,771,002
Information Technology Fund	-	1,530,458	1,530,458	1,530,458	-	1,530,458
Total General Operating Funds	**$ 10,346,002**	**$ 29,136,615**	**$ 39,482,617**	**$ 31,852,324**	**$ 7,630,293**	**$ 39,482,617**
UTILITY FUNDS						
Sewer Utility Fund	5,850,136	8,858,537	14,708,673	11,895,148	2,813,525	14,708,673
Water Utility Fund	10,249,286	8,938,768	19,188,054	15,763,333	3,424,721	19,188,054
Stormwater Utility Fund	7,025,187	5,443,486	12,468,673	8,906,900	3,561,773	12,468,673
Debt Service Funds	799,793	1,773,944	2,573,737	1,774,292	799,445	2,573,737
Total Utility Funds	**$ 23,924,402**	**$ 25,014,735**	**$ 48,939,137**	**$ 38,339,673**	**$ 10,599,464**	**$ 48,939,137**
CAPITAL FUNDS						
Street Construction Fund	4,574,409	9,017,913	13,592,322	11,911,364	1,680,958	13,592,322
Parks Capital Improvement Fund	1,941,259	3,823,374	5,764,633	2,870,000	2,894,633	5,764,633
Real Estate Excise Tax Fund	1,259,882	1,025,000	2,284,882	1,550,000	734,882	2,284,882
Facilities Construction	161,780	1,250,000	1,411,780	1,250,000	161,780	1,411,780
Stormwater Construction Fund	-	5,048,000	5,048,000	5,048,000	-	5,048,000
Sewer Construction Fund	1,862	3,570,715	3,572,577	3,570,713	1,864	3,572,577
Water Construction Fund	4,500	7,648,752	7,653,252	7,479,891	173,361	7,653,252
Total Capital Funds	**$ 7,943,692**	**$ 31,383,754**	**$ 39,327,446**	**$ 33,679,968**	**$ 5,647,478**	**$ 39,327,446**
TOTAL 2026 BUDGET	**$ 42,214,096**	**$ 85,535,104**	**$ 127,749,200**	**$ 103,871,965**	**$ 23,877,235**	**$ 127,749,200**

EXHIBIT A

2025 BUDGET SUMMARY BY FUND
BUDGET AMENDMENT, Proposed July 9, 2026

FUND	BEGINNING FUND BALANCE	REVENUES & OTHER SOURCES	TOTAL BEGINNING FUND BALANCE & REVENUES & OTHER SOURCES	EXPENDITURES & OTHER USES	ENDING FUND BALANCE	TOTAL EXPENDITURES & ENDING FUND BALANCE
GENERAL OPERATING FUNDS						
General Fund	$ 8,218,572	$ 18,712,760	$ 26,931,332	$ 21,816,622	5,114,710	$ 26,931,332
Housing Needs Fund	293,567	8,000	301,567	22,300	279,267	301,567
Strategic Reserve Fund	934,426	101,392	1,035,818	-	1,035,818	1,035,818
Accumulated Leave Reserve Fund	62,984	1,941	64,925	46,000	18,925	64,925
Recreation Fund	285,768	3,565,610	3,851,378	3,613,175	238,203	3,851,378
Solid Waste Service Fund	111,594	49,000	160,594	87,014	73,580	160,594
Street Operating Fund	673,966	1,589,043	2,263,009	1,681,975	581,034	2,263,009
Art Fund	-	119,630	119,630	73,000	46,630	119,630
Tree Fund	-	20,000	20,000	20,000	-	20,000
American Rescue Plan Act Fund	105,175	-	105,175	105,175	-	105,175
Opioid Settlement fund	-	330,070	330,070	-	330,070	330,070
Hotel/Motel Tax Fund	192,125	58,200	250,325	50,000	200,325	250,325
Debt Service Fund	306,130	723,045	1,029,175	712,175	317,000	1,029,175
Fleet Management Fund	1,877,647	2,660,562	4,538,209	2,427,769	2,110,440	4,538,209
Information Technology Fund	-	1,693,323	1,693,323	1,693,323	-	1,693,323
Total General Operating Funds	**$ 13,061,954**	**$ 29,632,576**	**$ 42,694,530**	**$ 32,348,528**	**$ 10,346,002**	**$ 42,694,530**
UTILITY FUNDS						
Sewer Utility Fund	$6,320,687	$8,861,224	$15,181,911	$9,331,775	$5,850,136	$15,181,911
Water Utility Fund	10,693,507	8,779,216	19,472,723	9,223,437	10,249,286	19,472,723
Stormwater Utility Fund	5,934,231	5,371,356	11,305,587	4,280,400	7,025,187	11,305,587
Debt Service Funds	-	2,506,493	2,506,493	1,706,700	799,793	2,506,493
Total Utility Funds	**$ 22,948,425**	**$ 25,518,289**	**$ 48,466,714**	**$ 24,542,312**	**$ 23,924,402**	**$ 48,466,714**
CAPITAL FUNDS						
Street Construction Fund	$8,441,121	$378,658	$8,819,779	$4,245,370	$4,574,409	$8,819,779
Parks Capital Improvement Fund	2,114,293	7,257,422	9,371,715	7,430,456	1,941,259	9,371,715
Real Estate Excise Tax Fund	729,882	1,030,000	1,759,882	500,000	1,259,882	1,759,882
Facilities Construction	-	2,983,086	2,983,086	2,821,306	161,780	2,983,086
Stormwater Construction Fund	-	447,600	447,600	447,600	-	447,600
Sewer Construction Fund	-	755,000	755,000	753,138	1,862	755,000
Water Construction Fund	-	1,030,821	1,030,821	1,026,321	4,500	1,030,821
Total Capital Funds	**$ 11,285,296**	**$ 13,882,587**	**$ 25,167,883**	**$ 17,224,191**	**$ 7,943,692**	**$ 25,167,883**
TOTAL 2025 BUDGET	**$ 47,295,675**	**$ 69,033,452**	**$ 116,329,127**	**$ 74,115,031**	**$ 42,214,096**	**$ 116,329,127**

EXHIBIT A

2026 BUDGET SUMMARY BY FUND
BUDGET AMENDMENT, Proposed July 9, 2026

FUND	BEGINNING FUND BALANCE	REVENUES & OTHER SOURCES	TOTAL BEGINNING FUND BALANCE & REVENUES & OTHER SOURCES	EXPENDITURES & OTHER USES	ENDING FUND BALANCE	TOTAL EXPENDITURES & ENDING FUND BALANCE
GENERAL OPERATING FUNDS						
General Fund	$ 9,475,348	$ 19,041,496	$ 28,516,843	$ 21,325,652	$ 7,191,191	$ 28,516,843
Housing Needs Fund	299,367	7,000	306,367	22,300	284,067	306,367
Strategic Reserve Fund	1,043,280	27,466	1,070,746	-	1,070,746	1,070,746
Accumulated Leave Reserve Fund	64,947	1,999	66,946	-	66,946	66,946
Recreation Fund	272,887	3,681,710	3,954,597	3,767,183	187,414	3,954,597
Solid Waste Service Fund	83,190	49,000	132,190	93,574	38,616	132,190
Street Operating Fund	909,861	1,282,383	2,192,244	1,852,988	339,256	2,192,244
Art Fund	27,274	-	27,274	-	27,274	27,274
Tree Fund	-	20,000	20,000	20,000	-	20,000
American Rescue Plan Act Fund	-	-	-	-	-	-
Opioid Settlement fund	330,070	40,000	370,070	150,000	220,070	370,070
Hotel/Motel Tax Fund	241,355	58,000	299,355	50,000	249,355	299,355
Debt Service Fund	45,056	736,542	781,598	707,900	73,698	781,598
Fleet Management Fund	2,063,950	2,788,062	4,852,012	2,977,769	1,874,243	4,852,012
Information Technology Fund	87,180	1,530,458	1,617,638	1,530,458	87,180	1,617,638
Total General Operating Funds	**$ 14,943,765**	**$ 29,264,116**	**$ 44,207,881**	**$ 32,497,824**	**$ 11,710,057**	**$ 44,207,881**
UTILITY FUNDS						
Sewer Utility Fund	7,788,047	8,858,537	16,646,584	12,013,087	4,633,497	16,646,584
Water Utility Fund	11,156,882	8,938,768	20,095,650	15,763,333	4,332,317	20,095,650
Stormwater Utility Fund	7,159,323	5,443,486	12,602,809	11,056,900	1,545,909	12,602,809
Debt Service Funds	801,372	1,773,944	2,575,316	1,774,292	801,024	2,575,316
Total Utility Funds	**$ 26,905,624**	**$ 25,014,735**	**$ 51,920,359**	**$ 40,607,612**	**$ 11,312,747**	**$ 51,920,359**
CAPITAL FUNDS						
Street Construction Fund	5,989,779	9,017,913	15,007,692	11,911,364	3,096,328	15,007,692
Parks Capital Improvement Fund	-606,221	7,305,661	6,699,440	6,620,000	79,440	6,699,440
Real Estate Excise Tax Fund	1,194,562	1,025,000	2,219,562	1,800,000	419,562	2,219,562
Facilities Construction	-200,849	1,250,000	1,049,151	1,250,000	-200,849	1,049,151
Stormwater Construction Fund	398,086	5,103,000	5,501,086	5,495,600	5,486	5,501,086
Sewer Construction Fund	748,124	3,580,715	4,328,839	4,323,851	4,988	4,328,839
Water Construction Fund	975,159	7,648,752	8,623,911	8,506,212	117,699	8,623,911
Total Capital Funds	**$ 8,498,640**	**$ 34,931,041**	**$ 43,429,681**	**$ 39,907,027**	**$ 3,522,654**	**$ 43,429,681**
TOTAL 2026 BUDGET	**$ 50,348,028**	**$ 89,209,892**	**$ 139,557,921**	**$ 113,012,463**	**$ 26,545,458**	**$ 139,557,921**

CITY OF MOUNTLAKE TERRACE

STAFF REPORT

To: Mountlake Terrace City Council
From: Brooke Eidem, Community Development Director
Meeting Date: July 16, 2026
Subject: Ordinance Adopting Code Amendments to Chapters 18.05, 18.25 19.110, and 19.120 for Community Development Administrative Procedures

Required Reviews:

Lan Nguyen	Created/Initiated - 07/07/2026
Jeff Niten	Approved - 07/07/2026
Sirke Salminen	Approved - 07/08/2026
Hillary Evans	Final Approval - 07/08/2026

Council Goal(s):
Responsible Governance to Ensure Desired Level of Service

Legislative History:
The Planning Commission discussed this item at their regular meeting on May 11, 2026. The second draft ordinance was discussed on June 8, 2026 with a Public Hearing held on June 22nd for that portion of the amendments.

This item was presented to City Council for review at their work session on June 11, 2026 and regular meeting on July 2, 2026.

Subject Summary:
Staff is proposing amendments to several chapters of the Municipal code related to administrative procedures that are intended to streamline the permitting process, update the administrative regulations in general, and integrate new requirements of the Local Project Review Act (RCW 36.70B).

Administrative provisions can currently be found in several locations of the MTMC. The most detailed chapter is in Title 18, Land Use Planning and Development, addressing permit classifications, the permit review process, public hearings, appeals, and amendments to the Comprehensive Plan. There are also administrative provisions in Title 19, Zoning. However, these are far less detailed, and in some cases, conflict with those of Chapter 18.05.

Chapter 18.05 MTMC needs to be updated for legal consistency with recent changes to RCW 36.70B (2023 and 2026). The proposal would make additional revisions to reflect current

processes and eliminate the potential for confusion and internal conflict by making the provisions of this chapter apply to Titles 16, 17, 18, and 19. A package of amendments is proposed to ensure administrative procedures are comprehensive and well-organized. The chapters involved include the following:

- Chapter 18.05 - Administration and Procedures
- Chapter 18.25 - Public Notification - Major Land Use
- Chapter 19.10 - Administration
- Chapter 19.110 - Zoning Permits
- Chapter 19.120 - General Provisions

Legal Requirements
SB 5290 was passed by the Washington State Legislature in 2023, amending the Local Project Review Act (RCW 36.70B) related to permit processing procedures for local governments. The bill contains multi-tier review timeframes unless the municipality adopts legislation that modifies them. If the local government fails to meet the review deadline, a portion of permit fees must be returned to the applicant. The bill allows other optional measures that staff is also proposing to adopt, including procedural improvements that exempt the City from reimbursing permit fees. Several other elements of Chapter 18.05 MTMC also need updating for consistency with this legislation, including clarity on determinations of completeness, more detail on application submittal requirements, applicant time limits, and permit consolidations.

Chapter 18.05 - Administration and Procedures
Most administrative provisions can be found in Chapter 18.05, but this chapter is incomplete in terms of addressing the proper authority and interpretation provisions, reasonable accommodations as required by the Fair Housing Act, determination of legal lot status, concurrency, assignability, vesting, extension of a review process, conditions of approval, and submittal requirements. These provisions are similarly absent elsewhere in the Municipal Code, so should be added here. Staff is also proposing a new Applicability section to clarify that the chapter's provisions apply to all four titles (16 through 19), thus avoiding the potential for conflicting provisions.

This chapter addresses permit classifications and review procedures. The permit classifications table is updated to reflect actual permit types with accurate procedures. A new field is added to the table to identify the approval term and the table is organized by decision type to make it easier to read.

The last portion of this chapter contains procedures for updating the Comprehensive Plan, rezones, and annexations (MTMC 18.05.300, 18.05.310, and 18.05.320). The Comprehensive Plan and rezone procedures are more appropriately addressed in Chapter 18.10, Comprehensive Plan, which was amended by the City Council on July 2, 2026. The Annexation section is proposed for relocation to Chapter 19.120 MTMC based on a recommendation from the Planning Commission.

Due to the level of change proposed to this chapter, a repeal and replace is necessary.

Chapter 18.25 - Public Notification - Major Land Use
This chapter is proposed to be repealed. A public notice section is added to Chapter 18.05 MTMC, making this chapter redundant and unnecessary. The administrative procedures chapter is a more appropriate location for these provisions, as they are a part of the development application process.

Chapter 19.10 - Administration
This chapter contains interpretation provisions that conflict with those of Chapter 18.05, and outdated information related to duties of the Planning Commission. Additionally, provisions related to the Zoning Map and development regulations are more appropriately addressed elsewhere. The proposal is to integrate those regulations into more appropriate chapters -- largely 18.05 and 18.10 -- and repeal this chapter.

Chapter 19.110 - Zoning Permits
Chapter 19.110 contains procedural regulations that should be addressed in Chapter 18.05, including submittal requirements and limitations on refiling. According to the Building Official, the sections addressing building permits and certificates of occupancy duplicate building code regulations already adopted by the City (with some outdated language), and should be removed from this chapter. The proposal is to remove those sections, relocate the temporary permits section to Chapter 19.120, and update the Site Development Plan procedures.

Chapter 19.120 - General Provisions
Chapter 19.120 is an assortment of performance standards and regulations that are more appropriately addressed elsewhere - many were last updated in the mid-1990s or early 2000s. Staff's eventual proposal is to address this chapter holistically. However, in the meantime the proposed revisions are intended to bring it up to date, make the language match current processes, and integrate the temporary permits and certificate of occupancy provisions from Chapter 19.110.

Financial/Budget Impacts:
Budget Amendment Required? No

Budget and Sources:	
Expenditure:	
New Appropriation Required + Sources:	

Additional Financial Information:
N/A

Community Notifications:
City Council Agenda
If "Other," please specify:

Board/Commission Recommendation:
The Planning Commission provided a preliminary, unofficial recommendation on the overall package of amendments at their meeting on May 11th.

Staff Recommendation:
Staff recommends approval of the Code Amendments to repeal and replace Chapter 18.05 MTMC, repeal Chapters 18.25 and 19.10 MTMC, and amend Chapters 19.110 and 19.120 MTMC for Administration Procedures. This can be accomplished by adding to the consent agenda on July 16, 2026.

Council Motion:
N/A

Attachments:
1. Ordinance Adopting Code Amendments to Chapters 18.05, 18.25 19.110, and 19.120 for Community Development Administrative Procedures (Draft)
2. Presentation Community Development Administrative Procedures

CITY OF MOUNTLAKE TERRACE

ORDINANCE _____

AN ORDINANCE OF THE CITY OF MOUNTLAKE TERRACE, WASHINGTON, REPEALING AND REPLACING CHAPTER 18.05 OF THE MOUNTLAKE TERRACE MUNICIPAL CODE ("MTMC"), ADMINISTRATION AND PROCEDURES; REPEALING CHAPTER 18.25 MTMC, PUBLIC NOTIFICATION – MAJOR LAND USE; REPEALING CHAPTER 19.10 MTMC, ADMINISTRATION; AMENDING CHAPTER 19.110 MTMC, ZONING PERMITS; AMENDING CHAPTER 19.120 MTMC, GENERAL PROVISIONS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

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

WHEREAS, the City has adopted a Zoning Code as Title 19 of the Mountlake Terrace Municipal Code ("MTMC") to implement the Comprehensive Plan and to ensure compatible and rational land development and land use in all portions of the City; and

WHEREAS, it is necessary to revise the City's regulations for permit processing for consistency with Senate Bill 5290, which passed the Washington State Legislature in 2023 and amended portions of the Local Project Review Act with an effective date in January 2025; and

WHEREAS, the development review process is primarily regulated in Chapter 18.05 MTMC, which is out of date with the City's digital permitting systems and requires updates, in addition to the amendments necessary to appropriately address the new state legislation; and

WHEREAS, associated amendments are necessary elsewhere in the Municipal Code to accommodate the updates, including repealing Chapters 18.25 and 19.10, and amending Chapters 19.110, and 19.120; and

WHEREAS, other minor amendments are necessary to correct internal code references; and

WHEREAS, the City Council desires to formally establish measures to expedite the land use development and construction permit review process pursuant to RCW 36.70B.160(1) to meet the requirements of RCW 36.70B.080(1)(l)(ii); and

WHEREAS, such measures are not intended to be inclusive, nor are they intended to address all administrative policies related to processing applications for land use and development; and

WHEREAS, on May 11, 2026 and June 8, 2026, the Planning Commission conducted work sessions that were open to the public to discuss the proposed amendments; and

WHEREAS, the City provided notice of the proposed amendments to the Washington State Department of Commerce, in accordance with City of Mountlake Terrace procedures and regulations as required by RCW 36.70A.106, on April 29, 2026; and

WHEREAS, pursuant to the State Environmental Policy Act, the City, as designated as the lead agency for review of the proposed amendments, issued a Determination of Non-Significance (DNS) on May 15, 2026 pursuant to WAC 197-11-340(2). The City did not receive any appeal of the DNS and the DNS is therefore final; and

WHEREAS, the City Council considered the proposed amendments on July 2, 2026 at a duly noticed public meeting all persons wishing to be heard on the matter were heard;

WHEREAS, on July 16, 2026 at a duly noticed public meeting, the City Council voted to approve the proposed amendments;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MOUNTLAKE TERRACE, WASHINGTON DO ORDAIN AS FOLLOWS:

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

Section 2. **Expedited review process measures established.** The measures set forth below are hereby established and shall be in effect as of the effective date of this Ordinance until modified or amended by action of the City Council. The City of Mountlake Terrace Community Development Department intends to implement and maintain the following measures:

a. Imposing reasonable application fees, consistent with RCW 82.02.020, on applicants for permits or other governmental approvals to cover the cost to the City for processing applications, inspecting, reviewing plans, or preparing detailed statements required by Chapter 43.21 RCW.
b. Adopting development regulations which only require public hearings for permit applications that are required to have a public hearing by statute.
c. Adopting development regulations which make housing types an outright permitted use in all zones where the housing type is permitted.

Section 3. **Chapter 18.05 MTMC, repealed**. Chapter 18.05 MTMC, entitled "Administration and Procedures", is hereby repealed in its entirety.

Section 4. **Chapter 18.05 MTMC, adopted**. Chapter 18.05 MTMC, entitled "Administration and Procedures", is hereby adopted to read as set forth in attached "Exhibit A" which is hereby incorporated by this reference as though fully contained herein.

Section 5. **Chapter 18.25 MTMC, repealed.** Chapter 18.25 MTMC, entitled "Public Notification – Major Land Use", is hereby repealed in its entirety.

Section 6. **Chapter 19.10 MTMC, repealed.** Chapter 19.10 MTMC, entitled "Administration", is hereby repealed in its entirety.

Section 7. **Chapter 19.110 MTMC, amended.** Chapter 19.110 MTMC, entitled "Zoning Permits", is hereby amended to read as set forth in attached "Exhibit B" which is hereby incorporated by this reference as though fully contained herein.

Section 8. **Chapter 19.120 MTMC, amended.** Chapter 19.120 MTMC, entitled "General Provisions", is hereby amended to read as set forth in attached "Exhibit C" which is hereby incorporated by this reference as though fully contained herein.

Section 9. **MTMC 2.120.010(B)(1), amended.** MTMC 2.120.010(B)(1), entitled "Purpose, authority and legal effect of Hearing Examiner decision", subsection (B)(1), is hereby amended to read as follows:

> Applications for conditional uses, variances, shoreline permits requiring public hearings, essential public facilities, secure community transition facilities, or any other class of applications for or pertaining to development of land or land use, including, but not limited to, those permits or projects pursuant to MTMC § 18.05.070(F)~~5~~ (with the exception of applications for site-specific rezones, which shall be recommendations to the City Council for final decision).

Section 10. **MTMC 2.120.120, amended.** MTMC 2.120.120, entitled "Optional reconsideration by the Hearing Examiner of final legislative decisions", is hereby amended to read as follows:

> Any party of record ~~as defined in~~ pursuant to MTMC § 18.05.150~~025~~, including the applicant, who believes that the decision of the Hearing Examiner is based on errors of procedure or fact may make a written request for review by the Hearing Examiner within 10 working days of the written decision. This request shall set forth the alleged errors and the Hearing Examiner may, after review of the record, take such further action as he/she deems proper and may render a revised decision. Only one request for reconsideration may be filed by any one person or party, even if the Hearing Examiner reverses or modifies his/her original decision, or changes the language in the decision originally rendered. A request for reconsideration shall extend the applicable time period for appeal to Snohomish County Superior Court by the length of time it takes to resolve the request for reconsideration.

Section 11. **MTMC 2.120.140, amended.** MTMC 2.120.140, entitled "Appeal to the City Council", is hereby amended to read as follows:

> An appeal, if authorized, to the City Council of a Hearing Examiner decision shall be a closed record appeal, and no new testimony and/or evidence shall be presented or considered, and only those individuals, organizations or corporations that are a party of record ~~as defined in~~ pursuant to MTMC § 18.05.150~~025~~ shall be allowed to provide public comment in the form of legal argument.

Section 12. **MTMC 2.120.150, amended.** MTMC 2.120.150, entitled "Judicial review of decision", is hereby amended to read as follows:

Any court action to set aside, enjoin, review or otherwise challenge a final decision of the Hearing Examiner on the grounds of noncompliance with the provisions of the Mountlake Terrace Municipal Code shall be commenced within 21 days of the final action pursuant to RCW 36.70C.040(3) and in accordance with MTMC § 18.05.190(F)~~260~~.

Section 13. **MTMC 3.95.130(A)(3), amended.** MTMC 3.95.130(A)(3), entitled "Cancellation of tax exemption" subsection (A)(3), is hereby amended to read as follows:

Appeal. The property owner may appeal a determination of cancellation of the tax exemption to the Hearing Examiner pursuant to Chapter 18.05 MTMC by filing a notice of appeal with the City Clerk within 30 calendar days, specifying the factual and legal basis for the appeal. The Hearing Examiner will conduct a hearing under MTMC § 18.05.190~~240~~. An aggrieved party may appeal the Hearing Examiner's decision to the Snohomish County Superior Court within 30 calendar days of receipt of the Hearing Examiner's decision.

Section 14. **MTMC 10.15.130(A), amended.** MTMC 10.15.130 entitled "Appeals", subsection (A), is hereby amended to read as follows:

Any major employer may appeal administrative decisions regarding exemptions, modification of targets, modification of CTR program elements, and determinations concerning failure to implement a CTR program, to the Hearing Examiner pursuant to MTMC § 18.05.070(C)~~50~~, Administrative decisions – Type B. The appeal must be filed with the City Clerk not later than the tenth day following the date of the administrative decision, accompanied by the appropriate appeal fee. The appeal must be in writing and state in a clear and concise manner the specific exceptions and objections to the administrative decision.

Section 15. **MTMC 10.20.040(C)(2), amended.** MTMC 10.20.040, entitled "Permit required for certain events", subsection (C)(2), is hereby amended to read as follows:

Events that are regulated by MTMC ~~§ 19.110.170 or~~ § 19.120.210 or § 19.120.340;

Section 16. **MTMC 15.05.360, amended.** MTMC 15.05.360, entitled "Appeal from decision of authority", is hereby amended to read as follows:

An owner, or his/her agent, may appeal a decision of the Building Official to the Hearing Examiner by filing an appeal with the City Clerk. An appeal to the Hearing Examiner shall be governed by the procedures set forth in MTMC § 18.05.190~~240~~ and shall be accompanied by the required fee established in the City's fee schedule. The Hearing Examiner shall have no authority relative to interpretation of the administrative provisions of this code nor shall the Hearing Examiner be empowered to waive requirements of this code. Both parties shall submit their case materials for the record at least two weeks prior to the date set by the Hearing Examiner for hearing of the case. An appeal from the Hearing Examiner's decision shall be

brought before the Superior Court of Snohomish County in accordance with the Land Use Petition Act, Chapter 36.70C RCW, and shall include any amendment to such section that has been or will be enacted.

Section 17. **MTMC 15.10.035, amended.** MTMC 15.10.035, entitled "Interpretations and appeals", is hereby amended to read as follows:

An owner, or ~~his/her~~their agent, may appeal a decision of the Fire Code Official to the Hearing Examiner by filing an appeal with the City Clerk. An appeal to the Hearing Examiner shall be governed by the procedures set forth in MTMC § 18.05.190~~240~~ and shall be accompanied by the required fee established in the City's fee schedule. The Hearing Examiner shall have no authority relative to interpretation of the administrative provisions of this code nor shall the Hearing Examiner be empowered to waive requirements of this code. Both parties shall submit their case materials for the record at least two weeks prior to the date set by the Hearing Examiner for hearing of the case. An appeal from the Hearing Examiner's decision shall be brought before the Superior Court of Snohomish County in accordance with the Land Use Petition Act, Chapter 36.70C RCW, and shall include any amendment to such section that has been or will be enacted.

Section 18. **MTMC 16.05.070(D), amended.** MTMC 16.05.070, entitled "General requirements", subsection (D), is hereby amended to read as follows:

Timelines for the City's SEPA process shall apply pursuant to ~~Article II, Permit Types, of~~ Chapter 18.05 MTMC, including, but not limited to, MTMC § 18.05.070(F)~~5~~, as now existing or hereafter amended.

Section 19. **MTMC 16.05.100(B), amended.** MTMC 16.05.100, entitled "Comments and public notice", subsection (B), is hereby amended to read as follows:

For purposes of WAC 197-11-510, public notice shall be required as provided in MTMC § 18.05.150~~20~~. Publication of notice in a newspaper of general circulation in the area where the proposal is located shall also be required for all nonproject actions and for all other proposals that are subject to the provisions of this chapter, but not classified as land use permit decisions.

Section 20. **MTMC 16.05.140(B), amended.** MTMC 16.05.140, entitled "Appeals", subsection (B), is hereby amended to read as follows:

Appeals of City actions under SEPA shall be allowed as provided under ~~Article V, General Provisions for Appeals, of Chapter 18.05~~ MTMC § 18.05.190 ~~and~~ MTMC § 18.05.070(F)~~5, Type A – D permit actions, notice requirements, hearing procedures and timelines,~~ as now existing or hereafter amended.

Section 21. **MTMC 16.10.090(I)(1), amended.** MTMC 16.10.090(I), entitled "Permits and procedures; Notice of Application", subsection (1), is hereby amended to read as follows:

Issue a notice of development application within 14 days of the determination substantially in the form set forth in MTMC § 18.05.130 and 18.05.140~~110~~. The notice shall include any additional provisions set forth in WAC 173-27-110(2). Notice shall also be provided to all agencies with jurisdiction per Chapter 43.21C RCW.

Section 22. MTMC 16.15.150, amended. MTMC 16.15.150, entitled "Preapplication meeting", is hereby retitled to "Preapplication review" and amended to read as follows:

16.15.150 Preapplication review.

A. General. The purpose of the preapplication ~~meeting~~review is to discuss the proposal in general terms and the requirements of this chapter, provide critical areas map information, identify potential concerns related to the proposal, and generally outline the applicable requirements, including permits and the review and approval process. Information given ~~at a~~during the preapplication ~~meeting~~process is nonbinding. Plans presented ~~at~~for ~~the~~ preapplication review~~meeting~~ are nonbinding and do not vest an application. All applicants, regardless of participation in any preapplication ~~meeting~~, are held fully responsible for knowledge and disclosure of critical areas on, adjacent to, or associated with a subject parcel and full compliance with the specific provisions and goals, purposes, objectives, and requirements of this chapter.

B. An informal preapplication review~~meeting~~, pursuant to MTMC § 18.05.0908~~0~~ is optional at the discretion of the proponent. The proponent provides basic information on the property and the proposal. The City provides best available information on critical areas on, or in, the vicinity of the property. The City also provides guidance on the expected review and approval process.

C. A formal preapplication review~~meeting~~, pursuant to MTMC § 18.05.908~~0~~ and this section, is required prior to submitting a formal application for development or use of land, or prior to starting an activity or use of the land, that may be regulated by this chapter.

1. ~~Prior to the meeting, the applicant shall submit information to the City to include~~Preapplication requests shall include the following information:
   a. A completed preapplication form.
   b. An existing features site plan.
   c. A conceptual proposal map.
   d. A description of the proposed development or activity.
   e. A completed critical area preliminary assessment form.
   f. Preliminary critical area reports, if available.
   g. Any other information that could be useful to understand and evaluate the proposal and the requirements of this chapter.
2. The City is to review the information submitted and conduct a site visit.
3. ~~At the preapplication meeting, t~~The Director may provide a preliminary determination of the presence of critical areas as part of a preapplication review, pursuant to MTMC § 16.15.160. The preliminary determination may include whether critical area reports are required and, if so, what level of detail and what elements may be necessary for the proposal. A preliminary determination does not preclude the Director from requiring additional critical area report information during the review

of the project once applied for.

Section 23. MTMC 16.15.350(D), amended. MTMC 16.15.350(D), entitled "Variances; Decision", is hereby amended to read as follows:

Decision.

1. The Hearing Examiner shall make written findings that the request meets or fails to meet the variance criteria and issue a decision to approve, approve with conditions, or deny the variance, pursuant to MTMC § 18.05.220(E)~~190~~.
2. A final decision shall be rendered within 1~~2~~70 days of the determination of completeness per MTMC § 18.05.140.
3. Time Limit. Permits necessary to establish or construct the approved variance shall be applied for and the work completed within one year of the effective date of the Hearing Examiner's decision, unless a different time limit is specified by the Hearing Examiner. Failure to meet the established time limit shall void the variance, unless a time extension is obtained pursuant to MTMC § 18.05.160(C)~~5~~, including a demonstration that the conditions of the site and critical areas have not changed since the approval decision was issued. Knowledge of the expiration date is the responsibility of the applicant.

Section 24. MTMC 16.15.360(E)(3), amended. MTMC 16.15.360(E)(3), entitled "Reasonable use exceptions; Criteria for Public Agencies and Utilities Reasonable Use Exceptions", subsection (3), is hereby amended to read as follows:

The land use project timelines and procedures of Chapter 18.05 ~~time line set forth in~~ MTMC ~~§ 18.05.075~~ shall apply~~ies~~, except as otherwise stated in this chapter.

Section 25. MTMC 16.15.360(F)(1), amended. MTMC 16.15.360(F), entitled "Reasonable use exceptions; Decision", subsection (1), is hereby amended to read as follows:

The Hearing Examiner shall make written findings that the request meets, or fails to meet, the criteria for a reasonable use exception, pursuant to MTMC § 18.05.220(D)~~185~~, that the proposed mitigation is sufficient to protect the critical area, and that strict application of the standards in this chapter would deny all reasonable use of the property.

Section 26. MTMC 16.15.360(G)(2), amended. MTMC 16.15.360(G), entitled "Reasonable use exceptions; Time limits", subsection (2), is hereby amended to read as follows:

The approval is automatically null and void if the necessary permit applications to establish the use are not received within the specified time, unless a time extension is obtained pursuant to MTMC § 18.05.160(C)~~5~~, including a demonstration that the conditions of the site and critical areas have not changed since the approval decision was issued. Knowledge of the expiration date is the responsibility of the applicant.

Section 27. MTMC 16.15.385(B), amended. MTMC 16.15.385, entitled "Appeals of critical area decisions", subsection (B), is hereby amended to read as follows:

Decisions by the Hearing Examiner may be appealed, by the applicant or any party of record, pursuant to the judicial appeal process per Chapter 2.120 MTMC and MTMC § 18.05.190(F)~~260~~.

Section 28. MTMC 16.20.150(C), amended. MTMC 16.20.150, entitled "Adjustments and variances", subsection (C), is hereby amended to read as follows:

Requests for variance shall be filed in writing with the Director, including the payment of any fees established by the City, and shall adequately detail the basis of granting a variance. Variances require public notice (as described in Chapter 18.05 MTMC~~, Article III, Permit Review Procedures~~) for the variance application, public notice of the Director's decision on the application, and written findings of fact that document the determination by the Director to grant the variance.

Section 29. MTMC 17.02.030, amended. MTMC 17.02.030, entitled "Procedure", is hereby amended to read as follows:

The following steps shall be followed in the processing of boundary line adjustments:

A. MTMC § 18.05.130, application review process~~18.05.110, determination of completeness and requests for additional information~~;
B. MTMC § 18.05.140, review timeframes;
C~~B~~. MTMC § 17.02.050, determination of consistency with approval criteria;
D~~C~~. MTMC § 18.05.150~~128~~, public notice ~~of decision~~; and
~~E~~D. MTMC § 18.05.190~~230~~, ~~filing of administrative~~ appeals.

Section 30. MTMC 17.03.030(A), amended. MTMC 17.03.030(A), entitled "Procedure and additional notice; Procedure", is hereby amended to read as follows:

Procedure. The following steps shall be followed in the processing of short plat applications:

1. MTMC § 18.05.130, application review process~~18.05.110, determination of completeness and requests for additional information~~;
2. MTMC § 18.05.140, review timeframes;
3~~2~~. Chapter 16.05 MTMC, SEPA (unless exempt under SEPA, WAC 197-11-800(6));
4~~3~~. MTMC § 17.03.050, determination of consistency with approval criteria;
5 4. MTMC § 18.05.150~~125~~, public notice ~~of administrative approval~~; and
~~5. MTMC § 18.05.128, notice of decision; and~~
6. MTMC § 18.05.190~~230~~, ~~administrative~~ appeals (if any).

Section 31. MTMC 17.04.030(A), amended. MTMC 17.04.030(A), entitled "Procedure and additional notice; Procedure", is hereby amended to read as follows:

Procedure. The following steps shall be followed in the processing of preliminary plat applications:

1. MTMC § 18.05.130, application review process~~18.05.110, determination of completeness and requests for additional information~~;
2. MTMC § 18.05.140, review timeframes;

32. MTMC § 18.05.15020, public notices of application;
43. Chapter 16.05 MTMC, SEPA;
54. MTMC § 17.04.050, determination of consistency with approval criteria;
5. MTMC § 18.05.127, notice of public hearing;
6. MTMC § 18.05.220180, procedures for public hearings; and
7. MTMC § 18.05.128, notice of decision; and
78. MTMC § 18.05.190230, filing of administrative appeals.

Section 32. MTMC 17.04.100(A)(3), amended. MTMC 17.04.100(A)(3), entitled "Revisions to an approved preliminary plat; Minor Revisions to an Approved Preliminary Plat; Processing", is hereby amended to read as follows:

Processing. The following steps shall be followed in the processing of an application for a minor revision:

a. MTMC § 18.05.130, application review process18.05.110, determination of completeness and requests for additional information;
b. MTMC § 18.05.140, review timeframes;
cb. MTMC § 18.05.15020, public notices of application;
dc. Chapter 16.05 MTMC, SEPA (unless exempt under WAC 197-11-800);
ed. Subsection (A)(4) of this section, determination of consistency with approval criteria; and
e. MTMC § 18.05.128, notice of decision; and
f. MTMC § 18.05.190230, filing administrative appeals.

Section 33. MTMC 17.05.030, amended. MTMC 17.05.030, entitled "Procedure for preliminary binding site plan", is hereby amended to read as follows:

The following steps shall be followed in the processing of a preliminary binding site plan application:

A. MTMC § 18.05.130, application review process18.05.110, determination of completeness and requests for additional information;
B. MTMC § 18.05.140, review timeframes;
CB. MTMC § 18.05.15020, public notices of application;
DC. Chapter 16.05 MTMC, SEPA;
ED. MTMC § 17.05.060, determination of consistency with approval criteria;
E. MTMC § 18.05.128, notice of decision; and
F. MTMC § 18.05.190230, filing administrative appeals.

Section 34. MTMC 17.05.110(A)(3), amended. MTMC 17.05.110(A)(3), entitled "Revisions to an approved preliminary binding site plan; Minor Revisions to an Approved Preliminary Binding Site Plan; Processing", is hereby amended to read as follows:

Processing. The following steps shall be followed in the processing of an application for a minor revision:

a. MTMC § 18.05.130, application review process18.05.110, determination of completeness and requests for additional information;

b. MTMC § 18.05.140, review timeframes;
cb. MTMC § 18.05.15020, public notices of application;
dc. Chapter 16.05 MTMC, SEPA (unless exempt under WAC 197-11-800);
ed. Subsection (A)(4) of this section, determination of consistency with approval criteria; and
e. MTMC § 18.05.128, notice of decision; and
f MTMC § 18.05.190230, filing administrative appeals.

Section 35. MTMC 17.07.030, amended. MTMC 17.07.030, entitled "Procedure", is hereby amended to read as follows:

The following steps shall be followed in the processing of a final plat application and a final binding site plan application:

A. MTMC § 17.07.040, consistency with requirements for a complete application;
B. MTMC § 18.05.130, application review process18.05.110, determination of completeness and requests for additional information;
C. MTMC § 18.05.140, review timeframes;
DC. MTMC § 18.05.15020, public notices of application;
ED. MTMC § 17.07.050, determination of consistency with prescribed form of recording document;
FE. MTMC § 17.07.060, staff review for consistency, recommendation and Director action; and
F. MTMC § 18.05.128, notice of decision; and
G. MTMC § 18.05.190230, filing administrative appeals.

Section 36. MTMC 17.08.030, amended. MTMC 17.08.030, entitled "Procedure", is hereby amended to read as follows:

The following steps shall be followed in the processing of vacation or alteration applications:

A. MTMC § 18.05.130, application review process18.05.110, determination of completeness and requests for additional information;
B. MTMC § 18.05.140, review timeframes;
CB. MTMC § 18.05.15020, public notices of application;
DC. Chapter 16.05 MTMC, SEPA;
ED. MTMC § 17.08.050, determination of consistency with approval criteria;
F. MTMC § 18.05.220180, procedures for public hearings; and
GH. MTMC § 18.05.190230, filing administrative appeals.

Section 37. MTMC 17.09.100(A)(3), amended. MTMC 17.09.100(A)(3), entitled "Revisions to an approved fee simple unit lot subdivision; Minor Revisions to an Approved Preliminary Fee Simple Unit Lot Subdivision; Processing", is hereby amended to read as follows:

Processing. The following steps shall be followed in the processing of an application for a minor revision:

a. MTMC § 18.05.130, application review process~~18.05.110, determination of completeness and requests for additional information~~;

b. MTMC § 18.05.140, review timeframes;

c~~b~~. MTMC § 18.05.1502~~0~~, public notice~~s of application~~;

d~~c~~. Chapter 16.05 MTMC, SEPA (unless exempt under WAC 197-11-800);

e~~d~~. Subsection (A)(4) of this section, determination of consistency with approval criteria; and

f. MTMC § 18.05.1902~~30~~, ~~filing administrative~~ appeals.

Section 38. MTMC 18.15.020(C), amended. MTMC 18.15.020(C), entitled "Definitions; Essential public facilities", is hereby amended to read as follows:

"Essential public facilities" means those facilities defined in RCW 36.70A.200, as now or hereinafter may be amended. Such facilities may be owned or operated by a unit of local, state, or federal government, by a public utility or transportation company, or by any other entity providing a public service as its primary mission; provided, that the facility is either a necessary facility or a component of a necessary system to meet a public need~~essential public facilities as defined in MTMC § 18.05.025~~.

Section 39. MTMC 18.15.070(A), amended. MTMC 18.15.070, entitled "Public notification" subsection (A), is hereby amended to read as follows:

Supplemental public notification shall be provided for all Type A essential public facilities pursuant to ~~Chapter 18.25~~ MTMC § 18.05.150(A)(3).

Section 40. MTMC 18.20.050(A)(2), amended. MTMC 18.20.050, entitled "Public notification", subsection (A)(2), is hereby amended to read as follows:

~~The s~~Supplemental public notification ~~requirements for major land use actions~~, pursuant to ~~Chapter 18.25~~ MTMC § 18.05.150(A)(3); and

Section 41. MTMC 18.30.180(C)(1), amended. MTMC 18.30.180, entitled "Appeals", subsection (C)(1), is hereby amended to read as follows:

An appeal of the impact fee after reconsideration may be filed without appealing the underlying permit. This procedure is exempt from the permit processing requirements in MTMC § 18.05.070(B)~~040~~ through § 18.05.210~~170~~ (pursuant to RCW 36.70B.140). If the developer files an appeal of the underlying permit and the impact fee, the City may consolidate the appeals.

Section 42. MTMC 19.20.050(B), amended. MTMC 19.20.050, entitled "Uses not listed", subsection (B), is hereby amended to read as follows:

The determination of the ~~Planning~~Community Development Department may be appealed to the Hearing Examiner as provided in MTMC § 18.05.190~~210~~.

Section 43. **MTMC 19.50.110(E)(1), amended.** MTMC 19.50.110(E), entitled "Temporary parking lot; Review and Decision", subsection (1) is hereby amended to read as follows:

Temporary and interim temporary parking lots are an administrative review and approval process pursuant to the following, except as allowed in subsection (E)(2) of this section:

a. MTMC § 18.05.220~~180~~, ~~procedures for~~ public hearings.
b. MTMC § 18.05.130, application review process;~~MTMC § 18.05.110, determination of completeness and requests for additional information;~~
c. MTMC § 18.05.140, review timeframes;
d~~e~~. Consistency with subsections C and D of this section.
e~~d~~. MTMC § 18.05.150~~20~~, public notice~~s of application~~.

Section 44. **MTMC 19.50.110(G), amended.** MTMC 19.50.110(G), entitled "Temporary parking lot; Appeal", is hereby amended to read as follows:

The decision is subject to appeal pursuant to MTMC § 18.05.190(D)~~230~~.

Section 45. **MTMC 19.80.190, amended.** MTMC 19.80.190, entitled "Submittal requirements – Preliminary site plan", is hereby amended to read as follows:

Application for preliminary site plan review shall be made on forms supplied by the ~~Planning~~Community Development Department together with the supporting materials identified on those forms, and shall meet the requirements of a complete application as described in MTMC § 18.05.120~~19.110.030 and § 19.110.050~~. The review fee as determined by other City ordinances must accompany the completed application. ~~The completed application must be submitted at least 28 days prior to the date of Planning Commission review.~~ It is the applicant's responsibility to become familiar with the provisions of the City's Zoning Ordinance and other ordinances related to property use and development. If subdivision or binding site plan is proposed, the complete application shall include both site plan and subdivision or binding site plan proposals. (See Subdivision Ordinance for Subdivision Application Requirements.)

Section 46. **MTMC 19.90.030(G)(2), amended.** MTMC 19.90.030, entitled "Procedures and criteria for evaluating and determining projects as planned actions", subsection (G)(3), is hereby amended to read as follows:

The City's Planning and Community Development Director shall determine whether the application is complete as provided in MTMC § 18.05.130(D)~~19.110.030~~.

Section 47. **MTMC 19.90.030(G)(3), amended.** MTMC 19.90.030, entitled "Procedures and criteria for evaluating and determining projects as planned actions", subsection (G)(3), is hereby amended to read as follows:

If the application is for a project within the planned action area defined in Exhibit A, the application will be reviewed to determine if it is consistent with the criteria of this chapter and thereby qualifies as a planned action project. The SEPA Responsible Official shall notify the applicant of his/her decision. If the project is determined to qualify as a planned action, it shall proceed in accordance with the applicable permit review procedures specified in MTMC § 18.05.070~~5~~, except that no SEPA threshold determination, EIS or additional SEPA review shall be required. The decision of the SEPA Responsible Official regarding qualification as a planned action shall be final.

Section 48. MTMC 19.90.030(G)(4), amended. MTMC 19.90.030, entitled "Procedures and criteria for evaluating and determining projects as planned actions", subsection (G)(4), is hereby amended to read as follows:

Public notice and review for projects that qualify as planned actions shall be provided pursuant to RCW 43.21C.440(3)(b) and MTMC § 18.05.070(F)~~5~~ and § 18.05.150(F)~~127~~.

Section 49. MTMC 19.100.030(G)(2), amended. MTMC 19.100.030, entitled "Procedures and criteria for evaluating and determining projects as planned actions", subsection (G)(2), is hereby amended to read as follows:

The City's Community ~~and Economic~~ Development Director shall determine whether the application is complete as provided in MTMC § 18.05.120 and § 18.05.130~~110 or § 19.110.030~~, as appropriate.

Section 50. MTMC 19.100.030(G)(3), amended. MTMC 19.100.030, entitled "Procedures and criteria for evaluating and determining projects as planned actions", subsection (G)(3), is hereby amended to read as follows:

If the application is for a project within the planned action area defined in Exhibit A, the application will be reviewed to determine if it is consistent with the criteria of this chapter and thereby qualifies as a planned action project. The SEPA Responsible Official shall notify the applicant of ~~his/her~~their decision. If the project is determined to qualify as a planned action, it shall proceed in accordance with the applicable permit review procedures specified in MTMC § 18.05.070(F)~~5~~ except that no SEPA threshold determination, EIS or additional SEPA review shall be required. The decision of the SEPA Responsible Official regarding qualification as a planned action shall be final.

Section 51. MTMC 19.100.030(G)(5), amended. MTMC 19.100.030, entitled "Procedures and criteria for evaluating and determining projects as planned actions", subsection (G)(5), is hereby amended to read as follows:

Other than the notice required by subsection (G)(4) of this section, public notice and review for projects that qualify as planned actions shall be tied to the underlying permit. If notice is otherwise required by the provisions of MTMC § 18.05.150~~20~~ for the underlying permit, the notice shall state that the project has qualified as a planned action. If notice is not otherwise required for the underlying permit, no special notice is required by this chapter. The review

process for the underlying permit shall be as provided in MTMC § 18.05.0705.

Section 52. MTMC 19.111.030(G), amended. MTMC 19.111.030, entitled "Permitting process", subsection (G), is hereby amended to read as follows:

The Director's decision may be appealed to the Hearing Examiner pursuant to MTMC § 18.05.190(E)240.

Section 53. MTMC 19.111.100, amended. MTMC 19.111.100, entitled "Revocation", is hereby amended to read as follows:

If the performance requirements of this chapter or the conditions of the temporary shelter encampment permit are violated, notice of the violation by the City may be served on the temporary shelter encampment's managing agency and/or sponsor. Upon determination that there has been a third and subsequent violation, the Director may give written notice to the permit holder describing the alleged violations. Within 14 days of the mailing of notice of the violations, the permit holder shall show cause why the permit should not be revoked. At the end of the 14-day period, the Director shall sustain or revoke the permit. When a temporary shelter encampment permit is revoked, the Director shall notify the permit holder by certified mail of the revocation and the findings upon which revocation is based. Appeal of the Director's decision to revoke a temporary shelter encampment permit shall be made to the Hearing Examiner pursuant to MTMC § 18.05.190(E)240. Upon revocation of the temporary shelter encampment permit, the sponsor shall be required to remove all physical evidences of the use and to restore or replant any required vegetation within 10 days of the temporary shelter encampment's required termination.

Section 54. MTMC 19.115.020(D), amended. MTMC 19.115.020(D), entitled "Planned unit development; Public Hearing", is hereby amended to read as follows:

Public Hearing. Notice of a public hearing shall be prepared and issued by the PlanningCommunity Development Department pursuant to MTMC § 18.05.15020.

Section 55. MTMC 19.137.100(C), amended. MTMC 19.137.100, entitled "Height variance", subsection (C) is hereby amended to read as follows:

The WCF is an essential public facility under the definition in MTMC § 18.15.020(C)05.025.

Section 56. MTMC 19.137.140, amended. MTMC 19.137.140, entitled "Appeals", is hereby amended to read as follows:

WCF decisions other than administrative approvals relating to small wireless facilities, small wireless facility permits and eligible facilities requests, Articles VI and VII of Chapter 12.20 MTMC may be appealed in accordance with Article V of Chapter 18.05 MTMC § 18.05.220(E)190. The timely filing of an appeal of a WCF permit decision shall stay the effective date of the decision until such time as the appeal is concluded or withdrawn.

Section 57. **Severability.** If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance or its application to any person or situation should be held to be invalid or unconstitutional for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to any other person or situation.

Section 58. **Authority to make necessary corrections.** The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance and attachments including, but not limited to, the correction of scrivener's clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 59. **Effective Date**. Summary, Publication, and Effective Date. This Ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after its publication as required by law.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE ____ of _____, 2026.

CITY OF MOUNTLAKE TERRACE

_____
Steve Woodard, Mayor

ATTEST/AUTHENTICATED:

_____
Jennifer Joki, City Clerk

APPROVED AS TO FORM:

_____
Hillary J. Evans, City Attorney

EXHIBIT A

Chapter 18.05 Administration and Procedures

18.05.010 Purpose

The general purpose of the City of Mountlake Terrace Development Code is to:

A. Implement the City of Mountlake Terrace Comprehensive Plan and guide the future growth and development of the City of Mountlake Terrace, including development that furthers the City's goals as set forth in the Comprehensive Plan, as amended.

B. Implement Chapter 36.70A RCW, the Growth Management Act, and Chapter 36.70B RCW, Local Project Review.

C. Ensure that decisions are made consistently and predictably, in an expeditious manner and in the public interest.

D. Eliminate redundancy in the application, permit review, and appeals processes.

E. Promote timely and informed public participation.

F. Protect general health, safety, and welfare.

G. Provide for the economic, social, and aesthetic advantages of orderly development.

H. Provide for adequate public facilities and services in conjunction with development.

I. Protect property rights and values and secure the most appropriate uses of land, including:

1. Desirable, appropriately located residential areas with a variety of affordable housing types at a wide range of population densities;

2. Commercial, industrial, employment, and business establishments for a healthy, prosperous economy;

3. Public improvements and services;

4. Parks and recreation facilities; and

5. Natural resources;

J. Promote safe and orderly movement of people and goods, including adequate off-street parking and loading and encouragement of alternative modes of transportation;

This chapter establishes standard procedures, decision criteria, public notification, and timing for development decisions made by the City of Mountlake Terrace. These procedures provide for an integrated and consolidated land use permit process.

For the purposes of this chapter, "project permit" shall include all land use applications, land use development permits, and/or environmental permits or licenses required for a project action, including those defined in MTMC § 18.05.070, except permits regulated under Title 15.

"Completeness" shall mean procedurally complete as described in RCW 36.70B.070.

"Department" shall mean the City of Mountlake Terrace Community Development Department.

"Director" shall mean the Community Development Director.

18.05.020 Authority

A. This title, together with Titles 16, 17, and 19 of the Mountlake Terrace Municipal Code, is adopted as the Mountlake Terrace Land Use Development Code ("Development Code") pursuant to Chapter 35A.63 RCW (Planning and Zoning in Code Cities), Chapter 35A.58 RCW (Boundaries and Plats), Chapter 36.70A RCW (Growth Management Act), Chapter 86.16 RCW (Flood Prevention), Title 58 RCW (Boundaries and Plats), the City's general police powers, and any other applicable state statutes and regulations.

B. Whenever any provision of this title cites a section of the Revised Code of Washington (RCW) or Washington Administrative Code (WAC) and that section is later amended or superseded, this title shall be deemed amended to refer to the amended section or the section that most nearly corresponds to this superseded section.

C. All activities allowed under the provisions of the Titles in subsection (A) of this section shall comply with applicable federal, state, regional, county, or City performance standards related to the creation or existence of the following: noise, vibration, glare, heat, odorous material, smoke and dust emission, wind borne air pollution, toxic or noxious material, sealed radioactive material, and all forms of water pollution.

D. The provisions of the Development Code have been adopted by ordinance of the City of Mountlake Terrace City Council, pursuant to Chapter 36.70 RCW and Article XI, Sections 10 and 11 of the Washington State Constitution.

18.05.030 Applicability

The administrative provisions of this Chapter shall apply to Titles 16, 17, 18, and 19 of the Mountlake Terrace Municipal Code (MTMC), hereinafter referred to as the "Development Code".

18.05.040 No Special Duty Created

It is expressly the purpose of the Development Code to provide for and promote the health, safety, and welfare of the general public and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of the code.

No provision or term used in the Development Code is intended to impose any duty whatsoever upon the City or any of its officers, agents, or employees, for whom the implementation or enforcement shall be discretionary and not mandatory.

Nothing contained in the Development Code is intended nor shall be construed to create or form the basis of any liability on the part of the City, or its officers, employees, or agents, for any injury or damage resulting from any action or inaction on the part of the City, its officers, employees, or agents.

18.05.050 Administration and Interpretation

A. The Community Development Director (the "Director") shall interpret and apply this Development Code consistently. As may be necessary, the Director shall render new interpretations in writing, file said interpretations and apply said interpretations in future like instances.

B. The provisions of this chapter supersede all other procedural requirements that may exist in other sections of the Municipal Code. When interpreting and applying the standards of this Code, its provisions shall be the minimum requirements.

C. In the event of conflict: specific provisions shall prevail over general provisions; text shall prevail over headings, captions, illustrations, and citation references; and Chapter 36.70B RCW shall prevail over this Development Code.

D. A land use includes the necessary structures to support the use unless specifically prohibited or the context clearly indicates otherwise.

E. The word "shall" is mandatory and the words "may" and "should" are discretionary.

18.05.060 Reasonable Accommodation

Any person claiming to have a disability, or someone acting on their behalf, who wishes to be excused from an otherwise applicable requirement of this Development Code under the Fair Housing Amendments Act of 1988, 42 USC 3604(f)(3)(b), or the Washington Law Against Discrimination, Chapter 49.60 RCW, must provide the Director with verifiable documentation of disability eligibility and need for accommodation. If disability eligibility and need for accommodation are demonstrated, the Director shall approve an accommodation which may include granting an exception to the provisions of the Development Code. No fees shall be charged for such a request. The Director's decision shall constitute final action by the City on the request for accommodation, and review of that decision will be available only in court. An action seeking such review must be filed not more than 21 days after the Director's decision.

18.05.070 Application Classifications

There are four types of actions (or permits) that are reviewed under the provisions of this chapter. The types of actions are based on who makes the decision, the amount of discretion exercised by the decision-making body, the level of impact associated with the decision, the amount and type of public input sought, and the type of appeal opportunity.

A. The Director shall determine the proper classification for all project permit applications. Any reference in the Development Code or other City ordinance to a review process that no longer exists shall be construed to refer to the comparable process in this Chapter. If the Director determines that the choice among appropriate classifications cannot be ascertained from the code and its intent, the Director shall resolve it in favor of the higher classification number.

B. *Ministerial Decisions – Type A.* These decisions are based on compliance with specific, nondiscretionary and/or technical standards that are clearly enumerated. The decisions made by the Director under Type A actions shall be final. The Director's decision shall be based upon findings that the application conforms (or does not conform) to all applicable regulations and standards.

   An administrative appeal process is not provided for any Type A actions that are categorically exempt from environmental review under Chapter 43.21C RCW. An appeal of any Type A action that requires environmental review shall be filed in conjunction with MTMC § 16.05.140.

C. *Administrative Decisions – Type B.* The Director makes these decisions based on standards and clearly identified criteria. Type B decisions require that the Director issues a written decision that approves, approves with modifications, or denies an application. The Director's written decision shall also include the City's determination under any required SEPA review.

   All Director's decisions made under Type B actions are appealable in an open record appeal hearing. Such hearing shall consolidate with any appeals of SEPA negative threshold determinations, or mitigated determinations on nonsignificance. SEPA determinations of significance are appealable in an open record appeal prior to the project decision.

   All appeals shall be heard by the Hearing Examiner except appeals of shoreline substantial development permits, shoreline conditional use permits, and shoreline variances which shall be appealable to the State Shorelines Hearings Board.

D. *Quasi-Judicial Decisions – Type C.* Type C decisions are made by the Hearing Examiner and involve the use of discretionary judgment in the review of each specific application.

   Type C decisions require findings, conclusions, an open record public hearing and recommendations prepared by the review authority for the final decision made by the Hearing Examiner. Any administrative appeal of a SEPA threshold determination shall be consolidated with the open record public hearing on the project permit, except a determination of significance, which is appealable under MTMC § 18.05.050.

   There is no administrative appeal of Type C actions.

E. *Legislative Decisions – Type D.* These decisions are legislative, nonproject decisions made by the City Council under its authority to establish policies and regulations regarding future private and public developments, and management of public lands.

Legislative decisions include a hearing and recommendation by the Planning Commission and action by the City Council. The City Council shall take legislative action on the proposal in accordance with state law.

There is no administrative appeal of legislative actions of the City Council, but such actions may be appealed together with any SEPA threshold determination according to state law.

F. Applications shall be classified according to the decision authority and applicable review procedures. In the following table, permits, decisions, and other approval types are organized into four classifications based on the decision authority, the appeal authority, and the review process.

Table 1: Permit Classifications

Action	Public Notice[1]	Public Hearing	Decision Authority	Appeal Authority	Term[2]	Review Days
Ministerial Decisions – Type A						
Boundary Line Adjustment[3]	-	-	Director	-	1 year	-
Building Permit[3, 5]	-	A	Building Official	Hearing Examiner	*Title 15*	*Title 15*
Clearing and Grading Permit	NOAA	A	City Engineer	Hearing Examiner	2 years	-
Code Interpretation[3]	-	A	Director	Hearing Examiner	-	15
Design Review Determination	-	A	Director	Hearing Examiner	-	-
Development Engineering Permit	-	A	City Engineer	Hearing Examiner	2 years	-
Deviation from Development Standard	NOAA	A	Director	Hearing Examiner	2 years	65
Driveway Permit	-	A	City Engineer	Hearing Examiner	2 years	-
Final Plat	-	-	Director	-	-	30
Floodplain Development Permit	NOAA	A	Director	Hearing Examiner	2 years	65
Floodplain Variance	NOAA	A	Director	Hearing Examiner	2 years	65
Home Occupation	-	A	Director	Hearing Examiner	-	30
Noise Variance[3]	-	A	Director	Hearing Examiner	-	65
Right-of-Way Use[3]	-	-	City Engineer	-	-	-
SEPA Planned Action Determination	M,P,N	A	Director	Hearing Examiner	-	65

Sign Plan	-	A	Director	Hearing Examiner	2 years	65
Shoreline Exemption[3]	-	A	Director	Hearing Examiner	-	15
Sign Permit[3]	-	A	Director	-	*Title 15*	*Title 15*
Special Use Sign Permit	NOAA	A	Director	Hearing Examiner	2 years	65
Time Extension[3]	-	-	Director	-	-	-
Tree Removal Plan[3, 6]	-	-	Director	-	-	-
WCF Approval, small	-	-	Director	-	2 years	60
Administrative Decisions – Type B						
Binding Site Plan	M	A	Director	Hearing Examiner	2 years	100
Plat Alteration	M	A	Director	Hearing Examiner	-	100
Preliminary Fee Simple Short Plat	NOAA	A	Director	Hearing Examiner	5 years	100
Short Plat	NOAA	A	Director	Hearing Examiner	5 years	100
SEPA Threshold Determination	M,P,N	A	Director	Hearing Examiner	2 years	100
Site Development Plan[3]	M,P,N	A	Director	Hearing Examiner	2 years	100
Shoreline Substantial Development; Shoreline Variance; Shoreline CUP	M,P,N	A	Director	Hearing Examiner	2 years	100
WCF SDP	M,P,N	A	Director	Hearing Examiner	2 years	90
Zoning Variance	M,P,N	A	Director	Hearing Examiner	2 years	100
Quasi-Judicial Decisions – Type C						
Conditional Use Permit	M,P,N	D,A	Hearing Examiner	Superior Court	1 year	170
Critical Areas Reasonable Use	M,P,N	D,A	Hearing Examiner	Superior Court	2 years	170
Manufactured Home Park	M,P,N	D,A	Hearing Examiner	Superior Court	2 years	170
Planned Unit Development	M,P,N	D,A	Hearing Examiner	Superior Court	2 years	170
Plat Alteration with Hearing[4]	M,P,N	D,A	Hearing Examiner	Superior Court	-	170
Preliminary Plat 10+ lots	M,P,N	D,A	Hearing Examiner	Superior Court	5 years	170
Preliminary Fee Simple Plat 10+ unit lots	M,P,N	D,A	Hearing Examiner	Superior Court	5 years	170
WCF CUP or Variance	M,P,N	D,A	Hearing Examiner	Superior Court	2 years	150
Legislative Decisions – Type D						

Amendment to Development Code	N	PC/CC	City Council	GMH Board	-	-
Comprehensive Plan Amendment	P,N	PC/CC	City Council	GMH Board	-	-
Development Agreement	P,N	PC/CC	City Council	Superior Court	-	-
Rezone	M,P,N	PC/CC	City Council	GMH Board	-	-
Site-Specific Comprehensive Plan Amendment	M,P,N	PC/CC	City Council	GMH Board	-	-

NOAA: Notice of Administrative Approval
P: Notice Posted on Property
M: Mailed Notice
N: Notice Published in Newspaper
A: Appeal Hearing
D: Hearing prior to Decision
PC: Planning Commission considers action
CC: City Council considers action

1. Notice refers to Notice of Application pursuant to MTMC § 18.05.150(B).
2. Term refers to the project approval period pursuant to MTMC § 18.05.160.
3. A SEPA-exempt Type A permit pursuant to MTMC § 16.05.080 is also exempt from notice requirements.
4. A plat alteration or preliminary plat is processed as a Type B action unless a request is filed with the City to hold a public hearing. In that event, the application is processed as a Type C action.
5. Building permits include certificates of occupancy.
6. Tree removal applications filed concurrently with a Type B or C action shall be processed using the Type B or C permit procedures applicable to the overall action.

G. *Nonpermit Actions.* For the purpose of this Development Code, the following applications do not appear in the classification table and shall not be processed as Type A through D applications:

1. Minor approvals for use of public properties.

2. Administrative adjustments of impact fee amounts (in-kind mitigation).

3. Minor amendments to permits.

4. Petitions for annexation.

5. Street vacations.

6. Temporary Uses.

7. Zoning verification letters.

8. Home occupation permits.

9. Business licenses.

18.05.080 Application Consolidation

A project that involves two or more applications may be processed collectively under the highest numbered classification required for any part of the application or processed individually under each of the classifications identified by the specific City regulation. The applicant may determine whether the application is processed under the individual procedure option. If the application is processed under the individual procedure option, the highest numbered classification must be processed prior to the subsequent lower numbered procedure.

Consolidated applications shall be processed consistent with the following procedures:

A. Reports, hearings, notices, recommendations, and decisions shall address the project as a whole, except when expediency requires otherwise such as when the proposed development requires one authorization before another. Separate processing must be approved by the Director, to ensure cumulative impacts are addressed.

B. The Director shall administer the review process in accordance with all of the requirements set forth in this title for the particular permit, decision, or approval being applied for. The consolidated single process used shall be that which corresponds to the highest decision classification.

C. If one application cannot be reasonably processed until another is issued, such as a boundary line adjustment that cannot be processed until a variance is issued, the time period within which a notice of decision must be issued for the latter application shall not begin until the former approval has been issued.

    1. When a site civil permit is required after the land use decision for a proposed development project, such permit cannot be issued until the required appeal period associated with the land use decision is concluded.

    2. No building permit may be issued until the site work authorized by a site civil permit is completed and approved by the City inspector, unless appropriate financial guarantees are in place for site work that cannot be completed prior to building permit, or under special authorization by the Public Works Director or designee.

    3. Application for final plat or final short plat shall not be accepted by the City until the site work authorized by a site civil permit is completed and approved by the City.

D. Appeals of more than one of the permits required for a project shall be consolidated in a single appeal if this title provides for the same appellate body to consider each of the appeals.

18.05.90 Pre-Application Process

A. Applications for any Type B or Type C action and/or applications for a project that may impact a critical area or its buffer consistent with Chapter 16.05 MTMC shall first go through the pre-application process. The requirement for pre-application may be waived by the Director upon the written request of an applicant.

B. Applicants for development permits under Type A actions may choose to participate in the pre-application process.

C. The pre-application process provides an opportunity to identify the applicable City requirements and project review process, including the permits required by the action, timing of the permits and the approval process.

D. The Director shall specify submittal requirements for pre-application requests. Generally, the more accurate and complete the information presented in a pre-application submittal is, the more detailed and complete City responses will be.

E. City staff are not liable for failing to inform an applicant regarding specific code requirements. It is the applicant's sole responsibility to understand City Development Code requirements.

F. Plans presented during the pre-application process are nonbinding and do not "vest" an application.

18.05.100 Determination of Legal Lot Status

Prior to processing of a project permit application, the Planning Director shall determine whether or not the lot or parcel being developed is a legal lot of record in compliance with state and City regulations. In so determining, the Planning Director may require the applicant to provide necessary research and background information.

18.05.110 Concurrency

A. For project permit processes that require concurrency review in accordance with Chapter 36.70A RCW, the application shall include the traffic study or other information necessary to determine concurrency. The Public Works Director or their designee shall issue the concurrency determination, if applicable, at any appropriate point in the review process prior to or concurrent with the decision on the permit application.

B. If the development results in a level of service lower than those set forth in the Comprehensive Plan, the development may be approved if improvements or strategies to raise the level of service to meet or exceed the minimum standard are made concurrent with the development. For the purpose of this section, “concurrent with the development” means the required improvements or strategies are in place at the time of occupancy, or a financial commitment is in place to complete the improvements or strategies within six years of approval of the development.

C. The Director may exempt from concurrency review those applications typically unassociated with significant traffic generation, such as proposals that will create fewer than ten peak hour trips pursuant to MTMC 19.95.080.

18.05.120 Application Requirements

A. *Submittal Criteria.* A determination of procedural completeness shall not be made unless an application contains the submittal requirements established by the Department. Required submittals shall meet the minimum criteria established in this Section.

1. Applications and related submittals shall contain at least the minimum amount of information necessary to allow for review of the project to progress, even though additional information may be required, or project modifications may be undertaken after the initial project review.

2. Applications and related submittals shall be comprehensible, legible, and in a format that meets the standards described on the applicable submittal checklist provided by the City pursuant to subsection (D) of this section.

3. Applications and related submittals shall meet minimum code requirements for the type of application applied for.

B. All applications for land use development, construction permits, design review approvals, deviations, and other City approvals under the Development Code shall be submitted on forms provided by the Department.

C. Depending on the nature of the application, the required information may include the following:

1. The name, address, telephone number, and e-mail address of the property owner; The name, address, telephone number, and e-mail address of the developer/ applicant, if different from the owner; and a declaration of authority and validity by the applicant. If the developer/applicant is not the owner, a letter from the owner authorizing the developer/applicant to process the application on behalf of the owner shall also be required.

2. Description of the proposed action in accordance with the appropriate City application.

3. Written explanation of how the proposal meets the requirements and intent of the Development Code.

4. Name and address of the proposed site, project, or action.

5. Vicinity map identifying the project site and adjacent streets, including collector arterials, within a one-mile radius.

6. Legal description of the subject property and of the existing lots, tracts or parcels, and easements therein.

7. Subdivision map, drawn to scale, showing the land use and zoning designation, lot sizes in square feet, and dimensions of all existing and proposed lots with lot numbers, setbacks for each lot, parcels and tracts to be reserved or dedicated for streets or other public uses.

8. Critical areas report and associated maps, site plans, and mitigation plans, prepared by a qualified professional as defined in WAC 365-195-905(4), identifying the location, character, and required buffer areas for any critical or sensitive environmental areas including steep slopes, streams, lakes, wetlands, wildlife habitat or migration corridors, woodlands, and existing vegetation in accordance with the definitions, requirements, and regulations of the Mountlake Terrace Municipal Code Chapter 16.15.

9. State Environmental Policy Act (SEPA) checklist summarizing the impacts of the proposed project action on all the natural and human elements of the environment, submitted on a form provided by the City of Mountlake Terrace. The checklist shall include a site plan that identifies the existence of all critical environmental areas.

10. Photographs identifying existing vegetation, buildings, views, and other characteristics on and off the site, and of and from adjacent properties that may be impacted by the proposed action.

11. Existing features map identifying the following:

    a. All property lines, including dimensions and bearings within 100 feet of the site.

    b. Labeled Rights-of-way, curb cuts, and driveways within 100 feet of the site.

    c. Easements on and adjacent to the site with the width, type, and Auditor's File Number labeled.

    d. Power, streetlights, communication poles and/or boxes on and within 20 feet of the site.

    e. All fire hydrants on and within 100 feet of the site.

    f. Topographic contours of the subject property at two-foot intervals, referred to by datum identification.

    g. Structures and/or improvements on and within 20 feet of the site, including dimensions and their setbacks to all property lines clearly labeled. Indicate structures to be removed and/or demolished and those to be retained.

h. Significant trees six-inch or greater dbh (diameter at breast height) and environmentally sensitive features, if any.

i. Underground storage tanks. Indicate if they are to be removed from site.

j. Public improvements including curbs, gutters, sidewalks, roadways, dropped curbs, and traffic control devices (including stop signs, no parking signs, yield signs, crosswalks, traffic signals) within 75 feet of the site.

k. All utilities on or within 75 feet of the site (including septic tanks, wells, gas, cable, telephone, sanitary sewer and storm facilities, water mains service and meters); identified as to type and size as appropriate.

l. Drainage (including streams, ditches, swales, etc.), across and within 100 feet of site.

m. Fire protection system facilities (including Fire Department connection, P.I. (post indicator) valves, DDCV vaults) on the site.

12. Grading plan identifying proposed contours at two-foot intervals, roads, streets, building pads, and other major changes in the topographic grade. Specify the estimated amount of material to be cut and the amount to be filled separately.

13. Site plan indicating the location of any proposed buildings, streets, parking areas, and other impervious surfaces, including their area calculations, identifying setback, coverage, and dimensional requirements of the Mountlake Terrace Municipal Code.

14. Building plans illustrating the size, placement, elevation, architectural detail, and character of proposed structures or improvements, and a detailed description of proposed building materials. Building plan submittals shall include building floor plans, sections, and elevations defining grading, foundation, structural, electrical, mechanical, plumbing, materials, finish, and other features. Additional submittal requirements specific to building permits are addressed in Title 15 MTMC.

15. Landscape plans identifying the species, size, placement, irrigation, planting and staking details, and other characteristics of all existing and proposed trees and plantings; a tree retention plan; contours at two-foot intervals, fences, rockeries, required landscape screening, and other site improvements.

16. Access plan identifying the right-of-way, pavement, construction material, traffic channelization, bus stops, and other characteristics of all existing and proposed public and private streets, driveways, alleys, fire lanes, parking areas, trails, sidewalks, and other circulation systems within 75 feet of the site.

17. Utilities plan identifying any right-of-way or easement, size or capacity of all proposed sewer, water, stormwater, power, telecommunications, other public or private systems

within 30 feet of the site, and other improvements that may conflict with utilities, including but not limited to street trees.

18. Parking plan identifying number and type of stalls, dimensions, access, grades and elevations for accessible routes of travel, and parking lot landscaping.

19. Geotechnical studies identifying whether the site is located within a geologically hazardous area and the characteristics and capabilities of site soils and landform features.

20. Survey and monument placements in accordance with the Engineering Development Manual. The site survey shall be accomplished under the supervision of a professional land surveyor registered in the state of Washington and shall locate monuments or markers on site for street intersections, roadway placements, lot and block corner lines, and other requirements listed by the Public Works Director or designee.

21. Final plat or site plan prepared by or under the supervision of a professional land surveyor registered in the state of Washington. The final plat or site plan shall conform to the specifications provided by the Public Works Director or designee, including appropriate certification statements, signatures, and seals.

22. Draft of any proposed public or private covenants, restrictions, or easements.

23. Drainage report and calculations meeting the requirements of the Stormwater Management Manual for Western Washington as currently adopted by the City.

24. Traffic study including a traffic impact analysis and parking study, prepared by a qualified professional licensed in Washington State, analyzing the projected traffic generation and distribution as a result of the proposal, including anticipated daily and p.m. peak hour trips; anticipated impacts to level-of-service standards and street conditions; proportionate share calculations of any improvements necessary to mitigate impacts of the proposal; and conformance with the Comprehensive Plan, Transportation Master Plan, and Complete Streets policy.

25. Flood control certification and impact studies including:

    a. Elevation in relation to mean sea level of the lowest floor (including basement) of all structures.

    b. Elevation in relation to mean sea level to which any structure has been floodproofed.

    c. Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria specified in this code.

    d. Description of the extent to which a watercourse will be altered or relocated as a result of the proposed development and impacts to downstream properties.

e. Documentation of compliance with the Endangered Species Act.

26. Engineering or working drawings in accordance with the Engineering Development Manual that detail:

    a. Street, curb and gutter, parking areas, sidewalks, trails, and other transportation system locations, profiles, cross-sections, construction materials, and specifications.

    b. Sewer and water main sizes, materials, grades, manholes, valves, individual stub lines, hydrants, and stormwater management systems including pipes, swales, oil/water separators, and retention/detention ponds, and other public and private utilities, including easements and/or dedications to the City.

27. Street and/or site light plan with calculations.

28. Location, dimension, and type for site elements including mailboxes, solid waste and recycling storage, and storage tanks.

29. Copies of submittals, approvals, and permits involving other agencies within jurisdiction.

30. The appropriate fees and deposits to cover all costs of processing the application.

D. *Application Submittal Requirements.* The Department shall establish and may revise written application submittal requirements for each application type. The requirements shall be made available to the public in a checklist or other form that clearly describes the information that must be submitted for an application to be considered procedurally complete.

E. *Waiver of Application Submittal Requirements.* Application submittal requirements shall not be waived, unless the Department determines in writing that a particular requirement is not applicable upon a clear showing by the applicant that the requirement is not relevant to the proposed action and is not necessary to demonstrate compliance with applicable requirements and City codes.

F. *Additional Information.* Even after a determination of procedural completeness, the Department may require the submittal of additional information or studies as it determines necessary for review of the application. The submittal of additional information or studies shall not affect the validity of the vesting of the application pursuant to MTMC § 18.05.200, unless the information is requested because incorrect or false information was submitted by the applicant and if the incorrect information would materially affect the final decision on the application.

18.05.130 Application Review Process

A. *Who May Apply*.

1. The property owner or an agent of the owner with authorized proof of agency may apply for a Type A, B, or C action, or for a site-specific Comprehensive Plan amendment.

2. Prior to purchase, acquisition, or owner authorization, a public agency may apply for a Type A, B, or C action, or for a site-specific Comprehensive Plan amendment in order to develop an essential public facility for property that has been duly authorized by the public agency for acquisition or use. No work shall commence in accordance with issued permits or approvals until all of the necessary property interests are secured and/or access to the property for such work has been otherwise approved by the owner of the property.

3. Nothing in this subsection shall prohibit a public agency and City from entering into an agreement to the extent permitted by the Code or other applicable law.

4. The City Council, the Department, or the Director may apply for a project-specific or site-specific rezone or for an area-wide rezone.

5. Any person may propose an amendment to the Comprehensive Plan except that map amendments to the Comprehensive Plan may only be initiated by a person or persons with an ownership interest in the property in question. The amendment(s) shall be considered by the City during the annual review of the Comprehensive Plan.

6. Any person may request that the City Council, Planning Commission, or Director initiate amendments to the text of the Development Code or mapping amendments to the Comprehensive Plan and/or Zoning Map.

7. Application(s) for any Type A, B, or C permits shall not be accepted and/or issued for any lot, tract, or parcel of land following the issuance of a notice and order to correct regarding activity occurring on that lot, tract or parcel of land, unless the identified violations are corrected or required to be corrected as a condition of approval and all fees or penalties satisfied prior to application except when the permit is required to obtain compliance or where an enforceable compliance plan to resolve the violation(s) has been entered into by the City.

B. When the City receives a project permit application, consistency between the proposed project and the applicable regulations and Comprehensive Plan shall be determined through the process in this section and concurrently through the City's adopted SEPA ordinance (Chapter 16.05 MTMC). An approved permit, decision, or approval as defined in MTMC § 18.05.070(F) shall be issued by the City only after the proposal has met all the requirements of the Mountlake Terrace Municipal Code.

C. During review, the City shall determine whether the proposed project is consistent with applicable development regulations. In the absence of applicable development regulations, the City shall determine whether the adopted Comprehensive Plan contains policies that address the unregulated impacts. This determination of consistency shall include evaluation of the following:

1. The type of land use permitted at the site, including uses that may be allowed under certain circumstances, such as conditional uses, and if the criteria for their approval have been satisfied;

2. The level of development, such as units per acre, or other measures of density or intensity;

3. Availability and adequacy of infrastructure, public facilities, and services identified in the Comprehensive Plan and needed to serve the development; and

4. Consistency with development standards and all applicable regulations.

D. *Determination of Completeness*.

1. Determinations of completeness shall be applicable to Type B, C, and D permit applications.

2. The Department shall determine in writing whether an application is procedurally complete within 28 days after it is received. The written determination shall be mailed, e-mailed, or delivered to the applicant or the applicant's representative within the required time period. The determination shall state:

    a. That the application is procedurally complete; or

    b. That the application is incomplete and the necessary information or actions to make the application complete pursuant to MTMC § 18.05.140(C).

3. *Resubmittals.* If the Department determines an application is incomplete and the applicant submits additional documents identified by the Department as necessary for a procedurally complete application, the Department shall notify the applicant within 14 days of the resubmittal that the application is complete or what additional information or action is necessary to make the application complete.

4. *Department's Failure to Provide a Determination of Completeness.* If the Department has not issued a determination of completeness as described above within 28 days after receiving an application, or within 14 days after receiving additional information in response to the necessary actions required to make the application complete, as described above, the application shall be deemed procedurally complete the following day.

5. *Identification of Other Agencies with Jurisdiction.* A written determination of completeness shall, to the extent known by the Department, identify other local, state, or federal agencies with jurisdiction concerning the application and project permits requested. The Department may include other information or conditions in the determination of completeness.

18.05.140 Review Timeframes

A. The City shall issue a decision on an application within the review timeframes as specified by review days in MTMC 18.05.070(F), Table 1, and pursuant to RCW 36.70B. Review timeframes shall begin on the date that the application is determined to be procedurally complete, except as provided in subsection (D) of this section, and unless extended pursuant to subsection (C)(3) of this section; provided, that the following time periods shall not count toward the City's review time period:

   1. Any period commencing with a request by the City that the applicant provide any further information or an environmental impact statement until the applicant provides said information.

   2. Any period during which the applicant is not current in payment of City application review fees.

   3. Any period during which a Comprehensive Plan, Zoning Map, or development regulation amendment is being processed prior to deciding on a project permit application.

   4. Any period between the initial determination of completeness and any subsequent determination of completeness should the applicant substantially revise the proposal.

   5. Any period during which any decision related to the project permit application is being appealed.

   6. Any period mutually agreed upon in writing between the applicant and the City.

B. If the proposal requires City acceptance of public improvements such as street, sidewalk, stormwater, or other utility improvements, the Director's decision may be a preliminary approval of the proposal stating any conditions of approval. The Director shall coordinate with the Public Works Director in determining acceptance of public improvements. Final approval shall not be provided, nor shall any plat be recorded, until the stipulated public improvements are complete or bonded for, in compliance with MTMC Title 17.

C. *Time Limits for Submittal of Required Information.*

   1. The applicant shall submit all necessary information within 90 days of issuance of a notice of incomplete application. The Director may extend this time period an additional 90 days upon written request by the applicant prior to the expiration of the 90-day period.

   2. Following a determination that an application is procedurally complete, the Department may notify the applicant when new information is necessary or changes or corrections to the application materials are required before a project permit may be approved. Upon the issuance of a notice of required corrections or changes to a complete permit application, the applicant shall submit the necessary information to the City within 90 days. If the applicant does not submit the necessary information within 90 days, the application shall

lapse and shall become nullified. The Director may extend this time period an additional 90 days upon written request by the applicant prior to the expiration of the 90-day period.

3. If the applicant is nonresponsive for a period of 60 consecutive days, an additional 30 days shall be added to the time period for the City to issue the decision for the project permit application. For the purpose of this section, "nonresponsive" shall mean there is no ongoing communication from the applicant to the City on the applicant's ability or efforts to provide the requested information.

4. If the requested information and/or corrections required pursuant to subsection (C)(1) or (C)(2) of this section are not received within the specified timeframe, the Director shall notify the applicant that the permit application is expired.

5. When applications expire for failure to submit the required information within the necessary time period, or when the applicant requests their application be withdrawn, the applicant may request a refund of the unused portion of the application fee by submitting a written request to the Director. If a notice of application has been completed, then no refunds shall be issued. Refunds shall be processed in accordance with the City's normal refund practices.

6. Lapsed applications will not be further processed; however, they may be resubmitted as a new application with the submittal of full fees. Resubmittal of lapsed applications shall be governed by the regulations in effect at the time of the resubmittal.

D. *Exceptions to Completeness and Review Timeframes.* The completeness provisions of MTMC 18.05.130(D) shall not apply to Type A and D applications. The provisions of this section shall not apply to Type D applications and permits that are subject to the requirements of Title 15.

E. *Limitations on Refiling.* The Department shall not accept any application for a rezone/zoning text amendment, Comprehensive Plan amendment, conditional use permit, variance, or planned unit development permit within one year following the final denial of a similar application on the same parcel of land. In determining whether an application is similar to the permit denied, the Department shall determine if the proposed change will permit uses, building locations, or relaxation of bulk requirements which are the same or substantially the same as those considered and disallowed by the earlier final action. In every instance, the burden of proving dissimilarity shall be upon the applicant.

18.05.150 Public Notice

A. *General Public Notice Provisions.*

1. Public notice shall be made available to the public through any or all of the following methods, as specified in MTMC § 18.05.070(F):

a. *Mail*. Mailing to owners of real property (for site specific proposals) located within a minimum of 300 feet of the subject property, except that the mailing area shall be increased to 1,000 feet for proposals for essential public facilities, and special use permits.

b. *Post Site*. Posting the property (for site-specific proposals). Signs shall be in a conspicuous location on the subject property. The Director may require additional signage on large or unusually shaped parcels.

c. *Newspaper*. The Department shall publish notices in the newspaper of general circulation.

2. Mailed notices shall be sent to owners of real property as shown on the records of the Snohomish County Assessor, and to all street addresses of properties within the described area. Addressed, pre-stamped envelopes shall be provided by the applicant.

3. The Director may publicize a proposal more broadly or by additional means than stated herein, if in the Director's discretion, a greater level of public awareness is necessary.

4. Projects with multiple notices may have notices combined in a single publication or issuance.

5. For the purposes of this chapter, the date on which a permit decision is issued is:

a. The date on which the Notice of Decision or other written decision is made available;

b. If the permit decision is made by ordinance or resolution by the City Council, the date the Council passes the ordinance or resolution; or

c. If neither Subsection (A)(5)(a) or (A)(5)(b) applies, the date the decision is entered into the public record.

B. *Notice of Application*. Within 14 days of the determination of completeness, the City shall issue a notice of application for all Type B and C applications.

1. *Required Information*. The notice of application shall include the information required by RCW 36.70B.110(2) and appeal information required by WAC 197-11-680(5), if applicable. SEPA-related information shall not be required for SEPA-exempt permits. All notices shall contain at least the following:

a. The applicant name;

b. The project location;

c. The project description;

d. Requested actions and/or studies, including permits required;

e. The time period and contact information for providing comment; and

f. Information regarding the public hearing, if applicable.

2. The public comment period shall, at a minimum, extend to and include the fourteenth day after the date of publication. The date of publication shall be the date on which all of the required methods of publication have been implemented.

3. All comments received on the notice of application by 4:00 p.m. on the last day of the comment period shall be considered by the City in review of the application.

E. *Notice of Administrative Approval*. Public notice shall be provided for some Type A permit applications that are approved administratively, pursuant to MTMC § 18.05.070(F), to inform the public of a Type A permit application. The notice shall be provided as follows:

1. The notice shall identify the applicant, location and nature of the proposal, contact information, and the deadline to request an open record appeal hearing.

2. Notice shall be provided by mail to all immediately adjacent property owners.

3. Notice shall be posted on site.

4. Notice shall be provided no less than ten days before City approval becomes effective.

F. *Notice of Public Hearing*. Notice of a public hearing for all open record hearings shall be provided no less than ten days before the date of the public hearing, consistent with the following:

1. *Required Information*. The public notice shall include a general description of the proposed project, action to be taken, a nonlegal description of the property or a vicinity map or sketch, the time, date and place of the public hearing and the place where further information may be obtained.

2. *Notice Distribution*. Notices of public hearing shall be:

a. Published in the official newspaper of general circulation;

b. Mailed to all property owners within 300 feet of the boundaries of the property which is the subject of the meeting or pending action; and

c. At least one notice sign shall be posted on site at the subject property

3. *Continuations*. If, for any reason, a public hearing on a pending action cannot be completed on the date set in the public notice, the hearing may be continued to a date certain and no further notice under this section is required.

G. *Notice of Decision*.

1. Notices of Decision for Type B and C actions shall be mailed or e-mailed to the applicant, the County Assessor, and anyone who, prior to the decision, requested notice of the decision or submitted substantive comments on the application or was otherwise a party of record.

2. For development applications requiring Planning Commission or Hearing Examiner review and City Council approval, the notice shall summarize the action taken by the decision-making body and reference where copies of the signed ordinance, resolution, meeting minutes or similar documents recording the City's decision may be available.

H. *Public Notice Signs*. Permit types and actions that require public notification in the form of physical signs posted at the property shall meet the requirements of this subsection.

1. *Sign design and construction standards.* The signs shall be designed and constructed to City standards as specified by the Department.

   a. Each sign shall measure a minimum of four feet by four feet.

   b. Signs shall be prepared using templates, stencils or attachable letters. Hand-lettered signs are not acceptable.

   c. The Department is authorized to develop the standards for design, construction and installation of the public notice signs.

2. *Public notice sign content*.

   a. The title: "Notice of Land Use Application."

   b. A graphic or written description of the site boundaries.

   c. Type of action/application (e.g., preliminary plat, rezone, etc.).

   d. A brief description of the proposal.

   e. Space for a legal posting stating the date, time and place of the scheduled public hearing(s), if applicable, including a plastic or other weather-resistant pocket sufficient to contain 10 removable copies of the legal notice for residents desiring a copy of same.

   f. The name and address of the applicant.

g. Community Development Department contact information.

h. City of Mountlake Terrace logo.

i. Other information the Director may determine to be necessary to adequately notify the public of the pending land use application.

3. *Number and placement*. One sign shall be placed every 300 feet along each public street frontage of the subject property, a minimum of five feet from the right-of-way, outside the sight distance triangle and clearly visible from the street. The Department shall approve the location of each sign.

4. *Responsibility for installation and removal*.

1. The applicant shall be solely responsible for the sign preparation, construction, installation, removal and all associated costs.

2. The sign(s) shall be installed at least 10 days prior to any public hearing on the application. If no public hearing is required, the sign must be installed within 10 business days of an application being submitted. The applicant shall submit a sign installation plan to the Department and obtain approval prior to installing the sign(s). The applicant shall submit a signed affidavit stating that the sign(s) were properly installed and the date this was completed.

3. The sign(s) shall be removed within five days after final action by the City on the land use application.

4. If the sign is removed for any reason prior to the City's final action on the proposal, the applicant is responsible for immediate replacement of the sign. Failure to replace the sign within 24 hours of being notified by the City that the sign is missing may result in rescheduling the public hearing, additional assessment of notification fees, and/or delay of a decision.

18.05.160 Approval Timeframes and Expiration

A. Any application approved pursuant to this code shall be commenced, performed, and completed in compliance with the provisions and conditions under which the application was approved. The approval shall be valid as outlined in MTMC § 18.05.070(F) from the date that the decision is issued. Approval periods and extensions for permits issued under the provisions of the building code shall be as set forth in Title 15 MTMC. Such permits are not subject to the timeframes of this chapter.

B. The City shall send notice of the approval expiration to the applicant and shall also place a copy of the expiration notice in the file. If the City fails to send the expiration notice, the approval period shall not be extended except as provided in subsection (C) of this section.

C. *Approval Extensions*.

1. All requests for time extensions must be made to the Department in writing and be accompanied by the required fee, prior to the expiration of the initial time limit.

2. Upon timely receipt of the applicant's request for extension, the Director may extend the expiration date for up to one year. The applicant's written request shall provide justification for the delay and list reasonable grounds for why the extension is necessary.

3. The Director's decision to extend the approval shall be based on the following criteria:

    a. Unforeseen circumstances or conditions necessitate the extension;

    b. An extension will not cause substantial detriment to existing uses in the immediate vicinity of the subject property; and

    c. The SEPA environmental determination for the proposal has been reevaluated and reaffirmed and, if necessary, adequate mitigation measures added in order to minimize any potential adverse impact associated with the proposed time extension.

4. The Department may grant no more than two extensions on any single land use permit approval. A second extension may only be granted only if:

    a. The criteria listed in subsection (C)(3) of this section are met;

    b. The applicant has demonstrated reasonable diligence in attempting to meet the time limit imposed; and

    c. Conditions in the immediate vicinity of the subject property have not changed substantially since the initial approval was issued.

D. *Expiration of vested status*. Except for those actions specifically identified in this Chapter, vested status of an approved land use permit under Type A, B, and C actions shall expire two years from the date of the City's final decision, unless an application for completion of the permitted action is filed before the end of the two-year term. An application that would complete the development contemplated in the permitted action in most cases would be a building permit, but may also be a site development permit, a grading permit or a similar approval that would authorize the construction activity contemplated in the Type A, B or C action. In the event of an administrative or judicial appeal, the two-year term shall not expire. Continuance of the two-year period may be reinstated upon resolution of the appeal.

If a complete development permit application is filed before the end of the two-year term, the vested status of the permit shall be automatically extended for the time period during which the development permit application is pending prior to issuance; provided, that if the

development permit application expires or is canceled, the vested status of the permit or approval under Type A, B, and C actions shall also expire or be canceled. If a building permit is issued and subsequently renewed, the vested status of the subject permit or approval under Type A, B, and C actions shall be automatically extended for the period of the renewal.

18.05.170 Conditions of Approval

A. The City may condition an approval to make an application compatible with applicable criteria.

B. The City may require the posting of a cash performance bond or other security or surety sufficient to fulfill the requirements of this Development Code and any conditions upon which the approval is granted.

C. To the extent appropriate and allowed by law, the City may require that conditions of approval be recorded as binding on the property and successors in interest.

D. The City may use the following process to provide applicants with a notice of conditions and to receive notice from applicants of any objections to such conditions:

1. The City may provide written notice to the applicant of the City's intent to recommend or impose one or more conditions of approval. If the applicant objects to any of said conditions, they are required to provide written notice to the City identifying which conditions the applicant objects to and the reasons for the objections.

2. For the purpose of this subsection, written notice may be given either by e-mail, first-class mail, or hand delivery.

3. The applicant's written notice of objections to conditions shall be received by the City no later than seven calendar days from the applicant's receipt of the written notice from the City.

4. If the applicant receives written notice from the City of the City's intent to recommend or impose conditions within seven calendar days of a hearing on the application, then the applicant shall provide written notice to the City of the applicant's objections to any such conditions prior to the commencement of the hearing.

18.05.180 Assignability and Changes

A. Land use decisions shall run with the land and be freely assignable.

B. The Director may approve minor changes to a decision or approval only if the proposed changes:

1. Do not create additional lots or impacts;

2. Are so insignificant that, in the Director's judgment, the changes would not have affected the decision of the original decision-maker(s); and

3. The proposal still complies with the Development Code and the Comprehensive Plan.

C. If the Director determines that proposed changes are not minor, then the applicant shall either reduce the proposed changes or submit a new application for the revisions.

18.05.190 Appeals

A. *Decision Effective Date*. Unless an administrative appeal is timely filed, a land use decision of the City shall be effective on the date the written decision is issued. When a permit requires a notice of decision, the effective date of the written decision is the date that the notice of decision is issued.

B. *Appeal Authority*.

1. Administrative decisions (Type B) are appealable to the Hearing Examiner who conducts an open record appeal hearing.

2. Appeals of City Council decisions, ministerial decisions (Type A) without an administrative appeal, and appeals of a Hearing Examiner's decisions shall be made to the Superior Court. In the case of a shoreline substantial development permit, shoreline conditional use permit or shoreline variance, appeals shall be filed with the Shorelines Hearings Board. In the case of amendments to the Comprehensive Plan and/or development regulations designed to implement the Comprehensive Plan, appeals shall be filed with the Growth Management Hearings Board.

3. In the case of ministerial decisions (Type A) and administrative decisions with an administrative appeal process as defined in the table found in MTMC § 18.05.070(F), the Hearing Examiner shall conduct an open record appeal hearing.

C. *Grounds for Administrative Appeal.* Any administrative appeal shall be linked to the criteria of the underlying land use decision. The grounds for filing an appeal shall be limited to the following:

1. The Director exceeded their jurisdiction or authority;

2. The Director failed to follow applicable procedures in reaching the decision;

3. The Director committed an error of law; or

4. The findings, conclusions or decision prepared by the Director or review authority are not supported by substantial evidence.

D. *Filing Administrative Appeals*. Notification of permit decisions for ministerial (Type A) permits are issued through a notice of administrative approval. Notification of permit decisions on administrative (Type B) permits are issued through a notice of decision. Appeals shall be filed within 14 calendar days from the date of the mailing of the notice. Appeals shall be filed in writing with the City Clerk. Appeals shall be accompanied by a filing fee in the amount to be set in the City's fee schedule. Within ten calendar days following timely filing of a complete appeal with the City Clerk, notice of appeal shall be mailed by the City Clerk to all parties of record.

E. *Appeal Process*.

1. An appeal shall be heard and decided within 90 days from the date the appeal is filed.

2. Timely filing of an appeal shall delay the effective date of the Director's decision until the appeal is ruled upon or withdrawn.

3. Notice of hearing shall be mailed to all parties of record at least ten calendar days before the appeal hearing by the City Clerk.

4. The hearing shall be limited to the issues included in the written appeal statement. Participation in the appeal shall be limited to the City, including all staff, the applicant for the proposal subject to appeal, and those persons or entities which have timely filed complete written appeal statements and paid the appeal fee.

F. *Judicial Review and Appeals*. No person may seek judicial review of any decision of the City, unless that person first exhausts the administrative remedies provided by the City. Any judicial appeal shall be filed in accordance with state law. If there is not a statutory time limit for filing a judicial appeal, the appeal shall be filed within 21 calendar days after a final decision is issued by the City.

G. *Dismissals*. The appeal authority may dismiss an appeal in whole or in part without a hearing, if the appeal authority determines that the appeal or application is untimely, frivolous, beyond the scope of the appeal authority's jurisdiction, brought merely to secure a delay, or that the appellant lacks standing.

H. *Conflicts*. In the event of any conflict between any provision of this chapter and any other City ordinance, the provisions of this chapter shall control. Specifically, but without limitation, this means that the provisions of this chapter shall control with reference to authority to make decisions and the timeframe for making those decisions, including the requirements to file an appeal.

18.05.200 Vesting

A. *Purpose.* The purpose of this section is to implement local vesting regulations that are best suited to the needs of the City and consistent with state law. This section is intended to

provide property owners, applicants, and the general public assurance that the development regulations for project development will remain consistent during the life of an application.

B. *Vesting.* An application for a project permit or approval type that vests shall be considered under the development regulations in effect on the date the application is determined to be procedurally complete pursuant to MTMC § 18.05.130(D). Once a decision or permit is issued, the project is vested to the regulations under which the application was reviewed.

C. *Applications That Vest.* The following applications for permit, decision, or approval types as set forth in this title and Title 15 MTMC shall vest to the development regulations in effect at the time the application is determined to be complete pursuant to MTMC § 18.05.130(D):

1. Binding site plan.

2. Building permit.

3. Conditional use permit.

4. Development agreement.

5. Floodplain permit, subject to the requirements of the National Flood Insurance Program where applicable.

6. Shoreline: Conditional use permit; Substantial development permit; Variance.

7. Site development plan.

8. Subdivisions: Preliminary fee simple major plat; Preliminary fee simple minor plat; Preliminary subdivision (preliminary plat); Preliminary short subdivision (preliminary short plat).

9. Planned Unit Development

10. Variance.

D. *Subsequent Applications.* Permits or land use applications related to the development identified in subsection (C) of this section that are submitted after the initial application shall vest to the development regulations in effect at the time the initial application for development identified in subsection (C) of this section was determined to be complete pursuant to MTMC § 18.05.130(D). However, any subsequent application must be determined to be complete pursuant to MTMC § 18.05.130(D) prior to the expiration date of the initial permit(s) or approval(s) issued for the application types listed in subsection (C) of this section.

E. *Exceptions.* The provisions of this section shall not be applicable to applications for the following permit or approval types, including when the application is a subsequent

application to an initial application that has vested. However, if vesting is provided elsewhere in this code or in state and federal regulations, they may be applicable.

1. All permit or approval types set forth in Title 13 MTMC;

2. Wireless telecommunication facilities permits as set forth in Chapter 19.137 MTMC;

3. Comprehensive Plan amendments as set forth in this title;

4. Rezones as set forth in this title; and

5. Temporary permits.

F. For the purpose of this section, "development regulation" means those provisions of Mountlake Terrace Municipal Code that exercise a restraining or directing influence over land, including provisions that control or affect the type, degree, or physical attributes of land development or use but shall not include:

1. Permit processing fees and taxes or administrative fees;

2. Procedural rules and regulations; and

3. Regulations that specify or are based upon adopted SEPA policies for the exercise of SEPA substantive authority, including the SEPA ordinance.

G. A complete building permit application shall always be subject to that version of Title 15 MTMC in effect at the time the building permit application is submitted.

H. Notwithstanding any other provision in this section, any application dependent on approval of a rezone, Comprehensive Plan amendment, variance, or conditional use application shall not vest until the underlying rezone, Comprehensive Plan amendment, variance, or conditional use application is approved.

I. Review of a project proposal during a pre-application process and/or conference does not vest the application.

J. Stormwater regulations cannot be vested through the provisions of this section.

K. Fees, including, but not limited to, environmental impact mitigation fees, permit processing fees, latecomer agreement fees, and taxes or administrative fees cannot be vested through the provisions of this section.

L. All vested rights associated with a permit, decision, or approval are lost when that application or permit, decision, or approval expires as provided for in MTMC § 18.05.160.

18.05.210 Revocation

D. An approved land use permit may be revoked by the Department based on any one or more of the following grounds:

1. The approval of the application was based on misinformation;

2. The use for which an approval was granted has ceased to exist, or has been suspended or abandoned for one year;

3. The application granted is being used contrary to the terms or conditions of an approval, or in violation of this title or law;

4. The use for which the approval was granted became detrimental to the public health, safety, or welfare, or so as to constitute a nuisance.

B. The Department shall notify the permit holder in writing by certified mail of the revocation of his/her/its land use permit and the grounds therefor.

C. *Appeal*. The affected permit holder may, within ten days after receipt of such notice of revocation, appeal to the Hearing Examiner by filing a written notice of appeal setting forth the grounds therefor with the secretary to the Hearing Examiner.

1. The secretary shall set a date within 20 days for the hearing of such appeals before the Hearing Examiner, and the secretary shall notify the permit holder by mail of the time and place of hearing.

2. After the hearing thereon, the Hearing Examiner shall, after appropriate findings of fact and conclusions of law, affirm, modify, or overrule the revocation and reinstate the permit, and may impose any terms upon the continuance of the permit which, to the Hearing Examiner, may seem advisable.

3. Such decision of the Hearing Examiner is appealable to the Superior Court of Snohomish County.

4. No revocation of a land use permit shall take effect until ten days after receipt of the notice thereof by the permit holder and if appeal is taken as herein prescribed, the revocation shall be stayed pending final action by the Hearing Examiner. Exception: If the permit allows activity on the site or in site conditions potentially life threatening or injurious, access to the site or the permitted use shall cease until the dangerous condition is corrected or the appeal is addressed.

18.05.220 Public Hearings

A. No more than one open record hearing shall be heard on any land use application.

B. Following review of a development proposal or action, the hearing body shall make written findings of fact and conclusions of law and shall make a determination to approve, approve with conditions, or deny the development proposal or action.

C. *Public Hearing Procedures*. Public hearings shall be conducted in accordance with the hearing body's rules of procedure and shall serve to create or supplement an evidentiary record upon which the body will base its decision. The Chair shall open the public hearing and, in general, observe the following sequence of events:

1. Staff presentation, including submittal of any administrative reports. Members of the hearing body may ask questions of the staff.

2. Applicant presentation, including submittal of any materials. Members of the hearing body may ask questions of the applicant.

3. Testimony or comments by the public germane to the matter. Members of the hearing body may ask questions. Questions directed to the staff or the applicant shall be posed by the Chair at its discretion.

4. Rebuttal, response or clarifying statements by the staff and the applicant.

5. The evidentiary portion of the public hearing shall be closed before the hearing body shall deliberate on the matter before it.

D. *Factors to consider.* The hearing body shall consider and base its recommendations or decision on any permit action coming before it on the following factors:

1. Type and density of land use;

2. The availability and adequacy of public facilities;

3. Compliance with specific development and Comprehensive Plan standards;

4. That the environmental impacts are consistent with applicable development regulations or, in the absence of applicable regulations, the adopted Comprehensive Plan; and

5. Other factors relevant to the proposal, including previous approvals, Engineering Details and Specifications, other City codes, regulations, and standards.

E. *Hearing Examiner Actions*.

1. Upon receiving an application or report from City staff on a proposal or action, the Hearing Examiner shall hold an open record public hearing.

2. The Hearing Examiner shall make findings of fact and conclusions of law on applications or proposals before them. The findings of fact and conclusions of law shall be consistent with MTMC 2.120.110 and subsection (D) of this section.

3. In the evaluation of any Type A, B or C permit action, the Hearing Examiner shall not approve or deny a proposed development unless it first makes findings of fact and conclusions of law consistent with the evidence and determination made. The findings of fact and conclusions of law shall address:

    a. Consistency with Comprehensive Plan goals and policies;

    b. Consistency with the requirements and intent of applicable City ordinances;

    c. Whether there are adequate provisions for open space, drainage ways, streets and other public ways, transit stops, water supply, sanitary wastes, parks and recreation facilities, playgrounds, sites for schools and school grounds as applicable;

    d. Whether the proposal adequately mitigates adverse impacts identified under the Critical Area Ordinance and SEPA determination;

    e. Whether the development supports the public health, safety and welfare and is in the public interest;

    f. Whether concurrency requirements of MTMC § 18.05.110 are met;

    g. That the area, location, and features of any land proposed for dedication are a direct result of the development proposal, are reasonably needed to mitigate the effects of the development, and are proportional to the impacts created by the development; and

    h. Whether the development satisfactorily addresses criteria for review and consideration set forth in subsection (D) of this section as applicable.

4. *Closed Record Appeals*. Upon receiving a request to appeal a decision by City staff, the Hearing Examiner shall hold a closed record public hearing and may remand or overturn the staff decision if it is not consistent with City codes, regulations, and standards.

F. *City Council Actions*.

1. Upon receiving a recommendation from the Planning Commission or notice of any other matter requiring the Council's attention, the Council shall perform the following actions as appropriate:

    a. Hold an open record public hearing and make a determination on the Planning Commission recommendation.

    b. Hold a closed record appeal and make a decision.

2. The City Council shall make findings of fact and conclusions of law on applications and/or consider any Planning Commission or Hearing Examiner report on those applications. The findings of fact and conclusions of law shall be consistent with subsection (D) of this section. The City Council may accept, reject, or modify the findings of fact and conclusions of law.

3. The City Council shall make its decision by motion, resolution, or ordinance as appropriate.

    a. A City Council decision based on a report filed by the Planning Commission or Hearing Examiner with recommendations, or following a public hearing on a proposal or action, shall be made by taking one of the following actions:

        i. Approve as recommended.

        ii. Approve with additional conditions.

        iii. Deny (reapplication or resubmittal is permitted).

        iv. Deny with prejudice (reapplication or resubmittal is not allowed for a period of at least one year).

        v. Remand for further proceedings and/or evidentiary hearing.

        vi. Modify, with or without the applicant's concurrence, provided, the modifications do not: enlarge the area or scope of the project; increase the density or proposed building size; or significantly increase adverse environmental impacts as determined by the responsible official.

    b. A City Council decision following a closed record appeal shall be made by taking one of the following actions:

        i. Grant the appeal in whole or in part.

        ii. Deny the appeal in whole or in part.

        iii. Remand for further proceedings and/or evidentiary hearing.

EXHIBIT B

Chapter 19.110. ZONING PERMITS

~~Article I. General Provisions~~

~~19.110.010. Purpose.~~

~~The purpose of this chapter is to set forth standards for review of land use applications regulated by this title. It may also describe notice requirements and the nature of hearings affecting other ordinances. In case of conflict, Chapter 18.05 MTMC, implementing the Regulatory Reform Act, known as Administration and Procedures shall prevail. The following are goals of this chapter:~~

~~A. To guide future growth and development in accordance with the Comprehensive Plan and to provide for consistency between new development and the Comprehensive Plan and related City ordinances; and~~

~~B. To provide for an efficient process to review development applications; and~~

~~C. To provide an open, understandable, and accessible process whereby applicants may compare progress of an application to procedures described herein.~~

~~19.110.030. Complete application.~~

~~A complete application for any land use development project which includes, but is not limited to, conditional use permit, or variance shall include the following information:~~

~~A. Completed application form.~~

~~B. Fees.~~

~~C. Existing features map (Note: Existing features and proposal maps folded to a size generally, but no larger than, nine inches by 12 inches).~~

~~1. Bar scale of 10, 20 or 30 feet to the inch, or such that details can be shown with all layouts at same scale.~~

~~2. North arrow.~~

~~3. Name of project, drawing title, and site address.~~

~~4. Name of property owner and applicant, and professional with primary contact name, address and phone number.~~

~~5. Vicinity/area map locating the project area within a one-mile radius, including collector arterials.~~

~~6. All property lines, fully dimensioned and including bearings.~~

7. Right-of-way, within 100 feet of site, labeled to show street names and dimensions.

8. Curb cuts (driveways) for the site and both sides of any right-of-way within 100 feet of the boundaries of the site.

9. All existing easements on, or adjacent to, the proposed subject site with the following information: width, type, and auditor recording file number.

10. All existing power, street lights and communication poles or boxes on site or within 20 feet of the site, labeled.

11. All existing fire hydrants on site and within 100 feet of the site; identify type.

12. Existing contours shown at two-foot intervals (unless otherwise required or approved).

13. All existing significant trees six-inch or greater dbh (diameter at breast height).

14. Existing structures and/or improvements on and within 20 feet of the site; all fully dimensioned and their setbacks to all property lines labeled.

15. Environmentally sensitive features, if any.

16. Benchmark utilized for elevations based on the City's 1991 vertical control.

17. Existing underground storage tanks. Indicate if they are to be removed from site.

18. Existing structures to be removed from the site, and those that are to be demolished.

19. Traffic control devices (including stop signs, no parking signs, yield signs, crosswalks, traffic signals) within 75 feet of the site.

20. Existing public improvements including curbs, gutters, sidewalks, roadways, dropped curbs.

21. Existing drainage across site (including streams, ditches, swales, etc.), and within 100 feet of site.

22. Existing utilities on or within 75 feet of the site (including septic tanks, wells, gas, power, cable, telephone, sanitary sewer and storm facilities, water mains service and meters); identified as to type and size as appropriate.

23. Existing fire protection system facilities (including Fire Department connection, P.I. (post indicator) valves, DDCV vaults) on the site.

D. Proposal.

1. Bar scale of 10, 20 to 30 feet to the inch, or such that details can be shown. Scale to match existing features map, and with all layouts at same scale.

2. North arrow.

3. Name of project, drawing title, and site address.

4. All property lines, fully dimensioned including bearings.

5. Right-of-way within 100 feet of site, labeled to show street names and dimensions.

6. Existing and proposed contours (grading) at two-foot contour intervals; specify estimated amount of material to be cut and the amount to be filled as separate amounts, i.e., not the net cut and fill.

7. Proposed landscaped areas, by location, width and type and area calculations; indicate existing plants to be retained.

8. On every plan sheet provide dimensions and setbacks from all property lines, for all proposed structures, easements.

9. Existing structure(s) to remain to be demolished or to be moved from the site.

10. Proposed transportation facilities and public improvements including: bus stops, right-of-way dedications, driveways, sidewalks, traffic control, roadway improvements within 75 feet of the site boundaries.

11. Location of other utilities proposed, e.g., power within 30 feet of the site boundaries.

12. Finish floor elevation of structures and spot elevation of improvements such as parking lot, retaining walls, handicap parking.

13. Location dimensions and setbacks of all new structures and improvements (drive aisles, roadways, utilities) proposed.

14. Architectural elevations of proposed buildings, at a scale of one-quarter inch equals one foot or one-eighth inch equals one foot.

15. Conceptual utility layout showing method of water service, fire protection, sewage disposal and storm drainage, detention and biofiltration including locations of meters, manholes, catch basins, fire hydrants, fire department connections, post indicator valves, and DDCV vaults.

16. Proposed disposition of existing utilities including water, sewer, storm, septic tanks, wells, and underground storage tanks. Indicate if they will be reconnected to new structures, abandoned, removed, demolished or remain.

17. All proposed easements including width and type. Show layouts on plan.

18. Benchmark utilized for elevations based on City's 1991 vertical control.

19. Proposed storage tanks.

E. Requirements.

1. Title report.

2. Indicate the legal owner of the property. If the applicant is other than the legal owner, a letter from the owner indicating knowledge of and concurrence with the application, signed, dated, and notarized, must accompany the submittal.

3. Legal description.

F. Additional requirements may include:

1. Proposed lots (for short plats and subdivisions) showing all dimensions and areas (lots, rights-of-way, tracts, etc.).

2. Covenants proposed.

3. Calculations for area of impervious surface(s).

4. Mail boxes, type and location.

5. Proposed street lighting.

6. Proposed parking plan, fully dimensioned, identifying standard, compact and handicap stalls; and grades and elevation for accessible route of travel.

7. Drainage studies and calculations.

8. Conceptual site lighting plan, with calculations.

9. Geotechnical studies and reports.

10. Locations of solid waste and recycling storage areas with dimensions.

11. Traffic impact studies.

12. Environmental checklist with supplementary documents and studies.

13. Engineering design reports for proposed transportation and utility facilities.

14. Compliance with Americans With Disabilities Act (ADA) and Chapter 51-30 WAC.

15. Copies of submittals, approvals, and permits involving other agencies within jurisdiction.

16. Answers to a supplemental questionnaire to indicate how the proposal fits criteria relevant to the request.

17. An accurate list of addresses of property owners within 300 feet of the boundaries of the proposal. In addition, stamped, addressed legal-sized envelopes for the same list (these will be used for legal notices). If inaccurate addresses are used, an unreasonable number of mailings are returned, or property owners that should have been notified have not been notified due to improperly addressed envelopes, hearing(s) will be continued until sufficient addresses have been provided for notice. The applicant shall reimburse the City, per fee schedule, for each mailing prior to the hearing date.

19.110.050. Limitations on refiling of applications.

The Planning Department shall not accept any application for a rezone/zoning text amendment, Comprehensive Plan amendment, conditional use permit, variance, or planned unit development permit within one year following the final denial of a similar application on the same parcel of land. In determining whether an application is similar to the permit denied, the Planning Department shall determine if the proposed change will permit uses, building locations, or relaxation of bulk requirements which are the same or substantially the same as those considered and disallowed by the earlier final action.

In every instance, the burden of proving dissimilarity shall be upon the applicant.

Article II. Permits – Specific Procedures and Requirements

19.110.150. Building permits.

All building permits issued by the City shall conform to the provisions of this title. Building permit application forms shall be prepared and administered by the Building Department in addition to other applicable codes and regulations.

19.110.160. Certificates of occupancy.

No change of use within an occupied structure or portion thereof, or establishment of a new use in an unoccupied structure or portion thereof, with the exception of single-household residences, shall occur without there first being issued a certificate of occupancy pursuant to the Uniform Building Code as adopted by the City. City staff from Planning, Engineering, Fire and Building Departments shall review all occupancy requests for compliance with the requirements of this title and all applicable City codes and standards.

A. New Construction. A certificate of occupancy shall not be issued for new construction until the following aspects of site development are provided in conformance with the regulations of this title, or the necessary performance guarantees provided: landscaping, parking and loading, recreational requirements for multiple-household projects, signs, and outdoor storage.

B. Existing Development. The Director shall have the authority to allow a lesser degree of conformance with the required site improvements listed above, prior to the issuance of a certificate of occupancy, for reuse of an existing building in cases where conformance to the standards and specifications listed above renders unreasonable hardship to the property owner or is deemed advisable due to seasonal or economic considerations.

19.110.170. Temporary uses.

A. Intent and Purpose. The intent and purpose of this section is to provide for uses of land and structures on a temporary basis. A temporary use is not exempt from the construction and fire code requirements adopted in MTMC Title 15. Temporary structures or buildings that have mobility gear equipment shall not have said gear removed from the structure and shall not be permanently affixed to the site.

B. Temporary Accessory Uses – No Temporary Use Permit Required. The following uses may be allowed without a temporary use permit accessory to a permitted use in accordance with the regulations of the zone classification in which it is located.

1. Construction Buildings. Temporary structure for the housing of tools and equipment or containing supervisory offices in connection with major construction projects may be established and maintained during the progress of such construction on such projects in accordance with all applicable codes and regulations and shall be removed within 30 days following issuance of the certificate of occupancy.

2. Temporary Real Estate Office. One temporary structure used for a real estate sales office may be located on any new project in accordance with all applicable codes and regulations, provided the activities of such office shall pertain only to the project where the office is located. For any single-household subdivision project, the temporary real estate office shall be removed at the end of a 12-month period measured from the date of the recording of the final plat of the subdivision. For all other projects, the temporary real estate office shall be removed within 30 days after the issuance date of an occupancy permit.

3. Temporary Housing Unit. With approval from the Director, a temporary housing unit for construction may be placed on a lot for occupancy during the period of time necessary to repair damage of a principal residence on the same lot, provided:

   a. The temporary housing unit is removed from the site within six months;

   b. The unit meets minimum setback regulations for a principal structure as required by the applicable zoning district and all applicable codes and regulations; and

   c. A valid building permit is issued by the Building Department for a permanent structure on the lot.

4. Fund Raising Activities for Nonprofit Organizations. Fund raising activities promoted or sponsored by nonprofit organizations, including but not limited to special events such as musical entertainment, vehicle shows, rodeos, carnivals and circuses, shall be allowed on a temporary basis in accordance with Chapter 10.20 MTMC and all other applicable City codes and regulations.

C. Temporary Accessory Uses – Permit Required – Peddlers, Solicitors, and Temporary Sales Yards. Any person, firm, organization, or corporation who displays goods for sale, peddles food items, or solicits the sale of goods or wares, including, but not limited to, Christmas trees, flowers, or any food item, and who remains in one location for a period of greater than one hour, shall first obtain a temporary use permit from the Community and Economic Development Director and a City business license if required. These businesses shall be conducted only on private commercial or light industrial zoned properties.

1. A temporary use permit for peddlers, solicitors, and temporary sales yards shall require an application signed by the owner of the property on which the activity will occur. The review shall include location of all structures, objects, or things of any nature whatsoever appurtenant to the activity for the purpose of assuring compliance with all provisions of this title, and any other pertinent requirement of state and local law or regulation.

2. A time limit for the use shall be determined by the Community and Economic Development Director. The requested time limit shall be stated on the application and may be reduced for any cause related to safety, health, and general welfare of the public. Time extensions may be allowed subject to the approval of the Community and Economic Development Director.

D. Food Vendors – Mobile. To provide for food vendors to operate at a specific location, on a temporary basis, and for a limited period of time.

1. Definition. "Mobile food truck/vendor" means a licensed and operable motor vehicle or trailer, or a push cart, used to serve, vend, or provide food (hot or cold meals, snacks, or nonalcoholic beverages) for human consumption.

2. Private Property. Temporary use permit approval is required when located on private property, is valid for a 12-month period, and is subject to meeting all of the following general standards:

a. Meets the definition of "mobile food truck/vendor";

b. Is located in a commercial or light industrial zoning district. (In residential zones, a special event permit is required in conformance with Chapter 10.20 MTMC);

c. No more than one mobile food truck/vendor can be located on a site at any given time. The allowance of more than one food truck/vendor on a property is only permitted with the approval of a special events permit as provided for in Chapter 10.20 MTMC;

d. No alcoholic beverages. No cannabis related products;

e. Does not block fire lanes, or drive aisles, or pedestrian access to businesses or the public sidewalk;

f. Parked a maximum of once a day, up to six hours, on a site/property;

g. Hours of operation can occur no earlier than 6:00 a.m. and no later than 9:00 p.m., including clean-up time;

h. Trucks can be parked no more than four days a week;

i. No overnight parking or storage of the food truck is allowed, including no portion of the vendor's inventory, sales equipment, or any other objects associated with the vendor;

j. No excessive smoke associated with food preparation can occur;

k. No mechanical audio or noise making devices and no hawking is allowed. Hawking is the loud, repeated oral solicitation of business by the vendor or assistant;

l. Possess a current City business license;

m. Has obtained necessary permits from the Snohomish Health District;

n. Meets South County Fire District requirements;

o. Provides waste collection receptacles, and keeps area clean and free of litter, food and beverage wastes, or other trash. Waste collection receptacles should be placed near the curbside space the food truck occupies and not limit the pedestrian walkway to less than five feet wide. Compost and recycling receptacles are encouraged. Trash must be removed with truck on a daily basis and emptied regularly during the day should they become full during the period the food truck is in operation;

p. Folding menu boards, if used, should be placed near the curbside space the food truck occupies and walkways shall be kept clear to a width determined by staff and not limit the pedestrian walkway to less than five feet wide;

q. The City reserves the right to limit the number of food truck/vendor permit sites in any given area of the City.

3. In Right-of-Way. A right-of-way use permit is required when located in City right-of-way as defined in this section, subject to meeting all of the following:

~~a. Right-of-way includes any public street, or sidewalk or parking lane, improved or unimproved;~~

~~b. Obtain a right-of-way use permit for each location;~~

~~c. Meets all of the requirements in subsection (D)(2) of this section;~~

~~d. Provides any required insurance and/or indemnification; and~~

~~e. Any other filing requirements requested by the Director and/or conditions of approval.~~

~~4. To locate in a City park or other City-owned land (not right-of-way):~~

~~a. Contact the Recreation and Parks Department Director for approval of concessions permit;~~

~~b. Obtain a temporary use permit per MTMC § 10.20.180(C);~~

~~c. Meets all of the requirements in subsection (D)(2) of this section;~~

~~d. Provides any required insurance and/or indemnification. Vendors selling product on public land are subject to the leasehold excise tax, Chapter 82.92 RCW;~~

~~e. Provides any required insurance and/or indemnification; and~~

~~f. Any other filing requirements requested by the Director and/or conditions of approval.~~

~~5. Special Events. Any food vendor activity that is defined per Chapter 10.20 MTMC may need to obtain a special event permit in lieu of, or in addition to, the requirements set forth in this section.~~

~~6. Violations and Enforcement. Violators and violations of this section are subject to any applicable code enforcement actions and penalties per City Code, including but not limited to Chapters 8.30, 13.10, and 19.140 MTMC.~~

19.110.200. Conditional use permits.

A. Purpose and Intent. The City of Mountlake Terrace recognizes that certain land uses possess unique and special characteristics with respect to their location, design, size, method of operation, circulation, and public facilities. To help ensure that such uses fit appropriately within the neighborhood context, a conditional use permit is required for conditional uses and accessory conditional uses identified in this Title~~Chapters 19.20 through 19.105 MTMC~~. The conditional use permit shall not be used in lieu of a variance to reduce the requirements of this title.

B. Public Hearing. Notice of a public hearing shall be prepared and issued by the Department pursuant to MTMC § 18.05.15027 for conditional use permit applications heard by the Hearing Examiner. Conditional use permits require one public hearing before the Hearing Examiner.

C. Authority to Impose Conditions. In approving a conditional use permit, the Hearing Examiner may impose any conditions theyhe or she feels necessary to ensure that designated uses or activities are compatible with other uses in the same land (or zoning) district and in the vicinity of the subject property.

D. Criteria for Review and Conclusions of Law. The Hearing Examiner may approve a conditional use permit only if the request either conforms to all the criteria in this subsection or the request will so conform under applicable codes and any specified conditions. The Hearing Examiner shall make written findings and conclusions for the record which support theirhis or her decision. The criteria are as follows:

1. The proposal is in accordance with the goals, policies and relevant land use designations of the Comprehensive Plan.

2. The proposal will not adversely impact the established character of the surrounding vicinity. For purposes of this section, "character" shall mean:

   a. The distinctive features or attributes of buildings and site design, including but not limited to building facade, scale, building modulation, tree cover, landscaping, size and location of signs, amount and location of parking, fencing, and walkability;

   b. The level of noise, vibrations, or odors; and

   c. The type of vehicular traffic and traffic patterns associated with the permitted uses in the zoning district.

3. The proposed use will not endanger the public health, safety, and general welfare of the community or create obstacles to neighborhood circulation.

4. The proposal complies with the purpose and all requirements of the zoning district classification in which it is located and with the general provisions of the municipal code.

4. The proposal will be served by existing public facilities as may be necessary. This standard may be met if the applicant pays the cost of or installs any additional facilities needed.

E. Final Decision. The Hearing Examiner may approve, conditionally approve, or deny the conditional use permit. The decision shall be final and conclusive unless an appeal is filed according to the procedure described in Chapter 18.05 MTMC. The decision of the Hearing Examiner shall be deemed issuance of the conditional use permit, if approved. An approved

~~accessory conditional use permit shall be deemed to be approved for the applicant only at the approved location and shall not run with the land.~~ All ~~other~~ conditional use permit applications shall be deemed to run with ~~(go with)~~ the land, unless the Hearing Examiner states otherwise. The decision of the Hearing Examiner shall become effective immediately upon entry of such order in the official records, unless the Hearing Examiner finds that making the decision effective immediately would create a condition of practical impossibility or unnecessary hardship in which case they~~he or she~~ shall set a ~~new and~~ different effective date in the record, which in no event shall be more than 30 days from the date of entry of such order~~, and this exception is noted in the record~~.

F. Recording. The Hearing Examiner may stipulate that the conditions of approval ~~that apply to use of the property~~ shall be recorded with the Snohomish County Assessor's Office. For any approval of a minor modification to an approved conditional use, the Director may stipulate that the conditions of approval shall be recorded with the Snohomish County Assessor's Office.

G. Changes or Modifications.

1. Minor. Minor changes to the operational aspects of the approved conditional use or the approved site plan shall be reviewed and may be approved by the Director in cases where the proposed modifications:

   a. Do not significantly alter the originally approved conditional use;

   b. Do not add more than 10 percent in area to the gross square footage of the approved conditional use; and

   c. Do not conflict with current requirements of this title or other applicable codes and restrictions.

   All such requests shall be made in writing and supported by documentation as required by the Director and be accompanied by the appropriate fee, based on the City's fee schedule. The Director shall make a written determination as to whether the proposed modification is minor, based on the criteria in this section. If the proposal is determined to be a minor modification to the conditional use, the Director shall treat the proposal as a minor amendment to the original approved conditional use and make a written decision to approve, deny, or approve with conditions.

2. Major. If the Director makes a written determination that the proposed changes or modifications do not represent only a minor change, the proposal shall be considered a major modification and processed only under a new conditional use permit application.

H. Time Limits. Any permits necessary to establish or construct an approved conditional use shall be applied for within one year of the effective date of the Hearing Examiner's decision, unless a shorter time limit is imposed. Conditional use permits shall be deemed automatically null and void if applications for any necessary permits or licenses to establish the use are not

received by the Department within ~~that~~ the required ~~period of~~ time period or, in such case that no permits or licenses are required, if the approved conditional use has not substantially commenced within that time period.

I. Revocation. The Hearing Examiner may revoke an approved conditional use permit following a public hearing if they~~he or she~~ find~~s~~ that:

1. The use for which the approval was granted has been abandoned for a period of one year or more; or

2. Approval of the permit was obtained by misrepresentation of material fact; or

3. The permit is being exercised contrary to the terms of approval.

The process to revoke a conditional use permit may be initiated by the Department. Any public hearing conducted by the Hearing Examiner to consider revocation is subject to the notice requirements under MTMC § 18.05.150~~27~~. The Hearing Examiner shall make written findings and conclusions for the record that support the revocation decision.

19.110.210. Variances.

A. General Provisions. The Hearing Examiner may grant in specific cases a variance from the terms of this title when it will not be contrary to the public interest and, owing to unique physical conditions such as lot configuration, steepness of slope, or other conditions applying to a lot or building, the strict application of the zoning regulations could deprive the property of privileges enjoyed by other properties in the same vicinity and under the same zoning classification.

1. A variance shall not be considered a right or special privilege, but may be granted only upon a showing of undue hardship.

2. When considering an application for a variance, the Hearing Examiner and/or Commission shall consider the applicable standards, criteria, and policies established by this title and the Comprehensive Plan as they pertain to the proposal and may impose specific conditions in order to ensure the proposal conforms to the criteria for review identified in MTMC § 19.110.200(D).

3. The Hearing Examiner and/or Commission shall assure, through such conditions, that the proposal shall conform to the criteria for review identified in MTMC § 19.110.200(D).

4. In no case shall the variance procedure allow a use which is not permitted in the applicable zone, nor shall the variance procedure be substituted for any other expressed procedure established by this title.

5. The fact that a piece of property may be utilized more profitably with an approved variance shall not be considered as a criteria for review.

B. Public Hearing. Notice of a public hearing shall be prepared and issued by the Department pursuant to MTMC § 18.05.15027. An open record public hearing before the Hearing Examiner is required for approval. When the variance request is submitted concurrently with a site development plan, planned unit development, or conditional use permit for a primary use, the Planning Commission shall review the application at a regular meeting and file a report with recommendation with the Hearing Examiner.

C. Criteria for Review and Conclusions of Law. The Hearing Examiner may approve a variance only if the request conforms to all of the following criteria. The Hearing Examiner must adopt findings and conclusions from the record which support their decision.

1. The variance shall not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the property on behalf of which the application was filed is located; and

2. Such variance is necessary because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located; and

3. The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated.

D. Final Decision. The Hearing Examiner may approve, conditionally approve, or deny the variance request. The decision shall be final and conclusive unless an appeal is filed according to the procedure outlined in MTMC § 18.05.190230. The decision of the Hearing Examiner to approve or conditionally approve a request shall be deemed issuance of the variance. The decision of the Hearing Examiner shall become effective immediately upon the entry of such order in the official records of the Hearing Examiner, unless the Hearing Examiner finds that making the decision effective immediately would create a condition of practical impossibility or unnecessary hardship, in which case the Hearing Examiner shall set a new and different effective date which in no event shall be more than 30 days from the date of entry of such order, and this exception is noted in the record.

E. Time Limits. Permits necessary to establish or construct the proposal shall be applied for within one year of the effective date of the Hearing Examiner's decision, unless a shorter time limit is imposed by the Hearing Examiner. Variances shall be deemed automatically null and void if applications for any necessary permits to establish the use are not received by the Department within that period of time. When constructed pursuant to a permit, the variance shall be deemed permanent and shall run with the land, unless otherwise stated as a condition of permit approval.

19.110.220. Site development plans ~~– Larger scale – Nonresidential (commercial and industrial)~~.

A ~~review process including a public hearing is necessary for approval of nonresidential~~ site development plan~~s with~~ shall be required for all new development and redevelopment that propose nonresidential structures of 5,000 square feet or greater, seven residential units or more without a division of land pursuant to Title 17 with the exception of courts as defined in MTMC 19.32.060(F), and/or significant alterations to existing ~~site~~ development ~~and major redevelopment projects~~ that alters the exterior configuration of the water, sewer, and/or stormwater system of the site ~~except single-household residences~~. A site development plan is separate from and does not replace other required permits, but may be combined with and reviewed concurrently with other land use permits pursuant to MTMC § 18.05.080.~~The specific procedure for processing site development plans in the F/T district and SDD district is outlined in Chapters 19.20 through 19.105 MTMC (Land Use Regulations). The procedure for processing site development plans associated with planned unit developments is contained in Chapter 19.115 MTMC (Planned Unit Developments).~~ All ~~other~~ site development plans shall be processed as a Type B application and shall conform to the following regulations:

~~A. Public Hearing. All complete applications shall be included on the next Planning Commission agenda. For larger scale nonresidential projects, the Planning Commission shall hold an open record public hearing, consider and approve, approve with conditions, or deny the proposal. The Planning Commission shall consider such proposal 30 days following environmental determination or end of initial public comment period, whichever is completed last. Notice of a public hearing for Planning Commission consideration shall be prepared and issued by the Planning Department pursuant to MTMC § 18.05.120. Public hearing requirements for site development plans shall be as follows:~~

~~Note: Supplemental public notification requirements for projects of more than 25 dwelling units or 25,000 square feet of gross floor area for nonresidential projects are contained in Chapter 18.25 MTMC.~~

~~B. Conditions. When considering a larger-scale site development plan application, the Commission shall consider the applicable standards for nonresidential uses, criteria, and policies established by this and other applicable City ordinances and the Comprehensive Plan as they pertain to the proposal.~~

~~All conditions required by the Planning Commission shall be entered in the minutes of the appropriate meetings.~~

A. Criteria for Review and Conclusions of Law. The Community Development Director~~Planning Commission~~ may approve a site development plan only if the request conforms to all of the following criteria. The Director~~Commission~~ shall enter findings of fact and conclusions for the record that~~which~~ support their decision.

1. Type of Land Use. The proposal is in accordance with the goals and policies of the Comprehensive Plan and the type of land use that is permitted in the zone;

2. The ~~level of~~ proposed development is consistent with the Comprehensive Plan and zoning code;

3. Development Standards. The proposal complies with all requirements of the zone classification and general provisions of this title, except in the case where a variance has been approved in accordance with the requirements of MTMC § 19.110.210; and

4. Infrastructure. The proposal will be served by existing public facilities as may be necessary. This standard may be met if the applicant pays the cost of or installs any additional facilities needed~~;~~.

B. Final Decision. The Community Development Director~~City Council~~ may approve, conditionally approve, or deny the site development plan application. The decision shall be final and conclusive from the "date of action" unless an appeal is filed according to the procedure outlined in MTMC § 18.05.190~~240~~.

C. Decision Time Limits. Permits necessary to establish or construct the proposal shall be applied for within two years of the effective date of the final site plan decision, unless an extension is granted pursuant to the provisions of MTMC § 18.05.160 ~~shorter time limit is imposed by the City Council~~. Site plan approvals shall be deemed automatically null and void if applications for any necessary permits to establish the use are not received by the Department within that period of time.

D. An approved site development plan shall be issued and its associated appeal period concluded prior to issuance of any engineering, building, mechanical, plumbing, electrical, or other administrative permits for a proposed development.

~~D~~E.Changes or Modifications.

1. Minor. Minor changes in an approved site development plan may be authorized by the Planning Department in cases where the proposed modifications do not impact the ability of the project to meet the requirements of this title or other applicable codes and restrictions or conditions of approval. All such requests shall be made in writing and supported by documentation as required by the Planning Department.

2. Major. If the Planning Department determines the proposed amendment to the approved site development plan represents a significant change, it shall be considered a separate and distinct development and require a new application submittal~~be referred back to the City Council for review~~.

~~**19.110.230. Rezones/amendments to the Official Zoning Map.**~~

~~A. Conditions. When considering a rezone/Zoning Map amendment request, the Hearing Examiner and Council shall consider the applicable standards, criteria, and policies established by this and other City ordinances and the Comprehensive Plan. Specific conditions of approval may be imposed in order to ensure conformance of the proposal with the criteria for review identified below. Conditions of approval associated with a rezone~~

~~request may be incorporated into a binding agreement such as a concomitant agreement or approved site plan.~~

~~B. Criteria for Review and Conclusions of Law. The Hearing Examiner shall consider the following criteria in making their recommendation to the City Council. The Council may approve the rezone request only if the proposal conforms to all of the following criteria. The Council shall adopt findings and conclusions for the record which support their decision.~~

~~1. The proposal is in accordance with the Comprehensive Plan;~~

~~2. Any parcel of land contained in this request, whether under single or unified ownership, is not receiving special or privileged treatment;~~

~~3. The proposal will not be materially detrimental to properties in the vicinity or the community based on the entire range of uses allowed in the proposed zone;~~

~~4. Adequate public services will be available to serve the full range of proposed uses;~~

~~5. The reclassification is warranted because of a change in circumstances, or because of a need for additional property in the proposed zoning district classification, or because the proposed zoning classification is appropriate for reasonable development of the subject property; and~~

~~6. The proposed rezone would promote the general health, welfare, and safety of the community.~~

19.110.260. Departures.

A. Overview and Purpose. This title provides for a number of specific departure opportunities to development standards. The purpose is to provide applicants with the option of proposing alternative design treatments provided such departures meet the "purpose" of the particular standard and any additional departure criteria established for the particular departure opportunity.

B. Requests for Departures Are Voluntary. This provision allows the flexibility for applicants to propose alternative designs on a voluntary basis, provided they meet the purpose of the standard and applicable departure criteria as noted above.

C. Applicability. Departure opportunities are available only where noted for specific standards.

D. Procedures. Permit applications that include departure requests go through the standard review procedures in this chapter depending on the application type.

E. Approval Criteria. Project applicants must successfully demonstrate to the decision-maker how the proposed departure meets the purpose(s) of the standard and other applicable departure criteria that applies to the specific standard.

F. Documentation. The decision-maker must document the reasons for approving all departures (to be maintained with project application records) for the purpose of providing consistency in decision-making by the City.

EXHIBIT C

Chapter 19.120. GENERAL PROVISIONS

~~Article I. General Performance Standards~~

19.120.010. Purpose and intent.

The intent and purpose of this section is to provide performance standards applicable to all uses irrespective of zoning classifications in order to minimize potential environmental impacts associated with land uses located in the City.

19.120.020. Air quality regulations.

State Regulation. Air quality is regulated by the Washington Clean Air Act, Chapter 70.94 RCW. Any inquiry, complaint, or violation regarding air quality will be referred to the Puget Sound Clean Air Agency~~Pollution Control Authority~~.

19.120.030. Artificial light and glare.

Uses producing artificial light, utilizing light for night operation, or causing glare shall:

A. Not impair use of or safety of any road due to strong dazzling artificial light directed at oncoming motor vehicles, ~~or~~ strobe lights projecting off-site or toward streets, or lights imitating traffic signal lights.

B. Protect residential uses from artificial light during periods of darkness by shading the luminaire and/or screening abutting property lines.

C. Shield light generated by arc welding, acetylene torch cutting, or similar processes in a manner which prevents such light from being visible from any point beyond the outside of the property.

D. External lighting on residential property shall be directed and shielded appropriately to avoid creating a nuisance or hazard to passing traffic and neighboring properties.

19.120.040. Dust and smoke.

A. All uses thatwhich produce emissions shall comply with the requirements of the Environmental Protection Agency for the prevention of significant deterioration due to particulates, and of the State Implementation Plan for Air Quality as issued by the Puget Sound Clean Air ~~Pollution Control~~ Agency.

B. Air pollution from private roads, parking lots, and open areas shall be controlled as follows:

1. Visible dust generated by construction, repair, or cleaning of roads and parking areas shall be minimized by means that minimize detrimental effects to water quality. The use of chemical dust suppressants shall be prohibited in all cases.

2. Private roads shall be controlled by providing paving or other surface treatment thatwhich minimizes visible dust emissions and mud tracking. Housekeeping measures shall be used to minimize the accumulation of mud or dust on the surface of roads.

3. Unpaved shoulders shall be maintained in such a way as to minimize visible dust being generated by wind or traffic. Unpaved nonvehicular areas shall be controlled by vegetation cover or other equally effective methods of minimizing windblown dust.

C. Air emissions from manufacturing uses or other activities shall be controlled. No emissions shall exceed the allowances set forth by the Environmental Protection Agency and/or the Puget Sound Clean Air Pollution Control Agency.

19.120.050. Electromagnetic radiation.
No use of electromagnetic radiation shall be permitted for such purposes as communication, experimentation, entertainment, broadcasting, hearing, therapy, vehicle velocity measurement, weather survey, topographic survey, personal pleasure, or any other use directly or indirectly associated with these purposes which does not comply with the current regulations of the Federal Communication Commission (FCC) regarding such sources of electromagnetic radiation. The FCC enforces these regulations within the City.

19.120.060. Fire and explosion hazards.
All activities involving flammable and explosive materials shall provide adequate safety devices against the hazard of fire and explosion and shall provide adequate fire fighting and fire suppression equipment as required by other ordinances of the City.

In terms of fire and safety hazards, the storage and handling of inflammable liquids, liquified petroleum, gases, and explosives shall comply with rules and regulations followed under the jurisdiction of the City ordinances and the laws of the state and other applicable ordinances.

19.120.070. Interference.
Provisions shallmust be made for necessary shielding or other preventive measures in order to avoid interferences caused by mechanical and electrical equipment, use, or processes with electrical apparatus in nearby buildings or land uses.

19.120.080. Liquid and solid wastes.
Storage of animal or vegetable waste shall be managed and maintained in a manner that does not create a health hazard. Industrial uses shall indicate the method of storage and disposal of all industrial waste prior to project approval.

The discharge of any materials into any manmade or natural water or drainage system shall be regulated by the state of Washington Department of Ecology or City ordinances.

19.120.090. Odor.
The emission of obnoxious odors or any toxic or corrosive fumes or gases that may injure shall not be permitted.

19.120.100. Toxic chemicals.
The use of toxic chemicals including but not limited to chemical sprays, paints, automotive, cleaning, pesticides, herbicides, and all types of hazardous household products recognized by the State Department of Ecology and fertilizers shall be allowed in residential areas, subject to compliance with applicable operating, handling, storage and disposal procedures for each chemical compound. The use of such chemicals shall be limited to the subject property and shall not impact, damage, or endanger the health, lives, property, or the environment of the adjacent or surrounding properties and ~~its~~ occupants. Alternative methods of controlling insects, weeds, and other plant diseases are encouraged in lieu of the application of toxic chemicals in residential areas. A substance is hazardous if it is: toxic, ignitable, corrosive, or reactive.

19.120.110. Vibration.
Any use permitted by this title which causes ground vibration or concussion that is detectable beyond the property lines without the aid of instruments shall not be permitted except as exempted herein.

The following conditions shall be exempted:

A. Vibration originating from heavy transport vehicles such as trains or trucks;

B. Vibration originating from site construction activity;

C. Vibration from heavy equipment which occurs no more than once daily for a period not to exceed 15 minutes.

~~**Article II. Specific Standards**~~

19.120.120. Purpose and intent.
The intent and purpose of this section is to establish standards applicable to special uses that, by their nature, necessitate specific land use regulations that address the development and operation of such uses and activities in order to accomplish the purposes of this title.

19.120.130. Accessory buildings.
The following regulations apply to detached accessory buildings such as sheds and garages associated with single-household residences in all zone districts.

A. An accessory building that is both less than 80 square feet in size and with each side wall less than six feet in height does not require an approved building permit; however, such structures must meet the minimum front yard setback requirement in the applicable zone district.

B. An accessory building that does not meet the criteria described in subsection A of this section for area and building wall height shall meet the minimum front and side yard setbacks in the applicable zone district with the exception of corner lots where the minimum side yard setback from the interior lot line shall be five feet.

C. An accessory building that does not meet the criteria described in subsection A of this section for area and building wall height shall meet a minimum rear yard setback of 15 feet, except if the accessory building is less than 250 square feet in area and less than 12 feet in height, it shall meet a minimum five-foot setback in the rear yard.

D. The maximum building footprint of an accessory building shall be no greater than the building footprint of the principal structure, not to exceed 800 square feet.

E. The maximum height of an accessory building shall be 25 feet.

F. An accessory building shall not be designed, constructed, or used as a habitable structure for eating, cooking, or sleeping, except as otherwise provided by this title.

G. An accessory building in excess of 12 feet in height or 200 square feet in area shall feature exterior siding similar in appearance to and compatible with the building materials of the primary structure.

H. Storage within a carport must be fully enclosed and not visible from the right-of-way or adjoining properties. Tent structures are prohibited for vehicle or storage uses.

~~**19.120.140. Accessory housing units.**~~
~~Repealed by Ord. 2447.~~
~~(Ord. 2074 § 9.2(C), 1995)~~

~~**19.120.150. Animals.**~~
~~Repealed by Ord. 2547.~~
~~(Ord. 2074 § 9.2(D), 1995; Ord. 2481 § 49, 2008)~~

19.120.160. Ham or amateur radio vertical tower antennas.
Antennas may extend to a height of 50 feet as measured from ground level; provided, that the base of such system is located no closer than 20 feet to any property line. The height may extend above 50 feet; provided, that it does not exceed a vertical distance equal to 80 percent of the lot width at the proposed antenna location, and the base of the antenna is set back from each property line at least one-half the height of the antenna. In no event shall a ham or amateur radio vertical tower antenna exceed a height of 100 feet.

19.120.165. Television (TV) satellite dish antennas.

A. Purpose. The purpose of this section is to provide for safety and minimize the adverse visual and physical impacts of dish and satellite television antennas associated with providing television reception without disrupting signal reception for the user and the surrounding neighborhood. Dish antennas and similar structures are permitted in any zoning district.

B. Permits. A building permit shall be required for installation of any dish or satellite antenna, or similar structure larger than 39 inches in diameter. All antennas shall comply with all

applicable provisions of the Uniform Building Code and National Electrical Code, as adopted by the City of Mountlake Terrace.

C. Guidelines. The following guidelines shall be utilized in determining a proper location for small (39 inches and larger) or large dish or satellite antenna systems:

1. Satellite dish antennas may be mounted on buildings, but should be placed toward the rear or side of the buildings as much as possible to minimize the visual impact from the street.

2. No portion of any support or safety structures, including any guy wires and anchor points, may be placed closer than five feet to any side or rear property line and are prohibited within the minimum required front yard building setback area for the zone in which the system is located.

3. Ground-mounted satellite dish antennas shall be screened with sight-obscuring fences and/or landscaping to make them as inconspicuous as possible from the street and abutting properties.

4. Satellite dish systems or standard TV antennas shall not exceed the height limits for the zone in which they are located.

5. TV satellite dish antenna systems are not to be located within any easement area.

6. A maximum of one television satellite dish antenna per lot is allowed; however, this may be exceeded for sites in excess of one acre, at the discretion of the City.

7. The use of satellite or standard antenna systems for the support of signs or lights, except those required for aircraft warning or others required by the Federal Communications Commission (FCC), shall be prohibited.

19.120.170. Day care facilities.

A. Evidence of the necessary state license is required prior to issuance of a City business license, conditional use permit, or certificate of occupancy for any day care facility including day care homes and day care centers.

B. A fenced and screened outdoor play area shall be provided in compliance with state licensing requirements.

C. Day care centers shall provide an off-street loading area for the safety of children and separation from vehicular traffic.

~~**19.120.180. Critical areas.**~~
~~Any development or redevelopment proposed within a critical area shall conform to the applicable regulations of this title and all City codes and regulations.~~

~~(Ord. 2074 § 9.2(H), 1995; Ord. 2174 § 5, 1997)~~

19.120.190. Exceptions to height, yard, and area requirements.

A. Exceptions to the Height Requirements. The following types of structures or structural parts shall not be subject to height limitations; provided, that structures or parts shall be 20 feet or more from any adjoining lot line; and provided, no usable floor space above the height limitations of such zoned district classification is added. See Chapter 19.137 MTMC (Wireless Communication Facilities) for regulations regarding heights of facilities for wireless communication.

1. Chimneys;

2. Church spires;

3. Fire or parapet walls;

4. Flagpoles;

5. Mechanical and elevator equipment;

6. Skylights;

7. Smoke and ventilating fans or similar equipment required to operate and maintain the building;

8. Stairways;

9. Tanks;

10. Utility and transmission line towers and poles.

B. Exception to Yard Requirements.

1. Yards and Open Spaces. Every required yard and required open space shall be unobstructed from the ground to the sky, except as provided in this section. No such yard or space shall be considered as providing required yard or open space for any other building or adjoining lot or parcel.

2. Consolidated Lots. When the common property line between two contiguous lots under common ownership is covered by a permitted building or group of buildings, such lots shall constitute a single building site, and the yard space as required by this title shall then not apply to such common property line.

3. Greater Yards and Open Space Not to Be Separated. Where a greater height of buildings has been accomplished by reason of providing increased yard or open spaces, or greater

yards or open spaces are otherwise required by this title, no property may be separated from the lot or building site which would reduce the yards or open spaces so required.

4. Building Setbacks. Shall be measured from the edge of the public right-of-way as indicated by this title. No building permit shall be issued for construction upon any property where the required right-of-way as determined by this title or modified by the Planning Commission has not been deeded for public use. Existing buildings shall not be rendered nonconforming due to substandard setbacks or lot size when such substandard condition is the sole result of the public right-of-way acquisition.

5. Yard Exceptions – General.

    a. Architectural features of buildings such as chimneys, ornamental features, window awnings, roof overhangs, garden windows, or similar projections may project no more than two feet into a required yard.

    b. Uncovered porches, decks, steps, patios, and similar structures may extend into a required yard setback; provided, that they project into the front or side yard setback not more than four feet and/or a rear yard setback not more than 15 feet. Said structures shall not exceed 30 inches in height above the ground level at the building setback line, except for hand rails which may project 36 inches above said structure when installed for safety purposes.

    c. Covered Porches and Patios. Covered porches and patios may project into the required front yard setback not more than six feet. Such porches or patios may not be entirely enclosed, but may have a solid barrier or railing up to 36 inches in height above the walking surface. No other barriers of any type may be allowed above 36 inches from the walking surface. Such structures are limited to 15 feet in height to the midpoint of a pitched roof, or 12 feet in height for a shed roof.

    d. Bus Shelters. Bus shelters which are intended for use by the general public and are under the ownership and/or control of a City, County, or municipal corporation are exempt from the front yard setback requirement in the applicable zone district.

    e. Service Station Pump Islands. Service station pump islands shall be located a minimum of 15 feet from the front property line, and canopies, as measured from the outer edge, shall be located a minimum of 10 feet from the front property line provided sight area clearance requirements are met.

C. Yard Exceptions for Special Lots.

1. Lots Accessed by Private Roads/Easements. Flexibility in determining the front lot line and subsequent side and rear lot lines of property adjacent to private roads and access easements shall be provided where, due to special circumstances associated with the physical character of the site, the front lot line is not located along the private road/easement. Requests to vary the location of the front lot line may be approved in

order to accommodate emergency access vehicles, minimize the number of variances, and ensure compatibility of the proposed lot configuration with the surrounding area. Said requests shall not be considered a request to vary the setback requirements specified in each zone district classification.

2. Corner Lots. Front lot lines on corner lots shall extend along both street frontages. The lot lines not considered front lot lines, located in the interior of the property, are deemed the side lot lines.

3. Irregular-Shaped Lots. For irregular-shaped lots, the line which is most clearly parallel to the street from which primary access is provided to the lot shall be deemed the front lot line. The line which is most parallel and opposite the front lot line shall be deemed the rear lot line. All other property lines shall be deemed side lot lines.

4. Triangular-Shaped Lots. For triangular-shaped lots which are not corner lots and for which no definite rear lot line exists, the required rear yard shall be determined as follows: an imaginary line shall be drawn which connects two points both measured along the property lines 40 feet from the intersection of the two property lines which are not the front lot lines. This line shall represent the limit of the required rear yard.

D. Exceptions to Lot Area Requirements. In any zone, a single-household dwelling may be constructed or enlarged, including accessory uses, on a lot which cannot satisfy the lot area requirements of the zone where the lot was legally created prior to the effective date of the ordinance codified in this title. This section shall not waive the dimensional requirements for yards, lot coverage, or height, etc. of the applicable zone in which the lot is located.

19.120.200. Fences, hedges, and rock walls.

A. Height and Setback Limitations. Fences located on private property within 20 feet of any public right-of-way shall not exceed four feet in height. Exceptions to the four-foot height limitation include fences located along the street on the side of homes on corner lots, and fences located along the street in the rear of homes located on through lots. Fences located outside of the 20-foot front setback area and in the interior of the lot shall not exceed six feet in height.

B. Fence height shall be the vertical distance between the top of the screening portion (including horizontal, vertical boards and lattice work) and the ground level directly below the screening portion of the fence, measured on the inside of the fence.

C. Posts and Caps. Fence posts and decorative caps may extend not more than six inches in height above the maximum allowable height of the fence.

D. Construction. Fences shall be constructed so the decorative side will be facing the street. In such case the decorative side shall be placed along the exterior side while the fence framing structure and cross braces shall face the interior side.

E. Barbed Wire and Electric Fences.

a. Commercial and industrial/office zoned property may use barbed wire fencing for security purposes when used in conjunction with other fencing materials, such as chain link. However, barbed wire is prohibited adjacent to residential uses and residential zone districts.

b. Barbed wire shall be placed no closer than six feet six inches to the ground and may extend above this height no more than 18 inches.

c. Barbed wire may be allowed for the containment of large domestic animals when approved as part of a conditional use permit.

d. In all cases "razor wire" fences and electric fences shall be prohibited.

F. Hedges. Hedges and rock walls shall meet the same requirements as fences for height and location. For hedges, it is recommended that the plant materials selected be such that at maturity they will be within the height requirements for the desired location.

G. Special Locational Provisions. No fence, hedge or rock wall shall be permitted which interferes with the sight area triangle, impedes the use of fire hydrants or blocks their view from the street, obstructs access to water meters, or overhangs pedestrian use areas so as to impede pedestrian circulation.

H. Maintenance. All fences, hedges and rock walls shall be kept in a proper state of preservation and order so as not to be dangerous to human life or constitute a public nuisance or infringe upon the public's right of passage on sidewalks and streets. The area along fences located at, on, or near interior property lines shall be kept free of piled dirt and debris in order to provide fence owners access for maintenance purposes and prevent the deterioration of the fencing materials.

I. Public Right-of-Way. All fences, hedges and rock walls constructed within the City right-of-way or easement areas shall comply with the regulations of Chapter 15.05 MTMC.

J. Swimming Pools, Fences Required. Swimming pools must be enclosed within a fence that meets the height requirements of this title and all other City codes and regulations.

K. Tennis Courts, Parks, or Athletic Fields. The type, size, location, and height of fencing proposed for tennis courts, parks, or athletic fields shall be exempt from the requirements of this section and shall comply with MTMC § 19.75.070(B).

19.120.210. Garage sales.

A. Restrictions. No person shall operate, conduct, manage, or permit a garage sale upon their~~his/her~~ premises or other property under their~~his/her~~ control more than three times per calendar year. The length of time for each garage sale shall not exceed ~~three consecutive days~~

~~(~~72 consecutive hours~~)~~ per garage sale event. Goods displayed in any garage sale may not be displayed in the public right-of-way; provided, ~~however,~~ that the City Council may, upon adoption by proper motion, declare a specific day or days as a Mountlake Terrace City Wide Garage Sale Day(s) setting the time, dates, and hours thereof, which shall not be included in the calculation of the restriction of three garage sales per year as provided in this subsection. Garage sales may only be conducted between the hours of 8:00 a.m. to 7:00 p.m.

B. Garage Sale Signs.

1. Off-Premises Signs. No person shall place more than two garage sale signs, cards, or placards advertising a garage sale on any property other than the property owned by the person conducting the sale. The person shall obtain the consent of the owner prior to posting any off-premises sign on private property. Said signs shall not be posted more than 48 hours prior to the sale and shall be removed within 12 hours after the close of the sale event. Said sign(s) may be placed within the public right-of-way; provided, that the sign(s) does not encroach into a driveway, sidewalk, identifiable unimproved pedestrian walkway, or vehicular travel lanes; and is at least six feet from the outer pavement edge of a roadway when curb and gutter are not present. No signs shall be posted, tacked, nailed, or in any manner affixed upon any telephone or utility pole, street sign pole, or any other public sign, pole, or post and shall not exceed a maximum sign area of two square feet ~~square~~ in area and four feet in height.

2. On-Premises Signs. No person shall place more than two garage sale signs, cards, or placards advertising a garage sale on the property where the sale is to take place. Maximum sign area for on-premises sign(s) is two square feet ~~square~~ per sign, and no more than six feet in height. Said signs shall not be posted more than 48 hours prior to the sale and shall be removed within 12 hours after the close of the sale event All signs shall comply with the "sight area" restrictions under MTMC § 19.120.290, as amended.

19.120.220. Grading, filling, and drainage.

A. Clearing, Grading, Filling. An applicant shall indicate in the application for site plan or plat approval, the extent to which the land in the development is to be cleared, graded, or filled. The following are to be used as guidelines in evaluating site plans and plats where such activities are to occur:

1. Any site alteration or site preparation is prohibited when it is accomplished prior to having an approved erosion control plan, grading permit, and site plan or tree removal plan. Minor site alteration which is necessary for boundary review or engineering studies is exempt from this subsection.

2. In order to maintain natural drainage systems and to prevent surface water pollution caused by increased runoff or fill materials, setbacks shall be required and maintained in any development having a ravine, steep slope, wetland, stream, or lake to preserve the natural system. In addition, grass-lined swales shall be required in conjunction with all major site development in order to filter impurities from water entering the stormwater

system. Maintenance shall be assured through covenants, homeowner associations, or other means approved by the City of Mountlake Terrace.

3. Land designated as natural open space designated for preservation shall be protected from clearing, grading, and filling during the construction period. Soil, material, or equipment shall not be moved across or through any area designated as natural open space, except for the purpose of placing underground utilities or construction of certain community facilities or improvements specifically approved by City Engineering staff.

B. Additional Regulations. Additional regulations concerning drainage and erosion control are contained in the City's Stormwater Drainage Ordinance (Chapter 16.20 MTMC), Shoreline Management Act Implementation Ordinance (Chapter 16.10 MTMC), Critical Areas Ordinance (Chapter 16.15 MTMC), Chapter 15.05 MTMC and approved Engineering Details and Specifications as amended.

19.120.230. Home occupations.

A. Purpose. The purpose of this section is to prescribe the conditions and regulations under which home occupations may be conducted when accessory to a residential use. The conduct of business within a ~~residential~~ dwelling or accessory building may be permitted in residential and commercial districts under the provisions of this section as long as the home occupation is consistent with the existing character of the surrounding neighborhood as defined by the approval criteria. Using the approval criteria, it is the intent of this section to:

1. Maintain and preserve the character of residential neighborhoods;

2. Ensure the compatibility of home occupations with other uses permitted in the residential and commercial districts;

3. Promote the efficient use of public services and facilities while assuring that home occupation users do not reduce the City's public services and facilities level of service to intended residential users; and

4. Encourage flexibility in the workplace and creativity in careers by permitting home occupations.

B. General Restrictions and Approval Criteria. Only home occupations that have a valid home occupation permit ~~or conditional use permit~~ shall be allowed ~~in a residential zone~~. Home occupations shall not be approved ~~or allowed~~ unless they meet the following criteria and conditions:

1. On-site operations of a home occupation must be conducted solely by the full-time resident(s) of the dwelling unit, except that one on-site nonresident employee is allowed.

2. Home occupations may utilize a maximum of 25 percent of the total square footage (up to 500 square feet) of all principal and accessory buildings on the property. Day care homes, as defined by this title, are exempt from meeting this requirement.

3. Home occupations shall not incorporate activity or equipment that~~which~~ creates visible or audible interference in radio or television receivers or causes fluctuations in line voltage outside the dwelling unit, nor shall any home occupation require the use of electrical service and/or consumption that exceeds typical standards for residential use.

4. Home occupations shall not create noise, vibration, dust, fumes, odor, smoke, glare, fire hazard, or any other hazard or nuisance not normally associated with residential uses. Home occupations shall not use or store any hazardous material not allowed in residential dwellings as specified in the current edition of the International Fire Code.

5. The establishment and conduct of a home occupation shall not change the appearance and character of any dwelling unit as a residential use.

6. The conduct of any home occupation shall not reduce or render unusable areas provided for required off-street parking including, but not limited to, storage of vehicles or equipment. The applicant shall demonstrate that adequate parking exists for persons employed on the premises.

7. There shall be no exterior signs and not more than one interior sign visible from the exterior. The visible interior sign shall not exceed two square feet in area nor be illuminated by artificial light.

8. The home occupation, by itself, shall not generate more than 16 vehicular trips per day, unless otherwise authorized by federal or state "reasonable accommodation" rules. As used here, a trip is considered ~~either~~ the arrival and~~or~~ departure of a vehicle from the household. For example, one vehicle visiting the residence is~~making a delivery and then leaving immediately would be~~ considered two trips, regardless of the length of stay.

9. A City of Mountlake Terrace business license shall be required~~purchased from the City Clerk's office~~ and shall be ~~maintained through the purchase of an annual~~ renewed annually~~al~~. If the license is not renewed within 30 days of expiration, the home occupation approval shall become null and void and a new application shall be required to reestablish the use.

10. A home occupation shall involve no outdoor storage of materials or supplies, construction materials, unfinished goods, or other items, unless screened from view.

11. No direct retail sales of any product shall be conducted from the structure or premises unless clearly incidental to any services rendered, except that sales of products produced on the premises through~~and~~ mail or internet~~phone order~~ sales shall not be so limited.

12. Not more than one home occupation business-related vehicle withthat has a gross vehicle weight of 10,000 or more pounds is permitted on-site and any such vehicle shall be wholly enclosed within a structure or building.

13. With the exception of the vehicle(s) of the home occupation residents and one on-site nonresident employee, no parking or storage of any home occupation-related vehicles or vehicles of home occupation-related persons is permitted on-site for more than two hours in any eight-hour period.

14. A home occupation shall not increase water or sewer use so that the combined total use for the dwelling and home occupation is significantly more than the average for residences in the neighborhood.

15. A home occupation shall not require the use of electrical or mechanical equipment that would change the fire rating of the dwelling or accessory building.

16. A home occupation shall not make use of automated or production line equipment at the home occupation site. All stock in trade that is produced on-site for resale purposes must be made by hand.

~~C. Approval Process and Inspections.~~

~~1. No later than 10 days prior to rendering a decision for a home occupation that is subject to administrative review, a notice of intent to approve the administrative home occupation shall be posted on the subject site. Comments received will be considered in the preparation of a decision to approve or deny.~~

~~2. In granting approval for a home occupation, the administrator or decision body may attach additional conditions to ensure the home occupation will not be detrimental to the character of the residential neighborhood.~~

~~3. Any home occupation authorized under the provisions of this code shall be open to inspection (within 24 hours' notice) and review at all reasonable times by an authorized City official for purposes of verifying compliance with the approval criteria and other code provisions.~~

~~D. Home Occupations Subject to Administrative Approval. The following home occupations are subject to administrative review and approval, including any conditions, by the Planning Department. For occupations not included in this subsection, the applicant may seek a conditional use permit, as provided in subsection H of this section.~~

~~1. Arts and crafts (handmade only);~~
~~2. Barber shops;~~
~~3. Beauty shops;~~
~~4. Bookkeepers;~~
~~5. Cabinet, carpentry work;~~

~~6. Catering;~~
~~7. Ceramic shops;~~
~~8. Composer;~~
~~9. Computer consultants;~~
~~10. Contractors, limited to back-office and administrative duties;~~
~~11. Day care;~~
~~12. Dog or cat grooming;~~
~~13. Dressmaker, seamstress, tailor;~~
~~14. Insurance agent;~~
~~15. Janitorial services;~~
~~16. Landscaping;~~
~~17. Lawyers;~~
~~18. Massage therapy;~~
~~19. Medical services provided on premises;~~
~~20. Photographer (no production studio);~~
~~21. Physicians;~~
~~22. Preschool;~~
~~23. Professional services (engineer, planner, architect);~~
~~24. Psychologist;~~
~~25. Radio, TV, musical instrument and small appliance repair;~~
~~26. Real estate licensee;~~
~~27. Tax accountants;~~
~~28. Teacher;~~
~~29. Transcription services;~~
~~30. Typing/word processing services.~~

~~E. Any home occupation not shown under subsection D of this section may be approved only through a conditional use permit, consistent with conditional use permit requirements of Chapter 18.05 MTMC.~~

C~~F~~.Prohibited Home Occupations. The following uses are not permitted as a home occupation:

1. Kennels;
2. Stables;
3. Manufacturing processes or the handling or storage of substances that may be potentially hazardous or noxious to the residents or surrounding neighborhood, unless the method and amount of such substances to be manufactured, handled, or stored is similar to that which occurs in an ordinary household;
4. Restaurants;
5. Vehicle body repair;
6. Vehicle motor repair and service;
7. Spray painting;
~~8. Microbrewers;~~
9. Repair of large appliances (refrigerators, stoves, etc., and other repair that would create noise, fumes, etc., such as lawn mower repair);
10. Veterinary clinic or hospital;

11. Machine and sheet metal shops;
12. Uses that may include hazardous chemicals, dispensing of medical drugs, or other items that may potentially be hazardous to the surrounding area.

DG.Exceptions. The following activities, so long as they do not exceed three consecutive days in duration and do not operate for more than twelve days in any one calendar year, areshall be exempt from the requirements of this section:

1. Garage and Yard Sales. To qualify for this exemption, all garage and yard sales must involve only the sale of household goods, none of which were purchased for the purpose of resale;

2. Temporary home boutiques or bazaars for handcrafted items;

3. Parties for the display of domestic products;

4. Other similar short-term uses or sales.

H. Conditional Use Permit Process. An applicant may seek approval of any home occupation that is not included in subsections D or F of this section through the conditional use permit process, pursuant to applicable provisions of MTMC Title 18.

EI. Denial of Application. An application for a home occupation shall be denied if the administrator or decision body finds that the application fails to comply with the provisions of this section. A denial shall include a statement of the specific reasons for denial of a home occupation and shall cite the specific provisions and sections of this title on which the denial is based. Such decision is final unless appealed pursuant to MTMC Title 18, as amended.

FJ. Rescission of Permit. The home occupation must continue to meet the criteria and conditions of this section, including any additional conditions specified at the time of approval. A home occupation permit may be rescinded if the appropriate administrator or decision body finds that the home occupation is not being conducted in compliance with provisions of this section. Such decision is final unless appealed pursuant to MTMC Title 18.

K. Annual Review. An annual review of a home occupation may be done concurrently with the renewal of the business license. This review by the City shall include an assessment to ensure the home occupation is in compliance with the original approval criteria. If the review indicates that the home occupation is not being conducted according to the approval criteria, or the use has become detrimental to the residential neighborhood, the renewal of the business license shall be denied, or shall have conditional approval after the situation has been addressed and corrected.

19.120.240. Mailbox standards for new residential areas.

The purpose of this section is to establish uniform provisions consistent with the U.S. Postal Service requirements for residential mailboxes in new developments (door delivery will no longer be extended to new areas). It is intended to set forth requirements for mailbox standards to

create convenient mail delivery points in new residential areas towhich will promote and protect the physical appearance of the community, protect property values, and facilitate rapid mail service.

A. The developer shallmust arrange with the local Postmaster an acceptable plan for providing mail service in new residential areas.

B. The developer, after coordinating with the local Postmaster, shallmust submit thethis approved mail service plan to the City for review. All approved mail service plans shallmust be in conformance with the City's approved Engineering Development ManualDetails and Specifications.

19.120.250. Nonconformances.

A. Purpose and Intent. This section sets forth the legal status of nonconforming uses, structures, and other site improvements and establishes when and under what circumstances nonconforming aspects of a use, structure, or development must be brought into conformance with the provisions of this title.

B. Nonconforming Status. A legal nonconforming status shall exist under the following four provisions of this title:

1. When a use, structure or site improvement was lawfully in existence and operating prior to the adoption of the ordinance codified in this title or subsequent amendment and, because of a change in the zoning regulations, no longer conforms to the regulations that applied in the district in which such use, structure or site improvement is located.

2. When on the effective date of the ordinance codified in this title the use, structure or site improvement was a legal nonconforming use, structure or site improvement thereunder, and which use, structure or site improvement still does not conform to the regulations of this title herein prescribed for the zoning district in which such use, structure or site improvement is located.

3. When a use, structure or site improvement, which does not conform to the regulations prescribed in the zoning district in which such use, structure or site improvement is located, was in existence at the time of annexation to the City of Mountlake Terrace and conformed to the Snohomish County regulations and has since been in regular and continuous use.

4. When a use lawfully existed or operated, and was legally permitted, prior to the adoption of the ordinance codified in this title, but which requires a conditional use permit under this title; unless and until that use is either terminated, abated, or is granted a conditional use permit. Any other nonconformance shall be treated as a violation and shall be subject to the enforcement provisions of this title.

C. Abandonment, Discontinuance, or Termination. A nonconforming use, structure, or building which has been abandoned, vacated, discontinued, or terminated for a continuous period of six months shall not be resumed, rebuilt or reoccupied except in conformance with the regulations of this title. The legal status of a nonconforming use, structure, or building that has been abandoned, discontinued or terminated for a period of six months shall expire and shall not be revived regardless of the owner's intent to abandon or not, except that the six-month period of abandonment, vacation, discontinuance or termination may be extended to a period not to exceed 12 months if the building is being actively repaired or renovated under an approved and active building permit, or is being actively marketed by a listing agent and has an active listing. A nonconforming building, structure or site improvement that has been demolished, disassembled, or otherwise removed, whether by intent or neglect, may not be reestablished except in the following situations:

1. The pavement of a nonconforming parking lot that has been in continuous active use for the past two years and that is associated with a permanent use of a site may be removed for repair or re-pavement purposes; provided, that it is repaved within 30 days of the removal of said pavement.

2. Structures or buildings that are damaged and that have not been otherwise abandoned or terminated for a period described in subsection C of this section may be restored pursuant to the provisions of subsection I of this section.

D. Additions – Enlargements.

1. A nonconformance related to the use of a property shall not be added to, enlarged, increased or extended in any manner to occupy a greater area of land or structure than was occupied on the effective date of the zoning code or amendment that made the use no longer permissible.

2. No nonconforming building, structure or site improvement shall be altered or changed in any way that increases its nonconformity.

E. Moving a Nonconformance. If a nonconforming structure or building is moved, it shall conform to the zoning district regulations in which it is to be located.

F. Change of Nonconformance. A nonconformance shall not be changed to another nonconformance. Any part of a building, structure, site improvement, or land area occupied by a nonconforming use may be changed to a use which is of the same or of a more restricted nature; but where the use of a nonconforming building, structure, site improvement, or land area is hereafter changed to a more restricted classification, it shall not thereunder be changed to a use of a less restricted classification.

G. Change of Tenancy or Ownership. There may be a change of tenancy, ownership, or management of an existing nonconforming use, structure or building, provided there is no change in the nature or character of such nonconforming use except to a conforming use.

H. Prior Nonconformance. Any nonconformance which under the prior Zoning Ordinance was nonconforming and was required to terminate by a certain date shall continue to be subject to the amortization provisions of the prior Zoning Ordinance.

I. Restoration of a Damaged Building.

1. If a nonconforming building that has not been otherwise abandoned or terminated under the provisions of subsection C of this section is damaged by sudden, accidental cause and the value of the damage repair does not exceed 50 percent of the assessed value of that building at the time of the damage according to the Snohomish County Assessor, the applicant may reconstruct that building. The reconstructed improvement may not be more nonconforming than it was immediately prior to the damage, and any improvements beyond restoration to the predamaged condition shall not exceed the allowances under subsection L of this section. A building permit to rebuild the nonconforming structure or building must be applied for within six months from the day of the damage event, or the nonconformance shall be considered to be terminated and shall not be resumed or rebuilt.

2. If the value of the damage repair exceeds 50 percent of the assessed value of the structure or building at the time the damage occurs, the structure, the building, the use conducted in the building, and other site improvements that are accessory to the damaged building must conform to this title.

J. Repair, Maintenance, and Safety of Nonconformance. Repair and maintenance work may be undertaken on a nonconforming building, structure or site improvement in accordance with the requirements of the International Building Code or standard maintenance practices. Maintenance includes painting, patchwork, replacement of isolated and individual boards, trim, and siding pieces, replacement of flooring, roofing, furnaces, water heaters and similar products that naturally wear out and require replacement over time; provided, that replacement products and materials are of similar kind and quality as original products and materials.

K. Demolition by Neglect. Lack of maintenance either by the owner or the owner's agent that results in deterioration of structural members due to exposure to water or the elements, or that results in settling or sagging of roofs or foundations due to unchecked erosive or settling soils, and that subsequently requires replacement of more than isolated individual parts, components or material pieces, shall be considered demolition by neglect. Buildings, structures and site improvements so neglected may not be restored under the repair and maintenance provisions of subsection J of this section and are subject to the provisions of subsection C of this section. Nothing shall prevent the City from requiring repairs on any nonconformance to protect the public health and safety.

L. Improvement of Nonconforming Structures or Buildings. Improvements to nonconforming structures or buildings, including but not limited to upgrades in interior fixtures, installation of more energy efficient components such as windows, furnaces, water heaters and built-in appliances, and upgrading of doors, siding or roofing materials, are permitted in accordance with the International Building Code; provided, that (1) the improvements do not include any

structural alterations to the structure or building (other than adjustment of demising walls and partitions), (2) the value of such improvements do not exceed 10 percent of the assessed value of the structure or building at the time of the improvement, (3) the cumulative value of all improvements made since the structure or building became nonconforming does not exceed 25 percent of the value of the structure or building at the time of the latest proposed improvement, and (4) that the applicant agrees to an inspection of the nonconforming structure or building by City staff to evaluate and assess any previous improvements that may have been made to the structure or building. The City may require evidence of the cost or value of previous and/or proposed improvements prior to granting permits for proposed improvements.

M. Exempt Improvements. Certain improvements that are specific to tenant or business needs may be exempt from the improvement value limitations under subsection L of this section if they are (1) the personal property of the tenant, (2) designed for easy removal upon a tenant's vacation of the premises, and (3) are removed upon tenant vacation of the premises. Such improvements include mounted booths, tables, seating, display cases, specialty tools, equipment and appliances (excluding ducted hoods) and similar items that are not vented or hard-wired, do not require structural alteration to install other than common blocking behind wall board, and that do not penetrate walls, floors or ceilings for any purpose other than mounting bolts that can be easily removed, with the resultant holes easily repaired by common spackling and paint methods. Also exempt are improvements that bring the structure or building closer to conformance with fire codes including alarm systems, fire sprinkler systems, and installation of egress doors and windows, when such features do not already exist.

N. Nonconforming Lots of Record. Lots of record that do not conform to the dimensional requirements of this title may be used as otherwise permitted by this title if they conform to the provisions of MTMC § 17.01.080.

O. Abatement of Nonconformance. Land uses, structures, site improvements or developments which do not conform to the regulations of this title can become nuisances, disrupt the orderly development of the City, and create unsafe, hazardous, and unhealthful conditions. The City of Mountlake Terrace declares that all nonconforming aspects of a structure, land use, site improvement or development shall be terminated as soon as it is reasonable, with consideration of the owner(s) and operator(s) of the nonconformances and the general welfare of the City. The specific process and procedure for abatement of violations of this title is outlined in Chapter 19.140 MTMC (Enforcement).

P. Other Nonconformances. For regulations pertaining specifically to nonconforming parking situations, see MTMC § 19.125.030. For regulations pertaining specifically to nonconforming signs, see MTMC § 19.135.050(E).

19.120.260. Outdoor storage.

A. Residential Zones.

1. All various and sundry items (i.e., recreational equipment, lawn/garden care materials, firewood, household goods) that are traditionally associated with the primary use of a single or multi-household zoned property shall be permitted to be stored out-of-doors and shall be adequately screened from view from the street and adjacent properties. This provision does not pertain to such objects as landscaping figurines, permanent recreational facilities, or permanent lighting fixtures. Outside storage of materials associated with a home occupation, which is an accessory use to the principal use of the property, shall be prohibited. Vehicle storage shall comply with the requirements of MTMC § 19.125.070 and all related City codes and regulations.

2. Garbage Receptacles. It shall be unlawful to create junkyard conditions as defined in Chapter 19.15 MTMC by storing garbage not contained in an appropriate receptacle. All garbage dumpsters must be screened from view of the street and adjacent properties by a six-foot high sight-screening fence.

B. Commercial and Light Industrial/Office Park Uses. Outdoor uses and activities that are permitted in Commercial and Light Industry/Office Park zone districts shall be subject to the following requirements:

1. Specific Use and Development Requirements. The City will administratively review and either approve or deny any application for outdoor use, activity, and storage based on the following standards:

   a. All outdoor use, activity, and storage areas except garbage receptacles must comply with required building setbacks for the primary use in accordance with the requirements of Chapters 19.20 through 19.105 MTMC.

   b. The height of outdoor use, activity, or storage areas shall not exceed six feet above finished grade; provided, that if such outdoor area is surrounded on all sides by property zoned for industrial use and is screened from view from public streets, then the height may be increased to a maximum height equal to the primary structure.

   c. The outdoor use, activity, or storage area shall not inhibit the safe vehicular and pedestrian movement to, from, and on the subject property in accordance with the requirements of the Zoning Code and standards of the Fire Department, Building Department, and the Public Works Department.

   d. If located on an unimproved area of the site, the underlying ground must be improved as required by the Planning Department.

   e. All open storage areas in LI/OP zoned properties shall be enclosed by a solid screen such as a wire and wooden slat fence or an attractive hedge or board fence at least six feet high.

f. In case of the open storage of lumber, coal, or other combustible material, a roadway shall be provided, graded, surfaced, and maintained from the street to the rear of the storage area to permit free access of fire trucks at any time.

g. All garbage dumpsters must be screened from view of the street and adjacent property, if said property is zoned other than LI/OP, by a minimum six-foot high sight-screening fence.

2. Modification. The applicant may request a modification of the requirements of subsection (B)(1) of this section by submitting a written request with their site plan to the Planning Department for review. The Planning Department may approve a modification if:

a. The modification will not create a greater impact on any nearby residential use than would be created without the modification; and

b. The modification will not detract from the character of nearby uses; and

c. The modification will not be injurious to public health, safety, or welfare; and

d. The modification complies with the Comprehensive Plan.

19.120.270. ~~Public right-of-way requirements,~~Prohibited use of public property~~,~~ and conservation easements.

~~A. This title hereby establishes the Transportation Element of the City's Comprehensive Plan as the official Roadway Functional Classification Map. Minimum standards for street right-of-way are established in the City's Transportation Code, Chapter 19.95 MTMC, and supplemented by other regulations, as applicable.~~

A~~B~~. Public property and public rights-of-way shall not be used for camping, campfires, bonfires, or barbecues, except as allowed pursuant to MTMC § 19.111.030(B) or pursuant to a special event permit, or in City parks pursuant to MTMC § 12.10.010(J).

B~~C~~. Within any area for which conservation easements have been established by the City, no camping or campfires are allowed.

~~**19.120.280. Recycling services.**~~

~~A. Recycling Collection Stations. Receptacles for the collection of paper, metal, and glass shall be permitted in any RM, BC, CG, LI/OP, F/T, SDD, REC or PFS zones. Recycling receptacles may be permitted in an RS zone subject to an approved conditional use permit.~~

~~B. Use Restrictions. Activities conducted in conjunction with recycling collection stations shall be limited to the collection, sorting, loading, and transport of materials and maintenance of the recycling area. No processing of materials shall occur at the collection site.~~

~~C. Approval Process. Prior to the placement or operation of any recycling collection stations on any property, a drawing of the proposed stations' receptacles and a site plan indicating the proposed location of the receptacles shall be submitted to the Planning Department for their review and approval. The Planning Department or their designee may impose whatever conditions he/she feels necessary for the proper location and operation of recycling collection stations. Conditions may pertain to on-site location, setbacks from surrounding properties, sight-screening, receptacle design, size, and construction materials, types of materials collected, hours and days of operation, maintenance, number of receptacles, and termination of operation. Where the Planning Department determines that the proposed recycling collection stations are not compatible with other land uses in the immediate vicinity or not in the public interest, the request may be denied.~~

~~D. General Standards. No recycling collection station may be located in any area used to satisfy requirements of Mountlake Terrace development codes, including but not limited to required driveway, parking stalls, or landscape areas without an approved variance from the Hearing Examiner processed in accordance with the regulations of Chapter 19.110 MTMC (Zoning Permits).~~

~~E. Specific Standards.~~

~~1. Site Area Requirements. Recycling collection stations shall be provided in conjunction with all multi-household residential, commercial, and industrial site plan approvals subsequent to the adoption of the ordinance codified in this title. The collection area shall be adequately sized to serve the needs of the site based on the projected number of occupants.~~

~~2. Receptacles. All receptacles shall be constructed to be water-tight, including a cover for the protection against rain. Receptacles shall be designed to discourage entry by animals and small children. Each receptacle shall be visibly labeled to identify the type of material collected, as well as the name, address, and telephone number, and the party responsible for the maintenance and operation of the receptacle.~~

~~3. Maintenance. All recycling collection stations and the grounds appurtenant thereto shall be maintained in a safe and sanitary condition. All materials to be recycled shall be kept inside the receptacles, with the surrounding premises kept free of debris.~~

~~F. Retroactive Requirements. All existing multi-household residential, commercial, industrial and public use (churches, schools, municipal) facilities shall provide recycling collection stations on-site and conform to the regulations of this section to the greatest extent practical and without significantly compromising full compliance with other applicable zoning regulations.~~

19.120.290. Sight areas – Intersections – Restrictions.

A. Purpose and Intent. The purpose of the following regulations is to ensure that adequate sight clearance is provided for motorists approaching intersecting streets and driveways from all

directions of travel. Private driveways associated with single-household residences shall be specifically exempted from the following sight area triangle requirements.

B. Sight Area Triangle Measurements.

1. Street Intersections. Except as further described, sight area triangles shall be calculated consistent with intersection sight triangle procedures presented in the latest edition of "A Policy on Geometric Design of Highways and Streets" published by the American Association of State Highway Transportation Officials and be based on the appropriate stopping sight distance defined in this publication.

2. Street/Driveway Intersections. Where a private driveway serving more than eight dwelling units or any nonresidential driveway intersects with a street, roadway, or highway, the sight area triangle shall be measured as described in the City's Engineering Development Manual~~Details and Specifications~~.

C. Restrictions on Obstructions. The following restrictions apply to all sight area triangles:

1. It shall be unlawful to set out or maintain any fence, sign, hedge, shrubbery, natural growth, or other obstruction to the view between three and one-half and eight feet above the elevation of the center of the roadways or roadways and driveways forming the sight area triangle.

2. Exceptions. The restriction of obstructions shall not extend to existing permanent structures, public utility poles, traffic signs, trees trimmed (to the trunk) at least eight feet above the elevation of the pavement edge, saplings or plant species of open growth habits and not planted in the form of a hedge which are so planted or trimmed as to leave, at all seasons, a clear and unobstructed cross-view; under signs mounted more than 10 feet above the ground and whose supports do not constitute an obstruction.

D. Special Cases. Where unusual conditions preclude the application of the foregoing provisions of this section in a reasonable manner, or where special viewing problems may exist, the City of Mountlake Terrace Traffic Engineer will determine an appropriate sight area triangle based on the intent of this section.

19.120.300. Street lighting.

Street lighting shall be provided along public rights-of-way in conjunction with single-family subdivisions consisting of three or more lots, all multi-household residential, commercial, and industrial development approved subsequent to the adoption of the ordinance codified in this title in conformance with the adopted~~approved~~ Engineering Development Manual~~Details and Specifications~~.

19.120.310. Low impact development (LID).

In order to increase opportunity for LID implementation, flexibility may be provided by the Community ~~and Economic~~ Development Director or Public Works Director regarding locations of building footprints, walkways, easements, landscaping, or utilities. This incentive applies to

the portion of the project site utilizing LID principles. The remainder of the project site shall~~must~~ comply with the underlying zoning and stormwater development regulations. No changes that negatively impact International Fire Code standards as adopted in Chapter 15.10 MTMC will be permitted.

19.120.320 Certificates of Occupancy

No change of use within an occupied structure or portion thereof, or establishment of a new use in an unoccupied structure or portion thereof, with the exception of single-household residences, shall occur without issuance of a certificate of occupancy pursuant to Title 15. The Community Development Department shall review all occupancy requests for compliance with the requirements of this title and all applicable City codes and standards.

A. New Construction. A certificate of occupancy shall not be issued for new construction until the following are provided in conformance with the regulations of this title, or necessary performance guarantees provided: landscaping, parking and loading, recreational requirements for multiple-household projects, signs, and outdoor storage.

B. Existing Development. The Director shall have the authority to allow a lesser degree of conformance with the required site improvements listed above prior to the issuance of a certificate of occupancy, for reuse of an existing building in cases where conformance to the standards and specifications listed above renders unreasonable hardship to the property owner or is deemed advisable due to seasonal or economic considerations.

19.120.330 Annexation

A. Annexations shall follow the requirements of state law.

B. The Comprehensive Plan Map shall be used to establish the zoning classification for an area to be annexed. Zoning shall be consistent with the Comprehensive Plan Map.

C. The City shall adopt zoning for the annexation area in a separate ordinance. The Planning Commission should consider and recommend an appropriate zoning classification to the City Council. The Planning Commission's consideration shall include review for concurrency and consistency of the proposed zoning or use, if known, with the Comprehensive Plan and Map and any applicable levels of service. If the applicant requests a zoning classification other than that shown on the Comprehensive Plan Map the applicant shall make a concurrent application for a Comprehensive Plan amendment.

19.210.340 Temporary Uses.

A. Intent and Purpose. The intent and purpose of this section is to provide for uses of land and structures on a temporary basis. A temporary use is not exempt from the construction and fire code requirements adopted in MTMC Title 15. Temporary structures or buildings that have mobility gear equipment shall not have said gear removed from the structure and shall not be permanently affixed to the site.

B. Temporary Accessory Uses – No Temporary Use Permit Required. The following uses may be allowed without a temporary use permit accessory to a permitted use in accordance with the regulations of the zone classification in which it is located.

5. Construction Buildings. Temporary structure for the housing of tools and equipment or containing supervisory offices in connection with major construction projects may be established and maintained during the progress of such construction on such projects in accordance with all applicable codes and regulations and shall be removed within 30 days following issuance of the certificate of occupancy.

6. Temporary Real Estate Office. One temporary structure used for a real estate sales office may be located on any new project in accordance with all applicable codes and regulations, provided the activities of such office shall pertain only to the project where the office is located. For any single-household subdivision project, the temporary real estate office shall be removed at the end of a 12-month period measured from the date of the recording of the final plat of the subdivision. For all other projects, the temporary real estate office shall be removed within 30 days after the issuance date of an occupancy permit.

7. Temporary Housing Unit. With approval from the Director, a temporary housing unit for construction may be placed on a lot for occupancy during the period of time necessary to repair damage of a principal residence on the same lot, provided:

   d. The temporary housing unit is removed from the site within six months;

   e. The unit meets minimum setback regulations for a principal structure as required by the applicable zoning district and all applicable codes and regulations; and

   f. A valid building permit is issued by the Building Department for a permanent structure on the lot.

8. Fund Raising Activities for Nonprofit Organizations. Fund raising activities promoted or sponsored by nonprofit organizations, including but not limited to special events such as musical entertainment, vehicle shows, rodeos, carnivals and circuses, shall be allowed on a temporary basis in accordance with Chapter 10.20 MTMC and all other applicable City codes and regulations.

C. Temporary Accessory Uses – Permit Required – Peddlers, Solicitors, and Temporary Sales Yards. Any person, firm, organization, or corporation who displays goods for sale, peddles food items, or solicits the sale of goods or wares, including, but not limited to, Christmas trees, flowers, or any food item, and who remains in one location for a period of greater than one hour, shall first obtain a temporary use permit from the Community Development Director and a City business license if required. These businesses shall be conducted only on private commercial or light industrial zoned properties.

3. A temporary use permit for peddlers, solicitors, and temporary sales yards shall require an application signed by the owner of the property on which the activity will occur. The review shall include location of all structures, objects, or things of any nature whatsoever appurtenant to the activity for the purpose of assuring compliance with all provisions of this title, and any other pertinent requirement of state and local law or regulation.

4. A time limit for the use shall be determined by the Community Development Director. The requested time limit shall be stated on the application and may be reduced for any cause related to safety, health, and general welfare of the public. Time extensions may be allowed subject to the approval of the Community Development Director.

D. Food Vendors – Mobile. To provide for food vendors to operate at a specific location, on a temporary basis, and for a limited period of time.

7. Definition. "Mobile food truck/vendor" means a licensed and operable motor vehicle or trailer, or a push cart, used to serve, vend, or provide food (hot or cold meals, snacks, or nonalcoholic beverages) for human consumption.

8. Private Property. Temporary use permit approval is required when located on private property, is valid for a 12-month period, and is subject to meeting all of the following general standards:

r. Meets the definition of "mobile food truck/vendor";

s. Is located in a commercial or light industrial zoning district. (In residential zones, a special event permit is required in conformance with Chapter 10.20 MTMC);

t. No more than one mobile food truck/vendor can be located on a site at any given time. The allowance of more than one food truck/vendor on a property is only permitted with the approval of a special events permit as provided for in Chapter 10.20 MTMC;

u. No alcoholic beverages. No cannabis related products;

v. Does not block fire lanes, or drive aisles, or pedestrian access to businesses or the public sidewalk;

w. Parked a maximum of once a day, up to six hours, on a site/property;

x. Hours of operation can occur no earlier than 6:00 a.m. and no later than 9:00 p.m., including clean-up time;

y. Trucks can be parked no more than four days a week;

z. No overnight parking or storage of the food truck is allowed, including no portion of the vendor's inventory, sales equipment, or any other objects associated with the vendor;

aa. No excessive smoke associated with food preparation can occur;

bb. No mechanical audio or noise making devices and no hawking is allowed. Hawking is the loud, repeated oral solicitation of business by the vendor or assistant;

cc. Possess a current City business license;

dd. Has obtained necessary permits from the Snohomish Health District;

ee. Meets South County Fire District requirements;

ff. Provides waste collection receptacles, and keeps area clean and free of litter, food and beverage wastes, or other trash. Waste collection receptacles should be placed near the curbside space the food truck occupies and not limit the pedestrian walkway to less than five feet wide. Compost and recycling receptacles are encouraged. Trash must be removed with truck on a daily basis and emptied regularly during the day should they become full during the period the food truck is in operation;

gg. Folding menu boards, if used, should be placed near the curbside space the food truck occupies and walkways shall be kept clear to a width determined by staff and not limit the pedestrian walkway to less than five feet wide;

hh. The City reserves the right to limit the number of food truck/vendor permit sites in any given area of the City.

9. In Right-of-Way. A right-of-way use permit is required when located in City right-of-way as defined in this section, subject to meeting all of the following:

f. Right-of-way includes any public street, or sidewalk or parking lane, improved or unimproved;

g. Obtain a right-of-way use permit for each location;

h. Meets all of the requirements in subsection (D)(2) of this section;

i. Provides any required insurance and/or indemnification; and

j. Any other filing requirements requested by the Director and/or conditions of approval.

10. To locate in a City park or other City-owned land (not right-of-way):

g. Contact the Recreation and Parks Department Director for approval of concessions permit;

h. Obtain a temporary use permit per MTMC § 10.20.180(C);

i. Meets all of the requirements in subsection (D)(2) of this section;

j. Provides any required insurance and/or indemnification. Vendors selling product on public land are subject to the leasehold excise tax, Chapter 82.92 RCW;

k. Provides any required insurance and/or indemnification; and

l. Any other filing requirements requested by the Director and/or conditions of approval.

11. Special Events. Any food vendor activity that is defined per Chapter 10.20 MTMC may need to obtain a special event permit in lieu of, or in addition to, the requirements set forth in this section.

12. Violations and Enforcement. Violators and violations of this section are subject to any applicable code enforcement actions and penalties per City Code, including but not limited to Chapters 8.30, 13.10, and 19.140 MTMC.

CITY OF
MOUNTLAKE
TERRACE

CITY OF MOUNTLAKE TERRACE

Administrative Procedures

City Council Regular Meeting: July 16, 2026

Brooke Eidem, Community Development Director

PURPOSE

- Update administrative procedures and permit process for compliance with Local Project Review Act (36.70B RCW & 2023/2026 amendments)
- Consolidate and reorganize
- Correct inconsistencies and conflicts
- Streamline processes where possible
- Ensure complete information provided
- Ensure code matches policy

CITY OF MOUNTLAKE TERRACE

LEGISLATIVE HISTORY

- Planning Commission discussions
  - May 11, 2026
- City Council discussion
  - June 11, 2026
- City Council review & adopt / discussion
  - July 2, 2026

CITY OF MOUNTLAKE TERRACE

SUMMARY

ADMINISTRATION & PROCEDURES – Chapter 18.05 MTMC

- *Repeal and replace*
- Needs to be updated to accommodate requirements of SB 5290 (2023)
- Incorporate regulations from Chapters 18.25 and 19.10, which are largely duplicative
- Has sections that are unrelated and better addressed elsewhere (Comprehensive Plan and rezone procedures)
- Adding sections that should be addressed for legal protection
- Clarifying this chapter applies to Titles 16, 17, 18, and 19
- Relocate annexation section

CITY OF MOUNTLAKE TERRACE

SUMMARY

PUBLIC NOTIFICATION – MAJOR LAND USE – Chapter 18.25 MTMC

- *Repeal*
- Procedures related to the development application process, specific to public notice
- There is a public notice section in Ch 18.05
- Having application procedures in two locations causes confusion and increases potential to miss critical steps
- Propose to relocate the notice procedures to Ch 18.05 and repeal this chapter

CITY OF MOUNTLAKE TERRACE

SUMMARY

ADMINISTRATION – Chapter 19.10 MTMC

- *Repeal*
- Chapter duplicates some of the administration portions of Ch 18.05 with the intent of applying to Title 19
- Unclear whether Ch 18.05 was also intended to apply to Title 19
- Some language is duplicative and some is slightly contradictory
- Propose to pull relevant portions to Ch 18.05 and repeal this chapter

CITY OF MOUNTLAKE TERRACE

SUMMARY

ZONING PERMITS – Chapter 19.110 MTMC

- *Amend*
- Chapter contains multiple approval types, although not all of them are technically zoning permits
- Not intuitive to look in this chapter for many of the topics addressed
- Propose to remove unrelated topics and address them elsewhere (temporary location for now) so the title is not misleading
- Propose revisions to the Site Development Plan section

CITY OF MOUNTLAKE TERRACE

SUMMARY

GENERAL PROVISIONS – Chapter 19.120 MTMC

- *Amend*
- Chapter contains multiple topics, many are very outdated
- Propose “light touch” approach at this time to improve administration and make code match process
- Includes revisions to Home Occupation section
- Add certificates of occupancy and temporary permits from Chapter 19.110
- Add annexations section from Ch 18.05

CITY OF MOUNTLAKE TERRACE

BOARD/COMMISSION RECOMMENDATION

- Amendments are procedural in nature and do not require Planning Commission recommendation
- Planning Commission reviewed amendment package on May 11 and made unofficial recommendation for approval

CITY OF MOUNTLAKE TERRACE

Thank you

CITY OF MOUNTLAKE TERRACE

Willow Path Cottages

Mountlake Terrace City Council Meeting – July 16, 2026

Habitat
for Humanity®

50 Years

Habitat
for Humanity®
of Snohomish County

35 Years

Snohomish County

Median
Home Price
$750,000
Snohomish County

Median Home Price

$750,000

Monthly Mortgage

$5,200

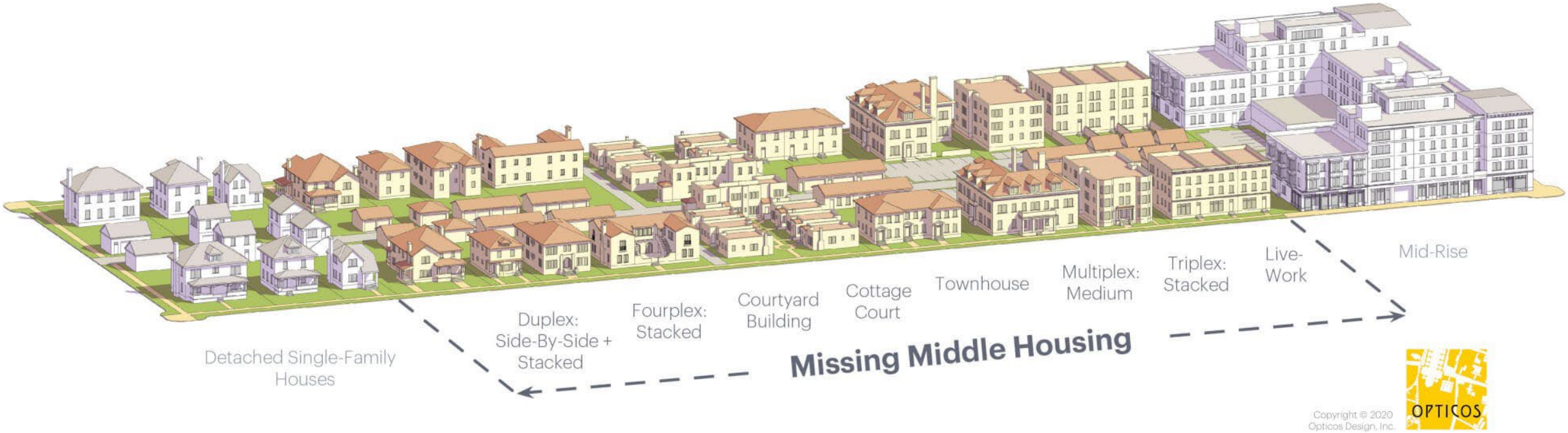
Income Required

$208,000

Image c/o CMHC

Habitat
for Humanity
of Snohomish County
side Home
Rockefeller Ave.
rett, WA 98201
BECU
MILGARD
MILGARD

Missing Middle Housing



Permanently Affordability

Contractor-Led Construction

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We build **strength**, **stability** and **self-reliance** through **shelter**.

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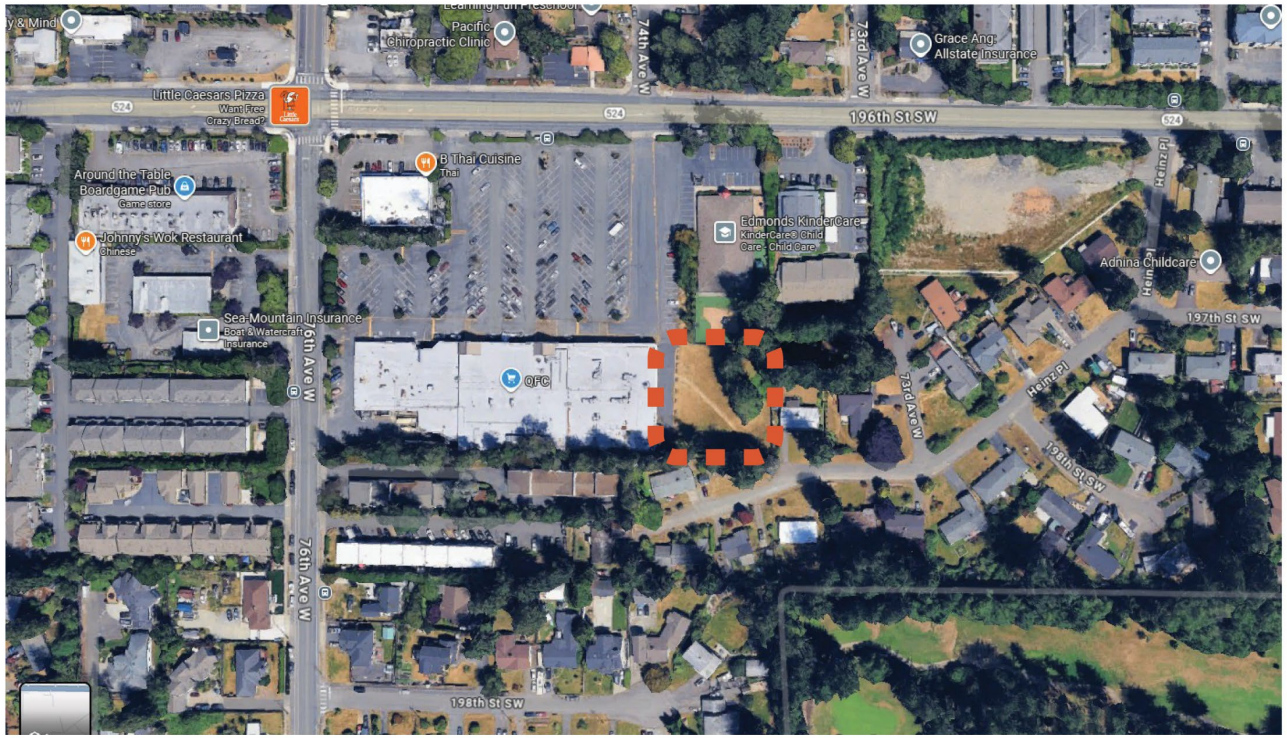
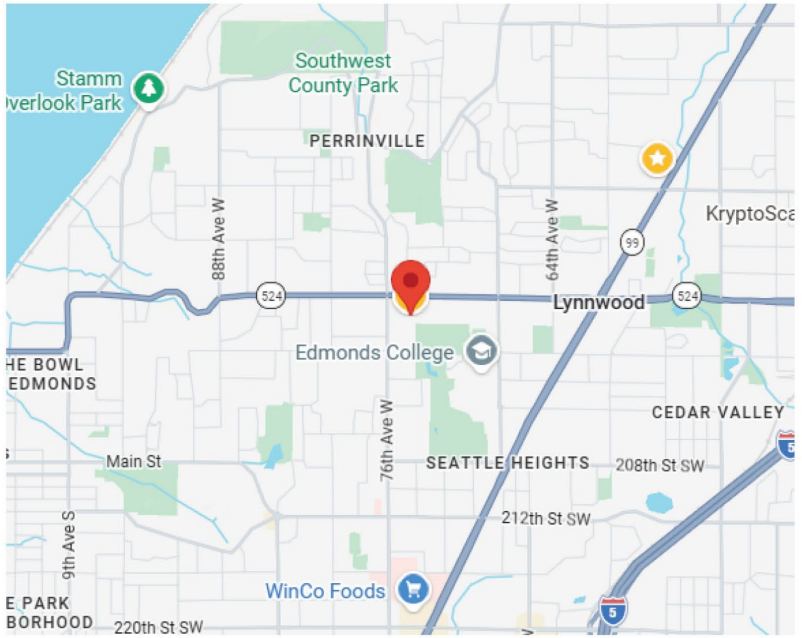
Willow Path Cottages



7500 196th Street SW
Lynnwood, Washington

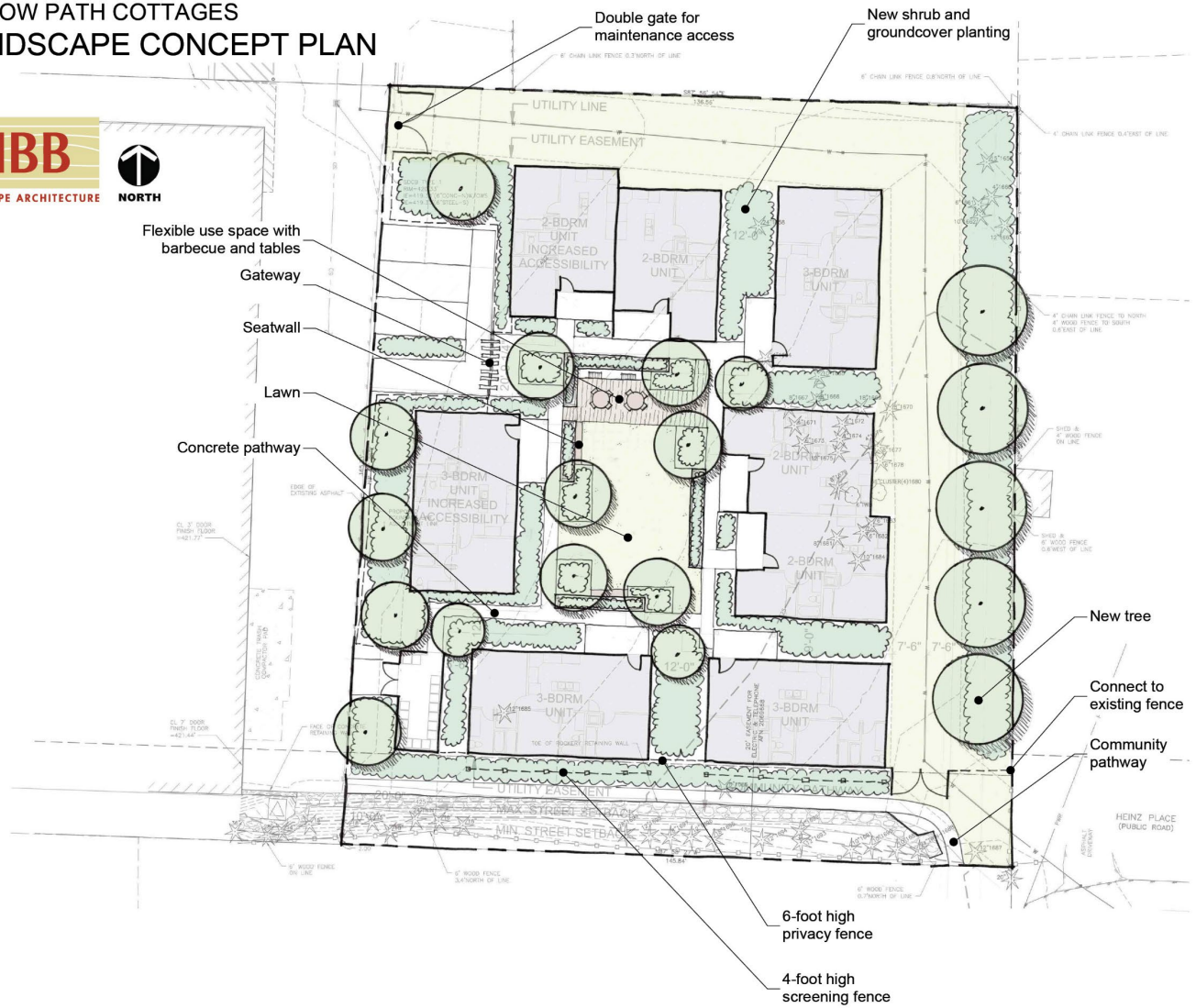


WILLOW PATH COTTAGES

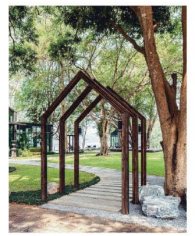
LANDSCAPE CONCEPT PLAN

HBB LANDSCAPE ARCHITECTURE

NORTH



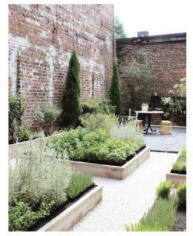
Concept Images


Gateway

Tables and Chairs

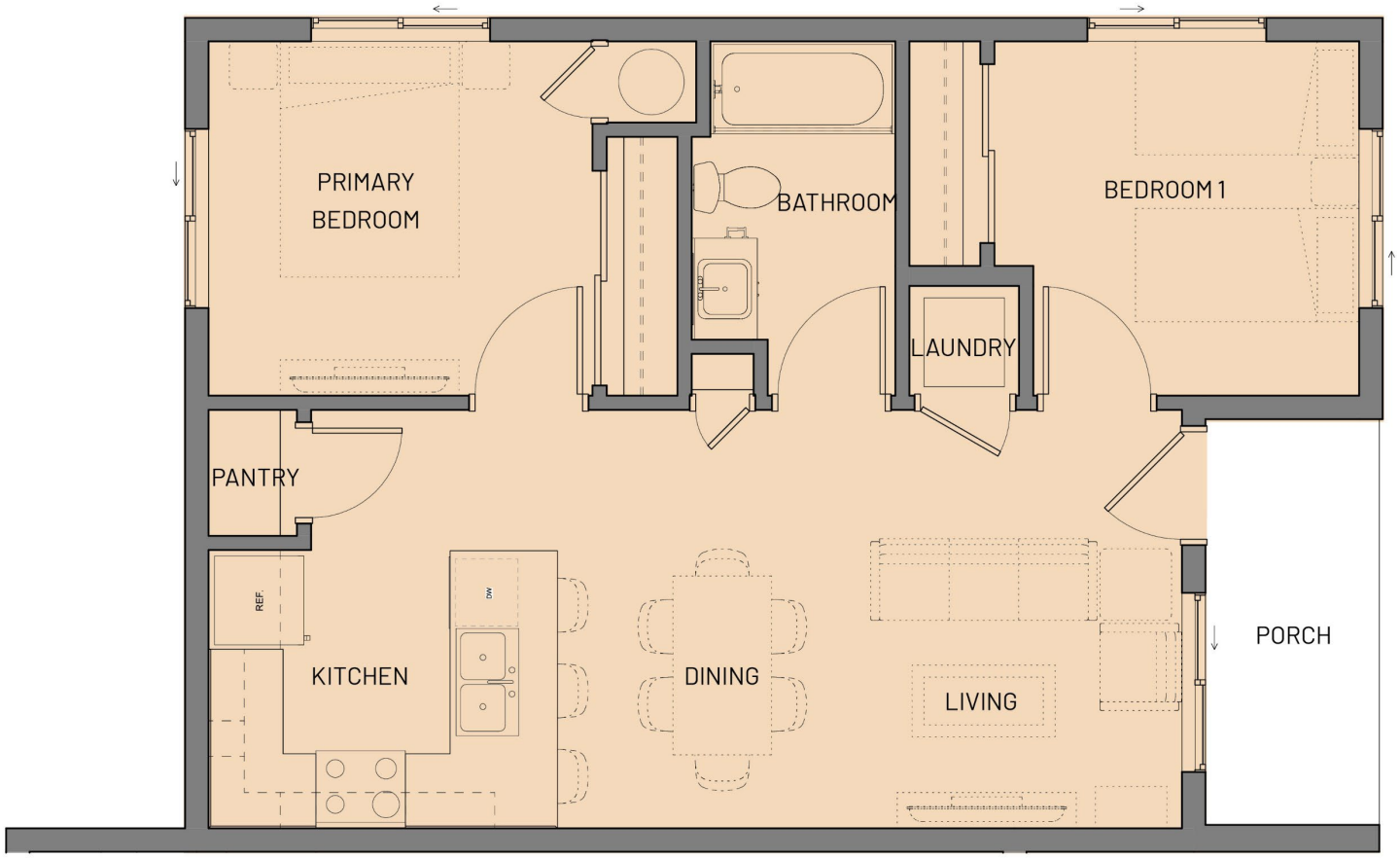
Screening Fence

Planting


Raised Vegetable Beds

Raised Vegetable Beds

© 2026



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ACCESS ARCHITECTURE

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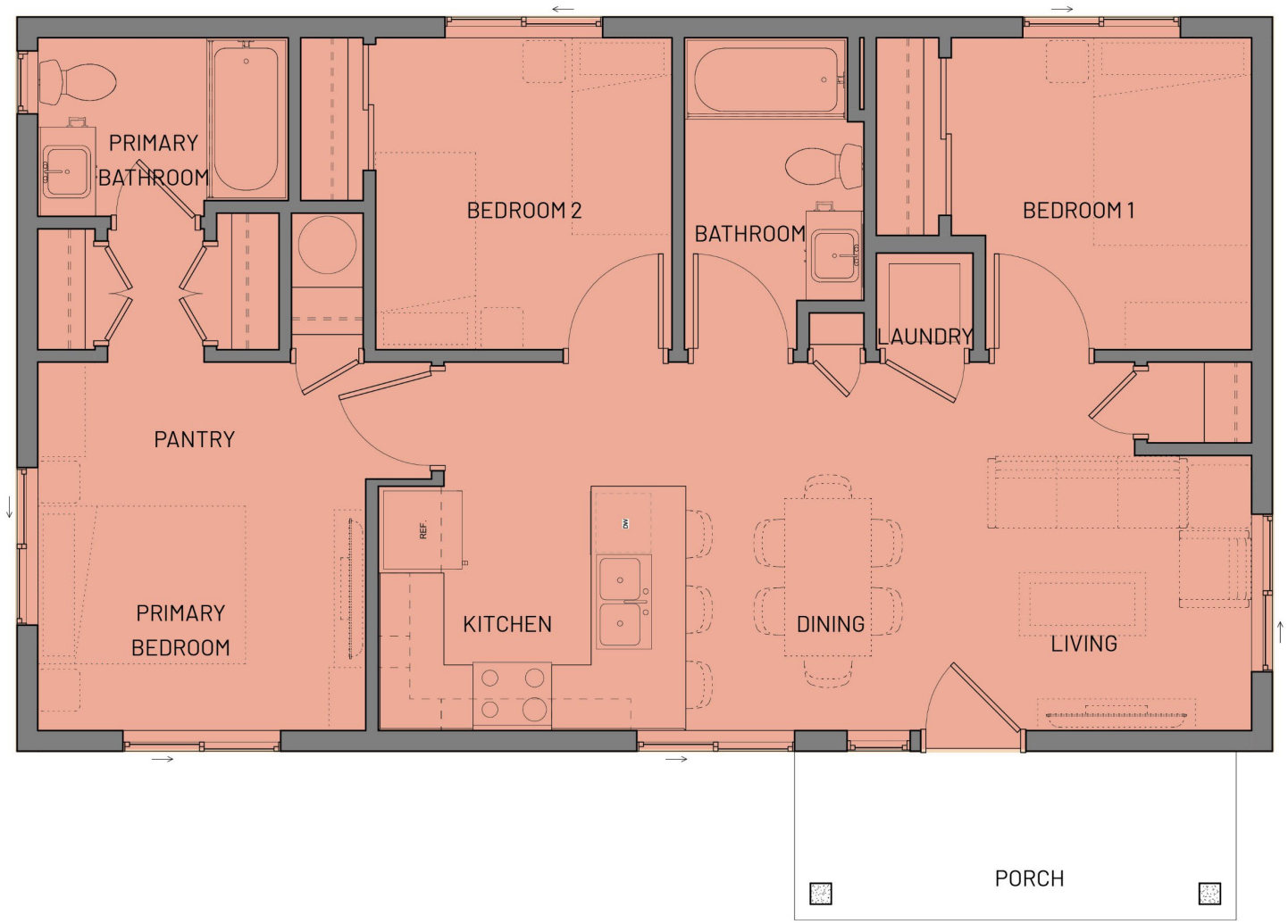
HFH OF SNOHOMISH COUNTY
HABITAT FOR HUMANITY
PROJECT NO. 25058

2-BEDROOM DUPLEX UNIT PLAN
COMMUNITY INSIDERS EVENT
03.26.2026

8



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ACCESS ARCHITECTURE

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HFH OF SNOHOMISH COUNTY
HABITAT FOR HUMANITY
PROJECT NO. 25058

3-BEDROOM DETACHED
COMMUNITY INSIDERS EVENT
03.26.2026

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Thank You To Our Development Partners

ACCESS ARCHITECTURE

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HOUSING AUTHORITY HASCO SINCE 1971 SNOHOMISH CO.

EXXEL PACIFIC TEAM OWNED · TEAM BUILT

HBB LANDSCAPE ARCHITECTURE

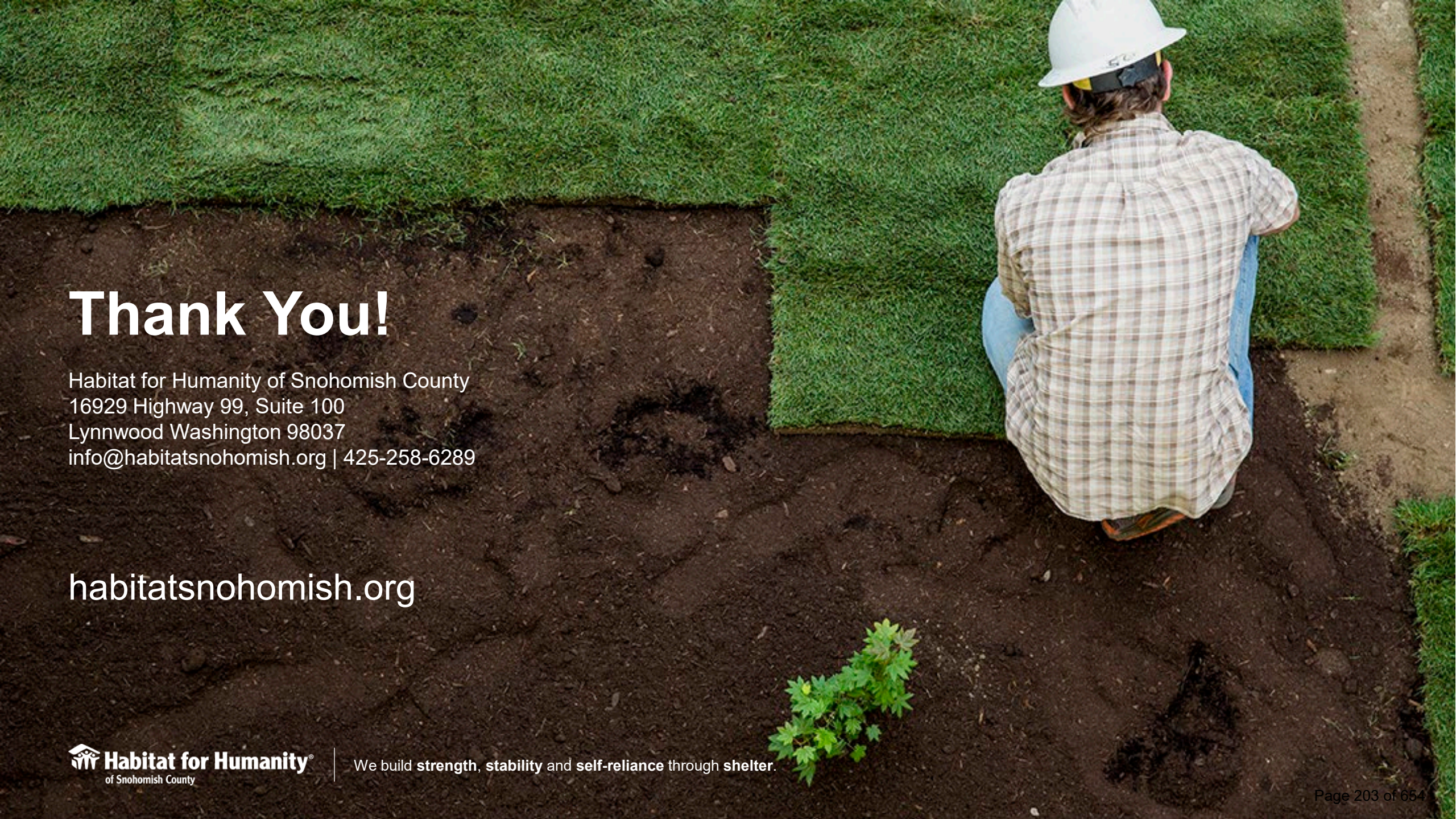
C G ENGINEERING

GEOTECH

ROBISON ENGINEERING, INC.

Tree Solutions Inc Consulting Arborists

Special Thanks to The Kagi Family



Thank You!

Habitat for Humanity of Snohomish County
16929 Highway 99, Suite 100
Lynnwood Washington 98037
info@habitatsnohomish.org | 425-258-6289

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CITY OF MOUNTLAKE TERRACE

STAFF REPORT

To: Mountlake Terrace City Council
From: Jeff Niten, City Manager
Meeting Date: July 16, 2026
Subject: Resolution Supporting Sno-Isles Libraries Levy

Required Reviews:

Lan Nguyen	Created/Initiated - 07/08/2026
Jeff Niten	Approved - 07/08/2026
Hillary Evans	Final Approval - 07/08/2026

Council Goal(s):
Growing our Vibrant Community
Responsible Governance to Ensure Desired Level of Service

Legislative History:
N/A

Subject Summary:
The Board of Trustees of Sno-Isle Intercounty Rural Library District adopted Resolution No. 26-01 concerning its regular property tax levy. This proposition would authorize the District to restore its regular property tax levy rate to $0.47 per $1,000 of assessed value for collection in 2027, in order to provide continued funding for library services, operations and maintenance throughout the District.

The city appreciates and values the services provided to our community by Sno-Isle Libraries. Sno-Isle Libraries serves a broad community, including the Mountlake Terrace community through its library on the Civic Campus. The current library levy adopted in 2018 is at the end of its authorized time period. The proposed measure would allow Sno-Isle Libraries to reset its regular property tax levy from $0.3039084203 to $0.47 per $1,000 of assessed value in 2027. This funding will allow Sno-Isle Libraries to maintain current staffing and library hours, acquire new books for the community, continue providing public access to technology, and stay up to date with technology upgrades and building maintenance.

Failure to approve the measure would lead to reduced staffing and library open hours, decrease the budget for books, reduce early learning and literacy programs, and limit access to technology.

Financial/Budget Impacts:
Budget Amendment Required? N/A

Budget and Sources:	
Expenditure:	
New Appropriation Required + Sources:	

Additional Financial Information:
N/A

Community Notifications:
City Council Agenda
Other
The adopted Resolution will be posted at the kiosk outside City Hall building and online on the city website.

Board/Commission Recommendation:
N/A

Staff Recommendation:
Staff recommends the City Council vote to adopt the resolution supporting the Sno-Isle Libraries levy on the August 4, 2026 ballot.

Council Motion:
“I move to APPROVE the Resolution supporting the Sno-Isle Libraries levy on the August 4, 2026 ballot.”

Attachments:
1. Resolution Supporting Sno-Isles Libraries Levy (Draft)

CITY OF MOUNTLAKE TERRACE

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF MOUNTLAKE TERRACE, WASHINGTON, SUPPORTING SNO-ISLE INTERCOUNTY RURAL LIBRARY DISTRICT PROPOSITION NO. l, PLACED ON THE BALLOT BY SNO-ISLE LIBRARIES, CONCERNING APPROVAL OF A REGULAR PROPERTY TAX LEVY LID LIFT FOR SUPPORT OF PUBLIC LIBRARY SERVICES

WHEREAS, on March 23, 2026, the Sno-Isle Libraries Board of Trustees adopted a resolution authorizing the Library District to place a ballot measure before voters in August to restore the library levy rate to $0.47 per $1,000 of assessed property value within the Library District; and

WHEREAS, the measure, known as Sno-Isle Intercounty Rural Library District Proposition No. 1, reads as follows:

> **Regular Property Tax Levy Lid Lift for Support of Public Library Services**
>
> The Board of Trustees of Sno-Isle Intercounty Rural Library District adopted Resolution No. 26-01 concerning its regular property tax levy. This proposition would authorize the District to restore its regular property tax levy rate to $0.47 per $1,000 of assessed value for collection in 2027, in order to provide continued funding for library services, operations and maintenance throughout the District. The resulting dollar amount of the 2027 levy would be used for the purpose of computing subsequent levy limitations as provided by chapter 84.55 RCW.
>
> Should this proposition be approved?
>
> Yes
> No

WHEREAS, Sno-Isle Libraries serves a broad community, including the Mountlake Terrace community through its library located in the City of Montlake Terrace; and

WHEREAS, the Sno-Isle Libraries' 2018 library levy, which makes up 91% of the Sno Isle Libraries total budget, is now at the end of its life; and

WHEREAS, the proposed measure would allow Sno-Isle Libraries reset its regular property tax levy from $0.3039084203 to $0.47 per $1,000 of assessed value in 2027 which would enable Sno-Isle Libraries to maintain current staffing and library open hours, continue

purchasing new books for its users, continue providing public access to technology, and stay up to date with technology upgrades and building maintenance; and

WHERAS, failure to approve the measure would lead to reduced staffing and library open hours, decrease the budget for books, reduce early learning and literacy programs, and limit access to technology; and

WHEREAS, the City Council values the Mountlake Terrace Sno-Isle library and relationship with Sno-Isle Libraries, and was asked by Sno-Isle Libraries to consider support of the measure; and

WHEREAS, in compliance with RCW 42.17 A.555, the City Council properly noticed a public meeting which included the title and number of Sno-Isle Intercounty Rural Library District Proposition No. 1 measure, and members of the public were given equal opportunity to express opposing views on the measure; and

WHEREAS, the City Council feels that a robust library system is beneficial to the community;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOUNTLAKE TERRACE, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. The City Council of the City of Mountlake Terrace hereby expresses its support for the Sno-Isle Intercounty Rural Library District Proposition No. 1, authorizing a regular property tax levy lid lift for support of public library services, and encourages voters to vote "yes" and approve Sno-Isle Intercounty Rural Library District Proposition No. 1 at the election to be held on August 4, 2026.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON JULY 16, 2026**.**

CITY OF MOUNTLAKE TERRACE

_____
Steve Woodard, Mayor

ATTEST/AUTHENTICATED:

_____
Lan Nguyen, Executive Assistant

APPROVED AS TO FORM:

_____
Hillary J. Evans, City Attorney

CITY OF MOUNTLAKE TERRACE

STAFF REPORT

To: Mountlake Terrace City Council
From: Sara Pizzo, Senior Planner, Ryan Doss, Economic Development Manager
Meeting Date: July 16, 2026
Subject: Review and Vote on Ordinance and Resolution for Development Agreement with Whiskey 6, LLC and Concurrent Zoning (Terrace Station 5)

Required Reviews:

Jennifer Joki	Created/Initiated - 07/06/2026
Brooke Eidem	Approved - 07/07/2026
Sirke Salminen	Approved - 07/08/2026
Hillary Evans	Approved - 07/08/2026
Jeff Niten	Final Approval - 07/08/2026

Council Goal(s):
Growing our Vibrant Community

Legislative History:
Legislative History:

- October 16, 2024 – Vision 2044 Adoption
- June 2025 – Most recent zoning map adoption
- June 22, 2026 – Zoning Map Amendment and Development Agreement presented to Planning Commission for Review
- July 9, 2026 – City Council Work Session on proposed Zoning Map Amendment and Development Agreement
- July 13, 2026 – Planning Commission Public Hearing on proposed Zoning Map Amendment and Development Agreement
- July 16, 2026 – City Council Review and Vote on proposed Zoning Map Amendment and Development Agreement

Subject Summary:
The property owner of two lots located at 6002 237th St SW and 5906 236th St SW (a total 95,731 square foot area) has proposed to rezone this property to be consistent with the Comprehensive Plan, Vision 2044, land use designations. Additionally, the applicant is proposing minor adjustments to the zoning map delineation lines to match the property

lines recently adjusted through a boundary line adjustment. Following approval of the zoning map amendment, the applicant is seeking approval of a development agreement to build Terrace Station 5 at 6002 237th St SW.

The existing zoning designations of the area are Town Center 1 (TC-1), Single-household Residential (RS 4800), and Freeway Tourist (F/T). The Comprehensive Plan's land use element designates this area as Town Center 1 (TC-1), Neighborhood Mixed Use (NMU), and Gateway Mixed Use (GMU). The proposal is to update the zoning map to be consistent with the Comprehensive Plan.

Per Vision 2044, the TC-1 zone is designated for transit-oriented employment development, multi-family, and supportive commercial uses. The purpose of NMU is to provide land at efficient densities for multifamily residences and to encourage mixed-use buildings that provide for the day-to-day needs of surrounding residents. Gateway Mixed use is intended to provide land for commercial and multifamily mixed-use buildings that are more service-oriented and non-residential.

The applicant, Whiskey 6, LLC, has proposed the zoning map amendment because they are interested in developing the properties sooner than staff's timelines for amending the zoning map. Two multifamily residential developments are planned for this area. Terrace Station 4 is proposed at 5906 236th St SW and is currently under review. The applicant has completed a pre-application conference for the development of Terrace Station 5 at 6002 237th St SW. Both of these developments are administrative decisions. However, 6002 237th St SW cannot be redeveloped for multifamily use until the zoning has been changed from RS 4800 to NMU, consistent with the Comprehensive Plan.

A portion of the property at 6002 237th St SW is also zoned F/T, which is proposed to be updated to GMU, consistent with the Comprehensive Plan. A few additional minor changes are proposed so that the zoning delineation lines and the property lines match, which will help remove potential development constraints without impacting the overall intent of the Comprehensive Plan's land use element. Amending the zoning map is a legislative decision, which requires a public hearing and recommendation from the Planning Commission, and City Council approval. Lastly, staff anticipates putting a Comprehensive Plan Map amendment on the annual docket for Planning Commission and City Council to review to bring the Comprehensive Plan into alignment with the proposed zoning delineation adjustments.

Per the Comprehensive Plan, Vision 2044, Neighborhood Mixed Use land use designation is "to provide land at efficient densities for multifamily residences and encourage the development of mixed-use buildings with resident-oriented ground floor active uses to provide for the day-to-day needs of residents and the surrounding community." Vision 2044 states that buildings would have a maximum height of four to six stories and serve as

a traditional zone between residential land uses and higher intensity primarily commercial areas. The proposed development is a 65-unit multi-household residential building. The agreement limits the building height to six stories. Therefore, the land use and height align with the Comprehensive Plan Neighborhood Mixed Use vision for the site. The Comprehensive Plan does not provide further direction on how developments are to be regulated, as this will be determined through zoning regulations that have yet to be adopted by the City.

Because zoning and development regulations for the Mixed Use District have not yet been adopted, the proposed development agreement will allow the City to regulate the development of Terrace Station 5 by specifying applicable standards. Due to the proposed development's proximity to Town Center, the development agreement applies Town Center zoning regulations (MTMC 19.50) and design standards (MTMC 19.123) to Terrace Station 5, except for use and building height (which align with the Comprehensive Plan, described above). Town Center requirements include block frontage standards, setbacks, parking, and open space, as well as site planning and building design. The development will also be subject to frontage improvements per the Engineering Development Manual, traffic improvements based on a Traffic Impact Analysis, and the City's tree removal and replacement requirements per code. The Mountlake Terrace Municipal Code will apply to the development unless specially set forth otherwise in the agreement.

The agreement also includes additional terms that will provide public benefit. These items include vinyl art wraps for utility projects adjacent to the project, pedestrian scale street lighting along Van Ry Blvd. (if needed determined by a photometric lighting study), and public-facing artwork in the shared open space west of the building.

The agreement is valid for 10 years, which is typical for development agreements. The agreement, however, identifies various permitting steps that need to be completed within that timeline to ensure continued progress on the project. The land use application is required to be submitted by July 2028, and civil and building permits are due by July 2029. Substantial progress on construction as determined by the Director is required by July 2031. The agreement terminates in 2036.

Financial/Budget Impacts:

Budget Amendment Required? No

Budget and Sources:	
Expenditure:	
New Appropriation Required + Sources:	

Additional Financial Information:

N.A

Community Notifications:
City Council Agenda
Other
This item has been published in the newspaper, mailed to neighbors within 300 feet of property, posted on site and in civic posting locations, and on the Planning Commission regular meeting agenda.

Board/Commission Recommendation:
The Planning Commission Public Hearing is scheduled for July 13 to make a recommendation to the City Council.

Staff Recommendation:
Staff recommends the City Council vote to authorize the City Manager to sign the Development Agreement with Whiskey 6, LLC and approve Concurrent Zoning (Terrace Station 5).

Council Motion:

1. I move to adopt the ordinance that amends the City's Official Zoning Map Amendment for properties located at 6002 237th St SW and 5906 236th St SW changing their designations from Town Center 1 (TC-1), Single-household Residential (RS 4800), and Freeway Tourist (F/T) to Town Center 1 (TC-1), Neighborhood Mixed Use (NMU), and Gateway Mixed Use (GMU).

2. I move to authorize the City Manager to sign the development agreement with Whiskey 6, LLC for the development of Terrace Station 5 located at 6002 237th St SW.

Attachments:
1. Presentation
2. Ordinance for Zoning Map Amendment - Exhibit A
3. Ordinance for Zoning Map Amendment (Draft)
4. Resolution for Terrace Station 5 Development Agreement (Draft)
5. Resolution for Terrace Station 5 Development Agreement (Draft) - Exhibit A
6. DA Exhibit A Legal Description
7. DA Exhibit B Conceptual Site Plan & Conceptual Building Renderings
8. DA Exhibit C Gateway TOD Comprehensive Sign Plan
9. DA Exhibit D Chapter 16.15 MTMC Critical Areas
10. DA Exhibit E Chapter 16.20 MTMC Stormwater
11. DA Exhibit F Chapter 18.05 MTMC Administration and Procedures
12. DA Exhibit G Chapter 19.15 MTMC Definitions
13. DA Exhibit H Chapter 19.50 MTMC Town Center Zones

14. DA Exhibit I Chapter 19.95 MTMC Transportation Code
15. DA Exhibit J Chapter 19.123 MTMC Town Center Design Standards
16. DA Exhibit K Chapter 19.125 MTMC Off-street Parking and Loading
17. DA Exhibit L Chapter 19.126 MTMC Electrical Vehicle Infrastructure
18. DA Exhibit M Chapter 19.130 MTMC Landscape Development and Site Buffering

CITY OF
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TERRACE

CITY OF MOUNTLAKE TERRACE

Zoning Map Amendment & Terrace Station 5 Development Agreement

City Council (Regular Meeting): July 16, 2026

Sara Pizzo, AICP
Senior Planner, Community Development

PURPOSE

- Review proposed Zoning Map Amendment
- Review Terrace Station 5 Development Agreement terms
- Vote on proposed Zoning Map Amendment and Development Agreement

CITY OF MOUNTLAKE TERRACE

AGENDA

- Council Goals
- Legislative History
- Zoning Map Amendment
- Development Agreement
- Community Notification
- Recommendations
- Next Steps

CITY OF MOUNTLAKE TERRACE

COUNCIL GOALS

Growing Our Vibrant Community

An active and dynamic city where arts, culture, and diversity thrive, fostering connections among community members who call Mountlake Terrace home.

CITY OF MOUNTLAKE TERRACE

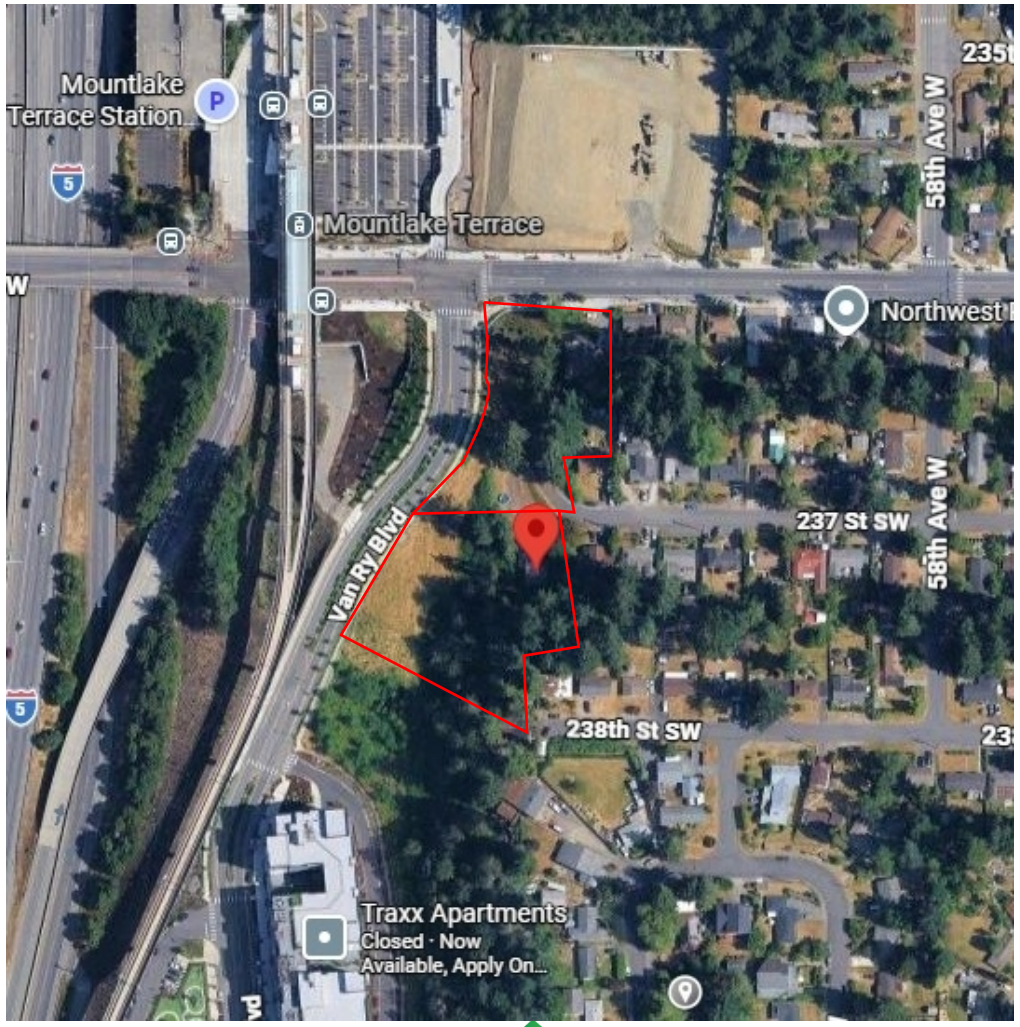
LEGISLATIVE HISTORY

- October 2024 – Vision 2044 Adoption
- June 2025 – Most recent zoning map adoption
- June 22, 2026 – Zoning Map Amendment and Development Agreement presented to Planning Commission for Review
- July 9, 2026 – City Council Work Session
- July 13, 2026 – Planning Commission Public Hearing
- July 16, 2026 – City Council Review and Vote

CITY OF MOUNTLAKE TERRACE

SUBJECT SUMMARY

- 6001 237th St SW & 5906 236th St. SW
- Adopt updated zoning designations consistent with the Comprehensive Plan, Vision 2044
- Make minor adjustments to zoning delineation lines to match recently adjusted property lines.
- Terrace Station 5 Development Agreement to allow a multi-family residential project at 6001 237th St SW

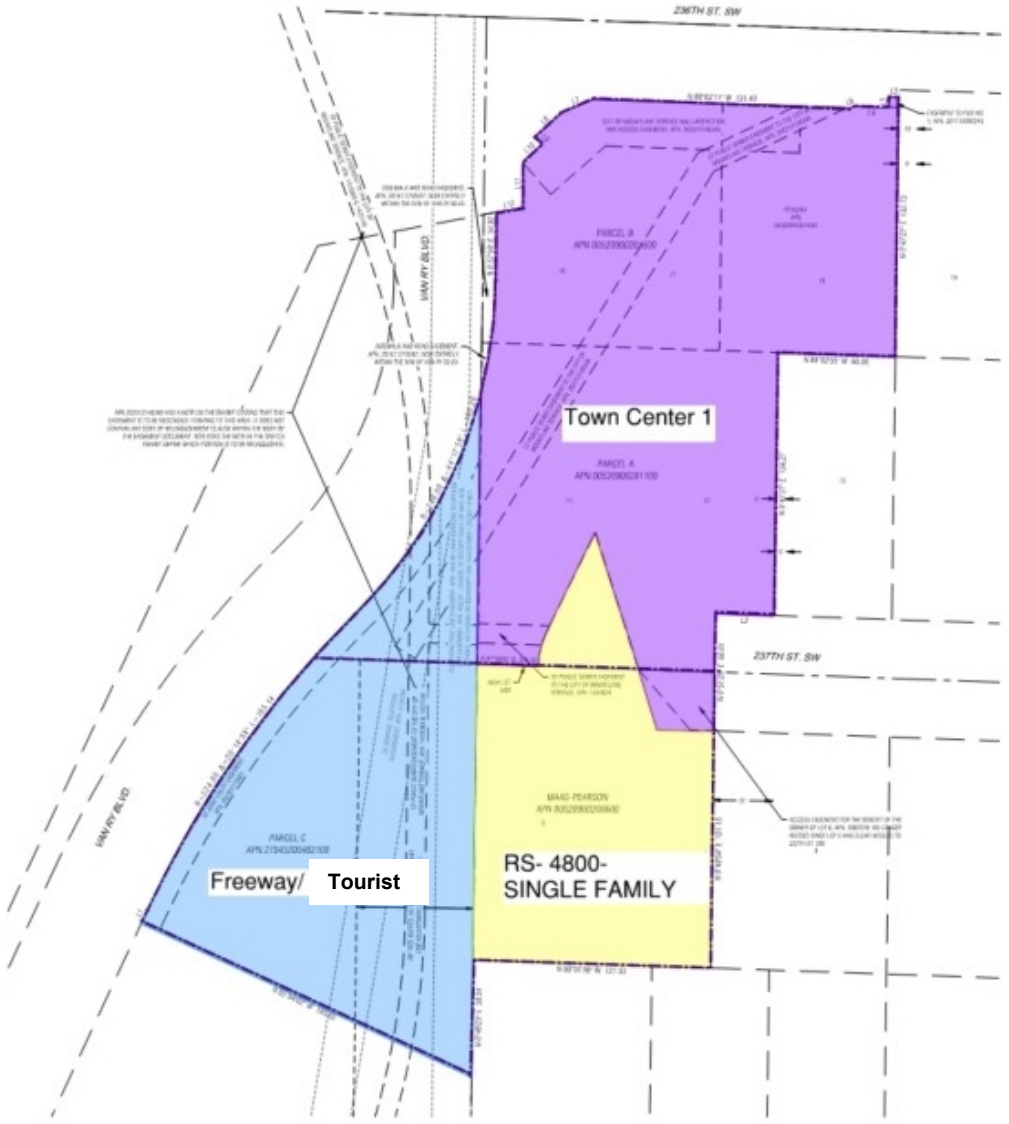


CITY OF MOUNTLAKE TERRACE

ZONING MAP AMENDMENT

CITY OF MOUNTLAKE TERRACE

EXISTING ZONING MAP



Existing Zones:

- Single-household residential (RS 4800) [yellow]
- Freeway/ Tourist (F/T) [blue]
- Town Center 1 (TC-1) [purple]

CITY OF MOUNTLAKE TERRACE

VISION 2044 LAND USE MAP

Current Land Use Designations:

- Neighborhood Mixed Use (NMU) [light purple]
- Gateway Mixed Use (GMU) [blue]
- Town Center 1 (TC-1) [dark purple]

CITY OF MOUNTLAKE TERRACE

VISION 2044 LAND USES

Purpose of Current Land Use Designations:

TOWN CENTER 1

The purpose of the Town Center 1 land use designation is to provide land for transit-oriented employment development in those Town Center areas closest to the light rail station. Professional office is the primary envisioned use followed by multifamily, and supportive and complementary retail commercial uses. These buildings will have a minimum height of 6 stories, and a maximum height of 12 stories.

