

Next Ord: 1663-10
Next Res: 822-10

VISION STATEMENT

SEDRO-WOOLLEY IS A FRIENDLY CITY THAT IS CHARACTERIZED BY CITY GOVERNMENT AND CITIZENS WORKING TOGETHER TO ACHIEVE A PROSPEROUS, VIBRANT AND SAFE COMMUNITY

MISSION STATEMENT

TO PROVIDE SERVICES AND OPPORTUNITIES WHICH CREATE A COMMUNITY WHERE PEOPLE CHOOSE TO LIVE, WORK AND PLAY

EXECUTIVE SESSION

6:00 PM – 7:00 PM Potential Litigation

CITY COUNCIL AGENDA

January 27, 2010

7:00 PM

Sedro-Woolley Municipal Building

Council Chambers

325 Metcalf Street

1. Call to Order
2. Pledge of Allegiance
3. Consent Calendar
NOTE: Agenda items on the Consent Calendar are considered routine in nature and may be adopted by the council by a single motion, unless any Councilmember wishes an item to be removed. The Council on the regular agenda will consider any item so removed after the Consent Calendar.
 - a. Minutes from Previous Meeting
 - b. Finance
 - Claim Vouchers #68049 to #68127 in the amount of \$199,069.44 (Bank of America) (Warrants #68128 to #68499 voided due to bank change)
 - Claim Checks #68500 to #68592 in the amount of \$362,729.53 (US Bank)
 - Payroll Checks #47000 to #47103 in the amount of \$165,808.52 (Warrants #46931 through #46999 voided due to bank change)
 - c. Supplemental Agreement 12 to the David Evans & Associates, Inc. Local Agency Standard Consultant Agreement - SR20/F&S Grade Road/Skagit Industrial Park Intersection Improvements
 - d. Professional Services Agreement No. 2010-PS-01 for On-Call Environmental Services -Widener & Associates
 - e. Supplemental Agreement 2 - Agreement 2009-PS-05 Construction Phase Services - Fruitdale Road and McGarigie Road Improvements Project and SR9 Pedestrian/Bicycle Improvements Project
4. Skagit Valley Tulip Festival Presentation
5. Public Comment (Limited to 3-5 minutes)

PUBLIC HEARING(S)

6. Proposed Annexation of UGA Properties on Fruitdale Road (*no action*)

UNFINISHED BUSINESS

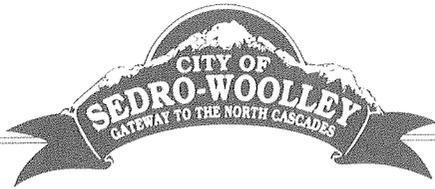
7. 2009 Comprehensive Plan Docket
 - Overlay Zone Information (*no action*)
 - Ordinance - Amending Comp Plan (*action requested*)
 - Ordinance - Amending Municipal Code (*action requested*)

NEW BUSINESS

8. SWMC 12.36 (*1st reading*)
9. Ordinance - Changing the date and time of the last Council meeting in December (*action requested*)

COMMITTEE REPORTS AND REPORTS FROM OFFICERS

There may be an Executive Session immediately preceding or following the meeting.



DATE: January 27, 2010
TO: Mayor Anderson and City Council
FROM: Patsy Nelson, Finance Director
SUBJECT: 1) CALL TO ORDER; 2) PLEDGE OF ALLEGIANCE; 3) CONSENT
CALENDAR

1. CALL TO ORDER - The Mayor will call the January 27, 2010 Regular Meeting to Order. The Finance Director will note those in attendance and those absent.

 ___ Ward 1 Councilmember Ted Meamber
 ___ Ward 2 Councilmember Tony Splane
 ___ Ward 3 Councilmember Thomas Storrs
 ___ Ward 4 Councilmember Pat Colgan
 ___ Ward 5 Councilmember Hugh Galbraith
 ___ Ward 6 Councilmember Rick Lemley
 ___ At-Large Councilmember Brett Sandström

2. PLEDGE OF ALLEGIANCE - The Mayor will lead the City Council and citizens in the Pledge of Allegiance to the United States of America.

3. CONSENT CALENDAR - Mayor will ask for Council approval of Consent Calendar items.

JAN 27 2010

CITY OF SEDRO-WOOLLEY

7:00 P.M. COUNCIL CHAMBERS
AGENDA NO. 3a

Regular Meeting of the City Council
January 13, 2010 – 7:00 P.M. – City Hall Council Chambers

The Meeting was called to order at 7:00 P.M.

ROLL CALL: Present: Mayor Anderson, Councilmembers: Ted Meamber, Tony Splane, Tom Storrs, Pat Colgan, Hugh Galbraith, Rick Lemley and Brett Sandström. Staff: Recorder Brue, Finance Director Nelson, City Supervisor/Attorney Berg, Engineer Freiberger, Planner Moore, Senior Planner Coleman, Fire Chief Klinger and Police Chief Wood.

Pledge of Allegiance

Consent Calendar

- Minutes from Previous Meeting (Including January 5, 2010 Worksession)
- Finance
 - Claim Vouchers #67875 to #68048 in the amount of \$881,307.22 (Voided Warrant #67915 & #67922)
 - Payroll Warrants #46716 to #46821 in the amount of \$165,849.49 and #46822 to #46930 in the amount of \$237,430.44
- Ordinance #1661-10 – Amending SWMC 2.04 Regarding City Council Meetings
- Planning Commissioner Appointments
- Housing Authority Appointment
- Fire Hose Testing Agreement 2010 – 2012 – National Hose Testing Specialties, Inc.
- Possible contract Award – ELXSI dba CUES – Remote Confined Space & Video Pipeline Inspections Equipment
- Amendment 1 to the On-Call Professional Services Agreement No. 2008-PS-09; Reichhardt & Ebe Engineering, Inc.
- Change Order #7 to construction Contract #2009-PW-02; G.G. Excavation, Inc.
- Library Board Appointment

Councilmember Meamber moved to approve the consent calendar with the voided warrants #67915 and 67922. Seconded by Councilmember Splane. Motion carried (7-0).

SWSD Levy Presentation

Superintendent Mark Venn addressed the Council and presented a power point presentation regarding the upcoming Sedro-Woolley School District's 2010 Replacement Levy for maintenance and operations. He also introduced Brock Stiles, Campaign Chair, Robin Miller of the District Office and Mark Nilson, Principal at Lyman Elementary School.

Venn emphasized the levy is a replacement levy and not for anything new. He noted the operation and maintenance levy has become the norm in the School District's budget and reviewed the breakdown of what the levy supports.

Brock Stiles, Levy Chair addressed the Council and audience members. He stated the upcoming election date is February 9, 2010. Stiles spoke on the importance to the community to pass the levy and spoke of personal experience of the difficult times when levy's weren't passed.

Public Comment

No public comment

PUBLIC HEARINGS

2009 Comprehensive Plan Docket

Planner Moore noted there were two written comments received and given to Council at their seats and also noted the Comp plan is a general guide document which highlights the City's direction. Moore reviewed the process which included public hearings and open houses for the public and noted that no action is anticipated this evening. The purpose of the review at this time is for discussion only with action to be at a later date.

Planner Moore reviewed in detail the following:

CPA-1-09 – Update of the Economic Development Element. Planning Commission recommendation to approve.

CPA-2-09 – Update of the Public Utilities Element. Planning Commission recommendation to approve.

CPA-3-09 – Update Formatting of the Introduction, Land Use Element and Chapter 9. Planning Commission recommendation to approve.

CPA-4-09 – Revisions to Zoning Map, Comprehensive Land Use Map, Land Use Element, Landscape Buffer Requirements and Zoning Code. Planning Commission recommendation to approve.

Mayor Anderson opened the public hearing at 7:53:30 P.M.

Jerry Lewellen – president of Fairhaven Hall questioned the zoning change and how it would affect the hall.

Morris Nilson – 23145 Gunderson Rd., Mount Vernon, addressed the rezone of property on West State from Industrial to CBD. He expressed opposition to the change and spoke on the dates of the meetings and a last minute change. He encouraged Council to allow his property to remain as Industrial zoning and addressed the conditional use permit process as a better way for non conforming uses.

David Gaines – representing Snelson, Inc. and SCI Properties also commented in opposition of the proposed zoning change along West State Street. He noted Snelson's has no opposition to having an optometric office in the area but is opposed to the total area zoning being changed. Gaines noted that they are an industrial company and reminded everyone that those are the jobs in town and this change could be a detriment to any business expansion in the future.

Bob Ruby – 665 Cook Road, noted he has been involved in the Planning Commission process and stated his opposition to the rezone along Cook Road from the present R-15 zoning. Ruby said he has preliminary plat approval for housing and he has looked to try to attract commercial business to no avail. He stated his project will begin prior to the expiration of the preliminary plat approval and suggested three alternatives to what is proposed. 1. Leave the zoning as is. 2. Leave a strip which would run parallel to and south of Cook as commercial. 3. Zone as an Overlay, which Ruby noted is the most desirable option. Ruby stressed his wishes and opposition to a total rezone to mixed commercial.

Councilmember Meamber commented on Ruby's alternative 2 and expressed concern of traffic in the area. Discussion ensued to include preliminary plat approval showing no need for a traffic signal, increase traffic with commercial, overlay process and affect on existing project with mixed commercial zoning.

Mayor Anderson excused himself from the Council bench and turned the meeting over to Mayor Pro Tem Colgan.

Bill Rimmer – 2216 Jasmine Pl, Mt. Vernon, addressed the Council regarding his request for rezone of 21 acres north of Les Schwab. He noted there is very little demand for industrial property in Sedro-Woolley and believes if it is zoned commercial there would be a better opportunity for property development.

Councilmember Meamber commented on his attendance at the Planning Commission meeting and questioned Rimmer's plan along Sapp Road.

Councilmember Galbraith addressed one of the reasons for the round-a-bout project was to bring industrial businesses into the community. He noted that industrial property is

precious because there is very little. Galbraith noted that in order to become a better managed City with better money we need to develop industrial.

Mike Anderson – 900 W SR 20, addressed the Council regarding plans to expand his current mini storage and the requirement of a conditional use permit. He noted his expansion is consistent with the current use and does not understand why a conditional use permit should be required. Anderson requested a change to make storage to an allowable use or change the property to industrial.

Councilmember Meamber – addressed the possibility of a rezone of this area being discussed as an Urban Village overlay.

Planner Moore – noted that Anderson did come to the Planning Commission meeting and expressed his interest in the change and stated that the particular topic is not on the docket for this round but they are currently taking comments for the 2010 docket.

Mark Nilson – 24124 Old Day Creek Road, spoke regarding property on W. State Street and the zoning change recommendation from industrial to mixed commercial. He expressed his opposition to the change.

Mayor Pro Tem Colgan closed the Public Hearing at 8:34 P.M.

City Supervisor/Attorney Berg addressed the Council regarding direction to staff for changes they would like to see to the draft comp plan update for presentation at the next meeting.

Councilmember Meamber requested the buffers be looked at. Councilmember Splane concurred. Discussion ensued regarding mitigation to reduce the amount of buffer required.

Mayor Anderson returned to the Council bench with Mayor Pro-Tem returning to his seat as Councilmember.

Councilmember Splane expressed opposition to the recommended Skagit overlay. He addressed the advantages of the facility in leaving it zoned industrial. He noted the complex is about the only one North of Seattle ready for heavy industrial to move in and noted the advantages to leaving the property zoned heavy industrial because there are no houses within the area.

Councilmember Storrs moved [to instruct staff to update the draft document and] to leave W. State Street zoning as is. Seconded by Councilmember Colgan.

Councilmember Sandström noted the reasoning of the Planning Commission is that most of the properties in that area not being utilized as industrial.

Senior Planner Coleman noted that 10% of industrial property could be used for commercial so some of the current businesses have fallen under that interpretation.

Discussion took place regarding a development agreement for the Sunset Industrial Park which granted them leeway. It was noted under current zoning, without a development agreement, it would not be allowed.

Councilmember Meamber addressed the need for business in Sedro-Woolley.

Councilmember Galbraith called for the question. Motion carried (7-0).

Councilmember Splane moved [to instruct staff to update the draft document and] to remove the overlay from the Skagit Property. Seconded by Councilmember Sandström.

Councilmember Galbraith questioned the owner's stance on the change.

Berg noted that the owner is supportive and believes it to allow for a natural transition for changes.

Discussion ensued regarding overlays, percentage of industrial land and the need for industrial designation, advantages to the present Skagit Industrial site and overlay being the best of two worlds for developers.

Councilmember Galbraith moved to table the overlay topic. Seconded by Councilmember Colgan. Motion carried (7-0).

Council requested staff bring back a solid definition of an overlay, potential of an overlay and the affect on the city and residential. It was a recommended topic for the next worksession.

Bob Miller – noted he personally agreed with Mayor that once you start an overlay everyone is going to be wanting it. He noted the north property which is 85% occupied and many times the bare land is necessary for outside storage. With an overlay there is a different clientele which would create different traffic needs. Miller noted that the property has been industrial since 1910 and has provided many good paying jobs over the years.

Planner Moore noted an overlay does not change the industrial zoning, it does not prohibit industrial uses from locating or expanding within the area what it does is provides some flexibility to the owner for possible eventual conversion of some or all of the space.

Miller questioned buffer requirements. It was noted there would be none required because it would be industrial next to industrial.

Councilmember Storrs moved [to instruct staff to update the draft document and] to change designation of South Side of F & S to match the other side to mixed-commercial. Seconded by Councilmember Meamber. Motion carried (7-0).

Mayor Anderson noted that rezoning of property could affect financing opportunities for property owners.

Discussion took place regarding commercial along Cook Road.

City Supervisor/Attorney Berg requested clarification of Council's wishes regarding whether staff should prepare for continued discussion or action at the next meeting.

Council consensus was for continued discussion as long as necessary.

Solid Waste Rate Increases for 30 Yard Containers

City Supervisor/Attorney Berg reviewed the County's new tipping fees. He noted the rate forecast was based on \$86.00 per ton when in fact increase was \$88.00 per ton. Staff is recommending no change on residential rates but request a change in rates for roll offs from \$86.00 to the actual cost charged by Skagit County in addition to the rental and hauling fees.

Mayor Anderson opened the public hearing at 9:17 P.M.

No comments received.

Mayor Anderson closed the public hearing at 9:18 P.M.

Councilmember Galbraith moved to adopt Ordinance #1662-10 An Ordinance Modifying the Rates for 30 Yard Containers in the Solid Waste Collection System to Reflect Increased Tipping Fees at the Skagit County Transfer Station. Seconded by Councilmember Colgan.

Discussion ensued regarding self-haul of a demolished house or large amounts of trash and mandatory, compulsory and universal garbage requirements within the City of Sedro-Woolley.

Councilmember Galbraith called for the question. Motion carried (7-0).

NEW BUSINESS

Appointment of Mayor Pro-Tem 2010-2011

Mayor Anderson requested Council make an appointment of Mayor Pro-Tem for the term of 2010-2011.

Councilmember Lemley moved to appoint Councilmember Storrs to serve as Mayor Pro Tem from now until the end of 2011 or until a successor Mayor Pro Tem is appointed. Seconded by Councilmember Colgan. Motion carried (7-0).

COMMITTEE REPORTS AND REPORTS FROM OFFICERS

SW Museum Update – Rick Judd

City Supervisor/Attorney Berg noted that the building committee has been working with volunteer Rick Judd regarding the Sedro-Woolley Museum roof and wall repair. Berg noted the Judd has volunteered his labor as well as recruited other volunteers to complete the work.

Rick Judd reviewed the project and time estimate. He noted that he believes the work can be completed for approximately \$5,000 but really won't know until they get into the job.

Discussion took place regarding the type of roof and possible solutions.

Councilmember Colgan moved to allow the museum project with volunteer help not to exceed \$10,000. Seconded by Councilmember Lemley. Motion carried (7-0).

City Supervisor/Attorney Berg – noted the City of Burlington is leading a charge regarding the recent FEMA Flood Maps. There is concern with the hydrology reports and the newly issues flood maps. The maps appear to have major changes to the Sedro-Woolley community. The cities of Burlington, Mount Vernon and LaConner have requested Mayor Anderson and City Supervisor/Attorney Berg to join the team to go to Washington DC. in order to state their case regarding flood issues.

Councilmember Lemley moved to authorize out of state travel up to \$2,000 for the Mayor and City Supervisor. Seconded by Councilmember Colgan. Motion carried (7-0).

Fire Chief Klinger – reported that he met with FEMA representatives regarding Station 2 and they have the environmental assessment which should be completed mid-April. The design phase will run concurrently. Everything should be completed by mid-April with bid advertisement projected for April or May. He also noted the ladder truck chassis made it to the factory.

Engineer Freiburger – pointed out his report at the Councilmember's seats. He also stated the Fruitdale/McGargile project has been suspended until mid March. He also noted there are some grant opportunities coming up – Safe Route to Schools to expand sidewalks up Highway 9 and another round of stimulus funds which the City will apply for SR20/Reed to Township Street.

City Supervisor/Attorney Berg – thanked Councilmember Colgan for his term as Mayor Pro Tem.

Finance Director Nelson – mentioned that when the City has volunteers we pay L&I on them. She also noted staff is busy wrapping up 2009 and implementing the 2010 bank change. She pointed out the new Councilmember Handbooks at each Councilmember's seat which is provided by MRSC.

Councilmember Meamber – commented on the deep ditches on John Liner being filled and requested a copy of the containers ordinance for review and possible discussion.

Councilmember Splane – requested a list showing all meetings for 2010.

Councilmember Lemley – welcomed Councilmember at Large Brett Sandström to the Council.

The meeting adjourned to executive session at 9:48 P.M. for the purpose of litigation for approximately 20 minutes with no decision anticipated.

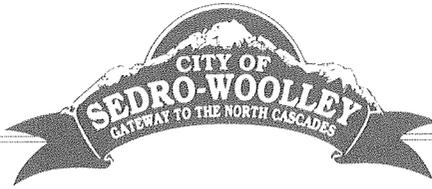
The meeting reconvened at 10:12 P.M.

Councilmember Galbraith moved to adjourn. Seconded by Councilmember Colgan. Motion carried. (7-0).

The meeting adjourned at 10:12 P.M.

JAN 27 2010

7:00 P.M. COUNCIL CHAMBERS
AGENDA NO. 3b



DATE: January 27, 2010
TO: Mayor Anderson and City Council
FROM: Patsy Nelson, Finance Director
SUBJECT: FINANCE - VOUCHERS

Attached you will find the Claim Vouchers and Checks proposed for payment for the period ending January 27, 2010.

Motion to approve Claim Vouchers #68049 to #68127 in the amount of \$199,069.44 (Bank of America). (Voided Warrants #68128 to #68499 voided due to bank change) and Claim Checks #68500 to #68592 in the amount of \$362,729.53 (US Bank).

Motion to approve Payroll Checks #47000 to #47103 in the amount of \$165,808.52 (Warrants #46931 to #46999 voided due to bank change).

If you have any comments, questions or concerns, please contact me for information during the working day at 855-1661. This will allow me to look up the invoices that are stored in our office.

WARRANT	VENDOR NAME	DESCRIPTION		AMOUNT
68049	ALL-PHASE ELECTRIC	MACHINERY/EQUIPMENT	SWR	246.59
		WARRANT TOTAL		246.59
68050	ALLIED WASTE SERVICES #197	SOLID WASTE DISPOSAL	SAN	144.84
		WARRANT TOTAL		144.84
68051	ALPINE FIRE & SAFETY	OPERATING SUPPLIES	FD	92.00
		WARRANT TOTAL		92.00
68052	AMERICAN PLANNING ASSOC	MISC-DUES/SUBSCRIP/MEMSHIP PLN		230.00
		WARRANT TOTAL		230.00
68053	A.T.V. ACCESSORIES	REPAIR & MAINTENANCE	CS	64.92
		MAINTENANCE OF VEHICLES	SWR	64.92
		WARRANT TOTAL		129.84
68054	ASSOC PETROLEUM PRODUCTS	AUTO FUEL	CS	71.48
		AUTO FUEL	CS	53.33
		AUTO FUEL	PD	1,174.88
		AUTO FUEL/DIESEL	FD	341.25
		AUTO FUEL/DIESEL	PK	197.09
		AUTO FUEL/DIESEL	ST	88.33
		AUTO FUEL/DIESEL	SWR	156.37
		AUTO FUEL/DIESEL	SAN	70.20
		WARRANT TOTAL		2,152.93
68055	BANK OF AMERICA	SMALL TOOLS & MINOR EQUIP	FD	475.99
		WARRANT TOTAL		475.99
68056	BAY CITY SUPPLY	OPERATING SUP - RIVERFRONT	PK	636.48
		OPERATING SUP - CITY HALL	PK	38.82
		WARRANT TOTAL		675.30
68057	ECOTONE SOLUTIONS LLC	PROFESSIONAL SERVICES	ENG	940.00
		WARRANT TOTAL		940.00
68058	BLUMENTHAL UNIFORM & EQUIP	UNIFORMS/ACCESSORIES	PD	89.05
		WARRANT TOTAL		89.05
68059	BOULDER PARK, INC	SOLIDS HANDLING	SWR	7,168.60
		WARRANT TOTAL		7,168.60
68060	CARLETTI ARCHITECTS P.S.	ARCHITECTURAL SERVICES		542.67
		WARRANT TOTAL		542.67
68061	CASCADE NATURAL GAS CORP.	PUBLIC UTILITIES	PD	131.81
		UTILITIES-COMMUNITY CTR	PK	243.74
		UTILITIES-SENIOR CENTER	PK	688.26
		UTILITIES-HAMMER SQUARE	PK	129.60
		UTILITIES - SHOP	PK	180.96
		UTILITIES - SHOP	PK	72.30
		PUBLIC UTILITIES-CITY HALL	PK	4,273.35

WARRANT	VENDOR NAME	DESCRIPTION		AMOUNT
		PUBLIC UTILITIES	ST	216.64
		PUBLIC UTILITIES	ST	77.56
		PUBLIC UTILITIES	LIB	365.41
		PUBLIC UTILITIES	SWR	253.28
		PUBLIC UTILITIES	SAN	430.41
		WARRANT TOTAL		7,063.32
68062	CHEMSEARCH	OPERATING SUPPLIES	SAN	447.24
		WARRANT TOTAL		447.24
68063	CENTRAL WELDING SUPPLY	OPERATING SUPPLIES	SAN	17.96
		WARRANT TOTAL		17.96
68064	COASTAL WEAR PRODUCTS	REPAIRS/MAINT-EQUIP	ST	1,038.93
		WARRANT TOTAL		1,038.93
68065	COUNTRYSIDE CHEVROLET	REPAIR & MAINT - AUTO	PD	52.64
		WARRANT TOTAL		52.64
68066	CRISP-WEYANDS, CARRIE	PROFESSIONAL SERVICES	SWR	120.00
		WARRANT TOTAL		120.00
68067	CRYSTAL SPRINGS	SUPPLIES/BOOKS	PLN	15.82
		SUPPLIES	ENG	15.83
		OPERATING SUPPLIES	FD	17.91
		OFF/OPER SUPPS & BOOKS	INSP	15.82
		OPERATING SUP - PARKS SHOP	PK	9.92
		OPERATING SUPPLIES	CEM	9.92
		OPERATING SUPPLIES	ST	17.11
		OPERATING SUPPLIES	SWR	59.00
		WARRANT TOTAL		161.33
68068	DC'S PRINTING & AWARDS	MISC-PRINTING & BINDING	PLN	10.82
		WARRANT TOTAL		10.82
68069	DAVID EVANS & ASSOC INC	CONST-SKAGIT PROJECT	AST	8,858.50
		WARRANT TOTAL		8,858.50
68070	DAY WIRELESS SYSTEMS INC	REPAIRS & MAINTENANCE	PD	37.88
		WARRANT TOTAL		37.88
68071	E & E LUMBER	OPERATING SUP - HAMMER SQ	PK	16.51
		OPERATING SUPPLIES	ST	153.70
		OPERATING SUPPLIES	ST	23.21
		REPAIRS/MAINT-EQUIP	ST	34.62
		OPERATING SUPPLIES	SAN	7.02
		WARRANT TOTAL		235.06
68072	EDGE ANALYTICAL, INC.	PROFESSIONAL SERVICES	SWR	226.00
		WARRANT TOTAL		226.00
68073	HEDEEN & CADITZ, PLLC	CONSTRUCTION- METCALF LINE PWT		6,468.50

WARRANT	VENDOR NAME	DESCRIPTION	AMOUNT
		WARRANT TOTAL	6,468.50
68074	HOLLAND HEALTH SERV. INC.	RETIRED MEDICAL PD	137.25
		WARRANT TOTAL	137.25
68075	HONEY BUCKET	UTILITIES-PORTABLE TOILETS PK	64.50
		UTILITIES-PORTABLE TOILETS PK	64.50
		WARRANT TOTAL	129.00
68076	JOYS SEDRO-WOOLLEY BAKERY	EMPLOYEE RECOGNITION EXE	749.20
		WARRANT TOTAL	749.20
68077	KATY ISAKSEN ASSOCIATES	PROFESSIONAL SERVICES SWR	4,511.50
		WARRANT TOTAL	4,511.50
68078	LAZARON, JOANN	MISC-DUES/SUBSCRIP/MEMSHIP PLN	24.63
		DUES/SUBSCRIPTIONS ENG	30.23
		MISC-DUES INSP	25.80
		MISC-DUES/SUBSCRIPTIONS SWR	9.34
		WARRANT TOTAL	90.00
68079	LEONARD BOUDINOT & SKODJE	CONST-FRUITDALE MCGARIGLE AST	44,972.37
		WARRANT TOTAL	44,972.37
68080	LOGGERS AND CONTRACTORS	REPAIRS/MAINT-EQUIP SAN	26.91
		WARRANT TOTAL	26.91
68081	MARTIN MARIETTA MATERIALS	OPERATING SUPPLIES ST	2,162.87
		WARRANT TOTAL	2,162.87
68082	MOTOROLA	MACHINERY & EQUIPMENT PD	912.89
		WARRANT TOTAL	912.89
68083	OLIVER-HAMMER CLOTHES	OPERATING SUPPLIES SAN	124.41
		WARRANT TOTAL	124.41
68084	PAT RIMMER TIRE CTR, INC	REPAIRS/MAINT-EQUIP SAN	104.90
		REPAIRS/MAINT-EQUIP SAN	3,113.34
		REPAIRS/MAINT-EQUIP SAN	1,196.54
		WARRANT TOTAL	4,414.78
68085	PETROCARD	AUTO FUEL/DIESEL PK	38.15
		AUTO FUEL/DIESEL CEM	17.80
		AUTO FUEL/DIESEL ST	235.06
		AUTO FUEL/DIESEL ST	114.44
		AUTO FUEL/DIESEL SWR	41.66
		AUTO FUEL/DIESEL SWR	66.12
		AUTO FUEL/DIESEL SAN	20.83
		AUTO FUEL/DIESEL SAN	17.80
		WARRANT TOTAL	551.86
68086	PROTECH AUTOMOTIVE	REPAIR & MAINTENANCE CS	216.85

WARRANT	VENDOR NAME	DESCRIPTION	AMOUNT
		WARRANT TOTAL	216.85
68087	PUBLIC UTILITY DIS. NO.1	PUBLIC UTILITIES PD	17.40
		UTILITIES-RIVERFRONT PK	145.32
		UTILITIES-COMMUNITY CTR PK	77.08
		UTILITIES-SENIOR CENTER PK	185.16
		UTILITIES-TRAIN PK	17.40
		UTILITIES-HAMMER SQUARE PK	53.21
		UTILITIES-BINGHAM & MEMORIAL P	32.07
		UTILITIES - OTHER PK	29.05
		PUBLIC UTILITIES-CITY HALL PK	173.37
		PUBLIC UTILITIES CEM	68.74
		PUBLIC UTILITIES ST	35.09
		PUBLIC UTILITIES LIB	26.46
		PUBLIC UTILITIES SWR	186.02
		PUBLIC UTILITIES SAN	35.09
		WARRANT TOTAL	1,081.46
68088	PUGET SOUND ENERGY	PUBLIC UTILITIES ST	7,894.31
		WARRANT TOTAL	7,894.31
68089	R & H MECHANICAL	REPAIRS/MAINT-DORM FD	3,749.13
		REPAIR/MAINT-CITY HALL PK	294.85
		WARRANT TOTAL	4,043.98
68090	REICHHARDT & EBE ENG, INC	PROFESSIONAL SERVICES ENG	194.58
		CONSTRUCTION- METCALF LINE PWT	4,485.12
		PROF SVS-ENGINEERING SWR	14,825.96
		WARRANT TOTAL	19,505.66
68091	RIGHT WAY PLUMBING	OPERATING SUPPLIES SAN	421.98
		WARRANT TOTAL	421.98
68092	SEDRO-WOOLLEY AUTO PARTS	OPERATING SUPPLIES SWR	60.59
		WARRANT TOTAL	60.59
68093	SEDRO-WOOLLEY FAMILY	FEES-CDL ENDORCEMENT ST	120.00
		WARRANT TOTAL	120.00
68094	SEDRO-WOOLLEY FARMERS MKT	FARMERS MARKET HOT	1,389.23
		WARRANT TOTAL	1,389.23
68095	SEDRO-WOOLLEY MUSEUM	S-W MUSEUM HOT	544.53
		WARRANT TOTAL	544.53
68096	SEDRO-WOOLLEY RIDING CLUB	S-W RIDING CLUB - RODEO HOT	800.00
		WARRANT TOTAL	800.00
68097	SKAGIT COUNTY EMS	TUITION/REGISTRATION FD	45.00
		WARRANT TOTAL	45.00
68098	SK CO DEPT OF EMERG MGMT	DEPT OF EMERG MANAGEMENT EMG	3,241.76

CITY OF SEDRO-WOOLLEY
 SORTED TRANSACTION WARRANT REGISTER
 12/31/2009 (Printed 01/21/2010 08:59)

WARRANT	VENDOR NAME	DESCRIPTION		AMOUNT
		WARRANT TOTAL		3,241.76
68099	SKAGIT CO. DISTRICT COURT	MUNICIPAL COURT PROB.	JUD	2,350.00
		WARRANT TOTAL		2,350.00
68100	SKAGIT CO. SENIOR SERVICE	SKAGIT SENIOR SERVICES	SEN	5,110.25
		WARRANT TOTAL		5,110.25
68101	SKAGIT CO. PUBLIC WORKS	SOLID WASTE DISPOSAL	SAN	37,506.59
		WARRANT TOTAL		37,506.59
68102	SKAGIT COUNTY SHERIFF	PRISONERS	PD	325.50
		WARRANT TOTAL		325.50
68103	SKAGIT COUNTY SHERIFF OFF	PRISONERS	PD	630.53
		WARRANT TOTAL		630.53
68104	SKAGIT FARMERS SUPPLY	OPERATING SUPPLIES-PROPANE	ST	10.24
		OPERATING SUPPLIES-PROPANE	ST	13.74
		WARRANT TOTAL		23.98
68105	SKAGIT HYDRAULICS, INC.	REPAIRS/MAINT-EQUIP	SAN	749.37
		WARRANT TOTAL		749.37
68106	SKAGIT PERFORMING ARTS COUNCIL	SK PERFORMING ARTS GUILD	HOT	500.00
		WARRANT TOTAL		500.00
68107	SKAGIT VALLEY HERALD	MISC-DUES/SUBSCRIP/MEMSHIP	PLN	42.40
		DUES/SUBSCRIPTIONS	ENG	42.40
		OFF/OPER SUPPS & BOOKS	INSP	42.40
		WARRANT TOTAL		127.20
68108	SKAGIT VALLEY PUBLISHING	ADVERTISING	PLN	71.25
		ADVERTISING	HOT	485.00
		WARRANT TOTAL		556.25
68109	SMITH'S PHARMACY	RETIRED MEDICAL	PD	72.40
		WARRANT TOTAL		72.40
68110	SPARKLE SHOP LAUNDRIES	UNIFORM CLEANING	PD	62.75
		UNIFORM CLEANING	PD	317.25
		WARRANT TOTAL		380.00
68111	TRUE VALUE	REPAIRS/MT-PARKS SHOP	PK	16.21
		REPAIRS/MT-COMMUNITY CTR	PK	4.32
		REPAIR/MT-SENIOR CENTER	PK	4.86
		REPAIR/MT-SENIOR CENTER	PK	82.89
		OPERATING SUPPLIES	SAN	18.92
		WARRANT TOTAL		127.20
68112	U.S. BANK N.A. - CUSTODY	BANK FEES	FIN	20.50
		WARRANT TOTAL		20.50

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WARRANT	VENDOR NAME	DESCRIPTION		AMOUNT
68113	UTIL UNDERGROUND LOC CTR	OPERATING SUPPLIES	SWR	27.55
		WARRANT TOTAL		27.55
68114	VALLEY AUTO SUPPLY	REPAIR & MAINTENANCE	CS	109.18
		REPAIR & MAINTENANCE	CS	3.07
		REPAIR & MAINTENANCE	CS	17.94
		REPAIRS/MAINT-EQUIP	SAN	20.43
		WARRANT TOTAL		150.62
68115	VERIZON NORTHWEST	TELEPHONE	JUD	267.44
		TELEPHONE	FIN	668.60
		PUBLIC UTILITIES	CS	231.62
		TELEPHONE	PLN	133.72
		TELEPHONE	ENG	133.71
		TELEPHONE	INSP	133.71
		TELEPHONE	SWR	251.59
		TELEPHONE	SAN	52.40
		WARRANT TOTAL		1,872.79
68116	VISTEN, LESLIE	RETIRED MEDICAL	PD	1,156.80
		WARRANT TOTAL		1,156.80
68117	WA ASSOC OF BUILDING OFF	MISC-DUES	INSP	35.00
		WARRANT TOTAL		35.00
68118	WA STATE DEPT OF L & I	INDUSTRIAL INSURANCE	PD	58.40
		INDUSTRIAL INSURANCE	PK	8.65
		INDUSTRIAL INSURANCE	CEM	4.00
		WARRANT TOTAL		71.05
68119	WA STATE DEPT OF REVENUE	OFFICE/OPERATING SUPPLIES	PD	8.75
		TAXES AND ASSESSMENTS	PK	39.75
		HOLIDAY DISPLAYS	PK	10.05
		TAXES AND ASSESSMENTS	CEM	211.60
		TAXES AND ASSESSMENTS	LIB	10.08
		BOOKS, PERIOD, RECORDS	LIB	3.36
		BOOKS SKAGIT COUNTY	LIB	23.18
		TAXES AND ASSESSMENTS	SWR	4,841.00
		OPERATING SUPPLIES	SAN	18.56
		SMALL TOOLS & MINOR EQUIP	SAN	11.94
		TAXES & ASSESSMENTS	SAN	5,111.75
		WARRANT TOTAL		10,290.02
68120	WA STATE DEPT OF REVENUE	RENTS, LEASES, CONCESSIONS		38.52
		WARRANT TOTAL		38.52
68121	WASHINGTON STATE PATROL	INTERGOV SVC-GUN PERMITS	PD	19.25
		WARRANT TOTAL		19.25
68122	WEST PAYMENT CTR	WESTLAW SERVICES	LGL	307.20
		WARRANT TOTAL		307.20

WARRANT	VENDOR NAME	DESCRIPTION	AMOUNT
68123	WOOD'S LOGGING SUPPLY INC	POSTAGE	7.36
		OPERATING SUPPLIES	57.34
		WARRANT TOTAL	64.70
68124	WSAPT - TREASURER	MISC-DUES/SUBSCRIP/MEMSHIP PLN	35.00
		WARRANT TOTAL	35.00
68125	POTELCO, INC.	DUMPSTER DEPOSIT	521.79
		WARRANT TOTAL	521.79
68126	RICHTER, SHIRLEY A.	CEMETERY FEES	50.00
		WARRANT TOTAL	50.00
68127	KOSTER, RANDALL	SPACE/FACILITY RENT-RIVERFRONT	175.00
		WARRANT TOTAL	175.00
		RUN TOTAL	199,069.44

FUND	TITLE	AMOUNT
001	CURRENT EXPENSE FUND	25,629.05
101	PARK FUND	8,003.42
102	CEMETERY FUND	362.06
103	STREET FUND	12,235.85
104	ARTERIAL STREET FUND	53,830.87
105	LIBRARY FUND	428.49
108	STADIUM FUND	3,718.76
330	1996 FIRE STATION CONST FUND	542.67
332	PWTF SEWER CONSTRUCTION FUND	10,953.62
401	SEWER FUND	33,116.09
412	SOLID WASTE FUND	50,248.56
TOTAL		199,069.44

DEPARTMENT	AMOUNT
001 000 000	38.52
001 000 012	2,617.44
001 000 013	749.20
001 000 014	689.10
001 000 015	307.20
001 000 018	768.39
001 000 019	563.64
001 000 020	1,356.75
001 000 021	5,205.43
001 000 022	4,728.64
001 000 024	252.73
001 000 025	3,241.76
001 000 055	5,110.25
FUND CURRENT EXPENSE FUND	25,629.05
101 000 000	175.00
101 000 076	7,828.42
FUND PARK FUND	8,003.42
102 000 000	50.00
102 000 036	312.06
FUND CEMETERY FUND	362.06
103 000 042	12,235.85
FUND STREET FUND	12,235.85
104 000 042	53,830.87
FUND ARTERIAL STREET FUND	53,830.87
105 000 072	428.49
FUND LIBRARY FUND	428.49
108 000 019	3,718.76
FUND STADIUM FUND	3,718.76
330 000 082	542.67
FUND 1996 FIRE STATION CONST FUND	542.67
332 000 082	10,953.62
FUND PWTF SEWER CONSTRUCTION FUND	10,953.62
401 000 035	33,116.09
FUND SEWER FUND	33,116.09
412 000 000	521.79
412 000 037	49,726.77
FUND SOLID WASTE FUND	50,248.56
TOTAL	199,069.44

WARRANT	VENDOR NAME	DESCRIPTION		AMOUNT
68500	RIVER ROAD LLC	OTHER IMPROVEMENTS	PK	40,000.00
		WARRANT TOTAL		40,000.00
68501	SKAGIT COUNTY AUDITOR	MISC-FILING FEES/LIEN EXP	SWR	1,240.00
		MISC-FILING FEES/LIEN EXP	SAN	1,178.00
		WARRANT TOTAL		2,418.00
68502	ACE INDUSTRIAL SUPPLY, INC.	SAFETY EQUIPMENT	SWR	293.67
		WARRANT TOTAL		293.67
68503	APRS	PROFESSIONAL SERVICES	FD	900.00
		WARRANT TOTAL		900.00
68504	ARAMARK UNIFORM SERVICES	MISC-LAUNDRY	CEM	17.14
		MISC-LAUNDRY	CEM	25.59
		MISC-LAUNDRY	ST	21.49
		MISC-LAUNDRY	ST	25.72
		LAUNDRY	SWR	24.39
		LAUNDRY	SWR	45.52
		LAUNDRY	SWR	24.39
		WARRANT TOTAL		184.24
68505	A.S.A.P. SIGN & DESIGN	OPERATING SUPPLIES	SWR	194.76
		WARRANT TOTAL		194.76
68506	AWC	ASSOC OF WA CITIES DUES	FIN	6,170.25
		WARRANT TOTAL		6,170.25
68507	ASSOCIATION OF WA CITIES	RETIRED MEDICAL	PD	8,412.28
		WARRANT TOTAL		8,412.28
68508	BANK OF AMERICA	TRAVEL	LGS	22.18
		TRAVEL	LGS	265.38
		TRAVEL	LGS	150.00
		TRAVEL	LGS	150.00
		WARRANT TOTAL		587.56
68509	BANK OF AMERICA	REPAIR-MAINTENANCE SUPPLIES IT		54.09
		REPAIR-MAINTENANCE SUPPLIES IT		54.09
		MACHINERY/EQUIPMENT	SWR	808.90
		WARRANT TOTAL		917.08
68510	BERG, ERON	MEALS/TRAVEL	EXE	350.80
		WARRANT TOTAL		350.80
68511	BIO-ENVIRONMENTAL SOLUTIONS	MAINTENANCE OF LINES	SWR	1,244.30
		WARRANT TOTAL		1,244.30
68512	BLUNT, TAMARA	UNIFORMS/ACCESSORIES	PD	16.21
		WARRANT TOTAL		16.21
68513	BOARD FOR VOLUNTEER	PENSION-VOLUNTEER FIREMEN	FD	2,760.00

WARRANT	VENDOR NAME	DESCRIPTION	AMOUNT
		WARRANT TOTAL	2,760.00
68514	BOARD FOR VOLUN. RESERVE	RESERVES/EXTRA HELP PD	725.00
		WARRANT TOTAL	725.00
68515	BOUWENS, JENNIFER A.	PROF SVC-PROSECUTING ATTY LGL	2,500.00
		WARRANT TOTAL	2,500.00
68516	BUSINESS WEEK	BOOKS, PERIOD, RECORDS LIB	110.00
		WARRANT TOTAL	110.00
68517	CARDIAC SCIENCE CORP.	OPERATING SUPPLIES FD	25.97
		WARRANT TOTAL	25.97
68518	CARLETTI ARCHITECTS P.S.	ARCHITECTURAL SERVICES	7,770.86
		WARRANT TOTAL	7,770.86
68519	COLLINS OFFICE SUPPLY, INC	SUPPLIES JUD	156.89
		SUPPLIES FIN	156.89
		SUPPLIES FIN	48.69
		SUPPLIES/BOOKS PLN	26.40
		SUPPLIES/BOOKS PLN	3.90
		SUPPLIES ENG	26.40
		SUPPLIES ENG	14.67
		OFF/OPER SUPPS & BOOKS INSP	26.40
		OFF/OPER SUPPS & BOOKS INSP	3.90
		OPERATING SUP - PARKS SHOP PK	30.24
		OPERATING SUPPLIES ST	30.24
		WARRANT TOTAL	524.62
68520	CONCRETE HERALD	MISC-DUES/SUBSCRIP/MEMSHIP PLN	26.00
		WARRANT TOTAL	26.00
68521	CONCRETE NOR'WEST, INC.	REPAIR/MAINT-STREETS ST	479.03
		MAINTENANCE OF LINES SWR	605.74
		WARRANT TOTAL	126.71
68522	COUNTRYSIDE CHEVROLET	REPAIR & MAINT - AUTO PD	684.07
		WARRANT TOTAL	684.07
68523	CUSTOM EMBROIDERY	SUPPLIES ENG	37.33
		OFF/OPER SUPPS & BOOKS INSP	24.89
		WARRANT TOTAL	62.22
68524	DAVIDSON, DAVID	TRAVEL ST	13.18
		WARRANT TOTAL	13.18
68525	DMCJA ADMIN OFFICE OF THE COURTS	DUES/SUBSCRIPTIONS JUD	187.00
		WARRANT TOTAL	187.00
68526	E & E LUMBER	OPERATING SUPPLIES SWR	10.42
		OPERATING SUPPLIES SWR	6.16

