



152 W. Cedar Street, Sequim, WA 98382  
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**DECISION & ORDER**  
**CITY OF SEQUIM CITY COUNCIL**  
**FOR**  
**LAVENDER MEADOWS PRELIMINARY MAJOR BINDING SITE PLAN**  
**JANUARY 13, 2020**  
**BSP 19-002**

**PROPERTY OWNER/APPLICANT:** Mary Booth FLP, P.O. Box 622, Carlsborg, WA 98324

**PROJECT LEAD:** Levi Holmes, The JWJ Group, 3599 NW Carlton St., Suite 201, Silverdale, WA 98383.

**PLANNER:** Tim Woolett, Senior Planner

**PROJECT DESCRIPTION:** A proposed preliminary Major Binding Site Plan application to develop a 217-unit manufactured home park in three phases on approximately 38.3 acres of "Single Family Residential" (R 4-8) zoned property. As proposed, Phase 1 will be 82 units, Phase 2 will be 71 units, and Phase 3 will be 64 units. The proposal includes an internal private road system built to adopted city road standards, with one point of access to Port Williams Road and two points of access to N. Sequim Avenue.

**PROPERTY LOCATION:** The 38.3-acre subject property is currently configured as two lots located adjacent to the south side of Port Williams Road and east side of N. Sequim Avenue, described as Parcel A and Parcel B of Volume 68, Page 61 of Surveys, Clallam County Auditor's File No. 2009-1239079; identified as Assessor's Parcel Nos. 033017-320070, and 033017-330010.

**DATE OF HEARING / DECISION:** Public Hearing closed November 25, 2019 and the matter was continued to December 9, 2019.

**SUMMARY OF DECISION:** Approval of the Lavender Meadows Preliminary Major Binding Site Plan as recommended by the Planning Commission.

**FINDINGS:**

**Finding #1:** The City Council held an open record public hearing on November 25, 2019 where the City Council heard staff's presentation, (including the Planning Commissions recommendation of approval), remarks from the applicant, testimony from the public, and the City Engineer. The City Council closed the public hearing, where it was moved and seconded to continue discussion to the next regularly scheduled city council meeting. The motion carried and the discussion on the matter was scheduled for the December 9 2019 City Council meeting.

Finding #2: The following special studies have been completed in support of the subject preliminary binding site plan proposal, and all associated email and other written correspondence, are hereby incorporated into the project record by reference.

- Geotechnical Report prepared by the Riley Group, Inc. dated April 30, 2019.
- Preliminary Storm Drainage Report prepared by Apex Engineering PLLC, dated May 29, 2019.
- Traffic Impact Analysis prepared by Heath & Associates, Inc. dated June 2019.
- Irrigation Ditch Research Discussion, prepared by Ecological Land Services, dated September 3, 2019.
- Mitigated Determination of Non-Significance that was issued on September 30, 2019.

Finding #3: The project was duly noticed, per the Sequim Municipal Code (SMC) by posting the property, publishing in the Peninsula Daily News, and mailing notice to property owners within 300 feet of the project area.

Finding #4: The project is located in the "Single Family Residential" (R 4-8) zone, which is consistent with the Comprehensive Plan's "Single Family Residential" (SFR) designation for the site.

Finding #5: Zoning in the vicinity of the subject property consists of residential zoned lots in both incorporated and unincorporated areas and is surrounded primarily by single family residential uses with limited commercial uses at a neighborhood scale situated around the intersection of N. Sequim Avenue and Port Williams Road.

Finding #6: The project, as designed, meets the City's Zoning, Land Use, Density and Development Standards contained in SMC 18.20.050 and SMC 18.62.040 B.

Finding #7: As proposed, the overall residential density will be approximately 5.67 units per gross acre which is within the nine (9) units per gross acre allowed under SMC 18.62.040 B.1., the Manufactured Home Park standards for density.

