



## REGULAR MEETING AGENDA SEQUIM CITY COUNCIL

Sequim Civic Center  
152 West Cedar Street  
Sequim, WA  
September 12, 2016  
2:30 PM

**Times are approximate and subject to change.** All agenda items including public hearings may be addressed at any time once the meeting begins.

### 2:30 PM SPECIAL MEETING

Meet at Sequim Civic Center and tour

- Water Reclamation Facility, 247 Schmuck Road;
- Guy Cole Center, 202 N. Blake Avenue;
- Gebhardt Zwicker Trail, N. Blake Avenue

### 5:00 PM – WORK SESSION

1. Propane Tank Safety
2. Wells and Water Rights
3. Main Street Program Update and Recommendation

### PLEDGE OF ALLEGIANCE

### ROLL CALL

### CHANGES TO THE AGENDA

### CEREMONIAL

4. Introduce Emily Straling, Student Liaison

### REPORTS

Committee, Board and Liaison

United Way Presentation – Paula Barnes

Presiding Officer

City Manager

5. Carlsborg Sewer Agreement
6. LEAN Academy Update

**PUBLIC COMMENTS** *Please limit comments to 3 minutes. Please see “Public Comments” rules attached.*

### INFORMATION/COUNCIL QUESTIONS INVITED

7. Healthy Families 1<sup>st</sup> Quarter Report
8. Healthy Families 2<sup>nd</sup> Quarter Report

**PUBLIC HEARINGS** None

### CONSENT AGENDA

9. Approve/Acknowledge
  - a. City Council Meeting Minutes – August 8, 2016
  - b. Claim Voucher Recap Dated 9/12/16 Total Payments \$1,095,018.41
  - c. Appointment to Vacancy on Park & Recreation Board
  - d. Elk Window Donation and inclusion in RFP
  - e. City Council Meeting Minutes – September 6, 2016
  - f. A/E Consultant Agreement Supplement No. 1

#### **UNFINISHED BUSINESS**

10. Ordinance No. 2016-07 Approving Zoning Code Revisions

#### **NEW BUSINESS**

11. Approve Farmers' Market Contract
12. Ordinance No. 2016-11 Amending SMC 5.28 "For-Hire Vehicles"

#### **GOOD OF THE ORDER**

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

#### **EXECUTIVE SESSION**

**NEXT MEETING DATE September 26, 2016 (5:00 p.m.) October 10, 2016 (5:00 p.m.)** *These times are subject to change. Please check our website for any updates. You may also sign up for email notifications at <http://sequimwa.gov/list.aspx>.*

#### **ADJOURNMENT**

**NOTE:** Items presented by members of the public during the Council meeting become a public document. Please submit them to the Clerk or her representative. Copies of public documents from Council meetings are available at the City Clerk's Office.

#### **PUBLIC COMMENTS**

Although *no* public comment is *required* to be provided for at City Council meetings, City Council members have provided for two public comment periods.

Not all agenda items are appropriate for public comment. Matters which are or were the subject of a public hearing for which required notice was given are topics where public comment outside of the public announced hearing are not allowed by law. Matters that may affect liability for the City are not appropriate for comments from the public even though it may be an agenda item. Frequently questions from the audience to the council or to staff or to consultants are not appropriate to answer at a council meeting. The chairperson will explain when public comment is not appropriate as the need may arise. If you wish to comment on a Public Hearing item, please sign up on the specific Public Hearing sign up sheet.

#### **Public Comment Rules:**

1. Come to the lectern; state your name, address, and topic for the record.
2. Please limit your comments to 3 minutes.
3. Please refer to the sign-in sheet for additional rules.

## SEQUIM CITY COUNCIL AGENDA COVER SHEET

**MEETING DATE:** September 12, 2016

**FROM:** Chris Hugo, Director – DCD

CRH  
Initials

**SUBJECT/ISSUE:** Propane Tank Security In Advent of Earthquake (work session)

Discussion dates		
<b>CATEGORY</b>	<input type="checkbox"/> City Manager Report <input type="checkbox"/> Information Only <input type="checkbox"/> Public Hearing <input type="checkbox"/> Consent Agenda <input type="checkbox"/> Unfinished Business <input type="checkbox"/> New Business	Time Needed for Presentation  45 Minutes
Reviewed by	Initials	Date
Charles P. Bush, City Manager	CPB	9/8/16
Kristina Nelson-Gross, City Attorney	KNG	9/7/2016
David Garlington, Public Works Director	dmg	9/7/16

**PROBLEM/ISSUE STATEMENT:** The City’s increased efforts to prepare for and respond to natural disaster emergencies – in particular, earthquakes – raises the question of potential danger from unsecured propane tanks. The work session will cover the locations of potential propane tank vulnerability and the measures to ensure that appropriate practices are followed to minimize risk to the public in the advent of a disaster event.

**ATTACHMENTS:**

[None. This will be a PowerPoint presentation supported by handouts.]

**DISCUSSION/ANALYSIS:** The Cascadia Rising regional disaster preparedness exercise in which the City was a participant this summer raised many questions of the “what if” nature that warrants additional examination – for example, “what if the ‘big one’ hits the Peninsula and propane tanks are dislodged and become disconnected?” The critical factors in answering this are the locations and physical security (stabilization) of propane tanks that may pose added danger during a major disaster event such as an earthquake (and potential for fires throughout the urban area).

The Sequim Fire Marshall, Public Works Department and Fire District 3 personnel will present the current status of five categories of propane tank type and location and how each is secured to minimize public risk of gas release / fire during a disaster event such as an earthquake. These categories are: location(s) of wholesale / retail distribution; locations of retail bulk sale / refill; locations of large tanks in institutional / commercial service (e.g., OMC, Walmart, etc.); locations of large, fixed tanks (100 gallon or more) in residential neighborhoods; and locations of City's large tanks for operations. Not examined are small, portable tanks common to residential activities such as gas barbeques, gas deck lanterns, etc., although measures to address safety of these are also part of the Council discussion.

**BUDGET IMPLICATIONS: None.**

**RECOMMENDATION:** The staff seeks direction from the Council on items in the presentation that do not fully ensure the community's preparedness to minimize risk of propane tank explosion in an earthquake event and warrant further exploration or the drafting of new protocols or security measures.

# City of Sequim Owned Propane Tank Locations



-  Seismic Shutoff Valve Installed
-  Liquid LPG Seismic Shutoff Valve Not Installed

## SEQUIM CITY COUNCIL AGENDA COVER SHEET

**MEETING DATE:** September 12, 2016

**FROM:** David Garlington, Public Works Director

\_\_\_\_\_ dmj  
Initials

**SUBJECT/ISSUE:** Wells and Water Rights

Discussion dates				
<b>CATEGORY</b>	<input type="checkbox"/> City Manager Report	<input checked="" type="checkbox"/> Information Only	Time Needed for Presentation  15 min.	
	<input type="checkbox"/> Public Hearing	<input type="checkbox"/> Consent Agenda		
	<input type="checkbox"/> Unfinished Business	<input type="checkbox"/> New Business		
Reviewed by	Initials		Date	
Charles P. Bush, City Manager	CPB		9/8/16	
Kristina Nelson-Gross, City Attorney	KNG		9/7/2016	
Chris Hugo, Director of Community Development				

**PROBLEM/ISSUE STATEMENT:**

The City's long term growth and sustainability depend on adequate supplies of potable water. Current water rights and production capabilities will be outpaced by growth in the next 15-20 years.

**ATTACHMENTS:**

Attachment 1: location of municipal water sources

**DISCUSSION/ANALYSIS:**

The City's municipal water rights and production are summarized below. All values are in gallons per minute (gpm).

Source	Infiltration Gallery	Silberhorn Wellfield	Port Williams Wellfield	Surface Water (River)
Water Right	718	700	2,250	628
Max. Production	350	520	1,760	--
Maximum Total Annual Withdrawal (water right)			602,825,152 gallons	

While the charts appear to be simple, there are a number of complications. Maximum annual withdrawal is based on the infiltration gallery and Silberhorn wellfield water rights only, Port Williams wellfield rights supplement daily production but do not currently add to the annual production water right and are further qualified by a legal agreement with Graysmarsh to maintain groundwater levels. These and other legal and regulatory questions need to be investigated. At the current growth rate, the City has water rights suitable for 15-20 years, about half of what will be needed for full build out.

Near term actions will include applying for additional water rights (a lengthy process), analyzing instantaneous and annual water rights compared with obligations to approved development, discussions with the Department of Ecology about mitigation requirements and ensuring credits for beneficial uses of reclaimed water, and drilling a deep aquifer test well.

It is well worth noting that the total amount of water produced in 2015 is the least since 2006. A major contributing factor is conservation which will continue to be vitally important in getting the most out of our water resources. Aggressively locating and fixing water leaks also insures the City gets the most out of the water that is produced.

**BUDGET IMPLICATIONS:**

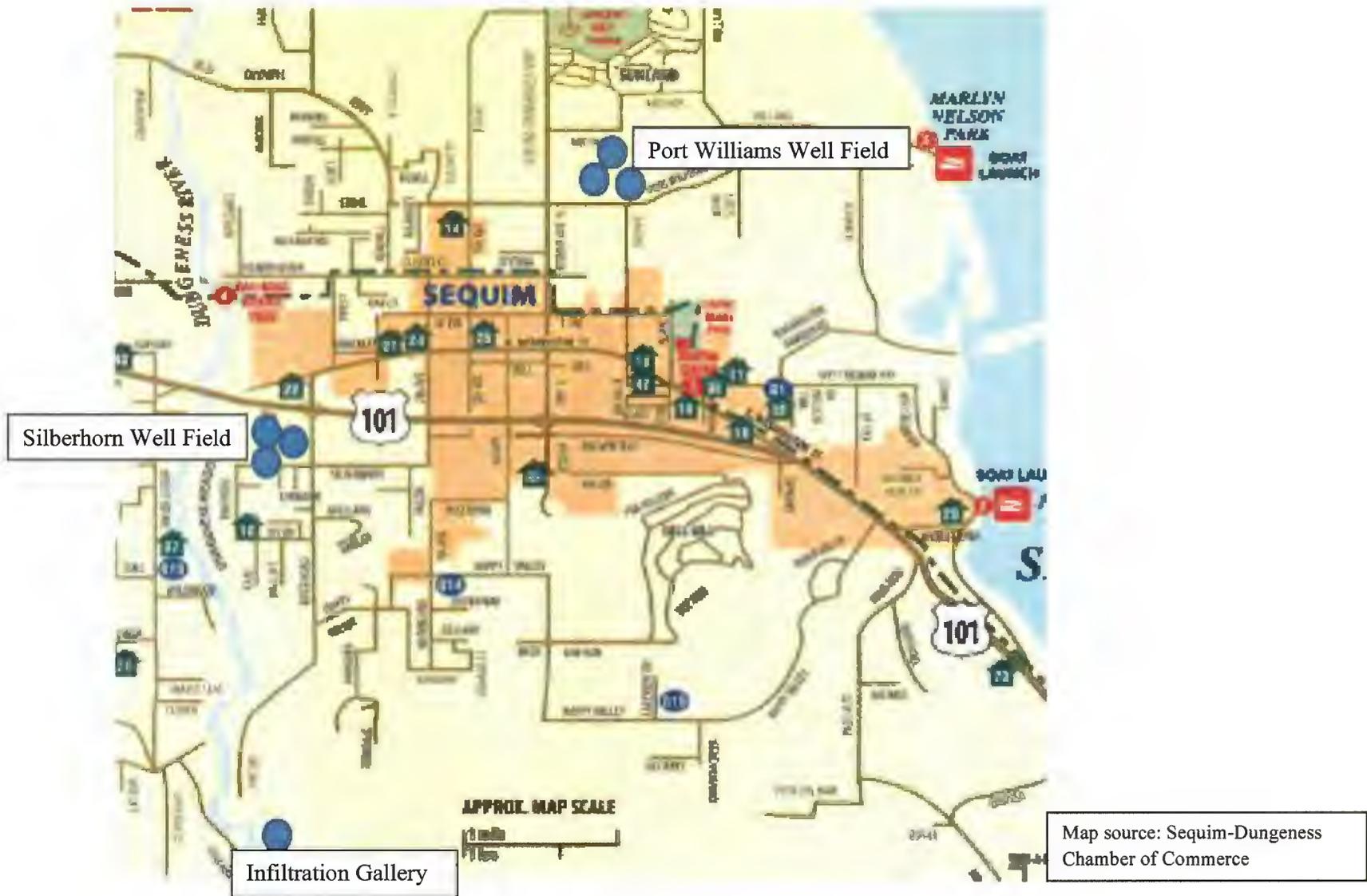
The 2017 draft budget includes \$50,000 for water rights analysis and \$52,000 for a test well at the Silberhorn well field. Assuming the test well shows the feasibility of a deep aquifer 600 gpm well, it could cost up to \$1 million to bring the well into production in addition to possible costs for mitigation of impacts to surface water. At least five additional such wells would be needed to serve the City's build out population of nearly 30,000, including the UGA.

Future investments will have to be made in additional water rights, well development, and increased pumping and storage capacity for municipal supply as well as looking at looking at innovative water production sources such as reclaimed water and desalinization, and aquifer recharge.

**RECOMMENDATION:**

This discussion is for information only. Recommendations for development of new water rights, sources, and infrastructure will be made in 2017.

# Location of Sequim Municipal Water Sources



## SEQUIM AGENDA COVER SHEET

**MEETING DATE:** September 12, 2016

**FROM:** Barbara Hanna, Communications and Marketing Director  
Initials BCH

**SUBJECT/ISSUE:** Main Street Program Update and Recommendation

Discussion dates				
<b>CATEGORY</b>	<input type="checkbox"/> City Manager Report	<input type="checkbox"/> Information Only	Time Needed for Presentation  10 minutes	
	<input type="checkbox"/> Public Hearing	<input type="checkbox"/> Consent Agenda		
	<input type="checkbox"/> Unfinished Business	<input type="checkbox"/> New Business		
Reviewed by			Initials	Date
Charlie Bush, City Manager			CPB	9/8/16
Kristina Nelson-Gross, City Attorney			KNG	9/7/2016
Karen Kuznek-Reese, City Clerk			Kkr	9/6/16

**PROBLEM/ISSUE STATEMENT:** In 2011, the Sequim City Council adopted the Downtown Plan which includes a Mid-Term Strategy (3 -7 years) to Start and Implement a Main Street Program. Staff has been researching options to fulfill this strategy in the plan.

**LIST OF ATTACHMENTS:**

1. 2011 Adopted Downtown Plan
2. Main Street Four Point Approach
3. Main Street Tax Incentive Program (page 10 and 39 from the Washington Main Street Program Guide & Handbook

**DISCUSSION/ANALYSIS:**

The Sequim City Council has adopted a Downtown Plan that includes a Mid-Term Strategy to Start and Implement a Main Street Program. The City of Sequim is currently an affiliate in the Main Street program, which allows access to some Main Street resources, including attendance at the annual Revitalize Washington Conference, and requires an annual progress report including a local success story.

In May 2016, Communications and Marketing Director Barbara Hanna attended the Revitalize Washington conference to learn more about how Sequim could go about developing a full Main Street Program.

A Main Street Program would exist separate from the City, but programs are often supported financially by local government jurisdictions. Because Sequim has a population of over 5,000, the program would require a full-time staff person to manage the organization and to develop events and promote downtown. Many programs are membership based.

Prior to attending the conference, there were discussions about the program with the Executive Director of the Chamber of Commerce. The Chamber offers support to the Sequim Merchant Group, an unofficial committee of the Chamber, which includes not only Downtown businesses, but is open to any business in Sequim. The main concern expressed by the Chamber regarding a Main Street program was the development of an organization that would compete with the Chamber for memberships.

Main Street programs focus on economic revitalization and historic preservation in downtown areas. Sequim's Merchant Group is very active in developing programs that encourage visitors to come into town, attend events, and support local businesses. They produce the "WhoDunnit" mystery game in January, the BirdQuest event in April, participate in Sequim Lavender Weekend and winter holiday activities, and coordinate advertising and promotion of these and other retail events.

One of the benefits of being an official Main Street program is the tax Incentive program which provides a Business & Occupation (B & O) or Public Utility Tax (PUT) credit for private contributions given to eligible downtown organizations. Once a donation is approved by the Department of Revenue, the business is eligible for a tax credit worth 75% of their contribution to the Main Street program. Eligible organizations can receive up to \$133,333.33 per calendar year. However, there are a total of \$1.5 million in credits that may be used per calendar year on a statewide basis. Businesses apply for the credits at the start of the calendar year. In 2016, the credits were all gone by January 4 leaving many communities without the benefit of the tax credit. Page 39 of the Washington Main Street Program Guide & Handbook states, "While extremely beneficial, these funds are not a dependable source of revenue every year and should be viewed with caution."

If Council is interested in reading the full Main Street Program Guide & Handbook, it is located at <http://www.dahp.wa.gov/programs/mainstreet-program>

After evaluation of the Main Street program requirements for the Sequim community and discussing the program at the conference with communities of similar size, staff has determined that this is not the right time for the Sequim community to try to develop an official Main Street program due to the financial requirements that will compete with existing organizations for support and funding. In the 2016 proposed budget, there is \$10,000 in the Lodging Tax budget designated in grant money to support the efforts of

the Merchants Group. This provides the City a way to encourage them to continue and to enhance the good work they are currently doing to create a healthy and vibrant business core in downtown and other business centers.

**FINANCIAL IMPLICATIONS:**

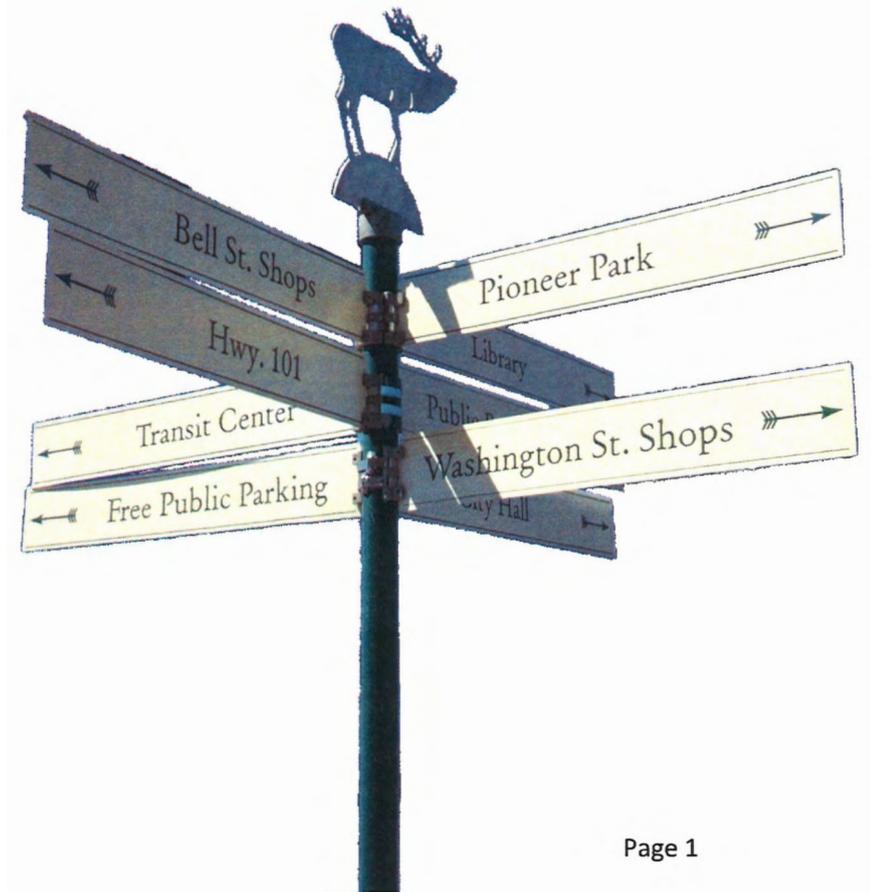
\$10,000 has been designated in the proposed 2016 Lodging Tax budget to support the Sequim Merchant group through a Tourism Enhancement Grant. The budget will go before the Lodging Tax Advisory Committee on September 16 and before the City Council through the budget process.

**RECOMMENDATION:**

It is recommended that the City of Sequim not pursue a full Main Street program at this time, but continue to participate in the Main Street Affiliate program and to make available support to the Sequim Merchant's Group.

**MOTION:** I move that we make support available to the Sequim Merchant's Group events/activities through the Lodging Tax Tourism Enhancement Grant program and not proceed with the development of a Main Street program, as identified in the Downtown Plan, at this time.

# City of Sequim Downtown Plan



# City of Sequim

## Downtown Plan: Table of Contents

### **Executive Summary**

#### **PART ONE: Recommendations Report**

- I. Objectives
- II. Policies
- III. Plan Concept and Land Use Map
- IV. Action Matrix
  - Short Range
  - Mid Range
  - Long range
- V. Land Use Regulations, including Design Standards and Guidelines
- VI. Zoning Map
- VII. Street Typology Map

#### **PART TWO: Background / Informational Reports**

- A. Economic Assessment (Leland)
- B. Transportation Assessment (Fehr & Peers)
- C. Strengths and Weaknesses of Downtown Sequim (LMN)
- D. Opportunity Site Studies and Pro-formas (LMN and P.J. Santos)

## Executive Summary



The documents assembled for consideration for adoption comprise the following:

- A brief, easy to read collection of **policies** that establish a city center with various districts.
- Policies address land use, intensity of development, economics, transportation, housing, parks and other issues.

Essentially, the concept is to enlarge the idea of downtown into a city center that embraces other districts, along with focusing new, mixed-use development into a compact, walkable core. Investments in streets and sidewalks, public spaces, and civic facilities would reinforce the center. Higher density residential development surrounding the core would, over time, support a wider array of goods and services, restaurants and galleries.

Gateway districts leading into the core would signal to visitors that they were arriving at a special place that would offer an authentic, small town feel with unique buildings and businesses. Current residents and new residents would find choices in housing close to the center so that they could be less dependent on the automobile if they so chose. Pioneer Park would realize its potential as a distinctive, accessible green space with mature trees and a celebration of heritage. Finally, the character and utility of Seal Street is enhanced with right-of-way improvements for continued shared-use by patrons of downtown as well as those accessing adjacent businesses and residences. While there is no specific design proposed for street improvements, the street will continue to be an important pedestrian connection to Cedar Street from Washington Street and may have increased value and an expanded public role with the redevelopment of adjacent property and future development of a new City Hall.

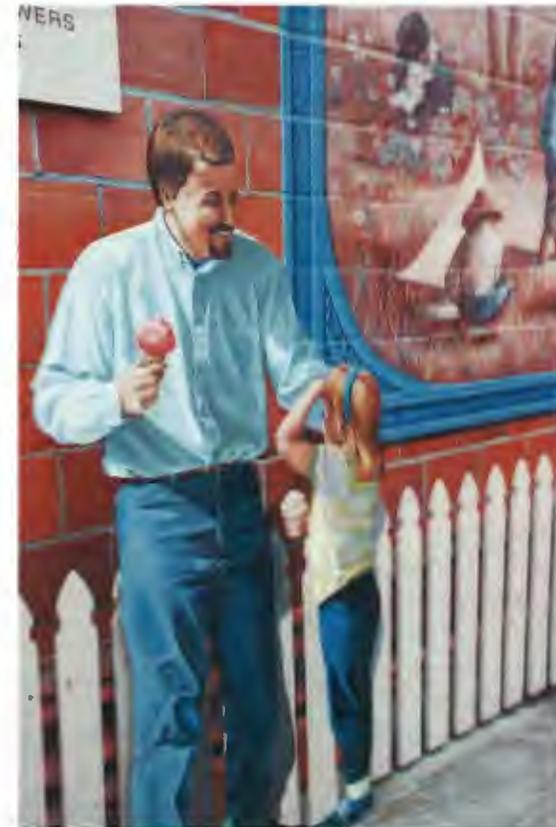
In order to implement these policies, we have provided recommendations for **actions** ranging from short term to mid range to long term. Some of these actions call for working with other parties, including the private sector, as the City cannot be expected to accomplish everything on its own. It must have multiple partners.