NEIGHBORHOOD MIXED USE – The purpose of the Neighborhood Mixed Use land use designation is to provide land at efficient densities for multifamily residences and encouraging the development of mixed-use buildings with resident-oriented ground floor active uses to provide for the day-to-day needs of residents and the surrounding community. This designation encourages a clean and healthy environment, safety, walkability, neighborliness, affordability for a range of income levels, and convenient access to public transit, goods, and services. These buildings would have a maximum height of 4 to 6 stories, and these lots would serve as small commercial nodes in residential neighborhoods throughout the City, as a transitional zone between Residential land uses and higher intensity primarily commercial areas.

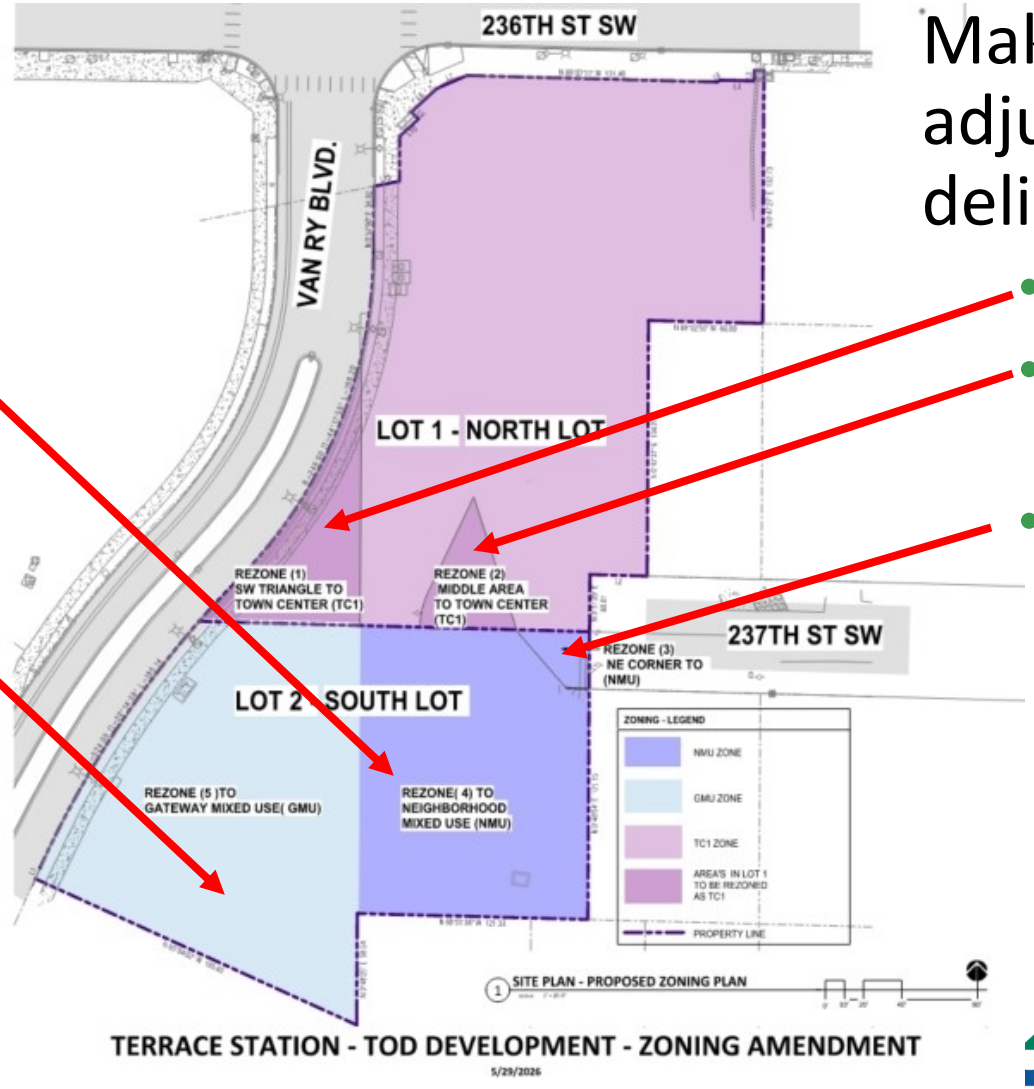
GATEWAY MIXED USE – The purpose of the Gateway Mixed Use land use designation is to provide land for commercial and multi-family mixed-use buildings with service-oriented non-residential uses (retail, restaurants, hotels, etc.), that serve the community, have more regionally scaled commercial uses and transit-oriented development, taking advantage of the proximity of I-5 and the Mountlake Terrace Light Rail Station. These buildings will have a minimum height of 6 stories, and a maximum height of 12 stories.

CITY OF MOUNTLAKE TERRACE

PROPOSED ZONING MAP

Adopt updated zoning designations consistent with the Comprehensive Plan, Vision 2044.

- Change RS 4800 to NMU
- Change F/T to GMU



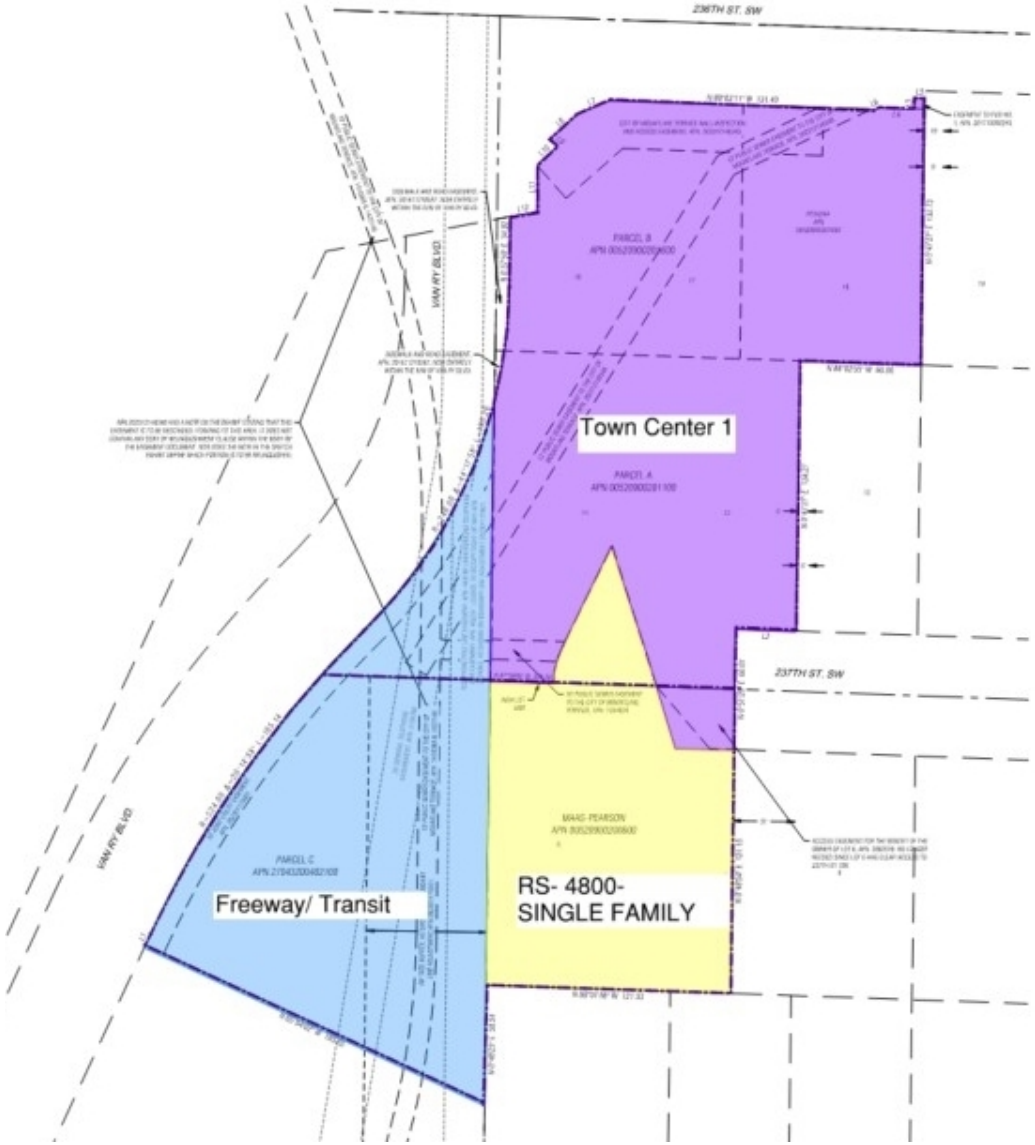
Make minor adjustments to zoning delineation lines

- Change F/T to TC-1
- Change RS 4800 to TC-1
- Change TC-1 to NMU

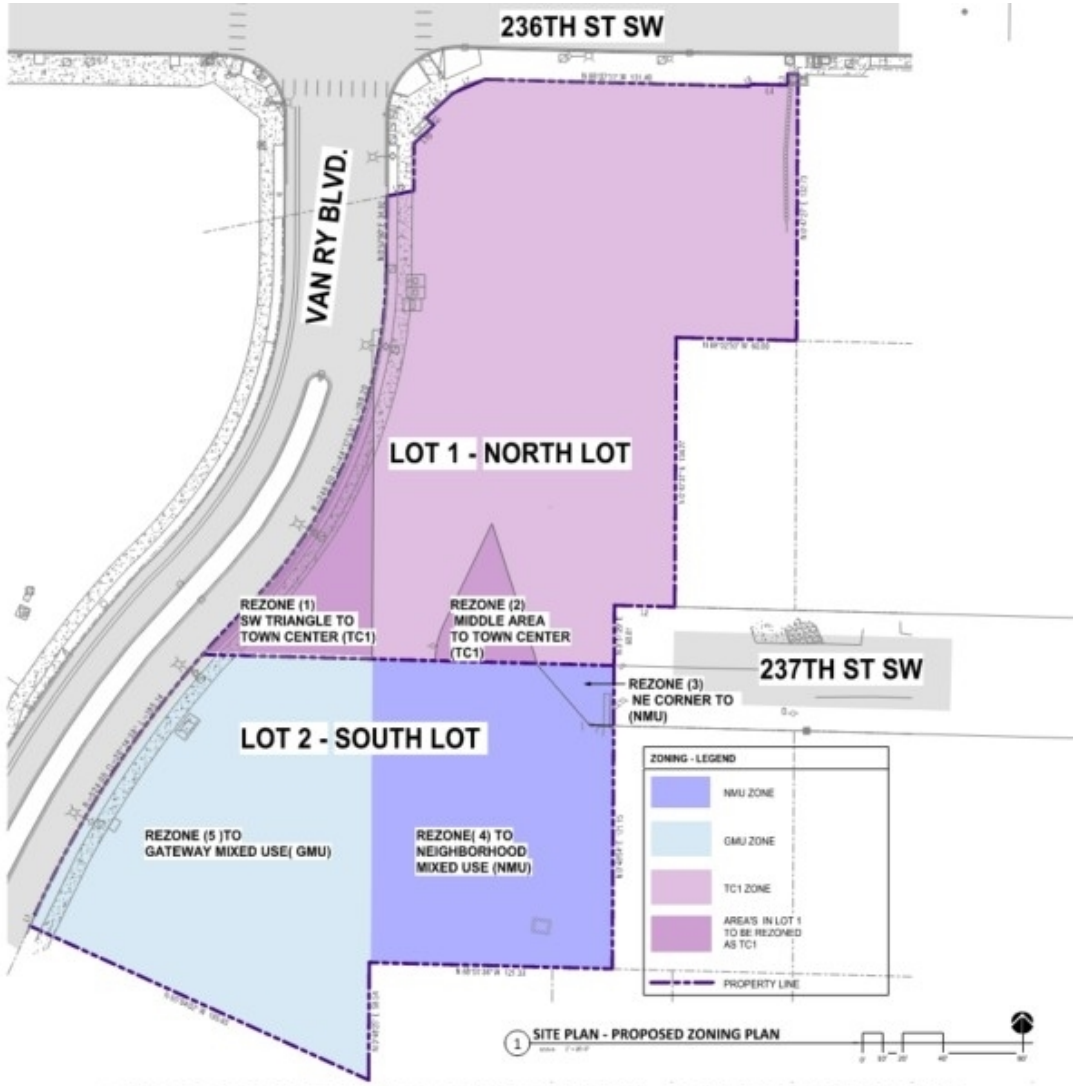
CITY OF MOUNTLAKE TERRACE

SIDE-BY-SIDE COMPARISON

EXISTING ZONING



PROPOSED ZONING



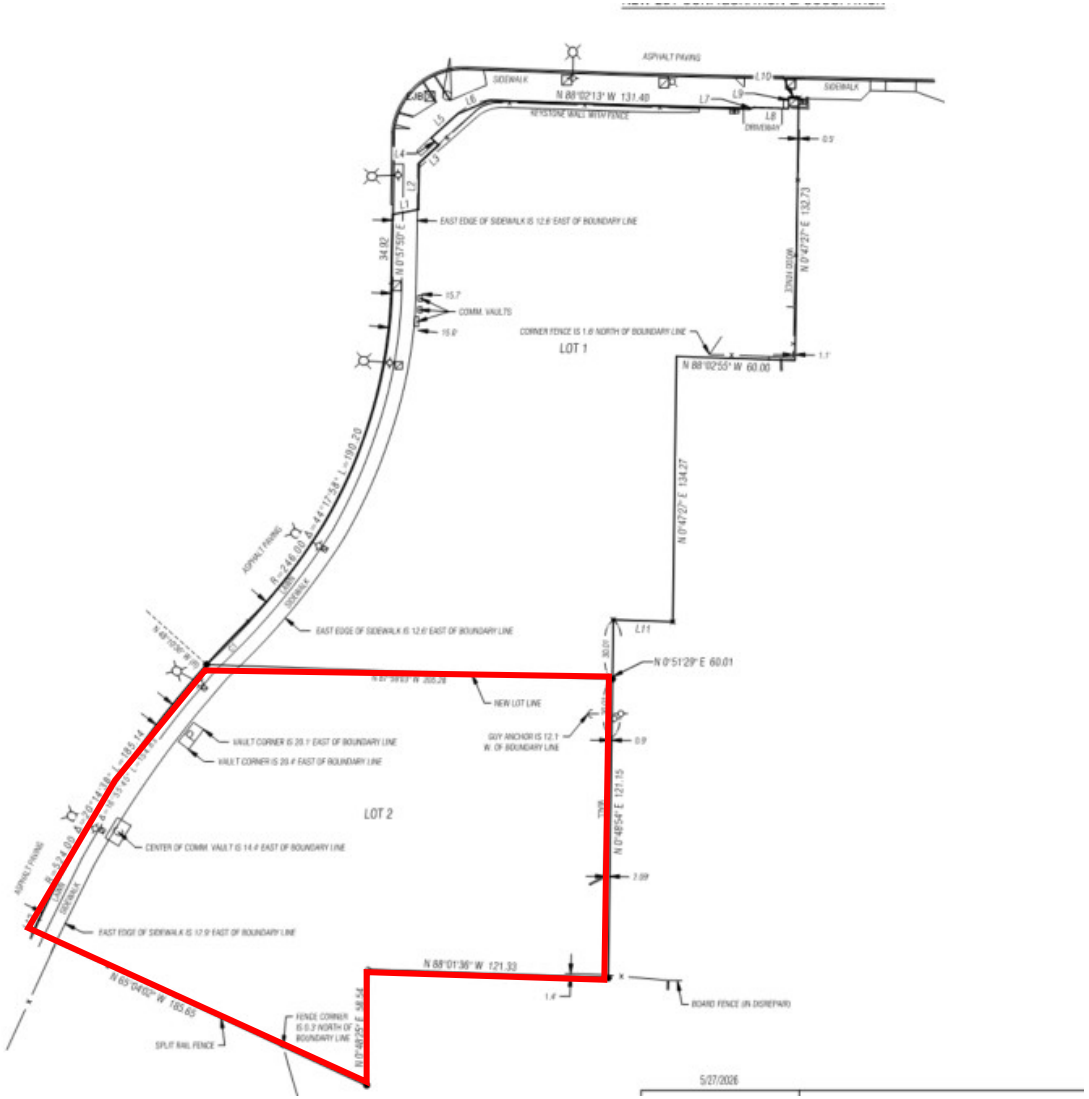
TERRACE STATION - TOD DEVELOPMENT - ZONING AMENDMENT

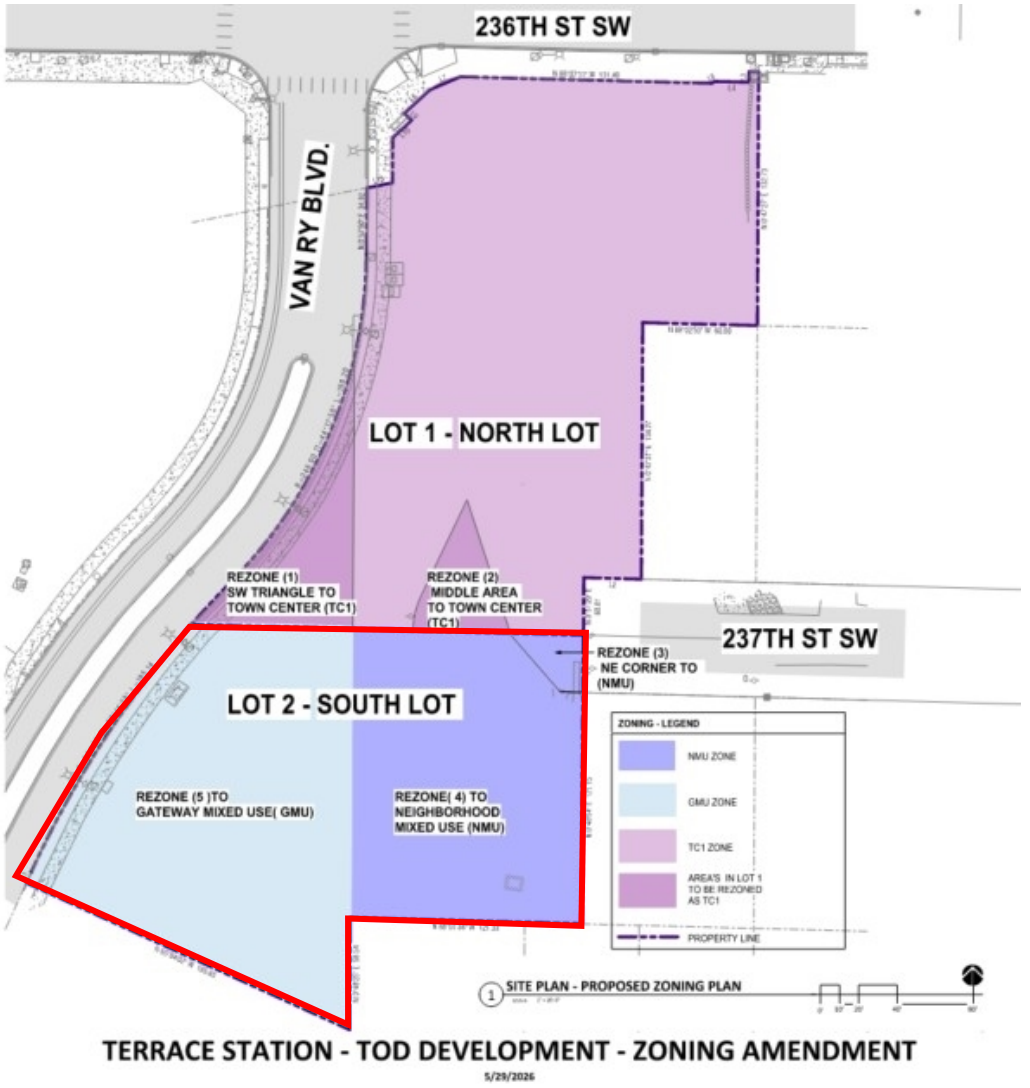
5/29/2026

TERRACE STATION 5 DEVELOPMENT AGREEMENT

CITY OF MOUNTLAKE TERRACE

LOCATION


LOT 1
LOT 2
N 88°02'13" W 131.40
N 88°02'55" W 60.00
N 0°51'29" E 60.01
N 88°01'36" W 121.33
N 0°47'27" E 134.27
N 0°48'54" E 121.15
NEW LOT LINE
5/27/2026


236TH ST SW
VAN RY BLVD.
LOT 1 - NORTH LOT
REZONE (1)
SW TRIANGLE TO
TOWN CENTER (TC1)
REZONE (2)
MIDDLE AREA
TO TOWN CENTER
(TC1)
237TH ST SW
REZONE (3)
NE CORNER TO
(NMU)
LOT 2 - SOUTH LOT
REZONE (5)TO
GATEWAY MIXED USE(GMU)
REZONE(4) TO
NEIGHBORHOOD
MIXED USE (NMU)
ZONING - LEGEND
NMU ZONE
GMU ZONE
TC1 ZONE
AREA'S IN LOT 1
TO BE REZONED
AS TC1
PROPERTY LINE
1 SITE PLAN - PROPOSED ZONING PLAN
TERRACE STATION - TOD DEVELOPMENT - ZONING AMENDMENT
5/29/2026

VISION 2044

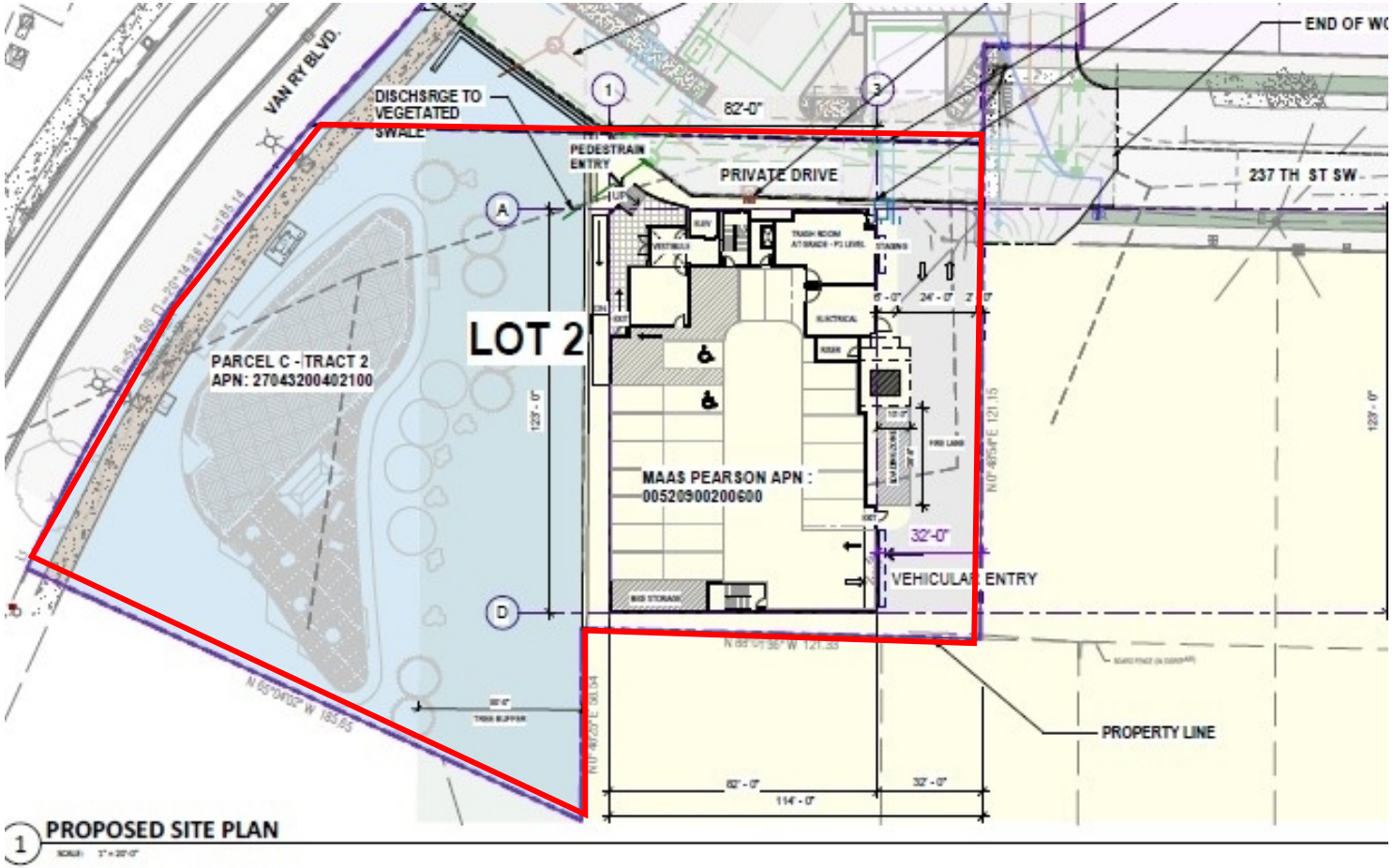
NEIGHBORHOOD MIXED USE – The purpose of the Neighborhood Mixed Use land use designation is to provide land at efficient densities for multifamily residences and encouraging the development of mixed-use buildings with resident-oriented ground floor active uses to provide for the day-to-day needs of residents and the surrounding community. This designation encourages a clean and healthy environment, safety, walkability, neighborliness, affordability for a range of income levels, and convenient access to public transit, goods, and services. These buildings would have a maximum height of 4 to 6 stories, and these lots would serve as small commercial nodes in residential neighborhoods throughout the City, as a transitional zone between Residential land uses and higher intensity primarily commercial areas.

CITY OF MOUNTLAKE TERRACE

PROJECT DESCRIPTION OVERVIEW

Terrace Station 5

- Multi-family Residential Use
  - 65 units
  - 6 stories
- Shared Open Space with landscaping, artwork, and recreational or leisure amenities for residents.
- Access via private drive between Van Ry Blvd. and 237th St SW.



CITY OF MOUNTLAKE TERRACE

ZONING STANDARDS

Figure 19.123.100(A)

Landscaped frontage vision and key standards.

Land Use

- Multi-household residential

Building Height

- 6 stories

Town Center Setbacks and Frontage

- Landscape block frontage standards including 10-foot setback (from Van Ry Blvd.)
- Side and Rear yard setbacks: 5 feet

CITY OF MOUNTLAKE TERRACE

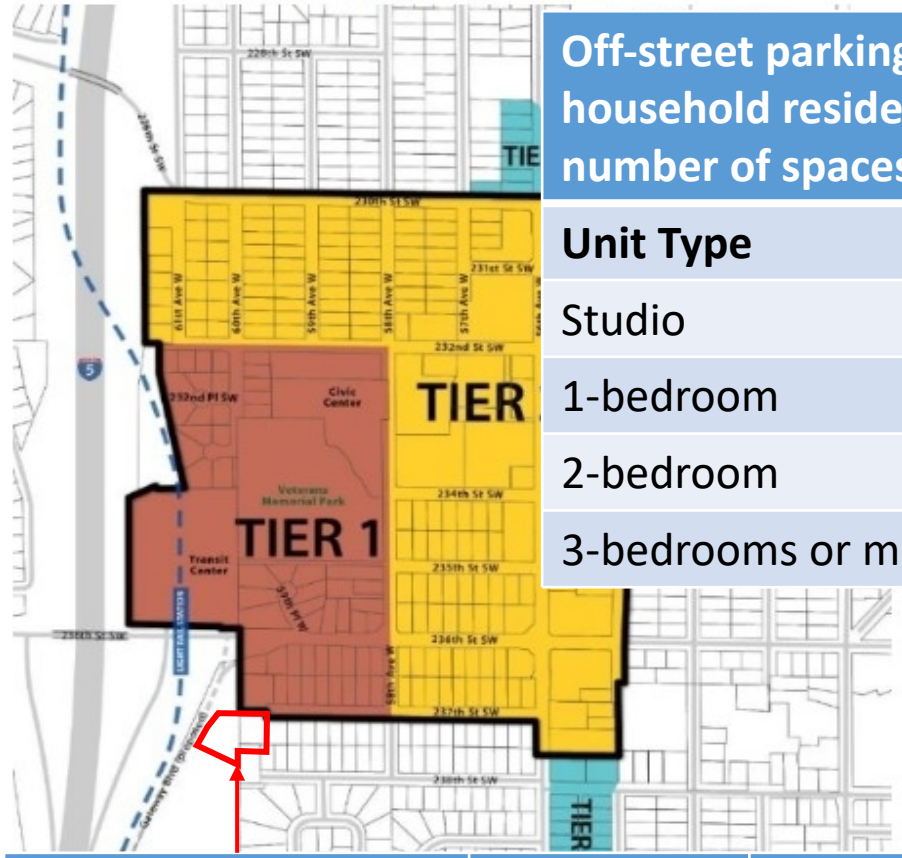
PARKING

Town Center Parking

- Tier 1 parking standards required
- 25% Parking reduction with Transportation Demand Management Programs (TDM)
  - vanpools, fleet ride, subscription bus, regular transit subsidy, carpooling
- Tandem parking spaces are allowed with an approved parking management plan approved by the Director

Figure 19.50.090(A)

Map of Town Center Parking Tiers



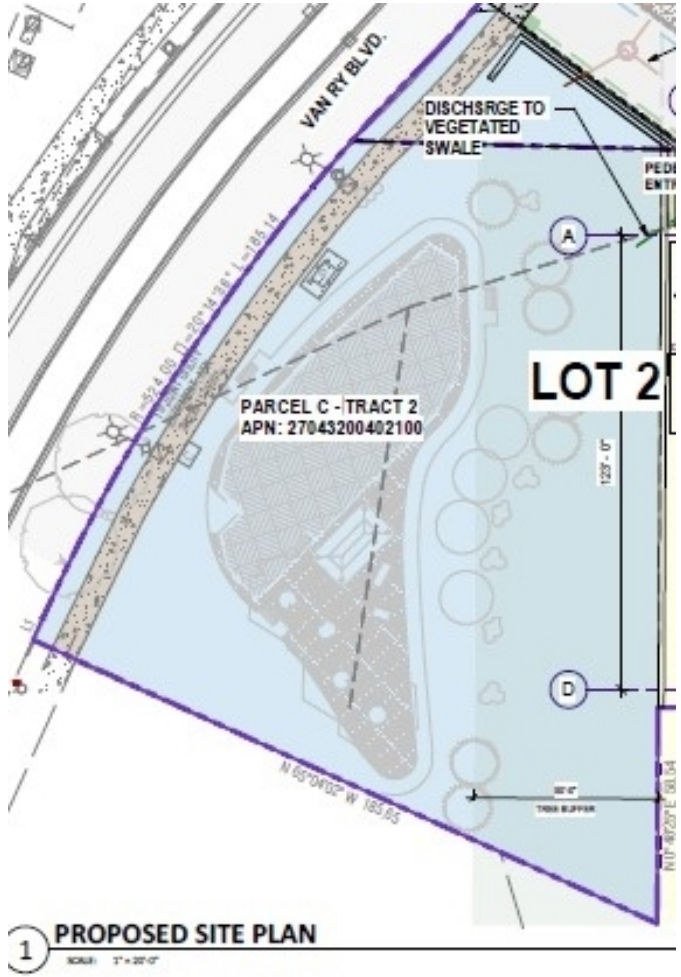
Off-street parking standards for multi-household residential uses (minimum number of spaces/dwelling)	
Unit Type	**Tier 1 requirement**
Studio	0.50
1-bedroom	0.75
2-bedroom	1.0
3-bedrooms or more	1.25

Terrace Station 5		
Unit Type	**Quantity**	**Parking Requirement**
Studio	60	30 spaces
1-bedroom	5	4 spaces
		34 spaces TOTAL
25% reduction with TDM programs		**26 spaces TOTAL**

OPEN SPACE

Comply with Town Center Open Space Requirements

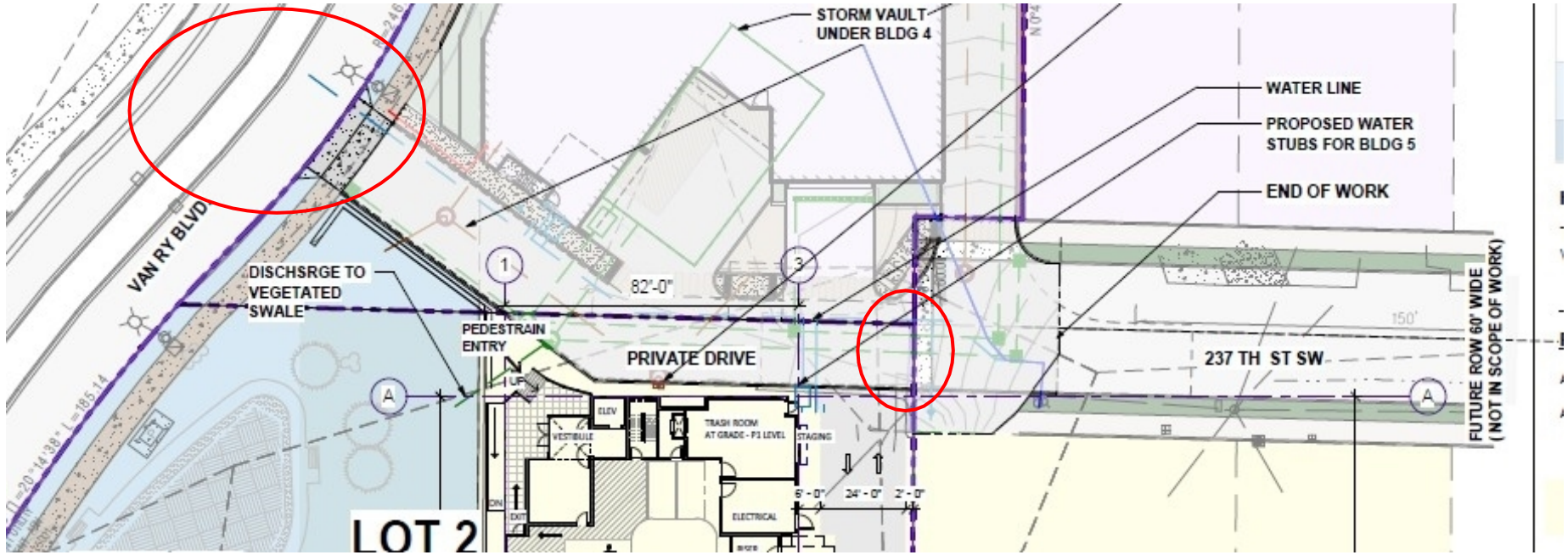
- 100 square feet per studio and 1- bedroom dwellings (6,500 square feet total as proposed)
- Can be provided through a combination of options:
  - Shared open Space
  - Ground-level individual outdoor open space
  - Balconies
  - Common indoor recreation areas
  - Shared roof decks
- Contains landscaping and usable amenities for recreation or leisure
- Maintained by the property owner



CITY OF MOUNTLAKE TERRACE

PUBLIC IMPROVEMENTS

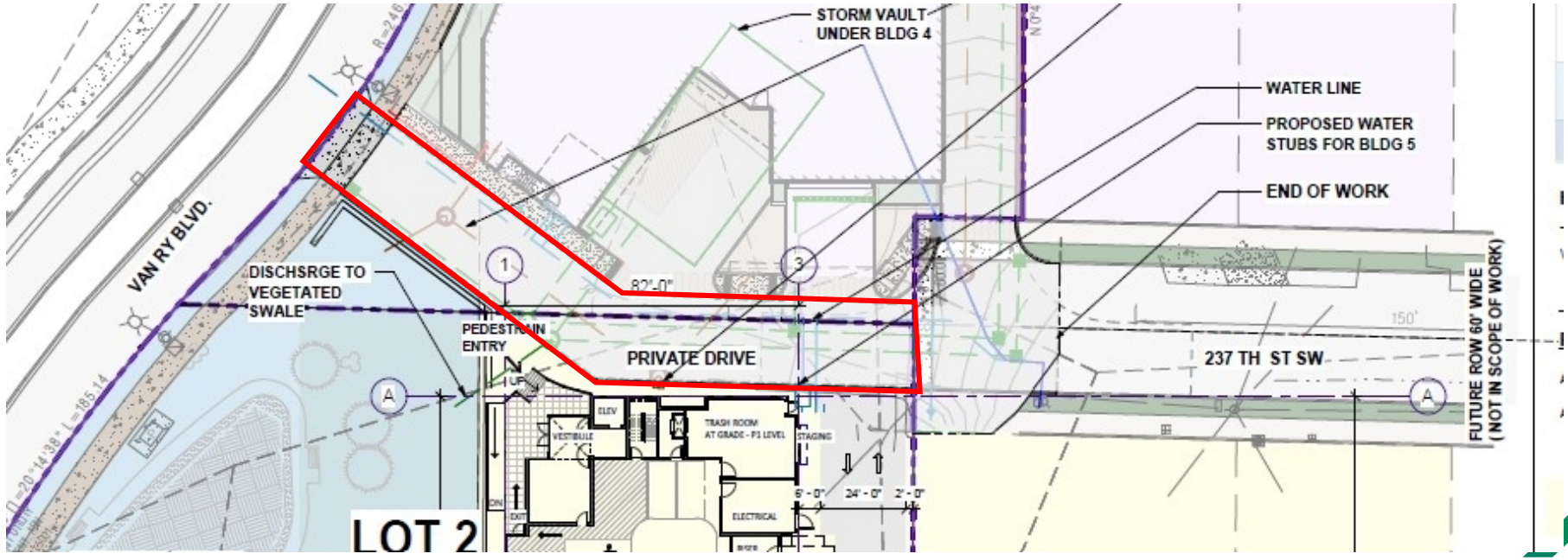
- Frontage improvements required at the end of the public portion of 237th St SW
- Traffic Impact Analysis required to analyze vehicle turning movements and detail any required traffic improvements



CITY OF MOUNTLAKE TERRACE

ACCESS AND EASEMENTS

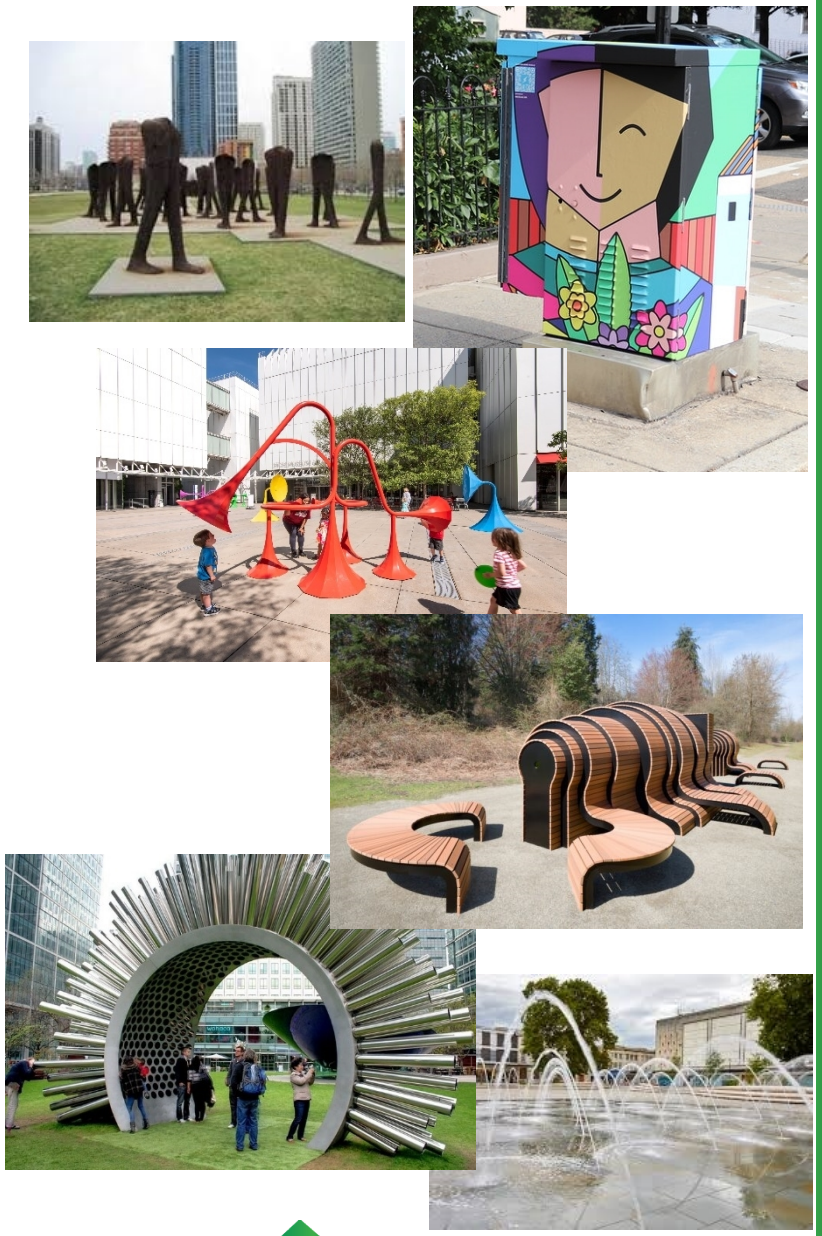
- A private drive will provide access to Terrace Station 5
- Private drive will serve as a fire lane
- Public vehicle access easement required
- Public pedestrian access easement required



CITY OF MOUNTLAKE TERRACE

ADDITIONAL TERMS

- Unless specified in the agreement, all Mountlake Terrace Municipal codes apply as stated in code.
- Developer is required to cover utility boxes adjacent to the project with vinyl art wraps.
- Pedestrian scale lighting is required along Van Ry Blvd if photometric design concludes existing street lighting is insignificant.
- Developer is required to provide one or more public artwork installations within the shared open space
  - Total cost is at least 1% of constructions costs not to exceed $100,000.



CITY OF MOUNTLAKE TERRACE

TIMELINES

July 2028	Land use applications due
July 2029	Civil permit applications due
July 2029	Building Permit applications due
July 2031	Substantial construction progress
July 2036	Agreement terminates

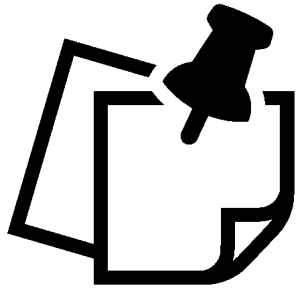
Conceptual Terrace Station 5 Rendering

CITY OF MOUNTLAKE TERRACE

COMMUNITY NOTIFICATION

- Planning Commission Work Session and Public Hearing
- City Council Agendas (July 9th and July 16th 2026)

- Notice of Application & Public Hearing Notice – June 16, 2026
  - Mailed to nearby residents within 300 feet of project site
  - Posted on site and Civic locations
  - Newspaper



CITY OF MOUNTLAKE TERRACE

BOARD/COMMISSION RECOMMENDATION

- Planning Commission recommends approval of the proposed zoning Map Amendment.
- Planning Commission recommends approval of the Development Agreement for Terrace Station 5.

Conceptual Terrace Station 5 Rendering

CITY OF MOUNTLAKE TERRACE

STAFF RECOMMENDATION

Staff recommends that Council **accept** the proposed zoning map amendment and proposed development agreement and vote to **approve** both items at the regular meeting scheduled for July 16, 2026.

CITY OF MOUNTLAKE TERRACE

DISCUSSION & QUESTIONS

CITY OF MOUNTLAKE TERRACE

Thank you

CITY OF MOUNTLAKE TERRACE

CITY OF MOUNTLAKE TERRACE

DRAFT ZONING MAP

Adopted: TBD

Ordinance Number TBD

GENERAL

- City Limits
- Light Rail Routes
- Lakes
- Parcels

ZONING DESIGNATIONS

- Community Business District (BC)
- Freeway/Tourist District(F/T)
- General Commercial District (CG)
- Gateway Mixed Use (GMU)
- Light Industry/Office Park District (LI/OP)
- Mobile Home Park (MHP)
- Low Density Multi Household (RML)
- Medium Density Multi Household (RMM)
- Neighborhood Mixed Use (NMU)
- Public Facilities and Services (PFS)
- Recreation and Park District (REC)
- Residential 1 (R-1), R-7200 & R-8400
- Residential 2 (R-2), R-4800
- Residential 3 (R-3)
- Residential 4 (R-4)
- Special Development District C/R(SDD C/R)
- Special Development District Residential (SSD/R)
- Town Center (TC-1 - See Town Center Districts Map)
- Town Center (TC-2 - See Town Center Districts Map)
- Town Center (TC-3 - See Town Center Districts Map)
- Town Center (TC-R - See Town Center Districts Map)
- PUD (Planned Unit Developments) Overlay
- SOAB (Sexually Oriented Adult Businesses) Overlay

0 250 500 1,000 1,500 2,000 Feet

1 inch = 500 feet

Draft for City Council adoption - Ordinance No. TBD. NMU and GMU colors sourced from Otak's Comprehensive Plan (Land Use 2024) per CED direction.

Z:\GIS_Data_Maps\2026 Map Projects\Map26_088_Sara - proposed rezones Draft map at 6002 237th St and 5906 236th St\Sara's_Zoning_Map_36x24_PROPOSED_PZMA260017_Terrace_Station_TOD_June2026_v5.mxd

7/7/2026

CITY OF MOUNTLAKE TERRACE

ORDINANCE NO. XXX

AN ORDINANCE OF THE CITY OF MOUNTLAKE TERRACE, WASHINGTON, AMENDING THE OFFICIAL ZONING MAP FOR PROPERTIES LOCATED AT 5906 236TH ST. SW AND 6002 237TH ST. SW; PROVIDING FOR SEVERABILITY; AND ESTABLISING AN EFFECTIVE DATE

WHEREAS, local zoning maps must be consistent with the Comprehensive Plan of the City of Mountlake Terrace ("City"); and

WHEREAS, the City Council has the authority to regulate land uses within the City; and

WHEREAS, the City received a zoning map amendment application from Whiskey 6, LLC on May 19, 2026, to rezone properties located at 5906 236th St. SW and 6002 237th St. SW, Mountlake Terrace, Washington; and

WHEREAS, pursuant to Mountlake Terrace Municipal Code ("MTMC") 19.110.230, the City Council may approve a zoning map amendment only if the proposal satisfies all review criteria listed in the MTMC, including that the proposal is in accordance with the City's Comprehensive Plan; and

WHEREAS, the Planning Commission held a duly noticed public hearing on July 13, 2026, to consider amendments to the City's Official Zoning Map and, after due consideration, recommended that the City Council amend the City's Official Zoning Map; and

WHEREAS, environmental review was conducted pursuant to the State Environmental Policy Act ("SEPA") and Chapter 16.05 MTMC, and a Determination of Nonsignificance for the Project was issued on June 11, 2026; and

WHEREAS, the City Council finds that the proposed amendments to the Official Zoning Map satisfy all approval criteria set forth in MTMC 19.110.230. The City Council further finds that the proposed amendments to the Official Zoning Map are consistent with the Growth Management Act and otherwise with the goals and policies of the City's Comprehensive Plan.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOUNTLAKE TERRACE, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Recitals. The recitals set forth in the "Whereas" clauses above are hereby adopted and incorporated herein as Findings of Fact and/or Conclusion of Law. These findings and conclusions of the City Council are based on the entire record of testimony and exhibits, including all written and oral testimony and exhibits, before both the Planning Commission and the City Council.

Section 2. Amendment to Official Zoning Map. The City of Mountlake Terrace Official Zoning Map is hereby amended as set forth in Exhibit A, Official Zoning Map, a copy of which is attached hereto and incorporated herein by reference as though fully set forth, to generally provide zoning reclassification of the properties located at 5906 236th St. SW and 6002 237th St. SW, Mountlake Terrace, Washington.

Section 3. Corrections. The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 4. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such invalidity shall not affect the validity or effectiveness of the remaining portions of this Ordinance.

Section 5. Summary, Publication, and Effective Date. This Ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after its publication as required by law.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 16 of JULY, 2026.

CITY OF MOUNTLAKE TERRACE

_____
Steve Woodard, Mayor

ATTEST/AUTHENTICATED:

_____
Jennifer Joki, City Clerk

APPROVED AS TO FORM:

_____
Hillary J. Evans, City Attorney

CITY OF MOUNTLAKE TERRACE

RESOLUTION NO. XXXX

A RESOLUTION OF THE CITY OF MOUNTLAKE TERRACE, WASHINGTON, APPROVING A DEVELOPMENT AGREEMENT FOR THE TERRACE STATION 5 DEVELOPMENT PROJECT BY AND BETWEEN THE CITY OF MOUNTLAKE TERRACE AND WHISKEY 6, LLC; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, Whiskey 6, LLC initiated discussions with the City of Mountlake Terrace ("City") in early 2026 regarding potential construction of a multi-family residential development project ("Project") on property located at 6002 237th St. SW ("Project Site"); and

WHEREAS, following discussions with City staff, Whiskey 6, LLC prepared conceptual plans for the Project and attended a pre-application conference with City staff on May 20, 2026; and

WHEREAS, RCW 36.70B.170 authorizes the preparation and adoption of development agreements between local governments and persons having ownership or control of real property within local jurisdictions, including the proposed Development Agreement attached hereto as Exhibit A; and

WHEREAS, the City's Comprehensive Plan, Vision 2044, sets forth Neighborhood Mixed Use and Gateway Mixed Use land use designations for the Project Site; and

WHEREAS, the Project Site will have split zoning containing Neighborhood Mixed Use and Gateway Mixed Use designations; and

WHEREAS, environmental review was conducted pursuant to the State Environmental Policy Act ("SEPA") and Mountlake Terrace Municipal Code ("MTMC") Chapter 16.05, and a Determination of Nonsignificance for the Project was issued on June 11, 2026; and

WHEREAS, the Planning Commission held a duly noticed public hearing on July 13, 2026, to consider amendments to the Official Zoning Map and, after due consideration, recommended that the City Council amend the City's Official Zoning Map; and

WHEREAS, pursuant to RCW 36.70B.170, development agreements must set forth the development standards and other provisions that apply to, govern, and vest the development, use, and mitigation of the development of the Project Site for the duration specified in the agreement; and

WHEREAS, following negotiation of the terms of the Development Agreement between City staff and Whiskey 6, LLC, the City has drafted a proposed final form of the Development Agreement for consideration by the City Council; and

WHEREAS, the Development Agreement is consistent with the standards set forth RCW 36.70B.170 and otherwise in state law; and

WHEREAS, the City Council finds the proposed Development Agreement attached hereto as Exhibit A is consistent with the goals and policies of the City's Comprehensive Plan; and

WHEREAS, the City Council further finds the proposed Development Agreement will promote the general health, welfare, and safety of the community.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOUNTLAKE TERRACE, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Recitals. The recitals set forth in the "Whereas" clauses above are hereby adopted and incorporated herein as Findings of Fact and/or Conclusion of Law. These findings and conclusions of the City Council are based on the entire record of testimony and exhibits, including all written and oral testimony and exhibits, before both the Planning Commission and the City Council.

Section 2. Approval of Development Agreement. The City Council hereby approves the Development Agreement with Whiskey 6, LLC for the Project in the form attached hereto as Exhibit A to this resolution or otherwise as may be amended by the City Council.

Section 3. Execution of Development Agreement by City. On behalf of the City, the City Manager is authorized and directed to execute the Development Agreement with Whiskey 6, LLC in the form attached as Exhibit A to this Resolution or as otherwise may be amended by the City Council.

Section 4. Execution of Development Agreement by Developer. No later than ten (10) days following the City Manager's execution of the Development Agreement as authorized in Section 2 of this resolution, Whiskey 6, LLC shall return a fully executed copy of said Development Agreement to the City. Failure by Whiskey 6, LLC to timely execute and return the Development Agreement shall render such Development Agreement null and void.

Section 5. Corrections. The City Clerk and City Attorney are authorized to make ministerial and clerical corrections to this Development Agreement as necessary; provided, however, that any such corrections shall not materially modify the meaning or intent of this Development Agreement.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 16 of JULY, 2026.

CITY OF MOUNTLAKE TERRACE

_____
Steve Woodard, Mayor

ATTEST/AUTHENTICATED:

_____
Jennifer Joki, City Clerk

APPROVED AS TO FORM:

_____
Hillary J. Evans, City Attorney

DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF MOUNTLAKE TERRACE AND WHISKEY 6, LLC

THIS DEVELOPMENT AGREEMENT ("Agreement") is made and entered into this ____ day of_____, 2026, by and between the **CITY OF MOUNTLAKE TERRACE**, a Washington municipal corporation, hereinafter the "City," and **WHISKEY 6, LLC,** a limited liability company organized under the laws of the State of Washington, hereinafter the "Developer," collectively known as "Parties" and each individually referenced as "Party."

RECITALS

A. Developer owns or controls real property located within the City identified as Lot 2 (the "Property"), legally described in Exhibit A. This Agreement relates to the development of the Property.

B. The Property is located within the City's Town Center, Gateway Mixed Use, and Neighborhood Mixed Use Comprehensive Plan land use designations and is subject to a proposed zoning map amendment.

C. Developer proposes a residential development on the Property consisting of one building, structured parking, open space and associated improvements (the "Project"), as generally depicted on Exhibit B (Conceptual Site Plans).

D. The City and Developer wish to enter into this Agreement pursuant to RCW 36.70B.170–.210 to establish development standards applicable to the Project.

E. This Agreement was considered and recommended for approval by majority vote of the Planning Commission after a public hearing conducted on **[DATE].**

F. This Agreement was considered and approved by majority vote of the City Council on **[DATE]**, after which the City Council authorized the City Manager to sign this Agreement.

G. RCW 36.70B.170 authorizes the execution of a development agreement between a local government and a person having ownership or control of real property within its jurisdiction.

H. A development agreement must set forth the development standards and other provisions that shall apply to, govern and vest the development, use, and mitigation of Property for the duration specified in the agreement.

Now, therefore, the Parties hereto agree as follows:

DRAFT

GENERAL PROVISIONS

1. The Property. The Property consists of 42,549 square feet and is legally described in Exhibit A, attached hereto and incorporated herein by this reference.

2. The Project. The Project, referenced as "Terrace Station 5" is the development and use of the Property contemplated in this Agreement and as generally depicted on Exhibit B, attached hereto and incorporated herein by this reference.

3. Application Review Order. Developer shall submit applications in the following order. After receipt of complete applications pursuant to Mountlake Terrace Municipal Code ("MTMC") 18.05, the City shall review and issue decisions on such complete applications in the same order.

A. Lot Line Adjustment/Consolidation[1]

B. Zoning Map Amendment[1]

C. Binding Site Plan Amendment (regarding proposal to remove 60' tree buffer on the Project Site) [2]

D. Terrace Station 5 Site Development Plan[3]

E. Terrace Station 5 Critical Area Report[3]

F. Terrace Station 5 SEPA Application (combined with rezone)[3]

G. Terrace Station 5 Civil Permits[4]

H. Terrace Station 5 Building Permits[4]

Applications are labeled in the order that they shall be submitted by Developer. Applications with the same number following their name as indicated above (e.g., [1, 2, 3, or 4]) may be reviewed concurrently.

4. Definitions. As used in this Agreement, the following terms, phrases and words shall have the meanings and be interpreted as set forth in this Section.

A. "Adopting Ordinance" means the ordinance which approves this Development Agreement, as required by RCW 36.70B.200.

B. "Building Height" means the vertical distance measured from the grade point around the building to the highest point of a flat roof; to the deck line of a mansard roof; and to the midpoint of a pitched roof (i.e., gable, hip, or gambrel roofs). Specifically excluded from this definition, and from the regulations of maximum building height, are structural elements not intended for habitation and not exceeding 15 feet above the maximum height such as poles, housing/screens for

mechanical and elevator equipment, smoke and public ventilation stacks/fans, skylights, solar panels, tanks, and public utility and transmission line towers.

C. “Design Guidelines” means the Mountlake Terrace Design Standards as set forth in Chapter 19.123 of the MTMC.

D. “Developer” means Whiskey 6, LLC, a Washington limited liability company, or its successors and assigns as authorized by Section 19 below.

E. “Development Applications” means applications for the permits and approvals identified in Section 3 above, and any other applications and permits required by law for the development of the Property.

F. “Development Standards” includes, but are not limited to, all of the standards listed in RCW 36.70B.170(3) and any others included in Existing Land Use Regulations below.

G. “Director” means the director of the Community Development Director or designee.

H. “Effective Date” means the effective date of the Adopting Ordinance.

I. “Existing Land Use Regulations” means the ordinances adopted by the City Council of Mountlake Terrace in effect on the Effective Date, including the adopted ordinances, whether or not codified in the MTMC, that govern the permitted uses of land, the density and intensity of use, and the design, improvement, construction standards and specifications applicable to the development of the Property, including, but not limited to the Comprehensive Plan, the City’s Official Zoning Map and development standards, the Design Standards, the Public Works Standards, Engineering Development Manual and related engineering standards, SEPA, Concurrency Ordinance, and all other ordinances, codes, rules and regulations of the City establishing subdivision standards, and park regulations. This definition of Existing Land Use Regulations does not include non-land use regulations, which include taxes and impact fees.

J. "Grade point" means an elevation point representing the average elevation of the finished ground level adjoining the building at all exterior walls. Where the finished ground level slopes away from the exterior walls, the grade point is the average of the lowest elevation points within the area between the building and the lot line or, where the lot line is more than six feet from the building, between the building and the lowest elevation points within six feet of the building. For U-shaped buildings and for buildings with enclosed or "donut hole" inner courtyards, the grade points within the "U" or within the inner courtyard are not included in the grade point calculation.

K. “Project Site” means the lot on which Terrace Station 5 is located, depicted as Lot 2 on Boundary Line Adjustment (“BLA”) application no. P-BL-26-0005.

5. Exhibits. The following exhibits are attached to this Agreement and incorporated herein:

A. Legal Description;

B. Conceptual Site Plan & Conceptual Building Renderings

C. Gateway TOD Comprehensive Sign Plan

D. Chapter 16.15 MTMC Critical Areas

E. Chapter 16.20 MTMC Stormwater

F. Chapter 18.05 MTMC Administration and Procedures

G. Chapter 19.15 MTMC Definitions

H. Chapter 19.50 MTMC Town Center Zones

I. Chapter 19.95 MTMC Transportation Code

J. Chapter 19.123 MTMC Town Center Design Standards

K. Chapter 19.125 MTMC Off-street Parking and Loading

L. Chapter 19.126 MTMC Electrical Vehicle Infrastructure

M. Chapter 19.130 MTMC Landscape Development and Site Buffering

N. 2026 Engineering Development Manual

6. General Project Description. The Project is generally depicted on Exhibit B as a transit-oriented development southeast of the intersection of 236th St. SW and Van Ry Blvd. As proposed:

A. The site plan includes one residential building (Terrace Station 5), open space, and a private drive between 237th St. SW and Van Ry Blvd.;

C. Terrace Station 5 will be a new 6-story multifamily residential building with direct access to and near the Mountlake Terrace Transit Station; and

D. Van Ry Blvd., and 237th St. SW will provide access to the Project. A new private drive between 237th St. SW to Van Ry Blvd. will be constructed.

E. An open space area with enhanced landscaping will be constructed on Lot 2 as currently described on Exhibit A to provide the community, including residents, with outdoor public space and amenities including suitable and usable areas for leisure and/or recreation activities.

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F. Terrace Station 5 includes a stormwater detention vault that will serve as the detention vault for both Terrace Station 5 and a separate project subject to separate applications known as Terrace Station 4. The detention vault shall be built on Lot 2 under Terrace Station 5 as Lot 2 is depicted on BLA application no. P-BL-26-0005. The detention vault must be completed and operational consistent with City code prior to the issuance of required land use approvals and certificates of occupancy for Terrace Station 4.

7. **Specific Project Description.**

A. **Zoning standards.** Terrace Station 5 shall comply with Town Center 1 zoning requirements and design standards as set forth in Chapter 19.50 and 19.123 MTMC, except Terrace Station 5 shall not exceed a maximum building height of six stories. The height maximum is consistent with the Comprehensive Plan vision for the Neighborhood Mixed Use land use designations.

1. **Block Frontage Standards.** Landscape block frontage standards per MTMC 19.123.100 shall apply to the development facing the Van Ry Blvd. frontage. The area to the west of the building is considered the front yard setback. A minimum 10-foot setback is required from Van Ry Blvd, which is the front yard setback.

2. **Side and rear yard setbacks.** The side and rear yards are located to the north, east, and south of the proposed building. The minimum side and rear yard setbacks will be five feet, except zero feet is allowed for windowless firewalls up to six stories in height.

3. **Building Separation.** Building separation requirements are set forth in Title 15 MTMC, including the International Building Code and International Fire Code.

B. **Parking.** Parking requirements for the Project shall comply with MTMC 19.50.090 Tier 1 parking standards and as further provided in this Section 7.B:

1. **Required Vehicle Parking Spaces.** Tier 1 parking standards are as follows for multi-household residential development:

Studio	0.50 spaces
1-bedroom	0.75 spaces
2-bedroom	1.0 spaces
3-bedrooms or more	1.25 spaces

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2. **Parking Reduction.** A twenty-five percent reduction of the required Tier 1 parking requirements will be granted for Terrace Station 5, if the building provides some or all of the Transportation Demand Management (TDM) Programs listed below due to proximity to transit and demonstration of reduced parking demand.

   TDM programs include vanpools, fleet ride, subscription bus, regular transit subsidy, and parking management programs such as carpooling; provided, that the applicant demonstrates that the use of these programs is likely to correspondingly reduce the need for the minimum number of parking spaces otherwise required.

2. **Tandem Parking.** Tandem parking is permitted without an attendant, subject to a parking management plan approved by the Director.

C. **Open Space:** Open Space requirements for the Project shall comply with MTMC 19.123.190. A minimum of usable open space equal to 100 square feet per dwelling unit for studio and one-bedroom dwellings and 150 square feet per dwelling unit for dwelling with two or more bedrooms is required. Additional open space standards are set forth in this Section 7.C:

1. **Compliance.** Open space requirements may be satisfied as follows:

   - Up to 100% of the total open space requirement may comprise shared open space;
   - Up to 100% of the total open space requirement for an individual ground-level unit may comprise open space that is directly accessible to the subject unit and otherwise satisfies the requirements of MTMC 19.123.190(B)(1)(b);
   - Up to 25% of the total open space requirement may comprise balconies;
   - Up to 50% of the total open space requirement may comprise Common Indoor Recreation Areas; and/or
   - Up to 50% of the total open space requirement may comprise shared roof decks.

   All such open space shall be located within Project Site or on an adjacent site subject to Developer's execution and recording of a perpetual public open space easement in a form acceptable to the City.

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2. **Improvements.** Improvements may include landscaping, seating, gardens, entrance plazas, decks, children's play areas, pools, water features, and pedestrian amenities. The open space shall create usable space that is suitable as reasonably determined by the Director for leisure or recreational activities for residents and shall contribute to the residential setting.

3. **Maintenance.** Maintenance responsibility for all open space and related improvements shall run with the Property.

D. **Landscaping and Trees:**

1. **Tree Replacement.** Tree removal and replacement requirements are set forth in MTMC Chapter 19.130, including the tree replacement fee-in-lieu provisions of MTMC 19.130.195.

E. **Public Improvements:** Public Improvement requirements for the Project shall comply with Chapter 19.95 MTMC and as further provided in this Section 7.E and Section 7.G.1:

1. **Frontage Improvements.** Developer shall construct all frontage improvements along all site frontages consistent with the 2026 Engineering Development Manual set forth at MTMC Chapter 19.95 and Town Center Standards set forth at MTMC Chapter 19.50 and 19.123. Frontage Improvements at the end of the public portion of 237th St. SW shall consist of concrete driveway approaches into the Project with sidewalks and curbs that terminate at adjacent property lines.

2. **Traffic Improvements.** Developer shall prepare a Traffic Impact Analysis ("TIA") for City review and approval. The TIA shall analyze and describe design options for vehicle turning movements for vehicles turning south onto Van Ry Blvd. east onto 237th St. SW. Any required traffic improvements to the 237th St. SW and 58th Ave. W will be detailed in the TIA, including calculation of any applicable credit to traffic impact fees pursuant to Chapter 18.30 MTMC.

F. **Access and Easements:** The access road between Van Ry Blvd. and 237th St. SW as depicted on Exhibit B shall be designated a Private Drive and Fire Lane. Prior to dedication of the Public Improvements identified above, Developer shall grant the City a Public Pedestrian Access Easement and Public Vehicular Access Easement in a form acceptable to the City Attorney within the depicted Private Drive area.

G. **Additional Terms:**

1. Unless specifically set forth otherwise in this Agreement, the Project shall comply with all provisions of the Mountlake Terrace Municipal Code.

2. Developer shall cover all utility boxes within and adjacent to the Project site with vinyl art wraps. All such vinyl art wraps shall be reviewed and approved by the City prior to installation, including review by the Community Development Department.

3. Developer to provide pedestrian scale lighting around the exterior of the building and along the eastern sidewalk on Van Ry Blvd., as required by MTMC 19.50.100(J) if photometric design concludes that existing street lighting is not sufficient.

4. The Developer shall provide one or more public-facing artwork installations within the project's shared open space, subject to review and approval by the City. The total cost of the public-facing artwork installation(s), including design, fabrication, transportation, and installation, shall be at least 1% of Terrace Station 5 construction costs, not to exceed One Hundred Thousand Dollars ($100,000.00).

   Prior to installation, the Developer shall submit a Public-Facing Artwork Proposal to the City for review and approval. The proposal shall include, at a minimum:

   - A site plan identifying the location(s) of the proposed public-facing artwork;
   - Scaled drawings, renderings, or elevations depicting the proposed public-facing artwork and its relationship to the surrounding site;
   - Material samples and descriptions of construction methods for the proposed public-facing artwork; and
   - A written narrative describing the proposed public-facing artwork concept and how it contributes to the character and public realm of the project, including:
     - A description of the artist's qualifications, including a résumé, portfolio, or similar documentation of relevant experience.
     - A project budget identifying the estimated costs associated with design, fabrication, installation, and ongoing maintenance of the artwork.
     - A development and implementation schedule, including anticipated fabrication and installation milestones.

   The City may refer the Public Art Proposal to the Arts Advisory Commission for review and recommendation. The City reserves the right to require reasonable modifications to the proposed artwork to ensure consistency with adopted City policies, design objectives, public safety requirements, and maintenance considerations. The artwork shall be in place for the life of the project. The property owner is responsible for maintaining the artwork (or replacing the artwork) as needed.

5. Developer shall submit a Critical Area Report pursuant to MTMC 16.15.200 including a Geotechnical Report pursuant to MTMC 16.15.430(D) for the portions of the Project Site (a) on which Terrace Station 5 will be situated and (b) such additional portion of the Project Site as reasonably determined by the Director to be necessary for a complete Critical Area Report and Geotechnical Report. If such portions of the Project Site are determined to be a Class IV landslide hazard area pursuant to MTMC 16.15.430, Developer shall have the option to submit a complete application for review and decision by the City for a reasonable use exception.

8. Project is a Private Undertaking. The Project is a private development and the City has no interest therein except as set forth in this Agreement or as otherwise authorized in the exercise of its governmental functions.

9. Term of Agreement. This Agreement shall commence upon the Effective Date of the Adopting Ordinance approving this Agreement and shall continue in force for a period of ten (10) years unless extended or terminated as provided in Section 16 herein.

10. Vested Rights of Developer. During the term of this Agreement, the development rights, obligations, terms and conditions specified in the Existing Land Use Regulations and this Agreement are vested in the Developer as set forth in RCW 36.70B.180, subject to the provisions of RCW 36.70B.170(4) or other applicable law. In particular, Developer does not vest to any standards included in the International Building Code or other provisions of the City Building Code codified in MTMC Title 15 or other life, health, and safety codes.

11. Permitted Uses and Development Standards. The permitted uses, the density and intensity of use, the maximum height and size of proposed buildings, the construction, installation and extension of public improvements, development guidelines and standards for development of the Property, shall be those set forth in this Agreement as identified in Section 7 above, the permits and approvals identified herein, and all exhibits incorporated herein.

12. Further Discretionary Actions. Developer acknowledges that the Existing Land Use Regulations contemplate the exercise of further discretion by the City. This discretion may include but is not limited to review of additional permit applications under SEPA. Nothing in this Agreement shall be construed to limit the authority or the obligation of the City to hold legally required public hearings, or to limit the discretion of the City or any of its officers or officials in complying with or applying Existing Land Use Regulations or other applicable law.

13. Existing Land Use Fees and Impact Fees. Land use fees, applicable impact fees, and any other applicable fees do not vest under this Agreement and shall be paid in full when due. The City may stay the review of any pending land use applications if any outstanding fees are due and owing.

14. **Multifamily Tax Exemption Program.** The City shall review and issue a decision pursuant to MTMC 3.95 and any other applicable law on any application submitted by Developer for a Multifamily Tax Exemption.

14. Minor Modifications. Minor modifications from the approved permits or the exhibits attached hereto may be approved in accordance with MTMC 18.05 and shall not require an amendment to this Agreement.

15. Default.

A. Subject to extensions of time by mutual consent in writing, the failure of either Party to timely perform any material provision of this Agreement shall constitute a default under this Agreement. In the event of such default, the Party alleging shall give the other Party not less than thirty (30) days' notice in writing specifying the nature of the alleged default and the manner in which said default may be cured. During this thirty (30) day period, the Party charged shall not be considered in default for purposes of termination or institution of legal proceedings.

B. After notice and expiration of the thirty (30) day period, the other Party to this Agreement may, at its option, institute legal proceedings or undertake any other available remedy.

16. Termination.

A. This Agreement shall expire and be of no further force and effect if Developer (a) fails to submit complete applications as reasonably determined by the City for the permits and approvals listed in Section 3A through 3F above not later than July 16, 2028 and Section 3G and 3H by July 16, 2029, or (b) Developer fails to make substantial construction progress as reasonably determined by the Director by July 16, 2031. Nothing in this Agreement shall extend the expiration date of any permit or approval issued by the City for any development or Project.

B. This Agreement shall expire and be of no further force and effect if the Developer does not construct the Project as contemplated by the permits and approvals identified in this Agreement, and/or if the Developer submits applications for development of the Property that are inconsistent with such permits and approvals.

C. This Agreement shall terminate upon the expiration of the term identified in Section 9 or when the Property has been fully developed, whichever first occurs. Upon termination of this Agreement, the City shall record a notice of such termination in a form satisfactory to the City Attorney that the Agreement has been terminated.

17. Effect upon Termination on Developer Obligations. Notwithstanding Section 16 above, termination of this Agreement as to the Developer of the Property or any portion thereof shall not affect any of the Developer's obligations to comply with the City Comprehensive Plan and the terms and conditions or any applicable zoning code(s), subdivision codes, approved Planned Action Ordinance, Binding Site Plan or other land use entitlements approved with respect to the Property, any other conditions of any other development specified in the Agreement to

continue after the termination of this Agreement, or obligations to pay assessments, liens, fees or taxes.

18. Effect upon Termination on City. Upon any termination of this Agreement as to the Developer of the Property or any portion thereof, the entitlements, conditions of development, limitations on fees and all other terms and conditions of this Agreement shall no longer be vested hereby with respect to the Property.

19. Assignment and Assumption. The Developer shall have the right to sell, assign or transfer this Agreement with all their rights, title and interests therein only after approval and consent by the City Council. The City Council's decision shall be based on a finding whether a proposed transferee has demonstrated the financial ability and development experience to perform Developer's obligations under this Agreement. The proposed assignee or transferee shall provide the City with all financial and other records the City deems necessary to make this determination. The City shall not unreasonably withhold, condition, or delay its decision.

20. Covenants Running with the Land. This Agreement shall be recorded against the Property, and the conditions and covenants set forth in this Agreement and otherwise incorporated herein by the Exhibits shall run with the land and the benefits and burdens shall bind and inure to the benefit of the Parties, their respective heirs, successors, legatees, representatives, receivers, trustees, transferees, and assigns. The Developer and every purchaser, assignee, or transferee of an interest in the Property, or any portion thereof, shall be obligated and bound by the terms and conditions of this Agreement, and shall be the beneficiary thereof and a Party thereto, but only with respect to the Property, or such portion thereof, sold, assigned or transferred to it. Any such purchaser, assignee or transferee shall observe and fully perform all of the duties and obligations of a Developer contained in this Agreement, as such duties and obligations pertain to the portion of the Property sold, assigned or transferred to it.

21. Entire Agreement. This Agreement together with the exhibits attached hereto constitutes the entire agreement between the Parties with respect to the subject matter hereof and supersedes all prior and contemporaneous agreements and understandings between the Parties relating to the subject matter hereof.

22. Amendment to Agreement; Effect of Agreement on Future Actions. This Agreement may be amended by mutual consent of the Parties, provided that any such amendment shall follow the process established by law for the initial adoption of a development agreement (see, RCW 36.70B.200) including the requirement for a public hearing. However, nothing in this Agreement shall prevent the City Council from making any amendment to its Comprehensive Plan, Zoning Code, Official Zoning Map or development regulations affecting the Property during the term of this Agreement, as the City Council may deem necessary to the extent required by a serious threat to public health and safety as authorized by law. Nothing in this Agreement shall prevent the City Council from making any amendments of any type to the Comprehensive Plan, Zoning Code, Official Zoning Map or development regulations relating to the Property after the expiration or termination of this Agreement.

23. City Reservation of Rights. Notwithstanding Section 10 herein, the City reserves

the authority under RCW 36.70B.170(4) to impose new or different regulations, to the extent required by a serious threat to public health and safety. In addition, the City reserves the right to impose new or different regulations to the extent required by Federal or State governments, which shall supersede the terms of the Development Agreement.

24. Notices. Notices, demands, correspondence to the City and Developer shall be sufficiently given if dispatched by pre-paid first-class mail to the following addresses:

If to the Developer:

Roger Collins
Whiskey 6, LLC
14800 NE North Woodinville Way
Woodinville, WA, 98072

If to the City:

Brooke Eidem,
Community Development Director
23204 58th Ave W.
Mountlake Terrace, WA 98043

The Parties hereto may, from time to time, advise the other of new addresses for such notices, demands or correspondence.

25. Reimbursement for Agreement Expenses of the City. Developer agrees to reimburse the City for actual expenses incurred over and above fees paid by Developer as an applicant incurred by City directly relating to this Agreement, including recording fees, publishing fees and reasonable staff, legal and consultant costs not otherwise included within application fees. Such payment of all fees shall be made, at the latest, within thirty (30) days from the City's presentation of a written statement of charges to the Developer. In the event Developer fails to pay the fees within the 30-day period, the City may declare the Developer in default and terminate this Agreement after 30 days written notice if the default is not timely cured. Initials: _____

26. Conflicts, Applicable Law, Venue, and Attorneys' Fees. This Agreement shall be construed and enforced in accordance with the laws of the State of Washington. If legal proceedings are initiated to enforce the terms of this Agreement, the prevailing Party shall be entitled to recover its reasonable attorneys' fees, costs, expenses, and disbursements (including the fees and expenses of expert and fact witnesses) reasonably incurred from the non-prevailing Party. Venue for any action shall be exclusively in Snohomish County Superior Court or the U.S. District Court for Western Washington.

Except as Developer's rights are vested under this Agreement, any conflicts between the provisions of City Code or ordinance and this Agreement shall be resolved by the applicable provision of City Code or ordinance.

27. Third Party Legal Challenge. In the event any legal action or special proceeding is commenced by any person or entity other than a Party to challenge this Agreement or any provision herein, the City may elect to tender the defense of such lawsuit or individual claims in the lawsuit to Developer. In such event, Developer shall hold the City harmless from and defend the City from all costs and expenses incurred in the defense of such lawsuit or individual claims in the lawsuit, including but not limited to, attorneys' fees and expenses of litigation, and damages awarded to the prevailing Party or Parties in such litigation. The Developer shall not settle any lawsuit without the consent of the City, which consent shall not be unreasonably withheld.

28. Waiver. The waiver by a Party of a breach of any provision of this Agreement by the other Party shall not operate or be construed as a waiver of any subsequent breech by that Party. No waiver shall be valid unless in writing and signed by the Party against whom enforcement of a waiver is sought.

29. Equal Opportunity to Participate in Drafting. The Parties have participated and had an equal opportunity to participate in the drafting of this Agreement. No ambiguity shall be construed against any Party based upon a claim that the Party drafted the ambiguous language.

30. Time is of the Essence. For the purposes of this Agreement and all transactions contemplated thereunder, time is of the essence.

31. Compliance with Laws and Ordinances. Throughout the term, and subject to the provisions of this Agreement, the Developer at its sole cost and expense shall promptly comply with all applicable laws and ordinances, as they relate to the Project.

32. Specific Performance. The Parties specifically agree that damages are not an adequate remedy at law for breach of this Agreement, and that the Parties are entitled to compel specific performance of all material terms of this Agreement by any Party in default hereof. All terms and provisions of this Agreement re material.

33. Severability. If any phrase, provision or section of this Agreement is determined by a court of competent jurisdiction to be invalid or unenforceable, or if any provision of this Agreement is rendered invalid or unenforceable according to the terms of any statute of the State of Washington which became effective after the effective date of the Adopting Ordinance, such invalidity shall not affect the validity of the remainder of this Agreement.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed as the dates set forth below:

WHISKEY 6, LLC:	**CITY OF MOUNTLAKE TERRACE:**
By: _____	By: _____
Name:	Name:
Title:	Title: City Manager
Date: _____	Date: _____

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State of Washington }
} ***SS***.
County of _____ }

I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it as the **Manager** of **Whiskey 6, LLC**, to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

DATED: _____

_____

Name (typed or printed): _____
NOTARY PUBLIC in and for Washington Residing at ____
My appointment expires: _____

State of Washington }
} ***SS***.
County of Snohomish }

I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it as the Manager of the **City of Mountlake Terrace**, to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

DATED: _____

_____

Name (typed or printed): _____
NOTARY PUBLIC in and for Washington Residing at ____
My appointment expires: _____

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202606165001
BOUNDARY LINE ADJUSTMENT-MAP
Rec: $443.50
6/16/2026 9:48 AM 1 of 5
SNOHOMISH COUNTY, WA

NW1/4 SW1/4, SEC.33, TWP. 27N, RGE.4E, W.M.
NE1/4 SE1/4, SEC.32, TWP. 27N, RGE.4E, W.M.
CITY OF MOUNTLAKE TERRACE, SNOHOMISH COUNTY, WASHINGTON

OWNER'S DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT THE UNDERSIGNED OWNER OF THE LAND HEREIN DESCRIBED DOES HEREBY MAKE A BOUNDARY LINE ADJUSTMENT THEREOF, AND DECLARES THIS DOCUMENT TO BE THE GRAPHIC REPRESENTATION OF THE SAME, AND THAT SAID ADJUSTMENT IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE OWNER.

IN WITNESS WHEREOF WE HAVE SET OUR HANDS AND SEALS.

WHISKEY 6, LLC, A WASHINGTON LIMITED LIABILITY COMPANY

BY: _____

NAME: ROGER COLLINS

TITLE: MANAGER

ACKNOWLEDGEMENT

STATE OF WASHINGTON)
)
COUNTY OF King)

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT ROGER COLLINS IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT (HE/SHE) SIGNED THIS INSTRUMENT, ON OATH STATED THAT (HE/SHE) WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE Manager OF WHISKEY 6, LLC TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

KATELYN MCNEELY NOTARY PUBLIC STATE OF WASHINGTON My Comm. Expires December 9, 2027 No.157088

DATED 6/4/2026

Katelyn McNeely
SIGNATURE OF NOTARY PUBLIC

MY APPOINTMENT EXPIRES 12/9/2027

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR'S APPROVAL

THIS BOUNDARY LINE ADJUSTMENT COMPLIES WITH ALL REQUIREMENTS OF TITLE 17 OF THE MOUNTLAKE TERRACE MUNICIPAL CODE AND ALL REQUIRED IMPROVEMENTS ASSOCIATED WITH THIS BOUNDARY LINE ADJUSTMENT HAVE BEEN INSTALLED OR OTHERWISE SECURED THROUGH A BOND OR OTHER SECURITY ACCEPTABLE TO THE CITY THROUGH A SUBDIVISION IMPROVEMENT AGREEMENT.

EXAMINED AND APPROVED BY ME THIS
9th DAY OF June, 2026

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR

TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT ALL STATE AND COUNTY TAXES HERETOFORE LEVIED AGAINST THE PROPERTY DESCRIBED HEREIN, ACCORDING TO THE BOOKS AND RECORDS OF MY OFFICE, HAVE BEEN FULLY PAID AND DISCHARGED, INCLUDING 2026 TAXES.

BY: Brian Sullivan 6/16/2026
TREASURER, SNOHOMISH COUNTY DATE

BY: _____ 6/16/2026
DEPUTY COUNTY TREASURER DATE

RECORD LEGAL DESCRIPTIONS

PARCEL A (ASSESSORS PARCEL NO. 00520900201100)
LOTS 11 AND 12, BLOCK 2, MOUNT-LAKE TERRACE DIVISION NO. 5, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 13 OF PLATS, PAGES 38 AND 39, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;

TOGETHER WITH THAT PORTION OF VACATED 237TH STREET S.W. WHICH WOULD ATTACH BY OPERATION OF LAW;

EXCEPT THAT PORTION CONVEYED TO MRS. LOIS M. YOUNG BY DEED RECORDED UNDER RECORDING NUMBER 2082016 DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 8, MOUNT-LAKE TERRACE DIVISION NO. 5, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 13 OF PLATS, PAGES 38 AND 39, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;
THENCE NORTH 88°48'00" WEST, A DISTANCE OF 42.07;
THENCE NORTH 41°21'14" WEST, A DISTANCE OF 40.730 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION;
THENCE NORTH 88°48'00" WEST, A DISTANCE OF 51.00 FEET TO A POINT ON A CURVE TO THE RIGHT, FROM WHICH POINT THE RADIUS POINT OF SAID CURVE BEARS SOUTH 88 ° 48'00" EAST, A DISTANCE OF 45.00 FEET;
THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 18.85 FEET;
THENCE NORTH 25°12'00" EAST, A DISTANCE OF 55.64 FEET;
THENCE SOUTH 18°18'00" EAST, A DISTANCE OF 73.34 FEET TO THE TRUE POINT OF BEGINNING;
TOGETHER WITH THAT PORTION OF VACATED 237TH STREET S.W. CONVEYED TO EDMONDS SCHOOL DISTRICT 15 BY DEED RECORDED UNDER RECORDING NUMBER 2082017, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 8, MOUNT-LAKE TERRACE DIVISION NO. 5, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 13 OF PLATS, PAGES 38 AND 39, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;
THENCE NORTH 88°48'00" WEST, A DISTANCE OF 30.00 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION;
THENCE CONTINUING NORTH 88°48'00" WEST, A DISTANCE OF 12.07 FEET;
THENCE NORTH 41°21'14" WEST, A DISTANCE OF 40.73 FEET;
THENCE SOUTH 88°48'00" EAST, A DISTANCE OF 39.00 FEET;
THENCE SOUTH 00°02'22" WEST, A DISTANCE OF 30.00 FEET TO THE TRUE POINT OF BEGINNING;
EXCEPT THAT PORTION THEREOF, IF ANY, CONVEYED TO THE CITY OF MOUNTLAKE TERRACE BY DEED RECORDED UNDER RECORDING NUMBER 202103240514.

PARCEL B (ASSESSORS PARCEL NO. 00520900201600)
LOTS 16 AND 17, BLOCK 2, MOUNT-LAKE TERRACE DIVISION NO. 5, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 13 OF PLATS, PAGES 38 AND 39, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;

EXCEPT THAT PORTION CONVEYED TO THE STATE OF WASHINGTON FOR PRIMARY STATE HIGHWAY NO. 1 BY DEED RECORDED UNDER RECORDING NUMBER 1475594;

AND EXCEPT THAT PORTION THEREOF, IF ANY, CONVEYED TO THE CITY OF MOUNTLAKE TERRACE BY DEED RECORDED UNDER RECORDING NUMBER 202103240514;

TOGETHER WITH THAT PORTION OF VACATED 236TH STREET SOUTHWEST THAT WOULD ATTACH TO SAID PREMISES BY OPERATION OF LAW AS VACATED UNDER CITY OF MOUNTLAKE TERRACE ORDINANCE NO. 2832, RECORDED UNDER RECORDING NUMBER 202312140344.

PARCEL C (ASSESSORS PARCEL NO. 27043200402100)
TRACT 2, CITY OF MOUNTLAKE TERRACE BOUNDARY LINE ADJUSTMENT NO. PLL-22-0002, RECORDED UNDER RECORDING NUMBER 202301175001, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 32, AND A PORTION OF THE SOUTHWEST QUARTER OF SECTION 33, ALL IN TOWNSHIP 27 NORTH, RANGE 4 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON.

PARCEL D (ASSESSORS PARCEL NO. 00520900200600)
LOTS 6 AND 7, BLOCK 2, MOUNT-LAKE TERRACE DIVISION NO. 5, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 13 OF PLATS, PAGE 39, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;

EXCEPT THE EAST 30 FEET OF SAID LOT 7;

EXCEPT THAT PORTION OF LOT 7 CONVEYED TO THE EDMONDS SCHOOL DISTRICT NO. 15 BY DEED RECORDED UNDER RECORDING NUMBER 2082017;

TOGETHER WITH THAT PORTION OF VACATED 237TH STREET SOUTHWEST BY THE CITY OF MOUNTLAKE TERRACE ORDINANCE RECORDED UNDER RECORDING NUMBER 8306010156 THAT WOULD ATTACH BY OPERATION OF LAW.

PARCEL D-1: REMAINDER OF 005209-002-006-00
THAT PORTION OF LOT 11, BLOCK 2, MOUNT-LAKE TERRACE DIVISION NO. 5, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 13 OF PLATS, PAGES 38 AND 39, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, AND THAT PORTION OF VACATED 237TH STREET S.W., AS CONVEYED TO MRS. LOIS M. YOUNG BY DEED RECORDED UNDER RECORDINGNUMBER 2082016 DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 8, MOUNT-LAKE TERRACE DIVISION NO. 5, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 13 OF PLATS, PAGES 38 AND 39, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;
THENCE NORTH 88°48'00" WEST, A DISTANCE OF 42.07;
THENCE NORTH 41°21'14" WEST, A DISTANCE OF 40.730 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION;
THENCE NORTH 88°48'00" WEST, A DISTANCE OF 51.00 FEET TO A POINT ON A CURVE TO THE RIGHT, FROM WHICH POINT THE RADIUS POINT OF SAID CURVE BEARS SOUTH 88 ° 48'00" EAST, A DISTANCE OF 45.00 FEET;
THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 18.85 FEET;
THENCE NORTH 25°12'00" EAST, A DISTANCE OF 55.64 FEET;
THENCE SOUTH 18°18'00" EAST, A DISTANCE OF 73.34 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL E (ASSESSORS PARCEL NO. 00520900201800)
LOT 18, BLOCK 2, MOUNT-LAKE TERRACE DIVISION NO. 5, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 13 OF PLATS, PAGES 38 AND 37, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;

EXCEPT THAT PORTION CONVEYED TO THE STATE OF WASHINGTON BY DEED FILED UNDER RECORDING NUMBER 1476095;

AND EXCEPT FOR THAT PORTION CONVEYED TO THE CITY OF MOUNTLAKE TERRACE FOR RIGHT OF WAY BY DEED RECORDED UNDER RECORDING NUMBER 201710050219, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

ADJUSTED LEGAL DESCRIPTION

LOT 1
THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33 AND THE NORTHEAST QUARTER OF SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 27N, RAGE 4E, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 33;
THENCE SOUTH 88°02'13" EAST, ALONG THE NORTH LINE THEREOF, 211.39 FEET;
THENCE SOUTH 00°47'27" WEST 33.51 FEET TO THE SOUTH RIGHT-OF-WAY MARGIN FOR 236TH ST SW AND THE TRUE POINT OF BEGINNING;
THENCE ALONG SAID SOUTH MARGIN FOR THE FOLLOWING ELEVEN SEGMENTS;
THENCE NORTH 88°02'13" WEST 5.00 FEET;
THENCE SOUTH 00°48'51" WEST 5.50 FEET;
THENCE NORTH 88°02'07" WEST 17.69 FEET;
THENCE SOUTH 65°23'53" WEST 2.25 FEET;
THENCE NORTH 88°02'13" WEST 131.40 FEET;
THENCE SOUTH 67°15'31" WEST 17.45 FEET;
THENCE SOUTH 47°47'27" WEST 18.36 FEET;
THENCE SOUTH 46°41'49" EAST 5.25 FEET;
THENCE SOUTH 47°52'45" WEST 13.25 FEET;
THENCE SOUTH 00°52'29" WEST 23.69 FEET;
THENCE SOUTH 79°18'26" WEST 13.47 FEET TO THE EAST RIGHT OF WAY MARGIN FOR VAN RY BLVD.;
THENCE ALONG SAID EAST RIGHT OF WAY MARGIN FOR THE NEXT THREE SEGMENTS;
THENCE SOUTH 00°57'50" WEST 34.92 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 246.00 FEET, THE CENTER OF WHICH BEARS NORTH 89°09'41" WEST;
THENCE SOUTHERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 44°17'58", A DISTANCE OF 190.20 FEET TO A POINT OF REVERSE CURVATURE WITH A 524.00-FOOT RADIUS CURVE TO THE LEFT;
THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 03°18'52", A DISTANCE OF 30.31 FEET TO THE INTERSECTION WITH THE WESTERLY EXTENSION OF THE CENTERLINE RIGHT OF WAY FOR 237TH ST SW;
THENCE SOUTH 87°58'03" EAST, ALONG SAID CENTERLINE EXTENSION, 205.28 FEET TO THE WEST RIGHT OF WAY FOR 237TH ST SW;
THENCE NORTH 00°51'29" EAST, ALONG SAID WEST RIGHT OF WAY, 30.01 FEET TO THE NORTH MARGIN FOR 237TH ST SW;
THENCE SOUTH 87°58'03" EAST, ALONG SAID NORTH MARGIN, 30.08 FEET;
THENCE NORTH 00°47'27" EAST 134.27 FEET;
THENCE SOUTH 88°02'55" EAST 60.00 FEET;
THENCE NORTH 00°47'27" EAST 132.73 FEET TO THE TRUE POINT OF BEGINNING.

SITUATE IN SNOHOMISH COUNTY, WASHINGTON.

LOT 2
THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33 AND THE NORTHEAST QUARTER OF SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 27N, RAGE 4E, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 33;
THENCE SOUTH 88°02'13" EAST, ALONG THE NORTH LINE THEREOF, 211.39 FEET;
THENCE SOUTH 00°47'27" WEST 33.51 FEET TO THE SOUTH RIGHT-OF-WAY MARGIN FOR 236TH ST SW AND THE TRUE POINT OF BEGINNING;THENCE SOUTH 00°47'27" WEST 132.73 FEET;
THENCE NORTH 88°02'55" WEST 60.00 FEET;
THENCE SOUTH 00°47'27" WEST 134.27 FEET;
THENCE NORTH 87°58'03" WEST 30.08 FEET;
THENCE SOUTH 00°51'29" WEST 30.01 FEET TO THE CENTERLINE WEST END OF 237TH ST SW AND THE TRUE POINT OF BEGINNING;
THENCE NORTH 87°58'03" WEST, ALONG THE WESTERLY EXTENSION OF SAID CENTERLINE, 205.28 FEET TO THE EAST RIGHT OF WAY MARGIN FOR VAN RY BLVD AND THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 524.00 FEET, THE CENTER OF WHICH BEARS SOUTH 48°10'36" EAST;
THENCE ALONG SAID MARGIN FOR THE FOLLOWING TWO SEGMENTS;
THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 16°55'45", A DISTANCE OF 154.83 FEET;
THENCE SOUTH 24°53'39" WEST 6.24 FEET;
THENCE SOUTH 65°04'02" EAST 185.65 FEET;
THENCE NORTH 00°48'25" EAST 58.54 FEET;
THENCE SOUTH 88°01'36" EAST 121.33 FEET;
THENCE NORTH 00°48'54" EAST 121.15 FEET;
THENCE NORTH 00°51'29" EAST 30.01 FEET TO THE TRUE POINT OF BEGINNING.

SITUATE IN SNOHOMISH COUNTY, WASHINGTON.

MERIDIAN

WASHINGTON STATE PLANE COORDINATE SYSTEM - NORTH ZONE NAD83/2011 (2010.00 EPOCH) PER GNSS OBSERVATIONS UTILIZING CORRECTIONS FROM THE WASHINGTON STATE REFERENCE NETWORK (WSRN)

NOTES

1. A 5" ELECTRONIC TOTAL STATION WAS USED FOR THIS FIELD TRAVERSE SURVEY. ALL EQUIPMENT HAS BEEN MAINTAINED IN ACCORDANCE WITH THE MANUFACTURER'S GUIDELINES. ACCURACY MEETS OR EXCEEDS W.A.C. 332-130-090.
2. ALL TITLE INFORMATION SHOWN ON THIS SURVEY WAS EXTRACTED FROM CHICAGO TITLE INSURANCE COMPANY SUBDIVISION GUARANTEE NO. 260342-SC, THIRD UPDATE, DATED 7, MAY 2026. ATWELL, LLC HAS CONDUCTED NO INDEPENDENT TITLE RESEARCH, AND HAS RELIED WHOLLY ON THE TITLE COMPANY'S REPRESENTATIONS OF THE TITLE'S CONDITION TO PREPARE THIS SURVEY AND QUALIFIES THE MAP'S ACCURACY AND COMPLETENESS TO THAT EXTENT.
3. THE INFORMATION DEPICTED ON THIS MAP REPRESENTS THE RESULTS OF A SURVEY MADE ON THE DATE INDICATED AND CAN ONLY BE CONSIDERED AS INDICATING THE GENERAL CONDITION EXISTING AT THAT TIME. ALL CONTROL INDICATED AS "FOUND" WAS RECOVERED FOR THIS PROJECT ON MARCH, 2025, UNLESS OTHERWISE NOTED.
4. ALL DISTANCES ARE IN FEET.

REFERENCES

1. CITY OF MOUNTLAKE TERRACE BOUNDARY LINE ADJUSTMENT NO. PLL22-0002 UNDER AFN. 202301175001.
2. MOUNTLAKE TERRACE DIVISION NO. 2, FILED IN VOLUME 13 OF PLATS, PAGE 23.
3. PLAT OF MOUNTLAKE TERRACE, FILED IN VOLUME 13 OF PLATS, PAGE 3.
4. WASHINGTON STATE DEPT. OF TRANSPORTATION PLANS TITLED "SR 5 E. 200TH ST. TO SWAMP CREEK" FOR RIGHT OF WAY STATIONS 301+97.30 TO 332+00.
5. MOUNTLAKE TERRACE DIVISION NO. 5, FILED IN VOLUME 13 OF PLATS, PAGES 38-39.
6. MLT ENTERPRISES BINDING SITE PLAN UNDER AFN. 8902215001.
7. RECORD OF SURVEY UNDER AFN. 9112025010.
8. PLAT OF GATEWAY TOD BINDING SITE PLAN UNDER AFN. 201801245014.

TAX PARCEL NUMBERS

00520900201100
00520900201600
27043200402100
00520900201800
00520900200600

EXISTING SITE ADDRESSES

00520900201100: VACANT LAND
00520900201600: VACANT LAND
27043200402100: VACANT LAND
00520900201800: 5906 236TH ST SW, MOUNTLAKE TERRACE, WA. 98043
00520900200600: 6002 237TH ST SW, MOUNTLAKE TERRACE, WA. 98043

PROPOSED SITE ADDRESSES

LOT 1: 5906 236TH ST SW
LOT 2: 6002 237TH ST SW

EXISTING PARCEL AREAS

00520900201100: 22,011 S.F.
00520900201600: 13,300 S.F.
27043200402100: 28,781 S.F.
00520900201800: 11,410 S.F.
00520900200600: 20,229 S.F.

PROPOSED PARCEL AREA

LOT 1: 53,182 S.F.
LOT 2: 42,549 S.F.

CITY OF MOUNTLAKE TERRACE

FILE NO.: P-BL-26-0005

AUDITORS CERTIFICATE 202606165001

FILED FOR RECORD THIS 16th DAY OF June, 20 26
AT 9:48 A. M. IN BOOK ___ OF SURVEYS, AT PAGE ___
AT THE REQUEST OF SHANE BARNES

Garth Fell
COUNTY AUDITOR

DEPUTY COUNTY AUDITOR

SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF WHISKEY 6, LLC IN JUNE 20 26

C. SHANE BARNES
PROFESSIONAL LAND SURVEYOR
CERTIFICATE NO. 35145

CHRISTOPHER SHANE BARNES STATE OF WASHINGTON 35145 REGISTERED PROFESSIONAL LAND SURVEYOR

6/4/26

202606165001

ATWELL
P.O. BOX 289, WOODINVILLE, WA 98072 | PHONE: (425) 486-1252
WWW.ATWELL-GROUP.COM

BOUNDARY LINE ADJUSTMENT & RECORD OF SURVEY
FOR
WHISKEY 6, LLC
14800 NE WOODINVILLE WAY
WOODINVILLE, WA. 98072

JOB NO:	CHKD BY:	DRAWN BY:	SHEET:
25003674	CSB	CSB/ARB	1 OF 5

NW1/4 SW1/4, SEC.33, TWP. 27N, RGE.4E, W.M.
NE1/4 SE1/4, SEC.32, TWP. 27N, RGE.4E, W.M.
CITY OF MOUNTLAKE TERRACE, SNOHOMISH COUNTY, WASHINGTON

RESTRICTIONS OF RECORD

PER CHICAGO TITLE INSURANCE COMPANY SUBDIVISION GUARANTEE NO. 260342-SC, THIRD UPDATE, DATED 7, MAY 2026.

1. SUBJECT TO AN EASEMENT GRANTED TO THE CITY OF MOUNTLAKE TERRACE FOR SANITARY SEWERAGE, RECORDED UNDER AFN. 1354824. PLOTTED.
2. SUBJECT TO AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES, RECORDED UNDER AFN. 2082018. PLOTTED.
3. SUBJECT TO RESERVATIONS, EASEMENTS OR OTHER MATTERS IN THE PROCEEDINGS OCCASIONING THE ABANDONMENT OR VACATION OF THE 237TH STREET S.W. RECORDED UNDER AFN. 8210180198 AND 8306010156.
4. SUBJECT TO AN EASEMENT FOR RETAINING WALL INSPECTION AND ACCESS AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT UNDER AFN. 202312140345. PLOTTED.
5. SUBJECT TO THE COVENANTS, CONDITIONS, RESTRICTIONS, RECITALS, RESERVATIONS, EASEMENTS, EASEMENT PROVISIONS, ENCROACHMENTS, DEDICATIONS, BUILDING SETBACK LINES, NOTES, STATEMENTS, AND OTHER MATTERS, IF ANY AS SET FORTH ON PLAT OF MOUNT-LAKE TERRACE NO. 5 IN VOLUME 13 OF PLATS, PAGES 38-39, AFN 965233.
6. SUBJECT TO THE COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY AS SET FORTH IN THE DOCUMENT RECORDED UNDER AFN. 966942. DOCUMENT AMENDED UNDER AFNS. 972884, 975640, 1737440 AND 1737441.
7. SUBJECT TO THE RELINQUISHMENT OF ACCESS TO STATE HIGHWAY NUMBER 1 (SR 5) AND OF LIGHT, VIEW AND AIR BY DEED RECORDED UNDER AFN. 1498998.
8. SUBJECT TO THE RELINQUISHMENT OF ACCESS TO STATE HIGHWAY NUMBER 1 (SR 5) AND OF LIGHT, VIEW AND AIR BY DEED RECORDED UNDER AFN 1580907.
9. SUBJECT TO THE RELINQUISHMENT OF ACCESS TO STATE HIGHWAY NUMBER 1 (SR 5) AND OF LIGHT, VIEW AND AIR BY DEED RECORDED UNDER AFN. 1635341.
10. SUBJECT TO THE CONDEMNATION OF ACCESS TO STATE HIGHWAY NUMBER 1 (SR 5) AND OF LIGHT, VIEW AND AIR BY SNOHOMISH COUNTY SUPERIOR CASE CAUSE NUMBER: 135550.
11. SUBJECT TO AN EASEMENT GRANTED TO THE CITY OF MOUNTLAKE TERRACE TOD FOR PERMANENT SIDEWALK AND ROAD EASEMENT RECORDED UNDER AFN. 201611210587. PLOTTED.
12. SUBJECT TO AN EASEMENT TO THE CITY OF MOUNTLAKE TERRACE FOR SEWER UTILITY LINES AND APPURTENANCES RECORDED UNDER AFN. 202312140346. PLOTTED.
13. SUBJECT TO EASEMENT(S) GRANTED TO THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY TO ERECT AND MAINTAIN POLES, WITH NECESSARY WIRES AND FIXTURES THEREON, AND KEEP SAME FREE FROM FOLIAGE, UNDER AFN'S 448190 AND 462331. PLOTTED.
14. SUBJECT TO AN EASEMENT FOR SEWER RECORDED UNDER AFN. 1354813. DOES NOT AFFECT SUBJECT PROPERTY.
15. SUBJECT TO AN EASEMENT TO THE CITY OF MOUNTLAKE TERRACE FOR UNDERGROUND PIPELINES AND/OR MAINS FOR SANITARY SEWERAGE RECORDED UNDER AFN. 1410368. PLOTTED.
16. SUBJECT TO AN EASEMENT TO THE CITY OF MOUNTLAKE TERRACE FOR UNDERGROUND PIPELINES AND/OR MAINS FOR SANITARY SEWERAGE RECORDED UNDER AFN. 1422149. PLOTTED.
17. SUBJECT TO SEWER EASEMENT AGREEMENT AND THE TERMS AND CONDITIONS THEREOF UNDER AFN. 1448815.
18. SUBJECT TO RELINQUISHMENT OF ACCESS TO STATE HIGHWAY NUMBER PSH NO. 1 AND OF LIGHT, VIEW AND AIR BY DEED UNDER AFN'S 1506859 AND 1506860.

    EXCEPT THAT THE GRANTORS HEREIN, THEIR HEIRS, SUCCESSORS OR ASSIGNS, SHALL HAVE THE RIGHT OF REASONABLE ACCESS EASTERLY OF HIGHWAY ENGINEER'S STATION X2 22 +50.
19. SUBJECT TO AN AGREEMENT LICENSE TO OCCUPY RIGHT OF WAY AND THE TERMS AND CONDITIONS THEREOF BETWEEN PACIFIC NORTHWEST BELL TELEPHONE COMPANY AND GENERAL TELEPHONE COMPANY OF THE NORTHWEST INC. AND ASSIGNS UNDER AFN. 2124863.
20. SUBJECT TO AN EASEMENT TO GENERAL TELEPHONE COMPANY OF THE NORTHWEST, INC. FOR COMMUNICATION SERVICE, POWER SERVICE, AND OTHER RELATED SERVICES RECORDED UNDER AFN. 2136780. PLOTTED.
21. SUBJECT TO RIGHT OF THE STATE OF WASHINGTON, OR ITS ASSIGNS TO ENTER UPON PROPERTY TO MAINTAIN A CULVERT, AS RESERVED IN DEEDS RECORDED UNDER AFN'S. 8210050162 AND 8302150157.
22. SUBJECT TO A JOINDER AGREEMENT AND THE TERMS AND CONDITIONS THEREOF UNDER AFN. 201605040137.
23. SUBJECT TO A DECLARATION OF LAND USE RESTRICTION AND REAL PROPERTY COVENANT AND THE TERMS AND CONDITIONS THEREOF UNDER AFN. 201611210586
24. SUBJECT TO DEVELOPMENT AGREEMENT AND THE TERMS AND CONDITIONS THEREOF UNDER AFN. 201611210588.
25. SUBJECT TO COVENANTS, CONDITIONS, RESTRICTIONS, RECITALS, RESERVATIONS, EASEMENTS, EASEMENT PROVISIONS, ENCROACHMENTS, DEDICATIONS, BUILDING SETBACK LINES, NOTES, STATEMENTS, AND OTHER MATTERS, IF ANY, AS SET FORTH ON PLAT OF GATEWAY TOD BINDING SITE PLAN UNDER AFN. 201801245014.
26. SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, AS SET FORTH IN AMENDED AND RESTATED GATEWAY TOD AGREEMENT AND DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS UNDER AFN. 201908300686.

    SAID INSTRUMENT AMENDS AND RESTATES INSTRUMENT RECORDED UNDER RECORDING NO. 201806050746.
27. SUBJECT TO PERMANENT SEWER AGREEMENT AND THE TERMS AND CONDITIONS THEREOF UNDER AFN. 201703080345.
28. SUBJECT TO EASEMENT(S) GRANTED TO PUGET SOUND ENERGY, INC., A WASHINGTON CORPORATION FOR TRANSMISSION, DISTRIBUTION AND SALE OF GAS AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT UNDER AFN. 201903180339.
29. SUBJECT TO COVENANTS, CONDITIONS, RESTRICTIONS, RECITALS, RESERVATIONS, EASEMENTS, EASEMENT PROVISIONS, ENCROACHMENTS, DEDICATIONS, BUILDING SETBACK LINES, NOTES, STATEMENTS, AND OTHER MATTERS, IF ANY, AS SET FORTH ON THE PLAT OF MOUNTLAKE TERRACE DIVISION NO. 5 IN VOLUME 13 OF PLATS, PAGES 38-39.
30. SUBJECT TO PUBLIC AND/OR PRIVATE EASEMENTS, IF ANY, IN EXISTENCE, OVER, UNDER ALONG AND ACROSS THAT PORTION OF THE REAL ESTATE UNDER SEARCH LYING WITHIN VACATED 237TH STREET SW.
31. SUBJECT TO THE COVENANTS, CONDITIONS, RESTRICTIONS, RECITALS, RESERVATIONS, EASEMENTS, EASEMENT PROVISIONS, ENCROACHMENTS,DEDICATIONS, BUILDING SETBACK LINES, NOTES, STATEMENTS, AND OTHER MATTERS, IF ANY, AS SET FORTH ON BOUNDARY LINE ADJUSTMENT & RECORD OF SURVEY RECORDING NO: 202301175001. PLOTTED
32. SUBJECT TO THE COVENANTS, CONDITIONS, RESTRICTIONS, RECITALS, RESERVATIONS, EASEMENTS, EASEMENT PROVISIONS, DEDICATIONS, BUILDING SETBACK LINES, NOTES, STATEMENTS, AND OTHER MATTERS, IF ANY, AS SET FORTH ON THE SURVEY RECORDED UNDER AFN. 9112025010.
33. SUBJECT TO AN EASEMENT TO PUBLIC UTILITY DISTRICT NO. 1 OF SNOHOMISH COUNTY FOR POWER DISTRIBUTION RECORDED UNDER AFN. 201710050243. PLOTTED.

EASEMENT PROVISIONS

1. A PRIVATE SEWER EASEMENT OVER PROPOSED LOT 1, AS SHOWN HEREON, IS HEREBY GRANTED TO THE OWNER OF PROPOSED LOT 2. THE OWNER OF PROPOSED LOT 2 SHALL BE RESPONSIBLE FOR THE COST OF MAINTENANCE, REPAIRS, AND RECONSTRUCTION OF THE PRIVATE SEWER FACILITIES LYING WITHIN SAID EASEMENT.

202606165001

CITY OF MOUNTLAKE TERRACE

FILE NO.: P-BL-26-0005

6/4/26

CHRISTOPHER SHANE BARNES
STATE OF WASHINGTON
35145
REGISTERED
PROFESSIONAL LAND SURVEYOR

ATWELL
P.O. BOX 289, WOODINVILLE, WA 98072 | PHONE: (425) 486-1252
WWW.ATWELL-GROUP.COM

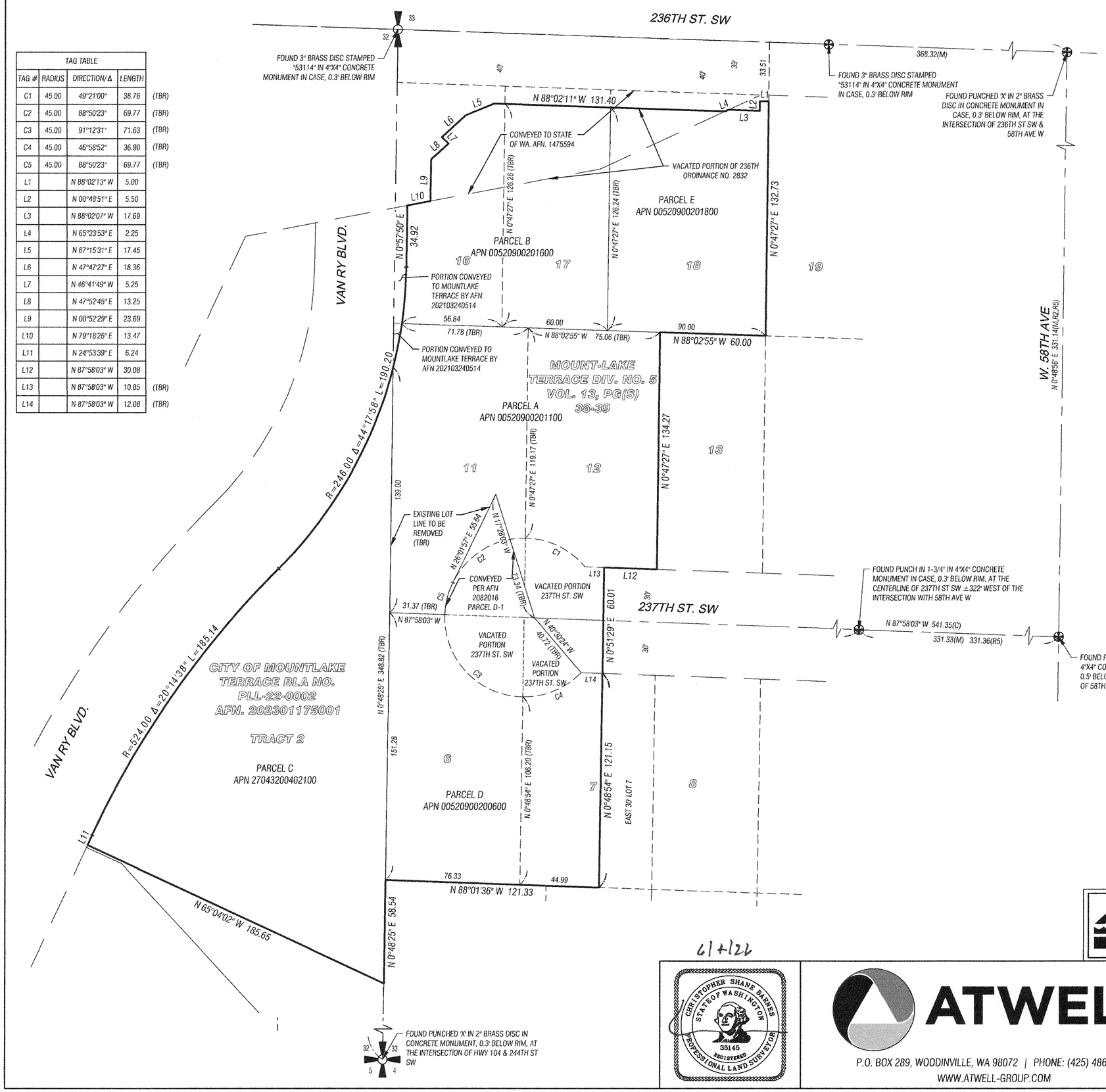
BOUNDARY LINE ADJUSTMENT & RECORD OF SURVEY
FOR
WHISKEY 6, LLC
14800 NE WOODINVILLE WAY
WOODINVILLE, WA. 98072

JOB NO:	CHKD BY:	DRAWN BY:	SHEET:
25003674	CSB	CSB/ARB	2 OF 5

NW1/4 SW1/4, SEC.33, TWP. 27N, RGE.4E, W.M.
NE1/4 SE1/4, SEC.32, TWP. 27N, RGE.4E, W.M.
CITY OF MOUNTLAKE TERRACE, SNOHOMISH COUNTY, WASHINGTON

OLD LOT CONFIGURATION

TAG TABLE				
TAG #	RADIUS	DIRECTION/Δ	LENGTH	
C1	45.00	49°21'00"	38.76	(TBR)
C2	45.00	88°50'23"	69.77	(TBR)
C3	45.00	91°12'31"	71.63	(TBR)
C4	45.00	46°58'52"	36.90	(TBR)
C5	45.00	88°50'23"	69.77	(TBR)
L1		N 88°02'13" W	5.00	
L2		N 00°48'51" E	5.50	
L3		N 88°02'07" W	17.69	
L4		N 65°23'53" E	2.25	
L5		N 67°15'31" E	17.45	
L6		N 47°47'27" E	18.36	
L7		N 46°41'49" W	5.25	
L8		N 47°52'45" E	13.25	
L9		N 00°52'29" E	23.69	
L10		N 79°18'26" E	13.47	
L11		N 24°53'39" E	6.24	
L12		N 87°58'03" W	30.08	
L13		N 87°58'03" W	10.85	(TBR)
L14		N 87°58'03" W	12.08	(TBR)



MERIDIAN

WASHINGTON STATE PLANE COORDINATE SYSTEM - NORTH ZONE NAD83/2011 (2010.00 EPOCH) PER GNSS OBSERVATIONS UTILIZING CORRECTIONS FROM THE WASHINGTON STATE REFERENCE NETWORK (WSRN)

NOTES

1. A 5" ELECTRONIC TOTAL STATION WAS USED FOR THIS FIELD TRAVERSE SURVEY. ALL EQUIPMENT HAS BEEN MAINTAINED IN ACCORDANCE WITH THE MANUFACTURER'S GUIDELINES. ACCURACY MEETS OR EXCEEDS W.A.C. 332-130-090.
2. ALL TITLE INFORMATION SHOWN ON THIS SURVEY WAS EXTRACTED FROM CHICAGO TITLE INSURANCE COMPANY SUBDIVISION GUARANTEE NO. 260342-SC, SECOND UPDATE, DATED 25, MARCH 2026. ATWELL, LLC HAS CONDUCTED NO INDEPENDENT TITLE RESEARCH, AND HAS RELIED WHOLLY ON THE TITLE COMPANY'S REPRESENTATIONS OF THE TITLE'S CONDITION TO PREPARE THIS SURVEY AND QUALIFIES THE MAP'S ACCURACY AND COMPLETENESS TO THAT EXTENT.
3. THE INFORMATION DEPICTED ON THIS MAP REPRESENTS THE RESULTS OF A SURVEY MADE ON THE DATE INDICATED AND CAN ONLY BE CONSIDERED AS INDICATING THE GENERAL CONDITION EXISTING AT THAT TIME. ALL CONTROL INDICATED AS "FOUND" WAS RECOVERED FOR THIS PROJECT ON MARCH, 2025, UNLESS OTHERWISE NOTED.
4. ALL DISTANCES ARE IN FEET.

LEGEND

⊕	FOUND MONUMENT	(R#)	REFER TO LIST OF REFERENCES
		(M)	MEASURED
		(C)	CALCULATED
		(TBR)	LOT LINE TO BE REMOVED

2026061650001

CITY OF MOUNTLAKE TERRACE

FILE NO.: P-BL-26-0005

61+122

CHRISTOPHER SHANE BARNES STATE OF WASHINGTON 35145 REGISTERED PROFESSIONAL LAND SURVEYOR

ATWELL

P.O. BOX 289, WOODINVILLE, WA 98072 | PHONE: (425) 486-1252
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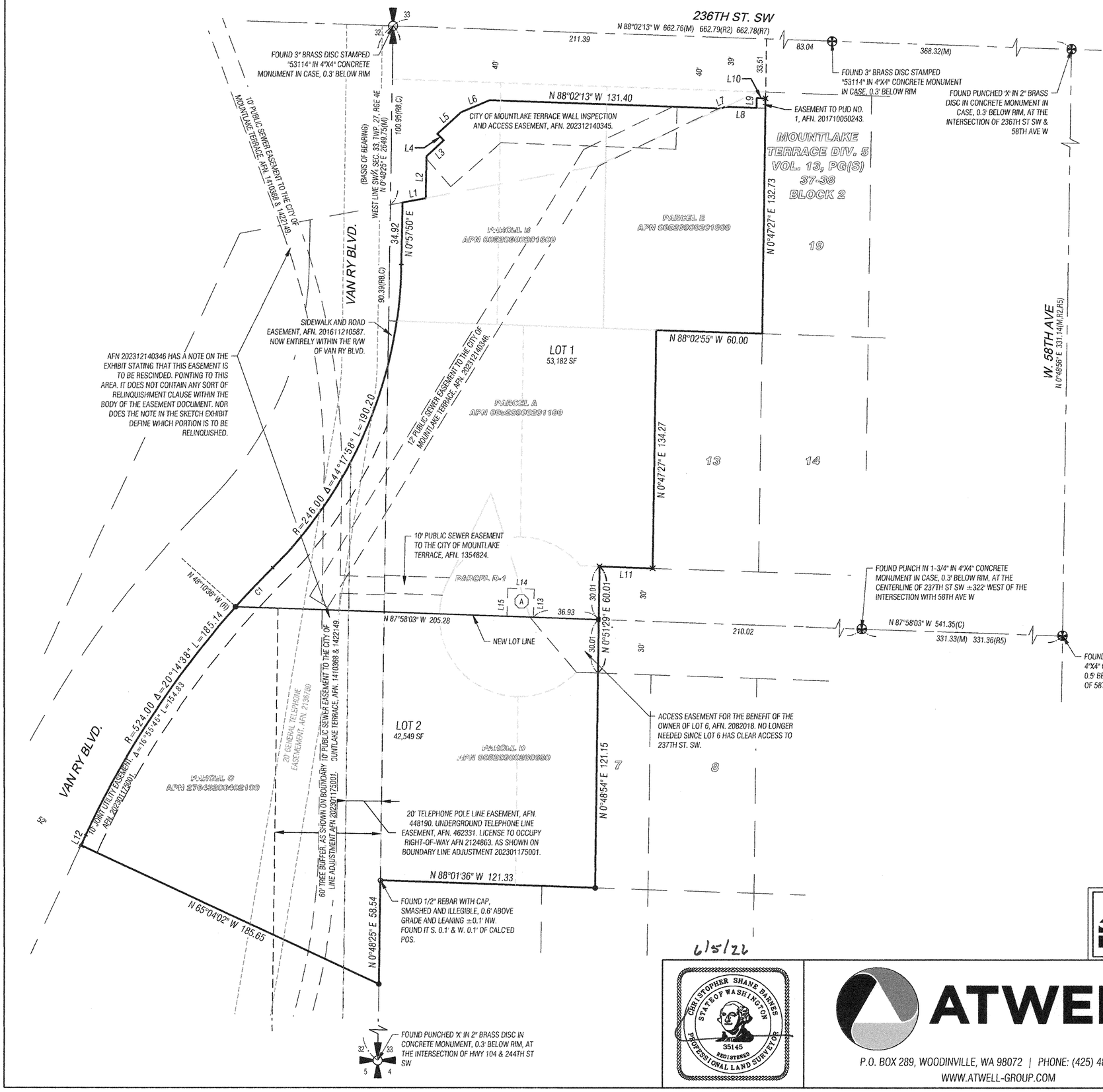
BOUNDARY LINE ADJUSTMENT & RECORD OF SURVEY
FOR
WHISKEY 6, LLC
14800 NE WOODINVILLE WAY
WOODINVILLE, WA. 98072

JOB NO:	CHKD BY:	DRAWN BY:	SHEET:
25003674	CSB	CSB/ARB	3 OF 5

NW1/4 SW1/4, SEC.33, TWP. 27N, RGE.4E, W.M.
NE1/4 SE1/4, SEC.32, TWP. 27N, RGE.4E, W.M.
CITY OF MOUNTLAKE TERRACE, SNOHOMISH COUNTY, WASHINGTON

NEW LOT CONFIGURATION & EXISTING EASEMENTS



0 40 80

SCALE: 1" = 40'

MERIDIAN

WASHINGTON STATE PLANE COORDINATE SYSTEM - NORTH ZONE NAD83/2011 (2010.00 EPOCH) PER GNSS OBSERVATIONS UTILIZING CORRECTIONS FROM THE WASHINGTON STATE REFERENCE NETWORK (WSRN)

NOTES

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2. ALL TITLE INFORMATION SHOWN ON THIS SURVEY WAS EXTRACTED FROM CHICAGO TITLE INSURANCE COMPANY SUBDIVISION GUARANTEE NO. 260342-SC, SECOND UPDATE, DATED 25, MARCH 2026. ATWELL, LLC HAS CONDUCTED NO INDEPENDENT TITLE RESEARCH, AND HAS RELIED WHOLLY ON THE TITLE COMPANY'S REPRESENTATIONS OF THE TITLE'S CONDITION TO PREPARE THIS SURVEY AND QUALIFIES THE MAP'S ACCURACY AND COMPLETENESS TO THAT EXTENT.
3. THE INFORMATION DEPICTED ON THIS MAP REPRESENTS THE RESULTS OF A SURVEY MADE ON THE DATE INDICATED AND CAN ONLY BE CONSIDERED AS INDICATING THE GENERAL CONDITION EXISTING AT THAT TIME. ALL CONTROL INDICATED AS "FOUND" WAS RECOVERED FOR THIS PROJECT ON MARCH, 2025, UNLESS OTHERWISE NOTED.
4. ALL DISTANCES ARE IN FEET.

LEGEND

⊕	FOUND MONUMENT	(R#)	REFER TO LIST OF REFERENCES
●	SET CORNER	(M)	MEASURED
✕	SET LEAD AND TACK WITH WASHER	(C)	CALCULATED

EASEMENT LEGEND

(A) 15' PRIVATE SEWER EASEMENT, SEE PROVISION 1 ON SHEET 2.

CURVE TABLE			
CURVE	RADIUS	DELTA	LENGTH
C1	524.00	3°18'52"	30.31

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N 79°18'26" E	13.47
L2	N 00°52'29" E	23.69
L3	N 47°52'45" E	13.25
L4	N 46°41'49" W	5.25
L5	N 47°47'27" E	18.36
L6	N 67°15'31" E	17.45
L7	N 65°23'53" E	2.25
L8	N 88°02'07" W	17.69
L9	N 00°48'51" E	5.50
L10	N 88°02'13" W	5.00
L11	N 87°58'03" W	30.08
L12	N 24°53'39" E	6.24
L13	S 02°01'57" W	15.88
L14	N 87°58'03" W	15.00
L15	S 02°01'57" W	15.88

2026061165001

CITY OF MOUNTLAKE TERRACE

FILE NO.: P-BL-26-0005

6/5/26

CHRISTOPHER SHANE BARNES STATE OF WASHINGTON 35145 REGISTERED PROFESSIONAL LAND SURVEYOR

ATWELL

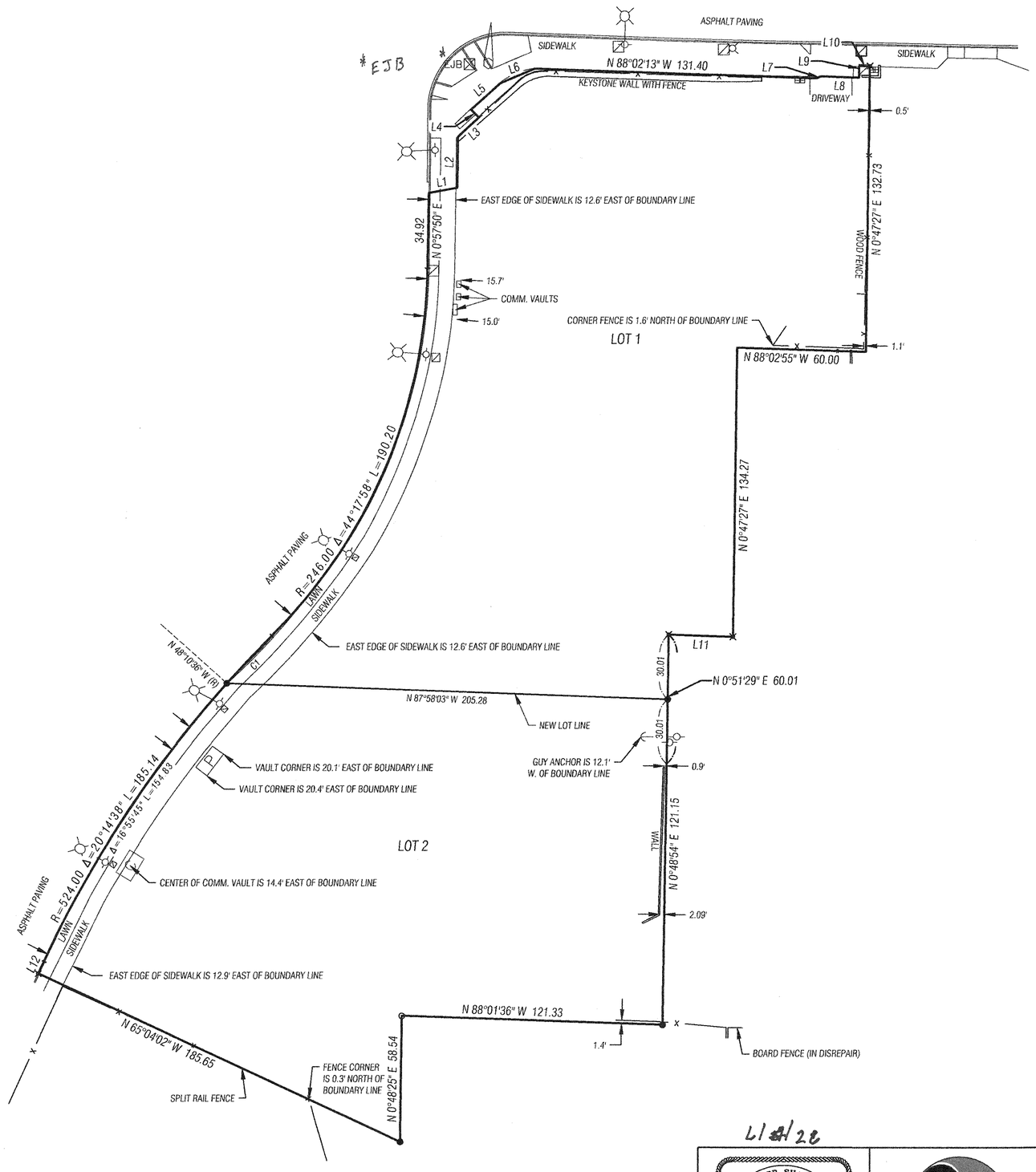
P.O. BOX 289, WOODINVILLE, WA 98072 | PHONE: (425) 486-1252
WWW.ATWELL-GROUP.COM

BOUNDARY LINE ADJUSTMENT & RECORD OF SURVEY
FOR
WHISKEY 6, LLC
14800 NE WOODINVILLE WAY
WOODINVILLE, WA. 98072

JOB NO:	CHKD BY:	DRAWN BY:	SHEET:
25003674	CSB	CSB/ARB	4 OF 5

NW1/4 SW1/4, SEC.33, TWP. 27N, RGE.4E, W.M.
NE1/4 SE1/4, SEC.32, TWP. 27N, RGE.4E, W.M.
CITY OF MOUNTLAKE TERRACE, SNOHOMISH COUNTY, WASHINGTON

NEW LOT CONFIGURATION & OCCUPATION



SCALE: 1" = 40'

MERIDIAN

WASHINGTON STATE PLANE COORDINATE SYSTEM - NORTH ZONE NAD83/2011 (2010.00 EPOCH) PER GNSS OBSERVATIONS UTILIZING CORRECTIONS FROM THE WASHINGTON STATE REFERENCE NETWORK (WSRN)

NOTES

1. A 5" ELECTRONIC TOTAL STATION WAS USED FOR THIS FIELD TRAVERSE SURVEY. ALL EQUIPMENT HAS BEEN MAINTAINED IN ACCORDANCE WITH THE MANUFACTURER'S GUIDELINES. ACCURACY MEETS OR EXCEEDS W.A.C. 332-130-090.
2. ALL TITLE INFORMATION SHOWN ON THIS SURVEY WAS EXTRACTED FROM CHICAGO TITLE INSURANCE COMPANY SUBDIVISION GUARANTEE NO. 260342-SC, SECOND UPDATE, DATED 25, MARCH 2026. ATWELL, LLC HAS CONDUCTED NO INDEPENDENT TITLE RESEARCH, AND HAS RELIED WHOLLY ON THE TITLE COMPANY'S REPRESENTATIONS OF THE TITLES CONDITION TO PREPARE THIS SURVEY AND QUALIFIES THE MAP'S ACCURACY AND COMPLETENESS TO THAT EXTENT.
3. THE INFORMATION DEPICTED ON THIS MAP REPRESENTS THE RESULTS OF A SURVEY MADE ON THE DATE INDICATED AND CAN ONLY BE CONSIDERED AS INDICATING THE GENERAL CONDITION EXISTING AT THAT TIME. ALL CONTROL INDICATED AS "FOUND" WAS RECOVERED FOR THIS PROJECT ON MARCH, 2025, UNLESS OTHERWISE NOTED.
4. ALL DISTANCES ARE IN FEET.

LEGEND

- C — COMMUNICATIONS VAULT
- STREET LIGHT
- ELECTRICAL JUNCTION BOX
- GUY ANCHOR
- P — POWER VAULT
- UTILITY POLE
- —X— FENCE LINE

TAG TABLE			
TAG #	RADIUS	DIRECTION/Δ	LENGTH
C1	524.00	3°18'52"	30.31
L1		N 79°18'26" E	13.47
L2		N 00°52'29" E	23.69
L3		N 47°52'45" E	13.25
L4		N 46°41'49" W	5.25
L5		N 47°47'27" E	18.36
L6		N 67°15'31" E	17.45
L7		N 65°23'53" E	2.25
L8		N 88°02'07" W	17.69
L9		N 00°48'51" E	5.50
L10		N 88°02'13" W	5.00
L11		N 87°58'03" W	30.08
L12		N 24°53'39" E	6.24

2026061650O1

CITY OF MOUNTLAKE TERRACE

FILE NO.: P-BL-26-0005

CHRISTOPHER SHANE BARNES
STATE OF WASHINGTON
35145
REGISTERED
PROFESSIONAL LAND SURVEYOR

L/S/26

ATWELL

P.O. BOX 289, WOODINVILLE, WA 98072 | PHONE: (425) 486-1252
WWW.ATWELL-GROUP.COM

BOUNDARY LINE ADJUSTMENT & RECORD OF SURVEY
FOR
WHISKEY 6, LLC
14800 NE WOODINVILLE WAY
WOODINVILLE, WA. 98072

JOB NO:	CHKD BY:	DRAWN BY:	SHEET:
25003674	CSB	CSB/ARB	5 OF 5

TERRACE STATION TOD - LOT 1 & LOT 2

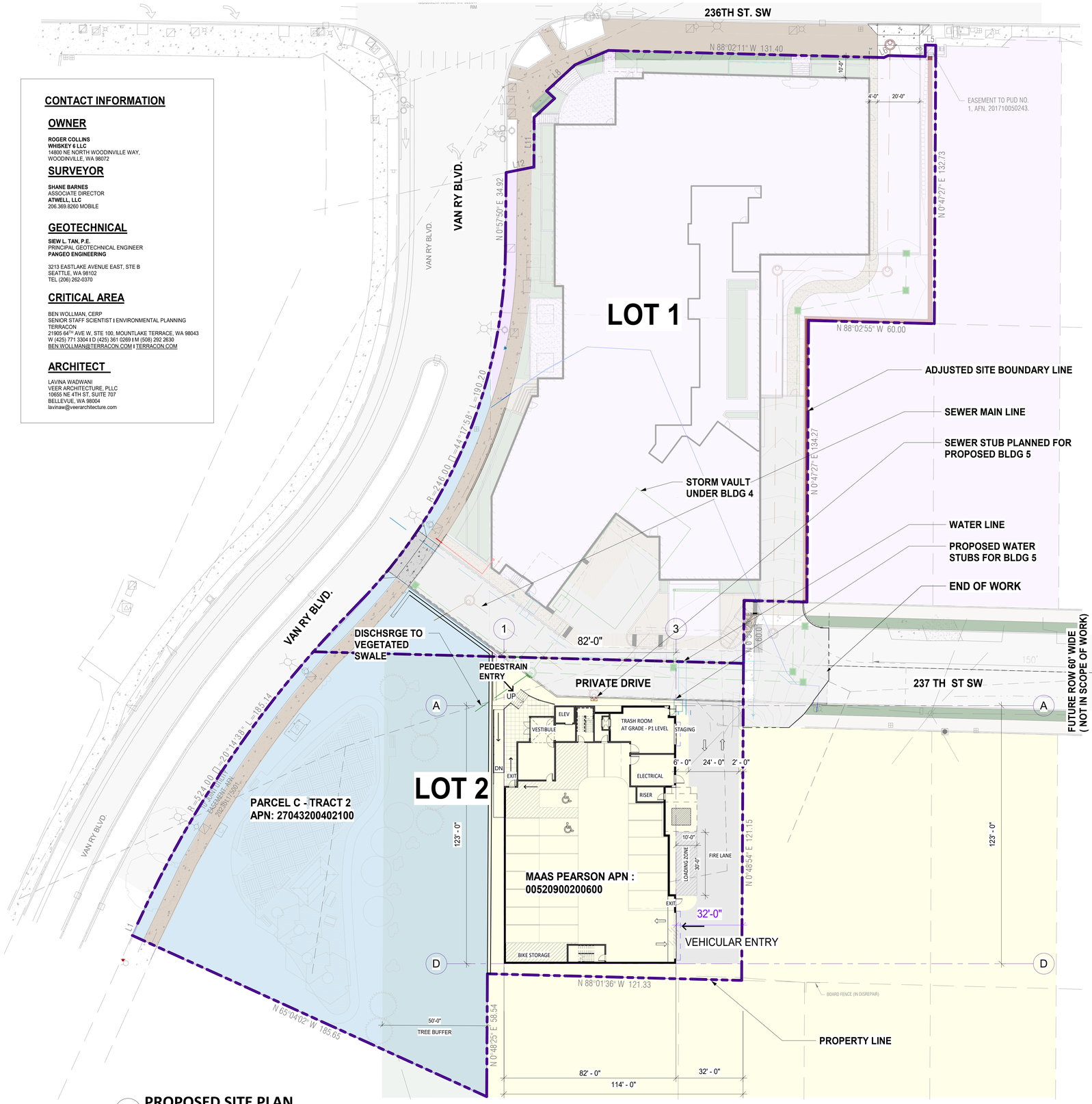
veer
ARCHITECTURE PLLC

P-PPR-26-0016

TERRACE STATION TOD - LOT 1 & LOT 2

veer
ARCHITECTURE PLLC

P-PPR-26-0016



1 **PROPOSED SITE PLAN**
SCALE: 1" = 20'-0"

CONTACT INFORMATION

OWNER

ROGER COLLINS
WHISKEY 6 LLC
14800 NE NORTH WOODINVILLE WAY,
WOODINVILLE, WA 98072

SURVEYOR

SHANE BARNES
ASSOCIATE DIRECTOR
ATWELL, LLC
206.369.8260 MOBILE

GEOTECHNICAL

SIEW L. TAN, P.E.
PRINCIPAL GEOTECHNICAL ENGINEER
PANGEO ENGINEERING

3213 EASTLAKE AVENUE EAST, STE B
SEATTLE, WA 98102
TEL (206) 262-0370

CRITICAL AREA

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SENIOR STAFF SCIENTIST I ENVIRONMENTAL PLANNING
TERRACON
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W (425) 771 3304 I D (425) 361 0269 I M (508) 292 2630
BEN.WOLLMAN@TERRACON.COM I TERRACON.COM

ARCHITECT

LAVINA WADWANI
VEER ARCHITECTURE, PLLC
10655 NE 4TH ST, SUITE 707
BELLEVUE, WA 98004
lavinaw@veerarchitecture.com

THE SCOPE OF WORK DESCRIBES A COORDINATED, MULTI-PARCEL LAND-USE AND DEVELOPMENT PROPOSAL FOR A SPLIT-ZONED SITE LOCATED AT THE INTERSECTION OF VAN RY BOULEVARD AND 237TH STREET SW IN MOUNTLAKE TERRACE, WASHINGTON.

THE SITE SITS WITHIN THE TERRACE STATION TRANSIT-ORIENTED DEVELOPMENT (TOD) CORRIDOR, IMMEDIATELY ADJACENT TO THE MOUNTLAKE TERRACE LINK LIGHT RAIL STATION, AND IS IDENTIFIED IN THE CITY'S 2024 COMPREHENSIVE PLAN AS A PRIORITY AREA FOR INCREASED HOUSING DENSITY, MULTIMODAL CONNECTIVITY, AND NEIGHBORHOOD VITALITY.

THE PROPOSAL INVOLVES THREE DISTINCT BUT FUNCTIONALLY INTEGRATED COMPONENTS ACROSS A COMBINED SITE AREA OF APPROXIMATELY 2.21 ACRES, DIVIDED INTO 2 LOTS, FOLLOWING COMPLETION OF A BOUNDARY LINE ADJUSTMENT (BLA).

LOT 2 ,SOUTH LOT IS SPLIT ZONED AND BOTH ZONES REQUIRE ZONING MAP AMENDMENTS TO ALIGN WITH THEIR COMPREHENSIVE PLAN LAND USE DESIGNATIONS;
LOT 1 (THE NORTH LOT) WITH PROPOSED BLDG 4 FOOTPRINT - IS ALREADY APPROPRIATELY ALIGNED WITH TC1 ZONING AND REQUIRES NO CHANGE.

TOGETHER, THE TWO LOTS WILL DELIVER 288 NEW RESIDENTIAL UNITS, A SHARED PRIVATE DRIVE CONNECTION BETWEEN VAN RY BOULEVARD AND 237TH STREET SW, AND A LANDSCAPED COMMUNITY OPEN-SPACE PARK SERVING ALL RESIDENTS OF THE TERRACE STATION TOD NEIGHBORHOOD.

THIS APPLICATION IS SUBMITTED IN SUPPORT OF TWO CONCURRENT ZONING MAP AMENDMENT / REZONE APPLICATIONS ON LOT 2 - SOUTH LOT :

(1) A REZONE OF THE MAAS PEARSON PARCEL FROM SINGLE FAMILY RESIDENTIAL RS-4800 TO NEIGHBORHOOD MIXED USE (NMU), AND
(2) A REZONE OF PARCEL C FROM FREEWAY TOURIST (FT) TO GATEWAY MIXED USE (GMU).

THE NORTH LOT ZONED TOWN CENTER (TC1), IS NOT SUBJECT TO A REZONE REQUEST AND IS DESCRIBED HEREIN FOR CONTEXT ONLY.

Site Summary Table

SITE DEVELOPMENT	Parcel / APN	Area	Current Zone	Proposed Zone	Proposed Use
LOT 1 – NORTH Building 4	Parcels A & B APNs ...201100 & ...201600	53,182 SF (~1.22 ac)	TC1 (Town Center)	TC1 (No change)	7-story multifamily 223 units
LOT 2 – SOUTH LOT Building 5 (MAAS Pearson)	APN 00520900200600	~0.45 ac	RS-4800 (Single Family)	NMU (Neighborhood Mixed Use)	7-story multifamily 65 units
Community Park (Parcel C)	APN 27043200402100	~0.6 ac	FT (Freeway Tourist)	GMU (Gateway Mixed Use)	Landscaped open space / greenway
TOTAL SITE	2 LOTS	~2.21 ac	TC1 / RS-4800 / FT	TC1 / NMU / GMU	**288 units + open space**

HALF TONE- LOT 1 IS NORTH LOT - ADDED FOR CONTEXT

THIS PERMIT COVERS THE CONNECTION BETWEEN VAN RY BLVD & 237TH STREET VIA A PRIVATE 24' WIDE DRIVE & PROPOSED 223 MULTIFAMILY PROPOSED

LOT 2 (SOUTH LOT) = 42,549 SF - ZONING AMENDMENT TO REZONE

PARCEL NUMBERS

APN 00520900200	SINGLE FAMILY RS 4800	REZONE TO	NMU (NEIGHBORHOOD MIXED USE) TO BUILD MULTIFAMILY - BUILDING 5
APN 27043200402100	FREEWAY TOURIST ZONE (FT)	REZONE TO	GMU(GATEWAY MIXED USE) WILL BE OPEN SPACE - PARK

RS - 4800

MAAS PEARSON (ASSESSORS PARCEL NO 00520900200600
PROPOSED 6 STORY MULTIFAMILY WITH PARKING

FT ZONE

PARCEL C (ASSESSORS PARCEL NO 27043200402100
60' TREE BUFFER & LANDSCAPED AREA FOR COMMUNITY

TC-1 ZONE

PROJECT DATA - 6 STORY MULTIFAMILY - UNDER NEW ZONING - NMU

CURRENT ZONING - SINGLE FAMILY RS-400
NEW ZONING APPROVED COMPREHENSIVE PLAN - NEIGHBORHOOD MIXED USE

PARKING/ ENTRY LEVEL - 9,444 SF
RESIDENTIAL LEVEL 1-5 = 8850 X5 = 44, 250 SF
TOTAL GROSS AREA = 53, 694 SF

TOTAL RESIDENTIAL UNITS - 65 UNITS
13 UNITS PER FLOOR
TOTAL PARKING STALLS = 23

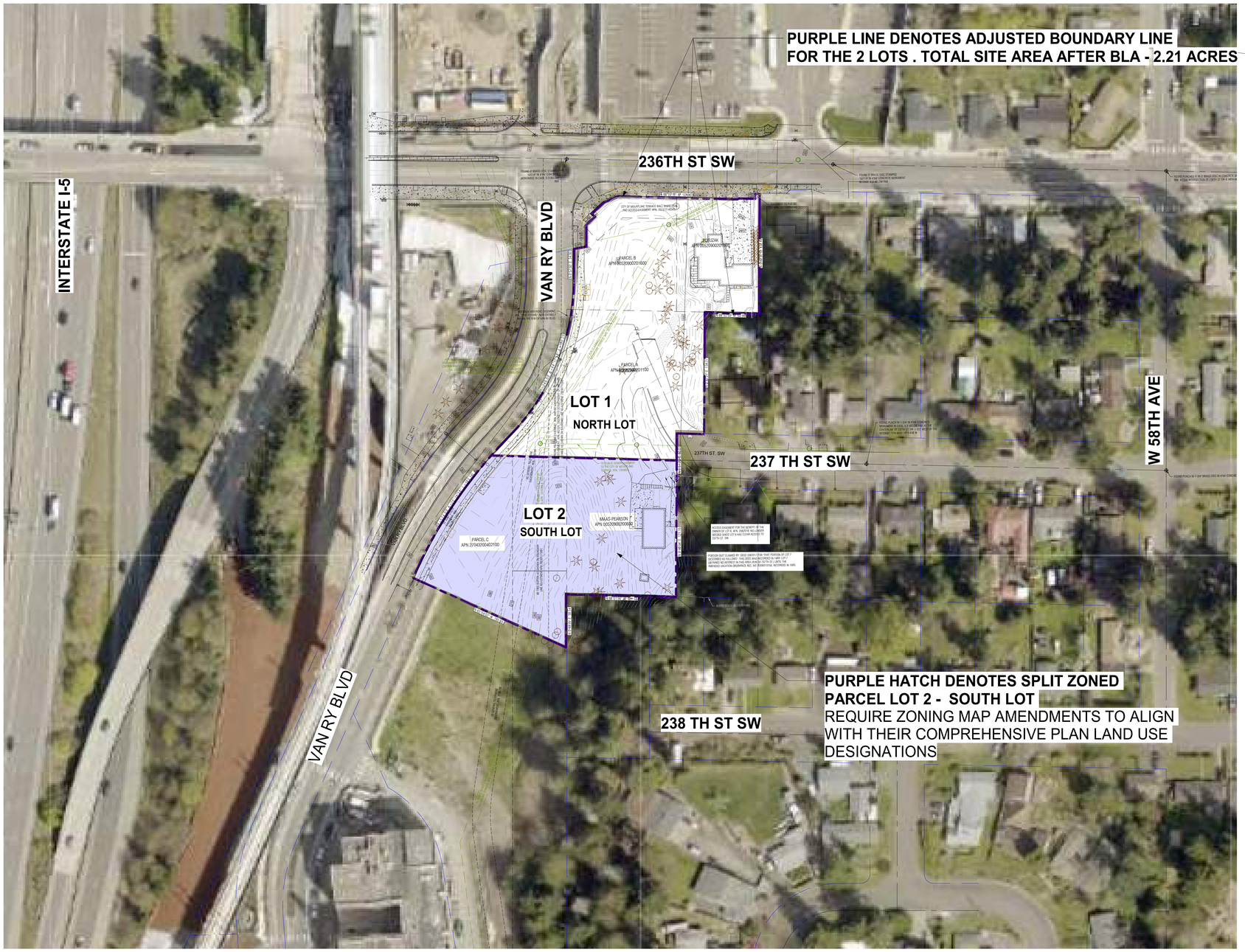
0' 10' 20' 40' 80'

TERRACE STATION - TOD DEVELOPMENT - LOT 2 - REZONE

4/27/2026

veer ARCHITECTURE PLLC

P-PRR-26-0016



PROJECT DATA SUMMARY

PROJECT ADDRESS: SITE LOCATED AT INTERSECTION OF VAN RY & 2 237TH STREET SW, MOUNTLAKE TERRACE, WA 98043
TOTAL SITE AREA: APPROXIMATELY 2.21 ACRES (95,730 SF PER SURVEY)

LOT 1 - NORTH LOT — BUILDING 4: 53,182 SF ~1.22 AC | TC1 ZONE | 7 STORIES | 223 UNITS | 223+ PARKING STALLS | NO REZONE

LOT 2 - SOUTH LOT : 42, 549 SF
— BUILDING 5 (MAAS PEARSON): ~0.45 AC | RS-4800 → NMU | 7 STORIES | 65 UNITS | 23 PARKING STALLS | REZONE REQUIRED

SOUTH LOT — COMMUNITY PARK (PARCEL C): ~0.6 AC | FT → GMU | OPEN SPACE / PARK | REZONE REQUIRED

TOTAL RESIDENTIAL UNITS: 288 UNITS (223 + 65)

LOT 2 (SOUTH LOT) = 42,549 SF - ZONING AMENDMENT TO REZONE

APN 00520900200 SINGLE FAMILY RS 4800 REZONE TO NMU (NEIGHBORHOOD MIXED USE)

APN 27043200402100 FREEWAY TOURIST ZONE (FT) REZONE TO GMU(GATEWAY MIXED USE)

LEGAL DESCRIPTION:

MAAS/PEARSON
LOTS 6 AND 7, BLOCK 2, MOUNTLAKE TERRACE, DIVISION NO. 5, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 13 OF PLATS, PAGE 39, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;
EXCEPT THE EAST 30 FEET OF SAID LOT 7;
EXCEPT THAT PORTION OF LOT 7 CONVEYED TO THE EDMONDS SCHOOL DISTRICT NO. 15 BY DEED RECORDED UNDER AUDITOR'S FILE NO. 2082017.
TOGETHER WITH THAT PORTION OF VACATED 237TH STREET SOUTHWEST BY THE CITY OF MOUNTLAKE TERRACE ORDINANCE RECORDED UNDER AUDITOR'S FILE NO. 8306010156 THAT WOULD ATTACH BY OPERATION OF LAW.
ALL SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON

PARCEL C (ASSESSORS PARCEL NO. 27043200402100)
TRACT 2, BOUNDARY LINE ADJUSTMENT & RECORD OF SURVEY NO. PLL-22-0002, RECORDED UNDER RECORDING NO. 202301175001, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, BEING A PORTION OF THE SOUTHEASTER QUARTER OF SECTION
32, AND A PORTION OF THE SOUTHWEST QUARTER OF SECTION 33, ALL IN TOWNSHIP 27 NORTH, RANGE 4 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON

1 **SITE VICINITY MAP**
SCALE: 1" = 50'-0"

0' 10' 20' 40' 80'

P-PPR-26-0016

TERRACE STATION - TOD DEVELOPMENT - LOT 2 - REZONE

4/27/2026

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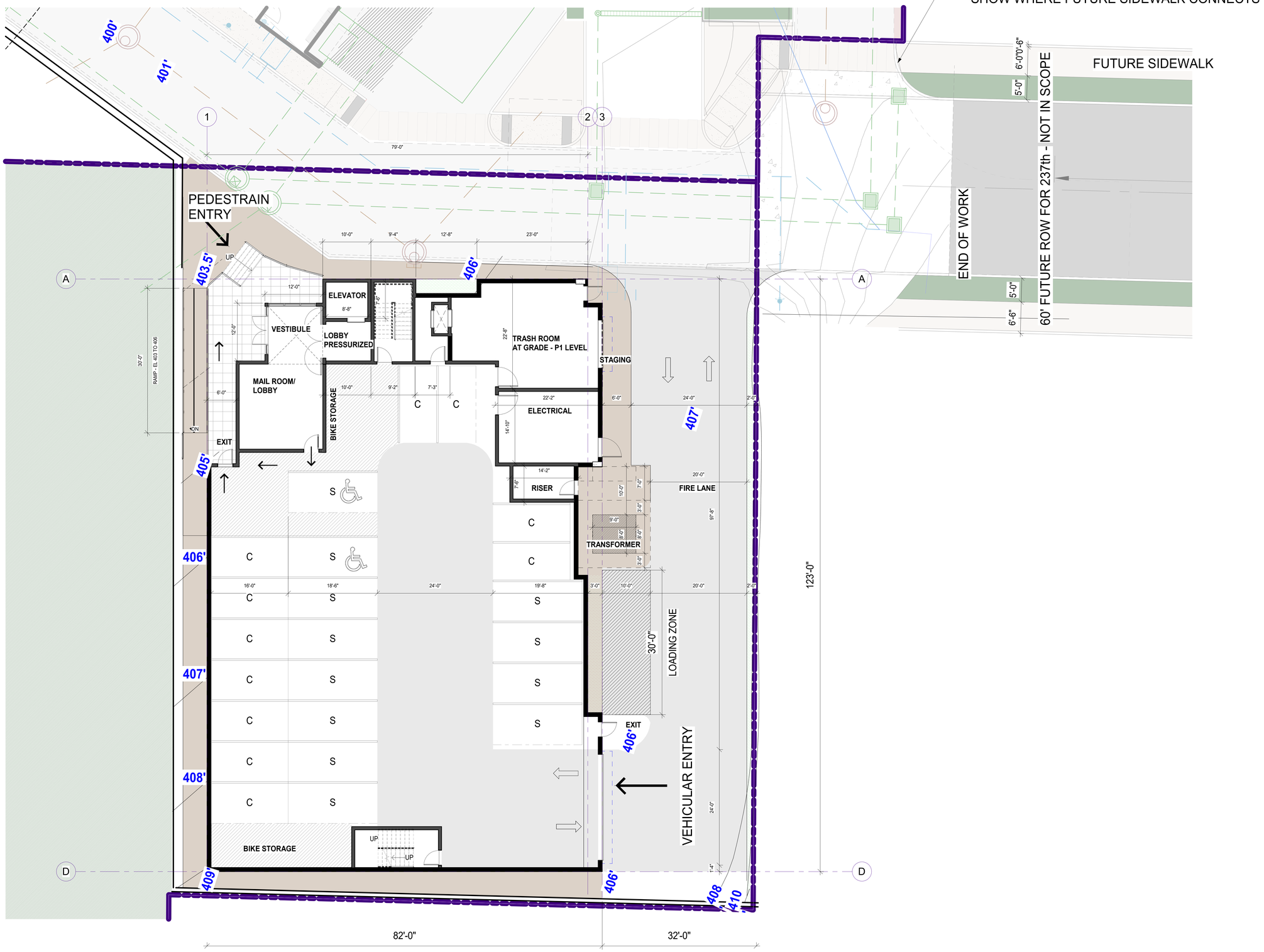


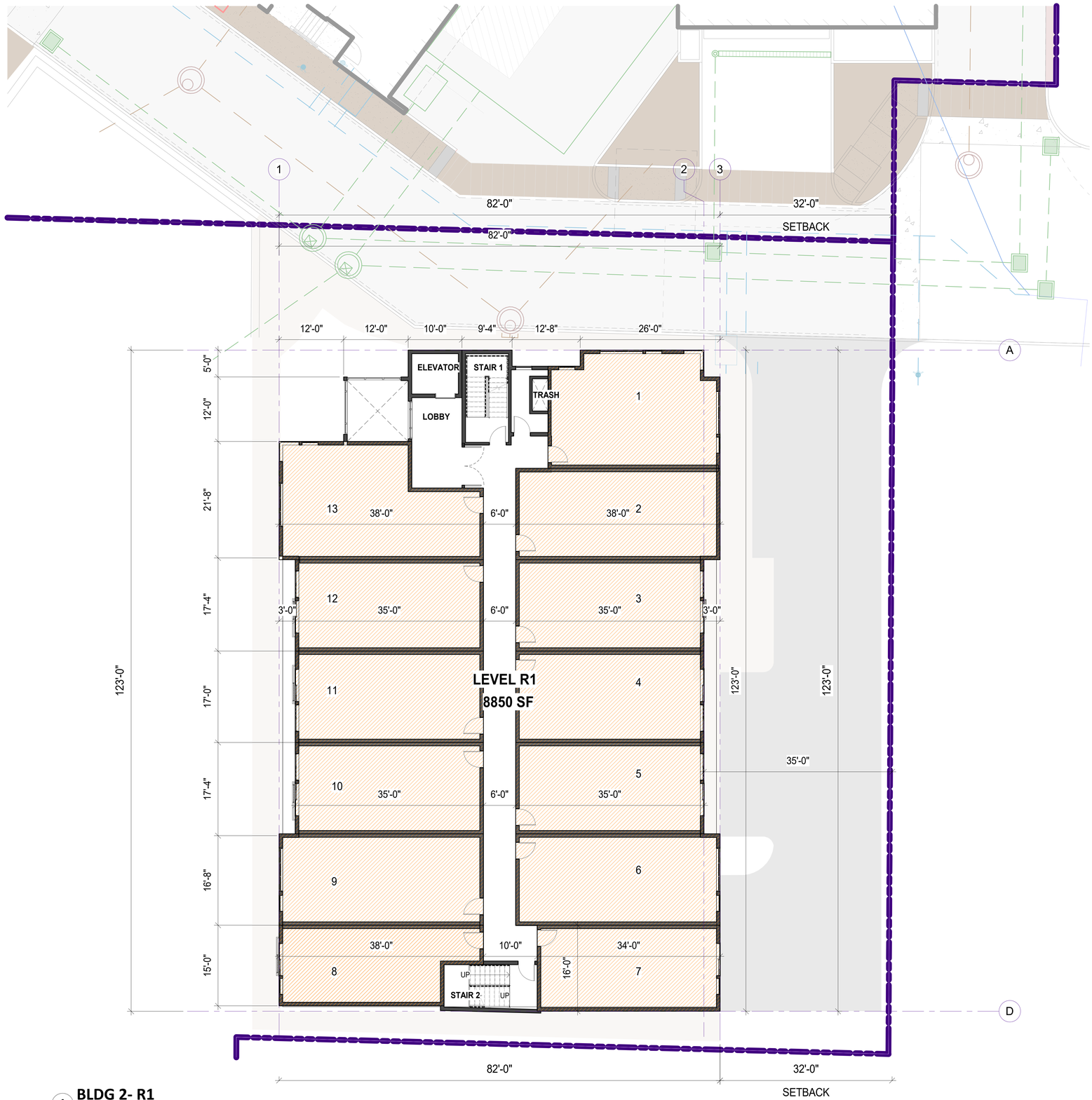
1 **BLDG 2 - P1/ ENTRY LEVEL - ELEV 406'**

SCALE: 1/8" = 1'-0"

TERRACE STATION - TOD DEVELOPMENT - LOT 2 - REZONE

4/27/2026

P-PPR-26-0016



1 **BLDG 2- R1**

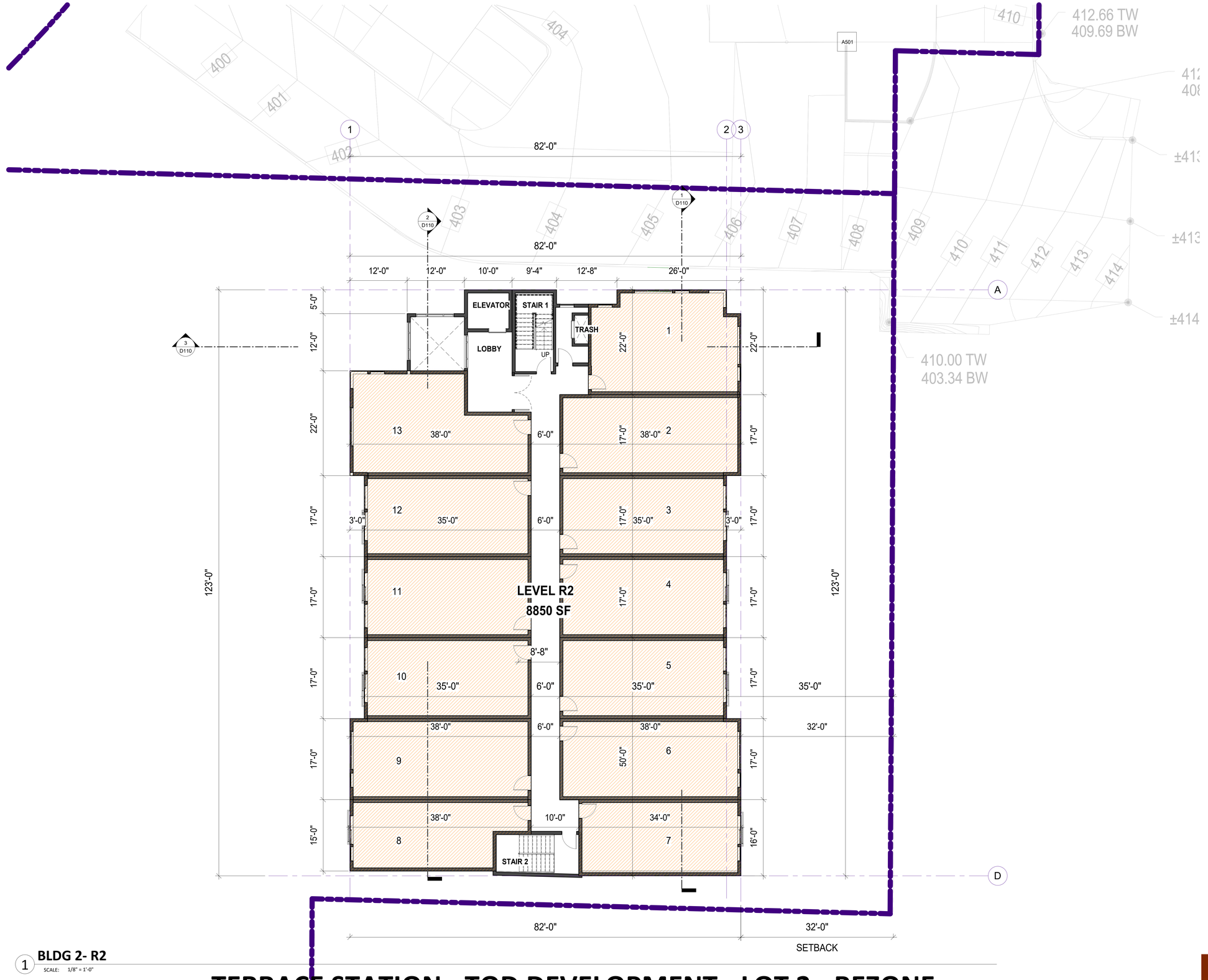
SCALE: 1/8" = 1'-0"

TERRACE STATION - TOD DEVELOPMENT - LOT 2 - REZONE

4/27/2026

veer ARCHITECTURE PLLC

P-PPR-26-0016



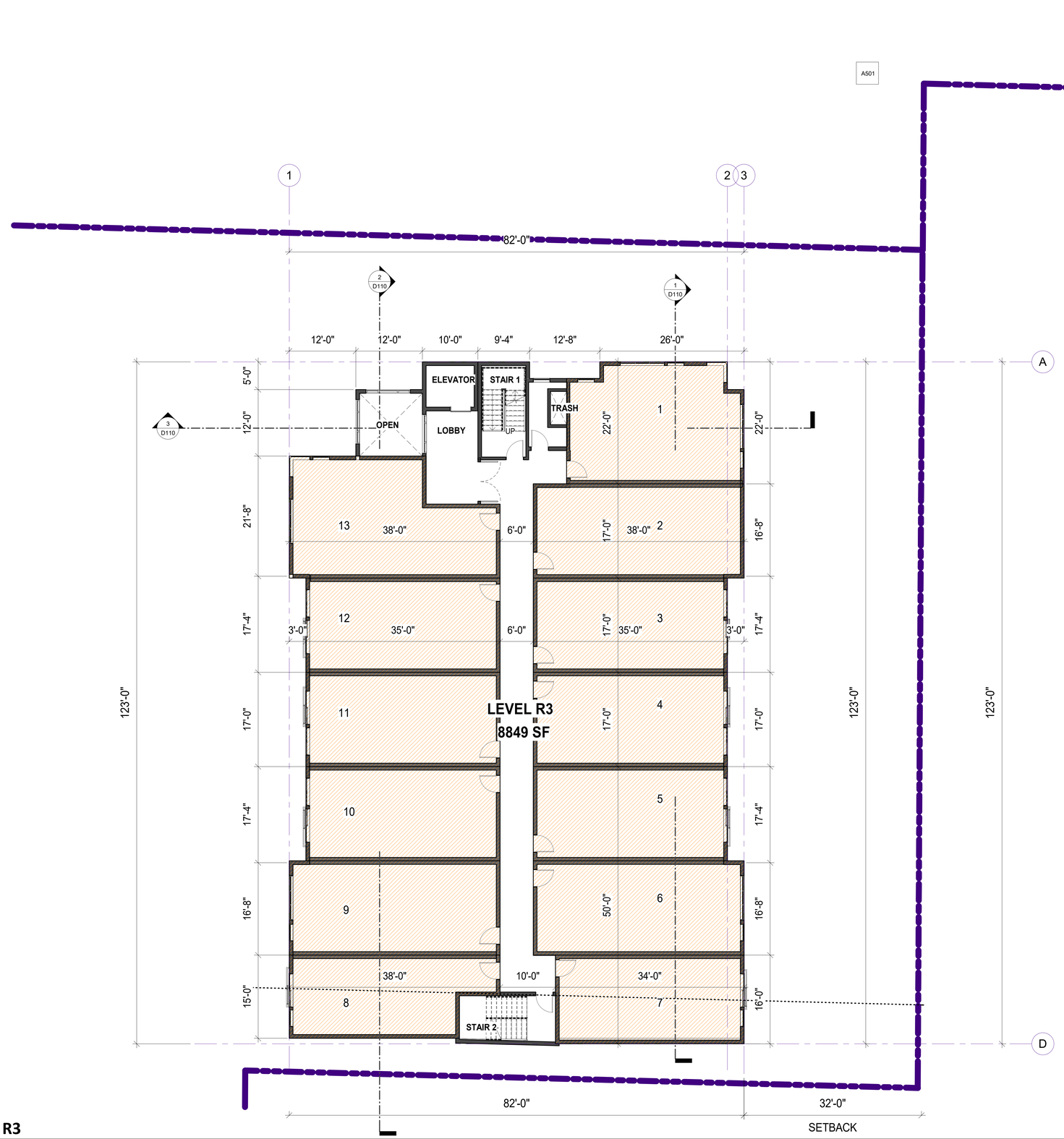
1 **BLDG 2- R2**

SCALE: 1/8" = 1'-0"

TERRACE STATION - TOD DEVELOPMENT - LOT 2 - REZONE

4/27/2026

P-PPR-26-0016



1 **BLDG 2 - R3**

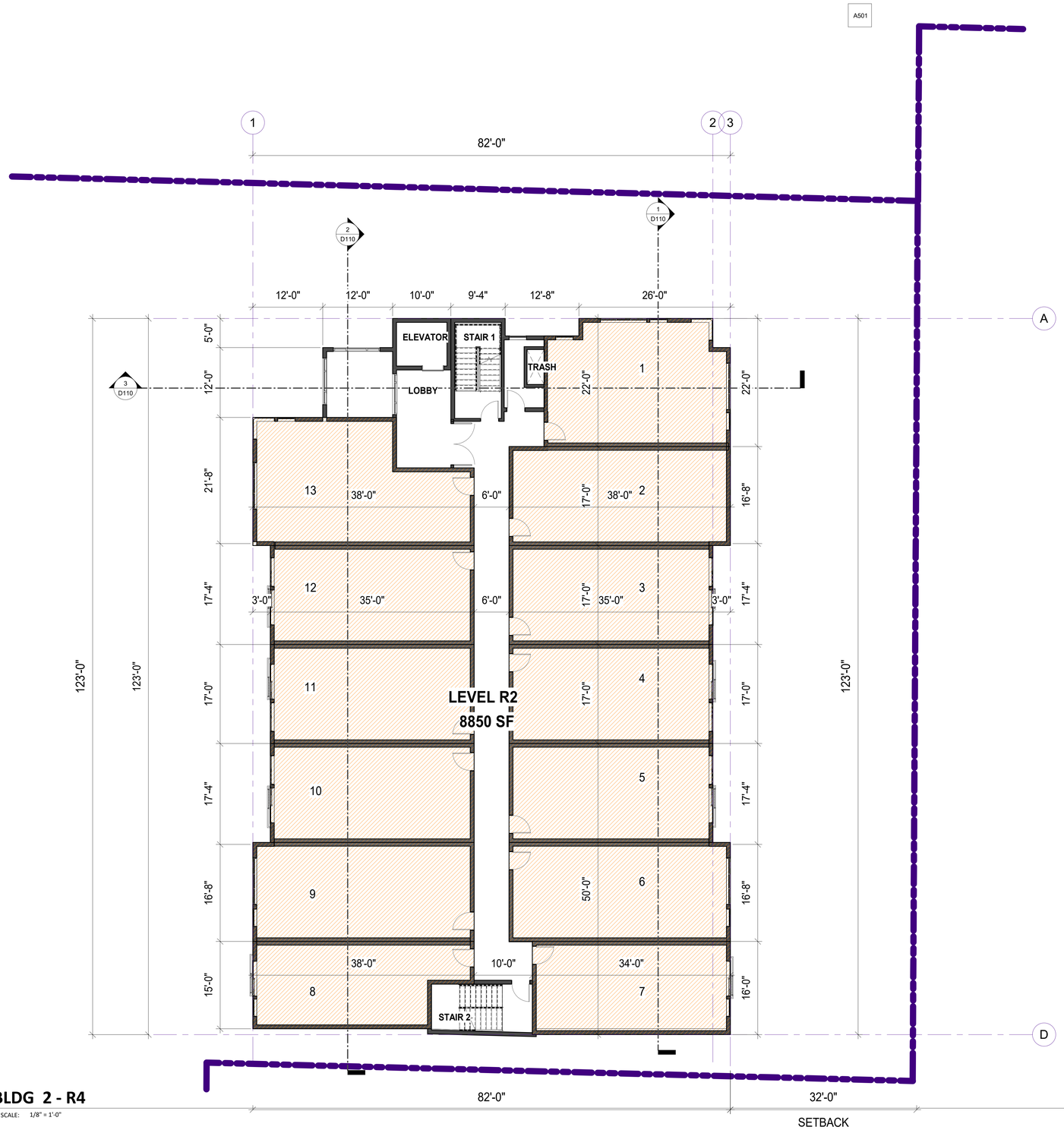
SCALE: 1/8" = 1'-0"

TERRACE STATION - TOD DEVELOPMENT - LOT 2 - REZONE

4/27/2026

veer ARCHITECTURE PLLC

P-PPR-26-0016

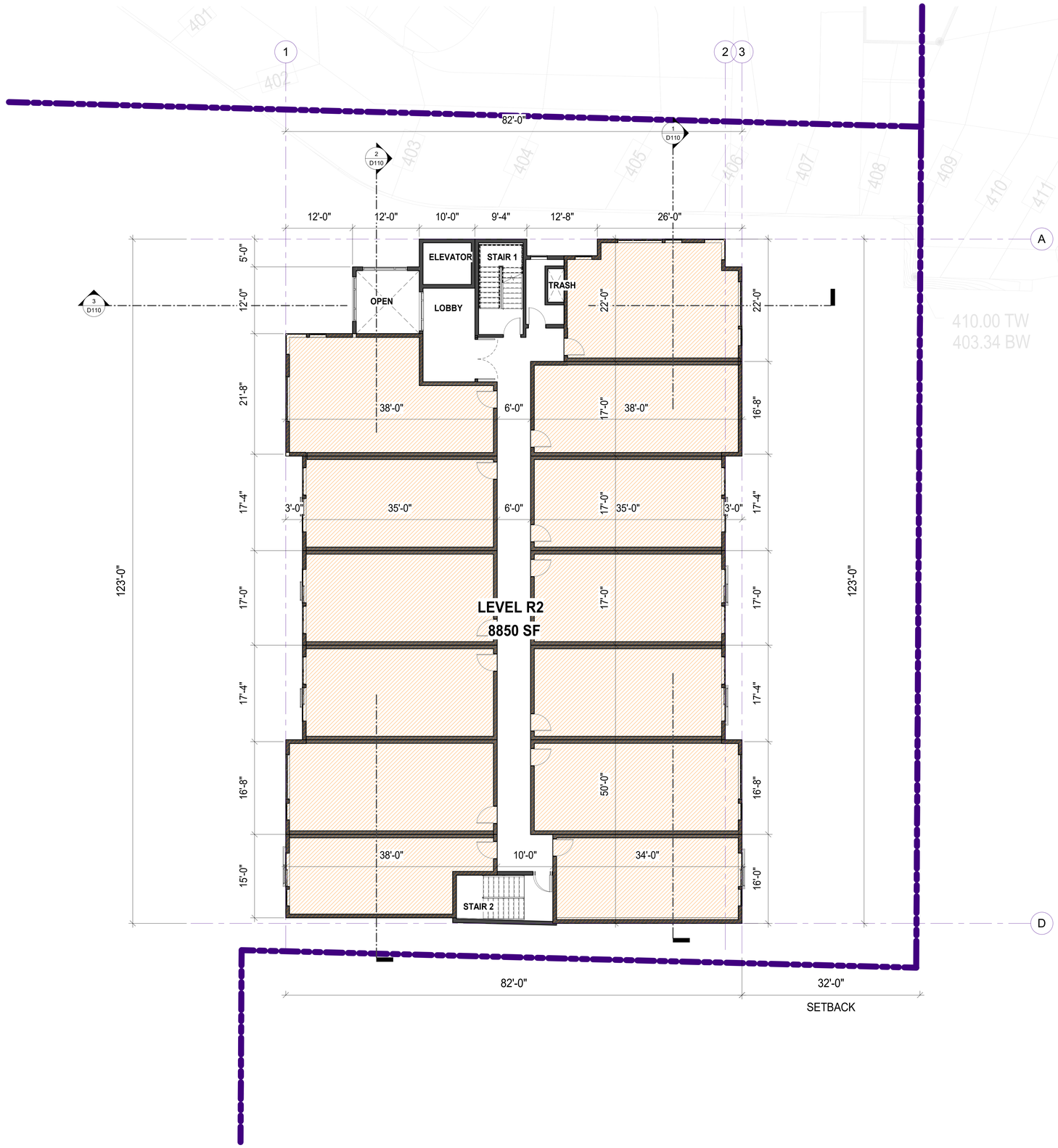


TERRACE STATION - TOD DEVELOPMENT - LOT 2 - REZONE

4/27/2026

veer ARCHITECTURE PLLC

P-PPR-26-0016



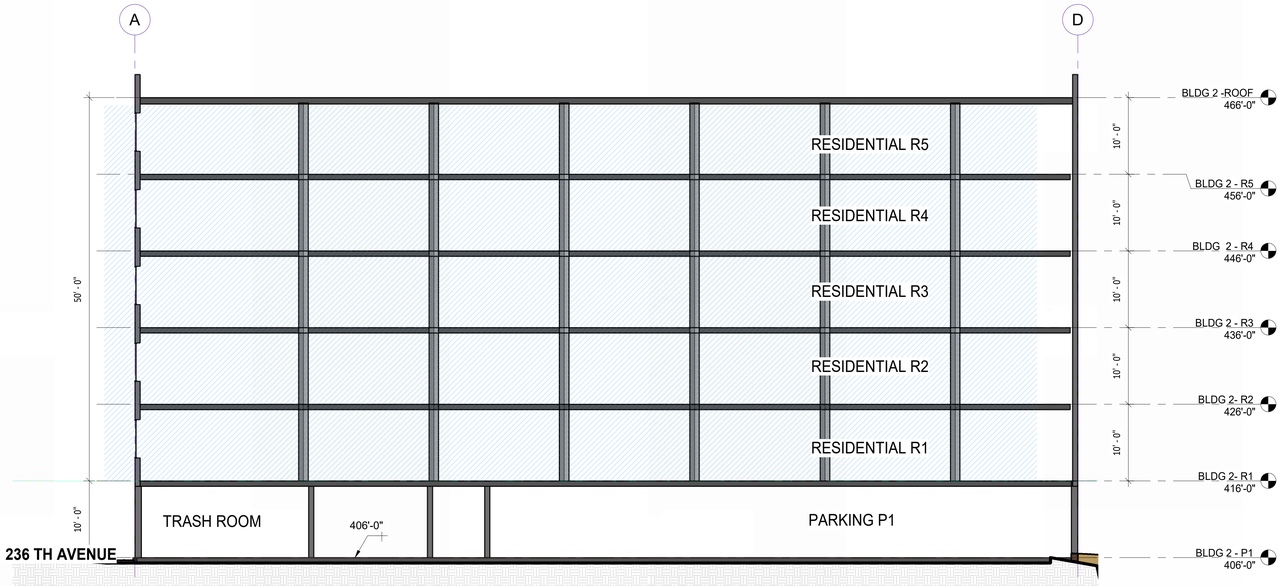
1 **BLDG 2 - R5**

SCALE: 1/8" = 1'-0"

TERRACE STATION - TOD DEVELOPMENT - LOT 2 - REZONE

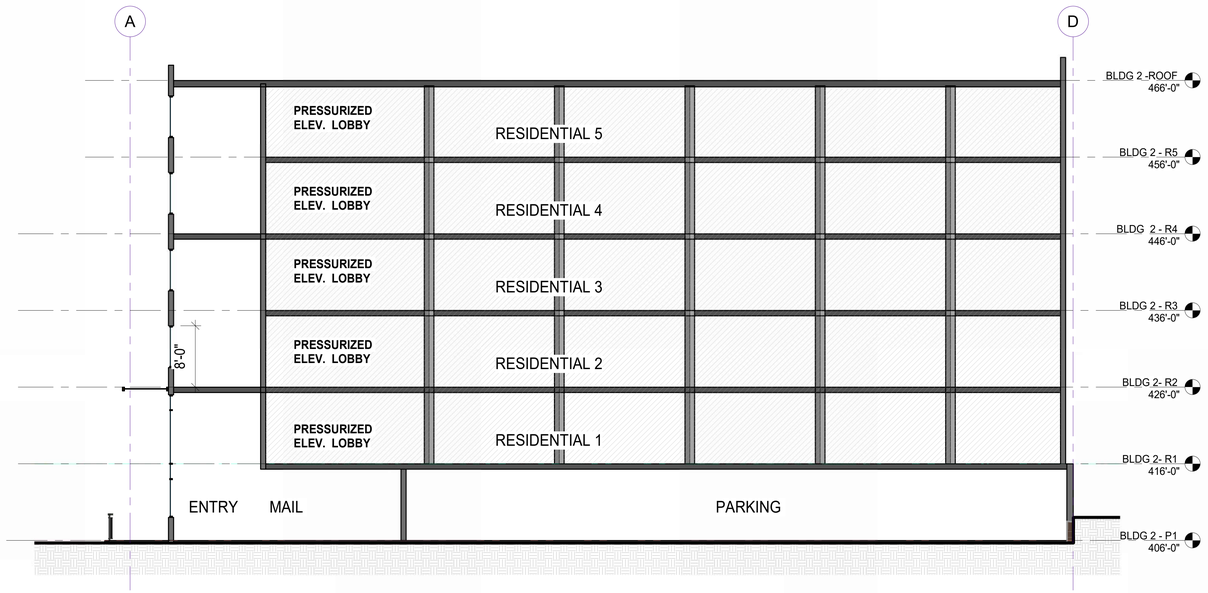
4/27/2026

P-PPR-26-0016



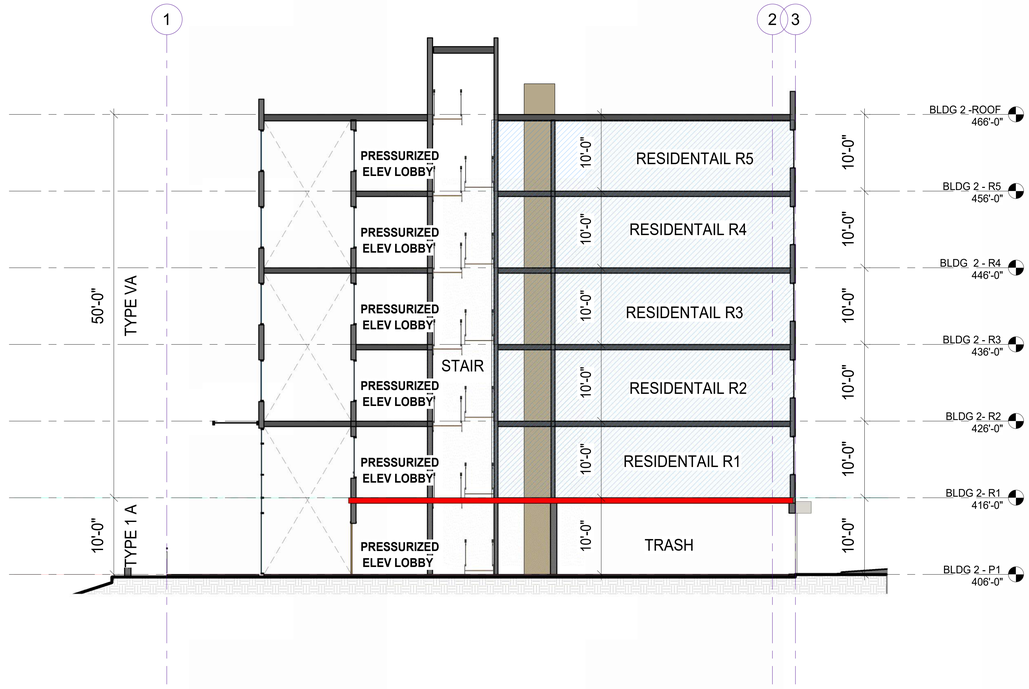
1 SECTION AT PARKING ENTRY @ 406'

SCALE: 1/8" = 1'-0"



2 SECTION AT PEDESTRAIN ENTRY - LOBBY

SCALE: 1/8" = 1'-0"



3 EAST- WEST SECTION

SCALE: 1/8" = 1'-0"

TERRACE STATION - TOD DEVELOPMENT - LOT 2 - REZONE

4/27/2026

veer ARCHITECTURE PLLC

P-PPR-26-0016

1 **NW CORNER VIEW**
SCALE:

TERRACE STATION - TOD DEVELOPMENT - LOT 2 - REZONE

4/27/2026

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P-PPR-26-0016

Permit #
PSN-20-0001

TERRACE STATION

Master Sign Plan

Building 1
24000 Van Ry Blvd
Mountlake Terrace, WA 98043

Building 2
24015 Van Ry Blvd
Mountlake Terrace, WA 98043

Building 3
23905 Van Ry Blvd
Mountlake Terrace, WA 98043

A DESIGN STUDIO

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- **iii.** Sign Placement & Descriptions
- **iii.** Definitions
- **iv.** Vicinity Map
- **v.** Site Plan Map
- **vi.** Responses to Binding Site Plan, COA #21
- **viii.** Consistency with MTMC 19.135.100 (C)

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- **x.** Types of Signs Permitted
- **x.** Size of Signs
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- **xiii.** Sign Guidelines
- **xiv.** General Standards of Quality
- **xv.** Submittal for Building Owner Approval
- **xv.** Failure to Comply
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A DESIGN STUDIO

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PROJECT NAME
Terrace Station

PROJECT #
20-004

ADDRESS
Address Varies
Mountlake Terrace, WA 98043

DATE
08/05/20

VERSION NOTES

V1	07/14 Concept design
V2	07/31 Revise signs
V3	08/06 Revise signs
V4	08/22 Revise signs
V5	10/02 Revise signs
V6	11/19 Revise signs
V7	01/02 Revise signs
V8	02/20 Revise all concepts & signs
V9	02/24 Revise signs
V10	03/19 Add signs, revise narrative
V11	05/19 Add/revise signs, revise all B3
V12	05/22 Revise B3 & directional signs
V13	06/02 Revise B1 canopy details
V14	08/05 Revise per city comments
V15	

PAGE SCALE
As Noted

PAGE #
i

NARRATIVE

MOUNTLAKE TERRACE GATEWAY TOD, NOW KNOWN AS TERRACE STATION

Bldg 1 - 24000 Van Ry Blvd
Bldg 2 – 24015 Van Ry Blvd
Bldg 3 – 23905 Van Ry Blvd

Written narrative describing and defining, but not limited to, the following:

All sign materials must be consistent with the design theme, enhancing the building, and storefronts and evoking a positive retail image. Due to the variety of architectural treatments within the development, each building and tenant storefront sign should be carefully considered in relationship to its particular location. What may be appropriate in one location may not work in another. Each proposed sign will be evaluated on its originality and compatibility with neighboring signs as well as its overall image within the Terrace Station Binding Site Plan development. All proposed signage is to be reviewed by, and concurred to by, the underlying building/property owner.

Terrace Station in Mountlake Terrace in the Freeway/Tourist Zone is a multi-building complex comprised of three separate buildings , building parcels (Buildings 1, 2 and 3), and four tracts including Van Ry Blvd (Tract 4), see Site Plan Map. The site is to be developed as a transit-oriented development due to its close proximity to the existing Community Transit Center and planned light rail station just a hundred feet or so from the northwest corner of the site. An intervening gateway plaza is planned between the station proper and the TOD site creating a seamless pedestrian connection to the site for those arriving or departing by light rail. All three buildings are planned mixed use residential with retail on the bottom level of all three buildings which will serve the pedestrian-oriented site. Terrace Station is designed and developed to act as the new building standard for Mountlake Terrace, giving the city a new thoughtfully planned and designed community. The building site is essentially the entrance to the city with its location just off the I-5 corridor. The signage was also designed and developed to fit with this standard using an upscale and thoughtfully planned approach which fits with the overall branding of Terrace Station.

Signage is a necessary element to a project of this nature. It is meant to identify the brand, identify the buildings, identify wayfinding and parking as well as identify retail tenants throughout. Due to the nature of a complex of this size and scope inadequate signage of the project lends to confusion and frustration of patrons and visitors of the complex. Our intent was to provide the right amount of signage both with respect to location and visibility to offer both vehicles and pedestrians ease to travel throughout and to provide adequate direction to the parking entries of the 3 buildings.

There are three identifiable categories of signage at Terrace Station throughout the three-building complex which are meant to work together throughout the site. All three buildings will have a similar look and feel built into the signage plan.

The first category are Building Identification signs. The Building Identification signs are for the primary purpose of identifying the buildings. The buildings are named Terrace Station East, Terrace Station West and potentially Traxx (however this name may change pending branding). The Building Identification signs are placed on the building canopies at the entrances as well as signs placed on the upper level sunshades for building one that are visible from I-5. Building Identification signs are meant to reinforce branding and to identify each separate building.

The second category of signs are Retail Signage. The retail signage is also placed on the entrance canopies and walls to clearly identify the retail tenants of the complex. See the retail tenant guidelines on page 191-192 of the comprehensive sign plan as well as the Retail Sign Criteria that speaks at length to the approvals and conditions of retail signage. Cornerstone retail tenants will be afforded additional signage locations where on a corner of a building.

The third category of signs are directional and parking signage. Signage is placed for vehicles to clearly find the parking garage entries for all 3 buildings and will be used to identify residential and retail parking. These signs are primarily comprised of blade signage directing to the entrances to the parking garages and overhead signage at parking entrances notifying patrons to the site of Residential and Public parking. We have chosen to incorporate monument signage for a consistent and long-lasting way to direct patrons to the 3 separate buildings. We feel that with the size and scale of the site as well as the need to direct to parking garages, this approach was best and most recognizable also offering a clean and consistent look.

NARRATIVE

SIGNAGE PLACEMENT & DESCRIPTIONS

MONUMENT SIGNS: The placement of the signs for Terrace Station were thoughtfully considered for both vehicular, pedestrian and wayfinding throughout the multi building premises. This project will consist of both residential tenants as well as retail tenants. Based on the pedestrian connection of the site, signage was carefully placed through the project not only for building and site identification, but also so that various visitors of the premises would also find and easily travel throughout. These signs were placed to facilitate both vehicular and pedestrian wayfinding.

WALL SIGNS: Wall signs are placed to both catch the attention of vehicular and pedestrian traffic. Where a retail wall sign is used, it is required that only upscale signage design and materials are used. See retail tenant sign criteria. Thin oversized raceways are to be placed behind the channel letter or push through acrylic sign and the raceway will be painted to match exactly to the building façade.

PARKING SIGNS: Directional parking signage is used to direct vehicles to the building parking garages. Blade type signs are designed to fit with the overall look and brand of the project and are minimal in size but large enough to catch the attention of passing vehicles. Wall sign garage entry signs are placed to further direct patrons of the complex to the appropriate either retail or residential parking entries.

SIGN SIZES: Sign sizes are all meant to fit both with visitors finding and clearly identifying the project both in a car as well as on foot. Signs are designed to fit within the scale with the size and architecture of the buildings. The shape size and orientation of the signage for the building were specifically designed to blend with the architectural lines of the building and setting and to attract motorists to the site by way of the orientation of the signage. Letter and logo heights were designed to be readable for the viewing distances for vehicular traffic.

BRANDING: Physical components of the signage include branded but muted color schemes that blend with the color schemes of the building. The signage is meant to blend well with the surroundings and landscaping. No bright or outlandish colors are used. Soft blue/grays and golds are the primary color scheme to fit well within the northwest backgrounds. Signage and branding is designed to convey an old world look and feel. With the close proximity of the light rail station, signage was designed to fit a "train depot" aesthetic.

LANDSCAPING: Landscaping will be used at each freestanding monument sign to further blend the sign with the surroundings of the buildings. All signage attachments and raceways will be painted to match building facades and canopies so that they go away and are minimally visible.

BUILDING IDENTIFICATION: Building identification signage was designed as open pan channel with skeleton neon to further relate to the old world look and feel. Additional signs where illuminated on the project will be LED illumination which will be either halo lit or face lit with push through acrylic which offers a much softer glow that typical face lit channel letter illumination. No obtrusive, flashing or bright lighting has been designed into the signage and will also not be allowed for retail tenant signage.

DESIGN INTENT: Design intent has been spoken of in previous context, but again thoughtful consideration of materials, construction, architectural integration and colors were considered when designing the signage package as a whole. This signage package is meant to be cohesive and upscale in nature. Signage materials are primarily metals where necessary for structure and durability. Sign colors are meant to blend with the project with soft nods to the individual brand of the buildings. Signage throughout Terrace Station is meant to be customized to integrate the brand identity, architectural elements and environment with which the signs are placed throughout the project.

DEFINITIONS, DEFINE SIGN TYPES

Wall sign: Any sign attached to a wall.

1. Cabinet Sign: means an internally illuminated sign in which a removable sign face (usually with a translucent sign graphics) is enclosed on all edges by a cabinet of a, typically met is enclosed on all edges by a metal cabinet.

Canopy Sign: Any sign that is attached directly to a canopy, where canopy is typically extending from face of building to provide pedestrian weather protection.

Monument Sign: Means a sign that rests on the ground and is permanently mounted on the ground.

Blade Sign: Any sign that projects perpendicular from the building.

Parapet Sign: We defined the signs that are attached to the upper level sunshade as a parapet sign for lack of a better definition.

Banner Sign: Any sign made of banner type material.

Building ID Signage: meaning signs that are shown to have the building names.

Parking Signage: Any sign in which to help guide vehicles to the parking garages.

Retail Signage: Any sign that will be for a retail tenant.

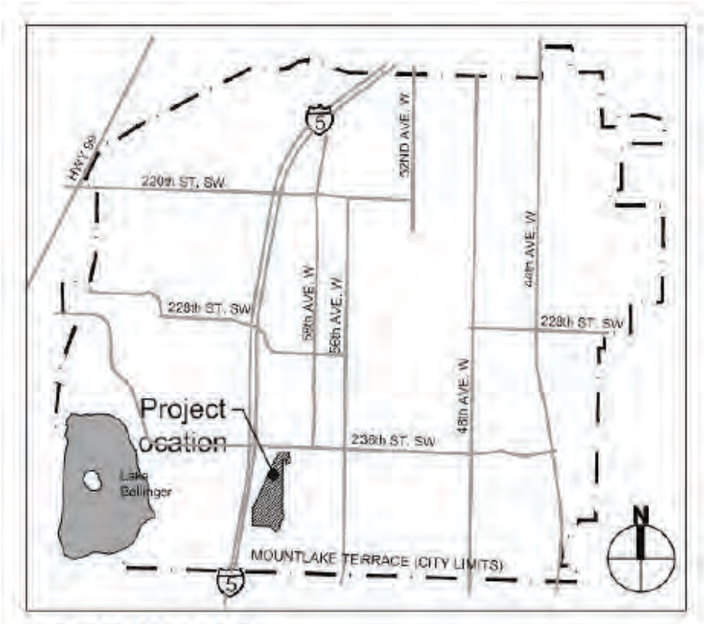
Sign Area: The sign area calculated by drawing a box around letters or words when the text is push-through or mounted, otherwise the entire sign structure is the counted as sign area.

Directional Signage: Any signage that is used for the purpose of directing vehicles or pedestrians around the site and to one of the 3 buildings on the site. Includes the Terrace Station monument signs.

Wall Sign: Means any sign attached directly to and supported by a wall, facade, roof, or edge of marquee, with the exposed face of the sign on a plane parallel to the portion of the building to which it is attached, and projecting no more than one foot and is not a blade sign.

Wall Area and Wall Sign Area: For the purposes of calculating the allowed square footage of a wall sign, the wall area is the length of the tenant's wall space on a single plane times the height of the tenant wall space. Tenant space height is from floor elevation to platform of ceiling and length is the width of the space between centerlines of "side" walls. Corner spaces cannot add together multiple wall planes to determine the allowed wall sign area on a single plane of the tenant's space.

NARRATIVE



VICINITY MAP

LEGAL DESCRIPTION:

PARCEL 8 OF MLT ENTERPRISES BINDING SITE PLAN, RECORDED UNDER AUDITOR'S FILE NO. 9311045003. BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 32, AND A PORTION OF THE SOUTHWEST QUARTER OF SECTION 33, ALL IN TOWNSHIP 27 NORTH, RANGE 4 EAST, W.M.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON

TAX ID:

TAX LOT 270432-004-013-00
PARCEL 8: TAX LOT 270432-004016-00
EDMONDS SCHOOL DISTRICT NO. 15: TAX LOT 270432-004-007-00

MOUNTLAKE TERRACE GATEWAY TOD

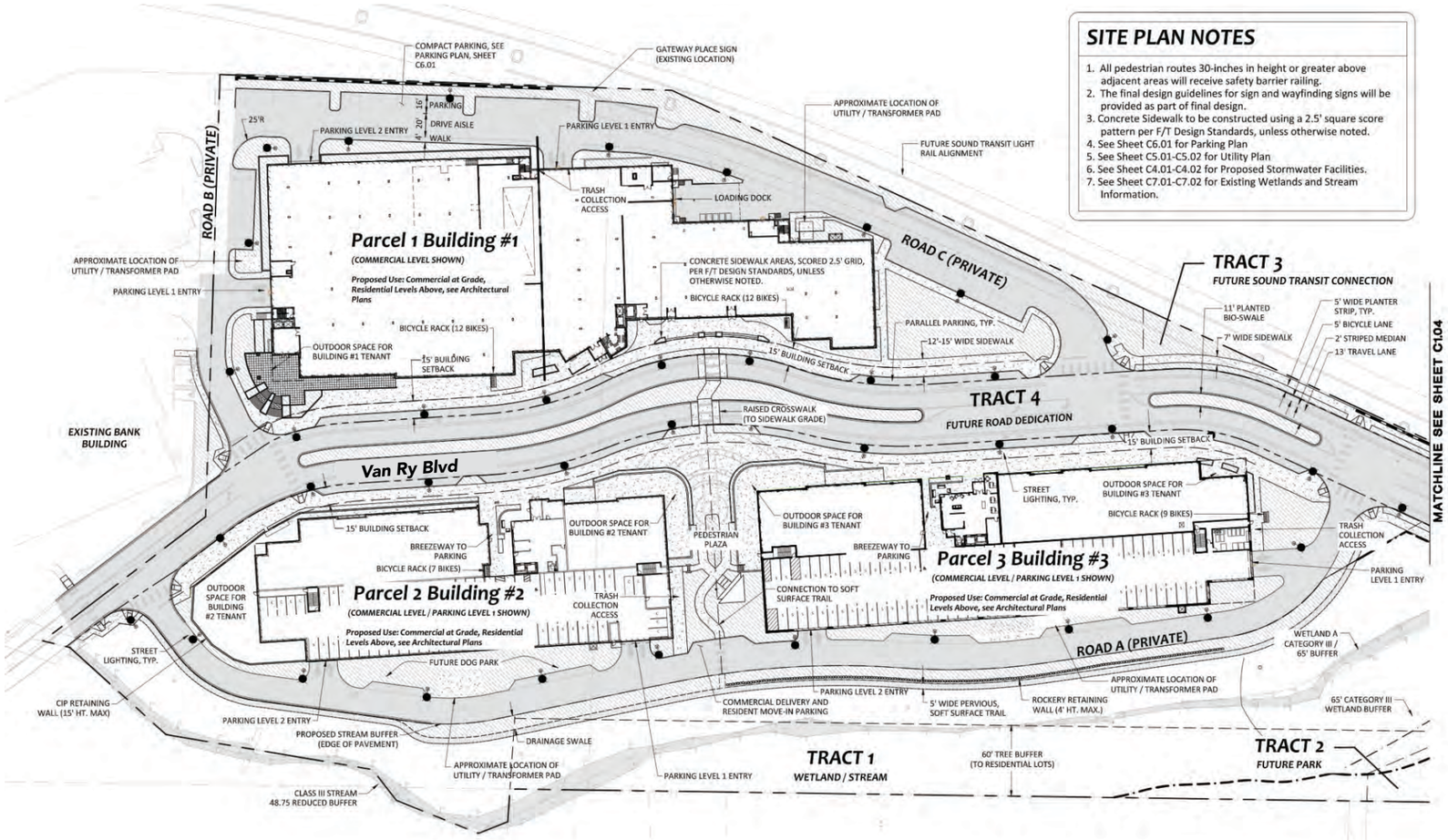
PROJECT INFORMATION:

PROJECT ADDRESS:

Building 1
24000 Van Ry Blvd
Mountlake Terrace, WA 98043

Building 2
24015 Van Ry Blvd
Mountlake Terrace, WA 98043

Building 3
23905 Van Ry Blvd
Mountlake Terrace, WA 98043



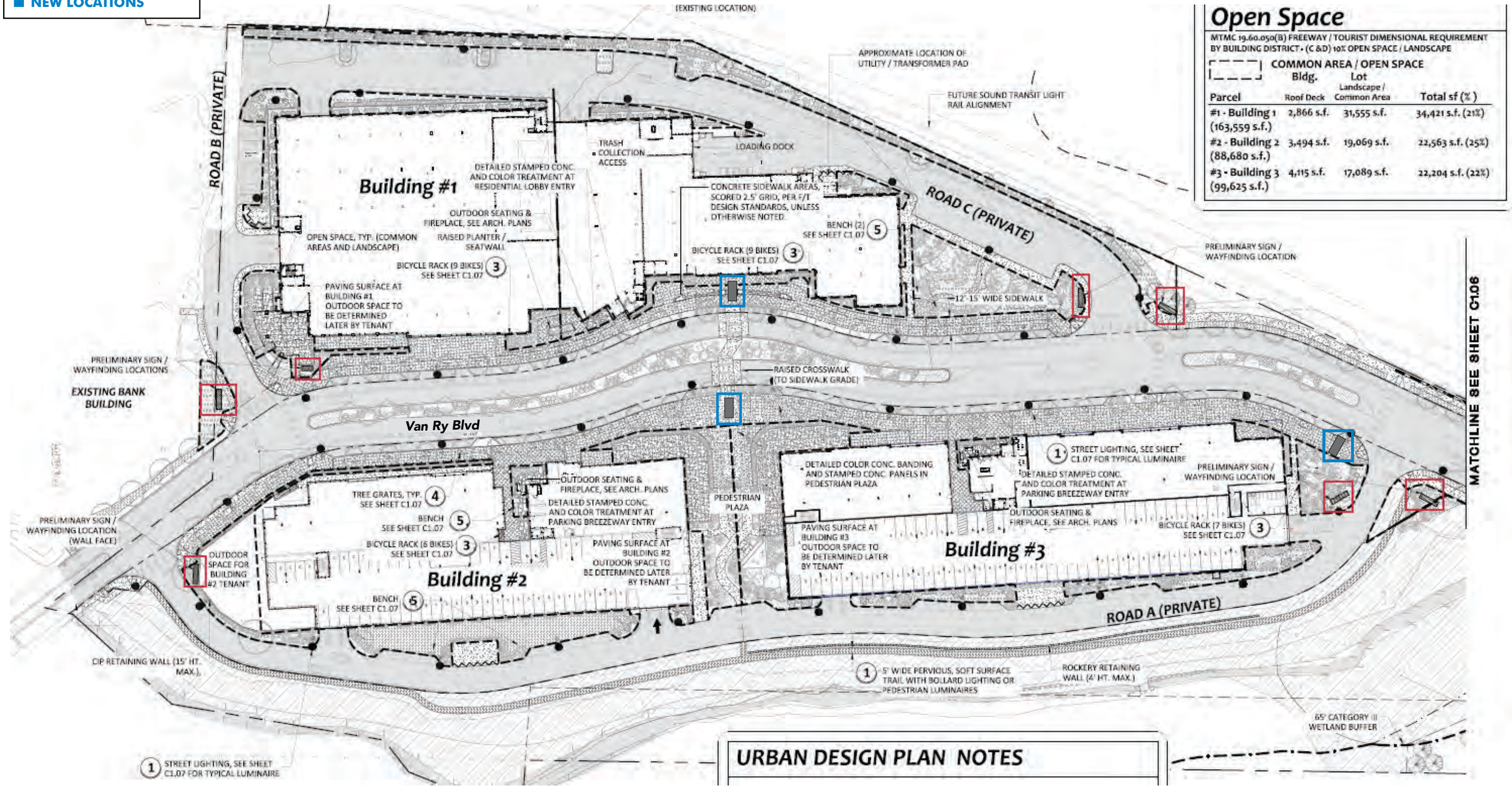
SITE PLAN NOTES

1. All pedestrian routes 30-inches in height or greater above adjacent areas will receive safety barrier railing.
2. The final design guidelines for sign and wayfinding signs will be provided as part of final design.
3. Concrete Sidewalk to be constructed using a 2.5' square score pattern per F/T Design Standards, unless otherwise noted.
4. See Sheet C6.01 for Parking Plan
5. See Sheet C5.01-C5.02 for Utility Plan
6. See Sheet C4.01-C4.02 for Proposed Stormwater Facilities.
7. See Sheet C7.01-C7.02 for Existing Wetlands and Stream Information.

NARRATIVE

COLOR KEY

- **LOCATIONS PER BSP**
- **NEW LOCATIONS**



Open Space

MTMC 19.60.050(B) FREEWAY / TOURIST DIMENSIONAL REQUIREMENT BY BUILDING DISTRICT • (C &D) 10% OPEN SPACE / LANDSCAPE

COMMON AREA / OPEN SPACE

Parcel	Bldg. Roof Deck	Lot Landscape / Common Area	Total sf (%)
#1 - Building 1 (163,559 s.f.)	2,866 s.f.	31,555 s.f.	34,421 s.f. (21%)
#2 - Building 2 (88,680 s.f.)	3,494 s.f.	19,069 s.f.	22,563 s.f. (25%)
#3 - Building 3 (99,625 s.f.)	4,115 s.f.	17,089 s.f.	22,204 s.f. (22%)

URBAN DESIGN PLAN NOTES

COA #21

Prior to installation of any exterior signage – including freestanding signs, wayfinding signs, and building signs – a master sign plan shall be submitted to Planning Staff for review and approval, and then recorded with or subsequent to the Final Binding Site Plan. The master sign plan shall specifically define sign types, allowed locations, methods of attachment, and allocation of allowable signage among tenant spaces, in conformance with Standards 1 – 5 on page 20 of the Freeway/Tourist District Design Standards, as adopted March 2014. The plan shall include the following provisions unless otherwise allowed or precluded by code 1 and approved by Planning Staff:

A. CONDITION: Wall signs shall be limited to individual letters pin mounted to the masonry fascia or mounted to a recessed raceway painted to match the masonry fascia. If a recessed raceway is used, details of the recessed raceway shall be included on the building plans submitted with the building permit application.
RESPONSE: Building Identification parapet signs will be placed on the sunshade that is an architectural element of the building. The raceway will sit on top of the sunshade and will be painted the same color as the sunshade as shown on page 29. Retail tenant signage will be approved when placed on an oversized raceway that is integrated into the architecture of the building and with the oversized raceway painted the same color as the wall façade that it is attaching to. Banner signage, as shown on pages 40-43, will be mounted with a cable tension system so that the canopy is taut and so that the banner looks as if it is a rigid fabricated sign.

B. CONDITION: Building signage shall be limited to ground floor fascia's, ground floor canopies and windows, and upper floor walls having large areas void of regularly spaced windows.
RESPONSE: All building signage is either at the ground floors and attached to entry canopies or attached at the top portion of the west façade on the sunshade. Banner signage which encourages the building leasing operation are mounted where there are large voids of space.

C. CONDITION: Monument signs shall incorporate materials matching the masonry siding materials of the building(s).
RESPONSE: Monument signs were designed to incorporate both the branding of Terrace Station as well as blending with the surroundings. As painted aluminum free standing signage is the most durable material, we have used paint and lighting that will complement the colors and materials of the buildings. As there are 3 buildings at this site, building colors and construction will vary. However, we feel the designed 8" CMU base (which matches that used in building 2) complements each three building's overall design.

D. CONDITION: Signage shall not be mounted on roofs or extend higher than roof edge, parapet, or exterior wall, except above awnings or projecting roof features providing weather projection for the front entry and that are lower than the predominant street-facing roofline.
RESPONSE: We are not proposing any signage type that extends above the roof edge or parapet or exterior walls.

E. CONDITION: Monument signs shall be no taller than five feet in height, and shall incorporate art features or plantings around the base.
RESPONSE: The monument signs that we have proposed are 5' in height. As this site will be both a busy pedestrian and vehicle heavy site we wanted to make sure that the monument signage was placed in accordance with the binding site plan but also to make sure that it was visible and so that messaging could be read and was placed high enough on the monument signage so that it was at a readable level and so that landscaping did not obscure the messaging and directional usage of the signs. All messaging is raised high enough on the monument signs to readable in these ways. As we have trees planted in the beds in the center divider of Gateway Blvd, we wanted to make sure that signage was placed as to be visible for traffic heading both north and south and have placed directional monument signage accordingly.

F. CONDITION: All signs shall be located outside the public right-of-way unless otherwise permitted under subsequent sign code amendments and right-of-way use permits. (The wayfinding signs identified on Sheet C1.06 on each side of the Gateway Boulevard at its 236th Street intersection are not permitted in the right-of-way under current sign code provisions 2.)
RESPONSE: We have allocated a west and east facing monument at the entrance of Gateway Station at its 236th Street intersection, in the event private signage is able to be permitted off-site. We feel that due to the site being set back from 236th and to be less confusing to

visitors and tenants of Terrace Station that it is important to use these monuments as an entry to the buildings and site. We have branded these monuments per the Terrace Station brand and also allowed tenant spaces wherein they will also be able to direct patrons to their establishments and to let the public know that they are there from the entry point. These signs are key to directing all to the site and for establishing that the key anchors for the retail establishments have adequate signage directing their patrons. Additionally, we have located a sign – D-S71 further into the entry into the site which will also welcome retail patrons and which will provide additional retail tenant signage opportunities. We acknowledge that off premises signs are not permitted in the right of way. However, we would like to make a provision for future signage based on long term use.

G. CONDITION: Free-standing signs of all types shall be limited to one sign per 300 feet of street frontage on each parcel, spaced at least 100 feet apart, notwithstanding that on-premise directional signs
not exceeding 6 square feet are additionally allowed under MTMC 19.135.060(G).
RESPONSE: We have no freestanding signs other than monument signage. Monument signage is placed to direct both retail patrons and building visitors to the appropriate parking garage entries. As this is a very large site, and we have traffic heading both north and south with a center divider, signage was placed for ease of easy location of both buildings and parking. All monument signage is placed more than 100’ apart.

H. CONDITION: The sign plan shall provide an allocation of allowable signage (as specified in the City’s sign code) to specified tenant spaces.
RESPONSE: All signage is near code signage allowances apart from the leasing banners. Leasing banners have been proven to provide invaluable messaging in seeking building tenants. Apartment banners welcome new tenants and help to convert an interested visitor into a future renter which is a crucial part of marketing a new building. As this is a highly visible site to the I-5 corridor, signage was placed at entries and on building facades for both the building identification and retail signage. We have included additional retail signage as it is unclear at this point how many retail tenants will lease each space or if the spaces will be split between additional retail tenants. It may end up that a single retailer incorporates a buildings leasable retail space. While planning, we needed to take this into account and provide adequate retail signage locations.

DESCRIPTION OF MASTER SIGN PLAN CONSISTENCY WITH MTMC 19.135.100C, COMPREHENSIVE SIGN DESIGN PLAN

1. How do the physical components of the signs integrate into the design of the written copy?

The physical components of the signage integrate into the design of the written copy in different ways throughout the signage package. We used a variety of signage in this project adhering to the theme and branding of the project as to render the signage as a cohesive package but also to add interest to the signage so that it brought out the theme of an old world "train station" signage look and feel inspired by Union Station signage in various cities throughout the nation.

Signage copy is both open pan channel letters with skeleton neon really throwing back to the "Union Station" look and feel while directional signage copy is a more subtle push through acrylic where only the directional lighting text illuminates.

Overhead parking garage entry signage will direct both residents of Terrace Station and retail patrons of Terrace Station to the appropriate parking entries – these signs are non- illuminated and informational.

The signs are shaped as to both adhere to the branding of the project as well as nicely fit the written copy.

2. How do the signs relate to the immediate surroundings, including existing and proposed buildings, other signs, and landscaping?

The signs for Terrace Station are meant to relate to the property both as building identification signage, vehicular and parking signage and retail signage. Signs were thoughtfully placed on the buildings and the surrounding property so as to meet the needs of both pedestrian as well as vehicular traffic visiting the property. This is a unique project as the new light rail running through MLT will bring much pedestrian traffic to the retail tenants of this project.

Landscaping will surround all monument and freestanding signage so that the signs blend with the surrounding property. A muted color scheme was used so as to bring harmony to the existing buildings which also have muted color schemes and so that signage was more upscale and "classy" in nature and to set an example for MLT as to future development and signage for this growing municipality.

3. How do the signs relate to the subject property characteristics and the characteristics of the surrounding properties?

As noted earlier in the written narrative and in subject item 2, signs are designed to fit within the scale with the size and architecture of the buildings. The shape size and orientation of the signage for the building were specifically designed to blend with the architectural lines of the building and setting and to attract motorists to the site by way of the orientation of the signage. Letter and logo heights were designed to be readable for the viewing distances for vehicular traffic.

Physical components of the signage include branded but muted color schemes that blend with the color schemes of the building. The signage is meant to blend well with the surroundings and landscaping. No bright or outlandish colors are used. Soft blue/grays and golds are the primary color scheme to fit well within the northwest backgrounds. Signage will fit nicely with the characteristics of the surrounding properties which are at this point is the Umpqua Bank Home Lending building. Signage for this building is consistent with the signage for Terrace Station as it is placed at the top of the building in a linear nature. Terrace Station signage that will be visible from the I-5 corridor is placed in a similar fashion.

Terrace Station
Retail Sign Criteria

Building 1
24000 Va Ry Blvd.

Building 2
24015 Van Ry Blvd.

Building 3
23905 Van Ry Blvd.

RETAIL SIGN CRITERIA

TERRACE STATION - RETAIL SIGNAGE CRITERIA

The purpose of this document and the associated drawings are to create sign equality throughout the retail portion of the Terrace Station buildings. These criteria have been developed to ensure Retail Tenants are give equal opportunities for signage. Requirements set forth in this document are in addition to those of the city of Mountlake Terrace.

Location of Signs

A. All Signs shall be on private property unless otherwise permitted. No signage shall be placed within a required pedestrian way or where a sight obstruction may be created for pedestrian and vehicular interface areas.

Types of Signs Permitted

A. Each Retail Tenant is allowed the following sign types:

1. One canopy sign per Retail Tenant elevation. If the Retail Tenant is a corner space fronting two facades, then on sign per elevation. Canopy signs shall be single-sided and mounted to the face of the retail space canopy.

2. Alternatively, one wall sign per Retail Tenant will be allowed under the following conditions. If the Retail Tenant is fronting two facades then one sign per elevation is permitted. Each wall sign shall be single-faced and shall comply with the Retail Tenant Signage Criteria examples.

B. In addition to A, above, each Retail Tenant is allowed the following sign types:

1. One window sign per Retail Tenant elevation. If the Retail Tenant is a corner space fronting two facades, then one window sign per elevation is allowed. Window signs shall be single-sided, mounted flush to the inner surface of the windows.

2. In addition to the above, one incidental entrance sign on the glass area of the primary public entrance doors. Incidental signs shall be single-sided, mounted flush to the interior surface of the glass.

3. Grand opening or coming soon banner signage is allowed for a period up to 60 days. Banners must be kept in good condition with no fraying or apparent tears. Maximum size size shall not exceed 30 square feet. Banners must be located on the premises of the business being advertised.

Size of Signs

A. Sign are for all proposed signs will be calculated and determined as defined by the following:

The surface area of a sign shall include the entire area within a regular, geometric form or combination of regular, geometric forms comprising all the display area of the sign and including all of the elements displayed (see also Definitions, page iii). Frames and structural members not designed as part of the advertising message shall not be included in computation of sign area.

B. Canopy Signs:

In the case of an awning or canopy sign, the total area of an awning sign, with or without illumination, shall be determined as follows:

1. Where the copy area on an awning or canopy is 40 percent or less of the visible surface or sign band, draw the smallest rectangle possible around the outer edges of the written copy to determine the sign area.

2. Where the copy of the awning or canopy covers 41 percent or more of the visible surface or sign band, use the entire surface of the visible copy background as the basis for determining size.

C. Wall Signs:

1. Wall-mounted signs shall not extend above the height of the facade or wall to which attached. Wall sign area shall include each face of all signs, and area allowed within the provisions outlined below as well as in the Retail Sign Criteria document. Non-illuminated background does not count toward sign area.

2. The greater of:
   a) 50 square feet for area of structure, or 25 square feet when drawing a box around each letter, graphic, logo, symbol.
   b) 10% of surface area of wall up to 300 square feet.
   c) Tenant spaces that exceed a 1,000 square feet of wall may be allowed additional area per MSP guidelines.

D. Window Signs:

The total area of window signs shall not exceed the greater of 15 square feet per Retain Tenant elevation or 10% of the Retail Tenant window area. Illumination, if any, shall conform to the City of Mountlake Terrace Municipal Code.

E. Incidental Entrance Signs:

Incidental signs are defined as a sign of non-commercial nature containing no commercial message, intended primarily for the convenience of the public. Included are signs designating restrooms, hours of operation, entrances and exits to buildings and parking lots, help wanted, bank cards accepted, etc. Also included are signs such as “no trespassing”, and “no smoking”.

1. The maximum area for incidental entrance signs shall not exceed 2 square feet. The logo and name of the Retail Tenant may be represented by letters and logo up to a maximum height of 3 inches each.

2. The maximum message is 5 lines of text, excluding the Retail Tenant name, logo, and symbols. Said signs shall be mounted no lower than 4 feet minimum and no higher than 5’-6” maximum from the bottom of the door or finished entry floor.

F. Under Canopy Pediestrian Oriented Blade Signs

1. Under canopy pedestrian blade signs are meant to be hung over the pedestrian right-of-way. Sign illumination is encouraged. Sign will be no more than 6 square feet with minimum vertical clearance of 8’ measured from grade to the bottom of the sign.

RETAIL SIGN CRITERIA

Sign Content Permitted

Note: The city of Mountlake Terrace does not regulate sign content. Content is at the discretion of the tenant and/or building owner.

A. Sign content for canopy signs, wall signs, and window signs shall be limited to the name under which the Retail Tenant is doing business and the related business logo. Additionally, these Retail Tenant Signs may contain a short description of the business operated by the Retail Tenant provided that the size of the approved signage does not increase to over 40 square feet. Examples of said descriptions are “Italian Cuisine”, “Investment Consultants”, and similar.

B. Incidental entrance sign content is limited to the name of the business and logo, hours of business operations limited to 5 lines of text, credit cards accepted, and a no smoking symbol.

C. The Building Owner shall approved sign layouts for all signs proposed by the Retail Tenant.

Signs Not Permitted

In addition to the restrictions of signs imposed by the City of Mountlake Terrace, the following types of signs are not permitted, unless specifically provided for in this Master Sign Plan.

A. Signs painted directly on building surfaces, including windows.

B. Posters, placards, or other graphic displays within 10 feet of windows or glass doors, readily visible to the exterior.

C. Any other freestanding or building-mounted signs, including directional signs, except as permitted per Directional Sign section of this Master Sign Plan.

D. A-board, sidewalk or sandwich board signs of any size, portable (mobile) signs, searchlights, advertising vehicles, special event signs, banners or other temporary signs. Prohibited banners and temporary signs including going-out-of-business sales, auctions, garage sales, community and/or special events or other uses other than onetime grand openings.

E. “Human A-Board” signs.

F. Animated, moving, flashing, blinking, rotating, audible or odor producing signs. Variable message or public service signs, including LED, incandescent, flip matrix, electronic display signs, or other changing message center sign or display technologies are not permitted. Reader board or bulletin board signs are not permitted.

G. Vinyl or backlit awnings, “egg crate” grills.

H. Monument or freestanding signs, except per Directional and Parking Signage section.

I. Inflatable signs, figures, or objects.

J. Advertising vehicles, in which signs, banners, or billboard style graphics are attached to or placed on or in a vehicle or trailer parked adjacent to or within the building, such that the primary use or intent becomes advertising. This does not apply to company graphics applied onto a vehicle to identify it as a company vehicle.

K. Signs attached to utility poles or other unapproved structures.

L. Off-premise signs.

M. Real estate or property for sale, rental, or lease signs other than those provided by the Building Owner or Building Owner's agent.

N. No supplemental or incidental signs, other than as specifically described above, will be allowed.

Sign Guidelines as Stated in the Terrace Station Master Sign Plan (MSP)

All colors and materials are subject to the Building Owner's approval of aesthetic compliance with building design. Fabrication and materials must be of high quality and appearance. Frames, raceways, electrical components, and hardware are to be painted as to hide or integrate into the background.

A. All logos and lettering must conform to the maximum height, width, and area allowed as noted in the MSP.

B. The displayed sign outlines of heights and widths in the master sign plan are representative of the total square footage allotment. Sign shapes or logos may change based on the total allowable square footage as noted for the retail space, as well as other applicable standards set forth in the plan. Pre-set building attachments cannot be varied and must be used when mounting signage on building where waterproofing may be affected with additional mounting penetrations.

C. Lettering and logos must be individually fabricated or cut to allow the architectural skin expression to be seen behind the sign. Allowable signs on wall facades will be either fabricated channel letter type signs or push through acrylic signs on an oversized thin raceway painted to match the facade of the building. Allowable canopy signs will be face, halo, or edge-lit signage with raceways incorporated into the architecture of the sign or canopy, as to make them disappear. All ends of raceways to be closed.

D. No "cabinet" type building signs are allowed.

E. All lettering and logos may be illuminated or have a halo backlighting effect for legibility at night.

F. All raceways to support lettering and provide illumination should be concealed. Where not possible, the raceway shall be designed to minimize its appearance and painted to match adjacent surroundings to reduce its visibility.

G. Lettering and logos may vary in size, color, and expression to best suit the branding of the building tenant.

H. Each non-ground floor tenant shall be limited to one wall-mounted or canopy sign based on the MSP location. Sign per tenant visible from a right-of-way or access driveway. Note: if a tenant occupies a corner space, they may be allowed multiple signs, but only one per face of building abutting a right-of-way.

I. When two (2) Type 1 fascia signs occur near the corner of the building, only one (1) sign may occur within a 25' radius of the exterior corner of the building.

RETAIL SIGN CRITERIA

J. Sign should be securely fastened to storefront and should project no more than 8” from storefront facade. They should be located as to not obscure windows, doors, and other decorative elements and may be above canopies.

K. A minimum clearance of 8’-0” is required below signs overhanging a pedestrian only area. Additional clearance is required in vehicular use areas. Fire/emergency vehicle access routes shall have a 13’-0” clearance under signage.

L. Sign must be parallel to the canopy edge.

M. Signs that do not require a building or electrical permit are nonetheless regulated by the property owner and MSP guidelines.

General Standards of Quality

All installed signs must meet levels of the Building Owner’s standards of quality:

A. Signs shall be designed to be consistent with the building design in terms of relative scale and overall size.

B. Signs should complement and not detract from materials and colors of the building on which they will be attached.

C. Signs shall not obscure or cover architectural features of the building.

D. All signs shall be fabricated in a first-class, professional manner. Signs with a “homemade” or amateur appearance are not acceptable.

E. Lettering to be computer-cut vinyl or masking, or computer-cut dimensional material. Hand-cut or hand-painted lettering is not acceptable. Backgrounds, trim, and hardware to be spray-painted. Hand painting is not acceptable.

F. Fabrication and materials must be of high quality and appearance. Plywood, including MDO, is not acceptable. Acceptable materials include acrylic sheet (Plexiglas or Lexan), Sintra, aluminum, Alucobond, Dibond, awning canvas and similar high-quality materials common in the professional sign-making industry.

G. Signs are required to have integral sign backgrounds, unless sign consists of individual three-dimensional characters. Signs may not be painted, or vinyl applied directly on canopy or building, except window and incidental entrance signs.

H. All electrical, supports, and hardware shall be painted the same color as the canopy to which it is attached.

I. Structural hardware must be designed to be minimal in appearance and shall be painted the same color as the canopy to which it is attached. All penetrations to leased buildings must be approved by the Building Owner.

RETAIL SIGN CRITERIA

J. Illumination from or on any sign shall be shaded, shielded, directed or reduced so as to avoid undue brightness, glare or reflection of light on Retail Tenant's or adjacent tenant spaces, including residential spaces, and so as to avoid unreasonably distracting brightness to pedestrians, motorists, and residents.

K. All signs must meet the standards provided in the Uniform Building Code and/or International Building Code, as well as the National Electric Code.

L. The determination of acceptance of these minimum standards of quality will be at the sole discretion of the Building Owner.

Submittal for Building Owner Approval

Prior to installation of any sign, the Retail Tenant must obtain the Building Owner's written approval of the proposed sign design. There is no fee for submitting to the Building Owner. The process shall be as follows:

A. Retain Tenant to submit required drawings to Building Owner. The submittal includes but is not limited to:

1. Site plan. An accurate and complete site plan of the building and leasehold space in a scale that readily indicates all relevant items, including location of leased portion of building, building and/or lot lines as appropriate for type and size of Retain Tenant. Identify and indicate all signs submitted for approval.

2. Sign Elevation. Include elevations of each individual sign, including the height, width, and depth. Include material and lighting specifications. Include accurate sign face layouts and color specifications.

3. Attachment details. Include attachment details to buildings and other pertinent structural details, including identification of all penetrations to building.

4. Include calculations for sign areas and comparisons to maximum allowances.

B. Building Owner to review designs and either approve, approve with corrections, or deny application within 30 days of receipt by Building Owner. Building Owner's review and approval may include aesthetic review for colors, layout, content, materials, illumination, attachment to building, equality of and between various Retail Tenant's identification, general appearance standards, and/or other factors as solely determined at Building Owner's discretion.

C. Submittals will be noted accordingly as approved, approved with changes noted, or not approved/resubmit and returned to Retail Tenant. If resubmittal is required, it is the Retail Tenant's responsibility to revise and resubmit to Building Owner for approval.

D. After installation of signs, the Building Owner will conduct a field review to check that the signs were installed in accordance with the details noted on the drawing submittal and that they meet the Building Owner's minimum standards of quality.

Failure to Comply

Signs installed without the Building Owner's approval, and/or signs installed that do not meet the Building Owner's minimum standard of quality as determined by the sole discretion of the Building Owner, or failure to comply with any of the provisions of this document may result in the removal of signage by Building Owner at Retail Tenant's sole expense, provided the Building Owner will issue noticed to Retail Tenant of it's failure to complay at least 30 days prior to Building Owner's removal to allow Retail Tenant time to cure problem and comply.

RETAIL SIGN CRITERIA

Retail Tenant Responsibilities

A. Each Retail Tenant is solely responsible for compliance with the MSP and applicable requirements from the City of Mountlake Terrace including but not limited to, permits, submittals, and approvals, as well as any other governing jurisdictions and codes.

B. All Retail Tenant-provided signs will be in accordance with this Retail Signage Criteria. No tenant shall erect or install any sign without prior approvals from the Building Owner and the city of Mountlake Terrace.

C. Retail Tenant is responsible for all costs related to the design, permitting, construction, installation, and maintenance of Retail Tenant-provided signs.

D. It is the Retail Tenant's responsibility to provide electrical service and wiring for illuminated signs and to meet all applicable building codes for same.

E. At the termination of the lease, the removal of all signs installed by Retail Tenant is the responsibility of each Retail Tenant.

F. Retail Tenant is responsible for the repair of maintenance of Retail Tenant-provided signs, including but not limited to: maintaining all illumination and electrical in working order; keeping signs clean of accumulated dirt, bird droppings, and other accumulations; repair of signs due to natural causes, accidents, vandalism, faulty construction, faded paint or materials, material failure or other causes. Building Owner reserves the right to have signs maintained at Retail Tenant's expenses if they are not maintained to the Building Owner's satisfaction.

G. Retail Tenant is responsible for any damage caused to the building as a result of fire caused by sign wiring, illumination, or by the neon tubing.

H. Retail Tenant is fully responsible for the compliance with this Retail Signage Criteria.

Sign Maintenance

A. All Retail Tenant signs shall by constantly maintained in a state of security, safety, appearance, and repair. If any sign is found not to be so maintained or is insecurely fastened or otherwise dangerous as determined by the Building Owner, it shall be the duty of the Retail Tenant to repair or remove the sign within 10 days after receiving notice from the Building Owner or to make other arrangements for repair or removal satisfactory to the Building Owner. Failure to satisfy may cause the Building Owner to remove or repair the sign at the Retail Tenant's sole expense.

B. All Retail Tenants shall permit the periodic inspection of their signs by the Building Owner upon request. Such inspections shall be for the purpose of examining its structural and electrical connections and to ensure compliance with these criteria. Such inspections shall be carried out during business hours, unless an emergency exists.

C. Painting, repainting, or changing of a sign structure or the changing of the sign message thereon shall be considered an erection or alteration, which requires Building Owner approval.

RETAIL SIGN CRITERIA

Specific Signage Guidelines

Due to the nature of the new construction of the building and to avoid penetrating the building envelope and building waterproofing, retail tenant allowed wall signs must use provided embeds to attach signage. Only reverse pan halo illuminated, or laser cut routed and push through acrylic signs will be allowed. Signs to be placed on an oversized raceway painted the building color. The raceway will blend perfectly with the building, in size and scale of the building facade, where the sign is to be placed per the MSP.

A. All logos and lettering must conform to the maximum height, width, and area allowed.

B. Lettering and logos must be individually fabricated or cut to allow the architectural skin expression to be seen behind the sign. Allowable signs on wall facades will be either fabricated channel letter type signs or push through acrylic signs on an oversized thin raceway painted to match the facade of the building.

C. No “cabinet” type building signs are allowed.

D. All lettering and logos may be illuminated or have a halo back-lighting effect for legibility at night.

E. All raceways to support lettering and provide illumination should be concealed. Where not possible, the raceway shall be designed to minimize its appearance and painted to match adjacent surroundings to reduce its visibility. All raceway ends to be closed.

F. Lettering and logos may vary in size, color, and expression to best suit the branding of the building tenant.

G. Each non-ground floor tenant shall be limited to one wall-mounted or canopy sign based on the MSP location. One sign per tenant visible from a right-of-way or access driveway. Note: if a tenant occupies a corner space, they may be allowed multiple signs, but only on per face of the building abutting a right-of-way. Additionally, in Building 1 - if the Retail Tenant has frontage facing I-5, an additional Retail Tenant sign will be allowed. In this case, if the Retail Tenant has frontages on two or more elevations and if the Retail Tenant occupies over 15,000 SF of tenant space, a third I-5 facing retail sign shall be allowed.

H. When two (2) Type 1 fascia signs occur near the corner of the building, only one (1) sign may occur within a 25’ radius of the existing corner of the building.

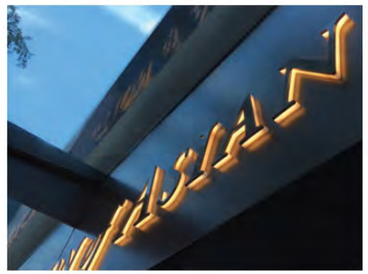
I. Signs shall be securely fastened to storefront and should project no more than 8” from storefront facade. They should be located as to not obscure windows, doors, and other decorative elements and may be above canopies.

