

Next Ord: 1726-11
Next Res: 857-11

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

CITY COUNCIL AGENDA

December 28, 2011

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 Checks #73487 to # 73548 in the amount of \$130,497.44.
 - Payroll Checks #51956 to #52064 the amount of \$185,552.46.
 - c. Resolution 855-11 - Declaring Certain Property as Surplus and Authorizing its Disposition
 - d. Resolution 856-11 - Interfund Loan
 - e. Ordinance 1725-11 - Concerning the Salaries for Members of the City Council
 - f. Interlocal Correction/Detention Agreement with the City of Wapato
4. Swearing-in of newly elected Officials
 5. Public Comment (Limited to 3-5 minutes)

NEW BUSINESS

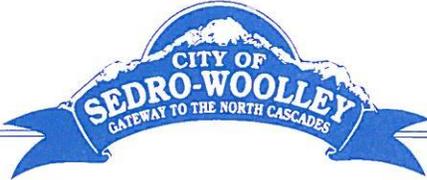
6. Mobile Vendors - Ordinance Revision (*action requested*)
7. Revisions to Design Standards and Municipal Code requirements for the Mixed Commercial Zone (*1st reading*)
8. Ordinance - 2011 Budget Amendment #3 (*action requested*)

COMMITTEE REPORTS AND REPORTS FROM OFFICERS

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

DEC 28 2011

7:00 P.M. COUNCIL CHAMBERS
AGENDA NO. 1-3



DATE: December 28, 2011
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 December 28, 2011 Regular Meeting to Order. The Finance Director will note those in attendance and those absent.

___ Ward 1 Councilmember Kevin Loy
___ Ward 2 Councilmember Tony Splane
___ Ward 3 Councilmember Thomas Storrs
___ Ward 4 Councilmember Keith Wagoner
___ 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.

DEC 28 2011

CITY OF SEDRO-WOOLLEY

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

Regular Meeting of the City Council
December 14, 2011 – 7:00 P.M. –City Hall Council Chambers

ROLL CALL: Present: Mayor Mike Anderson, Councilmembers: Kevin Loy, Tony Splane, Tom Storrs, Keith Wagoner, Hugh Galbraith, Rick Lemley and Brett Sandström. Staff: Recorder Brue, Finance Director Nelson, City Supervisor/Attorney Berg, Engineer Freiberger, Planner Moore, Fire Chief Klinger and Police Chief Wood.

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

Pledge of Allegiance

Consent Calendar

- Minutes from Previous Meeting
- Finance
 - Claim Checks 73357 to #73486 in the amount of \$731,191.39.
 - Payroll Checks #51848 to #51955 in the amount of \$285,920.95
- State of Washington Agreement No. 2010-WPC-335 – Amendment Number 1 for Office of State Procurement – State Purchasing Cooperative – 2012 Membership
- Property Use Agreement – Skagit Transit #11-020 for Bus Shelters
- Approval of the Fuel Tax Distribution Agreement with the Washington State Transportation Improvement Board for the FY 2013 Expanded Preservation Project
- Change Order 3 Approval – contract 2011-PW-06 SR20, Metcalf to Township Lane Widening and Bicycle/Pedestrian Improvement Project – Interwest Construction Inc.
- Change Order 5 Approval – contract 2011-PW-06 SR20, Metcalf to Township Lane Widening and Bicycle/Pedestrian Improvements Project – Interwest Construction Inc.
- Amendment 2 to Professional Services Agreement No. 2011-PS-13 for Construction Phase Services for the SR20, Metcalf to Township Lane Widening & Pedestrian/Bicycle Improvements Project/Reichhardt & Ebe Engineering, Inc.

Councilmember Sandström questioned the cedar trees in Change Order 3.

Councilmember Storrs moved to approve the consent calendar Items A through H. Seconded by Councilmember Wagoner. Motion carried (7-0).

Skagit Valley Tulip Festival Poster Presentation

Cindy Verge –Executive Director of the Skagit Valley Tulip Festival presented the Mayor and City Council with the 2012 Tulip poster and thanked them for their continued support to the festival.

Public Comment

Richard Quam – 1325 Pinto Ln., addressed Council regarding a letter sent by him and several property owners on the rezone of their properties from R-5 Residential to Industrial. He discussed the notification process noting the notice received resembled a general announcement to the public so they did not realize that there was a need to object to the rezone. On behalf of several property owners he requested that the zoning and comprehensive plan amendments be reversed and to have the rezone request be processed as a city sponsored request.

Discussion ensued regarding any objections to the request and the financial impact of the rezone to the property owners represented by the letter.

Planner Moore explained the process of notification, Planning Commission decision, the process to reverse the decision (which is to place it on the comprehensive plan amendment change for 2012) and city initiated or property owner request.

Janet Quam – 1325 Pinto Ln., addressed the type of industry that might go into the area and the potential noise concerns.

Bill Calkins – 1004 Rhodes Rd., first noted the beautiful City Hall building and thanked the Council for their service to the community. He noted due to the economic forecast it is unlikely that industry would be coming in anytime soon. He also noted the economic impact to the individual property owners if selling due to the bank lending requirements on property zoned industrial. He also requested the property be changed back to R-5 Residential.

Councilmember Sandström recalled that residents of Suenic Dr. were not in favor of the change to Industrial at the time of the rezone.

The Council consensus was to move forward with the request as a City sponsored amendment. Some discussion ensued regarding process and length of time.

Matthew Thornton – 100 Nelson St., addressed the Council regarding several issues. He cautioned Council when dealing with issues to look beyond the original request to see what the affect will be. He cited a recent rezone hearing of storage units.

City Supervisor/Attorney Berg noted that he is not allowed to discuss the hearing as any decision of the hearing can be appealed and it would be appealed to the City Council. Berg requested Thornton to use a different example.

Thornton continued and noted that Council needs to be cautious with hot bed issues because of the activist groups that could become involved and cost the City a lot of money.

He also addressed the speed of cars, mostly students from the High School speeding around the bend on Walley Street and some property clean up that was done with piles of brush left.

UNFINISHED BUSINESS

2012 Budget Ordinance

Finance Director Nelson reviewed the process and course the 2012 budget has taken. She addressed some last minute revisions to the budget as a result of a TIB grant that was received and changes due to the collective bargaining agreements.

City Supervisor/Attorney Berg noted the budget is ready for action and that it has been a tough budget year.

Councilmember Sandström moved to approve Ordinance No. 1723-11 An Ordinance Adopting the Annual Budget for the City of Sedro-Woolley, Washington for the Fiscal Year Ending December 31, 2012. Councilmember Splane seconded. Motion carried (7-0).

NEW BUSINESS

Brickyard Creek Interlocal Agreement with Skagit County

Engineer Freiburger noted this topic was discussed at length at the last worksession and there are no new developments since that time. He offered to address any questions Council may have.

Revisions to Design Standards and Guidelines for the Mixed Commercial Zone

After some discussion Planner Moore requested the item be removed from the agenda in order to make some corrections and to be submitted in the standard strike and underline format at the next meeting.

2012 Salary Ordinance

Finance Director Nelson reviewed the proposed 2012 salary ordinance. She noted the salaries listed are prior to the 5% reduction in pay due to closure days. She also noted that the Mayor has requested and volunteered to take a pay reduction.

Councilmember Storrs moved to approve Ordinance No. 1724-11 An Ordinance Establishing the Salaries and Wages for Elected Officials, Union (Guild) and Non-Union Employees of the City of Sedro-Woolley, Washington, for the Fiscal Year Beginning January 1, 2012. Councilmember Lemley seconded. Motion carried (7-0).

COMMITTEE REPORTS AND REPORTS FROM OFFICERS

Councilmember Storrs – questioned the process for elected officials to be able to voluntarily take a reduction in their salary.

City Supervisor/Attorney Berg noted an ordinance would be needed in order to establish a policy.

Councilmember Splane – noted some potholes at the Sapp Road railroad trestle. Engineer Freiberger noted the area is within the County but he will contact someone to let them know.

City Supervisor/Attorney Berg – announced the annual employee appreciation lunch on Thursday, December 22nd at Noon at Fire Station 2. He requested a show of hands from Council as to who may be attending. He also addressed a letter from Lisa Janicki of Janicki Industries regarding the recent decision on mobile vending and requested an exception that would allow mobile vending on private commercial or industrial property at the invitation of the property owner.

Discussion once again ensued regarding mobile vending.

Engineer Freiberger – reported on the progress of the SR20 project and referred to his summary of the change orders to date.

Planner Moore – reported that the partners in the Regional grant were unsuccessful in obtaining the grant.

Fire Chief Klinger – Wished everyone a Merry Christmas.

Police Chief Wood – reported the department has been very busy. He noted they will be having a search with dogs at the high school. They have also been working at a residence with an animal hoarder and have removed numerous cats and dogs from the residence.

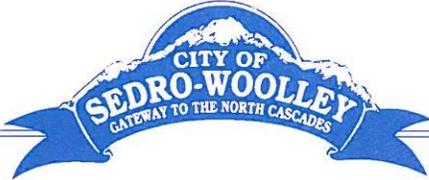
Mayor Anderson announced the services for Terry Carter, Planning Commission member will be held Friday at the Catholic Church.

Councilmember Galbraith moved to adjourn. Seconded by Councilmember Splane. Motion carried.

The meeting adjourned at 7:55 P.M.

DEC 28 2011

7:00 P.M. COUNCIL CHAMBERS
AGENDA NO. 36



DATE: December 28, 2011
TO: Mayor Anderson and City Council
FROM: Patsy Nelson, Finance Director
SUBJECT: FINANCE - CLAIMS

Attached you will find the Claim Checks register proposed for payment for the period ending December 28, 2011.

Motion to approve Claim Checks #73487 to #73548 in the amount of \$130,497.44.

Motion to approve Payroll Checks #51956 to #52064 in the amount of \$185,552.46.

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.

CITY OF SEDRO-WOOLLEY
 SORTED TRANSACTION WARRANT REGISTER
 12/28/2011 (Printed 12/21/2011 11:24)

WARRANT	VENDOR NAME	DESCRIPTION		AMOUNT
73487	SKAGIT COUNTY AUDITOR	MISC-FILING FEES/LIEN EXP	SWR	1,550.00
		MISC-FILING FEES/LIEN EXP	SAN	1,364.00
		WARRANT TOTAL		2,914.00
73488	ACTION COMMUNICATIONS INC	REPAIRS/MAINT-EQUIP	FD	177.76
		WARRANT TOTAL		177.76
73489	AMERICAN FLEET MAIN. LLC	REPAIRS/MAINT-EQUIP	FD	100.63
		REPAIRS/MAINT-EQUIP	FD	1,365.48
		REPAIRS/MAINT-EQUIP	FD	1,365.48
		REPAIRS/MAINT-EQUIP	FD	645.85
		WARRANT TOTAL		3,477.44
73490	ARAMARK UNIFORM SERVICES	MISC-LAUNDRY	CEM	5.60
		MISC-LAUNDRY	ST	12.12
		LAUNDRY	SWR	26.36
		WARRANT TOTAL		44.08
73491	ASSOCIATION OF WA CITIES	RETIRED MEDICAL	PD	9,162.94
		WARRANT TOTAL		9,162.94
73492	ASSOC PETROLEUM PRODUCTS	AUTO FUEL	CS	55.46
		AUTO FUEL	PD	16.68
		SUPPLIES & BOOKS	FD	262.37
		AUTO FUEL/DIESEL	ST	167.67
		AUTO FUEL/DIESEL	SWR	126.83
		AUTO FUEL/DIESEL	SAN	1,406.06
		AUTO FUEL/DIESEL	SAN	1.09
		WARRANT TOTAL		2,036.16
73493	BARNETT IMPLEMENT CO. INC	REPAIR/MAINT-EQUIP & BLDG	CEM	73.90
		WARRANT TOTAL		73.90
73494	BAY CITY SUPPLY	OPERATING SUP - SENIOR CTR	PK	176.73
		WARRANT TOTAL		176.73
73495	BEITLER, HAROLD	RETIRED MEDICAL	PD	930.00
		WARRANT TOTAL		930.00
73496	BERG VAULT COMPANY	LINERS	CEM	1,630.00
		WARRANT TOTAL		1,630.00
73497	BOULDER PARK, INC	SOLIDS HANDLING	SWR	5,286.30
		WARRANT TOTAL		5,286.30
73498	BOUWENS, JENNIFER A.	PROF SVC-PROSECUTING ATTY	LGL	2,500.00
		WARRANT TOTAL		2,500.00
73499	BRANOM INSTRUMENT CO	MAINTENANCE CONTRACTS	SWR	742.88
		WARRANT TOTAL		742.88
73500	CARDIAC SCIENCE CORP.	OPERATING SUPPLIES	FD	103.87

WARRANT	VENDOR NAME	DESCRIPTION		AMOUNT
		WARRANT TOTAL		103.87
73501	CASCADE NATURAL GAS CORP.	PUBLIC UTILITIES	PD	60.34
		PUBLIC UTILITIES	FD	278.37
		UTILITIES - SHOP	PK	47.31
		PUBLIC UTILITIES-CITY HALL	PK	2,507.25
		PUBLIC UTILITIES	SWR	27.66
		WARRANT TOTAL		2,920.93
73502	COLLINS OFFICE SUPPLY, INC	SUPPLIES	LGS	7.45
		WARRANT TOTAL		7.45
73503	CRYSTAL SPRINGS	OPERATING SUPPLIES	SWR	28.44
		WARRANT TOTAL		28.44
73504	DIMENSIONAL COMM, INC.	PROFESSIONAL SERVICES	IT	162.30
		WARRANT TOTAL		162.30
73505	DOUGHER, MELISSA	EMPLOYEE WELLNESS	PD	150.00
		WARRANT TOTAL		150.00
73506	E & E LUMBER	MACHINERY & EQUIPMENT	PD	3.45
		OPERATING SUP - RV PARK	PK	14.56
		OPERATING SUP - LIBRARY	PK	17.07
		OPERATING SUP - LIBRARY	PK	8.82-
		OPERATING SUPPLIES	CEM	5.72
		CONST-SR20 WIDENING		25.23
		CONST-SR20 WIDENING		16.92
		CONST-SR20 WIDENING		22.45
		OPERATING SUPPLIES	SAN	26.80
		WARRANT TOTAL		123.38
73507	EMERGENCY MEDICAL PRODUCTS INC	OPERATING SUPPLIES	FD	178.35
		WARRANT TOTAL		178.35
73508	HONEY BUCKET	UTILITIES-PORTABLE TOILETS	PK	75.00
		WARRANT TOTAL		75.00
73509	INGRAM LIBRARY SERVICES	BOOKS, PERIOD, RECORDS	LIB	54.54
		BOOKS, PERIOD, RECORDS	LIB	37.10
		WARRANT TOTAL		91.64
73510	LJF DOCUMENT IMAGING SERVICES	PROFESSIONAL SERVICES	ENG	240.00
		WARRANT TOTAL		240.00
73511	LOGGERS AND CONTRACTORS	REPAIRS/MAINT-EQUIP	SAN	15.17
		REPAIRS/MAINTENANCE	SWTR	627.60
		REPAIRS/MAINTENANCE	SWTR	33.37
		WARRANT TOTAL		676.14
73512	MARY JANES FARM	BOOKS, PERIOD, RECORDS	LIB	29.95
		WARRANT TOTAL		29.95