We have also provided the City with **new land use regulations** for the downtown core and two adjacent districts. This is not merely a re-working of the current commercial zoning, but is one that recognizes the unique nature of downtown and its role in the region. Included are **design standards and guidelines** for site design, building design and sign design are also included to assist in the evaluation of new and renovated buildings so that they contribute positively to the character of downtown. A new zoning map establishes city center districts. These do not follow exactly previous districts, but recognize and evolving and transforming downtown that has a new set of directions.

We have included two maps, a zoning district map for the city center and a street typology map that suggests functions and future enhancements. Both should help guide public and private decision-making that will create a strong, lively and appealing downtown.

We have also provided background reports that support the policies and implementation tools that we have recommended.

I speak for the entire planning team when I say that we have thoroughly enjoyed working with the Council, the staff, and the community on this most important effort in guiding the future of Sequim. We have rarely come across a community that is so cooperative and well-organized with so many bright, passionate and entrepreneurial people.





## I. Objectives

- Ensure that the downtown continues to serve as the center of culture, commerce and civic life for the residents of Sequim.
- Encourage new investment in buildings and businesses within and near downtown to provide employment and an enhanced tax base.
- Build upon the natural assets of the area as well as the friendly, small town qualities that have attracted people to live near downtown Sequim.
- Strengthen the variety and quality of available goods and services within downtown.
- Develop a clear, consistent message about the unique attributes of downtown.
- Recognize that the residents and merchants of downtown are both important as “stewards” of the livability and quality of life in the community.

## II. Policies

### A. Land Use and Intensity

1. The highest intensity of commercial and residential development should be concentrated in a compact, walkable, downtown core within a larger city center of neighborhoods and districts.
2. The downtown core should be surrounded by higher density housing, as well as neighborhood services, increasing the walk-in population that will sustain commercial and cultural vitality.
3. The gateways leading into downtown should provide complementary services for downtown that may require automobile-orientation.
4. Residential neighborhoods within the city center should have modest infill development to retain their small town character and scale. Cottage housing and Accessory Dwellings are an appropriate way to achieve this.
5. Within the downtown core, and the districts immediately flanking it, a mixture of uses is desired. But this does not mean that every building must contain a mix of uses.
6. In return for providing tangible public amenities, increased development intensity should be allowed, up to a maximum, so that both variety and predictability are possible.
7. In order to maintain a level of intensity appropriate to the small town image of Sequim, new development should not exceed four stories in height. It is expected that this will provide a desirable degree of new investment.



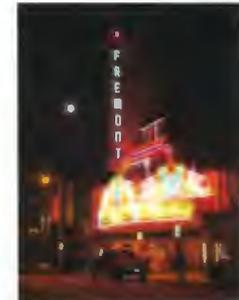
## B. Transportation

1. Because Washington Street and Sequim Avenue within the downtown core are such prime shopping streets and great destinations for pedestrians and bicyclists, methods should be used to redirect some cross-town traffic to other routes. Improved east-west circulation should be accomplished by enhancing intersections at certain locations along Sequim Ave, such as Spruce and Prairie Streets.
2. A hierarchy of street types should be pursued to guide decisions on capital investments, operations, frontage improvements, parking, and other issues related to streets and sidewalks.
3. Parking should be viewed as a shared resource that is managed, balanced with demand, and maintained to ensure use by customers of downtown businesses. The City should encourage shared parking agreements and review its parking requirements to ensure that parking is not over-supplied and is provided in a way that adds to the ambiance of downtown.
4. The use of bicycles and electric scooters should be encouraged. Bicycle parking should be available in convenient locations throughout the downtown core. Bicycle lanes should be added to certain streets designated as safe streets to schools. Alleys should be considered travel routes that are shared by multiple modes.
5. Over time, a by-pass through the southern portion of the city center should be developed that would better accommodate traffic not destined for downtown. This should be done in a way that fits within the context of the city center and anticipated new development in the southeast sector of the city center.



### C. Economic Development

1. There should be an active program to retain existing businesses in downtown and attract new ones, especially those that serve unmet needs or serve adjacent neighborhoods.
2. The appeal of a variety of restaurants and fresh food should be used as a springboard to promote downtown and build upon its agrarian heritage.
3. Programming of events and festivals and extending and coordinating the hours of operation for businesses within downtown for residents and visitors will solidify its identity and image as a destination.
4. The City should support and nurture broad-based organizational efforts to provide events, promote businesses, market downtown and bring together the many diverse interest groups in the community that have an interest in the health and vitality of downtown.
5. The City should leverage investment in a new city hall to attract other development that will strengthen downtown.
6. Actively pursue the addition of a unique, destination hotel for the downtown that can contribute to its ambience and identity and offer a level of amenities and choices not available elsewhere.
7. Actively pursue the addition of a movie theatre or other entertainment venue in the downtown core to serve as an amenity for the larger community and as an anchor to support downtown retail and restaurants.
8. The City should implement a “Main Street” program for the downtown core, using the principles and approach of the National Trust for Historic Preservation.



#### **D. Community Character**

1. Entries into the downtown core should be clear and dramatic, offering a sense of crossing a threshold into a special place – the heart of Sequim as a community.
2. Streetscapes should encourage safe, convenient and appealing pedestrian movement throughout the downtown, connecting businesses to each other and to surrounding districts.
3. Building design should emphasize pedestrian-oriented features on the ground floor and contribute to the quality and character of sidewalks and public spaces.
4. Develop design standards for private development that offer a blend of predictability with flexibility, so that buildings and tenants can express their own individual character.
5. Encourage businesses to add elements such as artful signs, displays, and lighting that reinforce the pedestrian-orientation of downtown and as a unique destination in the region.
6. Public buildings should be prominent and dramatic pieces of architecture that can serve as landmarks and symbols of community life.



## E. Housing

1. The City should encourage higher density residential development in and around the downtown to reinforce demand for goods and services and provide a built-in population to observe and activate the streets and public spaces. The City should explore a range of incentive programs to encourage new investment and reduce barriers.
2. Residential neighborhoods within the city center should have modest infill development to retain their small town character and scale. Cottage housing and accessory dwellings are an appropriate way to achieve this.



## F. Capital Facilities

1. The City Hall and other major civic buildings should be located in the downtown core so that they can help energize nearby businesses, provide nighttime activities and reinforce the downtown core as the civic and social heart of the community.
2. Emphasize the importance of key intersections, including entries to the downtown core and the intersection of Washington and Sequim with enhanced streetscape, signalization (or methods that involve smooth traffic flow without signals) and enhanced pedestrian crossings.
3. Seal Street should be improved for its continued role as shared-space for pedestrians, motorists, delivery trucks, and service vehicles. Street elements to be considered should include new amenities, increased user safety, access to adjoining property, continuity with the alley, and improved visual character for this central space.
4. Pedestrian routes and corridors should be planned, managed, and expanded over time into a comprehensive network. This network should include wider sidewalks with trees, pedestrian-scaled-lighting and furnishings, through-block passageways, and activated alleys that can function as safe and attractive walking routes.
5. Add to the way finding system to inform people about the location of parking.
6. As parking inventory is evaluated and demand for parking increases, the City should identify opportunities to provide more public parking throughout the city center.



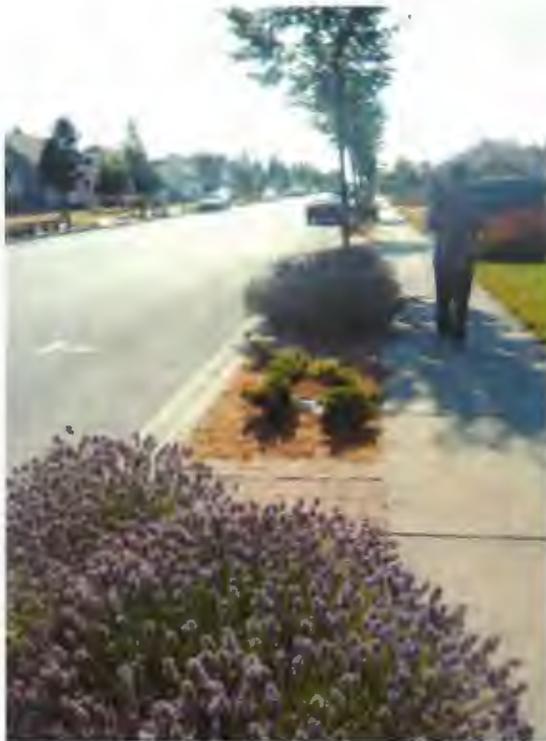
## G. Parks and Recreation

1. With an appropriate re-design, Pioneer Park can anchor the east end of the downtown core as a verdant town green, hosting events as well as providing passive recreational choices.  
The park could connect to Etta Street and create a continuous, quiet pedestrian route south of Washington Street.
2. Depending on the location and site design of a new City Hall, add design enhancements to Cedar Street as well as Seal Street to complement a new public forecourt/plaza at City Hall to enhance the space for potential public events and passive activities throughout the year.

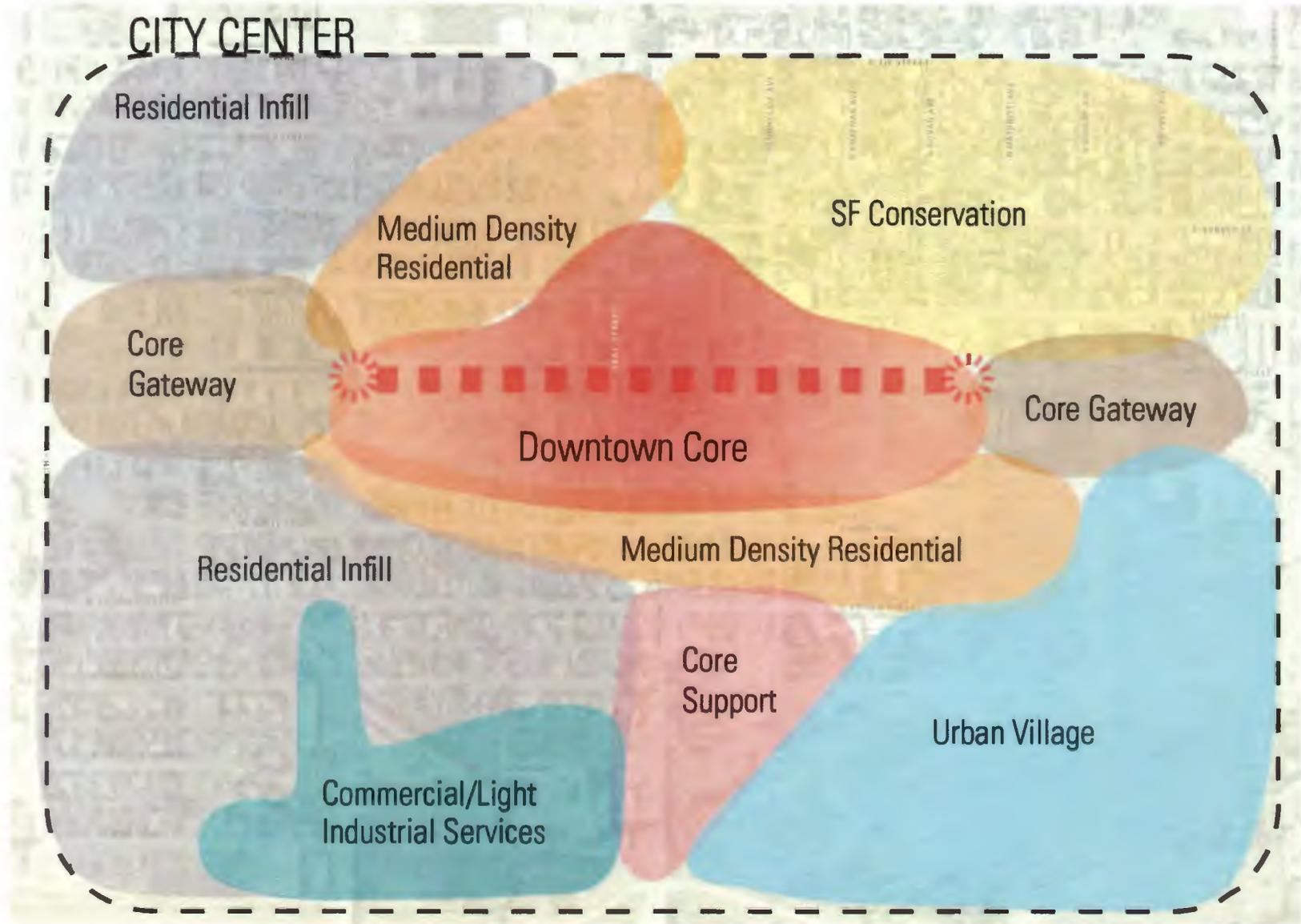


## H. Utilities

1. Identify and prioritize projects to replace all under sized and out dated water lines, sanitary sewer lines and fire hydrants in the City Center.
2. Create and develop a stormwater management plan and system for the City Center.
3. Continue the development and distribution of the "purple pipe" reclaimed water system throughout the City Center.

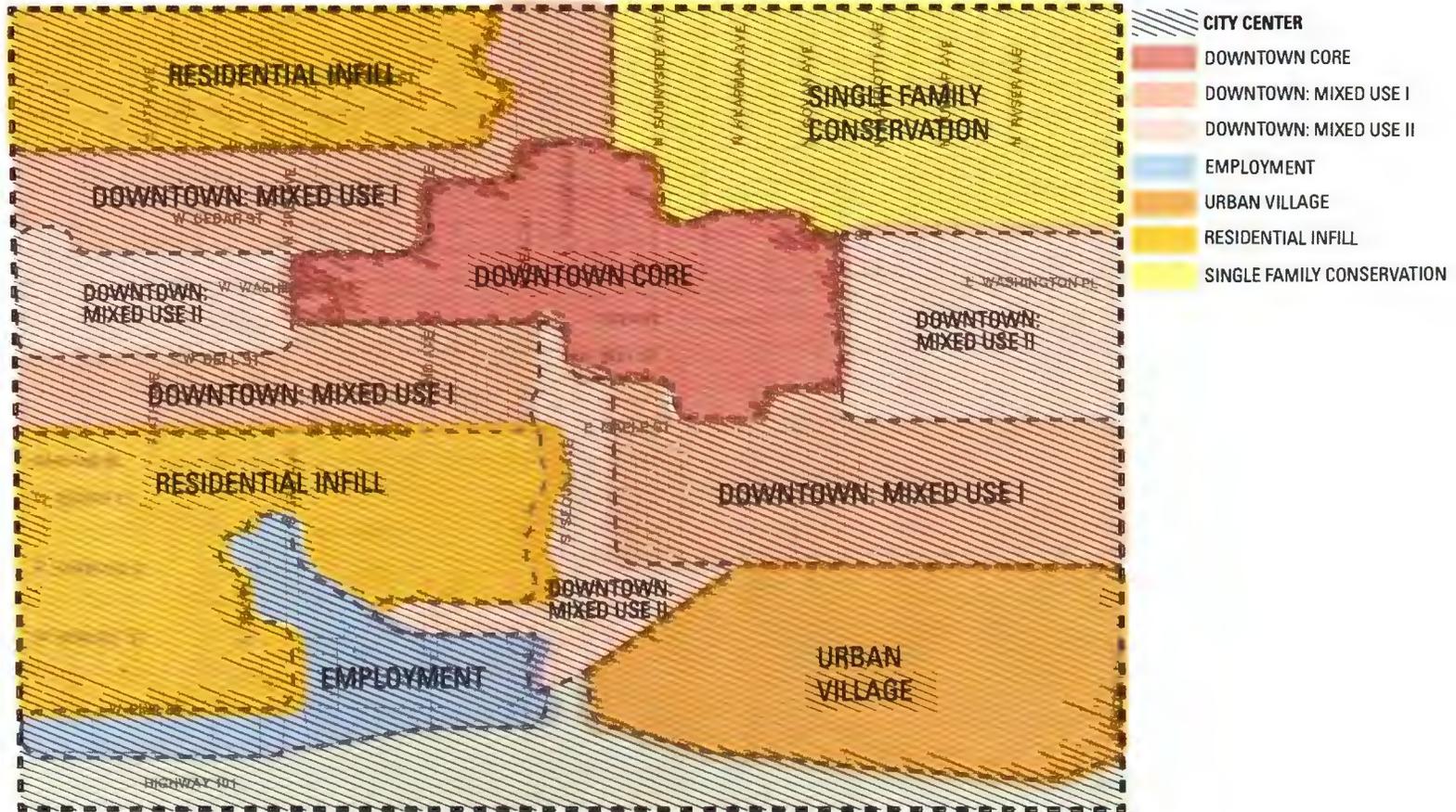


### III. Plan Concept



# Land Use Plan

## DOWNTOWN LAND USE



#### IV.Action Matrix: Short, Mid, and Long Range

SHORT TERM STRATEGIES 1-3 years		
	Lead Entity	Potential Partners
Foster coordination of downtown businesses	Chamber of Commerce	
<i>Coordinate marketing</i>	Downtown Organization	Downtown Merchants, Visitors Association, etc
<i>Coordinate to extend business hours</i>	Downtown Organization	Downtown Merchants
<i>Develop a business retention and recruitment program</i>	City of Sequim	
Create and implement a Downtown Housing Program	City of Sequim	
Programming of events and festivals	Local private organizations	City of Sequim
Focus on Food by emphasizing markets and restaurants in the downtown	City of Sequim	Downtown Merchants
Better align parking supply with demand (shared parking, parking maximums)	City of Sequim	
Prioritize Downtown Streetscape Improvements	City of Sequim	
<i>Enhance sidewalk amenities such as flower baskets, coordinated street furniture, etc.</i>		Downtown Merchants
<i>Provide bike parking</i>		Downtown Merchants
<i>Restripe Bell and Cedar to angled parking</i>		Downtown Merchants
<i>Evaluate Sequim/2nd Avenue couplet</i>		

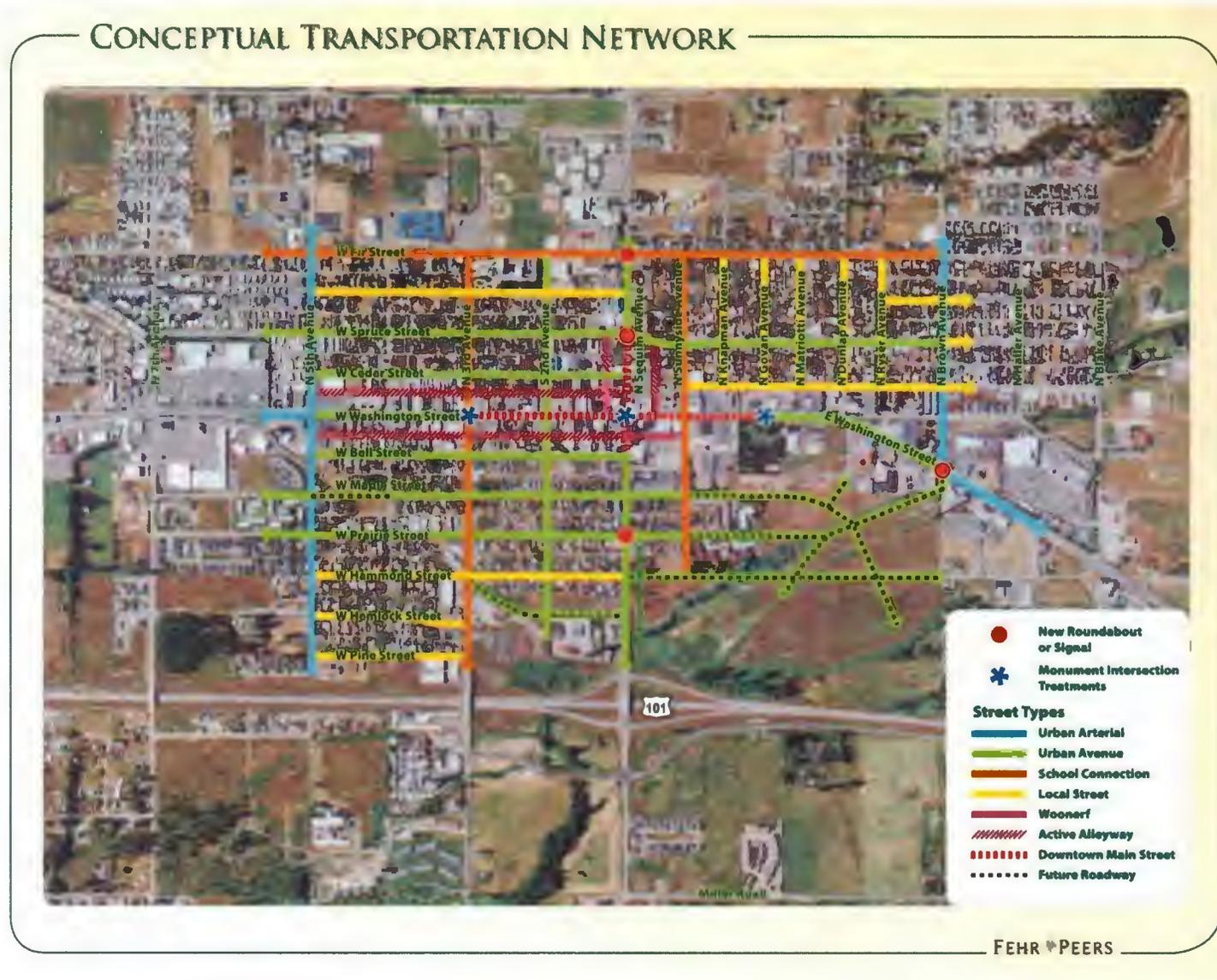
SHORT TERM STRATEGIES 1-3 years		
	Lead Entity	Potential Partners
<i>Evaluate strategies for on-street parking on Washington Ave (consider handicap parking)</i>		
<i>Improve Parking and Way-finding signage</i>		
Revise zoning and add design guidelines for districts	City of Sequim	
Highlight the 100% Corner	City of Sequim	Arts/Parks/Historic Society
<i>Identify treatment for Intersection</i>		Downtown Merchants
<i>Optimize Sequim/Washington signal timing and phasing</i>		
Leverage City Hall Redevelopment	City of Sequim	Private Developers
Enhance the attraction and function of Seal Street as a shared-use public space that accommodates pedestrians and slow-moving vehicles while maintaining access to private properties and uses.	City of Sequim	Federal/State Grant Agency

