

Next Ord: 1848-16  
Next Res: 943-16

VISION STATEMENT

SEDRO-WOOLLEY IS A FRIENDLY CITY THAT IS CHARACTERIZED BY CITY GOVERNMENT AND CITIZENS WORKING TOGETHER TO ACHIEVE A PROSPEROUS, VIBRANT AND SAFE COMMUNITY

MISSION STATEMENT

TO PROVIDE SERVICES AND OPPORTUNITIES WHICH CREATE A COMMUNITY WHERE PEOPLE CHOOSE TO LIVE, WORK AND PLAY

**CITY COUNCIL AGENDA**

**May 25, 2016**

**7:00 PM**

**Sedro-Woolley Municipal Building**

**Council Chambers**

**325 Metcalf Street**

1. Call to Order
2. Pledge of Allegiance
3. Consent Calendar.....4-46

NOTE: Agenda items on the Consent Calendar are considered routine in nature and may be adopted by the council by a single motion, unless any Councilmember wishes an item to be removed. The Council on the regular agenda will consider any item so removed after the Consent Calendar.

- a. Approval of Agenda
- b. Minutes from Previous Meeting
- c. Finance
  - Claim Checks #183833 to #183914 plus EFT's in the amount of \$268,780.88
  - Payroll Checks #58922 to #58933 plus EFT's in the amount of \$217,485.34
- d. Possible Contract Award – 2016 On-Call Drainage Ditch Mowing – Contract 2016-PW-19, Industrial Mowing & Spraying
- e. Amendment 1 to Professional Services Agreement No. 2015-PS-18 for WWTP Structure and Equipment Assessment – Brown & Caldwell, Inc.
- f. Sedro-Woolley Housing Authority Appointments – K.B. Johnson, Laurie Fellers, Kacy Johnson and Lee Elliott

4. Public Comment.....47

**PUBLIC HEARING**

**UNFINISHED BUSINESS**

5. 2015 Comprehensive Plan Docket Amendments (2<sup>nd</sup> reading).....48-329

**NEW BUSINESS**

**COMMITTEE REPORTS AND REPORTS FROM OFFICERS**

6. Written Reports to Council.....330-334

7.	Informational Items.....	335-343
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**EXECUTIVE SESSION**

*There may be an Executive Session immediately preceding, during or following the meeting.*

**Next Meeting:  
June 1, 2016 Council Worksession  
Public Safety Training Room  
7:00 PM**

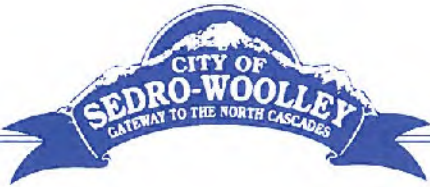


**COMMITTEE ASSIGNMENTS  
2016**

<b>Public Safety</b>	Chuck Owen, Chair Brenda Kinzer Germaine Kornegay
<b>Utilities</b>	Judith Dunn Lee, Chair Julia Johnson Brenda Kinzer
<b>Finance &amp; Personnel</b>	Rick Lemley, Chair Germaine Kornegay Judith Dunn Lee
<b>Parks &amp; Recreation</b>	Germaine Kornegay, Chair Brenda Kinzer Brett Sandström
<b>Planning</b>	Brett Sandström, Chair Rick Lemley Julia Johnson
<b>Business Development</b>	Julia Johnson, Chair Brett Sandström Chuck Owen
<b>Mayor Pro-tem</b>	Brenda Kinzer

MAY 25 2016

7:00 P.M. COUNCIL CHAMBERS  
AGENDA NO. 1-3



DATE: May 25, 2016  
TO: Mayor Wagoner and City Council  
FROM: Patsy Nelson, Finance Director  
SUBJECT: 1) CALL TO ORDER; 2) PLEDGE OF ALLEGIANCE; 3) CONSENT  
CALENDAR

1. CALL TO ORDER - The Mayor will call the May 25, 2016 Regular Meeting to Order. The Finance Director will note those in attendance and those absent.  
  
\_\_\_\_ Ward 1 Councilmember Judith Dunn Lee  
\_\_\_\_ Ward 2 Councilmember Germaine Kornegay  
\_\_\_\_ Ward 3 Councilmember Brenda Kinzer  
\_\_\_\_ Ward 4 Councilmember Julia Johnson  
\_\_\_\_ Ward 5 Councilmember Chuck Owen  
\_\_\_\_ Ward 6 Councilmember Rick Lemley  
\_\_\_\_ At-Large Councilmember Brett Sandström
2. PLEDGE OF ALLEGIANCE - The Mayor will lead the City Council and citizens in the Pledge of Allegiance to the United States of America.
3. CONSENT CALENDAR - Mayor will ask for Council approval of Consent Calendar items.

MAY 25 2016

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CITY OF SEDRO-WOOLLEY  
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7:00 P.M. COUNCIL CHAMBERS  
AGENDA NO. 36

Regular Meeting of the City Council  
May 11, 2016 – 7:00 P.M. – Council Chambers

ROLL CALL: Present: Mayor Keith Wagoner; Councilmembers: Germaine Kornegay, Brenda Kinzer, Julia Johnson, Chuck Owen, Rick Lemley and Brett Sandström. Staff: Recorder Bruc, Finance Director Nelson, City Supervisor/Attorney Berg, Public Works Director Freiburger, Planning Director Coleman, Fire Chief Klinger and Police Chief Tucker.

The meeting was called to order at 7:00 P.M. by Mayor Wagoner.

Pledge of Allegiance

Councilmember Kinzer moved to excuse Councilmember Dunn Lee due to illness. Seconded by Councilmember Johnson. Motion carried (6-0).

Consent Calendar

- Approval of Agenda
- Minutes from Previous Meeting
- Finance
  - Claim Checks #183749 to #183832 in the amount of \$857,405.57
  - Payroll Checks #58905 to #58921 plus EFT's in the amount of \$288,249.83
- Extension to Lease Agreement with Sedro-Woolley Youth Football & Cheer
- Ordinance 1846-16 - 2016 Budget Amendment #2
- Professional Services Agreement No. 2016-PS-17 for Construction Phase Materials Inspection and Testing Services for the Jameson Arterial Extension to SR9 Project – Materials Testing & Consulting Inc.
- Safe Routes to Schools Application – John Liner Road Bicycle/Pedestrian Improvements, Reed to Township.

Councilmember Kornegay moved to approve the consent calendar items A through G. Seconded by Councilmember Lemley. Motion carried (6-0).

Public Comment

Helge Andersson – 928 Beachley Rd., addressed a flyer circulating town that has become known as the Andersson Family flyer. He stated that not one of his family has had anything to do with the flyer and requested a correction to go into the record. He also felt he was owed an apology by city staff. He commented on Senator Kirk Pearson's efforts to upgrade the Sedro-Woolley Library and pointed out that no credit has been given to the Library on the City website for the summer reading program and again stated he does not support the Mayors proposal.



Dennis O'Neil – 109 Talcott St., addressed a letter to the editor in the paper addressing the lack of transparency. He noted the lack of awareness by the public of anything going on with the Library over the past few years and doesn't agree with the concept, citing nothing to protect the City employees and the lack of an appeal process. He also addressed funding of round a bouts, police officers, spray park and lawn tractors but nothing for the library. O'Neil compared the Library proposal as following the same line as Deluxe.

Gary Moody – 1035 Clifford Street, presented an analogy on the purchase of a car, payments and use, but once paid for, giving it away. He noted it sounds the same as the Library proposal which doesn't pan out to be giving away a fantastic library system.

Edith Holland – 1913 Seventh Street, stated she supports the library as is and wants to keep her money here in town and to be able to use the Library. She requested to please keep the Library here.

Melissa Macomber – 417 Spring Ln. stated she is a strong library supporter and encouraged continued negotiations. She compared the proposal to a marriage, both having different things to offer. She addressed having the opportunity to catch up with other counties within the state.

Reta Stephenson – 909 Alderwood Ln., noted she cares about the reputation of the city and its government. She addressed the lack of transparency and being a former employee is aware of budget restrictions however has watched over the years the Library being the last department to be funded. She noted old and young appreciate the Library and encouraged to keep it as a city service.

## **PUBLIC HEARING**

## **UNFINISHED BUSINESS**

### Proposed Adoption of Updates to the Shoreline Master Program

Planning Director Coleman recapped the proposed adoption of Updates to the Shoreline Master Program. He reported that Sedro-Woolley has one significant shoreline along the Skagit River at Riverfront Park. The document puts in place the goals and policies as required by the Department of Ecology.

Councilmember Lemley moved to approve Ordinance No. 1847-16 adopting the Sedro-Woolley Shoreline Master Plan. Seconded by Councilmember Johnson. Motion carried (6-0).

## **NEW BUSINESS**

### 2015 Comprehensive Plan Docket Amendments

Planning Director Coleman introduced the first read of the 2015 Comprehensive Plan Docket Amendments. He noted the Planning Commission has reviewed the document thoroughly. He



reviewed the updates, amendments and zoning maps. Coleman noted that the Transportation Element is completely new.

#### Possible Contract Award – Skagit Surveyors for Construction Surveying for the Jameson Project

Public Works Director Freiburger reviewed the late materials item. He noted it was a late item due to negotiations regarding the prevailing wage provisions required. The funds previously allocated are sufficient to cover the contract however, a budget amendment will be necessary. Freiburger also reported the preconstruction conference was held today. He noted that the staff recommendation is to award the contract.

Councilmember Komegay moved to authorize Mayor Wagoner to execute the attached professional Services Agreement No. 2016-PS-21 with Skagit Surveyors & Engineers of Sedro-Woolley, WA to provide engineering support services for the construction phase for the Jameson Arterial Extension to SR9 Project in the amount of \$85,238. Seconded by Councilmember Sandström. Motion carried (6-0).

#### Tesarik Field Advertising

Mayor Wagoner addressed the completion of the Tesarik Field by the Rotary Club. He spoke of past practices by Little League of having advertising signs around the fence as part of their fundraising efforts. He noted that the City has not allowed advertising in city parks. He has discussed the signage with all parties involved and has come up with a compromise of allowing signs of uniform size, uniform color and only up in during season. The limitations are to maintain the elegance of the field.

Council discussion ensued regarding the amount raised from the signage, removal of the signs and no opposition to color.

Councilmember Sandström moved to authorize limited advertising at Tesarik Field, using a black & white design theme and only during the Little League season. Seconded by Councilmember Owen. Motion carried (6-0).

### **COMMITTEE REPORTS AND REPORTS FROM OFFICERS**

#### Written Reports to Council

##### Informational Items

- Recent Library History

- Miscellaneous

Police Chief Tucker – reported the Department has had numerous people in training to include EVOC training, FTO training and Officer Cates has completed his defensive tactics master instructor certification. He reported on the Department Facebook page highlighting frequently asked questions. Tucker also reported on plans for the upcoming protests at refineries with extended coverage in central county east. He announced that Sgt. Harris will be filling in for

him at the next Council meeting as he will be attending WASPC. He then reported on an incident at Skagit State Bank.

Mayor Wagoner – thanked the Code Enforcement Officer for the work with the large moving van.

Fire Chief Klinger – reported on the completion of the hazmat and storage at Station 2. He also reported on assisting on a fire in Mount Vernon with the ladder truck and they are on call with Burlington for the ladder truck as theirs is down.

Planning Director Coleman – reported on the County urban growth expansion and follow up deliberation. He noted the deliberation will continue next Tuesday. Because of the conflict the Sedro-Woolley Planning Commission meeting for May will be cancelled.

Public Works Director Freiburger – reported on the preconstruction conference held on the Jameson Arterial Project. He stated the speed limit sign is to be installed prior to the start of the project as it is necessary for traffic control. He thanked Council for their approval of the surveying contract. Freiburger also reported on the upcoming preconstruction conference for Ferry Street and design continues on the shared use path at Hwy 20 to Hodgin.

Councilmember Kornegay – announced an upcoming celebration for Raise the Roof for veterans sponsored by the Blue Diamonds Skagit Leadership team at the Farmstrong Brewery on Sunday.

Councilmember Johnson – reminded everyone of the upcoming Blast from the Past the first weekend in June.

Councilmember Owen – questioned a motorhome on Township Street.

Councilmember Lemley – also announced the upcoming Blast from the Past events: motorcycle show on Saturday, car show on Sunday and the quilt show and events all weekend.

Councilmember Sandström – reported that the Loggerodeo committee is seeking volunteers.

Mayor Wagoner – addressed his openness for appointments.

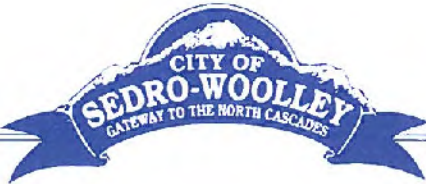
Councilmember Lemley moved to adjourn. Seconded by Councilmember Kornegay. Motion carried (6-0).

The meeting adjourned at 7:50 P.M.



MAY 25 2016

7:00 P.M. COUNCIL CHAMBERS  
AGENDA NO. 3c



DATE: May 25, 2016  
TO: Mayor Wagoner and City Council  
FROM: Patsy Nelson, Finance Director  
SUBJECT: FINANCE - CLAIMS

Attached you will find the Claim Checks register proposed for payment for the period ending May 25, 2016.

Motion to approve Claim Checks #183833 to #183914 plus EFT's in the amount of \$268,780.88.

Motion to approve Payroll Checks #58922 to #58933 plus EFT's in the amount of \$217,485.34.

If you have any comments, questions or concerns, please contact me for information during the working day at 855-1661. This will allow me to look up the invoices that are stored in our office.

# CHECK REGISTER

City Of Sedro-Woolley

Time: 16:36:58 Date: 05/19/2016

MCAG #: 0647

05/12/2016 To: 05/25/2016

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
3571	05/25/2016	Claims	2	EFT	US Bank -- Purchase Cards	4,757.67	
					001 - 513 10 43 000 - Meals/Travel	20.31	
					001 - 513 10 43 000 - Meals/Travel	17.96	
					001 - 513 10 43 000 - Meals/Travel	254.08	
					001 - 513 10 43 000 - Meals/Travel	18.61	
					001 - 513 10 43 000 - Meals/Travel	15.00	
					001 - 513 10 43 000 - Meals/Travel	34.19	
					001 - 513 10 49 000 - Tuition/Registration	150.00	
					001 - 517 90 49 001 - Employee Wellness (educ)	275.00	
					001 - 517 90 49 003 - Employee Wellness (supplies)	47.28	
					001 - 521 20 31 010 - Printing/Publications	14.98	
					001 - 521 20 32 000 - Auto Fuel	69.97	
					425 - 531 50 31 000 - Operating Supplies	-36.25	
					401 - 535 80 43 000 - Meals/Travel	66.71	
					401 - 535 80 43 000 - Meals/Travel	23.92	
					401 - 535 80 49 030 - Misc-Tuition/Registration	398.00	
					401 - 535 80 49 030 - Misc-Tuition/Registration	310.00	
					412 - 537 80 31 000 - Operating Supplies	101.75	
					105 - 572 20 31 010 - Supplies	143.18	
					105 - 572 20 42 010 - Postage	94.00	
					105 - 572 20 43 000 - Travel	16.00	
					101 - 576 80 35 000 - Small Tools & Minor Equip	150.31	
					001 - 594 18 64 001 - Network Hardware	220.41	
					001 - 594 21 64 000 - Machinery & Equipment	113.97	
					001 - 594 21 64 000 - Machinery & Equipment	499.99	
					501 - 594 21 64 501 - Vehicles - Police	49.25	
					501 - 594 21 64 501 - Vehicles - Police	49.25	
					001 - 594 58 64 000 - Office Equipment	43.35	
					105 - 594 72 64 000 - Books & Materials	88.62	
					105 - 594 72 64 000 - Books & Materials	199.33	
					105 - 594 72 64 000 - Books & Materials	55.07	
					101 - 594 76 31 000 - Buildings & Structures	118.05	
					101 - 594 76 31 000 - Buildings & Structures	-29.51	
					101 - 594 76 31 100 - Museum Apartment	1,139.20	
					001 - 595 10 31 000 - Supplies	14.98	
					001 - 595 10 43 000 - Travel	10.71	
3572	05/25/2016	Claims	2	EFT	WA State Dept Of Revenue	11,613.35	
					001 - 518 80 35 000 - Small Tools/Minor Equip	1.82	
					001 - 524 20 31 000 - Off/Oper Supps & Books	30.51	
					401 - 535 50 48 000 - Maintenance Contracts	105.18	
					401 - 535 80 44 010 - Taxes & Assessments	5,057.27	
					102 - 536 20 44 010 - Taxes And Assessments	347.04	
					412 - 537 80 44 001 - Taxes & Assessments	5,703.11	
					103 - 542 64 31 000 - Operating Supplies	249.24	
					105 - 572 20 34 000 - Summer Reading Program	6.45	
					105 - 572 20 44 010 - Taxes & Assessments	10.47	
					101 - 576 80 44 010 - Taxes And Assessments	66.23	
					001 - 594 18 64 001 - Network Hardware	22.10	
					105 - 594 72 64 000 - Books & Materials	13.93	
3573	05/25/2016	Claims	2	183833	ATV Signs	217.00	
					412 - 537 80 31 000 - Operating Supplies	217.00	
3574	05/25/2016	Claims	2	183834	American Fleet Main LLC	5,487.72	
					001 - 522 20 48 000 - Repairs/Maint-Equip	1,376.87	
					001 - 522 20 48 000 - Repairs/Maint-Equip	1,484.28	
					001 - 522 20 48 000 - Repairs/Maint-Equip	346.12	
					001 - 522 20 48 000 - Repairs/Maint-Equip	2,280.45	
3575	05/25/2016	Claims	2	183835	Aramark Uniform Services	36.54	
					401 - 535 80 49 000 - Laundry	8.23	



# CHECK REGISTER

City Of Sedro-Woolley  
MCAG #: 0647

05/12/2016 To: 05/25/2016

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
					401 - 535 80 49 000 - Laundry	11.67	
					102 - 536 20 49 030 - Misc-laundry	0.40	
					102 - 536 20 49 030 - Misc-laundry	0.40	
					103 - 542 30 49 000 - Misc-Laundry	7.92	
					103 - 542 30 49 000 - Misc-Laundry	7.92	
<b>3576</b>	<b>05/25/2016</b>	<b>Claims</b>	<b>2</b>	<b>183836</b>	<b>Assoc Petroleum Products</b>	<b>4,719.83</b>	
					001 - 521 20 32 000 - Auto Fuel	1,096.87	
					001 - 522 20 32 000 - Auto Fuel/Diesel	500.07	
					425 - 531 50 32 000 - Vehicle Fuel	68.60	
					401 - 535 80 32 000 - Auto Fuel/Diesel	146.12	
					102 - 536 20 32 000 - Auto Fuel/Diesel	72.31	
					412 - 537 80 32 000 - Auto Fuel/Diesel	1,059.15	
					412 - 537 80 32 000 - Auto Fuel/Diesel	667.38	
					412 - 537 80 32 000 - Auto Fuel/Diesel	272.04	
					103 - 542 30 32 000 - Auto Fuel/Diesel	57.45	
					103 - 542 30 32 000 - Auto Fuel/Diesel	127.86	
					103 - 542 30 32 000 - Auto Fuel/Diesel	38.73	
					101 - 576 80 32 000 - Auto Fuel/Diesel	486.80	
					101 - 576 80 32 000 - Auto Fuel/Diesel	126.45	
<b>3577</b>	<b>05/25/2016</b>	<b>Claims</b>	<b>2</b>	<b>183837</b>	<b>Association Of WA Cities</b>	<b>3,421.38</b>	
					001 - 521 20 27 000 - Retired Medical	3,421.38	
<b>3578</b>	<b>05/25/2016</b>	<b>Claims</b>	<b>2</b>	<b>183838</b>	<b>Baker Lake Quarry</b>	<b>2,144.92</b>	
					412 - 594 37 61 000 - Other Improvements	2,144.92	
<b>3579</b>	<b>05/25/2016</b>	<b>Claims</b>	<b>2</b>	<b>183839</b>	<b>Berg Vault Company</b>	<b>1,770.00</b>	
					102 - 536 20 34 000 - Liners	1,770.00	
<b>3580</b>	<b>05/25/2016</b>	<b>Claims</b>	<b>2</b>	<b>183840</b>	<b>Bioscience Inc</b>	<b>1,150.00</b>	
					401 - 535 50 48 010 - Maintenance Of Lines	1,150.00	
<b>3581</b>	<b>05/25/2016</b>	<b>Claims</b>	<b>2</b>	<b>183841</b>	<b>Birch Equipment Co Inc</b>	<b>413.66</b>	
					425 - 531 50 45 000 - Rental Equipment	413.66	
<b>3582</b>	<b>05/25/2016</b>	<b>Claims</b>	<b>2</b>	<b>183842</b>	<b>Blumenthal Uniform &amp; Equip</b>	<b>92.29</b>	
					001 - 521 20 26 000 - Uniforms/Accessories	92.29	
<b>3583</b>	<b>05/25/2016</b>	<b>Claims</b>	<b>2</b>	<b>183843</b>	<b>Brat Wear</b>	<b>1,379.58</b>	
					001 - 521 20 26 000 - Uniforms/Accessories	1,379.58	
<b>3584</b>	<b>05/25/2016</b>	<b>Claims</b>	<b>2</b>	<b>183844</b>	<b>Capital One Commercial</b>	<b>784.52</b>	
					001 - 517 90 49 003 - Employee Wellness (supplies)	334.82	
					001 - 522 20 31 000 - Operating Supplies	449.70	
<b>3585</b>	<b>05/25/2016</b>	<b>Claims</b>	<b>2</b>	<b>183845</b>	<b>Cascade Natural Gas Corp</b>	<b>781.85</b>	
					001 - 521 20 47 000 - Public Utilities	17.35	
					001 - 522 50 47 000 - Public Utilities	47.74	
					401 - 535 80 47 000 - Public Utilities	70.63	
					412 - 537 80 47 000 - Public Utilities	98.37	
					103 - 542 63 47 000 - Public Utilities	10.60	
					103 - 542 63 47 000 - Public Utilities	4.19	
					105 - 572 20 47 000 - Public Utilities	29.16	
					101 - 576 80 47 010 - Community Center	51.96	
					101 - 576 80 47 020 - Senior Center	100.90	
					101 - 576 80 47 050 - Hammer Square	15.67	
					101 - 576 80 47 052 - Bingham Caretaker	9.79	
					101 - 576 80 47 052 - Bingham Caretaker	43.51	
					101 - 576 80 47 070 - City Hall	281.98	
<b>3586</b>	<b>05/25/2016</b>	<b>Claims</b>	<b>2</b>	<b>183846</b>	<b>Jed Cates</b>	<b>65.09</b>	
					001 - 521 20 26 000 - Uniforms/Accessories	65.09	
<b>3587</b>	<b>05/25/2016</b>	<b>Claims</b>	<b>2</b>	<b>183847</b>	<b>Cities Insurance Assoc</b>	<b>399.62</b>	

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City Of Sedro-Woolley

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
			001 - 521 20 46 000 - Insurance			399.62	
3588	05/25/2016	Claims	2	183848	Comcast	151.12	
			001 - 518 80 42 021 - Internet Services			151.12	
3589	05/25/2016	Claims	2	183849	Crystal Springs	19.51	
			401 - 535 80 31 010 - Operating Supplies			19.51	
3590	05/25/2016	Claims	2	183850	Dwayne Lane's North Cascade Ford	577.26	
			001 - 521 20 48 010 - Repair & Maint - Auto			52.11	
			001 - 521 20 48 010 - Repair & Maint - Auto			525.15	
3591	05/25/2016	Claims	2	183851	E & E Lumber	1,927.04	
			401 - 535 80 31 010 - Operating Supplies			9.17	
			401 - 535 80 31 010 - Operating Supplies			32.09	
			401 - 535 80 31 010 - Operating Supplies			18.66	
			103 - 542 64 31 001 - Painting & Striping Supplies			130.05	
			101 - 576 80 31 000 - Operating Sup - Tesarik Park			144.73	
			101 - 576 80 31 000 - Operating Sup - Tesarik Park			136.56	
			101 - 576 80 35 000 - Small Tools & Minor Equip			71.38	
			101 - 576 80 35 000 - Small Tools & Minor Equip			42.79	
			101 - 576 80 35 000 - Small Tools & Minor Equip			108.40	
			101 - 576 80 48 006 - Memorial Park			62.21	
			101 - 594 76 31 100 - Museum Apartment			1,171.00	
3592	05/25/2016	Claims	2	183852	Daniel Eddy	104.70	
			001 - 521 20 26 000 - Uniforms/Accessories			77.25	
			001 - 594 21 64 000 - Machinery & Equipment			27.45	
3593	05/25/2016	Claims	2	183853	Edge Analytical Inc	139.00	
			401 - 535 80 41 000 - Professional Services			139.00	
3594	05/25/2016	Claims	2	183854	Fastenal Company	71.06	
			412 - 537 80 31 000 - Operating Supplies			71.06	
3595	05/25/2016	Claims	2	183855	Federal Express Corp	33.24	
			104 - 595 10 63 040 - Eng-SR9 Jameson			33.24	
3596	05/25/2016	Claims	2	183856	Frontier Building Supply	9,230.36	
			103 - 542 64 31 001 - Painting & Striping Supplies			6,886.76	
			103 - 542 64 31 001 - Painting & Striping Supplies			2,343.60	
3597	05/25/2016	Claims	2	183857	Frontier	657.54	
			001 - 512 50 42 020 - Telephone			37.56	
			001 - 513 10 42 020 - Telephone			56.34	
			001 - 514 23 42 020 - Telephone			56.34	
			001 - 515 30 42 001 - Telephone			25.04	
			001 - 518 80 42 020 - Telephone			18.78	
			001 - 521 20 42 020 - Telephone			188.04	
			001 - 522 20 42 020 - Telephone			68.86	
			001 - 524 20 42 020 - Telephone			18.78	
			401 - 535 80 42 020 - Telephone			50.08	
			412 - 537 80 42 020 - Telephone			25.04	
			103 - 542 30 42 020 - Telephone			6.26	
			001 - 558 60 42 020 - Telephone			18.78	
			105 - 572 20 42 020 - Telephone			31.30	
			101 - 576 80 42 020 - Telephone			12.52	
			001 - 595 10 42 020 - Telephone			43.82	
3598	05/25/2016	Claims	2	183858	Great America Financial Sves	125.69	
			105 - 572 20 48 020 - Repair/Maintenance-Equip			125.69	
3599	05/25/2016	Claims	2	183859	HB Jaeger Co LLC	49.82	



# CHECK REGISTER

City Of Sedro-Woolley  
MCAG #: 0647

05/12/2016 To: 05/25/2016

Time: 16:36:58 Date: 05/19/2016

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
			425 - 531 50 31 000		Operating Supplies	49.82	
3600	05/25/2016	Claims	2	183860	Jason Harris	39.89	
			001 - 521 20 26 000		Uniforms/Accessories	39.89	
3601	05/25/2016	Claims	2	183861	Patrick Hayden	3,000.00	
			001 - 515 30 41 001		Prosecuting Attorney	3,000.00	
3602	05/25/2016	Claims	2	183862	Ingram Library Services	401.89	
			105 - 594 72 64 000		Books & Materials	401.89	
3603	05/25/2016	Claims	2	183863	J & K Associates	10,893.10	
			103 - 542 30 48 010		Repair/Maintenance-Equip	830.81	
			501 - 594 42 64 000		Equip & Vehicles - Streets	10,062.29	
3604	05/25/2016	Claims	2	183864	KCDA Purchasing Cooperative	317.95	
			001 - 514 23 31 000		Supplies	317.95	
3605	05/25/2016	Claims	2	183865	LN Curtis & Sons	527.31	
			001 - 521 20 26 000		Uniforms/Accessories	527.31	
3606	05/25/2016	Claims	2	183866	Lakeside Industries	396.82	
			103 - 542 30 48 003		Asphalt Materials	396.82	
3607	05/25/2016	Claims	2	183867	Rhonda Lasley	164.10	
			001 - 521 20 26 000		Uniforms/Accessories	44.15	
			001 - 521 20 26 000		Uniforms/Accessories	119.95	
3608	05/25/2016	Claims	2	183868	Lochner	65,550.06	
			104 - 595 10 63 010		Eng Fruitdale	63,067.71	
			104 - 595 10 63 040		Eng-SR9 Jameson	2,482.35	
3609	05/25/2016	Claims	2	183869	Loggers And Contractors	1,005.71	
			425 - 531 50 31 000		Operating Supplies	868.35	
			103 - 542 30 31 000		Operating Supplies	137.36	
3610	05/25/2016	Claims	2	183870	Lynn Peavey Company	189.01	
			001 - 521 20 31 002		Office/Operating Supplies	10.31	
			001 - 521 20 31 002		Office/Operating Supplies	165.95	
			001 - 521 20 31 002		Office/Operating Supplies	12.75	
3611	05/25/2016	Claims	2	183871	Martin Marietta Materials	2,418.76	
			103 - 542 30 48 002		Crushed Aggregate	531.61	
			103 - 542 30 48 002		Crushed Aggregate	273.09	
			103 - 542 30 48 002		Crushed Aggregate	1,614.06	
3612	05/25/2016	Claims	2	183872	William R McCann	3,500.00	
			001 - 515 93 41 000		Indigent Defender	3,500.00	
3613	05/25/2016	Claims	2	183873	Dan McIlrath	65.07	
			001 - 521 20 26 000		Uniforms/Accessories	65.07	
3614	05/25/2016	Claims	2	183874	Menke Jackson Beyer, LLP	480.18	
			001 - 513 10 41 001		Professional Services	255.00	
			001 - 515 30 41 000		Professional Services	225.18	
3615	05/25/2016	Claims	2	183875	Motor Trucks Inc	215.32	
			001 - 522 20 48 000		Repairs/Maint-Equip	176.55	
			001 - 522 20 48 000		Repairs/Maint-Equip	38.77	
3616	05/25/2016	Claims	2	183876	Nelson Petroleum	199.69	
			001 - 522 20 48 000		Repairs/Maint-Equip	130.25	
			001 - 522 20 48 000		Repairs/Maint-Equip	69.44	
3617	05/25/2016	Claims	2	183877	Office Depot	88.28	
			001 - 524 20 31 000		Off/Oper Supps & Books	5.87	

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			001 - 524 20 31 000		Off/Oper Supps & Books	15.40	
			001 - 558 60 31 000		Supplies/Books	5.87	
			001 - 558 60 31 000		Supplies/Books	8.11	
			001 - 595 10 31 000		Supplies	5.88	
			001 - 595 10 31 000		Supplies	8.11	
			104 - 595 10 63 033		Eng-Ferry/Township Overlay	19.52	
			104 - 595 10 63 040		Eng-SR9 Jameson	19.52	
3618	05/25/2016	Claims	2	183878	Old Timer's Inn Inc.	5,858.12	
			001 - 316 81 00 000		Gambling Tax	-5,858.12	
3619	05/25/2016	Claims	2	183879	Pacific Power Batteries	315.03	
			001 - 518 20 48 000		Repair & Maintenance	315.03	
3620	05/25/2016	Claims	2	183880	Pape Machinery	2,186.71	
			412 - 537 80 45 000		Equipment Rental	1,572.71	
			103 - 542 30 48 010		Repair/Maintenance-Equip	273.03	
			103 - 542 30 48 010		Repair/Maintenance-Equip	340.97	
3621	05/25/2016	Claims	2	183881	Pat Rimmer Tire Ctr Inc	389.84	
			101 - 576 80 48 021		Equipment	291.54	
			101 - 576 80 48 021		Equipment	33.66	
			102 - 597 00 02 102		Fleet M&O	64.64	
3622	05/25/2016	Claims	2	183882	PeaceHealth Laboratories	80.00	
			001 - 523 60 51 000		Prisoners	40.00	
			001 - 523 60 51 000		Prisoners	40.00	
3623	05/25/2016	Claims	2	183883	People En Espanol	23.88	
			105 - 594 72 64 000		Books & Materials	23.88	
3624	05/25/2016	Claims	2	183884	Point Blank Enterprises, Inc.	4,226.85	
			001 - 521 20 26 020		Balistic Vests	4,226.85	
3625	05/25/2016	Claims	2	183885	Public Utility Dis No1	1,845.52	
			001 - 521 20 47 000		Public Utilities	26.07	
			401 - 535 80 47 000		Public Utilities	269.26	
			102 - 536 20 47 000		Public Utilities	38.58	
			412 - 537 80 47 000		Public Utilities	58.80	
			103 - 542 63 47 000		Public Utilities	62.96	
			105 - 572 20 47 000		Public Utilities	42.74	
			101 - 576 80 47 000		Riverfront	310.13	
			101 - 576 80 47 010		Community Center	75.73	
			101 - 576 80 47 020		Senior Center	352.99	
			101 - 576 80 47 040		Train	51.95	
			101 - 576 80 47 050		Hammer Square	50.45	
			101 - 576 80 47 051		Bingham / Memorial	175.54	
			101 - 576 80 47 053		Other Utilities	75.47	
			101 - 576 80 47 070		City Hall	254.85	
3626	05/25/2016	Claims	2	183886	Reminisce	15.00	
			105 - 594 72 64 000		Books & Materials	15.00	
3627	05/25/2016	Claims	2	183887	SCADA & Controls Engineering Inc	600.00	
			401 - 535 80 41 000		Professional Services	600.00	
3628	05/25/2016	Claims	2	183888	Sedro-Woolley Auto Parts	1,007.94	
			001 - 522 20 31 000		Operating Supplies	8.66	
			001 - 522 20 35 000		Small Tools & Minor Equip	297.59	
			401 - 535 50 48 040		Maintenance Of Vehicles	8.38	
			401 - 535 50 48 040		Maintenance Of Vehicles	8.38	
			102 - 536 20 31 010		Operating Supplies	9.16	
			412 - 537 50 48 000		Repairs/maint-equip	28.94	



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					412 - 537 50 48 000 - Repairs/maint-equip	65.09	
					412 - 537 50 48 000 - Repairs/maint-equip	10.84	
					412 - 537 50 48 000 - Repairs/maint-equip	6.31	
					412 - 537 80 31 000 - Operating Supplies	3.82	
					412 - 537 80 31 000 - Operating Supplies	151.90	
					103 - 542 30 31 000 - Operating Supplies	36.13	
					103 - 542 30 48 010 - Repair/Maintenance-Equip	171.85	
					103 - 542 30 48 010 - Repair/Maintenance-Equip	194.97	
					101 - 576 80 48 021 - Equipment	5.92	
3629	05/25/2016	Claims	2	183889	Sk. County Planning & Dev. Svc.	397.69	
					101 - 576 80 48 014 - Winnie Houser Park	397.69	
3630	05/25/2016	Claims	2	183890	Skagit Co Public Works	721.77	
					103 - 542 64 31 003 - Temporary Devises TCCD	721.77	
3631	05/25/2016	Claims	2	183891	Skagit County Auditor	759.00	
					401 - 535 80 49 040 - Misc-Filing Fees/Lien Exp	379.50	
					412 - 537 80 49 020 - Misc-Filing Fees/Lien Exp	379.50	
3632	05/25/2016	Claims	2	183892	Skagit County Sheriff Office	70,088.08	
					001 - 523 60 51 021 - Jail Annual Payment In Lieu C	70,088.08	
3633	05/25/2016	Claims	2	183893	Skagit Farmers Supply	222.40	
					103 - 542 30 31 020 - Operating Supplies - Herbicid	222.40	
3634	05/25/2016	Claims	2	183894	Skagit Hydraulics Inc	567.63	
					412 - 537 50 48 000 - Repairs/maint-equip	567.63	
3635	05/25/2016	Claims	2	183895	Skagit Law Group, PLLC	360.00	
					425 - 531 50 31 000 - Operating Supplies	9.00	
					425 - 531 50 31 000 - Operating Supplies	5.40	
					401 - 535 80 49 040 - Misc-Filing Fees/Lien Exp	146.25	
					401 - 535 80 49 040 - Misc-Filing Fees/Lien Exp	87.75	
					412 - 537 80 49 020 - Misc-Filing Fees/Lien Exp	69.75	
					412 - 537 80 49 020 - Misc-Filing Fees/Lien Exp	41.85	
3636	05/25/2016	Claims	2	183896	Skagit Publishing	585.54	
					001 - 511 60 31 001 - Legal Publications	89.68	
					001 - 511 60 31 001 - Legal Publications	42.20	
					001 - 558 60 41 011 - Advertising Reimbuseable	237.38	
					101 - 576 80 48 014 - Winnie Houser Park	216.28	
3637	05/25/2016	Claims	2	183897	Skagit Soils	3,329.12	
					412 - 537 60 47 020 - Site Yard Waste Disposal	3,329.12	
3638	05/25/2016	Claims	2	183898	Staples Business Advantage	254.49	
					001 - 521 20 31 002 - Office/Operating Supplies	167.93	
					001 - 521 20 31 002 - Office/Operating Supplies	86.56	
3639	05/25/2016	Claims	2	183899	Stiles Law Inc., PS	3,098.00	
					001 - 512 50 41 010 - Municipal Court Judge	3,098.00	
3640	05/25/2016	Claims	2	183900	Summit Law Group	57.00	
					001 - 513 10 41 001 - Professional Services	57.00	
3641	05/25/2016	Claims	2	183901	The Philbin Group	1,845.07	
					101 - 576 80 41 000 - Professional Services	1,845.07	
3642	05/25/2016	Claims	2	183902	Payment Center Thomson Reuters -- West	269.96	
					001 - 515 30 41 002 - Westlaw Services	269.96	
3643	05/25/2016	Claims	2	183903	Trail Road Express Lube	44.43	

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			001 - 522 20 48 000		- Repairs/Maint-Equip	44.43	
3644	05/25/2016	Claims	2	183904	Transportation Solutions, Inc.	12,652.50	
			104 - 544 40 41 000		- Transportation Plan Update	12,652.50	
3645	05/25/2016	Claims	2	183905	True Value	679.90	
			001 - 521 20 31 002		- Office/Operating Supplies	12.98	
			001 - 521 20 31 002		- Office/Operating Supplies	12.98	
			001 - 521 20 31 002		- Office/Operating Supplies	19.46	
			001 - 522 20 31 000		- Operating Supplies	9.05	
			001 - 522 20 31 000		- Operating Supplies	19.50	
			001 - 522 20 31 000		- Operating Supplies	2.98	
			401 - 535 80 31 010		- Operating Supplies	16.26	
			401 - 535 80 31 010		- Operating Supplies	8.66	
			412 - 537 80 31 000		- Operating Supplies	45.56	
			103 - 542 30 31 000		- Operating Supplies	39.04	
			101 - 576 80 31 000		- Operating Sup - Tesarik Park	8.67	
			101 - 576 80 31 000		- Operating Sup - Tesarik Park	-4.11	
			101 - 576 80 31 000		- Operating Sup - Tesarik Park	9.62	
			101 - 576 80 31 001		- Operating Sup - Riverfront	48.79	
			101 - 576 80 32 000		- Auto Fuel/Diesel	9.75	
			101 - 576 80 35 000		- Small Tools & Minor Equip	37.95	
			101 - 576 80 35 000		- Small Tools & Minor Equip	184.44	
			101 - 576 80 35 000		- Small Tools & Minor Equip	91.11	
			101 - 576 80 35 000		- Small Tools & Minor Equip	30.36	
			101 - 576 80 48 009		- Hammer Square	39.03	
			101 - 594 76 31 100		- Museum Apartment	37.82	
3646	05/25/2016	Claims	2	183906	Univar USA Inc	1,377.95	
			401 - 535 80 31 020		- Op Supplies-Chemicals	1,377.95	
3647	05/25/2016	Claims	2	183907	Util Underground Loc Ctr	144.76	
			401 - 535 80 31 010		- Operating Supplies	144.76	
3648	05/25/2016	Claims	2	183908	WA State Criminal Justice	175.00	
			001 - 521 40 49 000		- Tuition/Registration	175.00	
3649	05/25/2016	Claims	2	183909	WA State Dept Of Ecology	6,916.00	
			425 - 531 50 51 001		- DOE TMDL Monitoring Fee	6,916.00	
3650	05/25/2016	Claims	2	183910	Washington State Patrol	191.75	
			001 - 521 20 51 000		- Intergov Svc-Gun Permits	191.75	
3651	05/25/2016	Claims	2	183911	Washington Tractor	1,219.59	
			102 - 536 20 48 040		- Repair/Maint-Equip & Bldg	38.59	
			412 - 537 50 48 000		- Repairs/maint-equip	658.48	
			103 - 542 30 48 010		- Repair/Maintenance-Equip	522.52	
3652	05/25/2016	Claims	2	183912	Waste Management Of Skgt	3,170.00	
			412 - 537 60 47 010		- Curbside Recycling Disposal	2,971.60	
			412 - 537 60 47 011		- Site Recycling Disposal	198.40	
3653	05/25/2016	Claims	2	183913	Whitney Construction	1,139.25	
			001 - 594 21 64 000		- Machinery & Equipment	1,139.25	
3654	05/25/2016	Claims	2	183914	Wood's Logging Supply Inc	190.61	
			401 - 535 80 31 010		- Operating Supplies	105.99	
			101 - 576 80 48 021		- Equipment	84.62	
			001 Current Expense Fund			111,857.12	
			101 Parks & Facilities Fund			9,026.25	
			102 Cemetery Fund			2,341.12	
			103 Street Fund			16,239.97	
			104 Arterial Street Fund			78,274.84	



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			105 Library Fund			1,296.71	
			401 Sewer Operations Fund			10,769.38	
			412 Solid Waste Operations Fund			20,520.12	
			425 Stormwater Operations			8,294.58	
			501 Equipment Replacement Fund			10,160.79	
							Claims: 268,780.88
			* Transaction Has Mixed Revenue And Expense Accounts			268,780.88	

CERTIFICATION: I, the undersigned do hereby certify under penalty of perjury, that the materials have been furnished, the services rendered or the labor performed as described and that the claim is a due and unpaid obligation against the City of Sedro-Woolley and that I am authorized to authenticate and certify to said claim.

\_\_\_\_\_  
Finance Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
Finance Committee Member

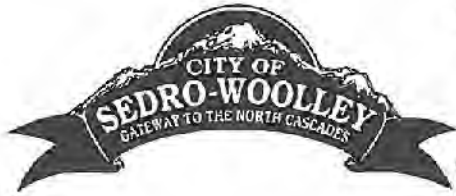
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Date

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Finance Committee Member

\_\_\_\_\_  
Date

\_\_\_\_\_  
Finance Committee Member

\_\_\_\_\_  
Date



**CITY COUNCIL AGENDA  
REGULAR MEETING**

**MAY 25 2016**

7:00 P.M. COUNCIL CHAMBERS  
AGENDA NO. 52

**CITY OF SEDRO-WOOLLEY**

Sedro-Woolley Municipal Building  
325 Metcalf Street  
Sedro-Woolley, WA 98284  
Phone (360) 855-0771  
Fax (360) 855-0733

Mark A. Freiburger, PE  
Director of Public Works

MEMO TO: City Council and Keith Wagoner  
FROM: Mark A. Freiburger, PE  
RE: **Possible Contract Award  
2016 On-Call Drainage Ditch Mowing  
Contract 2016-PW-19, Industrial Mowing & Spraying**  
DATE: May 16, 2016 (for Council action May 25, 2016)

**ISSUE:**

Shall council move to authorize Mayor Wagoner to execute Contract 2016-PW-19 for the 2016 On-Call Drainage Ditch Mowing with Industrial Mowing & Spraying of Mount Vernon, WA with a not to exceed amount of \$30,000?

**BACKGROUND/ DISCUSSION:**

Bids were advertised for this project on May 3, 2016 under the Small Works Roster process. Bids closed on May 17, 2016, with one bid received from Industrial Mowing & Spraying. The bid was based on unit prices and estimated hours for the work. Industrial Mowing & Spraying of Mount Vernon, WA bid \$26,213.60 for the estimated scope of work which represents a zero bid increase over last years bid.

The individual contract is issued as a not to exceed of \$30,000. Task orders will be issued for work as needed. Actual amounts will vary depending on the scope of work.

**FINANCIAL:**

**REVENUE**

343.10.00.000.425 Stormwater Fees	\$ 5,000
343.10.00.001.425 BY Creek Subflood	\$25,000
<b>TOTAL</b>	<b>\$30,000</b>

**ESTIMATED COST**

Brickyard Creek – Sedro-Woolley Sub-Flood ILA areas	\$25,000
City maintained ditch areas	\$ 5,000
<b>TOTAL</b>	<b>\$30,000</b>

**ANALYSIS:**

The 2015 cost for this work totaled \$29,731.72, which included a one-time cost for removal of a failed 96" culvert on the Bucko property. The 2016 budget includes \$25,000 for the Brickyard Creek Subflood Control Zone areas that are reimbursed under Skagit County Interlocal Agreements C2010252 and C20120374. Additional mowing of city areas totaling \$5,000 will be disbursed from Account 425 Contracted Services.



**RECOMMENDATION:**

The low bid has been checked for accuracy and found to be complete and acceptable. Industrial Mowing & Spraying has been the successful low bidder for this project since 2012 and is a well known contractor in the area and has the capacity and the experience to complete the work. The Public Works Director recommends award of the bid to Industrial Mowing & Spraying of Mount Vernon, WA at the not to exceed \$30,000.

**MOTION:**

***Move to authorize Mayor Wagoner to execute Contract 2016-PW-19 for the 2016 On-Call Drainage Ditch Mowing with Industrial Mowing & Spraying of Mount Vernon, WA with a not to exceed amount of \$30,000.***



**FINAL BID TABULATION**  
**2016 ON-CALL DRAINAGE DITCH MOWING**  
**BID 2:00 PM, May 17, 2016**

BY: Mark A. Freiberger, PE, Director of Public Works

**INDUSTRIAL MOWING &  
 SPRAYING  
 MOUNT VERNON, WA**

ITEM	DESCRIPTION	EST QUANTITY	UNIT	UNIT PRICE	EXTENSION
1	Tractor with Boom Mower, up to 25' reach	112.00	HR	80.00	8,960.00
2	Tractor with Boom Mower, 30' reach	56.00	HR	115.00	6,440.00
3	All Season Vehicle with Boom Mower, Low Ground Pressure, Tracked	24.00	HR	95.00	2,280.00
4	Mini-Excavator w/buckets	16.00	HR	85.00	1,360.00
5	Excavator w/buckets & thumb (Kobelco 120 or equivalent)	8.00	HR	125.00	1,000.00
6	Chipper w/Truck	8.00	HR	165.00	1,320.00
7	Dump Truck, 10 CY	8.00	HR	85.00	680.00
8	Man Labor w/Tools (Chainsaw, gas, oil, weed eaters, etc.)	32.00	HR	45.00	1,440.00
9	Equipment Mobilization/Demobilization (Lowboy & Operator)	4.00	HR	125.00	500.00
10	Equipment Mobilization/Demobilization (Transporter & Operator)	4.00	HR	45.00	180.00
<b>SUBTOTAL</b>					<b>24,160.00</b>
<b>WASHINGTON STATE SALES TAX AT 8.5%</b>					<b>2,053.60</b>
<b>TOTAL BID</b>					<b>26,213.60</b>
ADDENDA NOTED (IF ANY):				NA	
<u>REQUIRED ENCLOSURE(S):</u>					
Bidder's Qualification Statement				YES	
Contractor's Labor & Equipment Rate Sheet				NA	
Bidder's Bond (Not Required)				NA	
MRSC				YES	





## PUBLIC WORKS AGREEMENT 2016-PW-19

### Project Name: 2016 On-Call Drainage Ditch Mowing

The City of Sedro-Woolley, a municipal corporation of the State of Washington (hereinafter the "City"); and **Industrial Mowing & Spraying, 17389 Bennett Road, Mount Vernon, WA 98273**, (hereinafter the "Contractor") hereby agree as follows:

**I. THE PROJECT:** The Contractor agrees to complete the following project, utilizing the best available materials and labor, and in accordance with bid specifications and contractor's proposal (if any), project plans and technical specifications:

Project description: **Mowing, clearing and dredging of city drainage ditch facilities per Invitation to Bid and the Bid Proposal Special Provisions in accordance with state and local guidelines.**

**II. GENERAL CONDITIONS:** The General Conditions of this agreement are the Standard Specifications for Road, Bridge and Municipal Construction, Current Edition, issued by the State of Washington and the APWA, modified as follows:

**A. Definitions and Terms:**

1. Whenever the terms "Washington State Transportation Commission", "State Department of Transportation", or variations of same are used in the Standard specifications, they shall be construed to mean "City of Sedro-Woolley" or "Owner".

2. Where references are made to the "State Treasurer", the term shall be construed to mean the City's "Finance Director".

3. Where the term "Secretary of Transportation" or "District Administrator" are used, the terms shall be construed to mean the duly authorized representative of the City.

**B. Project Manager:** The term "engineer" is understood to be the City's Project Manager, who is the City's representative to the Contractor for all purposes under this agreement. The City designates **Nathan Salseina, Public Works Operations Supervisor** as its Project Manager. Contractor designates **Randy Skillman** as its Project Manager.

**C. Business License:** A City Business License is required, and Contractor and Sub-Contractors are responsible for payment of the taxes imposed thereunder.

**D. Taxes:** Contractor is responsible for payment of all applicable taxes, including state sales tax on those projects subject to it. Taxes are deemed to be included in the amounts invoiced to the City.

**E. Bonding Requirements:** The City requires the following bonds; combination documents, cash deposits, or assigned savings accounts are acceptable alternatives:

1. Bid Bond: 5%, if the work is subject to bid procedures;
2. Contract bond in the form made a part of this agreement. In lieu thereof for projects of \$35,000 or less, at the contractor's option, retainage of 50% will be held until releasable under RCW 39.08.010.

**F. Insurance:** The Contractor shall provide proof to the City that it is insured under **automobile and vehicle liability insurance** covering claims for injuries to members of the public and/or damages to property of others arising from use of motor vehicles, including onsite and offsite operations, and owned, non-owned, or hired vehicles, and **general comprehensive liability insurance** covering the work within the scope of this agreement, in such form and with policy limits in such amounts (\$1 Million minimum) as are acceptable to the City.



The Contractor agrees to name the City as an **additional insured** when obtaining liability insurance and to provide a **Certificate of Insurance** to this effect.

G. **Traffic Control:** The Contractor shall furnish all flagging and maintain all temporary traffic control signs and devices necessary to control traffic during construction operations at all locations. Traffic control plans and traffic control signs and devices shall conform to the Manual on Uniform Traffic Control Devices as adopted by the State of Washington, and shall be approved in advance by the City. Unless provided for specifically in the contract, no additional compensation will be made for traffic control.

H. **Subcontracting:** Work done by the Contractor's own organization shall account for at least 30 percent of the Award contract price. See Standard Specifications Section 1-08 for additional information.

### III. PAYMENT

A. The maximum payable hereunder is **\$30,000.00**

B. Individual Task Orders issued by the Public Works Director will specify the method of compensation, which will be on a Time & Expense Not to Exceed basis per rates established in **Exhibit A, 2016 Labor and Equipment Rate Sheet**, or agreed Lump Sum Price.

C. The Contractor will be paid on the basis of invoices for work satisfactorily completed. Invoices are submitted to the Project Manager for approval prior to payment. No final payment shall be made until the project is accepted by the City.

D. Prior to any payment hereunder, contractor is responsible for complying with applicable Department of Labor and Industries and Department of Revenue requirements and procedures. (General conditions section 1-07.9. If Federal Funds, Davis-Bacon Act and U. S. Department of Labor requirements.) This includes obtaining and timely filing of Intent to Pay Prevailing Wages, Affidavit of Wages paid, Notice of Completion of Public Works Contract, and any other required documents.

E. Retainage will be administered in accordance with RCW 60.28.010(1).

### IV. SCOPE OF PROJECT, TECHNICAL SPECIFICATIONS AND CONDITIONS OF WORK:

A. Term of contract: contractor shall begin work as soon as is practicable and will complete work on or before **December 31, 2016**.

B. To the extent not inconsistent with this agreement, this contract includes the Invitation to Bid and Proposal, and contract plans and specifications, all incorporated herein by this reference.

C. Scope of project: **Mowing, clearing and dredging of city drainage ditch facilities per Invitation to Bid dated May 3, 2016 in accordance with state and local guidelines.**

D. Joinder in Arbitration Proceedings. If the City and any third party agree to binding arbitration as the method of dispute resolution between them and their claims or any of them arise out of or are related to Contractor's services, Contractor agrees to be joined in such arbitration proceeding as a party and that the Arbitrator(s) decision therein shall be final and binding on Contractor and judgment may be entered upon it in any court having jurisdiction thereof.

E. Indemnification.

1. Contractor shall indemnify, defend, and hold the City harmless from and against any claim, damages, losses, liability or expense arising out of its breach of contract or negligence.

2. Contractor's duty to indemnify City shall not apply to liability for damages arising out of bodily injury to persons or damage caused to property caused by or resulting from the sole negligence of City or City's agents or employees.

3. Contractor's duty to indemnify City for liability for damages arising out of



bodily injury or damage to property caused by or resulting from the concurrent negligence of (a) City or City's agents or employees, (b) Contractor and Contractor's agents or employees, or (c) any third parties shall apply only to the extent of negligence of Contractor or Contractor's agents or employees.

4. Contractor specifically and expressly waives any immunity that may be granted it under the Washington State Industrial Insurance Act, Title 51 RCW. Further, the indemnification obligation under this AGREEMENT shall not be limited in any way by any limitation on the amount or type of damages, compensation, or benefits payable to or for any third party under workers' compensation acts, disability benefit acts, or other employee benefit acts; provided Contractor's waiver of immunity by the provisions of this paragraph extends only to claims against Contractor by City, and not include, or extend to, any claims by Contractor's employees directly against Contractor.

5. Contractor's duty to defend, indemnify, and hold City harmless shall include, as to all claims, demands, losses, and liabilities to which it applies City's personnel-related costs, attorneys' fees, and all other costs whether or not taxable by statute or court rule.

F. Attorneys Fees. The prevailing party in any litigation of any dispute arising out of this agreement shall be entitled to its actual attorneys fees incurred and all costs of such litigation (including expert witness fees) in addition to any costs otherwise taxable by statute or court rule.

G. MRSC Roster Registration. If required, the Contractor shall register or maintain registration on the MRSC Small Works Contractor Roster.

H. Washington State Department of Retirement Systems. Have you retired under the 2008 early retirement factors? Yes No N/A

I. Debarment. Contractor represents and agrees that it is not listed on any state or federal debarment list and further agrees that none of its sub-contractors are listed on any state or federal debarment list.

EXECUTED, this the \_\_\_\_\_ day of \_\_\_\_\_, 2016, for the Contractor, \_\_\_\_\_.

\_\_\_\_\_, Contractor

EXECUTED, this the \_\_\_\_\_ day of \_\_\_\_\_, 2016, for the CITY OF SEDRO-WOOLLEY:

\_\_\_\_\_  
Keith Wagoner, Mayor

Attest:

\_\_\_\_\_  
Finance Director

Approved as to form:

\_\_\_\_\_  
City Attorney

## RETAINAGE INVESTMENT OPTION

CONTRACTOR: \_\_\_\_\_

PROJECT NAME: \_\_\_\_\_

DATE: \_\_\_\_\_

Pursuant to Chapter 60.28 RCW, you may choose how your retainage under this contract will be held and invested. Please complete and sign this form indicating your preference. If you fail to do so, the City of Sedro-Woolley (City) will hold your retainage as described in "Current Expense", option 1 below.

- \_\_\_\_\_ 1. Current Expense: The City will retain your money in its Current Expense Fund Account until thirty days following final acceptance of the improvement or work as completed. You will not receive interest earned on this money.
- \_\_\_\_\_ 2. Interest Bearing Account: The City will deposit retainage checks in an interest-bearing account in a bank, mutual savings bank, or savings and loan association, not subject to withdrawal until after the final acceptance of the improvement or work as completed or until agreed to by both parties. Interest on the account will be paid to you.
- \_\_\_\_\_ 3. Escrow / Investments: The City will place the retainage checks in escrow with a bank or trust company until thirty days following the final acceptance of the improvement or work as completed. When the monies reserved are to be placed in escrow, the City will issue a check representing the sum of the monies reserve payable to the bank or trust company and you jointly. This check will be converted into bonds and securities chosen by you and approved by the City and these bonds and securities will be held in escrow. Interest on these bonds and securities will be paid to you as interest accrues. Selection of this option requires an escrow agreement to be completed by the contractor. The City of Sedro-Woolley will provide the form for use by the contractor. If the contractor elects to use the Escrow Investment option, please complete attached Escrow Agreement.

### **BONDS AND SECURITIES ACCEPTABLE BY THE CITY OF SEDRO-WOOLLEY:**

1. Bills, certificates, notes or bonds of the United States.
2. Other obligations of the United States or its agencies.
3. Indebtedness of the Federal national Mortgage Association.
4. Time Deposits in commercial banks.

Designate below the type of investment selected:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- \_\_\_\_\_ 4. Bond-in-Lieu: With the consent of the City, the contractor may submit a bond for all or any portion of the amount of funds retained by the City in a form acceptable to the City and from a bonding company meeting standards established by the City, if any. Unless otherwise indicated, the contractor elects to submit a bond for the entire 5% retainage amount. Such bond and any proceeds there from shall be



made subject to all claims and liens and in the same manner and priority as set forth for retained percentages in Chapter 60.28 RCW. Whenever the City accepts a bond-in-lieu of retained funds from a contractor, the contractor shall accept like bonds from any subcontractors or suppliers from which the contractor has retained funds. The contractor shall then release the funds retained from the subcontractor or supplier, to the subcontractor or supplier, within thirty days of the contractor's receipt of the retained funds from the City.

Retainage is normally released 30 - 45 days after final acceptance of work by the City, or following receipt of Labor and Industries / Department of Revenue clearance, whichever takes longer.

---

(Contractor's Signature)

Date

---

Title

RETAINAGE ACCOUNT \_\_\_\_\_

CITY \_\_\_\_\_

## ESCROW AGREEMENT / INTEREST BEARING ACCOUNT

TO: \_\_\_\_\_

Bank or Trust Company

\_\_\_\_\_  
Branch

\_\_\_\_\_  
Attn:

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip

The undersigned \_\_\_\_\_ hereinafter referred to as the Contractor, has directed the City of Sedro-Woolley, hereinafter referred to as the City, to deliver to you its warrants or checks which shall be payable to you and the Contractor jointly. Such warrants or checks are to be held and disposed of by you in accordance with the following instructions and upon the terms and conditions hereinafter set forth.

### INSTRUCTIONS

1. The City shall deliver to you from time to time warrants or checks payable jointly to you and the Contractor. You are hereby authorized by the Contractor to endorse in the Contractor's name any such warrant or check so that you may receive the proceeds thereof and invest the same. The power of endorsement hereby granted to you by the Contractor shall be deemed a power coupled with an interest and shall be irrevocable during the term of this escrow / interest bearing account. Although you may be a payee named in such warrants or checks as shall be delivered to you, your duties and responsibilities with respect to the same shall be only those duties and responsibilities which a depository bank would have pursuant to Article 4 of the Uniform Commercial Code of the State of Washington for an item deposited with it for collection as of the date such warrant or check shall be delivered to you. The proceeds from collections shall be used by you to purchase, as directed by the Contractor, bonds or other securities chosen by the Contractor and approved by you, and the City. For the purpose of each such purchase, you may follow the last written direction received by you from the Contractor, provided such direction otherwise conforms with the restrictions on investments recited herein. A list of such bonds, or other securities approved by the City are indicated on the Retainage Investment Option form. No further approval is necessary if any of these bonds or securities are selected by the Contractor. Other bonds or securities, except stocks, may be selected by the Contractor, subject to express written approval of you and the City. Purchase of such bonds or other securities shall be in a form which shall allow you alone to reconvert such bonds or other securities into money if you are required to do so by the City as provided in Paragraph 4 of the Escrow Agreement.

The investments selected by the Contractor, approved by the City and purchased by you must mature on or prior to the date set for the completion of the contract, including extensions thereof or thirty days following the final acceptance of said improvement or work.



2. When and as interest on the securities held by you pursuant to this agreement accrues and is paid, you shall collect such interest and forward it to the Contractor at its address designated below unless with your written consent you are otherwise directed in writing by the Contractor.
3. You are not authorized to deliver to the Contractor all or any part of the securities held by you pursuant to this agreement (or any monies derived from the sale of such securities, or the negotiation of the City's warrants or checks) except in accordance with written instructions from the City. The City shall inform you and keep you informed in writing of the name of the person or persons with authority to give you such written instructions. Compliance with such instruction shall relieve you of any further liability related thereto. The estimated completion date on the contract underlying this Escrow / Interest Bearing Account Agreement is \_\_\_\_\_. Upon request by you, the City shall advise you in writing of any change in the estimated completion date. If the estimated completion date is changed, you are authorized to reinvest the monies held hereunder in accordance with the new estimated completion date.
4. In the event the City orders you to do so in writing, and notwithstanding any other provisions of this agreement you shall, within thirty-five (35) days of receipt of such order, reconvert into money the securities held by you pursuant to this agreement and return such money together with any other monies, including accrued interest on such securities, held by you hereunder, to the City.
5. The Contractor agrees to pay you as compensation for your services hereunder as follows:
- 
- Payment of all fees shall be the sole responsibility of the Contractor and shall not be deducted from any property placed with you pursuant to this agreement until and unless the City directs the release to the Contractor of the securities and monies held hereunder whereupon you shall be granted a first lien upon such property released and shall be entitled to reimburse yourself from such property for the entire amount of your fees and any amounts which might be owing as provided for herein. In the event that you are made a party to any litigation with respect to the property held by you hereunder, or in the event that the conditions of this escrow are not promptly fulfilled or that you are required to render any services not provided for in these instructions, or that there is any assignment of the interest of this escrow or any modifications hereof, you shall be entitled to reasonable compensation for such extraordinary services from the Contractor and reimbursement from the Contractor for all costs and expenses, including attorney fees occasioned by such default, delay, controversy or litigations.
6. Should you at any time and for any reason desire to be relieved of your obligations as escrow or interest bearing account holder hereunder, you shall give written notice to the City and Contractor. The City and Contractor shall, within 20 days of the receipt of such notice, jointly appoint a successor escrow holder and instruct you to deliver all securities and funds held hereunder to said successor. If you are not notified of the appointment of the successor escrow holder within 20 days, you may return the subject matter hereof to the City and upon doing, it absolves you from all further charges and obligations in connection with this escrow or interest bearing account.
7. This agreement shall not be binding until executed by the Contractor and City and accepted by you.
8. This instrument contains the entire agreement between you, the Contractor and the City with respect to this escrow and you are not a party to nor bound by any instrument or agreement other than this; you shall not be required to take notice if any default or any other matter, not bound by nor required to give notice or demand, nor required to take any action whatever except as herein expressly provided; you shall not be liable for any loss or damage not caused by your own negligence or willful misconduct.
9. The foregoing provisions shall be binding upon the assigns, successors, personal representatives and heirs of the parties hereto.

The undersigned have read and hereby approve the instructions as given above governing the administration of this escrow or interest bearing account and do hereby execute this agreement on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Contractor

BY: \_\_\_\_\_  
Signature & Title

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip

ATTESTED BY:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
City Attorney

The above escrow instructions received and accepted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Bank or Trust Company

By: \_\_\_\_\_

CITY OF SEDRO-WOOLLEY

\_\_\_\_\_  
City

BY: \_\_\_\_\_  
Authorized Signature & Title

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip





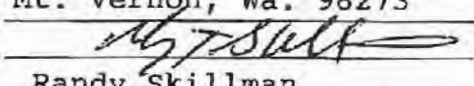
**BID PROPOSAL**  
**2016 ON-CALL DRAINAGE DITCH MOWING**  
**Proposals due by 2:00 PM, May 17, 2016**

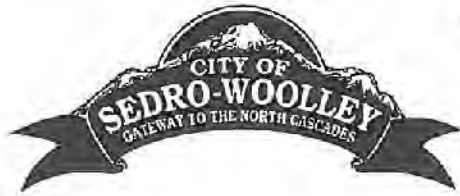
# EXHIBIT A

## 2016 Labor and Equipment Rate Sheet

We, the undersigned, hereby agree to bid the following per the "Invitation to Bid – 2016 On-Call Drainage Ditch Mowing":

ITEM	DESCRIPTION	EST QUANTITY	UNIT	UNIT PRICE	EXTENSION
1	Tractor with Boom Mower, up to 25' reach	112.00	HR	80.00	8,960.00
2	Tractor with Boom Mower, 30' reach	56.00	HR	115.00	6,440.00
3	All Season Vehicle with Boom Mower, Low Ground Pressure, Tracked	24.00	HR	95.00	2,280.00
4	Mini-Excavator w/buckets	16.00	HR	85.00	1,360.00
5	Excavator w/buckets & thumb (Kobelco 120 or equivalent)	8.00	HR	125.00	1,000.00
6	Chipper w/Truck	8.00	HR	165.00	1,320.00
7	Dump Truck, 10 CY	8.00	HR	85.00	680.00
8	Man Labor w/Tools (Chainsaw, gas, oil, weedeaters, etc.)	32.00	HR	45.00	1,440.00
9	Equipment Mobilization/Demobilization (Lowboy & Operator)	4.00	HR	125.00	500.00
10	Equipment Mobilization/Demobilization (Transporter & Operator)	4.00	HR	45.00	180.00
<b>SUBTOTAL</b>					<b>\$24,160.00</b>
<b>WASHINGTON STATE SALES TAX AT 8.5%</b>					<b>2,053.60</b>
<b>TOTAL BID</b>					<b>\$26,213.60</b>

BIDDER NAME:	<u>Industrial Mowing &amp; Spraying</u>
ADDRESS:	<u>17389 Bennett Rd.</u>
	<u>Mt. Vernon, Wa. 98273</u>
AUTHORIZED SIGNATURE:	<u></u>
CONTACT NAME:	<u>Randy Skillman</u>
TELEPHONE:	<u>360-428-5910 office</u>
EMAIL:	<u>rskillslad@aol.com</u>
CONTRACTOR LICENSE NUMBER:	<u>INDUSMS066DQ</u>
UBI NUMBER:	<u>601-298-964</u>
ADDENDA NOTED (IF ANY):	<u>RTS</u>
REQUIRED ENCLOSURE(S):	
Bidder's Qualification Statement	<u>RTS</u>
Contractor's Labor & Equipment Rate Sheet	<u>RTS</u>
Bidder's Bond	<u>Not required</u>



CITY COUNCIL AGENDA  
REGULAR MEETING

MAY 25 2016

7:00 P.M. COUNCIL CHAMBERS  
AGENDA NO. 30

CITY OF SEDRO-WOOLLEY  
Sedro-Woolley Municipal Building  
325 Metcalf Street  
Sedro-Woolley, WA 98284  
Phone (360) 855-9933  
Fax (360) 855-0733

Mark A. Freiburger, PE  
Director of Public Works

MEMO TO: City Council and Mayor Keith Wagoner

FROM: Mark A. Freiburger, PE

RE: **Amendment 1 to Professional Services Agreement No. 2015-PS-18 for  
WWTP Structure and Equipment Assessment**  
Brown & Caldwell Inc.

DATE: May 18, 2016 (for Council action May 25, 2016)

**ISSUE**

Should Mayor Wagoner execute the attached Amendment No. 1 to Professional Services Agreement No. 2015-PS-18 with Brown and Caldwell Inc. of Seattle, WA to provide Phase B services for the Sedro-Woolley WWTP Structure and Equipment Assessment Project in the amount not to exceed \$67,000?

**BACKGROUND/DISCUSSION**

On December 3, 2015, the city entered into an agreement with Brown & Caldwell, Inc. to perform Phase A of the WWTP Structure and Equipment Assessment Project. Phase A provided an engineering review of the condition of the major structures, mechanical and electrical equipment in operation at the WWTP. Phase A was completed in February 2016. Phase A recommended a series of relatively minor replacement and repair projects valued at between \$10,000 and \$100,000 to be phased into the city's Capital Improvement Program and budget over the next 10 years. Phase A confirmed staff expectations that the structural, mechanical and electrical systems, with minor repairs and replacements, should function adequately for at least 10 years.

Phase B will follow up on this work by examining the remaining treatment capacity of the system, explore possible system improvements to extend the life of the WWTP, and to assess the financial and rate impacts of the City's plan to expand capacity based on recommended improvements. Also included in Phase B is a needed analysis of the cost of high strength (industrial) users on the system. This is an especially acute need with the possibility of an industrial user looking to discharge significant quantities of high-strength wastewater to the system. The existing rate structure does not adequately address this type of use, leaving staff in short of the knowledge needed to address such proposals. The need to complete this analysis was highlighted in the 2015 Sewer Rate Study process.

Attached is Brown & Caldwell's proposal for the Phase B work, with an estimated cost not to exceed \$66,824 (rounded to \$67,000). The work is broken into two parts. The Process/Hydraulic Capacity Assessment at approximately \$51,000 will answer questions about existing use and remaining capacity. The Financial Analysis and Rate Analysis at approximately \$16,000 will address the high strength user issues noted above.

The city will need to provide support services including laboratory analysis of samples and outside lab testing where needed. In addition, a field survey to verify the hydraulic profile is anticipated.

**ANALYSIS**

**B&C Contract Estimated Cost**

2015/2016 – Phase A Structure and Equipment Assessment preliminary work	\$ 32,000
2016 – Phase B – Operational Analysis per Amendment 1	\$ 67,000
<b>Total B&amp;C Contract through Amendment 1</b>	<b>\$ 99,000</b>



**Estimated Revenue – 2016 Budget**

2016 Account 401 Budget 594.35.63.000 Engineering Services – Comp plan	\$ 50,000
2016 Account 401 Budget 594.35.63.000 Engineering Services – Phase A	\$ 11,643
2016 Account 401 Budget 594.35.63.000 Engineering Services – Fruitdale	\$ 10,000
<b>Total 2016 Budget 594.36.63.000 Engineering Services</b>	<b>\$ 71,643</b>

**2016 Estimated Cost – 401 Engineering Services**

Phase A Actual Cost – completed 2/2016	\$ 6,954
Phase B Estimate – B&C Amendment 1	\$ 67,000
Phase B City support services – outside lab work and survey	\$ 5,000
Fruitdale Sewer – updated cost per Lochner agreement	\$ 14,000
Miscellaneous Engineering Support for 2016 CIPP Sewer Project	\$ 10,000
<b>Total Estimated Cost 401 Engineering Services</b>	<b>\$102,954</b>

**Budget Amendment needed** **\$ 31,311**

The 2016 401 Engineering Services budget presently totals \$71,643, including \$50,000 for upgrading the Sewer Comprehensive Plan, \$11,643 for the estimated remaining Phase A work, and \$10,000 for design of the North Fruitdale Sewer Extension as part of the Fruitdale Road Arterial Improvement Project design. The Phase A cost work was completed in February 2016, with a final 2016 cost of \$6,954. The Phase B estimate is \$67,000 as noted above, with \$50,000 available using the Comp Plan budget. City support services of outside lab testing and a survey of the hydraulic profile is estimated at \$5,000. The current estimate for Fruitdale is \$14,000, based on the negotiated design services agreement with Lochner, an increase of \$4,000 from the budget. In addition, David Lee will need some support work for the 2016 CIPP Sewer project design and construction for surveying, estimated at \$10,000. As a result, an additional \$31,311 is needed to complete the anticipate 2016 work.

Staff will monitor overall 401 Budget and adjust line items as needed to cover the additional Engineering Services line budget. Should additional funding be required, this will be handled by a later budget amendment.

**MOTION:**

***Move to authorize Mayor Wagoner execute the attached Amendment No. 1 to Professional Services Agreement No. 2015-PS-18 with Brown and Caldwell Inc. of Seattle, WA to provide Phase B services for the Sedro-Woolley WWTP Structure and Equipment Assessment Project in the amount not to exceed \$67,000.***



## AMENDMENT NO. 1

To the PROFESSIONAL SERVICES AGREEMENT No. **2015-PS-18**  
Dated December 3, 2015  
Between The City of Sedro-Woolley  
And Brown & Caldwell Inc.

This Amendment revises the above contract as follows:

### **1. Scope of Services.**

The Contractor agrees to perform in a satisfactory and proper manner, as determined by the City, as design phase services for the Sedro-Woolley WWTP Structure and Equipment Assessment. Project as defined in **Exhibit(s) A (Phase A) and D (Phase B) attached hereto** that are requested by the City of Sedro-Woolley.

### **3. Time of Performance.**

The service of the Contractor is to commence

[ X ] pursuant to the schedule set forth on **Exhibit C (Phase A) and F (Phase B)**, Schedule of Work.

### **6. Compensation and Schedule of Payments.**

City shall pay the Contractor its hourly rates pursuant to the schedule set forth on **Exhibits B (Phase A) and E (Phase B)**.

The Contractor shall be paid monthly on the basis of invoices for compensation earned by the Contractor during the billing period, as agreed by the parties. Payment shall be made within ten (10) days after approval of the voucher by the City council.

Cost not to exceed **\$99,000.00** without prior approval of the Director of Public Works or City Engineer.

All other terms and conditions remain as per the original agreement.

DATED this 26th day of May, 2016

CITY OF SEDRO-WOOLLEY

A Washington municipal corporation

By: \_\_\_\_\_  
Keith Wagoner, Mayor

CONTRACTOR:

Brown & Caldwell

By: \_\_\_\_\_



## SCOPE OF WORK

This Scope of Work covers the Consultant and City of Sedro-Woolley activities that will occur during the Capacity Assessment Project for the Sedro-Woolley Wastewater Treatment Plant (WWTP). The primary objective of this investigation is to determine the maximum hydraulic and process capacity of the Sedro-Woolley treatment plant (both liquid stream and solids stream systems) while satisfying permit requirements, operational and maintenance requirements, and reserve capacity needs. This assessment will incorporate current planning estimates of forecasted flows and loads to identify any capacity limitations to meet these forecasted needs. Of equal importance will be to identify the bottlenecks in the plant and prioritize any improvements to add additional capacity to the plant if required. This assessment will also determine the reserve capacity of the plant to treat other future industrial loads, and what the unit cost rate implications are for this scenario. The project analysis and recommendations will be a collaborative effort between the City of Sedro-Woolley operations and engineering staff with Brown and Caldwell. Brown and Caldwell recognizes that Sedro-Woolley staff will ultimately be responsible for operating the plant and meeting permit conditions.

## PROJECT OBJECTIVES

The objectives of the Capacity Study Project are to:

1. Establish the true capacity of the plant operating as designed, with all units in service.
2. Establish the Washington Department of Ecology defined firm capacity with the largest of each type of process unit out of service, as applicable.
3. Determine reserve capacity beyond current loadings to include growth or industries.
4. Prioritize processes for optimization, upgrade, and the incremental capacity gains achieved with each modification.
5. Determine an appropriate unit cost rate for processing and handling future industrial flows and loads.

## TASK 100 – PROCESS/HYDRAULIC CAPACITY ASSESSMENT

### Subtask 120 – Project Management – Phase B

**Objective.** To manage, administer, and provide ongoing coordination for efficient utilization of resources for the project. This task includes technical and financial management of the contract, and liaison with the City of Sedro-Woolley operational staff.

**Approach.** Major activities include:

1. Prepare a project management plan for internal use that covers all preliminary engineering phase work. The plan would define the personnel, project schedule, scope of

**Brown AND Caldwell**

- services, project control reports, method of estimating completion of work, invoicing, records storage, project filing, and calculation filing.
2. Utilize the program schedule prepared under Item 1 above to monitor the progress of the work in relation to established time and budget constraints. Update and coordinate schedule revisions with the City.
  3. Submit monthly progress reports and invoices via email. Progress reports will identify budget status, progress status, major activities of the previous month, out of scope work, upcoming activities, and issues or complications that could prevent meeting milestones.
  4. Conduct up to two project telephone review meetings on a regularly scheduled basis to discuss current project management activities, track progress, and identify any issues arising from ongoing work. Make decisions required to maintain progress, coordinate the work, and obtain information from team members. A summary of key issues discussed, decisions made, action items and required responses will be prepared and distributed by the Consultant.
  5. Prepare monthly invoices broken down by task, budget and percentage complete.
  6. Prepare a Field Work Safety Plan to guide field activities during the investigation.
  7. Conduct up to two project coordination teleconferences with City staff.

**City of Sedro-Woolley Responsibilities.** Provide the following:

1. Identification of a project manager with final authority for City decisions.
2. Timely review of products and decisions on issues critical to scheduled progress.
3. Identification and involvement of appropriate City division or section staff.
4. The City Project Manager will coordinate collection of comments and resolution of any conflicting comments from all City reviewers prior to returning to Consultant.

**Work Products**

1. Project Management Plan
2. Summary of key meeting issues.
3. Bi-weekly Internet progress reports.
4. Monthly invoices.
5. Field Work Safety Plan





## TASK 300 – PROCESS/HYDRAULIC CAPACITY ASSESSMENT

### Subtask 10 – Gather Plant Performance and Background Data

**Objective.** Collect plant performance data, service area planned flows and loadings, operating data and plant configuration information to identify additional data needs and conduct plant capacity analysis. Organize the data to facilitate systems analyses.

**Approach.** Brown and Caldwell will gather from the City flow and loading data for the last two years, and derived data. Since all wastewaters are unique, a wastewater characterization will need to be conducted to accurately determine the maximum plant capacity. Given the size of the facility, this characterization will be reduced in scope compared to larger, more complex facilities. Verify sampling protocol; set up protocol with laboratory and plant staff, verify suitability of sampling locations, availability of equipment. There are three elements to the wastewater characterization study: (1) composite sampling, (2) grab sampling, and (3) diurnal sampling.

#### Composite Sampling

Daily composite sampling is to be performed every day over a one-week period. For each sampling day, screened and de-gritted raw influent, secondary influent (only if raw influent is mixed with any supernatant return streams), and secondary effluent are to be sampled and analyzed for the constituents in Table 1. Samples must be refrigerated 24-hour composite samples.



**Table 1. Analyses Required for Composite Samples**

Parameter				Total Samples	
	Raw Influent	Secondary Influent(4)	Secondary Effluent	Excluding Secondary Influent	Including Secondary Influent
Flow	X (3)	X		14 readings	14 readings
tCOD – total COD	X	X	X	14	21
sCOD – soluble COD (1)		X	X	7	14
ffCOD – floc COD (2)		X	X	7	14
BOD <sub>5</sub> – 5-day BOD	X (3)	X	X (3)	14	21
sBOD <sub>5</sub> – soluble BOD <sub>5</sub> (1)		X	X	7	14
TSS - total suspended solids	X (3)	X	X (3)	14	21
VSS – volatile suspended solids	X	X	X	14	21
TKN – total Kjeldahl nitrogen	X (3)	X	X (3)	14	21
sTKN – soluble Kjeldahl nitrogen (1)		X	X	7	14
NH <sub>4</sub> -N – ammonia nitrogen (1)	X (3)	X	X (3)	14	21
NO <sub>2</sub> -N – nitrite nitrogen (1)			X (3)	7	7
NO <sub>3</sub> -N – nitrate nitrogen (1)		X	X (3)	7	14
P – total phosphorus	X	X	X	14	21
PO <sub>4</sub> -P – soluble orthophosphate (1)	X	X	X	14	21
Alkalinity (as CaCO <sub>3</sub> )		X	X	7	14
pH			X (3)	7	7

- (1) Filtrate from filtration through 0.45 µm fiberglass filter.
- (2) Filtered, floc COD is a measure of readily biodegradable COD.
- (3) Some of these parameters such as BOD<sub>5</sub> and TSS and ammonia are likely regularly measured and recorded in monthly plant report and will not need to be duplicated.
- (4) These samples may not be required depending upon the frequency and flow rate of return stream(s).

### Grab Samples

In addition to composite samples for influent and effluent, grab samples of the activated sludge and solids and internal recycle streams must also be collected for analysis for proper calibration of BioWin and evaluating plant performance. Grab samples must be taken daily during the same 1-week period as the composite sampling listed above. Parameters for grab samples are listed in Table 2 below.



**Table 2. Analyses Required for Grab Samples**

Parameter	Mixed liquor	RAS	Digester Effluent	Belt Press Filtrate	Total Samples
Flow	-	X	X	X	21 readings
tCOD - total COD	-	X	-	X	14
TSS - total suspended solids	X	-	X	X	21
VSS - volatile suspended solids	X	-	X	X	21
TS - total solids	-	X	-	-	7
VS - total solids	-	X	-	-	7
Temperature	7 readings	-	-	-	7 readings

**Diurnal Sampling**

At the end of the 7-day period, grab samples of screened and de-gritted influent (or secondary influent) and secondary effluent are taken at 2-hour intervals during a 24-hour period. They are analyzed for the parameters given in Table 3.

**Table 3. Diurnal Sample Characterization**

Parameter	Secondary Influent	Secondary Effluent	Total Samples
Flow	12 readings	-	12 readings
COD	X	X	24
TSS	X	-	12
TKN	X	-	12
TP	X	-	12

**City Responsibilities.** Provide the following:

1. Provide current flow and loading data and operational data as described above and City-adopted planning projections for the plant.
2. Assign a person to gather materials identified above and to explain the City's format for record keeping.
3. Collect samples as required.
4. Conduct laboratory analyses as required.

**Work Products.** Data for biological simulator calibration and solids mass balance. Summary tables of data for input into the Capacity Assessment Report.



### Subtask 20 – Plant Hydraulic Profile Analysis

**Objective.** Verify the existing plant hydraulic profile and energy grade-line for the liquid stream using the City's preferred surveyor. Identify hydraulic bottlenecks.

#### Approach

1. Collect field data and compare to existing plant hydraulic profile and plant data.
2. If available, use existing hydraulic profile data to estimate presence of hydraulic bottlenecks. [Generating a new hydraulic profile model would be a significant extra level of effort.]

**City Responsibilities.** Provide the following:

1. Provide as-built drawings depicting facilities configuration from the headworks through the outfall.
2. Provide operating schemes for each unit process including operating levels and typical recycle rates.
3. Provide essential pump performance curves and operating points.
4. Conduct water surface elevation measurements as needed, and provide companion flow meter readings appropriate for each unit process being analyzed

#### Work Products

1. Technical memorandum summarizing hydraulic profile analysis and identifying bottlenecks (if any) and recommendations for their removal.

### Subtask 30 – Biological Process Evaluation

**Objective.** The biological treatment process is one of the two most sensitive processes at a treatment plant that most dramatically influence effluent quality. The primary focus of this task is to identify the maximum biological treatment capacity with respect to current wet and dry weather permit requirements, and operating conditions.

**Approach.** Plant capacity will be to identify process capacity using a calibrated biological process simulator. The investigation will determine limits under seasonal conditions, and for current and potential future permit requirements.

1. Historical data review to evaluate existing plant performance.
2. Model calibration – data from Task 10 will be used to calibrate model.
3. Analyze BioWin simulation data.





4. Assessment of up to three different treatment scenarios.
5. Prepare results and recommendations, and review with City of Sedro-Woolley staff.
6. Prepare technical memorandum summarizing results.

**City Responsibilities.** Provide the following:

1. Attend and participate in workshop
2. Provide as-built drawings and equipment performance data for the biological process, including but not limited to aeration system configuration, ditch configuration, and operating objectives (MLSS and DO concentrations, SRT, and HRT).

#### **Work Products**

1. Calibrated BioWin model results.
2. Alternative biological system simulation analyses.
3. Technical memorandum describing testing results and recommendations.

#### **Subtask 40 – Secondary Clarifier Evaluation**

**Objective.** Performance and efficiency of the secondary clarification process is also one of the most critical process elements in achieving permit limits. This analysis will establish the maximum capacity of the secondary clarifiers, identify inefficiencies, and determine the necessary adjustments to maximize secondary clarifier performance given the current configuration.

**Approach.** This task will identify the hydraulic and flocculation inefficiencies for each clarifier configuration.

1. Evaluate secondary clarifier performance data and conduct a State Point Analysis (SPA) of the historical SVI data to determine clarifier capacity.
2. Conduct full-scale dispersed suspended solids (DSS), effluent suspended solids (ESS), and flocculated suspended solids (FSS) tests for the secondary clarifier.
3. Prepare ESS, DSS and FSS curves.
4. Summarize data and develop recommendations.
5. Prepare technical memorandum.



**City Responsibilities.** Provide the following:

1. Provide as-built drawings and equipment performance data for the clarifiers.
2. Analyze supernatant TSS and COD samples collected during tests.

**Work Products.**

1. Results of SPA analysis.
2. Technical memorandum describing secondary clarifier performance testing, results and recommendations.

### **Subtask 50 – Solids Mass Balance Analysis**

**Objective.** Understanding how solids are inventoried, accumulated and consumed in the liquid and solids stream processes is important in understanding the capacity of the whole plant. The mass balance links the results of the previous tasks together to assess the tradeoffs between increasing performance in one section of the plant versus another.

**Approach.**

1. Evaluate solids data from Task 10.
2. Prepare spreadsheet solids mass balance model.
3. Calibrate and analyze model results.
4. Summarize data and develop recommendations.
5. Prepare technical memorandum.

**Work Products**

1. Calibrated mass balance model
2. Technical memorandum describing the mass balance analysis and a summary of the results and recommendations.

### **Subtask 60 – Solids System Evaluation**

**Objective.** Determine the capacity of the aerobic digester and belt filter press processes.

**Approach**

1. Review vendor specifications for belt filter equipment.
2. Evaluate belt filter performance and polymer consumption.





3. Evaluate historical digester performance for VS destruction.
4. Prepare technical memorandum.

**City Responsibilities.** Provide the following:

1. Provide solids system performance data.

#### **Work Products**

1. Technical memorandum summarizing solids system analysis and recommendations.

### **Subtask 70 – Disinfection System Evaluation**

**Objective.** To conduct an analysis of the disinfection train.

#### **Approach**

1. Review plant performance data for the existing disinfection system.
2. Review vendor specifications for specific disinfection process equipment.

#### **City Responsibilities**

1. Provide disinfection system performance data, as built drawings, and vendor information for the disinfection system.

#### **Work Products**

1. Technical memorandum summarizing disinfection system capacity and recommendations.

### **Subtask 80 – Systems Integration and Plant Capacity Assessment Report**

**Objective.** Combine the information from all above tasks to form an integrated assessment of the plant capacity and bottlenecks (graphical and textual). Develop a prioritized list of improvements to maximize existing plant capacity. Also develop an assessment of rate impacts for future industrial flows and loads.

#### **Approach**

1. Conduct sensitivity analyses comparing component performance. Analyze and compare plant performance against manufacturers' / design data.
2. Prepare a prioritized list of bottlenecks and develop composite rating diagrams establishing the rated plant capacity.
3. Prepare draft Plant Capacity Assessment Report.

**Brown AND Caldwell**

4. Review results and draft report with City of Sedro-Woolley staff.
5. Amend report based on City comments.

#### **City Responsibilities**

1. Review and comment on draft Plant Capacity Assessment Report.
2. Attend and participate in one workshop.

#### **Work Products**

1. Draft Plant Capacity Assessment Report.
2. Final Plant Capacity Assessment Report.

### **Task 400 – Financial Analysis and Rate Impacts**

**Objective.** To assess the financial and rate impacts of the City's plans to expand capacity and to serve other industrial customers.

#### **Approach**

1. Develop a financial model that will project revenues, operating and capital expenditures and financial assurance targets. All relevant key operating assumptions developed in previous tasks and other key financial assumptions such as growth rates, escalation rates, etc., as determined through discussions with the City, will be incorporated into the model. If the City already has a financial model, this scope includes working with the City to modify the existing model.
2. Determine baseline financial operating scenario.
3. Using different key operating and financial assumptions, run up to 4 sensitivity analyses to determine financial impacts of various plant expansion/new industrial flow and load scenarios.
4. Review the City's existing rates and recommend potential rate structure options under a plant expansion scenario. High level estimates of potential rate impacts will be developed. This approach does not include a cost-of-service based rate study, however this can be added to the scope via an amendment, if desired.

#### **City Responsibilities**

1. Determine whether a new financial should be developed or whether the Consultant should attempt to use the City's existing financial model. If the Consultant is to use the City's financial model, the City will provide background and instructions on use of the model, including, if necessary, access to staff responsible for using the model.



2. The City will provide updated operating (if not already provided in previous tasks) and financial data needed to update the current model or build a new model. Examples of financial data include audited financial statements, budget versus actual financial performance, capital improvement program, capital funding information, financial assurance targets and fund balances.

### **Work Products**

1. Results of baseline and plant expansion/new industrial flow and load scenarios including projected rate adjustments, cost sharing assumptions between existing and new customers, and performance against financial assurance targets.
2. Potential revenue increase impacts as described by across the board rate increases to all rate structures.
3. Recommendation of alternative rate structures to consider in the plant expansion/new industrial flow and load scenario and estimated high level unit costs under this scenario.
4. Work products do not include the results of an industry standard cost-of-service analysis or impact fee analysis.

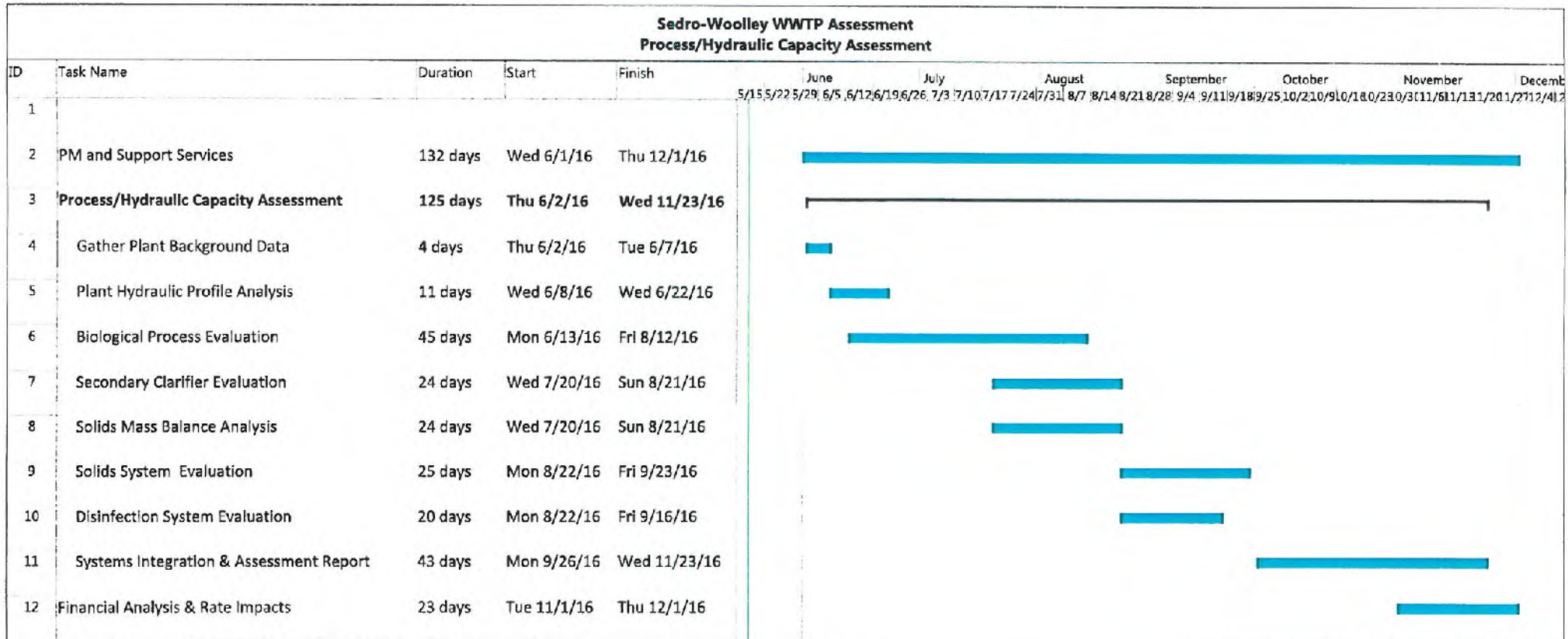


Sedro-Woolley, City of (CWA) – Sedro-Woolley WWTIP Assessment																		
		Purdie, William A.	McLain, Erin L.	Malen, Henry	Wander, Matthew J.	Rejoice, Ann M.	Drabheim, Daniel P.	Wilson, Joanna B.	Stull, Joanna M.			Analytical		Company Vehicles				
Rate	Phase Description	PM	RS							Total Labor Hours	Total Labor Effort		Total ODCs		Total Unit Pricing Effort	Total Expense Cost	Total Expense Effort	Total Effort
100	Project Management	\$256.00 16	\$137.00 8	\$256.00 2	\$137.00 0	\$227.00 0	\$114.00 0	\$90.00 4	\$114.00 0	28	5,790	0	0	0	0	0	0	5,790
300	Process/Hydraulic Capacity Assess	7	0	35	188	0	4	0	0	234	36,964	10,000	10,000	420	420	10,000	10,420	47,384
400	Financial Analysis & Rate Impacts	0	0	0	0	30	0	0	60	90	13,650	0	0	0	0	0	0	13,650
<b>GRAND TOTAL</b>		23	6	37	188	30	4	4	60	352	56,404	10,000	10,000	420	420	10,000	10,420	66,824

Hours and Dollars are rounded to nearest whole number. To display decimals, change the format of the cells.