WARRANT	VENDOR NAME	DESCRIPTION		AMOUNT
73513	MCCANN, WILLIAM R.	INDIGENT DEFEND CONTR	JUD	2,557.50
		WARRANT TOTAL		2,557.50
73514	MUNICIPAL EMERGENCY SERVICES, INC.	REPAIRS/MAINT-EQUIP	FD	62.00
		WARRANT TOTAL		62.00
73515	MOTOR TRUCKS, INC.	REPAIRS/MAINT-EQUIP	FD	310.70
		REPAIRS/MAINT-EQUIP	FD	263.50
		REPAIRS/MAINT-EQUIP	FD	286.83
		WARRANT TOTAL		861.03
73516	MOUNT VERNON, CITY LIBRARY	SUMMER READ PROGRAM	LIB	12.00
		WARRANT TOTAL		12.00
73517	OUTWEST UNLIMITED	REPAIR/MAINTENANCE-LAND	CEM	105.00
		WARRANT TOTAL		105.00
73518	PETTY CASH-DEBRA PETERSON	SUPPLIES	LIB	27.57
		SUMMER READ PROGRAM	LIB	27.83
		EARLY LITERACY	LIB	33.63
		WARRANT TOTAL		89.03
73519	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 TOTAL		284.00
73520	PUGET SOUND ENERGY	PUBLIC UTILITIES	ST	8,808.98
		WARRANT TOTAL		8,808.98
73521	REFLECTIVE APPAREL FACTORY, INC.	OPERATING SUPPLIES	SAN	697.35
		WARRANT TOTAL		697.35
73522	SALYER, DOUGLAS	RETIRED MEDICAL	PD	153.22
		WARRANT TOTAL		153.22
73523	SECRETARY OF STATE	INTERNET	LIB	408.29
		REPAIR/MAINTENANCE-EQUIP	LIB	448.61
		WARRANT TOTAL		856.90
73524	SEDRO-WOOLLEY AUTO PARTS	REPAIR & MAINT - AUTO	PD	19.45
		OPERATING SUPPLIES	CEM	14.72
		WARRANT TOTAL		34.17
73525	SKAGIT COUNTY GOVERNMENT	OPERATING LEASE-COMPUTER	PD	9,943.25
		WARRANT TOTAL		9,943.25
73526	SKAGIT CO. PUBLIC WORKS	SOLID WASTE DISPOSAL	SAN	45,426.00
		WARRANT TOTAL		45,426.00

CITY OF SEDRO-WOLLEY
 SORTED TRANSACTION WARRANT REGISTER
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WARRANT	VENDOR NAME	DESCRIPTION		AMOUNT
73527	SKAGIT READY MIX, INC.	CONTAINERS	SAN	545.33
		WARRANT TOTAL		545.33
73528	SKAGIT VALLEY HERALD	BOOKS, PERIOD, RECORDS	LIB	135.00
		WARRANT TOTAL		135.00
73529	SOLID WASTE SYSTEMS, INC.	REPAIRS/MAINT-EQUIP	SAN	858.80
		REPAIRS/MAINT-EQUIP	SAN	1,284.88
		WARRANT TOTAL		2,143.68
73530	SPARKLE SHOP LAUNDRIES	UNIFORM CLEANING	PD	8.66
		MISC-LAUNDRY	FD	57.89
		WARRANT TOTAL		66.55
73531	SPORTS ILLUSTRATED	BOOKS, PERIOD, RECORDS	LIB	55.96
		WARRANT TOTAL		55.96
73532	STILES & STILES	MUNICIPAL COURT JUDGE	JUD	2,728.00
		WARRANT TOTAL		2,728.00
73533	STOWES	UNIFORMS/ACCESSORIES	PD	165.50
		WARRANT TOTAL		165.50
73534	SUMMIT LAW GROUP	PROFESSIONAL SERVICES	LGL	75.00
		WARRANT TOTAL		75.00
73535	TRIANGLE PUMP	MAINT OF GENERAL EQUIP	SWR	1,791.24
		WARRANT TOTAL		1,791.24
73536	TRUE VALUE	MACHINERY & EQUIPMENT	PD	10.77
		OPERATING SUP - CITY HALL	PK	18.38
		OPERATING SUPPLIES	ST	34.61
		MAINT OF GENERAL EQUIP	SWR	20.54
		OPERATING SUPPLIES	SWR	12.20
		REPAIRS/MAINT-EQUIP	SAN	27.72
		REPAIRS/MAINT-EQUIP	SAN	66.26
		WARRANT TOTAL		190.48
73537	US BANK -- PURCHASE CARDS	SUPPLIES	LGS	20.66
		TRAVEL	LGS	175.00
		TRAVEL	LGS	540.00
		MEALS/TRAVEL	EXE	12.89
		EMPLOYEE WELLNESS	EXE	25.00
		EMPLOYEE WELLNESS	EXE	25.00
		SUPPLIES	LIB	70.60
		SUPPLIES	LIB	80.36
		POSTAGE	LIB	63.36
		BOOKS, PERIOD, RECORDS	LIB	117.81
		BOOKS, PERIOD, RECORDS	LIB	625.39
		MEALS/TRAVEL	SWR	19.48
		MISC-TUITION/REGISTRATION	SWR	30.00
		WARRANT TOTAL		1,805.55

WARRANT	VENDOR NAME	DESCRIPTION		AMOUNT
73538	VALLEY AUTO SUPPLY	OPERATING SUPPLIES	FD	11.62
		REPAIR/MT-SMALL TOOLS EQUIP	PK	14.04
		REPAIR/MAINTENANCE-EQUIP	ST	41.26
		REPAIR/MAINTENANCE-EQUIP	ST	182.76
		MAINTENANCE OF VEHICLES	SWR	20.84
		MAINTENANCE OF VEHICLES	SWR	27.59
		MAINTENANCE OF VEHICLES	SWR	26.68
		MAINTENANCE OF VEHICLES	SWR	130.49
		MAINTENANCE OF VEHICLES	SWR	2.68
		MAINTENANCE OF VEHICLES	SWR	39.51-
		REPAIRS/MAINT-EQUIP	SAN	12.97
		REPAIRS/MAINT-EQUIP	SAN	2.52
		OPERATING SUPPLIES	SAN	31.37
		OPERATING SUPPLIES	SAN	64.79
			WARRANT TOTAL	
73539	VISION FORMS, LLC	POSTAGE	SWR	1,319.38
		POSTAGE	SWR	1,308.92
		POSTAGE	SAN	629.24
		POSTAGE	SAN	624.25
		OPERATING SUPPLIES	SWTR	81.20
		OPERATING SUPPLIES	SWTR	80.56
	WARRANT TOTAL		4,043.55	
73540	WALLEY, SHANE	EMPLOYEE WELLNESS	PK	30.00
		WARRANT TOTAL		30.00
73541	WA ST DEPT OF PROF LICEN	INTERGOV SVC-GUN PERMITS	PD	90.00
		WARRANT TOTAL		90.00
73542	WA STATE DEPT OF REVENUE	TAXES AND ASSESSMENTS	PK	34.65
		TAXES AND ASSESSMENTS	CEM	247.67
		TAXES AND ASSESSMENTS	LIB	7.71
		BOOKS, PERIOD, RECORDS	LIB	8.11
		MAINT OF GENERAL EQUIP	SWR	18.52
		TAXES AND ASSESSMENTS	SWR	5,453.17
		TAXES & ASSESSMENTS	SAN	5,552.84
	WARRANT TOTAL		11,322.67	
73543	WASHINGTON STATE PATROL	INTERGOV SVC-GUN PERMITS	PD	134.75
		WARRANT TOTAL		134.75
73544	WAPATO POLICE DEPARTMENT	PRISONERS	PD	300.00
		WARRANT TOTAL		300.00
73545	WPCPA	MISC-DUES/SUBSCRIPTIONS	SWR	105.00
		WARRANT TOTAL		105.00
73546	WEST PAYMENT CTR	WESTLAW SERVICES	LGL	230.14
		WARRANT TOTAL		230.14
73547	WELCH, DAVID	OFFICE/OPERATING SUPPLIES	PD	7.99

WARRANT	VENDOR NAME	DESCRIPTION	AMOUNT
		WARRANT TOTAL	7.99
73548	WOOD'S LOGGING SUPPLY INC	AUTO FUEL/DIESEL	PK 14.05
		REPAIRS/MAINTENANCE	SWTR 156.83
		WARRANT TOTAL	170.88
		RUN TOTAL	130,497.44

FUND	TITLE	AMOUNT
001	CURRENT EXPENSE FUND	36,266.10
101	PARK FUND	2,940.22
102	CEMETERY FUND	2,082.61
103	STREET FUND	9,247.40
104	ARTERIAL STREET FUND	64.60
105	LIBRARY FUND	2,243.82
401	SEWER FUND	18,035.69
412	SOLID WASTE FUND	58,637.44
425	STORMWATER	979.56
TOTAL		130,497.44

DEPARTMENT	AMOUNT
001 000 011	743.11
001 000 012	5,285.50
001 000 013	62.89
001 000 014	47.34
001 000 015	2,805.14
001 000 017	162.30
001 000 018	55.46
001 000 019	47.33
001 000 020	287.33
001 000 021	21,204.34
001 000 022	5,518.03
001 000 024	47.33
FUND CURRENT EXPENSE FUND	36,266.10
101 000 076	2,940.22
FUND PARK FUND	2,940.22
102 000 036	2,082.61
FUND CEMETERY FUND	2,082.61
103 000 042	9,247.40
FUND STREET FUND	9,247.40
104 000 042	64.60
FUND ARTERIAL STREET FUND	64.60
105 000 072	2,243.82
FUND LIBRARY FUND	2,243.82
401 000 035	18,035.69
FUND SEWER FUND	18,035.69
412 000 037	58,637.44
FUND SOLID WASTE FUND	58,637.44
425 000 039	979.56
FUND STORMWATER	979.56
TOTAL	130,497.44

DEC 28 2011

RESOLUTION NO.

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

**A RESOLUTION OF THE CITY OF SEDRO-WOOLLEY DECLARING
CERTAIN PROPERTY AS SURPLUS AND AUTHORIZING ITS DISPOSITION**

WHEREAS, the City has purchased the property and/or equipment identified herein; and

WHEREAS, the property and/or equipment identified is surplus to the needs of the City; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEDRO-WOOLLEY AS FOLLOWS:

Section 1. The City Council does hereby declare the following to be surplus:

VEHICLES:

<u>VIN</u>	<u>Year</u>	<u>Make</u>	<u>Model</u>	<u>Mileage</u>	<u>Plate No.</u>
141847	2006	John Deere	GX 345	837 Hours	N/A off Road
456051	2004	Land Pride	Grooming Mower FDR 2584	N/A	N/A off Road

Section 2. The Mayor is directed to sell or trade-in the surplus property for additional property or for the best available price in any manner he determines to be in the best interest of the City and execute any necessary paperwork to effectuate the transfer. For surplus property with little or no value, the Mayor is authorized to recycle or dispose of the property in an environmentally responsible manner with the least cost to the City.

PASSED by majority vote of the members of the Sedro-Woolley City Council this 28th day of December 2011.

Mike Anderson, Mayor

Attest:

Patsy Nelson, Clerk/Treasurer

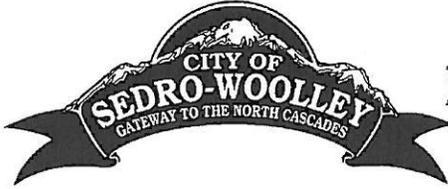
Approved as to form:

Eron Berg, City Attorney

CITY COUNCIL AGENDA
REGULAR MEETING

DEC 28 2011

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) 855-9922
Fax (360) 855-9923

Eron M. Berg
City Supervisor/Attorney

MEMO TO: City Council
RE: Interfund Loan resolution
DATE: December 28, 2011

ISSUE: Should the Council approve the attached resolution which authorizes the loan of certain funds to payoff the USDA loan for the fire engine?

BACKGROUND: The attached resolution allows for the Sewer Cumulative Reserve Fund (410) to loan the money to the General Fund in an amount of up to \$200,000.00 to payoff the USDA loan for the new fire engine. All borrowed funds will accrue interest at the rate of the Washington State Treasurer's Investment Pool and will be repaid through the general fund.

This loan, payoff and payments are part of the approved and adopted 2012 budget.

RECOMMENDATION: Motion to adopt the attached resolution.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEDRO-WOOLLEY AUTHORIZING AN INTERFUND LOAN FROM THE SEWER CUMULATIVE RESERVE FUND (410) TO PAYOFF THE USDA LOAN FOR THE PURCHASE OF A FIRE ENGINE

WHEREAS, the City borrowed money from the USDA to purchase a fire engine, which accrues interest at a rate of 4.0% annually, and

WHEREAS, the City Council desires to payoff this higher interest rate loan using an internal loan at a lower interest rate; and

WHEREAS, in order to pay the cost thereof, it is deemed reasonable to permit a loan of funds from the Sewer Cumulative Reserve Fund (410) to payoff the USDA loan, bearing interest at a rate which equals the average of the Washington State Treasurer's Investment Pool rate for the period which the loan is outstanding, and subject to repayment to the Sewer Cumulative Reserve Fund (410) from future budget allocations;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sedro-Woolley that a loan in an amount not to exceed \$200,000.00 (the total principal and accrued interest due to payoff loan in full) shall be made from the Sewer Cumulative Reserve Fund (410) to payoff the USDA loan for the fire engine to be repaid as follows: by annual payments beginning in 2013 with a final payment in 2015 from the City's general fund.

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 28th day of December, 2011.

MAYOR

Attest:

Finance Director

Approved as to form:

City Attorney

DEC 28 2011

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

ORDINANCE No. _____

AN ORDINANCE OF THE CITY OF SEDRO-WOOLLEY, CONCERNING THE
SALARIES FOR MEMBERS OF THE CITY COUNCIL

WHEREAS, Ordinance 1724-11 established the salaries to be paid to Sedro-Woolley City Councilmembers for 2012;

WHEREAS, due to current economic times, Councilmembers may wish to decline or waive the salary established by ordinance;

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

Section 1. A councilmember may voluntarily waive and elect not to be paid all or any portion of the salaries set forth in Ordinance 1724-11, or any future, successor ordinance during their term of office. Notice of waiver and election must be:

- A. In writing and delivered to the finance director prior to the effective date;
- B. Signed by the Councilmember and their spouse, if married, as required by RCW 49.48.100. Signature(s) shall be before a notary public.

The waiver shall be effective for all salary earned following the effective date and continue in effect until withdrawn by a writing signed by the Councilmember or their spouse and delivered to the Finance Director.

Section 2. Effective Date. This ordinance or a summary thereof shall be published in the City's official newspaper, and shall take effect five (5) days after passage and the publication of the ordinance or a summary thereof consisting of the title.

Section 3. Severability. If any sentence, clause, phrase or provision of this ordinance is ultimately invalidated by a court of competent jurisdiction, such invalidation shall not effect any other sentence, clause, phrase or provision hereof.

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 December, 2011.

MAYOR

Attest:

Finance Director

Approved as to form:

City Attorney

DEC 28 2011

INTERLOCAL CORRECTION/DETENTION AGREEMENT

7:00 P.M. COUNCIL CHAMBERS
AGENDA NO. 34

This Correction/Detention Agreement (hereinafter "Agreement") is made and entered into by and between the City of Sedro Woolley (hereinafter "Sedro Woolley"), and the City of Wapato (hereinafter "Wapato").

I. RECITALS

WHEREAS, it is the desire and intent of Sedro Woolley, through its police department, to utilize the detention facilities maintained by Wapato, and to compensate Wapato therefore, pursuant to the terms of this Agreement, for the care and custody of jail prisoners of Sedro Woolley arrested and/or detained for a violation of the Sedro Woolley Municipal Code and adopted portions of the Revised Code of Washington.

WHEREAS, in accordance with the terms and conditions herein, and where it is not an undue burden, Wapato desires to make its jail facilities available for Sedro Woolley through the Sedro Woolley Police Department, to provide for the care and custody of prisoners who were arrested and/or detained for a violation of the Sedro Woolley Municipal Code and adopted portions of the Revised Code of Washington.

WHEREAS, this Agreement is entered into by and between the parties pursuant to Chapters 39.34 and 70.48 of the Revised Code of Washington, which provide for interlocal agreements for hiring and sharing of correction/detention facilities between local governments.