MID-TERM STRATEGIES 3-7 years		
	Lead Entity	Potential Partners
Start and Implement a Main Street Program	City of Sequim	Main Street Program
Stripe bike lanes on select school connection streets		Federal/State Grant Agency
Bracket the Core	City of Sequim	
<i>3rd/Washington western gateway</i>		Federal/State Grant Agency
<i>Washington Street eastern gateway (near Pioneer Park)</i>		Federal/State Grant Agency
Create a Secondary Pedestrian Spine	City of Sequim	
<i>Create pedestrian spine south of Washington Street</i>		Federal/State Grant Agency
Partner with Cinema Developer	City of Sequim	Private Developers
Flank the Core with Low-Rise Higher Density Housing	City of Sequim	Private Developers
<i>Sequim Avenue intersection improvements with Fir, Spruce, and Washington</i>		Federal/State Grant Agency
Redesign Washington Street to add pedestrian spaces and amenities	City of Sequim	

LONG TERM STRATEGIES 7+ years		
	Lead Entity	Potential Partners
Create other pedestrian spines – north of Washington, east of Sequim Avenue	City of Sequim	Federal/State Grant Agency
<i>Identify additional locations for bicycle parking</i>		
<i>Identify pedestrian cross-circulation easements in downtown</i>		
Construct southern bypass road	City of Sequim	Federal/State Grant Agency, Burrows Development
Re-design Pioneer Park and its surrounding connections	City of Sequim	Parks
Pursue development of a downtown hotel	Development Community	City of Sequim

**Refer to Exhibit B of Ordinance 2011-016 for the Land Use Regulations.**

## V. Street Typology Map



## **Chapter 18.57 Downtown Districts**

### **18.57.010 Purpose**

### **18.57.020 Prohibited Uses**

### **18.57.030 Development Intensity**

### **18.57.040 Development Bonuses**

### **18.57.050 Maximum Building Height**

### **18.57.060 Set-to and Set-back Lines**

### **18.57.070 Parking Standards**

### **18.57.080 Design Standards and Guidelines Applicable to Downtown**

#### **18.57.010 Purpose**

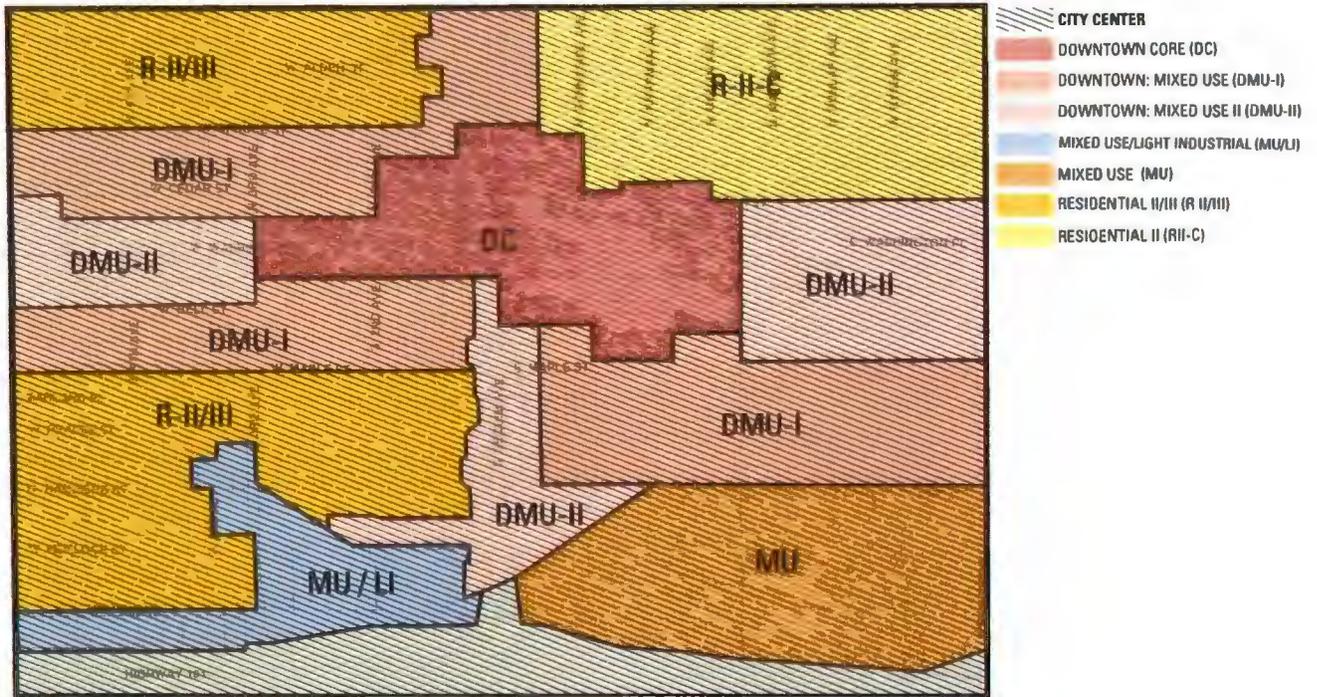
The purpose of these districts is to create a lively and diverse downtown, oriented to both nearby neighborhoods and the larger community, with a mixture of uses, including retail, services, restaurants, institutions, and higher density residential. While multi-story buildings are allowed, both new development and expansion of existing buildings should exhibit bulk and scale that respects their proximity to adjacent residential patterns having a lower height. Over time, in the Downtown Core and Downtown Mixed Use 1 districts, auto-oriented uses would gradually disappear, sidewalk-fronting buildings would predominate, and visible surface parking lots would be replaced with parking behind buildings or within structures. The Downtown Mixed-Use 2 District provides auto-oriented good and services as a transitional district into the downtown core. All development within all three districts should contribute to enhancing safety, comfort, and visual appeal for pedestrians.

The districts referenced in these provisions consist of:

- Downtown Core
- Downtown Mixed-Use 1
- Downtown Mixed-Use 2

Zoning Map:

**SEQUIM CITY CENTER**



**18.57.020 Prohibited Uses**

Because these districts are intended to encourage a wide mixture of uses, only those uses that are not permitted are listed below. Nonetheless, the Planning Director retains the authority to determine if any proposed use does not comport with the intent of the district.

Uses Prohibited in All Three Districts:

- Adult entertainment
- Gasoline stations and car washes
- Half-way houses and rehabilitation centers
- Jails and other detention or correction facilities
- Kennels
- Manufacturing and fabrication
- Sales, leasing, servicing, or repair of vehicles, unless entirely within a structure
- Warehousing, including mini-storage

A. Additional uses Prohibited in the Downtown Core and Mixed Use 1 districts:

- Outdoor storage of inventory, materials or supplies, unless behind a building or along an alley

**B. Additional Uses Prohibited in the Downtown Core:**

Residential use on the ground level (except in rear 40% of commercial building or in a rear, secondary building)

Commercial uses with drive-through windows or service kiosks

**18.57.030 Development Intensity**

**Floor Area Ratio**

Floor Area Ratio is a method of calculating allowable floor area within a development. The FAR multiplied by the parcel size equals the amount of allowable floor area that can be built.

(Example: a parcel size of 10,000 sf multiplied by an FAR of 2 equals 20,000 sf of allowable floor area.)

Within these three districts the following Maximum FAR's are permitted:

District	<u>Non-Residential Use</u>		<u>Residential Use</u>		<u>Combined</u>
	Basic	With Bonuses	Basic	With Bonuses	
Downtown Core	1.0	2.0	1.0	2.5	3.5
Downtown Mixed Use 1	0.5	1.0	1.0	2.0	2.5
Downtown Mixed Use 2	0.3	0.7	0.7	1.5	2.0

Notes:

1. In a combined FAR, the maximum FAR for each use category shall not be exceeded.
2. Hotels and motels are considered residential uses for the purpose of FAR.
3. Floor area for purpose of calculating allowable FAR includes all structures on a site. However, the following spaces may be deducted from allowable floor area:
  - Floor area devoted to parking
  - Elevators and mechanical spaces
  - Exterior decks, porches and arcades open to the air.
  - Any space devoted to a bonus feature
  - Any space below average finished grade around the perimeter of the building.
4. All development must comply with any applicable design standards and guidelines for this district.

**18.57.040 Development Bonuses**

If a development incorporates amenities from the lists below, the FAR may be increased through a discretionary review process intended to ensure that each included amenity both satisfies its design criteria and serves the intended purpose in the proposed location.

#### A. Minor Amenities

Each feature from the following list may allow an increase of 0.3 FAR from the Basic Allowable FAR to the Maximum FAR.

1. Canopy over the Public Sidewalk

Inclusion of a canopy amenity is required to achieve any FAR of 2.0 or greater in any project. A permanent structure (durable permanent construction, typically glass and steel) extending over the sidewalk a minimum of 5 feet in width and extending, along at least 75% of a building's frontage. The height above the sidewalk shall be between 8 and 10 feet, provided that the minimum clearance under canopy-hung signs shall be 7'6".

2. Additional Streetscape Features

Seating, trees, pedestrian-scaled lighting, and special paving in addition to any that are required by the design standards and guidelines.

3. Common Courtyard or Green

This space shall be available to tenants or residents of the development. It shall be an area equal to at least 4% of the floor area of the building. There should be both paved areas and landscaping, with planting consuming at least 30% of the area. Seating and pedestrian-scaled lighting shall be provided.

4. Alley Enhancements

Pedestrian-scaled lighting, special paving, and rear entrances intended to encourage pedestrian use of the alley.

5. Upgraded Materials on Building

Use of brick and stone on the building façades that face streets and alleys.

6. Shared Driveway

This amenity would involve sharing a single curb cut with an adjacent property and require any necessary cross easement agreement to be made between property owners.

#### B. Major Amenities

Each Public Amenity from the following list may allow an increase of 0.5 FAR from the Basic Allowable FAR up to the Maximum FAR.

1. Exterior Public Space

This space shall be available to the public at least for the period between 7am and dusk. It shall be an area equal to at least 2% of the total interior floor space of the development. No dimension shall be less than 10 feet. Landscaping, textured paving, pedestrian-scaled lighting, and seating shall be included.

2. Public Art or Water Feature

Each feature must be appraised at a value that is at least 2% of the value of building construction. Documentation of building costs and appraised value of the art or water feature shall be provided. The feature may be installed with the development or may contribute a like amount to an established city fund.

3. Through-Block Pedestrian Connection

A walkway at least 8 feet wide allowing the public to walk between a street and an alley or another street. The walkway shall be flanked with planting and pedestrian-scaled lighting.

4. Structured Parking

All required parking shall be contained within a structure.

5. Contribution to a Cultural Facility within the City Center

Cultural facilities shall include a public library, museum or community center.

The contribution shall be an amount equal to or exceeding 2% of the value of building construction. Documentation of building costs shall be provided.

**18.57.050 Maximum Building Height**

Downtown Core: 45 feet

Downtown Mixed Use 1 and 2: 38 feet

Notes:

1. The minimum height of the first (ground level) floor of any building in the Downtown Core district shall be 13 feet.
2. Floors above 35 feet in the Downtown Core and above 25 feet in the Downtown Mixed Use 1 and 2 districts shall be set back from any facade along a street by at least seven feet.
3. Roof forms, including parapets, towers, pitched and curved shapes that do not contain habitable space may exceed the height limit, but by no more than 5 feet measured from the mid-point of the roof form.

**18.57.060 Set-to and Set-back Lines**

In the Downtown Core, the first floor of commercial building facades facing streets shall be placed within 5 feet of the back of the right-of-way.

In the Downtown Mixed Use 1 and 2 districts, the first floor of buildings containing ground floor residential shall be set back from the right-of-way by at least 7 feet, but no more than 15 feet.

**18.57.070 Parking Standards**

A. Residential Uses

<u>Residential Type</u>	<u>Minimum Requirement</u>
Senior Housing*	0.5 space per unit
Studios	0.5 space per unit
One-Bedrooms and Greater	1.0 space per unit
Hotels and Motels	1.0 space per room

\* Restricted by deed to persons over 62 years of age.

B. Commercial and Other Uses

One off-street parking stall shall be provided for each 500 square feet of interior floor area.  
Exemption from parking requirements: Retail uses less than 2500 sf.

C. Off-Site Parking

Some or all of the parking requirement may be satisfied on off-site lots, so long as the parking is located within 600 feet of the use.

D. Shared Parking

If residential and non-residential uses within a development share parking, the Director may reduce the total amount of required parking by up to 20%.

E. Location of Parking

Within these three districts, off-street surface parking is not allowed to be adjacent to Washington Street or Sequim Ave.

**18.57.080 Design Standards and Guidelines Applicable to Downtown**

Design Standards and guidelines for the downtown districts described in this section are adopted by reference, but are contained in another document.

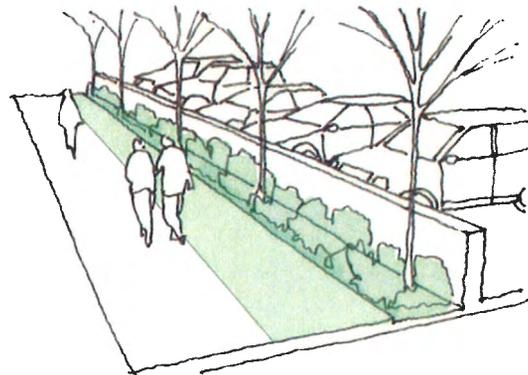
A. Site Design

1. Parking Lot Screening and Landscaping

*Intent: To soften the visual effect of asphalt and parked cars on downtown.*

- a. One tree, min 2" caliper, required per 6 parking stalls
- b. Low fence or decorative wall (24"- 42" high) with shrubs along any street frontage planted at a sufficient density to create a full visual screen at maturity.
- c. Chain link fencing and razor ribbon are not allowed

*Examples of low wall and landscaping*

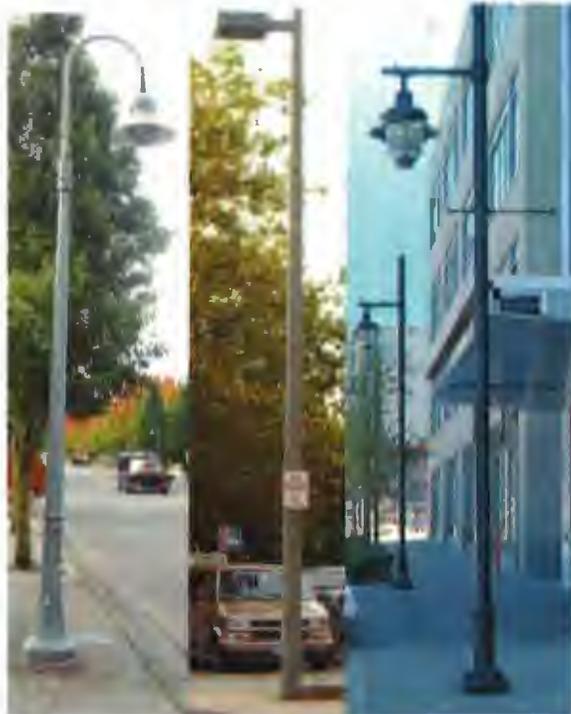


2. Parking Lot Lighting

*Intent: To reduce glare and spillover of light.*

- a. For lots greater than twenty stalls, one light required per twenty stalls
- b. Fixture height shall be no greater than 25'
- c. Cut-off type fixtures required
- d. A photometric plan that demonstrates that all lighting and glare will illuminate only within property boundaries shall be submitted for all new lots.

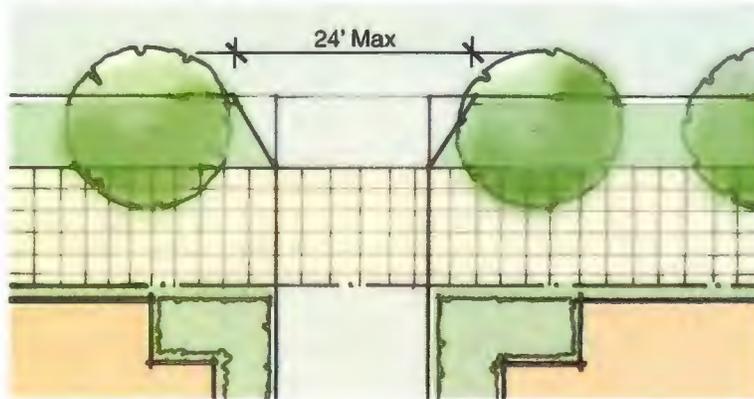
*Examples of cut off light fixtures*



3. Curb Cuts

*Intent: To reduce the disruption of pedestrian movement by vehicles.*

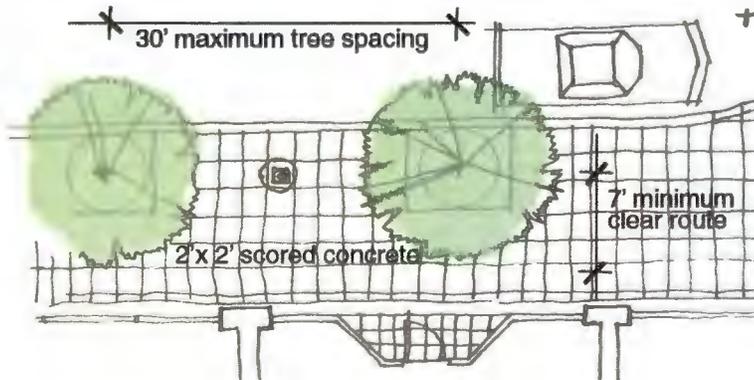
- a. No curb cuts allowed along Washington in the Downtown Core District
- b. No more than one curb cut per street frontage allowed elsewhere, (see minor amenity FAR bonus)
- c. Maximum curb cut width is 24'



4. Sidewalk/Frontage Improvements

*Intent: To provide clear expectations of private contributions to streetscape.*

- a. 2' x 2' scored concrete surface
- b. Minimum 7' wide, unobstructed walking route
- c. Street trees, minimum 2 1/2" cal, 30' maximum spacing

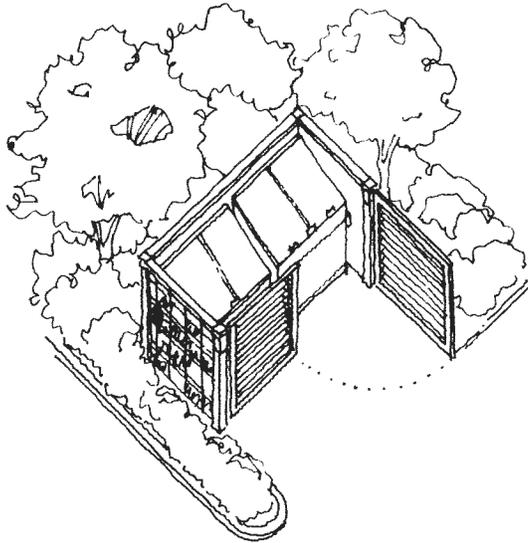


5. Screening of Trash Areas

*Intent: To reduce the visual effects of trash collection containers.*

- a. Solid, opaque enclosure is required
- b. Planting is also required where there is any street frontage

*Screening trash areas with enclosures and landscaping.*



## B. Building Design

### 1. Ground Level Transparency

*Intent: To ensure good visual connectivity between the interior activities within buildings and the streets and sidewalks to contribute to a socially dynamic environment and promote natural self-policing with many eyes on the street.*

- a. Minimum of 75% along Washington and Sequim in the Downtown Core
- b. Minimum of 20% along other streets
- c. Measured between 2' and 10'
- d. Mirrored, highly reflective, and darkly tinted glass not permitted.

*Pedestrian level transparency.*

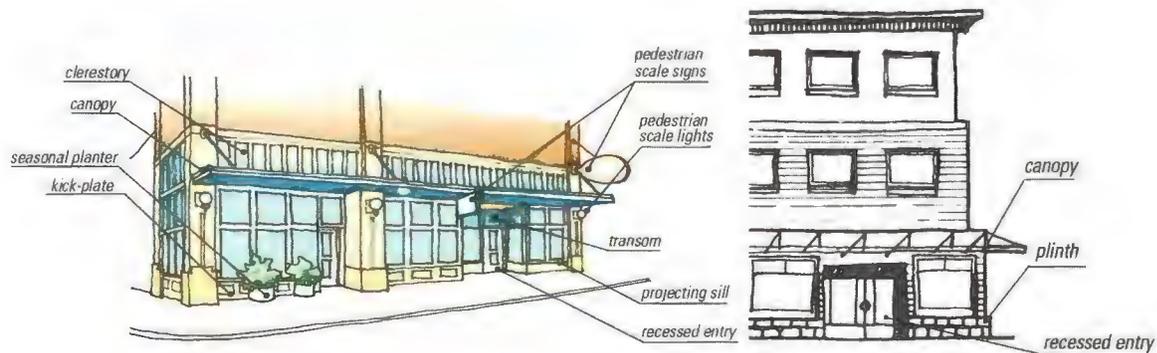


### 2. Ground Level Architectural Features

*Intent: Ensure that new building provide rich and varied experiences for people walking by.*

- a. All new buildings in the Core District along Washington Ave shall include overhead weather protection (canopy or awning) at a minimum of 5 feet in width over the sidewalk on 75% of the facade.
- b. Street-facing facades shall include a minimum of four of the following:
  - Kickplate below windows 24" to 30" in height with projecting sill
  - Plinth: A continuous course of masonry or architecturally-finished concrete at the base of an exterior wall, with a height ranging from 16" - 32."
  - Canopy or awning, minimum 5 feet in width over sidewalk
  - Recessed entry door
  - Decorative lighting fixtures
  - Clerestory above primary display windows
  - Planters for seasonal planting
  - Decorative tilework
  - Pedestrian-scaled signs

- Flower baskets
- Sidewalk-facing garden (residential buildings only)
- Other unique or artful element



- c. Treatment of blank walls longer than 30 feet, if facing a street, at least two shall be required:
- Vegetation
  - Artwork/Mural
  - Seating
  - Architectural details  
(e.g. tilework, board and batten, fine-grained score pattern)

*Examples of blank wall treatments.*



- d. Vinyl awnings, half-round awnings, and awning that are principally designed to cast intense light downward or to provide signage are not permitted.

- e. Materials used at ground level are expected to be long-lasting and durable and contribute positively to the pedestrian experience. Plywood, corrugated metal, and concrete block that is either split-face or unpolished are not allowed on facades facing a pedestrian-oriented street or alley.

*Example of high quality ground level building materials*



3. Upper Floor Architectural Features

*Intent: To ensure that new buildings offer visual interest as seen from a distance and contribute to the character of the townscape.*

At least two of the following shall be required above the first floor:

- Belt course of masonry
- Overhang or projection
- Offsets in wall
- Balconies or decks
- Change in color or materials
- Bay windows
- Stepback(s)



4. Roofline

*Intent: To create distinct profile on the skyline.*

- a. Flat roofs shall include a prominent cornice that creates a shadow and caps the edge of the roof.
- b. Pitched roofs shall be in the range 6:12 to 12:12



5. Screening Rooftop Mechanical Equipment

*Intent: To reduce the visual impact of mechanical equipment on roofs.*

Mechanical equipment shall be screened by an extended parapet wall or other roof forms that are integrated into the building's architecture.



## C. Sign Design

### 1. Pedestrian Scale

*Intent: To encourage projecting and wall signs that are scaled and designed to attract pedestrians' interest, yet not overwhelm a building's facade.*

- a. Signs within these three districts shall be oriented to people walking, not driving in vehicles.
- b. Pole signs shall not be allowed in these three districts.
- c. Projecting signs shall not exceed 16 square feet in area; maximum allowed sign extension from the building façade is 4 feet, provided that no sign shall extend to within two feet or less of the street curb edge; projecting signs shall be installed between 7 feet 6 inches and 14 feet above grade on the façade of entry or primary pedestrian street.
- d. Wall signs shall be allowed as provided in 18.58.110E provided that the allowed wall sign area shall be reduced by an amount equal to any permitted projecting sign that is installed.