Finding #8: The proposal includes plans to build or bond the construction of all required infrastructure, including, but not limited to frontage improvements along N. Sequim Avenue and Port Williams Road, interior streets, storm drainage, sanitary sewer and water lines, and the project has provided for the necessary utility easements and the dedication of streets and other infrastructure to the City upon recording the final binding site plan.

Finding #9: The project was subject to review under the State Environmental Policy Act (SEPA) and was issued a Mitigated Determination of Non-significance (MDNS) on September 30, 2019.

Finding #10: The project is consistent with the City of Sequim Comprehensive Plan policies, including:

- **LU Goal 3.1** - The project is consistent with the City's Future Land Use Map (FLUM).
- **H Gaol 6.1** - Increase the number of housing options and opportunities to meet the needs of a diverse, growing community.
- **H Policy 6.1.1** - Promote a variety of housing types to serve all segments of the population.
- **H Policy 6.2.2** - Allow new manufactured homes, under the same regulation applied to site built housing, on lots in residential zoning districts.

- **TR Policy 4.4.3 and LU Policy 3.4.5** - The project will be served by streets that meet the City's street standards providing good sidewalks to promote walking as an alternative transportation mode and help to enhance neighborhood friendliness, safety and visual qualities.
- **CFU Policy 5.1.3** - The site construction permit review process will ensure the projects infrastructure is built to uniform industry standards.
- **CFU Goal 5.3** – The development review process will ensure that impact fees for transportation and parks will be paid to help the City maintain its identified Level of Service (LOS) for its transportation and park network and facilities.

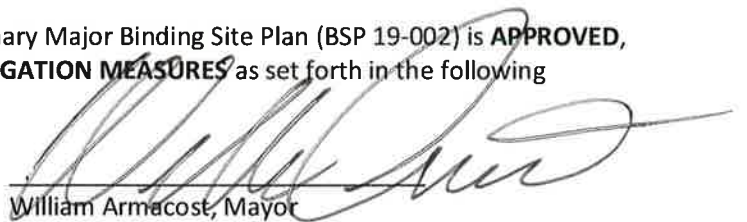
**CONCLUSIONS:**

- **Conclusion #1:** As conditioned, the Lavender Meadows Preliminary Major Binding Site Plan meets the requirements of SMC Chapter 18 (Zoning), including bulk and dimensional requirements. Setbacks, lot coverage, building height, and other bulk and dimensional requirements will be further reviewed at the time of individual building permit applications for future manufactured home placement.
- **Conclusion #2:** Potential environmental impacts have been adequately mitigated through the applicable provisions of the Sequim Municipal Code and the Conditions imposed by the MDNS issued September 30, 2019.
- **Conclusion #3:** The Lavender Meadows Preliminary Major Binding Site Plan, as conditioned, meets the approval requirements of SMC 17.24.090 (Binding Site Plan design regulations), and SMC 18.62.040 (Manufactured Home park uses and standards).
- **Conclusion #4:** The Lavender Meadows Preliminary Major Binding Site Plan, as conditioned, is consistent with the City's Comprehensive Land Use Plan; **THEREFORE,**

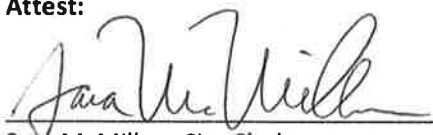
**DECISION & ORDER**

The application for the Lavender Meadows Preliminary Major Binding Site Plan (BSP 19-002) is **APPROVED**, subject to the **CONDITIONS OF APPROVAL** and **MITIGATION MEASURES** as set forth in the following attachment.

**SO ORDERED**, this 15 day of January, 2020.

  
 William Armacost, Mayor

**Attest:**

  
 Sara McMillon, City Clerk

**Approved as to form:**

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 Kristina Nelson-Gross, City Attorney

**LAVENDER MEADOWS PRELIMINARY MAJOR BINDING SITE PLAN**  
**FILE NO. BSP 19-002**  
**SEPA MITIGATION AND CONDITIONS OF APPROVAL**

- WATER QUALITY

All site construction shall be conducted in compliance with the 2012 WSDOE Stormwater Manual for Western Washington, as amended in 2014.