II. AGREEMENT

Therefore, in consideration of the mutual covenants, conditions and promises herein, the parties mutually agree as follows:

- 1. Term.** The term of this Agreement shall commence on January 1, 2012, and automatically renew on December 31, of each year thereafter for one year terms, unless sooner terminated by either party in accordance with Section 13 of this Agreement.
- 2. Incarceration.** Provided that there is available jail/detention facility space, Wapato shall accept and incarcerate Sedro Woolley prisoners that are eighteen (18) years and older, and who were arrested and/or detained by Sedro Woolley police officers for a violation of the Sedro Woolley Municipal Code and adopted portions of the Revised Code of Washington. Wapato shall feed and otherwise generally care for such prisoners in the same manner as its own prisoners and in the same manner consistent with rules governing its jail. All prisoners incarcerated for Sedro Woolley by Wapato shall be subject to all rules and regulations of Wapato governing its jail facility, including Wapato's visitation rules and regulations. Wapato retains the right to refuse to incarcerate and/or provide any other services to Sedro Woolley prisoners, who, as determined by Wapato,

constitute a security risk or who are arrested, held or detained by Sedro Woolley for any violent crime. Female prisoners of Sedro Woolley will be accepted for incarceration by Wapato.

3. **Compensation.** Sedro Woolley agrees to pay Wapato each month the sum of fifty dollars (\$50.00) per day for each Sedro Woolley prisoner incarcerated in Wapato jail facilities pursuant to the terms of this Agreement. Any part of the day, beyond six (6) hours, shall be considered a full day. Payment shall be made for the first day of incarceration, but not for the last day of incarceration. The charges in this section shall apply without regard to whether the prisoner has been charged, tried, or sentenced and shall continue until Sedro Woolley notifies Wapato that the prisoner is to be released or until the sentence has been served by the prisoner. The City of Wapato reserves the right to increase the daily rate each year, with the understanding that the contracted city will be given 60 days prior notification of said increase.

4. **Clothing and Bedding.** Wapato agrees to provide each Sedro Woolley prisoner with necessary or appropriate clothing and to provide each such prisoner with a booking kit.

5. **Booking Procedure.** Sedro Woolley prisoners shall be booked according to the procedures and policies of Wapato. Prisoners' personal property shall be held by Wapato and be transported with each prisoner to the Wapato jail facility.

6. **Prisoner Delivery and Notification.** Wapato shall be responsible for pickup of Sedro Woolley prisoners sentenced over 30 days and transport them to Wapato jail facilities. No person who appears to be sick or injured shall be accepted for incarceration in Wapato jail facilities until he has received proper medical attention. Wapato shall provide Sedro Woolley with a monthly list of Sedro Woolley prisoners housed during the billing month.

7. **Court Appearances.** Sedro Woolley shall be responsible for arranging court appearances for its prisoners and shall, whenever necessary for court appearances, arrange to take custody of such prisoners at the facility where incarcerated and redeliver such prisoners to the appropriate facility.

8. **Medical Treatment.** Wapato shall provide and furnish minor medical care, attention, and treatment to prisoners in custody pursuant to this agreement to the same degree provided within the jail facility to its own prisoners. All medical and dental expenses, including emergency and non-emergency medical and dental expenses to the extent such expenses are not paid by another governmental agency or other source, shall be paid by Sedro Woolley; provided, however, that Wapato shall pay for any medical expenses that are directly caused by the negligence of its officers and/or agents.

Wapato shall notify the Sedro Woolley Police Department by whatever communication system available (telephone, radio, etc.) if a Sedro Woolley prisoner requires emergency medical or dental treatment. Wapato shall immediately transport the prisoner to an appropriate health care facility for emergency medical or dental treatment. Sedro Woolley shall reimburse Wapato for such transportation costs.

Wapato shall immediately notify the Sedro Woolley Police Department in writing if a Sedro Woolley prisoner requires non-emergency medical or dental treatment at a medical, dental, or other health care facility. Non-emergency medical or dental care will be provided only by or with the consent of Sedro Woolley. Wapato shall transport the prisoner to an appropriate health care facility for non-emergency medical or dental treatment. "Immediate notification" shall mean notification as soon as reasonably possible.

9. Indemnification and Hold Harmless.

a. Wapato agrees to hold harmless, indemnify, and defend Sedro Woolley, its elected officials, officers, employees, and agents from and against any and all suits, actions, claims, liability, damages, judgments, costs and expenses (including reasonable attorney's fees) (also including but not limited to claims related to alleged mistreatment, injury, or death to any prisoner, or loss or damage to prisoner property while in Wapato Custody) which result from or arise out of the sole negligence of Wapato, its elected officials, officers, employees, and agents in connection with or incidental to the performance or non-performance of this Agreement.

b. Sedro Woolley agrees to hold harmless, indemnify, and defend Wapato, its elected officials, officers, employees, and agents from and against any and all suits, actions, claims, liability, damages, judgments, costs and expenses (including reasonable attorney's fees) (also including but not limited to a claim of false arrest or detention) which result from or arise out of the sole negligence of Sedro Woolley, its elected officials, officers, employees, and agents in connection with or incidental to the performance or non-performance of this Agreement.

c. In the event that the officials, officers, agents, and/or employees of both Wapato and Sedro Woolley are negligent, each party shall be liable for its contributory share of negligence for any resulting suits, actions, claims, liability, damages, judgments, costs and expenses (including reasonable attorney's fees).

d. Nothing contained in this Section or this Agreement shall be construed to create a right of indemnification in any third party.

10. No Insurance. It is understood Sedro Woolley does not maintain liability insurance for Wapato and/ or its employees.

11. Uniform Alcoholism Treatment. Neither party shall be responsible to the other for those individuals taken into protective custody by a party in accordance with RCW Chapter 70.96 A, Uniform Alcoholism and Intoxication Treatment.

12. Implementation. The chief officer of the Sedro Woolley Police Department and of the Wapato Police Department shall be jointly responsible for implementation and proper administration of this Agreement, and shall refer problems of implementation to the governing body of Sedro Woolley and Wapato for resolution as necessary.

13. Termination. Either party may terminate this Agreement, with or without cause, by providing the other party with thirty (30) days written notice of termination.

14. **Property.** It is not anticipated that any real or personal property would be acquired or purchased by the parties solely because of this Agreement.

15. **Equal Opportunity.** Sedro Woolley and Wapato are equal opportunity employers.

16. **Nondiscrimination Provision.** During the performance of this Agreement, Sedro Woolley and Wapato shall not discriminate on the basis of race, age, color, sex, religion, national origin, creed, marital status, political affiliation, or the presence of any sensory, mental or physical handicap. This provision shall include but not be limited to the following: employment, upgrading, demotion, transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training.

17. **Assignment.** This Agreement, or any interest herein, or claim hereunder, shall not be assigned or transferred in whole or in part by Wapato to any other person or entity without the prior written consent of Sedro Woolley. In the event that such prior written consent to an assignment is granted, then the assignee shall assume all duties, obligations, and liabilities of Wapato as stated herein.

18. **Severability.** If any portion of this Agreement is changed per mutual agreement or any portion is held invalid, the remainder of the Agreement shall remain in full force and effect.

19. **Waiver of Breach.** A waiver by either party hereto of a breach of the other party hereto of any covenant or condition of this Agreement shall not impair the right of the party not in default to avail itself of any subsequent breach thereof. Leniency, delay or failure of either party to insist upon strict performance of any agreement, covenant or condition of this Agreement, or to exercise any right herein given in anyone or more instances, shall not be construed as a waiver or relinquishment of any such agreement, covenant, condition or right.

20. **Integration and Supersession.** This Agreement sets forth all of the terms, conditions and agreements of the parties relative to the subject matter hereof and supersedes any and all such former agreements which are hereby declared terminated and of no further force and effect upon the execution and delivery hereof. There are no terms, conditions, or agreements with respect thereto, except as herein provided and no amendment or modification of this agreement shall be effective unless reduced to writing and executed by the parties.

21. **Notices.** Unless stated otherwise herein, all notices and demands shall be in writing and sent to the parties to their addresses as follows:

TO CITY: POLICE CHIEF
SEDRO WOOLLEY POLICE DEPARTMENT
325 Metcalf Street
SEDRO WOOLLEY, WA 98284

TO WAPATO: POLICE CHIEF
WAPTO POLICE DEPARTMENT
205 SOUTH SIMCOE AVE
WAPATO, WA 98951

or to such other addresses as the parties may hereafter designate in writing. Notices and/or demands shall be sent by registered or certified mail, postage prepaid, or hand delivered. Such notices shall be deemed effective when mailed or hand delivered at the addresses specified above.

22. **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Washington.

23. **Venue.** The venue for any action to enforce or interpret this Agreement shall lie in the Superior Court of Washington for Yakima County, Washington.

24. **Resolution.** The City Council of each party shall adopt a resolution authorizing execution of this agreement.

25. **Filing with County Auditor.** A copy of this Agreement shall be filed with the Yakima County Auditor's Office Pursuant to RCW 39.34.040.

CITY OF SEDRO WOOLLEY

CITY OF WAPATO

Mayor Mike Anderson

Mayor Jesse Farias

ATTEST

ATTEST

City Clerk Patsy Nelson

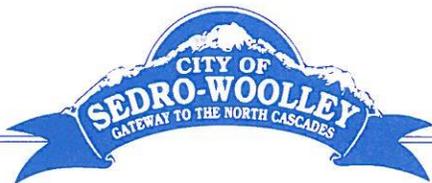
Sue Pearson City Clerk

City Contract No. _____

Resolution No. _____

DEC 28 2011

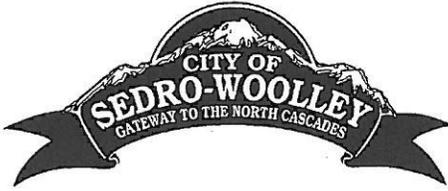
7:00 P.M. COUNCIL CHAMBERS
AGENDA NO. 5



SUBJECT: PUBLIC COMMENT

Name:
Address:
Narrative:

NEW
BUSINESS



CITY OF SEDRO-WOOLLEY
Sedro-Woolley Municipal Building
325 Metcalf Street
Sedro-Woolley, WA 98284
Phone (360) 855-9922
Fax (360) 855-9923

CITY COUNCIL AGENDA
REGULAR MEETING

DEC 28 2011

Eron Berg
City Supervisor & Attorney

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

MEMO TO: City Council
FROM: Eron Berg
RE: Mobile vendors
DATE: December 28, 2011

ISSUE: Should the Council adopt the attached ordinance that revises the City's code regulating mobile vendors?

BACKGROUND: This ordinance is presented for your consideration to address some issues that have come up following the adoption of the mobile vending ordinance, which allows mobile vending, but assesses an annual business license fee of \$1,000.

This ordinance adds two additional exceptions to the \$1,000 annual license fee:

1. Mobile vending on private property, when invited by the property owner to serve the property owner's business, employees, etc.
2. Mobile vending on public rights-of-way, provided, that the vendor doesn't remain stationary for more than 10 minutes at a time.
3. Mobile vending as part of community and special events remains exempt from the additional license fee.

Mobile vending on public rights-of-way for more than 10 minutes at a time remains authorized but subject to the \$1,000 annual license fee.

Mobile vending on private property to serve the general public remains authorized but subject to the \$1,000 annual license fee.

This ordinance also corrects a typo in the original ordinance regarding the definition of open air vending.

Attached to this memo is the mobile vending fact sheet we developed last month. This attempts to quantify the costs for similar vendors in a mobile format and a brick and mortar format. For this comparison, espresso cart, stand, vans, were used. This ordinance should help address the concern reflected by the council of businesses using the mobile platform to avoid city taxes, impact fees, and utility rates, while lowering hurdles for mobile vending that really is mobile.

RECOMMENDATION: Motion to adopt the attached ordinance amending SWMC 5.04.010 regarding mobile vending.

MOBILE VENDING FACT SHEET
November, 2011

The City of Sedro-Woolley, after months of debate at the City Council, now expressly allows mobile vending within the city's limits. The following fact sheet details the costs for both brick & mortar and mobile vendors using very small (120-200 square foot) brick & mortar drive up businesses with no sit down facilities.

	<u>Brick & Mortar</u>	<u>Mobile</u>
Business License (Annual)	\$ 35.00	\$1,000.00
Sewer Connection Fees ¹	\$4,980.00	\$0
Traffic Impact Fees ²	\$4,588.00	\$0
Property Taxes (Annual) ³	\$1,393.00	\$0
Sales Tax (Annual) ⁴	variable	variable
Utility Taxes (Annual) ⁵	\$ 168.00	\$0
Garbage Services (Annual)	\$1,097.44	\$0
Sewer Services (Annual)	\$ 654.96	\$0
Stormwater Utility (Annual)	\$ 42.00	\$0
Total license, fees & taxes paid to government in the first year	\$12,958.40⁶	\$1,000.00

¹ One kitchen sink, one toilet, one bathroom sink and one floor drain.

² Variable, depending upon location and zone; average cost indicated here. Range from \$3,288 to \$7,570.20 depending on square footage and location.

³ Using similar businesses with drive up and no sit down facilities.

⁴ Taxes will vary depending on sales.

⁵ Paid on phone, electricity, natural gas, garbage, sewer, stormwater, etc. Amount variable depending on expenses; estimated average.

⁶ Does not include building, planning and engineering permit fees and costs.

ORDINANCE NO. _____

AN ORDINANCE AMENDING SWMC 5.04.010, EXEMPTING CERTAIN MOBILE VENDING BUSINESSES AND OPEN AIR VENDING BUSINESSES FROM SPECIALTY BUSINESS LICENSE FEES

Whereas, the City Council of the City of Sedro-Woolley finds that brick and mortar businesses within the City of Sedro-Woolley are the backbone of the community, paying property taxes, utility taxes, impact fees and assessments, and utility rates for their businesses, supporting local clubs, organizations and events and serving the community's needs, and

Whereas, the City Council finds that those mobile vendors and open air vendors that establish a permanent or semi-permanent location are not regulated similarly to comparable brick and mortar businesses, those mobile vendors pay little or no taxes, operate in a fashion that may be contrary to the City's design standards, and without consideration for the impacts those businesses have on the community, resulting in a less vibrant Sedro-Woolley; and

Whereas, the City Council finds that certain types of mobile vendors add to the services available to the community, while other types of mobile vendors use the mobile platform to avoid compliance with the City's regulations on design standards, parking, sanitation, wastewater, etc.; and

Whereas, the City Council finds that it is in the interests of the public health, safety and welfare to adopt the revised definition of mobile vending below, now therefore;

THE CITY COUNCIL OF THE CITY OF SEDRO-WOOLLEY DO HEREBY ORDAIN AS FOLLOWS:

Section 1. SWMC 5.04.010 C is amended to read as follows:

C. "Mobile vending" or "mobile vendors" means sales of services and/or merchandise including food that occurs at or in a mobile vehicle, cart, trailer or similar vehicle that can be moved from location to location, but not including, however, the following:

1. Mobile vending that occurs during and as a part of community events, which include Founders' Day, Blast from the Past, Loggerodeo, 4th of July, Thanksgiving, City of Lights Festival, and such other events as the city council may from time to time designate.

2. Mobile vending on private property when invited by the property owner for the limited purpose of serving the business and employees of the business on private property (for example, the mobile food vendor being invited to serve a manufacturing company's employees).

3. Mobile vending on public streets provided the following conditions are met:
(a) The vehicle must be legally parked and cannot use more than a single designated parking space; (b) The vehicle or cart may not obstruct any street or sidewalk for the passage of other vehicles or pedestrians or result in non-compliance with the Americans with Disabilities Act as Amended (ADAAA); (c) The vehicle must not operate in a single location for more than ten minutes at a time. For purposes of this section, one location is defined as one city block (for example, the ice cream truck selling ice cream and frozen novelties from block to block).

4. “Open air vending,” which means the sales of services and/or merchandise including food that occurs at a table or other temporary location that is not an integral extension of an already existing permanently sheltered business. Open air vending does not include garage sales.

5. Mobile vending which occurs as part of a special event as defined in Chapter 12.44.

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 by majority vote of the members of the Sedro-Woolley City Council this ____ day of _____, 2011, and signed in authentication of its passage this _____ day of _____, 2011.

Mike Anderson, Mayor

Attest:

Patsy Nelson, Finance Director

Approved as to form:

Eron Berg, City Attorney

Published:



1476 Moore Street
Sedro-Woolley, WA 98284

360-856-5143 phone
888-856-5143 toll free
360-856-0372 facsimile
www.janicki.com

December 14, 2011

Mr. Eron Berg
City of Sedro-Woolley
325 Metcalf St
Sedro-Woolley, WA 98284

Re: Mobile Vending, Request for Exception

Eron:

Thank you for the background information on the special permit requirement for mobile vendors.

