CITY OF SNOHOMISH
SNOHOMISH, Washington

ORDINANCE 2315

AN ORDINANCE OF THE CITY OF SNOHOMISH, WASHINGTON, ADOPTING AND REVISING STORMWATER MANAGEMENT REGULATIONS PURSUANT TO THE WESTERN WASHINGTON PHASE II MUNICIPAL STORMWATER PERMIT ISSUED TO THE CITY BY THE WASHINGTON STATE DEPARTMENT OF ECOLOGY; AMENDING SNOHOMISH MUNICIPAL CODE (SMC) SECTIONS 14.20.010 ENTITLED "CLASSIFICATION", 14.100.020 ENTITLED "DEFINITIONS", 14.210.030 ENTITLED "MEASUREMENT METHODS, 14.210.230 ENTITLED "BUSINESS PARK AND AIRPORT INDUSTRY", 14.235.130 ENTITLED "MINIMUM REQUIREMENTS FOR OFF-STREET PARKING", ADDING SMC CHAPTER 14.237 ENTITLED "CLEARING AND GRADING", AMENDING SMC 14.240.030 ENTITLED "EXISTING VEGETATION", 14.240.040 ENTITLED "LANDSCAPE AND SCREENING REQUIREMENTS FOR PARKING LOT AND SITE DEVELOPMENT", 14.255.060 ENTITLED "EXEMPTIONS", 14.255.120 ENTITLED "SUBSTANTIVE REQUIREMENTS", 14.260.040 ENTITLED "SUBSTANTIVE REQUIREMENTS", AMENDING SMC 15.16.020 ENTITILED "STORMWATER MANAGEMENT MANUAL ADOPTION"; AND AMENDING THE CITY ENGINEERING DESIGN AND CONSTRUCTION STANDARDS; PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE

WHEREAS, the Federal Clean Water Act, 33 U.S.C. 1251 et seq. (the Act), requires certain local governments such as the City of Snohomish to implement stormwater management programs and regulations within prescribed time frames, and pursuant to said Act the United States Environmental Protection Agency (EPA) has adopted rules for such stormwater programs and regulations; and

WHEREAS, the EPA has delegated authority to the Washington State Department of Ecology (Ecology) to administer such stormwater programs and regulations, and Ecology has reissued the National Pollutant Discharge Elimination System (NPDES) Western Washington Phase II Municipal Stormwater Permit, effective August 1, 2013 through July 31, 2018, which requires local governments such as the City of Snohomish to implement numerous stormwater management requirements, including adopting Ecology's 2012 Stormwater Management Manual for Western Washington, and incorporating into the SMC the encouragement and allowance of Low Impact Development techniques by December 31, 2016; and

WHEREAS, in 2009, the City Council adopted Ordinance 2173, which established stormwater regulations including the adoption of Ecology's 2005 Stormwater Management Manual for Western Washington, as set forth in Ch. 15.16 SMC; and

WHEREAS, in 2011, the City Council adopted Ordinance 2211, which readopted the City Engineering Design and Construction Standards; and

WHEREAS, in order to comply with the currently effective NPDES Phase II Permit, the City has prepared proposed Stormwater Management regulations, which amend and update the City's current stormwater regulations and related municipal code provisions; and

WHEREAS, on September 7, 2016 the City's SEPA Responsible Official complied with the State Environmental Policy Act (SEPA) by issuing a Determination of Nonsignificance (DNS) for the adoption of the proposed Stormwater Management regulations and by complying with SEPA's procedural requirements for issuing the DNS; and

WHEREAS, on October 5, 2016 the Planning Commission conducted a duly noticed public hearing on the proposed code amendments, as set forth below; and

WHEREAS, on November 1, 2016 the City Council conducted a duly noticed public hearing on the proposed code amendments, as set forth below; and

WHEREAS, the City Council has determined that it is in the public interest and in furtherance of the public health and welfare to adopt the proposed Stormwater Management regulations, as set forth below; and

WHEREAS, the City contracted with the professional engineering consulting firm Gray & Osborne, Inc. to perform a review of the City Municipal Codes and Engineering Design and Construction Standards to determine conflicts or gaps that would need to be addressed to allow the use of Low Impact Development techniques as required by the NPDES Phase II Permit;

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

Section 1. SMC Section 14.20.010 entitled "Classification" is hereby amended to read as follows and all other provisions not addressed herein shall remain in full force and effect:

14.20.010 Classification

Permit Type	Permit Classification Number
administrative development plans, SEPA-exempt	1
building permits, SEPA-exempt	1
land clearing permits (provisional)	1
clearing and grading permits	1
lot line adjustments	1
lot line eliminations	1
minor variances	1
sign permits	1
temporary permits (provisional)	1
final plats	2

short plats, SEPA-exempt	**3**
administrative development plans, SEPA-applicable building permits, SEPA-applicable short plats, SEPA-applicable clearing and grading permits~~, SEPA-applicable~~	**4** **4** **4**
SEPA-exempt conditional use permits, recorded development plans, variances	**5** **5**
amendments to Development Code's Land Use Designation Map, SEPA-applicable conditional use permits, recorded development plans, preliminary plats, planned residential developments, and shoreline substantial development permits / variances / conditional uses	**6** **6** **6** **6** **6** **6**

Section 2. SMC Chapter 14.100 entitled "Definitions" is hereby amended to read as follows and all other provisions not addressed herein shall remain in full force and effect:

Garage, public ("Public garage") means a building or a portion of a commercial building designed or used primarily for temporary shelter or storage of vehicles in exchange for a fee, or accessory to a commercial use.

Low Impact Development (LID) is a stormwater and land use management strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, storage, 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.

Low Impact Development (LID) Facilities are distributed stormwater management practices, integrated into a project design, that emphasize pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation, and transpiration. LID best management practices include, but are not limited to, bioretention, rain gardens, permeable materials, roof downspout controls, dispersion, soil quality and depth, minimal excavation foundations, vegetated roofs, and water re-use.

Vegetated Low Impact Development (LID) facilities include bioretention, rain gardens, dispersion, vegetated roofs, and natural treatment areas.

Section 3. SMC Section 14.210.030 entitled "Measurement Methods" is hereby amended to read as follows:

14.210.030 Measurement Methods. The following measurement methods shall be used to determine compliance with the dimensional standards in this Chapter:

A. Street setbacks shall be measured from the existing edge of a street right-of-way or temporary turnaround.

B. Lot widths shall be measured by scaling a circle of the applicable diameter within the boundaries of the lot, provided that an access easement shall not be included within the circle.