# 2015-PS-18 EXHIBIT F



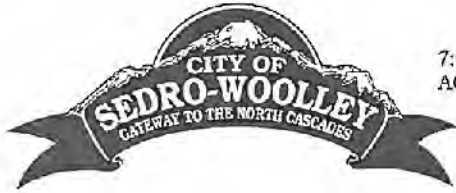
Project: SW Process-Hydraulic S  
Date: Wed 5/18/16

Task		Inactive Task
Split		Inactive Milestone
Milestone		Inactive Summary
Summary		Manual Task
Project Summary		Duration-only

Manual Summary Rollup		External Milestone	
Manual Summary		Deadline	
Start-only		Progress	
Finish-only		Manual Progress	
External Tasks			

CITY COUNCIL AGENDA  
REGULAR MEETING

MAY 25 2016



7:00 P.M. COUNCIL CHAMBERS  
AGENDA NO. 34

CITY OF SEDRO-WOOLLEY  
Sedro-Woolley Municipal Building  
325 Metcalf Street  
Sedro-Woolley, WA 98284  
Phone (360) 855-9922  
Fax (360) 855-9923

Keith L. Wagoner  
Mayor

---

MEMO TO: City Council  
FROM: Keith Wagoner  
RE: Sedro-Woolley Housing Authority Appointment  
DATE: May 25, 2016

AGENDA LOCATION: Consent

ISSUE: Should the Council confirm the Mayor's appointments to the Sedro-Woolley Housing Authority?

BACKGROUND: The Sedro-Woolley Housing Authority has four positions that are currently vacant:

	<u>Expiration Date</u>
Terry Karper	12/31/2012
Laurie Fellers	12/31/2013
Kacy Johnson	12/31/2014
K.B. Johnson	12/31/2015

SWMC 2.36 empowers the mayor to appoint and the council to confirm the appointment. A member's term is five years; the mayor's appointments and new expiration dates are as follows:

<u>Appointee</u>	<u>New Expiration Date</u>
K.B. Johnson	12/31/2017
Laurie Fellers	12/31/2018
Kacy Johnson	12/31/2019
Lee Elliott	12/31/2020

RECOMMENDATION: Motion to confirm the mayor's appointments to the Sedro-Woolley Housing Authority as identified in this memo.



MAY 25 2016

7:00 P.M. COUNCIL CHAMBERS  
AGENDA NO. 4



SUBJECT: PUBLIC COMMENT

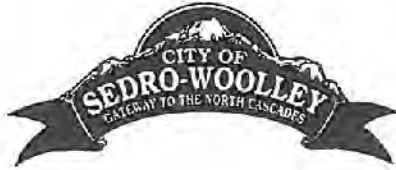
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CITY COUNCIL AGENDA  
REGULAR MEETING

MAY 25 2016

7:00 P.M. COUNCIL CHAMBERS  
AGENDA NO. 5

Planning Department  
Sedro-Woolley Municipal Building  
325 Metcalf Street  
Sedro-Woolley, WA 98284  
Phone (360) 855-0771  
Fax (360) 855-0733

## MEMO:

To: Sedro-Woolley City Council  
Mayor Wagoner

## 2<sup>ND</sup> READING OLD BUSINESS

From: John Coleman, AICP  
Planning Director

Date: May 25, 2016

Subject: 2015 Comprehensive Plan Docket Amendments (2<sup>nd</sup> Read)

### ISSUES

1. Should the City Council adopt the proposed amendments to the Comprehensive Plan?
2. Should the City Council adopt the proposed amendments to the development regulations, Critical Areas Regulations?
3. Should the City Council adopt the proposed amendments Zoning Map?

### PROJECT DESCRIPTION / HISTORY

The City of Sedro-Woolley Comprehensive Plan is a guiding policy for how the city will manage and address issues associated with growth and development in Sedro-Woolley. The proposed annual Comprehensive Plan updates on any year's agenda are collectively referred to as the Docket.

Per the Washington State Growth Management Act (GMA), Sedro-Woolley is required to update the city's entire Comprehensive Plan as well as its Critical Areas Regulations by June of 2016. In order to meet this mandate, the City Council requested that the Planning Commission review and update the Comprehensive Plan and Critical Areas Regulations (Chapter 17.65 SWMC) as part of the 2015 Docket. The 2015 Comprehensive Plan updates were assigned file #CPA-1-15. The Planning Commission held five public meetings, two informal open houses and five public hearings on the 2015 Docket updates. The attached Planning Commission *Findings of Fact and Recommendation* includes the procedural history of the 2015 Docket update process and the recommended Comprehensive Plan, zoning code and zoning map amendments.

Included in the proposed updates are:

- An updated Introduction and Vision Statement to the Comprehensive Plan.
- An updated Land Use Element of the Comprehensive Plan – including updated urban growth area boundaries (still pending approval by the Skagit County Commissioners), an updated Comprehensive Land Use Map and a new "Residential 1 Environmentally Constrained" zoning designation.
- An updated Transportation Element of the Comprehensive Plan.
- An updated Economic Development Element of the Comprehensive Plan.
- A new Chapter 17.XX SWMC – Residential 1 Environmentally Constrained zoning designation, created to address future growth potential in one 40-acre area of the proposed UGA expansion area.
- Updates to Chapter 17.65 SWMC – Regulations for Critical Areas.



- Updates to the Zoning Map including a rezone of one 21 acre parcel in city limits from Residential 7 to Mixed Commercial and proposed changes the UGA boundaries.

### **ATTACHMENTS**

Attachment 1 – Ordinance \_\_\_\_-16 to adopt amendments to the Land Use Element, Transportation Element, Economic Development Element and Comprehensive Land Use Map, all included in the Sedro-Woolley Comprehensive Plan.

Attachment 2 – Ordinance \_\_\_\_-16 to create a new Chapter 17.XX SWMC – Residential 1 Environmentally Constrained zone and adopt amendments to Chapter 17.65 SWMC – Regulations for Critical Areas.

Attachment 3 – Ordinance \_\_\_\_-16 to adopt amendments to the Sedro-Woolley Zoning Map.

Attachment 4 – Planning Commission's *Findings of Fact, Conclusions and Recommendations*.

Attachment 5 – Written public comments received during the open public comment period and summary of comments and summary city action regarding comments.

### **CITY COUNCIL ACTION OPTIONS**

The City Council may decide whether the proposed amendments should be approved, approved with modifications, or rejected. Specifically, the Council may:

1. Adopt an ordinance that includes the amendments to the Comprehensive Plan as recommended by the Planning Commission; AND adopt an ordinance that includes amendments to the Municipal Code as recommended by the Planning Commission; AND adopt an ordinance that includes amendments to the Zoning Map as recommended by the Planning Commission.
2. Refer the documents back to the Planning Commission for further review and modification of their recommendation.
3. Adopt the ordinance and resolution with additional changes made by the City Council.
4. Reject the proposed changes.

### **RECOMMENDATION**

1. Make a motion to adopt Ordinance \_\_\_\_-16 to adopt amendments to the Land Use Element, Transportation Element, Economic Development Element and Comprehensive Land Use Map, all included in the Sedro-Woolley Comprehensive Plan.
2. Make a motion to adopt Ordinance \_\_\_\_-16 to create a new Chapter 17.XX SWMC – Residential 1 Environmentally Constrained zone and adopt amendments to Chapter 17.65 SWMC – Regulations for Critical Areas.
3. Make a motion to adopt Ordinance \_\_\_\_-16 to adopt amendments to the Sedro-Woolley Zoning Map.

## **Attachment 1** to memo

Ordinance \_\_\_\_-16 to adopt amendments to the Land Use Element, Transportation Element, Economic Development Element and Comprehensive Land Use Map, all included in the Sedro-Woolley Comprehensive Plan (including Exhibits A – E to Ordinance)



**AN ORDINANCE OF THE CITY OF SEDRO-WOOLLEY, WASHINGTON ADOPTING AMENDMENTS TO THE COMPREHENSIVE PLAN TO REVISE AND INCORPORATE UPDATED INFORMATION IN ACCORDANCE WITH THE GMA-REQUIRED COMPREHENSIVE PLAN UPDATE DEADLINE OF JUNE 2016, AS REVIEWED AS PART OF THE 2015 COMPREHENSIVE PLAN DOCKET.**

**WHEREAS**, applications for amendments to the Sedro-Woolley Comprehensive Plan were received by the published deadline of January 16, 2015; and

**WHEREAS**, the City of Sedro-Woolley established an on-going public participation process in accordance with RCW 36.70A.130(2) including the regular Planning Commission meetings, joint City Council and Planning Commission workshop(s), and Public Hearings to discuss proposed changes to the Comprehensive Plan; and

**WHEREAS**, public hearings were conducted before the Sedro-Woolley Planning Commission on various dates; and

**WHEREAS**, the Growth Management Act gives authority to Sedro-Woolley to update its Comprehensive Plan once per year in such a manner that all proposed amendments are considered by the governing body concurrently such that the governing body may evaluate their cumulative effect; and

**WHEREAS**, environmental review of the updated Comprehensive Plan has been completed and a Determination of Non-Significance was issued February 25, 2016, and that document is adopted by reference; and

**WHEREAS**, the proposed amendments to the Comprehensive Plan have been submitted to the Washington State Department of Commerce (COMM) and the required 60-day review period has passed; and

**WHEREAS**, as part of the 2015 Docket, the Planning Commission reviewed the proposed updates to the Introduction/Vision Statement, Land Use Element – including proposed amendments to the City urban growth area (UGA) boundaries, Transportation Element and Economic Development Element of the Comprehensive Plan and Comprehensive Land Use Map as contained in this ordinance and made a recommendation to adopt updates to the Comprehensive Plan;

**WHEREAS**, the Planning Commission held five public meetings, two open houses and five public hearings on updates to the Comprehensive Plan, zoning map, UGA boundaries and associated development regulation updates including amendments to the critical areas ordinance and amendments to the zoning code to add a new Chapter 17.XX – Residential 1 Environmentally Constrained zone; and

**WHEREAS**, notice was sent to all property owners whose land may have been affected by a zoning change or proposed to be included in the UGA ; and

**WHEREAS**, the Skagit County Board of Commissioners designates UGA boundaries based on the need demonstrated by the local jurisdictions and the projected 20-year population and employment growth projections adopted in the Countywide-Planning Policies; and

**WHEREAS**, the County's updated 20-year population and employment projections show that Sedro-Woolley is projected to increase by 4,555 residents and 4,427 jobs for a projected total of 17,069 residents and 9,179 jobs by 2036; and

**WHEREAS**, the Growth Management Act (GMA) requires that the City complete a full update its Comprehensive Plan on or before June 30, 2016; and

**WHEREAS**, the Planning Commission issued a recommendation and findings of fact for the proposed UGA boundary modification, the Council passed Resolution #936-16 supporting the UGA modifications and requested that Skagit County review and approve the UGA modifications through the County review and approval process; and

**WHEREAS**, in compliance with RCW36.70A.115, the City finds that the updated UGA boundaries, zoning changes, Comprehensive Plan and development regulations provide sufficient land capacity for development; and

**WHEREAS**, in compliance with Chapter 36.70A RCW, the City finds that the updated development regulations shall implement the Comprehensive Plan; and

**WHEREAS**, the City of Sedro-Woolley has an existing application (file #PL13-0229) with Skagit County Planning and Development Services for a UGA modification that includes adding city-owned property into the UGA for open space and public uses; and

**WHEREAS**, Skagit County is still performing its review process for all UGA modification requests; and

**WHEREAS**, the attached amendments to the Sedro-Woolley Comprehensive Plan and zoning map amendments reflect the UGA modifications as proposed by the City on the presumption that the modifications will be approved by Skagit County upon completion of its Comprehensive Plan review and approval process; and

**WHEREAS**, should Skagit County approve amendments to the Sedro-Woolley UGA that vary significantly from the attached amendments to the Sedro-Woolley Comprehensive Plan and zoning map, Sedro-Woolley will review and amend the Sedro-Woolley Comprehensive Plan and zoning map as necessary to reflect the County's adopted UGA modifications; and



**WHEREAS**, the attached updates to the Introduction/Vision Statement, UGA boundaries, Land Use Element, Transportation Element and Economic Development Element of the Comprehensive Plan, along with the updates to the Capital Facilities Element that were adopted April 27, 2016 (Ordinance 1844-16), the updates to the Housing Element that were adopted May 28, 2014 (Ordinance 1794-14), the updates to the Public Utilities Element that were adopted January 27, 2010 (Ordinance 1663-10), and the updates to the Parks and Recreation Element that were adopted April 11, 2012 (Ordinance 1736-12) are intended to satisfy the GMA requirement to fully update the City of Sedro-Woolley Comprehensive Plan by June 30, 2016; and

**NOW THEREFORE THE CITY COUNCIL OF THE CITY OF SEDRO-WOOLLEY DOES ORDAIN AS FOLLOWS:**

**Section 1.** The City Council hereby adopts by reference the Planning Commission's *Findings of Fact, Conclusions and Recommendations* - which were certified by the Planning Commission Chair on May 5, 2016 - as the City Council's *Findings of Fact*.

**Section 2.** The *Introduction & Vision Statement* of the Sedro-Woolley Comprehensive Plan is hereby amended to read as set forth in the attached Exhibit A.

**Section 3.** The *Land Use Element* of the Sedro-Woolley Comprehensive Plan is hereby amended to read as set forth in the attached Exhibit B.

**Section 4.** The *Transportation Element* of the Sedro-Woolley Comprehensive Plan is hereby amended to read as set forth in the attached Exhibit C.

**Section 5.** The *Economic Development Element* of the Sedro-Woolley Comprehensive Plan is hereby amended to read as set forth in the attached Exhibit D.

**Section 6.** The *Comprehensive Plan Map* in Appendix A to the Sedro-Woolley Comprehensive Plan is hereby amended as set forth in the attached Exhibit E.

**Section 7.** This ordinance shall take effect five (5) days after the approval by the City Council and publication as provided by law.

**Section 8.** 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.

**PASSED** by majority vote of the members of the Sedro-Woolley City Council this \_\_\_\_\_<sup>th</sup> day of May, 2016, and signed in authentication of its passage this \_\_\_\_\_<sup>th</sup> day of May, 2016.

By: \_\_\_\_\_  
KEITH L. WAGONER, Mayor

Attest: \_\_\_\_\_  
PATSY NELSON, Finance Director

Approved as to form:

\_\_\_\_\_  
ERON BERG, City Attorney

Published: \_\_\_\_\_



# Exhibit A

To Ordinance No. 2016-\_\_\_\_\_

Introduction & Vision Statement

## **Chapter 1**

### **INTRODUCTION AND VISION STATEMENT**

- 1.04      Introduction**
- 1.08      Vision Statement**





## INTRODUCTION

This comprehensive plan was prepared by the city of Sedro-Woolley in accordance with Section 36.70A070 of the Growth Management Act (Act) to address growth issues in Sedro-Woolley and its adjacent urban growth area. It represents the community's policy plan for growth over the next twenty (20) years.

### Why the City of Sedro-Woolley is Planning

#### To Implement the Growth Management Act from the "Bottom Up"

The Growth Management Act was intentionally drafted to give significant decision-making power to local jurisdictions. Although the Act tells jurisdictions that they must identify concerns and goals of the community, prioritize these goals, and plan how these goals will be achieved, it does not dictate the solutions. This "bottom up" approach is unique to Washington State's growth management legislation, and is the main characteristic which distinguishes it from similar acts in Florida and Oregon.

#### To Maintain Local Decision Making Power

For several years, the population in Sedro-Woolley remained stable after experiencing a slight loss in the mid-1980's after the closure of Skagit Manufacturing. However, since the 1990 census between 1990 and 2005, Sedro-Woolley has shown an annual population growth of close to three percent. Since 2005 the growth rate has slowed, likely a result of the housing crisis and economic recession from which the region is still recovering. This growth is largely the result of migration northward from the more densely populated areas of the central Puget Sound region. With this growth comes increased demand for public facilities such as streets, sanitary sewer, solid waste collection, and fire and police protection. Provision of these services and the general operation of the city is increasingly influenced by

policy decision made at the federal, state and regional level.

The citizens involved in the preparation of Sedro-Woolley's comprehensive plan believe that the most effective way to maintain local control is to become more actively involved in planning. By clearly stating a vision for the future of the community, the city can readily evaluate the implications of its policy decisions, and express community concerns to regional, state, and federal entities. In addition, the Growth Management Act requires that state agencies comply with local comprehensive plans and development regulations. Therefore, the comprehensive plan and the implementing regulations allow the city to assert local control over certain issues with the assurance that state and county agencies will respect their decisions in a manner consistent with the community's desired vision of itself.

#### To Promote Desired Changes

Sedro-Woolley has attempted to diversify its economy, especially after the loss of its major employer (Skagit Manufacturing). However, the loss of this employer had a significant negative impact of the community's value which made it difficult to promote the city to potential new industries. As a result, most new development has occurred in the form of single-family subdivisions. While this new housing was needed, concerns were raised that Sedro-Woolley would become primarily a "bedroom" community for the employment centers located along Interstate 5.

The comprehensive plan sets forth goals and policies that promote the concept of a balanced community where job retention and attraction is given equal consideration to new housing developments. Included in the plan is an evaluation of the existing infrastructure capacity with current demand and a projection of capacity supply in order to direct future growth. This information is crucial in order for the city to take a proactive role in attracting the type of development required to meet the needs of its citizens, and make the wisest use of land and public re-



sources. The ability to make decisions in response to the growth and changes that are occurring in Sedro-Woolley will allow the city to take advantages of positive opportunities and better assess potential impact on the quality of life.

### **To Address Changes in Community Needs**

The city of Sedro-Woolley is also updating its comprehensive plan to address dramatic changes since the previous plan was adopted. There has been a steady decline in the size of households, and an increase in the number of elderly individuals living on fixed incomes. The balance between the number of jobs and the number of housing units has shifted as major employers have left the community, and the viability of timber and agriculture industries has waned. Concerns about environmental quality and the impact on personal finances have also created a change in traditional land use patterns as well as a preference for alternatives to the automobile. Finally, the economy has shifted away from land intensive industries to light manufacturing and service industries that are more compatible with other land uses.

### **Purpose of the Comprehensive Plan**

This comprehensive plan was developed in accordance with Section 36.70A.070 of the Growth Management Act to address growth issues in the city of Sedro-Woolley and its surrounding urban growth area. It represents the community's policy plan for growth over the next twenty (20) years. The city of Sedro-Woolley is not self-sufficient, and relies on many other communities. In such situations many unexpected changes could occur over which Sedro-Woolley has no control. Therefore, the long-term planning for the city needs to be adaptable and responsive to these kinds of circumstances. Rather than being a simple priority list of actions which assume a static environment, it must provide policies to guide decision-making in response to the unforeseen. The plan includes the following elements:

- \* Land Use
- \* Transportation
- \* Parks

- \* Capital Facilities
- \* Utilities
- \* Housing
- \* Economic Development

### **County-Wide Planning Policies**

The county-wide planning policies (~~Appendix A~~) provide the framework for Sedro-Woolley's planning process, and a measure for ensuring coordination and consistency between the city and Skagit County. These policies address urban growth areas and the twenty (20) year population forecast accommodation, means to promote contiguous and orderly development and provision of urban services, siting of county-wide and state-wide public capital facilities, county-wide transportation facilities and strategies, the need for and distribution of affordable housing for all economic segments, joint planning between the cities and county within the urban growth areas, economic development and employment, analysis of fiscal impact, and environmental quality. All of the individual elements in the plan have been integrated along with the county-wide planning policies to ensure consistency.

### **Goal of 2005-2016 Update**

The goal of this update is to achieve greater consistency between the plan and the development regulations.

The city has been updating portions of the plan since ~~2002-2009~~ in order to meet the required deadline to update by ~~2005~~ June 30, 2016 (RCW 36.70A.130).

The plan must be updated at least every ~~seven~~ eight years but no more frequently than once a year. Capital facilities plans are adopted as part of the comprehensive plan. Capital facilities include transportation, sewer, police, fire, schools, and may include library and municipal facilities. The city reviewed and updated the capital facilities element in 2014-2016 and incorporated the 20 year population and employment data adopted by Skagit County for the 2016 countwide planning policies. The city in-



tends to have major capital facilities updates on a rotating schedule with minor updates part of the annual update process.

### Capital Facilities Plans

2003 Update	2005 Update	2006 Update	Future Ongoing Updates
Transportation	Parks & Open Space	Library	Fire
Schools	Sewer	Schools	Solid Waste
Fire	Police	Housing	Parks & Open Space
	Solid Waste		Police
	Municipal Facilities		Municipal Facilities
	Transportation		Stormwater

In addition, the transportation plan is being updated further in order to develop a zone-based traffic model to assess impact fees.

A community action planning process in 2000 and 2001 established several priorities for the city:

- Economic Development
- Downtown Revitalization
- Parks and Open Space

Further directions from the mayor were to:

- Improve the attractiveness of commercial development along Highway 20;
- Require urban infrastructure in all new development; and
- Revise the transportation impact fees.

These priorities continue to influence the 2016 Comprehensive Plan updates. Improving consistency and predictability of the development approval process was an additional goal. The subdivision procedure and consolidated land use procedures were revised, and the SEPA procedure brought into line with current state law.

### Urban Growth Area

After the Skagit County government declined to adopt city ordinances requiring urban infrastructure for development in the unincorporated urban growth area (UGA), the city filed an appeal before the Western Washington Growth Management Hearings Board. The Board ultimately ruled that adequate provisions for urban services must be provided concurrently with development. Following this ruling, the county and the cities began a collaborative planning process to adopt development regulations that apply to all of the UGAs in the county. The subsequent ordinance adopted by Skagit County and supported by the cities, requires a minimum lot size of five acres for residential development when no urban infrastructure is required, but allows for cities to develop an Urban Reserve Development Permit in portions of the UGA where they expect urban infrastructure to become available relatively soon. A limited amount of commercial and industrial development can also occur in the UGAs without requiring the installation of urban services. The city of Sedro-Woolley may consider developing a program to allow development at higher densities with a mechanism to pay for required infrastructure that does not shift the costs of infrastructure to the taxpayers.



Deficiencies in urban services are a significant problem in much of the Sedro-Woolley UGA. Skagit County Planning and Development Services permitted residential subdivisions and mobile home parks to be developed in the UGA without requiring urban serves. Most of the UGA east of city limits stretching eastward to Fruitdale Road are on septic systems. There is no economic or practical incentive for sewer to be extended to this area. In addition, the streets in the developed UGA are not to city standards; the right-of-ways lack curb, gutter, sidewalks and street lighting. A comprehensive stormwater conveyance system is also absent in these areas. In order for further development to occur in the portions of the UGA that already have significant urban densities but no urban services, the city will depend on Skagit County government to provide financial and technical assistance for the provision of urban serves to the area.

#### **UGA Size and Expansion**

The jurisdictions in Skagit County worked together to adopt growth projections over the next 20 years. Those population and employment growth projects were reviewed and adopted by the Skagit Council of Governments (SCOG). The city then analyzed the available land inventory to determine if the SCOG projections can be accommodated in the current UGA boundaries.

The city performed a buildable lands inventory and compared the available land to the projected population and employment growth through 2036. The analysis indicated that additional land within the UGA is necessary to accommodate the projected 20 years of growth. As part of the 2016 Comprehensive Plan updates, the city held numerous public meetings, open houses and public hearings in support of necessary modifications to the UGA boundaries.

After the city's extensive public review program was complete, the Planning Commission and City Council recommended a modest UGA boundary expansion to accommodate the County's projected 20 year growth in the Sedro-Woolley UGA. The city forwarded the UGA expansion request to Skagit County; the county's Planning Commission held ad-

ditional meetings and hearings in accordance with SCC and the Growth Management Act. Ultimately the Skagit County Board of County Commissioners found that the amount of land requested to be added to the UGA was consistent with the need showed by the city's buildable lands inventory and approved a modest UGA boundary expansion.

#### **Design Guidelines**

The city's adopted comprehensive plan calls for design guidelines to help maintain the city's small-town atmosphere as it grows. Design guidelines are in place downtown and need to be fully implemented to achieve the desired early 19th-century look. This update proposes permanent design standards and guidelines that provide guidance for the development of new commercial, industrial, residential, multifamily, and planned residential developments. The standards are located in a manual which addresses building and site design and includes illustrations of the requirements. The planning commission acts as the design review authority for larger projects, while smaller projects are reviewed administratively.

#### **Transportation Impact Fees**

The city is in the process of completing modeling and calculations to support a zone-based transportation impact fee. The city will continue to collect the current impact fee until the revised calculation is complete. The city will continue to seek the cooperation of Skagit County in joint road improvement projects in the unincorporated UGA. SEPA requires that cumulative impacts be mitigated when identified. New private development must address its impacts upon the public health, safety and general welfare, for open spaces, drainage ways, streets, alleys, other public ways, water supplies, sanitary wastes, parks, playgrounds and sites for schools and school grounds. State legislature has enabled, and the city has elected to implement, the use of impact fees to mitigate the direct impacts that have been specifically identified by the city as a consequence of proposed development, and to make provisions for impacts. Impact fees provide a simple effective tool for this purpose. The city will continue to seek the coopera-



tion of Skagit County in joint road, sewer and other infrastructure improvement projects in the unincorporated UGA.

### **Plan Implementation and Monitoring**

This section outlines the plan implementation and monitoring procedures developed to measure progress in implementing the goals, objectives, and policies in the city of Sedro-Woolley's comprehensive plan. This process also prepares the city for updates in the future. Annual continuous evaluation should ensure that the following items are addressed:

- \* Citizen participation in the process;
- \* Updating appropriate base-line data and measurable objectives to be accomplished in the first six-year period of the plan, and for the long-term period;
- \* Accomplishments in the first five-year period, describing the degree to which the goals, objectives, and policies have been successfully reached;
- \* Obstacles or problems which resulted in the under-achievement of goals, objectives, and policies; and
- \* A means of ensuring a continuous monitoring and evaluation of the plan during the five-year period.

Although adopted by ordinance, a comprehensive plan has traditionally been a policy document with implementation through land development regulations and other ordinances. However, the Growth Management Act encourages a variety of innovative implementation methods, regulatory and non-regulatory, which should be considered. The city will continue its public participation program following plan adoption in order to inform the entire community about the rationale and goals of the plan, as well as the changes that will take place in the city because of the plan's implementation. Sedro-Woolley believes that broad support for the plan is crucial for effective implementation.

Existing development regulations must be updated to be consistent with the plan. In reviewing regulations for consistency, the city should ensure that the development patterns suggested in the plan are encouraged. In addition to the new development regulations identified in the land use plan, other regulations (i.e. design review guidelines, drainage regulations) will be enacted as necessary to implement the land use plan during the annual review periods.

Planning is an ongoing process, and improved data or changing circumstances will require amendment to the comprehensive plan. In particular, the plan will be reviewed once a year and updated as necessary to reflect revisions to the Office of Financial Management population estimates and revisions to the Capital Facilities Plan periodically as required by the Growth Management Act (roughly every eight years) to ensure that the city's comprehensive plan, capital facilities planning, transportation planning and land available in the UGA are adequate to accommodate the projected 20 year employment and population growth. The 20 year update process requires that the cities and Skagit County cooperate to ensure that the Countywide Planning Policies and city comprehensive plans are consistent. The 20 year growth projections shall be based on the Office of Financial Management's population estimates. The update will also address any specific concerns, clarify inconsistencies that were identified during the year, and review the adequacy of the adopted level of service standards. In addition, at least every five years the city will review the densities permitted within the urban growth area and the usage of the land within the urban growth area. If necessary, adjustments will be made to revenues, land use classifications or LOS standards to ensure that probable funding meets the projected needs of the city.

The community's vision statement and comprehensive plan goals provide long-range guidance for the city. To maintain consistency and allow sufficient time for decisions to take effect, these general guidelines should not be changed more than every five years. However, as specific objectives or policies are



achieved, revision of the plan in each element may be required to continue progress toward the overall goals.

Amendments to the comprehensive plan can be requested by the city council, planning commission, or by any affected citizen or property owner. However, the plan may not be amended more than once a year, and therefore, requests for amendments can be deferred to the time of the annual public hearing. The planning commission will review the comprehensive plan and propose any needed amendment. A public hearing will then be held to solicit comment following adequate notice to the public. After further review, a formal recommendation will be made to the city council.

The council will hold a public hearing following public notice, make modifications if necessary, and adopt the proposed amendments to the comprehensive plan. By reviewing and updating the plan on a regular basis, Sedro-Woolley can rely on this document in decision-making, and can maintain public interest and support of the planning process.

### **Consistency with State Growth Management Goals**

The data used to develop this comprehensive plan is to the greatest extent possible the best available data. The city has coordinated its plan with that of adjacent jurisdictions and the county in order to achieve compatibility and external consistency. In addition, the Growth Management Act requires consistency and/or compatibility with the planning goals set forth in the Act. The following are the goals from the Act (shown in italics), below which are listed the policies from the Sedro-Woolley Comprehensive Plan that support and/or are consistent with these goals.

### **Goals and Policies**

The goals and policies set forth throughout the comprehensive plan are the result of the "visioning" process held by the city of Sedro-Woolley in the early stages of the development of the comprehensive plan.

Some modifications have been made as a result of new developments in the planning process of the city and county and as a result of the special study recommendations.

It is envisioned that the adoption of some of these goals and policies will require several years to enact; especially in the area of development of design guidelines. The city will actively work to implement these goals and policies within the next five years prior to the first eight years until the next required major review of the comprehensive plan. These goals and policies will be incorporated into the city's codes as necessary and annually as amendments to the comprehensive plan.

### **Growth Management Act Goals**

#### **Urban Growth**

*Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.*

#### **Goal GMA1: Encourage development in areas where adequate public facilities exist.**

Policy A1.31: An annexation area must be provided city services within six years, consistent with the provisions of the current Capital Facilities Plan.

Policy LU3.2: Establish transportation as an "urban" service requiring concurrency under the Growth Management Act.

Policy LU3.6: Periodically review the comprehensive plan and adjust revenues, land use classifications, or level-of-service (LOS) standards to ensure that probable funding meets the projected needs of the city.

Policy CF2.2: "Concurrent Development" shall be defined as development which can be provided transportation services by the city of Sedro-Woolley within six years of the date of the development approval. If capital facilities necessary to meet the concurrency requirement are not provided in the six-year Capital



Facilities Plan, the developer shall provide the facilities at his/her own expense to meet the concurrency requirement.

Policy CF2.1: The city of Sedro-Woolley shall allow only "concurrent development" to occur within the urban growth area. Proposed developments shall complete a concurrency review provided by the city planning department.

### **Reduce Sprawl**

*Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.*

### **Goal GMA2: Reduce Urban Sprawl**

Policy A1.42: Reject annexation requests which are not contiguous to existing city areas, except as permitted under RCW 35.13.180.

Policy A1.3: An annexation area must be provided city services within six years, consistent with the provisions of the current Capital Facilities Plan.

### **Transportation**

*Encourage efficient multi-modal transportation systems that are based on regional priorities and are coordinated with county and city comprehensive plans.*

### **Goal GMA3: Provide safe, efficient transportation services to community residents.**

Policy T1.1: Identify and improve substandard roads based upon a priority system which accounts for both traffic demand and surrounding land uses.

Policy T1.4: Improve arterial and collector streets identified as deficient in condition level of service to the adopted design standard, consistent with the capital facilities element of the comprehensive plan.

Policy T2.3: Improve arterial and collector streets identified as deficient in capacity level of service to

the design standard, consistent with the capital facilities element of the comprehensive plan.

Policy T3.8: Consider the needs of future transit service when improving principal, secondary and collector arterials.

Policy T4.1: Establish a committee to review alternate transportation options and propose alternatives appropriate to Sedro-Woolley's anticipated population growth and density. Options to evaluate include trails, rail, transit, walking, etc.

### **Housing**

*Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing.*

### **Goal GMA4: Provide adequate, diverse and affordable housing to all community residents.**

Policy A4.1: Encourage a variety of housing in Sedro-Woolley and its UGA.

Policy H1.1: Install supporting infrastructure in areas of higher density housing, as a public, private, or private/public effort.

Policy H2.1: Encourage affordable housing for the elderly. As an alternative, the elderly should be accommodated in safe, well-maintained multiple-unit structures.

Policy H2.2: Encourage affordable housing for those with special needs. (Including, but not limited to disabled, low-income, homeless).

Policy H2.3: Encourage affordable housing for non-traditional households. (Including, but not limited to seasonal workers, single parents, extended families, and group homes.)

### **Economic Development**



*Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, and encourage growth, all within the capacities of the state's natural resources, public services, and public facilities.*

**Goal GMA5: Encourage community economic development.**

Policy E1.1: Create employment opportunities within the Sedro-Woolley economy, particularly for residents who now commute to other distant employment areas.

Policy E2.1: Encourage local business development opportunities and utilization by the private and public sector, particularly for small start-up businesses owned by or employing Sedro-Woolley residents. Promote local use of special business financing and management assistance programs.

Policy E3.1: Promote tourism as a means of diversifying the economy and preserving the history of the community.

**Property Rights**

*Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.*

**Goal GMA6: Preserve property rights**

Policy LU5.7: Recognize the rights of property owners to freely use and develop private property consistent with city regulations.

Policy H4.3: Encourage the development of residential structures that respect existing views of natural features, and the right of everyone to enjoy them.

**Permits**

*Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.*

**Goal GMA7: Ensure fair, predictable and timely permit processes.**

Policy H2.6: Maintain easy access to the permitting process.

Policy T5.3: Aggressively enforce RCW 36.70A.106, requiring the Department of Transportation, or any other state agency, to comply with this comprehensive plan.

Policy UI.2: Provide utility permits in a fair, timely and predictable manner.

**Natural Resource Industries**

*Maintain and enhance natural and resource-based industries, including productive timber, agricultural, and fisheries industries.*

**Goal GMA8: Encourage productive forest, agriculture and natural resource industries.**

Policy LU5.4: Preserve and enhance Sedro-Woolley's rural and agricultural character by allowing necessary agricultural support services and facilities.

Policy CC1.3: Recognize and retain logging and other timber industry practices as a heritage of this community. Strive to preserve this heritage while supporting and encouraging the development of modern forest-practices industries.

Policy OS2.2: Recognize and promote the benefits of agricultural land which include maintaining open space, establishing rural character, preserving view corridors, enhancing wildlife habitat, and providing employment for the residents of Skagit County.

Policy E3.7: Sedro-Woolley's tourism strategy should also capitalize upon the city's unique location

and timber industry heritage. Strive to maintain a balance between logging history and environmental education and preservation.

### **Open Space and Recreation**

*Encourage the retention of open space and development of recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks.*

### **Goal GMA9: Provide open space and recreation opportunities to community residents.**

Policy P1.5: Identify zones which generally indicate where it is appropriate for future parks to be located as new development occurs.

Policy P2.3: Develop a mixture of active and passive recreation areas in order to accommodate the desires and lifestyles of Sedro-Woolley's residents.

Policy P3.1: Pursue joint ventures with Skagit County, other jurisdictions and public/private opportunities, in order to obtain access to a greater variety of recreational programs than the city could provide on its own.

Policy OS 1.2: The city shall provide input and coordinate review of development proposals with Skagit County to ensure the integrity of unincorporated open space within Sedro-Woolley's urban growth area.

### **Environment**

*Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.*

### **Goal GMA10: Protect the environment while enhancing community quality of life.**

Policy LU16.8: Encourage Development of a Brickyard Creek plan that addresses the creek's habitat functions, passive recreation uses and stormwater conveyance functions. The plan should address off-site mitigation opportunities in the creek's riparian

area in accordance with the regulations for critical areas Chapter 17.65 SWMC.

Policy CSA1.2: Provide the public, staff and decision-making bodies with information pertaining to the identification, classification, and designation of critical areas.

Policy CSA1.5: Promote land use patterns and methods of development that will protect the value of sensitive and critical areas, and prevent hazardous conditions.

Policy CC5.2: In conjunction with the Sedro-Woolley school district, ensure that curriculum within Sedro-Woolley schools emphasizes social and environmental responsibility.

Policy CSA4.1: Encourage the use of alternative modes of transportation, such as, carpooling, public transit, walking, and biking, in order to reduce the amount of automobile emissions.

Policy U3.2: Promote conservation of water and electricity within the urban growth area. Work with utilities, service agencies and other jurisdictions to promote conservation products and programs.

### **Citizen Participation and Coordination**

*Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.*

### **Goal GMA11: Encourage early and continuous citizen participation in the comprehensive planning process.**

Policy A11.1: Encourage, respect and reward citizen activism.

Policy A11.2: Hold neighborhood meetings within proposed annexation areas in order to answer questions about the implications of annexation.



Policy LU5.6: Ensure that community's planning programs reflect basic community values.

Policy H3.8: Work to develop multi-family design recommendations based upon a participatory design process with community residents.

Policy CC6.6: Commit to honest, equal citizen participation in city processes.

~~Encourage, respect and reward citizen activism.~~

### **Public Facilities and Services**

*Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.*

### **Goal GMA12: Assure capacity for new developments through a capital facilities plan.**

Policy CF1.1: Provide capital improvements to correct existing deficiencies, to replace worn out or obsolete facilities and to accommodate desired future growth, according to the six-year capital facilities plan.

Policy CF2.3: Ensure that future development bears a fair share of capital improvement costs necessitated by the development. The city shall reserve the right to collect mitigation impact fees from new development in order to achieve and maintain adopted level of service standards. The city shall be responsible for its fair share of capital improvement costs for existing deficiencies.

Policy CF2.4: Ensure that city plans and development regulations identify and allow for the siting of "essential public facilities," as described in the Growth Management Act. Work cooperatively with Skagit County and neighboring jurisdictions in the siting of public facilities of regional importance.

Policy CF3.1: Update the six-year Capital Facilities Plan (CFP) annually prior to the city budget process. All city departments shall review changes to the CFP and participate in the annual review.

### **Historic Preservation**

*Identify and encourage the preservation of lands, sites, and structures that have historical or archaeological significance.*

### **Goal GMA13: Preserve historically and culturally significant sites and structures.**

Policy LU6.5: Develop and implement a local historic and cultural preservation procedure.

Policy H1.3: Protect historically significant housing sites and structures.

Policy CC1.1: Preserve historically-significant buildings, trees and site within the Sedro-Woolley urban growth area through the development of historic preservation and urban forestry programs.

Policy CC1.2: Preserve culturally-significant sites identified within the Sedro-Woolley urban growth area. Do not allow development or encroachment upon sites identified as significant by the Skagit Tribal nations.

(Ord. 1524-05, § 1 (Exh. A) , Ord.1663-10)



## VISION STATEMENT

The year is 20252036. Sedro-Woolley has a small-town environment and a strong sense of identity. Many people know each other here. Residents greet each other by name. Business owners know both other owners and their regular patrons. People feel comfortable and safe walking through town.

The “centralized” nature of town, revolving around the central business district, helps keep the tight-knit structure of the community. The town’s scale promotes a “homey” feeling. Residents feel important as a part of their community rather than alienated as they might in a big city. Residents are involved in the community and strive to maintain a safe, healthy, enjoyable, and economically viable community. Visitors are encouraged to come to Sedro-Woolley. Signs on the main highways (Interstate 5 and State Routes 9 and 20) are inviting. Walking and shopping on and around Metcalf Street promotes a warm but bustling atmosphere.

### Growth and Land Use

Citizens recognize the need for the city to grow. The city expands slowly through annexations primarily for residential development. This is done in an environmentally and aesthetically ~~sustainable~~ generational way, under compliance with the State’s Growth Management Act. Even though the city’s residential sector is growing, planning efforts strive to maintain an intentional balance of residential, commercial, and light industrial uses.

### Economic Development

Sedro-Woolley’s job base is strong and vital. The city is economically self-sustaining and is not considered a “bedroom community” for larger cities in the region. Residents who live here can also work here. Sedro-Woolley is home to a diverse collection of larger employers. An occasional slump in one area will not depress the entire economy. The retail and tourism focus of the city is in the central business

district and is complemented by larger businesses at commercial nodes in various parts of the city. Professional offices, light industry, and support services are sited at these nodes. Industrial parks in Sedro-Woolley are complete and fully utilized.

### Other Commercial Development

Both commercial and light industrial businesses are encouraged in Sedro-Woolley. Zoning keeps commercial strip development along the highways from sprawling. Rather, nodes of service-type enterprises along the main roads thrive. Development in these areas caters to the highway traveler and does not compete with downtown retail and tourism. Open space and green areas are maintained in the city’s zoning ordinance, and further promoted in the growing areas of the city. The downtown retail core is primarily retail businesses with some service businesses.

### Housing

Most residential areas are zoned to protect the dominance of the single-family home. However, smaller lots are encouraged to protect Sedro-Woolley’s hinterlands from sprawl. Infill development in the older neighborhoods consists primarily of duplexes and accessory dwelling units that are designed to compliment existing neighborhoods.

Within the central business district, apartments on the upper stories of shops are encouraged. Sedro-Woolley offers a variety of housing types to meet the needs of its diverse citizens.

### Transportation

The city’s transportation system expands to meet demands due to growth. Through-traffic circumvents the downtown area, which discourages congestion. Safe bicycle and pedestrian transportation is encouraged by the maintenance and addition of bike shoulders on the roads as well as off-road bike paths and trails. Local youth are educated in safe bicycling and traffic laws for bicyclists on the road. Bike racks are placed at key places in town to encourage people to ride their bikes rather than drive.



### **Central Business District**

The city endorses the preservation of a functional yet aesthetically pleasing downtown area. Downtown is the city's core—it is a place where residents can come to purchase basic goods without driving to other communities. It is also the center of the city's social life. The central business district is vibrant during the day with a healthy and safe nightlife. Residential space above first-floor shops helps see to that. No buildings stand vacant. Metcalf Street, with its "Main Street" feel, is perfect for strolling. Its shops are small and unique to maintain the city's personal scale and character. Businesses that attract people to the downtown from the outside, such as retail, are promoted. This environment encourages tourists en route to the Cascades or the I-5 corridor to pull off the highway and visit for a short while. Signs from the highways indicate the route to downtown. Once again, Sedro-Woolley is a place where people go out of their way to visit. Downtown is also the city's link to its past. Its built form speaks of the old Sedro-Woolley and its rich tradition of providing services to people from near and far in the Skagit Valley. Historic buildings are preserved and renovated and new buildings visually blend with the older structures. Convenient and available parking for patrons is provided. Through design and atmosphere, however, patrons are encouraged to park their cars and walk from shop to shop on and around Metcalf Street.

### **Parks and Open Space**

Citizens support the development of small, new, neighborhood parks, as well as open green space. New residential developments are encouraged to preserve open green areas for the public. The old Burlington Northern Railroad line connecting Sedro-Woolley with Burlington provides a recreation path for bicyclists and pedestrians to use instead of the highway. This trail connects Burlington and Sedro-Woolley with the upriver communities of Lyman, Hamilton, and Concrete. Trails are also available

around Riverfront Park. Bicycle and pedestrian paths connect parks to recreation facilities.

### **Library**

The Sedro-Woolley library system is enjoyed by a wide variety of residents and non-residents who benefit from the facility's modern technological resources, wide range of research materials, and updated periodicals. The city is committed high quality library services in the city of Sedro-Woolley, and an essential element of urban life. The city will support expanded regional library services to serve the residents and non-residents, as opportunities develop.

### **Recreational Facilities**

The public promotes maintenance and expansion of the city's existing recreation facilities. They also encourage the development of other facilities, particularly for the benefit of local youth. When not in school, teenagers have activities that keep them from loitering on street corners. These older students, as well as grade-school children, have places to go for entertainment and recreation that are close to home and school. A community center that houses an indoor recreation area, swimming pool, and organized programs benefits both the town's youth and its adults. A movie theater and game center allowing people under twenty-one (21) to visit are located downtown.

### **Infrastructure**

The city promotes the improvement of infrastructure elements. Deteriorating roads in town are repaired and repaved as needed. Other pre-existing infrastructure needs such as sidewalks and sewers are inspected and repaired. All new infrastructure or improvements are supported by the city's capital facilities plan and are consistent with other plan elements. Every residential neighborhood in Sedro-Woolley enjoys paths, sidewalks, and street trees on every street.

**Community Vision**

As a whole, its citizens envision the Sedro-Woolley of the future as a warm and economically viable small-town community. Present and future residents will be honored to call it “home.”

(Ord. 1524-05, § 2 (Exh. B))



# Exhibit B

To Ordinance No. 2016-\_\_\_\_  
Land Use Element

## Chapter 2

### LAND USE ELEMENT

2.04	Definitions
2.08	Land Characteristics and Types of Land Use
2.12	Existing Land Uses and Land Availability
2.16	Land Use Goals and Policies
<u>Appendix A</u>	<u>Buildable Lands and Land Capacity Analysis Report and addendum memo</u>





## DEFINITIONS

As used in this plan:

“Adequate capital facilities” means facilities which have the capacity to serve development without decreasing levels of service below locally established minimums.

**Arterial Streets.** Arterial streets provide the systems primary traffic-carrying capacity. They are intended for higher volume use and provide routes for through trips from various destinations.

**Arterial, Minor.** Minor arterials serve the major traffic generators of the city, including the central business district, major commercial and residential areas, and the high school.

**Arterial, Principal.** Principal arterials are the major thoroughfares to, from, and through the city. As such they are subject to the highest traffic volumes and speeds. Direct access from primary arterials to abutting properties is discouraged.

“Available capital facilities” means facilities or services which are in place or that a financial commitment is in place to provide the facilities or services within a specified time. In the case of transportation, the specified time is six years from the time of development.

“Capacity” means the measure of the ability to provide a level of service of a public facility.

“Capital budget” means the portion of each local government’s budget which reflects capital improvements for a fiscal year.

“Capital facility” means an element of public infrastructure, such as electrical service, streets, a water supply system, sewers, stormwater systems, and other publicly-available utilities and facilities.

“Capital improvement” means a project to create, expand or modify a capital facility. Such a project may include design, permitting, environmental analysis, land acquisition, construction, landscaping, site improvements, and equipment. The cost of a capital improvement is generally non-recurring and may require multi-year financing.

“Commercial uses” means activities within land areas which are predominantly connected with the sale, rental, and distribution of products, or performance of services.

“Comprehensive plan” means a generalized coordinated land use policy statement of the governing body of a county or city that is adopted pursuant to RCW 36.70A.

“Concurrency” means the concept that capital facilities that achieve and maintain the standards for level of service adopted in the comprehensive plan are available to serve new development no later than the impacts of the new development. This definition includes the two concepts of “adequate capital facilities” and “available capital facilities” described above.

“Concurrent development” means development which can be provided transportation services by the city within six years of the date of development approval.

“Consistency” means a requirement of GMA that no feature of a plan or regulation is incompatible with any other feature of a plan or regulation. Consistency is indicative of the probability for orderly integration or operation with other elements in a system.

“Contiguous development” means development of areas immediately adjacent to one another.

“Coordination” means a requirement of GMA for consultation and cooperation among affected jurisdictions during the preparation (and subsequent revisions) of the comprehensive plan.

“Critical areas” means areas identified for protection and/or special regulation due to their sensitive nature or importance to the public health and welfare, and which include: (a) wetlands; (b) areas with a critical recharging effect on aquifers used for potable water; (c) fish and wildlife habitat conservation areas; (d) frequently flooded areas; and (e) geologically hazardous areas.

“Cultural resources” means elements of the physical environment that are evidence of human activity and occupation. Cultural resources includes: (a) historic resources are elements of the built environment typically fifty (50) years of age and older, and may



be buildings, structures, sites, objects, and districts; (b) archaeological resources consist of remains of the human environment at or below the ground surface such as habitation sites; and (c) traditional cultural properties consist of places or sites of human activities which are of significance to the traditions or ceremonies of a culture. Traditional cultural properties do not necessarily have a manmade component and may consist of an entirely natural setting.

“Density” means a measure of the intensity of development, generally expressed in terms of the number of dwelling units per acre. It can also be expressed in terms of population density (e.g., people per acre or square mile). Density is useful for establishing a balance between potential local service use and service capacities.

“Department of Ecology (DOE)” means the Washington State Department of Ecology.

“Determination of Nonsignificance (DNS) means a written decision by an agency conducting a SEPA (State Environmental Policy Act) review of a proposed action that the proposal is not likely to have a significant adverse environmental impact, and therefore an EIS is not required.

“Duplex” means a building containing two dwelling units. A duplex must be built on-site and consists of one structure with two residential units. The units may be connected by a common wall or a carport. Duplex units should be constructed with a compatible design and materials to the surrounding neighborhood. In addition, in the instance where a duplex unit is created by the addition of another unit to an existing unit, the new unit must be compatible with the design and materials of the existing unit.

“Essential public facilities” means those public facilities that are typically difficult to site due to the nature of their use, including but not limited to those uses set forth in RCW 36.70A.200.

“Environmental Impact Statement (EIS)” means a document that discusses the likely significant impacts of a proposal. This type of document is required by SEPA.

“Financial commitment” means the identification of sources of public or private funds or combinations thereof; the determination that such funds will be

sufficient to finance capital facilities necessary to support development; and the assurance that such funds will be timely put to that end.

“Geologically hazardous areas” means areas that because of their susceptibility to erosion, sliding, earthquake, or other geological events, are not suited to the siting of commercial, residential, or industrial development consistent with public health or safety concerns.

“Goal” means the long-term end toward which programs or activities are ultimately directed.

“Growth Management Act (GMA). This is the Act (RCW, Chapter 36.70A, and all subsequent amendments) which requires most Washington counties, along with their associated municipalities, to formally prepare long-range development and financial plans to accommodate projected growth for the next twenty (20) years.

“Household” includes all the persons who occupy a group of rooms or a single room which constitutes a housing unit.

“Impact fee” means a fee levied by a local government on new development so that the new development pays its proportionate share of the cost of new or expanded facilities required to service that development.

“Industrial uses” means the activities predominantly connected with manufacturing, assembly, processing, or storage of products.

“Infrastructure” means those man-made structures which serve the common needs of the population, such as: sewage disposal systems, solid waste disposal sites or retention areas, stormwater systems, utilities, bridges, and roadways.

“Land use” means a classification system which identifies the types of activities allowed (e.g., agriculture, residential, industrial, etc.), the population densities permitted, and the appearance of the development (e.g. heights and sizes of structures, building placement, and landscaping).

“Level of service” means a quantifiable measure of the amount of public facilities or services that must be provided per unit of demand or other appropriate measure of need for both existing and potential future users.



“Low Impact Development (LID)” means a stormwater and land use management strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design.

“LID Best Management Practices (BMPs)” means distributed stormwater management practices, integrated into a project design, that emphasize pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration. LID BMPs include, but are not limited to, bioretention/rail gardens, permeable pavements, roof downspout controls, dispersion, soil quality and depth, minimal excavation foundations, vegetated roofs, and water re-use.

“ LID Principals” means land use management strategies that emphasize conseration, use of no-site natural features, and site planning to minimize impervious surfaces, native vegetation loss, and storm-water runoff.

“Long-term commercial significance” means an analysis of the growing capacity, productivity, and soil composition of the land considered in the context of the land’s proximity to population areas and the possibility of more intense uses of the land which is used as an indication of its long-term potential for commercial production.

“Manufactured housing” means a manufactured building or major portion of a building designed for long-term residential use. It is designed and constructed for transportation to a site for installation and occupancy when connected to required utilities.

“Mixed Commercial Development.” Allows a compatible mix of retail commercial, office uses, general services, light manufacturing and residential development located at selected nodes. Design standards are included in the adopted Design Standards and Guidelines manual to emphasize building and site design components.

“Mobile home” means a single, portable manufactured housing unit, or a combination of two or more such units connected on-site, that is:

a. Designed to be used for living, sleeping, sanitation, cooking, and eating purposes by one household only and containing independent kitchen, sanitary, and sleeping facilities; and

b. Designed so that each housing unit can be transported on its own chassis; and

c. Placed on a temporary or semi-permanent foundation; and

d. Is over thirty-two (32) feet in length and over eight feet in width.

“Multi-family Housing.” As used in this plan, multi-family is all housing which is designed to accommodate more than one household.

“Overlay” is a special district that provides opportunities to accomplish specific zoning objectives that could include; higher density uses for residential and commercial development; provision of open space and achieving other public policy goals.

“Policy” means the way in which programs and activities are conducted to achieve an identified goal.

“Public facilities” means facilities available for use by the general citizenry including streets, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, electrical power, parks and recreational facilities, and schools.

“Public services” means services which are publicly available including fire protection, law enforcement, public health, education, recreation, environmental protection and other governmental services.

“Single-Family Housing.” As used in this plan, a single-family unit is a detached housing unit designed for occupancy by not more than one household.

“State Environmental Policy Act (SEPA)” means a state law intended to minimize environmental damage caused by proposed public and private actions. SEP A requires that state agencies and local jurisdictions consider environmental factors when making decisions on activities such as development proposals as well as planning actions. As part of this process, environmental review documents are prepared and opportunities for public comment are provided. (RCW 43.21C; WAC 197-11)



Streets, Local Access. Local access streets serve low intensity traffic generators, most typically single-family residences.

“Special district” is a land use designation that indicates a special zoning classification to accomplish specific zoning objectives.

~~“Sub flood control zone” means a zone created to improve and maintain the capacity of Brickyard Creek, a flood prone area, and in which all new development is subject to review by the Skagit County public works department in order to determine potential adverse impacts.~~

“Urban governmental services” means those governmental services historically and typically delivered by cities, and includes storm and sanitary sewer systems, domestic water systems, street cleaning services, fire and police protection services, public transit services, and other public utilities associated with urban areas and normally not associated with non-urban areas.

“Urban growth” means growth that makes intensive use of land for the location of buildings, structures, and impermeable surfaces to such a degree as to conflict with the primary use of such land for agriculture, forestry, or mineral extraction of long-term commercial significance. When spread over wide areas, urban growth typically requires urban governmental services.

“Urban growth area (UGA)” means the designated area around and including recognized municipalities within which residential and commercial growth is focused (over the next twenty (20) years), the greatest densities are allowed, and high levels of service are to be developed and maintained to adequately support population densities and growth.

“Urban Village Mixed Use” is a land use designation, as part of an overlay zone, intended to provide for higher density residential and commercial development in a designated geographic area, providing the benefits of mixed-use development, open space, quality development design and efficiency of land use.

“Wetland” means areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under

normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from non-wetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities. However, wetlands may include those artificial wetlands intentionally created from non-wetland areas to mitigate conversion of wetlands, if permitted by the county or city.

“Zoning” means a technique of land use control by which specific geographic areas are designated by ordinance (text and map), and regulated as to the types of uses, and development standards that are allowed.

(Ord. 1524-05, § 2 (Exh. C)(part))

(Ord. 1629-08, § 2 (part))



## LAND CHARACTERISTICS AND TYPES OF LAND USE

The inventory presented in this element provides information useful to the planning process. It does not include all of the data or information that was gathered, but has presented the relevant information in an organized and useful format. Additional data are located in the appendices and support documentation. The first part of the inventory summarizes the general development of physical descriptions or types of land use. The second portion summarizes the city's specific information. The analysis of this information is in the last section of the land use element.

### Physical Description

#### Topography and Geology

The city of Sedro-Woolley lies on the north side of the Skagit River which runs generally east and west (See Figure LU-1 Sedro-Woolley Vicinity). Elevations in Sedro-Woolley range from thirty-six (36) to ~~forty-six (56)~~ two hundred and eighty-three (283) feet above sea level. The foothills of the Cascade Range lie to the east, and reach elevations of four thousand (4,000) feet. To the west is the broad delta of the Skagit River.

Sedro-Woolley is located at the transition between these two physiographic areas. The majority of the existing incorporated area lies within the floodplain delta of the Skagit River. Much of the incorporated area lies in the historic delta of the Skagit River. Only a small portion of the southernmost portion of the City lies within the 100 year floodplain as defined in the FEMA Flood Insurance Rate Map. A slightly larger area lies within the 500 year floodplain – mostly in the area south of State Street. This area is level to nearly level alluvial bottom land. However, immediately to the north is an area consisting of level to extremely steep glaciated uplands, glaciolacustrine terraces, and glacial outwash terraces. Relative minor

areas are influenced by the geology of the bedrock which is typically phyllite and sandstone.

Due to the potential for flooding in the floodplain delta immediately adjacent to the Skagit River, the majority of new development is planned for the upland area in the northern portion of the urban growth area. Some of this area may not be suitable for development due to steep slopes. This constraint has been taken into account and offset by encouraging appropriate development in these areas consistent with the Critical Area Ordinance.

\* Soil Survey of Skagit County Area, Washington, U.S. Department of Agriculture, Soils Conservation Service, 1989, p.2.

### Soils

Some of the soils in Sedro-Woolley are associated with the floodplain of the Skagit River. This association has produced a soil map unit known as Urban land-Mt. Vernon-Field complex which consists of very deep, moderately well-drained, relatively level soils.

North of State Route 20 in the central part of the urban growth area, the predominant soils are Minkler silt loam and Skipopa silt loam. The Minkler unit consists of very deep, moderately well-drained soils which formed on river terraces. Glacial activity has influenced the Skipopa silt loam which is also very deep, but poorly drained due to underlying glaciolacustrine sediments. Limitations for development within these soil units consist of potential flooding (Urban land-Mt. Vernon-Field complex and Minkler silt loam), perched water table and slow permeability (Skipopa silt loam), and seasonal high water table (Mt. Vernon-Field complex).

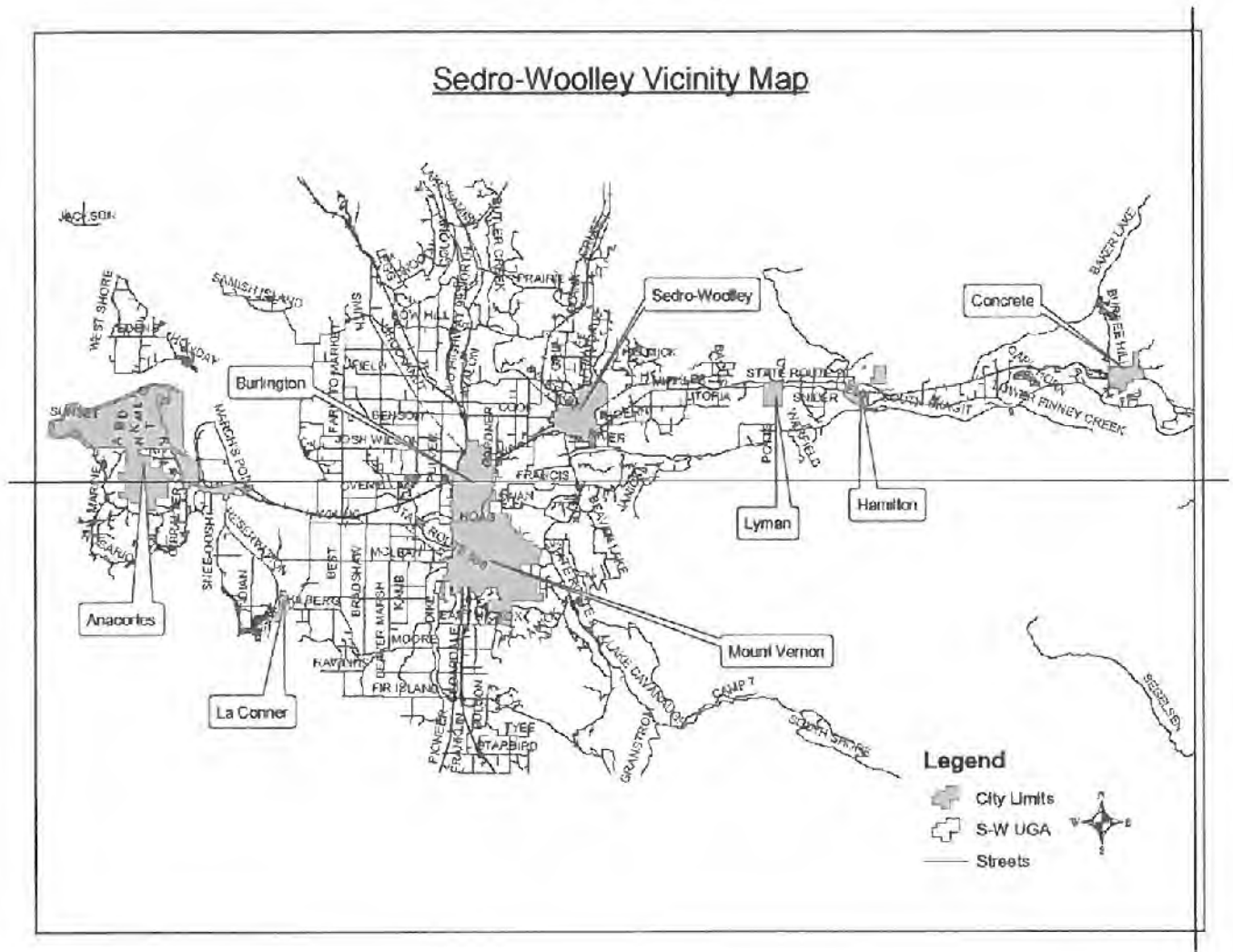
The area between Sapp Road and Bassett Road is made of several discontinuous soil units, primarily Dystric Xerochrepts, Barneston gravelly loam, and Hoogdal silt loam. Dystric Xerochrepts is a soil found on steep escarpment which is moderately deep to deep and well-drained. Barneston gravelly loam is very deep, somewhat excessively drained and found



on outwash terraces. Hoogdal silt loam is a very deep and moderately well-drained soil located on short upland slopes. The area consisting of these three soils has the most limitations in terms of constructing homesites. The Dystric Xerochrepts units are limited by extremely steep slopes. Barneston gravelly loam has poor filtering capacity which limits its suitability for septic systems. The moderate to steep slopes found within Hoogdal silt loam map unit create moderate limitations which will be taken into account for each development.\*

\* Soil Survey of Skagit County Area, Washington, U.S. Department of Agriculture, Soils Conservation Service, 1989, p. 16,44,59,76,97, & 116.

Figure LU-1  
Sedro-Woolley Vicinity





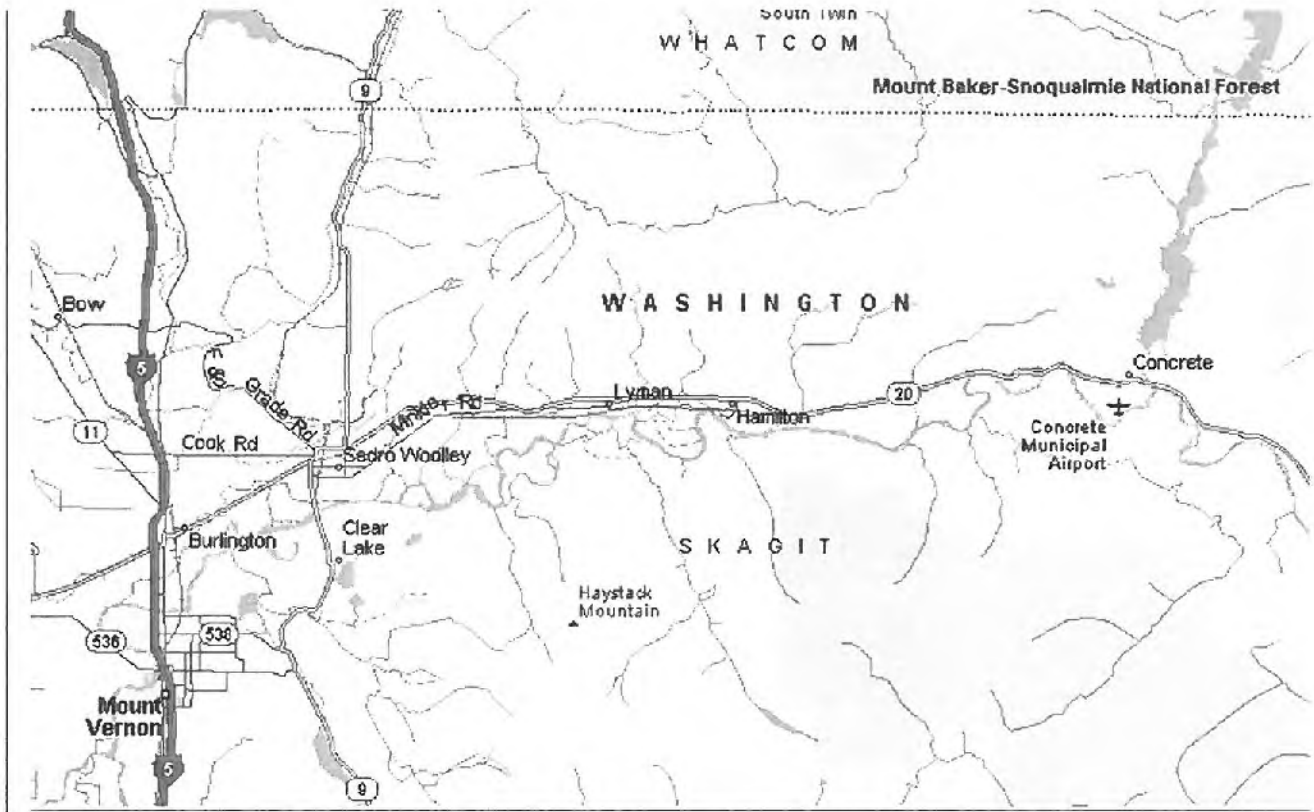
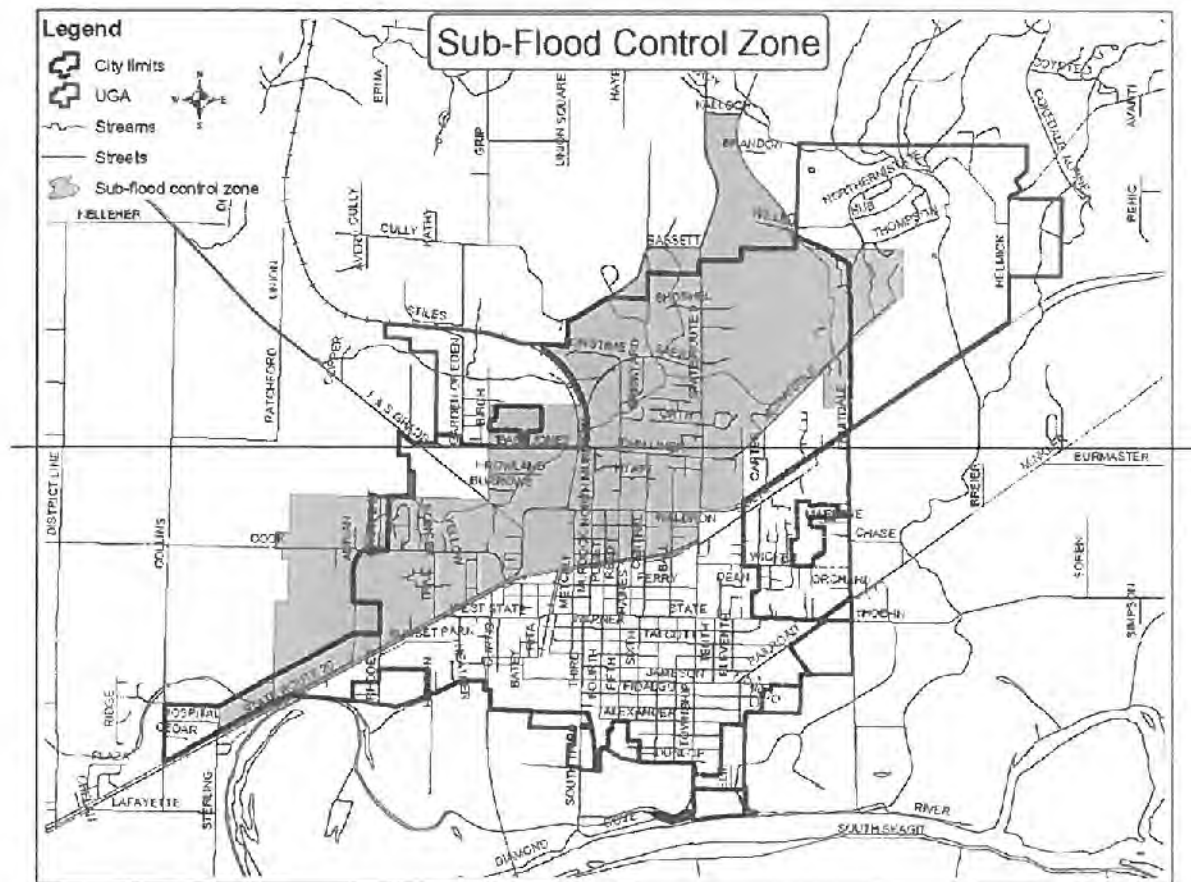


Figure LU-1A  
Sub-Flood Control Zone





## Surface Water

The Skagit River was the primary source of transportation during the early years of Skagit County. The salmon that thrived in the river also contributed to the local economy. In more recent years, the water quality and habitat value of the river have declined due to runoff from agricultural, urbanization, and clear cut areas. Increased soil erosion from upland areas has caused siltation of the river bottom reducing its navigability. The silty bottom has also discouraged salmon from spawning as they prefer a gravelly river bottom for laying eggs. Many locals believe the siltation is also responsible for the increased frequency and duration of flooding. They surmise that as the river bottom fills with sediments, the water is displaced causing the river level to rise.

Brickyard Creek and Hansen Creek are the primary conveyances for storm water to the Skagit River. Hansen Creek flows north and south along the eastern edge of the urban growth boundary. Due to the low level of urbanization adjacent to Hansen Creek, it is less important as a storm water conveyance. However, its value as habitat for fish and other wildlife species is very significant.

Brickyard Creek runs from the northeast to the southwest to where it meets the Skagit River. Most of the recent development in Sedro-Woolley drains into Brickyard Creek which is currently close to its maximum capacity. A recent study completed by Sturdy Engineering of Mount Vernon identified a number of restrictions caused by undersized or offset culverts that reduce the available capacity of Brickyard Creek.\* A major restriction where the creek crosses State Route 20 in the western portion of the urban growth area was removed in the summer of 1996 with the completion of a new culvert and fish ladder.

\* Sedro-Woolley Sub-flood Control Zone Surface Water Management Plan, Sturdy Engineering Corporation, January 13, 1993, p. 4-7.

The conflict created by use of Brickyard Creek as a drainage facility and fish and wildlife habitat has resulted in difficulties for all concerned. Prior to the

early 1960's, Brickyard Creek flowed to the northwest where it joined the Samish River. However, a major ditching effort altered its course from a point in the vicinity of the Brickyard Creek subdivision on north Reed Avenue Street. From this point to its confluence with the Skagit River, Brickyard Creek has been totally engineered.

~~A~~The Sedro-Woolley sub-flood control district was created by the county in 1972 to manage the drainage functions of the creek. The District was dissolved in 2012 and management of the creek was assumed by the city Public Works Department. Now any development which discharges stormwater to Brickyard Creek must receive approvals from the Public Works Department, Skagit County Flood Engineer and the Department of Fisheries. The competing goals and mission statements of these two agencies can cause extensive delays and frustrations for developers and the local jurisdictions. The city of Sedro-Woolley is in the process of developing a comprehensive stormwater management plan for its urban growth area. A part of this study will be to develop a cooperative process for the management of Brickyard Creek and incorporate it into a regional drainage management system adopted its Stormwater Management Plan in 1997. The Plan will be updated in conjunction with the 2016 Comprehensive Plan update. The city of Sedro-Woolley has adopted the 1992 stormwater management ordinance Department of Ecology 2005 Stormwater Management Manual for Western Washington as the basis for its stormwater management activities prepared by the Department of Ecology for the Puget Sound Basin. The Sub-Flood Control Zone is shown in Figure LU-1A. The city anticipates future adoption of the 2012/2014 Manual as required by the city's National Pollution Discharge Elimination System (NPDES) Stormwater Permit, including implementation of the LID requirements of the Permit.

On a larger scale, surface water provides the primary source of water for Skagit County. Public Utility District Number 1 of Skagit County is responsible for collecting, treating and distributing potable water



for the majority of the county. Sedro-Woolley's water comes from Judy Reservoir located south of the Skagit River. Surface water from the state and private lands is collected there and treated before being distributed to Sedro-Woolley.

### Ground Water

Ground water is located below the earth's surface within the spaces between individual soil particles. Where there are layers of porous soil or rock sandwiched between less permeable layers, an aquifer is created. Many jurisdictions depend on aquifers as a primary source of water.

With so many jurisdictions removing water from aquifers, they must somehow be replenished. Areas where surface water filters through the ground to an aquifer are called aquifer recharge areas. The quality of surface water and the recharge areas is extremely important, because any contamination transmitted through these areas will affect the entire aquifer. In addition, because the ground water system is so extensive, once polluted it is very difficult to impossible to clean. A section of the city's natural resource and sensitive Critical Areas Ordinance provides regulations for the identification and protection of aquifers.

The city has developed a Critical Areas Ordinance which regulates development as it relates to areas characterized by Natural Resources and Sensitive Areas. Along with this ordinance are established a number of policies designed to protect the quality and quantity of ground water which is used for public water supplies. In addition, this ordinance also regulates drainage, flooding, and storm water runoff which may discharge pollutants to the groundwater. The city's Critical Areas Ordinance is codified in SWMC 17.65.

### Wetlands

Wetlands are located primarily within the northern portion of Sedro-Woolley and its outlying vicinity. Specific locations of wetlands must be ground-truthed. For study purposes, the National Wetland

Inventory maps were used. The area of wetlands shown on these maps totals approximately 189 acres. This amounts to 3.6% of the urban growth area. An ordinance regulating development in wetland areas, and requiring site by site reconnaissance was first adopted by the city in March of 1992. A complete Critical Areas Ordinance was adopted in 2005 and addresses development that may affect wetlands and wetland buffers. The CAO was updated in 2016 in conjunction with GMA mandated updates to the Comprehensive Plan.

### Frequently Flooded Areas

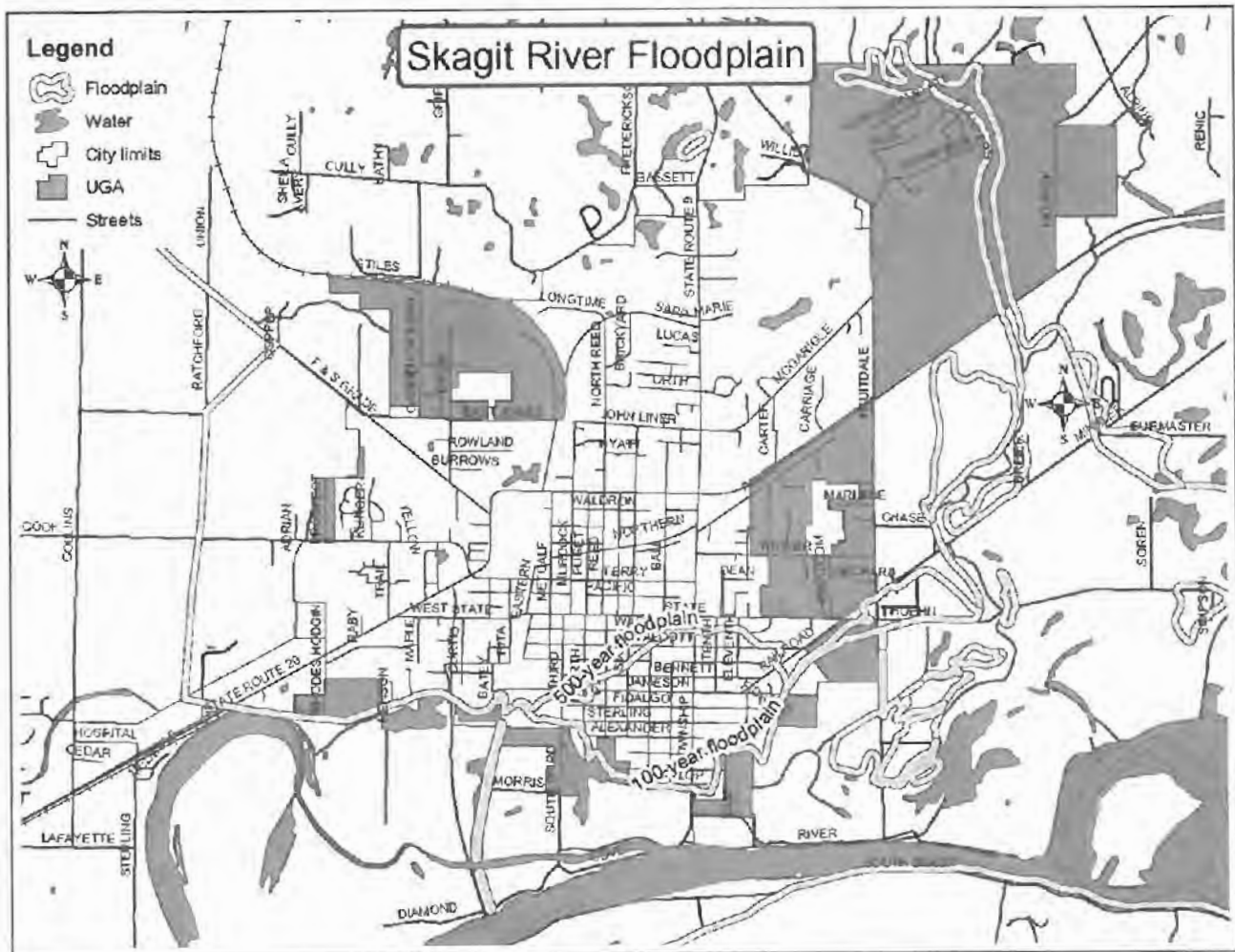
Sedro-Woolley is extremely fortunate in comparison to other municipalities in Skagit County. Almost all of its urban development is located outside of the one hundred (100) year floodplain. The one hundred (100) year flood elevations associated with the Skagit River were mapped by the Federal Emergency Management Agency in December of 1989. These elevations are fifty-two (52) feet in the eastern portion of the urban growth area, and forty-three (43) feet in the western portion (See Figure LU-2). All critical public facilities are located outside of the floodplain with the exception of the United General Hospital. The issue of the hospital location will have to be addressed on a site-specific basis as construction occurs.

Floods associated with the Skagit River occur primarily during November and December as a result of winter rainstorms. Spring floods can also occur when snowmelt caused by a sharp increase in temperature combines with unusually high levels of rainfall. This is a relatively rare occurrence, however, but was evidenced as recently as the spring of 1990. The record of past flood events in Sedro-Woolley is scarce, suggesting that the flood hazard on a community-wide scale is relatively low.\*

\* Flood Insurance Study: City of Sedro-Woolley, Washington, Skagit County, Federal Emergency Management Agency, December 5, 1989, p. 4.



Figure LU-2  
Floodplain



### **Habitat**

The primary wildlife habitats species in Sedro-Woolley are located along stream and river corridors. Anadromous fish runs have been identified in Brickyard Creek and Hansen Creek by the Washington State Department of Natural Resources (DNR). Other primary habitat areas are the palustrine wetlands located north of the incorporated city. Maps prepared by the Washington State Department of Wildlife showing detailed information for the Sedro-Woolley urban growth area are available for review at the office of the planning department. These areas are protected by the city's ~~sensitive areas ordinance~~ Critical Areas Ordinance which prescribes specific setbacks from stream and river banks and wetlands in order to protect water quality, enhance habitat and limit disturbances to animals.

### **Types of Land Use**

In June of 1994, the Sedro-Woolley city council approved the comprehensive plan, land use element and comprehensive plan map presented in this comprehensive plan as the adopted land use plan following a public hearing on June 27, 1994. (See Figure LU-3 Adopted Land Use Plan). ~~Later modifications~~ included the redesignations of property in the special study area near the downtown and the establishment of the eastern urban growth boundary. The land use map has been updated numerous times since 1994. Every rezone or UGA modification or annexation requires an update of the land use map.

(Ord. 1524-05, § 2 (Exh. C)(part))



## EXISTING LAND USES AND LAND AVAILABILITY

The following data is provided as a statement of the current status of land availability. The jurisdictions in Skagit County have reviewed the State Office of Financial Management's (OFM) high, medium and low growth projections for Skagit County. Through a cooperative planning process, which included review by the Skagit Council of Government (SCOG) Growth Management Steering Committee, the jurisdictions determined that a medium-low population growth projection for the next 20 years is the best estimate. The expected population projection through 2036 in Skagit County is 155,452 residents. This is an increase of 35,751 from the estimated 2105 population. Complete data regarding the County's projected population growth can be found in the Countywide Planning Policies.

The 2036 population forecast for Sedro-Woolley and its unincorporated UGA is 17,069. (The 2025 population forecast for Sedro-Woolley, including the unincorporated urban growth area, is was 15,000.) The 2015 estimated population of Sedro-Woolley is 10,700 residents in the city, and 12,514 in the city and UGA combined. Therefore an increase of 4,555 residents is expected – and must be planned for – in the city and UGA between 2015 and 2036.

### 2005-2015 OFM Estimated Population

City Limits: 10,700,800

Unincorporated UGA: 1,814

### 2000 Estimated Population

City Limits: 8,658

Unincorporated UGA: 1,700

The current city limits encompasses 3.7 4.1 square miles.

On behalf of the City of Sedro-Woolley, the economic and development consulting firm E. D. Hovee & Company, LLC (EDH) has prepared a buildable

land and land capacity analysis report (Report) as part of the City's Comprehensive Plan update which also involves review of urban growth area boundaries. The analysis is intended to meet requirements of the Skagit County Code (Chapter 14.08 SCC) together with Skagit County Planning Policies and City of Sedro- Woolley planning policies.

The Report is focused on evaluating the relationship of the buildable capacity to projected need for commercial/industrial (employment) and residential uses over the 20-year planning horizon from 2016 to 2036. Based on the allotment of the Skagit County Council of Governments (SCOG), Growth Management Steering Committee, Sedro-Woolley's population is projected to increase to 17,069 by 2036, an increase of 4,555 residents. Employment is forecast to increase by 4,427 for a total of 9,179 jobs. The Report addresses whether, and under what circumstances, land capacity will be adequate to accommodate these projections. The Report and August 25, 2015 addendum are included as Attachment A to the Land Use Element.

The Report included projected employment growth at the Center of Innovation and Technology (formerly Northern State Hospital Campus) that was annexed into city limits in 2015. A Planned Action Environmental Impact Statement was performed for the 225 acre property in 2015. The Preferred Alternative action of the Final EIS identified a capacity for – and identified mitigation measures for – 2,855 jobs at the facility. Those jobs are tied to the campus and not allocated towards the commercial/industrial land inventory outside the campus.

The Report showed that the UGA did not have adequate land supply to accommodate the projected population and employment growth through 2036. To accommodate the projected growth, the UGA boundaries were expanded in 2016 by the Skagit County Board of County Commissioners. As part of the UGA expansion that the Board of County Commissioners approved, two city-owned parcels were also added to the UGA; one zoned Open Space, the other



zoned Public. The two city-owned parcels do not affect population and employment land inventory, but add to the amount of recreational and open space land in the city's inventory. The land area within the parcels added to the UGA in 2016 totaled approximately 172 acres. The data in the Report reflect the UGA size and land uses prior to the 2016 UGA expansion. The existing updated area for each zone is as follows:

Zone	Acres
Residential 1 (R-1)	43
Environmentally Constrained	

Zone	Acres
Residential 5 (R-5)	771,201
Residential 7 (R-7)	714,565
Residential 15 (R-15)	107,82
Central business district (CBD)	14,776
Mixed commercial (MC)	157,267
Industrial (I)	242,199
Public use (P)	152,836
Open space (OS)	1637
Total	2,306,306

The 2005 Land Capacity Analysis for residential and commercial/industrial uses is summarized in the tables that follow.

#### Summary of Residential Land Capacity

	Total Residential Acres	Net Residential Acres <sup>1</sup>	Total Potential Units <sup>2</sup>	Existing Single Family	Existing Multi-Family	Total Existing Units	Total Capacity <sup>3</sup>	Capacity Single Family <sup>4</sup>	Capacity Multi-Family <sup>5</sup>
City	1,592	796	5,229	2,740	1,025	3,765	2,089	1,733	356
UGA	622	311	1,665	380	277	657	1,088	1,088	0
Total	2,213	1,107	6,893	3,120	1,302	4,422	3,177	2,821	356

<sup>1</sup> Includes a twenty-five (25) percent infrastructure discount and a twenty-five (25) percent market factor discount (fifty (50) percent total).

<sup>2</sup> This number represents the total units that could be developed if the entire net residential acres were built out at the density zoned (i.e. seven units per acre for R7; five units per acre for R5; and fifteen (15) units per acre for R15).

<sup>3</sup> The total number of units that can be accommodate based on current zoning.

<sup>4</sup> The number of units that can be accommodated assumed to be single family based on current zoning.

<sup>5</sup> The number of units that can be accommodated assumed to be multi-family based on current zoning.

The residential analysis indicates that the city and its associated urban growth area has the capacity to accommodate 3,177 housing units or 8,206 new residents.

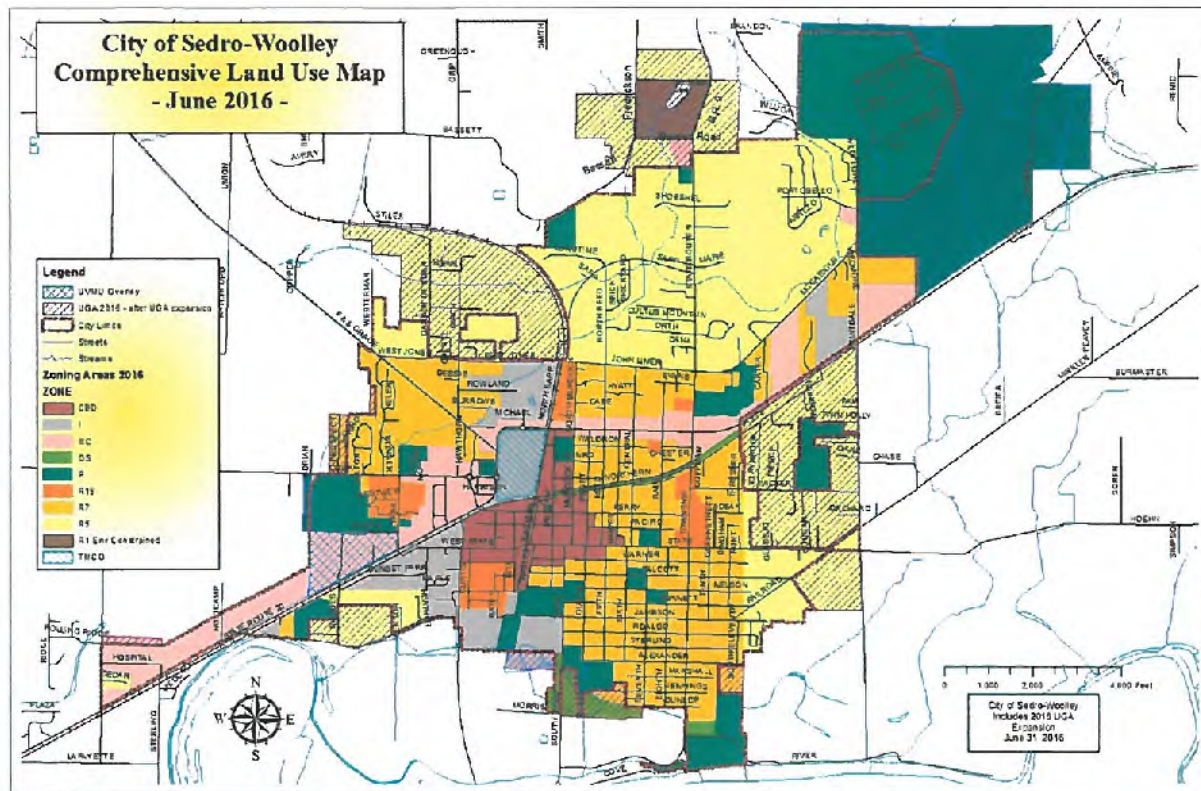
#### Summary of Industrial/Commercial Land Capacity

	MC	CBD	Total Commercial	IND	Total Commercial/Industrial	Undeveloped or Underdeveloped <sup>1</sup>
City	157	147	304	242	546	292
UGA	21	0	21	43	64	39
Total	178	147	325	285	610	331

<sup>1</sup> This includes approximately sixty (60) acres of residentially developed land that is zoned as central business district.



Figure LU-3  
Proposed Land Use Plan







## LAND USE GOALS AND POLICIES

### **Goal LU1: To safely accommodate population growth without causing urban sprawl.**

Policy LU1.1: Establish an urban growth area (UGA) to include existing and future urban land uses.

Policy LU1.2: Prevent urban development outside the urban growth area (UGA).

Policy LU1.3: Allow expansion of Sedro-Woolley through annexations primarily for single-family residential development.

Policy LU1.4: Pursue industrial park development within all industrial designated areas.

Policy LU1.5: Buffer commercial and industrial land uses when they abut residential development.

Policy LU1.6: Provide for limited commercial development catering to auto-oriented customers and tourists along State Route 20, outside the central business district.

### **Goal LU2: To coordinate land use decisions within and surrounding the urban growth area with other jurisdictions.**

Policy LU2.1: Support inter-jurisdictional efforts to address problems which may arise having regional impacts.

Policy LU2.2: Coordinate with Skagit County and the city of Burlington to limit development and preserve a green belt/open space in the area between the Sedro-Woolley and Burlington UGAs.

Policy LU2.3: The urban growth area is subject to joint planning by the city of Sedro-Woolley and Skagit County. Coordinate review with Skagit County of development proposals within the UGA to en-

sure consistency with the goals of the comprehensive plans. The city shall enter into any necessary Memorandum of Agreements with the county regarding codes and standards to be applied in the UGA.

Policy LU2.4: Encourage UGA growth to the north of city limits.

### **Goal LU3: To provide concurrent urban services.**

Policy LU3.1: Coordinate land use decisions with the transportation and capital facilities elements of the comprehensive plan.

Policy LU3.2: Establish transportation and sanitary sewer services as “urban” services requiring concurrency under the Growth Management Act (GMA).

Policy LU3.3: Do not approve developments that cannot be serviced by city transportation and sewer services.

Policy LU3.4: Deny approval to developments that would lower streets or sewer lines below established levels of service standards, unless:

1. The city accounts for such deficiency in its capital facilities plan, or
2. The developer provides services which maintain the level of service standard.

Policy LU3.5: Ensure that new development bears its fair share of the cost of associated increases in required capital facilities and services.

Policy LU3.6: Prohibit extension of city sewer services outside of the city limits without annexation and transference of governance.

### **Goal LU4: To reduce damages from natural disasters and preserve the characteristics of the natural environment.**

Policy LU4.1: Promote open space, recreation, and agriculture as the highest and best use of land in flood-prone areas.

Policy LU4.2: Implement a community flood-preparedness program.

Policy LU4.3: Require new residential development in outlying areas to provide adequate buffer areas to relieve conflict with adjacent operations on natural resource lands that may be incompatible with residential living.

Policy LU4.4: Provide effective and timely application of sensitive and critical area land use policies, including SEPA review for all developments involving potentially significant environmental issues.