Erosion control measures must be in place prior to any clearing, grading, or construction (*ref. Public Works Department conditions for Site Construction Permit*). These control measures must be effective to prevent stormwater runoff from carrying soil and other pollutants into surface water or storm drains that lead to waters of the state. Sand, silt, clay particles, and soil will damage aquatic habitat and are considered to be pollutants. Any discharge of sediment-laden runoff or other pollutants to waters of the state is in violation of Chapter 90.48 RCW, Water Pollution Control, and WAC 173-201A, Water Quality Standards for Surface Waters of the State of Washington and is subject to enforcement action.

The following construction activities require coverage under the Construction Stormwater General Permit:

1. Clearing, grading and/or excavation that results in the disturbance of one or more acres and discharges stormwater to surface waters of the State; and
2. Clearing, grading and/or excavation on sites smaller than one acre that are part of a larger common plan of development or sale, if the common plan of development or sale will ultimately disturb one acre or more and discharge stormwater to surface waters of the State. This includes forest practices (including, but not limited to, class IV conversions) that are part of a construction activity that will result in the disturbance of one or more acres, and discharge to surface waters of the State; and
3. Any site construction activity discharging stormwater to waters of the State that Ecology:
  - a) Determines to be a significant contributor of pollutants to waters of the State of Washington.
  - b) Reasonably expects to cause a violation of any water quality standard.

If contamination is suspected, discovered, or occurs during the proposed SEPA action, testing of the potentially contaminated media must be conducted. If contamination of soil or groundwater is readily apparent, or is revealed by testing, The State Department of Ecology must be notified. Contact the Environmental Report Tracking System Coordinator for the Southwest Regional Office (SWRO) at (360) 407-6300. For assistance and information about subsequent cleanup and to identify the type of testing that will be required, contact Matthew Morris with the SWRO, Toxics Cleanup Program at (360) 407-7529.

If there are known soil/ground water contaminants present on-site, additional information (including, but not limited to: temporary erosion and sediment control plans; stormwater pollution prevention plan; list of known contaminants with concentrations and depths found; a site map depicting the sample location(s); and additional studies/reports regarding contaminant(s)) will be required to be submitted.

You may apply online or obtain an application from Ecology's website at:

<http://www.ecy.wa.gov/programs/wq/stormwater/construction/> - Application. Construction site operators must apply for a permit at least 60 days prior to discharging stormwater from construction activities and must submit it on or before the date of the first public notice.

Throughout the development of this project, secondary containment measures shall be in place at all times in order to prevent accidental releases or spills of toxic or hazardous substances into the environment. All secondary containment practices shall meet or surpass the secondary containment practices outlined in the Washington State Department of Transportation Hazardous Materials Programs' Secondary Containment Guidelines, August 2011 (<https://wsdot.wa.gov/sites/default/files/2017/07/05/Env-HazMat-SecondaryContainGuide.pdf>).

- AIR

Potential air impacts shall be mitigated by watering the site as necessary, utilizing dust suppression options and techniques described in the WA Department of Ecology publication # 96-433, 2016.

- ENVIRONMENTAL HEALTH-NOISE

To mitigate the potential for noise impacts to surrounding properties, construction activities through complete buildout of this proposed development shall be limited from 7:00 am to 7:00 pm Monday through Saturday.

- ANIMALS

It shall be the responsibility of the applicant to take all necessary steps to prevent the incidental taking of protected species under the Endangered Species Act through habitat modification or degradation during the life of the project or development authorized by this permit or approval. The applicant shall notify the City through its Department of Community Development Director or designee and the Federal Agencies with responsibility for enforcement of the Endangered Species Act immediately, in the event of damage or degradation to Endangered Species habitat by or from the project or the development subject to this permit or approval. In any such case, the applicant shall, at its sole cost and expense, take all action necessary to prevent the furtherance of the damage or degradation and to restore the habitat as required by the Federal, State, and local agencies with jurisdiction.

