

**CITY OF SEQUIM
CITY COUNCIL MINUTES
SEQUIM TRANSIT CENTER
190 WEST CEDAR STREET
SEQUIM, WA**

JANUARY 24, 2011

5:00 P.M. STUDY SESSION

East End Project

Public Works Director Haines reviewed the “Initial Project Definition Report.” He stated Battelle is requiring infrastructure and we need a plan to define the scope and funding needs. Besides infrastructure, we need a transportation network that includes West Sequim Bay Road and Whitefeather Way along with Hwy 101.

This report will be used to build our credential with funding. This has been shared with federal staff and lobbyists to help make a point about resources we need to make Battelle a priority.

This talks about phases of how we build this project. We will collect impact fees as growth occurs in the City to help support this. There are elements that the City needs to pay attention to if we are going for federal transportation dollars. The table shows a general timeframe in which we have been pacing ourselves. We are awaiting the annexation request from Battelle.

He briefly overviewed the funding issues of the different phases. If we get the environmental aspect complete in advance we can move more quickly as dollars become available. There is a lot of engineering and analysis to do.

He feels the Simdars interchange is further down the road than most of the work that will need to be done on the east end. Other elements would include signaling Rhodefer and East Washington. There may be a roundabout at West Sequim Bay and Washington.

There was discussion about roundabouts versus traffic signals in the area of Rhodefer Road, West Sequim Bay Road and Washington.

Haines stated this document will evolve over the next couple of years. Where the funding comes from depends on how aggressively we want to get this built. We have a concept and plan and will hopefully land the dollars early.

Burkett said as we think about financing these projects, the general fund is not considered. The capital improvement project looks out 6 years. There may be federal and state grants, loans, money from the TBD, and the major source of funding will be development with impact fees. Doing a bond issue is not on the horizon now.

Comp Plan

Interim Planning Director Irvin stated this update is the second phase to the Council's goal of zoning reform. We have discussed solutions to implementing the zoning reform. They were industrial zoning, eastside vacant commercial zoning; integrate the Downtown Plan; review/relocate disjointed high density nodes; UGA boundary and annexation policy; mixed use zoning; the transportation element and more consider and specific policies.

Hays feels it makes sense to narrow down the policies. Dubois feels we could retitle some elements and combine them. She would like to see the document simplified and more specific. Huizinga said changing words in the Comp Plan will create an emotional battle. He agrees alternative energy could be one element.

Burkett said Council will need to provide direction on the Comp Plan. When you have 100 goals and policies they don't have an impact in land use and planning in the City. You may want to leave some in there because people like to have them in there. Huizinga stated the Comp Plan should be general, not specific.

Burkett referred to the current land use allocations in the staff report. He'd like thoughts and comments on issues as we go through the process.

Hall is concerned about strip malls on the east side. Hays feels we need to think about nodes. Huizinga said in C-II-G retail stores must be less than 5,000 feet. There are contradictions in the code about acceptable uses. We need to look at permitted uses.

Hays feels some designated light industrial zoning would be a good thing as it means the potential for jobs. Irvin said we are in the beginning stages of planning. Miller feels our mixed use includes light industrial and doesn't feel we need to restrict it. Hays feels we need language to support light industrial. You could have a commercial zone with overlays depending on where it is located in the City. Huizinga said the problem with being too general causes haphazard growth. If you zone too tightly it can be a taking of an opportunity. Hall is in favor of light industrial. There are a few different locations it could be. Huizinga asked the definition of light vs. heavy industrial. Ritchie said it is usually performance based on sound. Irvin said it is also the use of solvents in their product.

Irvin indicated Haines feels we need to look at the transportation network and what potential waste will be generated by industrial uses and the hours of activities as it plays into transportation impacts. Irvin confirmed the definition of industrial uses is in the code.

Mike McAleer, 560 N. 5th Avenue, commented it would be helpful to think outside of the UGA because as the EDC deals with site selection we are limited in Clallam County. Carlsborg has a moratorium but without it they are still limited. Now the only place to put a job-creating activity is in Port Angeles. Consider what you want Sequim to be.