J. A minimum clearance of 8’-0” is required below sign.

K. Sign must be parallel to the canopy edge.

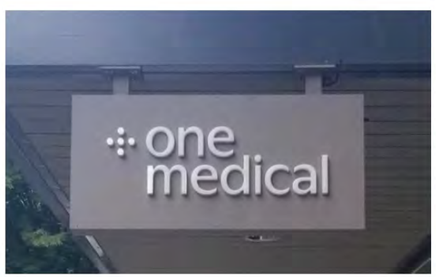
RETAIL SIGN CRITERIA

WALL SIGN EXAMPLES



CANOPY SIGN EXAMPLES

BLADE SIGN EXAMPLES



VISIBILITY CHART

READABLE DISTANCE	MAX IMPACT DISTANCE	LETTER HEIGHT
100 ft	30 ft	3 in
150 ft	40 ft	4 in
200 ft	60 ft	6 in
350 ft	80 ft	8 in
400 ft	90 ft	9 in
450 ft	100 ft	10 in
525 ft	120 ft	12 in
630 ft	150 ft	15 in
750 ft	180 ft	18 in
1,000 ft	240 ft	24 in
1,250 ft	300 ft	30 in
1,500 ft	360 ft	36 in
1,750 ft	420 ft	42 in
2,000 ft	480 ft	48 in
2,250 ft	540 ft	54 in
2,500 ft	600 ft	60 in

BRAND GUIDELINES

TERRACE STATION
APARTMENTS

TERRACE STATION
APARTMENTS

TERRACE STATION
APARTMENTS

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APARTMENTS

TERRACE STATION
APARTMENTS

TERRACE STATION

PANTONE 546 C	
RGB	7 | 43 | 49
HEX/HTML	072B31
CMYK	97 | 32 | 34 | 86

PANTONE 731 C	
RGB	119 | 66 | 18
HEX/HTML	774212
CMYK	0 | 63 | 100 | 57

PANTONE 7562 C	
RGB	189 | 155 | 96
HEX/HTML	BD9B60
CMYK	14 | 29 | 62 | 12

LOGO COLORS

PANTONE 7485 C	
RGB	208 | 222 | 187
HEX/HTML	D0DEBB
CMYK	16 | 0 | 25 | 0

PANTONE 5625 C	
RGB	112 | 133 | 115
HEX/HTML	708573
CMYK	52 | 27 | 45 | 17

PANTONE 5527 C	
RGB	188 | 201 | 197
HEX/HTML	BCC9C5
CMYK	24 | 10 | 13 | 0

PANTONE WARM GRAY 1 C	
RGB	215 | 210 | 203
HEX/HTML	D7D2CB
CMYK	10 | 10 | 11 | 0

PANTONE 7506 30% TINT	
RGB	239 | 219 | 178
HEX/HTML	EFDBB2
CMYK	0 | 7 | 26 | 0

SECONDARY COLOR PALETTE

BOURTON BASE PRIMARY COPY

Scotch Deck - Secondary Copy

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V3	08/06 Revise signs
V4	08/22 Revise signs
V5	10/02 Revise signs
V6	11/19 Revise signs
V7	01/02 Revise signs
V8	02/20 Revise all concepts & signs
V9	02/24 Revise signs
V10	03/19 Add signs, revise narrative
V11	05/19 Add/revise signs, revise all B3
V12	05/22 Revise B3 & directional signs
V13	06/02 Revise B1 canopy details
V14	08/05 Revise per city comments
V15	

PAGE SCALE
As Noted

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01

SIGN STANDARDS

CANOPY SIGN

PARAPET SIGN

PARKING BLADE SIGN

PARKING WALL SIGN

DIRECTIONAL FREESTANDING SIGN

DIRECTIONAL FREESTANDING SIGN

BANNER SIGN

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V14	08/05 Revise per city comments
V15	

PAGE SCALE
As Noted

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02

SIGN SCHEDULE

SIGN #	DESCRIPTION – BUILDING 1	
B1-S01	S/F ILLUMINATED CANOPY SIGN ■ QTY (1) 12’-0”W x 3’-0”H ■ SIGN AREA: 36.0 SQ FT	PAGE 29-33
B1-S02	S/F ILLUMINATED PARAPET SIGN ■ QTY (1) 25’-0”W x 2’-3 1/4”H ■ SIGN AREA: 41.9 SQ FT	PAGE 34-36
~~B1-S02.1~~	~~S/F ILLUMINATED PARAPET SIGN ■ QTY (1) 25’-0”W x 2’-3 1/4”H ■ SIGN AREA: 41.9 SQ FT~~	
B1-S03	S/F ILLUMINATED PARAPET SIGN ■ QTY (1) 25’-0”W x 2’-3 1/4”H ■ SIGN AREA: 41.9 SQ FT	PAGE 37-39
~~B1-S04~~	~~S/F NON-ILLUM. TEMP. BANNER SIGN ■ QTY (1) 4’-4”W x 26’-7”H ■ SIGN AREA: 115.2 SQ FT~~	
B1-S05	S/F NON-ILLUM. TEMP. BANNER SIGN ■ QTY (1) 4’-4”W x 26’-7”H ■ SIGN AREA: 115.2 SQ FT	PAGE 40, 42-43
B1-S06	S/F NON-ILLUM. TEMP. BANNER SIGN ■ QTY (1) 4’-4”W x 26’-7”H ■ SIGN AREA: 115.2 SQ FT	PAGE 41-43
B1-S07	D/F ILLUMINATED BLADE SIGN ■ QTY (1) 2’-0”W x 2’-2 1/8”H ■ SIGN AREA: 5.3 SQ FT	PAGE 44, 47-48
B1-S08	D/F ILLUMINATED BLADE SIGN ■ QTY (1) 2’-0”W x 2’-2 1/8”H ■ SIGN AREA: 5.3 SQ FT	PAGE 45, 47, 49
B1-S09	D/F ILLUMINATED BLADE SIGN ■ QTY (1) 2’-0”W x 2’-2 1/8”H ■ SIGN AREA: 5.3 SQ FT	PAGE 46-47, 50
B1-S09.1	S/F NON-ILLUMINATED WALL SIGN ■ QTY (1) 22’-0”W x 1’-6”H ■ SIGN AREA: 33.0 SQ FT	PAGE 51-52
B1-S10	S/F NON-ILLUMINATED WALL SIGN ■ QTY (1) 22’-0”W x 2’-0”H ■ SIGN AREA: 44.0 SQ FT	PAGE 54-56
B1-S11	S/F NON-ILLUMINATED WALL SIGN ■ QTY (1) 22’-0”W x 2’-0”H ■ SIGN AREA: 44.0 SQ FT	PAGE 57-59
B1-S12	S/F ILLUMINATED CANOPY SIGN ■ QTY (1) 20’-0”W x 2’-0”H ■ SIGN AREA: 40.0 SQ FT	PAGE 60-63
B1-S13	S/F ILLUMINATED CANOPY SIGN ■ QTY (1) 10’-10”W x 3’-4”H ■ SIGN AREA: 36.1 SQ FT	PAGE 64-67
B1-S14	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0”W x 2’-6”H ■ SIGN AREA: 40.0 SQ FT	PAGE 68-69
B1-S15	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0”W x 2’-6”H ■ SIGN AREA: 40.0 SQ FT	PAGE 70-71
B1-S16	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0”W x 2’-6”H ■ SIGN AREA: 40.0 SQ FT	PAGE 72-73
B1-S17	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0”W x 2’-6”H ■ SIGN AREA: 40.0 SQ FT	PAGE 74-75
B1-S18	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0”W x 2’-6”H ■ SIGN AREA: 40.0 SQ FT	PAGE 76-77
B1-S19	S/F ILLUMINATED WALL SIGN ■ QTY (1) 12’-0”W x 3’-4”H ■ SIGN AREA: 40.0 SQ FT	PAGE 78-79
B1-S20	S/F ILLUMINATED WALL SIGN ■ QTY (1) 20’-6”W x 1’-8”H ■ SIGN AREA: 34.2 SQ FT	PAGE 80-81
B1-S21	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0”W x 2’-6”H ■ SIGN AREA: 40.0 SQ FT	PAGE 82-83
B1-S22	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0”W x 2’-6”H ■ SIGN AREA: 40.0 SQ FT	PAGE 84-85
B1-S23	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0”W x 2’-6”H ■ SIGN AREA: 40.0 SQ FT	PAGE 86-87
BUILDING 2		PAGE 88
B2-S24	S/F ILLUMINATED CANOPY SIGN ■ QTY (1) 20’-0” W x 4’-11 7/8” H ■ SIGN AREA: 99.8 SQ FT	PAGE 94-97
B2-S25	S/F NON-ILLUM. TEMP. BANNER SIGN ■ QTY (1) 4’-4”W x 26’-7”H ■ SIGN AREA: 115.2 SQ FT	PAGE 98, 101-102
B2-S26	S/F NON-ILLUM. TEMP. BANNER SIGN ■ QTY (1) 4’-4”W x 26’-7”H ■ SIGN AREA: 115.2 SQ FT	PAGE 99-102
B2-S27	D/F ILLUMINATED BLADE SIGN ■ QTY (1) 2’-0”W x 2’-8”H ■ SIGN AREA: 5.3 SQ FT	PAGE 103, 105-106
B2-S28	D/F ILLUMINATED BLADE SIGN ■ QTY (1) 2’-0”W x 2’-8”H ■ SIGN AREA: 5.3 SQ FT	PAGE 104-105, 107

SIGN LEGEND

- BUILDING ID SIGNAGE
- PARKING SIGNAGE
- RETAIL SIGNAGE
- DIRECTIONAL SIGNAGE

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V15	

PAGE SCALE
As Noted

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03

SIGN SCHEDULE

SIGN #	DESCRIPTION	
B2-S29	S/F NON-ILLUMINATED WALL SIGN ■ QTY (1) 21'-4"W x 1'-6"H ■ SIGN AREA: 32.0 SQ FT	PAGE 108-109
B2-S30	S/F NON-ILLUMINATED WALL SIGN ■ QTY (1) 21'-4"W x 1'-6"H ■ SIGN AREA: 32.0 SQ FT	PAGE 110-111
B2-S31	S/F ILLUMINATED WALL SIGN ■ QTY (1) 15'-0"W x 2'-4 1/2"H ■ SIGN AREA: 40.0 SQ FT	PAGE 112-114
B2-S32	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16'-0"W x 2'-6"H ■ SIGN AREA: 40 SQ FT	PAGE 115-116
B2-S32.1	D/F NON-ILLUMINATED BLADE SIGN ■ QTY (1) 4'-0" W x 1'-6" H ■ SIGN AREA: 6.0 SQ FT	PAGE 116.1
B2-S33	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16'-0"W x 2'-6"H ■ SIGN AREA: 40.0 SQ FT	PAGE 117-118
B2-S33.1	D/F NON-ILLUMINATED BLADE SIGN ■ QTY (1) 4'-0" W x 1'-6" H ■ SIGN AREA: 6.0 SQ FT	PAGE 118.1
B2-S34	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16'-0"W x 2'-6"H ■ SIGN AREA: 40.0 SQ FT	PAGE 119-120
B2-S34.1	D/F NON-ILLUMINATED BLADE SIGN ■ QTY (1) 4'-0" W x 1'-6" H ■ SIGN AREA: 6.0 SQ FT	PAGE 120.1
B2-S35	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16'-0"W x 2'-6"H ■ SIGN AREA: 40.0 SQ FT	PAGE 121-122
B2-S35.1	D/F NON-ILLUMINATED BLADE SIGN ■ QTY (1) 4'-0" W x 1'-6" H ■ SIGN AREA: 6.0 SQ FT	PAGE 122.1
B2-S36	S/F ILLUMINATED WALL SIGN ■ QTY (1) 22'-0"W x 1'-6"H ■ SIGN AREA: 33.0 SQ FT	PAGE 123-124
B2-S36.1	D/F NON-ILLUMINATED BLADE SIGN ■ QTY (1) 4'-0" W x 1'-6" H ■ SIGN AREA: 6.0 SQ FT	PAGE 124.1
B2-S37	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16'-0"W x 2'-6"H ■ SIGN AREA: 40.0 SQ FT	PAGE 125-126
B2-S37.1	D/F NON-ILLUMINATED BLADE SIGN ■ QTY (1) 4'-0" W x 1'-6" H ■ SIGN AREA: 6.0 SQ FT	PAGE 126.1
B2-S38	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16'-0"W x 2'-6"H ■ SIGN AREA: 40.0 SQ FT	PAGE 127-128
B2-S38.1	D/F NON-ILLUMINATED BLADE SIGN ■ QTY (1) 4'-0" W x 1'-6" H ■ SIGN AREA: 6.0 SQ FT	PAGE 128.1
B2-S39	S/F ILLUMINATED WALL SIGN ■ QTY (1) 20'-0"W x 2'-0"H ■ SIGN AREA: 40.0 SQ FT	PAGE 129-130
B2-S39.1	D/F NON-ILLUMINATED BLADE SIGN ■ QTY (1) 4'-0" W x 1'-6" H ■ SIGN AREA: 6.0 SQ FT	PAGE 130.1
B2-S40	S/F ILLUMINATED WALL SIGN ■ QTY (1) 20'-0"W x 2'-0"H ■ SIGN AREA: 40.0 SQ FT	PAGE 131-132
B2-S40.1	D/F NON-ILLUMINATED BLADE SIGN ■ QTY (1) 4'-0" W x 1'-6" H ■ SIGN AREA: 6.0 SQ FT	PAGE 132.1
B2-S41	S/F ILLUMINATED WALL SIGN ■ QTY (1) 20'-0"W x 2'-0"H ■ SIGN AREA: 40.0 SQ FT	PAGE 133-134
B2-S41.1	D/F NON-ILLUMINATED BLADE SIGN ■ QTY (1) 4'-0" W x 1'-6" H ■ SIGN AREA: 6 SQ FT	PAGE 134.1-134.2
B2-S41.2	D/F NON-ILLUMINATED BLADE SIGN ■ QTY (1) 4'-0" W x 1'-6" H ■ SIGN AREA: 6 SQ FT	PAGE 134.3
BUILDING 3		
B3-S42	S/F ILLUMINATED CANOPY SIGN ■ QTY (1) 20'-6" W x 2'-0" H ■ SIGN AREA: 26.3 SQ FT	PAGE 141-143
B3-S43	D/F ILLUMINATED BLADE SIGN ■ QTY (1) 3'-7" W x 1'-4" H ■ SIGN AREA: 4.8 SQ FT	PAGE 144-146
B3-S44	S/F ILLUMINATED PARAPET SIGN ■ QTY (1) 20'-6" W x 2'-0" H ■ SIGN AREA: 26.3 SQ FT	PAGE 147, 150-151
B3-S45	S/F ILLUMINATED PARAPET SIGN ■ QTY (1) 20'-6" W x 2'-0" H ■ SIGN AREA: 26.3 SQ FT	PAGE 148, 150-151
B3-S46	S/F ILLUMINATED PARAPET SIGN ■ QTY (1) 20'-6" W x 2'-0" H ■ SIGN AREA: 26.3 SQ FT	PAGE 149-151
B3-S47	D/F ILLUMINATED BLADE SIGN ■ QTY (1) 2'-8" W x 2'-0" H ■ SIGN AREA: 5.3 SQ FT	PAGE 152-154

SIGN LEGEND

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V13	06/02 Revise B1 canopy details
V14	08/05 Revise per city comments
V15	

PAGE SCALE
As Noted

PAGE #
04

SIGN SCHEDULE

SIGN #	DESCRIPTION	
B3-S48	S/F ILLUMINATED WALL SIGN ■ QTY (1) 24’-0” W x 1’-0” H ■ SIGN AREA: 24 SQ FT	PAGE 155-156
B3-S49	S/F ILLUMINATED WALL SIGN ■ QTY (1) 17’-0” W x 3’-0” H ■ SIGN AREA: 26 SQ FT	PAGE 157-158
B3-S50	S/F ILLUMINATED CANOPY SIGN ■ QTY (1) 16’-0 W x 2’-6” H ■ SIGN AREA: 40 SQ FT	PAGE 159-160
B3-S51	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0 W x 2’-6” H ■ SIGN AREA: 40 SQ FT	PAGE 161-162
B3-S52	D/F ILLUMINATED BLADE SIGN ■ QTY (1) 4’-0” W x 1’-6” H ■ SIGN AREA: 6 SQ FT	PAGE 163-164
B3-S53	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0 W x 2’-6” H ■ SIGN AREA: 40 SQ FT	PAGE 165-166
B3-S54	D/F ILLUMINATED BLADE SIGN ■ QTY (1) 4’-0” W x 1’-6” H ■ SIGN AREA: 6 SQ FT	PAGE 167-168
B3-S55	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0 W x 2’-6” H ■ SIGN AREA: 40 SQ FT	PAGE 169-170
B3-S56	D/F ILLUMINATED BLADE SIGN ■ QTY (1) 4’-0” W x 1’-6” H ■ SIGN AREA: 6 SQ FT	PAGE 171-172
B3-S57	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0 W x 2’-6” H ■ SIGN AREA: 40 SQ FT	PAGE 173-174
B3-S58	D/F ILLUMINATED BLADE SIGN ■ QTY (1) 4’-0” W x 1’-6” H ■ SIGN AREA: 6 SQ FT	PAGE 175-176
B3-S59	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0 W x 2’-6” H ■ SIGN AREA: 40 SQ FT	PAGE 177-178
B3-S60	D/F ILLUMINATED BLADE SIGN ■ QTY (1) 4’-0” W x 1’-6” H ■ SIGN AREA: 6 SQ FT	PAGE 179-180
B3-S61	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0 W x 2’-6” H ■ SIGN AREA: 40 SQ FT	PAGE 181-182
B3-S62	D/F ILLUMINATED BLADE SIGN ■ QTY (1) 4’-0” W x 1’-6” H ■ SIGN AREA: 6 SQ FT	PAGE 183-184
B3-S63	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0 W x 2’-6” H ■ SIGN AREA: 40 SQ FT	PAGE 185-186
B3-S64	D/F ILLUMINATED BLADE SIGN ■ QTY (1) 4’-0” W x 1’-6” H ■ SIGN AREA: 6 SQ FT	PAGE 187-188
B3-S65	S/F ILLUMINATED CANOPY SIGN ■ QTY (1) 16’-0 W x 2’-6” H ■ SIGN AREA: 40 SQ FT	PAGE 189-190
B3-S66	S/F NON-ILLUMINATED BANNER ■ QTY (1) 4’-4” W x 26’-7” H ■ SIGN AREA: 115.2 SQ FT	PAGE 191, 193
B3-S67	S/F NON-ILLUMINATED BANNER ■ QTY (1) 4’-4” W x 26’-7” H ■ SIGN AREA: 115.2 SQ FT	PAGE 192-193
MONUMENT / DIRECTIONAL SIGNAGE		
D-S68	S/F ILLUMINATED MONUMENT SIGN ■ QTY (1) 2’-2” W x 5’-0” H ■ SIGN AREA: 9.4 SQ FT	PAGE 199-200
D-S69	S/F ILLUMINATED MONUMENT SIGN ■ QTY (1) 2’-2” W x 5’-0” H ■ SIGN AREA: 9.4 SQ FT	PAGE 201-202
D-S70	S/F ILLUMINATED MONUMENT SIGN ■ QTY (1) 2’-2” W x 5’-0” H ■ SIGN AREA: 9.4 SQ FT	PAGE 203-204
D-S71	S/F ILLUMINATED MONUMENT SIGN ■ QTY (1) 2’-2” W x 5’-0” H ■ SIGN AREA: 9.4 SQ FT	PAGE 205-206
D-S72	D/F ILLUMINATED MONUMENT SIGN ■ QTY (1) 2’-2” W x 5’-0” H ■ SIGN AREA: 9.4 SQ FT	PAGE 207-208
D-S73	D/F ILLUMINATED MONUMENT SIGN ■ QTY (1) 2’-2” W x 5’-0” H ■ SIGN AREA: 9.4 SQ FT	PAGE 207, 209
D-S74	S/F ILLUMINATED MONUMENT SIGN ■ QTY (1) 6’-11 1/2” W x 5’-0” H ■ SIGN AREA: 29.4 FT	PAGE 210-211
D-S75	S/F ILLUMINATED MONUMENT SIGN ■ QTY (1) 6’-11 1/2” W x 5’-0” H ■ SIGN AREA: 29.4 FT	PAGE 210, 212
D-S76	S/F ILLUMINATED MONUMENT SIGN ■ QTY (1) 6’-11 1/2” W x 5’-0” H ■ SIGN AREA: 29.4 FT	PAGE 210, 213
D-S77	S/F ILLUMINATED MONUMENT SIGN ■ QTY (1) 6’-11 1/2” W x 5’-0” H ■ SIGN AREA: 29.4 FT	PAGE 210, 214

SIGN LEGEND

- BUILDING ID SIGNAGE
- PARKING SIGNAGE
- RETAIL SIGNAGE
- DIRECTIONAL SIGNAGE

A DESIGN STUDIO

MAIN CONTACT
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CREATIVE
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PROJECT NAME
Terrace Station

PROJECT #
20-004

ADDRESS
Address Varies
Mountlake Terrace, WA 98043

DATE
08/05/20

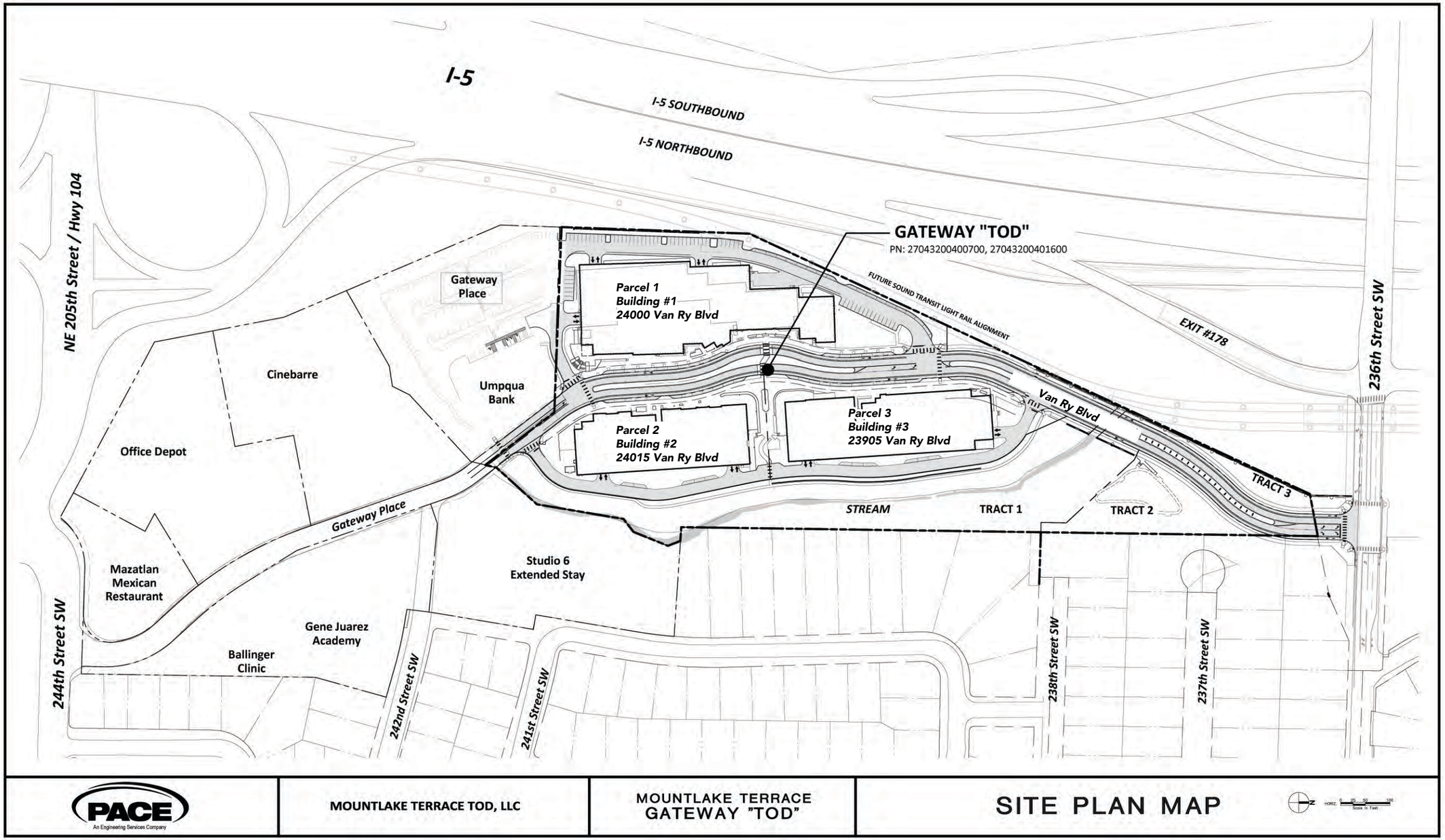
VERSION NOTES

V1	07/14 Concept design
V2	07/31 Revise signs
V3	08/06 Revise signs
V4	08/22 Revise signs
V5	10/02 Revise signs
V6	11/19 Revise signs
V7	01/02 Revise signs
V8	02/20 Revise all concepts & signs
V9	02/24 Revise signs
V10	03/19 Add signs, revise narrative
V11	05/19 Add/revise signs, revise all B3
V12	05/22 Revise B3 & directional signs
V13	06/02 Revise B1 canopy details
V14	08/05 Revise per city comments
V15	

PAGE SCALE
As Noted

PAGE #
05

SITE PLANS - OVERALL VICINITY MAP



PACE An Engineering Services Company	MOUNTLAKE TERRACE TOD, LLC	MOUNTLAKE TERRACE GATEWAY "TOD"	SITE PLAN MAP

N

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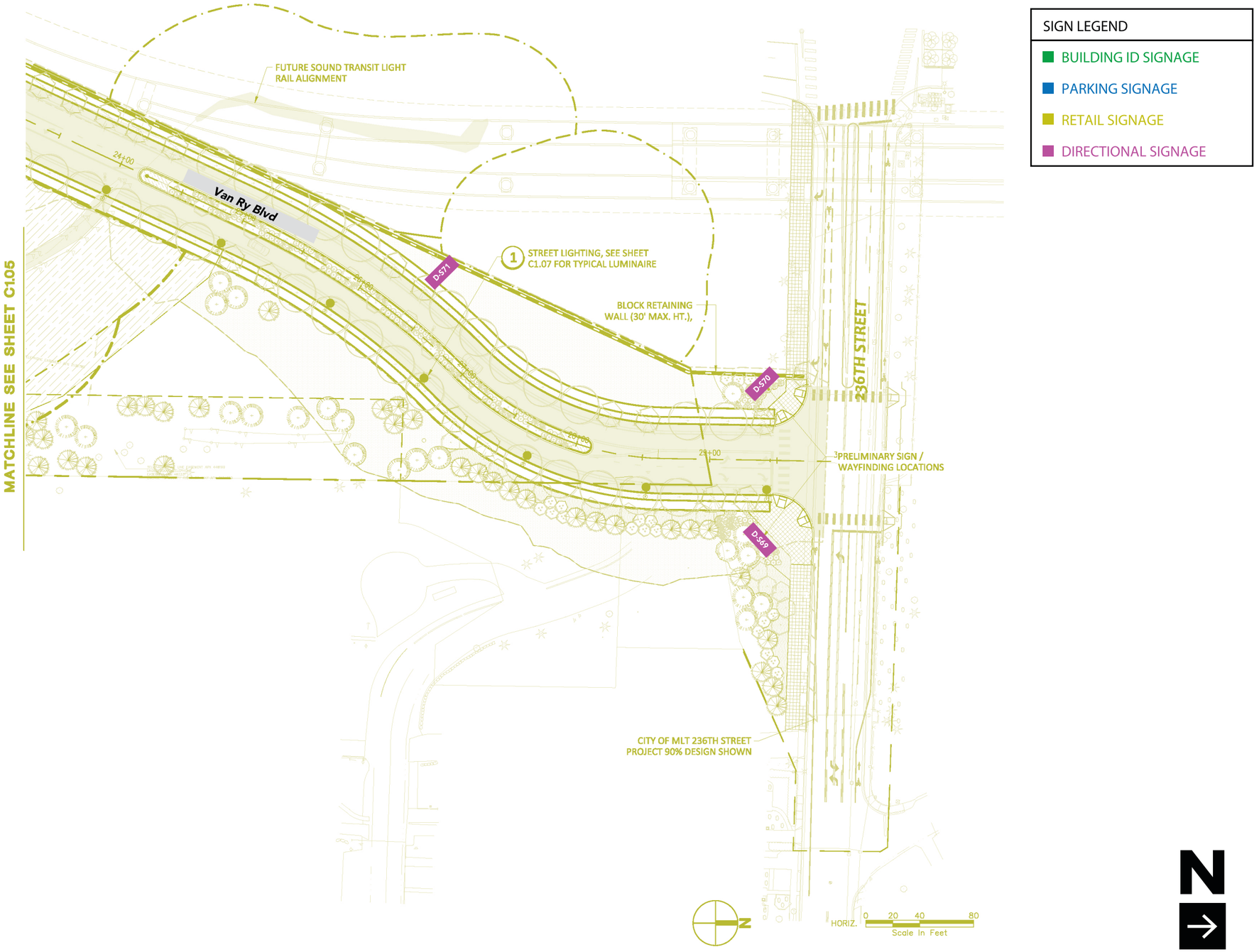
V13	06/02 Revise B1 canopy details
V14	08/05 Revise per city comments
V15	

PAGE SCALE
As Noted

PAGE #
06

SITE PLANS - NORTH SECTION



SIGN LEGEND

- BUILDING ID SIGNAGE
- PARKING SIGNAGE
- RETAIL SIGNAGE
- DIRECTIONAL SIGNAGE

N

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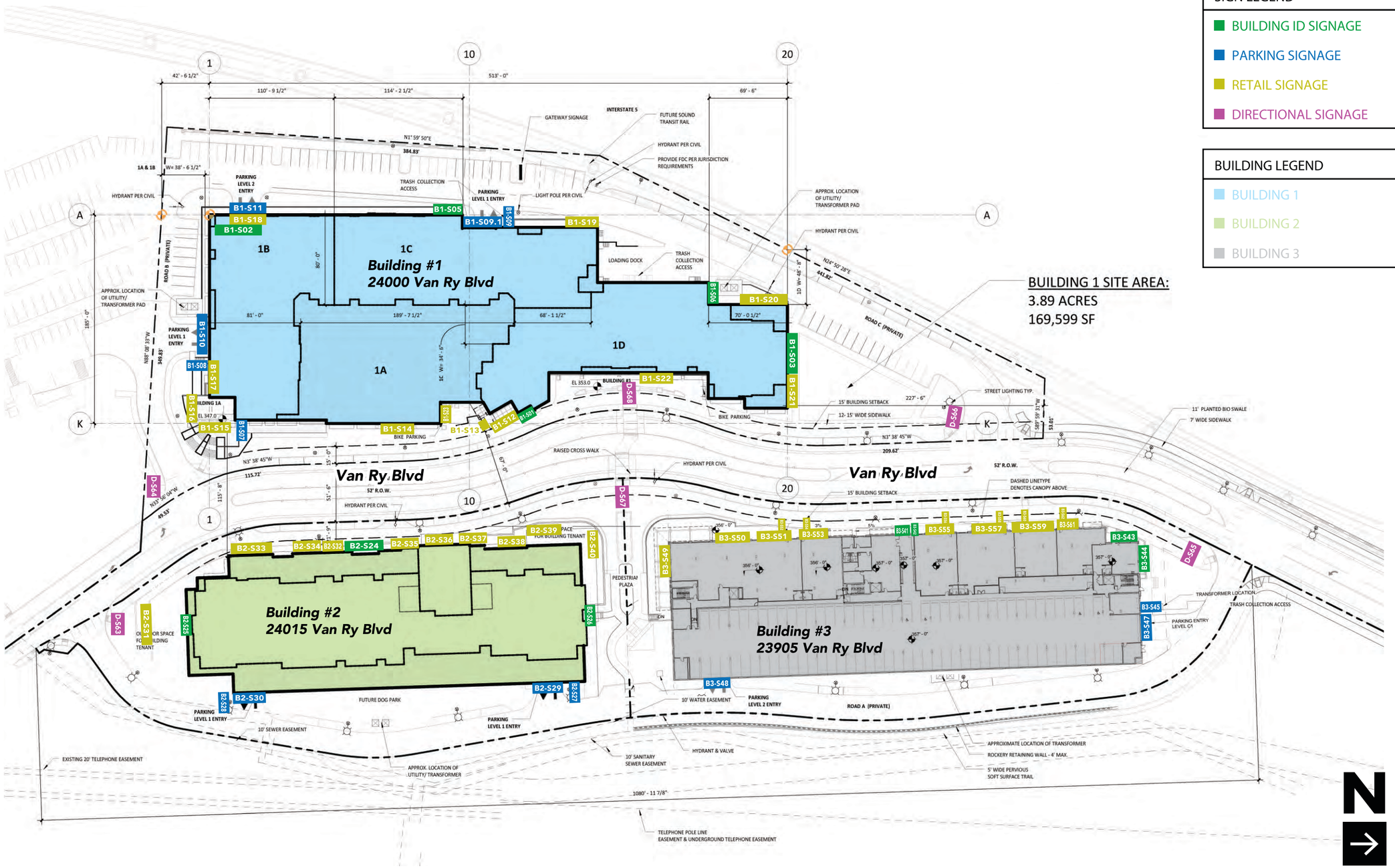
V13	06/02 Revise B1 canopy details
V14	08/05 Revise per city comments
V15	

PAGE SCALE
1" = 80'-0"

PAGE #
07

SITE PLANS - OVERALL



SIGN LEGEND
BUILDING ID SIGNAGE
PARKING SIGNAGE
RETAIL SIGNAGE
DIRECTIONAL SIGNAGE

BUILDING LEGEND
BUILDING 1
BUILDING 2
BUILDING 3

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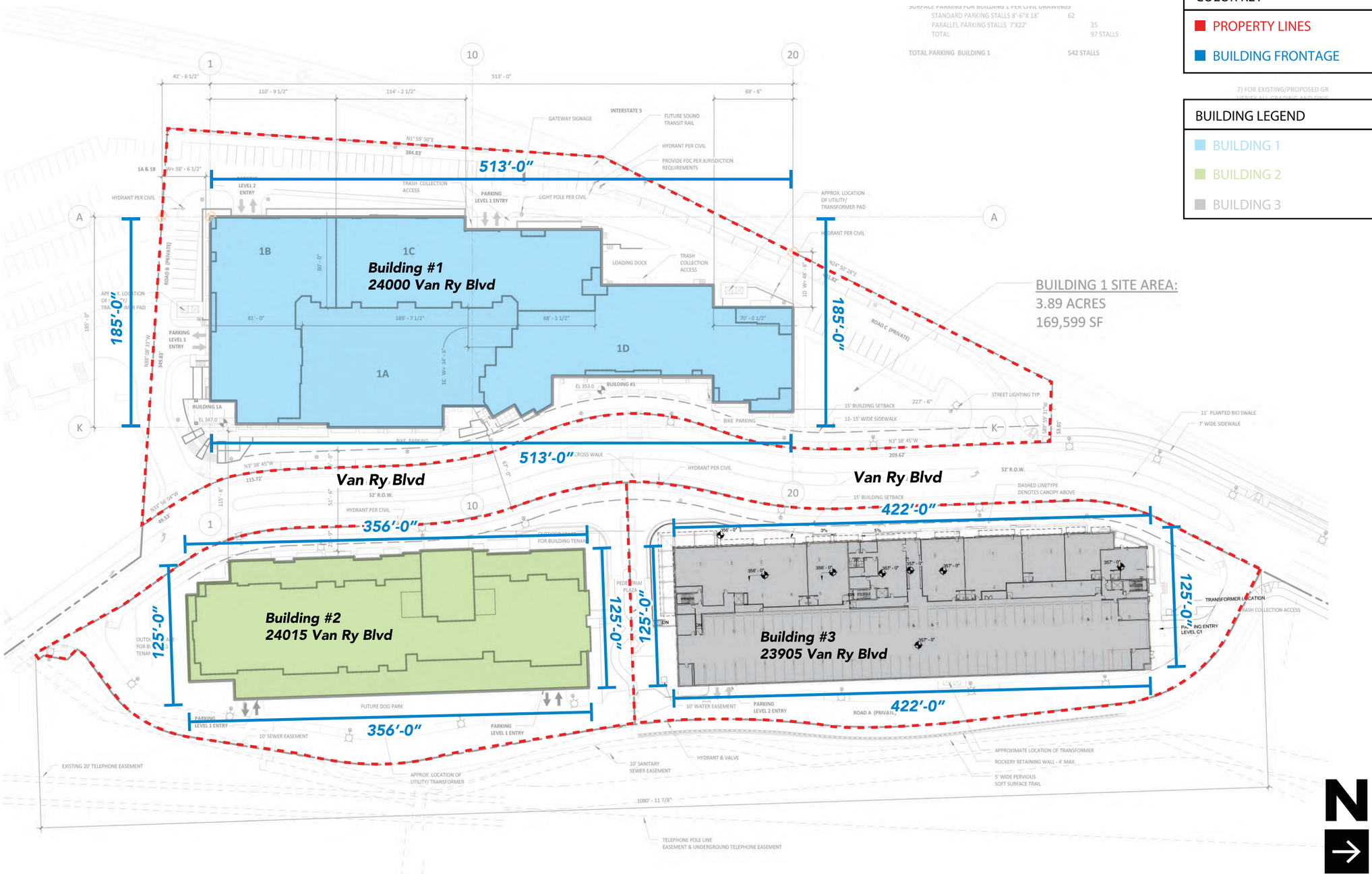
V13	06/02 Revise B1 canopy details
V14	08/05 Revise per city comments
V15	

PAGE SCALE
1" = 90'-0"

PAGE #
08

SITE PLANS - OVERALL



COLOR KEY
PROPERTY LINES
BUILDING FRONTAGE

BUILDING LEGEND
BUILDING 1
BUILDING 2
BUILDING 3

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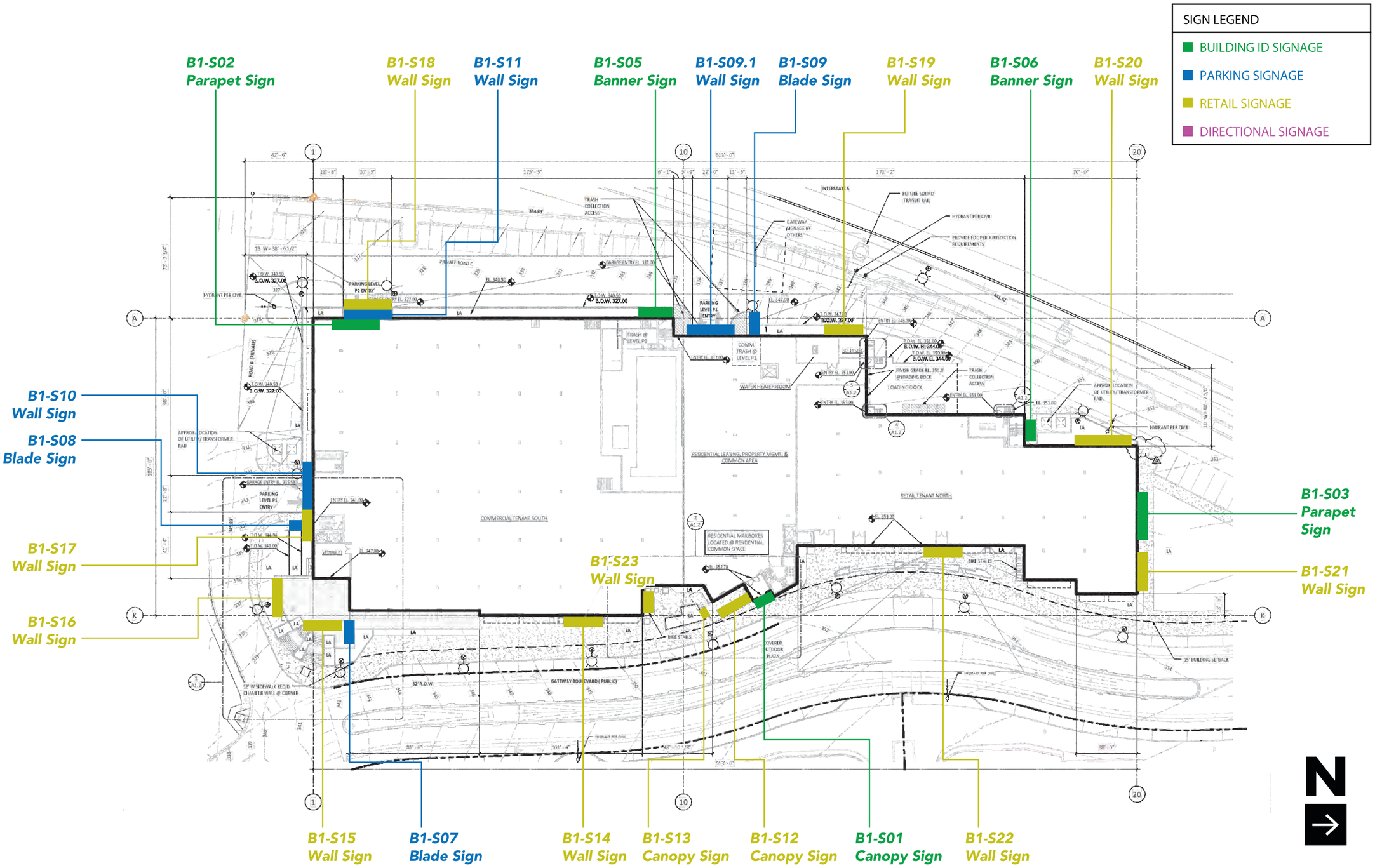
V12	05/22 Revise B3 & directional signs
V13	06/02 Revise B1 canopy details
V14	08/05 Revise per city comments
V15	

PAGE SCALE
1" = 90'-0"

PAGE #
09

SITE PLANS - B1



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PROJECT NAME
Terrace Station

PROJECT #
20-004

ADDRESS
24000 Van Ry Blvd
Mountlake Terrace, WA 98043

DATE
08/05/20

VERSION NOTES

V1	07/14 Concept design
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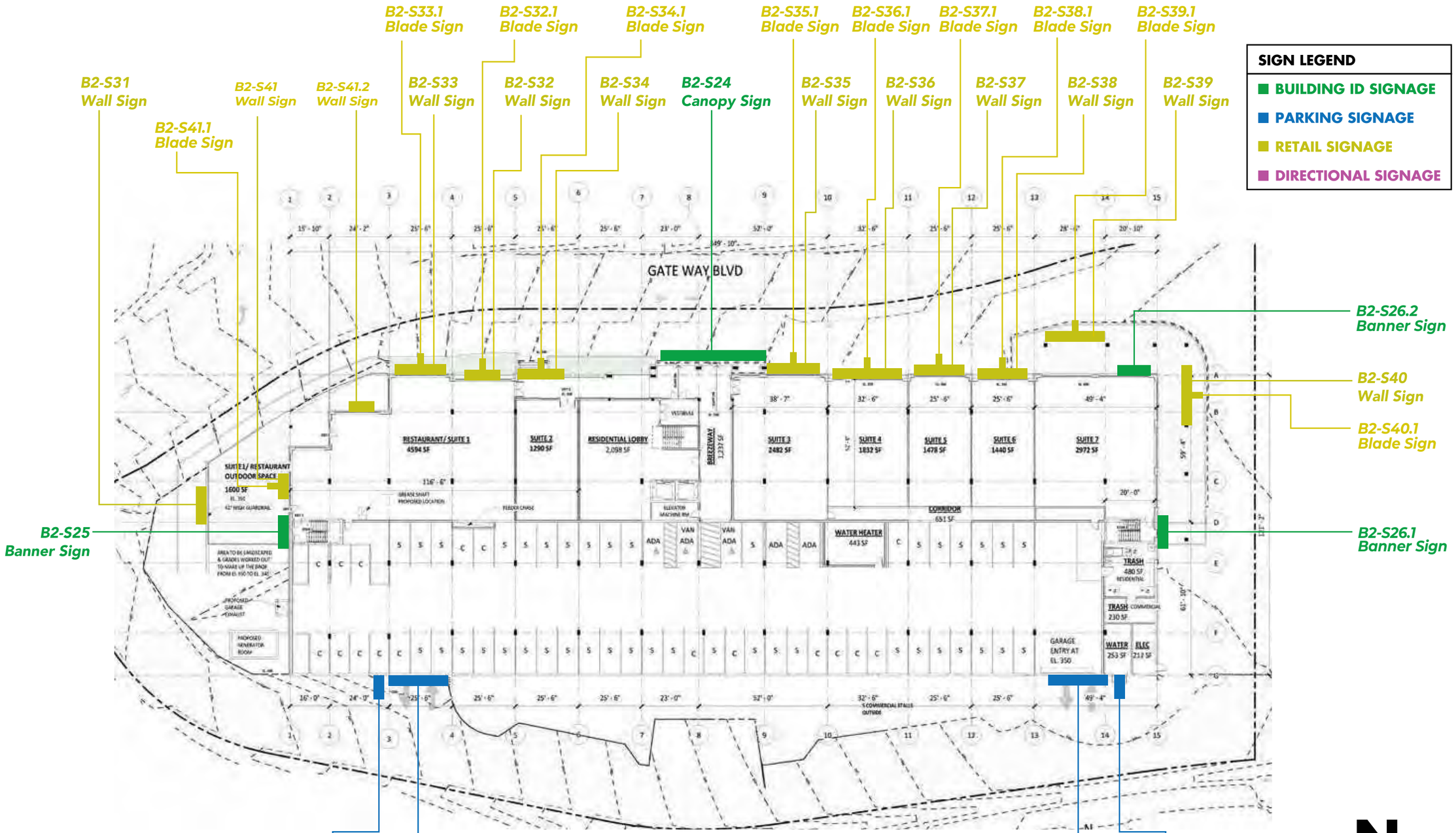
V10	03/19 Add signs, revise narrative
V11	05/19 Add/revise signs, revise all B3
V12	05/22 Revise B3 & directional signs
V13	06/02 Revise B1 canopy details
V14	08/05 Revise per city comments
V15	

PAGE SCALE
1" = 40'-0"

PAGE #
10

SITE PLANS - B2

Bldg 2 permitted to install building name signs consistent with signage for Bldg 1, namely B1-S02 and B1-S03 parapet signs



SIGN LEGEND

- BUILDING ID SIGNAGE
- PARKING SIGNAGE
- RETAIL SIGNAGE
- DIRECTIONAL SIGNAGE

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20-004

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24015 Van Ry Blvd
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DATE
08/05/20

VERSION NOTES

V1	07/14 Concept design
V2	07/31 Revise signs
V3	08/06 Revise signs
V4	08/22 Revise signs
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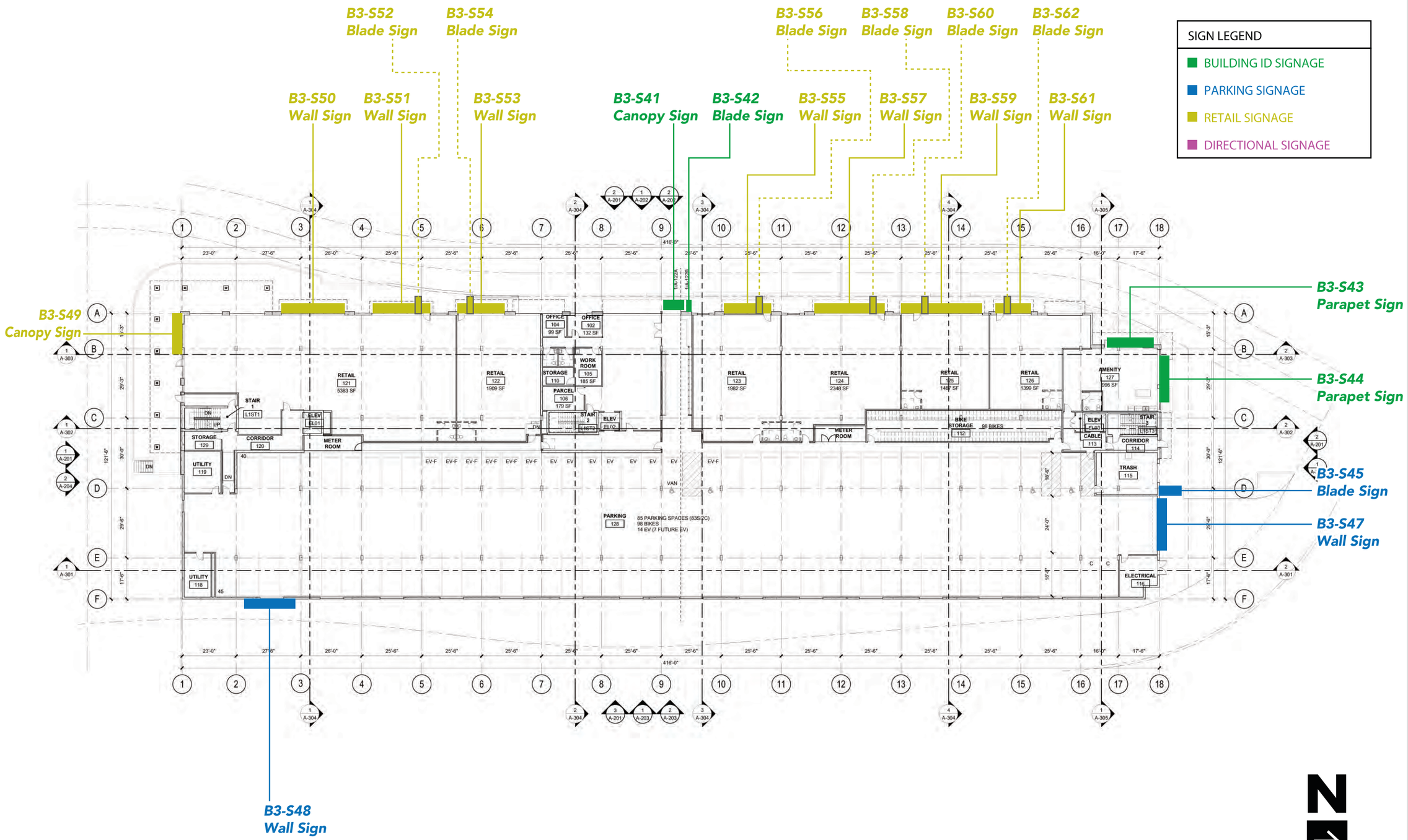
V8	02/20 Revise all concepts & signs
V9	02/24 Revise signs
V10	03/19 Add signs, revise narrative
V11	05/19 Add/revise signs, revise all B3
V12	05/22 Revise B3 & directional signs
V13	06/02 Revise B1 canopy details
V14	08/05 Revise per city comments
V15	

PAGE SCALE
1" = 40'-0"

PAGE #
11

SITE PLANS - B3

Bldg 3 permitted to install building name signs consistent with signage for Bldg 1, namely B1-S02 and B1-S03 parapet signs



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23905 Van Ry Blvd
Mountlake Terrace, WA 98043

DATE
08/05/20

VERSION NOTES

V1	07/14 Concept design
V2	07/31 Revise signs
V3	08/06 Revise signs
V4	08/22 Revise signs
V5	10/02 Revise signs
V6	11/19 Revise signs
V7	01/02 Revise signs
V8	02/20 Revise all concepts & signs
V9	02/24 Revise signs
V10	03/19 Add signs, revise narrative
V11	05/19 Add/revise signs, revise all B3
V12	05/22 Revise B3 & directional signs
V13	06/02 Revise B1 canopy details
V14	08/05 Revise per city comments
V15	

PAGE SCALE
1" = 40'-0"

PAGE #
12

BUILDING 1

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Terrace Station

PROJECT #
20-004

ADDRESS
24015 Van Ry Blvd
Mountlake Terrace, WA 98043

DATE
12/10/20

VERSION NOTES

V1
V2
V3
V4
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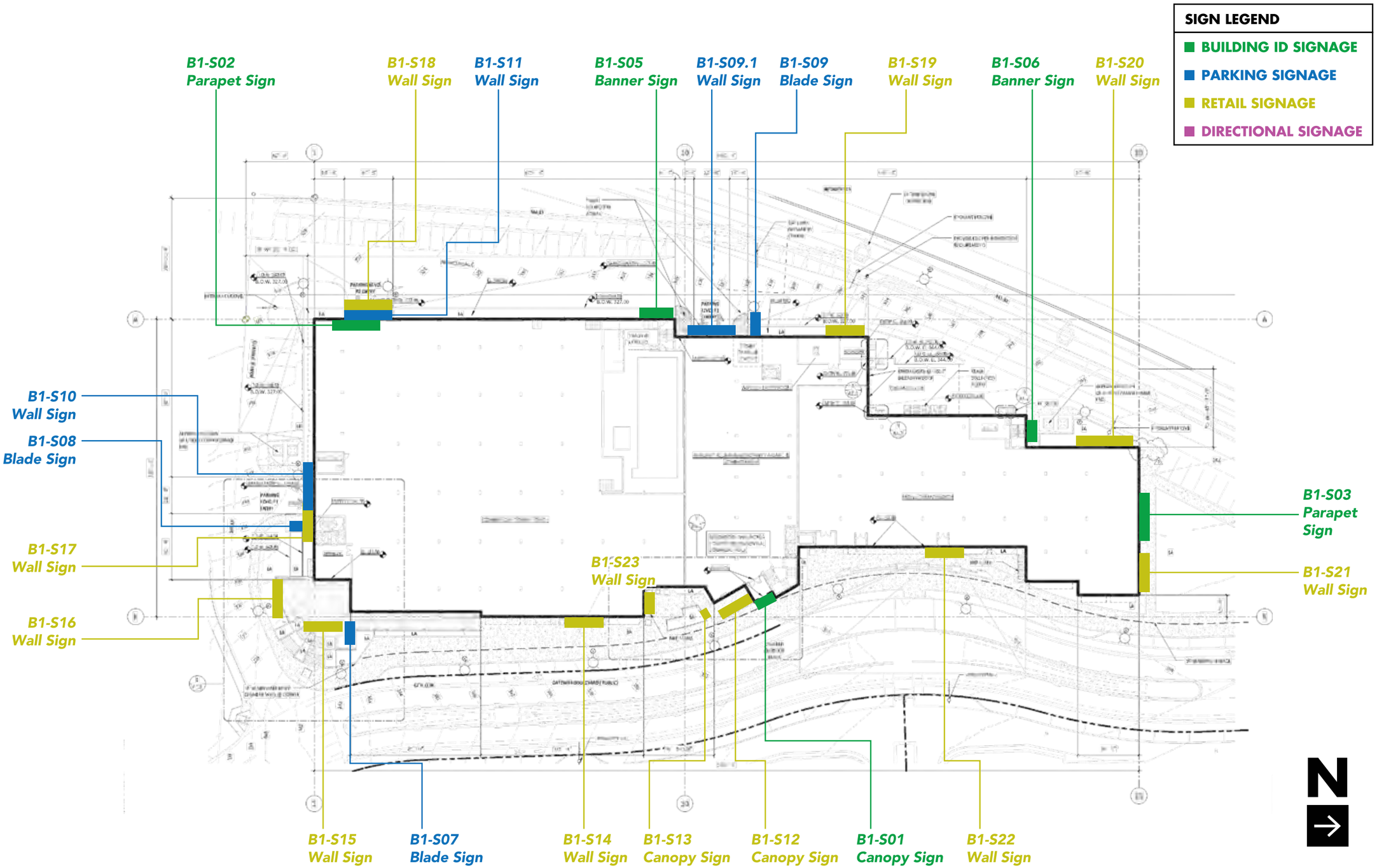
V6
V7
V8
V9
V10
V11
V12
V13
V14
V15

PAGE SCALE
N/A

PAGE #
13

SITE PLANS - B1



SIGN LEGEND

- BUILDING ID SIGNAGE
- PARKING SIGNAGE
- RETAIL SIGNAGE
- DIRECTIONAL SIGNAGE

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VERSION NOTES

V1
V2
V3
V4
V5
V6
V7
V8
V9
V10
V11
V12
V13
V14
V15

PAGE SCALE
1" = 40'-0"

B1 - PERSPECTIVE VIEWS

COLOR KEY

- **BUILDING ID SIGNAGE**
- **RETAIL SIGNAGE**
- **PARKING SIGNAGE**

East Elevation

B1-S16
Retail
Wall Sign

B1-S15
Retail
Wall Sign

B1-S07
Blade Sign

B1-S14
Retail
Wall Sign

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DATE
12/10/20

VERSION NOTES

V1
V2
V3
V4
V5
V6
V7
V8
V9
V10
V11
V12
V13
V14
V15

PAGE SCALE
As Noted

PAGE #
15

B1 - PERSPECTIVE VIEWS

COLOR KEY

- **BUILDING ID SIGNAGE**
- **RETAIL SIGNAGE**
- **PARKING SIGNAGE**

B1-S23
Wall Sign

B1-S03
Parapet Sign

Northeast Elevation

B1-S01
Canopy Sign

B1-S22
Wall Sign

B1-S21
Wall Sign

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V4
V5
V6
V7
V8
V9
V10
V11
V12
V13
V14
V15

PAGE SCALE
As Noted

PAGE #
16

B1 - PERSPECTIVE VIEWS

COLOR KEY

- **BUILDING ID SIGNAGE**
- **RETAIL SIGNAGE**
- **PARKING SIGNAGE**

North Elevation

B1-S21
Wall Sign

B1-S03
Parapet Sign

B1-S06
Banner Sign

A DESIGN STUDIO

MAIN CONTACT
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CREATIVE
Brody Lund
425.359.7380

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PROJECT NAME
Terrace Station

PROJECT #
20-004

ADDRESS
24015 Van Ry Blvd
Mountlake Terrace, WA 98043

DATE
12/10/20

VERSION NOTES

V1
V2
V3
V4
V5
V6
V7
V8
V9
V10
V11
V12
V13
V14
V15

PAGE SCALE
As Noted

PAGE #
17

B1 - PERSPECTIVE VIEWS

COLOR KEY

- **BUILDING ID SIGNAGE**
- **RETAIL SIGNAGE**
- **PARKING SIGNAGE**

West Elevation

B1-S20
Wall Sign

B1-S06
Banner Sign

B1-S19
Wall Sign

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VERSION NOTES

V1
V2
V3
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V5
V6
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V8
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V10
V11
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V13
V14
V15

PAGE SCALE
As Noted

PAGE #
18

B1 - PERSPECTIVE VIEWS

COLOR KEY

- **BUILDING ID SIGNAGE**
- **RETAIL SIGNAGE**
- **PARKING SIGNAGE**

Southwest Elevation

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VERSION NOTES

V1
V2
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V6
V7
V8
V9
V10
V11
V12
V13
V14
V15

PAGE SCALE
As Noted

PAGE #
19

B1 - ELEVATIONS

COLOR KEY

- **BUILDING ID SIGNAGE**
- **RETAIL SIGNAGE**
- **PARKING SIGNAGE**

1 EAST ELEVATION (SOUTH)

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V1
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V3
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V7
V8
V9
V10
V11
V12
V13
V14
V15

PAGE SCALE
1" = 30'-0"

PAGE #

B1 - ELEVATIONS

COLOR KEY

- **BUILDING ID SIGNAGE**
- **RETAIL SIGNAGE**
- **PARKING SIGNAGE**

2 EAST ELEVATION (NORTH)

A DESIGN STUDIO

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V7
V8
V9
V10
V11
V12
V13
V14
V15

PAGE SCALE
1" = 30'-0"

B1 - ELEVATIONS

COLOR KEY

- **BUILDING ID SIGNAGE**
- **RETAIL SIGNAGE**
- **PARKING SIGNAGE**

1 NORTH ELEVATION

B1-S21
Wall Sign

B1-S03
Parapet Sign

B1-S06
Banner Sign

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V10
V11
V12
V13
V14
V15

PAGE SCALE
1" = 30'-0"

PAGE #
22

B1 - ELEVATIONS

COLOR KEY

- **BUILDING ID SIGNAGE**
- **RETAIL SIGNAGE**
- **PARKING SIGNAGE**

2 SOUTH ELEVATION

B1-S10
Wall Sign

B1-S08
Blade Sign

B1-S17
Wall Sign

B1-S16
Wall Sign

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V8
V9
V10
V11
V12
V13
V14
V15

PAGE SCALE
1" = 30'-0"

PAGE #
23

B1 - ELEVATIONS

COLOR KEY

- **BUILDING ID SIGNAGE**
- **RETAIL SIGNAGE**
- **PARKING SIGNAGE**

1 WEST ELEVATION NORTH

B1-S20
Wall Sign

B1-S19
Wall Sign

B1-S09
Blade Sign

B1-S09.1
Wall Sign

B1-S05
Banner Sign

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V14
V15

PAGE SCALE
1" = 30'-0"

PAGE #
24

B1 - ELEVATIONS

COLOR KEY
BUILDING ID SIGNAGE
RETAIL SIGNAGE
PARKING SIGNAGE

2 WEST ELEVATION SOUTH

A DESIGN STUDIO

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V4
V5
V6
V7
V8
V9
V10
V11
V12
V13
V14
V15

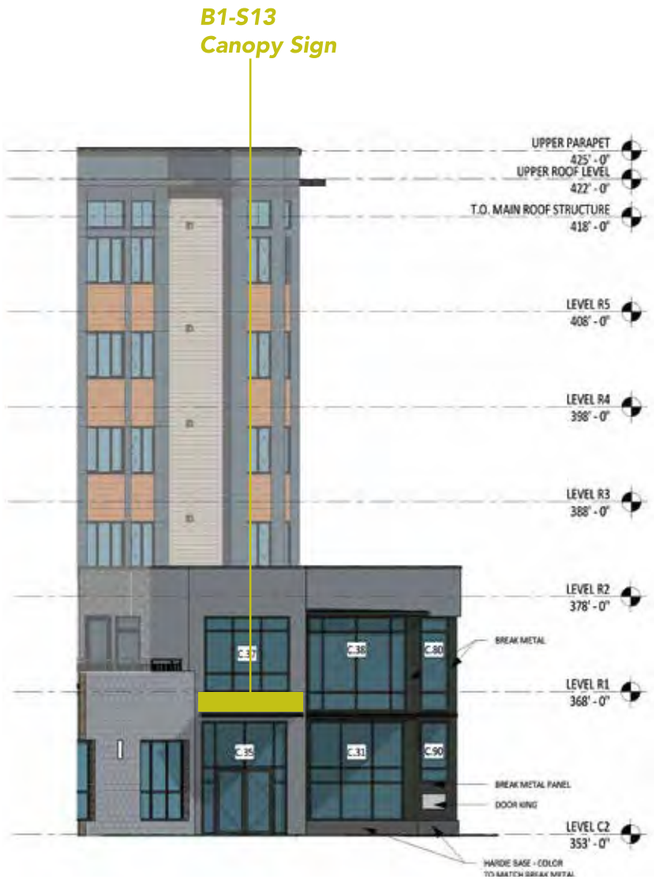
PAGE SCALE
1" = 30'-0"

B1 - ELEVATIONS

COLOR KEY

- BUILDING ID SIGNAGE
- RETAIL SIGNAGE
- PARKING SIGNAGE

East Elevation - Covered Outdoor Plaza



Southeast Elevation - Covered Outdoor Plaza

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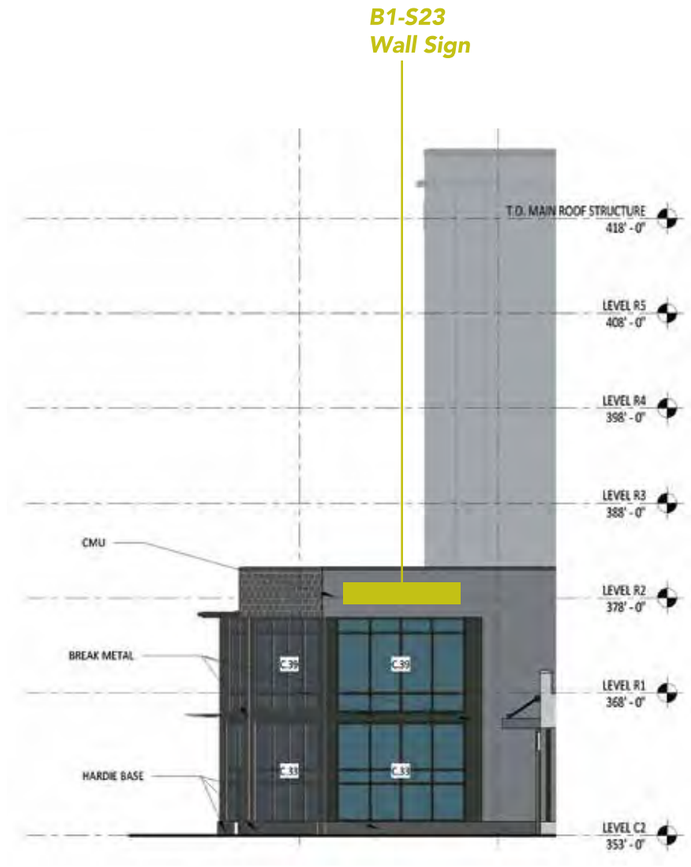
V4
V5
V6
V7
V8
V9
V10
V11
V12
V13
V14
V15

PAGE SCALE
1" = 30'-0"

B1 - ELEVATIONS

COLOR KEY

- **BUILDING ID SIGNAGE**
- **RETAIL SIGNAGE**
- **PARKING SIGNAGE**



North Elevation - Covered Outdoor Plaza

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V7
V8
V9
V10
V11
V12
V13
V14
V15

PAGE SCALE
1" = 30'-0"

PAGE #
27

B1 - SIGN SCHEDULE

SIGN #	DESCRIPTION – BUILDING 1	
B1-S01	S/F ILLUMINATED CANOPY SIGN ■ QTY (1) 12’-0”W x 3’-0”H ■ SIGN AREA: 36.0 SQ FT	PAGE 29-33
B1-S02	S/F ILLUMINATED PARAPET SIGN ■ QTY (1) 25’-0”W x 2’-3 1/4”H ■ SIGN AREA: 41.9 SQ FT	PAGE 34-36
~~B1-S02.1~~	~~S/F ILLUMINATED PARAPET SIGN ■ QTY (1) 25’-0”W x 2’-3 1/4”H ■ SIGN AREA: 41.9 SQ FT~~	
B1-S03	S/F ILLUMINATED PARAPET SIGN ■ QTY (1) 25’-0”W x 2’-3 1/4”H ■ SIGN AREA: 41.9 SQ FT	PAGE 37-39
~~B1-S04~~	~~S/F NON-ILLUM. TEMP. BANNER SIGN ■ QTY (1) 4’-4”W x 26’-7”H ■ SIGN AREA: 115.2 SQ FT~~	
B1-S05	S/F NON-ILLUM. TEMP. BANNER SIGN ■ QTY (1) 4’-4”W x 26’-7”H ■ SIGN AREA: 115.2 SQ FT	PAGE 40, 42-43
B1-S06	S/F NON-ILLUM. TEMP. BANNER SIGN ■ QTY (1) 4’-4”W x 26’-7”H ■ SIGN AREA: 115.2 SQ FT	PAGE 41-43
B1-S07	D/F ILLUMINATED BLADE SIGN ■ QTY (1) 2’-0”W x 2’-2 1/8”H ■ SIGN AREA: 5.3 SQ FT	PAGE 44, 47-48
B1-S08	D/F ILLUMINATED BLADE SIGN ■ QTY (1) 2’-0”W x 2’-2 1/8”H ■ SIGN AREA: 5.3 SQ FT	PAGE 45, 47, 49
B1-S09	D/F ILLUMINATED BLADE SIGN ■ QTY (1) 2’-0”W x 2’-2 1/8”H ■ SIGN AREA: 5.3 SQ FT	PAGE 46-47, 50
B1-S09.1	S/F NON-ILLUMINATED WALL SIGN ■ QTY (1) 22’-0”W x 1’-6”H ■ SIGN AREA: 33.0 SQ FT	PAGE 51-52
B1-S10	S/F NON-ILLUMINATED WALL SIGN ■ QTY (1) 22’-0”W x 2’-0”H ■ SIGN AREA: 44.0 SQ FT	PAGE 54-56
B1-S11	S/F NON-ILLUMINATED WALL SIGN ■ QTY (1) 22’-0”W x 2’-0”H ■ SIGN AREA: 44.0 SQ FT	PAGE 57-59
B1-S12	S/F ILLUMINATED CANOPY SIGN ■ QTY (1) 20’-0”W x 2’-0”H ■ SIGN AREA: 40.0 SQ FT	PAGE 60-63
B1-S13	S/F ILLUMINATED CANOPY SIGN ■ QTY (1) 10’-10”W x 3’-4”H ■ SIGN AREA: 36.1 SQ FT	PAGE 64-67
B1-S14	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0”W x 2’-6”H ■ SIGN AREA: 40.0 SQ FT	PAGE 68-69
B1-S15	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0”W x 2’-6”H ■ SIGN AREA: 40.0 SQ FT	PAGE 70-71
B1-S16	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0”W x 2’-6”H ■ SIGN AREA: 40.0 SQ FT	PAGE 72-73
B1-S17	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0”W x 2’-6”H ■ SIGN AREA: 40.0 SQ FT	PAGE 74-75
B1-S18	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0”W x 2’-6”H ■ SIGN AREA: 40.0 SQ FT	PAGE 76-77
B1-S19	S/F ILLUMINATED WALL SIGN ■ QTY (1) 12’-0”W x 3’-4”H ■ SIGN AREA: 40.0 SQ FT	PAGE 78-79
B1-S20	S/F ILLUMINATED WALL SIGN ■ QTY (1) 20’-6”W x 1’-8”H ■ SIGN AREA: 34.2 SQ FT	PAGE 80-81
B1-S21	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0”W x 2’-6”H ■ SIGN AREA: 40.0 SQ FT	PAGE 82-83
B1-S22	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0”W x 2’-6”H ■ SIGN AREA: 40.0 SQ FT	PAGE 84-85
B1-S23	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0”W x 2’-6”H ■ SIGN AREA: 40.0 SQ FT	PAGE 86-87

A DESIGN STUDIO

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Terrace Station

PROJECT #
20-004

ADDRESS
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Mountlake Terrace, WA 98043

DATE
12/10/20

VERSION NOTES

V1
V2
V3
V4
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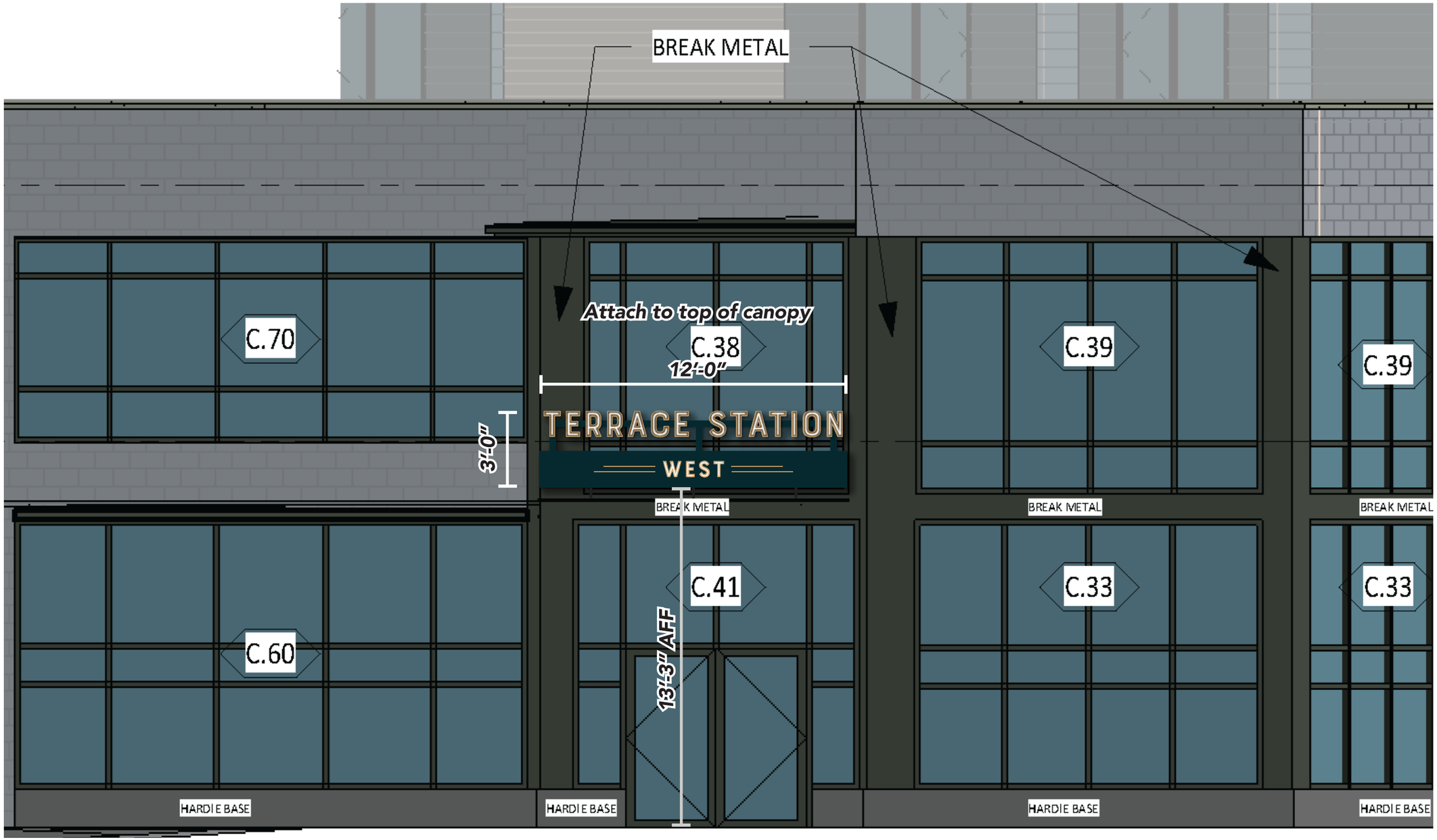
V7
V8
V9
V10
V11
V12
V13
V14
V15

PAGE SCALE
N/A

PAGE #
28

B1-S01 - ELEVATIONS

Sign Area: 36.0 Square Feet



B1 East Elevation - Covered Outdoor Plaza

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PROJECT #
20-004

ADDRESS
24000 Van Ry Blvd
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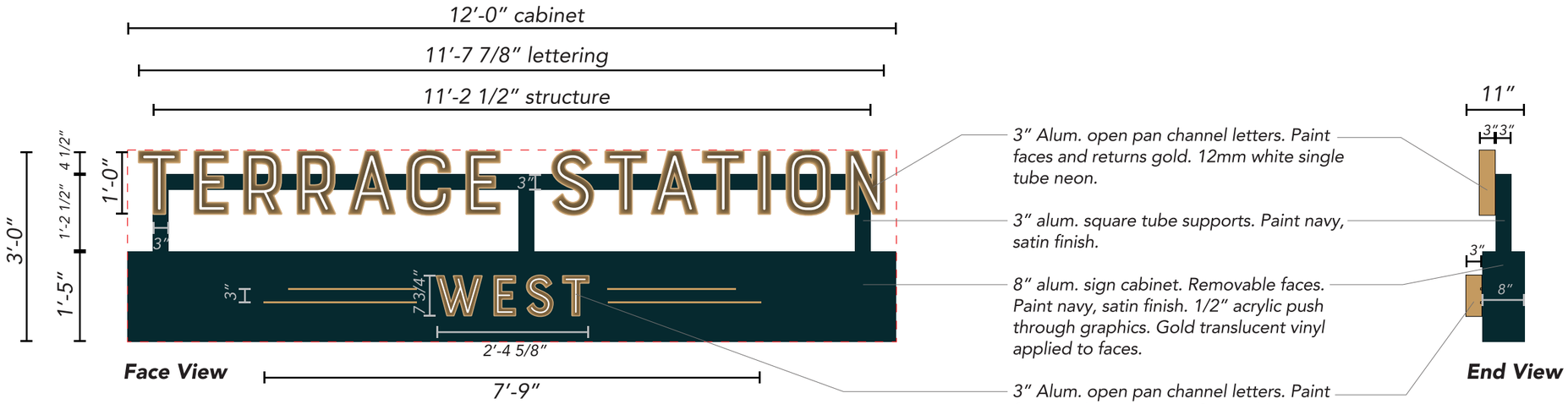
DATE
08/05/20

VERSION NOTES

V1	07/14 Concept design
V2	07/31 Revise signs
V3	08/06 Revise signs
V4	08/22 Revise signs
V5	10/02 Revise signs
V6	11/19 Revise signs
V7	01/02 Revise signs
V8	02/20 Revise all concepts & signs
V9	02/24 Revise signs
V10	03/19 Add signs, revise narrative
V11	05/19 Add/revise signs, revise all B3
V12	05/22 Revise B3 & directional signs
V13	06/02 Revise B1 canopy details
V14	08/05 Revise per city comments
V15	

PAGE SCALE
1/4" = 1'-0"

B1-S01 - DETAILS



Face View ***End View***

Sign B1-S01: *Manufacture & install (1) single face illuminated canopy sign with neon open pan channel lettering.*

Sign Area: 36.0 Square Feet

Sign Weight: 200 lbs

CLIENT TO PROVIDE
20 AMP / 120 VOLT
DEDICATED SIGN CIRCUIT WITHIN
6 FT OF SIGN LOCATION

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V9	02/24 Revise signs
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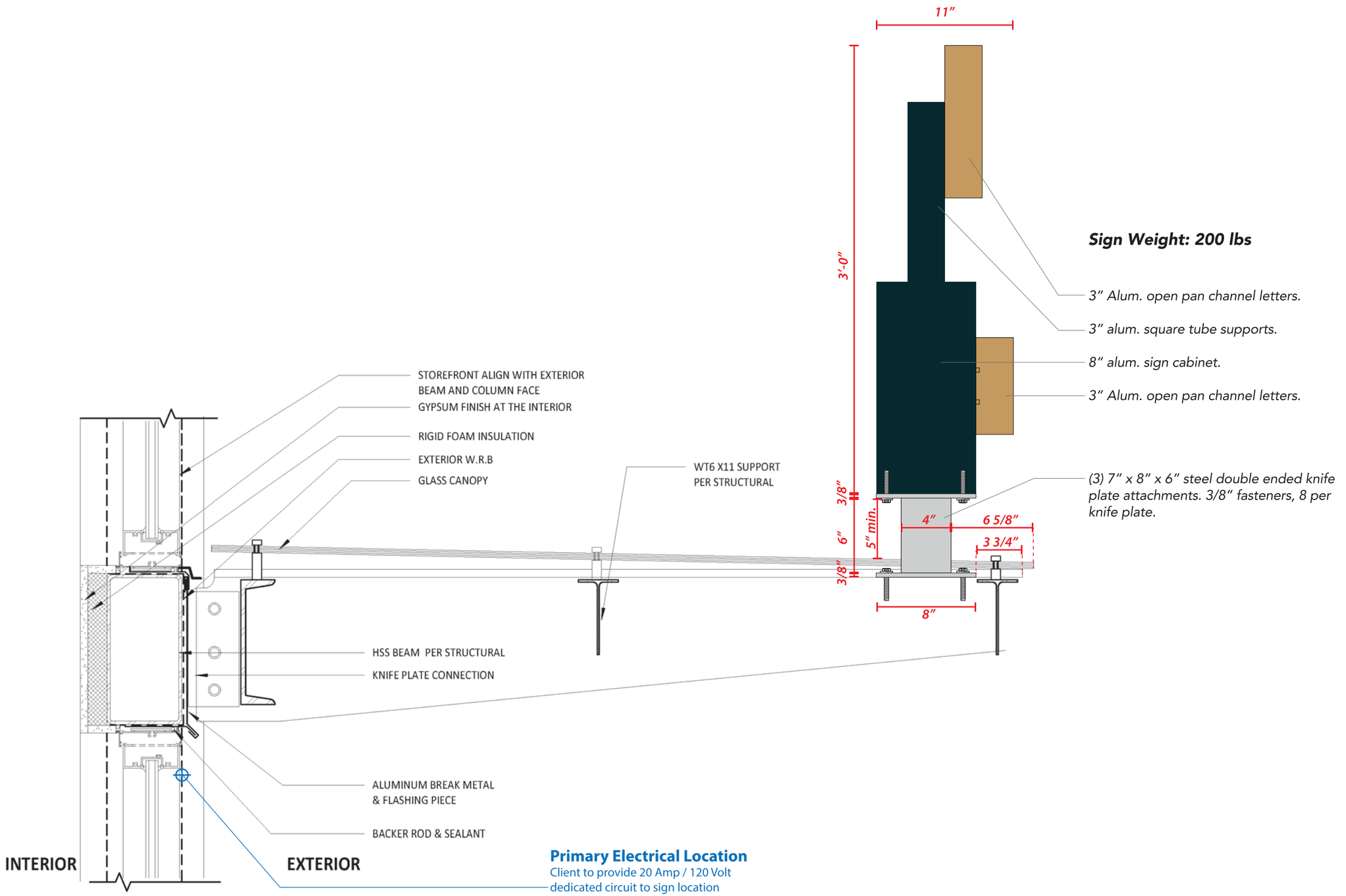
V12	05/22 Revise B3 & directional signs
V13	06/02 Revise B1 canopy details
V14	08/05 Revise per city comments
V15	

PAGE SCALE
1/2″ = 1′-0″

PAGE #
30

B1-S01 - ATTACHMENT DETAILS

Glass to be installed AFTER knife plates: openings cut into glass to accomodate knife plates.



1 BEAM DETAIL AT VESTIBULE ENTRY CANOPY

SCALE: 1 1/2" = 1'-0"

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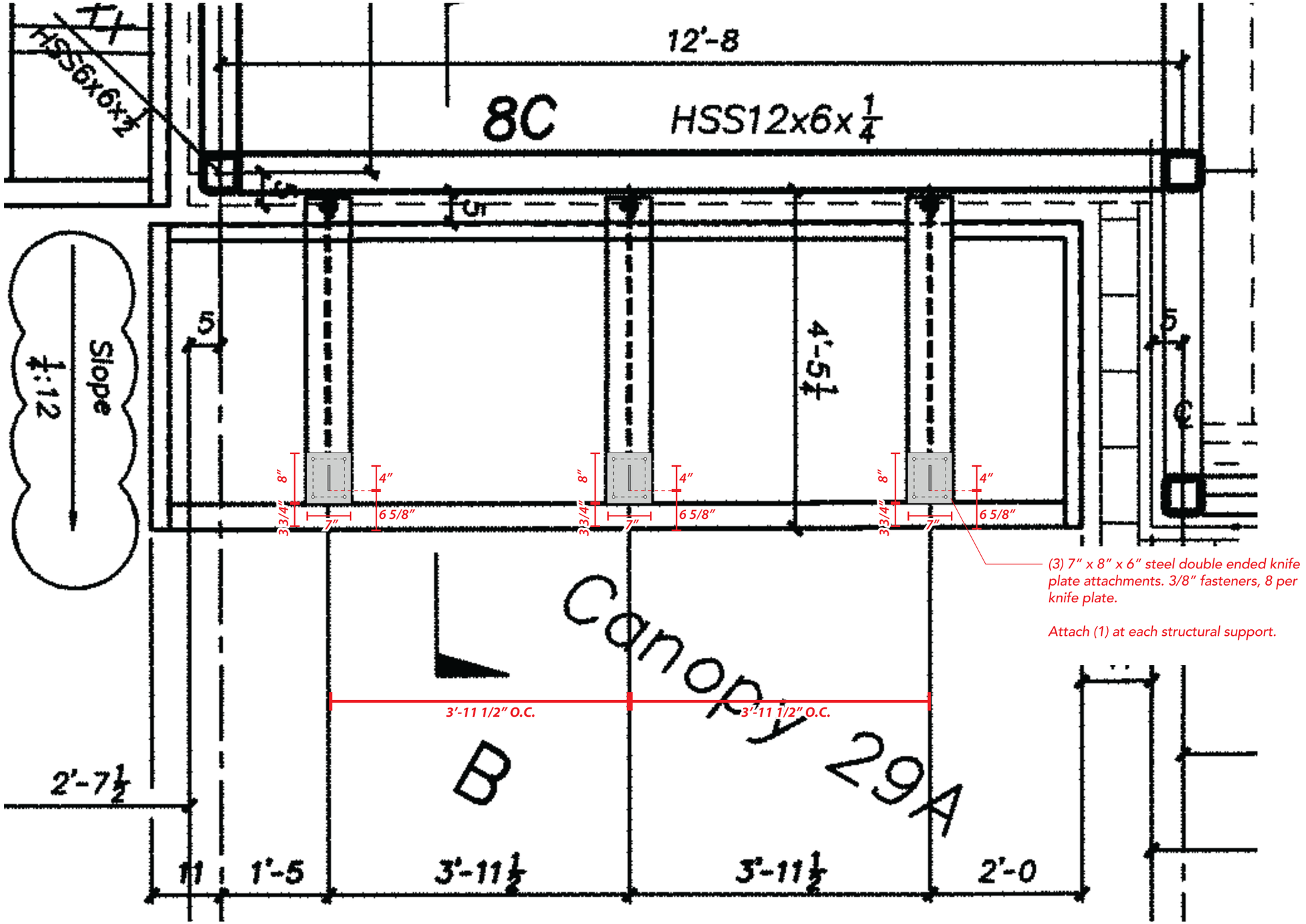
V15	

PAGE SCALE
1 1/2" = 1'-0"

B1-S01 - ATTACHMENT DETAILS

Glass to be installed AFTER knife plates: openings cut into glass to accomodate knife plates.

CANOPY 29A PLAN VIEW



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PROJECT NAME
Terrace Station

PROJECT #
20-004

ADDRESS
24000 Van Ry Blvd
Mountlake Terrace, WA 98043

DATE
08/05/20

VERSION NOTES

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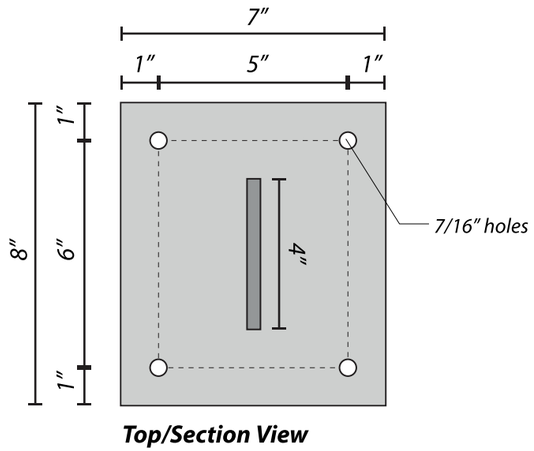
V6	11/19 Revise signs
V7	01/02 Revise signs
V8	02/20 Revise all concepts & signs
V9	02/24 Revise signs
V10	03/19 Add signs, revise narrative
V11	05/19 Add/revise signs, revise all B3
V12	05/22 Revise B3 & directional signs
V13	06/02 Revise B1 canopy details
V14	08/05 Revise per city comments
V15	

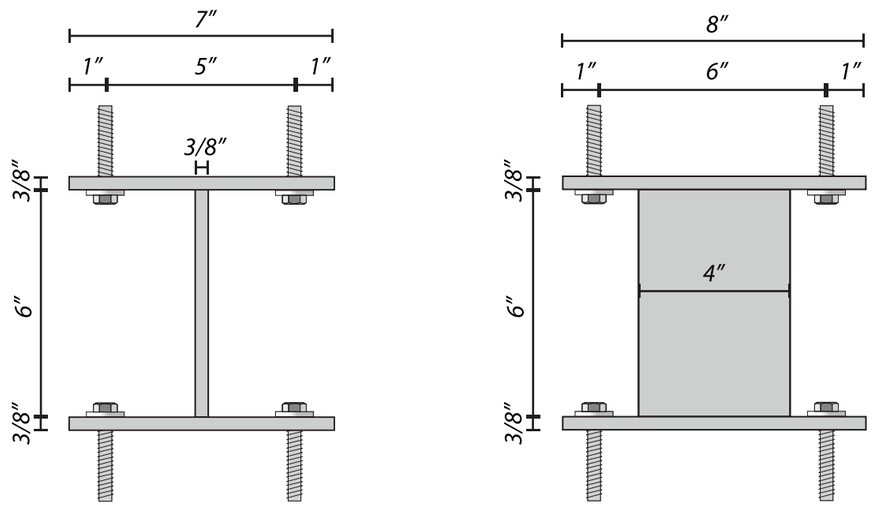
PAGE SCALE
3/4" = 1'-0"

PAGE #
32

B1-S01 - ATTACHMENT DETAILS



Top/Section View



Face View ***End View***

3/8″ x 7″ x 8″ Steel Double Ended Knife Plate Detail
Scale: 3″=1′-0″

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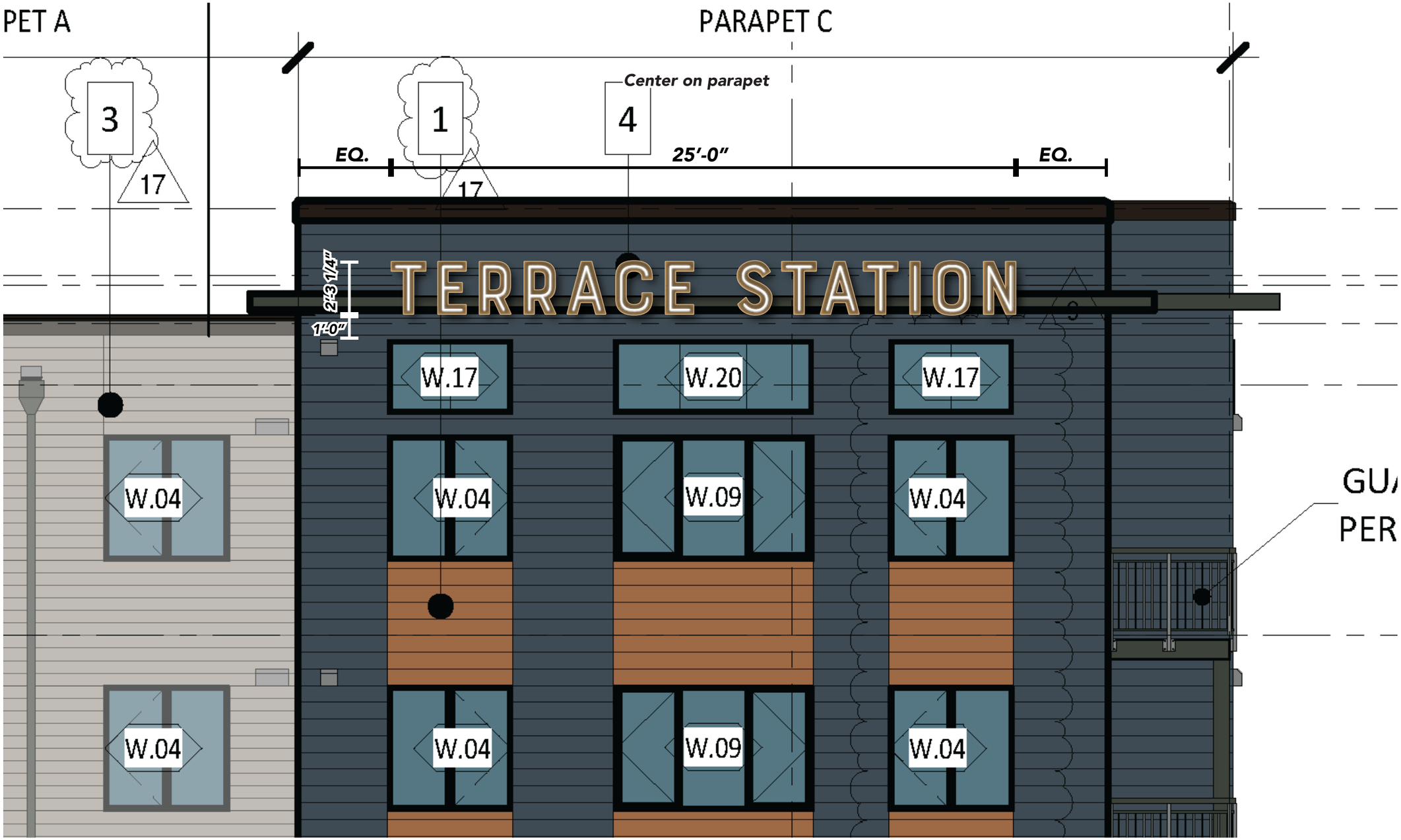
V14	08/05 Revise per city comments
V15	

PAGE SCALE
As Noted

PAGE #
33

B1-S02 - ELEVATIONS

Sign Area: 41.9 Square Feet



B1 West Elevation

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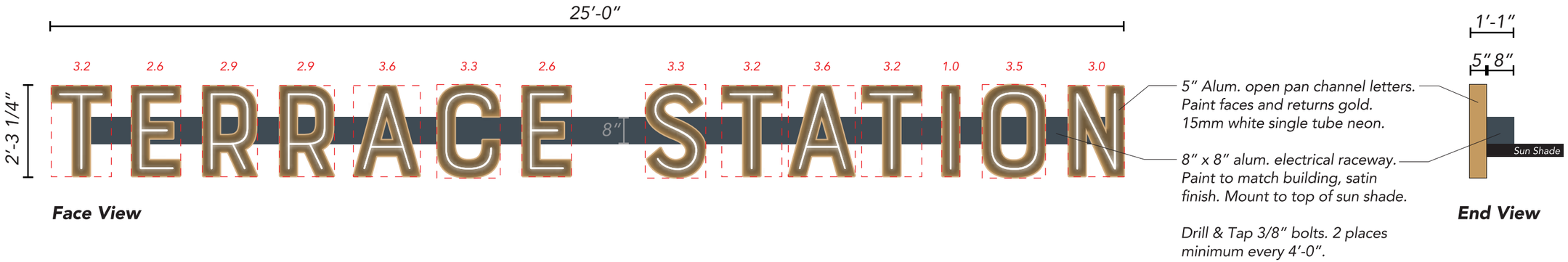
V13	06/02 Revise B1 canopy details
V14	08/05 Revise per city comments
V15	

PAGE SCALE
1/4" = 1'-0"

PAGE #
34

B1-S02 - DETAILS



Face View ***End View***

Sign B1-S02: *Manufacture & install (1) single face illuminated parapet sign with neon open pan channel lettering.*

Sign Area: 41.9 Square Feet

CLIENT TO PROVIDE
20 AMP / 120 VOLT
DEDICATED SIGN CIRCUIT WITHIN
6 FT OF SIGN LOCATION

Sign B1-S02 Retail Signage Design Options

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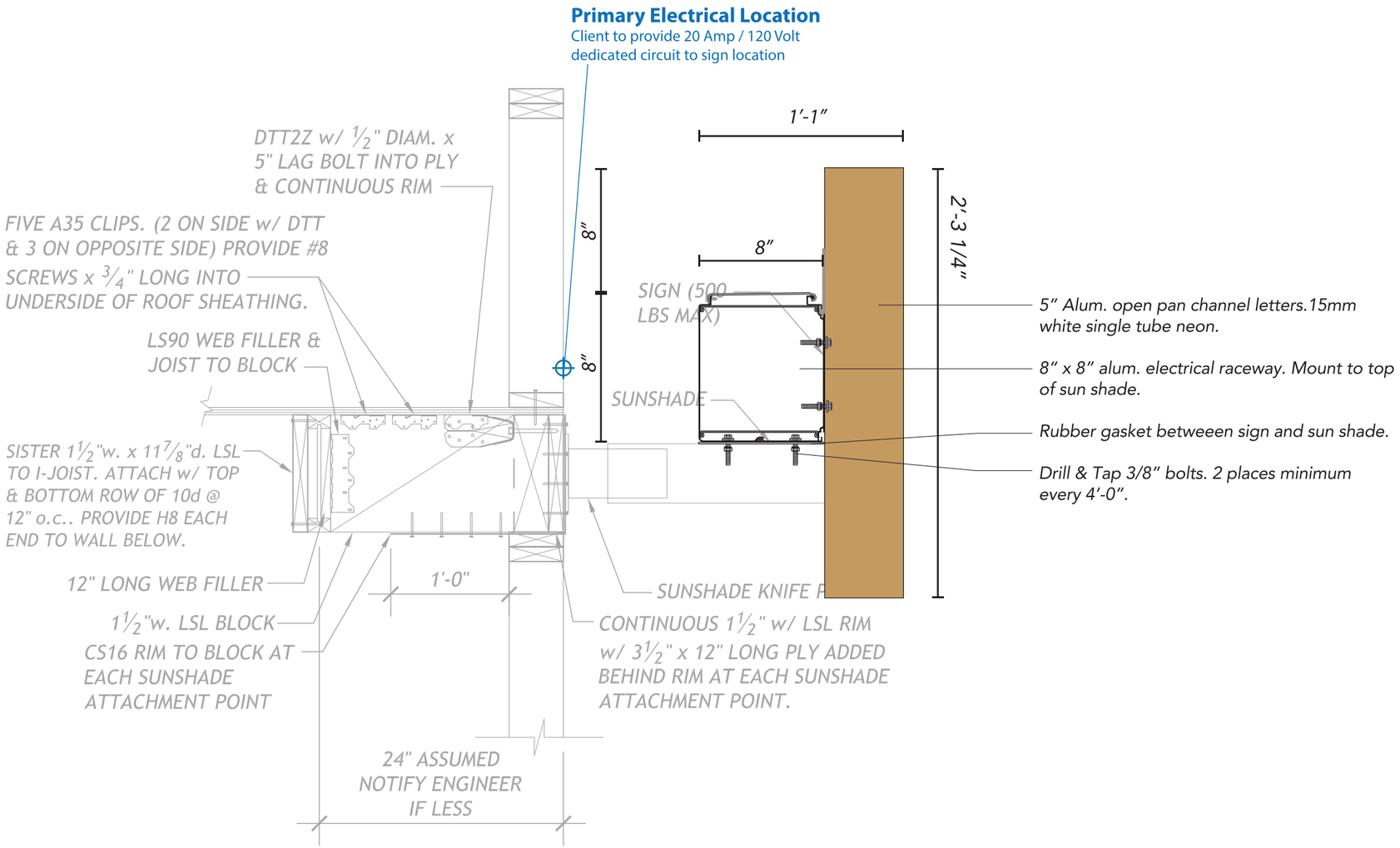
V13	06/02 Revise B1 canopy details
V14	08/05 Revise per city comments
V15	

PAGE SCALE
3/8″ = 1′-0″

PAGE #
35

B1-S02 - ATTACHMENT DETAILS



SECTION at SUNSHADE KNIFE PLATE

18 **SECTION at ROOF SUNSHADE & SIGN**

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V14	08/05 Revise per city comments
V15	

PAGE SCALE
1 1/2" = 1'-0"

PAGE #
36

B1-S03 - ELEVATIONS

Sign Area: 41.9 Square Feet

B1 North Elevation

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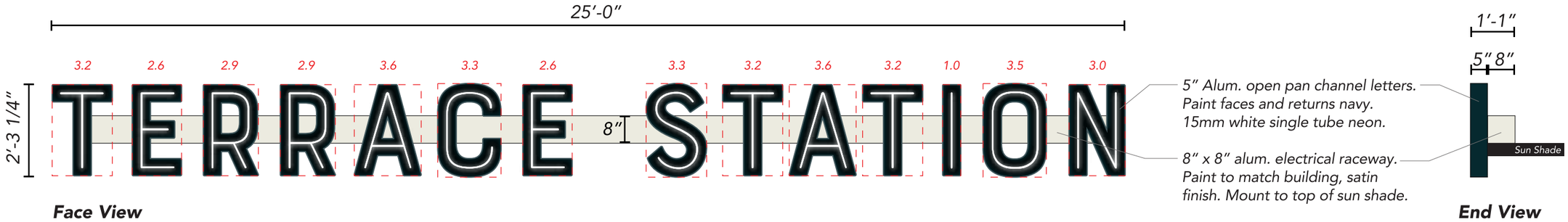
V13	06/02 Revise B1 canopy details
V14	08/05 Revise per city comments
V15	

PAGE SCALE
1/4" = 1'-0"

PAGE #
37

B1-S03 - DETAILS



Face View

End View

Sign B1-S03: *Manufacture & install (1) single face illuminated parapet sign with neon open pan channel lettering.*

Sign Area: 41.9 Square Feet

CLIENT TO PROVIDE
20 AMP / 120 VOLT
DEDICATED SIGN CIRCUIT WITHIN
6 FT OF SIGN LOCATION

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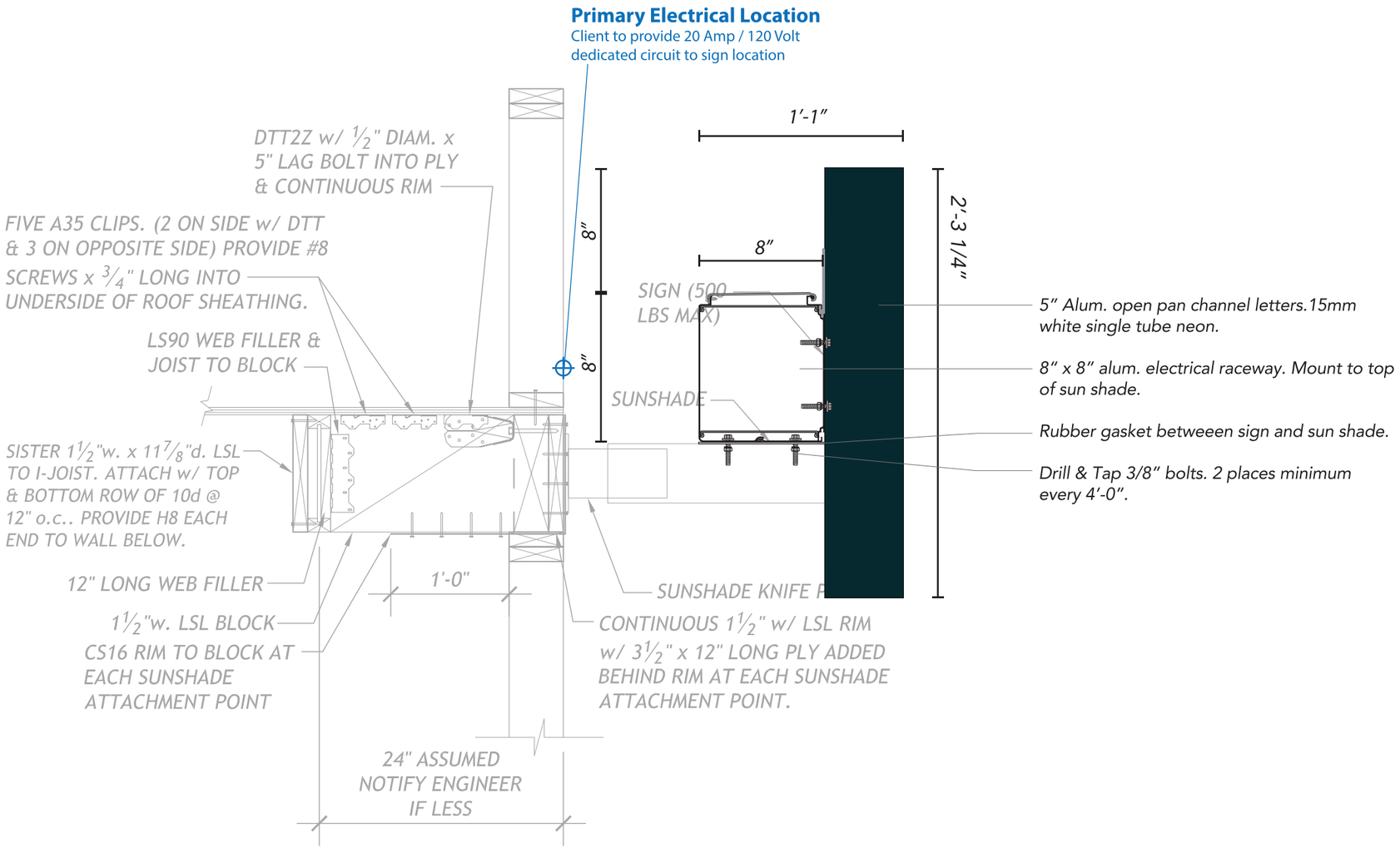
V13	06/02 Revise B1 canopy details
V14	08/05 Revise per city comments
V15	

PAGE SCALE
3/8″ = 1′-0″

PAGE #
38

B1-S03 - ATTACHMENT DETAILS



SECTION at SUNSHADE KNIFE PLATE

18 SECTION at ROOF SUNSHADE & SIGN

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V15	

PAGE SCALE
1 1/2" = 1'-0"

PAGE #
39

B1-S05 - ELEVATIONS

Sign Area: 115.2 Square Feet

Center between wall edge and windows

B1 West Elevation

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V15	

PAGE SCALE
1/4" = 1'-0"

PAGE #
40

B1-S06 - ELEVATIONS

Sign Area: 115.2 Square Feet

B1 North Elevation

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V15	

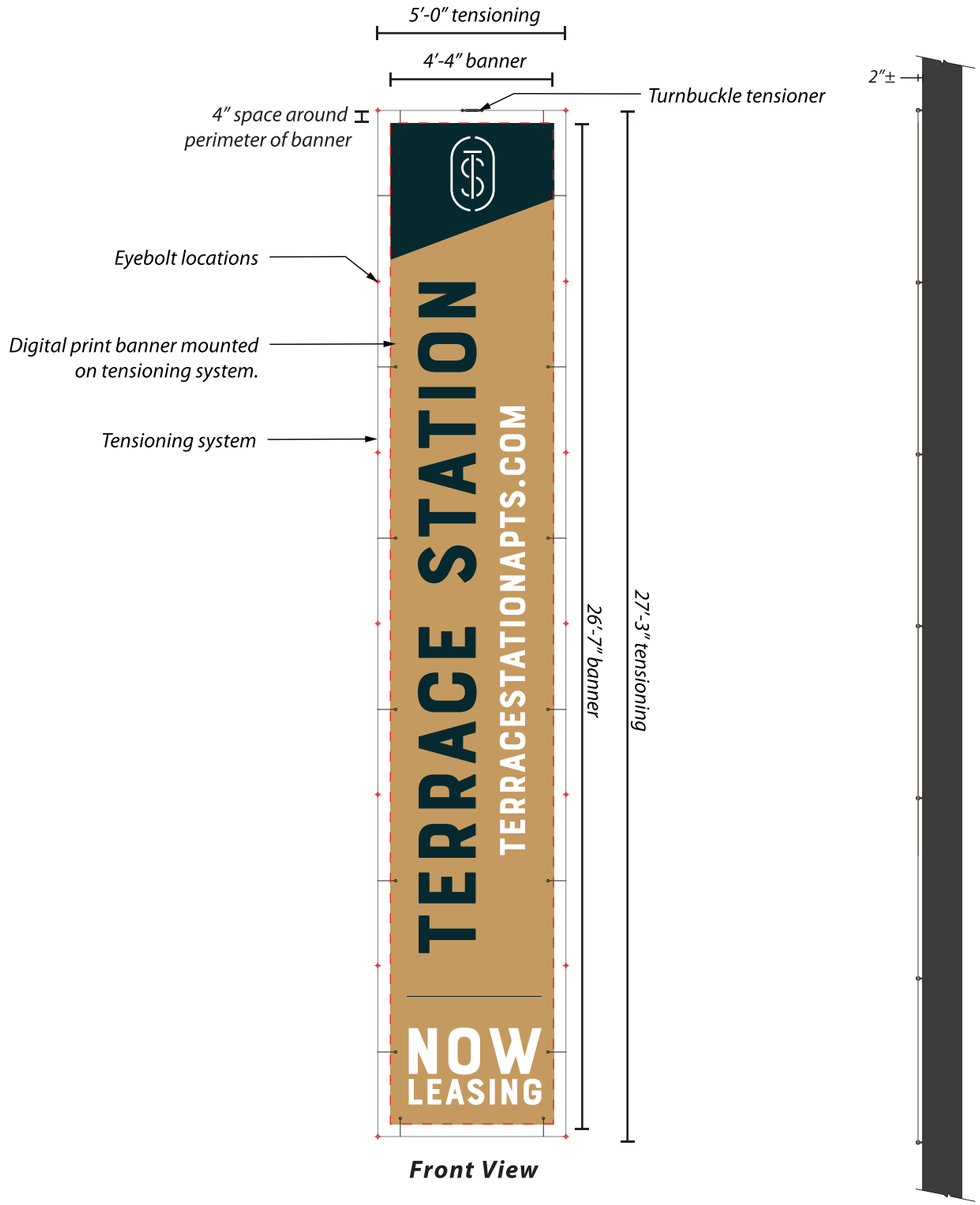
PAGE SCALE
1/4" = 1'-0"

PAGE #
41

B1-S05 & B1-S06 - DETAILS

Sign Area: 115.2 Square Feet

Signs B1-S05 & B1-S06: *Manufacture & install (2) single face non-illuminated temporary banners.*



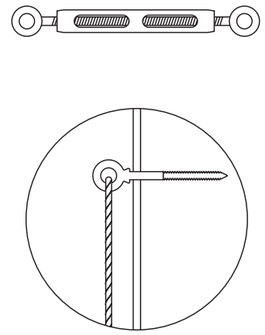
Front View

End View

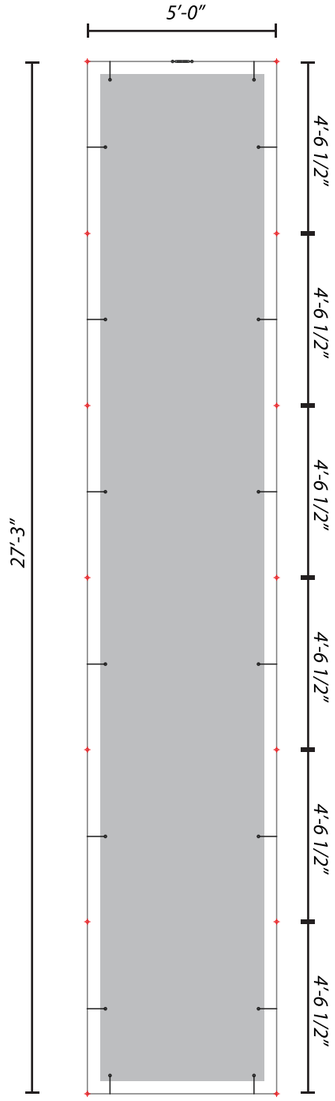
Banner Installation
Required Materials:
- *Eye Bolts*
- *Tenson Cable*
- *Turnbuckle*

Eye Bolts To Be Provided By Others.

Banners Attach to Cable Tension System With Quick Lock Fasteners.



Tensioning System Components



Eyebolt Locations

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V15	

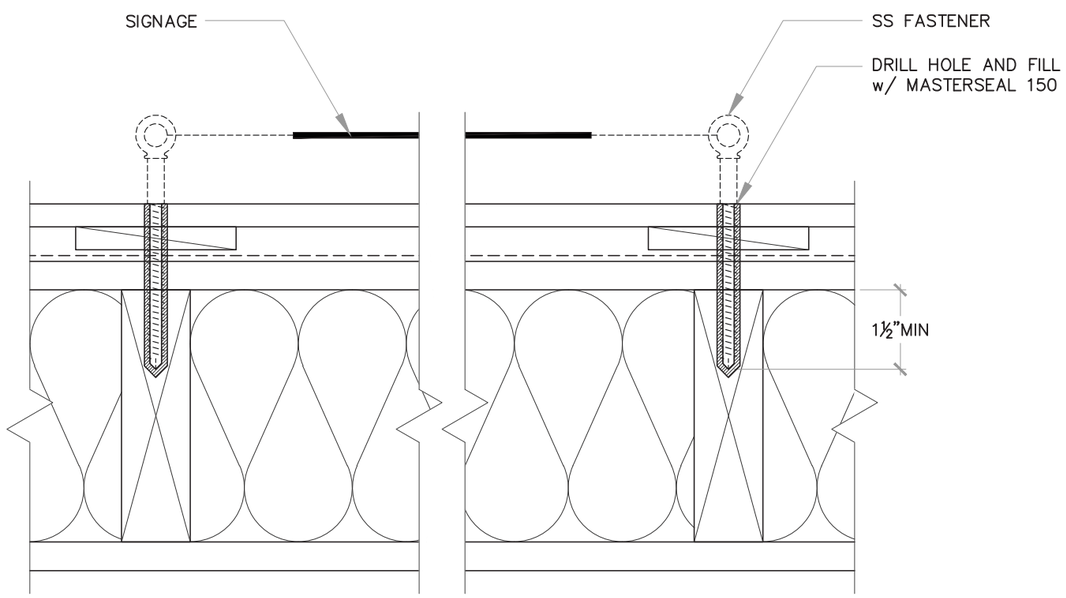
PAGE SCALE
1/4" = 1'-0"

PAGE #
42

B1-S05 & B1-S06 - ATTACHMENT DETAILS

NOTES:
1. FRAMING PER ARCH
2. ALIGN FASTENERS w/ BATTENS & STUDS

EXTERIOR



INTERIOR

229 (TYPICAL) PLAN: TEMPORARY SIGNAGE ATTACHMENT

SCALE: NTS

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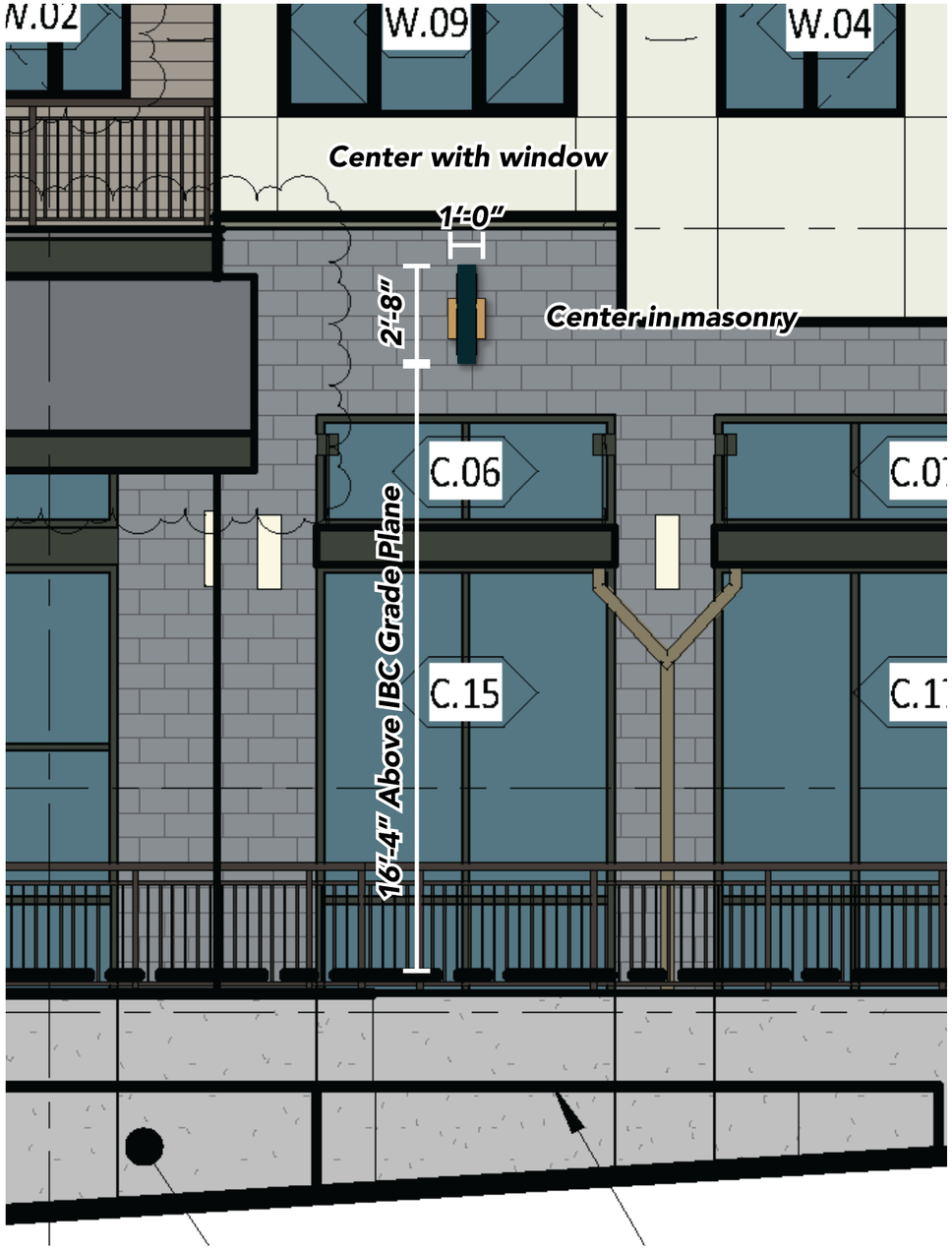
PAGE SCALE
As Noted

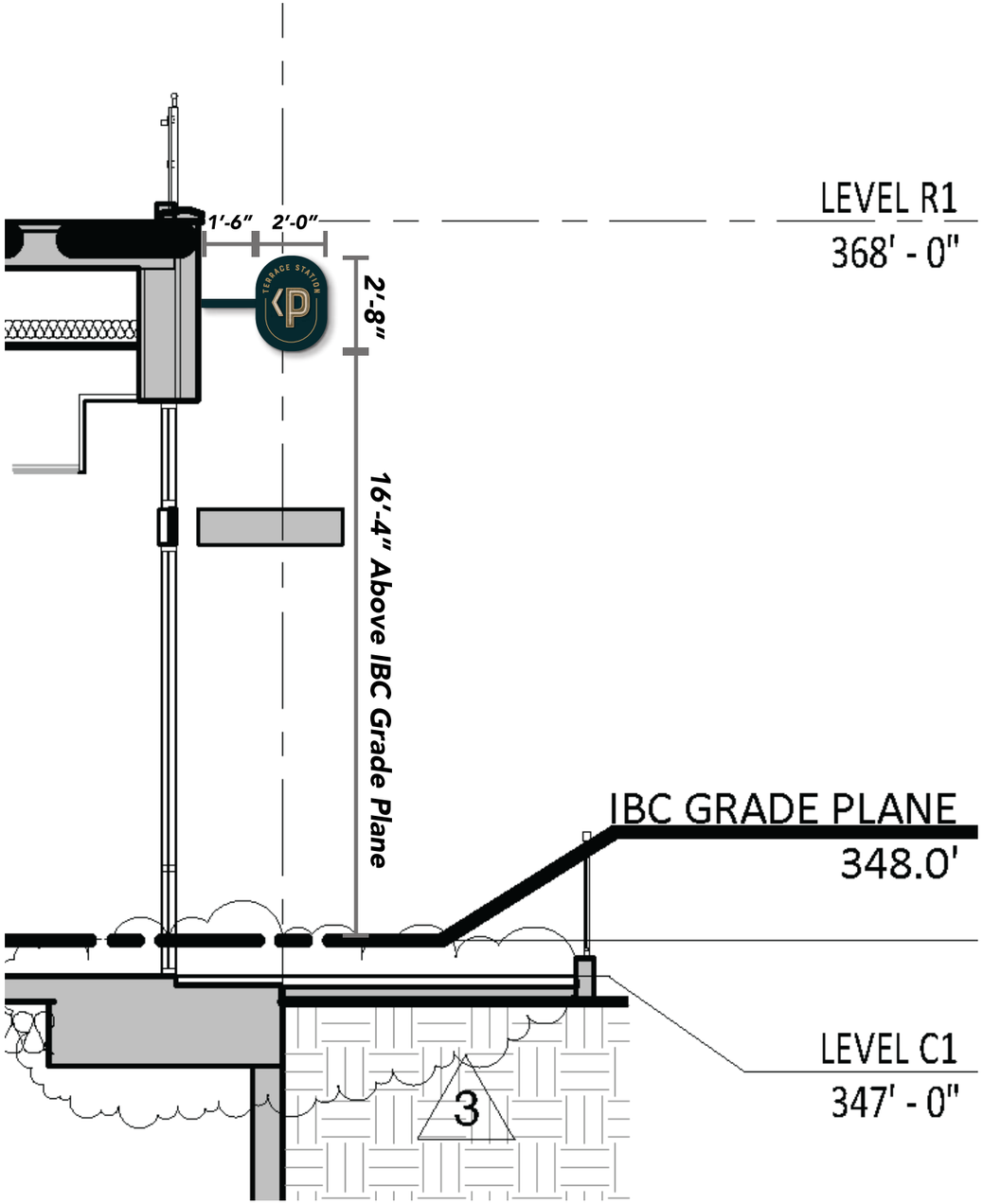
PAGE #
43

B1-S07 - ELEVATIONS

Sign Area: 5.3 Square Feet



B1 East Elevation



B1 East/West Section 2 Looking North

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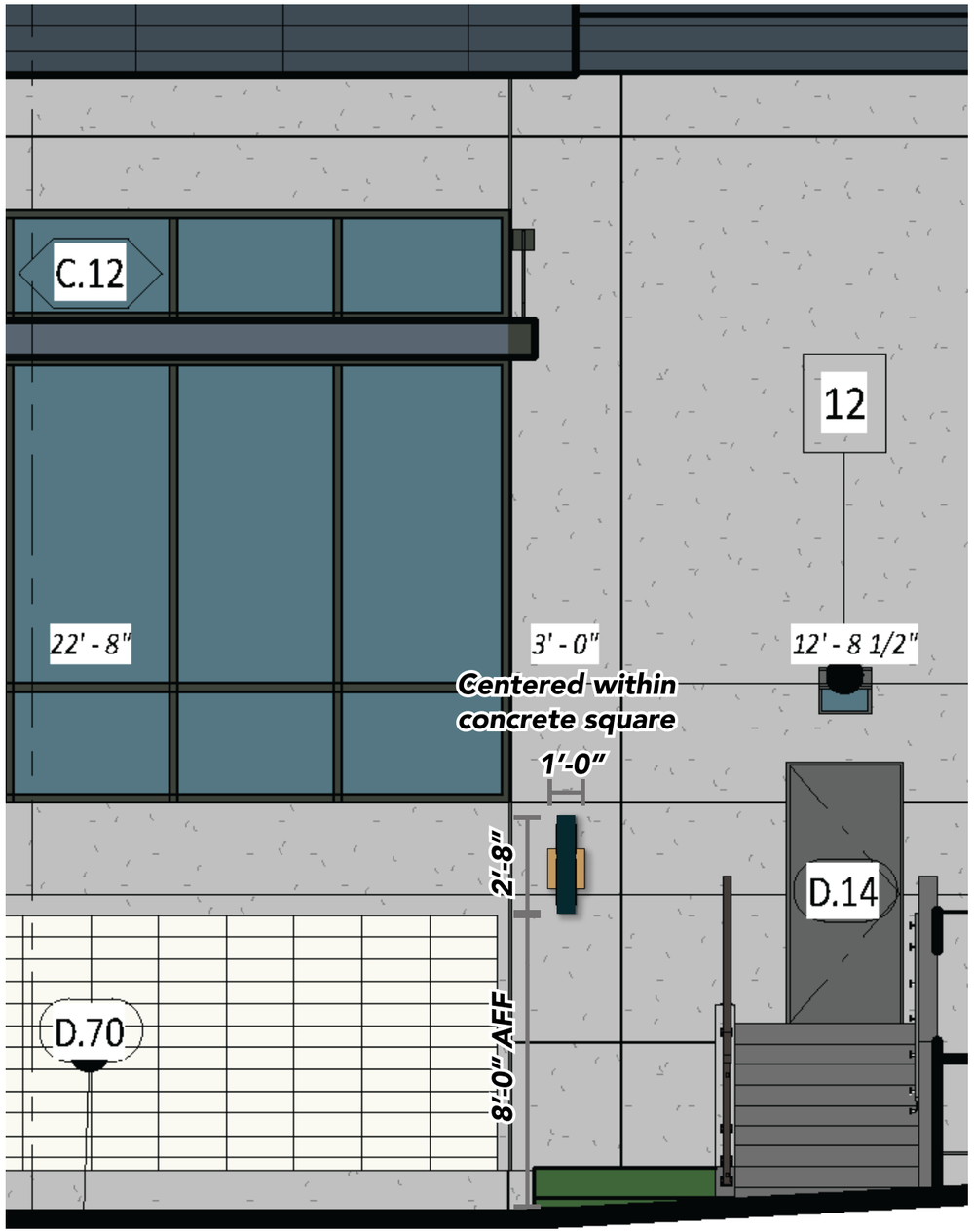
V15	

PAGE SCALE
1/4" = 1'-0"

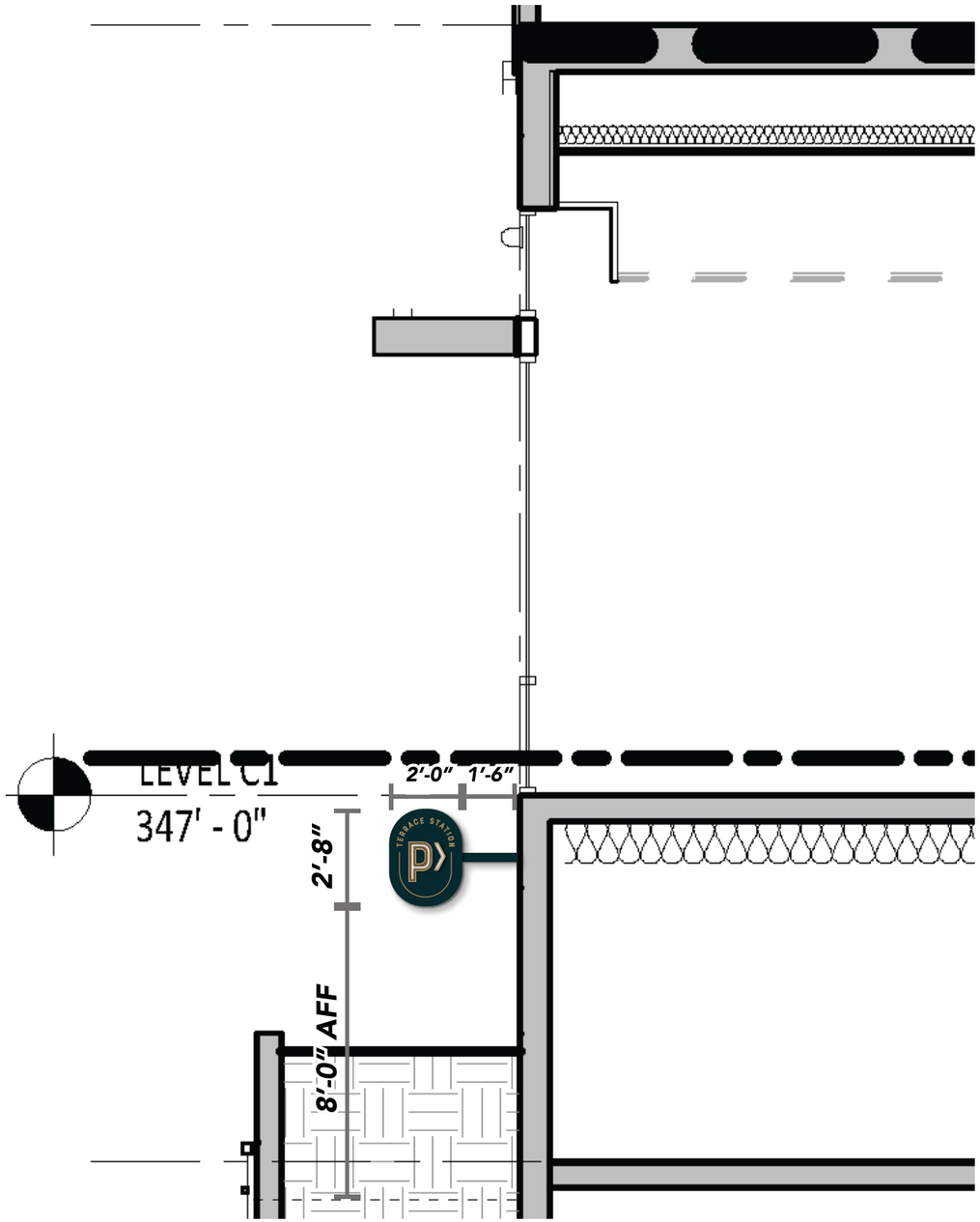
PAGE #
44

B1-S08 - ELEVATIONS

Sign Area: 5.3 Square Feet



B1 South Elevation



B1 North/South Section Looking West

A DESIGN STUDIO

MAIN CONTACT
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360.929.3077

CREATIVE
Brody Lund
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PROJECT NAME
Terrace Station

PROJECT #
20-004

ADDRESS
24000 Van Ry Blvd
Mountlake Terrace, WA 98043

DATE
08/05/20

VERSION NOTES

V1	07/14 Concept design
V2	07/31 Revise signs
V3	08/06 Revise signs
V4	08/22 Revise signs
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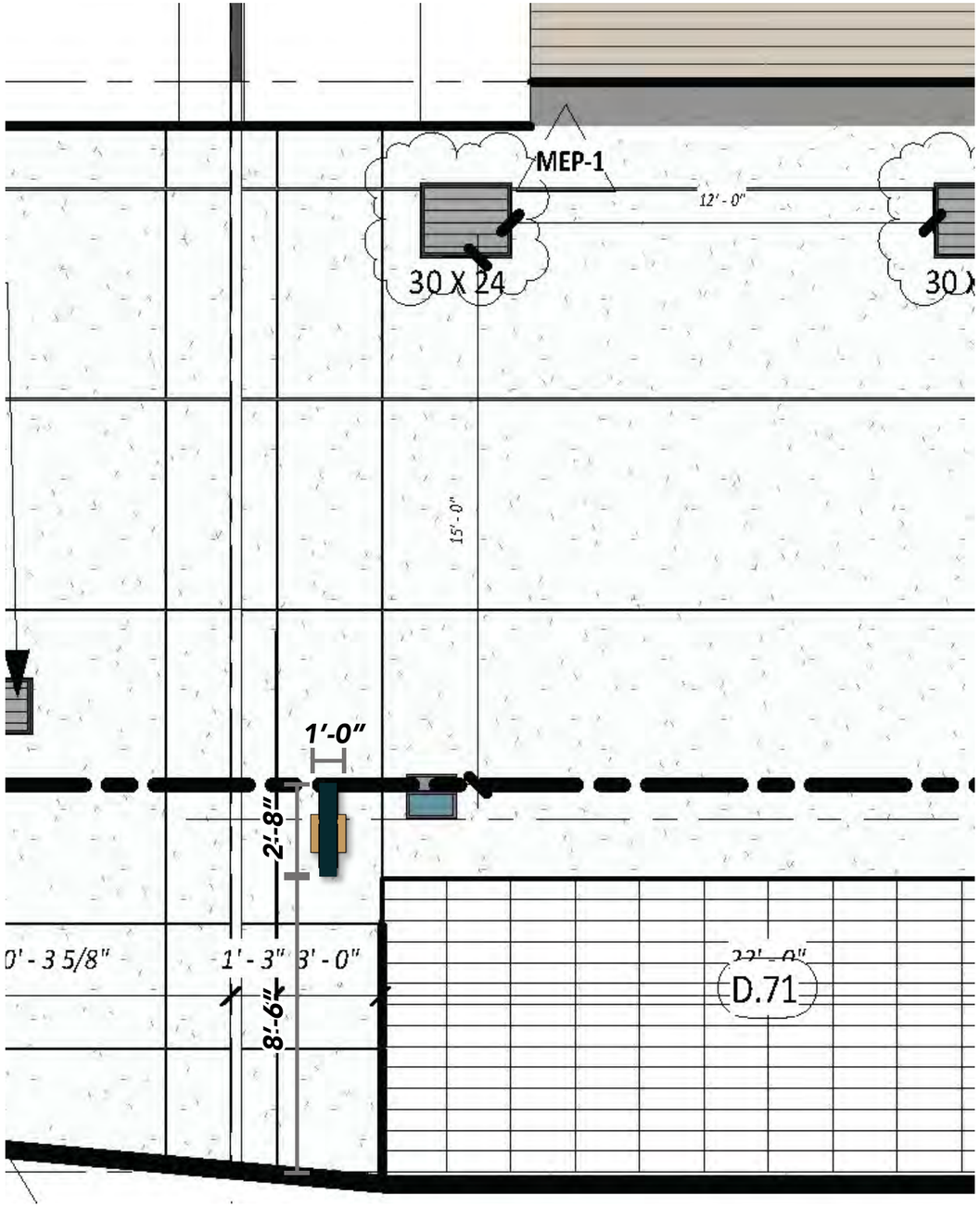
V7	01/02 Revise signs
V8	02/20 Revise all concepts & signs
V9	02/24 Revise signs
V10	03/19 Add signs, revise narrative
V11	05/19 Add/revise signs, revise all B3
V12	05/22 Revise B3 & directional signs
V13	06/02 Revise B1 canopy details
V14	08/05 Revise per city comments
V15	

PAGE SCALE
1/4" = 1'-0"

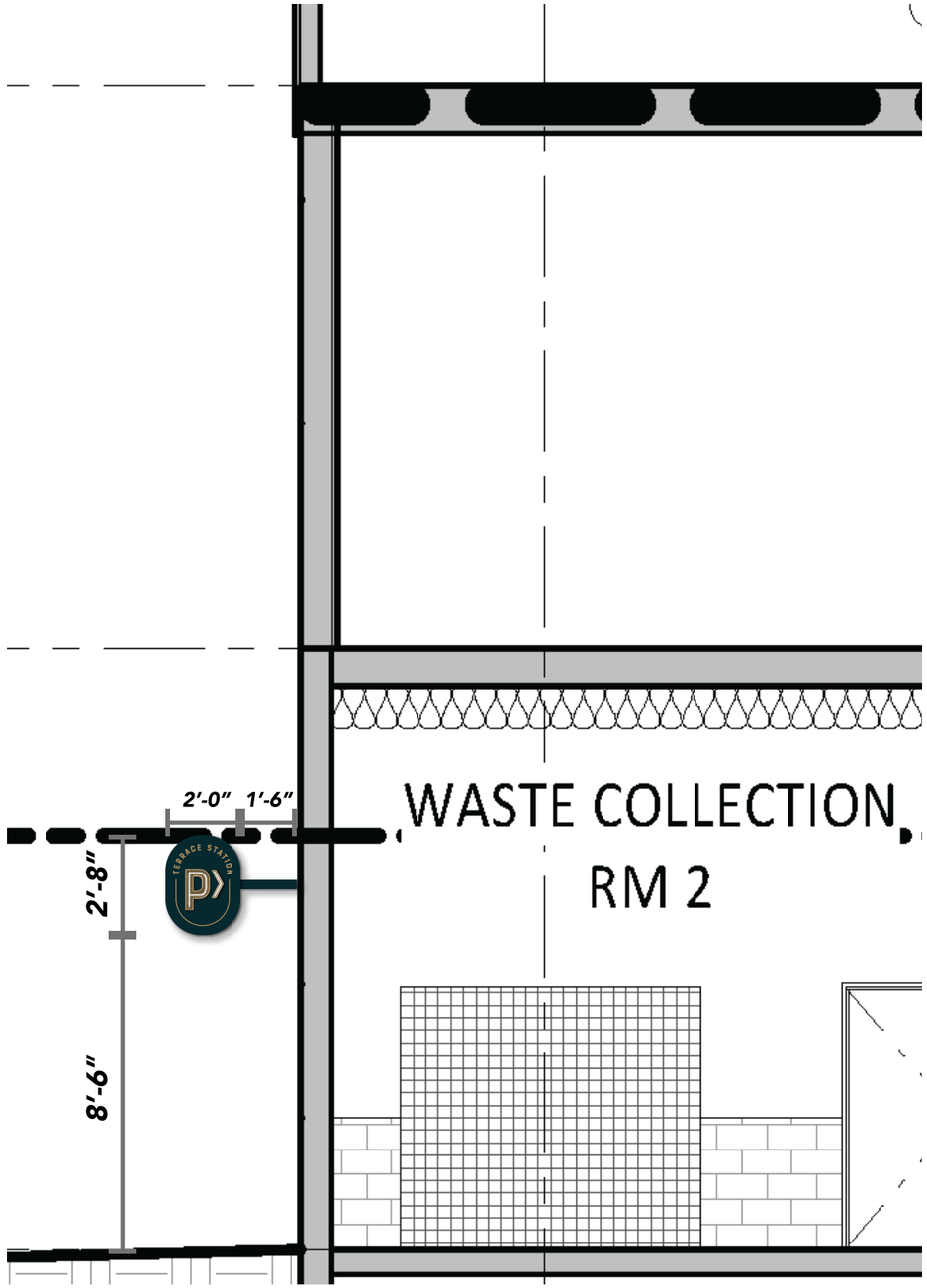
PAGE #
45

B1-S09 - ELEVATIONS

Sign Area: 5.3 Square Feet



B1 West Elevation



B1 East/West Section 1 Looking North

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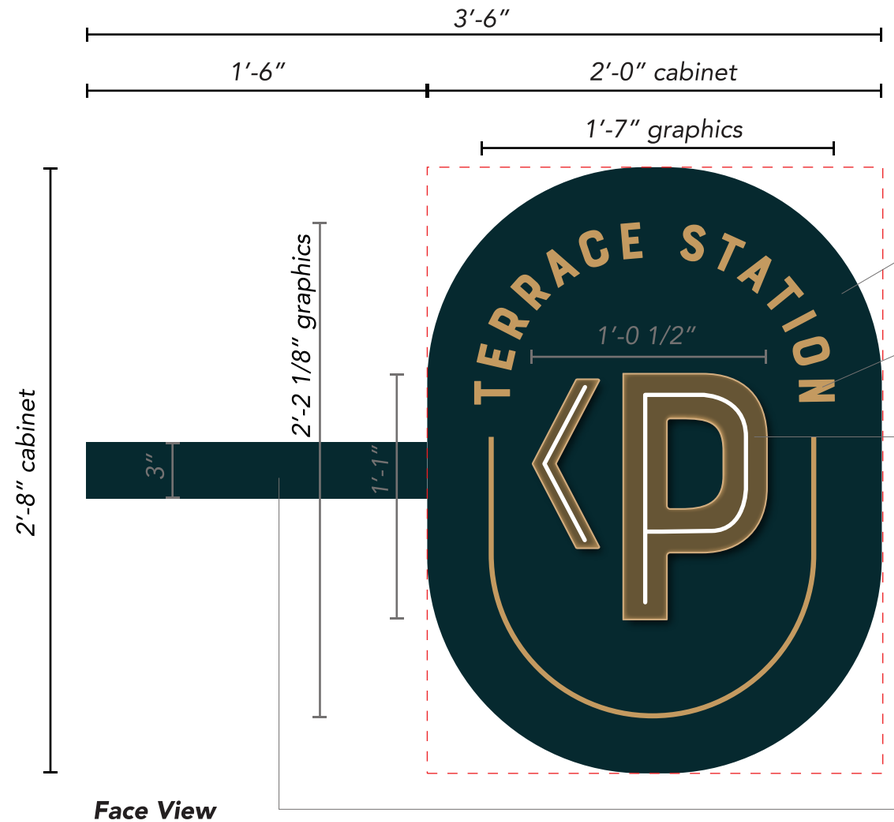
V15	

PAGE SCALE
1/4" = 1'-0"

PAGE #
46

B1-S07, B1-S08 & B1-S09 - DETAILS



Face View

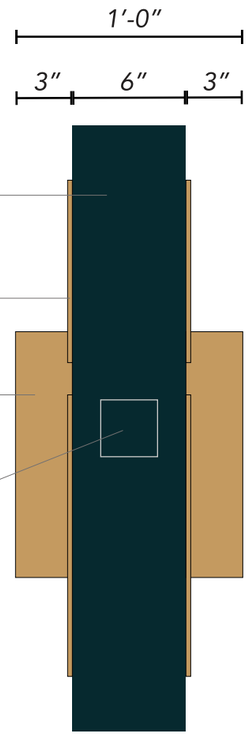
6″ deep fabricated alum. cabinet. Faces and returns painted navy, satin finish. Removable faces.

1/4″ clear acrylic push through graphics with gold translucent vinyl applied to faces. Illuminate with white LEDs.

3″ Alum. open pan channel graphics. Paint faces and returns gold. 8mm white single tube neon.

3″ alum. square tube arm. Paint navy, satin finish.

Attach with 3/8″ x 8″ x 8″ square tube knife plate.



End View

Signs B1-S07, B1-S08 & B1-S09: *Manufacture & install (3) double face illuminated blade signs with neon open pan channel graphics.*

Sign Area: 5.3 Square Feet

CLIENT TO PROVIDE
20 AMP / 120 VOLT
DEDICATED SIGN CIRCUIT WITHIN
6 FT OF SIGN LOCATION

Reverse Face View (NTS)

A DESIGN STUDIO

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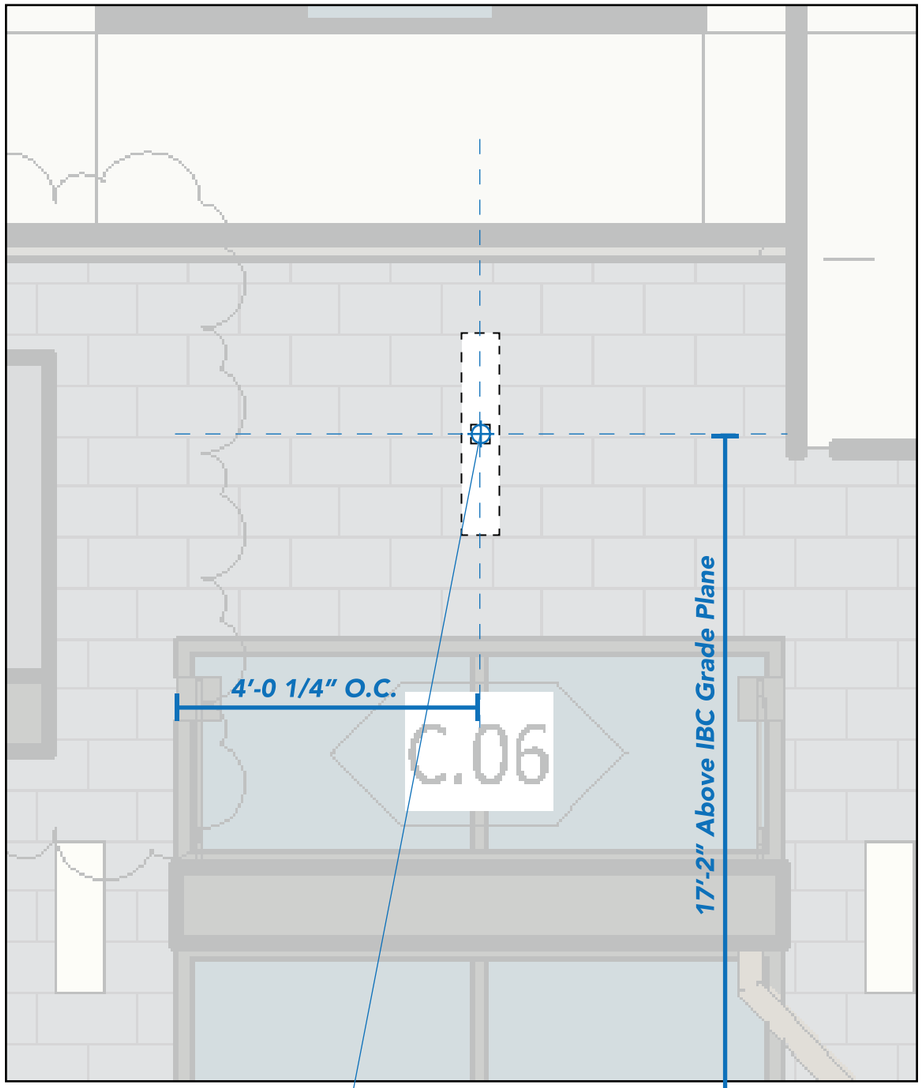
V15	

PAGE SCALE
1 1/2″ = 1′-0″

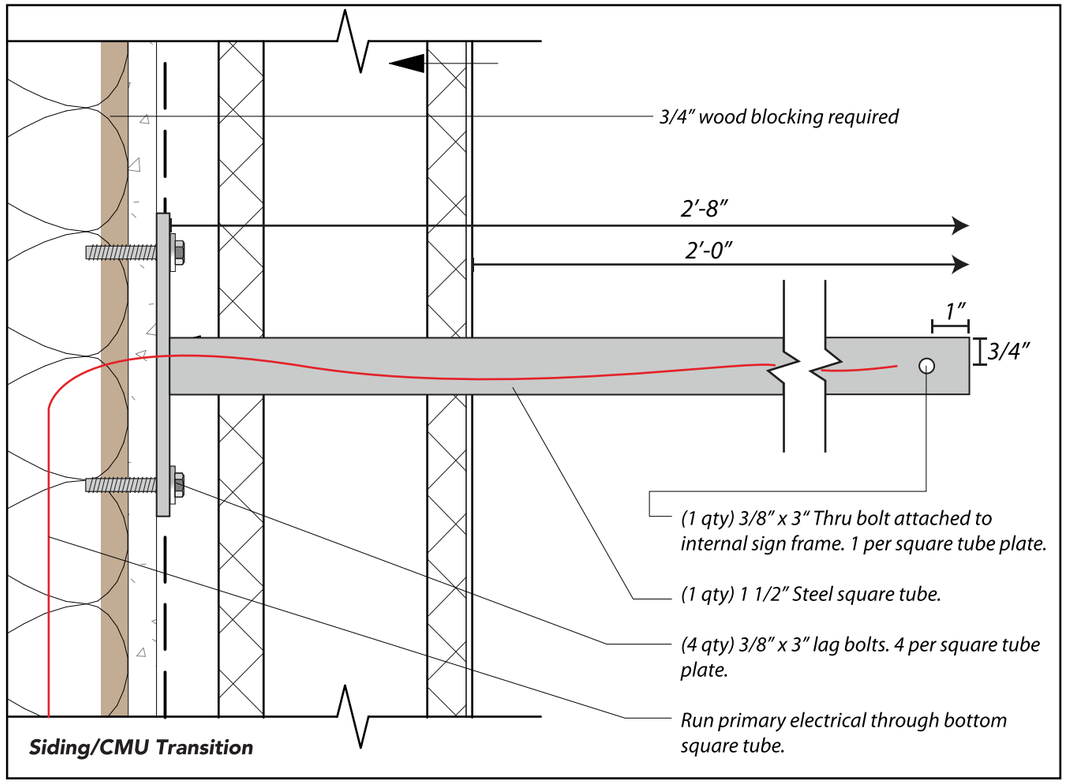
PAGE #
47

B1-S07 - ATTACHMENT DETAILS

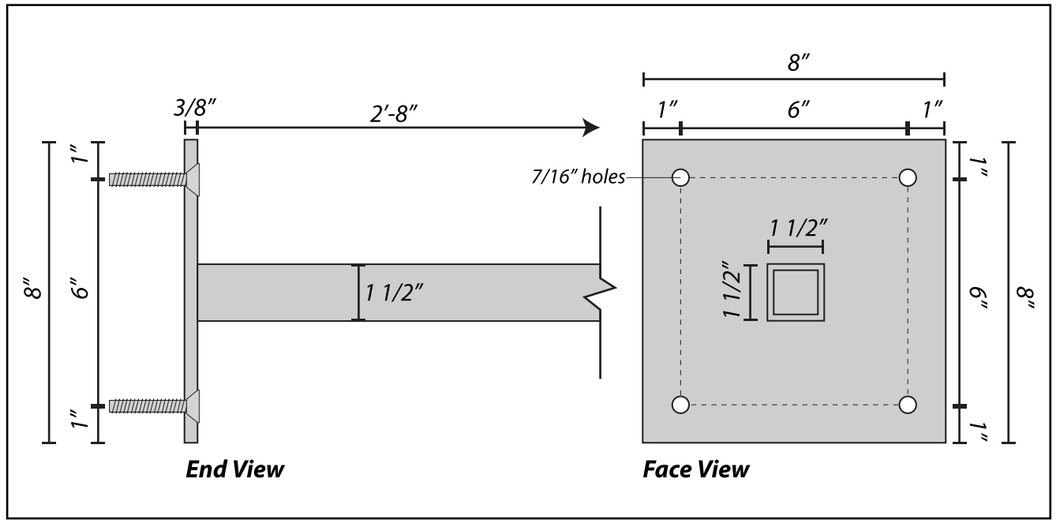


B1 East Elevation
Scale: 1/2"=1'-0"

Primary Electrical Location
Client to provide 20 Amp / 120 Volt dedicated circuit to sign location



Knife Plate Install Detail
Scale: 3"=1'-0"



3/8" x 8" x 8" Steel Square Tube Plate Detail
Scale: 3"=1'-0"

A DESIGN STUDIO

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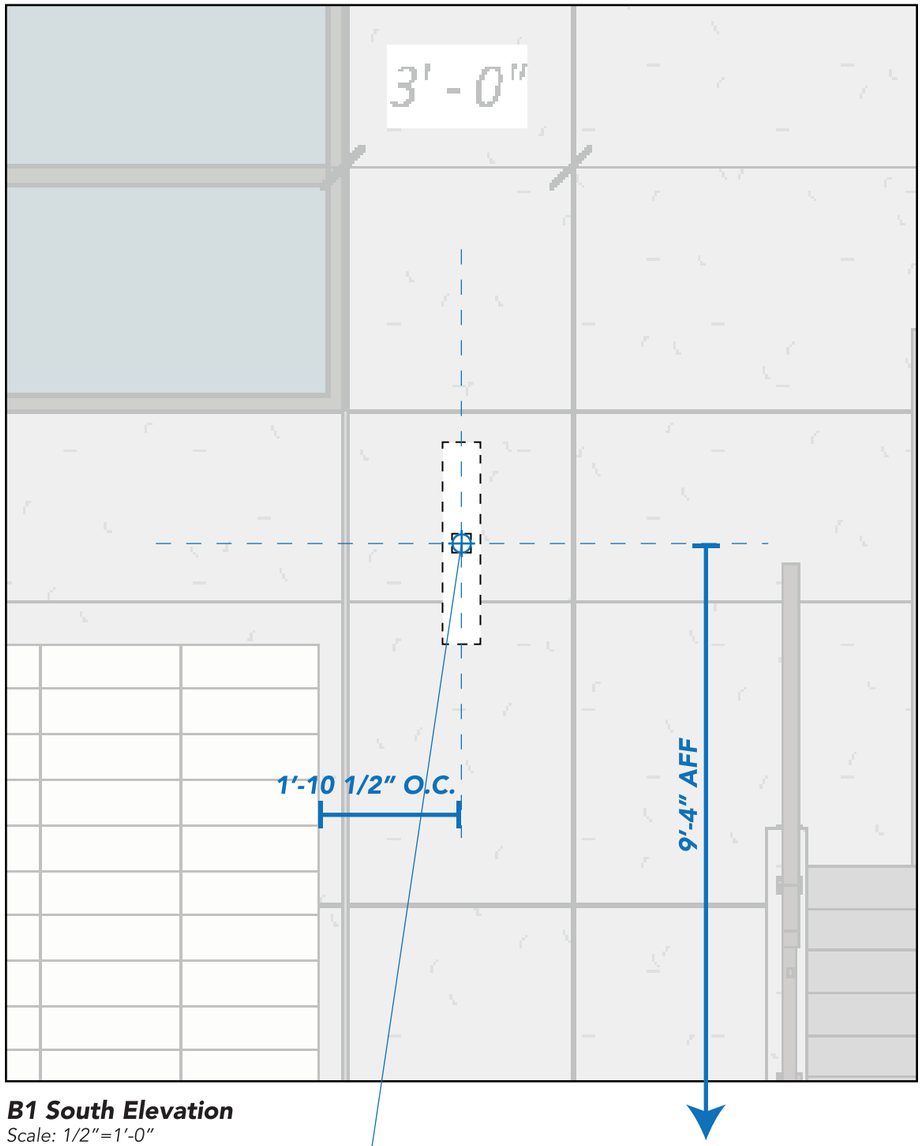
V15	

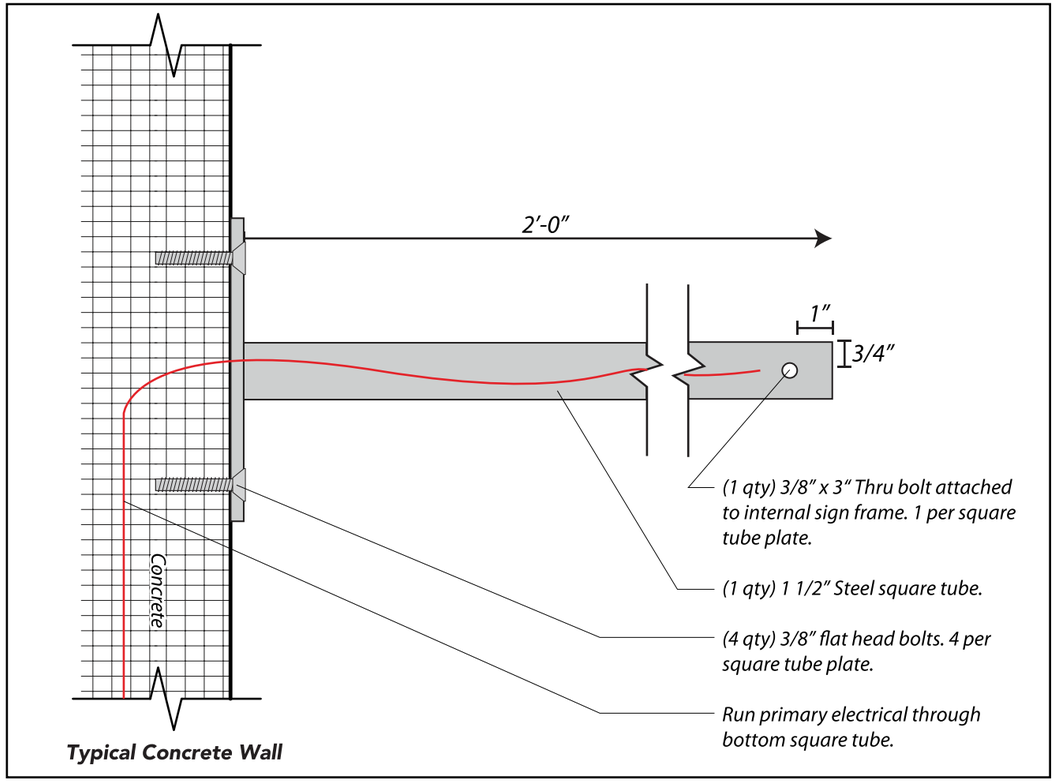
PAGE SCALE
As Noted

PAGE #
48

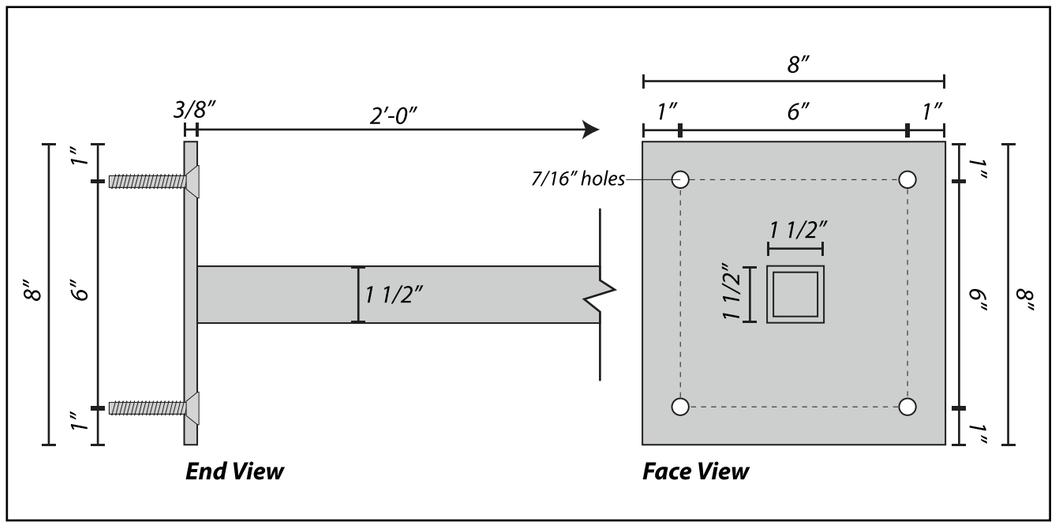
B1-S08 - ATTACHMENT DETAILS



B1 South Elevation
Scale: 1/2"=1'-0"



Square Tube Plate Install Detail
Scale: 3"=1'-0"



3/8" x 8" x 8" Steel Square Tube Plate Detail
Scale: 3"=1'-0"

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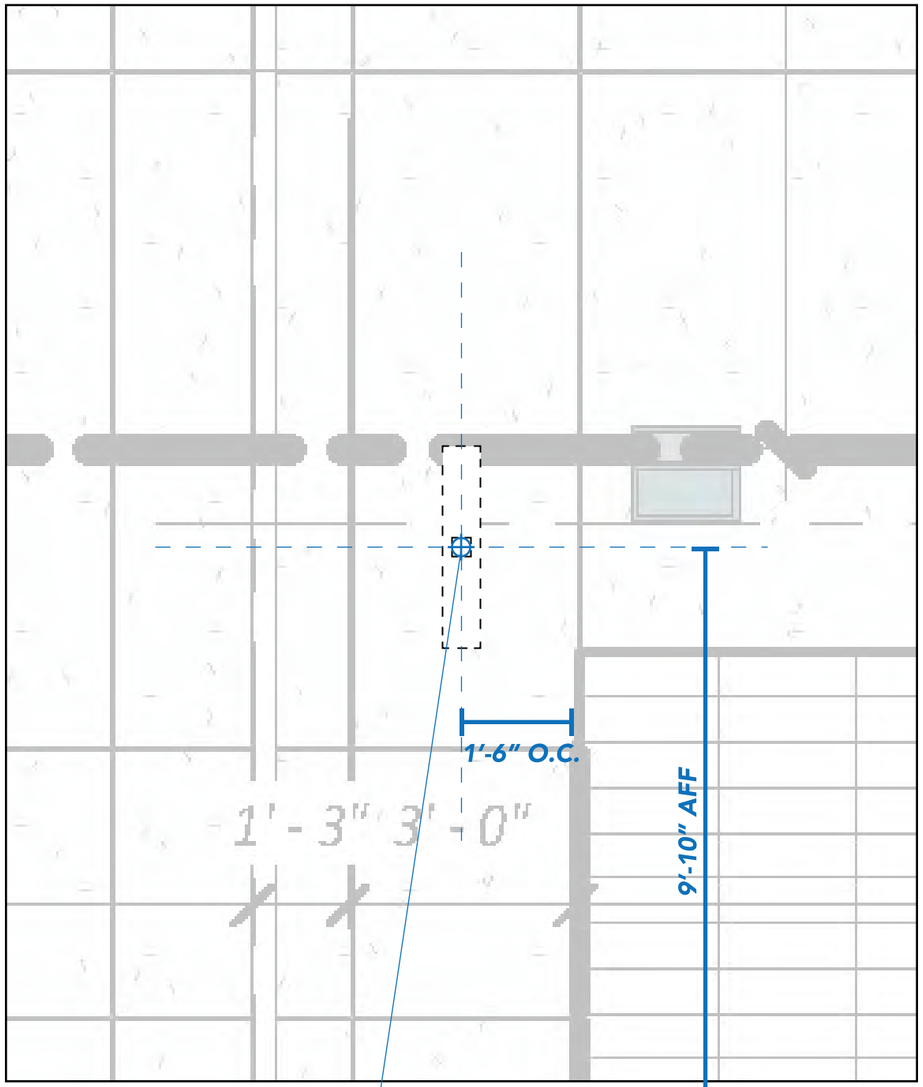
V14	08/05 Revise per city comments
V15	

PAGE SCALE
As Noted

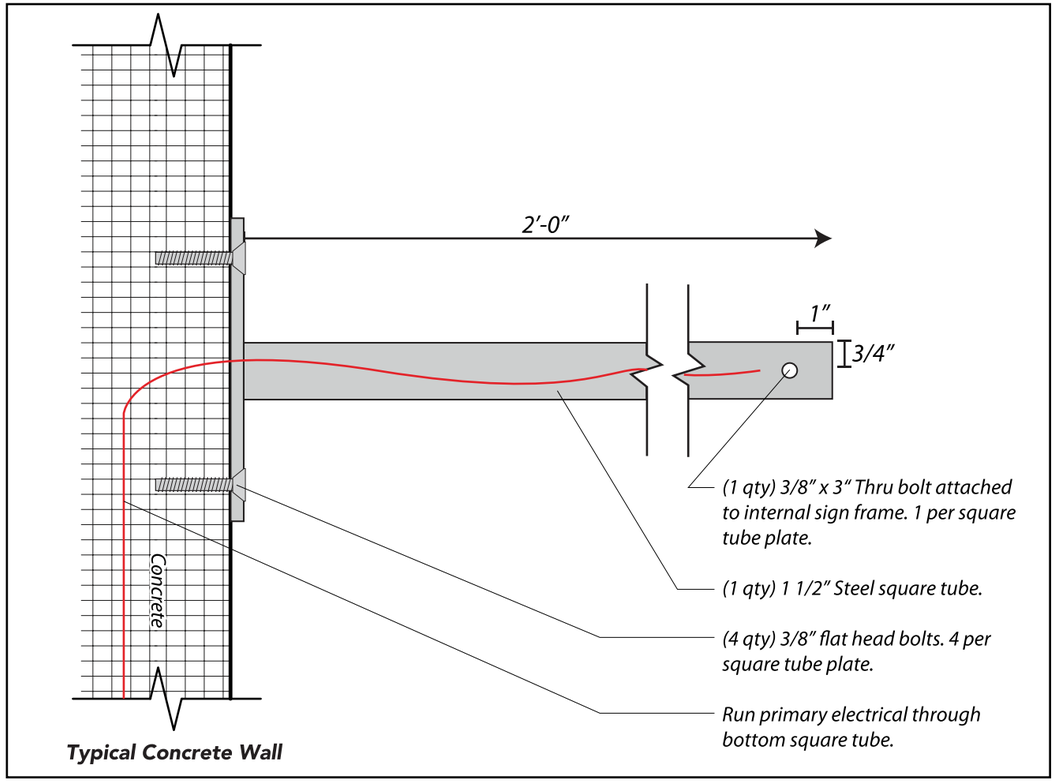
PAGE #
49

B1-S09 - ATTACHMENT DETAILS

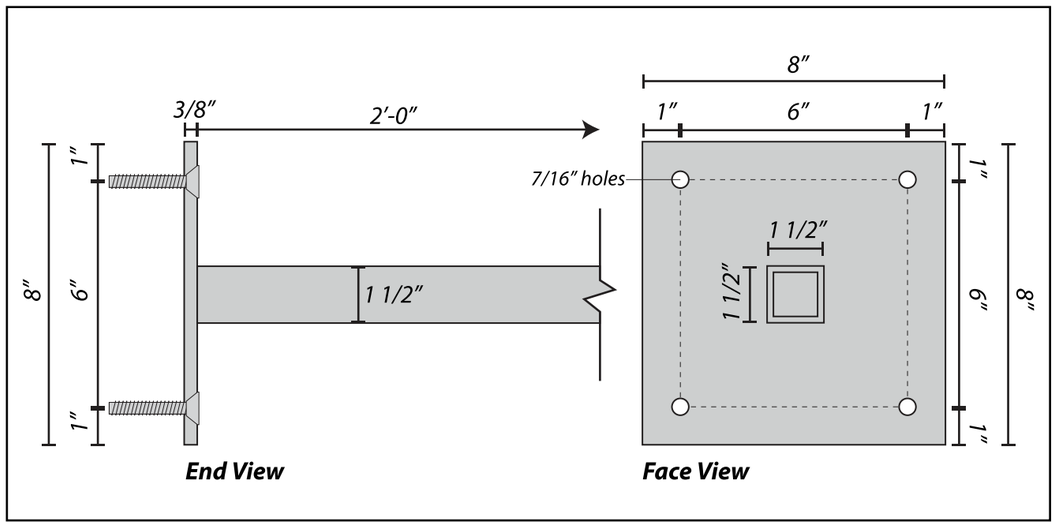


B1 West Elevation
Scale: 1/2"=1'-0"

Primary Electrical Location
Client to provide 20 Amp / 120 Volt dedicated circuit to sign location



Square Tube Plate Install Detail
Scale: 3"=1'-0"



3/8" x 8" x 8" Steel Square Tube Plate Detail
Scale: 3"=1'-0"

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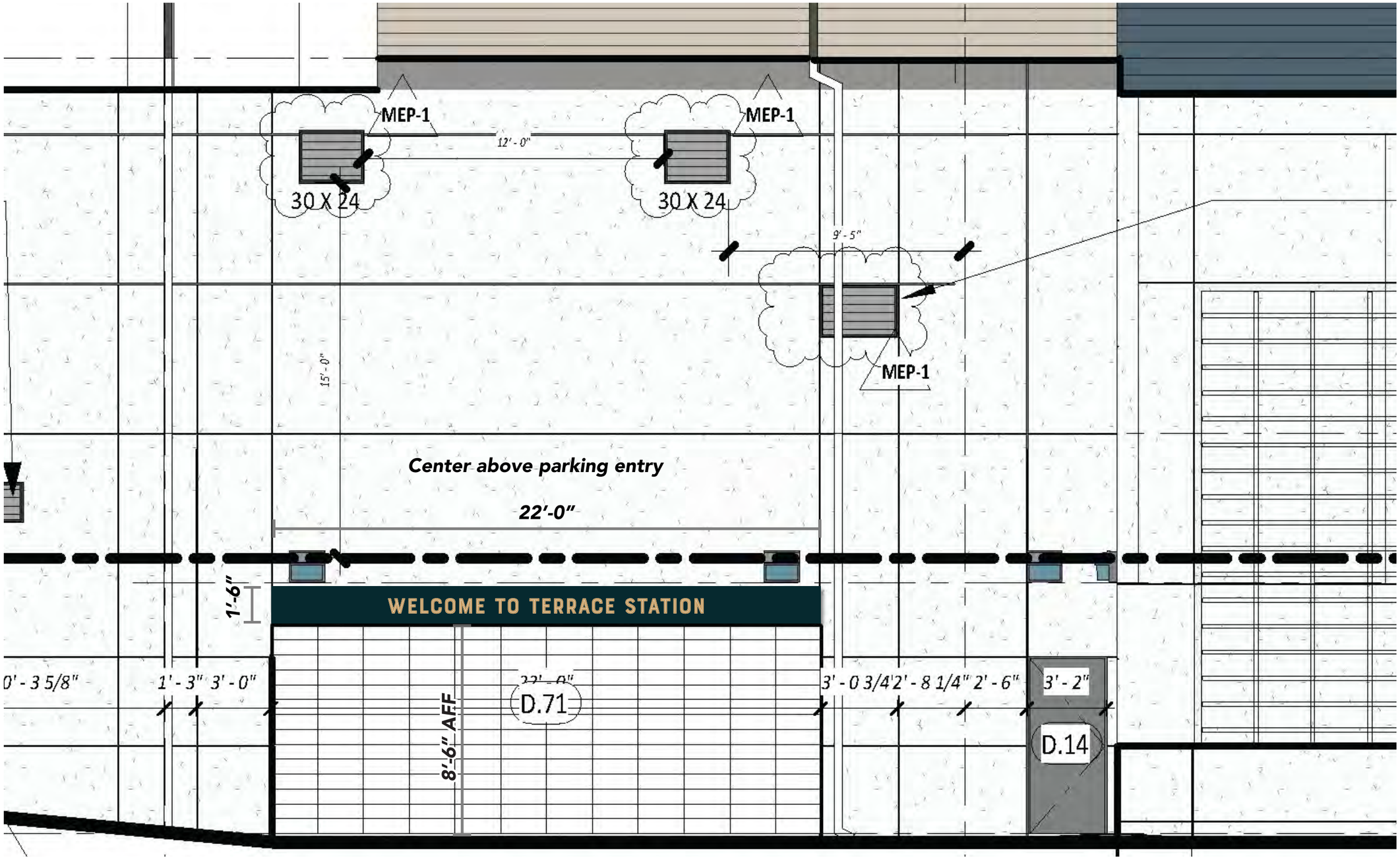
V15	

PAGE SCALE
As Noted

PAGE #
50

B1-S09.1 - ELEVATIONS

Sign Area: 33.0 Square Feet



B1 West Elevation

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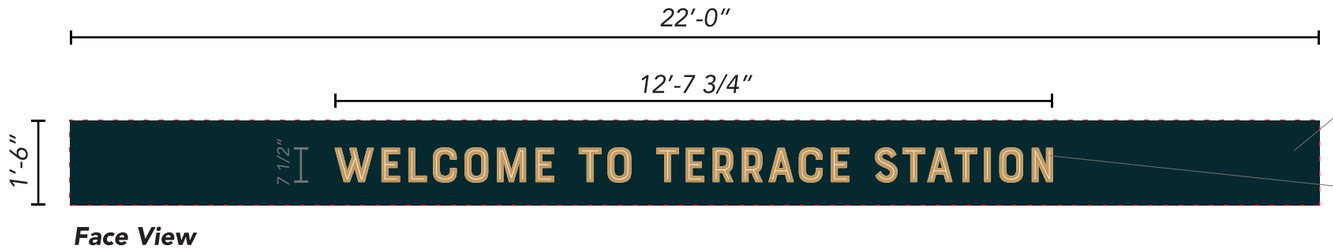
V15	

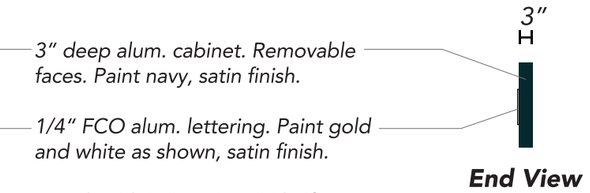
PAGE SCALE
1/4" = 1'-0"

PAGE #
51

B1-S09.1 - DETAILS



Face View



End View

Sign B1-S09.1: *Manufacture & install (1) single face non-illuminated wall sign with FCO graphics.*

Sign Area: 33.0 Square Feet

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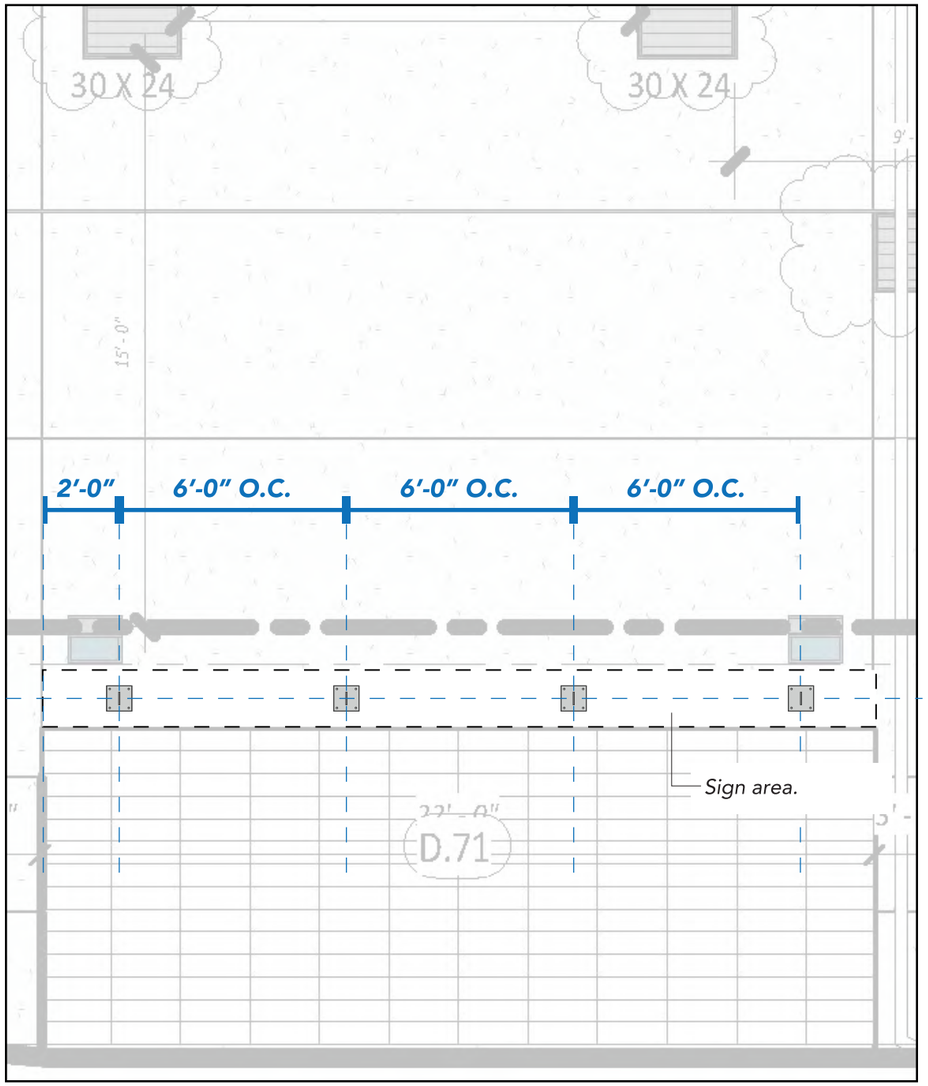
V14	08/05 Revise per city comments
V15	

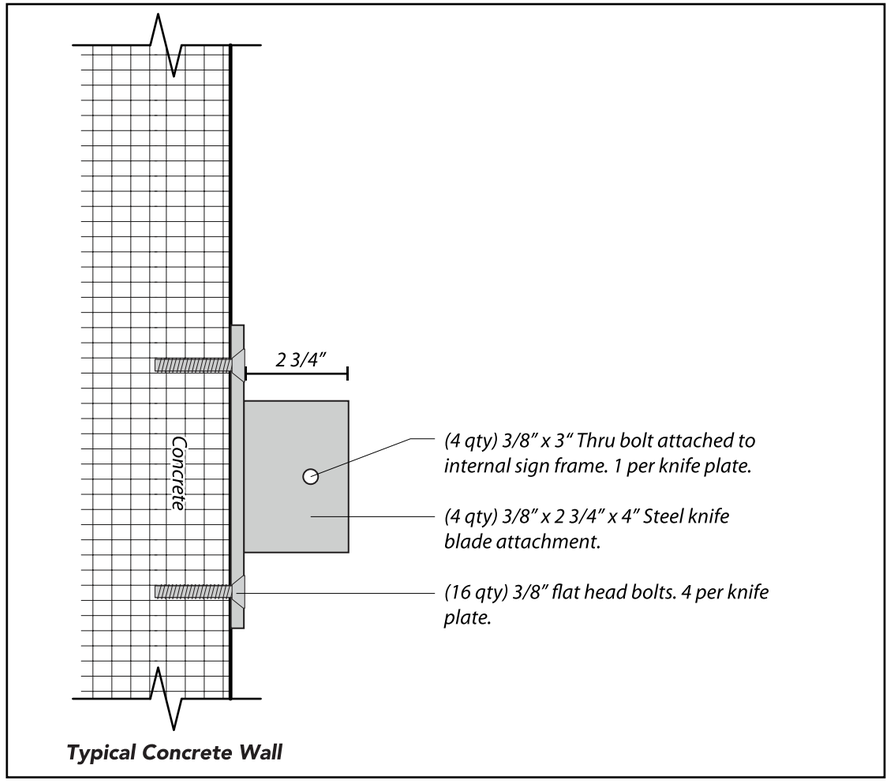
PAGE SCALE
3/8” = 1’-0”

PAGE #
52

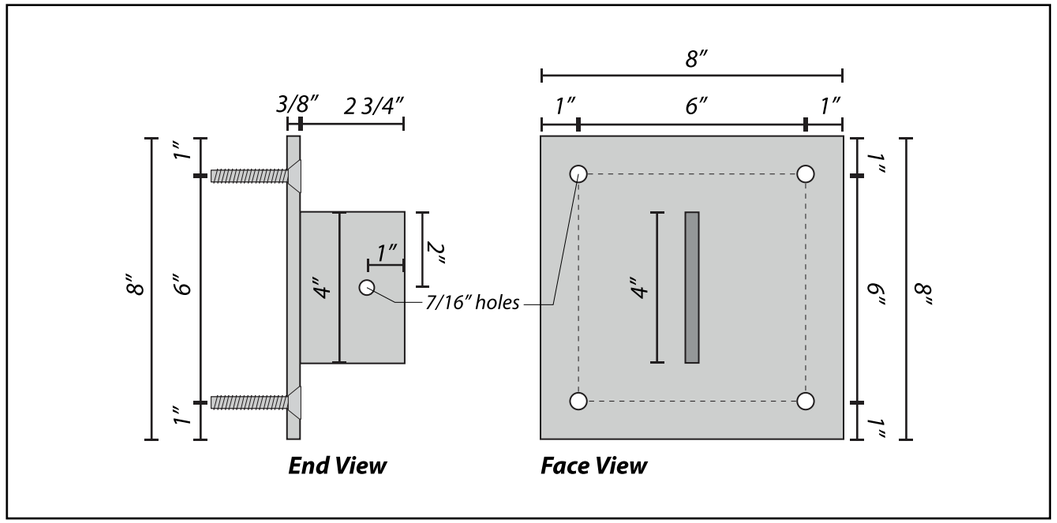
B1-S09.1 - ATTACHMENT DETAILS



B1 West Elevation
Scale: 1/4"=1'-0"



Knife Plate Install Detail
Scale: 3"=1'-0"



3/8" x 8" x 8" Steel Plate Detail
Scale: 3"=1'-0"

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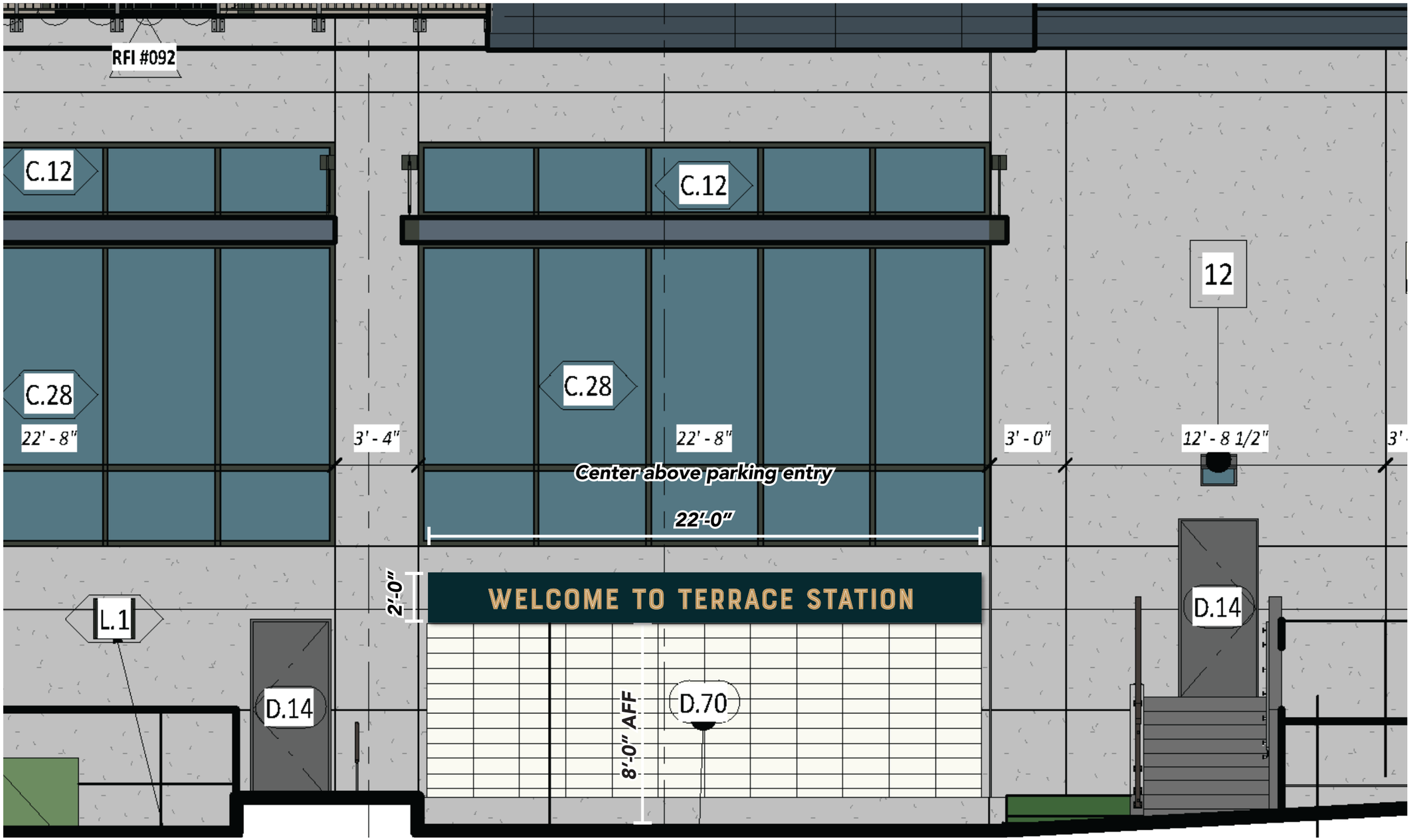
V15	

PAGE SCALE
As Noted

PAGE #
53

B1-S10 - ELEVATIONS

Sign Area: 44.0 Square Feet



B1 South Elevation

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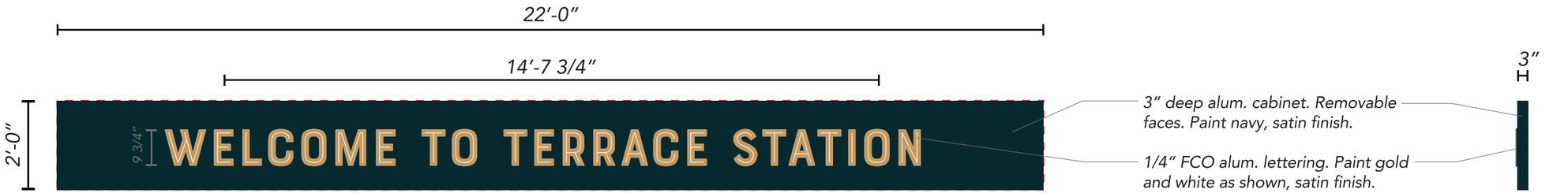
PAGE SCALE
1/4" = 1'-0"

PAGE #
54

B1-S10 - DETAILS



Face View ***End View***

Sign B1-S10: *Manufacture & install (1) single face non-illuminated wall sign with FCO graphics.*

Sign Area: 44.0 Square Feet

A DESIGN STUDIO

MAIN CONTACT
Gracia Mueller
360.929.3077

CREATIVE
Brody Lund
425.359.7380

Additional information:
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PROJECT NAME
Terrace Station

PROJECT #
20-004

ADDRESS
24000 Van Ry Blvd
Mountlake Terrace, WA 98043

DATE
08/05/20

VERSION NOTES

V1	07/14 Concept design
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V4	08/22 Revise signs
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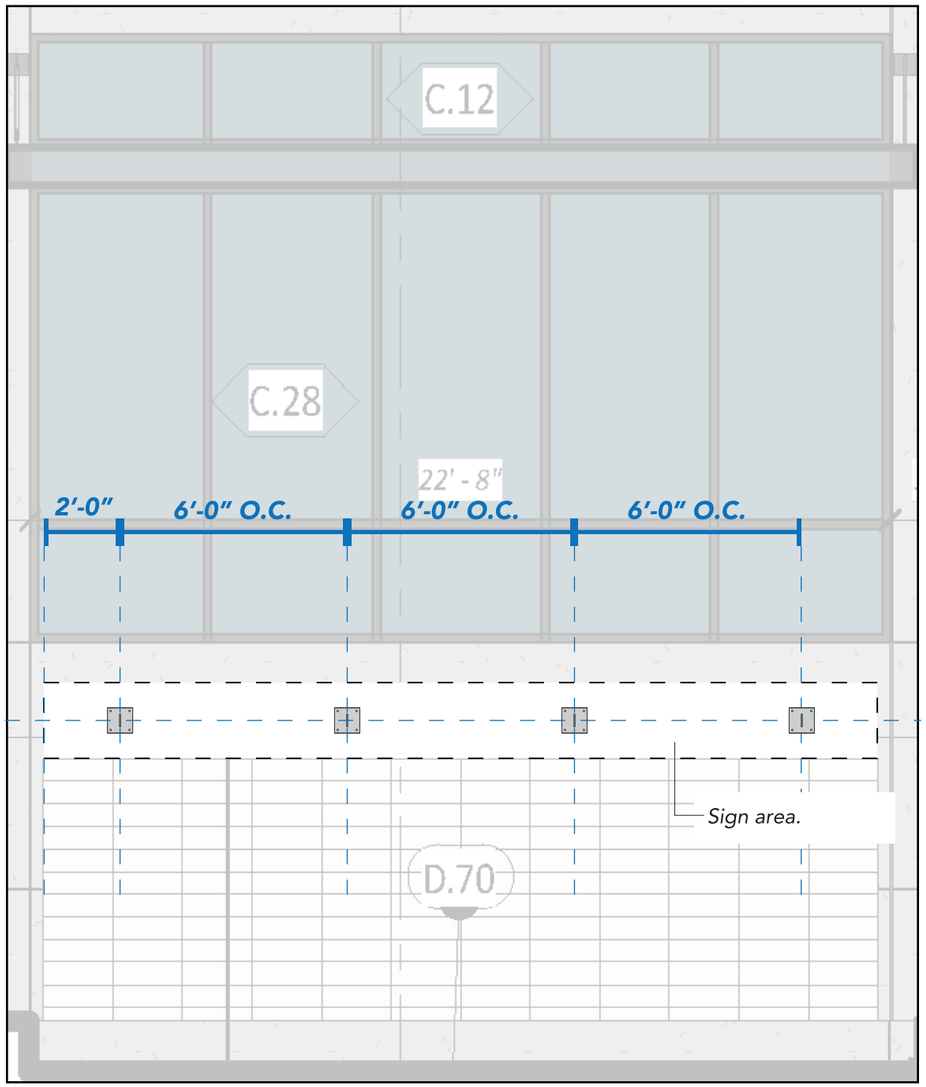
V6	11/19 Revise signs
V7	01/02 Revise signs
V8	02/20 Revise all concepts & signs
V9	02/24 Revise signs
V10	03/19 Add signs, revise narrative
V11	05/19 Add/revise signs, revise all B3
V12	05/22 Revise B3 & directional signs
V13	06/02 Revise B1 canopy details
V14	08/05 Revise per city comments
V15	

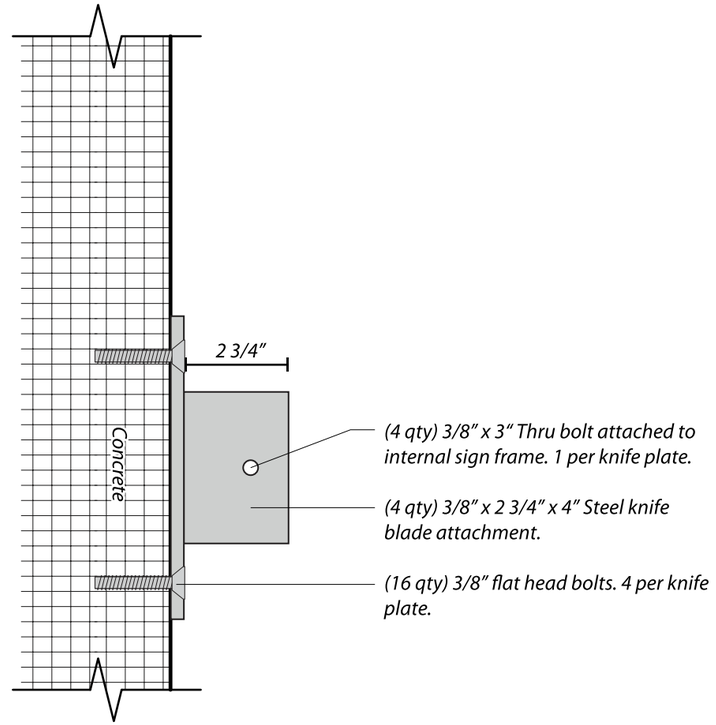
PAGE SCALE
3/8” = 1’-0”

PAGE #
55

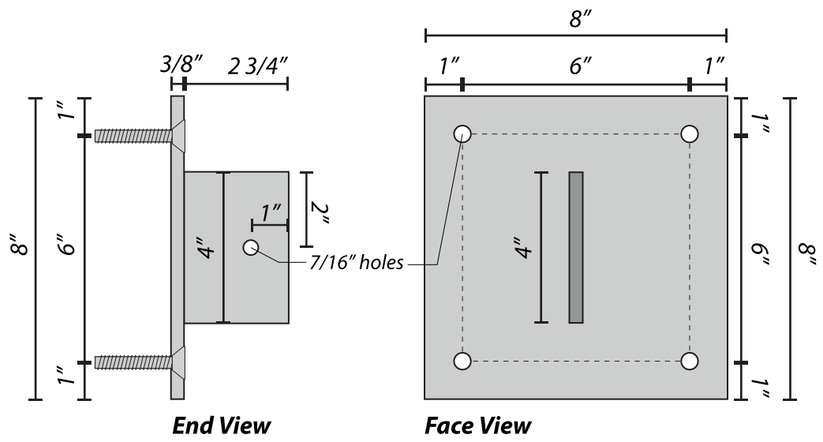
B1-S10 - ATTACHMENT DETAILS



B1 South Elevation
Scale: 1/4"=1'-0"



Knife Plate Install Detail
Scale: 3"=1'-0"



3/8" x 8" x 8" Steel Plate Detail
Scale: 3"=1'-0"

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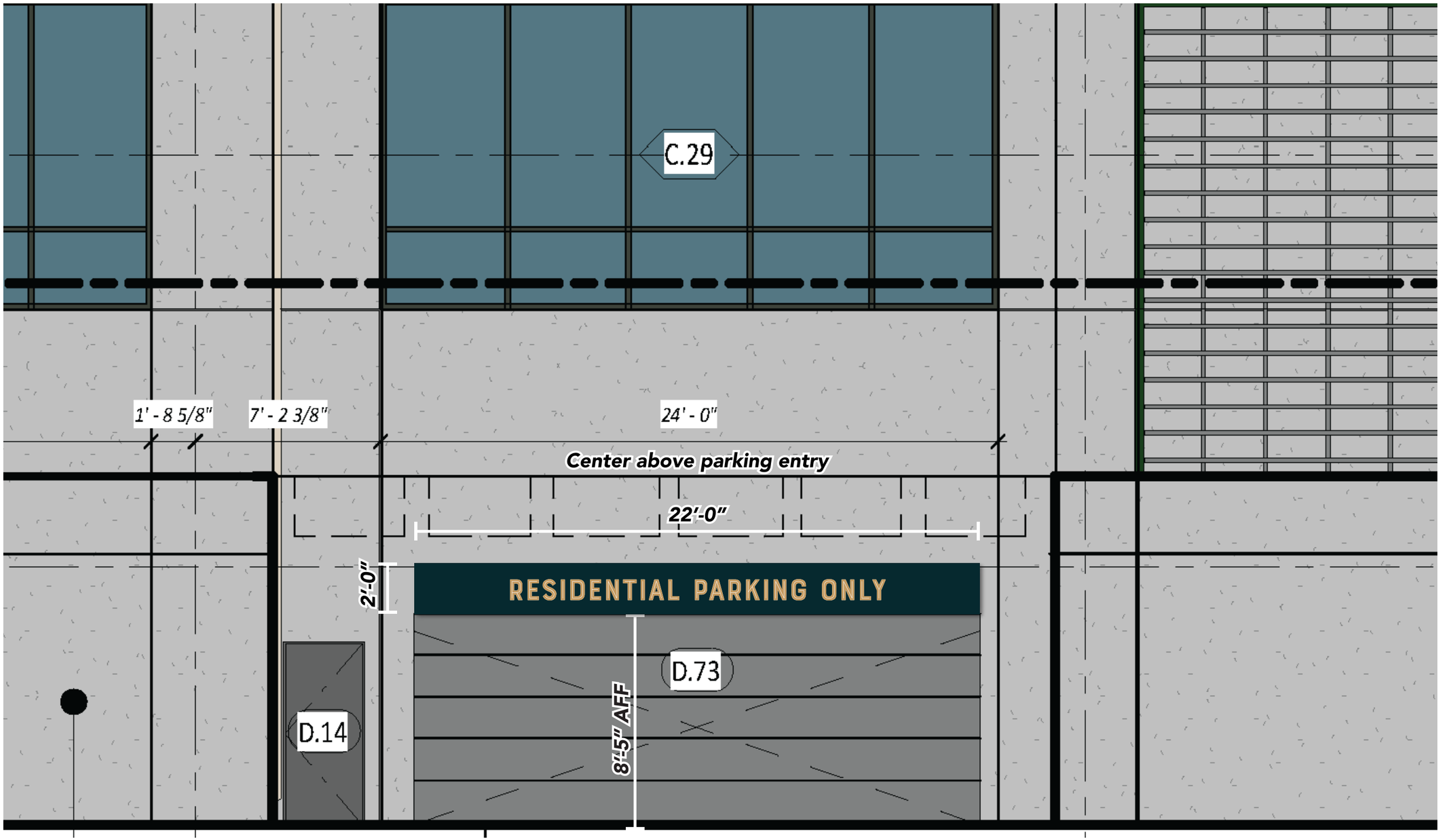
V13	06/02 Revise B1 canopy details
V14	08/05 Revise per city comments
V15	

PAGE SCALE
As Noted

PAGE #
56

B1-S11 - ELEVATIONS

Sign Area: 44.0 Square Feet



B1 West Elevation

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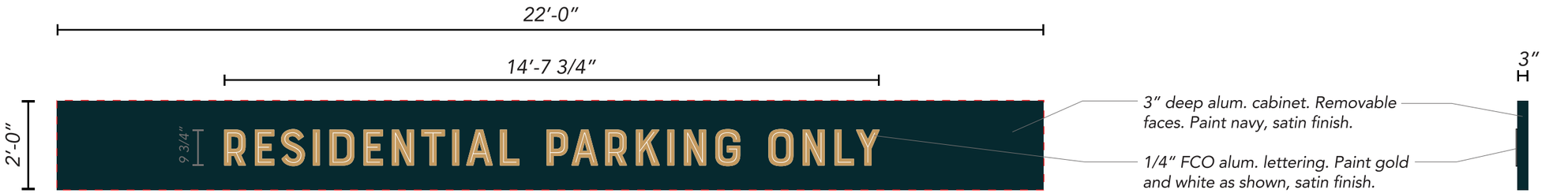
V14	08/05 Revise per city comments
V15	

PAGE SCALE
1/4" = 1'-0"

B1-S11 - DETAILS



Face View ***End View***

Sign B1-S11: *Manufacture & install (1) single face non-illuminated wall sign with FCO graphics.*

Sign Area: 44.0 Square Feet

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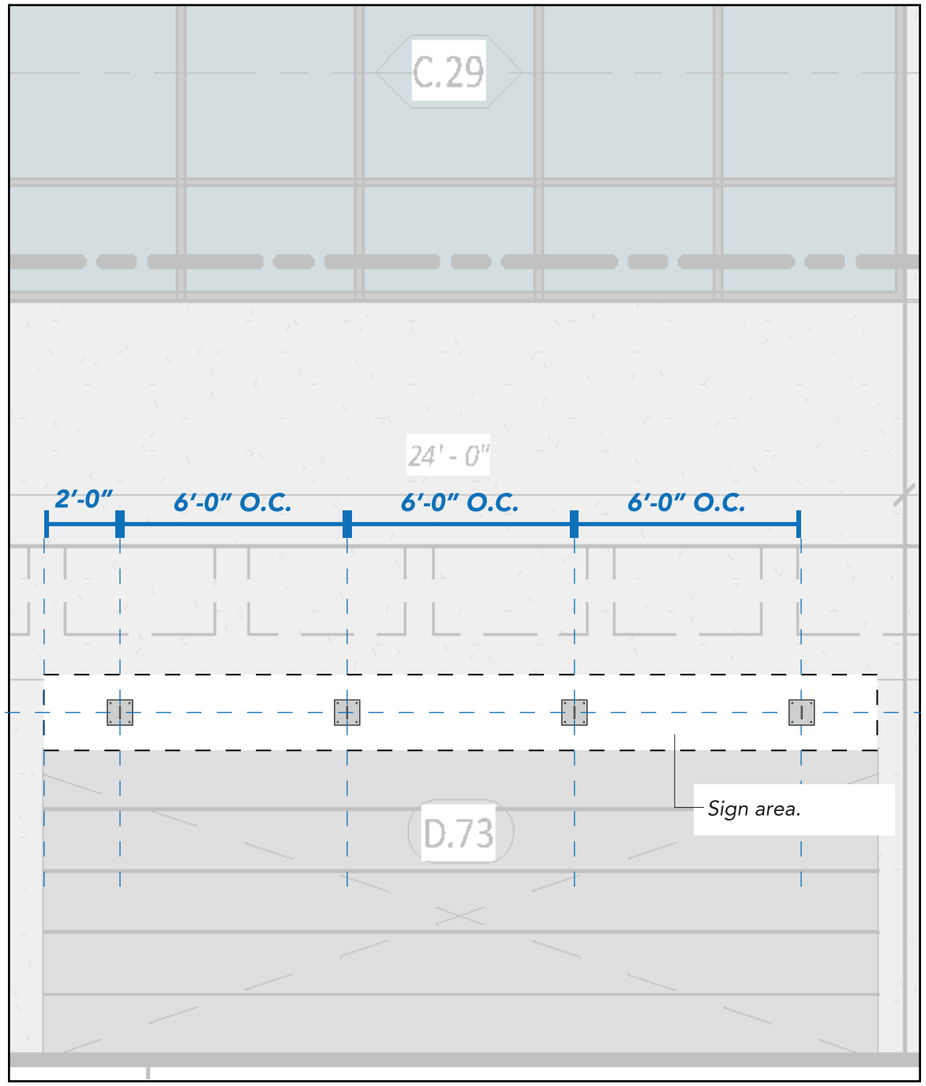
V15	

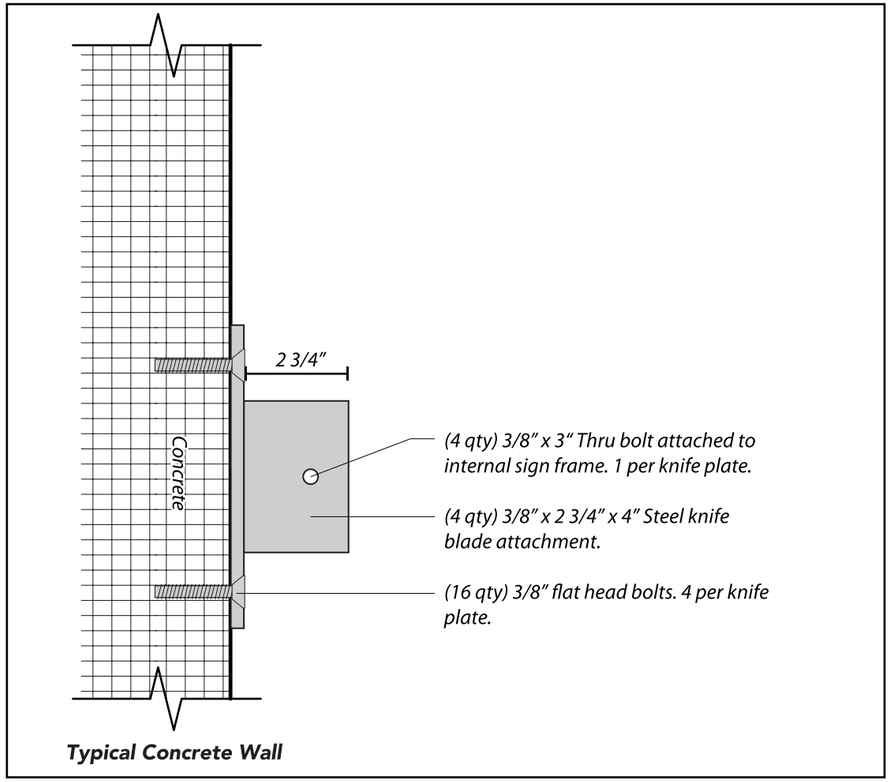
PAGE SCALE
3/8” = 1’-0”

PAGE #
58

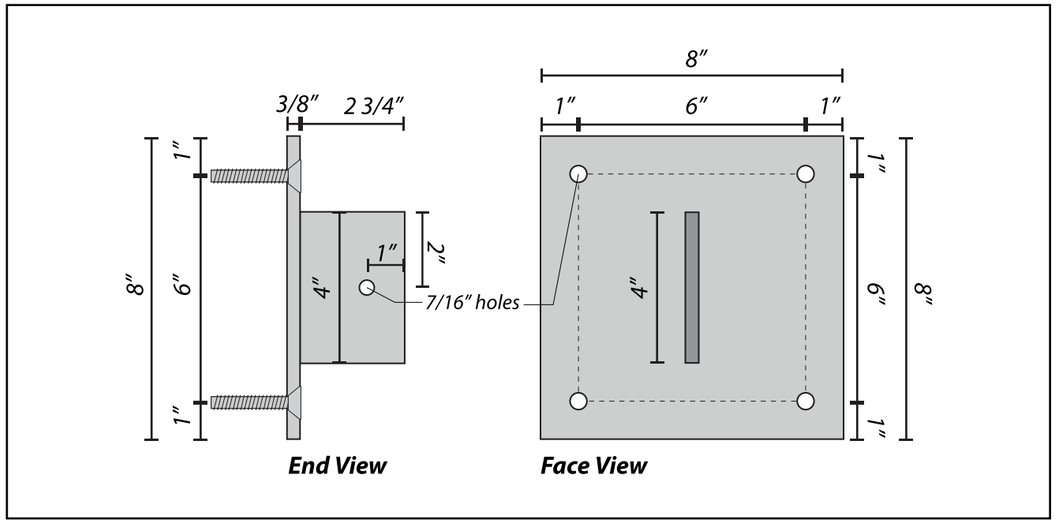
B1-S11 - ATTACHMENT DETAILS



B1 West Elevation
Scale: 1/4"=1'-0"



Knife Plate Install Detail
Scale: 3"=1'-0"



3/8" x 8" x 8" Steel Plate Detail
Scale: 3"=1'-0"

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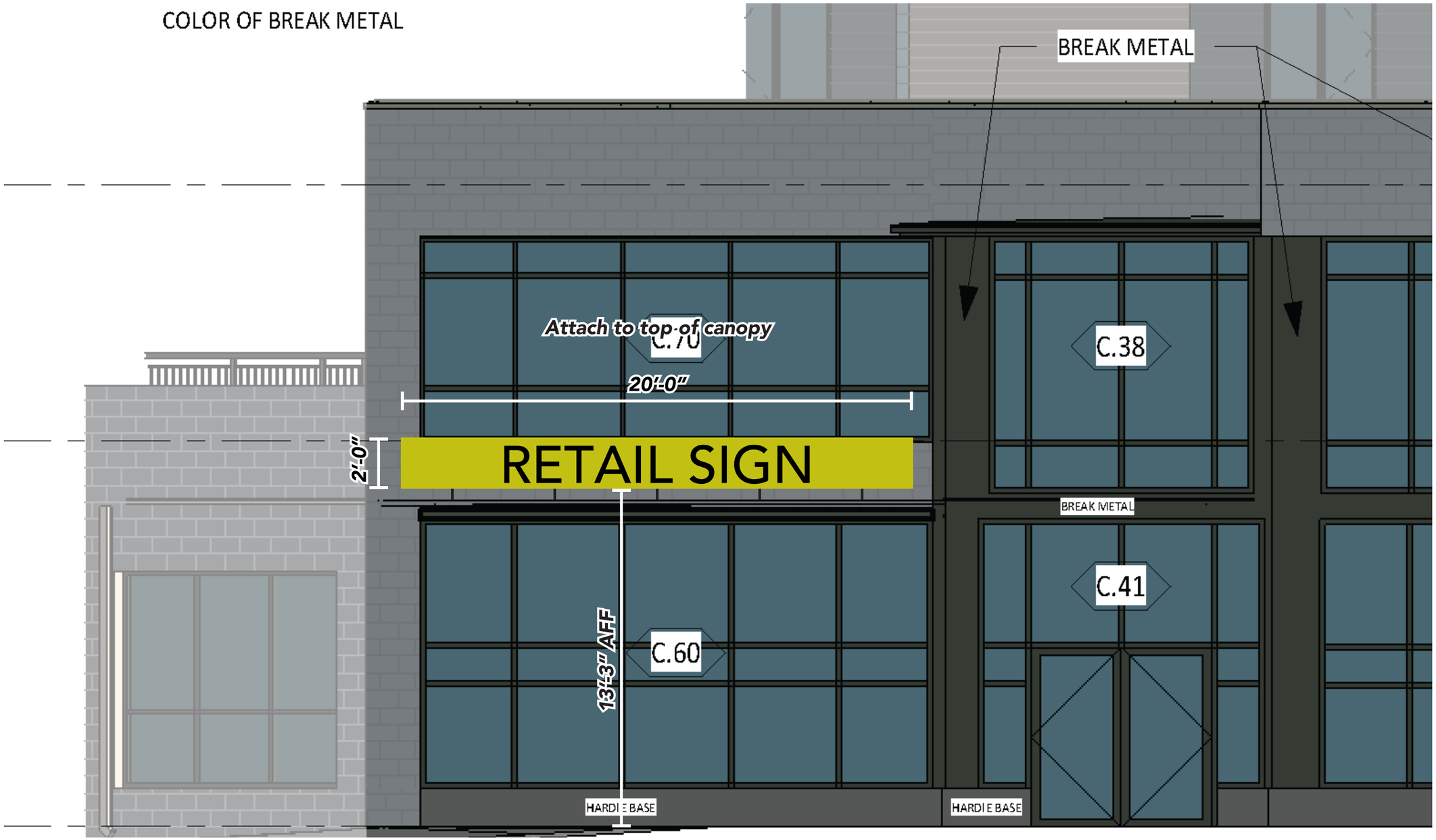
V15	

PAGE SCALE
As Noted

PAGE #
59

B1-S12 - ELEVATIONS

Sign Area: 40.0 Square Feet



B1 East Elevation - Covered Outdoor Plaza

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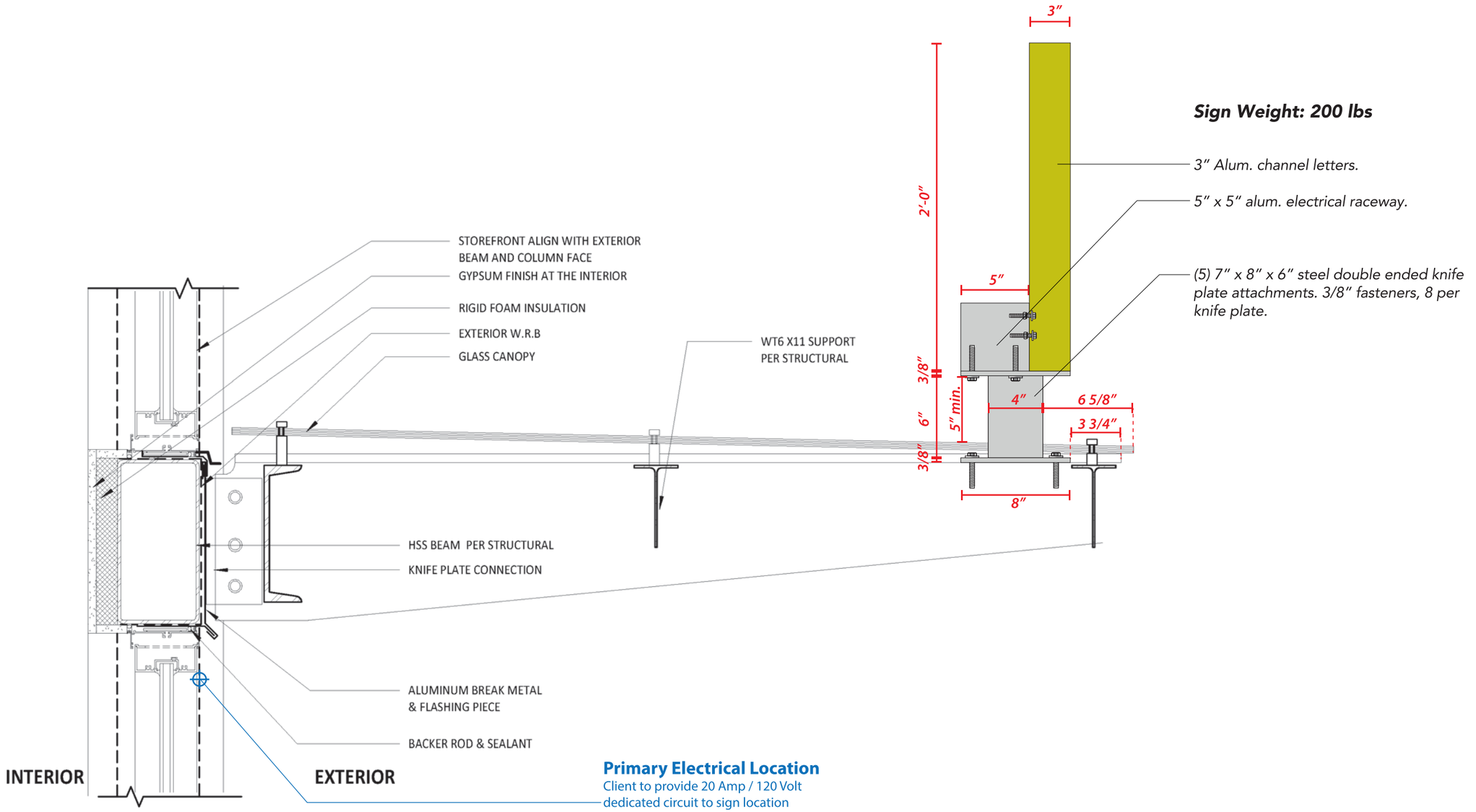
V15	

PAGE SCALE
1/4" = 1'-0"

PAGE #
60

B1-S12 - ATTACHMENT DETAILS

Glass to be installed AFTER knife plates: openings cut into glass to accomodate knife plates.



1 BEAM DETAIL AT VESTIBULE ENTRY CANOPY

SCALE: 1 1/2" = 1'-0"

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V15	

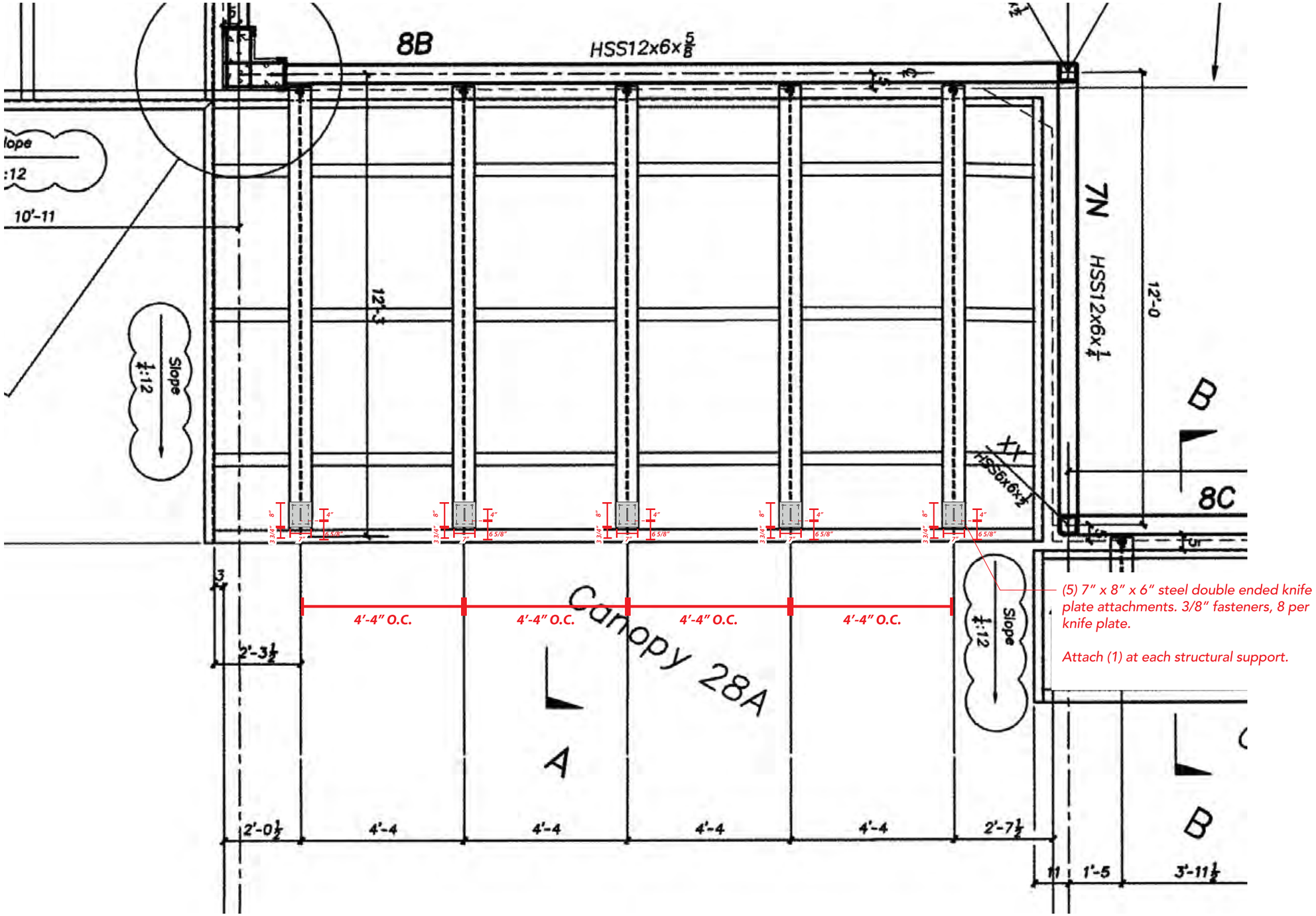
PAGE SCALE
1 1/2" = 1'-0"

PAGE #
61

B1-S12 - ATTACHMENT DETAILS

Glass to be installed AFTER knife plates: openings cut into glass to accomodate knife plates.

CANOPY 28A PLAN VIEW



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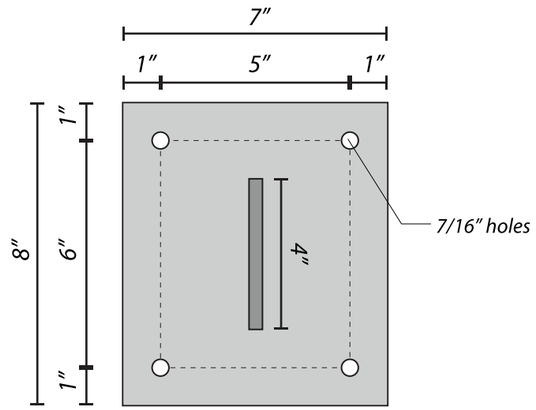
V15	

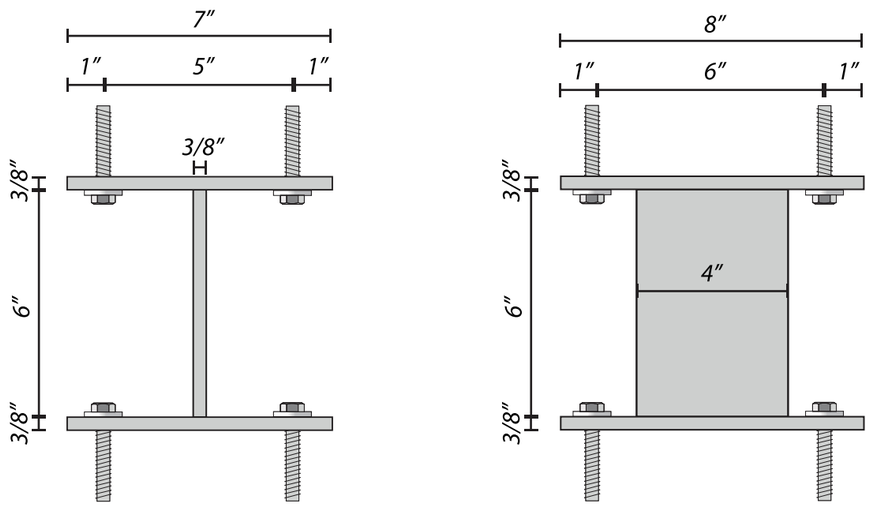
PAGE SCALE
3/8" = 1'-0"

PAGE #
62

B1-S12 - ATTACHMENT DETAILS



Top/Section View



Face View ***End View***

3/8″ x 7″ x 8″ Steel Double Ended Knife Plate Detail
Scale: 3″=1′-0″

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V14	08/05 Revise per city comments
V15	

PAGE SCALE
As Noted

PAGE #
63

B1-S13 - ELEVATIONS

Sign Area: 36.1 Square Feet

B1 Southeast Elevation - Covered Outdoor Plaza

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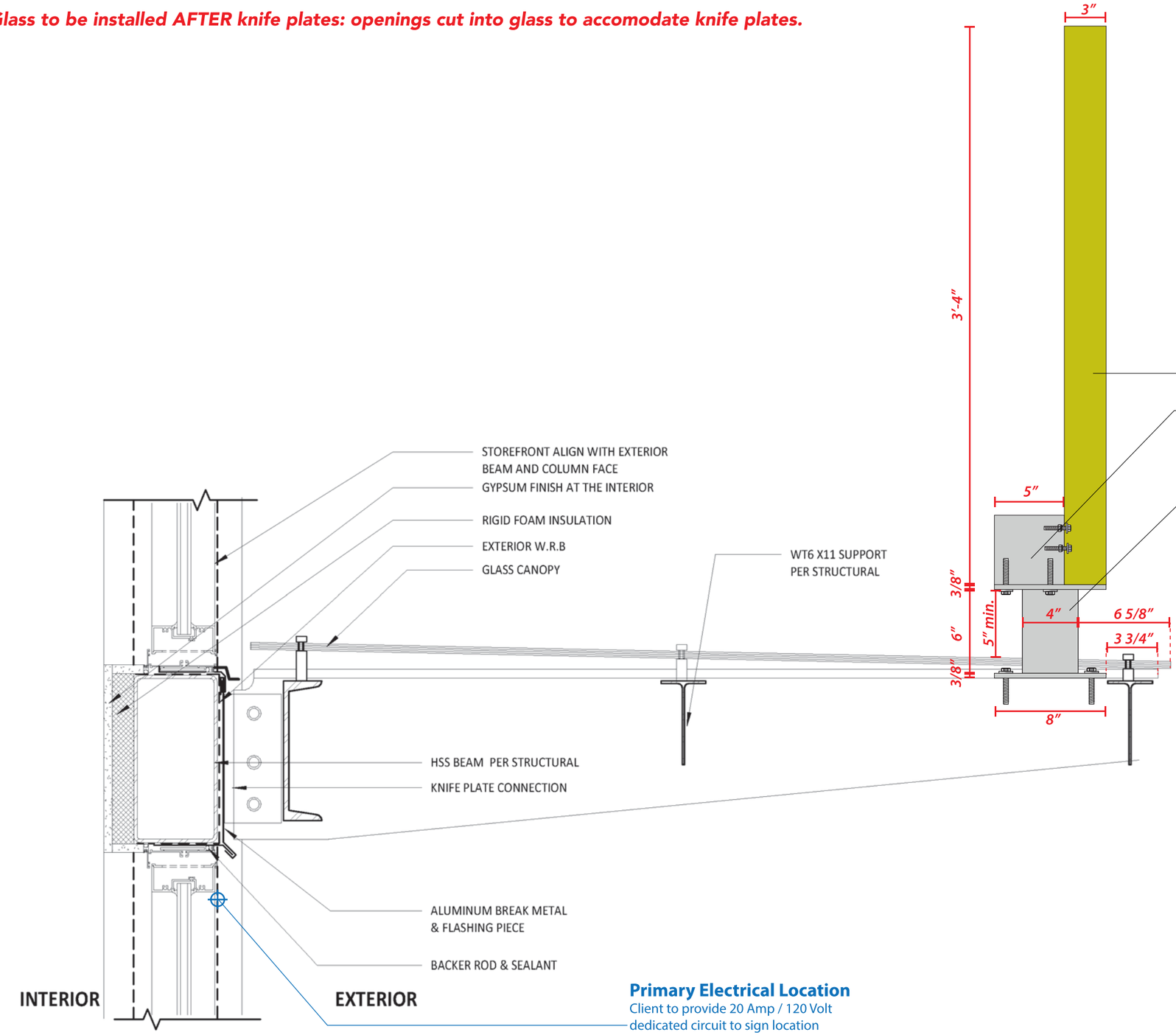
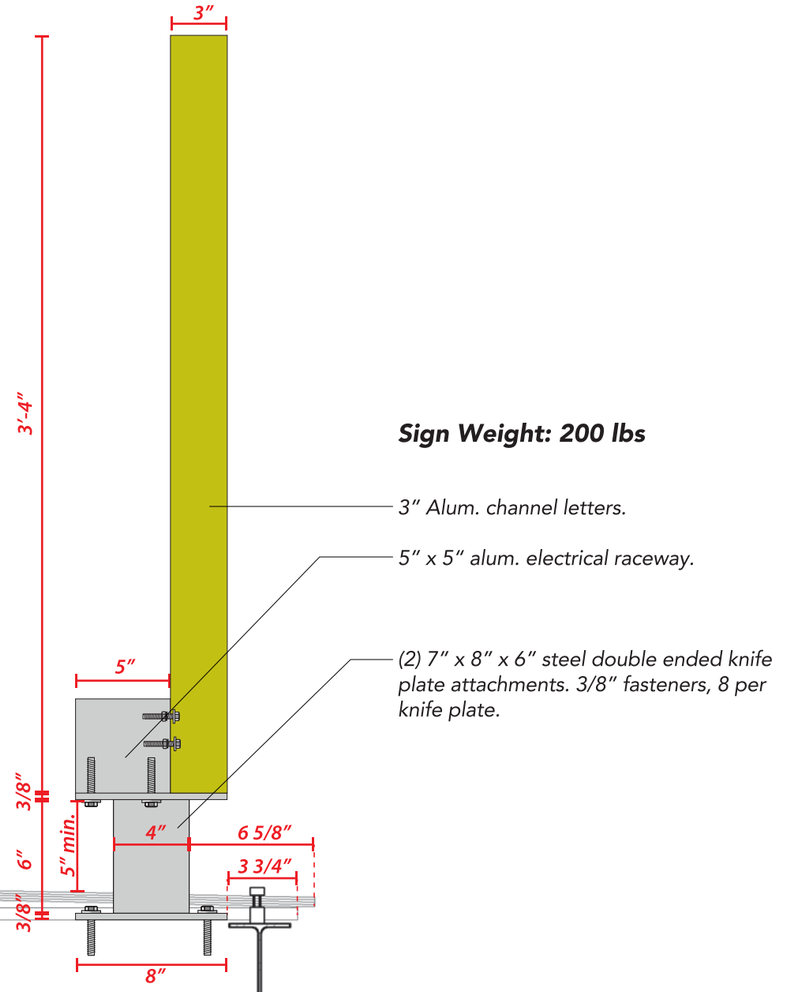
V15	

PAGE SCALE
1/4" = 1'-0"

B1-S13 - ATTACHMENT DETAILS

Glass to be installed AFTER knife plates: openings cut into glass to accomodate knife plates.





Sign Weight: 200 lbs

3" Alum. channel letters.

5" x 5" alum. electrical raceway.

(2) 7" x 8" x 6" steel double ended knife plate attachments. 3/8" fasteners, 8 per knife plate.

1 BEAM DETAIL AT VESTIBULE ENTRY CANOPY

SCALE: 1 1/2" = 1'-0"

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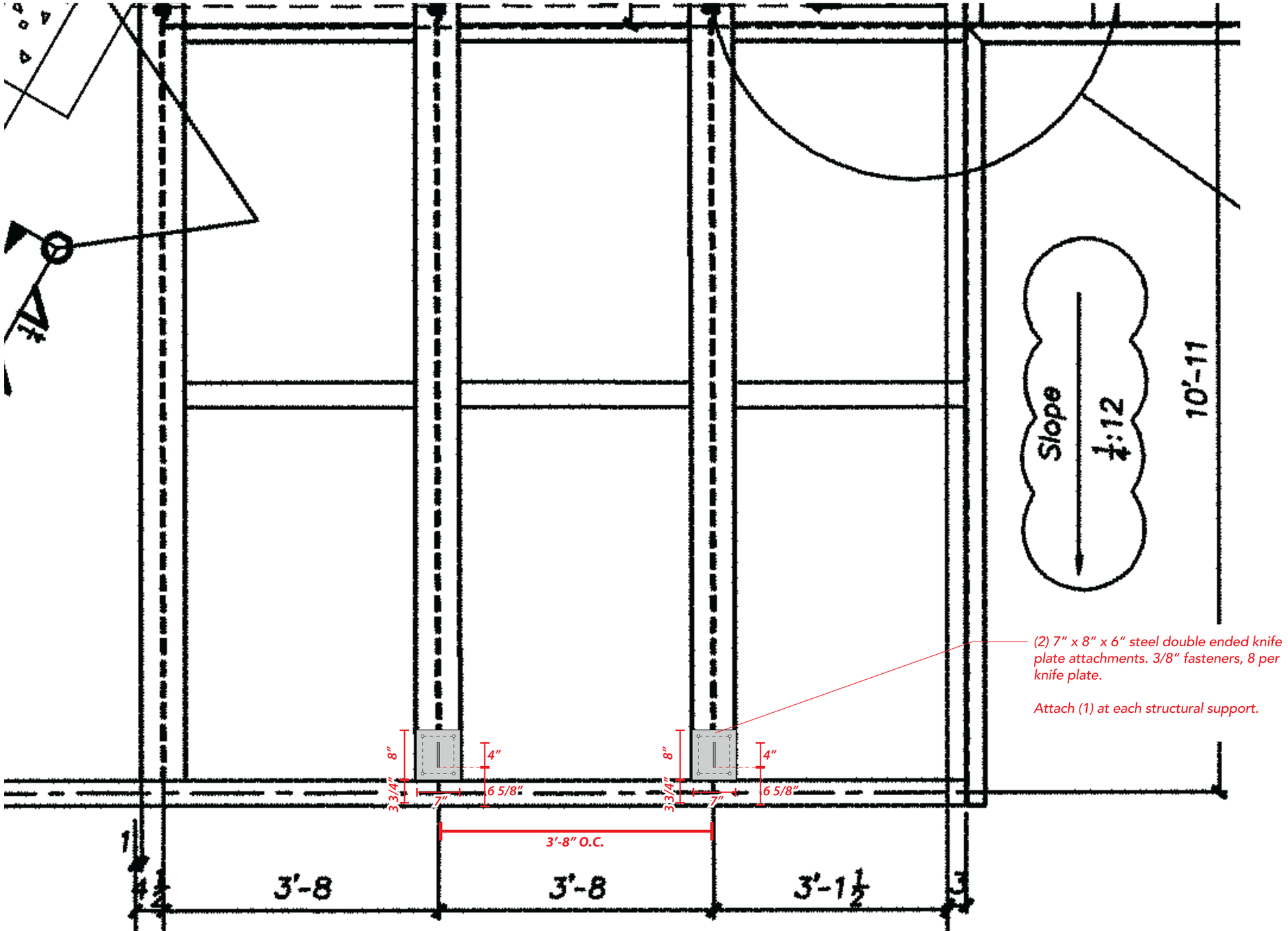
PAGE SCALE
1 1/2" = 1'-0"

PAGE #
65

B1-S13 - ATTACHMENT DETAILS

Glass to be installed AFTER knife plates: openings cut into glass to accomodate knife plates.