### 2. Relationship to Building Design

*Intent: To ensure that signs respect the character of buildings.*

Signs should not obscure architectural features.



### 3. Whimsical and Artful Elements

*Intent: To encourage creativity and expressing individual businesses*

Signs should be highly graphic with features that boldly symbolize the identity of the business.



## THE MAIN STREET FOUR-POINT APPROACH®

The Main Street Four-Point Approach® is a unique preservation-based economic development tool that enables communities to revitalize downtown and neighborhood business districts by leveraging local assets - from historic, cultural, and architectural resources to local enterprises and community pride. It is a comprehensive strategy that addresses the variety of issues and problems that challenge traditional commercial districts.

Since its founding in 1980, Main Street has been the leader of a coast-to-coast network now encompassing more than 2,000 programs and leaders who use the Main Street Approach® to rebuild the places and enterprises that create sustainable, vibrant communities. This approach has been implemented in over 1,200 cities and towns in 40 states across the nation with the help of the National Main Street Center and statewide downtown revitalization programs.

The success of the Main Street Approach® is based on its comprehensive nature. By carefully integrating four points into a practical downtown management strategy, a local Main Street program will produce fundamental changes in a community's economic base.

**Organization** involves building a Main Street framework that is well represented by business and property owners, bankers, citizens, historic preservationists, entrepreneurs, public officials, chambers of commerce, and other local economic development organizations. Everyone must work together to renew downtown. A strong organization provides the structure and stability to build and maintain a long-term effort.

**Promotion** creates excitement and vibrancy downtown. Street festivals, parades, retail events, and image development campaigns are some of the ways Main Street provides education on what's downtown and encourages customer traffic. Promotion involves marketing an enticing image to shoppers, investors, and visitors.

**Design** enhances the look and feel of the commercial district. Historic building rehabilitation, street and alley clean-up, landscaping, street furniture, signage, visual merchandising and lighting all improve the physical image of the downtown as a quality place to shop, work, walk, invest in, and live. Design improvements result in a reinvestment of public and private dollars to downtown.

**Economic Restructuring** involves analyzing current market forces to develop long-term solutions. Recruiting new businesses, creatively converting unused space for new uses, and sharpening the competitiveness of Main Street's traditional merchants are examples of economic restructuring activities.



## National Main Street Center

a subsidiary of the  
National Trust *for* Historic Preservation

# MAIN STREET TAX CREDIT INCENTIVE PROGRAM INFORMATION

The Main Street Tax Credit Incentive Program provides a Business & Occupation (B&O) or Public Utility Tax (PUT) credit for private contributions given to eligible downtown organizations. Once your business donation request is approved by the Department of Revenue, you are eligible for a tax credit worth 75% of the contribution to your downtown revitalization organization.

Businesses statewide can also donate to the Main Street Trust Fund. In this case, the tax credit is worth 50% of your donation. In fact, a business can donate to both up to \$250,000. What other program essentially lets you self direct your business taxes? Further, if your downtown organization is a 501c3 you may be eligible for a federal income tax deduction as a charitable contribution.

## The Basic Facts

- Eligible community organizations can receive donations totaling up to \$133,333.33 per calendar year.
- Businesses can donate up to \$250,000 to a Main Street organization anywhere in the state.
- The program for the entire state is capped at \$1.5 million and is first-come, first-served.
- To participate, your organization must be a 501c3 or 501c6, have a mission that is dedicated solely to downtown revitalization, and be following the Main Street Four-Point Approach®.
- Don't forget that donating to the Main Street Trust Fund helps support revitalizing downtowns across the state! Building the capacity of the statewide program provides services to existing and future downtown organizations.



## How Do You Actually Get the Tax Credit?

- Businesses must be registered to file their state excise tax electronically.
- A donation request must be filled out and submitted online, but don't worry – it's easy and we've got step-by-step instructions on our website!
- A business is approved (instantaneous) and will be able to choose an organization to donate to and the donation amount. The business will also see how much credit the organization has left.
- A business will receive a confirmation letter from the Department of Revenue within 45 days.
- The business writes a check for the donation amount to their selected Main Street organization prior to December 31st. The donation can be spread out throughout the calendar year, but pledge early (and often!) to guarantee the donation is eligible.
- The business must take the tax credit the following year the donation is made – and sorry, but the tax credit can't be carried forward and there won't be a refund for any credit above and beyond a business' tax liability.



*Summer Concert on the Dock in downtown Port Townsend.*

## PRODUCT SALES

A budget can be subsidized by selling products related to the organization, community, or promotion. Some examples of these are t-shirts and sweatshirts, posters, specialized game boards, and bricks for streetscape projects. Product variety is only as limited as the imagination. Before going into special product sales, there must be a well-thought-out plan in place for actually selling the items. Don't depend on product sales to make ends meet.

## HOTEL/MOTEL TAX

A hotel/motel tax is similar to sales tax. It is a tax that has been imposed on hotel/motel room rentals through a state and, additionally, city or county ordinance. The state funds are distributed by the State Treasurer to the levying cities and counties. They may be used for promotion of tourism or construction and operation of tourism-related facilities. The hotel/motel tax is generally about 4-5%, and it falls into the category of a city's general fund revenue. Often, city government contributes much of their hotel/motel tax to local efforts such as the Chamber of Commerce or Convention Bureau to promote tourism (and thus increase hotel/motel occupancy). Very aggressive downtowns use hotel/motel taxes to fund downtown management, promotions, public improvements, public facilities, and technical assistance.

## MAIN STREET TAX CREDIT INCENTIVE PROGRAM

The Main Street Tax Credit Incentive Program, established in 2005 under Chapter 82.73 RCW, provides a Business & Occupation (B&O) or Public Utility Tax (PUT) credit for private contributions given to eligible downtown organizations. Once a business' donation request is approved by the Department of Revenue, it is eligible for a tax credit worth 75% of the contribution to the eligible downtown revitalization organization. Businesses statewide can also donate to the Main Street Trust Fund. Eligible organizations can receive a up to \$133,333.33 in donations; businesses can donate up to \$250,000. Additionally, if the downtown organization is a 501c3 the donor may be eligible for a federal income tax deduction as a charitable contribution. While extremely beneficial, these funds are not a dependable source of revenue every year and should be viewed with caution.

# EMILY STRALING

110 Henkes Rd Sequim WA 98382 | emilystraling@gmail.com | 360-670-5992

**OBJECTIVE** | I am aiming to be employed at a good company, in order to learn valuable skills for the future, and save for college.

**SKILLS & ABILITIES** | I am skilled at looking after children, housekeeping, communicating with others, writing, and quickly getting a message or something delivered promptly.

I have the abilities to greet people, advertise, work hard, and learn any skill necessary to complete a task given to me.

**EXPERIENCE** | **CHILDCARE EXTROURDINARRE**  
FEBURARY 2015 - CURRENT

I watch two girls, housekeep, and do anything extra upon request.

**HOUSE PAGE WASHINGTON HOUSE OF REPRESENTATIVES**  
MARCH 7, 2016 – MARCH 11, 2016

I served as a messenger and deliverer for the House, as well as a helper in the Members Cafeteria.

**EDUCATION** | **SEQUIM HIGH SCHOOL, SEQUIM WA**  
CURRENT STUDENT

I currently hold a 3.7 GPA, earned student of the month February 2015, and serve as a member of the cheerleading squad. I am enrolled in AP courses, and I have taken honors classes previously.

**LEADERSHIP** | I have been a member of the cheerleading squad for three years and have taken leadership classes. I have previously been involved in multiple community service activities involving communicating with people and advertising. Also, being on the cheerleading squad has expanded my communication skills, and has made me outgoing.

**REFERENCES** | **KARYN MCCRACKEN, FAMILY FRIEND**  
[COMPANY]  
360-670-2031

**ROBIN HALL, FAMILY FRIEND**  
[COMPANY]  
360-460-7860

**AIMEE DENNIS, FAMILY FRIEND**  
[COMPANY]  
360-808-1700

**GRANT DENNIS, FAMILY FRIEND**  
[COMPANY]  
360-460-1299

**SEQUIM CITY COUNCIL  
AGENDA COVER SHEET**

**MEETING DATE:** September 12, 2016

**FROM:** David Garlington, Public Works Director dmg  
Initials

**SUBJECT/ISSUE:** Carlsborg Sewer Agreement

Discussion dates			
<b>CATEGORY</b>	<input type="checkbox"/> City Manager Report	<input checked="" type="checkbox"/> Information Only	Time Needed for Presentation
	<input type="checkbox"/> Public Hearing	<input type="checkbox"/> Consent Agenda	
	<input type="checkbox"/> Unfinished Business	<input type="checkbox"/> New Business	
Reviewed by		Initials	Date
Charles P. Bush, City Manager		CPB	9/8/16
Pete Tjemsland, Utilities Manager			

**PROBLEM/ISSUE STATEMENT:**

The Carlsborg Sewer Agreement between the City and Clallam County is being proposed as a template for a sewer agreement with the Jamestown S’Klallam Tribe for receiving sewage from Tribal Reservation and Trust properties in Blyn.

**ATTACHMENTS:**

Attachment 1: Summary of financial contributions to the City from the Carlsborg Sewer Agreement.

**DISCUSSION/ANALYSIS:**

Clallam County’s Carlsborg sewer project is proceeding on schedule with startup expected in April, 2017. The agreement between Sequim and the County, covering capacity purchase and ongoing treatment, operating and maintenance (within the City limits), and capital costs will be used as a basic template in talks with the Jamestown S’Klallam Tribe concerning city treatment of sewage from Blyn. As with the County, any agreement with the Tribe would be dependent on their adoption of a Wastewater Source Control plan developed by the City.

**BUDGET IMPLICATIONS:**

The Carlsborg Sewer Agreement provided for \$1.32 million dollars in one-time payments to the city for purchase of 6.29% of its sewage processing capacity. The initial capacity by in for a Blyn Agreement would be around 5%. The amount of a one-time payment would be determined by the agreement and the route the sewer line would take from the city limits to the Water Reclamation Facility. Similar to the Carlsborg Agreement, ongoing and capital costs would be based on the cost to process the sewage and percentage of plant and transmission route capacity.

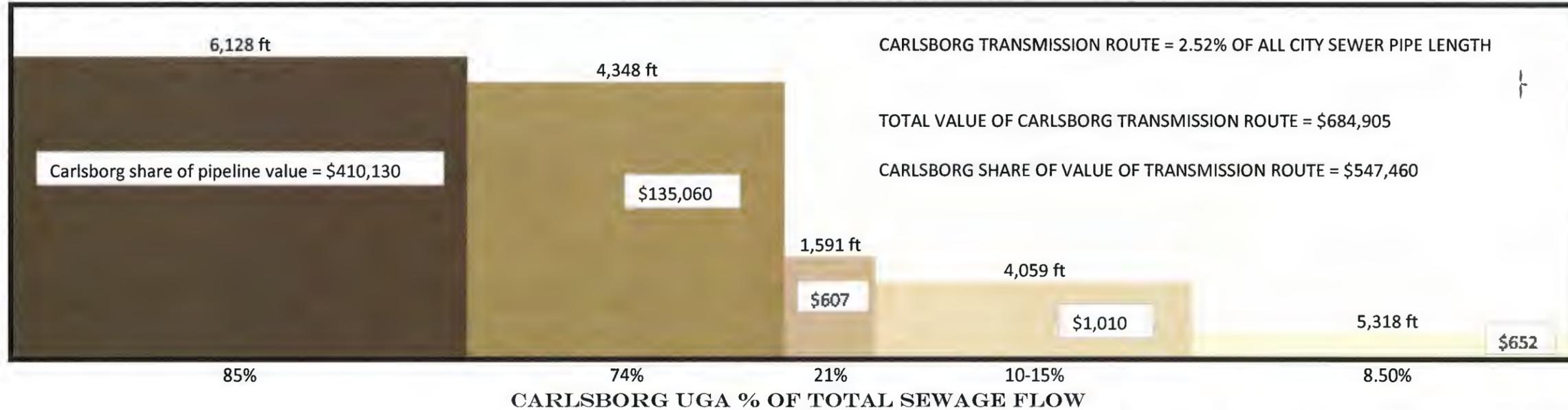
**RECOMMENDATION:**

This presentation is informational only.

**CLALLAM COUNTY CONTRIBUTION TO CITY OF SEQUIM FOR CARLSBORG SEWER HOOK-UP**

TOTAL SEWAGE FLOW  
CARLSBORG & SEQUIM

**CARLSBORG SEWER TRANSMISSION ROUTE PIPE LINE SEGMENT LENGTH**



CARLSBORG TRANSMISSION ROUTE = 2.52% OF ALL CITY SEWER PIPE LENGTH

TOTAL VALUE OF CARLSBORG TRANSMISSION ROUTE = \$684,905

CARLSBORG SHARE OF VALUE OF TRANSMISSION ROUTE = \$547,460

TOTAL WATER RECLAMATION FACILITY CAPACITY = 1,670,000 GPD

CARLSBORG SHARE = 105,000 GPD

Total value of WRF = \$12,520,335

Carlsborg share of value = \$787,207  
6.29%

TOTAL WRF CAPACITY GALLONS PER DAY

**County Payments to Sequim: Carlsborg UGA Sewer**

\*One time purchase of WRF capacity = \$787,207

\*One time purchase of pipe line capacity = \$547,460

**Total one-time County payment = \$1,324,667**

**Ongoing charges (to begin when County hooks up):**

\*Sewage treatment charge = 0.97 cents/gallon

\*Pipe line O&M = 2.52 % of actual costs

\*Pipe line capital costs for the Carlsborg transmission route = % of sewage flow for that segment

\*All WRF costs = 6.29% of actual costs





## Human Services Funding 2016

Reporting Period (Circle One)

**\*Jan-Mar\*** Apr-June July-Sept Oct-Dec

<b>Healthy Families of Clallam County</b>			
Provide domestic violence and sexual assault victim assistance and child abuse prevention services to the low income and infirm who might otherwise not be able to afford such victim assistance and abuse prevention services			
Quarterly Payment Amount \$2,812.50		Annual Payment Amount \$11,250	
<b>Resolution #R-2014-21 established that human services funding would focus on the below-listed areas. Please mark an X to indicate your area of focus:</b>			
Vulnerable (early childhood development (0-4YOA), Youth, Seniors	Essential medical/dental access for uninsured	Mental health services for school-age children and adults	Youth and senior development activities which include education, life skills, intellectually stimulating activities, physical exercise/ recreational activities and social connections
		X	
Describe how income levels are verified. <b>At intake each client is asked about their source and the amount of their income. The majority of clients served are forthright in their income disclosure. A majority of HFCC clients are one of four categories: Employed; TANF recipients (Temporary assistance to needy Families); no income, or Social Security Disability. HFCC's major grantors stipulate that income level and disclosure is not a requirement for provision of services. HFCC protocol is to ask income information in the case the agency can be of assistance in attaining or maintaining an income to promote stability in housing and basic needs.</b>			
Describe how residency in the City of Sequim is determined. <b>Residency in the City of Sequim is determined at intake. Clients of Healthy Families of Clallam County are assigned a number at intake; this number includes a code for city and county of residency. If a client is unsure if they live within city boundaries then an advocate refers to a map of the city to determine residency of a client.</b>			
<b>Indicate number of patients living in the Sequim city limits who used the following services</b>			
Domestic violence assistance	Sexual assault victim assistance	Child abuse prevention services	
227	178	455	
Describe what you were able to provide with funding from the City of Sequim that you would otherwise not have been able to provide. <b>The City of Sequim funding allows Healthy Families of Clallam County to provide 1:1 therapy services with a Master's Level Licensed Mental Health Counselor to residents of Sequim that are victims of Domestic Violence, Sexual Assault, and/or Child Abuse. HFCC contracts with</b>			

the therapist three days a week, at our office. During this quarter, 34% of the therapists' time has been devoted to City of Sequim residents that are victims of Domestic Violence, Sexual Assault, and/or Child Abuse. HFCC continues to work to increase its' prevention education to the City of Sequim adolescents and teenagers, with a curriculum that is specifically targeting bullying, healthy relationships, and technology safety. During this period the HFCC Prevention Educator gave 12 presentations at Sequim Middle School and 4 at the High School. HFCC continues to provide the Jamestown Tribe healthy relationship dating violence prevention education for the after school and tribal youth programs. Additional services provided to City of Sequim residents are: 24/7 crisis line; Advocacy Based Counseling; Information and Referrals; Medical/System/Legal Advocacy to victims of Domestic Violence, Sexual Assault, and Child Abuse.

Dated this 16<sup>th</sup> Day of August, 2016 .

Name of person completing this report Becca Korby

Phone number 360-452-3811 Email healfam2@olyphen.com

7



## Human Services Funding 2016

Reporting Period (Circle One)

Jan-Mar    \*Apr-June\*    July-Sept    Oct-Dec

<b>Healthy Families of Clallam County</b>			
Provide domestic violence and sexual assault victim assistance and child abuse prevention services to the low income and infirm who might otherwise not be able to afford such victim assistance and abuse prevention services			
Quarterly Payment Amount \$2,812.50		Annual Payment Amount \$11,250	
<b>Resolution #R-2014-21 established that human services funding would focus on the below-listed areas. Please mark an X to indicate your area of focus:</b>			
Vulnerable (early childhood development (0-4YOA), Youth, Seniors	Essential medical/dental access for uninsured	Mental health services for school-age children and adults	Youth and senior development activities which include education, life skills, intellectually stimulating activities, physical exercise/ recreational activities and social connections
		X	
Describe how income levels are verified. <b>At intake each client is asked about their source and the amount of their income. The majority of clients served are forthright in their income disclosure. A majority of HFCC clients are one of four categories: Employed; TANF recipients (Temporary assistance to needy Families); no income, or Social Security Disability. HFCC's major grantors stipulate that income level and disclosure is not a requirement for provision of services. HFCC protocol is to ask income information in the case the agency can be of assistance in attaining or maintaining an income to promote stability in housing and basic needs.</b>			
Describe how residency in the City of Sequim is determined. <b>Residency in the City of Sequim is determined at intake. Clients of Healthy Families of Clallam County are assigned a number at intake; this number includes a code for city and county of residency. If a client is unsure if they live within city boundaries then an advocate refers to a map of the city to determine residency of a client.</b>			
<b>Indicate number of patients living in the Sequim city limits who used the following services</b>			
Domestic violence assistance	Sexual assault victim assistance	Child abuse prevention services	
116	114	83	
Describe what you were able to provide with funding from the City of Sequim that you would otherwise not have been able to provide. <b>The City of Sequim funding allows Healthy Families of Clallam County to provide 1:1 therapy services with a Master's Level Licensed Mental Health Counselor to residents of Sequim that are victims of Domestic Violence, Sexual Assault, and/or Child Abuse. HFCC contracts with</b>			

the therapist three days a week, at our office. During this quarter, 26% of the therapists' time has been devoted to City of Sequim residents that are victims of Domestic Violence, Sexual Assault, and/or Child Abuse. HFCC continues to work to increase its' prevention education to the City of Sequim adolescents and teenagers, with a curriculum that is specifically targeting bullying, healthy relationships, and technology safety. The HFCC Prevention Educator is developing new curriculum focused on Bystander Intervention. This valuable concept will be taught at the High School with negotiations in the works to introduce it at Sequim Middle School. During the reporting period 97 individuals attended prevention presentations including 83 students. Additional services provided to City of Sequim residents are: 24/7 crisis line; Advocacy Based Counseling; Information and Referrals; Medical/System/Legal Advocacy to victims of Domestic Violence, Sexual Assault, and Child Abuse.

Dated this 16<sup>th</sup> Day of August, 2016 .

Name of person completing this report Becca Korby

Phone number 360-452-3811 Email healfam2@olympen.com

**CITY OF SEQUIM  
CITY COUNCIL MINUTES  
SEQUIM CIVIC CENTER  
152 WEST CEDAR STREET  
SEQUIM, WA  
AUGUST 8, 2016**

**1. Increased Access to Public Meetings**

Barbara Hanna reported on the results of a survey showing that most people are receiving city news from the Sequim Gazette and Facebook. 50% of the respondents indicated they would watch council meetings. She explained the requirements and costs to participate in the Peninsula Area Public Access channel. She also explained the options if we were to go with our current Granicus system. There is money included in the 2017 budget to proceed. There was consensus to proceed with option 2 to purchase necessary equipment and use our Granicus system.

**2. Amendment to Subdivision Code for Plat Alterations**

Nelson-Gross presented information concerning our current ordinance. It references appropriate RCWs but does not provide necessary steps. The purpose of this amendment is to provide more guidance to the public and the staff. There was council consensus to proceed with the amendment.

**3. City Council Goals Work Plan**

Bush explained the work plan that has been developed for the council goals. The plan shows the item and when it is anticipated to be completed.

Lake suggested 2019 seems like a long time to start talking about crime prevention. Lake would like us to be thinking about this much sooner. Pratt feels it could be addressed under encourage regional cooperation for common interests. Bush suggested developing a crime prevention strategy by the middle of 2017.

Lake suggested it would be good to start solar energy now. PUD has already completed an analysis. Look at cost benefit of adding solar energy now to city facilities. Bush recommends this be put into the process for January. This is development of a new goal.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Present: Bob Lake, Pam Leonard-Ray, Dennis Smith, Ted Miller, John Miller, Candace Pratt, Genaveve Starr

## **CHANGES TO THE AGENDA**

### **CEREMONIAL**

### **REPORTS**

#### **Committee, Board and Liaison**

Leonard-Ray reported that the pianos were auctioned off last Friday. One went for \$500 and another for \$600. The piano "Patsy" was not purchased. It will be refurbished and we will have "Where's Patsy?" events throughout the year. Patsy will be used as a promotional tool for 2017.

#### **Presiding Officer**

Mayor Smith reported on the special meeting of the Planning Commission where they discussed comp plan and the land use map issues that will be discussed by City Council tonight.

#### **City Manager**

### **PUBLIC COMMENTS**

Margie Rone provided an update on the Sequim Picklers' activities and their booth at the Lavender Festival.

Sara Nicholls, new Administrative Director for the Dungeness Valley Health & Wellness Clinic, stated she just completed her quarterly report. She thanked the city for the assistance they provide. They are the only free clinic where people can be seen on the same day they come in. She outlined the services the clinic provides.

### **INFORMATION/COUNCIL QUESTIONS INVITED**

4. 2nd Quarter Funding Reports
- a. Parenting Matters
- b. Chamber of Commerce

### **PUBLIC HEARINGS (Legislative)**

5. Ordinance No. 2016-09 Authorizing 2016 Mid-Year Budget Amendments

Mayor Smith read the rules and opened the public hearing at 6:12 p.m.

Hagener explained the budget amendments and stated they have been presented to the Finance Committee and were reviewed by the Council on July 25, 2016. She identified the amendments being made at this time. Mayor

Smith called for speakers. Hearing no response, the public hearing was closed at 6:19 p.m.