Mayor Hays called for a break at 6:07 p.m. The meeting was reconvened at 6:10 p.m.

6:00 P.M. REGULAR COUNCIL MEETING

Mayor Hays called the meeting to order.

PLEDGE OF ALLEGIANCE

Lorenzen introduced Eli Berg who is working on a Citizenship in the Community merit badge. The requirements call for listening for a difference of opinions.

ROLL CALL

Deputy Clerk Usselman called roll. Council members present: Laura Dubois, Don Hall, Ken Hays, Bill Huizinga, Susan Lorenzen, Ted Miller.

MOTION by Lorenzen to excuse Erik Erichsen who is ill; second by Miller.
Unanimous.

City Staff present: City Manager Steve Burkett, Deputy Clerk Bobbie Usselman, Interim Planning Director Joe Irvin, Public Works Director Paul Haines, City Attorney Craig Ritchie, Communications Manager Barbara Hanna.

INTRODUCTIONS & CORRESPONDENCE

CEREMONIAL

REPORTS

COMMITTEE, BOARD AND LIAISON SUMMARY

Lorenzen attended the CTS Board meeting today. There is an upcoming public meeting on February 3 at 3:00 and 7:00 re service reductions due to the economic situation.

Hall attended the CPAB meeting. They discussed vandals at Carrie Blake Park restrooms; they'd like better signs and maps on the trails; and discussed a parks district and how they wanted to present themselves at the joint meeting.

The Planning Commission reviewed the critical areas ordinance. Rick Mraz, a wetlands specialist from the Dept. of Ecology, gave a slide show on presentation and goals.

Miller attended the Law and Justice Council meeting. They decided there would be 3 meetings per year. One issue was possibly increasing the sales tax for the prosecuting attorney and sheriff's capability. There will be a subcommittee meeting on February 17 to discuss pros and cons of the sales tax increase. It was suggested all 3 cities must agree to it. Burkett hopes the question asked will be "what problem are we solving."

Dubois attended the Solid Waste Advisory Committee on January 20. They need to update their

5 year solid waste management plan. In March they will have a joint meeting with Jefferson County's SWAC. She also attended the CTS meeting.

PRESIDING OFFICER REPORT

Hays stated we had the Council Retreat this past weekend and thanked staff for its hard work. It was productive and an excellent follow-up to last year.

CITY MANAGER REPORT

Burkett agreed the retreat was productive. Today he sent the report to them.

PUBLIC COMMENTS *(Please limit comments to 3 minutes)*

INFORMATION/COUNCIL QUESTIONS INVITED

1. Financial Policies: Financial Planning, Investment and Debt Management Policies

Burkett said this is the first touch on these policies. It is good to have policies in place prior to incurring debt.

PUBLIC HEARINGS

2. Zoning Reform and Ordinance No 2011-003

Hays read the rules for the public hearing. The public hearing opened at 6:23 p.m.

Irvin outlined the attachments to the staff report. Attachments 1, 1a and 3 are the proposed code changes we are recommending to Council. There is also a requirement for neighborhood presentations prior to submittal of the application. Staff recommends approving 1, 1a and 3.

Attachment 3 provides specific intents for the zoning districts. Chapter 18.20 describes it in a narrative form. Additional cleanup was done in chapter 18.60, conditional use and the elimination of our tables in 18.20.070.

Huizinga said on attachment 1a, section J(6) stops mid-sentence and is incomplete. On attachment 3 in R-III, the minimum for a new subdivision is 6 with up to 10 on an acre of single family. Irvin said that is the way R-III has been for about 3 years. Irvin said there are no changes in the incomplete section.

Hall said the neighborhood meetings inclusion was because of a recent complaint of a neighborhood not knowing what was happening close by. Hall wonders whether the signs being brighter and larger would help. Burkett said there was a complaint. This recommendation goes back to Council's ideas and thoughts on zoning reform improvements to required neighborhood and community meetings in advance.