C. For any calculation which ends in a fraction of .5 or greater, the number will be rounded up to the next whole number. Any fraction less than .5 will be rounded down to the next whole number.

D. Lot area shall be the total horizontal land area contained within the boundaries of a lot.

E. Open space calculations shall include areas of turf, landscaping, natural vegetation, or surface water retention/ detention facilities, including vegetated areas within Low Impact Development facilities.

Section 4. SMC section 14.210.230 entitled "Business Park and Airport Industry" is hereby amended to read as follows and all other provisions not addressed herein shall remain in full force and effect:

14.210.230 Business Park and Airport Industry.

A. Chapters 14.205 and 14.207 SMC govern permitted land uses in the Business Park and Airport Industry designations.

B. Minimum Area. A minimum of five (5) acres will normally be required for a Business Park development; however, existing smaller parcels that cannot be aggregated together to establish a 5 acre project will be allowed, subject to appropriate review and conditions.

C. Setbacks. Structures shall be a minimum distance of 50 feet from any property line abutting a residential land use designation. Where not abutting a residential designation, the minimum setback shall be zero, subject to compliance with the landscape screening requirements in Chapter 14.240 SMC.

D. Landscaping and Open Space.

1. The site shall consist of not less than 20 percent landscaping and/or open space, which open space may consist of undisturbed vegetation or water and will include the 5% area of required landscaping. In addition, any parking lot of over twenty (20) cars must provide a minimum of one contiguous one hundred (100) square foot landscaped island within the parking area for each ten (10) spaces. Up to 50% of the landscaping and open space requirement for a business park development may be provided by permanent dedication of a conservation easement to the City, a land trust, or another entity acceptable to the City of Snohomish, which easement shall restrict property to remain in open space in perpetuity within the same business park designation as the development in question.

2. At least 5% of the site must be in formal developed landscaping no less than two thousand (2,000) square feet in area and oriented towards the main entrance and public right-of-way.

3. Landscaping Adjacent to Streets. All uses which adjoin a street will also provide a landscape corridor of trees, planted no more than fifty (50) feet on center. Landscape plant materials used in Low Impact Development facilities may also be considered. Such landscaping shall not obscure the sight distance for traffic and pedestrians at the intersection of streets or driveways.

Section 5. SMC Section 14.235.130 entitled "Minimum Requirements for Off-Street Parking" is hereby amended to read as follows:

14.235.130 Minimum Requirements for Off-Street Parking.

A. Minimum Dimensions. The size and dimensions of individual parking stalls shall be eight and one-half (8½) feet wide and eighteen (18) feet long, and shall include an additional one hundred (100) square feet of maneuvering area. Parking areas including more than four (4) stalls of parking shall comply with the parking area dimensions as described in Figure 1 and Figure 2.

B. Driveway Dimensions. When off-street parking is provided, the access driveway or lane shall be paved and have a minimum width of ~~twelve (12~~eight (8) feet. The City Planner shall have the discretionary authority to require driveways to have a minimum of two eight-foot (8') moving lanes when unusual site problems, access for vehicles, or high traffic usage requires such. Driveway widths and construction standards within the public right-of-way shall be determined by the City Engineer. Shared and two-track driveway designs are allowed.

C. Required Access and Fire Lanes. The Fire Marshal shall determine when access for fire lanes shall be required. Such access and fire lanes shall be designed with not less than twenty-five (25) feet in width, forming a continuous route or loop connecting at both ends with streets, or as stipulated by the Fire Marshal.

D. Required Traffic-Control Devices. All traffic control devices, such as parking stripes designating car stalls and directional arrows, shall be completed and installed as shown on the approved plans. Hard-surfaced parking areas shall use paint or similar devices to delineate car stalls and directional arrows.

E. Requirements for Pedestrian Walks. Pedestrian walks shall be required in parking lots of over ten (10) stalls and shall be for the use of foot traffic only. They shall be delineated in a manner acceptable to the City. When wheel stops or bumper stops are provided, sidewalks may be constructed on grade with the parking lot.

F. Border Barricades. All parking areas and car sales areas that are not separated by a fence or landscaped buffer from any street or alley upon which they abut shall be provided with a suitable concrete curb not less than six (6) inches in height,

located not less than four (4) feet from the street or alley. The curb or barrier shall be securely installed and maintained; provided, that no such curb or barrier shall be required across any driveway or entrance to such parking area.

G. Backing into Streets. Parking facilities for all uses shall be so designed that vehicles are not required to back from the parking facility into any street. Such requirement shall be mandatory for all uses except for detached single-family residential uses and vehicles entering local access or collector streets from the driveway of an individual duplex structure.

H. Ingress and Egress Provisions. The City Engineer shall have the authority to fix the location, width and manner of approach of vehicular ingress or egress from a building or parking area to a street and to alter existing ingress and egress as may be required to control street traffic in the interest of the public safety and general welfare.

I. Surfacing. All off-street parking areas and vehicle sales areas, including ingress and egress lanes, shall be paved with a hard-surfaced material that may include permeable concrete or asphalt pavement. Marked, unpaved parking areas are permitted in Urban Horticulture, Public Parks, and Open Space zones, when a professional parking study or other reliable data shows the area will be for parking spaces in excess of those required pursuant to this Chapter.

J. Surface Water Runoff. All off-street parking areas and car sales areas shall be graded and drained in order to dispose of surface water runoff, subject to the approval of the City Engineer. All hard-surface areas shall be drained to an approved catch basin within the confines of the lot and disposed of through a drainage system as approved by the City Engineer. The use of low impact development technology in the construction of such areas is encouraged by the City providing it produces a surface that can be safely walked upon, can be marked to define parking spaces and other necessary information, and has been determined to be as serviceable as conventional asphalt paving.

K. Illumination. All lights provided to illuminate any public parking area, any semi-public parking area, or car sales area permitted by this title shall be arranged so as to direct the light away from any dwelling unit and the public right-of-way.

L. Maintenance of Off-street Parking Areas. Maintenance of all areas provided for off-street parking shall include removal and replacement of dead and dying trees, maintenance of landscaping grass, shrubs and trees, removal of trash and weeds, and repair of traffic-control devices, signs, light standards, fences, walls, surfacing material, curbs and railings.

