

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 Planning Commission

From: Nicole McGowan
Assistant Planner

Date: April 18, 2023

Subject: Amendments to Chapter 10.44 SWMC to Update Sidewalk Café Regulations and to Add Regulations for “Streateries” and Amendments to Chapter 17.04 SWMC to Define “Streatery”

ISSUE

Permanent sidewalk cafes (private dining areas or gathering spaces located on the sidewalk in front of a business) are currently an allowed use in the Central Business District (CBD) under Chapter 10.44 SWMC. However, permanent streateries (private dining areas or gathering spaces located over the on-street parking spaces in front of a business; also commonly known as parklets) are not. In an effort to provide downtown business owners with an additional option for accommodating customers and to create a more welcoming and lively downtown environment by encouraging more pedestrian activity in the area, staff finds that allowing streateries permanently in the CBD would be largely beneficial to the City. Staff proposes to amend Chapter 10.44 SWMC to update the existing sidewalk café regulations and to add regulations for “streateries” and to amend Chapter 17.04 SWMC to add a new definition for “streatery”. The amendments, found in **Attachment 1**, will allow streateries permanently in the CBD under specific conditions.

PROJECT DESCRIPTION/HISTORY

In 2012 and 2013, the Council approved temporary ordinances that allowed the temporary use of sidewalks and the public parking spaces in front of restaurants in the Central Business District (CBD) for private dining areas. After those temporary ordinances expired, the City Council Business Development Committee discussed how there has been continuous support from the community, particularly for sidewalk cafes, as they have worked to encourage pedestrian activity in the downtown area and have helped create a welcoming and lively environment that benefits downtown business owners. In 2014, a new ordinance was passed which amended Chapters 17.04 and 10.44 of the SWMC to include an updated definition for sidewalk cafes and to allow them permanently in the CBD under specific conditions. Parklets were not included due to the concern that they would take up

the on-street parking stalls in front of businesses in the CBD. The availability of public parking in the downtown area has proven to be an ongoing public concern.

In later years, indoor occupancy restrictions were imposed by Washington State in response to the 2020 COVID-19 pandemic. The City's response was to allow "Temporary Outdoor Dining Areas in Rights of Way." These dining areas, including temporary sidewalk cafes and parklets, were intended to be an attribute to the downtown business district while also allowing businesses in the City to accommodate additional customers while complying with the indoor occupancy restrictions. The intent was for the temporary sidewalk cafes and parklets to be removed once the indoor occupancy restrictions were lifted. Washington State has since lifted the restrictions, however, there is one streatery, originally permitted temporarily, that still remains in the downtown area. Public support is still evident, as these have continued to be effective in bringing pedestrian activity to the downtown area, benefiting downtown business owners as originally envisioned. Businesses that constructed temporary sidewalk cafes can apply for a right-of-way permit to permanently locate the sidewalk cafes under the existing regulations in SWMC 10.44.155. However, because streateries are not currently an allowed use outside of the temporary rules, business owners are required to remove the streateries to comply with the conditions of the temporary permit. Staff recognizes that removing the streateries effectively removes the opportunity for business owners to accommodate additional customers and removes an important element of the downtown streetscape that has been very beneficial for bringing life to the downtown area. The proposed amendments will allow those business owners to apply for a right-of-way permit to continue to use their streateries permanently under specific conditions. Minor Changes to SWMC 10.44.155 are proposed to improve and clarify sidewalk café regulations. A new section, SWMC 10.44.156, is proposed to specify regulations for permanent streateries. Also, a definition of streatery is proposed to be added to SWMC 17.04.030.

DISCUSSION

The proposed new regulations for streateries address the following:

- Intent;
- Location;
- Use;
- Construction requirements, including provision for:
 - o ADA accessibility;
 - o Public safety;
 - o Compatibility with right-of-way use and access; and
 - o Compliance with IBC standards;
- Size over parking spaces;
- Maintenance responsibilities;
- Conformance with WA State Liquor and Cannabis Board Policy (no longer the Washington State Liquor Control Board);
- Insurance and liability; and
- Required permitting.

The existing regulations for sidewalk cafes have been updated to avoid conflict with the new regulations for streateries.

Staff recognizes that streateries were not allowed permanently at the same time as sidewalk cafes because of the concern that streateries would remove the ability for the public to use the on-street parking in front of businesses in the downtown area. That is why limits have been placed on the number of stalls streateries are allowed to take up and their location shall be limited to parking stalls in front of the associated business. Staff finds that by placing such limitations on the use of on-street parking spaces, the amount of available parking in the downtown area will not be significantly reduced.

ATTACHMENTS

Attachment 1 – Proposed Amendments to Chapters 10.44 and 17.04 SWMC

RECOMMENDATIONS

Review and discuss the proposed amendments to Chapters 10.44 and 17.04 SWMC and propose any recommended changes.