CANOPY 27A PLAN VIEW



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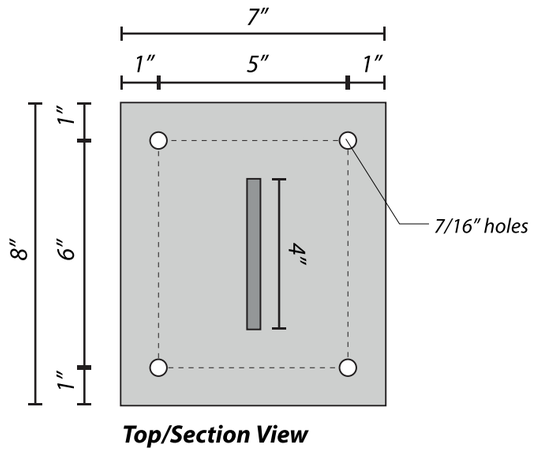
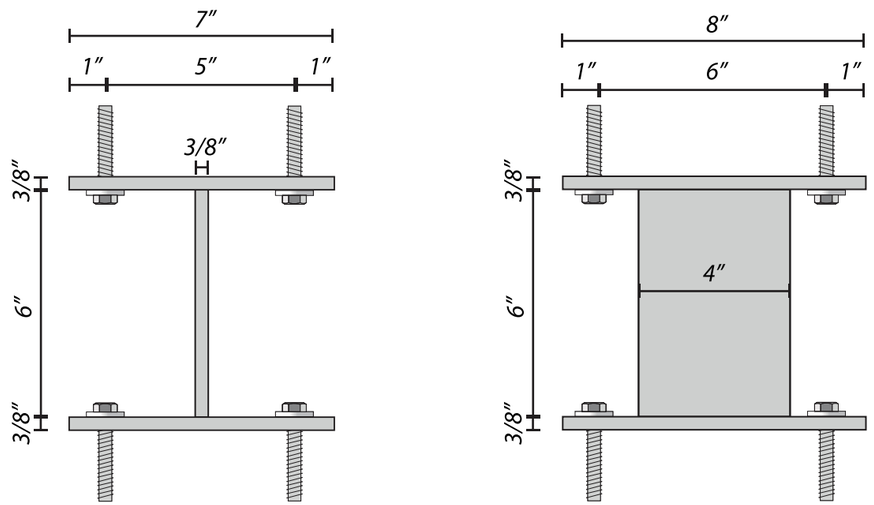
PAGE SCALE
3/4" = 1'-0"

PAGE #
66

B1-S13 - ATTACHMENT DETAILS



Top/Section View



Face View ***End View***

3/8″ x 7″ x 8″ Steel Double Ended Knife Plate Detail
Scale: 3″=1′-0″

A DESIGN STUDIO

MAIN CONTACT
Gracia Mueller
360.929.3077

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425.359.7380

Additional information:
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PROJECT NAME
Terrace Station

PROJECT #
20-004

ADDRESS
24000 Van Ry Blvd
Mountlake Terrace, WA 98043

DATE
08/05/20

VERSION NOTES

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V2	07/31 Revise signs
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V4	08/22 Revise signs
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V10	03/19 Add signs, revise narrative
V11	05/19 Add/revise signs, revise all B3
V12	05/22 Revise B3 & directional signs
V13	06/02 Revise B1 canopy details
V14	08/05 Revise per city comments
V15	

PAGE SCALE
As Noted

PAGE #
67

B1-S14 - ELEVATIONS

Sign Area: 40.0 Square Feet

B1 East Elevation

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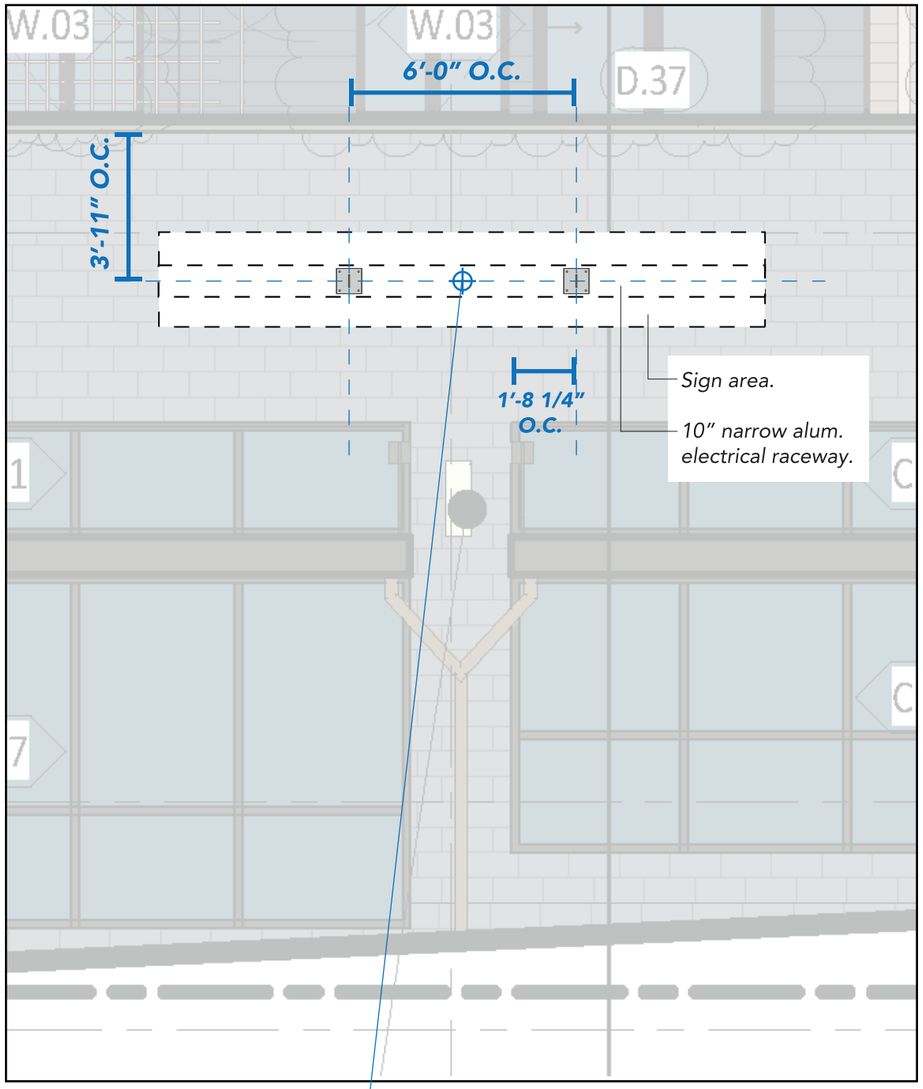
V15	

PAGE SCALE
1/4" = 1'-0"

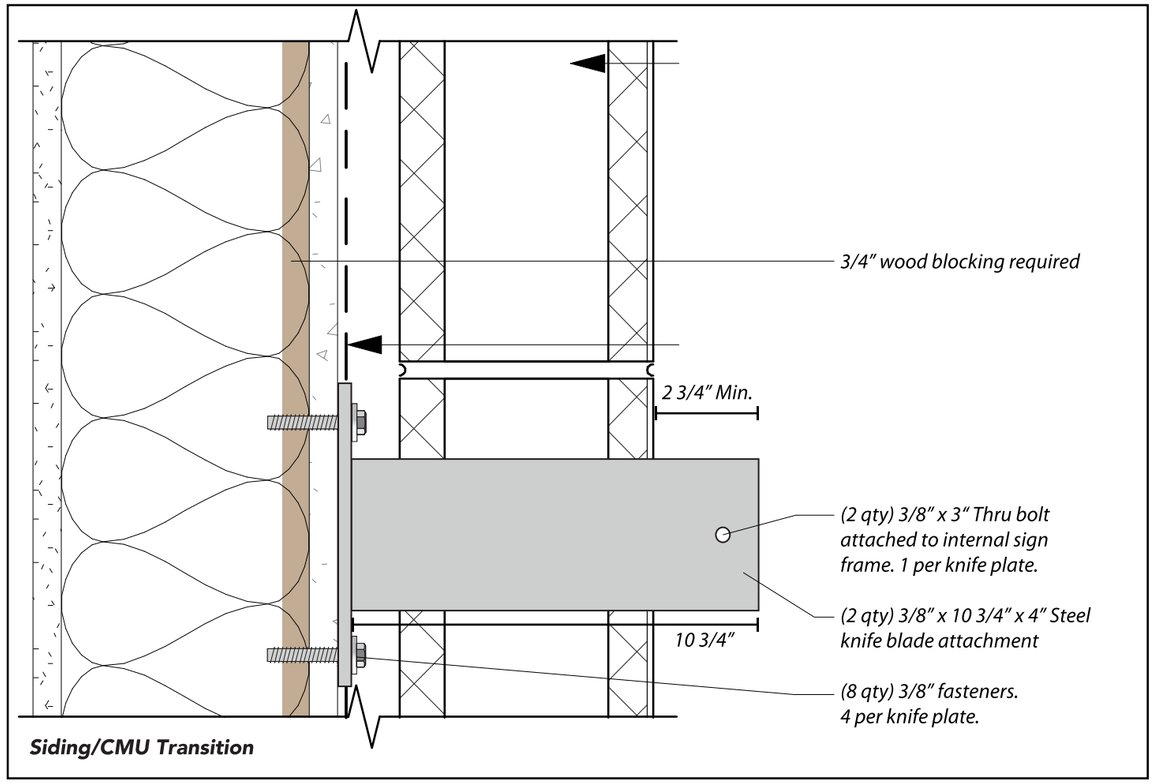
PAGE #
68

B1-S14 - ATTACHMENT DETAILS

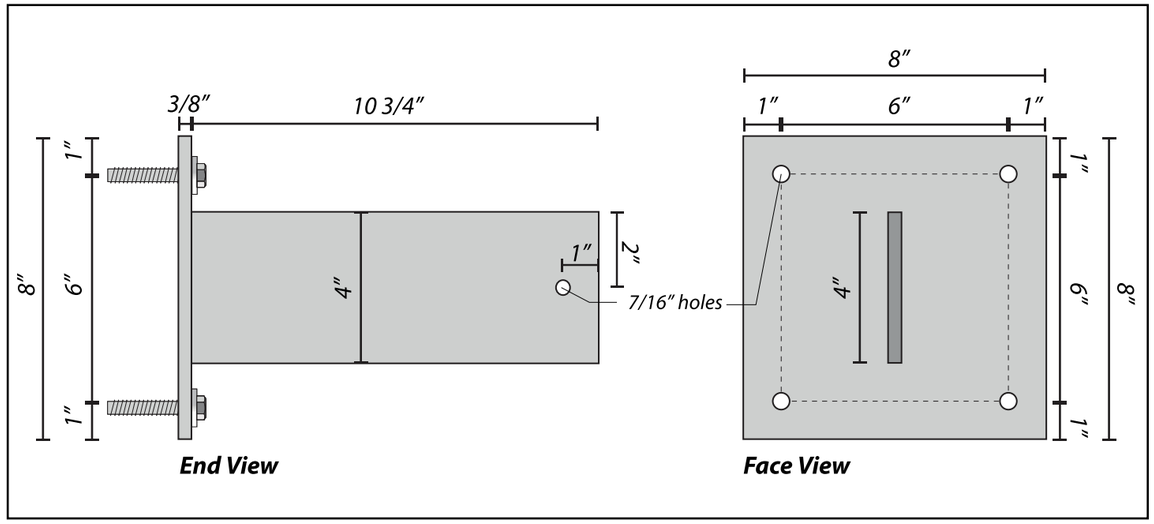


B1 East Elevation
Scale: 1/4"=1'-0"

Primary Electrical Location
Client to provide 20 Amp / 120 Volt dedicated circuit to sign location



Knife Plate Install Detail
Scale: 3"=1'-0"



3/8" x 8" x 8" Steel Plate Detail
Scale: 3"=1'-0"

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V12	05/22 Revise B3 & directional signs
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V14	08/05 Revise per city comments
V15	

PAGE SCALE
As Noted

PAGE #
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B1-S15 - ELEVATIONS

Sign Area: 40.0 Square Feet

B1 East Elevation

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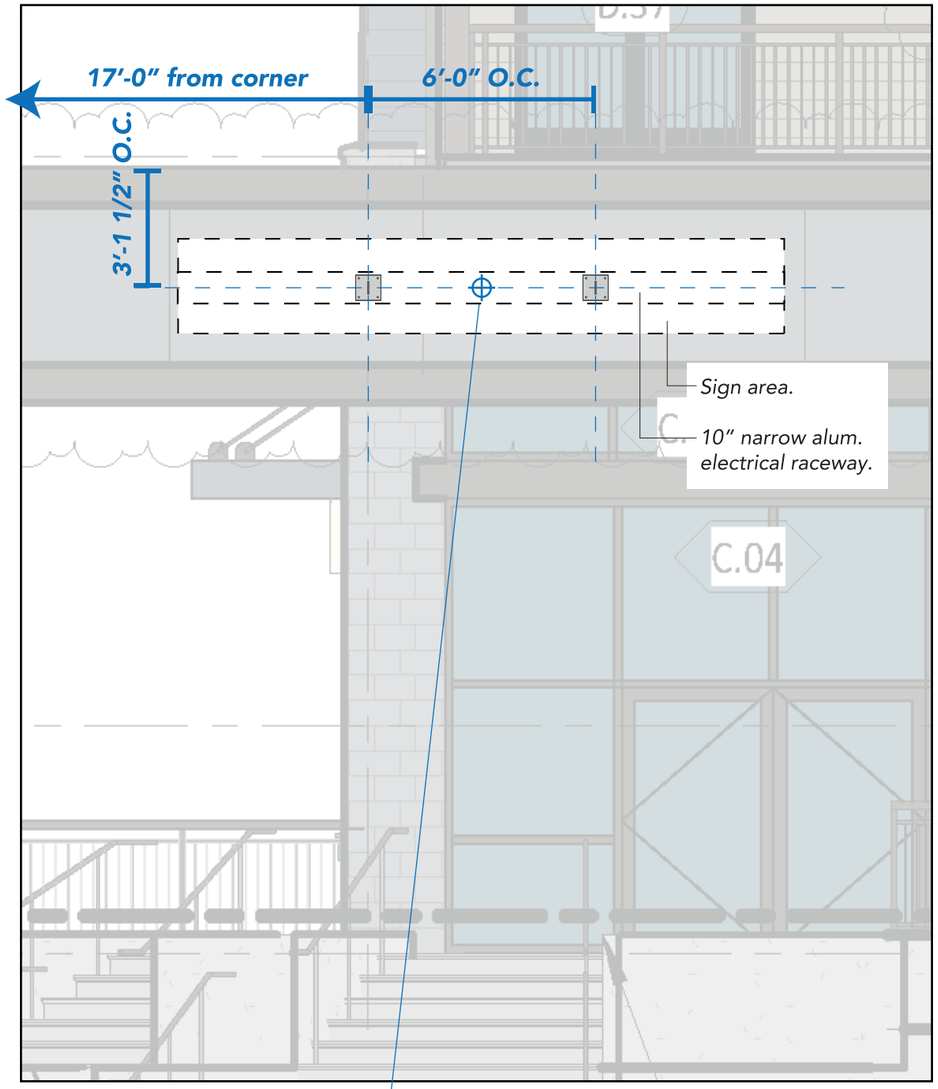
V15	

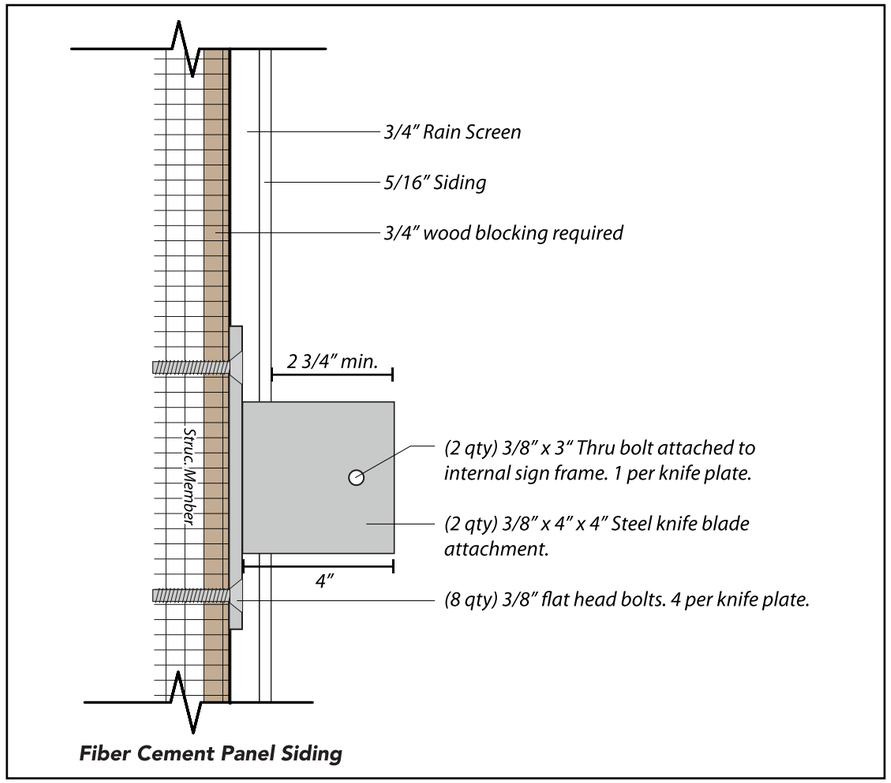
PAGE SCALE
1/4" = 1'-0"

PAGE #
70

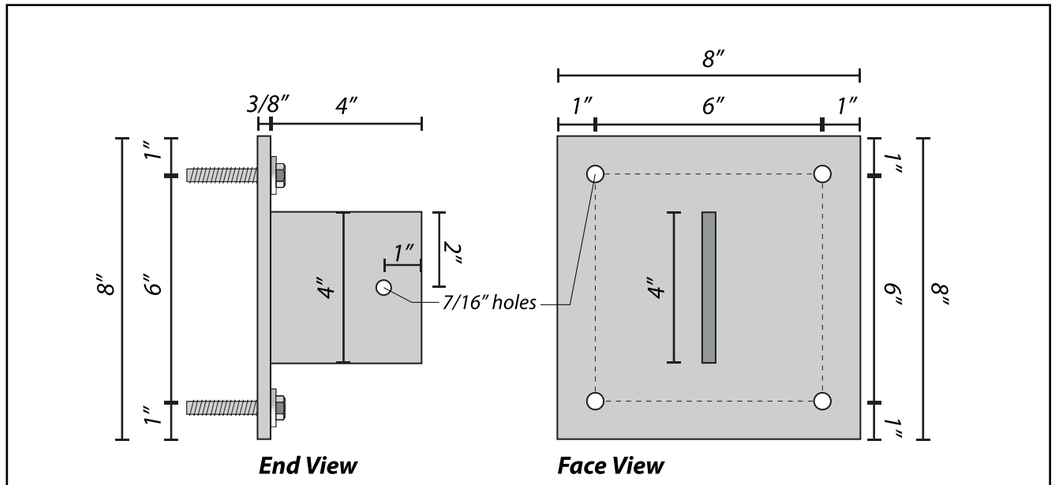
B1-S15 - ATTACHMENT DETAILS



B1 East Elevation
Scale: 1/4"=1'-0"



Knife Plate Install Detail
Scale: 3"=1'-0"



3/8" x 8" x 8" Steel Plate Detail
Scale: 3"=1'-0"

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V15	

PAGE SCALE
As Noted

PAGE #
71

B1-S16 - ELEVATIONS

Sign Area: 40.0 Square Feet

B1 South Elevation

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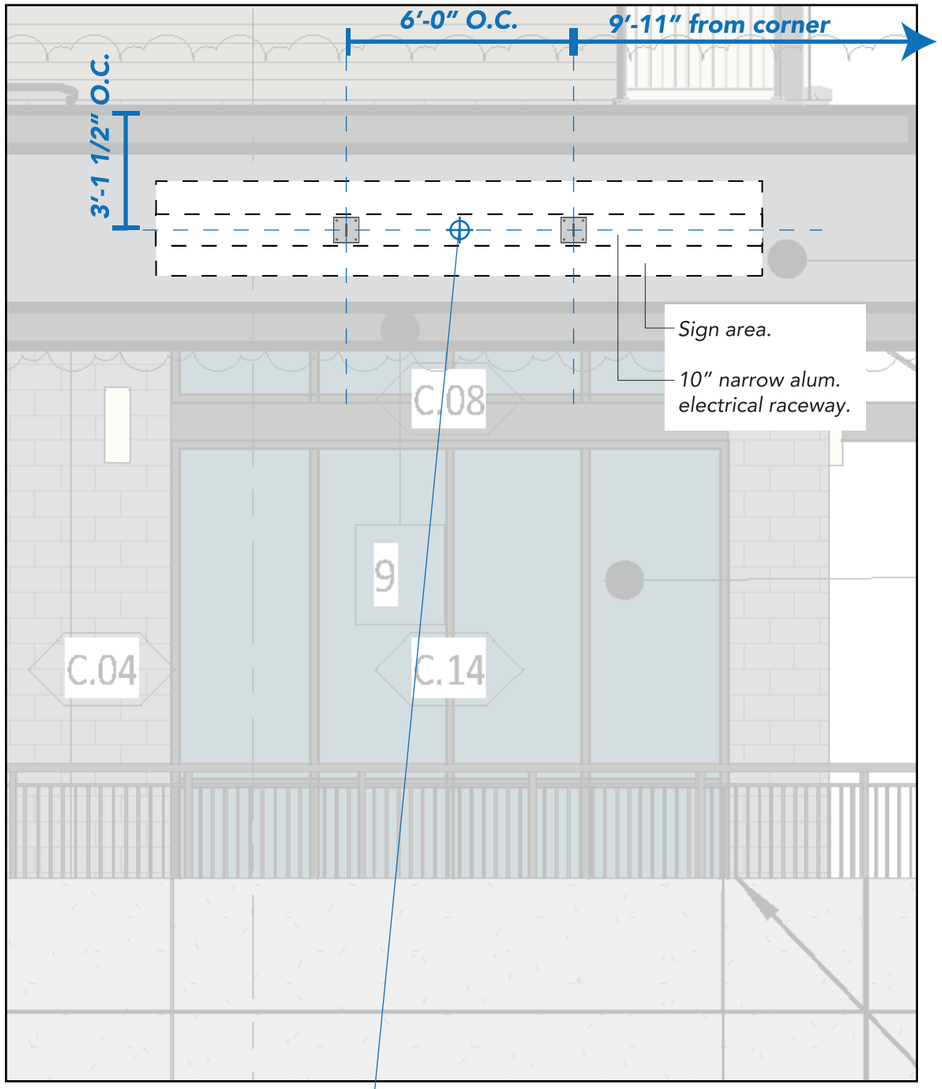
V15	

PAGE SCALE
1/4" = 1'-0"

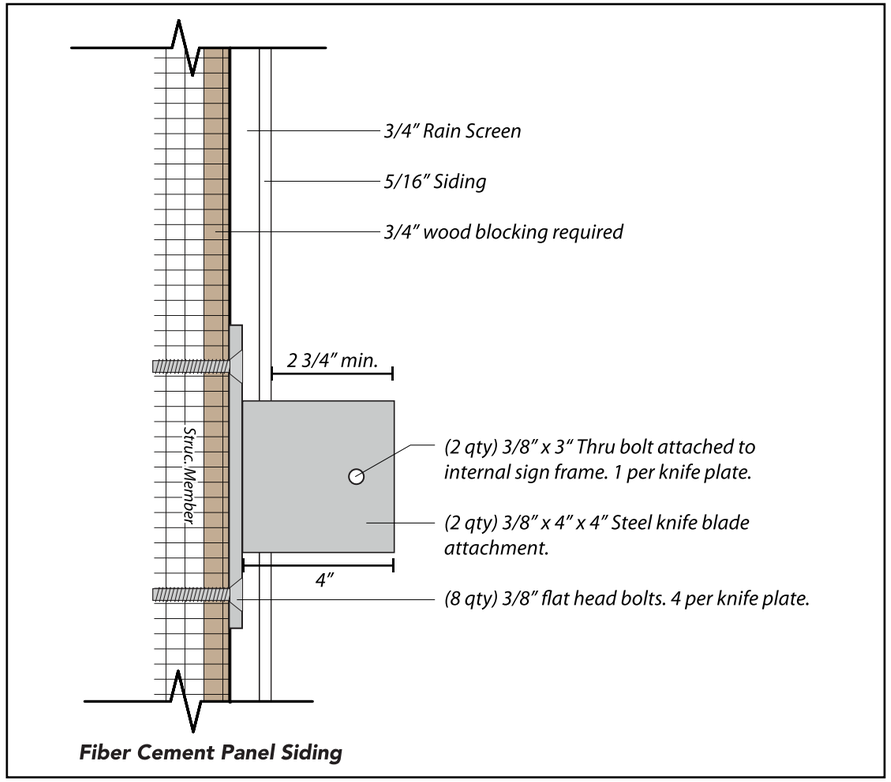
PAGE #
72

B1-S16 - ATTACHMENT DETAILS

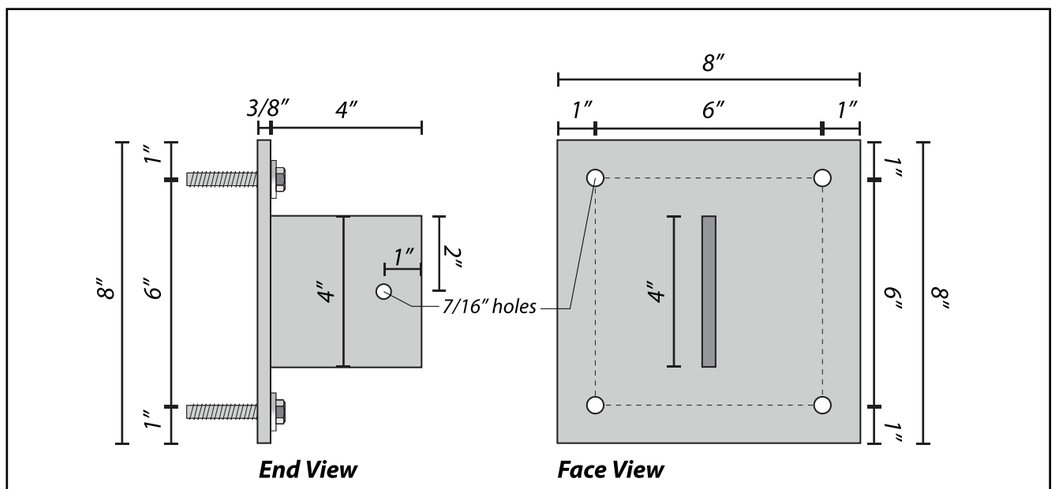


B1 South Elevation
Scale: 1/4"=1'-0"

Primary Electrical Location
Client to provide 20 Amp / 120 Volt dedicated circuit to sign location



Knife Plate Install Detail
Scale: 3"=1'-0"



3/8" x 8" x 8" Steel Plate Detail
Scale: 3"=1'-0"

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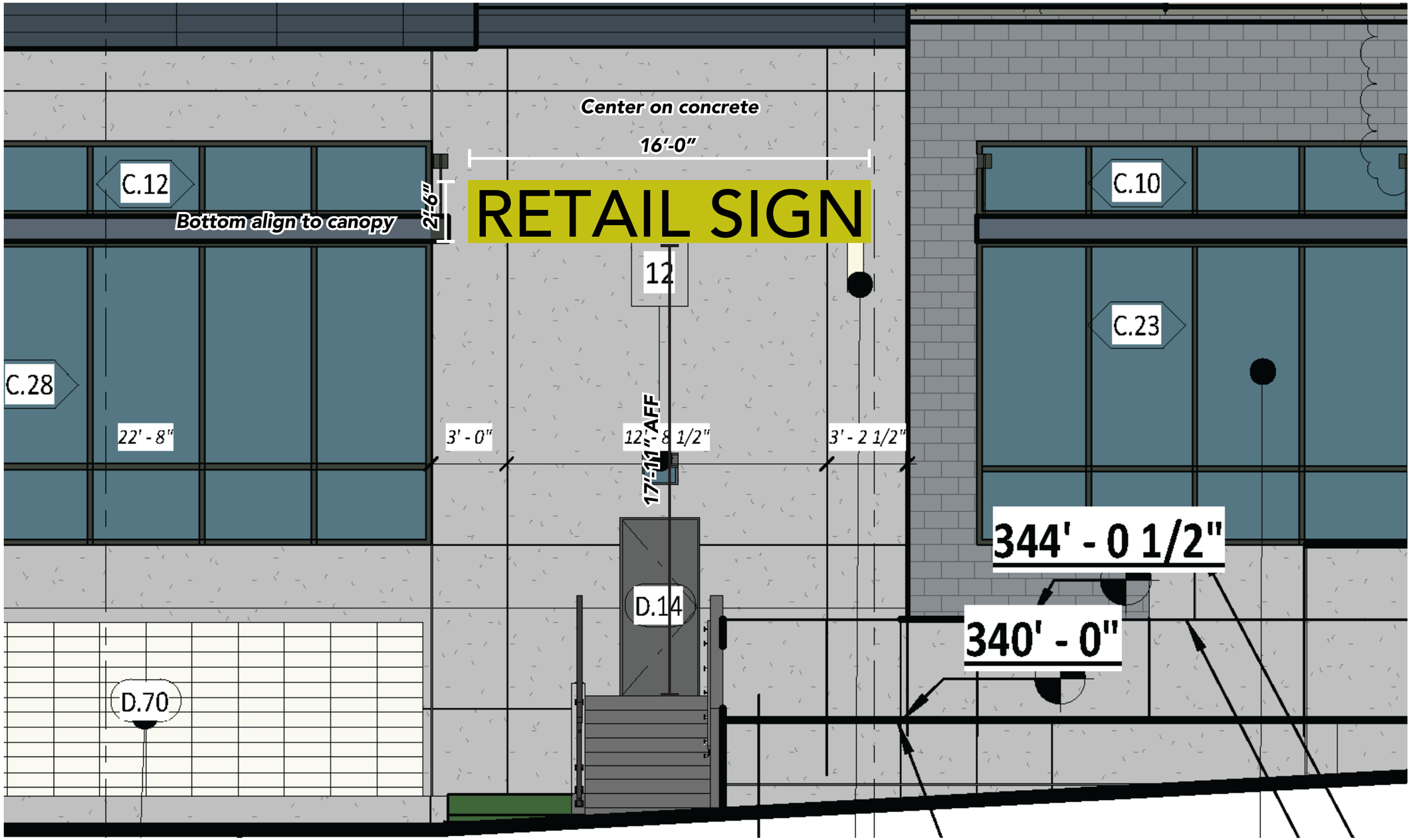
V15	

PAGE SCALE
As Noted

PAGE #
73

B1-S17 - ELEVATIONS

Sign Area: 40.0 Square Feet



B1 South Elevation

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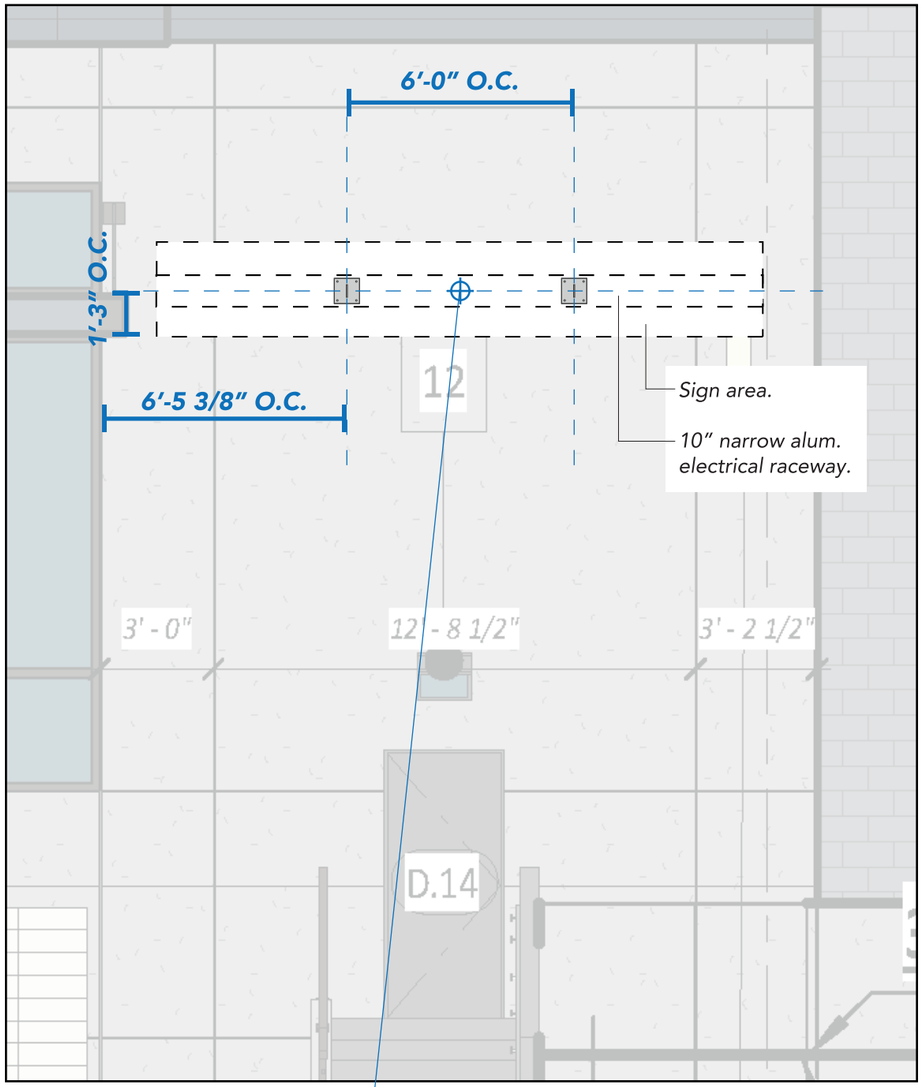
V14	08/05 Revise per city comments
V15	

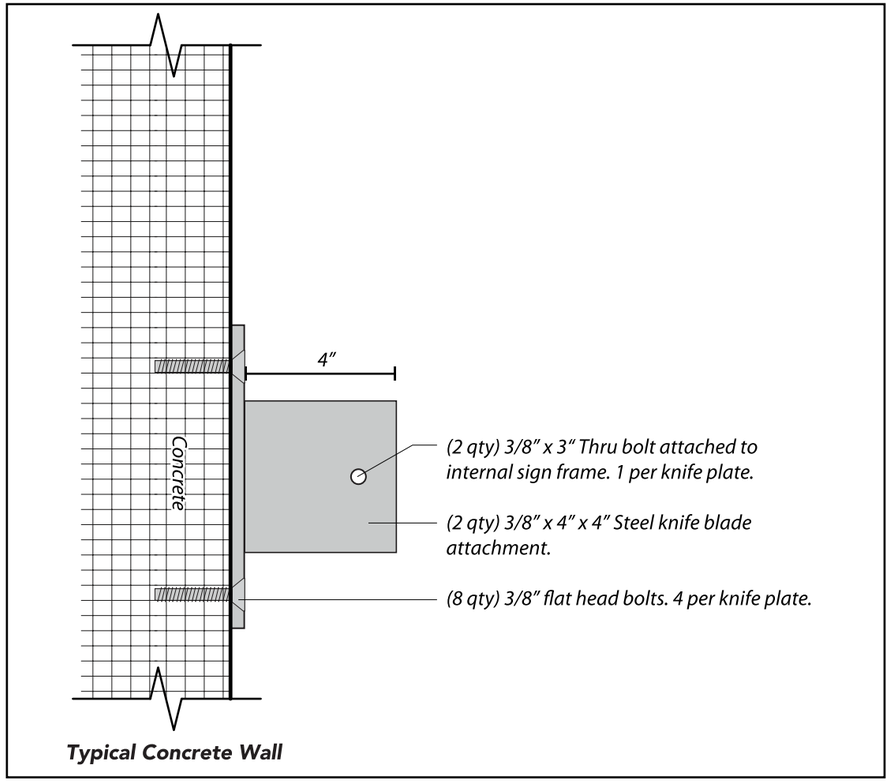
PAGE SCALE
1/4" = 1'-0"

B1-S17 - ATTACHMENT DETAILS



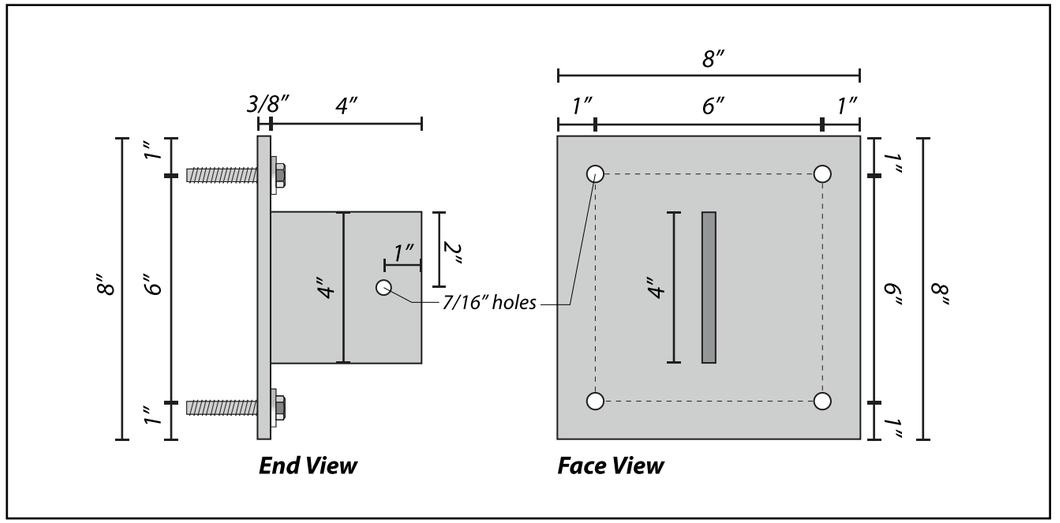
B1 South Elevation
Scale: 1/4"=1'-0"

Primary Electrical Location
Client to provide 20 Amp / 120 Volt dedicated circuit to sign location



Typical Concrete Wall

Knife Plate Install Detail
Scale: 3"=1'-0"



3/8" x 8" x 8" Steel Plate Detail
Scale: 3"=1'-0"

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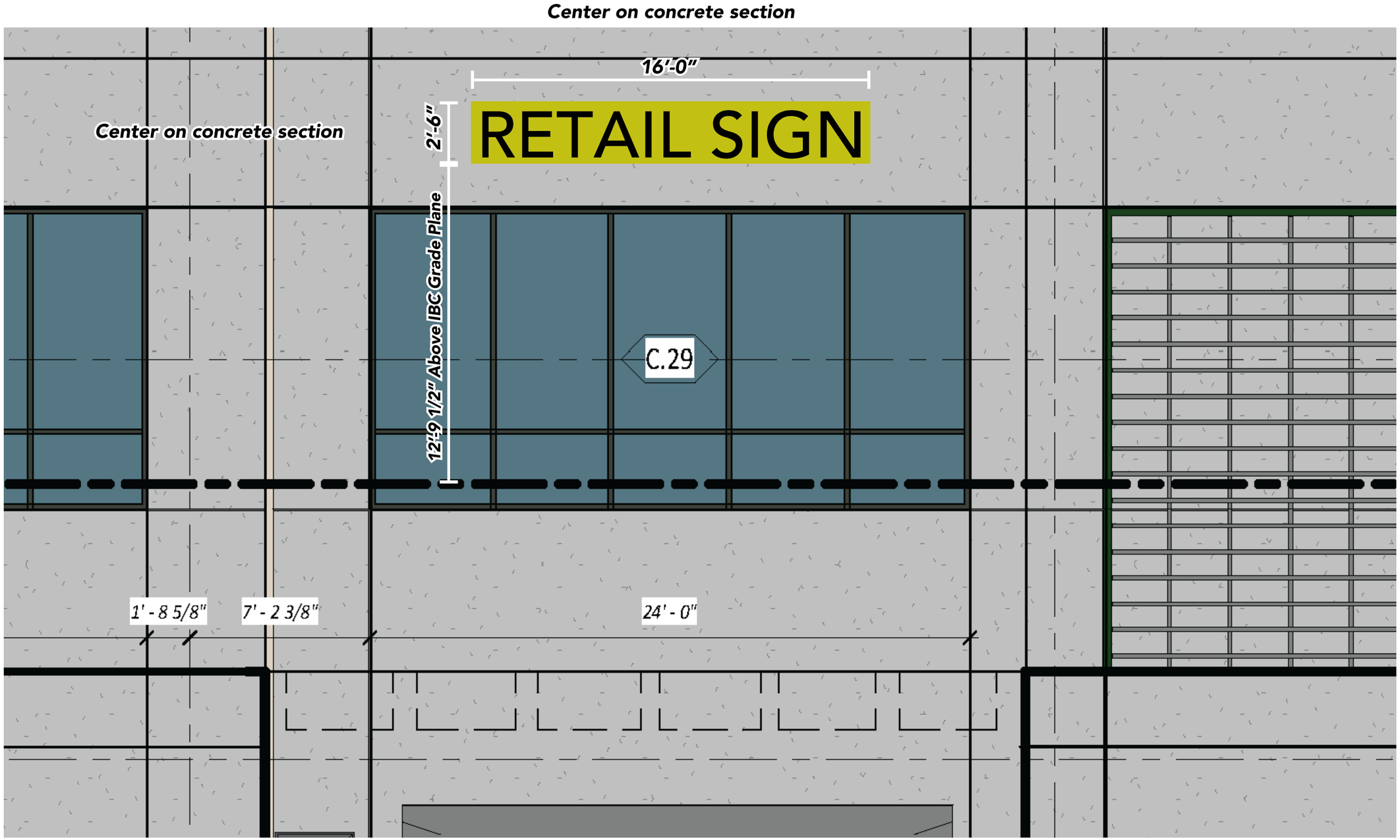
V15	

PAGE SCALE
As Noted

PAGE #
75

B1-S18 - ELEVATIONS

Sign Area: 40.0 Square Feet



B1 West Elevation

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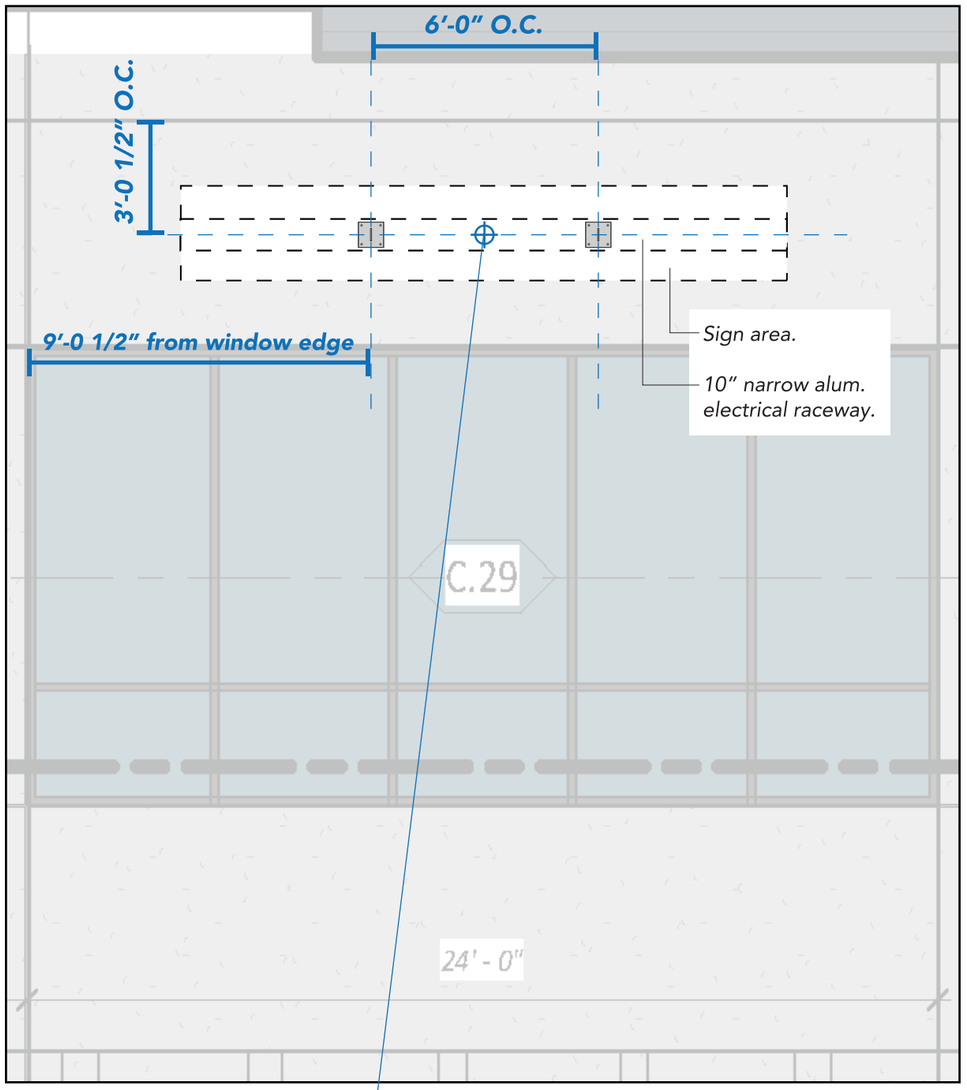
PAGE SCALE
1/4" = 1'-0"

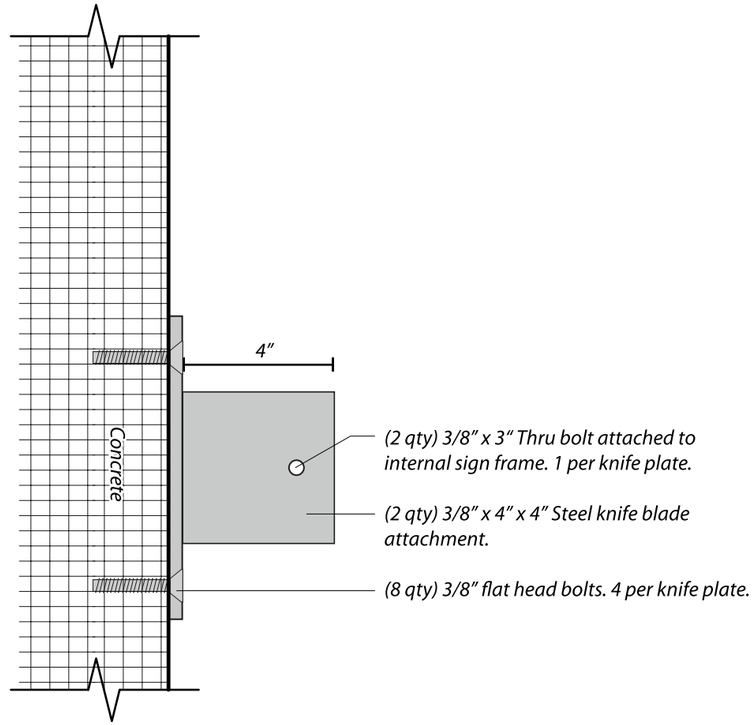
PAGE #
76

B1-S18 - ATTACHMENT DETAILS



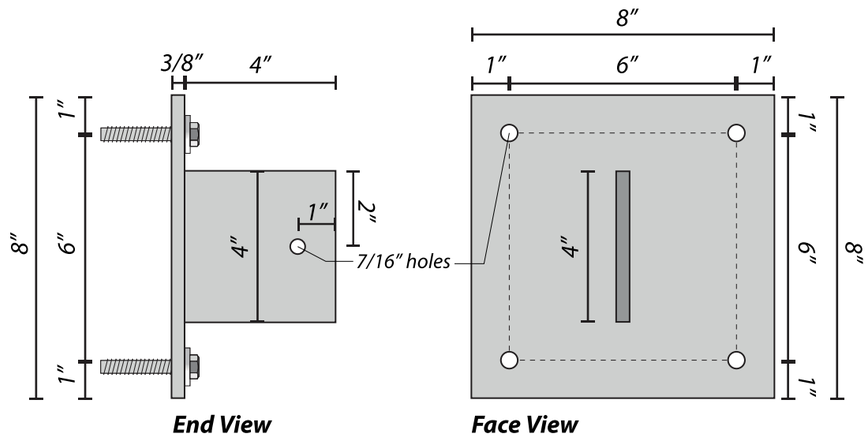
B1 West Elevation
Scale: 1/4"=1'-0"

Primary Electrical Location
Client to provide 20 Amp / 120 Volt dedicated circuit to sign location



Typical Concrete Wall

Knife Plate Install Detail
Scale: 3"=1'-0"



3/8" x 8" x 8" Steel Plate Detail
Scale: 3"=1'-0"

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PAGE SCALE
As Noted

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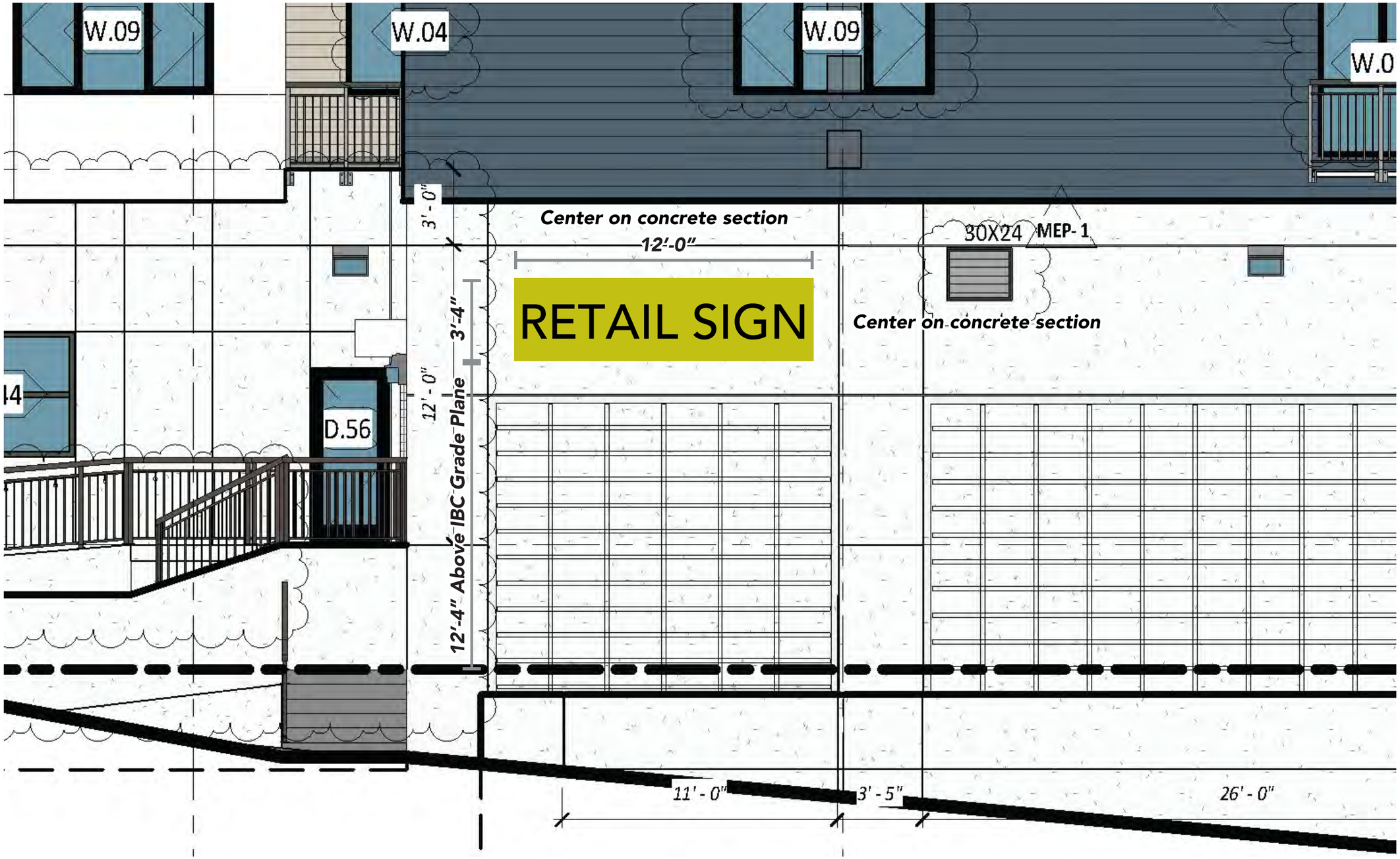
77

B1-S19 - ELEVATIONS

Sign Area: 40.0 Square Feet



B1 West Elevation

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CREATIVE
Brody Lund
425.359.7380

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PROJECT NAME
Terrace Station

PROJECT #
20-004

ADDRESS
24000 Van Ry Blvd
Mountlake Terrace, WA 98043

DATE
08/05/20

VERSION NOTES

V1	07/14 Concept design
V2	07/31 Revise signs
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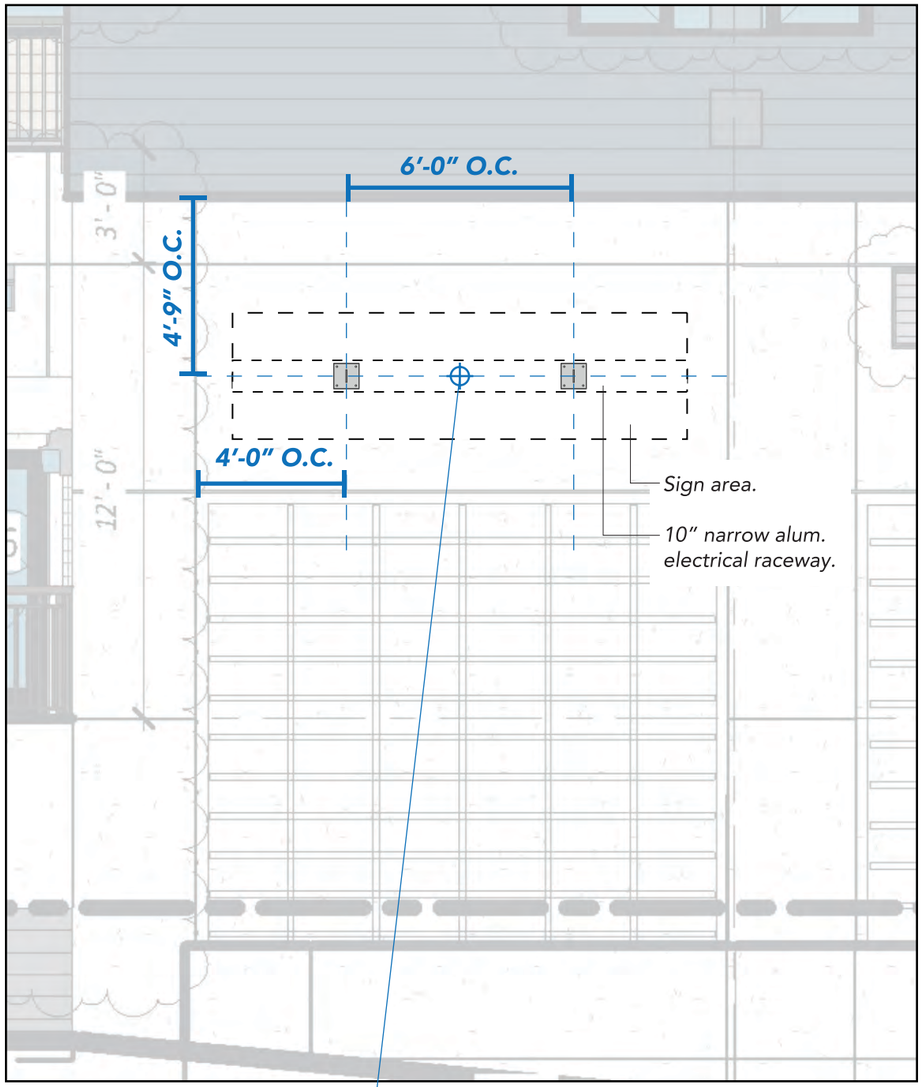
V7	01/02 Revise signs
V8	02/20 Revise all concepts & signs
V9	02/24 Revise signs
V10	03/19 Add signs, revise narrative
V11	05/19 Add/revise signs, revise all B3
V12	05/22 Revise B3 & directional signs
V13	06/02 Revise B1 canopy details
V14	08/05 Revise per city comments
V15	

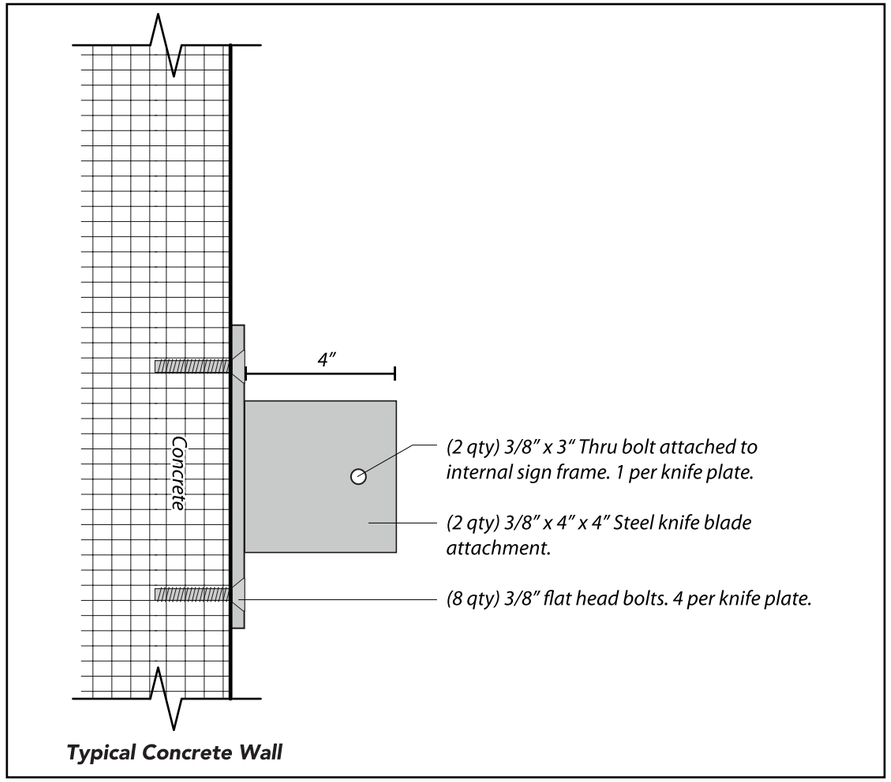
PAGE SCALE
1/4" = 1'-0"

PAGE #
78

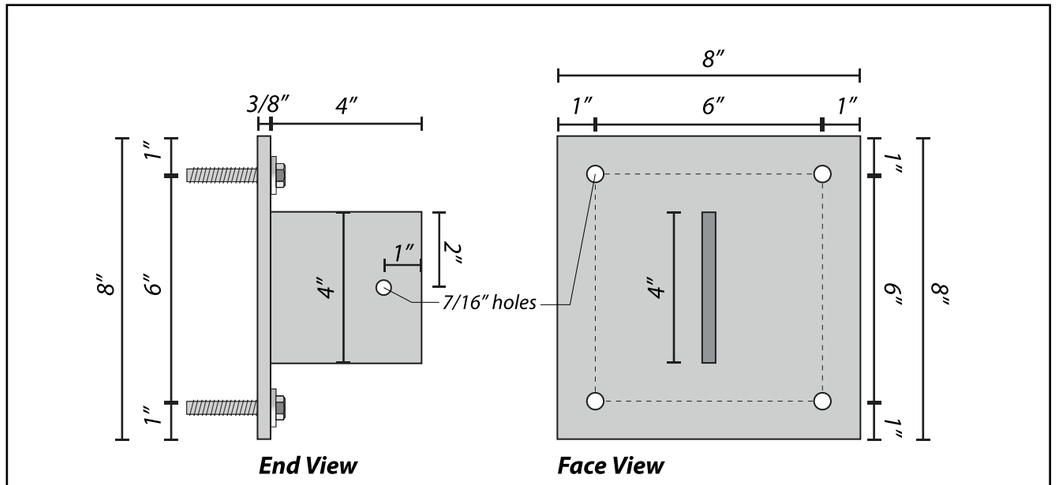
B1-S19 - ATTACHMENT DETAILS



B1 West Elevation
Scale: 1/4"=1'-0"



Knife Plate Install Detail
Scale: 3"=1'-0"



3/8" x 8" x 8" Steel Plate Detail
Scale: 3"=1'-0"

A DESIGN STUDIO

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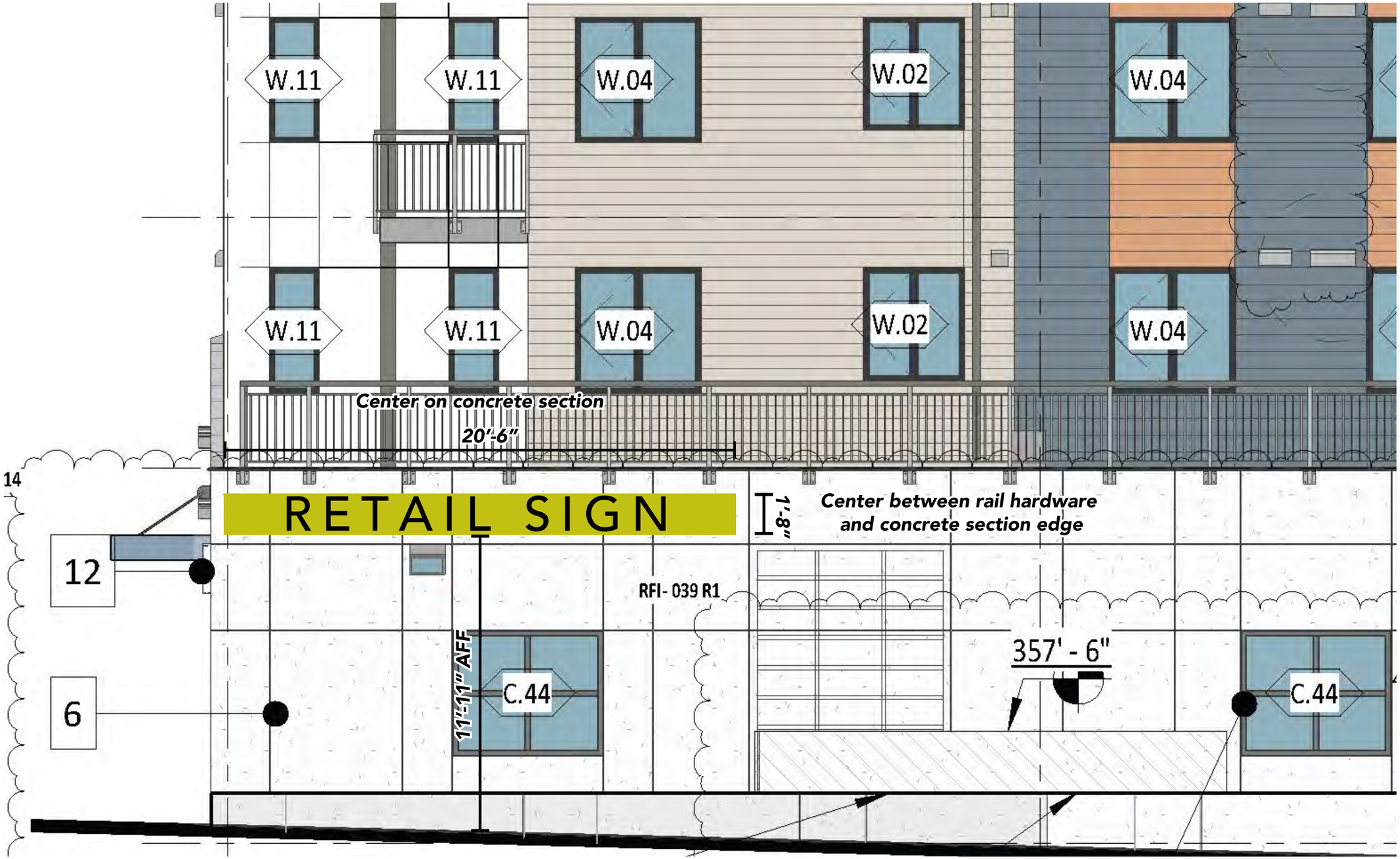
V14	08/05 Revise per city comments
V15	

PAGE SCALE
As Noted

PAGE #
79

B1-S20 - ELEVATIONS

Sign Area: 34.2 Square Feet



B1 West Elevation

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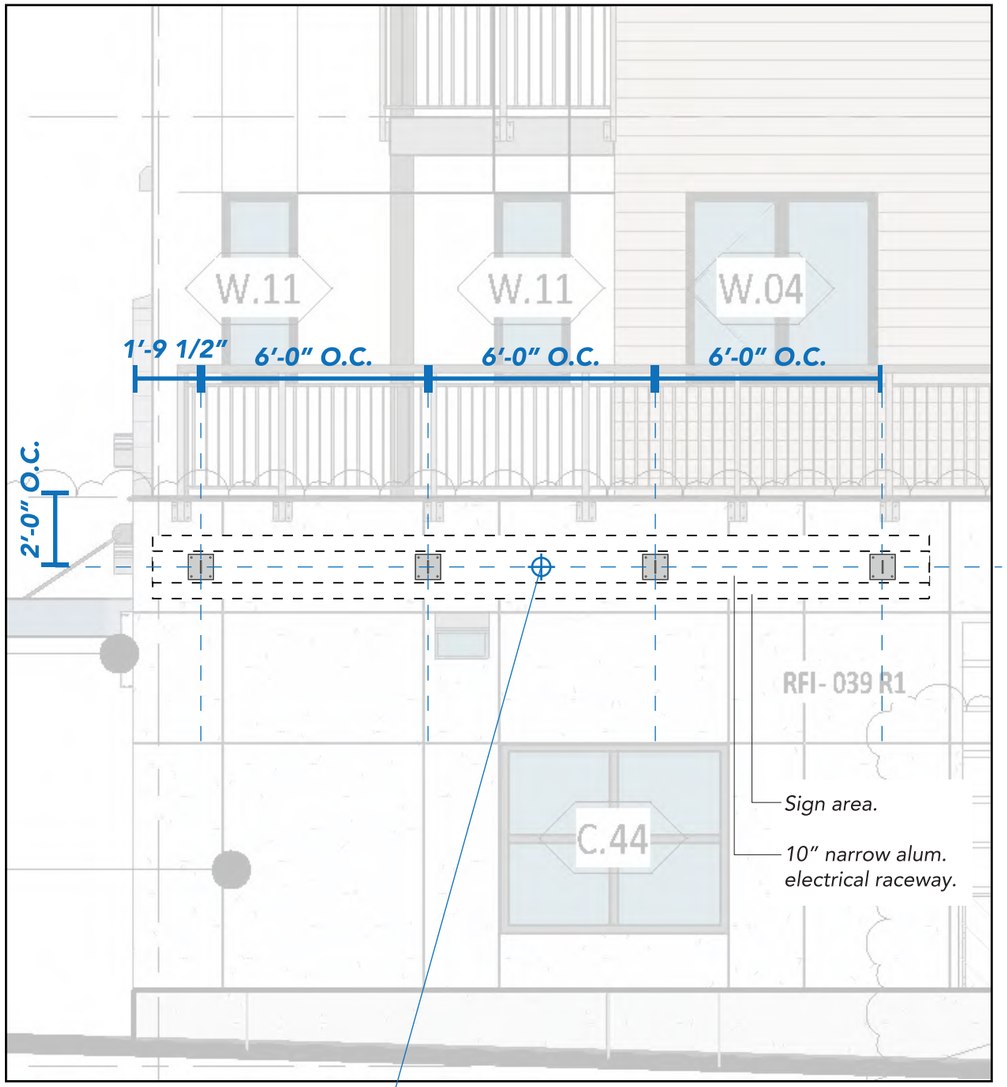
V15	

PAGE SCALE
1/4" = 1'-0"

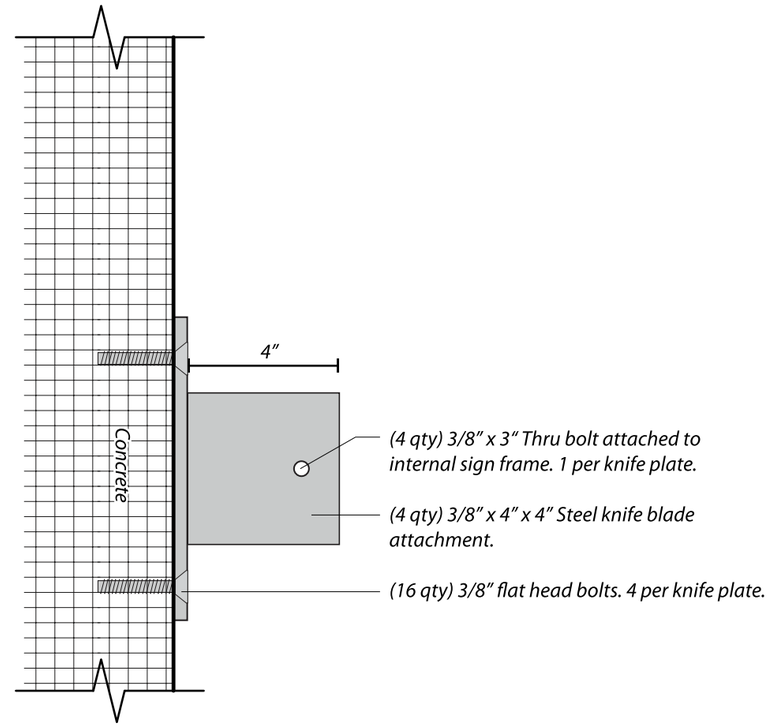
PAGE #

B1-S20 - ATTACHMENT DETAILS

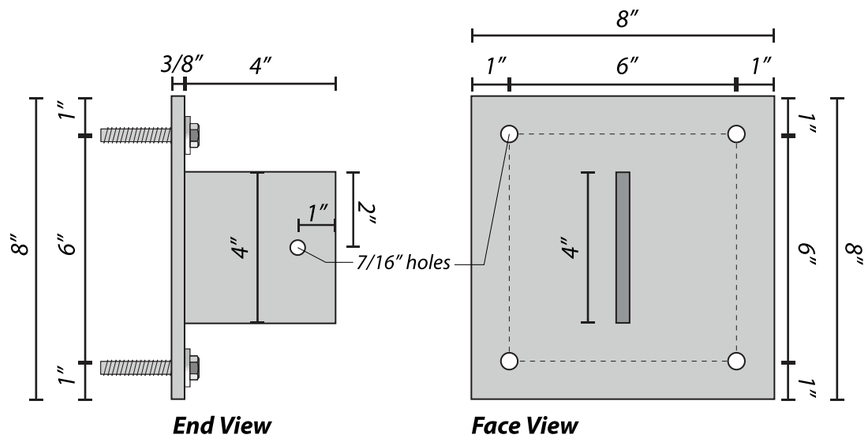


B1 West Elevation
Scale: 1/4"=1'-0"

Primary Electrical Location
Client to provide 20 Amp / 120 Volt dedicated circuit to sign location



Knife Plate Install Detail
Scale: 3"=1'-0"



3/8" x 8" x 8" Steel Plate Detail
Scale: 3"=1'-0"

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V14	08/05 Revise per city comments
V15	

PAGE SCALE
As Noted

PAGE #
81

B1-S21 - ELEVATIONS

Sign Area: 40.0 Square Feet

B1 North Elevation

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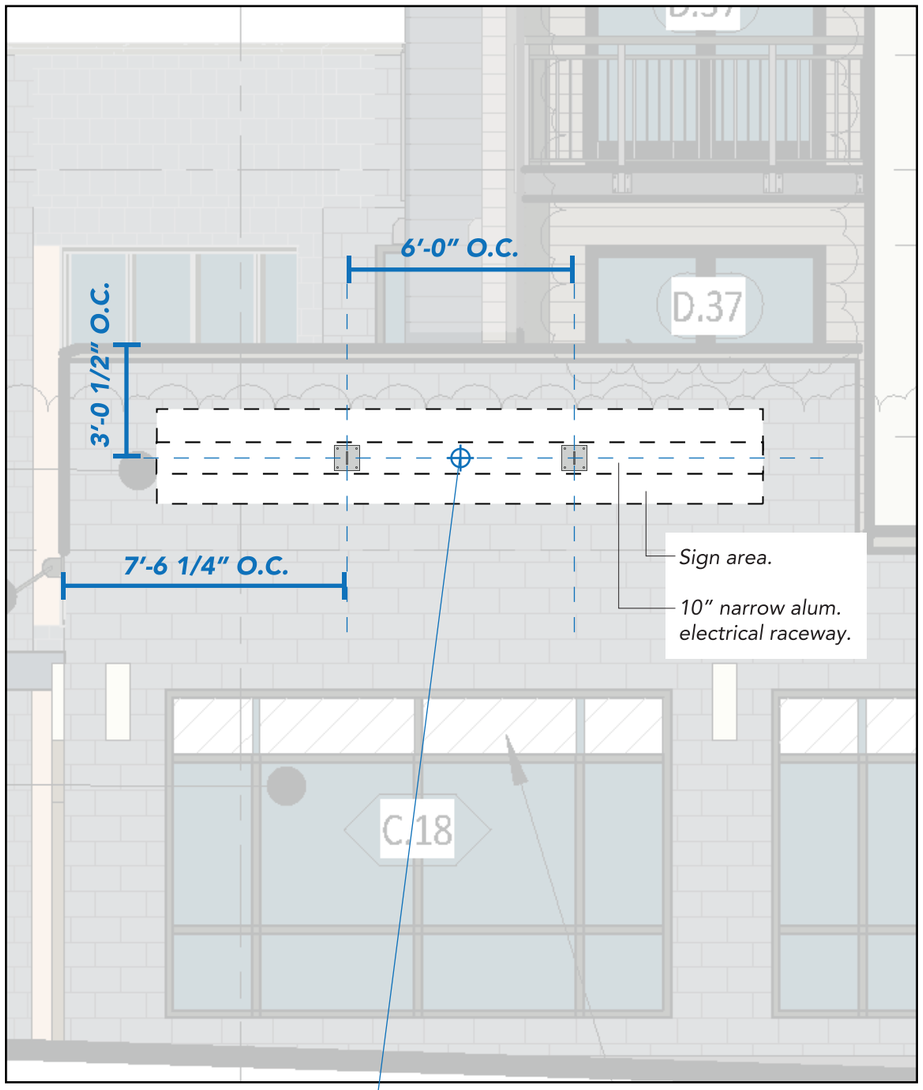
V15	

PAGE SCALE
1/4" = 1'-0"

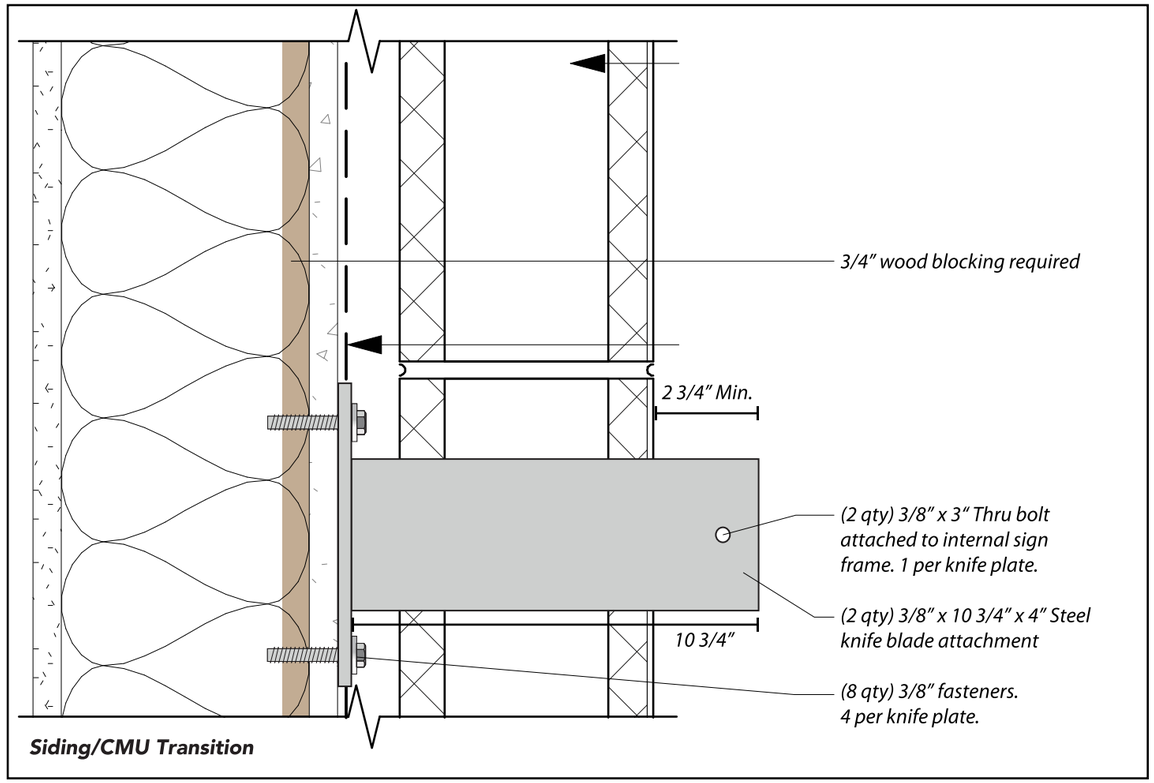
PAGE #
82

B1-S21 - ATTACHMENT DETAILS

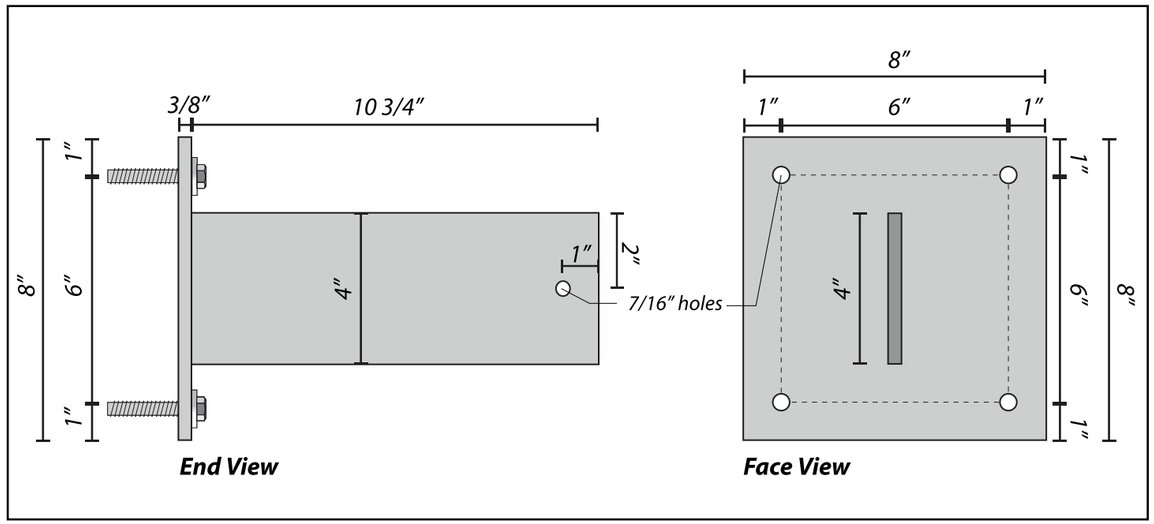


B1 North Elevation
Scale: 1/4"=1'-0"

Primary Electrical Location
Client to provide 20 Amp / 120 Volt dedicated circuit to sign location



Knife Plate Install Detail
Scale: 3"=1'-0"



3/8" x 8" x 8" Steel Plate Detail
Scale: 3"=1'-0"

A DESIGN STUDIO

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V15	

PAGE SCALE
As Noted

PAGE #

B1-S22 - ELEVATIONS

Sign Area: 40.0 Square Feet

B1 East Elevation

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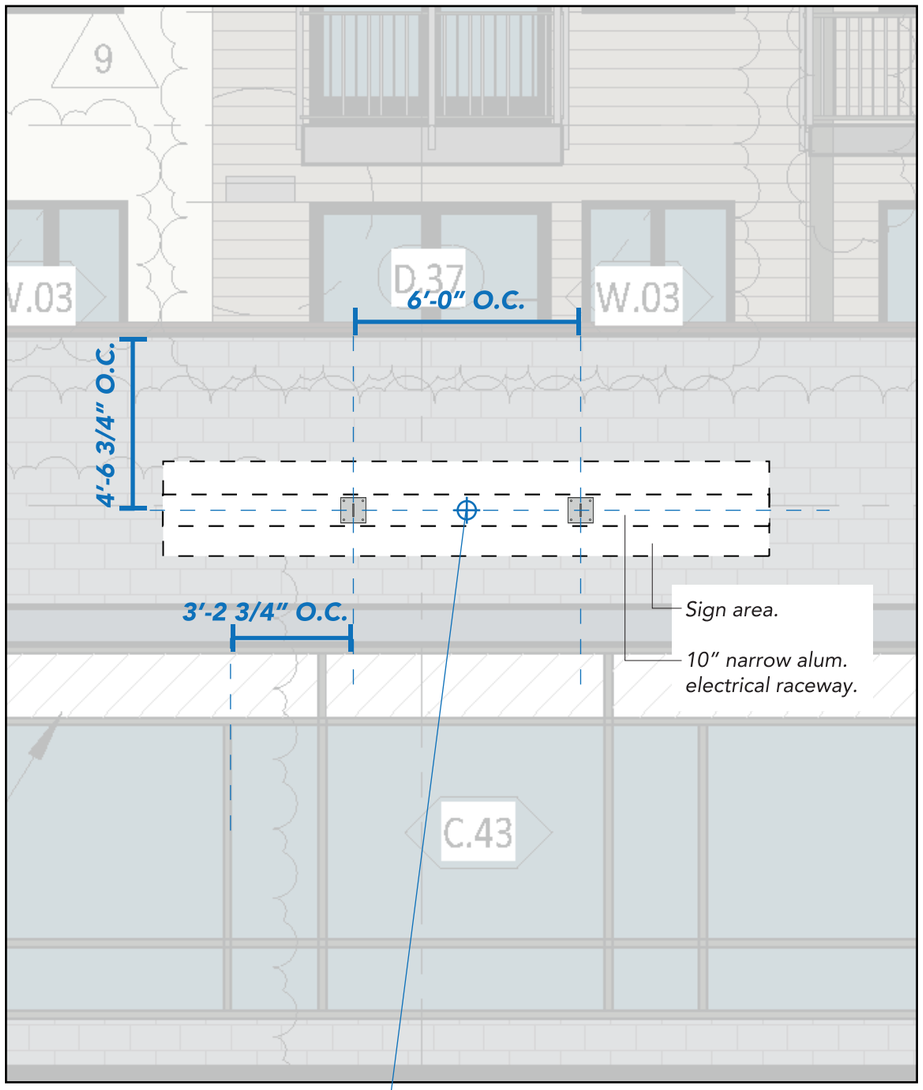
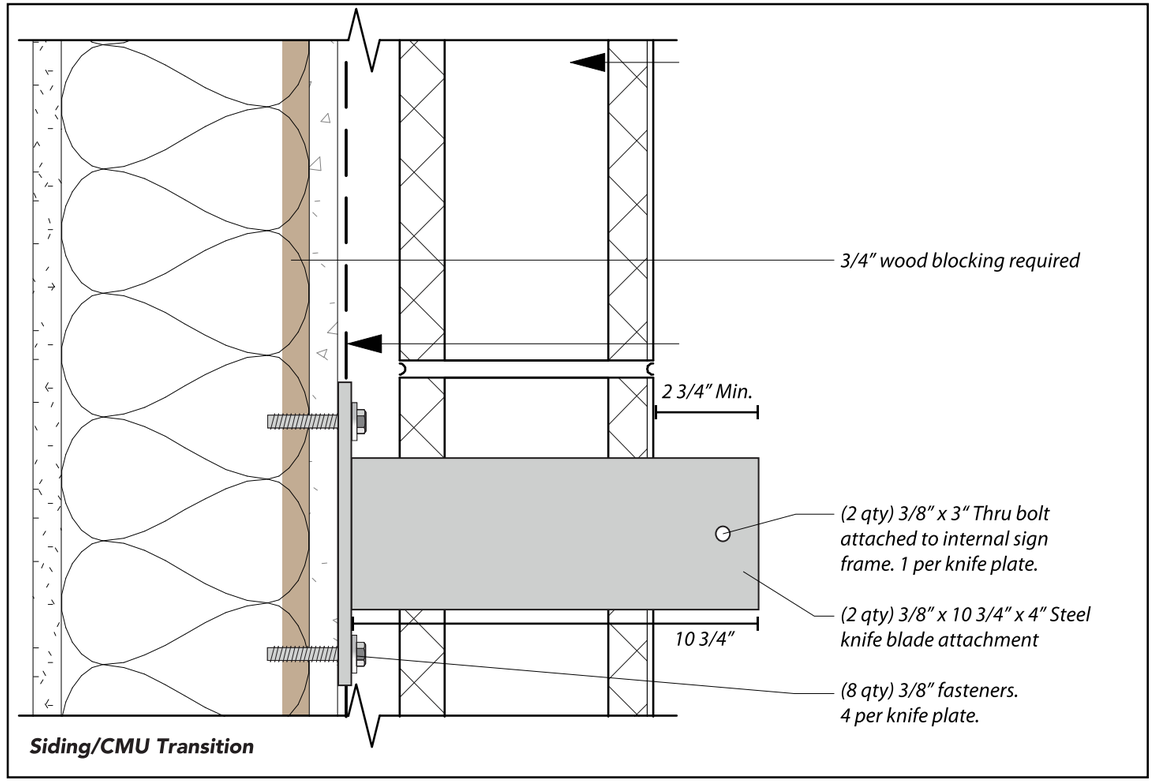
PAGE SCALE
1/4" = 1'-0"

PAGE #

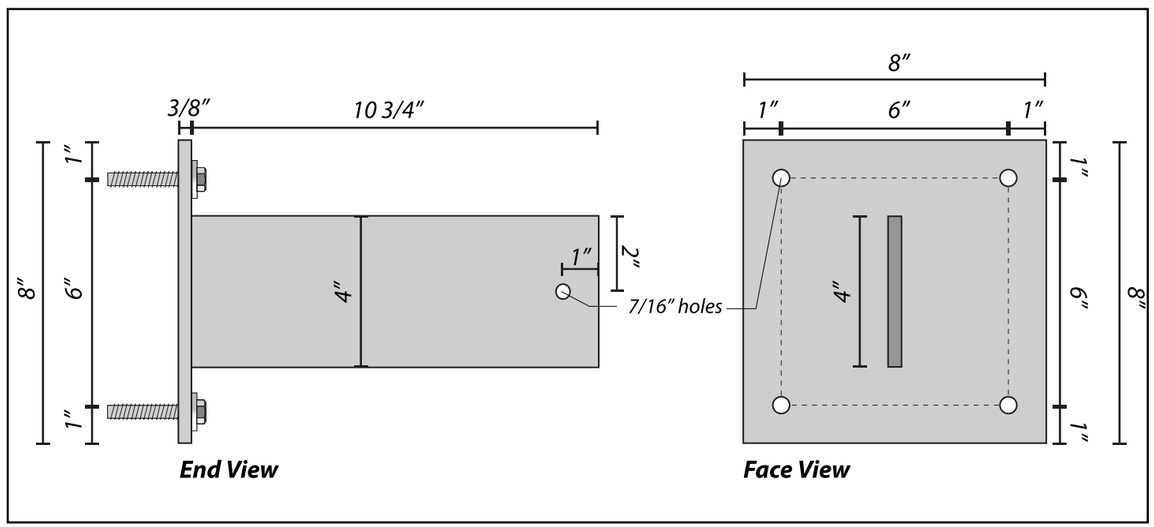
B1-S22 - ATTACHMENT DETAILS



B1 East Elevation
Scale: 1/4"=1'-0"



Knife Plate Install Detail
Scale: 3"=1'-0"



3/8" x 8" x 8" Steel Plate Detail
Scale: 3"=1'-0"

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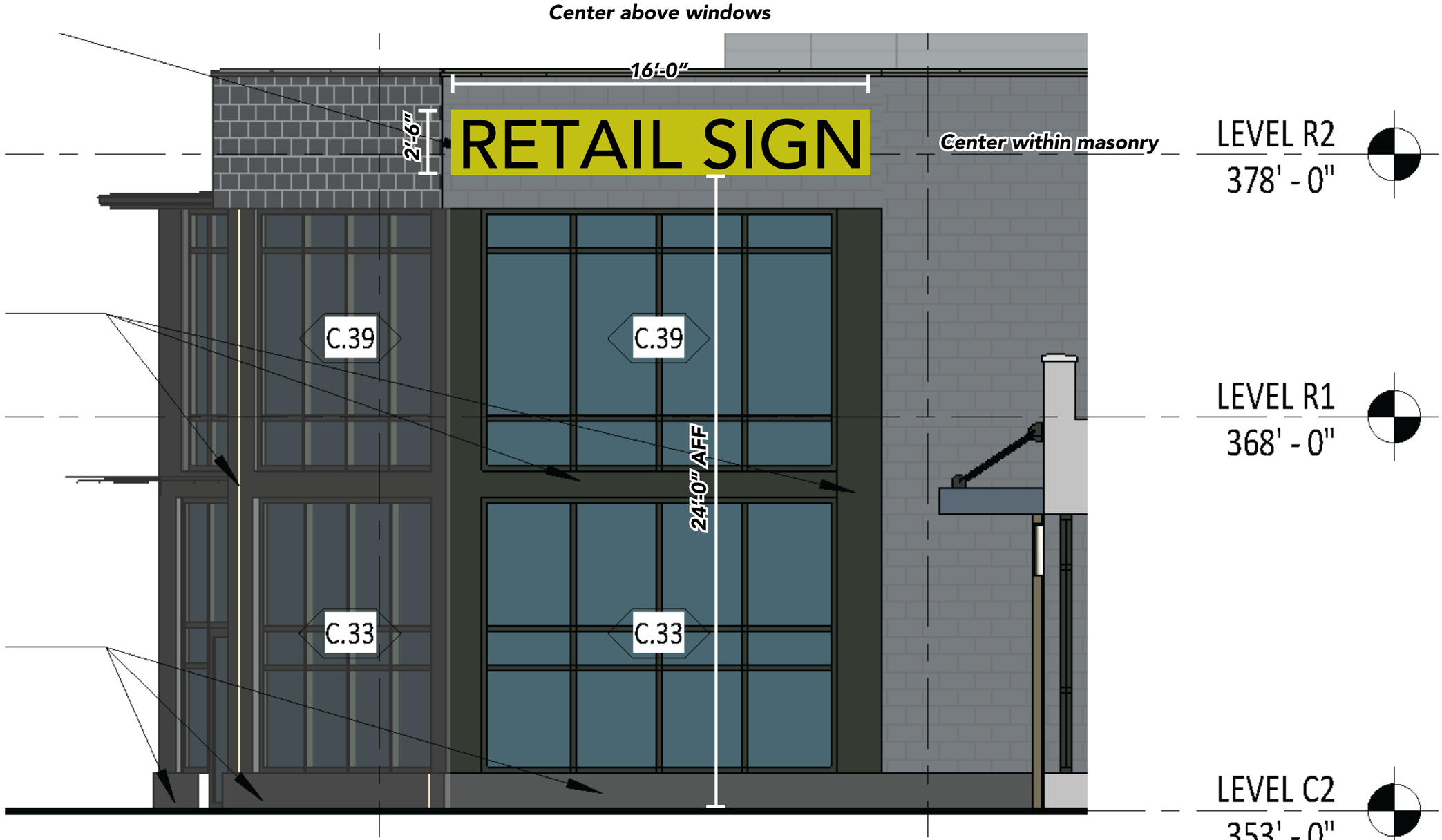
V15	

PAGE SCALE
As Noted

PAGE #
85

B1-S23 - ELEVATIONS

Sign Area: 40.0 Square Feet



B1 North Elevation - Covered Outdoor Plaza

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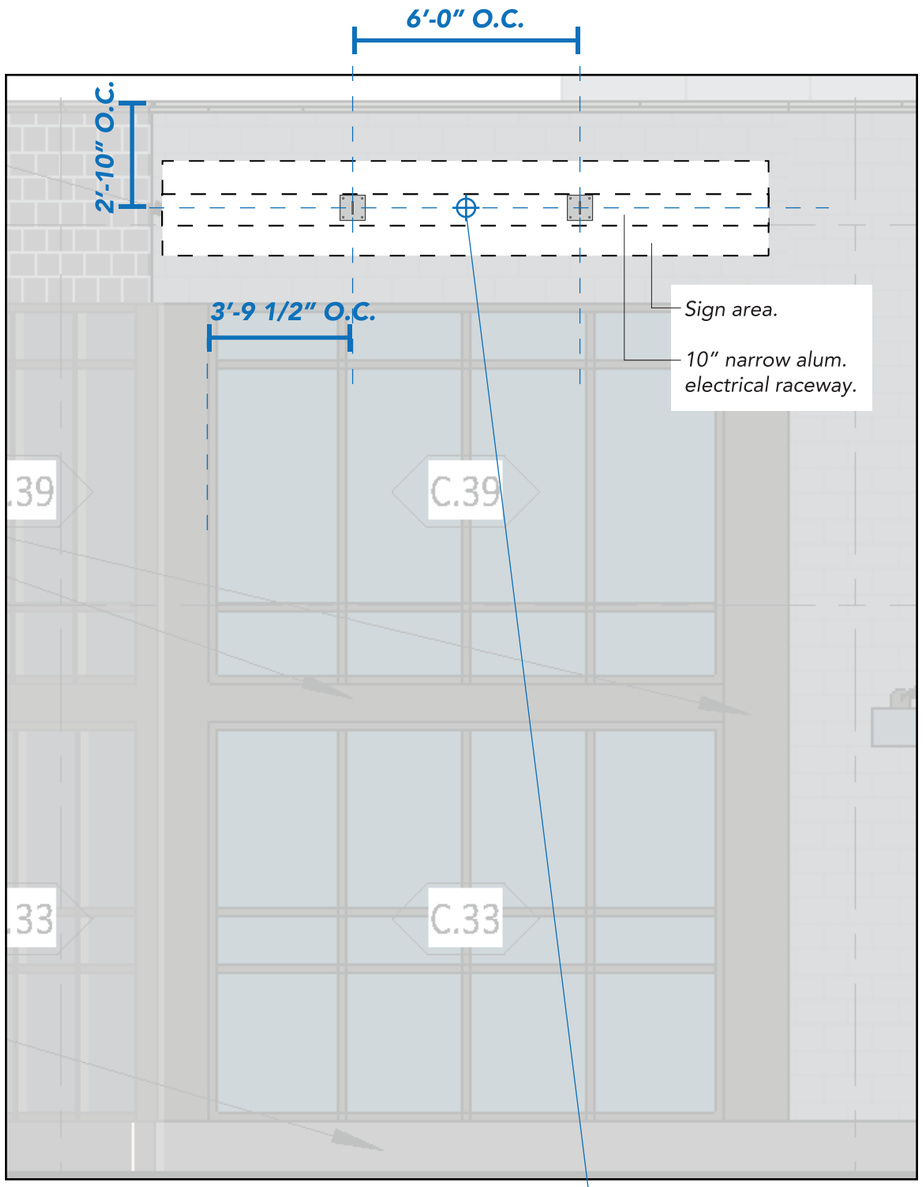
PAGE SCALE
1/4" = 1'-0"

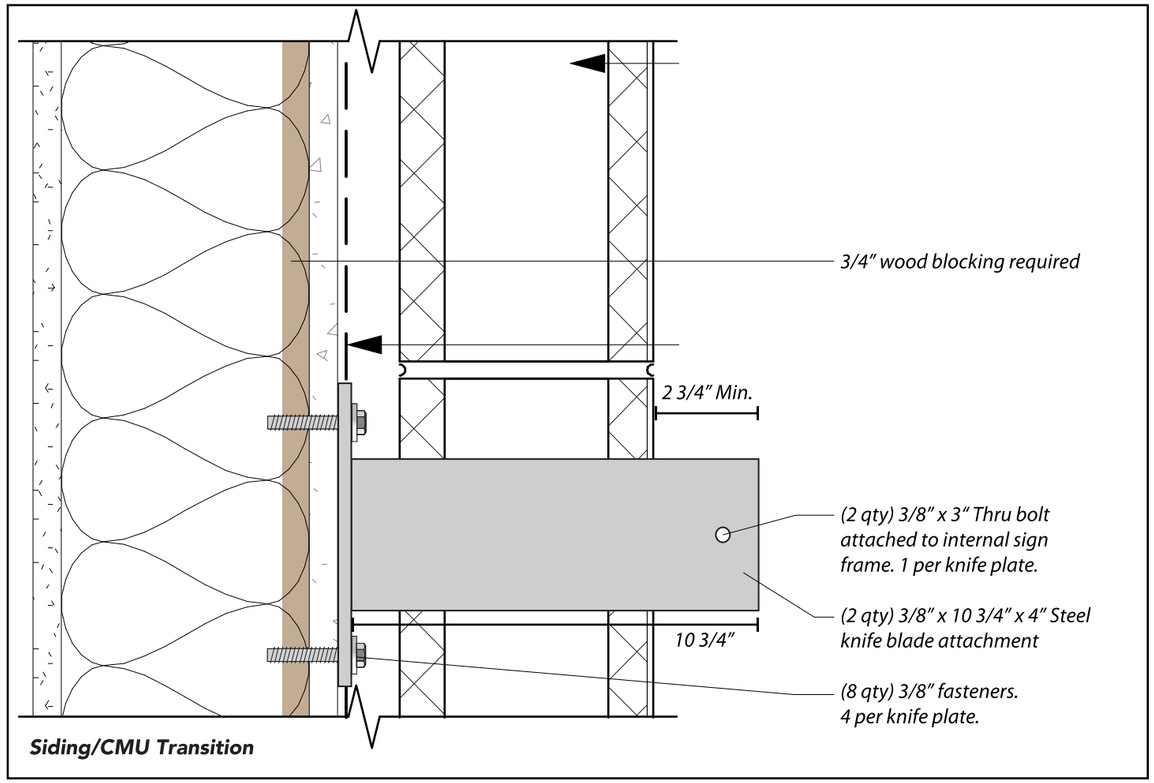
PAGE #
86

B1-S23 - ATTACHMENT DETAILS

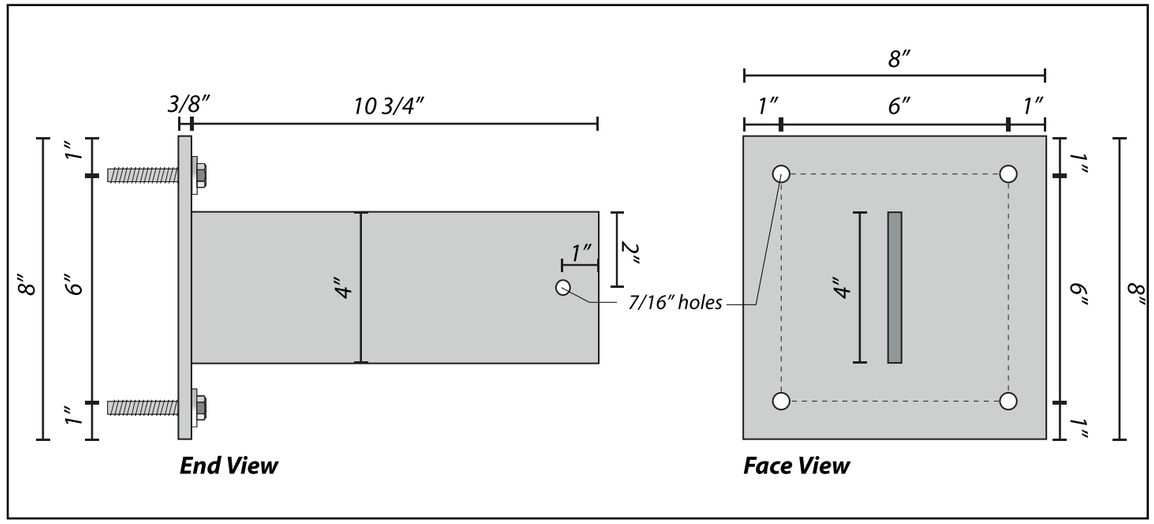


B1 North Elevation - Covered Outdoor Plaza
Scale: 1/4"=1'-0"

Primary Electrical Location
Client to provide 20 Amp / 120 Volt dedicated circuit to sign location



Knife Plate Install Detail
Scale: 3"=1'-0"



3/8" x 8" x 8" Steel Plate Detail
Scale: 3"=1'-0"

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V13	06/02 Revise B1 canopy details
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V15	

PAGE SCALE
As Noted

PAGE #
87

BUILDING 2

A DESIGN STUDIO

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ADDRESS
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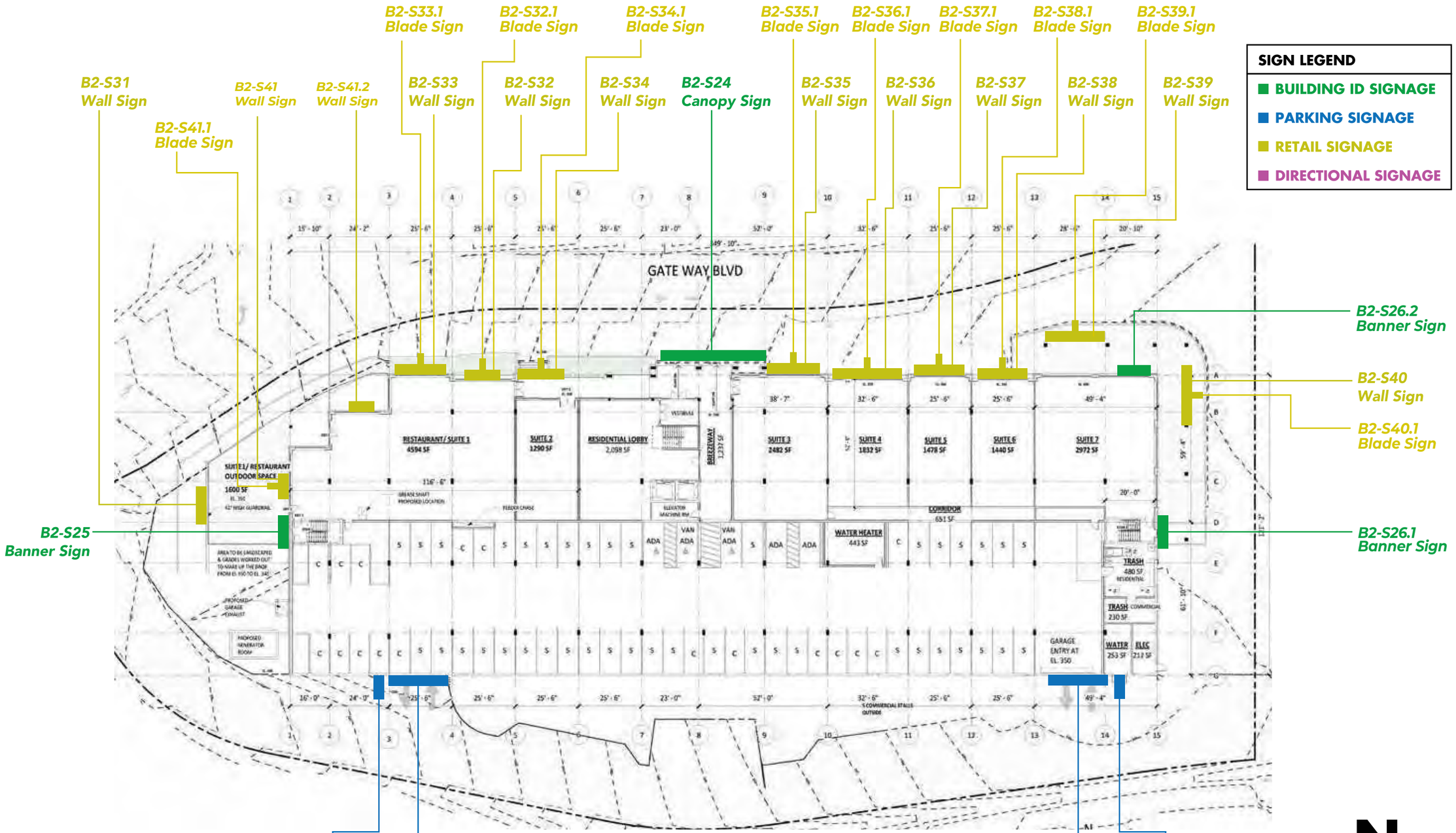
V15	

PAGE SCALE
As Noted

PAGE #
88

SITE PLANS - B2



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20-004

ADDRESS
24015 Van Ry Blvd
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DATE
12/10/20

VERSION NOTES

V1
V2
V3
V4
V5
V6
V7
V8
V9
V10
V11
V12
V13
V14
V15

PAGE SCALE
As Noted

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89

B2 - ELEVATIONS

COLOR KEY

- **BUILDING ID SIGNAGE**
- **RETAIL SIGNAGE**
- **PARKING SIGNAGE**

East Elevation

B2-S28
Blade Sign

B2-S30
Wall Sign

B2-S29
Wall Sign

B2-S27
Blade Sign

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PROJECT NAME
Terrace Station

PROJECT #
20-004

ADDRESS
24015 Van Ry Blvd
Mountlake Terrace, WA 98043

DATE
12/10/20

VERSION NOTES

V1
V2
V3
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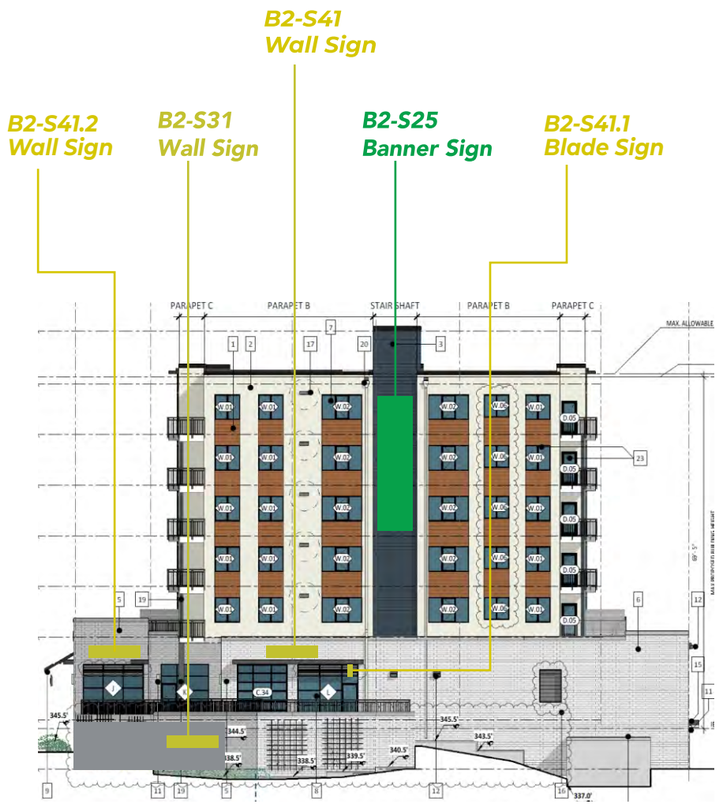
PAGE SCALE
1" = 30'-0"

PAGE #

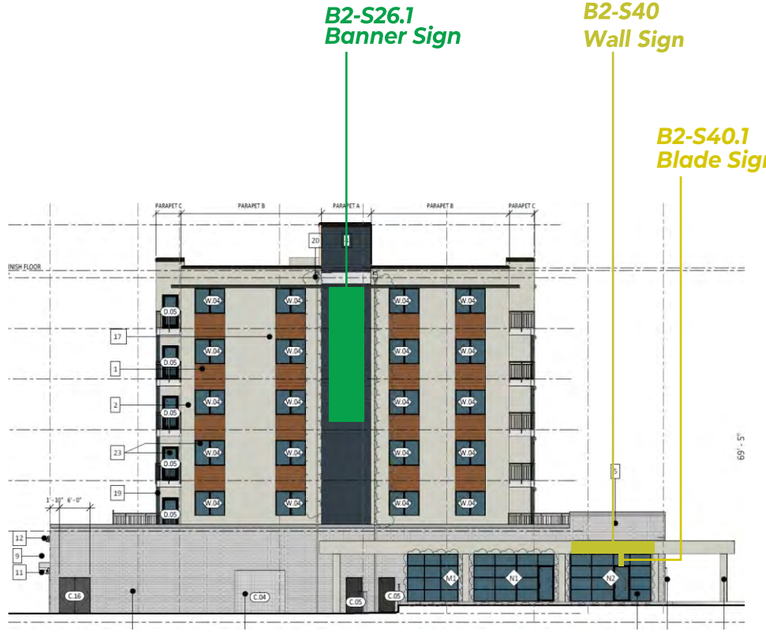
B2 - ELEVATIONS

COLOR KEY

- **BUILDING ID SIGNAGE**
- **RETAIL SIGNAGE**
- **PARKING SIGNAGE**



South Elevation



North Elevation

A DESIGN STUDIO

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CREATIVE
Brody Lund
425.359.7380

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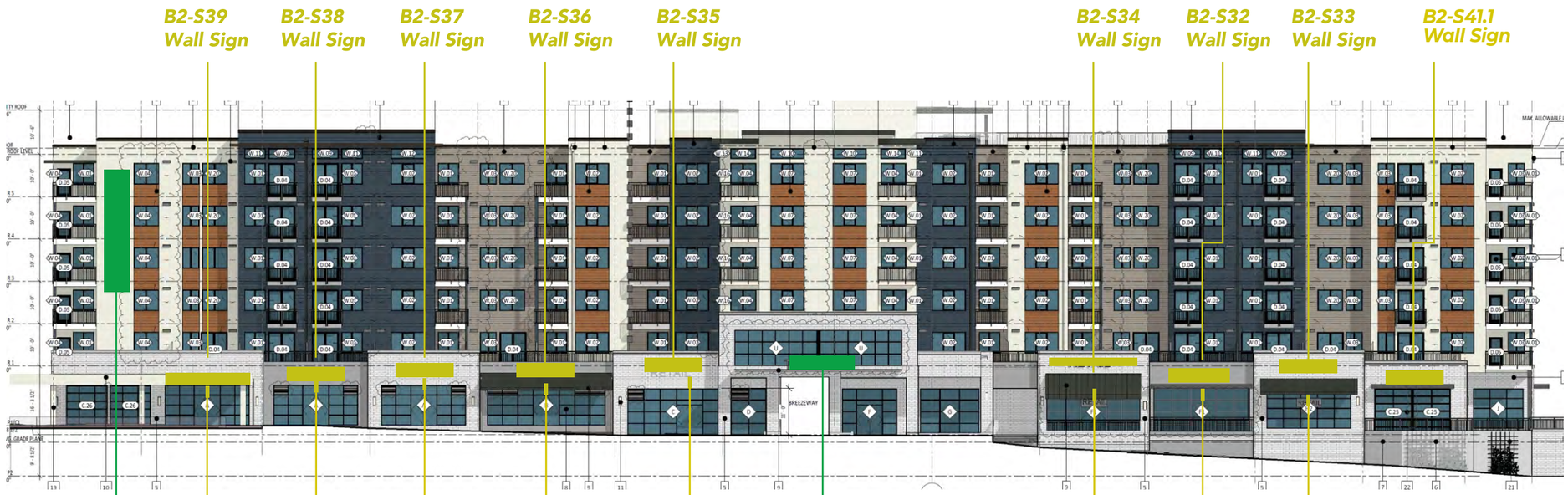
PAGE SCALE
1" = 30'-0"

PAGE #
91

B2 - ELEVATIONS

COLOR KEY

- **BUILDING ID SIGNAGE**
- **RETAIL SIGNAGE**
- **PARKING SIGNAGE**



West Elevation

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PAGE SCALE
1" = 30'-0"

PAGE #
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B2 - SIGN SCHEDULE

BUILDING 2		PAGE 88
B2-S24	S/F ILLUMINATED CANOPY SIGN ■ QTY (1) 14’-0”W x 3’-5 5/8”H ■ SIGN AREA: 48.6 SQ FT	PAGE 94-97
B2-S25	S/F NON-ILLUM. TEMP. BANNER SIGN ■ QTY (1) 4’-4”W x 26’-7”H ■ SIGN AREA: 115.2 SQ FT	PAGE 98, 101-102
B2-S26	S/F NON-ILLUM. TEMP. BANNER SIGN ■ QTY (1) 4’-4”W x 26’-7”H ■ SIGN AREA: 115.2 SQ FT	PAGE 99-102
B2-S27	D/F ILLUMINATED BLADE SIGN ■ QTY (1) 2’-0”W x 2’-8”H ■ SIGN AREA: 5.3 SQ FT	PAGE 103, 105-106
B2-S28	D/F ILLUMINATED BLADE SIGN ■ QTY (1) 2’-0”W x 2’-8”H ■ SIGN AREA: 5.3 SQ FT	PAGE 104-105, 107
B2-S29	S/F NON-ILLUMINATED WALL SIGN ■ QTY (1) 21’-4”W x 1’-6”H ■ SIGN AREA: 32.0 SQ FT	PAGE 108-109
B2-S30	S/F NON-ILLUMINATED WALL SIGN ■ QTY (1) 21’-4”W x 1’-6”H ■ SIGN AREA: 32.0 SQ FT	PAGE 110-111
B2-S31	S/F ILLUMINATED WALL SIGN ■ QTY (1) 15’-0”W x 2’-4 1/2”H ■ SIGN AREA: 40.0 SQ FT	PAGE 112-114
B2-S32	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0”W x 2’-6”H ■ SIGN AREA: 40 SQ FT	PAGE 115-116
B2-S32.1	D/F NON-ILLUMINATED BLADE SIGN ■ QTY (1) 4’-0” W x 1’-6” H ■ SIGN AREA: 6.0 SQ FT	PAGE 116.1
B2-S33	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0”W x 2’-6”H ■ SIGN AREA: 40.0 SQ FT	PAGE 117-118
B2-S33.1	D/F NON- ILLUMINATED BLADE SIGN ■ QTY (1) 4’-0” W x 1’-6” H ■ SIGN AREA: 6.0 SQ FT	PAGE 118.1
B2-S34	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0”W x 2’-6”H ■ SIGN AREA: 40.0 SQ FT	PAGE 119-120
B2-S34.1	D/F NON-ILLUMINATED BLADE SIGN ■ QTY (1) 4’-0” W x 1’-6” H ■ SIGN AREA: 6.0 SQ FT	PAGE 120.1
B2-S35	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0”W x 2’-6”H ■ SIGN AREA: 40.0 SQ FT	PAGE 121-122
B2-S35.1	D/F NON-ILLUMINATED BLADE SIGN ■ QTY (1) 4’-0” W x 1’-6” H ■ SIGN AREA: 6.0 SQ FT	PAGE 122.1
B2-S36	S/F ILLUMINATED WALL SIGN ■ QTY (1) 22’-0”W x 1’-6”H ■ SIGN AREA: 33.0 SQ FT	PAGE 123-124
B2-S36.1	D/F NON-ILLUMINATED BLADE SIGN ■ QTY (1) 4’-0” W x 1’-6” H ■ SIGN AREA: 6.0 SQ FT	PAGE 124.1
B2-S37	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0”W x 2’-6”H ■ SIGN AREA: 40.0 SQ FT	PAGE 125-126
B2-S37.1	D/F NON-ILLUMINATED BLADE SIGN ■ QTY (1) 4’-0” W x 1’-6” H ■ SIGN AREA: 6.0 SQ FT	PAGE 126.1
B2-S38	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0”W x 2’-6”H ■ SIGN AREA: 40.0 SQ FT	PAGE 127-128
B2-S38.1	D/F NON-ILLUMINATED BLADE SIGN ■ QTY (1) 4’-0” W x 1’-6” H ■ SIGN AREA: 6.0 SQ FT	PAGE 128.1
B2-S39	S/F ILLUMINATED WALL SIGN ■ QTY (1) 20’-0”W x 2’-0”H ■ SIGN AREA: 40.0 SQ FT	PAGE 129-130
B2-S39.1	D/F NON-ILLUMINATED BLADE SIGN ■ QTY (1) 4’-0” W x 1’-6” H ■ SIGN AREA: 6.0 SQ FT	PAGE 130.1
B2-S40	S/F ILLUMINATED WALL SIGN ■ QTY (1) 20’-0”W x 2’-0”H ■ SIGN AREA: 40.0 SQ FT	PAGE 131-132
B2-S40.1	D/F NON-ILLUMINATED BLADE SIGN ■ QTY (1) 4’-0” W x 1’-6” H ■ SIGN AREA: 6.0 SQ FT	PAGE 132.1
B2-S41	S/F ILLUMINATED WALL SIGN ■ QTY (1) 20’-0”W x 2’-0”H ■ SIGN AREA: 40.0 SQ FT	PAGE 133-134
B2-S41.1	D/F NON-ILLUMINATED BLADE SIGN ■ QTY (1) 4’-0” W x 1’-6” H ■ SIGN AREA: 6 SQ FT	PAGE 134.1-134.2
B2-S41.2	D/F NON-ILLUMINATED BLADE SIGN ■ QTY (1) 4’-0” W x 1’-6” H ■ SIGN AREA: 6 SQ FT	PAGE 134.3

A DESIGN STUDIO

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V13
V14
V15

PAGE SCALE
1/4” = 1’-0”

PAGE E8
93

B2-S24 - ELEVATIONS

Sign Area: 48.6 Square Feet

B2 West Elevation

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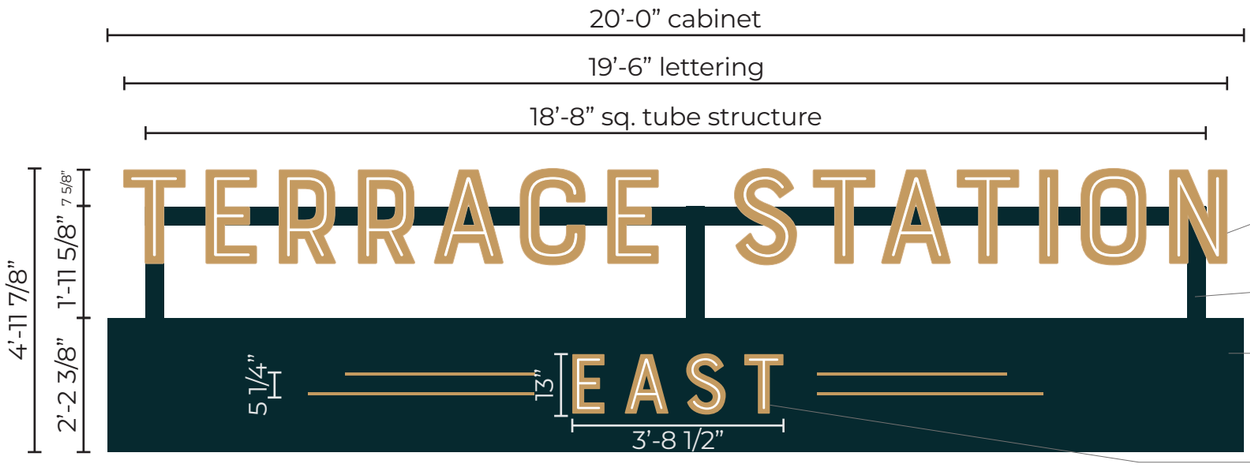
PAGE SCALE
1/4" = 1'-0"

PAGE #
94

B2-S24 - DETAILS



Face View

End View

3” Alum. open pan channel letters. Paint faces and returns gold. 12mm white single tube neon.

4” alum. square tube supports. Paint navy, satin finish.

8” alum sign cabinet. Removable faces. Paint navy, satin finish. 1/2” acrylic push thru graphics. Gold translucent vinyl applied to faces.

3” alum. open pan channel letters. Paint faces and returns gold. 8mm white single tube neon.

Internal power supply.

Drill & tap 3/8” x 4” bolts, 2 places minimum every 4’-0”.

Sign B2-S24: *Manufacture & install (1) single face illuminated canopy sign with neon open pan channel lettering.*

Sign Area: 99.8 Square Feet

CLIENT TO PROVIDE
20 AMP / 120 VOLT
DEDICATED SIGN CIRCUIT WITHIN
6 FT OF SIGN LOCATION

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PAGE SCALE
3/8” = 1’-0”

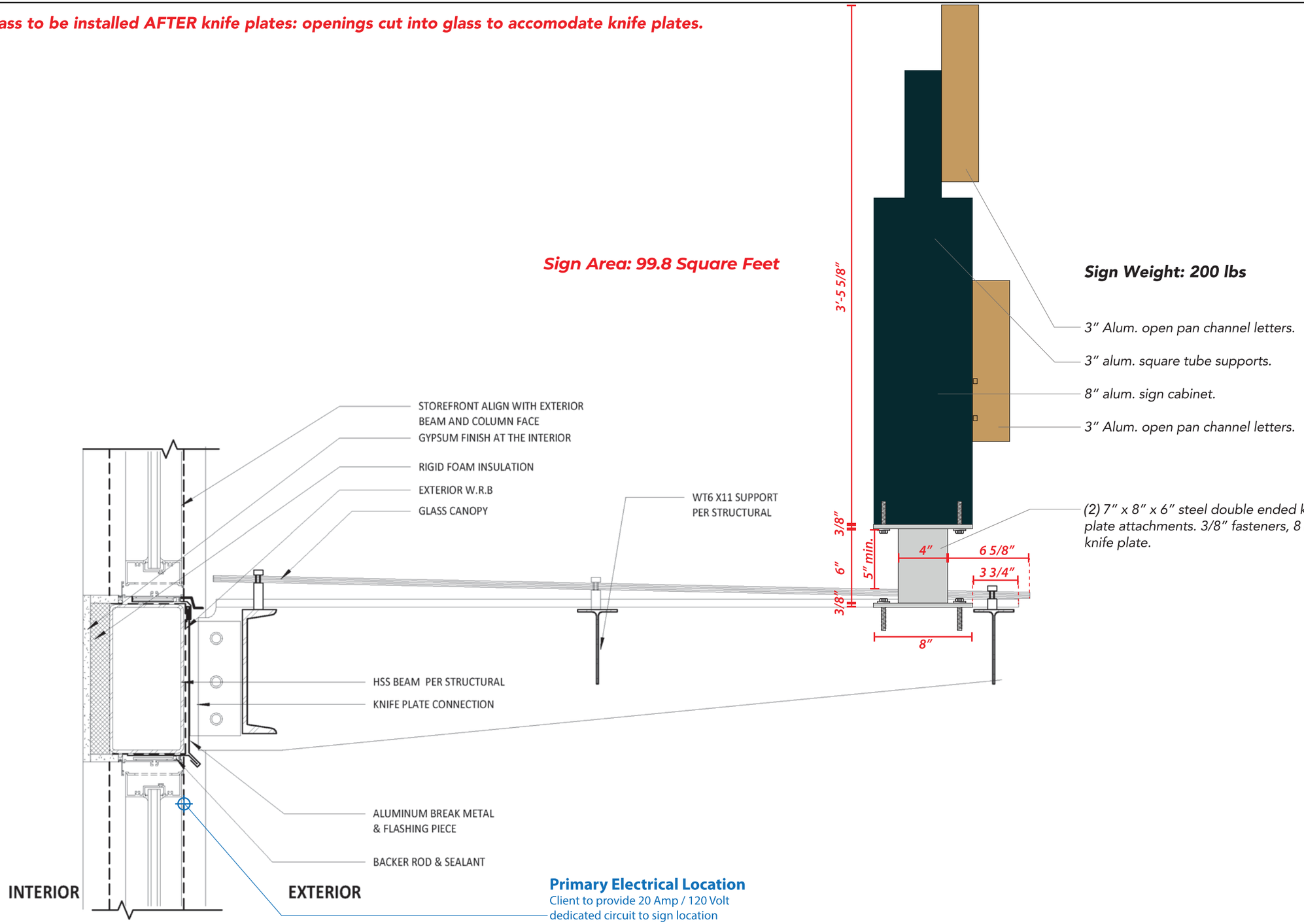
PAGE #
95

B2-S24 - ATTACHMENT DETAILS

Glass to be installed AFTER knife plates: openings cut into glass to accomodate knife plates.

Sign Area: 99.8 Square Feet

Sign Weight: 200 lbs



1 BEAM DETAIL AT VESTIBULE ENTRY CANOPY

SCALE: 1 1/2" = 1'-0"

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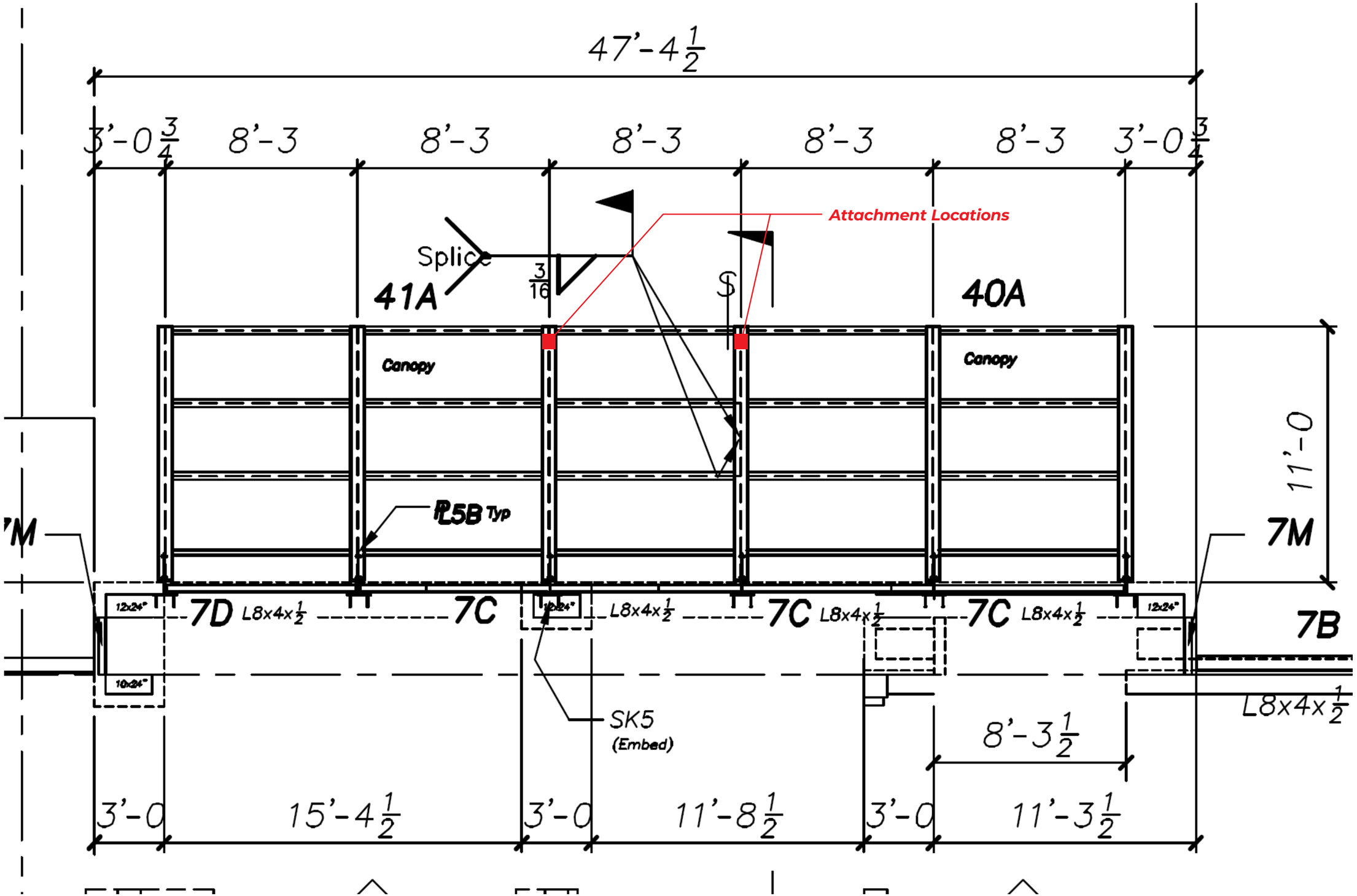
PAGE SCALE
As Noted

PAGE #
96

B2-S24 - ATTACHMENT DETAILS



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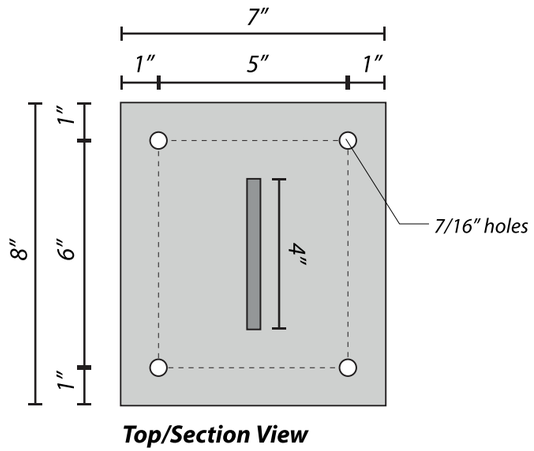
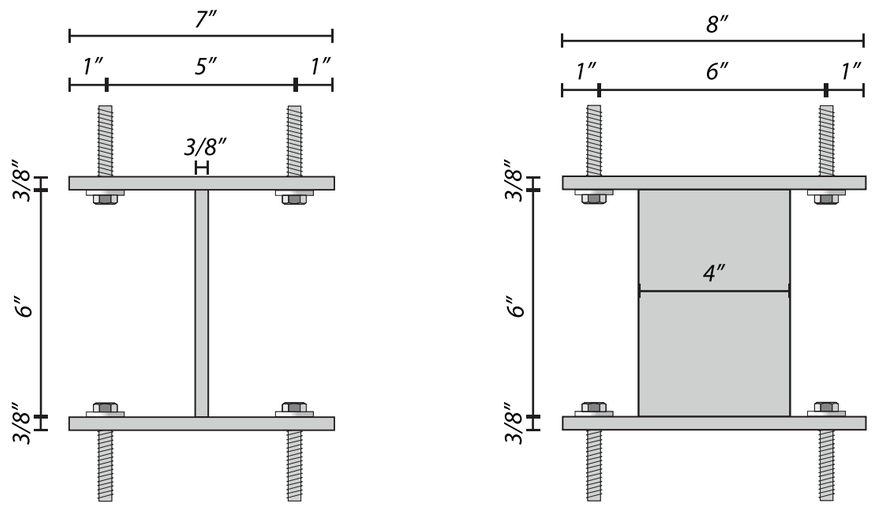
PAGE SCALE
1/4" = 1'-0"

PAGE #
96.1

B2-S24 - ATTACHMENT DETAILS



Top/Section View



3/8″ x 7″ x 8″ Steel Double Ended Knife Plate Detail
Scale: 3″=1′-0″

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PAGE SCALE
As Noted

PAGE #
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B2-S25 - ELEVATIONS

Sign Area: 115.2 Square Feet

B2 South Elevation

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PAGE SCALE
1/4" = 1'-0"

PAGE #

B2-S26.1 - ELEVATION

Sign Area: 115.2 Square Feet

B2 North Elevation

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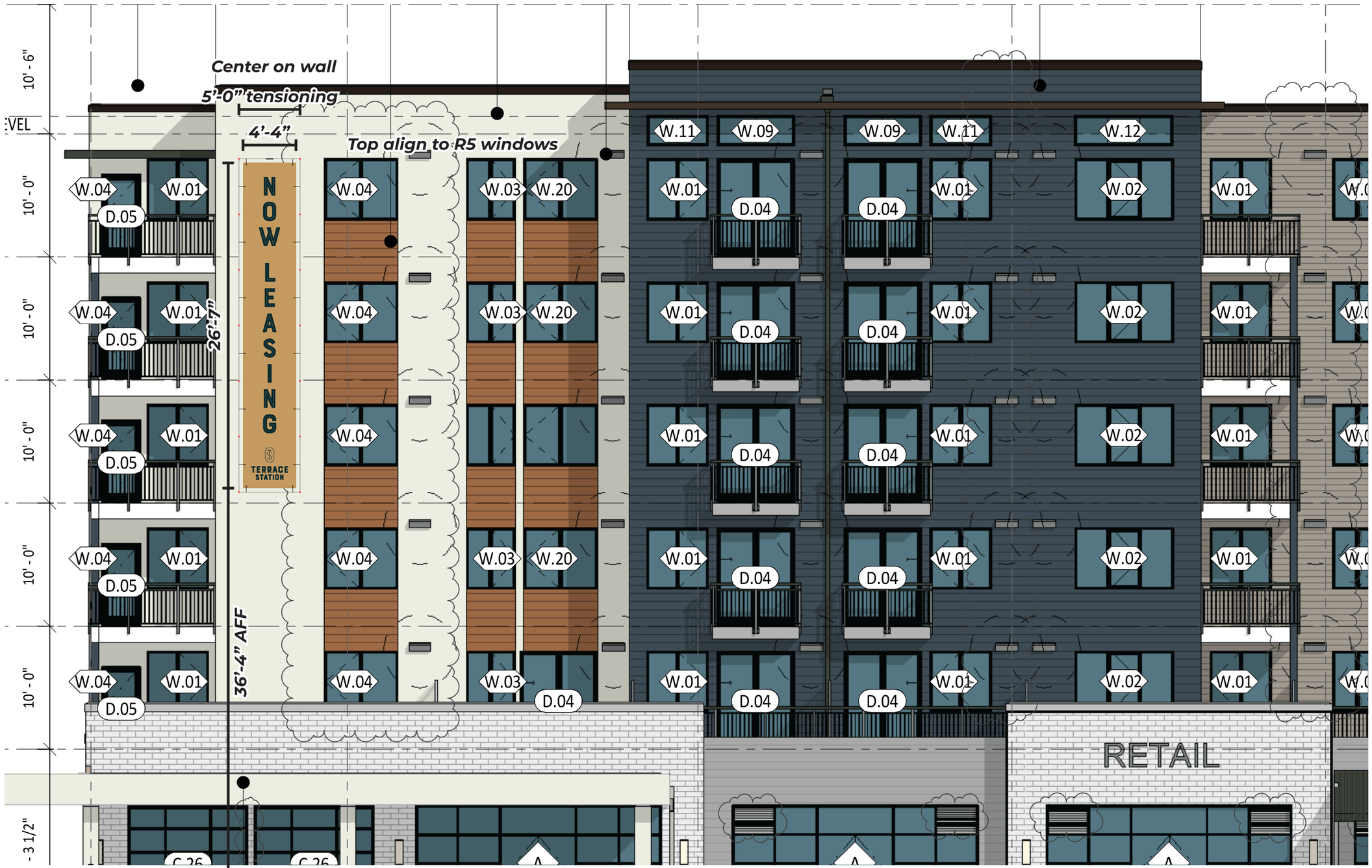
PAGE SCALE
1/4" = 1'-0"

PAGE #
99

B2-S26.2 - ELEVATION



B2 West Elevation

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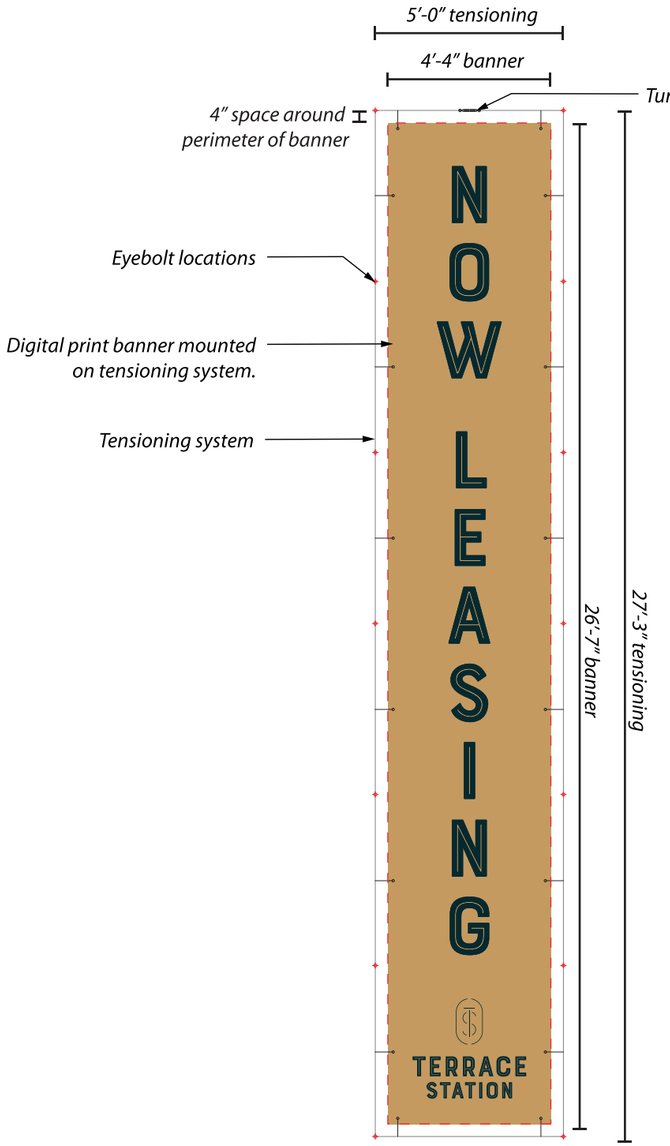
PAGE SCALE
1/8" = 1'-0"

PAGE #
100

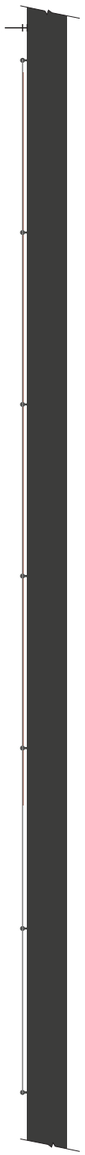
B2-S25 & B2-S26 - DETAILS

Sign Area: 115.2 Square Feet

Signs B2-S25 & B2-S26: *Manufacture & install (2) single face non-illuminated temporary banners.*



Front View

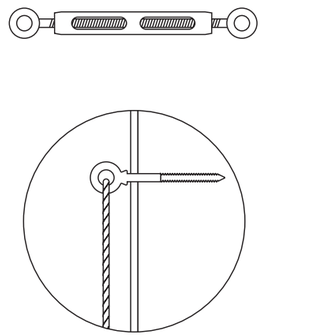


End View

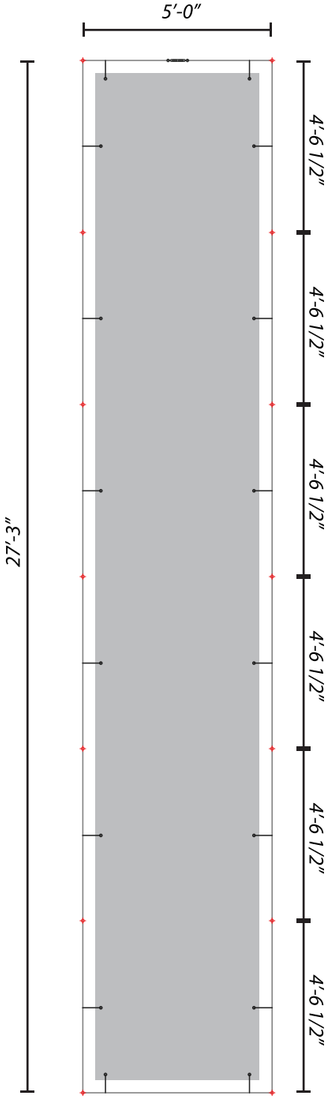
Banner Installation
Required Materials:
- *Eye Bolts*
- *Tenson Cable*
- *Turnbuckle*

Eye Bolts To Be Provided By Others.

Banners Attach to Cable Tension System With Quick Lock Fasteners.



Tensioning System Components



Eyebolt Locations

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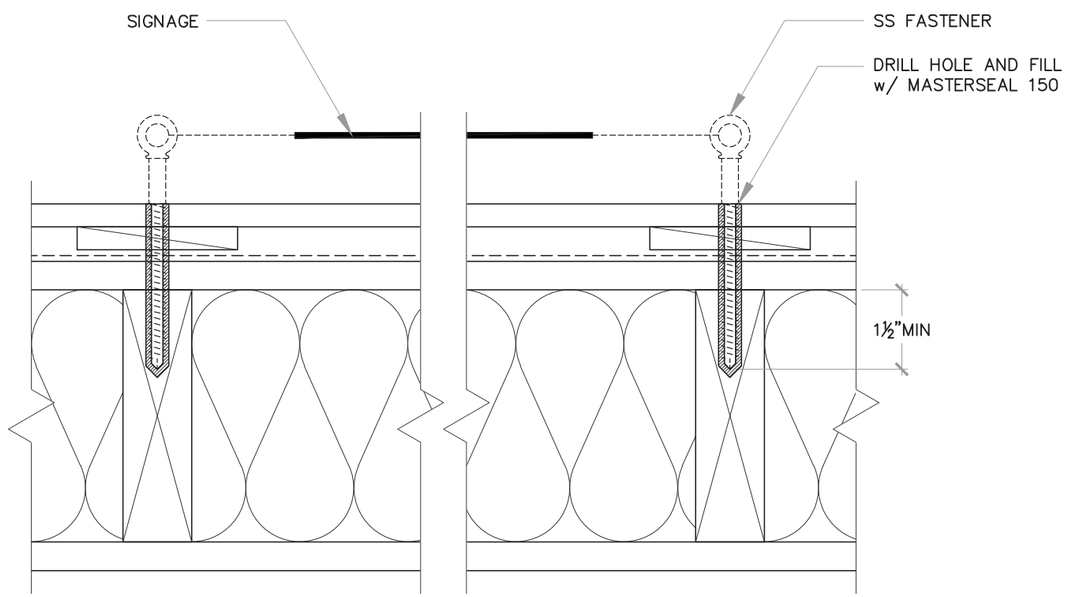
PAGE SCALE
1/4" = 1'-0"

PAGE #
101

B2-S25 & B2-S26 - ATTACHMENT DETAILS

NOTES:
1. FRAMING PER ARCH
2. ALIGN FASTENERS w/ BATTENS & STUDS

EXTERIOR



INTERIOR

229 (TYPICAL)

PLAN: TEMPORARY SIGNAGE ATTACHMENT

SCALE: NTS

A DESIGN STUDIO

MAIN CONTACT
Gracia Mueller
360.929.3077

CREATIVE
Brody Lund
425.359.7380

Additional information:
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PROJECT NAME
Terrace Station

PROJECT #
20-004

ADDRESS
24015 Van Ry Blvd
Mountlake Terrace, WA 98043

DATE
12/10/20

VERSION NOTES

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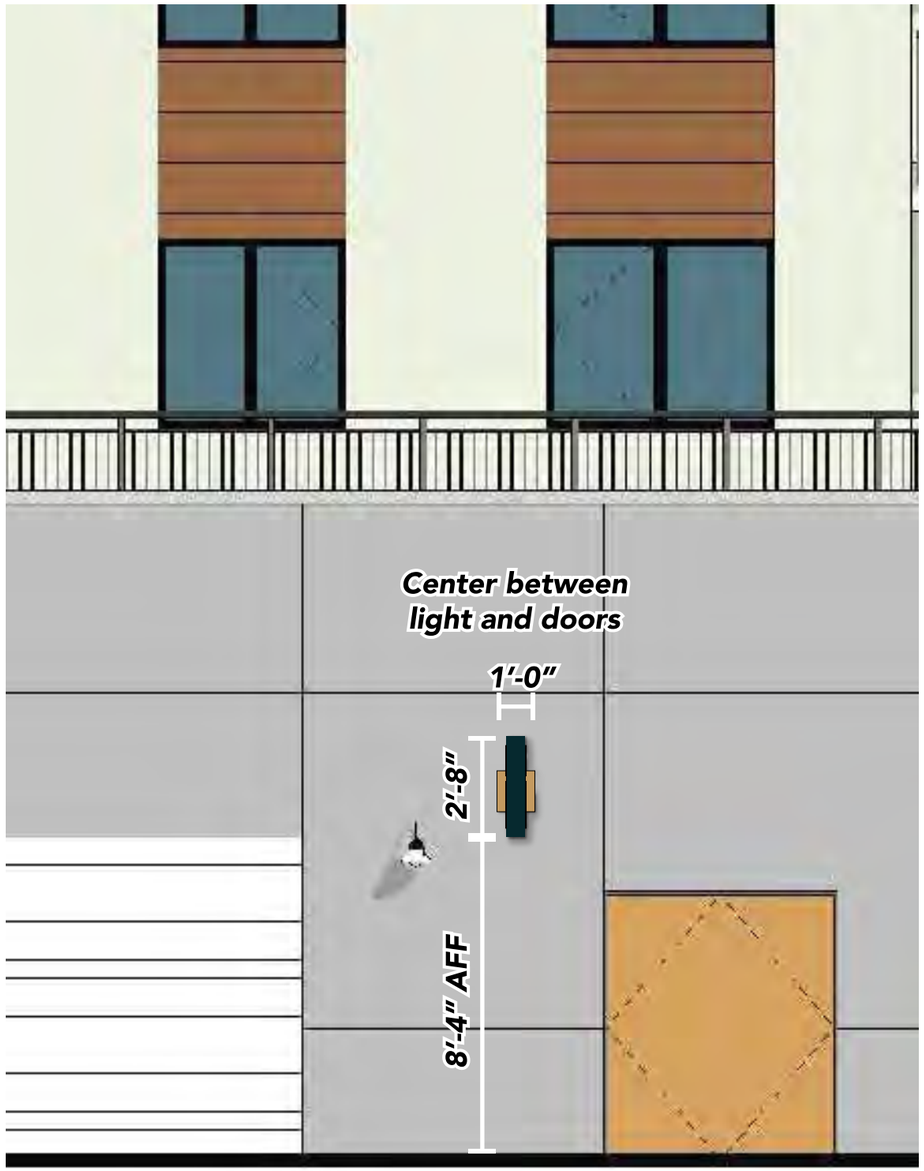
PAGE SCALE
As Noted

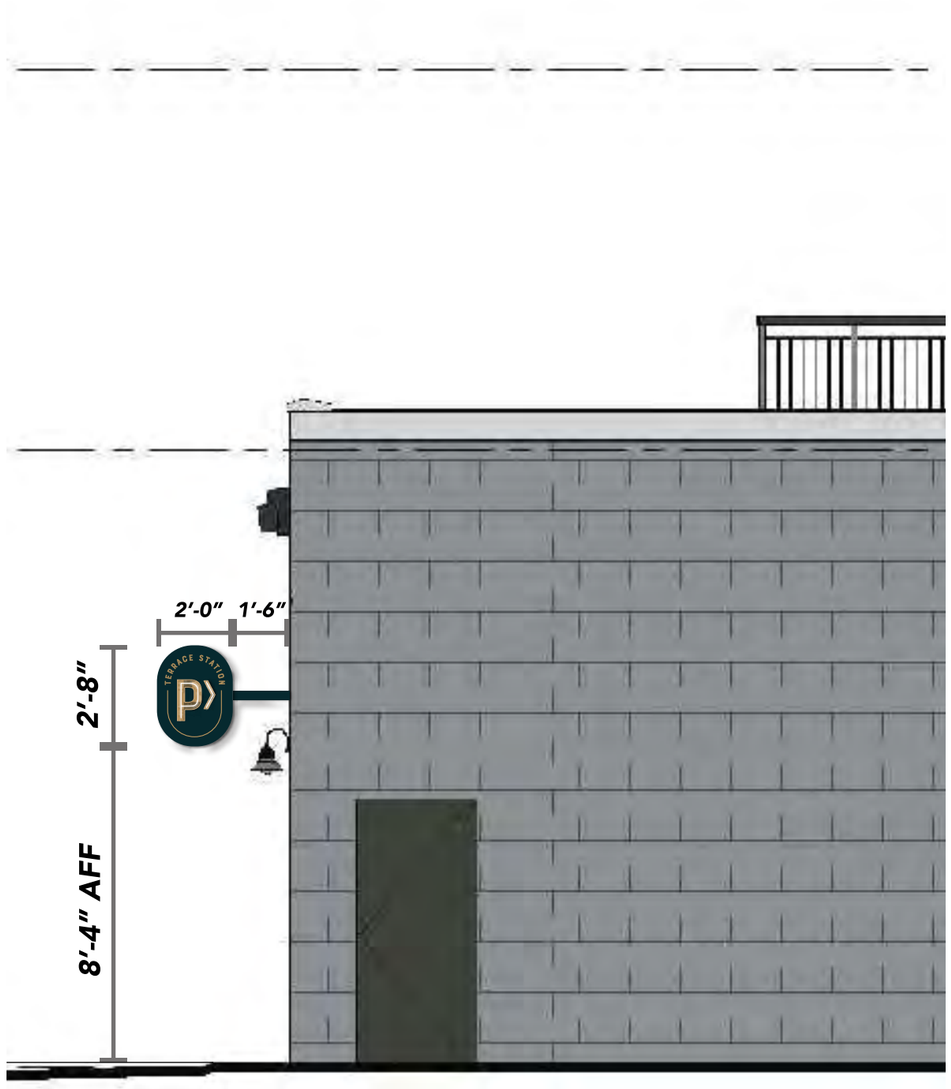
PAGE #
102

B2-S27 - ELEVATIONS

Sign Area: 5.3 Square Feet



B2 East Elevation



B2 North Elevation

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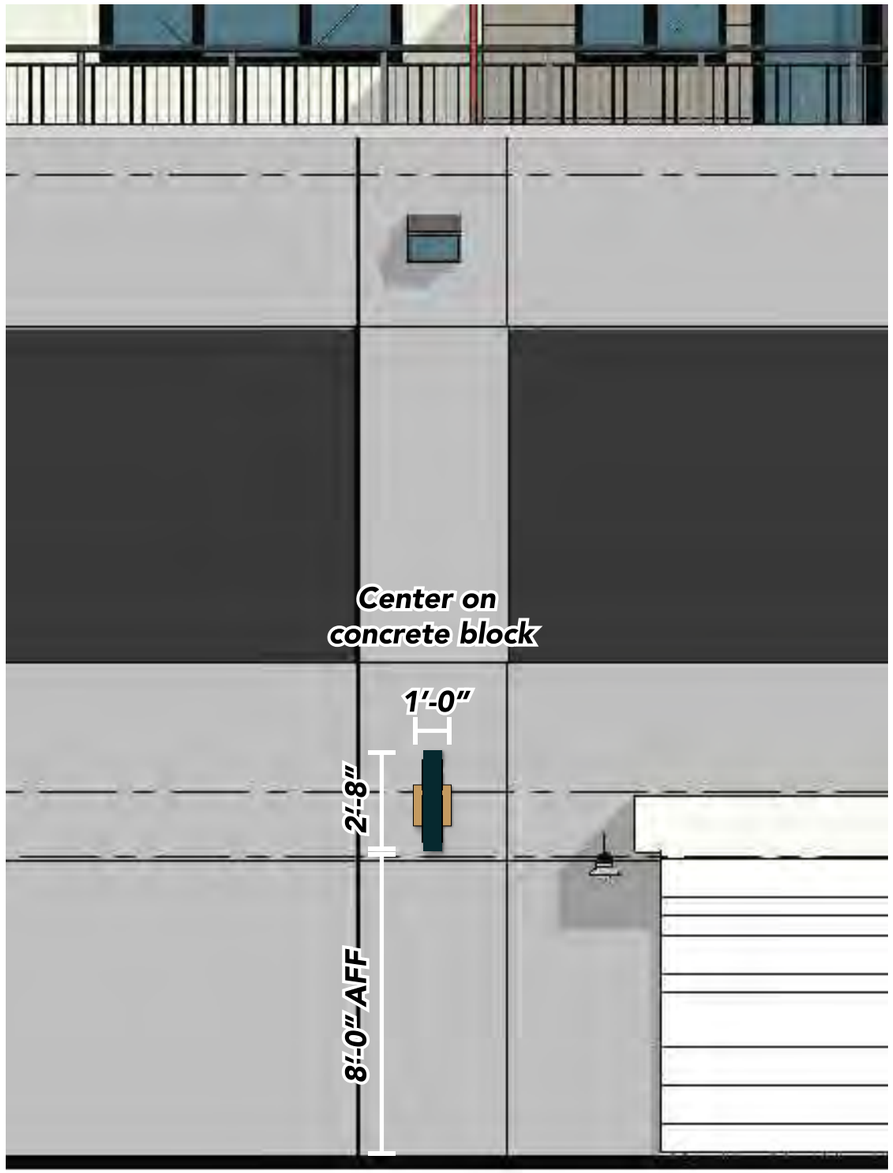
V15

PAGE SCALE
1/4" = 1'-0"

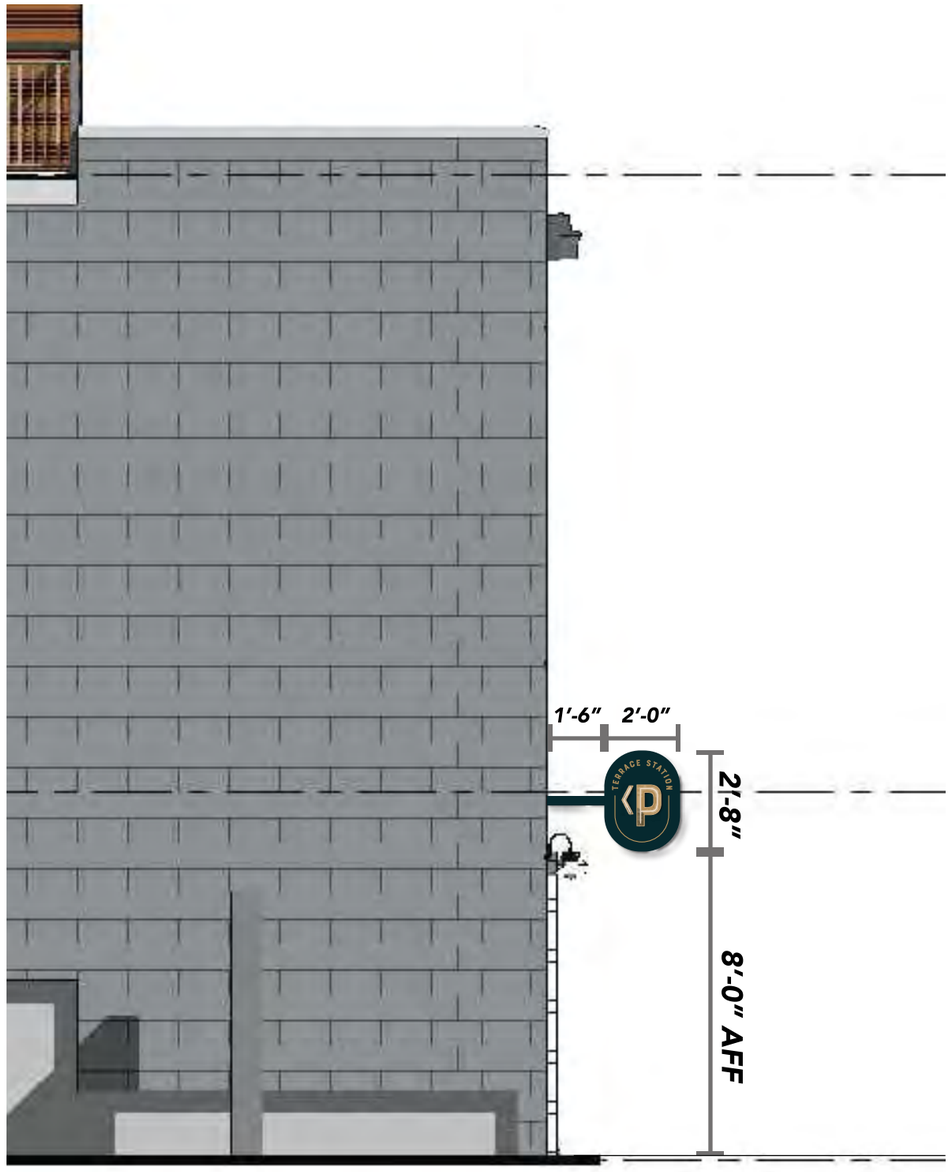
PAGE #
103

B2-S28 - ELEVATIONS

Sign Area: 5.3 Square Feet



B2 East Elevation



B2 South Elevation

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V10
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V12
V13
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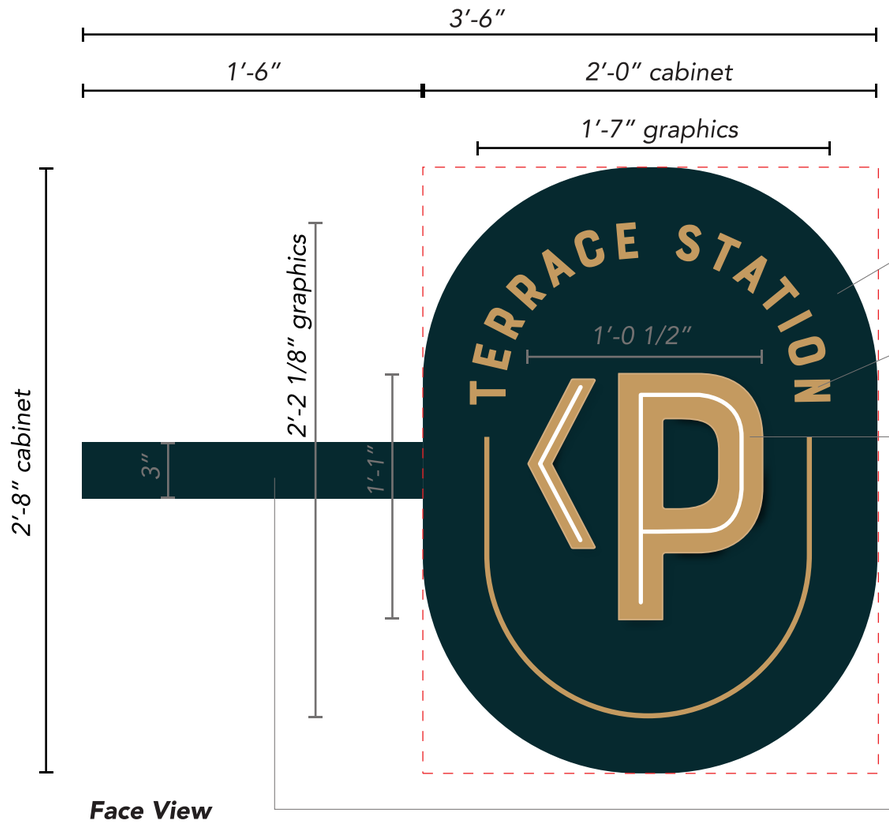
V15

PAGE SCALE
1/4" = 1'-0"

B2-S27 & B2-S28 - DETAILS



Face View

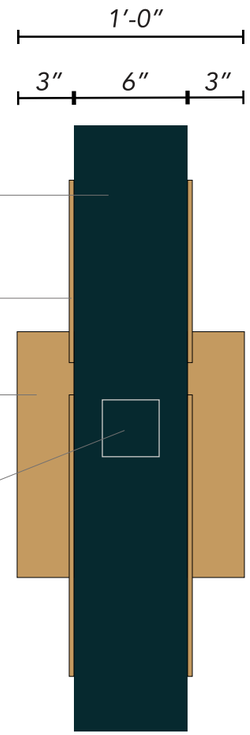
6″ deep fabricated alum. cabinet. Faces and returns painted navy, satin finish. Removable faces.

1/4″ clear acrylic push through graphics with gold translucent vinyl applied to faces. Illuminate with white LEDs.

3″ Alum. open pan channel graphics. Paint faces and returns gold. 8mm white single tube neon.

3″ alum. square tube arm. Paint navy, satin finish.

Attach with 3/8″ x 8″ x 8″ square tube knife plate.



End View

Signs B2-S27 & B2-S28: *Manufacture & install (2) double face illuminated blade signs with neon open pan channel graphics.*

Sign Area: 5.3 Square Feet

CLIENT TO PROVIDE
20 AMP / 120 VOLT
DEDICATED SIGN CIRCUIT WITHIN
6 FT OF SIGN LOCATION

Reverse Face View (NTS)

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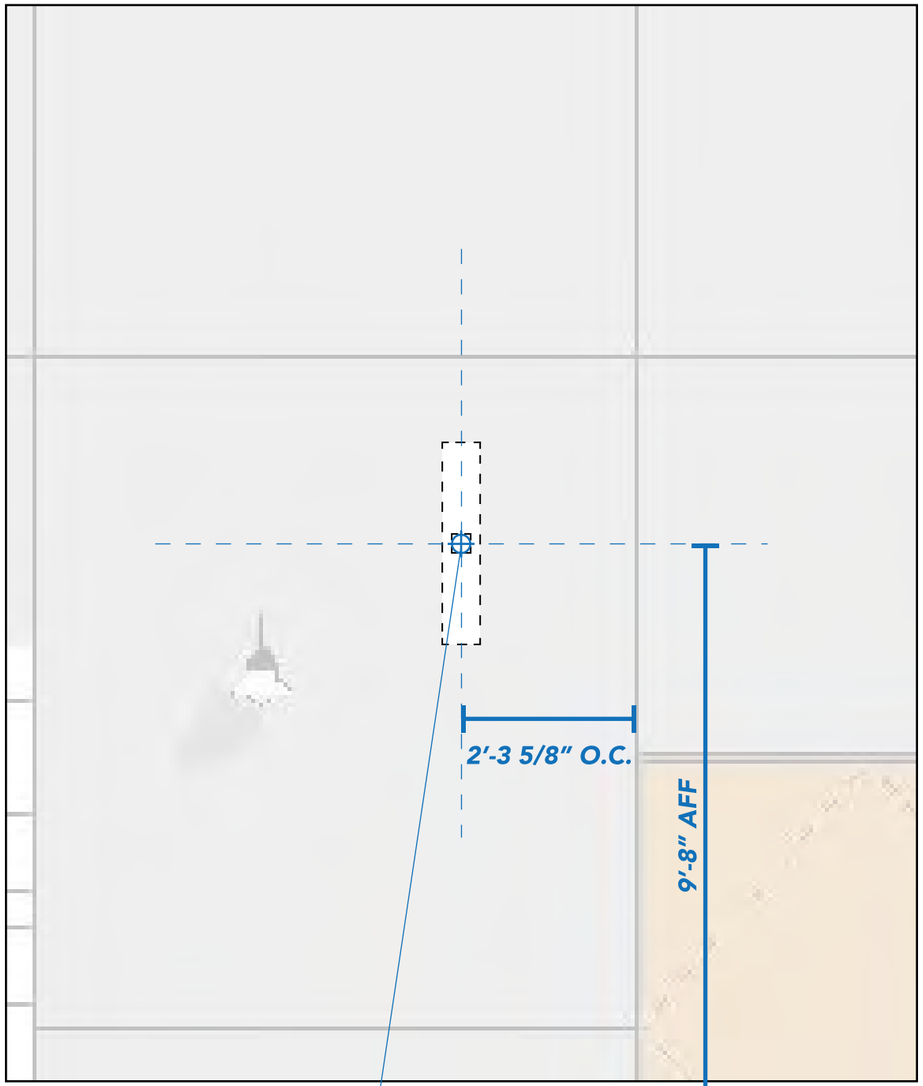
PAGE SCALE
1 1/2″ = 1′-0″

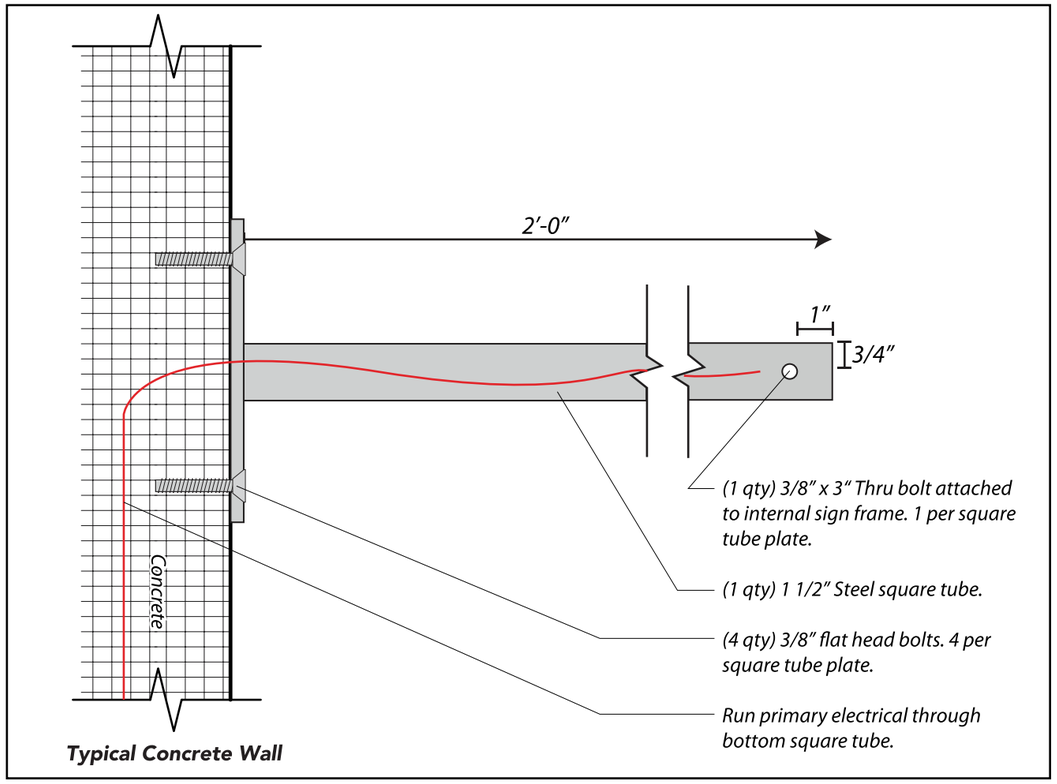
PAGE #
105

B2-S27 - ATTACHMENT DETAILS

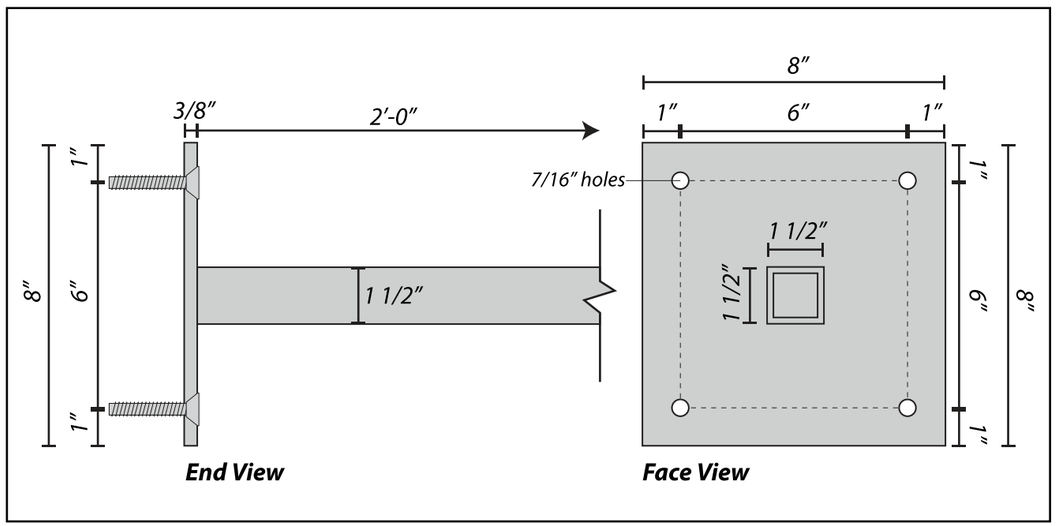


B2 East Elevation
Scale: 1/2"=1'-0"

Primary Electrical Location
Client to provide 20 Amp / 120 Volt dedicated circuit to sign location



Square Tube Plate Install Detail
Scale: 3"=1'-0"



3/8" x 8" x 8" Steel Square Tube Plate Detail
Scale: 3"=1'-0"

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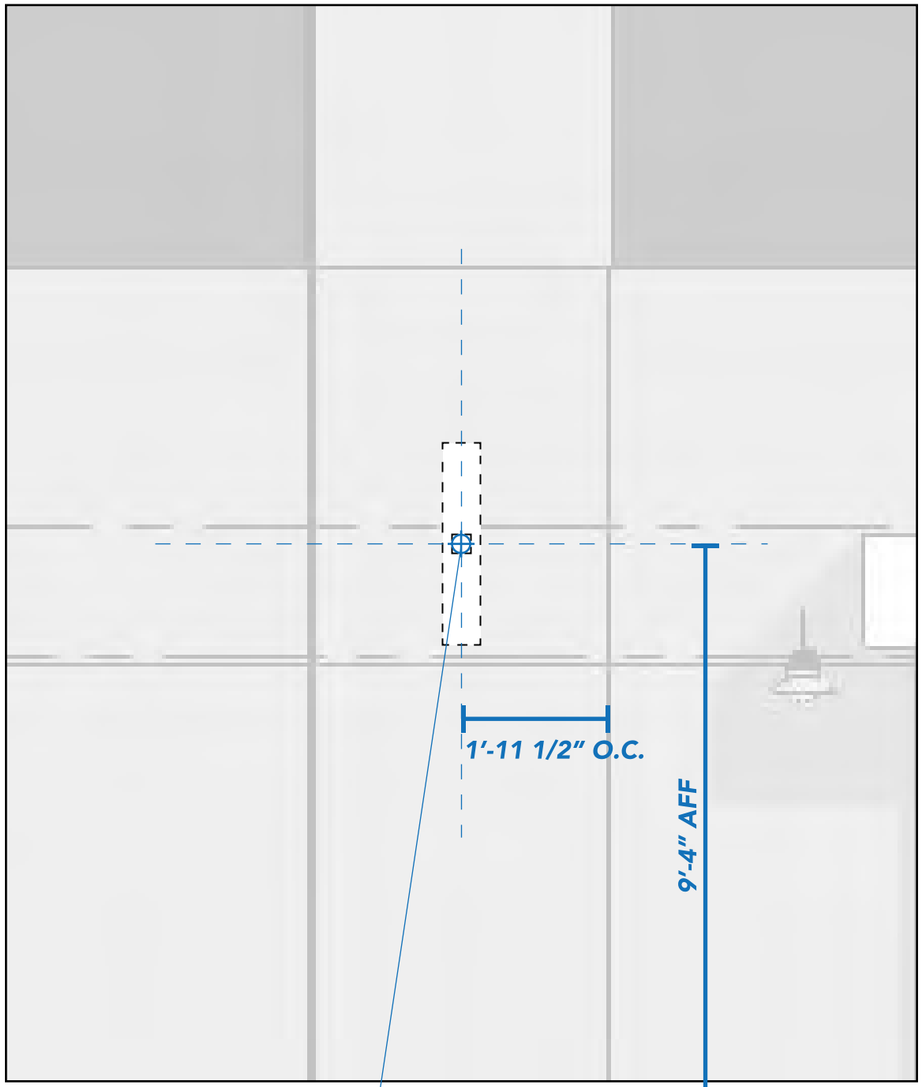
PAGE SCALE
As Noted

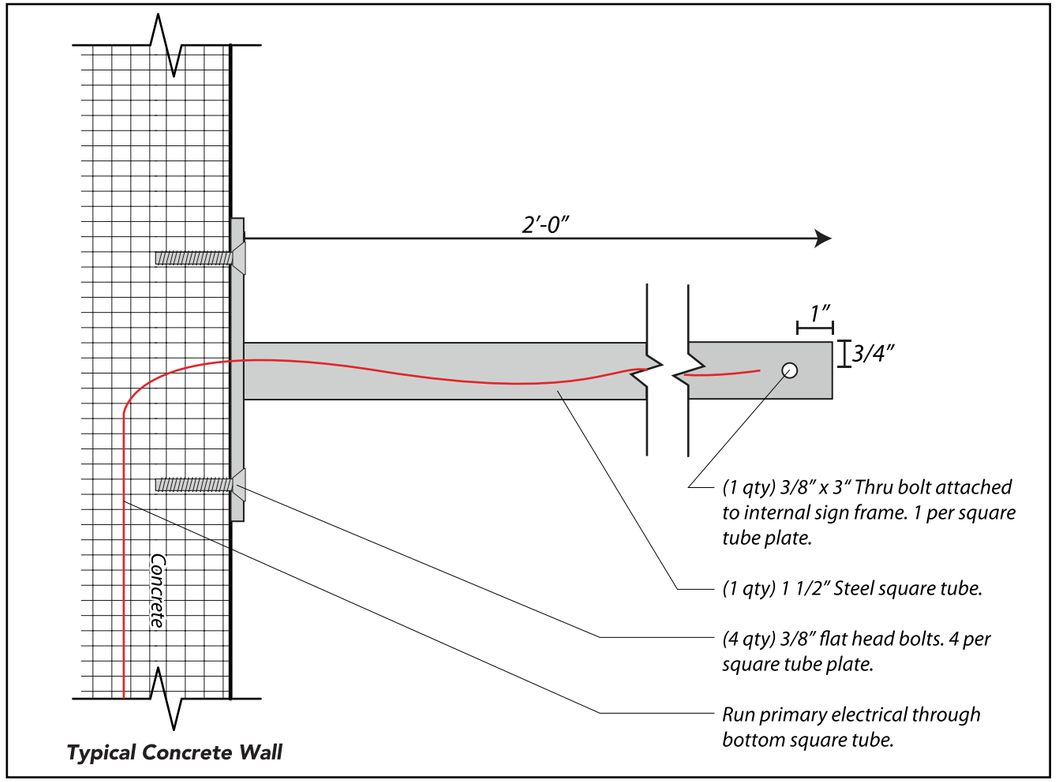
PAGE #
106

B2-S28 - ATTACHMENT DETAILS

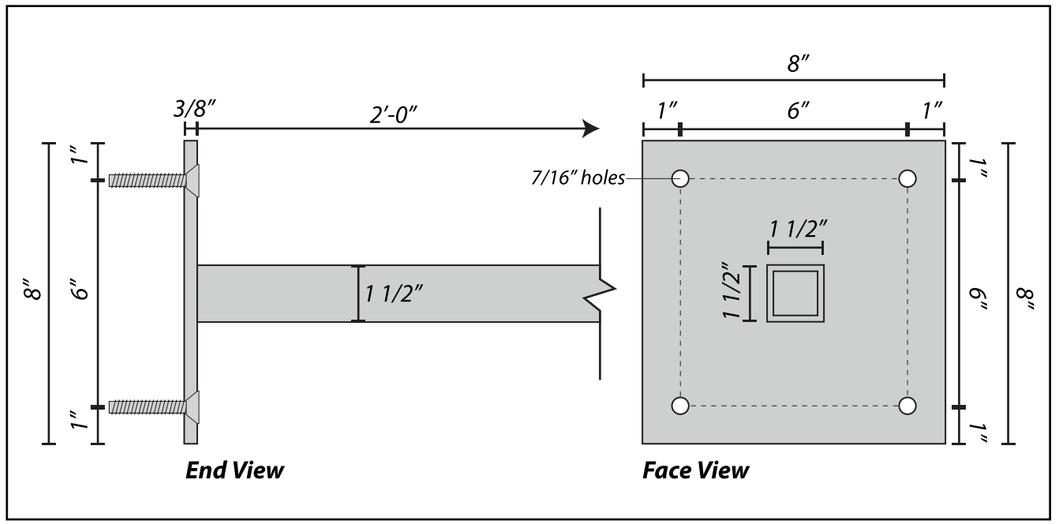


B2 East Elevation
Scale: 1/2"=1'-0"

Primary Electrical Location
Client to provide 20 Amp / 120 Volt dedicated circuit to sign location



Square Tube Plate Install Detail
Scale: 3"=1'-0"



3/8" x 8" x 8" Steel Square Tube Plate Detail
Scale: 3"=1'-0"

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PAGE SCALE
As Noted

PAGE #
107

B2-S29 - ELEVATIONS

Sign Area: 32.0 Square Feet

B2 East Elevation

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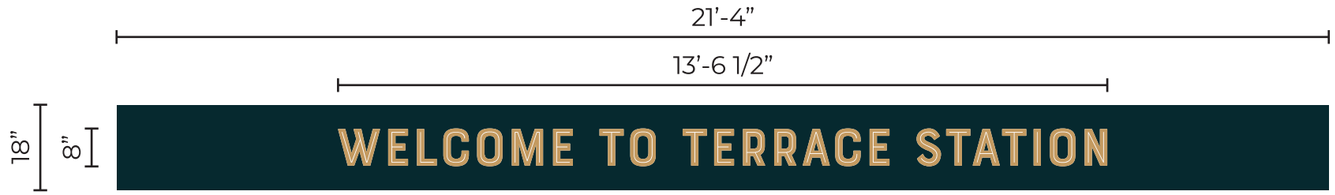
PAGE SCALE
1/4" = 1'-0"

PAGE #
108

B2-S29 - DETAILS



Face View

Sign B2-S29: *Manufacture & install (1) single face non-illuminated wall sign with FCO graphics.*

Sign Area: 32.0 Square Feet

[A] Digitally-printed first-surface vinyl graphics. Colors to match brand colors.

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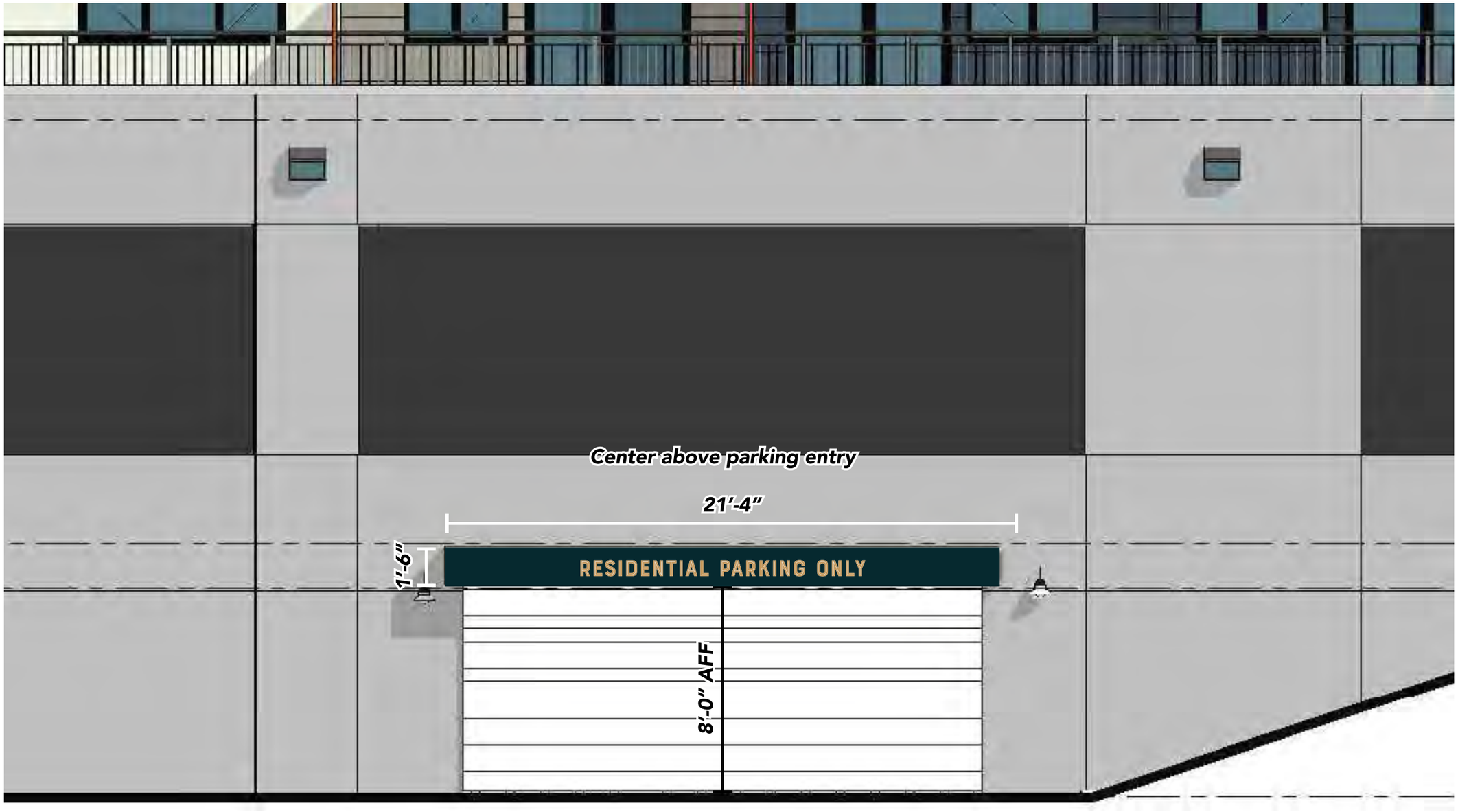
PAGE SCALE
3/8” = 1’-0”

PAGE #

B2-S30 - ELEVATIONS

Sign Area: 32.0 Square Feet



B2 East Elevation

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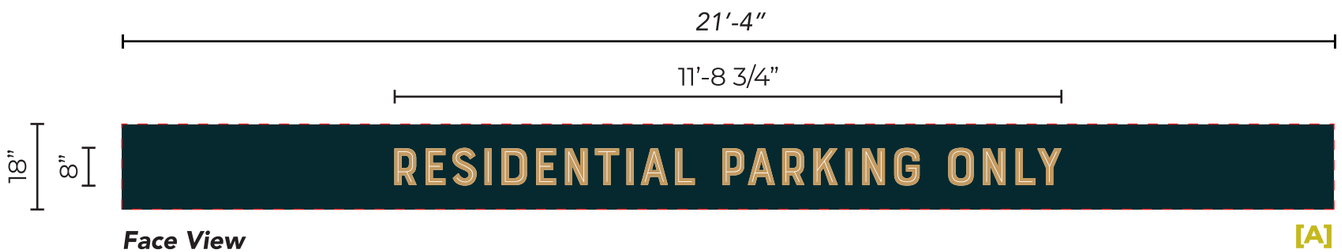
PAGE SCALE
1/4" = 1'-0"

PAGE #
110

B2-S30 - DETAILS



Face View

[A] Digitally-printed first-surface vinyl graphics. Colors to match brand colors.

Sign B2-S30: *Manufacture & install (1) single face non-illuminated wall sign with FCO graphics.*

Sign Area: 32.0 Square Feet

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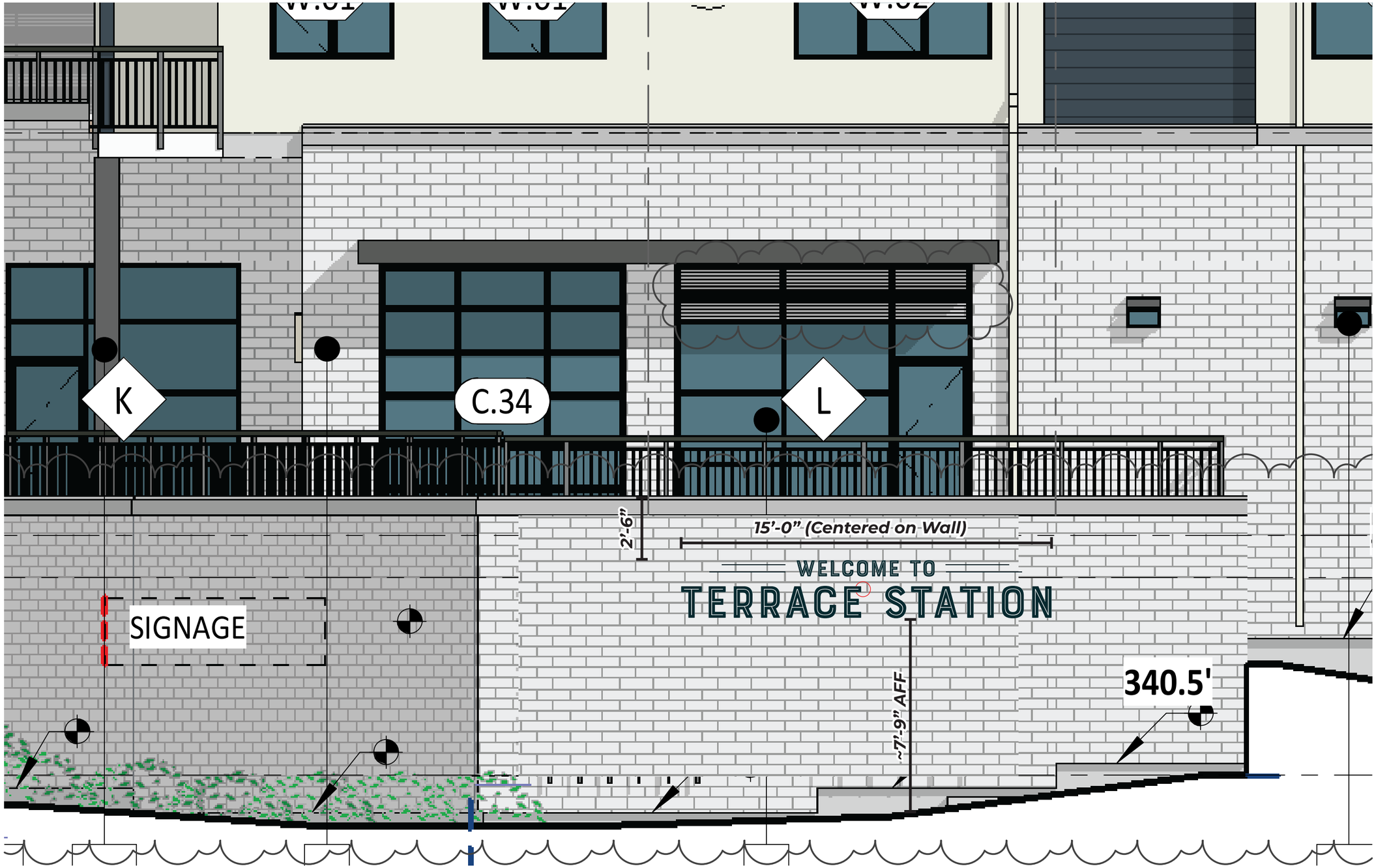
PAGE SCALE
3/8” = 1’-0”

PAGE #
111

B2-S31 - ELEVATIONS

Sign Area: 37.5 Square Feet



B2 South Elevation

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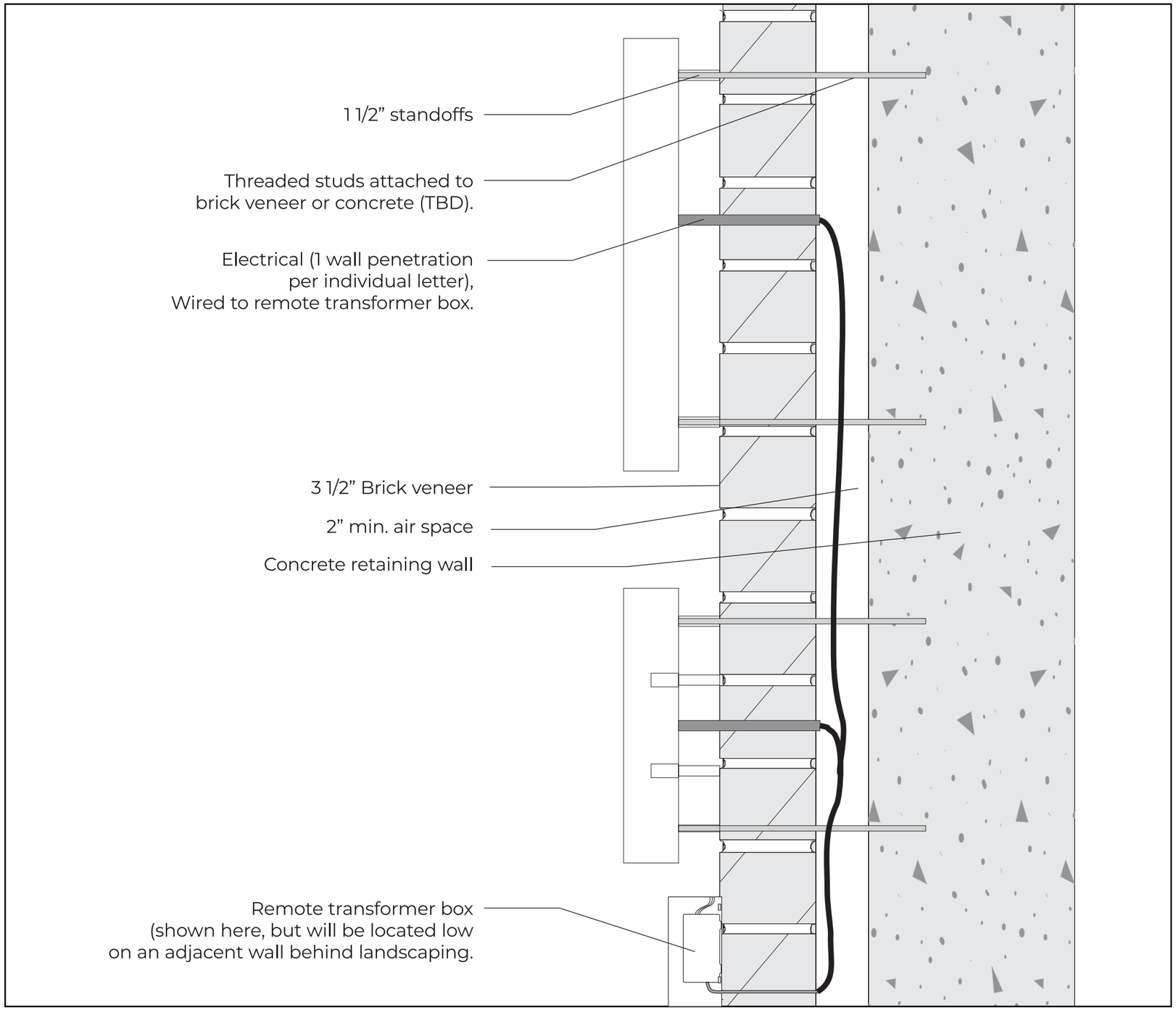
PAGE SCALE
1/4" = 1'-0"

PAGE #
112

B2-S31 - ATTACHMENT



Attachment Detail

Scale: 3” = 1’-0”

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PAGE SCALE
As Noted

PAGE #
113

B2-S31 - DETAILS

FACE VIEW

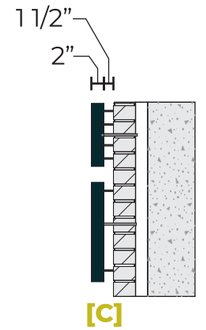
Sign B2-S31: *Manufacture & install (1) single-face halo-illuminated wall sign.*

Sign Area: 37.5 Square Feet

[A] 2" deep aluminum halo-lit letters, paint to match PMS 546 C, satin finish, with white vinyl linework.
Halo-lit with white LEDs.

[B] 1" thick aluminum accent lines, painted to match PMS 546 C, satin finish. Non-illuminated.

[C] Mounted to brick wall with 1 1/2" standoffs.



END VIEW

NIGHT VIEW

A DESIGN STUDIO

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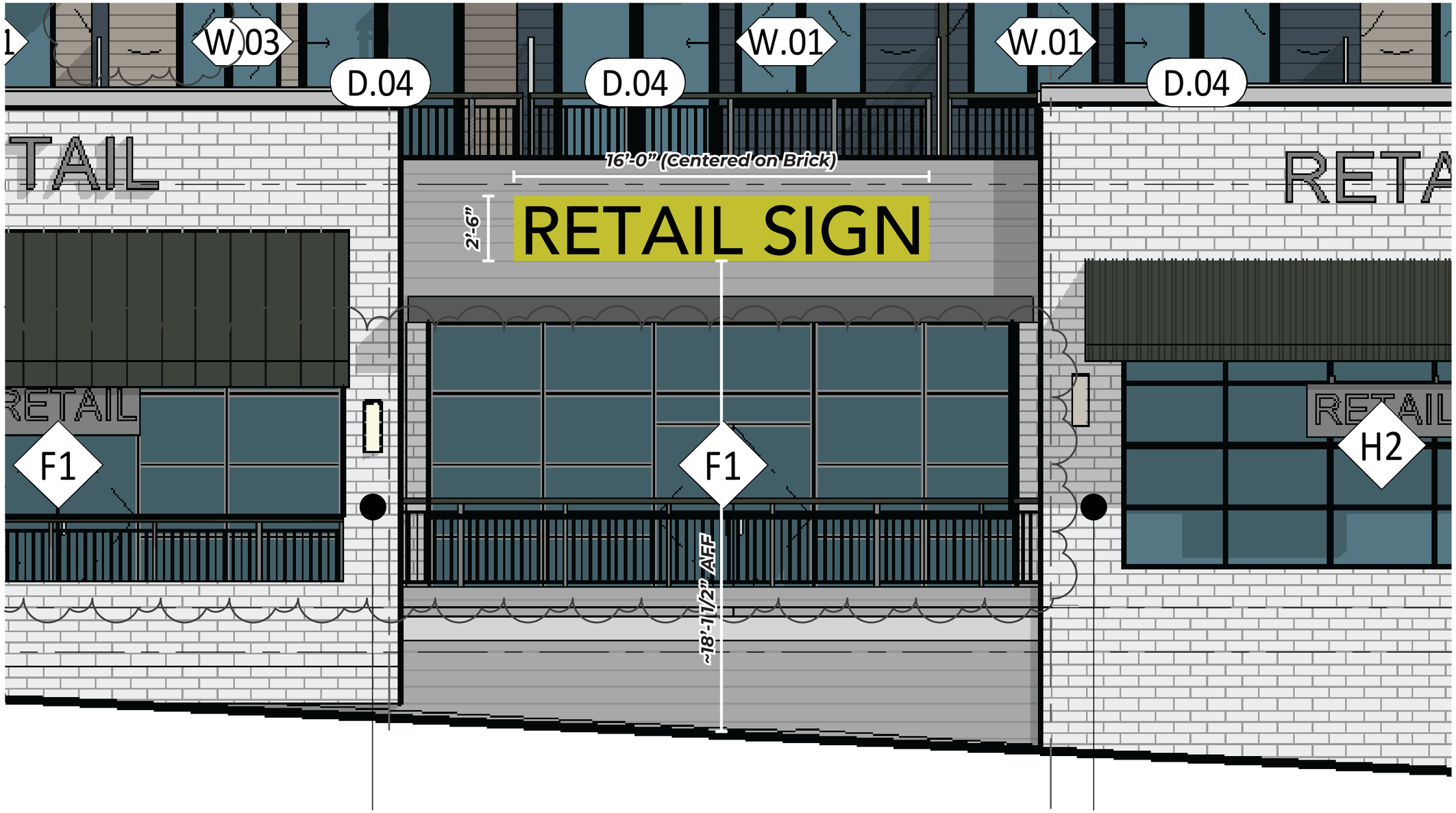
PAGE SCALE
1/2" = 1'-0"

PAGE #
114

B2-S32 - ELEVATIONS

Sign Area: 40.0 Square Feet



B2 West Elevation

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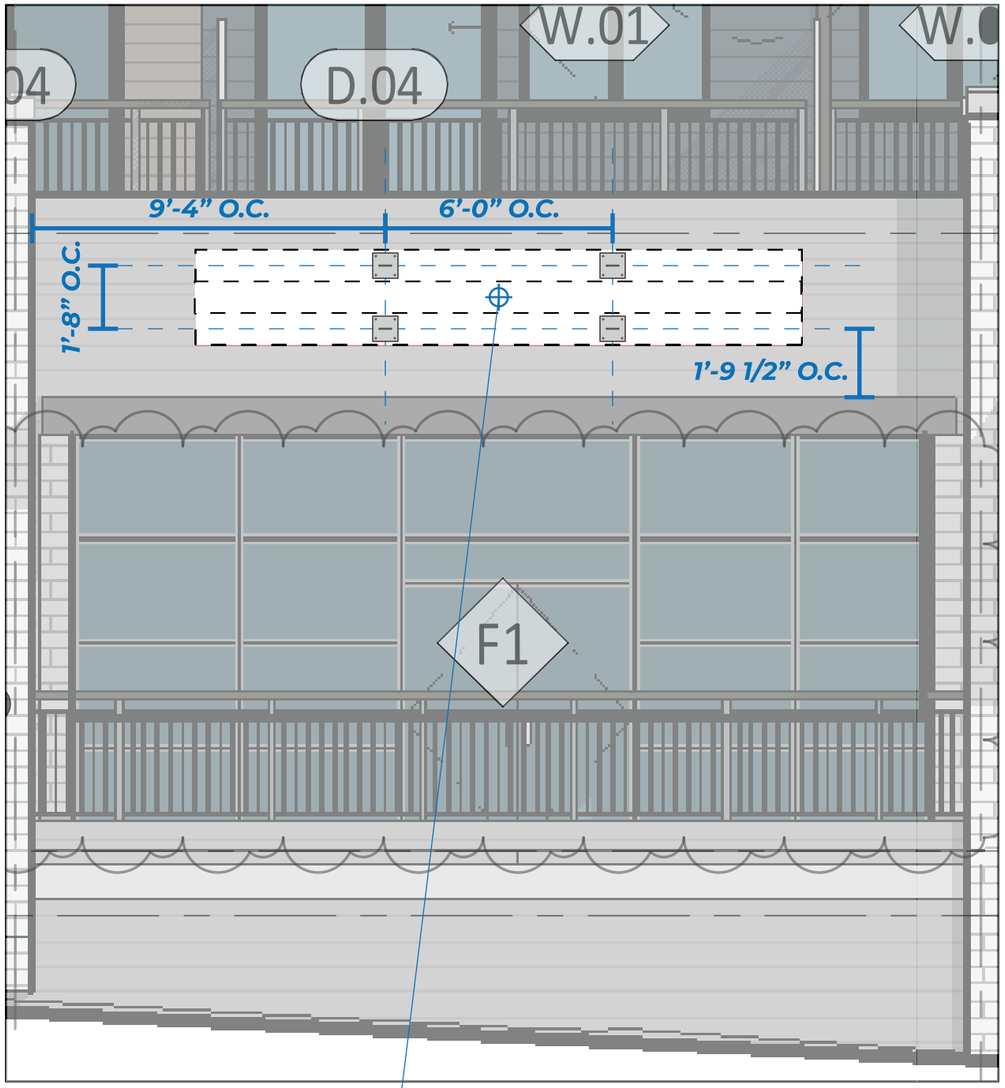
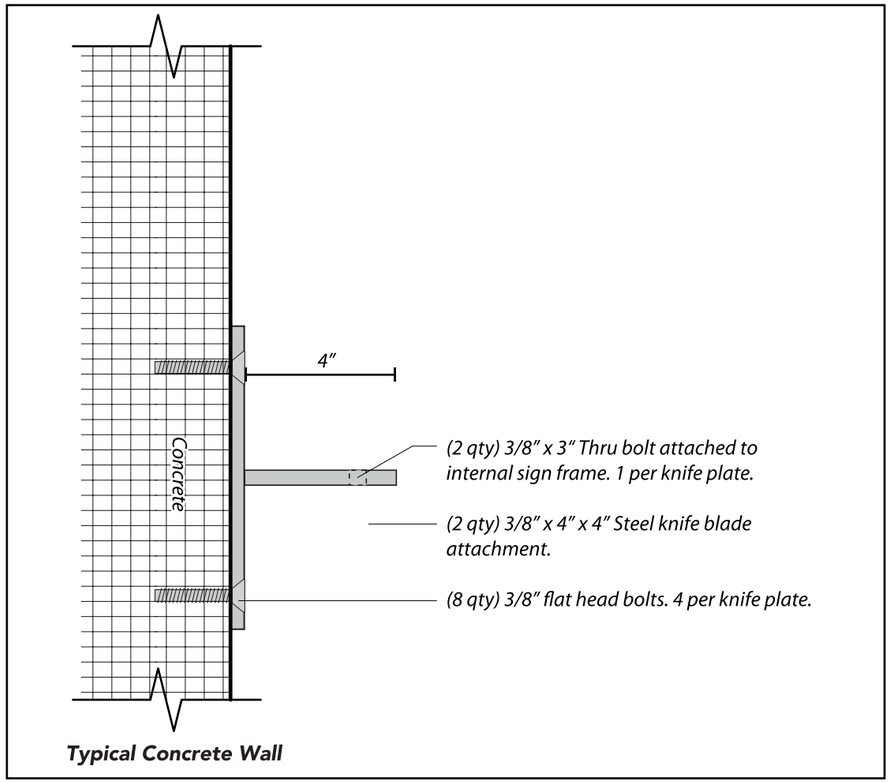
PAGE SCALE
1/4" = 1'-0"

B2-S32 - ATTACHMENT DETAILS

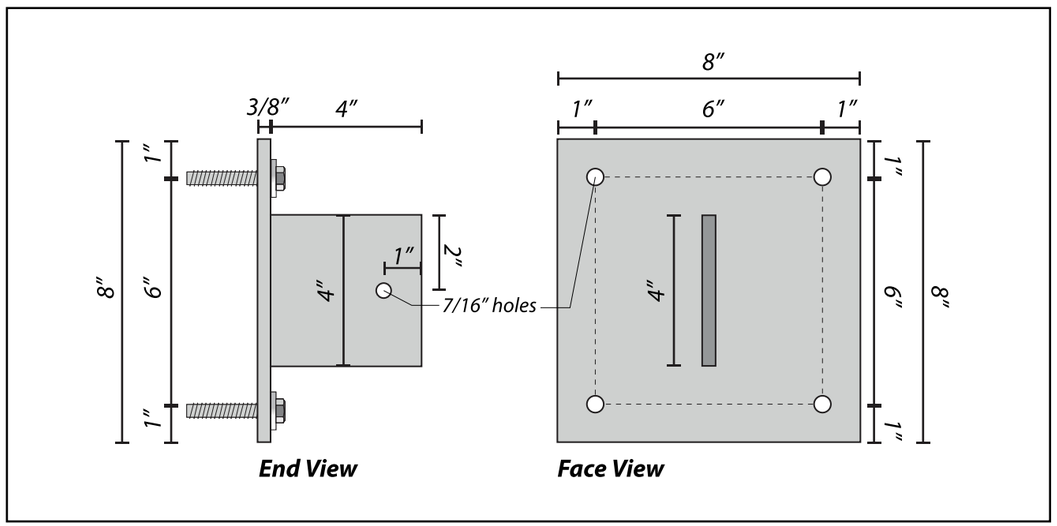


B2 West Elevation
Scale: 1/4"=1'-0"

Primary Electrical Location
Client to provide 20 Amp / 120 Volt dedicated circuit to sign location



Knife Plate Install Detail
Scale: 3"=1'-0"



3/8" x 8" x 8" Steel Plate Detail
Scale: 3"=1'-0"

A DESIGN STUDIO

MAIN CONTACT
Gracia Mueller
360.929.3077

CREATIVE
Brody Lund
425.359.7380

Additional information:
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PROJECT NAME
Terrace Station

PROJECT #
20-004

ADDRESS
24015 Van Ry Blvd
Mountlake Terrace, WA 98043

DATE
12/10/20

VERSION NOTES

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V2
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V11
V12
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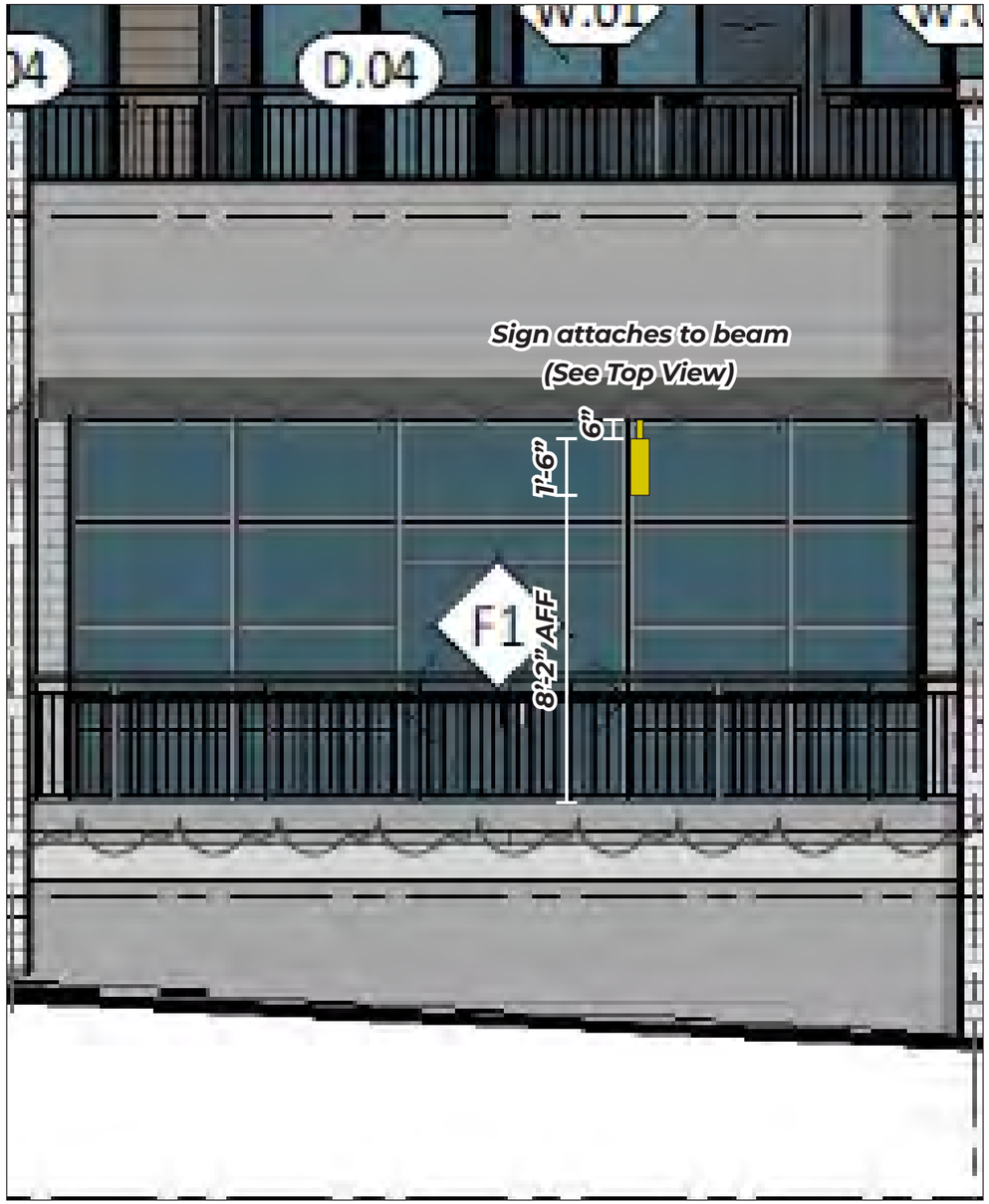
V15

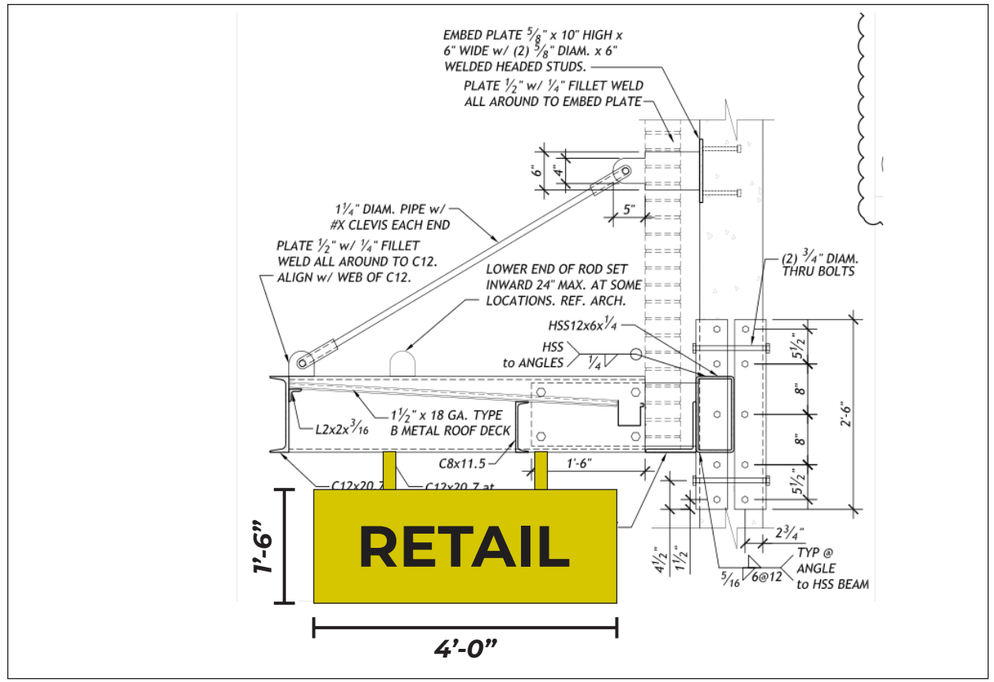
PAGE SCALE
As Noted

PAGE #
116

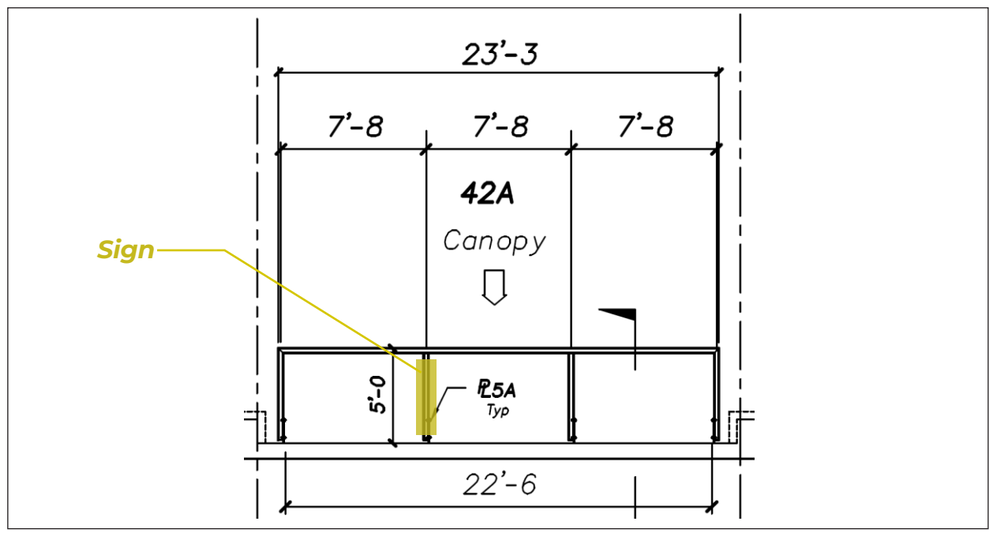
B2-S32.1 - ELEVATIONS



B2 West Elevation
Scale: 1/4"=1'-0"



END VIEW
Scale: 1/2" = 1'-0"



TOP VIEW
Scale: 1/8" = 1'-0"

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PAGE SCALE
1/4" = 1'-0"

PAGE #
116.1

B2-S33 - ELEVATIONS

Sign Area: 40.0 Square Feet

B2 West Elevation

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PAGE SCALE
1/4" = 1'-0"

PAGE #
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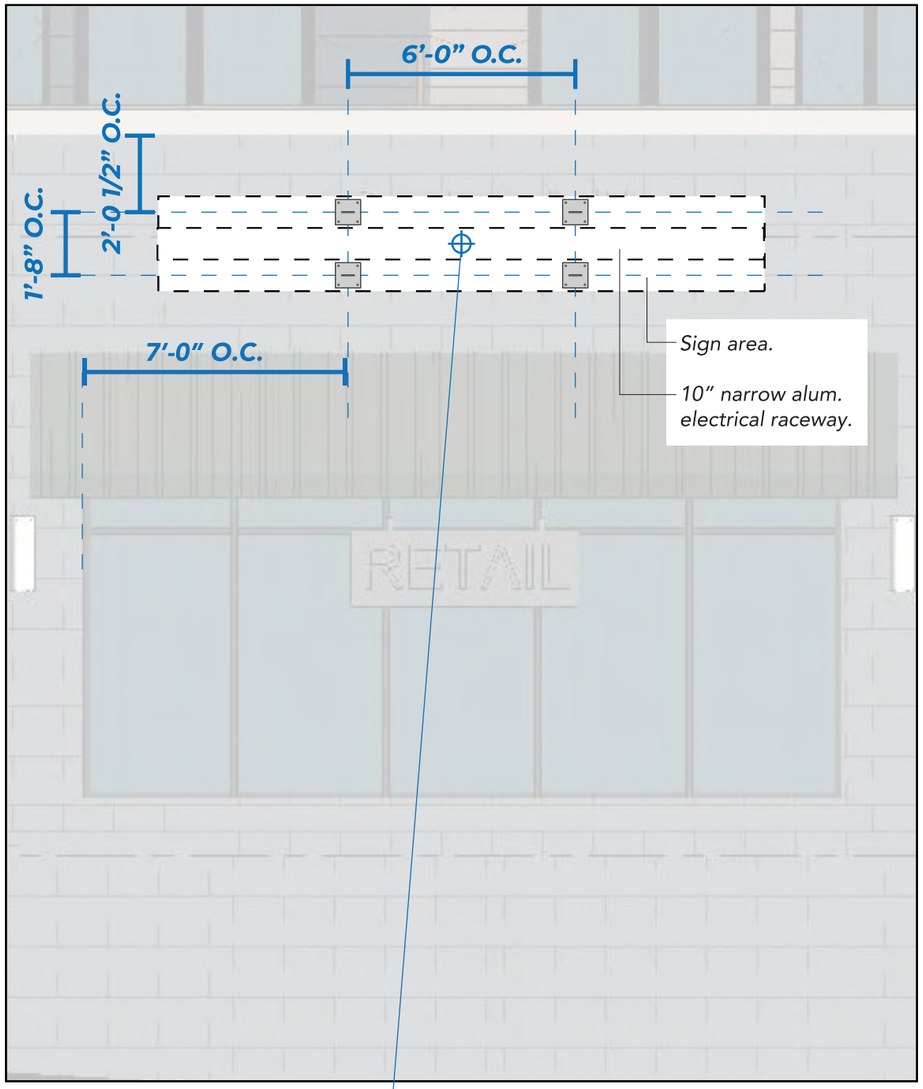
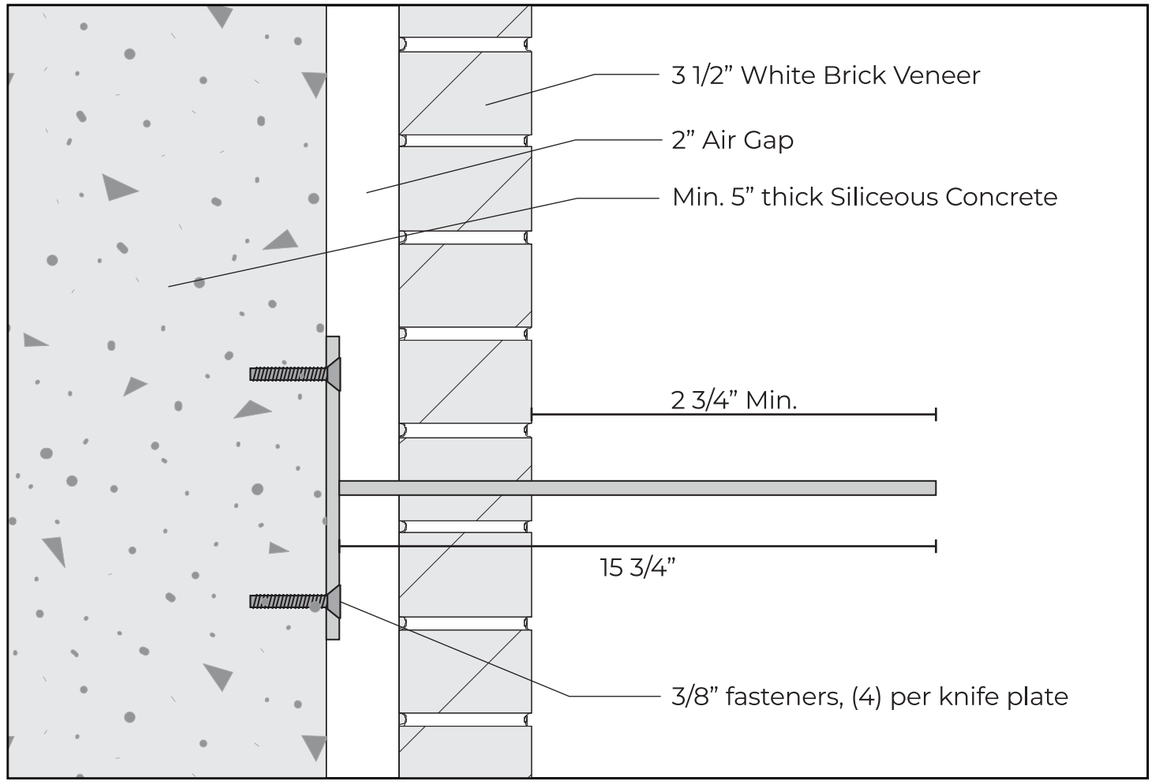
B2-S33 - ATTACHMENT DETAILS

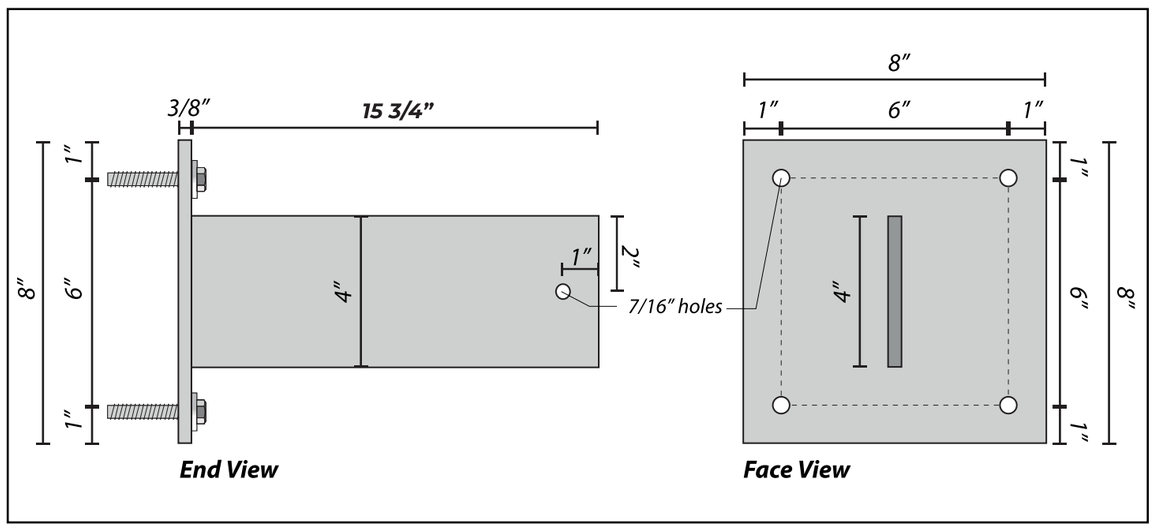


B2 West Elevation
Scale: 1/4"=1'-0"

Primary Electrical Location
Client to provide 20 Amp / 120 Volt dedicated circuit to sign location



Knife Plate Install Detail
Scale: 3"=1'-0"



3/8" x 8" x 8" Steel Plate Detail
Scale: 3"=1'-0"

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DATE
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VERSION NOTES

V1	
V2	Revised knife plate length
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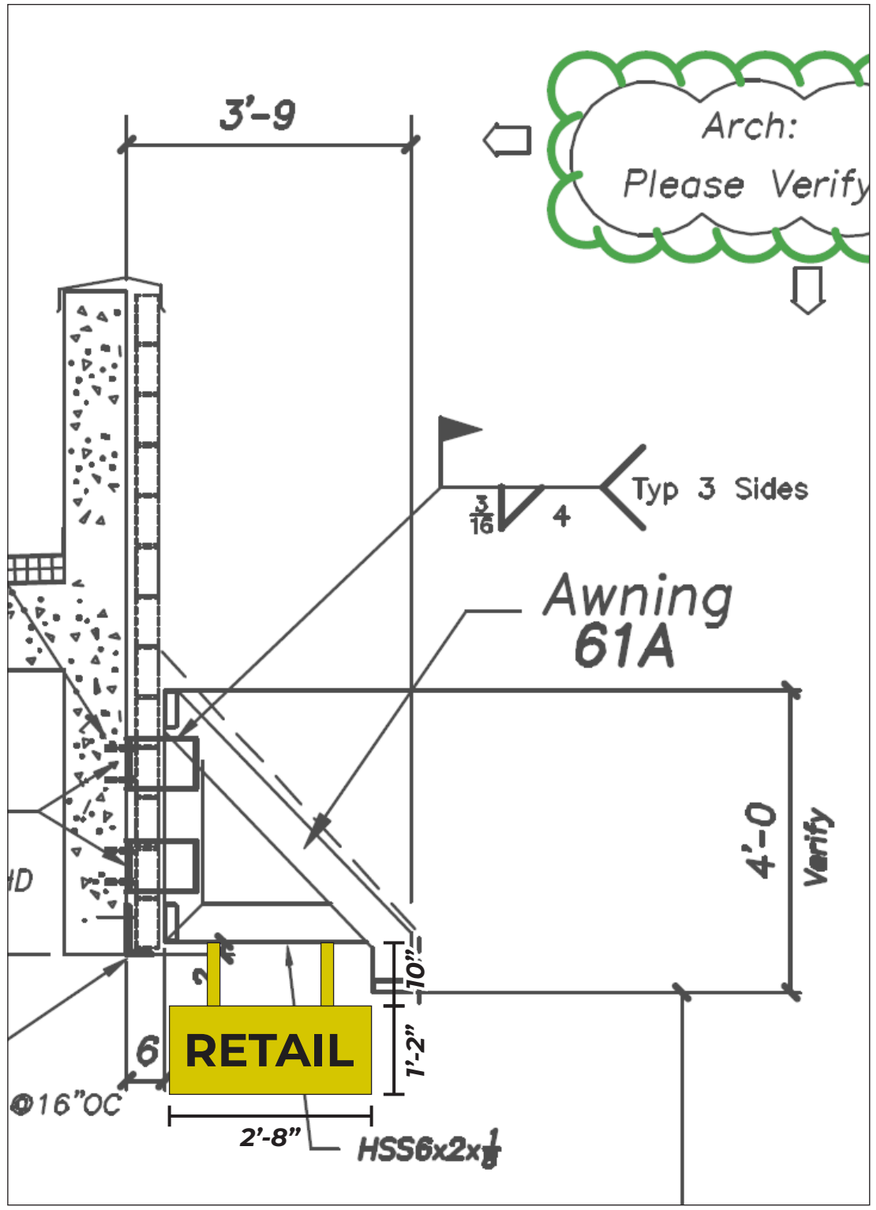
PAGE SCALE
As Noted

PAGE #
118

B2-S33.1 - ELEVATIONS

B2 West Elevation
Scale: 1/4"=1'-0"



END VIEW
Scale: 1/2" = 1'-0"

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VERSION NOTES

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V2 Revised knife plate length
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V10
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V12
V13
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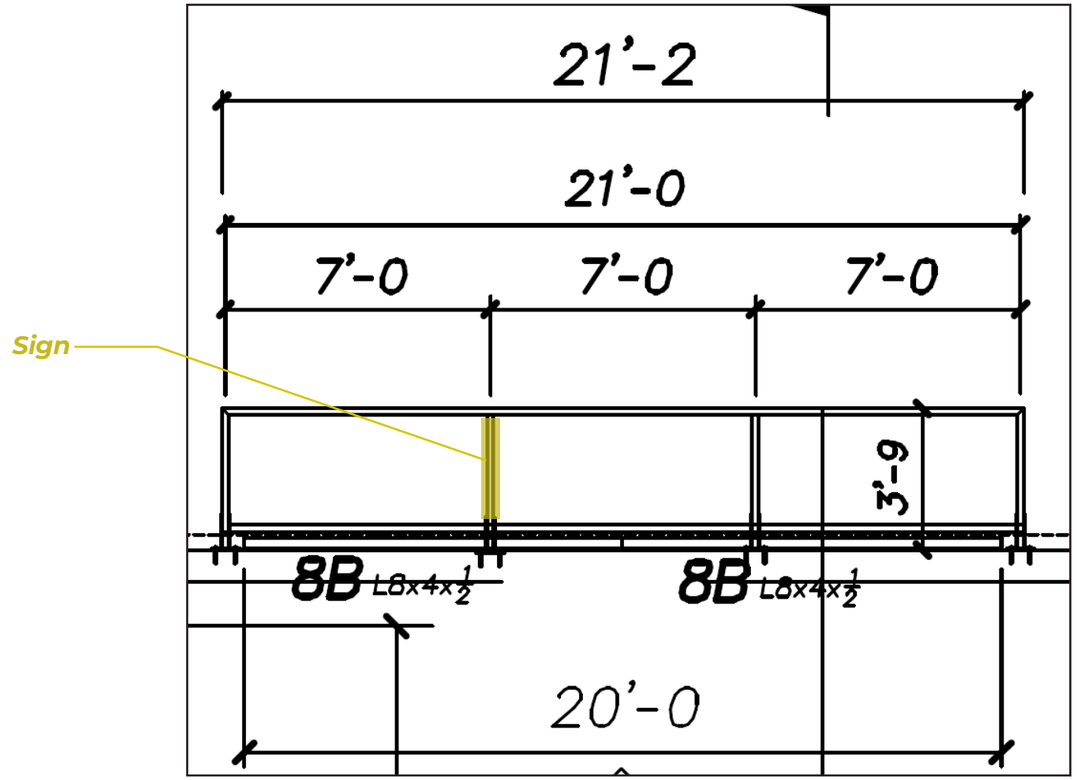
V15

PAGE SCALE
As Noted

PAGE #
118.1

B2-S33.1 - DETAILS



TOP VIEW
Scale: 1/4" = 1'-0"

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PAGE SCALE
1/4" = 1'-0"

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118.2

B2-S34 - ELEVATIONS

Sign Area: 40.0 Square Feet

B2 West Elevation

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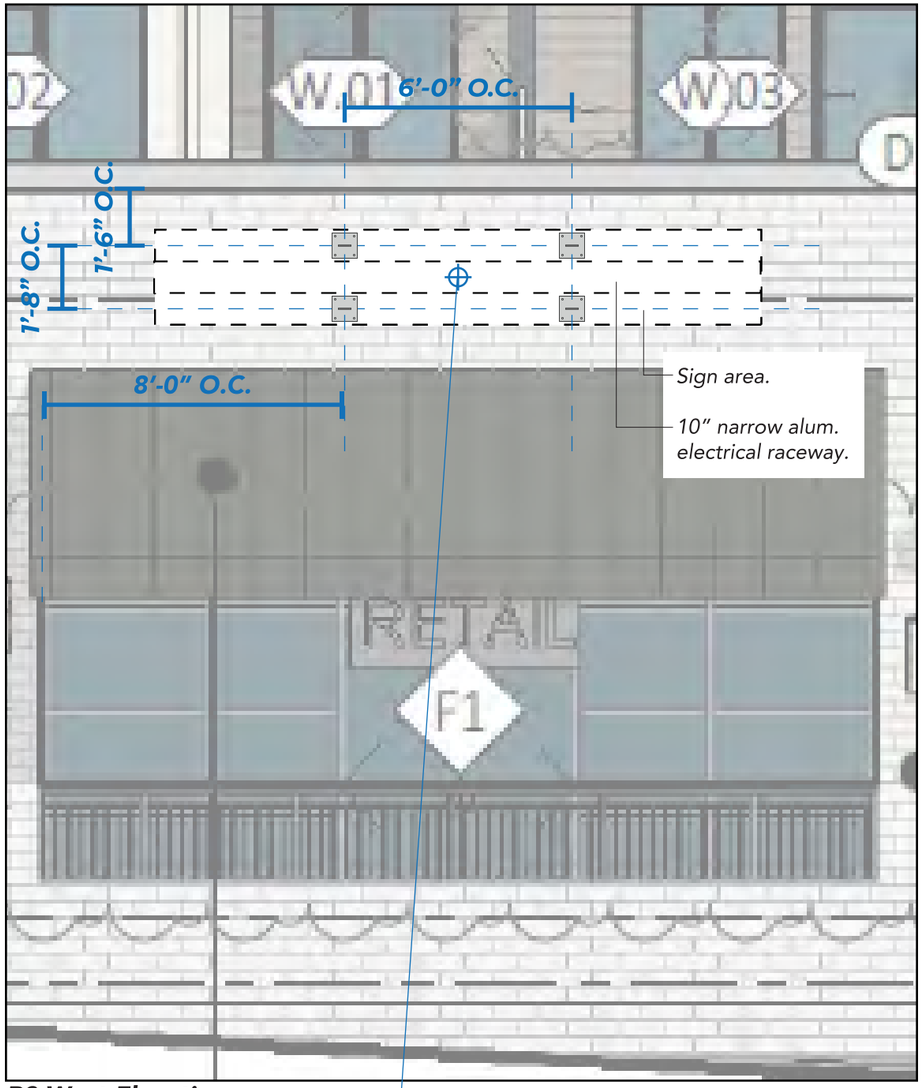
PAGE SCALE
1/4" = 1'-0"

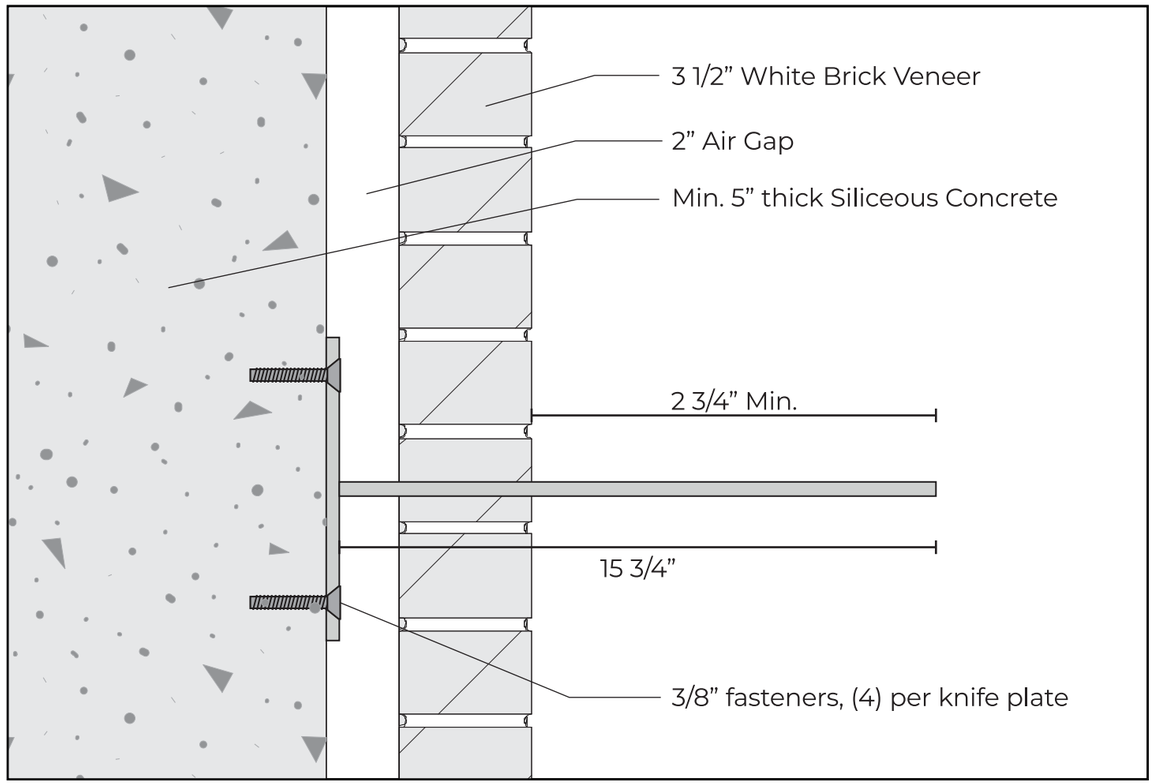
PAGE #
119

B2-S34 - ATTACHMENT DETAILS

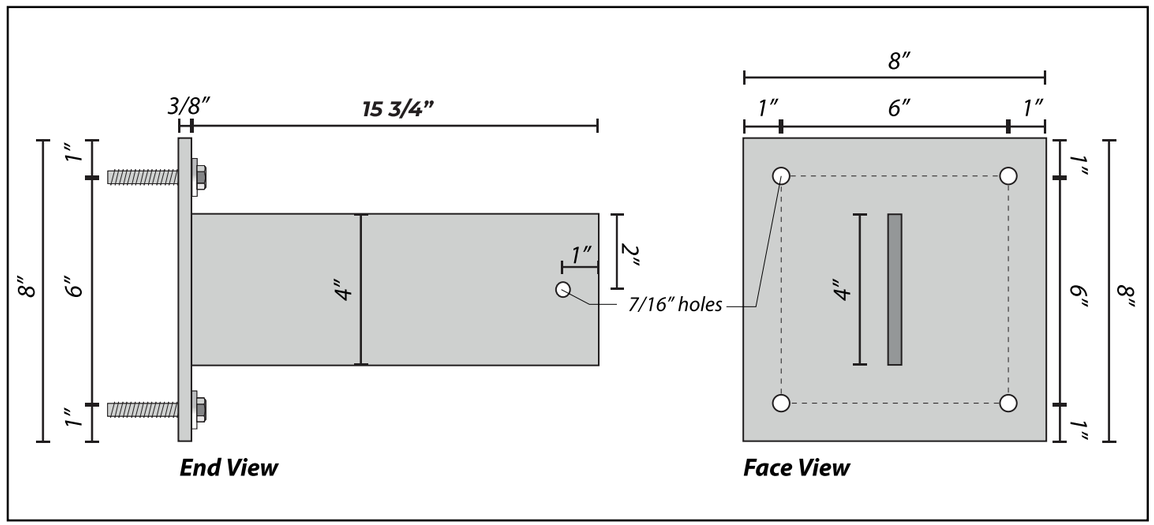


B2 West Elevation
Scale: 1/4"=1'-0"

Primary Electrical Location
Client to provide 20 Amp / 120 Volt dedicated circuit to sign location



Knife Plate Install Detail
Scale: 3"=1'-0"



3/8" x 8" x 8" Steel Plate Detail
Scale: 3"=1'-0"

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PAGE SCALE
As Noted

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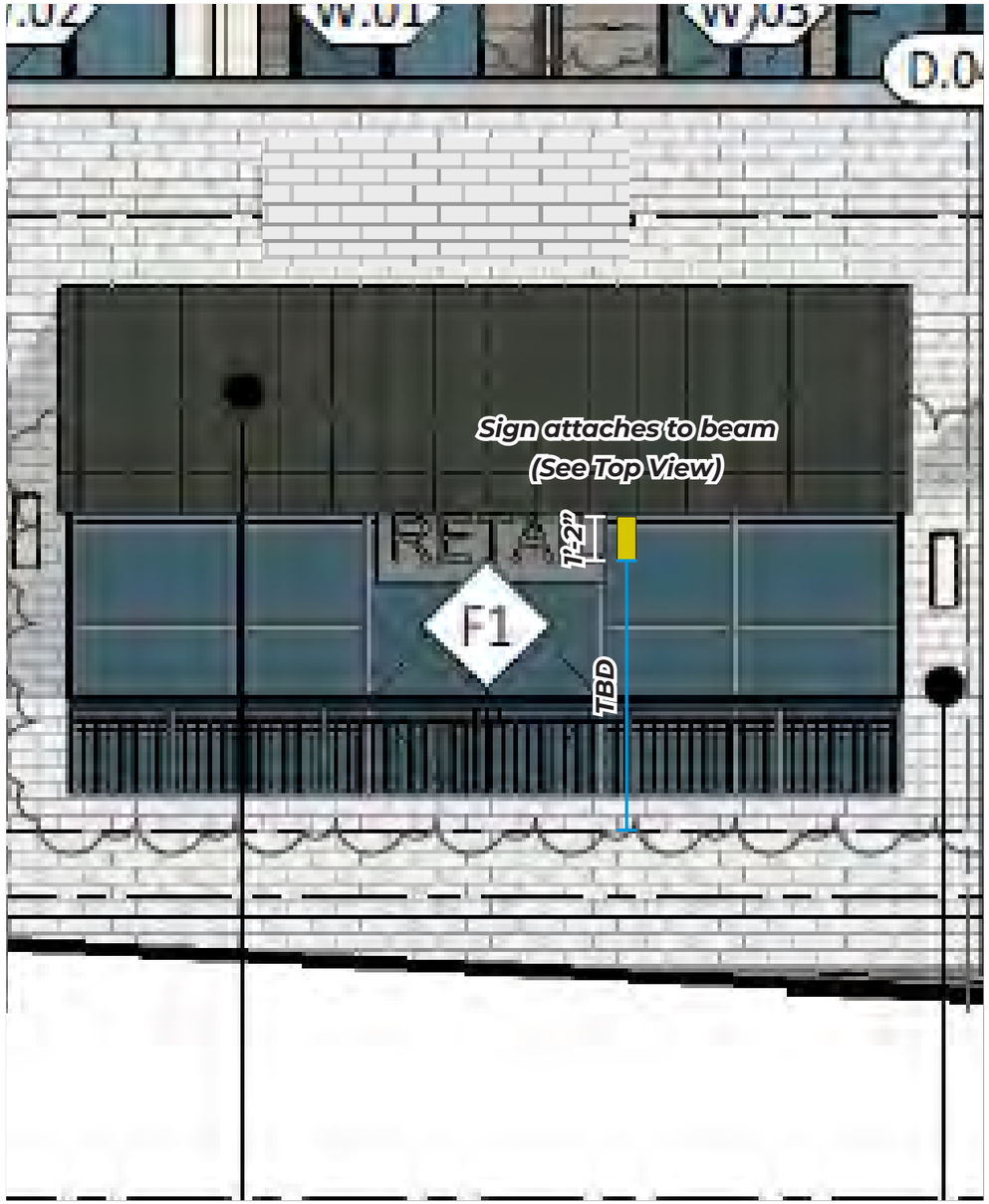
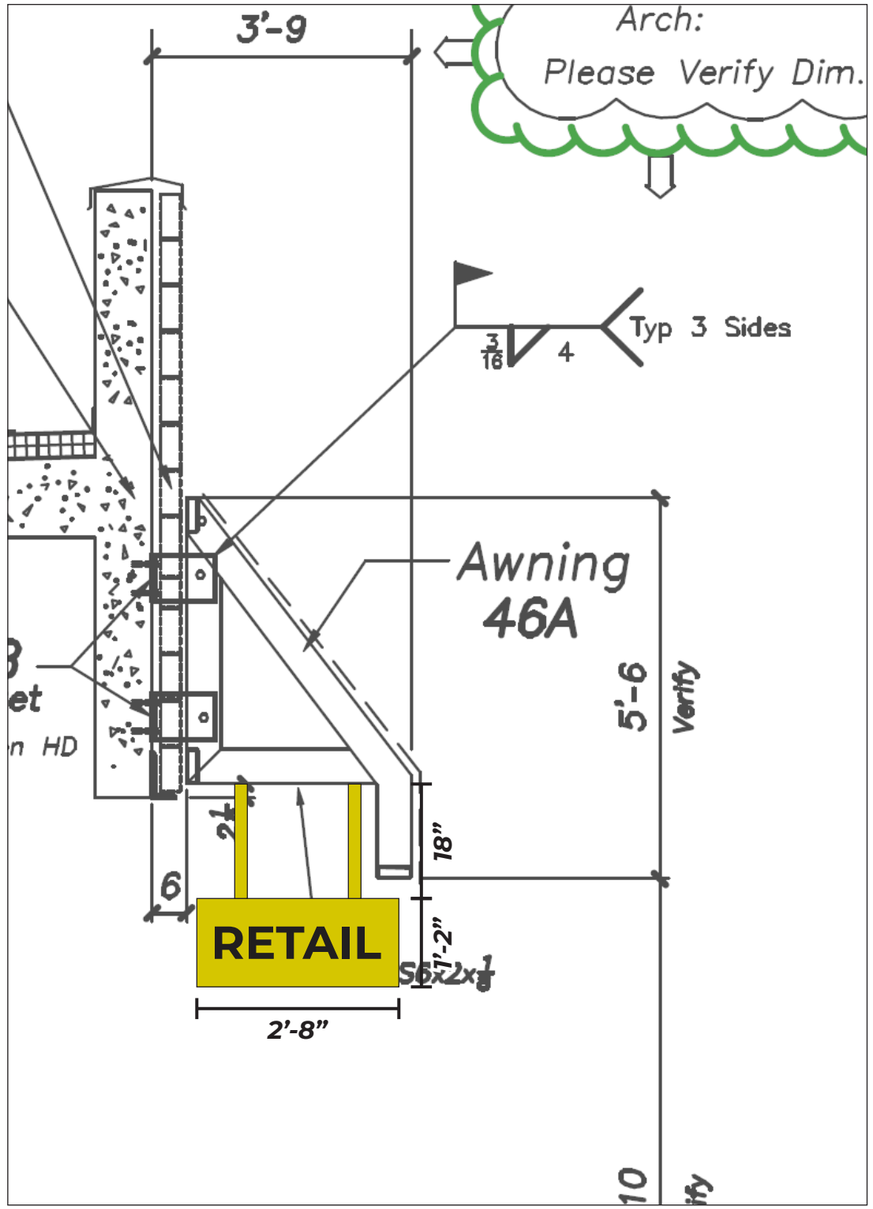
120

B2-S34.1 - ELEVATIONS



B2 West Elevation
Scale: 1/4"=1'-0"



END VIEW
Scale: 1/2" = 1'-0"

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PAGE SCALE
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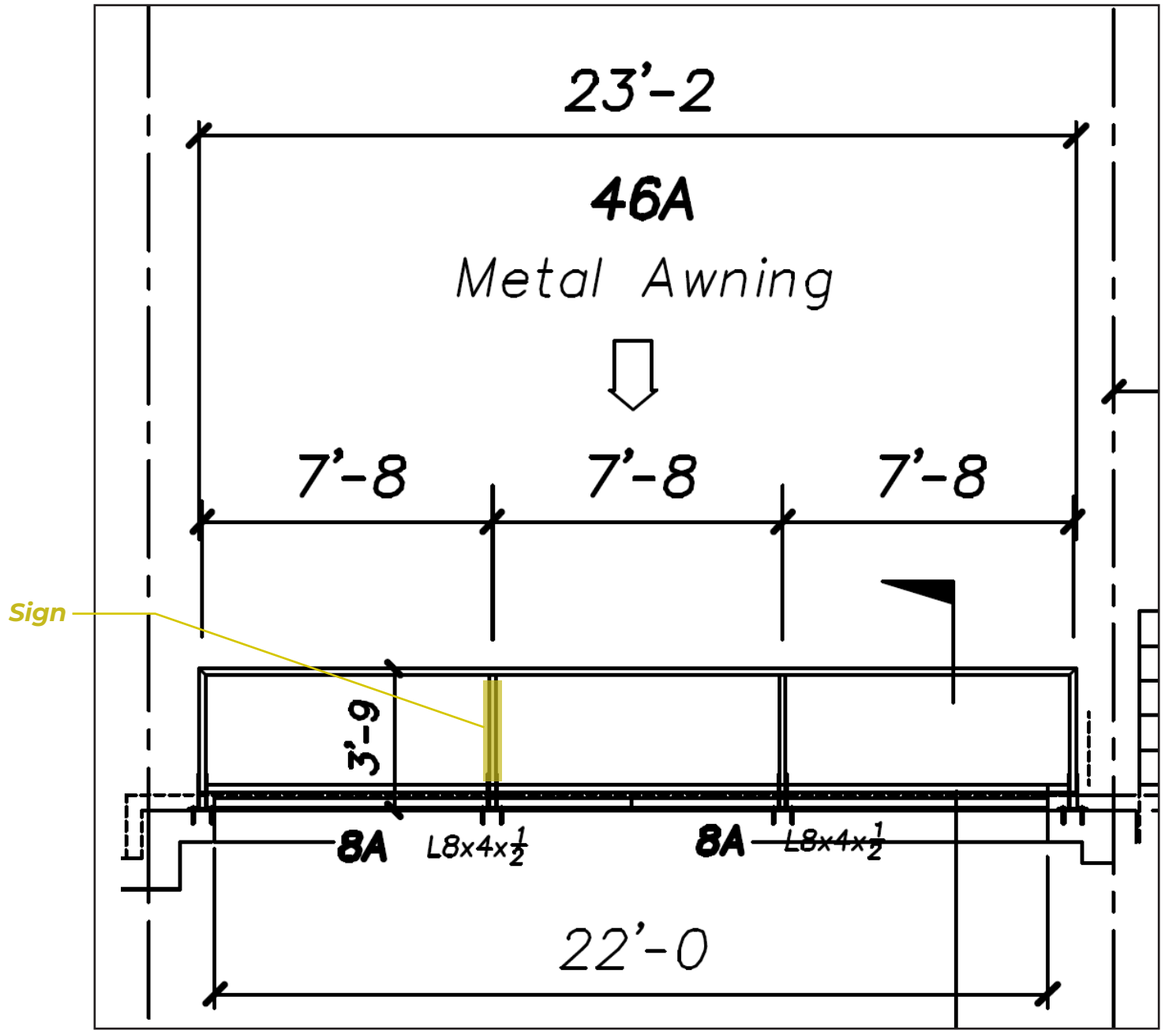
B2-S34.1 - DETAILS



TOP VIEW
Scale: 1/4" = 1'-0"

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PAGE SCALE
As Noted

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120.2

B2-S35 - ELEVATIONS

Sign Area: 40.0 Square Feet

B2 West Elevation

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PAGE SCALE
1/4" = 1'-0"

PAGE #
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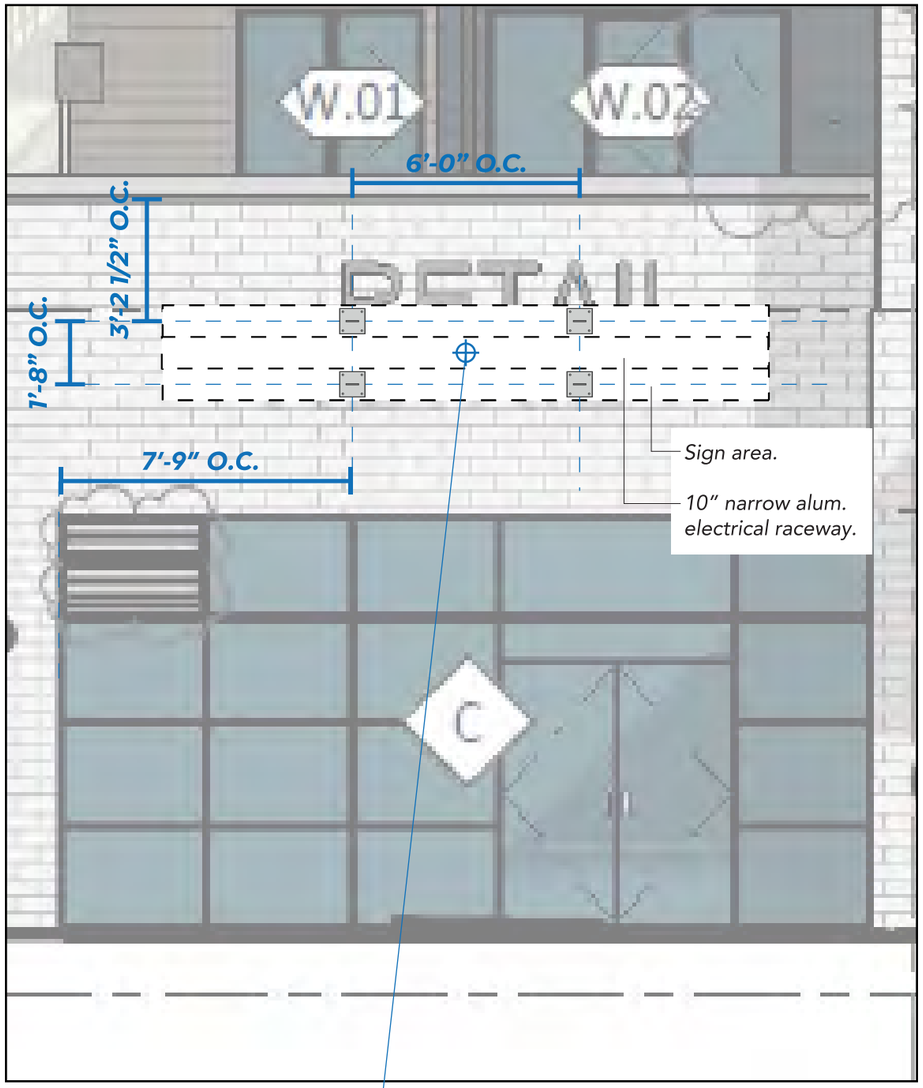
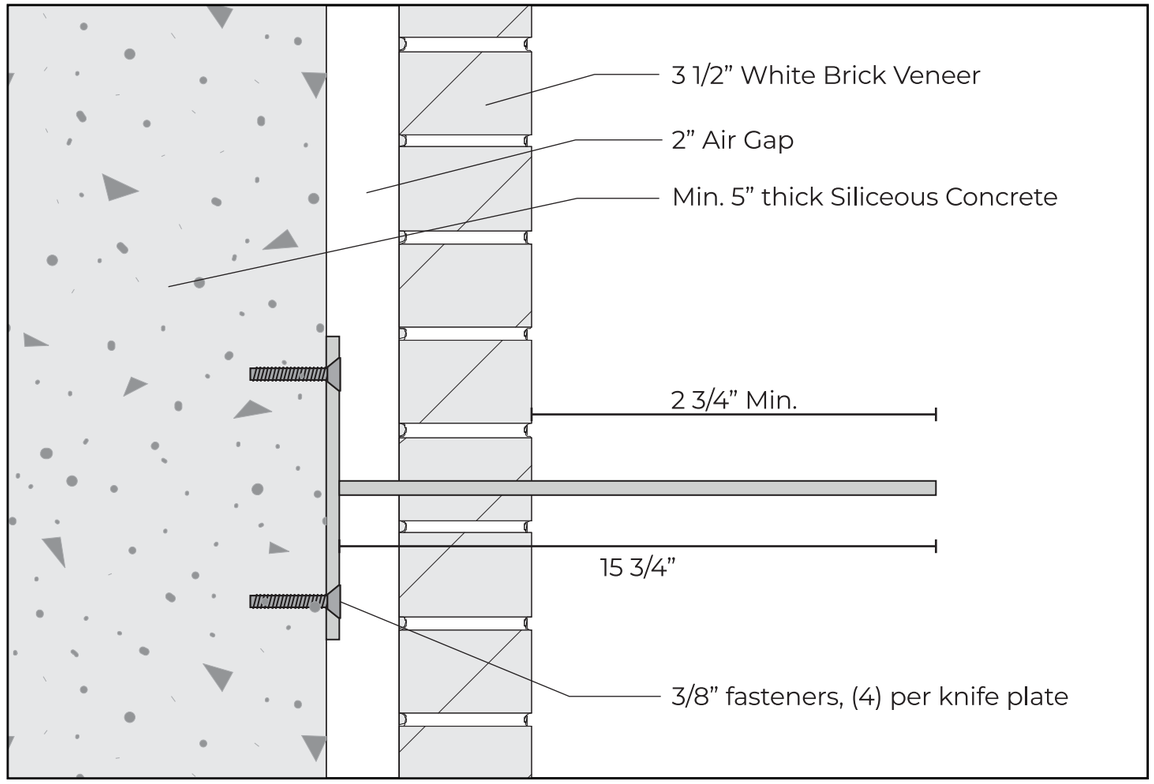
B2-S35 - ATTACHMENT DETAILS

