

CITY OF SEDRO-WOOLLEY
PLANNING COMMISSION MEETING
MINUTES
April 18th 2023

CALL TO ORDER: Planning Commission Chair Fattizzi called the meeting to order at (6:37 pm).

PLEDGE OF ALLEGIANCE

ROLL CALL:

- Present Commissioners: Joe Fattizzi, Danielle Freiburger and Pat Huggins. Silas Maddox and Paul Cocke were present virtually.
- Absent Commissioners: Eric Johnson and Joe Franett
- Present Staff: Nicole McGowan, John Coleman and Katie Quinn.
- Members of public in attendance: 1

APPROVAL OF CONSENT AGENDA/MINUTES: Minutes from March 2023 were approved with minor corrections.

PLANNING COMMISSION DISCUSSION/INFORMATION ITEMS:

1. Mayor Julia Johnson approached the commission and announced the departure of the current Planning Director John as he is moving on to a new position in the City of Anacortes and presented him with a plaque. The Commissioners thanked him for his work in the City of Sedro-Woolley and wished him well.

GENERAL PUBLIC COMMENTS: Opened at 6:52, no participants online or in person had any comments to discuss, staff also had not received any emails or mail to be entered into the record. General Public comment closed at 6:55 pm.

PUBLIC HEARING: None on the Agenda

UNFINISHED BUSINESS: None on the Agenda

NEW BUSINESS:

1. CPA-1-23 – 2023 Comprehensive Plan amendments, including two rezone requests.
 1. Peterson Rezone Request (#RZ-2023-001) – Request to change the zoning designation of a roughly 2.53-acre parcel of land from Residential 5 to Residential 7.

Assistant Planner, Nicole McGowan gave an overview of the rezone request and details on the history and uses of the property and surrounding properties. The applicant's goal is to increase the current density. This applicant, Liz Peterson, was present (virtually). Liz Peterson took this opportunity to explain the reasoning for the request, which is to provide additional housing. She pointed out that surrounding

properties were already zoned as the requested R-7. The applicant plans to have a critical areas review available at the Public Hearing to be held in April.

2. Bendtsen Rezone Request (#RZ-2023-004) – Request to change the zoning designation of a roughly 0.85-acre parcel of land from Residential 7 to Residential 15.

Assistant Planner, Nicole McGowan, again gave an overview of the applicants request, property, and surrounding properties. The applicant is looking to provide low-income housing consisting of 2, 6-unit multi-family dwellings. Current zoning would only allow roughly 5 single family residences. The actual number of units will be determined after additional review and critical area determination. The Commissioners had a brief discussion on spot zoning and lot coverage percentages. It was determined that spot zoning was not an issue and that additional discussion, and the Public Hearing were required prior to making a recommendation.

2. Possible 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”

Assistant Planner, Nicole McGowan, gave an overview of the current criteria and regulations and what was allowed temporarily and permanently as well as how the current regulations evolved and specific regulations that were put in place during the pandemic. Ms. McGowan described the proposed amendments including definition update, parking regulations, location, use, safety, and maintenance. Commissioner Fatizzi requested clarification on where these units would be allowed. Staff recommended only allowing them in the Central Business District.

The Commissioners discussed permitting requirements and what other jurisdictions were allowing and how they were handling these requests. Commissioner Cocke asked what plans were in place to ensure the safety of both drivers and diners. A brief discussion ensued regarding safety concerns amongst the Commissioners. Staff agreed to get input from both Police and Fire to determine the risk and what safety requirements should be put in place. The Commissioners discussed structure requirements and determined that tents should not be allowed and that the requirements should be in line with the current requirements in place for awnings. Staff will review standards from other jurisdictions regarding permitting, safety and design.

Ultimately the Commissioners liked the idea of continuing to allow the use of “Streateries and Parklets” and felt it was a benefit to the citizens and business owners.

DISCUSSION ITEMS:

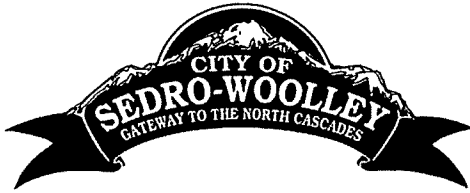
1. Legislative Round-Up

Mr. John Coleman advised that it was still a little early to know what changes would be coming and gave a brief description of some of the potential changes anticipated regarding Accessory Dwelling Unit allowance, SEPA requirements and how these may impact current Sedro-Woolley requirements already in place and pointed out that likely additional changes would be made. It is difficult to know for certain what would need to be updated, however, the City of Sedro-Woolley would have one and a half years from the time that our comprehensive update is due to make the required changes, giving the city until December of 2025 to update the regulations.

ADJOURNMENT: (Time: 7:41 p.m.)

PLANNING COMMISSION CHAIRMAN

PLANNING COMMISSION SECRETARY



**CITY OF SEDRO-WOOLLEY
PLANNING DEPARTMENT**

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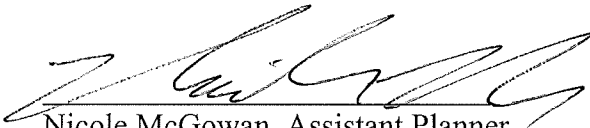
TRANSMITTAL & REPORT MEMORANDUM

DATE: May 16, 2023

TO: Sedro-Woolley Planning Commission

REGARDING: CPA-1-23 – Proposed Changes to the Zoning and Comprehensive
Plan Land Use Maps – Peterson Rezone Request (RZ-2023-001) and
Bendtsen Rezone Request (RZ-2023-004)

FROM:



Nicole McGowan, Assistant Planner

The following proposal is submitted by the Planning Department on behalf of the Sedro-Woolley City Council to review possible amendments to the Zoning and Comprehensive Land Use maps. This report serves as the staff report for CPA-1-23 which includes two rezone requests (file numbers RZ-2023-001 and RZ-2023-004) from private property owners which have been submitted in accordance with Chapter 2.90 SWMC.

FINDINGS OF FACT

PROPOSAL

Once each year, the City of Sedro-Woolley accepts rezone applications to be processed as part of the annual Comprehensive Plan Docket. In 2023, two requests that affect zoning were placed on the 2023 Docket by the City Council. The first application – referred to as the “Peterson Rezone” – was submitted by Paul and Elizabeth Peterson, the owners of 1122 State Street (Assessor’s Parcel #P39825) and was assigned file #RZ-2023-001; the second application – referred to as the “Bendtsen Rezone” – was submitted by John Bendtsen, the owner of 406 Ball Street (Assessor’s Parcel #P77185) and was assigned file #RZ-2023-004.