Attachment 1

Proposed Amendments to Chapter 10.44 and 17.04 SWMC

10.44.155 Sidewalk cafes.

Intent. Allowing the use of public sidewalks in front of a business in the central business district, excluding state routes, as a private outdoor dining area, when in conformance with the criteria in this section. Sidewalk cafes are defined in the zoning code, Title 17, and are intended to be an attribute to the downtown business district and artistic and aesthetic embellishment is expected. Sidewalk cafes are subject to the following conditions:

- A. Sidewalk cafes located on the sidewalk may be placed within the right-of-way year-round.
- B. Uses. Sidewalk dining areascafes may be approved for the following uses:
 - 1. Private outdoor dining areas.
- C. Sidewalk dining areascafes shall only be located in front of the associated business, ~~and~~ shall not exceed the width of the business space-frontage and shall be contiguous to the building.
- D. Sidewalk dining areascafes placed on the sidewalk shall allow an unimpeded, minimum five-foot clear walkway outside of the dining area for passing pedestrians.
- E. Maintenance.
 - 1. The business owner is responsible for maintaining the safety and physical upkeep of the sidewalk dining area structure.
 - 2. The business owner is responsible for sweeping the sidewalk area inside and around the sidewalk dining area.
 - 3. Chairs must be removed or secured by close of business each day. Tables must be permanently affixed, removed or secured by close of business each day.
- F. Because sidewalk cafes may sit on top of critical infrastructure and utilities such as gas lines, sewer and/or water mains, they shall be designed for easy removal in case of emergency.
- GF. Conformance with Washington State Liquor Control and Cannabis Board Policy. Businesses may serve beer, wine or spirits in a sidewalk dining area if compliant with the Washington State Liquor Control and Cannabis Board rules and policies.

HG. Insurance and Liability. The applicant shall comply with all requirements of Section 12.44.050. (Ord. 1795-14 § 1, 2014)

I. Permit required. A right-of-way permit is required for use of public right-of-way for sidewalk cafes. (Ord. 1795-14 § 1, 2014)

10.44.156 Streateries.

Intent. Allowing the use of public parking spaces in front of a business in the central business district, excluding state routes, as a private outdoor dining area, when in conformance with the criteria in this section. Streateries are defined in the zoning code, Title 17, and are intended to be an attribute to the downtown business district and artistic and aesthetic embellishment is expected.

A. Streateries located over parking spaces may be placed within the right-of-way year-round. Streateries may need to be removed for plowing or emergency services.

B. Uses. Streateries may be approved for the following use:

1. Private outdoor dining areas.

C. Construction of streateries.

1. Streateries shall consist of a structure that includes a flat, stable, non-slip, ADA accessible surface that is built over the city street.

2. Streateries shall be enclosed on the three sides not adjacent to the curb with railing or another approved barrier of at least 42 inches in height. Barriers may include but are not limited to railings, planters and backs of attached seating (i.e., benches).

3. Because streateries may sit on top of critical infrastructure and utilities such as gas lines, sewer and/or water mains, they shall be designed for easy removal in case of emergency.

4. Streateries placed on street parking shall allow an unimpeded, minimum five-foot clear walkway on the sidewalk between the business and the streatery for passing pedestrians.

5. Use of ADA parking stalls for streateries is prohibited.

6. The Building Department shall approve the construction of all streatery structures.

D. Size over parking spaces.

1. Streateries, including barriers, planting boxes or other ancillary objects, shall extend to the edge of the parking dimension or no more than 12 feet street-ward from the curb, whichever is less.

2. Streateries shall not take up more than four (4) slanted parking spots or two (2) parallel parking spots.

3. Streateries shall only be installed in parking stalls that are located in front of the associated business, shall not exceed the width of the business frontage and shall be contiguous to the building.

E. Maintenance.

1. The business owner is responsible for maintaining the safety and physical upkeep of the streatery structure.

2. The business owner is responsible for sweeping the streatery inside and around the streatery dining area.

3. The business owner is responsible for keeping the curb free of debris that may interfere with stormwater conveyance or other street side utilities or amenities.

4. Street sweeping machinery will be unable to operate normally around streateries. The business owner is responsible for sweeping the street within 20 feet laterally from the streatery.

5. Chairs must be removed or secured by close of business each day. Tables must be permanently affixed, removed or secured by close of business each day.

F. Conformance with Washington State Liquor and Cannabis Board Policy. Businesses may serve beer, wine or spirits in a streatery if compliant with the Washington State Liquor and Cannabis Board rules and policies.

G. Insurance and Liability. The applicant shall comply with all requirements of Section 12.44.050.

H. Permit required. A right-of-way permit is required for use of public right-of-way for streateries.

17.04.030 Definitions.

[...]

“Sidewalk cafe” means a private dining area or gathering space that is located on the sidewalk in front of a business. A sidewalk cafe serves as an outdoor extension of the business into the public right-of-way and may include fencing no more than four feet in height to delineate the dining area and meet Liquor Control and Cannabis Board regulations.