**MOTION** to approve Ordinance No. 2016-09 Authorizing Mid-Year 2016 Budget Amendments by Genaveve Starr; seconded by Bob Lake. **Carried Unanimously.**

#### 6. Ordinance No. 2016-07 Approving Zoning Code Revisions

Mayor Smith read the rules and opened the public hearing at 6:22 p.m.

Hugo stated this continues the process to implement the Comprehensive Plan land use chapter with new zoning. He explained the new zoning districts that are being developed. The Planning Commission unanimously recommended adoption as proposed. The SEPA comment period has concluded. There were no comments requiring a change to the proposed plan. Hugo explained that tough decisions were made following the 4 years of public presentations and discussions. Once a plan is developed, we are required to have zoning that is consistent with the plan. He explained the importance of the changes to the zoning map and how they will coincide with the Comp Plan.

#### Speakers:

Nancy Booth indicated she owns property at Port Williams and North Sequim. They recently learned of the zoning change that would remove the commercial zoning on their property. They have a buyer who is relying on the commercial zoning. It is important for them to have the commercial zone remain on their property.

Katie Gilles disclosed she is a real estate broker. She has also been a real estate appraiser. It seems to her that a neighborhood center makes all kinds of sense. She explained her reasons for leaving the commercial zone at the Booth property.

Thomas Booth stated that property has been commercial for years even before the dairy farm went out of operation. They had no idea it was going to be changed. The Sorrento proposal expired in October 2015 and included commercial. They have a potential buyer who wants to do something nice. It is important to the buyer to have that parcel remain commercial. The city should pay attention and try to work with him to get something nice. It is a safety issue to have residential on that corner.

Andrea Gilles stated the potential owner for this property has every intention of working with the city. The commercial zone is a very big part of this purchase.

Mayor Smith called for additional speakers. Hearing no response, the public hearing was closed at 6:50 p.m.

**MOTION** to approve Ordinance No. 2016-07 relating to amendments to SMC 18.16.050, 18.20.010, 18.20.020, Table 18.44.060 (C), and 18.59.020 and deleting section 18.44.060 to implement policy directions of the Comprehensive Plan for Single Family Residential uses as well as revisions to the Official Zoning Map for consistency with the Comprehensive Plan's Future Land Use Map, as recommended by the City Planning Commission; moved by Candace Pratt seconded by Bob Lake. Aye by Pratt, Smith, Lake. Nay by T. Miller, J. Miller, Leonard-Ray, Starr. **The vote Failed.**

Leonard-Ray questioned fences and roads and what the Comp Plan says. Hugo responded there is a policy direction and illustrations showing what it feels like to live in a community that backs up to streets. DCD is already working with developers on how to deal with this issue. Hugo explained access for the parcels.

Lake asked if it was possible to have an exemption for this small piece of property? Nelson-Gross replied that exemptions are to be looked at very carefully. Because of where we are in this process, she would be concerned about a substantial change. We would have to go through the entire process again. It is not possible to have an exception or variance here. She explained how something could be done. It could be done during the annual comp plan review or perhaps other sections of the code. T. Miller asked why the Booth property was changed?

Hugo explained that the commercial properties were developed in such a way that has created many issues. The roundabout has also created issues. The population threshold to support that much commercial does not exist.

Leonard-Ray indicated she needs to go back and read the Comp Plan to understand why the change is necessary.

Nelson-Gross cautioned that the council look at other parcels that may be in similar situations.

Hugo explained that 250 houses will not support another business in the neighborhood. Hugo suggests this could be taken up at the annual review in 2017. The developer could explain how he thinks he could make it work here.

Nelson-Gross explained that the property owner can come in and request a rezone. The property owner is not "stuck" with this zone forever.

Bush explained that we will look at interim and next steps.

## **CONSENT AGENDA**

7. Approve/Acknowledge
  - a. City Council Meeting Minutes - July 25, 2016
  - b. Claim Voucher Recap Dated 8/8/16 Total Payments \$459,488.80

c. Fireworks Subcommittee Meeting - July 27, 2016

**MOTION** to approve CONSENT AGENDA made by Candace Pratt; seconded by Ted Miller. **Carried Unanimously.**

## **UNFINISHED BUSINESS**

### 8. Award Pavement Preservation Contract

Matt Klontz reported that the bid opening for this is August 12. It is requested that Council allow the City Manager to do a few things so that we can start this project without having to wait until the next council meeting to get approval. The Public Works crew was busy working on the reuse parking project which has caused delays in starting this process. He explained that a test section will be completed on Klahn using a paving machine on the alleyway. It is hopeful it will solve the issue of maintaining our alleyways. The plan is to overlay with millings in the alleyways. We have received complaints on this alleyway.

**MOTION** to authorize the City Manager, or his designee, to award the contract up to the Engineer's estimate amount of \$429,000 plus an additional 10% contingency and to authorize the City Manager, or his designee, to enter into a contract with the lowest responsive and responsible bidder, or to reject all bids as it best serves the interests of the City by Bob Lake; seconded by Ted Miller. **Carried Unanimously.**

### 9. Local Agency Supplement to Fir Street Grant

Klontz stated the environmental document has been completed at the federal level. We can now begin the right of way phase. 86.5% of this project is funded. There is a required \$27K City match which will come from transportation impact fees. Right of way acquisition is on critical path and is key to begin so we can begin construction late 2017. There will be temporary easements that are needed. Clallam County distributes this funding.

Bush added that we need to continue on this project. This is a 10-year process. Klontz is in close communication with the school district. The school's right-of-way is actually where the street is located now. We will be asking them to dedicate that section to the city. Utility stub outs are being left in appropriate places in the event the school district needs utility connections in the future.

**MOTION** to direct the Mayor to sign two originals of Local Agency Supplement No 1 and return to Public Works for transmittal to the State for execution by WSDOT Local Programs by Bob Lake; seconded by Ted Miller. **Carried Unanimously.**

## **NEW BUSINESS**

### 10. Resolution R2016-22 Vacating a Utility Easement - Uso Family Trust

Deschenes explained the issues surrounding this request. There is a 20' utility easement dedicated to the city. The city only needs 10' of this easement for utilities.

**MOTION** to approve Resolution R2016-22 and authorize the Mayor to sign the Quit Claim Deed by Ted Miller; seconded by Pam Leonard-Ray. **Carried Unanimously.**

**GOOD OF THE ORDER**

Pratt reminded everyone that Sunday is the Rotary Salmon Bake at the Boys & Girls Club.

Smith stated the City Manager sent out an email regarding his performance appraisal. The council had previously agreed to revisit this in August. Following discussion, it was agreed to do the performance appraisal in August 2017.

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

**EXECUTIVE SESSION**

**NEXT MEETING DATE** Mayor Smith announced the next meeting dates of August 22, 2016 (Cancelled); September 12, 2016 (2:30 p.m.); September 26, 2016 (5:00 p.m.)

**ADJOURNMENT** at 8:00 p.m.

Respectfully submitted,

\_\_\_\_\_  
Karen Kuznek-Reese, MMC  
City Clerk

\_\_\_\_\_  
Dennis Smith  
Mayor

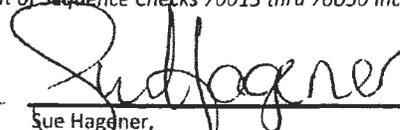
Minutes approved at a regular Council meeting held on September 12, 2016.

SEQUIM CITY COUNCIL  
 CONSENT AGENDA RECAP - September 12, 2016

<u>Number</u>	<u>Voucher</u> <u>Date</u>	<u>Type</u>	<u>Payment</u> <u>Detail</u>	<u>Amount</u>
1	7/29/2016 Utility Refunds <i>Comments: None</i>	Check	UBR 70002 thru UBR 70014*	\$ 2,210.33 Total \$ 2,210.33
2	8/5/2016 Payroll <i>Comments: For Pay Period 7/16/16 thru 7/31/16</i>	Check Direct Debit Electronic	*Ck 70051 thru Ck 70057 Count of 79 E-3833	\$ 7,895.73 \$ 133,033.41 \$ 56,369.98 Total \$ 197,299.12
3	8/5/2016 AP Vendor <i>Comments: None</i>	Check Electronic Treasury	Ck 70058 thru CK 70099 E-3830 thru E-3832 TC 9169 thru TC 9172	\$ 76,127.85 \$ 1,568.18 \$ 76,217.15 Total \$ 153,913.18
4	8/5/2016 PY Liabilities <i>Comments: For Pay Period 7/16/16 thru 7/31/16</i>	Check Electronic	Ck 70100 thru Ck 70110 E-3834 thru E-3836 & E-3840 & E-3841	\$ 28,359.02 \$ 144,167.63 Total \$ 172,526.65
5	8/12/2016 Utility Refunds <i>Comments: None</i>	Check	UBR 70111 thru UBR 70118	\$ 2,190.02 Total \$ 2,190.02
6	8/15/2016 AP Vendor <i>Comments: None</i>	Check Electronic Treasury	Ck 70119 thru 70153 E-3837 thru E-3839; and E-3842 thru E3846 TC 9173	\$ 59,528.49 \$ 953.58 \$ 75.00 Total \$ 60,557.07
7	8/19/2016 AP Vendor <i>Comments: None</i>	Check Electronic Treasury	Ck 70154 thru Ck70187 E-3847 thru E-3849 TC 9174 thru TC 9176	\$ 176,158.15 \$ 221.02 \$ 690.95 Total \$ 177,070.12
8	8/22/2016 Payroll <i>Comments: For Pay Period 8/1/16 thru 8/15/16</i>	Check Direct Debit Electronic	Ck 70188 thru Ck 70192 Count of 73 E-3850	\$ 7,551.38 \$ 133,795.20 \$ 56,254.83 Total \$ 197,601.41
9	8/22/2016 PY Liabilities <i>Comments: For Pay Period 8/1/16 thru 8/15/16</i>	Check Electronic	Ck 70193 thru Ck 70201 E-3851 thru E-3856	\$ 12,815.65 \$ 43,180.12 Total \$ 55,995.77
10	8/26/2016 Utility Refunds <i>Comments: Included above is voided UBR Ck 70203</i>	Check	UBR 70202 thru UBR 70211	\$ 1,562.28 Total \$ 1,562.28
11	8/26/2016 AP Vendor <i>Comments: None</i>	Check Electronic Treasury	Ck 70212 thru Ck 70271 E-3857 thru E-3860 TC 9177 thru TC 9181	\$ 53,888.19 \$ 19,429.27 \$ 775.00 Total \$ 74,092.46

Note 1: Out of Sequence Checks 70015 thru 70050 Included on Approved Consent Agenda Recap of 8/8/16

Finance Certification:

  
 \_\_\_\_\_  
 Sue Hagner,  
 Admin. Svcs. Director

**TOTAL PAYMENTS:** \$ 1,095,018.41

**SEQUIM CITY COUNCIL  
AGENDA COVER SHEET**

**MEETING DATE:** September 12, 2016

**FROM:** Karen Kuznek-Reese, City Clerk KKR  
Initials

**SUBJECT/ISSUE:** Parks & Recreation Board Appointment

Discussion dates				
<b>CATEGORY</b>	<input type="checkbox"/> City Manager Report	<input type="checkbox"/> Information Only	Time Needed for Presentation	
	<input type="checkbox"/> Public Hearing	<input checked="" type="checkbox"/> Consent Agenda		
	<input type="checkbox"/> Unfinished Business	<input type="checkbox"/> New Business		
Reviewed by	Initials		Date	
Charlie Bush	CPB		9/8/16	

**PROBLEM/ISSUE STATEMENT:**

There is a recent vacancy for a City resident on the Park & Recreation Board. The City Council has the authority to approve City of Sequim committee assignments.

**LIST OF ATTACHMENTS:** None.

**DISCUSSION/ANALYSIS:**

There is currently one vacancy for a City resident on the Park & Recreation Board. Applications were recently received and interviews conducted due to a previous vacancy on the board. However, not everyone could be appointed at that time. With this recent vacancy, it is recommended that one of the recent applicants be appointed to the Park Board. The interview panel of Joe Irvin; Patsy Mattingley, Chair of the Board; and Councilor Bob Lake, Council liaison to the Board, all recommend appointing Susan Sparks Smith to the vacancy on the Park Board.

**RECOMMENDATION:**

Appoint Susan Sparks Smith to the Park & Recreation Board with the term expiring June 30, 2017.

**MOTION:**

This will be approved as part of the Consent Agenda.

## SEQUIM CITY COUNCIL AGENDA COVER SHEET

**MEETING DATE:** September 12, 2016

**FROM:** Karen Kuznek-Reese, City Clerk kk  
Initials

**SUBJECT/ISSUE:** Elk Window Update and Donation

Discussion dates				
<b>CATEGORY</b>	<input type="checkbox"/> City Manager Report	<input type="checkbox"/> Information Only	Time Needed for Presentation	
	<input type="checkbox"/> Public Hearing	<input checked="" type="checkbox"/> Consent Agenda		
	<input type="checkbox"/> Unfinished Business	<input type="checkbox"/> New Business		
Reviewed by	Initials		Date	
Charles P. Bush, City Manager	CPB		9/8/16	
Joe Irvin, Parks Manager	JDI		9/6/2016	
David Garlington, Public Works Director	dmg		9/6/16	

**PROBLEM/ISSUE STATEMENT:** The City Council previously approved a fundraising project for the City Arts Advisory Commission (CAAC) to acquire a three-part leaded glass window for use in the Guy Cole renovation.

**ATTACHMENTS:**  
None.

**DISCUSSION/ANALYSIS:**

The CAAC began a fundraising project to obtain a piece of public art to be installed in the Guy Cole Center. The goal was to raise \$25,000 to cover payment to the artist, tax, and moving and installation of the window. Fundraising resulted in \$8,730 being raised.

The artist, Millie Harrell, has generously offered to accept the \$8,730 that has been raised. She will donate the remainder of the expense and time involved in creating this public art piece.

The RFP for the Guy Cole project includes all windows to be replaced. With the donation of this art piece, the number of windows that will be required to be purchased will be reduced by one resulting in a nominal cost change.

**BUDGET IMPLICATIONS:**

Nominal, if any.

**RECOMMENDATION:**

To acknowledge the donation from Millie and Ron Harrell.

**This will be acknowledged as part of the Consent Agenda.**

**CITY OF SEQUIM  
CITY COUNCIL MINUTES  
SEQUIM CIVIC CENTER  
152 WEST CEDAR STREET  
SEQUIM, WA  
SEPTEMBER 6, 2016**

**ROLL CALL**

**Members present: Bob Lake, Genaveve Starr, Candace Pratt, John Miller, Ted Miller, Dennis Smith, Pam Leonard-Ray**

1. Bid award - Pavement Preservation Project

Matt Klontz reported this went out to bid in August. The bid came in at \$477,000 which exceeded the Engineer's Estimate. The project was re-advertised and bids opened on September 1. Northern Asphalt from Kingston submitted a bid of \$290,000 which is a significant change from \$477,000. References have been checked. Klontz explained the items that were removed from the call for bids.

Garlington provided additional information concerning the bidding process and engineer's estimate calculations.

**MOTION** to approve and authorize contract award for the 2016 pavement preservation project to Northern Asphalt and authorize the City Manager or his delegate to enter into a contract with Northern Asphalt for the contract amount of \$290,553.55. I further authorize an additional 10% of the contract amount for construction contingency. by Candace Pratt; seconded by Ted Miller. **Carried Unanimously**.

2. Zoning Text and Zoning Map Amendments to Implement the Comprehensive Plan

Nelson-Gross explained we have an adopted Comp Plan. We are required to adopt development regulations to implement the Comp Plan. There are ways that portions of the Comp Plan can be addressed at a later date. Any Comp Plan amendment needs to be looked at as a whole.

Hugo stated a Comp Plan is adopted for a 20-year time period. State law requires review every 8 years. There are 600 vested lots in the city. We currently have a 10 year supply of buildable lots.

Nelson-Gross stated the city also did an addendum to the EIS. That is one of the documents that was used in developing the Comp Plan. Bush added that an addendum is a significant investment and runs approximately \$20,000. Hugo explained how the process began, developed and the public participation that took place. There was discussion about how to proceed with any changes requested to the Comp Plan. Any

change needs to be analyzed to see how other areas may be affected. Each chapter relates to other chapters. We are required to manage under GMA and to have a plan. We are required to have development regs that are consistent with the Plan.

Hugo explained that some aspects of the Comp Plan are aspirational and some areas are more directive. Affordable housing is addressed in a couple of chapters of the Comp Plan. He explained we have increased the range of housing types and lot sizes that will relate to affordability.

There was council consensus to bring this issue back on September 12.

**PUBLIC COMMENT** - Please limit comments to 3 minutes.

Marguerite Glover owns Peter Black Real Estate. She submitted a letter from Bruce Emery of Green Crow. She has heard from 2 people that they approached the city and were told the Cameron property could not be a mobile home park because no additional mobile home parks are allowed in the city, even though it is adjacent to a mobile home park.

Bruce Emery letter was read by Glover.

Karen Pritchard addressed the potential docketing of attached single family housing for future consideration. It takes a lot of study to determine what the zoning map says. I

Ron Gilles stated that the loss of commercial property at Port Williams creates an inconsistency on the corner. The zoning needs to allow attached housing. It's not the housing, it's being able to attach it. The zoning is an issue when it comes to the EOA. Developers need to know what to expect. He encourages council to look closely at that zoning.

Mike McAleer stated Chris went to the community on several occasions. The presentation didn't change much and a lot was rejected based on the presentations. There was concern about the cottage housing and rear loading garages and requirement for alleys which significantly adds to development costs. Not all 700 agreed with the product. He didn't feel they were being listened to.

Tom Williamson was presented to a number of times. He was on the study group. They were presented with a vision/plan. The input they gave was ignored and they were asked to accept a number of items such as a grid system along with rear loading. People love the cul de sac communities. People feel this is a safe neighborhood. Insurance adjusters will tell you rear access alley garages are more frequently burglarized. Any time you have straight, uninterrupted roads, you will have people speeding. They are not safer. We have been given misinformation as fact.

## **GOOD OF THE ORDER**

Bush stated his contract requires checking with the council if he is considering a board position. He has been approached about being a board member on the Alliance for Innovation. He asked if council would support his involvement with the Alliance as a board member? Council was supportive of Bush pursuing the board position.

Mayor Smith reported there was a mistake in the billing department. Residents will receive their August bills again rather than a September bill. Corrected bills have been distributed.

Smith announced the next meeting is September 12 at 2:30 with tours of city facilities. Work session begins at 5.

Meeting adjourned at 4:23 p.m.

Respectfully submitted,

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Karen Kuznek-Reese, MMC  
City Clerk

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Dennis Smith  
Mayor

Minutes approved at a regular Council meeting held on September 12, 2016.

## SEQUIM CITY COUNCIL AGENDA COVER SHEET

**MEETING DATE:** September 12, 2016

**FROM:** Matt Klontz, City Engineer

**MDK**  
Initials

**SUBJECT/ISSUE:** **A/E Consultant Agreement Supplement No. 1**  
5<sup>th</sup> & McCurdy Booster Station Improvement  
City Project No. WTR-003BS

Discussion dates			
<b>CATEGORY</b>	<input type="checkbox"/> City Manager Report	<input type="checkbox"/> Information Only	Time Needed for Presentation  None
	<input type="checkbox"/> Public Hearing	<input checked="" type="checkbox"/> Consent Agenda	
	<input type="checkbox"/> Unfinished Business	<input type="checkbox"/> New Business	
Reviewed by		Initials	Date
Charles P. Bush, City Manager		CPB	9/8/16
David Garlington, Public Works Director		dmg	9/7/16
Kristina Nelson-Gross, City Attorney		KNG	9/7/2016
Sue Hagener, Finance Director		SH	9-7-16
Karen Kuznek-Reese, City Clerk		Kkr	9/7/16

**PROBLEM/ISSUE STATEMENT:** A contract supplement to the engineering services agreement for the environmental documentation, permitting and preparation of contract plans and specification for the 5<sup>th</sup> and McCurdy Booster Station Improvements is necessary due to increased scope of work not included in the original agreement.

**LIST OF ATTACHMENTS:**

1. A/E Consultant Agreement Supplement No. 1

**DISCUSSION/ANALYSIS:** The original scope of work assumed the installation of two new 10-horsepower pit-less adapter booster bumps and new starters installed in existing outdoor free-standing cabinets. The estimated construction cost for the original project scope was about \$275,000.

As design development progressed, it became apparent that the booster pumps would need to be 15-horsepower to meet future demands and that the existing electrical cabinets and components were not adequate to meet the requirements of the larger pumps and the City desired energy-saving variable-frequency drives. Additionally, it was determined that the new electrical components would be best housed in a single concrete masonry building rather than multiple outdoor free-standing control cabinets, providing better protection of costly control equipment and improved aesthetics of the built environment at the booster station site. The estimated construction cost for the revised project scope is \$610,000.

The above mentioned changes, as well as additional environmental documentation required by the funding agency, resulted in supplementary engineering not included in the original agreement with Gray & Osborne.

**FINANCIAL IMPLICATIONS:** The original fee amount for engineering services was \$39,160 or about 15% of the original \$275,000 construction cost. Supplement No. 1 increases the fee amount \$45,000, resulting in a total fee amount of \$84,160 which is about 15% of the updated \$610,000 construction cost. The design and construction cost for this project totals \$690,160 and are being funded through a low interest loan totaling \$732,009 secured through the Department of Health State Revolving Funding.

**RECOMMENDATION:** Public Works staff has reviewed the scope of work and determined it complete. Staff has also reviewed the fee proposal and found it to fair and reasonable for a project requiring complex electrical controls and system integration. Staff recommends the City Council execute Supplement No. 1 with Gray and Osborne for the 5<sup>th</sup> and McCurdy Booster Station Improvements and return the executed supplement to Public Works for processing.

**MOTION:** I move to execute Supplement No. 1 in the amount of \$45,000 with Gray and Osborne for the 5<sup>th</sup> and McCurdy Booster Station Improvements and return the executed supplement to Public Works for processing. This is scheduled for approval on the Consent Agenda.



April 6, 2016

April 6, 2016

Mr. David Garlington, P.E.  
Public Works Director  
City of Sequim  
152 West Cedar Street  
Sequim, Washington 98382-3317

SUBJECT: CONTRACT AMENDMENT, 5<sup>TH</sup> AND MCCURDY BOOSTER PUMP  
STATION IMPROVEMENTS DESIGN  
CITY OF SEQUIM, CLALLAM COUNTY, WASHINGTON  
G&O #14595.00

Dear Mr. Garlington:

We would like to request an amendment to our engineering services agreement for the preparation of plans and specifications for the 5<sup>th</sup> and McCurdy Booster Pump Station Improvements Design project. The original scope of work assumed the installation of two new 10-horsepower pitless adapter booster pumps and new starters installed in the existing electrical cabinet. The cost estimate assumed \$25,000 for new motor starters. The estimated cost of the booster station was \$275,000.

As we proceeded with the design, it became apparent that the booster pumps would need to be 15 horsepower to meet future demands and the existing electrical cabinet and components were not adequate to meet the requirements of the larger pumps and City-requested VFDs. We designed the improvements assuming VFD control of all pumps, new power distribution, motor starter, and PLC freestanding outdoor electrical cabinets. The City requested that the freestanding outdoor electrical cabinets be eliminated and a building be designed to house the electrical components. The plans and specifications are being revised to include the electrical components installed within a CMU building. The revised construction cost estimate including two 15-horsepower booster pumps, one new pitless adapter assembly; CMU control building, 40-kilowatt generator; VFD motor starters; PLC panel and programming; 200-amp, 600-volt, 3-phase breaker; and 100-amp and 200-amp panelboards is approximately \$610,000, including 8.7 percent Washington State sales tax.