M. Tandem Parking. Tandem parking is permitted only for detached single-family residences.

Section 6.
New SMC Chapter 14.237 entitled "Clearing and Grading" is hereby adopted and shall read as follows:

Chapter 14.237
CLEARING AND GRADING

Sections:
14.237.010 Purpose
14.237.020 Permit Required
14.237.030 Exempt Activities
14.237.040 Permit Issuance
14.237.050 General Conditions
14.237.060 Minimum Standards
14.237.070 Permit Restrictions
14.237.080 Inspections
14.237.090 Completion of Work
14.237.100 Permit Suspension or Revocation
14.237.110 Liability
14.237.120 Severability

14.237.010 Purpose. It is the purpose of this chapter to regulate, by permit, activities that involve construction, disturbance, and permanent and temporary modification of lands in the City of Snohomish in the interest of public health, safety, and welfare to ensure that the activities minimize impacts to the environment and storm drainage facilities.

14.237.020 Permit Required. A site civil permit for clearing and grading activities (hereunder referred to as "permit") is required for the following activities:

A. Any clearing, filling, or excavation in an environmentally sensitive area or regulated buffer.

B. Fill and/or excavation totaling a minimum of 100 cubic yards. Quantities of fill and excavation are separately calculated and then added together. However if excavated material is used as fill on the same site, the quantity is not calculated separately and then added together.

C. Over 1,000 square feet of clearing, as measured at the ground level. Clearing includes disturbance of over 1,000 square feet at grade due to felling or topping of trees.

14.237.030 Exempt Activities. Following activities are exempt from the requirements for a permit:

A. Agricultural management of existing farmed areas.

B. Routine landscape maintenance of existing landscaped areas totaling less than 1,000 square feet on developed lots and other activities associated with maintaining an already established landscape.

C. Work needed to correct an immediate danger to life or property in an emergency situation as declared by the Mayor or the City Manager or their designee.

D. Cemetery graves.

E. Work, when approved by the City Engineer, in an isolated self-contained area, if there is no danger or impact to public or private property.

14.237.040 Permit Issuance.

A. Permit shall be issued by the Engineering Department upon proper application therefore and upon payment of fees to be set by separate Council resolution. Unless provided otherwise on the face of the permit, the permit shall be effective for one year, but may, with cause shown, be extended by the City Engineer for an additional one-year period.

B. Permit shall be issued only in conjunction with one or more of the following:

1. Approved building permit;
2. Approved administrative development plan;
3. Utility extension;
4. Property access road;
5. Approved conditional use permit;
6. Approved street, water, storm and sanitary sewer construction drawings for a preliminary plat or short plat;
7. Approved shoreline permit;
8. Special permission of the permit authority based on a demonstration that extenuating and/or special circumstances are present and that the project is consistent with the grading and drainage plan with landscaping, soil stabilization and surface groundcover elements including continuous maintenance;

   a. Decision Criteria. The permit authority may approve or approve with modifications an application submitted under this subsection only if:

      i. The proposal is in accord with the comprehensive plan, comprehensive drainage plan, land use development code, drainage management code and other city codes and adopted standards,

      ii. The approval of the proposal will not pose a threat to or be detrimental to the public health, safety and welfare, and

      iii. The applicant has demonstrated that approval of the proposal independent of obtaining other permits is appropriate for the reasonable development or maintenance of the property and when the

application specifies the size, location, and type of proposed uses for the project when it is completely developed.

b. Time Limits May Be Imposed. For any permit authorized under this subsection the permit authority may impose a time limit within which the proposed site work must be completed, generally not to exceed one year.

c. Conditions May Be Imposed. For any permit authorized under this subsection the permit authority may impose any conditions deemed necessary to mitigate potential adverse impacts on the environment and the public's health, safety, and general welfare.

14.237.050 General Conditions (required of all applicants). Permittees shall comply with the following conditions, which shall apply to all permits:

A. Comply with all applicable City ordinances, City design and construction standards, specifications, policies, and administrative procedures.

B. Agree to defend, indemnify, and hold harmless the City of Snohomish, its officers, employees, and agents, for any and all suits, claims, causes of action, or liabilities caused by or arising out of any activities conducted by the permittee resulting from issuance of the permit.

C. Agree to special project notification of the City, affected property owners and tenants, or other agencies as specified by the City Engineer.

D. Notify the City 48 hours before installation of temporary erosion and sediment control measures and commencing any land-disturbing activity.

E. Install all temporary erosion and sediment control measures as identified in the approved plans prior to commencing any land-disturbing activity.

F. Delimit all potentially impacted critical areas and their buffers with a construction limits fence prior to any disturbance of the soil.

G. Notify the City within 24 hours after the temporary erosion and sediment control measures installation is completed and do not commence any land disturbing activity until notified by the City that the installation of the temporary erosion and sediment control measures and construction limits fencing has been approved.

H. Obtain permission in writing from the City prior to modifying any of the plans.

I. Maintain all road drainage systems, storm water drainage systems, control measures, and other facilities identified in the plans.

J. Protect areas to remain undisturbed and identified for low impact development facilities/uses and minimize equipment encroachment into these areas.

K. Repair siltation or erosion damage to adjoining surfaces and drainage ways resulting from land developing or disturbing activities.

L. Inspect the erosion construction control measures at least once each week during construction after each rain of 0.5 inch or more (over a 24-hour period), and immediately make any needed repairs.

M. Allow the City to enter the site for the purpose of inspecting compliance with the plans or for performing any work necessary to bring the site into compliance with the plans.

N. Keep an up-to-date, approved copy of the plans on the site.

O. Understand and agree that the City Engineer may, at his or her discretion, attach other special conditions to any permit. Such condition(s) shall be necessary to satisfy the purpose of this Chapter, compliance with the Ecology Stormwater Management Manual or to protect the public health, safety, and welfare.

P. Understand and agree that all construction, workmanship and materials shall be in accordance with the City Engineering Design standards, City adopted Department of Ecology Stormwater Management Manual for Western Washington, and where applicable, the most current edition of the State of Washington Standard Specifications for Road, Bridge and Municipal Construction.

14.237.060 Minimum Standards. Following minimum standards must be satisfied as a condition of issuance of any development permit:

A. Temporary Erosion and Sediment Control. Temporary erosion and sediment control plan shall be in accordance with the City Engineering Design standards and the City adopted Department of Ecology Stormwater Management Manual for Western Washington.

B. Grading. The following are the minimum standards for grading unless otherwise modified by an approved grading plan:

1. Grading shall not contribute to or create landslides, accelerated soil creep, or settlement of soils.

2. Natural land and water features, vegetation, drainage and other natural features of the site shall be reasonably preserved.