Policy LU4.5: Coordinate with Skagit County and the other jurisdictions in county to update and maintain the Skagit County Natural Hazards Mitigation Plan.

**Goal LU5: To preserve community character.**

Policy LU5.1: Focus commercial development in the central business district and discourage strip commercial development.

Policy LU5.2: Resist growth pressures which could have a negative impact on community values.

Policy LU5.3: Seek and support developments that further the community character of Sedro-Woolley.

Policy LU5.4: Preserve and enhance Sedro-Woolley's rural and agricultural character by allowing necessary agricultural support services and facilities.

Policy LU5.5: Prevent incompatible uses within residential areas.

Policy LU5.6: Ensure that the community's planning programs reflect basic community values.

Policy LU5.7: Recognize the rights of property owners to freely use and develop private property consistent with city regulations.

Policy LU5.8: Encourage high standards of appearance in all residential areas and in other high visibility areas.

**Goal LU6: To provide clear review and approval processes for land use actions.**

Policy LU6.1: Adopt a future land-use map as a part of this comprehensive plan as a guide for development of zoning regulations.

Policy LU6.2: The following categories shall be used on the future land use map. Permitted uses will be refined in the development regulations which shall accompany the comprehensive plan.

**CBD:** Central Business District. Allows all forms of commerce which are geared to the centralized provision of goods and services within easy walking distance. Commercial retail and office uses are allowed on the first floor, and retail compatible uses on the second floor. In addition, multifamily housing located above the first floor or at the rear of a commercial and/or retail occupancy is allowed.

**MC:** Mixed Commercial. Allows a compatible mix of commercial and residential development with standards intended to present an attractive and welcoming appearance to visitors at the entrances to the city and at selected nodes along major roads.

**I:** Industrial. Allows office parks, wholesaling, manufacturing, live/work units, and limited retail and services.

**R-15:** Residential (15). Allows multi-plex developments of up to eight units per building, to a maximum density of fifteen (15) dwelling units per acre.

**R-7:** Residential (7). Allows single lot developments to a maximum density of seven units per acre, with a



minimum lot size of six thousand (6,000) square feet. Allows duplexes on appropriately sized lots (minimum duplex lot size of nine thousand (9,000) square feet). Allows planned residential developments (PRDs) with varying residential densities as a conditional use.

**R-5: Residential (5).** Allows single lot developments to a maximum density of five units per acre, with a minimum lot size of eight thousand four hundred (8,400) square feet. Allows planned residential developments (PRDs) with varying residential densities as conditional uses.

**R-1: Residential Environmentally Constrained.** Allows single lot developments to a maximum density of one unit per acre, to protect unique and environmentally sensitive lands. Allows planned residential developments (PRDs) with varying residential densities as conditional uses.

**P: Public-Facilities.** Allows parks, schools, public infrastructure and other developments intended primarily for public use.

**OS: Open Space.** Land which may not be residentially developed. Includes identified sensitive and critical areas. Agriculture and recreational uses shall remain a permitted use in open space areas under the provisions established for sensitive or critical areas.

**S: Special Districts** provide opportunity for land use designations to accomplish specific public policy goals that include overlay zones and other zoning approaches, including:

**Urban Village Mixed-Use (UVMU) overlay zone.** An overlay zone, in a specific geographic area, that allows for and encourages higher density residential and commercial development in a mixed-use development. This overlay zone will encourage higher concentration of development allowing for open space, efficient use of land and a more urbanized environment.

**Transitional Mixed Commercial Overlay (TMCO).** The intent of this overlay is to encourage the conversion of the underlying zone from Industrial to Mixed Commercial Zone. Ultimately, the area in the overlay is intended to become a compatible mix of commercial and residential development. Standards are intended to present an attractive and welcoming appearance to visitors. This area is situated at the center of town and is highly visible from State Route 20 and State Route 9. The area is intended to develop commercially so as to attract more visitors to the core of the city, which includes the adjacent Central Business District. The Transitional Mixed Commercial overlay is intended to allow the continuing use of the property for its historical industrial uses as the commercial transition process proceeds.

**Policy LU6.3:** Establish a concurrency review procedure. The developer shall be responsible for providing information on impacts the proposed development will have on public services. The city shall be responsible for determining if adequate public facilities can be provided to the development within the confines of the current Capital Facilities Plan.

**Policy LU6.4:** Develop and implement design review procedures for all land use zones. Residents and property owners in the affected designation areas shall be involved in this process, to the extent possible.

**Policy LU6.5:** Develop and implement a local historic and cultural preservation procedure.

**Policy LU6.6:** Encourage community involvement and participation in the land use decision making process, and provide understandable information and notices to affected residents and the press, to enable meaningful involvement and participation.

~~**Policy LU6.7:** The city should develop a Transfer of Development Rights (TDR) program to preserve open space and respect private property rights.~~



**Goal LU7: To preserve Sedro-Woolley's unique history and small-town character.**

Policy LU7.1: Preserve historically-significant buildings, trees and sites within the Sedro-Woolley urban growth area (UGA) UGA through the development of historic preservation and urban forestry programs.

Policy LU7.2: Preserve culturally-significant sites identified within the Sedro-Woolley urban growth area. Do not allow development or encroachment upon sites identified as significant by the Upper Skagit Tribe.

Policy LU7.3: Recognize and retain logging and other timber-industry practices as a heritage of this community. Strive to preserve this heritage while supporting and encouraging the development of modern forest-practices industries.

Policy LU7.4: Establish a renewable forest-industry and river wildlife theme for public spaces within the urban growth area (UGA) UGA.

Policy LU7.5: Create and adopt a neighborhood plan for the central business district (CBD). Adopt design standards to preserve the "small town" character of the retail area.

**Goal LU8: To maintain a hospitable, welcome environment for new Sedro-Woolley residents.**

Policy LU8.1: At the neighborhood level, establish citizen welcoming committees, responsible for welcoming new Sedro-Woolley residents to the community.

Policy LU8.2: Conduct community receptions concurrent with the opening of major apartment developments, mobile home parks or residential subdivisions. These receptions should be sponsored by the city in conjunction with local community organizations.

Policy LU8.3: In conjunction with the Sedro-Woolley chamber of commerce, prepare a brochure entitled "Welcome to Sedro-Woolley." This brochure should provide emergency information, local history, information on annual community activities, and a community resource list. It should be distributed to all new Sedro-Woolley residents, and be available in both English and Spanish.

**Goal LU9: To welcome and encourage multiculturalism.**

Policy LU9.1: To not tolerate discrimination based upon sex, race, ethnicity, income, lifestyle, religion, language or place of origin in any activity occurring within the Sedro-Woolley urban growth area (UGA) UGA.

Policy LU9.2: Upon request, provide public documents and election materials in languages other than English.

Policy LU9.3: Encourage and promote the development of minority businesses within the urban growth area (UGA) UGA.

Policy LU9.4: Recognize and retain Native American culture present within and near the urban growth area (UGA) UGA. Improve and enhance relations with the Upper Skagit Tribe. Encourage development of Tribal businesses within the central business district (CBD) CBD.

**Goal LU10: To create a safe, active environment for youth.**

Policy LU10.1: To not tolerate the formation, activity or existence of gangs within the Sedro-Woolley urban growth area (UGA) UGA.

Policy LU10.2: Seek to reduce youth violence through intervention and education.

Policy LU10.3: In conjunction with community organizations and the Sedro-Woolley school district,



provide comprehensive youth activity programming during after-school hours and evenings. Coordinate this programming with recreation activities proposed in the parks and recreation element of the comprehensive plan.

Policy LU10.4: Maintain well supported and equipped police and fire protection services.

**Policy LU11: To further community values through education.**

Policy LU11.1: In conjunction with the Sedro-Woolley school district, ensure that the curriculum within Sedro-Woolley schools emphasizes community history and reflects community values.

Policy LU11.2: In conjunction with the Sedro-Woolley school district, ensure that the curriculum within Sedro-Woolley schools emphasizes social and environmental responsibility.

Policy LU11.3: Establish a joint agreement between the city of Sedro-Woolley and the Sedro-Woolley school district for joint use of city and school facilities as necessary to accomplish the goals of the parks and recreation elements of the comprehensive plan.

Policy LU11.4: Coordinate and administer a series of community forums to educate community residents about changes occurring within Sedro-Woolley related to growth. Where possible, these forums should be led by citizens.

**Goal LU12: To provide local representation and community empowerment.**

Policy LU12.1: Ensure constitutional representation on the city council.

Policy LU12.2: File application with the state of Washington to be recognized as a code city.

Policy LU12.3: Reactivate the city's ward system. Redelineate wards and/or add new wards to reflect

the distribution of population. Extend wards to the limits of the ~~urban growth area (UGA)~~UGA.

Policy LU12.4: Within neighborhood wards, encourage residents to organize local improvement districts (LID's) to repair residential streets. Also encourage residents to participate in community awareness programs, such as blockwatch.

Policy LU12.5: Encourage neighborhood residents to resolve local disputes through neighborhood wards.

Policy LU12.6: Commit to honest, equal citizen participation in city processes. Encourage, respect and reward citizen activism.

**Goal LU13: To provide open space buffers within and adjacent to Sedro-Woolley's Urban Growth Area.**

Policy LU13.1: Designate floodplain areas for open space, recreational, and agricultural purposes.

Policy LU13.2: The city shall provide input and coordinate the review of development proposals with Skagit County to ensure the integrity of unincorporated open space within Sedro-Woolley's urban growth area.

**Goal LU14: To preserve Sedro-Woolley's existing agricultural lands and heritage.**

Policy LU14.1: Work to adopt an agricultural preservation overlay zone which reduces development pressure and enhances the long-term viability of existing agricultural uses within the urban growth area. This zone would be enacted upon petition by the property owner and not imposed by the city.

Policy LU14.2: Recognize and promote the benefits of agricultural land which include maintaining open spaces, establishing rural character, preserving view corridors, enhancing wildlife habitat, and providing employment for the residents of Skagit County.



**Goal LU15: To resolve conflict between existing agricultural uses and quickly growing residential areas.**

Policy LU15.1: Work to develop "Right to Practice Agriculture/Forestry" ordinances which require notification of home buyers adjacent to resource lands or related operations.

Policy LU15.2: Establish a building setback of fifty (50) feet and a tree-planting setback of thirty (30) feet for residential areas along the perimeter of the urban growth area which are adjacent to agricultural areas. Explore the allowance of a density credit for the setback area.

**Goal LU16: To protect, sustain and maintain Sedro-Woolley's critical areas, sensitive areas, and natural resource lands for present and future generations.**

Policy LU16.1: Provide necessary funds to identify, inventory, and classify sensitive and critical areas and natural resource lands within the ~~urban growth area (UGA)~~ UGA.

Policy LU16.2: Provide the public, staff, and decision making bodies with information pertaining to the identification, classification, and designation of critical areas.

Policy LU16.3: Require, as appropriate, site-specific delineation of sensitive and critical areas by owners/developers of property as part of the development review process.

Policy LU16.4: Provide incentives to encourage the use of environmentally sensitive designs including the use of LID principles, LID best management practices (BMPs) and other means such as cluster housing, that which would provide for adequate open space and protection of critical areas.

Policy LU16.5: Promote land use patterns and methods of development that will protect the value of sen-

sitive and critical areas, and prevent hazardous conditions.

Policy LU16.6: Develop funding mechanisms to permit the city acquisition of sensitive/open space areas for the public benefit. Integrate public park and/or trail systems with natural areas where appropriate, but ensure that such uses do not degrade the natural function of these areas.

Policy LU16.7: Coordinate efforts with appropriate Skagit County and state of Washington agencies to provide maximum protection for critical and natural resource areas.

Policy LU16.8: Encourage Development of a Brickyard Creek plan that addresses the creek's habitat functions, passive recreation uses and stormwater conveyance functions. The plan should address off-site mitigation opportunities in the creek's riparian area in accordance with the regulations for critical areas – Chapter 17.65 SWMC.

**Goal LU17: To control the impacts of development activities on the quality of surface and ground water.**

Policy LU17.1: Establish clearing, grading and filling restrictions in areas where such activities will impact water resources and associated habitat areas.

Policy LU17.2: Establish storm water runoff controls including use of the appropriate LID BMPs which prevent erosion, sedimentation, minimize stormwater runoff and discharge of pollutants into natural drainage systems.

Policy LU17.3: Preserve and enhance vegetation including use of appropriate LID Principles to minimize impervious surfaces, minimize vegetation loss, and stormwater runoff as a means of protecting both water quality and wildlife habitat.

Policy LU17.4: Develop construction management practices which reduce the potential for erosion and



water quality both during and after land development and construction.

Policy LU17.5: Require future developments to use city sewer facilities whenever feasible rather than septic systems.

Policy LU17.6: Allow wetland or stream alteration when such alterations results in restoration or enhancement of functions and values of degraded wetlands and streams.

Policy LU17.7: Maintain or enhance water quality within the Skagit River and its tributaries.

Policy LU17.8: Under no circumstances should hazardous wastes be allowed to contaminate the groundwater, surface water or sewer systems of the city of Sedro-Woolley. Dispose of hazardous wastes only in landfills designated for that purpose.

Policy LU17.9: Coordinate basin-wide surface-wide surface water planning with the Skagit County surface water management department.

Policy LU17.10: Water-courses, wetlands, bodies of water and their shores should be kept in a natural condition where possible, and protected from development impacts through the use of buffers and green spaces.

Policy LU17.11: Conduct an inventory of all significant drainage patterns and make this information available to planners and the public.

Policy LU17.12: Preserve natural; stream environments along the Skagit River and Hansen Creek. Restrict development within two hundred (200) feet of both streams, in compliance with the Shoreline Management Act (SMA).

**Goal LU18: To protect steep slopes and unstable soil areas from the impacts of development, and likewise protect development from hazards posed by the steep slopes and unstable soils.**

Policy LU18.1: Prohibit or strictly limit development in steep slope and unstable soil areas which pose seismic and/or erosion hazards.

Policy LU18.2: Require geotechnical analysis for developments with steep slopes and/or unstable soil areas to understand the extent of potential hazards.

Policy LU18.3: Adopt construction standards, zoning requirements, and enforcement procedures to protect life, property, and the environment in geologically hazardous areas.

Policy LU18.4: Prohibit or restrict clearing of vegetation in areas which are susceptible to landslides and erosion.

Policy LU18.5: Encourage hillside stabilization and replanting of disturbed slopes in order to prevent erosion and further degradation of steep slopes and unstable soil areas.

Policy LU18.6: Require the use of vegetative buffers to separate areas of development from critical and steep slope areas.

**Goal LU19: To preserve, enhance, and promote a high degree of air quality in Sedro-Woolley.**

Policy LU19.1: Encourage the use of alternative modes of transportation, such as, carpooling, public transit, walking, and biking, in order to reduce the amount of automobile emissions.

Policy LU19.2: Discourage the use of wood burning as a primary source of household heat and promote alternative heating sources.

Policy LU19.3: Limit the burning of leaves, brush and debris on designated days of the week or times of the year.

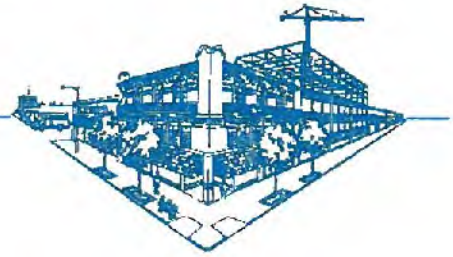
Policy LU19.4: Insure that local industries, commercial businesses, and residents comply with state, fed-

eral, and local environmental regulations concerning air quality.

(Ord. 1629-08, § 2, Ord. 1663-10 (part))

Appendix A  
Buildable Lands and Land Capacity Analysis Report  
and addendum memo





## MEMORANDUM

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To: John Coleman, AICP, Planning Director, Sedro-Woolley Planning Department  
From: Eric Hovee & Andrea Logue  
Subject: Sedro-Woolley Buildable Land & Land Capacity Analysis Report  
Date: July 16, 2015

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On behalf of the City of Sedro-Woolley, the economic and development consulting firm E. D. Hovee & Company, LLC (EDH) has prepared this buildable land and land capacity analysis report as part of the City's Comprehensive Plan update which also involves review of urban growth area (UGA) boundaries. The analysis is intended to meet requirements of the Skagit County Code (Chapter 14.08 SCC) together with Skagit County Planning Policies and City of Sedro-Woolley planning policies.

This report is focused on evaluating the relationship of the buildable capacity to projected need for commercial/industrial (employment) and residential uses over an approximately 20-year planning horizon to 2036. Based on the allotment of the Skagit County Council of Governments (SCOG), Growth Management Steering Committee, Sedro-Woolley's population is projected to increase to 17,069 by 2036, a gain of 4,555 residents. Employment is forecast to increase by 1,572 for a total of 6,324 jobs. Pivotal questions to address are whether, and under what circumstances, land capacity will be adequate to accommodate these projections.

This report is organized to cover the following topics:

- **Land use methodology** – including zoning classifications, role of public lands, property development status, critical areas/constraints, and analysis assumptions.
- **Buildable land and capacity analysis** – covering results of the buildable land inventory, land capacity, and comparison of capacity with SCOG population and job allocations.
- **Findings and recommendations** – including policy options for City consideration.

Two appendices are provided at the end of this report. *Appendix A* lists documents that have been reviewed for this analysis. *Appendix B* provides residential and commercial/industrial inventory maps. This report reflects revisions that have been made in response to questions and comments received on an earlier draft document.

## LAND ANALYSIS METHODOLOGY

This buildable land and capacity analysis has relied on geographic information system (GIS) parcel-based files as provided by the City and available from the Skagit County assessor's office. Where existing databases were in conflict or without adequate information, other means were utilized to clarify and augment the data available. This included visual review via aerial photography, used most notably to designate current development status.

The analysis also has been prepared in a manner to conform to a methodology agreed upon by jurisdictions in Skagit County. Of particular importance has been reference to the *2010 Buildable Lands & Land Capacity Analysis Report* by the City of Mount Vernon Community and Economic Development Department. Also of use for methodology and the industrial lands portion of the analysis was a countywide *Skagit County Industrial Land Study* completed by ECONorthwest in December 2014. Other information sources utilized are as noted in this report and Appendix A.

Factors important to the land analysis methodology for this report begin with Sedro-Woolley's zoning classifications as found in the Sedro-Woolley Zoning Code. This review is followed by discussion of the role of public lands for employment use, definitions related to development status and critical areas/constraints, and then summary assumptions utilized for residential and employment lands.

### Zoning Classifications

Zoning classifications are those as identified with the City of Sedro-Woolley Zoning Code:

#### *Residential Zones:*

- Residential 5 (R5) – for single-family use at up to 5 dwelling units (DU) per acre
- Residential 7 (R7) – primarily single-family at up to 7 DU per acre
- Residential 15 (R15) – allowing single- and multi-family uses at 4-15 DU per acre

#### *Employment Zones:*

- Mixed Commercial (MC) – encouraging a mix of commercial with upper level residential
- Central Business District (CBD) – allowing all forms of commerce with multi-family housing on upper levels or independent, at 2-4 DU per building for specified locations
- Industrial (I) – intended for manufacturing, warehousing, distribution and office uses

#### *Public & Open Space Zones:*

- Public (P) – for parks, schools, public infrastructure and related public use
- Open Space (OS) – for parks, recreation, public infrastructure and related public use



While residential zones allow home occupations, this analysis assumes that employment growth will be accommodated primarily on commercially and industrially zoned land. Conversely, while residential use is allowed with limitations in the MC and CBD commercial zones, there has been little such development to date and no residential development is allocated to these lands over the forecast period of this plan update.

## Role of Public Lands For Employment Use

Public lands serve as a potential resource for employment in two respects. First, a significant (approximate 36% share) of the net job growth allocated by SCOG for Sedro-Woolley is forecast to comprise government and education employment. While some of this job growth as for schools may occur on land zoned for public use, most of the growth for City and other agencies can be expected to occur primarily on lands designated for commercial and industrial use.

Second, while the Northern State site is currently zoned for Public (P) use, it is anticipated that subarea planning for this site may include allocation for net added employment uses. Based on discussions with SCOG, all of this job growth may be considered as outside the SCOG allocation, as with targeted high technology/bioenergy sectors that otherwise would not be expected to locate in Sedro-Woolley. The Northern State Subarea Plan and Environmental Process involves consideration of alternatives affecting intensity of employment related development and is proceeding separately from this buildable land and land capacity analysis.

In summary, for purposes of this analysis it is assumed that: a) most or all public employment growth may need to be accommodated on industrial and commercial lands; and b) any added employment with the Northern State site will constitute a new and separate jobs allocation from SCOG not included with this buildable land analysis.

## Development Status

As stated in the *Skagit County Industrial Land Study*, a key step in the buildable land analysis is to classify each tax lot into a set of mutually exclusive categories. This determination of development status represents an important first step in the analysis process for commercial and residential, as well as industrial, lands. With this analysis, all tax lots within the current Sedro-Woolley UGA have been classified into one of the following categories:

- **Vacant land.** Tax lots that have no structures, or have buildings with very little value. For the Sedro-Woolley buildable land analysis, tax lots with improvement values under \$10,000 are considered vacant. This designation was determined after review of alternative definitions used, is consistent with the Skagit County industrial study, and is applied to not just industrial, but also residential and commercial lands. This approach also avoids the need to determine habitable structures (as was done in Mount Vernon), which can be relatively time-consuming. As needed, site-by-site determinations have been made through review of GIS data, aerial photographs, and review by City staff.

- **Partially vacant land.** Partially vacant tax lots are those that are occupied, but which contain enough land to be further subdivided without rezoning. As needed, site-by-site determinations have been made through review of GIS data, aerial photographs, and review by City staff.
- **Unbuildable land.** Land that is impacted by critical lands or constraints that preclude development. A tax lot is classified as unbuildable if: a) it is more than 90% constrained (per the Skagit County industrial study); b) involves less than 10,000 square feet of buildable land for employment land; and/or c) does not have land to accommodate the zoned density of development in a residential zone on a lot with less than 10,000 buildable square feet.
- **Developed land.** Land that is already developed at densities consistent with zoning, and has improvements that make it unlikely to redevelop during the analysis period. Lands not classified as vacant, partially vacant, or unbuildable are considered as developed.

## Critical Areas/Constraints

Critical areas or constraints intersecting tax lots are deducted from tax lot area. The following list identifies the constraint and method of deduction from buildable land area:

- **Floodway** – all affected area is deducted and considered unbuildable.
- **Slope Instability** – all area affected by high probability of slope instability deducted and considered unbuildable.
- **River/Stream/Creek Buffers** – all affected area deducted and considered unbuildable.
- **Bonneville Power Administration Easement (262.5 Feet)** – all affected area deducted and considered unbuildable.
- **Puget Sound Energy Easement (100 Feet)** – all affected area deducted and considered unbuildable.
- **Williams Pipeline Easement (75 Feet)** – all affected area deducted as unbuildable.
- **Wetlands** – deduction of 50% of the buildable area of affected tax lots. This analysis was informed by use wetland data provided by the City in the form of the National Wetlands Inventory and ATSI data created by a wetland specialist to indicate areas that are likely to be wetlands based on visual confirmation and known soil types.
- **100 Year Floodplain** – deduction of 50% of the buildable area of affected tax lots.

## Assumptions

In addition to factors related to development status and critical areas/constraints, there are a variety of other considerations important to the land capacity evaluation – related to density of development, infrastructure and market factors, plus factors distinctive to the type of residential, employment and public/open space uses being considered. Provided on the following two pages is a summary outline of key assumptions, factors and metrics considered and applied with this 2105 Sedro-Woolley Buildable Land and Land Capacity Report.



## Summary of Assumptions Applied with Residential, Employment & Public Lands

Factor	Allocation(s)	Comments
<b>ALL PARCELS IN SEDRO-WOOLLEY</b> (Residential, Employment & Other Lands)		Utilizes City GIS datasets including city/UGA boundaries, parcel boundaries, zoning designations, streams, critical areas (flood/wetlands), streets, railroad, BPA and natural gas pipeline, as well as Skagit County Comp Plan designations and Washington State Department of Natural Resources for slope stability GIS data.
<b>RESIDENTIAL LANDS</b> (R-5, R-7, R-15 Zones)		Covers three zones allocated exclusively for residential use. While residential is allowed in some employment areas, no capacity allocation appears to be made in the current Comp Plan (for 4,555 added residents by 2036).
<b>Residential Capacity</b> (in acres for housing units)	= parcel size (acres) - existing land in use - critical areas - infrastructure - market factor	# of added units on parcel is determined by dividing residential capacity (in acres) by maximum units/acre with zoning – rounded down to nearest whole number. As needed, spot check parcels w/existing units to make sure configuration allows for added units.
<b>Maximum Density</b> (Residential)	R-5: 5 units/ac R-7: 7 units/ac R-15: 15 units/ac	Consistent with current Comp Plan, Section 2.12. Duplexes are permitted with R-7 zone @ approx 10 du/ac but limited to only one duplex lot per 3 successive lots; no adjustment to maximum density calculation proposed.
<b>Average Household Size</b>	2.59 persons per occupied household	Average household size is per Washington State Office of Financial Management (OFM), with 92.9% occupancy.
<b>Critical Areas / Constraints</b>	Deducted out of gross parcel area	Includes critical areas of floodway, Brickyard Creek plus associated buffers, slope instability, utilities, wetlands and floodplain. Mount Vernon tested implications of 40%/60% of wetland area as undevelopable; a 50% factor for wetlands/floodplain is applied for Sedro-Woolley.
<b>Infrastructure</b>	25% infrastructure deduction on all lots	Consistent with current adopted Comp Plan; allocations are made after known critical area deductions.
<b>Minimum Lot Size</b>	< 90% constrained w/ 1+ buildable lots	Threshold buildable lot size determined based on the maximum allowed density of each residential zone plus 25% infrastructure requirement.
<b>Market Factors</b>	15% vacant land 20% lots w/structure	Used Mount Vernon standard, which is below the current Sedro-Woolley Comp Plan allocation of 25%.
<b>Employment in Residential Zones</b>	No allocation proposed	Home occupations permitted and offices conditional uses in all residential zones (permitted in R-15; provisions more liberal for other employment uses in R-7/R-15). No adjustment for employment in residential is proposed.
<b>Planned Residential Developments</b>	No adjustment proposed	Zoning allows as conditional use in R-5/R-7 zones; capacity calculations treated no differently than other residential development in the same zones.



Factor		Allocation(s)	Comments
<b>EMPLOYMENT LANDS</b> (MC – Mixed Commercial, CBD – Central Business District, I – Industrial)			Covers 3 zoning districts for existing business expansion and new industrial/commercial development (to accommodate 1,572 added jobs by 2036).
Employment Land Capacity (in acres for jobs)	= parcel size (acres) - existing land in use - critical areas - infrastructure - market factor		# of added jobs on parcel is determined by dividing employment land capacity (in acres) by maximum applicable jobs/acre – rounded down to nearest whole number. Spot check parcels w/existing businesses to make sure configuration allows for added development.
Employment Density	6.5 jobs/ac industrial 20 jobs/ac comm'l & government		No job targets or density estimates in existing Comp Plan. Proposal matches Mount Vernon, job density standards of 1995 Skagit Co OEDP & 2003 countywide allocations.
Critical Areas / Constraints	Deducted out of gross parcel area		Includes critical areas of floodway, Brickyard Creek plus associated buffers, slope instability, utilities, wetlands and floodplain. Mount Vernon tested implications of 40%/60% of wetland area as undevelopable; a 50% factor for wetlands/floodplain is applied for Sedro-Woolley.
Infrastructure	25% infrastructure deduction on all lots		Consistent with current adopted Sedro-Woolley Comp Plan; above 20% EDH deduction for Mount Vernon. Allocations made after known critical area deductions.
Minimum Lot Size	10,000 sf (and < 90% constrained)		Consistent with Mount Vernon capacity analysis as minimum size for stand-alone uses.
Market Factor	25% deduction		Matches existing Sedro-Woolley Comp Plan and factor recommended by EDH with 2006 Mount Vernon analysis.
Job Allocations by Zone	Retail jobs to C zones Industrial jobs to I Office jobs flex to C/I Public jobs to Public		CBD/MC zones focus on retail & general (office) services as permitted uses, also includes light mfg in MC zone. I zone permitted for mfg, warehousing, distribution & office uses with limited retail at up to 5% of total site.
Housing in Employment Zones	No allocation proposed		Residential above first story commercial permitted in MC, Transitional MC zones, and CBD zones; multi-family @ 2-4 units per building permitted on secondary CBD streets; little such development to date & no allocation proposed.
<b>PUBLIC / OPEN SPACE LANDS</b>			Covers Public and Open Space zoning designations.
Inventory	= Gross acres by zone <i>Note:</i> Deduct planned conversions of other zones to public use		Covers land associated with all Public and Open Space zoned sites including the subarea planning process now underway with the Public-zoned Northern State UGA site. Analysis for Northern State site being conducted via a separate planning process for Sedro-Woolley.
Employment Allocation	Public employment job growth allocated to industrial & commercial lands		Policy option for some portion of public sector (as with schools) employment to be allocated to Public zoned land. Potential for added R&D, tech or related jobs at Northern State to be determined (as an add-on to Sedro-Woolley's current jobs allocation by Skagit County).



## BUILDABLE LAND & CAPACITY ANALYSIS

Consistent with the methodology as described, this analysis begins with findings of the buildable land inventory, followed by determination of land capacity in terms of potential residential dwelling units (DU) and employment supported. As a final step, capacity figures are compared with SCOG allocations to determine adequacy of the current UGA to support projected housing and employment land needs.

### Buildable Land Inventory

As depicted by the following chart, tax lots within the Sedro-Woolley UGA encompass just over 3,134 acres. An estimated 62% of the UGA is already developed with about 9% as unbuildable or constrained, leaving 29% of the UGA (912 acres) as potentially buildable – whether on fully vacant or partially vacant lots. The 912 acres can be considered as gross land capacity – before taking into account infrastructure and market factors to arrive at net developable capacity.

**Sedro-Woolley UGA Land Inventory (Parcel-Based in Acres)**

Zone	Developed Land	Vacant Land by Type			Part Vacant Buildable	Total All Parcels
		Unbuildable	Constrained	Buildable		
Residential 5 (R5)	612.9	32.5	67.7	176.8	204.8	1,094.6
Residential 7 (R7)	458.5	16.7	8.7	55.4	47.7	587.0
Residential 15 (R15)	57.6	0.8	0.3	13.7	9.5	81.8
Mixed Commercial (MC)	146.0	3.8	9.6	63.6	16.5	239.5
Central Business District (CBD)	62.2	4.7	0.0	8.0	1.2	76.1
Industrial (I)	128.5	0.1	13.2	47.5	9.7	199.0
Public (P)	462.9	21.7	95.9	251.2	0.0	831.6
Open Space (OS)	14.3	3.7	0.0	6.8	0.0	24.8
Total	1,942.8	83.9	195.4	623.0	289.3	3,134.4
% of Acres	62%	3%	6%	20%	9%	100%

Sources: City of Sedro-Woolley and E. D. Hovee & Company, LLC.

When considered by zoning designation, R5 residential accounts for the single largest amount of land area – totaling 1,095 acres or 35% of total land area in Sedro-Woolley. Taken together, residentially zoned areas represent a bit more than 56% of land in the UGA, with public/open space land at 27% and employment lands (both commercial and industrial) at a combined 16%.

In terms of potentially buildable land, residentially designated sites account for 508 acres of the gross buildable acreage potential, followed by public/open space lands at 258 acres, and employment lands at just over 146 acres.

## Land Capacity

Potentially buildable lands are translated to residential and employment capacity through a two-step process:

- By deducting from buildable capacity land required for infrastructure and a market factor (to convert from gross to net buildable acreage); and
- Then converting acreage capacity to number of residential units and jobs supported using dwelling unit (DU) and jobs per acre density factors.

The results of this allocation and conversion process are illustrated by the following chart.

### Sedro-Woolley UGA Land & Employment Capacity (to 2036)

Zone	Gross Buildable Acres			% Infra-structure	Market Factors		Acres Net Buildable	Jobs/Acre	DU/Acre	Added Capacity	
	Vacant	Pt Vacant	Total		Vacant	Pt Vacant				Jobs	DU
R5	176.8	204.8	381.6	25%	15%	20%	235.6	-	5.0	-	1,177
R7	55.4	47.7	103.1	25%	15%	20%	63.9	-	7.0	-	447
R15	13.7	9.5	23.2	25%	15%	20%	14.4	-	15.0	-	216
MC	63.6	16.5	80.1	25%	25%	25%	45.1	20.0	-	901	-
CBD	8.0	1.2	9.2	25%	25%	25%	5.2	20.0	-	103	-
I	47.5	9.7	57.2	25%	25%	25%	32.2	6.5	-	209	-
P	251.2	-	251.2	-	-	-	-	-	-	-	-
OS	6.8	-	6.8	-	-	-	-	-	-	-	-
Total	623.0	289.3	912.3	25%	15%	25%	396.3			1,213	1,840

#### Dwelling Unit (DU) to Population Conversion:

Residential Occupancy Factor (% of all Units)	92.9%
Occupied Unit Capacity	1,709
Average Household Size (persons per occupied household)	2.59
Anticipated Population Capacity (added population to 2036)	4,427

Note: No jobs are allocated to P or OS lands with this buildable land analysis.

Employment potentials with the Northern State site are being addressed separately by the City of Sedro-Woolley.

Source: City of Sedro-Woolley, Washington State Office of Financial Management, and E. D. Hovee & Company, LLC.

As shown, net buildable acreage on residential and employment designated lands is estimated at approximately 396 acres. A net buildable figure is not estimated for Public/Open Space lands, though this is anticipated to occur with the Northern State subarea planning process now underway, separate from this land capacity analysis.

Using residential density factors consistent with current zoning, there is resulting capacity for an estimated 1,840 housing units. As is detailed at the bottom of the chart, this translates to capacity for an added 4,427 residents that could be accommodated in the UGA to 2036.

For employment, density factors are applied as consistent with prior countywide economic development planning and the more recent Mount Vernon land capacity analysis. Total



employment capacity within industrial and commercial zones of the UGA is estimated at 1,213 jobs.

## Comparing Capacity with Allocations

The final step of the analysis is to compare employment and population capacity with the SCOG allocated targets to Sedro-Woolley. As depicted by the following chart, this comparison indicates an allocation of residential land that may be slightly under the SCOG allocation. For jobs, the “gap” between the forecast target and current land capacity is more substantial.

**Comparison of Capacity to SCOG Population / Job Allocations (to 2036)**

Zoning Types	Buildable Acres		Average Density		Added Capacity		
	Gross	Net*	Jobs/Ac	DU/Ac	Jobs	Housing	Population
Residential	507.8	313.9	-	5.9	-	1,840	4,427
Commercial	89.3	50.2	20.0	-	1,004	-	-
Industrial	57.2	32.2	6.5	-	209	-	-
Public	-	-	-	-	-	-	-
<b>Total</b>	<b>654.3</b>	<b>396.3</b>			<b>1,213</b>	<b>1,840</b>	<b>4,427</b>
Sedro-Woolley Allocated Targets (per SCOG)					1,572	-	4,555
Capacity as % of SCOG Allocation					77%	-	97%

Note: Employment potentials for public lands are addressed separately with the Northern State subarea plan.

Sources: City of Sedro-Woolley, Skagit County Council of Governments, and E. D. Hovee & Company, LLC.

As shown by the chart:

- Employment capacity is estimated at 77% of the SCOG target (or 23% below the 1,572 jobs determined by SCOG as Sedro-Woolley’s employment allocation). Due to the significance of the gap between planned employment growth and current zoned capacity, reaching the SCOG employment target likely will require designation of additional lands for industrial and/or commercial development.
- Population capacity is estimated at just over 97% of the SCOG allocation of an added 4,555 residents by 2036. Given the margin of variability with pivotal assumptions in the analysis, it would appear that Sedro-Woolley should also be able to reasonably meet its population allocation, including possible minor adjustments to land designations or portions of the buildable land capacity analysis framework.

## FINDINGS & POLICY OPTIONS

Based on the analysis conducted with this buildable land and land capacity analysis, the following summary findings and policy options are outlined for consideration by the City of Sedro-Woolley.

## Findings

Overall, this 2015 buildable land and land capacity analysis indicates that the current inventory of buildable land is expected to be inadequate to fully address Sedro-Woolley's population and employment growth targets to 2036 without the need for urban growth area (UGA) expansion:

- Residential lands are within about 3% of achieving the SCOG target of accommodating an added 4,555 residents by 2036. Getting to 100% should be achievable with fairly modest measures, as outlined below with policy options recommended for consideration.
- Employment lands fall 23% short of meeting the SCOG target of 1,572 added jobs allocated to Sedro-Woolley through 2036. Industrial and commercial lands can accommodate an estimated 1,213 jobs, which is 359 jobs below the SCOG allocation.
- There may also be concerns with the mix of jobs for Sedro-Woolley. An estimated 209 net added jobs can be accommodated with net buildable industrial acreage. This is 43% short of the SCOG indicated projection of 368 added industrial jobs for Sedro-Woolley – as part of the forecast 1,572 job growth total.

## Policy Options

To conclude, the following policy options are outlined for consideration as possible measures to address potential issues as noted with the findings of this analysis:

**For Residential Lands.** Policy options to consider for addressing the approximately 3% shortfall in housing might include any or some combination of the following:

- Consider adjusting one or more of the assumptions used with the methodology in this analysis – related to such factors as definitions for developable status, critical areas/constraints, infrastructure or market factor, or assumed average household size.
- Up-zone some residential property to a higher density – for example to R15 multi-family, currently comprising only 5% of the residential net buildable land supply.
- Convert a small amount of acreage currently zoned for public/open space or employment use to residential – but only to the extent that employment land needs are also fully addressed.
- Provide for a relatively minor UGA expansion – possibly in the range of 10+/- buildable acres depending on the mix of residential zoning and associated building densities that might be considered.
- Provide for a more significant UGA expansion – if some lands currently designated for residential use are rezoned for commercial and/or industrial use as described below. The amount of land that might be required is not directly determinable at this point, but would depend, in part, on the mix of commercial versus industrial employment to be accommodated.



**For Employment Lands.** Policy options to address the estimated 23% shortfall of industrial and commercial employment potential may include any or some combination of the following:

- Modify some portion of the methodology and/or assumptions regarding employment lands evaluation – similar to what is outlined above for residential lands.
- Expand the supply of land effectively available for industrial use through such means as providing for more liberalized industrial use in one or both commercial zones.
- Increase the supply of industrial and/or commercial land by re-designating some existing residentially-zoned land for employment use. This option may of particular importance to the extent that some existing buildable residential sites are determined to be more suitable for industrial or commercial uses as compared with sites requiring UGA expansion. Re-zoning for employment use would require an offsetting addition of residential land through UGA expansion as described above.
- Expand the UGA to address the deficiency of land for industrial and commercial needs. The amount of added UGA needed will vary, in part, depending on the mix of industrial versus commercial land allocated. For example, assuming that all of the employment deficiency were to be addressed by UGA expansion, the amount of buildable land required could range from about 18 buildable acres (assuming 100% commercial designation) to 55 buildable acres (with 100% industrial designation) – or in-between with a mix of commercial and industrial designations.

Due to the size of the “gap” between the number of jobs that can be accommodated as compared with the 2036 requirement, it is unlikely that this need can be met unless residential lands are converted to employment use and/or the UGA is expanded to provide added employment land.

## APPENDIX A. DOCUMENTS REVIEWED

The following documents were review in conducting this buildable land and land capacity analysis:

- *2010 Buildable Lands & Land Capacity Analysis Report* by the City of Mount Vernon Community and Economic Development Department.
- *Sedro-Woolley Municipal Code*, Title 17 Zoning, as of March 25, 2015.
- *Skagit County Code*, Chapter 14.08 – Legislative Actions.
- *Skagit County Growth Projections: Summary of Methods and Results*, prepared by BERK Consulting, July 2014.
- *Skagit County Industrial Land Study – Final Report*, prepared by ECONorthwest for the Port of Skagit, December 2014.
- *Shoreline Management Program Update – Preliminary Assessment of Shoreline Jurisdiction*, City of Sedro-Woolley, Draft June 2011.
- *Vacant Buildable Lands Model* by Clark County Community Planning.

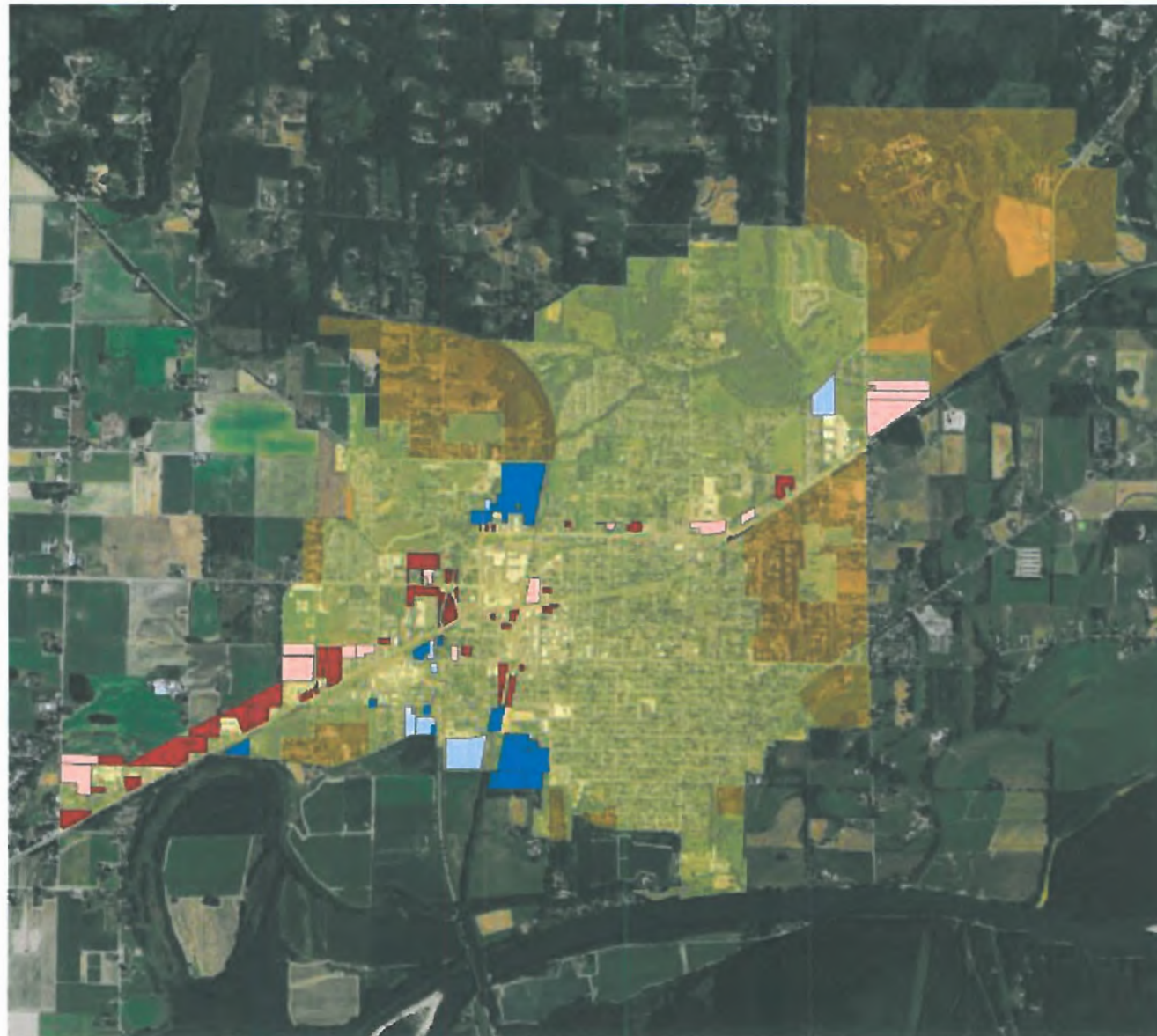


## **APPENDIX B. RESIDENTIAL & COMMERCIAL/INDUSTRIAL INVENTORY MAPS**

On the next four pages are maps of vacant and partially vacant land as follows:

- Commercial and industrial tax lots with buildable land
- Commercial and industrial buildable land with constraints
- Residential tax lots with buildable land
- Residential buildable land with constraints

The maps depict the entire tax lot with vacant and partially vacant land, not just the portion of the tax lot that is buildable after removing constrained and developed land.



## Commercial & Industrial Tax Lots with Buildable Land

### Legend

#### Vacant:

- Commercial
- Industrial

#### Partially Vacant:

- Commercial
- Industrial

#### UGA Boundaries:

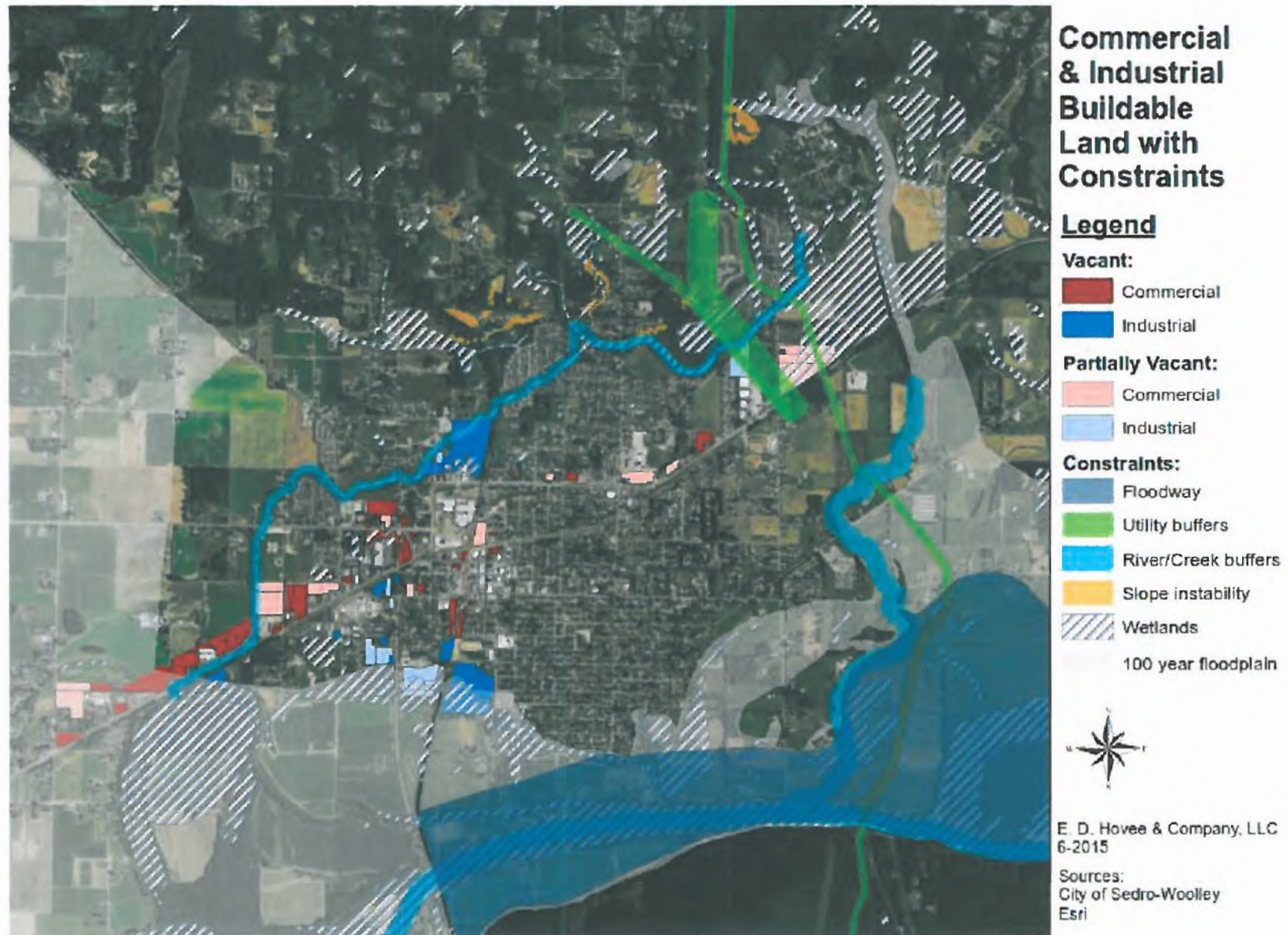
- Incorporated
- Unincorporated



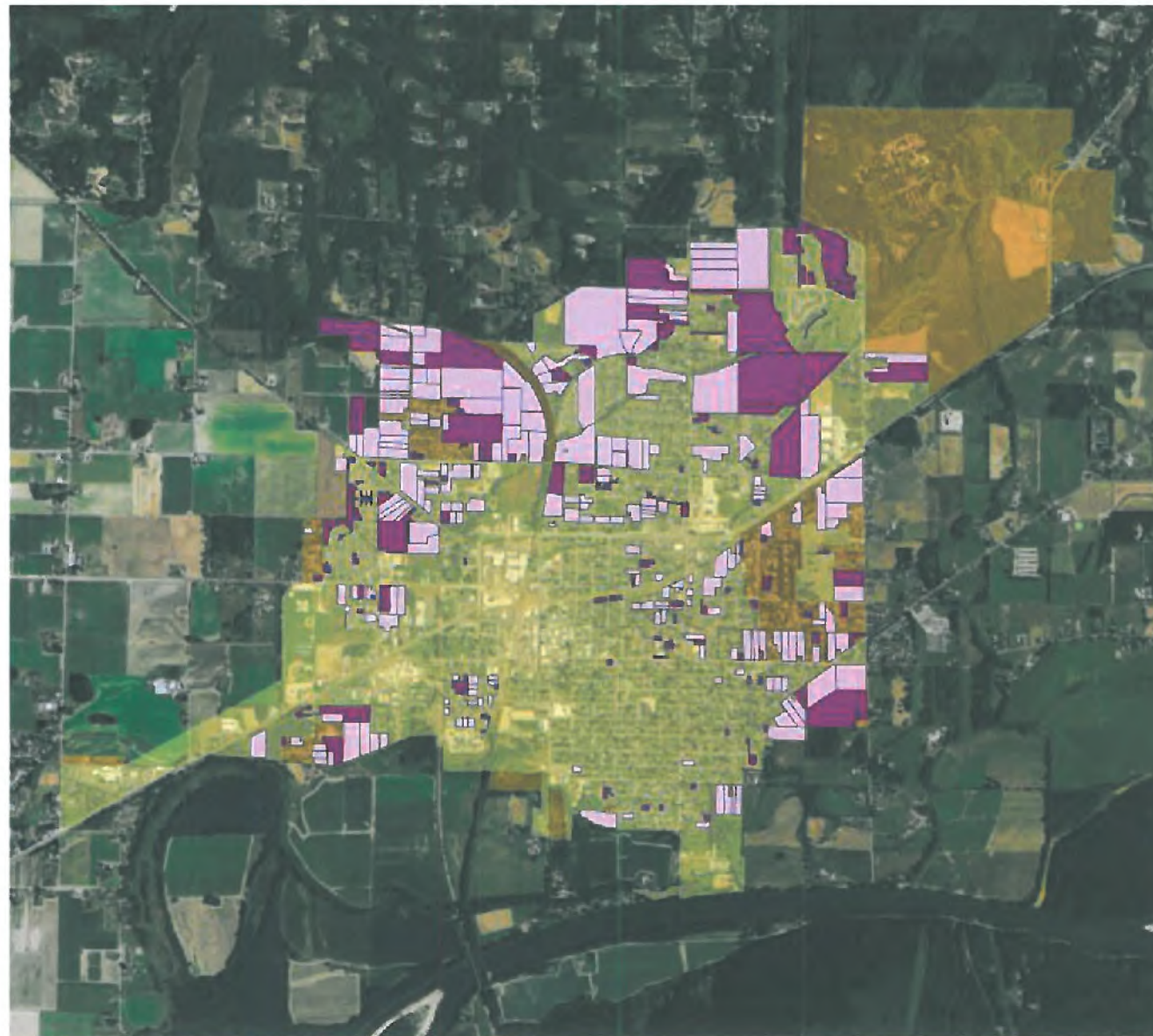
E. D. Hovee & Company, LLC  
6-2015

Sources:  
City of Sedro-Woolley  
Esri









## Residential Tax Lots with Buildable Land

### Legend

- Vacant
- Partially Vacant

### UGA Boundaries:

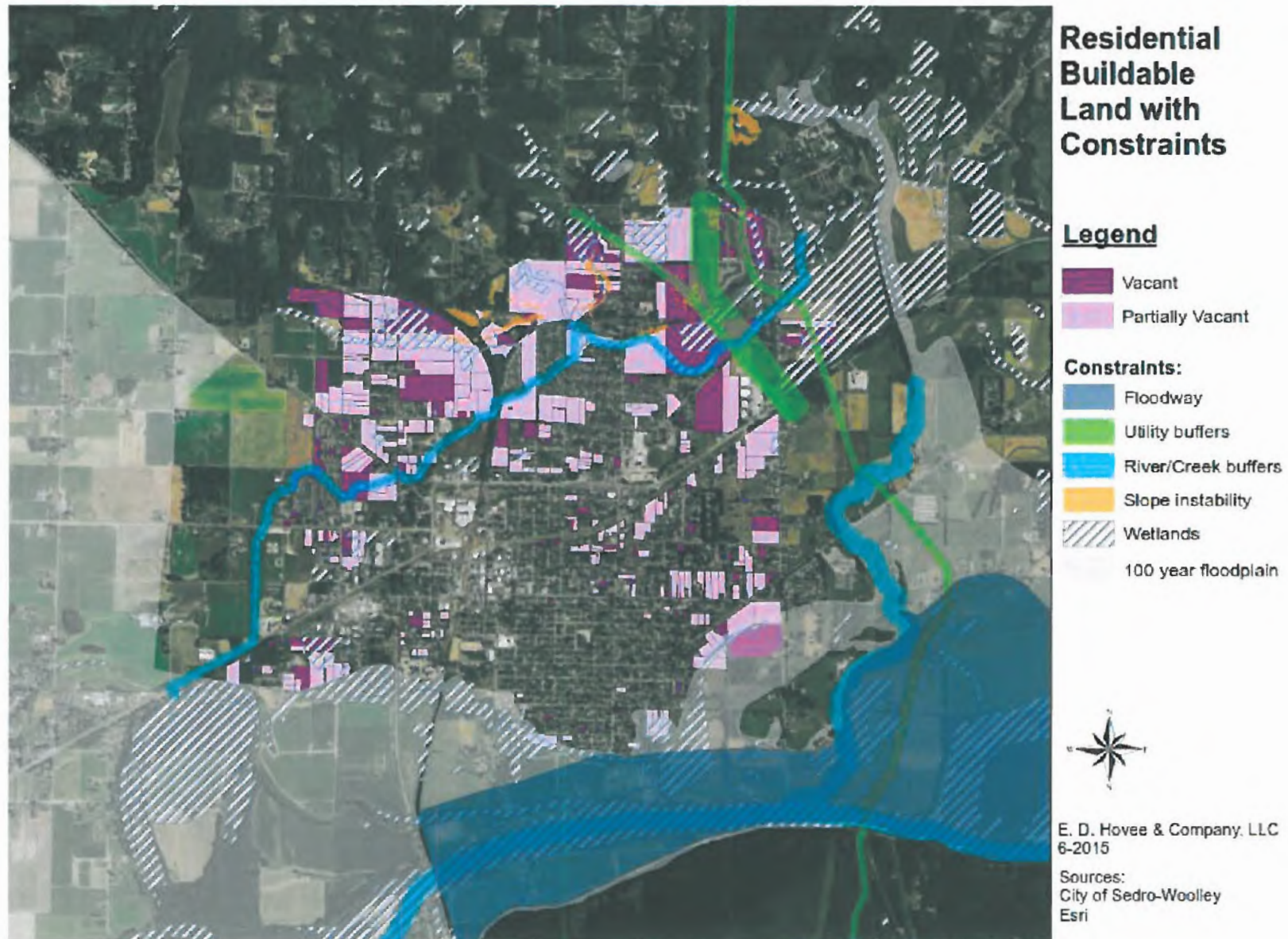
- Incorporated
- Unincorporated



E. D. Hovee & Company, LLC  
6-2015

Sources:  
City of Sedro-Woolley  
Esri







## **MEMORANDUM**

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**To:** John Coleman, AICP, Planning Director, Sedro-Woolley Planning Department  
**From:** Andrea Logue & Eric Hovee  
**Subject:** Buildable Land Inventory of Southeastern Area to be Removed from the Sedro-Woolley UGA  
**Date:** August 25, 2015

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As an added task subsequent to the 2015 Sedro-Woolley Buildable Land and Land Capacity Analysis Report, the City of Sedro-Woolley has requested E. D. Hovee & Company, LLC (EDH) to calculate the buildable land in an area on the southeastern quadrant of the Sedro-Woolley UGA that is being considered for removal from the existing UGA. This memorandum summarizes the background of a proposed land exchange and the buildable land inventory of a portion of the existing UGA.

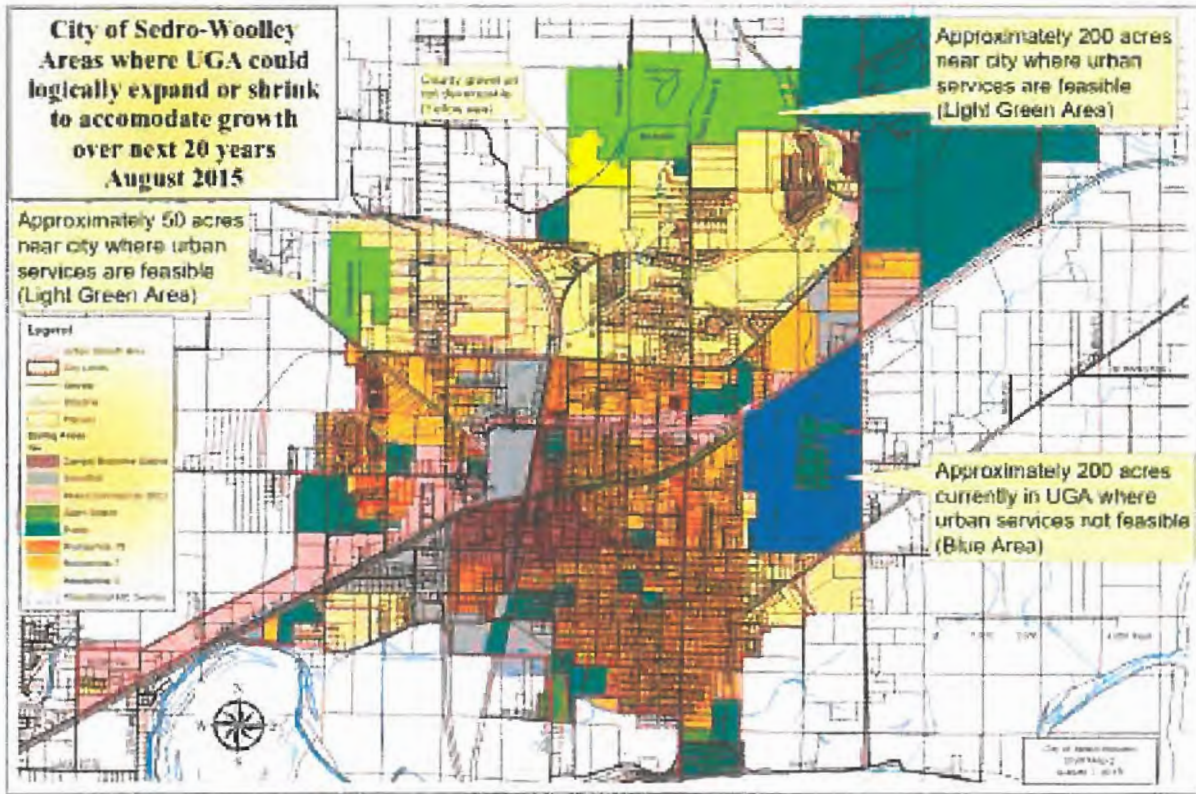
### **BACKGROUND**

The City of Sedro-Woolley is working in consultation with Skagit County to considering removing acreage from the southeastern quadrant of the UGA. It has been determined this land is not buildable due to circumstances of existing low density development and high cost of infrastructure limiting the extension of sewer services to the area. In exchange, there are two separate target areas with to the north and northeast of the UGA that are under consideration for potential inclusion in the UGA.

The map on the following page depicts the land areas proposed for possible exchange. The focus of the buildable land calculations in this memorandum is on the 'Blue Area' in the southeast quadrant proposed for removal from Sedro-Woolley's UGA.



## Sedro-Woolley UGA Land Exchange



Source: City of Sedro-Woolley.

## BUILDABLE LAND INVENTORY

The buildable land inventory of the land currently in the southeastern quadrant of the UGA is consistent with the methodology as described in the 2015 Sedro-Woolley Buildable Land and Land Capacity Analysis Report.

As depicted by the following chart, tax lots within the southeastern quadrant of the Sedro-Woolley UGA encompass just over 170.3 acres. An estimated 79% of this portion of the UGA is already developed with less than 1% as unbuildable or constrained, leaving 21% of the UGA (35 acres) as potentially buildable – whether on fully vacant or partially vacant lots. The 35 acres can be considered as gross land capacity – before taking into account infrastructure and market factors to arrive at net developable capacity.

**Southeastern Quadrant of Sedro-Woolley UGA Land Inventory  
(Parcel-Based in Acres)**

Zone	Developed Land	Vacant Land by Type			Part Vacant Buildable	Total All Parcels	% of Total	Total Buildable
		Unbuildable	Constrained	Buildable				
Residential 5 (R5)	129.1	0.3	0.0	9.8	24.7	163.9	96%	34.5
Residential 7 (R7)	0.6	0.0	0.0	0.4	0.0	1.0	1%	0.4
Residential 15 (R15)	0.0	0.0	0.0	0.0	0.0	0.0	0%	0.0
Mixed Commercial (MC)	0.0	0.0	0.0	0.0	0.0	0.0	0%	0.0
Central Business District (CBD)	0.0	0.0	0.0	0.0	0.0	0.0	0%	0.0
Industrial (I)	0.0	0.0	0.0	0.0	0.0	0.0	0%	0.0
Public (P)	5.4	0.0	0.0	0.0	0.0	5.4	3%	0.0
Open Space (OS)	0.0	0.0	0.0	0.0	0.0	0.0	0%	0.0
<b>Total</b>	<b>135.0</b>	<b>0.3</b>	<b>0.0</b>	<b>10.3</b>	<b>24.7</b>	<b>170.3</b>	<b>100%</b>	<b>35.0</b>
<b>% of Acres</b>	<b>79%</b>	<b>0%</b>	<b>0%</b>	<b>6%</b>	<b>15%</b>	<b>100%</b>		<b>21%</b>

Sources: City of Sedro-Woolley and E. D. Hovee & Company, LLC.

When considered by zoning designation, R5 residential accounts for the single largest amount of land area – totaling 164 acres or 96% of total land area in the southeastern quadrant of the Sedro-Woolley UGA. Taken together, residentially zoned areas represent 97% of land in this portion of the UGA, with public/open space land at 3%.

In terms of potentially buildable land, residentially designated sites account for all 35 acres of the gross buildable acreage potential.

E. D. Hovee & Company, LLC appreciates the opportunity to provide this additional assessment of buildable land inventory. We would be happy to address questions or provide further information regarding any aspect of this memorandum.



# Exhibit C

To Ordinance No. 2016-\_\_\_\_\_  
Transportation Element

## **Chapter 3**

### **TRANSPORTATION ELEMENT**

<b>3.04</b>	<b>Introduction</b>
<b>3.08</b>	<b>Goals and Policies</b>
<b>3.12</b>	<b>Transportation System Inventory</b>
<b>3.16</b>	<b>Existing Traffic Conditions</b>
<b>3.20</b>	<b>Travel Demand Forecasting</b>
<b>3.24</b>	<b>Future System Needs</b>
<b>3.28</b>	<b>Transportation Financing Plan</b>
<b>3.32</b>	<b>Intergovernmental Coordination</b>



## INTRODUCTION

### Introduction

The City of Sedro-Woolley is a small urban area in Skagit County. It is located approximately twelve (12) miles northeast of Mount Vernon, the county seat and largest city in Skagit County. The city and its UGA had an estimated population of 12,514 in 2015. This is an increase of seven hundred thirty four (734) people since 2005, or a six (6) percent increase.

In 2003, the City completed an update to its Transportation Element. The City followed this with an update to its Transportation Plan in 2005. As part of the 2016 Comprehensive Plan Update, the City has again updated the Transportation Plan to ensure that it is consistent with the City's required update of its Land Use Element as required by the State Growth Management Act (GMA). In addition, the City wanted to review and update its transportation financing program and revisit its transportation impact fee program. The Transportation Plan update also was needed to reflect annexations and growth within the adjacent Urban Growth Area (UGA).

The update of the transportation plan included development of a new travel demand forecasting model to be consistent with the regional Skagit Council of Governments' (SCOG) model which is also being updated. This will provide the City with a model, travel forecasts, and transportation plan that is consistent with regional growth assumptions.

### Purpose

The transportation plan provides a link between the City's land use element and the transportation facilities and services needed to support the growth over the next twenty (20) years. The transportation plan update focuses on safety, capacity, and opera-

tional improvements on state highways and arterials serving the city. The plan incorporates pedestrian, bicycle, transit, and transportation demand management programs to meet the overall transportation needs of the community.

The Transportation Element is a key component to the City's Comprehensive Plan. It provides the City with a guide for transportation system improvements to meet existing and future travel needs. It also integrates the City's transportation improvements with those of Skagit County and the Washington State Department of Transportation (WSDOT).

### Growth Management Act

The Transportation Element was prepared per the requirements of the state Growth Management Act (GMA). The GMA requires that the Transportation Element be consistent with other elements of its Comprehensive Plan, including the Land Use and Capital Facilities elements. If the capital facilities needed to support the forecasted land use at the adopted level of service standards cannot be financed with projected revenues, then the GMA requires a reassessment of one or more of these elements to bring them into balance.

The GMA requires the following topics be addressed in the transportation plan:

- Land use assumptions used in estimating travel demand
- An inventory of existing transportation facilities and services
- Level of service standards to gauge the performance of the system
- Identification of actions and requirements needed to bring existing facilities and services up to standard
- Forecasts of future traffic based on the land use plan
- Identification of improvements and programs needed to address current and future transportation system deficiencies, including

**Sedro Woolley Comprehensive Plan | 3-2**  
**Draft: April 2016**

Transportation Demand Management strategies

- A realistic multi-year financing plan that is balanced with the adopted level of service standards and the land use element
- An explanation of intergovernmental coordination and regional consistency.

In 1998, the Washington State Legislature amended the GMA in House Bill (HB) 1487. This amendment focused on transportation and growth management planning, and revised several sections of the GMA (RCW 36.70A). In general, the amendments are related to the requirements for local comprehensive plan transportation plans, the countywide planning process for identification and siting of essential public facilities, plan consistency, and the adoption of deadlines established to meet the new requirements. With the revisions, local transportation plans must also now include the following:

- State-owned transportation facilities in the transportation inventory
- The level of service (LOS) for state-owned transportation facilities
- Identification and assessment of GMA concurrency and the applicability to highways of statewide significance
- An estimate of the impacts to state-owned transportation facilities resulting from local land use assumptions

(Ord. 1554-06 § 3 (Exh. A)(part))

The Sedro-Woolley transportation plan meets these GMA requirements for local comprehensive plans.

### **Plan Organization**

The transportation plan was developed in a series of tasks to meet the requirements of GMA. The plan is organized as follows:

- Goals and Policies
- Transportation System Inventory
- Existing Traffic Conditions
- Travel Forecasting
- Future System Needs
- Transportation Financing Plan
- Consistency with Other Agencies

### **Study Area**

The study area for the plan includes the city limits and adjacent unincorporated urban growth area (UGA). The UGA has been defined by the City in conjunction with Skagit County. Figure 1 shows the study area for the 2016 transportation plan.

As noted above, the transportation plan was developed based on a new travel demand model that is consistent with the regional Skagit Council of Governments' (SCOG) model. Since the citywide travel model is based on the SCOG regional model, the City's model also incorporates travel demands from throughout Skagit County.



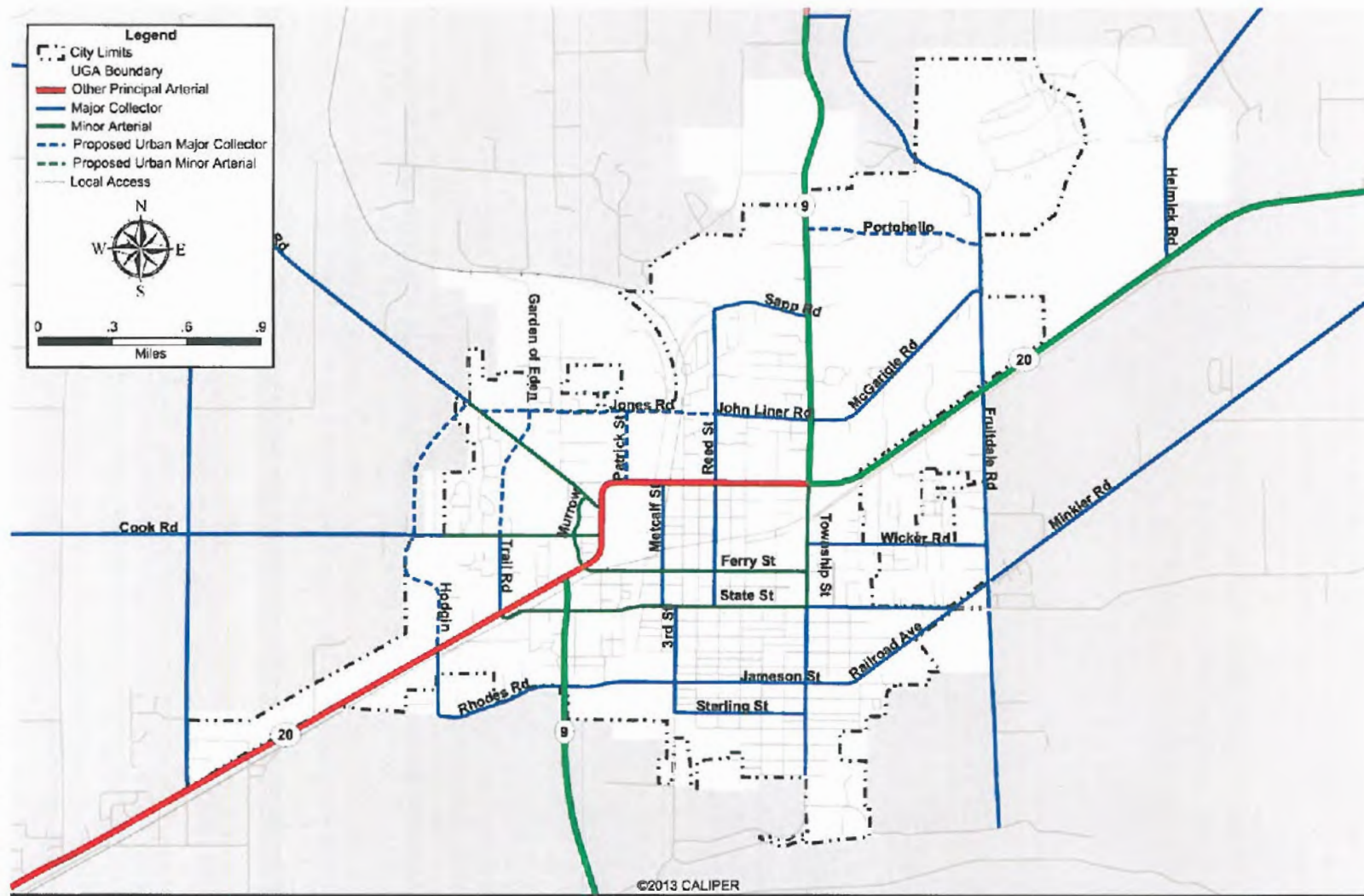


Figure 1  
Study Area

Figure 1  
Study Area  
City of Sedro-Woolley



## GOALS AND POLICIES

The following goals and policies are intended to guide implementation of the City of Sedro-Woolley's transportation system. These goals and policies provide a framework for decision making related to transportation improvements and projects. They also guide requirements related to transportation improvements needed to support development projects.

### **Goal T1: To provide safe, passable streets within the City of Sedro-Woolley.**

Policy T1.1: Identify and improve substandard roads based upon a priority system which accounts for both traffic demand and surrounding land uses.

Policy T1.2: Adopt design standards to which all new streets must be constructed. Adopt design standards for neighborhood streets that support pedestrian safety and reflect the volume of traffic at build-out.

Policy T1.3: Consider non-motorized and rail modes in the design of transportation projects.

Policy T1.4: Improve arterial and collector streets identified as deficient in level of service to the adopted design standard, consistent with the transportation element of the comprehensive plan.

Policy T1.5: Encourage and solicit public participation in transportation related decisions to help ensure that planning and implementation have public support.

### **Goal T2: To provide an efficient street network that emphasizes circulation and accident prevention.**

Policy T2.1: Establish a hierarchy of streets composed of other arterials, minor arterials, major collectors, and local access streets.

Policy T2.2: Improve arterials and collector streets identified as deficient to the design standard, consistent with the transportation element of the comprehensive plan.

Policy T2.3: Support access management strategies for other and minor arterials and major collectors to reduce congestion and increase safety.

Policy T2.4: Manage residential street connections, curb-cuts and on- and off-street parking areas for minor arterials and major collectors.

Policy T2.5: Develop and improve a system of arterials and collectors that support local travel patterns without relying on SR 20.

Policy T2.6: Work with Skagit County to preserve the right-of-way for a potential future arterial between Cook Road and F&S Grade Road serving the area west of the city's existing urban growth area.

### **Goal T3: To benefit social wellbeing and economic development through street design.**

Policy T3.1: Use clearly marked sidewalks in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) to delineate pedestrian and auto traffic in areas where potential hazards exist, or can be expected from development consistent with proposed land use.

Policy T3.2: Ensure that street size is sufficient (and not excessive) to support proposed land use density.

Policy T3.3: Provide clearly marked bicycle travel corridors in accordance with an adopted non-motorized plan.



Policy T3.4: Provide street lights in areas of high evening-hour pedestrian use.

Policy T3.5: Provide crosswalks in accordance with the MUTCD and the Americans with Disabilities Act (ADA), which are clearly marked, to both driver and pedestrian. Additional measures, such as overhead signage, may be included, as appropriate.

Policy T3.6: Provide sufficient, accessible off-street parking for commercial and industrial developments and community facilities.

Policy T3.7: Provide accessible on-street parking for residential development. Provide off-street parking for multi-family residential development consistent with proposed density.

Policy T3.8: Consider the needs of future transit service when improving other arterials, minor arterials and major collectors.

Policy T3.9: Recognize the pedestrian as a principal user of the central business district (CBD). Continue to encourage retail development and redevelopment in the CBD that appeals primarily to the pedestrian.

Policy T3.10: Improve streets to provide safe and efficient travel of emergency vehicles to and from the fire department, police department and United General Hospital. Separate emergency vehicle loading areas from normal traffic routes to ensure emergency access and prevent congestion.

Policy T3.11: Improve streets that benefit travel of buses to and from schools. Separate bus loading areas from normal traffic routes to minimize the potential for auto-pedestrian hazards or conflicts.

**Goal T4: To encourage alternate modes of transportation.**

Policy T4.1: Establish a committee to review alternate transportation options and propose alternatives

appropriate to Sedro-Woolley's anticipated population growth and density. Options to evaluate include trails, rails, transit, walking, etc.

Policy T4.2: Develop a system of regional and local-oriented multi-purpose trails, which provide designated routes for bicyclists, walkers, joggers and tourists. Design the system for use as both a commuting and recreation option. Private property owners must be compensated as needed, unless arrangements are made for a dedication of right-of-way in lieu of a park fee.

Policy T4.3: Encourage the use of commuting alternatives to the single-occupancy automobile. Alternatives include, but are not limited to walking, carpooling, bicycling and mass transportation.

Policy T4.4: Coordinate with local community groups to provide alternative transportation education and programming to community residents.

Policy T4.5: Provide bicycle storage facilities at community facilities and in commercial retail areas.

Policy T4.6: Design street traffic systems to promote alternative transportation options.

Policy T4.7: Preserve the Burlington Northern and Santa Fe Railroad right-of-way as a multi-modal transportation corridor between Sedro-Woolley and upriver communities. Encourage uses that provide alternatives to the automobile including rail trolley and non-motorized uses. Private property owners must be compensated as needed, unless arrangements are made for a dedication of right-of-way in lieu of a park fee.

Policy T4.8: Continue existing program to construct missing sidewalk links, repair existing sidewalks, and other improvements to support pedestrian transportation.



Policy T4.9: Encourage pedestrian and bicycle connections between adjacent developments even if constraints prevent connections for motorized vehicles.

**Goal T5: To promote the community's vision among regional transportation agencies.**

Policy T5.1: Coordinate with the Washington State Department of Transportation to provide public input on any current or future plans concerning State Route 20 or State Route 9. Provide public input to the development of these plans.

Policy T5.2: Coordinate with Skagit County to provide public input on any current or future plans concerning county roads within the urban growth area (UGA) and roads connecting Sedro-Woolley to Interstate 5.

Policy T5.3: Coordinate the Comprehensive Plan Transportation Element with WSDOT as required by RCW 36.70A.106.

Policy T5.4: Coordinate with the Burlington Northern and Sante Fe Railroad to provide public input on future plans for the railroad right-of-way within the urban growth area. Private property owners must be compensated as needed, unless arrangements are made for a dedication of right-of-way in lieu of a park fee.

Policy T5.5: Encourage the return of the Sedro-Woolley to Concrete rail corridor to active rail use to promote revitalization of the City and east Skagit County.

**Goal T6: To fund and implement transportation improvements that serve the City.**

Policy T6.1: Partner with WSDOT, Skagit County, and SCOG to fund regional improvement projects that serve the City.

Policy T6.2: Ensure that growth mitigates its impacts through transportation impact fees, SEPA mitigation, concurrency, and development regulations.

Policy T6.3: Continue to work with Skagit County to mitigate traffic impacts of developments within the urban growth area consistent with the City's transportation element and mitigation requirements.

Policy T6.4: Develop the annual Six-Year Transportation Improvement Program (TIP) so it is financially feasible, leverages available city funding, and is consistent with the comprehensive plan.

Policy T6.5: Level of service and safety deficiencies in areas of high population density and traffic volume pose the most immediate needs, and should be improved first.

Policy T6.6: Support residential street improvements through use of local improvement districts or other similar mechanisms.

**Goal T7: To provide an adequate transportation system current with the traffic-related impacts of new development.**

Policy T7.1: Maintain the adopted Level of Service (LOS) standard for all roadways classified as arterials or state highways.

Policy T7.2: Maintain the level of service for SR 20, SR 9, and minor arterials within the City and UGA as LOS D.

Policy T7.3: Maintain the level of service for other and minor arterials within the City and UGA as LOS C.

Policy T7.4: Maintain the adopted Transportation Concurrency Management program to ensure adequate transportation facilities are available concur-



rent with development, as required by the Growth Management Act.

(Ord. 1554-06 § 3 (Exh. A)(part))

### 3.12

## EXISTING TRANSPORTATION SYSTEM INVENTORY

### Roadway Network

#### *State System*

**State Route 20** links the City to I-5 and Burlington to the west and the Cascade Mountains to the east. Within the City, it is a two- to three-lane principal arterial with a 35 mph posted speed limit. Outside the City, to the west and to the east, the posted speed limits are 50 mph and 55 mph, respectively. State maintained traffic signals control SR 20 intersections with Collins Road, Rhodes Road/Hodgin Street, State Street/Trail Road, SR 9, Ferry Street, and SR 9/Township Street. SR 20 is classified by WSDOT as a Highway of Statewide Significance (HSS). SR 20 is also classified by WSDOT as a Freight Route from the west city limits to SR 9 south.

**State Route 9** links Sedro-Woolley with Mount Vernon to the south and with Whatcom County to the north. Within the City, SR 9 is two- to three-lane secondary arterial with state maintained traffic signals controlling intersections with State Street, SR 20 (near Ferry Street intersection), and SR 20/Township Street. South of SR 20 the posted speed limit is 40 mph. The speed limit is posted at 35 mph north of the City. SR 9 is designated a non-HSS route. SR9 south of SR20 is a limited access – modified control route. SR 9 south of SR20 is classified by WSDOT as a Freight Route from the south city limits to its intersection with SR 20.

#### *Skagit County Roads*

County major and minor collector roads serve as key elements in the county transportation system. These roads link together state routes or connect

the state route system to Sedro-Woolley, to other major centers, and to recreational destinations. For example, Cook Road is a two lane east-west road located in western Sedro-Woolley. It provides direct access to I-5 to the west and functions as a major freight route. Cook Road terminates in Sedro-Woolley at State Route 20. Skagit County roads have been identified and analyzed in the Transportation Element of the 2016 Skagit County Comprehensive Plan Update, with which the City's Transportation Element update maintains consistency.

#### *City Street Network*

The City street network provides for the general movement of people and goods within Sedro-Woolley. It also serves other travel modes, including bicycles, pedestrians, and transit.

### Functional Classification

Roadway functional classification provides for a hierarchy of roadways. These classifications also act as a guide for future development of the overall street system. The purpose of the functional classification plan is to provide a hierarchy of arterial and local streets. Arterial streets serve higher traffic volumes and may have few access points. Local streets provide neighborhood circulation and access to individual parcels. Collector streets link arterials and local streets and may provide access to individual parcels. A well-connected system of streets enhances overall mobility and facilitates greater opportunities for pedestrian and bicycle travel.

According to Sedro-Woolley Municipal Code 15.40.040, all public streets are classified into four types: other principal arterials, minor arterials, major collectors, and local access streets. Table 1 includes a description of each functional classification. Each public street in the City is assigned one of the four classifications, as shown in Table 1, which are consistent with the Federal Highway Administration (FHWA) Federal Functional Classification system. Planned functional classifications are also identified in Table 1.



**Table 1. Street Functional Classification System**

Functional Classification	Description
Other Principal Arterial	Provide connectivity between different areas of a region. High mobility w/ partial access control
Minor Arterial	Provide connectivity between different areas of a region. Moderate mobility w/partial access control.
Major Collector	Collect traffic from local streets and other collectors. Connect neighborhoods to each other and to arterials.
Local Access	Provide direct access to properties in residential, commercial or industrial areas.

#### *Principal Arterials*

**State Route 20** is part of the state highway system but is classified an Other Principal Arterial through the City of Sedro-Woolley. SR 20 links the City to I-5 and Burlington to the west and the Cascade Mountains to the east. Within the City, it is a two- to three-lane Other Principal Arterial with a 35 mph posted speed limit. Outside the City to the west the route is classified as Other Principal Arterial with a posted speed limit of fifty (50) mph and to the east the route is classified as a Minor Arterial with a posted speed limit of fifty-five (55) mph. State maintained traffic signals control SR 20 intersections with Collins Road, Rhodes Road, State Street/Trail Road, SR 9, Ferry Street, and SR 9/Township Street. SR 20 is classified as a Highway of Statewide Significance (HSS). SR20 is classified as a Freight Route from the west city limits to its intersection with SR 9 south.

#### *Minor Arterials*

**State Route 9** is part of the state highway system and is classified a Minor Arterial through the City. SR 9 links Sedro-Woolley with Mount Vernon to the south and with Whatcom County to the north. Within the City, SR 9 is two- to three-lane Minor Arterial with state maintained traffic signals controlling intersections with State Street, SR 20 (near Ferry Street intersection), and SR 20/Township

Street. South of SR 20 the posted speed limit is 40 mph. The route is classified as Major Collector north and south of the city limits with a posted speed limit of 50 mph. SR 9 is not classified as a Highway of Statewide Significance. SR9 south of SR20 is limited access, modified control. SR 9 south is classified as a Freight Route from the south city limits to its intersection with SR 20.

**Cook Road** is a Major Collector outside of the city limits and a Minor Arterial within the city providing a direct east-west connection to I-5. Within the City, it has three lanes and a speed limit of thirty-five (35) mph. Outside of the City it becomes a two-lane road with a fifty (50) mph speed limit.

**F&S Grade Road** is narrow two-lane Major Collector outside of the city limits and a Minor Arterial within the city providing access to rural areas northwest of the City. The speed limit is twenty-five (25) mph within the City and thirty-five (35) mph in the county.

The **State Street/Township Street** corridor loops from SR 20 and SR 9 on the west side of Sedro-Woolley back to SR 20 and SR 9 on the east side of the City. This arterial loop provides access and circulation within the City's central business district as well as other central neighborhoods. The roads have two travel lanes with twenty-five (25) mph speed limits. All-way stop controlled intersections with flashing red signals are located at Metcalf Street, Puget Avenue, and the State Street/Township Street intersection. A flashing red-amber beacon is located at the Third Street intersection (a minor-approach stop-controlled T-intersection).

**Ferry Street** is an east-west two-lane Minor Arterial which begins at Cook Road and connects to Township Street. Ferry Street provides access to the central business district. The speed limit is twenty-five (25) mph with flashing all-way stop signals located at Metcalf Street and Puget Avenue.

**Edward R. Murrow Street** is a two-lane Minor Arterial with runs north-south from Cook Road to F&S Grade Road.



### *Major Collectors*

The **John Liner Road/McGarigle Road** corridor provides east-west access parallel to SR 20 in the north part of Sedro-Woolley. The roadways are narrow two-lane Major Collectors with twenty-five (25) mph speed limits. Jones Road and John Liner Road are currently separated by the existing railroad line. The City's Transportation Improvement Program (TIP) identifies a series of projects which include a railroad undercrossing and upgrade of Jones Road to F&S Grade Road to extend this major collector system across the City and tie to the proposed Trail Road collector system.

**North Fruitdale Road** north of SR20 is a narrow two-lane Major Collector with a thirty-five (35) mph speed limit. North Fruitdale provides access to the former Northern States campus, now being re-developed as the Center for Innovation and Technology in the Pacific Northwest. North Fruitdale continues as a major collector in Skagit County, and connects to SR 9 north of the city limits via Kalloch Road.

**Fruitdale Road** south of SR20 is a narrow two-lane major collector with a thirty-five (35) mph speed limit. This county road provides north-south access to the southeast part of the City and UGA parallel to the Township Street corridor.

**Rhodes Road, Jameson Street, and Railroad Avenue** form an east-west Major Collector corridor in the southern part of the City. The collectors include two travel lanes with a twenty-five (25) mph speed limit. They connect SR 20 on the west side of the City to SR 20 on the east side of the city via Fruitdale Road, and also connect to SR20 east of the city via Minkler Road in the county.

In the west part of the City, **Trail Road** provides access from SR 20 to Cook Road. The City's Transportation Improvement Program (TIP) identifies a project which will extend the corridor north to connect with F&S Grade Road and Jones Road as part of the major collector system.

The following collector arterials have two lanes and a twenty-five (25) mph speed limit: **Metcalf Street, Reed Street, Sapp Road, State Street**

(east of Township Street), **Sterling Street, Third Street, and Wicker Road.**

A new major collector route is planned extending **Hodgin Street** north to Cook Road that will support commercial development in the west part of the City.

### *Local Access Streets*

Roadways not mentioned above are considered local access streets. Within the City, the legal speed limit is twenty-five (25) mph unless otherwise posted. In the county, the legal speed limit is thirty-five (35) mph unless otherwise posted. Generally, local streets are two-lane roadways providing direct access to adjacent properties.

### **Public Transit Services**

Sedro-Woolley transit and public transportation facilities are operated by Skagit Transit and include bus transit, carpooling and vanpooling, dial-a-ride service, and park-and-ride lots. As of January 2016, two transit routes provide weekday service within the Sedro-Woolley area. Skagit Transit also offers limited weekday and weekend service in the City through its dial-a-ride program. Additionally, Skagit Transit offers services to encourage carpooling and vanpooling, including three park-and-ride lots within or near the City.

### *Fixed-Route Bus Service*

Skagit Transit operates four bus routes through Sedro-Woolley: Route 300, Route 305, Route 717, and Route 750. The Sedro-Woolley Park and Ride serves as the City's transit hub and is served by each of the four bus routes. Transit service characteristics are described below.

**Route 300** provides service along SR 20 between the Chuckanut Park & Ride in Burlington and the Cascades Job Corps Center in Sedro-Woolley. The route operates weekdays from 6:20 AM to 8:50 PM and weekends from 8:15 AM to 6:00 PM, with a 60-minute headway. Route 300 serves points of interest throughout the City with stops at United General Hospital, Sedro-Woolley Park & Ride, Sedro-Woolley High School, and Cascade Job Corps.

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**Draft: April 2016**



**Route 305** provides service along SR 9 from Skagit Valley College in Mount Vernon to Sedro-Woolley Park & Ride. Route 305 operates on a 60-minute headway weekdays from 7:40 AM to 6:00 PM and weekends from 8:10 AM to 5:40 PM. Exact departure times vary by direction of travel.

**Route 717** provides Skagit River communities (Sedro-Woolley, Lyman, Hamilton, Concrete, and Cape Horn) access to the transfer point at Sedro-Woolley Park & Ride and offers limited service to the Skagit Valley College area of Mount Vernon. Route 717 offers one westbound express trip between Cape Horn and Skagit Station on weekday mornings, and two eastbound express trips departing Sedro-Woolley Park & Ride for Cape Horn on weekday mornings at 5:00 AM and 6:25 AM. Thereafter, weekday service operates with 3-hour headways until 7:00 PM. The route also operates on Saturdays with trips departing Sedro-Woolley Park & Ride at 8:00 AM and 3:00 PM.

**Route 750** is a Friday-only route which offers one morning and one afternoon trip along SR 20 between Sedro-Woolley Park & Ride and Marblemount Caboose, with stops at Concrete City Hall and Rockport Store. Route 750 departs Sedro-Woolley Park & Ride at 8:10 AM and 2:00 PM on Fridays.

#### *Park and Ride Lots*

Three transit Park & Ride lots are located in and around Sedro-Woolley. The SR 9/State Street Park & Ride located on the southwest corner accommodates 20 vehicles. South of the City and the Skagit River, the SR 9 and South Skagit Highway Park & Ride accommodates 52 vehicles. Given the lot locations relative to bus routes, these park-and-ride lots provide services for vanpool and carpool patrons more than bus patrons. A third lot, the Sedro-Woolley Park & Ride is located at the southeast corner of the Cook Road / Ferry Street roundabout. The Sedro-Woolley Park & Ride accommodates 32 vehicles and also serves as a transfer point for the four bus routes (300, 305, 717, and 750) which serve the City.

#### *Vanpooling/Carpooling*

To reduce the traffic volumes on Skagit County roadways, Skagit Transit offers tools to encourage carpooling and vanpooling. Carpooling and vanpooling arrangements vary in cost and complexity depending on the number of persons involved. More information can be found on Skagit Transit's website (<http://www.skagittransit.org>).

#### *Paratransit*

Skagit Transit Paratransit serves persons throughout Skagit County, including the City of Sedro-Woolley, who have disabilities or conditions which prevent them from using normal fixed-route bus service. Paratransit operates from 6:00 AM to 9:00 PM on the weekdays and 8:00 AM to 6:00 PM on weekends. More information can be found on Skagit Transit's website (<http://www.skagittransit.org>).

#### **Freight and Rail Services**

The arterial roadway system and the BNSF Railway (formerly Burlington Northern and Santa Fe Railway) provide for the movement of freight and goods through the City. Given its location along two state highways, Sedro-Woolley experiences a large amount of truck freight traffic. There are three regional freight corridors (SR 20, SR 9, and Cook Road) that lead into and out of the City. These roadway facilities, along with the BNSF branch line and other designated truck routes, serve both local and regional freight operations within the City.

#### *Truck Routes*

The City has adopted a formal truck route plan in an effort to manage truck traffic within its city limits. City Municipal Code 10.20.030 designates the following roadways as truck routes within the City.