The taco vendor who visits our plant is a huge hit with our employees and I want to speak up on their behalf. The new \$1,000 permit fee has sent Il Milagro taco business looking to locate in other counties. While this may have been the City's intent by establishing the new fee, it does not have a good outcome for our people at the Sedro-Woolley location. Many do not have time to drive into town and sit down for lunch so they look forward to the one or two days per week that the taco wagon arrives.

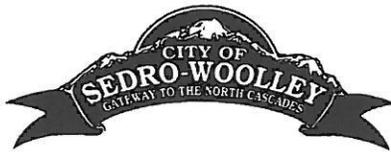
I would like to request the City Council add an exception to the definitions in 5.04.010 (C) that would allow a mobile vendor to locate on private commercial or industrial property at the invitation of the property owner. With this exception, it is my understanding that the taco wagon could continue to sell to our employees without having to pay the new, onerous permit fee.

Please let me know how to proceed with this request.

Sincerely,

A handwritten signature in blue ink that reads "Lisa Janicki". The signature is fluid and cursive, with a prominent loop at the end of the last name.

Lisa Janicki
Chief Financial Officer



CITY COUNCIL AGENDA
REGULAR MEETING

DEC 28 2011

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

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

MEMO:

To: City Council
Mayor Anderson

From: Jack Moore 
Planning Director/ Building Official

Date: December 28, 2011

Subject: Revisions to Design Standards and Municipal Code requirements for the Mixed Commercial Zone (1st read)

ISSUE

Should the Council approve the attached ordinance to revise the Sedro-Woolley Design Standards and Guidelines and SWMC 17.20.020 regarding commercial development within the Mixed Commercial Zone?

PROJECT DESCRIPTION / HISTORY

At the direction of the City Council, the Planning Commission considered revisions to the City's design standards and guidelines and municipal code for development within the Mixed Commercial zone.

The Planning Commission held three public hearings and four public meetings over the spring and summer of 2011 to gather input on how the existing standards for commercial development within the Mixed Commercial zone are working, and how they might be improved in the future.

After close consideration of the current regulations for the Mixed Commercial zone and reviewing the community input received, the Planning Commission made several recommendations that are included in the attached ordinance, as well as the attached Findings of Fact, Conclusions and Recommendations.

Included with this memo is:

Exhibit A – Proposed ordinance for amendments to the Design Standards and Guidelines and Municipal Code

Exhibit B – Planning Commission Findings of Fact, Conclusions and Recommendations

RECOMMENDED ACTIONS

No action requested (1st read)

EXHIBIT A

Proposed ordinance for amendments to the Design Standards and Guidelines
and Municipal Code

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE SEDRO-WOOLLEY DESIGN STANDARDS
AND GUIDELINES AND MUNICIPAL CODE REGARDING DEVELOPMENT
STANDARDS FOR THE MIXED COMMERCIAL ZONE**

WHEREAS, pursuant to the provisions of state law, Chapter 35A.63 of the Revised Code of Washington (RCW) and Chapter 36.70A RCW, the Sedro-Woolley City Council has adopted the Sedro-Woolley Municipal Code (SWMC) and supplemental Sedro-Woolley Design Standards and Guidelines; and

WHEREAS, the City of Sedro-Woolley Planning Commission has thoroughly reviewed the existing standards for development of the Mixed Commercial zone and discussed the topic at several Planning Commission meetings to receive public input on the issue; and

WHEREAS, the Planning Commission held four public meetings and three open record public hearings, on February 15, 2011, March 15, 2011 and April 19, 2011 to hear public comments of proposed revisions to the Design Standards and Guidelines; and

WHEREAS, based on public comments and other information presented, the Planning Commission made final recommendations for amendments to the Design Standards and Guidelines on August 16, 2010; and

WHEREAS, the City Council does hereby adopt the Planning Commission findings found in the Findings of Fact, Conclusions and Recommendations dated December 6, 2011;

WHEREAS, the ordinance amendments are procedural in nature, and therefore exempt from the State Environmental Policy Act (SEPA) review; and

WHEREAS, the City Council finds the proposed amendments to the Sedro-Woolley Design Standards and Guidelines and Municipal Code to be consistent with and to implement the intent of the Sedro-Woolley Comprehensive Plan; and

WHEREAS, the City Council has concluded that it is in the best interest of the public health, safety and welfare to adopt this ordinance;

WHEREAS, the City Council adopts the forgoing as its findings of fact justifying its adoption of this Ordinance;

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

Section 1.

The Sedro-Woolley Municipal Code 17.20.020 is amended as follows:

17.20.020 Bulk restrictions.

A. Minimum setbacks to adjacent zones:

1. Setbacks to residential (R-5, R-7 and R-15) zones: front setbacks on an arterial street shall be a minimum of twenty feet ~~and a maximum of fifty feet~~. On a nonarterial street, front setbacks shall be a minimum of ten feet ~~and a maximum of twenty feet~~. Side setbacks shall be a minimum of thirty-five feet, which may be reduced to twenty feet if building step-backs as required by the design standards and guidelines are incorporated into the site design pursuant to SWMC Chapter 15.44. Rear setbacks shall be a minimum of twenty feet.

2. Setbacks to all other zones: front setbacks on an arterial street shall be a minimum of twenty feet ~~and a maximum of fifty feet~~. On a nonarterial street, front setbacks shall be a minimum of ten feet ~~and a maximum 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 MC zone: buildings shall maintain a minimum ten foot setback to all lot lines when adjacent to other properties zoned MC.

B. Maximum building height: thirty-five feet.

Exception: sixty feet, if minimum side and rear setbacks required in subsection A of this section are doubled.

Section 2.

The Sedro-Woolley Design Standards and Guidelines are amended as follows to amend the sections titled “Standards and Guidelines for All Development” and “Additional Standards for the Mixed Commercial Zone”:

“Standards and Guidelines for All Development”

SITE DESIGN

LOCATION OF PARKING

Intent

To maintain a contiguous, active pedestrian and non-motorized transportation realm along street fronts by locating parking lots behind, below or above buildings, except as allowed in the Additional Standards for the Mixed Commercial Zone. In situations where there is one building on a property, the intention of the guideline is to encourage the parking relating to that building to be located primarily behind the building. In situations where one or more larger primary buildings are located in the interior of a property and multiple satellite pads are located adjacent to the street frontages, the intent of these guidelines is to locate the satellite pads close to the street frontage in a manner which breaks up the appearance of the parking area bulk from the viewpoint of the adjacent street frontages. In those situations where buildings and the open space adjacent to them are located near the property frontage rather than being separated from the street frontage by parking areas, the need for common space near the interior of the property is considered less essential.

Guidelines

Encouraged:

1. Commercial parking lots should be located behind, below or above buildings when feasible. Where commercial parking lots are allowed to remain in front of or beside buildings, parking lots shall provide a 10 foot wide planting area between the parking lot and street right-of-way to include:

- a year-round sight barrier,
 - evergreen shrubs,
 - evergreen ground cover,
 - shrub material maintained at a maximum height of 3 feet for visibility.
2. Where feasible in multi-family development, parking lots should be located behind, below or above buildings in new development or relocated behind buildings in redevelopment; though not directly adjacent to any street fronts. The front yard setbacks should be adjusted downward when the parking is placed to the rear of the units.
3. Access to multi-family parking lots located behind, below or above buildings should be provided from rear alleys, auto-courts, and/or other internal drives.

PARKING LOT LANDSCAPING (ALSO APPLICABLE TO LOT STORAGE, GAS STATION APRONS, AND DRIVE-THRUS)

Intent

To reduce the visual impact of parking lots through landscaped areas and/or architectural features that compliment the overall design and character of development.

Standards

Required:

1. The number of trees required in the internal planting areas in parking lots shall be dependent upon the location of the parking lot in relation to the building and public right-of-way:
 - where the parking lot is located between the building and the public right-of-way, one tree for every five spaces shall be provided (1:5).
 - where the parking lot is located to the side of the building and partially abuts the public right-of-way, one tree for every six spaces shall be provided (1:6).
 - where the parking lot is located behind building and is not visible from the public right-of-way, one tree for every seven spaces shall be provided (1:7).
2. Existing trees shall be retained unless they are unhealthy, cause public safety hazards, or cannot be reasonably retained due to site specific limits.

Guidelines

Encouraged:

1. Commercial parking lots are encouraged to meet stormwater drainage requirements by using Low Impact Development (LID) techniques wherever possible and practical.

PARKING LOT SCREENING (ALSO APPLICABLE TO LOT STORAGE, GAS STATION APRONS, AND DRIVE-THRUS)

Intent

To provide screening of parking in developments visible from the public right-of-way, while providing visibility for surveillance.

Standards

Required:

1. Parking lots that abut the public right-of-way shall be screened with one or a combination of the following treatments:
 - Low walls made of concrete, masonry, or other similar material and not exceeding a maximum height of 3 feet.
 - Raised planter walls planted with a minimum 80% evergreen shrubs not to exceed a total height of 3 feet, including planter wall and landscape planting.
 - Landscape plantings consisting of trees of which at least 80% are deciduous and shrubs and groundcover materials of which at least 80% are evergreen.

- Landscaped berm with trees and evergreen shrubs.
2. Walls, fencing, and architectural details shall compliment the materials used in adjacent architectural styles.
 3. Screen walls or fences located across a street or adjacent to a residential designation shall include one or more of the following:
 - Arbor and/or trellis structure with climbing vines
 - Architectural detailing, contrasting materials, or other special interest
 - Art
 4. Walls and raised planters shall not exceed a maximum height of 3 feet, unless all of the following are provided:
 - screen treatment does not create a safety hazard.
 - portion of treatment that is above 3 feet in height is a minimum 75% transparent (i.e. see-through metal railing, trellis, or other similar treatment).
 - portion of wall/landscape treatment that is above 3 feet in height provides added visual interest, detail, and character suitable to the character of the development.
 5. Where walls are provided, landscape planting areas shall be a minimum width of 5 feet and shall be located adjacent to the public right-of-way.
 6. Fencing around parking lots shall be allowed if the following conditions are met:
 - All screen fencing should not exceed a maximum height of 6 feet, and any portion higher than 3 feet must be 75% transparent.
 - If an alternative fence material is used such as masonry, wrought iron, or wood etc., the fence must be 75% transparent and planting should consist of at least 30% coniferous trees and evergreen shrubs/groundcovers.
 7. All plant material used for parking lot screening shall be managed and/or selected to provide clear views between 3 and 8 feet above the ground surface, for surveillance purposes.
 8. Chain link fencing without vinyl cladding, powder coating or similar coating over the galvanized metal coating shall not be permitted to be used to screen or enclose parking along a public sidewalk. In addition, the use of razor ribbon or barbed wire shall be prohibited.
 9. Chain link fencing, ~~with or~~ without coating shall not be used on any street frontage, adjacent to a public sidewalk or adjacent to a residential designation.

PARKING LOT LIGHTING (*NOTE: Not applicable to car sales lots*) (**ALSO APPLICABLE TO LOT STORAGE, GAS STATION APRONS, AND DRIVE-THRUS**)

Intent

To maintain a safe and secure pedestrian and non-motorized transportation environment through the use of adequate, but not excessive, lighting

Standards

Required:

1. Lighting used in parking lots shall not exceed a maximum of 30 feet in height. Pedestrian scale lighting along sidewalks and any other applicable location shall be a maximum of 16 feet in height.
2. All lighting shall be glare-free and shielded from the sky and adjacent residential properties and structures, either through exterior shields or through optics within the fixture.

Guidelines

Encouraged:

3. The parking lot lighting should be appropriate to create adequate visibility at night and evenly distributed to increase security.
4. Lighting levels and design should comply with the Illuminating Engineering Society of North America's *Recommended Practices and Design Guidelines*, latest edition.

PEDESTRIAN WALKWAYS THROUGH PARKING LOTS

(NOTE: Not applicable to Industrial Development)

Intent

To provide safe, convenient, and attractive walkways for pedestrians through parking lots.

Standards

Required:

1. For parking lots that contain greater than 20 parking spaces, pedestrian connections shall be clearly defined in a combination of 2 or more of the following ways (except as walkways cross vehicular travel lanes):
 - a 6 inch vertical curb in combination with a raised walkway.
 - a trellis, special railing, bollards, and/or other architectural features to accent the walkway between parking bays.
 - special paving, such as concrete, pavers, or LID materials if appropriate, in an asphalt area.
 - a continuous landscape area minimum 3 feet wide on at least one side of the walkway (where walkways abut a public right-of-way and/or driving aisles, the landscape area shall be provided between the walkway and the public right-of-way or driving aisle).
2. ADA accessible connections shall be provided from ADA parking stalls to the main pedestrian walking routes and building entrances.
3. Pedestrian walkways within parking areas shall be a minimum 5 foot width of clear, unobstructed passage.
4. Pedestrian walkways shall provide a distinct linkage between a main entrance to the building and a concentration of vehicle parking spaces in order to encourage its use by pedestrians.
5. When buildings are not located directly adjacent to the sidewalk, pedestrian walkways shall connect the public sidewalk in the right-of-way to the main building entrance in a clear and direct manner, regardless of the number of parking spaces. Where pedestrian walkways cross vehicular travel lanes within a parking lot, walkways shall be raised a minimum of three inches (3") and marked with contrasting colored paving, pavers, or equivalent to differentiate from vehicular lane. The vehicular travel lane shall be narrowed to the minimum width at the pedestrian crossing and at least two (2) of the following traffic calming techniques shall be used:
 - Pedestrian scale lighting
 - Trellis or other cover extending over the walkway
 - Bollards at the travel lane edge
 - Landscape and/or hardscape features (i.e. railings, rocks, etc.) located at travel lane edge
6. Where transit stops occur in the public right-of-way, pedestrian walkways shall provide a direct and clear connection from the building's main entrance to the transit stop.

Guidelines

Encouraged:

7. Night lighting should be provided where stairs, curbs, ramps, abrupt changes in walk direction, and crossing vehicle lanes occur.

SIDEWALKS AND STREET TREES WITHIN PUBLIC RIGHT-OF-WAY

Intent

To maintain a consistent street frontage and character for street right-of-ways.

Standards

Required:

1. Unless otherwise required or where larger plaza areas are provided, sidewalk paving material shall be consistent with street frontage improvements of adjacent developments. The use of LID materials are encouraged, if appropriate to site conditions.
2. Street trees within the public right-of-way shall be located in tree grates or continuous planted area (minimum 5 feet wide unless planting area interrupts required walking width for sidewalk) between the walking route of the sidewalk and the curb edge.
3. If a street has uniform planting of street trees, or a distinctive species, the new street trees shall match or compliment the planting pattern.
4. Where tree grates are used, they shall be ADA accessible and of a similar size and material as tree grates found in adjacent developments to maintain a similar overall streetscape appearance.

Guidelines

Encouraged:

5. Where street trees are planted between the walking route of the sidewalk and curb edge, root barriers, root channels, and/ or structural soils should be utilized to protect the sidewalk from possible, future root damage.

CURB CUT SPACING AND CONSOLIDATED DRIVEWAYS

(NOTE: Not applicable to Industrial Development)

Intent

To enhance pedestrian and non-motorized transportation safety by consolidating driveways, while providing for adequate vehicular and service access

Standards

Required:

1. Minimize obstructions to pedestrian movement and the number of vehicular turning movements; expansions, redevelopments, or changes of use shall be evaluated for number, location, size, and by consolidation of vehicle access points.
2. Closely spaced adjacent driveways in the same development shall be combined for combined joint access, unless the City Engineer finds consolidation is impractical or will cause a hazard.

SCREENING OF TRASH AND SERVICE AREAS

Intent

To reduce the impact of service, loading, storage and trash storage areas and reduce attractiveness to pests

Standards

Required:

1. All service, loading, storage and trash collection areas shall be screened by a combination of masonry, wood, or vinyl walls and planting areas.
2. Loading and service areas shall not face any residential district, unless no other location is possible.
3. All service, loading, storage and trash storage areas must be designed to reduce attractiveness to pests (rats, crows, raccoons, etc.) and include method(s) to secure contents.