The original engineering services contract assumed design fees of 15 percent of the estimated project cost. Due to the increase in the scope of the electrical improvements, the inclusion of a building, and the need to complete cultural resources and environmental review for the DWSRF funding, we would like to request additional design fees to complete the project.



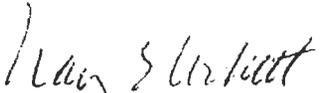
Mr. David Garlington, P.E.  
 April 6, 2016  
 Page 2

The estimated engineering services cost to revise the electrical design, design the CMU building, incorporate the updated design elements into the bid package, and provide the cultural resources survey and environmental information to satisfy the DWSRF loan is \$45,000 (\$20,000 for electrical design; \$18,000 for building design, civil drawing modification, and revised specifications; \$7,000 for SERP and cultural resources documentation). The total engineering services cost for the proposed project will be \$84,160 which represents 13.8 percent of the construction cost.

Thank you for your consideration of this contract amendment. Please let me know if you have any questions or concerns. Should you concur with the additional scope and fee for this project, please execute the authorization below and return a copy of this letter to our office. I have enclosed a self-addressed stamped envelope for your use in this regard.

Sincerely,

GRAY & OSBORNE, INC.

  
 Nancy E. Lockett, P.E.

NEL/hh  
 Encl.

**CITY OF SEQUIM – 5<sup>TH</sup> AND MCCURDY BOOSTER PUMP STATION  
 IMPROVEMENTS DESIGN**

Gray & Osborne, Inc. is hereby authorized to proceed with the engineering services as noted herein and under the terms and conditions of our current On-Call Engineering Services Contract dated November 1, 1999, for a cost not to exceed \$45,000 without further written direction and authorization of the City. This authorization is an increase to the approved budget authorization of \$39,160 for this project which was approved on October 15, 2014.

\_\_\_\_\_  
 Name (Print)

\_\_\_\_\_  
 Title

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Date

## **Exhibit A**

### **Scope of Work**

#### **Additional Engineering – 5<sup>th</sup> and McCurdy Booster Station**

The original scope of work assumed the installation of two new 10-horsepower pitless adapter booster pumps and new starters installed in the existing electrical cabinet. The City requested that all pumps be controlled with VFDs which required the design of new power distribution, motor starter and PLC free-standing outdoor electrical cabinets. The City requested that the freestanding outdoor electrical cabinets be eliminated and a building be designed to house.

The City received funding for the 5<sup>th</sup> and McCurdy Booster Station Improvements from the Department of Health Drinking Water State Revolving Fund Loan program. Participation in that program requires cultural review and environmental review that was not anticipated in the original scope of work.

The additional tasks required to complete the revised scope of the project include the following as described in the Contract Amendment request letter. Exhibit B includes the fee estimate for the additional scope of work.

#### **Task 1: Design CMU Building**

1. Structural design of CMU building.
2. HVAC design to accommodate installation of electrical equipment in the CMU building.

#### **Task 2. Redesign Electrical Elements**

1. Redesign electrical distribution, motor control and PLC for indoor installation.

#### **Task 3. Revise Civil Drawings**

1. Redesign site plan to accommodate building and drainage.

#### **Task 4. Revised Plans and Specifications**

1. Incorporate building, electrical and site modifications into the construction plan set and specifications.

#### **Task 5. Cultural and Environmental Review**

1. Provide SERP checklist for Department of Health use.
2. Provide cultural resources survey or additional information as directed by Department of Health.

**EXHIBIT "B"****ENGINEERING SERVICES  
SCOPE AND ESTIMATED COST****CITY OF SEQUIM  
ADDITIONAL ENGINEERING SERVICES 5TH AND McCURDY BOOSTER STATION**

Tasks	Principal Hours	Project Engineer Hours	Structural Eng. Hours	Electrical Eng. Hours	Environmental Tech./ Specialist Hours	AutoCAD/ GIS Tech./ Eng. Intern Hours
Design CMU Building	0	18	32	0	0	24
Redesign Electrical Elements	0	8	0	72	0	32
Revise Civil Drawings	2	18	0	0	0	12
Revise Plans and Specifications	2	16	6	12	0	12
Cultural and Environmental Review	4	2	0	0	32	0
Hour Estimate:	8	62	38	84	32	80
Fully Burdened Billing Rate Range:*	\$112 to \$177	\$106 to \$145	\$99 to \$168	\$103 to \$182	\$80 to \$110	\$48 to \$116
Estimated Fully Burdened Billing Rate:*	\$160	\$135	\$135	\$170	\$105	\$116
Fully Burdened Labor Cost:	\$1,280	\$8,370	\$5,130	\$14,280	\$3,360	\$9,280

<b>Total Fully Burdened Labor Cost:</b>	<b>\$ 41,700</b>
Direct Non-Salary Cost:	
Mileage & Expenses (Mileage @ current IRS rate)	
Subconsultant	\$ 3,000
10% Subconsultant Mark-up	\$ 300
<b>TOTAL ESTIMATED COST:</b>	<b>\$ 45,000</b>

\* Actual labor cost will be based on each employee's actual rate. Estimated rates are for determining total estimated cost only.  
Fully burdened billing rates include direct salary cost, overhead, and profit.

**SEQUIM CITY COUNCIL  
AGENDA COVER SHEET**

**MEETING DATE:** September 12, 2016

**FROM:** Chris Hugo, Director – DCD

CRH  
Initials

**SUBJECT/ISSUE:** Proposed Zoning Text and Zoning Map Amendments to Implement the Comprehensive Plan (Consistency Update)

Discussion dates	7/11/16; 7/25/16; 8/08/16		
<b>CATEGORY</b>	<input type="checkbox"/> City Manager Report	<input type="checkbox"/> Information Only	Time Needed for Presentation  5 Minutes
	<input type="checkbox"/> Public Hearing	<input type="checkbox"/> Consent Agenda	
	<input checked="" type="checkbox"/> Unfinished Business	<input type="checkbox"/> New Business	
Reviewed by	Initials	Date	
Charles P. Bush, City Manager	CPB	9/8/16	
Kristina Nelson-Gross, City Attorney	KNG	9/7/2016	
Karen Kuznek-Reese, City Clerk			

**PROBLEM/ISSUE STATEMENT:** With the adoption of the Sequim 2015-2035 Comprehensive Plan in late 2015, the City’s development regulations need updating to implement the new Plan’s directions on growth and development. The update process starts with proposed amendments to the most geographically-prevalent zone classification, R-II Single Family Residences. The Official Zoning Map is also revised to reflect the land use designations of the Future Land Use Map. This item was not passed at the Council’s August 8 meeting. The Council voted to reconsider the amendment package at its September 6 Special Meeting. *The public hearing that Council opened on 7/11 and continued on 7/25 was closed at the Aug. 8 meeting.*

**ATTACHMENTS:**

- 1) Ordinance 2016-07 Adopting Text Amendments to SMC 18.16.050, 18.20.010, 18.20.020, Table 18.44.060 (C), and 18.59.020 and deleting section 18.44.060; and
- 2) Exhibit A - Map Amendments to the Official Zoning Map related to Residential zones.

**DISCUSSION/ANALYSIS:** The Comprehensive Plan commits considerable text to policy directions that respond to the Plan’s Vision and highest-level community values about the physical, social and environmental future of the City that are most experienced in the context of the City’s residential districts. The residential land use districts presented on the *2015-2035 Future Land Use Map* cover approximately 80% of the City’s geography. These are the land areas most essential to meeting the community’s objectives for accommodating growth.

The new Plan is very explicit about promoting Single Family neighborhoods and the density, physical form, and characteristics of development that define them. Much of the Plan’s directions are already part of the R-II Single Family Residential district in the zoning code but the *consistency* update provides an opportunity to refine the lists of permitted and conditional uses, the set of basic development standards, and remove some internally inconsistent or obsolete requirements.

The proposed amendments to the R-II zone classification begin with a more informative designation, *R4-8*, that communicates the basic range of lots per net acre that frames the detached, single-family home density limits. The purpose statement that explains the intent of the classification is similarly modified to add clarity. Seven land uses are proposed for deletion as inconsistent with the character and needs of a single-family residential neighborhood.

The biggest change to the table of Bulk, Dimensional, and General Requirements [SMC Table 18.44.020(C)] is the deletion of the R-IV zone classification that accommodates a market demand that is directed to the Downtown Districts in the new Plan. New lot size standards for the R4-8 zone reflects those stated in the Plan, and setbacks are proposed for minor adjustments to increase variety of site development. Front yard setback standards are disconnected from road and arterial classifications – a requirement that has not been applied consistently due to conflicts in arterial classification – and the section on arterial classifications is consequently proposed for deletion.

Although the R-III designation is removed from much of the city’s geography, the classification itself is retained to apply to the Lifestyle District until a new zone classification is drafted. There is also an additional minor addition to the rules for accessory structures to insure that their profile from the street is secondary to that of the primary home.

The Planning Commission unanimously passed a recommendation to Council for adoption of the text amendments at its July 19 meeting.

Concurrent changes to the Official Zoning Map are also needed to reflect the land use designations on the *Sequim 2015-2035 Comprehensive Plan Future Land Use Map*, as a response to the Growth Management Act *consistency* mandate. The zoning map changes are the same as the changes to the land use designations when the *Future Land Use Map* was adopted as part of the new *Comprehensive Plan*. The map showing

these changes was reviewed by the Planning Commission on July 19. The Commission concluded its review of map revisions on August 8 and forwarded its recommendation for the Council's Aug. 8 meeting as part of the continued public hearing on the proposed text and map amendments.

These proposed changes are the product of Focus Group discussions among two Planning Commissioners and three members of the residential real estate development and sales sectors active in the Sequim marketplace as well as extensive discussion by the Planning Commission in deliberating its recommendation for Council adoption.

These changes are exactly as those as presented at the July 11, 2016, Council meeting.

**BUDGET IMPLICATIONS: None.**

**RECOMMENDATION:** The Planning Commission recommends adoption of proposed amendments to SMC 18.16.050, 18.20.010, 18.20.020, Table 18.44.060 (C), and 18.59.020 and deleting section 18.44.060 to implement policy directions of the Comprehensive Plan for Single Family Residential uses as well as revisions to the Official Zoning Map for consistency with the *Comprehensive Plan's Future Land Use Map*.

**MOTION:** I move to adopt Ordinance 2016-07 relating to amendments to SMC 18.16.050, 18.20.010, 18.20.020, Table 18.44.060 (C), and 18.59.020 and deleting section 18.44.060 to implement policy directions of the *Comprehensive Plan* for Single Family Residential uses as well as revisions to the Official Zoning Map for consistency with the *Comprehensive Plan's Future Land Use Map*, as recommended by the City Planning Commission.

**ORDINANCE NO. 2016-07**

**AN ORDINANCE OF THE CITY OF SEQUIM, WASHINGTON ADOPTING TEXT AMENDMENTS TO SMC 18.16.050, 18.20.010, 18.20.020, TABLE 18.44.060 (C), AND 18.59.020 AND DELETING SECTION 18.44.060; AND ADOPTING COROLLARY AMENDMENTS TO THE OFFICIAL ZONING MAP RELATED TO RESIDENTIAL ZONES.**

WHEREAS, Sequim Municipal Code Title 18 Zoning provides regulations controlling the use and development of all lands within the City; and

WHEREAS, the Washington State Growth Management Act (GMA) mandates that the City of Sequim prepare and maintain a Comprehensive Plan to guide the city's growth and development, and the City Council adopted a new GMA-compliant Comprehensive Plan on October 26, 2015; and

WHEREAS, RCW 36.70A.040 of the GMA provides that municipalities must maintain *consistency* between the Comprehensive Plan and all implementing development regulations; and

WHEREAS, the City Council approved a phased work program on Nov. 23, 2015, to update all city development regulations to achieve regulatory consistency with the new Comprehensive Plan; and

WHEREAS, the City Planning Commission guided staff preparation of proposed text amendments to SMC Title 18 Zoning and associated amendment to the Official Zoning Map as specified in the work program; and

WHEREAS, the Planning Commission convened topical Focus Groups to assist the preparation of code revisions for consistency with policy directions of the Comprehensive Plan and its Future Land Use Map; and

WHEREAS, the Planning Commission held public meetings on July 5, July 19, and August 8, 2016, to hear public comment on the proposed text and map amendments; and

WHEREAS, a SEPA Determination of Non-Significance (DNS), based on a SEPA checklist and public comment through July 26, 2016, was issued; and

WHEREAS, there was no public comment to the Planning Commission at public meetings or during the SEPA comment period; and

WHEREAS, the Planning Commission has recommended the proposed text and map amendments to the City Council for adoption to achieve regulatory consistency;

NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF SEQUIM, WASHINGTON, DOES ORDAIN AS FOLLOWS:

**Section 1.** Text Amendments to SMC 18.16.050, 18.20.010, 18.20.020, Table 18.44.060 (C), and 18.59.020 and deletion of SMC 18.44.060 as presented in EXHIBIT A are adopted.

**Section 2.** Map revisions to the City of Sequim Official Zoning Map as depicted in EXHIBIT B are adopted.

**Section 3. Corrections.** The City Clerk and the codifiers of this ordinance are authorized to make necessary clerical corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

**Section 4. Savings Clause.** Those portions of Ordinance 2016-07 which are repealed or amended by this ordinance shall remain in force and effect until the effective date of this ordinance.

Such repeals and amendments shall not be construed as affecting any existing right acquired under the ordinances repealed or amended, nor as affecting any proceeding instituted thereunder, nor any rule, regulation, or order promulgated thereunder, nor the administrative action taken thereunder. Notwithstanding the foregoing actions, obligations under such ordinances or permits issued thereunder and in effect on the effective date of this ordinance shall continue in full force and effect, and no liability thereunder, civil or criminal, shall be in any way modified. Further, it is not the intention of these actions to reenact any ordinances or parts of ordinances previously repealed or amended, unless this ordinance specifically states such intent to reenact such repealed or amended ordinances.

**Section 5. Severability.** If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

**Section 6. Effective Date.** This Ordinance shall become effective five days after publication of the ordinance, or a summary thereof, in the official newspaper of the City.

ADOPTED BY THE CITY COUNCIL this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Dennis Smith, Mayor

**Attest:**

**Approved as to form:**

\_\_\_\_\_  
Karen Kuznek-Reese, MMC, City Clerk

\_\_\_\_\_  
Kristina Nelson-Gross, City Attorney

\_\_\_\_\_  
Approved Date

\_\_\_\_\_  
Publication Date

\_\_\_\_\_  
Effective Date

**EXHIBIT A****18.16.050 Boundary interpretation.**

Where uncertainty exists as to the boundaries of any zone shown upon the zoning map, the following rules shall apply:

A. Where boundaries are indicated as approximately following the centerline of streets or alleys or lot lines, such lines shall be construed to be such boundaries.

B. Where one or more boundaries intersect a lot, the location of such boundary shall be determined by use of the scale appearing on said zoning map and the respective portions of the parcel shall be subject to the respective zones except as provided in subsection (D) of this section.

C. Where a public street is officially vacated or abandoned, the area comprising such vacated street or alley shall acquire the classification of the property to which it reverts.

D. Whenever a zone boundary line passes through a lot of record which existed prior to the passage of this title the entire lot of record may be used in accordance with the provisions of the least restrictive of the two zones; provided, that more than 50 percent of the lot of record is located within the least restrictive of the two zones. For the purposes of boundary interpretation the zones shall be classified in terms of restriction as follows (least restrictive to most restrictive): M-II, M-I, MU, C-III, C-II, C-I, R-IV, R-III, ~~R4-II8~~, R-I(S), R-I(LS), PF, B.

**18.20.010 Establishment of districts.**

For the purposes of this title, the city is divided into zones as provided hereafter.

<b>District Type</b>	<b>District Name</b>	<b>Symbol</b>
Residential	Single-Family Residential	<del>R4-II8</del>
	Multifamily Residential (Medium)	R-III
	Multifamily Residential (High)	R-IV
Commercial	Neighborhood Commercial	C-I(NC)
	General Retail District	C-II(G)
	Medical and Professional Offices	C-II(M)
	Shoreline Commercial	C-II(S)

District Type	District Name	Symbol
	General Commercial	C-III
	Regional Commercial (Overlay)	C-IV
Mixed Use	Mixed Use	MU
Other Districts	Public Facilities	PF
	Research and Development Park	RDP

### 18.20.020 Residential districts and uses.

The following residential districts shall be designated consistent with the city of Sequim comprehensive plan optimum land use map:

A. R-~~14-8~~, Single-Family Residences. The intent of the R4-8 zoning district is to provide land for districts of detached, single-family homes ~~lower residential densities~~ within the city. The R-~~14-8~~ zone provides for consistency and predictability in ~~established~~ single-family neighborhoods. New subdivisions shall provide a minimum of four three and a maximum of five dwelling units per net acre. The minimum number of units may be reduced based on ~~access constraints or~~ the presence of critical areas.

1. Permitted uses in the R-~~14-8~~ zone include the following: ~~Agriculture~~; bed and breakfast inns (home business) (up to and including two guest rooms); churches or religious places of worship; day care, family day care homes (up to 12 charges); group homes (other), 12 or fewer persons; group homes for the functionally disabled (12 or fewer persons); residences, single-family; electric vehicle charging station – private.

2. Conditional uses in the R-~~14-8~~ zone include the following:

a. Major. Day care centers (more than 12 charges); group homes for the functionally disabled (13 or more persons); mobile home and manufactured home parks consistent with Chapter 18.62 SMC; special needs housing; towers, antennas (including amateur radio), and supporting structures 65 feet or less.

b. Minor. ~~Agricultural processing, light~~; bed and breakfast inns (three to six guest rooms); ~~equestrian facilities~~; nursing homes and congregate care facilities (up to 10 residents); ~~residences, multifamily, in conformance with R4-8 densities.~~

3. Special uses in the ~~R-14-8~~ zone include the following: ~~Cemeteries~~; communication relay or transmission facilities; ~~hospitals and sanitariums (except animal clinics, hospitals)~~; parks, playgrounds, ~~golf courses~~, recreation or community centers, swimming pools, public and private; schools, public; towers, antennas, and supporting structures, including amateur radio towers, 65 feet or more; electric vehicle charging station – public.

B. R-III. The intent of the R-III zoning district is to allow moderate density residential development within the city. New subdivisions shall provide a minimum of six and a maximum of 10 dwelling units per acre. Medium density single-family homes and multifamily residential developments are allowed in the R-III zoning designation.

1. Permitted uses within the R-III zone include the following: Bed and breakfast inns (home business) (up to and including two guest rooms); churches or religious places of worship; day care, family day care homes (up to 12 charges); group homes (other), 12 or fewer persons; group homes for the functionally disabled (12 or fewer persons); nursing homes and congregate care facilities (up to 10 residents); residences, single-family; electric vehicle charging station – private; residences, multifamily in conformance with R-III densities; residences, manufactured homes, consistent with Chapter 18.62 SMC.

2. Conditional uses within the R-III zone include the following:

a. Major. ~~Agricultural process, light~~; clinics; convenience stores, neighborhood; day care center (more than 12 charges); nursing home and congregate care facilities (over 10 residents); towers, antennas (including amateur radio), and supporting structures less than 65 feet; electric vehicle charging station – public.

b. Minor. Bed and breakfast inns (three to six guest rooms); bakeries, retail.

3. Special uses within the R-III zone include the following: ~~Cemeteries~~; communication relay or transmission facilities; group homes for the functionally disabled (13 or more persons); hospitals and sanitariums (except animal clinics, hospitals); parks, playgrounds, ~~golf courses~~, recreation or community centers, swimming pools, public and private; schools, public; special needs housing; towers, antennas, and supporting structures, including amateur radio, more than 65 feet; electric vehicle charging station – public.

~~C. R-IV. The intent of the R-IV zoning district is to provide for high density multifamily development (including duplexes, triplexes, and apartments) and small lot, single-family cluster/cottage-style residential development. New subdivisions shall provide a minimum of 11 and a maximum of 16 dwelling units per acre.~~

~~1. Permitted uses within the R-IV zone include the following: Bed and breakfast inns (home business) (up to and including two guest rooms); churches or religious places of worship; day care, family day care homes (up to 12 charges); group homes (other), 12 or fewer persons; group homes for the functionally disabled (12 or fewer persons); small lot, single-family cluster/cottage-style residential development in conformance with R-IV~~

~~densities; electric vehicle charging station — private; residences, multifamily; residences, manufactured homes, consistent with Chapter 18.62 SMC.~~

~~2. Conditional uses within the R-IV zone include the following:~~

~~a. Major: Agricultural processing, light; clinics; convenience store, neighborhood; nursing homes and congregate care facilities (over 10 residents); towers, antennas (including amateur radio), and supporting structures less than 65 feet; electric vehicle charging station — public.~~

~~b. Minor: Bakeries, retail; barber and beauty shops; bed and breakfast inns (three to six guest rooms); day care centers (more than 12 charges).~~

~~3. Special uses in the R-IV zone include the following: Communication relay or transmission facilities; group homes for the functionally disabled (13 or more persons); hospitals and sanitariums (except animal clinics, hospitals); parks, playgrounds, golf courses, recreation or community centers, swimming pools, public and private; schools, public; special needs housing; towers, antennas, and supporting structures, including amateur radio, more than 65 feet. (Ord. 2012-002 § 2 (Exh. B); Ord. 2011-012 § 1 (Exh. A); Ord. 2011-003 § 1 (Att. 3); Ord. 2010-012 § 1 (Exh. 1); Ord. 2006-016 § 3; Ord. 97-019 § 4, Exh. B)~~

**Table 18.44.020(C) – Bulk, Dimensional and General Requirements: Residential<sup>b</sup>**

Front Zone	Minimums								Maximums			
	Lot Size Range	Lot Width, Min.	Required Minimum Setbacks (Required Yards)						Side Each*	Rear	Lot Coverage (All Structures)	Building Height
			Front				Side Each*	Rear				
			Access Road	Collector Road	Minor Arterial	Major Arterial						
R-II4-8	6,250 Minimum: 5,400 square feet,  Maximum: 14,500 square feet.	50'  40'	20'  15'	25'  15'	30'  15'	35'  15'	40'  6'	15'	40% lots 10,000 sf and larger; increases by 0.4% for each 100 sf lot area less than 10,000 sf	35'  25'		

Table 18.44.020(C) – Bulk, Dimensional and General Requirements: Residential<sup>b</sup>

Front Zone	Minimums							Maximums		
	Lot Size Range	Lot Width, Min.	Required Minimum Setbacks (Required Yards)						Lot Coverage (All Structures)	Building Height
			Front				Side Each <sup>c</sup>	Rear		
			Access Road	Collector Road	Minor Arterial	Major Arterial				
R-III	3,000 square feet <u>minimum</u> .	50'	20'	25'	30'	35'	10'	15'	65%	35'
R-IV	2,000 square feet	50'	20'	25'	30'	30'	10'	15'	65%	35'

<sup>a</sup>Zero lot line construction may be allowed; however, the minimum distance between buildings must be 10 feet and 10 feet from any side street. Distance is measured from the furthest protuberance of any structure (eaves, etc.).