Huizinga said our notification radius and neighborhood radius is 300'. The people most interested were Emerald Highlands located about 2,500' away. He feels 300' is inadequate and feels neighborhood meetings are good. We need to take a close look at our radius. We need to decide what is definition of the "neighborhood." Irvin said in other cities it ranges from 300' to 500'. There is not a specific definition of what it would encompass.

Dubois said on attachment 3, 18.20.050, Permitted uses, residential on an upper floor, it indicates light industrial uses. We need to look at that definition. Irvin said in the intent it indicates single family and multi-family is only above ground floor retail and office uses.

Lorenzen applauds the content of Attachment 3, but can't settle with the format. She prefers the chart as it is user friendly.

Irvin said working with the public on a daily basis with the chart is helpful. We will have a handout but it will not be part of the code. It becomes burdensome to change the table each time the code changes. Ritchie said the goal is to use the table as a checklist. Text makes it easier to use. A table is a useful tool.

Huizinga asked when we would talk about permitted uses. He wants it in the record we have to have a scheduled meeting to talk about the permitted uses in all of the zones. Some are not compatible to the zones.

Burkett stated that could be integrated into the Comp Plan review. It was agreed it would be done with the Comp Plan review.

Public comment: None

Public hearing closed at 6:50 p.m.

MOTION by Miller to adopt Ordinance 2011-003, implementing the six fast track zoning reform changes, as written in attachments 1 and 1a, as amended by adding SMC 20.01.220, which requires neighborhood presentations, and Attachment 3; second by Hall.

Dubois feels 300' is inadequate and feels it should be increased. There was discussion concerning the distance. Ritchie stated it would be amended in another section that would refer to this. Hays suggested we allow staff to bring back a recommendation changing the 300' distance.

Dubois said she would vote for this if the distance would be changed in the near future. Lorenzen agrees and stated addresses should come from the tax roles.

Hays will vote for this. He feels it is a positive step forward.

Vote: **Unanimously approved.**

CONSENT AGENDA

3. Approve/Acknowledge
 - a. City Council Meeting Minutes – January 10, 2011
 - b. Claim Voucher Recap dated 1/24/11 total payments \$786,664.19
 - c. 2011 Contract with Humane Society
 - d. Request for letter of support Strait ERN
 - e. Prosecuting Attorney contract for services
 - f. Planning Commission Reappointment

MOTION by Hall to remove 3d.

MOTION by Miller to remove 3c.

MOTION to approve Consent Agenda items a, b, e and f made by Dubois; second by Hall. **Carried Unanimously.**

Hall indicated he will not approve item 3d.

Burkett indicated there are new changes to the draft letters with no changes of substance. Irvin outlined the specific changes.

MOTION by Dubois that we remain on the letters of support to Senator Cantwell and Martha Kongsgaard; second by Lorenzen.

Hall doesn't know how much money will be spent and doesn't have enough information if we are expending money.

Huizinga feels it was confusing; it was written by a bureaucrat. He has a problem with the way the letters are written. He didn't get the fact that they were supporting the Makah application for funding. He feels the letters are too complex.

There was discussion about what we are really voting for. Dubois said we are just supporting that they be trained. It doesn't cost us anything.

Vote: Nay by Hall; abstain by Miller; aye by Huizinga, Lorenzen, Dubois and Hays.

Motion passes.

3c – Humane Society contract.

Miller is concerned about this because it states there is no readily available alternative.

Ritchie stated we were having issues with getting statistics to us concerning the services. This is

a step to solve the problems.

MOTION by Hall to authorize the City Manager to sign the proposed contract with the Olympic Peninsula Humane Society; second by Dubois. **Unanimously approved.**

UNFINISHED BUSINESS

4. Council Committee Assignments:

Hays and Dubois will be the two members of Utility Steering Committee.

Miller said he is assigned to the Peninsula Responders Emergency Program but has attended no meetings. Staff will check on it.

Clerk Usselman will send to Council the updated chart.

