

**CITY OF SEQUIM  
PLANNING COMMISSION MINUTES  
ONLINE MEETING  
MAY 18, 2021**

1. **CALL TO ORDER, PLEDGE OF ALLEGIANCE & ROLL CALL:**  
Commissioners: Butler, Carter, Coonts, Downer, Hall, Lowe & Mahalick.

Present: Karen Mahalick, Elizabeth Hall, Julianne Coonts, Kathy Downer, Jeff Carter, Dan Butler, Vicki Lowe  
Absent: None  
Excused: None

2. **APPROVAL OF MINUTES: May 4, 2021**

**MOTION** to approve 2. APPROVAL OF MINUTES: May 4, 2021 by Dan Butler; seconded by Kathy Downer. **Carried Unanimously.**

3. **NEW BUSINESS**

- a. **Building Code – Public Hearing**

Kathy opened hearing.

Tim gave an update of the key changes to the Building Code

IRC exemptions; removing \$1500 exemption and exempting window replacement and siding replacement on residential structures.

Expired building permit fees at different phases of construction.

Propane tanks of 120-gallon water capacity included for seismic strapping and seismic shut off.

Change of use permit fees for commercial projects. Fees based on Fair Market Value as sometimes calculating the fees from one occupancy to another creates a negative dollar amount and the fees get calculated per the Fair Market Value anyways.

Deleted “Fire alarm and detection systems” as the requirements for a Fire Alarm designer of record is outlined in the adopted code of the IFC and referenced standard NFPA 72.

Other changes include wordsmithing, and cohesiveness between SMC sections.

Julianne asked about section 15.04.025 and one story detached structures and that omitting what kind of structure it is just means that we are generalizing it to any structure less than 200square/feet. Tim confirmed that this is the case.

Jeff Carter asked Ann Hall if there was anything that she noticed that stood out or that she had any issues with. Ann stated that this is just a standard three year updating that needs to be done and that everything presented looks fine.

Karen asked for public comments - Anthony stated there were none.

Karen closed the public hearing.

**MOTION** to approve Move that the Planning Commission forward the proposed amendments revising SMC 15.04 along with Ancillary Code changes for City Council consideration. by Elizabeth Hall; seconded by Kathy Downer. **Carried Unanimously**.

b. **Proposed Temporary Uses Code – Public Hearing**

Karen re-opened the public hearing.

Tim, need to use property not in full compliance with the zone. Gave an example of a construction site and needing to setup an office in a zone that does not typically allow for this. Gives us the option to allow that.

Julianne asked about 18.68.020, applicability, food beverage carts, what is the difference between that and a food truck. Tim stated that the difference is in the vehicle itself because not all vehicles are classified as a food truck as defined in our code and this addresses specifically the land use involved.

Dan asked about the decision criteria section on how to engage neighbors and residents in an area that could be impacted by a temporary use. Tim stated that there is no public notice requirement, but we can limit hours of operation. Barry add that the SMC doesn't have hours of operation in the code so we defer to the state, dawn to dusk. Need to resolve it in the code scrub. This only relates to actual building construction activity not to site construction. Do get to condition it through SEPA.

Kathy asked about 18.68.030, garage sales exemption. Is this to not limit the number you can have in a year? Barry stated that garage sales are dealt with using the Special Event Permit process.

Ann had a follow up comment relating to the hours of operation condition. Stated that construction at some point could be considered "noise" and could be enforced as such.

Jeff is concerned about the logistics of monitoring activity related to this process. Why leave it to "may require a bond" instead of "will require a bond"? Tim stated that we are trusting the directors and staff of businesses to act accordingly. Bonding across the board for every case would not be practical. Karen asked what the enforcement tool is to remove a temporary use that goes beyond the permitted timeframe. Tim stated that the code has a provision for removal that will allow us to issue fines to ensure that they do not stay longer than intended. Barry stated that it wouldn't be difficult to make the bond necessary for all temporary uses if that is the direction we wanted to go in. Tim

added that not every instance is the same and that he doesn't believe bondage is necessary for all.

Karen asked for public comments - Anthony stated that there were none.

Kathy asked Barry, while there is no permit required for protests and rallies does someone holding a free standing wooden sign in a parking spot need one? Barry replied that it's allowed, city cannot prevent people from peaceful assembly as long as they are not endangering someone. Can hold whatever sign and say whatever it says. Karen asked that this be tabled and addressed in the Good of the Order portion of the meeting.

**MOTION** to approve Move to approve, the proposed Temporary Uses code amendments to Chapter 18.68 SMC to City Council for consideration.; moved by Elizabeth Hall seconded by Julianne Coonts.

YES: Karen Mahalick, Elizabeth Hall, Julianne Coonts, Kathy Downer, Dan Butler, Vicki Lowe

NO: Jeff Carter

ABSTAIN: None

**The vote Passed.**

#### 4. UNFINISHED BUSINESS

- a. Transient Accommodations (10/6/20)

No update to be provided.

- b. Review Rules and Procedures (5/4/21)

Karen asked Sara if the Council has made any revisions to their rules and procedures that we could mirror. Sara stated that there have not been any revisions but that they will be discussing it at their next Council Meeting.

Jeff asked Sara if they adopted Robert's Rules of Order. Sara confirmed that the Council did adopt Robert's Rules. She recommended that the commission can use certain portions for small boards.

#### 5. DIRECTOR'S REPORT

Barry stated that he did not have much to report. Building permit activity is up - with builders wanting to get plans in before codes are updated.

#### 6. GOOD OF THE ORDER

Kathy stated she was satisfied with Barry's response about people with signs and protesting as long as nobody is getting hurt.

Julianne asked if someone has free standing wooden sign in a parking spot on a public street - that's ok? Barry stated that wouldn't be ok. Blocking off a parking stall would require the necessary permitting to do so.

Ann asked about any ordinances about cargo/shipping containers. Barry stated that they are prohibited in residential zones, but that our code isn't super clear about commercial zones. They shouldn't be visible from the street, and if they are must meet design standards. This is something he'd like to see shored up in the code. Jeff asked if Ann wanted to see this added to "Unfinished Business" and Ann said she does not.

## 7. ADJOURNMENT

**MOTION** to approve 7. ADJOURNMENT by Kathy Downer; seconded by Dan Butler.  
**Carried Unanimously.**

Respectfully submitted,

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Travis Simmons, Chair Secretary

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Karen Mahalick, Vice Chair

Minutes approved at a regular Planning Commission meeting held on 6/1/2021.