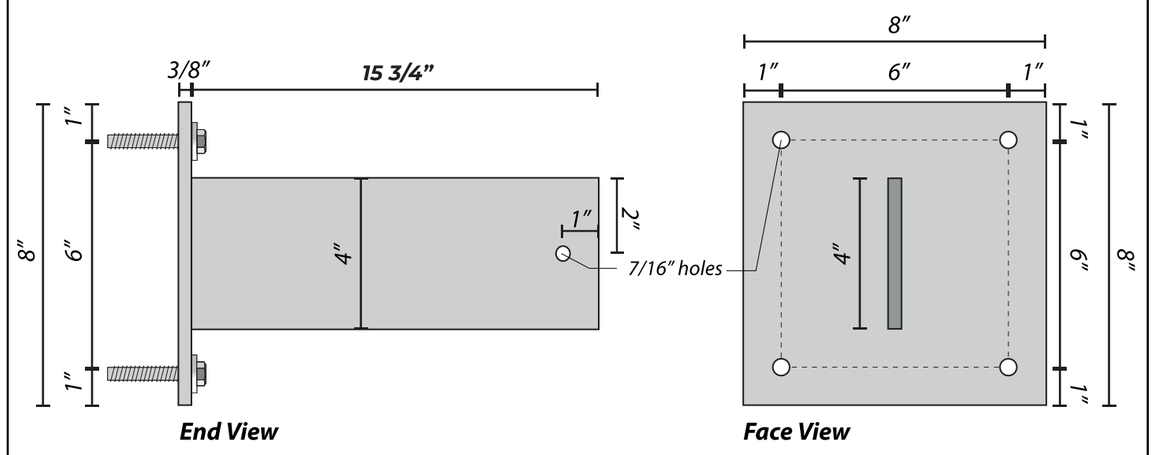


B2 West Elevation
Scale: 1/4"=1'-0"

Primary Electrical Location
Client to provide 20 Amp / 120 Volt dedicated circuit to sign location



Knife Plate Install Detail
Scale: 3"=1'-0"



3/8" x 8" x 8" Steel Plate Detail
Scale: 3"=1'-0"

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PAGE SCALE
As Noted

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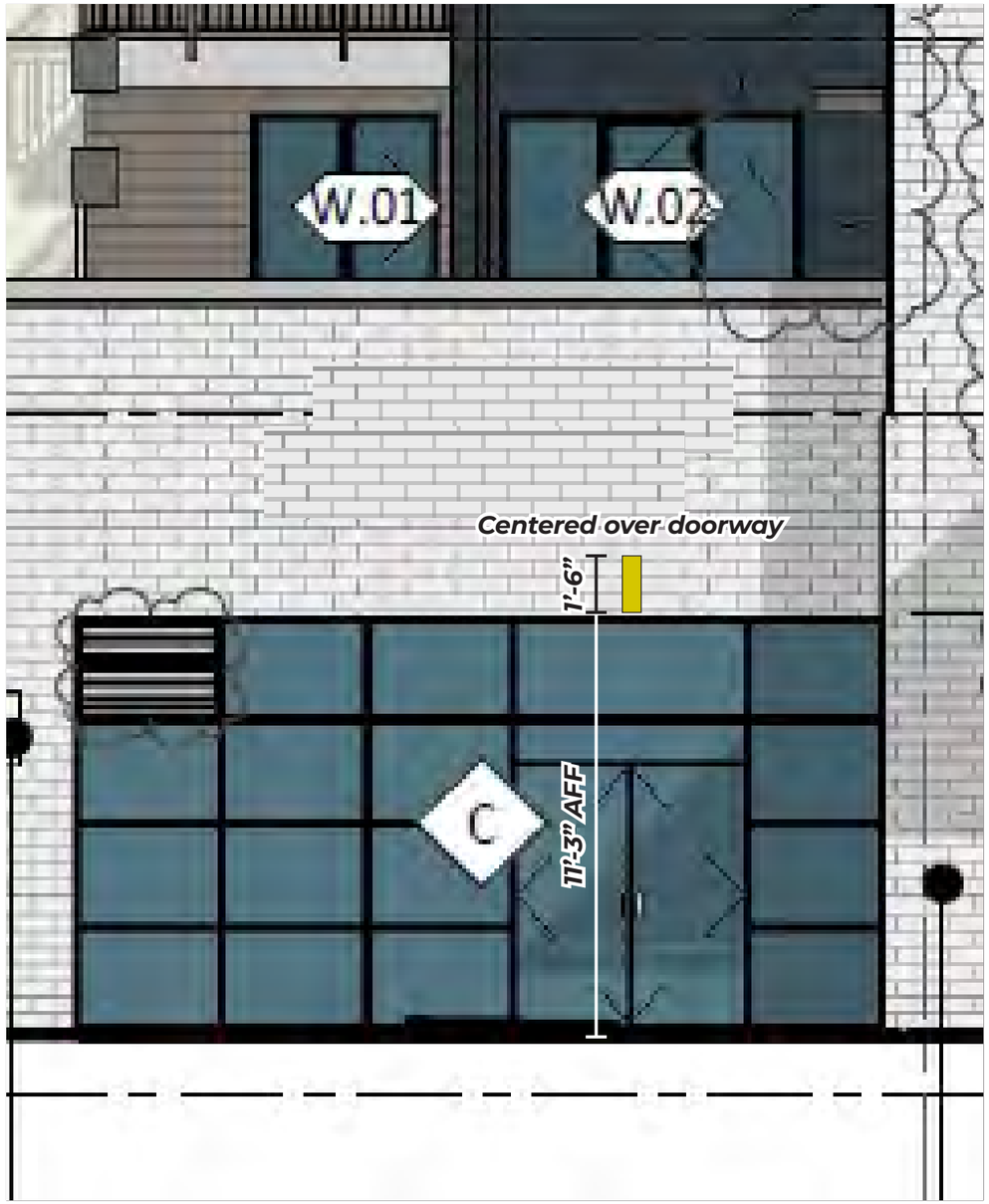
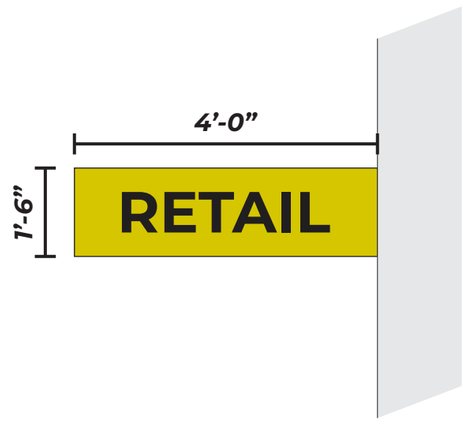
B2-S35.1 - ELEVATIONS



B2 West Elevation
Scale: 1/4"=1'-0"

FINAL LOCATION, ATTACHMENT METHOD PENDING SURVEY



END VIEW
Scale: 1/2" = 1'-0"

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PAGE SCALE
As Noted

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122.1

B2-S36 - ELEVATIONS

Sign Area: 33.0 Square Feet

B2 West Elevation

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PAGE SCALE
1/4" = 1'-0"

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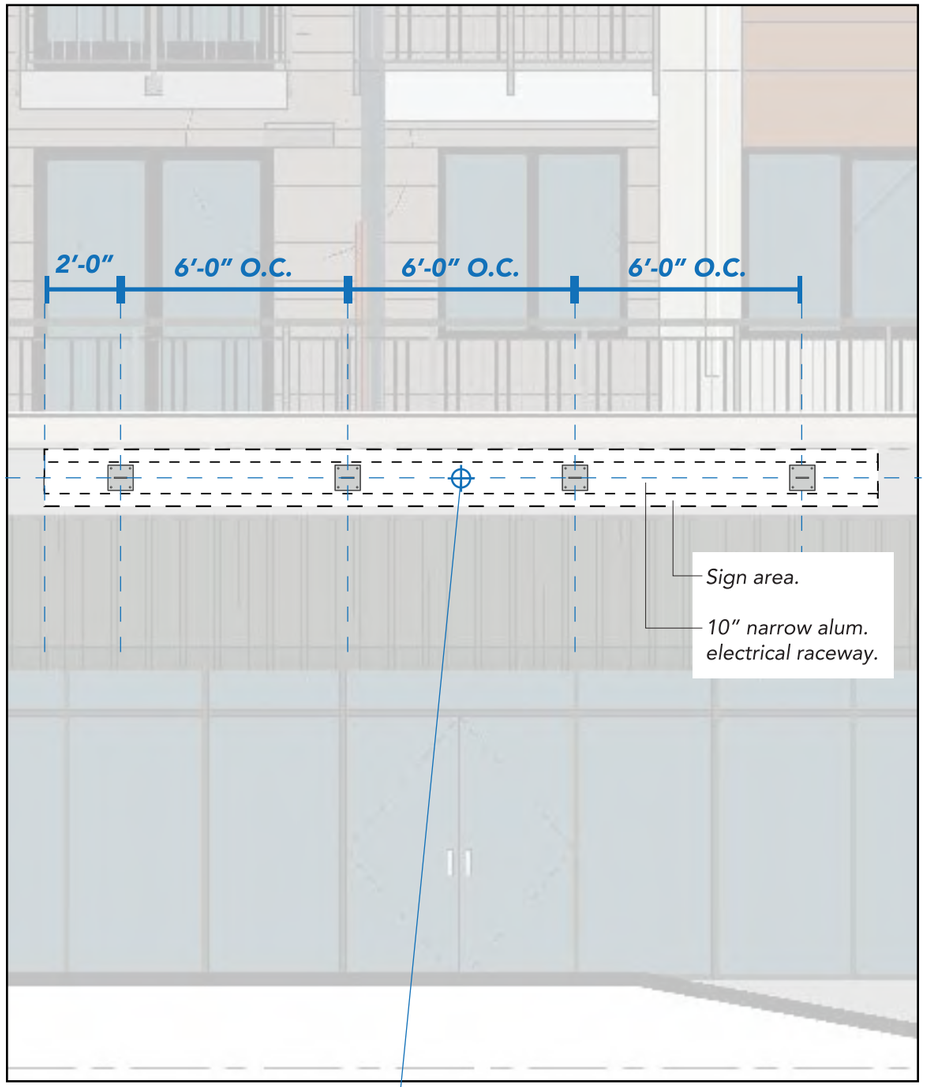
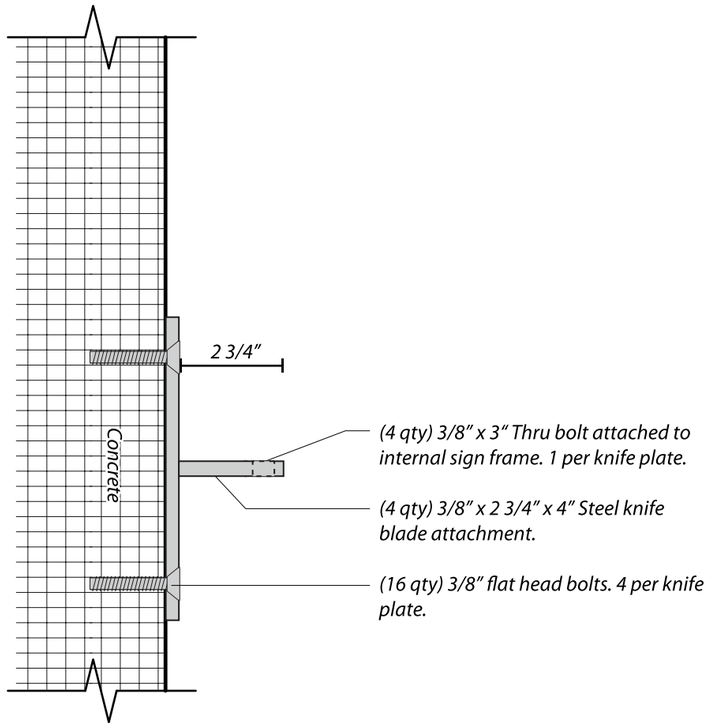
123

B2-S36 - ATTACHMENT DETAILS

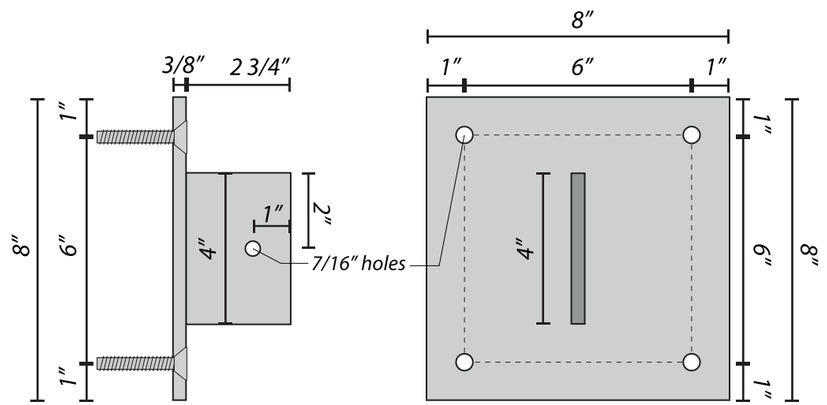


B2 West Elevation
Scale: 1/4"=1'-0"

Primary Electrical Location
Client to provide 20 Amp / 120 Volt dedicated circuit to sign location



Knife Plate Install Detail
Scale: 3"=1'-0"



3/8" x 8" x 8" Steel Plate Detail
Scale: 3"=1'-0"

A DESIGN STUDIO

MAIN CONTACT
Gracia Mueller
360.929.3077

CREATIVE
Brody Lund
425.359.7380

Additional information:
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PROJECT NAME
Terrace Station

PROJECT #
20-004

ADDRESS
24015 Van Ry Blvd
Mountlake Terrace, WA 98043

DATE
12/10/20

VERSION NOTES

V1
V2
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PAGE SCALE
As Noted

PAGE #
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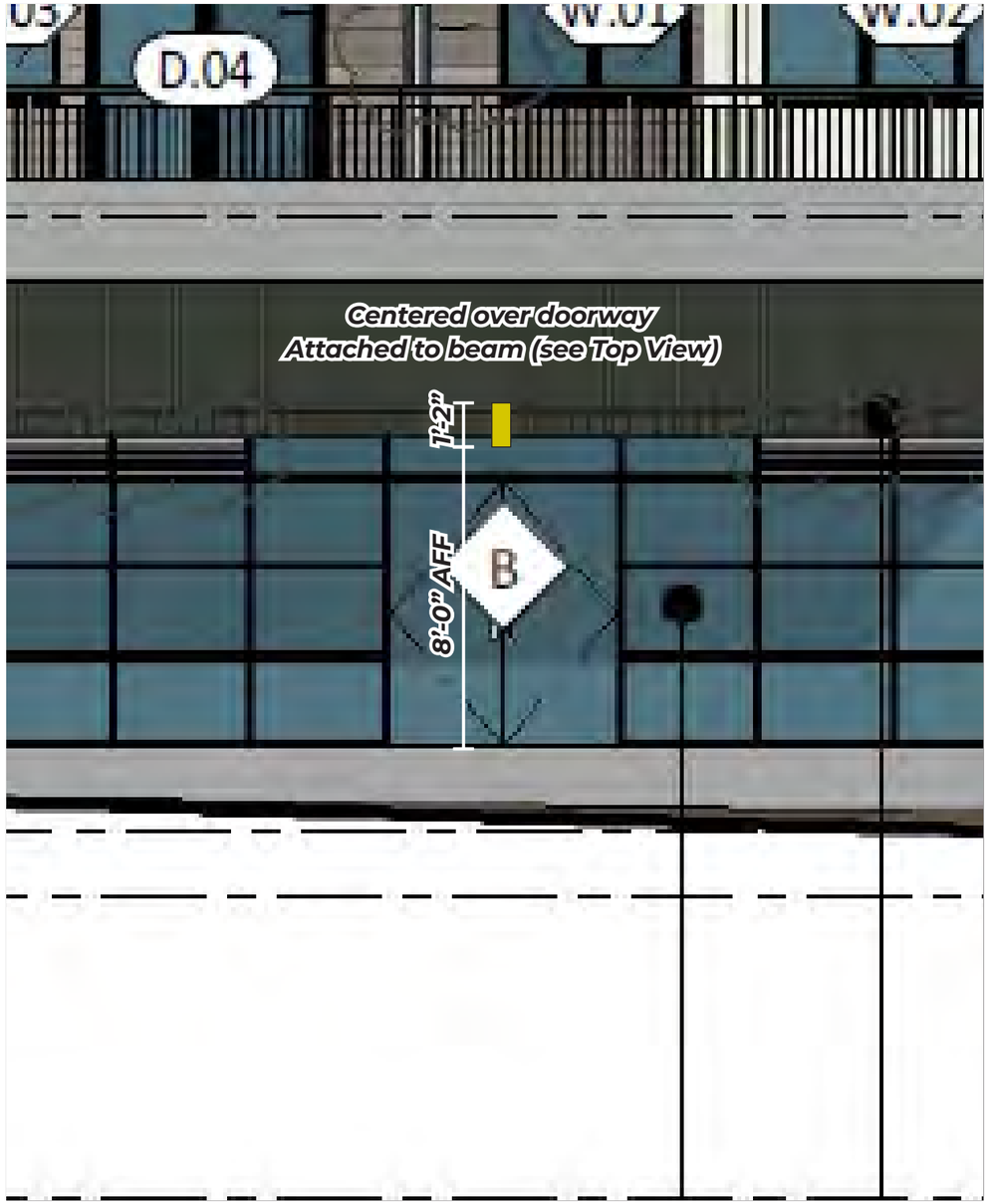
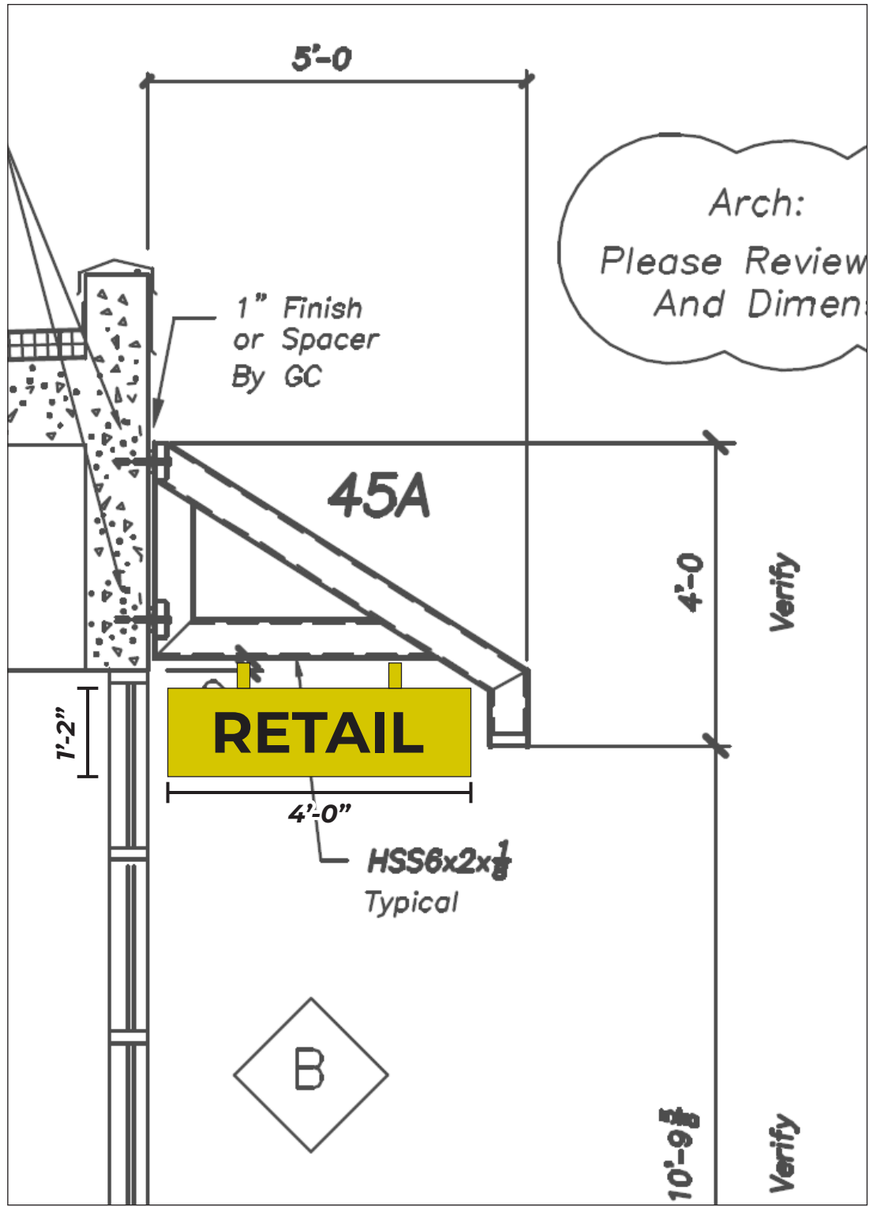
B2-S36.1 - ELEVATIONS



B2 West Elevation
Scale: 1/4"=1'-0"



END VIEW
Scale: 1/2" = 1'-0"

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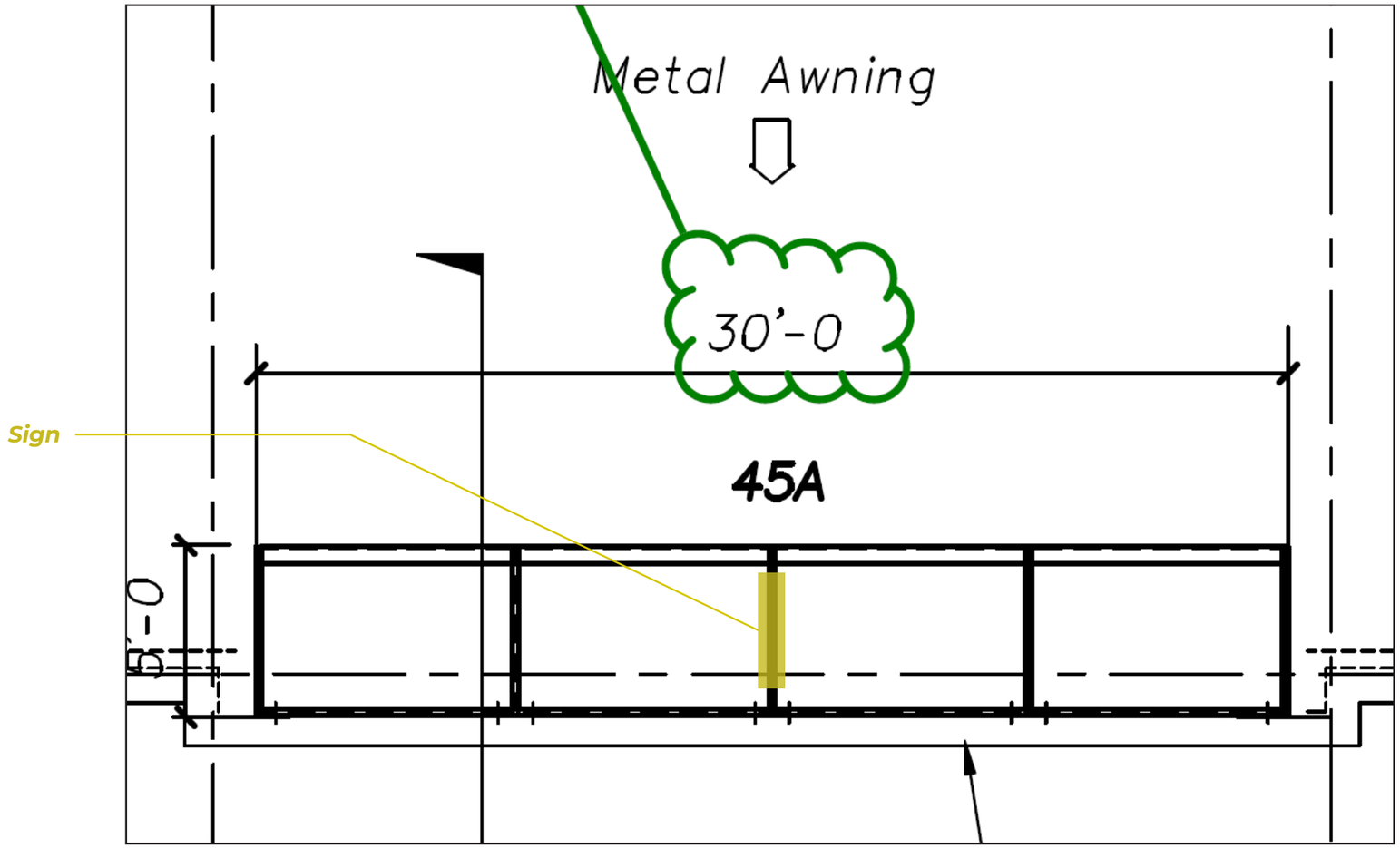
PAGE SCALE
As Noted

PAGE #
124.1

B2-S36.1 - DETAILS



TOP VIEW
Scale: 1/4" = 1'-0"

A DESIGN STUDIO

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PAGE SCALE
1/4" = 1'-0"

PAGE #
124.2

B2-S37 - ELEVATIONS

Sign Area: 40.0 Square Feet

B2 West Elevation

A DESIGN STUDIO

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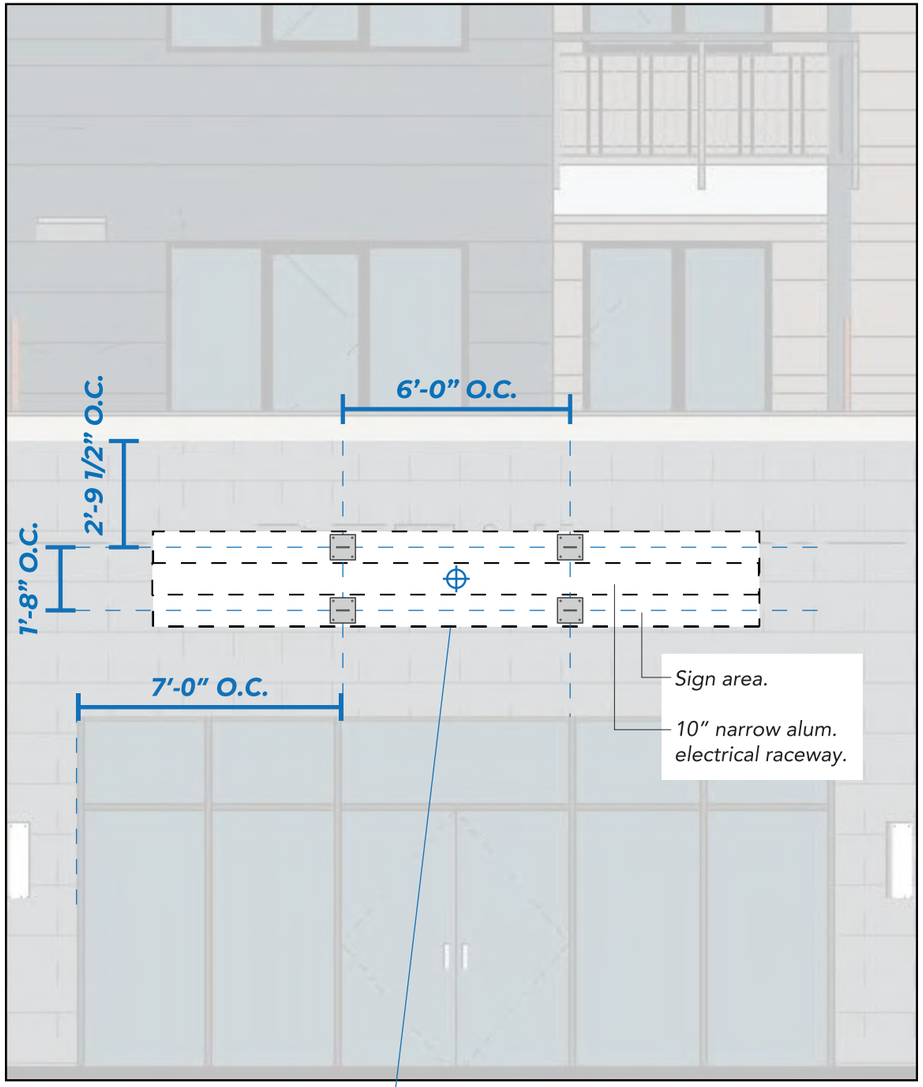
PAGE SCALE
1/4" = 1'-0"

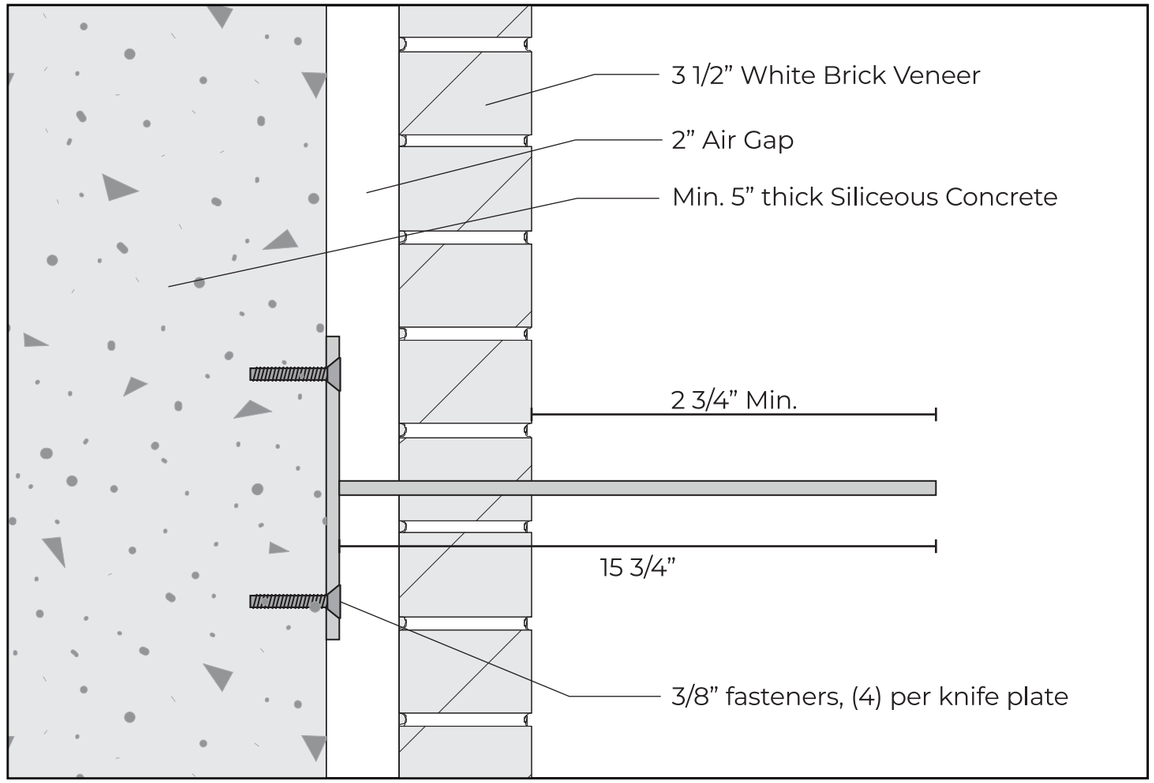
PAGE #
125

B2-S37 - ATTACHMENT DETAILS

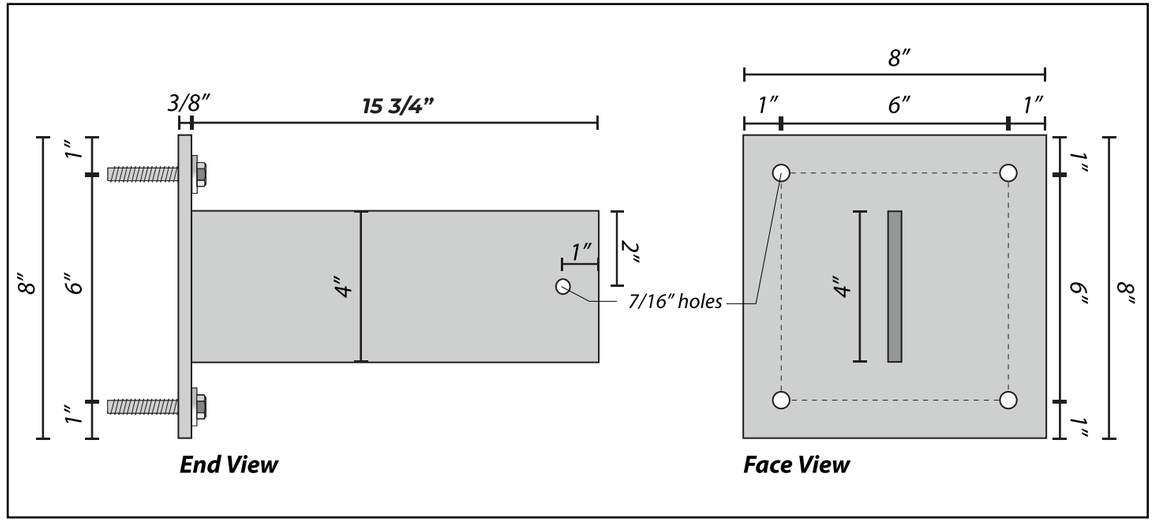


B2 West Elevation
Scale: 1/4"=1'-0"

Primary Electrical Location
Client to provide 20 Amp / 120 Volt dedicated circuit to sign location



Knife Plate Install Detail
Scale: 3"=1'-0"



3/8" x 8" x 8" Steel Plate Detail
Scale: 3"=1'-0"

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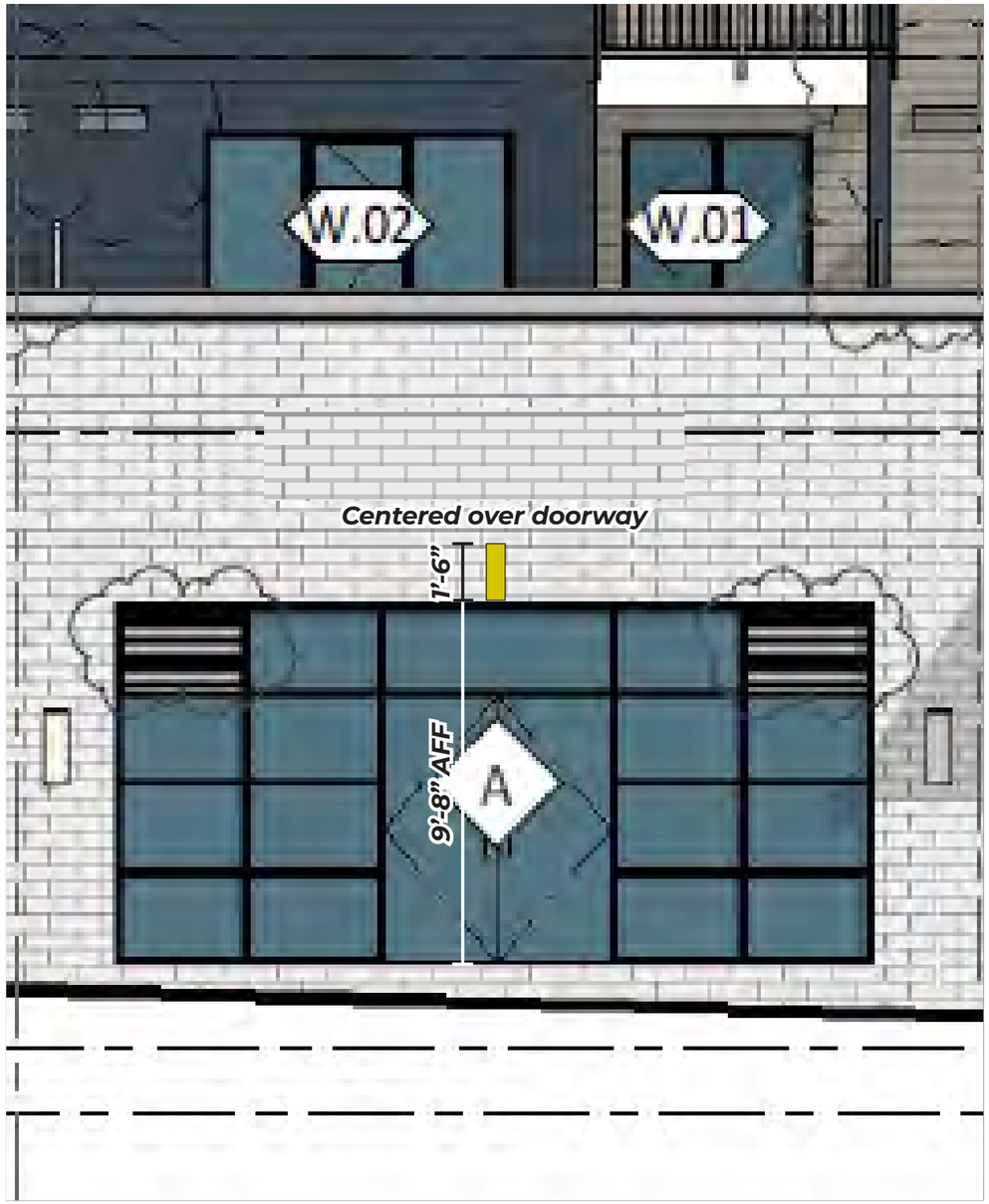
PAGE SCALE
As Noted

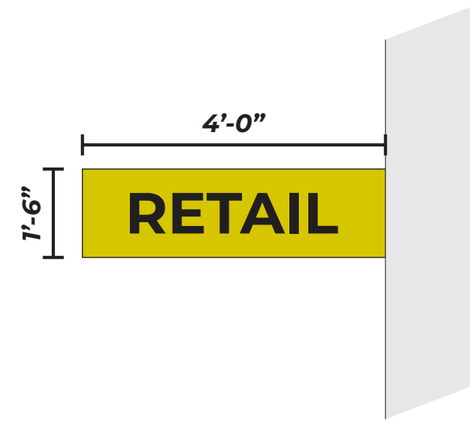
PAGE #
126

B2-S37.1 - ELEVATIONS



B2 West Elevation
Scale: 1/4"=1'-0"

FINAL LOCATION, ATTACHMENT METHOD PENDING SURVEY



END VIEW
Scale: 1/2" = 1'-0"

A DESIGN STUDIO

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PAGE SCALE
As Noted

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126.1

B2-S38 - ELEVATIONS

Sign Area: 40.0 Square Feet

B2 West Elevation

A DESIGN STUDIO

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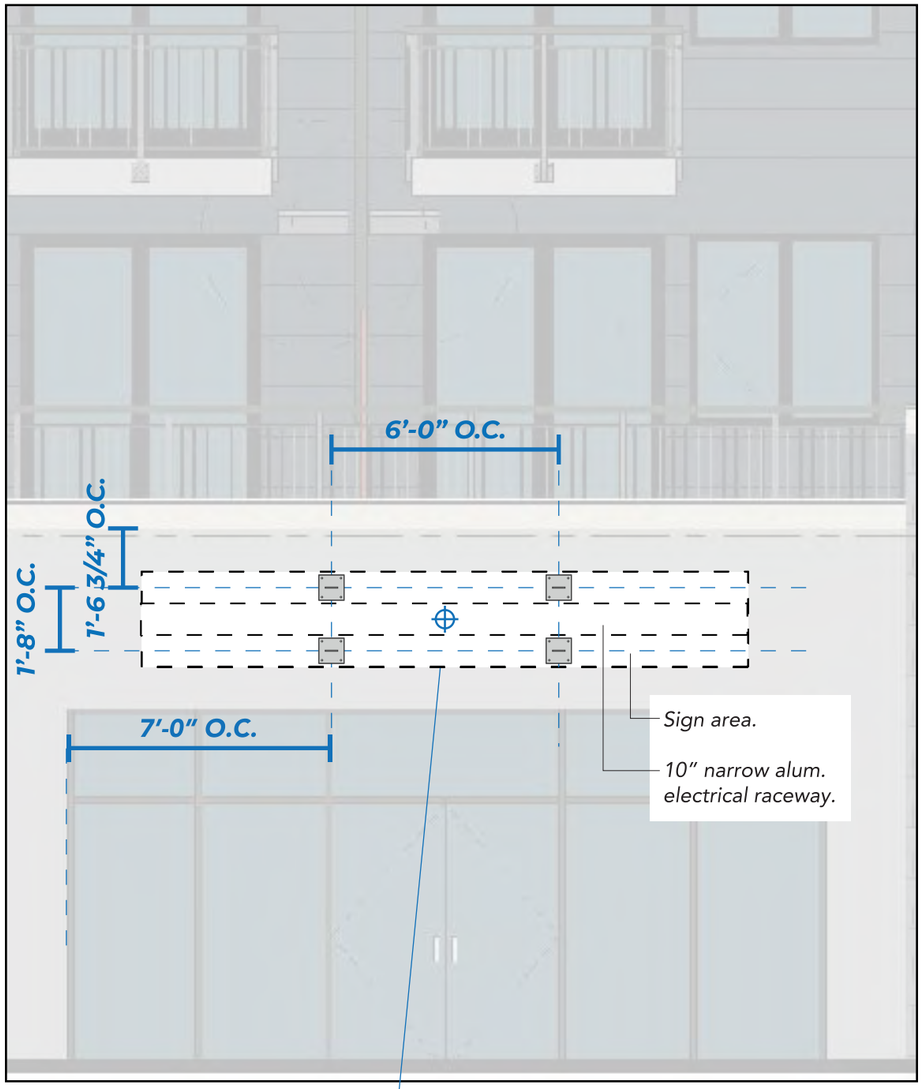
PAGE SCALE
1/4" = 1'-0"

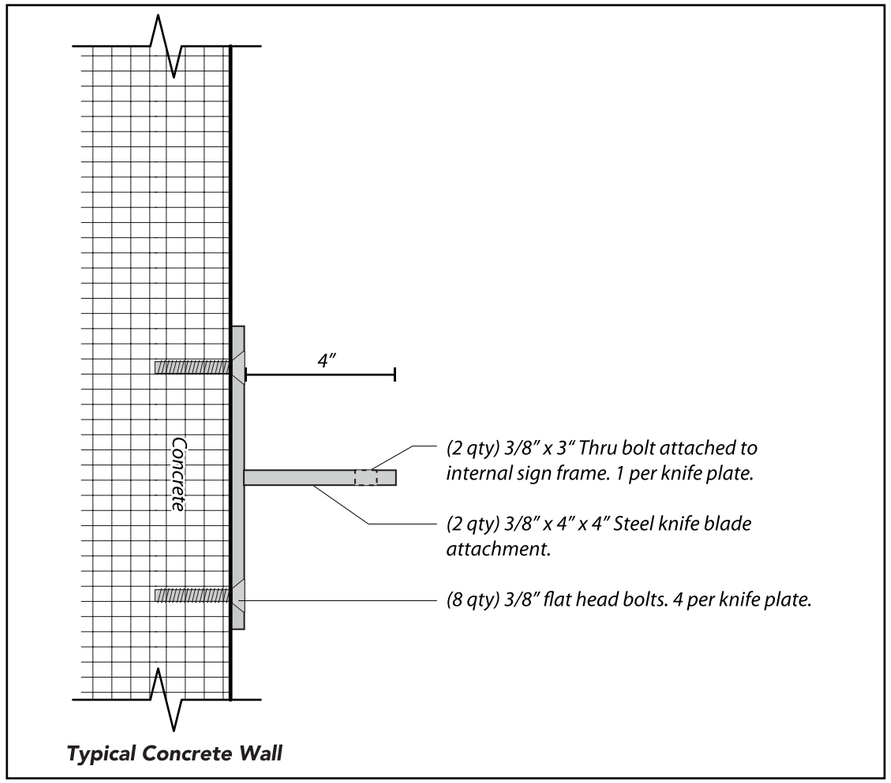
PAGE #
127

B2-S38 - ATTACHMENT DETAILS

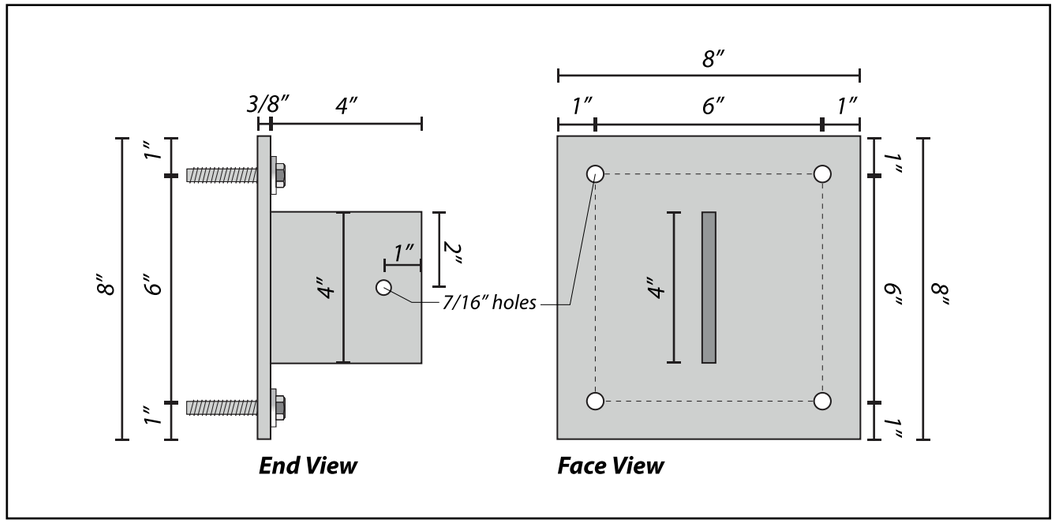


B2 West Elevation
Scale: 1/4"=1'-0"

Primary Electrical Location
Client to provide 20 Amp / 120 Volt dedicated circuit to sign location



Knife Plate Install Detail
Scale: 3"=1'-0"



3/8" x 8" x 8" Steel Plate Detail
Scale: 3"=1'-0"

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PAGE SCALE
As Noted

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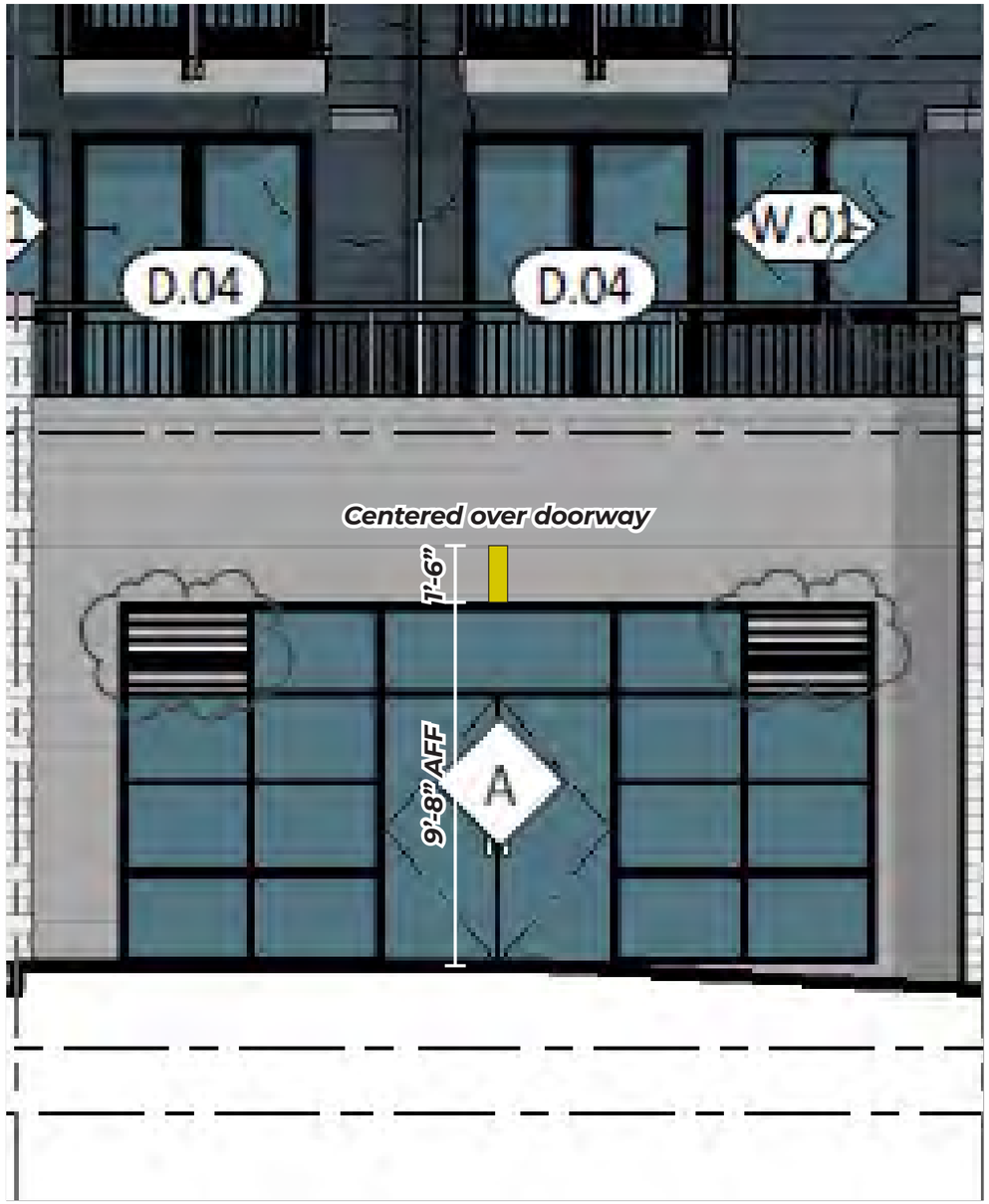
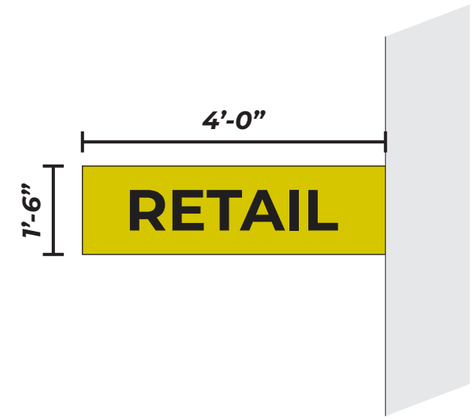
B2-S38.1 - ELEVATIONS



B2 West Elevation
Scale: 1/4"=1'-0"

FINAL LOCATION, ATTACHMENT METHOD, AND ELECTRICAL PENDING SURVEY



END VIEW
Scale: 1/2" = 1'-0"

A DESIGN STUDIO

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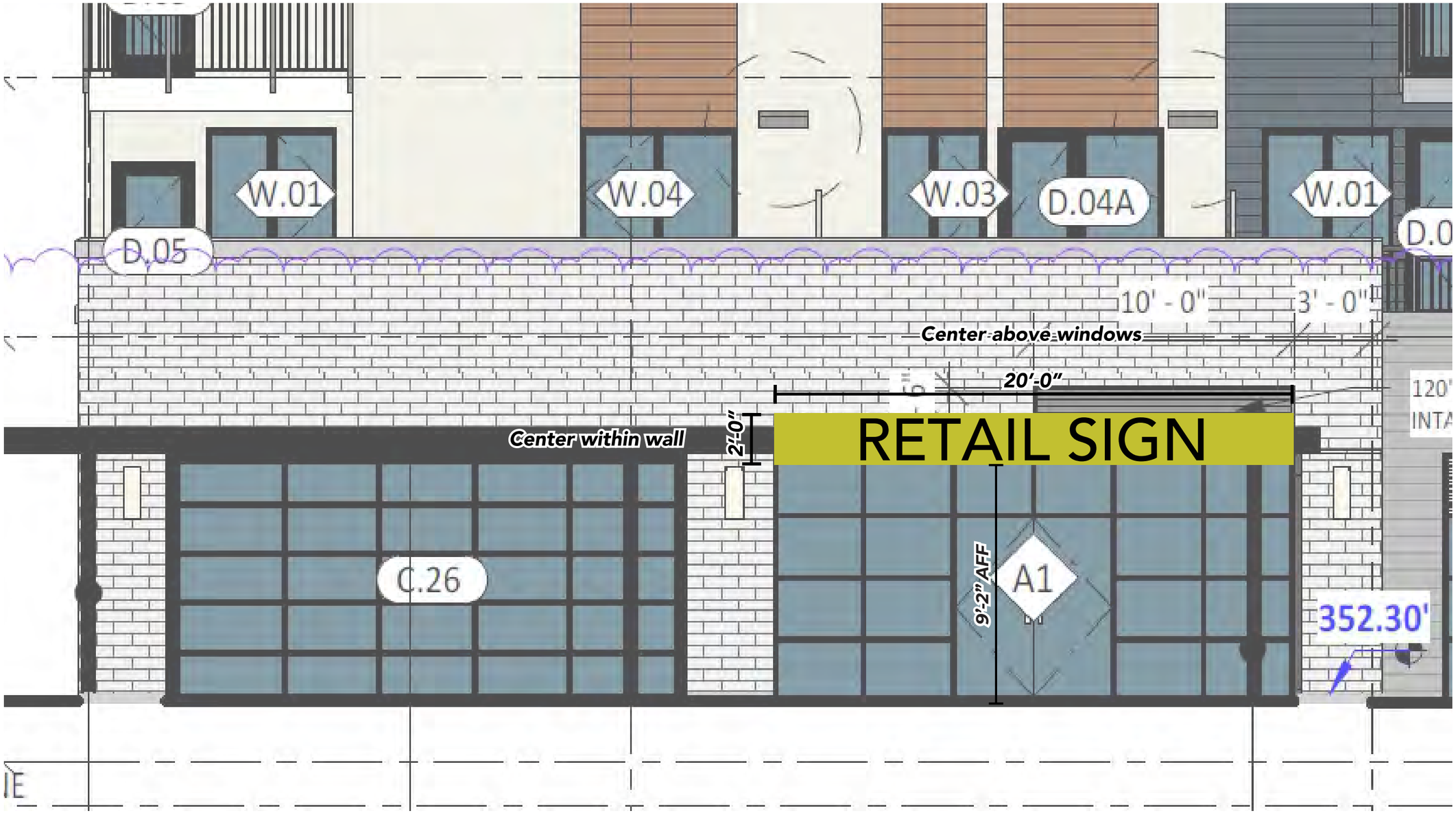
PAGE SCALE
As Noted

PAGE #
128.1

B2-S39 - ELEVATIONS

Sign Area: 40.0 Square Feet



B2 West Elevation

A DESIGN STUDIO

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PAGE SCALE
1/4" = 1'-0"

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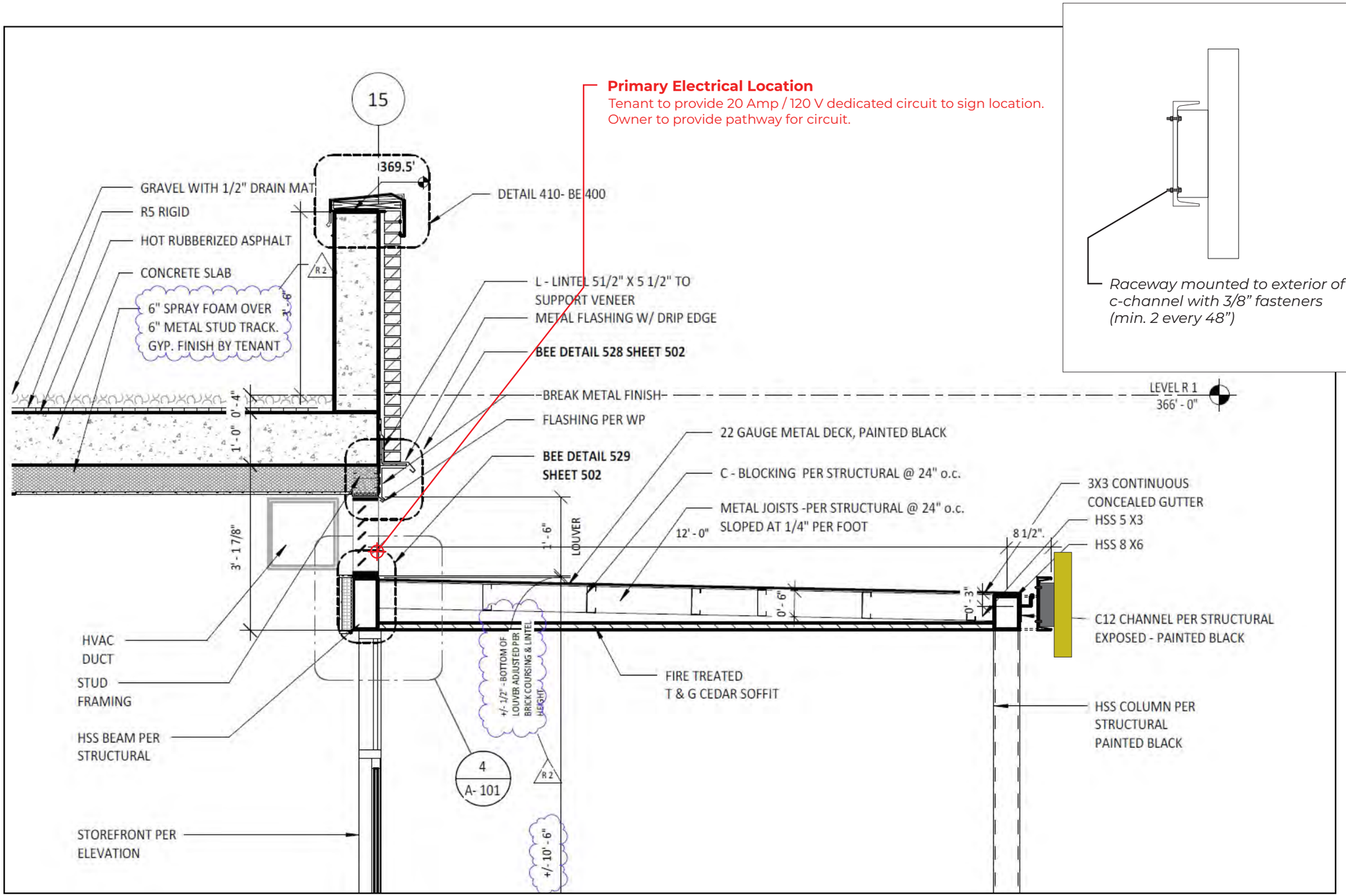
129

B2-S39 - ATTACHMENT DETAILS



Primary Electrical Location
Tenant to provide 20 Amp / 120 V dedicated circuit to sign location.
Owner to provide pathway for circuit.

Raceway mounted to exterior of c-channel with 3/8" fasteners (min. 2 every 48")

CANOPY - END VIEW
Scale: 1/2" = 1'-0"

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PAGE SCALE
As Noted

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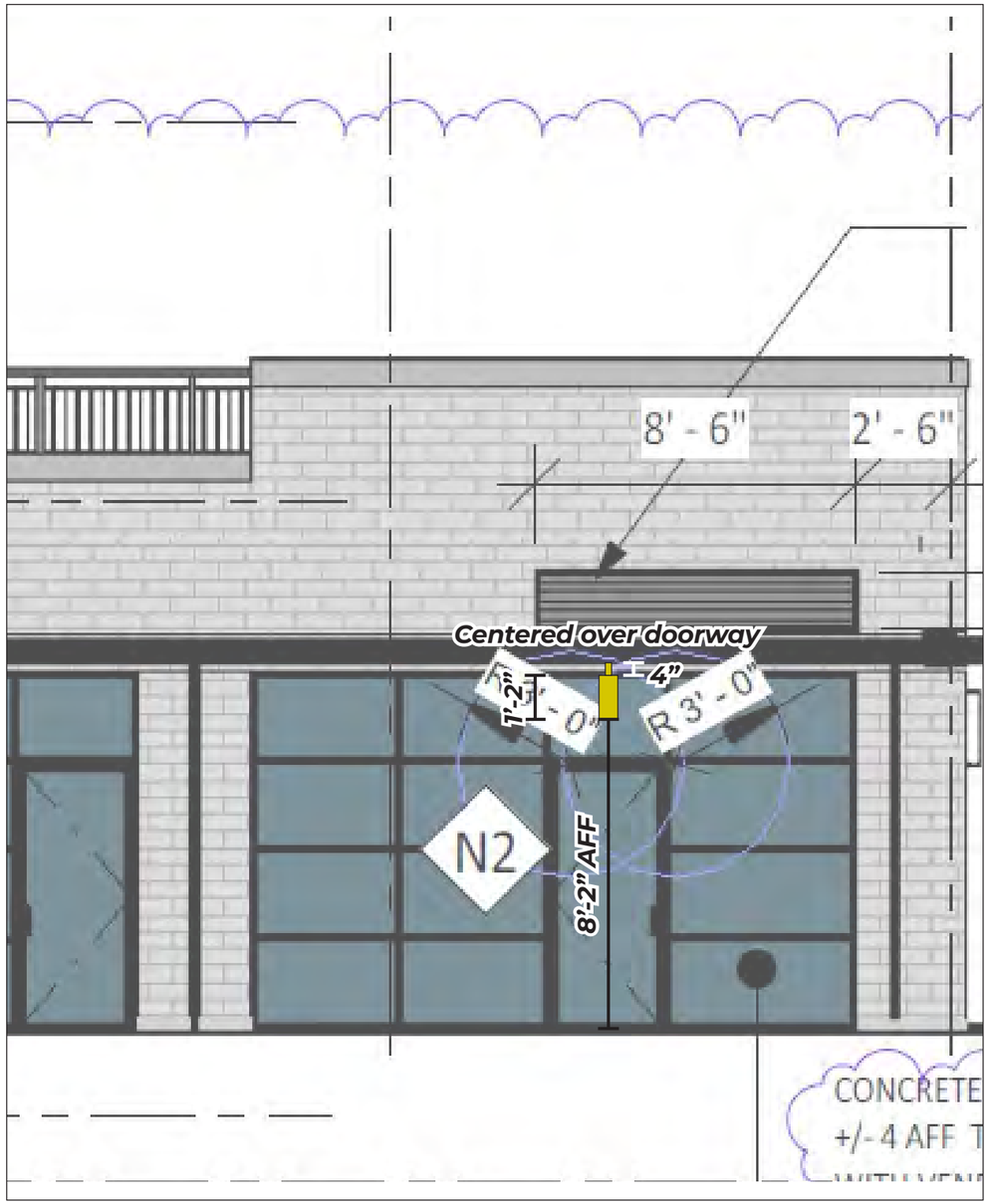
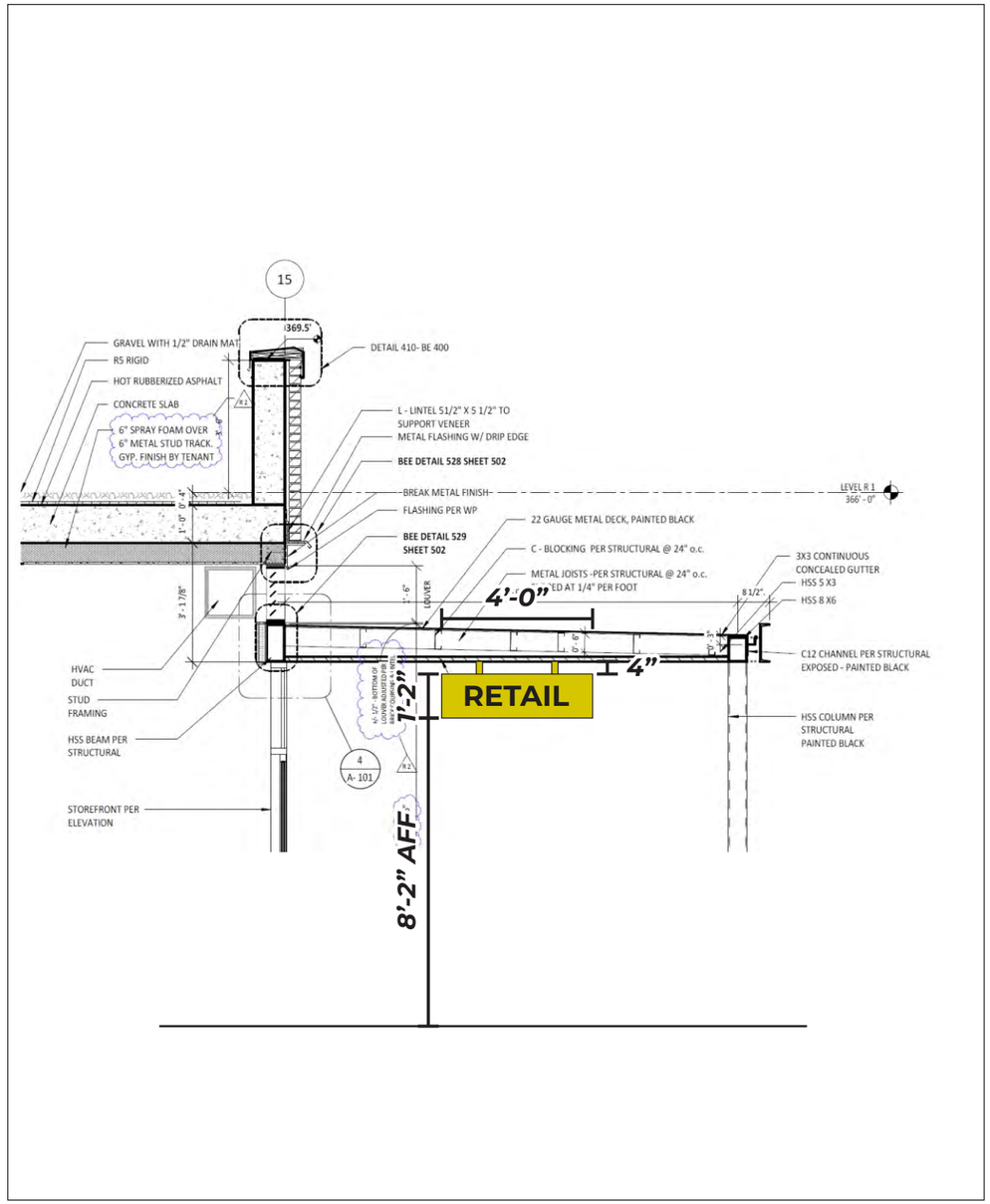
B2-S39.1 - ELEVATIONS



B2 West Elevation
Scale: 1/4"=1'-0"



B2 North Elevation
Scale: 1/4"=1'-0"

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PAGE SCALE
1/4" = 1'-0"

PAGE #
130.1

B2-S40 - ELEVATIONS

Sign Area: 40.0 Square Feet

B2 North Elevation

A DESIGN STUDIO

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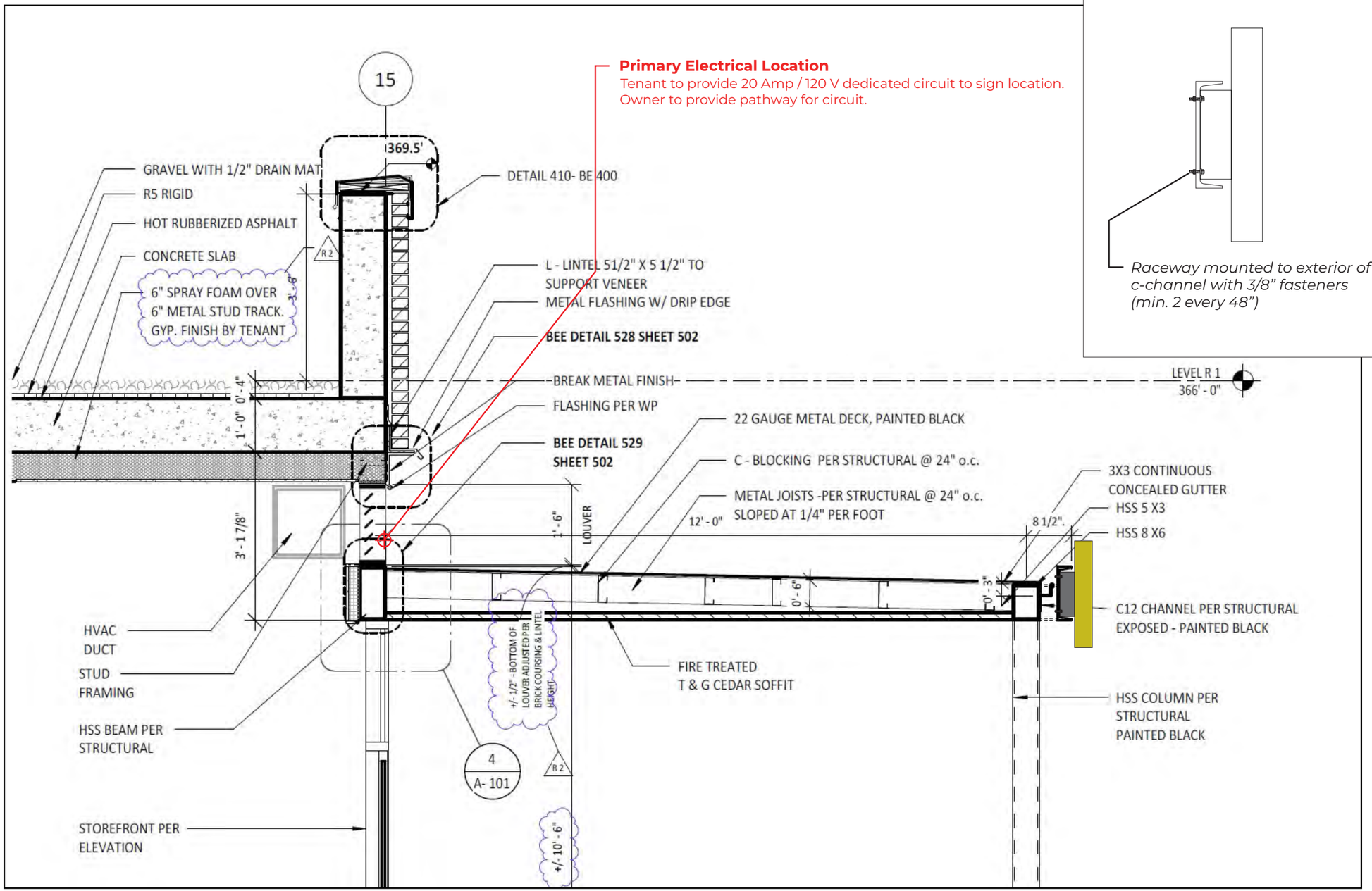
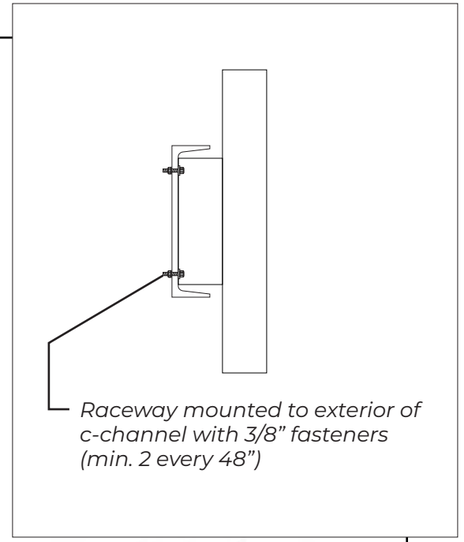
PAGE SCALE
1/4" = 1'-0"

B2-S40 - ATTACHMENT DETAILS





CANOPY - END VIEW
Scale: 1/2" = 1'-0"

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PAGE SCALE
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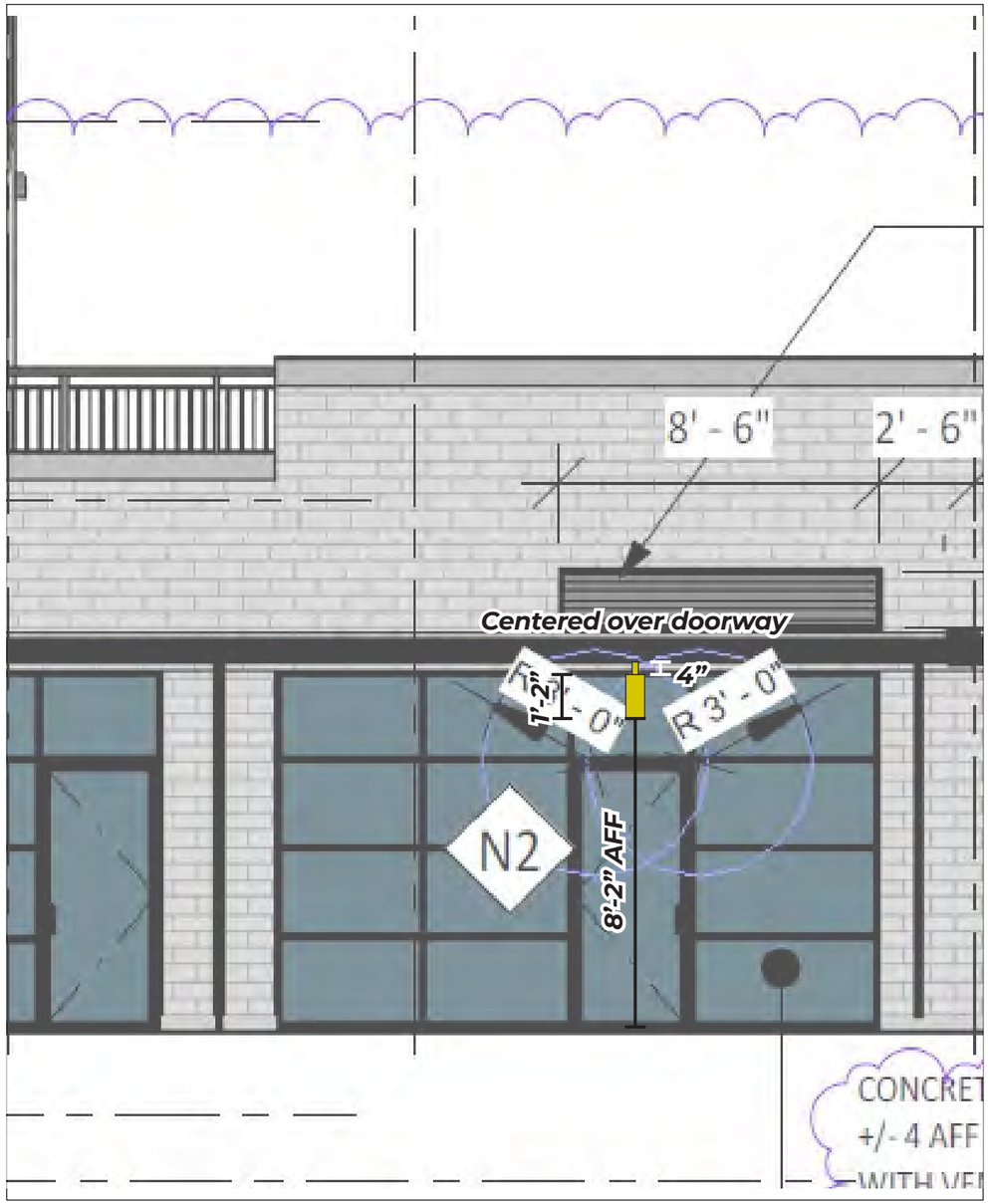
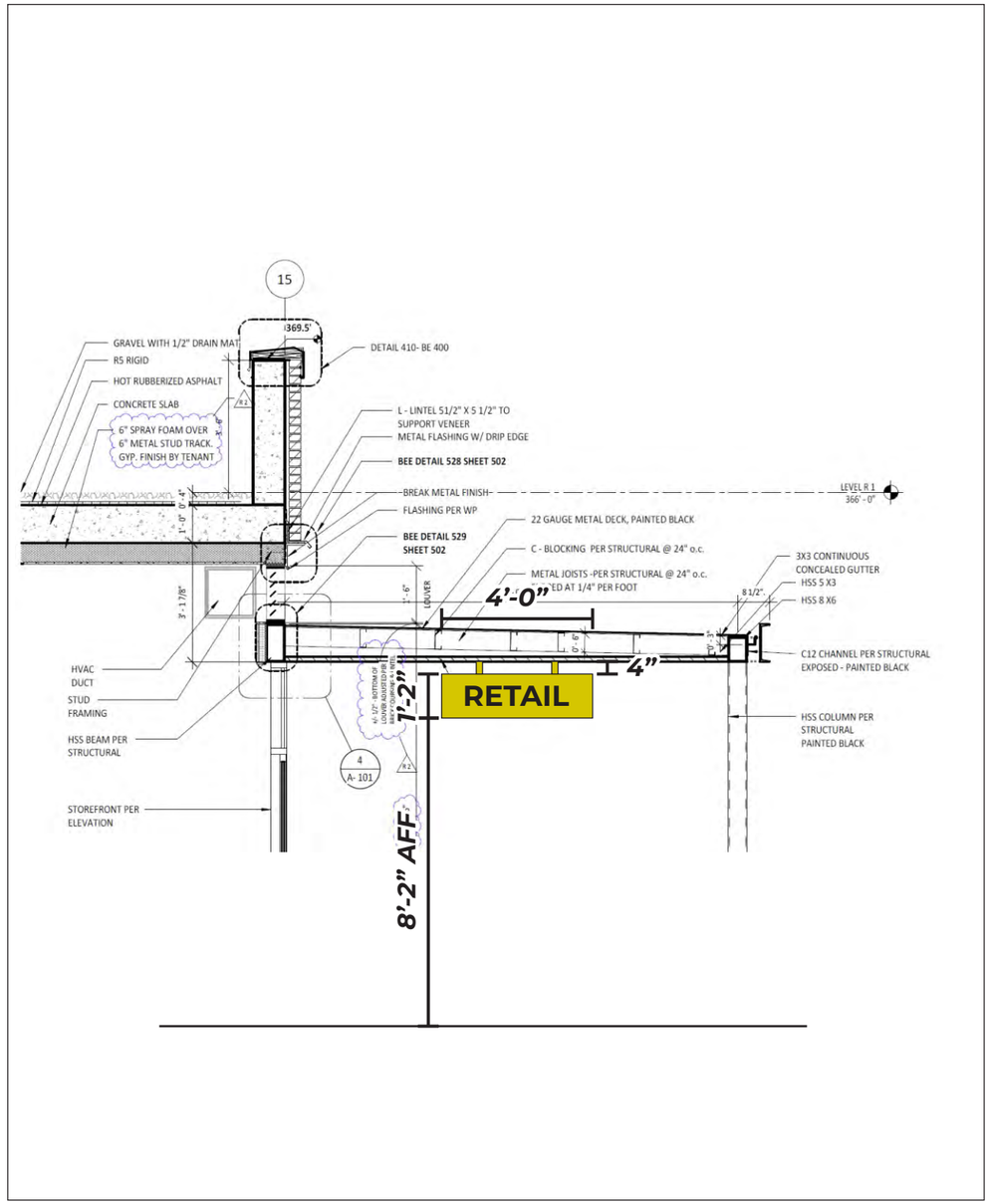
132

B2-S40.1 - ELEVATIONS



B2 North Elevation
Scale: 1/4"=1'-0"



B2 West Elevation
Scale: 1/4"=1'-0"

A DESIGN STUDIO

MAIN CONTACT
Gracia Mueller
360.929.3077

CREATIVE
Brody Lund
425.359.7380

Additional information:
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PROJECT NAME
Terrace Station

PROJECT #
20-004

ADDRESS
24015 Van Ry Blvd
Mountlake Terrace, WA 98043

DATE
12/10/20

VERSION NOTES

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V12
V13
V14
V15

PAGE SCALE
1/4" = 1'-0"

PAGE #
132.1

B2-S41 - ELEVATION

B2 South Elevation

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V12
V13
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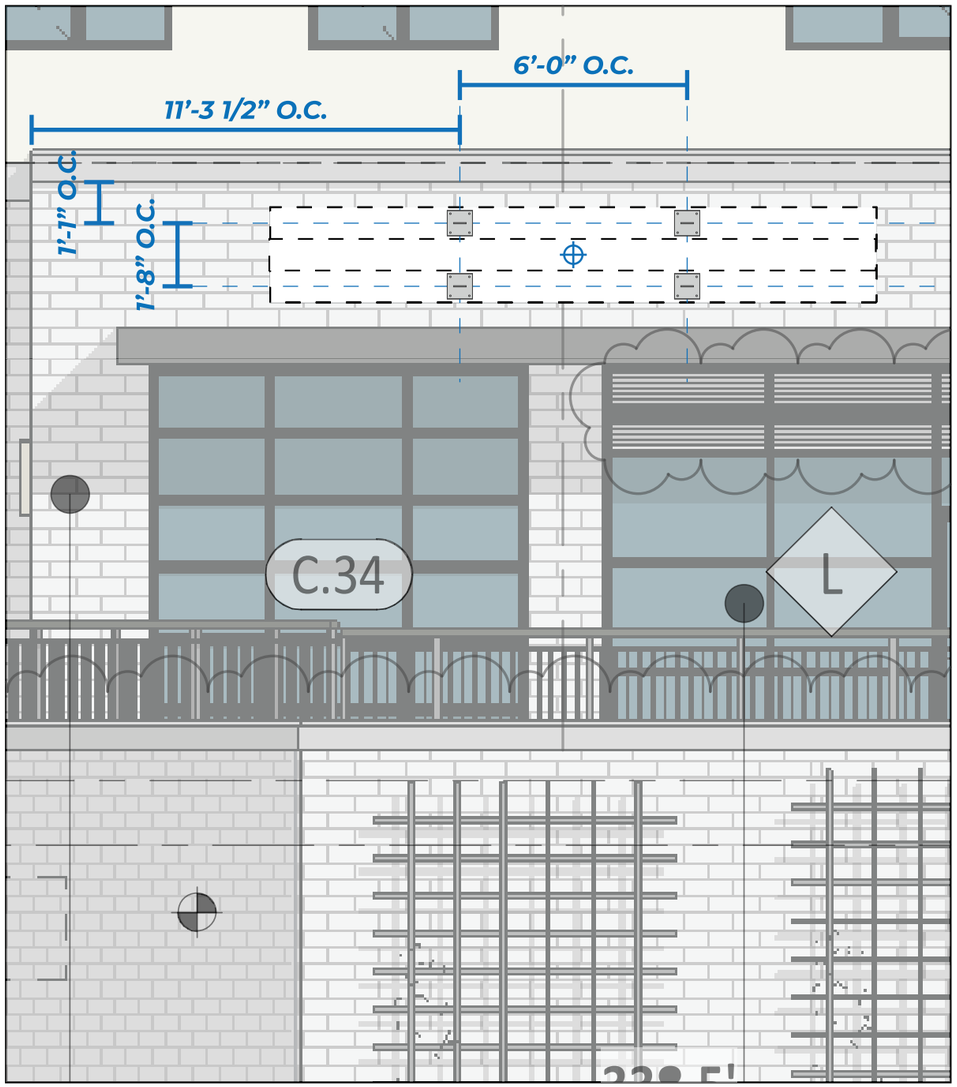
V15

PAGE SCALE
1/4” = 1’-0”

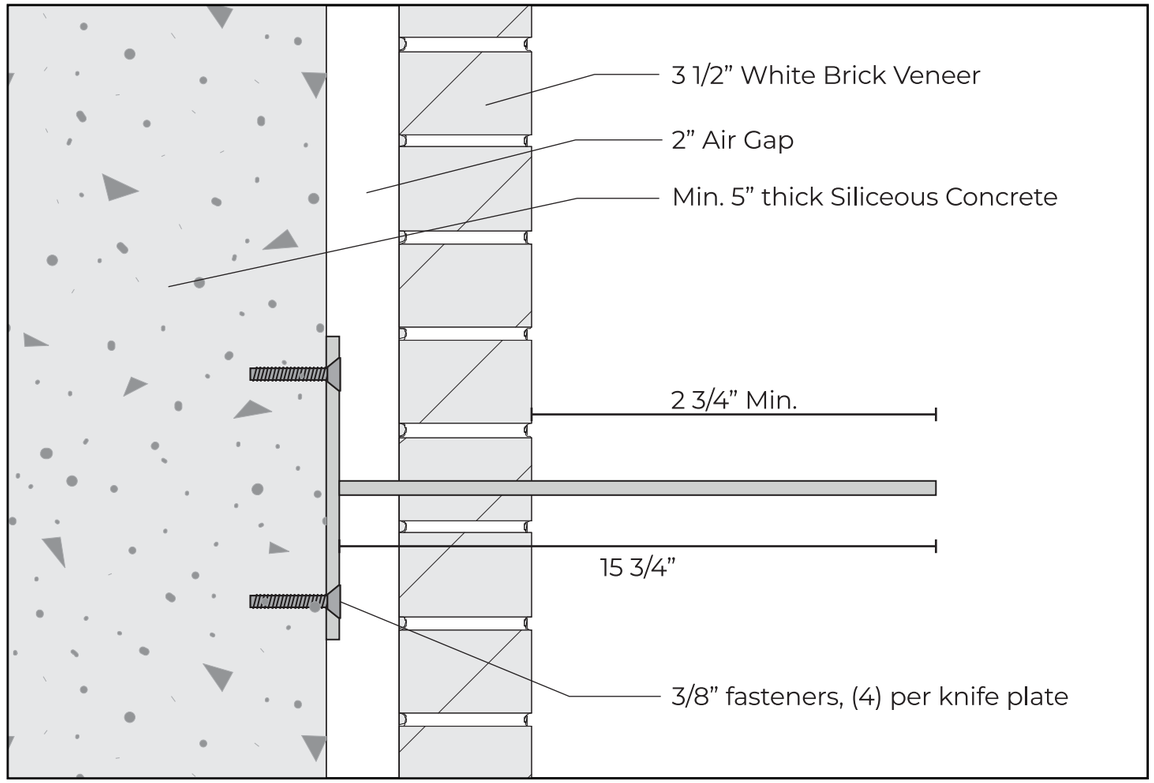
PAGE #
133

B2-S41 - ELEVATION



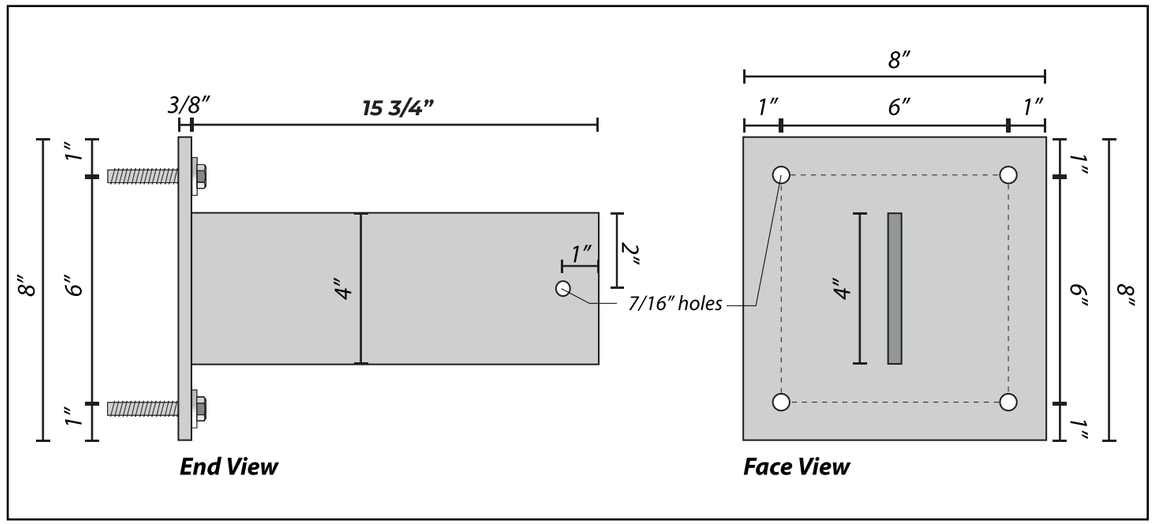
B2 South Elevation

Scale: 1/4” = 1’-0”



Knife Plate Install Detail

Scale: 3”=1’-0”



3/8” x 8” x 8” Steel Plate Detail

Scale: 3”=1’-0”

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V14
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PAGE SCALE
1/4” = 1’-0”

PAGE #
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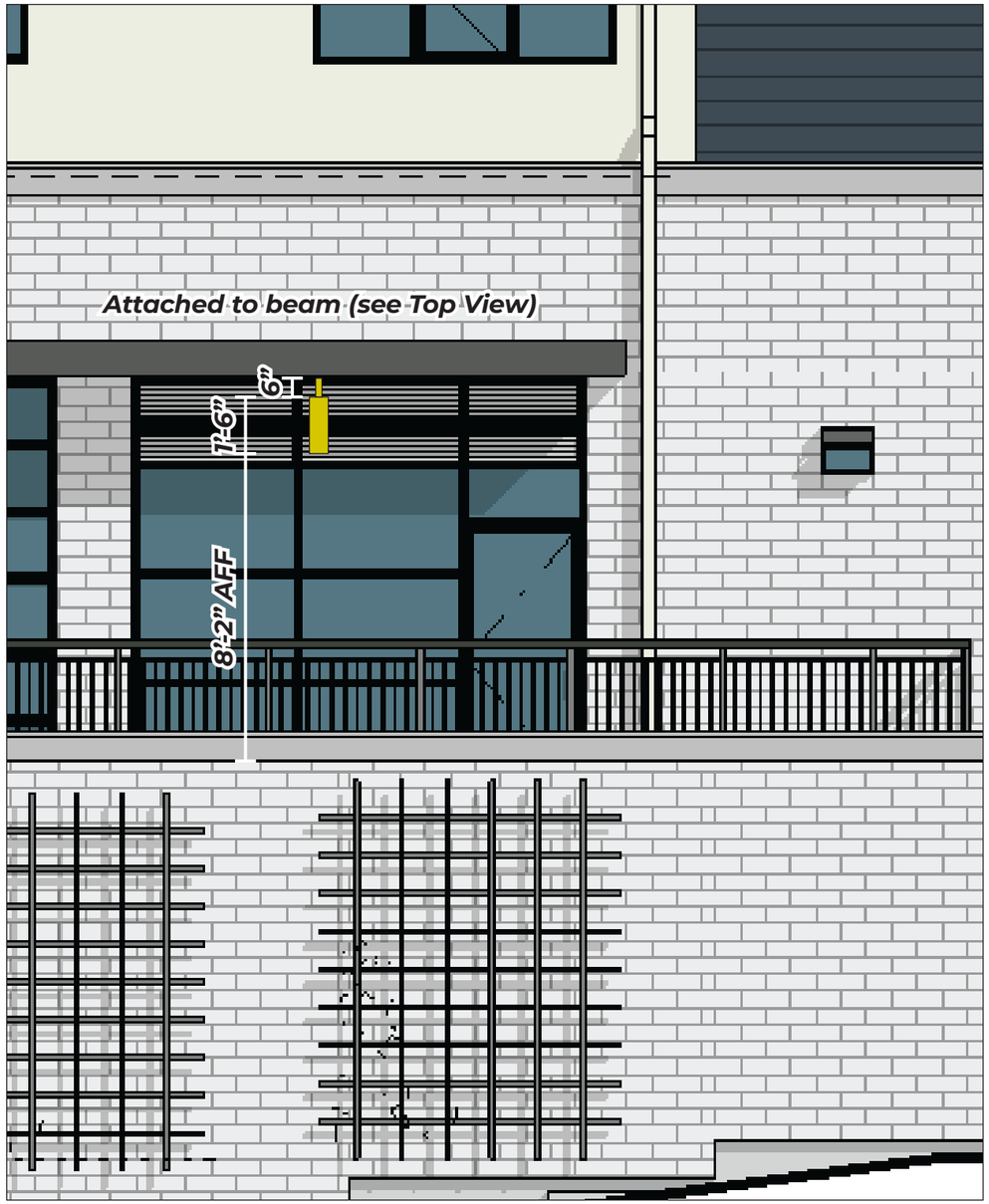
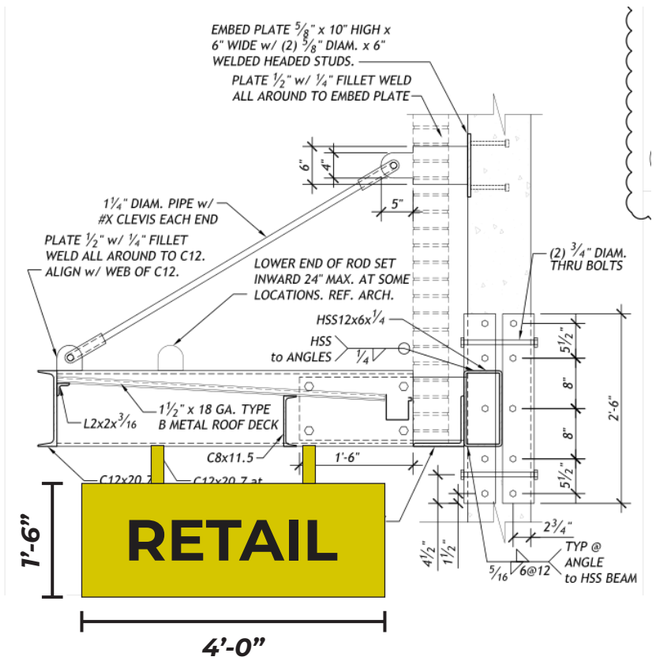
B2-S41.1 - ELEVATIONS



B2 South Elevation

Scale: 1/4" = 1'-0"



END VIEW

Scale: 1/2" = 1'-0"

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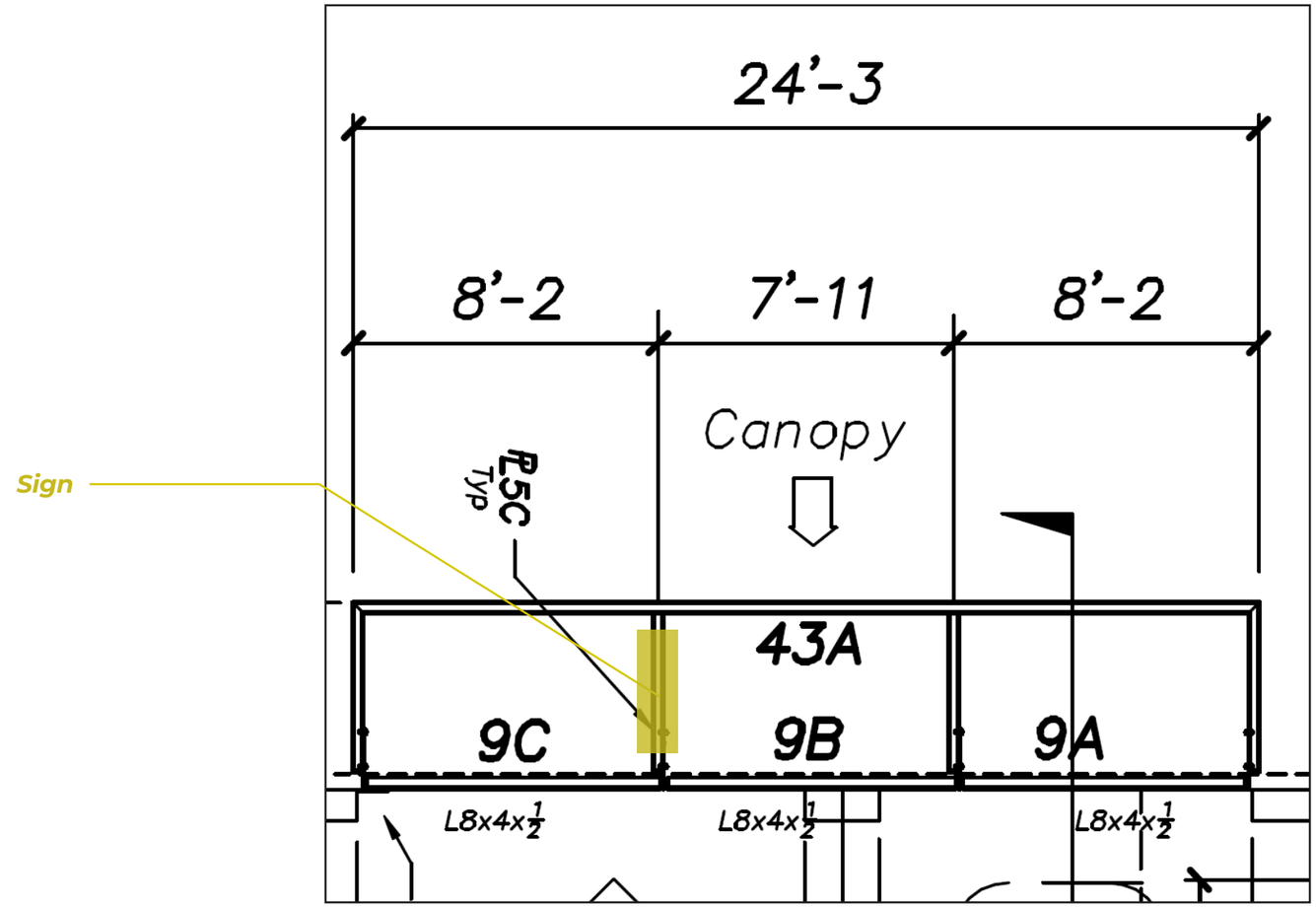
PAGE SCALE
1/4" = 1'-0"

PAGE #
134.1

B2-S41.1 - DETAILS



TOP VIEW
Scale: 1/4" = 1'-0"

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PAGE SCALE
1/4" = 1'-0"

PAGE #
134.2

B2-S41.2 - ELEVATION

B2 West Elevation

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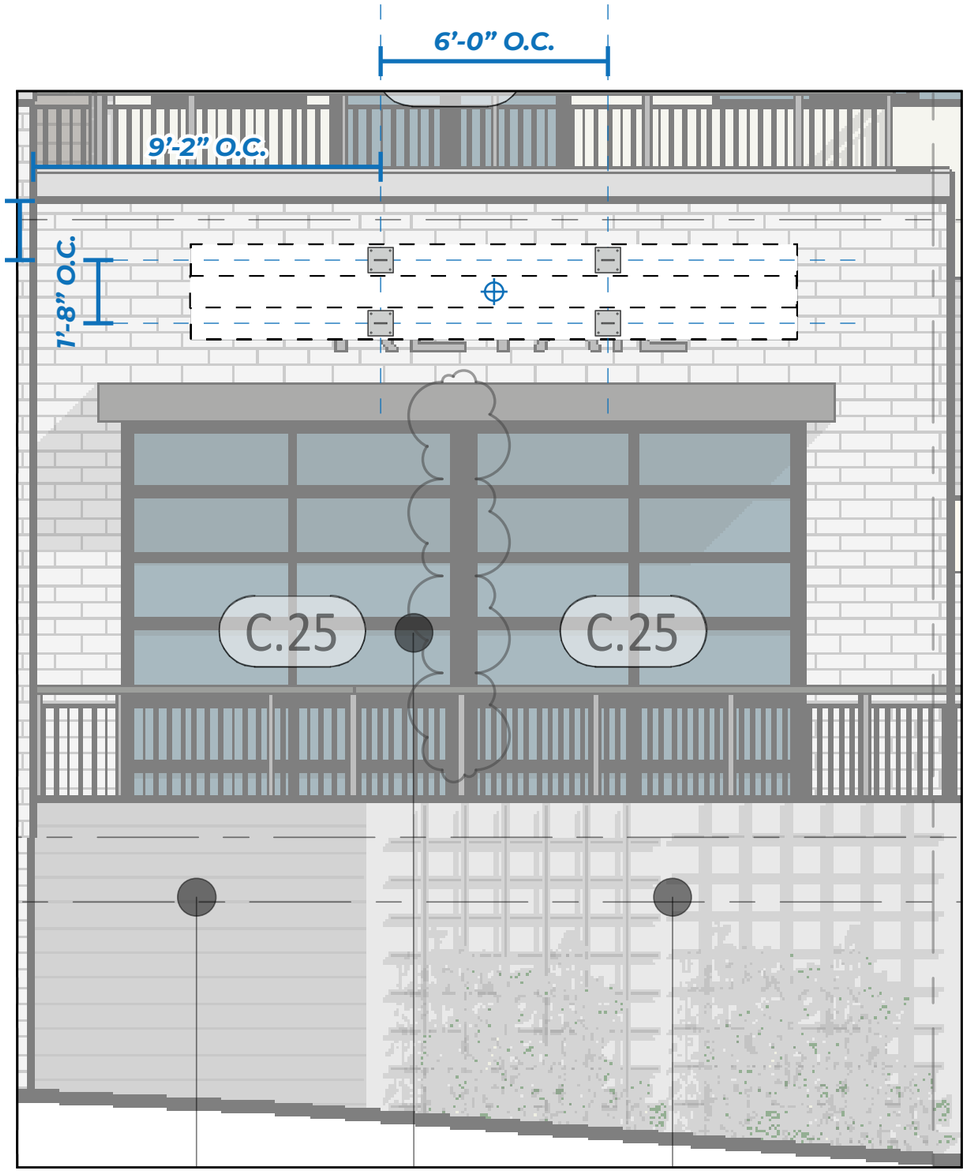
PAGE SCALE
1/4" = 1'-0"

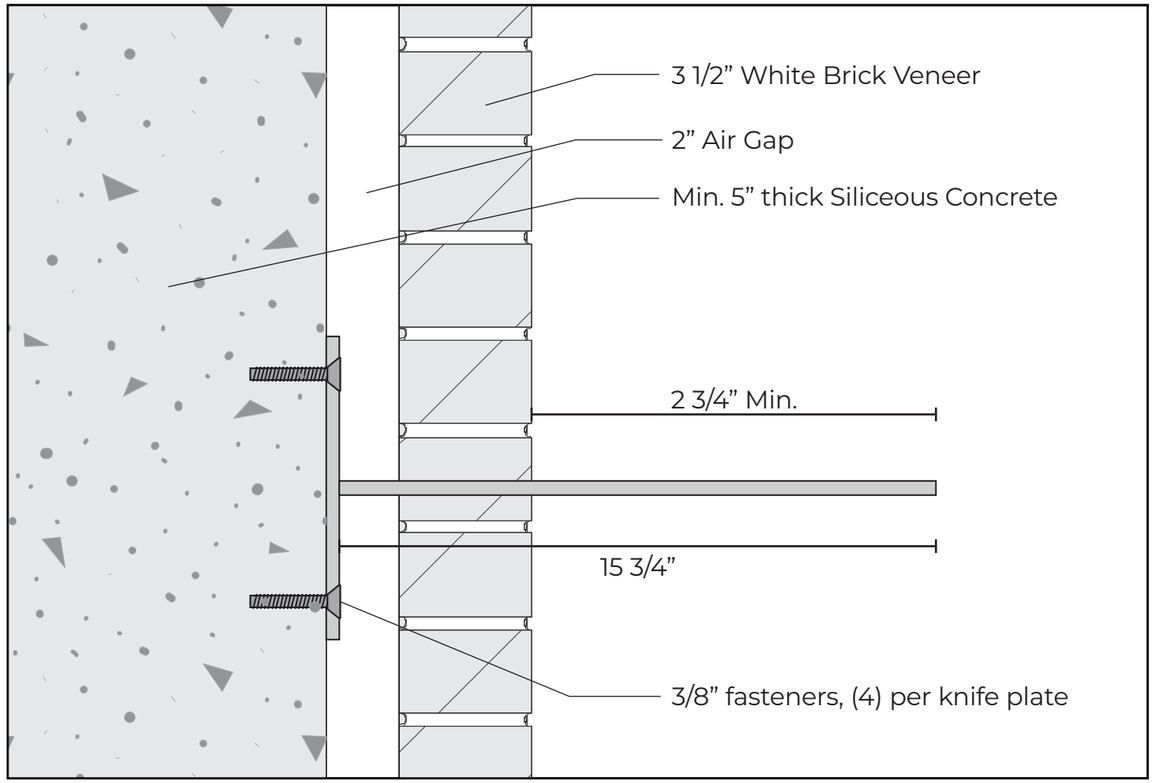
PAGE #
134.2

B2-S41.2 - ELEVATION



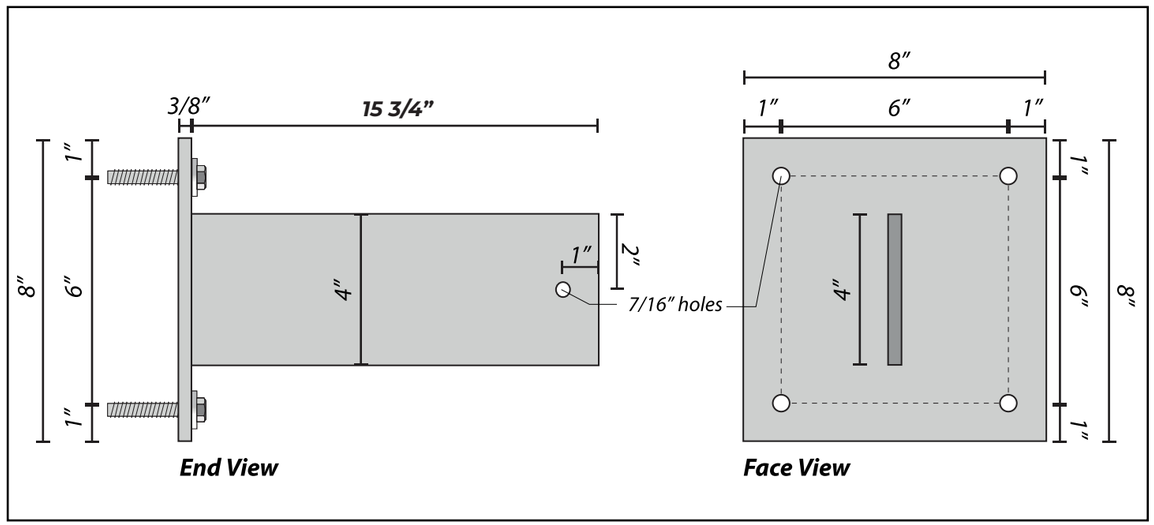
B2 West Elevation

Scale: 1/4” = 1’-0”



Knife Plate Install Detail

Scale: 3”=1’-0”



3/8” x 8” x 8” Steel Plate Detail

Scale: 3”=1’-0”

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PAGE SCALE
1/4” = 1’-0”

PAGE #
134.3

BUILDING 3

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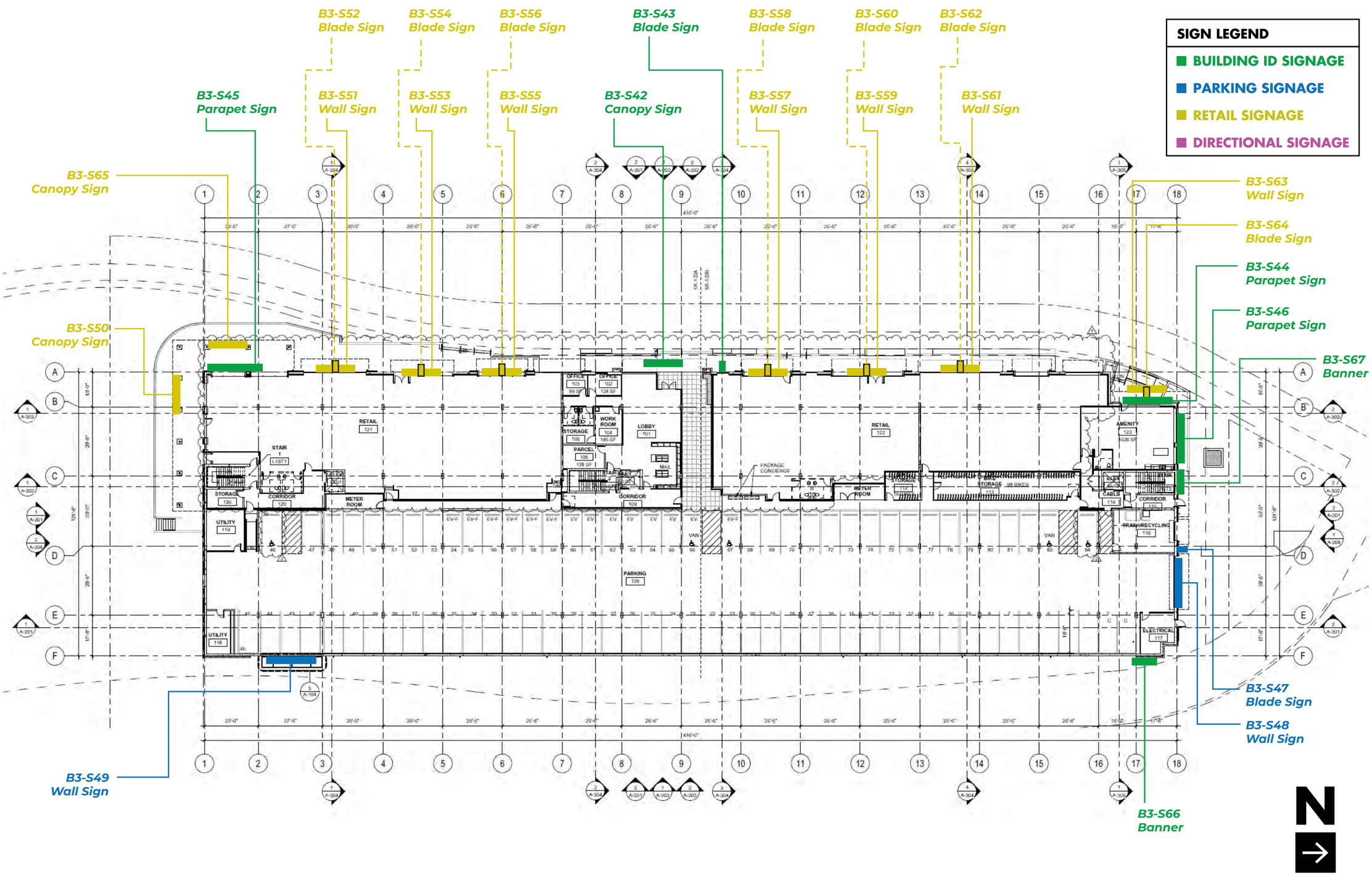
PAGE SCALE
N/A

PAGE #

SITE PLANS - B3



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PAGE SCALE
1" = 40'-0"

B3 - ELEVATIONS

COLOR KEY

- BUILDING ID SIGNAGE
- RETAIL SIGNAGE
- PARKING SIGNAGE

West Elevation

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PAGE SCALE
1" = 30'-0"

PAGE #
137

B3 - ELEVATIONS

COLOR KEY

- **BUILDING ID SIGNAGE**
- **RETAIL SIGNAGE**
- **PARKING SIGNAGE**

East Elevation

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PAGE SCALE
1" = 30'-0"

PAGE #
138

B3 - ELEVATIONS

COLOR KEY

- BUILDING ID SIGNAGE
- RETAIL SIGNAGE
- PARKING SIGNAGE

North Elevation

South Elevation

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PAGE SCALE
1" = 30'-0"

PAGE #
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B3 - SIGN SCHEDULE

SIGN #	DESCRIPTION	
B3-S42	S/F ILLUMINATED CANOPY SIGN ■ QTY (1) 20’-6” W x 2’-0” H ■ SIGN AREA: 26.3 SQ FT	PAGE 141-143
B3-S43	D/F ILLUMINATED BLADE SIGN ■ QTY (1) 3’-7” W x 1’-4” H ■ SIGN AREA: 4.8 SQ FT	PAGE 144-146
B3-S44	S/F ILLUMINATED PARAPET SIGN ■ QTY (1) 20’-6” W x 2’-0” H ■ SIGN AREA: 26.3 SQ FT	PAGE 147, 150-151
B3-S45	S/F ILLUMINATED PARAPET SIGN ■ QTY (1) 20’-6” W x 2’-0” H ■ SIGN AREA: 26.3 SQ FT	PAGE 148, 150-151
B3-S46	S/F ILLUMINATED PARAPET SIGN ■ QTY (1) 20’-6” W x 2’-0” H ■ SIGN AREA: 26.3 SQ FT	PAGE 149-151
B3-S47	D/F ILLUMINATED BLADE SIGN ■ QTY (1) 2’-8” W x 2’-0” H ■ SIGN AREA: 5.3 SQ FT	PAGE 152-154
B3-S48	S/F ILLUMINATED WALL SIGN ■ QTY (1) 24’-0” W x 1’-0” H ■ SIGN AREA: 24 SQ FT	PAGE 155-156
B3-S49	S/F ILLUMINATED WALL SIGN ■ QTY (1) 17’-0” W x 3’-0” H ■ SIGN AREA: 26 SQ FT	PAGE 157-158
B3-S50	S/F ILLUMINATED CANOPY SIGN ■ QTY (1) 16’-0 W x 2’-6” H ■ SIGN AREA: 40 SQ FT	PAGE 159-160
B3-S51	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0 W x 2’-6” H ■ SIGN AREA: 40 SQ FT	PAGE 161-162
B3-S52	D/F ILLUMINATED BLADE SIGN ■ QTY (1) 4’-0” W x 1’-6” H ■ SIGN AREA: 6 SQ FT	PAGE 163-164
B3-S53	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0 W x 2’-6” H ■ SIGN AREA: 40 SQ FT	PAGE 165-166
B3-S54	D/F ILLUMINATED BLADE SIGN ■ QTY (1) 4’-0” W x 1’-6” H ■ SIGN AREA: 6 SQ FT	PAGE 167-168
B3-S55	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0 W x 2’-6” H ■ SIGN AREA: 40 SQ FT	PAGE 169-170
B3-S56	D/F ILLUMINATED BLADE SIGN ■ QTY (1) 4’-0” W x 1’-6” H ■ SIGN AREA: 6 SQ FT	PAGE 171-172

SIGN #	DESCRIPTION	
B3-S57	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0 W x 2’-6” H ■ SIGN AREA: 40 SQ FT	PAGE 173-174
B3-S58	D/F ILLUMINATED BLADE SIGN ■ QTY (1) 4’-0” W x 1’-6” H ■ SIGN AREA: 6 SQ FT	PAGE 175-176
B3-S59	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0 W x 2’-6” H ■ SIGN AREA: 40 SQ FT	PAGE 177-178
B3-S60	D/F ILLUMINATED BLADE SIGN ■ QTY (1) 4’-0” W x 1’-6” H ■ SIGN AREA: 6 SQ FT	PAGE 179-180
B3-S61	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0 W x 2’-6” H ■ SIGN AREA: 40 SQ FT	PAGE 181-182
B3-S62	D/F ILLUMINATED BLADE SIGN ■ QTY (1) 4’-0” W x 1’-6” H ■ SIGN AREA: 6 SQ FT	PAGE 183-184
B3-S63	S/F ILLUMINATED WALL SIGN ■ QTY (1) 16’-0 W x 2’-6” H ■ SIGN AREA: 40 SQ FT	PAGE 185-186
B3-S64	D/F ILLUMINATED BLADE SIGN ■ QTY (1) 4’-0” W x 1’-6” H ■ SIGN AREA: 6 SQ FT	PAGE 187-188
B3-S65	S/F ILLUMINATED CANOPY SIGN ■ QTY (1) 16’-0 W x 2’-6” H ■ SIGN AREA: 40 SQ FT	PAGE 189-190
B3-S66	S/F NON-ILLUMINATED BANNER ■ QTY (1) 4’-4” W x 26’-7” H ■ SIGN AREA: 115.2 SQ FT	PAGE 191, 193
B3-S67	S/F NON-ILLUMINATED BANNER ■ QTY (1) 4’-4” W x 26’-7” H ■ SIGN AREA: 115.2 SQ FT	PAGE 192-193

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PAGE SCALE
N/A

PAGE #
140

B3-S42 - ELEVATION

B3 West Elevation

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PAGE SCALE
1/4" = 1'-0"

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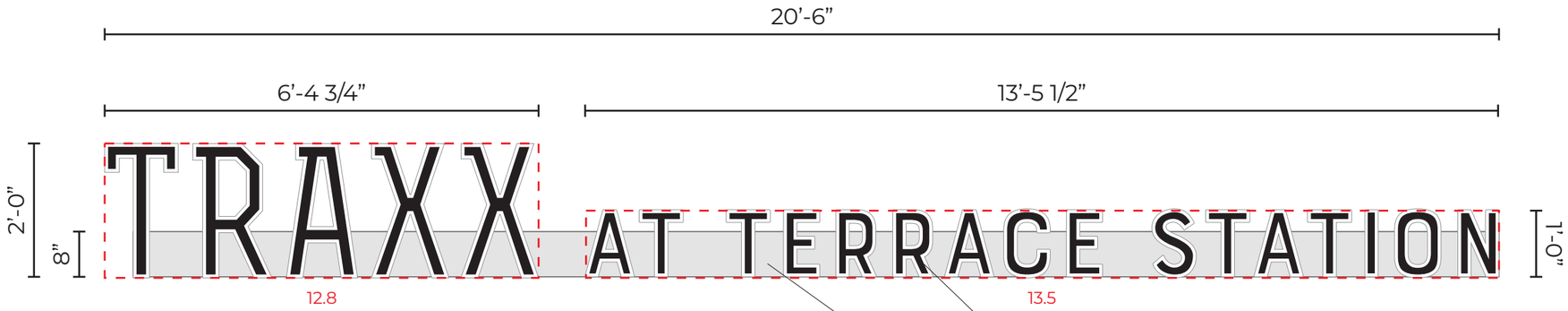
141

B3-S42 - DETAILS



FACE VIEW

END VIEW

Sign B3-S42: Manufacture & install (1) single face illuminated canopy sign with faux neon acrylic.

Sign Area: 26.3 Square Feet

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PROJECT NAME
Terrace Station

PROJECT #
20-004

ADDRESS
23905 Van Ry Blvd
Mountlake Terrace, WA 98043

DATE
12/10/20

VERSION NOTES

V1
V2
V3
V4
V5
V6
V7
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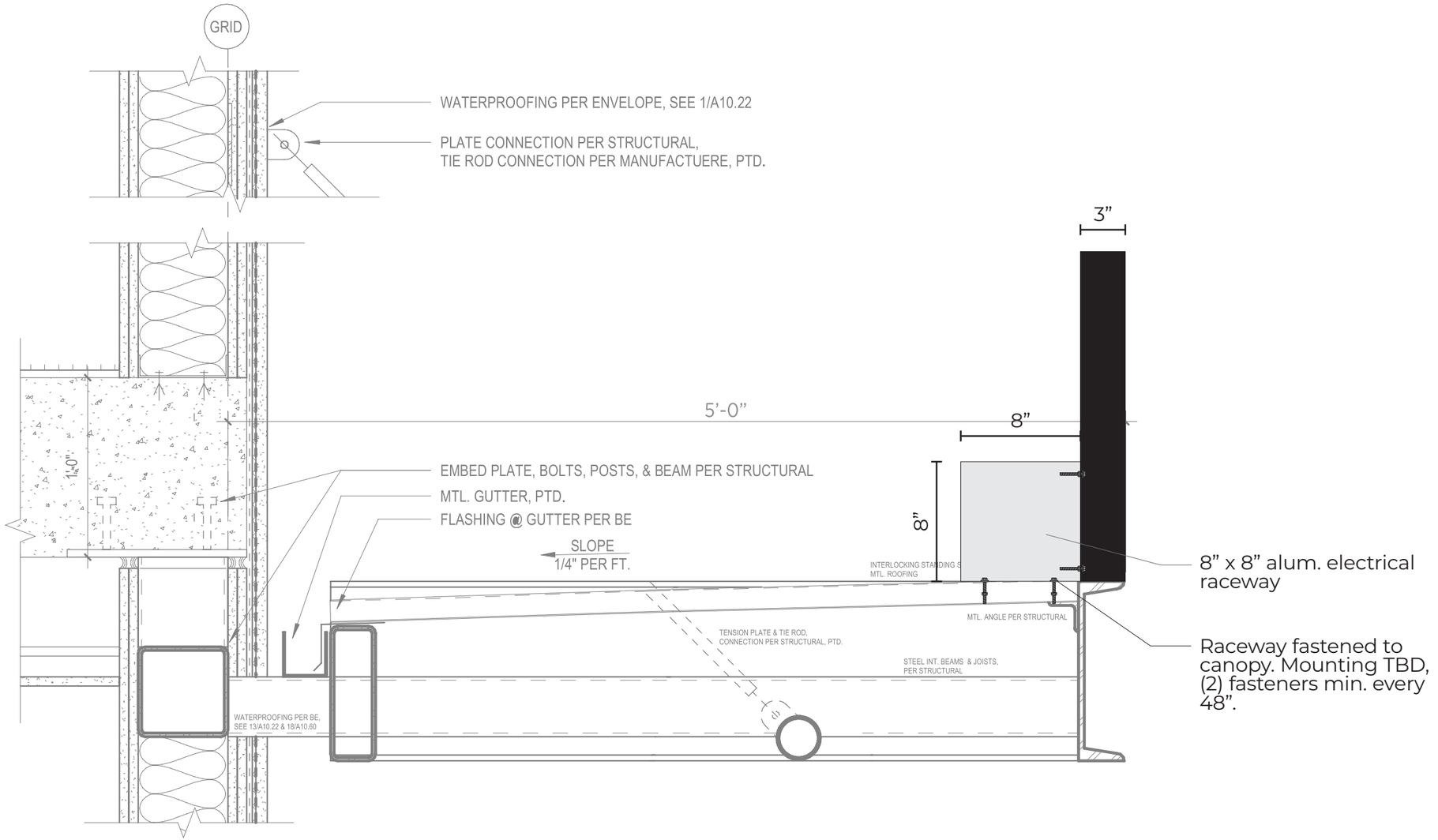
V9
V10
V11
V12
V13
V14
V15

PAGE SCALE
1/2” = 1’-0”

PAGE #
142

B3-S42 - ATTACHMENT DETAILS

FINAL ATTACHMENT TBD
CANOPY DETAILS REQUIRED



CANOPY (TIE ROD)

1 1/2" = 1'-0"

A DESIGN STUDIO

MAIN CONTACT
Gracia Mueller
360.929.3077

CREATIVE
Brody Lund
425.359.7380

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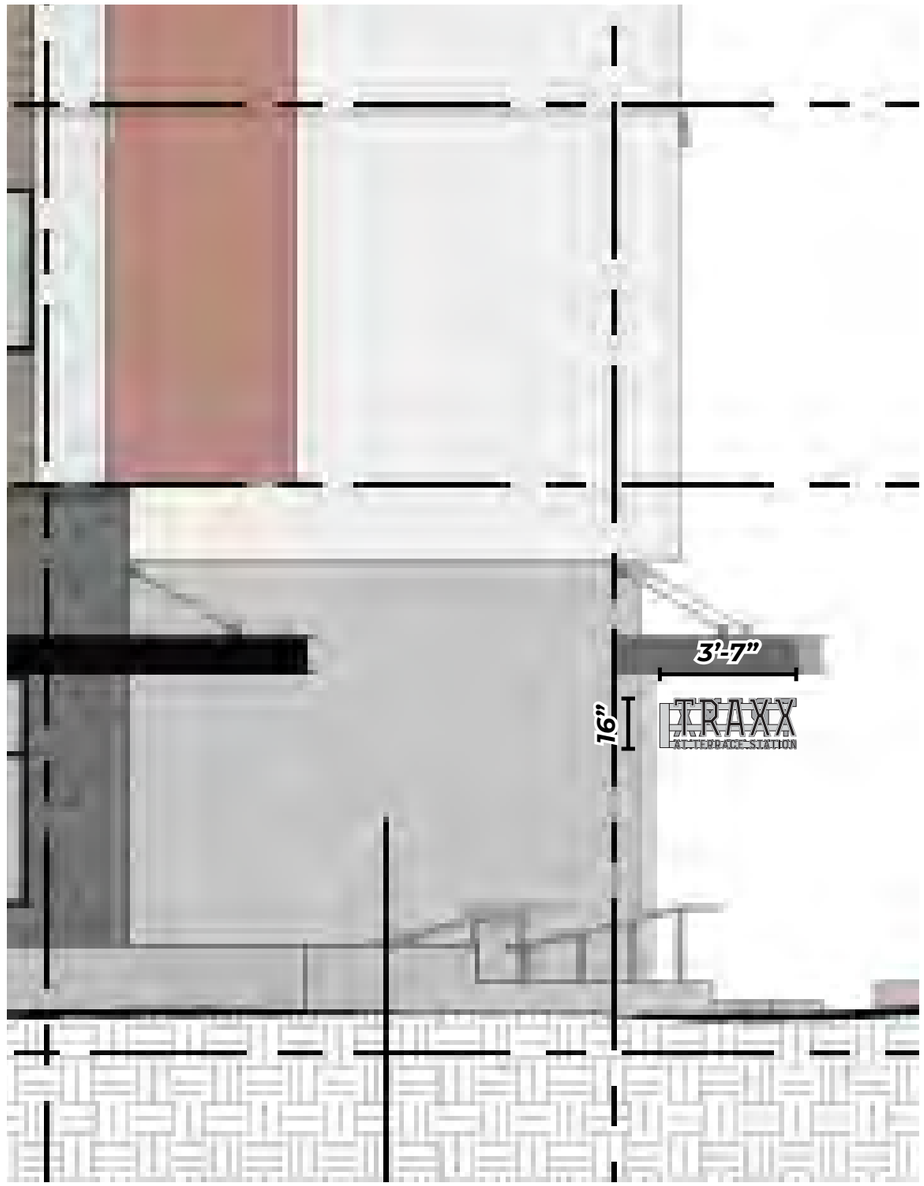
PAGE SCALE
1 1/2” = 1’-0”

PAGE #
143

B3-S43 - ELEVATION

B3 West Elevation



B3 North Elevation

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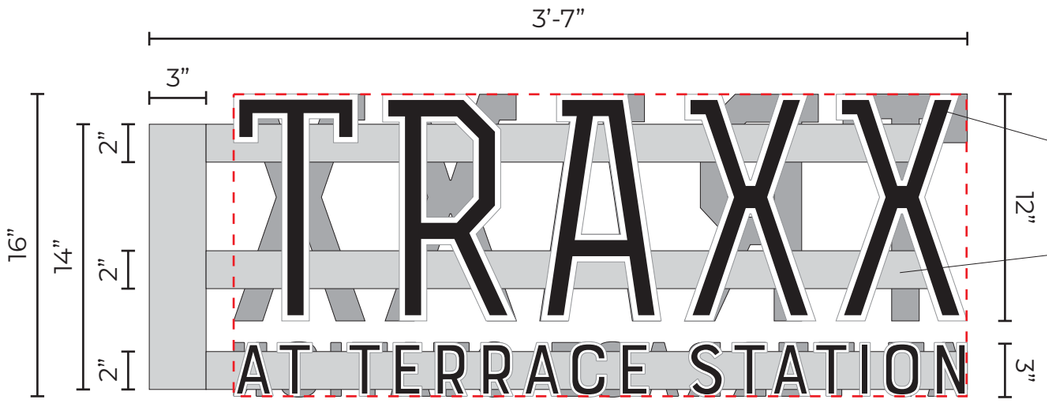
PAGE SCALE
1/4” = 1’-0”

PAGE #
144

B3-S43 - DETAIL



FACE VIEW

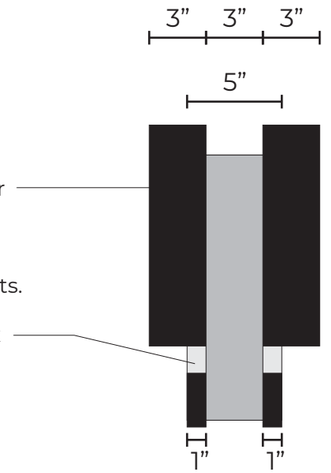
Sign B3-S43: Manufacture & install (1) double face illuminated blade sign with faux neon acrylic.

Sign Area: 4.8 Square Feet

Faux neon acrylic letters, with perimeter illuminated white, with black vinyl inset faces, and black returns.

2” x 3” alum. rect tube structural supports.

3” x 5” alum. electrical power supply box with access panel.



END VIEW

REVERSE SIDE

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PAGE SCALE
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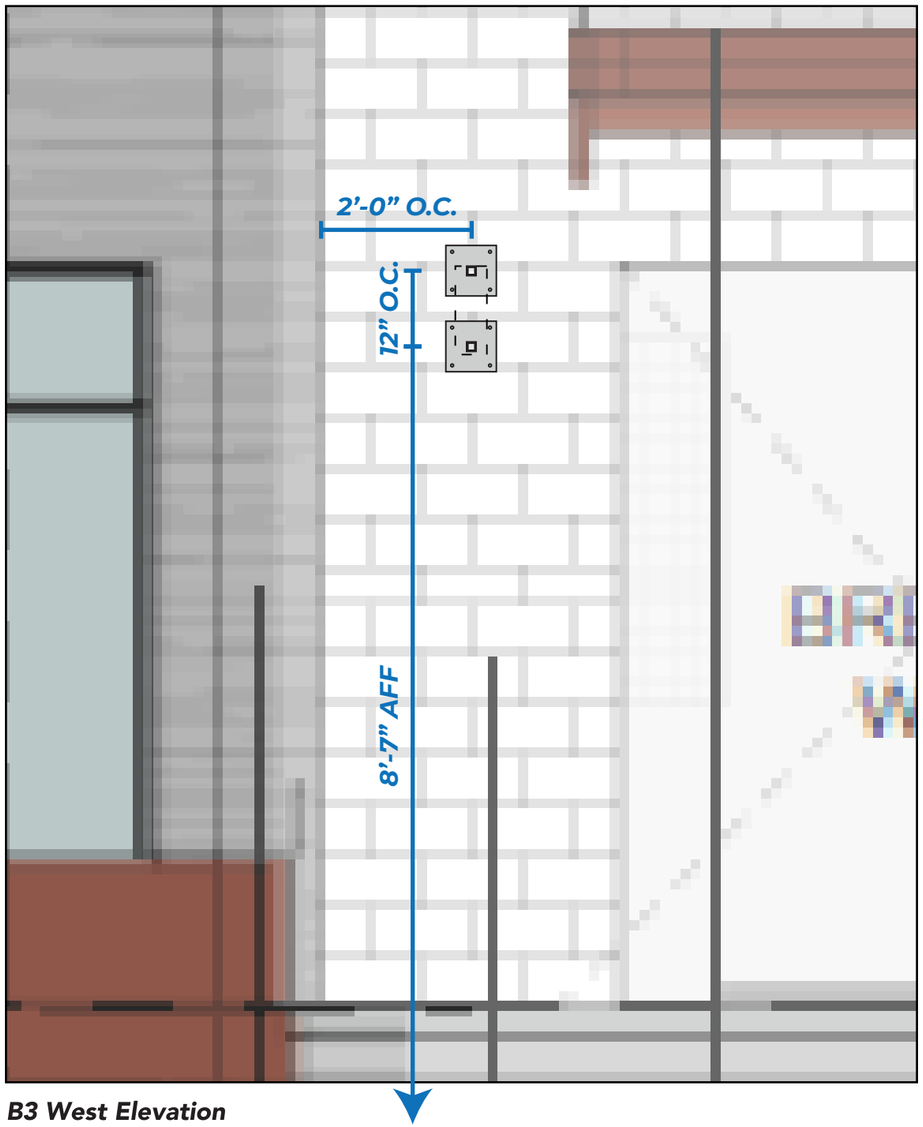
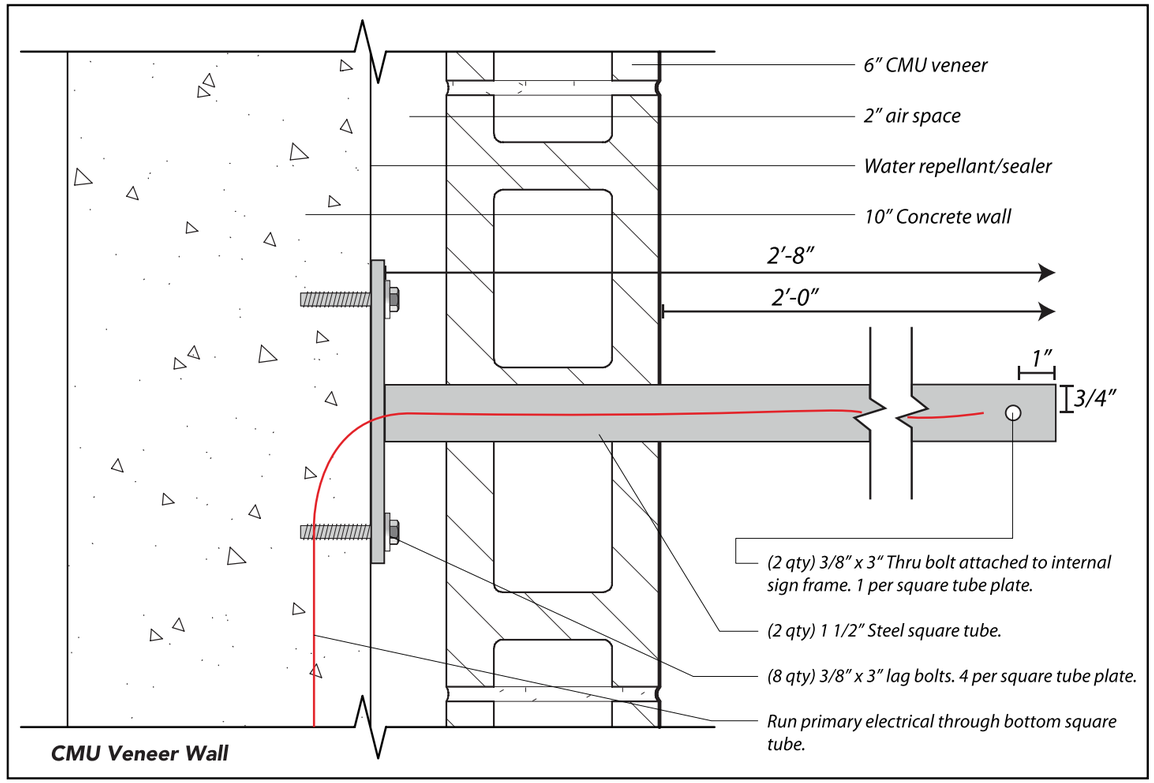
B3-S43 - ATTACHMENT DETAILS

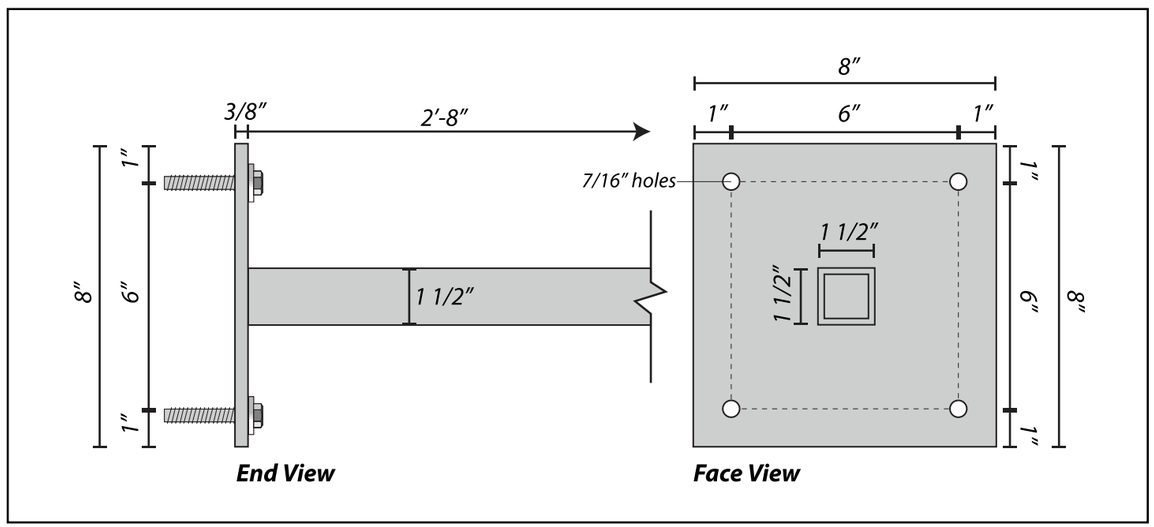


B3 West Elevation
Scale: 1/2"=1'-0"

Primary Electrical Location
Client to provide 20 Amp / 120 Volt dedicated circuit to sign location



Knife Plate Install Detail
Scale: 3"=1'-0"



3/8" x 8" x 8" Steel Square Tube Plate Detail
Scale: 3"=1'-0"

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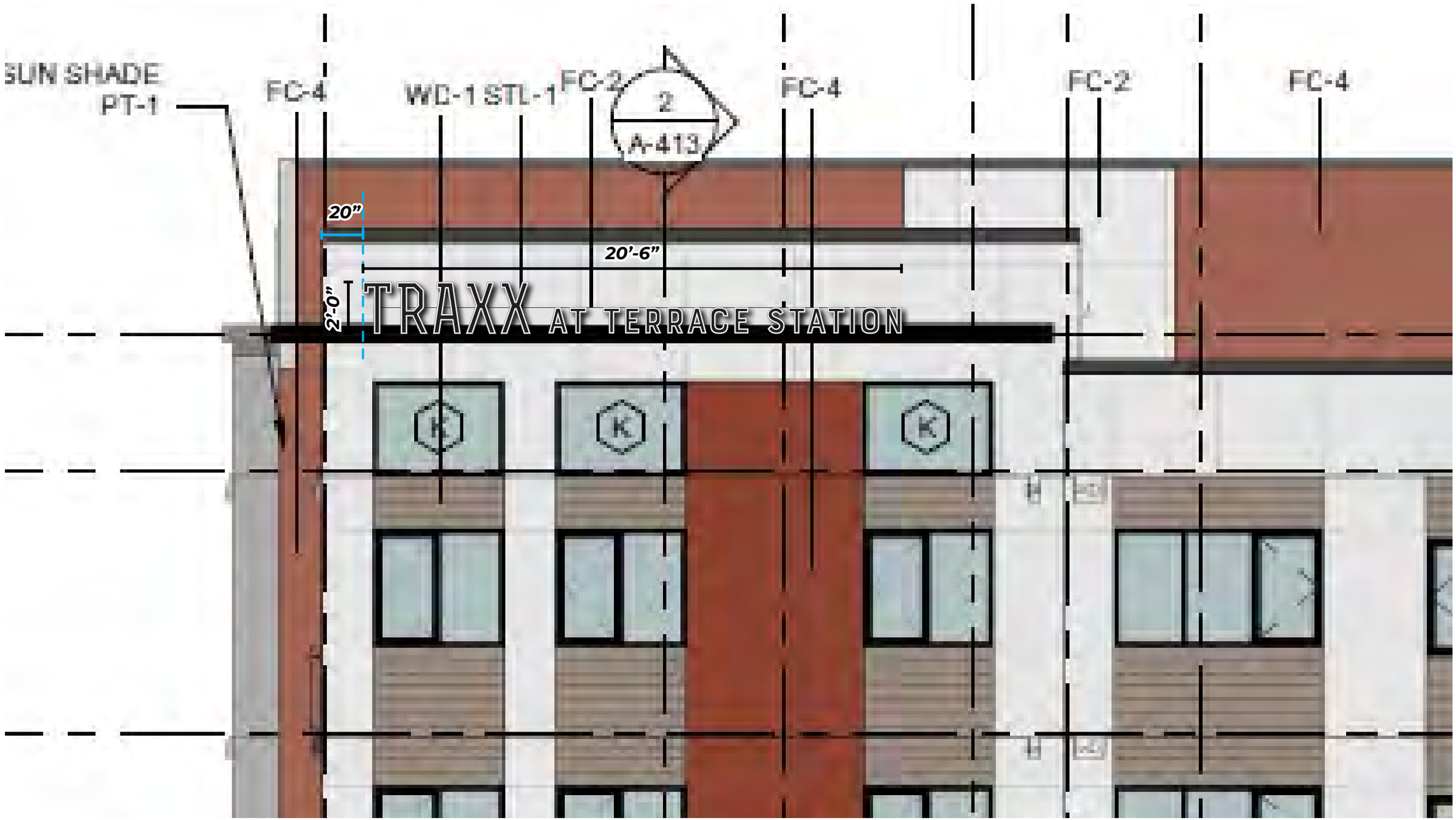
PAGE SCALE
1 1/2" = 1'-0"

PAGE #
146

B3-S44 - ELEVATION



B3 West Elevation

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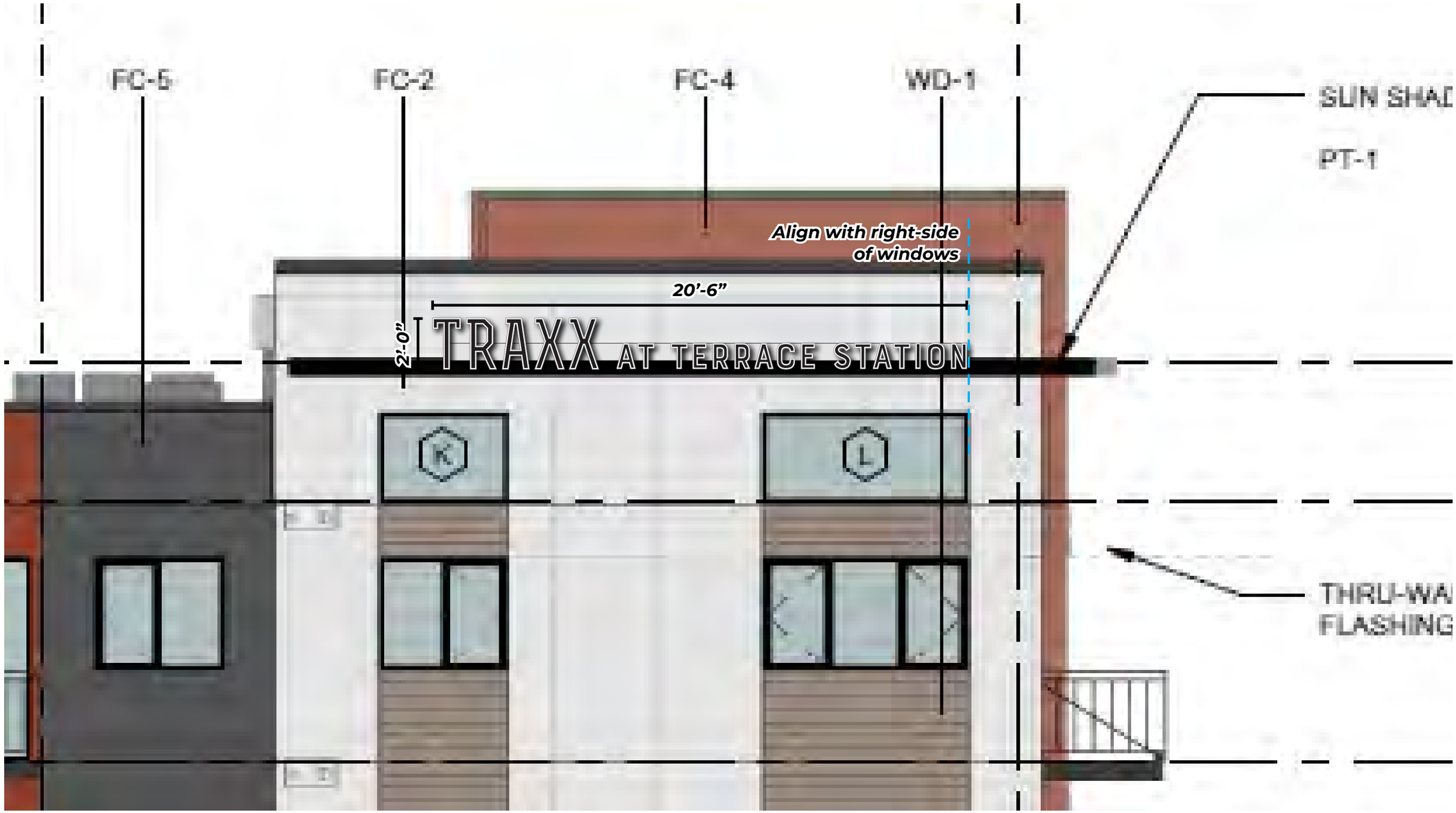
PAGE SCALE
1/4” = 1’-0”

PAGE #
147

B3-S45 - ELEVATION



B3 West Elevation

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PAGE SCALE
1/4" = 1'-0"

PAGE #
148

B3-S46 - ELEVATION

B3 North Elevation

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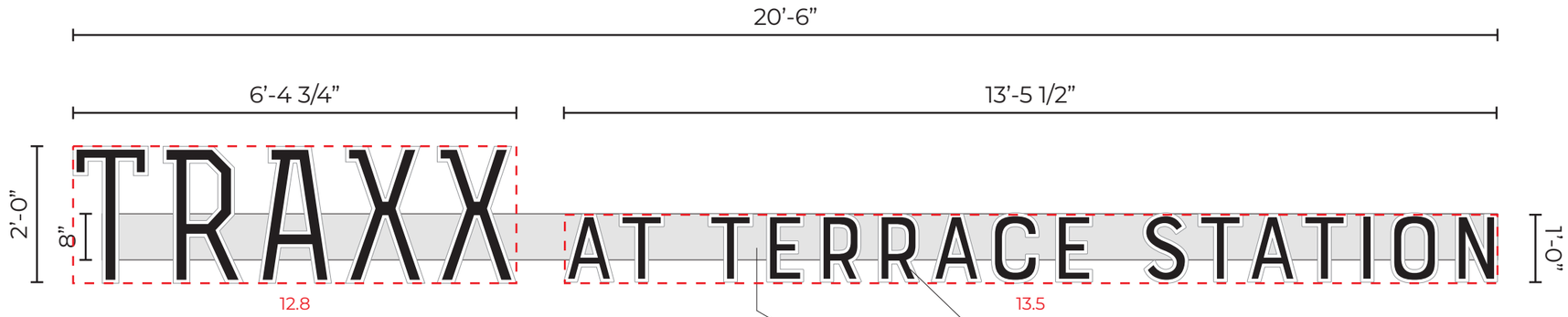
PAGE SCALE
1/4" = 1'-0"

PAGE #
149

B3-S44, S45, & S46 - DETAILS



FACE VIEW

END VIEW

Sign B3-S42: Manufacture & install (1) single face illuminated canopy sign with faux neon acrylic.

Sign Area: 26.3 Square Feet

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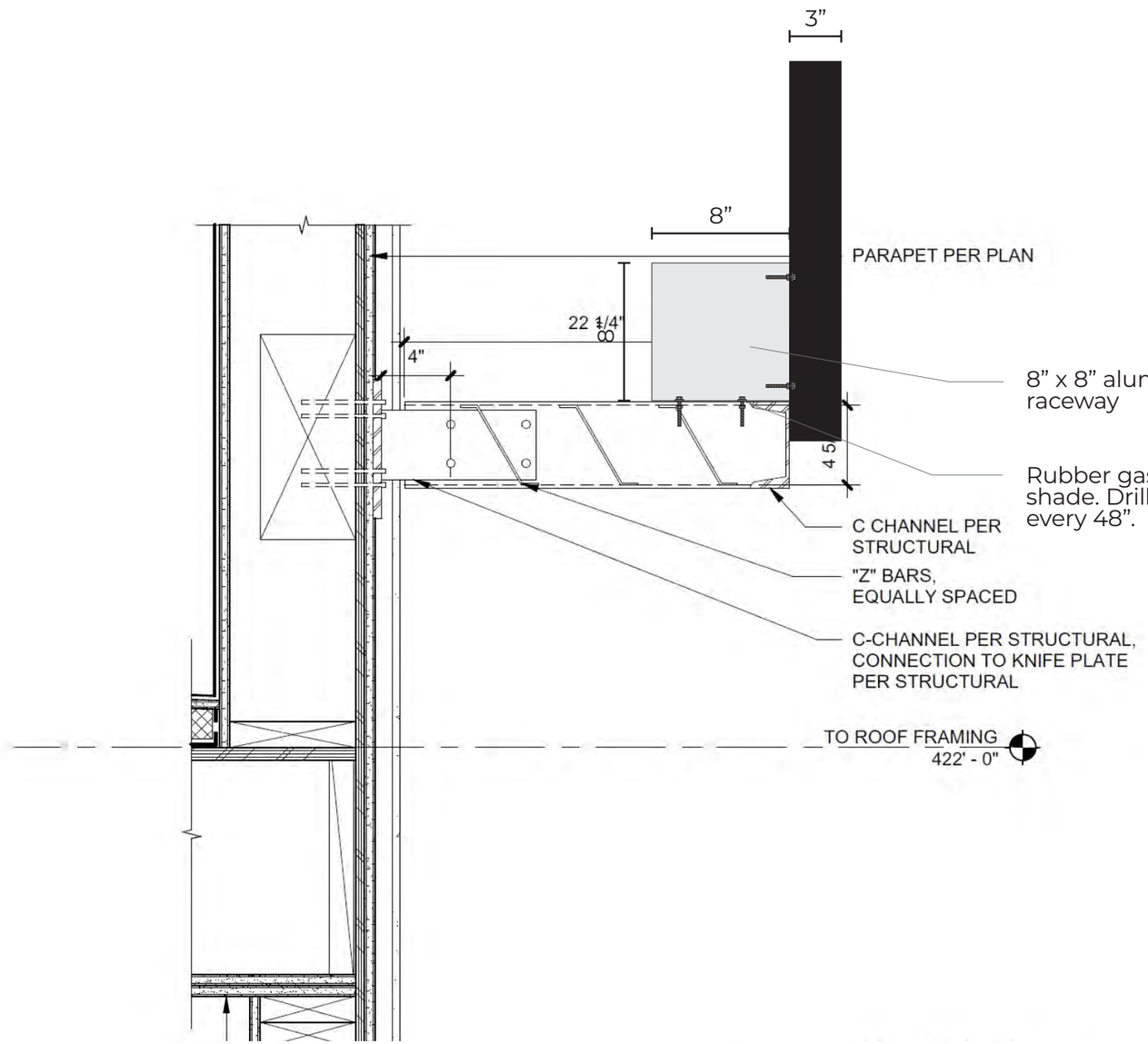
PAGE SCALE
1/2” = 1’-0”

PAGE #
150

B3-S44, S45, & S46 - ATTACHMENT DETAILS



6 TYPICAL SUN SHADE SECTION & CONNECTION

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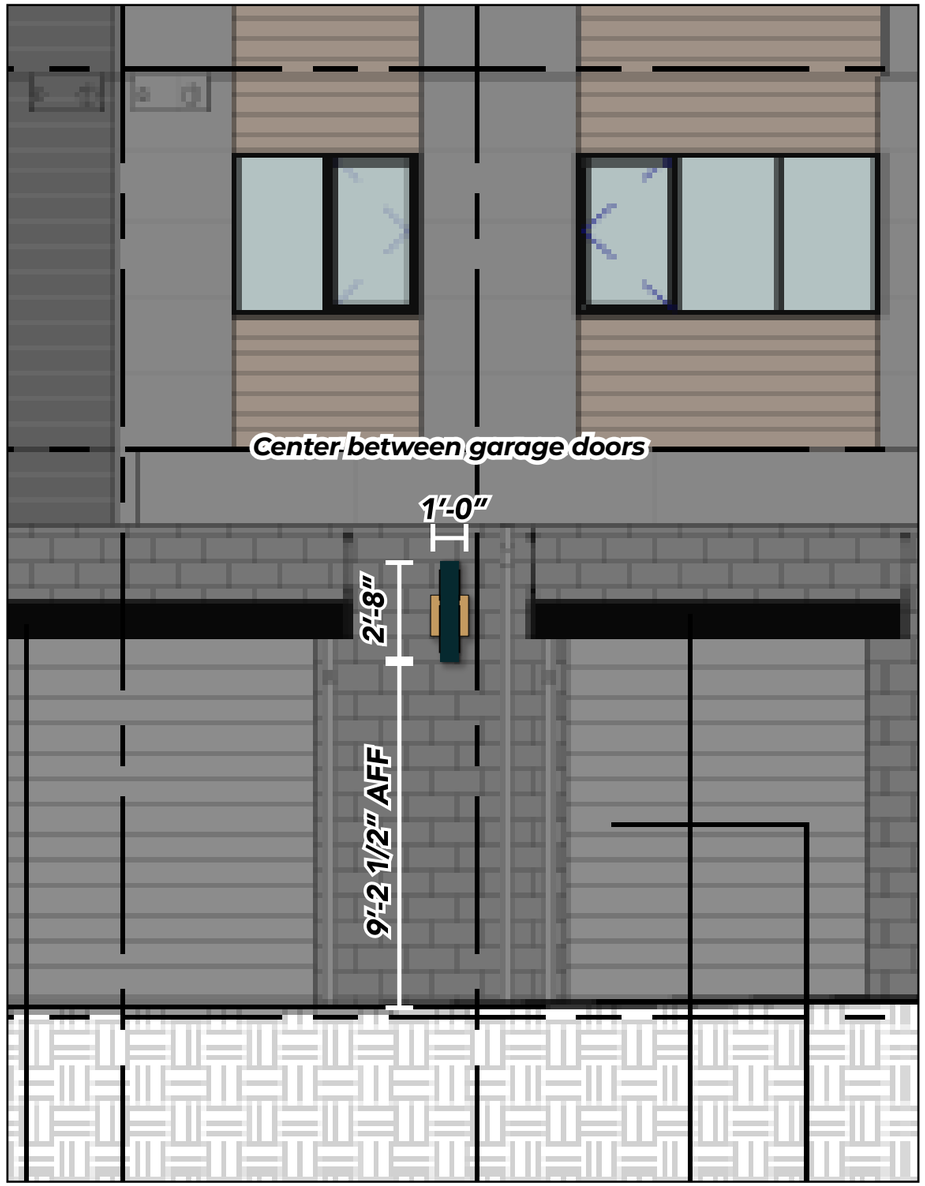
PAGE SCALE
1 1/2” = 1’-0”

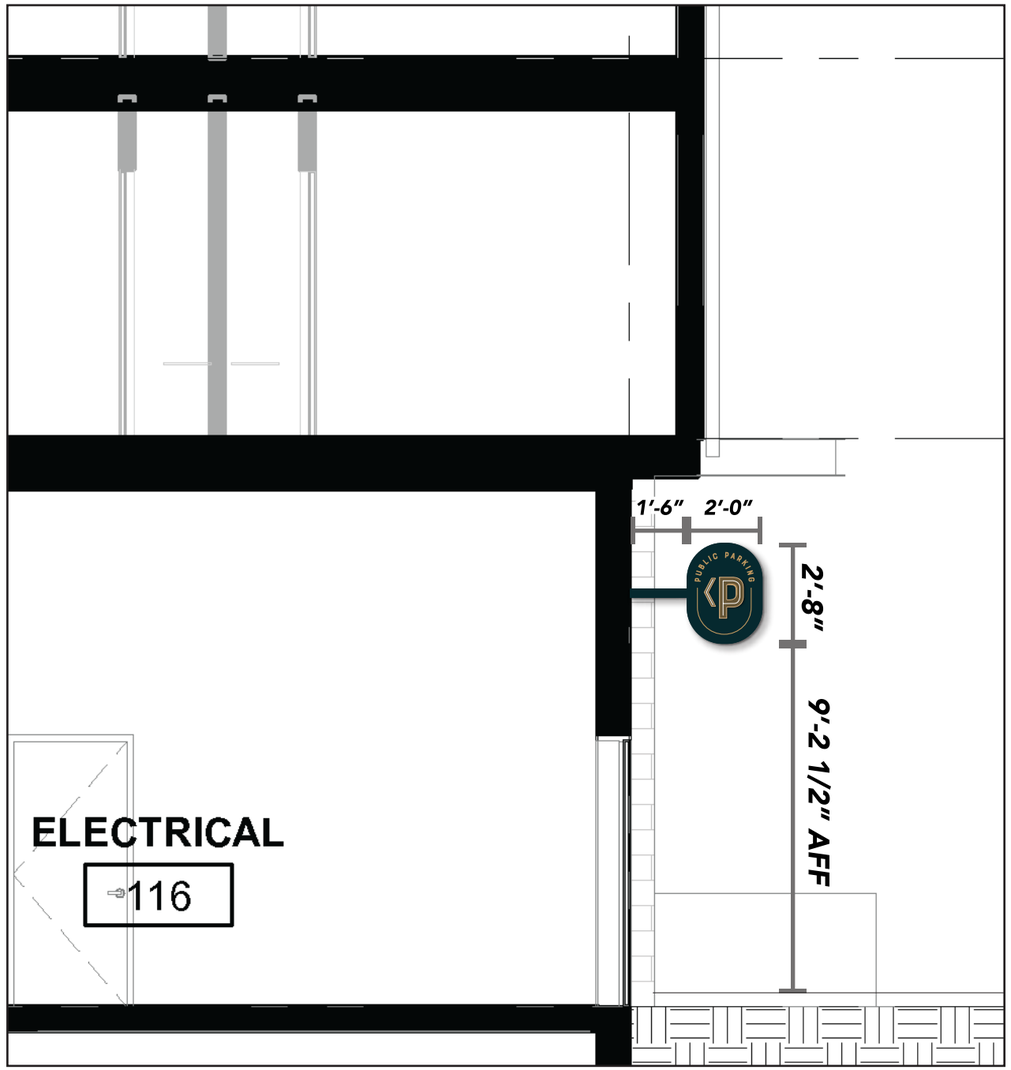
PAGE #
151

B3-S47 - ELEVATION

Sign Area: 5.3 Square Feet



B3 North Elevation



B3 North/South Section

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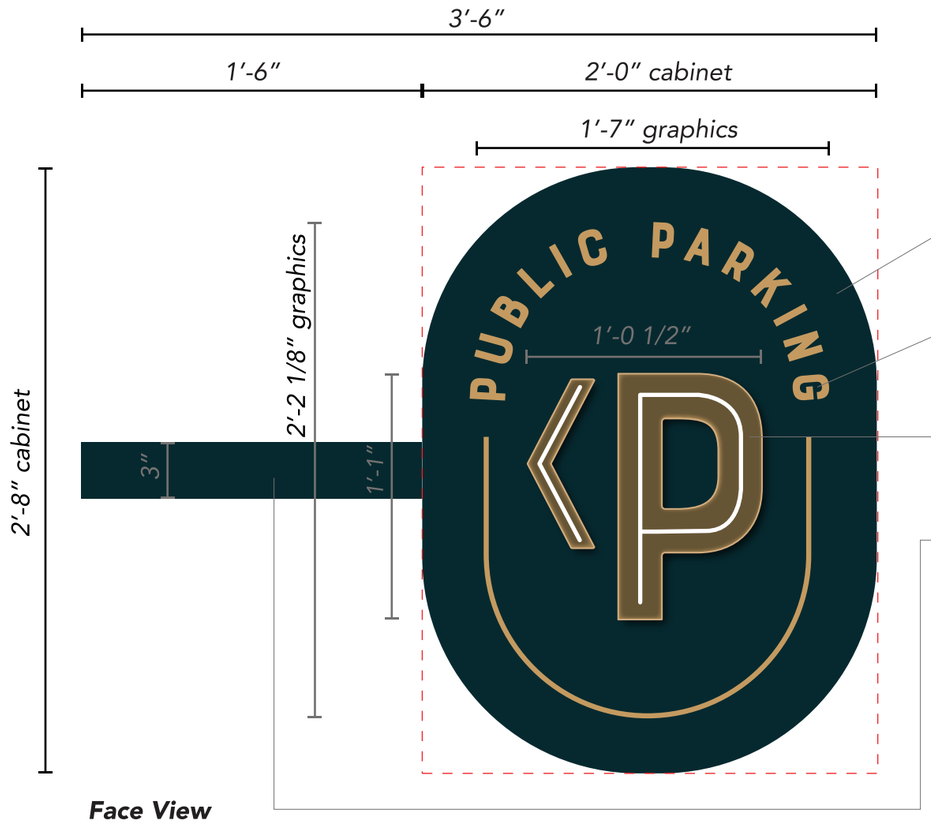
PAGE SCALE
1/4" = 1'-0"

PAGE #
152

B3-S47 - DETAILS



Face View

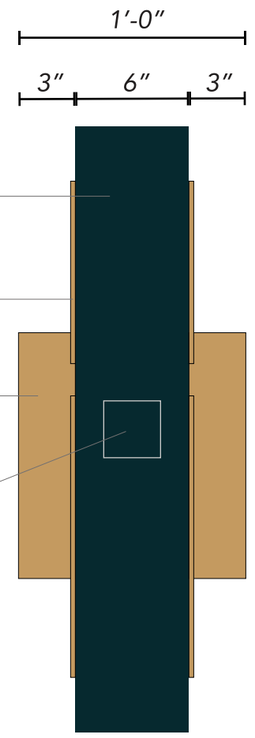
6″ deep fabricated alum. cabinet. Faces and returns painted navy, satin finish. Removable faces.

1/4″ clear acrylic push through graphics with gold translucent vinyl applied to faces. Illuminate with white LEDs.

3″ Alum. open pan channel graphics. Paint faces and returns gold. 8mm white single tube neon.

3″ alum. square tube arm. Paint navy, satin finish.

Attach with 3/8″ x 8″ x 8″ square tube knife plate.



End View

Sign B2-S45: *Manufacture & install (1) double face illuminated blade sign with neon open pan channel graphics.*

Sign Area: 5.3 Square Feet

CLIENT TO PROVIDE
20 AMP / 120 VOLT
DEDICATED SIGN CIRCUIT WITHIN
6 FT OF SIGN LOCATION

Reverse Face View (NTS)

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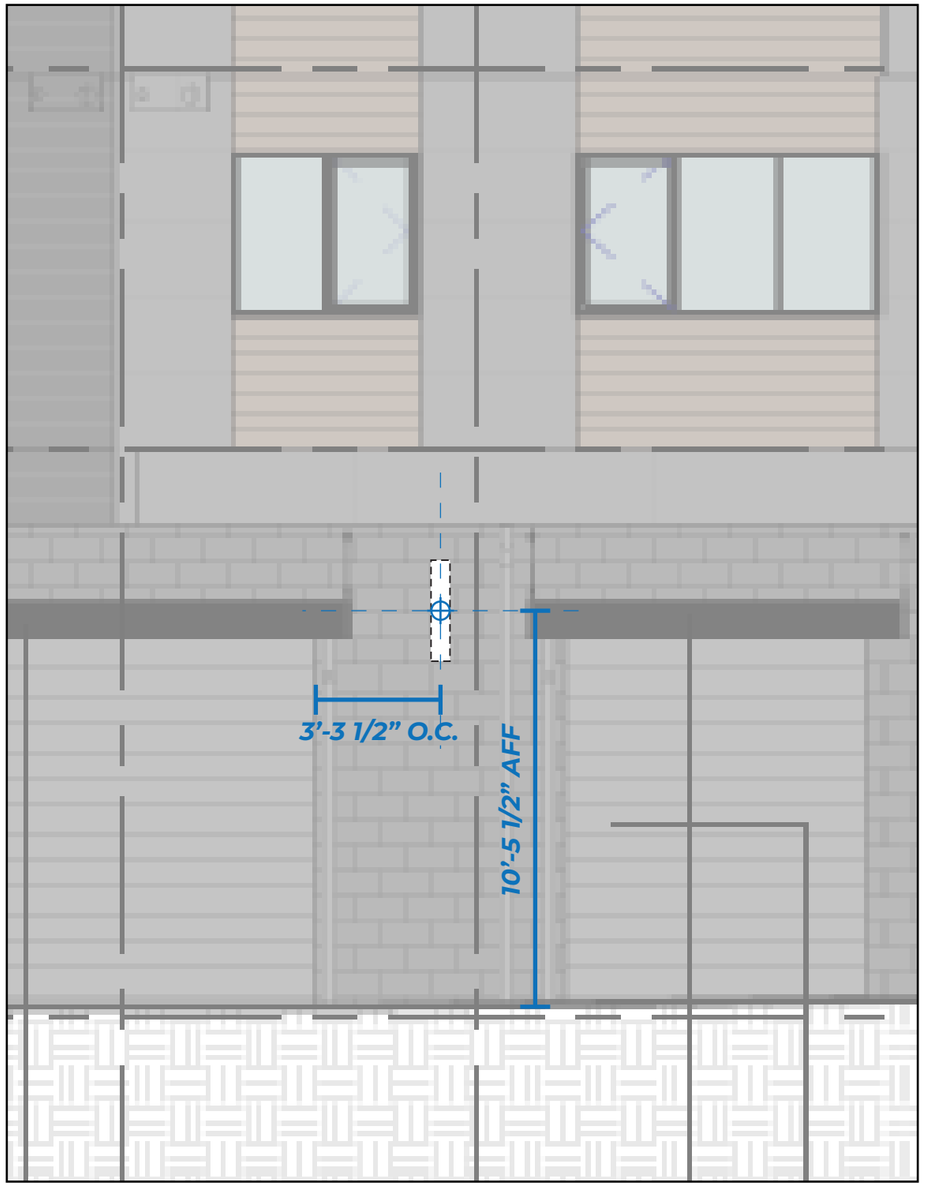
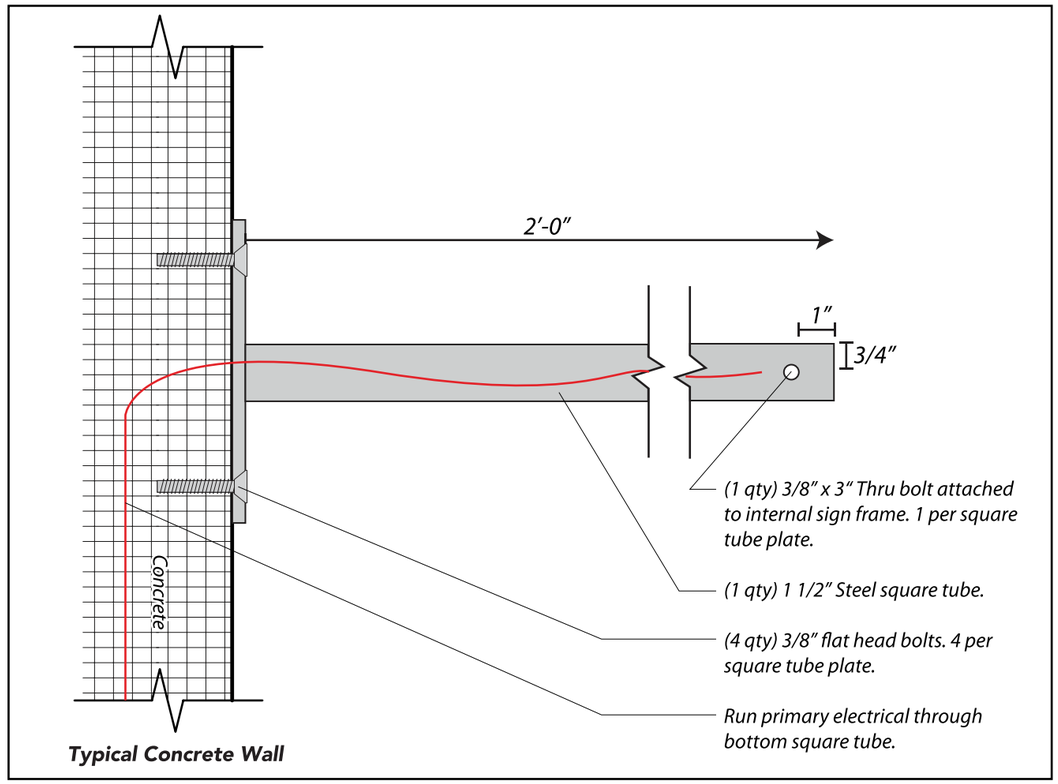
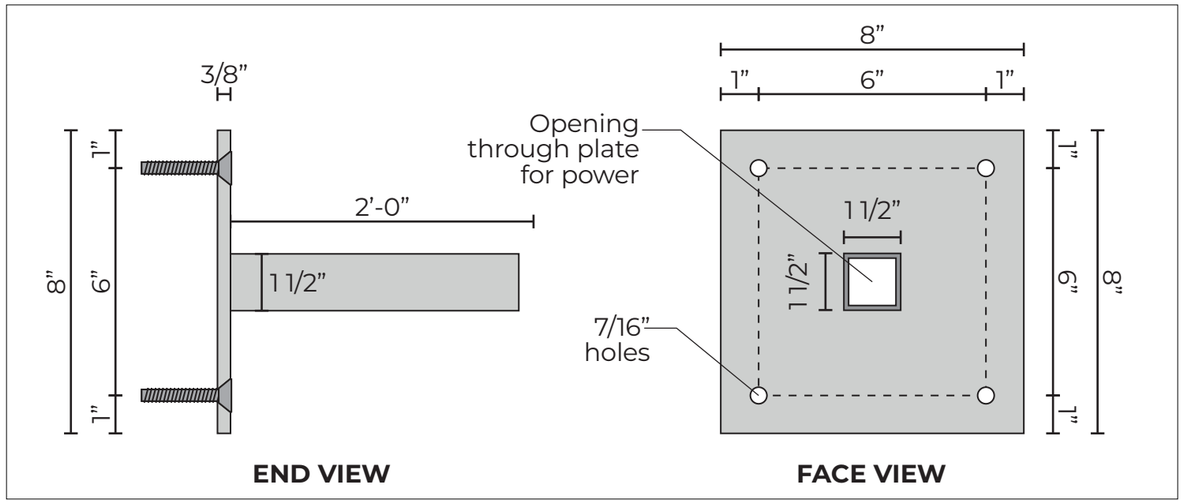
B3-S47 - ATTACHMENT DETAILS



B3 North Elevation
Scale: 1/4" = 1'-0"



Square Tube Plate Install Detail
Scale: 3"=1'-0"



3/8" x 8" x 8" Steel Square Tube Plate Detail
Scale: 3" = 1'-0"

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PAGE SCALE
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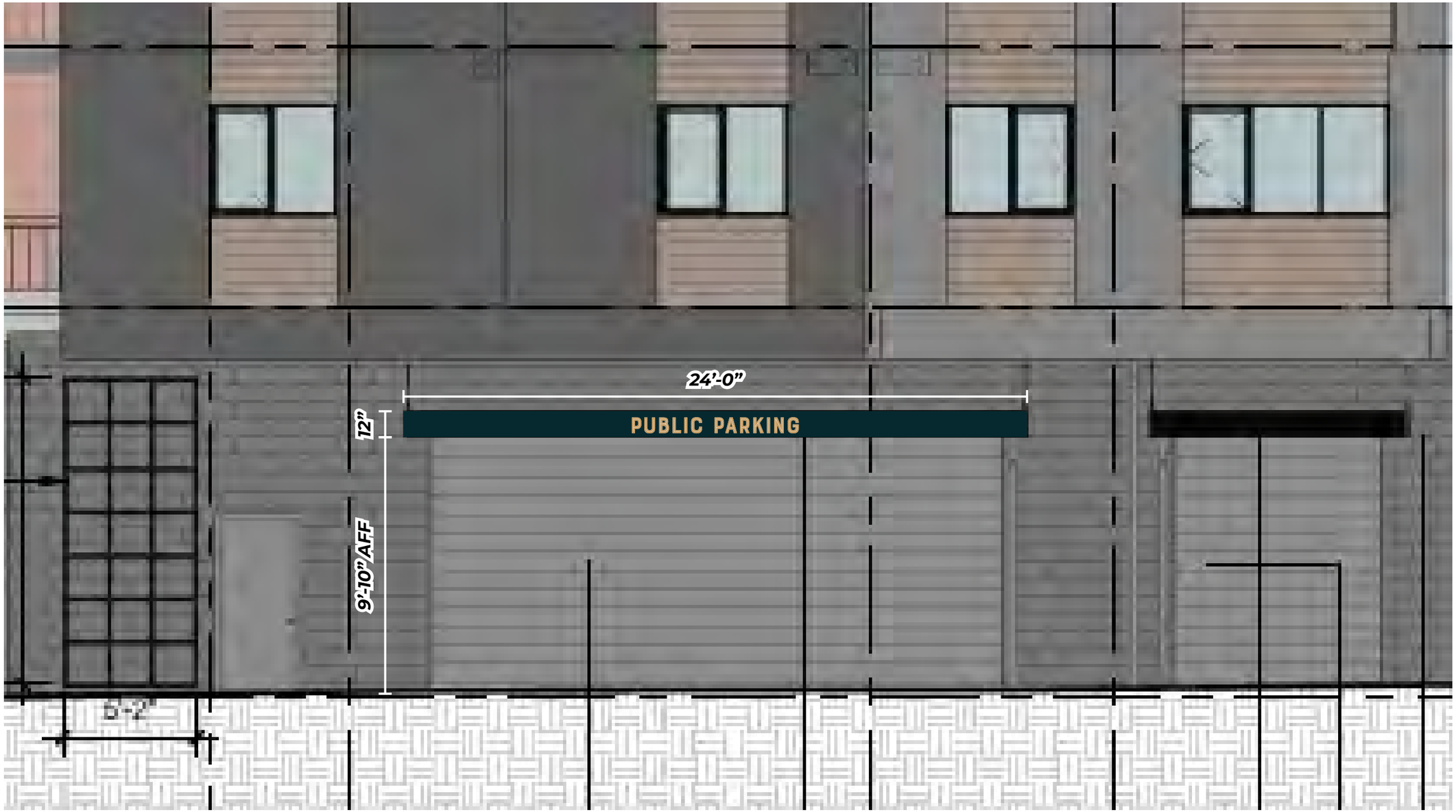
B3-S48 - ELEVATION

Sign Area: 24.0 Square Feet



B3 North Elevation

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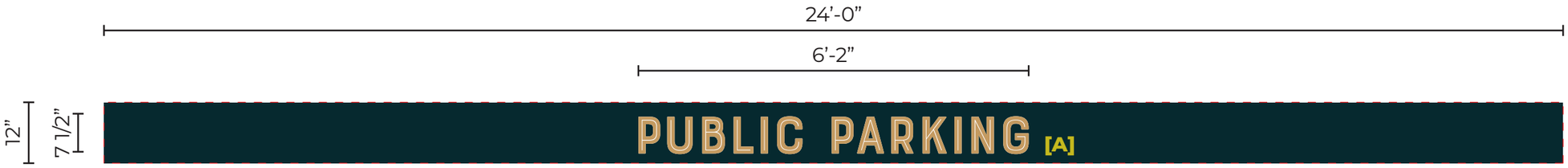
B3-S48 - DETAILS



FACE VIEW

Sign B3-S47: *Manufacture & install (1) single-face non-illuminated wall sign with digital print graphics.*

Sign Area: 24.0 Square Feet

[A] Digitally-printed first-surface vinyl graphics. Colors to match brand colors.

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V11
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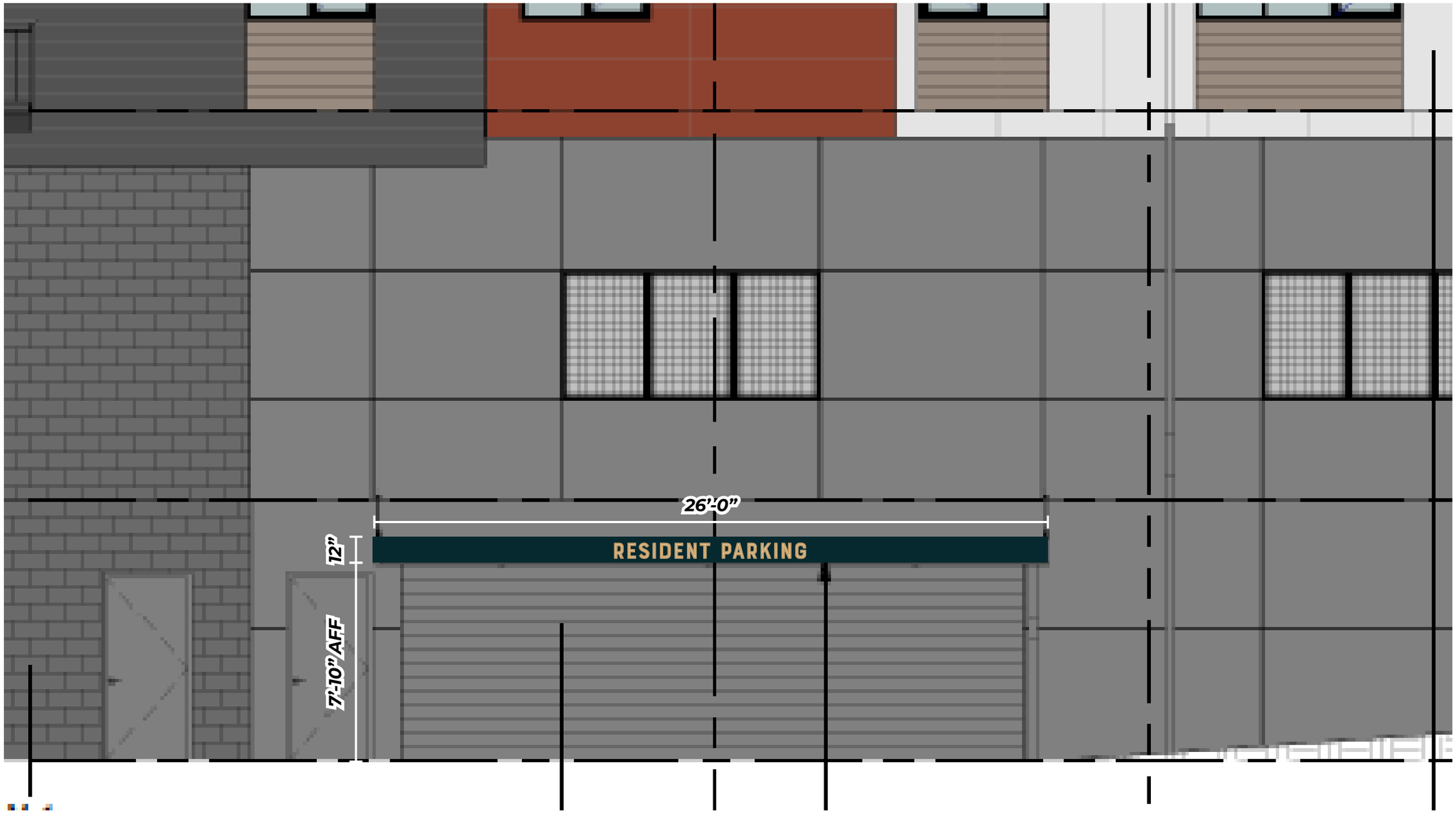
V13
V14
V15

PAGE SCALE
1/2” = 1’-0”

PAGE #
156

B3-S49 - ELEVATION

Sign Area: 26.0 Square Feet



B3 East Elevation

A DESIGN STUDIO

MAIN CONTACT
Gracia Mueller
360.929.3077

CREATIVE
Brody Lund
425.359.7380

Additional information:
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PROJECT NAME
Terrace Station

PROJECT #
20-004

ADDRESS
23905 Van Ry Blvd
Mountlake Terrace, WA 98043

DATE
12/10/20

VERSION NOTES

V1
V2
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V5
V6
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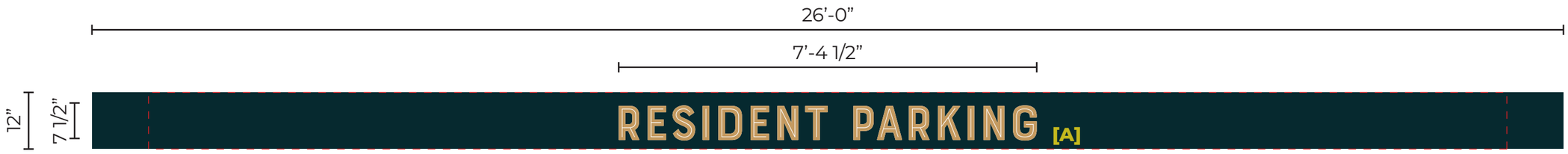
V9
V10
V11
V12
V13
V14
V15

PAGE SCALE
1/4" = 1'-0"

PAGE #
157

B3-S49 - DETAILS



FACE VIEW

Sign B3-S48: *Manufacture & install (1) single-face non-illuminated wall sign with digital print graphics.*

Sign Area: 26.0 Square Feet

[A] Digitally-printed first-surface vinyl graphics. Colors to match brand colors.

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V15

PAGE SCALE
1/2” = 1’-0”

PAGE #
158

B3-S50 - ELEVATION

Sign Area: 40.0 Square Feet

B3 South Elevation

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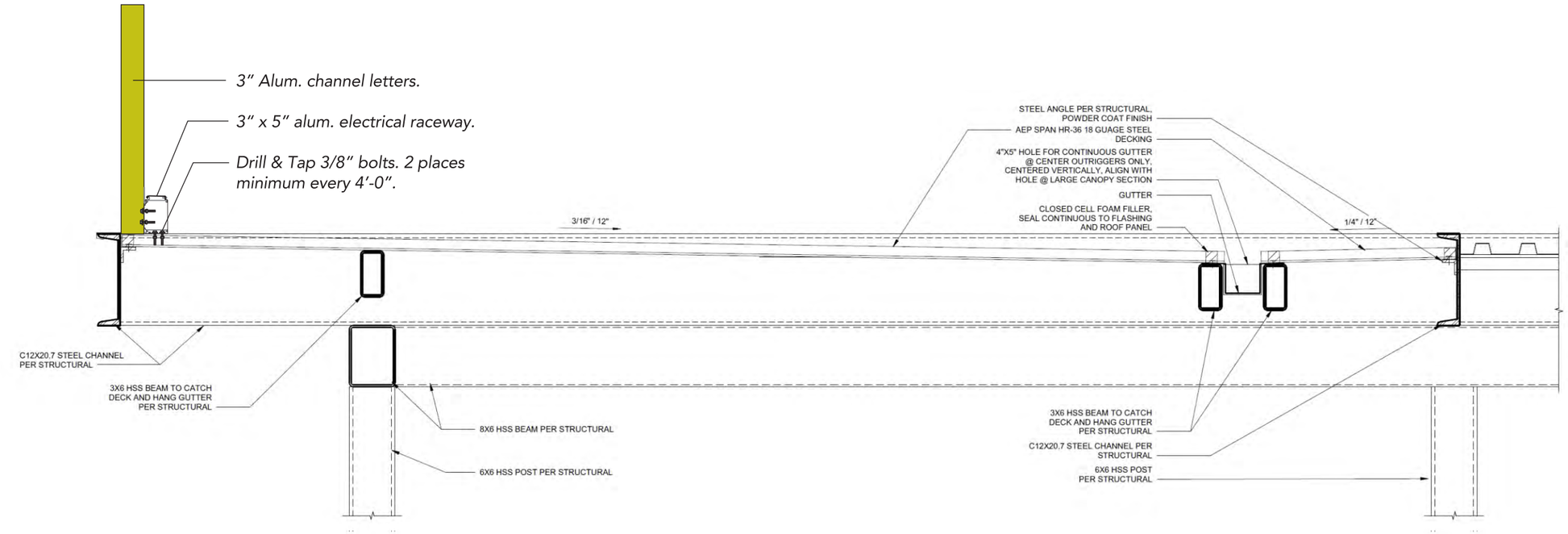
V10
V11
V12
V13
V14
V15

PAGE SCALE
1/4" = 1'-0"

PAGE #
159

B3-S50 - ATTACHMENT DETAILS

FINAL ATTACHMENT TBD.



3 LARGE CANOPY CORNER SECTION

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V10
V11
V12
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V14
V15

PAGE SCALE
3/4" = 1'-0"

PAGE #
160

B3-S51 - ELEVATION

Sign Area: 40.0 Square Feet

B3 West Elevation

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V10
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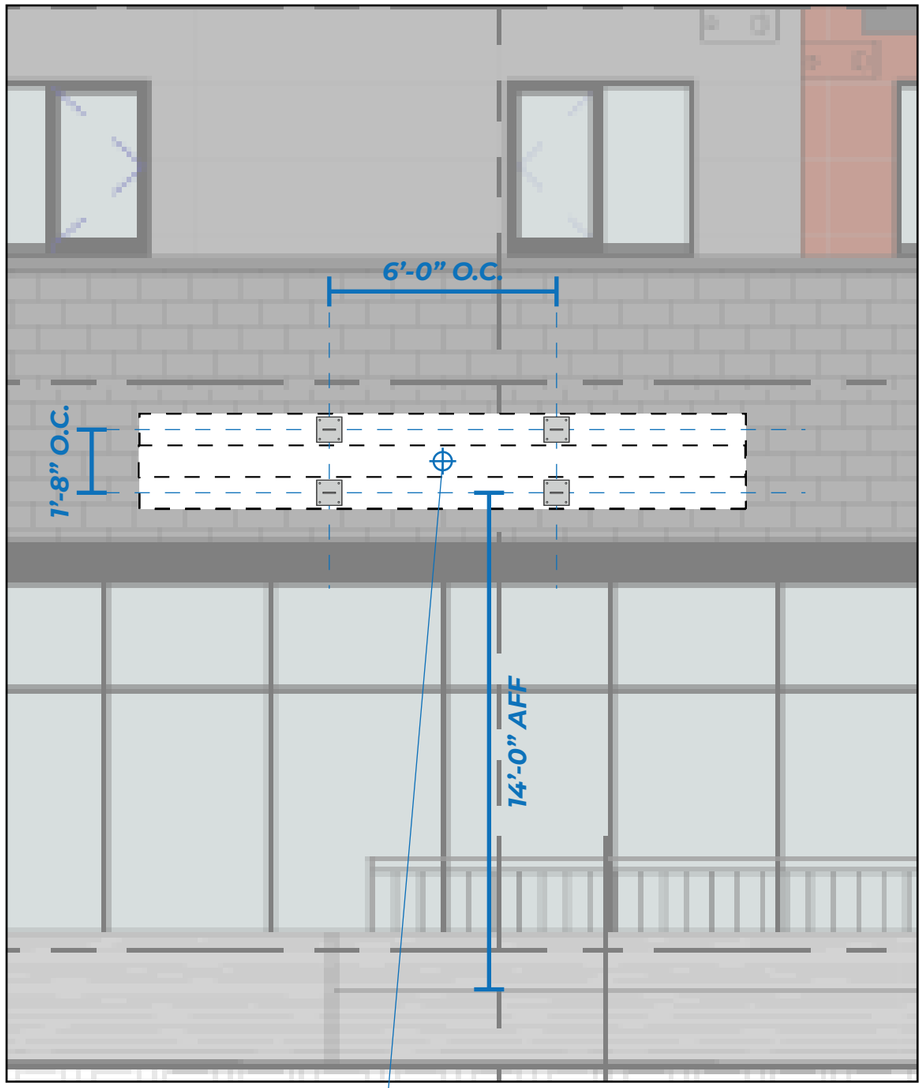
V12
V13
V14
V15

PAGE SCALE
1/4" = 1'-0"

PAGE #
161

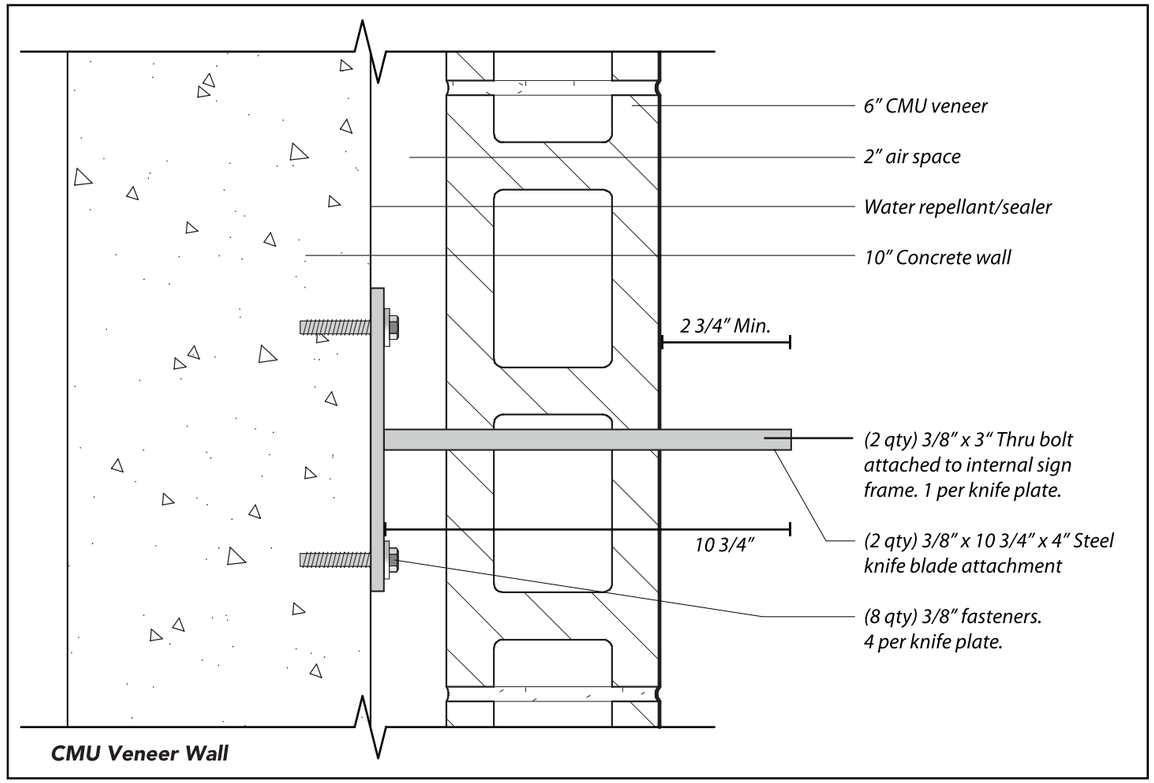
B3-S51 - ATTACHMENT DETAILS

Sign Area: 40.0 Square Feet

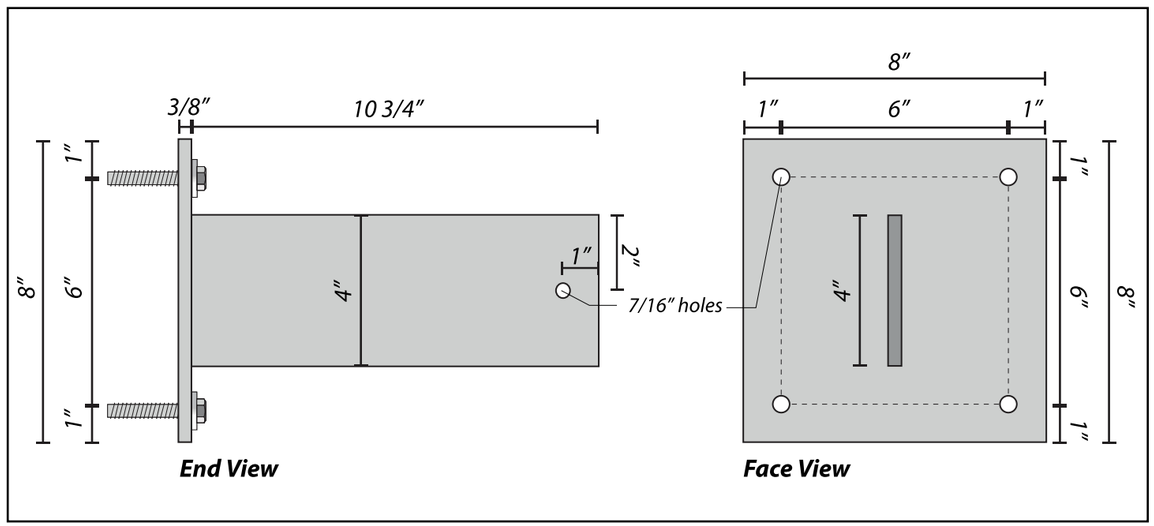


B3 West Elevation
Scale: 1/4" = 1'-0"

Primary Electrical Location
Client to provide 20 Amp / 120 Volt dedicated circuit to sign location



Knife Plate Install Detail
Scale: 3"=1'-0"



3/8" x 8" x 8" Steel Plate Detail
Scale: 3"=1'-0"

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V10
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V12
V13
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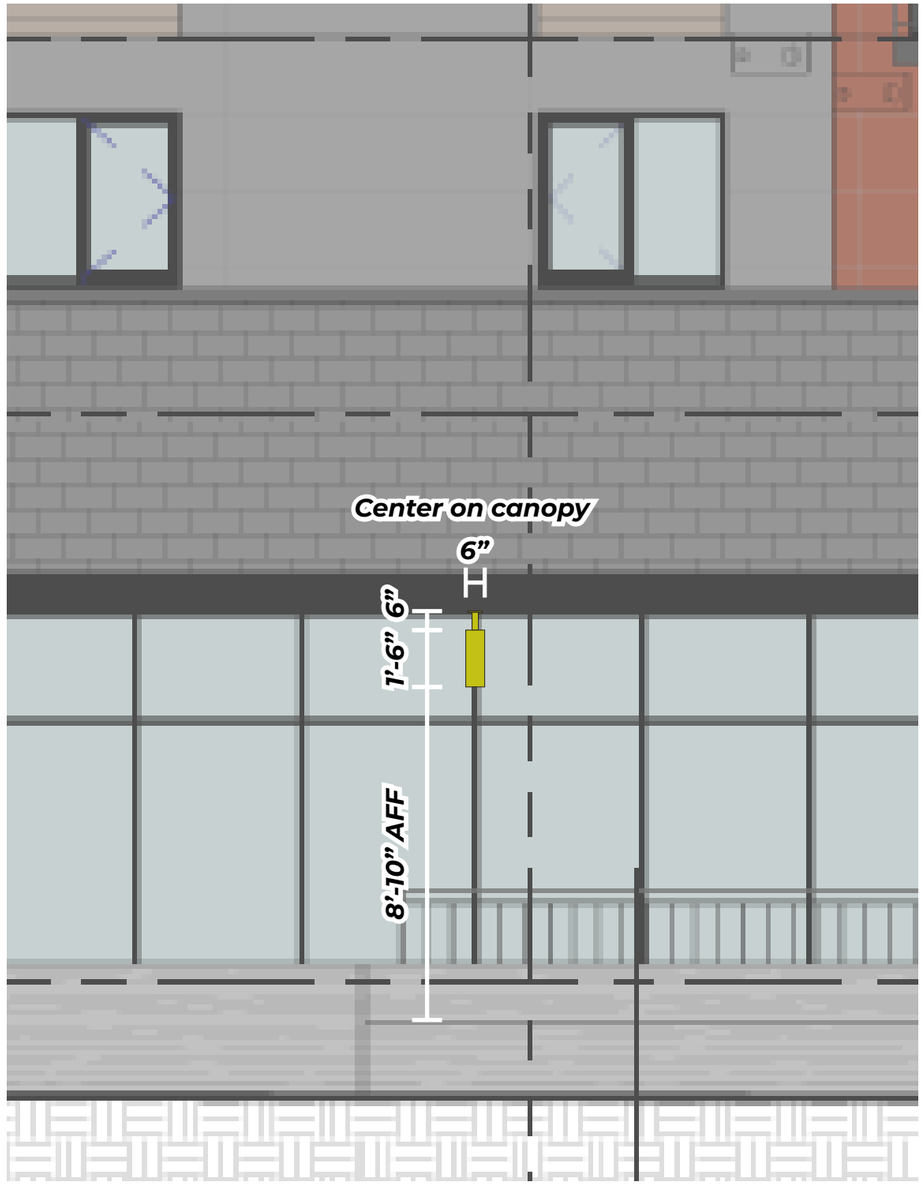
PAGE SCALE
1/4" = 1'-0"

PAGE #
162

B3-S52 - DETAILS



B3 West Elevation

B3 North Elevation

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V10
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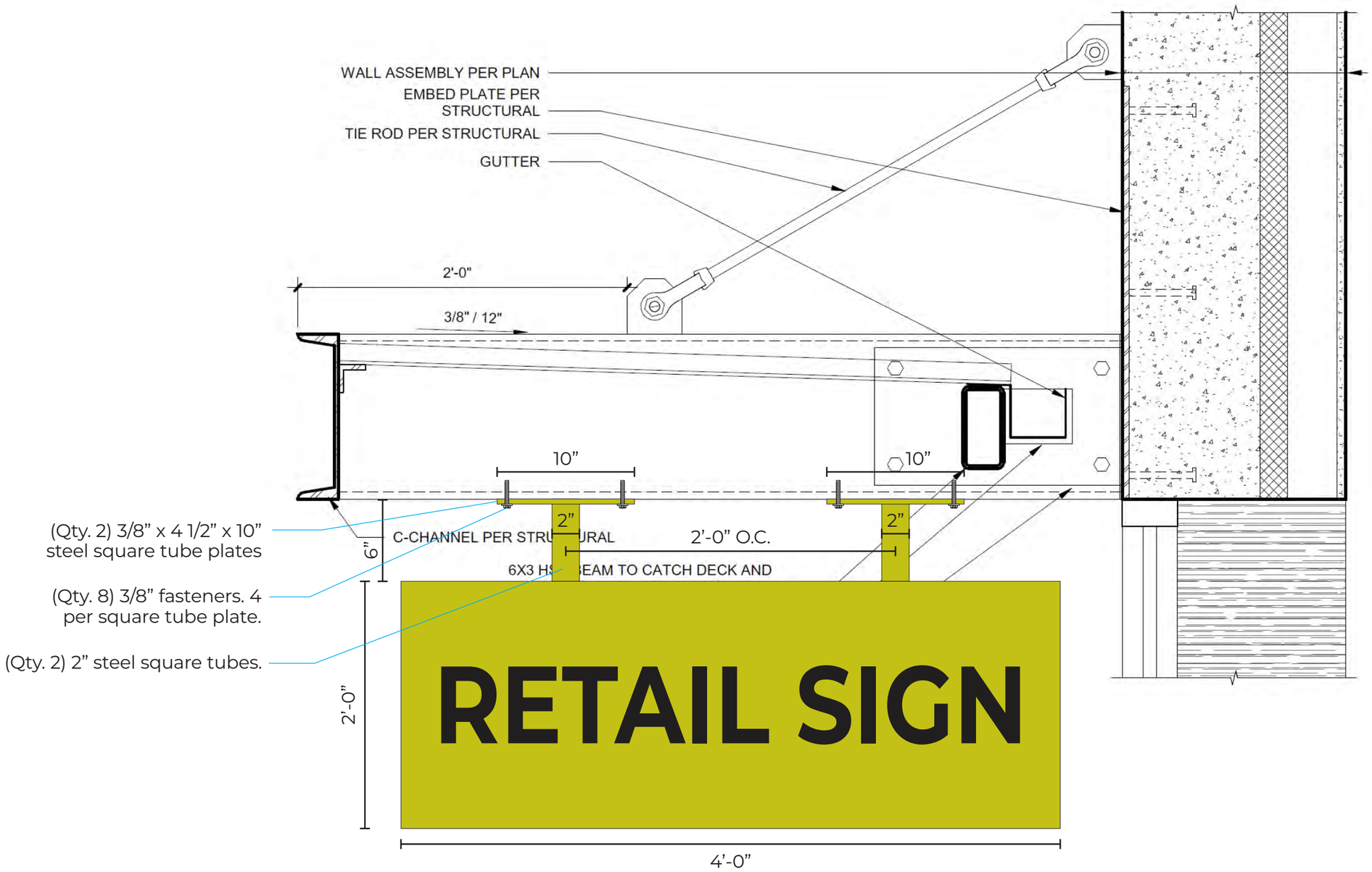
PAGE SCALE
1/4” = 1’-0”

B3-S52 - ATTACHMENT DETAILS



Center within canopy

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PAGE SCALE
1/4" = 1'-0"

PAGE #
164

B3-S53 - ELEVATION

Sign Area: 40.0 Square Feet

B3 West Elevation

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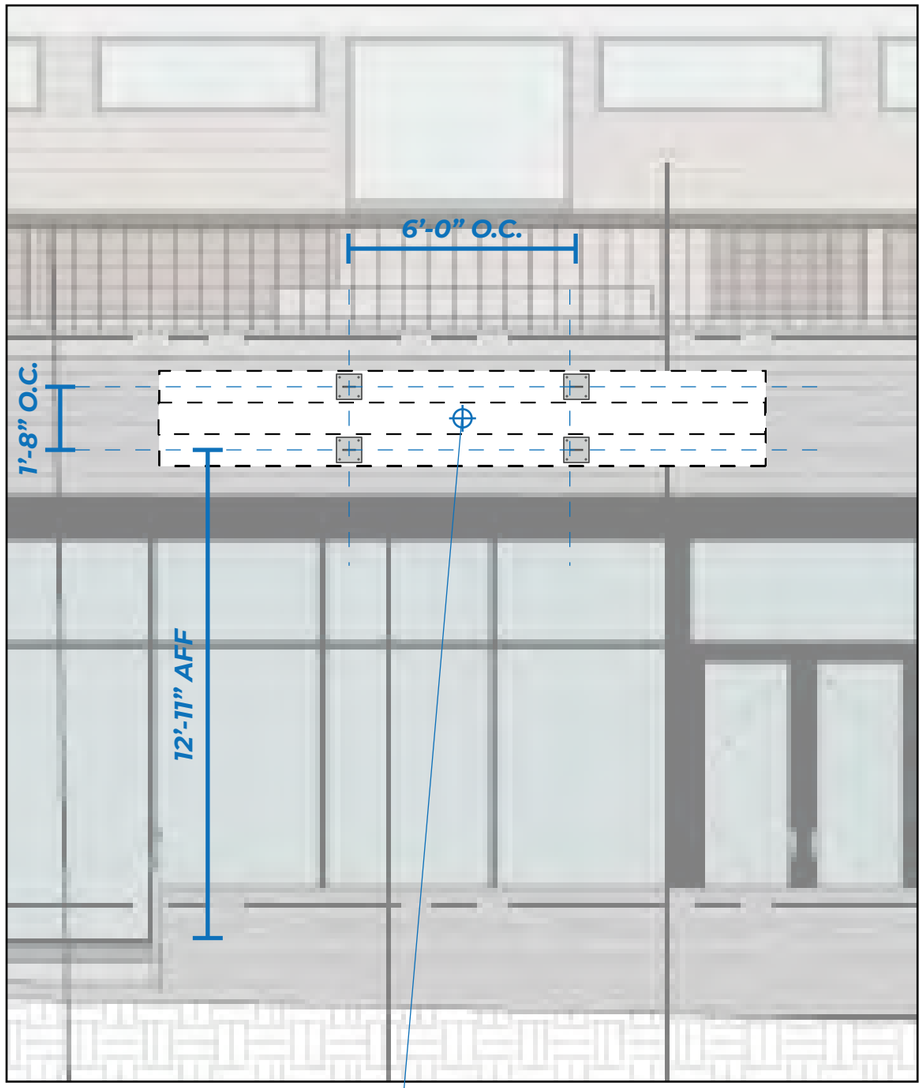
V14
V15

PAGE SCALE
1/4" = 1'-0"

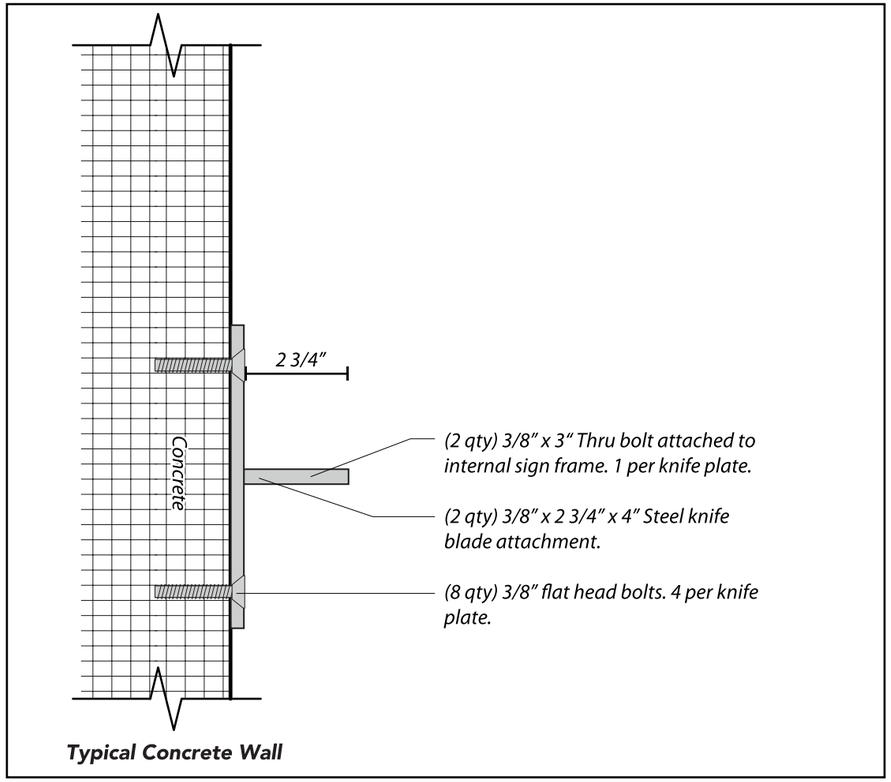
B3-S53 - ATTACHMENT DETAILS

Sign Area: 40.0 Square Feet



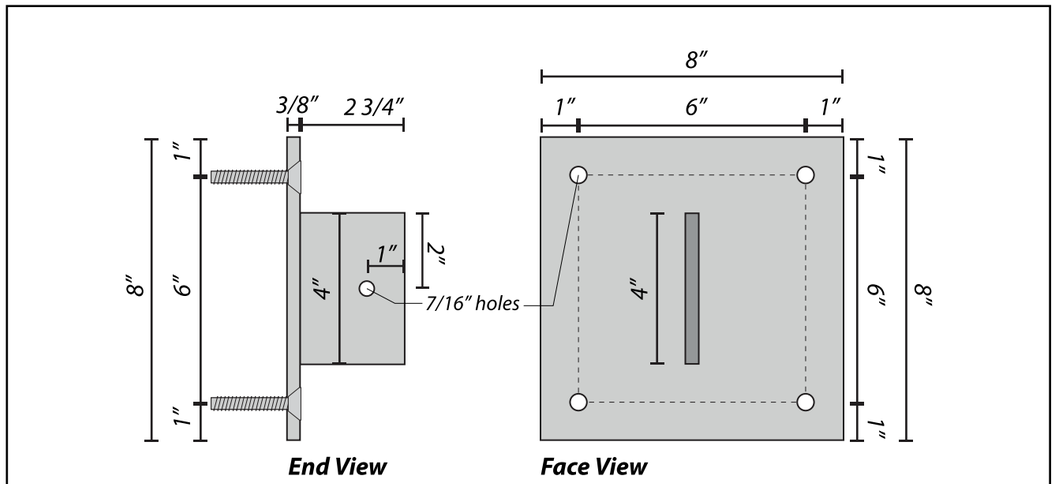
B3 West Elevation
Scale: 1/4" = 1'-0"

Primary Electrical Location
Client to provide 20 Amp / 120 Volt dedicated circuit to sign location



Typical Concrete Wall

Knife Plate Install Detail
Scale: 3"=1'-0"



3/8" x 8" x 8" Steel Plate Detail
Scale: 3"=1'-0"

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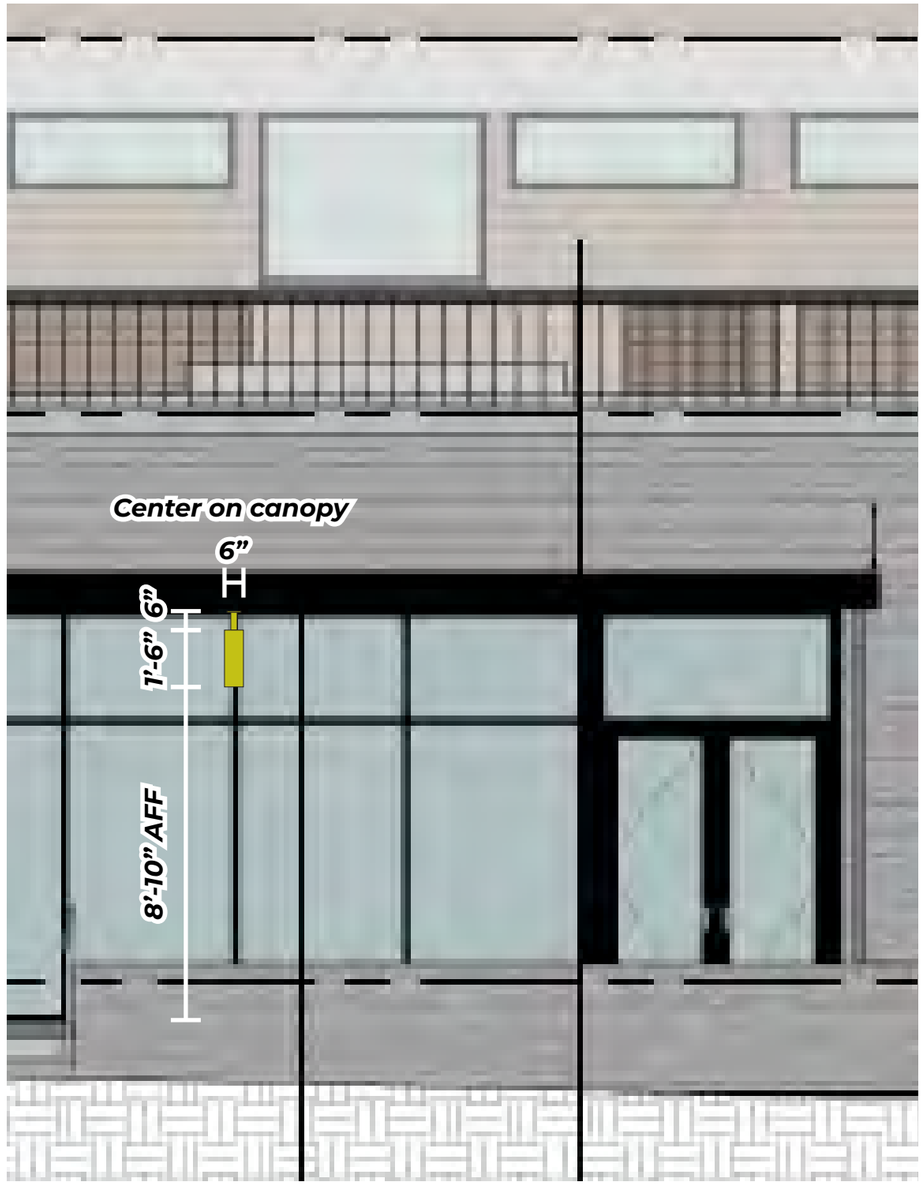
PAGE SCALE
1/4" = 1'-0"

PAGE #
166

B3-S54 - ELEVATION

Sign Area: 6.0 Square Feet



B3 West Elevation

B3 North Elevation

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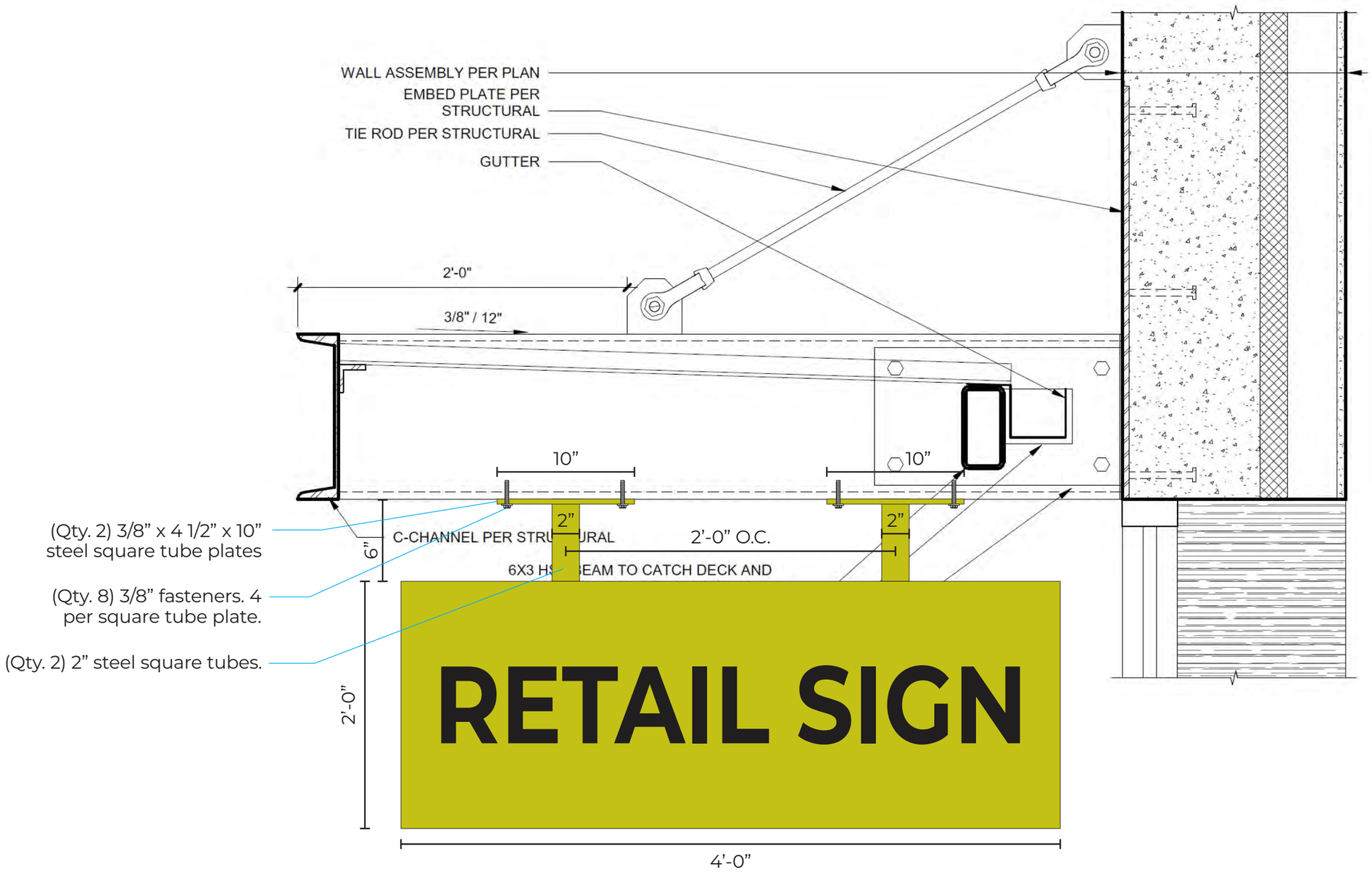
PAGE SCALE
1/4” = 1’-0”

PAGE #
167

B3-S54 - ATTACHMENT DETAILS



Center within canopy

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PAGE SCALE
1 1/2" = 1'-0"

B3-S55 - ELEVATION

Sign Area: 40.0 Square Feet

B3 West Elevation

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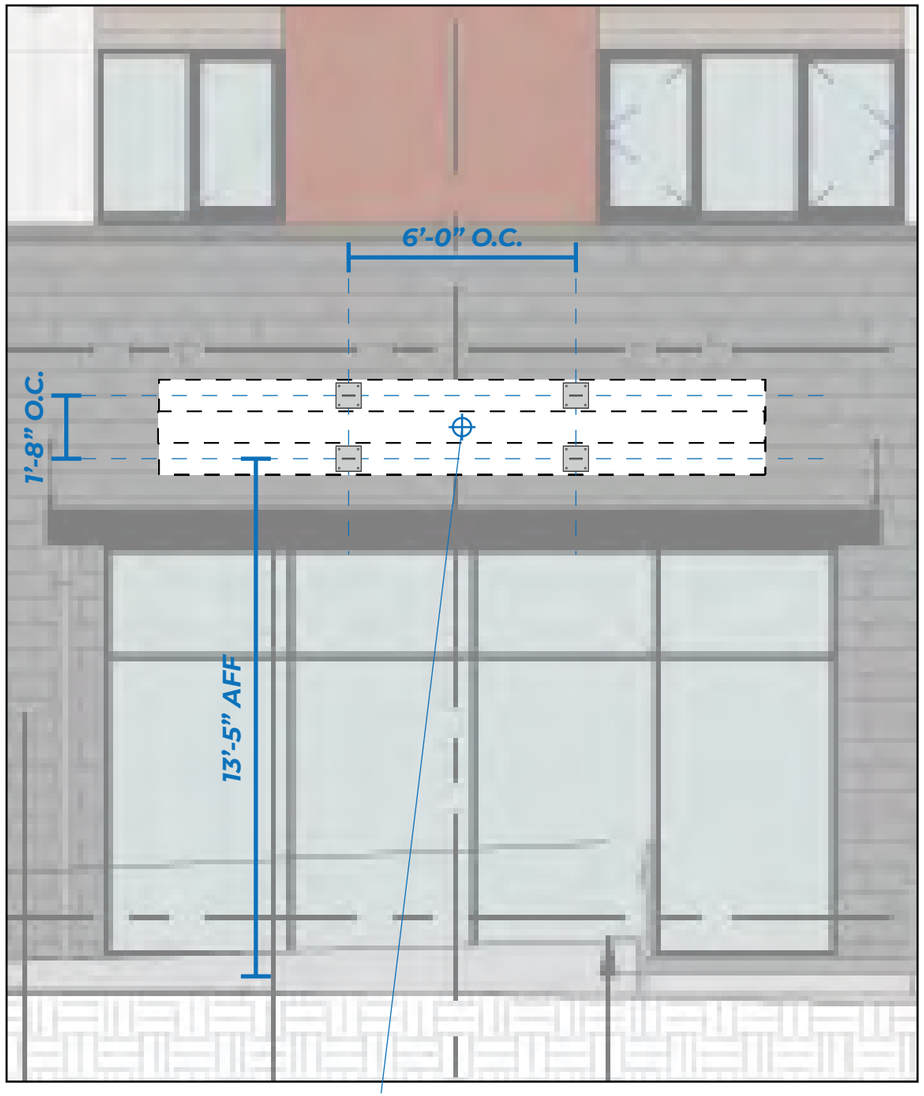
PAGE SCALE
1/4" = 1'-0"

PAGE #
169

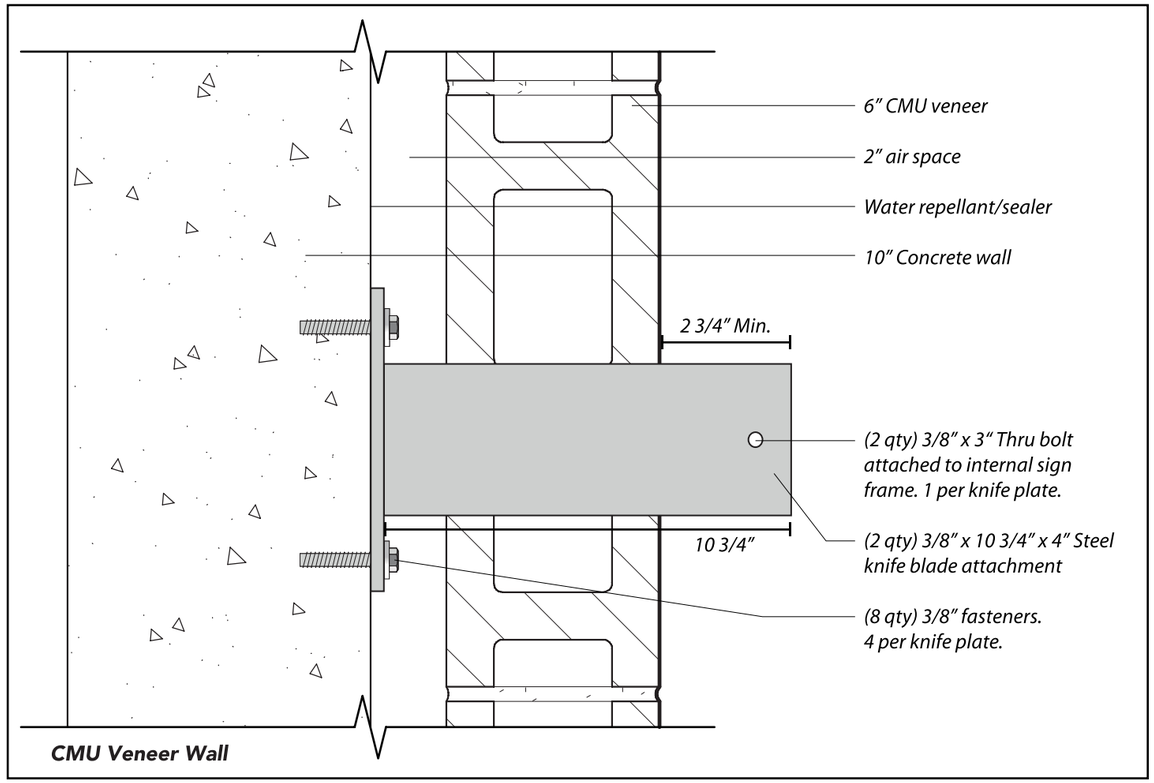
B3-S55 - ATTACHMENT DETAILS

Sign Area: 40.0 Square Feet

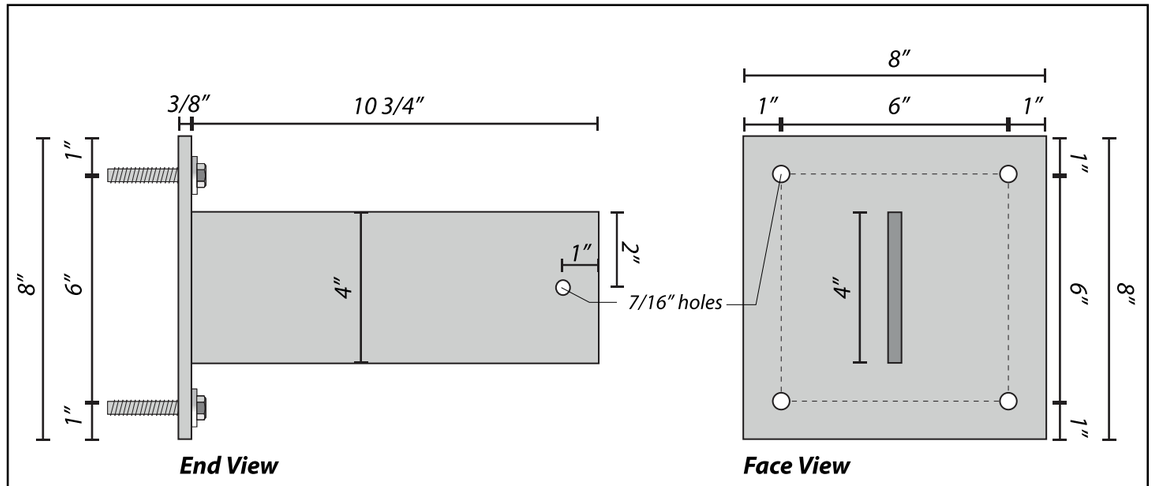


B3 West Elevation
Scale: 1/4" = 1'-0"

Primary Electrical Location
Client to provide 20 Amp / 120 Volt dedicated circuit to sign location



Knife Plate Install Detail
Scale: 3"=1'-0"



3/8" x 8" x 8" Steel Plate Detail
Scale: 3"=1'-0"

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V10
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V12
V13
V14
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PAGE SCALE
1/4" = 1'-0"

PAGE #
170

B3-S56 - ELEVATION

Sign Area: 6.0 Square Feet

B3 West Elevation

B3 North Elevation

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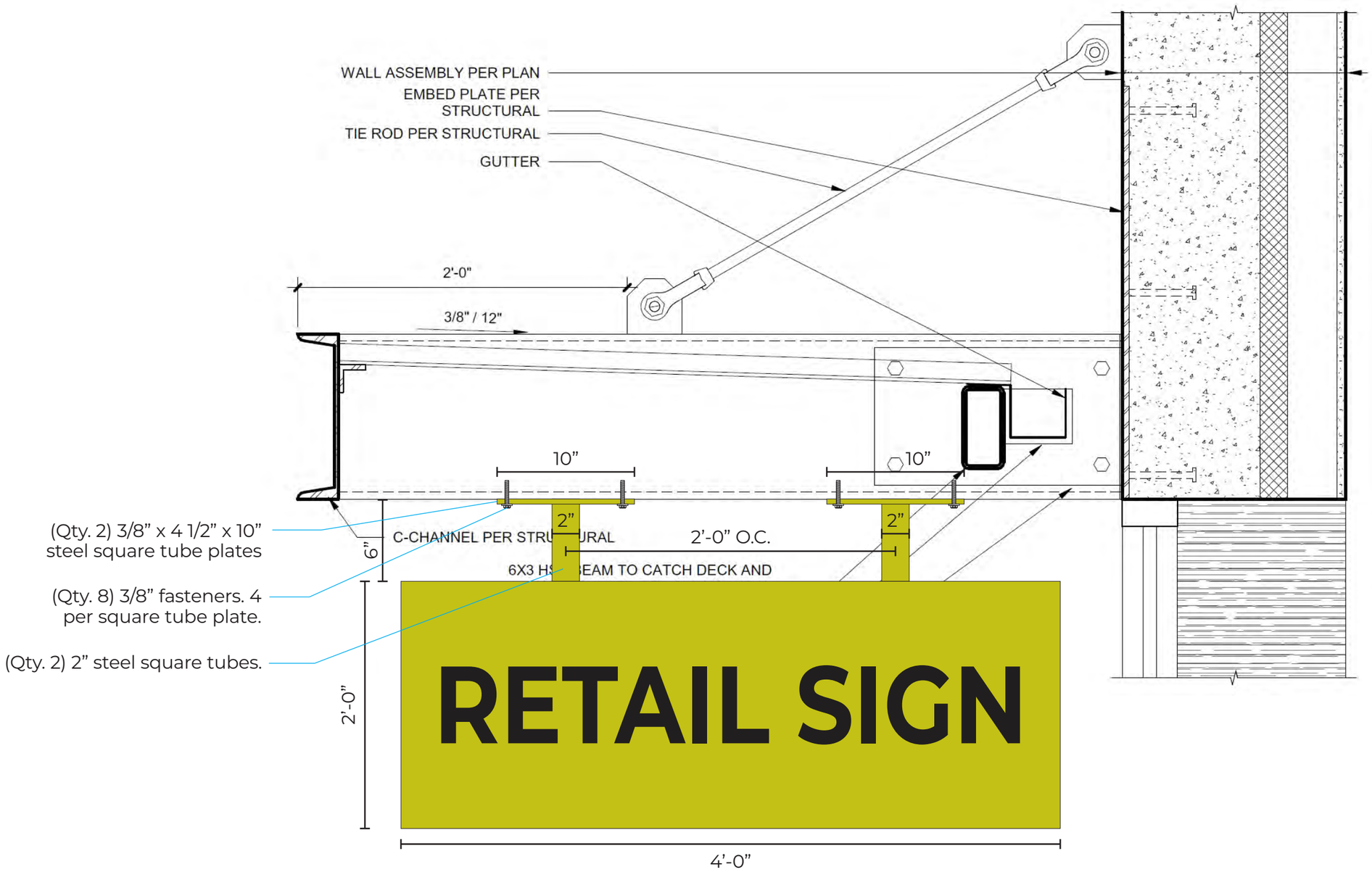
V11
V12
V13
V14
V15

PAGE SCALE
1/4” = 1’-0”

PAGE #
171

B3-S56 - ATTACHMENT DETAILS



Center within canopy

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PAGE SCALE
1/4" = 1'-0"

B3-S57 - ELEVATION

Sign Area: 40.0 Square Feet

B3 West Elevation

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PROJECT NAME
Terrace Station

PROJECT #
20-004

ADDRESS
23905 Van Ry Blvd
Mountlake Terrace, WA 98043

DATE
12/10/20

VERSION NOTES

V1
V2
V3
V4
V5
V6
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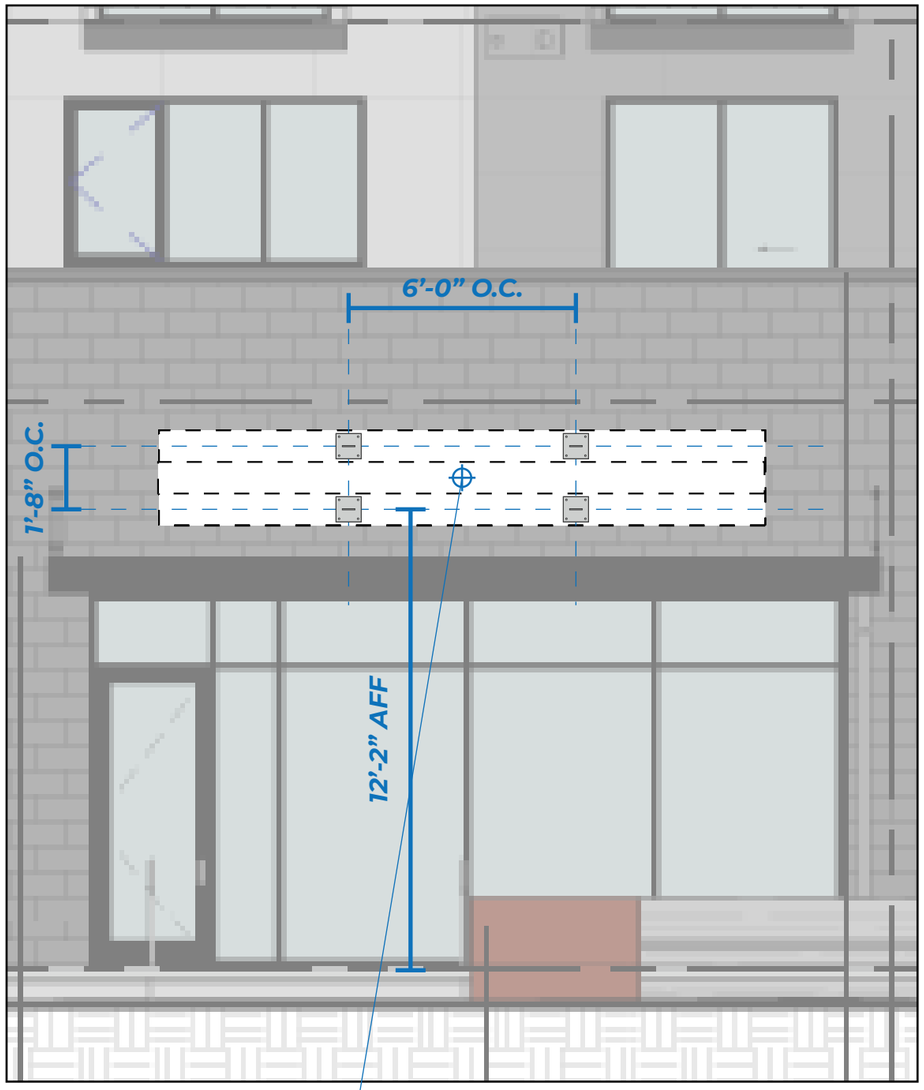
V8
V9
V10
V11
V12
V13
V14
V15

PAGE SCALE
1/4" = 1'-0"

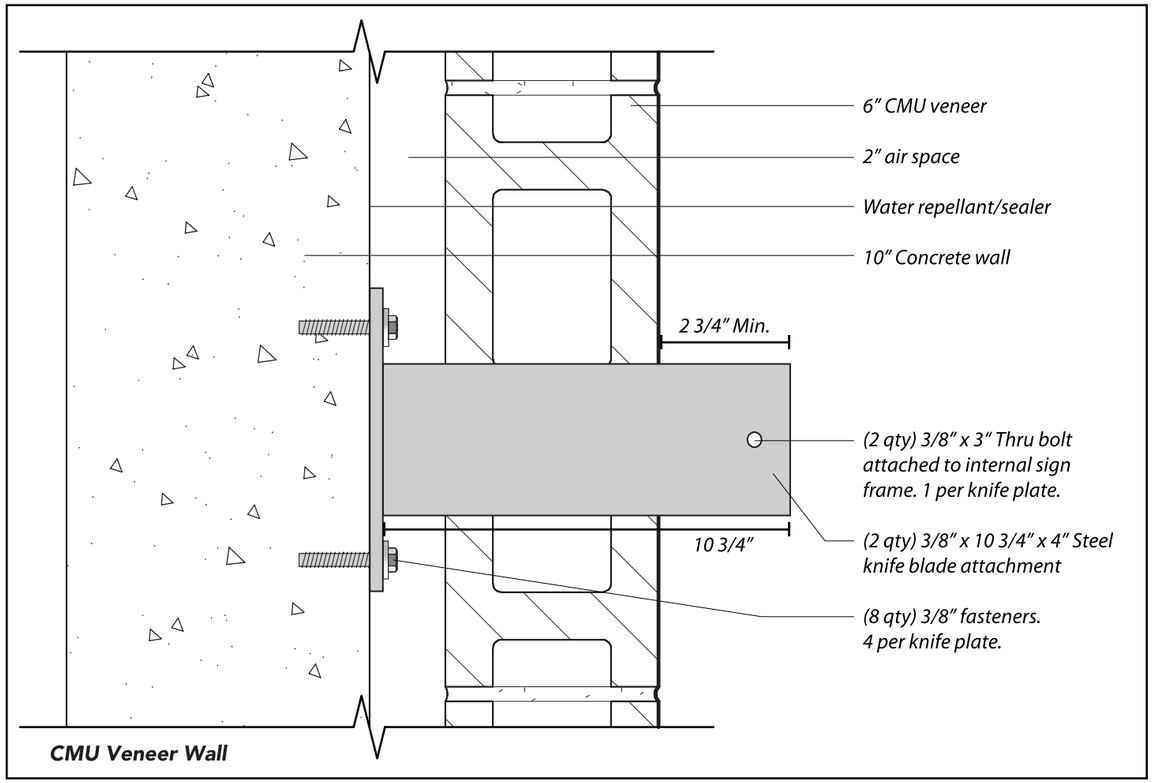
B3-S57 - ATTACHMENT DETAILS

Sign Area: 40.0 Square Feet

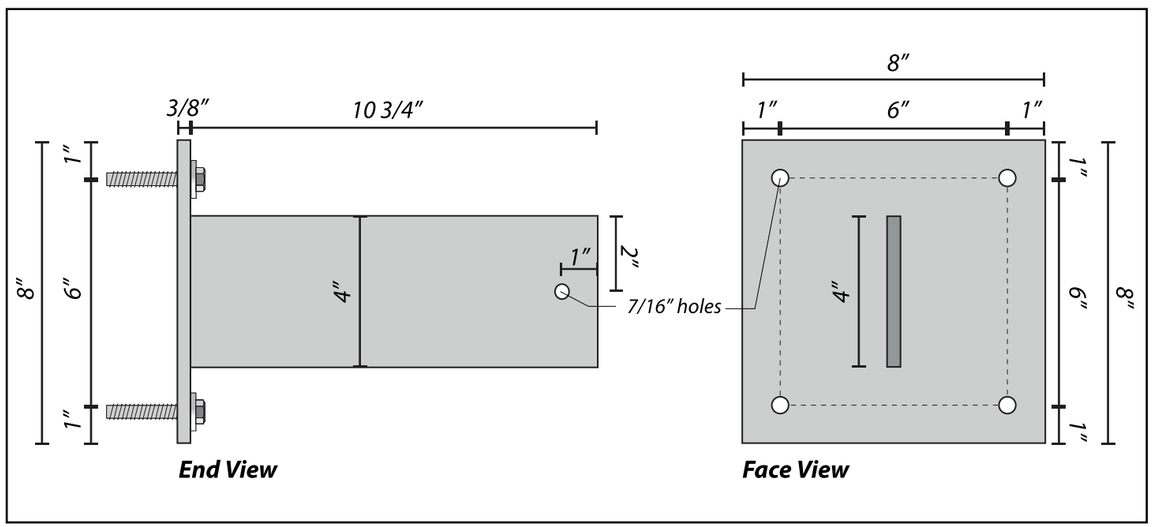


B3 West Elevation
Scale: 1/4" = 1'-0"