WARRANT	VENDOR NAME	DESCRIPTION		AMOUNT
		WARRANT TOTAL		16.58
68527	EMERGENCY REPORTING	PROFESSIONAL SERVICES	FD	447.00
		WARRANT TOTAL		447.00
68528	ENTERPRISE OFFICE SYSTEMS	OFFICE/OPERATING SUPPLIES	PD	48.56
		OFFICE/OPERATING SUPPLIES	PD	23.79
		OFFICE/OPERATING SUPPLIES	PD	38.08
		OFFICE/OPERATING SUPPLIES	PD	24.77
		WARRANT TOTAL		87.62
68529	EMERGENCY MEDICAL PRODUCTS INC	OPERATING SUPPLIES	FD	210.42
		WARRANT TOTAL		210.42
68530	FEDERAL CERTIFIED HEARING	PROFESSIONAL SERVICES	PD	20.00
		PROFESSIONAL SERVICES	SWR	20.00
		WARRANT TOTAL		40.00
68531	GENERAL FIRE APPARATUS	FIRE TRUCK	FD	218,084.00
		WARRANT TOTAL		218,084.00
68532	HUMANE SOCIETY OF SKAGIT	HUMANE SOCIETY	PD	384.00
		WARRANT TOTAL		384.00
68533	I.A.P.E.	DUES/SUBSCRIPTIONS	PD	50.00
		WARRANT TOTAL		50.00
68534	IKON OFFICE SOLUTIONS	REPAIRS & MAINTENANCE	PD	75.74
		REPAIRS/MAINT-EQUIP	FD	75.74
		WARRANT TOTAL		151.48
68535	INT'L ASSOC OF CHIEFS	DUES/SUBSCRIPTIONS	PD	120.00
		WARRANT TOTAL		120.00
68536	JR'S RV REPAIR & REBUILD	OPERATING SUPPLIES	SWR	37.32
		WARRANT TOTAL		37.32
68537	KCDA PURCHASING COOPERATIVE	SUPPLIES	FIN	88.38
		WARRANT TOTAL		88.38
68538	KESSELRING'S	MACHINERY & EQUIPMENT	PD	45.44
		WARRANT TOTAL		45.44
68539	LANGUAGE EXCH. INC. (THE)	LANGUAGE INTERPRETER	JUD	426.25
		WARRANT TOTAL		426.25
68540	L.E.I.R.A./JULIE UBERT, TREAS	DUES/SUBSCRIPTIONS	PD	120.00
		WARRANT TOTAL		120.00
68541	LYNN PEAVEY COMPANY	OFFICE/OPERATING SUPPLIES	PD	125.55
		WARRANT TOTAL		125.55

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WARRANT	VENDOR NAME	DESCRIPTION		AMOUNT
68542	MCCANN, WILLIAM R.	INDIGENT DEFEND CONTR	JUD	2,557.50
		WARRANT TOTAL		2,557.50
68543	MOTION PICTURE LICENSING CORP.	BOOKS, PERIOD, RECORDS	LIB	60.00
		WARRANT TOTAL		60.00
68544	MUNICIPAL RESESEARCH & SVC CENTER	ADVERTISING	ENG	75.00
		PROFESSIONAL SERVICES	ST	75.00
		PROFESSIONAL SERVICES	SWR	150.00
		WARRANT TOTAL		300.00
68545	NATIONAL FIRE PROT. ASSOC.	MISC-DUES	FD	270.00
		WARRANT TOTAL		270.00
68546	NORTH CASCADE FORD	REPAIR & MAINT - AUTO	PD	758.95
		WARRANT TOTAL		758.95
68547	NORTH WEST INST. SERVICES	MAINTENANCE CONTRACTS	SWR	102.79
		WARRANT TOTAL		102.79
68548	NORTHWEST CLEAR AIR	NW AIR POLLUTION	AIR	3,510.50
		WARRANT TOTAL		3,510.50
68549	NORTHWEST BIOSOLIDS MGMT	MISC-DUES/SUBSCRIPTIONS	SWR	470.00
		WARRANT TOTAL		470.00
68550	OASYS	SUPPLIES/BOOKS	PLN	246.77
		SUPPLIES	ENG	246.78
		OFF/OPER SUPPS & BOOKS	INSP	246.77
		WARRANT TOTAL		740.32
68551	OFFICE DEPOT	SUPPLIES/BOOKS	PLN	51.65
		SUPPLIES	ENG	51.64
		OFF/OPER SUPPS & BOOKS	INSP	51.64
		WARRANT TOTAL		154.93
68552	OLIVER-HAMMER CLOTHES	OFF/OPER SUPPS & BOOKS	INSP	74.28
		SAFETY EQUIPMENT	SWR	37.14
		WARRANT TOTAL		111.42
68553	PAT RIMMER TIRE CTR, INC	REPAIRS/MAINT-EQUIP	FD	89.55
		WARRANT TOTAL		89.55
68554	PIERCE, DAVE	TRAVEL	PD	36.43
		WARRANT TOTAL		36.43
68555	PITNEY BOWES	OPERATING RENTALS/LEASES	FIN	47.34
		POSTAGE	PLN	47.33
		POSTAGE	ENG	47.33
		POSTAGE	PD	47.34
		POSTAGE	FD	47.33
		POSTAGE	INSP	47.33

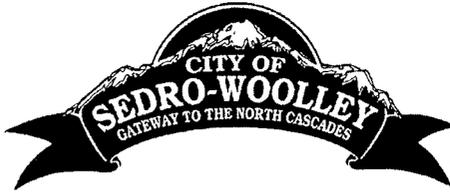
WARRANT	VENDOR NAME	DESCRIPTION	AMOUNT
		WARRANT TOTAL	284.00
68556	PRINTWISE, INC.	SUPPLIES JUD	89.24
		SUPPLIES JUD	142.82
		WARRANT TOTAL	232.06
68557	RSC EQUIPMENT RENTAL	REPAIR/MAINT-EQUIP & BLDG CEM	27.26
		WARRANT TOTAL	27.26
68558	REICHHARDT & EBE ENG, INC	PROF SVS-ENGINEERING SWR	2,045.52
		WARRANT TOTAL	2,045.52
68559	RELIABLE (OFFICE SUPPLY)	OFFICE/OPERATING SUPPLIES PD	109.97
		WARRANT TOTAL	109.97
68560	SCIENTIFIC SUPPLY	OPERATING SUPPLIES SWR	118.11
		WARRANT TOTAL	118.11
68561	SEAWESTERN FIRE FIGHTING EQUIP.	REPAIRS/MAINT-EQUIP FD	102.79
		WARRANT TOTAL	102.79
68562	SEDRO-WOLLEY AUTO PARTS	OPERATING SUPPLIES CEM	9.62
		WARRANT TOTAL	9.62
68563	SEDRO-WOLLEY CHAMBER OF	COMMUNICATIONS EXE	290.00
		WARRANT TOTAL	290.00
68564	SIGNATURE FORMS INC.	SUPPLIES LGS	51.72
		SUPPLIES JUD	5.17
		SUPPLIES EXE	5.17
		SUPPLIES EXE	5.17
		SUPPLIES FIN	516.74
		SUPPLIES FIN	36.20
		OFFICE SUPPLIES LGL	5.17
		SUPPLIES/BOOKS PLN	15.52
		SUPPLIES ENG	15.52
		OFFICE/OPERATING SUPPLIES PD	139.65
		OPERATING SUPPLIES FD	51.72
		OFF/OPER SUPPS & BOOKS INSP	15.52
		OPERATING SUPPLIES PK	31.03
		OPERATING SUPPLIES ST	20.69
		OPERATING SUPPLIES LIB	31.03
		OFFICE SUPPLIES SWR	51.72
		OFFICE SUPPLIES SAN	36.20
		WARRANT TOTAL	1,033.94
68565	SKAGIT 911	CONTRACTED ENHANCED 911 PD	14,198.77
		CONTRACT SVS-CNTRL DISPATCH FD	3,603.88
		WARRANT TOTAL	17,802.65
68566	SKAGIT CO. BAR ASSOC.	MISC-DUES LGL	50.00
		WARRANT TOTAL	50.00

WARRANT	VENDOR NAME	DESCRIPTION		AMOUNT
68567	SKAGIT COUNCIL OF GOVERNMENTS	ENERGY CONSULTANT	EXE	2,000.00
		S.C.O.G.	PLN	5,015.00
		MPO / RTPO MATCH	AST	3,197.00
		PROFESSIONAL SERVICES	SWR	2,000.00
		WARRANT TOTAL		12,212.00
68568	SKAGIT PUD NO. 1	MAINTENANCE OF LINES	SWR	3,076.46
		WARRANT TOTAL		3,076.46
68569	SKAGIT COUNTY GOVERNMENT	CONTRACT SVS-CNTRL DISPATCH FD		166.36
		WARRANT TOTAL		166.36
68570	SKAGIT CO. UTILITY COORD.	OPERATING SUPPLIES	SWR	75.00
		WARRANT TOTAL		75.00
68571	SKAGIT VALLEY PUBLISHING	LEGAL PUBLICATIONS	LGS	67.50
		LEGAL PUBLICATIONS	LGS	48.75
		LEGAL PUBLICATIONS	LGS	30.00
		LEGAL PUBLICATIONS	LGS	33.75
		WARRANT TOTAL		180.00
68572	STAPLES BUSINESS ADVANTAGE	SUPPLIES	FIN	69.83
		WARRANT TOTAL		69.83
68573	STILES & STILES	MUNICIPAL COURT JUDGE	JUD	2,728.00
		WARRANT TOTAL		2,728.00
68574	TUMBLEWEED PRESS, INC.	BOOKS, PERIOD, RECORDS	LIB	399.00
		WARRANT TOTAL		399.00
68575	TRUE VALUE	OPERATING SUPPLIES	FD	94.08
		OPERATING SUPPLIES	FD	18.37
		OPERATING SUPPLIES	SWR	5.94
		OPERATING SUPPLIES	SWR	9.06
		OPERATING SUPPLIES	SWR	39.76
		OPERATING SUPPLIES	SWR	15.14
		OPERATING SUPPLIES	SWR	72.18
		OPERATING SUPPLIES	SWR	23.31
		WARRANT TOTAL		277.84
68576	VALLEY AUTO SUPPLY	REPAIRS/MAINT-EQUIP	FD	2.12
		WARRANT TOTAL		2.12
68577	VERIZON -- SECURITY MANAGER	SPECIAL INVESTIGATIONS	PD	150.00
		WARRANT TOTAL		150.00
68578	WA CEMETERY & FUNERAL ASSOC	MISC-DUES/SUBSCRIPTIONS	CEM	110.00
		WARRANT TOTAL		110.00
68579	WA CITY/COUNTY MGMT ASSOC.	TUITION/REGISTRATION	EXE	121.00
		WARRANT TOTAL		121.00

WARRANT	VENDOR NAME	DESCRIPTION		AMOUNT
68580	WA LIBRARY ASSOCIATION	SUBSCRIPTIONS	LIB	250.00
		SUBSCRIPTIONS	LIB	75.00
		WARRANT TOTAL		325.00
68581	WA ASSOC OF BUILDING OFF	MISC-DUES	INSP	75.00
		WARRANT TOTAL		75.00
68582	WA ST ASSOC OF MUNICIPAL	MISC-DUES	LGL	30.00
		WARRANT TOTAL		30.00
68583	WA STATE DEPT OF ECOLOGY	DOE DISCHARGE PERMIT	SWR	916.03
		WARRANT TOTAL		916.03
68584	WA ST DEPT OF PROF LICEN	INTERGOV SVC-GUN PERMITS	PD	18.00
		INTERGOV SVC-GUN PERMITS	PD	18.00
		WARRANT TOTAL		36.00
68585	WA ST DEPT OF TRANS	CONST-FRUITDALE MCGARIGLE	AST	3,513.24
		WARRANT TOTAL		3,513.24
68586	WA ST FIRE FIGHTERS ASSOC	MISC-DUES	FD	95.00
		WARRANT TOTAL		95.00
68587	WA ST DEPT OF GENERAL ADM	PROFESSIONAL SERVICES	PD	50.00
		PROFESSIONAL SERVICES	FD	50.00
		PROFESSIONAL SERVICES	PK	50.00
		PROFESSIONAL SERVICES	SWR	50.00
		PROFESSIONAL SERVICES	SAN	50.00
		WARRANT TOTAL		250.00
68588	WSU CONFERENCE MANAGEMENT	TUITION/REGISTRATION	ENG	240.00
		WARRANT TOTAL		240.00
68589	WHATCOM COUNTY PARK & REC	RANGE FEES	PD	5,060.00
		WARRANT TOTAL		5,060.00
68590	WIDENER AND ASSOCIATES	ARCHITECTURAL SERVICES		2,520.00
		PROF SVS-ENGINEERING	SWR	694.40
		WARRANT TOTAL		3,214.40
68591	WOOD'S LOGGING SUPPLY INC	POSTAGE	FD	10.35
		POSTAGE	FD	9.77
		WARRANT TOTAL		20.12
68592	WASHINGTON STATE BAR ASSN	MISC-DUES	LGL	480.00
		WARRANT TOTAL		480.00
		RUN TOTAL		362,729.53

FUND	TITLE	AMOUNT
001	CURRENT EXPENSE FUND	289,022.90
101	PARK FUND	40,111.27
102	CEMETERY FUND	189.61
103	STREET FUND	292.71-
104	ARTERIAL STREET FUND	6,710.24
105	LIBRARY FUND	925.03
330	1996 FIRE STATION CONST FUND	10,290.86
401	SEWER FUND	14,508.13
412	SOLID WASTE FUND	1,264.20
TOTAL		362,729.53

DEPARTMENT	AMOUNT
001 000 011	819.28
001 000 012	6,292.87
001 000 013	2,772.14
001 000 014	7,134.32
001 000 015	3,065.17
001 000 017	108.18
001 000 019	5,432.57
001 000 020	754.67
001 000 021	31,453.02
001 000 022	227,114.45
001 000 024	565.73
001 000 031	3,510.50
FUND CURRENT EXPENSE FUND	289,022.90
101 000 076	40,111.27
FUND PARK FUND	40,111.27
102 000 036	189.61
FUND CEMETERY FUND	189.61
103 000 042	292.71-
FUND STREET FUND	292.71-
104 000 042	6,710.24
FUND ARTERIAL STREET FUND	6,710.24
105 000 072	925.03
FUND LIBRARY FUND	925.03
330 000 082	10,290.86
FUND 1996 FIRE STATION CONST FUND	10,290.86
401 000 035	14,508.13
FUND SEWER FUND	14,508.13
412 000 037	1,264.20
FUND SOLID WASTE FUND	1,264.20
TOTAL	362,729.53



CITY COUNCIL AGENDA
REGULAR MEETING

JAN 27 2010

7:00 P.M. COUNCIL CHAMBERS
AGENDA NO. 3C

CITY OF SEDRO-WOOLLEY
Sedro-Woolley Municipal Building
325 Metcalf Street
Sedro-Woolley, WA 98284
Phone (360) 855-0771
Fax (360) 855-0733

Mark A. Freiberger, PE
Director of Public Works/City Engineer

MEMO TO: City Council and Mayor Mike Anderson

FROM: Mark A. Freiberger, PE

RE: **Supplemental Agreement 12 to the David Evans & Associates, Inc.
Local Agency Standard Consultant Agreement**
SR20/F&S Grade Road/Skagit Industrial Park Intersection Improvements

DATE: January 20, 2010 (for Council review January 27, 2010)

ISSUE

Should Mayor Anderson execute the attached Supplemental Agreement 12 to the Standard Agreement for Professional Services with David Evans & Associates (DEA) to add additional construction phase services for the SR20/F&S Grade Road and Skagit Industrial Park Intersection Improvement Project in the amount of \$23,790?

BACKGROUND/DISCUSSION

The previous contract and supplemental agreements through SA11 cover design of the new roundabout and road improvements on SR20 at F&S Grade Road and at North Skagit, and construction management services. The attached SA12 adds construction management services for additional project time associated with project close out and dealing with punch list issues. Supplemental Agreement 11 extended the completion date to October 22, 2009. SA12 extends this date to February 28, 2010.

This Supplement requires WSDOT approval (a request has been made).

FINANCIAL

Funds for this project are available from the Account 104 Skagit Project items. Following is a summary of revenue and estimated costs for the project.

REVENUE

Account 104.000.042.595.63.63.00 Constr Skagit Project	\$2,369,000
Account 401.000.035.596.35.63.00 New Sewer Lines	\$ 27,000
Account 104.000.042.595.63.63.01 PUD Water Interlocal	\$ 121,000
Subtotal	\$2,517,000

ESTIMATED EXPENDITURES - CONSTRUCTION COSTS

Construction Contract, Interwest Construction, Inc. to CO 6	\$1,635,967.82
Construction Engineering, (DEA contr thru SA11)	\$ 278,075
Supplemental Agreement 12 (DEA)	\$ 23,790
Misc CN (Street Lights, Misc, City & WSDOT CM)	\$ 158,655
Total, rounded	\$2,146,529

Balance

\$ 370,471

ANALYSIS

All work is funded by existing project funds, predominantly grant funds associated with the Account 104 SR20/North Skagit project. I have updated the project budget based on the Interwest construction contract final cost and this supplemental agreement.

The construction work was completed in October 2009. A full accounting of the construction phase will be done with the final acceptance memorandum for the construction contract.

The revised total for DEA CM portion of the contract including SA 12 is \$301,865. The original project CM budget was \$270,000, so the modified budget is 11.8% over the allowance. With the added sidewalk work and other changes, the increase is reasonable. WSDOT and City CM totals came in at \$14,765 under budget, offsetting all but 3% of the increase.

MOTION:

Move to authorize Mayor Anderson to execute the attached Supplemental Agreement 12 to the Standard Agreement for Professional Services with David Evans & Associates (DEA) to add additional construction phase services for the SR20/F&S Grade Road and Skagit Industrial Park Intersection Improvement Project in the amount of \$23,790.

Respectfully submitted,

Mark A. Freiburger, PE
Director of Public Works/City Engineer



Supplemental Agreement Number <u>12</u>		Organization and Address David Evans and Associates, Inc. 415 - 118th Avenue SE Bellevue, WA 98005 Attn: Scott Soiseth Phone: (425) 519-6590	
Original Agreement Number			
Project Number <u>93-066-1195</u>	Execution Date 1/20/2010	Completion Date 2/28/2010	
Project Title <small>SR 20/F&S Grade Road and Skagit Industrial Park - Intersection Improvements Project (formerly Skagit Manufacturing Access and Signalization Feasibility Study)</small>	New Maximum Amount Payable \$ 990,480.00		
Description of Work Revise contract to account for additional working days to perform inspection of the curb ramp/sidewalk repairs; final WSDOT documentation review; and materials documentation follow-up and completion, file cleanup and closeout, and record drawings completion.			

The Local Agency of City of Sedro-Woolley
desires to supplement the agreement entered into with David Evans and Associates, Inc.
and executed on 7/9/2001 and identified as Agreement No. _____

All provisions in the basic agreement remain in effect except as expressly modified by this supplement.

The changes to the agreement are described as follows:

I

Section 1, SCOPE OF WORK, is hereby changed to read:

Additional work as described in Exhibit A-1.

II

Section IV, TIME FOR BEGINNING AND COMPLETION, is amended to change the number of calendar days for completion of the work to read: The construction working days shall extend to February 28, 2010.

III

Section V, PAYMENT, shall be amended as follows:

The contract total shall be increased by the amount of \$23,790 (see Exhibit D-3).

as set forth in the attached Exhibit A, and by this reference made a part of this supplement.

If you concur with this supplement and agree to the changes as stated above, please sign in the appropriate spaces below and return to this office for final action.

By: David Evans and Associates, Inc. By: City of Sedro-Woolley By: Washington State Department of Transportation

Manuel Tebbel
Consultant Signature

Approving Authority Signature

Certifying Authority Signature

1/19/2010
Date

Date

Date

Exhibit A
Summary of Payments

	Basic Agreement	Supplements #1-11	Supplement #12	Total
Direct Salary Cost	\$9,957	\$286,553	\$7,688	\$304,198
Overhead (Including Payroll Additives)	\$17,317	\$504,868	\$13,744	\$535,929
Direct Non-Salary Costs	\$860	\$55,308	\$51	\$56,219
Fixed Fee	\$3,286	\$88,541	\$2,307	\$94,134
Total	\$31,420	\$935,270	\$23,790	\$990,480

Exhibit A-1
Scope of Services

***SR 20/F&S Grade Road and
Skagit Industrial Park
Roadway Improvement Project
Federal Aid No. REV-0020(117)***

Supplement No. 12

Services During Construction

Prepared for
City of Sedro-Woolley

Prepared by
David Evans and Associates, Inc.

January 20, 2010

Table of Contents

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1.3 Monthly Invoices	2
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4.2 Working Days.....	2

Section A

GENERAL PROJECT INFORMATION

Introduction

David Evans and Associates, Inc. (CONSULTANT) has prepared Supplement No. 12 for the SR 20, F&S Grade Road and Skagit Industrial Park project to address construction services tasks not included in Supplements No. 9 and 11 - Services During Construction. The following task revision is included in Supplement No. 12:

- Contract extension for extra working days to perform the following tasks:
 - Inspection of the curb ramp/sidewalk repairs.
 - Final WSDOT Documentation Review.
 - Materials documentation follow-up and completion, file cleanup and closeout, and record drawings completion.

Section B

SCOPE OF SERVICES

1.0 Contract Management

1.3 Monthly Invoices

Work Item 1.3 is revised to read as follows:

Deliverables:

- Monthly invoices (~~eleven~~ monthly invoices estimated).

4.0 Construction Engineering, Administration, and Observation

4.2 Working Days

The last paragraph of Work Item 4.2 is revised to read as follows:

For estimating purposes: The construction working days shall extend to February 28, 2010, to complete the following tasks:

- Inspection of the curb ramp/sidewalk repairs.
- Final WSDOT Documentation Review.
- Materials documentation follow-up and completion, file cleanup and closeout, and record drawings completion.

Exhibit D-3
CITY OF SEDRO WOOLLEY
SR 20/F&S GRADE ROAD AND SKAGIT INDUSTRIAL PARK
INTERSECTION IMPROVEMENTS PROJECT
Services During Construction
Supplement No. 12

David Evans and Associates, Inc.

Classification	Hrs.	x	Rate	=	Cost
1 Project Manager (PMGR)	5.0		\$ 169.82		\$ 849
2 Construction Engineer (CENG)	262.5		\$ 83.37		\$ 21,883
3 CADD Technician (CADD)	4.0		\$ 94.17		\$ 377
4 Executive Administrator (EXAD)	1.0		\$ 92.63		\$ 93
5 Administrative Assistant (ADMA)	6.5		\$ 82.59		\$ 537
Total Hrs.			279.0		

Salary Cost \$ 23,739

<u>Direct Expenses</u>	<u>No.</u>	<u>Unit</u>	<u>Each</u>	<u>Cost</u>
Mileage	102	miles @	\$0.50 /mile	\$ 51
Subtotal				\$ 51

David Evans and Associates Total **\$ 23,790**

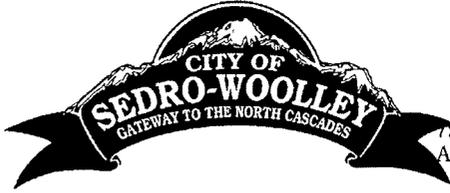
Exhibit D-3
CITY OF SEDRO WOOLLEY
SR 20/F&S GRADE ROAD AND SKAGIT INDUSTRIAL PARK
INTERSECTION IMPROVEMENTS PROJECT
Services During Construction
Supplement No. 12

David Evans and Associates, Inc.		1	2	3	4	5	DEA	DEA
Item No.	Work Item	Project Manager (PMGR)	Construction Engineer (CENG)	CADD Technician (CADD)	Executive Administrator (EXAD)	Administrative Assistant (ADMA)	Total hrs	Total \$
		Total hrs	Total hrs	Total hrs	Total hrs	Total hrs	Total hrs	Total \$
1.0	Contract Management							
1.1	Project Management	2				1.5	3.5	\$464
1.3	Monthly Invoices (1 Additional Invoice)	1			1	1	3.0	\$345
Work Item 1.00 Total		3			1	2.5	6.5	\$809
4.0	Construction Engineering, Admin., and Observation							
4.2a	Contract Extension for Extra Working Days Thru 11/25/09		102				102.0	\$8,503
4.2b	Contract Extension for Extra Working Days Thru 1/09/10		120.5				120.5	\$10,046
4.2c	Contract Extension for Extra Working Days Thru 2/28/10	2	40	4		4	50.0	\$4,381
Work Item 4.00 Total		2	262.5	4		4	272.5	\$22,930
EXPENSES								\$51
PROJECT WORK ITEMS TOTALS		5	262.5	4	1	6.5	279.0	\$23,790

Exhibit E-2
Consultant Fee Determination - Summary Sheet
(Specific Rates of Pay)
Fee Schedule

Discipline or Job Title	Hourly Rate	Overhead @ 1.7876 %	Profit @ .30 %	Rate Per Hour
Project Manager (PMGR)	55.00	98.32	16.50	169.82
Construction Engineer (CENG)	27.00	48.27	8.10	83.37
CADD Technician (CADD)	30.50	54.52	9.15	94.17
Executive Administrator (EXAD)	30.00	53.63	9.00	92.63
Administrative Assistant (ADMA)	26.75	47.82	8.03	82.59
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00

CITY COUNCIL AGENDA
REGULAR MEETING



JAN 27 2010

7:00 P.M. COUNCIL CHAMBERS
AGENDA NO. 31

CITY OF SEDRO-WOOLLEY
Sedro-Woolley Municipal Building
325 Metcalf Street
Sedro-Woolley, WA 98284
Phone (360) 855-0771
Fax (360) 855-0733

Mark A. Freiberger, PE
Director of Public Works/City Engineer

MEMO TO: City Council and Mayor Mike Anderson

FROM: Mark A. Freiberger, PE

RE: **Professional Services Agreement No. 2010-PS-01 for
On-Call Environmental Services**
Widener & Associates

DATE: January 20, 2010 (for Council action January 27, 2010)

ISSUE

Should Mayor Anderson execute the attached Professional Services Agreement No. 2010-PS-01 with Widener & Associates to provide additional on-call environmental services for miscellaneous 2010 public works projects in the amount not to exceed \$50,000?

BACKGROUND/DISCUSSION

As I reported at the January 13 council session, the city has several opportunities for grant-funded construction projects this year that will require environmental assessment work. In particular, we have been notified by WSDOT that a call can be expected under the "Jobs for Main Street" bill currently working its way through congress. This is a follow up to the 2009 Stimulus program, and is anticipated to include similar constraints, including the ability to go to advertisement within 90 to 120 days of award of funds. In order to meet this very tight timeline, the environmental work will need to be all or partially completed prior to start of design. Environmental process normally takes up to 45 days, so in order to have a project with a shot at the funding, we need to begin this process as soon as possible. The environmental documentation will be good for five years after approval.

The attached Professional Services Agreement with Widener & Associates will continue the work done by Widener for the city in 2009 on other similar projects, including SR9/Jameson, Fruitdale-McGarigle and a portion of the SR20 Roundabout project.

Task Order 1 to this agreement, which is also attached to this memo, will provide environmental work associated with the Fire Station 2 Sewer Extension work currently under design by Reichhardt & Ebe. This sewer main will serve the new fire station, running north from Alderwood to the site along the east side of SR9. The route crosses several preliminarily classified wetland areas. This work is estimated at \$20,372. Funding will be from Account 401 Improvements -Township Line budgeted for design and construction of the Sewer Extension.

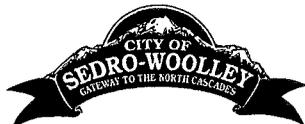
Task Order 2 to this agreement will be for the environmental work associated with the SR20, Metcalf to SR9/Township Widening and Bicycle/Pedestrian Improvements Project. This project is the one current STIP project that can possibly be designed and bid within the timeline anticipated by the Jobs bill. No right of way acquisition is required. WSDOT has agreed to participate in the project by providing \$120,000 in project dollars for a portion of the work. The city applied for an earlier version of this project under last years' Small Communities in Rural Counties Grant, which was not funded. The preliminary estimate for this grant is \$1,000,000, with a \$750,000 grant request, the \$120,000 WSDOT funds and \$130,000 city match from GMA Impact Fee funds proposed. Funding for the Environmental work, which is estimated at \$8-10,000, will be from GMA Impact Fee funds. We are awaiting Widener's scope of services and actual quote and will issue this task order after these are in hand.

Task Order 3 will provide environmental services for an anticipated Safe Routes to Schools application for the extension of the SR9 Bicycle/Pedestrian Facilities project from Lucas Drive to the Fire Station site. This work will be combined with Task Order 1 work for the Fire Station Sewer Extension and will incorporate work from that order. We are awaiting Widener's scope of services and actual quote and will issue this task order after these are in hand. This work would be funded by GMA Impact Fee funds or Engineering Professional Services.

We will provide separately requests for approval to submit the proposed grant application and to budget required funds for match and preliminary environmental and design work.

MOTION:

Move to authorize Mayor Anderson to execute the attached Professional Services Agreement No. 2010-PS-01 with Widener & Associates to provide additional on-call environmental services for miscellaneous 2010 public works projects in the amount not to exceed \$50,000.



PROFESSIONAL SERVICES AGREEMENT No. 2010-PS-01
(To be used for engineering, professional, and consultant services)

This Agreement made and entered into this **27** day of **January, 2010**, by and between the City of Sedro-Woolley, a municipal corporation under the laws of the State of Washington, hereinafter referred to as “City” and **Widener & Associates** whose address is **10108 32nd Avenue W., Suite D, Everett, WA 98204-1302**, hereinafter referred to as the “Contractor”.

WHEREAS, the City desires to engage the Contractor to perform certain duties relating to professional services, and

WHEREAS, the Contractor has agreed to offer its professional services to perform said work, and

WHEREAS, the Contractor has represented and by entering into this Agreement now represents that it is fully qualified to perform the work to which it will be assigned in a competent and professional manner, to the standards required by City,

NOW, THEREFORE, IT IS MUTUALLY AGREED BETWEEN THE PARTIES:

The City hereby agrees to engage the Contractor and the Contractor hereby agrees to perform, in a satisfactory and proper manner, as determined by City, the services hereafter set forth in connection with this Agreement:

1. Scope of Services.

The Contractor agrees to perform in a satisfactory and proper manner, as determined by the City, as **environmental services as assigned by task order** as requested by the City of Sedro-Woolley.

2. Relationship of Parties.

The Contractor, its subcontractors, agents and employees are independent Contractors performing professional services for City and are not employees of City. The Contractor, its subcontractors, agents and employees, shall not, as a result of this Agreement, accrue leave, retirement, insurance, bonding or any other benefits afforded to City employees. The contractor, subcontractors, agents, and employees shall not have the authority to bind City any way except as may be specifically provided herein.

The Contractor represents that it is customarily engaged in an independently established trade, occupation, profession or business of the same nature as that involved in the contract of services, and that it maintains a principal place of business other than City’s office that is eligible for a business deduction under IRS regulations, and that on the effective date of this agreement it assumes responsibility for filing, at the next applicable filing period, a schedule of expenses with the IRS for the services subject to this agreement, it has established all required tax accounts with state government agencies, has a Washington State Uniform Business Identifier number, and is maintaining a separate set of books and records reflecting all expenses and income items of its business.

3. Time of Performance.

The service of the Contractor is to commence

on or before _____

as soon as practicable after the execution of this Agreement shall be undertaken so as to ensure its expeditious completion in light of the purpose of this Agreement.

The service of the Contractor is to be completed

not later than _____

[] pursuant to the schedule set forth on Attachment C, Schedule of Work.

4. Delays and Extensions of Time.

If either party is delayed at any time in the progress of providing services covered by this Agreement, by any causes beyond the party's control, the time for performance may be extended by such time as shall be mutually agreed upon by Contractor and City and shall be incorporated in a written amendment to this Agreement. Any request for an extension of time shall be made in writing to the other party.

5. Compensation and Schedule of Payments.

City shall pay the Contractor its hourly rates pursuant to the schedule set forth on each **Task Order**.

The Contractor shall be paid monthly on the basis of invoices for compensation earned by the Contractor during the billing period, as agreed by the parties. Payment shall be made within ten (10) days after approval of the voucher by the City council.

Cost not to exceed **\$50,000.00** without prior approval of the Director of Public Works/City Engineer.

6. Ownership of Records and Documents.

The written, graphic, mapped, photographic, or visual documents prepared by the Contractor under the scope of work of this Agreement are instruments of the Contractor's services for use by the City with respect to this project and, unless otherwise provided, shall be deemed the property of the City. The City shall be permitted to retain these documents, including reproducible camera-ready originals of reports, reproduction quality mylars of maps, duplicates of 35 mm slides, and copies in the form of computer files, for the City's use. The City shall have unrestricted authority to publish, disclose, distribute and otherwise use, in whole or in part, any reports, data, drawings, images or other material prepared under this Agreement, provided that the Contractor shall have no liability for the use of the Contractor's work product outside of the scope of its intended purpose.

7. Termination.

The term of this agreement shall be from the date signed through **December 31, 2010**.

A. This agreement may be terminated by either party for reasonable cause, upon written notice to the other party. Reasonable cause shall include:

a) Material violation of this agreement.

b) Failure to maintain professional standards in the performance of services related to this agreement.

B. This agreement may be terminated without cause upon thirty (30) days notice by either party.

C. Termination of this agreement shall not relieve either party of their obligations under this agreement which accrues prior to the date of termination, or which, by their nature, is intended to survive completed performance of the scope of work, including the obligation of the City to pay for competent services performed prior to the date of termination.

8. Evaluation and Compliance with the Law.

The Contractor agrees to comply with all relevant, federal, state and municipal laws, rules and regulations, including laws governing equal employment opportunity, and prevailing or area standard wage laws, if applicable.

9. City Business and Occupation License.

Prior to performing work under this Agreement, Contractor shall secure a City of Sedro-Woolley Business and Occupation License.

10. Liability and Hold Harmless.

Each party shall indemnify, save, and hold harmless the other party of any claim, damages, losses, liability or expense cause by or resulting from their negligence related to the performance of this contract.

The Contractor shall provide proof to the City that it is insured under a professional liability insurance policy covering the work within the scope of this agreement, in such form and amounts as are acceptable to the City.

The Contractor shall provide proof to the City that it is insured under a general liability insurance policy covering the work within the scope of this agreement, in such form and amounts as are acceptable to the City.

For purposes of this agreement the Contractor waives immunity under RCW Title 51, the State Industrial Insurance Act for any claim brought by the City.

11. Employment Security. The Contractor shall comply with all employment security laws of the State of Washington, and shall timely make all required payments in connection therewith.

12. Amendments.

This Agreement shall not be altered, changed, or amended except by an instrument in writing executed by the parties hereto. Any changes in the scope of work or compensation shall be mutually agreed upon between the City and the Contractor and shall be incorporated in written amendments to this Agreement.

13. Scope of Agreement.

This Agreement incorporates all the agreements, covenants, and understanding between the parties hereto which are merged into this written agreement. No prior agreement or prior understanding, verbal or otherwise, of the parties or their agents shall be valid or enforceable unless set forth in this Agreement or written amendment hereto.

14. Ratification.

Acts taken pursuant to this Agreement but prior to its effective date are hereby ratified and confirmed.

15. Assignability. This agreement is not assignable by either party, without written consent of the other party.

16. Notices. Any notice given in connection with this agreement shall be given in writing and shall be delivered either by hand to the party or by certified mail, return receipt requested, to the party at the party's address stated herein. Any party may change its address stated herein by giving notice of the change in accordance with this paragraph.

17. **Choice of Law/Venue.** Any dispute under this agreement or related to this agreement shall be decided in accordance with the laws of the State of Washington. Venue for any court proceeding arising under or related to this agreement shall be in Skagit County Superior Court.

18. **Non-exclusive Agreement.** This agreement shall not prevent the City of Sedro-Woolley from entering into a contract with another person or firm for similar services.

19. **MRSC Roster Registration.** The Contractor shall register or maintain registration on the MRSC Consultant Roster.

20. **Washington State Department of Retirement Systems.** Have you retired under the 2008 early retirement factors? Yes No N/A

21. **Debarment.** Contractor represents and agrees that it is not listed on any state or federal debarment list and further agrees that none of its sub-consultants are listed on any state or federal debarment list.

DATED this _____ day of _____, 2010.

CITY OF SEDRO-WOOLLEY
A Washington municipal corporation

By: _____
Mayor

Attest:

Finance Director

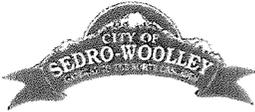
Approved as to Form:

City Attorney

CONTRACTOR:

Widener & Associates

By: _____



**EXHIBIT A
TASK ORDER
CITY OF SEDRO-WOOLLEY
ON-CALL SERVICES**

Task Order No. 2010-PS-01-TO-01

Task Title Environmental for N. Township Sewer Extension Alderwood to Bassett Road

Consultant Widener & Associates

Consultant Contact Ross Widener Phone 425-348-3059 Email rwidener@prodigy.net

City Contact Debbie Allen Phone 360-856-1100 Email mfreiberger@ci.sedro-woolley.wa.us

City Project No. NA Budget (BARS) No. 401.000.035.596.35.63.20 PS Eng – Township Sewer PE

Reimbursable? Yes, by _____
 No

DESCRIPTION OF TASK ASSIGNMENT

Prepare environmental permitting for N. Township Sewer Extension

Per attached Scope of Services **Exhibit A**

Site Address or Location N. Township – Alderwood to Bassett Road

COMPENSATION

LUMP SUM – Compensation for services shall be a lump Sum of _____

TIME AND MATERIAL – Compensation for these services will be on a Time and Materials basis per **Exhibit B**, not to exceed \$20,372.00 without written authorization.

Approved budget attached (If applicable.)

SCHEDULE The Consultant shall complete the services described above:

Within 90 days from notice to

By proceed

In accordance with the attached schedule.

All provisions of the Agreement for On-Call Engineering Services dated January 27, 2010 shall be in full force and effect for this Task Order.

APPROVED

CITY OF SEDRO-WOOLLEY

By Mike Anderson

Signature _____

Title Mayor

Date 1/28/2010

CONSULTANT

By Ross Widener

Signature _____

Title Vice President

Date _____

EXHIBIT A

ENVIRONMENTAL PERMITTING SR 9 Sewer Extension

The City of Sedro Woolley is plan the construction of Fire Station number 2 as part of a recently awarded FEMA grant. The Scope of Work permitting necessary to construct a sewer line along the east side of SR 9. It is anticipated that the following environmental permits and documentation will be required:

- Wetland Delineation
- Wetland Restoration Plan
- JARPA

Based on the environmental documentation identified during preliminary design, the CONSULTANT will then pursue and obtain the permits or agency approvals required. Anticipated permits and documentation are identified below.

Wetland Delineation

The CONSULTANT shall develop, implement, and complete field surveys to identify and delineate wetlands in the project area using the appropriate methods described in the USACE Wetlands Delineation Manual (Environmental Laboratory 1987), Wetlands Research, Technical Report Y-87-1, January 1987. The CONSULTANT shall delineate wetlands within 200 feet of the project area.

The CONSULTANT shall prepare a comprehensive report that includes detailed wetland maps; documentation of survey methods, results, and potential impacts from project actions; and recommendations for wetland protection and mitigation. The report shall also contain appropriate forms for wetland identification, delineation, and function assessment required by USACE. The information in this report is intended for use in compliance with Section 404 of the Clean Water Act. The final report and associated documents shall be in a format acceptable to USACE.

Delineated wetland boundaries shall be identified on the ground with flagging. The delineated wetland boundaries shall be mapped with accuracy acceptable to USACE.

Wetland Restoration Plan

The CONSULTANT shall develop and complete a wetland mitigation plan in accordance with USACE guidelines. The information in this report is intended for use in compliance with Section 404 of the Clean Water Act. The final report and associated documents shall be in a format acceptable to the Army Corps of Engineers (COE).

JARPA

The CONSULTANT will complete and submit to the application to the appropriate agencies to review and issue the necessary permits. It is anticipated this that is project will required a following permits.