...

“Additional Standards for the Mixed Commercial Zone”

SITE DESIGN

DRIVEWAYS AND PARKING LOCATION

Intent

The intent is to create a safe, lively and attractive streetscape that encourages pedestrian and non-motorized transportation activity in the commercial zone. It is further intended to reduce the number of access points onto the state highways, and to minimize the effect of parking lots from the sidewalks and streets while providing a safe line of vision in the area. See also the parking guidelines and standards in the *Standards and Guidelines for All Development* section of this document.

Standards

Required:

1. Driveways are limited to one per 150 feet of street frontage, unless approved by City Engineer. Shared driveways are encouraged.
2. ~~Parking shall be disbursed so that no more than 30% of the primary street frontage is in parking and no more than 70% of a secondary street. This requirement may be adjusted if Low Impact Development techniques are used, such as bio-infiltration or swales.~~
3. Parking Screening: Parking located along a street shall be screened as follows:
 - Ten (10)-foot wide planting area between the parking lot and sidewalk to include trees fifteen (15) feet on center;
 - An evergreen hedge no higher than four (4) feet;
 - Additional plantings and ground cover less than four feet at maturity to provide 85% coverage at three years.
3. 4. Commercial parking lots as a stand-alone use: Five-foot screening area including low walls, raised planter walls, landscaping and/or fencing up to four feet. Fencing up to 6 feet tall may be included if it is 75% transparent and includes a five-foot wide landscaped area. Chain Vinyl coated chain link fence may be allowed as an element of an artistically designed architectural screening wall. Otherwise, chain link fence (coated or uncoated) is not allowed between the building and any road frontage.
- 4 5. Bicycle parking: One bicycle space shall be provided for every 10 vehicle parking spaces, at least half of which must be sheltered from the weather. Bicycle parking shall be well lit and close to the building entrance.

CONNECTIONS TO ADJACENT DEVELOPMENT

Intent

The mixed-commercial zone is located primarily along the city’s two state highways for ease of access. The intent of these standards is to create an attractive physical environment to welcome customers and visitors; a network of safe, convenient, and attractive internal linkages for pedestrians, vehicles and non-motorized transportation between retail and mixed use developments; create an attractive physical environment to welcome customers and visitors; encourage the creation of safer commercial neighborhoods and live/work space by allowing multifamily residences in association with commercial uses; respect the existing small-town character of Sedro-Woolley with its street grid, buildings lining the street, street trees, and

pedestrian scale; and provide for safe pedestrian and non-motorized transportation circulation in areas typically dominated by vehicles.

Standards:

Required:

1. To help minimize the number of driveways on major thoroughfares and to enable ease of travel between adjacent businesses, connectivity shall be required. Parking areas between adjacent commercial developments shall be provided per Public Works Development Standards unless otherwise approved by the City Engineer.

2. Chain link fence of any type or coating may not be used to separate pedestrians from vehicular traffic or to define pedestrian walkways, unless as an element of an artistically designed architectural screening wall.

Guidelines:

Encouraged:

2. Pedestrian and non-motorized transportation connections should be clearly defined in a combination of 2 or more of the following ways:
 - a 6 inch vertical curb in combination with a raised walkway.
 - a trellis, special railing, bollards, and/or other architectural features to accent the walkway at key points.
 - a continuous landscape area minimum 3 feet wide on at least one side of the walkway, except as walkways cross vehicular travel lanes (where walkways abut a public right-of-way and/or driving aisles, the landscape area shall be provided between the walkway and the public right-of-way or driving aisle).
3. Pedestrian connections should be reinforced with pedestrian scale lighting, bollard lighting, accent lighting or a combination thereof to aid in pedestrians way-finding.
4. Pedestrian walkways should include clear sight lines to building entrances and should not be less than 4 feet wide.
5. Where landscape areas are provided, plant material should consist of a mixture of evergreen and deciduous trees and shrubs. A minimum 20% of plant varieties should provide year-round color, texture and/or other special interest. Shrubs should be maintained at a maximum 3 foot height for visibility. Ground covers should be evergreen varieties.

COMMON SPACE

Intent

To ensure that the commercial and mixed use developments of Sedro-Woolley have a variety of places that are accessible, comfortable and appealing to the public. The property owner retains control and ownership of the space.

Standards

Required:

1. Each development of over 5,000 square feet of lot or 5,000 square feet of building area shall provide at least one public space according to the following formula:

One percent of the building area plus one percent of the lot area = minimum public space.

Examples of Public Space Requirement

Lot size	Building size	Public Space
50,000	10,000	600 sq. ft.
30,000	15,000	450 sq. ft.
10,000	7,500	175 sq. ft.

2. Such common space shall be visible and accessible from a public sidewalk and should be contiguous and concentrated in one or two locations rather than scattered in small, unusable portions. It is preferred that such space be in close proximity to the main entrance of the building to take advantage of the flows of pedestrians, but other locations may be considered if they are visible and accessible to the public.

3. Such common space shall be provided in one or more of the following forms, as defined in this document:

- a) Plaza
- b) Green
- c) Courtyard
- d) Forecourt
- e) Sitting Area
- f) Widened Sidewalk
- g) Rain Garden Stormwater Treatment Area
- h) Art or Water Feature
- i) Special interest information, including historical information

The amount of area devoted to satisfying this requirement may be deducted from the amount of space otherwise devoted to parking lot landscaping.

4. Walking surface shall include two or more types of paving material, or treatment.

5. Private Open Space for Residential Portion:

- a) For sites with residential uses, a minimum of 15% of the area required for landscaping and open space shall be designed as private open space for use by residents.

OR

- b) Commercial developments incorporating residential uses shall have at least ten (10) five percent of the building area in a common open space accessible only to residents in addition to individual open spaces such as patios or decks.

Example of residential common open space requirement

Residential size	Open space size
6,000 sq. ft. (7-8 apartments)	300 <u>600</u> sq. ft.
20,000 sq. ft.	1000 <u>2,000</u> sq. ft.

Guidelines

Encouraged:

1. This space should be contiguous and concentrated in one or two locations, in close proximity to the main entrance of the building. The open space should take advantage of sunlight.

Should include at least three of the following:

- Landscaping;
- Lighting at pedestrian scale such as bollards or other accents;
- Special paving, such as pervious paving to improve drainage;
- Public art;
- Seating;
- Water feature;
- Public information kiosk

PLAZAS, COURTYARDS, AND SEATING AREAS

Intent

To reinforce the pedestrian nature of Sedro-Woolley by providing usable public open space. Provide appropriately sized pathways with site amenities to create a space that is welcoming for pedestrian. Lighting and wall heights, as well as landscaping and site furnishings should be at scale to the pedestrian, not to autos.

Standards

Required:

1. Where provided, pedestrian spaces shall be visible, well lit and accessible to the public.
2. Plazas, courtyards and other pedestrian spaces shall include at least three of the following:
 - special interest planting with a wide range of plant materials including perennials and flowering shrubs. A minimum 65% of plant material used shall provide seasonal flower and/or foliage color;
 - pedestrian scale, bollard, or other accent lighting;
 - special paving, such as colored/stained concrete, brick or other unit paver. The use of LID materials, if appropriate to the site conditions, is encouraged;
 - public art with a valuation of at least one-half of 1% of the total construction cost;
 - seating, such as benches, tables, or low seating walls; or
 - water feature

SITE FURNISHINGS

Intent

To create a more pedestrian friendly street frontage through the use of permanent site furnishings at main pedestrian walkways, building entrances and other pedestrian areas.

Standards

Required:

1. Permanent site furnishings, such as benches, tables and other pedestrian and non-motorized transportation amenities shall be made of durable, weather-resistant and vandal-resistant materials.
2. Permanent site furnishings shall be consistent with the overall character and appearance of the development.
3. Site furnishings shall not block pedestrian access to main walkways, open space areas and/or building entrances.
4. Lighting shall be lower than in streets and parking lots to maintain a pedestrian scale.

Guidelines

Encouraged:

4. Permanent site furnishings, such as benches, tables, bike racks and other pedestrian amenities are encouraged to be provided at main pedestrian walkways, building entrances, plazas, open space and other pedestrian areas.

BUILDING DESIGN

ORIENTATION TO STREET

Intent

To ensure that buildings add to the liveliness of streets and the overall community character. Building orientation is intended to create a welcoming streetscape for users of the public right-of-way. Orienting buildings toward and/or using landscaping to buffer parking areas visible from the main arterial creates an environment that fosters pedestrian use of city sidewalks, which improves

the overall perception of the streetscape as a welcoming and safe environment. Creating such areas along the main thoroughfare can improve the regional perception of the community, making the city a more attractive place to shop. Making the Mixed Commercial zone a safe and attractive place for pedestrians and non-motorized transportation is of high priority.

Standards

Required:

1. Buildings ~~along with~~ or trees and landscaping shall be predominant, rather than parking lots and free-standing signs.
2. Pedestrian and non-motorized transportation access to the building shall be visually and functionally clear and should offer a convenient alternative to walking through driveway entrances and exits.

Guidelines

Encouraged:

3. People traveling along arterial streets should be able to see storefronts, windows, merchandise, and other aspects of business activity.
4. Parking should be on opposite side of building from the main arterial.

SETBACKS

Intent

To ensure the visibility of retail businesses and establish active, lively uses within close proximity to the sidewalk.

Guidelines

Encouraged:

1. Commercial buildings should be set as close as possible to the sidewalk, instead of located behind parking lots.
2. Portions of buildings should be set as close as possible to the sidewalk or property line, which can be accomplished in various ways. For instance, major portions of single buildings should abut the sidewalk. In multi-building developments, one or more buildings should be set to the sidewalk.
3. The requirement for Common Space may be reduced in the instance where a development locates its parking area behind the building and locates the building as close as is practical to the public sidewalk and street frontage.

LIGHTING

Standards

~~Light standards shall not exceed 20' in height for maximum security and shall include full cutoff luminaires so as not to shine onto adjacent properties or produce glare.~~

WEATHER PROTECTION

Intent

To provide weather protection for pedestrians.

Standards

Required:

1. Where buildings are adjacent to a public sidewalk, canopies or awnings shall be provided. The minimum depth of any canopy or awning shall be 5 ft unless limited by the building code. The

vertical dimension between the underside of a canopy or awning and the sidewalk shall be at least 8 ft and no more than 12 ft.

2. Weather protection can be combined with the method used to achieve visual prominence at entrances, and to protect bicycle racks.

3. Internal illumination (under-lighting) of awnings shall not be allowed unless the awning material is opaque. However, pedestrian-scale lighting and other down-lighting is allowed beneath awnings.

ROOFLINE EXPRESSION (*Note: This standard does not apply to purely residential buildings*)

Intent

To ensure that rooflines present a distinct profile and appearance for the building and express the neighborhood character.

Standards

Required:

1. Commercial buildings shall include extended parapets and projecting cornices to create a prominent edge when viewed against the sky. Sloping roof elements are allowed but not required.

CONCEALING ROOFTOP EQUIPMENT

Intent

To screen view of rooftop mechanical and communications equipment where visible from the street level.

Standards

Required:

1. Mechanical equipment shall be screened by extended parapet walls or other roof forms that are integrated with the architecture of the building.

2. Painting equipment, erecting fences, and using mansard-type roofs are not acceptable methods of screening.

3. Communication equipment shall be blended in with the design of the roofs, rather than being merely attached to the roof deck.

EXPRESSION AT ENTRANCES TO LARGE DEVELOPMENTS

Intent

To provide a reference point at the end of a block of façades or to mark intersections or entrances to developments larger than 5 acres, by providing visual interest at their entrance to the street.

Guidelines

Encouraged:

1. Developments at intersections should emphasize this unique aspect with two or more of the following methods:

- a) placement of the primary entry
- b) articulation
- c) towers
- d) plazas
- e) distinctive roof forms
- f) other architectural features
- g) landscaping

DRIVE-THRU BUSINESSES

Intent

To reduce the impact of car-oriented drive-thru businesses on pedestrian and non-motorized transportation activity.

Standards

Required:

1. When the drive-thru window or stacking space/lane is located on the street side of a building, screening shall be required between the driving lane/drive-thru window and the street and sidewalk.

Guidelines

Discouraged:

2. Drive-thru windows should not be allowed between the building and the street.

SCREENING BLANK WALLS

Guidelines

Required:

Walls greater than 50 feet in length shall use two or more of the following techniques to minimize the apparent bulk:

Landscaping with columnar tree varieties;

Windows or other fenestration

Material and/or texture change

Color variation

Setbacks or wall modulation

...

Section 3. EFFECTIVE DATE. This ordinance shall take effect five (5) days after the approval by the City Council and publication as provided by law.

Section 4. SEVERABILITY. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.

PASSED by majority vote of the members of the Sedro-Woolley City Council this _____ day of _____ 2011, and signed in authentication of its passage this ____ day of _____ 2011.

Mike Anderson, Mayor

Attest:

Patsy Nelson, City Clerk/Treasurer

Approved as to form:

Eron Berg, City Attorney

Published _____

EXHIBIT B

Planning Commission Findings of Fact, Conclusions and Recommendations

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

In the Matter of:

**Amendments to the Sedro-Woolley
Design Standards and Guidelines**

**PLANNING COMMISSION
FINDINGS OF FACT,
CONCLUSIONS AND
RECOMMENDATION**

This matter having come regularly before the City of Sedro-Woolley Planning Commission for a public hearing on Tuesday, February 15, March 15, 2011 and April 19, 2011 as described in the Planning Department Staff Report dated February 15, 2011 and hereby attached and made a part of this decision.

Description of proposal

As a result of a major rezone effort in 2009, more Mixed Commercial (MC) zoned property became available throughout the City. Most MC zoned property is located along the major thoroughfares in Sedro-Woolley. In an effort to assure that future development in the MC zone meets the goals and interests of the community, the Planning Commission considered revisions to the City's design standards and guidelines for the MC Zone. The Planning Commission held three public hearings and several public meetings and over the spring and summer of 2011. After close consideration of the community input received, the Planning Commission makes the following Findings of Fact, Conclusions and Recommendations:

PLANNING COMMISSION FINDINGS OF FACT

1. After the City completed a major city-wide rezone in early 2010, the City Council and Planning Commission recognized that many of the properties located along the major roads through town are now zoned Mixed Commercial. Because the development along these roads is the only part of the City that most passers-through see, it is imperative that the MC is well planned, aesthetically interesting and easily accessible. The image of the City is affected by the appearance of development in the MC zone. Therefore, it is imperative that the *City of Sedro-Woolley Design Standards and Guidelines* for the MC zone encourage the type of development that represent the community's vision and at the same time meets the businesses' needs.
2. The Planning Commission was assigned the task of reviewing the design standards and guidelines for the MC zone and scheduled its first public hearing on the issue for February 15, 2011.
3. On February 15, 2011 the Planning Commission held its first public hearing on the task of reviewing the design standards and guidelines for the MC zone. At the hearing, staff presented a staff report (Attachment A) and the Planning Commission opened a public hearing to receive testimony from the public.

4. A staff report dated February 15, 2011 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.
5. The *City of Sedro-Woolley Design Standards and Guidelines* manual has two sections relevant to the MC zone: the Standards and Guidelines for All Development section and the Additional Standards for the Mixed Commercial Zone section.
6. On March 15, 2011 the Planning Commission held its second public hearing on the design standards and guidelines for the MC zone.
7. On April 19, 2011 the Planning Commission held its third public hearing on design standards and guidelines for the MC zone.
8. In compliance with Chapters 17.60 and 2.90 SWMC, notice of the February, March and April Public Hearings in front of the Planning Commission and opportunity to comment on the proposal was published in the Skagit Valley Herald ahead of each hearing.
9. On May 17, 2011, the Planning Commission held the first of three informal public meetings (not formal hearings) on design standards and guidelines for the MC zone. At those meeting, the Planning Commission held informal round-table discussions where the Commissioners and the public could sit together and review the details of the proposal together.
10. On August 16, 2011 the Planning Commission concluded its discussion of design standards and guidelines for the MC zone and made a motion to recommend several changes to the Sedro-Woolley Design Standards and Guidelines. No changes to the zoning code for the Mixed Commercial zone (Chapter 17.20 SWMC) are recommended. The motion carried 4-0.