“Sign” means a publicly displayed advertising, directional, or information device excluding:

1. Flags and similar primarily nonverbal symbols of governmental, religious or civic organizations;
2. Traffic-control devices, verbal or nonverbal, maintained by the public agency with jurisdiction over the thoroughfare;
3. Minor notices such as conventional no soliciting, open, closed, for rent and for sale signs; and
4. Signs located so as to be viewed only from the ownership on which they are located.

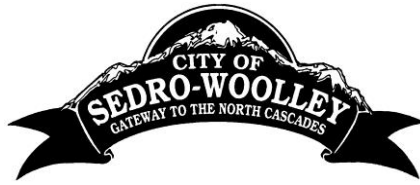
“Single-family residence” means a dwelling unit which is unattached to any other dwelling unit.

“Streatery” means a private dining area or gather space that is located over the on-street parking spaces in front of a business. A streatery serves as an outdoor extension of the business into the public right-of-way and includes a built structure to create a flat, ADA accessible area in the parking area of a city street. Streateries may be covered or uncovered spaces.

“Structure” means a stationary manmade object or part thereof erected on the ground with an intention of some permanence, excluding objects less than three feet in height.

“Trailer” means a device designed to be drawn by a motor vehicle and provide temporary living quarters.

[...]



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MEMO:

To: Sedro-Woolley Planning Commission

From: Nicole McGowan
Assistant Planner

Date: April 18, 2023

Subject: CPA-1-23 – Zoning Map and Comprehensive Plan Map Amendments – 2023
Docket

ISSUE

At its February 8, 2023 meeting, the City Council made a motion to include two separate rezone requests on the 2023 Comprehensive Plan Docket. The first is a request from Paul and Elizabeth Peterson to change the zoning designation of a roughly 2.53-acre parcel of land at 1122 State Street (Assessor's Parcel #P39825) from the current Residential 5 (R-5) zoning designation to Residential 7 (R-7). The request – referred to as the Peterson Rezone Request – has been assigned file #RZ-2023-001. The second rezone request is from John Bendtsen. The request – referred to as the Bendtsen Rezone Request – is to change the zoning designation of a roughly 0.85-acre parcel of land at 406 Ball Street (Assessor's Parcel #P77185) from the current Residential 7 (R-7) zoning designation to Residential 15 (R-15). The Bendtsen Rezone Request has been assigned file #RZ-2023-004.

BACKGROUND

This is the first review of the two rezone requests, the locations of which are shown in **Figure 1** below. Each request is discussed separately herein. Today's meeting is intended to be an introduction to the properties in the two rezones. Staff does not yet have any recommendations on the rezone requests and public hearings for the rezone requests have not yet been scheduled. The Planning Commission is not going to make any recommendations at this meeting.