NEW BUSINESS

5. Resolution No. R-2011-01 Establishing the Official Newspaper

Ritchie indicated it is required we select an official newspaper. We advertised and interviewed the Gazette and PDN. We felt we had better circulation in the City of Sequim with the Sequim Gazette. There are advantages to a daily paper, too, but circulation was more important. Staff recommends the Sequim Gazette.

MOTION by Dubois to adopt Resolution R-2011-01 designating the Sequim Gazette as the official newspaper for the City of Sequim; second by Hall.

Miller feels it is a waste of money but supports it because it costs less.

Hall said we previously had the Gazette as our official paper but now feels we could go back.

Huizinga supports going with the Gazette even though it may hold things up due to weekly publications, but it is local.

Hall said the PDN has been a great newspaper for us. He has nothing against them.

VOTE: Aye by Huizinga, Lorenzen, Hall, Dubois and Miller; Hays abstained. **Motion carried.**

6. Critical Areas Ordinance Update

Burkett introduced the matter indicating this will be an informal study session format.

Kristina Nelson-Gross presented the staff report. We are required to update and give a summary

of what the public has expressed to us. We look for guidance from Council in adopting the ordinance.

We have been in contact with the North Peninsula Builders Association, the Sequim Association of Realtors, Sequim Chamber of Commerce as well as Protect Peninsula's Future and other private parties.

The major focus of concern from the public is wetland exemptions, buffers and mitigation ratios. She outlined the different types of wetlands and showed a map showing larger wetlands and described them. The Dept. of Ecology recommends we not exempt Category IV wetlands. The vast majority of the wetlands fall within the Category III and IV range.

She stated Mike Smith of the Senior Center provided information after the Planning Commission meeting outlining how the buffers would affect the Senior Center's land. None of the calculations have been verified by the City. They have serious concerns about buffer widths.

Another concern in Category III is the range of 60' to 165'. Trail width in the Pitship Marsh was another area of concern due to the slopes in that area. Restrictions on using stormwater retention was another issue.

Mitigation ratios are not necessarily limited to area, but to function per the Dept. of Ecology. These are huge differences compared to what we currently have.

Stream buffers are also an area of concern and are Type "F" streams according to the Dept. of Natural Resources.

Another concern is the critical aquifer recharge areas that are areas with a critical recharging effect on potable water aquifers. The City may need to consider whether to adopt the Dept. of Ecology's 2005 Stormwater Manual, but staff feels we should conduct a storm drainage analysis first. Public concerns about adopting the manual include low impact development techniques may not work due to soils and concerns regarding protection for fish and wildlife habitat conservation areas.

The GMA indicates we must include "best available science," but we are not required to adopt the agency guidance. She outlined recent law concerning a "do no harm" policy which protects the critical areas as they currently exist.

Huizinga asked what can be put in a buffer of Bell Creek. Nelson-Gross indicated Ecology would say nothing could be. Ritchie stated the battle is what is "best available science." He believes we are leaning toward high quality wetlands that need to be protected. Ritchie stated after meeting with an expert Wednesday we will know what the study might cost and can bring it back to Council. The Dept. of Ecology provided us with what they feel is the best available science.

There was discussion concerning buffers and best available science. Ritchie stated we will ask

you to deviate from the suggested buffers at both ends.

Hall left at 8:00 p.m.

Burkett summarized that Council may support what staff is thinking. We will gather additional data about our wetlands.

GOOD OF THE ORDER

Miller reminds everyone Murder Most Fowl will be at Dinner Theatre to support the Dungeness Schoolhouse.

PUBLIC COMMENTS *(Please limit comments to 3 minutes each)* None.

EXECUTIVE SESSION None

NEXT MEETING DATE

Mayor Hays announced the next meeting on January 31, 2011, will be a joint meeting with Planning Commission, Design Review Board and Parks Advisory Board.

ADJOURNMENT

MOTION to adjourn at 8:03 p.m. made by Dubois; second by Miller. **Carried**
Unanimously.

Respectfully submitted,

Bobbie Usselman, CMC
Deputy City Clerk

Ken Hays
Mayor

Minutes approved at a regular Council meeting held on February 14, 2011.