- Section 404

Products and Deliverables:

- Wetland Delineation
- Wetland Restoration Plan
- JARPA

EXHIBIT B

Widener & Associates

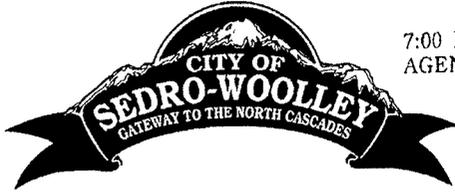
Environmental Cost Estimate SR 9 Sewer

10108 32nd Avenue W Ste G Everett, WA 98204-1302
Tel (425) 348-3059 Fax (425) 348-3174

Project Task Orders	Project Manager	Senior Biologist / Planner	Total Costs	Column1	Column2	Column3	
	Project Manager	Project Biologist					
Wetland Delineation							
	Draft	16	40				
	Final	8	24				
Restoration Plan							
	Draft	4	24				
	Final	4	8				
JARPA							
	Draft	8	24				
	Final	4	16				
Permit Coordination							
	Section 404	4	4				
	Section 401						
	NPDES						
Totals		48	140				
Summary		Hours	Direct	*Overhead	**Profit	Rate	Cost
	Project Manager	48	\$50.00	\$75.00	\$15.00	\$140.00	\$6,720.00
	Project Biologist	140	\$31.00	\$46.50	\$9.30	\$86.80	\$12,152.00
Total Labor							
*Overhead 150%							
**Profit 30%							\$1,500
Cultural Resources							
Assumes client provides exhibits/plan, description of project activities.							
TOTAL ESTIMATED COST							\$20,372.00

CITY COUNCIL AGENDA
REGULAR MEETING

JAN 27 2010



7:00 P.M. COUNCIL CHAMBERS
AGENDA NO. 3e

CITY OF SEDRO-WOOLLEY
Sedro-Woolley Municipal Building
325 Metcalf Street
Sedro-Woolley, WA 98284
Phone (360) 855-0771
Fax (360) 855-0707

Mark A. Freiberger, PE
Director of Public Works/City Engineer

MEMO TO: City Council

FROM: Mark A. Freiberger, PE

RE: Supplemental Agreement 2
Agreement 2009-PS-05 Construction Phase Services
Fruitdale Road and McGarigle Road Improvements Project and SR 9
Pedestrian/Bicycle Improvements Project

DATE: January 20, 2010 (for council meeting January 27, 2010)

ISSUE

Should the Council authorize the Mayor to sign the attached Supplemental Agreement 2 to the Agreement with Leonard, Boudinot & Skodje, Inc. in the amount of \$87,391?

BACKGROUND

This supplement adds items of work as detailed on the attached Supplemental Agreement 2. These added items include additional design work to add drainage improvements on John Liner Road, support work associated with contractor claims for groundwater and differing soils conditions, landscaping additions, preparation of plans and specifications for the Wetlands restoration work, additional work by subconsultants associated with the lift stations and estimated costs related to the suspension of work and extension of time due to the 10 change orders issued to date.

We have requested approval from WSDOT acting as Certification Acceptance for the project. .

FINANCIAL

Construction Budget

Contract G.G. Excavating, Inc.	\$3,761,308.39
Misc Construction	\$ 229,318.56
Construction Engineering	\$ 506,816.00
Contingency	\$ 376,130.84
TOTAL BUDGET	\$4,873,573.79

Estimated Cost

GG Contract through CO10	\$3,909,227
Estimated additional changes & overruns	\$ 263,661
Total Contract	\$4,172,887
LBS Contract through SA 1	\$ 393,680

SA 2	\$ 87,391
Revised LBS Contract	\$ 481,071
Misc CN (City, WSDOT, PSE)	\$ 159,627
TOTAL EST COST	\$4,813,585

BALANCE = REMAINING CONT	\$ 59,990
---------------------------------	------------------

ANALYSIS

Through this supplement, the remaining contingency is \$59,990. This includes an estimated amount for additional changes and force account work, plus unit quantity overruns. At this time, the work remains within budget.

RECOMMENDATION:

Motion to authorize the Mayor to sign the attached Supplemental Agreement 2 to the Agreement with Leonard, Boudinot & Skodje, Inc. in the amount of \$87,391.

Supplemental Agreement Number <u>2</u>		Organization and Address	
Original Agreement Number		Leonard, Boudinot & Skodje, Inc. PO Box 1228 - 603 South First Street Mount Vernon, WA 98273-1228 Phone: 360 336-5751	
Project Number STPE-0009-(057)		Execution Date	Completion Date 8/31/2010
Project Title Fruitdale & McGarigle Construction		New Maximum Amount Payable \$ 481,071.00	
Description of Work Construction Management and Surveying services for the Fruitdale Road and McGarigle Improvements Project and SR 9 Pedestrian/Bicycle Safety Improvements Project (includes additional services)			

The Local Agency of City of Sedro-Woolley
 desires to supplement the agreement entered into with Leonard, Boudinot & Skodje, Inc.
 and executed on 04/15/2009 and identified as Agreement No. STPE-0009(057)
 All provisions in the basic agreement remain in effect except as expressly modified by this supplement.

The changes to the agreement are described as follows:

I

Section 1, SCOPE OF WORK, is hereby changed to read:

See attached "Amended Scope of Work" dated 01/18/2010

II

Section IV, TIME FOR BEGINNING AND COMPLETION, is amended to change the number of calendar days for completion of the work to read: _____

III

Section V, PAYMENT, shall be amended as follows:

n/a

as set forth in the attached Exhibit A, and by this reference made a part of this supplement.

If you concur with this supplement and agree to the changes as stated above, please sign in the appropriate spaces below and return to this office for final action.

By: Leonard, Boudinot & Skodje, Inc.

By: City of Sedro-Woolley

 Consultant Signature

 Approving Authority Signature

 Date

**Amended Scope of Work
01/18/2010**

City of Sedro-Woolley Public Works
Fruitdale Road And McGarigle Road Improvements and SR 9 Pedestrian/Bicycle Safety
Improvements

Scope Of Work, is amended as follows:

1. Drainage analysis, plans, and other documentation and additional inspection related to the replacement of the existing storm drain system in John Liner Road, west of SR 9 to approximately 1000 feet west.

Estimated costs for this work: \$6,770

2. Coordination, surveying, and plans preparation for the installation of a fish culvert in Fruitdale Road north of the McGarigle Road intersection.

Estimated costs for this work: \$3,600

3. Due to project scheduling and work rate, our geotechnical material testing sub-consultant had exceeded their original contract amount by \$6,360 through October 2009 and estimates an additional \$5,850 to complete the project. The costs for GeoTest also include additional services provided at the request of the City to monitor compaction at the City's SR 9 future fire station site and for private contractor trench work within the project limits.

Estimated additional for GeoTest \$13,192
Overhead \$ 1,319
Total Geotest \$41,492

4. GeoEngineers was added as a sub-consultant by Supplemental Agreement #1. Their services were required for the review of contractor claims relating to the dewatering efforts and trench conditions on Fruitdale Road. An estimated dollar amount of \$4,000.00 was included in Supplement #1. To-date, GeoEngineers has exceeded this estimated cost by \$1,701.70. The claims have not yet been resolved, so it is likely that we will need additional consultations and reports from them.

Estimated additional for GeoEngineers: \$4,000
Overhead \$ 400
Total GeoEngineers \$8,000

5. For coordination, surveying, plans, specifications and documentation related to the preparation of landscaping plans at the McGarigle Road storm water pump station (for additional screening and beautification).

Estimated costs for this work: \$3,600

6. Services to assist Widener & Associates, environmental sub-consultant, with the preparation of plans, specifications, and small works roster bid and contract documents related to the plantings in the Wetlands Mitigation Area along Brickyard Creek at the east end of McGarigle Road.

Estimated cost for this work: \$5,500

7. Additional survey and quantity calculations beyond the original scope were performed to provide information to the environmental sub-consultant and to the contractor. For the contractor, Fruitdale Road was cross-sectioned to determine actual roadway excavation quantities and for the environmental sub-consultant, the as-built mitigation area boundaries were surveyed to facilitate the development of the planting plans and to determine the additional excavation quantities.

Costs total: \$3,150

8. Additional work for programming sub-consultant, SCADA & Controls Engineering, Inc., ordered by the City for the storm water pump station.

Estimated additional for SCADA: \$1,600
Overhead \$ 160

Total SCADA \$14,740

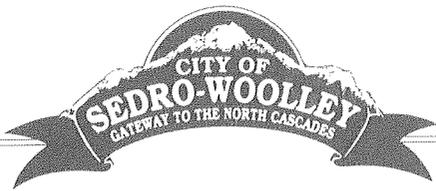
9. Leonard, Boudinot & Skodje's additional costs associated with project suspension, which includes periodic site inspections; contractor and City coordination; and, preparation of field orders and changes orders. Based on 16 hours per week for David Lee and Mike Demers for approx. 12 week suspension:

Estimate cost for this work: \$29,800

10. Leonard, Boudinot & Skodje's costs associated with project resuming, that includes inspection and engineering for the completion of the project. Based on additional contract days added prior to project suspension (7) and an anticipated additional 10 working days after resuming.

Estimate cost for this work: \$14,300

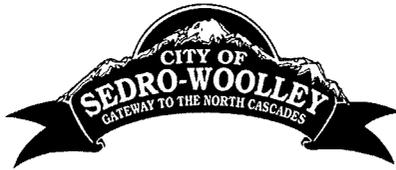
Total requested budget increases \$87,391



SUBJECT: PUBLIC COMMENT

Name:
Address:
Narrative:

**PUBLIC
HEARING(S)**



Building, Planning and Engineering Dept.
Sedro-Woolley Municipal Building
325 Metcalf Street
Sedro Woolley, WA 98284
Phone (360) 855-0771
Fax (360) 855-0733

MEMO:

To: City Council
From: Jack Moore, 
Planning Director/ Building Official
Date: January 27, 2010
Subject: Public Hearing for Proposed Annexation of UGA properties on Fruitdale Road

CITY COUNCIL AGENDA
REGULAR MEETING

JAN 27 2010

7:00 P.M. COUNCIL CHAMBERS
AGENDA NO. 6

ISSUES

Public hearing for a proposed annexation of properties within the Sedro-Woolley urban growth area (UGA) east of Fruitdale Road, north of S.R. 20 (see map). This area proposed for annexation is referred to as the "Fruitdale UGA."

DESCRIPTION / HISTORY

The City Council reviewed an intention to annex petition from three property owners in the Fruitdale UGA on July 15, 2009. At that meeting the Council determined that the City would entertain the full petition request and expressed a will to have all of the adjoining properties in that portion of the UGA annexed at the same time if possible. The annexation initiator, Roger Dean Earles, circulated a petition amongst the owners of all of the properties in the Fruitdale UGA. That signed petition was submitted to the Planning Department on November 25, 2009 and a public hearing was scheduled for January 27, 2010 in compliance with RCW 35A.14.130. Notice of said hearing was posted on site, advertised in the Skagit Valley Herald and delivered to all affected property owners.

Per RCW 35A.14.120 -150, the petition was forwarded to the Skagit County Assessor for verification of the signatures and verification that the signatures represent the necessary 60% of the assessed value of the area. On January 22, 2010, after the notice of the public hearing was disseminated, the Assessor notified the Planning Department that the petition did not have the required number of signatures.

PROCEDURE

Per RCW 35A.14.120, the City Council met with the initiators of the annexation proposal on July 15, 2009 and determined the city will accept the proposed annexation if the petition for annexation is written to clearly indicate the following:

- The petition is geographically modified to include all of the properties in the Fruitdale UGA;
- The existing Comprehensive Plan zoning of R-5 will be adopted simultaneously; and
- The area proposed for annexation shall be assessed and taxed at the same rate and on the same basis as other properties within City limits to pay for all or any portion of the existing

city indebtedness. If the legislative body requires the assumption of all or of any portion of indebtedness.

Because there are not enough signatures on the petition, today's public hearing shall be informational only. Staff has advised the applicant to acquire the necessary number of signatures or modify the area proposed for annexation. Another public hearing will be necessary after the annexation request is amended or altered.

STAFF RECOMMENDATIONS

Because the public hearing has already been published, staff recommends that the City Council conduct the public hearing for the annexation request under the understanding that the annexation area may change and that another public hearing will be held in the future. No City Council action is necessary after the public hearing.

ENCLOSURES

Included with this memo:

- Annexation Petition
- Map of proposed annexation area
- Letter of support from property owner in annexation area

**PETITION FOR ANNEXATION (60% METHOD)
TO THE
CITY OF SEDRO-WOOLLEY • WASHINGTON**

TO THE HONORABLE MAYOR AND CITY COUNCIL OF
THE CITY OF SEDRO-WOOLLEY, WASHINGTON:

We, the undersigned being the owners of not less than 60% in value (according to the assessed valuation for general taxation, of the property for which annexation is proposed, of the real property herein described and lying contiguous to the City of Sedro-Woolley, Washington, do hereby petition that such territory be annexed to and made a part of the City of Sedro-Woolley under the provisions of RCW 35A.14.120, et seq., and any amendments thereto, of the State of Washington.

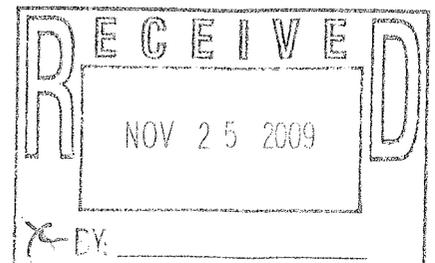
A map and legal description of the territory proposed for annexation is attached to this petition.

The City Council of the City of Sedro-Woolley met with the initiating parties at a meeting on July 22, 20 09 and did determine that the city would consider the proposed annexation. At said meeting the City Council did also determine that:

- As disclosed in the minutes of that Council meeting, all property within the territory hereby sought to be annexed shall, upon annexation, be assessed and taxed at the same rate and on the same basis as the property within the City of Sedro-Woolley is assessed and taxed to pay for all or any portion of the outstanding indebtedness of the City of Sedro-Woolley, which indebtedness has been approved by the voters, contracted for or incurred prior to, or existing at, the date of annexation; and
- The territory sought to be annexed shall, upon annexation, be assigned zoning of Residential-5 (R-5) consistent with the City of Sedro-Woolley Comprehensive Plan;

Wherefore, we the undersigned petition the Honorable City Council and ask:

- A. That appropriate action be taken to entertain this petition, fixing a date for a public hearing, causing notice to be published and posted, specifying that time and place of such hearing, and inviting all persons interested to appear and voice approval or disapproval of such annexation; and
- B. That following such hearing, the City Council determine by ordinance that such annexation shall be made, and declaring the date whereon such annexation shall be effective; and that property so annexed shall become a part of the City of Sedro-Woolley, Washington, subject to its laws and ordinances then and thereafter in force.



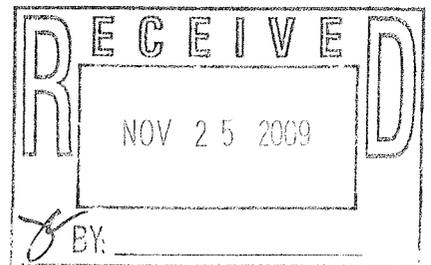
Proposed Fruitdale Road UGA Annexation – Petition to Annex

Signatures	Printed Name & Address	Date	Parcel #	Assessed Value
1 <i>Roger D Earles</i>	Roger D Earles 1033 Jeanette St SW	10/31/09	39380	178,000 .
2 <i>M. Casey Earles</i>	M. Casey Earles 1033 Jeanette St SW	10/31/09	39380	178,000 ↑
3 <i>Rocky & Shari Downing</i>	Rocky & Downing 8585 Fruitdale rd.	11/1/09	P 39378	277,000
4 <i>Shari Downing</i>	Shari Downing 8585 Fruitdale Rd	11/11/09	P 39378	277,000 ↑
5 <i>Harry Weatherby</i>	Harry Weatherby 8645 16000 Fruitdale	10/31/09	P 39388	191,500 .
6 <i>Harry Weatherby</i>	Harry Weatherby " " "	10/31/09	P 39390	341,400 .
7				
8				
9				
10				

ORIGINAL

(Names of petitioners should be in identical form as the same appear
real estate. Both husbands and wives must sign).

to the



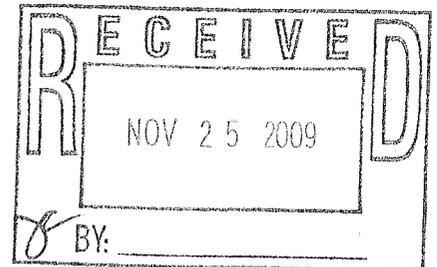
WARNING

Every person who signs this petition with any other than his or her true name, or who knowingly signs more than one of these petitions, or signs a petition when he or she is otherwise not qualified to sign, or who makes herein any false statement, shall be guilty of a misdemeanor.

Proposed Fruitdale Road UGA Annexation – Petition to Annex

Signatures	Printed Name & Address	Date	Parcel #	Assessed Value
1	<i>Marilyn R Assink</i> Marilyn R Assink 8547 + 8537 Fruitdale	11/5/09	39377	269,400.
2	<i>Doyle D Assink</i> Doyle D. Assink 8547 + 8537 Fruitdale	11/5/09	39377	269,400. ↑
3				
4				
5				
6				
7				
8				
9				
10				

(Names of petitioners should be in identical form as the same appear on record in the chain of title to the real estate. Both husbands and wives must sign).



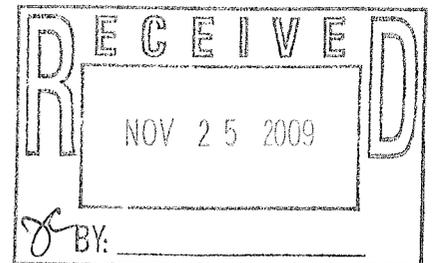
WARNING

Every person who signs this petition with any other than his or her true name, or who knowingly signs more than one of these petitions, or signs a petition when he or she is otherwise not qualified to sign, or who makes herein any false statement, shall be guilty of a misdemeanor.

Proposed Fruitdale Road UGA Annexation – Petition to Annex

Signatures	Printed Name & Address	Date	Parcel #	Assessed Value
1 <i>James Hickman</i>	JAMES HICKMAN 8763 FRUITDALE RD	11-9-09	P 39382	336,800.
2 <i>Mary E Hickman</i>	MARY HICKMAN 8763 FRUITDALE RD	11-9-09	P 39382	336,800.5
3				
4				
5				
6				
7				
8				
9				
10				

(Names of petitioners should be in identical form as the same appear on record in the chain of title to the real estate. Both husbands and wives must sign).



WARNING

Every person who signs this petition with any other than his or her true name, or who knowingly signs more than one of these petitions, or signs a petition when he or she is otherwise not qualified to sign, or who makes herein any false statement, shall be guilty of a misdemeanor.

Asink 39377

~~39378~~ - L. Kelsey

~~39347~~ 39329 - T. McCoy

~~39349~~ J. Held Trust 39378 - R. Downing 39380

~~39387~~ Earles

M. Parks ~~39389~~ Weatherby 39390

Weatherby 39388

39382

Hickman

State Route 20

C. Martinez

39349

Rayment

M. Parks

FRUIT DALE RD

SEDRO-WOOLLEY

RECEIVED
NOV 25 2009
BY

Garage Court



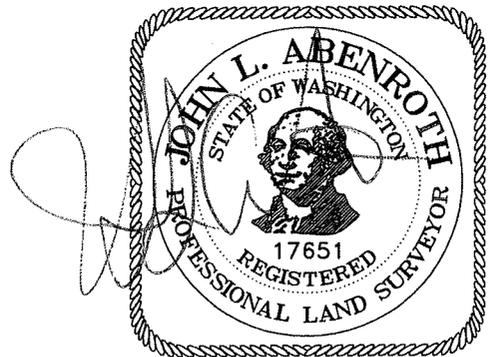
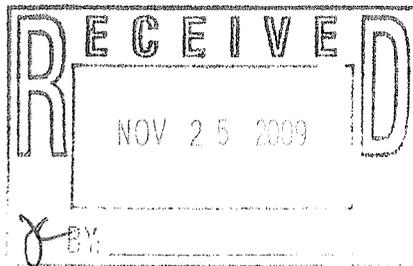
806 Metcalf St., Sedro-Woolley, WA 98284 Phone: (360) 855-2121 FAX: (360) 855-1658

LEGAL DESCRIPTION
FOR
ROGER DEAN EARLES
OF
PROPERTY EAST OF FRUITDALE ROAD
INCLUDED IN PROPOSED ANNEXATION

November 24, 2009

Beginning at the northeast corner of the southeast quarter of Section 18, Township 35 North, Range 5 East, W.M.; thence S 02°23'16" E along the east line of said southeast quarter, a distance of 969.20 feet to its intersection with the northwesterly right of way line of State Route 20; thence S 53°40'19" W along said northwesterly right of way line, a distance of 1604.36 feet to its intersection with the east right of way line of Fruitdale Road; thence northerly along the east right of way line of Fruitdale Road through the following thirteen courses; N 02°14'31" W, a distance of 1381.36 feet; N 88°19'16" E, a distance of 10.00 feet; N 02°14'31" W, a distance of 100.00 feet; S 88°19'16" W, a distance of 10.00 feet; N 02°14'31" W, a distance of 90.00 feet; N 88°19'16" E, a distance of 10.00 feet; N 02°14'31" W, a distance of 40.00 feet; S 88°19'16" W, a distance of 10.00 feet; N 02°14'31" W, a distance of 70.00 feet; N 88°19'16" E, a distance of 10.00 feet; N 02°14'31" W, a distance of 100.00 feet; S 88°19'16" W, a distance of 10.00 feet; N 02°14'31" W, a distance of 100.00 feet to the north line of said southeast quarter; thence N 88°19'16" E along the north line of said southeast quarter, a distance of 1326.33 feet to the point of beginning of this description.

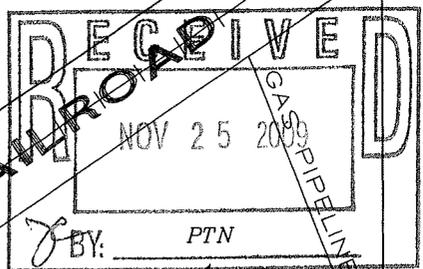
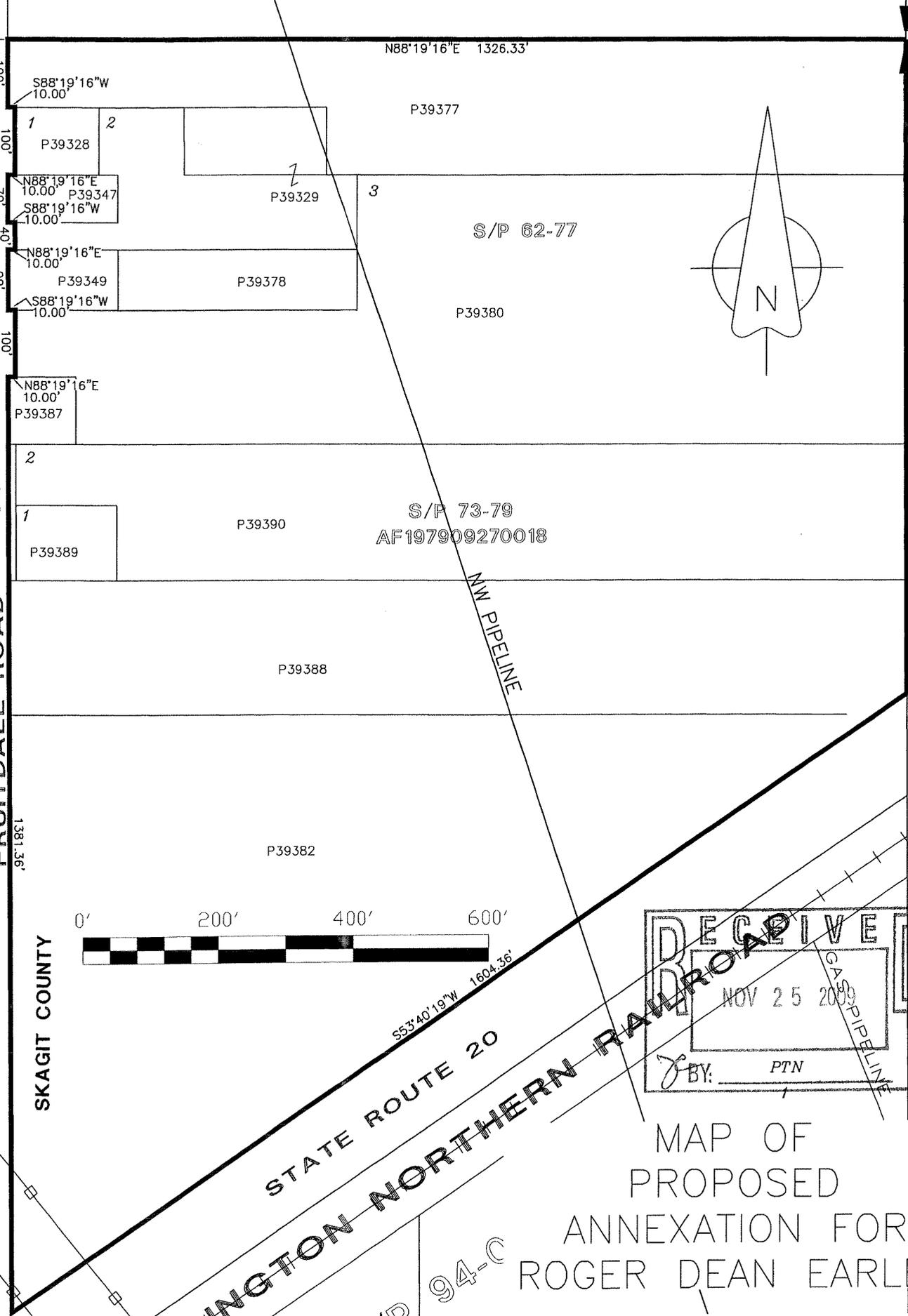
Containing 43.39 acres.



11/24/09

SE1/4 of Section 18, Twp. 35 N., Rng. 5 E., W.M.

39392
P39393
P39351
P39395
P39348
1-0557
150072
P39401
CITY OF SEDRO-WOLLEY LIMITS
SKAGIT COUNTY



MAP OF
PROPOSED
ANNEXATION FOR
ROGER DEAN EARLES

City of Sedro-Woolley
Fruitdale Road
Urban Growth Area
(UGA)
Annexation Request
September 2009
Public Hearing
January 27, 2010

AREA PROPOSED FOR ANNEXATION
(within red line)
TOTAL ASSESSED VALUE

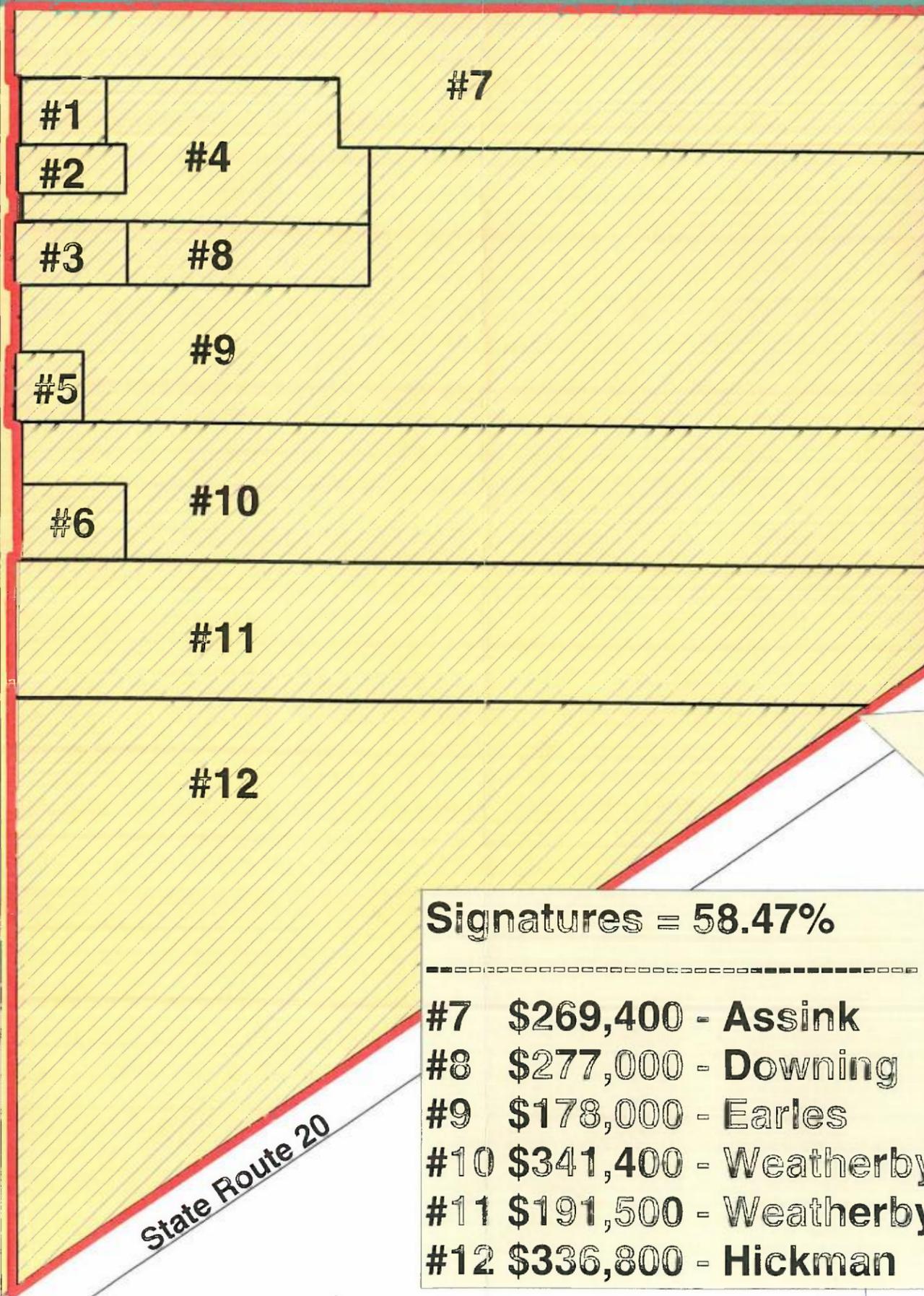
\$2,726,300

No Signatures = 41.53%

- #1 \$172,500 - Linnell
- #2 \$185,200 - Martinez
- #3 \$199,400 - Heid
- #4 \$210,600 - McCoy
- #5 \$137,500 - Rayment
- #6 \$227,000 - Parks

Signatures = 58.47%

- #7 \$269,400 - Assink
- #8 \$277,000 - Downing
- #9 \$178,000 - Earles
- #10 \$341,400 - Weatherby
- #11 \$191,500 - Weatherby
- #12 \$336,800 - Hickman

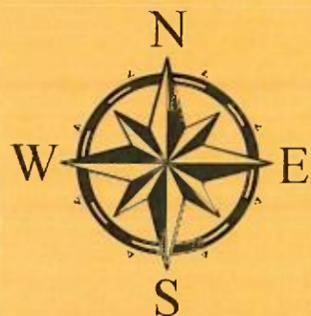


Legend

- City Limits
- UGA
- Parcels
- Streets
- Streams

Zoning Areas

- ZONE
- CBD
 - I
 - MC
 - OS
 - P
 - R15
 - R7
 - R5



0 105 210 420 Feet

City of Sedro-Woolley
 Fruitdale Rd. Annexation Request
 Map
 Draft : 1/27/2010

Fruitdale Road

State Route 20

City of Sedro-Woolley
Notice of Public Hearing for Annexation Petition

The Sedro-Woolley City Council will hold a public hearing on January 27th, 2010 at 7:00 PM at the Sedro Woolley City Council Chambers, 325 Metcalf Street, Sedro-Woolley, WA, for the purpose of taking public testimony approving or disapproving the petition to annex property into the City of Sedro-Woolley submitted by Roger Dean Earles, and others.

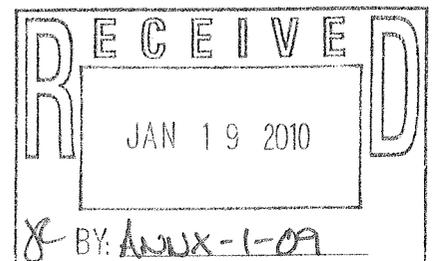
The property being considered for annexation is located in the East half of the Southeast quarter of Section 18, Township 35 North, Range 5 East, W.M., situated in Skagit County Washington. It is within the area North of SR-20 and East of Fruitdale Road. A complete legal description and map is available from the Sedro-Woolley Planning Department, 325 Metcalf Street, Sedro-Woolley, WA 98284 telephone (360) 855-0771.

All persons wishing to comment are encouraged to attend the hearing, or to submit written comment to the City Council by delivering the same to the Sedro-Woolley Planning Department, before 4:30 PM on the day of the hearing.

Published January 18, 2010

8763 Fruitdale Road
Sedro Woolley, WA 98284
Jan.15, 2010

City of Sedro Woolley
325 Metcalf Street
Sedro Woolley, WA 98384

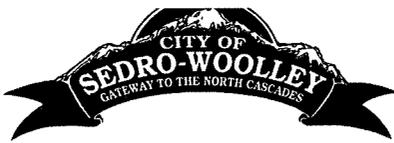


Dear City Council,

Due to the fact that we are out of town, we wanted to write a letter of approval on the above property annexation into the city of Sedro Woolley. We own the property at the corner of Fruitdale Road and Highway 20. Our address is 8763 Fruitdale Road and we approve the annexation of our property into the city of Sedro Woolley. Thank you for taking the time to analyze the benefits and drawbacks to this annexation proposal. We appreciate your efforts in behalf of the city of Sedro Woolley

Sincerely,
James P. Hickman
Mary E. Hickman
James P. and Mary E. Hickman

**UNFINISHED
BUSINESS**



Planning Department
Sedro-Woolley Municipal Building
325 Metcalf Street
Sedro Woolley, WA 98284
Phone (360) 855-0771
Fax (360) 855-0733

MEMO:

To: Sedro-Woolley City Council
Mayor Anderson

From: Jack Moore
Planning Director/ Building Official

Date: January 27, 2010

Subject: 2009 Comprehensive Plan Docket

CITY COUNCIL AGENDA
REGULAR MEETING

JAN 27 2010

7:00 P.M. COUNCIL CHAMBERS
AGENDA NO. 7

PLEASE BRING YOUR COMP PLAN PACKET FROM THE LAST MEETING

ISSUES

1. Should the City Council adopt the proposed *Comprehensive Plan* amendments for the 2009 docket?
2. Should the City Council adopt the proposed *Sedro-Woolley Municipal Code* modifications to enact the 2009 *Comprehensive Plan* amendments?

PROJECT DESCRIPTION / HISTORY

The Sedro-Woolley Planning Commission reviewed the docket agenda and held public hearings. The Planning Commission made the following recommendations:

CPA-1-09 -- Update of the Economic Development Element
Planning Commission recommendation: **Approve** with amendments shown in Exhibit 1

CPA-2-09 -- Update of the Public Utilities Element
Planning Commission recommendation: **Approve** with amendments shown in Exhibit 2

CPA-3-09 – Updated to formatting of the Introduction, Land Use Element and Chapter 9
Planning Commission recommendation: **Approve** with amendments shown in Exhibit 3

CPA-4-09 – Revisions to Zoning Map, Landscape Buffer requirements and Zoning Code
Planning Commission recommendation: **Approve** with amendments shown in Exhibit 4

The City Council, at the January 13, 2010 meeting, instructed staff to make the following changes to the proposed revisions for consideration at the January 27, 2010 meeting:

1. Revise the Comprehensive Land Use Map and Zoning Map to remove the proposed designation of Central Business District zoning along W. State St., retaining its current designation as Industrial.
2. Revise the Comprehensive Land Use Map and Zoning Map to designate 305/307, 313 and 317 F&S Grade Road as Mixed Commercial.

The City Council also requested additional information regarding Zoning Overlays, which is enclosed with this memo.

ATTACHMENTS

1. **Proposed Ordinance 1** with applicable attachments, for amending the Comprehensive Plan, Comprehensive Land Use Map and Zoning Map
2. **Proposed Ordinance 2** with applicable attachments, for amending the Municipal Code sections relating to the 2009 Comprehensive Plan docket
3. Requested information regarding **Zoning Overlays**

CITY COUNCIL ACTION OPTIONS

The Public Hearing has been closed and the Council has continued the public meeting on this topic for further discussion.

For each of the docket items, the City Council must decide whether the amendment should be approved, approved with modifications, or rejected. Specifically, the Council may:

1. Adopt the ordinance that includes the changes as recommended by the Planning Commission.
2. Refer the documents back to the Planning Commission for further review and modification of their recommendation.
3. Adopt the ordinance with additional changes made by the City Council; the draft ordinance includes the City Council modifications following the Council's public hearing on January 13, 2010.
4. Reject the proposed changes.

RECOMMENDATIONS

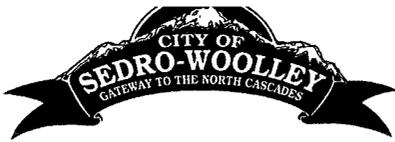
To follow the State-prescribed Comprehensive Plan revision procedure, each Amendment must be voted on separately.

Recommended actions:

1. Make a motion to approve CPA-1-09.
2. Make a motion to approve CPA-2-09.
3. Make a motion to approve CPA-3-09.
4. Make a motion to approve CPA-4-09.

Then for the final action and to enact changes:

5. Make a motion to adopt ordinance _____ amending the Comprehensive Plan as part of the 2009 docket process.
6. Make a motion to adopt ordinance _____ amending the Municipal Code as reviewed during the 2009 docket process.



MEMO:

To: Sedro-Woolley City Council
Mayor Anderson

From: Jack Moore
Planning Director/ Building Official

Date: January 27, 2010

Subject: Overlay Zone Information

At the last Council meeting, members asked for additional information regarding zoning overlays. Here is some additional information for your consideration.

I have come across many, many different types of overlays including (to name a few):

- Transit Oriented Development Overlay
- Historical Preservation Overlay
- Urbanizable Lands Overlay - intended to ensure that development activities in unincorporated areas will not inhibit future development at planned urban levels or the provision of services in an orderly, efficient, and timely manner. The /UL overlay zone coordinates development activity with procedures for systematic, logical, and equitable incorporation into the city limits and requires general conformance to the city's urban development standards.

Overlay Zones

Basics — An overlay zone is a zoning district which is applied over one or more previously established zoning districts, establishing additional or stricter standards and criteria for covered properties in addition to those of the underlying zoning district. Communities often use overlay zones to protect special features such as historic buildings, wetlands, steep slopes, and waterfronts. Overlay zones can also be used to promote specific development projects, such as mixed-used developments, waterfront developments, housing along transit corridors, or affordable housing.

Discussion — Overlay zones have the potential to be very effective governmental regulatory tools. Since they tailor regulations to specific properties and districts to meet specific community goals, they can be more politically feasible to implement and can help communities meet stated goals or address specific inequities. On the other hand, they can create inefficiencies and inequities by applying regulations and restrictions to some properties and not others. Moreover, additional regulations may increase time and expense both for developers and for the public bodies involved in the development approval process

Another way of saying the same as above:

Some cities use the overlay district, which creates an additional set of guidelines above and beyond the underlying zoning. Overlay districts usually focus on a combination of boundary designation, specific rules for alterations and additions within the district as well as special incentives such as local grants or tax credits modeled after the federal tax credit mentioned above. Most overlay districts also require a citizen review and professional review process to ensure that the guidelines are carried out both transparently and collectively with consistency and fairness. American cities represent a lot of experience with overlay districts, some of which date back to the 1930's.

Special Districts and Overlay Districts (As applied to design review)

For most jurisdictions, a more practical approach than a citywide design review process is to select certain areas for review. These areas might be particular districts that the community is most concerned about, such as a downtown or historic area. Or they could be transitional areas, such as a commercial district that is adjacent to a residential district. Or they could include an area, such as an entertainment zone, that the community could exempt from some of the requirements applicable elsewhere.

Design review could be a requirement associated with specific zoning districts, or it could be accomplished through an "overlay" approach in which design review is triggered only in portions of a district. The advantage of an overlay approach is that the overlay could encompass several districts or an area containing a number of different districts. San Diego, California, has established Special Sign Districts, while Cleveland's ordinance contains a section that requires special review in a number of designated design review districts.

It is more conventional to apply specific standards and procedures to specific districts than to use the overlay approach. Some city attorneys are even uncomfortable with the overlay approach. Overlays add a degree of complexity that may not be desired. Regardless of the exact approach, however, it will be necessary for the jurisdiction to develop illustrated standards and guidelines so that the community's expectations are clear to the applicant.

Ordinance No. _____

**AN ORDINANCE OF THE CITY OF SEDRO-WOOLLEY, WASHINGTON
AMENDMENDING THE COMPREHENSIVE PLAN, COMPREHENSIVE LAND USE
MAP AND ZONING MAP FOR THE CITY OF SEDRO-WOOLLEY**

WHEREAS, the City of Sedro-Woolley desired to amend the Sedro-Woolley Comprehensive Plan as part of the 2009 docket process; and

WHEREAS, the City of Sedro-Woolley established an on-going public participation process in accordance with RCW 36.70A.130(2) including the regular Planning Commission meetings, joint City Council and Planning Commission workshop(s), and Public Meetings to discuss proposed changes to the Comprehensive Plan; and

WHEREAS, several public hearings were conducted before the Sedro-Woolley Planning Commission between the dates of April 21, 2009 and November 17, 2009; and

WHEREAS, the environmental review of the updated Comprehensive Plan has been completed and a Determination of Non-Significance was issued on December 2, 2009; and

WHEREAS, the proposed amendments to the Comprehensive Plan have been submitted to the Washington State Department of Commerce and the required 60-day review period expired on January 2, 2010 without receiving comment; and

WHEREAS, the Planning Commission has reviewed the proposed update to the Comprehensive Plan as contained in this ordinance and made a recommendation to the City Council to adopt revisions to the Comprehensive Plan;

WHEREAS, the Growth Management Act gives authority to Sedro-Woolley to update its Comprehensive Plan once per year in such a manner that all proposed amendments are considered by the governing body concurrently such that the governing body may evaluate their cumulative effect; and

WHEREAS, an additional public hearing was held before the City Council on January 13, 2010, during which meeting the City Council accepted public testimony, reviewed written comments, closed the public hearing and continued the discussion to the January 27, 2010 meeting; and

WHEREAS, the City Council directed the Planning Department staff to modify the Planning Commission's recommendation prior to resubmitting to the City Council for consideration; and

WHEREAS, the City Council finds that it is in the interests of the public health, safety and welfare to adopt the revisions to the Comprehensive Plan, Comprehensive Land Use Map and Zoning Map as set forth below;

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF SEDRO-WOOLLEY DOES ORDAIN AS FOLLOWS:

Section 1. The City Council hereby adopts the Planning Commission *Findings of Fact* numbered 1 through 61, which were certified by the Planning Commission Chair on January 8, 2010, as the City Council *Findings of Fact*, as attached as Exhibit A.