Primary Electrical Location
Client to provide 20 Amp / 120 Volt dedicated circuit to sign location



Knife Plate Install Detail
Scale: 3"=1'-0"



3/8" x 8" x 8" Steel Plate Detail
Scale: 3"=1'-0"

A DESIGN STUDIO

MAIN CONTACT
Gracia Mueller
360.929.3077

CREATIVE
Brody Lund
425.359.7380

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PAGE SCALE
1/4" = 1'-0"

PAGE #
174

B3-S58 - ELEVATION

Sign Area: 6.0 Square Feet

B3 West Elevation

B3 North Elevation

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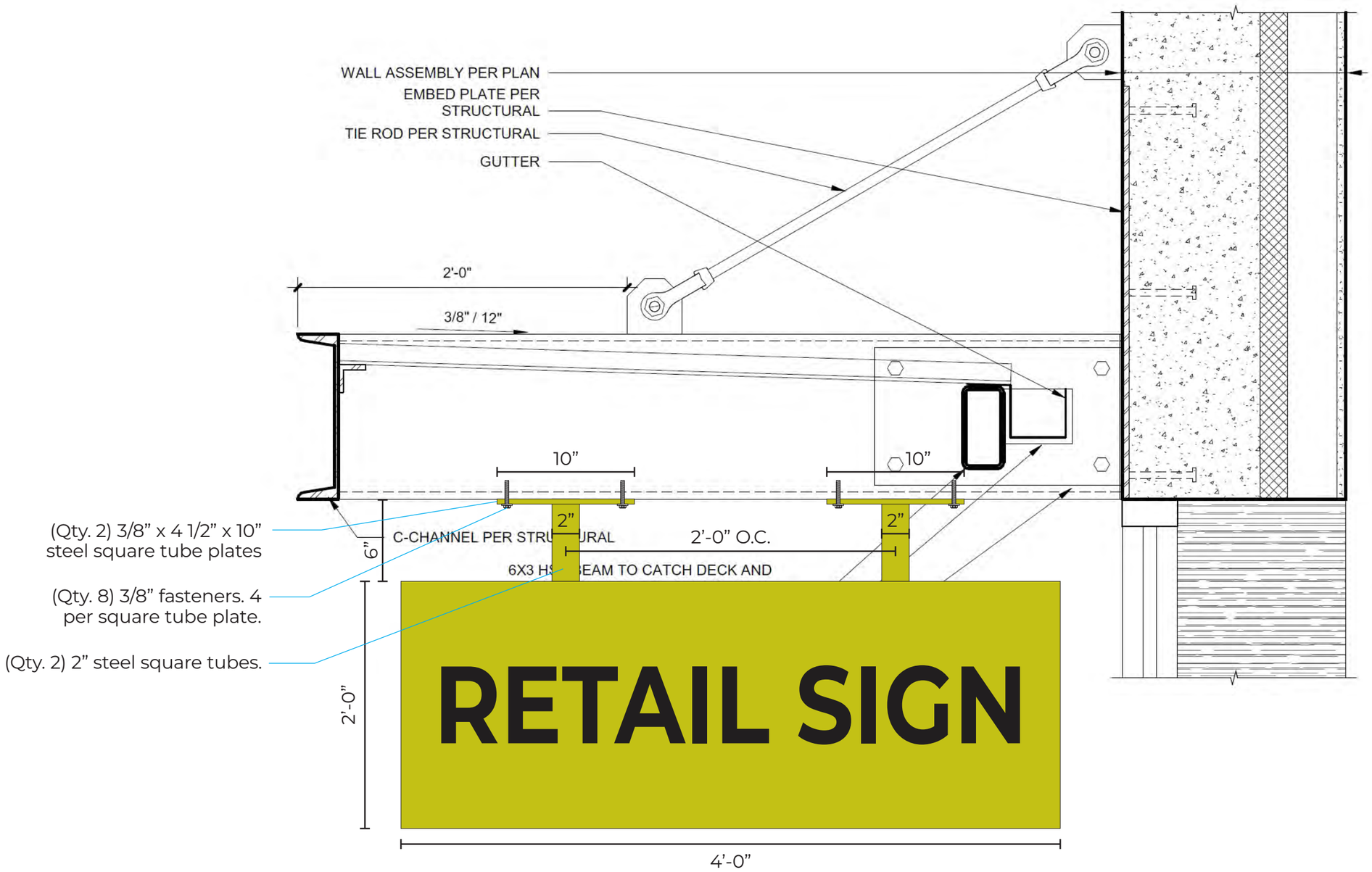
V10
V11
V12
V13
V14
V15

PAGE SCALE
1/4” = 1’-0”

PAGE #
175

B3-S58 - ATTACHMENT DETAILS



Center within canopy

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PAGE SCALE
1 1/2" = 1'-0"

B3-S59 - ELEVATION

Sign Area: 40.0 Square Feet

B3 West Elevation

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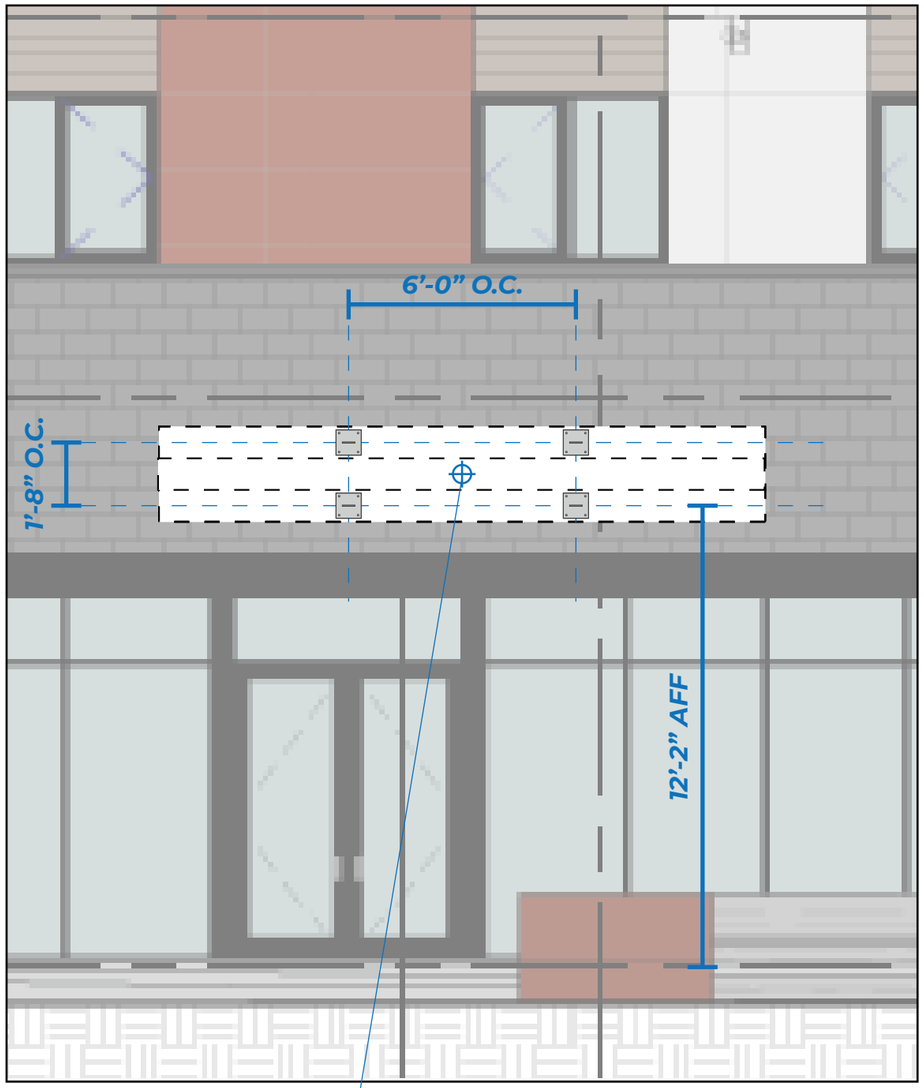
V12
V13
V14
V15

PAGE SCALE
1/4" = 1'-0"

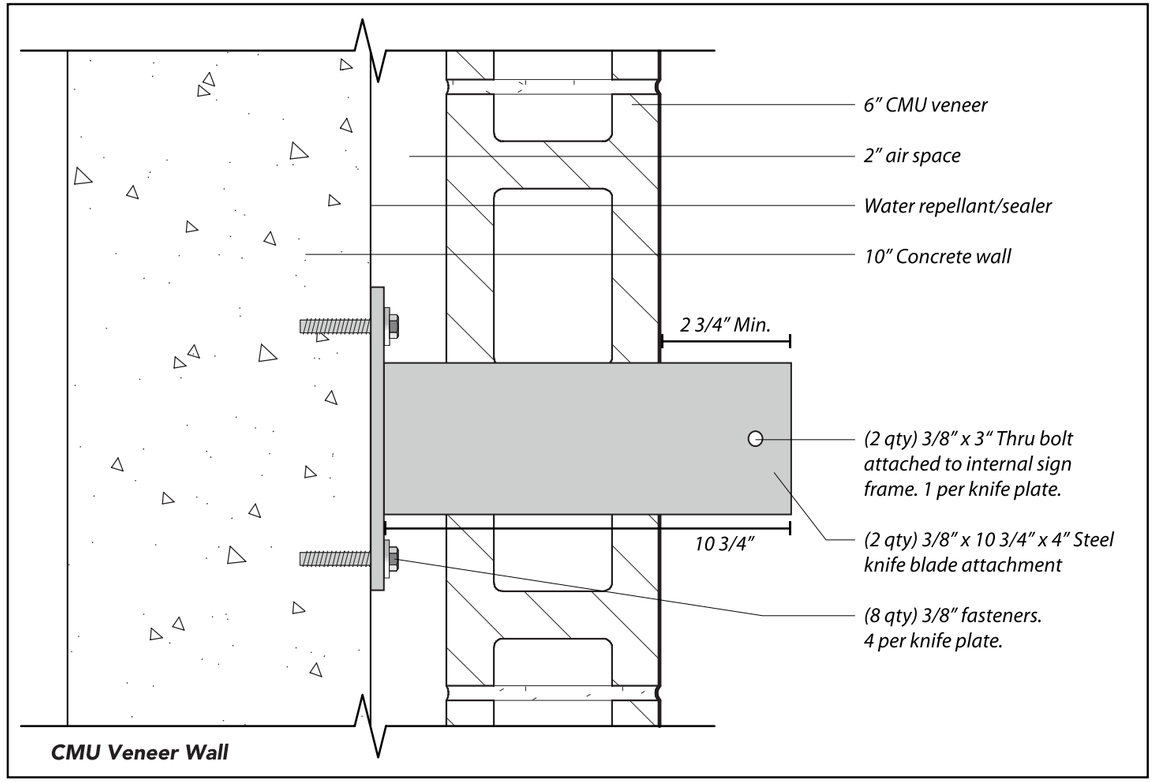
B3-S59 - ATTACHMENT DETAILS

Sign Area: 40.0 Square Feet

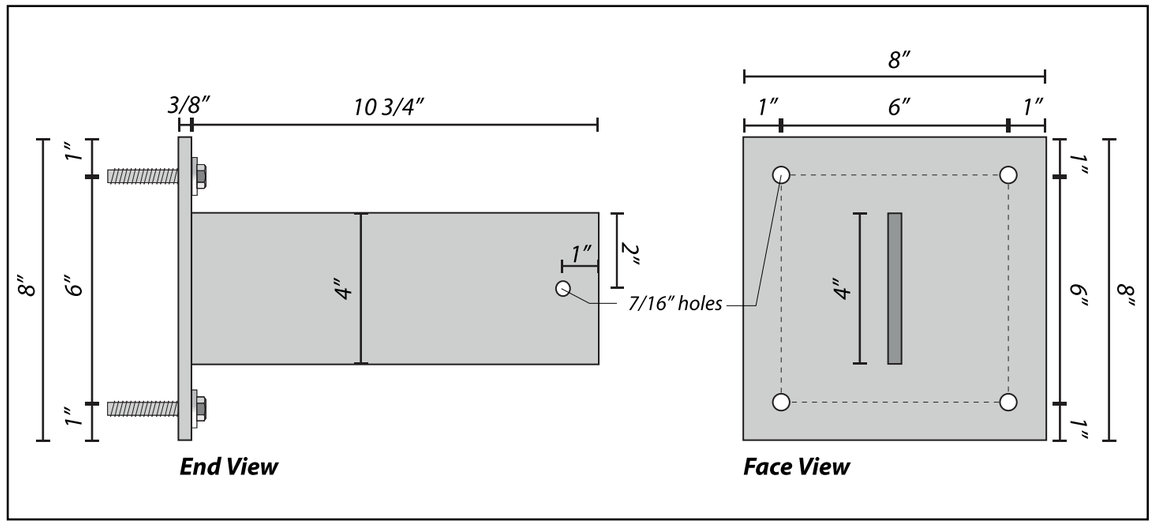


B3 West Elevation
Scale: 1/4" = 1'-0"

Primary Electrical Location
Client to provide 20 Amp / 120 Volt dedicated circuit to sign location



Knife Plate Install Detail
Scale: 3"=1'-0"



3/8" x 8" x 8" Steel Plate Detail
Scale: 3"=1'-0"

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PAGE SCALE
1/4" = 1'-0"

PAGE #
178

B3-S60 - ELEVATION

Sign Area: 6.0 Square Feet

B3 West Elevation

B3 North Elevation

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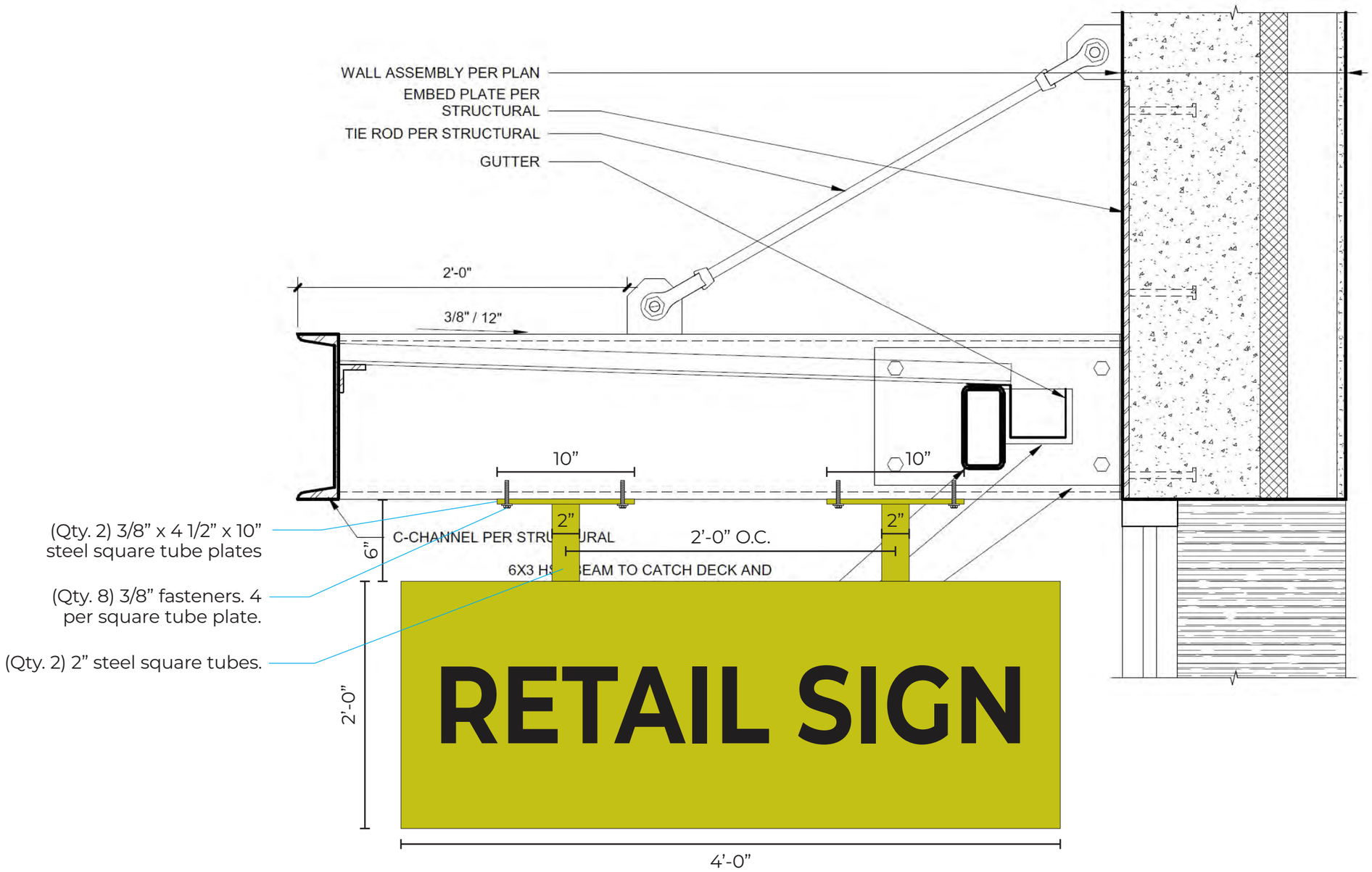
PAGE SCALE
1/4” = 1’-0”

PAGE #
179

B3-S60 - ATTACHMENT DETAILS



Center within canopy

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PAGE SCALE
1 1/2" = 1'-0"

B3-S61 - ELEVATION

Sign Area: 40.0 Square Feet

B3 West Elevation

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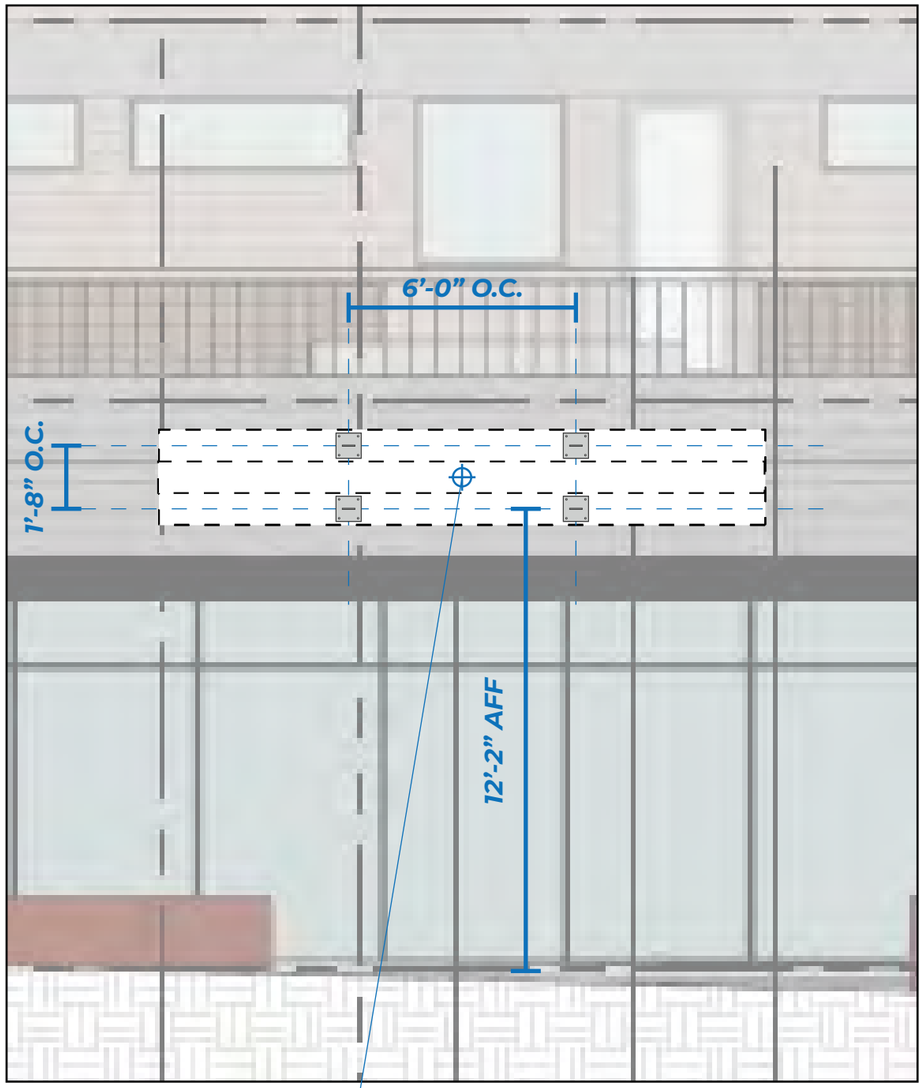
V14
V15

PAGE SCALE
1/4" = 1'-0"

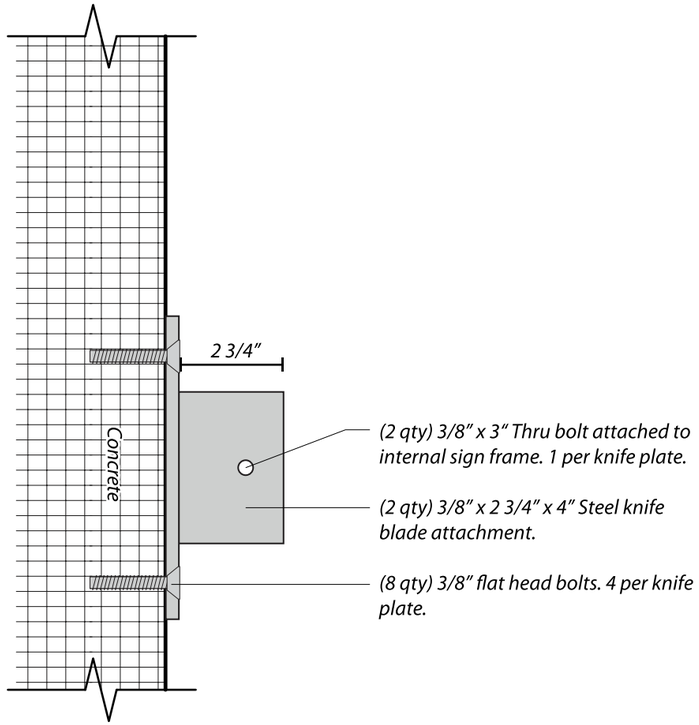
B3-S61 - ATTACHMENT DETAILS

Sign Area: 40.0 Square Feet



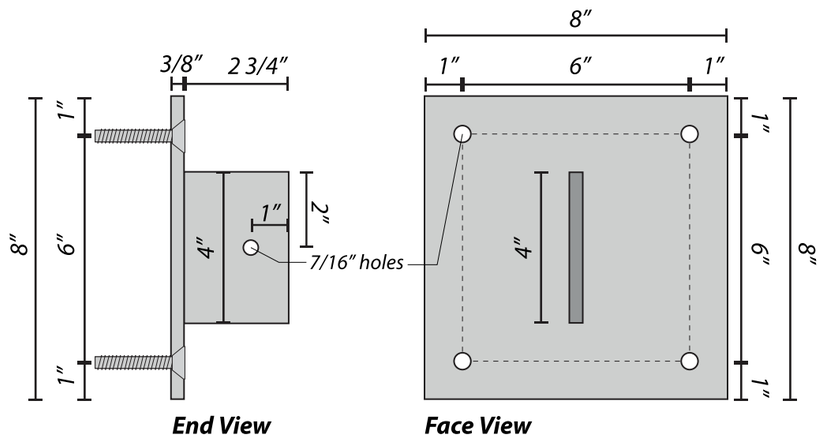
B3 West Elevation
Scale: 1/4" = 1'-0"

Primary Electrical Location
Client to provide 20 Amp / 120 Volt dedicated circuit to sign location



Typical Concrete Wall

Knife Plate Install Detail
Scale: 3"=1'-0"



3/8" x 8" x 8" Steel Plate Detail
Scale: 3"=1'-0"

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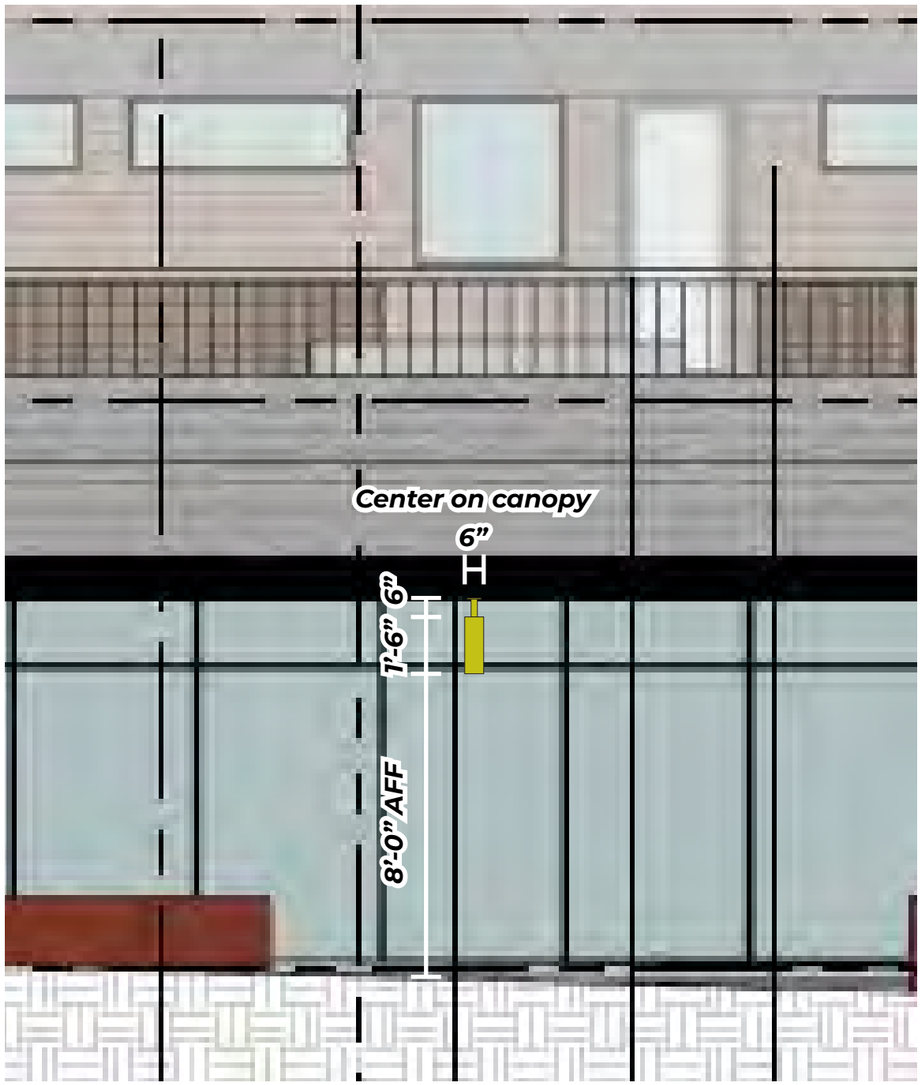
PAGE SCALE
1/4" = 1'-0"

PAGE #
182

B3-S62 - ELEVATION

Sign Area: 6.0 Square Feet



B3 West Elevation

B3 North Elevation

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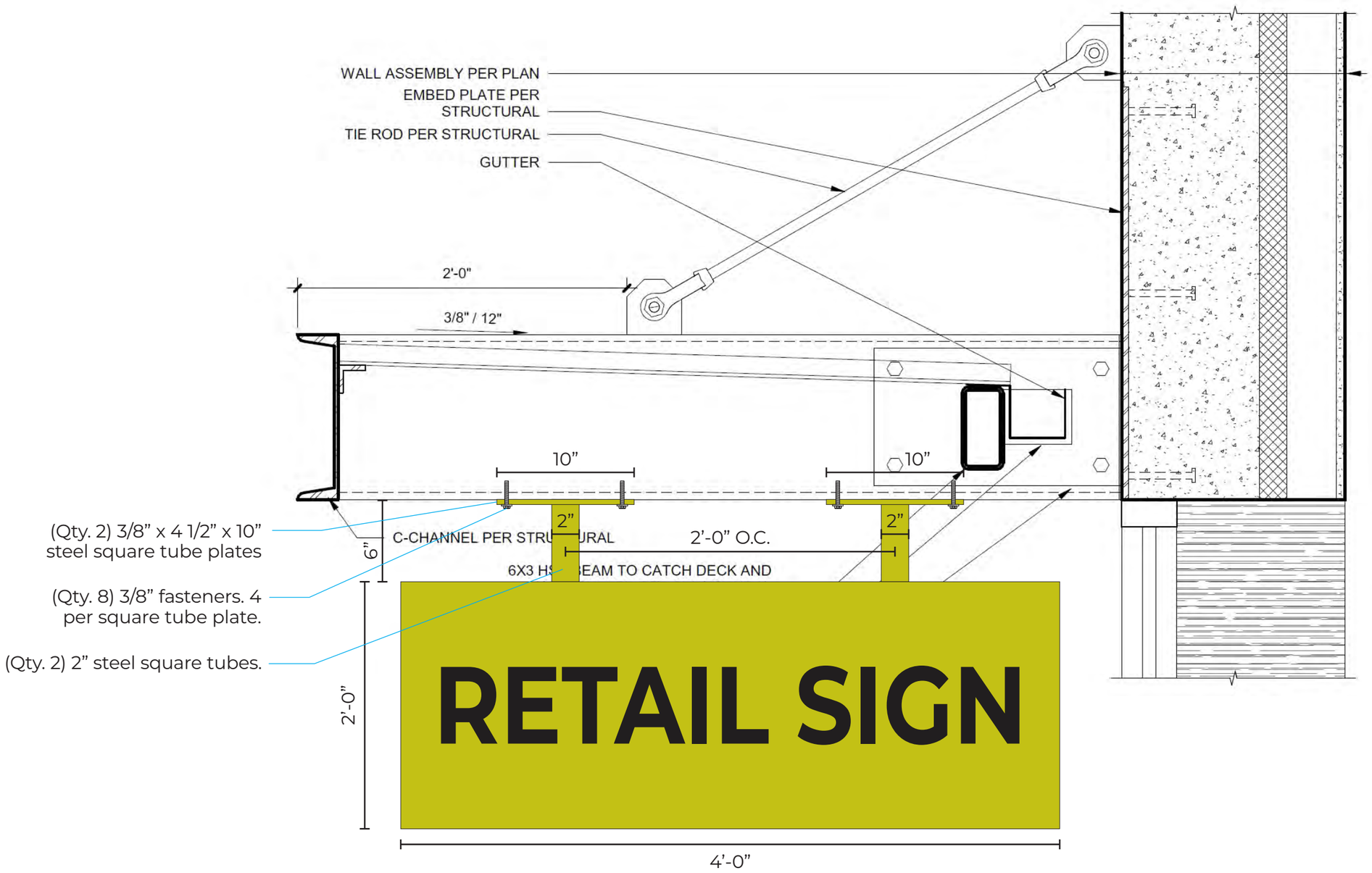
PAGE SCALE
1/4” = 1’-0”

PAGE #
183

B3-S62- ATTACHMENT DETAILS

Sign Area: 6.0 Square Feet



Center within canopy

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PAGE SCALE
1 1/2" = 1'-0"

B3-S63 - ELEVATION

Sign Area: 40.0 Square Feet

B3 West Elevation

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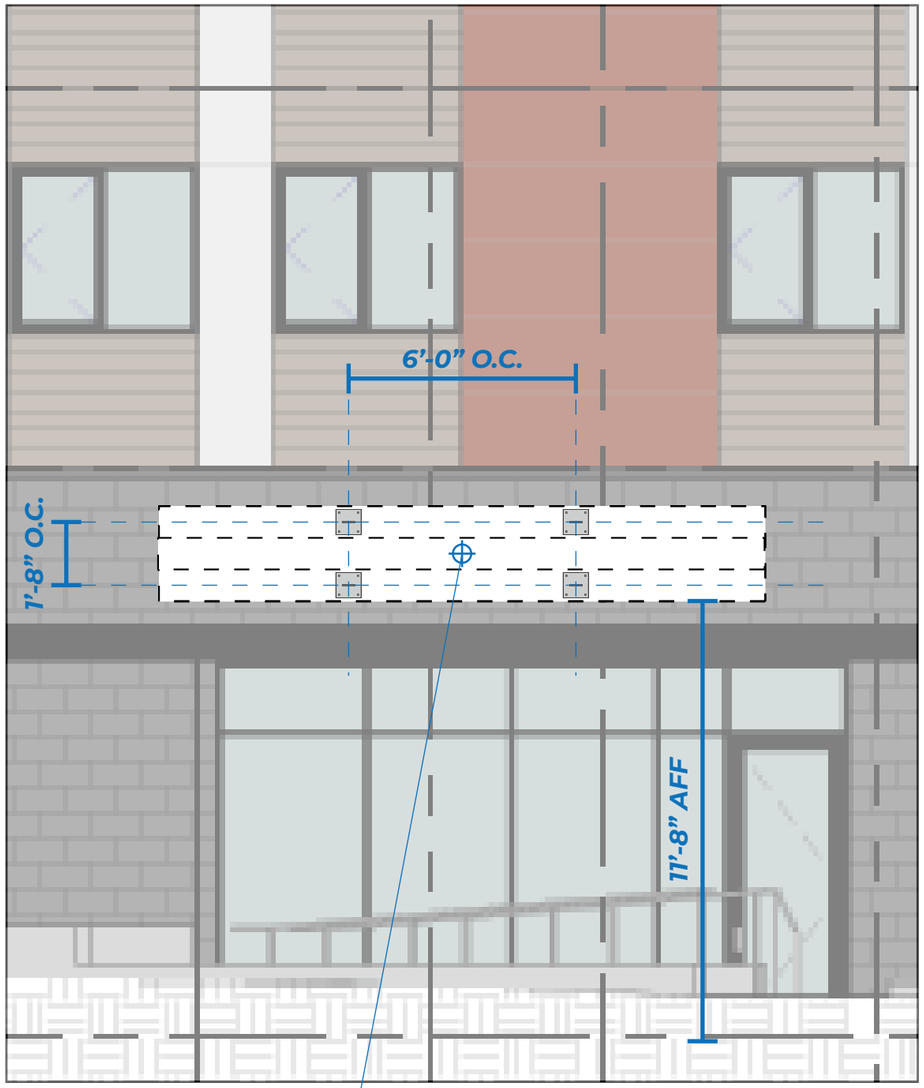
PAGE SCALE
1/4" = 1'-0"

PAGE #
185

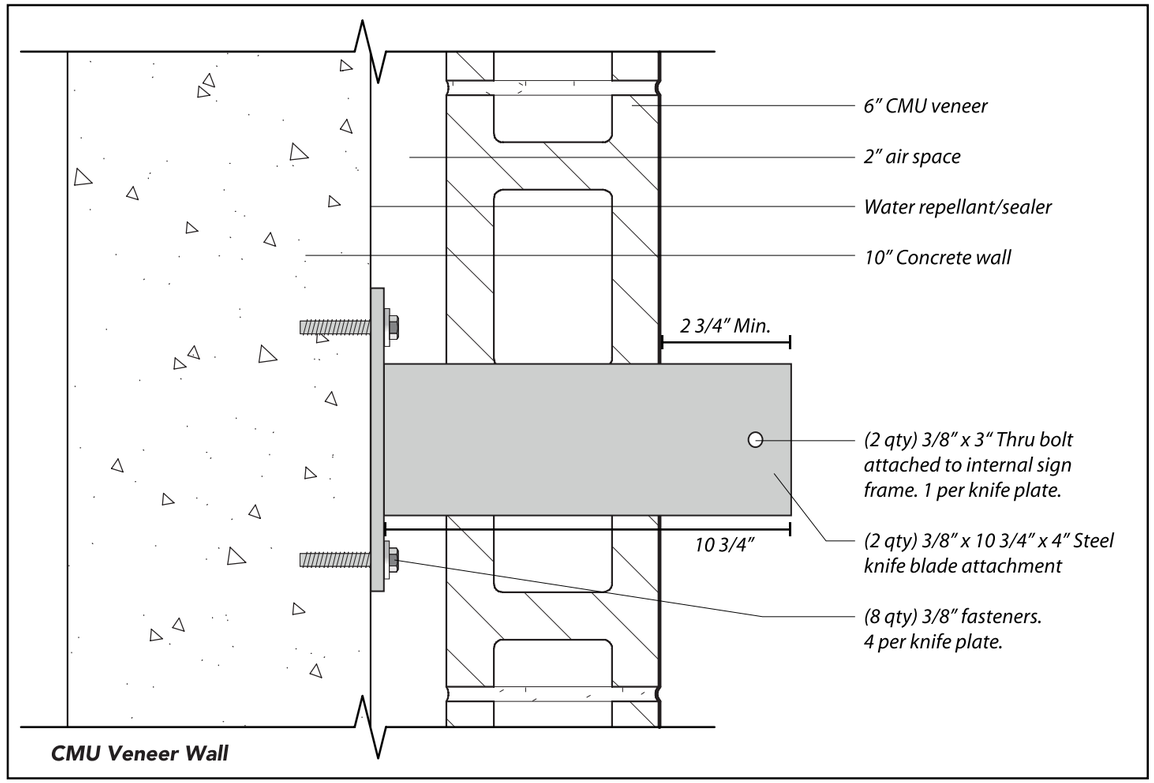
B3-S63 - ATTACHMENT DETAILS

Sign Area: 40.0 Square Feet

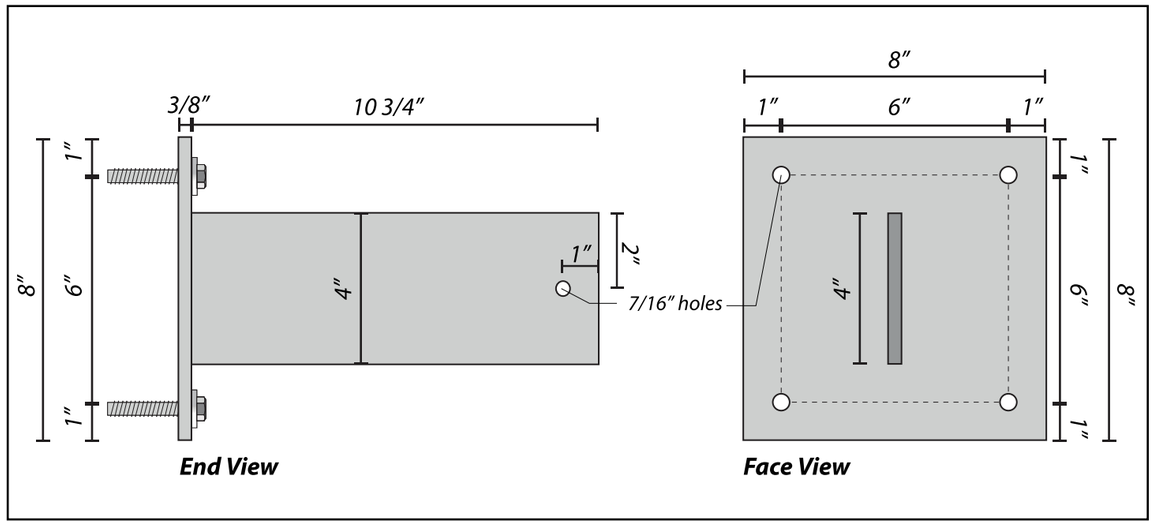


B3 West Elevation
Scale: 1/4" = 1'-0"

Primary Electrical Location
Client to provide 20 Amp / 120 Volt dedicated circuit to sign location



Knife Plate Install Detail
Scale: 3"=1'-0"



3/8" x 8" x 8" Steel Plate Detail
Scale: 3"=1'-0"

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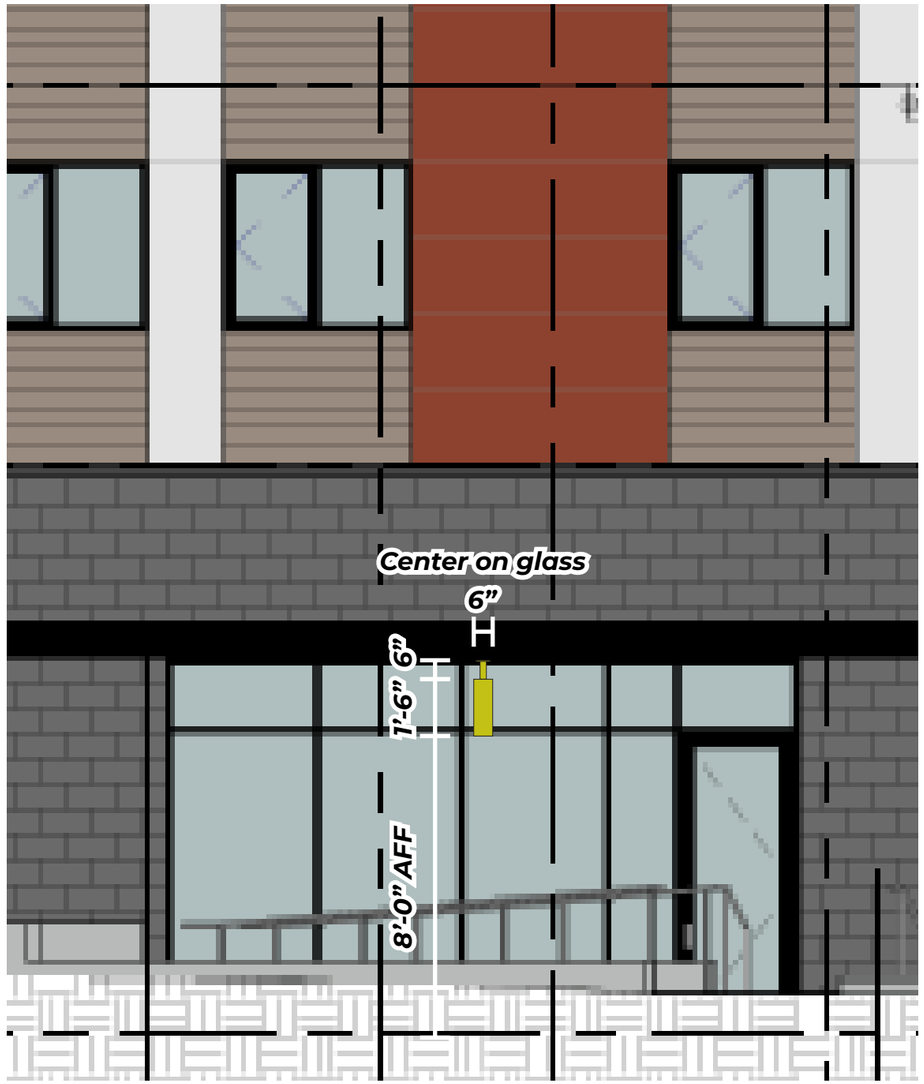
PAGE SCALE
1/4" = 1'-0"

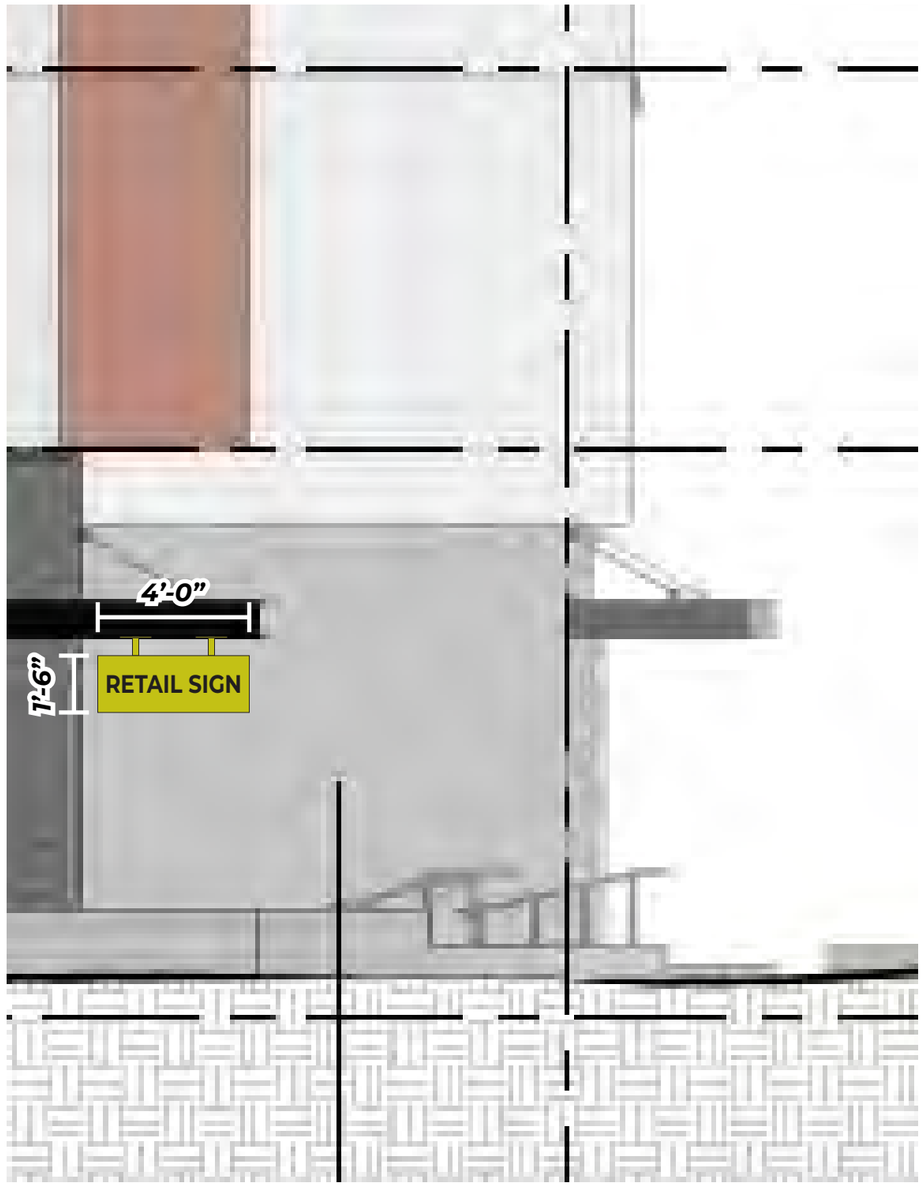
PAGE #
186

B3-S64 - ELEVATION

Sign Area: 6.0 Square Feet



B3 West Elevation



B3 North Elevation

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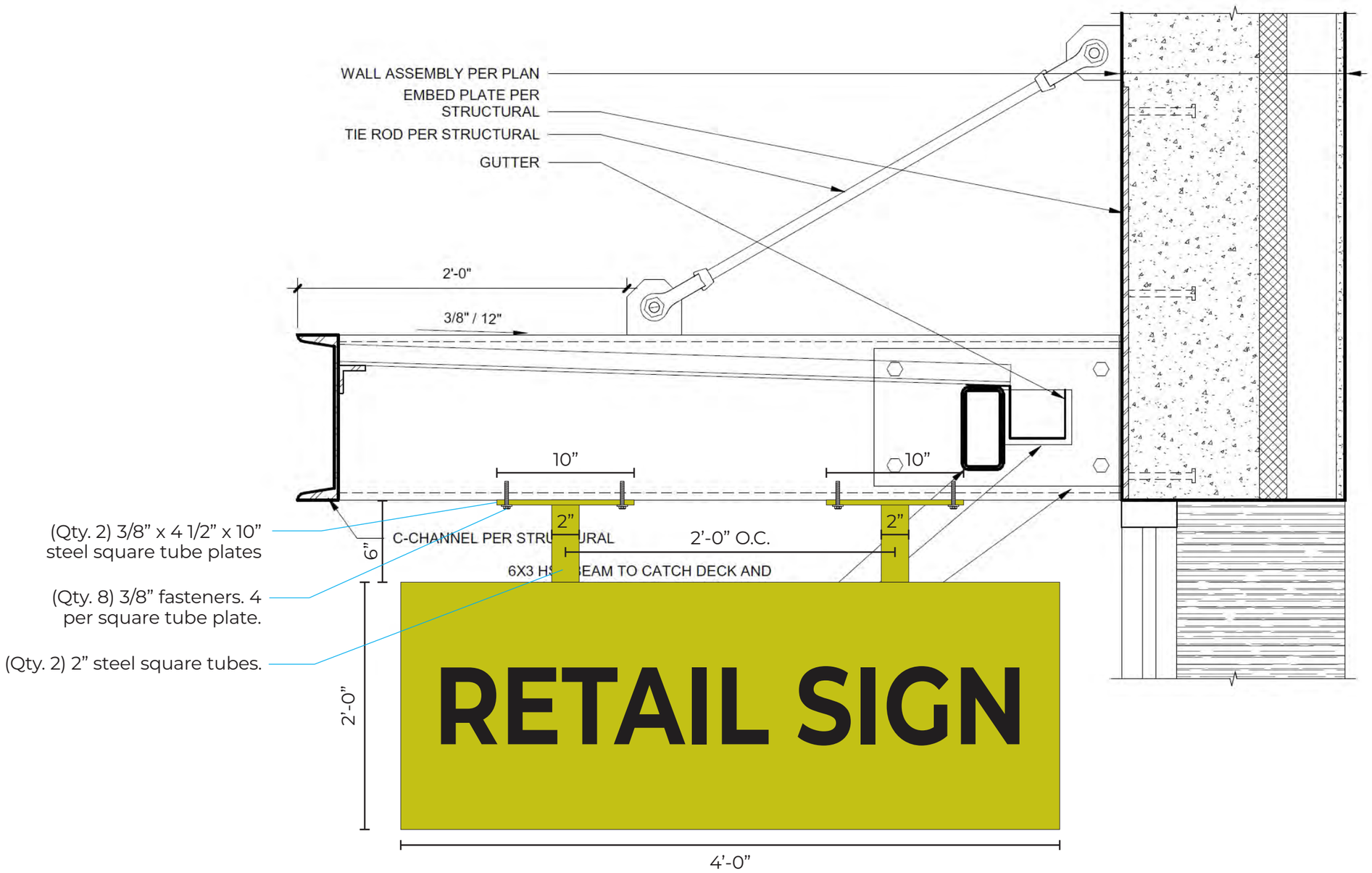
PAGE SCALE
1/4” = 1’-0”

PAGE #
187

B3-S64 - ATTACHMENT DETAILS

Sign Area: 6.0 Square Feet

FINAL ATTACHMENT TBD.



Center within canopy

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V5
V6
V7
V8
V9
V10
V11
V12
V13
V14
V15

PAGE SCALE
1 1/2" = 1'-0"

B3-S65 - ELEVATION

Sign Area: 40.0 Square Feet

B3 West Elevation

A DESIGN STUDIO

MAIN CONTACT
Gracia Mueller
360.929.3077

CREATIVE
Brody Lund
425.359.7380

Additional information:
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PROJECT NAME
Terrace Station

PROJECT #
20-004

ADDRESS
23905 Van Ry Blvd
Mountlake Terrace, WA 98043

DATE
12/10/20

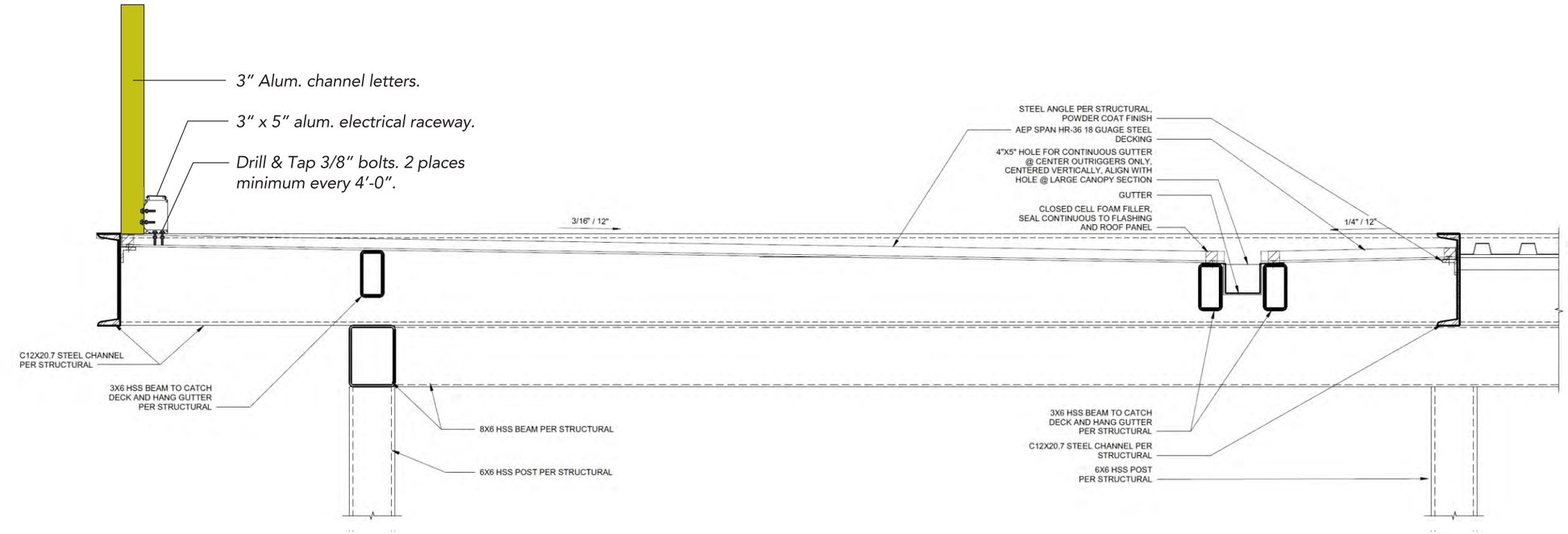
VERSION NOTES

V1
V2
V3
V4
V5
V6
V7
V8
V9
V10
V11
V12
V13
V14
V15

PAGE SCALE
1/4" = 1'-0"

B3-S65 - ATTACHMENT DETAILS

FINAL ATTACHMENT TBD.



3 LARGE CANOPY CORNER SECTION

A DESIGN STUDIO

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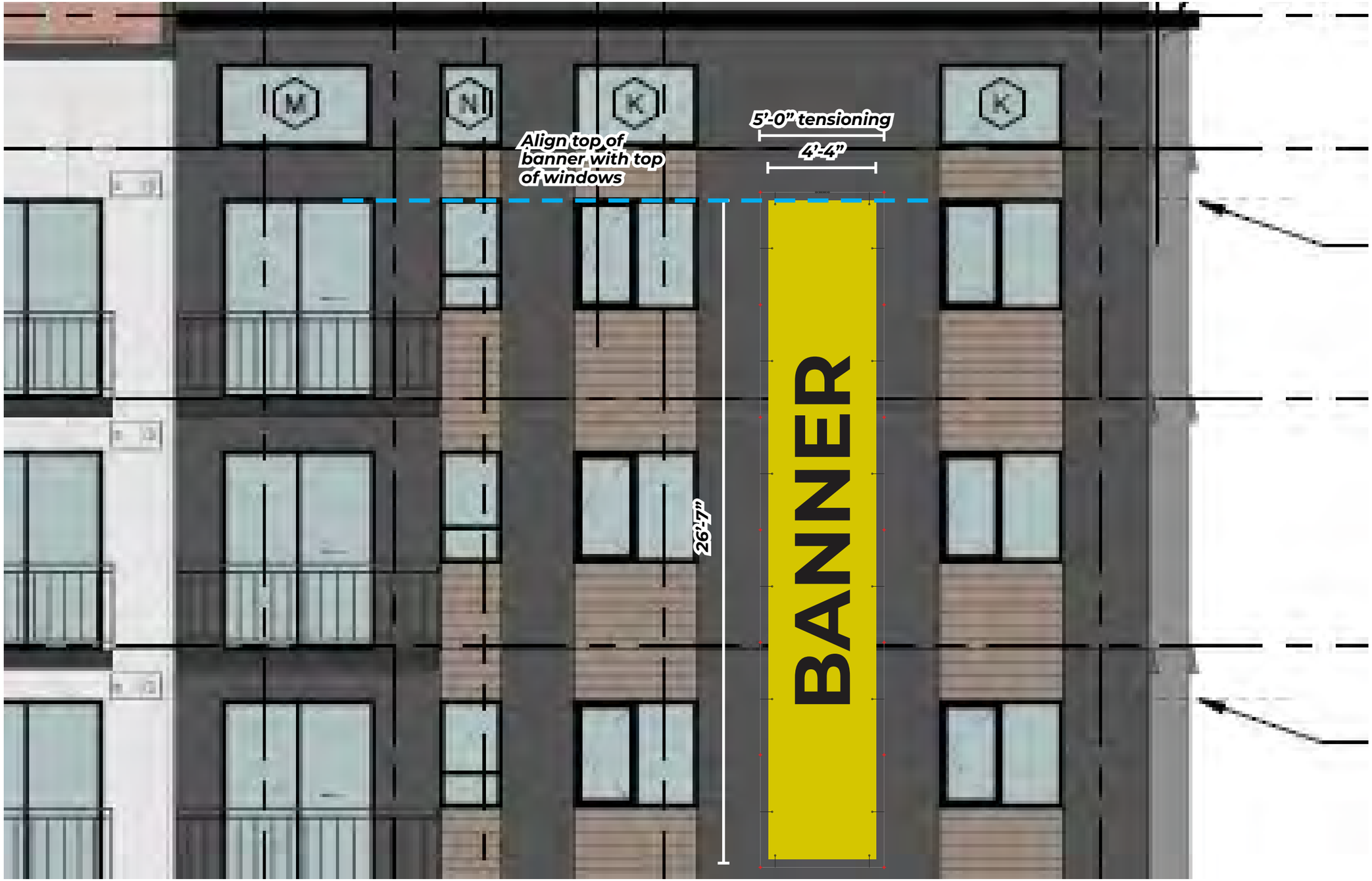
V3
V4
V5
V6
V7
V8
V9
V10
V11
V12
V13
V14
V15

PAGE SCALE
3/4" = 1'-0"

PAGE #
190

B3-S66 - ELEVATION

Sign Area: 115.2 Square Feet



B3 East Elevation

A DESIGN STUDIO

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12/10/20

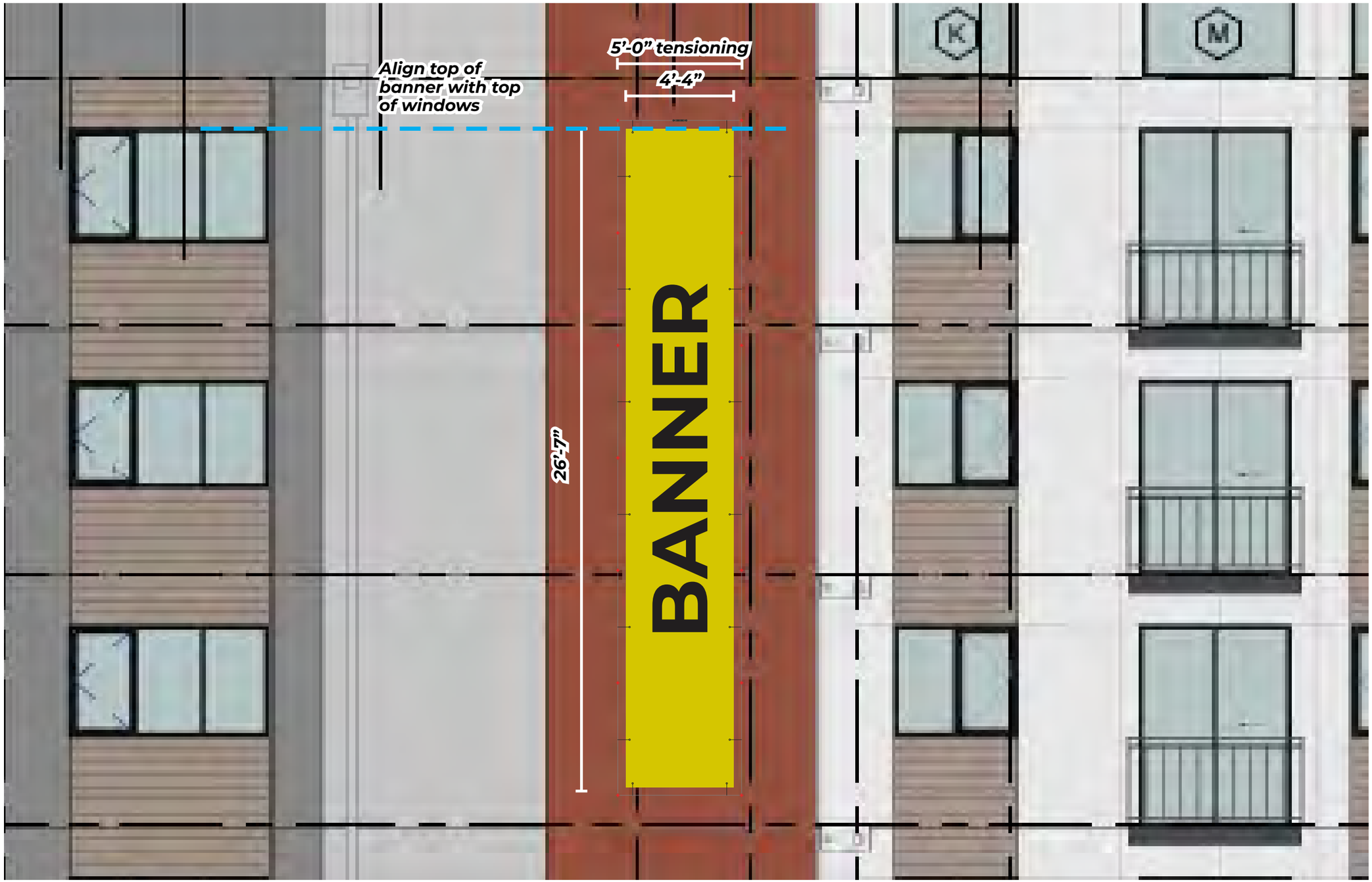
VERSION NOTES

V1
V2
V3
V4
V5
V6
V7
V8
V9
V10
V11
V12
V13
V14
V15

PAGE SCALE
1/4" = 1'-0"

B3-S67 - ELEVATION

Sign Area: 115.2 Square Feet



B3 North Elevation

A DESIGN STUDIO

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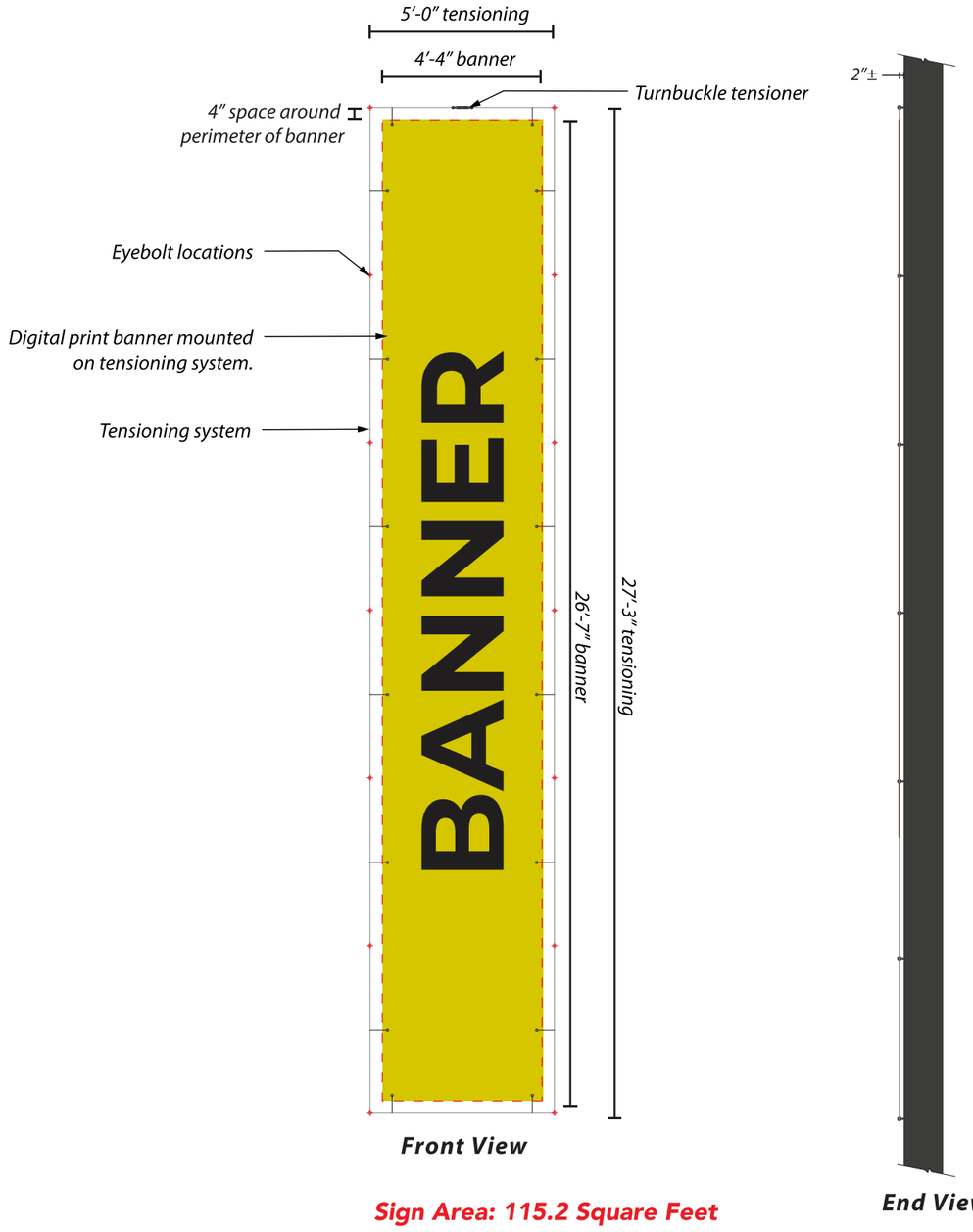
V5
V6
V7
V8
V9
V10
V11
V12
V13
V14
V15

PAGE SCALE
1/4" = 1'-0"

B3-S66 & S67 - DETAILS



Front View

Sign Area: 115.2 Square Feet

End View

Banner Installation
Required Materials:
- *Eye Bolts*
- *Tenson Cable*
- *Turnbuckle*

Eye Bolts To Be Provided By Others.

Banners Attach to Cable Tension System With Quick Lock Fasteners.

Tensioning System Components

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V9
V10
V11
V12
V13
V14
V15

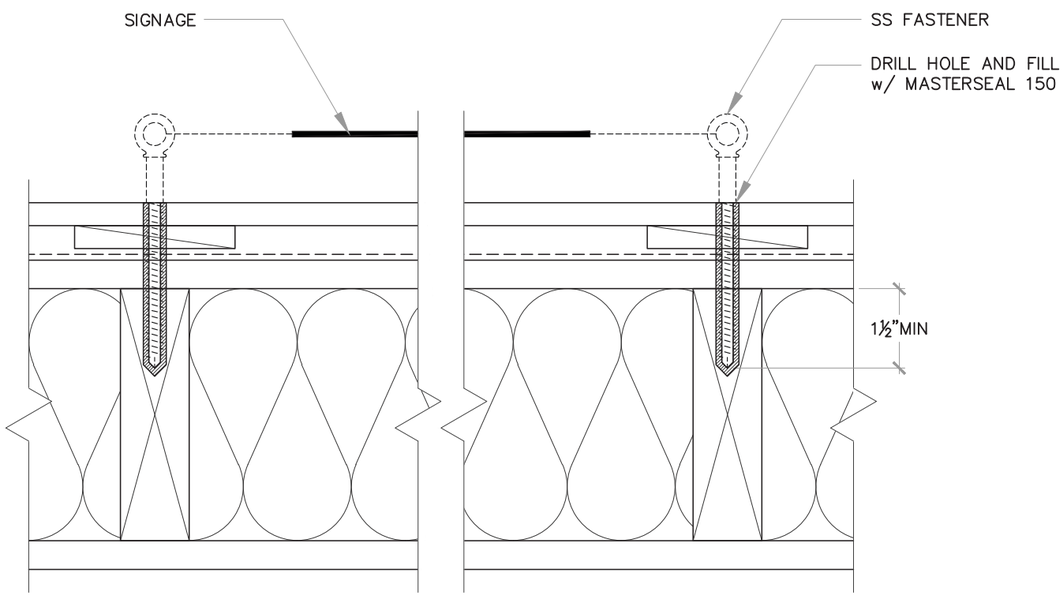
PAGE SCALE
1/4" = 1'-0"

PAGE #
193

B3-S66 & S67 - ATTACHMENT DETAILS

NOTES:
1. FRAMING PER ARCH
2. ALIGN FASTENERS w/ BATTENS & STUDS

EXTERIOR



INTERIOR

229 (TYPICAL) PLAN: TEMPORARY SIGNAGE ATTACHMENT

SCALE: NTS

A DESIGN STUDIO

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V4
V5
V6
V7
V8
V9
V10
V11
V12
V13
V14
V15

PAGE SCALE
N/A

PAGE #
194

MONUMENTS & DIRECTIONALS

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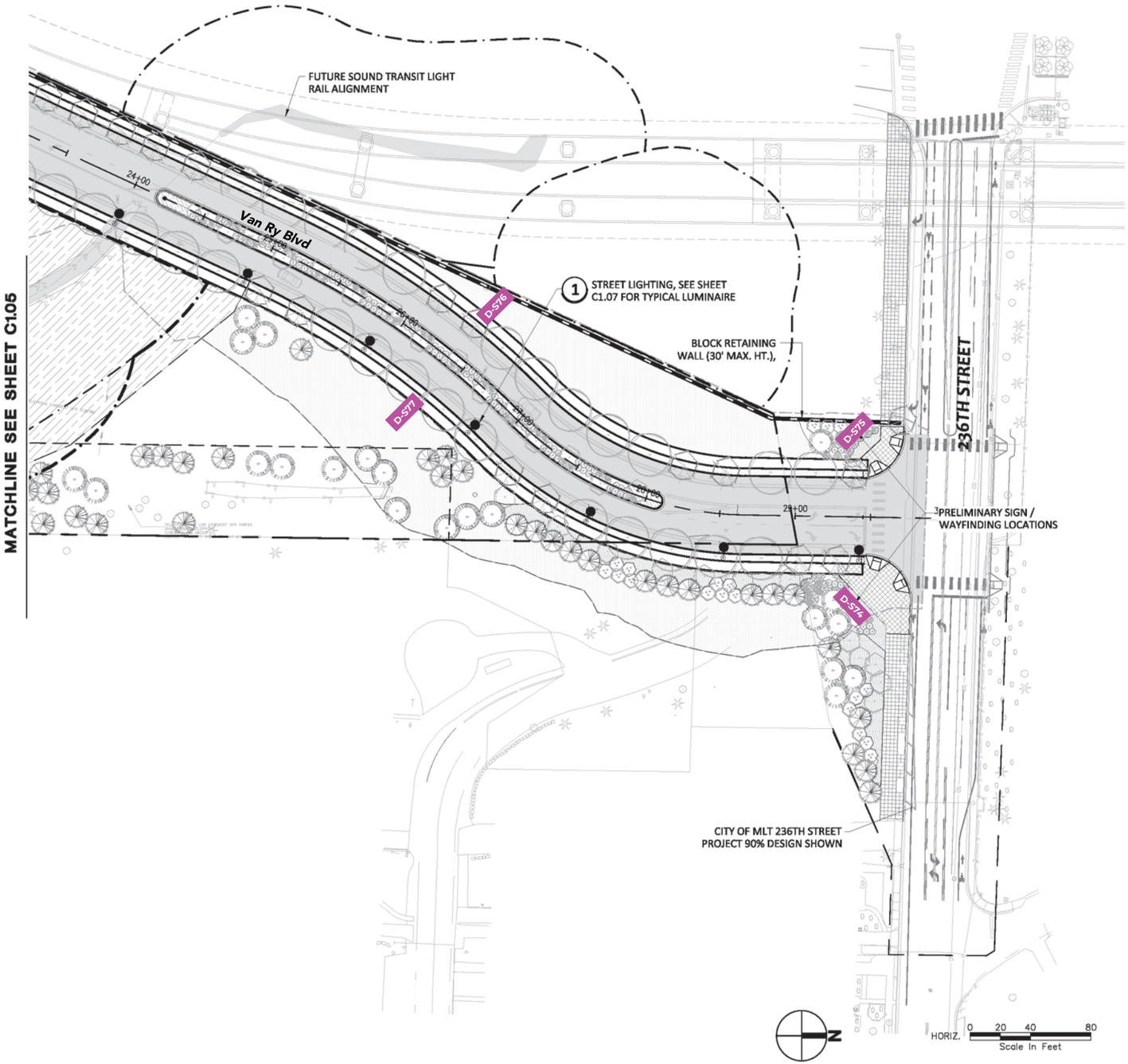
V7
V8
V9
V10
V11
V12
V13
V14
V15

PAGE SCALE
As Noted

PAGE #
195

SITE PLANS - NORTH SECTION



SIGN LEGEND

- **DIRECTIONAL SIGNAGE**

N

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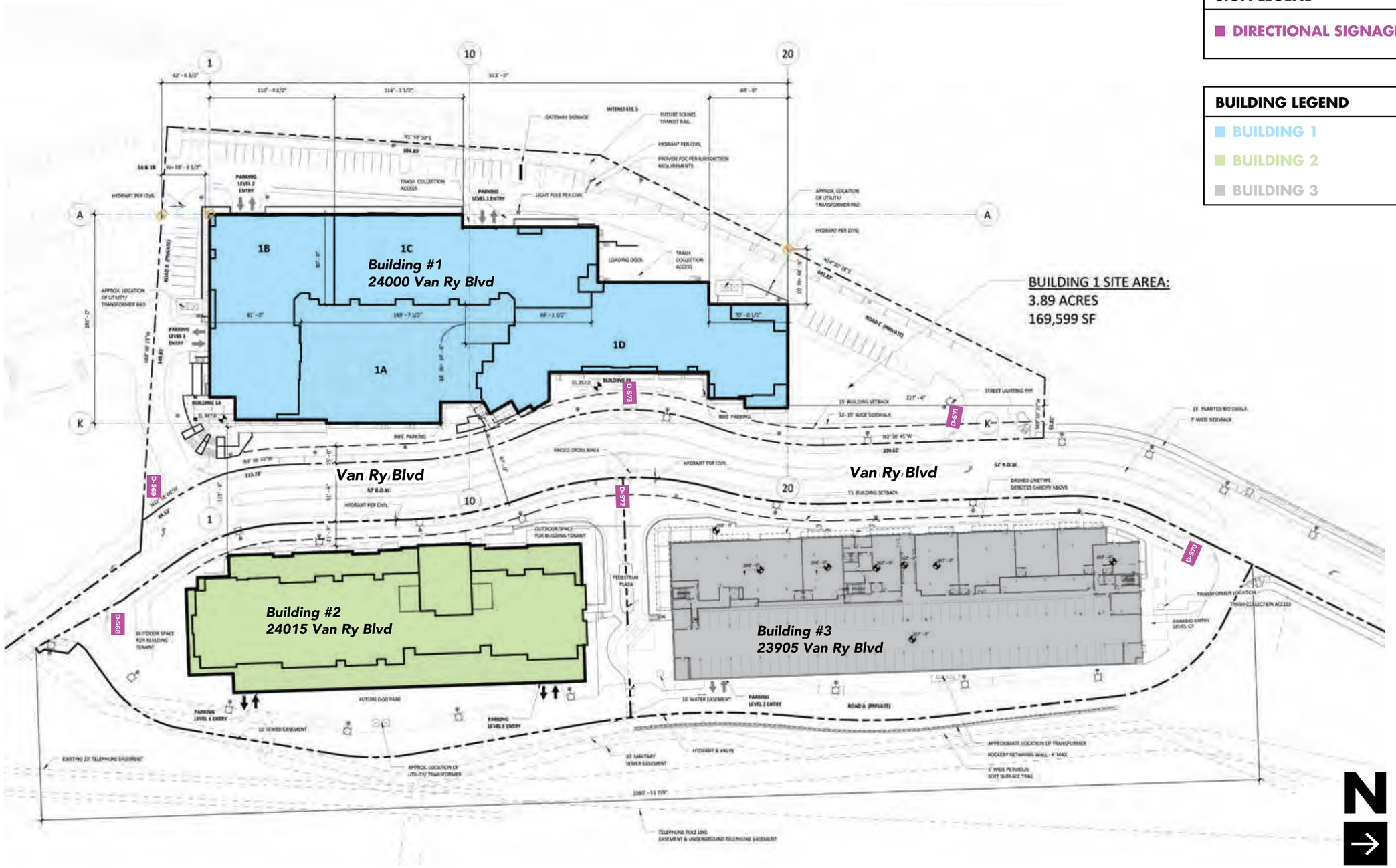
V5
V6
V7
V8
V9
V10
V11
V12
V13
V14
V15

PAGE SCALE
1" = 80'-0"

SITE PLANS - OVERALL



SIGN LEGEND

- DIRECTIONAL SIGNAGE

BUILDING LEGEND

- BUILDING 1
- BUILDING 2
- BUILDING 3

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V5
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V7
V8
V9
V10
V11
V12
V13
V14
V15

PAGE SCALE
1" = 90'-0"

SIGN SCHEDULE

SIGN #	DESCRIPTION	
D-S68	S/F ILLUMINATED MONUMENT SIGN ▪ QTY (1) 2'-2" W x 5'-0" H ▪ SIGN AREA: 9.4 SQ FT	PAGE 199-200
D-S69	S/F ILLUMINATED MONUMENT SIGN ▪ QTY (1) 2'-2" W x 5'-0" H ▪ SIGN AREA: 9.4 SQ FT	PAGE 201-202
D-S70	S/F ILLUMINATED MONUMENT SIGN ▪ QTY (1) 2'-2" W x 5'-0" H ▪ SIGN AREA: 9.4 SQ FT	PAGE 203-204
D-S71	S/F ILLUMINATED MONUMENT SIGN ▪ QTY (1) 2'-2" W x 5'-0" H ▪ SIGN AREA: 9.4 SQ FT	PAGE 205-206
D-S72	D/F ILLUMINATED MONUMENT SIGN ▪ QTY (1) 2'-2" W x 5'-0" H ▪ SIGN AREA: 9.4 SQ FT	PAGE 207-208
D-S73	D/F ILLUMINATED MONUMENT SIGN ▪ QTY (1) 2'-2" W x 5'-0" H ▪ SIGN AREA: 9.4 SQ FT	PAGE 207, 209
D-S74	S/F ILLUMINATED MONUMENT SIGN ▪ QTY (1) 6'-11 1/2" W x 5'-0" H ▪ SIGN AREA: 29.4 FT	PAGE 210-211
D-S75	S/F ILLUMINATED MONUMENT SIGN ▪ QTY (1) 6'-11 1/2" W x 5'-0" H ▪ SIGN AREA: 29.4 FT	PAGE 210, 212
D-S76	S/F ILLUMINATED MONUMENT SIGN ▪ QTY (1) 6'-11 1/2" W x 5'-0" H ▪ SIGN AREA: 29.4 FT	PAGE 210, 213
D-S77	S/F ILLUMINATED MONUMENT SIGN ▪ QTY (1) 6'-11 1/2" W x 5'-0" H ▪ SIGN AREA: 29.4 FT	PAGE 210, 214

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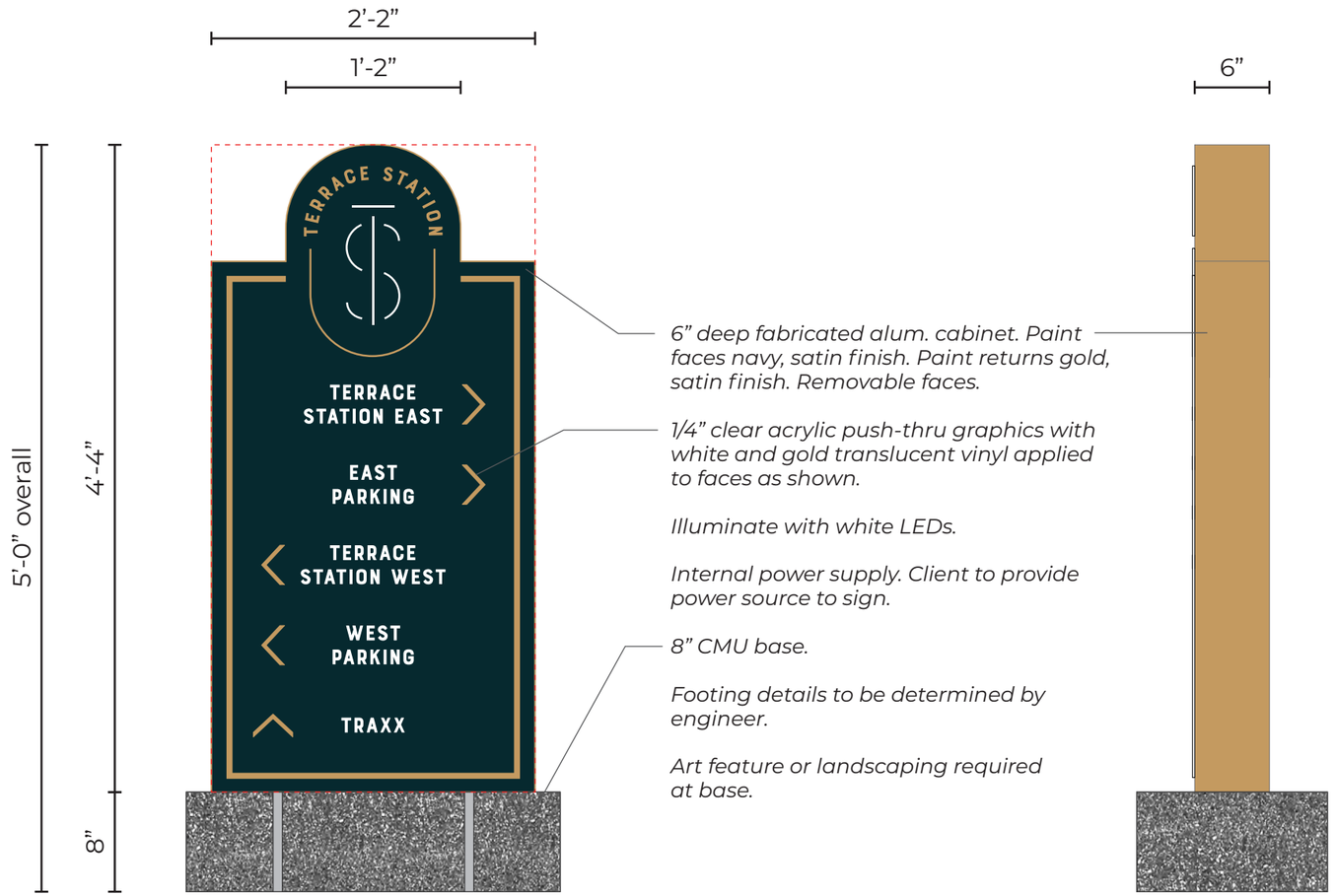
V2
V3
V4
V5
V6
V7
V8
V9
V10
V11
V12
V13
V14
V15

PAGE SCALE
As Noted

PAGE #
198

D-S68 - DETAILS



Sign D-S63: *Manufacture & install (1) single face illuminated monument sign with push through graphics.*

Sign Area: 9.4 Square Feet

CLIENT TO PROVIDE
20 AMP / 120 VOLT
DEDICATED SIGN CIRCUIT WITHIN
6 FT OF SIGN LOCATION

A DESIGN STUDIO

MAIN CONTACT
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360.929.3077

CREATIVE
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425.890.6251

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PROJECT NAME
Terrace Station

PROJECT #
20-004

ADDRESS
Address Varies
Mountlake Terrace, WA 98043

DATE
08/05/20

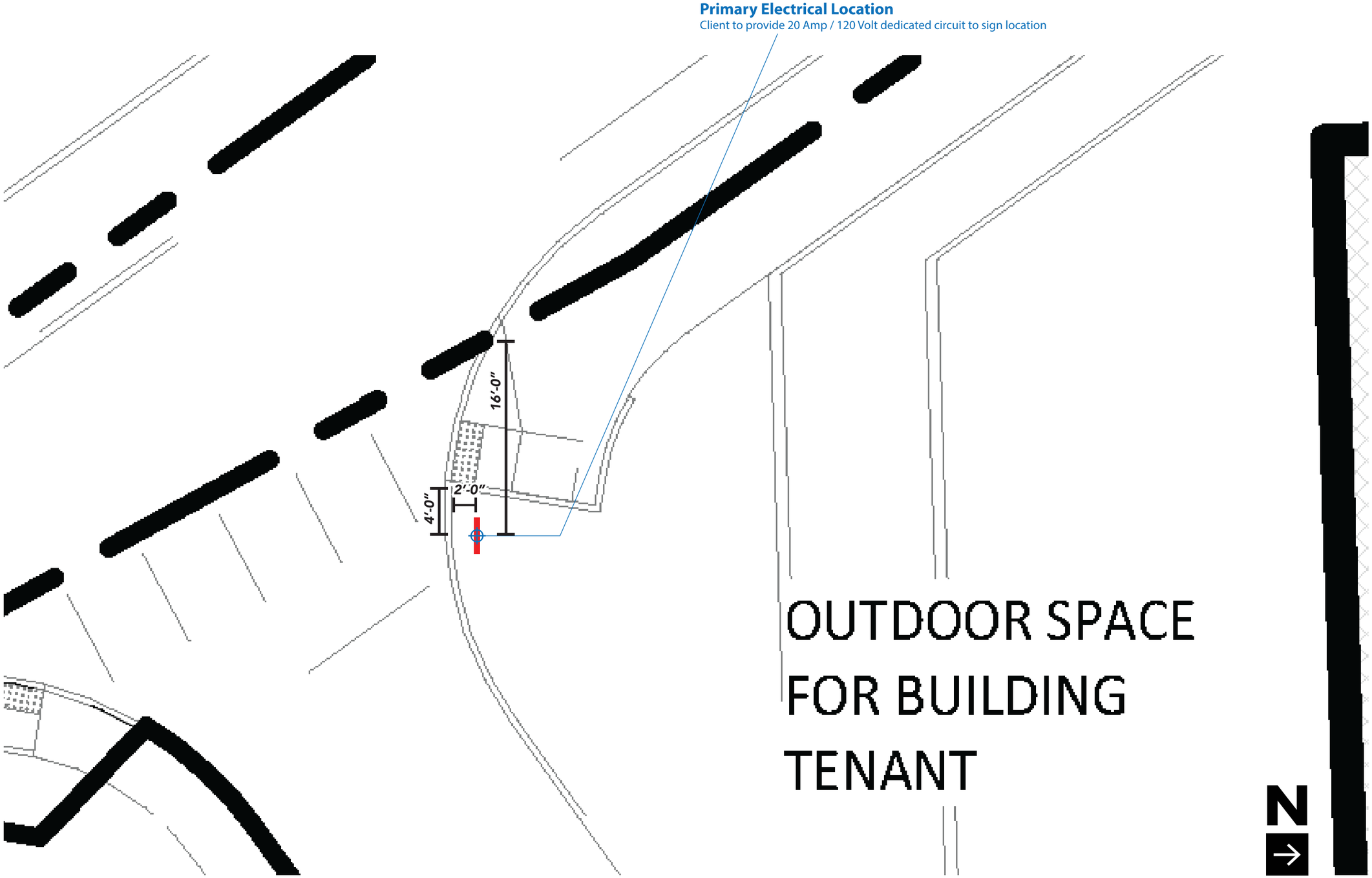
VERSION NOTES

V1	07/14 Concept design
V2	07/31 Revise signs
V3	08/06 Revise signs
V4	08/22 Revise signs
V5	10/02 Revise signs
V6	11/19 Revise signs
V7	01/02 Revise signs
V8	02/20 Revise all concepts & signs
V9	02/24 Revise signs
V10	03/19 Add signs, revise narrative
V11	05/19 Add/revise signs, revise all B3
V12	05/22 Revise B3 & directional signs
V13	06/02 Revise B1 canopy details
V14	08/05 Revise per city comments
V15	

PAGE SCALE
1” = 1’-0”

PAGE #
199

D-S68 - PLAN DETAILS



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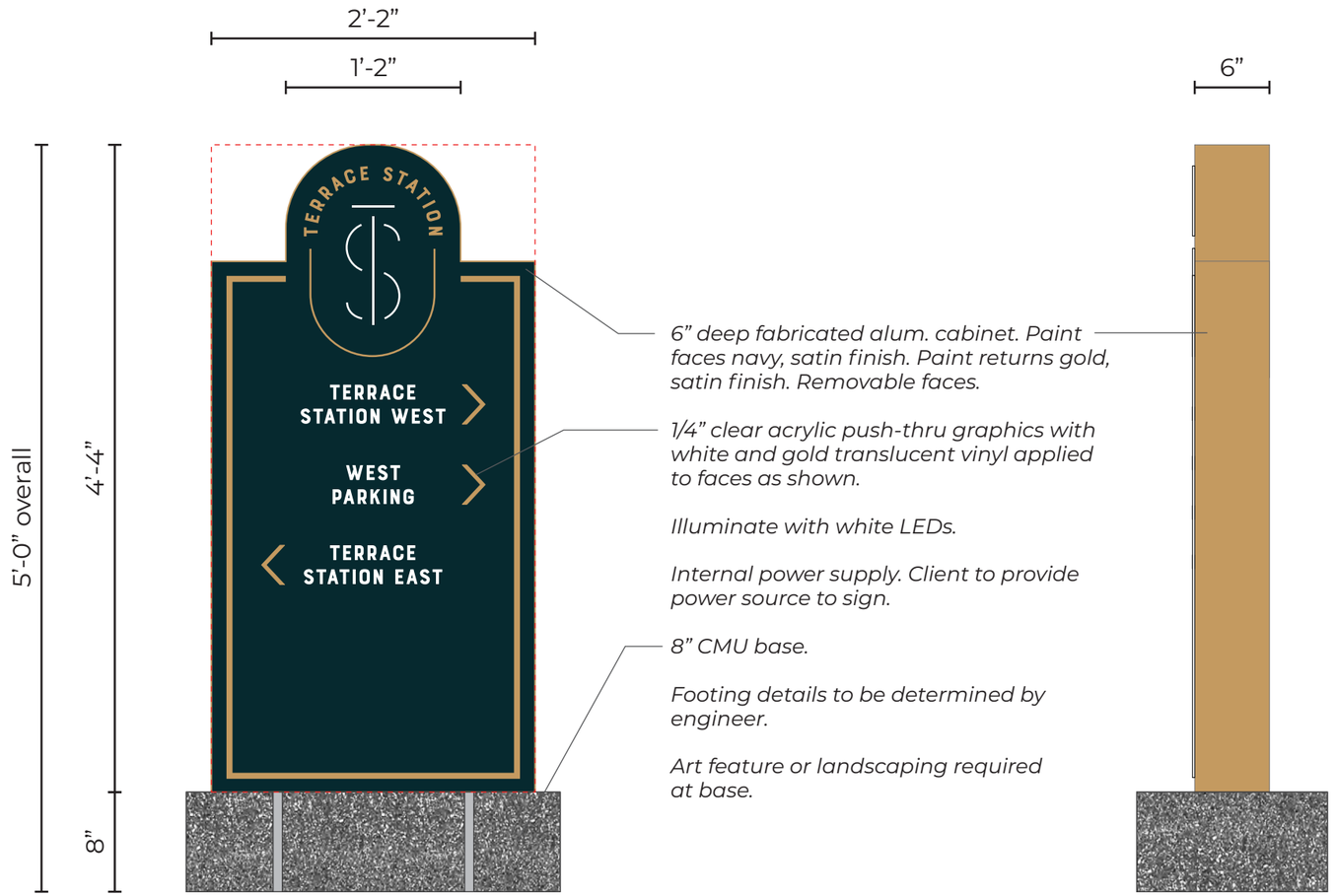
V6	11/19 Revise signs
V7	01/02 Revise signs
V8	02/20 Revise all concepts & signs
V9	02/24 Revise signs
V10	03/19 Add signs, revise narrative
V11	05/19 Add/revise signs, revise all B3
V12	05/22 Revise B3 & directional signs
V13	06/02 Revise B1 canopy details
V14	08/05 Revise per city comments
V15	

PAGE SCALE
1/8" = 1'-0"

PAGE #
200

D-S69 - DETAILS



Sign D-S64: *Manufacture & install (1) single face illuminated monument sign with push through graphics.*

Sign Area: 9.4 Square Feet

CLIENT TO PROVIDE
20 AMP / 120 VOLT
DEDICATED SIGN CIRCUIT WITHIN
6 FT OF SIGN LOCATION

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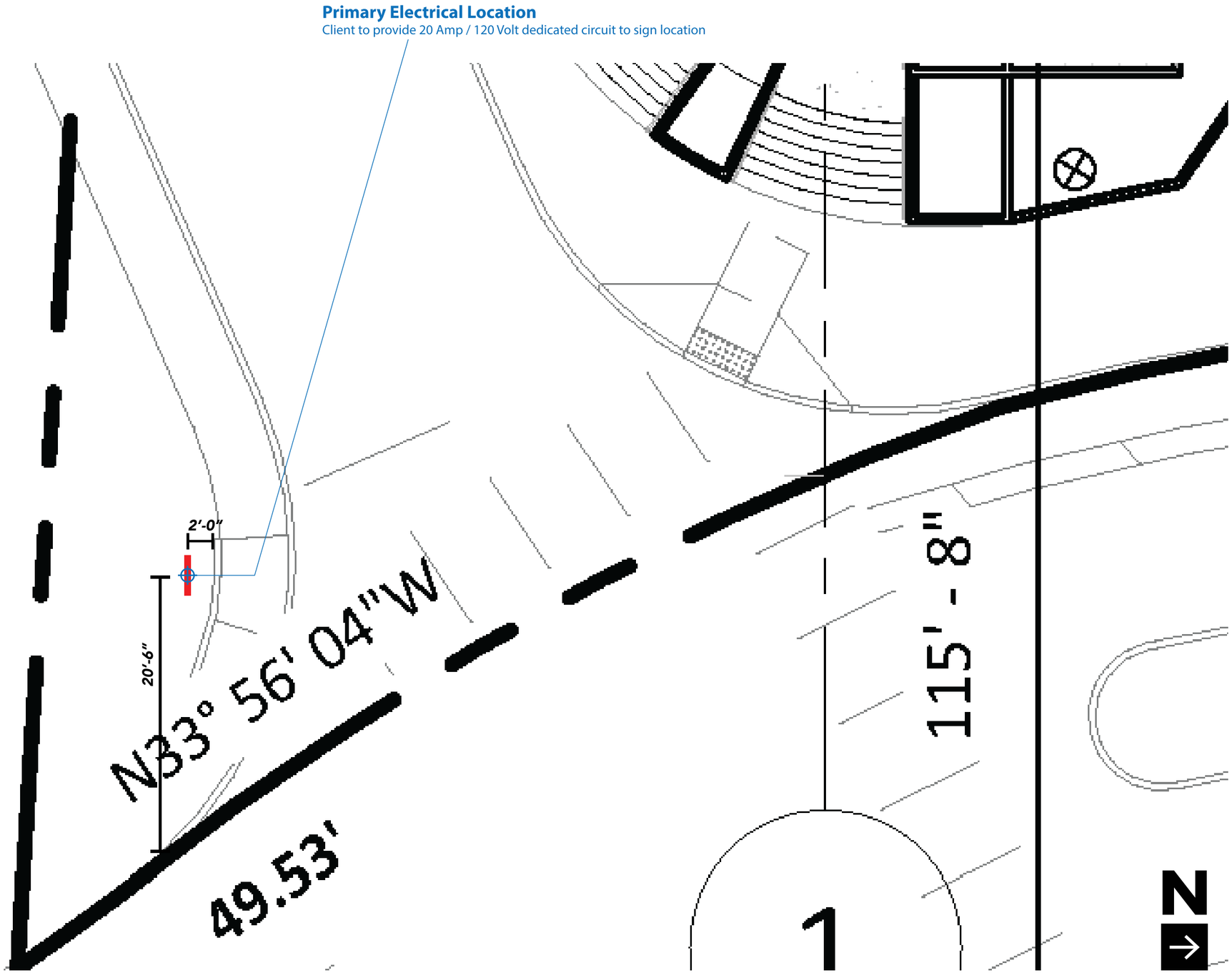
V13	06/02 Revise B1 canopy details
V14	08/05 Revise per city comments
V15	

PAGE SCALE
1” = 1’-0”

PAGE #
201

D-S69 - PLAN DETAILS



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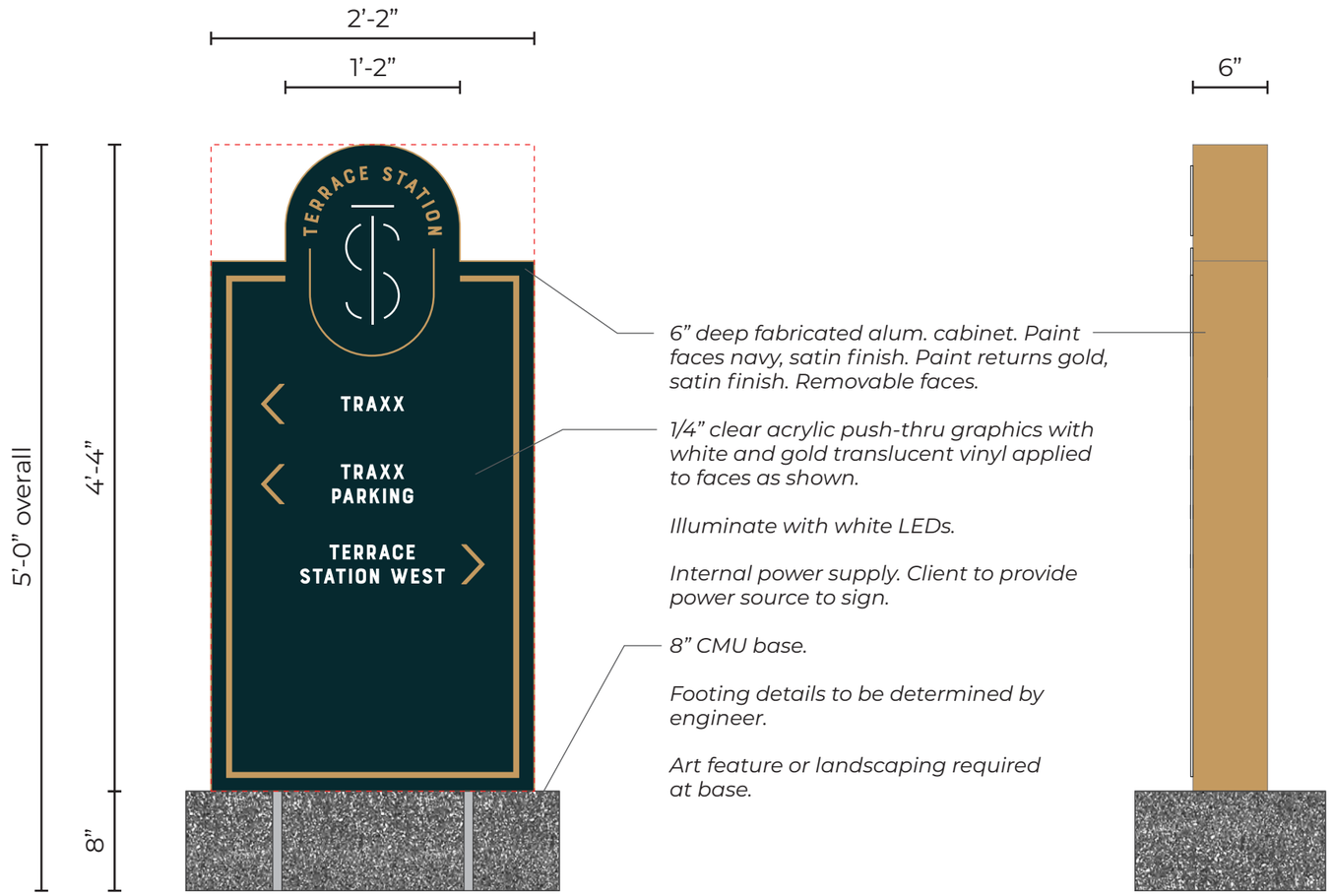
V6	11/19 Revise signs
V7	01/02 Revise signs
V8	02/20 Revise all concepts & signs
V9	02/24 Revise signs
V10	03/19 Add signs, revise narrative
V11	05/19 Add/revise signs, revise all B3
V12	05/22 Revise B3 & directional signs
V13	06/02 Revise B1 canopy details
V14	08/05 Revise per city comments
V15	

PAGE SCALE
1/8" = 1'-0"

PAGE #
202

D-S70 - DETAILS



Sign D-S65: *Manufacture & install (1) single face illuminated monument sign with push through graphics.*

Sign Area: 9.4 Square Feet

CLIENT TO PROVIDE
20 AMP / 120 VOLT
DEDICATED SIGN CIRCUIT WITHIN
6 FT OF SIGN LOCATION

A DESIGN STUDIO

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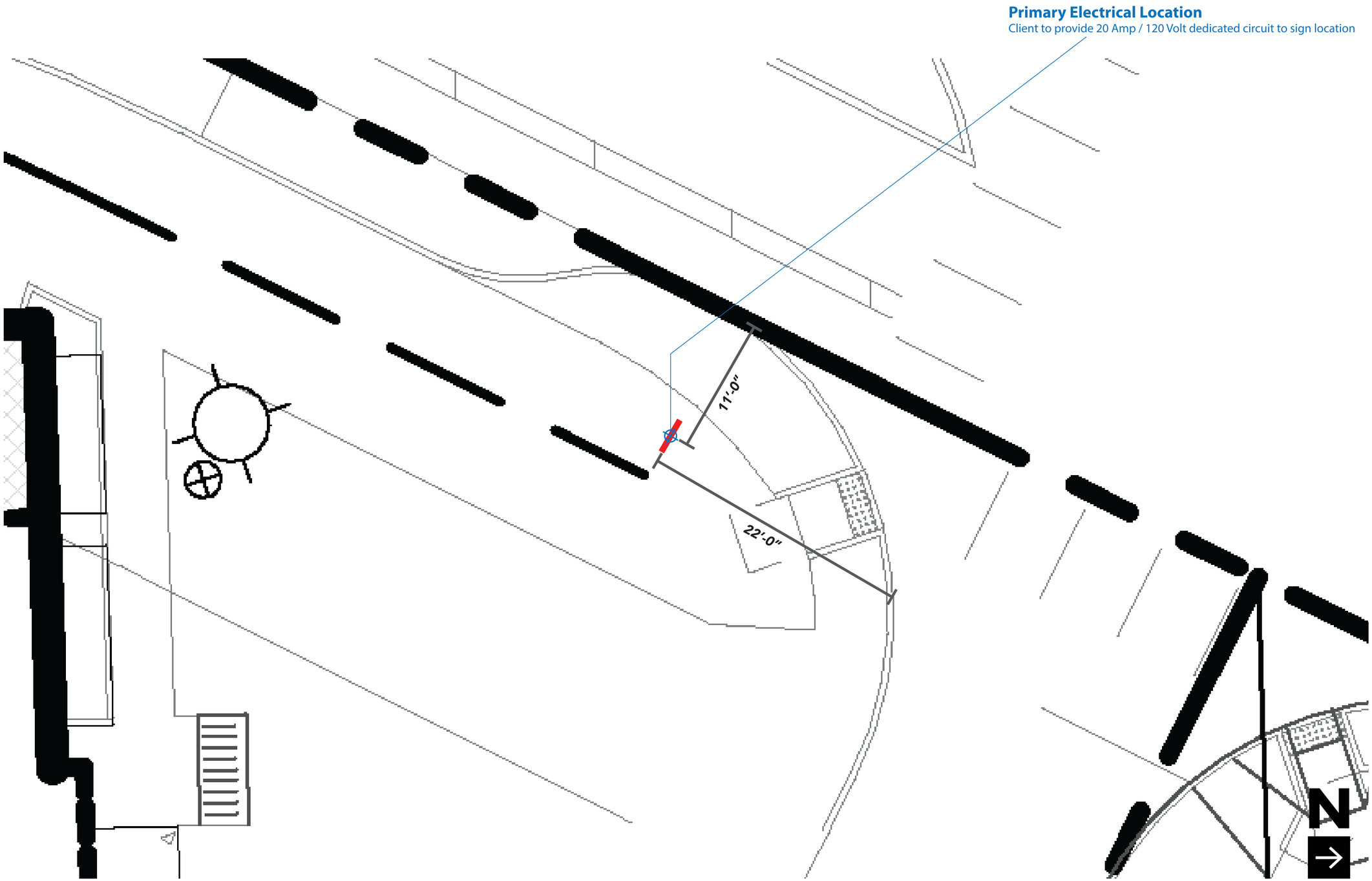
V11	05/19 Add/revise signs, revise all B3
V12	05/22 Revise B3 & directional signs
V13	06/02 Revise B1 canopy details
V14	08/05 Revise per city comments
V15	

PAGE SCALE
1” = 1’-0”

PAGE #
203

D-S70 - PLAN DETAILS



A DESIGN STUDIO

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360.929.3077

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425.890.6251

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PROJECT NAME
Terrace Station

PROJECT #
20-004

ADDRESS
Address Varies
Mountlake Terrace, WA 98043

DATE
08/05/20

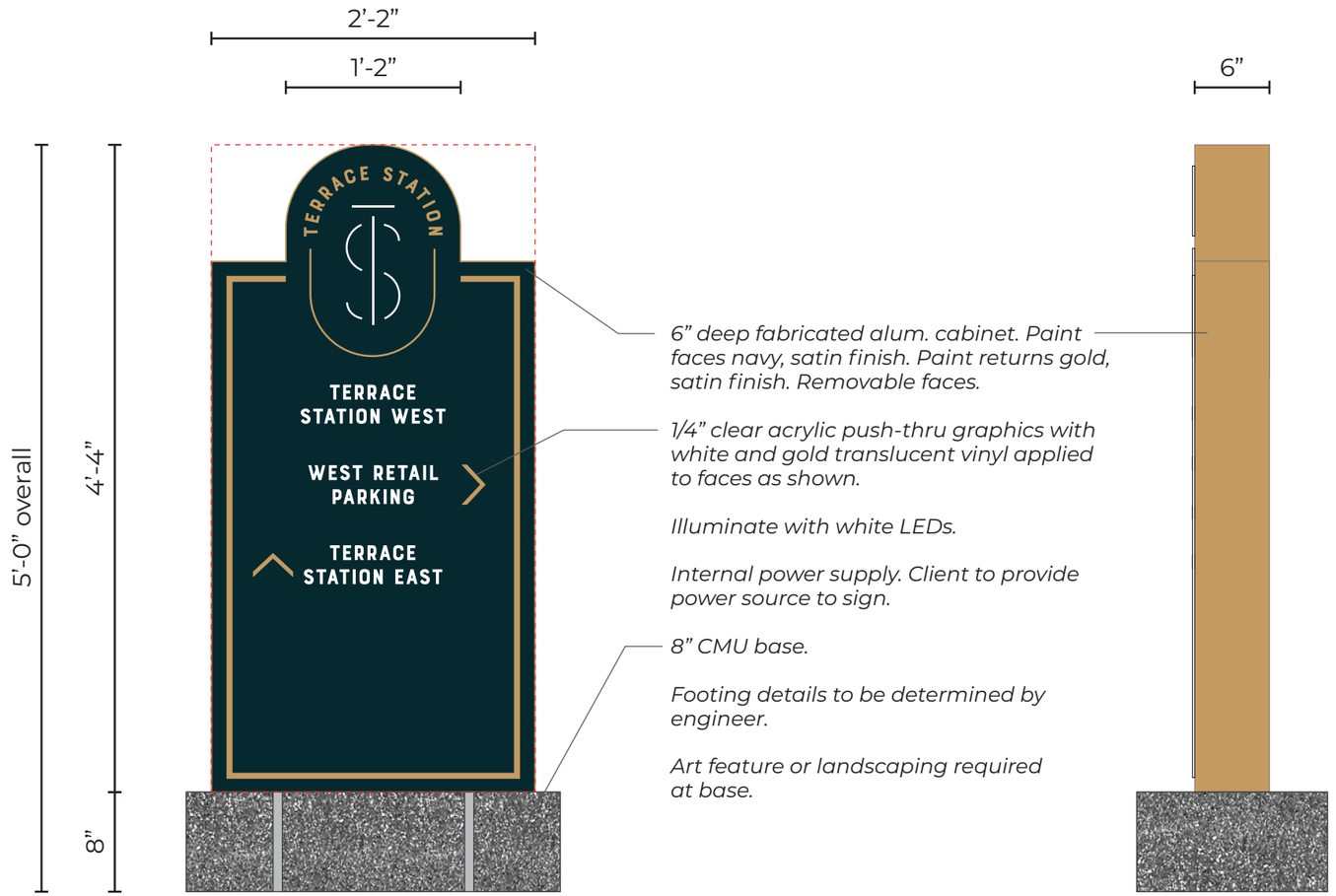
VERSION NOTES

V1	07/14 Concept design
V2	07/31 Revise signs
V3	08/06 Revise signs
V4	08/22 Revise signs
V5	10/02 Revise signs
V6	11/19 Revise signs
V7	01/02 Revise signs
V8	02/20 Revise all concepts & signs
V9	02/24 Revise signs
V10	03/19 Add signs, revise narrative
V11	05/19 Add/revise signs, revise all B3
V12	05/22 Revise B3 & directional signs
V13	06/02 Revise B1 canopy details
V14	08/05 Revise per city comments
V15	

PAGE SCALE
1/8" = 1'-0"

PAGE #
204

D-S71 - DETAILS



Sign D-S66: *Manufacture & install (1) single face illuminated monument sign with push through graphics.*

Sign Area: 9.4 Square Feet

CLIENT TO PROVIDE
20 AMP / 120 VOLT
DEDICATED SIGN CIRCUIT WITHIN
6 FT OF SIGN LOCATION

A DESIGN STUDIO

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Terrace Station

PROJECT #
20-004

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Address Varies
Mountlake Terrace, WA 98043

DATE
08/05/20

VERSION NOTES

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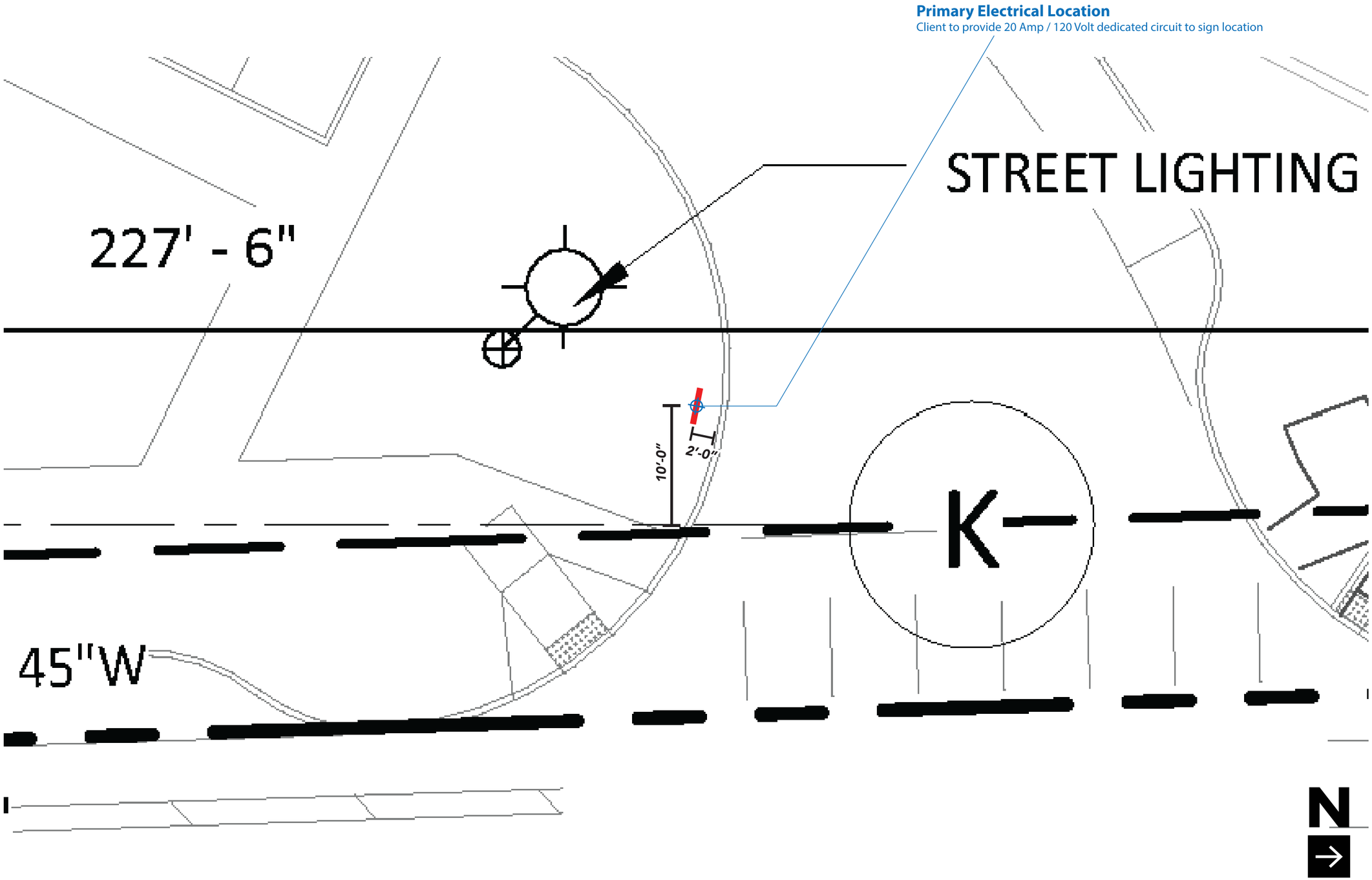
V8	02/20 Revise all concepts & signs
V9	02/24 Revise signs
V10	03/19 Add signs, revise narrative
V11	05/19 Add/revise signs, revise all B3
V12	05/22 Revise B3 & directional signs
V13	06/02 Revise B1 canopy details
V14	08/05 Revise per city comments
V15	

PAGE SCALE
1” = 1’-0”

D-S71 - PLAN DETAILS



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PROJECT NAME
Terrace Station

PROJECT #
20-004

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DATE
08/05/20

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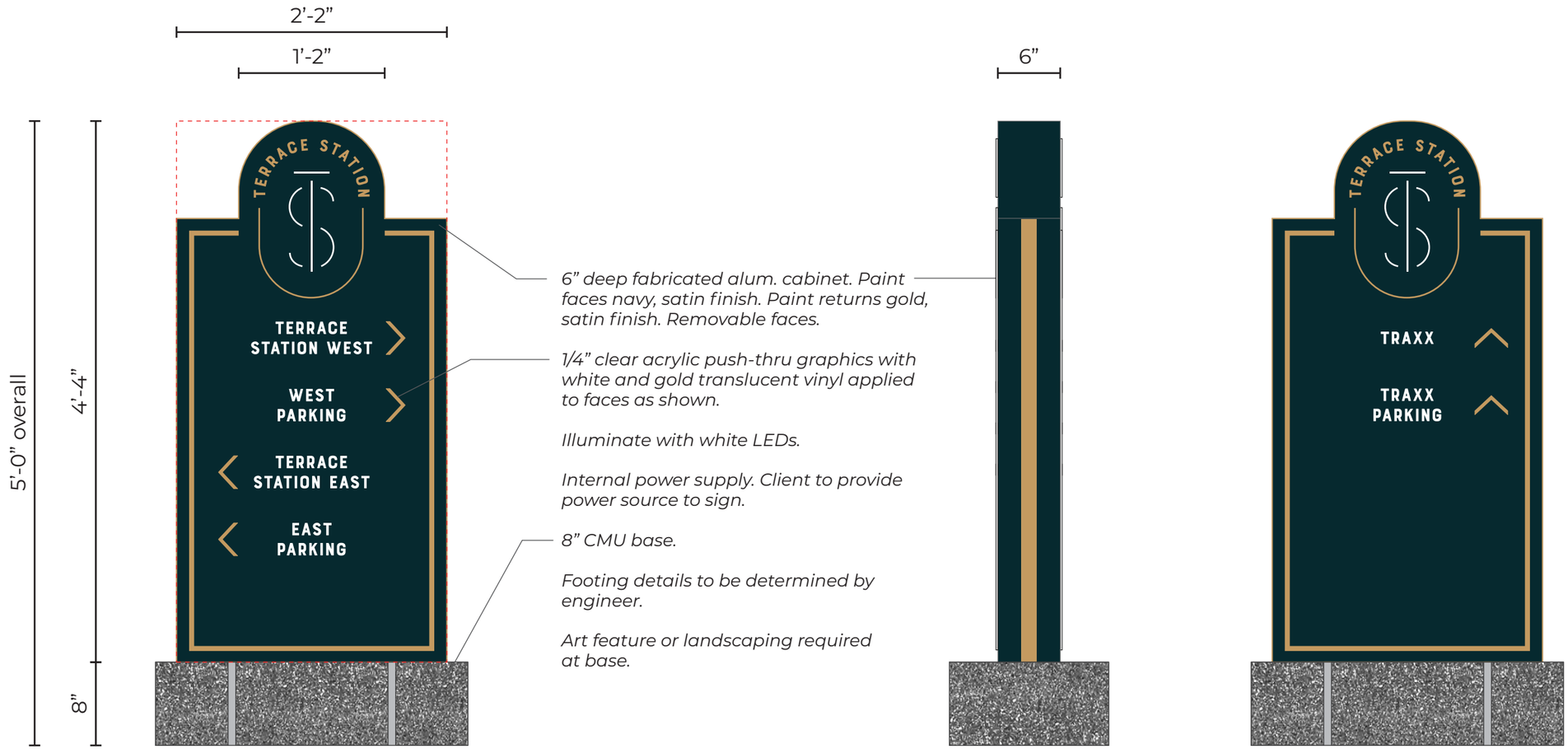
V11	05/19 Add/revise signs, revise all B3
V12	05/22 Revise B3 & directional signs
V13	06/02 Revise B1 canopy details
V14	08/05 Revise per city comments
V15	

PAGE SCALE
1/8" = 1'-0"

PAGE #
206

D-S72 & D-S73 - DETAILS



North Face View ***End View*** ***South Face View***

Signs D-S67 & D-S68: *Manufacture & install (2) double face illuminated monument signs with push through graphics.*

Sign Area: 9.4 Square Feet

CLIENT TO PROVIDE
20 AMP / 120 VOLT
DEDICATED SIGN CIRCUIT WITHIN
6 FT OF SIGN LOCATION

A DESIGN STUDIO

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PROJECT NAME
Terrace Station

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20-004

ADDRESS
Address Varies
Mountlake Terrace, WA 98043

DATE
08/05/20

VERSION NOTES

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V9	02/24 Revise signs
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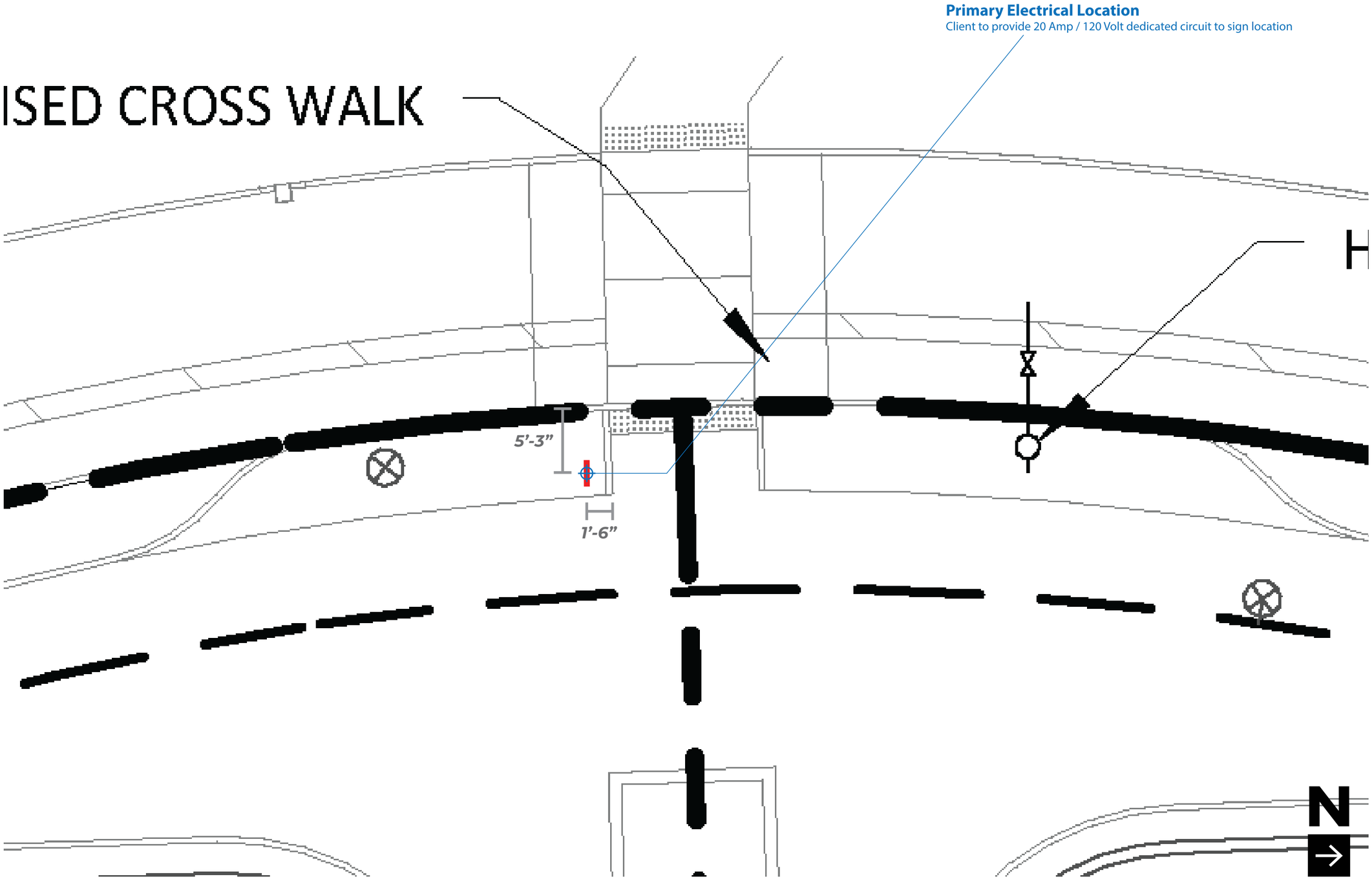
V12	05/22 Revise B3 & directional signs
V13	06/02 Revise B1 canopy details
V14	08/05 Revise per city comments
V15	

PAGE SCALE
1" = 1'-0"

PAGE #
207

D-S72 - PLAN DETAILS



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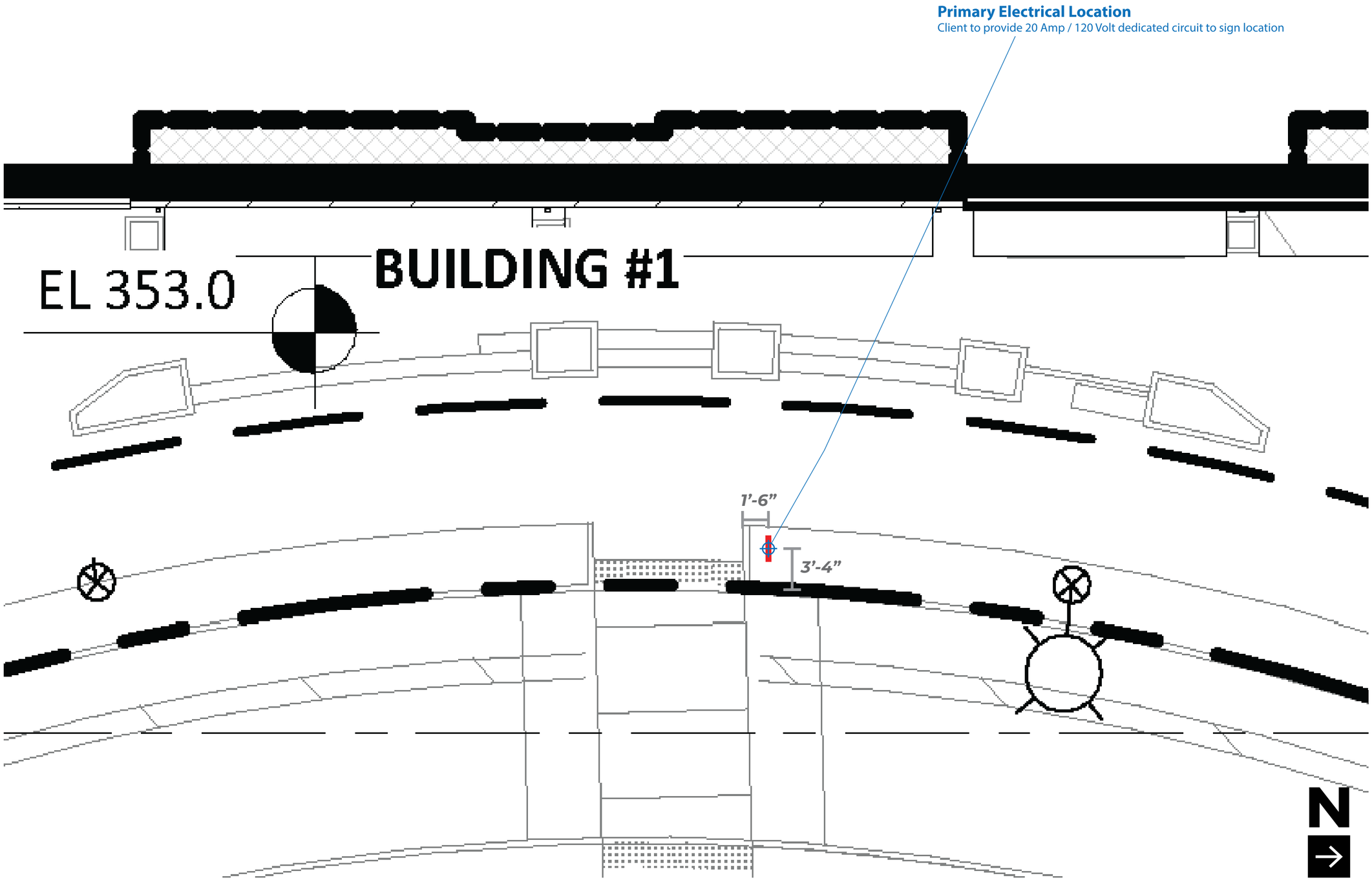
V12	05/22 Revise B3 & directional signs
V13	06/02 Revise B1 canopy details
V14	08/05 Revise per city comments
V15	

PAGE SCALE
1/8" = 1'-0"

PAGE #
208

D-S73 - PLAN DETAILS



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V11	05/19 Add/revise signs, revise all B3
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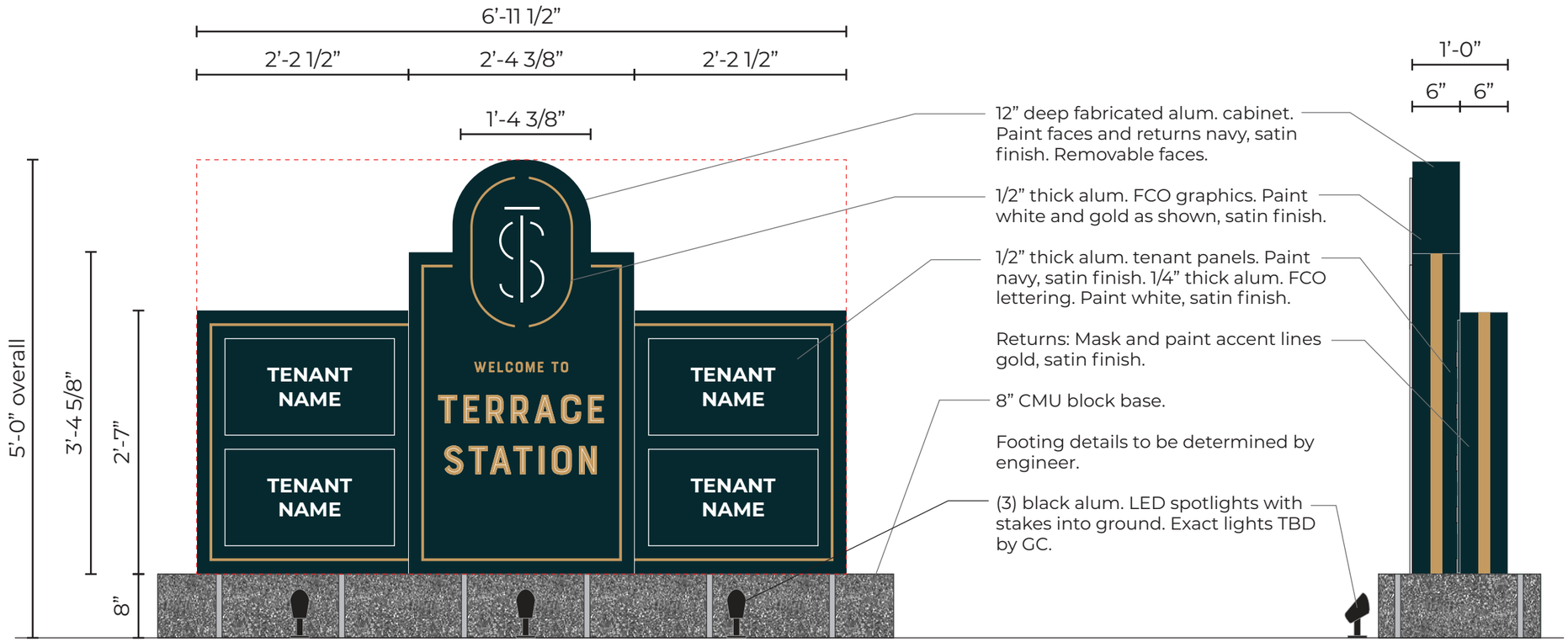
V15	

PAGE SCALE
1/8" = 1'-0"

PAGE #
209

D-S74, D-S75, D-S76, & D-S77 - DETAILS



Face View ***End View***

Sign D-S74, D-S75, D-S76, & D-S77: *Manufacture & install (4) single faced non-illuminated monument signs with tenant panels*

Sign Area: 29.4 Square Feet

LED Spotlight Details (NTS)

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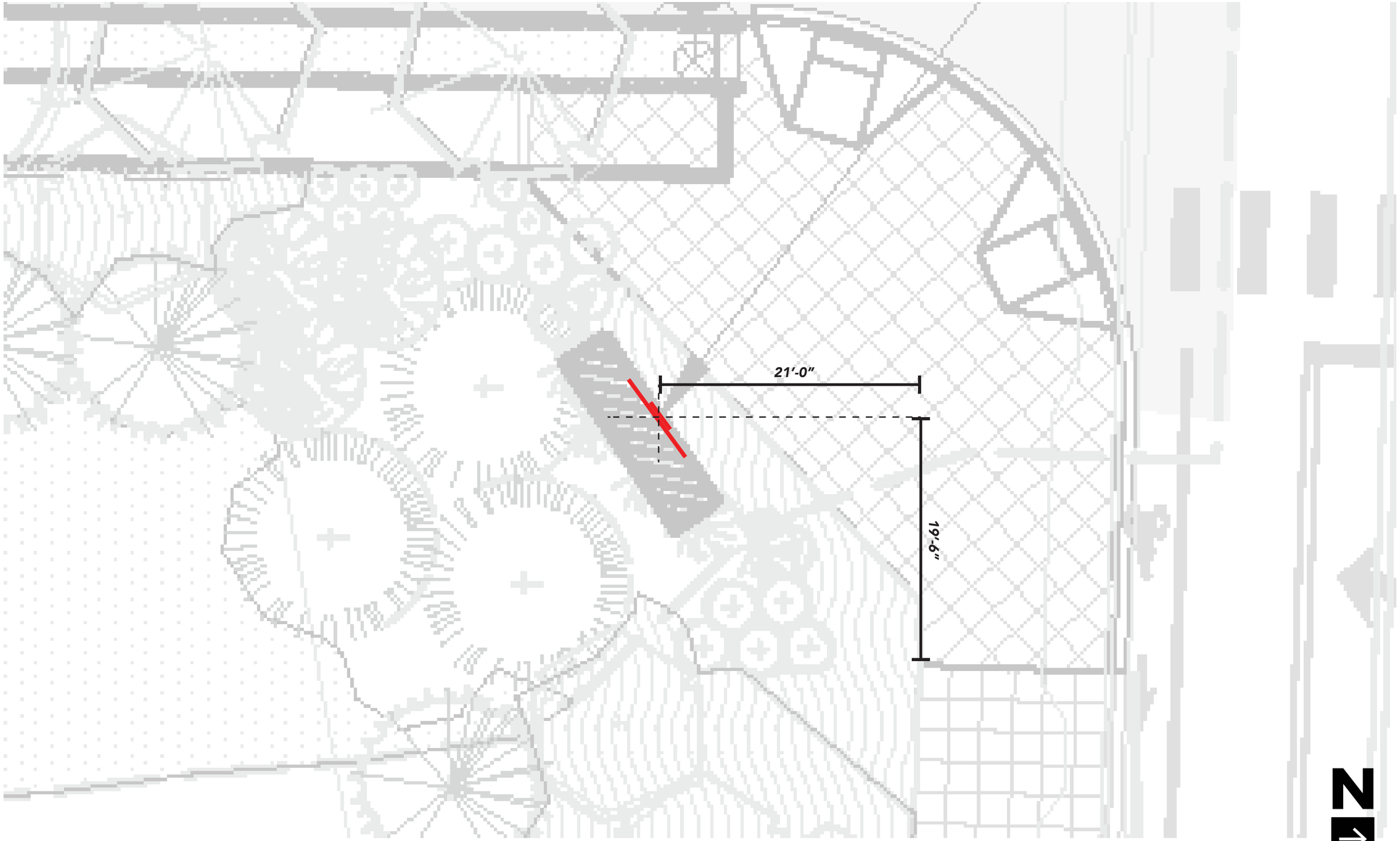
V11	05/19 Add/revise signs, revise all B3
V12	05/22 Revise B3 & directional signs
V13	06/02 Revise B1 canopy details
V14	08/05 Revise per city comments
V15	

PAGE SCALE
3/4” = 1’-0”

PAGE #
210

D-S74 - PLAN DETAILS



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20-004

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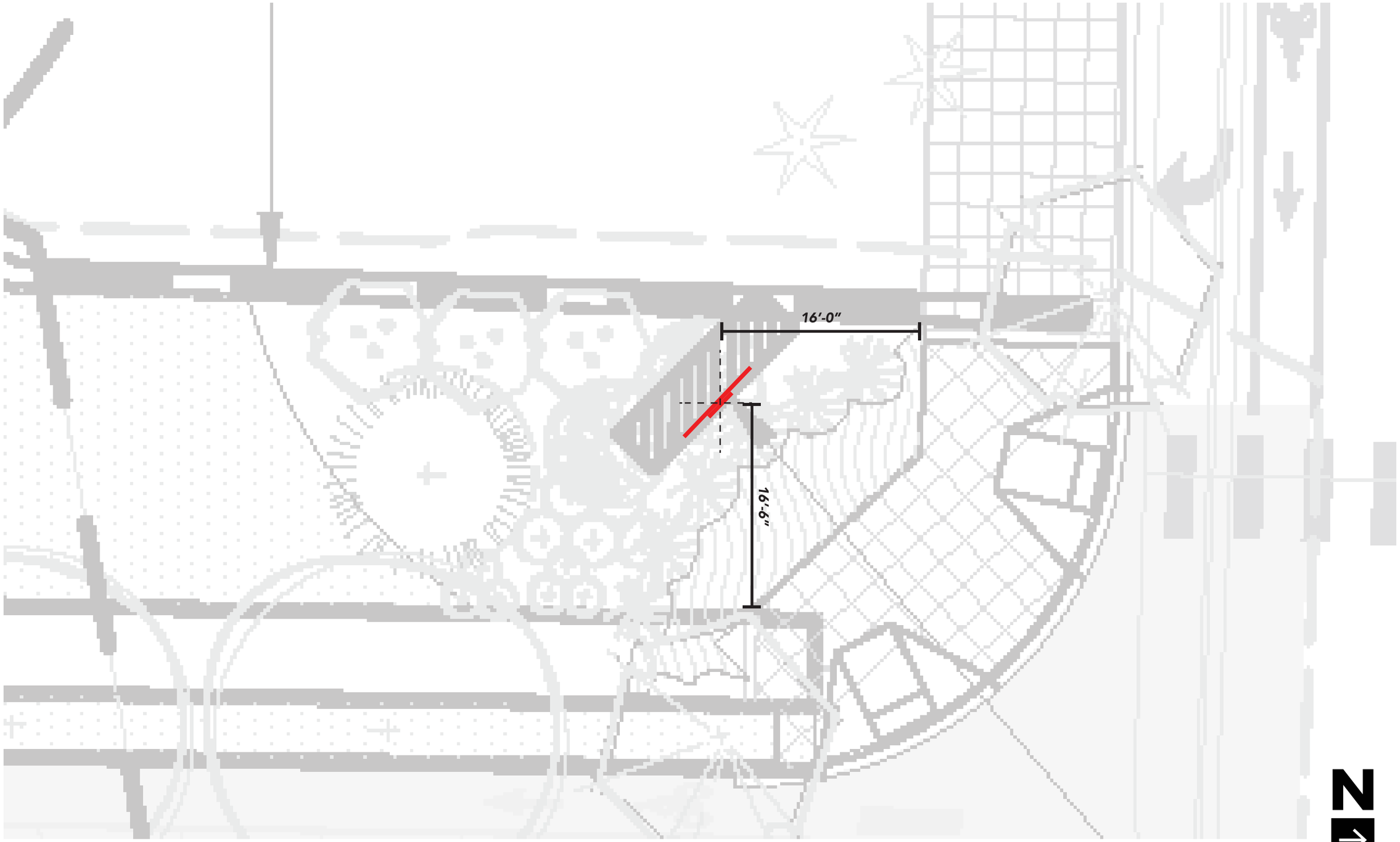
V12	05/22 Revise B3 & directional signs
V13	06/02 Revise B1 canopy details
V14	08/05 Revise per city comments
V15	

PAGE SCALE
1/8" = 1'-0"

PAGE #
211

D-S75 - PLAN DETAILS



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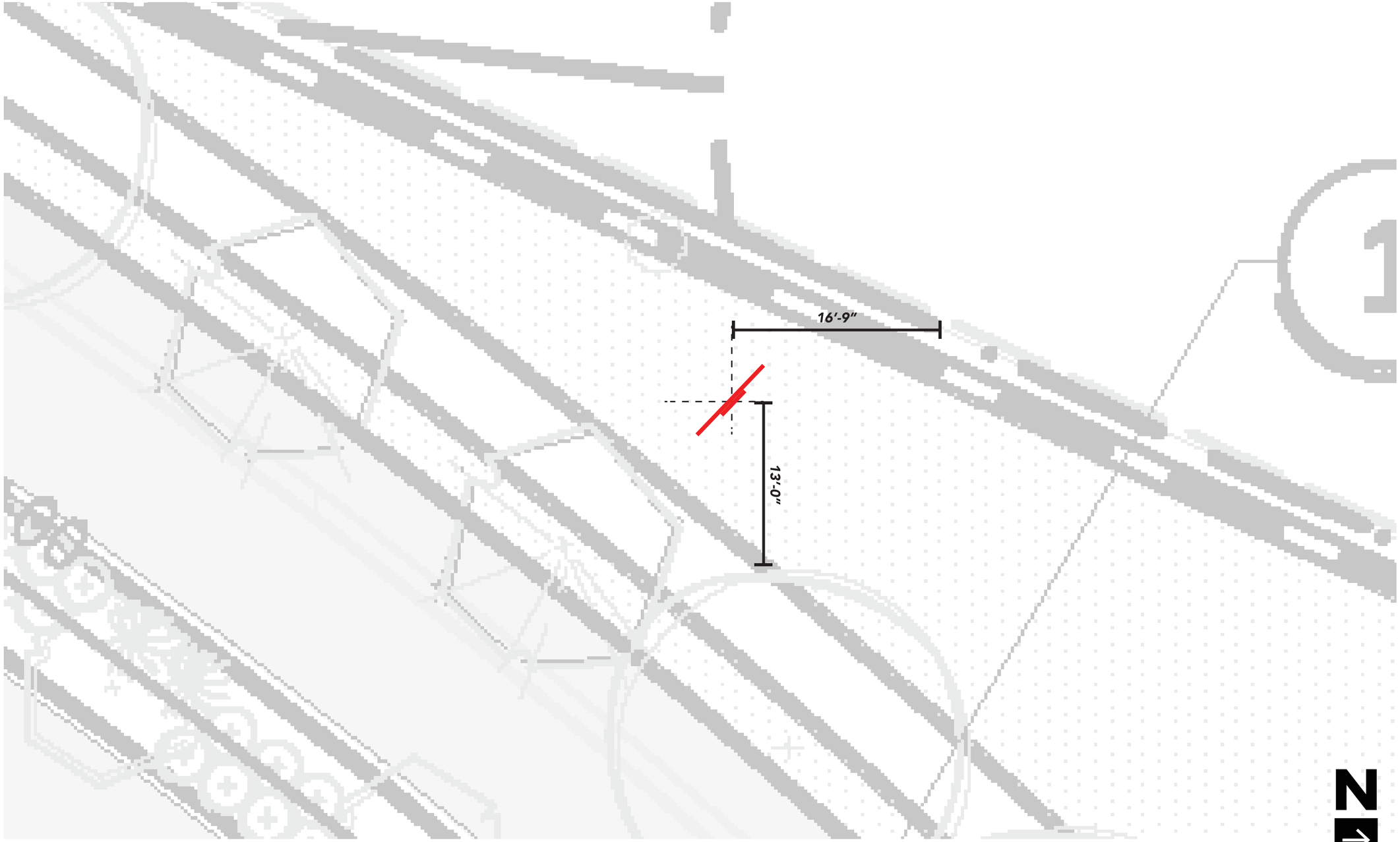
V14	08/05 Revise per city comments
V15	

PAGE SCALE
1/8" = 1'-0"

PAGE #
212

D-S76 - PLAN DETAILS



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PAGE SCALE
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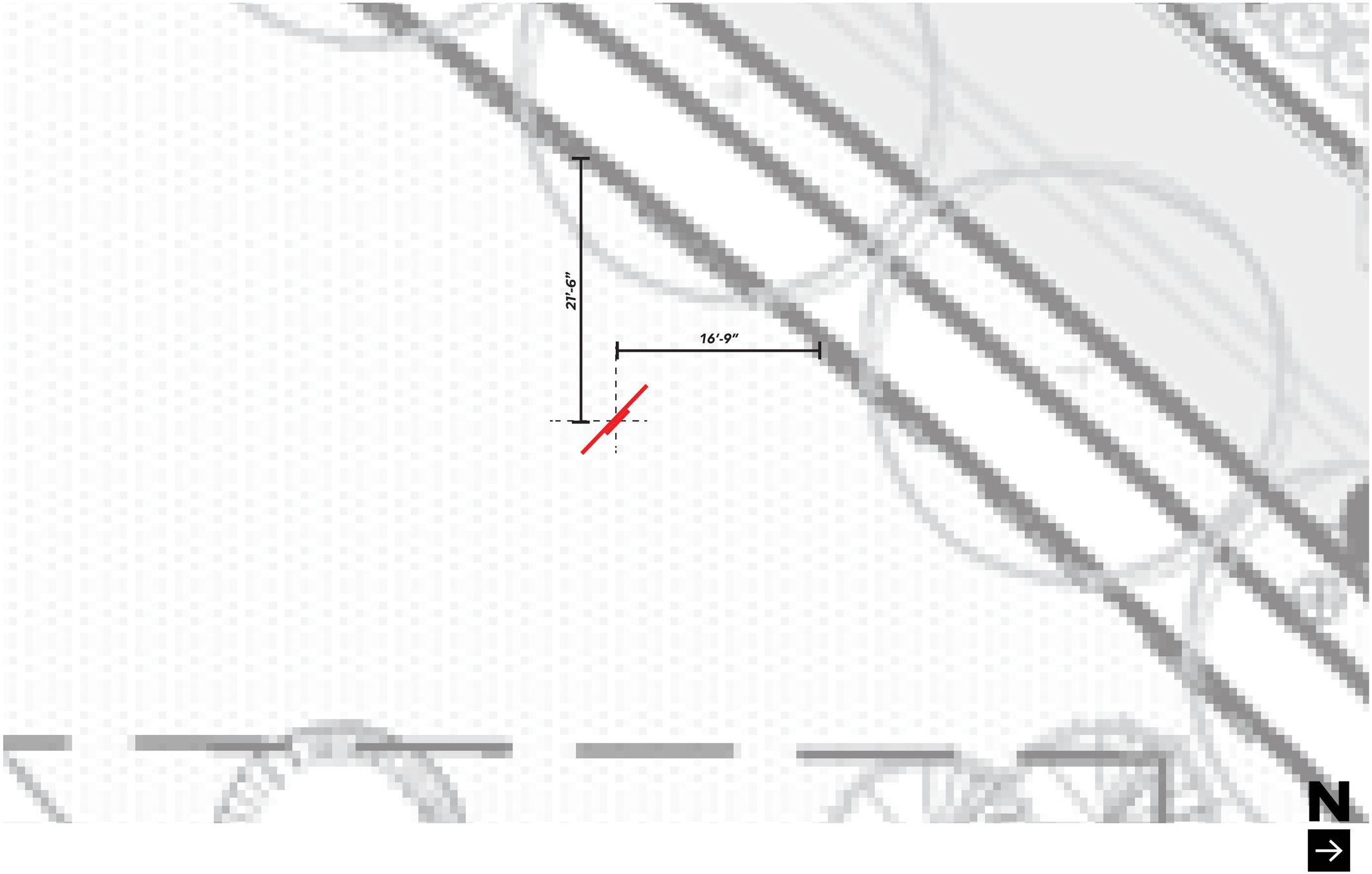
PAGE #
213

D-S77 - PLAN DETAILS



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PAGE SCALE
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Title 16. Environment

Chapter 16.15. CRITICAL AREAS

§ 16.15.010. Purpose and intent.

A. Purpose. The purpose of this chapter is to designate and classify ecologically sensitive and hazardous areas, and to protect these areas and their functions and values, while also allowing for reasonable use of private property. Ecologically sensitive and hazardous areas, or critical areas, include wetlands, fish and wildlife habitat conservation areas, geologically hazardous areas, frequently flooded areas including streams, and critical aquifer recharge areas. This chapter includes the following objectives:

1. Comply with the requirements of the Growth Management Act (Chapter **36.70A** RCW) and implement rules to identify and protect critical areas consistent with best available science per WAC **365-195-900** through **365-195-925**, as amended, and in consultation with state and federal agencies and other qualified professionals;
2. Implement the goals and policies of the Mountlake Terrace Comprehensive Plan and development codes, including those pertaining to natural features and environmental protection, and relating to land use, housing, economic development, transportation, and adequate public facilities;
3. Use best available science to prepare critical area reports and make decisions to protect the functions and values of critical areas with special consideration given to conservation or protection measures necessary to preserve or enhance anadromous fish and their habitat, consistent with RCW **36.70A.172** and WAC **365-195-900** through **365-195-925**;
4. Serve as a basis for exercise of the City's substantive authority under the State Environmental Policy Act (Chapter **43.21C** RCW) where appropriate, to identify, consider, and mitigate significant adverse effects on critical areas not otherwise addressed by this chapter, while also reducing the City's reliance on project-level SEPA review to protect regulated critical areas; and
5. Provide consistent standards, criteria, and procedures that will enable the City to effectively manage and protect critical areas while accommodating the rights of property owners to use their property in a reasonable manner.

B. Intent. The intent of critical areas regulations, as set forth in this chapter, is to:

1. Develop and implement a comprehensive, balanced and fair regulatory program that avoids impacts to critical resources where possible, by limiting development and alterations, that requires that mitigation be performed by those affecting critical areas, and that thereby protects the public from injury, loss of life, property or financial losses due to flooding, erosion, landslide, seismic events, soil subsidence or steep slope failure;
2. Provide greater certainty to property owners regarding uses and activities that are permitted, prohibited and/or regulated due to the presence of critical areas;
3. Coordinate environmental review and permitting of proposals involving critical areas with existing development review and approval processes to avoid duplication and delay, pursuant to Chapter **36.70B** RCW;
4. Establish conservation and protection measures for threatened and endangered fish species in compliance with the requirements of the Endangered Species Act and WAC **365-195-925**;
5. Achieve no net loss of critical area functions and values. Uses and activities carried out, pursuant to this chapter, shall result in equivalent or, if the applicant chooses, greater critical area functions and values. No activity or use shall be allowed that results in a net loss of the functions or values of critical areas;
6. Alert the public to the development limitations and hazards associated with critical areas and their required buffers; and
7. Recognize that the objectives and means of protecting critical areas is unique for each community.

(Ord. 2731 § 2 (Exh. A), 2018; Ord. 2902, 12/18/2025)

§ 16.15.020. Applicability.

A. This chapter shall regulate all land, water areas and structures, and any use or activity that affects or potentially affects a critical area or critical area buffer, unless otherwise exempt or granted an exception, consistent with this chapter.

B. All areas within the city meeting the definition of one or more critical areas, pursuant to MTMC § **16.15.500**, regardless of any formal identification of location of critical areas, pursuant to MTMC § **16.15.080**, are hereby designated critical areas and are subject to the provisions of this chapter.

C. The use of the term "critical area" in this chapter shall generally mean to include the critical area buffer, unless the context clearly indicates otherwise.

D. Critical areas regulated by this chapter include:

1. Wetlands, pursuant to MTMC § **16.15.400**;
2. Fish and wildlife habitat conservation areas, pursuant to MTMC § **16.15.420**;
3. Geologically hazardous areas, pursuant to MTMC § **16.15.430**;
4. Frequently flooded areas, pursuant to MTMC § **16.15.440**; and
5. Critical aquifer recharge areas, pursuant to MTMC § **16.15.450**.

E. Areas adjacent to critical areas are subject to this chapter. An adjacent area is any of the following locations:

1. A distance equal to, or less than, the required critical area buffer width and any building setback;
2. On a portion of a site with a critical area when the critical area's buffer overlaps the subject site;
3. A distance equal to, or less than, 300 feet upland from a stream, wetland, or water body, within a channel migration zone or ordinary high water mark that is not otherwise regulated by Chapter **16.10** MTMC, Shoreline Management;
4. Within 100 feet of a priority habitat area;
5. Within a floodway or floodplain; and
6. A distance equal to, or less than, 330 feet from a priority habitat point as mapped by the Washington State Department of Fish and Wildlife; or, within 50 feet of a critical slope.
7. A distance equal to or less than 200 feet from a critical aquifer recharge area.

F. The functions and values of critical areas shall be protected, pursuant to this chapter. No activity or use shall be allowed that results in a net loss of the functions or values of the critical areas. Any action taken shall result in equivalent or greater functions and values of the critical areas associated with the proposed action.

G. **A "critical area permit"** means any authorization to proceed with an activity, action, or use in a critical area or buffer. An authorization may consist of an approved land use, building, or other type of construction permit.

H. A permit or approval shall be obtained from the City for any activity which alters or disturbs critical areas or buffers, including but not limited to clearing, grading, draining, filling, dumping of debris, demolition of structures and installation of utilities, unless otherwise exempt or granted an exception, consistent with this chapter.

I. Approval of a permit or development proposal, pursuant to the provisions of this chapter, does not release the applicant from responsibility to comply with the provisions of this chapter. Activities in critical areas or buffers deemed exempt from a permit are responsible to comply with the provisions of this chapter.

(Ord. 2731 § 2 (Exh. A), 2018; Ord. 2902, 12/18/2025)

§ 16.15.030. Designation, classification, and delineation of critical areas.

Critical areas within the City of Mountlake Terrace shall be designated, classified, and delineated, pursuant to MTMC § **16.15.500**, and the respective critical area type in MTMC § **16.15.400** through § **16.15.450**.

(Ord. 2731 § 2 (Exh. A), 2018; Ord. 2902, 12/18/2025)

§ 16.15.040. Critical area buffers and setbacks.

A. The purpose of a buffer is to protect the integrity, function and value of the subject critical area (such as wetlands, streams, and wildlife habitat areas), and/or to protect life, property and resources from risks associated with development on unstable or critical lands (such as geologic hazard areas, flood hazard areas, critical aquifer recharge areas).

B. Required buffer widths shall reflect the sensitivity of the particular critical area or the risks associated with development. Specific regulations for individual critical area buffer widths and setbacks apply, pursuant to MTMC § **16.15.400** through § **16.15.450**.

C. Buildings should be set back from the edge of a critical area buffer as required by this chapter.

D. If two contiguous critical areas overlap, the more restrictive, wider buffer applies.

E. Restrictive covenants or conservation easements may be required to provide long-term preservation and protection of buffers and setback areas.
(Ord. 2731 § 2 (Exh. A), 2018; Ord. 2902, 12/18/2025)

§ 16.15.050. Decision authority.

A. The Director has the authority to administer, interpret, and apply the provisions of this chapter, and is responsible to enforce this chapter to accomplish the intent and purpose.

B. When interpreting and applying the regulations of this chapter, the Director shall consider the chapter's provisions to be the minimum requirements and liberally construed to serve the purpose of this chapter.

C. The Director has the authority to require additional information, to determine the level of detail and appropriate methodologies for critical area reports and studies, and to prepare application and informational materials, as required and necessary.

D. The Director has the authority to approve, withhold, condition, or deny development permit or activity approvals to ensure that the proposal is consistent with this chapter.

E. The Director may permit, or condition, uses not specifically mentioned in this chapter, when it can reasonably be determined that the use is sufficiently consistent with other uses permitted in the critical area. The Director shall issue a written decision stating the reasons for determining which existing review and approval process is applicable to the proposal based on its similarity to and compatibility with other allowed uses in a critical area.

F. Decisions by the Director are final unless appealed, pursuant to MTMC § **16.15.385**, Appeals of critical area decisions.

G. The Hearing Examiner shall have decision authority over those applications the Hearing Examiner reviews and issues decisions on, consistent with this chapter and Chapter **2.120** MTMC.
(Ord. 2731 § 2 (Exh. A), 2018; Ord. 2902, 12/18/2025)

§ 16.15.060. Conflicts.

A. In the event of a conflict between this chapter and any other City regulations, the more restrictive regulations shall apply, except when otherwise required by federal or state law, or regulated by Chapter **16.10** MTMC, Shoreline Management.

B. In the event any easement, covenant, or deed restriction conflicts with this chapter, that which provides greater protection to the critical areas shall apply first.
(Ord. 2731 § 2 (Exh. A), 2018; Ord. 2902, 12/18/2025)

§ 16.15.070. Relationship to other codes and regulations.

A. These critical area regulations shall apply as an overlay and are in addition to any other permits or approvals required by the City's land use and other regulations established by the City of Mountlake Terrace.

B. When an area contains overlapping critical areas, the more restrictive provisions of the underlying critical areas prevail.

C. The regulations of this chapter shall apply concurrently, when applicable, with review conducted under the State Environmental Policy Act (SEPA), per Chapter **16.05** MTMC.

D. Critical areas within the shoreline jurisdiction shall be regulated by Chapter **16.10** MTMC, Shoreline Management, as applicable.
(Ord. 2731 § 2 (Exh. A), 2018; Ord. 2902, 12/18/2025)

§ 16.15.080. Lands to which this chapter applies and maps.

A. The generalized location and extent of critical areas within the City of Mountlake Terrace is shown on City critical areas maps including, but not limited to, maps identified in the Comprehensive Plan, as amended. These maps are only a reference guide and cannot be relied upon to determine the presence or absence of critical areas or buffers or provide a final designation. The maps may be amended and updated as critical areas are identified, classified, or other information obtained.

B. Land may be considered a critical areas based on one, or more, of the following:

1. Location is shown on a critical area map, or is within 200 feet thereof;
2. Information in public records indicating possible presence of critical areas;
3. Field observation of presence of standing or moving water, significant vegetation, wildlife, or slopes;
4. Conflict between mapped information and observed site conditions; or
5. Apparent presence of critical area on abutting property whose critical area type buffer overlaps the subject site.

C. Shoreline Jurisdiction Map. Any critical areas shown within the adopted Shoreline Jurisdiction Area Map, shall be regulated per Chapter **16.10** MTMC, as amended, and are not subject to the provisions of this chapter.
(Ord. 2731 § 2 (Exh. A), 2018; Ord. 2902, 12/18/2025)

§ 16.15.090. Regulated activities.

The provisions of this chapter shall apply to the following activities unless exempt, pursuant to MTMC § **16.15.100**, Exempt activities, or otherwise allowed, pursuant to MTMC § **16.15.110**. A critical area report may be required to support the requested activity. Activities include, but are not limited to:

A. Removing, excavating, disturbing or dredging soil, sand, gravel, minerals, organic matter or materials of any kind;

B. Dumping, discharging, or filling with any material;

C. Draining, flooding or disturbing the water level or water table, or diverting or impeding water flow;

D. Driving pilings or placing obstructions;

E. Constructing, reconstructing, demolishing or altering the size of any structure or infrastructure;

F. Destroying or altering vegetation through clearing, grading, harvesting, shading, or planting vegetation that would alter the character of a critical area;

G. Activities that result in significant changes in water temperature, physical or chemical characteristics of water sources, including quantity and pollutants;

H. No new critical facilities shall be constructed in any critical area and critical area buffer, unless otherwise provided for by this chapter. Existing critical facilities shall not be altered except in conformance with the provision of the chapter and consistency with current building and fire code standards per city code;

I. Critical area mitigation sites; and

J. Any other activity potentially affecting a critical area or buffer not otherwise allowed or exempt from the provisions of this chapter, as determined by the Director, in writing, per MTMC § **16.15.160D**.
(Ord. 2731 § 2 (Exh. A), 2018; Ord. 2902, 12/18/2025)

§ 16.15.110. Emergencies.

A. Emergency actions are those activities necessary to prevent an immediate threat to public health, safety, or welfare, or that pose an immediate risk of damage to private property and that require remedial or preventative action in a time frame too short to allow for compliance with the standard procedural requirements of this chapter.

B. Emergencies which occur in critical areas and buffers are exempt from the provisions of the critical area regulations on a temporary basis and are subsequently subject to the provisions of this section and applicable provisions of this chapter.

C. Emergency actions that create an impact to a critical area or its buffer shall use reasonable methods to address the emergency; in addition, they must have the least possible impact to the critical area or its buffer.

D. Notice of Emergency. Within 30 working days of commencing the emergency activity, the person or agency taking such action shall notify the Director in writing and include the following. Providing notification does not waive the need to comply with any and all other applicable local, state, or federal requirements.

1. The location and nature of the emergency.
2. Photographic proof or other evidence to document the hazardous nature of the emergency.
3. A description of the actions taken to date.
4. A description of further actions expected to be taken including restoration or mitigation.
5. The anticipated time frame for completing abatement and restoration actions.
6. Contact information (name, address, phone, and email and after-hours contact).
7. Any other useful and pertinent information related to the cause of the emergency and reason to take emergency action.

E. Determination of Emergency – Process and Decision.

1. Within 14 days of notice of the emergency, the Director shall review the submitted notification per subsection **D** of this section, and determine if the action taken was within the scope of an emergency action per subsection **A** of this section, and as defined in MTMC § **16.15.500**.
2. If the Director determines the action was within the scope of an emergency, the person or agency shall proceed with the applicable procedural and mitigation requirements of this chapter.
3. If the Director determines that the action or any part of the action taken was beyond the scope of an allowed emergency action, then the provisions of MTMC § **16.15.320**, Unauthorized alterations of critical areas, may apply.
4. The Director may initiate the enforcement and penalty provisions of this chapter, MTMC § **16.15.380**, when the Director has reason to believe a violation has occurred.
5. Emergency determinations involving potentially impacting salmon habitat shall include consultation with Washington Department of Fish and Wildlife and affected Tribes.

F. Restoration and/or mitigation activities must be initiated within one year of the date of the emergency and completed in a timely manner, unless otherwise approved.
(Ord. 2731 § 2 (Exh. A), 2018; Ord. 2902, 12/18/2025)

§ 16.15.115. Trees and vegetation – Activities and standards.

Activities that improve critical area functions and values are permitted. This includes minor conservation and enhancement of critical areas that clearly demonstrate a net ecological gain, subject to the applicable regulations. Nonexempt and unauthorized alterations of trees are subject to MTMC § **16.15.350** and § **16.15.380**.

A. Removal of Noxious Weeds or Invasive Vegetation.

1. The purpose is to encourage the removal of noxious, nonnative, and invasive species of vegetation and trees within critical areas and their buffers to improve, preserve, and protect the health of the vegetation and trees, and promote increased diversity of native vegetation and trees.
2. No permit or prior approval is required to conduct the activities as described in this section, except as otherwise stated.
3. Noxious weeds or invasive vegetation may be removed from critical areas in unlimited quantities (such as English ivy (Hedera helix); Himalayan blackberry (Rubus discolor, R. procerus); and evergreen blackberry (Rubus laciniatus), provided:
    a. All work is performed above the ordinary high water mark and above the top of a stream bank, and is prohibited in very high risk landslide hazard areas unless otherwise approved;
    b. Invasive and noxious weeds are on either the Snohomish County or Washington State Noxious Weed Control Board lists and removed in accordance with the control board guidelines and best management practices including handling and disposal methods appropriate to that species.
4. Removal shall be restricted to hand removal unless permits from the appropriate regulatory agencies have been obtained for approved biological or chemical treatments or mechanical methods.
5. Areas cleared by removal of noxious and/or invasive plant species must be revegetated with site-appropriate native species at natural densities and the site must be stabilized against erosion in accordance with the stormwater manual adopted by the City within 60 days of removal unless otherwise approved by the Director to coincide with the appropriate planting season.
6. Noxious weed removal is exempt from a permit subject to the following area limitations; otherwise a clearing and grading permit is required.
    a. Within private property, up to 250 square feet of area may be cleared to bare soil, cumulative in any one calendar year, without a permit and critical area report prepared by a qualified professional.
    b. On City-owned property or right-of-way, no more than 2,000 square feet of soil may be exposed at any one time.

B. Alteration and Removal Activities of Healthy Trees.

1. Removal or topping of a significant or nonsignificant healthy tree, as defined by this chapter, is not permitted in critical areas or buffers.

C. Hazard Trees.

1. Imminent hazard trees, as defined by this chapter, may be removed subject to emergency provisions of MTMC § **16.15.110**.
2. Minor pruning and crown thinning of non-imminent hazard trees is permitted to lessen or remove the hazard, such as wind damage to limbs or trunks. Where pruning or crown thinning is not sufficient to address the hazard a tree evaluation report, subject to subsection **E** of this section, is required. Converting hazard trees to wildlife snags shall be prioritized. When this still presents a hazard, trees may be removed entirely.
3. For hazardous circumstances that are not active or imminent, such as suspected tree rot or diseased trees or less obvious structural wind damage to limbs or trunks, the property owner shall submit a critical area preliminary assessment application and tree evaluation report, per subsection **E** of this section.
4. Mitigation for removed trees shall be pursuant to subsection **D** of this section.

D. Mitigation.

1. The Director shall authorize only such alteration to existing trees and vegetation as may be necessary to eliminate the hazard and shall condition authorization on means and methods of removal necessary to minimize environmental impacts, including replacement of any significant trees.
2. All cut vegetation (tree stems, branches, etc.) shall be left within the critical areas or buffers unless removal is warranted due to the potential for disease or pest transmittal to other healthy vegetation per the recommendations of the qualified professional, and approval from the Director.
3. Removed trees shall be replaced within one year of removal. A replacement ratio of two trees replaced for every one tree removed that has a DBH of seven inches or less is required. A tree replacement ratio of four trees for every one tree removed that has a DBH of 8 inches or greater is required. Replacement trees may be planted at a different, nearby location on the same property if planting in the same location would create a new hazard or potentially damage the critical area, in accordance with an approved restoration plan. Replacement trees should be native and indigenous to the area. Tree size shall be a minimum of one inch in diameter at breast height (dbh) for deciduous trees and a minimum of six feet in height for evergreen trees as measured from the top of the root ball, unless otherwise approved or required. The Director may approve or require, or a qualified professional tree evaluation report may recommend, an increase or decrease in the replacement quantity and size to improve survival rates, achieve quick recovery or other benefit to the critical area or buffer. The final decision is at the discretion of the Director.
    a. Fee-in-lieu for replacement trees is required if a qualified professional determines a 10:1 tree replacement ratio would be detrimental to survival rates, recovery, or the benefit of the critical area or buffer, as approved by the Director. The fee amount shall be multiplied by the number of trees necessary to satisfy the tree replacement requirement of 10:1. The fee shall be paid to the City prior to the issuance of a civil or building permit. Tree replacement fees rate: $781 per tree.
4. For a priority habitat tree, such as an eagle perch or occupied nest, a qualified professional shall be consulted, at the applicant's expense, to determine timing, methods of removal and mitigation of such tree.

E. Tree Evaluation Report. Approval to cut or clear trees, as proposed by the property owner, may only be given upon recommendation of the qualified professional that the condition constitutes an actual threat to life or property in homes, private yards, buildings, public or private streets and driveways, sidewalks, improved utility corridors, or access for emergency vehicles, or a pedestrian way, and approved by the Director for purposes of this section.

1. Tree Evaluation Report. A professional evaluation of trees and/or a tree protection plan, prepared by a qualified professional, may be required where the Director deems such services necessary to demonstrate the condition of a tree proposed for removal or significant alteration, or an activity that poses harm to a tree, such as filling or grading with more than six inches of highly humus-rich and permeable soil, whether or not the tree is hazardous.
2. Report Contents. The evaluation may include, but is not necessarily limited to:
    a. A written description of the existing conditions on the property in proximity to the tree and at least 10 feet beyond the dripline of the tree.
    b. An assessment of the condition of the tree, documenting the degree of hazard.
    c. An evaluation of the anticipated effects of removal of the tree on the critical areas functions and values, including the impact on the viability of trees on and off site in proximity to the subject tree.

d. A plan for any required tree protection or replacement measures; and supervising and/or monitoring implementation of any required tree protection or replacement measure appropriate to the impact.

e. Include a post-construction site inspection and evaluation.

f. The qualified professional shall include an assessment of whether a portion of the tree is suitable for a snag for wildlife habitat and may safely be retained.

g. The report (or critical area preliminary assessment (CAPA)) shall include a grant of permission for the Director and/or qualified professionals under contract with or employed by the City to enter the subject property to evaluate the circumstances.

h. The report is signed by the qualified professional.

3. The Director may determine the extent of tree removal or that there may be sufficient impact of the functions and value of the critical area that a critical area report is required, pursuant to MTMC § **16.15.200**.

(Ord. 2731 § 2 (Exh. A), 2018; Ord. 2902, 12/18/2025)

§ 16.15.120. Critical area review – Process and procedures.

When a proposed use, activity or action may impact a critical area the following procedure would generally be followed to evaluate whether and how the use or activity is regulated by this chapter. Additional procedural steps and filing requirements may apply.

A. The proponent of a development use or activity for a property meets formally or informally with the City, pursuant to MTMC § **16.15.150**.

B. Concurrent with or subsequent to subsection **A** of this section, the applicant may submit an application for a critical area preliminary assessment (CAPA), pursuant to MTMC § **16.15.160**. The applicant may also elect to proceed directly to preparation of a critical area report(s), pursuant MTMC § **16.15.200**, and any other applicable critical area sections of this chapter.

C. The Director will evaluate the project area and vicinity of the proposal for critical areas and make an initial determination on presence of critical areas and the appropriate review and decision-making process for the proposed use or activity, pursuant to MTMC § **16.15.160**.

D. Critical Area Review.

1. The applicant prepares and submits any required applications, permits, reports, and any special studies. Critical area reports shall be prepared consistent with MTMC § **16.15.200** and the additional reporting requirements for each critical area type, per MTMC § **16.15.400** through § **16.15.450**, as applicable.

2. The City shall:

a. Make a determination of complete application and issue notice of application, pursuant to MTMC § **16.15.140**.

b. Evaluate the application materials and determine whether the proposal is likely to impact the functions or values of critical areas.

c. Determine if the proposed project adequately addresses the potential impacts to the critical area and whether they can be avoided, minimized or mitigated per the mitigation sequencing process.

d. Determine whether the proposal conforms to the requisite critical area requirements and standards of this chapter.

e. Confirm the mitigation sequencing and location preferences per MTMC § **16.15.210** through § **16.15.240** have been satisfied.

3. The Director shall issue a written decision, with or without conditions, consistent with the procedures, notification, criteria and applicable requirements and standards set forth in this chapter, or forward a recommendation to the Hearing Examiner when the Hearing Examiner is the decision authority.

4. The applicant may proceed with the proposed use, activity, or action consistent with the decision and all applications, standards and regulations, including MTMC § **16.15.250**, Notice on title.

5. Appeals of decisions can be made, pursuant to MTMC § **16.15.385**.

E. Review and Decision-Making Matrix.

(click here to view the full table)

Type of Review	Application Form	Process	Decision Criteria	Decision Maker	Decision Timeline[1]	Appeal	Public Notice	Notice on Title	Fee
Informal Meeting	N/A	Admin	N/A 16.15.150	N/A	N/A	N/A	N/A	N/A	No
Preapplication Conference	Preap CAPA (opt.)	Admin	16.15.150	Admin	Varies	N/A	N/A	N/A	Yes*
Critical Area Preliminary Assessment[2,3]	CAPA	Admin	16.15.160	Director	30 days	Director	N/A	Yes	No
Emergency, Determination of[4]	Letter	Admin	16.15.110	Director	14 days	Hearing Examiner	N/A	N/A	No
Critical Area Review and Approval	CAR	Admin	16.15.120	Director	Consistent with any underlying permit, unless otherwise approved (typically 120 days)	Hearing Examiner	Yes	Yes	Yes
Alteration, or Buffer Averaging	CAR	Admin	16.15.310; 16.15.400 – 16.15.450	Director		Hearing Examiner	Yes	Yes	Yes
Reasonable Use Exception	RUE	Public Hearing	16.15.360	Hearing Examiner		Superior Court	Yes	Yes	Yes
Variance	VAR	Public Hearing	16.15.350	Hearing Examiner		Superior Court	Yes	Yes	Yes

Notes:

[1] From date of application or determination of completeness, whichever is later.

[2] Critical Area Preliminary Assessment: A process to allow a preliminary determination whether or not critical areas or buffers are present in the project area, whether the proposal would likely affect a critical area or buffers, and if additional review is required. This decision vests for five years but does not vest future permits or land use proposals or applications.

[3] Designation of Critical Area: A process that allows a property owner to have the limits of critical areas and/or buffers, on or near the site, defined to establish the buffers and identify the development impact on them and potential mitigation measures for a specific development. The property is posted with a notice of critical area designation application. A decision vests for five years for the development proposal.

[4] Emergency, Determination of: The person or agency who took an action affecting a critical areas as an emergency measure shall, within 30 working days of taking such emergency action, submit a written notice of emergency to the Director, pursuant to MTMC § **16.15.110D**. Providing notification does not waive the need to comply with any and all applicable requirements.

* Except single-family homeowner.

(Ord. 2731 § 2 (Exh. A), 2018; Ord. 2902, 12/18/2025)

§ 16.15.130. Applications.

A. All applications for permits or actions within the City's critical areas shall be submitted on forms provided by the Department. The permit application forms, copies of all current regulations, and submittal requirements that apply to the subject application shall be available from the Department. Application types include, but are not limited to, critical area preliminary assessment, reasonable use exception, variance, or alteration.

B. At a minimum, each application submittal shall include:

1. Completed application form(s) with the authorized signature of the applicant;

2. All requisite filing requirements including drawings, reports and studies, and any other materials, as appropriate and sufficient to review and process the application and render a decision consistent with the provisions of this chapter; and

3. Processing fee.

(Ord. 2731 § 2 (Exh. A), 2018; Ord. 2902, 12/18/2025)

§ 16.15.140. Notice of application.

A. No notice is required to review and make a critical area preliminary assessment.

B. Notification to the public of the presence or potential presence of critical areas shall occur per notice of development application consistent with MTMC § **18.05.120**. The notice shall include the critical area preliminary assessment determination, if already made. Other noticing requirements which may apply to the underlying application or permit shall include notice of critical area, if determined to be present.

(Ord. 2731 § 2 (Exh. A), 2018; Ord. 2811 § 8, 2022; Ord. 2902, 12/18/2025)

§ 16.15.200. Critical area reports.

A. Report Required. When uses, activities, or developments are proposed within, adjacent to, or are likely to impact critical areas or their buffers, an applicant shall provide site-specific information and analysis in the form of critical area report(s) as required in this chapter. A critical area report shall identify the presence, extent, and classification/rating of potential critical areas, as well as analyze, assess, and mitigate the potential adverse impact to or risk from critical areas for a development project.

B. Critical area reports shall be prepared using best available science to evaluate the proposal and all probable impacts to critical areas in accordance with the provisions of this chapter.

C. Preparation by Qualified Professional. When a critical area report is required it shall be prepared by a qualified professional. Proof of licensing, credentials, and resume of the qualified professional(s) preparing the report shall be included in the report, which the Director shall review to determine if the minimum qualifications are met.

D. Minimum Report Contents. The report shall contain adequate information to determine compliance with the requirements of the critical area regulations in this chapter, specific to each critical area type, as indicated in the corresponding sections of this chapter. Reports for two or more types of critical areas must meet the reporting requirements for each type of critical area. Critical area reports can be submitted as multiple reports or combined in one report. The scope and location of the proposed project will determine which report(s) alone, or combined, are sufficient to meet the critical area report requirements for the impacted critical area type(s).

At a minimum, a critical area report shall contain the following:

1. The name and contact information of the applicant.
2. The dates, names and qualifications of the qualified professionals preparing the report or who contributed to the report and documentation of any fieldwork performed by them on the site.
3. Locational information including address, parcel number(s), legal description and a vicinity map.
4. A list of the development permit(s) associated with the proposal, including other agency critical area-related permits required for the project.
5. A copy of the site plan for the development proposal, drawn to scale to show the location of critical areas, buffers, the development proposal, and any areas to be cleared or otherwise impacted.
6. Identification and characterization of all critical areas and buffers, open space and habitat connectivity, on- and off-site, adjacent to the proposed project area, per MTMC § **16.15.020**, and the corresponding reporting requirements applicable to the identified critical areas as set forth in this chapter.
    a. Site designation as shown on a regional, state or federal inventory map (such as National Wetland Inventory Map by U.S. Fish and Wildlife Service).
    b. Designations as shown on any city inventory map.
    c. Location of the critical area boundaries shall be accurately drawn at an appropriate engineering scale such that the information is clearly legible. Generally, a scale of one inch equals 20 feet shall be used (other preapproved scales may be acceptable). Existing features must be distinguished from proposed features. The map shall show:
        i. Site boundary property lines and roads;
        ii. Internal property lines, rights-of-way, easements, etc.;
        iii. Existing physical features of the site including buildings, fences, and other structures, roads, parking lots, utilities, water bodies, etc.;
        iv. Contours at the smallest readily available intervals, preferably at two-foot intervals;
        v. Delineated boundary of critical area (when multiple critical areas exist, each shall be prepared on a separate sheet and then shown on a composite sheet);
        vi. Location of all test holes and vegetation sample sites, numbered to correspond with flagging in the field and field data sheets;
        vii. For large and/or complex projects, an air photo with overlays displaying the site boundaries and wetland delineation may be required. Generally, an orthophotograph at a scale of one inch equals 400 feet or greater (such as one inch equals 200 feet) should be used. If an orthophotograph is not available, the center of a small scale (e.g., one inch equals 2,000 feet) aerial photograph enlarged to one inch equals 400 feet may be used.
7. A description of the methodologies used to conduct the critical areas investigation, including references and data sheets. Methodologies must include justification for selected assumptions, error margins, and identification of scientific uncertainty. Reports may not rely solely on short-term site observations when long-term ecological processes are relevant.
8. A description of the proposed stormwater management plan for the development and consideration of impacts to drainage alterations, when applicable.
9. Report Sections. A critical area report shall typically include the following sequence of report sections, unless modified pursuant to subsection **E** of this section:
    a. Reconnaissance. This section of the report shall describe the general site conditions including topography and acreage, all natural and manmade features within 200 feet of the site boundary, and the existence, general location, and type of critical areas on, and in the vicinity of, a project site. A determination whether the project will adversely impact, or be at risk from, the potential critical areas based on maximum potential buffers should be addressed;
    b. Delineation. This section of the report shall identify the extent, boundaries, rating or classification, and applicable standard buffers of critical areas where the project area could potentially impact the critical area or its buffer, including an assessment of the characteristics of, or functions and values of, the critical area and buffers identified;
    c. Analysis. This section of the report is an impact assessment documenting the potential project impacts to the critical area and buffers including a discussion of the efforts taken to avoid, minimize, and reduce potential impacts to those areas, consistent with MTMC § **16.15.210**;
    d. Mitigation. This section of the report describes actions and measures that will be taken to prevent or compensate for the potential impacts of the project in accordance with the mitigation plan requirements of this chapter and the standards for the specific critical areas impacted. If any impacts to critical areas or their buffers are proposed, the applicant must demonstrate that the following were considered as options to satisfy the avoidance of impacts, if applicable:
        i. Alternative building locations on the property;
        ii. Adjustments to the project footprint and orientation;
        iii. Modification of non-critical area setbacks, where feasible;
        iv. Multi-story design or alternate building design.

        When impacts cannot be avoided, mitigation includes, but is not limited to, adjustments to required buffer sizes, best practices to minimize impacts, and critical area or buffer enhancement, restoration, or preservation plans. Mitigation plans may include habitat management plans, revegetation or replanting plans, and restoration plans, and identify appropriate performance standards, as applicable. When mitigation is required, the applicant shall submit a mitigation plan per MTMC § **16.15.220** and § **16.15.230**, this section, and the mitigation provisions for the applicable critical area type per MTMC § **16.15.400** through § **16.15.450**;
    e. Maintenance and Monitoring. Maintenance and monitoring plans must be consistent with maintenance and monitoring plan requirements pursuant to MTMC § **16.15.240**. The goals of the mitigation proposed, performance standards for success, monitoring methods and reporting schedule, maintenance methods and schedule, and contingency actions must be adequately addressed. Include cost estimates for determination of financial guarantee requirements to ensure implementation and compliance.
10. A statement of the accuracy of the report and all assumptions made can be relied upon.
11. Any additional reporting information required in the corresponding critical area reporting sections per MTMC § **16.15.400** through § **16.15.450**.
12. Additional Information Requirements. The Director may require additional information to be included in the critical area report when determined to be necessary to the review of the proposed activity in accordance with this chapter, which may include, but is not limited to:
    a. Historical data, including original and subsequent mapping, aerial photographs, data compilations and summaries, and available reports and records relating to the site or past operations at the site; and
    b. Clearing, grading and drainage plans.
13. A critical area report may be supplemented by reports or studies previously prepared for and applicable to the development proposal site, subject to the five-year limit of validity of contents per subsection **F** of this section. Previously prepared studies may not be used when updated BAS, salmon recovery science, or new field data indicate greater habitat sensitivity than previously understood.

E. Modifications to Report Requirements. The Director may allow modifications to the report contents to be prepared under the following circumstances. The Director reserves the right to subsequently require such information. Permitted modifications shall be identified in the determination of complete application.

1. Prior to the preparation of a report, the Director has determined that some filing requirements do not apply to the proposal.
2. The applicant has consulted with and obtained approval from the Director, prior to or during preparation of a critical area report, to modify the required contents of the report where, in the judgment of a qualified professional and concurrence of the Director, more or less information is required to adequately address the potential critical area impacts and required mitigation.
3. The Director may limit the required geographic area of the critical area report if:
    a. The applicant, with assistance from the City, cannot obtain permission to access properties adjacent to the project area, in which case the critical area size and characteristics beyond the project area may be estimated through aerial photography, visual interpretations, discussion with agencies or some other acceptable means; or mitigation.
    b. The proposed activity will affect only a limited part of the subject site.

F. Existing Reports and Expiration.

1. Critical area reports shall be considered valid for up to five years. Thereafter, the Director shall determine whether a revision or additional assessment is necessary per subsection **F.2** or **3** of this section, or consult a third party to make that determination per subsection **G** of this section. Supplemental critical area report(s) may be required to provide information and analysis to address changes to the project scope and potential impacts or to changes to applicable regulations that have been made subsequent to existing, valid critical area reports.

2. A critical area report prepared within the last five years may be incorporated into, supplement, or submitted in its entirety as the critical area report for a proposal; provided, that such previously prepared report or study is applicable to the proposed location, use, activity or development, and the proposed land use activity and surrounding site conditions are substantially unchanged.

3. A qualified professional shall evaluate the previously prepared reports, the proposal, and the current environmental conditions associated with the site and submit a letter of validity, sufficiency, verification, or recommendation regarding all of the following:

   a. The provisions in subsection **F.1** of this section are met; and

   b. The report, or used sections thereof, meets the requirements of this section and the reporting requirements for each specific critical area type; and

   c. A recommendation on the extent to which the previously prepared report(s) can be used and any supplemental information to be prepared and submitted to meet the requirements of this chapter. The recommendation can be to reject the previously prepared materials entirely.

G. Third Party Review of Critical Area Reports.

1. The purpose of third party review is to protect critical areas, maintain public safety, protect public health and property, and to ensure that the nature and extent of critical areas and any associated buffers are correctly determined, protected and restored. The City shall attempt to resolve any issues with the original author(s) or applicant before requiring third party review.

2. The Director shall state in writing the reasons for requiring the third party review. Third party review will be conducted by a qualified professional under contract with, or employed by, the City, at the applicant's expense, when the Director determines:

   a. The submission contains factual errors, omissions, faulty analytical procedures, or incomplete analysis; or

   b. Inconsistencies exist between the submitted materials and observable data, and/or accepted scientific or technical criteria; or

   c. Such services are necessary to demonstrate compliance with the standards and guidelines of this chapter; or

   d. Specialized expertise is required for adequate review of a proposal.

3. The third party review shall evaluate the validity and applicability of previous reports, if any, applicant's methodology, adequacy of data collection, the analysis and findings, and the effectiveness of any proposed mitigation, monitoring plans and guarantee measures or programs proposed by the applicant as sufficient to protect the critical areas and include any recommendations as appropriate.

4. The Director shall consider the third party review and recommendations and determine if the report and plans, with the recommendations, are sufficient to protect critical area, consistent with the requirements of this chapter.

(Ord. 2731 § 2 (Exh. A), 2018; Ord. 2902, 12/18/2025)

§ 16.15.210. Mitigation – Sequencing and location.

When alterations and impacts to critical areas cannot be avoided, compensatory mitigation to replace a critical area or buffer and its functions may be permitted so long the critical area functions and values can be replaced. Compensatory mitigation is not allowed for critical aquifer recharge areas. Mitigation includes, but is not limited to, adjustments to required buffer sizes, best practices to minimize impacts, and critical area or buffer enhancement, restoration, or preservation plans. Mitigation actions may be implemented on or off site based on the preferred location identified in this section.

A. Mitigation Sequencing. Mitigation is to be provided in the following order:

1. Avoiding the impact altogether by not taking a certain action or parts of an action.

2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts.

3. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment.

4. Reducing or eliminating the impact over time by preservation and maintenance operations.

5. Compensating for the impact by replacing, enhancing, or providing substitute resources or environments.

6. Monitoring the impact and taking appropriate corrective measures.

B. Location of Mitigation. The replacement of critical areas, buffers, and functions shall generally occur at or adjacent to the site on which a critical area has been or will be altered or impacted by an allowed use or activity, except when the applicant can demonstrate that off-site mitigation is ecologically preferable. Mitigation sequencing shall consider and/or perform mitigation actions in a priority order from avoidance to compensation. Compensatory mitigation actions shall generally be conducted within the same subdrainage basin and on the site of the alteration.

1. On-Site Mitigation. The replacement of critical areas, buffers, and functions shall be provided on site. Mitigation may be allowed off site only when it is determined by the Director that on-site mitigation is not scientifically feasible or practical due to physical features of the property, or where the affected site is identified as appropriate for off-site mitigation, pursuant to an off-site mitigation program. The burden of proof, based on a preponderance of the evidence, shall be on the applicant to demonstrate that mitigation cannot be provided on site.

2. Off-Site Mitigation. Off-site mitigation is allowed when there are no reasonable opportunities on site, on-site mitigation would require elimination of high-quality upland habitat, or off-site opportunities have a greater likelihood of providing equal or improved functions than the altered site. Off-site mitigation shall be provided in the same drainage basin as the permitted activity on property owned, secured, or controlled by the applicant where such mitigation is practical and beneficial to the critical area and associated resources.

3. Mitigation Bank. For mitigation of wetland impacts, a wetland mitigation bank is an alternative to on-site permittee-responsible mitigation; provided, that:

   a. Credits from a wetland mitigation bank may be approved for use as compensation for unavoidable impacts to wetlands when:

      i. The bank is certified under state rules;

      ii. The City determines that the wetland mitigation bank provides appropriate compensation for the authorized impacts; and

      iii. The proposed use of credits is consistent with the terms and conditions of the certified bank instrument.

   b. Replacement ratios for projects using bank credits shall be consistent with replacement ratios specified in the certified bank instrument.

   c. Credits from a certified wetland mitigation bank may be used to compensate for impacts located within the service area specified in the certified bank instrument. In some cases, the service area of the bank may include portions of more than one adjacent drainage basin for specific wetland functions.

4. In-Lieu Fee. To aid in the implementation of off-site mitigation, the City may develop an in-lieu fee (ILF) program. This program shall be developed and approved through a public process and be consistent with federal rules, state policy on in-lieu fee mitigation and state water quality regulations. An approved ILF program sells compensatory mitigation credits to permittees whose obligation to provide compensatory mitigation is then transferred to an ILF program sponsor. The sponsor of an ILF program must be a nonprofit organization such as a local land trust, private conservation group, or government agency with demonstrated competence in natural resource management. Credits from an approved ILF program may be used when the conditions below apply:

   a. The Director determines that it would provide environmentally appropriate compensation for the proposed impacts.

   b. The mitigation will occur on a site identified using the site selection and prioritization process in the approved in-lieu fee program instrument.

   c. The proposed use of credits is consistent with the terms and conditions of the approved in-lieu fee program instrument.

   d. Land acquisition and initial physical and biological improvements of the mitigation site must be completed within three years of the credit sale.

   e. Projects using in-lieu fee credits shall have debits associated with the proposed impacts calculated by the applicant's qualified professional wetland scientist using the method consistent with the credit assessment method specified in the approved instrument for the in-lieu fee program.

   f. Credits from an approved in-lieu fee program may be used to compensate for impacts located within the service area specified in the approved in-lieu fee instrument.

5. In-Kind Mitigation. In-kind mitigation, or in-kind compensation, is intended to replace a critical area whose characteristics and functions closely approximate those destroyed or degraded by a regulated activity.

6. Out-of-Kind Mitigation. Allows mitigation that will replace critical area, buffer and their functions, away from the site on which a critical area has been impacted, with a substitute critical area, buffer or function, whose characteristics do not closely approximate those adversely affected, destroyed or degraded by an allowable use or activity. Out-of-kind-mitigation shall be permitted only when it has been demonstrated, based on a preponderance of evidence and the Director concurs, that greater function and habitat value can be achieved than with in-kind mitigation.

(Ord. 2731 § 2 (Exh. A), 2018; Ord. 2902, 12/18/2025)

§ 16.15.220. Mitigation plan – Requirements.

Mitigation shall be sufficient to maintain or compensate for the impacted functions and values of the critical area and to prevent risk from a hazard posed by a critical area. Mitigation shall not be implemented until after the Director has provided approval of a critical area report that includes a mitigation plan.

A. Mitigation Plan Standards. The following standards are the minimum requirements that a mitigation plan is to satisfy:

1. Adverse impacts to critical area functions and values shall be mitigated to achieve functionally equivalent or greater biologic functions.

2. Proposals which include less preferred and/or compensatory mitigation shall demonstrate that:

a. All feasible and reasonable measures have been taken to reduce impacts and losses to the critical area, or to avoid impacts where avoidance is required by this chapter;

b. The restored, created or enhanced critical area or buffer will be as viable and enduring as the critical area or buffer area it replaces;

c. In the case of wetlands and streams, no overall net loss will occur in wetland or stream functions and values. The mitigation shall be functionally equivalent to the altered wetland or stream in terms of hydrological, biological, physical, and chemical functions; and

d. When wetland, stream or habitat mitigation is permitted on site, or off site, by these regulations, the mitigation project shall occur near an adequate water supply (river, stream, ground water) with a hydrologic connection to the critical area to ensure a successful mitigation or restoration. A natural hydrologic connection is preferential as compared to one which relies upon manmade features requiring routine maintenance.

3. Any agreed-upon mitigation plan shall be completed before initiation of other permitted activities, unless a phased or concurrent schedule that assures completion prior to occupancy has been approved by the Director.

B. When mitigation is required, the applicant shall submit a mitigation plan, pursuant to this section, as part of the critical area report for approval by the Director. The mitigation plan shall include:

1. A written report identifying environmental goals and objectives of the compensation proposed, to include:

a. A description of the anticipated impacts to the critical areas and the mitigating actions proposed and the purposes of the compensation measures, including the site selection criteria; identification of compensation goals; identification of resource functions; and dates for beginning and completion of site compensation construction activities. The goals and objectives shall be related to the functions and values of the impacted critical area;

b. A review of the best available science supporting the proposed mitigation and a description of the report author's experience to date in restoring or creating the type of critical area proposed;

c. An analysis of the likelihood of success of the mitigation plan;

d. Written specifications and descriptions of the mitigation proposed, such as:

i. The proposed construction sequence, timing, and duration;

ii. Grading and excavation details;

iii. Erosion and sediment control features;

iv. A planting plan specifying plant species, quantities, locations, size, spacing, and density;

v. Measures to protect and maintain plants until established; and

vi. Detailed site diagrams, scaled cross-sectional drawings, topographic maps showing slope percentage and final grade elevations, and any other drawings appropriate to show construction techniques or anticipated final outcome.

2. The mitigation plan may include a habitat management plan, revegetation or replanting plan, and/or restoration plan.

3. Performance standards, pursuant to MTMC § **16.15.230**.

4. A maintenance and monitoring plan, pursuant to MTMC § **16.15.240**.

5. The mitigation plan shall also include a contingency plan to identify potential courses of action and any corrective measures to be taken if monitoring or evaluation indicates project performance standards are not being met.

C. Mitigation shall be completed immediately following disturbance, and prior to use or occupancy of the action or development. Construction of mitigation projects shall be timed to reduce impacts to existing fisheries, wildlife, and flora. On completion of construction, any approved mitigation project must be signed off by the applicant's qualified professional and approved by the Department. Signature will indicate that the construction has been completed as approved.
(Ord. 2731 § 2 (Exh. A), 2018; Ord. 2902, 12/18/2025)

§ 16.15.230. Mitigation plans – Performance standards.

A. The mitigation plan shall include performance standards of measurable specific criteria for evaluating whether or not the goals and objectives of the mitigation project have been successfully attained and whether or not the requirements of this chapter have been met.

B. The mitigation plan shall include any additional specific performance standards that apply to critical area types, per this chapter.

C. A performance and maintenance guarantee shall be provided consistent with MTMC § **16.15.340**.
(Ord. 2731 § 2 (Exh. A), 2018; Ord. 2902, 12/18/2025)

§ 16.15.240. Maintenance and monitoring plan.

A. A maintenance and monitoring plan shall be prepared and implemented by the applicant, pursuant to this section, to evaluate and assure the success of the required mitigation measures, to determine if the mitigation plan's goals and objectives are being met, and to determine necessary corrective actions. This plan shall be reviewed and approved by the Department prior to implementation.

B. In general, the maintenance and monitoring plan shall identify what monitoring data will be collected and how it will be collected, describe how the monitoring data will be evaluated to determine if the performance standards are being met, and identify corrective action and when implementation standards are met. The contents of the maintenance and monitoring plan shall include:

1. Appropriate, accepted, and unbiased qualitative or precise and accurate quantitative sampling methods by which to evaluate the success or failure of the project compared to performance standards approved by the City;

2. An outline of the quantitative sampling methods that include permanent photopoints installed at the completion of construction and maintained throughout the monitoring period and shall also include permanent transects, sampling points (e.g., plots or quadrants or water quality or quantity monitoring stations), and wildlife monitoring stations;

3. Clearly stipulated qualitative and quantitative sampling methods that are approved by the City or the qualified professional selected or approved by the City to review the monitoring plan before implementation by the project proponent;

4. Appropriate qualitative and/or quantitative performance standards that will be used to measure the success or failure of the mitigation. These will include, at a minimum, standards for plant survival and diversity, including structural diversity, the extent of wetland hydrology, hydric soils, and habitat types and requirements as appropriate; all proposed standards are subject to review and approval by the City or the qualified professional selected by the City to review the monitoring plan;

5. Monitoring plans shall include, at a minimum: preparation of an as-built (baseline) plan; an outline of the site monitoring and maintenance schedule to include periodic removal of noxious weeds and revegetation; semi-annual site inspection to collect and analyze data of the status of the mitigation measures implemented; preparation of annual monitoring reports following implementation; a contingency plan in the event that implementation of the mitigation plan is inadequate or fails;

6. Monitoring reports shall be submitted to the Department by December 1st of the year in which monitoring is conducted. The reports are to be prepared by a qualified professional and must contain all qualitative and quantitative monitoring data, photographs, and an evaluation of each of the applicable performance standards from each semi-annual monitoring evaluation. If performance standards are not being met, appropriate corrective or contingency measures must be identified and implemented to ensure that performance standards will be met;

7. Time Period. The monitoring period begins after an as-built report is submitted and approved by the City. Monitoring of the project mitigation shall be for a period necessary to establish that performance standards have been met, but not for less than five years. More stringent monitoring requirements may be required on a case-by-case basis for more complex mitigation plans; for example, if a scrub-shrub or forested vegetation community is proposed, monitoring may be required for 10 years or more. The project mitigation plan shall include monitoring elements that ensure certainty of success for the project's natural resource values and functions. This will include data collection and annual reports, at a minimum. If the mitigation goals are not obtained within the initial five-year period, the applicant remains responsible for restoration of the natural resource values and functions until the mitigation goals agreed to in the mitigation plan are achieved;

8. The plan shall include a provision for extension of the monitoring period beyond the minimum time frame if performance standards are not being met at the end of the initial monitoring period; and provision for additional financial securities or guarantees to ensure that any additional monitoring and contingencies are completed to ensure the success of the mitigation.

C. A performance and maintenance guarantee shall be provided consistent with MTMC § **16.15.340**.
(Ord. 2731 § 2 (Exh. A), 2018; Ord. 2902, 12/18/2025)

§ 16.15.250. Notice on title.

A. The purpose of recording a notice of critical area presence on the title of an affected property is to inform subsequent purchasers of their existence on said property. The notice shall be approved by the Director for compliance with this section. The notice does not vest any critical areas. The notice shall run with the land.

B. A notice on title is required whenever the presence of a critical area or buffer has been identified and no further evaluation has been made, a critical area or buffer has been delineated with or without further action on the property, or an application has been made for a site development, subdivision, or construction permit for the property containing a critical area or buffer.

C. The location of the critical areas and those contiguous critical areas and buffers, listed below, that total 200 or more square feet, shall be delineated and protected, except as otherwise indicated:

1. All wetlands and buffers;

2. Any stream water type F, Np or Ns, regardless of the square footage;

3. All habitat conservation areas;

4. All severe landslide hazard areas and buffers; and

5. All other lands to be protected from alterations as conditioned by project approval.

6. Open spaces or corridors connecting wildlife habitats.

D. Form and Content of Notice.

1. The notice form and required content shall be provided by the Department.

2. The notice shall state the presence of the critical area or buffer on the property, that this chapter and any amendments thereto apply to the property, and that there may be one or more critical areas or buffers.

3. Any site-specific modifications, restrictions to development, and limitations on actions in or affecting the critical areas shall be clearly noted on the notice and plat or site plan.

4. The recorded notice shall include a map to indicate the general location and type of critical areas.

5. In the case of subdivisions or development, an easement or tract shall be created per subsection **E** of this section and shown in a format approved by the Department on the face of the drawing to be recorded, pursuant to subsection **F** of this section.

E. Critical Area Tract, Protection Area Easement, or Dedication. A critical area tract, protection area easement, or dedication may be used to protect a critical area and/or buffer from future alteration.

1. A critical area tract shall be created as part of a site development or subdivision action. The subdivision drawing or project site plan shall clearly depict the critical area tract to include all of the subject critical area, any required buffer, and any additional lands included voluntarily by the developer. The applicant may establish a separate critical area tract for each critical area type.

2. A protection easement shall be created on a property where no subdivision or site plan is proposed, but a critical area report has been prepared and critical areas identified or delineated.

3. Dedication of Critical Area. The City may require a critical area tract be dedicated to the City, held in an undivided interest by each owner of a building lot within the development with the ownership interest passing with the ownership of the lot, or held by an incorporated homeowner's association or other legal entity which ensures the ownership, maintenance, and protection of the tract (such as a land conservation trust).

4. When the critical area has already been delineated, it shall be shown on the recording document with the legal description of the critical area.

F. Recording the Notice, Tract, Easement, or Dedication.

1. The property owner shall record the notice, easement, or tract, at their expense, with the Snohomish County Auditor's Office Recording Division.

2. The applicant shall submit proof that the notice has been recorded on title before the Director approves any site development or construction permit, or at or before the recording of any type of subdivisions or phased development project.

G. Extinguishment of Notice. The titleholder has the right to challenge a notice and to have it extinguished if it can be documented that the presence of critical area no longer applies. The titleholder shall apply for a critical area preliminary assessment, pursuant to MTMC § **16.15.160**, and submit a critical area report, pursuant to MTMC § **16.15.200**, for review and approval by the Director per MTMC § **16.15.120**, before the notice on title can be extinguished. The extinguishment shall be recorded per subsection **F** of this section.

(Ord. 2731 § 2 (Exh. A), 2018; Ord. 2902, 12/18/2025)

§ 16.15.270. Protective covenants.

A. Long-term protection of a regulated critical area and its associated buffer shall be required, when applicable, as a condition of an approved permit or authorization, consistent with MTMC § **16.15.250**, Notice on title. The means of protection can be provided for in one of the following ways:

1. Separate critical areas tract;

2. Execution of an easement;

3. Dedication to a conservation organization or land trust; or

4. Preserved through a comparable permanent protective mechanism acceptable to the City such as a dedication.

B. The location and limitations associated with the critical area and its buffer shall be shown on a document prepared for that purpose, on the face of the deed or the face of the plat applicable to the property. The City shall review and find the protection document acceptable, prior to the applicant recording it on the property title, pursuant to MTMC § **16.15.250**.

(Ord. 2731 § 2 (Exh. A), 2018; Ord. 2902, 12/18/2025)

§ 16.15.310. Alteration of critical areas.

A. Purpose and Applicability.

1. Critical areas shall, in general, be maintained in their natural state or current legally established condition, including undisturbed, native vegetation to maintain the functions, values, resources, and public health and safety for which they are protected.

2. **An "alteration of a critical area"**
means any human induced change to, addition to, or modification of an existing condition, structure, or use of a critical area or its buffer that changes the existing character of the critical area.

3. Alteration of critical areas, including their established buffers, may only be permitted subject to the criteria and standards in this chapter, and compliance with any federal and/or state permits required.

4. Unless otherwise provided in this chapter, if alteration of the critical area is unavoidable, all adverse impacts to or from critical areas and buffers resulting from a development proposal or alteration shall be mitigated in accordance with an approved critical area report and mitigation plan per MTMC § **16.15.200** and § **16.15.210**, so the result is no overall net loss of critical area functions and values, and no increased risk of hazards.

B. Review Criteria. Any alteration to a critical area, unless otherwise provided for in this chapter, shall be evaluated based on the proposal's ability to comply with the following criteria:

1. The proposal is consistent with the alteration provisions for the critical area type per 16.15.400 through 16.15.450;

2. The proposal avoids impact to the critical area altogether. Where this is not possible, the proposal minimizes the impact on critical areas in accordance with MTMC § **16.15.210**;

3. The proposal does not pose an unreasonable threat to the public health, safety, or welfare on or off the development proposal site;

4. The proposal protects the critical area functions and values consistent with the best available science and results in no net loss of critical area functions and values;

5. A restoration plan has been prepared, pursuant to MTMC § **16.15.330**;

6. The mitigation plan has been amended, and/or the restoration plan prepared consistent with any conditions, and approved by the City prior to issuance of any construction permits. Construction techniques shall be approved by the City prior to any site work.

C. Decision. Pursuant to MTMC § **16.15.120D**, the proposal shall be reviewed and approved, approved with conditions, or denied subject to a determination by the Director the following have been met:

1. The submittal for alteration is found responsive to the criteria in subsection **B** of this section.

2. Any other filing requirements, as set forth by the Director, are submitted and found satisfactory. The submittal shall include an affidavit by the applicant, which declares whether the applicant has knowledge of any illegal alteration to any or all wetlands on the proposed site and whether the applicant previously had been found in violation of this chapter. If the applicant has been found previously in violation, the applicant shall declare whether such violation has been corrected to the satisfaction of the jurisdiction.

3. Notice on title shall apply, pursuant to MTMC § **16.15.250**.

(Ord. 2731 § 2 (Exh. A), 2018; Ord. 2902, 12/18/2025)

§ 16.15.320. Unauthorized alterations of critical areas.

A. When a critical area or its buffer has been altered in violation of this chapter, the City may issue a stop work order and order restoration of the critical area.

B. All development work shall remain stopped until the requirements of MTMC § **16.15.310** and § **16.15.330** have been satisfied and the critical area restored.

C. Unauthorized alteration of a critical area shall be considered a violation of this chapter and may be subject to the provisions of MTMC § **16.15.380**.
(Ord. 2731 § 2 (Exh. A), 2018; Ord. 2902, 12/18/2025)

§ 16.15.330. Restoration plan.

A restoration plan shall be prepared consistent with the requirements, criteria, and performance standards of this section.

A. A restoration plan is required when needed to reestablish the critical area's functional characteristics and processes that have been lost by project-induced alterations to critical areas, or activities or catastrophic events have occurred within an area so that it no longer meets the definition of such critical area.

B. A restoration plan shall be prepared by a qualified professional using the best available science and describe how the actions proposed meet the minimum requirements described in subsection **E** of this section. The Director may require third party review per MTMC § **16.15.200G**.

C. Restoration, and any other required measures, are at the owner's or other responsible party's expense to remediate the impacts of the violation of the provisions of this chapter. All ongoing development work shall stop and the critical area shall be restored.

D. At the Director's discretion, and based on the severity of the alterations, the submittal, review, and approval process of the restoration plans required for remediation of violations of this chapter shall be determined by the Director and may be elevated to a site permit application process, including fees.

E. Minimum Performance Standards for Restoration.

1. For alterations to critical aquifer recharge areas, wetlands, streams, and fish and wildlife habitat conservation areas, the following minimum performance standards shall be met for restoration; provided, that if the violator can demonstrate that greater functional and habitat values can be obtained, these standards may be modified:
    a. The previolation function and values of the affected critical areas and buffers shall be restored, including water quality and habitat functions;
    b. The previolation soil types and configuration shall be replicated;
    c. The critical area and buffers shall be replanted with native vegetation that replicates the vegetation historically, or previolation, found on the site in species types, sizes, and densities. The previolation functions and values should be replicated at the location of the alteration; and
    d. Information demonstrating compliance with the requirements in MTMC § **16.15.220** and the applicable mitigation sections for the affected type(s) of critical area(s) and their buffer(s) shall be submitted to the Director with the complete, applicable permit application.
2. For alterations to flood hazard and geologic hazard areas, the following minimum performance standards shall be met for the restoration of a critical area; provided, that if the violator can demonstrate that greater safety can be obtained, these standards may be modified:
    a. The hazard shall be reduced to a level equal to or less than the previolation hazard;
    b. Any risk of personal injury resulting from the alteration shall be eliminated or minimized; and
    c. The hazard area and buffers shall be replanted with native vegetation sufficient to minimize the hazard.

F. Site Investigations. The Director is authorized to make site inspections and take such actions as are necessary to enforce this chapter. The Director shall present proper credentials and make a reasonable effort to contact any property owner before entering onto private property.
(Ord. 2731 § 2 (Exh. A), 2018; Ord. 2902, 12/18/2025)

§ 16.15.340. Guarantees to ensure mitigation, maintenance, and monitoring.

A. If the development proposal is subject to mitigation, the applicant shall post a mitigation guarantee or other security in a form and amount deemed acceptable by the City to ensure mitigation is fully functional.

B. When mitigation required for a development proposal is not completed prior to final permit approval, such as final plat approval or final building inspection, the applicant shall be required to post a performance guarantee, bond or other security in a form and amount deemed acceptable by the Director.

C. The guarantee shall be in the amount of 150% of the estimated cost of the uncompleted actions or the estimated cost of restoring the functions and values of the critical area that are at risk, whichever is greater. The amount of the performance guarantee shall include a reasonable allocation for inflation based on the length of anticipated delay and the provisions of subsection **E** of this section.

D. The guarantee shall be in the form of a surety bond, performance bond, and/or maintenance bond from an acceptable financial institution, or other acceptable form of warranty as permitted consistent with Chapter **15.35** MTMC, Performance Guarantees and Warranties.

E. Guarantees or other security authorized by this section shall remain in effect until the Director determines, in writing, that the standards bonded for have been met. Guarantees or other security shall be held by the City for a minimum of five years to ensure that the required mitigation has been fully implemented and demonstrated to function, and may be held for longer periods when necessary to achieve these goals. The Director may agree to reduce the guarantee in proportion to work successfully completed over the period of the guarantee.

F. Depletion, failure, or collection of guarantee funds shall not discharge the obligation of an applicant or violator to complete required mitigation, maintenance, monitoring, or restoration.

G. Public development proposals shall be relieved from having to comply with the guaranteeing requirements of this section if public funds have previously been committed for mitigation, maintenance, monitoring, or restoration.

H. Any failure to satisfy critical area requirements established by law or condition including, but not limited to, the failure to provide a monitoring report within 30 days after it is due or comply with other provisions of an approved mitigation plan shall constitute a default, and the City may demand payment of any financial guarantees or require other action authorized under this chapter or any other law. Any funds recovered, pursuant to this section, shall be used to complete the required mitigation.
(Ord. 2731 § 2 (Exh. A), 2018; Ord. 2902, 12/18/2025)

§ 16.15.350. Variances.

A. Requests for relief from the dimensional or performance standards of this chapter shall require a critical areas variance provided the Hearing Examiner finds that all criteria listed in subsection **B** of this section have been met.

B. Criteria. The variance may be granted only if the applicant demonstrates that the requested action is consistent with all of the following criteria:

1. There are special circumstances applicable to the subject property or to the intended use such as shape, topography, location, or surroundings that do not apply generally to surrounding properties or that make it impossible to redesign the project to preclude the need for a variance;
2. The special conditions and circumstances are not a result of the actions of the applicant, owner, or previous owner;
3. The applicant has avoided impacts and provided mitigation to the maximum practical extent;
4. The critical area buffer reduction proposed through the variance is the minimum necessary to accommodate the permitted use;
5. Granting the variance will not be materially detrimental to the public welfare or injurious to the property or improvement;
6. No other practicable or reasonable alternative exists;
7. Adverse impacts to critical areas resulting from the proposal are minimized;
8. The decision to grant the variance includes the best available science and gives special consideration to conservation or protection measures necessary to preserve or enhance anadromous fish habitat;
9. The variance is consistent with the additional variance requirements/criteria for the specific critical area impacted, pursuant to MTMC § **16.15.400** through § **16.15.450**; and
10. The granting of the variance is consistent with the general purpose and intent of the City's Comprehensive Plan and adopted development regulations.

C. Process and Procedure.

1. A formal preapplication conference is required per MTMC § **16.15.150**.
2. An applicant submits a complete application, including all filing requirements and the appropriate fee. The burden of proof shall be on the applicant to bring forth evidence in support of the application and upon which any decision has to be made on the application. The applicant shall include proof of all following criteria:
    a. The applicant has avoided impacts and provided mitigation, in accordance with this chapter, to the maximum practical extent;
    b. The variance will not adversely impact receiving water quality or quantity;
    c. The variance will not adversely impact any functional attribute of the critical area;
    d. The variance will not jeopardize the continued existence of species listed by the federal government or the state as endangered, threatened, sensitive, or documented priority species or priority habitats; and
    e. The variance is based on the criteria and standards referenced in this chapter.
3. The land use project procedures time line set forth in MTMC § **18.05.075** applies, except as otherwise stated in this section.

4. The Director shall review the application and make a determination of completeness and provide public notice, pursuant to MTMC § **16.15.140**.
5. The Director shall evaluate the proposal's consistency with the criteria and forward a written recommendation to the Hearing Examiner to approve, with or without conditions and any time limits for application or completion of work, or to deny the variance request.
6. A public hearing is held before the Hearing Examiner pursuant to MTMC § **18.05.127**, Notice of public hearing, and MTMC § **18.05.180**, Procedures for public hearings.

D. Decision.

1. The Hearing Examiner shall make written findings that the request meets or fails to meet the variance criteria and issue a decision to approve, approve with conditions, or deny the variance, pursuant to MTMC § **18.05.190**.
2. A final decision shall be rendered within 120 days of the determination of completeness per MTMC § **18.05.140**.
3. Time Limit. Permits necessary to establish or construct the approved variance shall be applied for and the work completed within one year of the effective date of the Hearing Examiner's decision, unless a different time limit is specified by the Hearing Examiner. Failure to meet the established time limit shall void the variance, unless a time extension is obtained pursuant to MTMC § **18.05.165**, including a demonstration that the conditions of the site and critical areas have not changed since the approval decision was issued. Knowledge of the expiration date is the responsibility of the applicant.

E. Appeal. An appeal of the final decision shall be consistent with the appeal process, pursuant to MTMC § **16.15.385**.
(Ord. 2731 § 2 (Exh. A), 2018; Ord. 2811 § 10, 2022; Ord. 2902, 12/18/2025)

§ 16.15.360. Reasonable use exceptions.

A. Applicability. A reasonable use exception is required when strict adherence to the provisions of this chapter would deny all reasonable use of the subject property as a whole, due to the property's size, topography, or location relative to the critical area and any associated buffer.

1. A reasonable use exception shall only be granted if no other reasonable alternative method of development is provided, subject to review and criteria under this section.
2. The fact that property may be utilized more profitably than allowed based on strict interpretation of this title shall not be an element of consideration in any review of a reasonable use request. Reasonable use exceptions shall not be permitted for the subdivision of land.

B. Application and Filing Requirements.

1. A complete request for reasonable use exception application shall be submitted to include the following information:
    a. A land analysis of the surrounding area that evaluates the conditions within a quarter-mile vicinity.
    b. A description of the proposed development site, including the entire critical area and the setbacks or buffers as required under this title, whether the critical area is wholly contained on the development site or not;
    c. An analysis of the impact that the amount of development proposed, in accordance with all applicable development regulations, would have on the critical area;
    d. An analysis of whether any other reasonable use with less adverse impact on the critical area and buffer area, as required, is possible;
    e. A design of the project as proposed as a reasonable use so that the development will have the least practicable adverse impact on the critical area;
    f. A description and analysis of the modification requested of the minimum requirements of this chapter to accommodate the proposed development;
    g. Such other information as may be required by the Director as reasonable and necessary to evaluate the reasonable use respective to the proposed development;
    h. The applicant shall address all criteria, pursuant to subsection **C** or **D** of this section, as applicable;
    i. Any additional materials, studies or reports or previously prepared or issued approvals related to the proposal such as a critical area identification form; critical area report, including mitigation plan, if necessary; and any other related project documents, such as permit applications to other agencies, special studies, and environmental documents prepared pursuant to the State Environmental Policy Act.
2. Burden of Proof. The burden of proof is on the applicant to submit sufficient evidence and information in support of the request on which the decision is to be made.

C. Criteria for Public Agencies and Utilities Reasonable Use Exceptions. If strict application of this chapter would unreasonably prohibit the provision of a public service by a public agency or public utility development proposal, the public entity may be granted an exception subject to meeting all of the following criteria:

1. The application of the critical areas regulations would unreasonably restrict the ability to provide utility services to the public;
2. There is no other practical alternative to the proposed development with less impact on the critical areas;
3. The proposal does not pose an unreasonable threat to the public health or safety on or off the development proposal site and will not be materially detrimental to the property or improvements in the vicinity;
4. The proposal attempts to protect and mitigate impacts to the existing critical area functions and value, consistent with MTMC § **16.15.310**, Alteration of critical areas, and best available science to the fullest extent possible;
5. Any impacts or alterations permitted to the critical area are the minimum necessary and will be mitigated consistent with relevant mitigation standards in this chapter;
6. The proposal attempts to protect and mitigate, consistent with MTMC § **16.15.210** and best available science, the existing critical area functions; and
7. The proposal is consistent with other applicable regulations and standards.

D. Criteria for Private Development and Private Permit Application Reasonable Use Exceptions. The property owner may apply for and be granted a reasonable use exception subject to meeting all of the following criteria:

1. The application of the critical area regulations would deny all reasonable economic use of the property;
2. No other reasonable economic use of the property has less impact on the critical area or buffer;
3. The inability of the applicant to derive reasonable economic use of the property is not the result of a self-created hardship, due to the applicant's actions or that of a previous property owner, after the effective date of this chapter or its predecessor (Ordinance No. 2370), or other actions thereby creating an undevelopable condition;
4. The proposed encroachment into the critical area and/or buffer is the minimum necessary to allow for reasonable economic use of the property and no feasible and reasonable on-site alternative is possible to the activities proposed, considering possible changes in site layout, reductions in density and similar factors, with fewer adverse impacts;
5. The proposed reasonable use will result in minimal impact and/or alteration of the critical areas and/or buffers;
6. Any impacts or alterations permitted to the critical area are mitigated consistent with relevant mitigation standards in this chapter;
7. The proposal attempts to protect and mitigate, consistent with MTMC § **16.15.210** and best available science, the existing critical area functions and values to the fullest extent possible;
8. The proposal does not create a health or safety hazard on or off the proposal site or be materially detrimental to the property or improvements in the vicinity; and
9. The proposal is consistent with other applicable regulations and standards.

E. Review and Approval Process.

1. A formal preapplication conference is required, per MTMC § **16.15.150**.
2. The applicant shall submit an application to include all filing requirements per subsection **B** of this section and applicable fee.
3. The land use project procedures time line set forth in MTMC § **18.05.075** applies, except if otherwise stated in this chapter.
4. The Director shall review the application for completeness, pursuant to meeting all the filing requirements of this section. The Director shall review the complete application for:
    a. Consistency with criteria in subsection **C** or **D** of this section, as applicable.
    b. Adequacy of any reports, studies or other materials submitted.
5. A notice of application shall be issued, pursuant to MTMC § **16.15.140**.
6. The Director shall evaluate the proposal's consistency with the criteria and forward a written recommendation to the Hearing Examiner to approve or deny the request. The recommendation may include conditions, as are necessary to ensure adequate protection of critical areas from adverse impacts and to ensure conformity with this chapter, including the preparation and implementation of a mitigation and monitoring plan consistent with this chapter, and any time limits for application or completion of work.
7. The Hearing Examiner shall hold a public hearing and provide public notice, pursuant to Chapter **18.05** MTMC.

8. A final decision shall be rendered within 120 days of the determination of completeness, per MTMC § **18.05.140**.

F. Decision.

1. The Hearing Examiner shall make written findings that the request meets, or fails to meet, the criteria for a reasonable use exception, pursuant to MTMC § **18.05.185**, that the proposed mitigation is sufficient to protect the critical area, and that strict application of the standards in this chapter would deny all reasonable use of the property.

2. The Hearing Examiner may impose any conditions he or she feels necessary, to ensure that the criteria are met and any impacts adequately mitigated to ensure no net loss to critical area functions and values, and set time limits for making application and completing work.

3. Approval of a reasonable use exception shall not eliminate the need for any other permits or approvals otherwise required by applicable city codes.

G. Time Limits.

1. Any permits necessary to establish or construct the approved reasonable use shall be applied for within one year of the effective date of the Hearing Examiner's decision, unless a different time is approved or required.

2. The approval is automatically null and void if the necessary permit applications to establish the use are not received within the specified time, unless a time extension is obtained pursuant to MTMC § **18.05.165**, including a demonstration that the conditions of the site and critical areas have not changed since the approval decision was issued. Knowledge of the expiration date is the responsibility of the applicant.

H. Appeal. An appeal of the final decision shall be consistent with the appeal process, pursuant to MTMC § **16.15.385**.
(Ord. 2731 § 2 (Exh. A), 2018; Ord. 2811 § 11, 2022; Ord. 2902, 12/18/2025)

§ 16.15.380. Enforcement and penalties.

A. Any responsible party violating any of the provisions of this chapter may be subject to enforcement procedures and penalties of this section and any applicable procedures and penalties, per Chapter **1.15** MTMC, Code Enforcement. Penalties are cumulative. Any developer/owner who violates the provisions of this chapter, or an approved plan, shall incur a civil penalty in the amount of $500.00 per day from the date set for correction, until the violation is corrected.

B. Enforcement. Enforcement shall be pursuant to Chapter **1.15** MTMC. When it is determined that a violation has occurred or is occurring, the City may issue notices of civil violation, and criminal violation, to the person responsible for the violation, per Chapter **1.15** MTMC.

C. Additional Penalties. The penalties of this section are in addition to, and not in lieu of, any other applicable penalties set forth in this chapter, Chapter **1.15**, **16.20** or **19.140** MTMC.

1. A square footage cost of $3.00 per square foot of impacted critical area buffer; and

2. A square footage cost of $15.00 per square foot of impacted critical area; and

3. A per tree penalty, in the amount of $1,500 per inch of diameter at breast height (DBH) of a non-significant tree and $3,000 per inch of DBH of a significant tree unlawfully cleared, cut, removed or damaged. If the DBH of an unlawfully cleared, cut, removed or damaged tree cannot be established, the diameter of the remaining stump top shall be used. In cases where the stump has been removed, the City will approximate the size of the tree(s) removed based on available evidence. If inadequate evidence as to the size of the tree exists, the City shall assess a minimum $10,000 civil penalty fine for each unlawfully cleared, cut, removed or damaged tree. Fines must be paid within 30 days. A property lien may result from the nonpayment of fines. An appeal shall be governed by procedures outlined in Chapter **1.15** MTMC; and

4. Restoration of impacts to critical areas is required, pursuant to MTMC § **16.15.115** and § **16.15.330**.
(Ord. 2731 § 2 (Exh. A), 2018; Ord. 2805 §§ 4, 7 (Exh. B), 2022; Ord. 2902, 12/18/2025)

§ 16.15.385. Appeals of critical area decisions.

A. Administrative interpretations and administrative approvals may be appealed, by the applicant or any party of record, to the Hearing Examiner, pursuant to Chapter **2.120** MTMC.

1. Appeals shall be written and shall state the following:

a. The decision being appealed, the name of the project applicant and the date of the decision.

b. The name and address of the person appealing, and his or her interest in the matter.

c. The reasons why the person appealing believes the decision to be in error under the provisions of this chapter.

2. Filing the Appeal. The person appealing shall file the appeal and applicable fee with the Director within 14 calendar days after the date of the decision being appealed.

3. Standards. In deciding the appeal, the Hearing Examiner shall determine whether the critical area decision, pursuant to the appeal, was in error, pursuant to the provisions of this chapter.

B. Decisions by the Hearing Examiner may be appealed, by the applicant or any party of record, pursuant to the judicial appeal process per Chapter **2.120** MTMC and MTMC § **18.05.260**.
(Ord. 2731 § 2 (Exh. A), 2018; Ord. 2811 § 12, 2022; Ord. 2902, 12/18/2025)

§ 16.15.390. Fees.

A. Fees for critical area review and processing of applications and other services provided by the city, pursuant to this chapter, apply per the City's adopted fee schedule.

B. The applicant shall be responsible for all costs associated with the initiation, preparation, submission, and expense of all required reports, assessments, studies, plans, reconnaissance, third party review by qualified professionals and any other work prepared in support of or necessary to review and process the application and install, maintain, and monitor critical area work.

C. Performance and maintenance warrantees may be required for restoration, mitigation, and monitoring activities. These are at the sole expense of the applicant.
(Ord. 2731 § 2 (Exh. A), 2018; Ord. 2902, 12/18/2025)

§ 16.15.430. Geologically hazardous areas.

A. Geologic Hazard Classifications. Geologic hazard areas shall be classified according to the criteria in this section. Best available science for geological hazards is available through the Washington Geologic Information Portal through the Department of Natural Resources.

1. Critical Erosion Hazard Areas. Lands or areas underlain by soils identified by the U.S. Department of Agriculture Natural Resource Conservation Service as having “severe” or “very severe” erosion hazards. Erosion hazards also include channel migration zones. Erosion hazard areas include areas likely to become unstable, such as bluffs, steep slopes, and areas with unconsolidated soils.

2. Landslide Hazard Areas.

a. Areas at risk of mass movement due to a combination of geologic, topographic, and hydrologic factors. They include any areas susceptible to landslide because of any combination of bedrock, soil, slope (gradient), slope aspect, structure, hydrology, or other factors, and include, at a minimum, the following:

i. Areas of historic failures designated as quaternary slumps, earthflows, mudflows, or landslides on maps published by the United States Geological Survey or Washington Department of Natural Resources, including but not limited to the 2022 Landslide Inventory of Portions of Snohomish County, Washington (Mickelson);

ii. Slopes that are parallel or subparallel to planes of weakness (such as bedding planes, joint systems, and fault planes) in subsurface materials;

iii. Areas potentially unstable as a result of rapid stream incision, stream bank erosion, and undercutting by wave action, including stream channel migration zones;

iv. Areas classified as “Class II,” “Class III” or “Class IV” as follows:

(A) Class II/Moderate Hazard. Areas with slopes of between 15% and 40% and that are underlain by soils that consist largely of sand, gravel or glacial till.

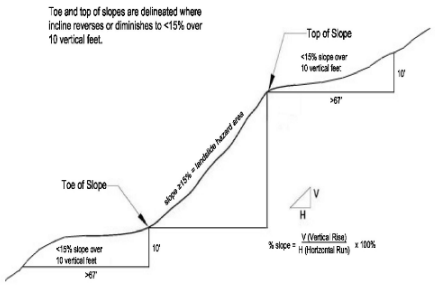
(B) Class III/High Hazard. Areas with slopes between 15% and 40% that are underlain by soils consisting largely of silt and clay.

(C) Class IV/Very High Hazard. Areas with slopes steeper than 15% with mappable zones of emergent water (e.g., springs or ground water seepage), areas of known (mappable) landslide deposits regardless of slope, and all areas with slopes 40% or greater.

v. Any area with a slope of 40% or steeper and with a vertical relief of 10 or more feet except areas composed of bedrock. A slope is delineated by establishing its toe and top and measured by averaging the inclination over at least 10 feet of vertical relief.

Figure 16.15.430(2)

Slope Delineation



3. Seismic Hazard Areas. "Seismic hazard areas" are lands that, due to a combination of soil and ground water conditions, are subject to severe risk of ground shaking, subsidence or liquefaction of soils during earthquakes. These areas are typically underlain by soft or loose saturated soils (such as alluvium), have a shallow ground water table and are typically located on the floors of river valleys.

B. Buffer Areas and Setbacks.

1. Required buffer widths and setbacks shall reflect the sensitivity of the particular geologic hazard and the risks associated with development. The type and intensity of human activity proposed on, or near, the geologic hazard area should also be considered. In determining the appropriate buffer width, the Department shall consider the standards of this section and recommendations contained in any technical reports required by this chapter.

2. Minimum standards include:

a. Buffers shall be measured from the top and toe and along the sides of the geologically hazardous slope.

b. The minimum required buffers width from a critical geologic hazard shall be 30 feet. The buffer width may be increased when the geotechnical report recommends. The buffer width may also be reduced when the applicant demonstrates, through technical studies, that the reduction will still adequately protect the geologic hazard and the proposed development, in view of proposed engineering techniques.

c. Buildings and structures shall be set back a minimum of 15 additional feet from the edge of the buffer.

3. Buffers shall typically consist of an undisturbed area of native vegetation. No buildings or structures shall be allowed unless otherwise permitted by this chapter. If the site has previously been disturbed, the buffer area shall be revegetated, pursuant to an approved enhancement plan.

4. Buffers shall be protected during and after construction per MTMC § **16.15.260**, as applicable.

C. Alterations. Alteration of geologic hazard areas may be permitted by the Director, subject to the criteria of this section.

1. General Standard. The City may approve, condition or deny proposals for the alteration of geologic hazard areas based on the degree to which significant risks posed by critical hazard areas to public and private property and to public health and safety can be mitigated. The objective of mitigation measures shall be to render a site containing a critical geologic hazard site as safe as one not containing such hazard or one characterized by a low hazard. In appropriate cases, conditions may include limitations of proposed uses, modification of density, alteration of site layout and other appropriate changes to the proposal. Where potential impacts cannot be effectively mitigated, or where the risk to public health, safety and welfare, public or private property, or important natural resources is significant notwithstanding mitigation, the proposal shall be denied, unless permitted as a reasonable use exception under MTMC § **16.15.360**.

2. Class IV Landslide Hazard Areas. Alteration shall be prohibited in Class IV (very high) landslide hazard areas, subject to the reasonable use provisions of this chapter.

3. Critical Seismic Hazard Areas.

a. For one-story and two-story residential structures, the applicant shall conduct an evaluation of site response and liquefaction potential based on the performance of similar structures under similar foundation conditions; and

b. For all other proposals, the applicant shall conduct an evaluation of site response and liquefaction potential including sufficient subsurface exploration to provide a site coefficient (S) for use in the static lateral force procedure described in the International Building Code.

4. When development is permitted in geologic hazard areas by these regulations, an applicant and/or its qualified professional shall provide assurances which, at the City's discretion, may include one or more of the following:

a. A letter from the geotechnical engineer and/or geologist licensed in Washington who prepared the studies required by these regulations that risks of damage from the proposal, both on site and off site, are minimal subject to the conditions set forth in the report, that the proposal will not increase the risk of occurrence of the potential geologic hazard, and that measures to eliminate or reduce risks have been incorporated into its recommendations;

b. A letter from the applicant, or the owner of the property if not the applicant, stating an understanding and acceptance of any risk of injury or damage associated with development of the site and agreeing to notify any future purchasers of the site, portions of the site, or structures located on the site of the geologic hazard;

c. A legally enforceable hold harmless agreement, which shall be recorded as a covenant and noted on the face of the deed or plat, and executed in a form satisfactory to the City, acknowledging that the site is located in a geologic hazard area; the risks associated with development of such site; and a waiver and release of any and all claims of the owner(s), their directors, employees, successors or assigns against the City of Mountlake Terrace for any loss, damage or injury, whether direct or indirect, arising out of issuance of development permits for the proposal; and

d. Posting of a guarantee, bond, or other assurance device approved by the City, to cover the cost of monitoring, maintenance and any necessary corrective actions.

D. Critical Area Report Requirements – Geotechnical. In addition to the basic critical area report requirements, per MTMC § **16.15.200**, the technical information for an erosion hazard or landslide hazard area shall include the following information at a minimum:

1. Site Plan. The critical area report shall include a copy of the site plan for the proposal showing:

a. The height of slope, slope gradient, and cross-section of the project area;

b. The location of springs, seeps, or other surface expressions of ground water on or within 200 feet of the project area or that have potential to be affected by the proposal;

c. The location and description of surface water runoff features.

2. Hazards Analysis. The hazards analysis component of the critical area report shall specifically include:

a. A description of the extent and type of vegetative cover;

b. A description of subsurface conditions based on data from site-specific explorations;

c. Descriptions of surface and ground water conditions, public and private sewage disposal systems, fills and excavations, and all structural improvements;

d. An estimate of slope stability and the effect construction and placement of structures will have on the slope over the estimated life of the structure;

e. An estimate of the bluff retreat rate that recognizes and reflects potential catastrophic events such as seismic activity or a 100-year flood event;

f. Consideration of the run-out hazard of landslide debris and/or the impacts of landslide run-out on down-slope properties;

g. A study of slope stability including an analysis of proposed cuts, fills, and other site grading;

h. An assessment of cumulative impacts;

i. Recommendations for building siting limitations;

j. An analysis of proposed surface and subsurface drainage, and the vulnerability of the site to erosion; and

k. The location and description of surface water runoff features.

l. Analysis of dynamic conditions shall be based on a horizontal ground acceleration equal to one-half of the peak horizontal ground acceleration with a 2% in 50-year probability of exceedance as established by the current version of the International Building Code. The factor of safety of landslide occurrences shall not be decreased below the limits of 1.5 for static conditions or 1.2 for dynamic conditions. If stability at the proposed development site is below these limits, the proposed development shall provide practicable approaches to reduce risk to human safety and improve the factor of safety for landsliding. In no case shall the existing factor of safety be reduced for the subject property or adjacent properties.

3. Geotechnical Engineering Report. The technical information for a project within a landslide hazard area shall include a geotechnical engineering report prepared by a licensed geotechnical engineer licensed in Washington that presents engineering recommendations for the following:
    a. Parameters for design of site improvements including appropriate foundations and retaining structures. These should include allowable load and resistance capacities for bearing and lateral loads, installation considerations, and estimates of settlement performance;
    b. Recommendations for drainage and subdrainage improvements;
    c. Earthwork recommendations including clearing and site preparation criteria, fill placement and compaction criteria, temporary and permanent slope inclinations and protection, and temporary excavation support, if necessary; and
    d. Mitigation of adverse site conditions including slope stabilization measures and seismically unstable soils, if appropriate.
4. Erosion and Sediment Control Plan. For any development proposal on a site containing an erosion hazard area, an erosion and sediment control plan shall be required. The erosion and sediment control plan shall be prepared in compliance with requirements set forth in the City codes, regulations and standards.
5. Drainage Plan. The technical information shall include a drainage plan for the collection, transport, treatment, discharge, and/or recycling of water prepared in accordance with City codes, regulations and standards. The drainage plan should consider on-site septic system disposal volumes where the additional volume will affect the erosion or landslide hazard area.
6. Mitigation Plans. Hazard and environmental mitigation plans for erosion and landslide hazard areas shall include the location and methods of drainage, surface water management, locations and methods of erosion control, a vegetation management and/or replanting plan, and/or other means for maintaining long-term soil stability.
7. Monitoring Surface Waters. If the Director determines that there is a significant risk of damage to downstream receiving waters due to potential erosion from the site, based on the size of the project, the proximity to the receiving waters, or the sensitivity of the receiving waters, the technical information shall include a plan to monitor the surface water discharge from the site. The monitoring plan shall include a recommended schedule for submitting monitoring reports to the City.
8. Seismic Hazard Areas. In addition to the basic geologic report requirements, a critical area report for a seismic hazard area shall also meet the following requirements:
    a. The site map shall show all known and mapped faults within 200 feet of the project area or that have potential to be affected by the proposal.
    b. The hazards analysis shall include a complete discussion of the potential impacts of seismic activity on the site (for example, forces generated and fault displacement).
    c. A geotechnical engineering report shall evaluate the physical properties of the subsurface soils, especially the thickness of unconsolidated deposits and their liquefaction potential. If it is determined that the site is subject to liquefaction, mitigation measures appropriate to the scale of the development shall be recommended and implemented.
    d. For one- and two-story single-family structures, conduct an evaluation of site response and liquefaction potential based on the performance of similar structures under similar foundation conditions.
    e. For all other proposals, conduct an evaluation of site response and liquefaction potential including sufficient subsurface exploration to provide a site coefficient (S) for use in the static lateral force procedure described in the Uniform Building Code.
9. Critical Aquifer Recharge Areas. When present, add the information listed in the Critical Aquifer Recharge Reporting Requirements to the geotechnical report.

E. Mitigation Planning. The applicable standards in MTMC § **16.15.210** through § **16.15.240** shall be incorporated into mitigation plans submitted to the Director to address impacts to geologic hazard areas. Mitigation plans shall contain sufficient information and detail to analyze impacts and alternatives. The following shall be reflected in proposals within geologic hazard areas, at a minimum:

1. A geotechnical study shall be prepared to identify and evaluate potential hazards and to formulate mitigation measures;
2. Construction methods will reduce or not adversely affect geologic hazards;
3. Site planning shall minimize disruption of existing topography and natural vegetation;
4. Impervious surface coverage shall be minimized;
5. Disturbed areas shall be replanted as soon as feasible, pursuant to an approved landscape plan;
6. Clearing and grading shall be limited to the period of May 1st to October 1st unless the geotechnical report specifically addresses measures necessary to perform clearing and grading during other portions of the year;
7. Use of retaining walls that allow maintenance of existing natural slope areas are preferred over graded slopes;
8. Temporary erosion and sedimentation controls, pursuant to an approved plan, shall be implemented during construction;
9. A master drainage plan shall be prepared for large projects as required by the City Engineer;
10. Development shall not increase instability or create a hazard to the site or adjacent properties, or result in a significant increase in sedimentation or erosion;
11. Any other information and analysis, as determined by the Department, to be relevant to incorporate into mitigation plans.

F. Mitigation, when applicable or required, shall be implemented consistent with MTMC § **16.15.210**, mitigation sequencing, MTMC § **16.15.220**, mitigation plan, MTMC § **16.15.230**, performance standards, and MTMC § **16.15.240**, maintenance and monitoring plan, and any other applicable mitigation provisions in this section, and any specific standards per this section.

G. Geologic Hazard Protection. Protective covenants or conservation easements may, per MTMC § **16.15.270**, be required to provide long-term preservation and protection.

(Ord. 2731 § 2 (Exh. A), 2018; Ord. 2902, 12/18/2025)

§ 16.15.500. Definitions.

For the purposes of this chapter, the following definitions shall apply:

‘‘Active channel’’
means the portion of a stream channel defined by the lower limit of continuous riparian vegetation, and it may be delineated by absence of both moss on rocks and rooted vegetation. The upper most elevation of the active channel is sometimes equated with the ordinary high-water mark.

"Alteration"
means any human induced change to, addition to, or modification of an existing condition, structure, or use of a critical area or its buffer. Alterations include, but are not limited to, grading, filling, channelizing, dredging, clearing (vegetation), construction, compaction, excavation, or any other activity that changes the character of the critical area.

"Anadromous fish"
means fish, such as wild salmon, that spawn and rear in fresh water and mature in the marine environment.

"Applicant"
means any person, party, firm, corporation, or other entity which applies for a development proposal, permit or approval subject to review under this chapter.

"Application"
means the completed form or forms and all accompanying documents, exhibits, and fees required of an applicant for review and approval to conduct an activity or use as required and permitted in this chapter.

"Aquifer"
means, generally, any water-bearing soil or rock unit. Specifically, a body of soil or rock that contains sufficient saturated permeable material to conduct ground water and yield economically significant quantities of ground water to wells or springs.

"Aquifer susceptibility"
means the ease with which contaminants can move from the land surface to the aquifer based solely on the types of surface and subsurface materials in the area.

"Artificially created wetland"
means wetlands created from nonwetland sites through purposeful, legally authorized human action, such as irrigation and drainage ditches, grass-lined swales, canals, retention or detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities.