PLANNING COMMISSION CONCLUSIONS

1. The attached recommendations have been developed with the input of the citizens of Sedro-Woolley represent the intent and wishes of the people.
2. The attached recommendations, having been reviewed with accordance with applicable state and local rules, are in the best interest of the people of Sedro-Woolley.

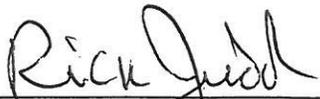
PLANNING COMMISSION RECOMMENDATIONS

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 Design Standards and Guidelines as shown in Attachment 2.

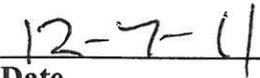
ATTACHMENTS

- Attachment 1 – Staff Report Dated February 15, 2011
- Attachment 2 – Final PC recommended amendments to Design Standards and Guidelines

CERTIFICATION



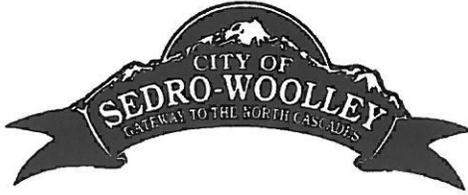
Rick Judd, Planning Commission Chairman



Date

Attachment 1

February 15, 2011 Staff Report and Exhibits A- D of Staff Report



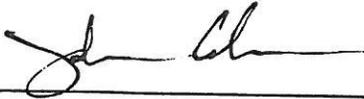
CITY OF SEDRO-WOOLLEY
PLANNING DEPARTMENT
325 Metcalf Street
Sedro-Woolley, WA 98284
Phone (360) 855-0771
Fax (360) 855-0733

TRANSMITTAL & REPORT MEMORANDUM

DATE: February 15, 2011

TO: Sedro-Woolley Planning Commission

REGARDING Update to Development Standards and Design Standards for the Mixed Commercial Zone

FROM: 

John Coleman, Senior Planner

The following Findings of Fact are submitted by the Planning Department proposing amendments to Chapter 17.20 of the Sedro-Woolley Municipal Code (SWMC) and the Sedro-Woolley Design Standards and Guidelines to implement changes intended to improve the aesthetics of and pedestrian accessibility in the Mixed Commercial (MC) Zone. This report serves as the staff report for the proposed amendments and was submitted in accordance with Chapter 2.90 SWMC.

FINDINGS OF FACT

PROPOSAL

A proposal by the Sedro-Woolley Planning Commission to revise the design standards and guidelines for the Mixed Commercial (MC) Zone. The Standards and Guidelines manual is adopted by reference in Sedro-Woolley Municipal Code (SWMC) 15.44.030. Though this proposal primarily intends to update the portions of the design manual affecting commercial development, amendments may also be made to the MC zoning code, Chapter 17.20 SWMC as a may be necessary to achieve the intended development goals in the MC Zone.

ANALYSIS

In 2010, the Planning Commission outlined a list of agenda items that the commission would like to address. The City Council subsequently reviewed and prioritized that 2010 work plan. One of those priorities is to revise the design standards and guidelines for the Mixed Commercial Zone.

The City adopted a Design Standards and Guidelines manual (manual) in 2005. That was the first attempt at such a document in Sedro-Woolley. The manual has been very useful, but after six years of using the manual, modifications and revisions are necessary to assure the document meets the current needs of the community. Last year, the Planning Commission, and City Council adopted, changes to the zoning map that resulted in an expansion of the amount of MC zoned land. Since major land use designation changes were made that may affect the way commercial areas develop, the Planning Commission requested that the sections of the manual which relate to Mixed Commercial development be updated. This is the beginning of that process.

One major concept discussed by the Planning Commission was to encourage development in the MC Zone that is more visually appealing from the road than standard commercial development, which typically locates parking lots in between the major road and the commercial space. Also discussed was a desire to make commercial areas more pedestrian friendly, like traditional downtown business districts. Options to improve the visual appearance may include landscape screening of parking lots in front of businesses, or moving the business up to the front property line and locating parking on the side or rear of the businesses. These principals are common to new developments built as “urban villages,” an increasingly common concept for commercial development. The Planning Commission discussed similar concepts in 2008 as the commission reviewed a proposal to designate certain properties as an urban village. The concept behind that proposal – the Urban Village Mixed Use proposal – passed, in the form of an overlay.¹ It is anticipated that many of the principals of an urban village design and layout will be incorporated into Mixed Commercial design standards and zoning code. Other terms that one can research to find out more about concepts that attempt to incorporate improved design standards and pedestrian oriented site layout are “New Urbanism,” “livable communities” and/or “smart growth.” Visual examples of such developments are included as Exhibit C.

Exhibit A includes the existing design standards for mixed commercial. Though this proposal primarily intends to update the portions of the design manual affecting commercial development, amendments to the MC zoning code may also be necessary to achieve the intended development goals in the MC Zone. No changes to manual or Chapter 17.20 are proposed at this time. At the tail end of the project, the SEPA process for a non-project proposal will need to be completed.

¹ The design standards and zoning regulations for the Mixed Use Urban Village Overlay have not been finalized, however the Planning Commission will be working on that project in the near future.

COMPATIBILITY OF PROPOSAL WITH THE COMPREHENSIVE PLAN

The following are excerpts from the Comprehensive Plan that are relevant to the proposed amendments to the Mixed Commercial Zoning Code and Design Standards. After each excerpt are staff's comments on how the proposal is compliant with the Comprehensive Plan. Comprehensive Plan language appears in *italics* and staff comments are in regular font. Overall the proposal to encourage development in the Mixed Commercial zone to be pedestrian oriented appears to be consistent with the Comprehensive Plan.

Land Use Element – Land Use Goals and Policies

Policy LU5.8: Encourage high standards of appearance in all residential areas and in other high visibility areas. The proposal to revise the design standards is intended to improve the appearance of new development in the Mixed Commercial Zone, which is primarily located along busy thoroughfares. Development in the MC zone is highly visible.

Goal LU6: To provide clear review and approval processes for land use actions. 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 entrance to the city and at selected nodes along major roads. The goal of the project is to revise the design standards so as to allow new development in the MC Zone to be a compatible mix of commercial and residential development. The revised standards are intended to present an attractive and welcoming appearance.

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. The design review procedures have already been developed. This action is to revise the design standards that have already been approved. The process is open to the public and has been noticed in the city newspaper of record.

Policy 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. The proposal is intended to create pedestrian-friendly commercial development, thereby making it easier to walk or bike to the destination.

RECOMMENDATION

Staff recommends that the Planning Commission hear public comments at the February 15, 2011 public hearing and hold further hearings before making a recommendation to the City Council. Based on the Planning Commission's input and public comments received at the first hearing, staff will make recommended changes to the text of the manual (and MC zoning code if necessary). Those recommendations will be available before subsequent hearing on this topic.

PUBLIC PARTICIPATION

Interested parties can comment on the proposed changes in writing or at the hearing. Complete project files are available for review at the Planning Department located at 325 Metcalf Street, Sedro-Woolley. The Sedro-Woolley Planning Commission will make a recommendation to the City Council on the proposed amendments.

The Planning Commission will hold a public hearing February 15, 2011 at 6:30 PM at the City Hall Council Chambers located at 325 Metcalf Street.

NOTICE OF PUBLIC HEARING PUBLISHED IN SKAGIT VALLEY HERALD: February 5, 2011

EXHIBITS:

- A. Current Design Standards for the Mixed Commercial Zone
- B. Current MC Zoning Code (Chapter 17.20 SWMC)
- C. Photo examples of mixed commercial/residential development
- D. Notice of Public Hearing

Additional Standards for The Mixed Commercial Zone

SITE DESIGN

DRIVEWAYS AND PARKING LOCATION

Intent

The intent is to reduce the number of access points onto the state highways, and to minimize the effect of parking lots from the sidewalks and streets while providing a safe line of vision in the area.

Guidelines

Required:

1. Driveways are limited to one per 150 feet of street frontage, unless approved by city engineer. Shared driveways are encouraged.

2. Parking shall be disbursed so that no more than 30% of the primary street frontage is in parking and no more than 70% of a secondary street. This requirement may be adjusted if Low Impact Development techniques are used, such as bio-infiltration or swales.

3. Parking Screening: Parking located along a street shall be screened as follows:
 - Ten (10)-foot wide planting area between the parking lot and sidewalk to include trees fifteen (15) feet on center;
 - An evergreen hedge no higher than four (4) feet.

Additional plantings and ground cover less than four feet at maturity to provide 85% coverage at three years.

4. Commercial parking lots as a stand-alone use: Five-foot screening area including low walls, raised planter walls, landscaping and/or fencing up to four feet. Fencing up to 6 feet tall may be included if it is 75% transparent and includes a five-foot wide area landscaped. Chain link fence may be allowed as an element of an artistically designed architectural screening wall.

5. Bicycle parking: One bicycle space shall be provided for every 10 vehicle parking spaces, at least half of which must be sheltered from the weather.

CONNECTIONS TO ADJACENT DEVELOPMENT

Intent

The mixed-commercial zone is located primarily along the city's two state highways for ease of access. The intent of these standards are to create a network of safe, convenient, and attractive internal linkages for pedestrians between retail and mixed use developments; create an attractive physical environment to welcome customers and visitors; encourage the creation of safer commercial neighborhoods and live/work space by allowing multifamily residences in association with commercial uses; respect the existing small-town character of Sedro-Woolley with its street grid, buildings lining the street, street trees, and pedestrian scale; and provide for safe pedestrian circulation in areas typically dominated by vehicles.



Standards:

1. Chain link fence of any type or coating may not be used to separate pedestrians from vehicular traffic or to define pedestrian walkways, unless as an element of an artistically designed architectural screening wall. .

Guidelines:

Encouraged:

2. Pedestrian connections should be clearly defined in a combination of 2 or more of the following ways:
 - a 6 inch vertical curb in combination with a raised walkway.
 - a trellis, special railing, bollards, and/or other architectural features to accent the walkway at key points.
 - a continuous landscape area minimum 3 feet wide on at least one side of the walkway, except as walkways cross vehicular travel lanes (where walkways abut a public right-of-way and/or driving aisles, the landscape area shall be provided between the walkway and the public right-of-way or driving aisle).
3. Pedestrian connections should be reinforced with pedestrian scale lighting, bollard lighting, accent lighting or a combination thereof to aid in pedestrians way-finding.
4. Pedestrian walkways should include clear sight lines to building entrances and should not be less than 4 feet wide.
5. Where landscape areas are provided, plant material should consist of a mixture of evergreen and deciduous trees and shrubs. A minimum 20% of plant varieties should provide year-round color, texture and/or other special interest. Shrubs should be maintained at a maximum 3 foot height for visibility. Ground covers should be evergreen varieties.

COMMON SPACE

Intent

To ensure that the commercial and mixed use developments of Sedro-Woolley have a variety of places that are accessible, comfortable and appealing to the public. The property owner retains control and ownership of the space.

Standards

Required:

1. Each development of over 5,000 square feet of lot or 5,000 square feet of building area shall provide at least one public space according to the following formula:

One percent of the building area plus one percent of the lot area = minimum public space.

Examples of Public Space Requirement

Lot size	Building size	Public Space
50,000	10,000	600 sq. ft.
30,000	15,000	450 sq. ft.
10,000	7,500	175 sq. ft.

2. Such common space shall be visible and accessible from a public sidewalk and should be contiguous and concentrated in one or two locations rather than scattered in small, unusable portions. It is preferred that such space be in close proximity to the main entrance of the building to take advantage of the flows of pedestrians, but other locations may be considered if they are visible and accessible to the public.

3. Such common space shall be provided in one or more of the following forms, as defined in this document:

- a) Plaza
- b) Green
- c) Courtyard
- d) Forecourt
- e) Sitting Area
- f) Widened Sidewalk
- g) Rain Garden Stormwater Treatment Area
- h) Art or Water Feature
- i) Special interest information, including historical information

The amount of area devoted to satisfying this requirement may be deducted from the amount of space otherwise devoted to parking lot landscaping.

4. Walking surface shall include two or more types of paving material, or treatment.

5. Private Open Space for Residential Portion:

- a) For sites with residential uses, a minimum of 15% of the area required for landscaping and open space shall be designed as private open space for use by residents.

OR

- b) Commercial developments incorporating residential uses shall have at least five percent of the building area in a common open space accessible only to residents in addition to individual open spaces such as patios or decks.

Example of residential common open space requirement

Residential size	Open space size
6,000 sq. ft. (7-8 apartments)	300 sq. ft.
20,000 sq. ft.	1000 sq. ft.

Guidelines

Encouraged:

1. This space should be contiguous and concentrated in one or two locations, in close proximity to the main entrance of the building. The open space should take advantage of sunlight.

Should include at least three of the following:

- Landscaping;
- Lighting at pedestrian scale such as bollards or other accents;
- Special paving, such as pervious paving to improve drainage;
- Public art;
- Seating;
- Water feature;
- Public information kiosk

PLAZAS, COURTYARDS, AND SEATING AREAS

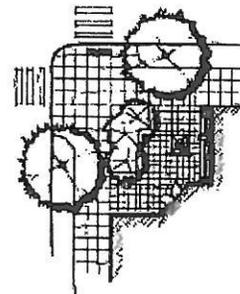
Intent

To reinforce the pedestrian nature of Sedro-Woolley by providing usable public open space.

Standards

Required:

1. Where provided, pedestrian spaces shall be visible and accessible to the public.
2. Plazas, courtyards and other pedestrian spaces shall include at least three of the following:
 - special interest planting with a wide range of plant materials including perennials and flowering shrubs. A minimum 65% of plant material used shall provide seasonal flower and/or foliage color.
 - pedestrian scale, bollard, or other accent lighting
 - special paving, such as colored/stained concrete, brick or other unit paver. The use of LID materials, if appropriate to the site conditions, is encouraged.
 - public art with a valuation of at least one-half of 1% of the total construction cost



- seating, such as benches, tables, or low seating walls
- water feature

SITE FURNISHINGS

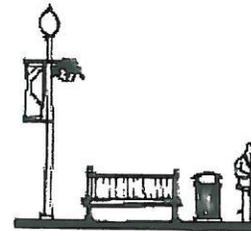
Intent

To create a more pedestrian friendly street frontage through the use of permanent site furnishings at main pedestrian walkways, building entrances and other pedestrian areas.

Standards

Required:

1. Permanent site furnishings, such as benches, tables and other pedestrian amenities shall be made of durable, weather-resistant and vandal-resistant materials.
2. Permanent site furnishings shall be consistent with the overall character and appearance of the development.
3. Site furnishings shall not block pedestrian access to main walkways, open space areas and/or building entrances.



Guidelines

Encouraged:

4. Permanent site furnishings, such as benches, tables, bike racks and other pedestrian amenities are encouraged to be provided at main pedestrian walkways, building entrances, plazas, open space and other pedestrian areas.

BUILDING DESIGN

ORIENTATION TO STREET

Intent

To ensure that buildings add to the liveliness of streets and the overall community character.

Standards

Required:

1. Buildings, along with trees and landscaping shall be predominant, rather than parking lots and free-standing signs.
2. Pedestrian access to the building shall be visually and functionally clear and should offer a convenient alternative to walking through driveway entrances and exits.



Guidelines

Encouraged:

3. People traveling along arterial streets should be able to see storefronts, windows, merchandise, and other aspects of business activity.

SETBACKS

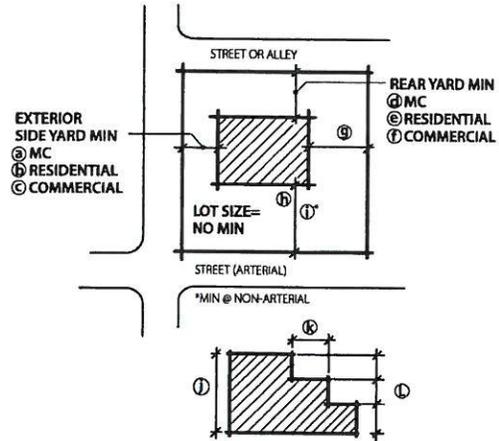
Intent

To ensure the visibility of retail businesses and establish active, lively uses within close proximity to the sidewalk.

