

**CITY OF SEQUIM  
PLANNING COMMISSION MINUTES  
SEQUIM CIVIC CENTER  
152 WEST CEDAR STREET  
SEQUIM, WA  
SEPTEMBER 17, 2019**

**1. CALL TO ORDER, PLEDGE OF ALLEGIANCE & ROLL CALL:**

Present: Jeff Carter, Thomas Ferrell, David Lotzgesell, Karen Mahalick, Gary Smith, Roger Wiseman

Excused: Olaf Protze

**2. APPROVAL OF MINUTES: August 6, 2019.**

**MOTION** to approve the Minutes of the August 6, 2019 Planning Commission meeting; moved by Lotzgesell and seconded by Wiseman.

**Carried unanimously.**

**3. PUBLIC COMMENT**

Eleven members of the audience spoke against the Jamestown S’Klallam Tribe’s potential medication-assisted treatment (MAT) clinic. Views and concerns expressed included: drug use statistics include end of life care; opioid death statistics include assisted suicide; a clinic at Jamestown is not at full capacity; don’t want “tent city”; local treatment is best; SOS is 3,000 strong; MAT should be reviewed as a conditional use; medical professionals created epidemic by overprescribing, and now we are supposed to trust them when they say MAT is the best treatment; facility of this size not needed; questions not answered; morals and character of MAT clients; err on the side of caution; clients may add to the number of homeless in Sequim; word has spread that Sequim has drugs and services; police will be affected; the facility should be in Blyn; this is a retirement community; personal experiences related to drug addiction; preventive measures needed; lack of opportunities for young people in Sequim; characteristics of a MAT facility in Anacortes; Ordinance 2019-004 requires 30 days’ notice to enact per 35A.11.090; MAT is ineffective; psychiatric help needed in Sequim; \$7.2 million is hard to compete with; the community should vote on it; there are better ways to get off of opioids; and, the facility will be within walking distance of a school.

One member of the audience spoke regarding MAT, stating that there has been mean and divisive fearmongering; there are not 3,000 against MAT and Facebook is not a way to determine that; the Reagan administration did not respond quickly to the aids crisis because it was happening to gay men, so it became a bigger epidemic; there is an opioid epidemic; medical professionals at Jamestown Health, OMC, and public health

officials are using medical science to treat addiction; and, encouraged the Planning Commission to follow the law and to not let hysteria guide decisions.

Lotzgesell stated that he understands a barn was torn down at the potential MAT site and asked Berezowsky why the Planning Commission has not received an application. Berezowsky stated that a demolition has nothing to do with a MAT application. Lotzgesell stated that his understanding is that the Planning Commission cannot legally take action until an application is presented, and Berezowsky confirmed. Ferrell stated that he admired the group's persistence.

#### 4. NEW BUSINESS

##### a. Ordinance No. 2019-004 Providing for Appointment of Hearing Examiner

Berezowsky shared a presentation prepared by Jeffrey Myers of Law, Lyman, Daniel, Kamerrer & Bogdanovich, who represents WCIA, called the "Pros and Cons of the Hearing Examiner Process". Berezowsky discussed aspects of the process, stating that over several years the City Attorney has discussed the process with Council; the three branches of government provide checks and balances; the process started to catch on around 1970; and, it provides local governments with separation between legislative and quasi-judicial roles and reduces the number of judicial appeals and lawsuits. Carter stated that a hearing examiner was used at Clallam County and it worked well, and that it puts the onus on citizenry, commissions and councils to get ordinances exactly how they want them and in alignment with the Comprehensive Plan. Ferrell asked about the availability of hearing examiners, and Berezowsky stated that many are available. Ferrell asked if the City Attorney could fill this role, and Berezowsky stated that she could not do so while working for the City. Ferrell stated that court cases brought against cities would need to be looked at in context. Berezowsky provided detail regarding some cases, and stated that the hearing examiner process provides the most protection because hearing examiners are trained attorneys and land use experts. Smith stated that the three branches of government come together for a common cause, and the hearing examiner process seems to delete one of those branches: the City Council and Commissioners. Lotzgesell asked Berezowsky about a lawsuit against Clallam County pertaining to an application for a bed and breakfast, and Berezowsky stated that he believes it is a code issue. Lotzgesell stated that he understood that it fits into a loophole, and Berezowsky stated that unfortunately you don't know loopholes exist until an issue arises. Carter stated that it demonstrates that the onus is on the Commission to focus on the legislative role. Berezowsky stated that the code is lacking and work is in progress to improve the code, but it is an ongoing task. Carter stated that when he is tasked with making a recommendation, he looks at code and determines whether the application meets code.

##### b. Sequim Housing Action Plan Next Steps

Woolett stated that the Affordable Housing Action Plan 2018 was an update to the 2009 plan; the plan is required under State code; "affordable housing" has a price range that a household can afford to rent or purchase using 35% of their gross income; eleven tasks

were outlined in the Affordable Housing Action Plan; and, recommendations of the Housing Ad Hoc Committee related to the eleven tasks will be brought to the Commission for consideration. Ferrell asked whether the City can reduce impact fees temporarily, and Berezowsky stated that Council can adjust fees based on some sort of analysis but the City must have a capital improvement plan that supports the 20-year growth plan. Mahalick stated that the Housing Ad Hoc Committee found that fees were very high, but a study would be needed to implement another rate. Berezowsky stated that if one fee is lowered and another must be raised somewhere else, it amounts to subsidizing. Smith stated that creative communities have found solutions, and that task 11, a periodic report, would be helpful. Ferrell stated that tax increases should be put last.

## 5. UNFINISHED BUSINESS

Smith stated that Charlie Bush did a nice job keeping the Housing Ad Hoc Committee going. Carter suggested adding a discussion of ordinances related to signage in City right of ways as a future agenda item.

## 6. DIRECTOR'S REPORT

None

## 7. GOOD OF THE ORDER

None

## 8. ADJOURNMENT

**MOTION** to adjourn by Smith; seconded by Ferrell.

**Carried Unanimously, meeting adjourned at 7:50 pm.**

Respectfully submitted,

  
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Alisa Hasbrouck  
Secretary to the Planning Commission

  
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Karen Mahalick  
Chair

Minutes approved at a regular Planning Commission meeting October 1, 2019.