Section 2. The *Economic Development Element* of the Sedro-Woolley Comprehensive Plan is hereby amended to read as set forth in the attached Exhibit 1 of the Planning Commission recommendations, which is adopted by reference.

Section 3. The *Public Utilities Element* of the Sedro-Woolley Comprehensive Plan is hereby amended to read as set forth in the attached Exhibit 2 of the Planning Commission recommendations, which is adopted by reference.

Section 4. The *Goals* section of the Sedro-Woolley Comprehensive Plan is hereby amended to read as set forth in the attached Exhibit 3 of the Planning Commission recommendations, which is adopted by reference.

Section 5. The *Land Use Element* of the Sedro-Woolley Comprehensive Plan is hereby amended to read as set forth in the attached Exhibit 4(E) of the Planning Commission recommendations, which is adopted by reference.

Section 6. The Comprehensive Land Use Plan Map as proposed by the Planning Commission and revised by the City Council is hereby adopted as the official *Comprehensive Land Use Plan Map of the City of Sedro-Woolley*, and is attached as Exhibit B which is adopted by reference.

Section 7. The Zoning Map as proposed by the Planning Commission and revised by the City Council is hereby adopted as the official *Zoning Map of the City of Sedro-Woolley*, and is attached as Exhibit C which is adopted by reference.

Section 8. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 9. This ordinance shall take effect five (5) days after the approval by the City Council and publication as provided by law.

PASSED by majority vote of the members of the Sedro-Woolley City Council this _____ day of _____, _____, and signed in authentication of its passage this _____ day of _____, _____.

Mike Anderson, Mayor

Attest:

Patsy Nelson, Clerk/Treasurer

Approved as to form:

Eron Berg, City Attorney

Published _____

Exhibit A

**CITY OF SEDRO-WOOLLEY PLANNING COMMISSION
STATE OF WASHINGTON**

<p>File #s – Requested by:</p> <p><u>CPA-1-09</u> Sedro-Woolley Planning</p> <p><u>CPA-2-09</u> Sedro-Woolley Planning</p> <p><u>CPA-3-09</u> Sedro-Woolley Planning</p> <p><u>CPA-4-09</u> S-W City Council</p>	<p>2009 COMPREHENSIVE PLAN AMENDMENT REQUESTS – 2009 DOCKET –</p> <p>PLANNING COMMISSION FINDINGS OF FACT, CONCLUSIONS AND RECOMMENDATION</p>
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Description of proposed amendments to the Comprehensive Plan & Land-Use Map

Per the Growth Management Act (Chapter 36.70A RCW), changes to the Sedro-Woolley Comprehensive Plan may be considered no more than once per year. Amendments may be suggested by citizens, staff of elected officials. All proposed amendments to the Comprehensive Plan must be considered at one time. The list of proposed amendments is termed the “Docket.” Four proposals for Comprehensive Plan, Zoning/Land Use Maps and development regulation changes were requested for inclusion on the 2009 Comprehensive Plan Docket. All items on the 2009 Docket are City sponsored; no requests from the public at-large were received. All four items were Docketed and reviewed by the Planning Commission in accordance with State and local rules. Those for proposed amendments are as follows:

CPA-1-09 – Update of the Economic Development Element

The Sedro-Woolley Planning Department (Planning) requested that the Economic Development Element of the Sedro-Woolley Comprehensive Plan be updated in anticipation of the required 2012 deadline to update each of the elements of the Comprehensive Plan. Per the GMA, the comprehensive Plan must be updated by 2012; individual elements or the Plan in its entirety may be adopted prior to the 2012 deadline. The Planning Department Docketed this element in 2009, leaving time to work on other elements during the 2010, 2011 and 2012 Comprehensive Plan review cycles. The Economic Development Element was last updated in 2000.

CPA-2-09 – Update of the Public Utilities Element

Planning requested that the Public Utilities Element of the Sedro-Woolley Comprehensive Plan be updated in anticipation of the required 2012 deadline to update each of the elements of the Comprehensive Plan. The Economic Development Element was last updated in 2005.

CPA-3-09 – Update to formatting of the Comprehensive Plan concerning Chapter 9

As part of the effort to update and improve the organization of the Comprehensive Plan, Planning requested that the text found in Chapter 9 of the Comprehensive Plan be relocated to the Introduction and Land-Use Element of the Plan. Chapter 9 is a remnant of the original Comprehensive Plan passed in 1998. Over the years the Comprehensive Plan has been reformatted to include the Goals and Policies in the relevant element of the Comprehensive Plan, but three sets of goals and policies remained in Chapter 9. Chapter 9 is proposed to be eliminated, and the goals and policies therein moved to the Land Use element. The introduction to Chapter 9 is proposed to be relocated to the Introduction to the Comprehensive Plan (Chapter 1).

CPA-4-09 – City-wide Rezone and associated amendments to Comprehensive Plan and Development Regulations

The Sedro-Woolley City Council requested that the Sedro-Woolley Zoning and Comprehensive Land-Use Zoning Maps be amended to address citizen concerns about the compatibility of properties zoned Industrial with neighboring, non-Industrially zoned properties. The Planning Commission reviewed the Industrial zoning code, the requirements for screening in the landscaping code as well as the zoning map. Because the Planning Commission was opening the entire zoning map for complete review, many other rezone requests were considered as well and limited residential uses were proposed in the Central Business District (CBD). As a result of the comprehensive zoning map and Industrial Zone review, changes were recommended to the definitions found in the zoning code, the CBD rules, the Industrial Zone rules, the screening requirements in the Landscaping Code, the land Use Element of the Comprehensive Plan, the zoning map (and Comprehensive Land Use map) and a new Transitional Mixed Commercial Overlay.

Planning Commission Finding of Fact

Conformance with Growth Management Act (GMA)

1. On December 10, 2008, December 24, 2008, January 6, 2009, and January 20, 2009, the City of Sedro-Woolley advertised in the Courier Times that the deadline for accepting applications and proposals for Land Use Plan and Zoning Map Amendments or text amendments to the City's development regulations will be January 30, 2009.
2. No requests for Land Use Map, Zoning Map or Comprehensive Plan amendments were received from the public at-large.

3. On March 3, 2009 the City Council and Planning Commission reviewed the four items that were proposed for inclusion on the 2009 Comprehensive Plan Docket. The City Council decided to place all four items on the 2009 Docket. The City Council directed the Planning Commission to hold public hearings on the Docket items and make recommendations for the Council to consider.
4. Per RCW 36.70A.106, notice of the proposed zoning and Comprehensive Plan amendments were sent to the Washington State Department of Commerce (COMM) for 60-day review on October 30, 2009 and accepted on November 2. The review period expired January 2, 2010 and no COMM comments were received.
5. A SEPA DNS for the 2009 Docket was issued on December 2, 2009.

CPA-1-09 – Economic Development Element of the Comprehensive Plan

6. At the regular Planning Commission meeting held March 17, 2009, the four items that the City Council approved for inclusion on the 2009 Docket – including the update of the Economic Development Element – were presented to the Planning Commission. An overview of the projects was presented, but the Planning Commission did not embark in a substantive discussion of the items at that meeting.
7. On April 7, 2009, in compliance with Chapters 17.60 and 2.90 SWMC, notice of an April 21 Comprehensive Plan Hearing in front of the Planning Commission and opportunity to comment on the proposal was published in the Courier-Times. No public comments on the proposed amendments to the Economic Development Element of the Comprehensive Plan were received in advance of the hearing.
8. A staff report dated April 21, 2009 was submitted to and reviewed by the Planning Commission prior to the public hearings. The staff report was also available to the public ahead of the hearing date.
9. On April 21, 2009 the Planning Commission held an open record public hearing to receive testimony from City Staff and the public.
10. At the hearing staff presented the background concerning the development of the existing Economic Development Element and made a recommendation that the Planning Commission review the element closely and propose amendments for the City Council to consider.
11. After receiving input from the Planning Commission at the April 21 hearing, staff proposed several changes in a memo dated May 19, 2009. That memo was available for public review ahead of the May 19 hearing.
12. On May 15, 2009, notice of a Comprehensive Plan Hearing in front of the Planning Commission on May 19 and opportunity to comment on the proposal was published in the Skagit Valley Herald. No public comments on the proposed amendments to the Economic Development Element were received in advance of the hearing.
13. After receiving input from the Planning Commission and the public at the May 19 hearing, staff proposed additional changes in a memo dated June 16, 2009. That memo was available for public review ahead of the June 16 hearing. No members of the public commented on the issue at that meeting.
14. On June 5, 2009, notice of a June 16 Comprehensive Plan Hearing in front of the Planning Commission and opportunity to comment on the proposal was published in the Skagit Valley Herald. No public comments on the proposed amendments to the Economic Development Element were received in advance of the hearing.

15. At the June 16 hearing, the Planning Commission reviewed the revised recommendations and made final draft recommendations to be synthesized into the final proposed amendments. The final draft recommended amendments to the Economic Development Element were reviewed to assure that they are consistent with the rest of the Comprehensive Plan and development regulations. The Planning Commission elected to wait until they had an opportunity to complete its review of all four Docket items before taking a vote on the drafted final recommendations.
16. On November 17, 2009, at the conclusion of the Planning Commission review of the Docket, the commission took a final look at the proposed amendments to the Economic Development as shown in the staff memo dated November 17, 2009. That public hearing was advertised in the November 5 Skagit Valley Herald. No public comments about the proposed amendments to the Economic Development Element of the Comprehensive Plan were received ahead of or at the public hearing.
17. The Planning Commission recommended additional changes and a motion to approve the amendments to the Economic Development Element was made and passed 7-0.
18. At the December 15, 2009 meeting, the Planning Commission confirmed the accuracy of the text of amendments as presented in a memo dated December 15, 2009.

CPA-2-09 – Public Utilities Element of the Comprehensive Plan

19. At the regular Planning Commission meeting held March 17, 2009, the four items that the City Council approved for inclusion on the 2009 Docket – including the update of the Public Utilities Element – were presented to the Planning Commission. An overview of the projects was presented, but the Planning Commission did not embark in a substantive discussion of the items at that meeting.
20. On April 7, 2009, in compliance with Chapters 17.60 and 2.90 SWMC, notice of an April 21 Comprehensive Plan Hearing in front of the Planning Commission and opportunity to comment on the proposal was published in the Courier-Times. No public comments on the proposed amendments to the Public Utilities Element of the Comprehensive Plan were received in advance of the hearing.
21. A staff report dated April 21, 2009 was submitted to and reviewed by the Planning Commission prior to the public hearings. The staff report was also available to the public ahead of the hearing date.
22. On April 21, 2009 the Planning Commission held an open record public hearing to receive testimony from City Staff and the public. No public comments were received ahead of or at the hearing.
23. At the hearing staff reviewed the existing Public Utilities Element and made a recommendation that the Planning Commission review the existing element and propose amendments for the City Council to consider. Staff committed to providing the updated information concerning the operation of each utility described in the element.
24. Because the Public Utilities Element addresses infrastructure and services provided by private companies and utility provides, staff contacted each of those providers. Multiple conversations and written correspondences were made over a period of several months between May and November 2009. Using the information gathered from the utility/service providers, staff revised much of the Public Utility Element text.
25. On June 5, 2009, notice of a June 16 Comprehensive Plan Hearing in front of the Planning Commission and opportunity to comment on the proposal was published in the

- Skagit Valley Herald. No public comments on the proposed amendments to the Element were received in advance of the hearing. Staff was still actively gathering data from the utility providers, thus no major revisions were proposed by staff ahead of this hearing.
26. At the June 16, 2009 Planning Commission hearing, the Planning Commission discussed their goals for the Public Utility Element. No members of the public made comments.
 27. Staff incorporated the previous Planning Commission comments and data gathered from the utility providers into a final recommended draft of the Public Utilities Element into a memo dated November 17, 2009.
 28. On November 17, 2009, at the conclusion of the Planning Commission review of the Docket, the commission took a final look at the proposed amendments to the Economic Development as shown in the staff memo dated November 17, 2009. That public hearing was advertised in the November 5 Skagit Valley Herald. No public comments about the proposed amendments to the Public Utilities Element of the Comprehensive Plan were received ahead of or at the public hearing.
 29. The Planning Commission recommended additional changes and a motion to approve the amendments to the Public Utilities Element was made and passed 7-0.
 30. At the December 15, 2009 meeting, the Planning Commission confirmed the accuracy of the text of amendments as presented in a memo dated December 15, 2009.

CPA-3-09 – Update to formatting of the Comprehensive Plan concerning Chapter 9

31. At the regular Planning Commission meeting held March 17, 2009, the four items that the City Council approved for inclusion on the 2009 Docket – including the reformatting of the Comprehensive Plan to locate the goals and policies in a predictable, consistent manner – were presented to the Planning Commission. An overview of the projects was presented, but the Planning Commission did not embark in a substantive discussion of the items at that meeting.
32. On April 7, 2009, in compliance with Chapters 17.60 and 2.90 SWMC, notice of an April 21 Comprehensive Plan Hearing in front of the Planning Commission and opportunity to comment on the proposal was published in the Courier-Times. No public comments on the proposed goals and policies formatting changes to the Comprehensive Plan were received in advance of the hearing.
33. A staff report dated April 21, 2009 was submitted to and reviewed by the Planning Commission prior to the public hearings. The staff report was also available to the public ahead of the hearing date.
34. On April 21, 2009 the Planning Commission held an open record public hearing to receive testimony from City Staff and the public.
35. At the hearing staff presented an overview of how the formatting of the goals and policies became inconsistent and made a recommendation that the Planning Commission recommend the amendments proposed in the April 21 staff report for the City Council to consider.
36. On June 5, 2009, notice of a June 16 Comprehensive Plan Hearing in front of the Planning Commission and opportunity to comment on the proposal was published in the Skagit Valley Herald. No public comments on the proposed goals and policies formatting amendments were received in advance of the hearing.

37. At the June 16, 2009 Planning Commission hearing, the Planning Commission ran out of time for a discussion of the goals and policies formatting. No members of the public made comments on the issue.
38. On November 17, 2009, the Planning Commission concluded its review of CPA-3-09 and the proposed amendments concerning the goals and policies formatting within the Comprehensive Plan as shown in the staff memo dated November 17, 2009. At this hearing the commission also concluded its review of the rest of the Docket. That public hearing was advertised in the November 5 Skagit Valley Herald. No public comments about the proposed formatting amendments were received ahead of or at the hearing.
39. The Planning Commission made a motion to approve the goals and policies formatting amendments; the motion passed 7-0.
40. At the December 15, 2009 meeting, the Planning Commission confirmed the accuracy of the text of amendments as presented in a memo dated December 15, 2009.

CPA-4-09 – City-wide Rezone and associated amendments to Comprehensive Plan and Development Regulations

41. At the regular Planning Commission meeting held March 17, 2009, the four items that the City Council approved for inclusion on the 2009 Docket – including the Citywide rezone and associated changes to city maps, the Comprehensive Plan and development regulations – were presented to the Planning Commission. An overview of the four Docket items was presented, but the Planning Commission did not embark in a substantive discussion of the items at that meeting.
42. On April 7, 2009, in compliance with Chapters 17.60 and 2.90 SWMC, notice of an April 21 Comprehensive Plan Hearing in front of the Planning Commission and opportunity to comment on the proposal was published in the Courier-Times. No public comments on CPA-4-09 were received in advance of the hearing; however, recent property owner-requests for rezoning were included in the record.
43. A staff report dated April 21, 2009 was submitted to and reviewed by the Planning Commission prior to the public hearings. The staff report was also available to the public ahead of the hearing date.
44. On April 21, 2009 the Planning Commission held an open record public hearing to receive testimony from City Staff and the public.
45. At the hearing, staff gave a presentation on the intent and origin of the citywide rezone and proposal for amendments to the Industrial zone and Central Business District (CBD). Staff made a recommendation that the Planning Commission hold several public hearings and additional open houses and send notices to city residents and property owners to gather public opinion prior to proposing any amendments for the City Council to consider. Future hearings with the Planning Commission on CPA-4-09 were postponed until July so additional public notice could be arranged and to allow the commission could focus on the other Docket items before taking on the much more time consuming rezone.
46. On July 9, 2009 notice of a public hearing in front of the Planning Commission on July 21 for CPA-4-09 was published in the Skagit Valley Herald. Notice was also posted on the City website.

47. A memo dated July 21, 2009 amending the earlier staff report was submitted to and reviewed by the Planning Commission prior to the public hearings. The memo included proposed zoning changes that would limit the impact of Industrial property on the neighboring single family residential zones by using a step-zoning concept - locating high density residential zoned property in between Industrial and single family zones. The memo was also available to the public ahead of the hearing date. One site-specific rezone request was received ahead of the hearing and included with materials for the Planning Commission to review.
48. Several members of the public commented at the July 21 hearing. Planning Commission and public comments did not favor the proposed step-zoning concept.
49. On July 25, 2009 a notice that the city is undertaking a citywide rezone was commissioned to be delivered to every address in the city as well as to every owner of property within city limits. The notice included the following five public hearing and open houses where information about the proposed rezone could be obtained and comments shared with city officials: August 18 public hearing; August 20 open house, September 8 open house, September 8 public hearing and; October 20 public hearing.
50. On July 25, 2009 notice that CPA-4-09 would be discussed at the August 4 joint Planning Commission/City Council worksession was published in the Skagit Valley Herald.
51. At the August 4, 2009 worksession the Council and Planning Commission discussed mitigating the impacts of Industrial property on residential property. The step-zone concept was determined to not be the desired method; the use of landscaping and other physical buffering concepts was identified as a preferred alternative.
52. In response to the comments received at previous meetings, several revisions were proposed on the zoning map to eliminate earlier suggested step-zone concept. In addition, revisions to the landscaping code (Chapter 17.50 SWMC) to increase buffering requirements for industrial properties adjoining other zones.
53. A memo dated August 18, 2009 amending the earlier staff report was submitted to and reviewed by the Planning Commission prior to the public hearings. The memo included more revisions to the proposed zoning changes and eliminated the earlier proposed step-zoning concept. The memo was available to the public ahead of the hearing date.
54. On August 18, 2009 the Planning Commission held an open record public hearing to receive further testimony from the public on CPA-4-09.
55. An evening open house was held on August 20, 2009 so owners and residents could interact with staff and city officials, make comments and learn more about the potential rezones in a more relaxed environment than a formal hearing. A second open house was held in the afternoon of September 8, 2009.
56. An open public hearing was held in the evening on September 8, 2009. Notice of the hearing was posted in the September 3 Skagit Valley Herald and an article about the rezone project appeared in the September 2, 2009 Courier Times, wherein the hearing date was also noted. A memo dated September 8, 2009 again amending the earlier staff report was submitted to and reviewed by the Planning Commission prior to the public hearings. The memo included several revisions to the zoning map, additional changes to the Title 17 SWMC – Zoning and all written public comments received between the beginning of the project and September 2, 2009. The memo was also available to the public ahead of the hearing date.

57. On October 6, 2009 notice that a public hearing in front of the Planning Commission will be held on October 20 for CPA-4-09 was published in the Skagit Valley Herald. Notice was also posted on the City website.
58. On October 20, 2009 the Planning Commission held an open record public hearing to receive further testimony from the public on CPA-4-09. A memo dated October 20 made further revisions to the original staff report and included the written public comments received between September 2 and October 14. The October memo was available to the public ahead of the hearing date.
59. A final public hearing on CPA-4-09 was held on November 17, 2009. A memo dated November 17 included updates to the original staff report and included the written public comments received between October 14 and November 6. The November memo was available to the public ahead of the hearing date.
60. A property owner on West State Street requested that his property be rezoned from Industrial to CBD. One neighbor and three associates spoke in support of the concept. As a result of the discussion about the merits of having CBD- zoned property on West State Street between State Route 9 and Trail Road, the Planning Commission concluded that most of the properties in that area can be zoned CBD and included that area in its recommended map amendments.
61. The Planning Commission concluded its discussion of CPA-4-09 and made a motion to recommend several changes to the Comprehensive Plan (including the Comprehensive Plan map), Zoning Map and Title 17 SWMC – Zoning. The motion carried 7-0.

Planning Commission Recommendations

CPA-1-09 – Economic Development Element of the Comprehensive Plan

Based on the findings of fact and information submitted to the Planning Commission, the Planning Commission recommends that the City Council **approve** amendments to the Economic Development Element of the Comprehensive Plan as shown in Exhibit 1.

CPA-2-09 – Public Utilities Element of the Comprehensive Plan

Based on the findings of fact and information submitted to the Planning Commission, the Planning Commission recommends that the City Council **approve** amendments to the Public Utilities Element of the Comprehensive Plan as shown in Exhibit 2.

CPA-3-09 – Update to formatting of the Comprehensive Plan concerning Chapter 9

Based on the findings of fact and information submitted to the Planning Commission, the Planning Commission recommends that the City Council **approve** amendments to the Introduction, Land Use Element and Chapter 9 of the Comprehensive Plan as shown in Exhibit 3.

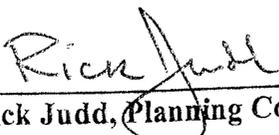
CPA-4-09 – City-wide Rezone and associated amendments to Comprehensive Plan and Development Regulations

Based on the findings of fact and information submitted to the Planning Commission, the Planning Commission recommends that the City Council **approve** amendments to the Zoning Map, Comprehensive Land-Use Map (Appendix A to the Comprehensive Plan), Land Use Element of the Comprehensive Plan and Title 17 of the Sedro-Woolley Municipal Code as shown in Exhibit 4.

EXHIBITS

- Exhibit 1 – Recommended amendments to the Economic Development Element of the Sedro-Woolley Comprehensive Plan. File CPA-1-09.
- Exhibit 2 – Recommended amendments to the Public Utilities Element of the Sedro-Woolley Comprehensive Plan. File CPA-2-09.
- Exhibit 3 – Recommended formatting changes to the Sedro-Woolley Comprehensive Plan which are reflected in amendments to the Introduction, Land Use Element and Chapter 9 of the plan. File CPA-3-0.
- Exhibit 4 – Recommended amendments to the Title 17 SWMC – Zoning, the City Zoning Map, Comprehensive Plan Map and Land Use Element of the Sedro-Woolley Comprehensive Plan. File CPA-4-09. (Including sub-exhibits A through H)

CERTIFICATION



Rick Judd, Planning Commission Chairman

1-8-10

Date

Exhibit 1

CPA-1-09

Economic Development Element

Planning Commission Recommended Amendments –
From November 17, 2009 P.C. meeting

EXHIBIT 1

PURPOSE AND RELATIONSHIP TO GMA

The purpose of the economic development element is to provide guidelines for maintaining and enhancing economic vitality in appropriate locations in Sedro-Woolley's urban growth area so as to guarantee and ensure adequate selection and availability of employment opportunities and ensure adequate selection and availability of goods and services for all of Sedro-Woolley's residents. The economic development element outlines the City's economic development goals and policies and serves as a road map to achieve those economic goals and policies. The element also helps prospective business owners and investors understand the City's economic development needs and investment opportunities within the City as well as acknowledging the importance of supporting local businesses and the development of new industry in the City of Sedro-Woolley.

The Growth Management Act ~~does not require~~ the inclusion of an economic development element. However, ~~the Act contains the following goal promoting economic development~~ Section 36.70A.070(7) of the Revised Code of Washington (RCW), requires:

"An economic development element establishing local goals, policies, objectives, and provisions for economic growth and vitality and a high quality of life. The element shall include: (a) A summary of the local economy such as population, employment, payroll, sectors, businesses, sales, and other information as appropriate; (b) a summary of the strengths and weaknesses of the local economy defined as the commercial and industrial sectors and supporting factors such as land use, transportation, utilities, education, workforce, housing, and natural/cultural resources; and (c) an identification of policies, programs, and projects to foster economic growth and development and to address future needs. A city that has chosen to be a residential community is exempt from the economic development element requirement of this subsection. ~~Economic Development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, that promotes economic opportunities for all citizens of the state, especially the unemployed, disadvantaged persons, and encourage growth in the areas experiencing insufficient economic activity. All this should be done within the capacity of the state and local region's natural resources, public planning policies, and utilities."~~

~~Moreover, the~~ The Act also requires countywide planning policies to address economic development and employment. Skagit County's policies as they address economic development are set forth in Section 5 of the Skagit County Countywide Planning Policies, adopted in October, 1996-2007, and included in the Appendix of the Sedro-Woolley Comprehensive Plan (Appendix B of Chapter 7 of this plan). The next required update to the Countywide Planning Policies is in 2012. The following Countywide Planning Policies are particularly salient to the City's economic development plan include the following:

Policy 5.5. A diversified economic base shall be encouraged to minimize the vulnerability of the local economy to economic fluctuations.

Policy 5.6. Commercial, industrial and residential acreage shall be designated to meet future needs without adversely affecting natural resource lands, critical areas, and rural character and lifestyles.

Policy 5.15. The comprehensive plan shall support and encourage economic development and employment to provide opportunities for prosperity.

It is apparent that the traditional wood processing oriented industries that were mainstays of the Sedro-Woolley industrial economy have nearly ceased to exist, and if the city is to attain a healthy level of employment in its manufacturing sector, it must attract diverse types of industrial activities.

The city is also a retail service center that, due to the increase of the service area population, has grown at a steady rate. It is anticipated that the population in the city's service area will increase more than the urban growth area population, resulting in an increase in the demand for space for commercial and service activities in the city's urban growth area.

If Sedro-Woolley is reasonably expected to increase the level of employment experienced by its citizens, and also to provide employment opportunities to people who live close by, it will be necessary to provide ample lands for commercial and industrial expansion. It is also necessary that the city be aggressive in its effort to attract new businesses and industrial activities that it finds desirable provide living wage jobs for Sedro-Woolley residents.

The city's vision statement includes language stating that the city will be a full service community where there are ample opportunities to work, live, shop and play within the same geographic area. Adequate commercial and industrial area with site plan control must be provided for a diversified commercial and industrial base.

This economic development element will discuss the city's commercial and industrial designations. It will then present an inventory and analysis of the city's commercial/industrial lands. This inventory and analysis will then be followed by the city's economic development strategy. Finally, the city's economic development goals and policies will be set forth.

8.08

COMMERCIAL AND INDUSTRIAL LAND DESIGNATIONS

COMMERCIAL

The comprehensive plan for commercial development contains the following designations for commercial uses. There are two commercially-oriented zoning designations in the city: the central business district (CBD) and auto-oriented commercial the Mixed Commercial zone (MC). The designations, intended to implement the goals and policies of the economic development element, allow a diversity of commercial options and provide for appropriate separations between potentially conflicting uses. Intensities for commercial uses refers to a combination of factors, such as visual appearance and building size, traffic generation, noise, dust, light, and economic value.

Commercial areas, including professional services (office-oriented) and tourist-related facilities, should be compact with easy access and adequate off-street parking, and loading facilities. Retail commercial areas, should be whenever possible, convenient to major routes of transportation, tourism commercial and professional office service areas should also be convenient to and along major routes of transportation. Each commercial area should be designed to adequately serve the public while discouraging the movement of disruptive traffic through residential areas.

The plan calls for two basic commercial designations:

Central Business District Designation - (CBD)

The central business district designation is for medium intensity commercial areas and is designed to allow those normal commercial uses that are consistent with a pedestrian-oriented business area. The designation is intended for the established commercial areas of the city which lie generally between State and Warner Street to the South and the Burlington Northern Railroad to the north. A small section of CBD designated area lies between the Burlington Northern Railroad and Highway State Route 20 between the Burlington Northern Railroad to the west and Murdock Street to the east. In general, the east/west perimeters of the central business district are Highway State Routes 9 and 20 to the west and Haines Avenue and Fifth Street to the east.

Much of the traditional CBD encompasses the historic downtown located between the Burlington Northern Railroad to the north and State Street to the south, and between the Burlington Northern Railroad on the west and Puget Street on the east. Many historic buildings are located in this area including the Bingham-Holland Building built in 1905, the Schneider Building built in 1914, and the Livermoore Building built in 1915. Outside of this traditional area single-family residential and multi-family uses are located in the central business district. Some of these areas are in a transitional stage with commercial structures gradually making an in-road into the residential areas. In other portions of the central business district where residential uses still predominate, the city will be implementing an overlay zone in which commercial uses are permitted but in structures that retain the appearance of a residential use with off street parking provided.

The City's historic downtown area is centered in the heart of the CBD, along Metcalf Street, beginning about one half mile south of State Route 20. The historic downtown is an active commercial district serving many of the commercial and retail needs of the City's residents, but also maintains an early 1900's architecture that makes the downtown area a significant destination for visitors and tourists. Because the CBD is not directly adjacent to the major State Routes through the City, it is possible that visitors can pass through town without being aware of the City's central business district, including the impressive historic downtown area. Improved access and directional signage to the CBD and historic downtown can help stimulate new development in the area.

Parking requirements should be created to acknowledge that, with space provided for off-street parking limited, areas within this designation may require shared parking and that more and better parking facilities are needed. Commercial development in the central business district zone must conform to design standards that have been developed for this zone. The development process includes review by a design review committee responsible for the application of the downtown design standards.

Auto-Oriented Commercial Designation - (AC) Mixed Commercial Zone - (MC)

The auto-oriented commercial designation is intended for those areas that provide a full range of commercial uses, particularly those that require vehicular access, such as supermarkets, hardware stores, furniture stores, and similar uses normally supplying adjacent parking areas for customer use, and uses normally located on and served by major arterial streets or highways. In the Sedro-Woolley urban growth area, auto-commercial designated areas are located west of the city adjacent to Highway 20 and in the eastern portion of the city limits adjacent to Moore Street (Highway 20) and Township Street (Highway 9). The intent of the MC zone is to encourage a

compatible mix of commercial and residential development. Standards are intended to present an attractive and welcoming appearance to visitors at the entrances to the city and at selected nodes along major roads; manage traffic impacts; encourage more non-motorized trips and reduce stormwater runoff. Commercial development should be scaled down when adjacent to residential areas to improve compatibility between uses.

An Urban Village Mixed Use (UVMU) overlay has been designated for a portion of the MC zone north of State Route 20, west of Trail Road, and east of Brickyard Creek. The UVMU overlay allows for and encourages higher density residential and commercial development in the MC zone when the development includes additional open space and pedestrian amenities. The overlay is intended to encourage a higher concentration of development while improving the overall quality of the development. The intent is to create a pedestrian oriented commercial and residential environment similar to that of a traditional downtown commercial district, as opposed to auto-oriented commercial development that is more typically associated with commercial development of the past 50 years.

Specific guidelines for UVMU overlay development are in the process of being written and are yet to be adopted. The overlay exists only on the Comprehensive Land Use map and Land-Use Element of the Comprehensive Plan; it has not been included on the Zoning map or in the Development regulations in the Sedro-Woolley Municipal Code.

INDUSTRIAL

Industrial uses should have ready access to primary transportation corridors and utilities with sites large enough to accommodate off-street parking, loading and reasonable expansion. Industrial areas should be compatible with surrounding land uses and be buffered from conflicting uses. The industrial areas in Sedro-Woolley are vibrant and provide a wide-array of skilled, living-wage jobs. The goods developed by the City's industrial businesses are a source of pride to area residents. The City has one zoning designation for all types of industrial activities.

The plan calls for two basic industrial designations:

Light Industrial (LI)

The light industrial zone is intended primarily to accommodate a variety of light industrial uses and to provide a greater flexibility within the zoning regulations for those industries which do not create noise, odors, smoke, and other objectionable nuisances as do the heavier industries restricted to the heavy industrial zone. The intent is that the light industrial zones will be limited to less intensive uses. In all LI zones, all storage located on a lot which adjoins a lot in a residential or commercial zone, shall be located wholly within a surrounding building or shall be screened from view from the surrounding property in the residential or commercial zone. Use of drop hammers or similar equipment is prohibited within three hundred feet of any residential zone. Heavy industrial activities are also subject to landscaping and buffering requirements as set forth in the city zoning code when adjacent to residential and commercial zones. The intent of the industrial zone is to provide appropriately located areas for manufacturing, warehousing, distribution, and office uses to enhance the city's economic base in a manner that minimizes impacts to surrounding non-industrial zones. The standards recognize the market preferences and construction techniques characteristic of this type of use. Commercial, retail, and residential uses are permitted at a limited scale so as to preserve the majority of land in this category for industrial and business uses.

Though some uses may be outright allowed in the industrial zone, the city's Essential Public Facilities (EPF) ordinance (Chapter 17.88 SWMC) sets additional review measures for uses that potential may have a negative impact on surrounding neighborhoods and uses. The EPF ordinance requires that new EPFs obtain a conditional use permit, which requires broader public

notice and public hearings. An EPF is defined as a facility owned or operated by a governing body, public utility, private utility, transportation company, or any other entity that provides a public service as its primary mission, and is difficult to site.

Heavy Industrial (HI)

~~The heavy industrial zone is intended primarily to preserve land for heavier industrial uses at locations where their operations will be neither injurious to nor hindered by residences. In all HI zones, all storage located on a lot which adjoins a lot in a residential or commercial zone, shall be located wholly within a surrounding building or shall be screened from view from the surrounding property in the residential or commercial zone. Light industrial activities are also subject to landscaping and buffering requirements as set forth in the city zoning code when adjacent to residential and commercial zones.~~

8.12

PROFILE OF PLANNING AREA

Skagit County Profile

In terms of population and economic vitality, Skagit County is one of the fastest growing counties in the State. The county benefits from its location between Seattle and Vancouver, B.C., along the I-5 corridor. Firms that might have automatically located a King County or Snohomish County location are discovering less expensive, less congested neighboring counties like Skagit. The county is well positioned to take advantage of this situation to enhance its economic development.

The focus of Skagit County economic development efforts have not been merely job growth and diversification, but also the establishment of Skagit County as an economic entity unto itself. In addition, Skagit County has aimed to do so while not sacrificing its natural resource environment. In the past, the county has been heavily impacted if major manufacturers relocated. Strategies and policies have been formed to mitigate the impact of these types of fluctuations through a wider scale diversification of business activities.

Despite all the attention paid to Skagit County's urban and suburban economic development, it is important to remember that the county still has a significant natural resource base. In fact, it is diversified in two areas: logging and lumber, and agriculture and dairying.

~~As Skagit County entered the 1980s, the strong demand for raw logs in the Pacific Rim markets translated into record level business at the Port of Anacortes. The onset of recessionary pressures cooled the market considerably. At the present time logging and lumber still remain importance forces in the area economy, however, much of the future activities can be anticipated to be by products of these industries.~~

Sedro-Woolley Profile

In terms of population, Sedro-Woolley is one of the fastest growing cities in Skagit County. In the last decade, the population grew by over~~Between 1990 and 2000, the population of Sedro-Woolley increased from 6,031 to 8,658, an increase of 43.6%. The State Office of Financial Management estimates the April 1, 2008 population at 10,030, an increase of 66.3% from 1990~~

and 15.8% from 2000, and jobs increased by nearly percent. According to the 2006 employment statistics from the U.S. Census Bureau (the most recent statistics available), there were 3,138 total jobs within the City of Sedro-Woolley limits. This is up 12% from 2,754 total jobs in 2002 (oldest comparable data set). Table ED1 below shows the U.S. Census data (obtained from "On The Map" tool at www.census.gov) for jobs in Sedro-Woolley in 2002 and 2006.

<u>Total All Jobs</u>	<u>2006</u>		<u>2002</u>	
	<u>Count</u>	<u>Share</u>	<u>Count</u>	<u>Share</u>
<u>Total All Jobs</u>	<u>3,138</u>	<u>100.0%</u>	<u>2,754</u>	<u>100.0%</u>
<u>Jobs by Worker Age</u>	<u>2006</u>		<u>2002</u>	
	<u>Count</u>	<u>Share</u>	<u>Count</u>	<u>Share</u>
Age 30 or younger	<u>715</u>	<u>22.8%</u>	<u>675</u>	<u>24.5%</u>
Age 31 to 54	<u>1,848</u>	<u>58.9%</u>	<u>1,731</u>	<u>62.9%</u>
Age 55 or older	<u>575</u>	<u>18.3%</u>	<u>348</u>	<u>12.6%</u>
<u>Jobs by Earnings Paid</u>	<u>2006</u>		<u>2002</u>	
	<u>Count</u>	<u>Share</u>	<u>Count</u>	<u>Share</u>
\$1,200 per month or less	<u>950</u>	<u>30.3%</u>	<u>1,019</u>	<u>37.0%</u>
\$1,201 to \$3,400 per month	<u>1,224</u>	<u>39.0%</u>	<u>1,174</u>	<u>42.6%</u>
More than \$3,400 per month	<u>964</u>	<u>30.7%</u>	<u>561</u>	<u>20.4%</u>
<u>Jobs by Industry Type</u>	<u>2006</u>		<u>2002</u>	
	<u>Count</u>	<u>Share</u>	<u>Count</u>	<u>Share</u>
Agriculture, Forestry, Fishing and Hunting	<u>30</u>	<u>1.0%</u>	<u>26</u>	<u>0.9%</u>
Mining, Quarrying, and Oil and Gas Extraction	<u>0</u>	<u>0.0%</u>	<u>0</u>	<u>0.0%</u>
Utilities	<u>0</u>	<u>0.0%</u>	<u>0</u>	<u>0.0%</u>
Construction	<u>378</u>	<u>12.0%</u>	<u>225</u>	<u>8.2%</u>
Manufacturing	<u>245</u>	<u>7.8%</u>	<u>384</u>	<u>13.9%</u>
Wholesale Trade	<u>40</u>	<u>1.3%</u>	<u>120</u>	<u>4.4%</u>
Retail Trade	<u>297</u>	<u>9.5%</u>	<u>366</u>	<u>13.3%</u>
Transportation and Warehousing	<u>15</u>	<u>0.5%</u>	<u>21</u>	<u>0.8%</u>
Information	<u>8</u>	<u>0.3%</u>	<u>7</u>	<u>0.3%</u>
Finance and Insurance	<u>37</u>	<u>1.2%</u>	<u>30</u>	<u>1.1%</u>
Real Estate and Rental and Leasing	<u>29</u>	<u>0.9%</u>	<u>25</u>	<u>0.9%</u>
Professional, Scientific, and Technical Services	<u>66</u>	<u>2.1%</u>	<u>64</u>	<u>2.3%</u>
Management of Companies and Enterprises	<u>0</u>	<u>0.0%</u>	<u>0</u>	<u>0.0%</u>
Administration & Support, Waste Mgmt and Remediation	<u>14</u>	<u>0.4%</u>	<u>7</u>	<u>0.3%</u>
Educational Services	<u>671</u>	<u>21.4%</u>	<u>634</u>	<u>23.0%</u>
Health Care and Social Assistance	<u>725</u>	<u>23.1%</u>	<u>392</u>	<u>14.2%</u>
Arts, Entertainment, and Recreation	<u>16</u>	<u>0.5%</u>	<u>13</u>	<u>0.5%</u>
Accommodation and Food Services	<u>278</u>	<u>8.9%</u>	<u>283</u>	<u>10.3%</u>
Other Services (excluding Public Administration)	<u>78</u>	<u>2.5%</u>	<u>98</u>	<u>3.6%</u>
Public Administration	<u>211</u>	<u>6.7%</u>	<u>59</u>	<u>2.1%</u>
<u>QWI Indicators - Private Sector Jobs</u>	<u>2006</u>		<u>2002</u>	
	<u>Count</u>	<u>Share</u>	<u>Count</u>	<u>Share</u>

<u>Number of Employers</u>	<u>230</u>	<u>100.0%</u>	<u>246</u>	<u>100.0%</u>
<u>Employment (Beginning-of-2nd quarter)</u>	<u>1,430</u>	<u>100.0%</u>	<u>1,472</u>	<u>100.0%</u>
<u>Employment, Stable Jobs</u>	<u>1,203</u>	<u>100.0%</u>	<u>1,241</u>	<u>100.0%</u>
<u>Separations, Stable Jobs</u>	<u>129</u>	<u>100.0%</u>	<u>129</u>	<u>100.0%</u>
<u>New Hires, Stable Jobs</u>	<u>124</u>	<u>100.0%</u>	<u>191</u>	<u>100.0%</u>
<u>Firm Job Gain</u>	<u>170</u>	<u>100.0%</u>	<u>91</u>	<u>100.0%</u>
<u>Firm Job Loss</u>	<u>59</u>	<u>100.0%</u>	<u>114</u>	<u>100.0%</u>
<u>Employment (reference quarter)</u>	<u>1,952</u>	<u>100.0%</u>	<u>1,830</u>	<u>100.0%</u>
<u>Average Monthly Earnings, Stable Jobs</u>	<u>2,059</u>	<u>100.0%</u>	<u>1,708</u>	<u>100.0%</u>
<u>Average Monthly Earnings Separations from Stable Jobs</u>	<u>776</u>	<u>100.0%</u>	<u>922</u>	<u>100.0%</u>
<u>Average Monthly Earnings, New Hires, Stable Jobs</u>	<u>1,623</u>	<u>100.0%</u>	<u>1,514</u>	<u>100.0%</u>

Data Sources

US Census Bureau, LED Origin-Destination Data Base (2nd Quarter 2002, 2003, 2004, 2005, and 2006)

See www.census.gov for definitions of job types.