Guidelines

Encouraged:

1. Commercial buildings should be set as close as possible to the sidewalk, instead of located behind parking lots.
2. Portions of buildings should be set as close as possible to the sidewalk or property line, which can be accomplished in various ways. For instance, major portions of single buildings should abut the sidewalk. In multi-building developments, one or more buildings should be set to the sidewalk.
3. The requirement for Common Space may be reduced in the instance where a development locates its parking area behind the building and locates the building as close as is practical to the public sidewalk and street frontage.



LIGHTING

Standards

Light standards shall not exceed 20' in height for maximum security and shall include full cutoff luminaires so as not to shine onto adjacent properties or produce glare.

WEATHER PROTECTION

Intent

To provide weather protection for pedestrians.

Standards

Required:

1. Where buildings are adjacent to a public sidewalk, canopies or awnings shall be provided. The minimum depth of any canopy or awning shall be 5 ft unless limited by the building code. The vertical dimension between



- the underside of a canopy or awning and the sidewalk shall be at least 8 ft and no more than 12 ft.
2. Weather protection can be combined with the method used to achieve visual prominence at entrances, and to protect bicycle racks.
 3. Internal illumination (under-lighting) of awnings shall not be allowed unless the awning material is opaque. However, pedestrian-scale lighting and other down-lighting is allowed beneath awnings.

ROOFLINE EXPRESSION *(Note: This standard does not apply to purely residential buildings)*

Intent

To ensure that rooflines present a distinct profile and appearance for the building and express the neighborhood character.

Standards

Required:

1. Commercial buildings shall include extended parapets and projecting cornices to create a prominent edge when viewed against the sky. Sloping roof elements are allowed but not required.



CONCEALING ROOFTOP EQUIPMENT

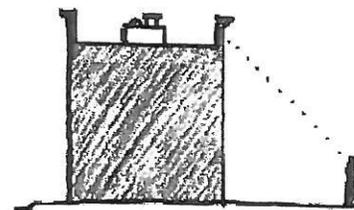
Intent

To screen view of rooftop mechanical and communications equipment where visible from the street level.

Standards

Required:

1. Mechanical equipment shall be screened by extended parapet walls or other roof forms that are integrated with the architecture of the building.
2. Painting equipment, erecting fences, and using mansard-type roofs are not acceptable methods of screening.
3. Communication equipment shall be blended in with the design of the roofs, rather than being merely attached to the roof deck.



Raised parapet

EXPRESSION AT ENTRANCES TO LARGE DEVELOPMENTS

Intent

To provide a reference point at the end of a block of façades or to mark intersections or entrances to developments larger than 5 acres, by providing visual interest at their entrance to the street.

Guidelines

Encouraged:

1. Developments at intersections should emphasize this unique aspect with two or more of the following methods:

- a) placement of the primary entry
- b) articulation
- c) towers
- d) plazas
- e) distinctive roof forms
- f) other architectural features
- g) landscaping

DRIVE-THRU BUSINESSES

Intent

To reduce the impact of car-oriented drive-thru businesses on pedestrian activity.

Standards

Required:

1. When the drive-thru window or stacking space/lane is located on the street side of a building, screening shall be required between the driving lane/drive-thru window and the street.

Guidelines

Discouraged:

2. Drive-thru windows should not be allowed between the building and the street.

SCREENING BLANK WALLS

Guidelines

Required:

Walls greater than ~~100~~ 50 feet in length shall use two or more of the following techniques to minimize the apparent bulk:

- Landscaping with columnar tree varieties;
- Windows or other fenestration
- Material and/or texture change
- Color variation

Setbacks or wall modulation

EXHIBIT B
To February 15, 2011 Staff Report

Chapter 17.20

MIXED COMMERCIAL (MC) ZONE

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 zone.

17.20.005 Intent.

The intent of this 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. (Ord. 1484-04 § 7 (part), 2004)

17.20.010 Use restrictions.

Use restrictions in the mixed commercial (MC) zone shall be as follows:

A. Permitted Uses.

1. Retail, general services, recreational and cultural uses, light manufacturing, low-intensity agriculture;
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. *Repealed by Ord. 1709-11;*
4. Public uses;
5. Public utilities, other than wireless communications facilities;
6. Health facilities and services.

B. Conditional Uses.

1. Quasi-public uses.
2. Wireless communications facilities.
3. All other uses not otherwise prohibited.

C. Prohibited Uses. All uses not allowed as permitted or conditional uses are prohibited. Adult entertainment is a prohibited use in this zone. (Ord. 1709-11 § 1, 2011; Ord. 1522-05 § 1, 2005; Ord. 1484-04 § 7 (part), 2004; Ord. 1312-98 § 1 (part), 1998; Ord. 1309-98 § 6, 1998; Ord. 1013 § 2.04.01, 1985)

17.20.020 Bulk restrictions.

A. Minimum setbacks to adjacent zones:

1. Setbacks to residential (R-5, R-7 and R-15) zones: front setbacks on an arterial street shall be a minimum of twenty feet and a maximum of fifty feet. On a nonarterial street, front setbacks shall be a minimum of ten feet and a maximum of twenty feet. Side

setbacks shall be a minimum of thirty-five feet, which may be reduced to twenty feet if building step-backs as required by the design standards and guidelines are incorporated into the site design pursuant to SWMC Chapter 15.44. Rear setbacks shall be a minimum of twenty feet.

2. Setbacks to all other zones: front setbacks on an arterial street shall be a minimum of twenty feet and a maximum of fifty feet. On a nonarterial street, front setbacks shall be a minimum of ten feet and a maximum 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 MC zone: buildings shall maintain a minimum ten foot setback to all lot lines when adjacent to other properties zoned MC.

B. Maximum building height: thirty-five feet.

Exception: sixty feet, if minimum side and rear setbacks required in subsection A of this section are doubled. (Ord. 1677-10 § 1 (part), 2010; Ord. 1522-05 § 2, 2005; Ord. 1484-04 § 7 (part), 2004; Ord. 1387-00 § 1, 2000; Ord. 1312-98 § 1 (part), 1998; Ord. 1013 § 2.04.02, 1985)

17.20.030 Minimum lot size requirements.

A. Lot area: There is no categorical minimum lot size for permitted 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.

B. Lot frontage on a public street or private street: twenty feet. (Ord. 1484-04 § 7 (part), 2004; Ord. 1312-98 § 1 (part), 1998; Ord. 1013 § 2.04.03, 1985)

17.20.040 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. (Ord. 1484-04 § 7 (part), 2004; Ord. 1312-98 § 1 (part), 1998; Ord. 1063 § 3 (Exh. B § 2.04.04), 1998)

17.20.050 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. (Ord. 1484-04 § 7 (part), 2004)

17.20.060 Parking for residential uses in the MC zone.

The parking requirements for residential uses in the MC zone shall be as follows:

Studio	1 space
1 bedroom	2 spaces
2 bedrooms	2 spaces
3 bedrooms	3 spaces
4 or more bedrooms	4 spaces
Visitor/overflow spaces	1 additional space per 8 units

Parking spaces counted for residential use shall not also be counted towards non-residential parking requirements of SWMC Ch. 17.36 for this zone. (Ord. 1484-04 § 7 (part), 2004).

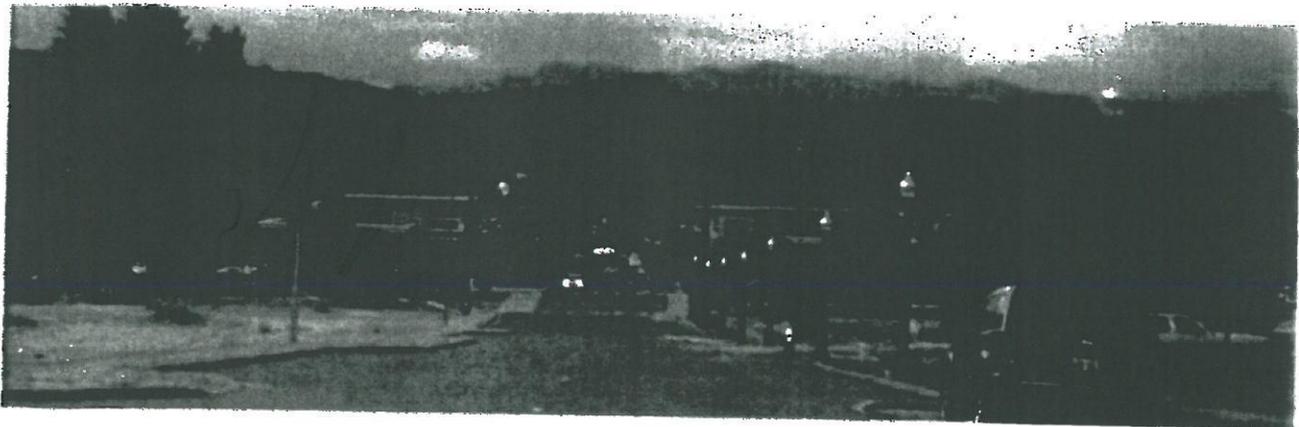
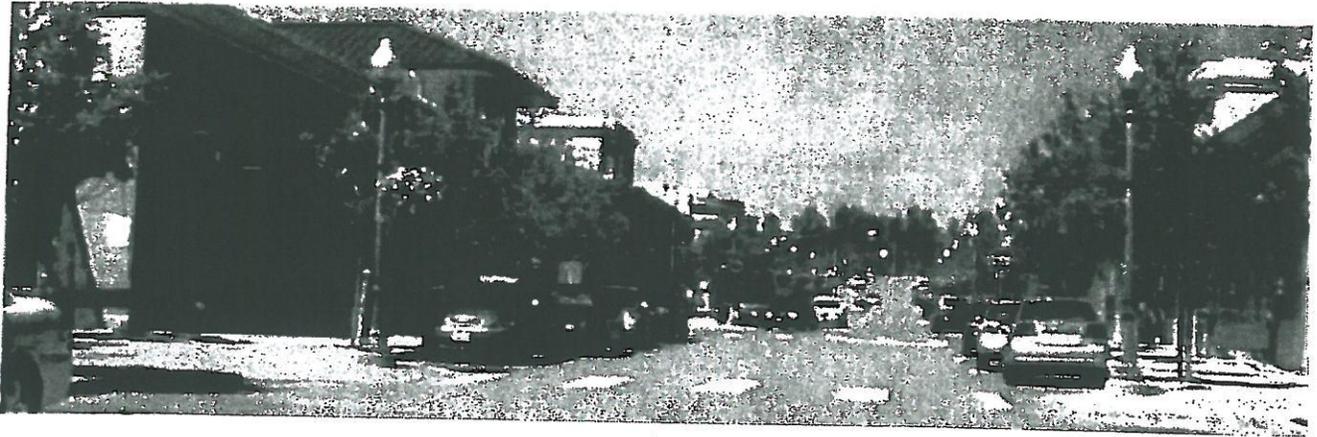
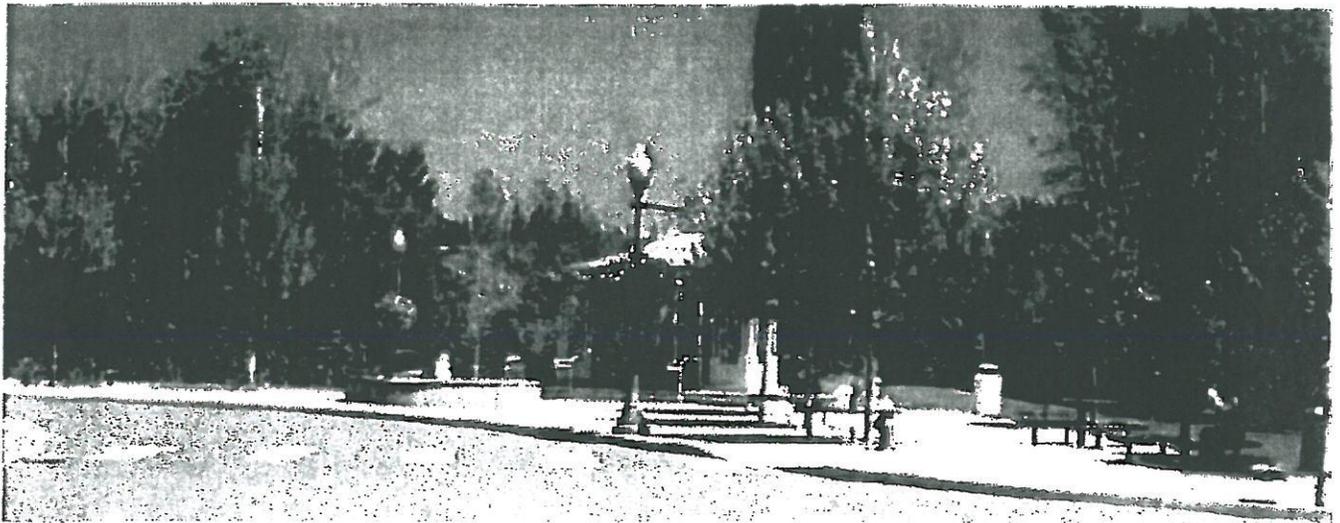
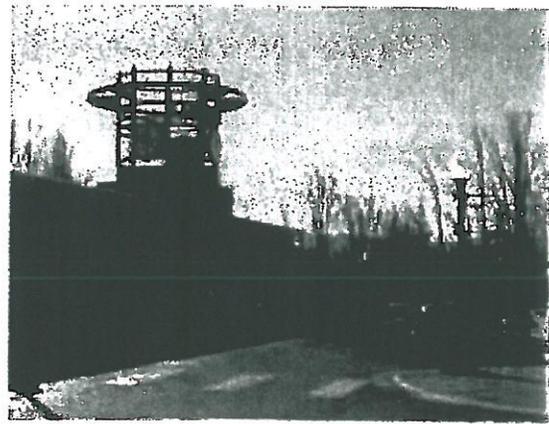
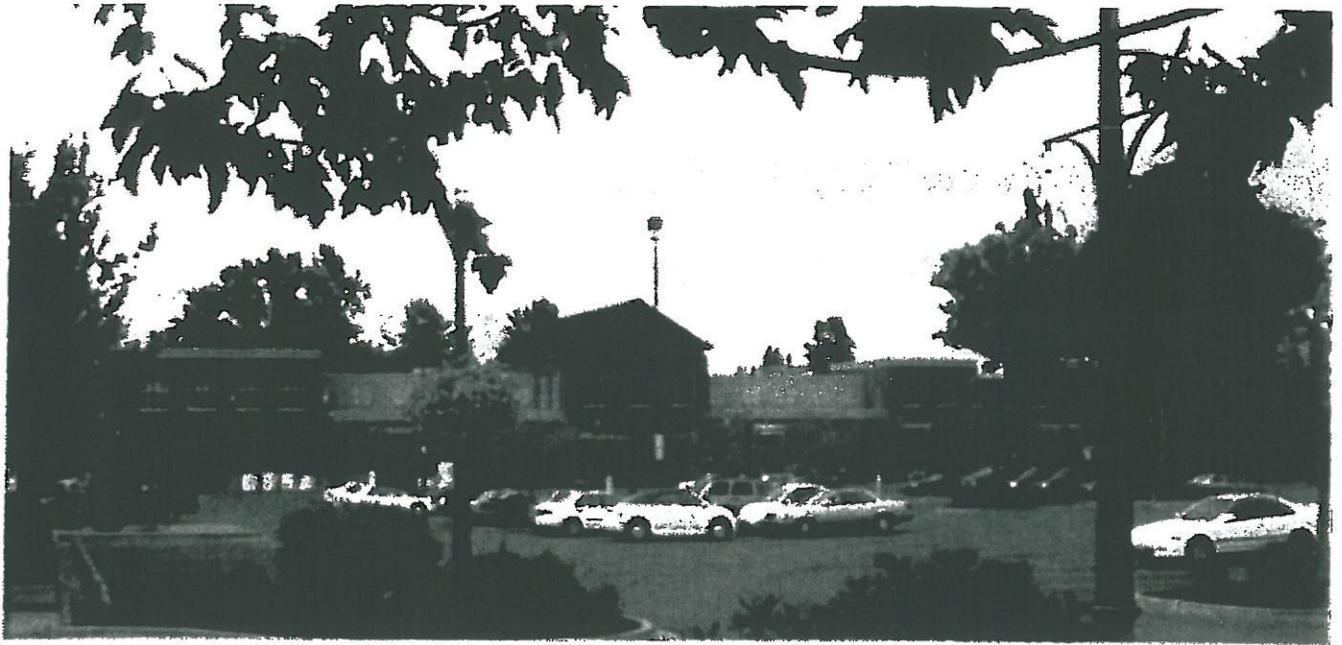
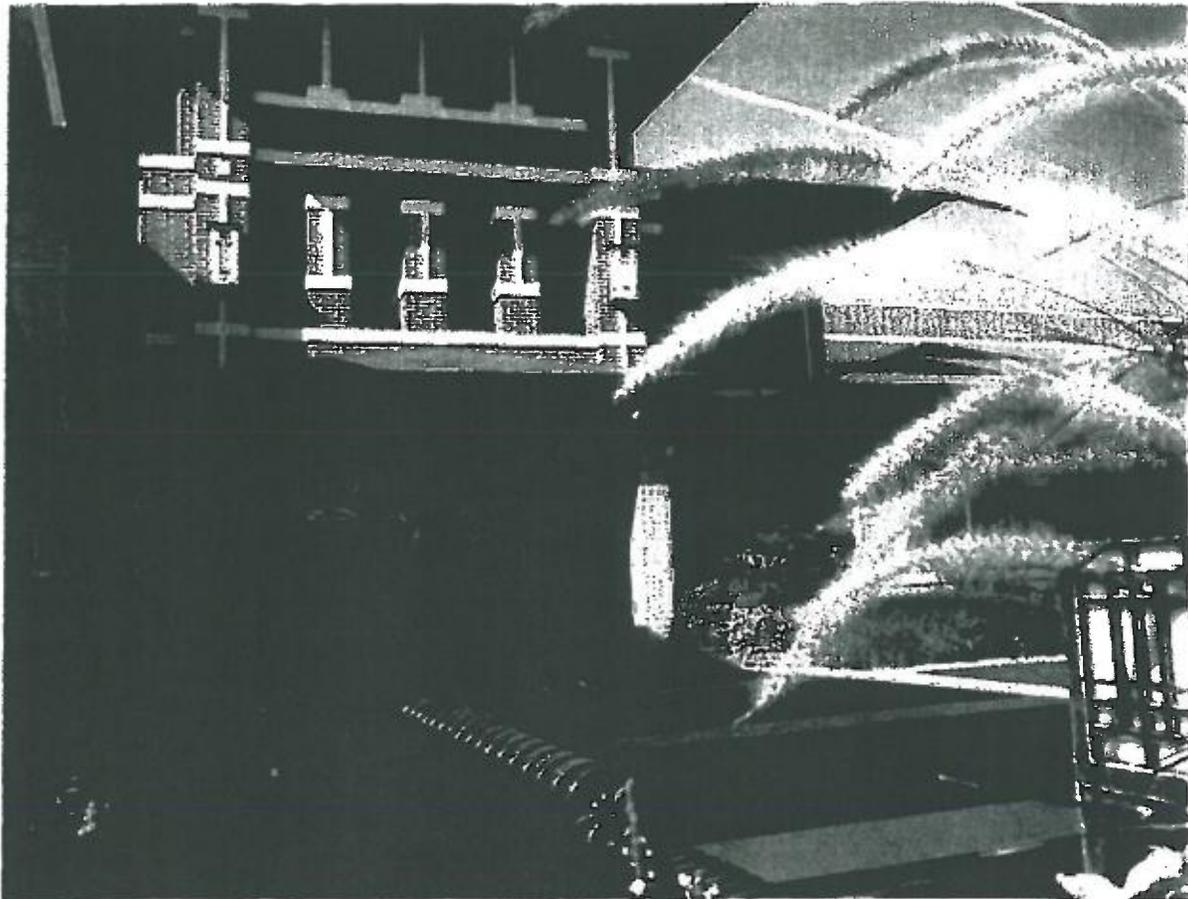
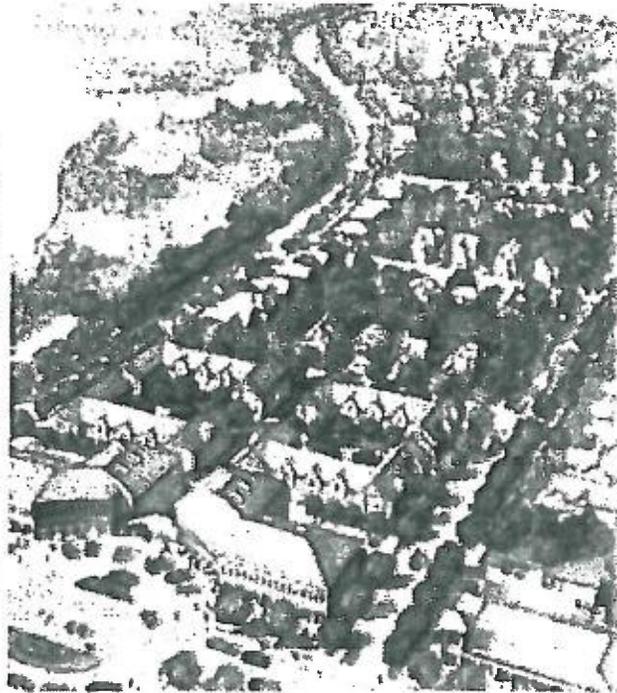