- HISTORICAL AND CULTURAL RESOURCES

In response to Washington Department of Archaeology & Historic Preservation (DAHP) and Jamestown S'Klallam Tribe comments, the proponent shall work with each agency in satisfying any

requirements for performing an archaeological survey. Should an archaeological survey, all activities shall adhere to the recommendations and requirements of the survey report.

While there are currently no known archaeological resources on this site, in the event archaeological artifacts are uncovered during construction, activity shall be halted immediately, and the State Historic Preservation Office and local Tribes shall be contacted. The applicant shall follow the applicable sections of the *Inadvertent Archaeological and Historic Resources Discovery Plan for Sequim, WA* (Copy available at the City of Sequim Department of Community Development).

- **TRANSPORTATION**

Clallam Transit has identified the need for a transit stop along the eastern portion of the northbound lane of Sequim Avenue and south of the intersection with Port Williams Road. Currently Clallam Transit System's Route 40 (Sequim Shuttle) serves this area nine times per day during weekdays and serves with Dial-a-ride on Saturdays. By adding a designated pullout, this can assist in traffic flow by allowing buses to get completely off the roadway, eliminate flag stops along this stretch of roadway, and provide customers a convenient access to transit services. Together with adding 217 households, the need for a transit stop would increase, creating the potential for an adverse transportation impact. To mitigate the potential for adverse impacts, the proponent shall work with the City of Sequim Public Works Department and Clallam Transit in the design and installation of the transit stop consisting of a bus pull out and provisions for a future passenger waiting shelter along the eastern portion of the northbound lane of N. Sequim Avenue and south of its intersection with Port Williams Road. This transit stop shall be a part of the proponent's street frontage requirements.

Prior to final binding site plan approval, the applicant shall submit final construction plans for review and approval by the City of Sequim Public Works Department. In accordance with SMC 17.20.040, the plan shall demonstrate to the satisfaction of the City Engineer, that curb, gutter, sidewalk, trail connections, transit stops, streets, storm drainage, sanitary sewer lines, water lines and other utilities as required, will be installed at the expense of the applicant and meet city specifications and applicable ordinances.

#### **DEPARTMENT OF COMMUNITY DEVELOPMENT CONDITIONS OF APPROVAL**

1. The approval of this binding site plan will expire within three years following approval unless a proposed final plan, in proper form, is submitted to the city planning department; provided, however, that an extension of time, not to exceed one year, may be granted by the city council upon the recommendation of the planning director. Only two such extensions may be granted. However, any extension of time may require additional review and additional conditions of approval, if in the determination of the city council such review or conditions are required [SMC 17.24.110].
2. The development of the site shall be in conformance with the revised preliminary Binding Site Plan drawings received October 25, 2019 (as conditioned, herein) and attached as [Exhibit 2], and the SEPA Mitigation conditions and conditions of binding site plan approval, and as approved by the Sequim City Council.