RZ-2023-001 is a request to change the zoning designation of Parcel #P39825 – a roughly 2.53-acre piece of land – from Residential 5 (R-5) to Residential 7 (R-7). RZ-2023-004 is a request to change the zoning designation of Parcel #P77185 – a roughly 0.85-acre piece of land – from R-7 to Residential 15 (R-15).

The current R-5 zoning designation regulations are shown in **Exhibit A**; the current R-7 zoning designation regulations are shown in **Exhibit B**; and the current R-15 zoning designation regulations are shown in **Exhibit C**. Each rezone request is described in further detail below.

PROPOSAL PROCESS

Procedural History – Per the Growth Management Act (Chapter 36.70A RCW), changes to the Sedro-Woolley Comprehensive Plan 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; this list of proposed amendments is termed the “Docket.” The City Council determines what items are included on the annual Docket. Any amendments to the city’s Comprehensive Plan, zoning map or development regulations that would require changes to the Comprehensive Plan shall be reviewed as part of the Docket. Rezone requests are required to be reviewed as part of the annual Comprehensive Plan update process. Rezone requests are processed as a Type VI Permit per SWMC 2.90.070G and require Planning Commission (PC) review and a PC recommendation to the City Council.

Advertisements for the opportunity to submit Comprehensive Plan amendment applications were published December 2, 2022 and January 3, 2023 in the Skagit Valley Herald. The deadline for applications was set for January 13, 2023. Notice of the open application period was also advertised on the City website and in the lobby of City Hall. No requests from the public were received for amendments to the Comprehensive Plan text. Both rezone request applications (RZ-2023-001 and RZ-2023-004) were received ahead of the published deadline.

The Notices of Application for the Peterson (RZ-2023-001) and Bendtsen (RZ-2023-004) Rezones were both issued February 23, 2023. A deadline for public comments was set for March 9, 2023. Two public comments were received during the comment period regarding the Peterson Rezone (RZ-2023-001). Those comments have been included herein as **Exhibit D**. The first comment was from Sarah Weems, the owner of 701 Bingham Place. Ms. Weems had questions for Planning staff regarding what a zoning change to R-7 at 1122 State Street would mean and requested a copy of the decision. The second comment was from Debbie White, the owner of 801 Hunt Lane. Ms. White requested that the barrier between her property and 1122 State Street, which consists of trees, bushes and fencing, not be removed for future development purposes as it would expose the privacy to her backyard. She also voiced concern that development in the northeast corner of 1122 State Street could potentially result in flooding of 801 Hunt Lane. Ms. White is against the Peterson Rezone request.

The Peterson and Bendtsen rezone requests were introduced as topics of study at the February 1, 2023 joint City Council and PC study session. At the February 1 meeting, the City Council made a motion to add both rezone requests to the 2023 Docket. The PC is holding public hearings on the two rezone requests on May 16, 2023. After the PC gives the opportunity for the public to comment on the proposals, the PC may make a recommendation as to whether the City Council should approve the rezones. The PC may

schedule more hearings for further review of any file as necessary. After the PC recommendations are complete, the City Council can either adopt the PC recommendations, request the PC to re-examine the topic, or hold its own public hearings and adopt different amendments from what the PC recommended.

A SEPA Checklist was completed for CPA-1-23, which includes the two rezone requests. A SEPA Determination of Non-Significance was issued by the Planning Department for CPA-1-23 on May 10, 2023.

RCW 36.70A.106 requires that a Notice of Intent to Adopt amendments to Comprehensive Plans and development regulations shall be submitted to the Washington State Department of Commerce for 60-day review. The Notice of Intent to Adopt Comprehensive Plan and Zoning Map amendments was sent May 5, 2023.

A Notice of Public Hearings, which included the two rezone requests was sent to all property owners and residents within 500 feet of each subject property, all parties of record and published in the legal notices section of the Skagit Valley Herald on May 5, 2023 per the requirements of Chapter 2.90 SWMC. A deadline for public comments was set for May 16, 2023. The notice is included herein as **Exhibit E**.

Zoning vs. Comprehensive Plan Map – There are two maps that reflect the zoning of a property; the Comprehensive Plan Land Use Map and the Zoning Map. For the most part, the maps are identical, however there are differences. The Comprehensive Plan Land Use Map is part of the Land Use Element of the Comprehensive Plan and guides the Zoning Map. The Comprehensive Plan Land Use Map shows what the future zoning of a property may be. For example, properties in the urban growth area (UGA) are not in the City of Sedro-Woolley’s jurisdiction, but if any part of the UGA were to be annexed, then the Comprehensive Land Use Map shows what the zoning will be when it is incorporated into the City. The Comprehensive Land Use map graphically shows the future land use plans expressed in the Land Use Element. The Zoning Map shows a property’s current zoning designation and directs the reader to the zoning code (Title 17 SWMC) to learn what each specific zone allows. Approved rezone requests will require amendments to the Comprehensive Plan Land Use Map and the Zoning Map.

ANALYSIS

There are two separate rezone requests under CPA-1-23: Rezone request RZ-2023-001 for Paul and Elizabeth Peterson and rezone request RZ-2023-004 for John Bendtsen. The locations of each rezone request are shown in **Figure 1** below.