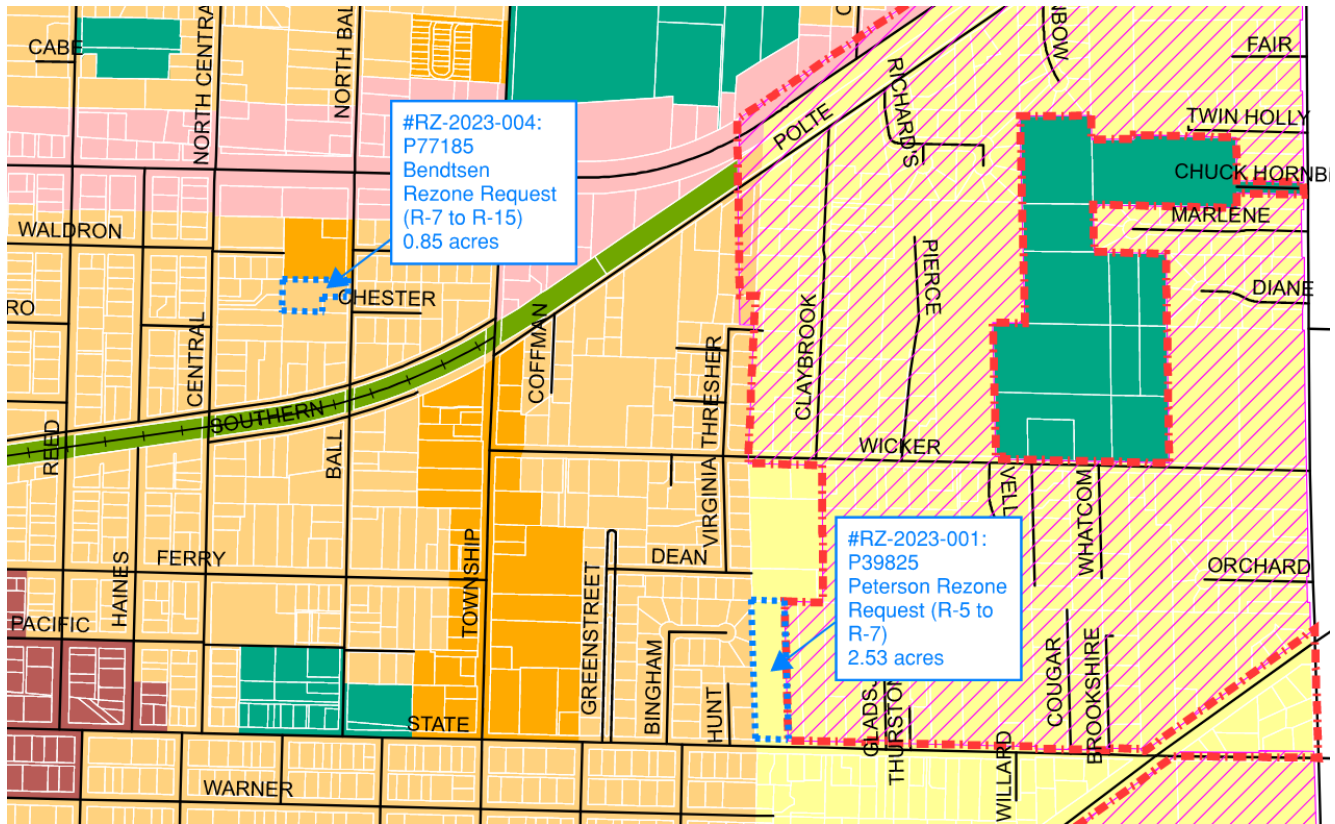


Figure 1 – Peterson and Bendtsen Rezone Request Area Locations

Application #RZ-2023-001 – Peterson Rezone

The applicant’s request is to change the zoning designation of Parcel P39825 – a roughly 2.53-acre parcel of land – from R-5 to R-7. The property is located at 1122 State Street, which is the eastern-most property within city limits on the north side of State Street (see **Figure 1** above). The rezone area currently has a single-family home, a small barn and a shed on site at the south end of the property with access to State Street. The remainder of the property has been used as open pastureland since 1937. It is unknown at this time whether critical areas exist on site as no critical areas assessments have been performed on this site to date. Uses surrounding the property include single-family homes to the west, a 14-unit apartment complex to the north, single-family homes to the south and single-family homes and open pastureland to the east. **Figure 2** below shows an aerial image of the subject property and the surrounding uses on adjacent properties.

The properties to the west are zoned R-7; the properties to the north and south are zoned R-5; and the property to the east is outside of city limits, within the Urban Growth Area (UGA).

The owners of the property are Paul and Elizabeth Peterson. They are pursuing a future residential land subdivision of the property. There is no subdivision application currently pending for development of the subject parcel. The rezone application states that “zoning to R-7 will allow for smaller lot sizes which will reduce development costs of the lots allowing the selling costs of the homes to be accessible to low- and moderate-income households. The possibility of some lots being duplex lots further allows units to be available to seniors as well as low-income households, all of which keeps to the Comprehensive Plan.” Under the

current R-5 zoning designation, residential development is limited to single-family residences on lots of 8,400 square feet or greater at a maximum density of five units per acre. If the rezone to R-7 were approved, it would allow the area to be developed for residential housing at a higher maximum density of seven units per acre. The construction of duplexes on lots of 9,000 square feet (also subject to the additional requirements listed in SWMC 17.12.010(A)(4)) would also be allowed in addition to single-family residences on lots of 6,000 square feet or greater. In the event the rezone to R-7 is approved, the property may be able to accommodate the development of approximately 10-15 housing units as opposed to the roughly 8-10 housing units that can be accommodated under the current R-5 zoning.

The Peterson Rezone Request application is attached as **Exhibit A**.



Figure 2 – Aerial Image of the Peterson Rezone Request Subject Property and Adjacent Properties

Application #RZ-2023-004 – Bendtsen Rezone

The applicant's request is to change the zoning designation of Parcel P77185 – a roughly 0.85-acre parcel of land – from R-7 to R-15. The property is located at 406 Ball Street, which is just west of the intersection of Ball Street and Chester Avenue (see **Figure 1**). Per Skagit County's iMap, there was a residence on site in 1969. The residence appears to have been demolished by 2005 and the property has since sat undeveloped with heavy deciduous tree, bush and grass cover. It is unknown at this time whether critical areas exist on site as no critical areas assessments have been performed on this site to date. Uses surrounding the property include a 30-unit apartment complex to the north, a church to the south and single-family homes to the east and west. **Figure 3** below shows an aerial image of the subject property and the surrounding uses on adjacent properties.

The property to the north is zoned R-15 and the properties to the south, east and west are all zoned R-7.