The city benefits from its close location to I-5 corridor and its location adjacent to two state highways and the Burlington Northern Railroad. Small firms that might have located in other parts of the county are discovering less expensive, less congested neighboring cities. The city is well positioned to take advantage of this situation to enhance its economic development.

In the past the city has been hampered by its dependence on logging and lumber operations and on the activities taking place at the Skagit Plant site. When economics forced a slow down in logging and related activities and in the closure of the manufacturing site, the city faced severe economic impacts. Likewise, the closure of the former Northern State Hospital heavily impacted the city with its loss of employment opportunities. The city is now attempting to develop a more diversified economic base along with an increase in the number of job opportunities. The Skagit Plant is now a vibrant industrial park, renting out portions of the facility to smaller, independent businesses. The City has just completed construction of a round-about on State Route 20 that provides much needed truck and vehicular traffic to the Skagit Plant and new access to the industrial lands to the north of the State Route 20. The new access to two of the largest parcels of industrial land to the busiest state route (S.R. 20) in Skagit County is expected to spur increased manufacturing, warehousing, distribution, and office uses in the center of Sedro-Woolley.

The focus of Sedro-Woolley economic development efforts have not been merely job growth and diversification, but also the establishment of the city as an economic entity unto itself. In addition, city has aimed to do so while not sacrificing its natural environment and community values.

Factors Influencing the Planning Area

As part of the Puget Sound Economic Region, Skagit County and Sedro-Woolley will be impacted over the next twenty (20) years by several important factors:

- Developing Pacific Rim nations use the Puget Sounds as a destination for goods and services. The pent-up demand for goods and services in the Pacific Rim will fuel active markets throughout the northwest over the next twenty (20) years.
- Skagit County and Sedro-Woolley are located in the “next tier” of industrial development in the Puget Sound. As King County and Snohomish County become saturated with business

activity and as land prices increase in the areas closer to the urban centers of the Puget Sound, companies will seek homes for business outside of the first tier suburbs. Many of the industrial parks located in these areas are either full or filling up rapidly. It is expected that this activity will materially impact Skagit County, including Sedro-Woolley within the next five years.

- The tourist and recreation industry is markedly increasing as a result of continued growth in leisure-time activities. The aging of the "baby boomers" will result in an increase in this trend.
- Sedro-Woolley has unique resources: proximity to the I-5 corridor, location astride two state highways, the railroad, a historic downtown, and as a "gateway" to the North Cascades. These resources can be put to work to create a dynamic and healthy environment for economic growth.

Inventory and Analysis

The following discussion includes an inventory and analysis of the socio-economic characteristics of Sedro-Woolley.

Employment

The single largest employment category in Sedro-Woolley is government jobs. The unusually large percentage of the work force in the public sector is due in large part to the public schools, the presence of both the Department of Natural Resources office, the North Cascades National Park headquarters, and the United States Forest Service offices and local government offices within the city limits, and the local government offices. In terms of its share of total employment, public sector employment is expected to decrease over the planning period as retail trade and service, and industrial activities increase their share of total employment faster than any other sector. Due in large part to the location of the United General Hospital (including the health service offices surrounding the hospital) and several assisted/senior living facilities (including Birchview Memory Care, Country Meadow Village and the Life Care Center) within Sedro-Woolley, health care and social assistance jobs make up the second largest category of employment in the City. The former Northern State Hospital property lies in the City's urban growth area. The campus is still used by many social assistance organizations including Job Corps and Pioneer Human Services' treatment center. Though these employers are not actually located within the City limits, they are none-the-less significant contributors to the health care and social assistance industry in Sedro-Woolley's geographic and economic sphere of influence. Retail trade and services comprise the next largest group of employment in the city.

The majority of the employment is located in the commercial corridor along Highway 20 and the downtown area, industrial uses, including manufacturing and wholesale trade activities are located in the two industrial parks and at smaller light industrial sites within the urban growth area. There are a large number of home occupations scattered throughout the community. Finally, public service sector employment (i.e. United General Hospital) comprise the remainder of the city's employment.

Retail Trade

The existing retail activity in the urban growth area is a product of numerous years of development in the downtown core and a commercial corridor located along portions of Highway State Route 20 and Highway State Route 9. The central business district is quite large comprising one hundred forty-five (145) acres. The auto-commercial Mixed Commercial zoning

along the highway is limited to certain areas along the highways and is comprised of ~~one hundred thirty six (136)~~ approximately one hundred and forty six (146) acres. ~~The difference between the two types of commercial zoning is that the activities in the central business district are intended to be uses that a pedestrian could walk between in the downtown area while the activities in the auto-commercial zone are uses to which a car would normally be driven~~ While the CBD is intended to accommodate medium intensity commercial development and is designed to allow those normal commercial uses that are consistent with a pedestrian-oriented business area, the Mixed Commercial zone is intended to accommodate auto oriented retail development (i.e. gas stations, fast food restaurants) with the potential for residential uses above commercial uses. Commercial activities are intended to serve both local and regional residents and pass-through motorists traveling across the North Cascades Highway (State Route 20) and Highway State Route 9 for recreational activities.

The largest portion of retail sales activities occurred in food stores, eating and drinking establishments, building materials and hardware, and automotive dealerships.

Shopping facilities in Sedro-Woolley provide a primary source for many retail items north, south, and east of the city. The city's retail trade area encompasses the city, Highway State Route 20 east past Newhalem to the county line, north to Alger, and south to Big Lake.

There is one community shopping center located near the intersection of Highway State Route 20 and Cook Road, anchored by a grocery store and ~~a major drug~~ an automotive parts store. The existing central business district (CBD) encompasses a large number of retail activities including automobile sales and service, drinking and eating establishments, a pharmacy ~~a furniture store~~, hardware stores, ~~a grocery store~~, clothing stores, specialty shops, insurance and realty businesses, dental and doctors offices, several antiques stores, and a number of smaller establishments. There is commercially zoned land located within the central business district that is either vacant or under-utilized.

In addition to the community shopping center and central business district, there are a number of facilities serving automobile traffic adjacent to Highway State Routes 20 and 9. Examples of businesses located along the highways include automobile service and sales, two major drug stores, a hardware store, gasoline/convenience stores, eating and drinking establishments, and a number of smaller establishments. ~~There is commercially zoned land located along the highways that is either vacant or under-utilized~~ There are several vacant or underutilized commercial properties along State Route 20. Except where State Routes 9 and 20 share the same path, there is little commercial property along State Route 9.

Service Industries

Sedro-Woolley's professional service sector continues to assume a greater role in the local economy. This sector is comprised primarily of professional office, financial, insurance, medical/dental, legal, and real estate services provided to the growing construction and retail trade sectors and to the growing population within Sedro-Woolley and the surrounding area. Service sector employment generally depends upon a strong retail and manufacturing base to supply ancillary support services and a strong population base.

There are many service industries located in the CBD, including several banks, professional offices (including at least three professional engineering companies), salons/barbers, insurance and realty businesses, dental and doctor offices, heating and plumbing companies, law

o s and other services. The Mixed Commercial properties focused along State Route 20 are
p rily retail, serving automotive traffic.

V Wholesale Trade

ti Wholesale trade business continues to grow slightly in the urban growth area. Wholesale
c generally is through activities located in the industrial parks and from a large food production
any based in the central business district.

d There has been a movement of King and Snohomish County business outward to less
ii oped areas including Skagit County. This shift in development is projected to continue early
fi he new millennium, making Skagit County and Sedro-Woolley increasingly attractive for
n requiring a combination of office warehousing, research and development, or light industrial
facturing space.

P The bulk of the industrial activities in Sedro-Woolley take place in either the old Skagit
S site, the Industrial properties on the east side of town or Sunset Industrial Park. The old
ti it Plant site formerly housed the Skagit Steel and Iron Works (later Skagit Steel Company)
tl manufactured a gas-powered hoist used in the logging and ~~fanning~~ farming industries. With
li innovation and other products for mining, logging, and other industries, the Steel Company,
p Bendix Corporation continued to manufacture projects until the site closed in 1985. Since its
h base by Sealand Development, Corp, the site has been cleaned up and has gradually developed
n heavy industrial uses, including manufacture of components for the aerospace industry, a
c lar office manufacturer, a boat manufacturer, a traffic equipment manufacturer, and a number
taller light and heavy industrial manufacturers.

F A large section of industrial property lies north of State Route 20, just west of Fruitdale
i . This area hosts a perfume manufacturer, an aerospace industry contractor and other
s industrial uses. Another smaller industrial park site, Sunset Industrial Park, is located in the
r western portion of the city adjacent to Highway State Route 20. Activities in this park include a
i number of small heavy and light industrial activities and commercial activities (related to the
industrial development).

i A number of areas are zoned for ~~heavy and light industrial uses~~ which are not yet
P rially developed but have the potential of being developed. One forty acre parcel is north of
z re Street (Highway State Route 20) and is zoned ~~heavy industrial~~ Industrial. Other Industrial
l areas include the two large sawmill sites in the city. Another undeveloped industrial site is
e ed between Highway State Route 9 and Maple Street. Other light industrial areas are located
e ent to Highway State Route 20 on the south side of the city. Finally, another ten (10) acre site
f ht industrial property is located east of the city at Highway 20 and Fruitdale Road. This
r ty is close to being built out and is occupied by a large machinery works manufacturer, a
contractor, and a perfume manufacturer.

1 Sedro-Woolley supports a range of industries in aerospace, construction, and natural
resources. Some of the largest representative industries include the following:

**Sedro-Woolley
Major Industrial Employers**

Company Name	Type of Industry
Thermacor Process, LP	Insulated Pipe Manufacturing
Northwest HardwoodRothenbuler Engineering	SawmillElectrical Engineering and Manufacturing
Janicki Logging and Construction	Logging & Construction
Janicki Machine DesignIndustries	Machine DesignAerospace, Marine and Transportation Component Engineering and Manufacturing
Seven Sisters	Electrical Contractor
Skagit Engineer/ ManufacturingTruss Engineering	Machine ShopRoof Truss Manufacturing
Skagit Pacific Corp.Fathom Yachts	Modular Yacht Manufacturing
Pacific Aerospace and ElectronicsTruck Vault	Aerospace ComponentsIn-Vehicle Storage Manufacturing
Snelson Industries	Contractor

While high-tech and aerospace manufacturing dominate the western county, Sedro-Woolley and the east half of Skagit County are more oriented toward natural resource-based and construction manufacturing.

Commercial Lands Capacity Analysis

In order to refine employment projections for the planning period, the firm of Kramer, Chin & Mayo, Inc. (KCM) was hired by the city to conduct a local employment survey. This survey asked local employers to indicate the number of full and part-time employees currently employed, and to project growth or decline over the next five years. This data was used in conjunction with figures obtained from the State Office of Finance and Management to calculate employment total for the years 1993, 2000 and 2010.

These figures indicate an increase of 13% to 15% in the number of jobs in the industrial/manufacturing/construction/agriculture category, while jobs in the wholesale/retail trades will increase by twenty-two (22) percent to twenty-four (24) percent over the next twenty (20) years. By using an assumed employment density, the amount needed to accommodate these employment projections may be calculated. Employment densities used in the Overall Economic Development Plan for Skagit County are ten (10) employees per acre for heavy industry, and twenty (20) employees per acre for commercial.¹

¹— Overall Economic Development Plan for Skagit County (Preliminary Draft Background Report), E.-D. Hovee & Co., January 26, 1994, p. 47.

An increase of one hundred thirty seven (137) industrial jobs projected between 1993 and 2000, produces a need for 13.7 acres of industrial-zoned land. Between 2000 and 2010 an additional one hundred thirty three (133) jobs are anticipated with an associated need for 13.3 acres. Combined, the estimated need for industrial land for the year 2010 is twenty-seven (27) acres.

For the wholesale/retail trade sector, the projected increase in jobs from 1993 to 2000 is one hundred fifty four (154). This translates to a need for 7.7 acres of commercial land. From 2001

to 2010, an increase of one hundred seventy one (171) jobs is anticipated. A need for 8.6 acres of commercial land corresponds to this increase in jobs. The total need for commercial land between 1993 and 2010 is approximately 16.3 acres.

With seventy eight (78) acres of existing commercially zoned land, there is more than sufficient land availability in this land use category.

Under the preferred alternative the acreage for the central business district, auto-oriented commercial, heavy industrial, and light industrial designations within the urban growth area is as follows:

CBD	AC	HI	LI
145	136	248	61

During the course of the evaluation of the acreage and capacity of the residential designations, a windshield analysis was made of the commercial and industrial designations. In this analysis developed and undeveloped acreage was determined and from the undeveloped portion, adjustments were made for acreage unbuildable due to critical area constraints, buildable area needed for infrastructure and parks, and market factors. Several assumptions were made in this analysis: 1) Currently developed acreage was land already used for an activity listed under the corresponding land use designation (i.e. commercial and residential uses in an industrial zone were not considered developed but are underutilized, similarly with residential uses in the central business district zone); 2) No distinction was made between types of commercial (auto-oriented or central business district) or industrial (heavy or light industrial); and 3) developable acreage was that to which water and sewer are available or will be available under the Capital Facilities Plan.

Based on this analysis, it was determined that there was roughly one hundred seventy six (176) acres of existing developed commercial acreage and ninety seven (97) acres of existing developed industrial acreage in the city limits. This resulted in a remainder of undeveloped acreage of eighty seven (87) acres of commercially zoned area and one hundred eighty two (182) acres of industrially zoned area. [It should be noted that these are approximated figures and differ from the acreage shown in Table 12 in the land use element for commercial and industrially zoned lands. Over the next few years the city will perform a vacant lands inventory to more accurately show the city's available acreage data which will be incorporated into the comprehensive plan during an annual update.]

After providing for adjustments for acreage determined unbuildable due to critical area constraints and acreage determined necessary for infrastructure and parks, an estimate of buildable acreage was determined of sixty five (65) acres of commercial and one hundred thirty six (136) acres of industrial being available for development.

Following this determination of the developable land, a market factor was applied of twenty five (25) percent (as recommended by the Washington State Department of Community, Trade and Economic Development), which resulted in a net buildable acreage of forty nine (49) acres for commercial and one hundred two (102) acres for industrial development. Within the proposed Urban Growth Boundary (but not within the current City limits) is approximately twenty one (21) acres designated for light industrial development located on the northwest corner of Fruitdale Road and Highway 20. Applying the same factors in an analysis of this property resulted in a net buildable acreage of 10.5 acres following adjustments for currently developed acreage (5.5

acres), unbuildable acreage due to critical area constraints and infrastructure requirements, and adjustment for the market factor. This area is presently in a state of development and is served by public infrastructure.

With KCM's calculation that 16.3 acres of commercial property and twenty-seven (27) acres of industrial property would be necessary for the economy by the year 2015, the windshield analysis of the availability of sixty-five (65) and one hundred forty-six (146) acres commercial and industrial area in the urban growth area, will meet the city's area capacity needs for economic growth and development.

8.16

ECONOMIC DEVELOPMENT STRATEGY

It has often been asked "Why should the public sector contribute to economic development efforts?" The most obvious reason is to promote job opportunities for its citizens. Less apparent is the role in providing necessary services to promote a higher quality of life. It has been well documented that commercial and industrial land uses more than pay for themselves (i.e. generate more taxes than the value of the services consumed). Therefore, expanded economic growth benefits every Sedro-Woolley resident by reducing the amount of ad valorem taxes that would otherwise be borne by the residential taxpayer.

As a result of Washington's Growth Management Act and the city's growth rate over the last decade, the city has a need for greater infrastructure improvements including roads, water, and sewer services and a host of community-related facilities. Solutions to these problems are complex. However, a part of the solution is the need to expand the city's tax base by attracting development that will more than pay for its growth.

The overall purpose of the economic development strategy is to improve the quality of life within the city. Public investment made to stimulate economic development helps to provide for permanent employment, increase personal income, and improve the general business climate. A more direct result of local public investment is an enhancement of the tax base, which improves the financial capacity of the city. The major thrust of the city's economic development strategy is to convince businesses to start, expand, or locate within the city. Unfortunately, because we live in an imperfect world, not every business has complete and accurate data on the attributes of every community where it might locate. Many businesses have needs that could be met by many of the communities in Skagit County. Unless these businesses are made aware of Sedro-Woolley opportunities, they may go elsewhere. Economic development (i.e. seeking new or expanded employment opportunities) has grown increasingly competitive. Sedro-Woolley, too, must maintain an aggressive economic development strategy in order to provide opportunities for new business.

Economic priorities for Sedro-Woolley should include the following:

1. Enhance the city's tax base and encourage higher-income job opportunities by aggressively promoting industrial/commercial development in the city's business/industrial parks and industrially zoned lands. To achieve this goal, Sedro-Woolley needs to identify suitable lands, establish zoning districts compatible with the neighboring zones – especially

residential zones – that encourage industrial use, maintain an adequate supply of suitable commercial/industrial land, and provided infrastructure to support it.

2. Work with the property owners in the downtown area to continue to establish the identity of downtown Sedro-Woolley by providing a framework for which the retail and commercial economy can evolve into a civic and retail specialty area that incorporates the unique Metcalf Street character of Sedro-Woolley with vital and diverse specialty retail and service businesses. To accomplish this, the city will develop a Downtown Design Plan to create a pedestrian-friendly downtown environment, including street and sidewalk improvements, a Town Center Park, the addition of Sedro-Woolley identified features (i.e. murals, carvings), beautification, and a funding source for continuing improvements, maintenance, and marketing for downtown businesses and events.

Encourage retail uses in the storefronts along Metcalf Street which allows window-shopping and engages passers-by. Retail uses in the storefronts gives pedestrian more to look at than service uses and offices, therefore allowing pedestrians to participate in the streetscape and adding to the pedestrian-friendliness of the downtown shopping core. Seek opportunities to improve pedestrian friendly infrastructure such as sidewalks and walking routes allowing access to and connectivity within the downtown district.

3. Support of the Sedro-Woolley library system will also contribute to the local economy. Investment in library facilities attracts local employees, their families and management to the community. Libraries are places where new ideas are discovered, databases and other reference data and information is available free of charge and where job seekers can go for assistance. A good library is a valuable tool brings visitors and additional revenue to the city.

Support inter-modal connectivity by planning for an Inter-modal Transportation Center/Hub in or near the CBD. Work with and encourage SKAT to offer a city bus that circulates around Sedro-Woolley and syncs with a link route from the Inter-modal Transportation Center to Burlington.

34. To encourage a multi-modal transportation system that allows local residents to move easily from their homes to their jobs to the necessary services without exclusive dependence upon the single-occupancy vehicle. Encourage new park and ride facilities and improvements to the existing park and ride facilities. Foster new partnerships with the Skagit Transit (SKAT), Van-Go and other transit organizations for increased service in and around Sedro-Woolley, especially to the Central Business District and Industrial zoned properties. Seek opportunities to encourage "express" service between Sedro-Woolley and the major city centers of Anacortes, Burlington and Mount Vernon.

45. Provide economic diversification and a broader range of higher-income employment opportunities by providing space for manufacturing and professional office development. Promote more job development in Sedro-Woolley in order to reduce costs for residents who travel elsewhere to work and to increase the share of spending in the local economy versus money being spent in other areas by local residents.

5. Promote more job development in Sedro-Woolley in order to reduce costs for residents who travel elsewhere to work and to increase the share of spending in the local economy versus money being spent in other areas by local residents.

6. Encourage employers to support bicycle and pedestrian commuting. The City assists in supporting bicycle commuting by implementing the Bicycle and Pedestrian section of the Transportation Element of the Comprehensive Plan. Incorporate access to the city via the County trail system into the city economic development and tourism strategies.
7. Promote tourism to enhance and increase the economic vitality of Sedro-Woolley. Promote the use of the theme "Gateway to the North Cascades." Create partnerships with like cities on the east side of the North Cascade Pass, such as Winthrop or Twisp, in order to promote each other and what lies between to capture dollars that might be spent elsewhere. Encourage the re-envisioning of the "Trolley Park" idea. Encourage redevelopment of unused or underutilized properties for more tourism retail opportunities. Encourage the creation of CBD hotels/motels, bed and breakfasts, or other lodging prospects.

8.20

ECONOMIC DEVELOPMENT GOALS, POLICIES, AND ACTIONS

The city has actively planned for an expanding light industrial/commercial economic base. While detailed manufacturing-related economic impacts have not been recorded for the city, projections of employment indicate a growing industrial/ manufacturing/commercial base can be expected for the city.

Goal E1: To develop a sound fiscal base.

Policy E1.1: Create employment opportunities within the Sedro-Woolley economy, particularly for residents who now commute to other distant employment areas.

Policy E1.2: Participate with other public agencies and private interests in labor force training programs that take advantage of traditional resources.

Policy E1.3: Identify and promote sites which can be developed for a variety of local employment projects. Promote development of business and industrial parks, office and professional centers, and specialized commercial and entertainment centers.

Policy E1.4: Work with property owners to determine the effective development capacity of sites having employment center possibilities.

Policy E1.5: Withhold Sedro-Woolley services to areas outside the incorporated city limits, sewer in particular, unless potential property developers agree to annexation and the payment of local property or other revenue taxes, and associated impact fee assessments.

Policy E1.6: Pursue a policy, in conjunction with the county, to expand the acreage for heavy and light industrial activities within the Sedro-Woolley urban growth area.

Goal E2: To increase economic opportunities.

Policy E2.1: Encourage local business development opportunities and utilization by the private and public sector, particularly for small start-up businesses owned by or employing Sedro-Woolley

residents. Promote local use of special small business financing and management assistance programs.

Policy E2.2: Identify facilities which may be used for small businesses. Assist efforts to reuse older buildings, redevelop vacant property, and revitalize the existing central business district (CBD).

Policy E2.3: Assist private groups to establish special improvement districts including parking and business improvement authorities, local improvement districts (LID's), or other programs necessary to the effective revitalization of the existing business and commercial districts of Sedro-Woolley.

Policy E2.4: Participate in special public/private ventures that provide public benefits and are appropriate to Sedro-Woolley's long range goals.

Policy E2.5: Reserve certain capable lands and sites for employment-related developments. Provide a suitable supply of commercial, retail, business, office and industrial lands within Sedro-Woolley to reduce commuting requirements to outside areas for employment opportunities.

Policy E2.6: Create local employment, shopping and other urban service activities that reduce Sedro-Woolley's dependence upon other urban areas.

Policy E2.7: Work cooperatively with the Sedro-Woolley Chamber of Commerce to establish strong business leadership.

Policy E2.8: Perform a detailed commercial/ industrial land use inventory to provide more accurate information on the usable lands available for development in the urban growth area.

Policy E2.9: Encourage local business owners to attend economic development activities, forums, etc.

Goal E3: To realize Sedro-Woolley's image as the "Gateway to the North Cascades."

Policy E3.1: Promote tourism as a means of diversifying the economy and preserving the history of the community.

Policy E3.2: Create and adopt a neighborhood plan for the central business district (CBD). Establish a local marketing strategy for the district, especially the area along Metcalf Street. Encourage retail and food service businesses to extend hours of operation past five p.m. at least a few days each week.

Policy E3.3: Work with upriver communities to identify tourism specialties to avoid direct competition with one another. Develop a tourism network that provides information on each community's specialty, along with food and lodging opportunities.

Policy E3.4: Build on the success of Loggerodeo by adding an associated music festival, such as bluegrass or folk music. Provide a winter festival based on the Santa Claus parade, and add ice sculpture contests, historic home tours, cross-country skiing or other athletic competition, a play and/or Christmas concert. Develop similar festivals to take place in the spring or fall.

Policy E3.5: Develop a flea market/craft show where local artists and crafts people can sell their work. Develop a network for artists and crafts people which would assist with business development, marketing and an apprenticeship program for local youth.

Policy E3.6: Support and recognize existing and ongoing activities and organizations such as the Farmer's Market, local festivals, parades, the Holiday Home Tour and the Sedro-Woolley Museum.

Policy E3.7: Participate in regional trails development to encourage bicycle tourism in Sedro-Woolley.

Policy E3.8: Promote bicycling as Sedro-Woolley's tourism specialty. Enhance existing facilities to accommodate bicyclists, such as providing additional tent spaces and showers at the Riverfront RV Park. Build new facilities, such as centrally-located public restrooms, on-street bicycle lanes and picnic areas.

Policy E3.79: Sedro-Woolley's tourism strategy should also capitalize upon the city's unique location and timber-industry heritage. Strive to maintain a balance between logging history and environmental education and preservation.

Policy E3.810: Include the interests and influence of the Upper Skagit Tribe in Sedro-Woolley's tourism strategy. Encourage joint operation of environmental education sites and programs. Encourage development of Native American arts and crafts shops in the central business district.

Policy E3.911: Support the development of tourist attractions within the Sedro-Woolley area, such as the Sedro-Woolley Museum.

Policy E3.4012: Actively work to increase the variety and availability of overnight accommodations within the Sedro-Woolley area including R.V. camping, hotels, motels and Bed & Breakfasts.

Policy E3.4413: Provide mitigation for negative impacts associated with tourism, including nonseasonal employment, tourist-local resident conflicts and environmental aspects.

Policy E3.4214: Use a variety of media to promote Sedro-Woolley tourism opportunities. Use signage and design along State Route 20 to communicate economic opportunity and attract tourism.

Policy E3.4315: Promote the relocation of the fairgrounds to the county land adjacent to the Northern State campus.

Policy E3.16: Encourage signage explaining what companies/products are located/produced in the City's industrial areas to promote the viability of the City's industrial sector. Many interesting and important goods are produced in these areas and improving the awareness of their presence can help attract prospective industrial tenants.

Policy E3.17: Increase the use of kiosks and directional signage to strategically direct visitors to City businesses and civic services.

Policy E3.18: Expand on the existing green industries and promote the City as a hub for further sustainable and green industries.

Policy E3.19: Promote the sprucing-up of the downtown business district. To instill a sense of ownership and foster long-term connections to the community, encourage youth participation in downtown revitalization.

Policy E3.20: Encourage directional signage, interpretive signage and parking for tour busses and other tourist vehicles such as R.V.s.

~~APPENDIX A~~

~~COOK ROAD/TRAIL ROAD SUB-AREA TRANSPORTATION PLAN~~

~~The city will require to be constructed or will construct a network of arterial roadways in a north/south and east/west configuration in the area covered by this sub-area plan.~~

~~A. Plan Goals:~~

- ~~1. To provide for a safe and functional transportation network in the sub-area.~~
- ~~2. To provide for safe and adequate emergency access to proposed developments in the sub-area.~~
- ~~3. To provide for the efficient extension of utilities in right of way corridors in the sub-area.~~
- ~~4. The intersection of the North/South arterial roadway shall align with Rhodes Road at the SR 20 intersection, and with Prospect Road at the Cook Road intersection.~~

~~B. Means of Achieving Goals~~

- ~~1. The developer as a condition of receiving development approval, will work with the city engineer, city planner, planning commission, and other decision making entities to design roads and utility corridors in coordination with the sub-area plan.~~
- ~~2. The city will accept voluntary donation of land in the form of right of way to allow for the future extensions of roadways and utilities.~~
- ~~3. The city will acquire through eminent domain the required right of way.~~

~~C. Mechanism to Achieve Goals~~

- ~~1. The roadway will be reviewed as part of the SEPA process and in appropriate cases may be a condition of an MDNS or EIS approval.~~
- ~~2. The roadway may be a condition of the plat approval process.~~

_____ ~~_____ The roadway may be a condition of a conditional use, binding site plan or other development approval.~~

_____ ~~_____ The city engineer will be responsible for the roadway configuration, the design req: ents, and location, in the context of the land use action approval process, including approval by the planning commission when prescribed by city ordinances.~~

_____ ~~D. _____ Map of Proposed Sub Area Plan:~~

_____ ~~_____ attached map (designated Exhibit A) illustrates the boundaries of the sub-area to which plan applies with dotted lines, and conceptual locations of proposed roadways.~~

_____ ~~E. _____ Proposed Time Frame:~~

_____ ~~_____ is sub-area plan shall be in place for a period of twenty (20) years after its adoption by city council. The proposed roadways shall be constructed within this time frame.~~

_____ ~~F. _____ Compensation and Finance~~

_____ ~~_____ The city proposes to amend the traffic impact fee ordinance to allow for credit for right way donated or required pursuant to the sub-area plan, in excess of that right-of-way rec ed for the development of the project. The city engineer shall be responsible for the determination as to what is considered excess right-of-way.~~

_____ ~~_____ The city when and where possible, will apply for grants for the construction of roads identified within the sub-area plan.~~

_____ ~~_____ The city council may choose to allocate funds to construct the roadway sections within the sub-area plan.~~

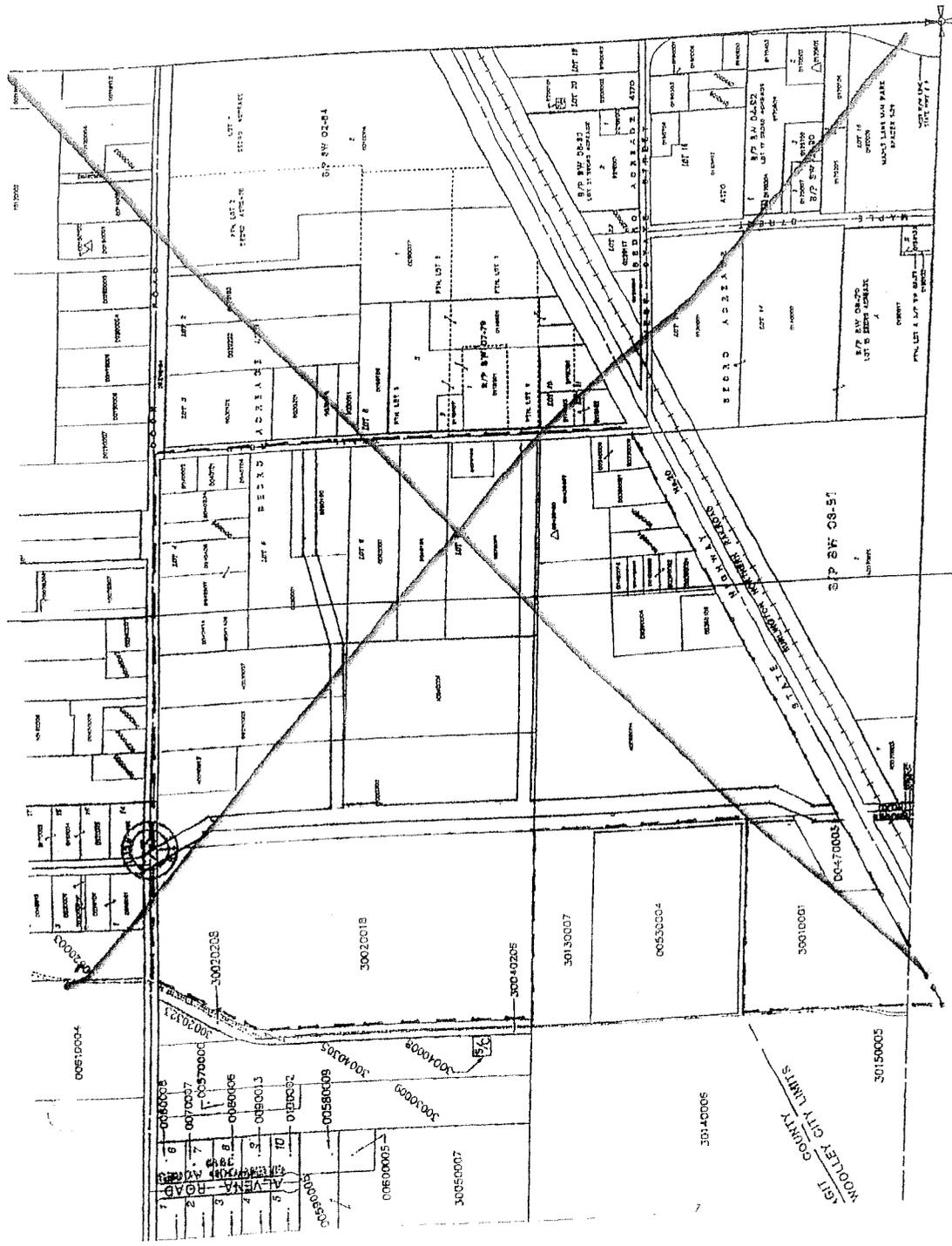


Exhibit 2

CPA-2-09

Public Utilities Element

Planning Commission Recommended Amendments --
From November 17, 2009 P.C. meeting

EXHIBIT 2

BACKGROUND AND ANALYSIS

PURPOSE AND RELATIONSHIP TO GMA

The Growth Management Act requires the utility element of a comprehensive plan to consist of “the general location, proposed location and capacity of all existing and proposed utilities, including but not limited to, electrical lines, telecommunication lines and natural gas lines.” (RCW 36.70A.070(4)). Utilities, however, are privately owned, subject to regulation by the Washington Utilities & Transportation Commission (WUTC) and are not “public facilities,” subject to concurrency. Levels of service for such utilities cannot be determined locally; rather such matters fall within the exclusive jurisdiction of the WUTC. Levels of services described in the following narratives are the estimates of the separate utilities. In accordance with the directions from the GMA, the following utilities which provide service to the Sedro-Woolley planning area will be addressed in this element of the comprehensive plan:

1. Electricity
Puget Sound Energy
2. Natural Gas
Cascade Natural Gas
3. Water
Skagit County PUD No.1
4. Telecommunications
~~Air Touch Cellular (cellular)~~
~~Cellular One (cellular)~~
Multiple carriers
5. Cable
~~TCI of Burlington~~Comcast

ELECTRICITY

Existing Facilities

Electrical service to the Sedro-Woolley Urban Growth Area is provided by Puget Sound Energy (formed by a merger of Puget Power and Washington Natural Gas), an investor-owned public utility. Puget Sound Energy builds, operates, and maintains an extensive electrical system consisting of generating plants, transmission lines, substations, and distribution systems.

Transmission System Overview

Puget Sound Energy (PSE) is the largest energy utility in the State of Washington, serving more than 1 million electric customers and 750 thousand natural gas customers. PSE does not serve any natural gas customers in Skagit County but it does serve all of the electric customers in Skagit

County. The PSE electric transmission facilities in Skagit County are important components of the electric energy delivery grid serving the Puget Sound region. The Skagit County facilities integrate over 670 MW's of generation at six different generating plants, three of them not owned by PSE, and transport power to large industrial customers such as the Shell and Tesoro oil refineries near Anacortes.

In addition to integrating power from generating plants, PSE's transmission system provides important energy links between a number of counties. Two PSE 115 kV transmission lines connect Skagit County (at Sedro-Woolley Substation) to Whatcom County (at Bellingham Substation). A PSE 230 kV line connects Skagit County (at Sedro Woolley Substation) to Snohomish County (at Horseranch Substation and at Seattle City Light's Bothell Substation). PSE's Sedro Woolley Substation terminates two Bonneville Power Administration (BPA) 230 kV lines, the BPA Bellingham-Sedro line and the Sedro North Tap of the BPA Custer-Murray line. The transmission system in Skagit County also feeds Whidbey Island and transports power for the Bonneville Power Administration along its lines to BPA's Fidalgo Substation located southwest of Anacortes which feeds Orcas Power and Light Cooperative, a BPA power customer.

Electric distribution services (designated by lines less than 115 kV) in Skagit County are also provided to customers by PSE.

PSE has identified a number of projects that will be needed over the next 5-20 year time-frame. The projects are grouped into three categories depending on their function within the overall grid and are not prioritized in any way. The timing for several of the projects mentioned below may change depending on area load growth or new generating resources.

I. PSE Transmission Grid Reinforcement Projects

Projects in this category are primarily intended to reinforce the PSE's transmission delivery system.

1. SEDRO-WOOLLEY – HORSERANCH 230 kV TRANSMISSION LINE- new line

A new 230 kV transmission line from Sedro-Woolley Substation in Skagit County to the Horseranch Substation in Snohomish County will be constructed in 2010 and 2011. The new 230 kV line will consist of 5.5 miles of new transmission facilities (poles, insulators and aerial conductors) on an existing transmission line corridor between PSE's Sedro Woolley Substation and Beaver Lake. The remaining part of the line (nearly all of it is located in Snohomish County) will rebuild 30-miles of the former Beaver Lake-Beverly Park 115 kV line to 230 kV between the former Beaver Lake Substation to north of Washington State Highway 2 in Snohomish County. The new line will add needed capacity across the critical Skagit/Snohomish county line "cutplane" and eliminate electric transmission constraints under many operating conditions. This project would also remove the current need for PSE and BC Hydro to trip generation due to loss of the single Sedro-Woolley-Horseranch-Bothell line.

Estimated In-Service Date: 2010-2011

Transmission Line Length: 6 miles within Skagit County

2. Sedro-Bellingham #3 115 kV transmission line – Existing line Upgrade

Replace the existing Sedro-Bellingham #3 line with a new 115 kV line including new poles, insulators and higher capacity conductors.

The low capacity rating of the existing line (4/0 Copper conductor with a summer rating of 107 MVA)) constrains the transmission system between Whatcom and Skagit Counties, particularly

under N-1 conditions. Loss of BPA's double-circuit 230 kV line between Custer and Sedro-Woolley substations can cause this line to exceed its allowable limits by more than 140%. The short-term solution has been the use of a control scheme that trips open the line if it overloads. This line-overload problem will be compounded in future years by the potential withdrawal of the British Petroleum refinery from PSE's 115 kV system in Ferndale. Loss of this load in Whatcom County will increase the power flows on the Sedro-Bellingham #3 and #4 lines.

The Sedro-Bellingham #3 line averaged more than 3 outages a year between 1996 and 2008, causing sustained service interruptions for the customers served by the two distribution substations Alger and Norlum. Most of the poles along the 23-mile Sedro-Bellingham #3 line are in poor condition. In addition, the low capacity rated 4/0 Copper (Cu) conductors require a special overcurrent control scheme that automatically opens at Sedro Woolley Substation to prevent the line from exceeding its allowable capacity limits. The high resistance of the 4/0 Cu conductor also causes substantial energy losses during high power flows on the line.

Estimated In-Service Date: 2009

Transmission Line Length: 24 miles total (7-8 miles of the line are in Whatcom County)

3. Sedro-Bellingham #4 115 kV transmission line – existing line Upgrade

The same project write-up for the Sedro-Bellingham #3 line above can be said for this line. The two lines are electrically in parallel and consist of the same sub-grade poles and other equipment.

Estimated In-Service Date: 2011-15

Transmission Line Length: 24 miles total (7-8 miles of the line are in Whatcom County)

4. SEDRO-WOOLLEY- FREDONIA 115 KV LINE UPRATE – existing line Upgrade

The capacity ratings of 11 miles of existing 1272 kcmil all-aluminum conductor (AAC) 115 kV line between the Sedro Woolley Substation and the Fredonia Substation will be increased. Most of the line parallels Washington State Highway 20. The line's capacity rating will be increased by changing its existing 55°C conductor temperature rating to a higher conductor temperature (100°C) rating. The higher capacity rating will be accomplished by changing out the existing poles to taller poles. The higher line capacity ratings are needed to remove transmission constraints on this line that can occur after forced outages on other parts of the transmission system and to meet the growing electric loads in central and western Skagit County.

Estimated In-Service Date: Estimated 2011-2012

Transmission Line Length: 11 miles (existing line) in Skagit County

5. Baker River Switch-Sedro Woolley 115 kV #1 Line rebuild and reconductor – existing line Upgrade

When PSE's Upper and Lower Baker River hydro generating plants (170 MW combined generation) and the privately owned Komo Khulshan (16 MW) hydro plant are operating and there is a forced or planned outage on one of the two parallel, 23-mile Baker River – Sedro-Woolley 115 kV lines, the other line can exceed its allowable capacity limits. Even when both lines are in service, the potential exists for both lines to exceed their allowable capacity limits on very hot days. A Remedial Action Scheme (RAS) is used to reduce and/or trip Baker River Hydro generation to prevent the transmission lines from overloading. However, these actions have undesirable consequences as they can trigger more expensive generation to run as replacement generation or cause PSE to not meet its operating reserve obligations (per WECC and NERC reliability standards).

The lines have experienced numerous outages caused by trees contacting and/or damaging the lines during wind storms. A couple of times during the 2006/2007 winter storms, high winds knocked trees into both lines and caused both lines to be out of service at the same time. Installing higher capacity conductors will reduce line losses and this will save energy.

Estimated In-Service Date: **Estimated 2011-2012**

Transmission Line Length: 11 miles (existing line) in Skagit County

6. Baker River Switch-Sedro Woolley 115 kV #2 Line rebuild and reconductor – existing line Upgrade

The same project write-up for the Baker River Switch-Sedro Woolley #1 line above can be applied to this line. The two lines are electrically in parallel and consist of the same 636 kcmil ACSR conductors. In addition, most of the wood poles and cross arms on this are degrading and need to be replaced.

Estimated In-Service Date: **Estimated 2011-2012**

Transmission Line Length: 11 miles (existing line) in Skagit County

7. March point-burrow's bay #1 115 KV LINE reconductor – existing line Upgrade

The capacity ratings of the 8-mile long 397.5 kcmil ACSR 115 kV line between the March Point Substation and the Burrow's Bay Substation (northwest of Anacortes) will be increased by installing a higher capacity conductor. The proposed work is necessary to increase the line's capacity rating to prevent the line from exceeding its allowable capacity limits when the March Point-Burrow's Bay #2 line is out of service. The line was uprated in 2008 to a higher conductor temperature rating and as part of this work the new poles that were installed can support the proposed heavier, higher capacity, conductors. The higher line capacity ratings are needed to meet area load growth including the growing loads of the San Juan Islands.