- SR 20 and SR 9
- Edward R. Murrow Street
- West State Street and State Street
- Township Street, Third Street, and River Road
- West Jameson Street and Jameson Street (Batey Road to Third Street)
- West Ferry Street and Ferry Street



- East Jones Road and West Jones Road
- F&S Grade (West Jones Road to Borseth Road)
- Cook Road
- Sapp Road (south of East Jones Road)
- Metcalf Street (north of Ferry Street)
- Puget Avenue
- Garden of Eden Road (F & S Grade Road to East Jones Road)

In Washington State, the highway and roadway system is rated according to the amount of freight and goods that are carried by truck on the system. The Washington State Freight and Goods Transportation System (FGTS) is a ranking of roads in Washington State by annual gross freight tonnage carried. The FGTS classification system is as follows:

- T-1: Over 10 million tons per year
- T-2: Between 4 and 10 million tons per year
- T-3: Between 300,000 and 4 million tons per year
- T-4: Between 100,000 and 300,000 tons per year
- T-5: At least 20,000 tons carried in a 60-day period and less than 100,000 tons per year

The FGTS system is affected by changes in the economy, international trade, and the transportation industry such as changes in truck travel patterns, cargoes and tonnages. Revisions to the FGTS routes and tonnage classifications are developed by the agency having jurisdiction over the roadway segment. The following freight routes are designated within the Sedro-Woolley planning area:

- a. Cook Road is designated a T-2 facility carrying 3,872,000 tons annually;
- b. Designated T-4 routes, carrying between 100,000 and 300,000 tons annually, include:
  - a. F & S Grade Road from city limits to SR 20
  - b. Ferry Street from SR 20 to Township Street

- c. Jameson Street from SR 9 to Township Street
- d. Metcalf Street from SR 20 to W State Street
- e. Reed Avenue from State Street to SR 20
- f. State Street from SR 20 to east city limits
- g. Township Street from SR 20 to south city limits
- h. Edward R. Murrow Street from Cook Road to F&S Grade Road
- c. Third Street from State Street to Jameson Street is designated the T-5 route carrying approximately 53,000 tons annually.

Most of the designated freight routes through the City meet WSDOT T-4 designation. The major exception is Cook Road, with a T-2 classification. Most trucks heading to and from the west use Cook Road to bypass the congestion along SR 20 through the City of Burlington. In addition, the Cook Road corridor provides a direct link to I-5.



### *Rail System*

The railroad system within the City of Sedro-Woolley is operated by BNSF Railway. While the rail lines form a three-legged intersection within the City, only the west and north lines are typically used. The south spur is used primarily for storage purposes. These west and north lines are part of a BNSF branch line from Burlington to Sumas at the US-Canadian border. Rail traffic is typically three freight trains per day, seven days a week. The daily train schedule is not fixed, but trains typically operate within the City from 5:00 PM to 8:00 PM and 12:00 AM to 4:00 AM. A Rail Crossing Study completed by the Skagit County Council of Governments in 2015 estimates that the rail crossings in the City will increase by 2040 to from 3 to 4 trains per day to 6 to 7 trains per day and gate down times will at SR 9 and at Ferry increase at crossings from 21 minutes to 64 minutes. BNSF and WSDOT are planning for crossing upgrades in 2017 at all the City crossings.

### **Nonmotorized Transportation Facilities**

The City adopted a Complete Streets policy in 2010 to promote alternative methods of transportation that lessen the need for motorized trips within the city, thereby reducing congestion and pollution, and promoting healthy alternatives to vehicular use. The Complete Streets concept includes consideration of pedestrian and bicycle facilities for all new street projects. The City's roadways act as the primary facilities to accommodate pedestrians and bicyclists. Many of these roadways have sidewalks to accommodate pedestrians and the City has designated some roadways as formal bicycle routes. Along with a system of regional trails, these facilities are used to promote non-motorized travel within the City.

#### *Pedestrian Facilities*

At this time, Sedro-Woolley's pedestrian system consists of sidewalks adjacent to streets and shared use paths adjacent to certain arterials and collectors, including the north side of SR20 from Hodgkin Street to SR9 North, the north side of McGarigle from SR9 North to Fruitdale, and the west side of Fruitdale from SR20 to McGarigle. The highest concentration of available sidewalks is in the cen-

tral business district and surrounding neighborhoods. These areas originally encompassed the urban area of the City when it was first incorporated. New developments in the northern part of the City also have sidewalks. Figure 2 shows locations along the arterial roadway system where sidewalks currently exist.

As development occurs within the City, property owners are required to dedicate right-of-way and construct sidewalks as part of frontage improvements or new roadways. Most of the roadways outside the central core of the City were built when the area was unincorporated Skagit County and were designed to rural arterial standards. No sidewalks exist on the rural roadways outside the City.

The City has an active ADA inventory and upgrade program to assess and repair portions of the sidewalk system that do not meet ADA accessibility standards.

#### *Bicycle Facilities*

The City roadway design standards identify that new arterials will include separate bicycle facilities, as sidewalks are not a substitute for on-street bicycle facilities. For the most part, bicyclists currently share the road with motorized traffic or use paved roadway shoulders, where available. Formal bike lanes are present on both sides of Cook Road within the city limits, as shown in Figure 2. In addition, the City has included shared use paths adjacent to certain arterials, including the north side of SR20 from SR9 South to SR9 North, the north side of McGarigle from SR9 North to Fruitdale, and the west side of Fruitdale from SR20 to McGarigle. Additional shared use paths are planned on the north side of SR20 west of SR9 South and east of SR9 North, and on the north side of John Liner Road and the south side of Jones Road.

Two regional bicycle routes intersect within the City of Sedro-Woolley. These routes are identified in the Skagit County Parks and Recreation Plan and provide non-motorized connectivity to the west and south of the City. These regional bicycle routes are primarily recreational in nature but are identified here:



- **Cascade Trail** is a 23 mile long rails-to-trails conservancy project which follows the SR 20 corridor from Concrete through Sedro-Woolley. It is currently paved from its terminus east of Township Street to Fruitdale Road and unpaved east of Fruitdale Road. The shared use path on the north side of SR20 is considered a part of the Cascade Trail system eventually planned to extend east to Burlington.
- **Centennial Trail** is a regional bike connection which runs north-south from Snohomish County through Skagit and Whatcom Counties. The route follows SR 9 but currently requires cyclists to operate on-street through Sedro-Woolley.

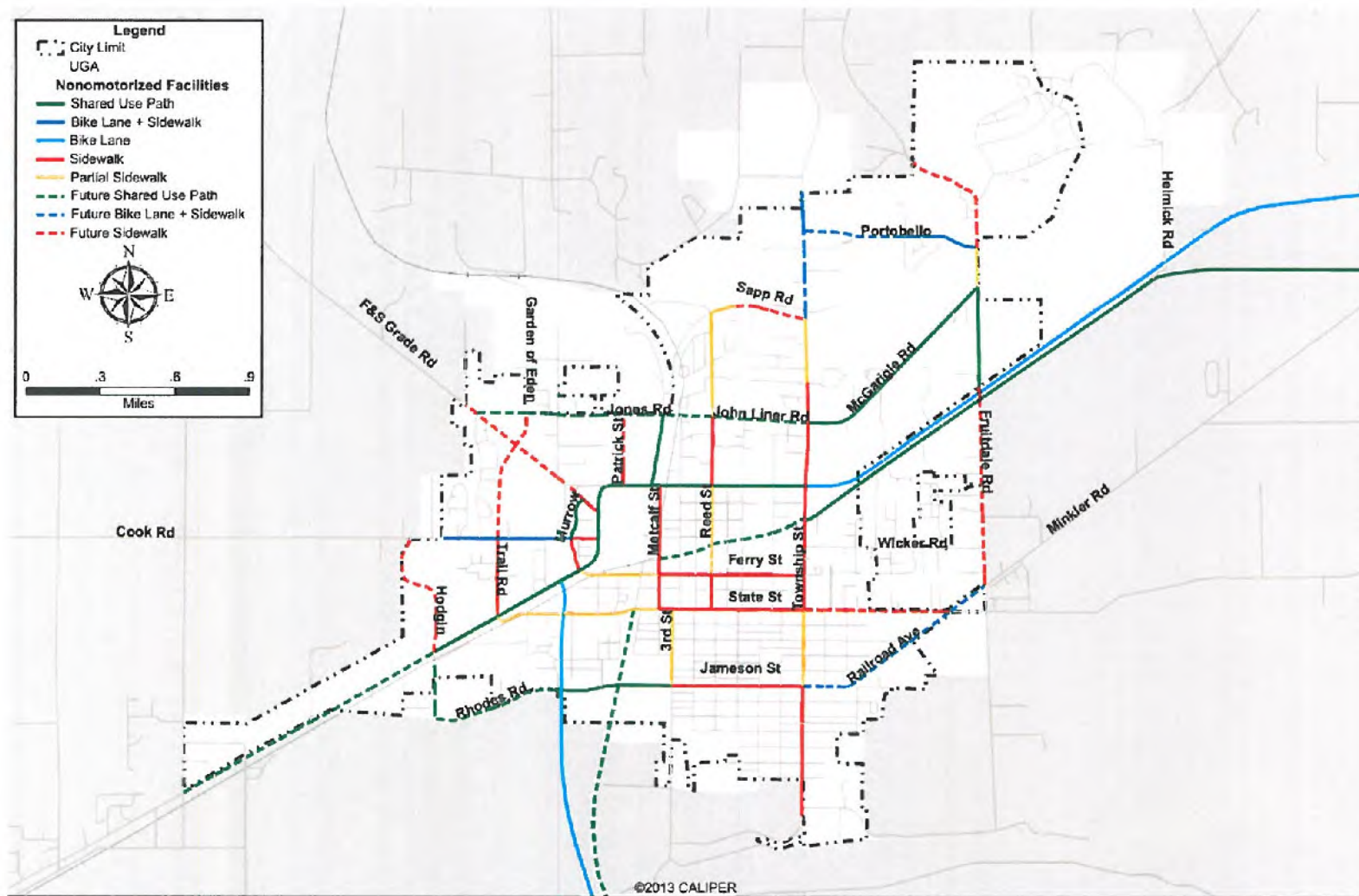


Figure 2  
Nonmotorized Facilities



Figure 2  
Major Nonmotorized Facilities  
City of Sedro-Woolley





## EXISTING TRAFFIC CONDITIONS

### Traffic Volumes

Daily and PM peak hour traffic volumes were obtained from Skagit County, WSDOT, and recent counts. Daily traffic counts were collected in January 2015 and PM peak hour intersection turning movement counts for most arterial intersections were collected in April 2015.

### Seasonal Traffic

Traffic on state highways in Sedro-Woolley can vary significantly throughout the year because of the annual winter closure of SR 20. SR 20, or the North Cascades Highway, is closed every winter forcing SR 20 traffic to shift to the US 2 corridor to the south.

The traffic count data collected for this transportation element were collected or adjusted in such a way as to account for the SR 20 winter closure. Turning movement counts were collected after the April 3 opening of SR 20 while daily traffic counts were compared against seasonally-adjusted WSDOT counts collected in and near the Sedro-Woolley study area.

### Daily Traffic Volumes

Figure 3 summarizes the daily traffic volumes on state highways and arterials in and around the city. West of the city, SR 20 carries 16,900 vehicles per day (vpd). This volume increases to 19,000 vpd north of its intersection with Cook Road. East of the city, traffic volumes on SR 20 decrease to less than 9,000 vpd. SR 9 south of the city serves approximately 11,000 vehicles daily. At the north city limits, volumes on SR 9 decrease to 5,400 vpd. Cook Road carries 12,900 vpd at the west edge of Sedro-Woolley.

Traffic volumes entering/exiting the city to/from the south or west (SR 9, SR 20, Cook Road and

F&S Grade Road) total an estimated 42,000 vpd. This compares to 16,100 vpd entering/exiting the city to/from the east and north.

The volumes indicate several things important in developing the transportation plan. First, the major travel patterns are oriented to/from the west to access I-5, Mount Vernon, Burlington or other regional destinations. Second, the travel patterns show a significant proportion of through traffic on the state highways. The volume of traffic on SR 20, SR 9, and Cook Road in the west part of the city indicates that drivers are using several, limited routes to connect between Sedro-Woolley and areas to the west/southwest.

### PM Peak Hour Volumes

Figure 4 shows the existing two-way traffic volumes during the PM peak hour. The PM peak hour is defined as the highest four consecutive fifteen-minute volume intervals during the PM peak period of travel (typically between 4:00 PM and 6:00 PM). This represents the one-hour period when traffic volumes on local roadways are typically at their peak, and generally corresponds to the period of rush hour traffic with commuters returning home from work.

The PM peak hour volumes have consistent patterns with the daily volumes described above. The state highways have the highest traffic volumes with two-way volumes during the PM peak hour ranging from 690 vehicles per hour (vph) on SR 9 north of John Liner Road to approximately 1,700 vph on SR 20 north of Cook Road. City arterials in the central business district generally serve between 200 and 400 vehicles during the PM peak hour, with the exception of State Street which serves just under 1,000 vph in the downtown area.

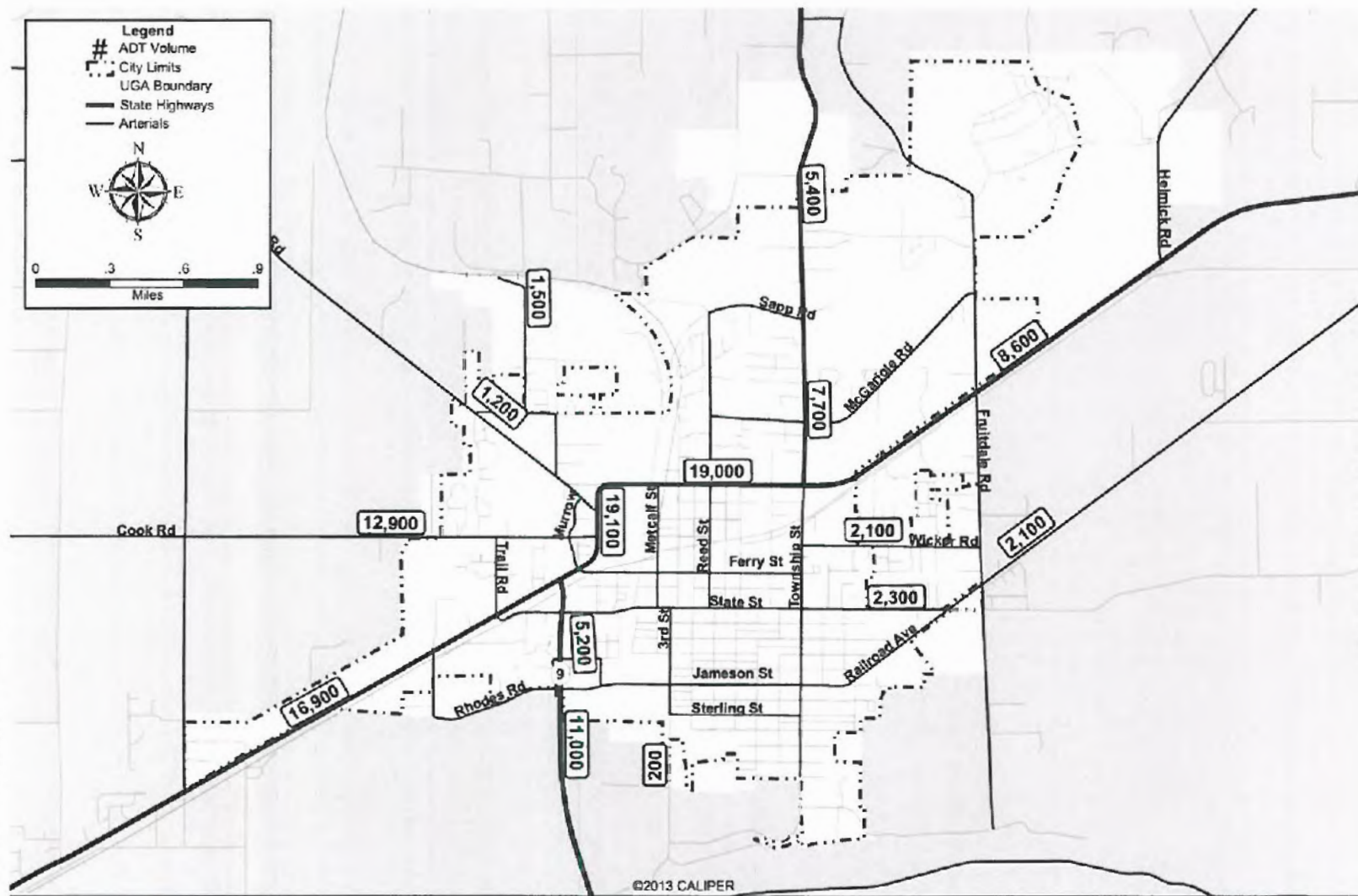


Figure 3  
2015 Daily Traffic Volumes

Figure 3  
2015 Average Daily Traffic Volumes  
City of Sedro-Woolley





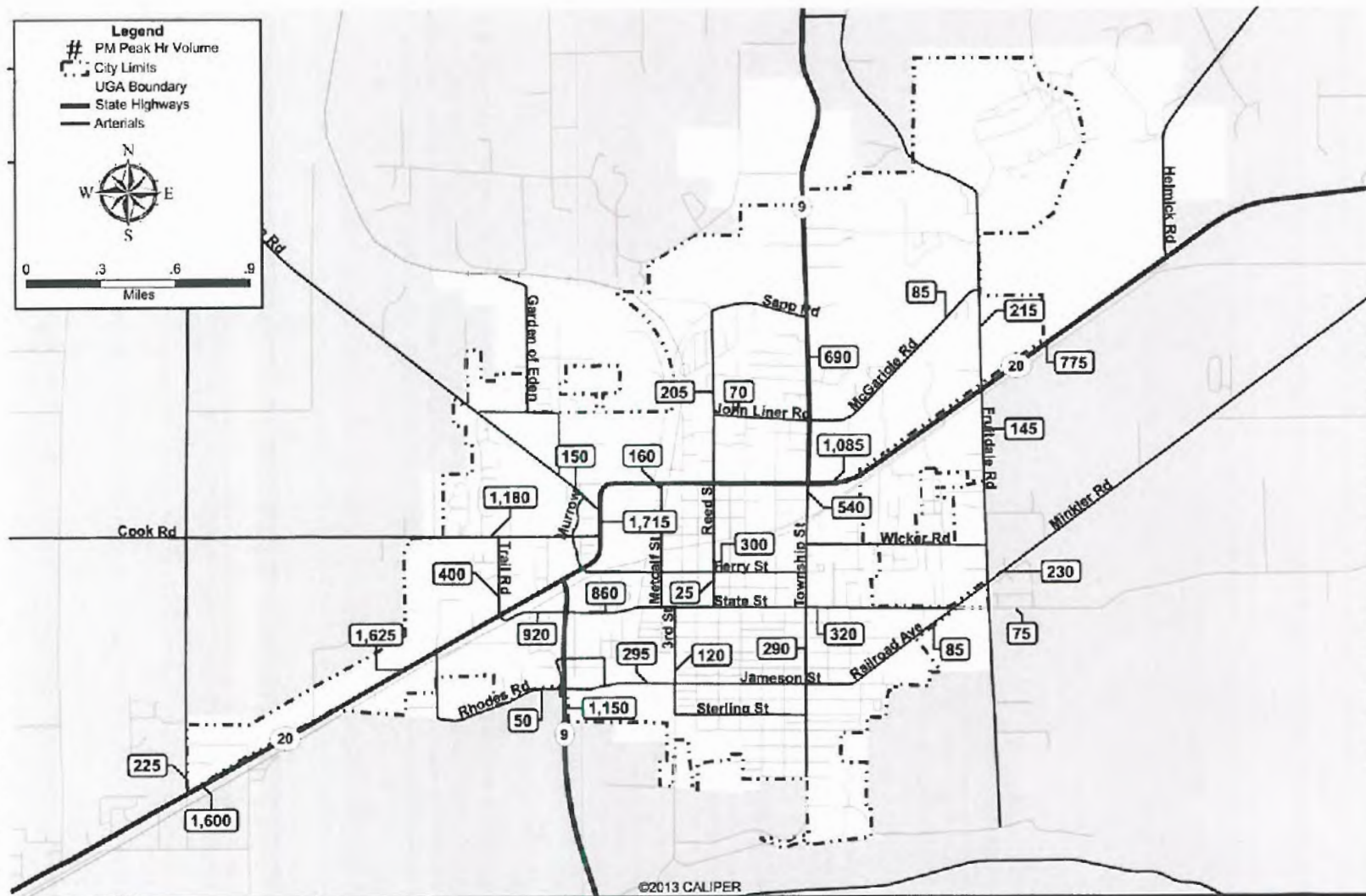
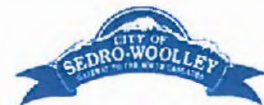


Figure 4  
2015 Weekday PM Peak Hour Traffic Volumes

Figure 4  
2015 PM Peak Hour Volume  
City of Sedro-Woolley



### Vehicle Classification Counts

Daily vehicle classification counts were collected in early 2015 along arterial streets that provide regional access to Sedro-Woolley. Vehicles are generally classified into two groups; passenger cars/SUVs and heavy vehicles. Heavy vehicles represent vehicles with more than four tires and include RVs, delivery trucks, and semi-trucks. On a daily basis, the percentage of heavy vehicles range between 2 and 14 percent on arterials such as SR 20, SR 9, and Cook Road.

Classification counts along Cook Road west of the city limits indicate 10 percent of the traffic is heavy vehicles. This is slightly greater than the 7 percent heavy vehicle share on SR 20 at the west city limits. East of the city limits along SR 20, 9 percent of daily traffic consists of heavy vehicles. Heavy vehicles on SR 9 north and south of the city limits represent 13 and 7 percent of daily traffic, respectively.

### Level of Service Definition

Level of service (LOS) is a qualitative description of the operating performance of an element of transportation infrastructure such as a roadway or an intersection. LOS is typically expressed as a letter score from LOS A, representing free flow conditions with minimal delays, to LOS F, representing breakdown flow with high delays. The street and intersection LOS methodologies used in this Transportation Element are described below.

### Segment Level of Service

Table 2 describes a system of street capacity standards which incorporate planning-level vehicle capacity estimates with consideration for the impact of non-motorized facilities on vehicle capacity. These standards can be applied to calculate capacity for every arterial street in Sedro-Woolley.

These street capacity standards use a base peak hour capacity which is based on Highway Capacity Manual (HCM) and similar methodologies used throughout the region. Base capacity is adjusted based on facility attributes including left-turn lanes, access restrictions, bike lanes, sidewalks, and on-street parking.

Left-turn lanes are estimated to add the capacity equivalent of one half through lane by removing major approach left-turn delay. Similarly, segments with limited access (e.g. physical or natural barriers) experience an increase of the equivalent of 70 percent of one through lane. Capacity reductions for lack of non-motorized facilities are based on the principle that HCM capacity calculations assume fully-built urban street sections. Streets without sidewalk or bike lanes will force nonmotorized users into vehicle lanes, reducing vehicle capacity. Exceptions to these nonmotorized reductions can be made for freeways and state highways which are designed to emphasize vehicle mobility over nonmotorized traffic. The presence of on-street parking is also expected to reduce capacity slightly.

**Table 2. Sedro-Woolley Street Capacity Standards**

Functional Classification	Base Peak Hour Capacity (veh/hr/lane)	Capacity Adjustment				
		Left-Turn Lane (vph)	Access-Restricted Segment (vph)	No Bike Lane	No Side-Side-walk	On-Street Parking
Other Principal Arterial	900	450	540	-90	-180	-45
Minor Arterial	800	400	480	-40	-80	-40
Major Collector	600	300	360	-30	-60	-30



Street segment LOS is based on the ratio of traffic volume to roadway capacity and can be described as a roadway's ability to serve all users. Sedro-Woolley Municipal Code (SWMC) 15.56.020 defines LOS thresholds which are consistent with the planning-level LOS thresholds defined in Highway Capacity Manual 1994 (HCM1994). These thresholds and definitions, shown in Table 3, have been modified to fit the multimodal capacity approach described above.

#### *Intersection Level of Service*

Intersection LOS is based on the average delay experienced by a vehicle traveling through an intersection. Delay at a signalized intersection can be caused by waiting for the signal or waiting for the queue ahead to clear the signal. Delay at unsignalized intersections is caused by waiting for a gap in traffic or waiting for a queue to clear the intersection.

For the purposes of this analysis and to maintain consistency with WSDOT policy, roundabouts were analyzed using HCM2000 gap acceptance parameters and HCM2000 signalized LOS thresholds.

Delay is defined differently for signalized and all-way stop controlled intersections than for two-way stop controlled (i.e. stop control on minor approach) intersections. For signalized and all-way stop controlled intersections, level of service thresholds are based upon average control delay for all vehicles using the intersection. For two-way stop controlled intersections, delay is reported for the movement with the worst (highest) delay. Table 4 identifies LOS delay thresholds for signalized and unsignalized intersections.

**Table 3. Street Segment LOS Characteristics**

LOS	Volume / Capacity	Description
A	$\leq 0.60$	Facility accommodates all modes of transportation. Vehicles experience free flow, with low volumes and high speeds
B	0.61 – 0.70	Stable flow, with traffic conditions beginning to restrict operating speeds. Drivers still have reasonable maneuverability between multiple lanes. All modes are accommodated
C	0.71 – 0.80	Fairly stable flow, but higher volumes more closely constrict speeds and maneuverability.
D	0.81 – 0.90	Approaching unstable flow, with tolerable operating speeds and limited maneuverability. Facilities without nonmotorized facilities and heavy pedestrian/bike volume may experience unstable flow.
E	0.91 – 1.00	Nonmotorized users in travel lanes will conflict with heavy vehicle volume and cause breakdowns in flow. Vehicles experience unstable flow with reduced operating speeds.
F	$> 1.00$	Facility is unable to accommodate all modes. Vehicles experience forced flow, operating under stop-and-go conditions

**Table 4. Intersection Level of Service Thresholds**

LOS	Signalized Delay (sec/veh)	Unsignalized Delay (sec/veh)
A	≤10	≤10
B	>10 – 20	>10 – 15
C	>20 – 35	>15 – 25
D	>35 – 55	>25 – 35
E	>55 – 80	>35 – 50
F	>80	>50

#### Level of Service Standards

As required under GMA, the City has adopted level of service (LOS) standards for its street system. The City's adopted LOS standards are set based on roadway functional classification. The LOS standards are:

- Other Principal Arterials LOS D
- Minor Arterials LOS C
- Major Collectors LOS C

Minimum LOS for State facilities are set by the Washington State Department of Transportation (WSDOT). SR 20 is designated by WSDOT as a Highway of Statewide Significance (HSS) and is assigned minimum intersection LOS D. This is consistent with the City's LOS D standard for Other Principal Arterial. Since SR 20 is an HSS, the City may but is not required to apply concurrency to developments impacting the route. The City may additionally require developments to mitigate their traffic impacts on the highway through SEPA or transportation impact fees.

SR 9 is classified by the City as a minor arterial both north and south of SR 20. This results in a LOS C standard, which is more stringent than the state and regional standard of LOS D for SR 9 in Skagit County. In order to be consistent with

WSDOT and the region, this 2016 Transportation Element adopts LOS D for SR 9 within the city.

The City's LOS C standard for other secondary and major collectors reflect the City's desire to minimize peak hour congestion and reduce the potential for cut-through traffic on neighborhood and local access streets.

#### Analysis Methodology

Traffic operations were evaluated based on the LOS methodologies of the Highway Capacity Manual (HCM) (Transportation Research Board, 2010). The HCM is a nationally recognized, locally accepted method of measuring traffic flow and congestion.

Traffic volumes used for the operations analysis reflect spring 2015 conditions during the PM peak hour of travel.

#### Level of Service Results

Intersection levels of service (LOS) analyses were conducted for arterial intersections within the study area. Table 5 summarizes the LOS results and intersection or worst movement delay at the study intersections for 2015.

Based on HCM methodology, the PM peak hour traffic operations for all signalized intersections are within the City's standard at LOS D or better.

Two two-way stop controlled intersections, both along SR 9, currently operate below the City's minimum LOS standards. The intersection of SR 9 and John Liner/McGarigle Road meets the WSDOT LOS standard for non-HSS routes but fails the more stringent City LOS C standard. No street segments currently fail the recommended minimum segment LOS standards.



**Table 5. Existing Intersection Level of Service Deficiencies**

Intersection	Control Type <sup>1</sup>	Delay <sup>2</sup> (s/veh)	LOS
SR 9 / John Liner Rd / McGarigle Rd	TWSC	26.4	D
SR 9 / Nelson St	TWSC	52.9	F

<sup>1</sup>TWSC = Two-Way Stop Control; AWSC = All-Way Stop Control; RAB = Roundabout; Signal = Signalized

<sup>2</sup>Average control delay for all movements. For TWSC, delay is reported for the movement with the worst (highest) delay.

### Necessary Improvements

The City's 2016-2036 project list includes two improvement projects, identified in Table 6, which will mitigate the existing LOS deficiencies.

The Jameson Street extension project includes a new intersection at SR 9 and Jameson Street with roundabout control, which will relieve minor street delay at the Nelson Street intersection. The project also includes reclassification of Nelson Street and Batey Road from minor arterials to local access roads.

Intersection capacity improvements, which could include a signal or roundabout, will also be necessary to maintain minimum LOS standards at the intersection of SR 9 and John Liner/McGarigle Road.

Total estimated cost of improvements necessary to bring failing intersections up to current LOS standards is \$4,020,000.

### Traffic Safety

Within Sedro-Woolley, traffic safety analysis was generally limited to state highways where traffic volumes are the highest and records are the most accessible. One local collector, West State Street, which acts as a connector between SR20 and SR9, was also analyzed. Conversations with police department and school district personnel confirm that safety issues are primarily limited to these state routes. Historical accident data along both SR 20 and SR 9 were provided by WSDOT for the three-year period from 2012 to 2014 (the most recent data available as of April 2016). Analysis and statistics were summarized by accidents related to fatalities, intersections, roadway segments, and pedestrians or bicycles.

#### Fatalities

During the three year study period, no fatal accident occurred in the study area. This is an improvement from 2005.

**Table 6. Projects Necessary to Bring Existing Facilities up to LOS Standards**

Project ID	Location	From / To	Description	Estimated Cost (\$\$\$)
C14	Jameson St	SR 9 / Batey Rd	Arterial extension w/new roundabout	3,020
S17	SR 9 / John Liner Rd / McGarigle Rd		Capacity improvements	1,000
<b>Total Estimated Cost</b>				<b>4,020</b>

### Intersection Safety Analysis

Typically, any intersection with an accident rate greater than one accident per million entering vehi-

cles (acc/MEV) should be monitored to determine if improvements could be made to increase safety.

WSDOT has identified an Intersection Analysis Location (IAL) at SR9/State Street (0.50 acc/MEV) with the IAL based on 2010 data. WSDOT has not identified any IALs on SR 20 based on 2010 data. There are however several SR 20 intersections with intersection accident rates approaching or exceeding the 1.0 acc/MEV recommended action level. These include SR20/W State Street at 1.61 accidents per MEV, with 48% of the collisions rear-end; SR20/SR9 North/Township Street at 1.11 accidents per MEV, with seventy (70%) of the accidents rear-end; SR20/SR9 South at 0.91 acc/MEV with ninety (90) percent rear-end; and SR20/Rhodes Road at 0.65 ac/MEV with 83% rear-end. The SR20/Township intersection is included in the Collision Analysis Location/Collision Analysis Corridor (CAL/CAC) discussed below.

The main cause for a rear-end collision is traffic congestion (vehicles following too closely), and in the case of the Rhodes and W State intersections, related to speed due to the transition from 50 mph to 35 mph at MP 64.39. The SR20/SR9/Township signalized intersection experiences long queues on both routes due to congestion. One improvement from 2005 is the Metcalf intersection, formerly a

high accident) location (HAL under the old methodology, which had no accidents in the 2013-2015 period. The improvement is likely due to the recent projects completed in this vicinity that improve sight distance and added center turn lanes.

#### *Roadway Safety Analysis*

The average accident rates were analyzed for both the SR 20 and SR 9 corridors to identify highway segments with potential safety problems. The results of the highway segment analysis are summarized in Table 7. The highway segments listed in Table 7 vary in length and traffic volume. To provide meaningful comparison, accidents along highway segments are typically analyzed in terms of accidents per million vehicle miles (acc/mvm) traveled. No universally accepted guidelines exist for identifying hazards based on accident rates for highway segments alone; however, WSDOT publishes average accident rates by roadway classification. Table 8 lists the average accident rates for highway segments based on functional classification.



**Table 7. 2013 – 2015 Accident History for State Highway Segments**

Segment	Average Accidents per Year	Average Daily Vehicles <sup>1</sup>	Accidents per MVM <sup>2</sup>	State Average Rate <sup>3</sup>	Accident Type (Majority)
SR 20 West (MP 63.06 Collins Road to MP 65.06 Cook Road Roundabout)	46.0	16,400	5.78	2.08 R 2.54 U	Rear-End
SR 20 Central (East of MP 65.05 Cook Road Roundabout to MP 66.08 SR9 North/Township St)	23.7	20,100	3.16	2.54	Rear-End
SR 20 East (East of MP 66.08 SR9/Township Street to MP 66.89 Fruitdale Road)	2.7	11,700	0.77	2.13 R 3.38 U	Rear-End
SR 9 South (MP 55.45 City limits to MP 55.89 south of SR 20)	5.7	8,100	4.36	3.38	Rear-End
SR 9 North (North of SR 20 to City Limits)	5.0	8,100	1.41	3.38	Rear-End
West State Street, SR 20 to SR 9	3.3	9,600	3.28	NA	Rear-End

Source: WSDOT Crash Data (2013-2015), summarized by City. <sup>1</sup>Based on 2015 WSDOT TRIPS System Annual Traffic Report

<sup>2</sup>Accidents per million vehicle miles based on WSDOT Crash Data 2013-2015, calculated by City using the FHWA "Roadway Departure Safety: A Manual for Local Rural Road Owners" Crash Rate Calculations.

<sup>3</sup>Washington state average accidents per MVM based on roadway classifications (R for Rural, U for Urban) based on the 2006 Washington State Collision Data Summary Highways only, pg. 16.

**Table 8. Average Accident Rates by Roadway Functional Classification**

Functional Classification	WSDOT Rural Arterial (Accidents/MVM) <sup>1</sup>	WSDOT Urban Arterial (Accidents/MVM) <sup>1</sup>
Principal Arterial	1.13	2.54
Minor Arterial	1.47	3.38
Major Collector	1.55	1.01

Source: 2006 Washington State Collision Data Summary Highways Only (latest available)

<sup>1</sup>Annual accidents per million vehicle miles

The WSDOT Functional Classification Map classifies SR 20 as an urban other principal arterial from the west city limits to Township Street/SR 9, and as urban minor arterial to the east city limits. West of the city limits, SR 20 is classified as urban other principal arterial, and east of the city limits as rural minor arterial. SR 9 is classified as an urban minor arterial within the City of Sedro Woolley. SR 9 south and north of the city limits is classified as rural minor arterial. The historical accident data and existing highway classifications obtained from the WSDOT indicate that the accident rates for two SR 20 segments and the SR 9 segment south of SR 20 are above the average accident rate for a similar

state facility. The accident rate for SR 20 segment west of Cook Road has increased 74% since 2005 and remains well above the state average. The SR 20 Central segment accident rate has decreased 28% since 2005, although it remains above the statewide average. The accident rate for the SR 9 segment south of SR20 has increased 18% from 2005 and remains above the state average. The accident rate for the SR9 segment north of SR20 has decreased 3% since 2005, and remains below the state average.

Within Sedro-Woolley, WSDOT has identified two Collision Analysis Corridors/Collision Analysis

Locations (2015 CACs/CACs) along SR 20. SR 9 is not currently listed as a CAC, but has one Intersection Analysis Location. WSDOT identifies state highway CALs/CACs that meet certain criteria to identify potentially unsafe accident locations. The first CAL/CAC is along SR 20 from milepost 61.16 to milepost 63.62, generally from the east city limits of Burlington to Holtcamp Road, and actually west of the city limits but partially in the Urban Growth Area. The second CAL/CAC is along SR 20 from milepost 65.39 to 65.63, generally between Patrick Street and Puget Street intersections. These SR20 corridors correspond to the accident rates noted in Table 7.

In addition to the state routes, local collectors with significant volumes of traffic were analyzed. West State Street from SR20 to SR9 is a local collector connecting the two state routes and the Downtown commercial core. This route was found to have a 3.28 acc/MVM rate with 70% rear-end crashes on the segment from SR20 to SR9, and 2.45 acc/MVM on the segment between SR9 and Eastern. While standards given in Table 8 are limited to highways, these results indicate that attention is warranted on this route. West State Street has the highest accident rate in the city. Other routes slightly lower rates are Ferry from Eastern to Township, and Metcalf from State to SR 20. All other city collectors have moderate to low accident rates.

#### **Pedestrian/Bicycle Safety**

No section of the SR 20 or SR 9 corridor is currently listed as a High Pedestrian Accident Location (PAL) by WSDOT. Between 2013 and 2015, there were no accidents along the SR 9 corridor involving bicyclists or pedestrians.

Four accidents along SR 20 involved pedestrians or bicycles between 2013-2015. Three of the four involved a pedestrian, and the remaining one involved a pedicyclist. The pedestrian accidents oc-

curred at the Murdock, Reed and Township intersections, only one of which (Township) includes an actual pedestrian crossing. The pedicyclist accident occurred at Ferry Street. Pedestrian and bicycle related accidents on the state routes have decreased by 50% since 2005, attributable to the addition of south side sidewalks and north side shared use path improvements on SR20 from SR 9 South to SR 9 North/Township completed in 2012, and sidewalks and bicycle lane additions on SR 9/Township from SR 20 to Lucas Drive also completed in 2013.

(Ord. 1554-06 § 3 (Exh. A)(part))



## TRAVEL DEMAND FORECASTING

To provide a framework for future transportation system needs, this Transportation Element must consider the transportation needs of future growth. The GMA requires that the transportation planning horizon be at least ten years in the future. The City of Sedro-Woolley selected a 2036 horizon year. Year 2036 is consistent with the forecast year used in the Skagit Council of Governments (SCOG) residential and commercial/industrial land use allocations. It also provides a longer range look at the transportation system than City's annual six-year Transportation Improvement Program (TIP).

This section will describe the inputs, assumptions, and methodologies used to develop the Sedro-Woolley citywide transportation planning model, which was used to generate a long-range (2036) citywide travel demand forecast. This demand (i.e. traffic volume) forecast provided the technical basis for the LOS forecast and the state, county, and local transportation system improvement needs identified later in this Transportation Element.

### Land Use

The existing and forecasted locations, quantities, and types of land use throughout the City and UGA form the backbone of the citywide planning model. In order to satisfy the GMA requirement for the Transportation Element to maintain internal consistency with the assumptions used throughout the Comprehensive Plan, the land use data described below is based on the population and growth tar-

gets described in the Land Use Element. These targets are themselves consistent with land use forecasts developed by Skagit Council of Governments (SCOG), BERK Consulting, E.D. Hovee & Company, and the City.

### Existing Land Use

For the purposes of transportation planning, land use can be stratified into two categories: households and employment. Residential land use forecasts are often expressed in terms of population, however for travel demand modeling it is helpful to convert population into trip-generating households.

Existing citywide population and household estimates are summarized in Table 9 and are consistent with the Land Use Element in this Comprehensive Plan.

### Forecasted Land Use Growth

The modeled land use forecasts include total population growth of 4,555 and employment growth of 1,572, as summarized in Table 9.

SCOG has allocated total employment growth of 1,572 to the City by 2036. These growth allocations are classified by five employment sectors:

- Retail
- Services
- Government/Education
- Industrial
- Resources

To maintain consistency with the SCOG regional planning model and allow greater modeling flexibility, growth allocations were further divided into the 8 employment sectors identified in Table 10.

**Table 9. Existing Citywide Land Use Totals**

Planning Year	Population	Households <sup>1</sup>	Employment
Existing (2015)	12,514	4,832	4,752
Planning Horizon (2036)	17,069	6,590	6,324
2015-2036 Growth	4,555	1,758	1,572

**Table 10. Sedro-Woolley 2036 Employment Growth Forecast**

NAICS Code	Employment Sector	Code	Employees	Percent
44, 45	Retail	RETAIL	46	2.9%
51-56, 61, 71, 72, 81	Finance, Insurance, Real Estate, and Services	FIRES	296	18.8%
Public sector, excluding education	Government	GOV	283	18.0%
61	Education	EDU	283	18.0%
22, 42, 48, 49	Wholesale Trade, Transportation, and Utilities	WTU	184	11.7%
31-33	Manufacturing	MANU	184	11.7%
11, 21, 23	Construction and Resources	CONRES	0	0.0%
62	Health	HEALTH	296	18.8%
Total			1,572	100.0%

Source: SCOG 2014, TSI 2015

Note: Employment growth shares by sector may vary without significantly impacting PM peak hour trip generation. The shares identified above create trip generation totals which may be representative of multiple job growth scenarios.

#### *Land Use Growth Location*

The geographic units or Transportation Analysis Zones (TAZs) used to geographically represent land use in and around Sedro-Woolley were consistent with the SCOG regional planning model TAZ structure. A total of 60 internal TAZs were used to represent the City and UGA, as shown in Figure 5. Refinements were made to TAZ loading points in order to improve model accuracy at the local level.

Residential land use was represented in the traffic model in terms of occupied households while employment was modeled using the categories defined in Table 10. The existing household and employment totals described above were verified using GIS land use data provided by SCOG.

Citywide household and employment growth forecasts were initially distributed to the modeled TAZs by aggregating the parcel-level results of the Sedro-Woolley Buildable Land & Land Capacity Analysis Report and subsequently updated with UGA and zoning changes as of January 2016.

The transportation model used a household cross-classification scheme which represents households

by number of occupants and number of vehicles, based on SCOG's analysis of 2010 census household data. To prepare the total household growth forecast for input to the model, TAZ-based total household growth was distributed proportionately to the existing (SCOG) cross-classification shares.

In order to maintain consistency with the Sedro-Woolley Buildable Land & Land Capacity Analysis Report, employment growth associated with the development of the Center for Innovation and Technology at the former Northern State Hospital campus was considered separately from the SCOG allocation.

The citywide planning model assumed that the development of the former Northern State Hospital campus would follow the "Moderate Intensity Site Development" scenario described in the *Northern State Planned Action Environmental Impact Statement (EIS)* (July 2015).



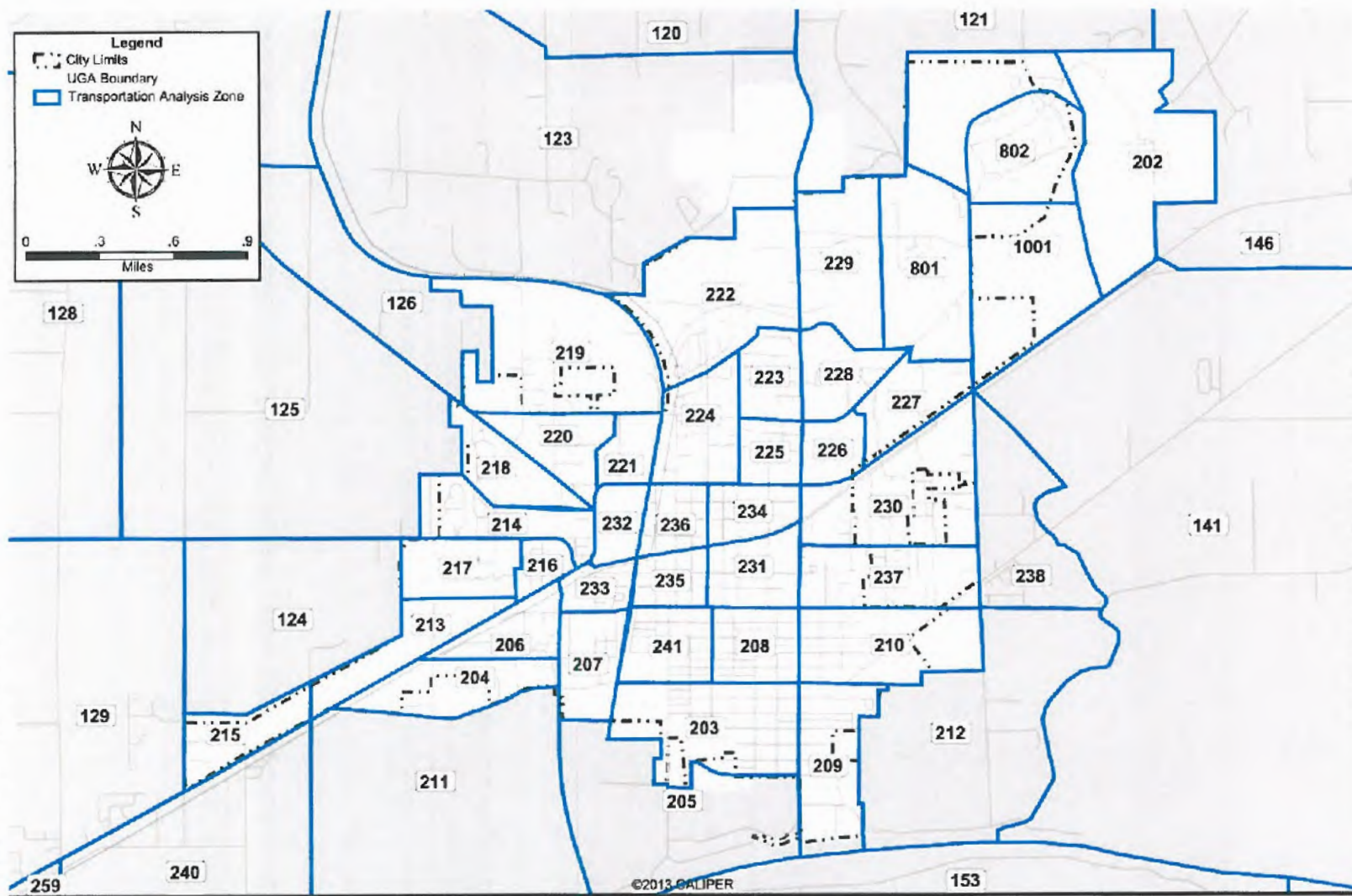


Figure 5

## Transportation Analysis Zones

City of Sedro-Woolley



### Travel Forecasting Model

The Sedro-Woolley planning model was developed in PTV Visum 14 software and was based on the SCOG regional travel demand model with local refinements in the Sedro-Woolley study area. Travel demand was modeled in terms of weekday PM peak hour vehicle trips.

The base year model was calibrated to fit turning movement counts collected at 45 arterial intersections throughout the City in April 2015.

#### *Street Network*

The roadway network contained in the SCOG model included most arterial streets within the City and UGA as well as most arterial roadways within Skagit County. This network was expanded to complete the arterial street network and also include all local streets within the City and UGA.

Link and node capacity standards and volume-delay functions were held consistent with the SCOG regional model.

#### *Transportation Analysis Zones*

The function of a Transportation Analysis Zone (TAZ) in a travel demand model is to generate vehicle trips to and from the roadway network. In general, internal TAZs are specific geographic areas that are associated with specific land use data. The land use data associated with a TAZ determines the number of trips that the TAZ produces to or attracts from the other TAZs in the model. The citywide model included 67 zones, of which 60 were internal to the Sedro-Woolley area. Figure 5 displays TAZ structure in the study area.

The model included 7 external zones surrounding the City and UGA. External zones are designed to incorporate trips that are generated to and/or from points outside the network. Although these are labeled zones, they actually represent links to regions outside the model and do not represent a defined area. These zones do not reflect any land

use assumptions; only vehicle trips. Trips to and from each external zone are determined from actual traffic counts and future trips are based on historical growth records. These external zones play a two-part role in a model: (1) only a certain portion of the trips in an external zone interact with TAZ's within the model, and (2) the remainder of the trips in any external zone interact with other external zones outlying the study area. These trips are called through trips since they have neither an origin nor destination within the study area yet they pass through the study area, impacting the network.

#### *Trip Generation*

Trips were generated by land uses and are assigned a trip type. In general, three basic trip types were represented in the travel demand model:

- Home-Based Work (HBW): Trips with one end at the traveler's home and the other end at the traveler's place of employment
- Home-Based Other (HBO): Trips with one end at the traveler's home and the other end at somewhere other than the traveler's place of employment, e.g. shopping trips
- Non-Home-Based (NHB): Trips without an end at the traveler's home

Trip generation rates used in the citywide model were based on SCOG and Institute of Transportation Engineers (ITE) trip generation rates and represent PM peak hour vehicle trips. Table 11 summarizes the modeled trip generation rates.

Residential land use was modeled in household units and cross-classified for trip generation purposes. The household cross-classification scheme followed the format HH(a)\_(b), where (a) represents the number of people in the household and (b) represents the number of workers in the household. Employment categories are described in Table 10.

Trip generation for external TAZs was based on current and historical traffic volumes which were provided by SCOG and WSDOT.



**Table 11. Trip Generation Rates**

Land Use Code <sup>1</sup>	Units	Total	Origins			Destinations		
			HBW	HBO	NHB	HBW	HBO	NHB
HH1_0	Households	0.24	0.0000	0.0870	0.0242	0.0000	0.1063	0.0242
HH1_1	Households	0.32	0.0268	0.0502	0.0367	0.1072	0.0614	0.0367
HH2_0	Households	0.37	0.0000	0.1340	0.0372	0.0000	0.1637	0.0372
HH2_1	Households	0.49	0.0248	0.1271	0.0528	0.0990	0.1554	0.0528
HH2_2	Households	0.75	0.0632	0.1184	0.0865	0.2526	0.1447	0.0865
HH3_0	Households	0.51	0.0000	0.1826	0.0507	0.0000	0.2231	0.0507
HH3_1	Households	0.67	0.0225	0.1868	0.0710	0.0900	0.2283	0.0710
HH3_2	Households	1.02	0.0668	0.2028	0.1147	0.2754	0.2479	0.1147
HH3_3	Households	1.44	0.1210	0.2268	0.1656	0.4838	0.2772	0.1656
HH4_0	Households	0.78	0.0000	0.2805	0.0779	0.0000	0.3428	0.0779
HH4_1	Households	1.03	0.0259	0.3078	0.1075	0.1037	0.3761	0.1075
HH4_2	Households	1.57	0.0793	0.3753	0.1716	0.3173	0.4588	0.1716
HH4_3	Households	2.21	0.1673	0.3933	0.2511	0.6690	0.4807	0.2511
RETAIL	Employees	1.80	0.2304	0.4158	0.3780	0.0576	0.3402	0.3780
FIRES	Employees	0.70	0.1680	0.1579	0.1015	0.0420	0.1292	0.1015
GOV	Employees	0.70	0.2352	0.1386	0.0770	0.0588	0.1134	0.0770
EDU	Employees	1.56	0.6240	0.4118	0.0156	0.1560	0.3370	0.0156
WTCU	Employees	0.59	0.3634	0.0097	0.0590	0.0909	0.0080	0.0590
MANU	Employees	0.37	0.1243	0.0122	0.0962	0.0311	0.0100	0.0962
RESOURCE	Employees	0.35	0.2240	0.0000	0.0350	0.0560	0.0000	0.0350
HEALTH	Employees	1.06	0.2544	0.2390	0.1537	0.0636	0.1956	0.1537

<sup>1</sup>Household cross-classification scheme follows the format HH(a)\_ (b), where (a) represents the number of people in the household and (b) represents the number of workers in the household. Employment land uses are described in Table 10

### Trip Distribution

Trips were distributed between TAZs using a gravity model, which is based on the theory that the attraction between two bodies is directly proportional to the bodies' masses and inversely proportional to the distance between the bodies. For the purposes of transportation modeling, a TAZ's "mass" is represented by the number of trips generated at (produced by or attracted to) the TAZ while the distance factor is represented by route travel time.

The gravity model calculates the attractiveness between TAZs using the following utility function:

$$f(U) = a * (U^b) * (e^{cU})$$

In the utility function, U is defined as travel time between two zones. The parameters a, b, and c are calibration factors which influence the weight of travel time in the gravity model. The gravity parameters used in the Sedro-Woolley model are shown in Table 12 and are based on the values used in the SCOG regional model as well as guidance from *NCHRP Report 716* (TRB 2012).

**Table 12.** Trip Distribution Model Parameters

Trip Purpose	Model Parameter		
	a	b	c
Home-Based Work (HBW)	100	-0.02	-0.125
Home-Based Other (HBO)	100	-0.90	-0.10
Non-Home Based (NHB)	100	-0.30	-0.10

#### *Traffic Assignment*

Trips were assigned from origin to destination via the street network using an equilibrium assignment process which calculates the shortest travel time route, iteratively updating travel time to reflect demand-induced congestion. The equilibrium assignment process updated and re-assigned trips until the model reached an equilibrium condition.

#### *Model Calibration*

The base year model was calibrated using guidance from FHWA's *Travel Model Validation and Reasonableness Checking Manual Second Edition* (FHWA 2010). Modeled link volumes were measured against observed link volumes based on 2015 PM peak hour intersection counts. Once the model had been calibrated to an acceptable level through network and demand refinements, Visum's origin-destination correction procedure (TFlowFuzzy) was applied to finalize the calibration result.

#### *Forecasting Future Travel Demand*

An initial traffic forecast scenario assumed that the existing street network will be maintained as-is with no capacity improvements in the next 20 years. This "do nothing" scenario was used to identify intersections and segments which are forecasted to operate below minimum LOS standards by 2036. After identifying forecasted deficiencies, a list of necessary growth-related improvements was developed and applied incrementally to a "growth-related improvement" model scenario. In this way improvements were evaluat-

ed not only for their direct effect on the improved segment or intersection but also for any indirect impacts on the surrounding street network, including any potential redistribution of demand as drivers utilize new shortest path options.



## FUTURE TRAFFIC CONDITIONS

The Transportation Element provides a long-range strategy for the City of Sedro-Woolley to address current and forecast transportation issues and identified needs, implement transportation goals and policies, and realize the intent of the community's vision. The plan is based upon an analysis of the existing transportation system, forecasts of future travel demands, the anticipated availability of resources, and the desire of the City of Sedro-Woolley to create an efficient transportation system that puts a priority on community livability. The plan builds upon the City's policies and standards and seeks to give specific shape to the City's transportation goals and vision.

### Roadway Standards

The Sedro-Woolley Public Works Construction Standards, with which all new development must comply, are defined in SWMC 15.40. The standards include items such as right-of-way needs, pavement width, and type and width of pedestrian

and bicycle facilities. The standards are intended to support the City's goals in providing adequate facilities to meet the mobility and safety needs of the community. The standards are intended to assist design professionals and developers for all new and reconstructed roadways and right-of-way facilities, both public and private, within the city.

These standards have been used as one criteria for evaluation of roadway system needs. Many existing roadways are not constructed to these standards. Roadways in the UGA are typically rural in nature with few urban features.

### Forecasted Level of Service Deficiencies

An initial 20-year forecast was performed assuming no network improvements citywide. Forecasted volumes are shown in Figure 6. The travel forecast identified segment LOS deficiencies on SR 20 from Collins Road to State Street. See Table 13.

Arterial intersection LOS deficiencies were identified at four locations throughout the City. Three of these locations are along state highways SR 9 and SR 20. See Table 14

**Table 13. 2036 Segment Level of Service Deficiencies - Without Improvement**

Segment ID	Name	Cross Street A	Cross Street B	Functional Classification	V/C	LOS
2001	SR 20	Collins Rd	Rhodes Rd	Other Principal Arterial	0.95	E
2002	SR 20	Rhodes Rd	W State St	Other Principal Arterial	0.92	E

**Table 14. 2036 Intersection Level of Service Deficiencies - Without Improvement**

Intersection	Control Type <sup>1</sup>	2036 Delay <sup>2</sup> (s/veh)	2036 LOS
Township St (SR 9) / McGarigle/John Liner Rd	TWSC	46.2	E
SR 20 / Reed Street	TWSC	94.6	F
Cook Rd / Trail Rd	TWSC	29.8	D
SR 9 / Nelson Street	TWSC	>180	F

<sup>1</sup>TWSC = Two-Way Stop Control; AWSC = All-Way Stop Control; RAB = Roundabout; Signal = Signalized

<sup>2</sup>Average control delay for all movements. For TWSC, delay is reported for the movement with the worst (highest) delay.

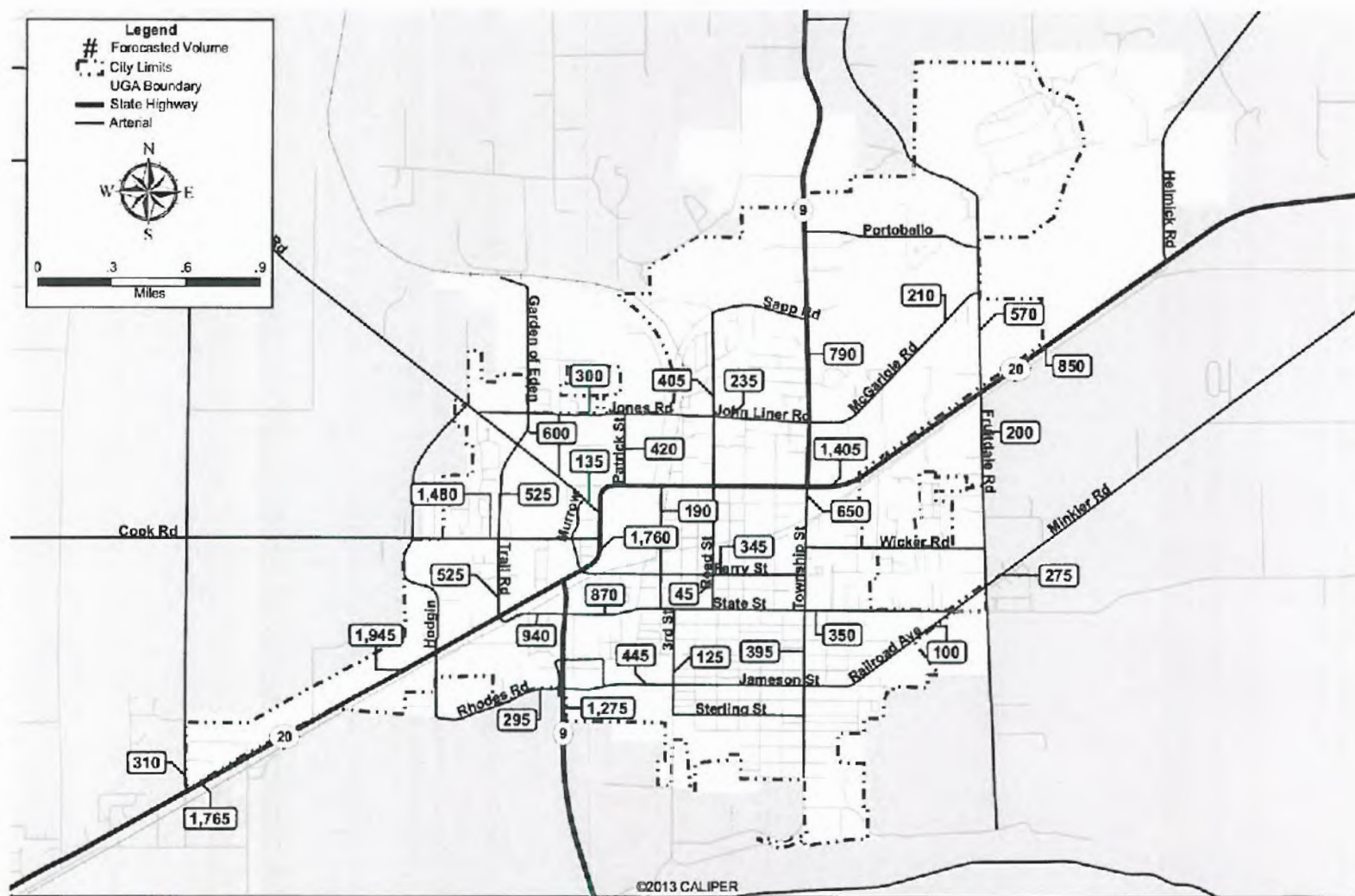


Figure 6  
2036 Weekday PM Peak Hour Volumes

Figure 6  
2036 Weekday PM Peak Hour Volumes  
City of Sedro-Woolley





### Transportation Improvement Projects

Based on the evaluation of existing and forecasted traffic volumes, traffic operations, safety, and connectivity, a recommended list of transportation improvement projects and programs was defined as shown in Table 15. The recommended improvement projects were organized into two categories:

- State Highway Improvements (S)
- Arterial Improvements (C)

Table 15 provides a brief description of each project including the roadway or intersection project limits, and a planning level description of the scope of work that is needed. A map identification number is also provided for referencing between Table 15 and Figures 7 and 8, which show the locations of state highway improvements and arterial improvements, respectively. Projects which are necessary to maintain City and state concurrency standards are identified as eligible for transportation impact fee (TIF) calculation.

The project list identifies several arterial extension and reclassification projects (including Jameson Street, Fruitdale Road, Patrick Street, Jones Road, and Portobello Avenue) which will improve network connectivity and support economic future growth in underdeveloped areas.

These projects effectively provide roadway capacity where little or none currently exists. They may also have the secondary benefit of relieving congestion on other elements of the transportation network. The Jones Road extension, for example, will provide an alternate east-west route through the City and relieve congestion on SR 20. Similarly, the Jameson Street arterial extension project is forecasted to mitigate the intersection LOS deficiency at SR 9 and Nelson Street immediately to the north.

The citywide LOS forecast identifies a number of LOS failures which are mitigated by projects beyond the 6-year TIP horizon. These include intersection LOS failures at Township Street (SR 9) & McGarigle/John Liner Road and Cook Road & Trail Road and segment LOS deficiencies on SR 20 at the western city limits. Cost estimates for these projects have been developed based on unit costs for similar projects in the TIP and throughout the region.

The street extension and intersection improvement projects identified in the project list will result in some redistribution of travel demand. These changes are forecasted to cause the intersection of SR 20 and Central Avenue to fall below minimum concurrency LOS standard by 2036 without mitigation, e.g. right-in-right-out access during PM peak hour.

**Table 15. Sedro-Woolley Transportation Improvement Projects and Programs**

ID	Project Name	From/To	Est.Cost (\$\$\$)	Description	TIF Eligible
<b>2016-2021 Improvement Projects</b>					
C14	Jameson Arterial Extension	SR 9 / Batey Rd	3,020	New arterial segment	Y
C27	Jameson Sidewalks	Tennis Crt / 3rd Ave	130	Shared use path	N
S14A	SR20/Cascade Trail West Extension Ph.1A	Trail Rd / SR 9 South	575	Shared use path	Y
S14B	SR20/Cascade Trail West Extension Ph.1B	Hodgin Rd / Trail Rd	288	Shared use path	Y



ID	Project Name	From/To	Est.Cost (\$\$\$)	Description	TIF Eligible
C25	Ferry Street Overlay	SR 20 / Metcalf	330	Grind & overlay	N
C6C	S Township St Overlay	Waldron / SR 20	60	Grind & overlay	N
C22	Fruitdale Rd Arterial Improvements	Portobello / North City Limit	2,320	Reconstruct to arterial standards incl. roundabout at Northern State Rd	Y
C23	Fruitdale Rd Sidewalks	McGarigle / Portobello	216	Construct sidewalks on east side of street	N
C26	Trail Rd Overlay	SR 20 / Cook Rd	225	Grind & overlay	N
C24	Cook Rd Overlay	West City Limit / Crossroads	300	Grind & overlay	N
C1B	Jones/John Liner RR Undercrossing	Sapp Rd / Reed St	7,700	New BNSF undercrossing and new arterial from E Jones Rd to John Liner Rd	Y
C28	Reed St Overlay	SR 20/ John Liner Rd	130	Grind & overlay	N
C1C	John Liner Bike/Ped Impr.	Reed St / SR 9	555	Shared use path	N
C19	Patrick St Extension	Michael St/E Jones St	2,100	New major collector w/sidewalks	Y
S8F	SR 20 Stormwater System Upgrade	Holtcamp Rd / Hodgkin Rd	300	Stormwater conveyance system upgrade	N
C1A	Jones Rd Improvements	F&S Grade Rd / Sapp Rd	3,200	Reconstruct to arterial section including sidewalk & shared use path	Y
S16	SR20 & SR9 (Township) Intersection Impr.		1,000	Channelization and signal improvements	Y
C18	Portobello Arterial Extension	Township / Cascadia	1,700	New major collector connecting Fruitdale w/ SR 9	Y
S2	SR20 & Reed St Intersection Improvements		50	RIRO access restriction	Y
S18	SR 9 / W State Street Intersection Improvements		250	Add a dedicated right turn lane to the west leg.	Y
	Subtotal 2016-2021		24,449		
2022-2036 Improvement Projects					
C3	Cook Rd / Trail Rd Intersection Improvements		1,000	Intersection improvements	Y
C9A	Trail Rd Arterial Extension	Cook Rd / F&S Grade	4,000	Construct new minor arterial	Y
C9B	Trail Rd – Garden of Eden Rd Extension	F&S Grade / Jones Rd	850	Construct new minor arterial	Y
S13C	SR9N Ped/Bike Safety Improvements	Park Cottage / N City Limits	434	Bike lane & sidewalk improvements	Y
S17	Township St (SR 9) & John Liner/McGarigle Rd Intersection Improvements		1,000	Intersection improvements	Y

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ID	Project Name	From/To	Est.Cost (\$\$\$)	Description	TIF Eligible
C1D	John Liner Rd Arterial Improvements	Reed St / Township St	1,600	Reconstruct to arterial section	Y
S6 A-B	SR 20 East Lane Widening & Safety Improvements	SR 9 / Fruitdale Rd	960	Improve and widen to 3 lanes	Y
C7A	Jameson St Arterial Improvements	600' e/o Batey to Railroad St	3,600	Widen to arterial standards w/3 lanes, bike lane, sidewalk	Y
C7B	Jameson / 11 <sup>th</sup> St Intersection Improvements		70	Change access to RIRO	Y
C7C	Railroad St / Jameson Intersection Improvements		750	Intersection improvements to include new roundabout	Y
C7D	Railroad St Arterial Improvements	Jameson St / Fruitdale	2,880	Reconstruct to arterial standards incl. 3 lanes, bike lanes, sidewalks	Y
C4	Reed St Arterial Improvements	Ferry St / SR20	1,440	Reconstruct to arterial standards	N
C2	F&S Grade Rd Arterial Improvements	SR20 MP 65.16 / Jones Rd	2,960	Reconstruct to arterial standards	Y
S14C	SR20/Cascade Trail West Extension Ph.2A	Holtcamp Rd/Hodgin Rd	600	Shared use path	Y
S20	SR 20 / Central Ave Intersection Improvements		150	Intersection improvements or RIRO	Y
S14D	SR20/Cascade Trail West Extension Ph.2B	Collins Rd/Holtcamp Rd	620	Shared use path	Y
C8	State St Sidewalks	Haines / E City Limits	540	Pedestrian improvements	N
C10	Township / Ferry St Intersection Improvements		50	All-way stop control	N
C13	Rhodes Rd Arterial Improvements	SR 9 / SR 20	3,200	Reconstruct to arterial standards incl. bike lanes, sidewalks	Y
C15	Hodgin Rd Arterial Ext.	SR 20 / Cook	2,225	New collector arterial	Y
C20	4 <sup>th</sup> St Arterial Improvements	Alexander / State	1,300	Reconstruct to arterial standards to replace 3 <sup>rd</sup> St as N-S arterial	N
S9	SR9/N Township St Arterial Improvements	SR 20 / City limits	100	Planning phase – reconstruct to arterial standards incl. 3 lanes, bike lanes, sidewalk	Y
C6B	S Township St Arterial Improvements	Dunlop / Sterling St	1,040	Reconstruct to arterial standards	N
S13D	SR9 / Centennial Trail Ped/Bike Safety Improvements	Summer Meadows PI / North City Limits	1,700	Construct bicycle lane and sidewalk improvements including pedestrian crossing bridge at Brickyard Creek	Y

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ID	Project Name	From/To	Est.Cost (\$\$\$)	Description	TIF Eligible
C29	Centennial Trail South		500	Improve and extend trail	N
C30	Cascade Trail East Extension	Metcalf / 400' e/o Township St	100	Shared use path	N
C21	Garden of Eden Rd Arterial Improvements	F&S Grade / Jones	1,040	Reconstruct to arterial standards	N
<i>Subtotal 2022-2036</i>			<i>34,709</i>		
<b>Total Improvement Cost</b>			<b>59,158</b>		

Mitigated segment and intersection levels of service for otherwise-deficient network elements are shown in Tables 16 and 17.

Segment LOS deficiencies along SR 20 on the west side of the City are mitigated by the extension of the Cascade Trail which will remove

nonmotorized users from the street, effectively increasing capacity.

LOS failures at unsignalized intersections along SR 9, SR 20, and Cook Road are mitigated through intersection capacity improvements including roundabouts or peak hour turn restrictions.

**Table 16. 2036 Segment Level of Service Deficiencies - With Improvement**

Segment ID	Name	Cross Street A	Cross Street B	2036 No Improvement		2036 With Improvement	
				V/C	LOS	V/C	LOS
2001	SR 20	Collins Rd	Rhodes Rd	0.95	E	0.89	D
2002	SR 20	Rhodes Rd	W State St	0.92	E	0.83	D

**Table 17. 2036 Intersection Level of Service Deficiencies - With Improvement**

Intersection	2036 No Improvement			2036 With Improvement		
	Control Type <sup>1</sup>	Delay <sup>2</sup> (s/veh)	LOS	Control Type	Delay (s/veh)	LOS
Township St (SR 9) / McGarigle/John Liner Rd	TWSC	46.2	E	RAB	8.1	A
SR 20 / Central Ave	TWSC	27.4	D	TWSC w/RIRO	19.1	C
SR 20 / Reed Street	TWSC	94.6	F	TWSC w/ RIRO	19.7	C
Cook Rd / Trail Rd	TWSC	36.9	E	RAB	9.4	A
SR 9 / Nelson Street	TWSC	>180	F	TWSC	18.1	C

<sup>1</sup>TWSC = Two-Way Stop Control; AWSC = All-Way Stop Control; RAB = Roundabout; Signal = Signalized; RIRO = Right-in right-out

<sup>2</sup>Average control delay for all movements. For TWSC, delay is reported for the movement with the worst (highest) delay.



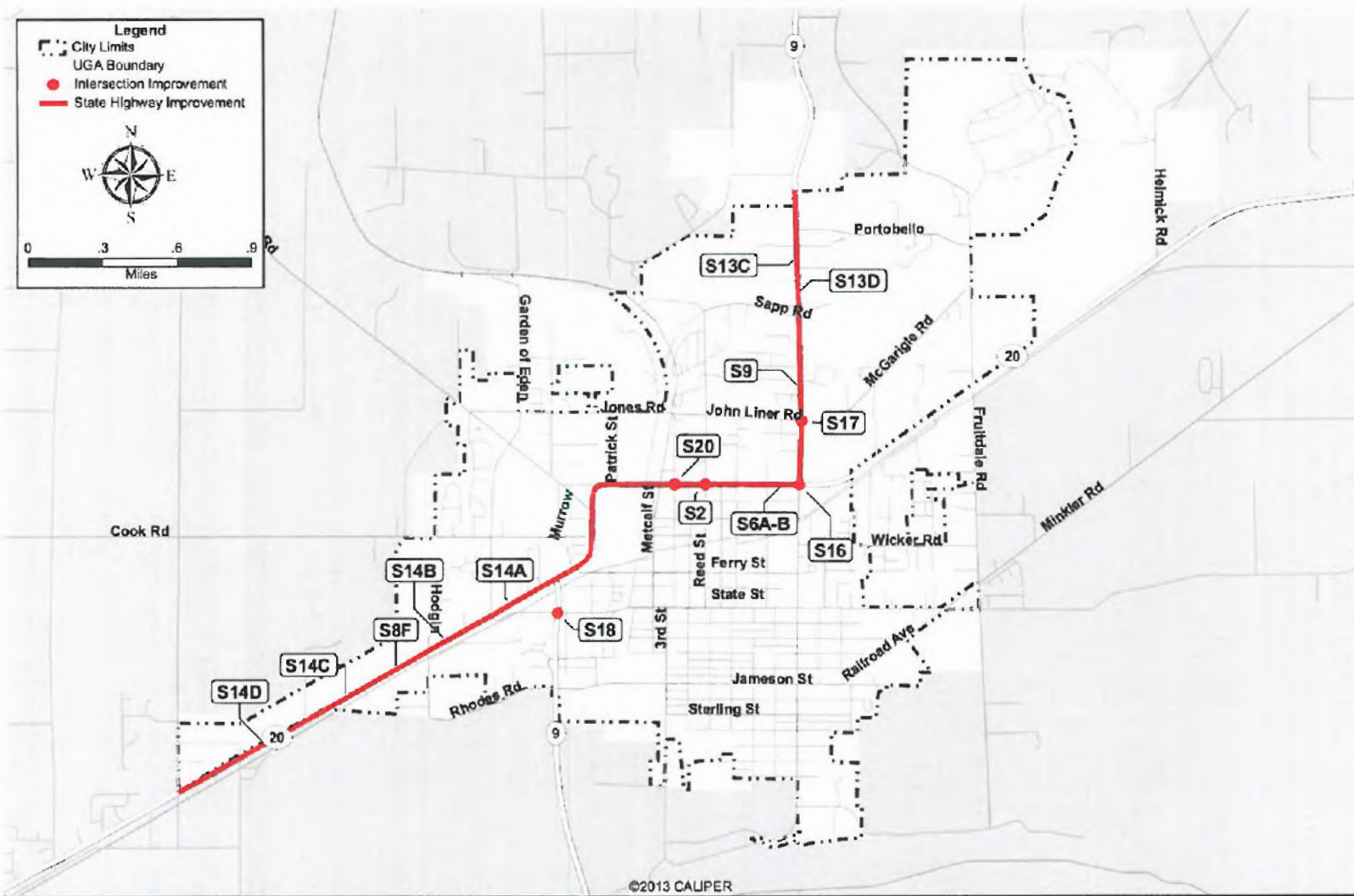


Figure 7  
State Highway Improvement Projects

Figure 7  
State Highway Improvement Projects  
City of Sedro-Woolley



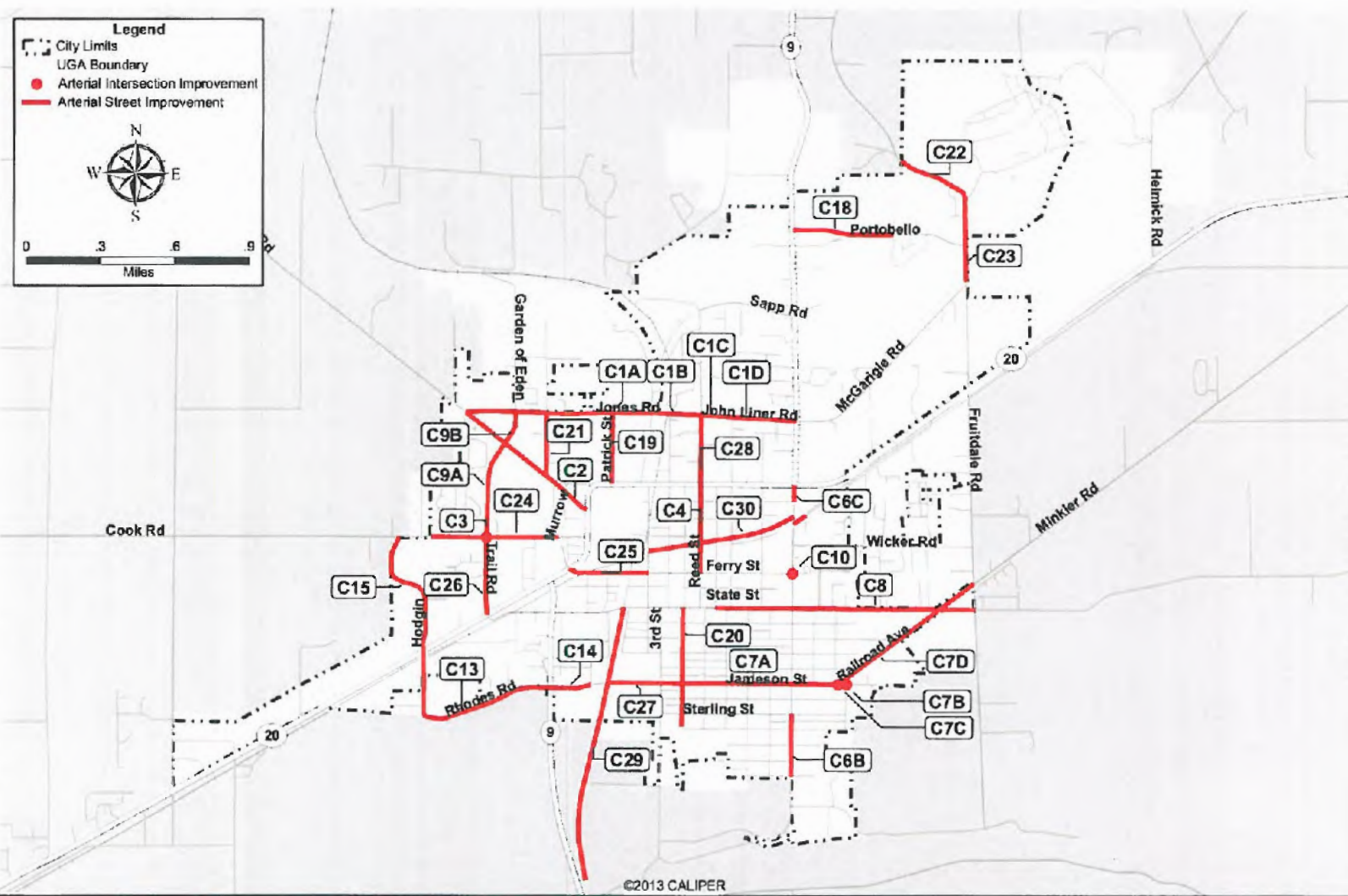


Figure 8  
Arterial Improvement Projects

Figure 8  
Arterial Improvement Projects  
City of Sedro-Woolley





**Table 18. Citywide Transportation Programs**

ID	Program	Est. Cost, 2016-2036 (\$\$\$)	Description
CW1	Sidewalk Improvement Program & ADA Transition Program	607	Includes ADA upgrades.
CW2	Street Overlay & Chip Seal Program	1,701	Arterial street projects included on project list. Arterials eligible for TIB funding.
CW3	Maintenance & Operations	17,713	O&M costs including Labor and Administration, less Sidewalk and Overlay costs above.
<b>Total Estimated Citywide Program Costs</b>		<b>20,021</b>	

### Citywide Transportation Programs

In addition to specific capital improvement projects shown on Table 15 and discussed above, the plan includes Citywide Transportation Programs to address maintenance and operations, and miscellaneous improvement needs. To maximize the use and efficiency of the existing and future transportation infrastructure, the City will continue to apply a systematic maintenance and overlay program. The program will be used to address pavement condition, street signing and markings, illumination, and traffic controls.

The plan also includes programs to address spot safety and operations issues on the state highways and other city arterials. These are needed to address issues that may arise prior to implementation of specific capital projects identified in the plan. This allows the City Engineer to better address specific needs over the life of the plan.

### Public Transit Plan and Transportation Demand Management Program

In order to provide a comprehensive transportation system, the City of Sedro-Woolley recognizes the importance of other modes of travel, such as public transit and transportation demand management (TDM) programs. In general, these programs build on regional programs with some refinements to reflect the specific needs of the City.

### Transit Plan

Transit service in the Sedro-Woolley area is provided by Skagit Transit. The Sedro-Woolley transportation plan has been coordinated with Skagit Transit's 2015-2020 Transit Development Plan (TDP), which provides a framework to guide Skagit Transit's service delivery through 2020. Transit service in Sedro-Woolley is focused on the SR 20 corridor which connects Sedro-Woolley and communities to the east and west. SR 20 also connects Sedro-Woolley to the rest of the region via I-5. As the population increases in and around Sedro-Woolley, increasing commuter traffic will increase the need for alternatives to the single occupancy vehicle. Transit service to Sedro-Woolley's three park & ride lots will become increasingly important in providing commuters convenient access to transit and ridesharing alternatives.

Investments in transit service and capital facilities will be needed to accommodate the future demands of a growing population in the Sedro-Woolley area. The City encourages Skagit Transit to consider increasing service frequency of the City's existing transit routes as growth occurs. Increased service will make transit a more convenient and attractive alternative to driving alone. In addition, the Sedro-Woolley transportation plan recommends the following transit improvements.

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- **Regional Routes** – Continue to create and enhance linkages to regional destinations. Improve connections to regional hubs, such as to the Skagit Station transportation hub in Mount Vernon as well as the Washington State Department of Transportation (WSDOT) Ferry Terminal in Anacortes. Changes to future routes should be consistent with the needs of the Sedro-Woolley community and should be based on a collaborative route planning process involving the citizens of Sedro-Woolley.
- **Transit Center** – Consider developing a Sedro-Woolley Transit Center in the downtown area. Development of a transit center would provide an opportunity to consolidate the three existing park & ride lots into one central and convenient location.
- **Carpooling and Vanpooling** – Provide incentives to encourage carpooling and vanpooling by Sedro-Woolley commuters.
- **Transit Accessibility** – Improve access to transit for all users in compliance with the Americans with Disabilities Act (ADA) by evaluating accessibility to public transportation from future developments.

The City will continue to coordinate with Skagit Transit in the development of a convenient, integrated, and efficient transit system that supports future growth in the City.

#### *Transportation Demand Management Strategies*

In addition to improving the transit system, reducing travel demand by supporting transportation demand management (TDM) programs is an effective component in the City's comprehensive transportation system. TDM programs consist of measures for reducing peak hour single occupancy vehicle travel that are largely focused on major employers. The Washington Commute Trip Re-

duction Law (RCW 70.94.521) requires TDM performance targets for firms with over 100 employees. Coordination with regional agencies, such as Skagit County, Skagit Transit, and the Skagit Council of Governments (SCOG), will improve the effectiveness of the City's TDM program in providing commuting alternatives to the citizens of Sedro-Woolley.

Sedro-Woolley will experience more urban levels of development as a result of future growth in employment and households within the city. TDM programs provide effective strategies for reducing single occupancy vehicles during the commute hours in areas that are higher in density and more urban in character. TDM programs can also provide effective alternatives for smaller developing communities such as Sedro-Woolley. Potential TDM strategies for Sedro-Woolley need to be regionally coordinated. The following strategies should be considered:

- **Encouraging car and van pools.** Employer incentives for commuters to carpool and vanpool can be in the form a financial incentive or as simple as reserved car and vanpool parking closest to the building.
- **Encouraging transit fare subsidies.** Employer subsidies for transit passes provide an incentive for those who are able to commute by transit the incentive to do so.
- **Encouraging bicycle lockers/showers at work sites.** Bicycle lockers and shower facilities at work sites provide the means for workers to commute by bicycle.
- **Encouraging telecommuting.** The use of telecommunications technology can allow some employees to work from home. This reduces the need for travel to/from a work site for some work days.



- **Encouraging flexible work schedules.** Flexible work hour schedules allow employees to adjust start/end times to accommodate carpools, vanpools, or transit options. Alternative work schedules may be used to reduce the number of days an employee commutes during peak travel periods. These programs help reduce the need for adding capacity to highways and arterials, and reduce the levels of peak hour congestion.
- **Encouraging guaranteed ride home programs.** Many commuters who have children or have unpredictable schedules rely on their cars. This employer incentive provides the option of a guaranteed ride home in case of an emergency or unexpected schedule change.

#### *Pedestrian and Bicycle Plan*

The projects presented in Table 15 include pedestrian and bicycle facilities as part of the identified roadway improvements. Pedestrian and bicycle facilities promote mobility without the aid of motorized vehicles. A well-established system encourages healthy recreational activities, reduces vehicle demand on city roadways, and enhances safety within the community. The proposed facilities are needed to supplement the existing facilities and provide a more comprehensive system of facilities to accommodate non-motorized transportation in the city and UGA.

Existing and planned nonmotorized facilities are shown in Figure 2.

#### *Pedestrian Routes*

Sidewalks, walkways, and trails are integral parts of the pedestrian system. The City desires to have sidewalks on both sides of the streets, unless special circumstances prevent it or topography or environmental impacts make it cost prohibitive. Sidewalks should especially be located along

streets providing access to the CBD, schools, parks, public buildings, and transit routes.

The major pedestrian system includes providing sidewalks along all arterial streets. Much of the system will be constructed concurrent with future developments adjacent to the arterials or local streets and as part of the future roadway improvement projects. The Nonmotorized Improvement Program is identified as an annual program that will be used to construct key missing links. It will also fund repairs of existing sidewalks and other pedestrian improvements such as crosswalks, ADA ramps, or signing.

Along with the system of planned and existing sidewalks, The City will continue to develop the portions of the regional Cascade and Centennial “rail” trails which run through the City, providing nonmotorized connectivity with other cities and recreational destinations throughout the region.

#### *Bicycle Routes*

The bicycle route plan provides a system of roadways and trails to connect residential areas of the city with schools, parks, and employment centers. The bicycle routes and trails also serve recreational bike travel. The Sedro-Woolley bicycle plan is comprised of bicycle routes along arterials and local streets in the city. Bicycle routes are streets that are signed for bicycle travel and will occasionally have separate bicycle lanes or wide, paved shoulders to promote the safe and efficient movement of bicyclists. The City has identified that all arterials shown as bicycle routes should accommodate use by bicycles, including possible striped bicycle lanes. However, it is recognized that many of the bicycle routes in the city will require bicyclists to share the roadway with motorized traffic.

The major improvements for bicycle travel will be the completion of the trail projects discussed as part of the pedestrian system plan. Other significant improvements will be part of the arterial

roadway projects. The Trail Road extension will provide a bicycle connection between SR 20 and F&S Grade Road. This new route also provides a connection to the regional Bayview to Sedro-Woolley bicycle route that follows an old railroad right-of-way along F&S Grade Road. Trail Road will also link up with bicycle improvements along Jones Road and John Liner Road. These roadway projects will provide important linkages for bicyclists heading to/from the northern residential areas of the city and UGA. Together with the system of new trails, the existing and proposed bicycle routes will help complete a bicycle system throughout the city, with important connections to the regional system.

(Ord. 1554-06 § 3 (Exh. A)(part))



## TRANSPORTATION FINANCING PLAN

### Financing Program

The State of Washington's Growth Management Act (GMA) requires that a jurisdiction's transportation plan contain a funding analysis of the transportation projects it recommends. The analysis should cover funding needs, funding resources, and it should include a multi-year financing plan. The purpose of this requirement is to ensure that each jurisdiction's transportation plan is affordable and achievable. If a funding analysis reveals that a plan is not affordable or achievable, the plan must discuss how additional funds will be raised, or how land use assumptions will be reassessed. Alternatively, the City can adjust its level of service (LOS) standards.

The transportation financing program becomes a subset of the City's Capital Facilities Plan (CFP) Element. The GMA requires the CFP Element to include at least a six-year plan that finances capital facilities and identifies the sources of public money for the projects.

A comprehensive list of transportation improvement projects was developed based on the citywide travel demand forecast and Sedro-Woolley's LOS standards. Planning level cost estimates were prepared for each project and program. Analysis of the City's capability to fund the projects was also conducted. This included review of existing and projected revenues and potential grants or other agency funding. In addition, the Plan provides a strategy for adjusting the funding program over time if revenues fall short of expectations.

### Project Cost Summary

Table 15 summarizes Sedro-Woolley's planned arterial and state highway improvements through 2036. Planning level cost estimates are included for each project. The cost estimates were derived based upon

average unit costs calculated by the City of Sedro-Woolley and similar projects in the region. The project costs assume that right-of-way will be needed for some projects to match the City street design standards. Costs are expressed in constant 2016 dollars. Projects are listed in order of priority for the short-term (2016-2021) and long-range (2022-2036) planning horizons. Projects which are necessary to maintain City and state concurrency standards are identified as eligible for transportation impact fee (TIF) funding.

Approximately \$59.2 million (in 2016 dollars) will be needed to fully fund the City's transportation improvement project needs through 2036. Over 80 percent of the costs will be needed for capital improvements to upgrade the City arterial system. An average of \$3.0 million per year (in 2016 dollars) would be required to fully fund the Plan by 2036.

The project is the phased reconstruction and extension of Jones Road and John Liner Road, which includes a new railroad undercrossing. Total cost for this four-phase project is estimated at \$13.1 million, which represents 26 percent of forecasted 20-year arterial improvement costs.

Table 18 summarizes ongoing citywide programs which provide funding for system maintenance, operations, and nonmotorized/ADA improvements. These programs rely on local operating funds and their costs are excluded from the transportation capital improvement costs described above. This plan estimates a total 20-year cost of \$20.0 million for the identified citywide transportation programs.

Figure 9 shows transportation projects which are eligible for inclusion in the City's Transportation Impact Fee (TIF) program. These improvements have been identified, using the citywide planning model, as necessary to support growth, both in the City and by regionally generated traffic.

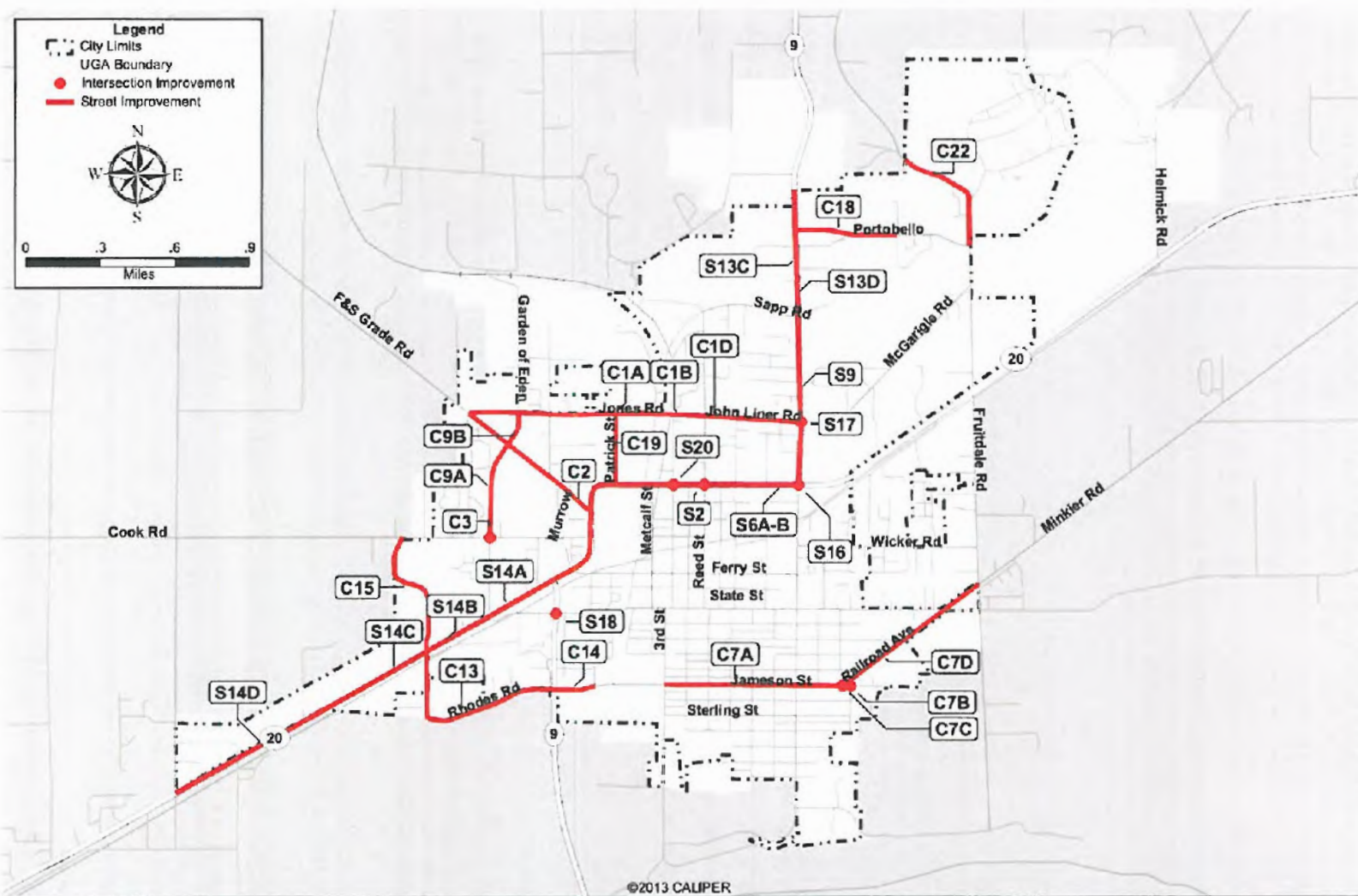


Figure 9  
Impact Fee Eligible Projects  
City of Sedro-Woolley





## Revenue Sources

### *Federal Revenue Sources*

The Fixing America's Surface Transportation (FAST) Act (P.L. 114-04) was signed into law by President Obama on December 4, 2015, and covers the five-year period from October 1, 2015 through September 30, 2020. The FAST Act supersedes the previous transportation authorization bill, MAP-21. The FAST Act funds surface transportation programs at \$305 billion for federal fiscal years (FFY) 2016 through 2020.