"Base flood" or "100-year flood"
means a flood having a one percent chance of being equaled or exceeded in any given year, also referred to as the "100-year flood." The base flood is determined for existing conditions, and is shown on Flood Insurance Rate Maps (FIRM), current version; unless a more complete basin plan including projected flows under future developed conditions has been completed and adopted by the City of Mountlake Terrace, in which case these future flow projections shall be used. In areas where the flood insurance study for the City includes detailed base flood calculations, those calculations may be used.

"Best available science"
means current scientific information used in the process to designate, protect, or restore critical areas, that is derived from a valid scientific process as defined by WAC **365-195-900** through **365-195-925**. Sources of the best available science are included in Citations of Recommended Sources of Best Available Science for Designating and Protecting Critical Areas published by the Washington State Department of Community, Trade and Economic Development.

"Best management practices (BMPs)"
means conservation practices or systems of practices and management measures that:

1. Controls soil loss and reduces water quality degradation caused by high concentrations of nutrients, animal waste, toxins, and sediment;
2. Minimizes adverse impacts to surface water and ground water flow and circulation patterns, and to the chemical, physical, and biological characteristics of wetlands;

3. Protects trees and vegetation designated to be retained during and following site construction, and uses native plant species appropriate to the site for revegetation of disturbed areas; and

4. Provides standards for proper use of chemical herbicides within critical areas.

"Buffer, critical area"
means that area which surrounds and helps protect the functions and values of critical areas from adverse impacts, minimizes public safety risks, and/or may provide wildlife habitat integrally related to the critical area. The purpose of the buffer shall be to protect the integrity, function and value of the subject critical area (wetlands, streams, and wildlife habitat areas), and/or to protect life, property and resources from risks associated with development on unstable or critical lands (geologic hazard areas, flood hazard areas, aquifer recharge). Buffers shall typically consist of an undisturbed area of native vegetation.

Buffer, Functionally Disconnected.
See “Functionally disconnected buffer.”

"Building setback"
means an area that begins at the outermost edge of a critical area buffer which shall not contain a building or structure of such size, individually or cumulatively, as to require issuance of a building permit. Building/structure overhangs not more than 24 inches may extend into the required building setback.

“Channel migration zone” (CMZ)
means areas in a floodplain where a stream or river channel can be expected to move naturally over time in response to gravity and topography. It includes the land adjacent to the current river channel that is at high risk of occupation by the channel within the next 100 years. All areas separated from the active channel by a legally existing artificial structure(s) that is publicly maintained and likely to restrain channel migration, including transportation facilities, built above or constructed to remain intact through the 100-year flood, shall not be considered to be in the channel migration zone. Areas behind natural or manmade features which limit channel migration that allow fish passage shall not be included in the channel migration zone.

"City"
means the City of Mountlake Terrace.

"Clearing"
means the removal of timber, brush, grass, ground cover or other vegetative matter from a site which exposes the earth's surface of the site, or any actions which disturb the existing ground surface.

"Comprehensive Plan"
means the City of Mountlake Terrace Comprehensive Plan as now adopted or hereafter amended.

"Conservation easement"
means a legal agreement that the property owner enters into to restrict uses of the land, providing permanent or long-term protection that is granted to the City or a nonprofit entity (e.g., land trust) to enable the City to protect a critical area and associated buffer from use and development that is inconsistent with this chapter.

"Contaminant loading potential"
means the availability within an aquifer recharge area of any potential physical, chemical, biological, or radiological substance that enters the hydrological cycle and may cause a deleterious effect on ground water resources.

"Creation"
means the purposeful and legally authorized construction or forming of a wetland or stream from an upland (nonwetland or dry) site through artificial means. See also "Mitigation, compensatory."

"Critical aquifer recharge areas"
are areas with a critical recharging effect on aquifers used for potable water, including areas where an aquifer that is a source of drinking water is vulnerable to contamination that would affect the potability of the water, or is susceptible to reduced recharge.

"Critical area report"
means a report prepared by a "qualified professional" (as that term is defined in this section) to determine the presence, type, class, size, function and/or value of an area and mitigation and monitoring of impacts subject to these regulations.

"Critical area tract"
means land held in private ownership and retained in an open condition in perpetuity for the protection of critical areas.

"Critical areas"
means any of the following areas or ecosystems: wetlands, critical aquifer recharge areas, fish and wildlife habitat conservation areas, frequently flooded areas, and geologically hazardous areas, and as defined in Chapter **36.70A** RCW and this chapter.

"Critical erosion hazard areas"
means lands or areas underlain by soils identified by the U.S. Department of Agriculture Natural Resource Conservation Service as having “severe” or “very severe” erosion hazards.

"Critical facility"
means a facility for which even a slight chance of flooding, inundation, or impact from a hazard event might be too great. Critical facilities include, but are not limited to, schools, nursing homes, hospitals, police, fire, and emergency response installations, and installations that produce, use, or store hazardous materials or hazardous waste.

"Critical geologic hazard areas"
means lands or areas subject to high or severe risks of geologic hazard, including critical erosion hazard areas, critical landslide hazard areas, and critical seismic hazard areas.

"Critical seismic hazard areas"
means lands or areas where there is a high risk of seismic events and damage.

"Department"
means the City of Mountlake Terrace Community and Economic Development Department, or successor agency, unless the context indicates otherwise.

"Development"
means any human-made change to real estate including, but not limited to, buildings or other structures, grading, dredging, filling, paving, mining, excavation, drilling, or storage of equipment and materials, or any other activity of a temporary or permanent nature which results in the removal of vegetation or in the alteration of natural site characteristics.

"Director"
means the Director of the City of Mountlake Terrace Community and Economic Development Department, or his/her designee.

"Earth/earth material"
means naturally occurring rock, soil, stone, sediment, or a combination thereof.

“Ecosystem functions”
means the products, physical and biological conditions, and environmental qualities of an ecosystem that result from interactions among ecosystem processes and ecosystem structures. Ecosystem functions include, but are not limited to, sequestered carbon, attenuated peak streamflow, aquifer water level, reduced pollutant concentrations in surface and ground waters, cool summer in-stream water temperatures, and fish and wildlife habitats.

“Ecosystem values”
means the cultural, social, economic, and ecological benefits attributed to ecosystem functions.

"Emergency"
means that there exists an immediate threat to public health, safety, or welfare, or that the circumstances pose an immediate risk of damage to private property and require remedial or preventative action in a time frame too short to allow for compliance with the standard procedural requirements of this chapter.

"Enhancement"
means the improvement of an existing viable wetland, stream or habitat area or the buffers established for such areas, through such measures as increasing plant diversity, increasing wildlife habitat, installing environmentally compatible erosion controls, increasing structural diversity or removing plant or animal species that are not indigenous to the area. Enhancement also includes actions performed to improve the quality of an existing degraded wetland, stream or habitat area. See also "Restoration."

"Erosion"
means a process whereby wind, rain, water and other natural agents mobilize and transport soil particles.

"Erosion control"
means on-site and off-site control measures needed to control conveyance or deposition of earth, turbidity or pollutants during development, construction, or restoration. Erosion control may be temporary or permanent.

"Erosion hazard areas"
are those areas containing soils which, according to the United States Department of Agriculture Natural Resources Conservation Service Soil Survey Program, may experience significant erosion. Erosion hazard areas also include channel migration zones. Erosion hazard areas include areas likely to become unstable, such as bluffs, steep slopes, and areas with unconsolidated soils.

"Excavation"
means the removal or displacement of earth material by human or mechanical means.

"Exotic"
means any species of plant or animal that is foreign and not indigenous to the Mountlake Terrace area including non-native invasive species from other regions of the conterminous United States.

"Fill/fill material"
means a deposit of earth material placed by human or mechanical means.

"Filling"
means the act of transporting or placing (by any manner or mechanism) fill material from, to, or on any surface water body or wetland, soil surface, sediment surface, or other fill material.

"Fish and wildlife habitat conservation areas" (FWHCAs)
means areas that serve a critical role in sustaining needed habitats and species for the functional integrity of the ecosystem, and which, if altered, may reduce the likelihood that the species will persist over the long term. These areas may include, but are not limited to, rare or vulnerable ecological systems, communities, and habitat or habitat elements including seasonal ranges, breeding habitat, winter range, and movement corridors; and areas with high relative population density or species richness. "Habitats of local importance" designated as fish and wildlife habitat conservation areas include those areas found to be locally important by counties and cities. "Fish and wildlife habitat conservation areas" does not include such artificial features or constructs as irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ditches that lie within the boundaries of, and are maintained by, a port district or an irrigation district or company.

“Fish habitat”
means the habitat used by any fish at any life stage at any time of the year, including potential habitat likely to be used by fish which could be recovered by restoration or management and includes off-channel habitat.

"Flood hazard areas"
means those areas subject to inundation by the base flood. A flood hazard area consists of the floodplain, flood fringe, and floodway.

"Flood Insurance Rate Map (FIRM)"
means the official map prepared as part of (but published separately from) the Flood Insurance Rate Study on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the applicable risk premium zones.

"Flood or flooding"
means a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland waters and/or the unusual and rapid accumulation of runoff of surface waters from any source.

"Floodplain"
means the total area adjoining a river, stream, watercourse, or lake subject to inundation by the base flood.

"Floodplain, 100-year," "100-year floodplain" or "flood hazard areas"
means those lands which are subject to a one percent or greater chance of flooding in any year.

"Floodway"
means the channel of the stream or river and that portion of the adjoining floodplain which is necessary to contain and discharge the base flood flow without increasing the base flood elevation more than one foot. It is generally associated with rapidly flowing water.

"Frequently flooded areas"
are lands in the floodplain subject to at least a 1% or greater chance of flooding in any given year, or within areas subject to flooding due to high groundwater. These areas include, but are not limited to, streams, rivers, lakes, coastal areas, wetlands, and areas where high groundwater forms ponds on the ground surface, and those lands that provide important flood storage, conveyance, and attenuation functions, as determined by the Director in accordance with WAC **365-190-080(3)**. Classifications of frequently flooded areas include, at a minimum, the 100-year floodplain designations of the Federal Emergency Management Agency and the National Flood Insurance Program (NFIP).

“Functionally disconnected buffer”
means legally established development blocks the protective measures that a buffer provides and increasing the buffer of the far side of the development would add no protective benefit. Functionally disconnected buffers can be created by significant developments, public infrastructure such as paved roads and railroads, and private development. Functionally disconnected buffers typically do not include trails, minor accessory structures, paths, driveways serving a single unit residence.

"Functions and values" or "functions"
means the beneficial roles served by critical areas including, but not limited to, water quality protection and enhancement; fish and wildlife habitat; food chain support; flood storage, conveyance and attenuation; ground water recharge and discharge; erosion control; wave attenuation; protection from hazards; historical, archaeological, and aesthetic value protection; educational opportunities; and recreation.

"Geologic hazard areas"
means those areas that because of their susceptibility to erosion, landsliding, earthquake, or other geological events, may not be suited to siting commercial, residential or industrial development consistent with public health or safety concerns.

"Grading"
means any excavating, filling, clearing, leveling, or contouring or any combination thereof of the ground surface by human or mechanical means.

“Habitat assessment”
means a written document that describes a project, identifies and analyzes the project’s impacts to habitat for species discussed in the “Endangered Species Act – Section 7 Consultation Final Biological Opinion and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Consultation for the Implementation of the National Flood Insurance Program in the State of Washington, Phase One Document – Puget Sound Region,” and provides an effects determination.

“Habitat connectivity”
means the degree to which the landscape facilitates or impedes wildlife movement.

“Habitat corridor”
means corridors set aside and protected for preserving connections between habitats on development proposal sites that contain streams and/or wetlands with a moderate to high habitat score greater than or equal to six on the Washington State Wetland Rating System for Western Washington (Department of Ecology 2014 or as revised) that are located within 200 feet of an on-site or off-site stream and/or wetland with a moderate to high habitat score greater than or equal to six on the Washington State Wetland Rating System for Western Washington. Fish and wildlife habitat corridors do not increase stream buffers, except as required to provide a connection between two features as described above.

"Habitat management"
means management of land and its associated resources/features to maintain species in suitable habitats within their natural geographic distribution so that isolated subpopulations are not created. This does not imply maintaining all habitat or individuals of all species in all cases.

"Habitats of local importance"
means habitats designated as fish and wildlife habitat conservation areas to include those areas found to be locally important by the city (WAC **365-190-030(6)(b)**).

"Hazard areas"
means areas designated as frequently flooded areas or geologically hazardous areas due to potential for erosion, landslide, seismic activity, mine collapse, or other geological condition.

"Hazard tree"
means a tree or tree part that is structurally unsound and has a high likelihood of failure and causing damage or injury and is therefore a threat to life, property, or public safety.

"High impact land use"
means land uses which are likely to have significant adverse impacts to critical areas because of the intensity of the use, levels of human activity, use of machinery or chemicals, site design or arrangement of buildings and structures. High impact land uses include, but are not limited to, active recreation, residential, institutional, commercial, and industrial land uses.

"Hydrologically isolated"
means wetlands which: (1) have no surface water connection to a lake, river, or stream during any part of the year; (2) are outside of and not contiguous to any 100-year floodplain of a lake, river, or stream; and (3) have no contiguous hydric soil between the S and any lake, river, or stream. May also be a pond excavated from uplands with no surface water connection to a stream, lake, or other wetland.

“Imminent hazard tree”
means hazard tree that presents an immediate threat to public health, safety, or welfare, or that pose an immediate risk of damage to private property and that require remedial or preventative action in a time frame too short to allow for compliance with the standard procedural requirements of this chapter.

"In-kind mitigation" or "in-kind compensation"
means to replace a critical area whose characteristics and functions closely approximate those destroyed or degraded by a regulated activity.

"Intentionally created streams"
means streams created through purposeful human action, such as irrigation and drainage ditches, grass-lined swales, and canals. This definition does not include stream modifications performed, pursuant to City authorization, such as changes or redirection of stream channels.

"Landslide"
means episodic downslope movement of a mass of soil or rock.

"Landslide hazard areas"
means lands or areas where there is a moderate (Class II), high (Class III) or very high (Class IV) risk of landslide due to a combination of slope, soil permeability and water.

"Landslide hazard areas"
means areas at risk of mass movement due to a combination of geologic, topographic, and hydrologic factors.

“Low impact development”
means a stormwater and land use management strategy that strives to mimic natural hydrologic conditions by emphasizing the pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration.

"Low impact land use"
means land uses which are not likely to have significant adverse impacts to critical areas because of the intensity of the use, levels of human activity, use of machinery or chemicals, site design or arrangement of buildings and structures. Depending on the specific context, examples of low impact land uses may include utility facilities and passive recreation.

"Mitigation" or "compensatory mitigation"
means to replace project or activity-induced losses or impacts to critical area or buffers, and includes, but is not limited to, restoration, creation, preservation or enhancement. (See also separate definitions.)

1. **Restoration**
   Actions performed to reestablish wetland, stream or other critical area functional characteristics and processes that have been lost by alterations, activities, or catastrophic events within an area that no longer meets the definition of that critical area.

2. **Creation**
   Actions performed to intentionally establish a wetland, stream or other critical area at a site where it did not formerly exist.

3. **Preservation**
   Actions taken to ensure the permanent protection of existing, high-quality wetland, stream or other critical area.

4. **Enhancement**
   Actions performed to improve the condition of existing degraded wetland, stream or other critical area so that the functions they provide are of a higher quality.

Mitigation Bank.

See "Wetlands mitigation bank."

"Mitigation, off-site" or "off-site mitigation"
means to replace a critical area, buffer and functions, on a site or in an area other than the site impacted by an allowable use or activity.

"Mitigation, on-site" or "on-site mitigation or compensation"
means to replace critical areas at or adjacent to the site on which a critical area has been impacted.

"Mitigation, out-of-kind" or "out-of-kind mitigation"
means to replace a critical area, buffer and their functions away from the site on which a critical area has been impacted with a substitute critical area, buffer or function whose characteristics do not closely approximate those adversely affected, destroyed or degraded by an allowable use or activity.

"Mitigation sequencing"
means to consider and/or perform mitigation actions in a priority or sequential order from avoidance to compensation, as defined by this chapter.

"Monitoring"
means the collection and analysis of data by various methods for the purposes of understanding and documenting changes in natural ecosystems and features, and includes gathering baseline data, evaluating the impacts of development proposals on the biological, hydrologic and geologic elements of such systems and assessing the performance of required mitigation measures.

"MTMC"
means Mountlake Terrace Municipal Code.

"Native vegetation"
means vegetation existing on a site or plant species which are or were indigenous to the area in question.

"No net loss of critical areas"
refers to the actions taken to achieve and ensure no overall reduction in existing ecosystem functions and values or the natural systems constituting the protected critical areas. This may involve fully offsetting any unavoidable impacts to critical area functions and values. This principle does not apply to critical aquifer recharge areas.

The concept of "net" as used herein, recognizes that any development has potential or actual, short-term or long-term impacts and that through application of appropriate development standards and employment of mitigation measures in accordance with the mitigation sequence, those impacts will be addressed in a manner necessary to assure that the end result will not diminish the critical area resources and functions as they currently exist.

"Ordinary high water mark" (OHWM)
means (1) That mark that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland (Washington Department of Ecology 2016). (2) That line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas (U.S. Army Corps of Engineers, 2014).

"Permit, critical area"
means any authorization to proceed with an activity, action, or use in a critical area or buffer. An authorization may consist of an approved land use, building, or other type of construction, permit.

"Priority habitat"
means habitat areas associated with threatened, endangered, sensitive, monitor or priority species of plants or wildlife and which, if altered, could reduce the likelihood that the species will maintain and reproduce over the long term. Such areas are identified herein with reference to lists, categories and definitions of species promulgated by the Washington Department of Fish and Wildlife (Nongame Data System Special Animal Species) as identified in WAC **232-12-011** or **232-12-014**[1]; in the priority habitat and species (PHS) program of the Department of Fish and Wildlife; or by rules and regulations adopted currently or hereafter by the U.S. Fish and Wildlife Service or the National Marine Fisheries Service.

"Priority habitats and species"
means important fish and wildlife species and habitats as determined by the Washington State Department of Fish and Wildlife. Priority habitats include endangered, threatened, sensitive, candidate, and vulnerable species and habitats deemed priorities of WDFW and reflective of best available science.

"Priority species"
means a fish or wildlife species requiring protective measures and/or management actions to ensure its survival. A priority species fits one or more of the following criteria (WDFW Priority Habitats and Species List):

1. Is a State-listed endangered, threatened, sensitive, or candidate species;
2. Has vulnerable aggregations; or
3. Is of recreational, commercial, and/or tribal importance.

Those species that are so identified by the Washington Department of Fish and Wildlife due to their population status and their sensitivity to habitat manipulation. Priority species include those which are state-listed endangered, threatened, sensitive and candidate species; animal aggregations considered vulnerable; vulnerable species of recreational, commercial or tribal importance; as well as other species of concern and game species.

"Qualified Arborist"
means an individual with relevant education and training in arboriculture or urban forestry, having one or more of the following credentials:

1. International Society of Arboriculture (ISA) Certified Arborist;
2. Tree Risk Assessor Qualification (TRAQ) as established by the ISA (or equivalent);
3. American Society of Consulting Arborists (ASCA) registered Consulting Arborist;
4. Society of American Foresters (SAF) Certified Forester for Forest Management Plans; and
5. Board Certified Master Arborist as established by the ISA.

A qualified arborist must have the TRAQ or equivalent qualification to submit tree risk assessment reports related to hazard tree removal.

Qualified Professional.
For purposes of this chapter, "qualified professional" shall mean a person who has attained a degree from an accredited college or university in the subject matter necessary to evaluate the critical area in question (e.g., biology, ecology or horticulture/arboriculture for wetlands, streams and wildlife habitat and significant vegetation, geology and/or civil engineering for geologic hazards and critical aquifer recharge areas), and/or who is professionally trained and/or certified or licensed by the state of Washington to practice in the scientific disciplines necessary to identify, evaluate, manage and mitigate impacts to the critical area in question and who has at least two years of experience in the relevant discipline. In addition, for a critical aquifer recharge area hydrogeologic report, a qualified professional is someone who is a currently licensed Washington State geologist holding a current specialty license in hydrogeology.

"Qualified wetland professional"
means a person with professional wetland experience that meets the following criteria:

1. A Bachelor of Science or Bachelor of Arts or equivalent degree in hydrology, soil science, botany, ecology, resource management, or related field, or four years of full-time work experience as a wetland professional may substitute for a degree, and
2. At least two additional years of full-time work experience as a wetland professional; including delineating wetlands, preparing wetland reports, conducting function assessments, and developing and implementing mitigation plans, and
3. Completion of additional wetland-specific training programs. This could include a more comprehensive program such as the University of Washington Wetland Science and Management Certificate Program or individual workshops on topics such as wetland delineation, function assessment, mitigation design, hydrophytic plant or hydric soil identification.

A person certified as a Professional Wetland Scientist through the Society of Wetland Scientists professional certification program meets the above criteria.

"Recreation"
means an active or passive enjoyable outdoor leisure activity.

1. Active recreation – Outdoor recreational activity that may require development of facilities, and can have a high impact on critical areas, such as larger group activities, organized sports, playground activities, and the use of motorized equipment.
2. Passive recreation – Nonconsumptive recreation, education, and scientific research activities that are smaller scale with low impact to critical areas including, but not limited to, interpretive field trips, fishing, hiking, canoeing, kayaking, and bird or wildlife watching.

"Redevelopment"
means development of a site that contains or has contained real estate improvements such as, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, or excavation.

"Regulated activity"
means activities that have a potential to significantly impact a critical area that is subject to the provisions of this chapter. Regulated activities generally include but are not limited to any filling, dredging, dumping or stockpiling, draining, excavation, flooding, clearing or grading, construction or reconstruction, driving pilings, obstructing, shading, clearing or harvesting.

"Restoration"
means to reestablish critical area functional values and characteristics, to its unaltered state, prior to being destroyed or degraded by past alterations activities, past management activities, or catastrophic events, as closely as possible. Commonly applies, but is not limited to, to active steps taken to restore damaged wetlands, streams, protected habitat, or their buffers to the functioning condition that existed prior to an unauthorized alteration. (See also "Mitigation, compensatory" and "Enhancement.")

"Riparian habitat"

means areas adjacent to aquatic systems with flowing water that contain elements of both aquatic and terrestrial ecosystems that mutually influence each other.

"Seismic hazard areas"
means areas that, due to a combination of soil and ground water conditions, are subject to risk of damage as a result of earthquake-induced ground shaking, slope failure, subsidence or liquefaction of soils.

"Significant tree"
means a healthy coniferous or deciduous tree, eight inches in diameter or greater, measured at diameter breast height (DBH) for a deciduous tree; and at least seven feet in height for a coniferous tree.

"Site"
means the location containing a regulated critical area and on which a regulated activity is proposed. The location may be a parcel or portion thereof, or any combination of contiguous parcels where a proposed activity may impact a critical area.

"Slope"
means an inclination of the earth's surface expressed as the ratio of horizontal distance to vertical distance.

"Slope, steep"
means a slope of 40% or more within a vertical elevation change of at least 10 feet. For the purpose of this definition, a slope is delineated by establishing the "toe" and "top" of slope, as defined by this section, and is measured by averaging the inclination over at least 10 feet of elevation difference. See "Landslide hazard areas."

“Stream buffer”
means a designated area contiguous or adjacent to a stream that is required for the continued maintenance, function, and structural stability of the stream. Functions of a buffer include shading, input of organic debris and coarse sediments, uptake of nutrients, stabilization of banks, pollution control, protection from intrusion, or maintenance of wildlife habitat.

"Streams"
means those areas where surface waters produce a defined channel or bed. A "defined channel or bed" is an area which demonstrates clear evidence of the passage of water and includes, but is not limited to, bedrock channels, gravel beds, sand and silt beds, and defined-channel swales. The channel or bed need not contain water year-round. This definition is not intended to include artificially created irrigation ditches, canals, storm or surface water devices or other entirely artificial watercourses unless they are used by salmonids or created for the purposes of stream mitigation.

"Structural diversity, vegetative"
means the relative degree of diversity or complexity of vegetation in a wildlife habitat area as indicated by the stratification or layering of different plant communities (e.g., ground cover, shrub layer and tree canopy); the variety of plant species; and the spacing or pattern of vegetation.

"Substantial improvement"
means any repair, reconstruction or improvement the cost of which, during any three-year period, is more than 50% of the market value of the structure either:

1. Before the improvement is started; or
2. Before the damage occurred if the structure damaged is being replaced. An improvement occurs when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not the alteration affects the external dimensions of the structure. Substantial improvement does not include:
    a. An improvement undertaken solely to comply with existing state or local health, sanitary or safety code specifications which are necessary to assure safe conditions; or
    b. Alteration of a structure listed on the National Register of Historic Places or a state inventory of historic places.

"Substrate"
means the soil, sediment, decomposing organic matter or combination of those located on the bottom surface of the wetland, lake, stream or river.

"Toe" or "toe of slope"
means a distinct topographic break in slope that separates slopes inclined at less than 40% from slopes inclined at 40% or more. Where no distinct break exists, the "toe" of a slope is the lowermost limit of the area where the ground surface drops 10 feet or more vertically within a horizontal distance of 25 feet.

"Top" or "top of slope"
means a distinct topographic break in slope that separates slopes inclined at less than 40% from slopes inclined at 40% or more. Where no distinct break exists, the "top" of a slope is the uppermost limit of the area where the ground surface drops 10 feet or more vertically within a horizontal distance of 25 feet.

Tree, Hazard.
See "Hazard tree."

Tree, Significant.
See "Significant tree."

"Utility"
includes natural gas, electric, telephone and telecommunications, cable communications, water, sewer, or storm drainage and their respective facilities, lines, pipes, mains, equipment and appurtenances.

"Variance"
means an adjustment in the application of the specific provisions of this chapter to a particular piece of property which, because of a unique physical character or condition, is deprived of privileges commonly enjoyed by other properties in similar circumstances.

"Water-dependent use"
means a principal use which can only exist when the land/water interface provides biological or physical conditions necessary for the use.

"Wellhead protection area (WHPA)"
means protective areas associated with public drinking water sources established by water systems and approved or assigned by the state department of health.

"Wetland" or "wetlands"
means areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support and that under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street or highway. However, wetlands may include those artificial wetlands intentionally created from nonwetland areas created to mitigate conversion of wetlands.

Wetland Classification.
Wetland classifications shall incorporate the Washington State Wetlands Rating System for Western Washington (Department of Ecology 2014 Update Publication No. 23-06-009 or as revised).

"Wetlands mitigation bank"
means a site where wetlands are restored, created, enhanced, or in exceptional circumstances, preserved, expressly for the purpose of providing compensatory mitigation in advance of unavoidable impacts to wetlands or other aquatic resources are typically unknown at the time of certification to compensate for future, permitted impacts to similar resources.

"Wildlife habitat"
means areas including naturally occurring ponds that provide food, protective cover, nesting, loafing, breeding or movement for fish and wildlife and with which individual species have a primary association.

(Ord. 2731 § 2 (Exh. A), 2018; Ord. 2747 § 5, 2019; Ord. 2902, 12/18/2025)

[1] *Editor's Note: WAC **232-12-011** and **232-12-014** were recodified as WAC **220-200-100** and **220-610-010**.*

Title 16. Environment

Chapter 16.20. STORMWATER

§ 16.20.010. Purpose.

The purpose of this chapter is to:

A. Promote the public health, safety and welfare by providing for the comprehensive management of storm and surface waters.

B. Provide sound development policies and construction procedures that respect and preserve the City's watercourses in conformance with the latest edition of the Washington State Department of Ecology's Stormwater Management Manual for the Puget Sound Basin.

C. Protect land and water bodies near development from increased surface water runoff rates and durations that could cause flooding, erosion and deposition of sediment as a result of construction activities.

D. Ensure the safety of City roads and rights-of-way and decrease drainage-related damage to public and private property.

E. Minimize water quality degradation of creeks, streams, ponds, lakes and other water bodies while preserving and enhancing the suitability of waters for recreation and fishing.
(Ord. 2549 § 1, 2010)

§ 16.20.020. Definitions.

"Adjustments"
are changes to the minimum requirements which provide substantially equivalent environmental protection, are based on sound engineering practices, and meet the objectives of safety, function, and facility maintenance.

"Basin plan"
means a plan that assesses, evaluates, and proposes solutions to existing and potential future impacts to the beneficial uses of, and the physical, chemical, and biological properties of, waters of the state within a basin. The plan will include but not be limited to recommendations for: stormwater requirements for new development and redevelopment; capital improvement projects; land use management through identification and protection of critical areas, comprehensive land use and transportation plans, zoning regulations, site development standards, and conservation areas; source control activities including public education and involvement, and business programs; other targeted stormwater programs and activities, such as maintenance, inspections and enforcement; monitoring; and an implementation schedule and funding strategy. A plan that is "adopted and implemented" has the following characteristics: it has been adopted by legislative or regulatory action of jurisdictions with responsibilities under the plan; ordinances, regulations, programs, and procedures recommended by the plan are in effect or on schedule to be in effect; and an implementation schedule and funding strategy are in progress.

"Best management practice (BMP)"
means schedules of activities, prohibition of practices, and structural and/or managerial practices that, when used singly or in combination, prevent or reduce the release of pollutants and other adverse impacts to waters of Washington State.

"Comprehensive drainage plan"
refers to a detailed analysis for each drainage basin which compares the capabilities and needs for runoff accommodation due to various combinations of development, land use, structural and nonstructural management alternatives.

"Computations"
means calculations, including coefficients and other pertinent data, made to determine the drainage plan with rates of flow of water given in cubic feet per second and cubic meters per second (CMS).

"Construction stormwater pollution prevention plan (SWPPP)"
is a document that describes the potential for pollution problems on a construction project (defined as any exterior renovation that disturbs the ground) and explains and illustrates the measures to be taken on the construction site to control those problems.

"Critical areas"
means those areas identified in accordance with Chapter **16.15** MTMC as wetlands, geologically hazardous areas, frequently flooded areas, and fish and wildlife habitat.

"Critical facility"
means a facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to, schools, nursing homes, hospitals, police, fire and emergency response installations, and installations which produce, use or store hazardous materials or hazardous waste.

"Critical or sensitive sites"
means critical areas.

"Department"
means the Public Works Department or its assigns.

"Design storm"
means a rainfall (or other precipitation) event or pattern of events for use in analyzing and designing drainage facilities, specifying both the return period in years and the duration in hours.

"Detention facilities"
means facilities designed to hold runoff while gradually releasing it at a predetermined maximum rate.

"Developer"
means the individual(s) or corporation(s) applying for the permits or approvals described in MTMC § **16.20.060(A)**.

"Development"
means any manmade change to improved or unimproved real estate including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment and materials located within the area of special flood hazard.

"Director"
means the City of Mountlake Terrace Public Works Director or his/her designee.

"Drainage plan"
means a "stormwater site plan" as defined in this section.

"Erosion and sedimentation control"
means any temporary or permanent measures taken to reduce erosion, control siltation and sedimentation and ensure that sediment-laden water does not leave a site.

"Flood" or "flooding"
means a general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters; and/or

2. The unusual and rapid accumulation of runoff of surface waters from any source.

"Ground water"
means water in a saturated zone or stratum beneath the surface of the land or below a surface water body.

"Hard surface"
means an impervious surface, a permeable pavement, or a vegetated roof.

"Impervious surface"
means a hard surface area which either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development, and/or a hard surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces may include, but are not limited to, rooftops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled, macadam or other surfaces which similarly impede the natural infiltration of storm and surface water.

"Land-disturbing activity"
is any activity that results in a change in the existing soil cover (both vegetative and nonvegetative) and/or the existing soil topography. Land-disturbing activities include, but are not limited to, clearing, grading, filling, and excavation. Compaction that is associated with stabilization of structures and road construction shall also be considered a land-disturbing activity. Vegetation maintenance practices, including landscape maintenance and gardening, are not considered land-disturbing activity. Stormwater facility maintenance is not considered land-disturbing activity if conducted according to established standards and procedures.

"Low impact development"
means a stormwater and land use management strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design.

"Minimum requirements"
for new development and redevelopment are:

1. **Minimum Requirement No.**
   1: Preparation of Stormwater Site Plans;

2. **Minimum Requirement No.**
   2: Construction Stormwater Pollution Prevention Plan;

3. **Minimum Requirement No.**
   3: Source Control of Pollution;

4. **Minimum Requirement No.**
   4: Preservation of Natural Drainage Systems and Outfalls;

5. **Minimum Requirement No.**
   5: On-Site Stormwater Management;

6. **Minimum Requirement No.**
   6: Runoff Treatment;

7. **Minimum Requirement No.**
   7: Flow Control;

8. **Minimum Requirement No.**
   8: Wetlands Protection; and

9. **Minimum Requirement No.**
   9: Operation and Maintenance.

"Natural location of drainage systems"
refers to the location of those channels, swales, and other nonmanmade conveyance systems as defined by the first documented topographic contours existing for the subject property, either from maps or photographs, or such other means as appropriate.

"New development"
means land-disturbing activities; structural development, including construction, installation or expansion of a building or other structure; creation of impervious surfaces; and subdivision or short subdivision, and binding site plans as defined in Chapter **58.17** RCW.

"Peak discharge"
means the maximum surface water runoff rate (cubic feet per second and cubic meters per second) determined for the design storm.

"Permanent stormwater control (PSC) plan"
is a plan which includes permanent BMPs for the control of pollution from stormwater runoff after construction and/or land-disturbing activity has been completed.

"Pollutant"
means any substance which, when added to water, would contaminate or alter the chemical, physical, or biological properties of any waters of the City's drainage system or of the state. This includes a change in temperature, taste, color, turbidity, or odor of the waters, or such discharge of any liquid, gaseous, solid, radioactive, or other substance into any waters of the City's drainage system or of the state as will or is likely to create a nuisance. It also includes any substance which renders such waters harmful, detrimental, or injurious to the public health, safety or welfare, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish, or other aquatic life.

"Project"
means any proposed action to alter or develop a site or area which may also require drainage review.

"Receiving bodies of water"
means creeks, streams, lakes, and other bodies of water into which waters are directed, either naturally, in manmade ditches, or in closed conduit systems.

"Redevelopment"
means, on a site that is already substantially developed (i.e., has 35 percent or more of existing hard surface coverage), the creation or addition of hard surfaces; the expansion of a building footprint or addition or replacement of a structure; structural development including construction, installation or expansion of a building or other structure; replacement of hard surface that is not part of a routine maintenance activity; and land-disturbing activities.

"Retention facilities"
means facilities designed to hold water for a considerable length of time and then consume it by evaporation, plant transpiration, or infiltration into the soil.

"Runoff"
means water originating from rainfall and other precipitation that is found in drainage facilities, rivers, streams, springs, seeps, ponds, lakes and wetlands as well as shallow ground water.

"Stormwater"
means that portion of precipitation that does not naturally percolate into the ground or evaporate, but flows via overland flow, interflow, channels or pipes into a defined surface water channel, or a constructed infiltration facility.

"Stormwater comprehensive plan"
means the most current Mountlake Terrace Stormwater Comprehensive Plan, and including any subsequent amendments.

"Stormwater Manual"
means the 2019 Stormwater Management Manual for Western Washington as prepared by, and as on file with, the Washington State Department of Ecology. The Stormwater Manual contains BMPs to prevent, control or treat pollution in stormwater and reduce other stormwater-related impacts to waters of the state. The Stormwater Manual is intended to provide guidance on measures necessary in western Washington to control the quantity and quality of stormwater runoff from new development and redevelopment.

"Stormwater site plan"
is the comprehensive report containing all of the technical information and analysis necessary for regulatory agencies to evaluate a proposed new development or redevelopment project for compliance with stormwater requirements. Contents of the stormwater site plan will vary with the type and size of the project, and individual site characteristics. It includes a construction stormwater pollution prevention plan (construction SWPPP) and a permanent stormwater control plan (PSC plan).

"Subject property"
means the tract of land which is the subject of the permit and/or approval action, and is defined by the full legal description of all parcels involved in the proposed development.

"Technical guidance manual"
means the latest version of the Low Impact Development Technical Guidance Manual for Puget Sound (Puget Sound Action Team and Washington State University, Pierce County Extension).

"Variances"
are exemptions from the obligation to follow minimum requirements on a project.

"Wetland" or "wetlands"
means areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street or highway. Wetlands may include those artificial wetlands intentionally created from nonwetland areas to mitigate conversion of wetlands.
(Ord. 2549 § 1, 2010; Ord. 2611 § 1, 2013; Ord. 2700 § 2, 2016; Ord. 2729 § 4, 2018; Ord. 2798 § 2, 2021)

§ 16.20.030. Description of the surface water and storm drainage system.

The City has a storm and surface water drainage system, which includes watercourses, sloughs, streams, ponds, lakes, swamps, streets, ditches, conduits, culverts, and catch basins among others. The City controls this system either through fee ownership, formal easements, regulations, or by its prescriptive rights to pass storm and surface waters over private and public lands.
(Ord. 2549 § 1, 2010)

§ 16.20.040. Statement of authority.

The Director is charged with the administration of and compliance with this chapter. The Director is empowered to establish such administrative and physical procedures and guidelines as are required in the execution of the authority provided under this chapter. The Director's authority shall include but not be limited to administration of the following:

A. Review of all development permits to determine that the permit requirements of this chapter have been satisfied; and

B. Review of all development permits to determine that all necessary permits have been obtained from those federal, state or local governmental agencies from which prior approval is required.
(Ord. 2549 § 1, 2010)

§ 16.20.050. Interpretation.

In the interpretation and application of this chapter, all provisions shall be:

A. Considered as minimum requirements;

B. Liberally construed in favor of the governing body; and

C. Deemed neither to limit nor repeal any other powers granted under state statutes.
(Ord. 2549 § 1, 2010)

§ 16.20.060. Applicability.

Compliance with the terms of this chapter shall be a requirement for the issuance of a civil site plan permit and any form of development permit or building permit affected thereby. In addition to other requirements for compliance with this chapter, the following conditions shall also apply:

A. Area of Applicability. These rules and regulations shall apply to all property within the incorporated boundaries of the City of Mountlake Terrace, and may also apply to the full extent provided by law to those lands which are outside the City boundaries which discharge storm and surface waters into, from, and through the City, except that those lands not within the City boundaries shall be subject to the provisions of intergovernmental agreements as they now exist or shall be later entered into or modified between the City and other affected neighboring jurisdictions.

All persons applying for any of the permits and/or approvals regarding the activities herein listed shall meet the minimum requirements for stormwater site design listed in MTMC § **16.20.110**, including those requirements of the Stormwater Manual. Construction work shall not begin until final approval (by signature) of the civil site plan is obtained including plans for construction and installation of structures and BMPs to meet the requirements of the Stormwater Manual.

1. Commercial, industrial, or multifamily site plan approval.
2. Subdivision development approval.
3. Short subdivision development approval.
4. Any alterations that affect a subject property's runoff or soil percolation rates, if such property is within a critical or sensitive area.
5. New Development Proposal. All new development shall be required to comply with the Stormwater Manual Minimum Requirement No. 2.
    a. The following new development shall comply with Stormwater Manual Minimum Requirements No. 1 through No. 5 for the new and replaced impervious surfaces and the land disturbed:
        i. Creates or adds 2,000 square feet or greater of new, replaced, or new plus replaced impervious surface area; or
        ii. Has land-disturbing activity of 7,000 square feet or greater.
    b. The following new development shall comply with Stormwater Manual Minimum Requirements No. 1 through No. 9 for the new impervious surfaces and the converted pervious surfaces:
        i. Creates or adds 5,000 square feet, or more, of new impervious surface area; or
        ii. Converts three-quarters of one acre, or more, of native vegetation to lawn or landscaped areas; or
        iii. Converts two and one-half acres, or more, of native vegetation to pasture.
6. Redevelopment. All redevelopment shall be required to comply with Stormwater Manual Minimum Requirement No. 2 (Construction Stormwater Pollution Prevention Plan). For non-road related commercial and industrial redevelopment, the value of the proposed improvements must be compared to the value of the project site (limits of disturbance) improvements, rather than the value of improvements of the entire parcel. In addition, all redevelopment shall be required to comply with additional minimum requirements of the Stormwater Manual as follows:
    a. The following redevelopment shall comply with the Stormwater Manual Minimum Requirements No. 1 through No. 5 for the new and replaced impervious surfaces and the land disturbed:
        i. The new, replaced, or total of new plus replaced impervious surfaces is 2,000 square feet or more; or
        ii. Seven thousand square feet or more of land-disturbing activities.
    b. The following redevelopment shall comply with Stormwater Manual Minimum Requirements No. 1 through No. 9 for the new impervious surfaces and converted pervious areas:
        i. Adds 5,000 square feet or more of new impervious surfaces; or
        ii. Converts three-quarters of one acre, or more, of native vegetation to lawn or landscaped areas; or
        iii. Converts two and one-half acres, or more, of native vegetation to pasture.
    c. If the runoff from the new impervious surfaces and converted pervious surfaces is not separated from runoff from other surfaces on the project site, the stormwater treatment facilities must be sized for the entire flow that is directed to them.
    d. A project may provide stormwater management BMPs for an equivalent area. The equivalent area may be on site, or off site if the area drains to the same receiving water and the guidance for in-basin transfers as defined by the Stormwater Manual is followed.

    Commencement of construction work under any of the above permits or applications shall not begin until such time as final approval of the drainage plan in conformance with the Stormwater Manual is obtained. Failure to comply with this provision shall result in revocation of all permits for the proposed development, and the City may proceed as authorized under MTMC § **16.20.210** through § **16.20.250**.

B. Alteration of the Existing Drainage System. A considerable portion of the drainage system of the City presently exists as natural watercourses and wetlands. No person shall undertake a project which would encroach upon, modify, realign, or change in any manner any of the existing drainage system, except for normal maintenance, consistent with requirements of Chapter **16.15** MTMC.

C. Exceptions. See TLMC 16.20.150, Adjustments and variances.

(Ord. 2549 § 1, 2010; Ord. 2798 § 3, 2021)

§ 16.20.065. Basin plans.

Basin plans shall provide a mechanism by which the minimum requirements and BMP implementation for a project may be refined based on the analysis of a basin or watershed. Basin plans may also be used to develop control strategies to address impacts from future development and to correct specific problems whose sources are known or suspected.

(Ord. 2798 § 4, 2021)

§ 16.20.070. Applicability to governmental entities.

To the extent not prohibited, or as permitted or provided by law, all municipal corporations and governmental entities shall be required to submit a drainage plan and comply with the terms of this chapter when undertaking such projects or applying for such permits as stated in MTMC § **16.20.060**. This shall include road building and widening within the City.

It is recognized that many other City, county, state, and federal permit conditions may be applied to the proposed action and that compliance with the provisions of this chapter does not constitute compliance with other such requirements.

(Ord. 2549 § 1, 2010)

§ 16.20.080. Minimum standards for development projects.

A. All persons applying for any of the permits, approvals or undertaking items contained in MTMC § **16.20.060(A)** shall provide a temporary erosion/sedimentation control plan and a drainage plan stormwater site plan (drainage report) in conformance with the Stormwater Manual for surface water flows entering, flowing within, and leaving the subject property. The plans must include all information and details required by the Department.

B. Failure to submit the materials required by this chapter shall be cause for the City to refuse to process the civil site plan application.

C. Clearing and Grading Permit. A clearing and grading permit is required for all projects with greater than 7,000 square feet of land-disturbing activities as defined in the Stormwater Manual and MTMC § **16.20.020**. Projects that result in less than this amount are not required to obtain a clearing and grading permit, but must consider all of the 13 elements of a construction stormwater pollution prevention plan as defined in the Stormwater Manual and MTMC § **16.20.020**, and develop controls for all elements that pertain to the project site.

(Ord. 2549 § 1, 2010; Ord. 2729 § 5, 2018; Ord. 2798 § 5, 2021; Ord. 2860 § 1, 2024)

§ 16.20.090. Low impact development (LID) drainage standards.

A. Low impact development BMPs are preferred over conventional stormwater management systems that rely on detention structures and closed conveyance systems. Use of LID BMPs may reduce or eliminate the need for conventional detention facilities but does not remove the obligation to comply with the minimum requirements of the Stormwater Manual. A variety of BMPs to minimize impervious surfaces and to manage stormwater have been developed and tested for use in western Washington.

B. LID BMPs identified in the Stormwater Manual and/or the most current version of City of Mountlake Terrace Engineering Details and Specifications as applicable are accepted for use in stormwater site plans to address the minimum requirements for flow control and runoff treatment.

C. The City of Mountlake Terrace requires the use of low impact development techniques as described in the Stormwater Manual. Where low impact development BMPs are proposed for installation, the BMP selection criteria, BMP design criteria, the BMP infeasibility criteria, LID competing needs criteria, and BMP limitations in the Stormwater Manual shall apply.

D. Restrictions on conversion of drainage facilities associated with subdivision plats shall be recorded on the face of the plat. A covenant shall be recorded with the Snohomish County Auditor's Office for each lot containing or served by bioretention facilities in a form approved by the City Attorney. The covenant shall identify requirements and liability for preservation and maintenance of low impact development facilities approved under this chapter and privately held in individual or undivided ownership or intended for public ownership.

(Ord. 2549 § 1, 2010; Ord. 2700 § 3, 2016; Ord. 2729 § 6, 2018; Ord. 2792 § 7, 2021)

§ 16.20.095. Special considerations – Town Center.

Low impact development (LID) shall be implemented in the BC/D District insofar as LID principles and best management practices (BMPs) appropriate in an ultra-urban or high density setting can be applied, as described below.

A. Provisional Application. LID shall be applied to Town Center development consistent with Town Center standards insofar as BMPs do not preclude site coverage allowed in the district, or preclude pedestrian activity areas otherwise required in the district.

B. Street Improvements. Street improvements plans developed under the Main Street revitalization project for identified streets in the Town Center, as now and hereinafter amended and as on file with the City of Mountlake Terrace, are hereby incorporated by reference.

(Ord. 2706 § 3, 2017; Ord. 2798 § 6, 2021)

§ 16.20.100. Standards.

A. The Stormwater Manual, as defined in this chapter, is adopted and by this reference made a part of this chapter as though fully set forth herein.

B. Appendix 1 and Appendix 10 of the National Pollution Discharge Elimination System (NPDES) permit issued by the Department of Ecology to cover the City of Mountlake Terrace are adopted as though fully set forth herein including the thresholds, definitions, minimum requirements and exceptions, adjustment and variance criteria that it contains.

C. The standards set out in MTMC § **16.20.110** shall apply to all projects subject to this chapter. Additionally, the water quality standards shall apply to all properties discharging storm and surface water runoff into the drainage system. Except where specifically described, it shall be the developer's responsibility to determine the method of compliance with the standards.

(Ord. 2549 § 1, 2010; Ord. 2700 § 4, 2016; Ord. 2798 § 7, 2021)

§ 16.20.110. General design, construction and maintenance standards.

A. Mandatory Requirements.

1. Surface water entering the subject property shall be received at the naturally occurring location and surface water exiting the subject property shall be discharged at the naturally occurring location to the maximum extent practicable as determined by the Director with adequate energy dissipaters within the subject property to minimize downstream damage (and with no diversion at any of these points).
2. Where open channel construction is used to handle drainage within the subject property, and where LID BMPs cannot otherwise be used to handle drainage, the following standards shall apply:
   a. A minimum of 15 feet will be provided between any structures and the top of the bank of the defined channel.
   b. In open channel work the water surface elevation will be indicated on the plan and profile drawings. The configuration of the finished grades constituting the banks of the open channel will also be shown on the drawings.
   c. Proposed cross-section of the channel will be shown with stable side slopes as approved by the Department.
   d. The water surface elevation of the flow for the design storm will be indicated on the cross-section.
3. When an LID facility is used to manage stormwater within the subject property, system setbacks from buildings may be reduced, subject to City engineering review and the use of appropriate measures to protect building foundations. Evaluation of the recommendations of the site geotechnical report by City engineering will be the basis for determining whether or not system setbacks may be reduced.
4. Stormwater retention/detention shall not occur on asphalt, graveled or concrete surfaces except those permeable surfaces that are part of an LID stormwater design as approved by the Director.

B. Use of Storm and Surface Water Runoff.

1. Drawdown. Storm and surface water runoff may be drawn in any quantity from manmade storage devices on private property which release directly into the drainage system or which are completely enclosed. No water may be drawn from the watercourses, sloughs, streams, ponds, lakes, or swamps that make up the public drainage system except under the provisions of approved state water rights permits.
2. Permitted Uses. Storm and surface water runoff that can legally be drawn off from the project area may be used for any nonpotable purposes. The distribution system employed shall be separate from the City water system.

C. Fish Passage. All projects involving perennial streams shall make adequate accommodation for fish passage. No obstructions of any kind shall be placed within the stream which would prohibit the free passage of fish under all flow conditions.

(Ord. 2549 § 1, 2010; Ord. 2670 § 2, 2015; Ord. 2700 § 5, 2016; Ord. 2729 § 7, 2018; Ord. 2860 § 2, 2024)

§ 16.20.120. Establishment of regional or subregional facilities.

A. In the event that public benefits would accrue due to modification of the stormwater site plan for the subject property to better implement the stormwater comprehensive plan, the Director may recommend that the City assume some responsibility for the further design, construction, operation and maintenance of a separate regional or subregional drainage facility either on the subject property or elsewhere in the drainage basin where drainage runoff from said property can be received. The decision to enter into the design, construction, operation and maintenance of a separate regional or subregional drainage facility shall be made by the City Council. In the event the City does assume responsibility for design, construction, and maintenance of the facilities, the applicant for a development that is within the area being serviced by the drainage facility shall be required to financially participate in the total construction cost as provided in subsection **B** of this section.

The City may require the dedication of land for construction within the subject property of regional or subregional facilities where such dedication is determined reasonable by the City Council with due regard for the requirement for on-site facilities, the development plan proposed, and the alternative uses of such lands proposed for dedication. Should construction of regional or subregional facilities require the acquisition of land on the subject property beyond a reasonable amount as determined by the City Council, or off the subject property, the City may consider the acquisition of such lands by the City's applicable condemnation procedures with all such costs to be included within the construction costs of the facility.

The City Council may also elect to allow the developer to construct the regional or subregional facility. In such cases, the City will participate in the cost of the facility in an amount representing the additional cost to the applicant beyond his alternate costs.

B. Where the City has adopted a comprehensive drainage plan encompassing the basin of the subject property, or has constructed a regional or subregional facility adequate to service the subject property, the developer may utilize the regional or subregional stormwater facility in lieu of constructing all or some of the stormwater facilities otherwise required on the subject site [provided, however, participation in the regional or subregional facility shall not create an unsafe situation and any downstream manmade conveyance system shall have adequate capacity to convey flow from the proposed project or property to the regional or subregional facility site without flooding downstream properties]. To be able to utilize the regional or subregional drainage facility, the developer shall pay a pro rata share of the construction costs of said facility based on the amount of impervious surface area that the subject property will contribute to the facility. Such sum shall be as approved by the Director. Receipt of said sum shall relieve the developer of the requirement to construct on-site stormwater drainage facilities only to the extent that the regional or subregional facilities provide stormwater flow control and/or runoff treatment for the subject property, consistent with the City's stormwater management standards in effect at the time the developer pays his/her pro rata share of the regional or subregional drainage facility costs. Such payment shall not guarantee that the drainage facility is adequate to accommodate future development or redevelopment of the site when newer stormwater management standards may be in effect.

C. The pro rata sum due for the subject property shall be paid prior to issuance of the civil permit. The developer is not required to purchase the entire capacity allowed for the subject property if such capacity is not needed to accommodate the development. Participation in a regional or subregional stormwater facility does not relieve the subject property of any Citywide stormwater utility fees that otherwise apply.

D. The City shall maintain a copy of each regional or subregional stormwater facility plan, a map of each regional facility basin, a complete list of all properties eligible to use the facility, and a list identifying the benefit share of the facility by percent and volume and the construction cost of the facility.

(Ord. 2549 § 1, 2010; Ord. 2641 § 1, 2014)

§ 16.20.130. Fees and charges.

All plan review, construction inspections, and connection fees shall be paid pursuant to City codes, resolutions, or adopted fee schedule.

(Ord. 2549 § 1, 2010; Ord. 2860 § 3, 2024)

§ 16.20.140. Review and approval of the plan.

Upon filing of the drainage plan, application and all supporting data as required by the City and upon payment of all applicable fees, the Director shall expeditiously review said permit request in accordance with the procedures established by the Department. If not categorically exempt, environmental review and determination and comment period required by the State Environmental Protection Act, as implemented by the City, shall be complete before plans shall be approved. The City will either approve the application, accept it on conditions as set forth in the approval, or deny it outright. Approval shall indicate initial approval of the plans and proposals as presented. Final approval and acceptance of the drainage facilities provided will only be made upon the completion of the project following necessary inspection, testing, and submittal of easements and maintenance guarantees. Unless required otherwise by the Department, the same plan submitted during one permit/approval process may be subsequently submitted with further required applications. The plan shall be supplemented with such additional information that is requested by the Director.

(Ord. 2549 § 1, 2010)

§ 16.20.150. Adjustments and variances.

A. Adjustments to the minimum requirements may be granted by the Director. Applicants must provide a narrative and any necessary supporting documentation describing the desired adjustment as written findings of fact, demonstrating that the adjustment:

1. Will neither seriously nor adversely impact the water quality conditions of any affected receiving bodies of water.
2. Will not alter the drainage patterns, increase the runoff volume or peak discharge, or cause any other adverse effects in the drainage area.
3. Will not cause runoff exceeding the available capacity of the existing drainage system where such system was designed to serve the proposed development area.
4. Will not reduce the flood-carrying capacity of any watercourse.

B. Variances may be permitted only after a determination by the Director of the validity of a variance. The Director may grant a variance if such application imposes a severe and unexpected economic hardship which prohibits reasonable use of the applicant's property. To determine whether the application imposes a severe and unexpected economic hardship on the project applicant, the applicant must provide the Director with a narrative and any necessary supporting documentation, including written findings of fact, for the following information:

1. The current (pre-project) use of the site; and
2. How the application of the minimum requirement(s) per MTMC § **16.20.020** restricts the proposed use of the site compared to restrictions that existed prior to the adoption of the minimum requirements; and
3. The possible remaining uses of the site if the exception were not granted; and
4. The uses of the site that would have been allowed prior to the adoption of the minimum requirements; and
5. A comparison of the estimated amount and percentage of value loss as a result of the minimum requirements versus the estimated amount and percentage of value loss as a result of requirements that existed prior to adoption of the minimum requirements; and
6. Whether or not there are special physical circumstances or conditions affecting the property such that the application of the minimum requirement would deprive the applicant of all reasonable use of the site in question; and
7. Whether or not every effort to find creative ways to meet the intent of this chapter's provisions has been made; and
8. The feasibility for the owner to alter the project to apply the minimum requirements; and
9. How the exception is the least possible exception that could be granted to comply with the intent of the minimum requirements; and
10. How the exception will not increase risk to the public health and welfare, nor be injurious to other properties in the vicinity and/or downstream, or to the quality of waters of the state.

C. Requests for variance shall be filed in writing with the Director, including the payment of any fees established by the City, and shall adequately detail the basis of granting a variance. Variances require public notice (as described in Chapter **18.05** MTMC, Article III, Permit Review Procedures) for the variance application, public notice of the Director's decision on the application, and written findings of fact that document the determination by the Director to grant the variance.

D. The decision of the Director concerning a request for a variance shall be made in writing.

E. When the Director determines that the applications of the provisions of this section will deny all reasonable use of the property, the restriction of development contained in this section may be waived only by the Hearing Examiner; provided, that the resulting development shall be subject to all of the remaining terms and conditions of this chapter.
(Ord. 2549 § 1, 2010; Ord. 2798 § 8, 2021)

§ 16.20.160. Appeals.

In the event of a permit denial, the City shall state the reasons for the denial and measures necessary to attain permit approval. The applicant shall have the right to appeal the denial with the Hearing Examiner, which shall have the effect of a final decision, or to make corrective measures to the project as necessary to obtain a permit. If the determination is not reversed, the applicant has the choice of correcting the project or permit application as required by the City or filing an appeal with Superior Court within 21 days of the Hearing Examiner's decision.
(Ord. 2549 § 1, 2010)

§ 16.20.170. Easements.

Any easements required by the developer to pass drainage water from his property to an approved point of discharge to the City's drainage system shall be obtained by the developer at his sole cost and expense. A true copy of such easement shall be delivered to the City prior to the time the developer commences work on this project. Upon completion of the project and prior to acceptance of said project by the City in accordance with the provisions hereof, the original easement and easement releases shall be delivered to the City. Said easement shall provide for the perpetual access of the City for maintenance, alteration, repair, and replacement of drainage-related facilities.
(Ord. 2549 § 1, 2010)

§ 16.20.180. Guarantee and liability insurance required.

The Department is authorized to require all persons constructing retention/detention or other drainage facilities to post guarantees of performance, operation, and maintenance. These guarantees are to ensure payment to the City for costs incurred when work must be performed and/or completed and/or corrective work must be undertaken to restore disturbed areas and eliminate hazards or erosion caused by work that is not completed, performed, or will result in damage. The only types of guarantees that are acceptable to the City of Mountlake Terrace are specified in Chapter **15.35** MTMC.

A. Construction Guarantee. Prior to commencing any vegetation removal from a construction site, the developer of the facility shall post a construction guarantee in an amount sufficient to cover the cost of conforming to said construction with the approved temporary siltation erosion control and approved drainage plans together with any administration cost incurred by the City should the City have to take corrective action in accordance with MTMC § **16.20.220** through § **16.20.270**.

B. Maintenance Guarantee. After satisfactory completion of the construction guarantee by the City, the developer constructing the facility shall commence a two-year period of satisfactory maintenance of the facility. A maintenance guarantee must be posted to be used at the discretion of the Director to correct deficiencies in said maintenance affecting public health, safety, and welfare or violations of water quantity or quality standards of this chapter. Said guarantee must be posted and maintained throughout the two-year maintenance period. The amount of the guarantee shall be 20 percent of the estimated construction cost of the drainage facilities. In addition, the maintenance guarantee shall cover the cost of design defects or failures in workmanship of the facilities throughout the two-year maintenance period.

C. Liability Policy. The developer constructing the facility shall maintain a liability policy in the amount of $1,000,000, which shall name the City as an additional insured and which shall protect the City from any liability up to those amounts for any accident, negligence, failure of the facility, or any other liability whatsoever, relating to the construction or maintenance of the facility. Said liability policy shall be maintained for the duration of the facility by the owner of the facility; provided, that in the case of facilities assumed by the City for maintenance pursuant to MTMC § **16.20.210**, said liability policy shall be terminated when said City maintenance responsibility commences.
(Ord. 2549 § 1, 2010)

§ 16.20.190. Construction inspection and acceptance.

After issuance of the initial civil site construction permit for drainage conveyance, stormwater storage, or water quality facilities, the City shall be notified at the time any construction or alteration affecting drainage on the site shall begin and shall have the right to make periodic inspections during the construction or alteration to ensure that the requirements stated in the permit and elsewhere in this chapter are met. The property owner or developer must notify the City prior to the filling or cover of any subsurface drainage control facilities so that a proper inspection can be made. At the completion of the facilities, an inspection and test will be conducted at which time the property owner must illustrate to the City's satisfaction that the drainage control facilities, which have been provided, function in accordance with the plans, specifications, and hydraulic computations as submitted with the permit applications and that all erosion control measures are operating efficiently. If all inspections and tests indicate that the projects and facilities have been completed in accordance with the requirements of the permit and this chapter, a final approval shall be given. Without this approval, or in the event of deficiencies not being corrected, no occupancy permit for the use of the property or any structures associated therewith will be granted by the Director until such time as the deficiencies are corrected. The property owner or developer shall make correction to any deficiency within 30 days. In the event the owner does not make such corrections within 30 days, the City reserves the right to take such corrective measures as may be necessary to make the system perform as required by the permit. All costs for corrective measures and enforcement actions shall be borne by the property owner and must be paid in full prior to granting an occupancy permit.
(Ord. 2549 § 1, 2010)

§ 16.20.200. City assumption of maintenance.

Developers proposing the transfer of operation and maintenance of required facilities to the City shall be required to design and construct facilities in a manner readily and efficiently serviceable by the City as determined by the Director. If the City is not to assume the maintenance of the retention/detention facilities, the developer shall make arrangements for assumption of maintenance in a manner approved by the Director. Any arrangement for the City to assume ownership or maintenance shall be completed and approved prior to the end of the two-year period of developer responsibility, and consistent with all City requirements.
(Ord. 2549 § 1, 2010)

§ 16.20.210. Civil penalty.

All civil penalties are as established in Chapter **19.140** MTMC, Enforcement, or Chapter **1.15** MTMC, Code Enforcement.
(Ord. 2549 § 1, 2010; Ord. 2700 § 6, 2016; Ord. 2729 § 8, 2018; Ord. 2798 § 9, 2021; Ord. 2860 § 4, 2024)

§ 16.20.220. Notice of violation – Assessment of penalty.

Whenever the Director has found or determined that a violation is occurring, the Director is authorized to issue a notice of violation directed to the developer/owner.

A. The notice of violation shall contain:

1. The name and address of the applicant;
2. The street address when available or a legal description sufficient for identification of the building, structure, premises, or land upon or within which the violation is occurring;
3. A statement of the nature of such violation(s);
4. A statement of the action required to be taken as determined by the Director and a date for correction, which shall be not less than listed in this section, unless the Director has determined the violation to be hazardous and to require immediate corrective action or unless the corrective action constitutes an erosion control measure;
5. A statement that a cumulative civil penalty in the amount of $500.00 per day shall be assessed against the person to whom the notice of violation is directed for each and every day following the date set for correction on which the violation continues; and
6. A statement that the Director's determination of violation may be appealed to the Hearing Examiner by filing written notice of appeal, in duplicate, with the Department within 10 calendar days of service of the notice of violation. The per diem civil penalty shall not accrue during the pendency of such administrative appeal unless the violation was determined by the Director to be hazardous and to require immediate corrective action or was determined by the Director to constitute a temporary erosion control measure.

B. The notice of violation shall be served upon the person(s) to whom it is directed either personally in the manner provided for personal service of notices or complaint in justice court or by mailing a copy of the notice of violation by certified mail, postage prepaid, return receipt requested, to such person at his last known address. Proof of personal service shall be made at the time of service by a written declaration under the penalty of perjury executed by the person affecting service, declaring time, date and the manner by which service was made.

C. A notice of violation issued pursuant to this section constitutes a determination from which an administrative appeal may be taken to the Hearing Examiner. In the event the cumulative civil penalty is not stayed during the appeal because the Director has determined either that the violation is hazardous and requires immediate corrective action or that the corrective action constitutes an erosion control measure, then the applicant shall be entitled to have the appeal considered by the City Manager within two working days following filing of the appeal.

D. For good cause shown, the Director may extend the date set for correction in the notice of violation; provided, that such an extension shall not affect or extend the time within which an administrative appeal must be commenced.
(Ord. 2549 § 1, 2010)

§ 16.20.230. Collection of civil penalty.

The civil penalty constitutes a personal obligation of the person(s) to whom the notice of violation is directed. The City Attorney, on behalf of the City, is authorized to collect the civil penalty by use of appropriate legal remedies, the seeking or granting of which shall neither stay nor terminate the accrual of additional per diem penalties so long as the violation continues.
(Ord. 2549 § 1, 2010)

§ 16.20.240. Compromise settlement and disposition of suits.

The Director and the City Attorney are hereby authorized to enter into negotiations with the parties or their legal representatives named in a lawsuit for the collection of civil penalties to negotiate a settlement, compromise or otherwise dispose of a lawsuit when to do so will be in the best interests of the City; provided, that a report shall be submitted to the City Council in any instance when a compromise settlement is negotiated.
(Ord. 2549 § 1, 2010)

§ 16.20.250. Corrective injunctions.

The City Council may institute a suit for a mandatory injunction directing a person to remove a structure or facility erected in violation of the provisions of this chapter, or make the same comply with its terms. If the City Council is successful in its suit, the respondent shall bear the costs of the action, including reasonable attorney fees.
(Ord. 2549 § 1, 2010)

§ 16.20.260. Failure of City to enforce.

The failure or refusal of the City to enforce any provision of this chapter, and as hereafter amended, shall not constitute a waiver or bar to prevent enforcement thereof against any person for a subsequent violation hereof, or for any other violation by any other person.
(Ord. 2549 § 1, 2010)

§ 16.20.270. Abrogation and greater restrictions.

This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
(Ord. 2549 § 1, 2010)

Title 18. Land Use Planning and Development

Chapter 18.05. ADMINISTRATION AND PROCEDURES

Article I. General Provisions

§ 18.05.010. Purpose.

The purpose of this chapter is to establish standard procedures, decision criteria, public notification, and timing for development decisions made by the City of Mountlake Terrace. These procedures are intended to:

A. Promote timely and informed public participation;

B. Eliminate redundancy in the application, permit review, and appeals processes;

C. Process permits equitably and expediently;

D. Ensure that decisions are made consistently and predictably; and

E. Result in development that furthers City goals as set forth in the Comprehensive Plan;

F. Ensure that the City's development regulations remain in compliance with the provisions of Chapter **36.70B** RCW.

These procedures provide for an integrated and consolidated land use permit process. The procedures integrate the environmental review process with land use procedures, decisions, and consolidated appeal processes.
(Ord. 2811 § 2 (Exh. 1), 2022)

§ 18.05.020. Administration.

The provisions of this chapter supersede all other procedural requirements that may exist in other sections of the City Code.

When interpreting and applying the standards of this Code, its provisions shall be the minimum requirements.
(Ord. 2811 § 2 (Exh. 1), 2022)

§ 18.05.025. Definitions.

"Applicant"
means person(s) seeking development approval from the City.

"Binding site plan"
means a type of property division as set forth in Chapter **17.05** MTMC.

"Boundary line adjustment"
means the adjustment of a boundary line between existing lots which results in no more lots than existed before the adjustment.

"Building"
means a structure having a roof for the shelter of persons or property.

"City"
means the City of Mountlake Terrace.

"City Council"
means the City Council of the City of Mountlake Terrace.

"Closed record appeal"
means an appeal to the appropriate authority, based on the existing record.

"Comprehensive Plan"
means the adopted Mountlake Terrace Comprehensive Plan as amended and updated in conformance with the Growth Management Act.

"Comprehensive Plan amendment"
means an amendment or change to the text or maps of the Comprehensive Plan.

"Conditional use permit"
means a permit as defined in the Zoning Code that allows specific uses following a review to ensure that such use is appropriately designed and located to be compatible with adjacent uses.

"Consolidated project permit application"
combines all the development approvals and environmental review for concurrent review and approval.

"Critical areas"
means areas of environmental sensitivity, which include the following areas and ecosystems:

A. **Wetlands;**

B. Areas with a critical recharging effect on aquifers used for potable water;

C. Fish and wildlife habitat conservation areas;

D. Frequently flooded areas; and

E. Geologically hazardous areas.

"Date of decision, effective date"
means the date on which final action occurs and from which the appeal period is calculated. Specific ordinances may define effective dates of orders. If the effective date of a decision is in question, the pertinent ordinance shall prevail.

"Director"
means the Director of Community and Economic Development or his/her designee.

"Docket"
means a list of items to be considered for Comprehensive Plan and Map and Zoning Ordinance and Map updates.

"Effective date"
means the date a final decision becomes effective.

"Essential public facilities"
means essential public facilities, as defined in RCW **36.70A.200**, as now or hereinafter may be amended. Such facilities may be owned or operated by a unit of local, state, or federal government, by a public utility or transportation company, or by any other entity providing a public service as its primary mission; provided, that the facility is either a necessary facility or a component of a necessary system to meet a public need.

"Final decision"
means the final action by the City on a permit application.

"Hearing Examiner"
means the individual(s) appointed pursuant to MTMC § **2.120.030** and empowered to conduct open record hearings or review appeals from orders, recommendations, permits, decisions or determinations made by a City official, applications for variances, and applications for conditional use permits or any other class of applications for or pertaining to development of land or land use.

"Intensity of land use"
includes but is not limited to the following: lot coverage by structures or impervious area, trip generation, and need for performance standards to control noise, glare, traffic, air, and water quality.

"Lot consolidation"
means the process by which two or more lots are combined into one or more lots. Lot lines are eliminated but none are relocated or moved.

"Open record public hearing"
means a hearing, conducted by a single hearing body or officer authorized by the local government to conduct such hearings, that creates the local government's record through testimony and submission of evidence and information.

"Party of record"
means any person who has testified at a hearing or has submitted a written statement related to a development action and who provides the City with a complete address. Persons or entities who signed "form letters" and/or petitions do not become a party of record.

"Person"
means any person, firm, business, corporation, partnership of other associations or organizations, marital community, municipal corporation or governmental agency.

"Planned action"
means a significant development proposal as defined in RCW **43.21C.031** as amended.

"Planning Commission"
means the body appointed pursuant to Chapter **2.55** MTMC.

"Planning Division"
means the Planning Division of the Community Development Department.

"Plat"
means a map or representation showing thereon the division of a tract or parcel of land into lots, blocks, streets and alleys or other divisions and dedications.

"Plat, final"
is the final drawing of the subdivision and dedication prepared for filing of record with the County Auditor, and containing all elements and requirements set forth in Chapter **58.17** RCW and MTMC Title 17.

"Plat, preliminary"
is a neat and approximate drawing of a proposed subdivision showing the general layout of streets, private streets, alleys, lots, blocks and other elements of a subdivision consistent with the requirements of MTMC Title 17. The preliminary plat shall be the basis for the approval or disapproval of the general layout of a subdivision of five or more lots.

"Plat, short"
is the map or representation of a short subdivision.

"Project"
means a proposal for development or redevelopment with buildings, structures, or other site improvements.

"Public hearing"
means an open record hearing at which evidence is presented and testimony is taken.

"Rezone"
means a change in classification from one zoning district to another.

"Secure facilities use permit"
means a land use permit for a secure community transition facility, pursuant to Chapter **18.20** MTMC.

"Special use permit – wireless"
means a process similar to conditional use permit providing for administrative and Hearing Examiner review for selected wireless communication facilities.

"Structure"
means a combination of materials constructed and erected permanently in or on the ground or attached to something having a permanent location on the ground, not including utility poles and related ground- or pad-mounted equipment, residential fences less than six feet high, retaining walls, rockeries and other similar improvements of a minor character less than three feet high.

"Subdivision"
means the division or redivision of land into five or more lots, tracts, parcels, sites or divisions for the purpose of sale or lease, or transfer of ownership, except as provided in MTMC § **17.01.030(D)**, and includes all resubdivision of land.

"Use"
of property means the purpose or activity for which the land, or building thereon, is occupied, maintained, designed, arranged or intended.

"Variance"
means an adjustment in the application of the specific provisions of an ordinance applied to a particular piece of property. A variance may apply to a particular piece of property which, because of its unique physical character, is deprived of privileges commonly enjoyed by other properties in similar circumstances.
(Ord. 2811 § 2 (Exh. 1), 2022)

§ 18.05.030. Basis.

There are four types of actions (or permits) that are reviewed under the provisions of this chapter. The types of actions are based on who makes the decision, the amount of discretion exercised by the decision-making body, the level of impact associated with the decision, the amount and type of public input sought, and the type of appeal opportunity.
(Ord. 2811 § 2 (Exh. 1), 2022)

Article II. Permit Types

§ 18.05.040. Ministerial decisions – Type A.

These decisions are based on compliance with specific, nondiscretionary and/or technical standards that are clearly enumerated. The decisions made by the Director under Type A actions shall be final. The Director's decision shall be based upon findings that the application conforms (or does not conform) to all applicable regulations and standards.

An administrative appeal process is not provided for any Type A actions that are categorically exempt from environmental review under Chapter **43.21C** RCW. An appeal of any Type A action that requires environmental review shall be filed in conjunction with MTMC § **16.05.140**.
(Ord. 2811 § 2 (Exh. 1), 2022)

§ 18.05.050. Administrative decisions – Type B.

The Director makes these decisions based on standards and clearly identified criteria.

Type B decisions require that the Director issues a written decision that approves, approves with modifications, or denies an application. The Director's written decision shall also include the City's determination under any required SEPA review.

All Director's decisions made under Type B actions are appealable in an open record appeal hearing. Such hearing shall consolidate with any appeals of SEPA negative threshold determinations, or mitigated determinations on nonsignificance. SEPA determinations of significance are appealable in an open record appeal prior to the project decision.

All appeals shall be heard by the Hearing Examiner except appeals of shoreline substantial development permits, shoreline conditional use permits, and shoreline variances which shall be appealable to the State Shorelines Hearings Board.
(Ord. 2811 § 2 (Exh. 1), 2022)

§ 18.05.060. Quasi-judicial decisions – Type C.

Type C decisions are made by the Hearing Examiner, and involve the use of discretionary judgment in the review of each specific application.

Type C decisions require findings, conclusions, an open record public hearing and recommendations prepared by the review authority for the final decision made by the Hearing Examiner. Any administrative appeal of a SEPA threshold determination shall be consolidated with the open record public hearing on the project permit, except a determination of significance, which is appealable under MTMC § **18.05.050**.

There is no administrative appeal of Type C actions.
(Ord. 2811 § 2 (Exh. 1), 2022)

§ 18.05.070. Legislative decisions – Type D.

These decisions are legislative, nonproject decisions made by the City Council under its authority to establish policies and regulations regarding future private and public developments, and management of public lands.

Legislative decisions include a hearing and recommendation by the Planning Commission and action by the City Council.

The City Council shall take legislative action on the proposal in accordance with state law.

There is no administrative appeal of legislative actions of the City Council but such actions may be appealed together with any SEPA threshold determination according to state law.
(Ord. 2811 § 2 (Exh. 1), 2022)

§ 18.05.075. Type A – D permit actions, notice requirements, hearing procedures and timelines.

Action	Permit Type	Notice Requirements[1]	Open Record Hearing/ Recommendation	Open Record Decision Hearing or Appeal Hearing	Closed Record Appeal	Target Time for Permit Decision
Accessory Use[5]	A	NOAA	NA	HE	Court	30 days
Administrative Design Review[5]	A	NOAA	NA	HE	Court	28 days
Accessory Dwelling Unit	B	P	NA	HE	Court	60 days
Amendments to Comprehensive Plan	D	N	PC[2]	CC	Court/GMA Board	Once Annually
Amendments to Development Code	D	N	PC[2]	CC	Court/GMA Board	Legislative Process
Binding Site Plan	B	M	NA	HE	Court	90 days
Boundary Line Adjustment/Lot Consolidation	A	NA	NA	HE	Court	30 days
Building Permit[6]	A	NA	NA	NA	Court	120 days
Clearing and Grading Permit[5]	A	NOAA	NA	NA	Court	60 days
Conditional Use Permit (CUP)	C	M, P, N	NA	HE	Court	120 days
Critical Areas Reasonable Use Permit	C	M, P, N	NA	HE	Court	120 days
Critical Areas Special Use Permit	C	M, P, N	NA	HE	Court	120 days
Deviation from Development Standards[5]	A	NOAA	NA	HE	Court	30 days
Development Agreements	D	N	PC[2]	CC	Court	Legislative Process
Development Engineering Permit	A	NA	NA	NA	Court	120 days
Driveway Permit	A	NA	NA	NA	Court	30 days
Essential Public Facility — Special Use Permit	C	M, P, N	NA	HE	Court	120 days
Fence Permit	A	NOAA	NA	HE	Court	30 days
Final Plat[5]	A	NOAA	NA	HE	Court	30 days
Floodplain Development Permit[5]	A	NOAA	NA	HE	Court	30 days
Floodplain Variance[5]	A	NOAA	NA	HE	Court	30 days
Interpretation of Development Code	A	NA	NA	HE	Court	15 days
Master Development Plan	C	M, P, N	NA	HE	Court	120 days
Mobile Home Park	C	M, P, N	NA	HE	Court	120 days
Noise Variance	A	NA	NA	HE	Court	30 days
Planned Action Determination	A	NA	NA	HE	Court	14 days
Planned Unit Development	C	M, P, N	NA	HE	Court	120 days
Plat Alteration[4]	B	M	NA	HE	NA	120 days
Plat Alteration With Public Hearing[4]	C	M, P, N	NA	HE	Court	120 days
Preliminary Plat	C	M, P, N	NA	HE	Court	90 days
Preliminary Fee Simple Major Plat	C	M, P, N	NA	HE	Court	90 days
Residential Projects With 9 or Fewer Units	A	NOAA	NA	HE	Court	60 days
Residential Projects With 10 or More Units	C	M, P, N	NA	HE	Court	120 days
Rezone of Property	C	M, P, N	HE[2]	CC	Court	120 days
Right-of-Way Use	A	NA	NA	HE	Court	30 days
Secure Community Transitional Facility — Special Use Permit	C	M, P, N	NA	HE	Court	120 days
SEPA Threshold Determination	B	M, P, N	NA	HE	Court	60 days
Sign Plan[5]	A	NOAA	NA	HE	Court	120 days
Shoreline Exemption	A	NA	NA	NA	Shoreline Hearings Board	15 days
Shoreline Substantial Development Permit, Shoreline Variance and Shoreline CUP	B	M, P, N	NA	NA	Shoreline Hearings Board	120 days
Short Plat[5]	A	NOAA	NA	HE	Court	60 days
Sign Permit	A	NA	NA	NA	Court	30 days
Site Development Plan	A	NA	NA	NA	Court	60 days
Site Plan, Large Scale	C	M, P, N	HE	NA	Court	120 days
Site Plan, Small Scale[5]	A	NOAA	NA	HE	Court	120 days
Site-Specific Comprehensive Plan Map Amendment	C	M, P, N	HE	CC	GMA Board	Once Annually
Special Use Permit (SUP)	C	M, P, N	NA	HE	Court	120 days
Special Use Sign Permit[5]	A	NOAA	NA	HE	Court	120 days
Temporary Use	A	NA	NA	NA	Court	15 days
Time Extension	A	NA	NA	NA	Court	60 days
Tree Removal Plan[7]	A	NA	NA	NA	Court	60 days
Zoning Variances	B	M, P, N	NA	HE	Court	90 days

1. M = Mailed Notice; P = Notice Posted on Property; N = Notice Published in Newspaper; NOAA = Notice of Administrative Approval. Notice requirements listed in this table apply to the notice of application. Information included in the notice of application shall be as set forth in MTMC § **18.05.120**. Requirements for issuing a notice of administrative approval are set forth in MTMC § **18.05.125**. When a notice of public hearing is required, it shall follow the requirements established in MTMC § **18.05.127** and when a notice of decision is required, it shall follow the requirements established in MTMC § **18.05.128**.

2. HE = Hearing Examiner; PC = Planning Commission. As indicated, either Hearing Examiner or Planning Commission conducts open record public hearing and provides recommendation to City Council which serves as the City's decision-making authority.

3. HE = Hearing Examiner. Examiner conducts open record hearing and makes the City's final permit decision.
4. The plat alteration or preliminary plat is processed as a Type B action unless a request is filed with the City to hold a public hearing. In that event, the application becomes a Type C action.
5. A Type A permit that is exempt from SEPA review (see MTMC § **16.05.080**) is also exempt from notice requirements.
6. Building permit includes both permit issuance and issuance of certificate of occupancy.
7. When an application for tree removal is filed concurrently with a Type B or C permit application, the tree removal plan will be evaluated using the Type B or C permit procedures.

(Ord. 2811 § 2 (Exh. 1), 2022; Ord. 2910, 3/5/2026)

Article III. Permit Review Procedures

§ 18.05.080. Preapplication meeting.

A preapplication meeting is required prior to submitting an application for any Type B or Type C action and/or for an application for a project that may impact a critical area or its buffer consistent with Chapter **16.05** MTMC. The requirement for a preapplication meeting may be waived by the Director upon the written request of an applicant.

Applicants for development permits under Type A actions may choose to participate in preapplication meetings with the City.

Preapplication meetings with staff provide an opportunity to discuss the proposal in general terms, identify the applicable City requirements and the project review process including the permits required by the action, timing of the permits and the approval process.

The Director shall specify submittal requirements for preapplication meetings, which shall include a critical areas worksheet and, if available, preliminary critical area reports. Generally, the more complete and accurate the information presented at a preapplication meeting is, the more detailed and complete City responses will be.

City staff are not liable for failing to inform an applicant regarding specific code requirements. It is the applicant's sole responsibility to understand City Development Code requirements.

Plans presented at the preapplication meeting are nonbinding and do not "vest" an application.
(Ord. 2811 § 2 (Exh. 1), 2022)

§ 18.05.090. Application.

A. Who May Apply.
   1. The property owner or an agent of the owner with authorized proof of agency may apply for a Type A, B, or C action, or for a site-specific Comprehensive Plan amendment.
   2. Prior to purchase, acquisition, or owner authorization, a public agency may apply for a Type A, B, or C action, or for a site-specific Comprehensive Plan amendment in order to develop an essential public facility for property that has been duly authorized by the public agency for acquisition or use. No work shall commence in accordance with issued permits or approvals until all of the necessary property interests are secured and/or access to the property for such work has been otherwise approved by the owner of the property.
   3. Nothing in this subsection shall prohibit a public agency and City from entering into an agreement to the extent permitted by the Code or other applicable law.
   4. The City Council or the Director may apply for a project-specific or site-specific rezone or for an area-wide rezone.
   5. Any person may propose an amendment to the Comprehensive Plan except that map amendments to the Comprehensive Plan may only be initiated by a person or persons with an ownership interest in the property in question. The amendment(s) shall be considered by the City during the annual review of the Comprehensive Plan.
   6. Any person may request that the City Council, Planning Commission, or Director initiate amendments to the text of the Development Code or mapping amendments to the Comprehensive Plan and/or Zoning Map.
   7. Application(s) for any Type A, B, or C permits shall not be accepted and/or issued for any lot, tract, or parcel of land following the issuance of a notice and order to correct regarding activity occurring on that lot, tract or parcel of land, unless the identified violations are corrected or required to be corrected as a condition of approval and all fees or penalties satisfied prior to application except when the permit is required to obtain compliance or where an enforceable compliance plan to resolve the violation(s) has been entered into by the City.

B. All applications for permits or actions within the City shall be submitted on official forms prescribed and provided by the Department. At a minimum, each application shall include:
   1. An application form with the authorized signature of the applicant.
   2. The appropriate application fee based on the City's adopted fee schedule.

C. The Director shall specify submittal requirements, including type, detail, and number of copies for an application to be complete. The permit application forms, copies of all current regulations, and submittal requirements that apply to the subject application shall be made available by the Department.

D. It is the applicant's responsibility to learn the provisions of the Mountlake Terrace ordinances relating to the application. The ordinances are available on the City's website and at City Hall.

E. Absent statute or ordinance provisions to the contrary, any application for which a determination of completeness has been issued and for which no substantial steps have been taken by the applicant to provide information required by the City to meet permit approval requirements for a period of 180 days after issuance of the determination of completeness will expire and become null and void. The Director may grant a 180-day extension upon the written request of the applicant.
(Ord. 2811 § 2 (Exh. 1), 2022)

§ 18.05.110. Determination of completeness and requests for additional information.

A. An application shall be determined complete when:
   1. It meets the procedural requirements of the City of Mountlake Terrace;
   2. All required information for the application has been provided, and is sufficient for processing the application, even though additional information may be required. The City may, at its discretion and at the applicant's expense, retain a qualified professional to review and confirm the applicant's reports, studies and plans.

B. Within 28 days of receiving a permit application for Type A, B and/or C applications, the City shall mail a written determination to the applicant stating whether the application is complete or incomplete and specifying what is necessary to make the application complete. If the Department fails to provide a determination of completeness, the application shall be deemed complete on the twenty-ninth day after submittal.

C. If the applicant fails to provide the information required by the City within 90 days of the date of the written notice that the application is incomplete, the application shall be deemed void and shall be returned to the applicant together with 80 percent of the application fees that were submitted with the application. Time extensions may be granted by the Director upon the written request of the applicant; provided, that such requests are made prior to the 90-day expiration date.

D. The determination of completeness shall not preclude the City from requesting additional information or studies if new information is required or substantial changes are made to the proposed action.
(Ord. 2811 § 2 (Exh. 1), 2022)

§ 18.05.120. Public notices of application.

A. Within 14 days of the determination of completeness, the City shall issue a notice of application for all Type B and C applications.

B. The notice of application shall include the following information:
   1. The dates of application, determination of completeness, and the notice of application;
   2. The name of the applicant;
   3. The location and description of the project;
   4. The requested actions and/or required studies;
   5. The date, time, and place of an open record hearing, if one has been scheduled;
   6. Identification of environmental documents, if any;
   7. A statement identifying the starting and ending dates of the public comment period which shall not be less than 14 days nor more than 30 days. The public comment period shall be 30 days for a shoreline substantial development permit, shoreline variance, or a shoreline conditional use permit;
   8. A statement of the rights of individuals to comment on the application, receive notice of and participate in any hearings, request a copy of the decision (once made) and to appeal a permit decision;

9. The name of the City staff contact and phone number;

10. Identification of the development regulations used in determining consistency of the project with the City's Comprehensive Plan; and

11. Any other information that the City determines to be appropriate.

C. The notice of application shall be made available to the public by the Department, through any or all of the following methods (as specified in MTMC § **18.05.075**):

1. Mail. Mailing to owners of real property (for site specific proposals) located within 300 feet of the subject property. Notice of application for essential public facilities, special use permits, and master development plan permits shall be mailed to property owners within 1,000 feet of the proposed site;

2. Post Site. Posting the property (for site-specific proposals). For Type A essential public facilities, special use permits, and master development plan permits, rezones, site specific comprehensive plan amendments, shoreline substantial and conditional development permits, and site development plans for projects containing more than 50 dwelling units, or 50,000 square feet of gross floor area for nonresidential projects enlarged notice of application signs (a minimum of four feet by four feet) as approved by the City shall be posted on all sides of the parcel(s) that front on a street. The Director may require additional signage on large or unusually shaped parcels. Specific requirements for posting signs for such major land use actions are found in Chapter **18.25** MTMC.

3. Newspaper. The Department shall publish a notice of the application in the newspaper of general circulation for the general area in which the proposal is located.

D. All comments received on the notice of application by 5:00 p.m. on the last day of the comment period shall be considered by the City in the review of the application.
(Ord. 2811 § 2 (Exh. 1), 2022)

§ 18.05.125. Notice of administrative approval.

Public notification of some Type A permit applications which are approved administratively shall be provided by a notice of administrative approval. The purpose of the notice is to inform the public of a Type A permit application. The notice shall be made as follows:

A. The notice shall identify the applicant, location and nature of the proposal, City contact and the deadline to request an appeal (open record hearing).

B. Notification shall be provided by mail, to all immediately adjacent property owners.

C. Notice shall be posted on site.

D. Notice shall be provided no less than 10 days before City approval becomes effective.
(Ord. 2811 § 2 (Exh. 1), 2022)

§ 18.05.127. Notice of public hearing.

Notice of a public hearing for all open record hearings shall be given as follows:

A. Time of Notice. Except as otherwise required, notification of public hearings shall be provided no less than 10 days before the date of the public hearing and shall include the following:

1. Publication in the official newspaper of general circulation; and

2. Mailing to all property owners as shown on the records of the County Assessor and to all street addresses of properties within 300 feet of the boundaries of the property which is the subject of the meeting or pending action. Addressed, prestamped envelopes shall be provided by the applicant; and

3. Posting in the official City information distribution sites; and

4. Posting at least one notice on the subject property.

B. Content of Notice. The public notice shall include a general description of the proposed project, action to be taken, a nonlegal description of the property or a vicinity map or sketch, the time, date and place of the public hearing and the place where further information may be obtained.

C. Continuations. If, for any reason, a public hearing on a pending action cannot be completed on the date set in the public notice, the hearing may be continued to a date certain and no further notice under this section is required.
(Ord. 2811 § 2 (Exh. 1), 2022)

§ 18.05.128. Notice of decision.

A. A written notice for all final decisions, which includes threshold determinations and procedures for administrative appeals, shall be sent to the applicant, all parties of record and any person who, prior to the rendering of the decision requested notice of the decision.

B. For development applications requiring Planning Commission or Hearing Examiner review and City Council approval, the notice shall summarize the action taken by the decision-making body and reference where copies of the signed ordinance, resolution, meeting minutes or similar documents recording the City's decision may be available.

C. For the purposes of this chapter, the date on which a permit decision is issued is:

1. Three days after a written decision is mailed by the local jurisdiction or, if not mailed, the date on which the local jurisdiction provides notice that a written decision is publicly available;

2. If the permit decision is made by ordinance or resolution by the City Council, the date the Council passes the ordinance or resolution; or

3. If neither subsection (C)(1) nor (2) of this section applies, the date the decision is entered into the public record.
(Ord. 2811 § 2 (Exh. 1), 2022)

§ 18.05.130. Optional consolidated permit process.

An applicant may elect to submit a consolidated project permit application. Such request shall be presented by the applicant in writing and simultaneously with submittal of all applications to be consolidated. The Director shall determine the appropriate procedures for consolidated review and actions. Application for consolidated permit process shall only include Type A, B and C permit actions. Public hearings required for a consolidated permit application shall be conducted by the Hearing Examiner. Type D permit actions are legislative in nature and shall be completed prior to any permit review activity of Type A, B or C permit actions.
(Ord. 2811 § 2 (Exh. 1), 2022)

§ 18.05.140. Permit processing time limits.

A. For Type A, B or C permit applications, the City shall take every reasonable action to arrive at a permit decision within 120 days from the date that the application was deemed to be complete. Exceptions to this 120-day time limit are:

1. Substantial project revisions made or requested by an applicant, in which case the 120 days will be calculated from the time that the City determines the revised application to be complete.

2. The time required to prepare and issue a draft and final Environmental Impact Statement (EIS) in accordance with the State Environmental Policy Act.

3. Any period for administrative appeals of project permits.

4. An extension of time mutually agreed upon in writing by the Department and the applicant.

5. Amendments to the Comprehensive Plan or Code.

6. Projects involving the siting of an essential public facility.

7. A remand.

8. Any time required to obtain a variance, unless a variance application is consolidated with the project review.

B. The time limits set for Type A, B, and C actions do not include:

1. Any period of time during which the applicant has been requested by the Department to correct plans, perform studies or provide additional information. This period of time shall be calculated from the date the Department notifies the applicant of the need for additional information, until the date the Department determines that the additional information satisfies the request for such information or 14 days after the date the information has been provided to the Department, whichever is earlier.

2. If the Department determines that the additional information submitted to the Department by the applicant under subsection (B)(1) of this section is insufficient, the Department shall notify the applicant of the deficiencies, and the procedures provided in subsection (B)(1) of this section shall apply as if a new request for studies has been made.

C. If the Department is unable to issue its final decision on a project permit application within the time limits provided for in this section, it shall provide written notice of this fact to the project applicant. The notice shall include a statement of reasons why the time limit has not been met and an estimated date for issuance of the notice of decision.

(Ord. 2811 § 2 (Exh. 1), 2022)

§ 18.05.160. Expiration of vested status of land use permits and approvals.

Except for subdivisions, master development plans and special use permits for public agency uses or where a different duration of approval is indicated in this Code, vested status of an approved land use permit under Type A, B, and C actions shall expire two years from the date of the City's final decision, unless an application for completion of the permitted action is filed before the end of the two-year term. An application that would complete the development contemplated in the permitted action in most cases would be a building permit, but may also be a site development permit, a grading permit or a similar approval that would authorize the construction activity contemplated in the Type A, B or C action. In the event of an administrative or judicial appeal, the two-year term shall not expire. Continuance of the two-year period may be reinstated upon resolution of the appeal.

If a complete development permit application is filed before the end of the two-year term, the vested status of the permit shall be automatically extended for the time period during which the development permit application is pending prior to issuance; provided, that if the development permit application expires or is canceled, the vested status of the permit or approval under Type A, B, and C actions shall also expire or be canceled. If a building permit is issued and subsequently renewed, the vested status of the subject permit or approval under Type A, B, and C actions shall be automatically extended for the period of the renewal.

(Ord. 2811 § 2 (Exh. 1), 2022)

§ 18.05.165. Time extensions.

A. Intent and Purpose. The intent and purpose of this section is to establish minimum performance criteria to allow consideration by the Planning Department of time extensions for conditions of approval associated with land use applications and authorizations. All requests for time extensions must be made to the Planning Department in writing and be accompanied by the required fee, prior to the expiration of the initial time limit.

B. Review by Decision-Making Body. After reviewing the proposed time extensions, the Planning Department may, at their discretion, refer the item to the decision-making body that granted prior approval of the land use application, for their review and consideration.

C. Extension Criteria.

1. The application may be extended for a time period not to exceed one year, if:
    a. Unforeseen circumstances or conditions necessitate the extension; and
    b. An extension will not cause substantial detriment to existing uses in the immediate vicinity of the subject property; and
    c. The SEPA environmental determination for the proposal has been reevaluated and reaffirmed and, if necessary, adequate mitigation measures added in order to minimize any potential adverse impact associated with the proposed time extension.
2. The Planning Department, or their assignee, may grant no more than two extensions on any single land use permit approval. A second extension may be granted only if:
    a. The criteria listed in subsection (C)(1) of this section are met; and
    b. The applicant has demonstrated reasonable diligence in attempting to meet the time limit imposed; and
    c. Conditions in the immediate vicinity of the subject property have not changed substantially since the application was first approved.

(Ord. 2811 § 2 (Exh. 1), 2022)

§ 18.05.170. Revocation.

A. An approved land use permit may be revoked by the Planning Department based on any one or more of the following grounds:

1. That the approval of the application was based on misinformation;
2. That the use for which an approval was granted has ceased to exist, or has been suspended or abandoned for one year;
3. That the application granted is being used contrary to the terms or conditions of an approval, or in violation of this title or law;
4. That the use for which the approval was granted became detrimental to the public health, safety, or welfare, or so as to constitute a nuisance.

B. The Planning Department shall notify the land use permit holder in writing by certified mail of the revocation of his/her/its land use permit and the grounds therefor.

C. The affected land use permit holder may, within 10 days after receipt of such notice of revocation, appeal to the Hearing Examiner by filing a written notice of appeal setting forth the grounds therefor with the secretary to the Hearing Examiner and the secretary shall set a date within 20 days for the hearing of such appeals before the Hearing Examiner, and the secretary shall notify the permit holder by mail of the time and place of hearing. After the hearing thereon, the Hearing Examiner shall, after appropriate findings of fact and conclusions of law, affirm, modify, or overrule the revocation and reinstate the land use permit, and may impose any terms upon the continuance of the land use permit which, to the Hearing Examiner, may seem advisable. Such decision of the Hearing Examiner is appealable to the Superior Court of Snohomish County. No revocation of a land use permit shall take effect until 10 days after receipt of the notice thereof by the permit holder and if appeal is taken as herein prescribed the revocation shall be stayed pending final action by the Hearing Examiner. Exception: If the land use permit allows activity on the site or in site conditions potentially life threatening or injurious, access to the site or the permitted use shall cease until the dangerous condition is corrected or the appeal is addressed.

(Ord. 2811 § 2 (Exh. 1), 2022)

Article IV. Hearing Procedures

§ 18.05.175. Limitations on the number of hearings.

No more than one open record hearing shall be heard on any land use application. The appeal hearing on SEPA threshold determination of nonsignificance shall be consolidated with any open record hearing on the project permit.

(Ord. 2811 § 2 (Exh. 1), 2022)

§ 18.05.180. Procedures for public hearings.

Public hearings shall be conducted in accordance with the hearing body's rules of procedure and shall serve to create or supplement an evidentiary record upon which the body will base its decision. The Chair shall open the public hearing and, in general, observe the following sequence of events:

A. Staff presentation, including submittal of any administrative reports. Members of the hearing body may ask questions of the staff.

B. Applicant presentation, including submittal of any materials. Members of the hearing body may ask questions of the applicant.

C. Testimony or comments by the public germane to the matter. Members of the hearing body may ask questions. Questions directed to the staff or the applicant shall be posed by the Chair at its discretion.

D. Rebuttal, response or clarifying statements by the staff and the applicant.

E. The evidentiary portion of the public hearing shall be closed before the hearing body shall deliberate on the matter before it.

(Ord. 2811 § 2 (Exh. 1), 2022)

§ 18.05.185. Factors for hearing body to consider.

A. The hearing body shall consider and base its recommendations or decision on any permit action coming before it on the following factors:

1. Type of land use;
2. The density or intensity of use;
3. The availability and adequacy of public facilities;

4. Compliance with specific development and Comprehensive Plan standards;

5. That the environmental impacts are consistent with applicable development regulations or, in the absence of applicable regulations, the adopted Comprehensive Plan; and

6. Other factors relevant to the proposal, e.g., previous approvals, Engineering Details and Specifications, other City codes, regulations and standards.

B. In the evaluation of any Type A, B or C permit action, the Hearing Examiner shall not approve or deny a proposed development unless it first makes findings of fact and conclusions of law consistent with the evidence and determination made. The findings of fact and conclusions of law shall address:

1. The development is consistent or is not consistent with Comprehensive Plan goals and policies.

2. The development meets or does not meet the requirements and intent of the applicable City ordinances.

3. The development makes or does not make adequate provisions for open space, drainage ways, streets and other public ways, transit stops, water supply, sanitary wastes, parks and recreation facilities, playgrounds, sites for schools and school grounds as applicable.

4. The development adequately mitigates or does not adequately mitigate impacts identified under the Critical Area Ordinance and SEPA determination.

5. The development is or is not beneficial to the public health, safety and welfare and is in the public interest.

6. The development does or does not lower the level of service of transportation and/or neighborhood park facilities below the minimum standards established within the Comprehensive Plan. If the development results in a level of service lower than those set forth in the Comprehensive Plan, the development may be approved if improvements or strategies to raise the level of service to meet or exceed the minimum standard are made concurrent with the development. For the purpose of this section, "concurrent with the development" is defined as the required improvements or strategies are in place at the time of occupancy, or a financial commitment is in place to complete the improvements or strategies within six years of approval of the development.

7. The area, location and features of any land proposed for dedication are a direct result of the development proposal, are reasonably needed to mitigate the effects of the development, and are proportional to the impacts created by the development.

8. The development satisfactorily addresses or does not satisfactorily address criteria for review and consideration set forth in subsection **A** of this section as applicable.

C. Following review of a development proposal or action, the hearing body shall make written findings of fact and conclusions of law and shall make a determination to approve, approve with conditions or deny the development proposal or action.
(Ord. 2811 § 2 (Exh. 1), 2022)

§ 18.05.190. Hearing Examiner actions.

A. Actions. Upon receiving an application or report from City staff on a proposal or action, the Hearing Examiner shall hold an open record public hearing.

B. Required Findings of Fact and Conclusions of Law. The Hearing Examiner shall make findings of fact and conclusions of law on applications or proposals before him/her. The findings of fact and conclusions of law shall be consistent with MTMC § **2.120.110** and § **18.05.185**.

C. Closed Record Appeals. Upon receiving a request to appeal a decision by City staff, the Hearing Examiner shall hold a closed record public hearing and may remand or overturn the staff decision if it is not consistent with City codes, regulations, and standards.
(Ord. 2811 § 2 (Exh. 1), 2022)

§ 18.05.200. City Council actions.

A. Actions. Upon receiving a recommendation from the Planning Commission or notice of any other matter requiring the Council's attention, the Council shall perform the following actions as appropriate:

1. Hold an open record public hearing and make a determination on the Planning Commission recommendation.

2. Hold a closed record appeal and make a decision.

B. Required Findings and Conclusions. The City Council shall make findings of fact and conclusions of law on applications and/or consider any Planning Commission or Hearing Examiner report on those applications. The findings of fact and conclusions of law shall be consistent with MTMC § **18.05.185**. The City Council may accept, reject, or modify the findings of fact and conclusions of law.

C. Decisions. The City Council shall make its decision by motion, resolution, or ordinance as appropriate.

1. A Council decision based on a report filed by the Planning Commission or Hearing Examiner with recommendations, or following a public hearing on a proposal or action, shall be made by taking one of the following actions:

a. Approve as recommended.

b. Approve with additional conditions.

c. Modify, with or without the applicant's concurrence; provided, that the modifications do not:

i. Enlarge the area or scope of the project.

ii. Increase the density or proposed building size.

iii. Significantly increase adverse environmental impacts as determined by the responsible official.

d. Deny (reapplication or resubmittal is permitted).

e. Deny with prejudice (reapplication or resubmittal is not allowed for one year).

f. Remand for further proceedings and/or evidentiary hearing.

2. A Council decision following a closed record appeal shall be made by taking one of the following actions:

a. Grant the appeal in whole or in part.

b. Deny the appeal in whole or in part.

c. Remand for further proceedings and/or evidentiary hearing.
(Ord. 2811 § 2 (Exh. 1), 2022)

Article V. General Provisions for Appeals

§ 18.05.205. Effective date of decision.

Unless an administrative appeal is timely filed, a land use decision of the City shall be effective on the date the written decision is issued. When a permit requires a notice of decision, the effective date of the written decision is the date that the notice of decision is issued.
(Ord. 2811 § 2 (Exh. 1), 2022)

§ 18.05.210. General description of appeals.

A. Administrative decisions (Type B) are appealable to the Hearing Examiner who conducts an open record appeal hearing.

B. Appeals of City Council decisions, ministerial decisions (Type A) without an administrative appeal, and appeals of a Hearing Examiner's decisions shall be made to the Superior Court. In the case of a shoreline substantial development permit, shoreline conditional use permit or shoreline variance, appeals shall be filed with the Shorelines Hearings Board. In the case of amendments to the Comprehensive Plan and/or development regulations designed to implement the Comprehensive Plan, appeals shall be filed with the Growth Management Hearings Board.

In the case of ministerial decisions (Type A) and administrative decisions with an administrative appeal process as defined in the table found in MTMC § **18.05.075**, the Hearing Examiner shall conduct an open record appeal hearing.
(Ord. 2811 § 2 (Exh. 1), 2022)

§ 18.05.220. Grounds for administrative appeal.

Any administrative appeal shall be linked to the criteria of the underlying land use decision. The grounds for filing an appeal shall be limited to the following:

A. The Director exceeded its jurisdiction or authority;

B. The Director failed to follow applicable procedures in reaching the decision;

C. The Director committed an error of law; or

D. The findings, conclusions or decision prepared by the Director or review authority are not supported by substantial evidence.
(Ord. 2811 § 2 (Exh. 1), 2022)

§ 18.05.230. Filing administrative appeals.

A. Notification of permit decisions for ministerial (Type A) permits are issued through a notice of administrative approval. Notification of permit decisions on administrative (Type B) permits are issued through a notice of decision. Appeals shall be filed within 14 calendar days from the date of the mailing of the notice. Appeals shall be filed in writing with the City Clerk.

B. Appeals shall be accompanied by a filing fee in the amount to be set in the City's fee schedule.

C. Within 10 calendar days following timely filing of a complete appeal with the City Clerk, notice of appeal shall be mailed by the City Clerk to all parties of record.
(Ord. 2811 § 2 (Exh. 1), 2022)

§ 18.05.240. Appeal process.

A. An appeal shall be heard and decided within 90 days from the date the appeal is filed.

B. Timely filing of an appeal shall delay the effective date of the Director's decision until the appeal is ruled upon or withdrawn.

C. Notice of hearing shall be mailed to all parties of record at least 10 calendar days before the appeal hearing by the City Clerk.

D. The hearing shall be limited to the issues included in the written appeal statement. Participation in the appeal shall be limited to the City, including all staff, the applicant for the proposal subject to appeal, and those persons or entities which have timely filed complete written appeal statements and paid the appeal fee.
(Ord. 2811 § 2 (Exh. 1), 2022)

§ 18.05.250. Judicial review.

No person may seek judicial review of any decision of the City, unless that person first exhausts the administrative remedies provided by the City.
(Ord. 2811 § 2 (Exh. 1), 2022)

§ 18.05.260. Judicial appeals.

Any judicial appeal shall be filed in accordance with state law. If there is not a statutory time limit for filing a judicial appeal, the appeal shall be filed within 21 calendar days after a final decision is issued by the City.
(Ord. 2811 § 2 (Exh. 1), 2022)

§ 18.05.280. Dismissals.

The appeal authority may dismiss an appeal in whole or in part without a hearing, if the appeal authority determines that the appeal or application is untimely, frivolous, beyond the scope of the appeal authority's jurisdiction, brought merely to secure a delay, or that the appellant lacks standing.
(Ord. 2811 § 2 (Exh. 1), 2022)

§ 18.05.290. Conflicts.

In the event of any conflict between any provision of this chapter and any other City ordinance, the provisions of this chapter shall control. Specifically, but without limitation, this means that the provisions of this chapter shall control with reference to authority to make decisions and the timeframe for making those decisions, including the requirements to file an appeal.
(Ord. 2811 § 2 (Exh. 1), 2022)

Article VI. Land Use Plans and Implementation

§ 18.05.300. Comprehensive Plan and Map.

A. Frequency and Content for Updating the Comprehensive Plan. The Comprehensive Plan shall be updated no more often than once every year. The update shall consider levels of service for transportation, sewer and water and may consider other levels of service such as police and fire services, park facilities and programs, planning, engineering, and building services, and financial office services. The purpose of considering levels of service is to assure concurrency of development with levels of service.

B. Docket. The Comprehensive Plan shall also consider a docket of items which may be used to add to, or change, the Comprehensive Plan. The docket is maintained by the Director. The need for change may relate to a need to change the Comprehensive Plan Map, or a need to change the Plan to provide consistency with a change, or need to change, the zoning text.

C. Update Procedure. Approximately nine months after the last Comprehensive Plan and Map update, the Director shall review items that have accumulated in the docket.

The Director shall inform the public, through public notice in a paper of general circulation, as an information item on the agendas of the City Council, Planning Commission, and Hearing Examiner, and in regular posting places of the City, that the City shall consider an update of the Comprehensive Plan and Map. This notice shall include the purpose(s) of updating the Comprehensive Plan and Map, a deadline for submitting recommended changes, adding to the docket, and a tentative hearing schedule.

D. Planning Commission. The Planning Commission shall hold at least one public meeting on the docket of items and/or recommendations to change the plan and map, and may request City Council to recommend any areas for study.

The Planning Commission may establish sub-committees for study which shall include members of the public and at least two Planning Commissioners. In all cases, the sub-committee shall have a majority representing residents of the City.

At the public meetings, the Planning Commission shall consider the information from public testimony, subcommittees, and staff. Following consideration of changes and verifying concurrency of recommended change with levels of service for transportation, sewer, and water, the Planning Commission shall recommend changes in the Comprehensive Plan and Map to City Council.

E. The City Council shall review the recommendation of the Planning Commission in a regularly scheduled meeting and set a public hearing to consider changes to update the Comprehensive Plan and Map. The public hearing for changes in the Comprehensive Plan and Map may be held at the same meeting when recommended changes to the zoning text and map consistent with the Comprehensive Plan amendments are also heard.

F. A sub-area plan may be adopted at any time as long as it is generally consistent with the Comprehensive Plan and concurrency is provided with appropriate levels of service.
(Ord. 2811 § 2 (Exh. 1), 2022)

§ 18.05.310. Zoning text and map.

A. The zoning text may be changed at any time as long as the change is consistent with the Comprehensive Plan. Immediately following a change(s) in the Comprehensive Plan and Map, the Zoning Ordinance text and map must be changed to be consistent with the Comprehensive Plan and Map.

B. When the docket is reviewed and the public is informed of the update for the Comprehensive Plan and Map, the public shall also be notified that:

1. Any rezone requests should be consistent with the Comprehensive Plan Map; and

2. A request to change the Zoning Map may involve a change in the Comprehensive Plan Map.

C. The Planning Commission shall have a public hearing and make a recommendation to City Council consistent with MTMC § **18.05.180** and § **18.05.300(D)**.

D. The City Council shall hold a public hearing and make a final determination on the zoning text or map changes consistent with MTMC § **18.05.200**.

E. Criteria for Review and Conclusions of Law. The Hearing Examiner shall consider the following criteria in making their recommendation to the City Council on any Zoning Map change. The Council may approve the rezone request only if the proposal conforms to all of the following criteria. The Council shall adopt findings and conclusions for the record which support their decision.

1. The proposal is in accordance with the Comprehensive Plan;

2. Any parcel of land contained in this request, whether under single or unified ownership, is not receiving special or privileged treatment;

3. The proposal will not be materially detrimental to properties in the vicinity or the community based on the entire range of uses allowed in the proposed zone;

4. Adequate public services will be available to serve the full range of proposed uses;

5. The reclassification is warranted because of a change in circumstances, or because of a need for additional property in the proposed zoning district classification, or because the proposed zoning classification is appropriate for reasonable development of the subject property; and

6. The proposed rezone would promote the general health, welfare, and safety of the community.

(Ord. 2811 § 2 (Exh. 1), 2022)

§ 18.05.320. Annexation.

A. The City's annexation procedures shall follow the requirements of state law.

B. An annexation shall be adopted by ordinance. First reading of the ordinance shall occur following a public hearing on the annexation per state law. The proposed ordinance shall be forwarded to the Boundary Review Board of Snohomish County together with any application materials required. Following Boundary Review Board action, if any, the City shall have a second reading and consider adopting the ordinance to annex.

C. The Comprehensive Plan Map shall be used to establish the zoning classification for an area to be annexed. The zoning shall be consistent with the Comprehensive Plan Map.

D. The City shall adopt zoning for the annexation area in a separate ordinance. Planning Commission should consider and recommend an appropriate zoning classification to the City Council. Planning Commission's consideration shall include review for concurrency and consistency of the proposed zoning or use, if known, with the Comprehensive Plan and Map and any applicable levels of service. If the applicant requests a zoning classification other than that shown on the Comprehensive Plan Map the applicant shall make a concurrent application for a Comprehensive Plan amendment.

(Ord. 2811 § 2 (Exh. 1), 2022)

Title 19. Zoning

Chapter 19.15. DEFINITIONS

§ 19.15.010. General.

A. The purpose of this chapter is to provide definitions for terms that may be used in this title and in MTMC Titles **15**, **16**, and **17**, except that if any of said titles or chapters within them contain a different definition for the same term than is contained in this chapter, the definition in the aforesaid title or chapter shall apply for the specific purpose being addressed in the title or chapter.

B. All words used in the present tense include the future tense. All words in the plural number include the singular number and all words in the singular number include the plural number, unless the natural construction of the wording indicates otherwise. The word "shall" or "must" is mandatory and not discretionary. The word "used" shall be deemed also to include "designed, intended, or arranged to be used." Unless otherwise specified, all distances shall be measured horizontally.

(Ord. 2476 § 6, 2008; Ord. 2755 § 5, 2019; Ord. 2882 § 2 (Exh. A), 2025)

§ 19.15.020. "A".

"Abutting"
means bordering upon, to touch upon, in physical contact with. Properties are considered abutting even though the area of contact may be only a point.

"Access"
means an entry point to property.

"Access easement or way"
means any driveway or easement used to gain entry to property across or through other property.

"Accessory structure"
means a structure intended to be or customarily incidental and subordinate to a principal structure on a lot.

"Accessory use"
means a use intended to be or customarily incidental and subordinate to the principal use of the lot.

"Accessory use, conditional"
means an accessory use that requires an approved conditional use permit to be established in conjunction with a permitted use.

"ADA requirements"
means accessibility requirements for structures, facilities, and uses as stipulated by the Americans with Disabilities Act (ADA) and implementing federal or state statutes.

"Adjacent"
means nearby and not necessarily abutting.

"Administrative decision"
means a decision, ruling, or interpretation related to this title by an administrative officer of the Planning Department.

"Adult care household"
means the home of a person or persons who are providing personal care to less than seven adults who are not related by blood or marriage to the person or persons providing the personal care and who may be functionally disabled as defined by this title; see other related definitions: "Household," "Housing for people with functional disabilities" and "Person with functional disabilities."

"Adult family home"
means the same as "adult care household."

"Alley"
means a public or private right-of-way used primarily as a secondary means of vehicular access to residences and business establishments for provision of services (e.g., deliveries, trash collection, utility service) and for access to private driveways. Alleys are not the sole means of access to property.

"Alley lot"
means a parcel that has a property line bordered by an alley.

"Amusement device"
means any mechanical, electronic, or other device used solely for entertainment purposes and is typically coin- or token-operated, such as a video game or pinball machine.

"Antique vehicle"
means a vehicle that is at least 40 years old.

"Apartment"
means a dwelling unit within a building designed for the purpose of human habitation, containing two or more dwelling units; see "Dwelling unit, multi-household."

"Applicant"
means a person seeking development approval from the City.

Application Process, Consolidated.
The consolidated development application and review process integrates all the development approvals and environmental review. For example, if a larger-scale site plan approval is requested and a variance is needed for approval and an environmental review is necessary, all of these processes will be consolidated. When comments are requested from other departments and agencies, comments will be requested for environmental review purposes as well as for the site plan and the variance request. The staff report will address both site plan and variance. If there is an appeal of the environmental review, it will be heard with the site plan and variance hearing.

The incremental application process is most similar to the process experienced in the past. For example, for a site plan requiring a variance, the variance would be discussed first by the Planning Commission, which will file a report with recommendation to the Hearing Examiner, which would then decide the variance. Following the variance decision, the Planning Commission would address the site plan. For practical purposes, the Planning Commission has been making a recommendation on the variance and, at the same hearing, been deciding on the site plan subject to Hearing Examiner approval of the variance.

"Articulation"
means the giving of emphasis to the architectural elements (like windows, balconies, entries, etc.) that create a complementary pattern or rhythm, dividing large buildings into smaller identifiable pieces. See MTMC § **19.123.240** for articulation provisions.

"Articulation interval"
means the measure of articulation, the distance before architectural elements repeat. See MTMC § **19.123.240** for articulation provisions.

"Artisan manufacturing"
means the production of goods by the use of hand tools or small-scale, light mechanical equipment occurring within a fully enclosed building where such production requires no outdoor operations or storage, and where the production, operations, and storage of materials related to production occupy no more than 5,000 square feet of net floor area. Typical uses have negligible negative impact on surrounding properties and include woodworking and cabinet shops, ceramic studios, jewelry manufacturing and similar types of arts and crafts, production of alcohol, or food processing.

"Assessed value"
means the most recent value determined by the Snohomish County Assessor.

"Assessed value of a single-family dwelling"
means the most recent value determined by the Snohomish County Assessor, as it pertains to a single-family dwelling unit and its accessory structures on a single lot ("market improvement"), without consideration of the "market land" value.

"Assisted living"
means a supportive facility designed for those who need extra help in their day-to-day lives but do not require the skilled nursing care found in traditional nursing homes.

"Auto services"
means a commercial establishment which performs washing/detailing, sale of fuel, oils, and lubricants, mechanical and body repair, and painting, but not including stripping vehicles for parts or junking out vehicles, for all relatively small vehicles such as autos, motorcycles, pickup trucks, and minivans. See also "Vehicle (large) services."

"Auxiliary parking" or "auxiliary driveway"
means any area excluding the required minimum improved surfaces for parking or driveways that provides for the parking or driving of vehicles.

(Ord. 2476 § 6, 2008; Ord. 2547 § 3, 2010; Ord. 2660 § 2, 2015; Ord. 2755 § 6, 2019; Ord. 2823 § 5, 2023; Ord. 2882 § 2 (Exh. A), 2025)

§ 19.15.030. "B".

"Basement"
means that enclosed portion of a building below the ground floor, either finished or unfinished, typically with stair or walk-in access and with a cement slab or finished floor.

"Bed and breakfast inn/rooming and boarding house"
means an owner-occupied dwelling with common kitchen and eating area which provides five or fewer rooms for overnight guests with or without meals and where the principal function is providing lodging for compensation.

"Blank wall"
means a ground floor wall or portion of a ground floor wall as described in MTMC § **19.123.270** that does not include transparent window or door.

"Block frontage"
refers to the area between a street and building facades and other portions of a lot close to the street property line. See Article II of Chapter **19.123** MTMC for applicable block frontage standards.

"Board of Adjustment"
means, for the purpose of this title, a hearing body or Hearing Examiner appointed pursuant to MTMC § **2.120.030** and given authority, including but not limited to the review of appeals from orders, recommendations, permits, decisions or determinations made by a City Official, and the authority to hold open record hearings on applications for variances and applications for conditional use permits and any other class of applications for or pertaining to development of land or land use.

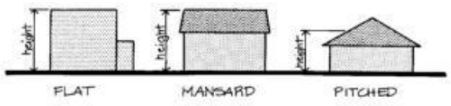
"Build-to line"
means a line parallel to the property line or other designated line, such as the edge of a public right-of-way, where the facade of the building is required to be located.

"Building"
means any structure used or intended for the support, shelter, or enclosure of persons, animals, or movable property of any kind.

"Building depth"
means the length of the building facade perpendicular to the abutting street. For corner lots, one street shall be designated as the primary frontage for the purposes of calculating building depth and width. Stoops, porches, and garages between units that do not abut a street are exempt from this measurement.

"Building, detached"
means a building which is not attached to any other building or structure.

"Building height"
means the vertical distance measured from the grade point around the building to the highest point of a flat roof; to the deck line of a mansard roof; and to the midpoint of a pitched roof (i.e., gable, hip, or gambrel roofs). Specifically excluded from this definition, and from the regulations of maximum building height, are structural elements not intended for habitation and not exceeding 15 feet above the maximum height such as poles, housing/screens for mechanical and elevator equipment, smoke and public ventilation stacks/fans, skylights, solar panels, tanks, and public utility and transmission line towers.



"Building height at front of lot"
means the front 75 percent of the lot's mean lot depth.

"Building height at rear of lot"
means the rear 25 percent of the lot's mean lot depth.

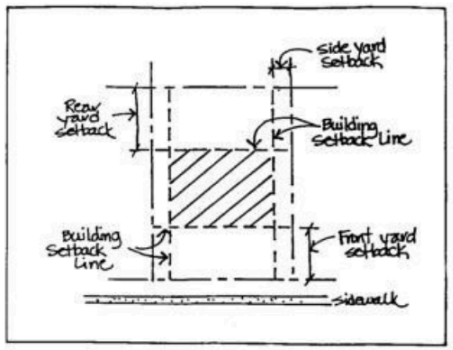
"Building separation"
means the distance between buildings on the same lot. Projections may extend into the required separation for the following:

A. Eaves: up to 24 inches if maintaining fire separation distance from neighboring buildings.

B. Minor appurtenances such as pipes, gas and electrical meters, alarm systems, air vents, downspouts, and heat pumps.

C. Architectural projections: up to 12 inches and a total area up to eight square feet.

"Building setback line"
means the line established at the minimum front, side, and rear yard setbacks beyond which a building shall not extend into a required yard.



"Building site"
means the ground area devoted to a main building and its accessory structures, or to a group of buildings and their accessory structures, together with all yards and open spaces required by this title.

"Building width"
means the length of the building facade parallel to the abutting street. For corner lots, one street shall be designated as the primary frontage for the purposes of calculating building depth and width. Stoops, porches, and garages between units that do not abut a street are exempt from this measurement.

"Bus stop/shelter station"
means a semi-enclosed waiting area of approximately 60 square feet located along a bus route and intended for use by public transportation customers for protection from the elements.
(Ord. 2476 § 6, 2008; Ord. 2481 § 49, 2008; Ord. 2551 § 3, 2010; Ord. 2666 § 2, 2015; Ord. 2755 § 7, 2019; Ord. 2882 § 2 (Exh. A), 2025)

§ 19.15.040. "C".

"Camping"
means: (a) any overnight stay by one or more persons whether outdoors or in a recreational vehicle, tent, temporary shelter, or any structure not authorized for residential use; or (b) the installation of a tent or other temporary shelter to accommodate sleeping by one or more persons.

"Cannabis"
means all parts of the plant Cannabis, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. For the purposes of the ordinance codified in this section, "cannabis" does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted therefrom, fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. The term "cannabis" includes cannabis products and usable cannabis.

"Cannabis products"
means products that contain cannabis or cannabis extracts, have a measurable THC concentration greater than three-tenths of one percent, and are intended for human consumption or application, including, but not limited to, edible products, tinctures, and lotions. The term "cannabis products" does not include usable cannabis. The definition of "cannabis products" as a measurement of THC concentration only applies to the provisions of the ordinance codified in this section and shall not be considered applicable to any criminal laws related to marijuana or cannabis.

"Carport"
means a structure that is used for or designed to accommodate the parking or storage of a motor vehicle and that is open to the weather on at least two sides.

"City"
(as in "the City") means the City of Mountlake Terrace in Snohomish County in the state of Washington.

Clubs and Lodges, Private.
See "Private clubs and lodges."

"Commercial"
means, for purposes of imposing or calculating park impact fees, all nonresidential uses.

"Commercial facilities"
means a category of land use that includes commercial services, offices, retail, eating/drinking establishments, studios, and similar facilities, excluding unless otherwise specified uses within the following categories, as each is defined in this title: home occupations, medical/health care, recreation/entertainment/cultural facilities, lodging, schools/day care centers, membership organizations, public service facilities, and industry.

"Commercial frontage"
means the portion of a lot fronting on a street segment that is within a zoning district where commercial uses are permitted.

Commercial Retail.
See "Retail."

"Commercial services"
means activities or uses involving the sale or exchange of services for profit, as opposed to the sale of goods and supplies for profit, and that are not otherwise excluded from the definition of commercial facilities. Commercial services generally include but are not limited to business support services and personal services. Commercial services exclude commercial kennels except as otherwise specified by code.

"Commercial use"
means an activity with goods, merchandise, or services for sale or involving a rental fee.

"Commercial use vehicle"
means a vehicle, other than a family car, used for purposes related to a business activity such as a taxi, delivery, or service vehicle.

"Commission"
means the Planning Commission of the City, unless indicated otherwise.

"Complete application"
means an application on forms provided by the Planning Department, containing all required items of data or information and the proper number of copies as required, together with the appropriate fee or fees, if any.

"Comprehensive Plan"
means the City of Mountlake Terrace Comprehensive Plan.

"Comprehensive Plan amendment"
means an amendment or change to the text or maps of the Comprehensive Plan.

Conditional Accessory Use.
See "Accessory use, conditional."

"Conditional use"
means a use permitted in one or more zones as defined by this title but which, because of characteristics peculiar to such use, or because of size, technological processes, or equipment, or because of the exact location with reference to surroundings, streets, and existing improvements or demands upon public facilities, requires a special degree of control to make such uses consistent and compatible with other existing or permissible uses in the same zone or zones.

"Conditional use permit"
means the documental evidence granted by the designated authority to locate a conditional use at a particular location.

"Conservation easement"
means a nonpossessory interest in real property, which the City has imposed as a condition of development, that limits or affirmatively obligates the use of the property to include but not be limited to retaining or protecting natural, scenic, or open space values.

"Convenience store"
means a small-scale grocery establishment that may or may not sell gasoline.

"Corner lot"
means a lot or parcel of land abutting two or more streets at their intersection or abutting two parts of the same street forming an interior angle of less than 135 degrees, as measured from interior curb or edge of pavement.

"Cornice"
means a horizontal molding projecting along the top of a wall, building, etc. See MTMC § **19.123.250(D)** for related standards.

"Cottage housing"
means a residential building on a lot with a common open space that either: (A) is owned in common; (B) has units owned as condominium units with property owned in common and a minimum of 20 percent of the lot size is open space. Cottage housing is regulated under the housing form types based on the physical configuration of their units. See "middle housing" definition.

"Council"
means the City Council of the City of Mountlake Terrace.

"Courts"
are a housing form type allowed in residential zones or other zones where residential uses are allowed. They are defined in MTMC § **19.32.060**.

"Courtyard apartments"
means a residential building with attached dwelling units arranged on two or three sides of a yard or court. Courtyard apartments are regulated under the housing form types based on the physical configuration of their units. See "middle housing" definition.

"Cultural facilities"
means uses that provide cultural enrichment services to the public, including but not limited to museums, performing arts centers, aquariums and libraries operated by a government agency or public nonprofit organization.
(Ord. 2476 § 6, 2008; Ord. 2547 § 4, 2010; Ord. 2551 § 4, 2010; Ord. 2606 § 2, 2012; Ord. 2617 § 3, 2013; Ord. 2627 § 3, 2013; Ord. 2755 § 8, 2019; Ord. 2882 § 2 (Exh. A), 2025)

§ 19.15.050. "D".

"Date of decision"
means the date on which final action occurs and from which the appeal period is calculated. Specific ordinances may define effective dates of orders. If the effective date of a decision is in question, the pertinent ordinance shall prevail.

"Day care"
means the provision of supplemental parental care and supervision for a nonrelated child, on a regular basis for less than 24 hours a day, under license by the Washington State Department of Social and Health Services (DSHS). For the purposes of this title, the term is not intended to include baby-sitting services of a casual, nonrecurring nature or in the child's own home. Likewise, the term does not include cooperative, reciprocal child care by a group of parents in their respective homes.

"Day care, adult"
means the provision of care for the elderly for a time period of less than 24 hours a day that typically includes meals and social activities and may involve incidental medical assistance from qualified support staff.

"Day care center"
means a facility other than a "day care home," as defined by this title, which provides day care for children.

"Day care home"
means a facility that provides day care for up to 12 children, including the children of the provider, and is located in the residence of the provider.

"Dedication"
means the donation of land to the City for any public purpose.

"Density"
means a measure of the intensity of residential development which may be expressed in terms of dwelling units per acre or minimum land area per unit.

"Department"
means the Community and Economic Development Department of the City or its assigns.

"Departure"
means a provision allowing for applicants to propose alternative means of compliance with a specific standard on a voluntary basis, provided they meet the purpose of the standard. See MTMC § **19.110.260** for information on departures.

Detached Buildings.
See "Building, detached."

"Developer"
means the legal or beneficial owner or owners of a lot or of any land included in a proposed development, including the holder of an option or contract to purchase or other person having enforceable proprietary interests in such land.

"Development"
means the construction, reconstruction, conversion, structural alteration, relocation or enlargement of a structure; the division of a parcel of land into two or more parcels; any mining, excavation, landfill, or land disturbance; or use, conversion, or extension of the use of land.

"Director"
means the City's Community and Economic Development Director or designee.

"Disaster emergency facilities, permanent"
means buildings to plan for or provide emergency services or disaster recovery assistance for a period of more than two years, along with any related equipment and accessory facilities.

"Disaster emergency facilities, temporary"
means buildings, equipment, or shelters to temporarily house people or provide services and supplies as part of a disaster response conducted or authorized by the City or other governmental agencies.

"Duplex"
means a residential building containing exactly two attached dwellings. Duplexes are regulated under the Housing Form Types based on the physical configuration of their units. See "middle housing" definition.

"Dwelling"
means a structure or portion thereof that is used exclusively for human habitation.

"Dwelling unit, multi-household"
means a building designed to house two or more households living independently of each other and includes triplexes, fourplexes, and apartment buildings.

"Dwelling unit, single"
means one or more rooms designed for or occupied by one household for living or sleeping purposes and containing kitchen facilities for use solely by one household. Modular and manufactured homes, as defined by this title, are considered to be single-household dwelling units.
(Ord. 2625 § 3, 2013; Ord. 2755 § 9, 2019; Ord. 2882 § 2 (Exh. A), 2025)

§ 19.15.060. "E".

"Effective date"
means the date a final decision becomes effective.

"Engineer, City"
means the City's Engineering Services Director or designee.

"Entertainment, commercial indoor"
refers to predominantly spectator uses conducted within an enclosed building. Typical uses include motion picture theaters and concert music halls.

"Entertainment facilities"
means facilities primarily designed or used for people to view performances of movies or televised events or to engage in games or activities other than those typically included in recreation facilities or cultural facilities.
(Ord. 2476 § 6, 2008; Ord. 2551 § 5, 2010; Ord. 2755 § 10, 2019; Ord. 2882 § 2 (Exh. A), 2025)

§ 19.15.070. "F".

"Facade"
means the entire street wall face of a building extending from the grade of the building to the top of the parapet or eaves and the entire width of the building elevation.

"Factory-built/modular housing"
means any structure that meets UBC standards and is designed for human occupancy other than a manufactured home, the structure or any room of which is either entirely or substantially prefabricated or assembled at a place other than a building site.

"Final decision"
means the final action by the Principal Planner, City Engineer, Public Works Director, City Manager, Planning Commission, Hearing Examiner, or City Council.

"Financial institution"
means a bank, savings and loan, credit union, mortgage office, or similar establishment allowing for walk-in service.

"Flex-space townhouse" or "flex-space unit"
means a townhouse with all essential rooms for a dwelling contained on the second floor, and includes on the ground floor a generally square or rectangular flex room of at least 150 square feet that is directly accessible to the outdoors and which may be used for either residential purposes or for home occupation purposes.

"Floor area, gross"
means the total square footage of floor space in a building measured from the exterior faces of the exterior walls, including but not limited to elevator shafts, basements, stairwells, and hallways and all other floor space in a building. For commercial uses which customarily are not confined to a building and which in significant part occur in the open air, the gross floor area shall be calculated as the total of the square feet of floor space in the building and the portion of the site where the commercial use occurs outdoors.

"Floor area ratio (FAR)"
means the number resulting when floor area is divided by lot area.

"Foundation, permanent"
means a structure affixed to the land in such a manner that it may not be readily removed, and including adequate provisions for support of a building or mobile home, and constructed in accordance with regulations enforced and administered by the Building Official.

"Fourplex"
means a residential building containing exactly four attached dwellings. Fourplexes are regulated under the housing form types based on the physical configuration of their units. See "middle housing" definition.

"Fraternal organization"
means a group of people formally organized for a common interest, usually cultural, religious, or entertainment, with regular meetings, rituals, and formal written membership requirements.

"Front yard"
means the area between a parcel's front property line and the required building setback line, except that corner lots shall be considered to have only one front yard, which shall be measured from the front property line as defined in this section.

"Functional Disabilities, Person (With)."
See "Person with functional disabilities."
(Ord. 2476 § 6, 2008; Ord. 2683 § 3, 2016; Ord. 2755 § 11, 2019; Ord. 2882 § 2 (Exh. A), 2025)

§ 19.15.080. "G".

"Garage"
means the portion of a building dedicated to storage of a vehicle. For the purposes of calculating habitable space requirements, garages include the garage door and all portions of the facade that are dedicated to vehicle storage, including additional volumes and garage door frames.

"Garage sale"
means retail sale of any household goods, furnishings, or other tangible items of personal property at the residence, garage, yard, building, or structure occupied by or the possession of which is under the control of the party selling or conducting the sale.

"General service"
means a category of uses whose primary activity is the provision of service, rental, and/or repair to appliances, electronic equipment, machinery, tools, vehicles, and other similar products for personal, commercial, or civic use.

"Grade point"
means an elevation point representing the average elevation of the finished ground level adjoining the building at all exterior walls. Where the finished ground level slopes away from the exterior walls, the grade point is the average of the lowest elevation points within the area between the building and the lot line or, where the lot line is more than six feet from the building, between the building and the lowest elevation points within six feet of the building. (Note: For U-shaped buildings and for buildings with enclosed or "donut hole" inner courtyards, the grade points within the "U" or within the inner courtyard are not included in the grade point calculation.)

"Ground floor"
means any floor surface within six feet of grade point, whether above or below grade point.

"Group home institution"
means a facility, licensed by the state, that cares for more than 15 people with functional disabilities.
(Ord. 2476 § 6, 2008; Ord. 2666 § 3, 2015; Ord. 2755 § 12, 2019; Ord. 2882 § 2 (Exh. A), 2025)

§ 19.15.090. "H".

"Half-story"
means building code-compliant living space located in the roof area of a structure, with the roof having a minimum 8:12 pitch, and the useable floor extending approximately one-half to two-thirds the width of the roof span but typically running its full length. Half-stories typically have gable or intermittent dormer windows for lighting, with shed dormers having a lesser pitch than the primary roof.

"Halfway house"
means a state-licensed facility used as a home or work release center providing care and rehabilitation for individuals addicted to alcohol or drugs/narcotics as defined in Chapter **69.50** RCW.

"Hazardous waste"
means the most commonly used terms relating to hazardous waste, treatment, and storage as defined in subsections A through H of this definition. The definitions were extracted from the definition sections of RCW **70.105.010** and Chapter **173-303** WAC, and are hereby included in this title as required by state law:

A. **"Dangerous wastes"**
means those solid wastes designated in WAC **173-303-070** through **173-303-103** as dangerous or extremely hazardous waste. As used in this chapter, the words "dangerous wastes" will refer to the full universe of wastes regulated by this chapter (including dangerous and extremely hazardous waste), while the abbreviation "DW" will refer to that part of the regulated universe which is dangerous only, and not extremely hazardous. (See also "Extremely hazardous waste" and "Hazardous wastes" definitions.)

B. **"Designated zone facility"**
means any facility that requires an interim or final status permit under rules adopted under this chapter and that is not a preempted facility as defined in this section.

C. **"Extremely hazardous waste"**
means those dangerous wastes designated in WAC **173-303-070** through **173-303-103** as extremely hazardous. The abbreviation "EHW" will be used in this chapter to refer to those dangerous wastes which are extremely hazardous. (See also "Dangerous wastes" and "Hazardous wastes" definitions.)

D. **"Facility"**
means all contiguous land and structures, other appurtenances, and improvements on the land used for recycling, reusing, reclaiming, transferring, storing, treating, or disposing of dangerous waste. Unless otherwise specified in this chapter, the terms "facility," "treatment storage," "disposal facility," "TSD facility," "dangerous waste facility" or "waste management facility" shall be used interchangeably.

E. **"Hazardous household substances"**
means those substances identified by the Department as hazardous household substances in the guidelines developed under RCW **70.105.220**.

F. **"Hazardous substances"**
means any liquid, solid, gas, or sludge, including any material, substance, product, commodity, or waste, regardless of quantity, that exhibits any of the physical, chemical, or biological properties described in WAC **173-303-090**, **173-303-101**, **173-303-102**, or **173-303-103**.

G. **"Hazardous wastes"**
means those solid wastes designated by 40 CFR Part **261**, and regulated as hazardous waste by the United States EPA. This term will never be abbreviated to avoid confusion with the abbreviations "DW" and "EHW." (See also "Dangerous wastes" and "Extremely hazardous waste" definitions.)

H. **"Permit"**
means an authorization which allows a person to perform dangerous waste transfer, storage, treatment, or disposal operations, and which typically will include specific conditions for such facility operations. Permits must be issued by one of the following:

1. The Department of Ecology, pursuant to state law;

2. United States EPA, pursuant to 40 CFR Part **270**; or

3. Another state authorized by EPA, pursuant to 40 CFR Part **271**.

I. **"Storage"**
means the holding of dangerous waste for a temporary period. "Accumulation" of dangerous waste, by the generator on the site of generation, is not storage as long as the generator complies with the applicable requirements of WAC **173-303-200** and **173-303-201**.

J. **"Treatment"**
means the physical, chemical, or biological processing of dangerous waste to make such wastes nondangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume.

"Health care office"
means a commercial establishment that provides one or more medical services including but not limited to physical, dental, chiropractic and massage therapy.

"Hearing Examiner"
means a Hearing Examiner appointed pursuant to MTMC § **2.120.030** and given authority, including but not limited to the review of appeals from orders, recommendations, permits, decisions, or determinations made by a City official, and the authority to hold open record hearings or applications for variances and applications for conditional use permits and any other class of application for or pertaining to development of land or land use.

"Hedge"
means a continuous barrier or screen formed of shrubs, trees or a combination thereof.

"Higher education facilities"
means facilities designed to serve the educational needs of people beyond the high school level, such as a junior college, college or university supported by private or public funding sources and including support facilities such as administration offices, dormitories, and athletic centers.

"Home occupation"
means the conduct of business from the home or accessory structure that does not compromise the residential character of the surrounding neighborhood.

"Hospital"
means a building designed and used for medical care, surgery, diagnosis, treatment, and housing of persons under the care of doctors and nurses over a continuous period of 24 hours or more. Nursing homes, clinics, and group residences are not included in this definition.

"Hotel"
means a building in which there are six or more guest rooms for lodging, with or without meals, provided for compensation.

"Household"
means an individual; or two or more persons related by blood, marriage, or adoption; or a group of not more than six unrelated persons living and cooking together as a single housekeeping unit provided the limitation on the number of unrelated residents shall not be applied so as to prevent the City from making a reasonable accommodation as may be necessary to afford persons with functional disabilities equal opportunity to use and enjoy a dwelling as required by applicable federal, state, and local fair housing law.

"Housing for people with functional disabilities"
means housing used, or intended for use, by persons with functional disabilities. The term includes, but is not limited to: juvenile foster home; adult care household; group home, institution; residential care facility; and any supported living arrangement, as herein defined.

"Housing form type"
means a specific configuration of dwelling units in a building or on a lot. They include singles, slots, rows, stacks, and courts. See MTMC § **19.30.060** for their definitions.
(Ord. 2476 § 6, 2008; Ord. 2547 § 5, 2010; Ord. 2700 § 9, 2016; Ord. 2882 § 2 (Exh. A), 2025)

§ 19.15.100. "I".

"Impervious surface"
means an impervious surface as defined in MTMC § **16.20.020**.

"Improved parking court"
means a shared parking area that includes specific features and aesthetic improvements to accommodate and enhance auto- and pedestrian-oriented uses. See MTMC § **19.32.090(C)**.

"Improved public right-of-way"
means a public right-of-way that has an improved surface.

"Improved surface"
means an area that is covered by a permanent hard surface, including concrete, asphalt, or pavers in accordance with the Department's engineering requirements, or any combination of materials with pervious features, such as ribbon driveways, that has been permitted by the Department as a functionally equivalent hard surface.

"Incidental"
means subordinate and minor in significance and bearing a reasonable relationship with the primary use.

"Indoor shooting ranges"
means indoor ranges for testing and practice firing of rifles, pistols, or archery equipment.

Industrial, Light.
See "Light industrial."

"Industry"
means those fields of economic industry that include natural resource extraction, construction, manufacturing, processing, trucking, freight distribution, communication, production or distribution of power, sanitary services, mini-warehouses, warehouse storage, large-scale cleaning facilities, large-scale vehicle service stations, research and development laboratories, machine shops, wholesale sales/trade and distribution, solid waste facilities, and operations that may involve noise, vibration, or odor not appropriate to commercial or residential areas.

"Interurban trail"
means land dedicated to the unique blend of passive and active travel along a scenic greenway and multipurpose public commuter trail by methods of transportation such as bicycles, skating, running, jogging, and walking or passive enjoyment of the park-like setting and rest stops along the route, which may be in combination with the safety and convenience of various current and future modes of public transit systems to fit the public's needs.
(Ord. 2476 § 6, 2008; Ord. 2551 § 6, 2010; Ord. 2700 § 10, 2016; Ord. 2729 § 15, 2018; Ord. 2882 § 2 (Exh. A), 2025)

§ 19.15.110. "J".

"Junkyard"
means an area of more than 300 square feet of any lot where junk, discarded or salvaged material is bought, sold, exchanged, stored, baled, packed, disassembled, or handled, including but not limited to the storage of inoperable automobiles, building or structural steel materials and equipment. A junkyard does not include the following uses when conducted entirely within an enclosed building: pawn shops, or establishments for the sale, purchase, or storage of used furniture or household equipment, or used cars in operable condition or the processing of used, discarded, or salvaged materials as part of a manufacturing operation.

"Juvenile foster home"
means a home of a person or persons who are providing personal care to children under the age of 18 years of age who may be functionally disabled, as defined by this title.
(Ord. 2476 § 6, 2008; Ord. 2882 § 2 (Exh. A), 2025)

§ 19.15.120. "K".

"Kennel, commercial"
means any premises wherein four or more adult animals are kept for the business of boarding, breeding, letting for hire, training for a fee, or selling.

"Kitchen"
means any room or rooms, or portion of a room or rooms, used or intended or designed to be used for cooking or the preparation of food and features a stove or range.
(Ord. 2476 § 6, 2008; Ord. 2547 § 6, 2010; Ord. 2882 § 2 (Exh. A), 2025)

§ 19.15.130. "L".

"Land area per unit, minimum"
means the minimum amount of land area required for each multi-household dwelling unit to be constructed on any single lot. For the purposes of this title, any portion of a lot, tract, or parcel of land in any access easement, private road (excluding a driveway exclusively serving the site), or public right-of-way shall be excluded from establishing the minimum land area per unit.

"Landscaped block frontage"
refers to a type of block frontage designation that emphasized landscaped setbacks. See MTMC § **19.123.100** for details.

"Laundromat/dry cleaning"
means a commercial facility featuring self-operated laundry machines which may include a dry cleaning operation.

"Life safety situation"
means any incident where the safety of a person or equipment is at risk; qualifying events are subject to the discretion of the Building Official or Community and Economic Development Director.

"Light industrial"
means industry or industrial uses that employ less than 500 people on a subject site and are limited in scale and intensity related to noise, emissions, glare, and other impacts.

"Live-work unit"
means a dwelling unit designed to accommodate a small commercial enterprise on the ground floor and a residential unit above and/or behind. A live-work unit may be designed as any type of household living dwelling unit permitted in the applicable zoning district and may be designed to be used for both single-occupant or dual-occupant usage (i.e., one occupant for the residence; another occupant for the commercial space).

"Loading space"
means an area required to be maintained on certain business and commercial lots, in addition to regular yard requirements, used for the loading and unloading of trucks or other vehicles or passengers of vehicles.

"Lodging"
means a facility in which rental sleeping accommodations are provided, typically for transient use.

"Long-term care facility"
means an institution or a distinct part of an institution that is licensed or approved to provide health care under medical supervision for 24 or more consecutive hours.

"Lot"
means any area of land created through a division. The term also includes parcels. The term does not include the smaller unit lots which are created through a unit lot subdivisions process of a lot.

"Lot area"
means the land area contained within the various lines forming the perimeter boundary of any described lot, tract, or parcel of land. For the purpose of this title, any portion of a lot, tract, or parcel of land in any access easement, private road, or public right-of-way dedication shall be excluded from calculating the lot area, unless otherwise specified by this title.

"Lot, corner"
means a lot fronting on two or more intersecting streets. A corner lot is considered to have a front yard along each street frontage.

"Lot coverage"
means the portion of the lot that is covered by buildings; or, if specifically so indicated, the portion of the lot that is covered by buildings and parking surfaces.

"Lot depth"
means the average horizontal distance between the front lot line and the rear lot line.

"Lot, flag/panhandle"
means a lot configured with a narrow extension of land connecting the main buildable area of the lot to a street, private street, or alley. The narrow extension of land in a flag lot provides for a vehicular and/or utility access to the main buildable area of the lot, but is not wide enough for a development and does not meet minimum lot width requirements.

"Lot, interior"
means a lot other than a corner lot.

"Lot line"
means a line of record bounding a lot that divides one lot from another lot or from a public or private street or any other public space.

"Lot line, front"
means that boundary of a lot which is along an existing street or private street (including streets on corner lots), or in the case of through lots or lots where no public or private street exists, it is the line first crossed when gaining legal vehicular access to the property. A corner lot shall be considered to have only one front lot line, which is the parcel's property line along the street on which the parcel takes or is expected to take its address.

"Lot line, rear"
means that boundary of a lot most nearly opposite and distant from the front lot line. In the case of corner lots, the rear lot line is the line most distant and opposite of the narrower of the two frontages. In the case of through lots, it is the line most nearly opposite the front lot line. In the case of three-sided, triangular, or pie shaped lots having boundaries that converge to the rear, there is no rear lot line, in which case rear yard setbacks shall be measured from the point where lot lines converge and the required setback from that point shall be double the standard setback. In the case of other irregular shaped lots, the rear lot line shall be determined by the Director based upon an examination of existing or likely setbacks of surrounding development.

"Lot line, side"
means any boundary of a lot which is not defined as a front lot line or a rear lot line.

"Lot of record"
means a parcel of land satisfying the requirements of MTMC § **17.01.080**.

"Lot, through"
means a lot fronting on more than one street and which is not a corner lot. On a through lot, the front yard will be considered the side from which the property is addressed, and the rear yard is considered that portion of the lot most directly opposite the front yard.

"Lot width at building setback line"
means the horizontal distance between side property lines measured at the front yard building setback line.

"Lot width at street"
means the horizontal distance between the side lot lines measured along the street right-of-way or access easement.
(Ord. 2476 § 6, 2008; Ord. 2551 § 7, 2010; Ord. 2567 § 7, 2011; Ord. 2660 § 3, 2015; Ord. 2683 § 2, 2016; Ord. 2755 § 13, 2019; Ord. 2823 § 6, 2023; Ord. 2882 § 2 (Exh. A), 2025)

§ 19.15.140. "M".

"Mail service"
means a small-scale business establishment offering primarily packaging and shipping services and may include mail receiving or other business services (fax, copying, etc.). For the purposes of this title, "mail service" does not include major distribution centers for shipping and receiving.

"Maintained surface"
means a surface that consists of gravel material contained in a defined area of the property without spilling into the street, sidewalk, or adjoining property and that has no more than 50 percent of its surface area comprised of exposed soil or plant material, unless the surface has otherwise been permitted by the Community Development Department as an improved surface.

"Major transit stop"
means:

A. A stop on a high capacity transportation system funded or expanded under the provisions of Chapter **36.70A** RCW;

B. Commuter rail stops;

C. Stops on rail or fixed guideway systems; or

D. Stops on bus rapid transit routes, including those stops that are under construction.

"Manufactured home"
means a residence constructed on one or more chassis for transportation, and which bears an insignia issued by a state or federal regulatory agency indicating compliance with all applicable construction standards of the U.S. Department of Housing and Urban Development and that meets the following criteria:

A. Constructed after June 15, 1976, in accordance with state and federal requirements for manufactured homes;

B. Is comprised of at least two fully enclosed parallel sections each of not less than 12 feet wide by 36 feet long;

C. Was originally constructed with and now has a composition of wood shake or shingle, coated metal, or similar roof of not less than three to 12 pitch;

D. Is mounted and affixed to a permanent foundation according to UBC standards;

E. Meets the minimum Washington State Energy Code Standards;

F. The manufactured home exterior siding shall extend to the top of the foundation as in the case of conventional construction.

"Manufacturing"
means the mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the creation of products, and the blending of materials to be used in products.

"Marijuana"
means the same as "cannabis."

"Mean lot depth"
means the depth of such lot measured on a line approximately perpendicular to the front property line and midway between the side property lines of such lot.

"Medical/health care facilities"
means medical clinics, counseling services, dental clinics, hospitals, veterinary facilities, medical laboratories, and all other facilities that provide health care and medical services.

"Medical marijuana cooperative" or "cooperative"
means a member group of up to four qualifying patients or designated providers who share responsibility for acquiring and supplying the resources needed to produce and process marijuana for medical use by the members and subject to the limitations therein and the municipal codes, as set forth in Chapter **69.51A** RCW, as amended by 2SSB 5025 Section 26 and 2E2SHB 2136 Section 1001(3)(c).

"Membership organization"
means an organization, with pre-established formal membership requirements, that has the objective of promoting the interests or beliefs of its members. Membership organizations include but are not limited to trade associations, private clubs, fraternal organizations, and religious organizations.

"Middle housing"
means buildings that are compatible in scale, form, and character with single-unit houses and contain two or more attached, stacked, or clustered homes including common housing types such as duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, and cottage housing. Mountlake Terrace has defined housing form types that regulate all of the above common middle housing types. These include: single, slots, rows, stacks and courts.

"Minimum Land Area Per Unit."
See "Land area per unit, minimum."

"Mini-warehouse"
means a facility consisting of separate storage units which are rented to customers having exclusive and independent access to their respective units for storage of residential- or commercial-oriented goods.

"Mixed-use development"
means the development of a tract of land or building or structure with two or more different uses, such as but not limited to residential, office, retail, public, or entertainment, in a compact urban form.

"Modular/Factory-Built Housing."
See "Factory-built/modular housing."

"Modulation"
means stepping forward or backwards a portion of the facade as a means to articulate or add visual interest to the facade.

"Motel"
means a building or buildings, detached or in connected units or designed as a single structure, with six or more units which are used as individual sleeping units having their own private toilet facilities and may or may not have their own kitchen facilities, and are designed and used for the accommodation of transient automobile travelers. Accommodations for trailers are not included. This term includes tourist court, motor lodge, auto court, cabin court, motor inn, and similar names.

"Motor vehicle"
means any car, truck, van or motorcycle used for the transportation of passengers, but not including recreational or utility vehicles.

"MTMC"
means the Municipal Code of the City of Mountlake Terrace.

"Multi-Household Dwelling."
See "Dwelling unit, multi-household."

"Municipal code"
means the adopted ordinances of the City.
(Ord. 2476 § 6, 2008; Ord. 2617 § 4, 2013; Ord. 2685 § 4, 2016; Ord. 2755 § 14, 2019; Ord. 2882 § 2 (Exh. A), 2025)

§ 19.15.150. "N".

"Nonconformance"
means any use, structure, condition, activity or any other feature or element of private property that does not fully conform to any of the provisions of this title.

"Nursery supplies"
means bulk materials and other goods and services for gardening, landscaping, yard care, greenhouses, and similar horticultural activities.
(Ord. 2476 § 6, 2008; Ord. 2882 § 2 (Exh. A), 2025)

§ 19.15.160. "O".

"Off-street parking"
means any area located entirely on private property which is designed and developed for the parking or storage of vehicles.

"Open record public hearing"
means a hearing, conducted by a single hearing body or officer authorized by the local government to conduct such hearings, that creates the local government's record through testimony and submission of evidence and information.

"Open space"
means land area unoccupied by buildings, roads, or parking areas which is used for recreation or resource protection.

"Orient" or "orientation"
means the primary direction from which a facade or facade element is intended to be visible and from which access is provided.
(Ord. 2476 § 6, 2008; Ord. 2882 § 2 (Exh. A), 2025)

§ 19.15.170. "P".

"Park"
means an area which is permanently dedicated to passive or active forms of recreation.

A. **"Active park"**
means land dedicated to the enjoyment of physical activities and active recreational opportunities including but not limited to organized play, scheduled spectator sports requiring large land use areas for playfields, multipurpose playgrounds, golf courses, tennis and basketball courts, swimming and exercise facilities, spectator seating and parking and accommodating related sound and lighting intensities.

B. **"Passive park"**
means land dedicated to the environmental preservation of the serenity and beauty of nature, its vegetation, woods and wetlands, bird and wildlife habitat, and scenic landscapes for enjoyment and educational opportunities, to include: nature trails; moderate picnic and playground areas for nonorganized play; and group activities compatible with quiet neighborhoods, churches, retirement and medical facilities, libraries, theaters of the arts, museums, and public buildings.

"Parking area"
means an area accessible to motor vehicles, which is provided, improved, maintained, and used for the sole purpose of accommodating a motor vehicle.

"Parking, Off-Street."
See "Off-street parking."

"Parking, shared"
means parking facilities that are shared among two or more uses, activities or property owners to meet the total number of parking spaces required pursuant to Chapter **19.125** MTMC.

"Parking study"
means an analysis of parking demand prepared by an applicant or qualified professional following the procedures of the Urban Land Institute Shared Parking Report, Institute of Transportation Engineers Shared Parking Guidelines, or other sources accepted by the Department.

"Pedestrian-friendly and visual access"
means an area that is pedestrian-friendly and has safe walking areas on sidewalks and crosswalks. It has businesses convenient for pedestrians which provide visual access to the business activities. Although some of the business activities may fully be in view of the pedestrian, as an espresso cart may be, an office use within a building will need visual access in a pedestrian-friendly area as well. Pedestrian-friendly areas may have any or all of the following: ease of access to transit, as well as parking, benches, landscaping, lighting at pedestrian scales, refuse containers, and items for sale such as newspapers, beverages, food in the pedestrian-friendly area.

"Pedestrian-oriented space"
means publicly accessible spaces that enliven the pedestrian environment by providing opportunities for outdoor dining, socializing, relaxing and provide visual amenities that can contribute to the character of the neighborhood. See MTMC § **19.123.190(D)** for pedestrian-oriented space design criteria.

"Permitted use"
means any use authorized alone or in conjunction with another use in a specific district and subject to the limitations of the regulations of such use in that district.

"Person"
means any person, firm, business, corporation, partnership of other associations or organization, marital community, municipal corporation, or governmental agency.

"Person with functional disabilities"
means:

A. A person who, because of a recognized chronic physical or mental condition or disease, is functionally disabled to the extent of:

1. Needing care, supervision or monitoring to perform activities of daily living or instrumental activities of daily living; or

2. Needing support to ameliorate or compensate for the effects of the functional disability so as to lead as independent a life as possible; or

3. Having a physical or mental impairment which substantially limits one or more of such person's major life activities; or

4. Having a record of having such an impairment; or

B. Excluded from the definition of "person with functional disabilities" is any individual engaged in the current, illegal use of or addiction to a controlled substance and any individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others. The operator of any facility providing housing for people with functional disabilities, as defined by this title, shall obtain documentation from a qualified health official, prior to occupancy, certifying that residents of the facility shall not constitute such a direct threat.

"Personal service"

means an establishment which offers specialized services purchased frequently by the consumer. Included are barber shops, beauty salons and spas, repair shops, postal or courier services, laundromats, dry cleaning pickup, tailor shops, and other similar establishments. These uses may also include accessory retail sales of products related to the services provided.

"Personal service establishment"
means a business that provides services involving the care of a person or their apparel such as laundry and dry cleaning, beauty and barber shops, shoe repair, and garment alteration.

"Plan"
means the City of Mountlake Terrace Comprehensive Plan.

"Planned action"
means a significant development proposal as defined in RCW **43.21C.031** as amended.

"Planned unit development (PUD)"
means a development which incorporates innovations or special features in the development of a site and meets the requirements of Chapter **19.115** MTMC (Planned Unit Development).

"Planning Commission"
means the Planning Commission of the City of Mountlake Terrace.

"Planning Department"
means the Planning Department staff of the City of Mountlake Terrace Planning Department or their designee.

"Preschool"
means an approved facility which provides educational instruction for prekindergarten-age children.

"Primary elevation"
means the side of the building that faces the public or private street from which visitor access to the dwelling is taken.

"Primary entry"
means the pedestrian entrance that is intended as the main entrance with direct access from a pedestrian path that leads to the abutting street.

"Primary use"
means the principal or predominant use to which the property is or may be devoted, and to which all other uses on the premises are accessory; see "Permitted use."

"Private clubs and lodges"
means meeting and administrative facilities for a group of persons organized for a social, fraternal, athletic, educational, literary, professional, political, or charitable purpose.

"Professional office"
refers to activities conducted in a room or suite of rooms and generally focused on professional services.

"Project"
means a proposal for development.

"Project improvement value"
means the cost of construction as determined by the Building Official based on average construction cost in our area code. This is determined by previous project valuations submitted to the City and available project average cost per square feet.

"Property line"
means "lot line" as defined in this chapter.

"Public assembly area"
means any area where large numbers of people collect to participate in or to observe activities, events, or to view or handle items. Such facilities include but are not limited to auditoriums, stadia, gymnasiums, theaters, churches, schools, gaming facilities, dance halls, museums, and conference rooms.

"Public hearing"
means an open record hearing at which evidence is presented and testimony is taken.

"Public service"
means services and facilities provided at all levels of government. Public service responsibilities include, but are not limited to, upholding the public health, safety, and welfare by providing and maintaining certain public utilities, i.e., public water and sewer systems, public road systems, and government departments for police, fire, animal control, engineering, public works, planning, building, accounting, and business office duties.

"Public service facilities"
include, but are not limited to, government office buildings, fire and aid car stations, police precinct stations, public works facilities, disaster emergency shelters, and public utility facilities.

"Public utility"
means a private corporation performing a public service and subject to special governmental regulations, or a governmental agency performing a similar public service, the services by either of which are paid for directly by individual recipients. Such services shall include, but are not limited to, water supply, electric power, gas, and transportation of persons and freight. Wireless communications are not included within this definition.

"Public utility facilities"
include, but are not limited to, water and sewer pump stations, telephone exchanges, and gas and electrical distribution substations, and do not include minor utility system components such as poles, cables, underground conduits, and telephone booths, rapid transit stations, or bus terminals.
(Ord. 2476 § 6, 2008; amended by City request, 1/11; Ord. 2755 § 15, 2019; Ord. 2823 § 7, 2023; Ord. 2882 § 2 (Exh. A), 2025)

§ 19.15.180. "Q".

Reserved.
(Ord. 2476 § 6, 2008; Ord. 2882 § 2 (Exh. A), 2025)

§ 19.15.190. "R".

"Rapid transit station"
means a designated location where users access a transit system that is characterized by relatively high speed rail cars or buses traveling along a specific route that serves a large urban area.

"Recreation"
means any enjoyable leisure experience in which the participant voluntarily engages and from which he or she receives satisfaction.

"Recreation facilities"
means a place designed and equipped for the conduct of sports or leisure-time activities.

"Recreational facilities, private"
means recreational facilities that are owned by a private individual, corporation, or other private entity that is designed to provide recreational and social activities for its users and not the general public.

"Recreational facilities, public"
means recreational facilities that are owned by a public entity such as a government agency or private corporation performing a service and such facilities are open to the general public.

"Recreational vehicle"
means a vehicle which is designed and intended for shelter purposes during travel. Recreational vehicles shall include, but not necessarily be limited to, campers, motor homes, and travel trailers.

"Recycling collection station"
means an approved location with appropriate containers, each clearly labeled for the purpose of collecting one specific recyclable material, such as newspaper, magazines, cardboard, glass, aluminum, waste oil, batteries, or other specified items. Also known as drop boxes.

"Recycling processing center"
means an approved location at which the management, collection, sorting, storage, loading, and transporting of recyclable materials is conducted. This type of center is not a resource recovery facility for purposes of garbage separation.

"Religious facility"
means an establishment with the principal purpose of religious worship such as a church, synagogue, mosque or temple. Support services in the main building or in separate buildings may include assembly rooms, kitchen, library or reading rooms, office, recreation hall, instructional rooms, one single-household dwelling unit for a caretaker or staff person and a nursery facility for members during religious services.

"Research and development"
means specialized, nonpolluting activities with emphasis on investigation, experimentation, testing, engineering, inventing and conceptually designing prototypes and new technologies, or associated light manufacturing. These technologies may include electronics, computer and data systems, medical and precision instruments, machine components, communication systems, and other technological instruments, equipment and systems.

"Residential care facility"
means a facility, licensed by the state, that cares for at least seven but not more than 15 people with functional disabilities.

"Residential district"
means those areas, as designated on the City's Official Zoning Map, that are zoned primarily for single-family or multiple-family residential use, including R-1 through R-4 districts.

"Retail"
means establishments engaged in selling goods or merchandise to the general public for personal or household consumption and which may include the rendering of services incidental to the sale of such goods.

"Rezone"
means an amendment to the Official Zoning Map resulting in a change in zoning designation for a particular parcel or parcels.

"Right-of-way"
means a strip of land deeded or dedicated to the City or other entity for street, utility and/or drainage purposes.

"RM district"
means those areas, as designated on the City's Official Zoning Map, that are zoned primarily for multiple-household residential use.

"Roofline"
means the highest edge of the roof or the top of a parapet, whichever establishes the top line of the structure when viewed in a horizontal plane.

Rooming and Boarding House/Bed and Breakfast.
See "Bed and breakfast inn/rooming and boarding house."

"Rows"
are a housing form type allowed in residential zones or other zones where residential uses are allowed. They are defined in MTMC § **19.32.060**.
(Ord. 2476 § 6, 2008; Ord. 2660 § 4, 2015; Ord. 2755 § 16, 2019; Ord. 2840 § 2, 2024; Ord. 2882 § 2 (Exh. A), 2025)

§ 19.15.200. "S".

"School"
means any building or part thereof used for instruction or education in any branch of knowledge.

"School, commercial"
means a building where instruction is given to pupils in arts, crafts, or business and industrial trades, and operated as a commercial enterprise, as distinguished from schools endowed and/or supported by taxation.

"School: elementary, junior, or senior high, including public, private, and parochial"
means an accredited institution of learning which offers instruction in the branches of learning and study required to be taught in the public schools by the Washington State Board of Education.

"Secondary block frontage"
refers to a type of block frontage designation that allows use of either the storefront or landscaped block frontage standards. See MTMC § **19.123.100** for details.

"Secondary Use."
See "Accessory use."

"Senior housing"
means age-restricted housing for older adults.

"Setback."
See "Yard."

"Sexually oriented adult businesses/adult entertainment establishments"
means any establishment or premises having as substantial or significant portion of its trade the display, barter, rental or sale of printed matter, pictures, graphics, or other materials or paraphernalia distinguished or characterized by an emphasis on matter depicting, describing, or relating to "specific sexual activities" or "specified anatomical areas" as defined hereinafter, or any "sexually oriented adult entertainment premises," as defined hereafter, including but not limited to adult bookstores, adult entertainment shows, adult motion picture theaters, and adult arcades.

A. **"Adult bookstore"**
is defined as any premises from which minors are excluded and in which the retail sale of books, magazines, newspapers, movie films, devices, slides, or other photographic or written reproductions distinguished or characterized by their emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas is conducted as a principal use of the premises; or as an adjunct to some other business activity, but which constitutes the primary or a major attraction to the premises.

B. **"Adult entertainment shows"**
means any premises from which minors are excluded and in which live entertainment is provided, or any device is provided in which the subject matter is distinguished or characterized by the emphasis on matter depicting, describing, or relating to specified sexual activities or displaying specified anatomical areas as the principal use of the premises or is shown as an adjunct to some other business activity which is conducted on the premises and constitutes a major attraction; and wherein fees of any kind are charged.

C. **"Adult motion picture theater"**
means any establishment from which minors are excluded in which motion pictures, slides, or similar photographic reproductions are shown depicting adult entertainment as the principal use of the premises, or are shown as an adjunct to some other business activity which is conducted on the premises and constitutes a major attraction; and wherein fees of any kind are charged; and wherein such movies are shown on a regular basis; and not to include a theater showing adult movies less than five percent of the total showing time of the theater.

D. **"Entertainer"**
means any person who provides sexually oriented adult entertainment within a public place of amusement as defined in this section whether or not a fee is charged or accepted for such entertainment.

E. **"Entertainment"**
means any exhibition or dance of any type, pantomime, modeling, or any other performance.

F. **"Member of the public"**
means any customer, patron or person, other than an employee, who is invited or admitted to a sexually oriented adult entertainment premises.

G. **"Nudity"**
means the showing of the human male or female genitals or pubic area, the showing of the female breast with less than a fully opaque covering of any part of the nipple, or the showing of the covered male genitals in a discernibly turgid state.

H. **"Overlay zone district"**
means a zone district which is used in conjunction with, and which cannot be established without, another zone development to occur which would not otherwise be possible or which modifies standards in the underlying zone district. An "overlay zone" as herein described is a zone, having boundaries conterminous with or circumscribed by an existing district, which imposes additional limitations or authorizes additional use otherwise not required or permitted in the district.

I. **"Public place of amusement," "public amusement/entertainment," and "public entertainment"**
mean an amusement, diversion, entertainment, show, performance, exhibition, display or like activity, for the use or benefit of a member or members of the public, or advertised for the use or benefit of a member of the public, held, conducted, operated or maintained for a profit, either direct or indirect.

J. **"Sexually oriented adult arcade" and "sexually oriented adult arcade premises"**
shall mean any premises on which any sexually oriented adult arcade device is located and to which patrons, customers and/or members of the public are admitted.

K. **"Sexually oriented adult arcade device,"**
sometimes also known as "panoram," "preview," "picture arcade," or "peep show," means any device which, for payment of a fee, membership fee, or other charge, is used to exhibit or display a picture, view, film, videotape, or videodisc, live show or other graphic display of "specified anatomical areas." All such devices are denominated under this title by the term "sexually oriented adult arcade device."

L. **"Sexually oriented adult businesses/adult entertainment establishments overlay zone district"**
means the area identified on the Official Zoning Map of the City wherein sexually oriented adult businesses/adult entertainment establishments are permitted to be located, subject to certain regulations.

M. **"Sexually oriented adult entertainment"**
means any entertainment conducted in a public place of amusement where such entertainment involves a person appearing or performing in a state of nudity, as defined herein.

N. **"Sexually oriented adult entertainment premises"**
means any premises to which the public, patrons or members are invited or admitted and wherein an entertainer provides sexually oriented adult entertainment on a regular basis and as a substantial part of the business operation.

O. **"Specified anatomical areas"**
means:

1. Less than completely and opaquely covered human genitals, pubic area, anus, or female breast below a point immediately above the top of the areola.

2. Human male genitals in a discernibly turgid state even if completely or opaquely covered.

P. **"Specified sexual activities"**
means:

1. Acts of human masturbation, sexual intercourse or sodomy; or

2. Fondling or other erotic touching of human genitals, pubic region, buttock or female breast; or

3. Human genitals in a state of sexual stimulation or arousal.

"Signs."
See MTMC § **19.135.020**.

"Sight area triangle"
means a triangular-shaped area at the intersection of any street or driveway with any other public or private street that must be kept free of sight obstructions affecting passing motorists within prescribed limits and distances.

"Singles"
are a housing form type allowed in residential zones or other zones where residential uses are allowed. They are defined in MTMC § **19.32.060**.

"Site plan, larger scale"
means those that involve new land use development projects of 5,000 structural square feet or more.

"Site plan, smaller scale"
means those that involve new land use development projects that total less than 5,000 structural square feet, alterations or redevelopment of less than 30 percent of the total structural value and less than 5,000 square feet.

"Sixplex"
means a residential building containing exactly six attached dwellings. Sixplexes are regulated under the housing form types based on the physical configuration of their units. See "middle housing" definition.

"Slots"
are a housing form type allowed in residential zones or other zones where residential uses are allowed. They are defined in MTMC § **19.32.060**.

"Stacked flat"
means a residential building containing no more than three stories on a residential zoned lot in which each floor may be separately rented or owned. Stacked flats may occur in the official "stack" middle housing type. See "middle housing" definition.

"Stacks"
are a housing form type allowed in residential zones or other zones where residential uses are allowed. They are defined in MTMC § **19.32.060**.

"Storefront"
means the ground floor facade of a commercial use adjacent to a sidewalk or internal pathway.

"Storefront block frontage"
refers to a type of block frontage designation that emphasizes storefronts. See MTMC § **19.123.080** for details.

"Story"
means that portion of a building included between the upper surface of a floor and the upper surface of the floor or ceiling next above.

"Story above grade point"
means any story having its finished floor surface entirely above grade point, or any story in which the finished surface of the floor next above is (1) more than six feet above grade point; or (2) more than 12 feet above the finished ground level at any elevation point around the perimeter wall of the building.

"Street"
means a public thoroughfare or private access easement which provides the principal means of access to abutting property.

A. **"Arterial street"**
means a major route of circulation through the City that connects neighborhoods and Mountlake Terrace to surrounding cities and provides direct access to abutting properties.

B. **"Collector street"**
means a secondary road that serves as a traffic channel between arterials and local streets and provides direct access to abutting property.

C. **"Controlled street"**
means a street that features either a yield sign, stop sign, or traffic control signal located at an intersection with another street.

D. **"Local street"**
provides local service and access to abutting property. It is not intended to carry large volumes of traffic through neighborhoods.

"Structural alteration"
means any change in the supporting members of a building or structure, such as foundations, bearing walls, columns, beams, floors or floor joists, girders or rafters, or changes in the exterior dimensions of the building or structure, or increase in floor space.

"Structural coverage"
means the amount or percent of the ground area of a lot occupied by either fully or partially enclosed structures, not to include fences, decks, swimming pools, hot tubs, or other similar structures.

"Structure"
means that which is built or constructed or any piece of work composed of parts joined together in some definite manner including, but not limited to, buildings, carports, decks, and fences.

"Structure, Accessory."
See "Accessory structure."

"Studio"
means a dwelling unit no larger than 600 square feet with no more than one large room for living, sleeping and kitchen facilities, and a separate bath, having minimal closets and corridors to serve these two rooms.

"Studio, open-bedroom"
means a studio that includes partial walls (six and one-half feet high maximum) that enclose a single sleeping area.

"Supported living arrangement"
means a living unit owned or rented by one or more persons with functional disabilities who receive assistance with activities of daily living, instrumental activities of daily living, and/or medical care from an individual or agency licensed and/or reimbursed by a public agency to provide such assistance.
(Ord. 2476 § 6, 2008; Ord. 2666 § 4, 2015; Ord. 2755 § 17, 2019; Ord. 2882 § 2 (Exh. A), 2025)

§ 19.15.210. "T".

"Tandem garage"
means a garage that provides space for one vehicle to be parked behind a second vehicle, rather than for two vehicles to be parked side-by-side.

"Townhome"
means a single-family dwelling unit constructed in a group of two or more attached units in which each unit extends from foundation to roof and has open space on at least two sides. Townhomes are regulated under the housing form types based on the physical configuration of their units. See "middle housing" definition.

"Townhouse"
means the same as "townhome."

"Transparency"
means the degree to which rays of light may transmit through a substance. For storefronts and other ground level nonresidential uses, transparency also refers to the ability to see though the window and into the building as clarified in MTMC § **19.123.070**.

"Transportation facilities"
means facilities that specifically provide for transportation needs including but not limited to the street network, bus facilities, taxi stands, rapid-transit facilities, bicycle racks, and walkways.

"Triplex"
means a residential building containing exactly three attached dwellings. Triplexes are regulated under the housing form types based on the physical configuration of their units. See "middle housing" definition.

"TV satellite dish antenna"
means antennas for reception of video programming that exceed one meter in diameter.
(Ord. 2476 § 6, 2008; Ord. 2755 § 18, 2019; Ord. 2882 § 2 (Exh. A), 2025)

§ 19.15.220. "U".

"Underlying district"
means the basic zoning district and does not refer to overlay districts or special zoning categories, such as cottage housing.

"Unit lot"
means a portion of a lot created through a unit lot subdivision process.

"Use"
of property means the purpose or activity for which the land, or building thereon, is occupied, maintained, designed, arranged or intended.

"Use, Accessory or Secondary."
See "Accessory use."

"Use, Primary."
See "Primary use."

"Utility vehicle"
means a vehicular-type unit primarily designed for recreation, camping, travel, or hauling, which has its own motor power or is typically mounted or towed by another vehicle, including but not limited to: motor homes, campers, travel trailers, boats over 14 feet in length, horse trailers, and utility trailers.
(Ord. 2476 § 6, 2008; Ord. 2882 § 2 (Exh. A), 2025)

§ 19.15.230. "V".

"Variance"
means an adjustment in the application of the specific provisions of this title to a particular piece of property which, because of its unique physical character, is deprived of privileges commonly enjoyed by other properties in the same vicinity and zone district.

"Vehicle"
means a licensed motorized or nonmotorized conveyance that includes, but is not limited to, an automobile, car, truck, trailer, van, camper, motorcycle, watercraft, antique vehicle (i.e., cars, trucks, vans, motorcycles, carriages, or motorized buggies), in operable condition.

"Vehicle, Antique."
See "Antique vehicle."

"Vehicle, commercial"
means vehicles that weigh 10,000 pounds gross vehicle weight or more including, but not limited to, truck tractors, truck trailers, moving vans, contractor trucks, construction trucks, flatbed trucks, cement mixer trucks, tow trucks, boom trucks, and similar type vehicles.

"Vehicle (large) services"
means a commercial establishment which performs washing/detailing, sale of fuel, oils, and lubricants, mechanical and body repair, and painting but not including stripping vehicles for parts or "junking out" vehicles, for large vehicles such as buses, recreational vehicles, and commercial trucks; see also "Auto services."

"Vehicle Storage, Off-Street."
See "Off-street parking."

"Vertical building modulation"
means a stepping back or projecting forwards of vertical walls of a building face, within specified intervals of building width and depth, as a means of breaking up the apparent bulk of a structure's continuous exterior walls. Vertical building modulation may be used to meet some of the building massing and articulation standards in MTMC § **19.123.240**.

"Veterinarian office/hospital"
means a place where a veterinarian receives animals for medical treatment that may involve inpatient or outpatient care.

"Video arcade"
means an establishment providing access to minor-aged persons that features five or more amusement devices.
(Ord. 2476 § 6, 2008; Ord. 2755 § 19, 2019; Ord. 2882 § 2 (Exh. A), 2025)

§ 19.15.240. "W".

"Warehouse"
means a structure that is used for the storage of goods to be transported, distributed, or sold or to be used in the manufacture, assembly, or processing of other goods.

"Weather protection"
means a permanent horizontal structure above pedestrian areas such as sidewalks and building entries that protects pedestrians from the inclement weather.

"Wholesale"
means the sale or provision of commodities in quantity, usually for the purpose of resale or distribution to other consumers.
(Ord. 2476 § 6, 2008; Ord. 2755 § 20, 2019; Ord. 2882 § 2 (Exh. A), 2025)

§ 19.15.250. "X".

Reserved.
(Ord. 2476 § 6, 2008; Ord. 2882 § 2 (Exh. A), 2025)

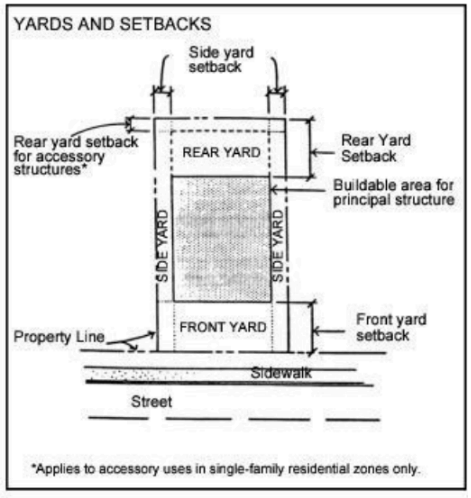
§ 19.15.260. "Y".

"Yard"
means the required open space area on a lot lying between the property lines and the front, side, and rear building setback lines. Yards, types, and measurements:

A. **"Front yard"**
means an area extending across the full width of the lot and lying between the front property line and a line drawn parallel thereto, at a distance equal to the required front yard setback as prescribed in each zoning district.

B. **"Side yard"**
means an area extending from the front property line to the rear property line at a depth measured from the side lot line to a line drawn parallel thereto, at a distance equal to the required side yard setback as prescribed in each zoning district.

C. **"Rear yard"**
means an area extending across the full width of the lot and lying between the rear property line and a line drawn parallel thereto, at a distance equal to the required rear yard setback as prescribed in each zoning district.



"Youth shelter"
means:

A. A Class I residential facility allowing up to six youth residents, ages 10 to 13, with no less than two resident staff, and which shall comply with the licensing requirements of the Washington State Department of Social and Health Services. To establish a Class I youth shelter, the proponent shall register the facility with the City Building Department and be inspected for health and safety purposes. For construction of a Class I youth shelter, the review shall include building permit review, construction plan (engineering) review, and meet the requirements of the Zoning Code. Class II and III youth shelters shall be separated from senior housing by 500 feet.

B. A Class II residential facility allowing up to 12 residents, ages 13 to 17, with no less than two resident staff, and which shall comply with the licensing requirements of the Washington State Department of Social and Health Services. To establish a Class II youth shelter, the proponent shall apply for a conditional use permit for review by staff, public meeting discussion by Planning Commission, and public hearing by the Hearing Examiner before consideration of conditions and approval. Environmental review may be required if grading and parking or other environmental thresholds are exceeded.

C. A Class III residential facility allowing up to 12 residents, ages 16 to 20, with no less than two resident staff, and which shall comply with the licensing requirements of the Washington State Department of Social and Health Services. To establish a Class III youth shelter, the proponent shall apply for a conditional use permit for review by staff, public meeting discussion by Planning Commission, and public hearing by the Hearing Examiner before consideration of conditions and approval. Environmental review may be required if grading and parking or other environmental thresholds are exceeded.
(Ord. 2476 § 6, 2008; Ord. 2882 § 2 (Exh. A), 2025)

§ 19.15.270. "Z".

"Zero lot line"
means the configuration of a building on a lot such that one of the building's sides is located on or along a lot line.

"Zone district"
means both a geographical area depicted on the Official Zoning Map and a land use classification with associated regulations defined in Chapters **19.20** through **19.105** MTMC.

"Zoning Ordinance"
means an ordinance regulating land use for the purpose of promoting the health, safety and welfare of the general public and including: definitions; purpose, permitted land uses, and dimensional requirements in each zone district; permit review procedures; planned unit development regulations; parking and landscaping requirements; general provisions; sign regulations; and enforcement provisions.
(Ord. 2476 § 6, 2008; Ord. 2882 § 2 (Exh. A), 2025)

Title 19. Zoning

Chapter 19.50. TC – TOWN CENTER ZONES

§ 19.50.010. Purpose.

The purpose of this chapter is to help implement the vision for the Town Center as provided in the adopted Town Center Subarea Plan. The vision statement recognizes the Town Center as the heart of the City and contains a blend of attractive transit-oriented uses connected to the light rail transit station, civic campus, and surrounding neighborhoods. Town Center zones allow for a mixture of building types and retail, office, residential, entertainment, and civic uses. The zoning provisions also provide for attractive pedestrian-friendly streetscapes and open spaces to implement the goals and policies of the Town Center Subarea Plan.
(Ord. 2755 § 2 (Exh. A), 2019)

§ 19.50.020. Purpose of Town Center zoning districts.

A. Town Center 1 (TC-1). This zone is intended to emphasize transit-oriented employment development in those Town Center areas closest to the planned light rail station. Professional office is the primary envisioned use followed by multifamily and supportive and complementary retail commercial uses. Six- to 12-story buildings are envisioned throughout the district.

B. Town Center 2 (TC-2). This zone is intended to function as the center for retail, cultural, dining and entertainment activity in Mountlake Terrace. Multifamily uses are envisioned to be the primary use on upper floors. Four- to eight-story buildings are envisioned throughout the district.

C. Town Center 3 (TC-3). This zone is intended to emphasize multifamily residential uses and serve as buffer areas adjacent to the Town Center. Professional office and small-scale commercial/retail uses are envisioned as a secondary use. Four- to six-story buildings are envisioned throughout the district.

D. Town Center-Reserve (TC-R). This zone, while outside the official Town Center boundary, is intended to allow for a smaller scale mixture of multifamily, retail commercial, and professional office uses primarily centered on 56th Avenue W north and south of the Town Center. Two- to four-story buildings are envisioned throughout the district.
(Ord. 2755 § 2 (Exh. A), 2019)

§ 19.50.030. Interpretation of Town Center land use table.

The use tables in this chapter determine whether a use is allowed in the Town Center zones. The zoning district is represented in the vertical column and the specific use is represented in the horizontal row.

A. Permitted Use (P). Where the letter "P" appears in the box at the intersection of the column and the row, the use is allowed in that district subject to applicable conditions or other standards (if any) listed in the "conditions/reference" column to the right and the review procedures specified in MTMC Title **18**, Land Use Planning and Development, and the general requirements of the code.

B. Conditional Use (C). Where the letter "C" appears in the box at the intersection of the column and the row, the use is allowed subject to applicable conditions or other standards (if any) listed in the "conditions/reference" column to the right and to the conditional use review procedures specified in MTMC Title **18**, Land Use Planning and Development, and the general requirements of the code.

C. Use Not Permitted ( ). Where no symbol appears in the box at the intersection of the column and the row, the use is not allowed in that district, except for certain temporary uses.

D. For uses containing a superscript number [(X)], refer to the applicable condition in the "conditions/reference" column to the right.

E. For unlisted uses, see the provisions of MTMC § **19.20.050**.

F. Additional requirements pursuant to this code, including but not exclusive to specific zoning districts, must apply. Such requirements must govern a use, whether or not such requirements are cross-referenced in this section.
(Ord. 2755 § 2 (Exh. A), 2019)

§ 19.50.040. Uses permitted in Town Center zones.

Table 19.50.040 below provides the list of permitted uses in Town Center zones.

Table 19.50.040
Uses Permitted in Town Center Zones

Use	TC-1	TC-2	TC-3	TC-R	Additional Provisions
RESIDENTIAL					
*Note: Residential uses are not allowed on the ground floor facing a designated storefront or storefront corner block frontage (see MTMC § **19.123.060**). Exceptions: (1) Live-work units (provided they meet applicable block frontage standards in MTMC § **19.123.080** through § **19.123.090**); and (2) Lobbies for permitted multi-household residential uses, which are allowed on designated storefront block frontages (provided the units meet the standards in MTMC § **19.123.080**).*					
Detached single-household dwellings	P	P	P	P	Use must be legally established prior to December 30, 2006.
Townhouse	P[1]	P[1]	P[1]	P	1. Use must be legally established prior to September 26, 2019.
Multi-household residential	P	P	P	P	
Live-work unit	P	P	P	P	Use not allowed on 57th Avenue W and 233rd Street SW ground-level block frontages where designated as a storefront in MTMC § **19.123.060**. Such units must be integrated into a permitted residential use type; permitted commercial uses are those allowed in the applicable district.
Group homes				C	
Assisted living facility	P[1]	P[1]	P[1]	P	1. Use must be legally established prior to June 30, 2011.
COMMERCIAL					
*Commercial uses are also subject to MTMC § **19.50.100**, Special regulations.*					
Commercial retail	P	P	P	P	
Day care, adult	P	P	P	C	Use not allowed on ground-level block frontages or corners designated as a storefront in MTMC § **19.123.060**.
Day care centers	P	P	P	C	Use not allowed on ground-level block frontages or corners designated as a storefront in MTMC § **19.123.060**.
Eating/drinking establishments	P	P	P	P	
Entertainment, commercial indoor	P	P			
Financial institutions	P	P	P	P	Use not allowed on 57th Avenue W and 233rd Street SW ground-level block frontages where designated as a storefront in MTMC § **19.123.060**.
Health/exercise club with <10,000 sf gross floor area	P	P	P	P	
General service – excluding vehicle services	P		P	P	Use not allowed on 57th Avenue W ground-level block-frontage where designated as a storefront in MTMC § **19.123.060**.
Hotels/motels	P	P	P	P	
Medical/health care, excluding hospitals and ambulance services	P	P	P	P	Use not allowed on ground-level block frontages or corners designated as a storefront in MTMC § **19.123.060**, except on said frontages or corners located south of 234th Street SW and east of 57th Avenue W.
Personal service	P	P	P	P	
Professional office	P	P	P	P	Use not allowed on ground-level block frontages or corners designated as a storefront in MTMC § **19.123.060**.
INDUSTRIAL					
Artisan manufacturing	P	P	P	P	
PUBLIC, INSTITUTIONAL AND MISCELLANEOUS					
Public utility facilities	P	P	P	P	
Public service facilities	P	P	P	P	
Transportation facilities	P	P	P	P	Subject to MTMC § **19.50.100**, Special regulations.
ACCESSORY USES					
Home occupations	P	P	P	P	
Parking facilities	P	P	P	P	

Table 19.50.040
Uses Permitted in Town Center Zones

Use	TC-1	TC-2	TC-3	TC-R	Additional Provisions
Plaza	P	P	P	P	
Storage	P	P	P	P	
Swimming pools/hot tubs	P	P	P	P	

(Ord. 2755 § 2 (Exh. A), 2019; Ord. 2790 § 2, 2021)

§ 19.50.050. Dimensional standards for Town Center zones.

A. Purpose. To promote forms of development that reinforce and/or enhance the desired character of the Town Center zones.

B. Key to the Dimensional Standards Table.

1. The dimensional standards table addresses the form and intensity of development specific to individual Town Center zones. The zone is located on the vertical columns and the form/intensity topic being addressed is located on the horizontal rows.
2. Where an MTMC reference appears after the dimensional measure, then the use or development is subject to standards in that section or chapter.
3. For standards containing an asterisk (*), refer to the code reference in the right column next to the asterisk.

C. Dimensional Standards Table.

Table 19.50.050
Dimensional Standards for Town Center Zones

Dimensional Standard	TC-1	TC-2	TC-3	TC-R	Additional Provisions
BUILDING MASSING					
Minimum building height (stories)	6[X]	4[X]	4	2	Buildings may go up to the maximum height in feet provided they do not exceed the specified maximum number of stories. [X] Properties adjacent to planned 57th Avenue West where designated as a storefront block frontage are subject to special height/stepback provisions set forth in Chapter **19.123** MTMC, Article II. [Y] An extra 10' in height may be allowed via departure (MTMC § **19.110.260**) to provide extra floor to ceiling height for ground floor and/or penthouse floor(s) provided the design helps the building meet the goals and policies of the Town Center Subarea Plan and purposes of the site and building design provisions of Chapter **19.123** MTMC (Articles III and IV) while minimizing compatibility impacts to surrounding buildings and uses.
Maximum building height (stories)	12[X]	8[X]	6	4	
Maximum building height (feet)	150[X,Y]	100[X,Y]	70	45	
Maximum floor area ratio (FAR)	None	None	None	None	Building floor area and lot coverage is intended to be determined by a combination of height limits, site and building design standards (see Chapter **19.123** MTMC, Articles III and IV), real estate market conditions, developer preference, and other applicable MTMC requirements.
Lot coverage by structures (maximum)	None	None	None	None	
LOT DIMENSIONS (minimum)					
Lot area	None	None	None	None	New lots must be sized to accommodate permitted uses and development.
Lot width at building setback line	None	None	None	None	
Lot width at street	None	None	None	None	
Mean lot depth	None	None	None	None	
SETBACKS (minimum)					
Front yard setback	x	x	x	x	[X] See Chapter **19.123** MTMC, Article II for applicable setback/block frontage standards.
Rear yard setback (feet)	0 – 15[X]	0 – 15[X]	0 – 15[X]	0 – 15[X]	[X] See MTMC § **19.123.180** for details.
Side yard setback (feet)	0 – 15[X]	0 – 15[X]	0 – 15[X]	0 – 15[X]	[X] See MTMC § **19.123.180** for details.

(Ord. 2755 § 2 (Exh. A), 2019)

§ 19.50.060. Driveway standards.

Repealed by Ord. 2862.
(Ord. 2755 § 2 (Exh. A), 2019)

§ 19.50.070. Sidewalks and on-street parking standards.

A. A public sidewalk conforming to City standards for sidewalks along the abutting street must be provided between the on-street frontage parking and the on-site development consistent with the streetscape standards set forth in MTMC § **19.50.080**. The sidewalk must be designed as a continuation of, and an extension to, the existing or planned network of street sidewalks for the area and must accommodate all planned improvements for and along sidewalks, e.g., benches, lighting, landscaping. A public pedestrian and sidewalk improvement easement must be provided in a form acceptable to the City.

B. Cantilevered Upper Floors. Where applicable sidewalk improvements extend beyond the existing right-of-way, upper floors of the abutting structure may cantilever over the required sidewalk area up to the right-of-way edge as set forth in MTMC § **19.50.080**, provided all the following standards are met:

1. The cantilevered portion is fully on site.
2. At least 13 feet of clearance is provided beneath the cantilever.
3. The cantilever is at least 10 feet from the center of any trees within the sidewalk/planting area.
4. The cantilever is at least three feet from any light pole and its associated fixture.

C. On-Street Parking.

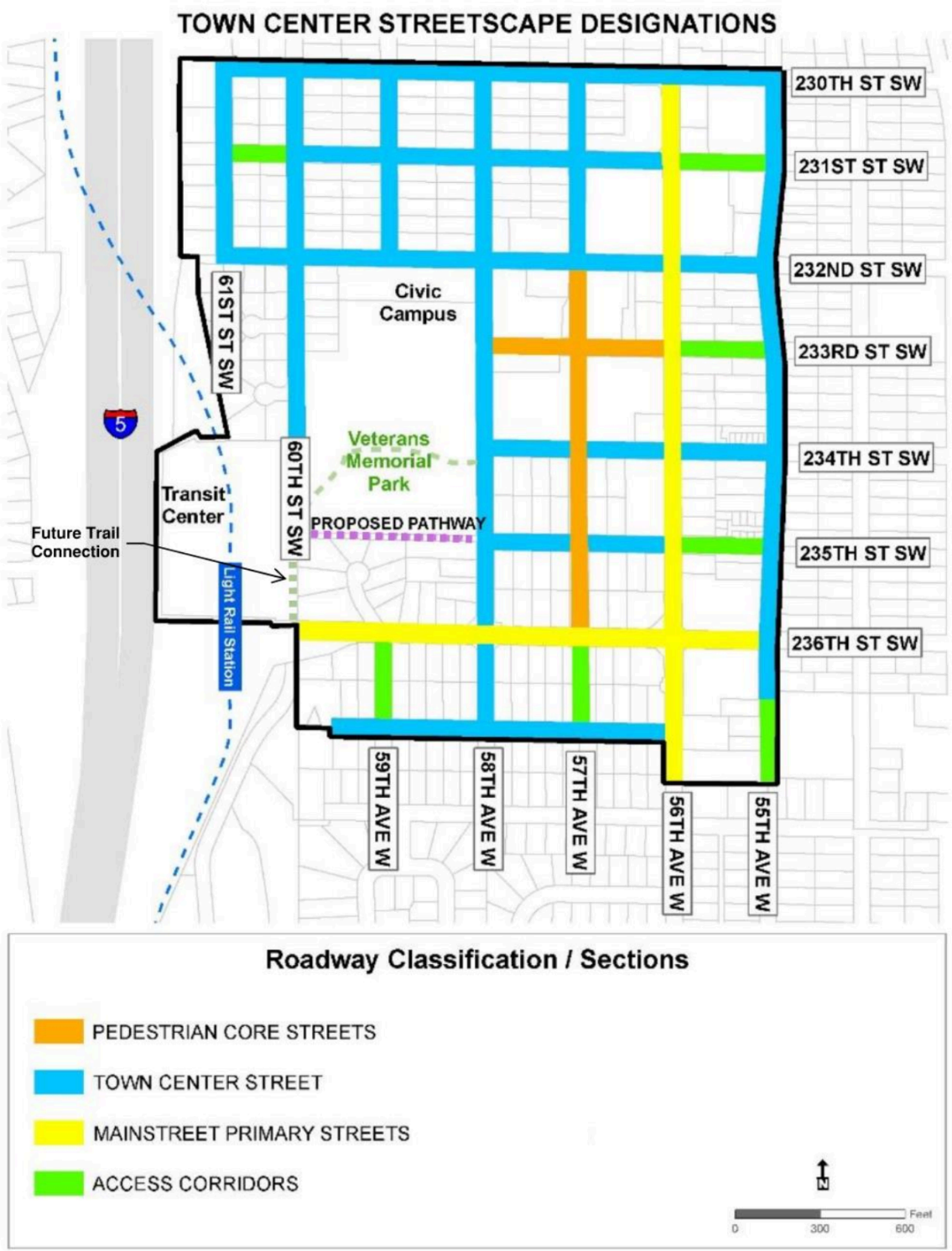
1. To enhance the appearance and function of street parking, on-street parking must be provided in accordance with the streetscape standards in MTMC § **19.50.080** (unless otherwise directed by a City-adopted plan).
2. On-street parking located directly in front of a site shall not be counted toward on-site parking requirements.

(Ord. 2755 § 2 (Exh. A), 2019; Ord. 2862 § 2, 2024)

§ 19.50.080. Town Center streetscape classifications and standards – New, extended, and improved streets and access corridors.

Figure 19.50.080 below illustrates the configuration of four planned streetscape classifications for planned new, extended, and improved streets and access corridors in the Town Center. Subsections A through C of this section provide the standards for each streetscape type.

Figure 19.50.080
Town Center Streetscape Classifications



A. Pedestrian Core Streets. Pedestrian core streets are intended to function as the Town Center's primary pedestrian, retail and arts/cultural streets. This designation includes the planned extension of 57th Avenue W between 232nd Street SW to 236th Street SW and the planned 233rd Street SW between 56th and 58th Avenues. It is recognized that these streets will be extended in multiple phases. Figure 19.50.080(A)(1) below illustrates the required streetscape cross-section. Figure 19.50.080(A)(2) illustrates cross-section standard options for pedestrian core streets.

Figure 19.50.080(A)(1)
Cross-Section for Pedestrian Core Streets

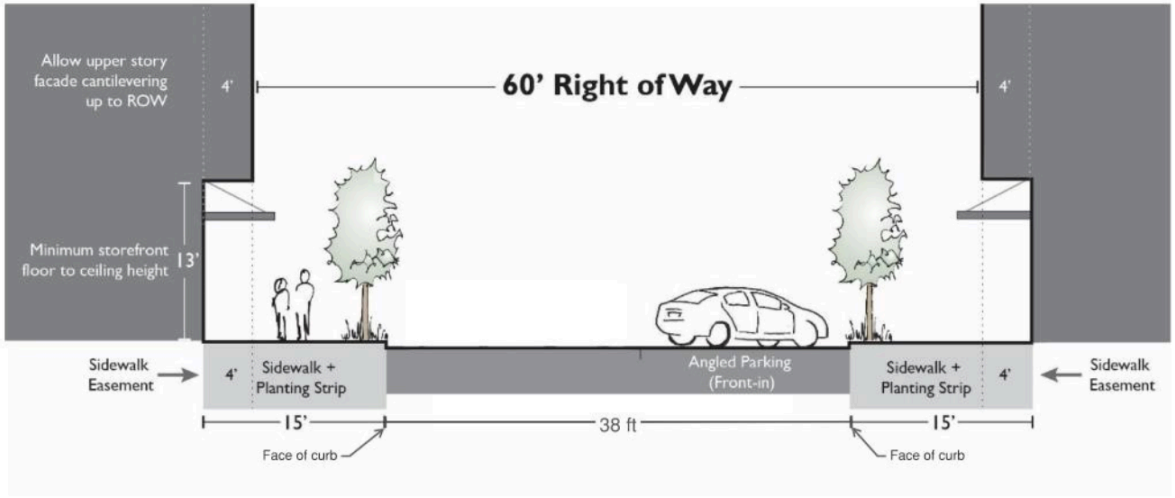
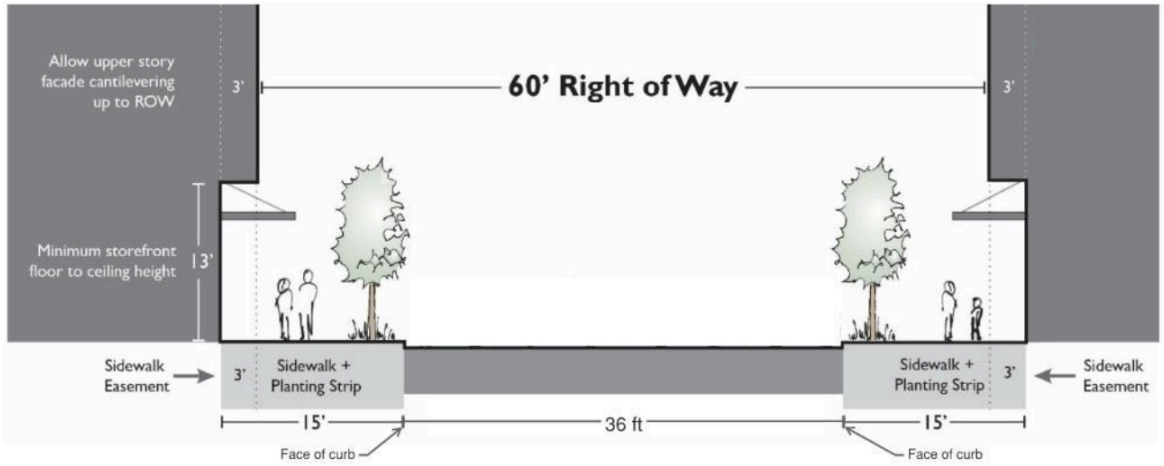


Figure 19.50.080(A)(2)
Cross-Section for Pedestrian Core Streets



B. Town Center Streets. This includes most other streets within the Town Center. These streets are intended to function as pedestrian-friendly streets. This includes a combination of existing streets to be improved and the planned extension of 231st Street SW, between 57th and 60th Avenues W. Figure 19.50.080(B) illustrates the cross-section standard for Town Center Streets, depending on the chosen block frontage design (see Article II of Chapter **19.123** MTMC), unless otherwise directed by an adopted streetscape plan.

Figure 19.50.080(B)(1)

Cross-Section of Streetscape Standards for Town Center Streets when Featuring a Storefront Block Frontage Design

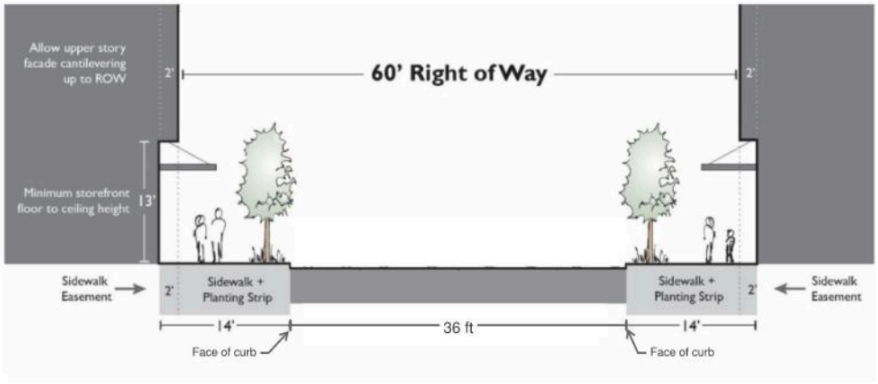
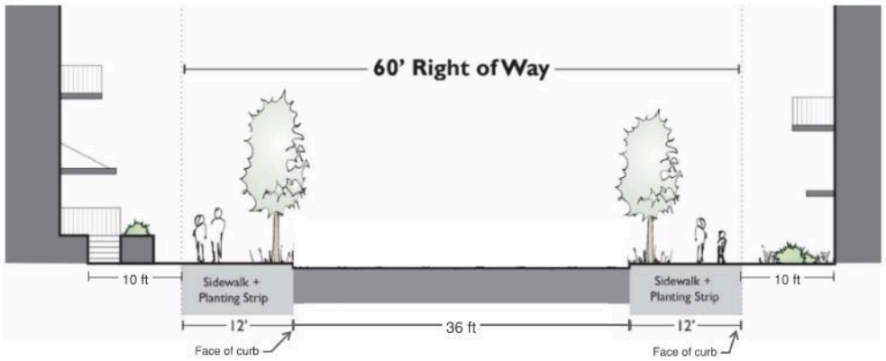


Figure 19.50.080(B)(2)

Cross-Section of Streetscape Standards for Town Center Streets when Featuring a Landscaped Block Frontage Design



C. Planned Shared Access Corridors. The Town Center Subarea Plan calls for several mid-block "access corridors" intended to primarily enhance pedestrian circulation in the area, while also providing an option for vehicular access to on-site parking, functioning as a design amenity to new development, and breaking up of the massing of buildings on long blocks. Specific alignments for the access corridors will be developed during the development review process for applicable sites. If an applicant owns a lot containing a proposed access corridor within it or along the edge of the property, the applicant must provide such mid-block connection in conjunction with their project development as a public access easement.

1. Shared access corridors are intended to provide shared access for pedestrians and vehicles (from driveways to internal parking facilities). Minimum standards:

   a. Forty-foot minimum public access easement.

   b. Twenty-foot-wide shared lane featuring concrete, unit paving, or other similar decorative and durable surface material. Asphalt is prohibited.

   c. Ten-foot minimum landscaping strips (with Type II – Ornamental Landscaping per MTMC § **19.130.240(B))** on each side of the shared lane. Curbs and/or raised planter walls may be included in the required landscaping area.

Figure 19.50.080(C)(1)(a) illustrates the cross-section for minimum standards for shared access corridors.

Figure 19.50.080(C)(1)(a)

Cross-Section of Minimum Standards for Shared Access Corridors

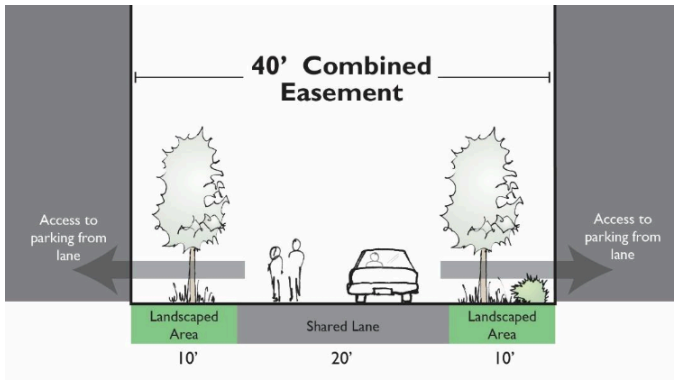
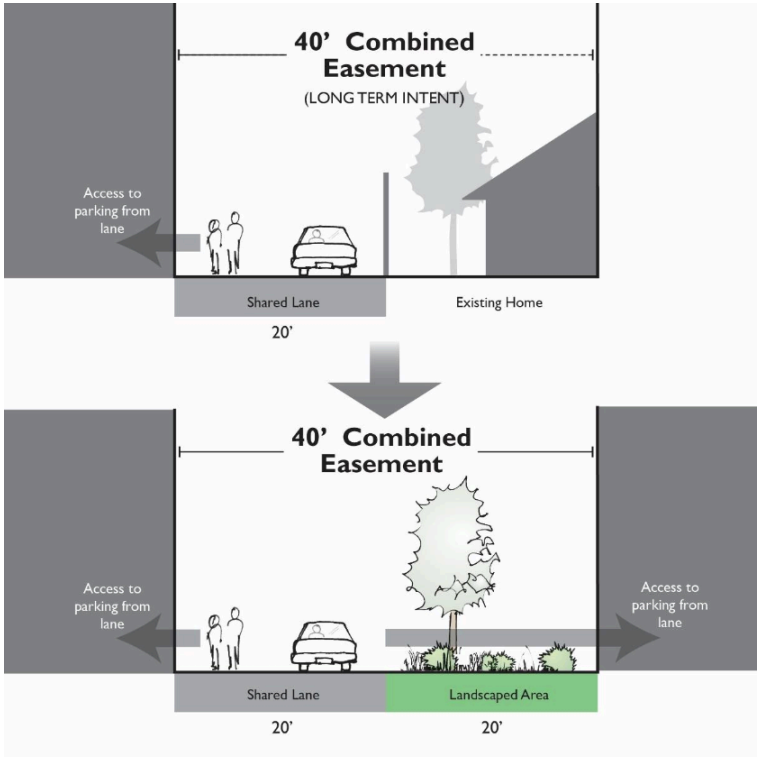


Figure 19.50.080(C)(1)(b) illustrates standards for scenarios where a shared access corridor is located on the edge of a site, where its development likely will be phased in as the adjacent properties redevelop.

Figure 19.50.080(C)(1)(b)

Cross-Section of Minimum Standards for Shared Access Corridors – When Developed Along the Edge of Development Site

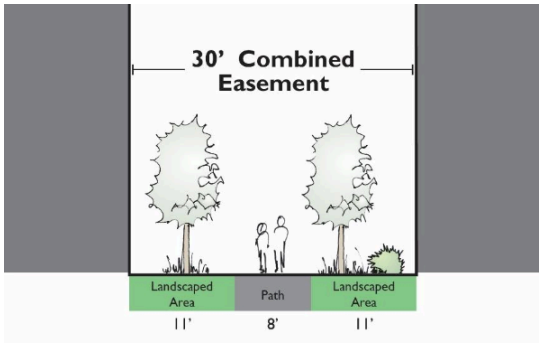


The top image illustrates a scenario where a new development includes a required access corridor on the edge of the development site abutting an existing development. In this scenario, a minimum 20-foot easement must be required and include a shared lane. The shared lane must be designed to allow a future connection to the adjacent site. The bottom image illustrates a second phase where the adjacent property is redeveloped. An additional 20-foot easement will be required plus a connection must be added (where necessary to provide access for on-site parking), but the remaining area must be landscaped with Type II – Ornamental Landscaping (see MTMC § **19.130.240(B)**).

2. Pedestrian Access Corridor. If and when vehicular access to the site is provided elsewhere on the site, a pedestrian access corridor may be utilized, subject to the following standards:
    a. Thirty-foot minimum public access easement.
    b. Eight-foot minimum walking path.
    c. Eleven-foot minimum landscaping strips (with Type II – Ornamental Landscaping per MTMC § **19.130.240(B)**) on each side of the walking path. Raised planter walls may be included in the required landscaping area.
    d. Where such pedestrian access corridor is integrated along the edge of a development, a minimum easement of 15 feet is required for the subject walking path and landscaping. Adjustments to the walking path and landscaping widths and configurations are allowed provided the design effectively balances the following objectives:
        i. Create a safe and welcoming pedestrian route.
        ii. Provides an effective transition between the walking path and adjacent uses (e.g., enhances privacy to any adjacent ground-level residential units).
        iii. Functions as a design amenity to the development.

Figure 19.50.080(C)(2)(a)

Cross-Section of Minimum Standards for a Pedestrian Access Corridor



3. Adjustments to the access corridor standards in subsections (C)(1) and (C)(2) of this section may be approved by the City as a departure provided the design:
    a. Retains the minimum easement width standards as specified in subsections (C)(1) and (C)(2) of this section.
    b. The corridor design mitigates any potential negative privacy impacts to adjacent residential units within the development.
    c. The corridor design creates an attractive and welcoming pedestrian connection.
    d. For the first phase of a corridor along an internal property line, the corridor is designed to accommodate future connection(s) to adjacent properties.

4. Building elevations abutting an access corridor are subject to the frontage standards set forth in MTMC § **19.123.130**.

5. Buildings must not cantilever or project into minimum required easement areas.

(Ord. 2755 § 2 (Exh. A), 2019; Ord. 2862 § 3 (Exh. A), 2024)

§ 19.50.090. Off-street parking standards.

The provisions herein supplement the off-street parking provisions in Chapter **19.125** MTMC. Where there is a conflict, the provisions herein must apply.

A. Off-street parking standards in the Town Center are based on two tiered zones generally depending on the distance to the planned light rail station:

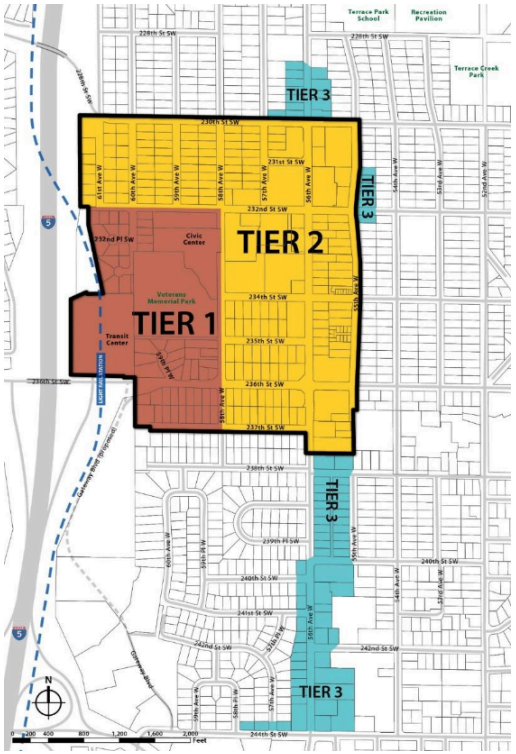
1. Tier 1 includes all properties south of 232nd Street SW and west of 58th Avenue W.

2. Tier 2 includes all lands north of 232nd Street SW and east of 58th Avenue W.

3. Tier 3 includes all lands within the TC-R zone.

Figure 19.50.090(A)

Map of Town Center Parking Tiers



B. Off-street parking standards for residential uses are set forth in Table 19.50.090(B) below.

Table 19.50.090(B)
Off-street parking standards for multi-household residential uses (minimum number of spaces/dwelling unit).

Unit Type	Tier 1	Tier 2	Tier 3
Studio	0.50	0.75	0.75
1-bedroom	0.75	1.0	1.25
2-bedroom	1.0	1.25	1.25
3-bedrooms or more	1.25	1.5	1.5

C. Off-street parking standards for commercial uses are set forth in Table 19.50.090(C) below.

Table 19.50.090(C)
Off-street parking standards for commercial uses (minimum number of parking spaces required).

Use	Tiers 1 – 3
Commercial retail	2/1,000 sf gross leasable area
Day care, adult	
Day care centers	
Eating/drinking establishments	
Financial institutions	
Health/exercise club with <10,000 sf gross leasable area	
General service – excluding vehicle services	
Personal service	
Hotels/motels	1/unit or suite
Medical/health care, excluding hospitals and ambulance services	2/1,000sf gross leasable area
Professional office	

D. On-Street Parking. In conjunction with required on-site parking, on-street parking must be provided in accordance with MTMC § **19.50.070**.

(Ord. 2755 § 2 (Exh. A), 2019)

§ 19.50.100. Special regulations.

Special regulations, as specified below, must apply to certain uses and locations in the Town Center zones:

A. Sexually oriented adult businesses/adult entertainment establishments must not be permitted.

B. Casinos or social card rooms as defined in RCW **9.46.0217** and **9.46.0282** must not be permitted.

C. All uses must be conducted wholly within an entirely enclosed building except for the following:

1. Public utility facilities.

2. Parking and loading areas; provided, that no area outside of an enclosed building must be used for storage, repair or sale of vehicles.

3. Outdoor advertising structures.

4. Sale or display of retail goods as part of a permitted farmers market, street vendor cart/stand or seasonal event, or sale or display of fresh market produce, including cut flowers, in conjunction with an adjacent business; provided, that no combination of awnings or tents that comprise more than a total of 200 square feet anywhere on the lot must remain outdoors on site for more than 72 consecutive hours unless the structures are specifically permitted as a temporary use or part of an approved building in compliance with applicable building and fire code standards.

5. Outdoor dining, outdoor entertainment, and similar pedestrian leisure activities that are part of specified permitted uses, conditional uses, or accessory uses defined in this chapter.

D. Nuisances and Safety. Uses that create a nuisance by reason of smoke, fumes, odor, steam, gases, vibration, hazard or noise must be prohibited. Any use that includes emergency vehicles as part of its operation must be designed for emergency vehicle egress that is as safe as possible for pedestrians and traffic.

E. Special Provisions for Existing Single-Household Dwellings. An existing detached single-household dwelling and its associated improvements such as garages, carports, storage sheds and fences may be rebuilt, repaired, and otherwise changed for human occupancy, provided the use was legally established prior to December 30, 2006. Any such improvements must comply with the development regulations specified for the RS 7200 zoning district for single-household dwellings and accessory structures.

F. Conditional uses must be evaluated or conditioned in part based on all the following:

1. Impacts on the envisioned pedestrian orientation (per the adopted Town Center Subarea Plan).

2. Compatibility with the envisioned mix of uses (per the adopted Town Center Subarea Plan).

3. Avoidance of shading effect on public plazas and single-household zones.

4. Provision for transition between intense uses and single-household zones.

G. Chapter **19.126** MTMC regulates electric vehicle infrastructure.

H. Auto-Oriented Uses. Carwashes and auto-repair or maintenance facilities are not allowed on parcels abutting 56th Avenue or 236th Street SW. Gas stations are expressly prohibited anywhere in the Town Center zones pursuant to subsection **D** of this section.

I. Primary-Use Parking Prohibited. Parking in Town Center zoning districts is limited to parking associated with established uses in the Town Center zoning districts, and to parking provided by the City including both street parking and off-street parking. Primary use parking is otherwise expressly prohibited.

J. Street Improvements – When Required. Street improvements, including sidewalk, curb and gutter, lighting and landscaping will be required for any lot that is being developed where these are lacking or inconsistent with current standards. Improvements must be designed by the applicant and are subject to review by the City Engineer for conformance to adopted standards.

(Ord. 2755 § 2 (Exh. A), 2019)

§ 19.50.110. Temporary parking lot.

A. Purpose and Intent. To provide for parking options on a temporary and interim temporary basis for existing parking that is displaced during the construction of a public capital project, other public improvement, or similar. This type of temporary parking may be a standalone use, but is not intended to be or function as a commercial parking lot.

B. The following definitions apply to this chapter, as allowed and regulated by this chapter:

1. **"Temporary parking"**
means replacement parking on a site different from the site the parking is currently provided on, for a period of time not to exceed four years.

2. **"Interim temporary parking"**
means replacement parking on a site different from the site the parking is currently provided on, for up to 12 months.

C. Applicability and Criteria for Temporary and Interim Temporary Parking.

1. Entity benefiting from the use of, or utilizing, temporary parking is a public agency providing parking for use by the general public.

2. The parking is needed to fulfill the purpose or function associated with public agency's purpose on a temporary basis.

3. There is a valid public need to replace existing parking on a temporary basis.

4. The replacement parking is located as close as feasible to the displaced parking.

5. No fee will be assessed for use of parking (not a commercial lot).

6. No permanent facilities will be constructed.

7. The site can and will be restored to the pre-temporary parking condition or, at a minimum, all improvements, installed for purposes of creating temporary parking, removed.

8. The entity benefiting from the use of, or utilizing, temporary parking has notarized signatures from all underlying property owners, authorizing the development proposal.

9. Consistency with planned action, Chapter **19.90** MTMC.

10. The temporary parking site must be consolidated as a single parcel.

D. Temporary Parking Lot Development Standards.

1. Consistent with Chapter **19.125** MTMC parking lot standards.

2. Provides for the equivalent number of electric vehicle charging spaces in the displaced parking facility, or per Chapter **19.126** MTMC, whichever is greater.

3. Water quality provisions are made per DOE Manual, except the LID standards will not apply.

4. Adequate emergency services access and water.

5. Landscaping.

a. No interior parking lot landscaping is required.

b. On interior property lines abutting residential uses, a 10-foot-wide, sight-obscuring landscape buffer together with a six-foot fence.

c. Type I, street frontage landscaping, 10 feet in width, per Chapter **19.130** MTMC.

d. All landscaped areas must be irrigated, as determined by the Director.

E. Review and Decision.

1. Temporary and interim temporary parking lots are an administrative review and approval process pursuant to the following, except as allowed in subsection (E)(2) of this section:

a. MTMC § **18.05.180**, Procedures for public hearings.

b. MTMC § **18.05.110**, Determination of completeness and requests for additional information.

c. Consistency with subsections **C** and **D** of this section.

d. MTMC § **18.05.120**, Public notices of application.

e. MTMC § **18.05.125**, Notice of administrative approval.

2. Interim temporary parking lots are exempt from compliance with subsections (D)(2) and (5) of this section.

3. The maximum time limit for use of temporary parking may from first day of operation be established in the approval decision, not to exceed four years for a temporary parking lot and not to exceed 12 months for an interim parking lot.

4. The Director may add any conditions at his/her discretion.

F. Approvals and Expiration (Time Limits).

1. Removal of hardscape placed as part of the interim parking improvements must be removed within six months of termination of the permitted time period of the use.

2. Applications for the necessary construction permits must be made within 180 days of the administrative decision, pursuant to MTMC § **13.50.020**.

3. Time Extensions for Use of the Temporary Parking.

   a. Upon written request, a one-year time extension may be granted to extend the use of a temporary parking lot, for cause. Extenuating circumstances may allow one additional one-year extension, or less.

   b. Upon written request, a six-month time extension may be granted to extend the use of an interim temporary parking lot, for cause. No further extensions shall be permitted.

4. Temporary and interim temporary parking lot approvals and/or improvements are not transferable (may not be transferred to another entity or reused).

5. The use of a site for temporary parking may only occur once on a site.

G. Appeal. The decision is subject to appeal pursuant to MTMC § **18.05.230**.
(Ord. 2755 § 2 (Exh. A), 2019; Ord. 2811 § 26, 2022)

§ 19.50.120. Special use.

Special use – wireless (SP-W): see Chapter **19.137** MTMC.
(Ord. 2755 § 2 (Exh. A), 2019)

Title 19. Zoning

Chapter 19.95. TRANSPORTATION CODE

§ 19.95.010. General provisions.

A. Intent and Authority.

1. The intent of this chapter is to provide appropriately for transportation facilities to serve current and future public needs, while protecting the integrity of the public right-of-way.

2. The City Engineer and/or Community and Economic Development Director are authorized to administer, coordinate, and enforce this chapter, except as otherwise provided herein.

B. Any violations of this chapter shall be unlawful.

C. Applicability. The standards in this chapter shall be used for all public and private street improvements within the City of Mountlake Terrace, except as provided in this chapter.

1. Whenever a building permit is applied for or application is made for a short plat or a full subdivision, the applicant for such permit and/or application shall build and install certain street improvements, as required by the Mountlake Terrace Municipal Code, within the public right-of-way or area that will be dedicated for public right-of-way or within dedicated access easements, as approved by the City Engineer and/or Community and Economic Development Director.

2. Exemptions to this chapter may be authorized by the City Engineer for City-initiated street, sidewalk, and utility projects that meet the criteria of MTMC § **19.95.030E.3**.

D. Permits.

1. Permits issued by the Community and Economic Development Department are required for all construction, demolition, repair, or alterations within the public right-of-way or City easement, for any use of the public right-of-way other than for lawfully authorized travel purposes, and for the conduct of any activities that impact transportation facilities or utilities, except as provided in subsection **D.2** of this section.

2. The following activities are exempt from the permit requirement of subsection **D.1** of this section, except a building permit if required:

a. The duly authorized work of City employees or the City's contractors to carry out right-of-way and utility projects initiated by the City.

b. Activities that are specifically exempted from obtaining a permit under the Mountlake Terrace Municipal Code or applicable state and federal laws.

E. Referenced Standards.

1. For improvements, maintenance, or alterations impacting the public right-of-way, City easements, and transportation facilities, the City of Mountlake Terrace hereby adopts by reference the following publications and standards and any amendments thereto:

a. 2026 Mountlake Terrace Engineering Development Manual, as amended;

b. Town Center streetscape classifications and standards, as amended;

c. Mountlake Terrace Town Center Design Standards, as amended;

d. Mountlake Terrace General Commercial Design Standards, as amended;

e. Mountlake Terrace Freeway/Tourist Design Standards, as amended;

f. Mountlake Terrace Community Business Design Standards, as amended;

g. Mountlake Terrace Residential Design Standards, as amended; and

h. Mountlake Terrace Multifamily Development Design Standards, as amended.

2. Publications listed in subsections **E.1.a** and **E.1.b** of this section shall be interpreted by the City Engineer. The referenced publications in subsections **E.1.c** through **E.1.h** of this section shall be interpreted by the Community and Economic Development Director; provided, that for purposes of Chapter **16.21** MTMC, Illicit Discharge Detection and Elimination and Operation, Maintenance and Inspection of Storm Drainage Facilities, the Washington State Department of Ecology's Stormwater Management Manual for Western Washington shall be interpreted by the City Engineer.

3. If any conflicts in design or construction standards occur, the more restrictive standard shall prevail and govern.

(Ord. 2597 § 2, 2012; Ord. 2755 § 22, 2019; Ord. 2792 § 12, 2021; Ord. 2863 § 1 (Exh. A), 2024; Ord. 2911, 3/5/2026)

§ 19.95.020. Definitions.

"Amenity zone"
means the area adjacent to the curb or paved roadway and within the right-of-way, which is commonly landscaped, but may include other features for the City's benefit such as utilities, traffic signs, bioretention facilities and mailboxes.

"Building permit"
means any permit required by Chapter **15.05** MTMC.

"City Engineer"
means the Public Works Department City Engineer as appointed by the Public Works Director or the City Engineer's designee.

"City-initiated"
means an action that the City initiates as part of its capital investment or maintenance program.

"Community and Economic Development Director"
means the Community and Economic Development Department Director as appointed by the City Manager or the Community and Economic Development Director's designee.

"Crosswalk"
means the portion of the roadway between the intersection area and a prolongation or connection of the farthest sidewalk line or in the event there are no sidewalks then between the intersection area and a line 10 feet therefrom, except as modified by a marked crosswalk (RCW **46.04.160**).

"Crosswalk, marked"
means the crosswalk identified by the City through signage and surface materials, striping or other markings at street intersections and mid-block crossings.

"Cycle tracks"
means facilities exclusively for the use of bicyclists and that combine the user experience of a separated path with the on-street infrastructure of a conventional bike lane.

"Driveway approach"
means that portion of the right-of-way between the pavement edge of the intersecting street and the right-of-way/property line.

"Driveway"
means the on-site vehicular access connecting a property to a street. A driveway is privately owned and maintained.

Engineering Details and Specifications.
See "Standard Plans."

"Easement"
means a grant of an interest in land by the property owner for a specific use by another person, entity, or for the public in general.

"Inadequate road (or roadway) conditions"
means streets and nonmotorized transportation facilities that do not meet the City's adopted standards pursuant to this chapter or that have unsafe conditions.

"Landscape buffer"
means the area or strip of land that separates a sidewalk or other nonmotorized transportation facility from the parcel.

"Micromobility devices"
refers to a range of small, lightweight vehicles operating at speeds typically below 15 miles per hour and driven by users personally.

"Multi-use path"
means a paved path, lane, or trail provided exclusively for nonmotorized use and available for multiple forms of nonmotorized travel, including but not limited to use by pedestrians and bicyclists.

"Municipal Code"
means the Mountlake Terrace Municipal Code as adopted by the City Council.

"Public Works Director"
means the Public Works Department Director as appointed by the City Manager or the Public Works Director's designee.

"Reviewing Official" or "Reviewing Authority"
means the person designated by the Community and Economic Development Director to review plans, permit applications, or other development proposals; provided, that the City Engineer shall designate the person to review plans for City-initiated right-of-way and utility projects.

"Right-of-way"
means "right-of-way" as defined in Chapter **19.15** MTMC.

"Sidewalk"
means a constructed walkway provided for pedestrians along public or private streets.

"Standard Plans"
means the specification and plan details approved by the City Engineer to establish engineering requirements for work done within or for the City as adopted within the Engineering Development Manual.

"Street"
means a public or recorded private thoroughfare providing pedestrian and vehicular access to and through neighborhoods and communities and abutting property. See also WAC **468-34-110(1)** and Section 1C.02(100) of the MUTCD.

"Town Center"
means the area designated as "Town Center" in the City's Comprehensive Plan, including the Town Center Subarea Plan, and which is identified on the City's Official Zoning Map as TC – Town Center.

"Traffic Engineer"
means the same as "Transportation Engineer."

"Transportation Engineer"
means the Transportation Engineer or Traffic Engineer, as appointed by the City Engineer, or the Transportation Engineer's designee.

"Transportation Master Plan"
means the Mountlake Terrace Transportation Master Plan, and any amendments thereto as adopted by the City Council.

(Ord. 2597 § 2, 2012; Ord. 2755 § 23, 2019; Ord. 2792 § 13, 2021; Ord. 2863 § 1 (Exh. A), 2024; Ord. 2911, 3/5/2026)

§ 19.95.030. Street design and access standards.

A. Purpose. It is the purpose of this section to establish design standards and development requirements for street improvements to provide for reasonable and safe access to public and private properties. These improvements include appropriately scaled sidewalks and landscape buffers related to the urban context, curbs, gutters, street paving, monumentation, and lighting, consistent with complete streets principles and fostering a sense of place in the public realm through attractive design amenities.

B. Exemptions. Exemptions to this section shall be authorized by the Community and Economic Development Director for development comprised of the following:

1. New construction or addition with valuation less than 50 percent of assessed value that occurs or is permitted within any three-year period;
2. Within the TC zoning district, interior remodels with valuation less than 50 percent of assessed value that occur or are permitted within any five-year period;
3. Outside of the TC zoning district, interior remodels of any valuation; or
4. The construction of one single-family house, including two accessory dwelling units, or the modification of or addition to an existing house; provided, that the lot on which a new house would be constructed is not part of a subdivision that occurred within the previous three years.

C. Right-of-Way Dedication Required.

1. Dedication Required for Development. Where the existing width for any right-of-way adjacent to a development site is less than the City's minimum standards, additional right-of-way dedication to provide an easement for roadway and public use will be required for the proposed development.
2. Waiver of Dedication. The Community and Economic Director, in consultation with the City Engineer, may waive the requirement for up to one-half of the right-of-way dedication needed to accommodate a full street right-of-way where he/she determines that either: (a) future development is reasonably feasible on the opposite side of the right-of-way from the site being developed and such future development can reasonably provide for the additional required right-of-way; or (b) due to geographic constraints, future development is not reasonably feasible on the opposite side of the right-of-way being developed.

D. Public Street Right-of-Way Design Standards.

1. Type of Improvements. The required minimum street improvements shall include but not be limited to curbs, gutters, landscape buffers, sidewalks, and lighting on each side of the street, except as provided under subsection **D.2** of this section. Required improvements shall be designed and constructed in conformance with this chapter and other applicable statutes.
2. Unless required by another chapter of the Zoning Code, the requirement for amenity zones, landscape buffers, sidewalks, and lighting on either or both sides of a street may be waived by the City Engineer for development projects where he/she has determined that geographic constraints make installation not reasonably feasible or there is no need, including future need, for pedestrian access or circulation. For City-initiated street, sidewalk, or utility projects, the City Engineer may waive the requirement for amenity zones, landscape buffers, sidewalks, and lighting on either or both sides of the street pursuant to the criteria in subsection **E.3** of this section.
3. Length of Improvements. Improvements required per subsection **D.1** of this section shall extend along the full frontage of such property to be improved upon and sought to be occupied as a building site or parking area for the aforesaid building or platting purposes, and which may abut property dedicated as a public street. For properties with multiple street frontages, all frontages must be improved to the City's standards. Improvements shall be transitioned to existing facilities immediately outside of the property's street frontage; provided, that the Reviewing Official may waive this requirement where such a transition is not reasonably feasible or where future development is not likely to occur due to geographic constraints.
4. Minimum Sidewalk Measurements and Features. Sidewalks shall be a minimum of six feet wide and constructed of concrete unless another material has been approved by the City Engineer for the specific location; provided, that in certain zoning districts, as required by the Municipal Code or adopted design standards, sidewalk width shall be greater than six feet.
    a. Where vertical obstructions less than seven feet in height occur, a minimum of four feet of horizontal clearance from the obstruction is required for pedestrian passage.
    b. Bulb-outs may be required by the City's Transportation Engineer at street intersections, including but not limited to intersections where vehicle parking is allowed nearby, and at mid-block crossings, based on at least one of the following criteria: (i) the bulb-out will increase safety for the pedestrian attempting to cross the street at an intersection or marked crosswalk; or (ii) the bulb-out location is consistent with guidance from a referenced standard pursuant to MTMC § **19.95.010E**. In addition, bulb-outs may be required by zoning district regulations.
    c. Any pedestrian facilities, including curb ramps and pedestrian push buttons, immediately adjacent to or contained within the project boundaries shall be replaced with ADA-compliant pedestrian facilities.
    d. Any curb ramp constructed must have an ADA-compliant companion ramp at the other side of the crossing. If there is an existing ramp at the other side of the crossing that does not meet current ADA criteria, the project will be required to remove and replace it with an ADA-compliant ramp.
5. Amenity zones shall be installed between the street curb and sidewalk or multi-use path, except where the City Engineer determines that amenity zones are not reasonably feasible due to geographic or right-of-way constraints. Amenity zones shall include grass or low-growing vegetation; provided, that in the Town Center, as well as along arterials and collectors in other areas approved by the City Engineer, the amenity zones may consist primarily of hardscape, rather than vegetation, and with trees protected in tree grates. Amenity zones shall be at least five feet in width; provided, that up to a two-foot reduction may be allowed where the full five-foot width is not reasonably feasible due to geographic or right-of-way constraints.
6. Multi-Use Paths. A minimum 12-foot-wide multi-use path may be installed along streets in place of the minimum six-foot sidewalk path where the City Engineer has determined that such a multi-use path would best accommodate a bicycle route that has been identified in the Comprehensive Plan and where pedestrian safety can be maintained.
7. Driveways. Driveway locations and dimensions are subject to requirements of the zoning district in which the driveways are located, pursuant to this title and other requirements of the City Code and state or federal statutes, and to traffic engineering criteria including roadway functional classifications, traffic volumes, sight distance, proximity to intersections and driveway spacing.
8. Bicycle Facilities. Bicycle facilities may be provided or required by the City in the form of bicycle lanes within the street, cycle tracks, multi-use paths, or any means indicated in the Comprehensive Plan or the Transportation Master Plan or approved by the City Engineer.
9. Vehicular Access and Connection Points to and From the State Highway System.
    a. Chapter **47.50** RCW, Highway Access Management, and any amendments thereto, is hereby adopted by reference to provide for the regulation and control of vehicular access and connection points of ingress to and egress from the state highway system within the incorporated areas of the City of Mountlake Terrace.
    b. Chapters **468-51** and **468-52** WAC, and any amendments thereto, are hereby adopted and incorporated by reference.

E. Complete Streets.

1. Principles. The City of Mountlake Terrace will plan for, design, and construct all new City transportation improvement projects with complete streets principles.
2. Department Implementation.
    a. The Public Works Department will incorporate complete streets principles into the design and implementation of capital projects and the development of Engineering Details and Specifications and other rules, procedures, and standards, as appropriate.
    b. The Public Works Department will uphold complete streets principles in developing and implementing City plans and in conducting its plan review and permitting responsibilities for transportation improvement projects.
    c. The Public Works Department will carry out its activities to provide for sidewalks to be maintained free of obstructions and to inspect, repair, and replace sidewalks as appropriate. The Department will also prioritize maintenance of crosswalks, bike lanes, and other pavement markings, commensurate with available resources.
3. Exceptions. Complete streets principles, including the provision of amenity zones, will not apply:
    a. To repairs made to the right-of-way;
    b. To ordinary maintenance activities designed to keep assets in serviceable condition (e.g., mowing, cleaning, spot repair, and surface treatments including but not limited to chip seal treatments, or interim measures for detours, haul routes, and street closures);
    c. To improvements solely for traffic signals or signage; provided, that such improvements shall consider the needs of pedestrians and bicyclists, as well as motorists, including mass transit users; or
    d. Where the City Engineer, after consultation with the Community and Economic Development Director, issues a documented site-specific exception concluding that application of complete streets principles is unnecessary or inappropriate because:
        i. It would be contrary to public safety or to requirements of a grant or law;
        ii. The cost is excessively disproportionate to the project or possible use;
        iii. The City cannot feasibly attain the additional right-of-way that would be needed;

iv. Other available means or factors indicate an absence of need, including future need; or

v. The City Council has directed that complete streets principles not be applied due to other special factors for a particular street or street segment.

4. Exceptions authorized under subsection **E.3** of this section are site-specific and shall not constitute general changes to the minimum street standards established in this chapter or other chapters of the Municipal Code.

5. Timing and Funding. Complete streets may be achieved through single projects or incrementally through a series of smaller improvements or maintenance activities over time. Improvements to pedestrian and bicycle facilities shall be a priority for available funding, while balancing the need to meet other City responsibilities.

F. Street Design Standards. Streets and associated facilities, including but not limited to sidewalks, shall be designed in accordance with the City Engineering Development Manual and consistent with the Comprehensive Plan.

G. Access Improvements Required.

1. When nonresidential zoned property does not have frontage on an existing public right-of-way or when the City has identified a potential new street connection in its Comprehensive Plan to access nonresidential zoned property but the street has not yet been constructed, any development or change in use shall require the owner/developer to design and construct full-width street improvements through the property and to a point of appropriate connection with an existing public right-of-way. The improvements shall be designed so as to establish an interconnected network of public streets and shall be constructed in accordance with this chapter and any other applicable City regulations and state or federal laws.

2. Once a street is constructed pursuant to subsection **G.1** of this section, the property owner shall dedicate the right-of-way and its improvements to the City.

H. Private Streets – When Permitted.

1. Streets designed or constructed after November 1, 2012, shall be public and built to City standards; provided, that the Community and Economic Development Director may allow local access streets serving three or fewer single-family houses to be private when he/she determines that:

a. Geographic constraints or other practical difficulties would make City maintenance reasonably impractical; or

b. No existing or future need exists for additional traffic and/or pedestrian connections or to serve adjacent property.

2. Signage Required. Appurtenant traffic control devices including installation of traffic and street name signs shall be provided by the developer to mitigate traffic impacts, as required by the Traffic Engineer. The street name signs shall include a sign labeled "Private Street."

3. Easement Required. An easement will be required to create the private street.

4. Timing of Improvements. The private street must be installed prior to recording of the plat unless deferred through a process that includes a security device pursuant to Chapter **15.35** MTMC.

5. The private street must meet public street standards, except as otherwise provided by this chapter.

6. Private access street design and installation shall meet ADA requirements.

7. Private streets shall be paved.

8. The acceptance of an existing private street as a public street shall be based on the street being determined by the City Engineer to meet at least one of the following criteria:

a. Street is constructed to City standards; or

b. Street is classified as an arterial or collector (or meets criteria for being so classified) and assumption of maintenance does not create an undue burden for the City.

9. Any research performed by the City at an applicant's request to establish or verify that a street has been constructed to City standards, pursuant to subsection **H.8.a** of this section, is subject to the applicant's payment to the City of the hourly rate established in the development fee schedule, as adopted by the City Council.

I. Timing for Installation of Improvements. No building shall be granted a certificate of final occupancy, or plat or short plat recorded, until all the required street improvements are constructed in a satisfactory manner and approved by the responsible departments unless those improvements that remain unconstructed have been deferred by the Department of Community and Economic Development Director subject to security devices authorized under Chapter **15.35** MTMC.

J. Review of Construction Plans.

1. Submittal. All street improvement plans, excluding those prepared by the City or its designee for City capital improvements, shall be submitted for review and approval to the Community and Economic Development Department. All plans and specifications for such improvements are to be submitted at the time application for a building permit is made or, for plats, prior to construction (street/utility) permit issuance. All street improvement plans prepared by the City or its designee for City capital improvements shall be submitted for review and approval to the City Engineer.

2. Fees and Submittal Requirements. All permits required for the construction of street improvements shall be applied for and obtained through the Community and Economic Development Department. Activities requiring permits shall include but are not limited to cutting, excavating or disturbing of streets, alleys, pavement or improvements within the public right-of-way and to the alteration, expansion, or creation of public or private transportation facilities, including driveways. Fees shall be as stipulated pursuant to MTMC § **3.150.090**.

K. Inspections. An inspector designated by the Community and Economic Development Director shall be responsible for the supervision, inspection and acceptance of all street improvements listed in this section, and shall make a charge therefor to the applicant pursuant to fee requirements under MTMC § **3.150.090**; provided, that for any City-initiated street or utility projects, an inspector appointed by the City Engineer shall be responsible for the supervision and inspection of street or utility improvements.

L. Deferral of Improvement Installation. Improvements may be deferred only as provided in Chapter **15.35** MTMC.

M. Relationship to Other Codes. Where, related to streets, access easements, and rights-of-way, any conflicts exist between MTMC Title **17** (Subdivisions) and this section, requirements of this section shall prevail and govern.

N. Appeals - Violations.

1. Any decisions made in the administrative process described in this section may be appealed to the Hearing Examiner pursuant to Chapter **2.120** MTMC, Hearing Examiner.

2. Unless otherwise specified, violations of this chapter are misdemeanors, and, upon conviction thereof, shall be punished by a fine not to exceed $1,000 or 90 days in jail, or both such fine and jail.

(Ord. 2597 § 2, 2012; Ord. 2662 § 2, 2015; Ord. 2755 §§ 24, 25, 2019; Ord. 2792 § 14, 2021; Ord. 2863 § 1 (Exh. A), 2024; Ord. 2911, 3/5/2026)

§ 19.95.040. Street excavation and construction standards.

Reserved.

(Ord. 2597 § 2, 2012; Ord. 2911, 3/5/2026)

§ 19.95.050. Performance and maintenance guarantees.

A. Intent. The intent of this section is to ensure that, when development occurs, a form of security is in place to provide for the required improvements to be completed, as well as any necessary repairs to be made to City facilities should the required improvements or repairs not be completed to the City's standards by a specified period of time.

B. Performance and Maintenance Guarantees. The City's requirements for performance and maintenance guarantees are established in Chapter **15.35** MTMC and shall be applied to this chapter.

(Ord. 2597 § 2, 2012; Ord. 2863 § 1 (Exh. A), 2024; Ord. 2911, 3/5/2026)

§ 19.95.060. Streets – Special regulations.

A. Street Names. The naming of streets and assigning of addresses is a responsibility of the Community and Economic Development Department consistent with Chapter **12.25** MTMC.

B. Functional Classification. Designation of streets by functional classification shall be as identified in the Transportation Element of the Comprehensive Plan; provided, that the City Engineer may identify additional or alternate designations to be used when a new federal functional classification is approved after the adoption of the City's last annual Comprehensive Plan amendment(s). Such additional or alternate designations shall be included in the next Comprehensive Plan amendment process.

