

**CITY OF SEQUIM
PLANNING COMMISSION MINUTES
VIRTUAL MEETING
December 1, 2020**

1. CALL TO ORDER & ROLL CALL:

Present: Elizabeth A. Hall, Jeff Carter, Julianne Coonts, Karen Mahalick, Kathy Downer, Roger Wiseman

Not Present: Olaf Protze

2. APPROVAL OF MINUTES: November 17, 2020

Motion to approve the minutes of the November 17, 2020 Planning Commission meeting; moved by Mahalick and seconded by Hall.

Carried Unanimously.

Hall suggested that Shoreline Management Plan Update be added to the agenda as unfinished business, and the Commission concurred.

3. NEW BUSINESS

a. Public Hearing on Amendment to SMC 12.02 - Streets

City Engineer Matt Klontz presented, stating that the Commission saw proposed engineering design standards at a prior meeting; tonight he is presenting code revisions to set the framework for later revisions which focus on detailed engineering requirements; the proposed code allows staff to make updates that would later be approved by Council; and, there will likely be two actions by Council: approval of the ordinance, and a resolution for adoption of street standards.

Mahalick stated that she is conflicted about the proposed verbiage for SMC 12.02.030, which reads:

“The set of standards entitled “City of Sequim Engineering Standards” may incorporate state and federal standards by reference, and may be amended from time to time by resolution of the City Council. Provided; the City Council delegates to the department the ability to make technical updates to the standards without the need for a resolution.”

Carter asked Klontz if he is seeking approval for an amendment to what the Commission saw previously or for the whole package. Klontz stated that he is seeking approval of the code; the intent is to present the code and engineering standards to Council together; and, the Commission could approve the code with revised wording. Hall asked how many

changes per year are anticipated, and Klontz stated initially probably about a dozen, then the number of changes should taper off. Coonts asked, what is the contingency plan if you make changes, then present them to Council they are not approved? Klontz stated that there could be a case where Council does not approve a change. Wiseman asked, if there is a challenge to the standards, does that put the City in a weaker position if there is no resolution backing them? Klontz stated that it is a legal question, but he would think yes, unless there is a statement that changes can be made by staff, and those changes are hereby incorporated.

Mahalick stated that she does not believe an ordinance should be changed by resolution, and asked if the City Attorney weighed in. Klontz stated that the City Attorney suggested having staff be able to make changes. Mahalick stated that it could result in an ordinance where the developer will see one thing, then there will be an addendum that will say something else. Community Development Director Barry Berezowsky stated that this ordinance does not have an affect such as a land use ordinance would; industry guidance changes periodically; and, it falls under the purview of the City Engineer. Mahalick stated that if it is the City Attorney's opinion then her wording should be there, and it does not appear that this is her wording.

Hall asked Klontz if he puts his engineer stamp on these standards. Klontz stated that the cover page has his stamp, his signature and seal would appear on changes, and he would not make a change such as going from an 8' sidewalk to a 6' sidewalk, it would be a change such as 3" thick sidewalk rather than 2" thick sidewalk. Garlington stated that other technical standards are adopted by reference in SMC, such as in the stormwater ordinance. Coonts asked, what is your parameter for something that needs to go through the Commission and Council, as opposed to a technical change? Klontz stated that anything that affects the cross-section would be a technical change that staff could make, whereas changing things such as lane or sidewalk width would need to go to the Commission and Council. Coonts stated that her concern is for how things may be in the future. Klontz stated that this is a policy question. Garlington stated that in 2021 Public Works will bring other engineering standards forward.

Mahalick stated that she understands the intent, but the ordinance does not reflect that intent. Klontz asked, what if it stated that technical changes can be made by staff, but must be brought to Council annually? Mahalick asked if we could look at the verbiage in the stormwater ordinance that Garlington referred to. Garlington stated that the stormwater manual is adopted by reference, but the stormwater manual is produced by an outside agency. Coonts, Mahalick, and Hall agreed that the wording needs to be changed.