3. Grading shall not create or contribute to flooding, erosion, increased turbidity, or siltation of a watercourse.

4. Groundcover and tree disturbance shall be minimized. Tree retention and/or removal shall be in accordance with the provision of Chapter 14.240 SMC.

5. Grading operations shall be conducted so as to expose the smallest practical area to erosion for the least possible time.

6. Grading shall not divert existing watercourses.

7. The duff layer and native soils shall be retained in an undisturbed state to the maximum extent practicable in areas not intended for building pads, access ways or other impervious surfaces.

C. Aesthetic and spatial impact of altered grades on adjacent properties both public and private shall be considered in site design.

D. Sites shall be developed to promote continuity and to minimize abrupt grade changes between sites.

E. Clearing and grading shall be the minimum necessary for the structure and to make installation and function of infrastructure feasible and economic for future service extensions to adjacent properties.

F. Natural topography and the proposed layout of the development shall be considered when siting roads in order to anticipate grading needs and minimize extensive grading.

G. Sensitive Areas. No land-disturbing activity shall be permitted in a regulated sensitive area, except as otherwise allowed by applicable laws and permits.

H. Clean-Up. Persons and/or firms engaged in clearing, grading, filling, or drainage activities shall be responsible for the maintenance of work areas free of debris or other material that may cause damage to or siltation of existing or new facilities or have the potential of creating a safety hazard.

I. Dust Suppression. Dust from clearing, grading and other construction activities shall be minimized at all times. Impervious surfaces on or near the construction area shall be swept, vacuumed, or otherwise maintained to suppress dust entrainment. Any dust suppressants used shall be approved by the director. Petrochemical dust suppressants are prohibited.

14.237.070 Permit Restrictions. All clearing, grading, filling, and excavation activities, regardless of whether or not a permit is required, are subject to the following restrictions:

A. No clearing, grading, filling, or excavation is allowed in a critical area and its buffers where such activities are prohibited by SMC Title 14.

B. For clearing and grading activities conducted between October 1st and March 31st, no more than one acre may be moved or graded at any one time.

C. Between October 1st and March 31st, grading of individual building lots in a subdivision shall be phased, with no more than ten lots being graded in a subdivision at any one time. Before additional lots can be graded, the previously graded lots shall be hydro-seeded and mulched, sodded, or otherwise protected.

14.237.080 Inspections.

A. Prior to any clearing, grading, filling, and/or drainage facility construction, the contractor may be required to conduct a preconstruction conference with the City's Engineering Construction Inspector to coordinate the project.

B. All projects which include clearing, grading, filling or drainage shall be subject to inspection by the city engineer or his designee, who shall be granted reasonable right of entry to the work site by the permittee. When required by the City engineer, special inspection of the grading operations and special testing shall be performed by qualified professionals employed by the permittee.

C. Each site that has an approved clearing and grading, temporary erosion and sediment control or other required plans must be inspected as necessary to ensure that the temporary erosion and sediment control measures are installed and

effectively maintained in compliance with the approved plan and permit requirements. Where applicable, the permittee must obtain inspection by the City at the following stages:

1. Following the installation of sediment control measures or practices and prior to any other land-disturbing activity;
2. During the construction of sediment basins or storm water management structures;
3. During rough grading, including hauling of imported or wasted materials;
4. Prior to the removal or modification of any sediment control measure or facility; and
5. Upon completion of final grading, including establishment of groundcover and planting, installation of all vegetative measures, and all other work in accordance with an approved plan and/or permit.

14.237.090 Completion of Work.

A. Construction Changes. Whenever changes must be made to the original, approved plan, the changes shall be submitted in writing and approved by the City Engineer in writing in advance of the construction of those changes.

B. Final Reports. Upon completion of the rough grading and at the final completion of the work, the City Engineer may require the following reports, drawings, and supplements thereto to be prepared and submitted by the owner and/or an appropriate qualified professional approved by the City Engineer:

   1. An as-built grading plan, including original ground surface elevations, final surface elevations, lot drainage patterns, and locations and elevations of all surface and subsurface drainage facilities.
   2. A soils grading and/or geologic grading report, including locations and elevations of field density tests and geologic features, summaries of field and other laboratory tests, and other substantiating data and comments or any other changes made during grading and their effect on the recommendations made in the approved grading plan.

C. Notification of Completion. The permittee or their agent shall notify the City Engineer when the grading operation is ready for final inspection. Final approval shall not be given until all work has been completed in accordance with the final approved grading, erosion sedimentation control and other required plans, and the required reports have been submitted and accepted.

14.237.100 Permit Suspension or Revocation. The City Engineer may, in writing, suspend or revoke a permit issued under the provisions of this chapter for any of the following reasons:

A. Whenever the permit was issued in error or on the basis of incorrect information supplied by the applicant.

B. Whenever the work does not proceed in accordance with the plans as approved, or conditions of approval.

C. Whenever, in the judgment of the City Engineer, the work is not being performed in compliance with the requirements of this chapter, other City ordinances, or state or federal law.

D. Whenever the City has been denied reasonable access to investigate and permitted work is proceeding.

E. Whenever any excavation or fill endangers or may reasonably be expected to endanger the public, the adjoining property or street, or utilities.

14.237.110 Liability. The obligation of complying with the requirements of this ordinance rests upon the permittee, and no provision is intended to impose any special duty upon the City, or any of its officers, employees, or agents. Nothing contained in this chapter or any procedures adopted hereunder is intended to be or shall be construed to create a special relationship with any contractor, owner, permittee, or member of the public, or form the basis for liability on the part of the City, or its officers, employees, or agents, for any injury or damage resulting from the failure of the permittee to comply with the provisions hereof, or by reason or in consequence of any act or omission in connection with the implementation of enforcement of this ordinance or any procedures adopted hereunder by the City, its officers, employees, or agents.

The City Engineer and other employees charged with the enforcement and administration of this ordinance or agents of the City, acting for the City in good faith and without malice in the discharge of their duties, shall not thereby render themselves liable personally for any damages which may accrue to persons or property as a result of any act required or by reason of any act or omission in the discharge of such duties.

14.237.120 Severability. If any one or more sections, subsections, or sentences of this chapter are held to be unconstitutional or invalid, such decisions shall not affect the validity of the remaining portions of this code, and the same shall remain in full force and effect.