Estimated In-Service Date: **Estimated 2018-2022 Estimate**

Transmission Line Length: 8 miles in Skagit County

8. March point-burrow's bay #2 115 KV LINE reconductor – existing line Upgrade

The same project write-up for the March Point-Burrow's Bay #1 line above can be applied to this line. The two lines are electrically in parallel and consist of the same 397.5 kcmil ACSR conductors.

Estimated In-Service Date: **Estimate 2018-2022 Estimate**

Transmission Line Length: 8 miles in Skagit County

9. Blackburn Substation – new transmission substation – south Skagit County

A new transmission substation will be required in the next 8-15 years to terminate existing and proposed 115 kV transmission lines. PSE will rebuild one of its former Sedro-Mt. Vernon 55 kV lines to 115 kV to prevent Sedro Woolley Substation lines from exceeding their allowable capacity limits under certain outage contingencies (see Item #10 below). In the summer of 2008, with no Skagit County thermal generation running, loss of the Sedro-March Point 230 kV line will cause the Sedro-March Point #2 115 kV line to reach 87% of its emergency rating and the Sedro-Fredonia line to reach 83% of its emergency rating. Normal load growth will cause these lines to reach their emergency ratings within 7 years. Higher growth coming from oil refinery expansion

could cause overloads sooner. PSE expects the Sedro-March Point #3 line to overload within the next 10 years under certain outage contingencies.

The Sedro-March Point #3 line will soon be feeding 5 distribution substations after the proposed Eaglemont Substation is constructed in 2010. These 5 distribution substations serve 20,000 customers in the Mt Vernon and south Skagit County area. Loss of this line can result in thousands of customer service interruptions. PSE plans to loop the Sedro-March Point #3 line through the Blackburn Substation. In addition, area load growth will require additional distribution substations that will need new 115 kV transmission lines which will come out of the Blackburn Substation.

Estimated In-Service Date: **Estimated** 2018-2022 Estimate

Transmission Line Length: 8 miles in Skagit County

10. Sedro-Blackburn 115 kV LINE rebuild and reconductor – existing (de-energized) 55 kv line

Another 115 kV line from Sedro Woolley Substation to the proposed Blackburn Substation (mentioned above) will be required when the existing Sedro-March Point 115 kV line loadings exceed their allowable limits for certain outage contingencies. This new 115 kV line will effectively parallel and thus share the power flows on the existing Sedro-March Point 115 kV lines. The proposed new 115 kV line will connect Sedro Woolley Substation to the proposed Blackburn Substation through the cities of Sedro Woolley, Burlington and Mt. Vernon utilizing as much of the former (de-energized) Sedro-Mt. Vernon 55 kV line as possible. The proposed new line will feed the existing Rita and Gages Substations. The Gages Substation is currently fed from a 1.5-mile 115 kV radial transmission line. When this new line is constructed it will loop the Gages Substation by constructing a second 115 kV line providing an alternate feed.

Estimated In-Service Date: **Estimated** 2018-2022

Transmission Line Length: 8 miles in Skagit County

II. PSE Transmission Reliability Projects

Projects in this category are intended to improve the reliability of service to PSE customers.

1. Install a 230-115 kV, 325 MVA transformer in Sedro-Woolley Substation

Loss of either the March Point Substation or Sedro Woolley Substation 230-115 kV, 325 MVA transformers will exceed the allowable rating of the other transformer during periods of high loads and low Skagit County generation. Loss of the March Point Substation transformer would cause the Sedro Woolley transformer to load 112% above its emergency rating with no Skagit County generation running. Loss of the March Point Substation 230-115 kV transformer with a PSE winter peak load of 5617 MW's and 72 MW's of (Lower) Baker hydro running and all other Skagit County generation off line could load the Sedro Woolley 230-115 kV transformer to 101% of its emergency rating. This is equivalent to a heavy winter base case in the year 2018/2019. Installing a second 230-115 kV transformer in Sedro Woolley Substation will increase the number of PSE Skagit County ties with BPA's main grid from four to five and thus provide greater stability to the Skagit County transmission system.

Estimated In-Service Date: **Estimated** 2013-2014

Transmission Line Length: None

2. CONSTRUCT NEW 115 KV LINES AS NECESSARY TO FEED FUTURE DISTRIBUTION SUBSTATIONS and/or meet customer demands for higher system reliability

As Skagit County continues to grow, PSE's electric system must expand to meet this continuing demand for electricity. This system expansion will include new 115 kV lines that will provide the power to the new local area distribution substations. In addition, there may be requests (projects paid for by the individual customers) to increase the system reliability above that which PSE would normally provide that will require changes to the existing transmission system including the construction of new transmission lines and substations.

Estimated In-Service Date: **Varies**

Transmission Line Length: **Unknown**

III. Integrating Generation Resources and Projects of Regional Significance

Projects in this category are intended to integrate known or potential electric generation resources or identify projects that might influence the power flow within the Puget Sound region. PSE and other companies may want to install new and/or additional generating resources in Skagit County. These projects may require reinforcements to the transmission system in Skagit County.

Estimated In-Service Date: **Varies**

Transmission Line Length: **Unknown**

BPA owns and operates most of the 500 kV lines and substations in the Northwest from whom Puget Sound Energy purchases power and/or transmission services when economically necessary. At the present time, several transmission lines cross through Sedro Woolley which include two BPA 500 kV line and a 230 kV Bellingham Murray (BPA) line east of the Sedro Woolley city limits. Sedro Woolley serves as a regional transmission area. From the north, power is received from two 115 kV lines from Bellingham and from the east, power is received from two 115 kV line from Baker and a 55 kV line from Concrete. Outgoing transmission lines include a 230 and 115(2) kV Sedro Woolley Marches Point lines, two 55 kV Sedro Woolley Mt. Vernon lines, a 115 kV Sedro Woolley Beverly line, and two, two hundred thirty (230) kV lines serving as taps of Monroe Sedro Woolley. Puget Sound Energy has the ability at the present time to meet Sedro Woolley's existing needs. The energy from the Baker River hydroelectric plants and energy purchased from the March Point Cogeneration Company (Texaco Refinery) provides all the energy needed for Skagit County. The Sedro Woolley Transmission Substation is the link that ties west Skagit County to the Northwest Washington transmission grid, making it the major source of electric supply for west Skagit County. The Sedro Woolley Substation has three voltages, 230 kV, 115 kV and 55 kV. The 55 kV is supplied by two 115-55 kV transformer banks. The 55 kV bank serves the Sedro Woolley Mount Vernon #1 and #2 lines which serve six 55 kV distribution substations in Sedro Woolley and Mount Vernon. The distribution substations supplied by the #2 line in Sedro Woolley are Township, Rita and Skagit Steel.

Projected Need

In computing the area's future electrical demands, Puget Sound Energy multiplied growth data (supplied by the Washington State Office of Financial Management (OFM), the Puget Sound Regional Council (PSRC), county and city governments, and other commercial and industrial sources by the average electrical consumption for each new person (1.63 kVA) and the consumption for each new employee (2.21 kVA). These loads were then added to the existing loads. From this total was subtracted power saved through conservation and power shifted off peak through demand side reduction. This computation resulted in an estimate of demand load for Skagit County of 431 MVA's [megavolt-ampere] by the year 2010, an increase of 151 MVA's over the current demand load of 280 MVA's. Although Puget Sound Energy can meet the existing

demand loads, it will be unable to meet this future demand load. In addition, Puget Power must take into account the anticipated loss of existing generation. The high population forecast for the county assumed continued high levels of immigration of around four percent through 1993, declining to three percent for 1995 and one percent on a long-term basis. Estimated population projections and load demands are: Year 2010 15,363 (16,665 adjusted kVA) and Year 2020-17,007 (21,254 adjusted kVA). Employment projections are Year 2010 5,560 and Year 2020-6,123. The annual local growth for residential and commercial load in west Skagit County is expected to be 2.2% through 2010 and 1.2% from 2010 to 2020. Industrial growth is expected to be 2.4% per year through 2010.

Projected Demand

Generation: Much of the currently planned generation for the region is in Whatcom and Skagit Counties due in part to the proximity of Canadian natural gas supplies and existing industrial processes capable of using low pressure steam available from cogeneration. 120 MW of non-utility co-generation have recently been placed in service under contract to Puget Sound Energy for the Puget Sound area, with an additional 820 MW of non-utility projects being planned (with most currently under construction). Even with this resource availability and the addition of 100 MVA of proposed small hydro generation in the Upper Skagit County Subarea, the Skagit County load will overtake the amount of local generation by 2010. Therefore, Skagit County will move from a surplus electric supply to an area that is supply deficient within the next twenty (20) years. Most currently proposed identified generation projects proposed by Puget Sound Energy are small in scale. To meet the projected demand load, Puget Sound Energy must look to a variety of resource options in addition to its own generating capabilities, including Non-Utility Generators, Independent Power Producers, and projects developed and operated jointly among utilities. However, the exact number and location of these projects cannot be currently projected. Other projected resource additions in the future will include the additions of electricity through conservation, hydro, geothermal, wind generators, high efficiency cogenerations, and clean coal plants.

Transmission: Within six years, the capability of the existing system to serve load growth, to support cogeneration, and power imports from British Columbia under single contingency outage conditions will be limited. Areas of possible overload include the Sedro Tap, Monroe Snohomish 230 kV line, Sedro Mount Vernon #1 and #2 kV lines and the Baker Sedro Woolley #1 and #2 lines. Since a large amount of energy is generated within Whatcom and Skagit Counties, a network of 500 and 230 kV lines are necessary to transfer the generating resources. Strengthening the 230 and 115 kV system in Skagit County can raise the transfer capability in western Washington. Additional transmission lines will be required in Skagit County to maintain stable voltages as loads increase. New lines will also be needed in Skagit County to transfer power and to relieve loading on existing lines. System improvements that are in progress (projects that are well defined with most of the system design features resolved) include: 1) a BPA/Puget NW Washington Transmission Project from Bellingham to Sedro Woolley (rebuilding a 500/230 kV line, a new 230-115 kV transformer at the Bellingham station, rebuilding a 115 kV line, constructing two short 115 kV line segments, and upgrading other lines); 2) Sedro SCL Bothell 230 kV Reconnect Project (building a new substation on the Monroe Snohomish tap, upgrading the Sedro Woolley tap to increase its capacity in order to transfer load, and extending the Sedro tap from the new breaker to the Bothell station). A mid-term conceptual transmission project is planned, with its need anticipated from the expected load growth and probable generation source. This project includes a Sedro March Point 230 kV Project (construction of a second Sedro Woolley March Point 230 kV line to strengthen the 115 kV service to Skagit customers and a 230 kV line to the

Novelty Substation in King County). In addition, Sedro-Woolley is the substation location for a future 500-250 kV transformer. Long-term conceptual plans are also influenced by load growth, generating patterns and changes in technology and encompass the system needs projected as a result of current long-range population and employment forecasts. Long-term projects include the construction of a 230 kV Sedro-Sammamish line. Other anticipated construction projects include: 1) transmission line upgrades; and 2) future distribution substations, including the construction of a District Substation (replacing the Fir Street, Section Street and obsolete Rita and Township substations) to serve the commercial growth between Burlington and Sedro-Woolley, the Crossroads Substation to serve the commercial and residential growth between Mount Vernon and Sedro-Woolley and the Hoogdal Substation to serve the commercial and residential growth north of Sedro-Woolley.

_____ A listing of the existing and projected generation and transmission projects, and locations is available for review at the planning department office or at the Puget Sound Energy office.

4.12

NATURAL GAS

Existing Facilities

Natural gas service to the Sedro-Woolley urban growth area is provided by Cascade Natural Gas Corporation (CNG) which builds, operates and maintains the natural gas facilities. Immediately to the east of the city lies the Northwest Pipeline Corporation's Transmission Line, which owns and operates the regional pipeline that supplies natural gas to the states of Washington, Oregon and Idaho. Natural gas is then transmitted via Cascade Natural Gas Laterals to and through Sedro-Woolley to the cities of Burlington, Mount Vernon, LaConner, Anacortes and to other areas within Skagit County. Within the city limits of Sedro-Woolley, CNG's natural gas system currently meets demand with residences being served through a number of various sized transmission lines. Service is also available to some of the unincorporated areas within the urban growth area.

Projected Need

As the population and the number of residences in the Sedro-Woolley urban growth area increases, CNG will be required to increase the facilities serving the community, including the construction and location of gate stations, high pressure lines and pressure reduction stations. An additional factor involved in the provision of increased supplies of natural gas may be electrical demands through cogeneration (with gas used as a fuel source) and hydro-firming with gas-fired turbines being used as backup to hydro generated turbines.

The maximum capacity of the existing distribution system can be increased as required by one or more of the following methods: a) Increasing distribution and supply pressures in existing lines; b) Adding new distribution and supply mains for reinforcement; c) Increasing existing distribution system capacity by replacement with larger sized mains; and d) Adding district regulators from supply mains to provide additional intermediate pressure gas sources to meet the needs of new development. CNG does not maintain a comprehensive expansion plan; rather, system upgrades are implemented on a developer driven need.

Projected Demand

Although the existing Sedro-Woolley City limits are presently being served, as growth occurs in the unincorporated UGA, service expansion will be required as the population and

number of residences increases. The primary service expansion in the UGA will be required to the north in the vicinity of Cully Road and Bassett Road, north in the vicinity of Highway 9 and Fruitdale Road, and east in the vicinity of Highway 20. The location, capacity and timing of these improvements depend on opportunities for expansion and on how quickly the city grows. There are usually several different routes to connect different parts of the system. The final routes depend on right-of-way permitting, environmental impact, and opportunities to install gas mains with new development, highway improvements and other utilities. Whenever possible, CNG will: attempt to co-locate new public and private utility distribution facilities in shared trenches and coordination of construction timing to minimize construction-related disruptions; ensure that land will be made available for the location of utility lines, including location within transportation corridors; and where natural gas franchises exist, promote the extension of distribution lines to and within the urban growth area. Land use and facility planning will be coordinated to allow eventual siting and construction of distribution lines within rights-of-way which are being dedicated or within roads which are being constructed or reconstructed.

A listing of the existing and projected generation and transmission projects, and locations is available for review at the planning department office or at the Cascade Natural Gas Company office. The latter may be contacted with regards to information regarding main extensions.

4.16

WATER

Existing Facilities

Water service to the Sedro-Woolley is provided by Public Utility District #1 of Skagit County (hereafter, PUD), which is authorized to acquire, construct and operate water systems within the county boundaries and to furnish water service to the inhabitants of the District and other persons. PUD presently serves all of the population of the Sedro-Woolley UGA ~~with the exception of two hundred forty one (241) of the population who are on private wells.~~ The Sedro-Woolley UGA is served from the Judy Reservoir (supplemented by the city of Anacortes intertie) which is located approximately three miles southeast of the city, south of the Skagit River. Judy Reservoir (surface rights of 3,456,47,475.2 MG/yr), encompassing the Cultus Mountain Watershed (Gilligan, Salmon, Turner and Mundt Creeks) serves as the primary source of water to most of the PUD customers in Skagit County. PUD also has water rights to augment these surface supplies with groundwater from a well in Sedro-Woolley and a well in Mount Vernon (groundwater rights of 2,554,5576.9 MG/yr). Due to water quality, the groundwater sources are used for emergency/summer supply. The Judy Reservoir water is pumped to an adjacent Water Treatment Plant with a ~~design capacity of twelve (12) million gallons per day (hereinafter mgd) and a peak day capacity of eighteen-thirty (1830) mgd.~~ Water is distributed north across the Skagit River to a pressure reducing station in Sedro-Woolley, serving the UGA and also branching west to Burlington and other areas of the county. Another line runs south from the Reservoir to Mount Vernon allowing PUD to maintain a looped system, ensuring continuity of service. Transmission lines range in size from four inches to thirty (30) inches in diameter within the service grids. Storage reservoirs are located on Dukes Hill and at Hoogdal.

Projected Need

Service demands for Skagit County are currently ~~three one hundred seventy-eight~~sixty (360178) gallons per service per day (gpsd) average daily demand, ~~five three hundred threeseventy~~ (570303) gpsd peak day demand, ~~seven three hundred fiftythree~~six (733356) gpsd peak hour

demand, one hundred ninety-two (192) million gallon peak month demand and two thousand three hundred fifty-two ~~three thousand sixty~~ (2,352,060) million gallons annual demand in the Judy Reservoir system. Non-revenue water (i.e. unaccounted for, fire flow) has been under ~~fifteen-eight~~ (458) percent which the District plans to reduce ~~down to~~ by five-one percent by 2010 ~~2016~~. Operating revenues are obtained from water rates. PUD has adopted separate meter and consumption charges and a flatter rate along with system development fees (expenditures must be beneficial district-wide). In addition, occasional grants are received. The district does not appear to have sufficient revenues from its current rates to fully support its projected expenses through 2014, so the adoption of alternatives for rate adjustment will be necessary. ~~Biannual adjustments averaging four and one-fourth percent will allow the district to keep pace with the anticipated expenses of administration, operations, maintenance and improvements.~~ Annual rate increases are mitigated by increased revenues due to projected growth.

The population presently served in the Sedro-Woolley UGA is ~~nine thousand two hundred ten thousand sixty~~ (9,200,060). PUD utilized population data based on incremental annexations into the new UGAs presented by the County's Final EIS on its Land Use Element (1994). Sedro-Woolley's population was projected as follows: 2000 ~~nine thousand nine hundred forty two~~ (9,942), 2010 ~~thirteen thousand three hundred sixty nine~~ (13,369) and 2014 ~~fourteen thousand three hundred thirty two~~ (14,332) is projected to increase to fifteen thousand (15,000) by 2025. The district's forecasts assume the following: that by the year 2014, one hundred (100) percent of the Sedro-Woolley UGA will be served, that service connections for wholesale customers will increase based on zoning potential (with service connections for residential, commercial, farms and municipal services increasing proportionate to the population increase in the UGA while industrial projections will add an addition mgd demand per day by the year 2014) and water demand projections will be reduced by ~~ten (10) percent by 2000 and five percent by 2010~~ 1.6% in the next six years by 2016 due to conservation. Although the present sources of supply for the district are sufficient to satisfy current demands, they will not be able to meet the needs of the area without proper management. PUD's Water System Plan (~~December~~ September, 1994 ~~2008~~) addresses a twenty (20) year period. As of ~~1993~~ 2008, there were ~~two thousand nine hundred fifty three~~ four thousand four hundred and forty (2,953,440) district water services in the Sedro-Woolley UGA (~~two three thousand five eight hundred twenty two~~ eight (2,522,828) residential, one hundred ~~seventy eighty two~~ eighty two (170,182) multi-family, ~~one two hundred ninety one~~ fifty five (191,255) commercial/industrial, and ~~one hundred seventy five~~ (175) other). These services represented a ~~six thirty three and a half~~ (33.5%) percent increase in services from 1993 with the increases occurring primarily in residential demand, however, residential and municipal consumption has actually decreased with consumption increases occurring in farm and irrigation. Also, overall consumption increases through 2000 are projected to grow to meet additional industrial demands. Within the district overall water consumption was ~~three one hundred sixty six~~ seventy eight (366,178) mgd (~~two thousand seven hundred ninety nine~~ (2,799) service connections) in 1993 and is projected to be ~~five hundred seventeen~~ one hundred seventy five (517,175) mgd (~~three thousand six hundred twenty five~~ (3,625) service connections) in the year ~~2000~~ by 2016 based on improved water use efficiencies gained through conservation (Due to conservation and in-house leak detection water production has decreased ~~twenty five (25) percent from 1990 to 1993~~ while the number of additional customers has increased). Projections are for ~~five thousand ninety seven~~ (5,097) service connections in 2014. Based on peak flow diversion and assuming average rainfalls of 46.44 inches per year and maximum authorized diversions, the district's rights to Cultus Mountain streams (~~9.05~~ 20.48 mgd) are ~~barely adequate to supply existing average annual demands thru 2014,~~ does not allow for adequate flushing of the Reservoir and represents only ~~thirty five (35) percent of the district's projected twenty (20) year peak production~~

demand. The combined current demand on the Reservoir system is 10.28 mgd (6.44 mgd for average demands and 3.84 mgd average for flushing) with the 9.05 mgd surface water being 1.23 mgd short of the demand. Taking into consideration city of Anacortes water supply, the district will have an average 9.1 mgd deficit of water supply in the year 2014. With the addition of the 3.8 mgd needed to flush the Reservoir, the district will have an average water supply of 12.0 mgd in the year 2014. The district must also plan for having water resources available to accommodate demands and infrastructure to meet those demands.

Projected Demand

With the district's water rights being 1.24 mgd short of current average demands and 12.9 mgd short in 2014, possible additional water supply options must be explored which the city will work with PUD to achieve. These options include: conservation, purchasing of additional water from Anacortes, additional supply from existing stream diversions, new supplies from different sources (watersheds), diversion of Skagit River water (the diversion area would which be is located southeast of Sedro-Woolley by the river crossing which could provide has the ability to provide 5.7636 mgd, a project of the 1996 MOA), development of groundwater/artificial recharge resources (east of Sedro-Woolley are areas of high production potential), dredging, the dam raising the dams at Judy Reservoir was raised to increase its capacity from 1.01 billion to 1.45 billion gallons, and the construction of an additional impoundment reservoir.

—The transmission lines have adequate capacity for the current demands of the system but are projected to reach their capacity and the end of their useful life around 2030 for the WTP/Sedro-Woolley line. Projected demands indicate pressures will drop below PRY settings by these dates and higher capacity lines will be needed. Proposed PUD projects within the Sedro-Woolley UGA will include a number of twelve (12) inch pipelines. Potential distribution projects include a thirty (30) inch pipeline between Judy Reservoir to north of the Skagit River and a parallel twenty-four (24) inch line north of the Skagit River to Burlington along Highway 20. Other projects include a new emergency booster at the Dukes Hill Reservoir and additional storage in the Sedro-Woolley area by the year 2000. A number of smaller projects are scheduled in the Sedro-Woolley UGA as set forth in the district's plan and are incorporated into this utilities plan by reference.

A listing of the existing and projected generation and transmission projects, and locations is available for review at the planning department office or at the PUD office. The latter PUD may be contacted with regards to information regarding line extensions. The city of Sedro-Woolley has its own detailed maps which reference local landmarks, communities, roads, sloughs and basic legal descriptions. Fire protection by fire hydrants (including spacing) and/or other means shall be required as determined by the Sedro-Woolley fire marshal (chief). The district may be contacted with regards to information regarding main extensions.

4.20

TELECOMMUNICATIONS

Existing Facilities

Telephone, cable and internet service to the Sedro-Woolley urban growth area is provided by GTE Telephone Operations (hereinafter GTE) many private companies. GTE The telephonic and cable transmission system presently has the capacity to serve all of the population within the

city's urban growth area with future facility improvements centered on providing better and more varied service capabilities.

Among the currently existing facilities, the Sedro-Woolley Central office was installed in 1990 and is equipped with seven thousand forty (7,040) lines (three thousand five hundred six (3,506) for Centel customers and two thousand five hundred sixty (2,560) for GTE) and has an emergency stand alone capability feature. Within the Sedro-Woolley exchange are the following ESA remotes: Garden of Eden (equipped with four hundred twenty (420) lines), Northern State (six hundred forty (640) lines) and United General (six hundred forty (640) lines). Sedro-Woolley also serves as a conduit on the fiber optic routes with branches running east along Highway 20, south to Burlington and Mount Vernon, and north to Deming and other communities.

The telephone service industry has changed drastically since 2000 and consumers have a much greater choice of telephonic service providers. With the expansion of cable and wireless technology and restructuring of regional service provider licenses and contracts, a consumer is no longer restricted to one provider for "land-line" telephone service. Verizon is the primary land-line telephone provider for home and businesses in the Sedro-Woolley UGA. Comcast cable provides digital phone service and internet service as well as television cable service. Clear (formerly Clearwire) provides internet service and some phone service using cellular tower connections instead of relying on telephonic transmission lines or coaxial cable lines. Several smaller companies provide internet service within the Sedro-Woolley UGA.

Projected Need and Demand

~~GTE The Telecommunications provider plans are developed in five year increments so long-term 20 year plans are unavailable. Increased facilities are dependent on population and service demands. GTE's plan projects a five year forecasted growth rate of 4.5% for the Sedro-Woolley area. Since 1993 there has been an increase of 75.9% and 24.1 % of switched access lines in residential and commercial services, respectively. Within the next five years, the Sedro-Woolley exchange will be adequately served by line adds to existing remotes, TCDPG for analog carrier replacement, and equipment required for special service. A project was recently completed, scheduled for 1995 would involve the placement of feeder in conduits installed in 1994 to provide feeder pairs to cross connect serving approximately five hundred (500) new housing units in the area defined by Highway 9 and Highway 20, Sapp Road and the railroad right-of-way. In addition, at the present time, ninety-two working channels of analog carrier exist in the Sedro-Woolley exchange. Within five years, the analog carrier will be systematically removed and replaced by TCDPG. Finally, upgrades on the remote switch and direct interface pair gain devices identified in the five year plan will affect future base unit sizing. These requirements will be reflected in the Central Office Exchange (COE) Equipment Plan program as forecast and capital budget information is finalized. The COE plan will be updated annually to reflect longer range changes or as required for critical changes. The potential for a project may exist for the addition of fiber to GTE's existing route coming from Burlington on Highway 20 to the switch in Sedro-Woolley and on to Concrete, however, there are presently no plans currently being developed for such a project.~~

In general, the existing backbone network of cable and switches will not change. AT & T does have fiber following Highway 20 through the town. There are no cellular sites within the city owned by GTE or its competitors with none anticipated in the near future. Within the next five years services such as local dialtone, video or PCS wireless are not anticipated within the Sedro-Woolley UGA.

A listing of the existing and projected generation and transmission projects, and locations is available for review at the planning department office or at the GTE office. The latter may be contacted with regards to information regarding line extensions.

Cellular

A cellular telephone system is a series of transmission facilities or (cell sites), which use FM radio signals to transmit conversations and data to mobile/portable phone users. Cell sites consist of transmitting and receiving equipment and microwave relays, usually mounted on monopole or lattice tower, and ground mounted switching equipment. Cells cover roughly hexagonal-shaped areas, so as to maximize coverage while minimizing signal overlap, and thus interfering with other cells.

The effect of this limitation on the number of channels per cell is that as the number of mobile phone users in an area grows, each cell must be subdivided into smaller cells to accommodate the increased demand. Consequently, an increased number of transmission facilities is required. However, since the height of the transmission facility determines the area it covers as cells are subdivided into smaller cells, the height of transmission facilities must be reduced to minimize signal overlap.

The FCC licensed two operators to provide cellular telephone service in the area. Western Washington is served by Cellular One and Air West Cellular. There are two licensed cellular towers in the Sedro-Woolley limits. The first is located near the center of town at the south end of the Sea-Land Industrial Park. The second tower is located on the south facing side of Dukes Hill, just east of the end of Marie Place, north of McGarigle Road. Cellular service is available in Sedro-Woolley from all the major cellular phone carriers.

~~Air West Cellular~~

~~Sedro Woolley is served by a transmission grid served by cell sites located at Butler Hill, Concrete and Mount Vernon. Air West Cellular's (formerly U.S. West Cellular) planning is on a short range basis (a one to two year schedule) without long range planning occurring due to the rapid changes in technology and demand. There are no immediate plans for cell sites located in Sedro Woolley, however, such locations may be planned in the next twenty (20) years.~~

~~Cellular One~~

~~Information not available.~~

CABLE TELEVISION

TCI of Burlington, headquartered in Burlington, Comcast Cable Services provides cable television service throughout all most of the Sedro-Woolley planning area. Service is provided on overhead lines throughout most of the city. However, new plats require underground utilities. TCI provides Primestar as a Wave Broadband provides service to areas not served by overhead lines which consists of three foot mini dishes Comcast. The cable companies observe a service area agreement that prevents overlapping of service. Dish and satellite television is available in all areas of the UGA, but no regional infrastructure is necessary for these services.

~~TCI projects no additional need for relay stations or trunk lines to serve the Sedro-Woolley planning area at full build-out.~~

4.28

GOALS AND POLICIES

Goal U1: To develop all city utilities at levels of service appropriate to planned orderly growth.

Policy U1.1: Manage city-owned utility systems effectively to provide quality service.

Policy U1.2: Provide utility permits in a fair, timely and predictable manner.

Policy U1.3: Expand existing utility system according to the city's land use plan.

Policy U1.4: Require services as a condition for annexation, consistent with proposed land use and utility comprehensive plans.

Policy U1.5 Work in coordination with the respective utility providers to establish levels of service.

Policy U1.6 Work in coordination with P.U.D. to explore additional supply options, including but not limited to conservation, purchasing of additional water, diversion of Skagit River water, development of groundwater/artificial recharge resources, dredging, raising the dam at Judy reservoir, and the construction of an additional impoundment reservoir.

Goal U2: To ensure that utility service promotes public safety and convenience.

Policy U2.1: Cooperate with other utility agencies to control hazardous wastes.

Policy U2.2: Educate the public in proper handling of hazardous waste. Encourage the use of alternative products and practices that reduce use of hazardous materials.

Policy U2.3: Provide disposal locations for household, commercial and industrial hazardous wastes.

Policy U2.4: Engage a public review process for the siting of any waste disposal facility.

Policy U2.5: Site utilities in such a manner to protect citizens from short- and long-term adverse health impacts.

Policy U2.6: Provide public education programs on topics such as pollution control and water quality.

Policy U2.7: The city supports efforts to establish an open, competitive marketplace for telecommunication services in order to provide the latest and best technology available and keep service prices affordable for all city residents and businesses.

Policy U2.8: Encourage economic development while preserving aesthetic and other community values and preventing proliferation of above ground facilities.

Policy U2.9: Encourage the provision of advanced and competitive telecommunications on the widest possible basis to the businesses, institutions and residents of the city.

Policy U2.10: Require all new development to provide either telecommunications or conduit to encourage the extension of telecommunications within the public right-of-way.

Policy U2.11: Site plans for proposed developments shall show the location of all pipeline easements.

Policy U2.12: Sedro-Woolley recognizes the potential hazards associated with developments located near or adjacent to pipeline corridors.

Policy U2.13: Developments located near or adjacent to pipeline corridors should incorporate design elements and safety features to minimize the level of risk of injury to property and persons and loss of life which may result from pipeline accidents, both during construction and during occupancy following construction.

Policy U2.14: Sedro-Woolley should seek the pipeline operator's participation in determining appropriate safety measures for specific locations, and to educate the public about safety risks associated with pipelines.

Policy U2.15: Sedro-Woolley shall seek monitoring by the pipeline operator of permitted development that involves land disturbance or other significant work within the pipeline corridor, including potential soil erosion problems over pipelines associated with storm water discharge.

Goal U3: To benefit community aesthetics and protect the environment.

Policy U3.1: Maintain infrastructure design and construction standards which are environmentally sensitive, cost-effective and safe. Facilities should be designed to be compatible with surrounding neighborhoods.

Policy U3.2: Promote conservation of water and electricity within the urban growth area. Work with utilities, service agencies and other jurisdictions to promote conservation products and programs.

Policy U3.3: In accordance with state rules, regulation, and tariffs, require undergrounding of all new electrical distribution or communication lines, and encourage undergrounding of existing electrical distribution or communication lines in residential areas.

Policy U3.4: Require city notification prior to removal of vegetation within a city right-of-way or sensitive area by private service providers.

Policy U3.5: Require reasonably appropriate screening and compatible integration of all new above-ground utility facilities.

Policy U3.6: Encourage professional and sensitive vegetation management within utility right-of-ways, recognizing utilities' needs for clearance between trees and lines.

Policy U3.7: Combine utility and communication facilities such as antennas and easements wherever possible. Encourage joint use of utility corridors as recreational trails where appropriate and reasonably achievable.

Policy U3.8: Encourage conversion to environmentally-sensitive alternative energy sources.

Policy U3.9: Encourage local businesses to contribute to improving community infrastructure through local improvement districts (LID's).

Policy U3.10: Require new development to connect to Skagit PUD water system and not allow new well connections.

Policy U3.11: Work with Skagit PUD to identify existing wells. Encourage new main extensions be made available in areas where PUD water is not available. Encourage well-users to connect to PUD water when water main is available.

Goal U4: To ensure non-city utilities are consistent with city plans and community values.

Policy U4.1: Coordinate with other jurisdictions and government agencies to plan and implement regional or multi-jurisdictional utility improvements.

Policy U4.2: Coordinate with Skagit County and the State of Washington to ensure that new utility facilities constructed in potential annexation areas conform to city of Sedro-Woolley standards.

Policy U4.3: Ensure that local policies do not conflict with public service obligations of utility service providers.

Policy U4.4: Negotiate a strategy with service providers in the county for transfer of services to the city of Sedro-Woolley upon annexation. Such a strategy should include relevant environmental, financial and engineering studies.

Policy U4.5: Recognize Puget Sound Energy's Skagit County GMA Electrical Facilities Plan as the electrical facilities plan of the city of Sedro-Woolley and its urban growth area (UGA).

Policy U4.6: As to great an extent as possible, require placement of utilities in transportation right-of-ways and utility corridors.

Exhibit 3

CPA-3-09

Reformatting of Comprehensive Plan –
Relocation of text in Chapter 9 into other sections of Comprehensive Plan

Planning Commission Recommended Amendments –
From November 17, 2009 P.C. meeting

EXHIBIT 3

~~Chapter 9~~

~~GOALS AND POLICIES~~

- ~~9.04 — Introduction~~
- ~~9.08 — Community Character~~
- ~~9.12 — Open Space~~
- ~~9.16 — Critical and Sensitive Areas~~

(Relocate section 9.04 of Chapter 9 into Section 1.04 of the Introduction and Vision Statement of the Comprehensive Plan)

~~9.04~~ 1.04

...

Consistency with State Growth Management Goals

The data used to develop this comprehensive plan is to the greatest extent possible the best available data. The city has coordinated its plan with that of adjacent jurisdictions and the county in order to achieve compatibility and external consistency. In addition, the Growth Management Act requires consistency and/or compatibility with the planning goals set forth in the Act. The following are the goals from the Act (shown in italics), below which are listed the policies from the Sedro-Woolley Comprehensive Plan that support and/or are consistent with these goals. ~~The Sedro-Woolley Comprehensive Plan Goals and Policies are listed in their entirety in Chapter 8 of this plan.~~

~~INTRODUCTION~~ Goals and Policies

The goals and policies set forth ~~in this chapter~~ throughout the Comprehensive Plan are the result of the “visioning” process held by the city of Sedro-Woolley in the early stages of the development of the comprehensive plan. Some modifications have been made as a result of new developments in the planning process of the city and county and as a result of the special study recommendations.

It is envisioned that the adoption of some of these goals and policies will require several years to enact, especially in the area of development of design guidelines. The city will actively work to implement these goals and policies within the next five years prior to the first major review of the comprehensive plan. These goals and policies will be incorporated into the city’s codes as necessary and annually as amendments to the comprehensive plan.

Growth Management Act Goals

Urban Growth

Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

...

(Relocate sections 9.08, 9.12 and 9.16 of Chapter 9 at the end of the Section 2.16 – Land Use Goals and Policies – of the Land Use Element)

9.08 2.16

COMMUNITY CHARACTER

Goals and Policies

Goal ~~CC1~~ LU7: To preserve Sedro-Woolley's unique history and small-town character.

Policy ~~CC1~~ LU7.1: Preserve historically-significant buildings, trees and sites within the Sedro-Woolley urban growth area (UGA) through the development of historic preservation and urban forestry programs.

Policy ~~CC1~~ LU7.2: Preserve culturally-significant sites identified within the Sedro-Woolley urban growth area. Do not allow development or encroachment upon sites identified as significant by the Upper Skagit Tribe.

Policy ~~CC1~~ LU7.3: Recognize and retain logging and other timber-industry practices as a heritage of this community. Strive to preserve this heritage while supporting and encouraging the development of modern forest-practices industries.

Policy ~~CC1~~ LU7.4: Establish a renewable forest-industry and river wildlife theme for public spaces within the urban growth area (UGA).

Policy ~~CC1~~ LU7.5: Create and adopt a neighborhood plan for the central business district (CBD). Adopt design standards to preserve the "small town" character of the retail area.

Goal ~~CC2~~ LU8: To maintain a hospitable, welcome environment for new Sedro-Woolley residents.

Policy ~~CC2~~ LU8.1: At the neighborhood level, establish citizen welcoming committees, responsible for welcoming new Sedro-Woolley residents to the community.

Policy ~~CC2~~ LU8.2: Conduct community receptions concurrent with the opening of major apartment developments, mobile home parks or residential subdivisions. These receptions should be sponsored by the city in conjunction with local community organizations.

Policy ~~CC2~~ LU8.3: In conjunction with the Sedro-Woolley chamber of commerce, prepare a brochure entitled "Welcome to Sedro-Woolley." This brochure should provide emergency information, local history, information on annual community activities, and a community resource list. It should be distributed to all new Sedro-Woolley residents, and be available in both English and Spanish.

Goal ~~CC3~~ LU9: To welcome and encourage multi-culturalism.

Policy CC3.1: To not tolerate discrimination based upon sex, income, lifestyle, religion, language or place of origin in any activity occurring within the Sedro-Woolley urban growth area (UGA).

| Policy ~~CC3~~ LU9.2: Upon request, provide public documents and election materials in languages other than English.

| Policy ~~CC3~~ LU9.3: Encourage and promote the development of minority businesses within the urban growth area (UGA).

| Policy ~~CC3~~ LU9.4: Recognize and retain Native American culture present within and near the urban growth area (UGA). Improve and enhance relations with the Upper Skagit Tribe. Encourage development of Tribal businesses within the central business district (CBD).

| **Goal ~~CC4~~ LU10: To create a safe, active environment for youth.**

| Policy ~~CC4~~ LU10.1: To not tolerate the formation, activity or existence of gangs within the Sedro-Woolley urban growth area (UGA).

| Policy ~~CC4~~ LU10.2: Seek to reduce youth violence through intervention and education.

| Policy ~~CC4~~ LU10.3: In conjunction with community organizations and the Sedro-Woolley school district, provide comprehensive youth activity programming during after-school hours and evenings. Coordinate this programming with recreation activities proposed in the parks and recreation element of the comprehensive plan.

| **Policy ~~CC5~~ LU11: To further community values through education.**

| Policy ~~CC5~~ LU11.1: In conjunction with the Sedro-Woolley school district, ensure that the curriculum within Sedro- Woolley schools emphasizes community history and reflects community values.

| Policy LU11~~CC5~~.2: In conjunction with the Sedro-Woolley school district, ensure that the curriculum within Sedro-Woolley schools emphasizes social and environmental responsibility.

| Policy ~~CC5~~ LU11.3: Establish a joint agreement between the city of Sedro-Woolley and the Sedro-Woolley school district for joint use of city and school facilities as necessary to accomplish the goals of the parks and recreation elements of the comprehensive plan.

| Policy ~~CC5~~ LU11.4: Coordinate and administer a series of community forums to educate community residents about changes occurring within Sedro-Woolley related to growth. Where possible, these forums should be led by citizens.

| **Goal ~~CC6~~ LU12: To provide local representation and community empowerment.**

| Policy ~~CC6~~ LU12.1: Ensure constitutional representation on the city council.

- | Policy ~~CC6~~ LU12.2: File application with the state of Washington to be recognized as a code city.
- | Policy ~~CC6~~ LU12.3: Reactivate the city's ward system. Redelineate wards and/or add new wards to reflect the distribution of population. Extend wards to the limits of the urban growth area (UGA).
- | Policy ~~CC6~~ LU12.4: Within neighborhood wards, encourage residents to organize local improvement districts (LID's) to repair residential streets. Also encourage residents to participate in community awareness programs, such as blockwatch.
- | Policy ~~CC6~~ LU12.5: Encourage neighborhood residents to resolve local disputes through neighborhood wards.
- | Policy ~~CC6~~ LU12.6: Commit to honest, equal citizen participation in city processes. Encourage, respect and reward citizen activism.

9.12

OPEN SPACE

~~Goals and Policies~~

- | **Goal ~~OS1~~ LU13: To provide open space buffers within and adjacent to Sedro-Woolley's Urban Growth Area.**
- | Policy ~~OS1~~ LU13.1: Designate floodplain areas for open space, recreational, and agricultural purposes.
- | Policy ~~OS1~~ LU13.2: The city shall provide input and coordinate the review of development proposals with Skagit County to ensure the integrity of unincorporated open space within Sedro-Woolley's urban growth area.
- | **Goal ~~OS2~~ LU14: To preserve Sedro-Woolley's existing agricultural lands and heritage.**
- | Policy ~~OS2~~ LU14.1: Work to adopt an agricultural preservation overlay zone which reduces development pressure and enhances the long-term viability of existing agricultural uses within the urban growth area. This zone would be enacted upon petition by the property owner and not imposed by the city.
- | Policy ~~OS2~~ LU14.2: Recognize and promote the benefits of agricultural land which include maintaining open spaces, establishing rural character, preserving view corridors, enhancing wildlife habitat, and providing employment for the residents of Skagit County.
- | **Goal ~~OS3~~ LU15: To resolve conflict between existing agricultural uses and quickly growing residential areas.**

| Policy ~~OS3~~ LU15.1: Work to develop “Right to Practice Agriculture/Forestry” ordinances which require notification of home buyers adjacent to resource lands or related operations.

| Policy ~~OS3~~ LU15.2: Establish a building setback of fifty (50) feet and a tree-planting setback of thirty (30) feet for residential areas along the perimeter of the urban growth area which are adjacent to agricultural areas. Explore the allowance of a density credit for the setback area.