Carter asked how other towns are doing it, and Klontz stated that he does not know. Berezowsky stated that if staff cannot make changes, it is possible that if the existing standard does not work he may have to shut down a job until it can go to Council. Carter asked the Commission if they want to wordsmith this tonight, or have staff come back with a revised version. Coonts stated that she was willing to try to wordsmith it, and asked, would they run it by the City Attorney before it goes to Council? Carter stated that in the

last meeting the Commission recommended something that had not been reviewed by the City Attorney; that did not work out well; and, this should have the City Attorney's approval prior to it coming to the Commission. Mahalick and Hall agreed. Carter stated that he thinks this need to be revised, presented to the City Attorney, and brought back to the Commission. Downer and Wiseman agreed.

Motion to continue the public hearing to December 15, 2020; moved by Mahalick and seconded by Downer.

Carried Unanimously.

4. UNFINISHED BUSINESS (with date added to agenda)

a. Manufactured Home (MFH) Parks - Conceptual Areas (7/21/20):

Berezowsky stated that this topic came up because a Council member did not believe streets in a manufactured home park should be private; the City will be adopting new street standards; the question is, should the same standards be applied in a manufactured home park; his recommendation is to discuss that, and to investigate whether the manufactured home park ordinance meets the statutory requirements of three bills that were passed by the state.

Mahalick stated that the same standards should be required in manufactured home parks, and you should be able to walk the same sidewalk throughout. Carter asked, is the question of public vs. private streets only related to manufactured home parks? Garlington stated that Council did not accept the idea of having streets be private in instances where they do not provide connectivity.

Carter asked, is any private development in city limits subject to the Comprehensive Plan? Berezowsky stated that the Comprehensive Plan applies to the city. Carter stated that we need a major upgrade of the Comprehensive Plan because it has little to do with streets; and, street standards should be similar throughout the city.

Carter asked if the City receives requests for maintenance of private streets, and Garlington confirmed that the City gets calls when it snows, and the City does not plow private streets but will help in an emergency. Berezowsky stated that communities with private streets need to demonstrate funding for maintenance. Wiseman stated that his private street was used as a cut through so the HOA added signs and a speedbump; they have money for maintenance; and, he thinks neighbors like it being private. Downer stated that she lives on a private loop and pays taxes for streets but does not benefit from it. Wiseman agreed with that part of it. Mahalick stated that she would prefer public streets for consistency. Berezowsky stated that he will make edits based on input from the Commission.

Berezowsky provided the Commission with an update on the status of proposed revisions to the Accessory Dwelling Unit code.

- b. Zoning Code Amendment - Commercial Space on Ground Floor in DMU (7/21/20) - Not discussed
- c. Criteria for Public and Private Streets (7/21/20) - Discussed under 4.a.
- d. Rules and Procedures (7/21/20) - Not discussed
- e. Transient Accommodations (10/6/20) - Not discussed

5. DIRECTOR'S REPORT –

Berezowsky reported that appeal hearings for the medically-assisted treatment clinic (MAT) ended last week, and now a LUPA case has been filed.

Carter suggested that item a, Manufactured Home (MFH) Parks - Conceptual Areas, and item c, Criteria for Public and Private Streets could be removed from unfinished business on the agenda, and the Commission concurred.

6. GOOD OF THE ORDER

7. ADJOURNMENT

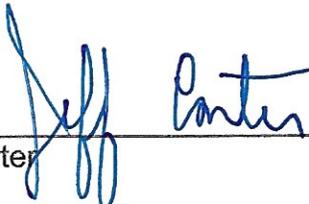
Motion to adjourn; moved by Downer and seconded by Wiseman.
Carried Unanimously.

Meeting adjourned at 7:49 pm.

Respectfully submitted,



Alisa Hasbrouck
Secretary to the Planning Commission



Jeff Carter
Chair

Minutes approved at a regular meeting on December 15, 2020.