The FAST Act maintains much of the policy and programmatic framework established by MAP-21. It includes increased funding for the performance-based Surface Transportation Block Grant Program (STBGP) and makes an additional \$116.4 billion available to locally-owned infrastructure.

The state can expect to receive almost \$3.6 billion in Federal Highway Administration funds via the FAST Act, starting with \$687 million in 2016 and growing to \$750 million by 2020.

In October 2012, Governor Christine Gregoire convened a Steering Committee to recommend how to distribute the highway funds between the State and local governments. The Committee agreed to maintain an overall split of 66/34 (66% State / 34% Local), which is still in effect.

### *Other Existing Transportation Revenue Services*

The City utilizes a number of fees and tax revenues to construct and maintain transportation facilities. Summaries of these sources are shown in Tables 19, 20, and 21.

Funding options include the use of existing revenue sources such as motor vehicle fuel taxes, real estate excise taxes, and other City revenues, grant programs, and developer contributions (through

frontage improvements, environmental mitigation, and transportation impact fees).

### *Nonmotorized Revenue Sources*

#### Safe Routes to School

Washington State offers competitive grants to local jurisdictions through the federal Safe Routes to School program. The programs aim to increase the ability of young students to walk and bike to school on their own by providing non-motorized infrastructure between schools and residential areas and on the streets fronting schools. A call for funding requests is made during the biennium state budget cycles.

By partnering with Sedro-Woolley School District, the City can identify neighborhoods and streets most in need of non-motorized infrastructure and develop stronger grant applications.

#### Other Nonmotorized Funding Sources

Washington State and the federal government offer a number of competitive grant funding sources for non-motorized infrastructure, including trails, sidewalks, crossing improvements, and transit station amenities.

- Washington State Recreation and Conservation Office:  
<http://www.rco.wa.gov/grants/index.shtml>
- Puget Sound Regional Council Transportation Improvement Program:  
<http://www.psrc.org/transportation/tip/amendments/applications/>
- United States Department of Transportation TIGER Discretionary Grants:  
<http://www.transportation.gov/tiger>
- Federal Transportation Administration Bicycle Funding Opportunities:  
[http://www.fta.dot.gov/13747\\_14400.html](http://www.fta.dot.gov/13747_14400.html)
- Federal Highway Administration Transportation Alternatives Program:  
[http://www.fhwa.dot.gov/environment/transportation\\_alternatives/](http://www.fhwa.dot.gov/environment/transportation_alternatives/)
- Federal Highway Administration Recreational Trails Program:  
[http://www.fhwa.dot.gov/environment/recreational\\_trails/](http://www.fhwa.dot.gov/environment/recreational_trails/)



**Table 19. Possible Transportation Revenue Sources**

<b>Street &amp; Arterial Street Funds</b>	The Street Fund (Account 103) receives revenues from state distributions of motor vehicle fuel taxes, allocated based on the number of residents within corporate limits. These state distributions are not sufficient to maintain city streets. The City's general fund provides subsidies in order for the street fund to operate. The arterial street fund (Account 104) receives revenues from GMA Transportation Impact Fees, grants, and developer agreements.
<b>General Fund</b>	The City has supplemented the Street Fund with General Fund money in previous years. General Fund revenue has many sources, including motor vehicle fuel taxes, property taxes, business taxes, and local retail sales and use tax. The majority of the existing tax revenue sources will be used for maintenance, or to provide the matching funds for grants or to complete a portion of the roadway widening projects not covered by other agencies or traffic impact fees.
<b>Transportation Impact Fee Program</b>	In 2013 the City updated its transportation impact fee, a financing tool which allows the collection of revenue to offset the traffic impacts of new development. The impact fee rate is based the net new PM peak hour trips generated by a development and varies by district from \$587 to \$3,635 per PM peak hour vehicle trip. The Impact Fee program will be updated on completion of the 2016 Transportation Plan update.
<b>Transportation Benefit District (TBD)</b>	The City implemented a TBD in 2014. The TBD is funded by a \$20 per vehicle tab fee, generating an estimated \$170,000 per year.
<b>Transportation Improvement Account (TIA)</b>	The Transportation Improvement Board (TIB) is a Washington State Department of Transportation (WSDOT) organization used to distribute funds for road projects. The TIA funds are from a 1.3-cent motor vehicle fuel tax and are used for achieving a balanced transportation system. Multi-agency projects are a requirement.
<b>Urban Arterial Trust Account (UATA)</b>	The TIB administers this program which is funded by a 1.74-cent motor vehicle fuel tax. The program funds projects which reduce congestion and improve safety, geometrics and structural concerns.
<b>FAST Act</b>	Fixing America's Surface Transportation (FAST) Act funds are federal funds to allow road improvements. These are programmed through metropolitan planning organizations including Skagit Council of Governments. These funds are managed by WSDOT.
<b>Grant Funding</b>	Numerous infrastructure and transportation grants from local, State, Federal, and private sources may be identified to assist with the funding of the Sedro-Woolley transportation improvements.



### Revenue Forecast

A description of available transportation capital improvement funding sources and projected average yearly revenue is listed in Table 20. Approximately 84 percent of funding for the City's Transportation Capital Facilities Plan will come from Intergovernmental Revenue. Transportation Impact Fees, Transportation Benefit District, developer mitigation fees and other miscellaneous revenue are expected to fund approximately 16 percent. The City may consider implementing new revenue sources if deemed appropriate and necessary in the future. This strategy ensures that the City can accomplish the transportation plan and use the available funding options efficiently.

This revenue forecast was prepared by projecting historic trends from the City's financial records. It was then adjusted based on a projected growth of 1% to 3% per year, depending on other known factors that could influence the specific category of revenue.

Local funding sources including the City share of the motor vehicle fuel tax (MVFT), property taxes, sales and use taxes, real estate excise taxes, and other general fund contributions, as shown in Table 21, are anticipated to be used to sustain citywide safety, maintenance, operations, and pedestrian/ADA improvement programs.

**Table 20. Transportation Improvement Revenue Forecast 2016 to 2036**

Funding Source	Description	2016-2036 Revenue Forecast		
		Estimated Annual Revenue	Total Forecasted Revenue	%
Transportation Impact Fees	Per SWMC 15.060, estimated \$50,000/year	\$50,000	\$1,000,000	1.7%
Transportation Benefit District	Funds generated from a \$20/vehicle car tab fee, estimated \$170,000/year.	\$170,000	\$3,400,000	5.7%
Other Developer Mitigation	Including SEPA mitigation and development agreements	\$250,600	\$5,012,000	8.5%
Intergovernmental Revenue/Grants	Includes federal and state grants as well as cost sharing agreements with WSDOT and Skagit County	\$2,487,300	\$49,746,000	84.1%
Other - New debt, new funding sources	Bonds, Low Interest Loans	\$0	\$0	0%
Total Revenue		\$2,958,000	\$59,158,000	100%

**Table 21. Revenue for Citywide Transportation Programs**

<b>Funding Source</b>	<b>2015 Budget</b>	<b>Estimated Revenue<sup>1</sup>, 2016-2036</b>
Real and Personal Property Taxes	\$214,000	\$5,200,000
Sales & Use Tax	\$165,000	\$4,009,000
Motor Vehicle Fuel Taxes (MVFT)	\$293,000	\$7,119,000
Real Estate Excise Tax	\$86,000	\$2,090,000
<b>Total Revenue</b>	<b>\$758,000</b>	<b>\$18,418,000</b>

<sup>1</sup>Twenty-year estimate assumes 2% growth per year

### **Summary of Financing Strategy**

Based on the revenues and costs listed above, the proposed arterial transportation improvements are affordable within the City's expected transportation revenues. Table 22 summarizes forecasted costs and revenues for transportation improvement projects identified in this study.

The proposed Transportation Capital Facilities Plan, including both short and long range improvement lists, is estimated to cost \$59,158,000. Proposed improvements and expected revenues are therefore balanced as shown in Table 22.

The proposed financial strategy relies upon an aggressive assumption for state and federal grants and an assumption that additional city debt will not be necessary to balance the plan financially. If state and federal grant availability decrease over the planning period, the City may need to seek other funding sources including new debt sources.

Local revenues for citywide transportation programs are projected to fall short of expected expenses. This will be addressed in the City budget process on an annual basis.

### *Reassessment Strategy*

The financing strategy identifies a balance between revenues and expenditures over the life of the Transportation Element. However, the City is committed to reassessing their transportation needs and funding sources each year as part of their annual Six-Year Transportation Improvement Program (TIP). This allows the City to match the financing program with the shorter-term improvement projects and funding. The Transportation Element also includes goals and policies to periodically review land use growth, adopted level of service standards, and funding sources to ensure they support one another and meet concurrency requirements.



**Table 22. Financing Strategy Summary**

Revenue/Cost Category	Total (2016-2036)	Percent
<b>Estimated Revenues (2016-2036)</b>		
Transportation Impact Fees	\$1,000,000	1.7%
Transportation Benefit District	\$3,400,000	5.7%
Other Developer Mitigation	\$5,012,000	8.5%
Grants/Intergovernmental Funding	\$49,746,000	84.1%
New Debt Sources	\$0	0.0%
<b>Total Revenue</b>	<b>\$59,158,000</b>	<b>100.0%</b>
<b>Estimated Improvement Costs (2016-2036)</b>		
State Highway Improvements	\$50,781,000	85.8%
Arterial Improvements	\$8,377,000	14.2%
<b>Total Costs</b>	<b>\$59,158,000</b>	<b>100.0%</b>

In order to successfully implement the City's Transportation Plan, the City will apply the following principles in its funding program:

- As part of the development of the annual Six-Year Transportation Improvement Program, the City will balance improvement costs with available revenues;
- Review project design standards to determine whether costs could be reduced through reasonable changes in scope or deviations from design standards;
- Work with SCOG and Skagit County to develop multi-agency grant applications for projects that serve growth in the City and its UGA;
- Review transportation impact fee revenues each year to determine whether the impact fees should be increased to account for project cost increases;
- If the actions above are not sufficient, consider changes in the level of service standards and/or possibly limit the rate of growth in the City or UGA.

#### *Project Priorities and Timing*

The City of Sedro-Woolley will use the annual update of the Six-Year Transportation Improvement Program (TIP) to re-evaluate priorities and timing of projects. Throughout the planning period, projects will be completed and priorities will be revised. This will be accomplished by annually

reviewing traffic growth and the location and intensity of land use growth in the City and the UGA. The City will then be able to direct funding to areas that are most impacted by growth or to arterials that may fall below the City's level of service (LOS) standards. The development of the TIP will be an ongoing process over the life of the Plan and will be reviewed and amended annually.

#### *Concurrency Management / Development Review*

Concurrency refers to the ongoing process of coordinating infrastructure needs with community development. This concept was formalized in the GMA to ensure that adequate public facilities are provided in concert with population and employment growth. For transportation facilities, the GMA requirement is fulfilled if the City's LOS standards are met concurrent with the additional travel demand generated by each succeeding development action. GMA defines concurrency as having projects or strategies in place within six years of the development impact.

Concurrency determinations for the roadway network are closely linked with the City's development review process. As required by GMA, the City has adopted a Concurrency Management program for transportation. (SWMC 15.56)

The City also reviews new developments under SEPA. As part of the SEPA review potential impacts to the transportation network are identified and mitigation may be required. The City also has adopted development regulations and street standards that are applied to developments.

(Ord. 1554-06 § 3 (Exh. A)(part))



### INTERGOVERNMENTAL COORDINATION

Implementation actions for transportation projects involve several agencies, each with different responsibilities and controls. A major focus of the GMA is to establish coordination among the responsible agencies and to increase the effectiveness of intergovernmental planning. This transportation element took into account planned improvements and policies of various state, regional, and local agencies, including Washington State Department of Transportation (WSDOT), Skagit Council of Governments (SCOG), Skagit County, Skagit Transit, and the City of Mount Vernon. Overall, the Sedro-Woolley transportation element is consistent and supportive of these other transportation plans and policies.

The following summarizes the consistency of the Sedro-Woolley transportation plan with the state, regional, and county plans.

#### **Washington State Department of Transportation (WSDOT)**

As required by GMA, the Sedro-Woolley transportation plan fully addresses the state highway system serving the City.

The State has adopted level of service (LOS) standards for Highways of Statewide Significance (HSS), establishing LOS D as the standard for HSS facilities in urban areas and LOS C for HSS facilities in rural areas. The City's standard of LOS D for SR 20 within the City is consistent with the State standard for HSS facilities in urban areas. SR 9 is a non-HSS state highway, and the state and region have established LOS D as the standard for this route. The City's revised standard of LOS D for SR 9 within the city is consistent with the State's and regions LOS D standard for SR 9.

The Transportation Element describes an update to the City's Street Functional Classification System which is consistent with WSDOT policy.

#### **Skagit Council of Governments (SCOG)**

The projects, programs, and policies of the Sedro-Woolley transportation plan support the goals and policies of the Skagit 2040 Regional Transportation Plan (Skagit 2040). The Sedro-Woolley plan was developed with opportunities for public input and was coordinated with other agencies. The plan also identifies improvements and policies to improve travel safety for all modes and connectivity of travel modes.

The Sedro-Woolley transportation plan coordinates transportation and land use planning and identifies programs and policies to enhance use of other transportation modes, as identified in the regional plan.

The Sedro-Woolley transportation plan was prepared using a travel forecasting model developed from and coordinated with the SCOG regional model. Outside of the city limits and its UGA, the city model is based on land use and transportation system assumptions from the regional model. Within the city, the Sedro-Woolley model is based on updated land use data (consistent with the Sedro-Woolley Land Use element) and a refined transportation analysis zone and network structure. This data are available to SCOG as it prepares its regional travel forecasts and transportation plans.

The City anticipates a certification review of this Transportation Element by SCOG to ensure its conformity with the Skagit 2040 plan.

#### **Skagit County**

Skagit County transportation and capital improvement plans were reviewed as part of the Sedro-Woolley transportation element update.

The City will continue to coordinate with Skagit County to address the needs of travel across jurisdiction limits, including developing joint regulations for developments within the unincorporated UGA to ensure that the future transportation system can adequately support the growth projections. Application of street standards, impact fees and other development regulations are being addressed.

Roadway improvement projects which were included in the Skagit County's Six-Year Transportation Improvement Plan (2016-2021) were reviewed and incorporated, as appropriate, into the City's plan. The most significant improvement project in the County's TIP involving the City is the Fruitdale/Kalloch Road project, which will widen and reconstruct Fruitdale Road and Kalloch Road.

The City plan also supports and incorporates connections to the regional trail system. These include developing trails along the railroad rights-of-way.

#### **Skagit Transit**

The Sedro-Woolley transportation plan acknowledges the need for coordination between the City and Skagit Transit to identify transit service improvements and strategies for serving growth in Sedro-Woolley, considering land uses, densities, cost of service, and revenues. The City has also identified policies to provide adequate streets and non-motorized facilities to support transit service.



**APPENDIX A**  
**PLACEHOLDER**

# Exhibit D

To Ordinance No. 2016-\_\_\_\_\_

Economic Development Element



## **Chapter 8**

### **ECONOMIC DEVELOPMENT ELEMENT**

- 8.04 Purpose and Relationship to GMA**
- 8.08 Commercial and Industrial Land Designations**
- 8.12 Profile of Planning Area**
- 8.16 Economic Development Strategy**
- 8.20 Economic Development Goals, Policies and Actions**

### PURPOSE AND RELATIONSHIP TO GMA

The purpose of the economic development element is to provide guidelines for maintaining and enhancing economic vitality in appropriate locations in Sedro-Woolley's urban growth area so as to guarantee and ensure adequate selection and availability of employment opportunities and ensure adequate selection and availability of goods and services for all of Sedro-Woolley's residents. The economic development element outlines the City's economic development goals and policies and serves as a road map to achieve those economic goals and policies. The element also helps prospective business owners and investors understand the City's economic development needs and investment opportunities within the City as well as acknowledging the importance of supporting local businesses and the development of new industry in the City of Sedro-Woolley.

The Growth Management Act requires the inclusion of an economic development element. Section 36.70A.070(7) of the Revised Code of Washington (RCW), requires:

"An economic development element establishing local goals, policies, objectives, and provisions for economic growth and vitality and a high quality of life. The element shall include: (a) A summary of the local economy such as population, employment, payroll, sectors, businesses, sales, and other information as appropriate; (b) a summary of the strengths and weaknesses of the local economy defined as the commercial and industrial sectors and supporting factors such as land use, transportation, utilities, education, workforce, housing, and natural/cultural resources; and (c) an identification of policies, programs, and projects to foster economic growth and development and to address future needs. A city that has chosen to be a residential community is exempt from the economic development element requirement of this subsection."

The Act also requires countywide planning policies to address economic development and employment. Skagit County's policies as they address economic development are set forth in Section 5 of the Skagit County Countywide Planning Policies, adopted in October, 2007. The next required update to the Countywide Planning Policies is in 2012<sup>6</sup>. The following Countywide Planning Policies are particularly salient to the City's economic development plan:

Policy 5.5. A diversified economic base shall be encouraged to minimize the vulnerability of the local economy to economic fluctuations.

Policy 5.6. Commercial, industrial and residential acreage shall be designated to meet future needs without adversely affecting natural resource lands, critical areas, and rural character and lifestyles.

Policy 5.15. The comprehensive plan shall support and encourage economic development and employment to provide opportunities for prosperity.

The city is also a retail service center that, due to the increase of the service area population, has grown at a steady rate. It is anticipated that the population in the city's service area



will increase more than the urban growth area population, resulting in an increase in the demand for space for commercial and service activities in the city's urban growth area.

If Sedro-Woolley is reasonably expected to increase the level of employment experienced by its citizens, and also to provide employment opportunities to people who live close by, it will be necessary to provide ample lands for commercial and industrial expansion. It is also necessary that the city be aggressive in its effort to attract new businesses and industrial activities that provide living wage jobs for Sedro-Woolley residents.

The city's vision statement includes language stating that the city will be a full service community where there are ample opportunities to work, live, shop and play within the same geographic area. Adequate commercial and industrial area with site plan control must be provided for a diversified commercial and industrial base.

This economic development element will discuss the city's commercial and industrial designations. It will then present an inventory and analysis of the city's commercial/industrial lands. This inventory and analysis will then be followed by the city's economic development strategy. Finally, the city's economic development goals and policies will be set forth.

## COMMERCIAL AND INDUSTRIAL LAND DESIGNATIONS

### COMMERCIAL

There are two commercially-oriented zoning designations in the city: the central business district (CBD) and the Mixed Commercial zone (MC). The designations, intended to implement the goals and policies of the economic development element, allow a diversity of commercial options and provide for appropriate separations between potentially conflicting uses. Intensities for commercial uses refers to a combination of factors, such as visual appearance and building size, traffic generation, noise, dust, light, and economic value.

Commercial areas, including professional services (office-oriented) and tourist-related facilities, should be compact with easy access and adequate off-street parking, and loading facilities. Retail commercial areas, should be whenever possible, convenient to major routes of transportation, tourism commercial and professional office service areas should also be convenient to and along major routes of transportation. Each commercial area should be designed to adequately serve the public while discouraging the movement of disruptive traffic through residential areas.

#### **Central Business District Designation - (CBD)**

The central business district designation is for medium intensity commercial areas and is designed to allow those normal commercial uses that are consistent with a pedestrian-oriented business area. The designation is intended for the established commercial areas of the city which lie generally between State and Warner Street to the South and the Burlington Northern Railroad to the north. A small section of CBD designated area lies between the Burlington Northern Railroad and State Route 20 between the Burlington Northern Railroad to the west and Murdock Street to the east. In general, the east/west perimeters of the central business district are State Routes 9 and 20 to the west and Haines Avenue and Fifth Street to the east.

Much of the traditional CBD encompasses the historic downtown located between the Burlington Northern Railroad to the north and State Street to the south, and between the Burlington Northern Railroad on the west and Puget Street on the east. Many historic buildings are located in this area including the Bingham-Holland Building built in 1905, the Schneider Building built in 1914, and the Livermoore Building built in 1915. Outside of this traditional area single-family residential and multi-family uses are located in the central business district. Some of these areas are in a transitional stage with commercial structures gradually making an in-road into the residential areas.

The City's historic downtown area is centered in the heart of the CBD, along Metcalf Street, beginning about one half mile south of State Route 20. The historic downtown is an active commercial district serving many of the commercial and retail needs of the City's residents, but also maintains an early 1900's architecture that makes the downtown area a significant destination for visitors and tourists. Because the CBD is not directly adjacent to the major State Routes through the City, it is possible that visitors can pass through town without being aware of the City's central business district, including the impressive historic downtown area. Improved access



and directional signage to the CBD and historic downtown can help stimulate new development in the area.

Parking requirements should be created to acknowledge that, with space provided for off-street parking limited, areas within this designation may require shared parking and that more and better parking facilities are needed. Commercial development in the central business district zone must conform to design standards that have been developed for this zone. The development process includes review by a design review committee responsible for the application of the downtown design standards.

### **Mixed Commercial Zone – (MC)**

The intent of the MC zone is to encourage a compatible mix of commercial and residential development. Standards are intended to present an attractive and welcoming appearance to visitors at the entrances to the city and at selected nodes along major roads; manage traffic impacts; encourage more non-motorized trips and reduce stormwater runoff. Commercial development should be scaled down when adjacent to residential areas to improve compatibility between uses.

An Urban Village Mixed Use (UVMU) overlay has been designated for a portion of the MC zone north of State Route 20, west of Trail Road, and east of Brickyard Creek. The UVMU overlay allows for and encourages higher density residential and commercial development in the MC zone when the development includes additional open space and pedestrian amenities. The overlay is intended to encourage a higher concentration of development while improving the overall quality of the development. The intent is to create a pedestrian oriented commercial and residential environment similar to that of a traditional downtown commercial district, as opposed to auto-oriented commercial development that is more typically associated with commercial development of the past 50 years.

Specific guidelines for UVMU overlay development are in the process of being written and are yet to be adopted. The overlay exists only on the Comprehensive Land Use map and Land-Use Element of the Comprehensive Plan; it has not been included on the Zoning map or in the Development regulations in the Sedro-Woolley Municipal Code.

## **INDUSTRIAL**

Industrial uses should have ready access to primary transportation corridors and utilities with sites large enough to accommodate off-street parking, loading and reasonable expansion. Industrial areas should be compatible with surrounding land uses and be buffered from conflicting uses. The industrial areas in Sedro-Woolley are vibrant and provide a wide-array of skilled, living-wage jobs. The goods developed by the City's industrial businesses are a source of pride to area residents. The City has one zoning designation for all types of industrial activities.

Industrial activities are also subject to landscaping and buffering requirements as set forth in the city zoning code when adjacent to residential and commercial zones. The intent of the industrial zone is to provide appropriately located areas for manufacturing, warehousing, distribution, and office uses to enhance the city's economic base in a manner that minimizes impacts to surrounding non-industrial zones. The standards recognize the market preferences and construction techniques characteristic of this type of use. Commercial, retail, and residential uses are permitted at a limited scale so as to preserve the majority of land in this category for industrial and business uses.

Though some uses may be outright allowed in the industrial zone, the city's Essential Public Facilities (EPF) ordinance (Chapter 17.88 SWMC) sets additional review measures for uses that potential may have a negative impact on surrounding neighborhoods and uses. The EPF

ordinance requires that new EPFs obtain a conditional use permit, which requires broader public notice and public hearings. An EPF is defined as a facility owned or operated by a governing body, public utility, private utility, transportation company, or any other entity that provides a public service as its primary mission, and is difficult to site.



## PROFILE OF PLANNING AREA

### Skagit County Profile

In terms of population and economic vitality, Skagit County is one of the fastest growing counties in the State. The county benefits from its location between Seattle and Vancouver, B.C., along the I-5 corridor. Firms that might have automatically located a King County or Snohomish County location are discovering less expensive, less congested neighboring counties like Skagit. The county is well positioned to take advantage of this situation to enhance its economic development.

The focus of Skagit County economic development efforts have not been merely job growth and diversification, but also the establishment of Skagit County as an economic entity unto itself. In addition, Skagit County has aimed to do so while not sacrificing its natural resource environment. In the past, the county has been heavily impacted if major manufacturers relocated. Strategies and policies have been formed to mitigate the impact of these types of fluctuations through a wider scale diversification of business activities.

Despite all the attention paid to Skagit County's urban and suburban economic development, it is important to remember that the county still has a significant natural resource base. In fact, it is diversified in two areas: logging and lumber, and agriculture and dairying.

### Sedro-Woolley Profile

In terms of population, Sedro-Woolley is one of the fastest growing cities in Skagit County. Between 1990 and 2000, the population of Sedro-Woolley increased from 6,031 to 8,658, an increase of 43.674.7% (US Census Data). The State Office of Financial Management estimates the April 1, 2008 population at 10,030, an increase of 66.377.4% from 1990, and 15.8% from 2000. According to the 2006 employment statistics from the U.S. Census Bureau (the most recent statistics available), there were 3,138 total jobs within the City of Sedro-Woolley limits. This is up 12% from 2,754 total jobs in 2002 (oldest comparable data set). Table ED1 below shows the U.S. Census data (obtained from "On The Map" tool at [www.census.gov](http://www.census.gov)) for jobs in Sedro-Woolley in 2002 and 2006.

In 2014 the Skagit Council of Governments (SCOG) and Skagit County commissioned BERK Consulting to work in conjunction with the SCOG planners group to develop an allocation for population and jobs among the counties jurisdictions. The table that follows shows the jobs allocation for Sedro-Woolley over the planning horizon:

2012	Net Growth 2012-2015	Resource	Retail	Ind	Service s	Govt/ Edu	Tech	Net Growth 2015-2036	Total 2036	% Growth 2015-2036
4,594	158	0	46	368	592	566	2,855	4,427	9,179	93.1%

The 2,855 jobs allocated to the Technology Sector are the anticipated job growth associated with the Center for Innovation and Technology (proposed for the Northern State Hospital Campus). Job growth in Sedro-Woolley is anticipated to nearly double over the planning horizon primarily to the growth of the Technology Sector.

<b><u>Total All Jobs</u></b>				
	<b>2006</b>		<b>2002</b>	
	<b>Count</b>	<b>Share</b>	<b>Count</b>	<b>Share</b>
Total All Jobs	3,138	100.0%	2,754	100.0%
<b><u>Jobs by Worker Age</u></b>				
	<b>2006</b>		<b>2002</b>	
	<b>Count</b>	<b>Share</b>	<b>Count</b>	<b>Share</b>
Age 30 or younger	715	22.8%	675	24.5%
Age 31 to 54	1,848	58.9%	1,731	62.9%
Age 55 or older	575	18.3%	348	12.6%
<b><u>Jobs by Earnings Paid</u></b>				
	<b>2006</b>		<b>2002</b>	
	<b>Count</b>	<b>Share</b>	<b>Count</b>	<b>Share</b>
\$1,200 per month or less	950	30.3%	1,019	37.0%
\$1,201 to \$3,400 per month	1,224	39.0%	1,174	42.6%
More than \$3,400 per month	964	30.7%	561	20.4%
<b><u>Jobs by Industry Type</u></b>				
	<b>2006</b>		<b>2002</b>	
	<b>Count</b>	<b>Share</b>	<b>Count</b>	<b>Share</b>
Agriculture, Forestry, Fishing and Hunting	30	1.0%	26	0.9%
Mining, Quarrying, and Oil and Gas Extraction	0	0.0%	0	0.0%
Utilities	0	0.0%	0	0.0%
Construction	378	12.0%	225	8.2%
Manufacturing	245	7.8%	384	13.9%
Wholesale Trade	40	1.3%	120	4.4%
Retail Trade	297	9.5%	366	13.3%
Transportation and Warehousing	15	0.5%	21	0.8%
Information	8	0.3%	7	0.3%
Finance and Insurance	37	1.2%	30	1.1%
Real Estate and Rental and Leasing	29	0.9%	25	0.9%
Professional, Scientific, and Technical Services	66	2.1%	64	2.3%
Management of Companies and Enterprises	0	0.0%	0	0.0%
Administration & Support, Waste Mgmt and Remediation	14	0.4%	7	0.3%
Educational Services	671	21.4%	634	23.0%
Health Care and Social Assistance	725	23.1%	392	14.2%
Arts, Entertainment, and Recreation	16	0.5%	13	0.5%
Accommodation and Food Services	278	8.9%	283	10.3%
Other Services (excluding Public Administration)	78	2.5%	98	3.6%
Public Administration	211	6.7%	59	2.1%
<b><u>QWI Indicators – Private Sector Jobs</u></b>				
	<b>2006</b>		<b>2002</b>	
	<b>Count</b>	<b>Share</b>	<b>Count</b>	<b>Share</b>



Number of Employers	230	100.0%	246	100.0%
Employment (Beginning of 2nd quarter)	1,430	100.0%	1,472	100.0%
Employment, Stable Jobs	1,203	100.0%	1,241	100.0%
Separations, Stable Jobs	129	100.0%	129	100.0%
New Hires, Stable Jobs	124	100.0%	191	100.0%
Firm Job Gain	170	100.0%	91	100.0%
Firm Job Loss	69	100.0%	114	100.0%
Employment (reference quarter)	1,952	100.0%	1,830	100.0%
Average Monthly Earnings, Stable Jobs	2,059	100.0%	1,708	100.0%
Average Monthly Earnings Separations from Stable Jobs	776	100.0%	922	100.0%
Average Monthly Earnings, New Hires, Stable Jobs	1,623	100.0%	1,514	100.0%

#### **Data Sources**

US Census Bureau, LED Origin-Destination Data Base (2nd Quarter 2002, 2003, 2004, 2005, and 2006)

See [www.census.gov](http://www.census.gov) for definitions of job types.

The city benefits from its close location to I-5 corridor and its location adjacent to two state highways and the Burlington Northern Railroad. Small firms that might have located in other parts of the county are discovering less expensive, less congested neighboring cities. The city is well positioned to take advantage of this situation to enhance its economic development.

In the past the city has been hampered by its dependence on logging and lumber operations and on the activities taking place at the Skagit Plant site. When economics forced a slow down in logging and related activities and in the closure of the manufacturing site, the city faced severe economic impacts. Likewise, the closure of the former Northern State Hospital heavily impacted the city with its loss of employment opportunities. The city is now attempting to develop a more diversified economic base along with an increase in the number of job opportunities. The Skagit Plant is now a vibrant industrial park, renting out portions of the facility to smaller, independent businesses. The City has just completed construction of a round-about on State Route 20 that provides much needed truck and vehicular traffic to the Skagit Plant and new access to the industrial lands to the north of the State Route 20. The new access to two of the largest parcels of industrial land to the busiest state route (S.R. 20) in Skagit County is expected to spur increased manufacturing, warehousing, distribution, and office uses in the center of Sedro-Woolley. The transfer of the former Northern State Hospital property into local control and the proposed Center for Innovation and Technology is expected to help diversify the City's economy and reinvigorate economic activity at the former Hospital Campus.

The focus of Sedro-Woolley economic development efforts have not been merely job growth and diversification, but also the establishment of the city as an economic entity unto itself. In addition, city has aimed to do so while not sacrificing its natural environment and community values.

#### **Factors Influencing the Planning Area**

As part of the Puget Sound Economic Region, Skagit County and Sedro-Woolley will be impacted over the next twenty (20) years by several important factors:



- Developing Pacific Rim nations use the Puget Sounds as a destination for goods and services. The pent-up demand for goods and services in the Pacific Rim will fuel active markets throughout the northwest over the next twenty (20) years.
- Skagit County and Sedro-Woolley are located in the “next tier” of industrial development in the Puget Sound. As King County and Snohomish County become saturated with business activity and as land prices increase in the areas closer to the urban centers of the Puget Sound, companies will seek homes for business outside of the first tier suburbs. Many of the industrial parks located in these areas are either full or filling up rapidly. It is expected that this activity will materially impact Skagit County, including Sedro-Woolley within the next five years.
- The tourist and recreation industry is markedly increasing as a result of continued growth in leisure-time activities. The aging of the “baby boomers” will result in an increase in this trend.
- Sedro-Woolley has unique resources: proximity to the I-5 corridor, location astride two state highways, the railroad, a historic downtown, and as a “gateway” to the North Cascades. These resources can be put to work to create a dynamic and healthy environment for economic growth.
- Center for Innovation and Technology. “The Center” is a planned research and Development facility on the grounds of the Northern State Hospital (AKA North Cascades Center).

### **Inventory and Analysis**

The following discussion includes an inventory and analysis of the socio-economic characteristics of Sedro-Woolley.

### **Employment**

#### **Government/Education**

The Historically the single largest employment category in Sedro-Woolley ~~is~~ has been government jobs. The unusually large percentage of the work force in the public sector is due in large part to the public schools, the presence of the Department of Natural Resources office, the North Cascades National Park headquarters, the United States Forest Service office and local government offices within the city limits. In terms of its share of total employment, public sector employment is expected to decrease over the planning period as retail trade and service, and industrial activities increase their share of total employment faster than any other sector. Due in large part to the location of the United General Hospital (including the health service offices surrounding the hospital) and several assisted/senior living facilities (including Birchview Memory Care, Country Meadow Village and the Life Care Center) within Sedro-Woolley, health care and social assistance jobs make up the second largest category of employment in the City. The former Northern State Hospital property lies in the City’s urban growth area. The campus is still used by many social assistance organizations including Job Corps and Pioneer Human Services’ treatment center. Though these employers are not actually located within the City limits, they are none-the-less significant contributors to the health care and social assistance industry in Sedro-Woolley’s geographic and economic sphere of influence.

The majority of the employment is located in the commercial corridor along Highway 20 and the downtown area, industrial uses, including manufacturing and wholesale trade activities are



located in the two industrial parks and at smaller light industrial sites within the urban growth area. There are a large number of home occupations scattered throughout the community.

### **Technology and Innovation**

Sedro-Woolley's Innovation and Technology sector is a fast growing section of the local employment sector. Companies serving the aerospace and green technologies are an important driver of future employment opportunities in Sedro-Woolley. The Center for Innovation and Technology is a 225 acre property owned by the state and managed by the Port of Skagit. The Center is designed to accommodate research, development and ancillary activities associated with the technology and innovation. This sector is projected to be by far the fastest growing sector of the City's economy over the planning period accounting for 64% of all of the projected job growth.

### **Retail Trade**

The existing retail activity in the urban growth area is a product of numerous years of development in the downtown core and a commercial corridor located along portions of State Route 20 and State Route 9. The central business district is quite large comprising one hundred forty-five (145) acres. The Mixed Commercial zoning along the highway is limited to certain areas along the highways and is comprised of approximately one hundred and forty six (146) acres. While the CBD is intended to accommodate medium intensity commercial development and is designed to allow those normal commercial uses that are consistent with a pedestrian-oriented business area, the Mixed Commercial zone is intended to accommodate auto oriented retail development (i.e. gas stations, fast food restaurants) with the potential for residential uses above commercial uses. Commercial activities are intended to serve both local and regional residents and pass-through motorists traveling across the North Cascades Highway (State Route 20) and State Route 9 for recreational activities.

The largest portion of retail sales activities occurred in food stores, eating and drinking establishments, building materials and hardware, and automotive dealerships.

Shopping facilities in Sedro-Woolley provide a primary source for many retail items north, south, and east of the city. The city's retail trade area encompasses the city, State Route 20 east past Newhalem to the county line, north to Alger, and south to Big Lake.

There is one community shopping center located near the intersection of State Route 20 and Cook Road, anchored by a grocery store and an automotive parts store. The existing central business district (CBD) encompasses a large number of retail activities including automobile sales and service, drinking and eating establishments, a pharmacy, hardware stores, clothing stores, specialty shops, several antiques stores, and a number of smaller establishments. There is commercially zoned land located within the central business district that is either vacant or under-utilized.

In addition to the community shopping center and central business district, there are a number of facilities serving automobile traffic adjacent to State Routes 20 and 9. Examples of businesses located along the highways include automobile service and sales, two major drug stores, a hardware store, gasoline/convenience stores, eating and drinking establishments, and a number of smaller establishments. There are several vacant or underutilized commercial properties along State Route 20. Except where State Routes 9 and 20 share the same path, there is little commercial property along State Route 9.



### **Service Industries**

Sedro-Woolley's professional service sector continues to assume a greater role in the local economy. This sector is comprised primarily of professional office, financial, insurance, medical/dental, legal, and real estate services provided to the growing construction and retail trade sectors and to the growing population within Sedro-Woolley and the surrounding area. Service sector employment generally depends upon a strong retail and manufacturing base to supply ancillary support services and a strong population base.

There are many service industries located in the CBD, including several banks, professional offices (including at least three professional engineering companies), salons/barbers, insurance and realty businesses, dental and doctor offices, heating and plumbing companies, law offices and other services. The Mixed Commercial properties focused along State Route 20 are primarily retail, serving automotive traffic.

### **Wholesale Trade Industrial**

~~Wholesale trade~~Industrial business continues to grow slightly in the urban growth area. ~~Wholesale trade~~Industrial business generally is through activities located in the industrial parks and from a large food production company based in the central business district.

There has been a movement of King and Snohomish County business outward to less developed areas including Skagit County. This shift in development is projected to continue early into the new millennium, making Skagit County and Sedro-Woolley increasingly attractive for firms requiring a combination of office warehousing, research and development, or light industrial manufacturing space.

The bulk of the industrial activities in Sedro-Woolley take place in either the old Skagit Plant site, the Industrial properties on the east side of town or Sunset Industrial Park. The old Skagit Plant site formerly housed the Skagit Steel and Iron Works (later Skagit Steel Company) that manufactured a gas-powered hoist used in the logging and farming industries. With this innovation and other products for mining, logging, and other industries, the Steel Company, later Bendix Corporation continued to manufacture projects until the site closed in 1985. Since its purchase by Sealand Development, Corp, the site has been cleaned up and has gradually developed into heavy industrial uses, including manufacture of components for the aerospace industry, a modular office manufacturer, a boat manufacturer, a traffic equipment manufacturer, and a number of smaller light and heavy industrial manufacturers.

A large section of industrial property lies north of State Route 20, just west of Fruitdale Road. This area hosts a perfume manufacturer, an aerospace industry contractor and other industrial uses. Another smaller industrial park site, Sunset Industrial Park, is located in the southern portion of the city adjacent to State Route 20. Activities in this park include a number of small heavy and light industrial activities and commercial activities (related to the industrial development).

A number of areas are zoned for industrial uses which are not yet industrially developed but have the potential of being developed. One forty acre parcel is north of Moore Street (State Route 20) and is zoned Industrial. Other Industrial zoned areas include the two large sawmill sites in the city. Another undeveloped industrial site is located between State Route 9 and Maple Street. Other light industrial areas are located adjacent to State Route 20 on the south side of the city.



Sedro-Woolley supports a range of industries in aerospace, construction, and natural resources. Some of the largest representative industries include the following:

**Sedro-Woolley  
Major Industrial Employers**

<b>Company Name</b>	<b>Type of Industry</b>
Thermacor Process, LP	Insulated Pipe Manufacturing
Rothenbuler Engineering	Electrical Engineering and Manufacturing
Janicki Logging and Construction	Logging & Construction
Janicki Industries	Aerospace, Marine and Transportation Component Engineering and Manufacturing
Janicki Bioenergy	Alternative energy development processes
Seven Sisters	Electrical Contractor
Truss Engineering	Roof Truss Manufacturing
Fathom Yachts	Yacht Manufacturing
Truck Vault	In-Vehicle Storage Manufacturing
Snelson Industries	Contractor

## ECONOMIC DEVELOPMENT STRATEGY

It has often been asked “Why should the public sector contribute to economic development efforts?” The most obvious reason is to promote job opportunities for its citizens. Less apparent is the role in providing necessary services to promote a higher quality of life. It has been well documented that commercial and industrial land uses more than pay for themselves (i.e. generate more taxes than the value of the services consumed). Therefore, expanded economic growth benefits every Sedro-Woolley resident by reducing the amount of ad valorem taxes that would otherwise be borne by the residential taxpayer.

As a result of Washington’s Growth Management Act and the city’s growth rate over the last decade, the city has a need for greater infrastructure improvements including roads, water, and sewer services and a host of community-related facilities. Solutions to these problems are complex. However, a part of the solution is the need to expand the city’s tax base by attracting development that will more than pay for its growth.

The overall purpose of the economic development strategy is to improve the quality of life within the city. Public investment made to stimulate economic development helps to provide for permanent employment, increase personal income, and improve the general business climate. A more direct result of local public investment is an enhancement of the tax base, which improves the financial capacity of the city. The major thrust of the city’s economic development strategy is to convince businesses to start, expand, or locate within the city. Unfortunately, because we live in an imperfect world, not every business has complete and accurate data on the attributes of every community where it might locate. Many businesses have needs that could be met by many of the communities in Skagit County. Unless these businesses are made aware of Sedro-Woolley opportunities, they may go elsewhere. Economic development (i.e. seeking new or expanded employment opportunities) has grown increasingly competitive. Sedro-Woolley, too, must maintain an aggressive economic development strategy in order to provide opportunities for new business.

Economic priorities for Sedro-Woolley should include the following:

1. Enhance the city’s tax base and encourage higher-income job opportunities by aggressively promoting industrial/commercial development in the city’s business/industrial parks and industrially zoned lands. To achieve this goal, Sedro-Woolley needs to identify suitable lands, establish zoning districts compatible with the neighboring zones – especially residential zones – that encourage industrial use, maintain an adequate supply of suitable commercial/industrial land, and provided infrastructure to support it.
2. Work with the property owners in the downtown area to continue to establish the identity of downtown Sedro-Woolley by providing a framework for which the retail and commercial economy can evolve into a civic and retail specialty area that incorporates the unique Metcalf Street character of Sedro-Woolley with vital and diverse specialty retail and service businesses. To accomplish this, the city will develop a Downtown Design Plan to create a pedestrian-friendly downtown environment, including street and sidewalk improvements, a Town Center Park, the addition of Sedro-Woolley identified features (i.e. murals, carvings),



beautification, and a funding source for continuing improvements, maintenance, and marketing for downtown businesses and events.

Encourage retail uses in the storefronts along Metcalf Street which allows window-shopping and engages passers-by. Retail uses in the storefronts gives pedestrian more to look at than service uses and offices, therefore allowing pedestrians to participate in the streetscape and adding to the pedestrian-friendliness of the downtown shopping core. Seek opportunities to improve pedestrian friendly infrastructure such as sidewalks and walking routes allowing access to and connectivity within the downtown district.

3. Support of the Sedro-Woolley library system will also contribute to the local economy. Investment in library facilities attracts local employees, their families and management to the community. Libraries are places where new ideas are discovered, databases and other reference data and information is available free of charge and where job seekers can go for assistance. A good library is a valuable tool brings visitors and additional revenue to the city.

Support inter-modal connectivity by planning for an Inter-modal Transportation Center/Hub in or near the CBD. Work with and encourage SKAT to offer a city bus that circulates around Sedro-Woolley and syncs with a link route from the Inter-modal Transportation Center to Burlington.

4. To encourage a multi-modal transportation system that allows local residents to move easily from their homes to their jobs to the necessary services without exclusive dependence upon the single-occupancy vehicle. Encourage new park and ride facilities and improvements to the existing park and ride facilities. Foster new partnerships with the Skagit Transit (SKAT), Van-Go and other transit organizations for increased service in and around Sedro-Woolley, especially to the Central Business District and Industrial zoned properties. Seek opportunities to encourage "express" service between Sedro-Woolley and the major city centers of Anacortes, Burlington and Mount Vernon.
5. Provide economic diversification and a broader range of higher-income employment opportunities by providing space for manufacturing and professional office development. Promote more job development in Sedro-Woolley in order to reduce costs for residents who travel elsewhere to work and to increase the share of spending in the local economy versus money being spent in other areas by local residents.
6. Encourage employers to support bicycle and pedestrian commuting. The City assists in supporting bicycle commuting by implementing the Bicycle and Pedestrian section of the Transportation Element of the Comprehensive Plan. Incorporate access to the city via the County trail system into the city economic development and tourism strategies.
7. Promote tourism to enhance and increase the economic vitality of Sedro-Woolley. Promote the use of the theme "Gateway to the North Cascades." Create partnerships with like cities on the east side of the North Cascade Pass, such as Winthrop or Twisp, in order to promote each other and what lies between to capture dollars that might be spent elsewhere. Encourage the re-envisioning of the "Trolley Park" idea. Encourage redevelopment of unused or underutilized properties for more tourism retail opportunities. Encourage the creation of CBD hotels/motels, bed and breakfasts, or other lodging prospects.



## **ECONOMIC DEVELOPMENT GOALS, POLICIES, AND ACTIONS**

The city has actively planned for an expanding light industrial/commercial economic base. While detailed manufacturing-related economic impacts have not been recorded for the city, projections of employment indicate a growing industrial/ manufacturing/commercial base can be expected for the city.

### **Goal E1: To develop a sound fiscal base.**

Policy E1.1: Create employment opportunities within the Sedro-Woolley economy, particularly for residents who now commute to other distant employment areas.

Policy E1.2: Participate with other public agencies and private interests in labor force training programs that take advantage of traditional resources.

Policy E1.3: Identify and promote sites which can be developed for a variety of local employment projects. Promote development of business and industrial parks, office and professional centers, and specialized commercial and entertainment centers.

Policy E1.4: Work with property owners to determine the effective development capacity of sites having employment center possibilities.

Policy E1.5: Withhold Sedro-Woolley services to areas outside the incorporated city limits, sewer in particular, unless potential property developers agree to annexation and the payment of local property or other revenue taxes, and associated impact fee assessments.

Policy E1.6: Pursue a policy, in conjunction with the county, to expand the acreage for heavy and light industrial activities within the Sedro-Woolley urban growth area.

### **Goal E2: To increase economic opportunities.**

Policy E2.1: Encourage local business development opportunities and utilization by the private and public sector, particularly for small start-up businesses owned by or employing Sedro-Woolley residents. Promote local use of special small business financing and management assistance programs.

Policy E2.2: Identify facilities which may be used for small businesses. Assist efforts to reuse older buildings, redevelop vacant property, and revitalize the existing central business district (CBD).

Policy E2.3: Assist private groups to establish special improvement districts including parking and business improvement authorities, local improvement districts (LID's), or other programs necessary to the effective revitalization of the existing business and commercial districts of Sedro-Woolley.



Policy E2.4: Participate in special public/private ventures that provide public benefits and are appropriate to Sedro-Woolley's long range goals.

Policy E2.5: Reserve certain capable lands and sites for employment-related developments. Provide a suitable supply of commercial, retail, business, office and industrial lands within Sedro-Woolley to reduce commuting requirements to outside areas for employment opportunities.

Policy E2.6: Create local employment, shopping and other urban service activities that reduce Sedro-Woolley's dependence upon other urban areas.

Policy E2.7: Work cooperatively with the Sedro-Woolley Chamber of Commerce to establish strong business leadership.

Policy E2.8: Perform a detailed commercial/ industrial land use inventory to provide more accurate information on the usable lands available for development in the urban growth area.

Policy E2.9: Encourage local business owners to attend economic development activities, forums, etc.

**Goal E3: To realize Sedro-Woolley's image as the "Gateway to the North Cascades."**

Policy E3.1: Promote tourism as a means of diversifying the economy and preserving the history of the community.

Policy E3.2: Create and adopt a neighborhood plan for the central business district (CBD). Establish a local marketing strategy for the district, especially the area along Metcalf Street. Encourage retail and food service businesses to extend hours of operation past five p.m. at least a few days each week.

Policy E3.3: Work with upriver communities to identify tourism specialties to avoid direct competition with one another. Develop a tourism network that provides information on each community's specialty, along with food and lodging opportunities.

Policy E3.4: Build on the success of Loggerdeco by adding an associated music festival, such as bluegrass or folk music. Provide a winter festival based on the Santa Claus parade, and add ice sculpture contests, historic home tours, cross-country skiing or other athletic competition, a play and/or Christmas concert. Develop similar festivals to take place in the spring or fall.

Policy E3.5: Develop a flea market/craft show where local artists and crafts people can sell their work. Develop a network for artists and crafts people which would assist with business development, marketing and an apprenticeship program for local youth.

Policy E3.6: Support and recognize existing and ongoing activities and organizations such as the Farmer's Market, local festivals, parades, the Holiday Home Tour and the Sedro-Woolley Museum.

Policy E3.7: Participate in regional trails development to encourage bicycle tourism in Sedro-Woolley.

Policy E3.8: Promote bicycling as Sedro-Woolley's tourism specialty. Enhance existing facilities to accommodate bicyclists, such as providing additional tent spaces and showers at the Riverfront RV Park. Build new facilities, such as centrally-located public restrooms, on-street bicycle lanes and picnic areas.

Policy E3.9: Sedro-Woolley's tourism strategy should also capitalize upon the city's unique location and timber-industry heritage. Strive to maintain a balance between logging history and environmental education and preservation.

Policy E3.10: Include the interests and influence of the Upper Skagit Tribe in Sedro-Woolley's tourism strategy. Encourage joint operation of environmental education sites and programs. Encourage development of Native American arts and crafts shops in the central business district.

Policy E3.11: Support the development of tourist attractions within the Sedro-Woolley area, such as the Sedro-Woolley Museum.

Policy E3.12: Actively work to increase the variety and availability of overnight accommodations within the Sedro-Woolley area including R.V. camping, hotels, motels and Bed & Breakfasts.

Policy E3.13: Provide mitigation for negative impacts associated with tourism, including nonseasonal employment, tourist-local resident conflicts and environmental aspects.

Policy E3.14: Use a variety of media to promote Sedro-Woolley tourism opportunities. Use signage and design along State Route 20 to communicate economic opportunity and attract tourism.

Policy E3.15: Promote the relocation of the fairgrounds to the county land adjacent to the Northern State campus.

Policy E3.16: Encourage signage explaining what companies/products are located/produced in the City's industrial areas to promote the viability of the City's industrial sector. Many interesting and important goods are produced in these areas and improving the awareness of their presence can help attract prospective industrial tenants.

Policy E3.17: Increase the use of kiosks and directional signage to strategically direct visitors to City businesses and civic services.

Policy E3.18: Expand on the existing green industries and promote the City as a hub for further sustainable and green industries.

Policy E3.19: Promote the sprucing-up of the downtown business district. To instill a sense of ownership and foster long-term connections to the community, encourage youth participation in downtown revitalization.

Policy E3.20: Encourage directional signage, interpretive signage and parking for tour busses and other tourist vehicles such as R.V.s.

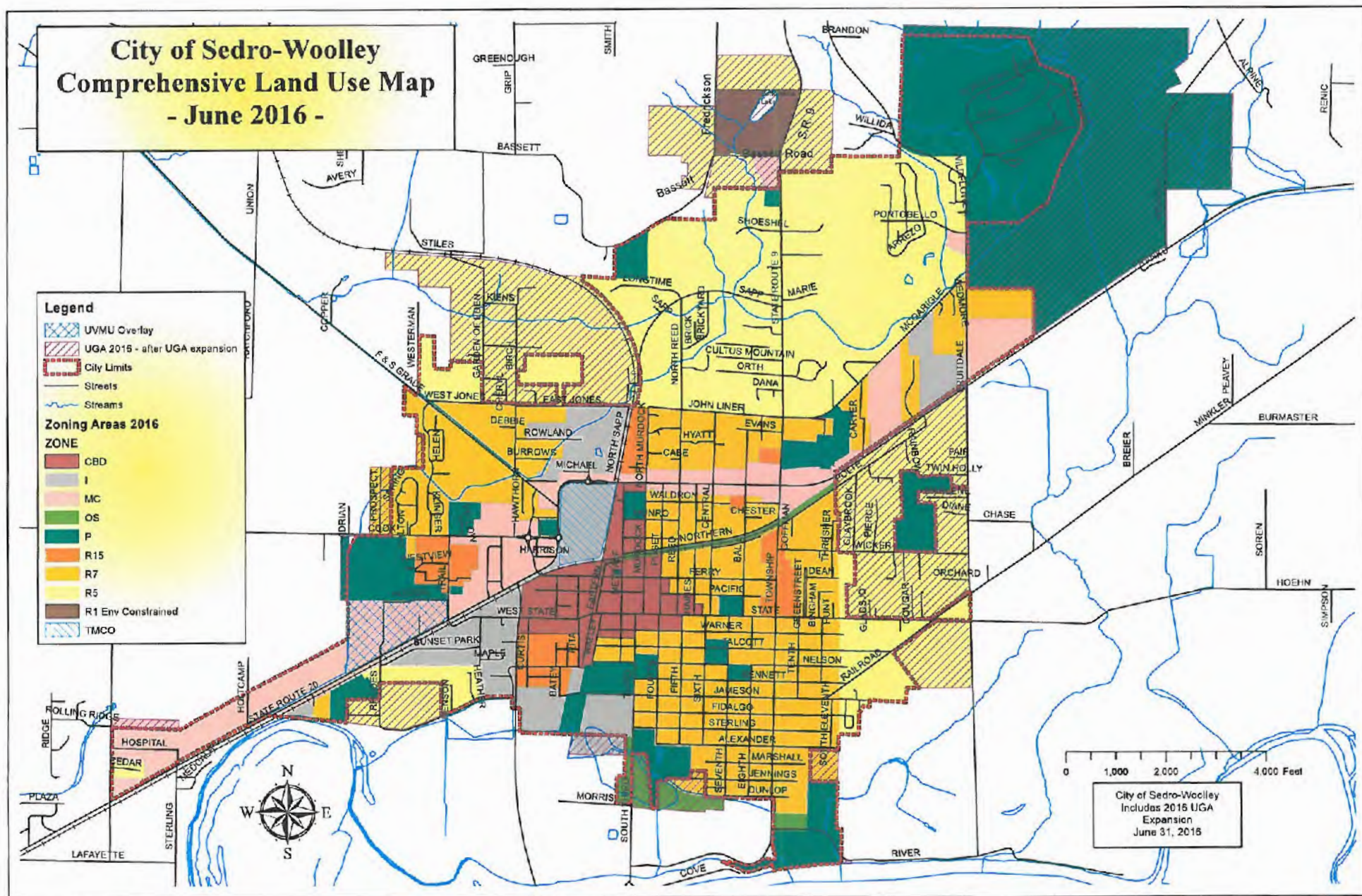
(Ord.1663-10)



# Exhibit E

To Ordinance No. 2016-\_\_\_\_\_

## Comprehensive Land Use Map





## **Attachment 2** to memo

Ordinance \_\_\_\_-16 to create a new Chapter 17.XX SWMC – Residential 1 Environmentally Constrained zone and adopt amendments to Chapter 17.65 SWMC – Regulations for Critical Areas (including Exhibits A – B to Ordinance)

**AN ORDINANCE OF THE CITY OF SEDRO-WOOLLEY, WASHINGTON ADOPTING AMENDMENTS TO TITLE 17 SWMC TO AMEND THE REGULATIONS FOR CRITICAL AREAS AND ADD A RESIDENTIAL 1 ZONING DESIGNATION TO THE ZONING CODE IN ACCORDANCE WITH THE GMA-REQUIRED COMPREHENSIVE PLAN UPDATE DEADLINE OF JUNE 30, 2016, AS REVIEWED AS PART OF THE 2015 COMPREHENSIVE PLAN DOCKET.**

**WHEREAS**, applications for amendments to the Sedro-Woolley Comprehensive Plan were received by the published deadline of January 16, 2015; and

**WHEREAS**, the City of Sedro-Woolley established an on-going public participation process in accordance with RCW 36.70A.130(2) including the regular Planning Commission meetings, joint City Council and Planning Commission workshop(s), and Public Hearings to discuss proposed changes to the Comprehensive Plan; and

**WHEREAS**, public hearings were conducted before the Sedro-Woolley Planning Commission on various dates; and

**WHEREAS**, the Growth Management Act (GMA) gives authority to Sedro-Woolley to update its Comprehensive Plan once per year in such a manner that all proposed amendments are considered by the governing body concurrently such that the governing body may evaluate their cumulative effect and such Comprehensive Plan amendments may require updates to the city development regulations; and

**WHEREAS**, as part of the 2015 Docket, the Planning Commission proposed updates to the Comprehensive Plan which resulted in required amendments to Title 17 Zoning SWMC to assure conformance between the Comprehensive Plan and development regulations as required by the GMA;

**WHEREAS**, environmental review of the updated Comprehensive Plan has been completed and a Determination of Non-Significance was issued November 30, 2015 for the amendments creating a new Chapter 17.XX SWMC – Residential 1 Environmentally Constrained zone and February 25, 2016 for the amendments to Chapter 17.65 SWMC, and those DNS documents are adopted by reference; and

**WHEREAS**, the proposed amendments to the Comprehensive Plan and development regulations have been submitted to the Washington State Department of Commerce (COMM) and the required 60-day review period has passed; and

**WHEREAS**, the Planning Commission held five public meetings, two open houses and five public hearings on updates to the Comprehensive Plan, zoning map, UGA boundaries and associated development regulation updates including amendments to the critical areas ordinance



and amendments to the zoning code to add a new Chapter 17.XX SWMC – Residential 1 Environmentally Constrained zone; and

**WHEREAS**, the Growth Management Act (GMA) requires that the City complete a full update its Comprehensive Plan – including associated updates to development regulations – on or before June 30, 2016; and

**WHEREAS**, the Growth Management Act (GMA) requires that the City complete a full update its critical areas regulations on or before June 30, 2016; and

**WHEREAS**, in compliance with Chapter 36.70A RCW, the City finds that the updated development regulations and critical areas regulations shall implement the Comprehensive Plan; and

**WHEREAS**, the attached updates to the development regulations and critical areas regulations are intended to satisfy the GMA requirement to fully update the City of Sedro-Woolley Comprehensive Plan, associated development regulations and critical areas regulations by June 30, 2016; and

**NOW THEREFORE THE CITY COUNCIL OF THE CITY OF SEDRO-WOOLLEY DOES ORDAIN AS FOLLOWS:**

**Section 1.** The City Council hereby adopts by reference the Planning Commission's *Findings of Fact, Conclusions and Recommendations* - which were certified by the Planning Commission Chair on May 5, 2016 - as the City Council's *Findings of Fact*.

**Section 2.** A new Chapter 17.XX is added to Title 17 Zoning of the Sedro-Woolley Municipal Code to define rules for development in the Residential 1 Environmentally Constrained zoning designation and shall read as set forth in Exhibit A.

**Section 3.** Chapter 17.65 of the Sedro-Woolley Municipal Code – Regulations For Critical Areas is hereby amended to read as set forth in the attached Exhibit B.

**Section 4.** This ordinance shall take effect five (5) days after the approval by the City Council and publication as provided by law.

**Section 5.** 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.

**PASSED** by majority vote of the members of the Sedro-Woolley City Council this \_\_\_\_\_<sup>th</sup> day of May, 2016, and signed in authentication of its passage this \_\_\_\_\_<sup>th</sup> day of May, 2016.

By: \_\_\_\_\_  
KEITH L. WAGONER, Mayor

Attest: \_\_\_\_\_  
PATSY NELSON, Finance Director

Approved as to form:

\_\_\_\_\_  
ERON BERG, City Attorney

Published: \_\_\_\_\_



# Exhibit A

To Ordinance No. 2016-\_\_\_\_

New Chapter 17.XX SWMC – Residential 1 Environmentally Constrained zoning designation

**Chapter 17.XX**  
**RESIDENTIAL 1 Environmentally Constrained (R-1) ZONE**

**Sections:**

- 17.XX.005 Intent.**
- 17.XX.010 Use restrictions.**
- 17.XX.020 Bulk restrictions.**
- 17.XX.030 Minimum lot size requirements.**
- 17.XX.040 Maximum density requirements.**
- 17.XX.050 Maximum lot coverage.**

**17.XX.005 Intent.**

The intent of the R-1 zone is to recognize those areas with existing development in close proximity to unique environmentally sensitive areas where more intense infill development would not be consistent and inappropriate with the environmentally constrained properties.

**17.XX.010 Use restrictions.**

Use restrictions in the residential R-1 zone shall be as follows:

**A. Permitted Uses.**

1. One single-family residence per lot;
2. Low-intensity agriculture;
3. Home occupations in compliance with Chapter 17.68;
4. Child day care centers meeting state requirements;
5. Adult or family day care facilities meeting state requirements.

**B. Conditional Uses.**

1. Planned residential developments;
2. Group homes;
3. Dependent relative cottages;
4. Personal services;
5. Outdoor recreation facilities;
6. Public utilities, excluding wireless communication facilities;
7. Quasi-public uses;
8. Public uses.

**C. Prohibited Uses.** All uses not listed above, including adult entertainment and wireless communication facilities.

**17.XX.020 Bulk restrictions.**

Bulk restrictions in the residential R-1 zone shall be as follows:

**A. Minimum Setbacks.**

1. Front: twenty feet;



2. Side: one story dwellings and accessory structures shall have a minimum of five feet; a two story dwelling shall have a minimum of eight; and each additional story over two shall have an additional four feet, for each story;
3. Rear: ten feet for residences, five for accessory;
4. Garage Setbacks. Private garages attached to or within the residence shall adhere to the setback requirement of the residence. In all cases, there shall be a minimum off-street parking apron of twenty-five feet in length directly in front of all garage door entrances when accessing a street either to the front or side of a residence. Where garage doors access an alley, the off-street parking apron shall be at least ten feet.

- B. Maximum building height: thirty-five feet except twenty feet for accessory buildings and no height limit for church steeples or bell towers.

**17.XX.030 Minimum lot size requirements.**

Minimum lot size requirements in the residential R-1 zone shall be as follows:

- A. Lot area: one acre;
- B. Lot width at building line: seventy five feet;
- C. Lot frontage on a public street, approved private street, or approved easement: twenty feet.

**17.XX.040 Maximum density requirements.**

The maximum gross density requirement in the R-1 zone is one unit per acre.

**17.XX.050 Maximum lot coverage.**

Maximum lot coverage requirements in the residential R-1 zone shall be as follows:

- A. Thirty-five percent;
- B. Variances from the maximum lot coverage requirement are permitted, if the applicant can demonstrate that the proposed coverage does not exceed the average lot coverage of lots within one hundred feet of the parcel. Lot coverage can be equal to the average lot coverage but cannot exceed it.

# Exhibit B

To Ordinance No. 2016-\_\_\_\_\_

Amendments to Chapter 17.65 SWMC – Regulations for Critical Areas



**Chapter 17.65  
REGULATIONS FOR CRITICAL AREAS**

**Sections:**

**Article I. General Provisions**

- 17.65.010 Introduction.
- 17.65.020 Application, purpose.
- 17.65.025 Definitions.
- 17.65.030 Authority.
- 17.65.040 Applicability, jurisdiction and coordination.
- 17.65.050 Resource information and maps.
- 17.65.060 General requirements and authorizations required.
- 17.65.065 Public notice and records.
- 17.65.070 Application submittal requirements.
- 17.65.080 Administration.
- 17.65.090 Critical areas checklist, site assessment and conditions of approval.
- 17.65.100 Application of standards.
- 17.65.120 General construction and maintenance standards.
- 17.65.150 Reasonable use exception.
- 17.65.160 Critical area and buffer mitigation requirements—General provisions.
- 17.65.170 Protected critical area (PCA) requirements.
- 17.65.180 Incentives.
- 17.65.190 General natural resource preservation requirements.
- 17.65.195 Natural resource area covenants, tracts, notices and dedications.

**Article II. Wetlands**

- 17.65.200 Wetlands designations.
- 17.65.210 Wetlands initial project review.
- 17.65.220 Wetlands site assessment requirements.
- 17.65.230 Alteration of wetlands.
- 17.65.240 Wetland mitigation standards.

**Article III. Aquifer Recharge Areas**

- 17.65.300 Aquifer recharge areas.
- 17.65.310 Aquifer recharge area designations.
- 17.65.320 Aquifer recharge applicability and prohibited activities.
- 17.65.330 Aquifer recharge initial project review.
- 17.65.340 Aquifer recharge site assessment report.
- 17.65.350 Aquifer recharge area mitigation.
- 17.65.360 Aquifer recharge public notice and review.

#### **Article IV. Geologically Hazardous Areas**

- 17.65.410 Geologically hazardous area initial project review.
- 17.65.420 Geologically hazardous area site assessment requirements.
- 17.65.430 Geologically hazardous area mitigation standards.
- 17.65.440 Geologically hazardous area public review and record.

#### **Article V. Fish and Wildlife Habitat Conservation Areas**

- 17.65.500 Fish and wildlife habitat conservation area designations.
- 17.65.510 Fish and wildlife habitat conservation areas initial project review.
- 17.65.520 Fish and wildlife habitat conservation area site assessment requirements.
- 17.65.530 Fish and wildlife habitat conservation area mitigation standards.

#### **Article VI. Flood Hazard Area**

- 17.65.600 Standards for flood hazard areas.

#### **Article VII. Compliance and Enforcement**

- 17.65.710 Compliance with critical area regulations.
- 17.65.720 Construction.
- 17.65.730 Severability.
- 17.65.740 State Environmental Policy Act.
- 17.65.750 Liability disclaimer—Flood hazard areas.
- 17.65.760 Enforcement of the critical areas regulations.

#### **Article I. General Provisions**

##### **17.65.010 Introduction.**

This chapter shall be known as the critical area ordinance and it is adopted to assist in orderly development, conserve the value of property, safeguard the public welfare, and provide protection for defined critical areas.

The ordinance codified in this chapter was developed under the directives of the Growth Management Act to conserve, protect, and provide no-net-loss of critical areas functions and values pursuant to RCW 36.70A.172. Critical areas are defined as wetlands, aquifer recharge areas, flood hazard areas, geologically hazardous areas, and fish and wildlife habitat conservation areas. Some of these areas, such as geologic hazards and flood hazard areas are critical because of the hazard they represent to public health. Others, such as fish and wildlife habitats and wetlands are critical because of their public value.

Critical areas will be designated by definition and then classified through site assessments so that they can be identified using scientifically based criteria, protected, or their functions and values mitigated resulting in no-net-loss. The use of site assessments to confirm the actual presence and classification of critical areas is central to the management approach developed under this chapter.



The ordinance codified in this chapter was drafted to provide regulatory structure for identification, designation, protection, and mitigation of critical areas. This chapter allows staff to provide site visits, preliminary reviews, and pre-application meetings to assist in the identification of critical areas.

**Critical Area Maps.** Maps are useful primarily as an indicator of the distribution and extent of critical areas. Maps will be used wherever possible as part of the screening process for evaluating individual applications. Critical areas maps may be updated as critical areas are delineated through the application process. Although a number of map resources are utilized in this chapter, regulatory measures such as buffer requirements are based upon the identification of critical areas during the permit, development authorization, or other approval processes. These maps include the location of known or potential critical areas and are based on the best available science information, and include natural resource information, gathered through field inventory, as well as information prepared by applicable state and federal agencies. These maps shall be referred to as the "Critical Areas Maps" of the city of Sedro-Woolley.

**17.65.020 Application, purpose.**

- A. This chapter shall apply to land use, development, structures, facilities, and platting located in the city limits of Sedro-Woolley, within the geographical areas that meet the definitions and criteria for critical areas regulation as set forth in this chapter. No development activity or alteration of land, water, or vegetation within a critical area or its standard buffer, except as specifically allowed by this chapter, shall be allowed without prior authorization by the director.
- B. The purpose of these regulations is to:
  1. Protect human life, property, and the public health and safety of the citizens of Sedro-Woolley;
  2. Minimize the expenditure of public money;
  3. Maintain the city's flood insurance eligibility while avoiding regulations which are unnecessarily restrictive or difficult to administer;
  4. Ensure that wetland, fish and wildlife habitat, and other critical area functions and values are protected or mitigated for no-net-loss to provide public benefits.
- C. The following shall constitute critical areas:
  1. Wetlands and Riparian Corridors, Including Brickyard Creek, Willard Creek, Hanson Creek and Tributaries. Wetlands and riparian corridors serve many important ecological and environmental functions and help to protect public health, safety and welfare by providing flood storage and conveyance, erosion control, fish and shellfish production, fish and wildlife habitat, recreation, water quality protection, water storage, education, scientific research and other public benefits. It is the purpose of this chapter to protect these functions to prevent the

continual loss of wetlands and riparian corridors, and where practical to enhance or restore wetlands and riparian corridors functions and values.

2. **Areas with a Critical Recharging Effect on Aquifers Used for Potable Water.** Potable water is an essential life-sustaining element. Sedro-Woolley's drinking water comes from Public Utility District #1, rather than groundwater supplies. Once groundwater is contaminated, it is difficult, costly, and sometimes impossible to clean-up. It is the purpose of this chapter to prevent contamination and depletion, avoid exorbitant clean-up costs, hardships and potential physical harm to people. There are some existing wells used for irrigation in the city limits that are not mapped.
  3. **Fish and Wildlife Habitat Conservation Areas.** In addition to their intrinsic value, certain species of fish and wildlife represent important historic, cultural, recreational and economic resources. Many species serve as indicators of the condition of the environment and the quality of life that local residents have invested in, enjoy and respect. It is the purpose of this chapter to protect, restore where practical, and enhance fish and wildlife populations and their associated habitats.
  4. **Frequently Flooded Areas.** It is the purpose of this chapter to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in the floodplain and the floodway according to the provisions established under this code; and
  5. **Geologically Hazardous Areas.** Geologically hazardous areas include areas susceptible to the effects of erosion, sliding, earthquake, or other geologic events. They pose a threat to the health and safety of citizens when incompatible residential, commercial, industrial, or infrastructure development is sited in areas of a hazard. Geologic hazards pose a risk to life, property, and resources when steep slopes are destabilized by inappropriate activities and development or when structures or facilities are sited in areas susceptible to natural or human caused geologic events. Some geologic hazards can be reduced or mitigated by engineering, design, or modified construction practices so that risks to health and safety are acceptable. When technology cannot reduce risks to acceptable levels, building and other construction within identified geologically hazardous areas shall be prohibited.
- D. **Exemptions from Critical Areas Review Requirements.** Subject to the limitations established in this chapter the following developments, associated uses and activities shall be exempt from the critical areas review procedures:
1. Emergency activities necessary to reduce or prevent an immediate threat to public health, safety, and welfare. Such emergency is an unanticipated, imminent threat to the public health or safety or to the environment that requires immediate action within a period of time too short to allow full compliance with this chapter. The exemption for emergencies should not eliminate the need for later mitigation



to offset the impacts of emergency activity. Once the immediate threat has been addressed, any adverse impacts on critical areas should be minimized and mitigated;

2. Ongoing agriculture activities, including related development and activities that do not result in an expansion or further expansion into a critical area or its standard buffer;
3. Normal and routine maintenance or repair of existing structures, utilities, sewage disposal systems, potable water systems, drainage facilities, ponds or public and private roads and driveways associated with existing residential or commercial development; normal maintenance, repair, or operation of existing structures, facilities, and improved areas accessory to a single-family residential use; and such maintenance activities are limited to existing landscaping improvements and do not expand into critical areas or associated buffers, do not expose soils, do not alter topography, do not destroy or clear native vegetation, and do not diminish water quality or quantity;
4. Modification of any existing residence that does not add to or alter the existing use and does not expand the building footprint or increase septic effluent;
5. Activities involving artificially created wetlands or artificial watercourses intentionally created from non-wetland sites, including, but not limited to, grass-lined swales, irrigation and drainage ditches, road side ditches, stormwater detention facilities, and landscape features, except those features that provide critical habitat for anadromous fish and those features that were created as mitigation pursuant to the provisions of this chapter;
6. Passive outdoor recreation activities that do not adversely impact critical areas or their buffers;
7. Education and scientific research activities that do not adversely impact critical areas or their buffers.

#### **17.65.025 Definitions.**

As used in this chapter:

"Anadromous fish" refers to a fish species that ascend rivers from the sea to spawn.

"Aquifer recharge areas, critical" refer to areas where an aquifer that is a source of drinking water is vulnerable to contamination that would affect the potability of water.

"Artificial watercourse" refers to ditches and other water conveyance systems, not constructed from natural watercourses, which are artificially constructed and actively maintained for irrigation and drainage. Artificial watercourses include lateral field ditches used to drain farmland where the ditch did not replace a natural watercourse, roadside ditches, stormwater systems, or any other constructed drainage ditch.

"Best available science" refers to information gathered, analyzed and presented based on professional experience, expertise, and judgment, and established scientific principles and practices. Such principles and practices include peer review, use of scientific methodology, logical analysis and reasonable inference, statistical analysis, rigorous referencing within the scientific literature, and conclusions drawn from within an accepted scientific framework and placed in an appropriate scientific context.



"Best management practices (BMPs)" refer to physical, structural, and/or managerial practices, that when used singly or in combination, prevent or reduce water pollution. Source control BMPs include those which keep the pollutant from ever coming in contact with stormwater, and stormwater treatment BMPs include those which consist of various methods of treating stormwater. See also SWMC Chapter 13.36 and Chapter 13.40 (Stormwater Management).

"Biological assessment" refers to a study prepared by a qualified biologist that describes the biotic and abiotic aspects of the site and surrounding area. This includes, but is not limited to, the flora, fauna, plant communities, habitat(s), streams, wetlands, soils, and topography of and on the site and adjacent area.

"Buffer, critical area" is an area that provides a reasonable margin of safety through protection of slope stability, attenuation of surface water flows and landslide hazards reasonably necessary to minimize risk to the public from loss of life or well-being or property damage resulting from natural disasters; or an area which is an integral part of a stream or wetland ecosystem or wildlife habitat and that provides shading, input of organic debris and coarse sediments, room for variation in stream or wetland boundaries, habitat for wildlife, and protection from harmful intrusion necessary to protect the public from losses suffered when the functions and values of aquatic resources are degraded.

"Compensatory mitigation" is replacing project-induced critical area losses or impacts, and includes, but is not limited to, restoration, creation, or enhancement.

"Critical areas" mean and include the following areas and ecosystems:

1. Wetlands;
2. Areas with a critical recharging effect on aquifers used for potable water;
3. Fish and wildlife habitat conservation areas;
4. Frequently flooded areas; and
5. Geologically hazardous areas.

"Delineation" is the precise determination of wetland boundaries in the field according to the application of specific methodology as described in the Washington State Wetlands Identification and Delineation Manual, Washington State Department of Ecology publication #96-94 and the 1987 U.S. Army Corps of Engineers Wetlands Delineation Manual or most recent update and the Western Mountains, Valleys, and Coast Regional Supplement (May 2010).

"Development" means any manmade change to the land or improvements occurring after the effective date of the ordinance codified in this chapter including structures, mining, dredging, drilling, filling, grading, paving or excavation, storage of equipment and materials, and excluding the removal of vegetation. Where a project is dividable into parts, the entire scope of such changes or improvements constituting an integral, functional project should be considered the development for purposes of determining whether such development is allowed or requires a permit.

"Director" means the city of Sedro-Woolley planning director or his/her designee.

"Fish and Wildlife Habitat Conservation Areas (HCA)" refer to areas with which endangered, threatened, sensitive, priority species, their habitat, streams, stream corridors, or mature



forested areas, as indicated by local, state, or federal governmental agencies have a primary association.

"Geologically hazardous areas" are areas that because of their susceptibility to erosion, sliding, earthquake, or other geological events, are not suited to siting commercial, residential, or industrial development consistent with public health or safety concerns.

"Habitats of local importance" mean and include a seasonal range or habitat element with which a given species has a primary association, and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long-term. These might include areas of high relative density or species richness, breeding habitat, winter range, and movement corridors. These might also include habitats that are of limited availability or high vulnerability to alteration, such as cliffs, talus, mature forests, corridors, and wetlands.

"In-lieu of fee" refers to a fee paid as compensation for impacting a critical area in place of completing compensatory mitigation. Any in-lieu fee paid shall go towards protection of habitat commensurate to compensate the lost functions and values of the critical area affected by a development.

"Mean sea level" means the average height of the sea for all stages of tide, also equals National Geodetic Vertical Datum.

"Mobile home or manufactured home" means any structure designed or used as a permanent residence, built on a permanent chassis, and transportable to site of placement in one or more sections.

"Mobile home park or manufactured home park" means a parcel of land in one ownership containing two or more mobile homes or manufactured homes, sited for habitation.

"Native vegetation" refers to plant species that are indigenous to the Sedro-Woolley area.

"Natural watercourse" refers to any stream in existence prior to settlement that originated from a natural source. An example of a natural watercourse is a stream that originates in a wetland or upland area, flows through agricultural, rural, and/or urban areas, and ultimately empties into a saltwater bay or another watercourse. A natural watercourse may have been ditched or piped.

"Primary association" means the use of a habitat area by a species for breeding, nesting, rearing young, roosting, feeding, or foraging on a regular basis.

"Public facilities" mean and include streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, parks and recreation facilities, and schools.

"Public services" mean and include fire protection and suppression, law enforcement, public health, education, recreation, environmental protection, and other governmental services.

"Qualified expert" means a person having substantially demonstrated experience as a practicing specialist with a minimum of five years of experience working full time in the profession and who has a degree in a related field from an accredited college or university or who has equivalent training.



"Residential health care facilities" mean facilities caring for elderly or infirm persons wherein clients are partly or entirely residents or detainees thereof. Includes hospitals, convalescent homes and homes for the elderly where some supervision or health care is provided.

"Seismic hazard areas" are areas subject to severe risk of damage as a result of earthquake induced ground shaking, slope failure, settlement, or soil liquefaction. The city of Sedro-Woolley is located in Seismic Zone 3 and construction is required to comply with the Uniform Building Code seismic standards.

"Species of local importance" are those species that are of local concern due to their population status or their sensitivity to habitat manipulation.

"Steep slope areas" are areas with slopes greater than fifteen percent.

"Structure" means a walled and roofed building or mobile home, or gas or liquid storage tank that is principally above ground by at least three feet.

"Substantial improvement" means any repair, reconstruction, or improvement to a structure, the cost of which equals or exceeds fifty percent of the market value of the structure either:

1. Before the improvement is started; or
2. If the structure has been damaged and is being restored, before the damage occurred.

This term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are necessary to assure safe living conditions; or
2. Any alteration of a structure listed in the National or State Register of Historic Places.

"Unavoidable impacts" refer to affecting critical areas where site conditions preclude avoidance because of density requirements, critical areas that bisect parcels such as streams or linear wetlands, or parcels that contain many small wetlands.

"Urban growth" refers to growth that makes intensive use of land for the location of buildings, structures, and impermeable surfaces to such a degree as to be incompatible with the primary use of such land for the production of food, other agricultural produce, or fiber, or the extraction of mineral resources. When allowed to spread over wide areas, urban growth typically requires urban governmental services. "Characterized by urban growth" refers to land having urban growth located on it, or to land located in relationship to an area with urban growth on it as to be appropriate for urban growth.

"Wetland" or "wetlands" means areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from non-wetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street or highway. However, wetlands may include these artificial wetlands intentionally



created from non-wetland areas created to mitigate conversion of wetlands, if permitted by the city.

“Wetland mitigation bank” means a wetland area that has been restored, created, enhanced, or (in exceptional circumstances) preserved, which is then set aside to compensate for future conversions of wetlands for development activities. A wetland bank may be created when a government agency, a corporation, or a nonprofit organization undertakes such activities under a formal agreement with a regulatory agency. The value of a bank is determined by quantifying the wetland values restored or created in terms of “credits.”

#### **17.65.030 Authority.**

The ordinance codified in this chapter is adopted under the authority of RCW 36.70 and RCW 36.70A, and Article 11 of the Washington State Constitution.

#### **17.65.040 Applicability, jurisdiction and coordination.**

A. Relationship to Other Federal, State and County Jurisdictional Agencies' Regulations. Many state, federal and regional regulations apply to projects conducted within critical areas. Uses otherwise allowed by local codes do not eliminate other agency regulatory requirements.

1. Federal regulations include:
  - a. Clean Water Act, Section 404, 401;
  - b. Coastal Zone Management Act;
  - c. Endangered Species Act;
  - d. Federal Water Pollution Control Act;
  - e. Food Security Act—Swampbuster;
  - f. National Environmental Policy Act;
  - g. National Floodplain Insurance Program;
  - h. River and Harbor Act, Section 10.
2. State regulations include:
  - a. RCW 43.21C State Environmental Policy Act;
  - b. RCW 75.20 Hydraulic Project Approval;
  - c. RCW 76.09 Forest Practices Regulations;
  - d. RCW 77.12 Bald Eagle Protection Rules;
  - e. RCW 78.44 Surface Mining Act;
  - f. RCW 86.16 Floodplains;
  - g. RCW 90.03 State Water Code;
  - h. RCW 90.48 State Water Pollution Control Act;
  - i. RCW 90.58 Shoreline Management Act.
3. Local regulations include:
  - a. SWMC Chapter 2.88, Environmental Policy;
  - b. SWMC Chapter 13.36, Stormwater Management Standards;
  - c. Skagit County Shoreline Management Program.

B. Jurisdictional Substitution. In cases where other agencies possess jurisdictional control over critical areas and it is determined by the director that the permit conditions in permits issued by those other agencies satisfy the requirements of this chapter, those requirements may substitute for the requirements of this chapter. Such requirements shall be a condition of critical area approval and be enforceable under this chapter. Such agencies may include, but are not

limited to, the United States Army Corps of Engineers, Environmental Protection Agency, U.S. Fish and Wildlife Service; local tribes, the Washington State Department of Ecology, Washington State Department of Natural Resources and Washington State Department of Fish and Wildlife. The applicant shall be notified in writing when any such substitution is made.

**17.65.050 Resource information and maps.**

- A. Critical areas defined and identified in this chapter shall be mapped whenever possible. These maps shall be advisory and used by the director to provide guidance in determining applicability of the standards to a property. Sites which include critical areas, whether mapped or not mapped, shall be subject to the provisions of this chapter. The aerial topographic map of the city of Sedro-Woolley, October 2003 and subsequent updates, along with wetland delineation maps in the city of Sedro-Woolley land use files, are the advisory maps, along with the "Flood Insurance Study, City of Sedro-Woolley," dated December 1, 1989, and any revisions thereto, with accompanying flood insurance rate map (FIRM), dated December 1, 1989. That document is on file at Sedro-Woolley City Hall, 720 Murdock Street. These maps are hereby adopted by reference and declared to be part of this chapter, and any subsequent revisions.
- B. Recognizing the necessity for accurate geographic information, a comprehensive inventory identifying the location, size, and other characteristics of critical areas shall be compiled as new data is available.
- C. The results of the inventory shall be transferred to maps and published. These maps shall be available at the planning department for public inspection.
- D. When completed, critical area maps shall serve as guides to the location and extent of such critical areas.
- E. Critical area maps, with the exception of the flood insurance rate map used to designate certain flood hazard areas, are provided only as a general guide to alert the user to the possible distribution, location and extent of critical areas. Map identification of critical areas provides only approximate boundaries and locations. The actual locations and boundaries of critical areas, as well as their quality and quantity, shall be based upon the presence of the features applicable to each critical area element in this chapter. Maps shall not be considered a regulatory standard or substitute for site specific assessments. The application of definitions, methodologies and performance standards pursuant to the site specific assessment requirements provided in this chapter is the controlling factor in determining the actual presence and extent of critical areas.
- F. The critical area maps utilize the best information currently available and will be updated on a continual basis by the director.
- G. On a regular basis, formal requests shall be made for updated information to the resource agencies responsible for updating their respective map information. Incorporation of such updated information into the critical areas maps shall be made.



- H. Critical areas mapped under the site assessment requirements of this chapter shall be compiled in a database and incorporated into critical area maps. This map information shall be utilized to facilitate tracking of compliance with the requirements of this chapter to ensure long-term protection of critical areas.

**17.65.060 General requirements and authorizations required.**

- A. All proposals specified in SWMC Section 17.65.100, and located in critical areas shall meet the following general requirements:
  - 1. Site. Complete stabilization of all portions of a site which are disturbed or impacted by the proposed development, including all development coverage and construction activity areas, shall be required. Complete stabilization of all portions of a site refers to the process and actions necessary to ensure that existing and proposed site improvements are stabilized, and that all on-site areas and adjacent properties which are disturbed or impacted are stabilized. The proposed development shall be limited and controlled to avoid adverse impacts and potential harm and ensure safe, stable and compatible development appropriate to site conditions. Other reasonable and appropriate solutions to solve site stability problems may be required by the director.
  - 2. Adjacent Site, Surrounding Area, and Drainage Basin. The proposed development shall ensure safe, stable and compatible development which avoids adverse environmental impacts and potential harm to adjacent sites, the surrounding neighborhood, and the drainage basin. Detailed analysis of impacts of the development upon wetlands, riparian corridors, native vegetation and wildlife habitats, water quality, natural water temperature, slope and soil conditions, and surface water drainage may be required at the request of the director when site and area conditions indicate the need for this analysis. Supplemental technical reports may be required by the director to specify measures to preserve, protect, and maintain adjacent sites and the drainage basin and ensure safe, stable and compatible development.
- B. With the exception of activities identified as exempt under SWMC Sections 17.65.020(D) and 17.65.100, any land use activity that can impair the functions and values of critical areas or their buffers through a development activity or by disturbance of the soil or water, and/or by removal of, or damage to, existing vegetation shall require critical areas review and written authorization pursuant to this chapter. Vegetation destruction or removal, other than the normal maintenance of existing landscaping identified as exempt under SWMC Section 17.65.100(M), shall be prohibited within a critical area or its required buffer, unless there is an approved mitigation plan pursuant to the requirements of the particular critical area that demonstrates there will be no adverse impact to the critical area with the proposed vegetation removal and disturbance of the soil or water and includes any mitigation or buffer enhancement necessary to address critical areas impacts. Authorizations required under this chapter overlay other permit and approval requirements of the Sedro-Woolley Municipal Code. Regardless of whether a development permit or approval is required, any proposed alteration that can adversely affect a critical area or its standard buffers' functions must comply with the substantive and procedural requirements of this chapter. Critical areas review pursuant to this chapter shall be conducted as part of the underlying permit or approval, where applicable. It is the responsibility of the landowner, or designee, who conducts or proposes to undertake land use activities that can adversely impact critical areas or their buffers to obtain authorization prior to commencing such activities. In some



cases, the typical thresholds that trigger review and permits have been reduced to zero for any development activity located within a critical area or its required buffer.

- C. Procedures: No land use development permit, land division, development approval, or other authorization required shall be granted until the applicant has demonstrated compliance with the applicable provisions of this chapter.
  - 1. The applicant shall demonstrate that the proposal submitted conforms to the purposes and standards of this chapter, assesses impacts on the critical area from activities and uses proposed, and identifies protective mechanisms adequate to meet the requirements of this chapter.
  - 2. The director or designee shall review each proposal and determine if the proposal is consistent with applicable regulations of this chapter and if the protective mechanisms proposed are sufficient to protect the critical area, public health, safety and welfare, and if so, shall condition approval accordingly. If not, the director shall specify conditions of approval. If the director determines that there are no conditions under which the proposal could be approved, then the director shall deny the proposal.

Any proposed development or land division shall be conditioned as necessary to mitigate impacts to critical areas as required by this chapter and any project that cannot adequately mitigate its impacts to critical areas shall be denied.

**Conflicts with Other Provisions:** If any provision of this chapter conflicts with any other applicable code provision, the more restrictive shall apply unless specifically excepted in this chapter.

- 3. Satisfaction of the requirements of this chapter shall also be sufficient to satisfy the requirement for critical areas analysis and mitigation pursuant to RCW 43.21C the State Environmental Policy Act and SWMC Chapter 2.88, Environmental Policy.
- 4. SEPA Compliance. The goals, policies and purposes set forth in this chapter shall be considered policies of the State Environmental Policy Act. When applicable the applicant must meet SEPA requirements.
- 5. Other Permits Required. It is recognized that many local, state, and/or federal permit conditions may apply to the proposed action, and that compliance with the provisions of the chapter may not necessarily constitute compliance with other such requirements.

#### **17.65.065 Public notice and records.**

- A. Public notice for projects subject to the provisions of this chapter shall be provided pursuant to the requirements of SWMC Chapter 2.90, Consolidated Planning Procedures.
- B. Records of all critical area assessments and related land use approvals and conditioning shall be maintained and be made available to the public upon request.

#### **17.65.070 Application submittal requirements.**

In addition to the application submittal requirements specified in other codes, all development proposals subject to this chapter, may include at the director's request, the following additional information:



- A. **Surveyed Site Plan.** A surveyed site plan shall be prepared by a state of Washington licensed surveyor and shall include the following, all or in part when required by the director:
1. Existing topography at two-foot contour intervals on site within twenty-five feet of the site's abutting boundaries, and within the full width of abutting public and private rights-of-way and easements.
  2. Terrain and drainage flow characteristics within the site, within twenty-five feet of the site's abutting boundaries, and within the full width of abutting public and private rights-of-way and easements.
  3. Proposed location and boundaries of all required undisturbed fenced areas and buffers on-site and on adjacent lands.
  4. Location of all vegetation, including location and description of all trees over six inches in diameter measured five feet above the base of the trunk, shrubs over eight feet tall or six feet wide, and noting their species.
  5. Location and boundaries of all existing and proposed site improvements on the site and within twenty-five feet of the site's property boundaries, and the full width of abutting public and private rights-of-way and easements. This shall include the limits of development coverage, impervious surfaces and construction activity areas (noting total square footage and percentage of site occupied).
  6. Location of all grading activities in progress or proposed, and all drainage control facilities or systems in existence in progress or proposed within twenty-five feet of the site's property boundaries, and the full width of abutting public and private rights-of-way and easements.
  7. Location of all existing and proposed utilities (water, sewer, gas, electric, phone, cable, etc.), both above and below ground, on-site, on adjacent lands within twenty-five feet of the site's property lines, and in the full width of abutting public rights-of-way, and proposed methods and locations for the proposed development to hookup to these services.
  8. Such other additional site plan information as necessary to complete review of a project or waive specific submittal requirements when not necessary for project review.
- B. **Technical Reports.** Technical reports shall be prepared as required by the director detailing geological, hydrological, drainage, and other site conditions, to comply with the development standards in SWMC Section 17.65.060 and pursuant to SWMC Chapter 13.36, Stormwater Management Standards. The reports shall be used to condition development to prevent potential harm and to protect the critical nature of the site, adjacent properties, and the drainage basin. Technical reports prepared by consultants not contracted with the city of Sedro-Woolley for the work shall be subject to third party review by the city of Sedro-Woolley's independent consultant/expert at the applicant's expense. Appeals of the decision by the director in consultation with the city's independent consultant/expert shall be subject to the administrative appeals procedures in SWMC Chapter 2.90. The city may also rely on opinions from agencies listed in SWMC Section 17.65.040(B) in making the decision.