<sup>b</sup>See SMC 18.59.020 for dimensional standards for residential accessory structures.

#### **18.44.060 Road classifications.**

~~The purpose of establishing road classifications is, to clarify the setbacks for development activities consistent with the requirements of this section. The following road designations shall apply:~~

~~A. Arterials.~~

- ~~—SR 101 By Pass;~~
- ~~—Existing Highway 101 (Washington Street);~~
- ~~—Old Olympic Highway;~~
- ~~—Sequim Dungeness Way, North and South Sequim Avenues.~~

~~B. Collectors.~~

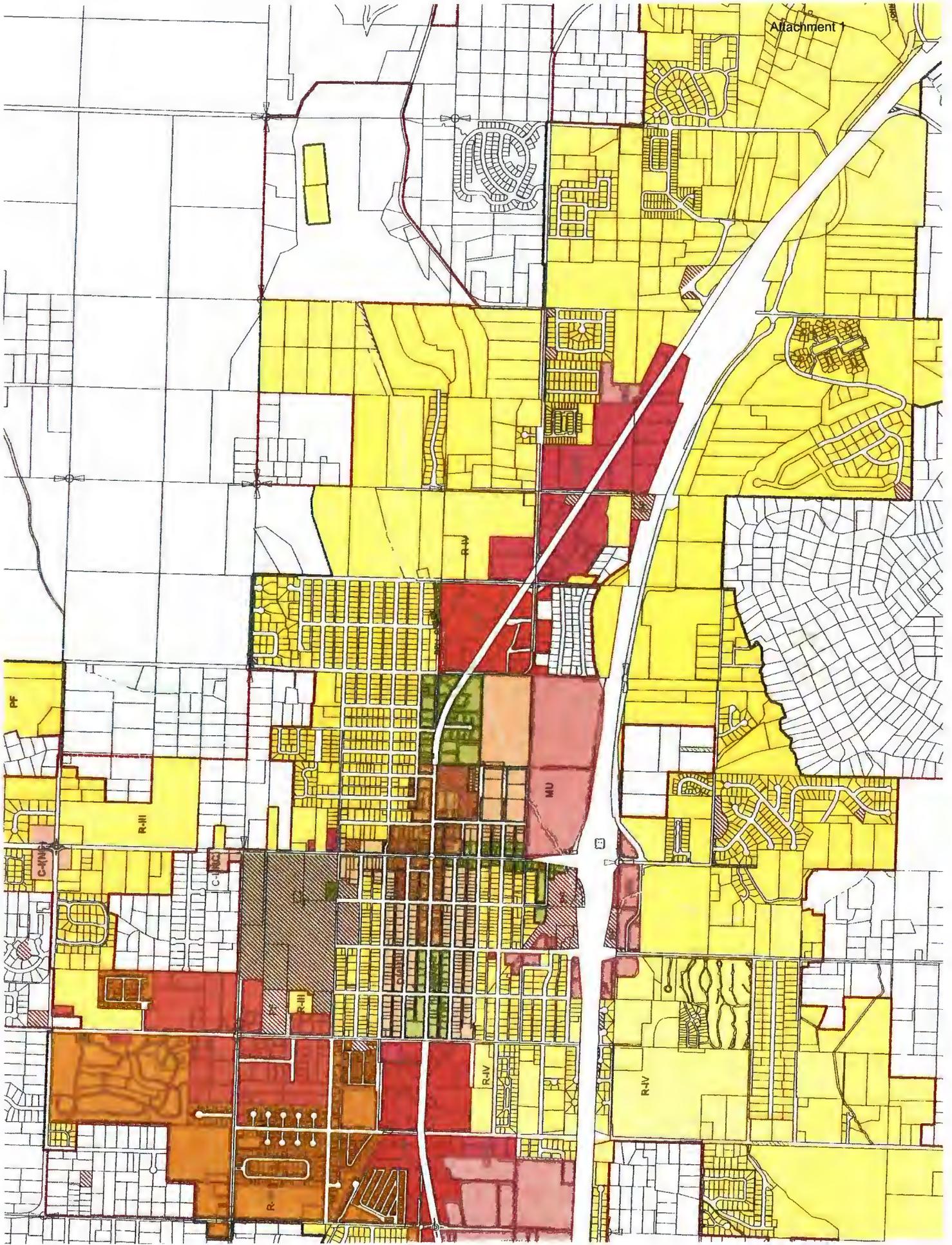
- ~~—5th Avenue (north of Prairie);~~
- ~~—7th Avenue (south of Hwy. 101);~~
- ~~—9th Avenue (north of Hwy. 101);~~
- ~~—Blake Avenue;~~
- ~~—Brown Road;~~
- ~~—Fir Street;~~

- ~~—Hammond Street;~~
- ~~—Hendrickson Road;~~
- ~~—Keeler Road;~~
- ~~—Maple Street;~~
- ~~—Miller Road;~~
- ~~—Port Williams Road;~~
- ~~—Prairie Street;~~
- ~~—Priest Road;~~
- ~~—River Road;~~
- ~~—Simdars Road;~~
- ~~—SR 101 By Pass South Frontage Road;~~
- ~~—Still Avenue;~~
- ~~—West Sequim Bay Road;~~
- ~~—White Feather Way~~

**18.59.020 Residential garage, carport, shop, covered areas, and similar accessory structures.**

A. The dimensional standards below rather than the standards in SMC 18.44.020 shall apply to structures such as garages, storage sheds or tool sheds that are accessory to detached single-family residential uses in R zones, exclusive of accessory dwelling units as provided in Chapter 18.66 SMC:

1. Setbacks. Detached accessory structures shall be a minimum of five feet from side and rear property lines, ~~and~~ 10 feet from any street right-of-way or alley, ~~and~~ 10 feet from any building on the same or adjacent properties, and no closer to the front property line than the distance to the primary residence façade element furthest from the street, provided, that the minimum setback from any alley 16 feet or greater in width is five feet; attached accessory structures are subject to the same setbacks as the primary residence;



# EXHIBIT - A



ZONING MAP  
City of Sequim, Clallam County WA

- DC
  - DMU-II
  - DMU-I
  - C-III
  - C-II(G)
  - C-II(M)
  - MU
  - R-III(6-10)
  - R-IV(11-16)
  - R4-8
  - R4-8
  - CITY LIMITS
  - UGA
- Date: 7/20/2016

**LEGEND TO MAP CHANGES \_ R4-8 ZONE IMPLEMENTATION**

**Dark Blue:**

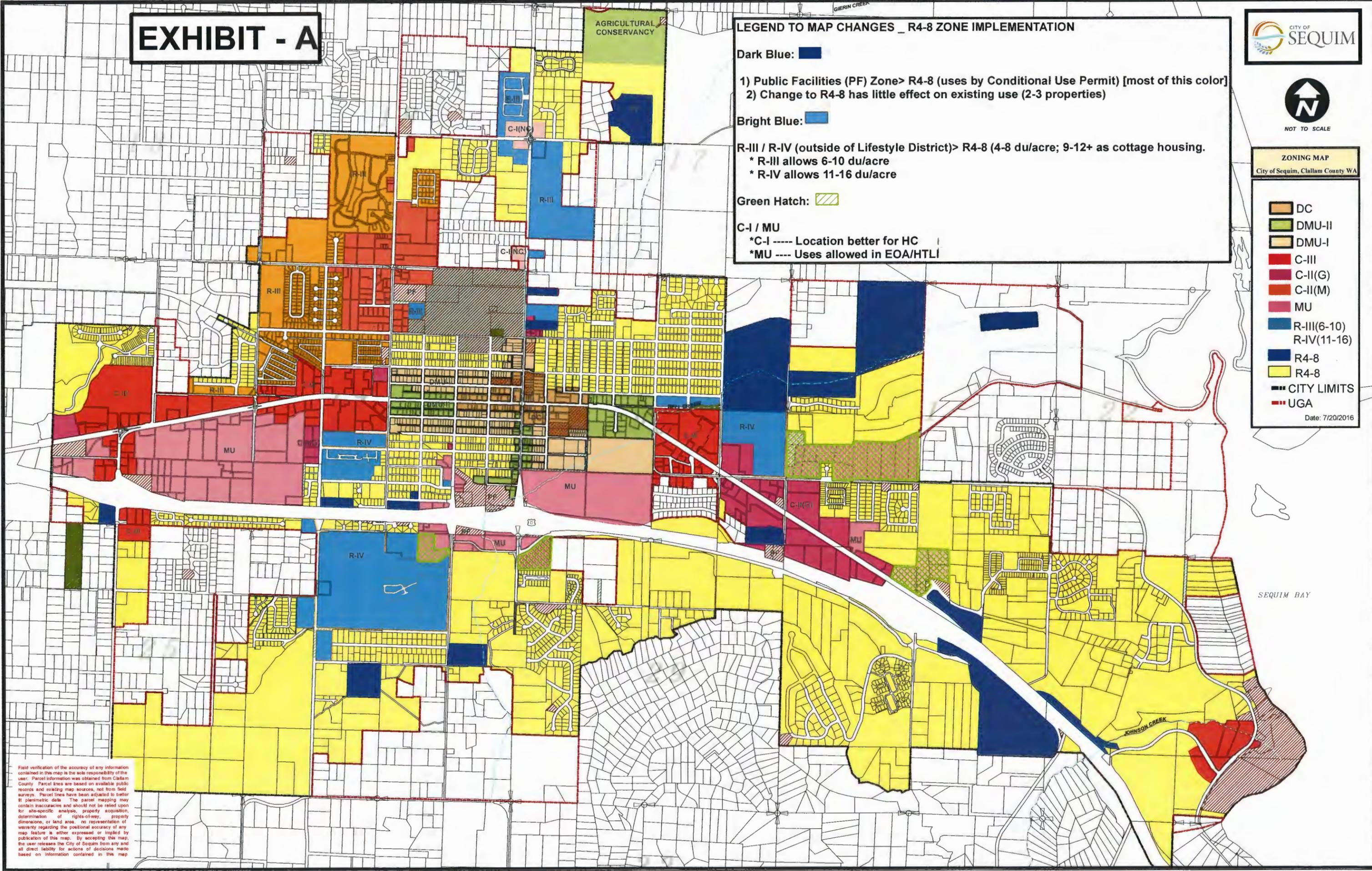
- 1) Public Facilities (PF) Zone> R4-8 (uses by Conditional Use Permit) [most of this color]
- 2) Change to R4-8 has little effect on existing use (2-3 properties)

**Bright Blue:**

R-III / R-IV (outside of Lifestyle District)> R4-8 (4-8 du/acre; 9-12+ as cottage housing.)  
 \* R-III allows 6-10 du/acre  
 \* R-IV allows 11-16 du/acre

**Green Hatch:**

**C-I / MU**  
 \*C-I ----- Location better for HC  
 \*MU ---- Uses allowed in EOA/HTLI



Field verification of the accuracy of any information contained in this map is the sole responsibility of the user. Parcel information was obtained from Clallam County. Parcel lines are based on available public records and existing map sources, not from field surveys. Parcel lines have been adjusted to better fit planimetric data. The parcel mapping may contain inaccuracies and should not be relied upon for site-specific analysis, property acquisition, determination of rights-of-way, property dimensions, or land area. No representation of warranty regarding the positional accuracy of any map feature is either expressed or implied by publication of this map. By accepting this map, the user releases the City of Sequim from any and all direct liability for actions of decisions made based on information contained in this map.

## SEQUIM CITY COUNCIL AGENDA COVER SHEET

**MEETING DATE:** September 12, 2016

**FROM:** Joseph D. Irvin, Asst. to the City Manager JDI  
Initials

**SUBJECT/ISSUE:** 2017-2022 License with the Sequim Farmers' Market

Discussion dates				
<b>CATEGORY</b>	<input type="checkbox"/> City Manager Report	<input type="checkbox"/> Information Only	Time Needed for Presentation  10 mins.	
	<input type="checkbox"/> Public Hearing	<input type="checkbox"/> Consent Agenda		
	<input type="checkbox"/> Unfinished Business	<input checked="" type="checkbox"/> New Business		
Reviewed by			Initials	Date
Charles P. Bush, City Manager			CPB	9/8/16
Kristina Nelson-Gross, City Attorney			KNG	9/7/2016
Karen Kuznek-Reese, City Clerk			Kkr	9/2/16

**PROBLEM/ISSUE STATEMENT:**

The Sequim Farmers' Market (SFM) and the City of Sequim are seeking an update and renewal of the SFM's license to operate on the Civic Center Plaza and on a portion of Cedar Street from the east entrance of the Sequim Police Department's Cedar Street access easterly to Seal Street.

**LIST OF ATTACHMENTS:**

- 1) License Agreement 2017-2022
- 2) Exhibit A (aerial photo of area to be leased by the Farmers' Market)

**DISCUSSION/ANALYSIS:**

The SFM provides some of the characteristics of a friendly small-town lifestyle and overall high quality of life, therefore assisting the city in providing a component of *Sequim's Vision Statement*. It also provides locally grown agricultural products and unique handcrafted products. Consideration of these attributes allows the SFM to be considered as fulfilling a public purpose. While the city might not be able to waive fees for other markets, it may do so at this time with this use as proposed due to State legislation granting special privileges to the agricultural component of Farmers' markets.

The proposed license would update and renew the SFM's license agreement with the City for a period of 5 years. The proposed license also permits SFM the opportunity to

utilize the City owned property located on the northeast corner of Sequim Avenue and Washington Street (a.k.a. Centennial Place) and the Guy Cole Community Center as dates and times are available for those city owned properties and facilities. Additionally, the agreement allows either party without penalty the right to terminate this agreement so long as a one-hundred and twenty days' advance notice of termination is given to the other party.

**FINANCIAL IMPLICATIONS:**

The market does provide income to the city in the form of increased sales tax revenue and reimburses the City \$10.00 per week for consideration of the license.

**RECOMMENDATION:**

Staff recommends the City Council approve the proposed license which incorporates a partial street closure of Cedar Street and usage of the Civic Center Plaza during approved SFM hours.

**MOTION:**

I move the City Council approve and authorize the City Manager to sign the license agreement with SFM.

**License Agreement for Use of City Property for Sequim Farmers' Market  
2017 - 2022**

This License Agreement 2017 - 2022 Contract granted on this \_\_\_\_ day of \_\_\_\_\_, 2016 between the City of Sequim, a municipal corporation and a non-charter code city ("City") and the Sequim Farmers' Market, a Washington non-profit corporation ("Sequim Farmers' Market").

**Recitals**

Whereas the City of Sequim has the authority to establish public markets pursuant to RCW 35.21.010 and RCW 35.92.040; and

RCW 35.21.010 gives cities the authority to lease city property and RCW 35.92.040 gives cities the authority to operate a public market for the purpose of providing farmers, artisans, and other vendors with space to market their wares to the public; and

The City and the Sequim Farmers' Market has a long history of cooperation and collaboration in providing a successful venue for a farmers' market for nearly twenty years; and

The Sequim Farmers' Market is a public market providing locally grown fruits, vegetables, eggs, fish, meat and other perishable provisions; and

The Sequim Farmers Market also provides a venue local artisans, food vendors and musicians to promote their activities to the local community and the general public; and

The Sequim Farmers' Market increases public awareness regarding consumption of locally grown and hand-crafted products and creates an increased sense of community for residents and visitors to the Sequim-Dungeness Valley; and

The Sequim Farmers' Market supports local agriculture and promotes other local business development by bringing customers into the Downtown Core by providing for increased sales and tax revenues; and

The Sequim Farmers' Market meets multiple goals of the City of Sequim's Comprehensive and Downtown Plans; and

The Sequim Farmers' Market attracts and documents overnight visitors; and

The Sequim Farmers' Market location on City-owned property is furthering the public function on behalf of the City through its activities; and

The City Council for the City of Sequim has passed resolution No. R-98-5 authorizing the execution of a previous Agreement to provide permission to the Sequim Farmers' Market to continue operating on City-managed property more particularly described below, and the license has been renewed each time;

NOW, THEREFORE,

In consideration of the mutual covenants and provisions hereinafter set forth, the parties agree as follows:

### **Agreement**

1. Grant of License; Description of Premises. The City hereby grants to the Sequim Farmers' Market a non-exclusive license to use the following described real property in the City, for the uses and purposes and at such times and in such manner as hereinafter set forth:
  - i. That portion of City-owned property known as Centennial Place located at Sequim Avenue and West Washington Street as shown on the attached Exhibit A, and
  - ii. That portion of West Cedar Street from Seal Street westerly to the Sequim Police Departments access off of West Cedar Street as shown on the attached Exhibit A, and
  - iii. That portion of City-owned property known as the Civic Center Plaza located at Sequim Avenue and West Cedar Street as shown on the attached Exhibit A, and
  - iv. That portion of City-owned property known as the Civic Center Storage Area located at 152 West Cedar Street as shown on the attached Exhibit A, and
  - v. The Guy Cole Community Center as shown on the attached Exhibit A.
  
2. Consideration. In and for consideration of the license granted by this Agreement, in addition to other terms and conditions set forth herein, the Sequim Farmers' Market shall provide management services on a continuing basis for the market, plus ten dollars (\$10.00) per week. The City reserves the right to charge the actual cost for the use of electrical service and other incidental expenses. The Sequim Farmers' Market agrees to provide the city with year-end figures for taxable sales received and an estimated figure for Sequim Farmers' Market out-of-town visitors on an annual basis.

Additional consideration for usage of Guy Cole - Any additional cleaning and/or maintenance needs generated from a SFM event located within the Guy Cole Community Building will be tracked by the City for time spent on cleaning and materials. The City of Sequim will then send an invoice to the SFM for payment of those services. Payment is to be made within 30 calendar days of receipt.

3. Term of License. The term of this License, unless sooner terminated as set forth below, shall be for a period of 5 years.
4. Purpose of License. The Sequim Farmers' Market shall only use the property for the establishment and operation of its public market between the hours of 6:00 a.m. and 9:00 p.m. on weekends and holidays, and as otherwise approved by the City. (Except for the first weekend in May, which is traditionally reserved for Irrigation Festival. Specifically, the Sequim Irrigation Festival Committee has scheduled and has the right of usage of the Civic Center Plaza for May 5<sup>th</sup> through 7<sup>th</sup>, 2017 and May 4<sup>th</sup> through 6<sup>th</sup>, 2018.)

Further, SFM explicitly agrees that its usage of Guy Cole is subject to availability and secondary to outside users who are paying full facility rental fees after such agreements have been signed by the City and for single events. Such usage is limited to lasting no more than one 48-hour weekend. Reoccurring usage for ongoing events, e.g., winter market activity, shall not occur days and times have been approved in writing in advance by the City.

5. Conduct of Business. The Sequim Farmers' Market shall conduct or cause the public market to be conducted in a manner consistent with its purposes and objectives. Business shall at all times be conducted in a proper, legal and safe manner.
6. Compliance with Applicable Law/Necessary Permits. At all times during the term of this Agreement the Sequim Farmers' Market will comply with any and all applicable federal, state and local laws, rules and regulations, and shall obtain or cause to be obtained any and all state or local licenses or permits required of or applicable to the business to be conducted upon the property. All Sequim Farmers' Market vendors are responsible for reporting all sales made at the Sequim Farmers' Market as sales which occurred within the City of Sequim for sales tax reporting purposes. Sales are to be recorded under Location Code No. 0503 at the applicable rate.
7. Improvements and Alterations. The Sequim Farmers' Market shall not allow any improvements or alterations to the property whatsoever, except those specifically approved by the City in advance, in writing.
8. Insurance. Throughout the term of the License Agreement and any extension or renewal hereof, the Sequim Farmers' Market shall maintain insurance. The Sequim Farmers' Market will provide proof of such insurance coverage

satisfactory to the City prior to beginning operation of the Sequim Farmers' Market for each annual season and at any time as requested by the City.

9. Indemnification and Hold Harmless. The Sequim Farmers' Market shall indemnify and hold harmless the City, its officers, agents and employers from and against any and all liability, claim, cost, damages, or expense of whatsoever kind or nature, including attorney's fees, for any loss of or damage to property and for injuries to or deaths of persons arising or resulting directly or indirectly from the use of the premises by the Sequim Farmers' Market, or arising or resulting directly or indirectly from any business conducted thereon, or from the performance of any of its obligations under this Agreement. The Sequim Farmers' Market agrees that it has fully and carefully inspected the premises and finds them suitable for its purposes and that it will perform similar inspections prior to each use of the premises to determine for itself whether any conditions exist which might make the premises dangerous or not suitable for its purposes.
10. Nondiscrimination of Services and Employment. The Sequim Farmers' Market agrees that in all matters pertaining to the performance of this Agreement business shall be conducted at all times in a manner which assures fair, equal and nondiscriminatory treatment of all persons with respect to race, color, national origin, religion, gender, age, marital status, sexual orientation or disability. The Sequim Farmers' Market shall comply with all requirements of applicable federal, state and local laws and regulations issues pursuant thereto relating to the establishment of any nondiscriminatory requirements in hiring and employment practices.
11. Safety and Accessibility. It is further understood and agreed between the parties to this Agreement that the Sequim Farmers' Market shall assure, at its own cost and expense, that the facilities licensed or made available under this Agreement shall be at all times during the term of this Agreement reasonable accessible to and reasonably safe for use by all persons including, but not limited to, those who are wheelchair dependent.
12. No Interest or Estate. The Sequim Farmers' Market expressly agrees that it does not and shall not claim at any time any interest or estate of any kind or extent whatsoever in the premises of the City by virtue of the rights granted under this License Agreement, or by its occupancy or use under this Agreement.
13. No Partnership. It is understood and agreed that nothing contained in this Agreement shall be considered in any way constituting a partnership between the City and the Sequim Farmers' Market.
14. Assignment or Delegation. The Sequim Farmers' Market shall not assign any of its rights or interest in this Agreement, nor delegate any of its duties hereunder

to any other person, firm or entity without the express written consent of the City first being obtained.

15. Notices. All notices hereunder may be delivered or mailed. If mailed, they shall be sent by certified or registered mail to the following respective addresses:

To City:	To Sequim Farmers' Market:
City of Sequim	Lisa Bridge, Market Manager
City Manager, Charles P. Bush	PO Box 1817
152 W. Cedar Street	Sequim, WA 98382
Sequim, WA 98382	

Or to such other respective addresses as either party hereto may hereafter from time to time designate in writing. Notices sent by U.S. Mail or via facsimile transmission shall be deemed to have been given when transmitted or properly mailed, and if mailed the postmark affixed by the U.S. Post Office shall be conclusive evidence of the date of mailing.

16. Surrender. Upon expiration of this Agreement, or any other termination of the same, the Sequim Farmers' Market agrees to and shall peaceably surrender possession and use of the property to the City.
17. Termination. Notwithstanding the term of this Agreement, either party may terminate this Agreement without penalty at any time by providing one hundred and twenty (120) days' advance notice of termination to the other party.
18. No Waiver. The acceptance of any payments by the City for any period or periods after any default by the Sequim Farmers' Market hereunder should not be deemed a waiver of such default unless the City shall so intend and advise the Sequim Farmers' Market expressly in writing. No waiver by the City or by the Sequim Farmers' Market of any default hereunder by the other shall be construed to be or act as a waiver of any subsequent default by such other party.
19. Time of Essence. Time is of the essence in the performance of this Agreement.
20. Attorney's Fees and Costs. In the event that any action is filed by either party or either party is required to retain counsel to enforce the terms of this Agreement or seek any remedy for breach hereof, the prevailing party shall be entitled to receive from the losing party, in addition to all other sums either party may be called to pay, all costs incurred and a reasonable attorney's fee for the prevailing party.