The owners of the property are John Bendtsen and Lincoln Aldridge. They are pursuing a future multi-family residential development of the property. There is no development application currently pending for development of the subject parcel. The rezone application states that "Home of the Brave will provide much-needed housing to our community's disabled and retired veterans." A zoning change is not contingent on the proposed development. If a zoning change is made, any development that meets the new zoning code requirements could be approved. Under the current R-7 zoning designation, residential development is limited to single-family residences on lots of 6,000 square feet or greater or duplexes on lots of 9,000 square feet or greater (also subject to the additional requirements listed in SWMC 17.12.010(A)(4)) at a maximum density of seven units per acre. If the rezone to R-15 were approved, it would allow the area to be developed for multi-family housing at a higher maximum density of 15 units per acre. The construction of multi-family residences would be limited to eight units per building at two stories or 12 units per building at three stories if the units are evenly distributed between the three floors. In the event the rezone to R-15 is approved, the property may be able to accommodate the development of approximately 12 housing units as opposed to the roughly 4-5 housing units that can be accommodated under the current R-7 zoning.

The Bendtsen Rezone Request application is attached as **Exhibit B**.



Figure 3 – Aerial Image of the Bendtsen Rezone Request Subject Property and Adjacent Properties

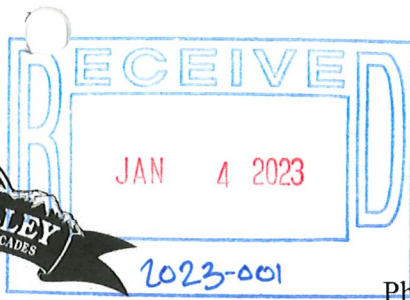
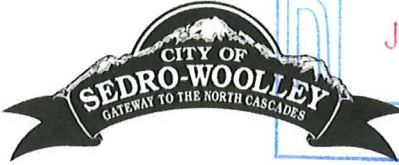
RECOMMENDATIONS

Get to know the properties and learn more about the proposed rezone requests. This is an introduction to the two proposed rezones – no recommendations will be made at today's meeting. The Planning Commission will hold a public hearing on each rezone request at a future meeting.

EXHIBITS

Exhibit A – Peterson Rezone Request Application (file #RZ-2023-001)

Exhibit B – Bendtsen Rezone Request Application (file #RZ-2023-004)



CITY OF SEDRO-WOOLLEY
Planning Department
325 Metcalf Street
Sedro-Woolley, WA 98284
Phone (360) 855-0771 Fax (360) 855-0733

Application for Comprehensive Plan / Zoning Map Amendment

- Text Amendment
 - Map Amendment
- (Check all that apply)

Note: This application is available as a Word document. Include additional information as necessary on additional sheets of paper and attach to this application.

Name: Paul & Elizabeth Peterson

Address: 1122 E State St, Sedro Woolley, WA 98284

Phone: 360-391-3930 E-mail: lizptrsn83@outlook.com

1. Describe the purpose or goal of the proposed amendment:
Property zone change from R-5 to R-7

2. How will this improve or benefit the City of Sedro-Woolley in the future?
Improving the short fall of single family homes while keeping with land use goals, providing new affordable housing.

FOR TEXT AMENDMENTS ONLY:

1. What section(s) of the Comprehensive Plan will the proposed amendment affect?

2. What section(s) of the S-W Municipal Code will the proposed amendment affect?

3. List the proposed or amended text:

FOR LAND USE MAP AMENDMENTS ONLY:

1. Name and address of property owner. If applicant is not the owner, attach a signed statement from the legal owner agreeing to this application:

Paul and Elizabeth Peterson

2. Legal description of property(s):
See Attached

3. Describe the property: size, terrain, and critical areas:
2.53 acres, open pasture, no critical areas

4. Current land use designation/zoning: R-5

5. Land use designation/zoning for property surrounding the subject property:

North: R-5 but Condominiums on the property

South: R-5

East: R-5 out of city limits

West: R-7

6. Actual use of land on this site and on all the surrounding property: _____
Single family home with open pasture, single family homes R-7 West property line, Condominiums on the North end, property line, single family homes to the South, single family home and open pasture to the East but property is out of city limits.

7. Proposed designation: R-7 single family homes, possibly multi family

8. Supporting information for your request: _____
See attached

CURRENT LEGAL DESCRIPTION:

(2.5300 ac) A PORTION OF THE WEST 1/2 OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 35 NORTH, RANGE 5 EAST, W.M.; TOGETHER WITH A PORTION OF THE WEST 1/2 OF THE EAST 1/2 OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 35 NORTH, RANGE 5 EAST, W.M., EXCEPT ROAD RIGHT OF WAY, DESCRIBED AS FOLLOWS; BEGINNING AT A POINT ON THE NORTHERLY MARGIN OF COUNTY ROAD RUNNING ALONG THE SOUTH LINE THEREOF, AND ON THE EAST LINE OF GOVERNMENT LOT 3 AS ESTABLISHED BY GREENSTREET'S SECOND ADITION TO SEDRO WOOLLEY, AS RECORDED IN VOLUME 6 OF PLATS, PAGE 18, RECORDS OF SKAGIT COUNTY, WASHINGTON, SECTION 19, TOWNSHIP 35 NORTH, RANGE 5 EAST, W.M.; THENCE NORTH 02-53-20 WEST A DISTANCE 649.11 FEET TO THE 1/16TH LINE OF THE NORTHEAST 1/4 THEREOF; THENCE SOUTH 88-07-46 EAST A DISTANCE OF 170.10 FEET ALONG THE 1/16TH LINE OF THE NORTHEAST 1/4 THEREOF; THENCE SOUTH 01-30-16 EAST A DISTANCE OF 647.69 FEET TO THE NORTHERLY MARGIN OF COUNTY ROAD RUNNING ALONG THE SOUTH LINE THEREOF; THENCE NORTH 88-35-48 WEST A DISTANCE OF 170.20 FEET ALONG THE NORTHERLY MARGIN OF COUNTY ROAD TO THE POINT OF BEGINNING. SURVEY [AF#202204150053](#)

Rezone application answer to question 8

Referring to the Buildable Land & Capacity Analysis Report prepared by Eric Hovee & Andrea Logue for Sedro-Woolley

Sedro Woolley will have a short fall of residential housing, Up zoning some residential property to a higher density for example to R-15 currently comprising only 5% of the residential net buildable land supply.

This application is only requesting a zoning change from R-5 to R-7, R-7 zoning borders the west property line of the property.

Comprehensive plans, mandatory elements according to RCW 36.70A.040 states in section (2)

(2) A housing element ensuring the vitality and character of established residential neighborhoods that:

(a) Includes an inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth, as provided by the department of commerce, including:

(i) Units for moderate, low, very low, and extremely low-income households;

(b) Includes a statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing, including single-family residences, and within an urban growth area boundary, moderate density housing options including, but not limited to, duplexes, triplexes, and townhomes;

(d) Makes adequate provisions for existing and projected needs of all economic segments of the community, including:

(i) Incorporating consideration for low, very low, extremely low, and moderate-income households;

Approving the rezone application will improve the short fall of Sedro Woolley in meeting residential housing as projected. Zoning to R-7 will allow for smaller lot sizes which will reduce the development costs of the lots allowing the selling costs of the homes to be accessible to low- and moderate-income households. The possibility of some lots being duplexes further allows units to be available to seniors as well as low-income households, all of which keeps to the comprehensive plan as outlined by RCW 36.70A.040

9. If this is a request to include property in the City of Sedro-Woolley UGA, please address how including the property meets the Skagit County population projections for Sedro-Woolley and demonstrate that the increase in developable land meets the goals and policies of both the city's and county's comprehensive plans. A land capacity analysis may be required.
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- Completed SEPA Checklist.
- Names and addresses of property owners and residents within 500' of the subject property. See the attached mailing procedures for instructions.
- Assessor's section map of property with subject property highlighted. Other maps may be submitted that help support your proposal.

Process:

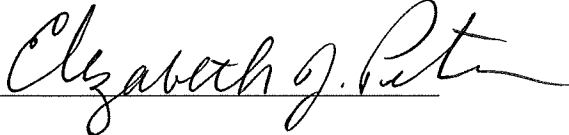
1. Applications will be accepted through **January 13, 2023**.
2. Applications will be reviewed for completeness. Additional information may be necessary to clarify the application.
3. The Planning Commission reviews all applications and decides which ones merit further study. Applicants will be notified of results of this review. Those which will be reviewed further will be required to pay the **application fee of \$600.00**. Applicant will be billed applicable SEPA fees and for public notice costs, which include publication costs.
4. The applicant is required to post a public notice sign on their property for rezone applications. Please see the attached Affidavit of Posting for instructions.
5. A public hearing will be held by the Planning Commission on the proposed amendments.
6. The Planning Commission will forward its recommendations on each application to the City Council.
7. The City Council will review the Planning Commission's recommendation and vote on each application (the Council may have additional public hearings, or hold joint public hearings with Planning Commission)
8. This process may take up to a year, or longer to fully complete.



Applicant

1/4/23

Date



Elizabeth J. Peterson

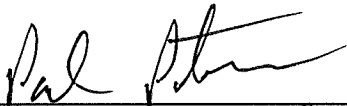
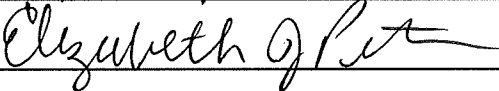
City of Sedro-Woolley
Certificate of Ownership

I, Paul D & Elizabeth J. Peterson, hereby certify under penalty of perjury, that I am the major property owner or officer of the corporation owning property described in the attached application, that I have familiarized myself with the rules and regulations of Sedro-Woolley with respect to filing this application, and the statements, answers and information submitted presents the arguments on behalf of this application are in all respects true and correct to the best of my knowledge and belief.