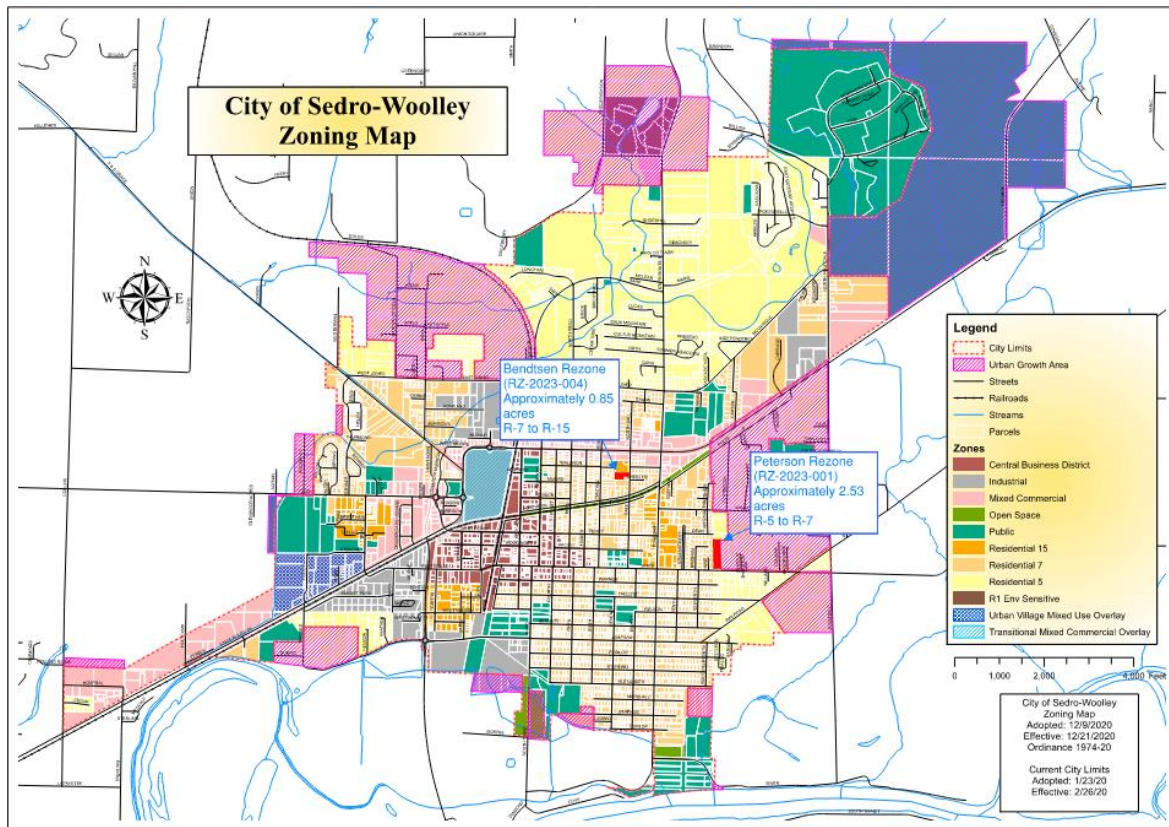


Figure 1 – Locations of the 2023 Docket rezone requests within the city.

Application #RZ-2023-001 – Peterson Rezone

Paul and Elizabeth Peterson have requested to change the zoning designation of 1122 State Street (Assessor's Parcel #P39825), a roughly 2.53-acre piece of land from R-5 to R-7. A close-up of the zoning map in the area is shown in **Figure 2** below. 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 UGA. An aerial photo of the land uses in the area is shown in **Figure 3** below. 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.

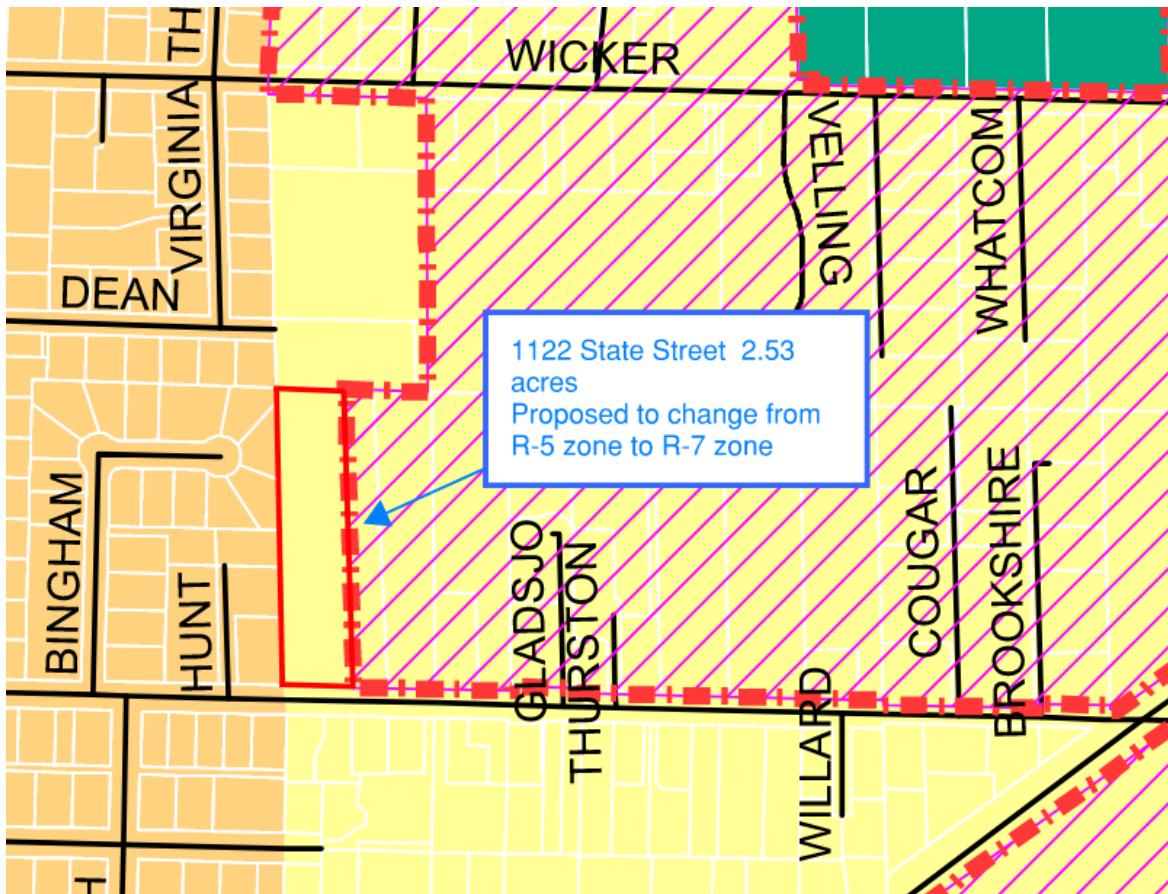


Figure 2 – Zoning map in the Peterson Rezone Request area (RZ-2023-001).



Figure 3 – Aerial Image of Land Uses in the Peterson Rezone Request area (RZ-2023-001).

The property is located at 1122 State Street, which is the eastern-most property within city limits on the north side of State Street. 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.

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.