EXHIBIT C
TO FEB 15, 2011 STAFF REPORT



1955-1956





NOTICE OF PUBLIC HEARINGS & ROUNDTABLE DISCUSSION

CITY OF SEDRO-WOOLLEY

Amendments to Zoning Code, Development Regulations, Comprehensive Plan, Zoning Map and Design Standards

The City of Sedro-Woolley Planning Commission will hold public hearings on **May 17, 2011 at 6:30 PM**, at the Sedro-Woolley Council Chambers located at 325 Metcalf Street, to hear testimony regarding proposed amendments to the City's Zoning Code, Development Regulations, Zoning Map and Design Standards and Guidelines:

1. Consider expanding urban growth area (UGA) to include City-owned property south of current City limits.
2. Proposal to rezone properties historically used as a transportation corridor to Open Space Zoning.

The City of Sedro-Woolley Planning Commission will hold a roundtable discussion following the public hearings:

1. A **roundtable discussion** to review and, if necessary, revise the Design Standards and Guidelines for development in the Mixed Commercial Zone. Changes to the Mixed Commercial zoning code may also be made.

Interested parties can comment on the proposed changes in writing or at the hearing. **Written comments must be received by 4:30 PM May 17, 2011** to be considered at this public hearing. Send written comments to the Sedro-Woolley Planning Department, ATTN: Senior Planner, 325 Metcalf Street, Sedro-Woolley, WA 98284. Complete project files are available for review at the Planning Department between the hours of 8:00 AM to 5:00 PM, Monday through Friday. The Sedro-Woolley Planning Commission will make a recommendation to the City Council on the proposed amendments.

Published in the Skagit Valley Herald: May 9, 2011

DEC 28 2011

7:00 P.M. COUNCIL CHAMBERS
AGENDA NO. 8

Memorandum

To: Mayor Anderson and City Council
From: Patsy Nelson *Patsy*
Date: 12/19/2011
Re: 2011 Budget Amendment #3

Issue: Should the Council adopt the attached ordinance which amends the 2011 budget?

Background information: The final budget amendment for 2011 is primarily due to the receipt of grant monies. Additional proposed changes are noted below.

	<u>Revenue</u>	<u>Expenditures</u>
<u>General Fund</u>		
<i>(Soroptomist & Engberg Family donations for Wayfinder signs; increased voter registration costs)</i>		
001.000.000.367.01.19.00 Donation Wayfinder Signs	1,500	
001.000.011.511.70.50.00 Voter Registration Fees		2,500
001.000.014.514.23.41.00 State Auditing		-2,500
001.000.019.596.58.64.10 Wayfinder Signs		3,700
001.000.099.508.00.00.00 Ending cash		-2,200
<u>Cemetery Fund</u>		
<i>(Seasonal help costs exceeded anticipated amount; increase property tax allocation to supplement lower than anticipated fee revenue)</i>		
102.000.000.311.10.00.00 Property Taxes	30,000	
102.000.000.343.60.00.00 Cemetery Fees	-30,000	
102.000.036.536.20.12.00 Extra Help		850
102.000.036.536.20.21.00 Industrial Insurance		85
102.000.036.536.20.22.00 Social Security		80
102.000.036.536.20.24.00 Unemployment		10
102.000.036.536.20.34.00 Liners		-1,025

Revenue Expenditures

Arterial Street Fund

(SR20 Widening Project updated funding)

104.000.000.334.03.00.09	TIB SR 20 Widening Grant	924,516	
104.000.000.337.00.00.00	Skagit Cty SR20 Wide Grant	300,000	
104.000.000.338.95.00.00	SR 20 PUD Reimbursement	266,858	
104.000.000.345.85.00.00	Impact Fees	18,600	
104.000.000.381.10.02.00	Interfund Loan Sewer 410	750,000	
104.000.042.581.20.02.00	Interfund Loan Repayment		750,000
104.000.042.595.10.56.10	Engineering SR20 Widening		27,216
104.000.042.595.10.56.11	Eng SR20 Widening PUD		11,490
104.000.042.595.63.56.10	Construction SR20 Widening		1,219,342
104.000.042.595.63.56.11	Const. SR20 Widening PUD		240,414
104.000.099.508.00.00.00	Ending Cash		11,512

Library

*(Skagit Community Foundation, Soroptomist
Volunteers of America & Skagit County grants)*

105.000.000.367.00.00.00	Private Donations	4,600	
105.000.000.338.72.00.00	Intergovernmental Services	7,500	
105.000.072.572.20.49.35	Early Literacy		4,100
105.000.072.596.72.64.00	Books		500
105.000.072.596.72.64.01	Books – Skagit County		7,500

Hammer Heritage Square Reserve Fund

(Adjustment of budget amendment #1 gazebo maintenance)

107.000.076.596.63.50.01	Capital Outlay		-1,550
107.000.099.508.00.00.00	Ending Cash		1,550

Dog Fund

(Donation & related expenditures)

111.000.000.367.10.00.00	Donations Dog Kennel	750	
111.000.021.521.20.31.01	Supplies – Kennel		250
111.000.021.596.21.64.01	Structure – Kennel		500

Current Expense Reserve

(Match for Fire Station 2)

302.000.000.597.10.00.00	Transfer to FS2 Const		36,950
302.000.099.508.00.00.00	Ending Cash		-36,950

	<u>Revenue</u>	<u>Expenditures</u>
<u>Fire Station 2 Construction Fund</u>		
<i>(Completion of project)</i>		
330.000.000.387.10.00.00 Transfer from REET	8,950	
330.000.082.593.21.62.00 Construction		13,440
330.000.099.508.00.00.00 Ending Cash		-4,490
<u>Sewer Operations</u>		
<i>(Increased salary costs due to hiring of temporary staff to cover employee on medical leave; transfer of unanticipated revenues and cost savings to reserve)</i>		
401.000.000.343.50.00.00 Sewer Service Charges	80,000	
401.000.000.361.40.00.00 Interest on Personal accounts	6,000	
401.000.000.369.90.00.00 Miscellaneous Income	9,000	
401.000.035.535.80.11.00 Salaries		10,000
401.000.035.535.80.41.00 Professional Services		- 15,000
401.000.035.596.35.64.10 Machinery & Equipment		-10,000
401.000.035.596.35.64.10 Professions Svcs Engineering		-90,000
401.000.035.597.35.05.00 Transfer to sewer reserve		200,000
<u>Sewer Reserve</u>		
<i>(SR20 Project Interfund loans and transfer from sewer operations fund)</i>		
410.000.000.381.20.10.40 Interfund Loan Receipts	750,000	
410.000.000.397.35.00.00 Transfer from Fund 401	200,000	
410.000.000.581.10.04.00 Loan to Arterial Streets		750,000
410.000.099.508.00.00.00 Ending Cash		200,000
<u>Stormwater</u>		
<i>(Increase property tax allocation due to timing of grant revenues)</i>		
425.000.000.311.10.00.00 Property Taxes		27,000
425.000.000.334.03.10.00 Ecology Grant		-27,000
<u>Equipment Replacement/Fleet</u>		
<i>(Vehicle purchase slightly greater than expected)</i>		
501.000.412.596.37.64.00 Equipment & Vehicles		2,900
501.100.099.508.00.00.00 Ending Cash		-2,900

Recommendation: Approve Ordinance # -11 an Ordinance amending Ordinance No. 1688-10 entitled, "An Ordinance adopting the Annual Budget for the City of Sedro-Woolley, Washington, for the fiscal year ending December 31, 2011."

AN ORDINANCE AMENDING ORDINANCE 1688-10 ADOPTING THE ANNUAL BUDGET FOR THE CITY OF SEDRO-WOOLLEY, WASHINGTON, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2011

WHEREAS, the Sedro-Woolley City Council has determined that it is in the best interest of the City to amend the 2011 Budget.

NOW, THEREFORE, the City Council of the City of Sedro-Woolley do ordain as follows:

Section 1. The 2011 Budget, adopted by Ordinance 1688-10, and passed by the City Council on November 23, 2010 and is hereby amended as set forth in this Ordinance.

Section 2. Estimated resources, including fund balances or working capital from each separate fund of the City of Sedro-Woolley, and aggregate totals for all such funds combined, for the year 2011 are set forth in summary form below, and are hereby appropriated for expenditure at the fund level during the year 2011 as set forth below:

FUND:	AMOUNT:
001 GENERAL FUND	4,855,305
101 PARKS FUND	648,191
102 CEMETERY FUND	158,072
103 STREET FUND	650,964
104 ARTERIAL STREET FUND	4,321,949
105 LIBRARY FUND	438,623
106 CEMETERY ENDOWMENT FUND	114,996
107 CUM RESERVE FOR CITY PARKS FUND	7,071
108 STADIUM FUND (HOTEL/MOTEL)	62,008
109 SPECIAL INVESTIGATIONS FUND	4,419
111 DOG FUND	750
113 PATHS AND TRAILS FUND	40,776
205 G/O BOND REDEMPTION FUND 2008	288,914
206 G/O BOND 2008 RESERVE FUND	155,850
230 G/O BOND 1996 REDEMPTION FUND	293,097
302 CUM RES FOR C/E CAP OUT FUND	578,524
303 FACILITIES MAINTENANCE RESERVE FUND	110,241
310 MITIGATION RES FOR POLICE FUND	11,641

311 MITIGATION RES FOR PARKS FUND	121,629
312 MITIGATION RES FOR FIRE FUND	12,698
330 FIRE STATION 2 CONSTRUCTION FUND	141,356
332 PWTF SEWER CONSTRUCTION FUND	537,535
401 SEWER FUND	3,676,614
402 CUM RES FOR SEWER OPERATIONS FUND	538,435
407 98 SEWER REV BOND FUND	807,320
410 CUM RES FOR SEWER FACILITES FUND	3,392,699
411 98 SEWER REV BOND RESERVE FUND	376,482
412 SOLID WASTE OPERATIONS FUND	2,042,648
413 SOLID WASTE RATE STABILIZATION FUND	90,190
425 STORMWATER FUND	383,904
501 EQUIPMENT REPLACEMENT FUND	689,723
621 SUSPENSE (SWSD)	40,000
 TOTAL ALL FUNDS	 25,592,624

Section 3. This ordinance shall be in force and take effect five (5) days after its publication according to law.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR THIS 28TH DAY OF DECEMBER, 2011.

Mike Anderson, Mayor

ATTEST:

APPROVED AS TO FORM:

Finance Director

City Attorney