#### **17.65.080 Administration.**

- A. The planning director in consultation with the city engineer and the building official shall be responsible for the administration of this chapter, including:
1. Review applications for development in the city limits to verify compliance with this chapter;



2. Reviewing applications for development in the city limits to assure that all necessary permits have been obtained from those federal, state or local government agencies from which prior approval is required;
  3. Recording and maintaining records of:
    - a. As-built elevation above mean sea level of the lowest floor including basement of all new and substantially improved structures requiring a floodplain approval and whether same structure contains a basement,
    - b. Certification by registered professional engineer or architect as required by this chapter,
    - c. Floodplain approvals and other actions pursuant to the administration of this chapter;
  4. Notification to adjacent communities and the Department of Ecology and the Department of Fish and Wildlife prior to any alteration or relocation of a watercourse with copy to FEMA, and maintenance within the altered or relocated portion of such watercourse so that flood-carrying capacity is not diminished;
  5. When base flood elevation data has not been provided, obtaining, reviewing, and reasonably utilizing any base flood elevation and floodway data that should become available from a federal, state or other source in order to administer standards and floodways;
  6. Issuance of development permits pursuant to SWMC Chapter 17.68, Home Occupation Permits, and SWMC Chapter 15.04, Building Code before construction or development begins within the city limits;
  7. Maintain for public inspection all records pertaining to the provisions of this code.
- B. This chapter shall be administered in accordance with Chapter 86.16 RCW and Chapter 508-60 WAC. This chapter shall be revised as necessary to conform with any changes in state rules pertaining to flood control zones which may be adopted by the State Department of Ecology subsequent to the effective date of delegation of the state's permit program to the city.
- C. The administrative procedure for critical areas review shall be as follows:
1. Determination that an Activity Requires Standard Review. All applications for approval of activities requiring written authorization pursuant to SWMC Section 17.65.060 shall require the submission of a critical areas checklist completed and filed by the applicant on the forms provided by the planning department. If not otherwise required, all applications for critical areas review shall include a description of the proposed activity and a site plan showing the location of the proposed activity and associated area of disturbance in relation to all known critical areas or critical area indicators. Upon receipt of the application, the director shall determine whether the proposed activity fits within any of the exempt activities found in SWMC Section 17.65.100. If the proposed activity is so allowed and meets the associated conditions for such an allowance, no other critical areas review shall be required, except as necessary for the director to ensure that any conditions for such an allowance are met in practice. The director shall note this determination in the application file and provide written authorization for the project or activity to proceed as proposed in the application when undertaken in accordance with any conditions for such an allowance. Proposed activities identified under SWMC Section 17.65.100 that do not meet the conditions for such an allowance or that the



- director determines may result in significant adverse impacts to a critical area or its buffer shall be subject to standard critical areas review.
2. Method for Initial Determination of Critical Areas. Upon determination that the proposed activity requires detailed critical areas review, and upon receipt of a completed critical areas checklist, the director shall use the following method to determine whether critical areas or their required buffers will possibly be affected by the proposed activity:
    - a. Review the critical areas checklist together with the maps and other critical areas resources identified in the relevant sections of this chapter;
    - b. Complete the critical areas staff checklist;
    - c. Inspect the site; and
    - d. Complete the critical areas field indicator form.
  3. Determination that Critical Areas are Not Affected. If the director determines that critical area indicators are not present within two hundred feet of the proposed activity or within a distance otherwise specified in this chapter, then the review required pursuant to this chapter is complete, except as necessary for the director to ensure that the proposed activity is undertaken as described in the application and as shown on the site plan. The director shall note this determination in the application file and provide written authorization for the project or activity to proceed as proposed in the application or, where applicable, with any specific conditions of approval. This determination shall not constitute approval of any use or activity or its compliance with the requirements of this chapter, outside the scope of that stated in the application. Any proposed change in use or scope of activity from that contained in the application shall be subject to further review under this chapter. The applicant shall acknowledge in writing that this determination by the director regarding the apparent absence of critical area indicators and the likelihood that critical areas will not be affected is not intended as an expert certification regarding the presence or absence of critical areas and that the critical areas review process is subject to possible reopening if new information is received as described in subsection (C)(4) of this section. If the applicant wants greater assurance of the accuracy of any such critical area indicators determination, the applicant shall hire a qualified critical areas expert to provide such assurances.
  4. Reopening of Review Process.
    - a. If at any time prior to completion of the public input process on the associated permit or approval, the director receives new evidence that a critical area may be present within two hundred feet of the project area or within a distance otherwise specified in this chapter, then the director shall reopen the critical areas review process pursuant to this chapter and shall require whatever level of critical areas review and mitigation as is required by this chapter.
    - b. Once the public input process on the associated permit or approval is completed and the record is closed, then the director's determination regarding critical areas pursuant to this chapter shall be final; provided, however, that the director shall not be prevented from reopening the critical areas review process, if staff relied on misinformation provided by the applicant in the application or checklist. For the purposes of this subsection, "misinformation" means information regarding the nature and/or location of the proposed activity as presented in the application or regarding the presence of a critical area or critical area indicators on the subject property which the applicant knew or should have known was relevant at the time of the submittal of



- the checklist. Prior to reopening a critical areas review under this subsection, the director shall make a site visit. No critical areas review shall be reopened under this section unless the director determines, after the site visit, that the applicant provided misinformation.
- c. If a critical areas review is reopened under this subsection after a permit or approval is granted, the burden of proof on whether the applicant submitted "misinformation" at the time of the submittal of the checklist shall be on the director. The applicant or landowner who submitted the critical areas checklist upon which the misinformation was discovered shall be the responsible party for compliance with this chapter, including any necessary mitigation.
5. **Determination that Critical Areas are Affected.** If the director determines that critical area indicators are present within two hundred feet of the proposed activity or within a distance otherwise specified in this chapter, then the director shall note this determination in the application file and the applicant shall be required to provide the critical areas site assessment specified in this chapter. Development of a site assessment may precede a site visit, provided, that no disturbance of vegetation or land surface occurs prior to authorization.
  6. **Critical Areas Determination and Conditions of Approval.** Based on the critical areas site assessment report and other available critical areas information, the director shall make a determination on the proposed activity. A determination to approve a proposed activity shall include designation of protected critical areas (PCAs) pursuant to SWMC Section 17.65.170 and stipulation of binding conditions and required mitigation, monitoring, maintenance or other conditions of approval pursuant to this chapter. If the director determines that there are no conditions under which the proposed activity could be approved, then the director shall deny the proposal.

#### **17.65.090 Critical areas checklist, site assessment and conditions of approval.**

- A. **Critical Areas Checklist.** Pursuant to SWMC Sections 17.65.060 and 17.65.080, every application for an activity that might alter or adversely affect a critical area or associated buffer shall include a critical area checklist on a form provided by the director. The checklist shall identify all critical area indicators and/or all known critical areas within two hundred feet of the proposed activity or within a distance otherwise specified in this chapter. The checklist shall be signed by the applicant and shall inform the applicant that if the information on the checklist is later determined incorrect, then any permit or approval issued based on misinformation (as described in SWMC Section 17.65.080(C)(4)) could be rescinded and the site required to be restored to its original condition prior to disturbance.
- B. **Site Assessment Required.** If, after the site visit, the director determines that the proposed activity area is within two hundred feet, or within a distance otherwise specified in this chapter, of an area that may contain critical area indicators, or if the director determines that the proposed activity will adversely impact a critical area or its associated buffer, then a complete critical areas site assessment shall be required. Critical areas site assessments, as described in more detail in the various sections for each type of critical area, shall be submitted as part of a complete application for a development permit or other approval of land use activities having the potential to impact critical areas or their buffers, by a qualified expert.



- C. **Site Assessment Preparation.** The critical area site assessment shall be prepared by a qualified expert for the type of critical area or areas involved and shall contain the information specified for each type of critical area. In general, the site assessment shall include critical area inventory, assessment of impacts and, where applicable, proposed mitigation, land use restrictions and landowner management, maintenance and monitoring responsibilities. The qualified expert may consult with the director prior to or during preparation of the site assessment to obtain approval of modifications to the contents of the site assessment where, in the judgment of the qualified expert, more or less information is required to adequately address the critical area impacts and required mitigation. The director shall allow for peer review and receipt of recommendations from qualified resource agency personnel as part of the process for approval of qualified experts.
- D. Any site plans required by this chapter may be combined into a single site plan wherever possible.
- E. **Critical Areas Determination and Conditions of Approval.** Upon receipt of a properly completed site assessment report, the director shall make a formal determination on the proposed activity as to whether it meets the requirements of this chapter and under what conditions. In making this determination, the director shall utilize the information provided in the site assessment report and all other resource information available. If the director determines that additional technical information or input is necessary or warranted, the director shall contact appropriate federal, state or tribal agencies to provide review and comment on the proposed activity. Formal determinations made by the director shall include the basis and rationale for the determination, as well as detailed specification of related conditions of approval, land use prohibitions, and required landowner mitigation, management, monitoring and/or maintenance. All such requirements shall be clearly shown on plans filed with the director.
- F. **Complete Record.** A complete record of all formal determinations by the director, along with related critical areas checklists, site assessments, binding agreements, conditions of approval, land use prohibitions, required mitigation and a full record of comments received from federal, state or tribal agencies, shall be maintained and made available to the public upon request.

#### **17.65.100 Application of standards.**

The standards of this chapter shall apply to all public and private proposals for new structures, proposed additions to structures, short subdivisions and subdivisions, and grading and drainage activity located on either public or private property. Projects may be exempted from the detailed critical area review requirements of this chapter when the following situations and/or conditions apply:

- A. **Emergencies that Threaten the Public Health, Safety and Welfare.** An emergency is an unanticipated and imminent threat to the public health or safety or to the environment which requires immediate action within a period of time too short to allow full compliance with this chapter. Emergency actions that create an impact to a critical area or its buffer shall use reasonable methods that can address the emergency but also that have the least possible impact to the critical area or its buffer. The responsible party shall restore the critical area and buffer after the emergency to the extent feasible, as determined by the city planner. The person or agency undertaking such action shall notify the director within one working day or as soon as practical following commencement of the emergency activity. Following such notification, the director shall determine if the action taken was within the scope of the



emergency actions allowed in this subsection. If the director determines that the action taken or any part of the action taken was beyond the scope of allowed emergency actions, then the enforcement provision shall apply. Restoration must be initiated during the subsequent planting season and completed in a timely manner.

- B. Normal and routine maintenance or repair of existing structures, utilities, sewage disposal systems, potable water systems, drainage facilities, ponds, or public and private roads and driveways associated with preexisting residential or commercial development, provided any maintenance or repair activities shall use reasonable methods with the least amount of potential impact to the critical areas and any impact to a critical area or its buffer shall be restored after the maintenance to the extent feasible.
- C. Normal maintenance, repair, or operation of existing structures, facilities, and improved areas accessory to a single family residential use, provided any maintenance or repair activities shall use reasonable methods with the least amount of potential impact to the critical area and any impact to a critical area or its buffer shall be restored after the maintenance to the extent feasible.
- D. Modification of an existing single-family residence that does not change the use from residential, does not expand the building footprint or increase sewer effluent, and does not adversely impact critical areas or their buffers.
- E. Modification of other than a single-family use which does not expand the building footprint, alter the use or increase septic effluent, pursuant to the requirements of the nonconforming use and structure provisions, and does not adversely impact critical areas or their buffers.
- F. Outdoor recreational activities which do not adversely impact critical areas or their buffers.
- G. The harvesting of wild crops in a manner that is not injurious to natural reproduction of such crops and provided the harvesting does not require tilling soil, planting crops, or changing existing topography, water conditions or water sources and provided further that the activity does not adversely impact critical areas or their buffers.
- H. The operation and maintenance of diking and drainage systems that do not alter their historic condition.
- I. Education and scientific research activities that do not adversely impact critical areas or their buffers.
- J. Construction or modification of navigational aids and channels markers.
- K. Site investigation work necessary for land use applications such as surveys, soil logs, percolation tests and other related activities which do not adversely impact critical areas or their buffers. In every case, critical area impacts shall be minimized and disturbed areas shall be immediately restored.
- L. Maintenance activities such as mowing and normal pruning or removal of nonnative plant species such as blackberries Japanese knotweed, reed canary grass, provided, that such maintenance activities are limited to existing landscaping improvements and do not expand into critical areas or associated buffers, do not expose soils, do not alter topography, do not destroy or clear native vegetation, and do not diminish water quality or quantity.
- M. Fish, wildlife, wetland and/or riparian enhancement activities not required as mitigation, provided, that the project is approved by the U.S. Department of Fish and Wildlife, the Washington State Department of Fish and Wildlife, the
  - 1. Washington State Department of Ecology, or the U.S. Army Corps of Engineers.
- N. Developments in the floodplain other than the following shall require a floodplain approval:
  - 1. Minor structures and additions for which a building permit is not required and which create no new residence such as a slab on grade, or a storage building less than one hundred twenty square feet in area, or other structures exempt from permits in the Uniform Building Code;
  - 2. Fills of less than twelve cubic yards or which will not raise the level of the land above that of the surrounding area;



3. Normal maintenance, resurfacing and rebuilding, at comparable grade of streets, and access ways;
4. Underground improvements and excavations;
5. Maintenance and minor repair of existing improvements;
6. Improvements to structures listed on the National or State Register of Historic Places, subject to SWMC Section 17.65.120;
7. Other minor developments that cause no significant impoundment or displacement of floodwaters, such as open fences, signs and small unenclosed structures.

All such activities shall be carried out in ways that cause the least impact to critical areas and their buffers. If any damage is caused to a critical area or buffer in connection with such activity, the critical area and its buffer must be restored to the extent feasible. To be exempt does not give permission to destroy a critical area or ignore risk. Proponents of such activities shall be responsible for notifying the director if any damage occurs and shall provide all necessary restoration or mitigation. For information on identifying, protecting or mitigating adverse impacts to critical areas, refer to sections in this chapter on wetlands, aquifer recharge areas, geologically hazardous areas, fish and wildlife habitat conservation areas, and flood hazard areas.

#### **17.65.120 General construction and maintenance standards.**

All proposals specified in SWMC Section 17.65.050 and located in critical areas shall meet the following general construction and maintenance standards:

- A. All buffer areas and other designated protected areas shall be fenced with a highly visible and durable protective barrier during construction to prevent access and protect critical areas.
- B. All disturbed areas on the site, including development coverage and construction activity areas, shall be controlled in a manner sufficient to control drainage and prevent erosion during construction, and revegetated to promote drainage control and prevent erosion after construction. In cases where erosion potential is severe, the director may require a vegetation and revegetation report to be prepared by a qualified professional with landscaping, plant ecology and botany education and experience. All revegetation shall consist of trees, shrubs, and ground cover that is suitable for the location and does not require permanent irrigation systems for long-term survival.
- C. When development is proposed in critical areas, grading activities shall be strictly limited to areas located on the most environmentally suitable portion of the site, as determined by the director in consultation with qualified experts.
- D. All drainage associated with the development shall be connected to an approved drainage control systems with approved discharge points in compliance with standards set by the city engineer, as specified in SWMC Title 15.
- E. When calculating detention requirements, all disturbed area on the site shall be calculated as development coverage, including revegetated areas.
- F. A development proposal's design shall account for a one-in-one-hundred-year seismic and flood event, unless a design for a greater event is required by other applicable codes. The International Building Code's construction standards for seismic design shall constitute compliance with this section.
- G. All grading in critical areas shall not occur prior to March 31st and shall be stabilized by October 31st unless demonstrated to the satisfaction of the director based on approved technical analysis that no environmental harm or safety issues would result from grading between November 1st and March 31st.



- H. Construction activity shall adhere to a prepared schedule to be approved by the director prior to issuance of a building permit. This schedule shall include, but not be limited to a schedule for compliance with project conditions, limits of construction and work activities, equipment to be used, start and duration of each phase, and work sequencing.
- I. The director may require additional construction practices and methods and requirements, including, but not limited to best management practices and limitations on construction equipment permitted on the site, to protect critical areas on-site, on adjacent sites, and within the drainage basin.
- J. Dumping or filling is prohibited in wetlands and special flood risk areas. Dumping includes deposit of yard waste, trash, litter, refuse, dirt, concrete, asphalt, rocks or similar materials, but shall not include work authorized by approved plans and permits.

#### **17.65.150 Reasonable use exception.**

If the application of this chapter would result in denial of all reasonable and economically viable use of a property, then a landowner may seek a reasonable use exception from the standards of this chapter, except for the flood hazard critical area where no exceptions are allowed. Reasonable use exceptions shall only apply to legal lots of record established prior to the effective date of this chapter. Reasonable use exceptions are intended as a "last resort" when no plan for mitigation can meet the requirements of this chapter and allow the applicant a reasonable economically viable use of his or her property. The reasonable use exception shall only be granted under the following conditions:

- A. The application of this chapter would deny all reasonable and economically viable use of the property so that there is no reasonable and economically viable use with a lesser impact on the critical area than that proposed;
- B. The proposed development does not pose a threat to the public health and safety; and any proposed modification to a critical area will be evaluated by the ~~planning commission~~Hearing Examiner through consideration of a site assessment and mitigation plan prepared by the applicant's qualified consultant pursuant to the requirements of this chapter, and will be the minimum necessary to allow reasonable and economically viable use of the property;
- ~~B.C.~~ The inability to derive reasonable economic use is not the result of the applicant's actions or that of a previous property owner, such as by segregating or dividing the property and creating an undevelopable condition;
- ~~C.D.~~ The ~~planning commission~~Hearing Examiner may issue, as part of the findings in any decision made under this subsection, conditions of approval, including modifications to the size and placement of structures and facilities to minimize impacts to critical areas and associated buffers. As part of the findings, the ~~planning commission~~Hearing Examiner may also specify mitigation requirements that ensure that all impacts are mitigated to the maximum extent feasible;
- ~~D.E.~~ The ~~planning commission~~Hearing Examiner shall provide opportunity for public comment before a decision on a request for a reasonable use exception is made, including comments from appropriate federal, state and tribal natural resource agencies if applicable. The director shall maintain a record of all information, including public comments, which were used in making a decision on a request for a reasonable use exception. This record shall be made available to the public upon request; and



E.F. ~~Decisions of the planning commission~~Hearing Examiner may be appealed to the city council pursuant to SWMC Chapter 2.90.

#### **17.65.160 Critical area and buffer mitigation requirements—General provisions.**

##### **A. Buffers.**

1. As described in more detail in each relevant section, buffers have in some cases been determined necessary and appropriate to protect critical areas and their functions or to prevent risk from a critical area hazard. In those sections of this chapter where specific buffers are identified, those buffers are deemed "required" or "standard" buffers. If a project or activity does not propose any alteration of those buffers or of the associated critical area and the director determines that these buffers are adequate to protect the critical area or to prevent risk of a hazard from the critical area, then subject to the provisions of SWMC Section 17.65.170, no additional mitigation will be required. Once the critical area and its buffer have properly been delineated through a critical areas assessment and any conditions of approval have been established to ensure protection of the critical area function, no further critical areas mitigation assessment is required, except as necessary to ensure that long-term protection of critical areas and buffers is met in practice through compliance with SWMC Section 17.65.170(A)(1). The applicant shall ensure the protection of critical area by performing a site assessment on the entire parcel.
2. If, however, based on a site assessment by a qualified expert, unique features of the particular critical area or its buffer or of the proposed development, the qualified expert determines that additional buffers and/or mitigation measures beyond these buffers are necessary to adequately protect the function of the critical area or to prevent risk of a hazard from the critical area, the director may impose such additional mitigation requirements, provided the qualified expert can demonstrate, based on best available science, why that additional mitigation or buffering is required to adequately protect the critical area function or to prevent hazard from a critical area.
3. Further, if the applicant proposes to reduce these buffers or to alter the critical area or its required buffer, then the applicant shall demonstrate pursuant to SWMC Section 17.65.170, based on best available science, why such buffer and/or critical area modification, together with such alternative mitigation proposed in the critical areas assessment, is sufficient to provide equal or better protection of the critical area function or provide no increased risk of a hazard from the critical area.
4. The critical areas assessment and the conditions of approval shall make adequate provision for long-term protection related to critical areas and buffers, and shall include the requirements established in SWMC Section 17.65.170. However, critical areas and/or buffers identified as Protected Critical Areas (PCAs) as defined in this chapter do not require any provisions for public access, and appropriate restrictions may be included in the easement or title documents. Critical areas and/or buffers identified as PCAs are however subject to periodic inspection by the director, upon prior notification to the landowner, to ensure long-term protection.
5. Protected Critical Areas (PCAs).
  - a. For proposed land divisions, critical areas and their associated buffers identified through the site assessment and city review process shall be designated as PCAs and placed in separate tracts or easements and protected through protective



- covenants shown on the face of the recorded plat. (See Protected critical area requirements, SWMC Section 17.65.170.) Protected critical areas shall be placed in separate tracts under a single owner, unless an easement or alternative method is shown to provide superior protection overtime. An example of an easement that is preferable to a separate tract would be an easement conveyed to a third-party conservation advocacy group.
- b. For development projects or land use activities not involving a new land division, the critical area and its associated buffer identified through the site assessment process shall instead be identified as a PCA by either easement, open space designation or permit conditions, all including restrictive covenants and recorded with the auditor on a site plan to insure long-term protection. Critical areas and/or buffers identified as PCAs are subject to periodic inspection, upon prior notification to the landowner, to ensure long-term protection.
6. Open Space—Protected Area. If a portion of a parcel contains a proposed development project that triggers a development permit, and has not had its critical areas and associated buffers delineated because it was outside the project or area affected by the project, then further critical areas assessment may be required in the future prior to any change of use, or new development permit for that portion of the site. See SWMC Section 17.65.080.
- B. Mitigation. All proposed alterations to critical areas or associated buffers shall require mitigation sufficient to provide for and maintain the functional values of the critical area or to prevent risk from a critical area hazard and shall give adequate consideration to the reasonable economically viable use of the property. Mitigation of one critical area impact should not result in unmitigated impacts to another critical area. Mitigation may include, but is not limited to: buffers, setbacks, limits on clearing and grading, best management practices for erosion control and maintenance of water quality, compensatory mitigation or other conditions appropriate to avoid or mitigate identified adverse impacts.
  - C. Preferred Mitigation Sequence. Mitigation includes avoiding, minimizing or compensating for adverse impacts to regulated critical areas or their buffers. The preferred sequence of mitigation is defined below:
    1. Avoid the impact altogether by not taking a certain action or parts of an action;
    2. Minimize the impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts;
    3. Rectify the impact by repairing, rehabilitating or restoring the affected environment to the conditions existing at the time of the initiation of the project or activity;
    4. Reduce or eliminate the impact overtime by preservation and maintenance operations during the life of the action;
    5. Compensate for the impact by replacing, enhancing, or providing substitute resources or environments;
    6. All proposed mitigation shall be included in the critical areas assessment. The critical areas mitigation shall include the following:
      - a. Description of existing conditions, functions, and values,
      - b. Description and quantification of impacts,
      - c. Description of proposed mitigations (critical areas lost/critical areas gained),
      - d. Functional analysis of mitigation/analysis of prevention of risk hazard,



- e. Proposed applicant or landowner monitoring or inspection measures and schedule, including specification of method and frequency of submittal of reports on results, and
- f. Contingency plan.

Such assessments must follow the Washington State Department of Ecology's standards.

- D. The director shall make the final determination regarding required mitigation. Required mitigation shall be included in an approved mitigation plan.
- E. Financial Assurance. The director or his/her designee shall require the complete mitigation proposed in the site assessment to be completed prior to final approval of the development permit. For all projects with an estimated mitigation cost of four thousand dollars or over, the director shall require financial assurance that will assure compliance with the mitigation plan if the complete mitigation proposed in the site assessment cannot be completed prior to final approval of the development permit. Financial assurance shall be in the form of either a surety bond, performance bond, assignment of savings account or an irrevocable letter of credit guaranteed by an acceptable financial institution with terms and conditions acceptable to the city attorney, shall be in the amount of one hundred twenty-five percent of the estimated cost of the uncompleted actions or construction, and shall be assigned in favor of the city of Sedro-Woolley. The term of the financial assurance shall remain in place until the required mitigation is complete.
- F. Monitoring of Critical Areas Mitigation. On a regular basis, but no longer than once every two years, the director shall make a significant sampling of projects and activities for which critical area site assessments were required, including mitigation plans, potentially impacting fish-bearing streams and/or Category I, II or III wetlands. The sample shall be taken from permits or approvals issued more than ten months prior to the sampling date. The selected sites shall be inspected for critical area and buffer size and condition and for compliance with any required mitigation or other conditions of approval. Results of such sampling shall be included in the permanent record for the project or activity, shall be reported to the city council, and shall also be utilized for enforcement purposes.

#### **17.65.170 Protected critical area (PCA) requirements.**

- A. PCA Identification and Recording.
  - 1. PCA Identification. Approval of development projects which trigger a development permit and other land use activities that can cause adverse impacts to critical areas and/or their buffers shall require the identification and designation of PCAs by the director. This section is intended to apply to unique critical area elements such as buffers or wellhead protection areas that can cause adverse impacts; location in the floodplain unless adjacent to a wetland or riparian corridor does not require recording of a PCA. PCAs shall include all critical areas and associated buffers on the proposed project site which have been identified through the site assessment process.
  - 2. PCA Recording. All PCAs shall be recorded with the county auditor in accordance with the procedures established under this section. The applicant shall be responsible for all fees and other costs associated with recording of PCAs.
  - 3. Binding Agreements. For each project or activity that requires recording of PCAs, the following information shall be recorded with the auditor as part of a binding agreement between the landowner and the city which shall run with the land and be readily available to the public upon request:



- a. Binding agreement signed by the landowner and the director or designee which stipulates any special conditions of approval, protective covenants, binding conditions, or other requirements such as use restrictions, required mitigation, and/or landowner maintenance or monitoring requirements established at the time of approval;
  - b. Required final plat map or site plan clearly showing the locations of PCAs, existing vegetation and permanent buffer edge markers;
  - c. Additional information necessary to document the critical areas inventory at the time of approval, including descriptions of identified critical areas, their locations, functions and values, and existing critical areas or buffer vegetation;
  - d. Identification of any local responsibilities beyond those required by this chapter;
  - e. Reference to the file containing the complete record of information pertaining to approval of the project or activity.
4. Permanent Buffer Edge Markers. Except as provided under subsection a of this subsection, the outer edges of all PCAs, with the exception of aquifer recharge areas, shall be clearly marked on-site by the applicant or landowner with permanent rebar stakes and critical area markers. Critical area markers may be either approved critical area signs or inexpensive steel posts painted a standard color approved by the director that is clearly identifiable as a critical area marker. Installation of permanent markers shall be the responsibility of the landowner.
- a. The director may waive or modify the requirement for permanent buffer edge markers, provided, that any such decision shall be based on a site-specific determination that future verification of PCA locations will not be substantially more difficult without the placement of permanent markers and that such waiver or modification will not result in reduced long-term protection of critical areas. The determination shall be included in the permanent record and made available to the public upon request.
  - b. Where such permanent markers are required, the director shall specify their frequency of placement and general location. Permanent markers shall be placed to locate the edge of the PCA to an approximate accuracy of within five percent of the specified buffer width or within five feet, whichever is larger. The spacing intervals of the markers shall be such as to provide comparable accuracy of line-of-sight determination of buffer edges. The locations of all required stakes/markers shall be shown on the plat map or site map recorded with the auditor.
- B. Protected Critical Area (PCA) Designations for New Land Divisions.
- 1. For land divisions where site assessments have occurred pursuant to subsection (A)(1) of this section, all PCAs shall be placed into separate tracts or easements, whose uses shall be regulated by the provisions of this chapter and any conditions of approval, including protective covenants and binding agreements as provided for under subsection A of this section. Area within a PCA can be included in total acreage for development purposes and may be used in lot area or density calculations. PCAs may be owned and maintained by the owner of the lot of which they are a part or transferred to the homeowners association or land trust. Protected critical areas shall be placed in separate tracts under a single owner, unless an easement or alternative method is shown to provide superior protection overtime. An example of an easement that is preferable to a separate tract would be an easement conveyed to a third-party conservation advocacy group.



2. Recording. PCA designations shall be recorded with the auditor as part of the plat approval process. The auditor file number referencing the agreement shall be on the face of the plat and its provisions shall run with the land.
  3. PCA Descriptions. The location of PCAs shall be clearly identified on site plans and on preliminary and final plat maps. PCAs shall be labeled using the letters A through Z, or another labeling system approved by the director. Where more than one lot is involved, each lot shall carry independent labeling as described in subsection (D)(1) of this section.
  4. Ingress, Egress and Use. Owners of PCAs shall grant ingress and egress by the director or his or her agent for monitoring and evaluation of compliance with established conditions of approval, binding conditions or any required mitigation. As part of an approved land division, the use limitations required of a designated and regulated critical area according to the provisions of this chapter, including the conclusions of the critical areas site assessment report and any conditions of approval, protective covenants and other binding conditions, shall be clearly stated on the face of the recorded plat.
- C. PCAs on Preexisting Lots.
1. For development proposals and other land use activities that can adversely impact critical areas on preexisting lots, not part of a proposed land division or other form of multiple lot development, PCAs shall be identified on a scaled site plan showing the location of the PCA, structures (existing and proposed) and their distances from the PCA and lot lines to show relative location within the subject parcel(s). The project or activity shall be conditioned for critical area protection and the resulting information recorded with the auditor as defined under subsection A of this section. The site plan may be prepared by the applicant and all distances and locations of structures may be measured from the established PCA boundary to within plus or minus five feet.
  2. Ingress and Egress. Owners of PCAs shall grant ingress and egress to the director or designee for monitoring and evaluation of compliance with established conditions of approval, binding conditions or any required mitigation.
- D. PCA Mapping, Labeling, and Area Calculations.
1. All PCAs Shall be Mapped. The area shall be delineated on the final plat map or on a site plan to an accuracy of plus or minus five feet horizontal and monumented in the field by a qualified expert pursuant to subsection (A)(4) of this section. If a survey was not used to map the critical area, a note on the final plat map shall be recorded stating that a legal survey was not performed to delineate the critical area and that the surveyor is not incurring liability for the exact boundaries of the critical area on the plat map.
  2. During construction phases of development, clear temporary marking using flagging and staking shall be maintained along the outer limits of the delineated PCA or the limits of the proposed site disturbance outside of the PCA. Prior to the start of construction activity, and as necessary during construction, temporary markings shall be inspected and approved by the director or designee. The person responsible for inspecting the temporary flagging shall provide written confirmation to be included in the record as to whether or not the flagging has been installed consistent with the permit requirements prior to commencement of the permitted activity.
  3. All PCAs shall include the necessary labeling to show calculated area (in square feet or acreage), and type and/or class of critical area within each lot. This information shall be noted on the face of the approved plat or site plan.



4. **Signs or Fencing Required as Part of Critical Area Mitigation.** The director shall require permanent signs or fencing where the director determines that it is a necessary component of a mitigation plan. Examples include situations where variances to the dimensional requirement of this chapter have been granted and the development will occur within a PCA; or where the sensitivity of the PCA will be impacted unless access to the PCA is limited (such as changes of use to farming where livestock is involved). The intent is to provide clear and sufficient notice, identification and protection of critical areas on-site where damage to a critical area or buffer by humans or livestock is probable due to the proximity of the adjacent activity.
5. **Sign, Marker and Fence Maintenance.** It is the responsibility of the landowner, or any subsequent landowner, to maintain the required PCA markers, signs or fences in working order throughout the duration of the development project or land use activity. Maintenance includes any necessary replacement. Removal of required signs, markers or fences without prior written approval of the director shall be considered a violation of this chapter.

#### **17.65.180 Incentives.**

The following incentives are intended to minimize the burden to individual property owners from application of the provisions of this chapter and assist the city in achieving the goals of this chapter:

- A. **Open Space.** Any property owner on whose property a critical area or its associated buffer is located and who proposes to put the critical area and buffer in a separate open space tract may apply for current use property tax assessment on that separate tract pursuant to RCW 84.34.
- B. **Conservation Easement.** Any person who owns an identified critical area or its associated buffer may place a conservation easement over that portion of the property by naming a qualified designee under RCW 64.04.130 as beneficiary of the conservation easement. This conservation easement can be used in lieu of the creation of a separate critical areas tract to qualify for open space tax assessment described in subsection A of this section.

The purpose of the easement shall be to preserve, protect, maintain, restore and limit future use of the property affected. The terms of the conservation easement may include prohibitions or restrictions on access and shall be approved by the property owner and the qualified designee.

#### **17.65.190 General natural resource preservation requirements.**

- A. For purposes of this section, natural resource lands shall be those lands designated by Skagit County as agricultural, forest or mineral resource lands of long-term commercial significance, and those lands within the city's urban growth area which are currently managed as natural resource lands but which may be designated as an urban reserve area or transitional area, and those lands designated as mineral resource sites within the city limits.
- B. All short plats, subdivisions, development permits and building permits issued for development activities on, or within five hundred feet of, lands designated as agricultural lands, forest lands or mineral resource lands, shall contain a notice that: "The subject



property is within or near designated agricultural, forest or mineral resource lands on which a variety of commercial activities and management practices may occur that are not compatible with residential development for certain periods of limited duration."

- C. To protect natural resource lands from conflicting uses, such as residential subdivisions, mobile home parks, multifamily residential or other such uses, and to provide a buffer for such uses from the incompatible activities associated with natural resource uses, subdivisions, mobile home parks, planned developments, and multifamily or cluster residential developments shall provide an open space buffer on the perimeter of the development next to the natural resource site(s). This buffer shall be at least fifty feet in width, planted with appropriate vegetation based upon the existing site conditions and adjacent uses, and shall include a fence as required by the director. This buffer area shall be designated as a separate tract within the plat or development, to be maintained through a homeowner's association, or may be preserved through a conservation easement through private individual lots, as provided under Section 17.65.170 of this chapter. In either case, setbacks for structures, as required under the zoning ordinance, shall be from the property line or easement delineating the edge of the buffer area.

#### **17.65.195 Natural resource area covenants, tracts, notices and dedications.**

- A. Covenants. All natural resource buffers established in compliance with this chapter shall be placed in a protective covenant.
- B. Tracts. The city may require that any area classified as a natural resource area be placed in a separate tract, rather than included in a protective covenant. Such a tract shall be:
  - 1. Placed in the same ownership as the parcel it was segregated from;
  - 2. Placed into an undivided common ownership of all lots within a proposed subdivision, short plat, planned development or binding site plan; or
  - 3. Dedicated to a public agency who is willing to accept the tract for long-term management of the protected resource.
- C. Notice on Title. The owner of property adjacent to a natural resource site, on which a development proposal is submitted shall file with the Skagit County auditor a notice in the public record of the presence of a natural resource area, or buffer area easement or tract, the limitations on actions in or affecting such areas, and the applicability of this chapter to the property. The applicant shall submit proof that the notice has been filed for recording before the city may approve any development proposal on the site. The notice shall run with the land and failure to provide such notice to any purchaser prior to transferring any interest in the property shall be a violation of this chapter.
- D. The covenant requirements of this section shall not apply to activities permitted, under the provisions of this chapter, within utility easements or street rights-of-way.

### **Article II. Wetlands**

#### **17.65.200 Wetlands designations.**

Wetlands shall be identified and designated through a site visit and/or a site assessment utilizing the definitions, methods and standards set forth in the Washington State Wetland Identification and Delineation Manual, the U.S. Army Corps of Engineers 1987 Manual and the Western, Mountains, Valleys, and Coast Regional Supplement (May 2010).



**17.65.210 Wetlands initial project review.**

- A. A site visit shall be conducted to confirm the presence of wetland indicators listed in the critical areas checklist or identified on critical areas map references as being within two hundred feet of a proposed project or activity. A positive confirmation by the director that site indicators are present or that the proposed project may impact the wetland area will then require a professional site assessment.
- B. The director shall use the following map references to assist in making a determination:
  - 1. Wetlands mapped under the National Wetland Inventory by the U.S. Department of Interior; Fish and Wildlife Service;
  - 2. Areas mapped as hydric soils under the Soil Survey of Skagit County Area, Washington by the United States Department of Agriculture; Soil Conservation Service;
  - 3. A water of the state as defined under WAC 222-16-030 and maintained in the Washington State Department of Natural Resources Stream Type Maps;
  - 4. Wetlands previously identified through the methodology specified under SWMC Section 17.65.200 for another project; and
  - 5. City of Sedro-Woolley critical areas map as updated periodically by the planning department.

**17.65.220 Wetlands site assessment requirements.**

If a wetlands site assessment is required, it shall meet the following requirements:

- A. A wetland reconnaissance shall be performed by a qualified wetlands professional. The reconnaissance shall identify the presence of wetlands within two hundred feet of the project or activity area, if practicable. If this wetland reconnaissance demonstrates no wetlands within two hundred feet of the activity area, then no further study is required;
- B. A wetland delineation shall be performed as part of a site assessment where a wetland reconnaissance confirms the presence of a wetland or the applicant chooses to perform a delineation instead of a wetland reconnaissance. The delineation shall be performed by a qualified wetland professional trained in conducting delineations in accordance with the methodology specified under SWMC Section 17.65.200;
- C. Wetlands Site Assessment. The site assessment shall be prepared by a qualified expert wetland professional consistent with this section and SWMC Section 17.65.200. The site assessment shall include the following:
  - 1. Site plan prepared in accordance with the requirements of this chapter indicating the presence of wetlands within two hundred feet of the project or activity area. This site plan information may be prepared by the applicant with review by the qualified wetlands professional. If the applicant together with assistance from the director cannot obtain permission for access to properties within two hundred feet of the activity area then an approximation of the extent of off-site wetlands within two hundred feet of the area may be completed based on aerial interpretation and/or visual observation from nearby vantage points,
  - 2. Wetland community description including Cowardian classification and wetland rating based upon Washington State Department of Ecology's Washington State Wetland Rating System for Western Washington - ~~Parts 1 and 2, April 2004~~2014 Update or subsequent revisions,



3. Delineation report including a site map indicating wetland boundaries and the locations of all data points,
4. Values and functions assessments shall include but not be limited to discussion of water quality, fish and wildlife habitat, flood and stream flow attenuation, recreation and aesthetics,
5. Project description and impact assessment shall include a detailed narrative describing the project, its relationship to the wetland and its potential impact to the wetland,
6. Any proposed mitigation plan shall include a discussion on how the project has been designed to avoid and minimize adverse impacts to wetlands, compensate for the loss of existing functions and values of wetlands, and should follow the general mitigation plan requirements described in SWMC Section 17.65.240 and Guidance on Wetlands Mitigation in Washington - Parts 1 and 42, ~~April 2004~~ March 2006, or subsequent revisions, and shall be consistent with the city of Sedro-Woolley comprehensive plan; and
7. Approval of any activity that can adversely affect regulated wetlands shall conform to the requirements set forth in SWMC Section 17.65.170(A).

#### **17.65.230 Alteration of wetlands.**

- A. A regulated wetland or its required buffer can only be altered if the wetlands site assessment shows that the proposed alteration does not degrade the quantitative and qualitative functioning of the wetland, or any degradation can be adequately mitigated to protect or compensate for the wetland functions that are lost. Any alteration approved pursuant to this section shall include mitigation necessary to mitigate the impacts of the proposed alteration on the wetland as described in SWMC Section 17.65.240.
- B. Stormwater discharges to wetlands shall be controlled and treated to provide all known and reasonable methods of prevention, control, and treatment as mandated in the State Water Quality Standards, WAC 173-201A, as required by state law and implemented in SWMC Title 15, Buildings and Construction.

#### **17.65.240 Wetland mitigation standards.**

- A. Mitigation Plan Requirements. Along with the other provisions of the other subsections below, the following items are required as part of a mitigation plan:
  1. Description of project or activity and impact assessment shall include a detailed narrative describing the project or activity, its relationship to the wetland and its potential impact to the wetland.
  2. Any proposed mitigation plan shall include a discussion on how the project or activity has been designed to avoid and minimize adverse impacts to wetlands and should follow the general mitigation plan requirements described in this section and in Guidance on Wetlands Mitigation in Washington - Parts 1 and 42, ~~April 2004~~ March 2006, and subsequent revisions.
- B. Standard Wetland Buffers Requirements. Buffers satisfy the first step in the mitigation sequence set forth in this section. They are necessary in order to avoid potential project generated impacts. Buffers help maintain water quality and habitat diversity while stabilizing hydrology and minimizing direct human disturbance to wetlands. Buffer widths are based on wetland rating, the functions that the buffer is expected to perform, and the intensity of the



proposed land use. The following standard buffers shall be required for regulated wetlands unless otherwise provided for in this section:

Category I	150
Category II	110
Category III	50
Category IV	25

1. Wetland buffers shall be measured horizontally in a landward direction from the wetland edge, as delineated in the field, pursuant to the requirements of SWMC Section 17.65.220. Where lands adjacent to a wetland display a continuous slope of twenty-five percent or greater, the buffer shall include such sloping areas. Where the horizontal distance of the sloping area is greater than the required standard buffer, the buffer shall be extended to a point twenty-five feet beyond the top of the bank of the sloping area;
  2. Except as otherwise specified, wetland buffers shall be retained in their natural condition;
  3. Where buffer disturbance or alteration has or will occur in conjunction with regulated activities, revegetation with native vegetation shall be required and completed as per a mitigation plan approved by the director.
- C. As described generally in subsection A of this section, if an applicant does not propose to alter the required buffer, then no additional wetland impact mitigation shall be required.
- D. If an applicant proposes to decrease or alter a required buffer or alter a wetland pursuant to SWMC Section 17.65.150, the applicant shall demonstrate why such buffer and/or wetland modification, together with such alternative mitigation proposed in the wetland area assessment is sufficient to adequately protect the wetland functions and values or compensate for disturbance to the functions and values of the wetland.
- E. Performance Based Buffer Alternatives. Buffer widths may be increased, decreased or averaged in accordance with the following provisions. In implementing alternative buffer widths, the director may require fourteen days for review and comment from appropriate federal, state or tribal natural resource agencies to ensure the use of best available science and relevant comments will be conditions of project approval. All comments shall be included in the public record along with the basis and rationale for requirement or approval of any such alternative buffer widths.
1. Buffer Width Increasing. Standard buffers may be increased upon a determination by the qualified wetland expert with confirmation from the Washington State Departments of Ecology and/or Fish and Wildlife that buffer width averaging is not adequate to protect the functions and values of the wetland and increased buffer widths are necessary to:
    - a. Maintain viable populations of existing species listed by the federal or state government as endangered, threatened or sensitive;
    - b. Maintain critical habitat for those species referenced in subsection (E)(1)(a) of this section;
    - c. Protect wetlands against severe erosion that standard erosion control measures will not effectively address; or
    - d. If the wetland contains variations in sensitivity, increasing the buffer widths will only be done where necessary to preserve the structure, function and value of the wetland.



2. Buffer Width Decreasing. Decreasing of standard buffer widths will be allowed pursuant to SWMC Section 17.65.150, provided, that in decreasing a standard buffer width, the functions and values of the wetland are not decreased.
  3. Buffer Width Averaging. Wetland buffers may be averaged, provided, that the total buffer area on the lot is not less than that required within the standard buffer, and that averaging will not reduce the wetland functional values. The city may require buffer width averaging in order to protect a particular portion of the wetland or buffer which is especially sensitive, or to incorporate existing significant vegetation or habitat areas into the buffer. Any reduction in buffer width as part of buffer width averaging shall not exceed twenty-five percent of the standard buffer width.
- F. Allowed Uses in Buffers. Low impact uses and activities which are consistent with the purpose and function of the habitat buffer and do not detract from its integrity may be permitted within the buffer depending on the sensitivity of the habitat involved, provided, that such activity shall not result in a decrease in wetland functional values and shall not prevent or inhibit the buffer's recovery to at least pre-altered condition or function. Examples of uses and activities which may be permitted in appropriate cases, as long as the activity does not retard the overall recovery of the buffer, include removal of noxious vegetation, pedestrian trails, revegetation of stormwater facilities, and viewing platforms. Pedestrian trails should consist of permeable surfaces, be not more than five feet in width, minimize wetlands crossings, be located in the outer twenty-five percent of a wetlands buffer, and be designed to minimize impact on a wetland. Buffer widths should be increased to compensate for the loss due to the width of the trail if the buffer is less than fifty feet in width.
- G. Establishment of Limits of Clearing. The location of the outer extent of the wetland buffer and the limits of the areas to be disturbed shall be marked in the field and be included as a condition of a development permit or approval. Such field markings may be field-approved by the director prior to the commencement of permitted activities. Markings shall be maintained throughout the duration of any construction activities.
- H. Exceptions to Mitigation Requirements. Requirements for mitigation do not apply under the following circumstances:
1. When a wetland alteration is intended exclusively for the enhancement or restoration of an existing regulated wetland and the proposal will not result in a loss of wetland function and value, subject to the following conditions:
    - a. The enhancement or restoration project shall not be associated with a development activity;
    - b. An enhancement or restoration plan shall be submitted for site plan review. The restoration or enhancement plan must include the information required under SWMC Section 17.65.220.
  2. When a wetland is a part of a development activity that is permitted by the Corp of Engineers NWP 14 permitting crossing of wetlands as part of road construction, provided, that the applicant shall comply with any compensatory mitigation required by the NWP 14.
- I. Compensatory Mitigation.
1. General Provisions.
    - a. In selection compensation actions, applicants should consider the following order of preference:
      - i. Restoring wetlands on upland sites which were formerly wetlands,



- ii. Creating wetlands on disturbed upland sites such as those with vegetative cover consisting primarily of exotic introduced species,
  - iii. Enhancing significantly degraded wetlands,
  - iv. Preserving high-quality wetlands which are under imminent threat,
  - v. In-lieu fees,
  - vi. Preservation of other habitat;
  - b. Compensatory mitigation shall be conducted on property which shall be protected and managed to avoid further loss or degradation. The applicant shall provide for long-term preservation of the compensation area;
  - c. Compensatory mitigation shall follow an approved compensatory mitigation plan pursuant to SWMC Section 17.65.230 and reflect the restoration/creation ratios specified in subsection (1)(2) of this section;
  - d. Enhancement of existing wetlands may be considered for compensation as further described in subsection (1)(2) of this section;
  - e. Compensation shall be completed prior to, concurrently with, or bonded to enable mitigation to occur after wetland loss, or, in the case of an enforcement action, prior to further development of the site.
2. On-Site Compensation. As a condition of any development permit or approval which results in on-site loss or degradation of regulated wetlands and/or wetland buffers, the director shall require of the applicant compensatory mitigation to offset impacts resulting from the actions of the applicant. On-site compensation is generally preferred over off-site compensation if practicable unless the applicant can demonstrate that off-site mitigation is ecologically preferable. When considering off-site mitigation, preference should be given to using alternative mitigation, such as a mitigation bank, an in-lieu-fee program, or advance mitigation.

Except under subsection H of this section, any person who alters or proposes to alter regulated wetlands shall restore or create areas of wetland in order to compensate for wetland losses. The following ratios in the table below apply to creation or restoration which is in-kind (i.e., the same type of wetland) on-site, and is accomplished prior to or concurrently with loss. The first number specifies the acreage of wetlands to be restored or created and the second specifies the acreage of wetlands lost:

**Wetland On-Site Restoration/Creation Ratios:**

**Wetland Created: Wetland Area Lost**

Category I	6:1
Category II	3:1
Category III	2:1
Category IV	1.5:1

These ratios apply to creation or restoration of a non-wetland area, which is, the same category as the impacted wetland, timed prior to or concurrent with the alteration, and has a high probability of success.

These ratios may be increased under the following circumstances:



- a. Uncertainty as to the probable success of the proposed restoration or creation;
- b. Significant period of time between impact and replication of wetland functions;
- c. Proposed mitigation will result in lower category wetland or reduced functions than the wetland being impacted; or
- d. The impact was an unauthorized impact.

These ratios may be decreased under the following circumstances:

- a. Documentation by a qualified wetland specialist demonstrates that the proposed mitigation actions have a very high likelihood of success;
- b. Documentation by a qualified wetlands specialist demonstrates that the proposed mitigation actions will provide significantly greater functions and values than the wetland being impacted; or
- c. The proposed mitigation actions are conducted in advance of the impact and are shown to be successful.

### Wetlands Enhancement

Any applicant proposing to impact wetlands may propose to enhance existing significantly degraded wetlands in order to compensate for wetland losses. Applicants proposing to enhance wetlands must produce a report that identifies how enhancement will increase the functions of the degraded wetland and how this increase will adequately compensate for the loss of wetland area and function at the impact site. An enhancement proposal must also show whether existing wetland functions will be reduced by the enhancement actions.

At a minimum, enhancement acreage shall be four times the acreage required for creation or restoration unless it is demonstrated that the enhancement proposal would result in no loss of wetlands area or wetlands functions, in which case it may be reduced, but not below the acreage required for creation or restoration.

#### Wetland On-Site Enhancement Ratios:

#### Wetland Enhanced: Wetland Area Lost

Category I	24:1
Category II	12:1
Category III	8:1
Category IV	6:1

COMMENT ONLY - Table added to clearly show the required ratios. No change in ratios are suggested. Table based on existing information in the above paragraph – four times the acreage required for creation or

3. **Off-Site Compensation.** Off-site compensation allows replacement of wetlands away from the site on which the wetland has been impacted by a regulated activity. Off-site compensation will be conducted in accordance with the restoration/creation ratios described in subsection (1)(2) of this section and selecting compensation sites in subsection (1)(5) of this section. Off-site compensation should occur within the same drainage basin of the same watershed where the wetland loss occurs. In such instances,



the stormwater storage function provided by a wetlands must be provided for within the design of the development project. Off-site compensation can be allowed only under one or more of the following circumstances:

- a. On-site compensation is not feasible due to hydrology, soils, or other factors;
  - ~~b. On-site compensation is not feasible due to limited site constraints needed to meet density requirements, and the mitigation is for benefit of the Brickyard Creek-Brickyard Creek Subarea Plan;~~
  - ~~c. On-site compensation is not practical due to probable adverse impacts from surrounding land uses or would conflict with a federal, state or county public safety directive;~~
  - ~~d. Potential functional values at the site of the proposed restoration are greater than the lost wetland functional values;~~
  - ~~e. When the wetland to be altered is of a limited functional value and is degraded, compensation shall be of the wetland community types needed most in the location of compensation and those most likely to succeed with the highest functional value possible.~~
4. Out-of-kind compensation can be allowed when out-of-kind replacement will best meet the provisions of subsection (1)(1) of this section and the mitigation sequence outlined in this section.
5. Selecting Compensation Sites. General provisions.
- a. Except in the case of cooperative compensation projects in selecting compensation sites, applicants shall pursue locations in the following order of preference:
    - i. Filled, drained, or cleared sites which were formerly wetlands and where appropriate hydrology exists,
    - ii. Upland sites, adjacent to wetlands, if the upland is significantly disturbed and does not contain a mature forested or shrub community of native species, and where the appropriate natural hydrology exists,
    - iii. Within wildlife corridors;
  - b. Where out-of-kind replacement is accepted, greater restoration/creation ratios may be required.

J. Monitoring. Mitigation monitoring shall be required for a period necessary to establish that performance standards have been met, but not for a period less than five years. If a scrub-shrub or forested vegetation community is proposed, monitoring may be required for ten years or more. The project mitigation plan shall include monitoring elements that ensure certainty of success for the project's natural resource values and functions. If the mitigation goals are not obtained within the initial five-year period, the applicant remains responsible for restoration of the natural resource values and functions until the mitigation goals agreed to in the mitigation plan are achieved.

J.K. Timing. Construction of compensation projects shall be timed to reduce impacts to existing wildlife and plants. Construction shall be timed to assure that grading and soil movement occurs during the dry season and planting of vegetation shall be specifically timed to needs of the target species.

K.L. Alternative Compensation Projects. The director may encourage, facilitate and approve innovative wetland mitigation projects. Advance compensation or mitigation banking are examples of alternative compensation projects allowed under the provisions of this section wherein one or more applicant(s), or an organization with demonstrated capability, may



undertake a compensation project together if it is demonstrated that all of the following circumstances exist:

1. Creation of one or several larger wetlands may be preferable to many small wetlands;
2. The group demonstrates the organizational and fiscal capability to act cooperatively;
3. The group demonstrates that long-term management of the compensation area will be provided;
4. There is a clear potential for success of the proposed compensation at the identified compensation site;
5. Conducting compensation as part of a cooperative process does not reduce or eliminate the required replacement ratios outlined in subsection (1)(2) of this section. Exception: (a) where a compensatory mitigation plan including a five-year monitoring agreement is included as a condition of approval where woody vegetation is not a part of the replacement plan, such plan shall allow for one is to one resulting replacement ratios upon successful completion of the monitoring agreement; and (b) where a compensatory mitigation plan including a ten-year monitoring agreement is included as a condition of approval where woody vegetation is part of the replacement plan, such plan shall allow for one is to one resulting replacement ratios upon successful completion of the monitoring agreement. Provided further, no reduction of the required replacement ratios outlined in subsection (1)(2) of this section shall be allowed unless the applicant can demonstrate that there will be no loss of resulting wetlands function or area overtime. The applicant may be required to provide additional replacement area to allow for probably loss of area during the period of establishment;
6. Wetland mitigation banking programs consistent with the provisions outlined in the Department of Ecology's 2009 publication *Selecting Wetland Mitigation Sites Using a Watershed Approach* #92-12 (Wetland Mitigation Banking) and publication Guidance on Wetlands Mitigation in Washington - Parts 1 and 12, April 2004 ~~March 2006~~ or subsequent revisions will be considered ~~as a method of compensation for unavoidable, adverse wetland impacts associated with future development.~~ Wetland mitigation banks. Credits from a certified wetland mitigation bank may be used to compensate for impacts located within the service area specified in the mitigation bank instrument. Use of credits from a wetland mitigation bank certified under Chapter 173-700 WAC is allowed if:
  - a. The approval authority determines that it would provide appropriate compensation for the proposed impacts;
  - b. The impact site is located in the service area of the bank;
  - c. The proposed use of credits is consistent with the terms and conditions of the certified mitigation bank instrument; and
  - d. Replacement ratios for projects using bank credits are consistent with replacement ratios specified in the certified mitigation bank instrument.

### Article III. Aquifer Recharge Areas

#### 17.65.300 Aquifer recharge areas.

- A. Intent. This section establishes areas determined to be critical in maintaining both groundwater quantity and quality. This section specifies regulatory requirements to be



enacted when development within these areas is proposed to occur and provides a methodology by which the level of review and any mitigation required is determined. The intent of this section is to:

1. Define minimum regulatory requirements to protect groundwater quality and quantity for existing and future use;
  2. Identify the practices, alternatives, or mitigations that can minimize the adverse impacts of proposed projects; and
  3. Insure adequate design, construction, management, and operations to protect groundwater quality and quantity.
- B. Existing and future beneficial uses of groundwater shall be maintained and protected and degradation of groundwater quality that would interfere with or become injurious to beneficial uses shall be avoided or minimized.
- C. Wherever ground waters are determined to be of a higher quality than the criteria established for such waters under this section, the existing water quality shall be protected, and contaminants that will reduce the existing quality thereof shall not be allowed to enter such waters, except in those instances where it can be demonstrated that:
1. An overriding consideration of the public interest will be served; and
  2. All contaminants proposed for entry into such groundwater(s) shall be provided with all known, available, and reasonable methods of prevention, control, and treatment prior to entry.
- D. It is the intent of this regulation to be consistent with and implement the requirements of RCW 90.48, RCW 90.54, WAC 173-200, WAC 173-201A, WAC 173-160, WAC 246-290, and WAC 246-291, as the same may hereafter be amended.

#### **17.65.310 Aquifer recharge area designations.**

Two categories are designated for aquifer recharge areas. These categories are designated to assist the director in determining the level of assessment necessary to evaluate specific land use proposals. The categories are based on the determination that certain areas require additional scrutiny of the potential impacts of a proposed land use with consideration given to hydrogeologic vulnerability. All designated areas are subject to change as data and information are updated or become available.

##### **A. Designation Categories.**

1. Category I areas are those so designated because of the need to provide them special protection due to a specific preexisting land use, or because they are identified by the local, state or federal government as areas in need of special aquifer protection where a proposed land use may pose a potential risk which increases aquifer vulnerability.

Category I includes areas served by groundwater which have been designated as a "Sole Source Aquifer Area" under the Federal Safe Drinking Water Act; areas identified within a "closed" or "low-flow" stream watershed designated by the Department of Ecology pursuant to RCW 90.22; areas identified by the Department of Ecology as sea water intrusion areas; and areas designated as "Wellhead Protection Areas" pursuant to WAC 246-290-135(4) and the groundwater contribution area in WAC 246-291-100(2)(e). Wellhead protection areas shall, for the purpose of this regulation, include the identified recharge areas associated with either Group



A public water supply wells, those Group B wells with a wellhead protection plan filed with the Skagit County Health Department, or plats served by five or more individual wells where the average lot size is equal to or less than two acres for which a well head protection plan has been completed and filed with the Skagit County Health Department. Category I areas are shown on the aquifer recharge area map.

2. Category II is designated as areas not identified as Category I areas.
3. When any portion of the proposed project area lies partly within a Category I area, the proposed project shall be subject to the level of scrutiny provided for Category I area.

#### **17.65.320 Aquifer recharge applicability and prohibited activities.**

- A. Applicability. All development projects are subject to the provisions of this section except for the following:
  1. Existing activities that currently and legally exist at the time this chapter became effective. However, expansions or changes in use are subject to this section and the review process contained in this chapter.
  2. Single-family residential building permits, including accessory building permits, which are outside Category I areas.
  3. Residential short plats outside Category I areas where each lot is two and one-half acres or greater.
  4. Single-family residential building permits where a site assessment report was required to be completed for the land division, in which case, to meet the conditions of this exemption, the applicant must comply with the recorded plat notes and the applicable mitigations contained in the site assessment report.
- B. Prohibited Activities. The following activities are prohibited in Category I areas due to the probability and/or potential magnitude of their adverse effects on groundwater:
  1. Landfill activities as defined in WAC 173-304 and WAC 173-351;
  2. Class V injection wells, including:
    - a. Agricultural drainage wells,
    - b. Untreated sewage waste disposal wells,
    - c. Cesspools,
    - d. Industrial process water and disposal wells, and
    - e. Radioactive waste disposal;
  3. Radioactive disposal sites.

#### **17.65.330 Aquifer recharge initial project review.**

- A. General Procedures. Applicants for all development projects not allowed under SWMC Section 17.65.100 or 17.65.320 shall be required, through a site assessment report prepared pursuant to SWMC Section 17.65.340, to evaluate potential impacts to aquifer recharge areas, and appropriate mitigation measures to reduce or eliminate the potential for adversely impacting aquifer recharge areas shall be identified. The level of study and report detail required will be determined by the director based on the type of land use being proposed, the designated aquifer recharge area category, and the vulnerability of the underlying aquifer(s) to contamination. The goal of this section is to require applicants to identify and characterize vulnerability only to the level necessary to determine appropriate



mitigation measures necessary, to either reduce potential adverse impacts to established parameters or eliminate potential adverse impacts to underlying aquifer(s).

- B. Scoping. The level of study which will be required of the applicant by the director for a given development will be based on an initial project review that may include staff from the planning and health departments, and a hydrogeologist.

Elements for the report that are required at a minimum and other elements that may be required as part of the scope for the study are listed in SWMC Section 17.65.340. Subsequent findings from the study or other information made available after the initial project review may obligate the applicant to additional evaluation, development of a mitigation plan, and/or development of a groundwater monitoring plan. The following outlines the review process:

1. The director and health officer shall review the project and determine the required scope of the site assessment report. The scope of site assessment required shall be conveyed to the applicant and/or his or her representative in writing. The applicant may present evidence to the director and health officer to justify reduction in the scope for the site assessment report.
2. The site assessment report shall be submitted for review. The director and/or health officer shall either approve the site assessment report as submitted, require additional evaluation, or require development of a mitigation plan. If additional information is required beyond the initial site assessment report, the applicant and/or his or her representative shall be notified in writing of the specifics of the information required. The applicant may present evidence in writing to the reviewing official to justify modification of the requirement for additional information or present alternative or additional mitigation measures in lieu of further study.
3. When, to the satisfaction of the director, all information is provided and mitigation(s) established as being in compliance with this section, the director shall make appropriate recommendations for project permit approval.

#### **17.65.340 Aquifer recharge site assessment report.**

- A. The scope of the site assessment report shall be determined based on the initial project review specified in SWMC Section 17.65.330. The scope of the report may be reduced by utilizing appropriate mitigation measures, or if the water quality or quantity issue(s) are already known.
- B. The site assessment report shall be prepared by, or under the direction of, and signed by a professional engineer, licensed in the state of Washington, trained and qualified to analyze geologic, hydrologic, and groundwater flow systems; or by a geologist or hydrogeologist who earns his or her livelihood from the field of geology and/or hydrogeology and has received a degree in geological sciences from an accredited four-year institution of higher education and who has relevant training and experience analyzing geologic, hydrologic, and groundwater flow systems.
- C. Site Assessment Report Requirements. A site plan shall be prepared in accordance with the requirements of this code. In addition, a site assessment report shall include:
  1. A description of the project including those activities, practices, materials, or chemicals that have a potential to adversely affect the quantity or quality of underlying aquifer(s);



2. Identification of appropriate mitigation measures and description of how they will prevent degradation of underlying aquifer(s);
  3. A site plan or another appropriately scaled map showing the approximate location of known or geologically representative well(s) (abandoned and active), spring(s), and surface watercourses within one thousand feet of the subject project property. All well logs available through the health department for identified wells within one thousand feet of the project property shall be included;
  4. A description of the site-specific hydrogeologic characteristics regarding impact to the quantity or quality of underlying aquifer(s). At a minimum this will include a description of the lithology, depth to and static water level of known underlying aquifer(s), and depiction of groundwater flow direction and patterns on the appropriate map;
  5. Identification of the initial receptors of potential adverse impacts located hydraulically downgradient from the project within one thousand feet or as otherwise directed by the director and/or health officer.
- D. Additional Site Assessment Elements. After the initial project review, one or more of the site assessment elements listed below may be required based upon the proposed project activity, aquifer recharge area classification, complexity of underlying hydrogeologic conditions, and/or the perceived potential to adversely impact hydraulically downgradient receptors. One or more of these additional elements may also be required if the applicant chooses to demonstrate that certain mitigation measures are not necessary to protect the quantity or quality of the underlying aquifer(s), or that the project does not pose a detrimental risk to hydraulically downgradient receptors:
1. Lithologic characteristics and stratigraphic relationships of the affected aquifer(s) and overlying geologic units (includes soil types) including thickness, horizontal and vertical extent, permeability, and infiltration rates of surface soils;
  2. Delineation of identified structural features such as faults, fractures, and fissures;
  3. Aquifer characteristics including determination of recharge and discharge areas, transmissivity, storage, hydraulic conductivity, porosity, and estimate of groundwater flow direction, velocity and patterns for the affected aquifer(s);
  4. Estimate of precipitation, evaporation, and evapotranspiration rates for the project area;
  5. Preparation of appropriate hydrogeologic cross sections depicting at a minimum underlying lithology and stratigraphy, aquifer(s), and potential or probable contaminant pathways from a chemical release;
  6. Contaminant fate and transport including probable migration pathways and travel time of potential contaminant release(s) from the site through the unsaturated zone to the aquifer(s) and through the aquifer(s), and how the contaminant(s) may be attenuated within the unsaturated zone and the aquifer(s). Includes consideration of advection, dispersion, and diffusion of contaminants in the groundwater;
  7. Delineation of areas potentially affected by contaminant migration on the ground surface and/or through the affected aquifer(s);
  8. Determination of background or existing groundwater quality underlying the project area;
  9. Development of a groundwater monitoring program to measure potential impacts of the development to underlying aquifer(s);
  10. Development of a spill plan and/or contingency plan describing the specific actions, which will be taken if a release of a contaminant(s) occurs, or if groundwater monitoring results indicate a contaminant(s) from the site has entered the underlying aquifer(s);



11. The degree of continuity between groundwater and nearby surface water including potential impact to "closed" or "low-flow" streams (as described in SWMC Section 17.65.350) from proposed groundwater withdrawals, and potential impacts to surface water quality from site runoff or contaminated groundwater discharge;
12. In conjunction with the Department of Ecology Seawater Intrusion Policy and subsequent policies or ordinances, applicable projects shall be required to determine appropriate pumping rates and schedules that maintain dynamic drawdown levels above mean sea level;
13. Applicable projects such as special use permits, short plats, or long plats shall test existing and/or test wells for nitrate levels and where appropriate calculate the nitrate loading rate at full build-out of the project. If the calculated nitrate loading in the intended water supply equals or exceeds five mg/L nitrate as nitrogen, the proposal will need to develop a mitigation plan. The point of compliance shall be determined based on project specifics.

#### **17.65.350 Aquifer recharge area mitigation.**

The health department shall review development proposals to assess aquifer(s) vulnerability and establish needed mitigation. Where determined to be necessary through the site assessment process, development approvals shall include conditions designed to prevent significant degradation of water quality or reduction in water quantity in aquifer recharge areas. The project shall not cause degradation of the groundwater quality below the standards described in WAC 173-200 or Department of Ecology's seawater intrusion policy.

Wellhead Protection Mitigation. Where a wellhead protection plan that addresses the project area exists, the director and/or health officer shall use the recommendations contained in the wellhead protection plan as a basis for formulating mitigations. In the absence of such a mitigation plan, the health department and Public Utility District #1 shall jointly develop mitigations, a summary of which shall be signed by the applicant and recorded with the applicant's property title. All new development shall be required to connect to the Public Utility District #1 Water System.

#### **17.65.360 Aquifer recharge public notice and review.**

In addition to the provisions for public notice provided under SWMC Section 17.65.070, the director shall make the site assessment report available for public review upon approval of the following projects which have undergone critical areas review pursuant to this chapter:

- A. All projects occurring in Category I areas, except single-family residence or accessory building permits, and short subdivisions;
- B. All activities identified under SWMC Section 17.65.320(B), regardless of location; and
- C. Commercial or industrial projects or subdivisions that have the potential to adversely affect the quality or availability of potable water.

#### **17.65.400 Geologically hazardous area designations.**

Geologically hazardous areas include erosion hazards, landslide hazards, mine hazards, volcanic hazards and seismic hazards, and shall be designated consistent with the definitions provided in WAC 365-190-080(4).



Geologically hazardous areas shall be classified as "known or suspected risk," or "unknown risk."

#### **17.65.410 Geologically hazardous area initial project review.**

A site visit shall be conducted by the director to determine whether: (1) "Areas of Known or Suspected Risk" identified below are or may be present within two hundred feet of the project or activity; (2) the proposed project or activity is or may be within a distance from the base of an adjacent landslide hazard area equal to the vertical relief of such hazard area; (3) the proposed activity may result in or contribute to an increase in hazard; and (4) whether the project or hazard areas pose a risk to life, property, or other critical areas on or off the project area sufficient to require a site assessment. Areas of known or suspected risk:

##### **A. Erosion Hazard Indicators.**

1. Those project areas located within two hundred feet of map unit delineations #51 Dystric Xerorthents, #99 Mundt and #117 Saxon or mapped as moderate to severe, severe or very severe erosion hazard or as having severe rill and inter-rill erosion hazard as identified in the U.S. Department of Agriculture Natural Resources Conservation Service Soil Survey of Skagit County Area, Washington (1989).
2. Those project areas that fall within any soil sloping greater than or equal to thirty percent.
3. The project area falls within areas designated in the Department of Ecology, Coastal Zone Atlas, Washington, Volume Two Skagit County (1978) as U (Unstable), UB (Unstable Bluff), URS (Unstable Recent Slide), or UOS (Unstable Old Slide).
4. Those project areas that may be considered to have an erosion hazard as a result of rapid stream incision or stream bank erosion.

##### **B. Landslide Hazards Indicators.**

1. The project area falls within or two hundred feet from areas designated in the Department of Ecology, Coastal Zone Atlas, Washington, Volume Two, Skagit County (1978) as U (Unstable), UB (Unstable Bluff), URS (Unstable Recent Slide), or UOS (Unstable Old Slide).
2. The project area falls within or two hundred feet from slopes having the following characteristics: Gradients of fifteen percent or greater intersecting geologic contacts with permeable sediments overlying low permeability sediment or bedrock and springs or groundwater seepage are present.
3. The project area falls within or two hundred feet from any area having a forty percent slope or steeper and with a vertical relief of ten feet or more.
4. The project area falls within or two hundred feet from any areas of historic failure such as areas designated as quaternary earth slumps, earthflows, mudflows, lahars, debris flows, rock slides, landslides or other slope failures on maps or technical reports published by the U.S. Geological Survey such as topographic or geologic maps, or the Geology and Earth Resources Division of the Washington Department of Natural Resources, or other documents authorized by government agencies.



5. The project area falls within or two hundred feet from any areas potentially unstable as a result of rapid stream incision, stream bank erosion, and undercutting by wave action shall be addressed as a flood hazard consistent with this chapter.
  6. Areas that have shown movement during the Holocene epoch or which are underlain or covered by wastage debris of that epoch.
  7. The project area falls within or two hundred feet from any slopes that are parallel or sub-parallel to planes of weakness (such as bedding planes, joint systems, and fault planes) in subsurface materials.
  8. The project area falls within or two hundred feet from any slopes with a gradient greater than eighty percent and subject to rock fall during seismic shaking.
  9. The project area falls within or two hundred feet from any areas that show evidence of or are at risk from snow avalanches.
- C. Seismic Hazards. Seismic hazard areas shall include areas that are subject to severe risk of damage as a result of earthquake induced ground shaking, slope failure, settlement, soil liquefaction or surface faulting.
1. The project includes structures (as defined in the Uniform Building Code) proposed to be located in any of the areas described in subsection A or B of this section or located in areas to have a potential for soil liquefaction and soil strength loss during ground shaking as identified on the U.S. Geologic Survey Relative Slope Stability Map of the Port Townsend Quadrangle, Puget Sound Region, Washington, (1985), or as identified in the field. A geologic hazard site assessment is not required for soil liquefaction and soil strength loss resulting from seismic activity unless other criteria provided in this section apply. The building official shall require evaluation using the provisions set forth in the adopted building code.
  2. The structures or critical facilities are proposed to be located on a Holocene fault line. (No critical facilities shall be located on a Holocene fault line as indicated on investigative maps or described in studies by the U.S. Geologic Survey, Geology and Earth Resources Division of the Washington Department of Natural Resources, or other documents authorized by government agencies, or as identified in the field). All developments on a Holocene fault line shall require a disclosure statement indicating the property is located on an active fault and may be geologically hazardous.
- D. Volcanic Hazards. The project area is located in a volcanic hazard zone for Glacier Peak, Washington (Open-File Report 95-499); or in a volcanic hazard area of Mount Baker, Washington (Open-File Report 95-498). A site assessment is not required for volcanic hazard areas unless other criteria provided in this section apply.
- E. Other Geologic Hazard Indicators.
1. The project area falls within or two hundred feet from an alluvial fan as designated on the Skagit County Alluvial Fan Study Orthophoto Maps;
  2. The project area falls within or two hundred feet from a mine hazard area as designated on the Department of Natural Resources Map: Coal Measures of Skagit County, (1924) or within two hundred feet of any other current or historic mine operations determined to



be geologic hazards as described by the title and purpose of the critical areas ordinance Section 17.65.020(C)(5), geologically hazardous areas of this chapter;

3. Areas of Unknown Geologic Hazards. As part of any development application where no current information is available to confirm that the items identified in this section are present on the project area, the critical areas review required by SWMC Section 17.65.060 will provide a description of the known and visible site features and be used by the director in evaluating whether a geologically hazardous area site assessment is required pursuant to this section.

**17.65.420 Geologically hazardous area site assessment requirements.**

- A. Site Visit Determination. The director shall make a determination using the following progressive order:
  1. No Site Assessment. Where the director determines that the project or activity area has no potential for impacting adjacent ownership and property, other types of critical areas, public property (such as roads and other facilities) or living quarters of any kind, including any existing or proposed off-site, the director shall not require additional site assessments prior to approval under the provisions of this chapter.
  2. Site Assessment Required. If the director determines during the site visit described in SWMC Section 17.65.410 that the proposed development activity falls within two hundred feet of an "Area of Known or Suspected Risk" and the geologic condition may pose a risk to life and property on or off the project area, then a geologically hazardous area site assessment of the project area by a qualified professional as described in subsection (B)(2) of this section shall be required as part of the complete development permit application.
- B. Geologically Hazardous Area Site Assessment. When required by the director, a site assessment report shall be prepared by a qualified professional. Portions of the report relating to recommended design or mitigation shall be prepared under supervision of a licensed professional engineer. A qualified professional shall mean an engineer, licensed in the state of Washington, with training and experience analyzing geologic, hydrologic, and groundwater flow systems in Washington State; or by a geologist who earns his or her livelihood from the field of geology and/or geotechnical analysis, with training and experience analyzing geologic, hydrologic and groundwater flow systems in Washington State, who has received a relevant degree from an accredited four-year institution of higher education.

The geologically hazardous area site assessment report shall classify the type of hazard in accordance with SWMC Sections 17.65.400 and 17.65.410. The site assessment report shall include the following as appropriate:

1. A site plan must be prepared in accordance with the development permit requirements. The site plan shall depict the height of slope, slope gradient and cross section of the site. The site plan shall indicate the location of all existing structures, proposed structures and any significant known geologic features on the subject site. The site plan shall also include the location of springs, seeps, or other surface expressions of groundwater. The site plan shall also depict any evidence of surface or stormwater runoff;



2. A detailed description of the project, its relationship to potential geologic hazard(s), and its potential impact upon the hazard area(s), the subject property and adjacent properties. The description shall make a determination if a geologically hazardous area(s), as described in SWMC Section 17.65.020(C)(5), is present on the subject site. The narrative shall include a full discussion of the geologic factors and conditions on the subject site resulting in the qualified professionals conclusions;
  3. An assessment of the geologic characteristics and engineering properties of the soils, sediments, and/or rock of the subject property and potentially affected adjacent properties. Soils analysis shall be accomplished in accordance with the Unified Soil Classification System;
  4. A description of load intensity including surface and groundwater conditions, public and private sewage disposal systems, fills and excavations and all structural development;
  5. An assessment describing the extent and type of vegetative cover to include tree attitude;
  6. For Potential Landslide Hazards. Estimate slope stability and the effect construction and placement of structures will have on the slope over the estimated life of the structure. Quantitative analysis of slope stability or slope stability modeling may be required by the director;
  7. Additional site assessment standards may be required by the director.
- C. Site Assessment Conclusions.
1. Where the qualified professional determines that a geologically hazardous condition is not present on the subject site and/or will not occur as a result of the proposed project, will have no potential for impacting adjacent ownership and property, other types of critical areas, public property (such as roads and other facilities) or living quarters of any kind, including any existing or proposed off-site, the director shall not require additional site assessments prior to approval under the provisions of this chapter. The qualified professional shall be required to certify that a geologic hazard is not present on the subject parcel as described in SWMC Section 17.65.020(C)(5).
  2. Properties identified by the director and the qualified professional containing geologically hazardous conditions shall require a geologically hazardous area mitigation plan. Critical facilities as defined under SWMC Chapter 14.04 shall not be sited within designated geologically hazardous areas (Exception: volcanic hazard areas). No residential structures shall be located in geologically hazardous areas or their buffers that cannot be fully mitigated.

#### **17.65.430 Geologically hazardous area mitigation standards.**

The mitigation plan shall be prepared by a professional engineer or geologist under supervision of a professional engineer and include a discussion on how the project has been designed to avoid and minimize the impacts discussed under Section 17.65.420(B)(2) of this chapter. The plan shall also make a recommendation for the minimum building setback from any bluff or slope edge and/or other geologic hazard shall be based upon the geotechnical analysis under Sections 17.65.420(B)(2) and (B)(3) of this chapter required. Mitigation plans shall include the location and methods of drainage, locations and methods of erosion control, a vegetation management and/or restoration plan and/or other means for maintaining long-term stability of geologic hazards. The plan shall also address the potential impact of mitigation on the hazard



area, the subject property and affected adjacent properties. The mitigation plan must be approved by the director and be implemented as a condition of project approval.

Within designated geologic hazards, mitigation plans shall address the appropriate items listed below as required by the site assessment. One or more of the following mitigation standards, as required by the director, shall be included as components of a mitigation plan pursuant to the requirements of SWMC Section 17.65.420, (site assessment report). Other mitigation standards, other than those listed below, may be required by the director depending on the geologic hazard and the site conditions.

#### A. Mitigation Standards.

1. A temporary erosion and sedimentation control plan prepared in accordance with the requirements of SWMC Title 15, Buildings and Construction as amended.
2. A drainage plan for the collection, transport, treatment, discharge and/or recycle of water in accordance with the requirements of SWMC Title 15, Buildings and Construction as amended.
3. All proposals involving excavations and placement of fills shall be subject to structural review under the appropriate provisions as found in the Uniform Building Code.
4. Critical facilities shall not be sited within designated geologically hazardous areas. (Exception: volcanic hazard areas).
5. Surface drainage shall not be directed across the face of a landslide hazard (including ravines). If drainage must be discharged from the hazard area into adjacent waters, it shall be collected above the hazard and directed to the water by tight line drain and provided with an energy dissipating device at the point of discharge.
6. All infiltration systems such as, stormwater detention and retention facilities, and curtain drains utilizing buried pipe or French drain, are prohibited in geologically hazardous areas and their buffers unless a site assessment report indicates such facilities or systems will not affect slope stability and the systems are designed by a licensed civil engineer. The engineer shall also certify that the system and/or facilities are installed as designed.
7. Vegetation Removal and Replanting. Removal of vegetation in landslide hazard, erosion hazard and coastal bluff hazard areas shall be minimized. Any replanting that occurs shall consist of trees, shrubs, and ground cover that is compatible with the existing surrounding vegetation, meets the objectives of erosion prevention and site stabilization, and does not require permanent irrigation for long-term survival.
8. A minimum buffer with a width of thirty feet shall be established from the top, toe and all edges of all landslide hazardous areas. Existing native vegetation shall be maintained in accordance with mitigation recommendations within the buffer area. Any modifications to the buffer requirement shall be based on the report and recommendations of the professional geologist under supervision of a licensed professional engineer. The buffer may be reduced to a minimum of ten feet when, supported by a geotechnical report, and the applicant demonstrates to the director that the reduction will adequately protect the proposed development, adjacent developments and uses and the subject critical area. The buffer may be increased by the director for development adjacent to a ravine which is designated as unstable on the Coastal Zone Atlas, Washington, Volume Two Skagit County (1978) or where the director determines a larger buffer is necessary to prevent



risk of damage to proposed and existing development (as in the case where the area potentially impacted by a landslide exceeds thirty feet). Normal nondestructive pruning and trimming of vegetation for maintenance purposes; or thinning of limbs of individual trees to provide a view corridor, shall not be subject to these buffer requirements.

9. Seismic Hazard Areas. Structural development proposals shall meet all applicable provisions of the Uniform Building Code.

The director shall evaluate documentation submitted pursuant to SWMC Section 17.65.420(B)(2) (site assessment report) and condition permit approvals to minimize the risk on both the subject property and affected adjacent properties. All conditions on approvals shall be based on known, available, and reasonable methods of prevention, control and treatment. Evaluation of geotechnical reports may also constitute grounds for denial of the proposal.

- B. Alterations of the buffer and/or geologically hazardous area. Alterations of the buffer and/or geologically hazardous area may occur for development meeting the following criteria:
  1. No reasonable alternative exists; and
  2. A site assessment report is submitted and certifies that:
    - a. There is a minimal hazard as proven by evidence of no landslide activity in the past in the vicinity of the proposed development and a qualitative analysis of slope stability indicates no significant risk to the development proposal and adjacent properties; or the geologically hazardous area can be modified or the development proposal can be designed so that the hazard is eliminated or mitigated so that the site is as safe as a site without a geologically hazardous area,
    - b. The development will not significantly increase surface water discharge or sedimentation to adjacent properties beyond predevelopment conditions,
    - c. The development will not decrease slope stability on adjacent properties, and
    - d. Such alterations will not adversely impact other critical areas.
- C. Noncompliance and Failed Mitigation Plans.
  1. Projects found to be in noncompliance with the mitigation conditions issued as part of the development approval are subject to enforcement actions necessary to bring the development into compliance with this chapter.
  2. Mitigation plans which do not fulfill the performance required based on the site assessment/geotechnical report findings or otherwise fail to meet the intent of this chapter shall be revised and the subject development brought into compliance with the revised mitigation plan.
  3. Mitigation Plan Certification. Upon completion of the project, a qualified professional shall certify that the mitigation plan has been properly implemented. The certification shall be required prior to final approval of the project by the director.

#### **17.65.440 Geologically hazardous area public review and record.**

In addition to the provisions for public notice provided under SWMC Section 17.65.065, the director shall provide official notice of decision and make the site assessment report available for public review upon approval of any project requiring a geologically hazardous area site assessment pursuant to SWMC Section 17.65.420(B)(2) and shall maintain a public record of all materials pertinent to approval decisions.



## **Article V. Fish and Wildlife Habitat Conservation Areas**

### **17.65.500 Fish and wildlife habitat conservation area designations.**

- A. Fish and wildlife habitat conservation areas (HCA) shall be designated and classified as provided for in the definition section of this chapter. The map and species references indicated are intended to serve only as a guide during development review. A site assessment completed by a qualified professional shall be completed to confirm actual conditions.
- B. In addition to the HCAs identified in SWMC Section 17.65.020(C)(I), additional species and habitats of local importance may be designated by the director based on declining populations, sensitivity to habitat manipulation or special value including, but not limited to, commercial, game or public appeal.
- C. In order to nominate an area or a species to the category of habitats and species of local importance, an individual or organization must:
  - 1. Demonstrate a need for special consideration based on:
    - a. Declining population,
    - b. Sensitivity to habitat manipulation, or
    - c. Commercial or game value or other special value, such as public appeal;
  - 2. Propose relevant management strategies considered effective and within the scope of this chapter;
  - 3. Provide species habitat location(s) on a map (scale 1:24,000). Submitted proposals will be reviewed by the director and may be forwarded to the Departments of Fish and Wildlife, Natural Resources, and/or other county and state agencies or experts for comments and recommendations regarding accuracy of data and effectiveness of proposed management strategies. A public hearing may be held for proposals found to be complete, accurate, potentially effective and within the scope of this chapter. Approved nominations will become designated "Habitats/Species of Local Importance" and will be subject to the provisions of this chapter.
- D. The following species and habitats have been designated on a site-specific basis according to the official species and habitats of local significance map:
  - 1. Great Blue Heron nest sites;
  - 2. Vauxs Swifts Communal Roosts;
  - 3. Pileated Woodpecker nest sites;
  - 4. Osprey nest sites;
  - 5. Townsend Big-eared Bat Communal Roosts;
  - 6. Cavity Nesting Ducks breeding areas;
  - 7. Trumpeter Swan concentrations;
  - 8. Harlequin Duck breeding areas;
  - 9. Waterfowl concentrations.

### **17.65.510 Fish and wildlife habitat conservation areas initial project review.**

- A. A site visit shall be conducted by the director to determine whether HCAs identified on a critical area checklist or on available map resources or whether HCAs not previously identified are present within two hundred feet of the project or activity site.



- B. Habitat conservation areas are designated by definition in SWMC Section 17.65.020(C)(3) and are referenced as follows:
1. An area with which anadromous fish, endangered, threatened or sensitive species have a primary association and/or their habitat such as those designated and mapped by the Washington State Department of Fish and Wildlife, Priority Habitats and Species Program;
  2. A water of the state as defined under WAC 222-16-030;
  3. A critical biological area as designated and mapped by the Department of Ecology Coastal Zone Atlas dated June 1978 and/or the maps;
  4. Designated species and habitats of local importance pursuant to SWMC Section 17.65.500;
  5. Naturally occurring ponds under twenty acres and their submerged aquatic beds that provide fish or wildlife habitat;
  6. Lakes, ponds, streams, and rivers planted with game fish by a government or tribal entity;
  7. Areas with which anadromous fish species have a primary association; and
  8. State natural area preserves and natural resource conservation areas.
- C. If the director determines through the site visit described in subsection (B)(1) of this section that a fish and wildlife habitat conservation area (HCA) may be present within two hundred feet of the proposed project or activity area, then a site assessment/habitat management plan as described in SWMC Section 17.65.520, shall be required as part of the complete application.

**17.65.520 Fish and wildlife habitat conservation area site assessment requirements.**

Site assessment/habitat management plans shall be prepared by a qualified fish and wildlife biologist with experience assessing the relevant species and habitats and include at a minimum, the following requirements:

- A. Site plan prepared in accordance with the permit requirements indicating all fish and wildlife habitat conservation areas falling within two hundred feet of the subject property. This site plan may be prepared by the applicant subject to review by the qualified fish and wildlife biologist;
- B. Project narrative describing the proposal including, but not limited to, associated grading and filling, structures, utilities, adjacent land uses, description of vegetation both within and adjacent to the habitat conservation area, and when deemed necessary by the administrative officer, surface and subsurface hydrologic analysis;
- C. Impact analysis identifying and documenting the presence of all habitat conservation areas and discussing the project's effects on the fish and wildlife habitat conservation areas;
- D. Regulatory analysis including a discussion of any federal, state, tribal, and/or local requirements or special management recommendations which have been developed for species and/or habitats located on the site;
- E. Mitigation report including a discussion of proposed measures of mitigating adverse impacts of the project and an evaluation of their potential effectiveness. Measures may include, but are not limited to, establishment of buffer zones, preservation of critically important plants, and trees, limitation of access to habitat areas, seasonal restrictions of construction activities, establishment of a timetable for periodic review of the plan and/or establishment of performance or maintenance bonds;



- F. Management and maintenance practices including a discussion of ongoing maintenance practices that will assure protection of all fish and wildlife habitat conservation areas on-site after the project has been completed. This section should include a discussion of proposed monitoring criteria, methods and schedule;
- G. Approval of any activity that can adversely affect fish and wildlife habitat conservation areas shall conform to the requirements set forth in SWMC Section 17.65.170(A).

#### **17.65.530 Fish and wildlife habitat conservation area mitigation standards.**

Fish and wildlife habitat conservation areas shall be protected in accordance with local determination of appropriate conditions considering the site-specific recommendations from agencies with jurisdictions over the specific area, which may include, but not be limited to, the Washington State Department of Fish and Wildlife, Department of Ecology, federally recognized Indian Tribes located within Skagit County, WDFW Management Recommendations for Washington Priority Habitats and Species, and site-specific information supplied by the applicant.

Development proposals shall be reviewed for potential impacts to fish and wildlife habitat conservation areas. The determination of potential impacts shall be dictated by site conditions and made by the director. The director may consult with the Washington State Departments of Ecology, Fish and Wildlife and Natural Resources and federally recognized Indian Tribes located in Skagit County to determine potential impacts a proposed project may have on a fish and wildlife habitat. If it is determined that a proposed project may have an adverse effect on a fish and wildlife habitat conservation area, the applicant shall implement a habitat management plan including mitigation measures in conformity with the performance standards outlined below:

- A. Riparian Performance Standards. Riparian buffer areas shall be established from the ordinary high water mark. The intent of riparian buffers is to protect five basic riparian forest functions that influence in-stream and near-stream habitat quality. These are:
  - 1. Recruitment of Large Woody Debris (LWD) to the Stream. LWD recruitment creates habitat structures necessary to maintain salmon/trout productive capacity and species diversity.
  - 2. Shade. Shading by the forest canopy maintains cooler water temperatures and influences the availability of oxygen for salmon/trout.
  - 3. Bank Integrity (Root Reinforcement). Bank integrity helps maintain habitat quality and water quality by reducing bank erosion and creating habitat structure and instream hiding cover for salmon and trout.
  - 4. Runoff Filtration. Filtration of nutrients and sediments in runoff (surface and shallow subsurface flows) helps maintain water quality.
  - 5. Wildlife Habitat. Functional wildlife habitat for riparian-dependent species is based on sufficient amounts of riparian vegetation to provide protection for nesting and feeding.
- B. Standard Riparian Buffers. Riparian areas have the following standard buffer requirements (Note: riparian areas do not extend beyond the toe of the slope on the landward side of existing dikes or levees unless specifically exempt from federal vegetation management



requirements. See also SWMC Section 17.65.100 for list of activities allowed within critical areas, including riparian areas.):

#### **Water Type Riparian Buffer**

Type 1 and 2	200 feet
Type 3	110 feet
Type 4 and 5	50 feet

Once buffers are established, they shall not be altered except as allowed below. Riparian buffers not currently meeting the minimum standards shall be restored; provided, that such restoration does not conflict with other provisions of this chapter. In implementing buffer widths other than the standard riparian buffers identified above, the director may provide opportunity for review and comment from appropriate federal, state or tribal natural resource agencies to ensure the use of best available science. These comments shall be included in the public record along with the basis and rationale for requirement or approval of any such nonstandard buffers.

1. **Increasing Buffer Widths.** The director has the authority to increase the standard buffer widths on a case-by-case basis, or to establish nonriparian buffer widths, when such buffers are necessary to protect priority fish or wildlife (e.g., great blue heron nesting colonies, osprey or cavity nesting ducks) using the HCA. This determination shall be supported by appropriate documentation from the Departments of Ecology and Fish and Wildlife, showing that the increased buffer width is reasonably related to the protection of the fish and/or wildlife using the HCA.
2. **Decreasing Buffer Widths.** Decreasing standard buffers will be allowed pursuant to SWMC Section 17.65.150 only if the applicant demonstrates that all of the following criteria are met:
  - a. A decrease is necessary to accomplish the purposes of the proposal and no reasonable alternative is available;
  - b. Decreasing width will not adversely affect the fish and wildlife habitat functions and values;
  - c. If a portion of a buffer is to be reduced, the remaining buffer area will be enhanced, using native vegetation, artificial habitat features, vegetative screening and/or barrier fencing as appropriate to improve the functional attributes of the buffer and to provide equivalent or better protection for fish and wildlife habitat functions and values;
  - d. The buffer width shall not be reduced below fifty percent of the standard buffer width unless the director determines that no other reasonable alternative exists and that no net loss of HCA riparian functional values will result, based on a functional assessment provided by the applicant utilizing a methodology approved by the director.

#### **C. Allowed Uses in HCAs or Buffers.**



1. Docks. Docks designed to facilitate low-impact uses, such as education and/or private, noncommercial recreation may be permitted within fish and wildlife HCAs under the following conditions:
  - a. The activity will have minimum adverse impact to the fish and wildlife habitat conservation area;
  - b. The activity will not significantly degrade surface or groundwater;
  - c. The intrusion into the fish and wildlife habitat conservation area and its buffers is mitigated; and
  - d. The director may provide opportunity for review and comment by a federal, state and tribal natural resource agencies.
2. Limited park or recreational access to a fish and wildlife habitat area or its required buffer, provided, that all of the following are satisfied:
  - a. The access is part of a public park or a recreational resort development that is dependent on the access for its location and recreational function;
  - b. The access is limited to the minimum necessary to accomplish the recreational function;  
The access and the balance of the development is consistent with other requirements of the Sedro-Woolley Municipal Code and the Skagit County Shoreline Management Master Program; and
  - c. The proponent obtains a written approval from the city council for the limited access and associated mitigation.
3. Low impact uses and activities which are consistent with the purpose and function of the habitat buffer and do not detract from its integrity may be permitted within the buffer depending on the sensitivity of the habitat involved, provided, that such activity shall not result in a decrease in riparian functional values and shall not prevent or inhibit the buffer's recovery to at least pre-altered condition or function. Examples of uses and activities which may be permitted in appropriate cases, as long as the activity does not retard the overall recovery of the buffer, include removal of noxious vegetation, pedestrian trails, viewing platforms, and stormwater management facilities such as grass-lined swales and wet ponds or stormwater wetlands.
4. In the riparian buffer, removal of hazardous, diseased or dead trees and vegetation when necessary to control fire, or to halt the spread of disease or damaging insects consistent with the State Forest Practices Act, RCW 76.09, or when the removal is necessary to avoid a hazard such as landslides or pose a threat to existing structures may be permitted with prior written approval. Any removed tree or vegetation shall be replaced with appropriate species. Replacement shall be performed consistent with accepted restoration standards for riparian areas within one calendar year. The director may approve alternative tree species to promote fish and wildlife habitat.

Prior to commencement of tree or vegetation removal and/or replacement, the landowner must obtain written approval from the director.