3. Development of the property must comply with SMC 18.20.050, or as subsequently amended, for setbacks, building lot coverage, and building height for manufactured home parks.
4. A final Binding Site Plan [map] must be approved by the City prior to recording. An electronic version of the final map shall be submitted to the City of Sequim DCD. The electronic version can be sent to the City in an AutoCAD file.
5. After recordation of the final map with the Clallam County Auditor, one reproducible copy of the recorded map shall be returned to the city clerk who shall retain the reproducible copy in the files of the department of community development.
6. The CC&Rs or equivalent document, if necessary, will be provided with the final BSP submittal for review by the City. The City's review and approval of the CC&Rs or equivalent document does not imply the City will assume any responsibility for enforcing private covenants between the lot owners nor maintaining any roads or other amenities not specifically dedicated to the City on the public's behalf.
7. The applicant will coordinate with the U.S. Postal service for the provision of mail boxes.
8. A final landscaping plan must be submitted with the final binding site plan application. The plan must address required street trees, right-of-way landscaping and any other areas in common ownership of the homeowners. The final landscape plan is subject to review and approval by the City's Department of Community Development and the Public Works Departments.
9. Reasonable landscaping will be provided at the site entrances, in public areas, and adjacent to N. Sequim Avenue and Port Williams Road. The type and amount of landscaping will be allowed to vary while maintaining consistency with the requirements of SMC 18.22.020.
10. Landscaping materials will be those which best serve the intended function and will be appropriate for the soil and other environmental conditions of the site. Drought-tolerant, low water plant materials will be encouraged.
11. It is the responsibility of the property owner to maintain all landscape areas consistent with the provisions of SMC 18.22.020(A)(3).
12. The applicants are required to work with the City of Sequim Public Works Department and Clallam Transit in the design and installation of the transit stop consisting of a bus pull out and provisions for a future passenger waiting shelter along the eastern portion of the northbound lane of N. Sequim Avenue and south of its intersection with Port Williams Road. This transit stop will be a part of the proponent's street frontage improvement requirements (*ref. Public Works Condition #9*).
13. All fire hydrants must satisfy the requirements of Clallam County Fire District #3.
14. Any future signage will require separate review by the Department of Community Development, at which time it will be reviewed for compliance with the city's sign regulations.

15. All mitigation measures in the Final MDNS are conditions for the Lavender Meadows final binding site plan.
16. Applicant must satisfy the requirements of agencies with jurisdiction as outlined in their respective comments provided in Exhibit 7 to this staff report.
17. Prior to final binding site plan approval, the applicant must comply with the Public Works (engineering) comments, as modified through the final plat submittal and construction site plan process as follows:

**PUBLIC WORKS DEPARTMENT CONDITIONS**

1. Streets E and F and Tracts G, H and S must have a 50' wide no-build zone shown on the face of the binding site plan for future possible connection to the adjoining properties to the north and south of the Lavender Meadows Binding Site Plan (BSP). Such no-build zone is for future possible street improvements deemed necessary by the Public Works Director to convert the streets to City ownership i.e. public streets. The no-build zone must be centered upon the centerline of the 40' wide manufactured home park street cross section and may overlap with the 10' utility easements. Manufactured home park street, sidewalk, landscaping and other minor appurtenances may be placed in the no-build zone but are subject to modification or removal upon formation or execution of a Local Improvement District (LID). In addition, as a condition of final binding site plan approval (or of the last phase for which final approval is sought), owner/applicant must sign and deliver to the City a no-protest LID agreement provided by the City that will be recorded with the Clallam County Auditor, at the owner/applicant's sole expense, and that will run with the land and be binding upon all successors, heirs, and assigns.
2. Utilities (water and sewer) shall be extended to the limits of the Binding Site Plan at Tracts G, H and S.
3. Dedicate additional right-of-way at the northwest property boundary near the roundabout at Sequim-Dungeness Way and Port Williams Road to accommodate proposed improvements.
4. Frontage Improvements – Half street improvements and right-of-way dedication will be required along the Sequim-Dungeness Way and Port Williams Road frontages to include travel lane, bike lane, curb, gutter, sidewalk, pedestrian-scale street lights and landscaping.
5. Street lighting design shall be submitted to the City of Sequim Planning and Public Works Departments and it shall be in conformance with examples identified in the City of Sequim Streetscape Manual. Street lighting shall include Dark-sky compliant, 12'- Nevada style pedestrian scale lights consistent with the City of Sequim standard street light are required along frontage improvements to Port Williams Road and Sequim-Dungeness Way.
6. Manufactured home park (internal) streets shall be illuminated per SMC 18.62.040B.14.
7. Manufactured home park streets shall be named and signed in accordance with SMC 18.62.040B.6.f.
8. Coordinate with Clallam County Transit for the design and installation by the developer of a bus pullout and stop along Sequim Avenue.
9. The development will be within ¾ miles of a fixed transit route. Clallam Transit uses this criterion to determine which developments will be served by paratransit (dial-a-ride). Small buses are used to



provide this service – construction drawings will be reviewed against Clallam Transit criteria such as adequate street width, “no-backup” design for buses and ADA-compliant driveway cuts and sidewalks