When considering a zoning change of any property, it is important to consider whether the uses allowed under the new zoning would be compatible with existing uses on the subject property as well as existing uses on adjacent land. It is also imperative that city services have the capacity to accommodate the development allowed under the new zoning as well. It is estimated that an upzone of 1122 State Street from the current R-5 zoning to R-7 zoning would allow an additional 2-5 housing units on the property. The upzone would allow duplexes in addition to single-family homes, as previously mentioned. All properties in the area are currently used for residential purposes. A mix of duplex and single-family homes, as the applicant intends to develop in the future, would be compatible with the existing single-family and multi-family residential uses in the area. City services can easily accommodate an additional 2-5 housing units at the subject property as well.

Application #RZ-2023-004 – Bendtsen Rezone

John Bendtsen has requested to change the zoning designation of 406 Ball Street (Assessor's Parcel #P77185), a roughly 0.85-acre piece of land from R-7 to R-15. A close-up of the zoning map in the area is shown in **Figure 4** below. The property to the north is zoned R-15 and the properties to the south, east and west are all zoned R-7. An aerial photo of the land uses in the area is shown in **Figure 5** below. 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.

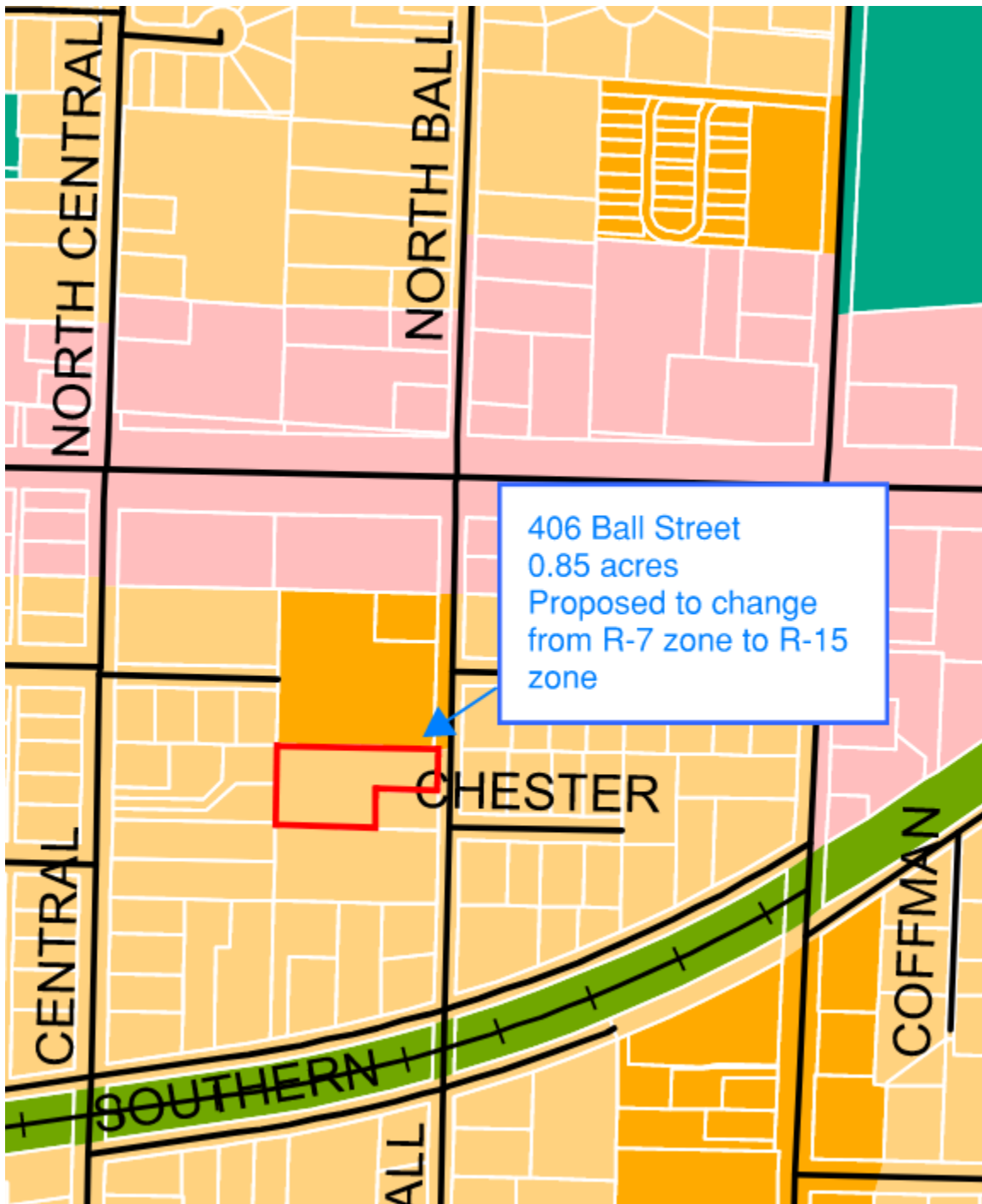


Figure 4 – Zoning map in the Bendtsen Rezone Request area (RZ-2023-004).



Figure 5 – Aerial Image of Land Uses in the Bendtsen Rezone Request area (RZ-2023-004).

The property is located at 406 Ball Street, which is just west of the intersection of Ball Street and Chester Avenue. 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.

The owners of the property are John Bendtsen (applicant) 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 residence 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.

When considering a zoning change of any property, it is important to consider whether the uses allowed under the new zoning would be compatible with existing uses on the subject property as well as existing uses on adjacent land. It is also imperative that city services have the capacity to accommodate the development allowed under the new zoning as well. It is estimated that an upzone of 406 Ball Street from the current R-7 zoning to R-15 zoning would allow an additional 8-9 housing units on the property. The upzone would allow multi-family units in addition to single-family homes and duplexes, as previously mentioned. Most of the properties in the area are currently used for residential purposes, with the exception of the church to the south. A multi-family development, as the applicant intends to develop in the future, would be compatible with the existing church, single-family and multi-family residential uses in the area. City services would be able to accommodate an additional 8-9 housing units at the subject property as well.

CONSISTENCY WITH EXISTING COMPREHENSIVE PLAN

Staff has reviewed CPA-1-23, reviewed the site conditions on both subject properties and reviewed both rezone requests for consistency with the Sedro-Woolley Comprehensive Plan. The following Land Use Element and Housing Element Goals and Policies support the proposed rezone requests:

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

RZ-2023-001 – Peterson Rezone – City transportation and sewer services will be able to accommodate the increased allowable density that would result from approval of the rezone request from R-5 to R-7.

RZ-2023-004 – Bendtsen Rezone – City transportation and sewer services will be able to accommodate the increased allowable density that would result from approval of the rezone request from R-7 to R-15.