9.16

~~CRITICAL AND SENSITIVE AREAS~~

~~Goals and Policies~~

| **Goal ~~CSA1~~ LU16: To protect, sustain and maintain Sedro-Woolley’s critical areas, sensitive areas, and natural resource lands for present and future generations.**

| Policy ~~CSA1~~ LU16.1: Provide necessary funds to identify, inventory, and classify sensitive and critical areas and natural resource lands within the urban growth area (UGA).

| Policy ~~CSA1~~ LU16.2: Provide the public, staff, and decision making bodies with information pertaining to the identification, classification, and designation of critical areas.

| Policy ~~CSA1~~ LU16.3: Require, as appropriate, site-specific delineation of sensitive and critical areas by owners/developers of property as part of the development review process.

| Policy ~~CSA1~~ LU16.4: Provide incentives to encourage the use of environmentally sensitive designs such as cluster housing, that would provide for adequate open space and protection of critical areas.

| Policy ~~CSA1~~ LU16.5: Promote land use patterns and methods of development that will protect the value of sensitive and critical areas, and prevent hazardous conditions.

| Policy ~~CSA1~~ LU16.6: Develop funding mechanisms to permit the city acquisition of sensitive/open space areas for the public benefit. Integrate public park and/or trail systems with natural areas where appropriate, but ensure that such uses do not degrade the natural function of these areas.

| Policy ~~CSA1~~ LU16.7: Coordinate efforts with appropriate Skagit County and state of Washington agencies to provide maximum protection for critical and natural resource areas.

| **Goal ~~CSA2~~ LU17: To control the impacts of development activities on the quality of surface and ground water.**

| Policy ~~CSA2~~ LU17.1: Establish clearing, grading and filling restrictions in areas where such activities will impact water resources and associated habitat areas.

- | Policy ~~CSA2~~ LU17.2: Establish storm water runoff controls which prevent erosion, sedimentation, and discharge of pollutants into natural drainage systems.
- | Policy ~~CSA2~~ LU17.3: Preserve and enhance vegetation as a means of protecting both water quality and wildlife habitat.
- | Policy ~~CSA2~~ LU17.4: Develop construction management practices which reduce the potential for erosion and water quality both during and after land development and construction.
- | Policy ~~CSA2~~ LU17.5: Require future developments to use city sewer facilities whenever feasible rather than septic systems.
- | Policy ~~CSA2~~ LU17.6: Allow wetland or stream alteration when such alterations results in restoration or enhancement of functions and values of degraded wetlands and streams.
- | Policy ~~CSA2~~ LU17.7: Maintain or enhance water quality within the Skagit River and its tributaries.
- | Policy ~~CSA2~~ LU17.8: Under no circumstances should hazardous wastes be allowed to contaminate the groundwater, surface water or sewer systems of the city of Sedro-Woolley. Dispose of hazardous wastes only in landfills designated for that purpose.
- | Policy ~~CSA2~~ LU17.9: Coordinate basin-wide surface-wide surface water planning with the Skagit County surface water management department.
- | Policy ~~CSA2~~ LU17.10: Water-courses, wetlands, bodies of water and their shores should be kept in a natural condition where possible, and protected from development impacts through the use of buffers and green spaces.
- | Policy ~~CSA2~~ LU17.11: Conduct an inventory of all significant drainage patterns and make this information available to planners and the public.
- | Policy ~~CSA2~~ LU17.12: Preserve natural; stream environments along the Skagit River and Hansen Creek. Restrict development within two hundred (200) feet of both streams, in compliance with the Shoreline Management Act (SMA).
- | **Goal ~~CSA3~~ LU18: To protect steep slopes and unstable soil areas from the impacts of development, and likewise protect development from hazards posed by the steep slopes and unstable soils.**
- | Policy ~~CSA3~~ LU18.1: Prohibit or strictly limit development in steep slope and unstable soil areas which pose seismic and/or erosion hazards.
- | Policy ~~CSA3~~ LU18.2: Require geotechnical analysis for developments with steep slopes and/or unstable soil areas to understand the extent of potential hazards.

- | Policy CSA3 LU18.3: Adopt construction standards, zoning requirements, and enforcement procedures to protect life, property, and the environment in geologically hazardous areas.
- | Policy CSA3 LU18.4: Prohibit or restrict clearing of vegetation in areas which are susceptible to landslides and erosion.
- | Policy CSA3 LU18.5: Encourage hillside stabilization and replanting of disturbed slopes in order to prevent erosion and further degradation of steep slopes and unstable soil areas.
- | Policy CSA3 LU18.6: Require the use of vegetative buffers to separate areas of development from critical and steep slope areas.
- | **Goal CSA4 LU19: To preserve, enhance, and promote a high degree of air quality in Sedro-Woolley.**
- | Policy CSA4 LU19.1: Encourage the use of alternative modes of transportation, such as, carpooling, public transit, walking, and biking, in order to reduce the amount of automobile emissions.
- | Policy CSA4 LU19.2: Discourage the use of wood burning as a primary source of household heat and promote alternative heating sources.
- | Policy CSA4 LU19.3: Limit the burning of leaves, brush and debris on designated days of the week or times of the year.
- | Policy CSA4 LU19.4: Insure that local industries, commercial businesses, and residents comply with state, federal, and local environmental regulations concerning air quality.

Exhibit 4(E)

Section 2.16 of the Land-Use Element of the Comprehensive Plan

...

2.16 - LAND USE GOALS AND POLICIES

EXHIBIT 4E

...

Goal LU6: To provide clear review and approval processes for land use actions.

Policy LU6.1: Adopt a future land-use map as a part of this comprehensive plan as a guide for development of zoning regulations.

Policy LU6.2: The following categories shall be used on the future land use map. Permitted uses will be refined in the development regulations which shall accompany the comprehensive plan.

CBD: Central Business District. Allows all forms of commerce which are geared to the centralized provision of goods and services within easy walking distance. Commercial retail and office uses are allowed on the first floor, and retail compatible uses on the second floor. In addition, multifamily housing located above the first floor or at the rear of a commercial and/or retail occupancy is allowed.

MC: Mixed Commercial. Allows a compatible mix of commercial and residential development with standards intended to present an attractive and welcoming appearance to visitors at the entrances to the city and at selected nodes along major roads.

I: Industrial. Allows office parks, wholesaling, manufacturing, live/work units, and limited retail and services.

R-15: Residential (15). Allows multi-plex developments of up to eight units per building, to a maximum density of fifteen (15) dwelling units per acre.

R-7: Residential (7). Allows single lot developments to a maximum density of seven units per acre, with a minimum lot size of six thousand (6,000) square feet. Allows duplexes on appropriately sized lots (minimum duplex lot size of nine thousand (9,000) square feet). Allows planned residential developments (PRDs) with varying residential densities as a conditional use.

R-5: Residential (5). Allows single lot developments to a maximum density of five units per acre, with a minimum lot size of eight thousand four hundred (8,400) square feet. Allows planned residential developments (PRDs) with varying residential densities as conditional uses.

P: Public Facilities. Allows parks, schools, public infrastructure and other developments intended primarily for public use.

OS: Open Space. Land which may not be residentially developed. Includes identified sensitive and critical areas. Agriculture and recreational uses shall remain a permitted use in open space areas under the provisions established for sensitive or critical areas.

S: Special Districts provide opportunity for land use designations to accomplish specific public policy goals that include overlay zones and other zoning approaches, including:

Urban Village Mixed-Use (UVMU) overlay zone. An overlay zone, in a specific geographic area, that allows for and encourages higher density residential and commercial development in a mixed-use development. This overlay zone will encourage higher concentration of development allowing for open space, efficient use of land and a more urbanized environment.

Policy LU6.3: Establish a concurrency review procedure. The developer shall be responsible for providing information on impacts the proposed development will have on public services. The city shall be responsible for determining if adequate public facilities can be provided to the development within the confines of the current Capital Facilities Plan.

Policy LU6.4: Develop and implement design review procedures for all land use zones. Residents and property owners in the affected designation areas shall be involved in this process, to the extent possible.

Policy LU6.5: Develop and implement a local historic and cultural preservation procedure.

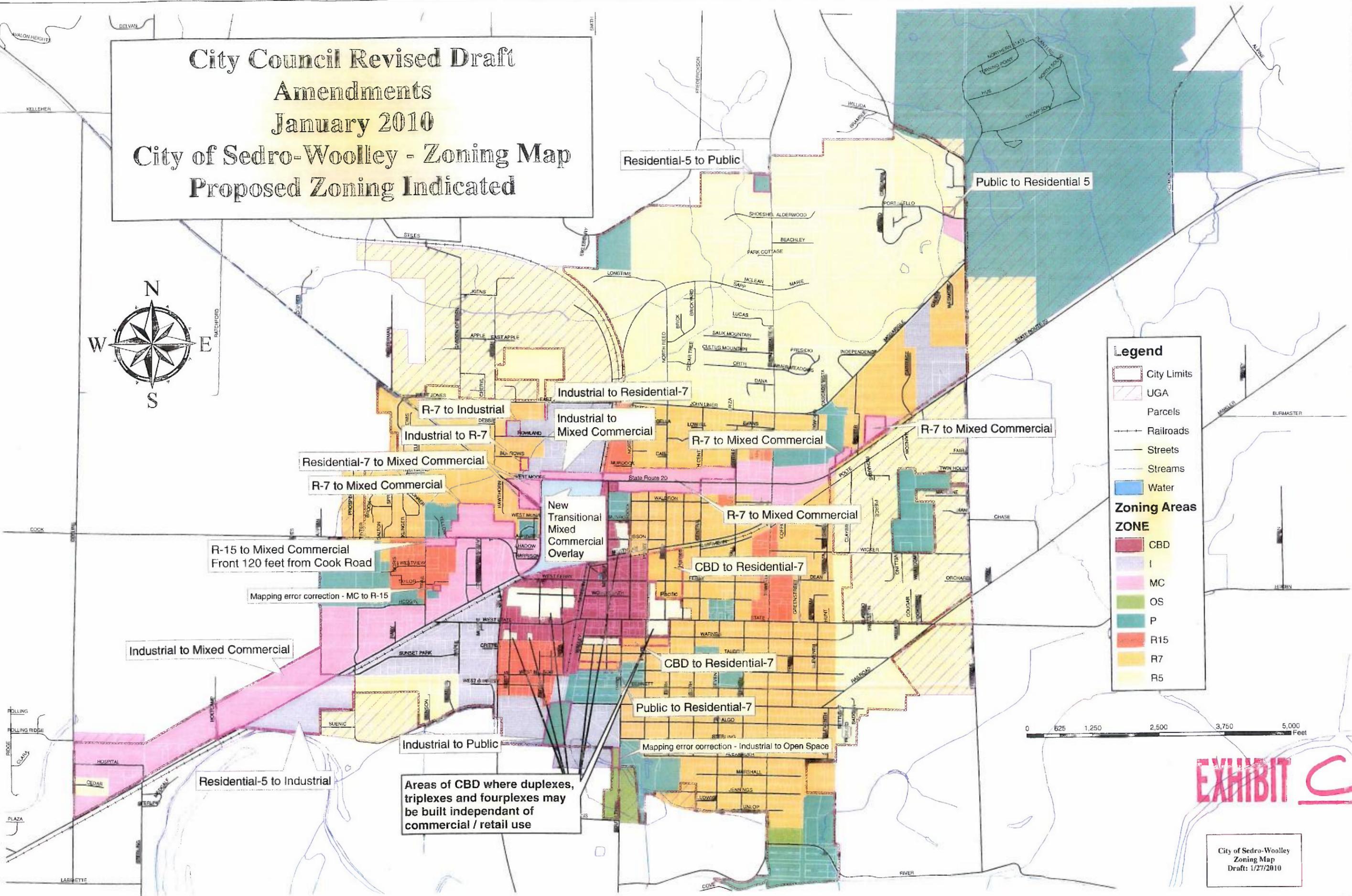
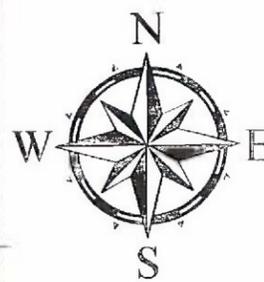
Policy LU6.6: Encourage community involvement and participation in the land use decision making process, and provide understandable information and notices to affected residents and the press, to enable meaningful involvement and participation.

Policy LU6.7: The city should develop a Transfer of Development Rights (TDR) program to preserve open space and respect private property rights.

Transitional Mixed Commercial Overlay

The intent of this overlay is to encourage the conversion of the underlying zone from Industrial to Mixed Commercial Zone. Ultimately, the area in the overlay is intended to become a compatible mix of commercial and residential development. Standards are intended to present an attractive and welcoming appearance to visitors. This area is situated at the center of town and is highly visible from State Route 20 and State Route 9. The area is intended to develop commercially so as to attract more visitors to the core of the city, which includes the adjacent Central Business District. The Transitional Mixed Commercial overlay is intended to allow the continuing use of the property for its historical industrial uses as the commercial transition process proceeds.

**City Council Revised Draft
Amendments
January 2010
City of Sedro-Woolley - Zoning Map
Proposed Zoning Indicated**



Legend

- City Limits
- UGA
- Parcels
- Railroads
- Streets
- Streams
- Water

Zoning Areas

ZONE

- CBD
- I
- MC
- OS
- P
- R15
- R7
- R5



Areas of CBD where duplexes, triplexes and fourplexes may be built independant of commercial / retail use

EXHIBIT C

Ordinance No. _____

AN ORDINANCE OF THE CITY OF SEDRO-WOOLLEY, WASHINGTON ADOPTING AMENDMENTS TO THE SEDRO-WOOLLEY MUNICIPAL CODE AS REVIEWED AS PART OF THE 2009 COMPREHENSIVE PLAN DOCKET

WHEREAS, the City of Sedro-Woolley desired to amend the Sedro-Woolley Comprehensive Plan as part of the 2009 docket process; and

WHEREAS, the City of Sedro-Woolley established an on-going public participation process in accordance with RCW 36.70A.130(2) including the regular Planning Commission meetings, joint City Council and Planning Commission workshop(s), and Public Meetings to discuss proposed changes to the Comprehensive Plan; and

WHEREAS, several public hearings were conducted before the Sedro-Woolley Planning Commission between the dates of April 21, 2009 and November 17, 2009; and

WHEREAS, the environmental review of the updated Comprehensive Plan has been completed and a Determination of Non-Significance was issued on December 2, 2009; and

WHEREAS, the proposed amendments to the Comprehensive Plan have been submitted to the Washington State Department of Commerce and the required 60-day review period expired on January 2, 2010 without receiving comment; and

WHEREAS, the Planning Commission has reviewed the proposed update to the Comprehensive Plan as contained in this ordinance and made a recommendation to the City Council to adopt revisions to the Comprehensive Plan;

WHEREAS, the Growth Management Act gives authority to Sedro-Woolley to update its Comprehensive Plan once per year in such a manner that all proposed amendments are considered by the governing body concurrently such that the governing body may evaluate their cumulative effect; and

WHEREAS, an additional public hearing was held before the City Council on January 13, 2010, during which meeting the City Council accepted public testimony, reviewed written comments, closed the public hearing and continued the discussion to the January 27, 2010 meeting; and

WHEREAS, the City Council directed the Planning Department staff to modify the Planning Commission's recommendation prior to resubmitting to the City Council for consideration; and

WHEREAS, the City Council finds that it is in the interests of the public health, safety and welfare to adopt the revisions to the Municipal Code as set forth below;

**NOW THEREFORE THE CITY COUNCIL OF THE CITY OF SEDRO-WOOLLEY
DOES ORDAIN AS FOLLOWS:**

Section 1. The City Council hereby adopts the Planning Commission *Findings of Fact* numbered 1 through 61, which were certified by the Planning Commission Chair on January 8, 2010, as the City Council *Findings of Fact*, as attached as Exhibit A.

Section 2. The *Sedro-Woolley Municipal Code* is hereby amended to read as set forth in the Planning Commission recommendations as attached in Exhibits B, C, D, E and F, which are adopted by reference.

Section 3. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. This ordinance shall take effect five (5) days after the approval by the City Council and publication as provided by law.

PASSED by majority vote of the members of the Sedro-Woolley City Council this _____ day of _____, _____, and signed in authentication of its passage this _____ day of _____, _____.

Mike Anderson, Mayor

Attest:

Patsy Nelson, Clerk/Treasurer

Approved as to form:

Eron Berg, City Attorney

Published _____

Exhibit A

CITY OF SEDRO-WOOLLEY PLANNING COMMISSION
STATE OF WASHINGTON

<p>File #s – Requested by:</p> <p><u>CPA-1-09</u> Sedro-Woolley Planning</p> <p><u>CPA-2-09</u> Sedro-Woolley Planning</p> <p><u>CPA-3-09</u> Sedro-Woolley Planning</p> <p><u>CPA-4-09</u> S-W City Council</p>	<p>2009 COMPREHENSIVE PLAN AMENDMENT REQUESTS – 2009 DOCKET –</p> <p>PLANNING COMMISSION FINDINGS OF FACT, CONCLUSIONS AND RECOMMENDATION</p>
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Description of proposed amendments to the Comprehensive Plan & Land-Use Map

Per the Growth Management Act (Chapter 36.70A RCW), changes to the Sedro-Woolley Comprehensive Plan may be considered no more than once per year. Amendments may be suggested by citizens, staff of elected officials. All proposed amendments to the Comprehensive Plan must be considered at one time. The list of proposed amendments is termed the “Docket.” Four proposals for Comprehensive Plan, Zoning/Land Use Maps and development regulation changes were requested for inclusion on the 2009 Comprehensive Plan Docket. All items on the 2009 Docket are City sponsored; no requests from the public at-large were received. All four items were Docketed and reviewed by the Planning Commission in accordance with State and local rules. Those for proposed amendments are as follows:

CPA-1-09 – Update of the Economic Development Element

The Sedro-Woolley Planning Department (Planning) requested that the Economic Development Element of the Sedro-Woolley Comprehensive Plan be updated in anticipation of the required 2012 deadline to update each of the elements of the Comprehensive Plan. Per the GMA, the comprehensive Plan must be updated by 2012; individual elements or the Plan in its entirety may be adopted prior to the 2012 deadline. The Planning Department Docketed this element in 2009, leaving time to work on other elements during the 2010, 2011 and 2012 Comprehensive Plan review cycles. The Economic Development Element was last updated in 2000.

CPA-2-09 – Update of the Public Utilities Element

Planning requested that the Public Utilities Element of the Sedro-Woolley Comprehensive Plan be updated in anticipation of the required 2012 deadline to update each of the elements of the Comprehensive Plan. The Economic Development Element was last updated in 2005.

CPA-3-09 – Update to formatting of the Comprehensive Plan concerning Chapter 9

As part of the effort to update and improve the organization of the Comprehensive Plan, Planning requested that the text found in Chapter 9 of the Comprehensive Plan be relocated to the Introduction and Land-Use Element of the Plan. Chapter 9 is a remnant of the original Comprehensive Plan passed in 1998. Over the years the Comprehensive Plan has been reformatted to include the Goals and Policies in the relevant element of the Comprehensive Plan, but three sets of goals and policies remained in Chapter 9. Chapter 9 is proposed to be eliminated, and the goals and policies therein moved to the Land Use element. The introduction to Chapter 9 is proposed to be relocated to the Introduction to the Comprehensive Plan (Chapter 1).

CPA-4-09 – City-wide Rezone and associated amendments to Comprehensive Plan and Development Regulations

The Sedro-Woolley City Council requested that the Sedro-Woolley Zoning and Comprehensive Land-Use Zoning Maps be amended to address citizen concerns about the compatibility of properties zoned Industrial with neighboring, non-Industrially zoned properties. The Planning Commission reviewed the Industrial zoning code, the requirements for screening in the landscaping code as well as the zoning map. Because the Planning Commission was opening the entire zoning map for complete review, many other rezone requests were considered as well and limited residential uses were proposed in the Central Business District (CBD). As a result of the comprehensive zoning map and Industrial Zone review, changes were recommended to the definitions found in the zoning code, the CBD rules, the Industrial Zone rules, the screening requirements in the Landscaping Code, the land Use Element of the Comprehensive Plan, the zoning map (and Comprehensive Land Use map) and a new Transitional Mixed Commercial Overlay.

Planning Commission Finding of Fact

Conformance with Growth Management Act (GMA)

1. On December 10, 2008, December 24, 2008, January 6, 2009, and January 20, 2009, the City of Sedro-Woolley advertised in the Courier Times that the deadline for accepting applications and proposals for Land Use Plan and Zoning Map Amendments or text amendments to the City's development regulations will be January 30, 2009.
2. No requests for Land Use Map, Zoning Map or Comprehensive Plan amendments were received from the public at-large.

3. On March 3, 2009 the City Council and Planning Commission reviewed the four items that were proposed for inclusion on the 2009 Comprehensive Plan Docket. The City Council decided to place all four items on the 2009 Docket. The City Council directed the Planning Commission to hold public hearings on the Docket items and make recommendations for the Council to consider.
4. Per RCW 36.70A.106, notice of the proposed zoning and Comprehensive Plan amendments were sent to the Washington State Department of Commerce (COMM) for 60-day review on October 30, 2009 and accepted on November 2. The review period expired January 2, 2010 and no COMM comments were received.
5. A SEPA DNS for the 2009 Docket was issued on December 2, 2009.

CPA-1-09 – Economic Development Element of the Comprehensive Plan

6. At the regular Planning Commission meeting held March 17, 2009, the four items that the City Council approved for inclusion on the 2009 Docket – including the update of the Economic Development Element – were presented to the Planning Commission. An overview of the projects was presented, but the Planning Commission did not embark in a substantive discussion of the items at that meeting.
7. On April 7, 2009, in compliance with Chapters 17.60 and 2.90 SWMC, notice of an April 21 Comprehensive Plan Hearing in front of the Planning Commission and opportunity to comment on the proposal was published in the Courier-Times. No public comments on the proposed amendments to the Economic Development Element of the Comprehensive Plan were received in advance of the hearing.
8. A staff report dated April 21, 2009 was submitted to and reviewed by the Planning Commission prior to the public hearings. The staff report was also available to the public ahead of the hearing date.
9. On April 21, 2009 the Planning Commission held an open record public hearing to receive testimony from City Staff and the public.
10. At the hearing staff presented the background concerning the development of the existing Economic Development Element and made a recommendation that the Planning Commission review the element closely and propose amendments for the City Council to consider.
11. After receiving input from the Planning Commission at the April 21 hearing, staff proposed several changes in a memo dated May 19, 2009. That memo was available for public review ahead of the May 19 hearing.
12. On May 15, 2009, notice of a Comprehensive Plan Hearing in front of the Planning Commission on May 19 and opportunity to comment on the proposal was published in the Skagit Valley Herald. No public comments on the proposed amendments to the Economic Development Element were received in advance of the hearing.
13. After receiving input from the Planning Commission and the public at the May 19 hearing, staff proposed additional changes in a memo dated June 16, 2009. That memo was available for public review ahead of the June 16 hearing. No members of the public commented on the issue at that meeting.
14. On June 5, 2009, notice of a June 16 Comprehensive Plan Hearing in front of the Planning Commission and opportunity to comment on the proposal was published in the Skagit Valley Herald. No public comments on the proposed amendments to the Economic Development Element were received in advance of the hearing.

15. At the June 16 hearing, the Planning Commission reviewed the revised recommendations and made final draft recommendations to be synthesized into the final proposed amendments. The final draft recommended amendments to the Economic Development Element were reviewed to assure that they are consistent with the rest of the Comprehensive Plan and development regulations. The Planning Commission elected to wait until they had an opportunity to complete its review of all four Docket items before taking a vote on the drafted final recommendations.
16. On November 17, 2009, at the conclusion of the Planning Commission review of the Docket, the commission took a final look at the proposed amendments to the Economic Development as shown in the staff memo dated November 17, 2009. That public hearing was advertised in the November 5 Skagit Valley Herald. No public comments about the proposed amendments to the Economic Development Element of the Comprehensive Plan were received ahead of or at the public hearing.
17. The Planning Commission recommended additional changes and a motion to approve the amendments to the Economic Development Element was made and passed 7-0.
18. At the December 15, 2009 meeting, the Planning Commission confirmed the accuracy of the text of amendments as presented in a memo dated December 15, 2009.

CPA-2-09 – Public Utilities Element of the Comprehensive Plan

19. At the regular Planning Commission meeting held March 17, 2009, the four items that the City Council approved for inclusion on the 2009 Docket – including the update of the Public Utilities Element – were presented to the Planning Commission. An overview of the projects was presented, but the Planning Commission did not embark in a substantive discussion of the items at that meeting.
20. On April 7, 2009, in compliance with Chapters 17.60 and 2.90 SWMC, notice of an April 21 Comprehensive Plan Hearing in front of the Planning Commission and opportunity to comment on the proposal was published in the Courier-Times. No public comments on the proposed amendments to the Public Utilities Element of the Comprehensive Plan were received in advance of the hearing.
21. A staff report dated April 21, 2009 was submitted to and reviewed by the Planning Commission prior to the public hearings. The staff report was also available to the public ahead of the hearing date.
22. On April 21, 2009 the Planning Commission held an open record public hearing to receive testimony from City Staff and the public. No public comments were received ahead of or at the hearing.
23. At the hearing staff reviewed the existing Public Utilities Element and made a recommendation that the Planning Commission review the existing element and propose amendments for the City Council to consider. Staff committed to providing the updated information concerning the operation of each utility described in the element.
24. Because the Public Utilities Element addresses infrastructure and services provided by private companies and utility providers, staff contacted each of those providers. Multiple conversations and written correspondences were made over a period of several months between May and November 2009. Using the information gathered from the utility/service providers, staff revised much of the Public Utility Element text.
25. On June 5, 2009, notice of a June 16 Comprehensive Plan Hearing in front of the Planning Commission and opportunity to comment on the proposal was published in the

- Skagit Valley Herald. No public comments on the proposed amendments to the Element were received in advance of the hearing. Staff was still actively gathering data from the utility providers, thus no major revisions were proposed by staff ahead of this hearing.
26. At the June 16, 2009 Planning Commission hearing, the Planning Commission discussed their goals for the Public Utility Element. No members of the public made comments.
 27. Staff incorporated the previous Planning Commission comments and data gathered from the utility providers into a final recommended draft of the Public Utilities Element into a memo dated November 17, 2009.
 28. On November 17, 2009, at the conclusion of the Planning Commission review of the Docket, the commission took a final look at the proposed amendments to the Economic Development as shown in the staff memo dated November 17, 2009. That public hearing was advertised in the November 5 Skagit Valley Herald. No public comments about the proposed amendments to the Public Utilities Element of the Comprehensive Plan were received ahead of or at the public hearing.
 29. The Planning Commission recommended additional changes and a motion to approve the amendments to the Public Utilities Element was made and passed 7-0.
 30. At the December 15, 2009 meeting, the Planning Commission confirmed the accuracy of the text of amendments as presented in a memo dated December 15, 2009.

CPA-3-09 – Update to formatting of the Comprehensive Plan concerning Chapter 9

31. At the regular Planning Commission meeting held March 17, 2009, the four items that the City Council approved for inclusion on the 2009 Docket – including the reformatting of the Comprehensive Plan to locate the goals and policies in a predictable, consistent manner – were presented to the Planning Commission. An overview of the projects was presented, but the Planning Commission did not embark in a substantive discussion of the items at that meeting.
32. On April 7, 2009, in compliance with Chapters 17.60 and 2.90 SWMC, notice of an April 21 Comprehensive Plan Hearing in front of the Planning Commission and opportunity to comment on the proposal was published in the Courier-Times. No public comments on the proposed goals and policies formatting changes to the Comprehensive Plan were received in advance of the hearing.
33. A staff report dated April 21, 2009 was submitted to and reviewed by the Planning Commission prior to the public hearings. The staff report was also available to the public ahead of the hearing date.
34. On April 21, 2009 the Planning Commission held an open record public hearing to receive testimony from City Staff and the public.
35. At the hearing staff presented on overview of how the formatting of the goals and policies became inconsistent and made a recommendation that the Planning Commission recommend the amendments proposed in the April 21 staff report for the City Council to consider.
36. On June 5, 2009, notice of a June 16 Comprehensive Plan Hearing in front of the Planning Commission and opportunity to comment on the proposal was published in the Skagit Valley Herald. No public comments on the proposed goals and policies formatting amendments were received in advance of the hearing.

37. At the June 16, 2009 Planning Commission hearing, the Planning Commission ran out of time for a discussion of the goals and policies formatting. No members of the public made comments on the issue.
38. On November 17, 2009, the Planning Commission concluded its review of CPA-3-09 and the proposed amendments concerning the goals and policies formatting within the Comprehensive Plan as shown in the staff memo dated November 17, 2009. At this hearing the commission also concluded its review of the rest of the Docket. That public hearing was advertised in the November 5 Skagit Valley Herald. No public comments about the proposed formatting amendments were received ahead of or at the hearing.
39. The Planning Commission made a motion to approve the goals and policies formatting amendments; the motion passed 7-0.
40. At the December 15, 2009 meeting, the Planning Commission confirmed the accuracy of the text of amendments as presented in a memo dated December 15, 2009.

CPA-4-09 – City-wide Rezone and associated amendments to Comprehensive Plan and Development Regulations

41. At the regular Planning Commission meeting held March 17, 2009, the four items that the City Council approved for inclusion on the 2009 Docket – including the Citywide rezone and associated changes to city maps, the Comprehensive Plan and development regulations – were presented to the Planning Commission. An overview of the four Docket items was presented, but the Planning Commission did not embark in a substantive discussion of the items at that meeting.
42. On April 7, 2009, in compliance with Chapters 17.60 and 2.90 SWMC, notice of an April 21 Comprehensive Plan Hearing in front of the Planning Commission and opportunity to comment on the proposal was published in the Courier-Times. No public comments on CPA-4-09 were received in advance of the hearing; however, recent property owner-requests for rezoning were included in the record.
43. A staff report dated April 21, 2009 was submitted to and reviewed by the Planning Commission prior to the public hearings. The staff report was also available to the public ahead of the hearing date.
44. On April 21, 2009 the Planning Commission held an open record public hearing to receive testimony from City Staff and the public.
45. At the hearing, staff gave a presentation on the intent and origin of the citywide rezone and proposal for amendments to the Industrial zone and Central Business District (CBD). Staff made a recommendation that the Planning Commission hold several public hearings and additional open houses and send notices to city residents and property owners to gather public opinion prior to proposing any amendments for the City Council to consider. Future hearings with the Planning Commission on CPA-4-09 were postponed until July so additional public notice could be arranged and to allow the commission could focus on the other Docket items before taking on the much more time consuming rezone.
46. On July 9, 2009 notice of a public hearing in front of the Planning Commission on July 21 for CPA-4-09 was published in the Skagit Valley Herald. Notice was also posted on the City website.

47. A memo dated July 21, 2009 amending the earlier staff report was submitted to and reviewed by the Planning Commission prior to the public hearings. The memo included proposed zoning changes that would limit the impact of Industrial property on the neighboring single family residential zones by using a step-zoning concept - locating high density residential zoned property in between Industrial and single family zones. The memo was also available to the public ahead of the hearing date. One site-specific rezone request was received ahead of the hearing and included with materials for the Planning Commission to review.
48. Several members of the public commented at the July 21 hearing. Planning Commission and public comments did not favor the proposed step-zoning concept.
49. On July 25, 2009 a notice that the city is undertaking a citywide rezone was commissioned to be delivered to every address in the city as well as to every owner of property within city limits. The notice included the following five public hearing and open houses where information about the proposed rezone could be obtained and comments shared with city officials: August 18 public hearing; August 20 open house, September 8 open house, September 8 public hearing and; October 20 public hearing.
50. On July 25, 2009 notice that CPA-4-09 would be discussed at the August 4 joint Planning Commission/City Council worksession was published in the Skagit Valley Herald.
51. At the August 4, 2009 worksession the Council and Planning Commission discussed mitigating the impacts of Industrial property on residential property. The step-zone concept was determined to not be the desired method; the use of landscaping and other physical buffering concepts was identified as a preferred alternative.
52. In response to the comments received at previous meetings, several revisions were proposed on the zoning map to eliminate earlier suggested step-zone concept. In addition, revisions to the landscaping code (Chapter 17.50 SWMC) to increase buffering requirements for industrial properties adjoining other zones.
53. A memo dated August 18, 2009 amending the earlier staff report was submitted to and reviewed by the Planning Commission prior to the public hearings. The memo included more revisions to the proposed zoning changes and eliminated the earlier proposed step-zoning concept. The memo was available to the public ahead of the hearing date.
54. On August 18, 2009 the Planning Commission held an open record public hearing to receive further testimony from the public on CPA-4-09.
55. An evening open house was held on August 20, 2009 so owners and residents could interact with staff and city officials, make comments and learn more about the potential rezones in a more relaxed environment than a formal hearing. A second open house was held in the afternoon of September 8, 2009.
56. An open public hearing was held in the evening on September 8, 2009. Notice of the hearing was posted in the September 3 Skagit Valley Herald and an article about the rezone project appeared in the September 2, 2009 Courier Times, wherein the hearing date was also noted. A memo dated September 8, 2009 again amending the earlier staff report was submitted to and reviewed by the Planning Commission prior to the public hearings. The memo included several revisions to the zoning map, additional changes to the Title 17 SWMC – Zoning and all written public comments received between the beginning of the project and September 2, 2009. The memo was also available to the public ahead of the hearing date.

57. On October 6, 2009 notice that a public hearing in front of the Planning Commission will be held on October 20 for CPA-4-09 was published in the Skagit Valley Herald. Notice was also posted on the City website.
58. On October 20, 2009 the Planning Commission held an open record public hearing to receive further testimony from the public on CPA-4-09. A memo dated October 20 made further revisions to the original staff report and included the written public comments received between September 2 and October 14. The October memo was available to the public ahead of the hearing date.
59. A final public hearing on CPA-4-09 was held on November 17, 2009. A memo dated November 17 included updates to the original staff report and included the written public comments received between October 14 and November 6. The November memo was available to the public ahead of the hearing date.
60. A property owner on West State Street requested that his property be rezoned from Industrial to CBD. One neighbor and three associates spoke in support of the concept. As a result of the discussion about the merits of having CBD- zoned property on West State Street between State Route 9 and Trail Road, the Planning Commission concluded that most of the properties in that area can be zoned CBD and included that area in its recommended map amendments.
61. The Planning Commission concluded its discussion of CPA-4-09 and made a motion to recommend several changes to the Comprehensive Plan (including the Comprehensive Plan map), Zoning Map and Title 17 SWMC – Zoning. The motion carried 7-0.

Planning Commission Recommendations

CPA-1-09 – Economic Development Element of the Comprehensive Plan

Based on the findings of fact and information submitted to the Planning Commission, the Planning Commission recommends that the City Council **approve** amendments to the Economic Development Element of the Comprehensive Plan as shown in Exhibit 1.

CPA-2-09 – Public Utilities Element of the Comprehensive Plan

Based on the findings of fact and information submitted to the Planning Commission, the Planning Commission recommends that the City Council **approve** amendments to the Public Utilities Element of the Comprehensive Plan as shown in Exhibit 2.

CPA-3-09 – Update to formatting of the Comprehensive Plan concerning Chapter 9

Based on the findings of fact and information submitted to the Planning Commission, the Planning Commission recommends that the City Council **approve** amendments to the Introduction, Land Use Element and Chapter 9 of the Comprehensive Plan as shown in Exhibit 3.

CPA-4-09 – City-wide Rezone and associated amendments to Comprehensive Plan and Development Regulations

Based on the findings of fact and information submitted to the Planning Commission, the Planning Commission recommends that the City Council **approve** amendments to the Zoning Map, Comprehensive Land-Use Map (Appendix A to the Comprehensive Plan), Land Use Element of the Comprehensive Plan and Title 17 of the Sedro-Woolley Municipal Code as shown in Exhibit 4.

EXHIBITS

- Exhibit 1 – Recommended amendments to the Economic Development Element of the Sedro-Woolley Comprehensive Plan. File CPA-1-09.
- Exhibit 2 – Recommended amendments to the Public Utilities Element of the Sedro-Woolley Comprehensive Plan. File CPA-2-09.
- Exhibit 3 – Recommended formatting changes to the Sedro-Woolley Comprehensive Plan which are reflected in amendments to the Introduction, Land Use Element and Chapter 9 of the plan. File CPA-3-0.
- Exhibit 4 – Recommended amendments to the Title 17 SWMC – Zoning, the City Zoning Map, Comprehensive Plan Map and Land Use Element of the Sedro-Woolley Comprehensive Plan. File CPA-4-09. (Including sub-exhibits A through H)

CERTIFICATION



Rick Judd, Planning Commission Chairman

1-8-10

Date

Chapter 17.24 – CENTRAL BUSINESS DISTRICT (CBD) ZONE

Sections:

- 17.24.010 Use restrictions.
- 17.24.020 Bulk restrictions.
- 17.24.030 Minimum lot size requirements.
- 17.24.040 Hazardous waste.
- 17.24.050 Parking.

17.24.010 Use restrictions.

Use restrictions in the central business district shall be as follows:

A. Permitted Uses.

1. All forms of commerce; geared to the centralized provision of goods and services within easy walking distance. Commercial retail and office use on the first floor, and retail compatible uses on the second floor;
 2. Multifamily housing located above the first floor or at the rear of a commercial and/or retail occupancy. An exception from the buffering and fencing requirement exists for upper story residences in existing buildings in an area bordered by the tracks to the west, Puget Street to the east, the tracks to the north, and Warner Street to the south;
 3. Multifamily housing, between two (2) and four (4) units per building, may be allowed independent of commercial uses outside of the area bordered by the tracks to the west, Puget Street to the east, the tracks to the north, and Warner Street to the south. Also excluded is property fronting on Metcalf Street, West Ferry Street, West State Street and property abutting the tracks between Rita Street and Walley Street (south of State Street). Multifamily housing per this subsection must also meet the following:
 - i. The front entries must be oriented towards the public right-of-way.
 - ii. The development must meet the requirements of the Sedro-Woolley design standards for the CBD and multifamily development;
 34. Parking lots serving any use; provided they are at the rear of a retail or commercial building, or facing a street other than Metcalf, Ferry, Woodworth, or State.
 45. Quasi-public uses;
 56. Public uses;
 67. Public facilities.
- B. Conditional Uses. All uses not permitted above.
- C. Prohibited Uses: Adult entertainment establishments; heavy industrial uses as defined in 17.28; wireless communication towers.

17.24.020 Bulk restrictions.

Bulk restrictions in the central business district (CBD) shall be as follows:

- A. Minimum setbacks: none; Maximum setback: ten feet if pedestrian features are included.
- B. Maximum building height: thirty-five feet. Building height may be increased if the City Fire Department has a ladder truck and approved by the Fire Chief.

17.24.030 Minimum lot size requirements.

Minimum lot size requirements in the central business district (CBD) shall be as follows:

- A. Lot area: none;
- B. Lot frontage on a street: twenty feet.

EXHIBIT B

17.24.040 Hazardous waste.

On-site hazardous waste treatment and storage facilities as accessory to a permitted or conditional use are allowed as a conditional use; provided, such facilities comply with the state hazardous waste citing standards and Sedro-Woolley and State Environmental Policy Act requirements.

17.24.050 Parking.

A. Intent: To encourage the creation of a downtown parking district administered by the city. It would be authorized to collect in-lieu parking fees from new residential uses downtown and use that revenue, with any other revenue it generates, to manage a downtown parking district. The district may construct and maintain downtown parking for motor vehicles and bikes, lease parking, or otherwise monitor the provision of adequate parking and/or promotion of alternatives to driving.

B. The goal of the central business district is to create a pedestrian-friendly environment and to encourage commerce. Parking requirements in the downtown shall be as follows:

1. There shall be no off-street parking requirement for residential dwellings in association with a commercial or retail use in the Central Business District. New commercial or retail development may propose a shared parking arrangement to the planning director for review and approval.

2. Parking for residential buildings that do not include commercial uses per 17.24.010.A(3) shall be accessed from the alley when an alley exists. The number of spaces required for residential buildings that do not include commercial uses shall be as follows:

<u>Studio</u>	<u>1 Space</u>
<u>1 Bedroom</u>	<u>2 Spaces</u>
<u>2 Bedrooms</u>	<u>2 Spaces</u>
<u>3 Bedrooms</u>	<u>3 Spaces</u>
<u>4 or more bedrooms</u>	<u>4 Spaces</u>
<u>Visitor/Overflow Spaces</u>	<u>1 additional space per 8 units</u>

Rooms indicated on building plans as “office,” “extra room,” “play room” or other rooms that may reasonably be considered for use as a bedroom may be counted as bedrooms for parking purposes by the Planning Director.

3. There shall be a minimum off street parking apron of 25-foot in length directly in front of all garage doors for residential buildings that do not include commercial uses per 17.24.010.A(3).