10. If the pavement depth including base and subbase is changed from the depths shown on the binding site plan, a civil or geotechnical engineer must submit pavement section adequacy analysis with the Site Construction Permit plans for review and approval.
11. Provide design and construction drawings for City potable water service consistent with Sequim’s adopted Water System Plan Water (capital facility plan) and utility standards per SMC 17.20.040(C) and 17.48.
12. Water mains are located 10 feet northerly or easterly of street centerline per the city development design standards.
13. Fire Hydrant locations and access shall be in accordance with Appendix C of the 2015 International Fire Code per SMC 17.48.040. Table C105.1 of the IFC specifies an average hydrant spacing of 500 feet (400 for dead end roads) and limits the maximum distance from any point on a street or road frontage to a hydrant to 200 feet for a dead-end road.
14. Provide a design and construction drawings for City sewer service consistent with Sequim’s adopted sewer System Plan and utility standards per SMC 17.20.040(C) and 17.48. Extensions must be built upon public streets or easements with sufficient maintenance access. Manholes are required at the terminus of sewer mains. The required minimum sewer main size is 8” diameter.
15. Sewer mains shall run parallel to and 5 feet southerly or westerly of street centerline where possible. The sewer main shall maintain a minimum 10-foot horizontal separation from the proposed or existing water mains.
16. Transportation Impact Fees, Parks Impact fees and Sewer and Water General Facilities charges will be collected at the time of building permit issuance for each unit per SMC 22.4.030 and 13.73.030. Fees for each unit shall be the fees in effect at building permit issuance time.
17. Construction drawings for a site development/right-of-way shall include plan and profile for utilities as well as for the roads.
18. An erosion control and stormwater pollution prevention plan shall be submitted prior to any on-site construction activity.
19. Developer shall, during construction, provide a Certified Erosion and Sediment Control Lead (CESCL) for the project, in conformance with Best Management Practice (BMP) C160 from the 2014 Stormwater Management Manual for Western Washington.
20. A permanent stormwater management plan shall be submitted with the construction drawings, in accordance with Sequim Municipal Code 13.108 to address the maintenance of all installed BMPs including Permeable Asphalt streets in accordance with the 2014 Stormwater Maintenance Manual for Western Washington.
21. The property owner is responsible for maintenance of the stormwater facilities serving the binding site plan.
22. A Construction General Stormwater permit will be required for this development.

23. Follow the requirements of Sequim's Inadvertent Discovery Plan (IDP) for the discovery of cultural, archaeological or historical artifacts.
24. City approval of detailed construction plans for the project and all public infrastructure is required for issuance of a Site Construction Permit. Plans must be signed and sealed by a professional registered engineer licensed in the State of Washington. All improvements shall meet or exceed the City of Sequim development regulations.
25. Construction hours and conditions shall be approved by the Public Works Department as a condition of Site Construction Permit issuance.
26. All materials to be permanently incorporated into the project components that are to be dedicated to the City require City approval.
27. The City or its Agent including but not limited to independent inspector and material tester shall have full access to the site during construction for the purpose of inspecting and testing to verify conformance to the approved Site Construction Plans, Specifications (current addition of WSDOT Standard Specifications), and City Standards. Inspections will be ongoing through the duration of the project. Testing frequencies will be at a minimum the frequency included in the Standard Specifications.
28. Upon completion of construction and prior to acceptance, the approved construction drawings shall be corrected to reflect "As-Built" conditions by the Engineer of Record and shall be returned to the City. The record drawing submittal shall include a PDF file on disk and the required signatures. For drawings created in electronic form, the submittal shall also include an AutoCAD file version 14.0 or higher of the "As-Built" drawings on disk. The file shall be in Washington State Plane (North Zone) coordinate system, NAD 83 datum, NAVD 88, in U.S. feet.
29. Cast iron or colonial red (Federal Color #20109) detectable warning plates must be installed at all ADA curb ramps.