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.

RZ-2023-001 – Peterson Rezone – The allowable density increase that would result from approval of the requested rezone from R-5 to R-7 will not lower streets or sewer lines below their established levels of service standards.

RZ-2023-004 – Bendtsen Rezone – The allowable density increase that would result from approval of the requested rezone from R-7 to R-15 will not lower streets or sewer lines below their established levels of service standards.

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.

RZ-2023-001 – Peterson Rezone – The applicant has provided information with the rezone application materials detailing potential additional impacts that could result from an upzone to allow increased density. The information has been reviewed according to the confines of the current Capital Facilities Plan and staff have determined that adequate public facilities can be provided to the subject property with the requested density increase.
RZ-2023-004 – Bendtsen Rezone – The applicant has provided information with the rezone application materials detailing potential additional impacts that could result from an upzone to allow increased density. The information has been reviewed according to the confines of the current Capital Facilities Plan and staff have determined that adequate public facilities can be provided to the subject property with the requested density increase.

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.

RZ-2023-001 – Peterson Rezone – Public notice regarding the rezone request has been sent to all affected residents and the press per the requirements of Chapter 2.90 SWMC to allow for meaningful community involvement and participation.
RZ-2023-004 – Bendtsen Rezone – Public notice regarding the rezone request has been sent to all affected residents and the press per the requirements of Chapter 2.90 SWMC to allow for meaningful community involvement and participation.

Goal H2: To provide affordable housing for all current and future Sedro-Woolley residents.

RZ-2023-001 – Peterson Rezone – Allowing a rezone from R-5 to R-7 will allow for a mix of duplex units along with single-family homes at the subject property as opposed to only single-family homes. This would provide additional affordable housing options for current and future Sedro-Woolley residents.
RZ-2023-001 – Bendtsen Rezone – Allowing a rezone from R-7 to R-15 will allow for the additional option of developing multi-family units as opposed to only duplex and single-family units. This would provide additional affordable housing options for current and future Sedro-Woolley residents.

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

RZ-2023-001 – Peterson Rezone - Allowing a rezone from R-5 to R-7 will allow for a mix of duplex units along with single-family homes at the subject property as opposed to only single-family homes. This would provide additional affordable housing options for special needs populations – particularly for low-income families.

RZ-2023-004 – Bendtsen Rezone - Allowing a rezone from R-7 to R-15 will allow for the additional option of developing multi-family units as opposed to only duplex and single-family units. This would provide additional affordable housing options for special needs populations. The applicant has indicated interest in constructing a multi-family development for disabled and retired veterans should the rezone request be approved.

Policy H4.1: Develop a mix of multi-family residential units and single-family units throughout the community.

RZ-2023-001 – Peterson Rezone – A rezone from R-5 to R-7 will allow for a mix of duplex units along with single-family homes at the subject property as opposed to only single family homes.

RZ-2023-004 – Bendtsen Rezone – A rezone from R-7 to R-15 will allow for the additional option of developing multi-family units as opposed to only duplex and single-family units. A multi-family development at this location would add to the existing mix of multi-family, duplex and single-family residences in the surrounding area and create a better transition between the existing R-15 zoning designation of the property to the north and the R-7 zoning designations of the properties to the east, west and south.

Conclusions:

Staff finds that rezoning the 2.53-acre property at 1122 State Street to R-7 is consistent with the Comprehensive Plan.

Staff finds that rezoning the 0.85-acre property at 406 Ball Street to R-15 is consistent with the Comprehensive Plan.

RECOMMENDATION

Hold public hearings for CPA-1-23 to receive input about the 1122 State Street rezone proposal (RZ-2023-001) and the 406 Ball Street rezone proposal (RZ-2023-004). After receiving input from the public, the Planning Commission may discuss the proposals and make recommendations.

Staff recommends that the Planning Commission:

Make a motion that the City Council approves amendments to the Comprehensive Plan and Zoning Maps proposed in CPA-1-23 to change the zoning designation of Assessor's Parcel #P39825 from the current Residential 5 zoning designation to Residential 7 and Assessor's Parcel #P77185 from the current Residential 7 zoning designation to Residential 15.

EXHIBITS:

- A. Residential 5 (R-5) zoning regulations
- B. Residential 7 (R-7) zoning regulations
- C. Residential 15 (R-15) zoning regulations
- D. Public comments received prior to March 9, 2023
- E. Notice of Public Hearings Published in the Skagit Valley Herald May 5, 2023

EXHIBIT A

Chapter 17.08 SWMC - Residential 5 (R-5) Zoning Regulations

17.08.005 Intent.

The intent of the R-5 zone is to provide a variety of housing opportunities in parts of the city characterized by more rolling terrain or areas that serve as a transition to the unincorporated rural area. (Ord. [1484-04](#) § 4 (part), 2004)

17.08.010 Use restrictions.

Use restrictions in the residential R-5 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;
6. Accessory dwelling units in compliance with Chapter [17.100](#).

B. Conditional Uses.

1. Planned residential developments;
2. Group homes;
3. Dependent relative cottages;
4. Mobile and manufactured home parks in compliance with Chapter [17.48](#);
5. Personal services;
6. Professional offices with no outside storage;

7. Outdoor recreation facilities;
8. Public utilities, excluding wireless communication facilities;
9. Quasi-public uses;
10. Public uses.

C. Prohibited Uses. All uses not listed above, including adult entertainment and wireless communication facilities. (Ord. 1954-20 § 1 (Exh. A)(part), 2020; Ord. [1484-04](#) § 4 (part), 2004; Ord. [1312-98](#) § 1 (part), 1998; Ord. [1013](#) § 2.01.01, 1985)

17.08.020 Bulk restrictions.

Bulk restrictions in the residential R-5 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. (Ord. [1484-04](#) § 4 (part), 2004; Ord. [1312-98](#) § 1 (part), 1998; Ord. [1013](#) § 2.01.02, 1985)

17.08.030 Minimum lot size requirements.

Minimum lot size requirements in the residential R-5 zone shall be as follows:

- A. Lot area: eight thousand four hundred square feet;
- B. Lot width at building line: forty feet;

C. Lot frontage on a public street, approved private street, or approved easement: twenty feet. (Ord. [1484-04](#) § 4 (part), 2004: Ord. [1312-98](#) § 1 (part), 1998: Ord. [1013](#) § 2.01.030, 1985)