C. Monuments. No surface monuments or hubs found on the line of excavation work shall be disturbed unless the disturbance is ordered by the City Engineer. All street monuments, property corners, bench marks, and any other monuments disturbed during the progress of the work or any other activity shall be replaced by a licensed surveyor to meet requirements of the City Engineer and the cost of the same shall be paid by the person that disturbed the monument or by another party on the person's behalf.

D. Trees in Town Center Pedestrian Activity Areas. Within the BC/D zoning district, street trees within any pedestrian activity area and constructed in accordance with Town Center Design Standards shall be maintained by the adjacent property owner. Such trees shall not be trimmed, cut, removed, or damaged unless the City determines such action is needed. The City may require an arborist's opinion before making a determination. Any removed trees shall be replaced by the adjacent property owner pursuant to City standards within 60 days of the tree removal; provided, that the City may grant a longer replacement period if necessary due to severe weather or other conditions that would affect the health of the replaced tree(s).

E. Bus Stops.

1. Bus stops shall be accommodated at appropriate places within the street network, as determined by the Traffic Engineer, taking into account transit service needs, public safety, and traffic flow.

2. Convenient pedestrian access between any commercial or multifamily residential buildings and adjacent bus stops shall be provided as a condition of development.

3. Dedication of an easement or right-of-way to locate bus stops and related appurtenances may be required by the Traffic Engineer where a transit agency serving the City has identified such stops as necessary to reasonably accommodate its bus service for routes consistent with the transit agency's six-year plan.

F. Street Signs. City street signs shall be maintained and installed per direction of the City Engineer.

(Ord. 2597 § 2, 2012; Ord. 2863 § 1 (Exh. A), 2024; Ord. 2911, 3/5/2026)

§ 19.95.070. Right-of-way use permits.

A. Use of the public right-of-way is subject to permitting and other requirements of this chapter, Chapter **10.20** MTMC, and other regulations of the City.

B. The following types of right-of-way use permits are established for right-of-way use not provided for by another permit issued by the City:

1. Type A – Short-Term.
    a. Type A permits may be issued for use of right-of-way for 72 or fewer continuous hours for purposes that do not involve the physical disturbance of the right-of-way and that are not subject to a special event permit or block party permit pursuant to Chapter **10.20** MTMC.
    b. Use under a Type A permit may involve disruption of pedestrian and vehicular traffic, vehicular parking, or access to private property and may require inspections, clean-up and police surveillance. For periods longer than 72 hours these uses will be considered Type C, long-term or permanent.
    c. Type A permits include, but are not limited to, the following:
        i. House moves;
        ii. Temporary right-of-way closures not approved as part of another permit or a City-initiated street or utility project; and
        iii. Dumpsters.
2. Type B – Disturbance of City Right-of-Way.
    a. Type B permits may be issued for use of right-of-way for activities that will alter the appearance of or disturb the surface, supersurface or subsurface of the right-of-way on a temporary or permanent basis.
    b. Type B permits may be for either single uses or multiple uses. Type B single-use permits will be issued to approved applicants who are planning a single type B activity at a single location in a short period of time.
    c. Type B multiple-use permits will be issued to approved applicants who are planning many Type B routine maintenance activities at several different locations in a short period of time.
    d. Type B permits include but are not limited to:
        i. Boring;
        ii. Culverts;
        iii. Curb cuts/driveways;
        iv. Drainage facilities;
        v. Landscaping;
        vi. Painting;
        vii. Sidewalks;
        viii. Street trenching; and
        ix. Utility installation.
3. Type C – Long-Term and Permanent.
    a. Type C permits may be issued for use of right-of-way for activities for extended periods of time but which will not physically disturb the right-of-way.
    b. The use of right-of-way for structures, facilities, and uses that involve capital expenditures and long-term commitments of use require this type of permit.
    c. Type C permits include but are not limited to:
        i. Air rights;
        ii. Bus shelters/stops;
        iii. Construction site/haul roads;
        iv. Loading zones;
        v. Recycle facilities;
        vi. Sales or vending structures;
        vii. Sidewalk cafes;
        viii. Special and unique structures including but not limited to: fountains, clocks, flagpoles, awnings, marquees, benches, kiosks, signs, mailboxes, banners, street furniture, and decorations;
        ix. Underground rights;
        x. Utility facilities; and
        xi. Waste facilities.
    d. Type A uses that exceed 72 hours will be treated as Type C uses.

C. Applications and Processing of Permits.

1. To obtain a right-of-way use permit, the applicant shall file an application with the Community and Economic Development Department.
2. Every application shall include the location of the proposed right-of-way use, a description of the use, the planned duration of the use, applicant contact information, and all other information which may be required as specified in procedures adopted hereunder, and shall be accompanied by payment of the required fees.

    Certain applicants such as utilities or franchised utilities may be involved in frequent use of the right-of-way for repair, maintenance and construction in a short period of time. To avoid the issuance of a new permit for each use, the City may issue a 90-day permit for multiple use.
3. Specifications. All work to be performed under any permit issued under this chapter shall conform to all other City code chapters, standards referenced in MTMC § **19.95.010E**, and applicable state and federal statutes.
4. Permit Exception. A right-of-way use permit shall not be required of utilities or franchised utilities prior to commencing work in the right-of-way when responding to emergencies, such as water or sewer main breaks, gas leaks, downed power lines or similar emergencies; provided, that the City shall be notified by the responding utility or City contractor verbally or in writing, as soon as practicable following onset of an emergency. Nothing herein shall relieve a responding utility or City contractor from the requirement to apply for a right-of-way use permit within 48 hours after beginning emergency work in the right-of-way. The City and its contractors are not required to obtain a right-of-way use permit for work being done as part of City-initiated street or utility projects.

(Ord. 2597 § 2, 2012; Ord. 2863 § 1 (Exh. A), 2024; Ord. 2911, 3/5/2026)

§ 19.95.080. Transportation mitigation and impact fees.

A. Transportation Mitigation Requirements. All development activities in the City are subject to the following requirements:

1. Traffic Impact Analysis (TIA) Required. In order to provide sufficient information to assess a development's impact on the roadway system and right-of-way, any development activity adding to a corridor 20 or more vehicle trips during the weekday peak hours of 4:00 p.m. to 6:00 p.m., adding 40 or more vehicle trips during any weekday, or adding 50 or more vehicle trips during any weekend day shall be required to provide a traffic impact analysis; provided, that such requirement shall not apply to projects within the locations and development thresholds of planned actions adopted by the City pursuant to the State Environmental Policy Act (SEPA), RCW **43.21C.031**. The required traffic impact analysis shall identify any street improvements that may be needed to reduce transportation impacts from the development and to improve nonmotorized transportation facilities related to the development. The City Engineer or designee, in consultation with the Traffic Engineer, may require that the TIA include an evaluation of any potential traffic and parking impacts from the development on arterial or local access streets. The City Engineer or designee is authorized to adopt administrative policies and technical procedures specifying the contents and scope of the TIA, the methodologies to be used in preparing a TIA, and the nature and extent of the improvement(s) necessary to meet the requirements of this chapter.
2. Level-of-Service Policy. The City shall maintain or achieve the level of service (LOS) adopted in the Transportation Element of the Comprehensive Plan.
3. Development Mitigation Obligations. Frontage improvements, including the upgrading of substandard frontage improvements, will be required of all proposed developments, pursuant to this chapter.

    The City Engineer or designee shall require mitigation of direct traffic impacts of any development as provided in this section. Mitigation of off-site impacts to City streets will be in the form of transportation impact fees pursuant to Chapter **18.30** MTMC; provided, that mitigation of site-specific impacts to the City's transportation system also may be required under the State Environmental Policy Act (SEPA) for impacts that are not associated with the transportation impact fees. Such SEPA mitigation may be required on arterial streets, collectors, or local access streets. Mitigation of off-site impacts to state highways or other jurisdiction streets may also be required, as specified in this chapter. Development may have the option to provide mitigation for off-site impacts directly by constructing the improvements that offset the direct traffic impact of the development. Development mitigation requirements may be reduced by the City Engineer or designee if the development implements transportation demand management and/or transportation system management strategies to the extent such strategies would reduce off-site traffic impacts not associated with the transportation impact fees.
4. Inadequate Road Condition(s).
    a. A development's access onto a public road shall be designed so as not to create or aggravate an inadequate road condition. Developments shall be designed so that inadequate road conditions are not created.
    b. Mitigation of direct project impacts resulting in inadequate road conditions is required. If such conditions are found to be existing in the development's road system at the time of development application review, and the development shall put through the identified locations at the time of full occupancy of the development 10 or more vehicle trips during the weekday peak hours of 4:00 p.m. to 6:00 p.m. or 40 or more vehicle trips during any weekday or 50 or more vehicle trips during any weekend day, the development shall only be approved if provisions are made in accordance with this chapter for improving the inadequate road conditions.

B. Total Mitigation Limits. The total amount of off-site improvement cost for which a development is responsible is limited to the development's proportionate fair share amount for mitigation of its impacts on the transportation and right-of-way system. An applicant who volunteers to pay and/or construct more than their share of the road system mitigation may apply for a street assessment reimbursement agreement. Said applicant shall agree to participate in applicable transportation improvement districts.

C. Transportation Impact Fees. The applicant for any development activity shall be required to pay transportation impact fees required pursuant to Chapter **18.30** MTMC.

D. SEPA Mitigation – City Streets. The applicant for any development activity shall be required to provide mitigation identified through a SEPA review process, except as otherwise provided by this section. Such mitigation may include site-specific access and safety improvements, mitigation of impacts to neighborhood or local access streets, or improvements to nonmotorized transportation systems. Such mitigation may be identified as part of the traffic impact analysis pursuant to subsection **A.1** of this section.

E. Mitigation – State Highways. Mitigation requirements for impacts on state highways and at intersections of City roadways with state highways may be established by the Washington State Department of Transportation (WSDOT) rather than by the provisions of this chapter.

F. Mitigation – Other Jurisdictions. When a development activity may adversely impact the roadway facilities of other jurisdictions, the City Engineer or designee shall forward the traffic impact analysis or other information to the affected jurisdiction for review and comment.

G. Mitigation – Administration.

1. Timing of Determination. The determination of developer obligations shall be made by the City before approval of all short plats, preliminary subdivisions, planned unit developments, site development plans, conditional and special use permits, and binding site plans or before the issuance of a building permit, whichever occurs first.

2. Administration of Payments. Payments made pursuant to this section, excluding subsection **C** of this section, shall be subject to the following provisions:

a. The payment is required prior to issuance of a building permit or commencement of on-site development, whichever occurs first, unless the development is a subdivision, wherein the payment is required prior to the recording of the subdivision.

b. The payment and accrued earnings shall be held in a reserve account and shall be expended to fund improvements on the road system, including any nonmotorized transportation facilities, as specified in a written agreement between the developer and the City.

c. Payments made pursuant to this section shall include an amount to reimburse the City for the costs of administration of this section, as so provided in a fee resolution adopted by the City Council.

(Ord. 2597 § 2, 2012; Ord. 2863 § 1 (Exh. A), 2024; Ord. 2911, 3/5/2026)

§ 19.95.090. Transportation concurrency requirements.

A. Authority and Purpose. This section is enacted pursuant to the Washington State Growth Management Act, Chapter **36.70A** RCW, at RCW **36.70A.070**. The purpose is to require that the Mountlake Terrace transportation level of service standards are achieved concurrently with development, or within a reasonable time after development occupancy and use.

B. Development shall not be approved if the development would cause the level of service on a locally owned transportation facility to decline below the standards adopted in the Transportation Element of the City's Comprehensive Plan unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development. "Concurrent" means, for purposes of this section, that improvements or strategies are in place at the time of development or that a financial commitment is in place to complete the improvements or strategies within six years.

C. Strategies. Strategies that may be used pursuant to subsection **B** of this section may include increased public transportation service, ride-sharing programs, demand management and other transportation system management strategies, as approved by the City Engineer or designee to mitigate the transportation impacts of the development.

D. Analysis of transportation impacts from development shall be conducted under the authority of the City Engineer or designee pursuant to MTMC § **19.95.080**.

(Ord. 2597 § 2, 2012; Ord. 2863 § 1 (Exh. A), 2024; Ord. 2911, 3/5/2026)

§ 19.95.100. Conflicts.

If a conflict exists between this chapter and either the Engineering Development Manual or the Comprehensive Plan, this chapter shall control.

(Ord. 2863 § 1 (Exh. A), 2024; Ord. 2911, 3/5/2026)

Title 19. Zoning

Chapter 19.123. TOWN CENTER DESIGN STANDARDS

Article I. Introduction

§ 19.123.010. Purpose.

This chapter is authorized by the City Council as a major implementation tool of the Mountlake Terrace Comprehensive Plan. Overall, this chapter intends to:

A. Provide clear objectives for the planning and design of development projects in the Town Center and other applicable mixed-use areas.

B. Preserve and protect the public health, safety, and welfare of the citizens of Mountlake Terrace.

C. Ensure that new multifamily, mixed-use, and commercial development is of high quality and appropriate to Mountlake Terrace's character and context.

D. Promote increased pedestrian, bicycling, and transit use in commercial and multifamily areas.

E. Enhance the livability of residential developments.

F. Increase awareness of design considerations among the citizens of Mountlake Terrace.

G. Maintain and enhance property values within Mountlake Terrace.
(Ord. 2755 § 3 (Exh. B), 2019)

§ 19.123.020. Applicability and compliance.

A. The design provisions in this chapter apply to all new development within the Town Center and TCR zone, including, but not limited to, building additions and site improvements. Exception: Additions to single-household dwellings are exempt from this chapter.

B. Relationship to Other Codes and Documents. Where provisions of this chapter conflict with provisions in any other section of the Mountlake Terrace Municipal Code (MTMC), this chapter prevails unless otherwise noted.

C. For building additions, remodels, and site improvements, two different thresholds have been established to determine how the standards herein are applied to such projects.

1. Level I improvements include all exterior remodels, building additions, and/or site improvements that affect the exterior appearance of the building/site and/or cumulatively increase the gross floor area on a site by up to 50 percent within three years of the date of permit issuance. The requirement for such improvements is only that the proposed improvements meet the standards and do not lead to further nonconformance with the standards.

   For example, if a property owner decides to replace a building facade's siding, then the siding must meet the applicable exterior building material standards, but elements such as building articulation would not be required.

2. Level II improvements include all improvements that cumulatively increase the gross floor area on a site by 50 percent or more within three years of the date of permit issuance. Such developments must conform to all applicable standards, except in a case where there are multiple buildings on one site, and only one building is being enlarged. In that scenario, improvements to the additional buildings are not required, but conformance with all other standards apply.
(Ord. 2755 § 3 (Exh. B), 2019)

§ 19.123.030. How the provisions of this chapter are applied.

Most sections within this chapter herein include the following elements:

A. Purpose statements, which are overarching objectives.

B. Standards use words such as "must" and "is/are required," signifying required actions.

C. Guidelines use words such as "should" or "is/are recommended," signifying voluntary measures.

D. Departures are provided for specific standards. They allow alternative designs provided the reviewing authority determines the design meets the purpose of the standards and guidelines and other applicable criteria. See MTMC § **19.110.260** for related procedures associated with departures.

E. This chapter contains some specific standards that are easily quantifiable, while others provide a level of discretion in how they are complied with. In the latter case, the applicant must demonstrate to the director, in writing, how the project meets the purpose of the standard or standards.
(Ord. 2755 § 3 (Exh. B), 2019)

Article II. Block Frontage Standards

§ 19.123.040. Purpose.

A. To achieve the envisioned character of Mountlake Terrace Town Center as set forth in the goals and policies of the Town Center Subarea Plan and other applicable mixed-use areas.

B. To enhance pedestrian environments by emphasizing activated ground-level block frontage designs for commercial, mixed-use, and multifamily developments.

C. To minimize potential negative impacts of driveways and off-street parking facilities on the streetscape.

D. To promote good visibility between buildings and the street for security for pedestrians and to create a more welcoming and interesting streetscape.
(Ord. 2755 § 3 (Exh. B), 2019)

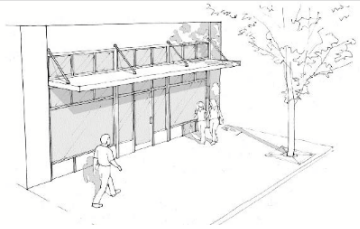
§ 19.123.050. How to use this chapter.

Site orientation standards for individual properties depend on the block frontage designated for that location. The following steps will help in using this chapter:

A. Go to the map in MTMC § **19.123.060** to find the property and the block frontage type designation. For development that fronts onto multiple streets, see provisions in MTMC § **19.123.140**.

B. Go to the appropriate code section in this chapter for the standards for applicable block frontage type designation. Table 19.123.050 includes a summary of key block frontage types.

Table 19.123.050
Summary of key block frontage types.

	Permitted Frontage	Details
Storefront		• No new ground-level parking adjacent to the street. • Special transparency, weather protection, and entry requirements. • Minimum commercial space height and depth. • No ground floor residential uses except for live/work units on select Storefront designated blocks where the storefront space meets height and depth standards.
Secondary	 Storefront or Landscape Frontages Allowed 	• Ground-level parking must not be visible from the street. • Landscaping to soften facades of non-storefronts and buffer parking areas. • Minimum facade transparency requirements per use and setback.
Landscape		• Ground-level parking must not be visible from the street. • Landscaping to soften facades and buffer parking areas. • Minimum facade transparency requirements per use and setback.

(Ord. 2755 § 3 (Exh. B), 2019)

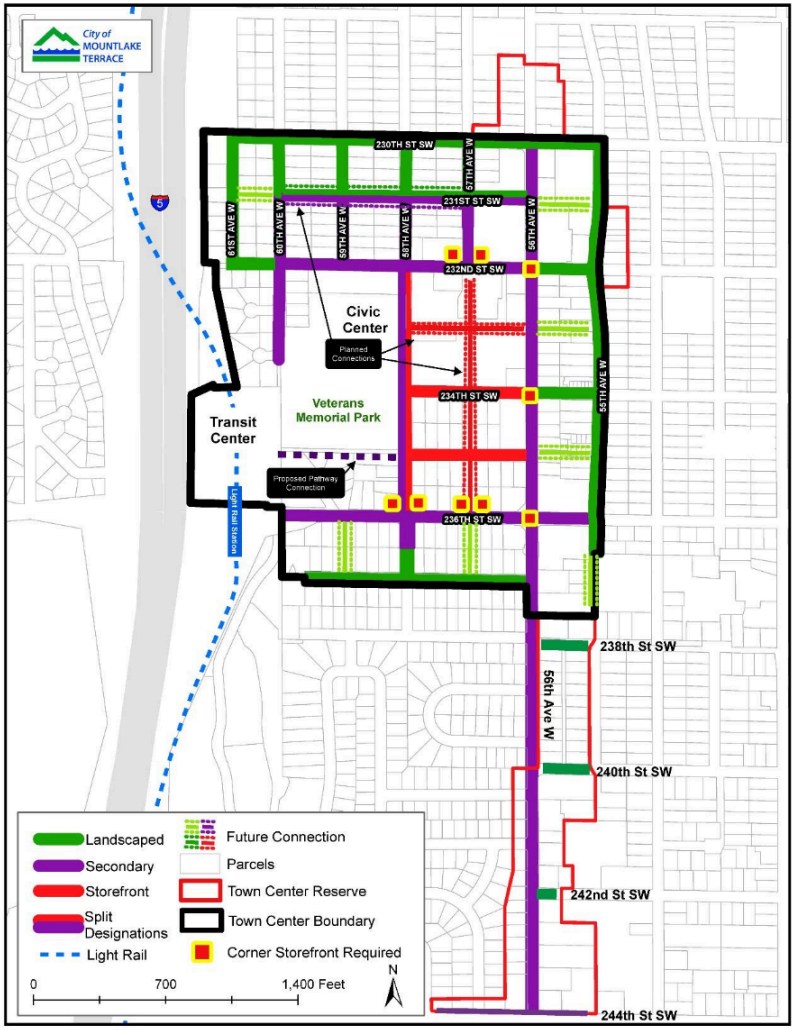
§ 19.123.060. Block frontage designation maps.

The block frontage designations established by this chapter are maintained under the direction of the director. All notations, references, and other information shown have the same force and effect as if fully described in this title.

Note that these block frontage designation maps are different than the streetscape designation map in Figure 19.50.080. Block frontage designations and standards regulate the development frontages, which includes the building and associated site development that occurs within the property boundary. The streetscape designations and standards set forth in MTMC § **19.50.080** regulate the design of sidewalks and planting strips within the right-of-way. In some cases, the streetscape standards call for expanded sidewalks that extend beyond the property line. Also note that the streetscape standards sometimes vary on the type of block frontage design.

Figure 19.123.060

Map 1: Mountlake Terrace Town Center block frontage designations map.



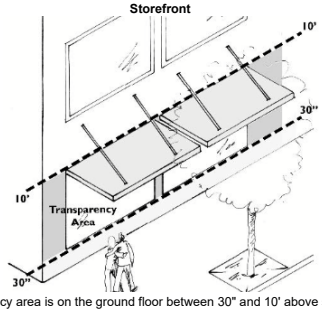
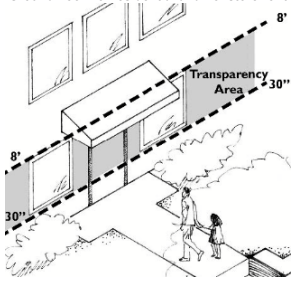
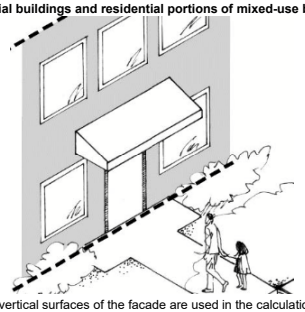
(Ord. 2755 § 3 (Exh. B), 2019)

§ 19.123.070. About the transparency standards.

All block frontage designations contain distinct minimum facade transparency standards. The purposes of these standards are to maintain "eyes on the street" for safety and create welcoming pedestrian environments. Table 19.123.070 below includes details in how they are measured.

Table 19.123.070
Transparency standards.

Transparency Area

Storefront	Ground floor nonresidential and nonstorefront	Residential buildings and residential portions of mixed-use buildings
		
The transparency area is on the ground floor between 30" and 10' above sidewalk grade	The transparency area is between 30" and 8' above grade	All vertical surfaces of the facade are used in the calculations

Other Transparency Provisions

Table 19.123.070
Transparency standards.

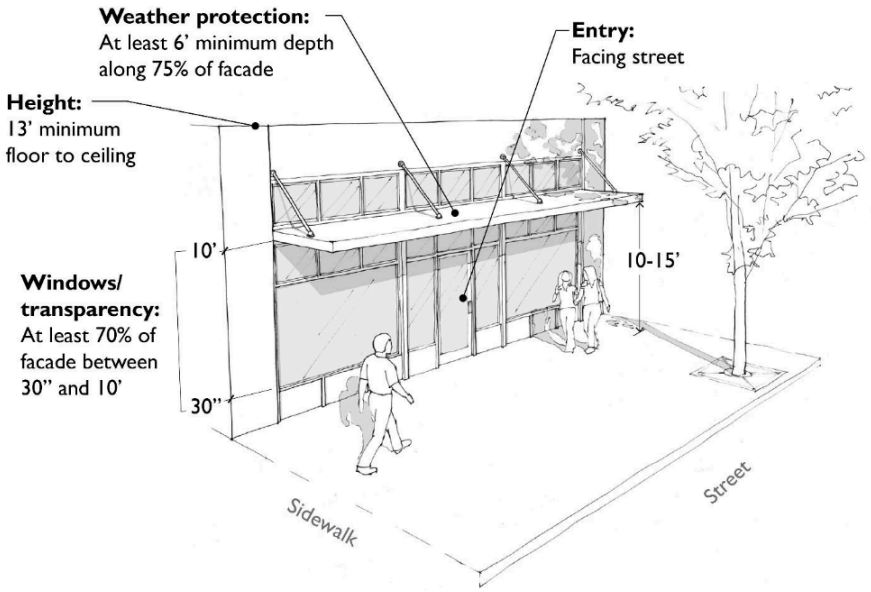
Windows must be transparent Ground-level window area for storefronts and other nonresidential uses that is covered, frosted, or perforated in any manner that obscures visibility into the building must not count as transparent window area. Also, mirrored glass and highly reflective or darkly tinted windows must not be counted as transparent windows.	 Covered windows	 Perforated sign
Display windows and parking garages Display windows may be used for up to 25% of nonresidential transparency requirements (except for ground-level storefront-designated block frontages on 57th Ave W and 233rd Street SW) provided they are at least 30" deep to allow changeable displays and the interior wall is nonstructural so it can be removed if the windows are not used for display. Tack-on display cases as shown in the far right example do not qualify as transparent window area. For parking garages (where allowed by block frontage standards), the left image illustrates how such a structure can meet (and not meet) the applicable transparency standards.	 Integrated display windows	 Tack-on display cases
	 Parking garage with windows	 Parking garage without windows

(Ord. 2755 § 3 (Exh. B), 2019)

§ 19.123.080. Storefront block frontage standards.

A. Purpose. Storefront block frontages are the most vibrant and active shopping and dining areas within Mountlake Terrace. Blocks designated as storefront block frontages include continuous storefronts placed along the sidewalk edge with small-scale shops and many business entries.

Figure 19.123.080(A)
Storefront vision and key standards.



B. Standards. All development on sites with a storefront block frontage designation must comply with the standards in Table 19.123.080(B) below:

Table 19.123.080(B)
Storefront block frontage standards.

The ↄ symbol refers to departure opportunities in MTMC § 19.123.080(C).

Element	Standards	Additional Provisions and Examples
Ground-level		
Land use	MTMC § **19.50.040** sets forth ground-level uses permitted on storefront block frontages.	Lobbies and accessory uses associated with upper-floor professional-office and multi-household residential uses are allowed provided they are limited to 20% of all storefront block frontages and other storefront frontages. Exception: Such lobbies and accessory-uses associated with upper-floor professional-office and multi-household residential uses are not allowed on 57th Ave W and 233rd Street SW except where no other alternative is feasible.
Floor to ceiling height	13' minimum (applies to new buildings only).	Applies to the minimum retail space depth.
Retail space depth	50' minimum on 57th Ave W and 233rd Street SW and 30' minimum elsewhere (applies to new buildings only). ↄ	
Building placement	Buildings must be placed at the back edge of the required sidewalk. Additional setbacks are allowed for a widened sidewalk or pedestrian-oriented space (MTMC § **19.123.190(D)**).	Corner storefront building example.
Building entrances	Primary building entrances must face the street. For corner buildings, primary entrances for ground-level building corner uses may face either street or the street corner.	
Facade transparency (see MTMC § **19.123.070**)	At least 70% of the transparency area. ↄ	
Weather protection	Weather protection over the sidewalk is required along at least 75% of the storefront facade, and it must be a minimum of 6' deep and have 10' to 15' of vertical clearance. ↄ Weather protection must not interfere with street trees, street lights, street signs, or extend beyond the edge of the sidewalk.	
Parking location	New ground-level (surface or structured) parking adjacent to the street is prohibited. Parking may be placed below, above, and/or behind storefronts. ↄ	
SPECIAL FOR STOREFRONT BLOCK FRONTAGES ALONG 57TH AVENUE WEST		

Table 19.123.080(B)
Storefront block frontage standards.

The ↄ symbol refers to departure opportunities in MTMC § 19.123.080(C).

Element	Standards	Additional Provisions and Examples
Height Stepbacks	• Lower floors: Maximum building facade height of three stories. • Stepback minimum (after first, second or third floors): 10'. • Upper floors: Maximum building height within 60' of 57th Avenue W: Seven stories or 80' (whichever is less). • Maximum building height when more than 60' from 57th Avenue W: See MTMC § **19.50.050** for standards applicable to the subject zone.	

C. Departure Criteria. Departures from the standards in Table 19.123.090(B) that feature the ↄ symbol will be considered per MTMC § **19.110.260** provided the alternative proposal meets the purpose of the standards and the following criteria:

1. Retail Space Depth. Departures from this standard are not allowed for storefronts adjacent to 57th Street W and 233rd Street SW. Elsewhere, reduced depths on up to 25 percent of the applicable block frontage will be considered where the applicant can successfully demonstrate the proposed alternative design and configuration of the space is viable for a variety of permitted retail uses.
2. Facade Transparency. Departures for facade transparency in the transparency area may be reduced to a minimum of 40 percent for block-frontages other than 57th Avenue W and 233rd Street SW if the facade design between ground-level windows provides visual interest to the pedestrian and mitigates the impacts of blank walls.
3. Weather Protection. The reduced extent (to no less than 50 percent of block frontages) or width of weather-protection features (to no less than four feet in width) will be considered provided the designs are proportional to architectural features of the building and building design trade-offs (elements that clearly go beyond minimum building design standards in this chapter) meet the purpose of the standards.

(Ord. 2755 § 3 (Exh. B), 2019)

§ 19.123.090. Storefront corner block frontage standards.

All development on sites with a storefront corner block frontage designation must comply with the standards in Table 19.123.080(B) above, except that the storefront block frontage standards must apply to storefront building elevations at least 30 feet (horizontally) from the corner of the building and the entire length of the building that's sited up to the edge of the sidewalk (as a storefront). For required building stepbacks on 57th Avenue W on the north side of 232nd Street SW, the subject stepback provisions apply only to the first 30 feet of 57th Avenue W block frontage north of 232nd Street SW.

Figure 19.123.090

Storefront corner block frontage example.

(Ord. 2755 § 3 (Exh. B), 2019)

§ 19.123.100. Landscaped block frontage standards.

A. Purpose. Landscaped block frontages emphasize landscaped street setbacks, clear pedestrian connections between the building and the sidewalk, and minimized surface parking lots along the frontages.

Figure 19.123.100(A)

Landscaped frontage vision and key standards.

B. Standards. All development on sites containing a landscaped block frontage designation must comply with the standards in Table 19.123.100(B) below.

Table 19.123.100(B)
Landscaped block frontage standards.

The ➲ symbol refers to departure opportunities in MTMC § 19.123.100(C).

Element	Standards	Additional Provisions and Examples
Ground-level		
Land use	MTMC § **19.50.040** sets forth permitted land uses.	
Building placement	10' minimum setbacks are required, or greater where specified for the applicable zone in MTMC Title 19. ➲	
Building entrances	Building entries must face the street or a pedestrian-oriented space (MTMC § **19.123.190(D))** that is adjacent to the street.	Landscaped frontage example meeting setback, entry, weather protection, and transparency standards.
Facade transparency (see MTMC § **19.123.070**)	For buildings with ground-level nonresidential uses, at least 40% of the transparency area. ➲ For buildings with ground-level residential uses, at least 20% of the facade. ➲	
Weather protection	Weather protection at least 3' deep must be provided over individual residential and commercial tenant entries and at least 5' deep for shared residential and professional office entries.	
Parking location	Ground-level parking must not be visible from the street. Where parking is integrated at or near the ground-level, it must be set back and completely screened by landscaped berms (upper right example). The lower right example illustrates a prohibited design.	

Table 19.123.100(B)
Landscaped block frontage standards.

The ➲ symbol refers to departure opportunities in MTMC § 19.123.100(C).

Element	Standards	Additional Provisions and Examples
Landscaping	All areas between the sidewalk and the building must be landscaped, except for pathways, porches, decks, and other areas meeting the definition of pedestrian-oriented space (MTMC § **19.123.190(D)**). Landscaped areas must contain Types I, II, or IV landscaping (as defined in MTMC § **19.130.240**) and may incorporate rain gardens and other forms of stormwater management.	

C. Departure Criteria. Departures to the landscaped block frontage standards in Table 19.123.100(B) that feature the ➲ symbol will be considered per MTMC § **19.110.260** provided the alternative proposal meets the purpose of the standards and the following criteria:

1. Building Placement. Reduced setbacks (down to a minimum of eight feet) will be considered where the ground floor is elevated a minimum average of 30 inches (required when the ground floor setback is less than 10 feet) and design treatments that create an effective transition between the public and private realm. For example, a stoop design or other similar treatments that utilize a low fence or retaining wall, and/or hedge along the sidewalk may provide an effective transition (see Figure 19.123.110(C) for examples).

2. Facade Transparency. Facade transparency in the transparency area may be reduced from the minimum by 50 percent if the facade design between ground-level windows provides visual interest to the pedestrian and mitigates the impacts of blank walls.

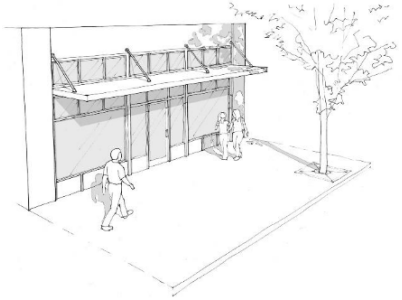
(Ord. 2755 § 3 (Exh. B), 2019)

§ 19.123.110. Secondary block frontage standards.

A. Purpose. Secondary block frontages allow flexibility to integrate either a storefront or a landscaped frontage in a pedestrian-friendly configuration.

Figure 19.123.110(A)
Secondary frontage vision.

Storefront Frontage



OR

Landscaped Frontage

B. Standards. Development must conform to either storefront or landscaped block frontage standards and associated departure options and departure criteria as established above, with only the following modifications in Table 19.123.110(B) below:

Table 19.123.110(B)
Secondary block frontage standards.

The ➲ symbol refers to departure opportunities in MTMC § 19.123.110(C).

Element	Standards	Additional Provisions and Examples
Building placement	Buildings may be placed up to the sidewalk edge provided they meet storefront block frontage standards in MTMC § **19.123.080** (this includes standards for ground-level, building placement, building entrances, facade transparency, and weather protection elements).	The minimum setback for buildings that do not meet applicable storefront block frontage standards is 10' or greater where specified for the applicable zone in MTMC Title 19. ➲
Facade transparency (see MTMC § **19.123.070**)	Storefront buildings are subject to storefront block frontage transparency standards above. For other building frontages, transparent windows must be provided along at least 15% of the entire building facade, plus: • Buildings designed with ground-floor nonresidential uses within 10' of sidewalk, must feature at least 40% transparency within the transparency area. ➲ • Buildings designed with ground floor nonresidential uses within 20' of sidewalk, must feature at least 25% transparency within the transparency area. ➲	

C. Departure Criteria. Departures to the secondary block frontage standards in Table 19.123.110(B) that feature the ➲ symbol will be considered per MTMC § **19.110.260** provided the alternative proposal meets the purpose of the standards and the following criteria:

1. Building Placement. Reduced setbacks (down to a minimum of five feet for buildings with ground floor residential uses and a minimum of two feet for other buildings) will be considered where the ground floor is elevated a minimum average of 30 inches (required when the ground floor setback is less than 10 feet) and design treatments create an effective transition between the public and private realm. For example, a stoop design or other similar treatments that utilize a low fence or retaining wall, and/or hedge along the sidewalk may provide an effective transition (see Figure 19.123.110(C) for examples).

2. Facade Transparency. Facade transparency in the transparency area may be reduced from the minimum by 50 percent if the facade design between ground-level windows provides visual interest to the pedestrian and mitigates the impacts of blank walls.

Figure 19.123.110(C)

Acceptable examples of possible setback departures.

The apartment building (left image) includes a street setback of about six to eight feet and features a landscape planter, an elevated ground-level, and generous window transparency. The elevated stoop frontages (right image) is another acceptable reduced setback departure example. The combination of landscaping elements, facade transparency, low fencing, and facade materials and detailing help to create an effective transition between the public and private realm.

(Ord. 2755 § 3 (Exh. B), 2019)

§ 19.123.120. Access corridor frontage standards.

A. Purpose. Access corridor frontage standards provide eyes on the pathway to create a safe and welcoming through-block connection while preserving the privacy of adjacent ground-level residential units.

B. Standards.

1. Building elevations facing an access corridor must feature at least 10 percent window transparency. ↄ
2. Where ground-level residential uses are within five feet of a shared-lane or pathway, at least one of the following design features must be integrated to enhance the safety and privacy of adjacent residential units:
   a. Windows must be placed at least six vertical-feet above the access corridor.
   b. A combination of landscaping, planter walls, and/or elevated ground floor (at least one foot above access corridor grade) that meet the purpose of the standards.
3. Where nonresidential ground-level uses abut an access corridor, at least 25 percent of the applicable building elevation between four and eight feet above the ground-floor surface elevation must be transparent. ↄ

Figure 19.123.120(A)

Access corridor example illustrating shared pedestrian and vehicular access.

Figure 19.123.120(B)

Pedestrian access corridor examples.

(Ord. 2755 § 3 (Exh. B), 2019)

§ 19.123.130. Where properties front onto multiple streets.

Where a property fronts onto more than one street, each building frontage must comply with the standards for the block frontage upon which it fronts, with the following clarifications:

A. Where a conflict exists between frontage standards, the director will apply the standards of a block frontage pursuant to the following order of preference:

1. Storefront;
2. Secondary; then
3. Landscaped.

Subsections **B** through E of this section clarify how the order of preference works for particular frontage elements.

B. Building Location. For corner sites with landscaped block frontage on one street and storefront or secondary on another, a storefront frontage may wrap around the corner (on the landscaped block frontage side) for up to a half-block width or no more than 120 feet (whichever is less).

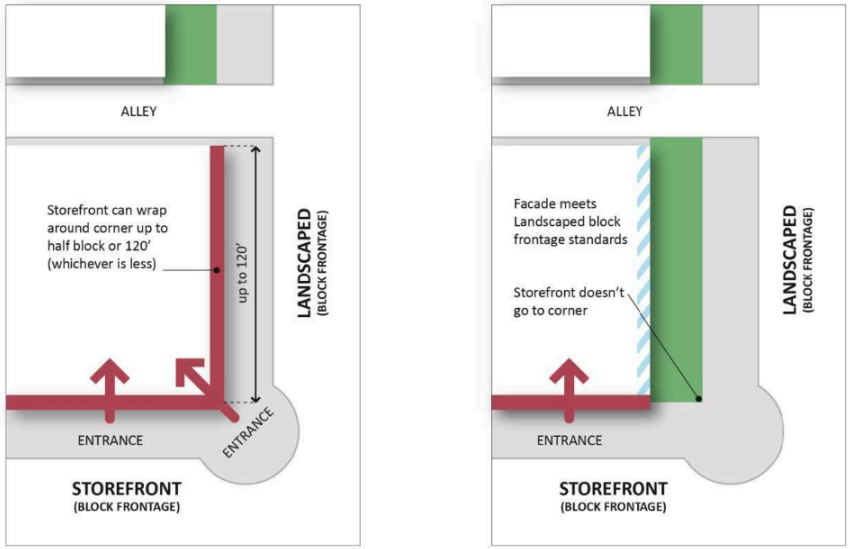
C. Entrances. For corner sites, entrances on both streets are encouraged, but only one entrance is required. For corner sites with frontage on a storefront block frontage on one side, an entrance must be placed on the storefront block frontage side or facing the corner. For corner sites with a mix of designations that do not include a storefront block frontage, the entry must be placed on the order of preference identified above.

Departures may be considered provided the location and design of the entry and block frontage treatments are compatible with the character of the area and enhance the character of the street.

D. Transparency. For corner sites, at least one block frontage must meet the applicable transparency standards, based on the order of preference above. For the second block frontage, the director may approve a reduction in the minimum amount of transparency by 50 percent. For street corners with the same designations on both frontages, buildings must employ the full transparency on the dominant frontage (based on the frontage width or established neighborhood pattern). Exception: No reductions in the minimum required window transparency are allowed on 57th Ave W and 233rd Street SW where designated as a storefront.

Figure 19.123.130

Clarifying block frontage standards on street corners.



In the left example, the entrance may be placed along the storefront block frontage and/or directly on the corner.

(Ord. 2755 § 3 (Exh. B), 2019)

§ 19.123.140. Where properties have multiple designations along one frontage.

Where an individual property has a frontage with multiple block frontage designations, the following standards apply:

A. Storefront and Any Other Block Frontage Designation. Storefront block frontage designation applies.

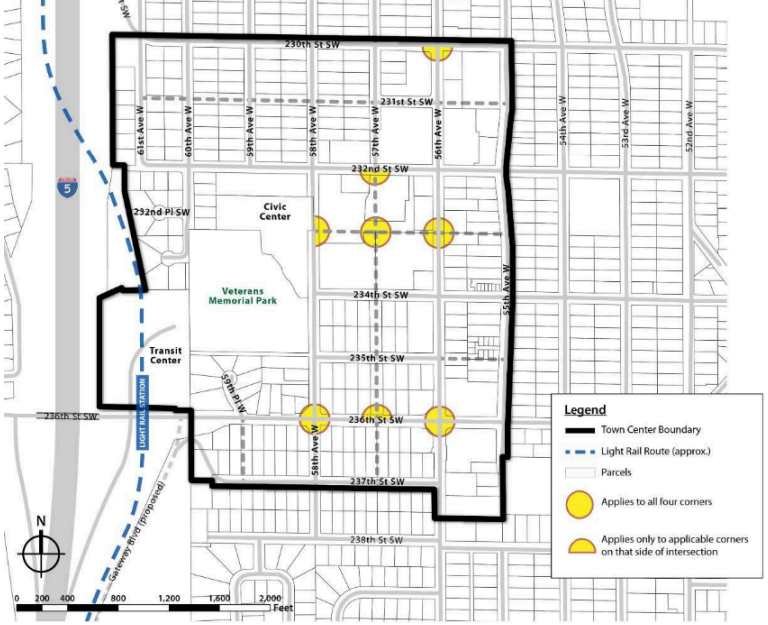
B. Secondary and Landscaped Block Frontage Designation. Secondary block frontage designation applies.
(Ord. 2755 § 3 (Exh. B), 2019)

§ 19.123.150. High-visibility street corners.

A. Description/Purpose. The high visibility street corner requirements apply to those sites designated as such on Figure 19.123.150(A). The purpose is to accentuate designated street corners with high visibility to the public.

Figure 19.123.150(A)

High visibility street corners.



B. Standards. At least one of the following special features must be included (Figure 19.123.150(B) below illustrates acceptable examples):

1. Corner plaza.
2. Cropped building corner with a special entry feature.
3. Decorative use of building materials at the corner.
4. Distinctive facade articulation.
5. Sculptural architectural element.
6. Other decorative elements that meet the purpose of the standards.

Figure 19.123.150(B)
Acceptable high visibility street corner examples.

All of the buildings above integrate distinctive articulation features (4). The bottom left example also integrates a corner plaza (1).

(Ord. 2755 § 3 (Exh. B), 2019)

Article III. Site Planning

§ 19.123.170. Purpose.

A. To promote thoughtful layout of buildings, parking areas, and circulation, service, landscaping, and amenity elements.

B. Enhance Mountlake Terrace's visual character.

C. Promote compatibility between developments and uses.

D. Enhance the function of developments.
(Ord. 2755 § 3 (Exh. B), 2019)

§ 19.123.180. Side and rear yard setbacks.

A. Purpose.

1. To promote the functional and visual compatibility between developments, particularly between zones of different intensity.

2. To protect the privacy of residents on adjacent properties.

B. Side and Rear Setback Standards. Table 19.50.050 sets forth a range of minimum side and rear yard setbacks in all TC and TC-R zones between zero and 15 feet. The provisions below clarify specific setback requirements:

1. Zero side and rear yard setbacks are allowed for buildings up to six stories in height, except within and adjacent to the TC-R zone, where developments integrated windowless fire walls that meet the design provisions of MTMC § **19.123.270(D)**.

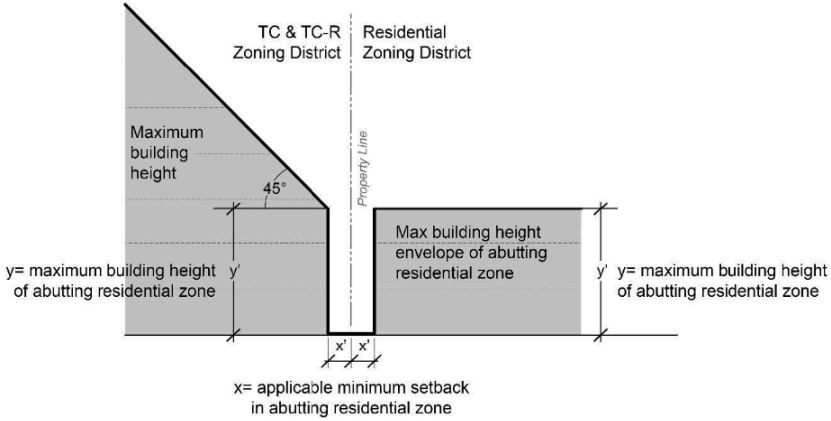
Table 19.123.180(B)
Minimum side and rear yard setbacks in the TC zones.

Min. Setback	Applicability/Standard
0'	For windowless firewalls up to 6 stories in height. Provision does not apply to the development within or abutting the TC-R zone. All firewalls must meet the design provisions of MTMC § **19.123.270(D)**.
5'	Minimum setback except: • Where zero setbacks are allowed (window-less firewalls as described above) • Where setbacks greater than 5' are required per provisions below
>5'	In all sites abutting residential zones – see subsection **(C)** of this section.
15' – 20'	When required per subsection **(E)** of this section for light and air access and privacy along side and rear property lines.

C. Special Setback/Building Height Standards for Sites Abutting Residential Zones. For sites abutting a residential zone, the side and rear yard setback must be the same as the applicable residential zoning district, up to the maximum height limit of the applicable residential zoning district, above which the minimum side yard setback must increase at a 45-degree angle inward up to the maximum height of the applicable TC zoning district. See Figure 19.123.180(C) for an illustration.

Figure 19.123.180(C)

Illustrating minimum side and rear yard setbacks to an abutting residential zoning district.

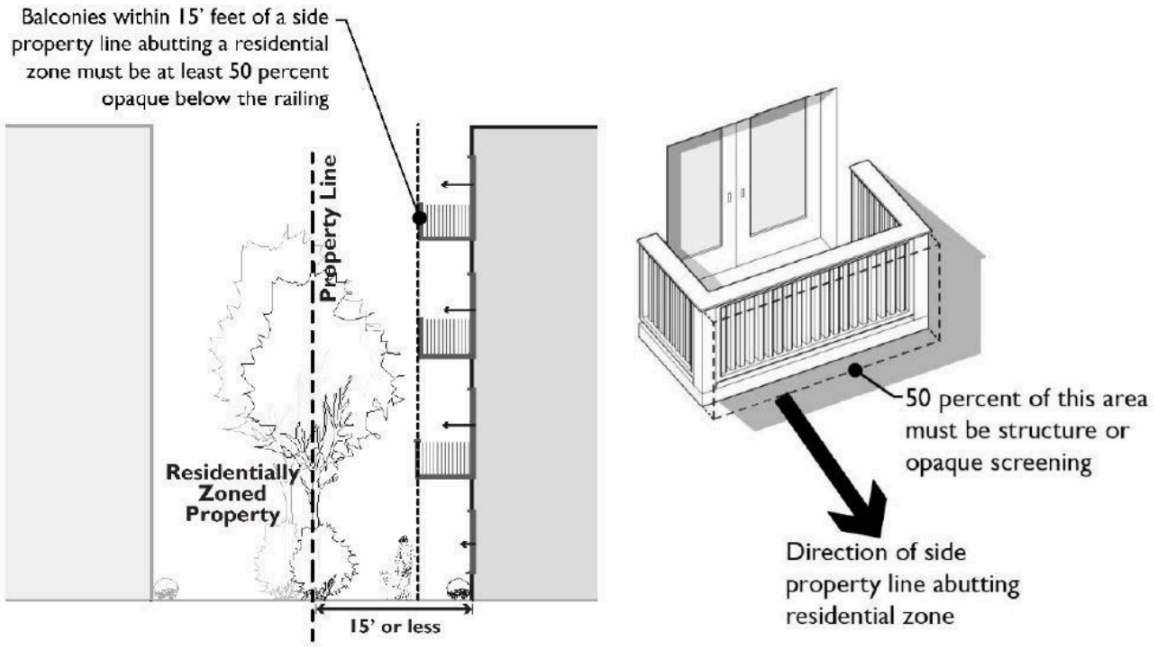


D. Balconies near Side and Rear Property Lines Adjacent to Property in Any Residential Zone. Balconies and rooftop decks above the ground floor within 15 horizontal feet of a side property line abutting a residentially zoned property must feature a railing system that is at least 50 percent opaque. Specifically, 50 percent of the area below the top edge of the railing must be a sight-obscuring structure.

Departures to this standard will be allowed if the balcony will not cause visual or privacy impacts due to its location, orientation, design or other consideration.

Figure 19.123.180(D)

Privacy standards for balconies within 15 feet of side or rear property lines.

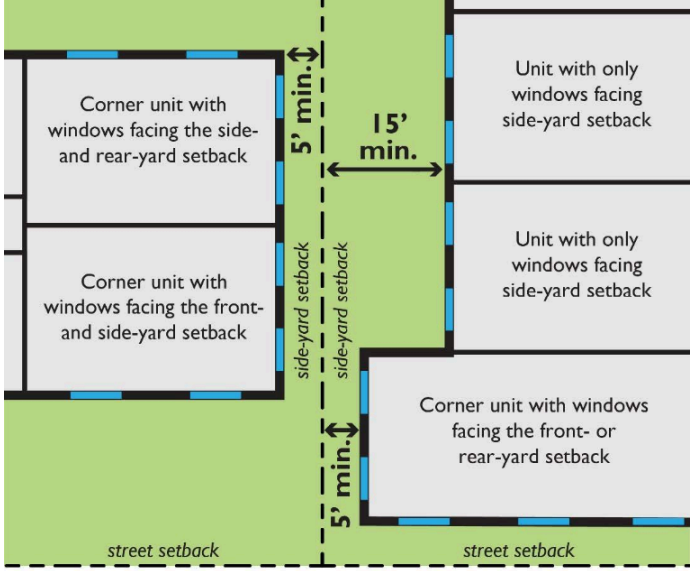


E. Light and Air Access and Privacy near Interior Side and Rear Property Lines. Buildings or portions thereof containing multifamily dwelling units whose only solar access (windows) is from the applicable side or rear of the building (facing towards the side or rear property line) must be set back from the applicable side or rear property lines at least 15 feet. See Figure 19.123.180(E). For such building elevations taller than four stories, floors above the fourth-floor must be set back at least 20 feet from the applicable side or rear property lines. Note: These standards do not apply to side or rear property lines where adjacent to a street, access corridor, or easement where no building may be developed.

Departures will be allowed where it is determined that the proposed design will not create a compatibility problem in the near and long term based on the unique site context.

Figure 19.123.180(E)

Light/air access and privacy standards for multifamily residential buildings along side and rear property lines.



Note that the minimum setbacks noted above only apply to buildings (and portions thereof) featuring the stated characteristics.

F. Upper-Level Setbacks. Buildings over six stories are subject to the following minimum side and rear yard setbacks:

1. Fifteen feet for floors above the sixth floor.
2. Twenty feet for floors above the eighth floor.

Departures will be allowed where it is determined that the proposed design will not create a compatibility problem in the near and long term based on the unique site context.
(Ord. 2755 § 3 (Exh. B), 2019)

§ 19.123.190. Internal open space.

A. Purpose.

1. To create useable space that is suitable for leisure or recreational activities for residents.
2. To create open space that contributes to the residential setting.
3. To provide plazas that attract shoppers to commercial areas.
4. To provide plazas and other pedestrian oriented spaces in commercial areas that enhance the employees' and public's opportunity for active and passive activities, such as dining, resting, people watching, and recreational activities.
5. To enhance the development character and attractiveness of commercial development.

B. Usable Residential Open Space.

1. All multifamily development, including multifamily portions of mixed-use development, must provide minimum usable open space equal to 100 square feet per dwelling unit for studio and one-bedroom dwellings and 150 square feet per dwelling unit for dwellings with two or more bedrooms. The required open space may be provided in a combination of ways:

   a. Shared Open Space. All of the required open space may be in the form of shared open space available to all residents and meeting the requirements of subsection (B)(2) of this section.

   b. Ground-Level Individual Outdoor Space. All of the required open space for a unit may be provided by ground-level outdoor space that is adjacent and directly accessible to the subject unit. Such open spaces must be:

      i. Outdoor spaces may be located in the front, side, or rear yard provided they are generally level, feature no dimension less than 10 feet, and enclosed by a fence and/or hedge at least 32 inches in height to qualify.
      Departures will be considered for this provision.

      ii. Private porches may qualify as outdoor space provided they are at least 36 square-feet in area, with no dimension less than six feet.

      Individual ground-level open space that is in excess of minimum requirements must not be used in the calculations for determining the minimum usable open space requirements for other units in the development.

   c. Balconies. Up to 25 percent of the required open space may be provided by private balconies provided such spaces are at least 32 square feet in area, with no dimension less than four feet (not including railings), to provide a space usable for human activity.

   d. Common Indoor Recreation Areas. For mixed-use buildings up to 50 percent of the required open space may be provided by common indoor recreation areas meeting the following conditions:

      i. The space must meet ADA standards and must be located in a visible area, such as near an entrance, lobby, or high traffic corridors.

      ii. The space must be designed specifically to serve interior recreational functions and not merely be leftover unrentable space used to meet the open space requirement. Such space must include amenities and design elements that will encourage use by residents.

   e. Shared Roof Decks. For multifamily buildings, up to 50 percent of the required open space may be provided by shared roof decks located on the top of buildings which are available to all residents and meet the requirements below. For mixed-use buildings, 100 percent of the required open space may be provided by shared roof decks. Design requirements:

      i. Space must feature hard surfacing, provide amenities such as seating areas, landscaping, and/or other features that encourage use.

      ii. Space must integrate landscaping elements that enhance the character of the space and encourage its use.

      iii. Space must incorporate features that provide for the safety of residents, such as enclosures, railings, and appropriate lighting levels.

Figure 19.123.190(B)(1)(e)
Rooftop deck examples.

2. Shared Open Space Design Requirements. Shared open space can include landscaped courtyards or decks, entrance plazas, gardens with pathways, children's play areas, pools, and water features provided they are accessible to all residents of the development. Accessible areas used for stormwater retention, infiltration, or other multipurpose recreational and/or green spaces that meet the design criteria herein may qualify as shared open space.

   Special requirements for shared open spaces include the following:

   a. Shared open space must be located in centralized areas that are visible from units within the development.

   b. Required setback areas must not count as shared open space unless the design of the space meets the standards herein.

   c. Shared open space must feature no dimension less than 15 feet in order to provide functional leisure or recreational activity. Wider minimum dimensions are required perpendicular to building elevations containing windows of dwelling units whose only solar access is from the applicable building wall. Specifically:

      i. Twenty feet minimum for such elevations up to three stories tall.

      ii. Twenty-five feet minimum for such elevations four stories tall.

      iii. Thirty feet minimum for such elevations five or more stories tall.

   d. Shared open space must feature paths or walkable lawns, landscaping, seating, lighting, and play structures, sports courts, or other pedestrian amenities to make the area more functional and enjoyable for a range of users.

   e. Shared open space must be separated from ground-level windows, streets, service areas and parking lots with landscaping, fencing, and/or other acceptable treatments that enhance safety and privacy for both the shared open space and dwelling units.

   f. When possible, the space should be oriented to receive sunlight, facing east, west or preferably south.

   g. Stairways and service elements located within or on the edge of shared open space must not be included in the open space calculations.

   h. Shared porches may qualify as shared open space, provided they are at least eight feet in depth and 96 square feet in total area.

   i. The space must be accessible to all residents of the development.

Figure 19.123.190(B)(2)

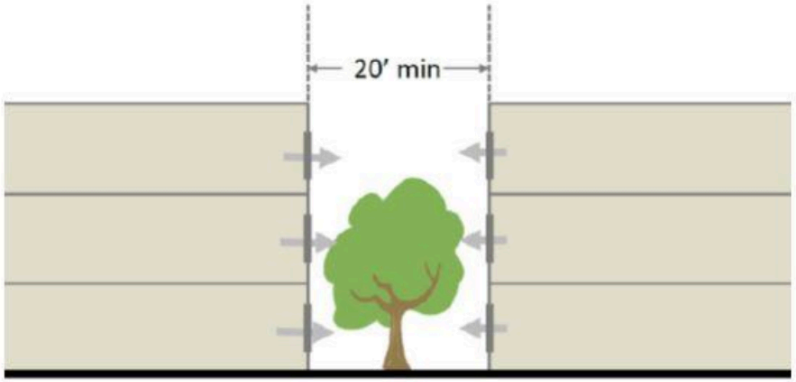
Shared open space examples.

The upper left example is a courtyard over a parking deck. Notice the transition elements between the courtyard and adjacent residential units. The upper right courtyard is shared by ground-level commercial uses and apartments above.

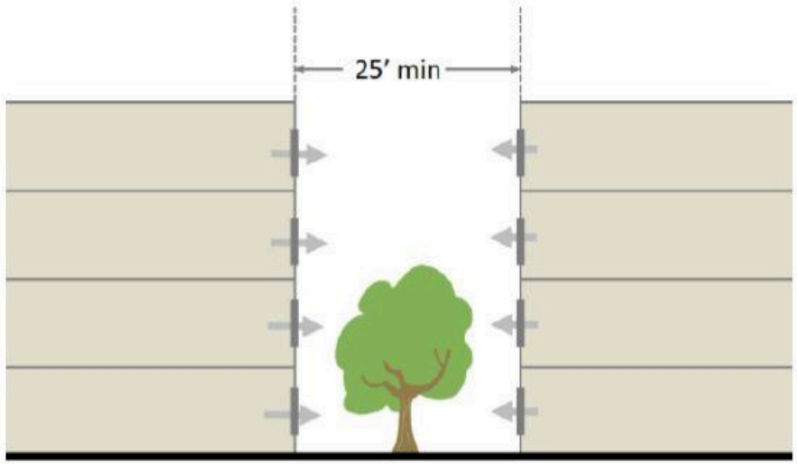
The left image above includes a covered gathering space with outdoor grills adjacent to a landscaped commons with a central pathway. The right image is an example of shared indoor recreation space.

Figure 19.123.190(B)(2)(c)

Shared open space – minimum widths when adjacent to building elevations containing windows of dwelling units whose only solar access is from the applicable building wall.



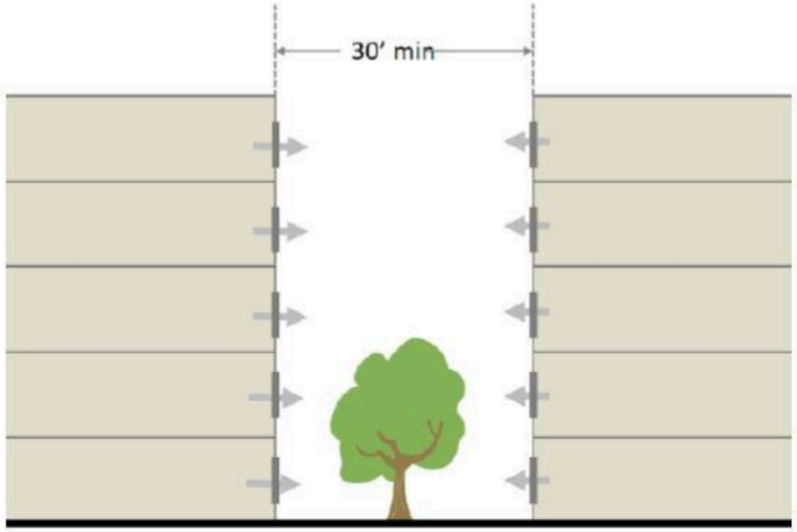
20 feet minimum for such elevations up to three-stories tall.



25 feet minimum for such elevations four-stories tall.

Figure 19.123.190(B)(2)(c)

Shared open space – minimum widths when adjacent to building elevations containing windows of dwelling units whose only solar access is from the applicable building wall.



30 feet minimum for such elevations five or more stories tall

C. Usable Commercial Open Space. New developments on designated storefront block-frontages and other developments with non-residential uses with more than 10,000 square feet of gross floor area must provide 400 square feet of pedestrian-oriented space for each 100 lineal feet of block frontage. Pedestrian-oriented space located adjacent to street corners may be counted for the frontages of both streets. Portions of sidewalks that are wider than the minimum required in MTMC § **19.50.090** may be used to meet up to 50 percent of this requirement.

Departure: Pedestrian-oriented space area may be reduced by 50 percent if the director finds the project includes exceptional design features and elements that meet the purpose of the standards. This includes open spaces that feature a combination of design (site materials, amenities, and configuration) and location/context that clearly exceed typical plaza designs found in the region.

D. Pedestrian-Oriented Space Design Criteria. This subsection describes the requirements and desired characteristics of pedestrian oriented open space (which may be used to meet the requirements of subsection **C** of this section).

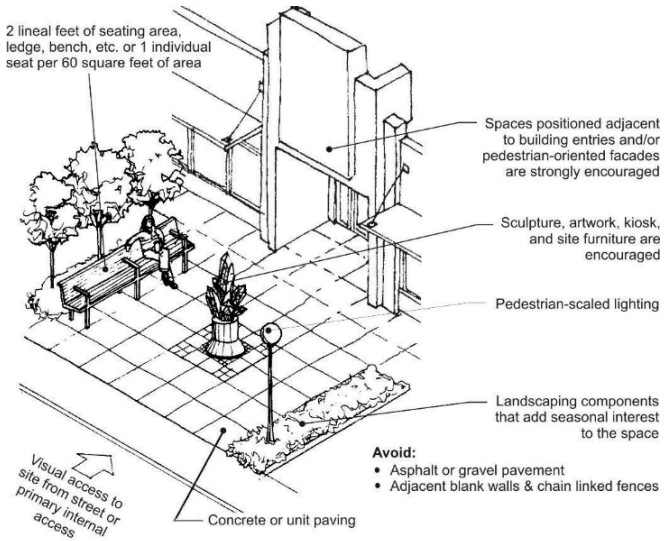
1. Required Pedestrian-Oriented Open Space Features.
    a. Visual and pedestrian access into the site from a street, private access road, or nonvehicular courtyard.
    b. Paved walking surfaces of either concrete or approved unit paving. Form-in-place pervious concrete paving is allowed.
    c. Lighting must conform to MTMC § **19.120.030**.
    d. The spaces must be located in or adjacent to areas with significant pedestrian traffic to provide interest and security, such as adjacent to or visible from a building entry.
    e. At least two feet of seating area (a bench or ledge at least 16 inches deep and appropriate seating height) or one individual seat per 60 square feet of plaza area or open space.
    f. Landscaping components that add visual interest and do not act as a visual barrier. This could include planting beds, raised planters, and/or potted plants.
2. Desirable Pedestrian-Oriented Open Space Features.
    a. Pedestrian amenities, such as site furniture, artwork, drinking fountains, shade structures, kiosks, or other similar features.
    b. Adjacent buildings with transparent windows and doors covering at least 50 percent of the facade between 30 inches and 10 feet above the ground-level.
    c. Pedestrian weather protection, alcoves, seating, or other features along building edges to allow for outdoor gathering.
3. Features Prohibited within a Pedestrian-Oriented Open Space.
    a. Asphalt pavement.
    b. Adjacent service areas (e.g., trash areas, loading docks) that are not separated with landscaping, as required by MTMC § **19.123.210**.
    c. Adjacent chain-link fences.
    d. Adjacent "blank walls" without "blank wall treatment" (see MTMC § **19.123.270**).
    e. Outdoor storage.

Figure 19.123.190(D)

Example of site development integrating pedestrian-oriented space.

Figure 19.123.190(D)(1)

Example of a small pedestrian-oriented open space.



(Ord. 2755 § 3 (Exh. B), 2019)

§ 19.123.200. Internal pedestrian access and design.

A. Purpose.

1. To improve the pedestrian and bicycling environment by making it easier, safer, and more comfortable to walk or ride among residences, to businesses, to the street sidewalk, to transit stops, through parking lots, to adjacent properties, and connections throughout the city.
2. To enhance access to on- and off-site open space areas and pedestrian/bicycle paths.

B. Access to Sidewalk. All buildings must feature pedestrian connections to a sidewalk per applicable block frontage standards in Article II of this chapter.

C. Internal Circulation.

1. For sites with multiple buildings, pedestrian paths connecting businesses and residential entries on the same development site must be provided. Routes that minimize walking distances must be utilized to the extent practical.

   Departures will be allowed where steep slopes prevent a direct connection or where an indirect route would enhance the design and/or use of a common usable open space. See subsection D of this section for pathway design standards.

2. Sites with Residential Units. Provide direct pedestrian access between all ground-related unit entries and a public street or to a clearly marked pathway network or open space that has direct access to a public street. Residential developments must provide a pedestrian circulation network that connects all main entrances on the site to other areas of the site, such as:

   a. Parking areas.

   b. Recreational areas.

   c. Common outdoor areas.

   d. Any pedestrian amenities.

   For townhouses or other residential units fronting the street, the sidewalk may be used to meet this standard.

(Ord. 2755 § 3 (Exh. B), 2019)

§ 19.123.210. Service areas and mechanical equipment.

A. Purpose.

1. To minimize adverse visual, odor, and noise impacts of mechanical equipment, utility cabinets and service areas at ground and roof levels.
2. To provide adequate, durable, well-maintained, and accessible service and equipment areas.
3. To protect residential uses and adjacent properties from impacts due to location and utilization of service areas.

B. Location of Ground-Related Service Areas and Mechanical Equipment.

1. Service areas (loading docks, trash dumpsters, compactors, recycling areas, electrical panels, and mechanical equipment areas) must be located for convenient service access while avoiding negative visual, auditory, olfactory, or physical impacts on the streetscape environment, pedestrian-oriented spaces, uses within the development, and adjacent residentially zoned properties.

   The director may require evidence that such elements will not significantly impact neighboring properties or public areas. (For example, the director may require noise damping specifications for fans near residential zones.)

2. Exterior Loading Areas. Exterior loading areas for commercial uses must not be located within 20 feet of a residentially zoned property.

   Departures may be allowed where such a restriction does not allow feasible development, and alternative design measures can successfully mitigate potential negative impacts. For example, areas and drives may be required by the reviewing authority to be separated from the residential lot by a masonry wall at least eight feet high.

3. Service areas must not be visible from the sidewalk and adjacent properties. Where the director finds that the only option for locating a service area is an area visible from a street, internal pathway or pedestrian area, or from an adjacent property, the area must be screened with structural and or landscaping screening measures provided in subsection **C** of this section and Chapter **19.130** MTMC.
4. Design for Safety. Other provisions of this section notwithstanding, service areas used by residents must be located to avoid entrapment areas and other conditions where personal security is potentially a problem. The director may require pedestrian-scaled lighting or other measures to enhance security.
5. Locate and/or shield noise producing mechanical equipment such as fans, heat pumps, etc, to minimize sounds and reduce impacts at property lines adjacent to residentially zoned properties.
6. Dumpster Storage Areas.

   a. Dumpster storage areas must be provided for all nonresidential and multifamily development.

   b. Dumpster storage areas must be on site and must not be located in the public right-of-way.

   c. Dumpster storage areas must be sized to accommodate the minimum dumpster sizes (as required by the applicable utility provider) for garbage, recycling, and composting.

C. Screening of Ground-Related Service Areas and Mechanical Equipment. Service elements are encouraged to be integrated within the structure. Where they are not provided within the structure, the following standards apply:

1. Where screening of ground-level service areas is required (see subsection (B)(3) of this section), the following applies:

   a. A structural enclosure must be constructed of masonry, heavy-gauge metal, or decay-resistant material that is also used with the architecture of the main building. The reviewing authority may allow materials other than those used for the main building if the finishes are similar in color and texture or if the proposed enclosure materials are more durable than those for the main structure. The walls must be sufficient to provide full screening from the affected roadway, pedestrian areas or adjacent use. The enclosure may use overlapping walls to screen dumpsters and other materials (see Figure 19.123.210(D)).

   b. Gates must be made of heavy-gauge, site-obscuring material. Chain link or chain link with slats is not an acceptable material for enclosures or gates.

   c. Where the interior of a service enclosure is visible from surrounding streets, pathways, and buildings, an opaque or semi-opaque horizontal cover or screen must be used to mitigate unsightly views. The horizontal screen/cover should be integrated into the enclosure design (in terms of materials and/or design).

   d. Collection points must be located and configured so that the enclosure gate swing does not obstruct pedestrian or vehicular traffic, or does not require that a hauling truck project into any public right-of-way. Ensure that screening elements allow for efficient service delivery and removal operations.

   e. The service area must be paved.

2. The sides and rear of service enclosures must be screened with landscaping at least five feet wide in locations visible from the street, parking lots, and pathways to soften views of the screening element and add visual interest.

   Departures to the provisions of subsections (C)(1) and (2) of this section will be considered per MTMC § **19.110.260** provided the enclosure and landscaping treatment meet the purpose of the standards and add visual interest to site users.

3. Where loading docks are sited along block frontages (only allowed when no other reasonable options are available as determined by the director), they must be designed to minimize impacts on the pedestrian environment. Standards:

   a. Configure loading docks/bays to minimize their frontage length along blocks.

   b. Integrate architectural and/or landscaping design features to screen loading dock elements and add visual interest to pedestrians along adjacent sidewalks. See blank wall provisions of MTMC § **19.123.270** for standards and examples.

D. Utility Meters, Electrical Conduit, and Other Service Utility Apparatus. These elements must be located and/or designed to minimize their visibility to the public. Project designers are strongly encouraged to coordinate with applicable service providers early in the design process to determine the best approach in meeting these standards. If such elements are mounted in a location visible from the street, pedestrian pathway, shared open space, or shared auto courtyards, they must be screened with vegetation and/or integrated into the building's architecture.

Figure 19.123.210(D)

Utility meter location and screening – good and bad examples.

Place utility meters in less visible locations. The lower left example is successfully tucked away in a less visible location and screened by vegetation. The right image is poorly executed and would not be permitted in such visible locations (along the sidewalk). Such meters must be coordinated and better integrated with the architecture of the building.

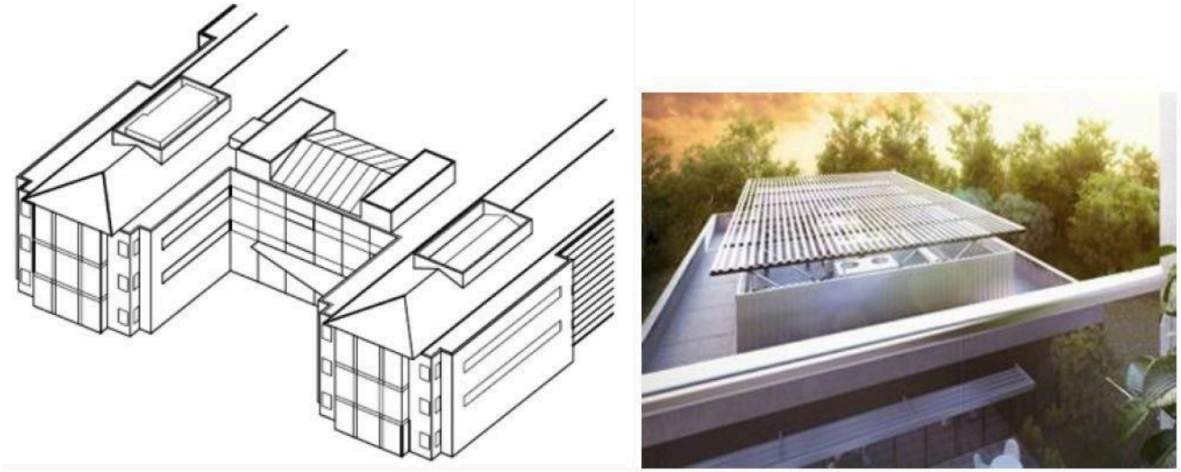
E. Location and Screening of Roof-Mounted Mechanical Equipment.

1. All rooftop mechanical equipment, including air conditioners, heaters, vents, and similar equipment must be effectively screened from public view both at grade and from nearby higher buildings with the exception of solar panels and roof-mounted wind turbines. Screening must be located so as not to interfere with operation of the equipment.
2. Rooftop mechanical equipment and associated screening features must be set back from the exterior building walls by at least 10 feet. Exceptions may be made where the screening element is designed to help meet one or more building design standards of Article IV of this chapter.
3. For rooftop equipment, all screening devices must be well integrated into the architectural design through such elements as parapet walls, false roofs, roof wells, clerestories, or equipment rooms. Screening walls or unit-mounted screening is allowed but less desirable. Wood must not be used for screens or enclosures. Louvered designs are acceptable if consistent with building design style. Perforated metal is not permitted.
4. The screening materials must be of material requiring minimal maintenance and must be as high as the equipment being screened.
5. Locate and/or shield noise producing mechanical equipment such as fans, heat pumps, etc., to minimize sounds and reduce impacts at property lines of adjacent properties.

Also see MTMC § **19.123.250(F)** for design provisions for flat rooftops.

Figure 19.123.210(E)

Examples of how to screen roof-mounted mechanical equipment



The left illustration shows how rooftop mechanical equipment can be located and screened effectively. The right images shows effective location and screening, including side walls and a trellis to screen views from taller surrounding buildings.

(Ord. 2755 § 3 (Exh. B), 2019)

Article IV. Building Design

§ 19.123.220. Purpose.

This section provides direction for the design of buildings consistent with the goals and policies of the Mountlake Terrace Comprehensive Plan. See the individual "purpose" statements for each section in this chapter.
(Ord. 2755 § 3 (Exh. B), 2019)

§ 19.123.230. Applicability.

Public buildings may be exempted from building massing and articulation standards (see MTMC § **19.123.240**), building details standards (see MTMC § **19.123.250**), building materials provisions (see MTMC § **19.123.260**), and blank wall treatment standards (see MTMC § **19.123.270**) provided design treatments are integrated to meet the following objectives:

A. Enliven the pedestrian environment along the adjacent sidewalks.

B. Incorporate a prominent and inviting entry visible from the street.

C. Building design and materials should evoke a sense of permanence.

D. Site and building design stands out from the surrounding context as a distinct landmark and provides visual interest from all observable scales.
(Ord. 2755 § 3 (Exh. B), 2019)

§ 19.123.240. Building massing and articulation.

A. Purpose. To employ facade articulation techniques that reduce the perceived scale of large buildings and add visual interest from all observable scales.

B. Tower Design. The following standards apply to buildings over seven stories:

1. Tower Separation Standards. Towers (portions of buildings over seven stories) must maintain at least 40 feet of separation from other towers. Departures will be considered for towers constructed on the same site, provided the configuration and orientation of the towers maximize privacy and minimize skyline, skyview, and access to light impacts. Factors to consider in determining if a proposed departure meets the purpose include the extent of building area that doesn't meet separation requirement, lot size and configuration, surrounding context, skyline views from a full range of observable views, and subject building uses.

2. Tower Form. Towers must employ original and distinctive form, including horizontal and vertically articulated components that provide depth, richness, and interest to the building from multiple vantage points. Simple box design for towers is prohibited. Example design treatments:

   a. Round/sculpted forms.

   b. Layered building forms.

   c. Wall plane offsets and/or material changes that create shadows and relief.

   d. Creative fenestration pattern changes.

Figure 19.123.240(B)

Tower design examples.

Building 1 includes substantial podium with a curved tower that includes vertical articulation on one side. Building 2 includes a number of massing offsets with changes in fenestration that lend interest and depth to the façade. Building 3 also uses a number of massing offsets and material/fenestration changes to add visual interest. All buildings have a strong ground-level emphasis.

C. Facade Articulation. All buildings under eight stories tall must include facade articulation features at maximum-specified intervals to create a human-scaled pattern. These standards apply to building elevations facing streets, parks, access corridors, and residential zones.

1. Maximum facade articulation intervals:

   a. 57th Avenue W and 233rd Street SW: 30 feet.

   b. Storefronts and other nonresidential frontages: 40 feet.

   c. Residential frontages: The width of the dwelling units inside the building (e.g., if the units are 25 feet wide, the facade articulation must be 25 feet wide).

2. Articulation Features. At least three of the following articulation features must be employed for all buildings in compliance with the maximum-specified facade articulation intervals:

   a. Use of a window fenestration pattern.

   b. Use of weather protection features.

   c. Use of vertical piers/columns (applies to all floors of the facade, excluding upper level stepbacks).

   d. Change in roofline per subsection **E** of this section.

   e. Change in building material and/or siding style (applies to all floors of the facade, excluding upper-level stepbacks).

   f. Vertical elements such as a trellis with plants, green wall, art element that meet the purpose of the standard.

   g. Providing vertical building modulation of at least 12 inches in depth if tied to a change in roofline per subsection **E** of this section or a change in building material, siding style, or color. Balconies may be used to qualify for this option if they are recessed or projected from the facade by at least 18 inches.

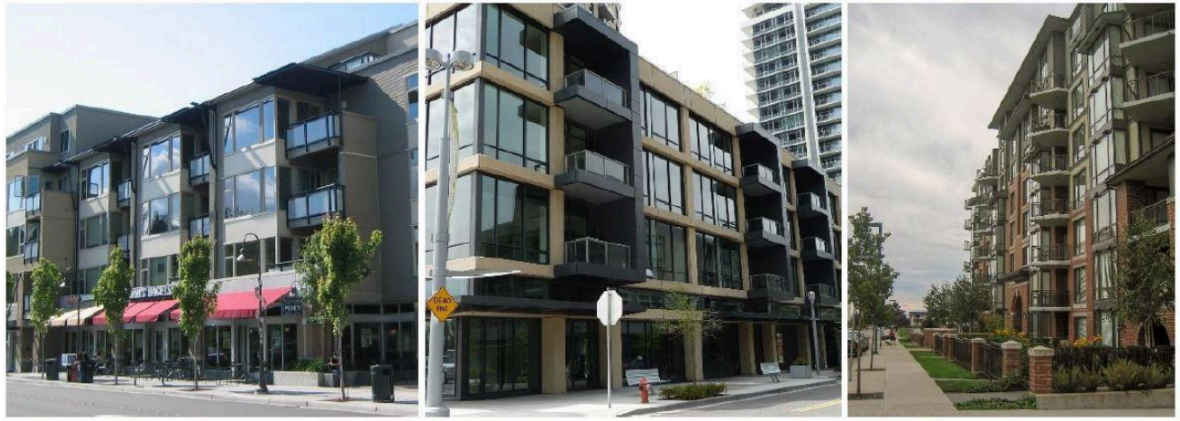
   h. Other design techniques that effectively reinforce a pattern of articulated facades compatible with the building's surrounding context.

   Departures will be considered provided they meet the purpose of the standards and the design criteria below. For example, a departure may propose a design with only two articulation features instead of three and/or the articulation features exceed the maximum articulation interval.

Figure 19.123.240(C)(2)

Facade articulation examples.

Both buildings use a combination of window patterns, weather protection features, and vertical piers to effectively articulate the facade.

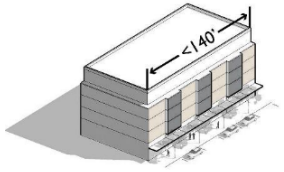


All three buildings above include a combination of window patterns and vertical building modulation. The left building uses recessed balconies, whereas the middle and right example use projecting balconies. The left and middle buildings also include weather protection features.

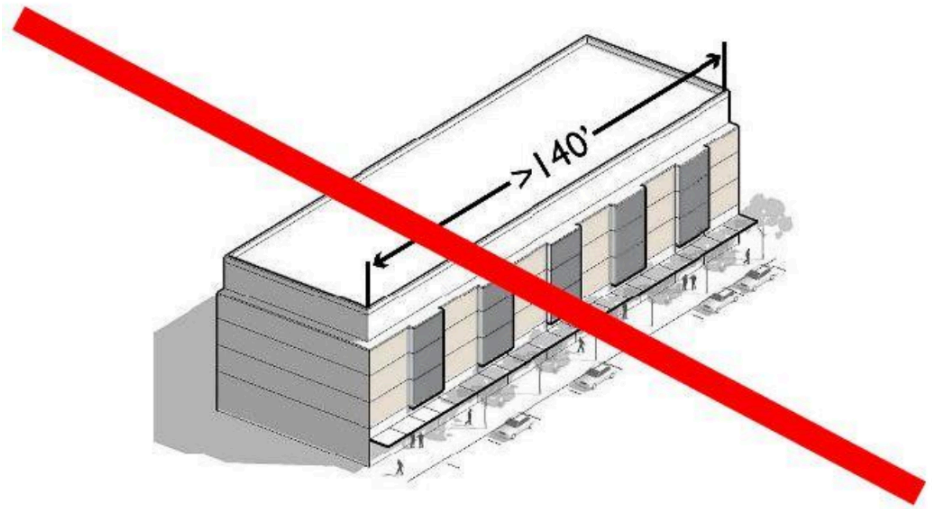
3. Departure Criteria Associated with Articulation Standards. Proposals must meet the purpose of the standards. The following criteria will be considered in determining whether the proposed articulation treatment meets the "purpose":
    a. Consider the type and width of the proposed articulation treatment and how effective it is in meeting the purpose given the building's current and desired context (per Mountlake Terrace's Town Center Subarea Plan).
    b. Consider the applicable block-frontage designation. Secondary or landscaped block frontages warrant more flexibility than storefront block frontages.
    c. Consider the size and width of the building. Smaller buildings (less than 120 feet wide) warrant greater flexibility than larger buildings.
    d. Consider the quality of facade materials in concert with doors, windows, and other facade features and their ability to add visual interest to the street from a pedestrian scale and more distant observable scales.

D. Maximum Facade Length. Building facades and other building elevations facing lower intensity zone edge must include at least one of the following features to break up the massing of the building and add visual interest. This standard applies to applicable building elevations longer than 140 feet.
1. Provide vertical building modulation at least six feet deep and 15 feet long. For multi-story buildings, the modulation must extend through at least one-half of the building floors.
2. Use of a contrasting vertical modulated design component featuring all of the following:
    a. Utilizes a change in building materials that effectively contrast from the rest of the facade.
    b. Component is modulated vertically from the rest of the facade by an average of six inches.
3. Facade employs building walls with contrasting articulation that make it appear like multiple distinct buildings. To qualify for this option, these contrasting facades must employ all of the following:
    a. Different building materials and/or configuration of building materials.
    b. Contrasting window design (sizes or configurations).
4. Departures to subsections (D)(1) through (3) of this section will be considered provided the design meets the purpose of the standards. Supplemental consideration for approving alternative designs:
    a. Width of the Facade. The larger the facade, the more substantial articulation/ modulation features need to be.
    b. Block Frontage Designation. Storefront designated block frontages warrant the most scrutiny.
    c. The type of articulation treatment and how effective it is in meeting the purpose given the building's context.

Figure 19.123.240(D)
Illustrating maximum facade length standards and good and bad examples.

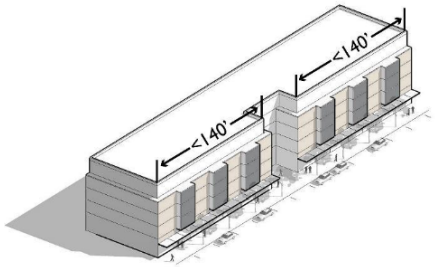


Less than 140' long: Meets standard



More than 140' long: Does not meet standard

Figure 19.123.240(D)
Illustrating maximum facade length standards and good and bad examples.



Building incorporates a courtyard along the facade (technique #1 noted above) to effectively break it up into smaller components: Meets standard.

The left building uses technique # 1 (vertical building modulation at least six-feet deep and 15 feet wide). The right building uses technique #2 (contrasting vertical modulated design component) together with different window fenestration designs on each side. Both examples are effective in breaking up the perceived scale of the building and adding visual interest.

E. Roofline Modulation. Roofline modulation is encouraged and it can be used as one of the facade articulation features in subsections **C** and **D** of this section. In order to qualify as an articulation feature, rooflines must employ one or more of the following:

1. For flat roofs or facades with horizontal eave, fascia, or parapet, the minimum vertical dimension of roofline modulation is the greater of two feet or 0.1 multiplied by the wall height (finish grade to top of the wall) when combined with vertical building modulation techniques described in subsections above. Otherwise, the minimum vertical dimension of roofline modulation is the greater of four feet or 0.2 multiplied by the wall height.
2. A pitched roofline or gabled roofline segment of at least 20 feet in width. Buildings with pitched roofs must include a minimum slope of 5:12 and feature modulated roofline components at the interval required per the applicable standard above.
3. A combination of the above.

Departures will be considered provided the roofline modulation design effectively reduces the perceived scale of the building and adds visual interest.

Figure 19.123.240(E)

Acceptable examples of roofline modulation.

(Ord. 2755 § 3 (Exh. B), 2019)

§ 19.123.250. Building details.

A. Purpose.

1. To encourage the incorporation of design details and small-scale elements into building facades that are attractive at a pedestrian scale.
2. To integrate window design that adds depth, richness, and visual interest to the facade.

B. Facade Details – Nonresidential and Mixed-Use Buildings. All building facades and other building elevations facing parks, pedestrian-oriented spaces, and containing primary building entrances must be enhanced with appropriate details. All new buildings must employ at least one detail element from each of the three categories below for each facade articulation interval (see MTMC § **19.123.240(B)**).

1. Window and/or entry treatment, such as:

a. Transom windows.

b. Roll-up windows/doors.

c. Recessed entry.

d. Decorative door.

e. Other decorative or specially designed window or entry treatment that meets the purpose of the standards.

Figure 19.123.250(B)(1)

Examples of decorative or specially designed windows and entries.

Examples of decorative or specially designed windows and entries. Upper left (b) = openable storefront window. Center top (a) = transom windows. Upper right (e) = openable window with decorative details. Lower left (e) = decorative window shades. Bottom middle (d) = Decorative door. Bottom right (c) = recessed entry.

2. Building elements and facade details, such as:

   a. Custom-designed weather protection element such as a steel canopy, glass, or retractable awning. Custom-designed cloth awnings may be counted as a detail provided they are constructed of durable, high-quality material.

   b. Decorative building-mounted light fixtures.

   c. Bay windows, trellises, towers, and similar elements.

   d. Other details or elements that meet the purpose of these standards.

Figure 19.123.250(B)(2)

Examples of attached elements that enhance the visual intrigue of the building.

Examples of elements attached to facades that enhance the visual intrigue of the building. Upper left (a) = retractable awning. Top center (d) = custom hanging bike rack and repair station integrated as a storefront design element. Upper right (b) = decorative lighting fixtures. Lower left and middle (a) = custom decorative canopy. Lower right (c) decorative tower.

3. Building materials and other facade elements, such as:
    a. Use of decorative building materials/use of building materials. Examples include decorative use of brick, tile, or stonework.
    b. Decorative kick-plate, pilaster, base panel, or other similar feature.
    c. Hand-crafted material, such as special wrought iron or carved wood.
    d. Other details that meet the purpose of the standards.

Figure 19.123.250(B)(3)

Examples of building material details that enhance the visual intrigue of the building.

Examples of decorative surface materials. The letters match the detail options in subsection (B)(3) of this section.

Departures for facade detail standards of this subsection will be considered provided the facade (at the overall scale and at the individual articulation scale) meets the purpose of the standards.

C. Window Design Standards.

1. All windows must be recessed by at least two inches from the facade to add depth and richness to the building. Other design treatments to windows that add depth, richness, and visual interest to the facade will be considered. Exemptions:
   a. Storefront display windows.
   b. Windows on buildings over seven stories in height provided such buildings comply with MTMC § **19.123.240(B)**.
2. Highly reflective glass must not be used on more than 10 percent of a building facade or other building elevations facing parks and containing primary building entrances.

Figure 19.123.250(C)

Acceptable and unacceptable window design examples.

All but the lower middle image are recessed by at least two inches from the facade and add a sense of depth and richness to the facade.

D. Cornice/Roofline Design. Buildings employing a flat roof must employ a distinctive roofline that effectively provides an identifiable "top" to the building. This could include a traditional cornice line or a contemporary interpretation of a traditional cornice line.

1. Such rooflines must be proportional to the size and scale of the building.
2. Understated cornice lines are permitted depending on the materials and design of the base and middle elements in reinforcing the base/middle/top configuration.

Figure 19.123.250(D) below illustrates acceptable and unacceptable examples.

Figure 19.123.250(D)

Examples of buildings employing confident and distinctive rooflines.

Building 1 uses a dramatic overhanging cornice at the corner. Building 2 uses a simple glass railing and an upper level building stepback. Building 3 uses a dramatic overhanging cornice line. Building 4 uses a "V" shaped roofline on its penthouse floor. Building 5 uses a highly articulated roofline with stepped overhangs.

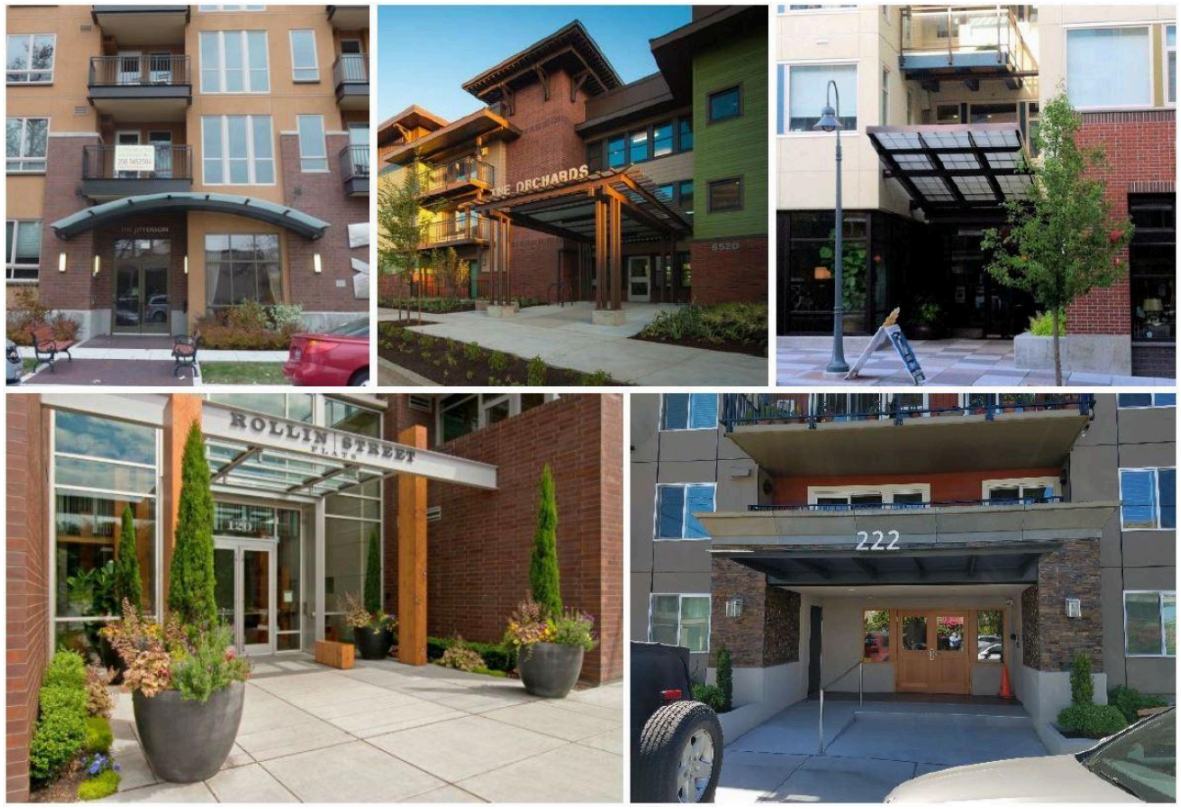
Buildings 6 and 7 simply appear to end without any statement of confidence and do not meet the standard.

Rooftop solar units are permitted, provided the placement and design of units visible from the surrounding streetscape are carefully integrated into the overall design concept of the building.

E. Articulated Building Entries. The primary building entrance for an office building, hotel, apartment building, public or community-based facility or other multi-story commercial building must be designed as a clearly defined and demarcated standout architectural feature of the building. Such entrances must be easily distinguishable from regular storefront entrances on the building. Such entries must be scaled proportional to the building. See Figure 19.123.250(E) below for good examples.

Figure 19.123.250(E)

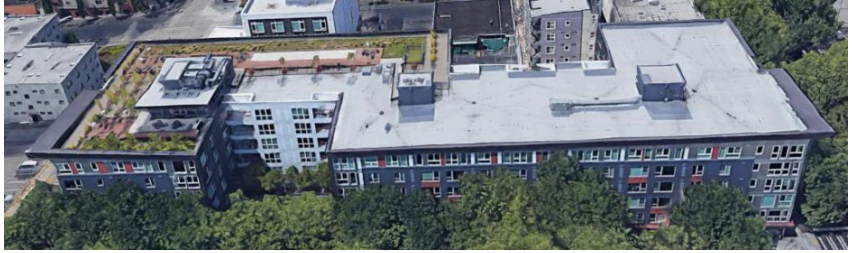
Acceptable building entry examples.

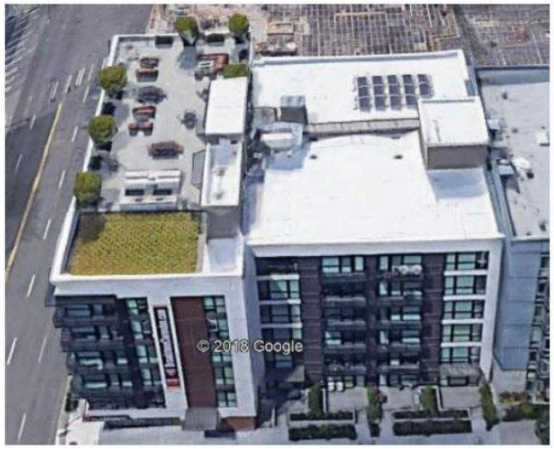


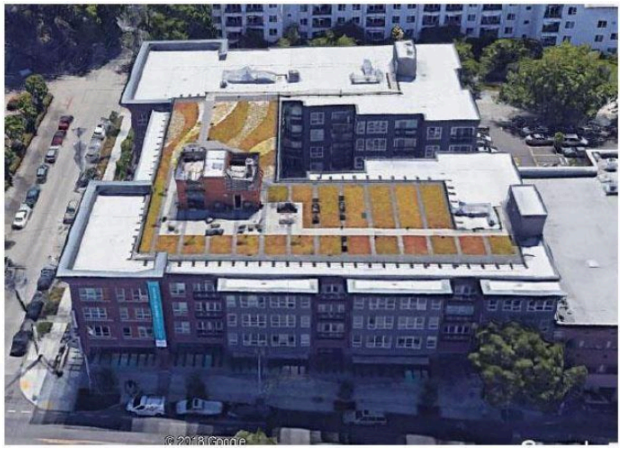
F. Flat Rooftop Design. All roofs must be designed as a fifth building elevation. This can be accomplished by exhibiting patterns of roofing colors and/or materials to add visual interest from surrounding development (current and future). Green roofs and rooftop decks are encouraged as a means to help comply with this standard.

Figure 19.123.250(F)

Flat rooftop design examples.







(Ord. 2755 § 3 (Exh. B), 2019)

§ 19.123.260. Building materials.

A. Purpose.

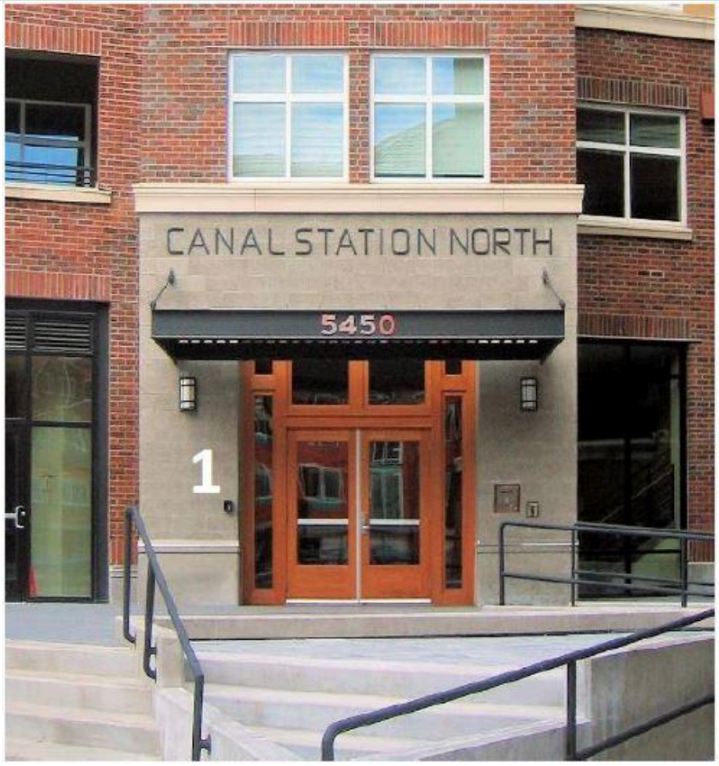
1. To encourage the use of durable, high quality, and urban building materials that minimize maintenance cost and provide visual interest from all observable vantage points.
2. To promote the use of a distinctive mix of materials that helps to articulate facades and lends a sense of depth and richness to the buildings.
3. To place the highest priority on the first floor in the quality and detailing of materials at the pedestrian scale.

B. Special Conditions and Limitations for the Use of Certain Cladding Materials.

1. Concrete block (a.k.a. concrete masonry unit or CMU) may be used as a secondary cladding material (no more than one-third of total facade cladding) on all building facades and other building elevations facing parks, pedestrian-oriented spaces, and containing primary building entrances provided it is incorporated with other permitted materials.

   Departures will be considered for alternative designs that use concrete block as the primary, but not the only, cladding material provided the design incorporates a combination of textures and/or colors to add visual interest. For example, combining split or rock-facade units with smooth blocks can create distinctive patterns. The figures below illustrate acceptable concrete block use/designs.

Figure 19.123.260(B)(1)
Acceptable concrete block use/design.



Building 1 uses smooth-faced CMU as a contrasting feature that helps to highlight the main building entry. The simple design helps to add emphasis to the doors, canopy and decorative sconce lights.

Building 2 illustrates an acceptable departure example, as CMU is used as the primary cladding material. Note the use of beige split facade CMUs above each of the awnings and coupled with the use of smooth-faced gray CMUs on the vertical columns (which employ black accent tiles for added interest).

2. Metal siding may be used on all street facing building elevations provided it complies with the following standards:
   a. It must feature visible corner molding and trim and does not extend to the ground-level of nonresidential and mixed-use buildings and no lower than two feet above grade for residential buildings. Masonry, concrete, or other durable material must be incorporated between the metal siding and the ground plane.
   b. Metal siding must be factory finished, with a matte, nonreflective surface.

   Departures will be considered provided the material's integration and overall facade composition meets the purpose of the standards.

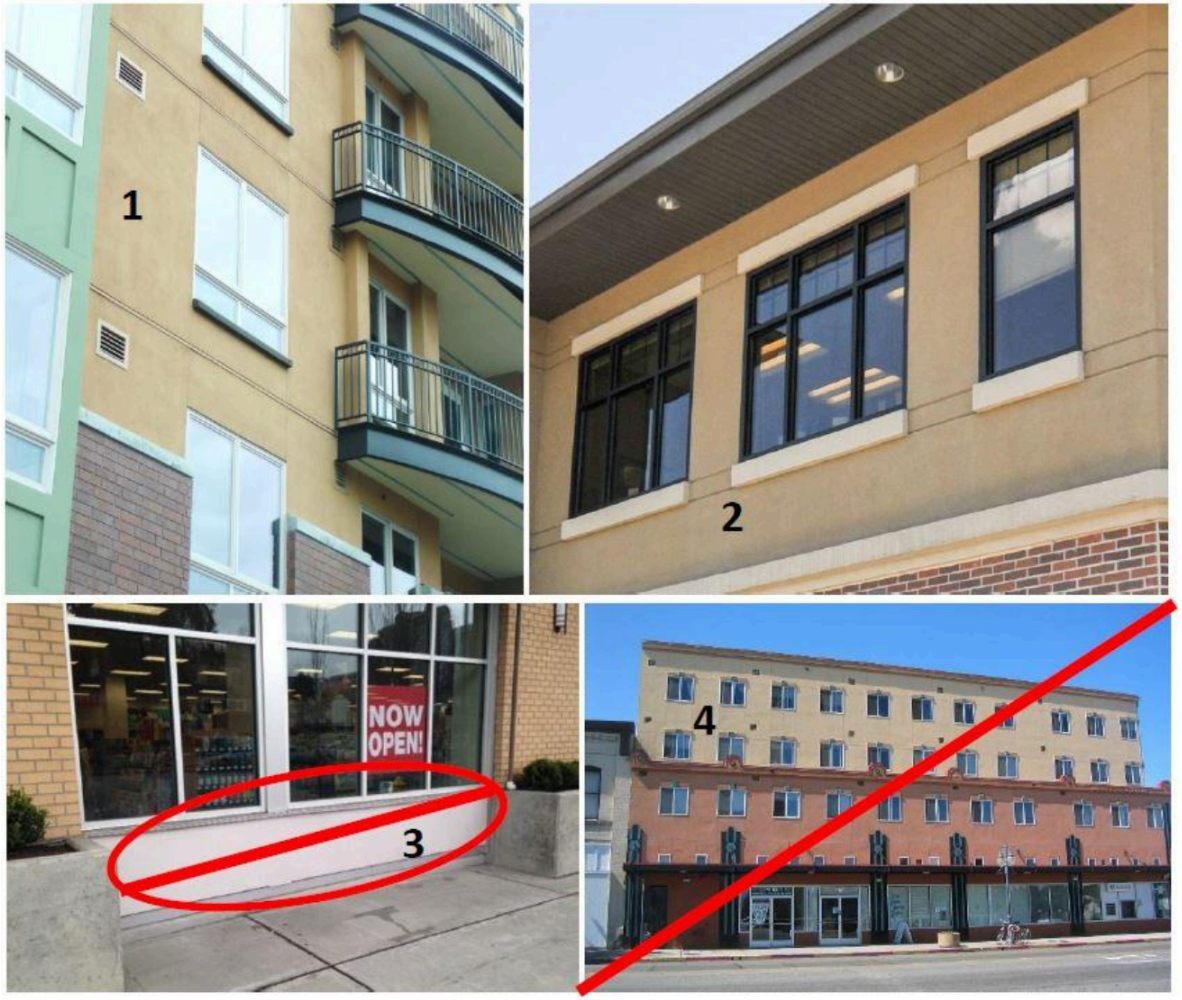
Figure 19.123.260(B)(2)
Acceptable metal siding examples.

Buildings 1 and 2 successfully use metal siding more as an accent element to help articulate the facade. Metal siding is the primary material for Buildings 3 and 4, both of which integrate subtle changes in color to go with articulation features and design details.

3. Standards for the Use of Exterior Insulation and Finish System (EIFS). Such material/finishes may be used when it complies with the following:
   a. EIFS is limited to no more than 20 percent of the total facade area and may not be the primary cladding material on nonresidential and mixed-use buildings.
   b. EIFS must feature a smooth or sand finish only.
   c. EIFS must be trimmed in wood, masonry, or other material and must be sheltered from weather by roof overhangs or other methods.
   d. EIFS must not be used on the ground floor of facades containing nonresidential uses.

   Departures will be considered provided the material's integration and overall facade composition meets the purpose of the standards.

Figure 19.123.260(B)(3)
Acceptable and unacceptable EIFS examples.



Buildings 1 and 2 mix EIFS with brick and other materials and integrate trim details around windows to add a sense of depth to the facade. Building 3 uses EIFS is between the window and sidewalk – this design is prohibited. Building 4 uses EIFS as the primary siding material, which is prohibited.

4. Cementitious wall board paneling/siding may be used provided it meets the following provisions:
   a. Cement board paneling/siding may not be used on ground-level facades containing nonresidential uses.
   b. Where cement board paneling/siding is the dominant siding material, the design must integrate a mix of colors and/or textures that are articulated consistent with windows, balconies, and modulated building surfaces and are balanced with facade details that add visual interest from the ground-level and adjacent buildings. Departures will be considered provided the material's integration and overall facade composition meet the purpose of the standards.

Figure 19.123.260(B)(4)

Acceptable and unacceptable cementitious wall board examples.

The above building uses cementitious wall board in different textures and colors to help articulate the facade. The white color replicates the board and batten style in the left image and green color in the right image effectively replicates horizontal wood siding.

The wall board panels covering a large area in a single color would not meet the purpose of the standards. The right image is a better example and combines larger panels (dark maroon color) with horizontal wall board siding (beige color) as effective articulation features.

(Ord. 2755 § 3 (Exp. B), 2019)

§ 19.123.270. Blank wall treatment.

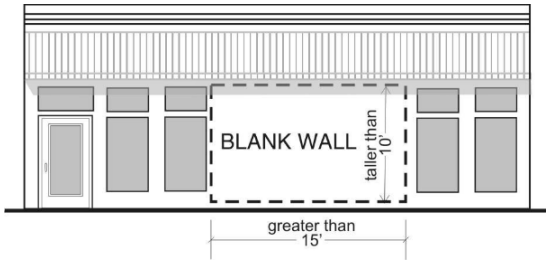
A. Purpose.

1. To avoid untreated blank walls.
2. To retain and enhance the character of Mountlake Terrace's streetscapes.

B. Blank Wall Definition. "Blank wall" means a ground floor wall or portion of a ground floor wall over 10 feet in height and a horizontal length greater than 15 feet and does not include a transparent window or door.

Figure 19.123.270(B)

Blank wall definition.



C. Blank Wall Treatment Standards. Untreated blank walls adjacent to a public street, pedestrian-oriented space, common usable open space, or pedestrian pathway are prohibited. Methods to treat blank walls can include:

1. Display windows at least 16 inches of depth to allow for changeable displays. Tack-on display cases (see Figure 19.123.270(C) below) do not qualify as a blank wall treatment.
2. Landscape planting bed at least five feet deep or a raised planter bed at least two feet high and three feet deep in front of the wall with planting materials that are sufficient to obscure or screen at least 60 percent of the wall's surface within three years.
3. Installing a vertical trellis in front of the wall with climbing vines or plant materials.

4. Installing a mural as approved by the director and reviewed by the Arts Advisory Commission. Commercial advertisements are not permitted on such murals.
5. Special building detailing that adds visual interest at a pedestrian scale. Such detailing must use a variety of surfaces; monotonous designs will not meet the purpose of the standards.

   For large visible blank walls, a variety of treatments may be required to meet the purpose of the standards.

Figure 19.123.270(C)

Blank wall treatment examples.

Buildings 1 – 3 feature acceptable treatments including a combination of high quality materials and landscaping (1), decorative lighting/sculptural element (2), and decorative artwork. The display cases in Building 4 don't meet the 16" depth requirement, nor do they meet the purpose of the standards.

D. Firewalls. Firewalls along property lines are exempt from the above standards, but where they are visible to the public (from the adjacent street), they must be designed to provide visual interest from all observable distances. Examples may include the use of varying materials, textures, and/or colors, the use of green or living walls, and/or the use of modulated building walls to form design patterns.

   Murals are also encouraged as a firewall treatment. Murals are subject to review by the Arts Advisory Commission and approval by the Director. Commercial advertisements are not permitted on such murals.

Figure 19.123.270(D)

Acceptable firewall design where visible to the public.

The left images uses a combination of paint bands and ivy to enhance the appearance of this large exposed firewall. The building in the right image uses simple scoring patterns and change in materials and color on part of the top floor to add visual interest.

Plain gray concrete block firewalls such as this are not allowed when visible from the street.

(Ord. 2755 § 3 (Exh. B), 2019)

Title 19. Zoning

Chapter 19.125. OFF-STREET PARKING AND LOADING

[1] *Prior legislation: Ord. 2697.*

§ 19.125.010. Intent and purpose.

The intent and purpose of off-street parking and loading requirements is to provide for well-designed, safe, and efficient off-street parking areas and encourage the use of transportation management systems to serve all land uses and thus help alleviate congestion on City streets. Every building hereafter erected, moved, reconstructed, or structurally altered shall provide off-street parking areas as provided in this chapter, and such parking areas shall be made permanently available and maintained for parking purposes. The City has the right to review access locations for public safety considerations.
(Ord. 2074 § 7.1, 1995; Ord. 2864 § 1 (Exh. A), 2024; Ord. 2887 § 2 (Exh. A), 2025; Ord. 2911, 3/5/2026)

§ 19.125.020. Location.

Required off-street parking facilities shall be located as specified below. Where a distance is specified, such distance shall be the walking distance measured from the nearest point of the parking facility to the nearest point of the building that such facility is required to serve:

A. For dwelling units on the same lot as the building the parking will serve;

B. For multi-household developments containing three or more units: not more than 200 feet from the building the parking will serve;

C. For religious facilities, hospitals, bed and breakfast inns, rooming and boarding houses, and long-term care facilities: not more than 150 feet from the facility the parking will serve; and

D. For private recreational facilities in residential zones, parking shall be located on the same lot as the buildings or facilities it will serve. Parking on public streets shall not be counted toward parking requirements.
(Ord. 2476 § 5, 2008; Ord. 2840 § 6, 2024; Ord. 2864 § 1 (Exh. A), 2024; Ord. 2875 § 2, 2025; Ord. 2887 § 2 (Exh. A), 2025; Ord. 2911, 3/5/2026)

§ 19.125.030. Preexisting spaces.

For development in existence prior to the adoption of the ordinance codified in this title which does not have sufficient off-street parking on the basis of the requirements in this chapter, the following regulations shall apply:

A. When an existing use or building is enlarged by 25 percent or less of the total floor area of the use or building, including any outdoor sales area, and when such expansion results in the requirement for additional parking, the requirements of this chapter shall apply only to the enlargement. If the use is enlarged more than 25 percent of the gross floor area including outdoor sales areas, the entire project shall comply in full with the parking requirements of this title;

B. When a preexisting use is terminated or changed, the area vacated shall not be occupied by a new use unless the number of required parking spaces are provided in full; and

C. When a preexisting building is remodeled or rehabilitated but not enlarged, the existing use of the building may continue without providing additional parking unless the proposed remodeling equals greater than 50% of the assessed value of the existing building, in which case the entire project shall comply in full with the parking requirements of this title.
(Ord. 2074 § 7.3, 1995; Ord. 2864 § 1 (Exh. A), 2024; Ord. 2887 § 2 (Exh. A), 2025; Ord. 2911, 3/5/2026)

§ 19.125.040. General provisions.

A. Parking facilities shall be provided and maintained to accommodate motor vehicles and bicycles used by occupants, customers, clientele, and employees associated with the structure or use as required by this chapter. Parking may not be leased or otherwise made available to users not associated with the on-site use, residence or activity, except in the following circumstances:

   1. The parking is being used by individuals that are patrons of a commercial or mixed-use district who park in one location as they shop or patronize multiple businesses in the vicinity (not to exceed four hours);

   2. The parking spaces are not required spaces for the residential units on the premises. Required on-site parking spaces shall be provided for and made available to the tenants of residential units at all times.

B. When the unit of measurement determining the number of required parking spaces results in a fractional number of spaces, any fraction up to and including one-half shall be disregarded, and fractions over one-half shall require an additional parking space.

C. For facilities containing mixed uses, the off-street parking requirement shall be calculated pursuant to MTMC § **19.125.060**.

D. The property owner shall be responsible for maintaining parking areas in good condition including traffic control devices, signs, lighting, fences, walls, surfacing materials, curbs, and railings. Areas shall be free of refuse and debris. All landscaping shall be kept in a healthy condition and properly maintained and replaced when necessary.

E. No obstructions shall be permitted within any designated parking space and circulation areas. No parking space may block access to other parking spaces unless the parking lot is supervised by an attendant with access to the keys of all vehicles.

F. The City of Mountlake Terrace, or Washington State Department of Transportation, may limit the number, location, and width of curb cuts along a public right-of-way.

G. Parking Area Improvements to Be Installed Prior to Granting of a Certificate of Occupancy. A certificate of occupancy for a new building or for a change of occupancy in an existing building shall not be issued until all surfacing, parking lot landscaping, and traffic control devices and any other required parking lot improvements are installed and completed as shown on the approved plans or the necessary guarantees provided.

H. Transportation Demand Management (TDM) Parking Reduction. Residential dwellings are not eligible for TDM parking reduction. The total number of required parking spaces may be reduced up to 25% for commercial uses when (1) the development is within one-third mile of the Mountlake Terrace Transit Center located at 236th Street SW and I-5 or (2) as approved by the Director, when the applicant provides some or all of the following TDM programs: vanpools, fleet ride, subscription bus, regular transit subsidy, and parking management programs such as carpooling; provided, that the applicant demonstrates that the use of these programs is likely to correspondingly reduce the need for the minimum number of parking spaces otherwise required by this chapter.
(Ord. 2074 § 7.4, 1995; Ord. 2569 § 2, 2011; Ord. 2669 § 2, 2015; Ord. 2864 § 1 (Exh. A), 2024; Ord. 2887 § 2 (Exh. A), 2025; Ord. 2911, 3/5/2026)

§ 19.125.050. Design standards for off-street parking facilities.

A. Parking Plans – General Requirements. Prior to the approval of a required land use permit and/or authorization, the applicant shall present evidence in writing that arrangements have been made to provide off-street parking and/or loading space in accordance with this chapter. Parking area plans shall be submitted to the Planning Department for their review. The required parking lot landscaping is described in Chapter **19.130** MTMC. Record of approval by the Planning Department shall be written on the face of the plan and filed with the City. If an applicant is required to submit an application that requires a public hearing, then the approval authority for the conceptual parking plan will be with the appropriate entity.

B. Parking Plans – Specific Design Standards.

   1. Parking Restrictions. Parking of vehicles shall be restricted to within designated stalls; other surfaced areas where parking is prohibited such as an emergency vehicle access area shall be marked in a manner to prohibit parking.

   2. Common Driveways. Common driveways shall be encouraged for adjacent lots in order to minimize the number of curb cuts along the street. To create a common driveway, adjacent property owners shall grant easements to each other on the common driveway. Such easements shall be recorded with the Snohomish County Auditor's Office and a copy provided to the City in connection with any permit application. See MTMC § **19.30.045I** for shared driveway developmental bonus.

   3. Street Access. Parking facilities shall be designed so exiting vehicles are not required to back into streets, other than an alley. This restriction does not apply for residential uses of less than four dwellings per lot on local streets or small-scale commercial development.

   4. Entrances and Exits to Parking Areas. The City Engineer shall have the authority to fix the location, width, turning movements (right and left), and manner of approach of vehicular ingress or egress from a building or parking area to a public street and to alter existing ingress and egress as may be required to control street traffic in the interest of public safety and general welfare.

   5. Internal Circulation. Internal circulation of the parking facility shall be so designed as to minimize in-and-out driving time, idling time, and time spent looking for a parking space and to accommodate a variety of vehicle sizes. Parking lots shall be designed to optimize pedestrian access to the lot and within the lot area. Safe pedestrian circulation shall be provided by use of signs, crosswalks, and walkways which are raised or otherwise designed to separate or protect pedestrians from vehicular traffic.

   6. Drive-In Businesses. For any drive-in or drive-through service bay associated with a use such as a bank, gas station, or fast-food restaurant, there shall be provided stacking space for vehicles waiting for service which is sufficient to prevent any such vehicles from extending onto the public right-of-way. At least four stacking spaces shall be provided for each such service bay on the entrance side, and one space on the exit side. No bays designed to be entered from more than one direction shall be permitted.

   7. Dimensional Requirements. The minimum dimensional requirements for parking stalls and aisle widths for standard, compact, and barrier-free parking are provided by the figures at the end of this section. The Director is authorized to develop, consistent with this chapter, any additional dimensional or similar standards that may be necessary for implementation of this chapter.

   8. Modifications to Dimensional Requirements. Any parking stalls abutting a planter island, wall, column or other obstruction on the driver or passenger side of the vehicle shall provide an additional 12 inches of stall width above the minimum stall width requirement to provide a place to step. The additional width shall be distinguished by pedestrian walkway pavement striping. Columns or other obstructions may encroach up to six inches into the stall width in an area up to 24 inches from a corner of a parking space. In no case shall this reduce the width of the parking stall by more than six inches. The parking stall depth requirement may be reduced when vehicles overhang a walkway or landscaped area under the following conditions:

      a. Wheel stops or curbs are installed;

      b. The amount of stall depth reduction is limited to a maximum of two feet for standard parking spaces and compact spaces measured from the base of the face of the curb or wheel stop (see figures located at the end of this chapter); and

c. Any abutting walkway shall provide a minimum of three feet of unimpeded passageway for pedestrians and a minimum of four feet of unimpeded passageway where barrier-free access is provided beyond the overhang area.

9. All parking areas and paved surfaces within a site with more than six units shall be separated from landscaped areas by a curb or raised sidewalk in accordance with approved engineering requirements to protect landscape plant material, prevent soil or mulch in landscape areas from washing onto paved surfaces, protect asphalt pavement edges from crumbling, and/or direct surface water runoff, unless a curbless edge is essential for stormwater flow into a bioswale, rain garden or other LID stormwater feature. If a curbless design is needed, a concrete ribbon shall be provided along all parking spaces, and the landscaped area shall either be stabilized with ground cover plantings or be graded away from the pavement area to prevent soil and mulch washout onto pavement areas.

10. Compact Parking Stalls. Up to 50 percent of the required spaces may be designed and designated as compact stalls. Compact parking spaces shall be clearly identified by painting the word "COMPACT" in capital letters, a minimum of eight inches high, on the pavement at the base of the parking stall, centered between the striping.

11. Bicycles. Where provided, bicycle parking facilities shall be located near building entrances rather than in remote areas and shall not impede pedestrian or vehicle traffic flow or cause damage to landscaped areas.

12. Surface Treatment. All parking lots and driveways shall be surfaced in accordance with LID principles as prescribed in the approved engineering requirements. Surface treatment requirements for parking lots and driveways planned for heavier vehicle use shall be determined by the City Engineer. No gravel-surfaced parking lots are permitted.

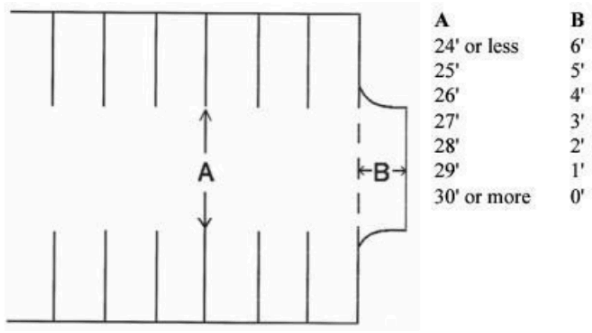
13. Traffic Control Devices. All traffic control devices, such as parking stripes designating car stalls, directional arrows, signs, curbs, and other improvements, shall be MUTCD compliant and installed as approved. Paint or similar devices shall be used to delineate car stalls and directional arrows. Where pedestrian walks are used in parking lots for the use of foot traffic only, they shall be curbed or raised six inches above the lot surface.

14. Striping. All striping in off-street parking areas shall be installed per the requirements of this chapter and maintained in good condition.

15. Lighting. Lighting shall be provided in accordance with approved engineering requirements as necessary for safety of circulation on the site. Any lighting provided shall be designed so as to prevent light from directly illuminating adjacent properties and not create a nuisance or safety hazard to passing traffic.

16. Landscaping and Irrigation. Parking areas shall include landscaping and irrigation improvements as required by Chapter **19.130** MTMC.

Figure 1



All parking stalls located at the end of a dead-end parking aisle must be provided with adequate backing and turnaround space. The required depth of the turnaround space shall be determined as follows:

WIDTH OF DRIVING AISLE	DEPTH OF TURNAROUND SPACE
24' or less	6'
25'	5'
26'	4'
27'	3'
28'	2'
29'	1'
30'	0'

Figure 2
ONE-WAY TRAFFIC - STANDARD SIZE STALL (8.5' X 18.5')

	Single-Loaded Aisle			Double-Loaded Aisle		
Parking Angle	A	B	C	D	*E	F
0°	8.5'	18.5'	27.0'	8.5'	18.5'	35.5'
30°	9.5'	18.5'	28.0'	9.5'	18.5'	37.5'
35°	10.0'	18.5'	28.5'	10.0'	18.5'	38.5'
40°	11.0'	18.5'	29.5'	11.0'	18.5'	40.5'
45°	12.0'	18.5'	30.5'	12.0'	18.5'	42.5'
50°	13.0'	18.5'	31.5'	13.0'	18.5'	44.5'
55°	14.0'	18.5'	32.5'	14.0'	18.5'	46.5'
60°	15.0'	18.5'	33.5'	15.0'	18.5'	48.5'
65°	16.0'	19.5'	35.5'	16.0'	19.5'	51.5'
70°	16.5'	20.0'	36.5'	16.5'	20.0'	53.0'
75°	17.0'	20.5'	37.5'	17.0'	20.5'	54.5'
80°	17.5'	21.0'	38.5'	17.5'	21.0'	56.0'
85°	18.0'	21.5'	39.5'	18.0'	21.5'	57.5'
90°	18.5'	22.0'	40.5'	18.5'	22.0'	59.0'

*The Fire Department may require a minimum driving aisle width of 20 feet for access of fire apparatus to the structure(s).

*For a double-loaded aisle containing standard size stalls on one side and compact size stalls on the other side, the required driving width (Column E) shall be the required width for standard size stalls.

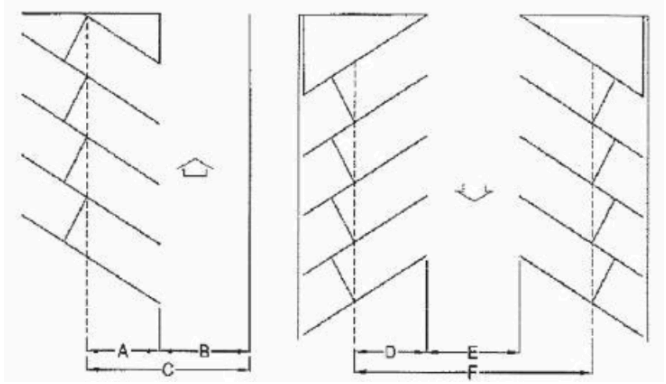


Figure 3

TWO-WAY TRAFFIC –- STANDARD SIZE STALL (8.5' X 18.5')						
	Single-Loaded Aisle			Double-Loaded Aisle		
Parking Angle	A	B	C	D	*E	F
0°	8.5'	24'	32.5'	8.5'	24'	41'
30°	9.5'	24'	33.5'	9.5'	24'	43'
35°	10.0'	24'	34.0'	10.0'	24'	44'
40°	11.0'	24'	35.0'	11.0'	24'	46'
45°	12.0'	24'	36.0'	12.0'	24'	48'
50°	13.0'	24'	37.0'	13.0'	24'	50'
55°	14.0'	24'	38.0'	14.0'	24'	52'
60°	15.0'	24'	39.0'	15.0'	24'	54'
65°	16.0'	24'	40.0'	16.0'	24'	56'
70°	16.5'	24'	40.5'	16.5'	24'	57'
75°	17.0'	24'	41.0'	17.0'	24'	58'
80°	17.5'	24'	41.5'	17.5'	24'	59'
85°	18.0'	24'	42.0'	18.0'	24'	60'
90°	18.5'	24'	42.5'	18.5'	24'	61'

*For a double-loaded aisle containing standard size stalls on one side and compact size stalls on the other side, the required driving width (Column E) shall be the required width for standard size stalls.

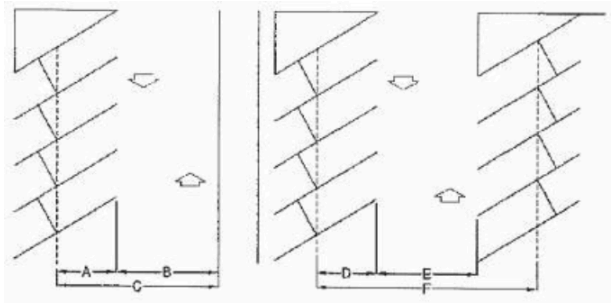


Figure 4

ONE-WAY TRAFFIC — COMPACT STALL (8' X 16')						
	Single-Loaded Aisle			Double-Loaded Aisle		
Parking Angle	A	B	C	D	*E	F
0°	8'	17'	25'	8'	17'	33'
30°	8'	17'	25'	8'	17'	33'
35°	9'	17'	26'	9'	17'	35'
40°	10'	17'	27'	10'	17'	37'
45°	11'	17'	28'	11'	17'	39'
50°	12'	17'	29'	12'	17'	41'
55°	13'	17'	30'	13'	17'	43'
60°	13'	17'	30'	13'	17'	43'
65°	14'	17'	31'	14'	17'	45'
70°	15'	17'	32'	15'	17'	47'
75°	15'	17'	32'	15'	17'	47'
80°	16'	18'	34'	16'	18'	50'
85°	16'	18'	34'	16'	18'	50'
90°	16'	18'	34'	16'	18'	50'

*The Fire Department may require a minimum driving aisle width of 20 feet for access of fire apparatus to the structure(s).

*For a double-loaded aisle containing standard size stalls on one side and compact size stalls on the other side, the required driving width (Column E) shall be the required width for standard size stalls.

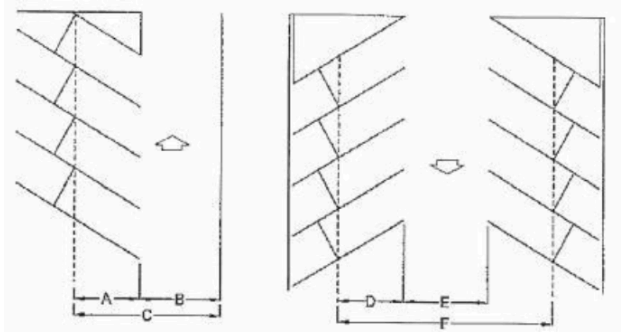


Figure 5

TWO-WAY TRAFFIC - COMPACT STALL (8' X 16')						
	Single-Loaded Aisle			Double-Loaded Aisle		
Parking Angle	A	B	C	D	*E	F
0°	8'	20'	28'	8'	20'	36'
30°	8'	20'	28'	8'	20'	36'
35°	9'	20'	29'	9'	20'	38'
40°	10'	20'	30'	10'	20'	40'
45°	11'	20'	31'	11'	20'	42'
50°	12'	20'	32'	12'	20'	44'
55°	13'	20'	33'	13'	20'	46'
60°	13'	20'	33'	13'	20'	46'
65°	14'	20'	34'	14'	20'	48'
70°	15'	20'	35'	15'	20'	50'
75°	15'	20'	35'	15'	20'	50'
80°	16'	20'	36'	16'	20'	52'
85°	16'	20'	36'	16'	20'	52'
90°	16'	20'	36'	16'	20'	52'

*For a double-loaded aisle containing standard size stalls on one side and compact size stalls on the other side, the required driving width (Column E) shall be the required width for standard size stalls.

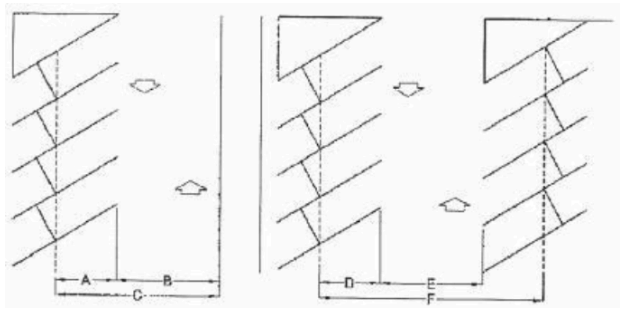
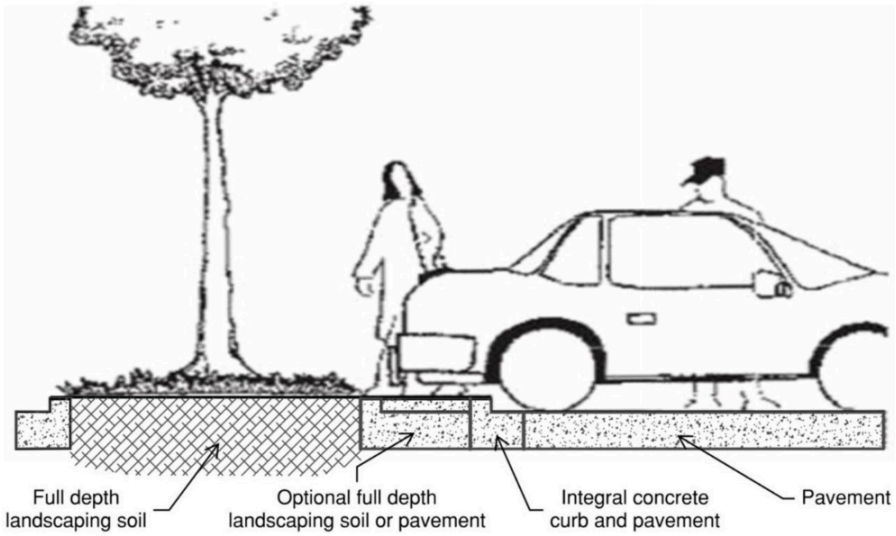


Figure 6


Full depth
landscaping soil
Optional full depth
landscaping soil or pavement
Integral concrete
curb and pavement
Pavement

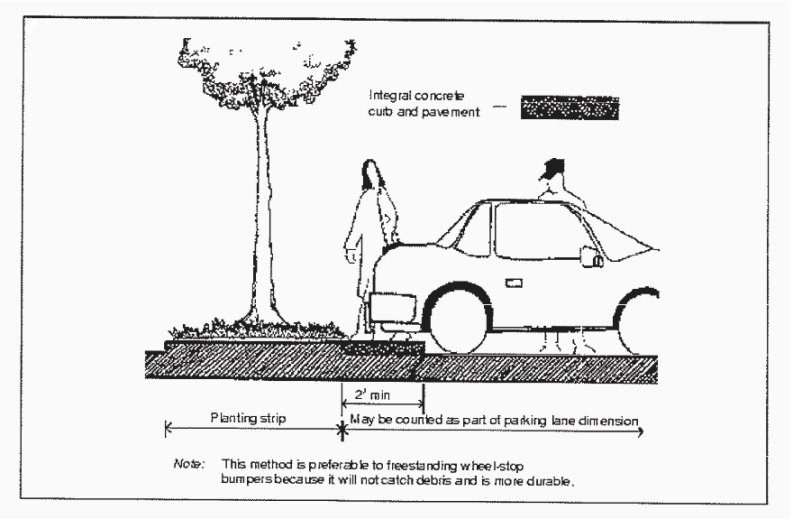
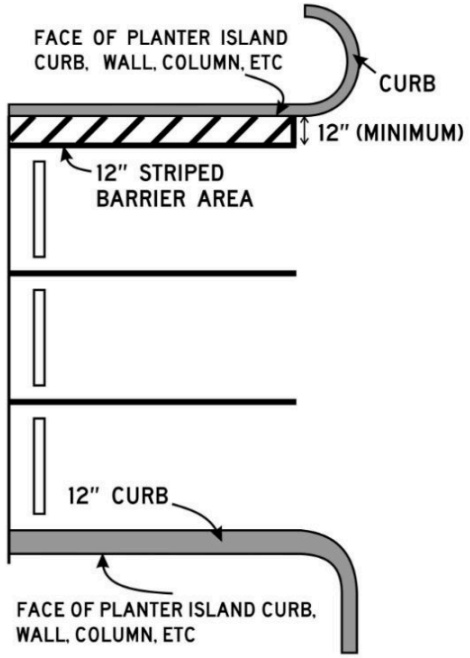
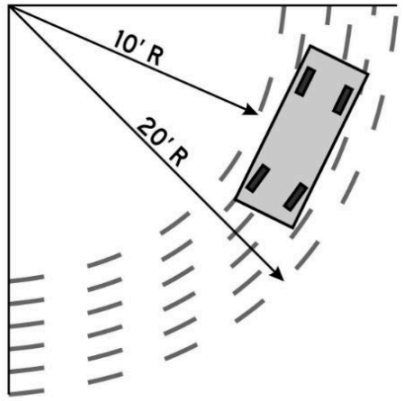

Integral concrete
curb and pavement
2' min
Planting strip
May be counted as part of parking lane dimension
Note: This method is preferable to freestanding wheel-stop
bumpers because it will not catch debris and is more durable.

Figure 7



PARKING STALLS
ABUTTING OBSTRUCTIONS

A MINIMUM OF 12" BUFFER SHALL BE PROVIDED WITH STRIPING OR CURBING BETWEEN A PARKING SPACE ABUTTING A PLANTER ISLAND OR OTHER OBSTRUCTION



TURNING CLEARANCES

The above illustrations apply to standard, compact, and barrier-free parking stalls and parking lots.

Figure 8
Vehicle Parking Dimensions Table

Outdoor Parking Spaces	**Minimum Dimensions**	
Single parking space	8.5' wide x 18.5' deep[1]	
Double parking space	17' wide x 18.5' deep[1]	
Garage Parking Spaces	**With Bicycle Storage Space**	**Without Bicycle Storage Space[2]**
Single parking space	11' wide x 19' deep[3] or 10' wide x 20' deep[3]	10' wide x 18.5' deep[3]
Double parking spaces	19' wide x 19' deep[4] or 17' wide x 20' deep[4]	17' wide x 18.5' deep[4]
Tandem parking spaces	11' wide x 36' deep[3] or 10' wide x 37' deep[3]	10' wide x 36' deep[3]

1 Applies to either standard or compact spaces. When a parking space is located next to a building with a projection or overhang, the parking surface must be separated by at least three feet horizontally from that building wall by a curb or other approved barrier. The aforesaid requirement does not apply in front of a vehicular garage door, and does not apply when the projection or overhang provides at least eight feet of clearance above the grade of the parking surface.

2 Alternative provisions for bicycle storage must be demonstrated per MTMC § **19.125.130** to apply these dimensions.

3 This space must be clear of obstructions such as, but not limited to, water heaters or mechanical equipment.

4 This space must be clear of obstructions such as, but not limited to, water heaters or mechanical equipment; provided, that such obstructions may extend up to 36 inches maximum into one of the parking spaces.

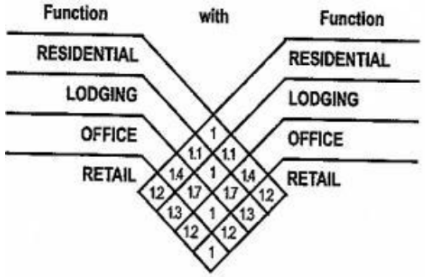
(Ord. 2486 § 4, 2008; Ord. 2698 § 3, 2016; Ord. 2729 § 19, 2018; Ord. 2792 § 19, 2021; Ord. 2864 § 1 (Exh. A), 2024; Ord. 2887 § 2 (Exh. A), 2025; Ord. 2911, 3/5/2026)

§ 19.125.060. Shared use of parking facilities.

A. For shared parking facilities, parking requirements specified in MTMC § **19.125.120** may be met by adding the number of all such required spaces for each separate function and dividing the total by the appropriate factor from the shared factor matrix in subsection **B** of this section; provided, that the Director at his sole discretion may determine that any proposed shared parking use has special characteristics that need to be taken into account and, in such cases, shall require a parking study to be submitted for review and shall make a determination whether the shared factor matrix or other information shall be used to determine the amount of required off-street parking spaces for shared or joint use. In so doing, the Director may require more parking spaces than would otherwise be required through use of the shared factor matrix. The Director shall determine which functions, if any, from said matrix are most appropriate to the proposed development or use, taking into account any site-specific factors.

B. The shared factor matrix below provides for shared off-street parking based on function, in conjunction with other requirements of this chapter.

Shared Factor Matrix



C. The following conditions shall apply to shared vehicle parking provided to meet the minimum number of off-street parking spaces required pursuant to subsection **B** of this section, the shared parking provisions:

1. The building or use shall be located on the same lot as the off-street parking, except as provided pursuant to subsection **C.2** of this section.
2. Required parking facilities for any building or use shall be allowed on a separate lot subject to all of the following conditions:
   a. The building or use must be within an 800-foot radius of the parking facilities, but not across an arterial road unless within one block of a signalized intersection.
   b. The applicant shall present to the Department for recording with the County Auditor or successor agency a properly drawn legal instrument, consistent with the requirements of this chapter, conveying an easement that is forfeitable only upon approval by the Director and that runs with the land to provide for a certain number of parking spaces that shall be available for parking by the applicant or his successors on the site containing the easement. The document must show the location of any alternative site and the number and location of parking spaces being provided on the alternative site, excluding any spaces that are otherwise required for another use pursuant to the provisions of this chapter. The document is subject to review and approval by the City Engineer. The cost of the City's review and recording of said document shall be paid by the applicant.
   c. If for any reason the parking being provided on the alternative site becomes unavailable, the property owner of the site for which the parking is not available shall provide additional parking elsewhere, consistent with the requirements of this chapter.
3. Parking spaces shared in common among more than one business or organization on any site shall not be designated for exclusive use by any individual business or organization, except as one of the following conditions applies: (a) the parking facilities were legally established for multiple owners or tenants prior to April 30, 2008, in association with the use of a building built prior to April 30, 2008; (b) the number of parking spaces provided on the site has not been reduced from any number that would otherwise be required, pursuant to MTMC § **19.125.120**, for each individual business or use on the site; or (c) joint parking facilities are provided pursuant to subsection **C.2.a** of this section.
4. In mixed-use development, at least one parking space per dwelling unit must be designated exclusively for residential use and shall not count in the calculation of shared parking spaces pursuant to subsection **B** of this section. A deviation may be allowed for a structure that contains park and ride facilities, if a parking study demonstrates the adequacy of an alternative ratio acceptable to the City's Traffic Engineer or designee.
5. Religious facilities that operate primarily on a Saturday or Sunday may share their parking facilities with other uses that operate primarily on weekdays or a weekend time that is separate from the religious facility's use by at least one hour; provided, that the facility has an adequate amount of parking for its own regular use, including the required spaces for any school or other regular operations of the religious facility. Sharing of parking spaces for such uses is subject to review and approval by the department to ensure an adequate amount of off-street parking is provided pursuant to MTMC § **19.125.120**.
6. For governmental facilities that include two or more uses with parking needs separated by at least one hour from each other, such as a public assembly area that is primarily used on evenings or weekends and an office area that is primarily used on weekdays, the required parking spaces for the public assembly area and the office area may be entirely shared. Sharing of parking spaces for such uses is subject to review and approval by the Department to ensure an adequate amount of off-street parking is provided pursuant to MTMC § **19.125.120**.
7. During construction work on a site, parking for the affected use may be shared temporarily at a ratio that is less than would otherwise be required for a period not to exceed one month, unless a temporary use permit has been granted. If shared parking to accommodate construction is needed for a period longer than one month, an applicant shall apply to the Department for a temporary use permit. This requirement does not apply to any temporary parking facilities approved by the Department prior to April 30, 2008.

(Ord. 2476 § 5, 2008; Ord. 2864 § 1 (Exh. A), 2024; Ord. 2887 § 2 (Exh. A), 2025; Ord. 2911, 3/5/2026)

§ 19.125.070. Parking and storage of vehicles in residential zones.

A. In a residential zone, any number of recreational or utility vehicles may be parked within a building that has been legally permitted and built to provide vehicle storage. Recreational or utility vehicles outside of a building in a residential zone shall be parked in compliance with all applicable codes and regulations, including the following:

1. A maximum of two recreational or utility vehicles are allowed to be located on a residential lot;
2. Recreational or utility vehicles shall be parked on an improved surface, except: (a) where an existing maintained surface was constructed prior to July 1, 2006, the recreational or utility vehicle may park on the existing maintained surface; or (b) where a recreational or utility vehicle is legally parked in a rear or side yard, it may be on either an improved surface as defined in this section or an unimproved surface as defined in MTMC § **8.15.030**;
3. Recreational or utility vehicles shall not intrude into the public right-of-way or public property or obstruct sight visibility from adjacent driveways, in accordance with MTMC § **19.120.290** as now or hereafter amended;
4. A recreational or utility vehicle shall not be occupied by any person or persons unless said vehicle is entirely located on a lot that contains a single-family detached house and the lawful occupant of the house has given permission for the person or persons to occupy the recreational or utility trailer; provided, that such occupancy does not create a public health hazard or nuisance and this occupancy shall not exceed two weeks within any six-month period.

B. Commercial vehicles shall not be parked on public or private property in residential zones unless actively engaged in loading or unloading, except that a variance for the parking of a commercial vehicle may be granted based on hardship and other conditions pursuant to MTMC § **19.110.210**.

C. Off-street vehicle parking in residential zones is subject to the following standards:

1. A minimum of one off-street parking spaces on an improved surface is required to be provided per each dwelling unit. The area included in a garage may satisfy the requirement for providing one of the required off-street parking spaces. If there is no garage to store vehicles, a minimum area of 154 square feet of improved surface shall satisfy this requirement. The requirement for an improved surface shall be enforced in conjunction with property improvements and nonconformance requirements under MTMC § **19.120.250**.
2. Any parking space or driveway that adjoins a public street right-of-way must be designed in a manner that accommodates a 20-foot-long vehicle without the vehicle protruding into the public right-of-way. In no case shall a vehicle be parked in such a manner as to obstruct a sidewalk or other public right-of-way.
3. No more than 50 percent of the front yard shall consist of an improved surface to be used for the parking or driving of vehicles. An exception shall be made in cases where because of the lot's configuration, for instance in a cul-de-sac development, the front yard does not have adequate area to simultaneously comply with the minimum parking requirement prescribed under subsection D.1 of this section and the 50 percent limit described above. In such cases, the 50 percent limit may be exceeded subject to the department's issuance of a driveway permit that specifically allows the additional improved surface or maintained surface within the front yard.
4. Auxiliary parking spaces and auxiliary driveways must consist of an improved surface, except that any auxiliary parking or auxiliary driveway installed prior to July 1, 2006, may continue to consist of a maintained surface until such time as a new building or a building addition is constructed or permitted for construction on the same lot.
5. No more than two vehicles may be parked in the rear yard of a residence unless contained in a legal and fully enclosed structure.
6. When located behind the front building line, all parked or stored vehicles shall provide at least three feet of clear, unobstructed access between the building wall and the vehicle for fire protection purposes. This requirement is not applicable to vehicles parked within a garage.
7. Installation of an improved surface is subject to a City permit and inspection.

D. A driveway that provides direct vehicular access from a street or other improved public right-of-way to a parking space on any given lot shall consist entirely of an improved surface, for a distance of at least 50 feet from such street or improved public right-of-way. The requirement for an improved surface shall be enforced in conjunction with property improvements and pursuant to nonconformance requirements under MTMC § **19.120.250**.

(Ord. 2451 § 1, 2007; amended by City request, 1/11; Ord. 2792 § 20, 2021; Ord. 2864 § 1 (Exh. A), 2024; Ord. 2887 § 2 (Exh. A), 2025; Ord. 2911, 3/5/2026)

§ 19.125.080. Loading spaces.

A. The City Engineer may require an applicant to provide an off-street loading space having access to a public thoroughfare. Such loading space shall be of adequate size to accommodate the maximum number and size of vehicles which would be simultaneously loaded or unloaded in connection with the business conducted in such building. No part of a truck or van using the loading space may back up out of or project into the public thoroughfare.

1. For residential uses ranging in size from 50 to 199 dwelling units, at least one off-street loading space that can accommodate an SU-30 design vehicle is required.
2. For residential uses ranging in size from 200 to 399 dwelling units, at least two off-street loading spaces that can accommodate an SU-30 design vehicle are required.
3. For residential uses with greater than 400 dwelling units, at least three off-street loading spaces that can accommodate an SU-30 design vehicle are required.

B. Specific Requirements. Each off-street loading space shall measure not less than 30 feet by 12 feet and shall have an unobstructed height of 14 feet, six inches and shall be made permanently available for such purposes, and shall be surfaced, improved and maintained in conformance with approved engineering requirements.

(Ord. 2074 § 7.8, 1995; Ord. 2792 § 21, 2021; Ord. 2864 § 1 (Exh. A), 2024; Ord. 2887 § 2 (Exh. A), 2025; Ord. 2911, 3/5/2026)

§ 19.125.090. Barrier-free parking requirements.

All applicants shall provide parking and access for physically handicapped persons in accordance with Chapter **51-50** WAC, as amended, relating to barrier-free facilities and all other applicable local, state, and federal requirements.

(Ord. 2074 § 7.9, 1995; Ord. 2864 § 1 (Exh. A), 2024; Ord. 2887 § 2 (Exh. A), 2025; Ord. 2911, 3/5/2026)

§ 19.125.100. Signage.

Directional signs and pavement markings shall be used to control vehicular movement in a parking area. Directional signs shall conform with the MUTCD and be provided in accordance with the requirements in Chapter **19.135** MTMC (Sign Regulations).
(Ord. 2074 § 7.10, 1995; Ord. 2864 § 1 (Exh. A), 2024; Ord. 2887 § 2 (Exh. A), 2025; Ord. 2911, 3/5/2026)

§ 19.125.110. Maximum grades permitted.

Off-street parking spaces required for all development, except single-household residences, shall have a maximum cross-slope grade of 6%. Said grade shall be measured across the width of the parking space. Exceptions to this requirement may be granted upon approval by the City Engineer.
(Ord. 2074 § 7.11, 1995; Ord. 2864 § 1 (Exh. A), 2024; Ord. 2887 § 2 (Exh. A), 2025; Ord. 2911, 3/5/2026)

§ 19.125.120. Required off-street parking spaces.

A. Except within the BC/D district or as otherwise provided by this chapter, each development must provide a minimum number of off-street parking spaces in proportion to specific types of functions based on the following table. The Director has the sole discretion to determine which function applies to any development. In this section, "GFA" is an abbreviation for gross floor area of the building or portion of building that will be used for a function. Calculation of the minimum number of parking spaces shall not include stacking lanes or loading dock spaces.

Function	Minimum Number of Parking Spaces
Auto-related services:	5 spaces for each 1,000 square feet of GFA
Offices and medical clinics:	3 spaces for each 1,000 square feet of GFA
Retail (excluding eating/drinking uses):	3.5 spaces for each 1,000 square feet of GFA
Eating/drinking establishments:	5 spaces for each 1,000 square feet of GFA or 6 spaces for each 1,000 square feet of GFA for any facility with more than 1,000 square feet of GFA
Lodging (hotel, motel, inn):	1 space for each unit/suite
Dwelling unit, multi-household:	1 space per dwelling
Single-unit dwellings and duplexes:	1 space per dwelling
Accessory dwelling units:	0
Public assembly areas:	1 space for each 4 seats
Light manufacturing:	2 spaces for each 1,000 square feet of GFA

Exceptions to the table in this subsection include the following:

1. For any use that does not clearly match with a more general function listed in said table or for any specific use that has special characteristics that may require a different amount of parking than would typically be needed by the more general function, as either is determined by the Director, a parking study shall be required; provided, that, as an alternative, the Director may require the development to provide a certain amount of parking spaces for the specific function or use based on nationally accepted standards.
2. For purposes of this section, eating/drinking establishments that include other uses, such as gaming or recreation, that are more than incidental, shall have 12 parking spaces per 1,000 square feet of GFA, unless the Director approves a different number based on the findings of a submitted parking study.
3. For public assembly areas, the Director may impose a requirement of one parking space for each 50 square feet of GFA, instead of one space for each four seats, or may determine an alternative parking requirement, based on findings of a submitted parking study or nationally accepted standards.
4. For office, medical, retail, restaurant, light manufacturing, or similar uses, the applicant may submit a parking study to demonstrate a parking demand that varies from the minimum number of spaces otherwise required by this chapter. Pursuant to subsection **B.1** of this section, the Director may approve a different number of parking spaces than otherwise required, based on the findings of the submitted parking study.
5. For public parks, no specific minimum number of off-street parking spaces is required.
6. For transportation facilities and parking garages, no minimum number of off-street parking spaces is required.
7. Stacking lanes shall be required in addition to the minimum number of parking spaces for all drive-in or drive-through facilities.
8. No off-street parking shall be required for middle housing units in residential districts within one-half mile walking distance of the Mountlake Terrace Transit Center located at 236th Street SW.
9. No off-street parking shall be required for middle housing units in the residential district that are deemed affordable pursuant to Chapter **3.96** MTMC.

Figure 9: Middle housing parking radius is only applicable to residential districts

B. The following conditions shall apply to review and enforcement of the number of parking spaces required pursuant to this chapter:

1. When a parking study is submitted by an applicant pursuant to the provisions of this chapter, the study shall be reviewed by the City's Traffic Engineer or designee, who shall do one of the following: (a) accept the findings of the study; (b) require a new parking study by a qualified professional acceptable to both the applicant and the City's Traffic Engineer; or (c) take other appropriate action. The costs of any parking study and the City's review time for the study shall be paid by the applicant.
2. Approval of business licenses and certificates of occupancy is subject to verification that the required parking spaces are provided consistent with this chapter or that the Director determines the use will not otherwise create actual parking deficiencies, taking into account all uses on the site. Noncompliance with applicable provisions of this chapter is cause for denial or revocation of the business license or certificate of occupancy.

C. Exceptions for Housing for Senior Citizens.

1. The requirement of one space per dwelling unit that would normally apply to housing for senior citizens because it is considered an "apartment/multi-household" use, according to subsection **A** of this section, may be reduced to no less than one space for every three dwelling units as determined by the Planning Commission. The Commission shall base their decision on the following:
   a. Availability of private, convenient, regular transportation services to meet the needs of the occupant;
   b. Accessibility to and frequency of public transportation;
   c. Pedestrian access to health, medical, and shopping facilities; and
   d. Age and mobility of the resident.
2. In the event that a facility providing housing for senior citizens is no longer used for such purposes, then additional parking spaces and landscaping may be required depending on the planned new use(s), per the requirements in this title.

(Ord. 2074 § 7.12, 1995; Ord. 2105, 1996; Ord. 2460 §§ 2, 3, 2007; Ord. 2476 § 5, 2008; Ord. 2864 § 1 (Exh. A), 2024; Ord. 2887 § 2 (Exh. A), 2025; Ord. 2911, 3/5/2026)

§ 19.125.130. Bicycle parking.

A. Purpose. The purpose of this section is to ensure that bicycle parking and storage facilities are safe, convenient, and provided in adequate quantity to meet the needs of residents, employees, and visitors.

B. Applicability. This section applies to all new developments, changes in use, or expansions that are subject to the off-street parking requirements of this chapter.

C. Minimum Required Bicycle Parking. The minimum requirements are based upon gross floor area of the use in a structure, or the square footage of the use when located outside of an enclosed structure, or as otherwise specified. Bicycle parking shall be provided, except as otherwise exempted by this subsection:

1. For household dwellings units, bicycle parking facilities are not required, on sites less than 1,000 square feet.
2. For development legally established prior to April 30, 2008, bicycle parking facilities are not required, except that if an existing building is expanded after said date by at least 500 square feet, bicycle parking requirements shall apply.
3. For development of any new building greater than 500 square feet on a site, bicycle parking facilities must be provided.

D. Residential Bicycle Parking.

1. Single-Unit Dwellings and Duplexes:
   a. One bicycle (storage) for units that are less than 1,000 square feet. Two secured storages for units 1,000 square feet or more.
   b. The storage may be provided in a garage that is sized to include bicycle storage per the Vehicular Parking Dimensions Table in MTMC § **19.125.050**. Otherwise, each unit must have access to designated bicycle storage that is at least three by six feet with a vertical clearance of 48 inches; provided, that for sloping height storage spaces, such as under a stairwell, the vertical clearance must be a minimum of 32 inches where the width of the storage space under the stairwell (or similar) begins and is least six feet in width assuming the sloping roof continues at least at the same gradient a staircase typically gains elevation or equivalent clearance.
   c. Bicycle storage may be in a shared facility; provided, that the storage of each bike unit is at least three feet by six feet with a vertical clearance of 48 inches and is accessible to the unit it serves, which may require a three-foot-wide access aisle between the bicycle storage area provided for each unit.
   d. Bicycle storage shall not be allowed on a deck or balcony.
2. Dwelling Unit, Multi-Household (e.g., Apartments, Condominiums, Courtyard Housing, and Stacked Flats, Triplexes Through Sixplexes):
   a. Bicycle parking shall be provided at the following minimum rates:
      i. One-half spaces per studio.
      ii. One space per one-bedroom unit.
      iii. Two spaces per two-bedroom or larger unit.
   b. Bicycle storage spaces shall consist of storage racks, lockers, or other secure space as approved by the Department to provide sheltered, safe, and convenient bicycle storage for building residents. Such space may be in a vehicle parking garage or another appropriate location.
   c. Bicycle storage shall not be allowed on a deck or balcony.

E. Commercial and Institutional Bicycle Parking.

1. Applicability. This subsection applies to all nonresidential development including but not limited to offices, retail, restaurants, civic, educational, and public facilities.
2. Minimum Requirements. Off-street parking areas shall contain at least one bicycle parking space for every 12 spaces required for motor vehicles. The following standards apply:
   a. All bicycle parking facilities shall be securely anchored to the ground or to a structure.
   b. Bicycle facilities for patrons shall be located to the extent possible within 100 feet of a building entrance and shall be designed to allow either a bicycle frame or wheels to be locked to a structure attached to the pavement.
   c. All bicycle parking and storage shall be located in secure locations that do not impede pedestrian or vehicle traffic flow, and shall be well lit for nighttime use. Except as required otherwise, the facilities may be located on private property or within the planting area of a public right-of-way.
   d. The installation of bicycle parking facilities is subject to approval through the City's permitting process.
3. Bicycle storage spaces shall consist of storage racks, lockers, or other secure space as approved by the Department to provide sheltered, safe, and convenient bicycle storage for building residents. Such space may be in a vehicle parking garage or another appropriate location.

F. Mixed-Use Development. Bicycle parking for mixed-use developments shall comply with both residential and commercial standards based on the proportion of floor area or number of dwelling units assigned to each use.
(Ord. 2476 § 5, 2008; Ord. 2864 § 1 (Exh. A), 2024; Ord. 2887 § 2 (Exh. A), 2025; Ord. 2911, 3/5/2026)

§ 19.125.140. Electric vehicle parking.

Electric vehicle parking shall be provided in accordance with Chapter **19.126** MTMC.
(Ord. 2553 § 1, 2010; Ord. 2864 § 1 (Exh. A), 2024; Ord. 2887 § 2 (Exh. A), 2025; Ord. 2911, 3/5/2026)

Title 19. Zoning

Chapter 19.126. ELECTRIC VEHICLE INFRASTRUCTURE

§ 19.126.010. Purpose.

The purpose of this chapter is to encourage the transition to electric vehicle use and to expedite the establishment of a convenient, cost-effective electric vehicle infrastructure that such a transition necessitates.
(Ord. 2553 § 2, 2010; Ord. 2888 § 2 (Exh. A), 2025)

§ 19.126.020. Definitions.

For the purposes of this chapter and other chapters of the municipal code that address electric vehicle infrastructure, the following definitions shall apply:

"Accessible electric vehicle charging station"
means an electric vehicle charging station where the battery charging station equipment is located within accessible reach of a barrier-free access aisle (minimum 44-inch width) and the electric vehicle.

"Battery charging station"
means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles, which meet or exceed any standards, codes, and regulations set forth by Chapter **19.28** RCW and consistent with rules adopted under RCW **19.27.540**.

"Battery electric vehicle (BEV)"
means any vehicle that operates exclusively on electrical energy from an off-board source that is stored in the vehicle's batteries, and produces zero tailpipe emissions or pollution when stationary or operating.

"Battery exchange station"
means a fully automated facility that will enable an electric vehicle with a swappable battery to enter a drive lane and exchange the depleted battery with a fully charged battery through a fully automated process, which meets or exceeds any standards, codes, and regulations set forth by Chapter **19.27** RCW and consistent with rules adopted under RCW **19.27.540**.

"Charging level"
means the standardized indicators of electrical force, or voltage, at which an electric vehicle's battery is recharged. Levels 1, 2, and 3 are defined by the electrical output, per the following specifications:

1. Level 1. Voltage including the range from zero through 120.
2. Level 2. Voltage is greater than 120 and includes 240.
3. Level 3 is considered fast or rapid charging. Voltage is greater than 240.

"Designated accessible space"
means an accessible parking space required by WAC **51-50-005** and designated for the exclusive use of parking vehicles with a State Disabled Parking Permit.

"Electric scooters and motorcycles"
means any two-wheel vehicle that operates exclusively on electrical energy from an off-board source that is stored in the vehicle's batteries and produces zero emissions or pollution when stationary or operating.

"Electric vehicle"
means any vehicle that operates, either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on board for motive purpose. "Electric vehicle" includes: (1) a battery electric vehicle; (2) a plug-in hybrid electric vehicle; (3) a neighborhood electric vehicle; and (4) a medium-speed electric vehicle.

"Electric vehicle charging station"
means a public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle. An electric vehicle charging station equipped with Level 1 or Level 2 charging equipment is permitted outright as an accessory use to any principal use.

"Electric vehicle charging station – public"
means an electric vehicle charging station that is (1) publicly owned and publicly available (e.g., park and ride parking, public library parking lot, on-street parking) or (2) privately owned and publicly available (e.g., shopping center parking, nonreserved parking in multifamily parking lots).

"Electric vehicle charging station – restricted"
means an electric vehicle charging station that is (1) privately owned and restricted access (e.g., single-family home, executive parking, designated employee parking) or (2) publicly owned and restricted (e.g., fleet parking with no access to the general public).

"Electric vehicle infrastructure"
means structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations, rapid charging stations, and battery exchange stations.

"Electric vehicle parking space"
means any marked parking space that identifies the use to be exclusively for the parking of an electric vehicle.

"Medium-speed electric vehicle"
means a self-propelled, electrically powered four-wheeled motor vehicle, equipped with a roll cage or crush-proof body design, whose speed attainable in one mile is more than 25 miles per hour but not more than 35 miles per hour and otherwise meets or exceeds the federal regulations set forth in 49 CFR **571.500**.

"Neighborhood electric vehicle"
means a self-propelled, electrically powered four-wheeled motor vehicle whose speed attainable in one mile is more than 20 miles per hour and not more than 25 miles per hour and conforms to federal regulations under 49 CFR Part **571.500**.

"Nonelectric vehicle"
means any motor vehicle that does not meet the definition of "electric vehicle."

"Plug-in hybrid electric vehicle (PHEV)"
means an electric vehicle that (1) contains an internal combustion engine and also allows power to be delivered to drive wheels by an electric motor; (2) charges its battery primarily by connecting to the grid or other off-board electrical source; (3) may additionally be able to sustain battery charge using an on-board internal-combustion-driven generator; and (4) has the ability to travel powered by electricity.

"Rapid charging station"
means an industrial grade electrical outlet that allows for faster recharging of electric vehicle batteries through higher power levels and that meets or exceeds any standards, codes, and regulations set forth by Chapter **19.28** RCW and consistent with rules adopted under RCW **19.27.540**.
(Ord. 2553 § 2, 2010; Ord. 2888 § 2 (Exh. A), 2025)

§ 19.126.030. Permitted locations.

Electric vehicle infrastructure facilities are permitted in zoning districts of the City as identified in Table 19.126.030. The table identifies in the first column the abbreviated name of each zoning district. The second, third, and fourth columns indicate a type of electric vehicle infrastructure. For each zoning district, the table identifies the type of electric vehicle infrastructure that is permitted and the process under which it is permitted. "P" indicates that the infrastructure corresponding to that column is a permitted use in the corresponding zoning district. "C" indicates that the infrastructure corresponding to that column is a conditional use in the corresponding zoning district. A column that is blank for a particular zoning district indicates that the infrastructure is not permitted in that zone.

Table 19.126.030

Zone Charging Level 1 and Level 2 Station	Charging Level 3 Station	Battery Exchange Station	
RS	P		
R1-4	P		
RM	P		
BC	P	P	P
TC	P	P	P
CG	P	P	P
F/T	P	P	P
LI/OP	P	P	P
REC	P	C	C
SSD/R	P		
SSD C/R	P		
PFS	P	P	P

(Ord. 2553 § 2, 2010; Ord. 2888 § 2 (Exh. A), 2025)

§ 19.126.040. Required facilities.

A. Beginning July 1, 2011, development for each of the land uses identified in Table 19.126.040 shall be required to provide electric vehicle infrastructure as shown in the table. For purposes of Table 19.126.040, electric vehicle charging stations shall be provided when the development is 10,000 square feet or more and one of the following occurs:

1. A new building or a new off-street parking facility is developed;
2. An addition or improvement to an existing building is made that meets a certain threshold, pursuant to MTMC § **19.120.250**; or
3. The parking capacity of an existing building, site, or parking facility is increased by more than 50 percent.

B. The first column in Table 19.126.040 shows the type of land use for which electric vehicle charging stations shall be provided, pursuant to this section. The second column shows the minimum percentage of the facility's parking spaces that shall provide a connection to electric vehicle charging stations.

Table 19.126.040
Required Number of Electric Vehicle Charging Stations

Land Use Type	Percentage of Parking Spaces
Multi-household residential	10%
Lodging	3%
Retail, eating and drinking establishment	1%
Office, medical	3%
Industrial	1%
Institutional, municipal	3%
Recreational/entertainment/cultural	1%
Other	3%

C. Design for Expansion. In order to allow for additional electric vehicle parking in the future as the market for such vehicles grows, beginning January 1, 2011, all development that meets the criteria of subsection **A** of this section shall be designed to allow for double the amount of electric vehicle parking shown in Table 19.126.040.

Site design must provide electrical, associated ventilation, accessible parking, and wiring connection to transformer to support the additional potential future electric vehicle charging stations.

(Ord. 2553 § 2, 2010; Ord. 2888 § 2 (Exh. A), 2025)

§ 19.126.050. General station requirements.

A. Size. A standard size parking space shall be used for an electric vehicle charging station where such a station is required or planned.

B. Installation and Equipment. The station installation and equipment shall be consistent with the rules and regulations adopted pursuant to RCW **19.27.540**, Electric vehicle infrastructure requirements, and with applicable regulations under the City's building code, Chapter **15.05** MTMC, and fire code, Chapter **15.10** MTMC.

C. Location, Design, and Maintenance. Where provided, parking for electric vehicle charging purposes shall meet the standards of subsections (C)(1) through (C)(5) of this section.

1. Signage. Each charging station space shall be posted with signage indicating the space is only for electric vehicle charging purposes. Days and hours of operation shall be included if time limits or tow-away provisions are to be enforced.
2. Clearance. Charging station equipment mounted on pedestals, light posts, bollards or other devices shall be a minimum of 24 inches clear from the face of curb.
3. Charging Station Equipment. Charging station outlets and connector devices shall be no less than 36 inches or no higher than 48 inches from the top of surface where mounted, and shall contain a retraction device and/or a place to hang permanent cords and connectors sufficiently above the ground or paved surface.
4. Charging Station Equipment Protection. When the electric vehicle charging station space is perpendicular or at an angle to curb face and charging equipment, adequate equipment protection, such as wheel stops or concrete-filled steel bollards, shall be used.
5. Maintenance. Charging station equipment shall be maintained in all respects, including the functioning of the charging equipment. A phone number or other contact information shall be provided on the charging station equipment for reporting when the equipment is not functioning or other problems are encountered.

D. Data to Be Available. To allow for maintenance and notification, the owners of any private new electric vehicle infrastructure station that will be publicly available (see definition of "electric vehicle charging station – public") shall provide information on the station's geographic location, date of installation, equipment type and model, and owner contact information.

E. Time limits may be placed on the number of hours that an electric vehicle is allowed to charge, prohibiting indefinite charging/parking. If applicable, warnings shall be posted to alert charging station users about hours of use and possible actions affecting electric vehicle charging stations that are not being used according to posted rules.

F. Electric vehicle signage shall be provided pursuant to MTMC § **19.126.090**.

G. Location. Placement of a single electric vehicle charging station is preferred at the beginning or end stall on a block face.

(Ord. 2553 § 2, 2010; Ord. 2888 § 2 (Exh. A), 2025)

§ 19.126.060. Accessible facilities.

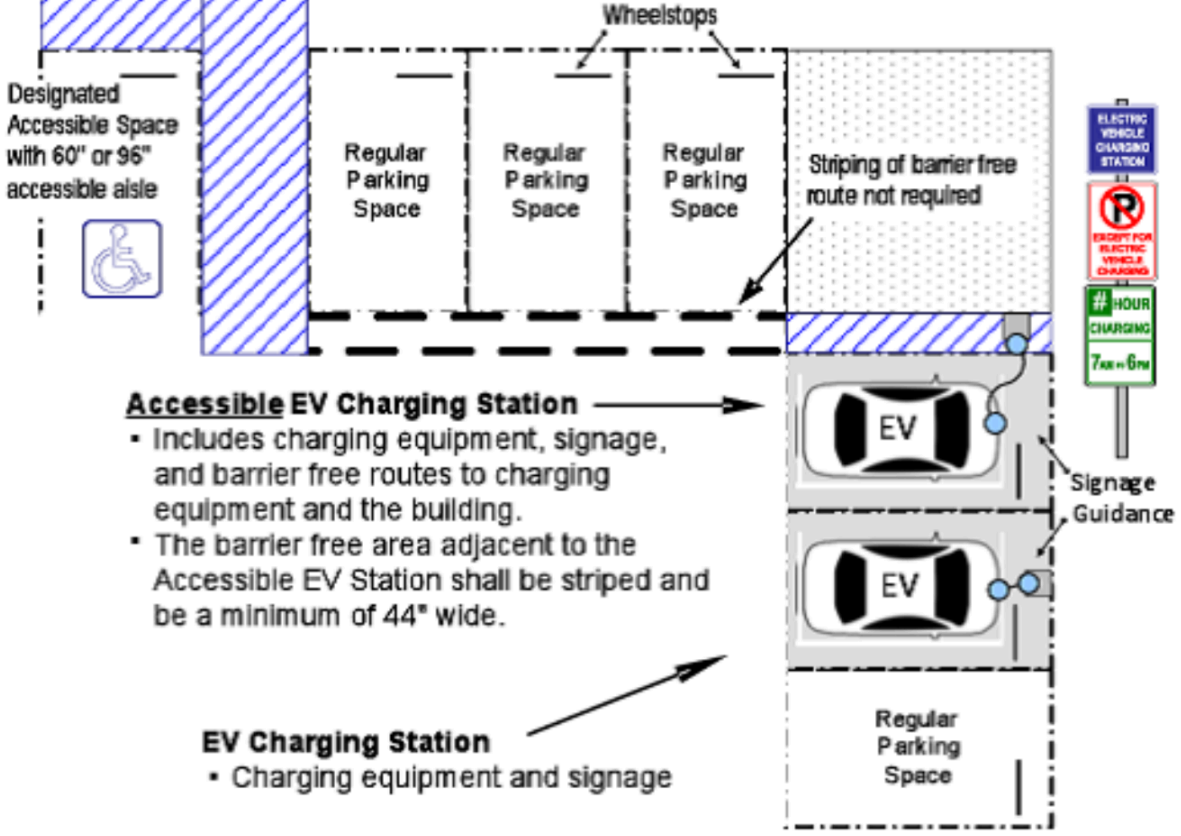
A. Where electric vehicle charging stations are provided in parking lots or parking garages, excluding garages in single-household residential units, accessible electric vehicle charging stations shall be provided according to the ratios shown on Table 19.126.060. The first column indicates the number of electric vehicle stations being provided on site and the second column indicates the number of accessible charging stations that are to be provided for the corresponding number(s) of charging stations.

Table 19.126.060
Minimum Number of Accessible Electric Vehicle (EV) Charging Stations

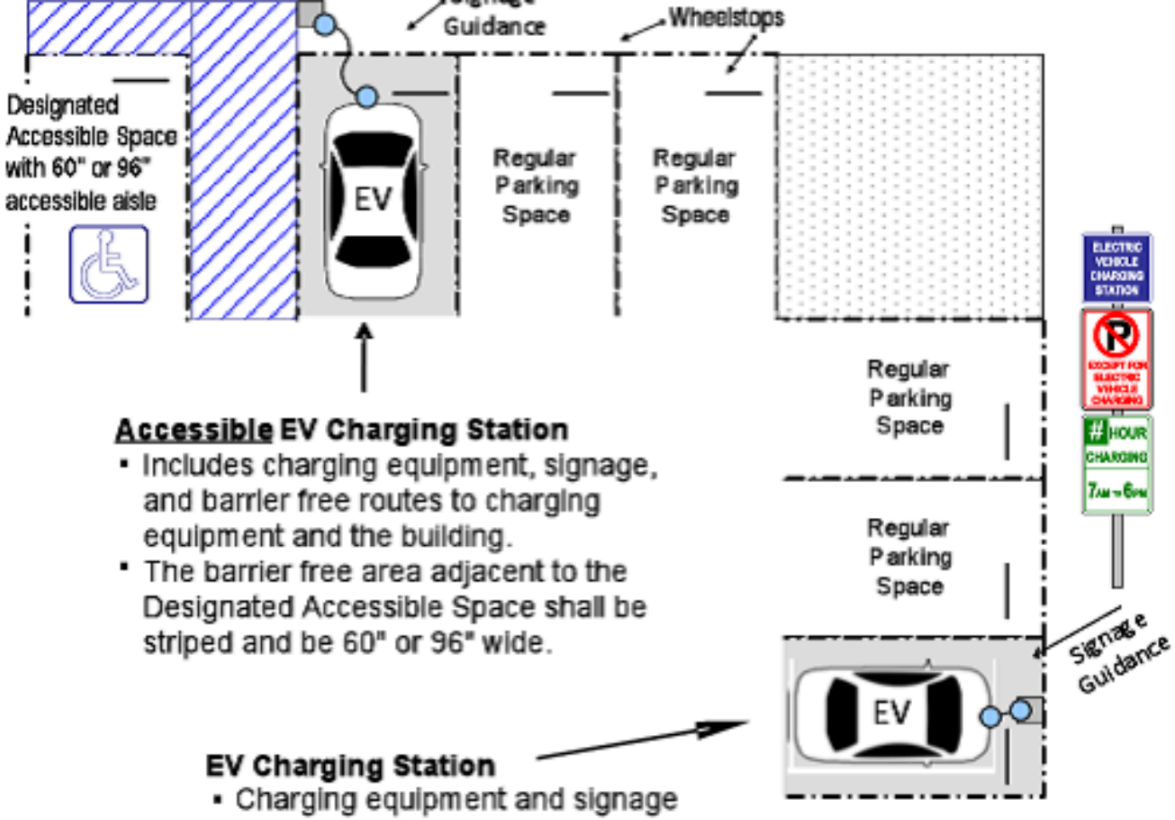
Number of EV charging stations	Minimum accessible EV charging stations
5–50	1
51–100	2
101–150	3
151–200	4
201–250	5
251–300	6

B. Accessible electric vehicle charging stations should be located in close proximity to the building or facility entrance and shall be connected to a barrier-free accessible route of travel. It is not necessary to designate the accessible electric vehicle charging station exclusively for the use of disabled persons. Below are two options for providing for accessible electric vehicle charging stations.

Option 1


Wheelstops
Designated Accessible Space with 60" or 96" accessible aisle
Regular Parking Space
Regular Parking Space
Regular Parking Space
Striping of barrier free route not required
ELECTRIC VEHICLE CHARGING STATION
EXCEPT FOR ELECTRIC VEHICLE CHARGING
HOUR CHARGING
7AM - 6PM
Accessible EV Charging Station
• Includes charging equipment, signage, and barrier free routes to charging equipment and the building.
• The barrier free area adjacent to the Accessible EV Station shall be striped and be a minimum of 44" wide.
EV
EV
Signage Guidance
EV Charging Station
• Charging equipment and signage
Regular Parking Space

Option 2



(Ord. 2553 § 2, 2010; Ord. 2888 § 2 (Exh. A), 2025)

§ 19.126.070. Charging and parking.

A. Electric vehicle charging stations, where provided for public use, are reserved for parking and charging electric vehicles only, except as otherwise provided by this chapter.

B. Electric vehicles may be parked in any space designated for public parking, subject to the restrictions that would apply to any other vehicle that would park in that space.

(Ord. 2553 § 2, 2010; Ord. 2564 § 2, 2011; Ord. 2888 § 2 (Exh. A), 2025)

§ 19.126.080. Parking restrictions.

A. No person shall stop, stand or park any nonelectric vehicle in a space designated through signage as an electric vehicle charging station. Any nonelectric vehicle is subject to removal by the property owner or the property owner's agent.

B. Any electric vehicle in an electric vehicle parking stall that is signed exclusively for electric vehicle charging and that either (1) is not electrically charging or (2) is parked beyond the days and hours designated on regulatory signs posted at or near the space shall be subject to removal as posted by the property owner or the property owner's agent. For purposes of this subsection, "charging" means an electric vehicle is parked at an electric vehicle charging station and is connected to the charging station equipment.

(Ord. 2553 § 2, 2010; Ord. 2564 § 3, 2011; Ord. 2888 § 2 (Exh. A), 2025)

§ 19.126.090. Signage.

A. Electric vehicle charging stations, other than in residential use, shall have posted signage, as identified in this section, allowing only charging electric vehicles to park in such spaces. (Exception: the Director may allow an exemption for such signage at a portion of electric vehicle parking stalls within a publicly owned transit center upon the public transit agency demonstrating through a utilization study that not all of the electric vehicle charging stalls are needed for commuters using transit and that the amount of nonelectric vehicle parking is inadequate to meet existing needs; such exemption may be renewed by the Director each year, based on a utilization study completed during the prior year.) For purposes of this subsection, "charging" means that an electric vehicle is parked at an electric vehicle charging station and is connected to the charging station equipment.

ELECTRIC
VEHICLE
CHARGING
STATION

B. Signage for parking of electric vehicles shall include:

1. Information on the charging station to identify voltage and amperage levels and any time of use, fees, or safety information.

2. As appropriate, directional signs to effectively guide motorists to the charging station space(s).

C. Optional Signage. Optional information may be posted to alert potential charging station users to other expectations.
(Ord. 2553 § 2, 2010; Ord. 2564 § 4, 2011; Ord. 2888 § 2 (Exh. A), 2025)

§ 19.126.100. Electric vehicle charging station level 2, home preparation.

Beginning July 1, 2011, all new home construction and additions modifying greater than 50 percent of the assessed value of the building shall be built to accommodate one electric vehicle charging station level 2, consistent with the National Electric Code Article 625.

A. The site plan shall identify a specific place or area where a level 2 charging station could be safely installed in the future without creating a tripping hazard.

B. The new construction or addition shall include installation of the necessary conduit to a potential future level 2 charging station.

C. The electrical load of the building shall accommodate a level 2 charging station, including any applicable ventilation requirements.
(Ord. 2888 § 2 (Exh. A), 2025)

Title 19. Zoning

Chapter 19.130. LANDSCAPE DEVELOPMENT AND SITE BUFFERING

Article I. Purpose and Approvals

§ 19.130.010. Purpose.

A. The intent of this chapter is to provide landscape development, site buffering, and maintenance requirements for all proposed and existing developments in order to:

1. Maintain and protect property values;
2. Enhance the appearance of the development;
3. Improve the character of the City;
4. Reduce erosion;
5. Provide pervious surfacing areas to recharge subsurface aquifer, reduce quantity of stormwater runoff, and provide for cleansing of on-site surface water prior to re-entering the City's watercourses;
6. Maintain or replace existing vegetation;
7. Provide screening between incompatible land uses;
8. Moderate the microclimate;
9. Minimize noise, glare, and other negative impacts;
10. Protect and enhance watercourses, riparian habitat, and associated wildlife;

B. It is also the intent of this chapter to provide landscaping regulations in conformance with the policies of the Comprehensive Plan, including:

1. Establish design standards and site improvement criteria for commercial and industrial developments (Policy UD 1.3.0.);
2. Expand the use of green belts and natural buffer zones to protect residential areas from commercial and industrial areas which are environmentally detrimental to nearby residential neighborhoods (Policy UD 1.5.0.);

C. The landscape standards in this chapter are minimum requirements. When it is determined by the City that additional landscaping is needed to mitigate, screen, buffer a development from its surroundings, or comply with the spirit of this chapter, additional landscaping may be required.
(Amended by City request, 1/11; Ord. 2074 § 8.1(A); 1995)

§ 19.130.020. Applicability.

All development or redevelopment proposals, except single-household residences, shall submit landscape development plans, irrigation plans, and tree preservation/retention/replacement plans for review and approval.
(Ord. 2074 § 8.1(B), 1995)

§ 19.130.030. Required review and approval.

The Planning Department, or its designated representative, shall review the proposed landscaping, irrigation and/or tree plans for compliance with the standards prescribed by this chapter and any other applicable portions of the Code and conditions of project approval.

Each applicable project shall have on file landscape, irrigation, and tree plans, as necessary, reviewed and approved by the Planning Department or their designated representative prior to issuance of any building permits.
(Ord. 2074 § 8.1(C), 1995)

§ 19.130.040. Submittal requirements.

A. All landscape and irrigation plans shall be prepared in conformance with the submittal requirements of this section and shall be clearly legible, to scale, reproducible and must demonstrate knowledge of local plant material.

B. Plans shall be at a scale of one inch equals 20 feet or one inch equals 30 feet unless otherwise approved. All landscape and irrigation plans submitted shall be prepared at the same scale to match the site development plan scale and fit on a maximum sheet size of 24 inches by 36 inches.

C. Landscape development plans shall identify the botanical and common name of each plant material, caliper, height, or container size of all plant material, and the quantity and location and/or spacing of any plant material proposed. In addition, landscape plans shall identify areas where the use of nonliving landscape material is proposed.

D. All vegetation retained per Article IV of this chapter (Existing Site Vegetation) shall be accurately mapped with each significant tree identified by botanical name and caliper size.

E. Irrigation plans submitted for review shall comply with MTMC § **19.130.120(B)**.

F. Three sets of landscape and irrigation plans shall be submitted for review and approval, and each time revisions are necessary. Plans shall be on blueline or other acceptable copy medium. The approved landscape and irrigation plans shall be submitted on permanent reproducible file (mylar) prior to issuance of a permit for landscape and/or irrigation.

G. As built plans are required whenever the installed improvements differ sufficiently from the approved plans, as determined by the Planning Department or their designated representative. As built landscape and irrigation plans shall be submitted on a permanent reproducible film (mylar) prior to final acceptance of the installed improvements.
(Ord. 2074 § 8.1(D), 1995)

§ 19.130.050. Permits.

It shall be unlawful for any person, firm, or corporation to install any landscaping or irrigation system, as required by ordinance, or cause the same to be done without first having obtained the appropriate permit from the Planning Department.

A. An engineering construction permit is required for landscape and irrigation system work. A separate electrical permit is required for irrigation system wiring.
The fee for such permit(s) shall be in accordance with the ordinance governing engineering and electrical permits in effect at the time application is made.

B. Exempted Work.

1. Maintenance of required landscape areas.
2. Replacement of plants or plant material which are dead or damaged.
Note: Living trees that were retained or living plant material indicated on the approved plans shall not be removed without first obtaining permission from the Planning Department or their designated representative.
3. Repair or replacement of faulty or damaged irrigation system if extent of replacement does not exceed 20 percent of existing system.
(Ord. 2074 § 8.1(E), 1995)

§ 19.130.060. Alternative landscape option.

The applicant can submit for consideration a landscaping plan that differs from the specific criteria set forth in this chapter if the proposed landscaping complies with the stated purpose and intent of this chapter and represents a landscape development which, at the option of the Planning Department or their designated representative, is considered equal to or exceeds that which could have been achieved by strictly following the requirements of this chapter.
(Ord. 2074 § 8.1(F), 1995)

Article II. Performance and Maintenance Assurances

§ 19.130.070. Certificate of occupancy issued after work completed or guarantee provided.

Prior to issuance of a certificate of occupancy, all landscape and irrigation installation work shall be completed per approved plans and operational or the necessary performance guarantees provided. An acceptable maintenance guarantee shall be on file.
(Ord. 2074 § 8.2, 1995)

§ 19.130.080. Performance guarantee.

Any landscape and irrigation work, incomplete at the time of request for occupancy, that does not constitute a safety or health hazard, may be assured by the submittal of a performance guarantee as provided for in the City's current ordinance establishing acceptable types of guarantees.

The applicant must submit a written request to the City detailing specific circumstances that warrant a delay in completion of required project improvements and a cost estimate for all incomplete landscape and irrigation work to be verified by the Planning Department.

At its option, the City may accept the performance guarantee and establish a completion time line, not to exceed six months, from the date of issuance of the certificate of occupancy.
(Ord. 2074 § 8.2(A), 1995)

§ 19.130.090. Maintenance guarantee.

A maintenance guarantee shall be provided by the developer/owner for all completed landscaping and irrigation required by the City for any development project.

The maintenance guarantee shall be in an amount equal to 20 percent of the total landscape construction costs and shall be in effect for at least two years from time of acceptance. The Community and Economic Development Director may extend the duration of the maintenance guarantee for restoration projects or under other special circumstances.

The maintenance guarantee must be on file with the City prior to the issuance of a certificate of occupancy for the development project, except for those items for which a performance guarantee has been accepted by the City.
(Ord. 2074 § 8.2(B), 1995; Ord. 2838 § 4, 2023)

Article III. Landscape Development and Irrigation System Standards

§ 19.130.100. Applicability.

The standards in this article shall apply to all required landscape areas.
(Ord. 2074 § 8.3, 1995)

§ 19.130.110. Plant material.

A. Selection and Installation. The selection of landscape plant materials from the "Landscape Development Guide" is encouraged. This guide is available from the Planning Department and amended from time to time. All plant material shall be selected and installed in conformance with current American Association of Nurserymen standards.

B. Size Requirements, General.

1. Street Trees. All trees planted adjacent to streets or in street right(s)-of-way shall be located in accordance with the City of Mountlake Terrace roadway standards. Street trees are to be spaced an average distance of 35 feet on center or as specified in adopted design standards for specific zoning districts, with the Engineer making a final determination of location based on specific site and frontage conditions. Deciduous street trees shall have a minimum caliper of two inches measured six inches above ground level and have a clear trunk for at least six feet above grade. Evergreen street trees shall be a minimum of 10 feet in height and planted well outside any required sight area triangle, spaced a maximum of 30 feet on center.
2. Trees, Other. Deciduous or broad leaf evergreen trees shall have a minimum caliper of one and one-half inches measured six inches above ground level. Evergreen trees shall be a minimum of six feet in height. All trees shall be set back a minimum of three feet from the face of any curb, sidewalk, building, or other structure.
3. Shrubs. Shrubs shall be selected to provide variety in height and texture, enhance the architectural design, and attractively screen views of parked vehicles and noncompatible site land uses. Installed shrubs shall have a minimum height of 21 inches. Depending on variety and intended use, other shrub stock sizes may be allowed or required.
4. Ground Cover. Living ground cover, other than grass, shall be installed so that it meets the coverage requirement of the applicable landscaping type (MTMC § **19.130.240**). Spacing shall be sufficient to achieve 75 percent ground coverage in a three-year period as designed by a certified landscape specialist, or according to the following standard:
    a. Two-inch pots: 12 inches on center (o.c.);
    b. Four-inch pots: 18 inches o.c.;
    c. One-gallon container: 30 inches o.c.
5. Lawn Grasses and Low Impact Development Native Seed. Coverage shall be provided with either seed or sod. Seed must germinate and demonstrate 100 percent coverage, or coverage in accordance with native seed manufacturer specifications, prior to final acceptance of such landscaped areas.

(Ord. 2074 § 8.3(A), 1995; Ord. 2702 § 2, 2016; Ord. 2729 § 20, 2018)

§ 19.130.120. Irrigation.

A. General. An approved irrigation system with an automatic time clock activating mechanism shall be installed for all landscaped and turf areas in any multi-household project containing five or more units, any planned unit development (PUD), and developments in any district which require more than 10 parking stalls.

All other projects shall provide sufficient hose bibs or quick couplers on site located such that any portion of the project site is within 75 feet of a hose bib or quick coupler.

An irrigation system installed for any other development or for a single-household residence shall provide an acceptable backflow prevention device. A plumbing permit is required for the installation and inspection of the backflow prevention device.

B. Irrigation Plan Requirements. An irrigation plan, drawn to the same scale as the landscape development plan, shall be submitted which contains, as a minimum, the following information:

1. Size and location of water meter(s);
2. Static water pressure from City's water main;
3. Service line type, size, and length;
4. Type and location of drain(s), coupler(s), shut-off and control valve(s), controller(s), and backflow prevention device(s);
5. Spacial layout of piping;
6. Main and lateral pipe size(s) and type(s);
7. Performance chart showing type, series, and hydraulic characteristics of sprinkler heads;
8. Hydraulic circuit analysis chart showing volume flow per valve.

C. Performance and Inspections.

1. The irrigation system layout shall reflect good design principles, minimize water usage and waste, and meet the watering needs of the specific plant materials used. Coverage shall be 100 percent or head-to-head coverage.
2. Minimum depth of burial for piping shall be 18 inches for main line(s) and 12 inches for all lateral line(s).
3. Two on-site inspections will be conducted to assure compliance with approved plans and adequate performance.
    a. The first inspection will concern itself with adequate depth of burial for piping, pipe sizing, and system layout as designated on approved plans.
    b. The second inspection will be a performance test for coverage with recommended changes and adjustments to be completed before final approval.
4. An electrical inspection of irrigation wiring by the Building Department is required.
5. The owner shall be responsible to have all backflow prevention devices and double check valve assemblies inspected and tested by a certified backflow device tester or cross-connection control specialist at the time of initial installation, whenever the device is repaired, and at least once a year. A copy of the report shall be submitted to the City. The device shall be repaired, overhauled, or replaced whenever found to be defective.

(Ord. 2074 § 8.3(B), 1995)

§ 19.130.130. Earth berming and mounds.

Landscape development may include gently mounded areas with a maximum slope of three to one and a preferred slope of four to one. All mounds and berms must meet Engineering Details and Specifications for grading. Slopes of mounds and berms shall blend into the adjacent terrain, unless stabilized by a retaining wall or curbing.
(Ord. 2074 § 8.3(C), 1995; Ord. 2792 § 22, 2021)

Article IV. Existing Site Trees

§ 19.130.140. Retention of existing site trees.

A. Purpose. The retention of significant trees in the City as required by this section is important and necessary to maintain and protect property values, to enhance the visual appearance of the City, to preserve the natural wooded character of the Pacific Northwest, to promote utilization of natural systems, to reduce the impacts of development on the storm drainage system, and to provide a better transition between the various land uses permitted in the City.

B. Requirement. To the greatest extent possible, existing significant trees that do not constitute a safety hazard shall be retained on site. Significant trees shall not be removed, damaged, or disturbed in any way (other than general maintenance), irrespective of requirements in other sections of this title, except as approved by the City under the replacement provisions of this section and the clearing and grading provisions of Chapter **15.05** MTMC, or other governmental agency with jurisdiction. A qualified arborist shall be retained by the applicant to inventory all trees on the subject property and, as necessary, make recommendations for protection, retention, and preservation or removal of trees on site. A copy of such report and recommendations shall be submitted to the City as part of the site development plan application and review process.

(Ord. 2074 § 8.4(A), 1995; Ord. 2304 § 1, 2001; Ord. 2702 § 3, 2016; Ord. 2712 § 2, 2017; Ord. 2838 § 5, 2023)

§ 19.130.150. Definitions.

A. **"Diameter at breast height"**
means the diameter or thickness of a tree trunk measured at four and one-half feet from the ground.

B. **"Drip line"**
means the area defined by the outermost circumference of a tree canopy where water drips from and onto the ground.

C. **"Grove"**
means five or more viable significant trees forming a contiguous canopy.

D. **"Heritage tree"**
is a viable significant tree of greater than 36-inch diameter DBH, of distinctive size, shape, historical significance, species, and/or age.

E. **"Qualified arborist"**
means an individual with relevant education and training in arboriculture or urban forestry, having one or more of the following credentials:

1. International Society of Arboriculture (ISA) Certified Arborist;
2. Tree Risk Assessor Qualification (TRAQ) as established by the ISA (or equivalent);
3. American Society of Consulting Arborists (ASCA) registered Consulting Arborist;
4. Society of American Foresters (SAF) Certified Forester for Forest Management Plans; and
5. Board Certified Master Arborist as established by the ISA.

A qualified arborist must have the TRAQ or equivalent qualification to submit tree risk assessment reports related to hazard tree removal.

F. **"Significant tree"**
means any tree having a trunk diameter of six inches or greater as measured at DBH for deciduous trees, or at least seven feet in height for coniferous trees, excluding trees on the City's posted Prohibited Tree List.

G. **"Tree protection zone (TPZ)"**
means a defined area within and including an outer boundary, as determined by a qualified professional arborist, in which certain activities are prohibited or restricted to prevent or minimize potential impacts from construction or development to individual trees or groups of tree trunks, roots and soil. The TPZ is variable depending on species, age and health of the tree, soil conditions and proposed construction. TPZ denotes the location of tree protection fencing.

H. **"Viable tree"**
means a significant tree that a qualified arborist has determined to be in fair or good health, with a low risk of failure due to structural defects over the next 12 months.

(Ord. 2838 § 6, 2023)

§ 19.130.160. Required plans and review.

A. For any proposed site development plan where any significant trees exist, the applicant shall submit a significant tree inventory plan as follows:

1. A drawing to the same scale as the site development plan or the landscape development plan;
2. The location, DBH, botanical name and condition, including the likely remaining healthy life span, of all significant existing trees as defined by MTMC § **19.130.150**, and the location of all wetland and water body setback buffers, including the location and botanical name of any significant vegetation as defined by MTMC § **19.130.150**;
3. The existing and proposed contours;
4. Identification of trees proposed for retention or removal;
5. The proposed tree protection zone of all trees to be from the face of each tree trunk to the drip line; and
6. Recommended tree protection techniques to be employed before, during, and after land alteration and construction to ensure the continued healthy life of retained trees.

B. Significant tree inventory plans shall be prepared by a qualified arborist unless otherwise approved by the city in writing;

C. The City shall review proposed significant tree inventory plans in conjunction with site development plans and approve or require modification or revisions of any of the proposed plans in order to ensure that, to the greatest extent possible, significant trees are retained on site, unless such trees present a safety hazard, based on their condition or location; and

D. Recommendations made by a qualified arborist as part of the approved significant tree inventory plan are to be strictly followed by the applicant/developer/owner throughout the life of the project.

(Ord. 2074 § 8.4(C), 1995; Ord. 2304 § 1, 2001; Ord. 2838 § 7, 2023)

§ 19.130.170. Site clearing and tree retention.

A. No site clearing or significant tree removal shall occur on any lot prior to approval of a proposed significant tree inventory plan when such plan is required.

B. When a significant tree inventory plan and/or tree evaluation report is required, no building permits for site work including, but not limited to, clearing, grading, or demolitions shall be issued until:

1. An approved significant tree inventory plan and/or tree evaluation report is on file with the Community and Economic Development Department; and
2. A site inspection has verified the installation of the appropriate tree protection mechanisms.

C. A stream and/or wetland buffer zone shall not be disturbed in any way or manner that is inconsistent with Chapter **16.15** MTMC.

D. Minimum Retention Requirements. All proposed development activities from the provisions of this section shall meet the following criteria:

1. For any site proposed to be developed or cleared which contains significant trees, based on the approved significant tree inventory plan, at least 25 percent of the viable significant trees must be retained. If these tree retention requirements are met, no further action is required. When tree retention to the 25 percent threshold cannot be met, a combination of tree retention, tree replacement above and beyond City landscaping requirements for site development, and/or fee-in-lieu must be used to mitigate the impacts of all significant viable trees removed from the site.
    a. Exceptions. The Community and Economic Development Department may allow a reduction in the minimum significant tree retention percentage to facilitate preservation of a greater number of smaller trees, a cluster or grove of trees, or contiguous perimeter buffers.
    b. Frontage Improvements. Significant trees that must be removed to accommodate the installation of a required frontage improvement shall not be included in calculation of the minimum retention percentage for the site.
    c. Incentives for Higher Levels of Tree Protection. The Community and Economic Development Department may grant reductions or adjustments to other site development standards if the protection levels previously identified in this subsection are exceeded. On a case-by-case review, the Community and Economic Development Department shall determine the balance between tree protection that exceeds the established minimum percentage and variations to site development requirements. If adjustments or reductions to site development standards are granted under this provision, then tree protection requirements shall be recorded on the face of the plat, as a notice to title, or on some other legal document that runs with the property. Adjustments that may be considered in exchange for retaining additional trees above the minimum requirements, at the discretion of the City, are:
        i. Reduction of a rear yard and/or side yard building setback to compensate for significant or heritage tree preservation; provided, that the setback is not reduced more than five feet, and is the minimum reduction required for tree preservation, and complies with other applicable codes; or
        ii. Increase in the amount of allowable impervious surface by five percent; or
        iii. Reductions or variations of the area, width, or composition of required open space and/or landscaping; or
        iv. Variations in parking lot design and/or any access driveway requirements; or
        v. Variations of grading and stormwater requirements; or
        vi. Variations in frontage improvements; or
        vii. Reduction in stormwater capital facilities fees.
2. Demonstrate the following retention priorities in the tree retention plan (not in order of importance): trees in groves, heritage trees, and trees adjacent to parks or other open space areas.

3. Additional trees must be retained as required by other municipal code, including regulations for critical areas (Chapter **16.15** MTMC), shoreline management (Chapter **16.10** MTMC), and heritage trees (MTMC § **16.30.070**).

4. Tree replacement (MTMC § **19.130.190**) or tree fee-in-lieu (MTMC § **19.130.195**) may be utilized if the minimum retention requirements cannot be met.

E. Any tree removal, site clearing, or site alteration undertaken that does not meet these conditions will be subject to site rehabilitation, as determined by the City, and may be subject to penalties as provided in MTMC § **19.130.199** and other applicable codes.

F. Must comply with MTMC § 16.20.080(D) (Clearing and Grading Permit).

(Ord. 2074 § 8.4(D), 1995; Ord. 2304 § 1, 2001; Ord. 2702 § 5, 2016; Ord. 2712 § 4, 2017; Ord. 2729 § 21, 2018; Ord. 2838 § 8, 2023)

§ 19.130.180. Tree protection standards.

The following protection guidelines shall be imposed for all trees to be retained on site during the construction process:

A. All required tree protection measures shall be shown on the tree protection and replacement plan, clearing and grading plan, or other plan submitted to meet the requirements of this article. Tree protection shall remain in place for the duration of the permit unless earlier removal is addressed through construction sequencing on approved plans.

B. No filling, excavating, stacking, storing of any equipment, or compacting of the earth in any way shall be permitted within the area defined by the drip line of any tree to be retained, except for filling or excavating as recommended by an arborist and approved by the City.

C. No impervious surface material may be installed within the area defined by the drip line of any tree to be retained, except as recommended by an arborist and approved by the City; and

D. The grade level shall not be lowered or raised within the tree protection zone (TPZ) without a report provided by a qualified arborist and Community and Economic Development Department approval. Approved excavation within the TPZ must use low-impact excavation methods, such as directional boring, pneumatic (air) or hydro excavation, or hand digging to minimize tree disturbance. Any roots two inches diameter or greater that cannot be retained must be cleanly cut at the point of excavation closest to the tree to prevent damage to the root beyond excavation. Rock walls shall be constructed around the tree, equal to the dripline, when existing grade levels are lowered or raised by the proposed grading.

E. Prior to any land disturbance, temporary construction fences must be placed around the tree protection area to be preserved. Protective barricades shall be provided around the tree(s) to be protected, placed at the edge of the drip line. If a cluster of trees is proposed for retention, the barrier shall be placed around the edge formed by the drip lines of the trees to be retained. Tree protection shall remain in place for the duration of the permit unless earlier removal is addressed through construction sequencing on approved plans.

F. Tree protection barriers shall be a minimum of six feet high, constructed of chain link or similar material. "Tree Protection Area" signs shall be posted visibly on all sides of the fenced areas.

G. Where tree protection zones are remote from areas of land disturbance, and when approved by the Community and Economic Development Department, alternative forms of tree protection may be used in lieu of tree protection barriers; provided, that protected trees are completely surrounded with continuous rope or flagging and are accompanied by "Tree Leave Area – Keep Out" signs.

H. Retain small trees, bushes, and understory plants within the tree protection zone, unless the plant is identified as a regulated noxious weed, a nonregulated noxious weed, or a weed of concern by the Snohomish County Noxious Weed Control Board.

I. Preventative Mitigation. In addition to the above minimum tree protection measures, the applicant shall support tree protection efforts by employing, as appropriate, the following preventative measures, consistent with best management practices for maintaining the health of the tree:

1. Pruning of visible deadwood on trees to be protected or relocated;

2. Mulching with a layer of four inches to five inches of wood chips within the drip line of retained trees; and

3. Ensuring watering adequate to maintain tree health during and immediately after construction from May 1st through September 30th, or until reliable rainfall occurs in the fall.

If, at the discretion of the City, it appears tree protection practices employed during site development are insufficient to protect retained trees, the applicant may be required to implement other specific tree protection techniques.

(Ord. 2838 § 9, 2023)

§ 19.130.190. Replacement of significant trees.

A. Replacement Required. Tree replacement on site is required for tree removal associated with development, above and beyond required landscaping. Each viable significant tree to be removed shall be replaced as follows:

1. For each significant tree between six inches and 12 inches DBH removed, three replacement trees are required.

2. For each significant tree between 12 inches and 24 inches DBH removed, five replacement trees are required.

3. For each significant tree between 24 inches and 48 inches DBH removed, seven replacement trees are required.

4. For each significant tree greater than 48 inches DBH removed, 10 replacement trees are required.

B. Replacement trees shall be of any approved species, mutually agreed upon by the applicant and staff, at least two inches in diameter measured six inches above grade for deciduous trees, and a minimum of seven feet in height for evergreen trees.

(Ord. 2838 § 10, 2023)

§ 19.130.195. Tree replacement fee-in-lieu.

Fee-in-lieu for replacement trees required as per minimum retention requirements in MTMC § 19.130.170(D)(1) is allowed.

A. The amount of the fee shall be multiplied by the number of trees necessary to satisfy the tree replacement requirements of MTMC § **19.130.190**, and shall be deposited into the City's tree fund.

B. The fee shall be paid to the City prior to the issuance of a civil or building permit.

C. Exemption. If the development meets the requirements for affordable housing as defined by RCW **84.14.010** for a minimum of 20 percent of the housing units, tree fee-in-lieu fee requirements are waived.

D. Tree replacement fees as specified in the civil engineering construction development fee schedule in MTMC § **3.150.090**[1].

[1] *Tree replacement fee based on wholesale cost for a two-inch caliper tree with tax; labor for planting and summer watering for first three years; plus replacement cost for anticipated 20 percent street tree mortality. Rate: $781.00 per tree.*

(Ord. 2838 § 11, 2023)

§ 19.130.197. Tree fund.

There is hereby created and established a City fund known as the "tree fund."

A. Funding Sources. Monies for the tree fund shall come from the following sources:

1. All revenue received under MTMC § **19.130.195**, and mitigation fees, civil fines, and penalties received by the City for illegal removal of trees under violations of clearing and grading, critical areas, land use, or other code for the purpose of tree protection.

2. Donations and grants for tree purposes; and

3. Other monies as allocated by the City Council.

B. Funding Purposes. Monies in the tree fund may be used for the following purposes, as reviewed and approved by the City:

1. Providing tree vouchers to residents for the purpose of purchasing and planting trees in the City;

2. Paying for services provided by a qualified tree professional;

3. Paying for services to support the City's urban forest management and health;

4. Acquiring, maintaining, planting, and preserving wooded areas within the City;

5. Purchasing and planting of trees by the City, including planting street trees, trees within parks, the right-of-way, and other public property;

6. Purchasing supplies and materials for the City's observance of Arbor Day;

7. Education and outreach on the benefits of trees and tree protection; and

8. Other purposes relating to trees as determined by the City Council.

C. Monies from the tree fund shall not be used to purchase trees required for replacement under the conditions in MTMC § **19.130.195**, nor used to purchase trees required for mitigation. Further, monies cannot be used in any manner that will profit the grantee.

D. City staff will be appointed to manage the tree fund and will provide an annual report on the tree fund status to the Tree Board.

(Ord. 2838 § 12, 2023)

§ 19.130.199. Violation, enforcement, and penalties.

The City may pursue code enforcement and penalties in accordance with this section and with other applicable code enforcement sections. Where there is a conflict, this section shall prevail.

A. Civil Penalty Fines for Tree Removal.

1. It is unlawful to remove or damage trees in violation of these tree regulations or approved plans. Tree removal includes the removal of a tree, directly or indirectly, or irreversible damage to a tree resulting in the death of the tree.
2. Any person who aids or abets in the violation shall be considered to have committed a violation for purposes of fines. This includes the arborist or company pruning or removing the tree.
3. Violations include:
   a. Removal of trees before final tree retention plan approval, or the issuance of a clearing and grading permit during the development process; or
   b. Removal of trees shown to be retained on an approved tree retention plan; or
   c. Removal of heritage trees.

B. Fines and tree restoration costs may be assessed against the responsible party. Civil penalty fines are as assessed at $1,500 per inch of diameter at breast height (DBH) of the tree unlawfully removed or damaged. If the DBH of an unlawfully removed or damaged tree cannot be established, the diameter of the remaining stump top shall be used. In cases where the stump has been removed, the City will approximate the size of the removed tree(s) based on available evidence. If inadequate evidence as to the size of the tree exists, the City shall assess a minimum $10,000 civil penalty fine for each unlawfully removed tree. Fines must be paid within 30 days. A property lien may result from the nonpayment of fines. Any appeal shall be governed by procedures outlined in Chapter **1.15** MTMC.

(Ord. 2838 § 13, 2023)

Article V. Landscaping Required for Site Development

§ 19.130.200. General requirements.

A. Landscaping, consisting of at least grass or other live ground cover, shall be provided for all developed and undeveloped portions of a proposed development or redevelopment project site not specifically landscaped to meet the perimeter, interior, or buffering requirements described in the following sections.

B. In all cases, rockeries, retaining walls, and other similar landscape elements shall not count toward meeting any required planting area widths or planting area percentages.

C. No required landscape area may be disturbed or intruded into by any use or structure except as permitted in MTMC § 19.130.220(A)(9).

D. Plant material selection and spacing shall be in conformance with the applicable landscape type required for any area required to be landscaped. Refer to MTMC § **19.130.240** for a review of landscape types. See MTMC § **19.130.210**, § **19.130.220**, and § **19.130.230** to determine which landscape type is the appropriate one to use.

E. Special Location Provisions. Plant material and fences may be placed in the street right-of-way, behind the sidewalk line, subject to approval of the City Engineer and/or a required right-of-way use permit. Such plantings shall not count toward satisfying any required landscaping but may nonetheless be part of a site's LID development requirements.

Plantings and fences shall not obstruct access to water meters or fire hydrants, overhang pedestrian use areas so as to impede pedestrian passage in any way, or interfere with the sight area triangle (MTMC § **19.120.290**).

(Ord. 2074 § 8.5(A), 1995; Ord. 2702 § 8, 2016; Ord. 2712 § 7, 2017)

§ 19.130.210. Street frontage and parking lot perimeter landscape development.

A. Street Frontage Landscaping. With the exception of commercial frontage in BC Downtown, all site development proposals abutting a street right-of-way shall, between the right-of-way and any site improvements, provide as a minimum a Type I landscaping strip five feet in width.

For the SDD C/R district, a 12-foot pedestrian activity area shall be provided between face of curb and face of building with Public Works Director's approval. The landscape area may include pedestrian paths.

For BC Downtown, the commercial frontage and pedestrian activity area shall include such amenities as street trees, benches, waste receptacles and flower containers. For every commercial frontage, at least one irrigated planter area not less than 30 square feet shall be provided. As long as the corner sight triangle is not obscured, it may be placed anywhere in the 12 feet face of curb to face of building minimum area whether in the right-of-way or on private property. The area, if any, between the right-of-way and the front line of the building shall be finished and serve as driveway/pedestrian area or landscaping, marquees, or similar, that extend up to five feet over the sidewalk to protect pedestrians from the elements for 70 percent of the facade.

The width of necessary access ways from the public rights-of-way to the parking lot, or to service the parking or other vehicular use areas, may be subtracted from the lineal dimension used to calculate the number of street trees required.

B. Commercial Frontage Landscaping. On frontages designated as commercial, landscaping shall conform with the approved street landscape plan in the ISTEA/56th Street Beautification plan when buildings are adjacent to the pedestrian activity area. Continuous planting beds will not be required in areas providing for safe walking. Raised planters shall be encouraged.

If parking is provided between the pedestrian activity area and the face of the building, landscaping shall be required to screen parking. Otherwise, the area shall be designed to encourage pedestrian movement.

Commercial Frontage Landscape Standards to Screen Parking	
Number of Parking Stalls	**Minimum Width of On-site Planting Area When On-site Parking is Located Between the Pedestrian Activity Area and the Building**
1 – 25	5 feet
26 or more	10 feet

C. Perimeter Landscaping for Parking Lots.

1. Parking lots fronting on street right(s)-of-way shall provide Type I landscaping in the required planter width area between the parking area and the right-of-way.
2. The following planter width requirements shall apply:

Street Frontage Landscape Planter Width		
Zoning District	**Number of Parking Stalls**	**Suggested Width of Perimeter Planting Adjacent to Street Right(s)-of-Way**
Commercial and Industrial Districts (BC, GC, F/T, LI/OP, SDD C/R)	0 – 75	5 feet
	76 – 250	10 feet
	251 – 500	15 feet
	Over 500	20 feet
All Other Districts except Single-Household Residential (RS)*	100 or less	10 feet
	more than 100	15 feet

Notes:

* Parking areas for public facilities, schools, religious facilities, performing arts centers, public and private recreation facilities, and membership organizations, shall comply with these requirements when located in RS zones.

(Ord. 2074 § 8.5(B), 1995; Ord. 2105, 1996; Ord. 2840 § 4, 2024)

§ 19.130.220. Interior parking lot and interior site landscape development.

The following interior landscape development shall be provided in addition to perimeter landscape development:

A. All parking lot and open vehicular use areas shall meet the following requirements for interior lot development:

1. Density. Planting areas shall constitute at least 10 percent of the parking and vehicular use area in all commercial districts and 15 percent of the parking and vehicular use area in all other developments, except for single-household residential developments;
2. Planting Islands. Planting islands shall be placed between every 10 parking stalls and on the ends of any parking aisle with 10 or more parking stalls. Planting islands include peninsular projections from perimeter landscape areas;
3. Planter Area Width. The minimum width of any required planting islands shall be five feet. Triangular planter islands must average a minimum of five feet in width for the full length of the planter area. Planting islands between parking bays shall have a minimum interior width of eight feet, including vehicle overhang;
4. Minimum Area. Interior parking lot planting islands shall be a minimum of 65 square feet in size;
5. Location of Plantings. All interior parking lot planting areas shall be located between parking bays, parking stalls, or the end of parking columns. The landscaping may be peninsular or island type. No landscape planting which occurs between the parking area and a building or recreation area shall be counted toward satisfying the requirements;
6. Maximum Contiguous Area. Required interior parking lot landscaping is to be distributed evenly throughout the vehicular use area. Landscape areas in excess of the minimum requirements may be clustered or consolidated as desired;
7. Required Plantings in Landscape Islands. As a minimum, Type I landscaping shall be provided in landscape islands with a minimum of one tree for each 150 square feet or fraction thereof of required and provided landscape areas associated with vehicular use areas. Any remaining areas shall be landscaped as specified by subsection **B** of this section or the applicable landscape type (MTMC § **19.130.240**);
8. Parked Vehicle Overhang. A curb or other wheel stop shall be provided wherever vehicles may overhang landscaped areas. Maximum overhang for parked vehicles is limited to two feet, six inches for standard stalls and compact stalls, including the curb or wheel stop. Landscaping, within any vehicle overhang area, is limited to low-growing live ground covers (including grass);
9. Pedestrian Access. Parking lots in any commercial or industrial zone shall accommodate pedestrian access openings through continuous planting areas by providing, as a minimum, a four-foot-wide pathway every fourth parking stall. Pedestrian pathways shall not be required in planting areas where pedestrian traffic is not likely to occur, e.g., through perimeter planting areas directly opposite the building structure or where planting areas are perpendicular to the building structure;

10. Alightment Area. Any parking stall abutting a planter island on the driver or passenger side of the vehicle shall provide an additional 18 inches of stall width above the minimum stall width requirement to provide a place for alighting passengers to step other than in the planting bed. The additional width shall be striped separate from the parking stall; and

11. Light standards within a parking area are to be located in landscape planters. If tree placement interferes with light coverage requirements, alternative lighting shall be considered, such as mounting down-lighting, or up-lighting a larger tree.

B. Interior lot landscape development, other than that required for perimeter and interior parking lot landscaping, shall be provided as follows. All planting areas shall be a minimum of five feet in width.

1. Planting areas located between the vehicular use area and an interior lot sidewalk shall be landscaped with Type I landscaping;

2. A Type II landscape planting strip shall be required between any vehicular use area, sidewalk, or right-of-way and any on-site buildings when the building facade has a mean elevation greater than 20 feet in height or is more than 50 feet long; and

3. All other areas on a subject site or building lot that are not specifically designated for parking, structure siting, storage, or to meet landscaping requirements shall be planted, as a minimum, with 100 percent coverage with turf or 75 percent coverage with other living ground cover within three years.

(Ord. 2074 § 8.5(C), 1995; Ord. 2702 § 9, 2016; Ord. 2712 § 8, 2017)

§ 19.130.230. Perimeter landscaping on interior lot lines – Buffering requirements.

A. The landscape development standards of this section are in addition to other requirements of this chapter.

B. To reduce incompatible characteristics of abutting properties with different land use classifications, the minimum designated width and landscape type that applies on interior property lines, shall be according to the following table:

Interior Lot Line Landscape Type and Width									
	Land Use District of Proposal[1]								
Adjacent to Land Use District	**RS[2]**	**RML[2] RMM[3]**	**MHP**	**CG[4] BC**	**BC Down-town**	**F/T**	**LI/OP PFS**	**SDD (R)**	**SDD (C/R)**
Single-Household Residential (RS)[3]	None	Type V 12 feet	Type V 12 feet	Type V 15 feet	Type V 15 feet	Type V 20 feet	Type V 20 feet	Type V 20 feet	Type V 15 feet
Low Density (RML) and Medium Density Residential (RMM)	None	Type III 10 feet	Type IV 12 feet	Type IV 15 feet	Type IV 15 feet	Type IV 15 feet	Type V 20 feet	Type IV 20 feet	Type V 15 feet
Mobile Home Park (MHP)	None	Type III 10 feet	Type III 10 feet	Type IV 12 feet	Type IV 12 feet	N/A	Type V 20 feet	Type IV 12 feet	Type IV 12 feet
General Commercial (CG) and Community Business (BC)	None	Type IV 12 feet	Type IV 12 feet	Type III 5 feet	Type III 5 feet	Type III 5 feet	Type III 8 feet	Type III 5 feet	Type III 5 feet
BC Downtown					N/A			Type IV 15 feet	Type III 12 feet
Freeway/Tourist (F/T)	None	Type III 12 feet	N/A	Type III 5 feet	Type III 5 feet	N/A	N/A	Type III 12 feet	Type III 12 feet
Light Industrial/Office Park (LI/OP) Public Facilities and Services (PFS)	None	Type IV 15 feet	Type IV 15 feet	Type III 5 feet		N/A	Type I 5 feet	Type I 5 feet	
Special Development District (SDD R)	None	Type III 15 feet	Type III 15 feet	Type III 5 feet	Type III 5 feet	N/A	Type I 5 feet	N/A	Type III 12 feet
Special Development District Commercial Residential (SDD C/R)					Type III 5 feet			Type IV 10 feet	N/A

Notes:

1. Development in the Recreation/Open Space (REC) land use district shall provide lot line landscape buffers based on Planning Commission recommendations for each case. For development in a Special Development District (SDD), refer to Chapter **19.80** MTMC for landscape buffer requirements.

2. Schools, religious facilities, performing arts centers, public recreational facilities and membership organizations, located in a RS, RMM, or RML zone, shall provide a Type III planting strip, 10 feet in width, on any interior property line. Private recreation facilities, located in RS zones, shall provide a Type V planting strip 10 feet in width on interior lot lines adjacent to RS zones and a Type III planting strip 10 feet in width on interior lot lines adjacent to REC zones. When located in any other zone, landscaping shall be provided as noted in accordance with the chart.

3. Landscape buffering requirements shall apply to both adjacent single-household residential zoned property and adjacent single-household residential land uses.

4. Subject to approval by the Planning Commission, the interior lot line landscaping area requirements for BC, CG and LI/OP zoned properties that abut BC, CG or LI/OP zoning designations may be satisfied by providing equivalent planting area and materials elsewhere on site, for example, increased street frontage or interior parking lot landscaping.

(Ord. 2074 § 8.5(D), 1995; Ord. 2702 § 10, 2016; Ord. 2840 § 5, 2024)

§ 19.130.240. Landscape types.

The intent of the landscape type and the minimum requirements for each are described below. For minimum required plant sizes see MTMC § **19.130.110** (Landscape Development Standards).

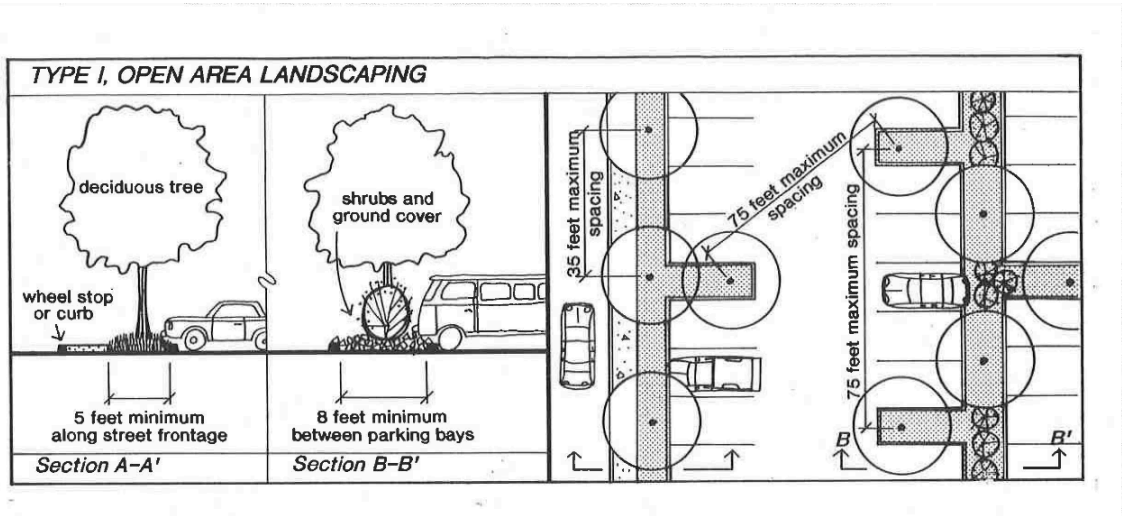
A. Type I – Open Area Landscaping.

1. Purpose. Type I landscaping is primarily intended to visually soften large open spaces of parking areas.

2. Description. Type I landscaping shall consist of deciduous trees spaced a maximum of 35 feet on center in a continuous planting bed; a maximum of 75 feet on center with segmented planting areas; and low-lying shrubs with a maximum height of 36 inches and live ground cover that, combined with shrubbery, provides at least 75 percent coverage of the landscaped area within two years. Up to 25 percent of the required landscape area may utilize nonliving landscape material in place of the otherwise required living ground cover. As a minimum, planting areas shall have a width of five feet and one tree for every 150 square feet or fraction thereof of applicable landscaped area.

Evergreen trees may be used on a limited basis and only when planted outside any sight area triangle with a maximum spacing of 30 feet on center.

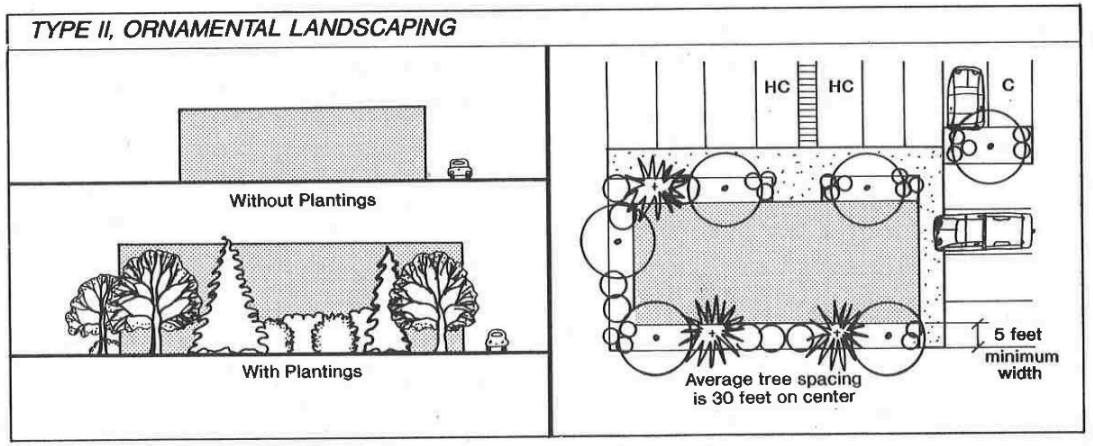
When located between sidewalks and parking lots in nonresidential zones, Type I landscaping shall not require a continuous planting bed. Planting beds of at least 30 square feet shall be provided with one dimension at least five feet. Five-foot-wide pedestrian walks shall be provided for access to sidewalk, transit, and businesses. Five-foot-wide pedestrian walks through landscaped areas may be provided every 35 feet. Stepping stones through planting areas may be provided to minimize damage to plantings.



B. Type II – Ornamental Landscaping.

1. Purpose. Type II landscaping is intended to provide visual relief and shade to building facades and add to the overall quality of a development by softening the effect of site buildings and structures upon the landscape.

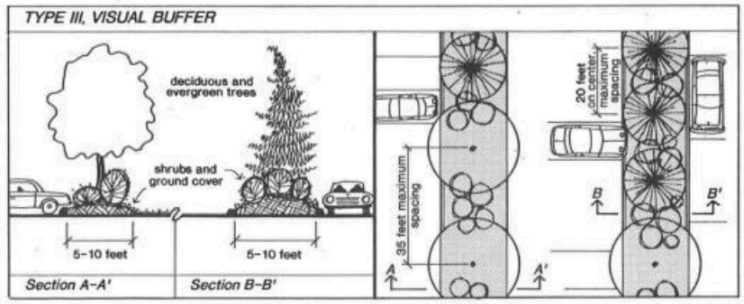
2. Description. Type II landscaping shall consist of coniferous and deciduous trees planted an average of 30 feet on center in beds at least five feet in width, along with evergreen and deciduous shrubs and live ground cover forming an effective screen so as to cover over 75 percent of the landscape area within two years. Up to 25 percent of the required landscape area may utilize nonliving landscape material in place of the otherwise required living ground cover.



C. Type III – Visual Buffer.

1. Purpose. Type III landscaping is intended to provide visual separation of incompatible uses from streets, main arterials, and along property lines.

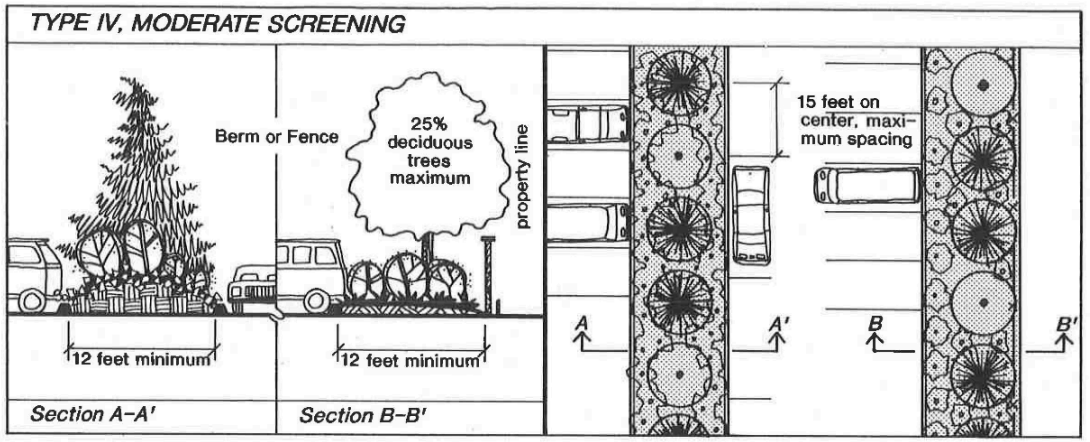
2. Description. Type III landscaping is made up of evergreens or a mixture of evergreen and deciduous (no greater than 80 percent deciduous) trees. Maximum spacing shall be 20 feet on center for evergreen trees and 35 feet on center for deciduous trees. Shrubs and live ground covers shall provide for at least 100 percent coverage of landscaped area within a two-year period. An earthen berm may be used with low shrubbery in place of more level terrain with medium-sized shrubbery. Up to 25 percent of the required landscape area may utilize nonliving landscape material in place of the otherwise required living ground cover.



D. Type IV – Moderate Screening.

1. Purpose. Type IV landscaping is intended to create a strong visual separation between incompatible uses.

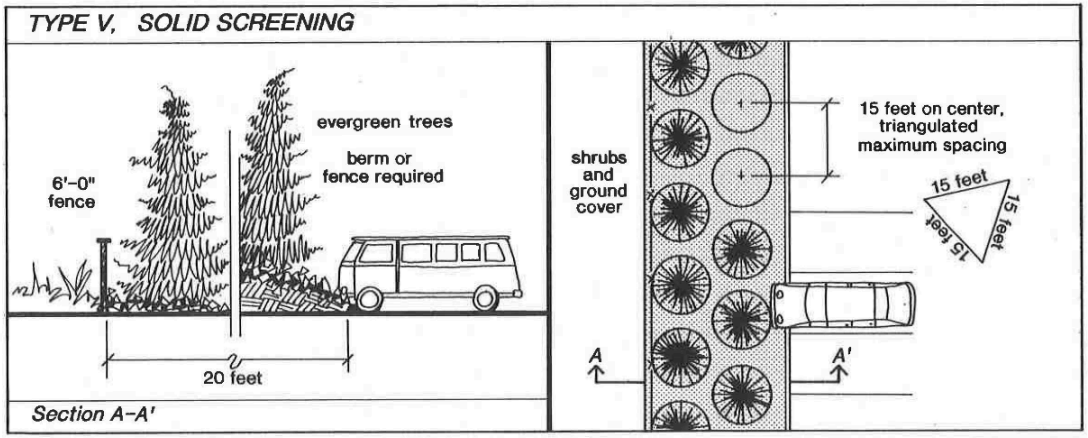
2. Description. Type IV landscaping shall be made up of evergreen trees planted a maximum of 15 feet on center, along with medium-sized shrubs and live ground cover to form an effective visual barrier a minimum of six feet in height within five years. Up to 25 percent of the required landscape area may utilize nonliving landscape material in place of the otherwise required living ground cover. Deciduous trees up to 25 percent of the tree requirement are encouraged to add seasonal and textural variation. Either an earth berm or a six-foot high sight-screening fence shall be used. When the earth berming alternative is chosen, medium-sized shrubs shall be spaced four and one-half feet on center. When the fence option is selected, medium-sized shrubs shall be placed six feet on center. Actual plant spacing is influenced by selected plant species and size, in conjunction with the alternative selected and is subject to final approval by the City.



E. Type V – Solid Screening.

1. Purpose. Type V landscaping is intended to provide a solid sight barrier to totally separate incompatible uses.

2. Description. As a minimum Type V landscaping shall consist of a double row of evergreen trees (with rows offset) spaced 15 feet triangulated on center, an earth berm, a minimum height of two and one-half feet, and shrubs and live ground cover to provide an effective visual barrier a minimum of six feet in height within three years. As an alternative to earth berming, a six-foot high sight-screening fence may be incorporated into the landscaping. Up to 25 percent of the required landscape area may utilize nonliving landscape material in place of the otherwise required living ground cover.



(Ord. 2074 § 8.5(E), 1995)

Article VI. Maintenance of Landscape Development

§ 19.130.250. Maintenance of landscape development.

All required landscape development and turf areas as designated on the approved landscape plan shall be maintained in a healthy growing condition, free of weeds, trash, or debris throughout the life and use of the development. Dead, damaged, diseased, or missing plant material or turf shall be repaired or replaced as necessary to comply with the intent of the approved plans and this chapter.

Refer to MTMC § **19.130.090** for requirements for maintenance guarantees.
(Ord. 2074 § 8.6, 1995)

CITY OF MOUNTLAKE TERRACE

STAFF REPORT

To: Mountlake Terrace City Council
From: Jeff Niten, City Manager
Meeting Date: July 16, 2026
Subject: Appointment for Lodging Tax Advisory Committee and Diversity, Equity and Inclusion Commission Member Vacancies

Required Reviews:

Lan Nguyen	Created/Initiated - 07/07/2026
Jeff Niten	Final Approval - 07/07/2026

Council Goal(s):
An Informed and Engaged Community
Growing our Vibrant Community

Legislative History:
N/A

Subject Summary:

As of July 1, 2026, the Diversity, Equity and Inclusion Commission (DEIC) has three vacancies following the expiration of three members' terms and Lodging Tax Advisory Committee (LTAC) has a vacancy due to the resignation of one of its members.

Two interviews for DEIC and LTAC were held on Thursday evening, July 9, 2026 by the City Council Board and Commission Interview Committee. The committee included Councilmembers Doyle, Murray, and Paige, and interviews were conducted in-person at City Hall.

The City Council Board and Commission Interview Committee recommend the following appointments:

Diversity, Equity and Inclusion Commission
Mireia Padial – New Appointment

Lodging Tax Advisory Committee
Aireal King – New Appointment

Financial/Budget Impacts:
Budget Amendment Required? N/A

Budget and Sources:	
Expenditure:	
New Appropriation Required + Sources:	

Additional Financial Information:
N/A

Community Notifications:
City Council Agenda
If "Other," please specify:

Board/Commission Recommendation:
N/A

Staff Recommendation:
N/A

Council Motion:
I move to approve the City Council Board and Commission Interview Committee's recommendations for Diversity, Equity and Inclusion Commission and Lodging Tax Advisory Committee as presented.

Attachments:
1. 8 DEIC Application - Mireia Padial
2. 8 LTAC Application - Aireal King

From: noreply@civicplus.com
To: EMAIL CITYHALL
Subject: Online Form Submission #11224 for Application for Boards and Commissions
Date: Wednesday, June 24, 2026 7:14:15 AM

**** External Email ****
Do not click on links or open attachments unless you recognize the sender and are expecting this email. Be cautious and look for signs of phishing attempts.

Application for Boards and Commissions

The Mountlake Terrace City Council is seeking candidates for vacancies on its boards and commissions. These volunteers are appointed and offer their knowledge and experience to advise and inform them on a variety of issues to help shape the community.

Recruitment is conducted each year (usually in the spring); however you may apply anytime as openings may occur throughout the year.

Communication with applicants, board members, and commissioners is primarily by email.

If you applied for a board or commission and did not received an acknowledgement email, please send a message to cityhall@mltwa.gov.

Applications are valid for one recruitment cycle.

More information here: https://www.cityofmlt.com/450/Boards-and-Commissions

How to Apply

Complete and submit the online application below. Or, download an application here, complete it and send to cityhall@mltwa.gov.

The City Clerk may contact you for an interview with the City Council Board and Commission Interview Committee. The Committee makes a recommendation for appointments for the full City Council to vote on.

First and Last Name	Mireia Ravell Padial
Address	6303 224th St SW

City	Mountlake Terrace
State	WA
Zip Code	98043
Occupation	*Field not completed.*
Phone Number	*Field not completed.*
Email Address	mravell@gmail.com
Board or commission for which you are applying?	Diversity, Equity and Inclusion Commissioner
Are you willing to serve on another board or commission if not chosen for this one?	No
Second Choice	Recreation and Park Advisory Commissioner
Third Choice	Community Ambassador (2027-2028)
Why are you interested in serving on a City of Mountlake Terrace board or commission?	I want to participate and help in the community.
Are you able to regularly attend the meetings?	Yes, I can.
Describe any community activities or volunteerism you have done and please include any leadership roles.	I am currently a regular volunteer at the Ivy League, removing invasive plants from our parks.
Do you have experience working as part of a team? If so, please describe briefly.	Yes, in most of my professional experiences I have had to work in a team.
Whether or not you have team experience, do you enjoy working with others?	I like to share my ideas and listen to others; it's a very enriching way to learn.
Please list any	I am a listener, creative, at first I may seem shy but then I

occupational/educational skills or background you feel are relevant to serving on this board.	usually have a lot of initiative. Furthermore, the vast majority of my work experience has been in human resources in my country, and that has given me several skills in communication, organization, and event creation.
Please list any interests or hobbies if applicable to your application to this board or commission.	I enjoy doing different volunteer work and going to events to meet people. I also like playing board games.
Please attach your resume and/or briefly summarize your recent work experience. If retired, student or not working, please let us know or describe your previous work experience.	My work experience in the USA has included studying English and taking various courses in different fields, such as CERT, first aid, native plants, etc. I also volunteered with various organizations, including removing invasive plants and working in winter shelters. Additionally, I worked at the QFC deli.
How did you learn about volunteering for boards and commissions?	My friend Kerem
Attach your resume, if not summarized above.	*Field not completed.*

Email not displaying correctly? View it in your browser.

From: noreply@civicplus.com
To: EMAIL CITYHALL
Subject: Online Form Submission #11025 for Application for Boards and Commissions
Date: Tuesday, May 12, 2026 12:38:27 PM

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First and Last Name	Aireal King
Address	20218 21st PL W
City	Lynnwood
State	WA
Zip Code	98036

Occupation	Executive Director, Mountlake Terrace Chamber of Commerce
Phone Number	425-760-2071
Email Address	ed@mltchamber.org
Board or commission for which you are applying?	Lodging Tax Advisory Committee Member
Are you willing to serve on another board or commission if not chosen for this one?	No
Second Choice	*Field not completed.*
Third Choice	*Field not completed.*
Why are you interested in serving on a City of Mountlake Terrace board or commission?	As the Executive Director of the Mountlake Terrace Chamber of Commerce, I care deeply about supporting the economic vitality, visibility, and long-term success of Mountlake Terrace. I am especially interested in the Lodging Tax Advisory Committee because tourism, community events, and destination marketing all play an important role in strengthening local businesses and creating community pride. I would value the opportunity to collaborate with the City and other community stakeholders to help ensure lodging tax funds are used thoughtfully and effectively to benefit residents, visitors, and the local economy.
Are you able to regularly attend the meetings?	Yes
Describe any community activities or volunteerism you have done and please include any leadership roles.	I currently serve as the Executive Director of the Mountlake Terrace Chamber of Commerce, where I work closely with local businesses, community organizations, elected officials, and City staff to support economic development and community engagement initiatives. My work includes organizing business and community events, coordinating partnerships, supporting local promotions, and helping create programs that encourage community participation. In addition to my professional role, I serve as the Board President and Head Dance Coach for Cheer Seattle, an all-adult, nonprofit cheer and dance organization that raises funds, awareness, and spirits for the LGBTQIA+ community. Cheer Seattle is a 100% volunteer-led organization that has raised over $200k for local nonprofits in the Greater Seattle Area, and I have been volunteering with them since 2018. Furthermore, I serve on the City's branding committee, where I

	have been sitting in on meetings, reviewing reports and presentations, and providing feedback from a marketing and Chamber perspective.
Do you have experience working as part of a team? If so, please describe briefly.	Yes. Much of my professional and volunteer work involves collaborating with boards, committees, volunteers, business owners, city staff, sponsors, local nonprofits, and community partners. I regularly work in team environments where communication, organization, adaptability, and problem-solving are essential to accomplishing shared goals and delivering successful community programs and events.
Whether or not you have team experience, do you enjoy working with others?	Absolutely. I enjoy collaborating with others, building relationships, and bringing people together around shared goals. I value hearing different perspectives and believe strong teamwork leads to better ideas and stronger outcomes for the community.
Please list any occupational/educational skills or background you feel are relevant to serving on this board.	Top relevant experience and skills include: • Community and economic development • Event planning • Process improvement • Cross-functional communication • Cultural awareness • Marketing and communications • Business outreach and stakeholder engagement • Nonprofit leadership and administration • Partnership development • Public relations and community engagement • Budget awareness and program coordination • Project management • Teamwork and collaboration
Please list any interests or hobbies if applicable to your application to this board or commission.	I enjoy community event planning, supporting local businesses, networking, marketing and branding initiatives, and exploring ways to strengthen community engagement and local tourism experiences.
Please attach your resume and/or briefly summarize your recent work experience. If retired, student or not working, please let us know or describe your previous work experience.	I am attaching my most recent resume without my experience with the chamber. If you require further information about my involvement with the chamber, I will gladly provide it.
How did you learn about volunteering for boards	Ryan Doss

and commissions?

Attach your resume, if not summarized above.	Resume_Aireal King_Executive Director.pdf

Email not displaying correctly? View it in your browser.

Aireal King (she/her)

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Executive Director

SUMMARY

- Organized professional with experience in executive support, project management, and event planning.
- Skilled in coordinating teams, managing schedules, and overseeing vendor relationships to deliver projects and events on time and within budget.
- Proficient in project management tools, streamlining processes and improving operational efficiency.

EDUCATION

ASSOCIATE OF BUSINESS ADMINISTRATION

Edmonds College
2010-2013

AUTODIDACTIC MASTER

The World Wide Web
2010-Present

Self-directed learner with a passion for continuous education and skill acquisition.

CERTIFICATIONS

- Event Planning
- Modern Copywriting

RELEVANT SKILLS

HARD SKILLS

- Data Analysis & Reporting
- Event & Travel Coordination
- Executive Calendar & Schedule Management
- Process Improvement & Systems Optimization
- Project Management

SOFT SKILLS

- Adaptability & Problem-solving
- Autonomy & Self-motivation
- Cross-functional Communication
- Cultural Awareness
- Discretion & Confidentiality
- Emotional Intelligence
- Teamwork & Collaboration

SOFTWARE

- CRM & Reporting Software
- Google Workspace
- Microsoft Products
- Project Management Tools
- Video Conferencing software

View full list of skills

RELEVANT EXPERIENCE

PRESIDENT | OPERATIONS DIRECTOR

Cheer Seattle 2020 - Present

- Lead a diverse team, setting vision and long-term strategic goals to drive growth and community impact while improving processes and workflows.
- Oversee day-to-day operations, ensuring efficient process improvement and alignment with organizational priorities.
- Foster a positive team culture through development and stakeholder communication, enhancing engagement and cross-functional collaboration.
- Spearhead program management and community outreach initiatives, cultivating partnerships to advance Cheer Seattle's mission.

OWNER | MARKETING COACH

ABK Marketing, LLC 2021-2023

- Managed and tracked performance of multi-channel marketing campaigns, achieving a 50% increase in ROI through data-driven decision-making.
- Designed and implemented marketing plans for clients, driving a 30-50% increase in client engagement and revenue through process optimization.
- Provided strategic project coordination and management, streamlining marketing efforts and improving efficiency by 25%.
- Collaborated with clients to align project goals with business objectives, enhancing stakeholder communication and audience reach by 40%.

MARKETING & EVENTS COORDINATOR

Scotsman Guide, Inc. 2017-2022

- Coordinated cross-functional collaboration for large-scale events and marketing campaigns, overseeing logistics for 100+ events annually.
- Managed partnerships with industry associations from lead generation through contract negotiation, strengthening relationships and increasing visibility.
- Developed and executed marketing strategies, increasing community engagement by 45%, and email campaigns that improved open rates by 23% and conversions by 10%.
- Organized travel logistics for employees, from sales reps to executives, ensuring smooth coordination for events and business trips.
- Led cross-departmental collaboration, working with all our teams, to ensure seamless execution of projects and events.

SABBATICAL | Cultural Immersion & Personal Growth

Grown-up Gap Year | 36 countries, 5 continents 2022-2023

- Managed logistics, budgeting, and itinerary planning across 36 countries, enhancing organizational and planning skills.
- Cultivated cultural awareness and adaptability, improving problem-solving and decision-making abilities in multicultural environments.
- Improved invaluable insights into global sociocultural and economic dynamics, enhancing collaboration and communication across diverse teams.