Section 7. SMC Sections 14.240.030 entitled "Existing Vegetation" is hereby amended to read as follows:

14.240.030 Existing Vegetation

A. General. ~~The applicant may be required to retain existing vegetation on the subject property to the maximum extent possible, where such vegetation is considered equal to or better than that required by this chapter and can be saved without serious disruption of the proposed development.~~New development shall retain all existing significant trees unless the retention of such trees would unreasonably burden the development or cause a significant safety problem, as determined by the City.

B. Site clearing. No site clearing, grading or removal of significant trees or other vegetation shall take place prior to approval of ~~the~~a proposed landscaping plan. Wholesale clearing or mass grading of sites is discouraged.

C. Retained vegetation shall be oriented, wherever possible, to disconnect adjacent impervious surfaces.

~~C.~~ D. Significant tree protection required. Any deciduous and evergreen trees eight (8)~~six (6)~~ inches or greater in diameter, as measured four (4) feet above the ground, is considered a significant tree, with the exception that alders and cottonwoods (*Alnas rubra* and *Populis trichocarpa*) are not considered significant. The property owner shall either furnish a site plan showing all free standing significant trees in areas proposed to be disturbed and the edge of tree cover in areas not proposed to be disturbed, or shall have an arborist provide a certificate stating there are no significant trees on the property.

For property proposed for single-family detached residential development and capable of being subdivided, applicants shall retain significant trees, except in the following areas: utility corridors, roads, and building pads and the yard areas around the proposed residences. For one of these exceptions to apply, the applicant shall depict the area on a site plan showing all free standing significant trees in areas proposed to be disturbed and the edge of tree cover in areas not proposed to be disturbed. The applicant shall retain significant trees on the subject property to the maximum extent that is practical taking into consideration the nature of the proposed development.

1. Protection techniques. In order to provide the best possible conditions for the retention of significant trees, the applicant shall comply with the following requirements.

   a. The applicant may not fill, excavate, stack, or store any equipment, or disturb or compact the earth in any way within the critical root zone (CRZ) where feasible, which may extend beyond the drip line of existing tree branches ~~area defined by the drip line~~ of any tree to be retained. A drip line is defined as a perimeter formed by the points farthest away from the trunk of a tree where precipitation from the branches of that tree falls on the ground.

   b. The applicant shall construct a temporary but immovable four (4) foot high sturdy fence around each tree to be retained, generally corresponding to the drip line of that tree.

   c. If the grade level around a tree to be retained is to be raised, the applicant shall construct a dry rock wall or rock well around the tree. The diameter of this wall or well must be equal to the diameter of the tree's drip line.

   d. The applicant may not install impervious surface material within the area defined by the drip line of any tree to be retained, unless specifically approved by the City's Planning and Development Services Department.

e. The grade level around any tree to be retained may not be lowered within the area defined by the drip line of the tree.

f. The applicant shall prune branches and roots as necessary, and fertilize and water plant material as appropriate.

2. Replacement if significant trees designated to be retained are removed.

a. For trees other than alders and cottonwoods (which are not protected as significant trees), the following shall apply: For any trees to be removed (except for diseased or dying trees) the City shall require the applicant to re plant in an appropriate manner. Replacement trees must be at least two and one-half (2½) inches in diameter as measured four (4) feet above grade for deciduous trees and a minimum of ten (10) feet in height for evergreen trees. Trees shall be replaced according to a plan prepared by the applicant and approved by the City. For the removal of diseased or dying trees, an arborist hired by the City at the applicant's expense shall determine which trees are healthy and shall provide a written report on its findings. Any tree which poses an immediate threat to property may be removed if a report from a qualified consultant is submitted and approved by the City. A two-year maintenance bond shall be provided for all replacement trees in an amount equal to no less than 200 percent of the arborist's estimate.

b. In the event that a property owner believes that a threat to life or property exists with regard to an existing tree, the property owner may request that the City Planner or designee evaluate the tree, and, if the City Planner concurs that a hazardous condition exists, the property owner may remove the tree without a report from a qualified consultant.

i. Replacement trees may be located in the street planter strip adjacent to the property.

ii. Subdivision development involving the removal of significant trees may locate replacement trees in the street planter strip on or adjacent to the development. If the number of replacement trees exceeds the number of trees required for street planters, then the developer may locate the trees off-site in street planter strips. The location of off-site replacement trees shall be reviewed and approved by the Hearing Examiner.

a) For properties capable of being subdivided, one (1) significant tree for each legal lot area may be removed annually. Property owners shall provide the City with written notice of removal within 30 days of removal.

3. Removal of Trees Designated to Remain. If any tree designated for retention or required to be planted is damaged or destroyed during construction, as a result of on-site construction practices, or within two years following the end of construction, as a result of on-site construction practices, the City shall require the planting of up to three approved trees, each at least two and one-half (2½) inches in diameter as measured four (4) feet above grade for deciduous trees and ten (10) feet in height for evergreen trees, in the immediate vicinity of the damaged or destroyed tree, as determined by the Planning and Development Services Department. The City may require the applicant to remove the damaged or destroyed tree.

Section 8. SMC Section 14.240.040 entitled "Landscape and Screening Requirements for Parking Lot and Site Development" is hereby amended to read as follows and all other provisions not addressed herein shall remain in full force and effect:

14.240.040 Landscape and Screening Requirements for Parking Lot and Site Development

Requirements for landscaping of parking lots and site development are set forth in the two Snohomish Design Standards documents: the *Design Standards and Guidelines for the City's Historic District* and *Design Standards and Guidelines for Areas Outside of the Historic District*. Landscape plant materials used in Low Impact Development facilities may be considered for review by the City Planner when evaluating compliance with the landscape and screening requirements.

A. Plant materials. Landscape plant materials shall be selected from the landscape plant lists and street tree lists, as set forth below. Plants used for Low Impact Development facilities shall be selected from the Bioretention Plant Lists contained in Appendix 3 of the *LID Technical Guidance Manual for Puget Sound*. Selected plants must be suited to local soil conditions, if the site is not irrigated. Native plant species shall be preferred.

1. Street Trees and Landscape Materials.

a. All subdivisions shall supply street trees along the entire frontage of the property and any interior streets. Landscape materials, including for the purpose of Low Impact Development facilities, may be considered for frontage plantings.

b. The following land use actions shall require the installation of street trees:

i. Short subdivision

ii. Subdivision

iii. Recorded development plan

iv. Conditional use permit

v. Any activity involving street frontage improvements

vi. Rebuilding or installation of a street.

c. All trees and other landscape materials, including for the purpose of Low Impact Development facilities, planted adjacent to streets or in street right(s)-of-way must have approval from the City prior to planting and conform to the ROW vegetation maintenance regulations.