Chapter 17.04 – Administrative Provisions

17.04.030 Definitions.

1. “Accessory” means subordinate and incidental to, typically associated with, and located on the same ownership. Private garages attached to or within the residence shall adhere to the setback requirement of the residence. In all cases, there shall be a minimum off-street parking apron of twenty feet in length directly in front of all garage door entrances when accessing a street either to the front or side of a residence. Where garage doors access an alley, the off-street parking apron shall be at least ten feet; accessory structures shall not contain any habitable space or room.
2. “Adult entertainment” means any enterprise from which minors are excluded and which sells, rents or displays sexually explicit matter, including, but not limited to adult bookstores, adult magazine stores, stores selling sexually oriented adult games or devices, adult motion picture theaters, adult peep shows, establishments where nude or topless dancing or specified sexual activities or displays regularly occur or other business.
3. “Adult or family day care facilities” means a daytime facility for an adult who needs some level of care but does not need the level of care provided by an RN or rehabilitative therapist. Facilities may provide services such as personal care, social services and activities, education, routine health monitoring, general therapeutic activities, meals, coordination of transportation, first aid and emergency care.
34. “Area” means total horizontal area. “Lot area” for purposes of calculating buildable area shall not include the area encompassed in flag driveways to a property set back from a private or public drive, street or road.
45. “Building” means an enclosed structure capable of being heated. This word shall always be considered as being followed by the phrase “or portion thereof.”
6. “Child day care centers” provide temporary care of children as defined by the State Department of Social and Health Services, preschool or nursery school.
57. “Commerce” means trade in goods and/or services excluding industry.
68. “Conditional use” means a use allowed only by conditional use permit in a particular zone, including uses accessory to the conditional use.
79. “Coordinated local zoning” is zoning which permits off-site treatment and storage facilities in one jurisdiction to serve the off-site facility needs of other jurisdictions; provided, the coordinated zoning is documented by signed agreements between all affected jurisdictions.
810. “Corner lot” means a lot with frontage on more than one public right-of-way, excluding alleys.
911. “Dependent relative cottage” means a single-family residence which:
 - a. Is located on the same lot as another single-family residence;
 - b. Is inhabited only by the relative of the other single-family residence which relative is only able to safely maintain a separate household due to the support or supervisory care of family members in close proximity;
 - c. Is designed for ease of removal, dismantling, or conversion to an accessory use after termination of use as a dependent relative cottage; and
 - d. Meets the setback requirements for an accessory building.
1012. “Duplex” means a building containing two dwelling units. A duplex must be built on-site and consists of one structure with two residential units. The units must be connected by a common wall or a carport. Duplex units should be constructed with a compatible design and materials to the surrounding neighborhood. In addition, in the instance where a duplex unit is created by the addition of another unit to an existing unit, the new unit must be compatible with the design and materials of the existing unit.

113. "Dwelling unit" means a building or buildings providing complete housekeeping facilities including bathroom and kitchen for one household only, excluding recreational vehicles, trailers, boat, prisons and medical care facilities.

14. "Essential public facility (EPF)" means any public facility or facilities owned or operated by a unit of local or state government, public or private utility, transportation company, or any other entity that provides a public service as its primary mission, and is difficult to site. EPFs include those facilities listed in RCW 36.70A.200. EPFs include, but are not limited to, those facilities which are difficult to site, such as airports, state educational facilities, state and regional transportation facilities, state and local correctional facilities, solid waste handling facilities, power generation or communications facilities, in-patient facilities (including substance abuse facilities, mental health facilities and group home facilities not classified as single-family residences) and secure community transition facilities as defined in this section. For the purposes of Chapter 17.88, animal shelters housing more than fifty animals at any one time and hazardous waste storage/disposal/processing/handling facilities shall be reviewed as EPFs.

1215. "Fence" means a linear structure or controlled plant growth more than three feet high, the primary purpose of which is to enclose, divide or screen.

1316. "Floor area" means combined area of all floors of a building measuring from the exterior faces of the exterior walls, excluding spaces lacking standing headroom. Common open areas in shopping malls are excluded for the purpose of computing required off-street parking.

1417. "Gross density" means the total number of dwelling units located on a parcel of land divided by the total area of the parcel.

1518. "Group home" means a building providing lodging to four or more persons unrelated to the principal residing family, excluding multifamily residences, "hotels" (defined as commercial buildings providing lodging for ten or more persons on a transient basis), "hospitals" (defined as medical care facilities whose patients are partly or entirely nonresidents thereof), and institutions of involuntary detention. This definition includes, among other things, boardinghouses and bed and breakfast establishments. "Adult or family day care" and "child day care" facilities are not included under the group home definition. "Adult or family day care facilities" means a daytime facility for an adult who needs some level of care but does not need the level of care provided by an RN or rehabilitative therapist. Facilities may provide services such as personal care, social services and activities, education, routine health monitoring, general therapeutic activities, meals, coordination of transportation, first aid and emergency care, includes permanent or temporary lodging and care facilities for the elderly and physically and mentally disabled, as defined by the State Department of Social and Health Services (DSHS). "Child day care centers" provide temporary care of children as defined by the State Department of Social and Health Services, preschool or nursery school.

1619. "Hazardous waste" means all dangerous waste (DW) and extremely hazardous waste (EHW) as defined in RCW 70.105.010.

1720. "Hazardous waste storage" the holding of dangerous waste for a temporary period as regulated by the state of Washington dangerous waste regulations. WAC Chapter 173-303. (Hazardous waste treatment and storage facilities are facilities that require an interim or final status permit from the Department of Ecology under dangerous waste regulations, WAC Chapter 173-303.)

1821. "Hazardous waste treatment" means the physical, chemical, or biological processing of dangerous waste to make wastes nondangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume.

1922. "Height" (of a structure) means the vertical distance between the average elevation of the finished ground surface along the entire perimeter of a structure and the highest point of the structure's roof, walls or other principal elements.

2023. "Home occupation" means a gainful occupation carried on in a residence in which:
a. No outside help is employed on the premises;

- b. The business utilizes no more than twenty-five percent of the gross floor area of the structure in which it is located;
- c. There is no more than two additional vehicles parked on or in the vicinity of the property due to the business at any one time;
- d. There are no more than twelve clients or customers visiting per week and there is not more than two clients on the premises at any one time;
- e. No work areas or storage of materials are visible from off the premises, nor other exterior indication given of anything other than a residence;
- f. No nuisance is created beyond what would normally be expected in a residential area.

24. "Hospital" means a medical care facilities whose patients are partly or entirely nonresidents thereof, and institutions of involuntary detention (not including prisons).

25. "Hotel" means a commercial building (or buildings) providing lodging for ten or more persons on a transient basis.

2426. "Industry" means any and all steps in the gainful making of goods where substantial retail contact is unnecessary (excluding low-intensity agriculture) and the gainful provision of services which create nuisances beyond the customary traffic, runoff, signs, and other such impacts normally associated with commercial uses. This definition includes, among other things, factories, mills, nonretail bakeries, high intensity agriculture, wrecking yards, fuel distributors, cement processing, storage yards for heavy equipment and massive construction materials, and heavy equipment repair. This definition may or may not include, depending on individual characteristics, automotive repair, warehousing, transportation facilities, lumberyards, public utilities, feed/ seed/grain stores and research facilities.

2227. "Kennel" means a place where more than three dogs and/or one litter of puppies are kept, gainfully or otherwise.

28. "Light Manufacturing" means any manufacturing activity that does not create noise, smoke, odors or any other nuisance that can be detected from outside the building.

2329. "Lot" means a contiguous quantity of land under one ownership, with fixed boundaries, which can legally be bought and sold separately from other lands.

2430. "Lot width at building line" means the distance between side lot lines, defined as the two lot lines most nearly perpendicular to the street on which the lot fronts, provided that:

- a. On corner lots measurement shall be along the shorter of the two front setback lines; and
- b. Where the front setback line is not straight, measurement shall be in a straight line connecting the ends of the line.

2531. "Low-intensity agriculture" means the production, raising or keeping of any form of crops, ornamental plants or animals; provided, that any animal, excluding household pets such as dogs and cats, such as horses, cattle, hogs, pigs, goats, sheep, bovine animals, chickens, fowl or any other animals, poultry or fowl, shall not be raised, kept or maintained on a lot or ownership of less than forty thousand square feet.

2632. "Mobile home" means a prefabricated dwelling unit transportable in one or more sections, which in the traveling mode is eight feet or more in width and forty body feet or more in length, and which is built on a permanent chassis and designed to be used as a dwelling with a permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein. Mobile homes must meet the requirements of HUD or the State Department of Labor and Industries.

2733. "Mobile home park" means an ownership on which more than one mobile home is located and intended for occupancy.

2834. "Multifamily residence" means a building containing more than one dwelling unit, also including apartments in the sense of dwelling units contained within a building primarily used for nonresidential purposes, though there may only be one dwelling unit in such building.

2935. "Multiuse stormwater facility" means a facility that incorporates underground infiltration or otherwise contains no standing water for a period of at least nine months per year, has side slopes of no steeper than 4:1, and is used as common open space or as play areas defined in SWMC Chapter 17.38, as approved by the city engineer.

3036. "Net density" means the number of dwelling units located on buildable land; which excludes public rights-of-way, private access easements, driveways, or tracts, utility corridors, stormwater facilities, critical areas and their buffers, and other areas which are unbuildable. Seventy-five percent of multiuse stormwater facilities may be counted towards total buildable area.

3137. "Nuisance" means any use or neglect in maintenance of land or structures which has unreasonably annoying, unpleasant, unsafe or unsanitary effects on neighbors or the public in general, including noise, air pollution, water pollution, runoff, odors, glare, unsightliness, vibration, electrical disturbance, vermin infestation, attractive nuisances, fire or explosion hazard, and obstruction or endangering of public ways as defined in Chapter 8.16.

3238. "Office" means a building where work of a professional, consulting, clerical, administrative or information-processing nature is the primary use, excluding banking and lending institutions, including among other things:

a. Doctors, lawyers, engineers, etc.;

b. Advertising consultants, counselors, designers, secretarial services, etc.;

c. Brokerages where the brokered good is not tangibly present, such as real estate, insurance, travel, etc.; and

d. The administrative branch of a larger organization.

3339. "Off-site treatment and storage facilities"* means off-site facilities which treat and store hazardous wastes from generators on properties other than those on which the off-site facilities are located.

3440. "On-site treatment and storage facility"* means on-site facilities which treat and store hazardous wastes generated on the same parcel of property where the on-site facility or facilities are located.

3541. "Open-air vending" means any commercial activity in which goods or services are advertised and which is conducted without the complete or partial shelter of a building on the same ownership, including such activities which, though conducted on the same ownership as an indoor commercial activity, are dissimilar to said indoor commercial activity.

3642. "Ownership" means a lot or group of contiguous lots under the ownership.

3743. "Permitted use" means a use permitted within a zone, including uses accessory to the permitted use.

* Hazardous waste treatment and storage facilities are facilities that require an interim or final status permit from the Department of Ecology under dangerous waste regulations, WAC Chapter 173-303.

3844. "Personal services" means a business providing services to clients such as beauty salons, which generally have not more than two clients on the premise at any given time.

45. "Processing" means the operations of making or treating a product. Processing of hazardous materials or processing activities that result in the production of hazardous materials is not included under this definition.

3946. "Professional office" means an office primarily offering services or licensed business guaranteed by a licensing agency or board.

4047. "Public use" means a use carried on by a government agency or its authorized representative.

4148. "Quasi-public use" means a use which serves nonprofit social or religious ends, such as churches, clubhouses, private schools and nonpublic social service organizations.

4249. "Recreational vehicle" means a motor vehicle designed to also serve as a temporary living quarter.

50. "Secure community transition facility (SCTF)" means, under RCW 71.09.020, a residential facility for persons civilly committed and conditionally released to a less restrictive alternative under

Chapter 71.09 RCW. A secure community transition facility has supervision and security, and either provides or ensures the provision of sex offender treatment services. Secure community transition facilities include but are not limited to the facility established pursuant to RCW 71.09.250 and any community-based facilities established under this chapter and operated by the Washington State Secretary of Social and Health Services or under contract with the Secretary. For the purposes of Chapter 17.88, SCTFs also include supervised or unsupervised, private or publicly owned re-entry housing, work-release housing, half-way housing or any such housing with the primary purpose or use being the lodging of occupants who have been convicted of a felony.

4351. "Setback" means the shortest horizontal distance between a lot line and the exterior surface of any building fence or other significant sight-obscuring structure located on such lot, provided that:

- a. If the lot line lies within a proposed public right-of-way or proposed widening thereof as designated in the comprehensive plan, as determined by reference to the functional categorization of streets and right-of-way width standards for each, then the setback shall be measured from the revised lot line that would result from such new right-of-way or widening thereof.
- b. The following protrusions shall be considered exempt from setback requirements to a maximum of three feet:

- i. Eaves;
- ii. Bay windows;
- iii. Chimneys and fireplaces;
- iv. Unenclosed, uncovered porches, terraces, landings or steps;
- v. Other incidental components in conformance with the intent of this definition.

4452. "Setback, front" means the setback from any lot line adjoining a public street right-of-way. Corner lots have two front lot lines.

4553. "Setback, side" means the setback from the two lot lines most nearly perpendicular to the streets on which the lot fronts. Corner lots have two side lot lines. In the case of irregularly shaped lots with more than four sides, all lot lines other than the front and rear shall be considered side lot lines.

4654. "Setback, rear" means the setback from the lot line most distant from and parallel to the street on which the lot fronts. Corner lots have no rear lot line. In the case of irregularly shaped lots with more than four sides, the zoning administrator shall designate a rear lot line which conforms to the intent of these definitions.

4755. "Sign" means a publicly displayed advertising, directional, or information device excluding:

- a. Flags and similar primarily nonverbal symbols of governmental, religious or civic organizations;
- b. Traffic-control devices, verbal or nonverbal, maintained by the public agency with jurisdiction over the thoroughfare;
- c. Minor notices such as conventional no soliciting, open, closed, for rent and for sale signs; and
- d. Signs located so as to be viewed only from the ownership on which they are located.

4856. "Single-family residence" means a dwelling unit which is unattached to any other dwelling unit.

4957. "Structure" means a stationary manmade object or part thereof erected on the ground with an intention of some permanence, excluding objects less than three feet in height.

5058. "Trailer" means a device designed to be drawn by a motor vehicle and provide temporary living quarters.

5159. "In-home rental" and "mother-in-law apartment" means a one-bedroom rental unit contained within a single-family residential structure, which shares an entrance to the residence in common with the primary portion of the residence, does not occupy more than twenty-five percent of the residential space of the residence, and which shares a kitchen or bathroom in common with the primary portion of the residence.

5260. "Vision clearance triangle" means the area that provides the visibility required for safe access to streets from cross streets, driveways and alleys.

61 “Wholesaling” means the warehousing of materials or goods for sale abroad and generally is related to shipping of materials and goods and not retail sales.

53. ~~“Essential public facility (EPF)” means any public facility or facilities owned or operated by a unit of local or state government, public or private utility, transportation company, or any other entity that provides a public service as its primary mission, and is difficult to site. EPFs include those facilities listed in RCW 36.70A.200. EPFs include, but are not limited to, those facilities which are difficult to site, such as airports, state educational facilities, state and regional transportation facilities, state and local correctional facilities, solid waste handling facilities, power generation or communications facilities, in-patient facilities (including substance abuse facilities, mental health facilities and group home facilities not classified as single family residences) and secure community transition facilities as defined in this section. For the purposes of Chapter 17.88, animal shelters housing more than fifty animals at any one time and hazardous waste storage/disposal/processing/handling facilities shall be reviewed as EPFs.~~

54. ~~“Secure community transition facility (SCTF)” means, under RCW 71.09.020, a residential facility for persons civilly committed and conditionally released to a less restrictive alternative under Chapter 71.09 RCW. A secure community transition facility has supervision and security, and either provides or ensures the provision of sex offender treatment services. Secure community transition facilities include but are not limited to the facility established pursuant to RCW 71.09.250 and any community based facilities established under this chapter and operated by the Washington State Secretary of Social and Health Services or under contract with the Secretary. For the purposes of Chapter 17.88, SCTFs also include supervised or unsupervised, private or publicly owned re-entry housing, work release housing, half way housing or any such housing with the primary purpose or use being the lodging of occupants who have been convicted of a felony.~~

...

17.50.120 Screening requirements.

A. Purpose. The requirements of this section are intended to reduce the visual impacts and incompatible characteristics of:

1. Abutting properties with different land use classifications;
2. Service areas and facilities, including loading and storage areas;
3. Any other use or area as required under this section or by the planning commission;
4. Oncoming or glaring headlights when required by the public works department.

B. Landscaping. Screen planting shall consist of evergreen trees planted a maximum of fifteen feet on center; deciduous trees for seasonal color and texture planted a maximum of fifteen feet on center; and medium-sized shrubs (three to five feet at maturity) at five feet on center and ground cover plants at a density to form an effective barrier to cover eighty-five percent of the ground surface within two years. Irrigation must be installed for all screening areas.

C. Minimum Width. The landscaped screening area shall be thirty fifteen feet wide and vegetation shall be 80% sight obscuring at time of planting and 100% within 2 years that extends a minimum of six feet above the adjacent sidewalk or road right-of-way unless the use of an earth berm, fence, or wall is incorporated into the screening, as provided below:

1. Earth Berm Alternative. If an earth berm that extends a minimum of six feet above the adjacent sidewalk or road right-of-way is incorporated into the screening plan, medium-sized shrubs shall be spaced a maximum of four and one-half feet on center and the width of the screening area may be reduced to fifteen ten feet with landscaping per section B.
2. Fence Alternative. If a fence that extends a minimum of six feet above the adjacent sidewalk or road right-of-way is incorporated into the screening plan, option is selected, maximum spacing of medium-sized shrubs shall be six feet on center, and the width of the screening area may be reduced to fifteen seven feet with landscaping per section B. The fence shall be subject to design approval by the planning director either wood or chainlink with slats.
3. Wall Alternative. If a wall that extends a minimum of six feet above the adjacent sidewalk or road right-of-way is incorporated into the screening plan, at least five feet high is to be used for screening, the planting requirements shall be as specified under Section 17.50.060(C) of this chapter, and the screening area may be reduced to ten five feet with landscaping per section B. Screen walls shall be constructed with masonry, block, or textured concrete, subject to design approval by the planning director.

D. Uses Requiring Screening. The planning commission may require screening Screening is required to protect adjacent properties from probable negative impacts of any permitted or conditional use in a district zone. Except as otherwise required by the planning commission, s Screening shall be required in the following instances:

1. Developments located in districts zones on the left side of the chart, below, shall provide screening when adjoining districts zones specified on the right side of the chart.

<u>District Zone to Be Developed</u>	<u>District Zone to Be Screened</u>
Residential-15 (R-15)	Any other residential zone
Public	Any residential zone
Mixed commercial	Any residential zone
Industrial commercial	Any residential zone, mixed commercial zone, Public zone

2. Mobile home parks shall have screening installed around the perimeter of the development in the required open space buffer, which shall not be less than twenty feet in width.

3. ~~Churches, community clubhouses, and other similar conditional uses shall provide perimeter screening~~Unless otherwise required through the conditional use process, screening is not required along public right-of-ways except in the Industrial zone. Screening along public right-of-ways is required in the Industrial zone when the zoning across the public right-of-way is zoned anything other than Industrial.

4. ~~Heavy industrial uses such as wrecking yards, gravel operations, concrete plants, lumber mills and similar uses shall provide screening at least twenty feet in width along property lines adjoining residential, and mixed commercial districts.~~

E. Any material that enhances the visual appearance and screening may be utilized. ~~Chain-link may be used only as an element of a design using other primary materials.~~ All screening materials are subject to design review as per SWMC Chapter 15.44.

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Chapter 17.28 – INDUSTRIAL (I) ZONE

Sections:

- 17.28.005 Intent.
- 17.28.010 Use restrictions.
- 17.28.020 Bulk restrictions.
- 17.28.030 Minimum lot size requirements.
- 17.28.040 Screening requirements.
- 17.28.050 General regulations on uses and property.
- 17.28.060 Design review.

EXHIBIT E

17.28.005 Intent.

The intent of the industrial zone is to provide appropriately located areas for manufacturing, warehousing, distribution, and office uses to enhance the city's economic base in a manner that minimizes impacts to surrounding non-industrial zones. The standards recognize the market preferences and construction techniques characteristic of this type of use. Commercial, retail, and residential uses are permitted at a limited scale so as to preserve the majority of land in this category for industrial and business uses.

17.28.010 Use restrictions.

Use restrictions in the industrial (I) zone shall be as follows:

A. Permitted Uses.

1. Office parks, medical services wholesaling, and light manufacturing, ~~and processing, and industrial development;~~
2. Industrial equipment, supplies, services, including storage;
3. ~~Agriculture~~ Agricultural processing;
4. Parking lots serving any use;
5. Trade schools, warehouses, storage, utilities other than wireless communications facilities, government services;
6. Limited retail and service uses up to five percent of the total site;
7. Live-work units as a transition between industrial and residential;
8. On-site day care serving a specified permitted use;
9. On-site recreational facilities serving a specified permitted use;
10. Adult entertainment establishments, as herein defined, provided that no adult entertainment establishment shall be located nearer than seven hundred fifty feet from any other adult entertainment establishment, and provided further that no adult entertainment establishment shall be located nearer than seven hundred fifty feet from any residential zone, seven hundred fifty feet from any school public or private, seven hundred fifty feet from any church, and seven hundred fifty feet from any park. Distances as provided in this subsection shall be measured by following a straight line, without regard to intervening buildings, from the nearest point of the property parcel upon which the proposed use is to be located to the nearest point of the parcel property of the land use from which the proposed use is to be separated.

B. Conditional Industrial Uses.

1. Vehicle wrecking yards, vehicle impound lots;
2. Power generation facilities;
3. Airports, heliports;
4. Prisons;
5. Incinerators;
6. Animal slaughtering and meat packing, food processing;
7. Wireless communication facilities;

8. On-site hazardous waste treatment and storage facilities as accessory to a permitted or conditional use are allowed as a conditional use; provided, such facilities comply with the state hazardous waste citing standards and Sedro-Woolley and State Environmental Policy Act requirements;

9. Garbage and/or recycling transfer stations or sorting facilities;

10. Composting facilities;

11. Foundries;

12. All uses not permitted above or otherwise prohibited.

C. Prohibited Uses. Residential uses other than those that are ancillary to an industrial use listed above.

17.28.020 Bulk restrictions.

A. Minimum setbacks to adjacent zones:

1. Setbacks to residential (R-5, R-7 and R-15) zones: Front setbacks shall be a minimum of twenty feet. Side setbacks shall be a minimum of thirty feet. Rear setbacks shall be a minimum of thirty feet.
2. Setbacks to all other zones: Front setbacks on an arterial street shall be a minimum of twenty feet. Side setbacks shall be a minimum of twenty feet. Rear setbacks shall be a minimum of twenty feet.
3. Setbacks to the industrial zone: Buildings shall maintain a minimum ten foot setback to all lot lines when adjacent to other properties zoned industrial.

B. Building height restrictions: Building height restrictions shall be thirty-five feet. A variance to the building height restriction may be granted as set forth in SWMC Chapter 17.60.

17.28.030 Minimum lot size requirements.

There is no categorical minimum lot size for industrial uses in this zone. However the lot size may be made a condition of approval in design review and conditional uses if relevant in those proceeding.

17.28.040 Screening requirements.

A six foot tall totally sight-obscuring fence, wall or other screen of equal effectiveness shall be maintained around all industrial storage and activity areas where adjacent to or across a public right-of-way from any other zone. The Planning Director may waive the screening requirement in a case where a permanent feature (such as an elevated railroad grade) that meets the screening requirements exists between the project and adjacent property. The screening requirements in SWMC 17.50.080 shall also apply. In the case of conflict between screening requirements, the higher standards shall apply.

17.28.050 General regulations on uses and property.

The following provisions shall apply to all new and expanded uses within this district zone when located adjacent to a residential zoned district:

- A. There shall be no unusual fire, explosion, or safety hazards;
- B. Sound levels are not to exceed levels established by noise control regulations of the Department of Labor and Industries. Maximum permissible environmental noise levels are not to exceed the levels of the environmental designations for noise abatement (EDNA) as established by the state of Washington, Department of Ecology (WAC 173-60-040);
- C. Pollution standards set by regional, state, or federal pollution control commissions or boards shall apply to all uses;
- D. There shall be no production of heat, glare, or vibration perceptible from any property line of the premises upon which such heat, glare, or vibration is being generated;
- E. If less intense uses are proposed, they shall be located adjacent to the residential zoning to lessen the impacts of the industrial activity. Uses such as live/work units, parking areas, office buildings, stormwater facilities and open spaces should be used as a transition between industrial and residential zoning.

17.28.060 Design review.

All developments in this zone which are subject to environmental review shall comply with the design review standards of SWMC Chapter 15.44 for conformance with this and other provisions of the city code.

Chapter 17.XX – Transitional Mixed Commercial Overlay

Sections:

- 17.20.005 Intent.
- 17.20.010 Use restrictions.
- 17.20.020 Bulk restrictions.
- 17.20.030 Minimum lot size requirements.
- 17.20.040 Hazardous waste.
- 17.20.050 Design review.
- 17.20.060 Parking for residential uses in the MC overlay.

EXHIBIT F

17.XXX.005 Intent.

The intent of this overlay is to encourage the conversion of the underlying zone from Industrial to Mixed Commercial Zone. Ultimately, the area in the overlay is intended to become a compatible mix of commercial and residential development. Standards are intended to present an attractive and welcoming appearance to visitors. This area is situated at the center of town and is highly visible from State Route 20 and State Route 9. The area is intended to develop commercially so as to attract more visitors to the core of the city, which includes the adjacent Central Business District. The Transitional Mixed Commercial overlay is intended to allow the continuing use of the property for its historical industrial uses as the commercial transition process proceeds.

17.XXX.010 Use restrictions.

Use restrictions in the Transitional Mixed Commercial Overlay shall be as follows:

A. Permitted Uses.

1. Retail, general services, recreational and cultural uses, light manufacturing;
2. Residential units contained above the first story of a commercial building (live/work units are specifically included), limited to eight such units per building;
3. Quasi-public uses;
4. Public uses;
5. Public utilities, other than wireless communications facilities;
6. Health facilities and services.

B. Conditional Uses. Wireless communications facilities. All other uses not otherwise prohibited.

C. Prohibited Uses. All uses not allowed as permitted or conditional uses are prohibited.

17.XXX.020 Bulk restrictions.

Bulk restrictions in the Transitional Mixed Commercial Overlay shall be as follows:

- A. Minimum setbacks: none; Maximum setback: ten feet if pedestrian features are included.
- B. Maximum building height: thirty-five feet. Building height may be increased if the City Fire Department has a ladder truck and approved by the Fire Chief

17.XXX.030 Minimum lot size requirements.

A. Lot area: There is no categorical minimum lot size for permitted uses in this overlay area. However the lot size may be made a condition of approval in design review and conditional uses if relevant in those proceeding.

B. Lot frontage on a public street or private street: twenty feet.

17.XXX.040 Hazardous waste.

On-site hazardous waste treatment and storage facilities as accessory to a permitted or conditional use are allowed a conditional use; provided, such facilities comply with the state hazardous waste citing standards and Sedro-Woolley and State Environmental Policy Act requirements.

17.XXX.050 Design review.

All developments in this zone which are subject to environmental review shall comply with the design review standards of SWMC Chapter 15.44 for conformance with this and other provisions of the city code.

17.XXX.060 Parking for residential uses in the MC zone.

The parking requirements for residential uses in the MC zone shall be as follows:

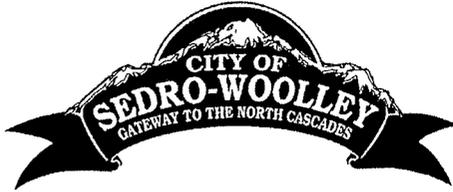
<u>Studio</u>	<u>1 space</u>
<u>1 bedroom</u>	<u>2 spaces</u>
<u>2 bedrooms</u>	<u>2 spaces</u>
<u>3 bedrooms</u>	<u>3 spaces</u>
<u>4 or more bedrooms</u>	<u>4 spaces</u>
<u>Visitor/overflow spaces</u>	<u>1 additional space per 8 units</u>

Parking spaces counted for residential use shall not also be counted towards non-residential parking requirements of SWMC Ch. 17.36 for this overlay.

NEW
BUSINESS

CITY COUNCIL AGENDA
REGULAR MEETING

JAN 27 2010



7:00 P.M. COUNCIL CHAMBERS
AGENDA NO. 8

CITY OF SEDRO-WOOLLEY

Sedro-Woolley Municipal Building
325 Metcalf Street
Sedro-Woolley, WA 98284
Phone (360) 855-9922
Fax (360) 855-9923

Eron M. Berg
City Supervisor/City Attorney

MEMO TO: City Council
FROM: Eron Berg
RE: SWMC 12.36
DATE: January 27, 2010

ISSUE: Should the Council adopt the attached ordinance adding new regulations for the use of City parks and facilities, allowing the mayor to add additional conditions of use for City premises and allowing the mayor or designee to exclude violators of those regulations or conditions from the City's premises?

BACKGROUND: This is a first reading for your consideration and is presented in response to the inundation of complaints received last year as a result of bad behavior by certain individuals in our parks. Specifically, spitting, fighting, swearing, stealing, intimidating, damaging city property, breaking laws and otherwise misbehaving individuals harassed and limited the use of our public parks by members of the general public.

This proposed ordinance is intended to give the SWPD additional regulations to enforce, as needed and create a whole new mechanism of excluding misbehaving individuals from City premises for a particular period of time.

Also attached is a draft of the type of policy the mayor would consider promulgating under the authority requested in this ordinance.

RECOMMENDATION: Comments and suggestions for the next draft and second reading, please.

Ordinance No.

AN ORDINANCE AMENDING CHAPTER 12.36 OF THE SEDRO-WOOLLEY MUNICIPAL CODE TO ADD NEW GENERAL REGULATIONS FOR THE USE OF CITY PARKS AND FACILITIES AND AUTHORIZING THE MAYOR TO ESTABLISH ADDITIONAL CONDITIONS OF USE, EXCLUDE INDIVIDUALS FOR VIOLATIONS OF THE GENERAL REGULATIONS OF ADDITIONAL CONDITIONS OF USE AND AUTHORIZING THE MAYOR TO PROMULGATE RULES TO EFFECTUATE THE AUTHORITY TO EXCLUDE.

Whereas, the City of Sedro-Woolley owns, maintains and operates a significant number of parks and facilities for the benefit and use of the public;

Whereas, the citizens of the community have complained about an increase in behavior that is disruptive to their use and enjoyment of City-owned premises;

Whereas, the City parks department staff have reported an increase in damage to City-owned premises due to destructive behavior;

Whereas, the City Council of the City of Sedro-Woolley wishes to implement policies that allow for the effective and efficient use of a variety of means of enforcement to discourage bad behavior and allow the public to use and enjoy their parks and facilities;

Whereas, the City Council for the City of Sedro-Woolley wishes to add new general regulations for the use of parks and facilities, allow the mayor to add additional conditions of use to be applied as needed at different premises and to allow the mayor to exclude individuals who violate either the general regulations or the conditions of use; and

Whereas, the City Council of the City of Sedro-Woolley finds that it is in the best interest of the City and the people of the City to adopt the following amendments to SWMC 12.36.

THE CITY COUNCIL OF THE CITY OF SEDRO-WOOLLEY DO HEREBY ORDAIN AS FOLLOWS:

Section 1. New sections are added to Sedro-Woolley Municipal Code, Chapter 12.36 and SWMC, Section 12.36.010 is hereby amended as set forth on the attached Appendix A and incorporated by reference.

Section 2. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

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

PASSED by the City Council of the City of Sedro-Woolley, Washington, and approved by its Mayor at a regular meeting of said Council held on the ____ day of _____, 2010.

MAYOR

Attest:

Finance Director

Approved as to form:

City Attorney

Published:

Appendix A

Amendments to portions of Chapter 12.36

CITY PARKS, RECREATIONAL VEHICLE FACILITIES AND COMMUNITY CENTER

12.36.010 City parks and facilities—General Regulations.

The following regulations shall apply to the use of city parks and facilities (“premises”):

- A. No person shall possess, display or consume any alcoholic beverages or intoxicating liquors while in any city park unless with a valid liquor permit.
- B. No person shall throw, drop, deposit, discard or otherwise dispose of litter in any city park except in a designated litter container.
- C. No person shall permit an animal in a city park except when contained by a leash, and animal waste must be picked up and properly disposed, provided, that the leash requirement in this section does not apply to dogs within the fenced perimeter of the S-W Bark Park when the dog is attended and under the control of the owner or of an authorized person over twelve years of age.
The mayor is authorized to promulgate rules and regulations for the use of the S-W Bark Park, the same shall be posted at the S-W Bark Park.
- D. No person shall enter the Skagit River from Riverfront Park, except when launching boats from the boat ramp, nor otherwise cross over the fence at the Riverfront Park.
- E. No person shall remove or relocate any tables, garbage cans, or other equipment in any city park.
- F. No person shall operate or park a vehicle in any city park except in designated traffic and parking areas, and in conformance with posted traffic regulations.
- G. No person shall use city park facilities without prior payment when such payment is required by ordinance.
- H. No person shall commit any felony while on the premises.
- I. No person shall commit any violation of the Sedro-Woolley Municipal Code while on the premises.
- J. All persons shall comply with any departmental rule or regulation for use of the premises.
- K. No person shall use profane and/or inappropriate language that is likely to offend, intimidate, harass, discriminate or inflame others.
- L. No person shall conduct himself/herself in a manner that unreasonably interferes with the use and enjoyment of the premises by other members of the public or the work environment of City staff.
- M. No person shall either cause damage to or act in a manner likely to cause damage to City property or the property of any other person.

12.36.____ Conditions of Use for City Parks and Facilities (“Premises”).

In addition to the General Regulations adopted in SWMC 12.36.010, the mayor is authorized to establish conditions of use for city premises and shall post those conditions in a manner calculated to give notice to members of the public.

12.36.____ Orders of Exclusion.

The mayor or designee is authorized to exclude members of the public from city premises for alleged violations of those conditions of use for a maximum of 180 days. Any person who has been served with an exclusion notice is subject to arrest for Criminal Trespass under SWMC 9.54.

The mayor is authorized to promulgate rules and regulations to effectuate this section and shall include in those rules and regulations a process for review of exclusion notices by the Sedro-Woolley Municipal Court.

CITY OF SEDRO-WOOLLEY PROCEDURES FOR EXCLUSION FROM CITY PROPERTY

A. Conditions of Use of City Premises

1. A person is subject to exclusion from City premises if he or she has violated a state or city law or regulation or any departmental rule.
2. A person may be excluded from City premises (“the premises”) in any of the following circumstances:
 - The person commits any felony while on the premises
 - The person commits any violation of the Sedro-Woolley Municipal Code while on the premises
 - The person fails to comply with any departmental rule or regulation for use of the premises
 - The person uses profane and/or inappropriate language that is likely to offend, intimidate, harass, discriminate or inflame others
 - The person conducts himself/herself in a manner that unreasonably interferes with the use and enjoyment of the premises by other members of the public or the work environment of City staff
 - The person either causes damage to or acts in a manner likely to cause damage to City property or the property of any other person

B. Notification

1. Conditions of Use of City Premises (“Conditions of Use”) will be posted in a manner calculated to give notice to members of the public.
2. A person violating any Conditions of Use will be advised of the violation and warned that continued violation will result in exclusion from the premises. There will be immediate exclusion without warning if the person’s behavior creates imminent danger of harm to persons or property.

C. Exclusion

1. City departmental directors or their designees may exclude from the premises anyone who violates the Conditions of Use.
2. The offender may be notified by delivery of an exclusion notice in person to the offender or by first class mail and certified mail to the offender at the offender's last known address.
3. The offender need not be charged, tried, or convicted of any crime or infraction in order for an exclusion notice to be issued or be effective.
4. The exclusion may be based upon observation by City employees or upon civilian reports that would ordinarily be relied upon by police officers in the determination of probable cause.
5. Unless otherwise provided, the period of the exclusion shall be 90 days from issuance of the notice of exclusion if the offender has not been the subject of a previous exclusion notice within one year prior to the current violation.
6. The period of the exclusion shall be 180 days from issuance of the notice of exclusion if the offender has been the subject of a previous exclusion notice within one year prior to the current violation.
7. The exclusion notice will be in writing, contain the date of issuance, specify the length and places of exclusion, and be signed by the issuing individual. Warning of the consequences for failure to comply will be prominently displayed on the notice.

D. Trespass

1. Any person who has been served with an exclusion notice is subject to arrest for Criminal Trespass under SWMC 9.54 if he or she either refuses to leave the property or enters onto the property during the exclusion period.
2. Departmental personnel will provide a copy of the exclusion notice and all witness information, upon request, to responding law enforcement officer(s).

E. Rescinding/Modifying a Notice of Exclusion - Hearings

1. An offender receiving a notice of exclusion may request a hearing to have the exclusion notice rescinded or modified.
2. A notice of exclusion should only be rescinded or modified following a hearing as described herein.
3. Hearings shall be in the Sedro-Woolley Municipal Court before an elected or pro tempore Sedro-Woolley Municipal Court judge.

4. The request for a hearing must be delivered to the issuing department or postmarked no later than seven days after the issuance date of the exclusion notice. The request for hearing must be in writing and must be accompanied by a copy of the exclusion notice on which the hearing is sought.
5. Immediately upon receipt of a notice of hearing, department staff will forward the information directly to the City Prosecutor, who will cause the scheduling of the hearing and take reasonable steps to notify the offender of the date, time, and place of the hearing.
6. The decision following a hearing is final. An offender seeking judicial review of exclusion must file an application for a writ of review in the Skagit County superior court
7. No determination of facts made by a person conducting a hearing under this section shall have any collateral estoppel effect on a subsequent criminal prosecution or civil proceeding and shall not preclude litigation of those same facts in a subsequent criminal prosecution or civil proceeding.
8. The notice of exclusion remains in effect during the period of any administrative or judicial proceeding.

F. Entry of Notice of Exclusion into the City of Sedro-Woolley Police Records Management System

1. Routing of notices of exclusion shall be as follows: Original to the Police Department, middle copy retained by issuing department, bottom copy to the person who is the subject of the order. Routing should be as soon as practicable after issuance of the order.
2. The Police Department will enter information from the order into a database on City network. This will be the only way for police to confirm the existence of an order until the order is entered into police records (see below).
3. When the period for requesting a hearing has passed, the Police Department will enter it into police records. Officers will at that point be able to confirm the existence of an order via mobile data terminals.
4. Once a notice of exclusion is turned in to the Police Department, no one except a municipal court judge may rescind or modify the order in any fashion, or grant a hearing to the offender. If, due to extraordinary circumstances, the need does arise to modify or rescind an order after it has been turned in to the police department, departments will coordinate with the Police Chief in advance.

G. Miscellaneous Provisions

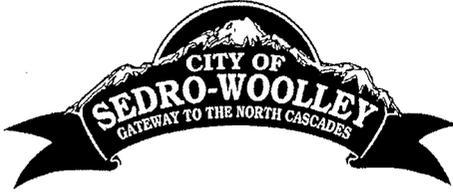
1. Any notice of exclusion that is turned in to the Police Department will be complete and on the standard notice of exclusion form.
2. These procedures apply when a person is actually on departmental premises and not when a person is in front of or adjoining city property.

Reviewed and approved this ____ day of _____, 2010.

Mike Anderson, Mayor

CITY COUNCIL AGENDA
REGULAR MEETING

JAN 27 2010



CITY OF SEDRO-WOOLLEY

7:00 P.M. COUNCIL CHAMBERS Sedro-Woolley Municipal Building
AGENDA NO. 9 325 Metcalf Street
Sedro-Woolley, WA 98284
Phone (360) 855-9922
Fax (360) 855-9923

Eron M. Berg
City Supervisor/City Attorney

MEMO TO: City Council
FROM: Eron Berg
RE: Council Meeting Ordinance
DATE: January 27, 2010

ISSUE: Should the Council adopt the attached ordinance changing the date and time of the last meeting in December?

BACKGROUND: Past practice has been to cancel the last meeting in December due to its proximity to the Christmas holiday. However, we find that our vendors suffer due to the delay in payment processing and in some cases, the City pays late fees as a result.

The recommendation from the finance department is to hold the last meeting for the limited purpose of paying bills and if desired, hosting a short open house for the public to interact with the Council. The draft ordinance would shift that last meeting to Tuesday and change the time to 4:00 P.M.

RECOMMENDATION: Motion to adopt Ordinance _____-10, an ordinance changing the date and time of the last Council meeting in December.

ORDINANCE NO.

AN ORDINANCE AMENDING SWMC 2.04 REGARDING CITY COUNCIL MEETINGS

Whereas, SWMC 2.04 sets the time and location for meetings of the City Council,
and

Whereas, the City Council desires to change the date and time for regular council meetings held during the week of Christmas,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEDRO-WOLLEY DO HEREBY ORDAIN AS FOLLOWS:

Section 1. SWMC 2.04.010 is amended to read as follows:

The city council shall hold regular meetings at seven p.m., on the first Tuesday and the second and fourth Wednesday of each month throughout the year, but whenever a regular meeting falls on a legal holiday now or hereafter designated as such by the laws of the state of Washington, such meeting shall be held at seven p.m. of the first day following which is not itself a legal holiday and provided that the meeting immediately before the Thanksgiving holiday each year shall be held on the fourth Tuesday of November rather than the fourth Wednesday and provided further than the meeting immediately before the Christmas holiday shall be held on the Tuesday before Christmas at 4:00 P.M. rather than the fourth Wednesday at 7:00 P.M.

Section 2. This ordinance shall be effective five (5) days after passage and publication as provided by law.

Section 3. The provisions of this ordinance are declared to be severable, and if any section, sentence, clause or phrase of this ordinance shall for any reason be held invalid or unconstitutional or if the application of this ordinance to any person or circumstances shall be held invalid or unconstitutional, such decisions shall not affect the validity of the remaining sections, sentences, clause or phrases of this ordinance.

Passed and approved this ____ day of January, 2010.

MAYOR

Attest:

Finance Director

Approved as to form:

City Attorney

COMMITTEE
REPORTS
AND
REPORTS
FROM
OFFICERS