5. To allow for greater flexibility in a development proposal, an applicant has the opportunity to remove timber within the standard buffer widths shown above if the applicant's mitigation measures incorporate all of the performance standards based upon water type listed in the table below. In conformance with professional standards used by the Washington Department of Natural Resources for forest practices in



sensitive areas, all removal of timber within HCA buffers shall be subject to conditioning specified by the director and may be made in conjunction with an on-site review in which participation by representatives of the proponent, Ecology, WDFW, WDNR and natural resource representatives of affected Indian Tribes is solicited.

The intent of this section is to provide an additional opportunity for an applicant to propose some level of timber removal within the riparian habitat zone as long as it can be demonstrated that the function of the buffer can be maintained at the levels described below. If the buffer, in its current state, cannot meet these standards, then the director will not be able to give its approval for any activity which would inhibit recovery of or degrade the current buffer.

The current performance of a given buffer area is compared to its potential performance as rated by the Soil Conservation Service, Soil Survey of Skagit County, 1989. In consultation with a representative from the natural resource conservation service, soil conservation district or professional forester, the applicant will determine the capability of the site for woodland management using the most suitable tree species according to the soil survey and establish the stand characteristics that would be expected from a mature stand of those species established on-site. If the current stand can exceed the riparian protection that could be expected based on site potential, then additional activity may be allowed provided the following performance standards can be met. For Type 1 and 2 streams, an alternative method may be utilized to allow limited timber harvest within the outer one hundred feet of a buffer:

#### Performance-based Riparian Standards\*

(These Standards Must be Exceeded Before Additional Activity Can be Permitted Within the Riparian Zone)

#### Watertype Performance Standards.

##### Type 1 and 2 (Fish Bearing).

- a. Maintain ninety-five percent of total LWD recruitment expected to enter the stream from a mature stand;
- b. Maintain eighty-five percent of the trees which are greater than twenty-four inches DBH within one hundred feet of stream;
- c. Maintain an average of seventy-five percent canopy cover (based on canopy densitometer readings at stream edge); and
- d. The applicant may further request some limited timber harvest of up to thirty percent of the merchantable timber within the outer one hundred feet of any two hundred-foot required buffer provided the harvest:
  - i. Does not reduce the LWD and canopy requirements,
  - ii. The applicant will increase the total buffer size by fifty feet to mitigate for the limited timber harvest in the required buffer to provide additional wildlife habitat. The additional fifty-foot buffer shall retain a minimum of fifty percent of the total number of trees with twenty-five percent of the total trees left having a diameter at breast height (DBH - four and one-half feet) greater than twelve inches, and



- iii. No more than fifty percent of the dominant trees in the outer one hundred feet may be harvested.

Type 3 (Fish Bearing).

- a. Maintain eighty-five percent of total LWD recruitment expected to enter the stream from a mature stand;
- b. Maintain eighty-five percent of the trees which are greater than eighteen inches DBH within one hundred feet of stream; and
- c. Maintain an average of seventy-five percent canopy cover (based on canopy densitometer readings at stream edge).

Type 4 and 5 (Nonfish Bearing).

- a. Maintain fifty percent of total LWD recruitment expected to enter the stream from a mature stand;
- b. Maintain eighty-five percent of the trees which are greater than twenty-four inches DBH within fifty feet of stream; and
- c. Maintain an average of seventy-five percent canopy cover (based on canopy densitometer readings at stream edge).

\* Note: Applicants electing to employ performance based mitigation in accordance with the above matrix shall include appropriate analysis and justification in their site assessment/habitat management plan.

- D. Bald eagle habitats shall be protected pursuant to the Washington State Bald Eagle Protection Rules (WAC 232-12-292), a cooperative habitat management plan shall be developed in coordination with the Department of Fish and Wildlife whenever activities that alter habitat are proposed near a verified nest territory or communal roost.
- E. Wetlands that are identified as a fish and wildlife habitat conservation area shall be protected according to the provisions in subsection (B)(1) of this section. If the wetland buffer widths called for under subsection B of this section, conflict with this section, the buffer widths providing the greatest protection shall apply.
- F. All other fish and wildlife habitat conservation areas, including habitats/species of local importance, shall be protected on a case by case basis by means of a habitat management plan based on the PHS program, as set forth in SWMC Sections 17.65.510 and 17.65.520, initial project review and site assessment/habitat management plan.
- G. Approval of any activity that can adversely affect fish and wildlife habitat conservation areas shall conform to the requirements set forth in SWMC Section 17.65.170(A).

## Article VI. Flood Hazard Area

### 17.65.600 Standards for flood hazard areas.

Development proposed in flood hazard areas, in addition to the provisions of Chapter 17.66 (Flood Damage Prevention), shall be limited to the extent that:

- A. Clearing, stripping of vegetative and coverage of the site by roads and structures shall be no more than necessary in order to maintain water quality.
- B. Buildings are sited to minimize alteration of terrain and other natural features, and minimize the need for fill.

## **Article VII. Compliance and Enforcement**

### **17.65.710 Compliance with critical area regulations.**

No permit for a development proposal described in SWMC Section 17.65.050 shall be issued unless it also complies with the regulations of this chapter.

### **17.65.720 Construction.**

In any case where the provisions of this chapter conflict with the provisions of the underlying zoning, the provisions of this chapter shall apply

### **17.65.730 Severability.**

The provisions of this chapter are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this chapter, or the invalidity of the application thereof to any person, owner, or circumstance shall not affect the validity of the remainder of this chapter, or the validity of its application to other persons, owners or circumstances.

### **17.65.740 State Environmental Policy Act.**

This chapter establishes minimum standards which are to be applied to specific land use and platting actions in order to prevent further degradation of critical areas in the city, and is not intended to limit the application of the State Environmental Policy Act (SEPA). Projects subject to SEPA shall be reviewed and may also be conditioned or denied.

### **17.65.750 Liability disclaimer—Flood hazard areas.**

Since floods more severe than the one hundred-year flood occur on rare occasions, reliance on this chapter will not altogether guarantee freedom from flood damage, nor shall this chapter create liability on the part of the city for such damage. It is further noted that other data regarding one hundred-year floodplain elevations may exist which indicate a more severe threat than the data established by FEMA. Information on these other data sources shall be kept and made available at Sedro-Woolley City Hall.

### **17.65.760 Enforcement of the critical areas regulations.**

#### **A. Violations.**

1. It is a violation of this chapter for any person to initiate or maintain or cause to be initiated or maintained the use of any structure, land or property within the city without first obtaining the permits or authorization required for the use by this chapter.
2. It is a violation of this chapter for any person to use, construct, locate, demolish or cause to be used, constructed, located, or demolished any structure, land or property within the city in any manner that is not permitted by the terms of any permit or authorization issued pursuant to this chapter, provided, that the terms or conditions are explicitly stated on the permit or the approved plans.



3. It is a violation of this chapter to remove or deface any sign, notice, complaint or order required by or posted in accordance with this chapter.
4. It is a violation of this chapter to misrepresent any material fact in any application, plans or other information submitted to obtain any critical areas authorization.
5. It is a violation of this chapter for anyone to fail to comply with the requirements of this chapter.

B. Duty to Enforce.

1. It shall be the duty of the director to enforce this chapter. The director may call upon the police, fire, health or other appropriate city departments to assist in enforcement.
2. Upon presentation of proper credentials, the director or duly authorized representative of the director may, with the consent of the owner or occupier of a building or premises, or pursuant to a lawfully issued inspection warrant, enter at reasonable times any building or premises subject to the consent or warrant to perform the duties imposed by the critical areas code.
3. The critical areas code shall be enforced for the benefit of the health, safety and welfare of the general public, and not for the benefit of any particular person or class of persons.
4. It is the intent of this critical areas code to place the obligation of complying with its requirements upon the owner, occupier or other person responsible for the condition of the land, wetlands, shorelines, and buildings within the scope of this code.
5. No provision of or term used in this code is intended to impose any duty upon the city or any of its officers or employees which would subject them to damages in a civil action.

C. Investigation and Notice of Violation.

1. The director shall investigate any structure or use which the director reasonably believes does not comply with the standards and requirements of the critical areas code.
2. If after investigation the director determines that the standards or requirements have been violated, the director shall serve a notice of violation upon the owner, tenant or other person responsible for the condition. The notice of violation shall state separately each standard or requirement violated; shall state what corrective action, if any, is necessary to comply with the standards or requirements; and shall set a reasonable time for compliance. The notice shall state that any subsequent violation may result in criminal prosecution as provided in SWMC Section 17.65.170. In the event of violation of the standards or requirements of this chapter required corrective action shall include, if appropriate, but shall not be limited to, mitigating measures such as restoration of the area and replacement of damaged or destroyed trees.
3. The notice shall be served upon the owner, tenant or other person responsible for the condition by personal service, registered mail, or certified mail with return receipt requested, addressed to the last known address of such person. If, after a reasonable search and reasonable efforts are made to obtain service, the whereabouts of the person or persons is unknown or service cannot be accomplished and the director makes an affidavit to that effect, then service of the notice upon such person or persons may be made by:
  - a. Publishing the notice once each week for two consecutive weeks in the city official newspaper; and



- b. Mailing a copy of the notice to each person named on the notice of violation by first class mail to the last known address if known, or if unknown, to the address of the property involved in the proceedings.
  - 4. A copy of the notice shall be posted at a conspicuous place on the property, unless posting the notice is not physically possible.
  - 5. Nothing in this section shall be deemed to limit or preclude any action or proceeding pursuant to SWMC Section 17.65.170.
  - 6. The director may mail, or cause to be delivered to all residential and/or nonresidential rental units in the structure or post at a conspicuous place on the property, a notice which informs each recipient or resident about the notice of violation, stop work order or emergency order and the applicable requirements and procedures.
  - 7. A notice or order may be amended at any time in order to:
    - a. Correct clerical errors; or
    - b. Cite additional authority for a stated violation.
- D. Time to Comply.
- 1. When calculating a reasonable time for compliance, the director shall consider the following criteria:
    - a. The type and degree of violation cited in the notice;
    - b. The stated intent, if any, of a responsible party to take steps to comply;
    - c. The procedural requirements for obtaining a permit to carry out corrective action;
    - d. The complexity of the corrective action, including seasonal considerations, construction requirements and the legal prerogatives of landlords and tenants; and
    - e. Any other circumstances beyond the control of the responsible party.
  - 2. Unless a request for review before the director is made in accordance with SWMC Section 17.65.170, the notice of violation shall become the final order of the director. A copy of the notice shall be filed with the Skagit County auditor. The director may choose not to file a copy of the notice or order if the notice or order is directed only to a responsible person other than the owner of the property.
- E. Stop Work Order. Whenever a continuing violation of this code will materially impair the director's ability to secure compliance with this code, or when the continuing violation threatens the health or safety of the public, the director may issue a stop work order specifying the violation and prohibiting any work or other activity at the site. A failure to comply with a stop work order shall constitute a violation of this land use code.
- F. Emergency Order.
- 1. Whenever any use or activity in violation of this code threatens the health and safety of the occupants of the premises or any member of the public, the director may issue an emergency order directing that the use or activity be discontinued and the condition causing the threat to the public health and safety be corrected. The emergency order shall specify the time for compliance and shall be posted in a conspicuous place on the property, if posting is physically possible. A failure to comply with an emergency order shall constitute a violation of this land use code.
  - 2. Any condition described in the emergency order which is not corrected within the time specified is declared to be a public nuisance and the director is authorized to abate such nuisance summarily by such means as may be available. The cost of such abatement



shall be recovered from the owner or person responsible or both in the manner provided by law.

G. Review by the Director.

1. Any person significantly affected by or interested in a notice of violation issued by the director pursuant to SWMC Section 17.65.170 may obtain a review of the notice by requesting such review within fifteen days after service of the notice. When the last day of the period so computed is a Saturday, Sunday or federal or city holiday, the period shall run until five p.m. on the next business day. The request shall be in writing, and upon receipt of the request, the director shall notify any persons served the notice of violation and the complainant, if any, of the date, time and place set for the review, which shall be not less than ten nor more than twenty days after the request is received, unless otherwise agreed by all persons served with the notice of violation. Before the date set for the review, any person significantly affected by or interested in the notice of violation may submit any written material to the director for consideration at the review.
2. The review will consist of an informal review meeting held at the department. A representative of the director who is familiar with the case and the applicable ordinances will attend. The director's representative will explain the reasons for the director's issuance of the notice and will listen to any additional information presented by the persons attending. At or after the review, the director may:
  - a. Sustain the notice of violation;
  - b. Withdraw the notice of violation;
  - c. Continue the review to a date certain for receipt of additional information; or
  - d. Modify the notice of violation, which may include an extension of the compliance date.
3. The director shall issue an order of the director containing the decision within seven days of the date of completion of the review and shall cause the same to be mailed by regular first class mail to the person or persons named on the notice of violation, mailed to the complainant, if possible, and filed with Skagit County auditor.

H. Extension of Compliance Date.

1. The director may grant an extension of time for compliance with any notice or order, whether pending or final, upon the director's finding that substantial progress toward compliance has been made and that the public will not be adversely affected by the extension.
2. An extension of time may be revoked by the director if it is shown that the conditions at the time the extension was granted have changed, the director determines that the conditions at the time the extension was granted have changed, the director determines that a party is not performing corrective actions as agreed, or if the extension creates an adverse effect on the public. The date of revocation shall then be considered as the compliance date. The procedures for revocation, notification of parties, and appeal of the revocation shall be established by rule.

I. Civil Penalty.

1. In addition to any other sanction or remedial procedure which may be available, any person violating or failing to comply with any of the provisions of this chapter shall be

subject to a cumulative penalty in the amount of seventy-five dollars per day for each violation from the date set for compliance until the order is complied with.

2. The penalty imposed by this section shall be collected by civil action brought in the name of the city. The director shall notify the city attorney in writing of the name of any person subject to the penalty, and the city attorney shall, with the assistance of the director, take appropriate action to collect the penalty.
  3. The violator may show as full or partial mitigation of liability:
    - a. That the violation giving rise to the action was caused by the willful act, or neglect, or abuse of another; or
    - b. That correction of the violation was commenced promptly upon receipt of the notice thereof, but that full compliance within the time specified was prevented by inability to gain access to the subject structure, or other condition or circumstance beyond the control of the defendant.
- J. Criminal Penalties. Any person violating or failing to comply with any of the provisions of this critical areas code, this chapter, shall be subject to criminal prosecution for a gross misdemeanor, and upon conviction of a subsequent violation shall be fined in a sum not exceeding five thousand dollars or be imprisoned in the city jail for a term not exceeding one year or be both fined and imprisoned. Each day of noncompliance with any of the provisions of this critical areas code shall constitute a separate offense.
- K. Additional Relief. The director may seek legal or equitable relief to enjoin any acts or practices and abate any condition which constitutes or will constitute a violation of this critical areas code when civil or criminal penalties are inadequate to effect compliance.



### **Attachment 3** to memo

Ordinance \_\_\_\_-16 to adopt amendments to the Sedro-Woolley Zoning Map

**AN ORDINANCE OF THE CITY OF SEDRO-WOOLLEY, WASHINGTON ADOPTING AMENDMENTS TO THE ZONING MAP IN ACCORDANCE WITH THE GMA-REQUIRED COMPREHENSIVE PLAN UPDATE DEADLINE OF JUNE 30, 2016, AS REVIEWED AS PART OF THE 2015 COMPREHENSIVE PLAN DOCKET.**

**WHEREAS**, applications for amendments to the Sedro-Woolley Comprehensive Plan were received by the published deadline of January 16, 2015; and

**WHEREAS**, the City of Sedro-Woolley established an on-going public participation process in accordance with RCW 36.70A.130(2) including the regular Planning Commission meetings, joint City Council and Planning Commission workshop(s), and Public Hearings to discuss proposed changes to the Comprehensive Plan; and

**WHEREAS**, public hearings were conducted before the Sedro-Woolley Planning Commission on various dates; and

**WHEREAS**, the Growth Management Act gives authority to Sedro-Woolley to update its Comprehensive Plan and zoning map once per year in such a manner that all proposed amendments are considered by the governing body concurrently such that the governing body may evaluate their cumulative effect; and

**WHEREAS**, environmental review of the updated Comprehensive Plan and zoning map has been completed and a Determination of Non-Significance was issued February 25, 2016, and that document is adopted by reference; and

**WHEREAS**, the proposed amendments to the Comprehensive Plan and zoning map have been submitted to the Washington State Department of Commerce (COMM) and the required 60-day review period has passed; and

**WHEREAS**, as part of the 2015 Docket, the Planning Commission reviewed the proposed updates to the Comprehensive Plan – including proposed amendments to the City urban growth area (UGA) boundaries – and Comprehensive Land Use Map and recommended updates to the Comprehensive Plan and development regulations that necessitated amendments to the Zoning Map;

**WHEREAS**, the Planning Commission held five public meetings, two open houses and five public hearings on updates to the Comprehensive Plan, zoning map, UGA boundaries and associated development regulation updates including amendments to the critical areas ordinance and amendments to the zoning code to add a new Chapter 17.XX – Residential 1 Environmentally Constrained zone; and

**WHEREAS**, notice was sent to all property owners whose land may have been affected by a zoning change or proposed to be included in the UGA ; and



**WHEREAS**, the County's updated 20-year population and employment projections show that Sedro-Woolley is projected to increase by 4,555 residents and 4,427 jobs for a projected total of 17,069 residents and 9,179 jobs by 2036; and

**WHEREAS**, the Growth Management Act (GMA) requires that the City complete a full update its Comprehensive Plan on or before June 30, 2016; and

**WHEREAS**, the Planning Commission issued a recommendation and findings of fact for the proposed UGA boundary modification, the Council passed Resolution #936-16 supporting the UGA modifications and requested that Skagit County review and approve the UGA modifications through the County review and approval process; and

**WHEREAS**, in compliance with RCW36.70A.115, the City finds that the updated UGA boundaries, zoning changes, Comprehensive Plan and development regulations provide sufficient land capacity for development; and

**WHEREAS**, in compliance with Chapter 36.70A RCW, the City finds that the updated development regulations and zoning map amendments shall implement the Comprehensive Plan; and

**WHEREAS**, the attached amendments to the Sedro-Woolley zoning map reflect the UGA modifications as proposed by the City on the presumption that the modifications will be approved by Skagit County upon completion of its Comprehensive Plan review and approval process; and

**WHEREAS**, should Skagit County approve amendments to the Sedro-Woolley UGA that vary significantly from the attached amendments to the Sedro-Woolley zoning map, then Sedro-Woolley will review and amend the Sedro-Woolley zoning map as necessary to reflect the County's adopted UGA modifications; and

**WHEREAS**, the attached updates to the zoning map conform to the Comprehensive Plan amendments reviewed as part of the 2015 Comprehensive Plan Docket and are intended to satisfy the GMA requirement to fully update the City of Sedro-Woolley Comprehensive Plan by June 30, 2016; and

**NOW THEREFORE THE CITY COUNCIL OF THE CITY OF SEDRO-WOOLLEY DOES ORDAIN AS FOLLOWS:**

**Section 1.** The City Council hereby adopts by reference the Planning Commission's *Findings of Fact, Conclusions and Recommendations* - which were certified by the Planning Commission Chair on May 5, 2016 - as the City Council's *Findings of Fact*.

**Section 2.** The Sedro-Woolley Zoning Map is hereby amended as set forth in the attached Exhibit A.

**Section 3.** This ordinance shall take effect five (5) days after the approval by the City Council and publication as provided by law.

**Section 4.** 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.

**PASSED** by majority vote of the members of the Sedro-Woolley City Council this \_\_\_\_\_<sup>th</sup> day of May, 2016, and signed in authentication of its passage this \_\_\_\_\_<sup>th</sup> day of May, 2016.

By: \_\_\_\_\_  
KEITH L. WAGONER, Mayor

Attest: \_\_\_\_\_  
PATSY NELSON, Finance Director

Approved as to form:

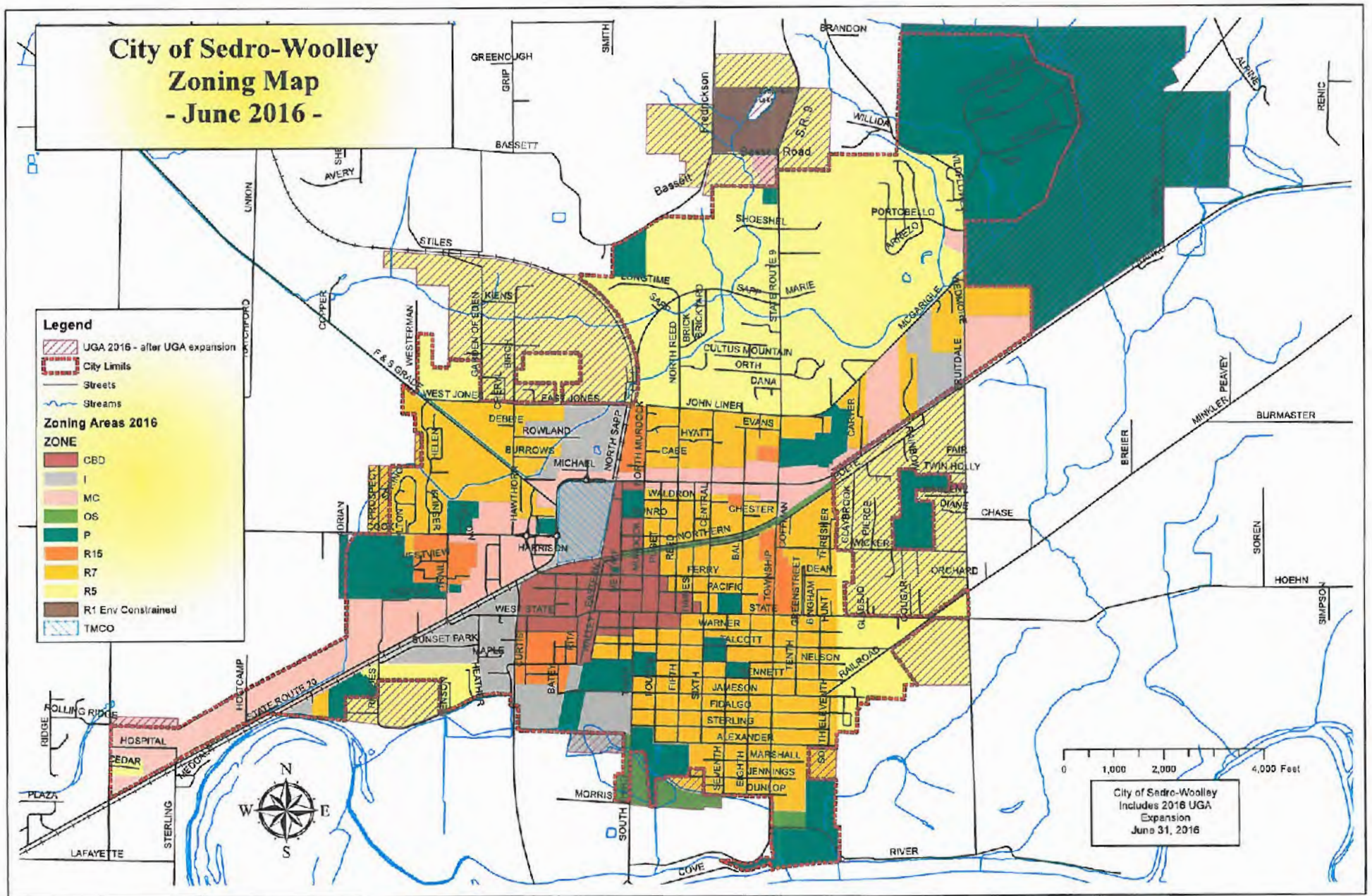
\_\_\_\_\_  
ERON BERG, City Attorney

Published: \_\_\_\_\_



# Exhibit A

To Ordinance No. 2016-\_\_\_\_  
Amended Zoning Map





## **Attachment 4** to memo

### Planning Commission's *Findings of Fact, Conclusions and Recommendations*

(*Findings* includes Attachments A – F, however those Attachments are not included herein; because they are included in the foregoing Ordinances and are left out of this Attachment 4 to avoid duplicating documents in the overall memo content.

Attachment A to the Findings is the same as Exhibits A – E of Attachment 1 above;

Attachment B to the Findings is the same as Exhibit A of Attachment 2 above;

Attachment C to the Findings is the same as Exhibit B of Attachment 2 above;

Attachment D to the Findings is the same as Exhibit A of Attachment 3 above; and  
Attachments E & F to the Findings is found in Appendix A of Exhibit B of Attachment 1 above)

# CITY OF SEDRO-WOOLLEY PLANNING COMMISSION STATE OF WASHINGTON

File #s – Requested by:

CPA-1-15 – City Sponsored

## 2015 COMPREHENSIVE PLAN AMENDMENT REQUESTS – 2015 DOCKET –

### PLANNING COMMISSION FINDINGS OF FACT, CONCLUSIONS AND RECOMMENDATION

#### Description of proposed amendments to the Comprehensive Plan & Land-Use Map

Per the Growth Management Act (Chapter 36.70A RCW), the Sedro-Woolley Comprehensive Plan and Critical Areas Ordinance must be updated by June 30, 2016. The Growth Management Act (GMA) requires that changes to Comprehensive Plans may be considered no more than once per year. Amendments may be suggested by citizens, staff or elected officials. All proposed amendments to the Comprehensive Plan must be considered at one time. The list of proposed amendments is termed the “Docket.” The following items were included on the 2015 Comprehensive Plan Docket; all proposed by the City of Sedro-Woolley. The proposals were docketed and reviewed by the Planning Commission in accordance with Growth Management Act and Chapters 2.88 and 2.90 of the Sedro-Woolley Municipal Code (SWMC). The following amendments – all reviewed under file # CPA-1-15 – are intended to fulfill the requirement to update the Sedro-Woolley Comprehensive Plan and Critical Areas Ordinance by June 30, 2016 as required by the GMA.

#### CPA-1-15A – Introduction and Vision Statement of the Comprehensive Plan Update

The Planning Commission completed a review of the Introduction and Vision Statement – Chapter 1 – of the Comprehensive Plan during the 2015 Docket cycle and has recommended updates. The recommended updates to Chapter 1 will only require amendments to the Introduction and Vision Statement.

#### CPA-1-15B – Land Use Element Update and Associated Zoning Code Amendments

The Planning Commission completed a review of the Land Use Element – Chapter 2 – of the Comprehensive Plan and has recommended updates to the Element. The recommended updates will require amendments to the Land Use Element, urban growth area (UGA) boundaries, Comprehensive Plan Map, Zoning Map and the zoning code.

*UGA Size Review* – Through a collaborative process involving Skagit County and the other cities within the county, each jurisdiction has been allotted a provisional population



projection and employment forecast for the planning horizon of 2036. That allotment has been reviewed and approved by the Skagit County Council of Governments (SCOG) Growth Management Steering Committee (SCOG Resolution 2015-2). Sedro-Woolley's population (including the UGA) is projected to increase to 17,069 by 2036. This represents an increase of 4,555 residents over the assumed 2016 population. Per that same SCOG Resolution, the number of persons employed in Sedro-Woolley in 2036 is projected to increase by 4,427, for a total 9,179 jobs. 2,855 of those new jobs are to be accommodated in the Center for Innovation and Technology in the Pacific Northwest (formerly referred to as the North Cascades Gateway Center or Northern State Campus). The remaining 1,572 jobs need to be accommodated within city limits and the UGA.

The city commissioned a buildable land and land capacity analysis report (BLA Report) to address whether the city has enough land in its UGA to accommodate 20 years of residential population growth and jobs growth. In general, the BLA Report (Attachment E) indicates that there will be significant shortage of commercial/industrial land and a small shortfall of residential land. The tables on pages 7, 8 and 9 of the BLA Report show how much land is available and shows how much additional land is needed. The Findings on pages 9 and 10 as well as the Policy Options on pages 10 and 11 recommend ways to address the shortfall. The Planning Commission recommends an expansion of the UGA to accommodate future growth.

The BLA Report indicates a significant shortage of industrial/commercial land. The current supply can only accommodate 1,213 jobs, that is 359 jobs less than the SCOG allotment of 1,572 jobs to be accommodated outside of Northern State. To accommodate those 359 jobs, additional land must be zoned Mixed Commercial (MC), Industrial or a mix of MC and Industrial. MC land is assumed to accommodate 20 jobs per acre; Industrial is assumed to accommodate 6.5 jobs per acre (see BLA Report, page 8).

The proposal is to accommodate all of the 359 jobs by adding commercial land to city's inventory. No additional industrial land is proposed. It takes roughly 17.95 acres of buildable MC land to accommodate 359 jobs ( $359 / 20$ ). Adding the 25% infrastructure factor and 15% vacant land market factor, then 25.15 acres of MC land will need to be added within either the city limits or the UGA.  $17.95 \text{ acres} + 25\% \text{ infrastructure (4.5 acres)} + 15\% \text{ market factor (2.7 acres)} = 25.15 \text{ acres MC}$  (plus any associated undevelopable critical areas and buffers).

The proposal includes a rezone of one (approximately) 21.5-acre parcel within city limits from Residential 7 zone to Mixed Commercial. This parcel (Assessor's Parcel number P39374) is in between State Route 20 and McGarigle Road. Also proposed as Mixed Commercial are approximately 6.5 acres of the eastern portions of parcels P36413 and P36414. These parcels are at the southwest corner of State Route 9 and Bassett Road. Only the area east of the ravine is proposed as Mixed Commercial, the rest of the parcels are proposed as Residential 5 zoning.

This analysis shows the need to add approximately 25.15 acres of developable commercial land; this does not include critical areas and buffers. To account for land lost to any undevelopable critical areas and buffers in the 25.15 acres, a 25% critical areas assumption is



added. Thus, the city needs to add approximately 31.43 acres of raw commercial land to accommodate 20 years of projected growth ( $25.15 \times 1.25 = 31.43$ ). Approximately 28 acres of commercial land are proposed to be added to the city's commercial/industrial land inventory. 21.5 of those acres are in existing city limits, thus only 6.5 acres of commercial land are proposed in the UGA expansion area.

Per the BLA Report Findings, the existing inventory of residential land is short 10 acres of buildable R-5 zoned land. After adjusting for the 25% infrastructure factor and 15% vacant land market factor (assuming new land added will be vacant and not partially developed), then 14 acres of R-5 land will need to be added to the UGA. This does not include critical areas; any critical areas will need to be mapped and not included as buildable lands. Thus, if 14 acres of useable land are added, the actual amount of land added to the UGA will be significantly more, because there may be critical areas (and their buffers) that will be on the added land. The critical areas and their buffers may not be developed. There are known creeks, associated wetlands and ravines in the areas being studied for inclusion in the UGA.  $10 \text{ acres} + 25\% \text{ infrastructure (2.5 acres)} + 15\% \text{ market factor (1.5 acres)} = 14 \text{ acres R-5 zone (plus any associated undevelopable critical areas)}$ .

The City is also working with the County to take the development potential within the UGA east of the city and apply it to the area north of the city. That area is in the UGA, but cannot be served by urban services. Therefore, the area cannot develop any further. In essence, the UGA east of town has the ability to house additional future residents in theory, however, because the area cannot be served by urban services, that development potential cannot be achieved.

The city commissioned an addendum (Attachment F) to the BLA Report to determine the amount of developable acres in the UGA where services cannot be provided and found that there are 35 acres of developable land in that area (including market factors). This area is zoned R-5 in the City Comprehensive Plan map, so the densities were figured based on the allowed densities in the R-5 zone.

In addition, 21.5 acres of residentially zoned land has been proposed to be changed from R-7 to Mixed Commercial. To replace that R-7 land that is "lost," the UGA will need to be expanded by the amount of residential land that is rezoned. The R-5 zoning designation is proposed for most of the land added to the UGA. 21.5 acres of R-7 land can accommodate 150.5 units ( $21.5 \times 7$ ). It will take roughly 30.1 acres ( $150.5 / 5$ ) of R-5 land to accommodate 150.5 units.

To determine how much land that is need to be added to the residential inventory, the above three separate calculations are added: 14 acres, 35 acres and 30.1 acres = 78.1. The city will need to include 78.1 new acres of R-5 zone (including market factors but not any associated undevelopable critical areas or buffers). However, approximately 40 acres around Bottomless Lake (not including lake) are characterized by larger lots situated around the lake in such a way that the R-5 zone may not be appropriate. This area is envisioned, if included in the UGA, to have one unit per acre zoning. Therefore, the 40 acres around Bottomless Lake can accommodate 40 dwelling units, whereas it would take only 8 acres of R-5 zoning (at 5 dwelling units per acre) to accommodate 40 dwelling units.



The UGA expansion proposal includes approximately 40 acres of Residential 1 zoning, therefore 110.1 acres of developable land needs to be added. (78.1 acres of R-5 minus 8 acres of R-5 plus 40 acres of R-1 = 110.1 acres). This analysis shows the need to add approximately 110.1 acres of developable residential land; this does not include critical areas and buffers. To account for land lost to any undevelopable critical areas and buffers in the 110.1 acres, a 25% critical areas assumption is added ( $110.1 \times 1.25 = 137.6$ ). Thus, the city needs to add 137.6 acres of raw residential land to accommodate 20 years of projected growth. Approximately 148.76 acres of residential land are proposed to be added to the UGA. *The reconfiguration adds 155.8 acres of UGA north of city limits; 106.5 acres of Residential 5 (R-5) zone, 42.8 acres of Residential 1 zoning and 6.5 acres of Mixed Commercial land.*

This analysis also assumes all land proposed to be added to the UGA is *undeveloped*, not partially developed. In reality, much of the proposed land is partially developed, thus a partial-development factor can be added to this analysis that would show a need to expand the UGA by more than this analysis shows. However, that partial-development factor would complicate this analysis beyond its necessary usefulness; this analysis does not include and partial-development factor.

The City cannot adjust its UGA on its own; per the GMA the County must adopt all changes to the UGA with input from the City. Before the County will entertain UGA expansions, they require an official recommendation of approval from the city who's UGA will be affected. This public review process was to enable the City Council to make an official recommendation of approval of the UGA reconfiguration to be included with any future UGA expansion requests to Skagit County. The Planning Commission made a recommendation for the UGA boundaries and passed findings of fact (incorporated into these Findings) regarding the UGA boundary recommendation. The City Council reviewed the recommendation, approved Resolution No. 969-16 supporting the recommendation, and a request to modify the size of the City's UGA (including the proposed UGA boundary modifications) were forwarded to Skagit County Planning and Community Development so that further public hearings can be held. The County Commissioners will be making a decision about the recommended UGA boundaries in May or June of 2016.

*Land Use Element Review* – After the UGA boundaries were approved in concept by City Council and sent to the County for approval, the Planning Commission was able to continue its review of the Land Use Element (and the other elements of the Comprehensive Plan under review on the 2015 Docket). Because the approval of the UGA boundaries is out of the hands of the City, but the City must adopt updates to its Comprehensive Plan by June 30, 2016, it has been presumed that the County will adopt the recommended UGA boundaries. The updated information in the Land Use Element includes the population and employment projections approved by SCOG Resolution 2015-2 and the UGA boundaries and zoning in City Resolution No. 969-16. The updates to the Land Use Element recommended by the Planning Commission will require amendments to the Land Use Element, amendments to the Zoning Map, and amendments to the development regulations.



#### CPA-1-15C – Transportation Element Update

The Planning Commission completed a review of the Transportation Element – Chapter 3 – of the Comprehensive Plan and has recommended updates. The updates recommended by the Planning Commission will only require amendments to the Transportation Element. The updated information in the Transportation Element includes the population and employment projections approved by SCOG Resolution 2015-2 and the UGA boundaries and zoning in City Resolution No. 969-16. The entire Transportation Element has been rewritten.

#### CPA-1-15D – Economic Development Element Update

The Planning Commission completed a review of the Economic Development Element– Chapter 8 – of the Comprehensive Plan and has recommended updates to the Element. The updates recommended by the Planning Commission will only require amendments to the Economic Development Element. The updated information in the Economic Development Element includes the population and employment projections approved by SCOG Resolution 2015-2 and the UGA boundaries and zoning in City Resolution No. 969-16.

#### CPA-1-15E – Critical Areas Ordinance Update

The Planning Commission completed a review of the Critical Areas Ordinance (CAO) – Chapter 17.65 SWMC – as part of the 2015 Docket cycle and has recommended updates to the Chapter. The updates recommended by the Planning Commission will require amendments to the zoning code.

#### CPA-1-15F – Zoning Map and Comprehensive Plan Map Amendments

The Planning Commission completed a review of the Zoning Map and Comprehensive Land Use Map of the Comprehensive Plan during the 2015 Docket cycle and has recommended updates to the maps. The updated information in the Zoning and Comprehensive Land Use Maps includes the population and employment projections approved by SCOG Resolution 2015-2 and the UGA boundaries and zoning in City Resolution No. 969-16.

#### **Planning Commission Finding of Fact**

##### Conformance with Growth Management Act

1. Per the GMA, the Sedro-Woolley Comprehensive Plan must be updated by June 30, 2016. Individual elements of the Plan may be adopted prior to the 2016 deadline.
2. In years prior to the 2015 Docket, the City Council adopted amendments to the other elements of the Comprehensive Plan to meet the June 30, 2016 GMA update requirements: the Capital Facilities Element of the Comprehensive Plan adopted April 27, 2016 (Ordinance 1844-16), the updates to the Housing Element that were adopted May 28, 2014 (Ordinance 1794-14), the updates to the Public Utilities Element that were adopted January 27, 2010 (Ordinance 1663-10), and the updates to the Parks and Recreation Element that were adopted April 11, 2012 (Ordinance 1736-12).



3. The City of Sedro-Woolley advertised in the Skagit Valley Herald that the deadline for accepting applications and proposals for Land Use Plan and Zoning Map Amendments or text amendments to the City's development regulations will be January 16, 2015.
4. No requests for Land Use Map, Zoning Map or Comprehensive Plan amendments were received from the public at-large.
5. On February 25, 2015 the City Council reviewed the proposed items for inclusion on the 2015 Comprehensive Plan Docket. The City Council placed the updates to the Comprehensive Plan, Zoning Map and Critical Areas Ordinance the 2015 Docket. The Council directed the Planning Commission to hold public hearings on the Docket items and recommend amendments for the Council to consider.
6. A SEPA DNS for the proposed Residential 1 – Environmentally Constrained Zone amendments was issued on November 30, 2015.
7. Per RCW 36.70A.106, notice of the proposed Residential 1 – Environmentally Constrained Zone amendments were sent to the Washington State Department of Commerce for 60-day review on December 15, 2015. The review period expired in March, 2016.
8. Per RCW 36.70A.106, notice of the proposed and Comprehensive Plan, associated development regulations and zoning amendments were sent to the Washington State Department of Commerce for 60-day review on January 15, 2016. The review period expired in March, 2016.
9. A SEPA DNS for the 2015 Comprehensive Plan updates, associated development regulation updates and zoning map updates was issued on February 25, 2016
10. Per RCW 36.70A.106, notice of the proposed and Critical Areas Regulation amendments were sent to the Washington State Department of Commerce for 60-day review on January 20, 2016. The review period expired in March 15, 2016.
11. A SEPA DNS for the Critical Areas Regulation updates was issued on February 25, 2016.

#### CPA-1-15

12. Per the Washington State Growth Management Act, properties outside of designated urban growth areas may not be developed with city services, therefore preventing urban density development outside of cities.
13. The Growth Management Act (GMA) of Washington State requires cities to have urban growth areas (UGAs) sized large enough to accommodate 20 years of projected growth between 2016 and 2036.
14. Skagit County Planning & Development Services, in coordination with the cities and towns in the county, recommended preliminary 20-year population and employment projections for the jurisdictions in the County, including the City of Sedro-Woolley.
15. Skagit Council of Governments (SCOG) GMA Steering Committee recommended that the County Board of Commissioners consider amending the Countywide-Planning Policies to include the updated 20-year population and employment projections.
16. Lands may be included in a UGA after a public review process that begins at the City level, but the actual UGA designation is done at the County level. The City does not determine what lands are included in the UGA, Skagit County officially determines the City's UGA with input from the City. The City must show that the expansion is



- reasonable and demonstrate that an expansion is in conformance with the GMA and Chapter 14.08 of the Skagit County Code.
17. Because a proposal to change UGA boundaries has the potential to affect future land use, the City used the Comprehensive Plan review cycle to allow public comment about the proposed UGA expansion. The public comments would inform any future official request to the County to include the above described properties in the City UGA. The public hearing process would allow the Planning Commission to make an informed recommendation to the City Council as to whether the proposal meets with public approval. The City Council would then be able to present to the County a formal record indicating the City has thoroughly studied the possibility of expanding the UGA and finds that it is well-founded expansion.
  18. The Planning Commission reviewed the existing Land Use Element at its April 21, 2015 meeting.
  19. On May 8, 2015, in compliance with Chapter 2.90 SWMC, notice of a May 19, 2015 Public Hearing in front of the Planning Commission and opportunity to comment on the proposed amendments to the Land Use Element was published in the Skagit Valley Herald. Notice was sent to all property owners whose land is in an area that is geographically close to existing city limits and could potentially be interested in being in the UGA. In order to gain robust public input, notice was also sent to persons who commented on past, unrelated zoning review of the City UGA (in 2014) because those persons had an interest in UGA zoning and sizing in the past.
  20. The Planning Commission held its first public hearing on the Land Use Element on May 19, 2015.
  21. The Planning Commission further reviewed the Land Use Element at its June 16 and July 21, 2015 meetings. A Draft Buildable Land & Land Capacity Analysis Report (BLA Report) was available at the June meeting and a final BLA Report was reviewed at the July meeting. The amount of land available to accommodate future residential, commercial and industrial growth, as well as the preferred methods and locations to accommodate the projected growth, was the focus of these meetings. Based on the BLA Report findings, expansion of the City UGA boundaries was determined to be necessary to accommodate future growth.
  22. On August 18 and September 15, 2015 the Planning Commission held informal open house / workshops to gather feedback from the community on the possible UGA expansion and to find potential locations to accommodate the projected 20-year residential, commercial and industrial growth. A public hearing was originally scheduled for August 18, but based on feedback from the community, that hearing was cancelled in favor of two less formal open houses on August 18 and September 15. Notice was sent to all property owners whose land is in an area that is geographically close to existing city limits and could potentially be interested in being in the UGA (or remaining outside the UGA). Notice was also sent to persons who have participated in previous hearings or submitted comments on the Land Use Element.
  23. At the regularly scheduled join City Council and Planning Commission meeting on September 2, 2015, a discussion the progress of the 2015 Comprehensive Plan was held. No decisions or recommendations were made.
  24. On October 8, 2015, in compliance with Chapter 2.90 SWMC, notice of a October 20, 2015 Public Hearing in front of the Planning Commission and opportunity to comment on the proposed amendments to the Land Use Element was published in the Skagit



- Valley Herald. Notice was sent to all property owners whose land is in an area that is geographically close to existing city limits and could potentially be interested in being in the UGA. Notice was also sent to persons who have participated in previous hearings or submitted comments on the Land Use Element.
25. The Planning Commission reviewed proposed UGA boundary amendments at a public hearing on October 20, 2015.
  26. The Planning Commission continued review of proposed UGA boundary amendments at a Special Planning Commission meeting on November 3, 2015. On October 22, 2015, notice of the November 3, 2015 Special Planning Commission meeting was published in the Skagit Valley Herald. Notice was sent to persons who have participated in previous hearings or submitted comments on the Land Use Element update.
  27. On December 4, 2015, in compliance with Chapter 2.90 SWMC, notice of a December 15, 2015 Public Hearing in front of the Planning Commission and opportunity to comment on the proposed amendments to the Land Use Element was published in the Skagit Valley Herald. Notice was sent to all property owners whose land is in an area that is geographically close to existing city limits and could potentially be interested in being in the UGA. Notice was also sent to persons who have participated in previous hearings or submitted comments on the Land Use Element update.
  28. At the conclusion of the December 15, 2015 hearing, the Planning Commission passed a motion to recommend that the UGA boundaries be expanded, a new Residential 1 – Environmentally Constrained zoning designation be created and recommended zoning designation changes to accommodate 20 years of projected residential, commercial and industrial growth.
  29. The City Council reviewed the Planning Commission's recommendations and on February 10, 2016 approved Resolution No. 969-16 supporting Planning Commission's recommendations and instructing staff to forward the recommendations to Skagit County Planning and Community Development.
  30. The Planning Commission began review of the Critical Areas Ordinance (CAO) at its January 19, 2016 meeting.
  31. On March 4, 2016, in compliance with Chapter 2.90 SWMC, notice of a March 15, 2016 Public Hearing in front of the Planning Commission and opportunity to comment on proposed amendments to the Land Use Element, Introduction/Vision Statement, Economic Development Element of the Comprehensive Plan, associated changes to the development regulations, updates to the CAO and Zoning Map amendments was published in the Skagit Valley Herald. Notice was sent to persons who have participated in previous hearings or submitted comments on the Land Use Element or CAO updates.
  32. On March 15, 2016 the Planning Commission held an open record public hearing to receive testimony on proposed amendments to the Land Use Element, Introduction/Vision Statement, Economic Development Element of the Comprehensive Plan, associated changes to the development regulations, updates to the CAO and Zoning Map amendments.
  33. After closing the March 15, 2016 public hearing, the Planning Commission made several motions:
    - A. A motion to recommend that city council approve proposed amendments (as amended) to the Introduction and Vision Statement – Chapter 1 of the Comprehensive Plan. The motion passed 7-0.



- B. A motion to recommend that city council approve proposed amendments (as amended) to the Land Use Element – Chapter 2 of the Comprehensive Plan. The motion passed 7-0.
  - C. A motion to recommend that city council approve proposed amendments to the Economic Development Element – Chapter 8 of the Comprehensive Plan. The motion passed 7-0.
  - D. A motion to recommend that city council approve proposed amendments to the Critical Areas Regulations – Chapter 17.65 of the Sedro-Woolley Municipal Code. The motion passed 7-0.
  - E. A motion to recommend that city council approve proposed new Residential 1 Environmentally Constrained zoning designation – Chapter 17.XX of the Sedro-Woolley Municipal Code. The motion passed 7-0.
  - F. A motion to recommend that city council approve proposed amendments to the City Zoning Map. The motion passed 7-0.
34. On April 7, 2016, in compliance with Chapter 2.90 SWMC, notice of an April 19, 2016 Public Hearing in front of the Planning Commission and opportunity to comment on the proposed amendments to the Transportation Element of the Comprehensive Plan was published in the Skagit Valley Herald. Notice was sent to persons who have participated in previous hearings or submitted comments on the Land Use Element, Introduction/Vision Statement, Economic Development Element, associated development regulation updates or CAO updates.
35. On April 19, 2016 the Planning Commission held a final public hearing on updates as part of the 2015 Comprehensive Plan Docket. The April 19 hearing was on proposed updates to the Transportation Element. After closing the public hearing, the Planning Commission made a motion to recommend council adopt the proposed updates to the Transportation Element – Chapter 3 of the Comprehensive Plan. The motion passed 7-0.
36. The collected amendments to the Introduction/Vision Statement, Land Use Element, Transportation Element and Economic Development Element of the Comprehensive Plan, associated changes to the development regulations, updates to the CAO and Zoning Map amendments as recommended by the Planning Commission are shown in Attachments A through D of these Findings.

### **Planning Commission Recommendations**

#### **Comprehensive Plan Amendments**

Based on the findings of fact and testimonies received by the Planning Commission, the Planning Commission recommends that the City Council **approve** amendments to the Introduction/Vision Statement, Land Use Element, Transportation Element, Economic Development Element, and Comprehensive Plan Map of the Comprehensive Plan as shown in Attachment A.

#### **Associated Development Regulation Amendments**

Based on the findings of fact and testimonies received by the Planning Commission, the Planning Commission recommends that the City Council **approve** amendments to the



zoning code (associated with the proposed updates to the Comprehensive Plan) as shown in Attachment B.

#### Critical Areas Ordinance Amendments

Based on the findings of fact and testimonies received by the Planning Commission, the Planning Commission recommends that the City Council **approve** amendments to Chapter 17.65 SWMC – Regulations for Critical Areas, as shown in Attachment C.

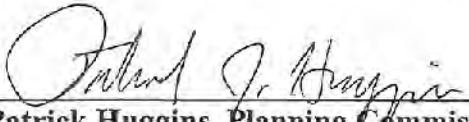
#### Zoning Map Amendments

Based on the findings of fact and testimonies received by the Planning Commission, the Planning Commission recommends that the City Council **approve** amendments to the Zoning map as shown in Attachment D.

### ATTACHMENTS

- Attachment A – Recommended amendments to the Introduction/Vision Statement, Land Use Element, Transportation Element, Economic Development Element, and Comprehensive Plan Map of the Sedro-Woolley Comprehensive Plan.
- Attachment B – Recommended amendments to Title 17 SWMC – Zoning, to assure conformity between Comprehensive Plan and development regulations.
- Attachment C – Recommended amendments to Chapter 17.65 SWMC – Regulations for Critical Areas.
- Attachment D – Recommended amendments to Zoning Map.
- Attachment E – buildable land and land capacity analysis report (BLA Report)
- Attachment F – Addendum to buildable land and land capacity analysis report

### CERTIFICATION

  
\_\_\_\_\_  
Patrick Huggins, Planning Commission Chairman

8-5-14  
Date

## **Attachment 5** to memo

Summary of written comments and summary city action regarding comments  
and

Written public comments received during open public comment period





Summary of Written Comments received during public comment period for CPA-1-15

	Name	Date received	Summary of comment	City action/reply
1	P. Christ	8-18-15	Request no zoning or UGA changes in Willida Lane area	No zoning or UGA changes recommended in Willida Lane area
2	C. Sanders	9-15-15	Request information about possible zoning and UGA changes in Willida Lane area	Provided information about possible zoning and UGA changes in Willida Lane area – no changes proposed
3	D. & T. Johnson	10-15-15	Request no zoning changes in Garden of Eden area	No zoning changes recommended in Garden of Eden area
4	M. Johnson	10-20-15	Request no zoning changes in Garden of Eden area	No zoning changes recommended in Garden of Eden area
5	Skagitonians to Preserve Farmland, A. Rozema	10-20-15	Request no UGA expansion northwest of Garden of Eden area nor south of city limits	No UGA expansion requested northwest of Garden of Eden. Southern UGA expansion request was included in proposed UGA expansion under review by Skagit County. County PC recommended to not approve southern UGA expansion of city owned land
6	J. Fure	10-20-15	Request no zoning changes in Garden of Eden area	No zoning changes recommended in Garden of Eden area
7	J. Meadows	10-20-15	Request no UGA expansion northwest of Garden of Eden area	No UGA expansion changes recommended northwest of Garden of Eden area
8	Anonymous	10-20-15	Request no zoning changes in Garden of Eden area	No zoning changes recommended in Garden of Eden area
9	Anonymous	10-20-15	Request no zoning changes in Garden of Eden area	No zoning changes recommended in Garden of Eden area

10	J. Diamond	11-5-15	Requested that 10.63 acres he owns on S.R. 9, used currently as a gravel pit [Skagit Hill Recycling] be included in UGA as commercial/industrial land	PC had already identified ample amount of land with city limits to accommodate commercial & industrial land needs. Buildable lands analysis showed no need to add more commercial or industrial land to UGA
11	J. and A. Murphy	11-30-16	Requested that 11.29 acres they own on west side of S.R. 9 be included in UGA as residential land	PC recommended including the 11.29 acres in the UGA as R-5 zoning
12	P. Christ	3-18-16	Confirmed that he is pleased that his land on Willida was not recommended to be included in UGA	No action necessary
13	R. & A. Good	4-19-16	Requested that a policy regarding Concrete rail corridor be added to Transportation Plan Element	PC added requested policy regarding Concrete rail corridor to Transportation Plan Element
14	Friends of Skagit County, R. Good	4-19-16	Submitted comments regarding identification of projects on 20 year Comp Plan project list and 6 year T.I.P. and encourages public comment period in process of identifying projects	Public Works confirmed that all projects on 20 year Comp Plan project list and 6 year T.I.P. were subject to public comment period before being identified on either list. PW noted that the April 18, 2016 PC meeting was the public hearing for the 20 year Comp Plan project list. There is a separate public comment process for the 6 year T.I.P. as the T.I.P. is updated annually.



## John Coleman

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**From:** Peter <peteroboe@comcast.net>  
**Sent:** Tuesday, August 18, 2015 12:09 AM  
**To:** John Coleman  
**Subject:** modifications to SW urban growth area

Dear Mr. Coleman,

I own acreage on Willida Lane just off Fruitdale, and lived there for over 20 years.

I am not interested in being part of the Sedro-Woolley urban growth area expansion. i.e., I do not want my property annexed by the city.

Thank you for considering my interests.

Peter Christ

28818 NE Hancock Rd  
Camas, WA 98607

360-834-7022

## John Coleman

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**From:** ccsconcert@aol.com  
**Sent:** Tuesday, September 15, 2015 1:03 PM  
**To:** John Coleman  
**Subject:** UGA

Hello John:

I own a 1.4 acre lot at the end of Willida Lane and received your notice re meetings about the UGA. I live in Los Angeles now and would like more info, but cannot attend meetings. How can I receive more info on the ramifications of the UGA. It is hard to tell from the map but I believe my lot is in the area being considered. Recently I was informed that I won't be able to install a well, so that is quite disappointing after paying property taxes for so many years when the lot was considered much more valuable than it is now.

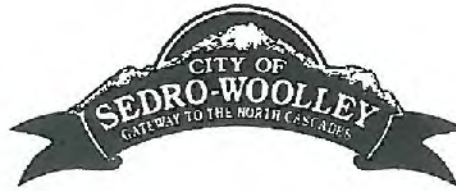
Thank you for your response. If it is easier to call, please try the following:

Work: 310-322-4719, ext 1101 (until 5:00)  
Cell: 310-720-4316

Carol Sanders

COMMENT 2  
ON SUMMARY





Oct. 13, 2015

**INFORMATIONAL WORKSHOP-AMENDMENTS TO THE COMPREHENSIVE PLAN,  
COMPREHENSIVE PLAN MAP AND ZONING MAP  
PUBLIC COMMENT SHEET**

The City of Sedro-Woolley is seeking public input on the proposed amendments to the comprehensive plan, comprehensive plan map and zoning map. In addition to verbal comments, we encourage citizens to submit written comments on the proposed project.

- Please provide any comments, suggestions, and information you may have.

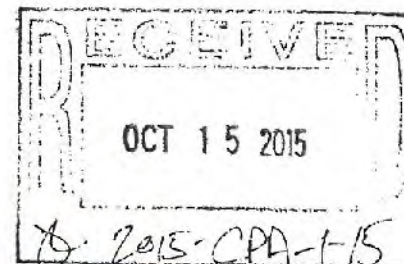
We love the beauty surrounding our property on the Garden of Eden Road. We love the creeks, trees, wild life including deer, raccoons, beaver, frogs, herons, and all the other birds and creatures around us. We love growing our gardens. Please preserve our nature area from contamination of industry and city growth.

(Optional) Name: DAVID + TERESA JOHNSON Phone: 856 4881

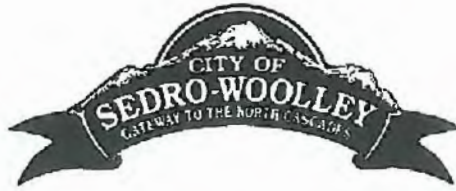
Mailing Address: 8697 GARDEN OF EDEN ROAD

Email Address: Sedro-Woolley, WA 98284

Return to: John Coleman, Planning Director  
City of Sedro-Woolley  
325 Metcalf Street  
Sedro-Woolley, WA. 98284  
360-855-0771



COMMENT 3  
ON SUMMARY



INFORMATIONAL WORKSHOP-AMENDMENTS TO THE COMPREHENSIVE PLAN,  
COMPREHENSIVE PLAN MAP AND ZONING MAP  
PUBLIC COMMENT SHEET

The City of Sedro-Woolley is seeking public input on the proposed amendments to the comprehensive plan, comprehensive plan map and zoning map. In addition to verbal comments, we encourage citizens to submit written comments on the proposed project.

- Please provide any comments, suggestions, and information you may have.

I am in the urban growth area  
on Garden of Eden Rd.  
I would like for the urban growth  
to not include industrial parks.  
This would ruin the area. My hope is  
that it will be an additional residential  
area, to be kept beautiful! Thank you  
for welcoming my comments. M.M.J.

(Optional) Name: Mary M. Johnson Phone: 360-856-6561

Mailing Address: 8596 Garden of Eden Rd.

Email Address: —

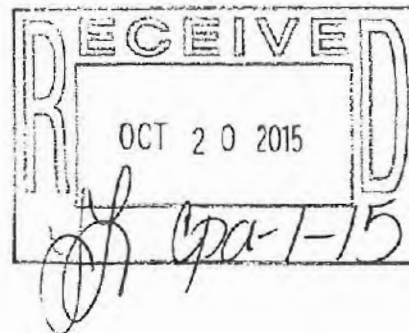
Return to: John Coleman, Planning Director  
City of Sedro-Woolley  
325 Metcalf Street  
Sedro-Woolley, WA. 98284  
360-855-0771







Mr. John Coleman, Planning Director  
City of Sedro-Woolley  
325 Metcalf Street  
Sedro-Woolley, WA 98284



Tuesday, October 20, 2015

**BOARD OF DIRECTORS**

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Dave Hedlin

Stephen Jones

Tim Knue

Amy Wilcox

**VIA Hand Delivery**

**RE: CPA-1-15 and PL13-0299 – Comprehensive Plan/Zoning Map  
Amendment Request**

Dear Mr. Coleman:

Thank you for the opportunity to provide comment on the City of Sedro-Woolley's proposed amendments to City's Comprehensive Plan, Comprehensive Plan Map and Zoning Map, City file # CPA-1-15 and Skagit County file No. PL13-0299

Skagitonians to Preserve Farmland (SPF) has reviewed the subject project files and our comments are narrowly focused on two proposals; a proposed 50-acre UGA expansion at F&S Grade Road for residential construction and a proposed 34-acre UGA expansion south of the City's wastewater treatment facility for a stormwater utility.

SPF believes these current proposals will serve to exacerbate the continued loss of farmland in Skagit County by inducing sprawl and serving as a precedent for future actions unless the City is able to take steps to protect and/or remove an equal amount of farmed lands within the City's existing municipal boundary and/or Urban Growth Areas.

In 2012 the Washington State Legislature passed a new legislative directive under Senate Bill 6082, to better protect agricultural land, declaring it is now

**STAFF**

Allen Rozema  
*Executive Director*

Linda Tyler  
*Development Director*

Elisa Minerich  
*Development Assistant*

Barbara Martin  
*Bookkeeper*

"... the policy of the state to identify and take into account the adverse effects of ... actions on the preservation and conservation of agricultural lands; to consider alternative actions, as appropriate, that could lessen such adverse effects; and to assure that such actions appropriately mitigate for unavoidable impacts to agricultural resources ..."

Because of this new Legislative directive, the Washington State Department of Ecology, in the spring of 2014, amended the SEPA Environmental Checklist in order for SEPA lead agencies to better identify and disclose impacts to agricultural lands and to identify any measures to avoid, minimize and/or mitigate unavoidable impacts to farmland.

COMMENTS  
ON SUMMARY

In addition, Skagit County has adopted a breadth of goals and policies to better protect farmed lands within Skagit County through the 2007 County Wide Planning Policies and through the 2007 Skagit County Comprehensive Plan.

Specifically, Skagit County has stated in its Comprehensive Plan that Skagit County will

*“ . . . Protect the agricultural land resource **and farming** in Skagit County; endeavor to **minimize the loss of the resource; mitigate unavoidable losses; and replace lost resource whenever possible . . .** (emphasis added)”<sup>1</sup>*

This significant local policy, when coupled with the State’s new Legislative directive found in SB 6082 and the Department of Ecology’s amendment to the SEPA Environmental Checklist, provides clear and unambiguous direction that land use proposals and actions must take into consideration impacts to agricultural resource lands and that project proponents are compelled to take reasonable steps to avoid, minimize or mitigate unavoidable impacts to farmed land.

In summary, SPF is concerned the proposed 50-acre UGA expansion at F&S Grade Road for residential construction and the proposed 34-acre UGA expansion south of the City’s wastewater treatment facility, without taking steps to address the proposed loss of farmed lands, is in conflict with the Growth Management Act, the new Legislative Directive found in SB 6082, the State Environmental Policy Act and County’s Comprehensive Plan policies to protect agricultural resource lands.

Thank you again for allowing us this opportunity to provide public comment. If you have questions about our comments please do not hesitate to contact me by phone at 360-336-3974 or by e-mail at [allenr@skagitonians.org](mailto:allenr@skagitonians.org).

Sincerely,

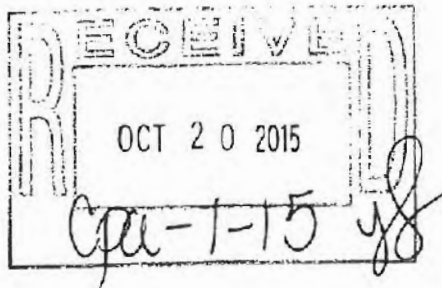
A handwritten signature in black ink, appearing to read 'Allen Rozema', with a long horizontal line extending to the right.

Allen Rozema  
Executive Director

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<sup>1</sup> 2007 Skagit County Comprehensive Plan. Skagit County. October 2007. Page 4.6

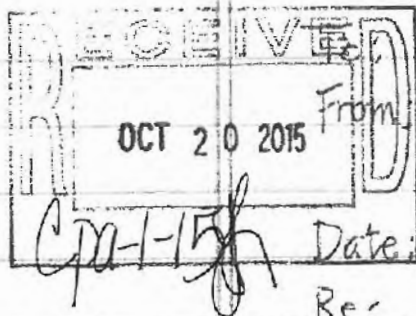




my Name is Jeff Fure i Live at 8946  
Garden Terrace Ln Sedro Woolley Wa 98284  
I was The 1st House in the Garden Terrace  
Development I moved here in 1992 in Feb  
23 YRS ago almost 24. We in this development  
have managed to keep from Being Annexed over  
The years more than once & Hopefully we will  
again. I Didnt Spent 24 YRS Paying for this  
House & property so the City of Sedro Woolley can  
Turn it into an Industrial playground with Grain  
plants that Explod & Slaughter houses & god Knows  
what Eles Driving Down my Property Values &  
Destroying my Quit life we Enjoy Here  
I have 4 more years & my House will Be  
paid for! I would like to live in it for a  
long time after that But Not With Traffic &  
lights & Noise Starting at 7:00 AM - I AM  
Im No way In favor of This at all

Jeff Fure JH2015

COMMENT 6  
ON SUMMARY



City of Sedro Woolley Planning Commission  
From: Judith J. Meadows  
8642 Westerman Road, Sedro Woolley, WA 98284  
Date: October 20, 2015  
Re: Proposed Urban Growth Area/ "Westerman Road"

If each of you went home tonight  
and found a notice in the local newspaper  
that I had made plans for your home, your land  
undoubtedly  
you would wave it in the air and think,  
"Who does she think she is, to be telling me,  
and announcing to the whole world, what  
she is going to do with my property?"

Well, this is my home and my land  
on Westerman Road; it is not yours.  
I started working for this land when  
I was 9 years old. I have lived there now  
for almost 45 years, and I have been  
a very good steward of this  
prime agricultural ground, salmon spawning  
creek, critical wetlands, and forest.

My farmland is part of  
a 50-60 acre contiguous block of  
prime agricultural ground which has been  
actively farmed for peas, corn, wheat,  
potatoes, hay for over 45 years.



The Washington State Growth Management Act, as well as Skagit County, specifically encourages and prioritizes the preservation of these "never to be replaced" lands. I grew up in Mount Vernon, WA near the old Highway 99 bridge. When I would climb the cottonwood tree nearby, almost all I could see looking south and west were red tulip fields. Now, it is asphalt and 4-6 lanes of congested traffic everywhere.

Urban development is not "the highest and best" use for my 10 acres of land on Westerman Road. It would be prohibitively costly, secure very few residential expansion sites, and would destroy multiple, prized natural resources in the process, as well as creating a fire hazard.

I have personally written at least 5 major, critical land use documents for our Federal, State, and County governments (Judith M. Brown, Judith J. Meadows). I have established experience in this area. As a planner, I would have to say this is not "the highest and best use" of this land.

As a private citizen, whose private property is protected under the U.S. Constitution/Bill of Rights I respectfully request that my private property on Westernman Road be formally removed from this proposal, as of this October 20, 2015 public hearing.

I further request that you respectfully accept my "No, I do not want to be included"

in your proposed Urban Growth Area. Please do not disrespectively continue to make plans or publish plans about my land, which is not yours.

I encourage you to search out and pursue other viable options, which would be much more fruitful for the City of Sedro Woolley in the long term.

If I can assist you, in some other way, I would be happy to sit down and talk with you. Thank you for receiving my public testimony today.

Sincerely,  
Judith J. Meadows



## Rezone Issues:

The area north of Jones and east of Garden of Eden Road is a residential area. The residents in and nearby this area bought their homes, created a life for their families, and paid their taxes responsibly over the years. If the city allows this area to be rezoned, these citizens will be greatly impacted, their property values will fall, and the quality of the environment they chosen with the understanding it was residentially zoned will be downgraded significantly.

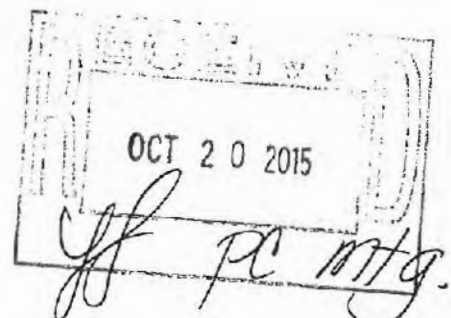
In an industrial zone, noise levels can interfere with the peace of the surrounding neighbors. Some of us may be retired, work from our homes, or have small children, and want to continue the life we have built and planned on for years. The quiet of our lives has already been disrupted greatly by the increase in train traffic.

I question the need for so much Industrial land to be added. What with the Janicki project at Northern State, we are already adding many industrial jobs to our community. Mixed Commercial land does not require sites as large as Industrial sites do and therefore Mixed Commercial could utilize areas not already zoned as residential. Much of our downtown is already vacant. I understand that in time Skagit Steel also has plans for creating more business for this area.

Mixed Commercial land is assumed to provide 20 jobs per acre whereas Industrial zoned land would only accommodate 6.5 jobs per acre. It states that with Mixed Commercial zoning you would need 17.95 acres of buildable land to create the jobs needed. With Industrial you would need 55.2 acres of land for the same number of jobs.

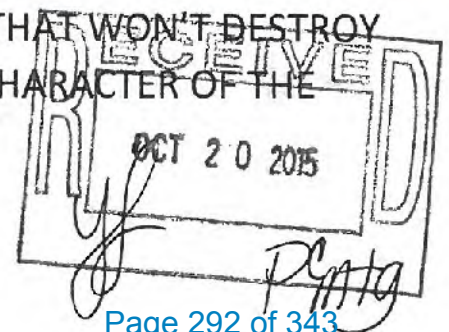
The same report states that the city estimates a need to add 81 acres of developable residential land BEFORE ZONING CHANGES to accommodate commercial/industrial land. It just doesn't make sense why you would take away residential land and destroy people's property values to then go looking for more land for the same purpose somewhere else. This is especially true when rezoning the land in question has such strong opposition from the residents who have already established their homes there.

COMMENT 8  
a SUMMARY



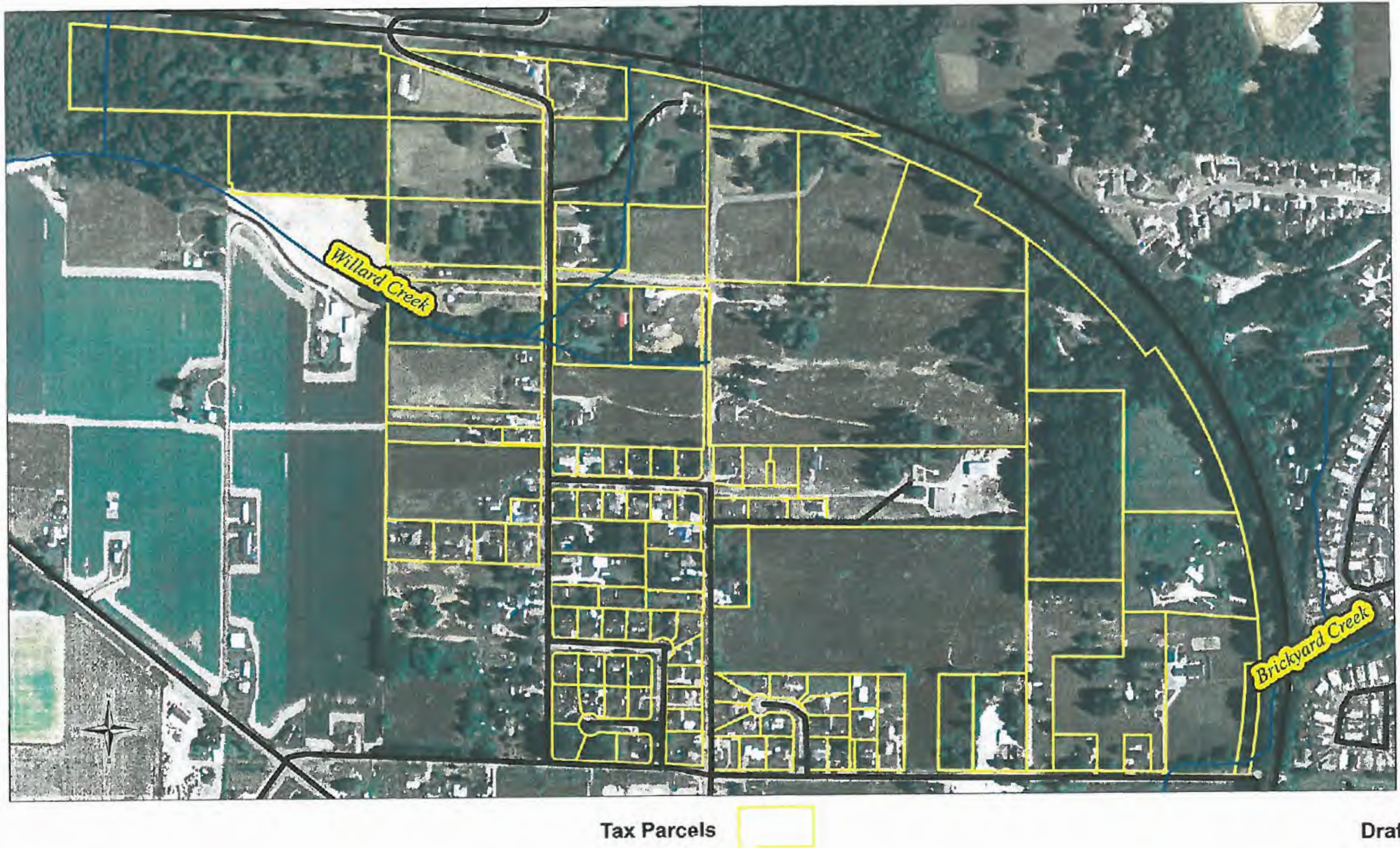
- IF PROPOSAL PASSES NEED BUDGET FOR
  - NEW SIGNS "SEDRO WOOLLEY – CITY OF INDUSTRIAL PARKS"
  
- SO WHY IS THE AREA CALLED THE GARDEN OF EDEN?
  - SOIL?
  - SINFUL TO PAVE IT OVER
  
- NOT MUCH MORE TO ADD BEYOND THE MEETING IN MARCH, 2014
  - SUBMIT MINUTES
  - POLLUTION CONCENTRATED IN CONFINED AREA
  - YESTERDAY'S INVERSION
  
- MAP SHOWING FAMILIES IN AND ADJACENT TO UGA
  - NOT ACCOUNTED FOR IN EQUATIONS PRESENTED AT WORKSHOPS
  - NEIGHBORHOOD WILL BECOME DECADENT
  - INCREASED CRIME
  - NEED MORE POLICE – ALREADY SPREAD THIN
  
- ALTERNATIVES
  - SCIENTIFIC AMERICAN SMALL TOWNS – WILLIAMSBURG, VA
  - INTENSIVE AGRICULTURE – HOUSE PICTURE
    - PRODUCE LOCAL PRODUCE FOR THE PEOPLE OF SEDRO?
    - PROVIDE FOOD FOR SCHOOLS , LOCAL BUSINESSES AND RESTAURANTS
  
- LOCATE INDUSTRY IN MORE APPROPRIATE AREA THAT WON'T DESTROY THE NEIGHBORHOOD AND THE INTEGRITY AND CHARACTER OF THE CITY.

COMMENT 9  
ON SUMMARY



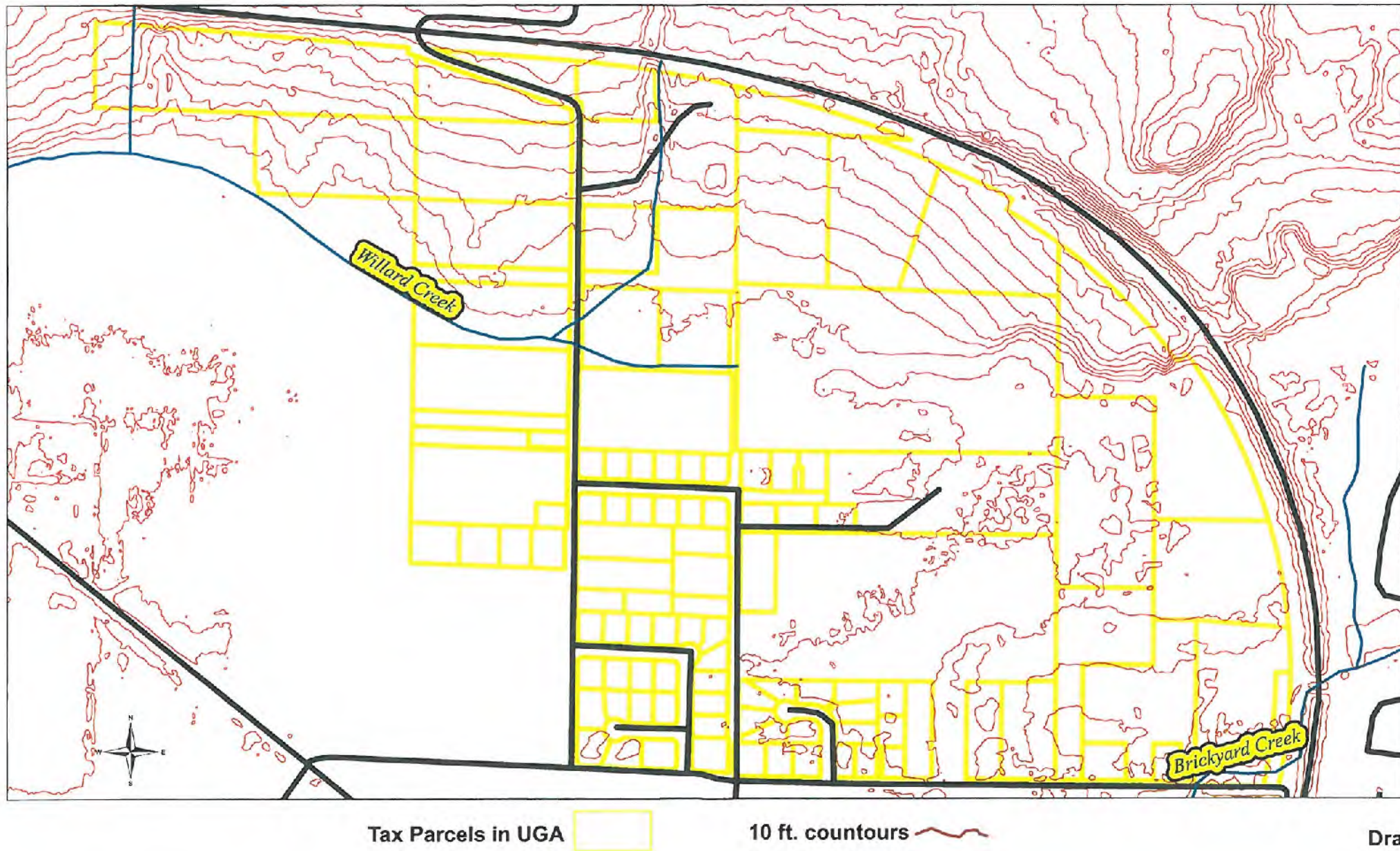


# Families Living in the Garden Of Eden UGA





# Garden Of Eden UGA





State of Washington  
 Department of Labor & Industries  
 Prevailing Wage Section - Telephone 360-902-5335  
 PO Box 44540, Olympia, WA 98504-4540

## Statement of Intent to Pay Prevailing Wage

### Project Detail - [Project Dashboard](#)

Document Received Date: 5/10/2016	Intent ID: 761379	Affidavit ID:	Status: Approved On 5/16/2016
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### Company Details

Company Name:	DISCOUNT GUTTERS LLC
Address:	378 WEST KING TUT RD BELLINGHAM, WA, 98226
Contractor Registration No.	DISCOGL866R9
WA UBI Number	603459185
Phone Number	360-398-0307
Industrial Insurance Account ID	80858303
Email Address	discountgutters@comcast.net
Filed By	NIEUWENDORP, TERRY

### Prime Contractor

Company Name	ALVORD & RICHARDSON CONST CO
Contractor Registration No.	ALVORRC342CM
WA UBI Number	371011238
Phone Number	360-734-3480

### Project Information

Awarding Agency	SEDRO WOOLLEY, CITY OF 325 METCALF ST. SEDRO WOOLLEY, WA - 98284
Awarding Agency Contact	Julia Rosario
Awarding Agency Contact Phone Number	360-855-0771
Contract Number	2016-PW-14
Project Name	Fire Station 2 Storage Building Project
Contract Amount	\$26,868.94
Bid due date	2/11/2016

Award Date 2/11/2016  
 Project Site Address or Directions 1218 North Township St. Sedro Woolley, WA

### Payment Details

Check Number:  
 Transaction Id: 105233258

### Intent Details

Expected project start date: (MM-DD-YYYY) 5/17/2016  
 In what county (or counties) will the work be performed? Skagit  
 In what city (or nearest city) will the work be performed? SEDRO WOOLLEY  
 What is the estimated contract amount? **OR** is this a time and materials estimate? \$624.00  
 Will this project utilize American Recovery and Reinvestment Act (ARRA) funds? No  
 Specifically, will this project utilize any weatherization or energy efficiency upgrade funds (ARRA or otherwise)? No  
 Does your company intend to hire **ANY** subcontractors? No  
 Does your company intend to hire subcontractors to perform **ALL** work? No  
 Will your company have employees perform work on this project? Yes  
 Do you intend to use any apprentices? (Apprentices are considered employees.) No  
 How many owner/operators performing work on the project own 30% or more of the company? 0

### Hiring Contractor

Company Name ALVORD & RICHARDSON CONST CO  
 Contractor Registration No. ALVORRC342CM  
 WA UBI Number 371011238

### Journey Level Wages

County	Trade	Occupation	Wage	Fringe	# Workers
Skagit	Sheet Metal Workers	Journey Level (Field or Shop)	\$59.42		2



## Public Notes

 [Show/Hide Existing Notes](#)

No note exists

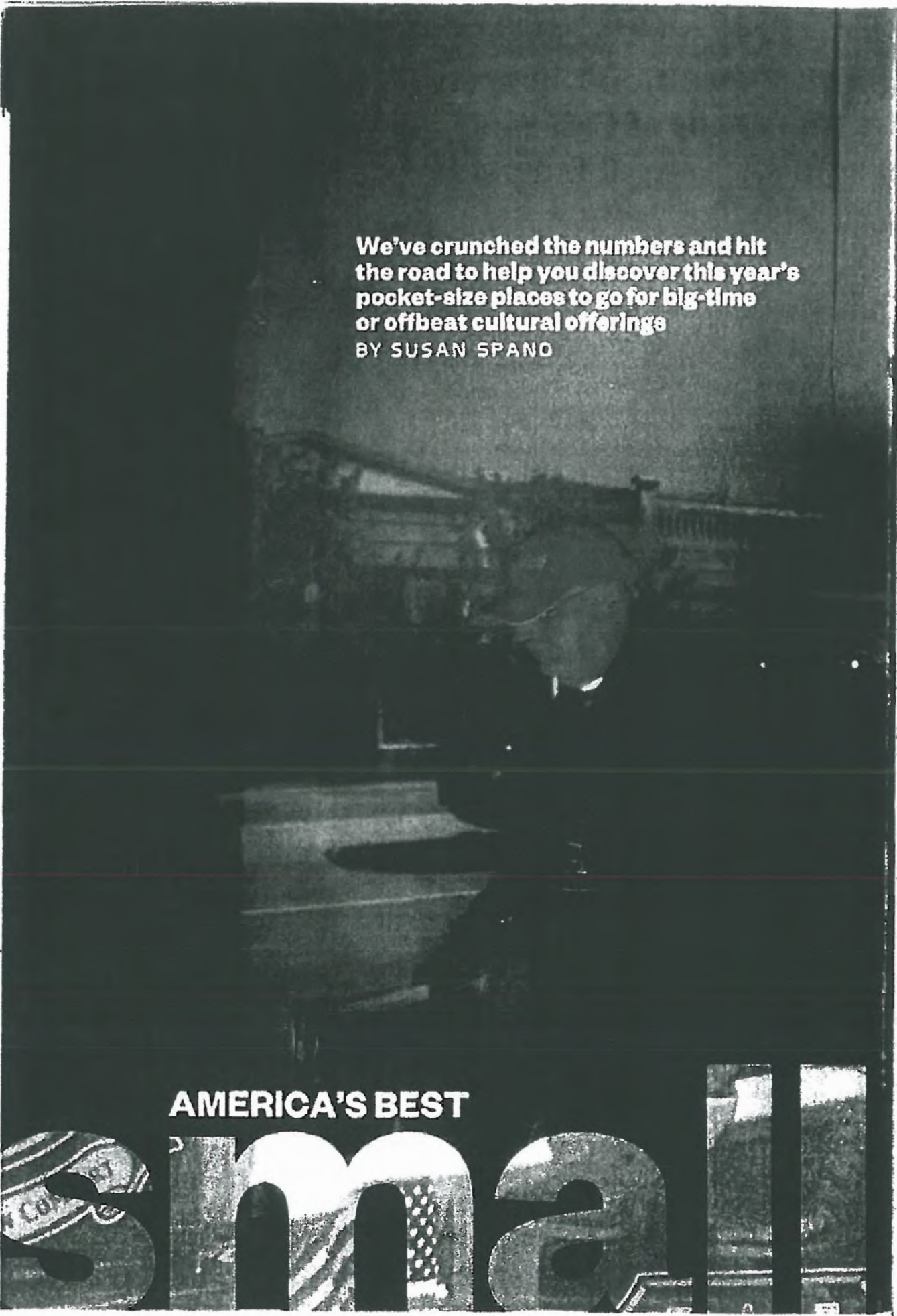




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Google earth





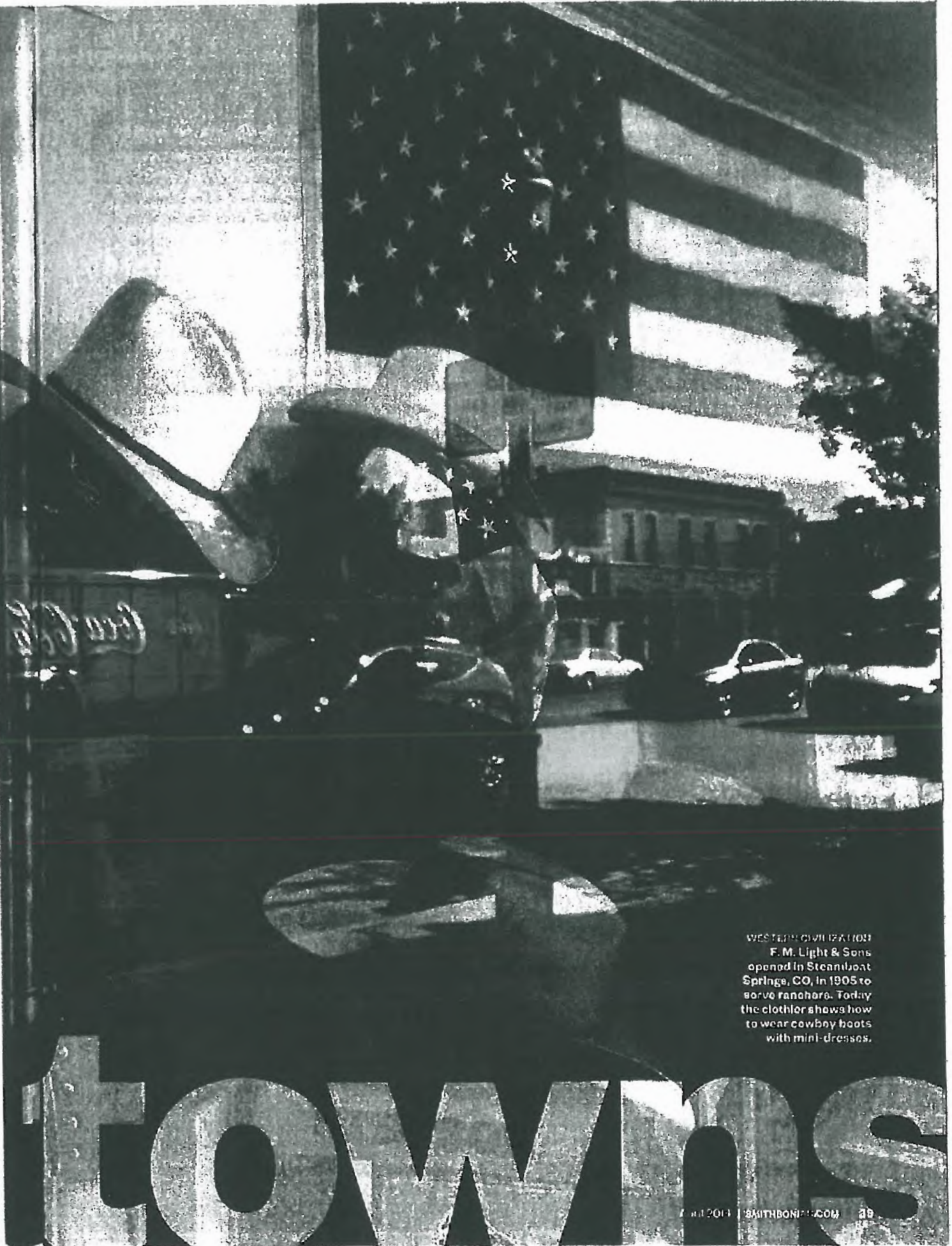
**We've crunched the numbers and hit  
the road to help you discover this year's  
pocket-size places to go for big-time  
or offbeat cultural offerings**

**BY SUSAN SPANO**

**AMERICA'S BEST**

**small**





WESTERN CIVILIZATION  
F.M. Light & Sons  
opened in Steamboat  
Springs, CO, in 1905 to  
serve ranchers. Today  
the clothier shows how  
to wear cowboy boots  
with mini-dresses.

July 2013 | SMITHSONIAN.COM | 39



THEY BECKON FROM NEARLY every corner of the country, from grand rivers and awesome mountains, from the Great Plains and a misty farm valley and a venerable whaling harbor, and what never fails to charm us is that each one follows its own, unhurried clock, saving up stories to tell and making time to

talk. They are America's Best Small Towns to visit, and for this, our third annual search-and-en-

## WHEN SMALL IS BIG

joy mission, we've singled out communities for particular strengths in history, music, visual arts, learning, food, theater and science. It's not solitude we're seeking—the fruits of human creativity are best shared—but, rather, enrichments unbothered by the growl of our increasingly urban lives. We worked with the geographical information systems company Esri, which analyzed tons of data to find towns or cities of fewer than 15,000 residents where cultural opportunities abound, at least on a per capita basis. When you think of museums you probably don't think of Nebraska City (No. 9), but there's said to be one museum for every 800 people. And there's a beautiful river, too, and a fresh breeze, and sky.



MAPS BY SHAW NIELSEN

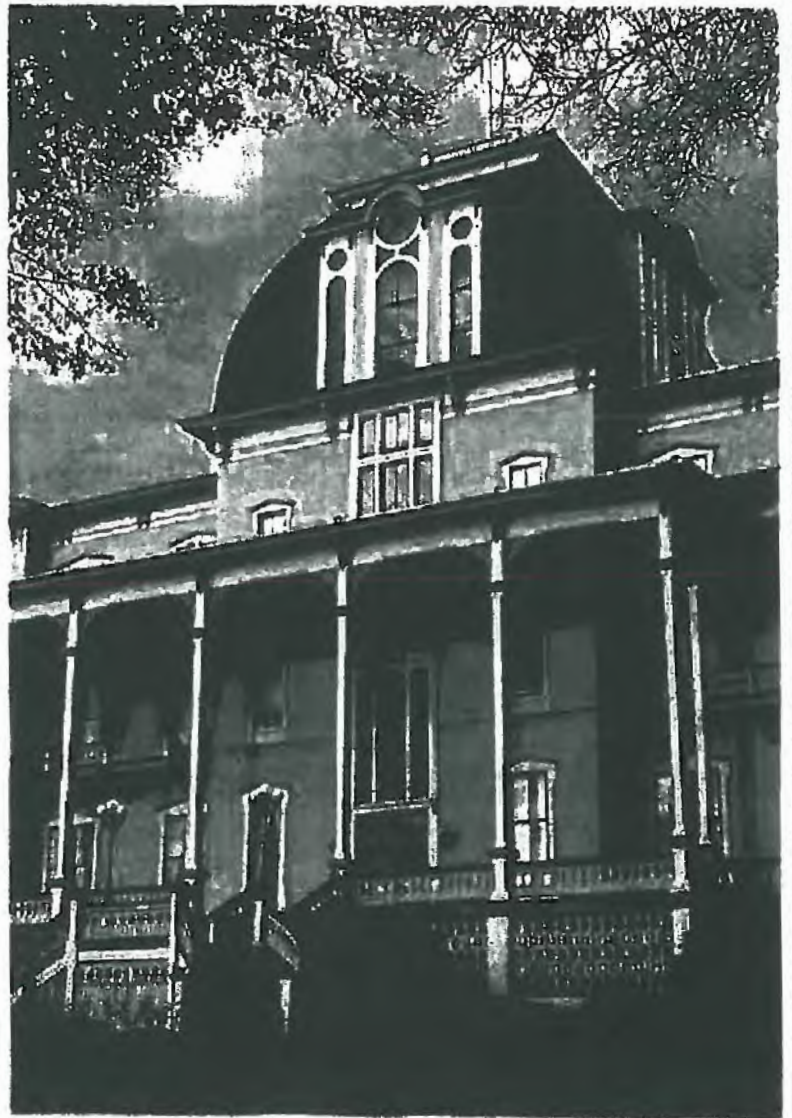
# Chautauqua, NY

## EDUCATION



**Summer school is cool in an idyllic 19th-century lake town devoted to learning**

Chautauqua, on a long, skinny lake in the southwestern corner of New York State, is the sort of bucolic place where folks like to go for slow-lane vacations, but there's much more to it than ice-cream cones and ferry rides. Something important happened here in 1874 that changed the way Americans think about leisure time—the first Chautauqua Assembly. Originally a training ground for Methodist Sunday school teachers, it went on to demonstrate the role of learning in the perpetuation of democracy. It was,





President Theodore Roosevelt said, "the most American thing in America."

The leafy 750-acre lakeside campus of the Chautauqua Institution draws 8,000 people for its nine-week summer season, and thousands more attend art openings and performances of the Chautauqua Symphony Orchestra, the Opera Company and the School of Dance. Yet the classes and lectures are still the main attraction. Last summer Supreme Court Justice Ruth Bader Ginsburg discoursed on how the law is treated in opera. This summer: global hunger, the democratic future of Egypt and the filmmaker Ken Burns on American consciousness. "Our founders didn't see 'happiness' as a pursuit of material wealth in a marketplace of things," says Burns, "but a celebration of lifelong learning in a marketplace of ideas. Chautauqua is that marketplace."