(. . .)

Section 9. SMC Section 14.255.120 entitled "Substantive Requirements" is hereby amended to read as follows:

14.255.120 Substantive Requirements

A. All treatment of critical area shall be in accordance with best available science as defined in WAC 365-195-900 through 195-925, which is hereby adopted by reference, along with the Washington State Department of Community Development's *Citations of Recommended Sources of Best Available Science for Designating and Protecting Critical Areas.*

B. Critical areas and their buffers shall be left undisturbed, except that the following may be permitted if best management practices are used:

1. Authorized functional restoration or enhancement including native vegetation associated with Low Impact Development facilities, removal of invasive species, and trimming of significant trees in a manner consistent with best horticultural practices that does not negatively impact the trees' health and survivability;

2. In buffers: utility poles and utility lines which do not require excavation or clearing;

3. In the outer 50 percent of buffers: permeable-surfaced walkways, trails, and minimal wildlife viewing structures;

4. Developments for which mitigation is allowed per subsection E; and

5. Other uses specifically authorized by the Critical Areas Code.

C. No development shall occur which results in a net loss of the functions or values of any critical area except reasonable use variances per SMC 14.255.130.B. The pre- and post-development functional comparison shall be on a per function basis unless otherwise authorized by the Critical Areas Code.

D. No development shall occur in critical areas and their buffers, which results in an unreasonable hazard to the public health and safety.

E. These substantive requirements shall be met via one or more of the following methods, listed in preferential sequence (commonly known as "sequencing"). The methods used shall be those which are highest on the list yet consistent with the objectives of the proposed development:

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, such as project redesign, relocation, or timing, to avoid or reduce impacts;

3. Rectifying the impact to wetlands, critical aquifer recharge areas, frequently flooded areas, and habitat conservation areas by repairing, rehabilitating, or restoring the affected environment to the historical conditions or the conditions existing at the time of the initiation of the project;

4. Minimizing or eliminating the hazard by restoring or stabilizing the hazard area through engineered or other methods;

5. Reducing or eliminating the impact or hazard over time by preservation and maintenance operations during the life of the action;

6. Compensating for the impact to wetlands, critical aquifer recharge areas, frequently flooded areas, and habitat conservation areas by replacing, enhancing, or providing substitute resources or environments; and

7. Monitoring the hazard or other required mitigation and taking remedial action when necessary. Mitigation for individual actions may include a combination of the above measures.

F. As a condition of any permit approval, the City may require that:

1. The outer edge of the critical area or buffer be marked, signed, or fenced to protect the resource. Such protection may be temporary, during construction, or permanent such as to protect the resource from livestock or people. The City Planner shall specify the design and sign message if applicable, of such markers, signs, and fencing.

2. The applicant file a notice with the county records and elections division stating the presence of the critical area or buffer and the application of this Critical Areas Code to the property, in order to inform subsequent purchasers of the property.

3. The critical area and/or buffer be placed in a critical area tract or conservation

easement, the purpose of which is to set aside and protect the critical area. The critical area tract or conservation easement shall be:

a. Held by the City, a homeowner's association, a land trust or similar conservation organization, or by each lot owner within the development in an undivided interest;

b. Recorded on all documents of title of record for the affected parcels;

c. Noted on the face of any plat or recorded drawing; and

d. Delineated on the ground with permanent markers and/or signs in accordance with local survey standards.

G. The City may allow averaging of buffer widths, if a qualified professional demonstrates that:

1. Functions and values are not adversely affected;

2. The total buffer area is not reduced; and

3. At no location is the buffer width reduced more than 40 percent.

H. Unless otherwise provided, buildings and other structures shall be set back a distance of ten feet from the edges of all critical areas and critical area buffers. The same protrusions into this setback area shall be allowed as the development code allows into property line setback areas.

I. Critical areas and buffers shall not be allowed within any lot of a subdivision and/or short plats unless the plat was vested prior to the effective date and implementation of this ordinance. Subdivision and or/short plats shall show, on their face, any applicable critical area limitations.

J. When any existing regulation, easement, covenant, or deed restriction conflicts with this Critical Areas Code, the one which provides more protection to the critical areas shall apply.

K. When critical areas of two or more types coincide, the more restrictive buffer and requirements shall apply.

L. Subject to approval through the planned residential development process, or approval by the City Planner, depending on who is the applicable decision-maker, in calculating allowable residential units per acre, up to 100% of the acreage of critical areas and buffers may be counted and this density transferred to buildable portions of the site.

M. The substantive requirements unique to the type of critical area shall also be complied with, as set forth in the applicable chapter of the Critical Areas Code.

Section 10. SMC Section 14.260.040 entitled "Substantive Requirements" is hereby amended to read as follows:

14.260.040 Substantive Requirements

In addition to the substantive requirements of SMC 14.255.120, the requirements of this section shall apply to developments in wetlands, except as exempted above.

A. The higher the wetland category (Category I is highest), the greater shall be the emphasis on higher-priority "sequencing" methods per SMC 14.255.120.E.

B. The following buffer width requirements are established as the minimum wetland buffer widths:

1. The standard buffer widths in this section are based on the fact that most impacts adjacent to wetlands in the City of Snohomish will be high intensity impacts characteristic of an urban area. Accordingly, one baseline buffer will generally apply to each category of wetland, as provided in subsection 14.060.040(B)(2), unless the habitat function score requires increasing the buffer width, as provided in subsection 14.260.040(B)(3), or unless the buffer width is increased, decreased, and/or averaged, as provided in subsections 14.260.040(D, E, F, and G).

2. Standard/baseline buffer widths shall be:

Category I	**150** feet
Category II	**100** feet
Category III	**50** feet (exempt if smaller than 1000 square feet: see SMC 14.255.060(S); between 1000 square feet and 3000 square feet in area shall be exempt from the normal sequencing process but shall be fully mitigated: see SMC 14.255.060(T))
Category IV	**50** feet (exempt if smaller than 1000 square feet: see SMC 14.255.060(S); between 1000 square feet and 3000 square feet in area shall be exempt from the normal sequencing process but shall be fully mitigated: see SMC 14.255.060(T)

1. The standard/baseline buffer widths shall be increased for each Category of wetland to the following wetland buffer widths, if the habitat function scores (derived from the 2004 Wetland Rating System for Western Washington) meet the following thresholds:

Category I	**200** feet, if habitat function score is at least 28
Category II	**150** feet, if habitat function score is at least 28

Category III	**100** feet, if habitat function score is at least 20
Category IV	**50** feet, i.e. no increase regardless of habitat function score.