21. Governing Law/Venue. This Agreement shall be governed by the laws of Washington State. Venue for any action hereunder shall be in Clallam County, Washington.
22. Entire Agreement. This Agreement shall constitute the entire agreement between the parties, and any prior understanding or representation of any kind preceding the date of this Agreement shall not be binding upon either party except to the extent incorporated in the Agreement.
23. Severability. If any term or provision of this Agreement is determined to be unenforceable or invalid by any Court of competent jurisdiction, the remainder of this Agreement shall not be affected thereby but shall continue in full force and effect.
24. Modification of Agreement. Any modification of this Agreement or additional obligation assumed by either party in connection with this Agreement shall be binding only if evidenced in writing, signed by each party or an authorized representative of each party.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first written above.

CITY OF SEQUIM, a Washington  
Municipal Corporation

SEQUIM FARMERS' MARKET, a Washington  
Non-profit Corporation

\_\_\_\_\_  
Charles P. Bush  
City Manager

\_\_\_\_\_  
Dee Green  
President

Attest:

\_\_\_\_\_  
Karen Kuznek-Reese, MMC  
City Clerk

\_\_\_\_\_  
Lisa Bridge  
Market Manager

Approved as to form:

\_\_\_\_\_  
Kristina Nelson-Gross  
City Attorney

**EXHIBIT - A**

**LOCATION: CENTENNIAL PLACE**



# EXHIBIT -A

LOCATION: W. CEDAR ST. FROM SEAL ST. TO POLICE DEPARTMENT ENTRANCE



# EXHIBIT -A

LOCATION: CIVIC CENTER PLAZA



# EXHIBIT - A

LOCATION: STORAGE FACILITY AT CIVIC CENTER



# EXHIBIT - A

LOCATION: GUY COLE CENTER



## SEQUIM CITY COUNCIL AGENDA COVER SHEET

**MEETING DATE:** September 12, 2016

**FROM:** Kristina Nelson-Gross   KNG    
 City Attorney Initials

**SUBJECT/ISSUE:** Ordinance No. 2016-11 Amending SMC 5.28 “For-Hire Vehicles”

Discussion dates			
<b>CATEGORY</b>	<input type="checkbox"/> City Manager Report	<input type="checkbox"/> Work Session	Time Needed for Presentation
	<input type="checkbox"/> Public Hearing	<input type="checkbox"/> Consent Agenda	
	<input type="checkbox"/> Unfinished Business	<input type="checkbox"/> New Business	
Reviewed by	Initials		Date
Charles P. Bush, City Manager	CPB		9/8/16
Karen Kuznek-Reese, City Clerk	Kkr		9/7/16

**PROBLEM/ISSUE STATEMENT:** The Sequim Municipal Code requires applicants seeking a for-hire license to have a public hearing before the City Council in addition to other rigorous requirements. Staff believes that the public can still be adequately protected by streamlining the regulatory process while providing sufficient regulatory oversight.

- LIST OF ATTACHMENTS:**
1. Proposed Ordinance 2016-11 amending SMC 5.28

**DISCUSSION/ANALYSIS:** RCW 81.72 gives local jurisdictions the authority to regulate “for hire” and taxicab services. Our current code was adopted in 2001, and contains some requirements that are often found in much larger jurisdictions. One of those requirements calls for a public hearing before new taxicab and for hire businesses may operate within the City. Staff believe that while this may be appropriate for larger jurisdictions, Sequim’s current rate of growth does not warrant such restrictive oversight.

Staff propose merging the current process with the State business licensing system, making in effect a registration system for new taxicab and for hire businesses. The proposed ordinance would eliminate the public hearing and would streamline business

requirements by using other laws to implement public safety, e.g., relying on other existing laws or providing proof of inspection rather than inspections by City staff. Staff would still conduct background checks on drivers. The proposed ordinance also uses civil infractions as an enforcement tool and clarifies registration renewal processes.

**BUDGET IMPLICATIONS:** Potential increase in B&O taxes from additional business operations.

**RECOMMENDATION:** To adopt the ordinance amending for-hire licensing requirements.

**MOTION:** I move to adopt Ordinance No. 2016-11 amending SMC 5.28 "For Hire Vehicles"

OR

I move to hold a public hearing on September 26<sup>th</sup>, 2016 with the intent to adopt Ordinance 2016-11, amending SMC 5.28 "For Hire Vehicles".

**ORDINANCE NO. 2016-011**

**An Ordinance of the City of Sequim amending SMC 5.28 “For Hire Vehicles,” Providing for Penalties, Severability, and Effective Date**

**WHEREAS**, RCW 81.72 considers taxicab and for-hire companies to be of statewide importance and authorizes local governments to regulate such companies in an effort to promote public safety health and safety;

**WHEREAS**, the City’s current ordinance sets forth a rigorous licensing process for new taxicab companies seeking to do business in Sequim;

**WHEREAS**, part of that licensing process requires applicants to have a public hearing before the City Council, and the Council will determine whether the application should be granted based upon criteria set forth in the Sequim Municipal Code;

**WHEREAS**, the criteria set forth in current code traditionally applies to much larger jurisdictions;

**WHEREAS**, the City Council is seeking to streamline government processes and avoid over-regulation and promote local businesses;

**WHEREAS**, the City Council believes that protecting public health and safety can still be accomplished by requiring “for hire Vehicles” applicants to obtain a City business license through the City’s business licensing program;

**WHEREAS**, the amended ordinance includes provisions for civil infractions pursuant to RCW 7.80 for violations of SMC 5.28;

**NOW, THEREFORE**, the City Council of the City of Sequim, Washington, ordains as follows:

**Section 1.** Sequim Municipal Code Chapter 5.28 is hereby amended to read as set forth on the attached Exhibit A.

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

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

**Section 4. Effective Date.** This Ordinance shall become effective five days after publication of the ordinance, or a summary thereof, in the official newspaper of the City.

---

Dennis Smith, Mayor

Attest:

Approved as to form:

\_\_\_\_\_  
Karen Kuznek-Reese, MMC  
City Clerk

\_\_\_\_\_  
Kristina Nelson-Gross, City Attorney

\_\_\_\_\_  
Approved Date

\_\_\_\_\_  
Publication Date

\_\_\_\_\_  
Effective Date

4

## Chapter 5.28 FOR-HIRE VEHICLES

### Sections:

- [5.28.010](#) Definitions.
- [5.28.020](#) ~~Business License – Registration~~ – Required.
- [5.28.030](#) ~~License Registration~~ – Application – Required information.
- [5.28.040](#) ~~License Registration~~ – Application – Inspection of vehicles/~~Issuance~~.
- [5.28.050](#) Equipment.
- [5.28.060](#) ~~License – Issuance~~.
- [5.28.070](#) ~~Operation regulations~~.
- [5.28.0780](#) ~~For-Hire Vehicle Operator's Driver's~~ license – Qualifications.
- [5.28.0850](#) Initial ~~driver's For-Hire Vehicle Operator's~~ license – Required.
- [5.28.090](#) ~~Driver's For-Hire Vehicle Operator's~~ license – Application – Information required.
- [5.28.100](#) ~~Driver's For-Hire Vehicle Operator's~~ license – Application – Police endorsement.
- [5.28.110](#) Initial ~~For-Hire Vehicle Operator's driver's~~ license – Fee.
- [5.28.115](#) ~~For-Hire Vehicle Operator's Driver's~~ license – Term – Renewal – Fee.
- [5.28.120](#) ~~For-Hire Vehicle Operator's Driver's~~ license – Exhibition required.
- [5.28.130](#) ~~For-Hire Vehicle Operator's Driver's~~ license – Temporary.
- [5.28.140](#) ~~For-Hire Vehicle Operator's Driver's~~ license – Nontransferable.
- [5.28.150](#) Fare – Filing – Posting required.
- [5.28.160](#) Fare – Overcharge.
- [5.28.170](#) Fare – Refusal to pay.
- [5.28.180](#) ~~Fare – Schedule change~~.
- [5.28.190](#) ~~Insurance requirement~~.
- [5.28.19200](#) ~~License denial or revocation~~.

### 5.28.010 Definitions.

The following definitions shall apply to the provisions of this chapter:

~~A.~~ "For-hire vehicle" means any motor vehicle used for transportation of passengers for compensation and not operated over a fixed and defined route, ~~including taxicabs. This chapter does not regulate except~~ limousine charter carriers regulated under Chapter [81.90](#) RCW, charter party carriers of passengers and excursion service carriers regulated under Chapter [81.70](#) RCW, or a private, nonprofit corporation providing

transportation services for compensation solely to elderly or handicapped persons as regulated under Chapter 81.66 RCW.

~~B. "Taxicab" means a chauffeur-driven vehicle available on call to carry a passenger between any two or more points for a fare determined by a taximeter, zone system or flat rate. (Ord. 2001-009)~~

**5.28.020 Business License – Registration – Required.**

Except as provided in this section, no person shall operate or permit a ~~taxicab or~~ for-hire vehicle owned or controlled by him/her to be operated as a for-hire vehicle within the corporate limits of the city without first having obtained a city business license pursuant to SMC 5.04 through the Washington State Department of Revenue. ~~Taxi companies and taxicabs licensed in the jurisdiction in which their principal office is located are not required to obtain a city of Sequim business (taxi) license in order to discharge fares within the city. (Ord. 2001-009)~~

**5.28.030 License Registration – Application – Required information.**

In addition to all other information required of an applicant for a business license, an applicant for a for-hire vehicle license registration shall provide the following information:

~~A. Location of the taxicab zone applied for, together with any other location from which the taxicabs or for-hire vehicles are operated;~~

~~B. Full information concerning the ownership, including vehicle registration, the number and classification of vehicles to be operated, and the name, fictitious or otherwise, under which the applicant intends to operate;~~

~~BC. The distinguishing color scheme, dress or design, including any monogram or insignia intended to be used upon the vehicle; such shall not resemble any police vehicle;~~

~~CD. The rates proposed to be charged. (Ord. 2001-009)~~

**5.28.040 License Registration – Application – Inspection of vehicles, Issuance.**

~~Every licensee shall, before commencing operation, each registrant shall file with the ~~clerk-treasurer~~Clerk a certificate of inspection showing all vehicles ~~licensed pursuant to~~subject to this chapter have been inspected by an ASE certified mechanic~~reliable automotive concern, approved by the chief of police and certified as safe for taxicab operation by the automotive concern. Proof of inspection must be conspicuously posted inside the vehicle.~~ Each 12 months thereafter, the vehicles must be reexamined by a reliable automotive concern and recertified as safe for operation as a for-hire vehicle pursuant to the terms and conditions of this chapter. In~~

~~addition to the inspections provided in this section and this chapter, all vehicles operating under the authority of this chapter shall be available for inspection at any time and at any place by the chief of police or his/her designee, who shall order any taxicab to cease operation immediately if it is determined the vehicle is in an unsafe condition. The owner or operator shall be notified in writing thereof. (Ord. 2001-009)~~

#### **5.28.050 Equipment.**

Every vehicle licensed under this chapter shall be equipped with an approved fire extinguisher and first aid kit and appropriate, lawful seatbelts or passenger restraint devices for all passengers including appropriate, lawful car seats and booster seats for children and infants. All vehicles operated as taxicabs shall have an illuminated taxi sign or roof light ~~as approved by the chief of police~~, which roof light shall be illuminated at all times while the taxicab is in operation as such. Vehicles licensed under this chapter, but not operated as taxicabs, shall have distinguishing signs ~~as approved by the chief of police~~. (Ord. 2001-009)

#### **5.28.060 License—Issuance.**

~~No business license to operate a taxicab or for-hire vehicle service shall be issued except by the city council, after review of the license application and inspection reports. Upon filing of an application, the city council shall fix a time and place for a public hearing thereon. Notice of such hearing shall be given to the applicant and to all persons to whom licenses under this chapter have been theretofore issued. Due notice shall also be given to the general public by posting a notice of such hearing on the bulletin board at the front entrance to the City Hall. Any interested person may file with the city council a memorandum in support of or opposition to the issuance of a business license to operate a taxicab service.~~

~~After conducting the appropriate hearing, should the city council find that further taxicab service in the city is in the best interest of the city and that the applicant is fit, willing, and able to perform such public transportation and to conform to the provisions of this chapter, then the city clerk shall issue the appropriate license to the applicant. The fee for said license shall be \$50.00, renewable annually. There shall be an additional fee of \$75.00 per year for each taxicab owned/operated by the licensee.~~

~~A. In making the above findings, the city council may take into consideration the number of taxicab businesses already in operation, whether existing transportation is adequate to meet the public need, the probable effect on increased service on local traffic conditions and the character, experience and responsibility of the applicant.~~

~~B. The city council may elect to deny the application in its discretion. (Ord. 2001-009)~~

#### **5.28.070 Operation regulations.**

The operation of a ~~taxicab or~~ for-hire ~~vehicle~~ business shall be governed by the following regulations, in addition to all other regulations of statute or ordinance:

A. No ~~taxi-for-hire~~ stand or zone may be operated without the ~~written~~ permission of the owner or occupant of all adjoining premises.

B. No ~~registrant~~~~licensee~~ shall permit more than three ~~taxicabs for-hire vehicles~~ to stand or wait at the same time in a ~~taxi~~-stand or zone or permit ~~taxicab or~~ for-hire vehicles to cruise the streets for passengers.

C. ~~Upon request by any authorized peace officer, e~~Every person engaged in the business of transporting passengers for hire under the provisions of this chapter shall ~~file~~ ~~present~~ all information ~~requested by any authorized peace officer~~ in regard to the address of the house or place to or from which he has driven or caused to be driven any passenger, as well as descriptions, names and addresses of such passengers, if known to him. ~~Every person engaged in the taxicab or for-hire vehicle business in the city of Sequim shall maintain records of the number, location, and length of trips made each day and shall retain and preserve such information for at least two years and shall make such reports available to the city clerk or chief of police upon request. :~~

~~DA~~ No person shall operate a for-hire vehicle ~~or taxicab~~ without first having obtained a ~~driver's for-hire vehicle Operator's~~ license to do so.

~~EDB~~ No person shall operate or be in actual physical control of a for-hire vehicle ~~or taxicab~~ while under the influence of intoxicating liquor or drugs. ~~Violation of this provision shall constitute grounds for summary revocation of the driver's license issued under this chapter.~~

F. Every person engaged in the business of operating ~~taxicabs for-hire vehicles~~ in the city of Sequim shall maintain a business address and a mailing address where the owner can accept mail and a business telephone in working order that shall be answered during normal business hours, Monday through Friday, and during all hours of operation and shall at all times have ~~at least two taxicabs for-hire vehicles~~ which are ~~licensed registered~~ pursuant to this chapter and are capable of providing service in the city of Sequim.

~~GC~~ ~~Every person engaged in the taxicab or for-hire vehicle business in the city of Sequim shall maintain records of the number, location, and length of trips made each day and shall retain and preserve such information for at least two years and shall make such reports available to the city clerk or chief of police upon request.~~

H. Drivers of ~~taxicabs and~~ for-hire vehicles employed to carry passengers to a definite point shall take, the most direct route possible that will carry the passengers safely and expeditiously to the passengers' destination. (Ord. 2001-009)

**5.28.0780 ~~For-hire vehicle operator's license~~ ~~Taxicab~~ Driver's license – Qualifications.**

No person shall be permitted to obtain a ~~for-hire vehicle operator's license~~ ~~taxicab-driver's license~~ for the driving of ~~taxicabs or~~ for-hire vehicles unless the following minimum requirements are met:

- A. Possession of a valid Washington State driver's license;
- B. Having been a licensed driver for at least three consecutive years prior to the date of application for a license;
- C. The ability to speak, read and write the English language;
- D. Not being addicted to the use of intoxicating liquor or drugs within two years preceding the date of the application for a license;
- E. Not having been convicted of a felony, or of operating a motor vehicle while under the influence of intoxicating liquor or drugs, or of being in actual physical control of a motor vehicle while under the influence of intoxicating liquor or drugs, or of negligent or reckless driving, within five years preceding the date of the application for a license;
- F. Not having been convicted of three or more moving violations during a one-year period during the five years preceding the date of the application for a license. (Ord. 2001-009)

**5.28.0805 Initial ~~for-hire vehicle operator's~~ driver's license – Required.**

- A. All persons, except those holding a current ~~taxicab or~~ for-hire vehicle ~~driver's operator's~~ license issued by the city of Sequim, are required to obtain an initial ~~for-hire vehicle operator's license~~ ~~driver's~~ ~~taxicab~~ license.
- B. ~~L~~ ~~F~~ ~~for-hire vehicle operator's~~ licensees who cease, for reasons other than illness or injury, to be actively employed as a ~~taxicab or~~ for-hire vehicle driver for a period in excess more than of 90 calendar days are required to re-apply for obtain an initial ~~for-hire vehicle operator's~~ ~~driver's~~ license. (Ord. 2001-009)

**5.28.090 ~~For-hire vehicle operator's license~~ ~~Driver's license~~ – Application – Information required.**

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In addition to all other information required by the city clerk, or designee, the following information shall be required: the full name, address, residence; age, height, weight, color of eyes and hair; place of birth; length of time he or she has resided in the state; whether a citizen of the United States; whether previously licensed as a driver or chauffeur, and if so, when and where; whether such license has ever been revoked and for what cause. Such application shall be signed and sworn to by the applicant, and filed with the chief of police as a permanent record. Every applicant for a for-hire vehicle operator's license ~~driver's license~~ must submit to fingerprinting, photographing, and a criminal and driver's records check by the police department. (Ord. 2001-009)

**5.28.100 For-hire vehicle operator's ~~Driver's~~ license – Application – Police endorsement.**

The chief of police ~~or his~~ designee shall make a recommendation to the clerk, or designee, within 10 working days of the filing of a complete application or the return of the criminal and driver's records check, to issue or not to issue a for-hire vehicle operator's license ~~taxicab license~~ permitting the person to drive a for-hire ~~or taxicab~~ vehicle. In arriving at his/her recommendation, the chief of police, or ~~his~~ designee, is authorized to conduct an appropriate investigation to assist in the determination of whether or not the qualifications for the driving of ~~taxicabs or~~ for-hire vehicles are met and the issuance of the license would be consistent with the public health, safety and welfare. (Ord. 2001-009)

**5.28.110 Initial For-hire vehicle operator's ~~driver's~~ license – Fee.**

The fee for obtaining the initial for-hire vehicle operator's license ~~for-hire driver's license~~ shall be as established by resolution. The fee is not subject to proration. (Ord. 2006-003 § 2; Ord. 2005-029 § 2; Ord. 2001-009)

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**5.28.115 For-hire vehicle operator's ~~Driver's~~ license – Term – Renewal – Fee.**

For-hire vehicle operator's licenses ~~Taxicab and for-hire vehicle driver's licenses~~ shall be for a period of one year beginning January 1st of the year of application and expiring on December 31st. The licensee shall submit an abstract of driving record issued by the State of Washington Department of Licensing annually, on or before January 1st.

The fee for renewal of a for-hire vehicle operator's license ~~for-hire vehicle/taxicab driver's license~~ shall be the same as a newly issued license and is not subject to proration. (Ord. 2006-003 § 2; Ord. 2001-009)

**5.28.120 For-hire vehicle operator's ~~Driver's~~ license – Exhibition required.**

Each licensed driver shall wear his or her ~~for-hire vehicle operator's license taxicab license~~ prominently displayed on an outer garment and upon the request of any police officer or passenger, exhibit his/her license and photograph for inspection. (Ord. 2001-009)

**5.28.130 For-hire vehicle operator's Driver's license – Temporary.**

The clerk, ~~or designee~~ may, on the recommendation of the chief of police, ~~or designee~~, issue a temporary ~~for-hire vehicle operator's license taxicab or for-hire driver's license~~, pending the completion of the investigation required pursuant to this chapter, effective only until the application is finally acted upon by the chief of police, and in no event, for a period longer than 90 days. (Ord. 2001-009)

**5.28.140 For-hire vehicle operator's Taxicab-Driver's license – Nontransferable.**

No ~~for-hire vehicle operator's license driver's license for operating a taxicab or for-hire vehicle~~ shall be transferable. (Ord. 2001-009)

**5.28.150 Fare – Filing – Posting required.**

Every person conducting or carrying on the business of transporting passengers for hire ~~licensed-registered~~ pursuant to this chapter ~~shall file a current fare schedule with the city clerk and chief of police as required by this chapter and shall~~ post in a conspicuous place in every vehicle, the schedule of fares. (Ord. 2001-009)

**5.28.160 Fare – Overcharge.**

Any driver of a ~~taxicab or~~ for-hire vehicle who charges any passenger a fare higher than that provided in the schedule of fares filed with the city shall ~~be subject to penalties imposed as set forth in SMC 5.28.190, in addition to any other penalty imposed by law, have his license to drive a for-hire vehicle or taxicab revoked.~~ (Ord. 2001-009)

**5.28.170 Fare – Refusal to pay.**

It is unlawful for any person to refuse to pay the regular fare for a ~~taxicab or~~ for-hire vehicle, after having hired the same. (Ord. 2001-009)

**5.28.180 Fare – Schedule change.**

~~In the event the operator of a taxicab or for-hire vehicle desires to change the rates, he shall file an amended schedule with the chief of police and the city clerk at least five days prior to such change. (Ord. 2001-009)~~

**5.28.1890 Insurance requirement.**

~~No business license or driver's license shall be issued under the provisions of this chapter unless the operator of the taxicab or for-hire vehicle business files with the city clerk a certificate of insurance naming the city as an additional insured in an amount of not less than coverage limits required by the state of Washington for for-hire vehicles. (Ord. 2001-009) Each taxifor-hire service shall maintain appropriate insurance coverage as required by the state of Washington.~~

**5.28.190 Penalties.**

~~All violations of this Chapter, except for operating a for-hire business without registering, shall be punishable as a class 2 civil infractions as set forth in RCW 7.80. Operating a for-hire business without registering shall be punishable as a class 1 civil infraction. Infractions may be issued to the driver and to the registered business owner, and each day business is conducted is deemed a separate violation.~~

**5.28.200 For-hire vehicle operator's L license denial or revocation.**

In addition to grounds supporting denial or revocation of ~~For-hire vehicle operator's~~ licenses set forth in any other chapter of this code, a license may also be denied or revoked upon a finding that:

A. Any applicant or licensee has omitted to disclose any material fact or has provided any misleading statement in the application for license; or

B. Any ~~for-hire vehicle operator's license for-hire-vehicle-driver's-license~~ applicant or licensee has become disqualified under SMC ~~5.28.070, 5.28.090~~ or applicable state law to hold a driver's license for the driving of taxicabs or for-hire vehicles; or

C. ~~Any for-hire business or for-hire vehicle operator's licensee who persistently violates operating standards. For purposes of this section, "persistently" means three or more separate violations within one calendar year.~~

~~D. Any for-hire vehicle business license applicant or licensee fails to report the disqualification of a driver in his or her employ to the city clerk and chief of police, or their designees. (Ord. 2001-009)~~

~~E. The procedure for denial or revocation for a for-hire vehicle operator's license shall be the same as set forth in SMC 5.04.140.~~