17.08.040 Maximum density requirements.

The maximum gross density requirement in the R-5 zone is five units per acre. (Ord. [1484-04](#) § 4 (part), 2004: Ord. [1312-98](#) § 1 (part), 1998)

17.08.050 Maximum lot coverage.

Maximum lot coverage requirements in the residential R-5 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. (Ord. [1484-04](#) § 4 (part), 2004: Ord. [1312-98](#) § 1 (part), 1998)

EXHIBIT B

Chapter 17.12 SWMC – Residential 7 (R-7) Zoning Regulations

17.12.005 Intent.

The R-7 zone includes the portion of Sedro-Woolley platted over a hundred years ago. It is characterized by a grid street system and small lots. It is the intent of this zone to encourage the continuation of this traditional pattern. (Ord. [1484-04](#) § 5 (part), 2004)

17.12.010 Use restrictions.

Use restrictions in the residential R-7 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. One duplex per lot with nine thousand square foot minimum lot size, in compliance with the requirements set forth in this chapter, which meet the following requirements, in addition to any other requirements imposed by ordinance:
 - a. Be situated on a lot of not less than nine thousand square foot minimum size, with a minimum width of eighty feet at the building line, a minimum depth of one hundred feet, and a minimum lot frontage on a public street of twenty feet;
 - b. Provide off-street parking for four vehicles;
 - c. Be designed to resemble a single-family residence so as to blend in with the design and appearance of the surrounding residences in the neighborhood;
 - d. No more than one duplex shall be allowed per any three successive lots adjoined by side property lines as defined in Section [17.04.030](#).

Exception: Lots which have twenty feet or less frontage on the public street shall not be required to be counted on a successive lot. This exception is intended to allow successive duplexes if located behind single-family lots.

5. Child day care centers meeting state requirements;
6. Adult or family day care facilities meeting state requirements;
7. Accessory dwelling units in compliance with Chapter [17.100](#).

B. Conditional Uses.

1. Planned residential developments;
2. Group homes;
3. Dependent relative cottages;
4. Mobile and manufactured home parks in compliance with Chapter [17.48](#);
5. Personal services;
6. Professional offices with no outside storage;
7. Outdoor recreation facilities;
8. Public utilities, excluding wireless communication facilities;
9. Quasi-public uses;
10. Public uses.

C. Prohibited Uses. All uses not listed above, including adult entertainment and wireless communication facilities. (Ord. 1954-20 § 1 (Exh. A)(part), 2020; Ord. [1695-11](#) § 1, 2011; Ord. [1484-04](#) § 5 (part), 2004; Ord. [1312-98](#) § 1 (part), 1998; Ord. [1222-95](#) § 2, 1995; Ord. [1013](#) § 2.02.01, 1985)

17.12.020 Bulk restrictions.

Bulk restrictions in the residential R-7 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 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 structures;
 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. (Ord. [1484-04](#) § 5 (part), 2004: Ord. [1312-98](#) § 1 (part), 1998: Ord. [1013](#) § 2.02.02, 1985)

17.12.030 Minimum lot size requirements.

Minimum lot size requirements for the residential R-7 zone shall be as follows:

- A. Lot area: six thousand square feet;
- B. Lot width at building line: forty feet;
- C. Lot frontage on a public street, approved private street, or approved easement: twenty feet. (Ord. [1484-04](#) § 5 (part), 2004: Ord. [1312-98](#) § 1 (part), 1998: Ord. [1013](#) § 2.02.03, 1985)

17.12.040 Maximum density requirements.

The maximum gross density requirement in the R-7 zone is seven units per acre. (Ord. [1484-04](#) § 5 (part), 2004: Ord. [1312-98](#) § 1 (part), 1998: Ord. [1222-95](#) § 3, 1995)

17.12.050 Maximum lot coverage.

Lot coverage is the percent of the lot covered by structures including the main and all accessory buildings. Maximum lot coverage requirements in the residential R-7 zone shall be as follows:

- A. Fifty 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. (Ord. [1484-04](#) § 5 (part), 2004: Ord. [1312-98](#) § 1 (part), 1998: Ord. [1264-06](#) § 1, 1996: Ord. [1222-95](#) § 4, 1995)

Chapter 17.16 SWMC – Residential 15 (R-15) Zoning Regulations

17.16.005 Intent.

The intent of the R-15 zone is to achieve integration with Sedro-Woolley's existing building types and configurations; incorporate open street layout similar to existing grid rather than closed circulation systems such as cul-de-sacs; maintain the look of conventional neighborhoods in scale, orientation to the street, style, and appearance; and to avoid creation of large apartment "blocks" separate from other parts of the community. Larger scale buildings are appropriate in the central business district or when combined with commercial uses in the Mixed Commercial zone. Because multifamily is permitted in the MC and CBD zones, no new areas shall be designated R-15. (Ord. [1484-04](#) § 6 (part), 2004)

17.16.010 Use restrictions.

Use restrictions in the R-15 zone shall be as follows:

A. Permitted Uses.

1. Multifamily residential uses up to eight units per building or up to twelve units per building if the building is three stories and the units are evenly distributed between the three floors;
2. One single-family residence per lot;
3. Low-intensity agriculture;
4. Home occupations in compliance with Chapter [17.68](#);
5. Group homes;
6. Dependent relative cottages;
7. Professional offices;
8. Child day care centers meeting state requirements;
9. Planned residential developments;
10. Adult or family day care facilities meeting state requirements.

B. Conditional Uses.

1. Mobile and manufactured home parks in compliance with Chapter [17.48](#);
2. Offices other than professionals;
3. Outdoor recreation facilities;
4. Public utilities, excluding wireless communication facilities;
5. Quasi-public uses;
6. Public uses;
7. Commerce;
8. Personal services.

C. Prohibited Uses. All uses not listed above, including adult entertainment and wireless communication facilities. (Ord. [1920-19](#) § 1, 2019; Ord. [1484-04](#) § 6 (part), 2004; Ord. [1312-98](#) § 1 (part), 1998; Ord. [1013](#) § 2.03.01, 1985)

17.16.020 Bulk restrictions.

Bulk restrictions in the R-15 zones shall be as follows:

A. Minimum Setbacks.

1. Front: ten feet;
2. Side: one story dwellings and accessory structures shall have a minimum of five feet; a two story dwelling shall have minimum of eight; and each additional story over two shall have an additional four feet, for each story;
3. Rear: ten feet for residences; and five for accessory structures.