Street address: 1122 E State St

City, State, Zip: Sedro Woolley, WA 98284

Phone: (360) 391-3930

Signature(s):



For:

(Corporation or company name, if applicable)

Dated this 4th day of January, 2023.

City of Sedro-Woolley

Mailing Procedure

1. Obtain a list of names and addresses of property owners and residents within 500 feet of the edge of the subject property. In determining the outside edge, include all other adjacent property owned by the applicant. The source of the names and addresses must be the Skagit County Assessor's records.
2. Prepare an additional label for residents where the owner's mailing address is outside the notification area (absentee owners).
Example: Resident, 123 State St., Sedro-Woolley, WA. 98284.
3. Prepare 2 sets of postage-paid envelopes with the mailing labels from this list affixed to the envelopes. Include an envelope with the applicant's name and address. Envelopes shall be standards moisten-able envelopes; peel-and-stick envelopes may not be used.
4. Obtain a map showing the subject property and all properties on the mailing list. This is available at the Assessor's office.
5. Fill out and sign the affidavit below.
6. Bring the list, postage-paid, addressed envelopes, map, and affidavit to the city Planning Department.

AFFIDAVIT OF CORRECT NAMES AND ADDRESSES

I, Paul D. Peterson, do hereby certify
Affiant

that the attached list of property owners, addresses and parcel numbers for the proposed project, Peterson Rezone,

Name of proposed project

is a true and correct copy provided for me by the Skagit County Assessor's Office for land within 500 feet of the property lines of P39825. (site parcel number)

Signed: Paul Peterson

Date: 1/4/23

Subscribed and sworn to before me on this 4th day of January, 2023.

Sherlynn Wiscombe

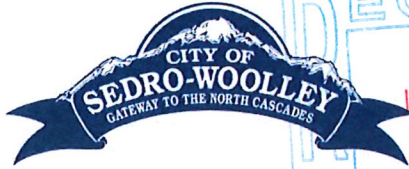
Print Name: Sherlynn Wiscombe

Notary for the State of Washington,

Residing at Sedro Woolley WA 98284

My Commission expires: 05-02-2026





CITY OF SEDRO-WOOLLEY
Planning Department
325 Metcalf Street
Sedro-Woolley, WA 98284
Phone (360) 855-0771 Fax (360) 855-0733

Application for Comprehensive Plan / Zoning Map Amendment

- Text Amendment
 - Map Amendment
- (Check all that apply)

Note: This application is available as a Word document. Include additional information as necessary on additional sheets of paper and attach to this application.

Name: John Bendtsen

Address: 17885 Sam Bell Rd. Bow WA 98232

Phone: 360 391 1450 E-mail: johnbendtsen1@gmail.com

1. Describe the purpose or goal of the proposed amendment:
To amend the zoning of P77185 (406 Ball St.)
from R7 to R15

2. How will this improve or benefit the City of Sedro-Woolley in the future?
Home of the Brave will provide much needed housing
to our community's disabled and retired Veterans.

FOR TEXT AMENDMENTS ONLY:

1. What section(s) of the Comprehensive Plan will the proposed amendment affect?
N/A

2. What section(s) of the S-W Municipal Code will the proposed amendment affect?
N/A

3. List the proposed or amended text:

N/A

FOR LAND USE MAP AMENDMENTS ONLY:

1. Name and address of property owner. If applicant is not the owner, attach a signed statement from the legal owner agreeing to this application:

John Bendtsen 17885 Sam Bell Rd Bow WA 98732

Lincoln Adridge 13361 Teak Lane PO Box 302 Clear Lake 98235

2. Legal description of property(s):

Parcel 77185 406 Ball Street SW

Full legal attached on Title Report

3. Describe the property: size, terrain, and critical areas:

.85 acres, flat, no critical areas.

4. Current land use designation/zoning: R7 vacant

5. Land use designation/zoning for property surrounding the subject property:

North: R15 Cascade View Apts. South: Commercial. Jehovah's Witness Church

East: Across Ball St. R7 West: R7

6. Actual use of land on this site and on all the surrounding property: There is no current use. Property is vacant. Surrounding area is a mix of Apartments, Church, and Residential.

7. Proposed designation: R15

8. Supporting information for your request: Please see attached document taken directly from the Sedro-Woolley Comprehensive Plan that supports this "Up-Zone"

9. If this is a request to include property in the City of Sedro-Woolley UGA, please address how including the property meets the Skagit County population projections for Sedro-Woolley and demonstrate that the increase in developable land meets the goals and policies of both the city's and county's comprehensive plans. A land capacity analysis may be required.

Currently in the city limits.

The land capacity analysis states the need for this type of housing.

- Completed SEPA Checklist.
- Names and addresses of property owners and residents within 500' of the subject property. See the attached mailing procedures for instructions.
- Assessor's section map of property with subject property highlighted. Other maps may be submitted that help support your proposal.