C. Buffers shall be measured from the wetland boundary as surveyed in the field. If wetland enhancement is proposed, the requirements for the category of the wetland after enhancement shall apply.

D. The above standard buffer widths presume the following:

1. The buffer is at least moderately endowed with healthy native vegetation (i.e., 75% ground cover) and other factors affecting its ability to protect the wetland, such as favorable topography.

2. The City Planner may increase the required buffer width or require buffer enhancement if the buffer is poorly endowed with healthy native vegetation or is otherwise handicapped in its ability to protect the wetland as specified in 14.260.040(E).

3. The City Planner may reduce the required buffer width if the buffer is, or after enhancement will be, well endowed with healthy native vegetation or otherwise unusually able to protect the wetland as specified in 14.260.040(E).

E. The City Planner may increase or reduce the standard buffer width if the function(s) served by the particular wetland need(s) more or less buffer width, as indicated by a wetland functional analysis. Buffer widths may be reduced not more than 25% of the standard/baseline buffer width and only if restoration or enhancement occurs within the remaining buffer such that no net loss of function is realized.

F. The City Planner shall have the authority to average buffer widths on a case-by-case basis, where a qualified professional demonstrates to the City Planner's satisfaction that all the following criteria are met:

1. The total area contained in the buffer area after averaging is no less than that which would be contained within the standard buffer.

2. The buffer averaging does not reduce the functions or values of the wetland.

3. The wetland contains variations in sensitivity due to existing physical characteristics or the character of the buffer varies in slope, soils, or vegetation.

4. The director shall have the authority to increase the minimum width of the standard buffer on a case-by-case basis when such increase is necessary.

5. Buffer width averaging does not reduce the original buffer width by more 50% at any one point.

G. The City Planner may combine the use of buffer restoration or enhancement to reduce buffer width, as provided in subsection 14.260.040(E), with the use of buffer width averaging, as provided in subsection 14.260.040(F), provided that there is no net loss of function and the original buffer width is not reduced by more than 50% at any one point.

H. Except as provided elsewhere in the Critical Areas Code, all existing native vegetation in wetland buffers shall be retained without disturbance, mowing, or hard surfacing, nor shall any action be taken to inhibit volunteer re growth of native vegetation. Invasive weeds shall be removed for the duration of the monitoring period. Stormwater management facilities, bioswales, Low Impact Development facilities, and treated-water outfalls are permitted in the outer 50 percent of the buffer of Category II, III, or IV wetlands, provided that wetland functions and values are not significantly lost through fluctuations in wetland hydrology and construction integrates best management practices.

Section 11. SMC Section 15.16.020 entitled "Stormwater Management Manual Adopted" is hereby amended to read as follows:

15.16.020 Stormwater Management Manual Adopted. The ~~2005~~ 2012 State Department of Ecology Stormwater Management Manual for Western Washington , as amended by Sections 1-6 of Appendix 1 of the Western Washington Phase II Municipal Stormwater Permit, as now or hereafter amended, is hereby adopted as the City's minimum stormwater regulations and as a technical reference manual and is hereinafter referred to as the "Stormwater Manual."

ENGINEERING DESIGN AND CONSTRUCTION STANDARDS

Section 12. Engineering Design and Construction Standards Section 1-6.2 entitled "WARRANTY." is hereby amended to read as follows and all other provisions not addressed herein shall remain in full force and effect:

1-6.2 WARRANTY

Warranty guarantees shall be required at the time of final acceptance of the public improvements and/or improvements required by City ordinance. The guarantee amount will be ~~10%~~ 15% of the documented final cost of the improvements in accordance with SMC 14.215.080. The warranty guarantee is required prior to release of the performance guarantee. Methods of posting warranty guarantee shall be the same as for performance guarantee and shall be for the lengths of time as listed below:

Street/Alley	Drainage (private)	Utilities (public)
~~Two~~ One Year	~~Two~~ One Years (will be extended for one year if City elects to assume maintenance)	~~Two~~ One Year

Section 13. Amendment of EDS Section 3 Table of Contents
Engineering Design and Construction Standards Section 3 entitled "TABLE OF CONTENTS" is hereby amended to read as follows:

TABLE OF CONTENTS

SECTION 3

STREETS AND RELATED WORK

(...)
3-5. ~~PARKING LOTS~~ STREET PAVEMENT PRESERVATION.....3-6
~~3-5.1 General.....3-6~~
~~3-5.2 Construction.....3-6~~
~~3-5.3 Handicap Requirements.....3-6~~
~~3-5.4 Illumination.....3-7~~
~~3-5.5 Pedestrian Concerns.....3-7~~
(...)

Section 14. Engineering Design and Construction Standards Section 3-5 entitled "PARKING LOTS" is hereby replaced with a "STREET PAVEMENT PRESERVATION" section and is to read as follows:

3-5 ~~PARKING LOTS~~ STREET PAVEMENT PRESERVATION

No permit shall authorize an open cut crossing of a newly paved or overlaid asphalt street for a period of five years after paving, and directional bore shall be required in such

circumstances. The City Engineer or designee may grant exemptions to this requirement in order to facilitate development on adjacent properties, to provide for emergency repairs to subsurface facilities, to provide for underground service connections to adjacent properties or to allow the upgrading of underground utility facilities.

When granting exceptions to this restriction, the City Engineer may impose conditions determined appropriate to insure complete restoration of the street and the surface paving. In addition to complying with the City Engineering Design and Construction Standards, conditions may include ADA improvements, surface grinding, base and sub-base repairs, or other related work as needed, and up to full-width surface paving of the roadway. The length of restoration will be determined by the City Engineer.

In addition to a right of way permit, any person who is required to partially or fully repave a street shall be responsible for the full cost of plan review, construction inspection, material testing, bonding, other permits and all other City fees related to the work.

If the City Engineer determines that final repaving of the street is not appropriate at that particular time for reasons relating to weather or other short term problems, the City Engineer may grant a delay until proper conditions allow for repaving subject to bonding or other acceptable security as deemed appropriate by the City Engineer.