B. Maximum building height: thirty-five feet, except twenty feet for accessory buildings and no height limit for church steeples or bell towers. (Ord. [1484-04](#) § 6 (part), 2004; Ord. [1312-98](#) § 1 (part), 1998; Ord. [1013](#) § 2.03.02, 1985)

17.16.030 Minimum lot size requirements.

There is no categorical minimum lot size for permitted uses in this zone. However the lot size may be made a condition of approval in design review and conditional uses if relevant in those proceeding. (Ord. [1484-04](#) § 6 (part), 2004; Ord. [1312-98](#) § 1 (part), 1998; Ord. [1013](#) § 2.03.03, 1985)

17.16.035 Zero side setbacks permitted.

It is the intent of this section to allow for the creation of new lots within an existing lot where buildings on the new lots are not required to maintain side setbacks for the purpose of allowing townhouses with condominium-style ownership that would include not only the interior spaces but also a portion of the land outside of the building. All other setbacks including those to the property lines of the parcel being subdivided, the front and rear setbacks, streets, driveways, etc., shall be maintained.

- A. A division of land allowing no minimum side setbacks to interior lot lines shall be permitted; provided, that all other requirements of the zoning district shall remain applicable. Interior lot lines are those that are created as part of the proposed land division.
- B. The standard setback requirements defined in Section [17.16.020](#) shall apply to the property lines of the parcel being subdivided.
- C. No more than eight dwelling units per building may be attached utilizing the provisions of this section.
- D. No more than one dwelling unit shall be allowed on any lot with reduced side setbacks created through the provisions of this section.
- E. All proposed developments permitted using this section shall comply with the design review standards of Chapter [15.44](#).
- F. All developments utilizing the provisions of this section must establish a homeowner's association per Section [16.04.080](#)(C). (Ord. [2032-22](#) § 12, 2023; Ord. [1601-08](#) § 1, 2008)

17.16.040 Maximum density requirements.

Minimum net density in the R-15 zones is four units per acre. Maximum gross density is fifteen units per acre. (Ord. [1484-04](#) § 6 (part), 2004; Ord. [1312-98](#) § 1 (part), 1998)

17.16.050 Parking for residential uses in R-15 zone.

The parking requirements for residential uses in the R-15 zone shall be as follows:

Studio	1 space
1 bedroom	2 spaces
2 bedrooms	2 spaces
3 bedrooms	3 spaces

4 or more bedrooms	4 spaces
Visitor/overflow spaces	1 additional space per 8 units

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.

Parking spaces counted for residential use shall not also be counted towards nonresidential parking requirements of Chapter [17.36](#) for other uses in this zone. (Ord. [1906-18](#) § 1, 2018; Ord. [1484-04](#) § 6 (part), 2004)

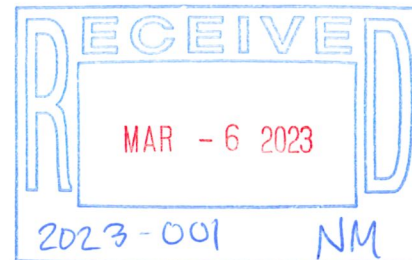
17.16.060 Design review.

All developments in this zone which are subject to environmental review shall comply with the Design Review standards of SWMC Chapter [15.44](#) for conformance with this and other provisions of the city code. (Ord. [1484-04](#) § 6 (part), 2004)

Nicole McGowan

From: Sarah Weems <sweems.cma@gmail.com>
Sent: Monday, March 6, 2023 2:46 PM
To: Nicole McGowan
Subject: Rezone Parcel #P39825

Follow Up Flag: Follow up
Flag Status: Flagged



CAUTION: This email originated from outside of the City of Sedro-Woolley mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Nicole,

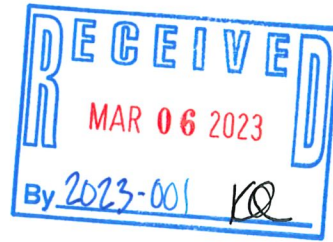
My name is Sarah Weems. I own 701 Bingham Pl, here in Sedro Woolley. I received your notice about the application to rezone the parcel directly behind me and I had a question about what that potential change really means. Does a R-7 zoning level mean that seven homes could be built in that pasture?

I appreciate anything you can share and I'm requesting a copy of this decision once it's been made.

Thanks for your help,

Sarah

March 7, 2023



City of Sedro-Woolley Planning Dept.
Nicole McGowan, Assistant Planner
Sedro-Woolley, WA

Re: 1122 State Street, Sedro-Woolley, WA 98284 Parcel # P39825.

I'm writing this request so I can receive notice, and I want to be included as a party of record and request a copy of the Decision when made.

I'm located at 801, Hunt Lane, Sedro-Woolley, WA. I request that if this application is approved, that the barrier between the two properties, specifically the trees, bushes and fence, do not be removed because it would expose the privacy to my backyard.

The NE Corner at 1122 State Street, is a natural drain field and any changes to that portion of the property would result in my property flooding.

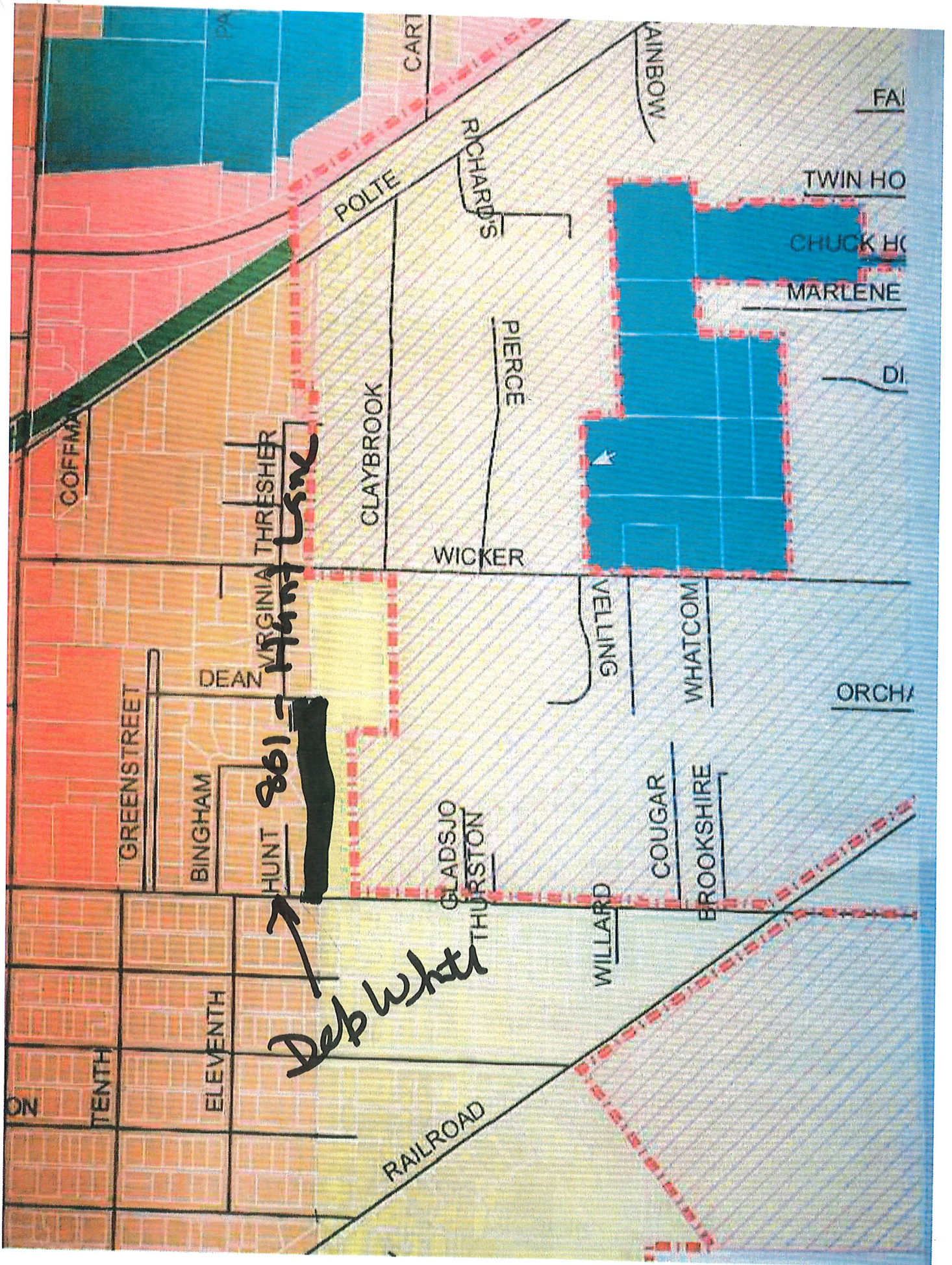
I am against the application to rezone the 2.53 acre parcel at this location.

Deb White

Sincerely,
Debbie White
801 Hunt Lane
Sedro-Woolley, WA 98284

Cell: 360-770-9899

E-mail: work white.debbie@jobcorps.org
E-mail: home debbiewhitelittle@hotmail.com



FAI

TWIN HO

CHUCK HO

MARLENE

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ORCHA

RICHARD'S

PIERCE

WICKER

VELLING

WHATCOM

COUGAR

BROOKSHIRE

WILLARD

GLADSDON
THURSTON

POLTE

CLAYBROOK

VIRGINIA THRESHER

DEAN

BINGHAM

HUNT

GREENSTREET

ELEVENTH

TENTH

RAILROAD

CART

RAINBOW

COFFMAN

CITY OF SEDRO-WOOLLEY

NOTICE OF DEVELOPMENT APPLICATION

Description of proposal/application: The City has received an application to rezone a roughly 2.53-acre parcel from Residential 5 (R-5) to Residential 7 (R-7). Located at 1122 State Street (Assessor's Parcel # P39825), 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. Uses surrounding the property include single-family homes to the west, condominiums to the north, single-family homes to the south and single-family homes and open pastureland to the east. The adjacent property to the east is outside of city limits. This rezone request is a non-project legislative action and is being processed as part of the annual Comprehensive Plan update process. File #RZ-2023-001.

Proponent: Elizabeth Peterson
1122 State Street
Sedro-Woolley, WA 98284

Location of project: 1122 State Street, Sedro-Woolley, WA 98284. Assessor's Parcel # P39825.

Documents are available for review at: The City of Sedro-Woolley Planning Department, 325 Metcalf Street, Sedro-Woolley, WA 98284, Monday through Friday, 8:00 AM to 4:30 PM. To receive more information, contact Nicole McGowan at nmcgowan@sedro-woolley.gov or by phone: (360) 855-0771.

Public Comment Period: Interested persons may comment on the application, receive notice, and request to be included as a party of record or request a copy of the decision. Public comments and requests must be submitted to the City of Sedro-Woolley Planning Department by **4:30 p.m. March 9, 2023**. Comments may be mailed or emailed, should be as specific as possible and include contact information. Mailing address: 325 Metcalf Street, Sedro-Woolley, WA 98284. Send email to: nmcgowan@sedro-woolley.gov.

Nicole McGowan, Assistant Planner
City of Sedro-Woolley Planning Department

Published in the Skagit Valley Herald on February 23, 2023

EXHIBIT E

Notice of Public Hearings Published in the Skagit Valley Herald May 5, 2023

NOTICE OF PUBLIC HEARINGS

CITY OF SEDRO-WOOLLEY

Amendments to Comprehensive Plan and Zoning Map

City of Sedro-Woolley Council Chamber

And Virtually via Zoom Webinar

The City of Sedro-Woolley Planning Commission will hold public hearings on **May 16, 2023 at 6:30 PM**, in the Sedro-Woolley Council Chambers and via Zoom Webinar, to hear testimony regarding the following proposed amendments to the City Comprehensive Plan:

Possible amendments to the Comprehensive Land Use map and the Zoning map:

1. Rezone request #2023-001 – Peterson – request to change the zoning designation of roughly 2.53 acres of land from Residential 5 to Residential 7
2. Rezone request #2023-004 – Bendtsen – request to change the zoning designation of roughly 0.85 acres of land from Residential 7 to Residential 15

Interested parties can comment on the proposed changes in writing or at the hearing.

Written comments must be received by 4:30 PM on May 16, 2023 to be considered at this public hearing. Send written comments to: City of Sedro-Woolley Planning Department, ATTN: Assistant Planner, 325 Metcalf Street, Sedro-Woolley, Washington, 98284, or by email to nmcgowan@sedro-woolley.gov.

Please use the link below to join the webinar:

<https://zoom.us/j/97890927920?pwd=azBTUUbGgyM2xmRGszNmMk4RURKdz09>

Password: 937994

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833 or +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592

Webinar ID: 978 9092 7920

Password: 937994

Published in the Skagit Valley Herald: May 5, 2023