A participant's summer day might start with coffee and a doughnut at Food for Thought café overlooking the pansy beds of Bestor Plaza, and then a walk out to the lake to hear "Rock of Ages" piped over the colony from Miller Bell Tower. The 10:45 lecture is a high point, held in the 4,000-seat amphitheater, an 1893 landmark outfitted in later years with a booming pipe organ. In the afternoon there's golf, swimming, a Chautauqua Literary and Scientific Circle book talk or a class on subjects such as the CIA, classical Greek or garden composting. Pack your slippers and take ballet.

Though the gathering welcomes believers of all faiths and nonbelievers, too, credit the Methodists for the concept, which spread across the country, seeding "Daughter Chautauquas" as far afield as Pacific Grove, California. Thus "chautauqua," lowercase *c*, refers to any uplifting group instruction, preferably conducted under a radiant blue sky.

Back in the 19th century, there were rules aplenty for Assembly attendees, to wit: "Believing with Solomon that there is a time for everything . . . the

**SMART IS BEAUTIFUL** The 1881 Athenaeum Hotel stands on the grounds of the Chautauqua Institution, which runs its lecture and arts program June 21 to August 24.

time to sleep . . . is at 10 o'clock PM. To go to bed is not enough to fulfill the law, but under the Rule, [you] must go to sleep. And your sleep must be quiet."

Today people can set their own hours (and even have a cocktail, an indulgence that was once prohibited), but the fight against rootlessness, information glut and shrunken attention spans—forces that Assembly founders themselves worried about—goes on. "At Chautauqua the

sense of being present is tangible," says the institution's president, Tom Becker. "The beauty of the grounds, tree canopy, hills and lakefront inform lifelong learning and evoke contemplation."

Just so. As President James Garfield said when he addressed the Assembly in 1880, "It has been the struggle of the world to get more leisure, but it was left for Chautauqua to show how to use it."

## Healdsburg, CA

### FOOD & LIVING



#### Gustatory bliss meets 21st-century ecology in Sonoma County wine country

"The agrarian mind begins with the love of fields and ramifies in good farming, good cooking, good eating, and gratitude to God." That's from the poet-essayist-farmer Wendell Berry, who may as well be the patron saint of Healdsburg.

Poised between Calistoga and the wild Pacific Coast, with damp morning fogs and blistering afternoon sunshine, the place is so fertile anything grows. The eat-local movement inspired by Bay Area chef-restaurateur Alice Waters has fully flowered in Healdsburg.

Four celebrated Sonoma County wine regions nearby—Alexander Valley, Russian River Valley, Dry Creek Valley and Chalk Hill—helped drive the gastronomical renaissance. But these days growers with small family farm biodiversity in mind are pulling up vines on prime grape-growing land worth \$200,000 an acre to plant many-colored baby beets, hops, Belgian

endive and Meyer lemons, and make way for sheep and free-range chickens. Chefs from town forage at Preston Vineyards in the Dry Creek Valley for wild salad greens like stinging nettles. Area farm families are finding ways to hold on to their land by producing homemade comestibles, from sausage to vinegar, and marketing them on the Internet instead of letting food manufacturers mash their crops into jars with big-name labels.

A fine-food store, Shed, recently moved into a breathtaking glass-encased barn downtown, where co-owner Cindy Daniel experiments with organic fermented beverages called shrubs and welcomes local farmers to gather as they once did in Grange halls all across rural America.

This is farm-to-table via nirvana, a sophisticated culture of *nourriture* that would have astonished 19th-century food philosopher Jean Anthelme Brillat-Savarin. M.F.K. Fisher, who translated his landmark *The Physiology of Taste* and wrote her own stirring books about food, lived nearby.

To get a sense of how rich the soil is, how blessed the climate, you don't have to go farther than Healdsburg Plaza, established by town founder Harmon Heald in 1857. Walkways, a fountain and a postmodern pavilion are shaded by mature coast redwoods and live oaks, orange trees and crape myrtles. Back in the day there were hardware stores on the plaza and farmers in



bib overalls. But now the Mercantile Shop sells apple chutney instead of hurlap and the plaza is surrounded by galleries and chic shops. Restaurants abound, including Scopa, Chalkboard, Spoonbar, Baci and Mateo's Cocina Latina, which puts Sonoma slants on traditional Yucatán recipes.

Then, too, there are downtown's wine-tasting lounges featuring vintages from some of the region's 100 wineries—major players like Kendall Jackson and La Crema, as well as singular labels like Banshee, Maeller and Trione. Lest things get out of hand, city hall ruled to limit them to two per block around the plaza.

A visit to the Healdsburg Museum in the old Carnegie Library recalls the town's past, especially its agricultural heritage seeded by immigrants from northern Italy. When Prohibition took a toll on the early American winemaking industry, farmers planted orchards, turning Healdsburg into the "Buckle of the Prune Belt." Don't miss the vintage photograph of a 1920s parade float featuring a quartet of winsome, white-robed "prune goddesses." Then ramble past the 19th-century Queen Anne and Neoclassical Revival mansions built along Matheson Street.

On the east side of town a road makes a circle around 991-foot Fitch Mountain, which is dearly loved by locals and was the center of a summer colony that grew up in the 1920s, attracting families from San Francisco. The kids could swim and inner-tube down the Russian River, which winds around the base of the mountain, while Mom and Dad did the Lindy Hop on Fitch Mountain resort dance floors.

Drive along West Dry Creek Road, where Italian farmers planted still-thriving vines that climb up hillsides as if they were trying to go somewhere. In a certain slant of light, the landscape turns zinfandel purple and you get a visceral understanding of the connections between Mother Earth and human well being.

SEAN KIRKEL

**CALIFORNIA DRINKING** At Bardonia in Healdsburg, Sarah Cleveland balances up a Why Grop's Do It cocktail: Meyer lemon vodka, apple juice, bitters and thyme.





# Williamsburg, VA

## HISTORY



**Revolution is afoot in a village that achieves historic authenticity in a digital age**

The hem of a calico skirt disappearing around a corner, lowering light on the Bruton Parish Church steeple (which houses the same brass bell that rang for George Washington himself), the sound of a door being bolted and, from a tavern on Duke of Gloucester Street, a fiddle: This is Colonial Williamsburg calling it a day, which is kind of what it did after its service as the cradle of American ideals was over and the Virginia capital moved to Richmond in 1780. For the next 150 years the Tidewater town was so sidestepped by time and events that city fathers forgot to hold a municipal election in 1912.

Williamsburg woke up to become an American shrine, of course. As the capital of the oldest, biggest, wealthiest English colony in the New World, it helped forge the idea of an independent America. And it's about as real as such a place can be, meticulously restored or rebuilt thanks to William A. R. Goodwin, Bruton church rector from 1926 to 1938, who had the vision, and John D. Rockefeller Jr., who brought money and commitment to one of the most comprehensive historic preservations in the world.

Entering the 300-acre historic district, you encounter people in 18th-century dress actually plying colonial trades such as shoemaking, brickmaking, weaving and blacksmithing. Patrick Henry fulminates against the Stamp Act in the House of

Burgesses. Citizens protest that Lord Dunmore, Royal Governor of the Virginia Colony, confiscated gunpowder from the magazine after shots rang out in Lexington and Concord.

But don't stop reading because you think you've been there and done that (or you think historical re-enactments are hopelessly corny). There are stories a single trip simply can't tell, places you may have passed by or, like me at age 8 on my first visit, were too young to appreciate. Bassett Hall, for instance, is a Colonial-era farmhouse lovingly restored to its appearance in the 1930s when the Rockefellers spent the spring and summer there. Among the prizes at the nearby Abby Aldrich Rockefeller Folk Art and DeWitt Wallace Decorative Arts museums—with subterranean galleries entered through the historic Public Hospital for the mentally ill, which admitted its first patient in 1773—are the blissfully dreaming *Baby in Red Chair* portrait and the whimsically carved 1920s hippopotamus-rhinoceros Victrola console. And just west of the village is the Christopher Wren-inspired old campus of the College of William & Mary, founded six years before the capital moved to the village from Jamestown in 1699.

Also, previously ignored facets of history have been brought to light, especially the lives of black slaves, who once made up 51 percent of the population; exhibits and re-enactments explore how slaves responded when the British offered to free them in exchange for fighting against the Colonists.

The place has changed, too. "New" venues have opened, like R. Charlton's Coffeshouse, right out of Boswell and Johnson. High-tech investigations have guided restorations of structures including the Peyton Randolph House, which was formerly oyster-shell white and has been painted hematite red. "I'm still getting hate mail about that," says Edward Chappell, director of archi-



tectural and archaeological research.

Modern Williamsburg has had to chart a delicate course, growing with what can be thought of as America's Roman Forum at its heart. Many hotels, restaurants and shopping malls line designated commercial corridors, and pose no visual threat to the

scenic integrity of the preserved colonial town; homeowners in neighborhoods near the historic district must choose exterior paint colors in accord with architectural preservation.

Yet the 21st century isn't hard to find. Residents hit the Saturday farmer's market in Merchants Square and take part in Art Month, a fall festival that opens galleries, stages concerts, sponsors Virginia wine tastings and turns Duke of Gloucester Street in

the historic village into a fine arts fair. William & Mary has its Muscarel Museum of Art and Phi Beta Kappa Hall, where the Virginia Symphony Orchestra performs.

But there's no doubt the past is the town's favorite pastime. Middle schoolers put their video-game consoles aside to perform with the Fife and Drums, which rallies the village for revolution with tunes such as "The World Turned Upside Down."

**FABRIC OF TIME** Apprentice Abby Cox plies her trade in a Colonial Williamsburg millinery shop, where hats and dresses are made with 18th-century technology.





# Steamboat Springs, CO



## MUSIC

**Get a Rocky Mountain high in an old ski town that's now a must-listen destination**

Steamboat's big claim to fame is the dry light snow that creates "champagne powder," but something else is in the air: music. What other town this size has symphony and chamber orchestras, an opera and a world-class summer festival that brings first chairs from all over the country to perform in a smashing new concert hall at the base of a mountain?

The mountain is actually a whole range of them, runned by the double-diamond trails of Steamboat Ski Area. For years the Strings Music Festival staged its summer concert series in a tent at the resort, but time took its toll on the canvas, and, on cool evenings musicians needed gloves to keep their fingers working. The Strings Music Pavilion, built of exposed timber with a bowstring-like truss ceiling and stunning Rocky Mountain views, opened in the summer of 2008. Since then, the festival has embraced country, jazz and bluegrass, added winter offerings at the pavilion and free summer concerts at the Yampa River Botanic Park. The ski area stages MusicFest, a wildly popular weeklong winter event with 40 bands, including American Aquarium, Midnight River Choir and the Turnpike Troubadours. A recent restoration of the 1926 Chief Theater downtown provides another place for music, as well as film, dance and drama.

"More and more, people plan their visits around who's playing in town," says MusicFest producer John Waldman.

And then there's the snow. The community has sent 79 athletes to the Winter Olympics since 1932, including half a dozen hometown skiers and snowboarders who went to Sochi earlier this year. Winter sports are a large part of the town's history, though,

skis were called Norwegian snowshoes 150 years ago, and tended back then to be worn when feeding cattle, delivering mail and going to school as the drifts piled up along wire ranch fences. But in 1913 Capt. Carl Howelsen came to town to demonstrate the derring-do that had made him a renowned Barnum & Bailey Circus performer. The "Flying Norseman" got a warm welcome, found a good hill just west of town and proceeded to build a wooden ski jump where he taught local kids how to fly. Howelsen Hill, now run by the city of Steamboat Springs, is the oldest continuously operating ski area in Colorado. It is also a summer concert venue.

Unlike some tony resort towns in the West, Steamboat holds onto its cowboy past as if its life depended on it. The rodeo arrives in summer. The town's homesteading, ranching and hot springs resort history is told at the Tread of Pioneers Museum in the historic center not far from the Yampa River, which runs from its source in the Flat Tops Wilderness. F.M. Light & Sons, a western outfitter, recommends western movies on its website.

Operating out of a historic train depot, the Steamboat Springs Arts Council mounts exhibitions and First Friday Artwalk. But to experience the town's strongest artistic suit, check out riverfront saloons and gastro-pubs like Ghost Ranch where bands drive folks onto the dance floor.

**KEEPIN' IT COUNTRY** "I can't believe all the talent on that mountain," Lee Ann Womack tweeted of her January appearance at MusicFest in Steamboat Springs.



MATT LUKA/TONG PURDY



# Woods Hole, MA

## SCIENCE



### The biggest brains in marine science draw nature-lovers to a former whaling center

Not long after Spencer Fullerton Baird, first director of the U.S. Fish Commission, established a research station in the village, in 1875, the Woods Hole Science Aquarium opened its doors—the nation's first such marine animal showcase. Still in operation and open to the public, it's rather low-tech compared with aquariums that have come along lately, but it remains a terrific place to see codfish, flounder and other critters cruising through glass-lined cases. I made friends with a horseshoe crab in a touch tank and was lucky enough to catch the feeding of two amiable seals that can't be released for various reasons and so live at the aquarium.

Science, in a word, is what sets Woods Hole apart from other salty Cape Cod towns, and the good news is you can get pretty close to the action. The Marine Biological Laboratory dropped anchor in 1888; today it boasts a year-round staff of about 300 and summer programs that swell its ranks to 2,000, including a fair share of Nobel laureates. Visitors take behind-the-scenes tours and attend Falmouth Forum lectures. I checked out the Robert W. Pierce Exhibit Center—lots to read and think about, underwater videos, more animals—and got to talk to the MBL president and director, Joan V. Ruderman, who told me about her research on cell division involving the common surf

clam (an animal also loved by people who study clam chowder).

Another science powerhouse, the Woods Hole Oceanographic Institution, has been at the center of marine exploration and engineering since 1930. It burst into the headlines with the discovery of the wreck of the RMS *Titanic* in 1985 by the WHOI-designed submersible *Argo*; the ocean liner was later surveyed by *Alvin*, another submersible designed by the institution. WHOI now has a whole fleet of high-tech vessels that observe erupting volcanoes beneath the ocean surface, search for mines in war zones, study strange species found around deep-sea hydrothermal vents and discover such scientific imponderables as submarine waterfalls. The institution's staff of 1,500 makes it the second biggest employer on the cape, with a modern campus just north of Woods Hole. Its Ocean Science Exhibit Center occupies an old Methodist church in the village center. There I watched a class of Massachusetts middle school students take turns climbing into a full-sized model of *Alvin*.

Woods Hole—the seemingly odd name refers to the channel, or, in mariner-speak, the “hole” between the town and the Elizabeth Islands where the current runs six to seven knots—is also home to the Sea Education Association, the Woods Hole Research Center and the Children's School of Science. But science, also, begets art. The Geostrophic String Quartet, led by a former WHOI researcher, has played concerts at the village historical museum. Local ceramic artist Joan Lederman creates glazes from sediments collected on the ocean floor. The public radio station WCAI broadcasts “One Species at a Time” from a 19th-century captain's house on Water Street. The Woods Hole Film Festival, now in its 23rd season, is planning a “Bringing Science to the Screen” program. Even at Pie in the Sky, a well-loved village coffee shop

**SEA CHANGE** “The shore fascinates us who return to it, the place of our dim ancestral beginnings,” wrote Rachel Carson, who worked in Woods Hole.

with every genus of bakery items, I sat in front of a display on the science of coffee roasting, wondering whether the man at the counter ordering a latte has been awarded a Nobel Prize yet.

To give your brain a rest, hang out at local beaches and freshwater ponds, walk the many trails or hit the Shining Sea Bikeway, a 10.7-mile path occupying the bed of the former Old Colony railway. Still, all roads tend to lead back to Waterfront Park, presided over by a bronze statue of Rachel Carson, author of *Silent Spring* and, before that, *The Sea Around Us*, who did research in Woods Hole. There she sits, gazing out at the channel she called “that wonderful place of whirlpools and eddies and swiftly racing water.”

MARIANNE CAMPOLONGO





## Marietta, OH



**Historic gateway to the West  
begulles with paddle-wheel-  
ers, art walks and roast corn**

Barges still carry coal on the wide Ohio River, and the Muskingum is a National Navigation Historic District by virtue of its working 19th-century dams and locks, opening and

closing for pleasure cruises on the *Valley Gem*, Marietta's old-time sternwheeler. During the Ohio River Sternwheel Festival in September dozens of paddle-wheelers tie up at Marietta while bands play, fireworks pop and fans await the pageant's Queen Genevieve. The Sweet Corn Festival, in July, features roasted ears and feed corn bag-tossing tournaments.

The first permanent settlement in the Northwest Territories, Marietta was founded in 1788 by a group of New Englanders, many of them War of Independence veterans whose story is told at the Campus Martius Museum. The tidy, neatly planned downtown, these days adorned with hanging flower baskets, long

### THE NEXT TEN

#### 11. Spring Green, WI

The American Players Theatre, a plethora of painters and slow-food fans.

#### 12. Havre de Grace, MD

On Chesapeake Bay, with museums of maritime life, duck decoys and farming.

#### 13. Columbia, PA

Susquehanna River town has Victorian district, Civil War sites, clock museum.

#### 14. Mount Dora, FL

Festivals, concerts, galleries draw sun seekers to Lake Dora north of Orlando.

#### 15. Ketchum, ID

Ernest Hemingway house and grave, ski resort, plus pioneer history, art galleries.

#### 16. Montpelier, VT

State capital boasts theater, honest food, chamber and philharmonic music.

#### 17. Harrodsburg, KY

Vintage streets, a Shaker village, bourbon.

#### 18. Silver City, NM

Frontier opera house, plus ancient pottery at Western New Mexico U. Museum.

#### 19. Decorah, IA

Wineries, bike trails and the Norwegian-American Heritage Center.

#### 20. The Dalles, OR

Petroglyphs in the Columbia Hills, Rodin at the Maryhill Museum of Art.



Learn more about all 20 of our small town picks at [Smithsonian.com/smalltowns](http://Smithsonian.com/smalltowns)

ago sprouted storefronts—Schafer Leather opened as a harness maker in 1867—and distinguished residences like the Castle of Marietta, a Gothic Revival mansion open to the public.

You can learn about early 20th-century burial rites and embalming techniques at the Peoples Mortuary Museum. For admirers of ancient history, the Mound Cemetery, laid out around a conical earthwork, is part of a network of nearby Native American archaeological sites dating between 100 B.C. and A.D. 400, brought to public attention by the Smithsonian Institution in 1848.

Many small American towns have died, and some have been reborn, but neither of those stories describes this place. Harley Noland, a city councilman-at-large, says "Marietta has always been a stable place." Long may it endure.



# Beaufort, SC



## Antebellum houses speak to the nation's history. So do surviving Gullah folkways

"To describe . . . the low country of South Carolina, I would have to take you to the marsh on a spring day, flush the great blue heron from its silent occupation, scatter marsh hens as we sink our knees in mud, open you an oyster with a pocketknife and feed it to you from the shell."

Or you could visit Beaufort, home to the fellow who wrote those lines, Pat Conroy, author of *The Prince of Tides*. Between Savannah and Charleston, Beaufort is not quite on terra firma, sequestered as it is along one of the ocean channels that form the Sea Islands, among them Fripp, Hunting, Parris and Port Royal, where Beaufort was founded in 1711.

It's pronounced "HYOO-furt," and the place is about as Southern as it gets; the state was not only the first to leave the Union, but the first meeting to draft the Ordinance of Secession, which made the state's resistance official, took place in Beaufort at the Milton Maxey House, a white edifice with two levels of front porches and columns. Like many local 19th-century planters' mansions, Milton Maxey still stands partly because the American historic preservation movement gained steam a century ago in South Carolina. Today the landmarks make up a National Historic Landmark District, shaded by oaks and glossy magnolias: a 1798 arsenal; the First African Baptist Church, in continuous use since the 1860s; the Federal-style Verdier House. The Center for the

PETER FRANK EDWARDS / REDUX PICTURES

Arts at the University of South Carolina, Beaufort, brings plays, concerts, art exhibits and independent films.

Waterfront Park, with its Southern bella swings and flower beds, makes a handsome fringe. The greensward looks south across the wide, marshy Beaufort River, with views toward the Wood Memorial Bridge, taking vehicles from Port Royal to Lady's Island and swinging open once an hour to accommodate Intracoastal Waterway boat traffic.

Port Royal, south of town, arguably even more historic than Beaufort, is the site of Spanish and French forts that ultimately fell to the English, and home port of the trawlers that provision area shrimp shacks. Beyond, another bridge crosses to Parris Island and the Marine Corps Recruit Depot, where the Parris Island Museum is open to visitors, as are stirring graduation ceremonies at Peatross Parade Deck, with Marines in dress blue and flags waving.

There are plantations nearby (including the only plantation house designed by Frank Lloyd Wright outside the hamlet of Yemassee). But the Beaufort region speaks even more profoundly about the black experience in America as a center for the Gullah people.

Brought to Savannah and Charleston slave markets from West Africa, they have preserved their culture, history and singular language, an African word-laced English Creole. The Penn Center on St. Helena Island east of Beaufort, established in 1862 to educate freed blacks, preserves Gullah folkways and tells the story of the Port Royal Experiment, a federal program that enabled former slaves to work toward purchasing land abandoned by white planters.

Carry on from there to Hunting Island State Park, with its beaches, 1859 lighthouse, sea oats, salt marshes and tidal creeks. Bring a pocketknife in case you spot an oyster.

**WHAT REMAINS** A circa 1740 church relic rests on St. Helena Island, site of a pioneering effort to educate slave children and today a center of Gullah culture.







# Sedona, AZ

## VISUAL ARTS



### Where Zen calligraphy, cowboy bronzes and Navajo tapestries find harmony

**Sedona's reputation precedes it, all** vibes and vortexes, shamans, psychics and healers, such as the one who plays for patients lying under his grand piano. But before all the seekers started arriving, it was a town devoted to the fine arts, set against some of the grandest scenery in the West. Still is, once you look past the dazzle.

Approaching from the south on Highway 179 or from Flagstaff to the north along State Route 89A, you feel your jaw drop as pinnacles, hoodoos and buttes rise—crimson, carmine, burnt sienna, depending on the slant of the sun. The effect makes you want to paint a Sistine Chapel even if you can't draw a straight line.

People have been feeling that way since the 12th century, at least, when artists from a Native American group known as the Southern Sinagua etched images of frog-men thought to be shamans in the rock that became part of the old V-Bar-V Ranch, now part of the Coconino National Forest and considered by archaeologists one of the best rock art sites in Arizona. Today exquisite Navajo weavings appear in Sedona galleries like Garland's, which has been showing rugs in the bright red Ganado or muted Wide Ruins patterns since 1976.

Uptown has restaurants, hotels, shops and public artworks like bronze cowboys and rearing horses; West Sedona is more of the same, plus a Mc-

Donald's with teal-colored arches, in compliance with municipal design guidelines. But the most distinctive structures are the sheer-walled Chapel of the Holy Cross, thrusting up from a 1,000-foot red rock plinth; the art-gallery village of Tlaquepaque, a graceful Mexican-inspired maze of shops; and the Church of the Red Rocks with wraparound views proclaiming the glory of God's creation. Senior pastor there, George Ault, says, "It's natural for people to come to a place of beauty and read spirituality in it."

Starting around 1950, it was a natural place for artists, including the German Surrealist painter Max Ernst, who lived with his wife Dorothea Tanning in a hand-built cabin, and the Egyptian sculptor Nassan Gobran, founder of the Sedona Arts Center. In an old fruit-packing barn, the SAC is an outlet for some 120 local artists, as well as a school and programs that include the popular October Plein Air Festival. The Western artist Joe Beeler co-founded Cowboy Artists of America in Sedona in 1965. The renowned ceramicist Don Reitz settled on a ranch west of town around the same time, as did the sculptor John Henry Waddell, still casting monumental human figures in bronze at age 93.

On the first Friday of every month free trolleys take visitors to galleries specializing in classic Western painting, Navajo-inspired jewelry, contemporary pointillism, hyper-realism, abstracts and New Age-inspired works, what with their angels, Buddhas, golden koi fish, tarot imagery and Native American motifs. The Goldenstein Gallery has hosted showings of haunting photographs of ancient rock art by Susie Reed and striking Zen calligraphic portraits by the Chinese-born painter Alok Hsu Kwang-han. The gallery's owner, Linda Goldenstein, says there's one word for Sedona art—"eclectic."



# Nebraska City, NE



**A proud river town saluted by Lewis & Clark is chockablock with unique museums**

Omaha has the zoo and aquarium, Lincoln is home to the university, Red Cloud's pride is Willa Cather, and the rest of the state has the corner on corn. That leaves history for Nebraska City, first noted as a promising town site by Lewis and Clark on their way down the Missouri River in 1804. It boasts the state's first fire department, oldest public building still in use (the brick Otoe County Courthouse) and only officially recognized Underground Railroad station.

A reporter for *Nebraska Life* once estimated that there's a museum for every 800 residents, which is why people who care about the history of the nation's westward expansion have a soft spot for Nebraska City. You might as well start at the River Country Nature Center, in a restored furniture store on South Sixth Street. It showcases creatures found and preserved by a local taxidermist named Joe Voges, who was clearly on the same page as Lewis and Clark when it came to area fauna. Speaking of the duo, the town's Lewis & Clark Missouri River Visitors Center, which celebrates (and explicates) the explorers' wildlife discoveries, leads to hiking trails that wend from burr oak woods to bluff-top aeries.

Nebraska City long served as a way station to the West, with a ferry crossing, steamboat port and freight companies, including one headquartered



in a 1858 white frame building that is now—you guessed it—a museum. Look into the old Kregel Windmill Factory Museum, which manufactured the wind-driven turbines that brought well water to semiarid Great Plains farmland, and tour Wildwood, a local banker's Victorian country home where costumed docents perform on an 1883 Steinway.

The Kimmel Orchard and Vineyard is a working farm museum, and the Kimmel Harding Nelson Center brings artists, writers and musicians to its handsome Prairie-style building just off Central Avenue.

You'll never again pick up a container of Morton Salt, with its patented pouring spout and Umbrella Girl label, without recalling your visit

to Arbor Lodge State Historical Park on the west side of town, the 1855 estate of Julius Sterling Morton, whose son Joy founded the salt company. Julius, editor of the *Nebraska City News*, started Arbor Day—now observed around the world—which he commenced with the planting of an estimated one million trees in 1872. Today state champion oaks, ashes and maples surround the graceful old family mansion, explaining what Julius meant when he said (evidently borrowing from English architect Christopher Wren), "If you seek my monument, look around you."

**PUMP IT UP** Early 20th-century ranches and farms on the Great Plains depended on windmills to draw well water, as you learn at the Kregel Windmill Museum.

RYAN DONNELLY





## Lanesboro, MN

### THEATER



**A celebrated show business and a blockbuster bike trail set the stage for the revival of a Midwest gem**

In the cliff-lined valley of the Root River about 125 miles southeast of Minneapolis-St. Paul, Lanesboro was on its way out, bypassed by the railroad and mired in agricultural crises, when the curtain first went up at the Commonweal in 1989. A year later, the theater's co-founder, Eric Bunge, opened the town's office of tourism, and owners of fine old Victorian homes around Parkway Avenue started plumping up pillows for visitors who wanted to stay over to see two or three plays. Now the town

is known as the bed-and-breakfast capital of Minnesota.

Hal Cropp, the Commonweal's executive director, refuses to credit the town's revival solely to the Commonweal, also citing the Root River Trail System, a bikeway developed in the 1980s. It winds along the waterway for 60 miles—through hamlets and farm country in this scenic geological anomaly known as the Driftless Area, which is marked by hills, ridges and deeply entrenched rivers because it avoided the ice age glaciation that flattened much of the Midwest.

There's also the Lanesboro Arts Center, which shows the work of 100 regional artists, mounts an Art in the Park fair (in June, right after the Rhubarb Festival) and sponsors the "Over the Back Fence" radio hour, Lanesboro's answer to "A Prairie Home Companion," staged monthly in the circa 1870 St. Mane Theatre.

But it's the Commonweal, considered one of the sharpest, most innovative small regional theaters in the country, that has garnered attention, putting it on a trajectory not unlike the Guthrie in Minneapolis. As a matter of fact, seats salvaged from the original Guthrie now accommodate audiences at the Commonweal, which occupies a series of renovated storefronts along Parkway Avenue. Its company of professional actors play major administrative roles between productions, which run from March to December and include challenging works by playwrights like Tom Stoppard and especially Henrik Ibsen, Norwegian like so many of the immigrants who put down roots in Minnesota. Never mind that Lanesboro's entire resident population of 745 could find a seat in Lincoln Center's Vivian Beaumont Theater.

If you tell Cropp that you thought live theater was dead, he says, "I read that headline, too." ○

For a different view of the nation's pint-size communities, tune in to "Aerial America: Best Small Towns," premiering April 13 on the Smithsonian Channel.



## John Coleman

---

**From:** Elizabeth Fernando <ef.simplysilver@gmail.com>  
**Sent:** Thursday, November 05, 2015 9:57 AM  
**To:** John Coleman  
**Subject:** Fwd: would you please print this for me.

----- Forwarded message -----

From: Elizabeth Fernando <ef.simplysilver@gmail.com>  
Date: Wed, Nov 4, 2015 at 7:52 AM  
>

John Diamond  
23430 Diamond Rd.  
Sedro-Woolley, WA 98284  
360-661-6316

Dear Mr. Coleman and Planning Commissioners, Mayor Anderson and Councilpersons,

I own two parcels of land on Highway 9 North.

The first is 7735 S. R. 9, 3.07 acres, Parcel  
#38620-350507-0-035-0006 in tax area 1335.

The second is 7705 S. R. 9, 7.56 acres, Parcel # 101456-350507-0-0105 also in tax area 1335.

I would like to have either or both of these parcels added to the city with a commercial/light industrial zoning.  
They are both currently a grandfathered in gravel pit..

This change in zoning would bring an exceptional taxing opportunity to the city.

I am available to answer any questions at 360-661-6316 or see me at Diamond Plaza Monday through Friday.

Thank you,

John Diamond

COMMENT 10  
ON SUMMARY

Jeff Murphy and Alice Murphy  
7630 SR 9  
Sedro-Woolley, WA 98284  
(360) 856-0204

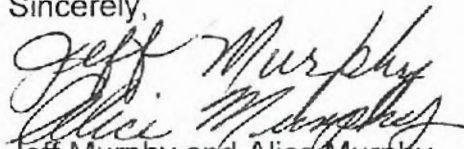
November 30, 2015

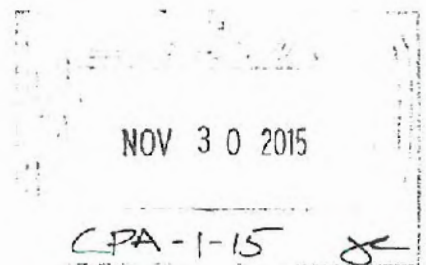
John Coleman, Planning Director  
City of Sedro Woolley  
325 Metcalf Street  
Sedro-Woolley, WA 98284

RE: Urban growth area expansion

We received your letter dated November 19, 2015 regarding the proposed urban growth area expansion. We would request that our property just to the north of the Hatched green area on the attached map be included in the proposed urban growth expansion.

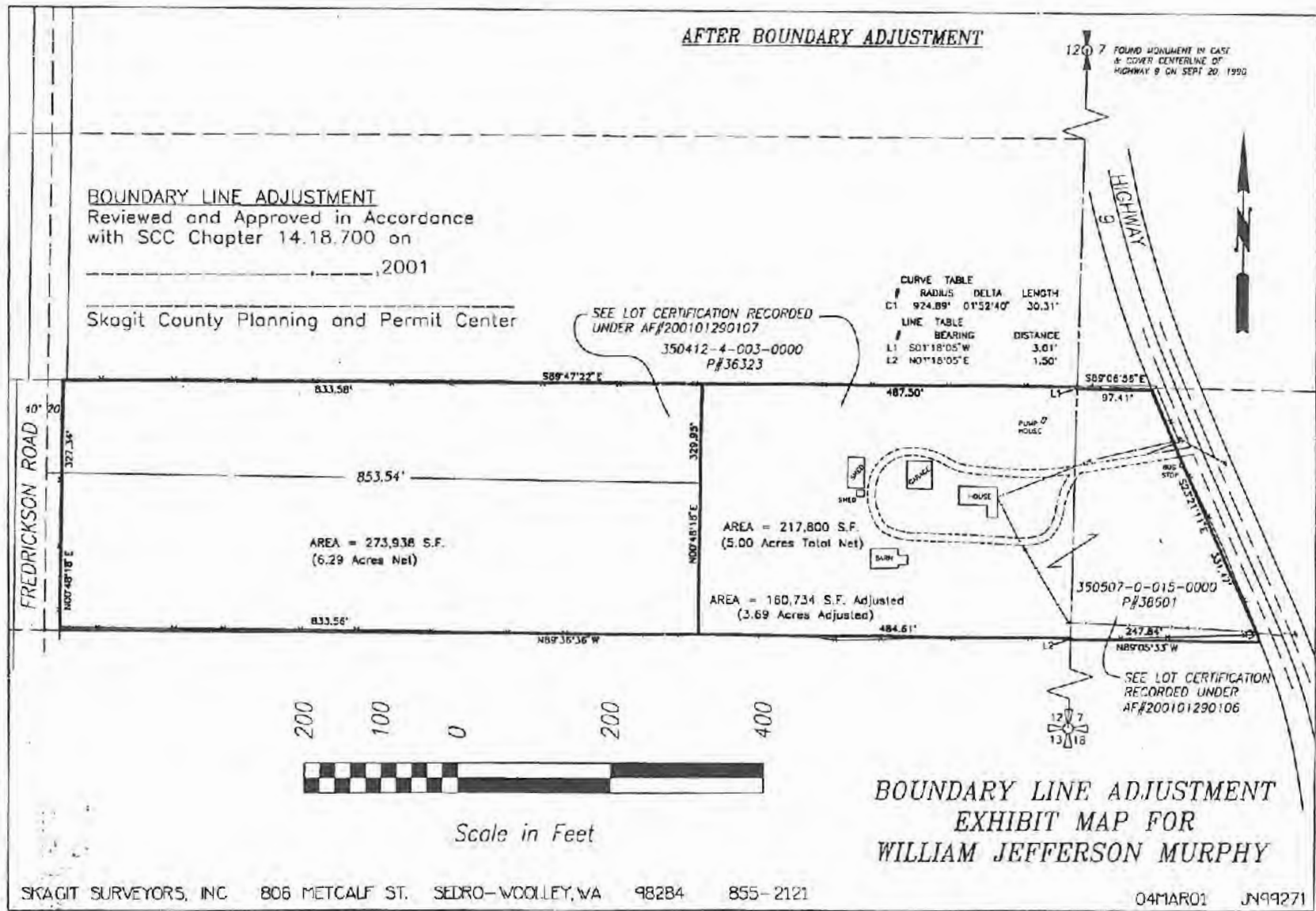
Sincerely,

  
Jeff Murphy and Alice Murphy



COMMENT 11  
ON SUMMARY





## CHANGE OF VALUE NOTICE

MAIL DATE: 12/17/2013

PROPERTY IDENTIFICATION #	36323	This value supersedes any prior notification. Assessment Year: 2013 Tax Year: 2014
Brief Legal Description:	(5.0000 ac) ACRES 5.00, NORTH HALF OF THE SOUTH HALF OF THE NORTHEAST 1/4 OF THE SOUTH	
Property Address:	(Please notify us if your property or mailing address is incorrect)	
7630 STATE ROUTE 9 SEDRO-WOOLLEY, WA 98284		
Reason for Change: 12/10/2013 BH: Owner spoke with Lois (LAW) to inform us that this parcel and contiguous parcel P118146 both have lot certifications (#s 200101290107 and 200101290106 respectively) and should therefore be valued independently.		

MURPHY WILLIAM J & MURPHY ALICE J  
7630 STATE ROUTE 9  
SEDRO-WOOLLEY, WA 98284



SKAGIT COUNTY ASSESSOR  
DON MUNKS  
ADMIN BLDG RM 204  
700 SOUTH 2ND STREET  
MOUNT VERNON, WA 98273

PHONE: 360-336-9370  
FAX 360-336-9308

Description	Previous Information		New Information	
1. Tax Code Area		1335		1335
2. Change in Acres		5.00		5.00
3. Market Valuation of Real Property. Real Property is land and/or any improvements valued as "Structures", such as buildings, manufactured homes, houseboats, boat houses, and site improvements.	Land	\$90,400	Land	\$99,000
	Structures	\$114,900	Structures	\$114,900
	Total	\$205,300	Total	\$213,900
4. Valuation of Real Property in the Current Use or Designated Forest Land Program. As an owner of approved Current Use (farm and agriculture, open space, or timber land) or Designated Forest Land, you have signed an agreement with the County whereby a portion of your property tax is deferred in exchange for having the use of the property remain as agreed.	Land		Land	
	In Program	\$0	In Program	\$0
	Non-Program	\$0	Non-Program	\$0
	Structures	\$0	Structures	\$0
	Total	\$0	Total	\$0
5. Valuation of Real Property in the Senior Citizens and Disabled Person's Exemption Program. The value of your residence and up to one acre of land (and up to five acres if zoning requires it) has been frozen as of January 1 of the application year. We will continue to establish the market value of your property.	Frozen	\$0	Frozen	\$0
	Non-Exempt	\$0	Non-Exempt	\$0
6. Senior or Disabled Person's Qualifying Income Indicating Reduction of Frozen. * 35% or \$50,000, whichever is greater not to exceed \$70,000; ** 60% or \$60,000, whichever is greater Reduction of Frozen Frozen Taxable	0% <input type="checkbox"/> *35% <input type="checkbox"/> **60% <input type="checkbox"/>		0% <input type="checkbox"/> *35% <input type="checkbox"/> **60% <input type="checkbox"/>	
	\$0		\$0	
	\$0		\$0	
Total Base for Real Property Taxes		\$205,300		\$213,900
7. Personal Property		\$0		\$0
8. Personal Property Late Filing Percent		0%		0%

Cancel: \$ 0  
Supplement: \$ 8,600

Prorate Date:

Prepared by: Brian Herring

If you believe that the new value is substantially incorrect, please call the Assessor's Office for information between 8:30 AM and 4:30 PM at (360) 336-9370. Appeal Process: To preserve your appeal rights or appeal your value, a petition MUST be filed with the Board of Equalization within 30 days after the date this notice was mailed. Call the BOE at (360) 336-9334 for further information or to have the form mailed to you.



## CHANGE OF VALUE NOTICE

MAIL DATE: 12/17/2013

PROPERTY IDENTIFICATION #	118146	This value supersedes any prior notification. Assessment Year: 2013 Tax Year: 2014
Brief Legal Description: (6.2900 ac) ACRES 6.29, THE WEST 853.54 FEET OF THE FOLLOWING DESCRIBED PROPERTY: NOR		
Property Address:		(Please notify us if your property or mailing address is incorrect)
STATE ROUTE 9 SEDRO-WOOLLEY, WA 98264		
Reason for Change:		

MURPHY WILLIAM J & MURPHY ALICE J  
7630 STATE ROUTE 9  
SEDRO-WOOLLEY, WA 98284



SKAGIT COUNTY ASSESSOR  
DON MUNKS  
ADMIN BLDG RM 204  
700 SOUTH 2ND STREET  
MOUNT VERNON, WA 98273

PHONE: 360-336-9370  
FAX: 360-336-9308

Description	Previous Information		New Information	
1. Tax Code Area		1335		1335
2. Change in Acres		6.29		6.29
3. Market Valuation of Real Property. Real Property is land and/or any improvements valued as "Structures", such as buildings, manufactured homes, houseboats, boat houses, and site improvements.	Land	\$36,800	Land	\$90,900
	Structures	\$0	Structures	\$0
	Total	\$36,800	Total	\$90,900
4. Valuation of Real Property in the Current Use or Designated Forest Land Program. As an owner of approved Current Use (farm and agriculture, open space, or timber land) or Designated Forest Land, you have signed an agreement with the County whereby a portion of your property tax is deferred in exchange for having the use of the property remain as agreed.	Land		Land	
	In Program	\$0	In Program	\$0
	Non-Program	\$0	Non-Program	\$0
	Structures	\$0	Structures	\$0
	Total	\$0	Total	\$0
5. Valuation of Real Property in the Senior Citizens and Disabled Person's Exemption Program. The value of your residence and up to one acre of land (and up to five acres if zoning requires it) has been frozen as of January 1 of the application year. We will continue to establish the market value of your property.	Frozen	\$0	Frozen	\$0
	Non-Exempt	\$0	Non-Exempt	\$0
6. Senior or Disabled Person's Qualifying Income Indicating Reduction of Frozen. * 35% or \$50,000, whichever is greater not to exceed \$70,000; ** 60% or \$80,000, whichever is greater Reduction of Frozen Frozen Taxable	0% <input type="checkbox"/> *35% <input type="checkbox"/> **60% <input type="checkbox"/>		0% <input type="checkbox"/> *35% <input type="checkbox"/> **60% <input type="checkbox"/>	
		\$0		\$0
		\$0		\$0
		\$0		\$0
Total Base for Real Property Taxes		\$36,800		\$90,900
7. Personal Property		\$0		\$0
8. Personal Property Late Filing Percent		0%		0%

Cancel: \$ 0  
Supplement: \$ 54,100

Prorate Date:

Prepared by: Lois Wedekind

If you believe that the new value is substantially incorrect, please call the Assessor's Office for information between 8:30 AM and 4:30 PM at (360) 336-9370. Appeal Process: To preserve your appeal rights or appeal your value, a petition MUST be filed with the Board of Equalization within 30 days after the date this notice was mailed. Call the BOE at (360) 336-9334 for further information or to have the form mailed to you.

# Peter Christ

23818 NE HANCOCK RD CAMAS, WA 98607  
TEL 360-834-7022 FAX 360-834-9680

[peteroboe@comcast.net](mailto:peteroboe@comcast.net)

March 11, 2016

Planning and Development Services  
Skagit County  
1800 Continental Place  
Mount Vernon, WA 98273

RE Comprehensive Plan 2016 Update

Thank you for your letter of March 9 indicating that our Skagit County property off Willida Lane is within 300 feet of property being considered for annexation by Sedro-Woolley.

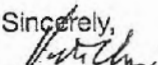
We appreciate being kept informed about this.

We just received a letter from the Sedro-Woolley Planning Dept. that showed a map indicating that Willida Lane (and our property) is not in the growth area being considered.

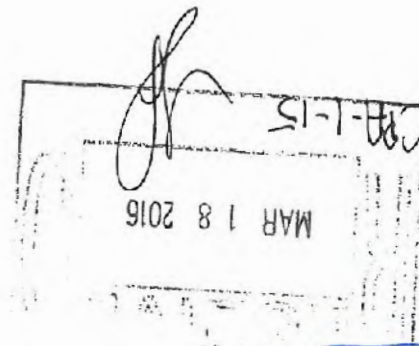
That is fine with me.

We do not wish to be included in any expansion of the city of Sedro-Woolley. It is a wonderful little town and we love it but we are happy being in the unincorporated part of Skagit County. We do not need city services at this time.

Thank you for your consideration.

Sincerely,  
  
Peter Christ

cc: Sedro-Woolley Planning Dept., 325 Metcalf Street, Sedro-Woolley, WA 98242





For the record

Sedro Woolley Planning Commission  
325 Metcalf St.  
Sedro Woolley Wa. 98284

April 16, 2016

Re: Sedro Woolley Comprehensive Plan - Transportation Element

Please consider adding policy in **bold** below to the Sedro Woolley Comp Plan in efforts to enhance economic recovery.

Page 3-7 (page attached)

Goal T5: To promote the community's vision among regional transportation agencies.

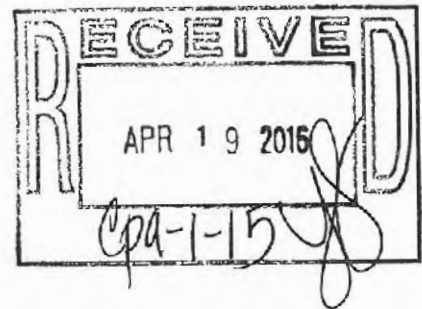
**Policy - Encourage the return of the Sedro Woolley to Concrete rail corridor to active rail use which would revitalize Sedro Woolley and east county's economic recovery.**

The return of rail service will play an important role in the economic recovery of Sedro Woolley and east county's abundant natural resources.

Thank you for your consideration.

*Randy Good Aileen Good*

Randy and Aileen Good  
35482 SR 20  
Sedro Woolley Wa. 98284  
360-856-1199



Policy T4.9: Encourage pedestrian and bicycle connections between adjacent developments even if constraints prevent connections for motorized vehicles.

**Goal T5: To promote the community's vision among regional transportation agencies.**

Policy T5.1: Coordinate with the Washington State Department of Transportation to provide public input on any current or future plans concerning State Route 20 or State Route 9. Provide public input to the development of these plans.

Policy T5.2: Coordinate with Skagit County to provide public input on any current or future plans concerning county roads within the urban growth area (UGA) and roads connecting Sedro-Woolley to Interstate 5.

Policy T5.3: Aggressively enforce RCW 36.70A.106, requiring the Department of Transportation, or any other state agency, to comply with this comprehensive plan.

Policy T5.4: Coordinate with the Burlington Northern and Santa Fe Railroad to provide public input on future plans for the railroad right-of-way within the urban growth area. Private property owners must be compensated as needed, unless arrangements are made for a dedication of right-of-way in lieu of a park fee.

**Goal T6: To fund and implement transportation improvements that serve the City.**

Policy T6.1: Partner with WSDOT, Skagit County, and SCOG to fund regional improvement projects that serve the City.

Policy T6.2: Ensure that growth mitigates its impacts through transportation impact fees, SEPA mitigation, concurrency, and development regulations.

Policy T6.3: Continue to work with Skagit County to mitigate traffic impacts of developments within the urban growth area consistent with the City's transportation element and mitigation requirements.

Policy T6.4: Develop the annual Six-Year Transportation Improvement Program (TIP) so it is financially feasible, leverages available city funding, and is consistent with the comprehensive plan.

Policy T6.5: Level of service and safety deficiencies in areas of high population density and traffic volume pose the most immediate needs, and should be improved first.

Policy T6.6: Support residential street improvements through use of local improvement districts or other similar mechanisms.

**Goal T7: To provide an adequate transportation system current with the traffic-related impacts of new development.**

Policy T7.1: Maintain the adopted Level of Service (LOS) standard for all roadways classified as arterials or state highways.

Policy T7.2: Maintain the level of service for SR 20, SR 9, and minor arterials within the City and UGA as LOS D.

Policy T7.3: Maintain the level of service for other and minor arterials within the City and UGA as LOS C.

Policy T7.4: Maintain the adopted Transportation Concurrency Management program to ensure adequate transportation facilities are available concurrent with development, as required by the Growth Management Act.

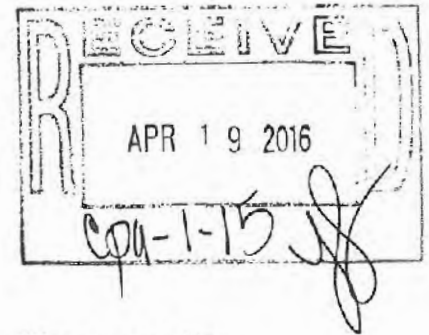
(Ord. 1554-06 § 3 (Exh. A)(part))

**Sedro Woolley Comprehensive Plan | 3-7  
Draft: April 2016**



For the record

Sedro Woolley Planning Commission  
325 Metcalf St.  
Sedro Woolley, Wa. 98284  
360-856-1199



April 15, 2016

RE: Comments on Sedro Woolley Comprehensive Plan - Transportation Element,

Page 3-34 Table 15. Sedro Woolley Transportation Improvement Projects and Programs,

Skagit Council of Governments (SCOG) is lead agency for distribution of federal and state gas tax dollars you pay at the pump.

Local agencies county, city and towns submit projects to SCOG after providing a public participation process which is to include public notice and review and then a vote by the Sedro Woolley Council to include projects onto the Sedro Woolley Transportation Improvement Program(TIP) adopted June 23, 2015. (copy attached)

SCOG has made it clear local jurisdictions county, city and towns must provide early, continuous public participation on all projects before being adopted onto the local TIP in order to be eligible for state and federal funding. After the council's vote then projects can be submitted to SCOG for funding consideration. ( support documentation attached)

Skagit County's TIP process;

Skagit County conducts a public informational meeting to address transportation needs and address concerns on projects proposed to be added to the county TIP. The public at this time can bring forward projects they feel are needed. Then county planning commission reviews and holds a public hearing, then a hearing is held with county commissioners. Projects adopted through this process are placed on the county TIP, then submitted to SCOG for funding. (county TIP process attached)

Our concern is the required early and continuous public participation is not

COMMENT 14  
ON SUMMARY  
LIST

happening here.

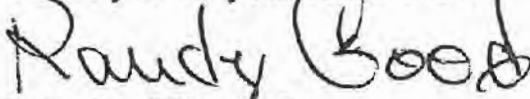
Examples: Two Sedro Woolley projects are listed on SCOG's Regional Transportation Program (RTIP) to be funded, but are not on Sedro Woolley's TIP. These two projects along with others have never had a public notice or review or public participation process. There is no record of the Sedro Woolley City Council voting to include these projects onto the Sedro Woolley TIP. (copies of projects attached)

Public meetings give residences and stakeholders a chance to bring new projects forward and address issues on proposed projects.

Please encourage the Sedro Woolley City Council to adopt a Transportation Improvement Program public participation process similar to the TIP process Skagit County uses. (attached)

Please review SCOG's list of Sedro Woolley projects. Please request all Sedro Woolley projects that have not had a public notice, review or vote, including the 2 examples attached with SCOG ID # 44, 45 be removed from SCOG's RTIP list of projects. All these projects then should have a public notice and review and public participation process, then a vote in front of Sedro Woolley City Council. Then projects are eligible for funding through SCOG

~~Thank you for your consideration.~~



Friends of Skagit County

Randy Good President

35482 SR 20

Sedro Woolley Wa. 98284

360-856-1199



Sedro Woolley by TIP

City of Sedro-Woolley

6-23-15

TABLE 13 - REVISED 2015-6-23 for 2016-2021 TIP - FINAL  
Sedro-Woolley Transportation Improvement Projects and Programs

6/23/2015

Project Type	MAP ID #	2016-2021 TIP Project No.	2016-2021 TIP CN Year	2013 CEOS	2016-2021 TIP Priority No.	Project Name	Project Limits	Project Description	Priority	Total Cost 2016 (\$1,000's) (3)(4)	Sedro-Woolley 2016 Cost (\$1,000's) (3)	Traffic Impact Fees	BASIS FOR EST
	C14	SW01	2015	YES	1	Jameston Arterial Extension to SR9	SR 9 MP 55.45 to Bailey Rd (1,020 LF)	Relocate existing secondary arterial to new alignment with a new roundabout intersection at SR9, including drainage, curbs, bicycle/pedestrian path, HMA, pavement markings and illumination.	High	3,020	42	Yes	2014 STPR App Est
	S 14 A REV	SW31A 1	2016	YES - WITH S14A AND	2	SR20/Cascade Trail West Extension Phase 1A - Trail Road to SR9 South	SR20 MP 84.51 Trail Road to SR20 MP 84.81 SR9 South (1,320 LF)	Construct a shared use path along the north side of SR20 from Trail Road to SR9 South	High	575	271	Yes	2015 STPR EST - \$378/LF INCL STORM REPL
	C25	SW30	2016	NA	3	Ferry Street Overlay Project	SR20 to Metcalf (1,570 LF)	Grind and overlay with petromat and structure adjustments and ADA upgrades.	High	330	49.5	No	2016 TIB EST \$210/LF
	C 6 C REV	SW13	2016	NA	4	South Township Street Overlay Project	Weldon to SR20 (300 LF)	Grind and thick overlay with pavement markings. (Combine with C25 Ferry St Overlay)	High	60	9	No	2015 EST \$200/LF
	C22 NEW	SW36	2017	YES	5	Fruitdale Road Arterial Improvements	Portobello to North City Limits (2,600 LF)	Reconstruct roadway to arterial standards with roundabout intersection at Northern State Road	High	2,320	348	Yes	2015 EST \$893/LF
	C23 NEW	SW37	2017	YES	6	Fruitdale Road, Sidewalk Project	McGargle to Portobello, East Side (1,050 LF)	Construct sidewalks and ADA ramps on the east side of Fruitdale Road from McGargle to Portobello	High	216	216	No	2015 EST \$206/LF
	C28 NEW	SW38	2017	NA	7	Trail Road Overlay Project	SR20 to Cook Road (1,600 LF)	Grind and overlay with petromat and structure adjustments	High	225	34	No	2015 EST \$35/SY
	C24 NEW	SW24	2018	NA	8	Cook Road Overlay Project	West City Limits to Crossroads (2,220 LF)	Grind and overlay with petromat and structure adjustments.	Medium	380	45	No	2015 EST \$34/SY
	C27 NEW	SW39	2018	NA	9	Jameston Sidewalk Project	Tennis Courts to 3rd Ave (850 LF)	Add shared use path north side of Jameston	High	130	26	No	2015 EST \$200/LF
	C 1 B	SW08	2019	YES	10	Jones/John Liner RR Undercrossing - BR20 Corridor Project Phase 2B	Sapp Road to Reed Street (1,000 ft)	Construct new BNSF Railroad undercrossing and connect East Jones Road to John Liner Road collector arterials, including railroad undercrossing, drainage, curbs, sidewalks, HMA, pavement markings and illumination.	Medium	7,700	1,155	Yes	2008 TIGER Est \$6,100 inflated 25% 2015
	C28 NEW	SW40	2019	NA	11	Reed Street Overlay Project	SR20 to John Liner Road (1,400 ft)	Grind and overlay with petromat and structure adjustments.	Medium	130	20	No	2015 EST \$38/SY
	C 1 C	SW08A	2019	YES	12	John Liner Road, Reed to Township Bicycle/Pedestrian Improvements Project	Reed Street to SR9/Township Street (2,000 LF)	Construct shared use path on the north side of John Liner Road from Reed to Township, including drainage and illumination.	Medium	555	83	No	2014 SRTS EST inflated 25% to 2019
	S 14 B NEW	SW34	2020	YES - WITH S14A AND S15	13	SR20/Cascade Trail West Extension Phase 1B - Hodgkin Road to Trail Road	SR20 MP 84.21 Hodgkin Road to SR20 MP 84.51 Trail Road (1,540 LF)	Construct a shared use path along the north side of SR20	Medium	288	39	Yes	2015 TAP EST - \$187/LF INCL STORM REPL
	C19	SW20	2020		14	Patrick Street Arterial Project	Michael Street to East Jones Road (1,200 LF)	New collector arterial with drainage, curbs, sidewalks, HMA, pavement markings, illumination	Medium	2,100	315	Yes	2008 TIGER Est \$1,440 inflated 12YRS 3% INT TO 2020

**TABLE 13 - REVISED 2015-6-23 for 2016-2021 TIP - FINAL**  
**Sedro-Woolley Transportation Improvement Projects and Programs**

6/23/2015

Project Type	MAP ID III	2016 - 2021 TIP Project No.	2016 - 2021 TIP CN Year	2013 CEDS	2016 - 2021 TIP Priority No.	Project Name	Project Limits	Project Description	Priority	Total Cost 2016 (\$1,000's) (3)(4)	Sedro-Woolley 2016 Cost (\$1,000's) (3)	Traffic Impact Fees	BASIS FOR EBT
	S B F REV	SW02F	2020	YES	15	SR 20 Stormwater Conveyance System Upgrade	SR20 MP 63.64 Holcamp Road to MP 64.21 Hodgkin Road (72 IN - 904 LF)	Upgrade the SR20 Stormwater Conveyance System from Holcamp Road to Hodgkin Road to correct existing capacity issues. Extends and completes undersized portions of the stormwater identified in the SR20/Cook road Realignment and Extension Project Stormwater Report in conjunction with previously scheduled Projects S14A and S14B.	Medium	300	300	No	2013 EST Adjusted for S14A and B
	C 1 A	SW07	2021	YES	16	Jones Road Arterial Improvements	F&S Grade Rd to Sapp Road (4,000 LF)	Reconstruct Jones Road to arterial section including drainage, curbs, sidewalk, shared use path, HMA, pavement markings and illumination.	Medium	3,200	480	Yes	Est \$800/LF 2015
	S 16 REV	SW33	2021	NO	17	SR20/SR9N-Township Intersection Improvements	SR20 MP 66.08	Intersection channelization improvements to allow concurrent north-south left turns and improve signal sequencing.	Medium	1,000	150	Yes	2015 WAG
	C1B	SW21	2021	SW21	18	Franklin/N Township Arterial Extension (Forliello Street)	SR9N Township Street to Cascadia Drive (2,100 LF)	New collector arterial connecting Franklin to SR9N Township, including drainage, curbs, sidewalks, HMA, pavement markings and illumination.	Medium	1,700	-	No	Est \$610/LF 2015
	S 2 NEW	SW35	2021	NO	19	SR20 / Reed Street Intersection Improvements	SR20 MP 65.70 to 65.72	Intersection improvements to restrict minor approach motions to right-in/right-out.	Medium	50	0	Yes	2015 WAG



## 2016-2021 RTIP PUBLIC COMMENTS

Below is a summary of the public comments received regarding the 2016-2021 Regional Transportation Improvement Program (RTIP) and how they were addressed.

Comments on 2016-2021 RTIP Public Participation Process - Randy Good – September 28<sup>th</sup>, 2015:

Comment	Staff Response
<p>For RTIP Development Process, Federal and State legislation requires "... Early and continuous public participation..."</p> <p>Other Council of Governments within Washington State and all across the country have the following policies listed under Federal and State Regulations when developing their RTIP. (copies attached highlighted)</p> <ul style="list-style-type: none"> <li>• Provide public meeting(s) to give the public opportunity to pose questions on projects for the RTIP along with a 30 day comment period. Delaware Valley Regional Planning Commission, MPO. (copy attached)</li> <li>• Provide reasonable opportunity for public comments, including a formal public meeting: Benton-Franklin Council of Governments. (copy attached)</li> <li>• Provide reasonable opportunity for public comment, including a formal public meeting and posting the document on-line: Spokane Regional Transportation Council 2016-2019 TIP. (copy attached)</li> <li>• Notice for SRTC TIP meeting to review the TIP, ask questions and provide input, for September 23, 2015 meeting. (copy attached)</li> </ul> <p>We are supportive of Skagit County Public Works Director Dan Berentson reinstating a public meeting for the county TIP process to address questions and concerns from the public on projects to be included in TIP.</p> <p>We encourage SCOG to achieve compliance with Federal and State Regulations and support the following recommendations along with Federal and State Requirements listed above.</p> <p>Local jurisdictions must supply documentation that each jurisdiction has completed a public participation process before it is accepted by SCOG to be listed on the RTIP for grant funding. The process must include public notice identifying projects proposed to be included on the TIP and a public meeting to answer questions from the public on the projects. This will also allow the public to bring new needed projects forward</p>	<p>Mr. Good identified three Metropolitan Planning Organizations (MPOs) which are also Transportation Management Areas (TMAs). (TMAs are typically designated in urbanized areas with populations of 200,000 or more.) SCOG is not a TMA. TMAs, that are also in Environmental Protection Agency-designated nonattainment areas for air quality standards, have slightly different public participation requirements than other MPOs such as SCOG, as defined in 23 CFR 450.324 (b). For SCOG, public participation for the Transportation Improvement Program is defined in the <u>Public Participation Plan</u>. The development of the 2016-2021 RTIP was consistent with the SCOG PPP, adopted in May of 2015.</p> <p>Comment noted.</p> <p>SCOG is fully compliant with all applicable federal and state regulations.</p> <p>The Transportation Policy Board (TPB) may consider requiring project sponsors to document how the public was engaged for each project proposed to be included in the RTIP</p>



#	Commenters	Public Comments		
		undesirable activities is a huge food security and food safety risk for local farmers.		
9	Randy Good, Friends of Skagit County	<p>Projects listed in RTP:</p> <ol style="list-style-type: none"> <li>1. Some projects are included in the Regional non-motorized plan which is not a adopted legal plan.</li> <li>2. The US Bike Route 10 which runs through the county from Anacortes to the Idaho border not even mentioned in this plan.</li> <li>3. Many of the projects on the wish list of projects for future consideration, have no public notice or public process. Some are not on any plan. These projects should be separated from projects that have had full public notice and citizens' review and approval and be removed from the RTP.</li> </ol>	<p>Responses are numbered to correspond with comments as follows:</p> <ol style="list-style-type: none"> <li>1. Agreed, the regional non-motorized plan is not a legal, adopted plan. There is no regional non-motorized plan at this time. The planning process to develop such a plan began in 2012, but the plan has not yet been completed. Some projects identified during the planning process are included in Skagit 2040, but only where they are sponsored by SCOG member agencies. If there is no project sponsor, the projects do not appear in Skagit 2040.</li> </ol> <p>SCOG staff has been coordinating with staffs from local jurisdictions as they develop their GMA comprehensive plans. After those plans are finalized, later in 2016, SCOG staff will be revisiting Skagit 2040 to harmonize the regional plan with local comprehensive plans if necessary. The timing of overlapping planning processes is far from ideal, as SCOG is working on completing Skagit 2040 while cities, towns and Skagit County are nearing completion of their comprehensive plans. If changes need to be made to the Plan after local comprehensive plans are adopted, these changes will be identified later in 2016 and SCOG staff will propose making minor revisions to the Plan.</p> <ol style="list-style-type: none"> <li>2. More of an explanation of U.S. Bike Route 10 should be added to the Plan in narrative form. U.S. Bike Route 10 was noted in the draft Plan under the Other Modes subheading for State Route 20 on Page 41.</li> <li>3. As noted above, SCOG staff will revisit Skagit 2040 later in 2016 to harmonize the regional plan with local comprehensive plans if necessary. There is no "wish list" of projects in Skagit 2040. We do have an "illustrative list" of projects included</li> </ol>	<p>Add the following to Page 54:</p> <p>"In 2014, the first U.S. Bicycle Route was designated in Washington state by the American Association of State Highway and Transportation Officials. This route, U.S. Bicycle Route 10, follows State Route 20, including the Spur, from the Anacortes Ferry Terminal to the border of Idaho. Eventually, the route will travel east-west all the way to Maine; one of a number of interstate bicycling routes across the U.S."</p>

8 (continued on next page)



Skagit 2040 Regional Transportation Plan Comment Tracker

#	Commenters	Public Comments		
			<p>in the non-fiscally-constrained part of the Plan which we do not anticipate being able to fund given current revenue and expenditure forecasts out to 2040 unless additional sources of funds become available outside of the forecast</p> <p>SCOG does not assure that projects proposed by member agencies for Skagit 2040 have been vetted through public notice and review. Concerns with project-level public participation should be addressed at the appropriate project-sponsor level.</p>	
10	Randy Good, Friends of Skagit County	The TAC needs to learn what preservation means. As we understand it, "preservation" means activities that repair surfaces or extend the life of a project. We suggest the TAC consider needs over wants and develop criteria to review and rank projects that reflect a score of what projects are needed to maintain or extend the life of Skagit County's transportation infrastructure.	<p>Preservation was one of the six priorities used to evaluate projects in Skagit 2040. The others were: economic vitality; safety; mobility; environment; and stewardship. Projects were not ranked for Skagit 2040, though they were given a relative priority of high, medium or low. Projects are categorized as:</p> <ul style="list-style-type: none"> <li>• Funded if they already have secured funding;</li> <li>• Planned if they do not yet have secured funding but are expected to be completed during the time frame of the Plan given forecast financial constraints; and</li> <li>• Illustrative if they not expected to be funding during the time frame of the Plan given expected financial constraints.</li> </ul> <p>Thank you for your comments.</p>	
11	Dale O'Brien, Skagit Transit	Skagit Transit has reviewed the document and would like to acknowledge the hard work of SCOG staff and the high level of agency coordination needed to update the Regional Transportation Plan.	Comment noted, thank you for working closely with us on developing Skagit 2040.	
12	Dale O'Brien, Skagit Transit	Additionally, Skagit Transit requests that the Transportation Policy Board consider an additional goal/strategy be included under Policy 1. The requested goal or strategy to be	<p>Agreed, add new goal/strategy to Policy 1 in Section 4: Transportation Priorities &amp; Policies to better coordinate public transportation infrastructure with roadway projects.</p> <p>Thank you for your comments.</p>	<p>Add new goal/strategy to Page 33:</p> <p>"1.11 Coordinate road construction projects with Skagit Transit to ensure current and future public</p>



# Comprehensive Plan 2016-2036

## 8: Transportation Manufactured Housing

- 1 Contents
  - 2 Land Use
  - 3 Rural
  - 4 Natural Resource  
Lands
  - 5 Environment
  - 6 Shoreline
  - 7 Housing
  - 8 Transportation
  - 9 Utilities
  - 10 Capital Facilities
  - 11 Economic  
Development
  - 12 Implementation
- Subareas  
Appendices

road projects primarily based on physical deficiencies, the Level of Service based transportation needs are used to select potential projects. The transportation financial plan is used to produce a financially feasible six-year plan. Thus, the Transportation Element provides a framework for use in making transportation investment decisions.

Pursuant to RCW 36.81.121, the Six-Year Transportation Improvement Plan (TIP) is updated annually. The Public Works Department produces a draft TIP that includes projects retained from the previous year, plus any additions or deletions, and a short description of each project. The department holds an informational meeting for the public to comment on the draft plan, and sends the draft documents to the Planning Commission for review, public hearing, and recommendation.

Then the Board of County Commissioners holds its own a public hearing on the proposed TIP, and adopts the TIP prior to adoption of the County budget. The TIP is then sent to the Skagit Council of Governments (SCOG) where regionally significant or federally funded project are compiled from the TIPs of other municipalities into the Regional TIP (RTIP). SCOG sends the RTIP to the Washington State Department of Transportation where it is combined into the State TIP.

## GMA Mandate

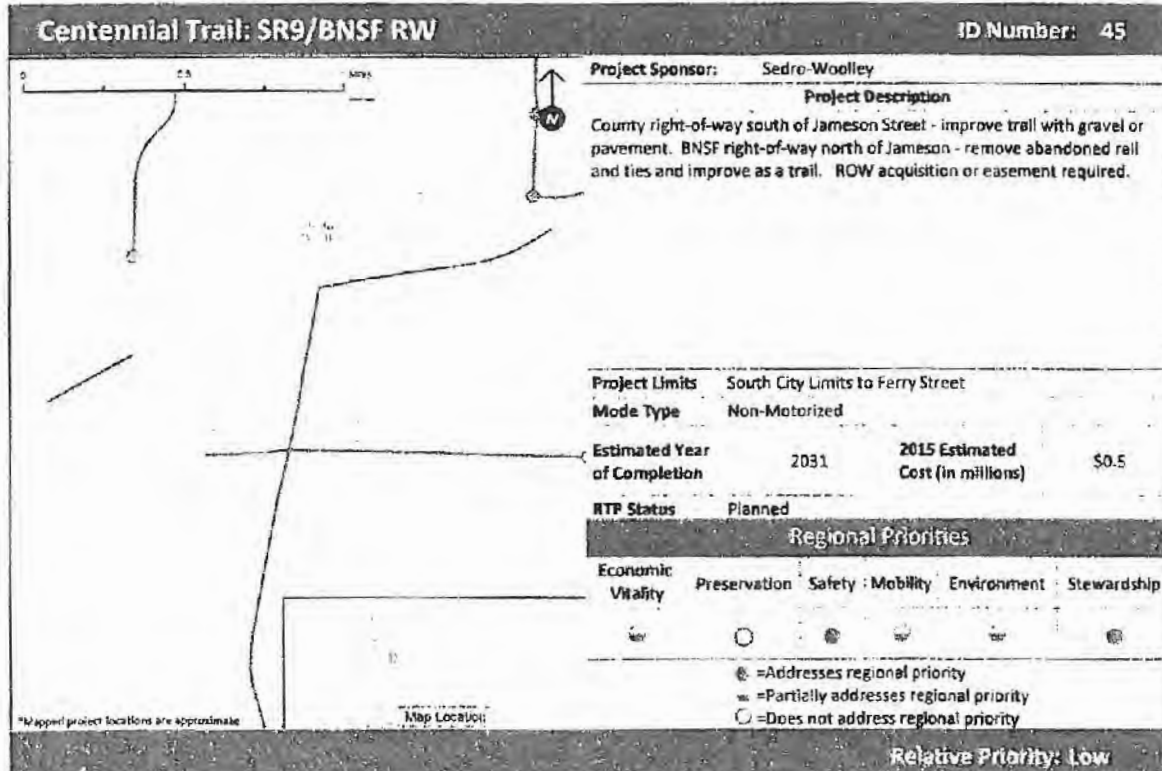
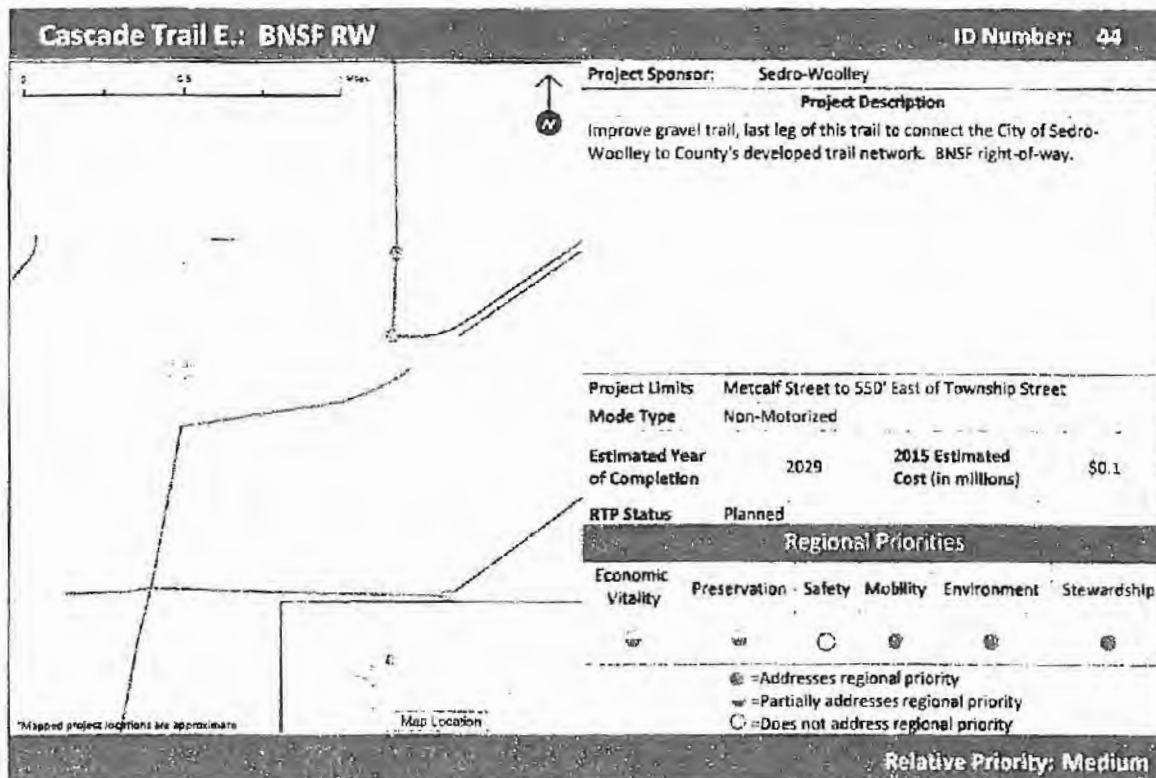
Development of this chapter was guided in particular by the following GMA Planning Goal:

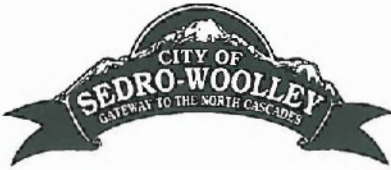
- *Encourage efficient multi-modal transportation systems that are based on regional priorities and coordinated with County and city Comprehensive Plans.*

This goal, taken in the context of the totality of the thirteen GMA Planning Goals, led to the following Countywide Planning Policies (CPPs) that provide specific guidance to the analysis and policies developed in this chapter:

- *Multi-purpose transportation routes and facilities shall be designed to accommodate present and future traffic volumes (CPP 3.1).*







CITY COUNCIL AGENDA  
REGULAR MEETING

MAY 25 2016

7:00 P.M. COUNCIL CHAMBERS  
AGENDA NO. 6

Building and Planning Departments

Sedro-Woolley Municipal Building

325 Metcalf Street

Sedro-Woolley, WA 98284

Phone (360) 855-0771

Fax (360) 855-0733

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**MEMO:**

**To:** City Council  
Mayor Wagoner

**From:** John Coleman, AICP  
Planning Director

**Date:** May 25, 2016

**Subject:** Building Permit and Planning Permit Review Status

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This status sheet is being provided for your review.

Please let me know if you have any questions.

John



## APPLIED BUILDING PERMITS

X = COMPLETE

R = REVISIONS RECEIVED

W = WAITING FOR RESPONSE

NO ENTRY = INITIAL REVIEW NOT COMPLETE

APPL.	PERMIT #	NAME	ADDRESS		REVIEW		COMMENTS
DATE			/ PARCEL #	BLDG	PLNG	ENGR	
3/26/15	2015-65	Pat McGinnis	405 Burrows Lane	X		yes	Carport and garage. Building review letter sent 8-19-15. Review letter mailed to Mr McGinnis 10-6-15. 6 MONTH EXTENSION GRANTED. EXPIRES 4-15-16.
7/6/15	2015-152	Frank Bresnan	290 W Moore St	W	W	yes	Carport. <b>EXPIRES 1-6-16.Needs CUP.</b>
12/1/15	2015-270	Thai Restaurant	702 Metcalf St #B	W	N/A	N/A	Waiting for plans from Alpine Fire. Inspection pending. Fees paid. [Received 12/10/15]
2/29/16	2016-40	Gabrielle & Elijah Clay	413 N. Township St	x	X	X	Addition to existing house. contractor to get SW Business License. Driveway turnaround condition on site plan. Sent letter to homeowner on status of permit 3-30-16.Received bus license. Advised applicant to pu permit 5-6-16.
3/17/16	2016-59	Janicki Industries/Chad Fisher Const	1476 E Moore St	W	X	X	Related File: 2016-58-SEPA. SEPA Comment period begins 4-4-16, ends 4-18-16. Waiting for Building Eng books 3-17-16. Issued MDNS 4-29-16 - appeal period over 5-13-16.
3/28/16	2016-77	Dr. Justin Yeates DDS/Constantine Builders	333 State St	X	X	W	Bank to Dentist office. Existing building. Advised applicant to pu permit on 4-26-16.
4/19/16	2016-90	Sedro-Woolley School Dist #101	1007 McGarigle Rd	X	X	N/A	new modular classroom only. See separate permit for covered walkway and ramp. Invoice sent to applicant 5-5-16
4/20/16	2016-96	Sedro-Woolley School Dist #101	1007 McGarigle Rd	X	X	N/A	permit for covered walkway and ramp. Invoice sent to applicant 5-5-16
5/4/16	2016-106	Juan Ortiz/Banano.Buds	211 Rowland Rd	W	W	W	Marijuana grow/manf.See file for Pre-App notes on requirments.Fire Hydrant, Fire Alarm System, Fire Marijuana permit, Carbon Dioxide permit ? sendMech,Electrical final, Fence, letter from SK on septic system.Emailed Applicant reminding them of additional information needed for this permit 5-5-16.WAITING on payment for review 5-17-16. Al Taylor to send approval letter for additional enclosed area.
5/6/16	2016-109	Tim & Ana Hart	404 Burrows Lane	X	X	N/A	New Assesory Structure. Waiver. Fees paid. letter to pu permit sent 5-19-16

5/9/16	2016-110	Green Ridge Productions	1578 E. Moore St	X	N/A	N/A	Marijuana cultivation and product manf-FIRE. Fees owed.
5/9/16	2016-111	Green Ridge Productions	1578 E. Moore St	X	N/A	N/A	Carbon Dioxide System Permit-FIRE.Fees owed.
5/10/16	2016-114	City of Sedro-Woolley-Parks	1001 River Rd			N/A	Replacement of Caretaker's manf home.
5/10/16	2016-119	Joshua Top	219 Laurel Drive			N/A	25% remodel of existing house.
5/12/16	2016-120	Peter Shamp	819 Lucas Drive	W	W	yes	Addition -family room. Submitting additional required plan information
5/16/16	2016-116	Property Trio-Brandon Schuh	532 Township St	W		yes	New manf home. Replacement of old manf home.Waiting for more info on Manf Home.
5/16/16	2016-117	Property Trio-Brandon Schuh	532 Township St			yes	New garage
5/17/16	2016-121	Jerry Rodriguez-7 Bridges Const	604 Trail Rd			N/A	covered porch.



# APPLIED PLANNING/ ENGINEERING PERMITS

X = COMPLETE

R = REVISIONS RECEIVED

W = WAITING FOR RESPONSE

NO ENTRY = INTIAL REVIEW NOT COMPLETE

APPL. RECEIVED	APPL. COMPLETE	PERMIT #	NAME	ADDRESS/ PARCEL #	REVIEW		COMMENTS
					PLNG	ENGR	
11/14/2005		05-BSP-1	Rimmer Industrial Park	P90024	W	W	Received 4 copies of a revised site lot plan 4-2-10. Sent review letter May 5, 2010.
5/26/2009	6/12/2009	SP-2-09	Ed Knorr/Bayview Survey	603,605,607 Dolly Lane	W	W	Sent Planning review letter 10-20-09. Sent email 1/12/2010.\$93.73 Publication fees owed.
5/26/2009	6/12/2009	SP-3-09	Ed Knorr/Bayview Survey	604,606, 608 Dolly Lane	W	W	Sent Planning review letter 10-20-09 Requested Rec Dwgs 11/10/09. Sent email 1/12/2010.
7/27/2010	8/12/2010	SP-1-10	Larry/Marilyn Nalbach	503 Marshall St	W	W	Sent Planning and Eng review letters and Admin Prelim Plat approval 9-28-10.\$82.50 FEES OWED ON PUBLICATION
2/26/2013	4/11/2013	2013-15 Planning	Eric Chandler/Marianne Manville-Ailles	1318 Talcott St	W	W	Four-lot short plat. Fees Paid. Notice of complte application sent 4-11-13. Comment period complete, planning and Engineering review letter sent 6-7-13. <b>DEPOSIT TAKEN</b>
2/26/2013	NA	2013-18 Engineering	Eric Chandler/Marianne Manville-Ailles	1318 Talcott St	NA		Engineering associated with 4 lot short plat. Fees Paid.
10/9/2013	11-27-13 (amended application)	06-SD-2/2014-16	Bob Ruby/Rubicon Development	755 Cook Rd	X	X	<b>OLD FILE-EG-5-08.</b> Council resolution #900-14 on 6-25-14. Notice of Decision issued 7-7-14. ALL FEES PAID 12-11-14. Received final plans for construction. Emailed Bob to set up pre-construction meeting 3-25-15.
5/20/2015		2015-102	Calvary Chapel	639 Sunset Park Drive #101 608 Sterling St	R		CUP Deposit taken in for mailings and sign 5-20-15. Planning sent request letter 8-10-15. Received revised parking plan. Planning to set up HEX Hearing
7/24/2015	7/24/2015	2015-173	FSC Enterprises		W		BLA for two buildable lots. Sent review letter 9-21-15 - need to address the parking/garage issue.
7/24/2015		2015-174	Bob Hayden-Short Plat	213 N. Murdock St	W	X	Short Plat-4 lots. Admin Preliminary Plat approved 1-13-16. Addresses assigned 2-17-16.
10/19/2015	1/26/2016	2015-246	Granite Holdings LLC-Short Plat	665 Cook Rd	W	N/A	Short Plat. Related file 2016-10 (Clear & Grade Permit). Review letter sent 3-15-16. Received Wetland Reconnaissance 4-4-16. Requested additional information regarding wetland reconnaissance.
1/11/2016	NA	2016-10	Granite Holdings LLC-Clear and Grade Permit	665 Cook Rd	NA	W	Clear and Grade Permit. Related file 2015-246. Review letter sent 3-15-16.
2/18/2016	3/18/2016	2016-30	Dr. Larry Campbell	1342 Moore St	X	N/A	CUP-Commerical. HEX approved. Applicant may submit building permits.

3/11/2016	NA	2016-51	City of SW	1400 Rhodes Rd-Winnie Houser Parking Lot	R/W	N/A	NOA SEPA comment period issued 5-10-16.
3/17/2016		2016-58	Janicki Industries	1476 E Moore St	X	N/A	SEPA. Related file BP#2016-59. Publication <b>FEES OWED</b> . SEPA MDNS issued 4-29-16
4/19/2016	NA	2016-89	Wildcat Steelhead Club	1805 Thompson Dr			Clear and Grade Permit and SEPA. NOA and SEPA Comment period issued 5-20-16, comment period over 6-3-16
4/27/2016	not yet	2016-100	Paul Woodmansee-BYK	Rita Street-P37585	W	R	Clear and Grade application and SEPA. Application incomplete, sent email to BYK 6-16-16. Received 2 sets of civil drawings for review 5-17-16. To David L and Debbie A 5-18-16.



MAY 25 2016

7:00 P.M. COUNCIL CHAMBERS  
AGENDA NO. 7

Sedro Woolley City Council  
325 Metcalf  
Sedro Woolley, Wa. 98284

May 11, 2016

RE: Comments on Sedro Woolley Comp Plan Transportation Element  
Update.

Page 3-36 Table 15. Sedro Woolley Transportation Improvement Projects.

Please remove projects ID# 29 and 30 on page 3-36 from this Comp Plan  
update for reasons listed below.

We encourage the Sedro Woolley City Council to consider adopting a public participation process for adding projects to the 6 year Transportation Improvement Projects and Program and the long term Improvement projects list. Public notice and review is needed to inform council members on safety, legal and other issues facing different projects. One way is to hold a open house public meeting to address concerns with all proposed projects by the city as Skagit County does. City residents could bring needed projects forward at this time for city staff consideration. Public hearings with the planning commission and/or city council to follow for vote of approval.

The need for a public participation process.

Two non-motorized projects have been added to the Sedro Woolley Comp Plan Transportation Element Table 15 without required public notice and review and with no record of a vote by the Sedro Woolley Planning Commission or City Council. Once approved on this list these projects are eligible for state and federal funding. These two projects are already listed on the adopted Regional Transportation Improvements & Programs Planned Projects list making them eligible for funding. These two projects are identified as ID# C29 - Centennial Trail SR9/BNSF RW - the county right of way south of Jameson and ID# C30 - Cascade Trail E: BNSF RW - Metcalf to Township.

Issues and concerns on these two projects:

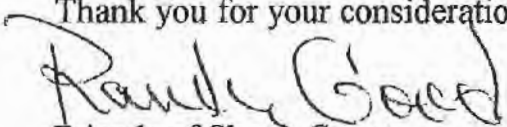
ID# C29- Centennial Trail SR9/BNSF RW project- Is a railroad right of way easement, with a Skagit County Quit claim Deed dated January 29, 1993. This is the same Quit Claim Deed used by Skagit County to confiscate the entire Sedro Woolley to Snohomish County abandoned Railroad right of way easement in 1993. This leaves ownership of the right of way easement in question. ( Support documentation attached- 1992 Memorandum from county prosecutor telling commissioners how to take railroad easement lands without paying. Which the county did by Quit Claim Deed.)

ID# C30 - Cascade Trail E. BNSF RW -Metcalf to Township - The Cascade Trail just east of Township to Concrete is enrolled in a rail banking program which allows the railroad easement to be reinstated back to rail use at any time. The proposed project is the BNSF line which lies between the rail banked section and BNSF hookup at Sedro Woolley. Any improvements would only add costs to efforts to convert the right of way back to rail use.

Please consider adopting a public participation plan for public notice and review when adding projects to the Transportation Improvement Projects and Programs.

Please remove the two projects ID# 29 and ID# 30 on page 3-36 Table 15 for reasons as addressed in this comment letter.

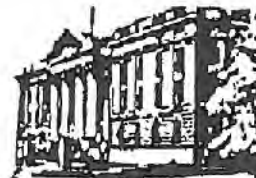
Thank you for your consideration.

  
Friends of Skagit County  
Randy Good President  
35482 SR20  
Sedro Woolley Wa. 98284  
360-856-1199



JOHN MOFFAT  
CHIEF CIVIL DEPUTY  
  
DAVE NEEDY  
CHIEF CRIMINAL DEPUTY  
  
K. G. AL LONGE  
SCHOOL DEPUTY  
  
DORRAN VOLLEZ  
THOMAS BEAUNE  
MORGAN WITT  
DONNE CLASH  
KIMBERLY WOODSON  
DEPUTIES

MICHAEL RICKERT  
SKAGIT COUNTY PROSECUTING ATTORNEY  
COURTHOUSE ANNEX - 605 S. 3rd St.  
MOUNT VERNON, WASHINGTON 98273  
(206) 336-9460 SCAN 554-9460  
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DAVE DELAYBERTY, PLO  
OFFICE SUPERVISOR  
  
BRETCHEN PABUE  
VICTIMWITNESS  
  
CHEN MORAS  
PATERNITY DIVISION

MEMORANDUM

TO: Board of County Commissioners  
  
FROM: John R. Moffat *JRM*  
Chief Civil Deputy  
  
DATE: October 16, 1992  
  
RE: Acquisition of Burlington Northern Right-of-Way

Jon Aarstad has advised me that he intends to place on your agenda in the near future your consideration of the purchase from Burlington Northern of approximately 101 acres of abandoned railroad right-of-way for the Centennial Trail. The negotiated purchase price with Burlington Northern is \$113,254.00, approximately one-third of the appraised value of the acreage which is \$326,992.23.

We wish to be sure that you are aware of the fact that one of the reasons why Burlington Northern may be willing to sell at a reduced value is that it is likely that the railroad does not have clear title to the right-of-way which it is selling to the County. The case of King County v. Squire Investment Co., 59 Wash. App. 888 (1990) (copy attached) indicates that where a railroad abandons right-of-way for railroad purposes, the railroad no longer owns the right-of-way; rather, the adjoining property owners own it.

In the Squire Investment Co. case, the Court found that the deed from the property owners to the railroad back in the 1890's conveyed only an easement interest and that after the railroad abandoned the railroad line in 1985 the ownership of the right-of-way reverted to the adjoining property owners. As stated in the Squire Investment Co. case:

Burlington Northern formally abandoned the right of way on July 29, 1985. The easement was extinguished at that moment and its interest reverted to the Squires' (original grantor) heirs. Burlington Northern had no interest to convey to King County for use as a

railroad much less as a trail. Even if the right of way had not been formally abandoned, Lawson v. State, (107 Wn.2d 444 [1986]) defeats the County's argument. Responding to a similar argument, the court stated:

Applying common law principles, we hold that a change in use from "rails to trails" constitutes abandonment of an easement which was granted for railroad purposes only. At common law, therefore, the right of way would automatically revert to the reversionary interest holders.

Lawson at 452. . . .

In summary, the Squire deed conveyed an easement to the railroad which terminated when its successor, Burlington Northern, abandoned the line with the approval of the ICC. The reversionary interest passed to the successors of the grantors. The trial court's alternative holding that the Squire deed conveyed an easement and, consequently, King County acquired no interest in the right of way is affirmed.

59 Wash. App. at 894-95.

In our case, it is impossible to ascertain the exact nature of the ownership of the right-of-way without examining each and every deed through which Burlington Northern or its predecessor-in-interest acquired title to the railroad right-of-way.

It is instructive to note that the Squire Investment Co. case came about because King County elected to file an action to quiet title and to condemn the entire portion of the right-of-way that it intended to use as a trail before it declared the same as a trail. This is certainly the safer way to go and would avoid problems arising later regarding the ownership of the trail. However it would also be more likely to alert adjoining property owners of their potential interest in the trail property.

If the Board is concerned with adjoining property owners exerting a claim to the trail without the County having established formal ownership thereof, an appropriate course of action would be for the County to commence a quiet title action to the 101 acres, color of



Board of County Commissioners  
October 16, 1992  
Page 3

title to which it is acquiring through the purchase from Burlington Northern. Then, any adjoining owners who contest the County's quiet title action can be addressed separately either through private negotiation or a subsequent condemnation action. The County may be able to establish title by default judgment against a number of the adjoining property owners in the quiet title action, thus obviating the necessity of paying any compensation to them through a condemnation suit.

Alternatively, the County could post signs indicating the trail is County property and proceed to treat it as County property, subject to being challenged by adjoining landowners for a period of seven years pursuant to RCW 7.28.050. This procedure could result in the County paying less for the land to adjoining owners, but would also result in additional uncertainty of title for some time.

If you have any further questions regarding this, please let me know.

JRM:tad

cc: Jon Aarstad  
Steve Colby  
Dave Fleming

CITY COUNCIL AGENDA  
REGULAR MEETING

MAY 25 2016

7:00 P.M. COUNCIL CHAMBERS  
AGENDA NO. 7

FILED  
SKAGIT COUNTY CLERK  
SKAGIT COUNTY, WA

2016 MAY 13 AM 9:35

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF SKAGIT

JASBIR NARWAL AND PARMINDER NARWAL, husband  
and wife, and GURJ & NAV, INC., a Washington  
corporation,

Plaintiffs,

v.

CITY OF SEDRO WOOLLEY, a municipal corporation,  
Respondent.

Cause No. 15-2-01837-2

**ORDER FOR VOLUNTARY  
DISMISSAL BEFORE PLAINTIFF  
RESTS**

THIS MATTER coming before the Court on Plaintiffs JASBIR NARWAL AND PARMINDER NARWAL, and GURJ & NAV, INC.'S Motion for Dismissal Before Resting per Civil Rule 41(a)(1)(B), and the Court being fully advised, now, therefore;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Plaintiffs' motion is GRANTED and this action is DISMISSED without prejudice and without an award of costs or attorney's fees to either party.

DONE in open Court this 13 day of May 2016.

SKAGIT COUNTY SUPERIOR COURT

**BRIAN L. STILES**

Judge / Court Commissioner

ORDER FOR DISMISSAL - Page 1



CARMICHAEL CLARK, P.S.  
ATTORNEYS AT LAW

P.O. Box 5226 • Bellingham WA 98227  
360.647.1500 • 360.647.1501 fax


COPY




1  
2 Presented by:  
3 CARMICHAEL CLARK, P.S.

4   
5 \_\_\_\_\_  
6 ROBERT A. CARMICHAEL, WSBA #14008  
7 SIMI JAIN, WSBA #35810  
8 Attorney for Plaintiffs  
9

10 Copy received and approved for entry by:  
11 MENKE JACKSON BEYER, LLP

12   
13 \_\_\_\_\_  
14 KENNETH W. HARPER, WSBA #25578  
15 Attorney for Defendant  
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ORDER FOR DISMISSAL - Page 2

 CARMICHAEL CLARK, P.S.  
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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF SKAGIT

JASBIR NARWAL AND PARMINDER NARWAL, husband  
and wife, and GURJ & NAV, INC., a Washington  
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Plaintiffs,

v.

CITY OF SEDRO WOOLLEY, a municipal corporation,  
Respondent.

Cause No. 15-2-01837-2

**GR17 FACSIMILE TRANSFER  
AFFIDAVIT REGARDING ORDER  
FOR VOLUNTARY DISMISSAL  
BEFORE PLAINTIFF RESTS**

I, SIMI JAIN swear and affirm that the following is true and correct to the best of my  
knowledge.

I have examined the attached signature page of the ORDER FOR VOLUNTARY DISMISSAL  
BEFORE PLAINTIFF RESTS, signed by KENNETH W. HARPER and sent via electronic mail on April  
28, 2016, consisting of 4 pages, including this Affidavit, and determined that said document is  
complete and legible.

DATED this 12<sup>th</sup> day of May 2016 in Bellingham, Washington.



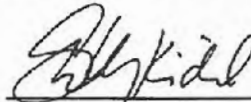
SIMI JAIN





1700 D Street  
Bellingham, WA 98225  
Phone: 360-647-1500  
Fax: 360-647-1501

SUBSCRIBED AND SWORN to before me this 12<sup>th</sup> day of May 2016.



NOTARY PUBLIC in and for the State of  
Washington, residing in Bellingham. MY  
COMMISSION EXPIRES 08/04/2016.