Process:

1. Applications will be accepted through **January 13, 2023**.
2. Applications will be reviewed for completeness. Additional information may be necessary to clarify the application.
3. The Planning Commission reviews all applications and decides which ones merit further study. Applicants will be notified of results of this review. Those which will be reviewed further will be required to pay the **application fee of \$600.00**. Applicant will be billed applicable SEPA fees and for public notice costs, which include publication costs.
4. The applicant is required to post a public notice sign on their property for rezone applications. Please see the attached Affidavit of Posting for instructions.
5. A public hearing will be held by the Planning Commission on the proposed amendments.
6. The Planning Commission will forward its recommendations on each application to the City Council.
7. The City Council will review the Planning Commission's recommendation and vote on each application (the Council may have additional public hearings, or hold joint public hearings with Planning Commission)
8. This process may take up to a year, or longer to fully complete.

John Bendtsen
Applicant

1/6/2023
Date

City of Sedro-Woolley

Notice of Application Period for Comprehensive Plan Amendments

The City of Sedro-Woolley is accepting applications for Comprehensive Plan amendments and rezone requests through January 13, 2023. Applications received on or before this date will be considered for inclusion on the 2023 Docket. Proposed amendments may be to the City Zoning/Land Use map, the text of the Comprehensive Plan or to development regulations.

Application forms are available at in the Planning Department website. For additional information, contact the Planning Department at (360) 855-0771.

Supporting information for our request taken from **City of Sedro-Woolley Comprehensive Plan.**

Chapter 2 – Land Use Element - Appendix A

Buildable Land and Land Capacity Analysis Report.

Page 10 – 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 UGA expansion.

Policy Options:

- 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.

Chapter 5 – Summary of Analysis and Inventory

- The analysis and inventory performed in the Skagit County Housing Needs Assessment illustrates that while the housing needs an availability, especially those of affordable housing, may not be as critical as other areas of the county, housing concerns still exist within Sedro-Woolley urban growth area.
The ability to address these needs is vital to the social and economic vitality of the community. Shortages of quality, affordable housing causes distress to the individual and ultimately to the community.
- 5.16 Optional and Affordable Housing
...the Sedro-Woolley housing element encourages the following housing practices:
 2. Zoning that allows for a variety of multi-family housing...
 3. Work to achieve the city's fair share of affordable low-income housing within Skagit County.
- 5.20 Policy H2.2 Encourage affordable housing for those with special needs. (including, but not limited to: disabled, low-income, homeless).
- Goals, Policies, and Actions
-Coordinate with the Sedro-Woolley Housing Authority, Skagit County planning department, human services agencies, and other appropriate agencies to determine an equitable distribution of affordable housing and housing for special populations.

City of Sedro-Woolley
Certificate of Ownership

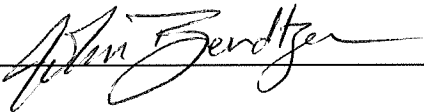
I, John Bendtsen, hereby certify under penalty of perjury, that I am the major property owner or officer of the corporation owning property described in the attached application, that I have familiarized myself with the rules and regulations of Sedro-Woolley with respect to filing this application, and the statements, answers and information submitted presents the arguments on behalf of this application are in all respects true and correct to the best of my knowledge and belief.

Street address: 17885 Sam Bell Rd.

City, State, Zip: Bow, WA 98232

Phone: (360) 391-1450

Signature(s):



For:

(Corporation or company name, if applicable)

Dated this 6th day of January, 2023.

City of Sedro-Woolley

Mailing Procedure

1. Obtain a list of names and addresses of property owners and residents within 500 feet of the edge of the subject property. In determining the outside edge, include all other adjacent property owned by the applicant. The source of the names and addresses must be the Skagit County Assessor's records.
2. Prepare an additional label for residents where the owner's mailing address is outside the notification area (absentee owners).
Example: Resident, 123 State St., Sedro-Woolley, WA. 98284.
3. Prepare 2 sets of postage-paid envelopes with the mailing labels from this list affixed to the envelopes. Include an envelope with the applicant's name and address. Envelopes shall be standards moisten-able envelopes; peel-and-stick envelopes may not be used.
4. Obtain a map showing the subject property and all properties on the mailing list. This is available at the Assessor's office.
5. Fill out and sign the affidavit below.
6. Bring the list, postage-paid, addressed envelopes, map, and affidavit to the city Planning Department.

AFFIDAVIT OF CORRECT NAMES AND ADDRESSES

I, John Bendtsen, do hereby certify
Affiant

that the attached list of property owners, addresses and parcel numbers for the proposed project, Home of the Brave,

Name of proposed project

is a true and correct copy provided for me by the Skagit County Assessor's Office for land within 500 feet of the property lines of P 77185. (site parcel number)

Signed: John Bendtsen

Date: 1/6/2023

Subscribed and sworn to before me on this 6th day of January, 2023.

Print Name: _____

Notary for the State of Washington,

Residing at _____

My Commission expires: _____