~~3-5.1 GENERAL~~

~~Off-street parking lots shall be constructed in conformance with the requirements for number of stalls and landscaping as noted in the Land Use Code. Additionally, if all of the following are met, a maximum of 25% of the required number of stalls may be sized for compact cars, as shown on Standard Plan Nos. 334A and 334B. Aisle widths may be required to be widened if multiple utility lines are located within the aisle corridor. Note the compact stalls should not be intermixed with standard stalls.~~

~~A. The parking lot contains 12 or more parking spaces.~~

~~B. The parking area is defined as long-term parking, i.e., more than three to four hours and does not involve packages. For example, a shopping center could not meet this criterion, but an apartment complex could.~~

~~3-5.2 CONSTRUCTION~~

~~All parking lot construction shall be inspected by the Public Works Department for conformance to plans for size, layout, drainage control, and structural section. The minimum acceptable structural section for parking lots shall be two inches of class "B" asphalt placed over four inches of crushed surfacing top course, unless otherwise approved by the City Engineer. Prior to placing any surfacing material on the roadway, it will be the responsibility of the developer/contractor to provide density test reports certified by a professional engineer registered in the State of Washington.~~

~~Crushed surfacing top course shall be compacted to 95% maximum density. Density testing for asphalt pavement including the necessity and frequency of core samples will be determined by the City Engineer on a case-by-case basis.~~

~~3-5.3 HANDICAP REQUIREMENTS~~

~~Handicap parking stalls shall meet the requirements of Washington State Regulations for Barrier Free Facilities (WAC 51-20).~~

~~Safe, convenient handicap access is required from the street to all buildings on site. This is in addition to safe, convenient handicap access between buildings. See Section 3-5.5.~~

~~3-5.4 ILLUMINATION~~

~~Parking lot illumination shall be provided for all parking lots containing more than ten (10) parking spaces, and shall be designed and constructed so as to:~~

~~A. Provide security lighting to all parking spaces.~~

~~B. Be shielded in a manner that does not disturb residential uses.~~

~~3-5.5 PEDESTRIAN CONCERNS~~

~~Pedestrian walkways may be required within commercial parking lots as determined by City Engineer.~~

~~Internal vehicle and pedestrian circulation for parking lots shall be approved by the planning director and traffic engineer. Parking lot circulation shall allow for access so pedestrians and wheelchairs can easily gain access from public sidewalks and bus stops to building entrances through the use of pedestrian paths which are physically separated from vehicle traffic and maneuvering areas. In shopping center parking lots containing more than 100 spaces, such pedestrian/wheelchair paths shall be a minimum of five feet wide and constructed in a manner that they cannot be used as a holding area for shopping carts.~~

~~Access driveways for parking areas shall be located so as to cause the least possible conflict with vehicular and pedestrian traffic on public rights-of-way.~~

~~The Traffic Engineer may require joint use of driveways by more than one property.~~

Section 15. Engineering Design and Construction Standards Section 3-17.1 entitled "DESCRIPTION" is hereby amended to read as follows:

3-17.1 DESCRIPTION

This work shall consist of constructing cement concrete sidewalks, thickened edge for sidewalks, curb ramps, and bus shelter pads, including excavation for the depth of the sidewalk and subgrade preparation, in accordance with these Specifications, the WSDOT/APWA Standard Specifications and Standard Drawings Nos. 306, 306A, 310A thru 310C, and 311. Porous concrete sidewalks may be used subject to approval of the City Engineer.

Section 16. Engineering Design and Construction Standards Section 3-18.1 entitled "DESCRIPTION" is hereby amended to read as follows:

3-18.1 DESCRIPTION

The standard curb and gutter section used in Snohomish shall by Type A-1 per Standard Plan No. 305A. No new curb and gutter is to be placed until forms have been checked

and approved for line, grade, and compaction by the Public Works Inspector. Curb cuts or "invisible" curbs may be used subject to approval of the City Engineer.

Section 17. Engineering Design and Construction Standards Section 3-19.2 entitled "MATERIALS" is hereby amended to read as follows:

3-19.2 MATERIALS

Materials shall meet the requirements of the following sections of WSDOT/APWA Standard Specifications:

Portland Cement 9-01

Fine Aggregate 9-03

Coarse Aggregate 9-03

Joint Materials 9-04

Curing and Admixtures 9-23

The concrete mix shall be as specified for Class 3000 and the slump of the concrete shall not exceed three inches. Pervious asphalt or porous concrete satisfying the requirements of the adopted Stormwater Management Manual may be used subject to approval of the City Engineer.

Section 18. Engineering Design and Construction Standards Section 3-19.3(7) entitled "RESIDENTIAL DRIVEWAYS" is hereby amended to read as follows:

3-19.3(7) RESIDENTIAL DRIVEWAYS

A. **Width:** The maximum width shall be ~~24~~ 20 feet at dimension "1" on Standard Plan Nos. 307, 308, and 309. The minimum width shall be 8 feet per SMC 14.235.130(B).

B. **Grade:** The maximum recommended grade is 15%. Grade changes that exceed 16% shall require vertical curves to connect tangents.

Section 19. Engineering Design and Construction Standards Section entitled "DRAWING INDEX" is hereby amended to read as follows and all other provisions not addressed herein shall remain in full force and effect:

DRAWING INDEX

STREETS AND RELATED WORK — Last Revision Date

(...)

~~334a Typical Parking Layout.....4-01-04~~
~~334b Parking Lot Details.....4-01-04~~

Section 20. Engineering Design and Construction Standard Details to be revised or deleted are as follows:

Revise Standard Detail 304. (See Exhibit A.)

Revise Standard Detail 306. (See Exhibit A.)

Revise Standard Detail 316. (See Exhibit A.)

Delete Standard Detail 334a. (See Exhibit A.)

Delete Standard Detail 334b. (See Exhibit A.)

Section 21. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance or its application to any person or circumstance be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such a decision or preemption shall not affect the validity or constitutionality of the remaining portions of this ordinance or its application to any other persons or circumstances.

Section 22. Effective Date. This ordinance shall be effective five days after adoption and publication by summary.

ADOPTED by the City Council and **APPROVED** by the Mayor this 1st day of November, 2016.

CITY OF SNOHOMISH

By Karen Guzak Mayor
MAYOR KAREN GUZAK

ATTEST:

By
PAT ADAMS, CITY CLERK

APPROVED AS TO FORM:

By Grant K. Weed
GRANT K. WEED, CITY ATTORNEY

Date of Publication:

Effective Date: