

Next Ord: 2018-22  
Next Res: 1100-22

## **CITY COUNCIL AGENDA**

### **IN PERSON OR VIA ZOOM**

**August 10, 2022**

**6:00 PM**

**Sedro-Woolley Municipal Building  
Council Chambers  
325 Metcalf Street**

- a. Call to Order**
- b. Pledge of Allegiance**
- c. Roll Call**
- d. Approval of Agenda**
- e. Consent Agenda**

Note: Items on the Consent Agenda 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 Agenda.

- 1. Correction to Resolution 1095-22 Attachments
- 2. Ordinance 2016-22 Amending Sedro-Woolley Municipal Code Chapter 12.08 'Excavation for Gas Distribution and Transmission Systems' to Increase Insurance Requirements and Remove Civil Penalty Provisions That are Outdated
- 3. Municipal Building Elevator Maintenance Contract Renewal
- 4. Check Register - Off-Cycle
- 5. Check Register - Scheduled
- 6. Minutes - Regular Council Meeting - July 13, 2022
- 7. Minutes - Regular Council Meeting - July 27, 2022

- f. Introduction of Special Guests and Presentations**

Swearing in Firefighter Paramedic Jacob Kelly

- g. City Administrator Reports**

- h. Councilmember and Mayor's Report**

- i. Proclamation(s)**

- j. Public Comments**

*Written comments or questions will be accepted by letter or via email at [finance@ci.sedro-woolley.wa.us](mailto:finance@ci.sedro-woolley.wa.us).*

- k. Public Hearing(s)**

- l. Unfinished Business**

- 1. Agreement with Thompson, Guildner & Associates for Prosecution Services - 1st Amendment - 2nd read

- m. New Business**

- 1. Redistricting of City Wards as a Result of the 2020 Census
- 2. Grant Approval - TIB Arterial Preservation Program and Arterial Sidewalk Program

3. Adoption of Ordinance 2013-22 Removing Fees From the Sedro-Woolley Municipal Code and Establishing a Master Fee Schedule by Resolution 1099-22
4. Adoption of Ordinance 2012-22 Amending SWMC 8.16 to modify prohibitions on construction noise and create a variance process
5. 2022 Comprehensive Plan Docket Amendments - 1<sup>st</sup> read
6. Central Business District Design Standards & Guidelines Amendments - 1<sup>st</sup> read
7. Proposed Annexation – Hopke & Salt Family Properties

**n. Information Only Items**

1. Fire Department - Monthly Data
2. Finance Department - Budget and Lodging Tax Advisory Committee Calendar
3. Police Department- Staff Reports

**o. Good of the Order**

**p. Executive Session**

**q. Adjournment**

**Next Meeting(s August 24th, 2022)**

*The City of Sedro-Woolley assures that no person shall on the grounds of race, color, national origin, sex, age, disability, income, or Limited English Proficiency (LEP) as provided by Title VI of the Civil Right Act of 1964, Title II of the American with Disabilities Act of 1990, and related nondiscrimination authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any City of Sedro-Woolley sponsored program or activity. The City of Sedro-Woolley will make every effort to ensure non-discrimination in all of its programs and activities, whether those programs and activities are federally funded or not.*

**Topic: Sedro-Woolley City Council Meeting**

**Join Zoom Meeting**

<https://zoom.us/j/91786850179?pwd=Vys0Y29XalZmQTRmemJBM2txVDIUQT09>

Meeting ID: 917 8685 0179

Passcode: 091845

**OR One tap mobile**

+12532158782,,91786850179#,,,,\*091845# US (Tacoma)

+16699006833,,91786850179#,,,,\*091845# US (San Jose)

**OR Dial by your location**

+1 253 215 8782 US (Tacoma)

+1 669 900 6833 US (San Jose)

+1 346 248 7799 US (Houston)

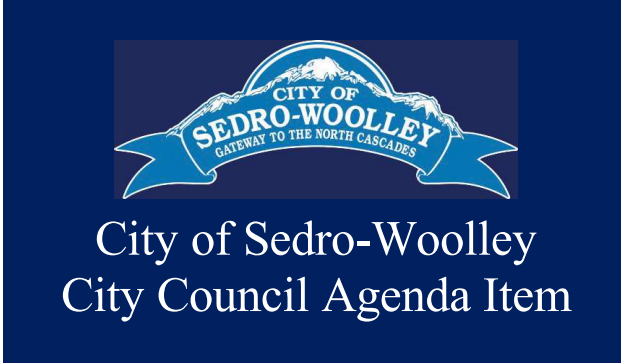
+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

Meeting ID: 917 8685 0179

Passcode: 091845



Agenda  
Item No. \_\_\_\_\_  
Date: August 10, 2022  
Subject: Correction to Resolution 1095-22  
Attachments

**FROM:**

Mark A. Freiberger, PE, Director of Public Works

**RECOMMENDED ACTION:**

Information only; no action required.

**ISSUE:**

Resolution 1095-22 adopting the 2023-2028 Transportation Improvement Program was passed by Council at the July 27, 2022 meeting. While finalizing the TIP for submission to the state, it was found that there were two scribal errors in the attachments to the resolution.

First, the 2023-2028 TIP Project List entry for Project C64 Township Street Overlay Project 2 included a Total Cost of \$898,000. The Project Report (page 12) for TIP Project SW64 was \$990,000 (the 2022 updated estimate). The Project List has been corrected to show the Total Cost as \$990,000.

Second, Project C55 Trail Road Arterial Extension on the Project List reflects the current project limits from the north boundary of the Bucko Plat to F&S Grade Road and the current estimate for this project totaling \$2,416,000. The detail sheet for TIP Project SW55 showed the previous project limits from Cook Road to F&S Grade Road and a total cost of \$3,960,000. With completion of the Bucko Developer Agreement, the portion of the original roadway crossing the Bucko plat is removed from the future project. The detail sheet has been updated to match the Project List details and estimated cost.

In addition to these details, the final TIP detail sheets now show the resolution number. The TIP has been submitted to the Skagit Council of Governments for review.

**BACKGROUND/SUMMARY INFORMATION:**

NA

**FISCAL IMPACT, IF APPROPRIATE:**

NA

**ATTACHMENTS:**

1. Resolution 1095-22 Adopting the 2023-2028 TIP

RESOLUTION 1095-22

A RESOLUTION ADOPTING THE SIX YEAR TRANSPORTATION IMPROVEMENT PROGRAM FOR THE CITY OF SEDRO-WOOLLEY, WASHINGTON 2023 – 2028

WHEREAS, pursuant to the provisions of Chapter 195 of the 1961 Session Laws of the State of Washington, Chapter 83 of the 1967 First Extraordinary Session of Laws of the State of Washington and RCW 35.77.101, the City Council of the City of Sedro-Woolley shall adopt a comprehensive Six-Year Transportation Improvement Program (TIP), and;

WHEREAS, a public hearing was called by the City Council for the purpose of adopting said comprehensive Six-Year TIP on June 22, 2022, at approximately 6:00 p.m., at the Sedro-Woolley City Hall, 325 Metcalf Street, Sedro-Woolley, Washington and it appeared that adoption of the Six Year Transportation Program will be good for the public.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Sedro-Woolley that the 2023 – 2028 comprehensive Six Year Transportation Improvement Program of the City of Sedro-Woolley, Washington, attached as EXHIBIT A, as adopted at said public hearing is hereby adopted and approved as the 2023 – 2028 comprehensive Six Year Transportation Improvement Program of said City.

BE IT FURTHER RESOLVED that a copy of this street program, together with a copy of this resolution shall be filed with the Skagit MPO for inclusion in the Regional Six Year Transportation Improvement Program within the next 30 days; together with copies of each with the Washington State Department of Transportation Local Programs Engineer, and the Transportation Improvement Board.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS 27<sup>th</sup> DAY OF JULY, 2022.

DocuSigned by: Julia Johnson MAYOR JULIA JOHNSON

ATTEST:

APPROVED AS TO FORM:

DocuSigned by: Kelly Kohonen City Finance Director

DocuSigned by: Meki Thompson City Attorney



**2023-2028 TIP PROJECT LIST**

REVISED: 7/28/2022

**Sedro-Woolley Transportation Improvement Program and Projects**

MAP ID <sup>(1)</sup>	2022 - 2027 TIP Project	2023 - 2028 TIP CN Year	2022 - 2027 TIP CN Year	2023 - 2028 TIP Priority No.	2022 - 2027 TIP Priority No.	Project Name	Project Limits	Project Description	Priority	In Existing TIP (2021)? <sup>(2)</sup>	Total Cost 2022 (\$1,000's) (3)(4)	JONES-JOHN LINER-TRAIL RD CORRIDOR PROJECT TOTAL	OVERLAY PROJECTS, TOTAL
S17	SW41	PE/RW 2022 CN 2023	PE/RW 2022 CN 2023	1	3	SR9N/Township St & John Liner/McGarigle Intersection Improvements	SR9 MP 57.38 to MP 57.48	Intersection Improvements, including signalization or Single Lane Roundabout.	High	Yes	2,712		
C1C	SW08A	PE 2022 CN 2023	PE 2022 CN 2023	2	4	John Liner Road, Reed to Township Bicycle/Pedestrian Improvements	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.	High	Yes	579	2,712	
C24	SW24	2023	2023	3	6	Cook Road Overlay (crack seal 2017)	West City Limits to Crossroads (2,560 LF)	Grind and overlay; upgrade ADA Ramps.	High	Yes	581	579	
S14C	SW42	PE 2018-22 RW 2022 CN 2024	PE 2018-22 RW 2022 CN 2024	4	5	SR20/Cascade Trail West Extension Phase 2A, Holtcamp Road to Hodgkin Street	SR20 MP 63.64 Holtcamp Rd to SR20 MP 64.21 Hodgkin Street (3,000 LF)	Construct a shared use path along the north side of SR20 from Holtcamp Road to Hodgkin Street. PE Phase \$81,000 obligated 6/21/2018.	High	Yes	894.5		581
C1B	SW06	PE 2023 RW 2024 CN 2025	PE 2023 RW 2024 CN 2025	5	7	Jones/John Liner RR Undercrossing & Roadway Extension Phase 2	Sapp Road to Reed Street (1,000 lf)	Construct new BNSF RR undercrossing and new major collector from East Jones Road to John Liner Road, including drainage, curbs, sidewalks, HMA, pavement markings and illumination.	High	Yes	11,003	11,003	
S2	SW35	2024	2024	6	8	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	Yes	50		
C28	SW40	2024	2024	7	10	North Reed Street Overlay Project 1 (repairs 2018, 2019; crack seal 2018)	SR20 to John Liner Road (1,500 lf)	Grind and overlay; upgrade ADA ramps..	Medium	Yes	383		383
C36	NEW SW62	2025	2025	8	12	North Reed Street Overlay Project 2 (repairs 2018; crack seal 2018)	John Liner Road to Sapp Road (2,200 LF)	Grind and overlay; upgrade ADA ramps.	Medium	Yes	524		550
C3	SW25	PE 2024 RW 2025 CN 2026	PE 2024 RW 2025 CN 2026	9	13	Cook Road / South Trail Road Intersection Improvements	Trail Road to Trail Road	Reconstruct intersection with traffic signal or Roundabout.	High	Yes	2,948	2,948	
C40	NEW SW 63	2026	2026	10	15	Township Street Overlay Project 1 (crack sealed in 2018; 2021)	State to SR20 (2,580 LF)	Grind and overlay; upgrade ADA ramps.	High	Yes	640		640
C1D	SW59	PE 2026 RW 2026 CN 2027	PE 2023 RW 2024 CN 2025	11	11	John Liner Road Arterial Improvements	N Reed Street to SR9/Township Street (2,000 LF)	Reconstruct to major collector section including drainage, curbs, sidewalk, shared use path, HMA, pavement markings and illumination.	Medium	Yes	2,416	2,416	
C41	NEW SW64	2027	2027	12	18	Township Street Overlay Project 2 (crack sealed in 2018; 2021)	Dunlop to State (3,590 LF)	Grind and overlay; upgrade ADA ramps..	Medium	No	990		990
C9A	SW65	PE 2027 RW 2027 CN 2028	PE 2024 RW 2025 CN 2026	13	14	Trail Road Arterial Extension	Bucko Cook Rd to F&S Grade (850,200 LF)	Construct new major collector, Functional Classification 2020. Participate in Bucko Plat development from Cook to N Boundary Bucko funded separately.	Medium	Yes	2,416	2,416	
C35	SW65	2028	2028	14		West State Street Overlay (Crack sealed in 2018)	Maple to Rita (1,900 LF x 30 LF)	Grind and overlay; upgrade ADA ramps..	Medium	Yes	393		393
<b>SUBTOTAL 2022-2027 ALL PROJECTS</b>											<b>26,530</b>	<b>22,074</b>	<b>3,537</b>
<b>SUBTOTAL 2022-2027 - TIF ELIGIBLE PROJECTS</b>											<b>23,019</b>		
<b>SUBTOTAL 2022-2027 - OTHER PROJECTS</b>											<b>3,511</b>		

## Six Year Transportation Improvement Program From 2023 to 2028

Agency: Sedro Woolley

County: Skagit

MPO/RTPO: SCOG

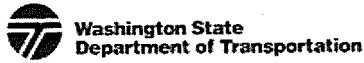
Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
04	1	SR9N/Township St & John Liner/McGarigle Intersection Improvements SR 9 MP 57.38 to MP 57.48 Intersection Improvements, including signalization or Single Lane Roundabout.	SW41	06/22/22	07/28/22		1095-22	03	C G O P S T W	0.100	CE	Yes

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	CN	2023		0	TIB	1,450,336	483,445	1,933,781
<b>Totals</b>				<b>0</b>		<b>1,450,336</b>	<b>483,445</b>	<b>1,933,781</b>

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
CN	1,933,781	0	0	0	0
<b>Totals</b>	<b>1,933,781</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>



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Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
04	2	John Liner Road, Reed to Township Bicycle/Pedestrian Improvements John Liner Road Reed Street to SR9/Township Street Construct paved, separated trail with physical buffer between pedestrians and roadway on the north side of John Liner Road from Reed to Township, including drainage and additional lighting.	SW08A	06/22/22	07/27/22		1095-22	28	P S T W	0.370	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
S	CN	2023	STBG(UM)	442,015		0	68,985	511,000
<b>Totals</b>				<b>442,015</b>		<b>0</b>	<b>68,985</b>	<b>511,000</b>

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
CN	511,000	0	0	0	0
<b>Totals</b>	<b>511,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>



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04	3	Cook Road Overlay Cook Road West City Limits to Crossroads Grind and overlay.	SW24	06/22/22	07/27/22		1095-22	05	G S W	0.420	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2023		0	TIB	493,850	87,150	581,000
<b>Totals</b>				<b>0</b>		<b>493,850</b>	<b>87,150</b>	<b>581,000</b>

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	581,000	0	0	0	0
<b>Totals</b>	<b>581,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

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Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
03	4	/ 0020(200)  SR20/Cascade Trail West Extension Phase 2A, Holtcamp Road to Hodgkin Street SR 20 MP 63.64 Holtcamp Rd to MP 64.21 Hodgkin Street Construct a shared use path along the north side of SR20 from Holtcamp Road to Hodgkin Street.	SW42	06/22/22	07/27/22		1095-22	28	C G P S T W	0.570	CE	Yes

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
S	CN	2024	STP(US)	408,742		0	63,758	472,500
P	CN	2024		0	TIB	316,500	0	316,500
<b>Totals</b>				<b>408,742</b>		<b>316,500</b>	<b>63,758</b>	<b>789,000</b>

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
CN	0	789,000	0	0	0
<b>Totals</b>	<b>0</b>	<b>789,000</b>	<b>0</b>	<b>0</b>	<b>0</b>

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Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
04	5	Jones/John Liner RR Undercrossing & Roadway Extension Phase 2 John Liner Road Sapp Road to Reed Street Construct new BNSF RR undercrossing and new major collector from East Jones Road to John Liner Road, including drainage, curbs, sidewalks, HMA, pavement markings and illumination	SW06	06/22/22	07/27/22		1095-22	01	C G P S W	0.190	CE	Yes

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2023		0	WSDOT	776,900	137,100	914,000
P	RW	2024		0	WSDOT	1,344,700	237,300	1,582,000
P	CN	2025		0	WSDOT	7,230,950	1,276,050	8,507,000
<b>Totals</b>				<b>0</b>		<b>9,352,550</b>	<b>1,650,450</b>	<b>11,003,000</b>

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	685,500	228,500	0	0	0
RW	0	1,582,000	0	0	0
CN	0	0	8,507,000	0	0
<b>Totals</b>	<b>685,500</b>	<b>1,810,500</b>	<b>8,507,000</b>	<b>0</b>	<b>0</b>

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N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
03	6	SR20/Reed Street Intersection Improvements SR20 MP 65.70 to MP 65.72 Intersection improvements to restrict minor approach motions to right-in right-out.	SW35	06/22/22	07/27/22		1095-22	04	C G O P S T W		CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2024		0	TIB	37,000	13,000	50,000
<b>Totals</b>				<b>0</b>		<b>37,000</b>	<b>13,000</b>	<b>50,000</b>

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	0	50,000	0	0	0
<b>Totals</b>	<b>0</b>	<b>50,000</b>	<b>0</b>	<b>0</b>	<b>0</b>

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Agency: Sedro Woolley

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MPO/RTPO: SCOG

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
05	7	North Reed Street Overlay Project 1 Reed Street SR20 to John Liner Road Grind and overlay; upgrade ADA ramps.	SW40	06/22/22	07/27/22		1095-22	05	G S W	0.270	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2024		0	TIB	325,550	57,450	383,000
<b>Totals</b>				<b>0</b>		<b>325,550</b>	<b>57,450</b>	<b>383,000</b>

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	0	383,000	0	0	0
<b>Totals</b>	<b>0</b>	<b>383,000</b>	<b>0</b>	<b>0</b>	<b>0</b>

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05	8	North Reed Street Overlay Project 2 North Reed Street John Liner Road to Sapp Road Grind and overlay; upgrade ADA ramps	SW62	06/22/22	07/27/22		1095-22	05	G S W	0.420	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2025		0	TIB	445,400	78,600	524,000
<b>Totals</b>				<b>0</b>		<b>445,400</b>	<b>78,600</b>	<b>524,000</b>

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	0	0	524,000	0	0
<b>Totals</b>	<b>0</b>	<b>0</b>	<b>524,000</b>	<b>0</b>	<b>0</b>

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Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
04	9	Cook Road/South Trail Road Intersection Improvements Cook Road Trail Road to Trail Road Reconstruct intersection with Roundabout	SW25	08/22/22	07/27/22		1095-22	03	C G O P S T W	0.100	CE	Yes

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2024		0	WSDOT	249,413	83,138	332,551
P	RW	2025		0	WSDOT	49,500	16,500	66,000
P	CN	2026		0	TIB	1,912,163	637,388	2,549,551
<b>Totals</b>				<b>0</b>		<b>2,211,076</b>	<b>737,026</b>	<b>2,948,102</b>

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	332,551	0	0	0
RW	0	0	66,000	0	0
CN	0	0	0	2,549,102	0
<b>Totals</b>	<b>0</b>	<b>332,551</b>	<b>66,000</b>	<b>2,549,102</b>	<b>0</b>



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MPO/RTPO: SCOG

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
04	10	Township Street Overlay Project 1 Township Street State Street to SR20 Grind and overlay, upgrade ADA Ramps	SW63	06/22/22	07/27/22		1095-22	05	G S W	0.490	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2026		0	TIB	544,000	96,000	640,000
<b>Totals</b>				<b>0</b>		<b>544,000</b>	<b>96,000</b>	<b>640,000</b>

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	0	0	0	640,000	0
<b>Totals</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>640,000</b>	<b>0</b>



## Six Year Transportation Improvement Program From 2023 to 2028

Agency: Sedro Woolley

County: Skagit

MPO/RTPO: SCOG

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
04	11	John Liner Road Arterial Improvements Project John Liner Road N Reed Street to SR9/Township Street Reconstruct John Liner Road to major collector section including drainage, curbs, sidewalk, shared use path, HMA, pavement markings and illumination.	SW59	06/22/22	07/27/22		1095-22	04	C G P S T W	0.380	CE	Yes

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2026		0	WSDOT	191,475	63,825	255,300
P	RW	2026		0	TIB	152,250	50,750	203,000
P	CN	2027		0	WSDOT	1,467,975	489,325	1,957,300
<b>Totals</b>				<b>0</b>		<b>1,811,700</b>	<b>603,900</b>	<b>2,415,600</b>

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	0	0	255,300	0
RW	0	0	0	203,000	0
CN	0	0	0	0	1,957,300
<b>Totals</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>458,300</b>	<b>1,957,300</b>

## Six Year Transportation Improvement Program From 2023 to 2028

Agency: Sedro Woolley

County: Skagit

MPO/RTPO: SCOG

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
04	12	Township Street Overlay Project 2 Township Street Dunlop Street to State Street Grind and overlay; upgrade ADA ramps	SW64	06/22/22	07/27/22		1095-22	05	G S W	0.680	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2027		0	TIB	841,500	148,500	990,000
<b>Totals</b>				<b>0</b>		<b>841,500</b>	<b>148,500</b>	<b>990,000</b>

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	0	0	0	0	990,000
<b>Totals</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>990,000</b>



## Six Year Transportation Improvement Program From 2023 to 2028

Agency: Sedro Woolley

County: Skagit

MPO/RTPO: SCOG

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
05	14	Trail Road Arterial Extension Trail Road Bucko Plat to F&S Grade Road Construct new major collector.	SW55	06/22/22	07/27/22		1095-22	01	S W	0.160	CE	Yes

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2027		0	TIB	156,000	52,000	208,000
P	RW	2027		0	TIB	460,500	153,500	614,000
P	CN	2028		0	TIB	1,195,500	398,500	1,594,000
<b>Totals</b>				<b>0</b>		<b>1,812,000</b>	<b>604,000</b>	<b>2,416,000</b>

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	0	0	0	208,000
RW	0	0	0	0	614,000
CN	0	0	0	0	1,594,000
<b>Totals</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,416,000</b>



## Six Year Transportation Improvement Program From 2023 to 2028

Agency: Sedro Woolley

County: Skagit

MPO/RTPO: SCOG

Y Inside

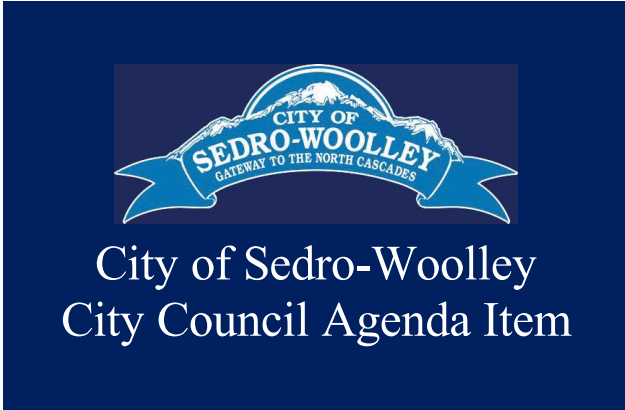
N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
04	14	W State Street Overlay W State Street Maple Street to Rita Street Grind and overlay; ADA ramp upgrade.	SW65	06/22/22	07/27/22		1095-22	05	G S W	0.360	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2028		0	T1B	334,050	58,950	393,000
<b>Totals</b>				<b>0</b>		<b>334,050</b>	<b>58,950</b>	<b>393,000</b>

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	0	0	0	0	393,000
<b>Totals</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>393,000</b>

	Federal Funds	State Funds	Local Funds	Total Funds
<b>Grand Totals for Sedro Woolley</b>	<b>850,757</b>	<b>19,975,512</b>	<b>4,751,214</b>	<b>25,577,483</b>



Agenda  
Item No. \_\_\_\_\_  
Date: August 10, 2022  
Subject: Ordinance 2016-22 Amending Sedro-Woolley Municipal Code Chapter 12.08 'Excavation for Gas Distribution and Transmission Systems' to Increase Insurance Requirements and Remove Civil Penalty Provisions That are Outdated

**FROM:**

Nikki Thompson, City Attorney

**RECOMMENDED ACTION:**

Adopt Ordinance 2016-22 amending SWMC Chapter 12.08.

**ISSUE:**

Should Council adopt Ordinance 2016-22, amending SWMC Chapter 12.08?

**BACKGROUND/SUMMARY INFORMATION:**

The provisions proposed for amendment in Ordinance 2016-22 have not been updated since 1959. They contain both inadequate insurance provisions and a civil penalty for actions that constitute a modern day crime under State law. Ordinance 2016-22 is a housekeeping amendment that modernizes these provisions.

**FISCAL IMPACT, IF APPROPRIATE:**

N/A

**ATTACHMENTS:**

1. Ordinance 2016-22

ORDINANCE NO. 2016-22  
AN ORDINANCE OF THE CITY OF SEDRO-WOOLLEY, WASHINGTON, AMENDING  
CHAPTER 12.08 OF THE SEDRO-WOOLLEY MUNICIPAL CODE (SWMC)

WHEREAS, the Chapter 12.08 of the Sedro-Woolley Municipal Code has not been updated since Ordinance No. 602 in 1959; and,

WHEREAS, Section 12.080.040 Insurance lists outdated insurance coverage amounts and language; and,

WHEREAS, Section 12.08.180 Preservation of monuments is outdated in listing a penalty of twenty-five dollars for a misdemeanor crime;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sedro-Woolley as follows:

**Section One.** Chapter 12.08 entitled “Excavation for Gas Distribution and Transmission Systems” of the Sedro-Woolley Municipal Code, last modified by Ord. 602 in 1959, is hereby amended to read as follows:

Chapter 12.08

EXCAVATION FOR GAS DISTRIBUTION AND TRANSMISSION SYSTEMS

Sections:

- 12.08.010 Definitions.
- 12.08.020 Permit required.
- 12.08.030 Application and bond.
- 12.08.040 Insurance.
- 12.08.050 Testing of piping on new construction—Fees.
- 12.08.060 Testing of prior constructed distribution system.
- 12.08.070 Maintenance procedure.
- 12.08.080 Service connections to steel mains.
- 12.08.090 Prohibited pipe installations.
- 12.08.100 Location of service shutoffs.
- 12.08.110 Location of pipes.
- 12.08.120 Construction, operation, maintenance and safety standards.
- 12.08.130 Cathodic protected pipe.
- 12.08.140 Routing of traffic during construction.
- 12.08.150 Maintaining traffic.
- 12.08.160 Removal and protection of utilities.
- 12.08.170 Protection of property.
- 12.08.190 Damage to existing improvements.
- 12.08.200 Property lines and easements.
- 12.08.210 Care of excavated material.
- 12.08.220 Interference with other services.
- 12.08.230 Provision for watercourses.

- 12.08.240 Cleaning up.
- 12.08.250 Trenches.
- 12.08.260 Water in trenches.
- 12.08.270 Breaking through pavement.
- 12.08.280 Tunnels.
- 12.08.290 Backfilling—Notification of water department where water is taken from fire hydrant.
- 12.08.300 Water settling.
- 12.08.310 Dry backfilling.
- 12.08.320 Backfill material.
- 12.08.330 Backfilling at the surface.
- 12.08.340 Restoration of surface.
- 12.08.350 City’s right to restore surface—Procedure.
- 12.08.360 Public works supervisor’s inspection and fee.
- 12.08.370 Maintain drawings, plans, and profiles.
- 12.08.380 Compressor stations.
- 12.08.390 Penalty for violations.

**12.08.010 Definitions.**

For the purpose of this chapter the following words, terms and phrases are hereby defined and shall have the meaning herein given to them:

- A. “Distribution system” means the gas pipes, pipelines, mains, laterals, conduits, feeders, regulators, meters, fixtures, connections and all attachments, appurtenances and appliances necessary and incidental thereto or in any way appertaining to the distribution of gas.
- B. “Gas” means artificial, natural and/or mixed gas.
- C. “Gas inspector” means the gas inspector of the city or his duly authorized representative.
- D. “Highways” means and includes streets, alleys, sidewalks, curbs, roads, highways, thoroughfares, parkways, bridges, viaducts, public grounds and public improvements within the city.
- E. “Maintenance, maintaining or maintained” means the relaying, repairing, replacing, examining, testing, inspecting, removing, digging and excavating and restoring operations incidental thereto.
- F. “Permittee” means any person, company, partnership or corporation or its successors and assigns holding a franchise to construct, lay, maintain and operate over, across, upon and under the present and future streets, alleys, sidewalks, curbs, roads, thoroughfares, parkways, bridges and public property and other places in the city, a system of pipes, pipelines, gas mains, laterals, conduits, feeders, regulators, meters, fixtures, connections and attachments, appurtenances and appliances incidental thereto or in any way appertaining thereto for the purposes of transporting, transmitting, distributing, selling and supplying gas for heating, lighting, power and any and all domestic, commercial and industrial purposes and other reasons and purposes to inhabitants, persons, firms, associations and corporations within the city for public, domestic and industrial use.
- G. “Person” means any person, firm, association or corporation.
- H. “Public works supervisor” means the public works supervisor or his duly authorized representative.

I. “Transmission system” means a pipeline installed for the purpose of transmitting gas from a source or sources of supply to one or more distribution centers or to one or more large volume customers.

J. “Unit” means the construction of not over one mile of a distribution or transmission system.

**12.08.020 Permit required.**

It is unlawful for any person to dig up, break, excavate, tunnel, undermine, cut, or in any way obstruct or disturb any highway in the city or to fill in, place, leave or deposit in or upon any highway any earth, refuse, gravel, rock or other material or thing tending to obstruct, disturb or interfere with the free use of the same for the installation and/or maintenance of a gas distribution or transmission system or for the purpose of making a utility connection with any premises, without first having obtained a permit and without complying with the provisions of this chapter, or at variance with the terms of any such permit; provided, however, that in case of an emergency arising out of office hours, when an immediate excavation may be necessary for the protection of public or private property, the same shall be reported to the traffic division of the police department and the necessary excavation may be made upon the express condition that an application be made in the manner herein provided on or before noon of the following business day; and provided further, that a separate permit shall be required for each unit.

**12.08.030 Application and bond.**

Permittee shall make application to the public works supervisor for a permit and in connection therewith shall file a bond in the sum of ten thousand dollars, all in compliance with the provisions of Ordinance 600. In addition thereto such bond shall also be conditioned that permittee will comply with all of the provisions of this chapter and in case the permit authorizes cutting into or under any highway in the city, the bond shall be further conditioned that the person applying for or acting under the permit shall replace the portion thereof affected thereby and shall restore the same at its expense to as good or better condition within the time specified by the public works supervisor and that the permittee will maintain such highway so restored for a period of two years from and after such restoration. Settlement within the two-year period shall be considered conclusive evidence of defective back-filling by the permittee. Acceptance of the work by the public works supervisor shall not prevent the city from making claim against the permittee for incomplete or defective work if the same is discovered within two years of the acceptance. The fact that an inspector was present during the progress of any construction shall not relieve the permittee from responsibility for defects discovered after the completion of the work.

**12.08.040 Insurance.**

The permittee, at the time of applying for a permit as provided in this chapter, shall furnish to the public works department with written evidence that it has insurance policies in the types and amounts acceptable to the city attorney, which policy shall be in force and effect during the period of the permit.

**12.08.050 Testing of piping on new construction—Fees.**

Before any newly constructed distribution and transmission system is finally put in service, it shall be carefully tested in conformity with the codes adopted by the ordinance codified in this chapter to assure that it is gas-tight. The gas inspector shall coordinate his tests of the distribution and



transmission system with that of the permittee so as to avoid duplicate tests. The gas inspector shall bill the permittee for all expenses in connection with tests or inspection.

**12.08.060 Testing of prior constructed distribution system.**

Any distribution or transmission system constructed prior to the effective date of the ordinance codified in this chapter shall be given a test for leaks in the manner prescribed in the ASA Code relating to the up-rating and increasing of pressure in existing mains. Wherever the ASA Code relates to up-rating and increasing pressure in existing mains, it shall also apply equally where natural gas is introduced into existing mains which have previously carried manufactured gas.

**12.08.070 Maintenance procedure.**

Maintenance of distribution and transmission systems shall be made with such materials and by such methods as are provided for by this chapter for new work except when in the judgment of the gas inspector it is impractical to do so.

**12.08.080 Service connections to steel mains.**

Service shall not be connected to steel mains by means of a clamp or saddle-type service connection, except by special permission of the public works supervisor.

**12.08.090 Prohibited pipe installations.**

Rubber, plastic or nonmetallic pipe shall not be used in any distribution or transmission system.

**12.08.100 Location of service shutoffs.**

Service shut-offs shall be installed on all new services (including replacements) at the curb or property line for each service, or at an easily accessible place on the outside of the building served. If this latter method is used, such service shall not enter a building directly without coming aboveground.

**12.08.110 Location of pipes.**

All pipes shall be laid in alleys or easements whenever possible, or at locations generally on the south and west sides of streets and alleys as directed by the public works supervisor. Pipes shall have a lateral clearance of not less than four feet from water mains and twelve inches from any other subsurface structure; provided, that under exceptional circumstances the public works supervisor, with the written consent of the utility involved, may authorize less clearance. Pipes shall have a vertical clearance of twelve inches when crossing another pipe. Pipes shall be laid with a cover of not less than thirty inches except that under exceptional circumstances the public works supervisor, with the written consent of the utility involved, may authorize less clearance. Pipes shall have a vertical clearance of twelve inches when crossing another pipe. Pipes shall be laid with a cover of not less than thirty inches except that under exceptional circumstances the public works supervisor may authorize less coverage. Where the trench is in rock the cover may be twenty-four inches if the pipe is properly cushioned. In the event interference with other subsurface structures makes it impractical to maintain the above depths, the public works supervisor, with the written consent of the utility involved, may permit gas pipelines and mains to be constructed so as to avoid such subsurface structures.

**12.08.120 Construction, operation, maintenance and safety standards.**

The provisions of Section 8 of the “American Standard Code for Pressure Piping—Gas Transmission and Distribution Piping Systems” 1955 Edition (ASA B31.1.8. 1955), and the “Rules and Regulations Pertaining to Matters of Public Safety in the Construction and Operation of Facilities for the Transmission and Distribution of Gas,” of the Public Service Commission of the state of Washington, consolidated Cause Nos. U-8799 and U-8800, adopted June 28, 1955, on file in the office of the city clerk, are each hereby adopted by reference as the construction, operation, safety and maintenance standards of the city; provided that, in the event any of the provisions of the ASA Code conflict with any of the provisions of this chapter or such state rules and regulations as the case may be, shall govern and be observed.

All amendments and additions to the ASA Code and/or the state rules and regulations, when printed and filed with the city clerk, shall thereupon become amendments and additions hereto, if not in conflict with the provisions of this chapter.

**12.08.130 Cathodic protected pipe.**

If the gas company installs cathodic protected pipe, it must comply with the following requirements:

A. Furnish the public works supervisor with the description of the place or places where the anode has been installed;

B. Every pipeline which is caused to become the cathode of a field of electrical forces or currents in the earth shall be connected by electrical bonds to all other underground metallic pipelines or structures located in the same highway as the cathodic pipeline. One such bond shall be installed for each anode which is installed and in a location closer to that anode than to any other anode. All bonds shall be metallic electrical conductors of sufficient mechanical strength to assure burial without breaking, completely coated with a heavy moisture-resistant dielectric coating and securely clamped, brazed or welded to the interconnected pipelines or structures. The connections shall also be heavily coated with dielectric material.

In the event that the public works supervisor shall find that a bond is not required in a particular location to prevent damage to unbonded pipes or structures, that bond need not be installed.

For the purpose of this section the term “cathodic protection” shall mean a system for protecting one or more pipelines in which system all parts of the pipelines are caused to become the cathode of one or more fields of electrical forces or currents in the earth, the anodes of which are each located at a distance from the protected pipelines or structures and are electrically connected by suitable insulated metallic conductors to the protected pipelines or structures.

**12.08.140 Routing of traffic during construction.**

During construction, traffic shall be maintained at all times so as to cause as little inconvenience as possible to the occupants of abutting property and to the general public, provided that the public works supervisor may permit the closing of highways to all traffic for a designated period of time, if, in his opinion, it is necessary. The permittee shall route and control all traffic, including its own vehicles, as directed by the traffic division of the police department. The following steps must be taken before any highway may be closed or restricted to traffic:

A. Receive the approval of the public works supervisor and the traffic division of the police department;

B. Notify the chief of the fire department of any highway so closed. Upon completion of construction work, the public works supervisor and traffic division shall again be notified before traffic is moved back to its normal flow so that any necessary adjustments may be made. Where

flagmen are deemed necessary by the public works supervisor, they shall be furnished by the permittee at its own expense.

Through traffic shall be maintained without the aid of detours if possible. In instances in which this would not be feasible, the public works supervisor will designate detours. The city will maintain roadway surfaces of existing highways designated as detours without expense to the permittee, except in case there are no existing highways, the permittee will construct all detours at its expense and in conformity with the specifications of the public works supervisor. The permittee will be responsible for any unnecessary damage caused to any highways by the operation of its equipment.

**12.08.150 Maintaining traffic.**

The permittee shall erect and maintain suitable timber barriers to confine earth from trenches or other excavations in order to encroach upon highways as little as possible. It shall construct and maintain adequate and safe crossings over excavations and across highways under improvement to accommodate vehicular and pedestrian traffic at all street intersections. Vehicular crossings shall be constructed and maintained of plank, timbers and blocking of adequate size to accommodate vehicular traffic safely. Decking shall be not less than four inches thick and shall be securely fastened together with heavy wire and staples. Pedestrian crossings shall consist of planking three inches thick, twelve inches wide and of length required together with necessary blocking. The walk shall be not less than four feet in width and shall be provided with a railing if required by the public works supervisor.

**12.08.160 Removal and protection of utilities.**

The permittee shall not interfere with any existing utility without the written consent of the public works supervisor and the utility involved. If it becomes necessary to move an existing utility, this shall be done by the utility charged with the operation of the same. Whenever the permittee's utility, occupying space in any highway, interferes with the actual construction of any public improvement, such utility shall be moved by the permittee. No utility, either publicly or privately owned shall be moved to accommodate the permittee unless the cost of such work be borne by the permittee.

The permittee shall support and protect by timbers or otherwise, all pipes, conduits, poles, wires or other apparatus which may be in any way affected by the construction or maintenance work and do everything necessary to support, sustain and protect the same under, over, along or across the work. In case any of the pipes, conduits, poles, wires or apparatus should be damaged, they should be repaired by the authorities having control of the same and the expense of such repairs shall be charged to the permittee and its bond shall be liable there for.

The permittee shall be responsible for any damage done to any public or private property by reason of the breaking of any water pipe, sewer, gas pipe, electric conduit or other utility and its bond shall be liable therefor.

The permittee shall inform itself as to the existence and location of any underground utilities and protect the same against damage.

**12.08.170 Protection of property.**

The permittee shall, at its own expense, shore up and protect all buildings, walls, fences or other property likely to be damaged during the progress of the construction or maintenance work and

shall be responsible for all damage to public or private property or highways resulting from its neglect to exercise proper protection in the prosecution of such work.

Whenever it may be necessary for the permittee to trench through any lawn area the sod shall be carefully cut and rolled and replaced after ditches have been backfilled, as provided in this chapter. All construction and maintenance work shall be done in a manner calculated to leave the lawn area clean of earth and debris and in a condition as nearly as possible to that which existed before such work began.

The permittee shall not remove, even temporarily, any trees or shrubs which exist in parking strip areas or easements across private property without first having notified the property owner, or in the case of public parks, the city park department.

**12.08.190      Damage to existing improvements.**

All damage done to existing improvements during the progress of construction or maintenance work shall be repaired by the permittee. Materials for such repair shall conform to the requirements of applicable ordinances. If, upon being ordered, the permittee fails to furnish the necessary labor and materials for such repairs, the public works supervisor may cause the necessary labor and materials to be furnished by other parties and the cost shall be charged against the permittee, which shall be liable on its bond therefor.

**12.08.200      Property lines and easements.**

Property lines and limits of easements shall be indicated on the plans and it shall be the permittee's responsibility to confine its construction activities within these limits. Any damage resulting from trespassing beyond those limits shall be the sole responsibility of the permittee.

**12.08.210      Care of excavated material.**

All material excavated from trenches and piled adjacent to the trench, or in highways shall be piled and maintained in such a manner that the toe of the slope of the excavated material is at least eighteen inches from the edge of the trench. It shall also be piled so that as little inconvenience as possible is caused to public travel. When the confines of the area through which the gas pipes are to be laid are too narrow to permit the piling of excavated material beside the trench, such as might be the case in an alley, the permittee may be required to haul excavated material to a storage site and then rehaul it to the trench site at the time of backfilling. It shall be the permittee's responsibility to secure the necessary permission and make all necessary arrangements for all storage and disposal sites required.

**12.08.220      Interference with other services.**

The work shall be conducted so as not to interfere with access to fire stations and fire hydrants. Material or obstructions shall not be placed within fifteen feet of fire plugs. Passageways leading to fire escapes or fire fighting equipment shall be kept free of material piles or other obstructions.

**12.08.230      Provision for watercourses.**

The permittee shall provide for the flow of all watercourses, sewers or drains intercepted during the progress of the work, and shall replace the same in as good condition as it found them or shall make such final provisions for them as the public works supervisor may direct. The permittee shall not obstruct the gutter of any street, but shall use all proper measures to provide for the free passage

of surface water. The permittee shall make provision to take care of all surplus water, mud, silt, slickings or other runoff pumped from excavations or resulting from sluicing or other operations, and shall be responsible for any damage resulting from its failure to so provide.

**12.08.240      Cleaning up.**

As the construction or maintenance work progresses, all highways and private property shall be thoroughly cleaned of all rubbish, excess earth, rock and other debris resulting from such work. Cleaning up the location of such properties or highways shall be accomplished at the expense of the permittee and shall be completed to the satisfaction of the public works supervisor before final acceptance of the work. From time to time as may be ordered by the public works supervisor, and, in any event, immediately after completion of the work, the permittee shall, at its own expense, clean up and remove all refuse and unused materials of any kind resulting from such work, and upon failure to do so within twenty-four hours after having been notified to do so by the public works supervisor, the work may be done by the public works supervisor and the cost thereof charged to the permittee and the permittee's bond shall be liable for the cost thereof.

**12.08.250      Trenches.**

A.      Except by special permission from the public works supervisor, no trench shall be excavated more than three hundred feet in advance of pipe laying, nor left unfilled more than seven hundred feet where pipe has been laid. The length of the trench that may be opened at any one time shall not be greater than the length of pipe and the necessary accessories which are available to the site ready to put in place.

B.      Trenches shall be braced and sheathed according to the safety standards for construction work of the State Department of Labor and Industries of October 1, 1951, or any amendments thereof. No timber bracing, lagging, sheathing or other lumber shall be left in any trench.

C.      The completed trench shall be kept not less than thirty feet ahead of the pipe layers. The trenches shall be at least six inches wider on each side, or a total width of twelve inches more than the exterior diameter of the pipe, except where pipes are of four inches in diameter or under. If rock is excavated it shall be removed to a depth of six inches below the bottom and the trench refilled with sand or noncorrosive soil or one and one-fourth inch minus gravel and well tamped.

D.      The permittee shall furnish all necessary machinery for the work and shall pump, bail, or otherwise remove any water which accumulates in the trenches. The permittee shall perform all work necessary to keep the trenches clear of water while the foundations and the masonry are being constructed or the pipe laid.

E.      Excavation for manholes and other structures shall be sufficient to leave at least twelve inches between their outer surfaces and the sides of the excavation.

**12.08.260      Water in trenches.**

Unless otherwise specifically permitted by the public works supervisor, water, either from surface or subsurface origin, will not be permitted in the trenches at any time during construction and until back-filling over the top of the pipe has been completed; nor will the ground water level in the trench be permitted to rise above an elevation of six inches below the pipe. Dewatering trenches, when required, may be accomplished in any manner the permittee desires, provided the chosen method has the approval of the public works supervisor. Any damage resulting from the failure of the chosen method to operate properly, however, shall be the responsibility of the permittee, and

shall be repaired in a manner satisfactory to the public works supervisor, at the permittee's expense.

**12.08.270 Breaking through pavement.**

Whenever it is necessary to break through existing pavement for the purpose of constructing gas service facilities, and where trenches are to be four feet or over in depth, the pavement and the base shall be removed to at least six inches beyond the outer limits of the subgrade that is to be disturbed in order to prevent settlement, and a six-inch shoulder of undisturbed material shall be provided on each side of the excavated trench. The face of the remaining pavement shall be approximately vertical. A power-driven concrete saw shall be used to cut a kerf enough to permit complete breakage of concrete pavement or base without ragged edges. Asphalt paving shall be scored or otherwise cut in a straight line. No pile driver may be used in breaking up the pavement.

**12.08.280 Tunnels.**

Tunnels under pavement shall not be permitted except by permission of the public works supervisor, and if permitted, shall be adequately supported by timbering and backfilling under the direction of the public works supervisor. Where gas pipe is to be tunneled or bored under a highway, except sidewalks, such pipe shall be driven through or bored in a casing of sufficient strength, which casing shall be left in place with the ends closed around the pipe.

**12.08.290 Backfilling—Notification of water department where water is taken from fire hydrant.**

Backfilling in all public streets and improved areas, both public and private, shall be compacted to a degree equivalent to that of the undisturbed ground in which the trench is dug. Compacting shall be done by mechanical tampers or vibrators, by rolling in layers, or by water settling, as required by the soil in question. The decision as to whether a trench shall be water settled or not, shall be made by the public works supervisor. When water is taken from a fire hydrant the permittee shall assign one man to operate the hydrant and shall make certain that the man has been instructed by the water department in the operation of the hydrant. The water department shall likewise be notified at both the beginning and end of the job so that the condition of the fire hydrants can be checked on both occasions. Any damage done to the hydrants during the operation shall be the responsibility of the permittee. Water shall be paid for by the permittee on the terms agreed upon with the water department.

**12.08.300 Water settling.**

When backfilling is done by water settling, excavations above utility installations shall be deposited uniformly in layers of not more than five feet in thickness and shall be thoroughly flooded. During the flooding, the water shall be allowed to flow slowly to the trench from high points and shall be worked down to the full depth of the layer of backfill with bars. All bars used shall be long enough to extend entirely through the layer being filled and shall be forced down through the loose backfill material. As the bars are withdrawn, the water shall be allowed to flow downward around the bar. The channel or hole formed by the bar shall be kept open and the water kept running into it until the fill has settled. Sufficient hose shall be provided in order to apply water to the trench at intervals of not to exceed one hundred feet. All work shall be done in such a manner as to obtain a relative compaction through the entire depth of the backfill of not less than that which exists adjacent to the excavation.

**12.08.310 Dry backfilling.**

Backfilling up to the first eighteen inches above the top of utility pipes or similar installations shall be done with thin layers; each layer is to be tamped by manual or mechanical means. Layers that are hand-tamped shall not exceed four inches in thickness; layers that are power-tamped shall not exceed six inches in thickness. These same requirements shall apply to the remainder of the backfilling if tamping is the method used for backfilling.

Backfilling of all pipes of over twenty-four inches in diameter shall be carried up to the spring line of the pipe in three-inch layers, with each layer moistened and thoroughly tamped with suitable mechanical equipment. The backfill around all pipes twenty-four inches or less in diameter shall be flooded or tamped as specified above to a depth of eighteen inches above the top of the pipe, before any additional back-filling is placed thereon.

**12.08.320 Backfill material.**

Wherever excavation is made through rock, pipe shall be laid six inches above the rock bottom of trench and the space under, around and six inches above pipe shall be backfilled with clean river sand, noncorrosive soil or one and one-fourth inch minus gravel. Broken pavement, large stones, roots and other debris shall not be used in the backfill.

**12.08.330 Backfilling at the surface.**

Backfilling shall be completed by placing the material well up over the top of the trench or in the case of concurrent street construction, to the grade of bottom of ballast and for dry backfilling, rolling with a roller of an approved type or with the rear of a truck carrying at least five tons, until the surface is unyielding. The surface shall then be graded as required. When a pipeline is laid at an elevation below the ground water level extreme care shall be exercised upon completion of the line not to allow the ground water to rise in the trench for settlement or other purposes until sufficient backfill has been placed over the pipe to prevent the pipe from floating.

**12.08.340 Restoration of surface.**

The permittee shall restore the surface of all highways to their original condition in accordance with the specifications of the public works supervisor.

The permittee may be required to place a temporary surface over openings made in paved traffic lanes. Except when the pavement is to be replaced before the opening of the cut to traffic, the fill above the bottom of the paving slab shall be made with suitable material well tamped into place. This gravel shall be topped with a minimum of at least one inch of bituminous mixture which is suitable to maintain the opening in good condition until permanent restoration can be made. The crown of the temporary restoration shall not exceed one inch above the adjoining pavement. The permittee must exercise special care in making temporary restorations and must maintain such restorations in safe travelable condition until such time as permanent restorations are made.

The asphalt which is used in the bituminous mixture for pavement herein required, shall be in accordance with the specifications of the public works supervisor.

**12.08.350 City's right to restore surface—Procedure.**

If the permittee shall have failed to restore the surface of the highways to their original and proper condition upon the expiration of the time fixed by such permit or upon the completion of the work allowed to be done under such permit, the public works supervisor shall, if he deems it advisable,

have the right to do all work and things necessary to do so. The permittee shall be liable for the expense thereof upon the bond filed at the time of granting the permit, and the city shall have a cause of action for all fees, expenses and amounts paid out upon such work; provided, that in any case, it shall be the duty of the permittee to guarantee and maintain the area disturbed for two years after returning it to its original condition. Provided further, that if, in the judgment of the public works supervisor, it is not expedient to replace the pavement over any cut or excavation made in any highways upon the completion of the work allowed under such permit, by reason of the looseness of the earth or weather conditions, he may direct the permittee to lay a temporary pavement of wood or other suitable material designated by him over such cut or excavation, to remain until such time as the repair of the original pavement may be properly made, and in case of the failure of the permittee to commence in good faith the replacing of such temporary pavement within five days after the date of such notice, the public works supervisor may lay such temporary pavement himself and collect the cost thereof from the permittee in the manner hereinbefore provided.

**12.08.360 Public works supervisor's inspection and fee.**

The public works supervisor shall make inspections to see that the provisions of this chapter are complied with and the expenses of the same shall be paid by the permittee upon a bill therefor being submitted by the public works supervisor to the city at the rate of three dollars per hour.

**12.08.370 Maintain drawings, plans, and profiles.**

Users of subsurface street space shall maintain accurate drawings, plans, and profiles showing the location and character of all underground structures, including abandoned installations. Corrected maps shall be filed with the public works supervisor within sixty days after new installations, changes or replacements are made.

**12.08.380 Compressor stations.**

Compressor stations shall not be over thirty feet in height and shall be of sound-proof masonry material. All machines shall be placed on a shock-absorbing mounting and on a suitable reinforced concrete footing to reduce vibration. Necessary silencers on the air-intake openings, sound insulations of the mufflers and other piping, and soundproofing of the interior of structures shall be provided. No machine shall be loaded beyond the capacity as prescribed by the manufacturer. No smoke or soot shall be permitted to emanate from the operation of the station. Noise, vibration, odors or other conditions which create nuisances shall not be permitted in compressor stations or regulators.

**12.08.390 Penalty for violations.**

Any person violating any of the provisions of this chapter is guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding three hundred dollars, or by imprisonment for a period not exceeding ninety days, or by both such fine and imprisonment.

**Section Two. Severability.** If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances is not affected.



**Section Three. Effective Date.** This Ordinance shall be in full force and effect five days after publication.

PASSED AND ADOPTED by the City Council of the City of Sedro-Woolley, State of Washington, on this \_\_\_ day of \_\_\_\_, 2022.

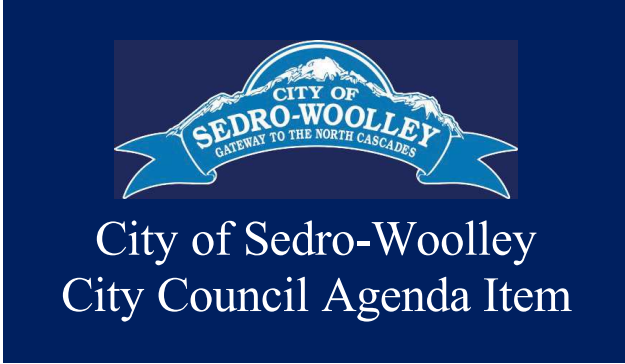
\_\_\_\_\_  
Julia Johnson, Mayor

ATTEST:

\_\_\_\_\_  
Kelly Kohnken, Finance Director

APPROVED AS TO FORM:

\_\_\_\_\_  
Nikki Thompson, City Attorney



Agenda  
Item No. \_\_\_\_\_  
Date: August 10, 2022  
Subject: Municipal Building Elevator  
Maintenance Contract Renewal

**FROM:**  
Nathan Salseina, Public Works Operations Division Supervisor

**RECOMMENDED ACTION:**  
Authorize the Mayor to enter into the attached 5 year maintenance agreement with Thyssen Krupp Elevator

**ISSUE:**  
Should the city enter into a new maintenance agreement for the routine maintenance and servicing of the elevator conveyance in the Municipal Building?

**BACKGROUND/SUMMARY INFORMATION:**  
The city is required by state law to provide for the routine inspection, testing, monitoring, and repairs for our elevator inside city hall. Work must be performed by a licensed contractor. Our current agreement with Thyssen Krupp Elevators expires at the end of 2022. Staff has reviewed the attached agreement and found that it meets and exceeds our current agreement. The new agreement satisfies competitive bidding requirements by utilizing a Sourcewell pre negotiated contract. Thyssen Krupp has provided outstanding service to the city for the duration of our previous agreement. The new agreement will begin on September 1st 2022

**FISCAL IMPACT, IF APPROPRIATE:**  
The proposed agreement will cost the city \$406.45 per month billed in quarterly installments with an estimated annual cost of \$4,877.40. This represents a \$46.60 per month increase over our current agreement, but includes the cost of a new category 5 mandatory testing requirement that will begin in October. Funding for this contract is budgeted in the Parks & Facilities Fund 101.

**ATTACHMENTS:**  
1. Sourcewell Contract

# Sourcewell Maintenance Agreement – #080420

## for the Protection of Vertical Transportation Equipment

- A. THIS AGREEMENT (hereinafter “Agreement”) made and entered into on this 1st day of September, 2022 by and between the City of Sedro Woolley, having an address of 325 Metacalf St-Sedro Woolly, Wa 98284-1007(hereinafter referred to as “Purchaser”), and, TK Elevator Corporation, a Delaware corporation, having an address of 3100 Interstate n Circle SE Atlanta, GA 30339 (hereinafter referred to as "Contractor"). In consideration of the mutual covenants contained herein, Contractor agrees to perform the services described herein and Purchaser or its members agree to pay the amounts described herein, all on the terms and conditions set forth in this Agreement.

WHEREAS,

- B. The Purchaser is engaged either as a real property owner or manager (or as a part in joint ventures or consortiums to that effect); and
- C. The Service Provider is engaged in the business of servicing and repairing elevators, escalators and other vertical transportation equipment.

NOW THEREFORE, the Parties hereto agree as follows:

### 1. BACKGROUND

The Purchaser and the Service Provider desire to enter into this Agreement as a long term commitment for the maintenance and repair of Purchaser’s vertical transportation equipment as further described in this Agreement. Under the Agreement the Purchaser may issue written requests to the Service Provider to provide certain vertical transportation maintenance services at locations controlled by Purchaser. The Agreement is to provide an umbrella for those location-specific written requests for vertical transportation maintenance services issued by the Purchaser.

### 2. GOVERNING DOCUMENTS

The following documents form and are an integral part of this Agreement and are to be taken as mutually explanatory of one another. In the case of any ambiguity or discrepancy between the documents forming the Agreement, then the priority of the documents will be in the order as listed below, unless otherwise agreed in writing between the parties:

- (a) Each individual location requirement (as specified at the time of ordering by the Purchaser). An Location requirement shall be considered “Accepted” if it is fully executed by a duly authorized representative of both the Purchaser and the Service Provider and provided to the Service Provider;
- (b) This Agreement;
- (c) Any other document mutually agreed and signed by the parties, forming part of this Agreement.

### 3. PERFORMANCE

Service Provider will provide the services and/or scope of work applicable to all vertical transportation equipment described on any fully executed and properly delivered Agreement (the “equipment”) on the terms and conditions set forth in this Agreement (the “Services”). The term “Property” hereinafter will refer to the real property of the Purchaser on which the equipment is located. Service Provider will use trained personnel directly employed and supervised by Service Provider or sub-contractors. They will be qualified to keep Purchaser’s equipment properly adjusted, and they will use all reasonable care to maintain that equipment in proper operating condition. Service Provider will regularly and systematically examine, adjust and lubricate as required, and, in Service Provider’s sole opinion, if conditions warrant, Service Provider will repair or replace all equipment parts and devices not specifically excluded by this Agreement.

The Services shall be performed in a diligent and first class manner, with quality supplies, materials, equipment and workmanship and in such a manner so as to minimize the possibility of any annoyance, interference, or disruption to tenants or other occupants of the Property and their invitees. Upon completion of the Services, Service Provider shall restore the Property to its original condition and shall leave the Property clean and free of all tools, equipment, waste materials and rubbish.

Service Provider will service Purchaser’s equipment and its component parts in their present condition with the understanding that Service Provider shall neither be required nor obligated to service, make renewals or repairs upon the equipment by reason of negligence, obsolescence, misuse of the equipment, loss of power, blown fuses, tripped stop switches, theft, vandalism, explosion, fire, power failure, water damage, storm, lightning, nuisance calls or by any other reason or any other cause beyond Service Provider’s control, except ordinary wear and tear from the commencement date of this agreement. With the passage of time, equipment technology and designs will change. If any part or component of any equipment described in a NFA cannot, in Service Provider’s sole opinion, be safely repaired and is no longer stocked and readily available from either the original equipment manufacturer or an aftermarket source, that part or component shall be considered obsolete. Purchaser will be responsible for all charges associated with replacing that obsolete part or component as well as all charges required to ensure that the remainder of the equipment is functionally compatible with that replacement part or component. In addition, Service Provider will not be required to make any changes or recommendations in the existing design or function of the unit(s) nor will Service Provider be obligated to install new attachments or parts upon the equipment as recommended or directed by insurance companies, governmental agencies or authorities, or any other third party. Any work not specifically covered under this agreement shall be at Purchaser’s sole expense.

The Service Provider may propose changes to the Services by informing the Purchaser in writing. To be binding, such changes must be approved by authorized representatives of both parties in writing. The Parties may also, at any time, agree to add new Services at agreed prices to be covered by this Agreement. To be binding, such additions must be approved by corresponding authorized representatives of both parties in writing.

**Pledge of Purchaser Satisfaction**

- 3.1 In the event that Purchaser elects to undertake an audit of the service provided under this Agreement and any Location(s) Agreement, such audit must be announced in writing at least ten (10) working days in advance. If any non-compliance is identified in writing to the Service Provider at the address set forth in this Agreement, whether pursuant to an audit or under any other circumstances, the Service Provider will begin to take appropriate measures to remedy such non-compliance within thirty (30) days thereafter.
- 3.2 The Purchaser and the Service Provider shall appoint appropriate personnel to meet regularly at local and global levels and at such intervals as is deemed necessary to enable the parties to discuss and review the performance of both parties of their respective obligations under this Agreement. The reviews will take place in order to:
  - a) Monitor the effectiveness and efficiency with which this Agreement is being implemented;
  - b) Agree to mutual objectives and timescales;
  - c) Assess the overall performance of this Agreement by each party;
  - d) Review business implications, targets and risks;
  - e) Review whether this Agreement is being conducted in the spirit it was intended; and
  - f) Assess, under this review process, the need to amend or update the performance criteria included in this Agreement.

**4. INDEPENDENT CONTRACTOR RELATIONSHIP:**

Service Provider shall assume all duties under this Agreement as an independent contractor, and shall not be deemed for any purpose to be an agent, servant, or representative of Purchaser. Purchaser shall have no direct control of Service Provider, its agents, or subcontractors in the performance of the work hereunder. Nothing contained herein shall be construed to be inconsistent with such independent contractor relationship.

**5. BY HIGHLY-TRAINED SERVICE PROVIDER PROFESSIONALS:**

Service Provider employs and supervises elevator technicians who are among the most trusted in the industry and who will provide all maintenance courteously and dependably. Service Provider's elevator technicians receive ongoing training in general equipment development as well as advancements made to Purchaser's specific equipment.

**6. ASSURANCE OF SERVICE PROVIDER'S STANDARD OF QUALITY:**

To help increase elevator performance and decrease downtime, Service Provider's technicians utilize the latest industry methods and technology available to Service Provider for Purchaser's specific brand of equipment. They will be equipped with the tools, documentation and knowledge to troubleshoot Purchaser's unique system.

Behind Service Provider's technicians is a team devoted to elevator excellence. Technicians are supported around the clock by a family of engineers and field support experts. Service Provider's International Technical Support facility in Texas continuously researches advancements in the industry and in Purchaser's equipment.

**7. EXTENT OF COVERAGE:**

Service Provider will perform the following Services with respect to any equipment described on any fully executed location requirement:

**7.1 TRACTION ELEVATORS:**

Service Provider agrees to and shall maintain the traction elevator equipment described on any Location Agreements on the following terms and conditions:

7.1.1 Service Provider will use trained employees directly employed and supervised by Service Provider. Such employees shall be qualified to keep the Equipment properly adjusted, and Service Provider will use all reasonable care to maintain the Equipment in proper and safe operating condition.

7.1.2 Service Provider will regularly and systematically examine, adjust, clean and lubricate the following as required, and if conditions warrant, repair or replace the same:

7.1.2a Machine worm gear, thrust bearings, drive sheave, drive sheave shaft bearings, brake pulley and brake coil, contact linings and component parts;

7.1.2b Motor and motor generator, motor windings, rotating element, commutator, brushes, brush holders and bearings;

7.1.2c Silicon control rectifiers, reactors, filters, heat sinks, amp traps, transducers, and all control components;

7.1.2d Controller, selector and dispatching equipment, leveling devices and cams, all relays, solid state components, resistors, condensers, transformers, contacts, leads, dash pots, timing devices, computer and micro computer devices, steel selector cable or tape, and mechanical and electrical driving equipment;

7.1.2e Governor, governor sheave and shaft assembly, bearings, contacts, and governor jaws;

7.1.2f Deflector or secondary sheave, bearings, car and counterweight guide rails, top and bottom limit switches, governor tension sheave assembly, compensating sheaves assembly, counterweight and counterweight guide shoes including rollers or gibs;

7.1.2g Hoistway door interlocks and hangers, bottom door guides and auxiliary door closing devices and all fastening devices and associated reinforcement in attached components;

7.1.2.h Hoistway entrance door sill areas beyond the entrance frame opening; will be cleaned.

7.1.2i Automatic power operated door operator, car door hanger, car door contact, door protective device, car ventilation system platform, load weighing equipment, car safety mechanism, elevator car guide shoes, gibs or roller;

7.1.3 Service Provider shall maintain the individual minimum performance standards defined below:

7.1.3a "Start to Stop Time" as measured from the moment the car begins motion till the time it stops for a single floor run.

7.1.3b "Door Open Time" as measured from the fully closed door position to a fully open stopped position.

7.1.3c "Door Close Time" as measured from the fully open door position to a fully closed stopped position. Door closing pressure shall not exceed 30 lbs.

7.1.3d "Leveling Accuracy" as measured from car sill to landing sill at a fully stopped position under all load conditions.

7.1.3e "Rated Speed" as the same shall be that noted and shall not vary by more than 5% regardless of direction or load.

7.1.4 Service Provider shall maintain the Rated Speed in feet per minute, the original performance time, including acceleration and retardation as designed and installed by the manufacturer and perform the necessary adjustments as required to maintain the original Door Open Time and Door Close Time, within limits of applicable codes, or to adjust and maintain revised Door Open Time and/or door close Time upon direction of Purchaser.

7.1.5 Service Provider shall maintain smooth ride quality, smooth acceleration and deceleration and comfortable stop.

7.1.6. Service Provider shall maintain positive and quiet door operation with rapid and smooth checking at limits of travel. Service Provider shall annually, check the group dispatching systems and make necessary tests to insure that all circuits and time settings are properly adjusted and that the system performs as designed and installed by the manufacturer or to adjust and maintain revised settings upon direction of Purchaser.

7.1.7 Service Provider shall examine periodically all safety devices and governors and conduct an annual no-load test.

7.1.8 Service Provider shall calibrate load-weighing devices to Purchaser's selected settings, after annual and, as applicable, five-year safety tests are conducted.

7.1.9 Service Provider shall renew all wire ropes as often as is necessary to maintain an adequate factor of safety; equalize the tension on all hoist and compensation ropes, lubricate ropes appropriately and when necessary remove all residue and accumulated deposits from the rope surface and shorten ropes and chains as required to provide legal and reasonable bottom clearances.

7.1.10 Service Provider shall repair or replace conductor cables and hoistway and machine room elevator wiring in such a way as to maintain the percentage of spare conductors present at the acceptance of the location requirement. In no case shall the number of spare conductors be less than 5%.

7.1.11 Service Provider shall furnish lubricants compounded to the manufacturer's rigid specifications.

7.1.12 Service Provider shall make other safety tests recommended or directed by all applicable governmental authorities in force at the time of the acceptance of the Agreement. Service Provider shall not be required to install new attachments on the elevators recommended or directed by insurance companies, or by governmental authorities, nor to make replacements with parts of a different design recommended or directed by insurance companies, or by governmental authorities.

7.1.13 Service Provider shall coordinate all testing requiring an independent witness or inspector with the Purchaser's appointed representative.

7.1.14 Service Provider shall not be required to make renewals or repairs necessitated by reason of Purchaser's negligence or Purchaser's misuse of the Equipment or by reason of any other cause beyond Service Provider's reasonable control except ordinary wear and tear.

7.1.15 Service Provider shall also maintain, and if conditions warrant, repair or replace the following auxiliary equipment:

7.1.15a All handicap devices;

7.1.15b All elevator related earthquake devices if applicable

7.1.16 Service Provider shall have no responsibility for the following items of Equipment, which are not included:

7.1.16a the finishing, repairing, or replacement of cab enclosure, hoistway door panels, door frames, sills, car flooring, floor covering, lighting fixtures, light bulbs and tubes, main line power switches, breaker, feeders to controller, alignment of elevator guide rails, smoke and fire sensors, fire service reports, air conditioners and all other items as set forth and excluded in this Agreement. Elevator signal light bulbs will be replaced during regular service calls.

7.2 HYDRAULIC ELEVATORS:

Service Provider agrees to and shall maintain the hydraulic elevator equipment described on any fully executed Location Agreements under the same terms and conditions described under 7.1 entitled "Traction Elevators," as the same are applicable to hydraulic elevators, with the following additions:

7.2.1 Service Provider shall have no responsibility for the following items of Equipment in addition to those listed in provision 7.1.16a above: the finishing, repairing, or replacement of cab enclosure, hoistway door panels, door frames, sills, car flooring, floor covering, lighting fixtures, light bulbs and tubes, main line power switches, breaker, feeders to controller, hydraulic elevator jack, hydraulic elevator outer casing, any type of underground piping or other material, alignment of elevator guide rails, smoke and fire sensors, fire service reports, air conditioners and all other items as set forth and excluded in this agreement. Elevator signal light bulbs will be replaced during regular service calls.

7.2.2 Filters, mufflers and muffler components are included.

7.2.3 Service Provider shall periodically examine all safety devices and conduct pressure tests and other tests required by ANSI A1 7.1 or other applicable codes.

7.2.4 Service Provider shall periodically conduct an inspection of hydraulic fluid to detect contaminants and assure proper viscosity, make necessary corrections and replace fluid as required and furnish hydraulic fluid compounded to the manufacturer's rigid specifications.

7.2.5 Service Provider shall clean excessive fluid leakage from pump pans, cylinder heads, machine room and pit floors.

7.3 ESCALATORS:

Service Provider agrees to and shall maintain the escalator equipment described on any Location Agreements under the same terms and conditions described under 7.1 entitled "Traction Elevators," as the same are applicable to escalators, with the following additions:

7.3.1. Controller, all relays, contacts, coils, resistance for operating and motor circuits, operating transformers and operating rectifier;

7.3.2 Handrail, handrail drive chains, handrail brush guards, handrail guide rollers, alignment devices, steps, step tread, step wheels, step chains, step axle bushings, comb plates, floor plates and tracks;

7.3.3 Upper drive, upper drive bearings, tension sprocket bearings, upper newel bearings, lower newel bearings;

7.3.4 All balustrade fastenings, deck and trim fastenings (screws, clips, etc.);

7.3.5 Skirt panels and panel finishes;

7.3.6 Escalator under-step lighting and balustrade panel and skirt lighting;

7.3.7 Upper and lower pit equipment spaces, pit lights, trusses and inclined truss pans.

7.3.8 Service Provider shall examine periodically (at intervals not longer than six months) all normal operating devices and equipment in accordance with ANSI A17.1, Section 1007 and conduct annual inspections and tests of all safety devices, brakes, step up thrust devices and governors in accordance with ANSI A17.1, Section 1008. If required, the governor will be calibrated and sealed for proper tripping speed.

7.3.9 Service Provider shall have no responsibility for the balustrade finishes, deck and trim finishes, wedge guards and exterior truss enclosures.

## 8. PARTS INVENTORY

Service Provider maintains a comprehensive parts inventory to support its field operations. Replacement parts are stored throughout North America in Service Provider's facilities and are normally available as necessary. Most specialized parts are available within 24 hours, seven days a week. All replacement parts used in Purchaser's vertical transportation equipment will be new or refurbished to meet the quality standards of Service Provider.

## 9. TESTING

Service Provider will, at its discretion and expense, perform governor and safety tests on traction elevators or annual relief pressure tests on hydraulic elevators per local and State codes. Service Provider assumes no responsibility for the operations of the governor or safety on traction elevators, or the hydraulic system on hydraulic elevators, under the terms of this Agreement until all applicable and governmentally-mandated tests have been made. Should the systems not meet applicable safety code requirements, it shall be the responsibility of the Purchaser, at its sole cost, to make necessary repairs and to place the equipment in a condition, which will be acceptable for coverage under the terms of this Agreement. Service Provider shall not be liable for damage to the building structure or the elevator resulting from any testing of any type or kind at any time.

## 10. COMPLIANCE WITH LAWS:

The rights and duties arising under this Agreement shall be governed by the laws of the State in which the Property is located. In performing the Services required under this Agreement, Service Provider shall comply with all applicable federal, state, county, and municipal statutes, ordinances and regulations. In the event that any portion of this Agreement is determined to be against public policy or statute, then all other provisions shall remain in full force and effect.

## 11. TERM:



Service under the terms and conditions of this Agreement shall be for an initial non-cancelable period of three ( 3 ) years commencing on the date specified in the fully executed Location(s) Agreement and shall automatically be renewed for successive three ( 3 ) year periods thereafter, unless either party timely serves written notice upon the other party of its intention to cancel at least ninety (90) days before the end of the initial three ( 3 ) year period, or ninety (90) days before the end of any subsequent three ( 3 ) renewal period. Time is of the essence.

**The term (length of contract) of maintenance agreements signed under the Sourcewell Contract may exceed the term of the Sourcewell Agreement. The terms and conditions of the Sourcewell Agreement in effect at the date the maintenance agreement is signed will remain in effect for the duration of members' local maintenance agreement. Maintenance Agreements can be as long as the Sourcewell members request provided they are in accordance with local laws and regulations.**

**12. AFTER HOURS WORK**

All Services are to be provided during Service Provider's regular working hours of its regular working days unless otherwise specified below.

For specified locations marked as "Gold" within the Exhibit "A", any overtime work requested by the Purchaser, Purchaser agrees to pay us overtime labor at our normal billing rates, including travel time, travel expenses, and time spent on the property.

For specified locations marked as "Platinum" within the Exhibit "A", any overtime work requested by the Purchaser, Purchaser agrees to pay us for the difference between regular and overtime labor at our normal billing rates, including travel time, travel expenses, and time spent on the property.

For specified locations marked as "Platinum Premier" within the Exhibit "A", for overtime calls involving one mechanic, Contractor will include our services at no additional cost.

**13. PRICING:**

Pricing (Please See Exhibit A) The Price of Service Provider's service as herein stated shall be specifically set forth on any fully executed Location Agreement(s), payable as agreed upon between the Service Provider and the Purchaser. Those prices are net of all taxes, duties and other levies. Those prices are valid for a period of one (1) year, commencing on the effective date of each respective Location(s) Agreement. Each such period of one year (365 consecutive days) shall be called a "Fixed Price Period". Since Service Provider's costs to provide Purchaser with the Services may increase, the Service Provider shall review and adjust the Monthly Payment Amount for each Location Agreement(s) at the end of each twelve (12) month period. Eighty percent (80%) of the Agreement price for each Location Agreement(s) shall be adjusted to reflect any increase in labor costs based on the straight time rate of elevator mechanics in the local area where the Property is located. The remaining twenty percent (20%) shall be adjusted to reflect any increase in material costs based on the Producer Price Index for Metals and Metal Products as published by the United States Department of Commerce, Bureau of Labor Statistics. However, in no event shall the total price escalations at the end of each twelve (12) month period be no more than four percent (4%) in any subsequent one (1) year period. Service Provider shall provide thirty (30) days advance written notice to Purchaser of all price adjustments referenced in this paragraph.

Should equipment covered by any Location Agreement be modified by the Purchaser during the pendency of any Location Agreement the parties will endeavor to reach a written agreement on a modified price for the Services applicable to that equipment. Should those parties fail to reach a written agreement on a modified price then that equipment will be removed from the applicable Location Agreement and the applicable Purchaser shall remain financially responsible to the Service Provider for the Service Provider's lost profits associated with the Services originally designated for that piece of equipment at the original, agreed-to price for the remaining term of the applicable Location Agreement. The price is subject to increase in the event the existing equipment is modified from its present state. A service charge of 1 1/2% per month, or the highest legal rate, whichever is less, shall apply to delinquent accounts. Time is of the essence.

**14. INSURANCE REQUIREMENTS:**

At its sole expense, Service Provider shall carry and maintain throughout the term of any fully executed Location Agreement the insurance described below. The all risk and liabilities policies must each contain a provision by which the insurer agrees that such policy shall not be canceled except after thirty (30) days written notice to Purchaser.

Before the commencement of the Services, Service Provider shall submit to Purchaser a Certificate of Insurance showing that all insurance requirements have been met. If any policy expires during the term of any fully executed Location Agreement(s), it shall automatically be renewed and a new Certificate of Insurance shall be sent immediately to Purchaser.

**Workers' Compensation Statutory Limits**

Employer's Liability	\$1,000,000 each accident \$1,000,000 policy limit-disease \$1,000,000 disease-each employee
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**General Liability**

This shall include all major divisions of coverage and be on a commercial occurrence form. It shall include premises operations, products and completed operations, contractual, and personal injury.

Limits Primary:	\$2,000,000 each occurrence – BI & PD \$2,000,000 general aggregate \$2,000,000 personal injury & adv. Injury
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**Automobile Liability and Property Damage**

This shall be on an occurrence basis with a combined single limit of \$2,000,000. It shall include all automobiles owned, leased, hired or non-owned.

**15. PURCHASER RESPONSIBILITIES:**

*Product Information.* Purchaser agrees to provide Service Provider with current wiring diagrams that reflect all changes, parts catalogs, and maintenance instructions for the equipment covered by this agreement. Purchaser agrees to authorize Service Provider to produce single copies of any programmable device(s) used in the equipment for the purpose of archival back up of the software embodied therein. These items will remain Purchaser's property.

*Safety.* Purchaser agrees to instruct or warn passengers in the proper use of the equipment and to keep the equipment under continued surveillance by competent personnel to detect irregularities between elevator examinations. Purchaser agrees to report immediately any condition that may indicate the need for correction before the next regular examination. Purchaser agrees to shut down the equipment immediately upon manifestation of any irregularities in operation or appearance of the equipment, notifying Service Provider at the address and phone number listed on any fully executed Location(s) Agreement at once, and written notice within ten (10) days after any occurrence or accident in or about the elevator. Purchaser agrees to provide Service Provider's personnel a safe place in which to work. Service Provider reserves the right to discontinue work in the building whenever, in Service Provider's sole opinion, Service Provider's personnel do not have a safe place in which to work. Purchaser agrees to provide a suitable machine room including secured doors, waterproofing, lighting, ventilation and heat to maintain the room at a temperature of 50°F minimum to 90°F maximum. Purchaser also agrees to maintain the elevator pit in a dry condition at all times. Should water or other liquids become present, Purchaser will contract with others for removal and the proper handling of such liquids.

*Other.* Purchaser agrees not to permit others to make alterations, additions, adjustment, or repairs or replace any component or part of equipment during the term of any fully executed Location(s) Agreement. Purchaser agrees to accept Service Provider's judgment as to the means and methods to be employed for any corrective work under this agreement. In the event of the sale, lease or other transfer of the elevator(s) or equipment

described in any fully executed Location(s) Agreement, or the premises in which they are located, Purchaser agrees to see that such successor is made aware of that Location(s) Agreement and assumes and agrees to be bound by the terms of those documents for the balance of the Location(s) Agreement, and subject to termination herein provided, or otherwise be liable for the full unpaid balance due for the full unexpired term of the Location(s) Agreement.

*Items Not Covered.* Service Provider does not cover cosmetic, construction, or ancillary components of the elevator system, including the finishing, repairing or replacement of the cab enclosure, ceiling frames, panels, and/or fixtures, hoistway door panels, door frames, sills, car flooring, floor covering, lighting fixtures, ceiling light bulbs and tubes, main line power switches, breaker(s), feeders to controller, hydraulic elevator jack outer casing, buried piping, alignment of elevator guide rails, smoke and fire sensors, fire service reports, intercommunication devices, security systems not installed by Service Provider, batteries for emergency lighting and lowering, air conditioners, heaters, ventilation fans and all other items as set forth and excluded in this Agreement.

## 16. EXCLUSIVITY

This Agreement is an exclusive frame agreement, which means that the Purchaser only undertakes to buy the Services, or parts thereof, from the Service Provider from the date that this Agreement is fully executed.

## 17. EXCUSABLE DELAYS

The Service Provider shall not be liable for delay in performing or for failure to perform its obligations under this Agreement or any location requirement if such delay or failure results from any of the following causes: (i) Acts of God, (ii) the act of any government or authority (including the denial or cancellation of any export license or other necessary license), (iii) the outbreak of wars, terrorism, insurrections, (iv) fire, explosion, flood (v) and strike, lock-out or other industrial action which is beyond the Service Provider's control or (vi) any other cause of any nature which is beyond the applicable Service Provider's control.

## 18. TERMINATION AND REMEDIES

18.1 The Service Provider has the right (but not the obligation) to terminate this Agreement or any location Agreement with 30 day's prior written notice in case of the Purchaser's failure to comply with any terms of this Agreements or any Location Agreement. Termination of a Location(s) Agreement shall not have effect on other existing Locations associated with this Agreement, which shall be completed in accordance with these terms and conditions. If such failure is remedied within the said 30 days period, this right to terminate shall expire.

18.2 The provisions of this Agreement, and the right and remedies of a party in the event of the other party's breach under this Agreement (including the breach of any warranty) are cumulative and are without prejudice to all other rights and remedies available to it and may have at law or otherwise; no exercise by a party of any one right or remedy under this Agreement, or at law or otherwise, shall operate so as to hinder or prevent the exercise of any other such right or remedy. However, in no event shall one party to this Agreement be liable to the other party for any indirect or consequential loss or damage, including but not limited to loss of profit, loss of production, loss of interest or otherwise, which may be suffered by the other party in connection with the entering into or operation of this Agreement.

## 19. ASSIGNMENT

Purchaser may not assign, transfer, novate, sub-contract or otherwise dispose of any of its rights and obligations under this Agreement without the prior written consent of the Service Provider. Notwithstanding the above, Service Provider may without the consent of the Purchaser; use subcontractors for the performance of any Services purchased by the Purchaser under this Agreement or a local agreement. The use of subcontractors to provide Services shall in no way relieve the Service Provider of its responsibilities and obligations towards the Purchaser under this Agreement or a local agreement.

## 20. HEALTH & SAFETY, ENVIRONMENTAL AND QUALITY

The Service Provider and the Purchaser shall work towards the prevention of accidents aiming for zero accidents and the creation of a safer work environment.

**21. ETHICAL COMMITMENT**

The Service Provider has an extensive corporate compliance program and its employees are expected to maintain the highest level of ethical and legal conduct at all times during the term of the Agreement and expects the Purchaser to act in a like manner. Should the Purchaser suspect that the Service Provider or its employees have engaged in any illegal or unethical conduct, such suspicions must be reported through the Service Provider's toll-free compliance hotline at 1-866-572-1739.

**22. MISCELLANEOUS**

22.1 The headings in this Agreement shall not affect its interpretation.

22.2 Throughout this Agreement, whenever required by context, the use of the singular number shall be construed to include the plural, and the use of the singular number shall be construed to include the plural, and the use of the plural the singular, and the use of any gender shall include all genders.

22.3 Should any term or provision in this Agreement shall be held to be illegal or unenforceable, in whole or in part, under any enactment or rule of law, such term or provision or part shall to that extent be deemed not to form part of this Agreement but the validity and enforceability of the remainder of this Agreement shall not be affected.

22.4 The waiver or forbearance or failure of a party in insisting in any one or more instances upon the performance of any provision of this Agreement shall not be construed as a waiver or relinquishment of that party's right to future performance of such provision and the other party's obligations in respect of such future performance shall continue in full force and effect.

22.5 In the event a third party is retained to enforce, construe or defend any of the terms and conditions of this Agreement or to collect any monies due thereunder, either with or without litigation, the prevailing party shall be entitled to recover all costs and reasonable attorney's fees.

22.6 Purchaser hereby waives trial by jury and agrees that this Agreement and any applicable Location(s) Agreement shall be construed and enforced in accordance with the laws of the state where the equipment described on the applicable Location(s) Agreement is located. Purchaser further agrees to jurisdiction of the courts, both state and Federal, of the state in which the equipment set forth on the applicable Location(s) Agreement is located as to all matters and disputes arising out of this that Location(s) Agreement.

22.7 The liability of the Service Provider under this Agreement shall not exceed the value of the Services remaining on the then current and unexpired term of the applicable Location(s) Agreement.

22.8 This Agreement supersedes all prior oral or written agreement between the Service Provider and the Purchaser and constitutes the entire agreement between the parties with respect to the services and work performed hereunder.

**23 NOTICES:**

Every notice or other communication to be given by either party to the other with respect to this Agreement(s), shall be given by personal delivery, by facsimile or by United States registered or certified mail postage prepaid, return receipt requested, addressed as hereinafter provided. Except as otherwise specified herein, the time period in which a response to any notice or other communication must be made, if any, shall commence to run on the earliest to occur of (a) if by personal delivery, the date of receipt, or attempted delivery, if such communication is refused; (b) if given by teletype, the date on which such teletype is transmitted and confirmation of delivery, or attempted delivery, thereof is received; and (c) if sent by mail (as aforesaid), the date of receipt or delivery is refused. Until further notice, notices and other communications under this Agreement shall be addressed to the parties at:

**FILL IN THE CONTACT INFORMATION FOR USA OPERATIONS FOR PURCHASER HERE**

TK Elevator Corporation  
3100 Interstate N Circle SE Suite 500  
Atlanta, GA 30339  
Attn: International Account Contract Administrator

This Agreement has been prepared in duplicate, of which each party has received a copy.

TK Elevator: Opportunity ID:

ACCEPTED:

**SEDRO WOOLLEY MUNICIPAL BUILDING**

**TK ELEVATOR CORP.**

BY: \_\_\_\_\_  
Signature of Authorized Individual

BY: \_\_\_\_\_  
DocuSigned by:  
*Brent Harrison*  
5D9AC2009BC6496...

TITLE: \_\_\_\_\_

TITLE: \_\_\_\_\_  
Branch Manager

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

DATE: \_\_\_\_\_  
7/27/2022

**TK ELEVATOR CORP. APPROVAL:**

BY: \_\_\_\_\_  
Mark Hintz

TITLE: \_\_\_\_\_  
V P Contracts

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

**Exhibit "A"**  
**Property list/Location**  
**Contract Type and Price**

**Location Name: Sedro Woolley Municipal Building**

**Location Address: 325 Metcalf St-Sedro Woolley, WA 98284-1007**

**Entity Code**

**Unit Count: 1**

**Unit Type: Hydraulic**

**Contract Type: Gold**

**Contract Price: \$359.79**

**Contract Term: September 1<sup>st</sup>, 2022- August 31<sup>st</sup>, 2025**

**Billing Frequency: Quarterly**

**Option to include the new Category 5 testing that is mandatory and will be due in October of 2022. This will add in \$46.66 per month to the above price and cover the Category 5 test. Please initial here \_\_\_\_\_ to select this option.**



Agenda  
Item No. \_\_\_\_\_  
Date: August 10, 2022  
Subject: Check Register - Off-Cycle

**FROM:**

Kelly Kohnken, Finance Director

**RECOMMENDED ACTION:**

Review Only

**ISSUE:**

**BACKGROUND/SUMMARY INFORMATION:**

Claims Check #198121, plus EFTs were paid off-cycle on August 2, 2022

**FISCAL IMPACT, IF APPROPRIATE:**

Claims Check, plus EFTs paid totaled \$592,756.81

**ATTACHMENTS:**

1. Off-Cycle Check Run 08-02-2022

# CHECK REGISTER

City Of Sedro-Woolley

Time: 10:31:46 Date: 08/02/2022

08/02/2022 To: 08/02/2022

Page: 1

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
<b>7554</b>	<b>08/02/2022</b>	<b>Claims</b>	<b>2</b>	<b>EFT</b>	<b>Public Utility Dis No1</b>	<b>75.37</b>	
			401 - 535 80 47 000 - Public Utilities			75.37	
<b>7555</b>	<b>08/02/2022</b>	<b>Claims</b>	<b>2</b>	<b>EFT</b>	<b>Public Utility Dis No1</b>	<b>81.56</b>	
			401 - 535 80 47 000 - Public Utilities			81.56	
<b>7556</b>	<b>08/02/2022</b>	<b>Claims</b>	<b>2</b>	<b>EFT</b>	<b>Public Utility Dis No1</b>	<b>75.37</b>	
			101 - 576 80 47 053 - Other Utilities			75.37	
<b>7557</b>	<b>08/02/2022</b>	<b>Claims</b>	<b>2</b>	<b>EFT</b>	<b>Public Utility Dis No1</b>	<b>181.18</b>	
			001 - 522 50 47 000 - Utility Services			181.18	
<b>7558</b>	<b>08/02/2022</b>	<b>Claims</b>	<b>2</b>	<b>EFT</b>	<b>Public Utility Dis No1</b>	<b>75.37</b>	
			001 - 522 50 47 000 - Utility Services			75.37	
<b>7559</b>	<b>08/02/2022</b>	<b>Claims</b>	<b>2</b>	<b>EFT</b>	<b>Public Utility Dis No1</b>	<b>67.96</b>	
			001 - 522 50 47 000 - Utility Services			67.96	
<b>7564</b>	<b>08/02/2022</b>	<b>Claims</b>	<b>2</b>	<b>EFT</b>	<b>Pitney Bowes</b>	<b>1,200.00</b>	
			001 - 512 50 42 010 - Postage			308.46	
			001 - 514 23 42 010 - Postage			342.94	
			001 - 521 20 42 010 - Postage			54.18	
			001 - 522 20 42 010 - Postage			1.85	
			001 - 524 20 42 000 - Postage			5.54	
			425 - 531 50 31 000 - Operating Supplies			19.02	
			401 - 535 80 42 015 - Postage			247.33	
			102 - 536 20 42 010 - Postage			13.55	
			412 - 537 80 42 010 - Postage			114.15	
			001 - 558 60 42 010 - Postage			91.13	
			001 - 595 10 42 000 - Postage			1.85	
<b>7560</b>	<b>08/02/2022</b>	<b>Claims</b>	<b>2</b>	<b>198121</b>	<b>Skagit Cnty Superior Court</b>	<b>591,000.00</b>	
			104 - 595 20 63 082 - RW Trail Road Extension			591,000.00	
						1,130.46	
						75.37	
						13.55	
						591,000.00	
						404.26	
						114.15	
						19.02	
						592,756.81	Claims: 592,756.81



**CHECK REGISTER**

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
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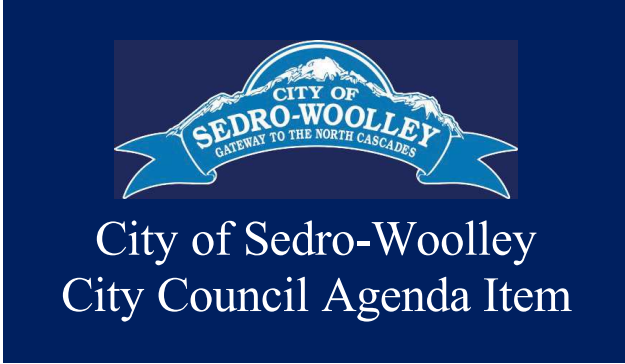
CERTIFICATION: I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described, or that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, 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 Date

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

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



Agenda  
Item No. \_\_\_\_\_  
Date: August 10, 2022  
Subject: Check Register - Scheduled

**FROM:**  
Kelly Kohnken, Finance Director

**RECOMMENDED ACTION:**  
Review only.

**ISSUE:**

**BACKGROUND/SUMMARY INFORMATION:**  
Claims Checks #198122 through #198182, plus EFTs, dated for August 10, 2022. Payroll Checks #60729 through #60740, plus EFT's.

**FISCAL IMPACT, IF APPROPRIATE:**  
Claims Checks, plus EFTs total \$1,455,956.33. Payroll Checks, plus EFT's total \$738,964.60.

**ATTACHMENTS:**  
1. Check Register 08-10-2022

# CHECK REGISTER

City Of Sedro-Woolley

Time: 09:02:48 Date: 08/03/2022

08/10/2022 To: 08/10/2022

Page: 1

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
<b>7697</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>EFT</b>	<b>Comcast</b>	<b>0.38</b>	
					001 - 518 80 42 021 - Internet Services	0.38	
<b>7698</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>EFT</b>	<b>FirstNET/AT&amp;T Mobility</b>	<b>46.05</b>	
					001 - 518 80 42 020 - Telephone	46.05	
<b>7699</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>EFT</b>	<b>Cellco Partnership dba Verizon Wireless</b>	<b>3,792.48</b>	
					001 - 513 10 42 020 - Telephone	154.14	
					001 - 514 23 42 020 - Telephone	74.30	
					001 - 518 80 42 020 - Telephone	164.32	
					001 - 521 20 42 020 - Telephone	1,011.78	
					001 - 522 20 42 020 - Telephone	196.76	
					001 - 524 20 42 020 - Telephone	82.16	
					401 - 535 80 42 030 - Cell Phones	947.19	
					102 - 536 20 42 020 - Telephone	124.31	
					412 - 537 80 42 025 - Cell Phones	295.05	
					103 - 542 30 42 020 - Telephone	233.44	
					001 - 558 60 42 020 - Telephone	82.16	
					101 - 576 80 42 020 - Telephone	300.42	
					001 - 595 10 42 025 - Cell Phones	126.45	
<b>7700</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>EFT</b>	<b>Cellco Partnership dba Verizon Wireless</b>	<b>1,321.71</b>	
					001 - 521 20 42 020 - Telephone	881.58	
					001 - 522 20 42 020 - Telephone	400.12	
					101 - 576 80 42 020 - Telephone	40.01	
<b>7701</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198122</b>	<b>A WorkSAFE Service, Inc.</b>	<b>55.00</b>	
					001 - 514 23 49 000 - Miscellaneous	55.00	
<b>7702</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198123</b>	<b>Allelujah Business Systems</b>	<b>56.38</b>	
					001 - 521 20 31 002 - Office/Operating Supplies	56.38	
<b>7703</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198124</b>	<b>Aramark Uniform &amp; Career Apparel Group</b>	<b>56.00</b>	
					401 - 535 80 49 000 - Laundry	14.20	
					401 - 535 80 49 000 - Laundry	14.20	
					102 - 536 20 49 030 - Misc-laundry	1.04	
					102 - 536 20 49 030 - Misc-laundry	1.04	
					412 - 537 80 49 000 - Misc-Laundry	3.97	
					412 - 537 80 49 000 - Misc-Laundry	3.97	
					103 - 542 30 49 000 - Misc-Laundry	8.79	
					103 - 542 30 49 000 - Misc-Laundry	8.79	
<b>7704</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198125</b>	<b>Baker Septic Tank Pumping Inc.</b>	<b>89.03</b>	
					101 - 576 80 47 090 - Portable Toilets	89.03	
<b>7705</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198126</b>	<b>Beaver Lake Quarry</b>	<b>4,297.73</b>	
					412 - 537 50 48 010 - Repairs/Maint-Building	4,297.73	Basset Road
<b>7706</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198127</b>	<b>Bio Bug Northwest, Inc</b>	<b>200.91</b>	
					001 - 521 20 41 001 - Professional Services	200.91	
<b>7707</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198128</b>	<b>Boulder Park Inc</b>	<b>14,809.88</b>	
					401 - 535 80 35 020 - Solids Handling	14,809.88	
<b>7708</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198129</b>	<b>C.Hlth130, dba Cardinal Health 112 LLC</b>	<b>242.04</b>	
					001 - 522 21 31 000 - Operating Supplies - Medical	133.90	
					001 - 522 21 31 000 - Operating Supplies - Medical	108.14	
<b>7709</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198130</b>	<b>Charter Machine Corp.</b>	<b>1,788.29</b>	
					401 - 535 50 48 050 - Maint Of General Equip	1,788.29	
<b>7710</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198131</b>	<b>ChemsearchFE</b>	<b>1,251.56</b>	

# CHECK REGISTER

City Of Sedro-Woolley

Time: 09:02:48 Date: 08/03/2022

08/10/2022 To: 08/10/2022

Page: 2

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
			501 - 548 30 31 000 - Operating Supplies			1,251.56	
<b>7711</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198132</b>	<b>Clary Longview LLC</b>	<b>47,156.17</b>	
			501 - 594 21 64 501 - Vehicles - Police			47,156.17	
<b>7712</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198133</b>	<b>Crawford Garage Doors Inc</b>	<b>1,677.87</b>	
			001 - 522 50 48 020 - Repair/Maint-Garage			1,677.87	
<b>7713</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198134</b>	<b>David Danielson</b>	<b>140.00</b>	
			101 - 362 40 10 000 - Space Rent-RV Park - Riverfron			-140.00	
<b>7714</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198135</b>	<b>Databar, Inc</b>	<b>2,673.87</b>	
			425 - 531 50 42 010 - Postage			106.95	
			401 - 535 80 42 015 - Postage			1,738.02	
			412 - 537 80 42 010 - Postage			828.90	
<b>7715</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198136</b>	<b>E &amp; E Lumber, Inc.</b>	<b>1,510.76</b>	
			401 - 535 50 48 060 - Maintenance Of Buildings			467.59	
			401 - 535 50 48 060 - Maintenance Of Buildings			93.41	
			401 - 535 50 48 060 - Maintenance Of Buildings			13.75	
			401 - 535 50 48 060 - Maintenance Of Buildings			18.16	
			401 - 535 80 31 010 - Operating Supplies			27.13	
			103 - 542 30 31 000 - Operating Supplies			35.44	
			103 - 542 30 31 000 - Operating Supplies			33.35	
			103 - 542 30 31 000 - Operating Supplies			29.77	
			101 - 576 80 31 005 - Operating Sup - Senior Ctr			41.69	
			101 - 576 80 31 006 - Operating Sup - City Hall			24.74	
			101 - 576 80 31 009 - Operating Sup - Bingham Park			57.26	
			101 - 576 80 48 001 - Riverfront			410.33	
			101 - 576 80 48 001 - Riverfront			107.72	
			101 - 576 80 48 009 - Hammer Square			150.42	
<b>7716</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198137</b>	<b>Eagle Engraving Inc.</b>	<b>221.95</b>	
			001 - 521 20 26 000 - Uniforms/Accessories			221.95	
<b>7717</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198138</b>	<b>Eco Analysts Inc.</b>	<b>7,392.00</b>	
			401 - 535 80 41 000 - Professional Services			5,068.00	
			401 - 535 80 41 000 - Professional Services			2,324.00	
<b>7718</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198139</b>	<b>Edge Analytical Inc</b>	<b>58.00</b>	
			401 - 535 80 41 000 - Professional Services			58.00	
<b>7719</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198140</b>	<b>Faber Construction Corp</b>	<b>1,035,677.63</b>	
			505 - 594 35 60 010 - Const - WWTP Lab/Ops Bldg			258,919.41	
			505 - 594 48 60 010 - Const - PW Building			776,758.22	
<b>7720</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198141</b>	<b>Fairhaven Associates</b>	<b>100.00</b>	
			001 - 322 10 01 000 - Planning Permits			-100.00	
<b>7721</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198142</b>	<b>Humane Society Of Skagit</b>	<b>445.00</b>	
			001 - 521 20 41 021 - Humane Society			445.00	
<b>7722</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198143</b>	<b>JB Asphalt</b>	<b>15,359.74</b>	
			104 - 595 30 63 044 - Const-Wicker Rd Overlay			15,359.74	
<b>7723</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198144</b>	<b>Jacobson, Betts and Company</b>	<b>3,907.00</b>	
			001 - 513 10 41 001 - Professional Services			3,907.00	
<b>7724</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198145</b>	<b>Janicki General Contracting LLC</b>	<b>1,577.30</b>	
			001 - 345 83 00 003 - Building Review Fees			-1,552.30	
			635 - 389 30 04 635 - State Surcharge/Building Code			-25.00	
<b>7725</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198146</b>	<b>Labconco Corporation</b>	<b>285.70</b>	
			401 - 535 80 31 010 - Operating Supplies			285.70	
<b>7726</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198147</b>	<b>Lakeside Industries, Inc.</b>	<b>4,753.55</b>	

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
			103 - 595 30 63 020		Resurfacing Projects	4,368.41	
			103 - 595 30 63 020		Resurfacing Projects	385.14	
<b>7727</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198148</b>	<b>Lenz Enterprises, Inc</b>	<b>3,132.77</b>	
			412 - 537 60 47 021		Curbside Yard Waste Disposal	172.10	
			412 - 537 60 47 021		Curbside Yard Waste Disposal	1,654.74	
			412 - 537 60 47 021		Curbside Yard Waste Disposal	242.55	
			412 - 537 60 47 021		Curbside Yard Waste Disposal	1,063.38	
<b>7728</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198149</b>	<b>Life Assist Inc.</b>	<b>610.30</b>	
			001 - 522 21 31 000		Operating Supplies - Medical	610.30	
<b>7729</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198150</b>	<b>N C Machinery Co</b>	<b>1,827.48</b>	
			412 - 537 50 48 000		Repairs/maint-equip	1,827.48	Unit 524
<b>7730</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198151</b>	<b>Walter E Nelson Co. of N. WA</b>	<b>1,385.84</b>	
			101 - 576 80 31 005		Operating Sup - Senior Ctr	798.63	
			101 - 576 80 31 006		Operating Sup - City Hall	587.21	
<b>7731</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198152</b>	<b>Nelson Dist, Inc. dba Nelson Petroleum</b>	<b>540.11</b>	
			001 - 522 20 32 000		Auto Fuel/Diesel	129.76	
			425 - 531 50 32 000		Vehicle Fuel	59.26	
			412 - 537 80 32 000		Auto Fuel/Diesel	351.09	
<b>7732</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198153</b>	<b>Nordic Temperature Control</b>	<b>3,090.53</b>	
			101 - 576 80 48 016		City Hall	3,090.53	
<b>7733</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198154</b>	<b>North Hill Resources Inc</b>	<b>1,225.00</b>	
			412 - 537 60 47 020		Site Yard Waste Disposal	1,225.00	Site yard waste
<b>7734</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198155</b>	<b>Northwind Fence Company</b>	<b>6,894.80</b>	
			001 - 594 22 61 003		Fire Training Facility Improvem	1,346.80	
			101 - 594 76 61 000		Riverfront Park	1,781.03	
			101 - 594 76 61 000		Riverfront Park	3,766.97	
<b>7735</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198156</b>	<b>P &amp; P Excavating, LLC</b>	<b>23,207.03</b>	
			401 - 535 50 48 010		Maintenance Of Lines	15,471.36	
			425 - 594 31 63 000		Collection System	7,735.67	
<b>7736</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198157</b>	<b>PB Parent Holdco, LP dba</b>	<b>557.90</b>	
			001 - 521 20 41 001		Professional Services	-42.75	
			001 - 521 20 41 001		Professional Services	-140.78	
			401 - 535 80 35 010		Safety Equipment	304.68	
			412 - 537 80 31 000		Operating Supplies	222.85	
			103 - 542 30 31 000		Operating Supplies	145.69	
			101 - 576 80 31 006		Operating Sup - City Hall	140.04	
			101 - 576 80 31 006		Operating Sup - City Hall	-71.83	
<b>7737</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198158</b>	<b>Pape' Group, dba Pape' Machinery Inc.</b>	<b>429.97</b>	
			412 - 537 80 31 000		Operating Supplies	4.54	
			412 - 537 80 31 000		Operating Supplies	238.73	
			101 - 576 80 48 021		Equipment	95.48	Parks implements
			101 - 576 80 48 021		Equipment	91.22	Unit 122
<b>7738</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198159</b>	<b>Kyle Pfluger</b>	<b>759.50</b>	
			101 - 576 80 48 004		Community Center	379.75	
			101 - 576 80 48 005		Senior Center	379.75	
<b>7739</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198160</b>	<b>Protek, Inc. dba</b>	<b>105.40</b>	
			001 - 521 20 48 010		Repair & Maint - Auto	105.40	
<b>7740</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198161</b>	<b>Puget Sound Energy</b>	<b>38,826.23</b>	
			001 - 521 20 47 000		Public Utilities	29.24	
			001 - 521 20 47 000		Public Utilities	243.07	

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
			425 - 531 50 47 000 - Public Utilities			29.87	
			425 - 531 50 47 000 - Public Utilities			70.43	
			401 - 535 80 47 000 - Public Utilities			93.58	
			401 - 535 80 47 000 - Public Utilities			55.78	
			401 - 535 80 47 000 - Public Utilities			152.71	
			401 - 535 80 47 000 - Public Utilities			147.08	
			401 - 535 80 47 000 - Public Utilities			177.50	
			401 - 535 80 47 000 - Public Utilities			117.21	
			401 - 535 80 47 000 - Public Utilities			11,840.78	
			401 - 535 80 47 000 - Public Utilities			348.10	
			401 - 535 80 47 000 - Public Utilities			246.25	
			401 - 535 80 47 000 - Public Utilities			139.19	
			102 - 536 20 47 000 - Public Utilities			34.64	
			412 - 537 80 47 000 - Public Utilities			113.26	
			103 - 542 63 47 000 - Public Utilities			94.52	
			103 - 542 63 47 000 - Public Utilities			137.66	
			103 - 542 63 47 000 - Public Utilities			58.31	
			103 - 542 63 47 000 - Public Utilities			20,255.76	
			103 - 542 63 47 000 - Public Utilities			72.28	
			101 - 576 80 47 000 - Riverfront			12.45	
			101 - 576 80 47 000 - Riverfront			346.23	
			101 - 576 80 47 000 - Riverfront			100.06	
			101 - 576 80 47 000 - Riverfront			11.20	
			101 - 576 80 47 010 - Community Center			227.25	
			101 - 576 80 47 020 - Senior Center			316.15	
			101 - 576 80 47 030 - Museum Apartments			13.00	
			101 - 576 80 47 030 - Museum Apartments			9.87	
			101 - 576 80 47 030 - Museum Apartments			11.40	
			101 - 576 80 47 040 - Train			14.25	
			101 - 576 80 47 050 - Hammer Square			120.53	
			101 - 576 80 47 051 - Bingham / Memorial			84.92	
			101 - 576 80 47 051 - Bingham / Memorial			128.08	
			101 - 576 80 47 052 - Bingham Caretaker			100.79	
			101 - 576 80 47 053 - Other Utilities			12.00	
			101 - 576 80 47 053 - Other Utilities			42.12	
			101 - 576 80 47 070 - City Hall			2,818.71	
<b>7741</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198162</b>	<b>Quiring Monuments Inc</b>	<b>275.00</b>	
					102 - 536 20 34 000 - Liners	275.00	
<b>7742</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198163</b>	<b>Red's Mobile 24-Hour Truck &amp; Equip Repai</b>	<b>1,374.95</b>	
					412 - 537 50 48 000 - Repairs/maint-equip	1,374.95	Unit 520
<b>7743</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198164</b>	<b>Kevin Rogerson</b>	<b>300.00</b>	
					001 - 512 50 41 010 - Municipal Court Judge	300.00	
<b>7744</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198165</b>	<b>SBA Structures, LLC</b>	<b>552.65</b>	
					001 - 591 28 70 001 - Lease - SBA	276.33	
					401 - 591 28 70 401 - Lease - SBA	276.32	
<b>7745</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198166</b>	<b>Sedro-Woolley Auto Parts Inc</b>	<b>230.04</b>	
					412 - 537 50 48 000 - Repairs/maint-equip	154.79	Unit 520
					412 - 537 80 31 000 - Operating Supplies	52.78	
					412 - 537 80 31 000 - Operating Supplies	9.44	
					103 - 542 30 31 000 - Operating Supplies	13.03	
<b>7746</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198167</b>	<b>Skagit Cnty District Court</b>	<b>2,165.15</b>	
					001 - 512 50 41 020 - Municipal Court Prob.	915.15	
					001 - 512 50 41 020 - Municipal Court Prob.	1,250.00	
<b>7747</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198168</b>	<b>Skagit Cnty Public Works</b>	<b>65,676.58</b>	
					412 - 537 60 47 000 - Solid Waste Disposal	65,676.58	Solid waste disposal
<b>7748</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198169</b>	<b>Skagit Cnty Treasurer</b>	<b>48.21</b>	

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
			635 - 589 30 05 635		County Crime Victim Witness P	48.21	
<b>7749</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198170</b>	<b>Skagit Cnty Treasurer</b>	<b>61,191.05</b>	
			114 - 523 60 41 022		Jail Sales Tax Pass Through 2/10	61,191.05	
<b>7750</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198171</b>	<b>Skagit Farmers Supply</b>	<b>268.13</b>	
			401 - 535 50 48 060		Maintenance Of Buildings	34.97	
			401 - 535 80 31 010		Operating Supplies	24.97	
			401 - 535 80 31 010		Operating Supplies	103.56	
			412 - 537 80 31 000		Operating Supplies	47.11	
			103 - 542 30 48 010		Repair/Maintenance-Equip	14.11	
			101 - 576 80 31 005		Operating Sup - Senior Ctr	43.41	
<b>7751</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198172</b>	<b>Skagit Regional Health</b>	<b>158.00</b>	
			001 - 522 20 41 010		Prof Service-Medical Exams	158.00	
<b>7752</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198173</b>	<b>Jessica Sweitzer</b>	<b>92.30</b>	
			412 - 537 80 31 000		Operating Supplies	92.30	
<b>7753</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198174</b>	<b>Paul Taylor</b>	<b>60.53</b>	
			001 - 521 20 27 000		Retired Medical	60.53	
<b>7754</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198175</b>	<b>Transportation Solutions, Inc.</b>	<b>13,858.03</b>	
			104 - 595 30 63 076		Const-SR20/SR9-Township Int l	13,858.03	
<b>7755</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198176</b>	<b>UniFirst Corp.</b>	<b>640.82</b>	
			001 - 522 20 26 000		Uniforms	320.41	
			001 - 522 20 26 000		Uniforms	320.41	
<b>7756</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198177</b>	<b>WA St Dept of Trans</b>	<b>320.93</b>	
			104 - 595 30 63 076		Const-SR20/SR9-Township Int l	320.93	
<b>7757</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198178</b>	<b>WA St Off of Treasurer</b>	<b>3,287.53</b>	
			635 - 386 00 00 635		State Court Receipts	-3,287.53	
<b>7758</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198179</b>	<b>Wastequip, LLC</b>	<b>28,925.16</b>	
			412 - 537 50 48 000		Repairs/maint-equip	804.18	Garb lids
			412 - 537 80 34 000		Containers - Garbage	17,198.53	
			412 - 537 80 34 000		Containers - Garbage	10,922.45	
<b>7759</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198180</b>	<b>Weller, Brad</b>	<b>160.21</b>	<b>1A 1238 DP - 1238 ARREZO DR</b>
			412 - 343 70 00 000		Garbage/Solid Waste Fees	71.34	
			412 - 343 70 00 010		Utility Tax Collected	41.79	
			412 - 343 73 01 001		Rolloff Haul Fees	230.78	
			412 - 343 73 01 002		Rolloff Dump Fees	-525.54	
			412 - 343 74 00 000		Equipment Rental	21.42	
			412 - 343 79 00 000		Penalties On Accounts	-2.93	
			412 - 361 40 00 412		Interest On Accts	2.93	
<b>7760</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198181</b>	<b>Woods Acquisition Corp</b>	<b>549.62</b>	
			001 - 522 20 48 000		Repairs/Maint-Equip	72.75	
			102 - 536 20 48 030		Repair/Maintenance-Land	48.84	
			412 - 537 50 48 000		Repairs/maint-equip	52.13	Unit 520
			103 - 542 30 31 000		Operating Supplies	57.52	
			103 - 542 30 31 000		Operating Supplies	228.04	
			103 - 542 30 48 010		Repair/Maintenance-Equip	12.71	Unit 341
			101 - 576 80 48 021		Equipment	48.33	
			101 - 576 80 48 021		Equipment	29.30	
<b>7761</b>	<b>08/10/2022</b>	<b>Claims</b>	<b>2</b>	<b>198182</b>	<b>World Kinect Energy Services, dba</b>	<b>42,284.60</b>	
			001 - 522 20 32 000		Auto Fuel/Diesel	3,049.94	
			425 - 531 50 32 000		Vehicle Fuel	263.10	
			425 - 531 50 32 000		Vehicle Fuel	739.98	
			425 - 531 50 32 000		Vehicle Fuel	323.43	
			425 - 531 50 32 000		Vehicle Fuel	940.03	

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		425 - 531 50 32 000 - Vehicle Fuel				137.25		
		401 - 535 80 32 000 - Auto Fuel/Diesel				172.05		
		401 - 535 80 32 000 - Auto Fuel/Diesel				111.42		
		401 - 535 80 32 000 - Auto Fuel/Diesel				224.72		
		102 - 536 20 32 000 - Auto Fuel/Diesel				275.29		
		102 - 536 20 32 000 - Auto Fuel/Diesel				244.09		
		102 - 536 20 32 000 - Auto Fuel/Diesel				203.96		
		102 - 536 20 32 000 - Auto Fuel/Diesel				183.42		
		412 - 537 80 32 000 - Auto Fuel/Diesel				4,053.99		
		412 - 537 80 32 000 - Auto Fuel/Diesel				243.82		
		412 - 537 80 32 000 - Auto Fuel/Diesel				3,992.17		
		412 - 537 80 32 000 - Auto Fuel/Diesel				3,953.35		
		412 - 537 80 32 000 - Auto Fuel/Diesel				2,642.49		
		412 - 537 80 32 000 - Auto Fuel/Diesel				256.15		
		412 - 537 80 32 000 - Auto Fuel/Diesel				4,197.72		
		412 - 537 80 32 000 - Auto Fuel/Diesel				6,481.11		
		412 - 537 80 32 000 - Auto Fuel/Diesel				4,974.04		
		412 - 537 80 32 000 - Auto Fuel/Diesel				53.57	Extra fuel card	
		103 - 542 30 32 000 - Auto Fuel/Diesel				102.51		
		103 - 542 30 32 000 - Auto Fuel/Diesel				816.67		
		103 - 542 30 32 000 - Auto Fuel/Diesel				474.08		
		103 - 542 30 32 000 - Auto Fuel/Diesel				100.08		
		103 - 542 30 32 000 - Auto Fuel/Diesel				122.32		
		103 - 542 30 32 000 - Auto Fuel/Diesel				397.13		
		103 - 542 30 32 000 - Auto Fuel/Diesel				358.83		
		101 - 576 80 32 000 - Auto Fuel/Diesel				1,084.09		
		101 - 576 80 32 000 - Auto Fuel/Diesel				448.32		
		101 - 576 80 32 000 - Auto Fuel/Diesel				663.48		
<hr/>								
		001 Current Expense Fund				20,683.21		
		101 Parks & Facilities Fund				19,086.34		
		102 Cemetery Fund				1,391.63		
		103 Street Fund				28,564.38		
		104 Arterial Street Fund				29,538.70		
		114 Law Enforcement Sales Tax				61,191.05		
		401 Sewer Operations Fund				57,709.75		
		412 Solid Waste Operations Fund				139,939.20		
		425 Stormwater Operations				10,405.97		
		501 Equipment Replacement Fund				48,407.73		
		505 Public Works Facility Fund				1,035,677.63		
		635 Custodial Fund				3,360.74		
<hr/>								
						<u>1,455,956.33</u>	Claims: 1,455,956.33	
		* Transaction Has Mixed Revenue And Expense Accounts				1,455,956.33		



**CHECK REGISTER**

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
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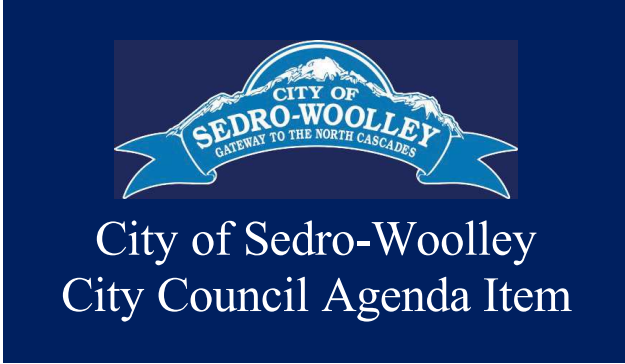
CERTIFICATION: I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described, or that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, 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
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_____ Finance Committee Member	_____ Date
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_____ Finance Committee Member	_____ Date
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_____ Finance Committee Member	_____ Date
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Agenda  
Item No. \_\_\_\_\_  
Date: August 10, 2022  
Subject: Minutes - Regular Council Meeting -  
July 13, 2022

**FROM:**  
Kelly Kohnken, Finance Director

**RECOMMENDED ACTION:**  
Review only.

**ISSUE:**

**BACKGROUND/SUMMARY INFORMATION:**  
Minutes taken at the Regular City Council Meeting held July 13, 2022

**FISCAL IMPACT, IF APPROPRIATE:**  
None

**ATTACHMENTS:**  
1. City Council Minutes 07-13-2022

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CITY OF SEDRO-WOOLLEY  
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Regular Meeting of the City Council  
July 13, 2022– 6:00 P.M. Hybrid Meeting

**Call to Order**

Mayor Julia Johnson called the meeting to order at 6:00 P.M.

**Pledge of Allegiance and Roll Call:**

Present: Mayor Julia Johnson, Councilmember Chuck Owen, Councilmember Brendan McGoffin, Councilmember JoEllen Kesti, Councilmember Sarah Diamond, Councilmember Glenn Allen, Councilmember Joe Burns, and Nick Lavacca.

**Approval of Agenda**

Motion made by Councilmember Burns seconded by Councilmember Owen to approve the agenda. Motion carried (7-0).

**Consent Agenda**

1. Possible Bid Award - 2022 Pavement Improvements Project
2. Proposed Interlocal Agreement Skagit County and City - Source Control Inspections
3. Interlocal Cooperative Agreement - Skagit County for Jones Rd / John Liner Rd / BNSF Undercrossing & Roadway Extension Project Phase 2
4. Out-of-state travel for training.
5. Finance - Check Register (Off-Cycle)
6. Finance - Check Register

Motion made by Councilmember Lavacca to approve consent agenda. Motion was seconded by Councilmember Diamond to approve the consent agenda. Motion carried (7-0).

**Introduction of Special Guests**

Swearing in Heather Sorsdal of our new Police Lieutenant. Swearing in for Lt. Sorsdal was given by Mayor Johnson in front of a group of friends and family.

**City Administrator Report**

1. 2023-2024 Sedro-Woolley Strategic Plan. City Administrator Charlie Bush led a discussion with the Council regarding prioritizing goals and tasks for the future.

**Councilmember and Mayor's Report**

Councilmembers discussed recent speeding on specific streets, the upcoming Girls Little League Tournament, the success of the recent July 4<sup>th</sup> celebrations as well as Staff presenting reports again as

part of the regular meetings. The Mayor mentioned that she would like to start an Arts Committee and also thanked IT Director Bill Chambers for his hard work and dedication to the City.

### **Public Comments**

6:44 P.M.— Mayor opened the meeting up for public comment

6:45 P.M.— Seeing and hearing none, the Mayor closed the meeting to public comments.

### **New Business**

1. Amendment 8 to Professional Services Agreement 2018-PS-25 with Pacific Landscape Architecture. This agenda item was tabled for a later meeting and no action was taken at tonight's meeting.

### **Information Only Items**

1. Public Works Director Signing Authority Record Information Only as of June 29, 2022
2. Fire Department- Monthly Data
3. Building Permit and Planning Permit Review Status
4. PD Report

### **Executive Session**

1. Discussion regarding potential litigation pursuant to RCW 42.30.110(1)(i).

### **Adjournment**

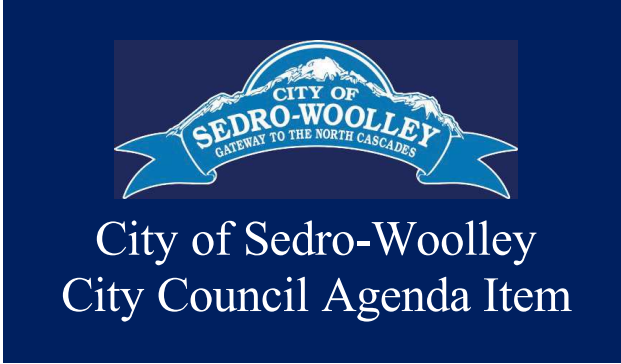
The meeting adjourned at 7:21 P.M.

ATTEST:

APPROVED:

\_\_\_\_\_  
Kelly Kohnken, Finance Director

\_\_\_\_\_  
Julia Johnson, Mayor



Agenda  
Item No. \_\_\_\_\_  
Date: August 10, 2022  
Subject: Minutes - Regular Council Meeting -  
July 27, 2022

**FROM:**

Kelly Kohnken, Finance Director

**RECOMMENDED ACTION:**

Review only.

**ISSUE:**

**BACKGROUND/SUMMARY INFORMATION:**

Minutes taken at Regular City Council Meeting held on July 27, 2022.

**FISCAL IMPACT, IF APPROPRIATE:**

None

**ATTACHMENTS:**

1. City Council Minutes 07-27-22

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CITY OF SEDRO-WOOLLEY  
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Regular Meeting of the City Council  
July 27, 2022– 6:00 P.M. Hybrid Meeting

**Call to Order**

Mayor Julia Johnson called the meeting to order at 6:00 P.M.

**Pledge of Allegiance and Roll Call:**

Present: Mayor Julia Johnson, Councilmember Chuck Owen, Councilmember Brendan McGoffin, Councilmember JoEllen Kesti, Councilmember Sarah Diamond, Councilmember Glenn Allen, Councilmember Joe Burns, and Nick Lavacca.

**Approval of Agenda**

Motion made by Councilmember Owen seconded by Councilmember Burns to approve the agenda. Motion carried (7-0).

**Consent Agenda**

1. Finance – Minutes
2. Finance – Minutes
3. Finance - Check Register

Motion made by Councilmember McGoffin to approve consent agenda. Motion was seconded by Councilmember Diamond to approve the consent agenda. Motion carried (7-0).

**Introduction of Special Guests**

1. Jennifer Johnson of Skagit County presenting the North Star Project.

**City Administrator Report**

1. 2023-2024 Sedro-Woolley Strategic Plan. Acting City Administrator/Police Chief Lin Tucker gave report on items that had come up over the last two weeks.

**Councilmember and Mayor's Report**

Councilmembers discussed upcoming safety meeting prior to Police Chief Tucker's retirement, possibility of a Community Task Force in the city to combat graffiti, a report from the Finance Committee and the agenda is available on the City's website with updated financials, recent softball tournament was a great success, and upcoming Parks & Recreation Committee meeting. The Mayor thanked Bill Chambers for the Public Works Interactive Map on the City's website, the Library is serving as a cooling center, Schaffner Pharmacy has moved to Ferry Street which also has a gift shop

& coffee shop, and the Rotary was working with the City to upgrade the sound system at the Community Center.

### **Public Comments**

6:43 P.M.— Mayor opened the meeting up for public comment

6:44 P.M.— Seeing and hearing none, the Mayor closed the meeting to public comments.

### **Unfinished Business**

1. Second Reading and Possible Adoption 2023-2028 Transportation Improvement Program Motion was made to approve the program by Councilmember Kesti, seconded by Councilmember Diamond. Motion carried (7-0).
2. Amendment 8 to Professional Services Agreement 2018-PS-25 with Pacific Landscape Architecture. Public Works Director Freiberger presented information to the Mayor and Council regarding the addition of funds to the contract with the vendor for expansion of the design work for Memorial Park improvements. Motion was made by Councilmember Allen and seconded by Councilmember McGoffin to authorize Mayor Johnson to sign Amendment 8. Motion carried (6-1).

### **New Business**

1. Possible Approval – Purchase Order 2022-PO-14 Mowhawk Lifts LLC Vehicle Lifts and Rise Stands. Public Works Director Freiberger presented information on the existing lifts and the lack of required capacity which leads to the need for newer lifts for the new facility. Motion was made by Councilmember Lavacca, seconded by Councilmember Diamond to approve Public Works Director Freiberger to sign the Purchase Order 2022-PO-14 with Mowhawk Lifts LLC. Motion carried (7-0).

### **Information Only Items**

1. Building Permit and Planning Permit Review Status

### **Adjournment**

The meeting adjourned at 7:07 P.M.

ATTEST:

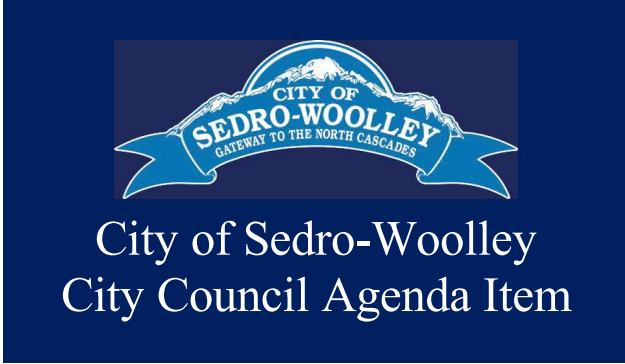
APPROVED:

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Kelly Kohnken, Finance Director

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Julia Johnson, Mayor



Agenda  
Item No. \_\_\_\_\_  
Date: August 10, 2022  
Subject: Agreement with Thompson, Guildner & Associates for Prosecution Services - 1st Amendment - 2nd read

**FROM:**  
Charlie Bush, City Administrator

**RECOMMENDED ACTION:**  
Second Reading. Staff recommend approval of the amendment.

**ISSUE:**  
Should the City Council amend the contract with Thompson, Guildner & Associated to reflect additional prosecution expenses generated due to the case backlog formed by the COVID-19 pandemic?

**BACKGROUND/SUMMARY INFORMATION:**  
The COVID-19 pandemic caused a backlog of over 700 prosecution cases in the Sedro-Woolley Municipal Court. The backlog was not anticipated by Thompson, Guildner & Associates when the firm tool on prosecution services in 2022. Working through the backlog is requiring a significant amount of additional time and expenses, resulting in a request by Thompson, Guildner & Associates to the City for additional payment from the City. As a result, staff included \$50,000 in the City's American Rescue Plan Act expense plan to fund Thompson, Guildner & Associates manage the expenses of working through the backlog. The Council approved the expense plan on March 23, 2022. This Council item would amend the Thompson Guildner & Associates contract for the remainder of this calendar year. The \$50,000 allocation is spread evenly throughout the last six months of the year.

**FISCAL IMPACT, IF APPROPRIATE:**  
\$50,000 of American Rescue Plan Act funding.

**ATTACHMENTS:**  
1. Amendment to Retainer Agreement



**Municipal and Legal Support Services  
Amendment to Retainer Agreement**

WHEREAS, the CITY OF SEDRO-WOOLLEY (hereinafter “CITY”) entered into a RETAINER AGREEMENT FOR MUNICIPAL LAW SERVICES AND LEGAL SUPPORT SERVICES with the law firm of *Weed, Graafstra, & Associates, Inc., P.S.*, 110 Cedar Avenue, Suite 102, Snohomish, Washington, dated December 8, 2021; and,

WHEREAS, said law firm (hereinafter “ATTORNEY”) agreed to provide prosecuting services at a flat rate of four-thousand one hundred dollars (\$4,100) per month in Section III. Compensation B. Prosecuting Services of said retainer agreement; and,

WHEREAS, the number of prosecution cases from 2021 and prior years far exceeds the anticipated number of cases to be transitioned as of January 1, 2022; and,

WHEREAS, the COVID-19 pandemic and resulting Washington State guidelines regarding the operation of courts, the incarceration of prisoners, and the prosecuting of crimes caused the existing and new prosecution cases to be delayed and continued to future years; and,

WHEREAS, under normal circumstances the City of Sedro-Woolley prosecuting attorney would not have maintained this number of open prosecution cases; and,

WHEREAS, the indigent defense attorney contract also transitioned as of January 1, 2022, causing additional work to negotiate existing cases for the new prosecuting ATTORNEY and new indigent defense attorney; and,

WHEREAS, the CITY received American Rescue Plan Act (ARPA) funds to alleviate the burden of extra costs incurred due to the COVID-19 pandemic; and,

WHEREAS, the CITY approved an ARPA expense plan on March 23, 2022 that included \$50,000 for the purpose of assisting with the prosecution backlog; and,

WHEREAS, the ATTORNEY requires attorney and paralegal hours far in excess of the anticipated number of hours in the original retainer agreement; and,

WHEREAS, the CITY’s public defense firm is compensated at a rate of \$95,000 for fewer cases than the ATTORNEY is required to prosecute: and,

WHEREAS, the excess case load and additional work required necessitates an amendment to the existing retainer agreement;

NOW, THEREFORE, the CITY and ATTORNEY agree to amend the original retainer agreement dated December 8, 2021 as follows:

Section I - PARTIES/EMPLOYMENT

The CITY OF SEDRO-WOOLLEY (hereinafter “CITY”) agrees to retain the law firm of WEED, GRAAFSTRA AND ASSOCIATES, INC., P.S., now known as THOMPSON, GUILDNER & ASSOCIATES as of July 1, 2022; 110 Cedar Avenue, Suite 102, Snohomish, Washington, and said law firm (hereinafter “ATTORNEY”) agrees to provide municipal law services and legal support services on the terms and conditions stated below. The ATTORNEY shall serve at the pleasure of the Mayor; PROVIDED, that all decisions relative to such retention, or termination of the same, shall be subject to confirmation by a majority vote of the City Council.

Section III – COMPENSATION; subsection B. Prosecuting Services:

B. Prosecuting Services: Prosecuting Attorney services shall be charged at a flat rate of \$4,100.00 per month for the following:

1. To act as prosecutor (or to contract for such services) for the City in justice court, including preparation and/or negotiation of all justice court cases, including appeals to superior court.
2. Prosecuting Attorney services shall be charged an additional rate of eight thousand three-hundred thirty-three dollars (\$8,333) per month through December 31, 2022. The additional charge shall cover the intake of prosecution cases from 2021 and prior years, and the accompanying case management, including provision of discovery, review of charges, negotiations with indigent defense and defense attorneys, etc.

All other terms of the original retainer agreement remain in full force and effect.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2022.

THOMPSON, GUILDNER AND  
ASSOCIATES, INC., P.S.

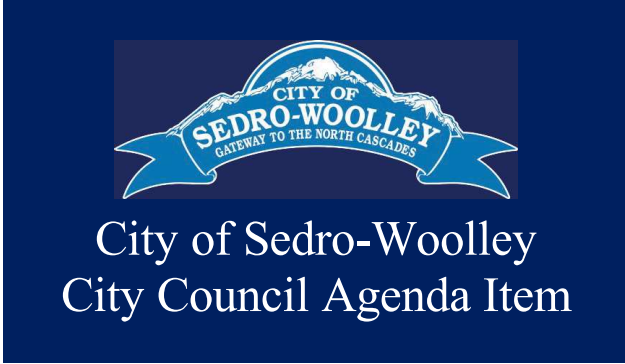
CITY OF SEDRO-WOOLLEY

By: \_\_\_\_\_  
NIKKI THOMPSON, PRESIDENT

By: \_\_\_\_\_  
JULIA JOHNSON, MAYOR

ATTEST:

By: \_\_\_\_\_  
KELLY KOHNKEN, CITY CLERK-TREASURER



Agenda Item No.	
Date:	August 10, 2022
Subject:	Redistricting of City Wards as a Result of the 2020 Census

**FROM:**  
Charlie Bush, City Administrator

**RECOMMENDED ACTION:**  
This is a first read. Staff recommends approval of the new ward boundaries if and when the Council is comfortable with them. Council could provide alternative direction to staff if Council is not satisfied with the ward boundary adjustments as presented in attachment 2. Once Council is satisfied with a set of ward boundary adjustments, Council will need to take the formal action of amending Sedro-Woolley Municipal Code Chapter 1.12, which would be done at a future meeting. Suggested motion: I move to direct staff to prepare amendments to Sedro-Woolley Municipal Code Chapter 1.12 consistent with the new ward boundaries represented in attachment 2.

**ISSUE:**  
How should the City of Sedro-Woolley apply 2020 census data to redistrict its wards?

**BACKGROUND/SUMMARY INFORMATION:**  
Each county, city, and special purpose district that uses districts to elect all or part of its governing body must adjust its district boundaries every 10 years based on new census data. The City of Sedro-Woolley received data from the Washington State Redistricting Commission last year, in compliance with RCW 29A.76.010, to assist with this effort. Because of the delay in the distribution of the 2020 census, the Washington State Legislature passed a law in 2021 extending the local government redistricting deadlines.

The deadline that currently applies to the City of Sedro-Woolley for completion of its redistricting process is November 15, 2022. The new wards will not take effect until the next City Council election, which is in November 2023.

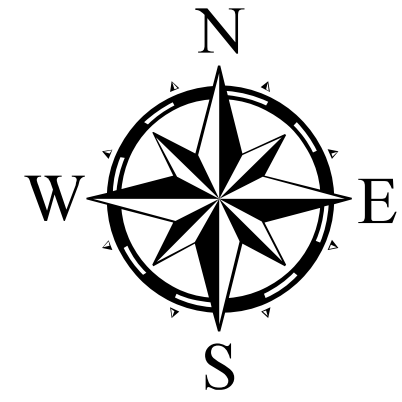
City staff worked with County staff to apply the new census data, via geographic information systems, to the City's ward map. Staff then worked to adjust the Wards to have relatively equal population counts and to have geographic cohesion within the wards.

**FISCAL IMPACT, IF APPROPRIATE:**  
N/A

**ATTACHMENTS:**

1. 2022 Council Wards
2. Proposed Census Redistricting
3. Population Rebalancing Between Districts

# City of Sedro-Woolley Council Wards



## Council Wards

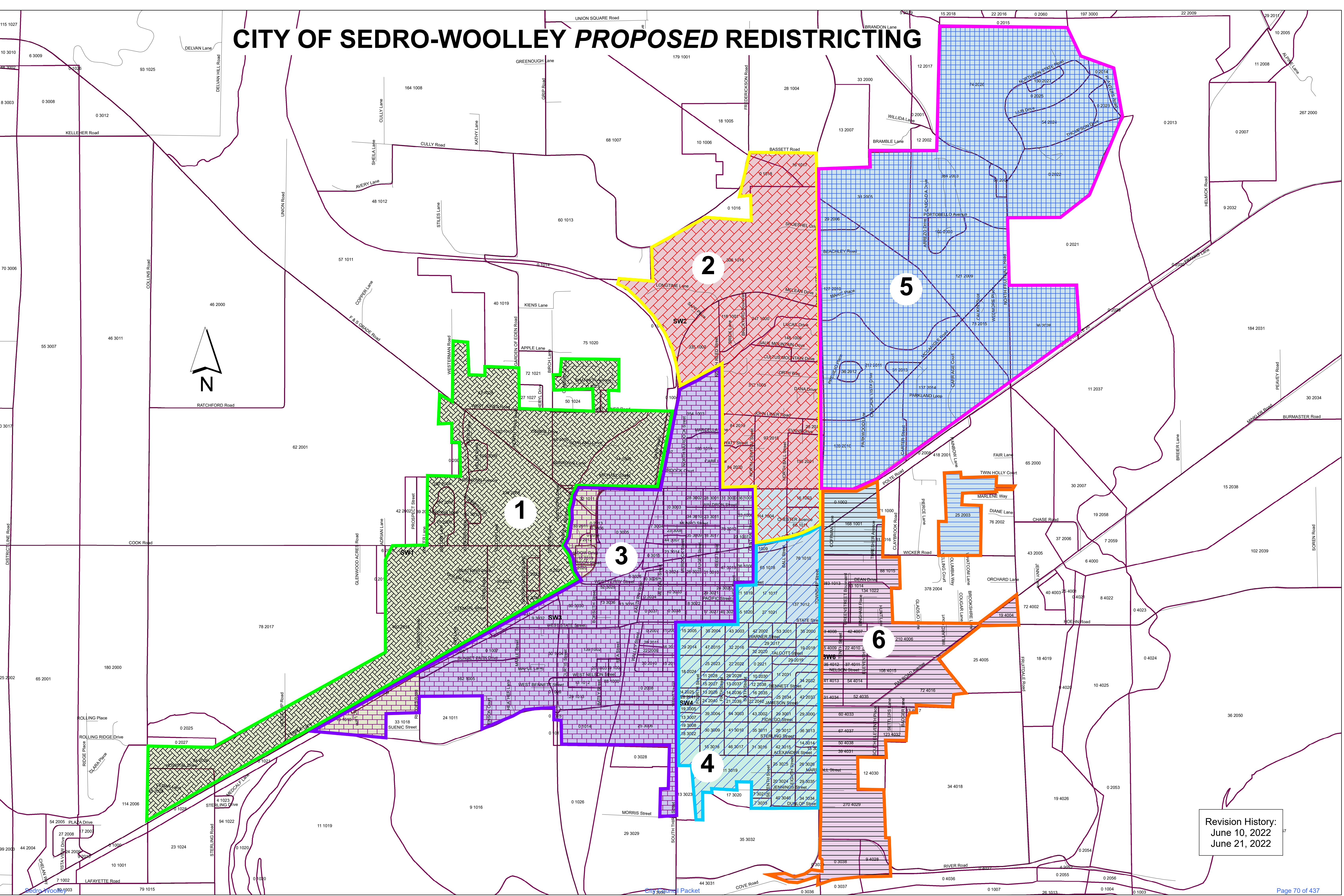
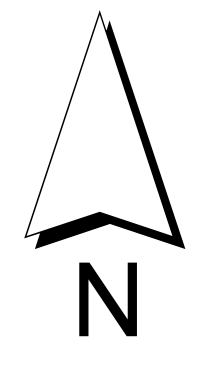
- Ward 1 (Brendan McGoffin)
- Ward 2 (JoEllen Kesti)
- Ward 3 (Sarah Diamond)
- Ward 4 (Glenn Allen)
- Ward 5 (Chuck Owen)
- Ward 6 (Joe Burns)
- At Large (Nick Lavacca)

0 850 1,700 3,400 Feet



Updated: January 2022

# CITY OF SEDRO-WOOLLEY PROPOSED REDISTRICTING



Revision History:  
June 10, 2022  
June 21, 2022

**City of Sedro-Woolley Precincts - 2020**

VOTING PRECINT	STATE (FIPS)	COUNTY (FIPS)	VOTING DISTRICT	2020 Census population	Total	2021 Annexation Not Included in 2020 CENSUS	Precinct 7	Precinct 8	Adjusted Population by WARD	Average of Total Population	Average Population Difference	Need to:
				P0010001								
Sedro-Woolley 1 Voting District	53	057	401		2074		43		2117	2073	44	take
Sedro-Woolley 2 Voting District	53	057	402		1894	16			1910	2073	(163)	add
Sedro-Woolley 3 Voting District	53	057	403		1877				1877	2073	(196)	add
Sedro-Woolley 4 Voting District	53	057	404		1783				1783	2073	(290)	add
Sedro-Woolley 5 Voting District	53	057	405		2512			288	2800	2073	727	take
Sedro-Woolley 6 Voting District	53	057	406		1950				1950	2073	(123)	add
Sedro-Woolley 7 Voting District	53	057	407		43							
Sedro-Woolley 8 Voting District	53	058	408		288							
					12421	16			12437			
2010 Total Population: 10,540												
2020 Total Population: 12,421												
Population Increase 1881 or 17.85%												

**Worksheet:**

Ward One	Population
2020	2074
Precinct 7	43
Annexation	0
<b>TOTAL:</b>	<b>2117</b>
Remove Block	
1010	10
1009	0
2011	33
2012	0
2013	0
2014	0
2019	10
2020	0
1011	32
1013	0
Block Subtotal:	85
<b>New Total:</b>	<b>2032</b>
<i>Average</i>	<i>2073</i>
<i>Diff</i>	<i>-41</i>

Ward Two	Population
2020	1894
Precinct n/a	0
Annexation	16
<b>TOTAL:</b>	<b>1910</b>
Add Block	
1004	114
100	16
1011	68
Block Subtotal:	198
<b>New Total:</b>	<b>2108</b>
<i>Average</i>	<i>2073</i>
<i>Diff</i>	<i>35</i>

Ward Three	Population
2020	1877
Precinct n/a	0
Annexation	0
<b>TOTAL:</b>	<b>1877</b>
Add Block	
1010	10
1009	0
2011	33
2012	0
2013	0
2014	0
2019	10
2020	0
1011	32
1013	0
1005	36
1006	33
1007	23
1008	36
Block Subtotal:	213
<b>New Total:</b>	<b>2090</b>
<i>Average</i>	<i>2073</i>
<i>Diff</i>	<i>17</i>

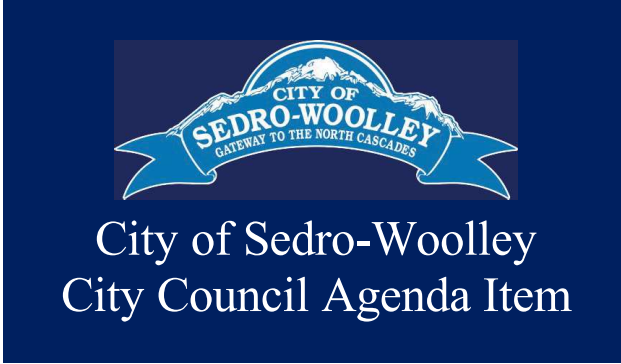
Ward Four	Population
2020	1783
Precinct n/a	0
Annexation	0
<b>TOTAL:</b>	<b>1783</b>
Add Block	
1018	63
1010	76
1012	137
1009	0
Block Subtotal:	276
<b>New Total:</b>	<b>2059</b>
<i>Average</i>	<i>2073</i>
<i>Diff</i>	<i>-14</i>

Ward Five	Population
2020	2512
Precinct 8	288
Annexation	0
<b>TOTAL:</b>	<b>2800</b>
Remove Block	
1005	36
1006	33
1007	23
1008	36
1018	63
1010	76
1012	137
1009	0
1011	68
1001	168
1016	11
1004	114
1003	16
1002	0
2003	25
Block Subtotal:	806
<b>New Total:</b>	<b>1994</b>
<i>Average</i>	<i>2073</i>
<i>Diff</i>	<i>-79</i>

Ward Six	Population
2020	1950
Precinct n/a	0
Annexation	0
<b>TOTAL:</b>	<b>1950</b>
Add Block	
1001	168
1016	11
1002	0
2003	25
Block Subtotal:	204
<b>New Total:</b>	<b>2154</b>
<i>Average</i>	<i>2073</i>
<i>Diff</i>	<i>81</i>

**Ward 1 Notes:**  
 Ward 1 doesn't include Jones Estates or Garden Meadows population

**Ward 5 Notes:**  
 Ward 5 doesn't include other 1/2 of Brickyard Park plat off McGarigle and/or possibly Gateway Heights population



Agenda  
Item No. \_\_\_\_\_  
Date: August 10, 2022  
Subject: Grant Approval - TIB Arterial  
Preservation Program and Arterial  
Sidewalk Program

**FROM:**

Mark A. Freiburger, PE, Director of Public Works

**RECOMMENDED ACTION:**

Authorize Mayor Johnson to sign TIB Grant Applications under the Arterial Preservation Program and the Active Transportation Program. Approve use of Transportation funds for Local Match as noted.

**ISSUE:**

Should Council authorize Mayor Johnson to sign TIB Grant Applications under the Arterial Preservation Program and the Active Transportation Program. Approve use of Transportation funds for Local Match as noted.

**BACKGROUND/SUMMARY INFORMATION:**

The Transportation Improvement Board announced a call for applications under their various grant programs in June 2022, with applications due on August 19, 2022. Staff are preparing applications under the Arterial Preservation Program for the Cook Road, Ferry Street to West City Limits Overlay Project, and under the Active Transportation Program for the SR20 Cascade Trail Phase 2a Holtcamp Road to Hodgin Street Project. Both of the programs require a 15% local match. Details on the projects are noted below.

The city is not submitting an application under the Urban Arterial Program this year, as we were awarded an \$2,033,936 UAP grant for the Township Street/SR9 John Liner and McGarigle Intersection Project in 2021 which is to construct in 2023. We do plan to submit an application under the UAP program in 2023 for the Jones/John Liner BNSF Undercrossing Project for RW in 2024 and construction in 2025. Staff plan to propose use of local funds for the design phase of this project to start in late 2022 to support both a TIB UAP application and a SCOG STPUS application in 2023.

**FISCAL IMPACT, IF APPROPRIATE:**



Arterial Preservation Program Application - Cook Road Overlay, Ferry Street to West City Limits

Engineer's Estimate, design and construction.....	\$531,893
TIB Grant request - 85%.....	\$452,109
Local Funds from Transportation sources.....	\$79,784
Total Funding.....	\$531,893

Active Transportation Program - SR20 Cascade Trail Phase 2A Hodgkin Street to Holtcamp Road

Engineer's Estimate - Design, RW & construction.....	\$904,000
Existing funding from STPUS.....	\$500,000
Existing committed Local funds.....	\$78,000
TIB Funds request.....	\$326,000
Additional Local funds from Transportation sources.....	\$20,000
Total Funding.....	\$924,000
Total Local funds per the above.....	\$177,784

The attached Arterial Project Listing dated 8/2/2022 has been updated to reflect these numbers, and to anticipate an anticipated \$600,000 design phase from local funds for the Jones/John Liner BNSF Undercrossing Project. The Listing demonstrates that there are sufficient funds available to fund the projects noted above through 2023. Additional funds will likely be required to support the right of way and construction phase applications for the Jones/John Liner BNSF Undercrossing project, estimated to construct in 2025. A significant slowdown in new permits has greatly reduced the estimated Impact Fee and REET I & II revenue. This has been reflected in the updated Arterial Project Listing by revising the 2022 projections to receipts to date and lowering 2023 and 2024 for an equivalent of 20 new units. There have been an equivalent of 18 TIF units to date in 2022, with 30.6 Sewer hook ups.

The grant applications are still in progress and may change somewhat by the August 19 submittal. Application estimates and local match requirements will be updated with the grant award memorandum, if the projects are awarded.

**ATTACHMENTS:**

1. Arterial Project Listing updated 8/2/2022

## Arterial Projects Listing

For years 2020-2024

8/2/2022

M. Freiberger, PE

Revenues	Fund 104	REET 301/302 total both	TBD 304	GMA Trans Impact Fees 314	Total	GRANT	TOTAL PROJECT
Beginning Balance - 1/1/2021	242,495	1,465,908	261,807	242,495	2,212,705		
2021 Actual Revenues	-	902,372	220,532	543,433	1,666,337		
2022 Projected Revenues (revised to actuals 7/26/2022)	-	179,069	220,000	54,056	453,125		
2023 Projected Revenues	-	200,000	215,000	61,000	476,000		
2024 Projected Revenues	-	200,000	215,000	61,000	476,000		
2021-2024 Projected Revenues	-	1,481,441	870,532	719,489	3,071,462		
<b>Total 2021-2023 Reserves and Revenues Available</b>	<b>242,495</b>	<b>2,947,349</b>	<b>1,132,339</b>	<b>961,983</b>	<b>5,284,166</b>		

### Actual 2021 Projects

SR20/Cascade Trail West Ext Ph 2A (PE/RW Phase - GMA)				4,043	4,043	9,238	13,281
SR20/SR9-Township Intersection Impr (PE - GMA)				48,164	48,164	-	48,164
SR9 & John Liner/McGarigle Int (PE/RW 2021, CN 2022 - GMA)				-	-	-	-
2021 PAVEMENT & PEDESTRIAN PROJECT SCH A - Wicker Road Overlay TIB Project (	19,812				19,812	106,443	126,255
2021 Pavement & Pedestrian Project Sch B - Township/State, Puget/Ferry and State/Rita ADA Ramp Upgrades & Wicker Rd Fabric (PE/CN - REET. 5/18/21 revise to TBD)		97,723	116,562		214,285	-	214,285
Jones/John Liner BNSF Undercrossing Phase 1 - Piling				2,370	2,370	483,593	485,962
2022 Parks (REET) \$50,000 per each - for Olmsted and Memorial		61,051			61,051		
2022 GF Transfer (REET) \$125,000 per each for FS2 Annex.		179,528			179,528		
2021 FUND 104 Arterial Maintenance Projects (REET) \$100,000; Roundabout Landscaping \$13,000, total \$113,000.			61,330		61,330	-	61,330
2021 FUND 103 Local Access Maintenance Projects (REET) \$150,000; Local Access Crack/Slurry Seal \$5,204; Total \$155,000. Includes Eastern Overlay and Ramps total \$, and other Local Access Projects \$		67,284			67,284	-	67,284
2021 Local Access - Sidewalk Repair & Maint (REET)							
<b>Total 2021 Projects</b>	<b>19,812</b>	<b>405,586</b>	<b>177,892</b>	<b>54,577</b>	<b>657,867</b>	<b>599,274</b>	<b>1,016,561</b>
<b>Ending Balance 12/31/2021</b>	<b>222,683</b>	<b>1,962,695</b>	<b>304,447</b>	<b>731,351</b>	<b>3,221,175</b>		
2022 BFB as of 7/26/2022 per SBX	234,671	1,969,750	366,219	729,515	3,300,155		

### Planned 2022 Projects

SR20/SR9-Township Intersection Impr (PE/RW 2020-2021; CN 2022 - GMA)			150,473		150,473	964,142	1,114,615
SR9 & John Liner/McGarigle Int (PE/RW 2022, CN 2023)		0.00	0.00	122,017	122,017	366,050	488,067
John Liner Road Bicycle & Ped Safety Impr (PE 2022; CN 2023)				9,180	9,180	58,820	68,000
SR20/Cascade Trail West Ext Ph 2A (PE/RW 2020-2022; CN 2023)				39,440	39,440	49,762	89,202
Trail Road Overlay (PE/CN 2022)	42,300				42,300	239,700	282,000
Jones/John Liner/Trail Road Corridor Preliminary Engr/Env (NEW)				50,000	50,000	341,407	391,407
Jones/John Liner/Trail Road Corridor AAC (Rows 41-42 hidden total \$1,209,912. Rows 41-42 contain detail of projects and right of way information and are hidden for confidentiality.) Likely 2022 expense for RW; 2022-2023 for CN.							
Jones/John Liner/Trail Road Corridor Advance Acquisition P39157 Nelson \$655,000.							
		631,950			631,950	-	631,950
Jones/John Liner/Trail Road Corridor Advance Acquisition P37150 Tuttle		147,962		430,000	577,962	-	577,962
2022 Parks (REET) \$69,250 per each per 2022 Budget		50,000			50,000		50,000
2022 GF Transfer (REET) \$125,000 per each per Budget; \$0 per BIAS 1/31/2022		54,102			54,102		54,102
2022 2021 Flood Damage Repairs		98,866			98,866		98,866
2022 Arterial Maintenance Projects (REET \$50,000/ea per Budget)			100,000		100,000	-	100,000
2022 Local Access - Sidewalk Repair & Maint (REET) \$25,000							
2022 Local Access Maintenance Projects (REET) \$75,000/ea							
		232,000			232,000	-	232,000
	42,300	1,214,880	250,473	650,637	2,158,290	2,019,882	4,178,171
<b>Ending Balance 12/31/2022</b>	<b>180,383</b>	<b>926,883</b>	<b>273,974</b>	<b>134,770</b>	<b>1,516,010</b>		
<b>Total 2021 &amp; 2022 Projects</b>	<b>62,112</b>	<b>1,620,466</b>	<b>428,365</b>	<b>705,213</b>	<b>2,816,156</b>		
<b>Ending Balances 12/31/2022</b>	<b>180,383</b>	<b>926,883</b>	<b>273,974</b>	<b>134,770</b>	<b>1,516,010</b>		

### Planned 2023 Projects

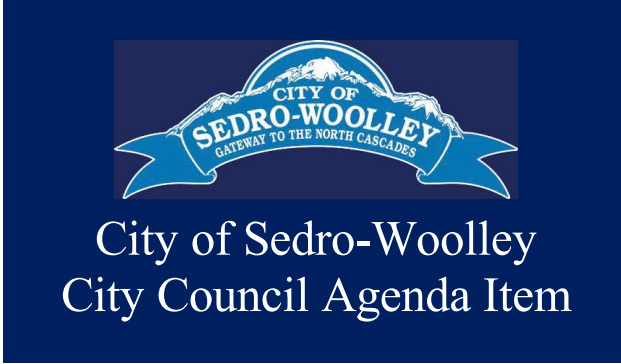
SR9 & John Liner/McGarigle Intersection (PE/RW 2022; CN 2023 - REET)		305,962			305,962	1,917,886	2,223,848
John Liner Road Bicycle & Ped Safety Impr (PE 2022; CN 2023)			68,985		68,985	442,015	511,000
SR20/Cascade Trail West Ext Ph 2A (PW/RW 2020/2022; CN 2023 - GMA)	111,233				111,233	677,768	789,001
Jones/John Liner/Trail Road Corridor - Bucko Trail Rd Extn City Participation +/- 300		30,000	135,000	193,000	358,000	-	358,000
John Liner Road Arterial Improvements (PE 2023; RW 2024; CN 2025 GMA)							
Patrick Street Arterial Extension (PE 2023; CN 2024)							
Jones/John Liner RR Undercrossing Phase 2 (PE 2023; RW 2023; CN 2024)		600,000			600,000	-	600,000
2022 Parks (REET) \$50,000 per each							
2022 GF Transfer (REET) - nothing planned.							
Cook Road Overlay (PE/CN 2023)			91,500		91,500	518,500	610,000
2023 Arterial Maintenance Projects (REET)			100,000		100,000	-	100,000
2023 Local Access - Sidewalk Repair & Maint (REET)							
2023 Local Access Maintenance Projects (REET)		150,000			150,000	-	150,000
	111,233	1,085,962	395,485	193,000	1,785,680	3,556,169	5,341,849
<b>Ending Balance 12/31/2023</b>	<b>69,150</b>	<b>40,921</b>	<b>93,489</b>	<b>2,770</b>	<b>206,330</b>		
<b>Total Project Costs 2021-2023</b>	<b>173,345</b>	<b>2,706,428</b>	<b>823,850</b>	<b>898,213</b>	<b>4,601,836</b>	<b>3,556,169</b>	<b>5,341,849</b>
<b>Ending Balances 12/31/2023</b>	<b>69,150</b>	<b>40,921</b>	<b>93,489</b>	<b>2,770</b>	<b>206,330</b>		

### Planned 2024 Projects

John Liner Road Arterial Improvements (PE 2024; RW 2024; CN 2025 - GMA)							
Jones/John Liner RR Undercrossing Phase 2 (PE 2023; RW 2024; CN 2024)						9,643,000	9,643,000
SR20/Reed Street Intersection Improvements (PE/CN 2024)				50,000	50,000	-	50,000
John Liner Road Bicycle & Ped Safety Impr (CN 2023 GMA)			68,985		68,985	442,015	511,000
John Liner Road Arterial Improvements (CN 2023 GMA)							
Patrick Street Arterial Extension (PE 2022; CN 2023 - GMA)							
Sapp Road Overlay (PE/CN)		37,050			37,050	209,500	246,550
2023 Arterial Maintenance Projects (REET)			100,000		100,000	-	100,000
2023 Local Access - Sidewalk Repair & Maint (REET)			25,000		25,000	-	
2023 Local Access Maintenance Projects (REET)		100,000	50,000		150,000	-	150,000
		137,050	243,985	50,000	431,035	10,294,515	10,700,550
<b>Ending Balance 12/31/2024</b>	<b>69,150</b>	<b>103,871</b>	<b>64,504</b>	<b>13,770</b>	<b>251,295</b>		
<b>Total Project Costs 2021-2024</b>	<b>173,345</b>	<b>2,843,478</b>	<b>1,067,835</b>	<b>948,213</b>	<b>5,032,871</b>		
<b>Ending Balances 12/31/2024</b>	<b>69,150</b>	<b>103,871</b>	<b>64,504</b>	<b>13,770</b>	<b>251,295</b>		

### MULTIYEAR PROJECT TOTALS

SR20/Cascade Trail West Extension Phase 2A (PE 2020-2021; RW 2021; CN 2023) (Includes 2019-2020 expenses)	111,233			47,206	178,574	760,626	919,065
Total 2020-2023 SR20/SR9-Township Intersection (excluding 2019/2020 expenses totaling \$139,312.52 inc Staff and WSDOT direct STP charges - local from GMA)			150,473	82,651	226,221	1,068,968	1,302,092
Total 2021-2023 SR9/Township & JLR-McGarigle Intersection		305,962		122,017	427,979	2,283,936	2,711,915
Total 2021-2023 John Liner Rd Bike/Ped			68,985	9,180	78,165	500,835	579,000
Jones/John Liner RR Undercrossing Phase 2 (PE 2023; RW 2024; CN 2024)		600,000			600,000	9,643,000	10,243,000



Agenda  
Item No. \_\_\_\_\_  
Date: August 10, 2022  
Subject: Adoption of Ordinance 2013-22  
Removing Fees From the Sedro-  
Woolley Municipal Code and  
Establishing a Master Fee Schedule by  
Resolution 1099-22

**FROM:**

Nikki Thompson, City Attorney

**RECOMMENDED ACTION:**

1. Adopt Ordinance 2013-22, removing fees from the Sedro-Woolley Municipal Code
2. Adopt Resolution 1099-22, establishing the Master Fee Schedule attached as Exhibit A.

**ISSUE:**

Should Council create a single Master Fee Schedule that places the City's fees in a consolidated document?

**BACKGROUND/SUMMARY INFORMATION:**

Staff has been working for some time on the creation of a Master Fee Schedule. Creation of a consolidated schedule will make fee information more easily accessible to the public and to staff. The original document created by this action will be updated by resolution on at least an annual basis. Staff anticipates additional edits to the Schedule in the upcoming meetings to account for Code revisions that are already in the works related to solid waste, cemetery regulations, and comprehensive plan amendments. Staff also anticipates substantive changes to the fee schedule to create internal consistency and address certain fees that have fallen behind. Those edits will occur at a later date. The current ordinance and resolution create the framework that will be used moving forward.

If adopted, the Ordinance will remove fees from the Code. The follow up Resolution will include the removed fees in a consolidated Master Fee Schedule. This will create efficiencies and easier access to fee information.

**FISCAL IMPACT, IF APPROPRIATE:**

N/A

**ATTACHMENTS:**

1. Resolution Ex. A
2. Resolution 1099-22
3. Ordinance 2013-22

# EXHIBIT A MASTER FEE SCHEDULE

TITLE 1- GENERAL PROVISIONS		
CHAPTER / SECTION	FEE TYPE	AMOUNT
1.24.060	Public Record Act- Cost for Providing Copies of Public Records- Cost for Paper Copies	\$0.15 Per Page
1.24.060	Public Record Act- Cost for Providing Copies of Public Records- CD-ROM	\$20
1.24.060	Public Record Act- Cost for Providing Copies of Public Records- Tape Recordings	\$15

## TITLE 2- ADMINISTRATION AND PERSONNEL

CHAPTER / SECTION	FEE TYPE	AMOUNT
2.16.220	Municipal Court System- Civil Jury Trials- Jury Pay	\$10 Daily
2.46.080	Storm and Surface Water Utility- Rates- Methodology-ERU	\$12.20 Per Month
2.46.090	Storm and Surface Water Utility- Rates- Fee Calculation- Class 1 Single-family/Multifamily/Condos with 1 Unit	\$12.20 Per Month
2.46.090	Storm and Surface Water Utility- Rates- Fee Calculation- Class 2 Multifamily/Condos with 2 or more units	50% of Class 1/Per-Unit Basis
2.46.090	Storm and Surface Water Utility- Rates- Fee Calculation- Class 3 Commercial / Industrial	\$12.20 Per 10,000 Sq. Ft. of land or \$24.41 Per 10,000 Sq. Ft. of impervious surface
2.46.090	Storm and Surface Water Utility- Rates- Fee Calculation- Class 4 Public-Use Customers (schools, government buildings, etc.)	\$12.20 Per 10,000 Sq. Ft. of land or \$24.41 Per 10,000 Sq. Ft. of impervious surface
2.46.090	Storm and Surface Water Utility- Rates- Fee Calculation- Class 5 Mixed Use Structures	\$12.20 Per Month/Per Commercial Unit for every 10,000 Sq. Ft. of land and \$20.20 Per Month/Per Unit, Unless 3+ Residential, the fee shall be 50% of the Class 1/Per-Unit Basis
2.100.040	Service Award Recognition Program for Employees-Employee Recognition Program Token Appreciation Award	Up to \$50

	Years of service	Value of item	Examples of type of item
2.100.040	1	\$15.00	City logo hat or mug
	5	35	City logo polo shirt/sweater
	10	65	City logo jacket/coat/vest
	20	100	City logo article

## TITLE 2 - ADMINISTRATION AND PERSONNEL

### Chapter 2.80 SEDRO-WOOLLEY UNION CEMETERY

#### Section 2.80.040 Rates.

<b>Burial Space</b>	
Burial Space (Includes space at \$800.00; endowment at \$100.00)	\$900.00
Double Burial Single Space (1 full body and 1 cremains or 2 cremains) Requires purchase of burial space; fee for each additional burial	\$300.00 Additional
Triple Burial Single Space (1 full body and 2 cremains) Requires purchase of burial space; fee for each additional burial	\$300.00 additional
Opening/Closing (Includes tent, chairs, greens and equipment)	\$750.00
Standard Size Concrete Liner (Includes purchase price and handling) (Oversize liner price on request)	\$650.00 + Sales Tax
Concrete Vault (Handling fee only)	\$175.00
Headstone Reset Fee	\$50.00
Headstone Setting	\$200.00
<b>Urn Space</b>	
Urn Space (Includes space at \$400.00; endowment at \$100.00)	\$500.00
Double Burial Single Space Requires Purchase of Burial Space; Fee for Each Addition Burial	\$300.00 Additional
Opening/Closing (Includes tent, chairs and greens)	\$300.00
Opening/Closing (No tent, chairs or greens)	\$150.00
Urn Vault (Includes purchase price and handling)	\$150.00 + Sales Tax
Headstone Setting	\$200.00
<b>Baby Space</b>	
Baby Space (Includes space at \$300.00; endowment at \$100.00)	\$400.00
Opening/Closing (Includes tent, chairs and greens)	\$300.00
Opening/Closing (No tent, chairs or greens)	\$150.00
Concrete Baby Liner (Includes purchase price and handling)	\$225.00 + Sales Tax
Combo (Liner/Casket) (Handling fee only)	\$75.00
Headstone Setting	\$200.00

<b>Columbarium Niche Wall (* Single inurnments only)</b>	
Niche Space (Includes space at variable price by location; and endowment at \$100.00)*	Niche Space (Includes space at variable price by location; and endowment at \$100.00)* Row 1 (top) \$750.00 Row 2 \$700.00 Row 3 \$650.00 Row 4 \$600.00
Opening/Closing (Includes tent, chairs and greens) \$275.00	\$275.00
Opening/Closing (No tent, chairs or greens)	\$175.00
Inscription (Single shutter inscription)	\$200.00 + Sales Tax
<b>Columbarium Niche Wall "Estate Unit" (* Single inurnments only)</b>	
Niche space* (11-7/8" x 11-7/8" x 15-1/2") (Includes space and endowment at \$100.00)	
Niches 1 through 4	\$1,350.00 Each
Niches 5 through 10	\$1,200.00 Each
Niches 11 and 12	\$1,100.00 Each
Niches 13 and 14	\$1,100.00 Each
2 plus cremains per niche	1-1/2 times single unit price
Opening/Closing (Includes tent, chairs and greens)	\$275.00
Opening/Closing (No tent, chairs or greens)	\$175.00
Inscription (Single shutter inscription) each cremains \$175.00 + Sales Tax	\$175.00 + Sales Tax
<b>Additional Labor Charges (***) Maximum of two headstones per grave space)</b>	
Saturday Service (Standard Burial)	\$450.00
Saturday Service (Cremation)	\$250.00
Sunday/Holiday Service (Standard Burial)	\$550.00
Sunday/Holiday Service (Cremation)	\$300.00
Additional Headstone on Existing Grave Space	\$200.00***
Setting of Headstone Flower Vase	\$25.00
Chapel Services at 3:00 p.m. or Later	\$150.00
<b>Disinterment</b>	
Casket/any removal	\$1,000.00
Casket/Relocation within Union Cemetery	\$1,400.00
Urn/any removal	\$225.00
Urn/Relocation within Union Cemetery	\$310.00

<b>TITLE 3- REVENUE AND FINANCE</b>		
<b>CHAPTER / SECTION</b>	<b>FEE TYPE</b>	<b>AMOUNT</b>
3.06.060	Lodging Tax- Violations- Penalties	Up to \$500 Per Violation/Per Day
3.64.010	Established Check-Handling Charge	\$30
<b>Fees for Police and Fire Reports or Services Fees Table</b>		
<b>3.60.010</b>	<b>Service</b>	<b>Fee</b>
1	Record check (includes clearing letter for visa, passport, etc.)	Per name \$10.00
2	Fingerprint cards (including applicants for concealed weapons permits)	\$10 (Up to 2)+ \$3 for Additional
3	Annual report	Per Report \$15.00
4	Traffic accident or fire incident report	Up to 2 pages \$5.00 3-20 pages \$10.00 Each additional page \$0.50
5	Traffic accident or fire incident witness statements	Per Statement \$4.00
6	Photographs (copies) minimum fees: up to 8 x 10 (cost of photos will be not less than the cost to the city for reproduction)	First Copy- Black/White: \$7.00 Colored: \$9.00 Additional Copy- Black/White: \$2.00 Colored:\$4.00 Extra Negatives- Black/White: \$3.00 Colored:\$4.00
7	Body worn camera videos and redaction Services	Fees To Be Determined



## TITLE 5- BUSINESS LICENSES AND REGULATIONS

CHAPTER / SECTION	FEE TYPE	AMOUNT
5.04.030	Business License Fee- Serving Beer, Wine, Spirits or Authority of the Washington State Liquor and Cannabis Board	\$250 Annually
5.04.030	Business License Fee- Pawnbroker	\$135 Annually
5.04.030	Business License Fee- Mobile Vending	\$1,000 Annually
5.04.030	Business License Fee- Taxicabs	\$135 Annually
5.04.030	Business License Fee- Extension Vendors	\$200 Annually/Per location
5.04.030	Business License Fee- Growing, Processing and Selling of Marijuana	\$250 Annually
5.04.030	Business License Fee- General Business	\$35 Annually
5.40.060	<b>FAILURE TO PAY TAX PENALTY</b>	
	1—10 days late	5% of tax due
	11—20 days late	10% of tax due
	21—31 days late	10% of tax due
	32—60 days late	20% of tax due
5.04.060	(B.) Penalty Amount	Per Finance Director

<b>TITLE 6- ANIMALS</b>		
<b>CHAPTER / SECTION</b>	<b>FEE TYPE</b>	<b>AMOUNT</b>
6.08.220	Impound Fees	\$25 + \$10 Day After 2 Days
6.08.300	Animal Control Infractions	\$150
6.16.020	Potentially Dangerous Dog- Registration Fee	\$250 + \$50 Annually
6.16.040	Dangerous Dog- Registration Fee	\$500 + \$100 Annually
6.16.060	Potentially Dangerous Dog- Fail to Register or Renew Penalty	\$250
6.16.060	Dangerous Dog- Fail to Register or Renew Penalty	\$500
6.16.070	Potentially Dangerous and Dangerous Dogs Enforcement- Animal Control Civil Penalty	\$150 + \$10 Day + Care Cost
6.16.070	Potentially Dangerous and Dangerous Dogs Enforcement- Animal Control Civil Penalty for Animal Destruction	\$250
6.16.080	Potentially Dangerous and Dangerous Dogs Enforcement-Hearings	\$15 Per Day
6.16.080	Potentially Dangerous and Dangerous Dogs Enforcement- Animal Control Civil Penalty for Animal Destruction- Failure to Pick Up After 10 days	\$50

<b>TITLE 7 - CITY RIGHTS-OF-WAY</b>		
<b>CHAPTER / SECTION</b>	<b>FEE TYPE</b>	<b>AMOUNT</b>
7.02.060	Utility Relocation-Enforcement	\$250 Per Day
7.12.390	Cable Communications- Cable System Evaluation- Non-compliance Fee	Up to \$3,500 Per Evaluation- To Adjusted from 1997 Inflation

## TITLE 8- HEALTH AND SAFETY

CHAPTER / SECTION	FEE TYPE	AMOUNT
8.04.075	Refuse Collection and Disposal System- Collection Charges- Excess Weight	\$5.00
8.04.075	Refuse Collection and Disposal System- Collection Charges- 60+ Days Late Penalty	\$10
8.04.085	Refuse Collection and Disposal System- Rental of Containers- Daily Charge	1,2, and 3 Yard Containers: \$3.00 Per Day; 4,6, and 8 Yard Containers \$6.00 Per Day
8.04.085	Refuse Collection and Disposal System- Rental of Containers- Empty Can Delivery/Pickup	\$20
8.04.103	Refuse Collection and Disposal System- Yard Waste Disposal Drop Off Site Punchcard-A. Residents- (a) Up to 32 Gal. Garbage Min. Charge	Minimum \$1.00
8.04.103	Refuse Collection and Disposal System- Yard Waste Disposal Drop Off Site Punchcard-A. Residents- (b) Brush	\$12.00 Per Yard
8.04.103	Refuse Collection and Disposal System- Yard Waste Disposal Drop Off Site Punchcard- B. Nonresidents	\$5.00 and \$20.00
8.04.104	Refuse Collection and Disposal System- Recycling Fees- Additional Service Fees	Lock: \$15.00 Per Lock; Extra Pickup: \$5 Per Yard; Washout of Container: \$25.00; Redelivery of Container Following Failure to Pay: \$25.00
8.04.120	Refuse Collection and Disposal System- Fuel Surcharge For Garbage Service- Base Charge	\$1.00 Per Month For Each Account; \$1.00 For Each Pickup In Excess of 1 Pickup Per Week
8.04.120	Refuse Collection and Disposal System- Fuel Surcharge For Garbage Service- Base Charge For Diesel Excess of \$3.00 Per Gal.	\$1.35 Per Month For Each Account; \$1.10 For Each Pickup In Excess of 1 Pickup Per Week
8.04.120	Refuse Collection and Disposal System- Fuel Surcharge For Garbage Service- Base Charge For Diesel Excess of \$4.00 Per Gal.	\$1.70 Per Month For Each Account; \$1.10 For Each Pickup In Excess of 1 Pickup Per Week
8.04.120	Refuse Collection and Disposal System- Fuel Surcharge For Garbage Service- Base Charge For Diesel Excess of \$5.00 Per Gal.	\$2.05 Per Month For Each Account; \$1.30 For Each Pickup In Excess of 1 Pickup Per Week
8.04.130	Refuse Collection and Disposal System- Residential Curbside Food and Yardwaste Collection Charges- Residential 96 Gal. Can	\$12.17
8.28.060	Fireworks-Public Display-Permit Fees	\$50.00
8.36.040	Smoking in Public Places and Places of Employment- Penalties-Person	Up to \$100
8.36.040	Smoking in Public Places and Places of Employment- Penalties-Owner Obligations	Up to \$100

**Section 8.04.075 COLLECTION CHARGES.**

**TABLE 1: RESIDENTIAL**

TYPE OF SERVICE	GARBAGE	RECYCLING
Residential, 20-gal. can	\$12.54	\$5.02
Residential, 32-gal. can	\$23.11	\$5.02
Residential, 68-gal. can	\$33.50	\$5.02
Residential, 96-gal. can	\$44.73	\$5.02
Each Additional Recycling Tote		\$5.02
Residential, low income	80% OF APPLICABLE RESIDENTIAL RATE	

**TABLE 2: COMMERCIAL AND MULTIFAMILY**

Commercial, 32-gal. can	\$26.17
Commercial, 68-gal. can	\$41.51
Commercial, 95-gal. can	\$56.56
Commercial, 1-yard container	\$114.60
Commercial, 2-yard container	\$151.50
Commercial, 3-yard container	\$225.65
Commercial, 4-yard container	\$297.15
Commercial, 6-yard container	\$438.43
Commercial, 8-yard container	\$586.12
Commercial, 30-yard container	\$230.78 haul fee, actual charges for disposal, and \$71.34 delivery fee, plus rental fee of \$71.34 per month
Multifamily, apartments, cabin courts and trailer park units, etc.	Applicable commercial rate plus \$5.02 per unit for recycling

**ADDITIONAL PICKUPS (NOT REGULARLY SCHEDULED UNDER TABLE 2)**

1-yard container	\$38.11 for each pickup
2-yard container	\$67.40 for each pickup
3-yard container	\$104.02 for each pickup
4-yard container	\$118.70 for each pickup
6-yard container	\$177.26 for each pickup
8-yard container	\$235.91 for each pickup

**Picking up and disposing of the following items:**

Recliners/overstuffed chairs/chairs:	\$15.00
Couches/sofas/sectionals:	\$15.00
Mattresses (any size):	\$15.00

**Section 8.04.104 RECYCLING FEES.**

<b>Recycling Fees</b>			
Tires	\$5.00 per tire		
Refrigerators and freezers	\$25.00		
Stoves, washers or dryers	\$15.00		
Wood waste	\$12.00 per pickup load		
Broken concrete, bricks and approved masonry	\$11.00 per ton		
Commercial recycling	Mixed paper	Cardboard	Mixed recycling
95-gallon container	20.38	Not available	20.38
2-yard container	33.95	27.17	61.1
3-yard container	47.52	33.95	95.05
4-yard container	88.25	47.52	108.61
6-yard container	115.4	61.1	142.57
8-yard container	153.07	74.67	190.08

## TITLE 12- STREETS, SIDEWALKS AND PUBLIC PLACES\*

\* For provisions on public works construction standards regarding streets and sidewalks, see Ch. 15.40 of this code.

CHAPTER / SECTION	FEE TYPE	AMOUNT
12.08.030	Excavation for Gas Distribution and Transmission Systems- Application and Bond	\$10,000
12.08.360	Excavation for Gas Distribution and Transmission Systems- Public Works Supervisor's Inspection and Fee	\$3 Per Hour
12.36.020	City Parks, Recreational Vehicle Facilities and Community Center- Recreational Vehicle Facilities, Covered Areas and Athletic Fields- (B.) Recreational Vehicle Park Fees (1.) Without Full Sewer Hook-ups	\$35 Per Night
12.36.020	City Parks, Recreational Vehicle Facilities and Community Center- Recreational Vehicle Facilities, Covered Areas and Athletic Fields- (B.) Recreational Vehicle Park Fees (2.) With Full Sewer Hook-ups	\$40 Per Night
12.36.020	City Parks, Recreational Vehicle Facilities and Community Center- Recreational Vehicle Facilities, Covered Areas and Athletic Fields- (D.) Reservations (2.) Riverfront RV	\$15
12.36.020	City Parks, Recreational Vehicle Facilities and Community Center- Recreational Vehicle Facilities, Covered Areas and Athletic Fields- (D.) Reservations (3.) Riverfront Large Covered Eating Area	\$175 For Residents    \$250 For Nonresidents
12.36.020	City Parks, Recreational Vehicle Facilities and Community Center- Recreational Vehicle Facilities, Covered Areas and Athletic Fields- (D.) Reservations (4.) Riverfront Small Covered Eating Area	\$125 For Residents    \$200 For Nonresidents
12.36.020	City Parks, Recreational Vehicle Facilities and Community Center- Recreational Vehicle Facilities, Covered Areas and Athletic Fields- (D.) Reservations (5.) Memorial Park	\$100 For Residents    \$150 For Nonresidents
12.36.020	City Parks, Recreational Vehicle Facilities and Community Center- Recreational Vehicle Facilities, Covered Areas and Athletic Fields- (D.) Reservations (6.) Bingham Park Shelter	\$100 For Residents; \$150 For Nonresidents

12.36.020	City Parks, Recreational Vehicle Facilities and Community Center- Recreational Vehicle Facilities, Covered Areas and Athletic Fields- (D.) Reservations (7.) Hammer Heritage Square	\$100 For Residents; \$200 For Nonresidents
12.36.030	City Parks, Recreational Vehicle Facilities and Community Center- Community Center Facility- (E.) Security Deposit	\$1,000 IF Alcohol is Permitted; \$1,000 IF Dancing or Live Music is Permitted; \$1,000 IF the Audio/Visual Equipment is Rented; or \$100 IF Alcohol, Dancing, and Music are Not Permitted
12.36.030	City Parks, Recreational Vehicle Facilities and Community Center- Community Center Facility- (E.) Security Deposit- Additional Required Cleanup	\$50 Per Hour
12.36.030	City Parks, Recreational Vehicle Facilities and Community Center- Community Center Facility- (G.) Security/Facility Monitor	\$25 Per Scheduled Hour; \$50 Per Excess Hours
12.36.030	City Parks, Recreational Vehicle Facilities and Community Center- Community Center Facility- (I.) Annual Users	\$175 Per Use
12.36.030	City Parks, Recreational Vehicle Facilities and Community Center- Community Center Facility- (J.) Consecutive Days	\$100 Less, Beyond first
12.36.030	City Parks, Recreational Vehicle Facilities and Community Center- Community Center Facility- (K.) Audio/Visual Equipment	\$50
12.36.040	City Parks, Recreational Vehicle Facilities and Community Center- Penalties	Up to \$500
12.36.050	City Parks, Recreational Vehicle Facilities and Community Center- Amphitheatre at Riverfront- (A.) Reservations (1.) Nonprofit, City Sanctioned Festivals, and Private Uses	\$400 for Residents; \$650 for All Others
12.36.050	City Parks, Recreational Vehicle Facilities and Community Center- Amphitheatre at Riverfront- (A.) Reservations (2.) Events Staged for Profit-Permit	\$200, Nonrefundable
12.36.050	City Parks, Recreational Vehicle Facilities and Community Center- Amphitheatre at Riverfront- (A.) Reservations (2.) Events Staged for Profit- Rental	\$400 for Residents; \$650 for All Others



12.36.050	City Parks, Recreational Vehicle Facilities and Community Center- Amphitheatre at Riverfront- (C.) Security/Facility Monitor (1.) Events With Alcoholic Beverages, Live Music or Dancing	\$25 Per Scheduled Hour; \$50 Per Excess Hours
12.36.090	City Parks, Recreational Vehicle Facilities and Community Center- Sedro-Woolley Senior Center-(D.) Security Deposit	\$100
12.40.120	Tree Standards- Inspection and Appeal (C.) Penalty	\$250 Each Day
12.44.040	Special Events, Parades and Festivals-Deposit Required	Up to \$1,000

ATHLETIC FIELD USER FEES			
	FACILITY	WEEKLY RATE	DAILY RATE
12.36.020	RIVERFRONT 1—East	\$90.00	\$25.00
	RIVERFRONT 2—West	\$90.00	\$25.00
	RIVERFRONT—Rookie—South	\$50.00	\$15.00
	RIVERFRONT—T-Ball—North	\$50.00	\$15.00
	TESARIK	\$90.00	\$25.00
	WINNIE HOUSER	\$200.00	\$60.00
	DENNY ENGBERG	\$150.00	\$45.00

COMMUNITY CENTER RENTAL FEE				
	WITHOUT ALCOHOL, LIVE MUSIC, AND/OR DANCING	RESIDENT	ALL OTHERS	COMMUNITY GROUP
12.36.030	Monday through Thursday	\$225.00	\$375.00	\$150.00
	Friday through Sunday	\$275.00	\$425.00	\$150.00
	WITH ALCOHOL LIVE MUSIC, AND/OR DANCING	RESIDENT	ALL OTHERS	COMMUNITY GROUP
	Monday through Thursday	\$475.00	\$625.00	\$250.00
	Friday through Sunday	\$525.00	\$725.00	\$250.00

SENIOR CENTER RENTAL FEE				
	RESIDENT	ALL OTHERS	COMMUNITY GROUP	
12.36.090	Monday through Thursday	\$50.00	\$200.00	\$25.00
	Friday through Sunday	\$100.00	\$250.00	\$25.00

<b>TITLE 13- WATER AND SEWERS</b>		
<b>CHAPTER / SECTION</b>	<b>FEE TYPE</b>	<b>AMOUNT</b>
13.08.060	Sewers Use Required Application Fee	\$25
13.16.035	Sewer Connections General Facilities Charge—Separate Fund.1- Connection or Commencement of Use	\$8,900 per ERU
13.16.035	Sewer Connections General Facilities Charge—Separate Fund.1- Plumbing Fixtures	\$370 Per Fixture Unit
13.16.035	Sewer Connections General Facilities Charge—Separate Fund.1- Plumbing Fixtures Water Consumption	\$370 Per 234 Gal. of Water Consumption Per Month
13.16.037	Sewer Connections- Utility Connection Fee Residential User- North Reed Street (A.)	\$1,152 Per Residential Dwelling Unit
13.16.037	Sewer Connections- Utility Connection Fee Nonresidential User- North Reed Street (B.)	\$1,152 Per ERU
13.16.038	Sewer Connections- Utility Connection Fee Residential User- Cook Road-Trail Road (A.)	\$3,426 Per Residential Dwelling Unit
13.16.038	Sewer Connections- Utility Connection Fee Nonresidential User- Cook Road-Trail Road (B.)	\$3,426 Per ERU
13.16.039	Sewer Connections- Utility Connection Fee Residential User- Fruitdale Road (A.)	\$3,450 Per Residential Dwelling Unit
13.16.039	Sewer Connections- Utility Connection Fee Nonresidential User- Fruitdale Road (B.)	\$3,450 Per ERU
13.16.039.1	Sewer Connections- Utility Connection Fee Residential User- North Township Street (A.)	\$725 Per Residential Dwelling Unit
13.16.039.1	Sewer Connections- Utility Connection Fee Nonresidential User- North Township Street (B.)	\$725 Per ERU
13.16.039.2	Sewer Connections- Utility Connection Fee Residential User- West Bennett, West Nelson, Batey, Robinson and Borseth Streets (A.)	\$3,450 Per Residential Dwelling Unit
13.16.039.2	Sewer Connections- Utility Connection Fee Nonresidential User- West Bennett, West Nelson, Batey, Robinson and Borseth Streets (B.)	\$3,450 Per ERU
13.16.140	Sewer Connections- General Facilities Charge-Credit For Disconnecting Septic Systems	\$2,855
13.30.130	Sewer Rates- Low Income Citizen Discount-Maximum Charge	\$44.35 Per Month

## TITLE 15- BUILDINGS AND CONSTRUCTION

CHAPTER / SECTION	FEE TYPE	AMOUNT
15.52.120	Administrative fee	\$750
15.60.050	Transportation fee schedules and establishment of service area	Attachment A
15.60.070	Park impact fee and establishment of service area	Attachment B
15.64.130	School impact fees and administrative fees	\$35
15.64.150	Independent fee calculations - Deposit	\$500

Attachment A – see ORDINANCE No. 1960-20

Attachment B—Schedule of Park Impact Fees

### Parks Impact Fee Calculations

Additional acres needed	Improvements needed	Existing units	Projected units (2005-2025)	Cost per unit
85 acres new	Ballfields	4,422 units	1,347 new units	\$1,954.00
	Trails			
\$393,100	Play equipment	X 2.6 persons per unit = 11,497 estimated population in City and UGA.	15,000 total population projected for City and UGA.	
120,500	Climbing wall			
127,500	Recreation			
89,700	Water features			
189,000				
958,400				
165,000				
73,900				
43,100				
114,300				
158,100				
200,000				
Total:				
\$2,632,600				

### Parks impact fee per unit:

Single-family residence	\$1,500
Manufactured home	\$1,500
Units in a duplex or multifamily unit	\$1,500
Dependent relative cottage	\$1,500

Accessory dwelling unit between the minimum allowed size ADU and four hundred fifty square feet	\$450
Accessory dwelling unit greater than four hundred fifty square feet and below the maximum size allowed ADU	\$915
All units not specifically identified in the above	\$1,500

<b>TITLE 17- ZONING</b>		
<b>CHAPTER / SECTION</b>	<b>FEE TYPE</b>	<b>AMOUNT</b>
17.65.760	Enforcement of the Critical Areas Regulations- Violations Civil Penalty	\$75 Per Day
17.98.040	Model Homes- Application Requirements	\$300 Per Model

<b>TITLE 18- CODE ENFORCEMENT</b>		
<b>CHAPTER / SECTION</b>	<b>FEE TYPE</b>	<b>AMOUNT</b>
18.15.040	Notice of Violation and Order/Administrative Proceeding-Appeal Procedure	\$100
18.35.030	Civil Fines and Civil Penalties- Civil Penalty- Critical Areas	\$50,000

RESOLUTION NO. 1099-22  
A RESOLUTION OF THE CITY OF SEDRO-WOOLLEY, WASHINGTON,  
ADOPTING A MASTER FEE SCHEDULE

WHEREAS, various City Council Ordinances have adopted regulations requiring certain actions and services; and,

WHEREAS, the City has determined that fees and rates should be set by resolution; and,

WHEREAS, it is the intent of the City of Sedro-Woolley to charge appropriate fees and charges that are consistent with the services provided and to cover the public cost of providing these various services so that the public is not subsidizing individual benefits derived therefrom; and,

WHEREAS, Ordinance No. 2013-22 provided revisions to code sections that made specific reference to dollar amounts to instead refer to the “Master Fee Schedule adopted by Resolution of the City Council”; and,

WHEREAS, the City Council adopted Resolution 1047-20, effective March 12, 2020, which contained a Building, Planning, & Engineering Fee Schedule; and,

WHEREAS, in the case of a conflict, the fees adopted in the above referenced Building, Planning & Engineering Fee Schedule will supersede the fees removed from code in this first version of the Master Fee Schedule;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sedro-Woolley as follows:

1. Adoption of Master Fee Schedule. The City hereby adopts by reference and incorporated herein attached Exhibit “A” entitled the “Master Fee Schedule” setting the fees, rates, deposits, and other charges of the City.
2. Severability. If any provision of this Resolution or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances is not affected.
3. Effective Date. This Resolution shall be in full force and effect on the effective date of Ordinance No. 2013-22.

PASSED AND ADOPTED by the City Council of the City of Sedro-Woolley, State of Washington, on this \_\_\_ day of \_\_\_\_, 2022.

\_\_\_\_\_  
Julia Johnson, Mayor

ATTEST:

\_\_\_\_\_  
Kelly Kohnken, Finance Director

APPROVED AS TO FORM:

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Nikki Thompson, City Attorney



ORDINANCE NO. 2013-22

AN ORDINANCE OF THE CITY OF SEDRO-WOOLLEY, WASHINGTON,  
ESTABLISHING A MASTER FEE SCHEDULE AND AUTHORIZING THE ADOPTION OF  
A SCHEDULE OF FEES AND CHARGES BY RESOLUTION, AMENDING THE  
REFERENCE TO FEES AND CHARGES IDENTIFIED IN SEDRO-WOOLLEY MUNICIPAL  
CODE (SWMC):

Section 1.24.060 Costs of providing copies of public records; Section 2.16.220 Civil jury trials; Section 2.46.080 Rates—Methodology—ERU; Section 2.46.090 Rates—Fee calculation; Section 2.100.040 Employee recognition program; Section 2.80.040 Rates; Section 3.06.060 Violation—Penalties; Section 3.64.010 Established; Section 3.60.010 Fees designated; Section 5.04.030 License fees; Section 5.40.060 Tax—Failure to pay—Penalty; Section 6.08.220 Impoundment—Fees; Section 6.08.300 Infractions—Penalty; Section 6.16.020 Potentially dangerous dog—Certificate of registration required; Section 6.16.040 Dangerous dog—Certificate of registration required; Section 6.16.060 Penalties; Section 6.16.070 Enforcement; Section 6.16.080 Hearings; Section 7.02.060 Enforcement; Section 7.12.390 Cable system evaluation; Section 8.04.075 Collection charges; Section 8.04.085 Rental of containers; Section 8.04.103 Yard waste disposal drop off site punchcard; Section 8.04.104 Recycling fees; Section 8.04.120 Fuel surcharge for garbage service; Section 8.04.130 Residential curbside food and yardwaste collection charges; Section 8.28.060 Permit fees; Section 8.36.040 Penalties; Section 12.08.030 Application and bond; Section 12.08.360 Public works supervisor’s inspection and fee; Section 12.36.020 Recreational vehicle facilities, covered areas and athletic fields; Section 12.36.030 Community center facility; Section 12.36.040 Penalties; Section 12.36.050 Amphitheatre at Riverfront Park; Section 12.36.090 Sedro-Woolley senior center building; Section 12.40.120 Inspection and appeal; Section 12.44.040 Deposit required; Section 13.08.060 Procedure; Section 13.16.035 General facilities charge—Separate fund<sup>1</sup>; Section 13.16.037 Utility connection fee—North Reed Street; Section 13.16.038 Utility connection fee—Cook Road-Trail Road; Section 13.16.039 Utility connection fee—Fruitdale Road; Section 13.16.039.1 Utility connection fee—North Township Street<sup>2</sup>; Section 13.16.039.2 Utility connection fee—West Bennett, West Nelson, Batey, Robinson and Borseth Streets<sup>3</sup>; Section 13.16.140 General facilities charge—Credit for disconnecting septic system; Section 13.30.130 Low income citizen discount; Section 15.52.120 Administrative fee; Section 15.60.050 Transportation fee schedules and establishment of service area; Section 15.60.070 Park impact fee and establishment of service area; Section 15.64.130 School impact fees and administrative fees; Section 15.64.150 Independent fee calculations; Section 17.65.760 Enforcement of the critical areas regulations; Section 17.98.040 Application requirements; Section 18.15.040 Appeal procedure; and Section 18.35.030 Civil penalty—Critical areas

The City Council of the City of Sedro-Woolley, do ordain as follows:

**Section One.** Section 1.24.060 entitled “Costs of providing copies of public records” of the Sedro-Woolley Municipal Code, adopted by Ord. 1570-07 § 6 in 2007, is hereby amended to read as follows:

- A. Costs for Paper Copies. There is no fee for inspecting public records. A requestor may obtain standard black and white photocopies ~~for fifteen cents per standard page and~~ and

large format ~~copying costs~~ copies as for a charge per page as listed in the master fee schedule adopted by resolution of the city council ~~provided on the public records request form~~. In the event of amendment to RCW 42.56, this fee shall automatically adjust to the maximum allowable charge under RCW 42.56. ~~In the event the city treasurer determines the actual cost of providing copies, the actual cost shall be charged.~~

B. Before beginning to make the copies, the public records officer or designee may require a deposit of up to ten percent of the estimated costs of copying all the records selected by the requestor. The public records officer or designee may also require the payment of the remainder of the copying costs before providing all the records, or the payment of the costs of copying an installment before providing that installment. The city of Sedro-Woolley will not charge sales tax when it makes copies of public records.

C. Costs for Electronic Records. The cost of electronic copies of records ~~shall be ten dollars~~ are listed in the master fee schedule adopted by resolution of the city council, for information on ~~a floppy disk, twenty dollars for information on~~ a CD-ROM, and ~~fifteen dollars for~~ tape recordings of meetings (per tape).

D. Costs of Mailing. The city of Sedro-Woolley may also charge actual costs of mailing, including the cost of the shipping container.

E. Actual Costs. For requests that require outside assistance to fulfill, the requestor shall pay the actual costs incurred to fulfill the request.

F. Payment. Payment may be made by cash, check, or money order to the city of Sedro-Woolley.

**Section Two.** Section 2.16.220 entitled “Civil jury trials” of the Sedro-Woolley Municipal Code, adopted by Ord. 1047 § 2 (part) in 1987, is hereby amended to read as follows:

In all civil cases, the plaintiff or defendant may demand a jury, which shall consist of six citizens of the state who shall be impaneled and sworn as in cases before district courts, or the trial may be by a judge of the municipal court; provided, that no jury trial may be held on a proceeding involving a traffic infraction. A party requesting a jury shall pay to the court a fee which shall be the same as that for a jury in district court. If more than one party requests a jury, only one jury fee shall be collected by the court. The fee shall be apportioned among the requesting parties. Each juror shall receive ~~ten dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council for each day in attendance upon the municipal court, and in addition thereto shall receive mileage at the rate determined under RCW 43.03.060.

**Section Three.** Section 2.46.080 entitled “Rates—Methodology—ERU” of the Sedro-Woolley Municipal Code, adopted by Ord. 1998-21 § 1 in 2021, is hereby amended to read as follows:

It is the intention of the city to impose a baseline standard residential storm drainage fee ~~equaling twelve dollars and twenty cents~~ per month as listed in the master fee schedule adopted by resolution

of the city council. This equivalent residential unit (ERU) fee is based on the assumption that the average single-family lot equals approximately ten thousand square feet.

The fees for other customer classifications shall use this ten thousand square-foot ERU baseline as the basis for the calculation of the fee.

**Section Four.** Section 2.46.090 entitled “Rates—Fee calculation” of the Sedro-Woolley Municipal Code, adopted by Ord. 1998-21 § 2 in 2021, is hereby amended to read as follows:

The following ERU-derived fees shall apply. The derived ERU-based fees shall be billed in whole units and are billed to the next higher unit (for example, if a parcel has a forty-three thousand five hundred square-foot area, the parcel’s owner would be billed for five ERUs; if a parcel has two thousand square-foot area, the parcel’s owner would be billed for one ERU) and in no case shall the ERU-based fee be less than ~~twelve dollars and twenty cents~~the amount listed in the master fee schedule adopted by resolution of the city council.

Class 1 customers includes all single-family residential units and all multifamily and condominium units with one unit. Class 1 fee: as listed in the master fee schedule adopted by resolution of the city council, ~~twelve dollars and twenty cents~~ per month per unit.

Class 2 customers includes all multifamily units and condominium with two or more units. Class 2 fee: fifty percent of the Class 1 fees on a per-unit basis.

Class 3 customers includes all commercial and industrial customers. Class 3 fee: ~~twelve dollars and twenty cents~~as listed in the master fee schedule adopted by resolution of the city council, per month for every ten thousand square feet of land area or ~~twenty-four dollars and forty-one cents~~as listed in the master fee schedule adopted by resolution of the city council, per month for every ten thousand square feet of impervious surface.

Class 4 customers includes all public-use customers (schools, hospitals, churches, government buildings, etc.). Class 4 fee: ~~twelve dollars and twenty cents~~as listed in the master fee schedule adopted by resolution of the city council, per month for every ten thousand square feet of land area or ~~twenty-four dollars and forty-one cents~~as listed in the master fee schedule adopted by resolution of the city council, per month for every ten thousand square feet of impervious surface.

Class 5 customers includes all mixed-use structures. Class 5 fee: ~~twelve dollars and twenty cents~~as listed in the master fee schedule adopted by resolution of the city council, per month per commercial unit for every ten thousand square feet of land area and ~~twelve dollars and twenty cents~~as listed in the master fee schedule adopted by resolution of the city council, per month for every residential unit. However, should there be more than three residential units, the fee shall be fifty percent of the Class 1 fees on a per-unit basis.

**Section Five.** Section 2.100.040 entitled “Employee recognition program” of the Sedro-Woolley Municipal Code, adopted by Ord. 1990-21 § 1 in 2021, is hereby amended to read as follows:

The city hereby establishes a program of employee recognition to promote good will, foster a sense of pride in affiliation with the city, promote safety, productivity, reliability, efficiency, dedication, and commitment to the community. Subject to budgetary authority, the mayor or city administrator may authorize the expenditure of funds for the purpose of employee recognition as follows:

A. Service Award Schedule will be listed in the master fee schedule adopted by resolution of the city council.

<del>Years of service</del>	<del>Value of item</del>	<del>Examples of type of item</del>
<del>1</del>	<del>\$15.00</del>	<del>City logo hat or mug</del>
<del>5</del>	<del>35.00</del>	<del>City logo polo shirt/sweater</del>
<del>10</del>	<del>65.00</del>	<del>City logo jacket/coat/vest</del>
<del>20</del>	<del>100.00</del>	<del>City logo article</del>

B. Token appreciation awards ~~in an amount~~ not to exceed ~~fifty dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council per award.

C. Meals related to an employee recognition event in an amount that does not exceed the per employee cost of meals covered under the city’s expense reimbursement policy.

**Section Six.** Section 2.80.040 entitled “Rates” of the Sedro-Woolley Municipal Code, adopted by Ord. 1968-20 § 1 in 2020, is hereby amended to read as follows:

The fees and charges charged by the city for services, items and spaces in Union Cemetery shall be ~~as follows:~~ listed in the master fee schedule adopted by resolution of the city council.

~~BURIAL SPACE~~

<del>Burial Space (Includes space at \$800.00; endowment at \$100.00)</del>	<del>\$900.00</del>
<del>Double Burial Single Space (1 full body and 1 cremains or 2 cremains) Requires purchase of burial space; fee for each additional burial</del>	<del>\$300.00 additional</del>
<del>Triple Burial Single Space (1 full body and 2 cremains) Requires purchase of burial space; fee for each additional burial</del>	<del>\$300.00 additional</del>
<del>Opening/Closing (Includes tent, chairs, greens and equipment)</del>	<del>\$750.00</del>
<del>Standard Size Concrete Liner (Includes purchase price and handling) (Oversize liner price on request)</del>	<del>\$650.00 + Sales Tax</del>
<del>Concrete Vault (Handling fee only)</del>	<del>\$175.00</del>
<del>Headstone Reset Fee</del>	<del>\$50.00</del>

Headstone Setting	\$200.00
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#### URN SPACE

Urn Space (Includes space at \$400.00; endowment at \$100.00)	\$500.00
Double Burial Single Space Requires purchase of burial space; fee for each additional burial	\$300.00 additional
Opening/Closing (Includes tent, chairs and greens)	\$300.00
Opening/Closing (No tent, chairs or greens)	\$150.00
Urn Vault (Includes purchase price and handling)	\$150.00 + Sales Tax
Headstone Setting	\$200.00

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#### BABY SPACE

Baby Space (Includes space at \$300.00; endowment at \$100.00)	\$400.00
Opening/Closing (Includes tent, chairs and greens)	\$300.00
Opening/Closing (No tent, chairs or greens)	\$150.00
Concrete Baby Liner (Includes purchase price and handling)	\$225.00 + Sales Tax
Combo (Liner/Casket) (Handling fee only)	\$75.00
Headstone Setting	\$200.00

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#### COLUMBARIUM NICHE WALL

Niche Space (Includes space at variable price by location; and endowment at \$100.00)*	Row 1 (top)	\$750.00
	Row 2	\$700.00
	Row 3	\$650.00
	Row 4	\$600.00
Opening/Closing (Includes tent, chairs and greens)	-	\$275.00
Opening/Closing (No tent, chairs or greens)	-	\$175.00
Inscription (Single shutter inscription)	\$200.00	+
	Sales Tax	

Includes full name, date of birth, date of death (up to twenty characters) extra charge per letter or number over twenty characters.

~~\* Single inurnments only.~~

~~COLUMBARIUM ————— NICHE ————— WALL  
"ESTATE UNIT"~~

<del>Niche space* (11-7/8" x 11-7/8" x 15-1/2") (Includes space and endowment at \$100.00)</del>	
<del>Niches 1 through 4</del>	<del>\$1,350.00 each</del>
<del>Niches 5 through 10</del>	<del>\$1,200.00 each</del>
<del>Niches 11 and 12</del>	<del>\$1,100.00 each</del>
<del>Niches 13 and 14</del>	<del>\$1,000.00 each</del>
<del>2 plus cremains per niche</del>	<del>1-1/2 times single unit price</del>
<del>Opening/Closing (Includes tent, chairs and greens)</del>	<del>\$275.00</del>
<del>Opening/Closing (No tent, chairs or greens)</del>	<del>\$175.00</del>
<del>Inscription (Single shutter inscription) each cremains</del>	<del>\$175.00 ————— +</del>
	<del>Sales Tax</del>

~~Includes full name, date of birth, date of death (up to twenty characters) extra charge per letter or number over twenty characters.~~

~~\* Single inurnments only.~~

~~ADDITIONAL LABOR CHARGES~~

<del>Saturday Service (Standard Burial)</del>	<del>\$450.00</del>
<del>Saturday Service (Cremation)</del>	<del>\$250.00</del>
<del>Sunday/Holiday Service (Standard Burial)</del>	<del>\$550.00</del>
<del>Sunday/Holiday Service (Cremation)</del>	<del>\$300.00</del>
<del>Additional Headstone on Existing Grave Space</del>	<del>\$200.00***</del>
<del>Setting of Headstone Flower Vase</del>	<del>\$25.00</del>
<del>Chapel Services at 3:00 p.m. or Later</del>	<del>\$150.00</del>

~~\*\*\* Maximum of two headstones per grave space.~~

~~—Note: Any other charges shall be based on prevailing wages plus a ten percent administration fee.~~

~~DISINTERMENT~~

<del>Casket/any removal</del>	<del>\$1,000.00</del>
<del>Casket/Relocation within Union Cemetery</del>	<del>\$1,400.00</del>
<del>Urn/any removal</del>	<del>\$225.00</del>
<del>Urn/Relocation within Union Cemetery</del>	<del>-</del>

\$310.00

Burials held on Saturday, Sunday or city-recognized holidays must be scheduled forty-eight hours in advance. Failure to give adequate notification will result in a double charge of the Saturday, Sunday or holiday rate. (See additional labor charges above.)

**Section Seven.** Section 3.06.060 entitled “Violation—Penalties” of the Sedro-Woolley Municipal Code, adopted by Ord. 1308-98 § 6 in 1998, is hereby amended to read as follows:

It is unlawful for any person, firm or corporation to violate or fail to comply with any of the provisions of this chapter. Every person convicted of a violation of any provision of this chapter shall be punished by a fine ~~in a sum not to exceed five hundred dollars~~ of the amount listed in the master fee schedule adopted by resolution of the city council. Each day of violation shall be considered a separate offense.

**Section Eight.** Section 3.64.010 entitled “Established” of the Sedro-Woolley Municipal Code, adopted by Ord. 1633-09 § 1 (App. A)(part) in 2009, is hereby amended to read as follows:

There is established a check-handling charge for all checks or drafts payable to the city, which are dishonored for payment by the bank or institution upon which said checks or drafts are drawn, which check-handling charge shall be the ~~sum of thirty dollars~~ amount listed in the master fee schedule adopted by resolution of the city council.

**Section Nine.** Section 3.60.010 entitled “Fees designated” of the Sedro-Woolley Municipal Code, adopted by Res. 975-17 § 1 in 2017, is hereby amended to read as follows:

The city is authorized to collect fees for certain police department and fire department reports or services, as ~~follows listed in the master fee schedule adopted by resolution of the city council~~. The types of services available are listed in the master fee schedule.

<b>Service -</b>	<b>Fee</b>
1. <del>Record check (includes per name clearing letter for visa, passport, etc.)</del>	<del>\$10.00</del>
2. <del>Fingerprint cards up to 2 cards (including applicants for each additional card concealed weapons permits)</del>	<del>10.00 3.00</del>
3. <del>Annual report</del>	<del>per report 15.00</del>
4. <del>Traffic accident or fire incident report</del>	<del>Up to 2 pages 5.00 3-20 pages 10.00 each additional page .50</del>
5. <del>Traffic accident or fire incident witness statements</del>	<del>Per statement 4.00</del>

<b>Service -</b>	<b>Fee</b>
6. <del>Offense/incident</del> <del>case</del> <del>Per report (up to 20 pages)</del>	<del>10.00</del>
<del>reports</del>	<del>Each additional page</del> <del>.50</del>
<del>-</del>	<del>Per statement</del> <del>4.00</del>
<del>A. Statements</del>	
7. <del>Photographs</del> <del>(copies)</del> <del>first copy</del>	<del>-</del>
<del>minimum fees: up to 8 x 10</del> <del>black/white</del>	<del>7.00</del>
<del>(cost of photos will be not</del> <del>color</del>	<del>9.00</del>
<del>less than the cost to the city</del> <del>-</del>	<del>-</del>
<del>for reproduction)</del> <del>additional copy</del>	<del>-</del>
	<del>black/white</del> <del>2.00</del>
	<del>color</del> <del>4.00</del>
	<del>-</del> <del>-</del>
	<del>extra negatives</del> <del>-</del>
	<del>black/white</del> <del>3.00</del>
	<del>color</del> <del>4.00</del>
8. <del>Consultation</del> <del>and/or</del> <del>per person</del>	<del>30.00 per hour*</del>
<del>examination of physical</del> <del>evidence by police</del>	<del>*(minimum \$10.00)</del>
<del>department or fire</del> <del>department personnel at</del>	
<del>police department or fire</del> <del>department</del>	
9. <del>Research and retrieval fee</del> <del>per item</del>	<del>30.00</del>
<del>(reports, statements</del> <del>photographs over 1 year</del>	
<del>old)</del>	
10. <del>Attendance of the Sedro-</del> <del>For residents of Sedro-</del> <del>\$15.00 per participant.</del>	
<del>Woolley fire department's</del> <del>Woolley and businesses</del>	
<del>public CPR classes</del> <del>located within and licensed by</del>	
	<del>Sedro Woolley, including</del>
	<del>their employees</del>
	<del>For all others</del> <del>\$25.00 per participant.</del>

**Section Ten.** Section 5.04.030 entitled “License fees” of the Sedro-Woolley Municipal Code, adopted by Ord. 1904-18 § 4 in 2018, is hereby amended to read as follows:

- A. No person shall engage in business in the city without first having applied for, paid for and obtained the license therefor for the current year, as provided herein, and without having first complied with any and all applicable provisions of this chapter.
- B. Regulatory Business License. Each person engaged in the following businesses in the city shall pay an annual basic license fee as indicated below:



1. Businesses, clubs or societies selling or serving beer, wine and/or spirits, operating under license or authority of the Washington State Liquor and Cannabis Board, an annual license fee ~~of two hundred fifty dollars~~ as listed in the master fee schedule adopted by resolution of the city council.

2. Pawnbrokers. An annual license fee ~~of one hundred thirty five dollars as listed in the master fee schedule adopted by resolution of the city council~~ and no person shall be issued a license to operate as a pawnbroker unless he or she possesses the following qualifications:

- a. Is at least twenty-one years of age;
- b. Is a resident of the state of Washington for at least six months prior to filing application;
- c. Has not been convicted of any offense involving moral turpitude or intent to defraud or any property crime, within three years prior to the time of application.

- i. When an application for a license to operate as a pawnbroker, duly signed and notarized, and accompanied by required information, has been received by the police chief, he shall investigate the statements contained therein and may obtain such other information concerning the applicant's character, integrity, personal habits, past conduct and general suitability to maintain a pawnshop within the city.

- ii. Each application for a pawnbroker's license shall be accompanied by a complete set of fingerprints of the applicant, utilizing a fingerprint form provided by the city police department.

- iii. All applications shall become null and void after sixty days from the date of filing if the application for any reason is denied or is not obtained by the applicant.

3. Mobile Vendors. An annual license fee ~~of one thousand dollars as listed in the master fee schedule adopted by resolution of the city council~~ and compliance with the following requirements:

- a. Mobile vending is allowed on private property when invited by the property owner; and
- b. Mobile vending is allowed on public streets provided the following conditions are met: (i) the vehicle must be legally parked and cannot use more than a single designated parking space; (ii) the vehicle or cart may not

obstruct any street or sidewalk for the passage of other vehicles or pedestrians or result in noncompliance with the Americans with Disabilities Act, as amended (ADA); (iii) the vehicle must not operate in a single location for more than one hour at a time. For purposes of this section, one location is defined as one city block; and

c. Nothing in this section shall relieve any person who is operating as a mobile vendor from compliance with all other requirements of the Sedro-Woolley Municipal Code, including, but not limited to, for example, zoning, sewer, and mandatory solid waste service requirements.

4. Taxicabs.

a. An annual license fee ~~of one hundred thirty-five dollars as listed in the master fee schedule adopted by resolution of the city council~~ and no taxicab license or driver's permit shall be issued to any person who:

i. Has been convicted of an offense of such a nature to indicate that he or she is unfit to hold a license or a permit;

ii. Is guilty of committing two or more offenses for which mandatory revocation of driver's license is provided by law;

iii. Has been convicted of manslaughter resulting from the operation of a motor vehicle or convicted of negligent homicide;

iv. Is intemperate or addicted to the use of narcotics.

b. Any license or permit issued may be revoked if the holder is found guilty of the above-mentioned disabilities or physically or mentally unfit upon complaint of the police chief or a committee of the city council designated for that purpose by the council as a whole, at which hearing the holder or licensee may appear and be heard on his own behalf.

c. No person may be issued a taxicab license or driver's permit within one year after his conviction in any local, state, or federal court or authority, of the violation of any ordinance or law pertaining to the sale or possession of alcoholic beverages, and any license or permit issued shall be revoked for one year upon the conviction of the holder of a violation of local, state, or federal ordinances, laws, or regulations pertaining to the sale or possession of alcoholic beverages.

d. The payment of such license fee shall permit the owner or operator to operate as many taxicabs under one license as he may desire.

e. Nothing herein contained shall prevent the operator of a taxicab licensed to operate in another city or town or within this or other county, from entering and leaving the city for picking up or depositing passengers in the usual course of business.

5. Extension Vendors. An annual license fee ~~of two hundred dollars as listed in the master fee schedule adopted by resolution of the city council~~ per location and compliance with the following requirements:

a. Extension vending is allowed only on private property when invited by the property owner; and

b. Nothing in this section shall relieve any person who is operating as an extension vendor from compliance with all other requirements of this code, including, but not limited to, for example, zoning, sewer, and mandatory solid waste service requirements.

6. Businesses growing, processing or selling marijuana operating under license or authority of the Washington State Liquor and Cannabis Board, an annual license fee ~~of two hundred fifty dollars as listed in the master fee schedule adopted by resolution of the city council~~.

C. General Business License. All persons engaged in business in the city not included in regulatory or nonprofit business license sections shall pay an annual basic license fee ~~of thirty-five dollars as listed in the master fee schedule adopted by resolution of the city council~~.

D. Nonprofit Business License. Businesses and organizations which have IRS 501(c)(3) nonprofit tax status, for activities within the scope of their IRS 501(c)(3) purpose, are exempted from any fees in this chapter; however, they are not exempted from registering with the city of Sedro-Woolley; provided, that:

1. The organization shall provide proof of IRS 501(c)(3) status;

2. The activity shall not include the sale of food, beverages, cigarettes or gambling; and

3. The owner of property used for this exempt purpose shall obtain a fire inspection certificate if required by this chapter.

E. The license required by this chapter shall have a term as established by the state of Washington BLS, in cooperation with the city.

F. Each branch establishment or separate location of a business conducted by any person shall, for the purpose thereof, be a separate business and subject to the license therefor provided for herein.

G. If any person be engaged in operating or carrying on in the city more than one business, then such person shall pay the license herein prescribed for as many of said businesses as are carried on by such person.

H. A change of physical location of a business inside the city will require approval by the city before business may commence at the new location, and may require the filing of a new master business application.

**Section Eleven.** Section 5.40.060 entitled “Tax—Failure to pay—Penalty” of the Sedro-Woolley Municipal Code, adopted by Ord. 1721-11 § 7 (part) in 2011, is hereby amended to read as follows:

~~A. If full payment of any tax or fee due under the provisions of this chapter is not received by the city treasurer/finance director on or before the date due, there shall be added to the amount due a penalty fee as listed in the master fee schedule adopted by resolution of the city council. follows:~~

~~A.~~

<del>1—10 days late</del>	<del>5% of tax due</del>
<del>11—20 days late</del>	<del>10% of tax due</del>
<del>21—31 days late</del>	<del>10% of tax due</del>
<del>32—60 days late</del>	<del>20% of tax due</del>

~~B. In no event shall the penalty amount be less than ten dollars. In addition to this penalty, the city treasurer may charge the taxpayer interest of ten percent of all taxes and fees due for each thirty day period, or portion thereof, that such amounts are past due. The penalty shall be per the master fee schedule adopted by resolution of the city council.~~

C. Failure to make payment in full of all tax amounts and penalties within sixty days following the day the tax amount initially became due shall be both a civil and a criminal violation of this section.

**Section Twelve.** Section 6.08.220 entitled “Impoundment—Fees” of the Sedro-Woolley Municipal Code, adopted by Ord. 1980-21 § 2 (Exh. B) in 2021, is hereby amended to read as follows:

A. For every dog impounded and held for safekeeping in the temporary holding kennels at the city police department, pursuant to this chapter, there shall be paid to the animal control authority, by any person desiring to redeem such animal, an impoundment fee ~~of twenty five dollars as listed in the master fee schedule adopted by resolution of the city council plus ten dollars per day for any dog that remains unclaimed for more than two days.~~

B. If circumstances arise whereby the animal control authority deems it necessary to transfer an impounded dog to another suitable animal shelter, veterinary hospital, or other boarding establishment, in addition to the impoundment fee, the city may require reimbursement for such actual costs for feeding, veterinary treatment, and care of such dogs as shall be imposed by the authorized agency selected by the animal control authority to care for the impounded dog.

C. Fees provided for in this section can be waived or reduced at the discretion of the animal control authority, upon a written finding that the owner did not otherwise violate the terms of this chapter.

**Section Thirteen.** Section 6.08.300 entitled “Infractions—Penalty” of the Sedro-Woolley Municipal Code, adopted by Ord. 1980-21 § 2 (Exh. B) in 2021, is hereby amended to read as follows:

A violation of any of the provisions of this chapter shall constitute a civil infraction and shall subject the violator to a civil penalty not to exceed ~~one hundred fifty dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council, and upon a fourth violation, a civil penalty ~~of in one hundred fifty dollar~~ the amount listed in the master fee schedule plus forfeiture of the dog causing the violation.

**Section Fourteen.** Section 6.16.020 entitled “Potentially dangerous dog—Certificate of registration required” of the Sedro-Woolley Municipal Code, adopted by Ord. 1824-15 § 3 (part) in 2015, is hereby amended to read as follows:

A. It is unlawful for any owner of a potentially dangerous dog, who has been notified by any animal control authority that he or she is the owner of a potentially dangerous dog, to keep such dog within Sedro-Woolley unless such owner has notified the Sedro-Woolley animal control authority and procured a certificate of registration from the Sedro-Woolley animal control authority.

B. The animal control authority may find and declare a dog to be a potentially dangerous dog if it has probable cause to believe the dog falls within the definition set forth in this chapter. The finding must be based upon:

1. The written complaint of a citizen who is willing to testify that the dog has acted in a manner which causes it to fall within the definition of a potentially dangerous dog; or
2. Dog bite reports filed with the animal control authority as required by this chapter or state law; or
3. Actions of the dog witnessed by any animal control officer or law enforcement officer; or

4. Other substantial evidence admissible in municipal court.

C. The declaration of potentially dangerous dog shall be in writing, and shall be served on the owner in one of the following methods:

1. Certified/return receipt mail to the owner or keeper's last known address, if known; or

2. Personally; or

3. If the owner cannot be located by one of the first two methods, by publication in a newspaper of general circulation.

4. The owner of any animal found to be a potentially dangerous dog under this section shall be assessed all service costs expended under subsection C of this section.

D. The declaration shall state at least:

1. A description of the animal;

2. The name and address of the owner or keeper of the animal, if known;

3. The whereabouts of the animal if it is not in the custody of the owner;

4. The facts upon which the declaration of potentially dangerous dog is based;

5. The restrictions placed on the dog as a result of the declaration;

6. The availability of a hearing in the event the owner or keeper objects to the declaration, if a request is made within five business days;

7. The penalties for violation of the restrictions, including the possibility of destruction of the animal, and imprisonment or fining of the owner.

E. If the owner of the animal wishes to object to the declaration of potentially dangerous dog:

1. The owner may, within five business days of receipt of the declaration, or within five business days of the publication of the declaration pursuant to subsection (C)(3) of this section, request a hearing before the municipal court by submitting a written request to the clerk of the court.

2. If the court finds that there is insufficient evidence to support the declaration, it shall be rescinded, and the restrictions imposed thereby annulled.

3. If the court finds sufficient evidence to support the declaration, it shall impose court costs on the appellant, and may impose additional restrictions on the animal.

4. In the event the court finds that the animal is not a potentially dangerous dog, no court costs shall be assessed against Sedro-Woolley or the animal control authority.

F. Following service of a declaration of potentially dangerous dog, and pending appeals under this section or to any other court with jurisdiction, the animal control authority may, if circumstances require, impound the animal at the owner's expense, pursuant to the provisions of this chapter, until a court orders either its redemption or destruction.

G. The owner of a potentially dangerous dog shall obtain a certificate of registration for such dog from the animal control authority, and shall be required to pay the fee for such registration in the amount set forth herein, or as hereafter amended. In addition, the owner of a potentially dangerous dog shall pay an annual renewal fee for such registration in the amount set forth herein, or as hereafter amended.

H. The registration fee for each potentially dangerous dog to be registered under this section is ~~two hundred fifty dollars~~ listed in the master fee schedule adopted by resolution of the city council. The annual renewal fee for each potentially dangerous dog registered under this section is ~~fifty dollars~~ listed in the master fee schedule adopted by resolution of the city council.

**Section Fifteen.** Section 6.16.040 entitled "Dangerous dog—Certificate of registration required" of the Sedro-Woolley Municipal Code, adopted by Ord. 1824-15 § 3 (part) in 2015, is hereby amended to read as follows:

A. It is unlawful for any owner of a dangerous dog, who has been notified by any animal control authority that he/she is the owner of a dangerous dog, to keep such dog within Sedro-Woolley unless such owner has notified the Sedro-Woolley animal control authority and procured a certificate of registration from the Sedro-Woolley animal control authority.

B. The animal control authority may find and declare a dog to be a dangerous dog if it has probable cause to believe that the dog falls within the definition of a dangerous dog. The finding must be based upon:

1. The written complaint of a citizen who is willing to testify that the dog has acted in a manner which causes it to fall within the definition of a dangerous dog; or

2. Dog bite reports filed with the animal control authority as required by this chapter or state law; or
3. Actions of the dog witnessed by any animal control officer or law enforcement officer; or
4. Other substantial evidence admissible in municipal court.

C. The declaration of dangerous dog shall be in writing, and shall be served on the owner in one of the following methods:

1. Certified/return receipt mail to the owner or keeper's last known address, if known; or
2. Personally; or
3. If the owner cannot be located by one of the first two methods, by publication in a newspaper of general circulation.
4. The owner of any animal found to be a dangerous dog under this section shall be assessed all service costs expended under subsection C of this section.

D. The declaration shall state at least:

1. A description of the animal;
2. The name and address of the owner or keeper of the animal, if known;
3. The whereabouts of the animal if it is not in the custody of the owner;
4. The facts upon which the declaration of dangerous dog is based;
5. The restrictions placed upon the dog as a result of the declaration;
6. The availability of a hearing in the event the owner or keeper objects to the declaration, if a request is made within five business days;
7. The penalties for violation of the restrictions, including the possibility of destruction of the animal, and imprisonment or fining of the owner.

E. If the owner of the animal wishes to object to the declaration of dangerous dog:

1. The owner may, within five business days of receipt of the declaration, or within five business days of the publication of the declaration pursuant to subsection (C)(3) of this section, request a hearing before the municipal court by submitting a written request to the clerk of the court.



2. If the court finds that there is insufficient evidence to support the declaration, it shall be rescinded, and the restrictions imposed thereby annulled.

3. If the court finds sufficient evidence to support the declaration, it shall impose court costs on the appellant, and may impose additional restrictions on the animal.

4. In the event the court finds that the animal is not a dangerous dog, no court costs shall be assessed against Sedro-Woolley or the animal control authority.

F. Following service of a declaration of dangerous dog, and pending appeals under this section or to any other court with jurisdiction, the animal control authority may, if circumstances require, impound the animal at the owner's expense, pursuant to the provisions of this chapter, until a court orders either its redemption or destruction.

G. The owner of a dangerous dog shall obtain a certificate of registration for such dog from the animal control authority, and shall be required to pay the fee for such registration in the amount set forth herein, or as hereafter amended. In addition, the owner of a dangerous dog shall pay an annual renewal fee for such registration in the amount set forth herein, or as hereafter amended.

H. The registration fee for each dangerous dog to be registered under this section is ~~five hundred dollars~~ listed in the master fee schedule adopted by resolution of the city council. The annual renewal fee for each dangerous dog registered under this section is ~~one hundred dollars~~ listed in the master fee schedule adopted by resolution of the city council.

**Section Sixteen.** Section 6.16.060 entitled "Penalties" of the Sedro-Woolley Municipal Code, adopted by Ord. 1824-15 § 3 (part) in 2015, is hereby amended to read as follows:

A. A violation of Section 6.16.020(A) or 6.16.040(A), failure to register or renew, is a civil infraction; however, no such civil infraction may be assessed until five business days have elapsed from the date such owner is notified by the animal control authority that such a registration or renewal is required.

1. For a potentially dangerous dog, the civil infraction carries ~~a the penalty of two hundred fifty dollars~~ listed in the master fee schedule adopted by resolution of the city council.

2. For a dangerous dog, the civil infraction carries ~~a the penalty of five hundred dollars~~ listed in the master fee schedule adopted by resolution of the city council.

B. Failure to comply with Section 6.16.030, the restraint requirements for a potentially dangerous dog, is a misdemeanor.

C. Failure to comply with Section 6.16.050, the restraint requirements for a dangerous dog, is a gross misdemeanor.

**Section Seventeen.** Section 6.16.070 entitled “Enforcement” of the Sedro-Woolley Municipal Code, adopted by Ord. 1824-15 § 3 (part) in 2015, is hereby amended to read as follows:

A. All civil penalties required to be paid by owners for violations of the provisions of this chapter shall be made to the city of Sedro-Woolley finance department.

B. The animal control authority may impound:

1. A potentially dangerous or dangerous dog for which the owner has not obtained a certificate of registration; or

2. A potentially dangerous or dangerous dog that is not in compliance with the restraint restrictions of Section 6.16.030 or 6.16.050.

C. The animal control authority may impound, quarantine for the proper length of time, and thereafter destroy in an expeditious and humane manner:

1. A previously declared dangerous dog that bites a person or a domestic animal; or

2. A dog that aggressively attacks and causes severe injury or death of a human, regardless of whether there has been any previous determination of whether such dog is potentially dangerous or dangerous.

D. The animal control authority may assess a civil penalty in the amount ~~of one hundred fifty dollars~~ listed in the master fee schedule adopted by resolution of the city council, plus ~~ten dollars the amount listed in the master fee schedule~~ for each day a potentially dangerous or dangerous dog is impounded, plus actual costs for any necessary additional care.

E. The animal control authority may destroy, in an expeditious and humane manner, a potentially dangerous or dangerous dog when the right to appeal has been exhausted or waived and the dog remains impounded for twenty days or more due to the failure of the owner to obtain the certificate of registration or pay civil penalties. The animal control authority may assess an additional civil penalty in the amount ~~of two hundred fifty dollars~~ listed in the master fee schedule adopted by resolution of the city council for the cost of destroying any such dog.

F. No potentially dangerous dog or dangerous dog impounded by the animal control authority may be returned to any owner until such owner has paid all civil penalties assessed against such owner under this chapter.

G. Sedro-Woolley shall have the authority to place a lien upon the real property of any owner of a dangerous dog or potentially dangerous dog against whom a civil penalty has been assessed under this chapter, who has been given notice of such civil penalty and has failed to pay such civil penalty; provided, however, that no such lien shall be placed until thirty days has elapsed from the date of any final determination of the validity of such civil penalty.

**Section Eighteen.** Section 6.16.080 entitled “Hearings” of the Sedro-Woolley Municipal Code, adopted by Ord. 1824-15 § 3 (part) in 2015, is hereby amended to read as follows:

A. Any owner against whom a civil penalty has been assessed under this chapter may contest such civil penalty by requesting a hearing in the Sedro-Woolley municipal court by requesting such hearing within five business days of notification of such civil penalty by the animal control authority.

B. Where an owner has requested a hearing pursuant to subsection A of this section, no potentially dangerous dog or dangerous dog which is in the possession of the animal control authority shall be destroyed until the resolution of such hearing; provided, however, that an additional civil penalty in the amount ~~of fifteen dollars listed in the master fee schedule adopted by resolution of the city council~~ per day shall be assessed against any owner whose dog remains in the custody of the animal control authority during any hearings requested under this section where resolution of such hearing is that all or any part of the civil penalty against such owner is found to be properly assessed.

C. Following resolution of any contested hearing regarding a civil penalty as provided herein, the owner of any dangerous dog or potentially dangerous dog in the possession of the animal control authority shall pay all civil penalties which may have been assessed as authorized above within ten days of the final resolution of any hearing regarding such civil penalties.

D. Any dangerous dog or potentially dangerous dog which has not been picked up from the animal control authority by its owner within ten days of the final resolution of any hearing regarding any civil penalties under this section shall be destroyed in an expeditious and humane manner; provided, however, that an additional civil penalty in the amount ~~of fifty dollars listed in the master fee schedule adopted by resolution of the city council~~ for the cost of destroying such dog shall be assessed against the owner, and may be collected as provided in Section 6.16.070.

**Section Nineteen.** Section 7.02.060 entitled “Enforcement” of the Sedro-Woolley Municipal Code, adopted by Ord. 1990-21 § 1 in 2021, is hereby amended to read as follows:

Failure of the utility to comply with the provisions of the city administrator’s order to relocate shall be a civil infraction with a civil fine ~~of two hundred fifty dollars as listed in the master fee schedule adopted by resolution of the city council~~. Each day of violation shall be deemed a separate infraction, subject to the civil fine as specified above. In addition, the city administrator is

authorized to take such additional actions to enforce the provisions of this chapter, including civil action in superior court.

**Section Twenty.** Section 7.12.390 entitled “Cable system evaluation” of the Sedro-Woolley Municipal Code, adopted by Ord. 1335-99 § 1 (part) in 1999, is hereby amended to read as follows:

In addition to periodic meetings, the city may require reasonable evaluation sessions at any time during the term of a franchise.

It is intended that such evaluations cover areas such as customer service, response to the community’s cable-related needs, and a franchisee’s performance under and compliance with the terms of a franchise.

During an evaluation session, a franchisee shall fully cooperate with the city and shall provide without cost such reasonable information and documents as the city may request to perform evaluations.

If the city has concerns because of recurring technical problems with the franchisee’s cable system it may retain an independent consultant to conduct an analysis, upon thirty days written notice to the franchisee, of the cable system and its performance and submit a report of such analysis to the city. The city shall take into consideration any efforts taken to correct such deficiencies.

The report prepared by the consultant in response to the city’s request for a system evaluation shall include:

- A. A description of the technical problem(s) in cable system performance which precipitate the special tests;
- B. What cable system components were tested;
- C. The equipment used and procedures employed in testing;
- D. The method, if any, by which specific performance problems may be resolved;
- E. Any other information pertinent to such tests and analyses which may be required by the city, or determined when the test is performed.

If the tests indicate that the system is not in compliance with FCC standards or the requirements of the franchise, a franchisee shall reimburse the city for any costs involved in conducting such tests, such as consultant fees or other expenses.

Such fees or expenses shall not exceed ~~three thousand five hundred dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council for each evaluation. ~~This figure is based on 1997 dollars and shall be adjusted for inflation.~~

**Section Twenty-one.** Section 8.04.075 entitled “Collection charges” of the Sedro-Woolley Municipal Code, adopted by Ord. 1999-21 § 1 in 2021, is hereby amended to read as follows:

Charges for refuse and garbage collection and disposal shall be compulsory. Charges not paid within twenty-five days of billing date shall be delinquent and the charge may become a lien against the property which is serviced by the garbage collection and disposal system. The city, at its discretion, may also reduce or eliminate service on delinquent accounts.

A. The charges for regular weekly garbage service shall be as follows:

1. Table 1: Residential container rates are listed in the master fee schedule adopted by resolution of the city council.

Monthly Charge with One Pickup Per Week			
Type of Service	Garbage	Recycling	Total
Residential, 20-gal. can	\$12.54	\$5.02	\$17.56
Residential, 32-gal. can	\$23.11	\$5.02	\$28.13
Residential, 68-gal. can	\$33.50	\$5.02	\$38.52
Residential, 96-gal. can	\$44.73	\$5.02	\$49.75
Each Additional Recycling Tote	-	\$5.02	-
Residential, low income	80% of applicable residential rate		

2. Residential includes single-family, duplex, triplex and condominium residences. Each living unit of such residences shall be subject to the rates established in this chapter.

3. Table 2: Commercial and Multifamily container rates are listed in the master fee schedule adopted by resolution of the city council.

Commercial, 32-gal. can	\$26.17
Commercial, 68-gal. can	\$41.51
Commercial, 95-gal. can	\$56.56
Commercial, 1-yard container	\$114.60
Commercial, 2-yard container	\$151.50
Commercial, 3-yard container	\$225.65
Commercial, 4-yard container	\$297.15
Commercial, 6-yard container	\$438.43
Commercial, 8-yard container	\$586.12
Commercial, 30-yard container	\$230.78 haul fee, actual charges for disposal, and \$71.34 delivery fee, plus rental fee of \$71.34 per month

<del>Multifamily, apartments, cabin courts and trailer park units, etc.</del>	<del>Applicable commercial rate plus \$5.02 per unit for recycling</del>
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B. If more than one pickup per week is required on a continuing basis and the customer is utilizing a container smaller than eight-yard capacity, a larger container shall be required. The city may at its discretion authorize more than one pickup per week under the following conditions:

1. Where the largest container provided by the city is not adequate for the amount of waste generated;
2. Where more than one pickup per week is required to maintain proper health and sanitation;
3. Where a larger container cannot reasonably be placed on the customer's property due to space limitation;
4. Additional scheduled pickups are billed at the same rate as Table 2, above (example: three pickups/week of a two-yard container equals \$151.50 x 3/month).

C. In cases where additional pickups (not regularly scheduled under Table 2, above) are requested due to the use of container on construction sites or other temporary uses or to accommodate temporary increases in the amount of waste generated, additional pickups shall be made at the rate set forth listed in the master fee schedule adopted by resolution of the city council as follows for both residential and commercial customers:

<del>1-yard container</del>	<del>\$38.11 for each pickup</del>
<del>2-yard container</del>	<del>\$67.40 for each pickup</del>
<del>3-yard container</del>	<del>\$104.02 for each pickup</del>
<del>4-yard container</del>	<del>\$118.70 for each pickup</del>
<del>6-yard container</del>	<del>\$177.26 for each pickup</del>
<del>8-yard container</del>	<del>\$235.91 for each pickup</del>

- D.
1. A residential or commercial can (up to thirty-two gallons) may not contain in excess of sixty-five pounds per can in weight. The city may, in its discretion, empty a can weighing over sixty-five pounds. In that event, an additional fee of five dollars as listed in the master fee schedule adopted by resolution of the city council shall be charged.
  2. If the cost to the city for emptying any container shall exceed the charges therefor, due to excessive weight or content, the city may proceed as set forth in subsection G of this section.

E. Yard Trimmings. Yard trimmings, including but not limited to weeds, grass, sod, trees, shrubs, foliage parts, rocks, cement or other material not generally considered regular household refuse, shall be excluded from sanitation collection services unless special arrangements are made with the sanitation department. Extra charges for such collection shall be determined by the mayor or his designee.

F. Interest Charges. All charges for sanitation services shall be due and payable when rendered. Sanitation service charges shall be delinquent if not paid in full within twenty-five days after the date of billing. Delinquent charges shall bear interest at the rate of eight percent per annum beginning on the first day of the month following delinquency until paid in full. In addition, a late penalty of ~~ten dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council shall be charged for any solid waste account that is delinquent for more than sixty days.

G. The mayor or his designee may charge any resident or customer such additional service charges when he or she determines that special circumstances make it necessary to do so in order to compensate the city for the actual cost of solid waste collection, disposal and administration, when the foregoing fee schedule is not adequate for this purpose. Any resident or customer may appeal the assessment of this additional charge to the city council. Notice of appeal shall be by written request to the city clerk within ten days of mailing of the bill or receipt of payment for such services by the city, whichever is less. The decision of the city council shall be final.

H. Rates include a three and six-tenths percent state of Washington refuse tax.

I. The following fees shall be charged for picking up and disposing of the following items:

Recliners/overstuffed chairs/chairs:	<del>\$5.00</del> <u>per master fee schedule</u>
Couches/sofas/sectionals:	<del>\$15.00</del> <u>per master fee schedule</u>
Mattresses (any size):	<del>\$15.00</del> <u>per master fee schedule</u>

Items shall be placed at or near the location where the normal weekly pickup occurs.

**Section Twenty-two.** Section 8.04.085 entitled “Rental of containers” of the Sedro-Woolley Municipal Code, adopted by Ord. 1712-11 § 2 in 2011, is hereby amended to read as follows:

A. The city shall rent solid waste containers to those customers not on a regular weekly service schedule, for ~~three dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council per day for one-, two- and three-yard containers, and for ~~six dollars~~ the amount listed in the master fee schedule per day for four-, six- and eight-yard containers.

B. The city shall charge a fee of ~~twenty dollar~~ the amount listed in the master fee schedule adopted by resolution of the city council to deliver or to pick up an empty solid

waste container to a site within the city limits; provided, that only a single fee shall be charged if the container is picked up within twenty days of delivery.

C. All residential customers on a regular weekly service schedule who use a container with a capacity of up to ninety-six gallons shall use an approved container compatible with the automated pickup equipment used by the city. The customer shall be responsible for any damage to the container other than normal wear and tear and damage caused by the city. The cost of replacement of a damaged container shall be added to the customer's bill.

**Section Twenty-three.** Section 8.04.103 entitled "Yard waste disposal drop off site punchcard" of the Sedro-Woolley Municipal Code, adopted by Ord. 1818-15 § 4 in 2015, is hereby amended to read as follows:

The fee for yard waste disposal service at a city site established for such purposes, during established hours, shall be as follows:

A. For compost yard waste materials (for purposes of this section, yard waste material is limited to yard waste material which does not need to be chipped prior to disposal, such as grass, leaves, fruits, vegetables, etc.):

1. Fee for city residents:

a. A minimum charge (up to one thirty-two-gallon garbage can) ~~of one dollar~~ the amount listed in the master fee schedule adopted by resolution of the city council.

b. Brush—per yard: ~~of twelve dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council.

2. The fee for nonresidents of the city who reside within the urban growth boundary of the city shall be double the fee for city residents.

B. The fee for yard waste disposal must be prepaid through the purchase of a punchcard. Punchcards shall be available for purchase at City Hall during normal business hours. The punchcards shall entitle the bearer to yard waste disposal service in the amounts ~~of five dollars and twenty dollars~~ listed in the master fee schedule adopted by resolution of the city council.

C. The mayor or his designee may charge any resident or customer such additional service charges when he or she determines that special circumstances make it necessary to do so in order to compensate the city for the actual cost of yard waste collection, disposal and administration, when the foregoing fee schedule is not adequate for this purpose. Any resident or customer may appeal the assessment of this additional charge to the city council. Notice of appeal shall be made by written request to the city clerk within ten days of mailing of the bill or receipt of payment for such services by the city, whichever is less. The decision of the city council shall be final.



**Section Twenty-four.** Section 8.04.104 entitled “Recycling fees” of the Sedro-Woolley Municipal Code, adopted by Ord. 1999-21 § 2 in 2021, is hereby amended to read as follows:

~~A. The following fees shall be charged for recycling specific items: are listed in the master fee schedule adopted by resolution of the city council.~~

~~A.~~

<del>Tires</del>	<del>\$5.00 per tire</del>
<del>Refrigerators and freezers</del>	<del>\$25.00</del>
<del>Stoves, washers or dryers</del>	<del>\$15.00</del>
<del>Wood waste</del>	<del>\$12.00 per pickup load</del>
<del>Broken concrete, bricks and approved masonry</del>	<del>\$11.00 per ton</del>

<del>Commercial recycling</del>	<del>Mixed paper</del>	<del>Cardboard</del>	<del>Mixed recycling</del>
<del>95-gallon container</del>	<del>\$20.38</del>	<del>Not available</del>	<del>\$20.38</del>
<del>2-yard container</del>	<del>\$33.95</del>	<del>\$27.17</del>	<del>\$61.10</del>
<del>3-yard container</del>	<del>\$47.52</del>	<del>\$33.95</del>	<del>\$95.05</del>
<del>4-yard container</del>	<del>\$88.25</del>	<del>\$47.52</del>	<del>\$108.61</del>
<del>6-yard container</del>	<del>\$115.40</del>	<del>\$61.10</del>	<del>\$142.57</del>
<del>8-yard container</del>	<del>\$153.07</del>	<del>\$74.67</del>	<del>\$190.08</del>

B. Electronics are accepted free of charge at a site designated by the city.

C. Additional service fees:

Lock fees: ~~fifteen dollars~~ listed in the master fee schedule adopted by resolution of the city council per lock (all sizes).

Extra pickup: ~~five dollars~~ listed in the master fee schedule adopted by resolution of the city council per yard (minimum fee ~~of five dollars~~ listed in the master fee schedule).

Washout of container: ~~twenty-five dollars~~ listed in the master fee schedule adopted by resolution of the city council.

Redelivery of container following pick up for failure to pay: ~~twenty-five dollars~~ listed in the master fee schedule adopted by resolution of the city council.

D. The mayor or his designee may charge any residents or customer such additional service charges when he or she determines that special circumstances make it necessary to

do so in order to compensate the city for the actual cost of recycling disposal and administration, when the foregoing fee schedule is not adequate for this purpose. Any resident or customer may appeal the assessment of this additional charge to the city council. Notice of appeal shall be made by written request to the city clerk within ten days of mailing of the bill or receipt of payment for such services by the city, whichever is less. The decision of the city council shall be final.

**Section Twenty-five.** Section 8.04.120 entitled “Fuel surcharge for garbage service” of the Sedro-Woolley Municipal Code, adopted by Ord. 1818-15 § 6 in 2015, is hereby amended to read as follows:

A fuel surcharge is added to each account as follows:

A base surcharge of ~~one dollar the amount listed in the master fee schedule adopted by resolution of the city council~~ per month for each account and ~~one dollar the amount listed in the master fee schedule~~ for each pickup in excess of one pickup per week.

When the average price of diesel paid by the city exceeds ~~three dollars the amount listed in the master fee schedule~~ per gallon for a period of thirty days as determined by the finance director, a surcharge of ~~thirty-five cents the amount listed in the master fee schedule adopted by resolution of the city council~~ is added per month for each account and ~~ten cents the amount listed in the master fee schedule~~ for each pickup in excess of one pickup per week.

~~When the average price of diesel paid by the city exceeds four dollars per gallon for a period of thirty days as determined by the finance director, a surcharge of seventy cents is added per month for each account and ten cents for each pickup in excess of one pickup per week.~~

~~When the average price of diesel paid by the city exceeds five dollars per gallon for a period of thirty days as determined by the finance director, a surcharge of one dollar five cents is added per month for each account and thirty cents for each pickup in excess of one pickup per week.~~

Each surcharge shall be eliminated when the average price of diesel as determined by the finance director drops below the trigger price for a period of thirty days. ~~The trigger prices are three dollars, four dollars and five dollars as identified above.~~

The intent of this section is to recover from the users of the refuse disposal system the actual cost for fuel when it exceeds a base amount ~~of two dollars ninety-nine cents per gallon~~ and for that surcharge to be removed when the price of fuel drops ~~(for example, when the price of diesel is four dollars, the total surcharge would be one dollar seventy cents per month; when the price of diesel is six dollars, the total surcharge would be two dollars five cents per month).~~

**Section Twenty-six.** Section 8.04.130 entitled “Residential curbside food and yardwaste collection charges” of the Sedro-Woolley Municipal Code, adopted by Ord. 1999-21 § 3 in 2021, is hereby amended to read as follows:

The charges for regular curbside food and yardwaste service are listed in the master fee schedule adopted by resolution of the city council.

Monthly charge (one pickup per week during peak season and one pickup every other week during the nonpeak season) is listed in the master fee schedule adopted by resolution of the city council.

Residential, ninety-six-gallon can: ~~twelve dollars seventeen cents~~ charge is listed in the master fee schedule adopted by resolution of the city council.

**Section Twenty-seven.** Section 8.28.060 entitled “Permit fees” of the Sedro-Woolley Municipal Code, adopted by Ord. 1647-09 § 1 (part) in 2009, is hereby amended to read as follows:

The fee for a public display permit for the public display of fireworks shall be ~~fifty dollars~~ listed in the master fee schedule adopted by resolution of the city council, payable in advance, except that no permit fee shall be charged for the public display of fireworks on city-owned property when permitted by the city council.

**Section Twenty-eight.** Section 8.36.040 entitled “Penalties” of the Sedro-Woolley Municipal Code, adopted by Ord. 1540-06 § 4 in 2006, is hereby amended to read as follows:

A. Any person intentionally violating this chapter by smoking in a public place or place of employment, or any person removing, defacing, or destroying a sign required by this chapter, is subject to a civil fine of up to ~~one hundred dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council. Any person passing by or through a public place while on a public sidewalk or public right-of-way has not intentionally violated this chapter. Local law enforcement agencies shall enforce this section by issuing a notice of infraction to be assessed in the same manner as traffic infractions. The provisions contained in Chapters 7.80 RCW and 46.63 RCW for the disposition of infractions, except as provided by Chapter 70.160 RCW, apply to the disposition of infractions for violation of this subsection.

The form for the notice of infraction for a violation of this subsection shall be prescribed by rule of the Washington State Supreme Court.

B. When violations of Section 8.36.030 of this chapter occur, a warning shall first be given to the owner or other person in charge. Any subsequent violation is subject to a civil fine of up to ~~one hundred dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council. Each day upon which a violation occurs or is permitted to continue constitutes a separate violation.

C. Local health departments shall enforce Section 8.36.030 of this chapter regarding the duties of owners or persons in control of public places and places of employment by either of the following actions:

1. Serving notice requiring the correction of any violation; or

2. Calling upon the city or town attorney or county prosecutor or local health department attorney to maintain an action for an injunction to enforce this section and Section 8.36.030 of this chapter, to correct a violation, and to assess and recover a civil penalty for the violation.

**Section Twenty-nine.** Section 12.08.030 entitled “Application and bond” of the Sedro-Woolley Municipal Code, adopted by Ord. 602 § 13 in 1959, is hereby amended to read as follows:

Permittee shall make application to the public works supervisor for a permit and in connection therewith shall file a bond in the sum of ~~ten thousand dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council, all in compliance with the provisions of Ordinance 600. In addition thereto such bond shall also be conditioned that permittee will comply with all of the provisions of this chapter and in case the permit authorizes cutting into or under any highway in the city, the bond shall be further conditioned that the person applying for or acting under the permit shall replace the portion thereof affected thereby and shall restore the same at its expense to as good or better condition within the time specified by the public works supervisor and that the permittee will maintain such highway so restored for a period of two years from and after such restoration. Settlement within the two-year period shall be considered conclusive evidence of defective back-filling by the permittee. Acceptance of the work by the public works supervisor shall not prevent the city from making claim against the permittee for incomplete or defective work if the same is discovered within two years of the acceptance. The fact that an inspector was present during the progress of any construction shall not relieve the permittee from responsibility for defects discovered after the completion of the work.

**Section Thirty.** Section 12.08.360 entitled “Public works supervisor’s inspection and fee” of the Sedro-Woolley Municipal Code, adopted by Ord. 602 § 47 in 1959, is hereby amended to read as follows:

The public works supervisor shall make inspections to see that the provisions of this chapter are complied with and the expenses of the same shall be paid by the permittee upon a bill therefor being submitted by the public works supervisor to the city at the rate of ~~three dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council per hour.

**Section Thirty-one.** Section 12.36.020 entitled “Recreational vehicle facilities, covered areas and athletic fields” of the Sedro-Woolley Municipal Code, adopted by Ord. Ord. 1976-21 § 1 in 2021, is hereby amended to read as follows:

In addition to the rules that shall apply to the use of city parks, the following regulations shall apply to the use of recreational vehicle facilities and covered areas and shelters, and athletic fields.

- A. Length of Stay. No person shall use the Riverfront Park recreational vehicle facility more than five consecutive days. No person shall use the Bingham Park recreational vehicle facility more than five consecutive days. No person shall leave a recreational vehicle unattended for longer than forty-eight hours. Extension of time limit is subject to availability. The city reserves the right to remove unattended vehicles during times of flood or other natural disaster at the owner’s expense. The city reserves the right to deny usage

to any person. The Riverfront Park recreational vehicle facility is closed seasonally to minimize risk during flood season. Closure dates are established by the public works operations division supervisor annually.

B. Recreational Vehicle Park Fees.

1. A fee ~~of thirty-five dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council per night shall be charged in advance for each space rented that does not have full sewer hook-ups.

2. A fee of ~~forty dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council per night shall be charged in advance for each space rented that has full sewer hook-ups.

C. Athletic Field User Fees are listed in the master fee schedule adopted by resolution of the city council.

C. \_\_\_\_\_

FACILITY	WEEKLY RATE	DAILY RATE
RIVERFRONT 1—East	90	25
RIVERFRONT 2—West	90	25
RIVERFRONT—Rookie—South	50	15
RIVERFRONT—T-Ball—North	50	15
TESARIK	90	25
WINNIE HOUSER	200	60
DENNY ENGBERG	150	45

D. Reservations.

1. For purposes of this section, “resident” and “all others” are defined in Section 12.36.030(C)(3)(b) and (c).

2. Reservations for the Riverfront Park recreational vehicle facility may be made up to one year in advance at City Hall. Ten spaces will be designated available for reservation. These spaces may be reserved by paying a nonrefundable administrative fee of ~~fifteen dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council plus the daily fee established in subsection B of this section for the period being reserved at the time the reservation is made.

3. The large covered eating area at the Riverfront Park may be reserved by paying a fee at the time the reservation is made as follows: for residents, ~~one hundred seventy-five dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council; and for all others, ~~two hundred fifty dollars~~ the amount listed in the master fee schedule.

4. The small covered eating area at the Riverfront Park may be reserved by paying a fee at the time the reservation is made as follows: for residents, ~~one hundred twenty-five dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council; and for all others, ~~two hundred dollars~~ the amount listed in the master fee schedule.

5. The Memorial Park shelter may be reserved by paying a fee at the time the reservation is made as follows: for residents, ~~one hundred dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council; and for all others, ~~one hundred fifty dollars~~ the amount listed in the master fee schedule.

6. The Bingham Park shelter may be reserved by paying a fee at the time the reservation is made as follows: for residents, ~~one hundred dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council; and for all others, ~~one hundred fifty dollars~~ the amount listed in the master fee schedule.

7. The Hammer Heritage Square may be reserved by paying a fee at the time the reservation is made as follows: for residents, ~~one hundred dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council; and for all others, ~~two hundred dollars~~ the amount listed in the master fee schedule, except, that the city council may authorize the use of this facility free of charge to the Sedro-Woolley Farmers Market on an annual basis.

8. If the reservation for park facilities is not canceled at least sixty days before the reservation date, it will not be refunded without approval of the mayor, or his/her designee. If the covered eating area is not reserved, it is available to the public without charge on a first-come, first-served basis. Reservations may be made at the city clerk's office.

**Section Thirty-two.** Section 12.36.030 entitled "Community center facility" of the Sedro-Woolley Municipal Code, adopted by Ord. 1740-12 §§ 1, 2 in 2012, is hereby amended to read as follows:

In addition to the rules that shall apply to the use of city parks, the following regulations shall apply to the use of the city-owned community center:

A. Permitted Uses. The community center will be used for social functions such as parties, class reunions, wedding receptions and other similar activities. No retail sales or other profit-making activities shall be permitted unless they are carried out by a nonprofit organization. This organization must show proof that it has nonprofit status. Any activity not mentioned above will require city council approval. The city reserves the right to deny usage to any person or organization.

B. Reservations. The community center and buildings may be reserved for the periodic and temporary use of the residents and groups within the city. Reservations must be made

in person at the city finance director’s office, where a calendar of such reservations will be maintained. Reservations may be made up to one year in advance of the reserved date.

C. Rental Fees. Rental fees for the use of the community center are listed in the master fee schedule adopted by resolution of the city council, as follows:

	<b>Resident</b>	<b>All Others</b>	<b>Community Group</b>
<del>Monday through Thursday</del>	<del>\$225.00</del>	<del>\$375.00</del>	<del>\$150.00</del>
<del>Friday through Sunday</del>	<del>\$275.00</del>	<del>\$425.00</del>	<del>\$150.00</del>

If alcoholic beverages, live music, or dancing are to be provided at the community center, the fees will be as follows: listed in the master fee schedule adopted by resolution of the city council.

	<b>Resident</b>	<b>All Others</b>	<b>Community Group</b>
<del>Monday through Thursday</del>	<del>\$475.00</del>	<del>\$625.00</del>	<del>\$250.00</del>
<del>Friday through Sunday</del>	<del>\$525.00</del>	<del>\$725.00</del>	<del>\$250.00</del>

Rental fees must be paid at the time the reservation is made. If the reservation is not canceled at least sixty days before the reservation date, it will not be refunded.

1. Payment in Kind. Upon the prior approval of the city council, the city may accept rental payments from community groups through in-kind contributions to the city including, but not limited to, improvements to the community center or other city-owned facilities. This section is intended, for example, to allow the Sedro-Woolley Rotary Club to establish a rental credit in the amount of the value of an improvement to a city-owned facility.

2. Community Group Eligibility. To be eligible to receive the rates for community groups (rate table in subsection C of this section), the person, group or organization must submit a request to and receive approval from the mayor or designee. To approve the reduced rate, the mayor or designee shall find that the group meets the definition of a community group and that the event provides a benefit to the citizens of the city of Sedro-Woolley. Such decision shall be final.

3. Definitions.

a. “Community groups” means those civic organizations located within the city of Sedro-Woolley.

b. “Resident” means a person who resides within the corporate limits of the city of Sedro-Woolley, a property owner as shown on the Skagit

County assessor's rolls who owns real estate within the corporate limits of the city of Sedro-Woolley or a business that includes a permanent physical location within the corporate limits of the city of Sedro-Woolley.

c. "All others" means any person, group or organization that does not categorically fall into any other definition herein.

D. Time Limits. Persons or groups using the community center must be out of the premises as follows:

Sunday through Thursday	11:00 p.m.
Friday through Sunday	12:00 midnight

E. Security Deposit. After use of the community center, it must be cleaned up and restored to the city in the same condition as found by the user. The person renting the reservation shall be liable for any cost of cleanup and repair of damage. A security deposit must be paid no less than three days prior to the event, in the amount of the greater of:

1. ~~One thousand dollars~~ If alcohol is served or permitted, the amount listed in the master fee schedule adopted by resolution of the city council;
2. ~~One thousand dollars~~ if dancing or live music is permitted, the amount listed in the master fee schedule adopted by resolution of the city council;
3. ~~One thousand dollars~~ if the audio/visual equipment is rented, the amount listed in the master fee schedule adopted by resolution of the city council; or
4. ~~One hundred dollars~~ if alcohol, dancing and music are not permitted, the amount listed in the master fee schedule adopted by resolution of the city council.

This deposit may be in the form of cash. All or a portion of this deposit may be retained if the premises are not cleaned and restored to their original condition or if there is any damage to the premises, furnishings, exterior premises, or equipment including but not limited to the audio/visual equipment. This remedy is cumulative, and in addition to any other remedy or cause of action provided by law or agreement. Each group shall have the use of the community center as long as they conduct their activities in a lawful manner either inside or outside the building, so as to not interfere with neighboring property owners. The city shall have the right to revoke all privileges if warranted by complaints of excessive noise or any other valid complaint. Complaints against any user of the community center or violation of any city ordinance shall be grounds for forfeiture of privileges and forfeiture of security and damage deposit.

Renter is responsible for leaving the facility in clean, broom-swept condition, with garbage removed as indicated in the rental agreement. Any required cleaning, as determined by the city, shall be charged to the renter in the amount ~~of fifty dollars~~ listed in the master fee schedule adopted by resolution of the city council -per hour.



F. Key. All community center keys shall be returned no later than noon of the next working day following its use. Any user not returning a key will be charged the actual cost of rekeying the building and replacing all keys.

G. Security/Facility Monitor.

1. For any event in which alcoholic beverages, live music or dancing is to be allowed or provided, the user must pay an additional fee of ~~twenty-five dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council for each hour of use (minimum of four hours); includes all time from setup to cleaning. This fee shall be paid to the city at least three days prior to the event, based upon the anticipated hours of use as determined by the mayor or designee, and will not be refunded once the use commences. Additional charges for use beyond the amount paid for in advance will be assessed at a rate of ~~fifty dollars~~ the amount listed in the master fee schedule per hour; no refunds will be given for use that is less than the amount paid for in advance.

2. The mayor may, in his/her reasonable discretion, require the user to pay an additional fee equal to the hourly cost of overtime pay plus benefits and assessments for two police officers, for each hour of anticipated use (for a minimum of four hours each), as determined by the mayor or his designee. This fee shall be paid to the city at least three days prior to the event, and will not be refunded once the use commences, regardless of the actual hours of use.

3. The police chief or designee and the facility monitor shall have the authority to terminate use privileges at any time for good cause. "Good cause" shall include the existence of any condition which threatens the safety of life or property. In such event, no portion of the fee shall be refunded. Any user whose privileges are terminated under this provision shall be barred from renting the facility for a period of ten years following the termination.

H. Additional Rules and Regulations. In addition to the foregoing, the mayor or his/her designee may make additional rules and regulations for the use of the community center, and incorporate the same into the agreement to be signed by the user.

I. Annual Users. For those users who are otherwise qualified to use the community center and use the facility on a recurring basis of at least three times per month, each month of the year, the rental fee shall be ~~one hundred seventy-five dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council per use. All other rules and conditions shall apply to annual users.

J. Consecutive Days. For those users who rent the community center for more than one day per use, the rental fee for each additional consecutive day beyond the first day shall be ~~one hundred dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council less than the rates in this chapter.

K. Audio/Visual Equipment. An additional fee of ~~fifty dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council is charged for the use of the community center audio/visual equipment.

**Section Thirty-three.** Section 12.36.040 entitled “Penalties” of the Sedro-Woolley Municipal Code, adopted by Ord. 1126 § 4 in 1993, is hereby amended to read as follows:

Any person convicted of a violation of Section 12.36.010 shall be punished by a fine not to exceed ~~five hundred dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council, or by imprisonment for a period not to exceed ninety days, or by both such fine and imprisonment.

**Section Thirty-four.** Section 12.36.050 entitled “~~Amphitheatre~~ Amphitheater at Riverfront Park” of the Sedro-Woolley Municipal Code, adopted by Ord. 1652-09 § 1 in 2009, is hereby amended to read as follows:

In addition to the rules that shall apply to the use of city parks, the following regulations shall apply to the use of the ~~amphitheatre~~ amphitheater -at Riverfront Park:

A. Reservations.

1. Nonprofit, City-Sanctioned Festivals and Private Uses. Reservations for the ~~amphitheatre~~ amphitheater at Riverfront Park may be made up to one year in advance at City Hall by paying a fee at the time the reservation is made as follows: for residents, ~~four hundred dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council and for all others, ~~six hundred fifty dollars~~ the amount listed in the master fee schedule. This fee includes the use of the large shelter. If the reservation is not canceled at least sixty days before the reservation date, it will not be refunded without approval of the mayor, or his/her designee. If the ~~amphitheatre~~ amphitheater is not reserved, it is available to the public without charge on a first-come, first-served basis; provided, that no power shall be supplied and no sound amplification may be used.

2. Events Staged for Profit or Not Listed in Subsection (A)(1) of This Section. Reservations for the ~~amphitheatre~~ amphitheater at Riverfront Park may be made up to one year in advance by application to the city council for a special events permit. The finance department is delegated authority to develop a special events permit application form and process. The fee for a special events permit shall be ~~two hundred dollars~~ listed in the master fee schedule adopted by resolution of the city council, and is nonrefundable and payable at the time of the application. In making its decision, the city council will consider the information in the application, the impact the event may have on the community, Riverfront Park and its other users, risks associated with the event and benefits to the community. It is the intent of the council to make the ~~amphitheatre~~ amphitheater available to users in this category on a very limited basis when those users will provide opportunities for arts and

entertainment that would not otherwise be available to the Sedro-Woolley community. Upon approval from the city council, the applicant must pay a rental fee as follows: for residents, ~~four hundred dollars~~ the amount listed in the master fee schedule and for all others, ~~six hundred fifty dollars~~ the amount listed in the master fee schedule. This fee includes the use of the large shelter. This fee is nonrefundable. Decisions of the city council are final.

B. Noise. Use of this facility is subject to the city's public disturbance noise ordinance, Chapter 9.46, including the provision allowing for the issuance of a permit for weddings, receptions, parties, musicals, theatrical performances or other similar events. It is the express intent of the city council to allow for the use of the ~~amphitheatre~~ amphitheater while also allowing the general public to continue to use and enjoy the park and to not unreasonably disturb the residential neighbors.

C. Security/Facility Monitor.

1. For any event in which alcoholic beverages, live music or dancing are to be allowed or provided, the user must pay an additional fee of ~~twenty-five dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council for each hour of use (minimum of four hours); includes all time from setup to cleaning. This fee shall be paid to the city at least three days prior to the event, based upon the anticipated hours of use as determined by the mayor or designee and will not be refunded once the use commences. Additional charges for use beyond the amount paid for in advance will be assessed at a rate of ~~fifty dollars~~ the amount listed in the master fee schedule per hour; no refunds will be given for use that is less than the amount paid for in advance.

2. The mayor may, in his/her reasonable discretion, require the user to pay an additional fee equal to the hourly cost of overtime pay plus benefits and assessments for a number of police officers, for each hour of anticipated use (for a minimum of four hours each), as determined by the mayor or his designee. This fee shall be paid to the city at least three days prior to the event, and will not be refunded once the use commences, regardless of the actual hours of use.

3. The police chief or designee and the facility monitor shall have the authority to terminate use privileges at any time for good cause. "Good cause" shall include the existence of any condition which threatens the safety of life or property. In such event, no portion of the fee shall be refunded. Any user whose privileges are terminated under this provision shall be barred from renting the facility for a period of ten years following the termination.

D. Additional Rules and Regulations. In addition to the foregoing, the mayor or his/her designee may make additional rules and regulations for the use of the ~~amphitheatre~~ amphitheater, and incorporate the same into the agreement to be signed by the user.

**Section Thirty-five.** Section 12.36.090 entitled “Sedro-Woolley senior center building” of the Sedro-Woolley Municipal Code, adopted by Ord. 1702-11 § 1 in 2011, is hereby amended to read as follows:

**Section Thirty-five.**

In addition to the rules that shall apply to the use of city parks, the following regulations shall apply to the use of the Sedro-Woolley senior center building:

A. Permitted Uses. The Sedro-Woolley senior center building will be primarily used for the operation of the Sedro-Woolley senior center and related senior-oriented functions. Private parties, residents and community groups may rent portions of the Sedro-Woolley senior center building for community meetings, classes and other similar activities on a space-available basis and upon approval of the senior center coordinator. No retail sales shall be permitted. No alcoholic beverages shall be permitted. The kitchen facility is not available for rental use. Any activity not mentioned above will require city council approval. The city reserves the right to deny usage to any person or organization.

B. Reservations. The Sedro-Woolley senior center building may be reserved for the periodic and temporary use of the residents and groups within the city. Reservations must be made in person at the city finance director’s office, where a calendar of such reservations will be maintained. Reservations may be made up to one year in advance of the reserved date. No reservation shall be made without first coordinating with and receiving the written approval of the senior center coordinator. In most cases, reservations will be allowed for rental periods of less than a full day; the reservation shall indicate the approved rental period, which is not to exceed eighteen hours.

C. Rental Fees. Rental fees for the use of the Sedro-Woolley senior center building are as follows: listed in the master fee schedule adopted by resolution of the city council.

	<b>Resident</b>	<b>All Others</b>	<b>Community Group</b>
<b>Monday through Thursday</b>	\$50.00	\$200.00	\$25.00
<b>Friday through Sunday</b>	\$100.00	\$250.00	\$25.00

Rental fees must be paid at the time the reservation is made. If the reservation is not canceled at least sixty days before the reservation date, it will not be refunded.

1. Payment in Kind. Upon the prior approval of the city council, the city may accept rental payments from community groups through in-kind contributions to the city including, but not limited to, improvements to city-owned facilities. This section is intended, for example, to allow the Sedro-Woolley Rotary Club to establish a rental credit in the amount of the value of an improvement to a city-owned facility.

2. Community Group Eligibility. To be eligible to receive the rates for community groups (rate table in subsection (C) of this section), the person, group

or organization must submit a request to and receive approval from the mayor or designee. To approve the reduced rate, the mayor or designee shall find that the group meets the definition of a community group and that the event provides a benefit to the citizens of the city of Sedro-Woolley. Such decision shall be final.

3. Definitions.

a. “Community groups” means those civic organizations located within the city of Sedro-Woolley.

b. “Resident” means a person who resides within the corporate limits of the city of Sedro-Woolley, a property owner as shown on the Skagit County assessor’s rolls who owns real estate within the corporate limits of the city of Sedro-Woolley or a business that includes a permanent physical location within the corporate limits of the city of Sedro-Woolley.

c. “All others” means any person, group or organization that does not categorically fall into any other definition herein.

D. Security Deposit. After use of the Sedro-Woolley senior center building, it must be cleaned up and restored to the city in the same condition as found by the user. The person renting the facility shall be liable for any cost of cleanup and repair. A security deposit must be paid no less than three days prior to the event, in the sum of ~~one hundred dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council.

This deposit may be in the form of cash. All or a portion of this deposit may be retained if the premises is not cleaned and restored to its original condition or if there is any damage to the premises, furnishings, or exterior premises. This remedy is cumulative, and in addition to any other remedy or cause of action provided by law or agreement. Each group shall have the use of the Sedro-Woolley senior center building as long as they conduct their activities in a lawful manner either inside or outside the building, so as to not interfere with neighboring property owners. The city shall have the right to revoke all privileges if warranted by complaints of excessive noise or any other valid complaint. Complaints against any user of the facility or violation of any city ordinance shall be grounds for forfeiture of privileges and forfeiture of security and damage deposit.

E. Key. All facility keys shall be returned no later than noon of the next working day following its use. Any user not returning a key will be charged the actual cost of rekeying the building and replacing all keys.

F. Additional Rules and Regulations. In addition to the foregoing, the mayor or his/her designee may make additional rules and regulations for the use of the Sedro-Woolley senior center building, and incorporate the same into the agreement to be signed by the user.

**Section Thirty-six.** Section 12.40.120 entitled “Inspection and appeal” of the Sedro-Woolley Municipal Code, adopted by Ord. 1382-00 § 11 in 2000, is hereby amended to read as follows:

A. The city may inspect any tree upon or which overhangs any public property or lawn to determine whether the same or any portion thereof is in such a condition as to constitute a hazard or impediment to the progress or vision of anyone traveling on public property. Any tree or part thereof growing upon private or public property, but overhanging or interfering with the use of public property that endangers life, health, safety or property, or is otherwise in violation of this chapter, is hereby declared to be a public nuisance. The city shall by written notice require the adjacent property owner to abate the nuisance by trimming, destroying or removal, at the owner's cost and expense. The property owner shall have thirty days from the date of the notification of the nuisance to remove or trim the hazardous or nuisance tree. If the adjacent property owner does not cause the nuisance to be corrected or removed, the city may abate the nuisance and the cost shall be assessed to the adjacent property owner.

B. Appeals from the city determination that a nuisance exists may be made by any citizen or the adjacent property owner within ten days after the property owner is notified of the city determination. Such determination may be appealed to the city council at the next regularly scheduled meeting. Action taken by the city council on such appeal shall be final.

C. If the owner of such private property does not correct or remove such nuisance within thirty days after receipt of written notice from the city, they shall be guilty of a civil infraction, and subject to a monetary penalty of not more than ~~two hundred fifty dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council. Each day for which the violation is allowed to continue shall be a separate offense. Nothing contained in this chapter shall be deemed to impose any liability upon the city, its officers or employees, nor to relieve the owner of any private property from the duty to keep any tree upon his property or under his control in such a condition as to prevent it from constituting a public nuisance as defined in this section.

**Section Thirty-seven.** Section 12.44.040 entitled "Deposit required" of the Sedro-Woolley Municipal Code, adopted by Ord. 1639-09 § 1 (App. A)(part) in 2009, is hereby amended to read as follows:

If the city special events committee requires the event to include additional police or fire protection or work from the street department or solid waste department, or other city department, the committee shall meet with a representative of the sponsoring organization and set a deposit in the amount that will cover those expenses. The amount of the deposit shall not exceed ~~one thousand dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council without the approval of the city council. The actual costs shall be paid by the sponsoring organization within seven days of the billing from the city.

**Section Thirty-eight.** Section 13.08.060 entitled "Procedure" of the Sedro-Woolley Municipal Code, adopted by Ord. 1427-02 § 2 in 2002, is hereby amended to read as follows:

The property owner(s) requesting a variance agreement to the connection requirement pursuant to this chapter shall pay an application fee of ~~twenty-five dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council, and shall provide the superintendent with a certificate from the Skagit County health department, a certified septic system designer, or a licensed professional engineer, in such form as required by the superintendent, stating that the septic system was in place prior to availability of the sanitary sewer, and is presently in good working order at the time connection to the sanitary sewer would otherwise be required. The owner(s) must also provide evidence of ownership in the form of a title report or other documentation as required by the superintendent. The superintendent may, in his discretion, require any lien holder to subordinate their lien to the agreement, as a condition of the variance agreement.

**Section Thirty-nine.** Section 13.16.035 entitled “General facilities charge—Separate fund<sup>1</sup>” of the Sedro-Woolley Municipal Code, adopted by Ord. 1997-21 § 5 in 2021, is hereby amended to read as follows:

In addition to any permit fees and other charges required by city ordinance or regulation, and not in lieu thereof, at the time of building permit issuance (or, if no building permit, then at time of connection or commencement of use), there shall be a general facilities charge for connection to the city sewer system, which shall be paid in the sum of ~~eight thousand nine hundred dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council per equivalent residential unit (ERU), to be determined as set forth in this section.

Exception: For complete building permit applications, at the time of issuance of any single-family residential building permit for a dwelling unit that is being constructed for resale, the applicant/owner may elect to record a covenant, in a form to be approved by the city attorney, against the property that requires payment of the impact fees and/or general facilities charges due and owed in accordance with this chapter and any other applicable sections of the Sedro-Woolley Municipal Code, by providing for full payment through escrow of the fees due and owed to be paid at the time of closing of sale of the lot or unit; but in no case shall the structure be occupied prior to the required payment. The awarding of credits shall not alter the applicability of this section.

A. “Equivalent residential unit (ERU)” is defined as a common measure for all types of users to put them on an equivalent basis with a single-family residential user. The ERU is determined by the anticipated water consumption from a connection. One ERU is equal to seven hundred fifty cubic feet of water consumption per month.

B. Single-Family Residential. Each single-family dwelling unit, including single-family (one unit), duplexes (two units), triplexes (three units), condominium unit, and each mobile or manufactured home (one unit) whether on an individual lot or in a mobile home park, is equal to one ERU per dwelling unit.

C. Accessory Dwelling Units.<sup>2</sup> Each permitted accessory dwelling unit less than four hundred fifty square feet in size is equal to 0.30 ERU per unit. Each permitted accessory dwelling unit greater than or equal to four hundred fifty square feet in size is equal to 0.61

ERU per unit. Accessory dwelling units are exempted from special utility connection fees identified by geographic area in Chapter 13.16.

D. Multiple Residential. Each dwelling unit in a multiple residential structure consisting of four or more dwelling units is equal to one ERU per dwelling unit.

E. Nonresidential, Including Commercial and Industrial Users. The following provisions shall govern the assessment and collection of general facilities charges for nonresidential users, including commercial and industrial units:

1. For each nonresidential unit, there shall be a general facilities charge equal to the sum of:

a. For plumbing fixtures, ~~three hundred seventy dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council per plumbing fixture unit as described in Table 1 set out at the end of this section, titled Equivalent Fixture Units, plus applicable state sales tax; and

b. For use other than plumbing fixtures, ~~three hundred seventy dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council per two hundred thirty-four gallons of water consumption per month, as determined by the superintendent or his designee. In making this determination, the superintendent may rely upon industry standards, scientific and engineering data, sewage flow meter data, qualified professional opinions, and any other basis which is in his or her opinion appropriate. The superintendent may adjust this charge based upon evidence that the metered water usage does not accurately reflect the volume of discharge disposed of through the sewer system.

2. If the city enters into a written agreement with users allowing the discharge into the sanitary sewer system of materials set forth in Sections 13.30.080(A)(1) through (A)(4), the superintendent shall determine the general facilities charge for the user, in order that such property owners shall bear their equitable share of the cost of such system. In making this determination, the superintendent may rely upon industry standards, scientific and engineering data, sewage flow meter data, qualified professional opinions, and any other basis which is in his or her opinion appropriate. The superintendent may consider the quality of effluent, that the metered water usage does not accurately reflect the capacity of the capital facilities, including treatment plant capacity, utilized by the connection, and all other relevant information. Nothing in this section shall require the city to accept wastes or waters described in Sections 13.30.080(A)(1) through (A)(4) from any user.

3. An additional general facilities charge shall be assessed and due as provided in this subsection for an existing connection if, in the determination of the superintendent:



- a. The number of plumbing fixture units is increased; or
- b. The user applies for a permit for improvements which will result in an increase in the average monthly water usage for reason other than an increase in the number of plumbing fixture units; or
- c. The user, by agreement with the city, changes the quality of the discharge or wastewater discharged into the sewer system so as to cause the discharge into the sewer system of materials set forth in Sections 13.30.080(A)(1) through (A)(4); or
- d. The user converts an existing connection to a different use which increases the demand on the treatment plant or sewer system capacity utilized to transport or treat said discharge.

In making the determination that an additional general facilities charge is due, the superintendent may rely upon industry standards, scientific and engineering data, sewage flow meter data, qualified professional opinions, and any other basis which is in his or her opinion appropriate.

F. In making a determination of the amount of the general facilities charge, an adjustment against the charge may be allowed by the superintendent for a level of previous use of sewer system capacity, as defined by the highest average twelve consecutive months of the preceding sixty months, or fixture units or, if residential, ERUs, unless a general facilities charge or its equivalent was due for such use under this section which was not paid. Any adjustment shall be determined by the superintendent as set forth in this section, who may rely upon industry standards, scientific and engineering data, sewage flow meter data, qualified professional opinions, the billing for the previous sixty months, and any other basis which is in his or her opinion appropriate. No adjustment shall be allowed if the sewer bill has not been paid for the preceding sixty months, which shall constitute abandonment of the right to use the previous sewer capacity without paying the initial or additional general facilities charge. This adjustment shall apply only to the parcel or lot to which service was provided, and may not be assigned or transferred to other property.

G. All proceeds of the general facilities charge shall be placed in the sewer capital improvements fund for the following uses: construction of new sewer facilities, repair, replacement, and maintenance of existing sewer facilities, and debt service of the same.

TABLE 1

Equivalent Fixture Units

<b>Kinds of Fixture</b>	<b>Units</b>
Bathtubs	2
Bidets	2
Clothes washers, private	2

<b>Kinds of Fixture</b>	<b>Units</b>
Clothes washers, commercial	6
Dental units or cuspidors	1
Drinking fountains	1
Floor drains	2
Interceptors for grease, oil, solids, etc.	3
Interceptors for sand, auto wash, etc.	6
Laundry tubs	2
Receptors (floor sinks), indirect waste receptors for refrigerators, coffee urns, water stations, etc.	1
Receptors, indirect waste receptors for commercial sinks, dishwashers, air-washers, etc.	3
Showers, single stalls	2
Showers, gang (per head)	1
Sinks and/or dishwashers (residential) (2" min. waste)	2
Sinks, bar, commercial	2
Sinks, bar, private	1
Sinks, commercial or industrial, schools, etc., including dishwashers, wash up sinks and wash fountains	3
Sinks, flushing rim, clinic	6
Sinks, service	3
Sinks, service (3" trap)	6
Urinals, pedestal, trap arm only	6
Urinals, stall, separate trap	2
Urinals, wall-mounted, blowout, integral trap 2" trap arm only	3
Urinals, wall-mounted, blowout, integral trap 3" trap arm only	6
Urinals, wall-mounted, washdown or siphon jet, integral trap, trap arm only	2
Urinals, wall-mounted, washdown, separate trap (2" min. waste)	2
Washbasins, in sets	2
Washbasins (lavatories) single	1
Water closet, private installation	4
Water closet, public installation	6

**Section Forty.** Section 13.16.037 entitled “Utility connection fee—North Reed Street” of the Sedro-Woolley Municipal Code, adopted by Ord. 1761-12 § 3 in 2012, is hereby amended to read as follows:

A. Residential User Connection Fee. In addition to all other charges and fees assessed by ordinance or statute, and not in lieu thereof, the owner or owners of any lot or parcel within that real property legally described on Exhibit A, set out at the end of this section, and any real property aggregated thereto which is served by the North Reed Street sanitary sewer main, and any subdivision thereof, shall pay a special connection fee in the sum of ~~one thousand one hundred fifty two dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council for each residential dwelling unit connected to the sanitary sewer, ~~but not to exceed an amount equal to sixteen cents per square foot of the legal lot or parcel on which the unit is situated.~~

B. Nonresidential User Connection Fee. In addition to all other charges and fees assessed by ordinance or statute, and not in lieu thereof, the owner or owners of any lot or parcel within that real property legally described on Exhibit A, set out at the end of this section, and any real property aggregated thereto which is served by the North Reed Street sanitary sewer main, and any subdivision thereof, shall pay a special connection fee for each nonresidential structure or nonresidential use connected to the sanitary sewer in the sum of ~~one thousand one hundred fifty two dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council for each equivalent residential unit (“ERU”), ~~but not to exceed an amount equal to sixteen cents per square foot of the legal lot or parcel on which the structure or use is situated.~~ Each nonresidential sewer connection or use shall be deemed equivalent to at least a minimum of one ERU. The number of ERUs shall be determined by the superintendent, whose determination shall be final.

C. Time of Payment. The special connection fee shall be due at the time of application for a building permit, if for a new structure, or at time of actual connection or connection permit application, if for an existing structure.

Exception: For complete building permit applications, at the time of issuance of any single-family residential building permit for a dwelling unit that is being constructed for resale, the applicant/owner may elect to record a covenant, in a form to be approved by the city attorney, against the property that requires payment of the impact fees due and owed in accordance with this chapter and any other applicable sections of the Sedro-Woolley Municipal Code, by providing for full payment through escrow of the fees due and owed to be paid at the time of closing of sale of the lot or unit; but in no case shall the structure be occupied prior to payment of impact fees. The awarding of credits shall not alter the applicability of this section.

D. Lien. If not paid when due, the special connection fee established by this section shall constitute a lien on the lot or parcel, and may be foreclosed in the manner provided by law.

E. Remedies. In the event that the owner or owners fail to pay the special connection fee established by this section, the city may, in addition to all other remedies provided by law or ordinance, seek a money judgment from the owner or owners, foreclose the lien as provided by law, terminate sewer service to the lot or parcel, or seek injunctive or equitable relief. The remedies herein provided are cumulative, and not exclusive.

F. Definitions. For purposes of this section, the following definitions shall apply:

“Equivalent residential unit (ERU)” means a common measure for all types of users to put them on an equivalent basis with a single family residential user. One ERU is equal to seven hundred fifty cubic feet of water consumption per month.

“Owner or owners” means fee owner, purchaser subject to a deed of trust or mortgage, or purchaser under a real estate contract. One who is a tenant, renter, lessee or holder of an option or right to purchase shall not be considered an owner.

“Residential dwelling unit” means a single family residence, an individual apartment unit in an apartment building, an individual dwelling unit in a duplex or multifamily residential structure, and a mobile home space or pad in a mobile home park.

#### EXHIBIT A

Lots 6, 7, 8, 9, 10, 11, 12, and 16, Block 1, “ROSEDALE GARDEN TRACTS OF SEDRO-WOOLLEY,” as per plat recorded in Volume 3 of Plats, page 52, records of Skagit County, Washington.

Lots 2, 3, 4, 5, 6, 7, and 8, Block 2, “ROSEDALE GARDEN TRACTS OF SEDRO-WOOLLEY,” as per plat recorded in Volume 3 of Plats, page 52, records of Skagit County, Washington.

Lots 1, 2, and 3 of Sedro-Woolley Short Plat 1-77, recorded February 24, 1977, in Vol. 2 of Short Plats page 35, under Auditor’s File No. 851511, records of Skagit County, being a portion of Lot 1, Block 2, “ROSEDALE GARDEN TRACTS OF SEDRO-WOOLLEY,” as per plat recorded in Volume 3 of Plats, page 52, records of Skagit County, Washington.

Lots 1, 2, and 3 of Short Plat SW 01-88, recorded March 1, 1988, in Vol. 8 of Short Plats, page 25, under Auditor’s File No. 8803010041, records of Skagit County, being a portion of Lots 13 and 14, Block 1, “ROSEDALE GARDEN TRACTS OF SEDRO-WOOLLEY,” as per plat recorded in Volume 3 of Plats, page 52, records of Skagit County, Washington.

All situated in Skagit County, Washington.

The above-described real property is shown on Exhibit B attached to Ordinance 1240-95 and on file in the city clerk’s office, incorporated by reference for illustrative purposes.

**Section Forty-one.** Section 13.16.038 entitled “Utility connection fee—Cook Road-Trail Road” of the Sedro-Woolley Municipal Code, adopted by Ord. 1761-12 § 5 in 2012, is hereby amended to read as follows:

A. Residential User Connection Fee. In addition to all other charges and fees assessed by ordinance or statute, and not in lieu thereof, the owner or owners of any lot or parcel within that real property legally described on Exhibit A and illustrated on the map attached as Exhibit B set out at the end of this section, and any real property aggregated thereto and any subdivision thereof, which is served by the Trail Road-Cook Road sanitary sewer pump station and main, shall pay a special connection fee in the sum of ~~three thousand four hundred twenty-six dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council for each residential dwelling unit connected to the sanitary sewer.

B. Nonresidential User Connection Fee. In addition to all other charges and fees assessed by ordinance or statute, and not in lieu thereof, the owner or owners of any lot or parcel within that real property legally described on Exhibit A and illustrated on the map attached as Exhibit B set out at the end of this section, and any real property aggregated thereto and any subdivision thereof, which is served by the Trail Road-Cook Road sanitary sewer pump station and main, shall pay a special connection fee for each nonresidential structure or nonresidential use connected to the sanitary sewer in the sum of ~~three thousand four hundred twenty-six dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council for each equivalent residential unit (“ERU”). Each nonresidential sewer connection or use shall be deemed equivalent to at least a minimum of one ERU. The number of ERUs shall be determined by the superintendent, whose determination shall be final.

C. Time of Payment. The special connection fee shall be due at the time of application for a building permit, if for a new structure, or at time of actual connection or connection permit application, if for an existing structure.

Exception: For complete building permit applications, at the time of issuance of any single-family residential building permit for a dwelling unit that is being constructed for resale, the applicant/owner may elect to record a covenant, in a form to be approved by the city attorney, against the property that requires payment of the impact fees due and owed in accordance with this chapter and any other applicable sections of the Sedro-Woolley Municipal Code, by providing for full payment through escrow of the fees due and owed to be paid at the time of closing of sale of the lot or unit; but in no case shall the structure be occupied prior to payment of impact fees. The awarding of credits shall not alter the applicability of this section.

D. Lien. If not paid when due, the special connection fee established by this section shall constitute a lien on the lot or parcel, and may be foreclosed in the manner provided by law.

E. Remedies. In the event that the owner or owners fail to pay the special connection fee established by this section, the city may, in addition to all other remedies provided by law or ordinance, seek a money judgment from the owner or owners, foreclose the lien as provided by law, terminate sewer service to the lot or parcel, or seek injunctive or equitable relief. The remedies herein provided are cumulative, and not exclusive.

F. Definitions. For purposes of this section, the following definitions shall apply:

“Equivalent residential unit (ERU)” means a common measure for all types of users to put them on an equivalent basis with a single family residential user. One ERU is equal to seven hundred fifty cubic feet of water consumption per month.

“Owner or owners” means fee owner, purchaser subject to a deed of trust or mortgage, or purchaser under a real estate contract. One who is a tenant, renter, lessee or holder of an option or right to purchase shall not be considered an owner.

“Residential dwelling unit” means a single family residence, an individual apartment unit in an apartment building, an individual dwelling unit in a duplex or multifamily residential structure, and a mobile home space or pad in a mobile home park.

#### EXHIBIT A

#### LEGAL DESCRIPTIONS

Those portions of the Northeast 1/4 of Section 23, Township 35 North, Range 4 East, W.M. and of the Southwest 1/4 of the Southeast 1/4 of Section 14, Township 35 North, Range 4 East, W.M. described as follows:

Begin at the Southeast corner of the Northeast 1/4 of said Section 23; thence North along the East line of said Northeast 1/4 to the Southwesterly line of the F & S Grade Road; thence Northwesterly along said Southwesterly line to the Northerlymost corner of those premises conveyed to Michael L. Larson, et ux, by deed recorded June 30, 1998 as Auditor’s File No. 9806300203; thence South 0 degrees 00’ 30” East along the West line of said Larson tract 676.78 feet, more or less, to the Southwest corner thereof; thence North 89 degrees 59’ 30” East 260.00 feet along the South line of said Larson tract to the East line of the West 1/2 of the Northwest 1/4 of the Northeast 1/4 of said Section 23; thence South along said East line to the South line of said Northwest 1/4 of the Northeast 1/4; thence East along said South line to the Southeast corner of said Northwest 1/4 of the Northeast 1/4; thence South along the West line of the Northwest 1/4 of the Southeast 1/4 of the Northeast 1/4 of said Section 23 to the Southwest corner of said subdivision; thence East along the South line of said subdivision to the Southeast corner thereof; thence South along the East line of the Southwest 1/4 of the Southeast 1/4 of the Northeast 1/4 of said Section 23 to the Northeast corner of those premises conveyed to Raymond M. Nelson by deed recorded March 9, 1988 as Auditor’s File No. 8803090038; thence West along the North line of said Nelson property and its Westerly extension along the North line of those premises conveyed to Harry J. Jenks, et ux, by deed recorded March 30, 1973 as Auditor’s File No. 782749 to the Northwest 1/4 of said Jenks property; thence South along the West line of said Jenks property to the South line of the Northeast 1/4 of said Section 23; thence East along said South line to the Point of Beginning; EXCEPT therefrom the two following described parcels:

- 1) The road right-of-way commonly known as the Cook Road along the South line thereof,
- 2) That portion of the Northwest 1/4 of the Southeast 1/4 of the Northeast 1/4 of said Section 23 described as follows:

Begin at the Southwest corner of said subdivision; thence East along the South line thereof 184 feet; thence North to the centerline of ditch referred to both as an “existent County drainage ditch” and as “a right-of-way of Drainage District No. 14”; thence Westerly along said centerline to the West line of said subdivision; thence South along said West line to the Point of Beginning.

Lots 1 through 26, inclusive, “MOUNTAIN VISTA ADDITION, SKAGIT COUNTY, WASH.” as per plat recorded in Volume 7 of Plats, Page 65, records of Skagit County, Washington.

The East 1/2 of the West 1/2 of the Northwest 1/4 of the Southeast 1/4 of Section 23, Township 35 North, Range 4 East, W.M.; EXCEPT the North 660 feet thereof.

The West 1/2 of Lot 2 of “SEDRO ACREAGE” as per plat recorded in Volume 3 of Plats, Page 35, records of Skagit County, Washington,

EXCEPT the North 5 feet thereof conveyed to Skagit County for road purposes and ALSO EXCEPT those portions conveyed to the City of Sedro-Woolley for additional road rights-of-way by deeds recorded December 2, 1999 and January 4, 2000 as Auditor’s File Nos. 9912020053 and 200001040041, respectively.

EXHIBIT B MAP

Editor’s Note: Exhibit B map is on file with the city clerk.

**Section Forty-two.** Section 13.16.039 entitled “Utility connection fee—Fruitdale Road” of the Sedro-Woolley Municipal Code, adopted by Ord. 1761-12 § 4 in 2012, is hereby amended to read as follows:

A. Residential User Connection Fee. In addition to all other charges and fees assessed by ordinance or statute, and not in lieu thereof, the owner or owners of any lot or parcel within that real property legally described on Exhibit A and illustrated on the map attached as Exhibit B set out at the end of this section, and any real property aggregated thereto and any subdivision thereof, which is served by the Fruitdale Road sanitary sewer pump station and main, shall pay a special connection fee in the sum of ~~three thousand four hundred fifty dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council for each residential dwelling unit connected to the sanitary sewer.

B. Nonresidential User Connection Fee. In addition to all other charges and fees assessed by ordinance or statute, and not in lieu thereof, the owner or owners of any lot or parcel within that real property legally described on Exhibit A and illustrated on the map attached as Exhibit B set out at the end of this section, and any real property aggregated thereto and any subdivision thereof, which is served by the Fruitdale Road sanitary sewer pump station and main, shall pay a special connection fee for each nonresidential structure or nonresidential use connected to the sanitary sewer in the sum of ~~three thousand four hundred fifty dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council for each equivalent residential unit (“ERU”). Each nonresidential sewer connection or use shall be deemed equivalent to at least a minimum of one ERU. The

number of ERUs shall be determined by the superintendent, whose determination shall be final.

C. Time of Payment. The special connection fee shall be due at the time of application for a building permit, if for a new structure, or at time of actual connection or connection permit application, if for an existing structure.

Exception: For complete building permit applications, at the time of issuance of any single-family residential building permit for a dwelling unit that is being constructed for resale, the applicant/owner may elect to record a covenant, in a form to be approved by the city attorney, against the property that requires payment of the impact fees due and owed in accordance with this chapter and any other applicable sections of the Sedro-Woolley Municipal Code, by providing for full payment through escrow of the fees due and owed to be paid at the time of closing of sale of the lot or unit; but in no case shall the structure be occupied prior to payment of impact fees. The awarding of credits shall not alter the applicability of this section.

D. Lien. If not paid when due, the special connection fee established by this section shall constitute a lien on the lot or parcel, and may be foreclosed in the manner provided by law.

E. Remedies. In the event that the owner or owners fail to pay the special connection fee established by this section, the city may, in addition to all other remedies provided by law or ordinance, seek a money judgment from the owner or owners, foreclose the lien as provided by law, terminate sewer service to the lot or parcel, or seek injunctive or equitable relief. The remedies herein provided are cumulative, and not exclusive.

F. Definitions. For purposes of this section, the following definitions shall apply:

“Equivalent residential unit (ERU)” means a common measure for all types of users to put them on an equivalent basis with a single-family residential user. One ERU is equal to seven hundred fifty cubic feet of water consumption per month.

“Owner or owners” means fee owner, purchaser subject to a deed of trust or mortgage, or purchaser under a real estate contract. One who is a tenant, renter, lessee or holder of an option or right to purchase shall not be considered an owner.

“Residential dwelling unit” means a single-family residence, an individual apartment unit in an apartment building, an individual dwelling unit in a duplex or multifamily residential structure, and a mobile home space or pad in a mobile home park.

#### EXHIBIT A

#### LEGAL DESCRIPTIONS

#### AREA EAST OF FRUITDALE ROAD



Beginning at the northeast corner of the southeast quarter of Section 18, Township 35 North, Range 5 East, W.M.; thence S 02°23'16" E along the east line of said southeast quarter, a distance of 969.20 feet to its intersection with the northwesterly right of way line of State Route 20; thence S 53°40'19" W along said northwesterly right of way line, a distance of 1604.36 feet to its intersection with the east right of way line of Fruitdale Road; thence northerly along the east right of way line of Fruitdale Road through the following thirteen courses; N 02°14'31" W, a distance of 1381.36 feet; N 88°19'16" E, a distance of 10.00 feet; N 02°14'31" W, a distance of 100.00 feet; S 88°19'16" W, a distance of 10.00 feet; N 02°14'31" W, a distance of 90.00 feet; N 88°19'16" E, a distance of 10.00 feet; N 02°14'31" W, a distance of 40.00 feet; S 88°19'16" W, a distance of 10.00 feet; N 02°14'31" W, a distance of 70.00 feet; N 88°19'16" E, a distance of 10.00 feet; N 02°14'31" W, a distance of 100.00 feet; S 88°19'16" W, a distance of 10.00 feet; N 02°14'31" W, a distance of 100.00 feet to the north line of said southeast quarter; thence N 88°19'16" E along the north line of said southeast quarter, a distance of 1326.33 feet to the point of beginning of this description.

Containing 43.39 acres.

#### AREA WEST OF FRUITDALE ROAD

Beginning at the southwest corner of the southeast quarter of the northwest quarter of the southeast quarter of Section 18, Township 35 N., Range 5 E., W.M.; thence N 02°10'13" W along the west line of said subdivision, a distance of 664.45 feet to the northwest corner of the southeast quarter of the northwest quarter of the southeast quarter of said Section 18 said point being also the southwest corner of Lot 17 of the plat of Wedmore Addition filed in Volume 9 of Plats at page 115, records of Skagit County, Washington; thence N 88°06'39" E, a distance of 128.91 feet to the southeast corner of said Lot 17; thence N 08°13'01" W along the east line of said Lot 17, a distance of 92.91 feet to the southerly margin of the cul-de-sac at the south end of Calkin Place; thence easterly along the margin of said cul-de-sac on a curve to the left having a radius of 45.00 feet through a central angle of 38°56'14", and an arc distance of 30.58 feet; thence S 08°13'01" E along the west line of Lot 16 of said plat, a distance of 96.24 feet to the southwest corner of said Lot 16; thence N 88°06'39" E along the north line of the southeast quarter of the northwest quarter of the southeast quarter of said Section 18, a distance of 292.14 feet to the southeast corner of Lot 5 of said plat of Wedmore Addition; thence N 02°19'20" W, a distance of 86.00 feet to the northeast corner of Lot 5 of said plat of Wedmore Addition; thence N 88°06'39" E, a distance of 100.00 feet to the southwest corner of Lot 1 of Short Plat 90-58 filed in Volume 9 of Short Plats at page 72 records of Skagit County; thence N 02°19'20" W along the west line of Lots 1 and 2 of said Short Plat and along the west line of Lot 2 of Short Plat No. PL-01-0438 filed under AF#200211070077, a distance of 347.04 feet to the northwest corner of Lot 2 of said Short Plat No. PL-01-0438; thence S 89°02'10" W along the north line of lot 2 of said Short Plat No. PL-01-0438, a distance of 19.97 feet to the southeast corner of Lot 2 of said Wedmore Addition; thence N 02°19'07" W along the east line of Lots 2 and 1 of said plat of Wedmore's Addition, a distance of 171.31 feet to the northeast corner of Lot 1 of said plat of Wedmore Addition; thence S 88°07'14" W, a distance of 11.00 feet; thence N 02°20'02" W, a distance of 5.00 feet; thence N 26°59'00" E, a distance of 37.28 feet; thence N 41°49'33" E, a distance of 8.50 feet; thence N 89°01'28" E, a distance of 100.47 feet to the west right of way line of Fruitdale Road; thence S 02°14'31" E along the west right of way line of Fruitdale Road, a distance of 1309.00 feet to the south line of the southeast quarter of the northwest quarter of the southeast quarter of said Section 18; thence S 87°54'19" W, a distance of 644.80 feet to the point of beginning of this description.

Containing 11.56 acres.

#### EXHIBIT B MAP

Editor's Note: Exhibit B map is on file with the city clerk.

**Section Forty-three.** Section 13.16.039.1 entitled “Utility connection fee—North Township Street<sup>2</sup>” of the Sedro-Woolley Municipal Code, adopted by Ord. 1684-10 § 1 in 2010, is hereby amended to read as follows:

A. Residential User Connection Fee. In addition to all other charges and fees assessed by ordinance or statute, and not in lieu thereof, the owner or owners of any lot or parcel within that real property legally described on Exhibit A and illustrated on the map attached as Exhibit B attached to the ordinance codified in this section, and any real property aggregated thereto and any subdivision thereof, which is served by the North Township Street sanitary sewer main, shall pay a special connection fee in the sum of ~~seven hundred twenty-five dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council for each residential dwelling unit connected to the sanitary sewer.

B. Nonresidential User Connection Fee. In addition to all other charges and fees assessed by ordinance or statute, and not in lieu thereof, the owner or owners of any lot or parcel within that real property legally described on Exhibit A and illustrated on the map attached as Exhibit B attached to the ordinance codified in this section, and any real property aggregated thereto and any subdivision thereof, which is served by the North Township Street sanitary sewer main, shall pay a special connection fee for each nonresidential structure or nonresidential use connected to the sanitary sewer in the sum of ~~seven hundred twenty-five dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council for each equivalent residential unit (“ERU”). Each nonresidential sewer connection or use shall be deemed equivalent to at least a minimum of one ERU. The number of ERUs shall be determined by the superintendent, whose determination shall be final.

C. Time of Payment. The special connection fee shall be due at the time of application for a building permit, if for a new structure, or at the time of actual connection or connection permit application, if for an existing structure.

D. Lien. If not paid when due, the special connection fee established by this section shall constitute a lien on the lot or parcel, and may be foreclosed in the manner provided by law.

E. Remedies. In the event that the owner or owners fail to pay the special connection fee established by this section, the city may, in addition to all other remedies provided by law or ordinance, seek a money judgment from the owner or owners, foreclose the lien as provided by law, terminate sewer service to the lot or parcel, or seek injunctive or equitable relief. The remedies herein provided are cumulative, and not exclusive.

F. Definitions. For purposes of this section, the following definitions shall apply:

“Equivalent residential unit (ERU)” means a common measure for all types of users to put them on an equivalent basis with a single-family residential user. One ERU is equal to seven hundred fifty cubic feet of water consumption per month.

“Owner or owners” means fee owner, purchaser subject to a deed of trust or mortgage, or purchaser under a real estate contract. One who is a tenant, renter, lessee or holder of an option or right to purchase shall not be considered an owner.

“Residential dwelling unit” means a single-family residence, an individual apartment unit in an apartment building, an individual dwelling unit in a duplex or multifamily residential structure, and a mobile home space or pad in a mobile home park.

**Section Forty-four.** Section 13.16.039.2 entitled “Utility connection fee—West Bennett, West Nelson, Batey, Robinson and Borseth Streets<sup>3</sup>” of the Sedro-Woolley Municipal Code, adopted by Ord. 1918-19 § 1 in 2019, is hereby amended to read as follows:

A. Residential User Connection Fee. In addition to all other charges and fees assessed by ordinance or statute, and not in lieu thereof, the owner or owners of any lot or parcel within that real property legally described on Exhibit A and illustrated on the map attached as Exhibit B to the ordinance codified in this section, and any real property aggregated thereto and any subdivision thereof, which is served by the West Bennett, West Nelson, Batey, Robinson and Borseth Street sanitary sewer main, shall pay a special connection fee in the sum of ~~three thousand four hundred and fifty dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council for each residential dwelling unit connected to the sanitary sewer.

B. Nonresidential User Connection Fee. In addition to all other charges and fees assessed by ordinance or statute, and not in lieu thereof, the owner or owners of any lot or parcel within that real property legally described on Exhibit A and illustrated on the map attached as Exhibit B to the ordinance codified in this section, and any real property aggregated thereto and any subdivision thereof, which is served by the West Bennett, West Nelson, Batey, Robinson and Borseth Street sanitary sewer main, shall pay a special connection fee for each nonresidential structure or nonresidential use connected to the sanitary sewer in the sum of ~~three thousand four hundred and fifty dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council for each equivalent residential unit (“ERU”). Each nonresidential sewer connection or use shall be deemed equivalent to at least a minimum of one ERU. The number of ERUs shall be determined by the superintendent, whose determination shall be final.

C. Time of Payment. The special connection fee shall be due at the time of application for a building permit, if for a new structure, or at time of actual connection or connection permit application, if for an existing structure.

D. Lien. If not paid when due, the special connection fee established by this section shall constitute a lien on the lot or parcel, and may be foreclosed in the manner provided by law.

E. Remedies. In the event that the owner or owners fail to pay the special connection fee established by this section, the city may, in addition to all other remedies provided by

law or ordinance, seek a money judgment from the owner or owners, foreclose the lien as provided by law, terminate sewer service to the lot or parcel, or seek injunctive or equitable relief. The remedies herein provided are cumulative, and not exclusive.

F. Definitions. For purposes of this section, the following definitions shall apply:

“Equivalent residential unit (ERU)” means a common measure for all types of users to put them on an equivalent basis with a single-family residential user. One ERU is equal to seven hundred fifty cubic feet of water consumption per month.

“Owner or owners” means fee owner, purchaser subject to a deed of trust or mortgage, or purchaser under a real estate contract. One who is a tenant, renter, lessee or holder of an option or right to purchase shall not be considered an owner.

“Residential dwelling unit” means a single-family residence, an individual apartment unit in an apartment building, an individual dwelling unit in a duplex or multifamily residential structure, and a mobile home space or pad in a mobile home park.

**Section Forty-five.** Section 13.16.140 entitled “General facilities charge—Credit for disconnecting septic system” of the Sedro-Woolley Municipal Code, adopted by Ord. 1711-11 § 3 in 2011, is hereby amended to read as follows:

A credit of ~~two thousand eight hundred fifty five dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council shall be allowed by the ~~superintendent public works director~~ or designee to the owner of a single-family residential building who is disconnecting the residence from a private wastewater disposal system and connecting to the city sanitary sewer, against the charge assessed under Section 13.16.035, on the following terms and conditions:

- A. The credit shall only be allowed if the applicant applies and pays for the permit within one hundred eighty days of the initial request to connect to the sanitary sewer pursuant to Section 13.08.040;
- B. The work must be completed pursuant to a permit issued by the city building department, with a successful final inspection, and all permit fees paid less the credit;
- C. The septic tank must be permanently decommissioned, in a manner consistent with applicable health and building codes;
- D. Owners obtaining a variance under Section 13.08.050 are not eligible for the credit;
- E. Not more than one credit is allowed for each lot, nor for each private wastewater disposal system, even if a system serves more than one lot, or a lot is served by more than one system;

F. For purposes of this section, a single-family residential building includes a mobile or manufactured home on an individual legal lot of record, but does not include a mobile home in a mobile home park, nor a duplex or multifamily residential structure.

**Section Forty-six.** Section 13.30.130 entitled “Low income citizen discount” of the Sedro-Woolley Municipal Code, adopted by Ord. 1997-21 § 4 in 2021, is hereby amended to read as follows:

A. Maximum Charge. The maximum charge for sanitary sewer service under this chapter at a single-family residence owned and occupied by an eligible head of household, as defined in subsection B of this section, shall be ~~forty-four dollars and thirty-five cents~~ listed in the master fee schedule adopted by resolution of the city council per month; provided, however, that no more than one sanitary sewer connection shall be made at such residential parcel without additional charge being made at the regular rate. This discount will not apply to rentals, units of multifamily structures that are not owner-occupied, non-owner-occupied units in mixed use structures. This discount is intended to apply only to residential uses, billed separately, for qualified resident/owners.

B. Eligible Head of Household Defined. For purposes of this section, an “eligible head of household” shall be defined as follows:

Any person who has qualified for exemption from all or a portion of the amount of excess and regular property taxes for the claimed residence pursuant to RCW 84.36.381. Proof of entitlement may consist of documents or copies of documents from the county assessor’s office showing that the applicant meets the necessary qualification as set forth in RCW 84.36.381.

C. Application for Reduced Rates. No person, however qualified, shall be entitled to the reduced sanitary sewer service rates provided in this section until such person has made official application for the same with the clerk of the city. Reductions of rates made pursuant to this chapter shall be effective only for the billing period during which application is made in accordance with this section and for those billing periods occurring thereafter during which time the applicant remains eligible to receive reduced sanitary sewer service rates.

D. Application Forms and Affidavits. The clerk of the city is hereby directed to maintain a supply of affidavits and application forms establishing qualifications of applicants for reduced collection rates in a form to be approved by the city council.

E. False Representation. Any person making false representations in order to secure reduced sanitary sewer service rates pursuant to this chapter shall be guilty of a misdemeanor.

**Section Forty-seven.** Section 15.52.120 entitled “Administrative fee” of the Sedro-Woolley Municipal Code, adopted by Ord. 1238-95 § 13 in 1995, is hereby amended to read as follows:

A. There shall be a fee to the city in the amount ~~of seven hundred fifty dollars listed in the master fee schedule adopted by resolution of the city council~~, due at time of application for approval. In addition, the applicant shall pay the cost of any title report, engineering costs, publication and mailing costs, and recording fees incurred by the city in conjunction with the application, prior to the granting of any preliminary or final agreement.

B. If an agreement is granted, there shall be a fee to the city for processing and collecting the latecomers' agreement charges, in the amount of five percent of the total amount to be collected. The five percent fee shall be collected by deduction from each individual latecomer charge payment and the balance shall be forwarded to the developer.

**Section Forty-eight.** Section 15.60.050 entitled "Transportation fee schedules and establishment of service area" of the Sedro-Woolley Municipal Code, adopted by Ord. 1960-20 § 1 in 2020, is hereby amended to read as follows:

A. Subject to the provisions of Section 15.60.060, the transportation impact fee shall be as set forth on Attachment A, ~~attached to the ordinance codified in this section contained in the master fee schedule adopted by resolution of the city council~~, and on file with the city clerk. Attachment A shall provide:

1. The schedule of projects established by the city council for which impact fees may be collected, which shall be a subset of the Sedro-Woolley transportation capital facilities plan of the Sedro-Woolley Comprehensive Plan and 2016 Transportation Plan, as updated on May 18, 2018;
2. The cost of the projects on the schedule;
3. A map dividing the city into zones based upon probable impact on planned transportation capital facility projects of development within the zones;
4. The amount of the transportation impact fees to be paid on a "per peak PM trip basis" to be paid by a development with a particular zone.

Attachment A shall not be codified, but shall be ~~on file with the ordinance codified in this section~~ referenced in the master fee schedule adopted by resolution of the city council.

B. The impact fee schedule of costs, as set out in Attachment A, shall be updated annually at a rate adjusted in accordance with the Federal Highway Administration's National Highway Construction Cost Index (NHCCI), using an annual measure to establish revised fee schedules effective January 1st of each year.

C. For the purpose of this chapter, the entire city shall be considered one service area.

**Section Forty-nine.** Section 15.60.070 entitled “Park impact fee and establishment of service area” of the Sedro-Woolley Municipal Code, adopted by Ord. 1959-20 § 2 (part) in 2020, is hereby amended to read as follows:

A. Subject to the provisions of Section 15.60.080, the parks impact fee assessed pursuant to this chapter shall be set forth on Attachment B contained in the master fee schedule adopted by resolution of the city council, for each equivalent single-family residential dwelling unit, whether a single-family structure, a unit in a multifamily structure, a mobile or manufactured home on an individual lot or in a mobile home park, a detached relative cottage, accessory dwelling unit or other dwelling unit, subject to the provisions in this chapter.

B. The impact fee set out in subsection A of this section shall be updated annually at a rate adjusted in accordance with the engineering news record (ENR) Construction Cost Index for the Seattle area, using a June-June annual measure to establish revised fee schedules effective July 1st of the current year.

C. For the purpose of this chapter, the entire city shall be considered one service area.

~~Attachment B—Schedule of Park Impact Fees-~~  
**Parks Impact Fee Calculations**

<b>Additional acres needed</b>	<b>Improvements needed</b>	<b>Existing units</b>	<b>Projected units (2005-2025)</b>	<b>Cost per unit</b>
85 acres new	Ballfields	4,422 units	1,347 new units	\$1,954.00
-	Trails	-	-	-
\$393,100	Play equipment	X 2.6 persons per unit = 11,497 estimated population in City and UGA.	15,000 total population projected for City and UGA.	-
120,500	Climbing wall			-
127,500	Recreation			-
89,700	Water features			-
189,000	-			-
958,400	-	-	-	-
165,000	-	-	-	-
73,900	-	-	-	-
43,100	-	-	-	-
114,300	-	-	-	-
158,100	-	-	-	-
200,000	-	-	-	-
Total:	-	-	-	-
\$2,632,600	-	-	-	-

The city elects to fund less than the full amount through parks impact fees, but will actively seek grant funds to fund the shortfall. Additional costs to fund the shortfall from impact fees

should be through grant funds, by private donations to city park funds, and through the general fund.

New units projected by 2025: one thousand three hundred forty-seven new units (estimated in 2005).

Parks impact fee per unit: Single-family residence: ~~one thousand five hundred dollars~~ listed in the master fee schedule adopted by resolution of the city council.

Manufactured home: ~~one thousand five hundred dollars~~ listed in the master fee schedule adopted by resolution of the city council.

Units in a duplex or multifamily unit: ~~one thousand five hundred dollars~~ listed in the master fee schedule adopted by resolution of the city council.

Dependent relative cottage: ~~one thousand five hundred dollars~~ listed in the master fee schedule adopted by resolution of the city council.

Accessory dwelling unit between the minimum allowed size ADU and four hundred fifty square feet: ~~four hundred fifty dollars~~ listed in the master fee schedule adopted by resolution of the city council.

Accessory dwelling unit greater than four hundred fifty square feet and below the maximum size allowed ADU: ~~nine hundred and fifteen dollars~~ listed in the master fee schedule adopted by resolution of the city council.

All units not specifically identified in the above: ~~one thousand five hundred dollars~~ listed in the master fee schedule adopted by resolution of the city council.

**Section Fifty.** Section 15.64.130 entitled “School impact fees and administrative fees.” of the Sedro-Woolley Municipal Code, adopted by Ord. 1672-10 § 1 in 2010, is hereby amended to read as follows:

A. The school impact fees set forth in Appendix A, attached to this chapter, are generated from the formula for calculating impact fees set forth in the District No. 101 capital facilities plan. Except as otherwise provided in Section 15.64.050, 15.64.060 or 15.64.150, all development activity in the city will be charged the school impact fee in Appendix A.

B. The city’s cost of administering the impact fee program shall be ~~thirty-five dollars~~ listed in the master fee schedule adopted by resolution of the city council per dwelling unit and shall be paid by the applicant to the city as part of the development application fee.

**Section Fifty-one.** Section 15.64.150 entitled “Independent fee calculations.” of the Sedro-Woolley Municipal Code, adopted by Ord. 1607-08 § 5(C) in 2008, is hereby amended to read as follows:



A. If District No. 101 believes in good faith that none of the impact fee categories or fee amounts set forth in the schedules in Appendix A accurately describe or capture the impacts of a new development on schools, District No. 101 may conduct independent fee calculations and submit such calculations to the director. The director may impose alternative fees on a specific development based on these calculations of District No. 101, or may impose alternative fees based on the calculations of the department. The alternative fees and the calculations shall be set forth in writing and shall be mailed to the fee payer.

B. If a fee payer opts not to have the impact fees determined according to the schedules set forth in Appendix A, then the fee payer shall prepare and submit to District No. 101 an independent fee calculation for the development activity for which final plat, PUD, binding site plan, or other development approval, or a building permit is sought. The documentation submitted shall show the basis upon which the independent fee calculation was made. District No. 101 shall review the independent fee calculation and provide an analysis to the director concerning whether the independent fee calculation should be accepted, rejected, or accepted in part. The director may adopt, reject or adopt in part the independent fee calculation based on the analysis prepared by District No. 101, or may impose alternative fees based on the calculations of the department, the fee payer's independent fee calculation, the specific characteristics of the development, and/or principles of fairness. The fees or alternative fees and the calculations shall be set forth in writing and shall be mailed to the fee payer and to District No. 101.

C. Any fee payer submitting an independent fee calculation will be required to pay the city a fee to cover the cost of reviewing the independent fee calculation. The fee shall be ~~five hundred dollars plus~~ the actual cost of any ~~additional~~ staff time ~~in excess of five hundred dollars~~ spent ~~in conducting~~ the review, and the cost of consultant services if the city deems these services to be necessary. The city shall require the fee payer to post a cash deposit of ~~five hundred dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council -prior to initiating the review.

D. While there is a presumption that the calculations set forth in the District No. 101 capital facilities plan are valid, the director shall consider the documentation submitted by the fee payer and the analysis prepared by district No. 101, but is not required to accept such documentation or analysis which the director reasonably deems to be inaccurate or not reliable, and may, in the alternative, require the fee payer or District No. 101 to submit additional or different documentation for consideration. The director is authorized to adjust the impact fees on a case-by-case basis based on the independent fee calculation, the specific characteristics of the development activity, and/or principles of fairness. The fees or alternative fees and the calculations shall be set forth in writing and shall be mailed to the fee payer and to District No. 101.

E. Determinations made by the director pursuant to this section may be appealed to the hearing examiner subject to the procedures set forth in Section 15.64.080.

**Section Fifty-two.** Section 17.65.760 entitled “Enforcement of the critical areas regulations” of the Sedro-Woolley Municipal Code, adopted by Ord. 1849-16 § 3 (Exh. B) (part) in 2016, is hereby amended to read as follows:

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 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 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 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 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~~ listed in the master fee schedule adopted by resolution of the city council 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.

**Section Fifty-three.** Section 17.98.040 entitled “Application requirements” of the Sedro-Woolley Municipal Code, adopted by Ord. 1969-20 § 1 (Exh. A) in 2020, is hereby amended to read as follows:

Each residential building permit application for a model home shall include the following submittals:

- A. Title certificate demonstrating ownership interest in the legal description of the approved preliminary plat;
- B. Copy of the adopting resolution approving preliminary plat;
- C. Building plot plan(s) showing the location(s) of the proposed model home(s) with distances indicated from the proposed final plat lot lines;
- D. Overall site plan showing the location of proposed temporary improvements specific to the model home(s) uses such as the location of signage, flags, banners, fencing, landscaping, and impervious surfaces such as parking areas and sidewalks;
- E. One dark line print (eleven inches by seventeen inches) of the proposed final plat;
- F. A statement signed by the applicant in which the applicant agrees to indemnify and hold harmless the city of Sedro-Woolley, its employees, agents, representatives, and elected and appointed officials from any and all claims made against them arising from the construction or occupancy of the model home(s) prior to recording the final plat;
- G. Submittal of financial securities at one hundred fifty percent of a contractor’s cost estimate, approved by the city, necessary to restore the site to conditions existing prior to the construction of the model home(s) and all associated structures and improvements;
- H. In addition to the residential building permit fees for plan check, permit and building permit, a model home base fee of ~~three hundred dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council per model home shall be required. All other applicable fees shall be paid for the proposed plat improvements and building permit fees prior to individual model home building permit issuance.

**Section Fifty-four.** Section 18.15.040 entitled “Appeal procedure” of the Sedro-Woolley Municipal Code, adopted by Ord. 1670-10 § 1 (part) in 2010, is hereby amended to read as follows:

A. An aggrieved person who desires to file an appeal of the director’s action must do so pursuant to the provisions set forth in this section. The appellant shall file a written appeal to the director within the time period prescribed in Section 18.15.030 and shall pay a filing fee ~~of a one hundred dollars~~ listed in the master fee schedule adopted by resolution of the city council. The written appeal shall contain the following information:

1. The names of all appellants participating in the appeal;
2. A brief statement of the specific director’s action protested, together with any material facts claimed to support the contentions of the appellant;
3. A brief statement of the relief sought, and the reason why the protested action should be reversed, modified, or otherwise set aside;
4. The signatures of all parties named as appellants and their mailing addresses; and
5. The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.

B. Upon the receipt of the appeal and the filing fee, the director shall transmit the same to the city planning director, who shall schedule an appeal hearing before the hearing examiner and give due notice thereof to the appellants.

C. At or after the appeal hearing, the hearing examiner may affirm, reverse, or modify the director’s action or continue the hearing to a date certain for receipt of additional information.

D. The hearing examiner shall issue a written decision within thirty days after the hearing and shall cause copies thereof to be sent to the director and appellants.

E. All written orders by the hearing examiner pursuant to this section shall include a report giving findings of fact, conclusions, and the hearing examiner’s decision.

F. The written decision of the hearing examiner shall be a final order, and the appellant and the director shall abide thereby unless the order is appealed to superior court within the time period prescribed by Section 18.15.030(C) by a person with standing to appeal.

G. The appeal procedures set forth in this chapter shall not apply to project permit applications, land use applications, or specific land use actions identified in Chapter 2.90. In the event of a conflict between this chapter and any Chapter 2.90 provisions involving appeal procedures, Chapter 2.90 shall control.



**Section Fifty-five.** Section 18.35.030 entitled “Civil penalty—Critical areas” of the Sedro-Woolley Municipal Code, adopted by Ord. 1670-10 § 1 (part) in 2010, is hereby amended to read as follows:

A. The code compliance provisions for critical areas are intended to encourage compliance with Chapter 17.65, to protect critical areas and the general public from harm and to further the remedial purposes of this title. To achieve this, persons responsible for the code violation will not only be required to restore damaged critical areas, insofar as that is possible and beneficial, but will also be required to pay a civil penalty for the redress of ecological, recreation, and economic values lost or damaged due to their unlawful action.

B. The provisions in this section are in addition to and not in lieu of any other penalty, sanction, or right of action provided by law for other related violations.

C. Where feasible, the owner of the land on which the violation occurred shall be named as a party to the notice of infraction. In addition to any other persons who may be liable for a violation, and subject to the exceptions provided in Chapter 17.65, the owner shall be jointly and severally liable for the restoration of a site and payment of any civil penalties imposed.

D. For the purposes of this section, violation of the city’s critical areas ordinance means:

1. The violation of any provision of Chapter 17.65 or of the administrative rules promulgated thereunder;
2. The failure to obtain a permit required for work in a critical area; or
3. The failure to comply with the conditions of any permit, approval, terms and conditions of any critical area tract or setback area, easement or other covenant, plat restriction, binding assurance, notice and order, stop work order, mitigation plan, contract, or agreement issued or concluded pursuant to the above-mentioned provisions.

E. Any person in violation of a critical areas ordinance may be subject to civil penalties, costs, and fees assessed as follows:

1. According to the civil penalty schedule included in this chapter; or
2. The greater of:
  - a. An amount determined to be equivalent to the economic benefit that the person responsible for the code violation derives from the violation, measured as the total of:

- i. The resulting increase in market value of the property;
  - ii. The value received by the person responsible for the code violation; and
  - iii. The savings of construction costs realized by the person responsible for the code violation as a result of performing any act in violation of this chapter; or
- b. Code compliance costs (such amount not to exceed ~~fifty thousand dollars~~ the amount listed in the master fee schedule adopted by resolution of the city council) incurred by the city to enforce Chapter 17.65 against the person responsible for the code violation.

**Section Fifty-six. Severability.** If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances is not affected.

**Section Fifty-seven. Effective Date.** This Ordinance shall be in full force and effect five days after publication.

PASSED AND ADOPTED by the City Council of the City of Sedro-Woolley, State of Washington, on this \_\_\_ day of \_\_\_\_, 2022.

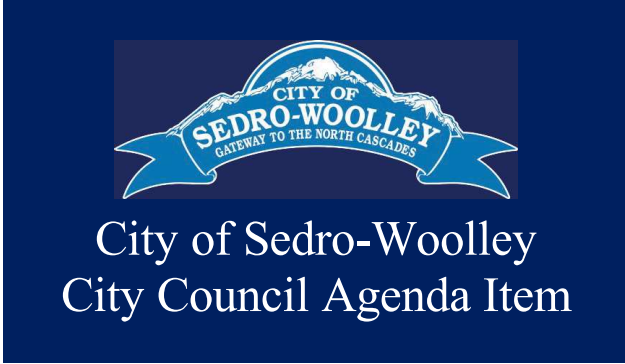
\_\_\_\_\_  
Julia Johnson, Mayor

ATTEST:

\_\_\_\_\_  
Kelly Kohnken, Finance Director

APPROVED AS TO FORM:

\_\_\_\_\_  
Nikki Thompson, City Attorney



Agenda  
Item No. \_\_\_\_\_  
Date: August 10, 2022  
Subject: Adoption of Ordinance 2012-22  
Amending SWMC 8.16 to modify  
prohibitions on construction noise and  
create a variance process

**FROM:**  
Nikki Thompson, City Attorney

**RECOMMENDED ACTION:**  
Adopt Ordinance 2012-22 amending the Sedro-Woolley Municipal Code Chapter 8.16 to modify provisions related to construction noise and provide a noise variance request and appeal process.

**ISSUE:**  
Should Council amend the SWMC Chapter 8.16 to provide for a variance and appeal process and make changes to the construction noise exemptions?

**BACKGROUND/SUMMARY INFORMATION:**  
The Council recently adopted an updated nuisance code that included excessive noise prohibitions. Excluded from that ordinance was a process for allowing variances for excessive noise in certain circumstances. An example might include a construction project that needs to pour a large amount of concrete and in order to do so, needs to start before the 7:00 a.m. time identified in Code. This ordinance creates a variance and appeal process and makes minor changes to the time when construction noise should cease (6:00 p.m., instead of 9:00 p.m.) and adds in additional governmental entities who are exempt from construction noise prohibitions.

**FISCAL IMPACT, IF APPROPRIATE:**  
N/A

**ATTACHMENTS:**  
1. Ordinance 2012-22

**ORDINANCE NO. 2012-22**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEDRO-WOOLLEY, WASHINGTON, AMENDING SECTIONS 8.16.010 ENTITLED “DEFINITIONS” AND 8.16.160 OF THE SEDRO-WOOLLEY MUNICIPAL CODE ENTITLED “EXCESSIVE NOISE EXEMPTIONS” AND ADDING SECTION 8.16.165 ENTITLED “EXCESSIVE NOISE VARIANCE” TO INCLUDE CONSTRUCTION NOISE PROHIBITIONS DURING CERTAIN TIMES AND PROVISIONS FOR EXCEPTIONS AND VARIANCES**

**WHEREAS**, the City of Sedro-Woolley has previously adopted regulations related to nuisance and noise as set forth in chapter 8.16 SWMC; and

**WHEREAS**, pursuant to the authority granted under the Washington State Constitution Art. XI Sec. 11, the City of Sedro-Woolley “may make and enforce within its limits all such local police, sanitary and other regulations as are not in conflict with general laws;” and

**WHEREAS**, the Department of Ecology in adopting regulations related to maximum environment noise levels in chapter 173-60 WAC did not usurp local governments’ authority in “regulating noise from any source as a nuisance” and “that local resolutions, ordinances, rules or regulations regulating noise on such a basis shall not be deemed inconsistent with this chapter [WAC 173-60] by the department [of Ecology]” (WAC 173-60-060); and

**WHEREAS**, after discussion and review of the existing provisions, the City Council desires to add provisions that regulate and prohibit construction noise occurring during nighttime hours and create an exemption for work on public projects; and

**WHEREAS**, the City Council desires to create an exemption to the prohibition of construction noise during nighttime hours for noise from work on public projects as well as a method for private parties to apply for a one-time exemption to the prohibition; and

**WHEREAS**, this ordinance is necessary for the protection of public health, safety, and welfare;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEDRO WOOLLEY, WASHINGTON, DO ORDAIN AS FOLLOWS:**

**Section 1.** Sections 8.16.010 and 8.16.160 of the Sedro-Woolley Municipal Code entitled “Definitions” and “Excessive noise exemptions” respectively are hereby amended and a new section 8.16.165 entitled “Excessive noise variance” is hereby added to read as follows:

Sections:

<b>8.16.010</b>	<b>Definitions.</b>
<b>8.16.020</b>	<b>Types of nuisances.</b>
<b>8.16.030</b>	<b>Prohibited conduct.</b>
<b>8.16.040</b>	<b>Violations—Penalties.</b>

<b>8.16.050</b>	<b>Graffiti deemed nuisance.</b>
<b>8.16.060</b>	<b>Notice of removal.</b>
<b>8.16.070</b>	<b>City costs enforceable debt – Lien.</b>
<b>8.16.080</b>	<b>Graffiti appeal.</b>
<b>8.16.090</b>	<b>Removal by city.</b>
<b>8.16.100</b>	<b>Excessive noise deemed nuisance.</b>
<b>8.16.110</b>	<b>Excessive noise exemptions.</b>
<b>8.16.115</b>	<b>Excessive noise variance.</b>
<b>8.16.120</b>	<b>Excessive noise infraction.</b>
<b>8.16.130</b>	<b>Excessive noise misdemeanor.</b>
<b>8.16.140</b>	<b>Excessive noise enforcement.</b>
<b>8.16.150</b>	<b>Excessive noise separate offenses</b>
<b>8.16.160</b>	<b>Evidence in excessive noise proceedings</b>
<b>8.16.170</b>	<b>Severability</b>

### **8.16.010 Definitions.**

The words and phrases used in this chapter, unless the context otherwise indicates, shall have the following meanings:

- A. “Abate” means to take steps deemed necessary by the director, including but not limited to rehabilitation, demolition, removal, replacement, or repair, in the interest of the general health, safety, and welfare of the community.
- B. “Building materials” means and includes lumber, plumbing materials, wallboard, sheet metal, plaster, brick, cement, asphalt, concrete block, roofing material, cans of paint and similar materials.
- C. “Director” shall include, but not be limited to, the city: building official, police chief, fire chief, public works director, finance director, and planning director or other city official charged with the enforcement of a particular portion of the Sedro-Woolley Municipal Code. The director of a department may designate an individual or individuals to act in his or her stead.
- D. “Graffiti” means the defacing, damaging or destroying by spraying of paint or marking of ink, chalk, dye or other similar substances on public or private buildings, structures, and places.
- E. “Graffiti abatement procedure” means the abatement procedure which identifies graffiti, issues notice to the landowner to abate the graffiti, and cures in absence of response.
- F. “Hearing Examiner” means the City of Sedro-Woolley hearing examiner and the office thereof pursuant to SWMC 2.34.
- G. “Owner” means entity or entities having a legal or equitable interest in real or personal property, including but not limited to, any structure, fence, wall, sign, or any separate part thereof, whether permanent or not.

H. “Premises” means any building, lot, parcel, real estate, land, or portion of land whether improved or unimproved, including adjacent sidewalks and parking strips.

I. “Private contractor” means any person with whom the city shall have duly contracted to remove graffiti.

J. “Property” means any object of value that a person may lawfully acquire and hold, including real or personal property and that which is affixed, incidental, or appurtenant to real property, including but not limited to any structure, fence, wall, sign, or any separate part thereof, whether permanent or not.

K. “Public disturbance noise” shall mean the following sources of sound unless exempted by SWMC 8.16.160.

1. Frequent, repetitive or continuous sound from any horn or siren attached to a motor vehicle except as a warning of danger or specifically permitted or required by law;

2. Frequent, repetitive or continuous sound in connection with the starting, operating, repairing, rebuilding or testing of any motor vehicle, motorcycle, off-highway vehicle, or internal combustion engine in any residential zone which unreasonably interferes with the peace, comfort and repose of owners or occupants of real property in the residential zone;

3. Loud or raucous sound from any activity which unreasonably interferes with the operation of any school, church, hospital, sanitarium or nursing or convalescent facility;

4. Frequent, repetitive or continuous sound which emanates from a building, structure or property, and created by musical instrument, whistle, sound amplifier, stereo, jukebox, radio, television or other device capable of reproducing or creating sound, such as sounds originating from a band session, tavern operation or commercial sales lot which unreasonably interferes with the peace, comfort and repose of owners or occupants of nearby property;

5. Sound from a motor vehicle audio sound system, such as a radio, tape player or compact disc player, when the volume is such that the sound can be clearly heard by a person of normal hearing at a distance of more than fifty (50) feet from the vehicle itself;

6. Sound from carried or transported portable audio sound equipment, such as a radio, tape player or compact disc player, when the volume is such that the sound can be clearly heard by a person of normal hearing at a distance of more than fifty (50) feet from the source of the sound;

7. Frequent, repetitive or continuous sound which emanates from a residence structure or property, and created by audio sound equipment, musical instruments or social gatherings which unreasonably interferes with the peace, comfort and repose of owners or occupants of neighboring residential properties;

8. Sound from squealing or screeching of motor vehicle tires in contact with the ground or other roadway surface because of rapid acceleration, braking or excessive speed around corners except such sounds which arise from actions to avoid danger;

9. Sound originating from a motor vehicle on the public highway when the vehicle is operated without a muffler in good working order and in accordance with applicable laws and regulations;

10. Sound from yelling, shouting, hooting, whistling or singing on or near the public streets occurring between the hours of 11:00 p.m. and 7:00 a.m. which unreasonably interferes with the peace, comfort and repose of owners or occupants of real property;

11. Sound originating from residential real property relating to temporary projects for the maintenance or repair of homes, grounds or appurtenances, including sounds from hammering, power lawnmowers, power hand tools, snow removal equipment and the like when the same occurs between the hours of 9:00 p.m. and 7:00 a.m. weekdays and 9:00 p.m. and 9:00 a.m. on weekends and legal holidays;

12. Sounds originating from construction sites and activities, including but not limited to sounds from staging (on and near the construction site) and the warming up and operation of heavy construction equipment, power tools and hammering between the hours of 6:00 p.m. and 7:00 a.m. on weekdays and 9:00 p.m. and 9:00 a.m. on weekends and legal holidays, except such sounds which arise from emergency construction work to protect public or personal health and safety or when an exemption applies or a variance has been approved;

13. Continuing and/or ongoing sounds from nonemergency motor vehicles or other motorized or nonmotorized equipment such as leaf blowers, sweepers, or the like, audible more than twenty-five (25) feet away from the vehicle or other noise emitting source located on or in the vicinity of residential property which occurs in the presence of a commissioned police officer or which sounds reasonably cause the annoyance or disturbance of two (2) or more neighbors not residing at the same address, due to the ongoing or repetitive nature of the sounds, during the hours described below shall be presumed to be public disturbance noise. The two (2) complaints must be received by the Police Department within twenty-four (24) hours from the time the noise occurred in order for an enforcement action to proceed.

For the purposes hereof, the sounds generally described above occurring after 10:00 p.m. at night or before 7:00 a.m. on any day of the week shall be presumed to be a public disturbance except for noises that occur between the hours of 6:00 a.m. and 7:00 a.m., if the business is open to the public during that time, and it occurs in the course of normal, reasonable, and essential business activities to service retail customers present during that time. Further provided, that the presumption of a public disturbance noise occurring between the hours of 10:00 p.m. at night or before 7:00 a.m. shall only be rebutted upon a showing before the adjudicatory body that the noise was caused by circumstances of an unforeseen and emergency nature.

L. “Responsible person or party” means any agent, lessee, owner, or other person acting as an agent for the owner by agreement, who is occupying or having authority or control of any

property or premises or is responsible for the property's maintenance or management. Irrespective of any arrangement to the contrary with any other party, each owner shall always be a responsible party for purposes of this chapter. There may be more than one responsible party for a particular property. (Ord. 1003 § 1, 1984)

#### **8.16.020 Types of nuisances.**

Each of the following conditions, unless otherwise permitted by law, is declared to constitute a public nuisance, and whenever the director determines that any of these conditions exist upon any premises the director may require or provide for the abatement thereof pursuant to this chapter:

- A. The existence of any weeds, trash, dirt, filth, the carcass of any animal, waste shrubs, accumulations of lawn or yard trimmings or any offensive matter;
- B. The existence of any dead, diseased, infested or dying tree that may constitute a danger to property or persons;
- C. The existence of any tree, shrub or foliage, unless by consent of the city, which is apt to destroy, impair, interfere or restrict:
  - 1. Streets, sidewalks, sewers, utilities or other public improvements,
  - 2. Visibility on, or free use of, or access to such improvement;
- D. The existence of any vines or climbing plants growing into or over any street, public hydrant, pole or electrolier, or the existence of any shrub, vine or plant growing on, around or in front of any hydrant, standpipe, sprinkler system connection or any other appliance or facility provided for fire protection purposes in such a way as to obscure the view thereof or impair the access thereto;
- E. The existence of any accumulation of materials or objects in a location when the same endangers property, safety or constitutes a fire hazard;
- F. The existence of a sidewalk or portion of a sidewalk adjacent to any premises which is out of repair, and in a condition to endanger persons or property, or in a condition to interfere with the public convenience in the use of such sidewalk;
- G. The existence of caterpillar infestations;
- H. The existence of fruit fly infestation, moths, rust, or other tree diseases;
- I. The burning or disposal of refuse, sawdust, or any material;



J. The existence of any obstruction to a street, alley, crossing or sidewalk, which is by ordinance prohibited, or which is made without lawful permission, or which, having been made by lawful permission, is kept and maintained after the purpose thereof has been accomplished, and for an unreasonable length of time;

K. The erecting, maintaining, using, placing, depositing, leaving or permitting to be or remain in or upon any private lot, building, structure, or premises, or in or upon any street, alley, sidewalk, park, parkway, or other public or private place in the city, any one or more of the following disorderly, disturbing, unsafe, unhealthy, unsanitary, fly-producing, rat-harboring, disease-causing places, conditions, or objects:

1. Any putrid, unhealthy or unwholesome bones, meat hides, skins, the whole or any part of any dead animal, fish, or fowl, or waste parts of fish, vegetable or animal matter in any quantity; but nothing herein shall prevent the temporary retention of waste in approved covered receptacles,
2. Any vaults, cesspools, sumps, pits or like places which are not securely protected from flies and rats, or which are foul or malodorous,
3. Any pools of standing water created by irrigation of private property that could serve as breeding areas for rats, flies, or mosquitoes,
4. Any filthy, littered or trash-covered dwellings, cellars, house yards, barnyards, stable yards, factory yards, vacant areas in the rear of stores, vacant lots, houses, buildings, or premises,
5. Any animal manure in any quantity which is not securely protected from flies or weather conditions, or which is kept or handled in violation of any ordinance of the city,
6. Any poison oak or poison ivy, Russian thistle, or other noxious weeds, whether growing or otherwise; but nothing herein shall prevent the temporary retention of such weeds in approved covered receptacles,
7. Any grass, weeds, shrubs, bushes, trees or vegetation growing or which has grown and died upon any property and are a fire hazard or a menace to public health, safety or welfare,
8. Any bottles, cans, glass, ashes, small pieces of scrap iron, wire, metal articles, bric-a-brac, broken stone or cement, broken crockery, broken glass, broken plaster and all such trash, or abandoned material, unless it is kept in approved covered bins or receptacles,
9. Any trash, litter, rags, accumulations or empty barrels, boxes, crates, packing cases, mattresses, bedding, excelsior, packing hay, straw or other packing material, lumber not neatly piled, scrap iron, tin or other metal not neatly piled, or anything

whatsoever in which flies or rats may breed and multiply or which may be a fire hazard;

L. The depositing or burning or causing to be deposited or burned in any street, alley, sidewalk, park, parkway, or other public place which is open to travel, any hay, straw, paper, wood, boards, boxes, leaves, manure, or other rubbish or material;

M. The storage or keeping on any premises for more than thirty days of any used or unused building materials, without a special permit from the building official; provided, that nothing herein shall:

1. Prohibit such storage without a permit when done in conjunction with a construction project for which a building permit has been issued and which is being prosecuted diligently to completion,

2. Prohibit such storage without a permit on the premises of a bona fide lumber yard, dealer in building materials or other commercial enterprise when the same is permitted under the zoning ordinance and other applicable ordinances,

3. Make lawful any such storage or keeping when it is prohibited by other ordinances or laws;

N. The existence of any pits, cesspools, privy vaults, potholes or holes which would endanger safety;

O. The existence of any condition which would produce dust or noxious odors; provided, that nothing herein shall be prohibited when done in conjunction with a construction project for which a building permit has been issued and is being prosecuted diligently to completion. However, the contractor or owner will be responsible for dust control throughout his development area;

P. The existence of any fence or other structure or thing on private property abutting or fronting upon any public street, sidewalk, or place which is in a sagging, leaning, fallen, decayed or other dilapidated or unsafe condition;

Q. The existence or maintenance on any premises of a storage area, junk yard or dumping ground for the wrecking or disassembling of automobiles, trucks, trailers, recreational vehicles, boats, tractors or other vehicle or machinery of any kind, or for the storing or leaving of worn out, wrecked, inoperative, or abandoned automobiles, trucks, trailers, recreational vehicles, boats, tractors or other vehicle or machinery of any kind or of any parts thereof;

R. The existence of any drainage onto or over any sidewalk, public pedestrian way, street or alley;

S. The existence on any premises, in a place accessible to children, of any unattended and/or discarded icebox, refrigerator or other large appliance. (Ord. 1003 § 2, 1984)

T. The existence or maintenance of graffiti, and other defacement of public and private property, including walls, rocks, bridges, buildings, fences, gates, vehicles, signs, road surfaces and other structures, trees, and all other real and personal property within the city.

U. Causing or allowing any other nuisance as defined in this section or other provision of the Snohomish Municipal Code.

The acts declared to be a nuisance by this chapter shall not be construed to be exhaustive; and nothing in this chapter is intended to limit the city from pursuing actions of a civil or criminal nature involving a nuisance from time to time when otherwise permitted by law.

#### **8.16.040 Violations—Penalties.**

Any person violating or failing to comply with any of the provisions of Sections [8.16.020](#) and [8.16.030](#) shall be subject to the enforcement provisions contained in Title [18](#), Code Enforcement. (Ord. [1670-10](#) § 8, 2010)

#### **8.16.050 Graffiti deemed nuisance.**

A. The city council finds and declares that graffiti, and other defacement of public and private property, including walls, rocks, bridges, buildings, fences, gates, vehicles, signs, road surfaces and other structures, trees, and all other real and personal property within the city constitutes a nuisance.

B. The city council further finds that although it is appropriate, where possible, to request that the courts require people who are convicted of acts of defacement and vandalism involving application of graffiti to public or private property to restore the property so defaced, damaged, or destroyed, obtaining convictions for such acts is difficult because the offenses involved can be committed so very quickly and secretly that witnesses to the acts are frequently nonexistent.

C. The city council further finds that although the public should be encouraged to cooperate in the elimination of graffiti by reporting the same to the proper authorities, it is also important to eliminate the presence of graffiti from the community so that the product of the illegal acts of those involved in application of graffiti is not visible, and the property on which the graffiti is located and surrounding properties do not suffer diminution of value.

#### **8.16.060 Notice of removal.**

A. Whenever the city of Sedro-Woolley or the city's designated representative determines that graffiti exists on any public or private buildings, structures, and places which are visible to any person utilizing any public road, parkway, alley, sidewalk or other right-of-way within the city, the city or the city's designated representative shall cause a notice to be issued to abate such nuisance. The property owner or responsible party shall have fifteen (15) calendar days after the date of the notice to remove the graffiti or the same will be subject to abatement by the city. Any property located in the city of Sedro-Woolley that contains graffiti is in violation of this chapter and subject to its remedies

B. The Notice to Abate Graffiti pursuant to this section shall be in writing and shall be served upon the owner or responsible party of the affected premises, as such owner's name and address appears on the last property tax assessment rolls of Skagit County, Washington. If there is no known address for the owner or responsible party, the notice shall be sent in care of the property address. The notice required by this section may be served in any one of the following manners:

1. Personal service upon the owner or responsible party; or
2. Registered or certified mail addressed to the owner or responsible party at the last known address of said owner or responsible party. If this address is unknown, the notice will be sent to the property address.

C. The Notice to Abate Graffiti shall include a general description of the graffiti and the necessary corrective actions to abate the graffiti, and shall be substantially in the following form:

#### NOTICE TO ABATE GRAFFITI

Date:

To:

NOTICE IS HEREBY GIVEN that you are required, by ordinance of the City of Sedro-Woolley, Washington, at your own expense, to remove or paint over graffiti located on the property commonly known as [insert street address], Sedro-Woolley, Washington, which is visible to public view, within fifteen (15) calendar days after the date of this notice. IN THE EVENT YOU FAIL TO DO SO, the City shall cause the nuisance to be abated at your expense by removal or painting over of the graffiti. The cost of abatement by the City or private contractors employed by the City to abate the nuisance will be assessed against your property and such costs will constitute a lien upon the land until paid.

Within ten (10) calendar days of the date of mailing or personal service of the Notice to Abate Graffiti, the property owner or responsible party may appeal the matter to the Sedro-Woolley hearing examiner by filing a written notice of appeal with the **Chief of Police, Sedro-Woolley Police Department, 325 Metcalf Street, Sedro-Woolley, WA 98284**. The filing of an appeal will stay, during the pendency of the appeal, any enforcement or actions by the city to abate the graffiti nuisance.

If no timely appeal to the Notice to Abate Graffiti is received the City will, at the conclusion of the fifteen (15) calendar day period, proceed with abatement of the graffiti inscribed on your property at your expense and without further notice.

#### **8.16.070 City costs enforceable debt – Lien.**

Any and all costs incurred by the city in the abatement of the graffiti nuisance as provided in this chapter shall constitute a debt owed to the city by the property owner or responsible party, and shall be enforceable as a lien against the property upon which such nuisance existed, in addition to the other legal remedies available for enforcement of debts.

#### **8.16.080 Graffiti appeal.**

A. **Time for Appeal.** Within ten (10) calendar days of the date of mailing or personal service of the Notice to Abate Graffiti, the property owner or responsible party affected may appeal the matter to the Sedro-Woolley Hearing Examiner by filing a written notice of appeal with the **Chief of Police, Sedro-Woolley Police Department, 325 Metcalf Street, Sedro-Woolley, WA 98284**. The timely filing of an appeal will stay, during the pendency of the appeal, any enforcement or actions by the city to abate the graffiti nuisance.

B. **Appeal to Be Heard by City's Hearing Examiner.** A timely filed appeal will be heard by the city's hearing examiner as established by SWMC [2.34](#), following procedures set in SWMC [18.15.040](#). Any appeal of the director's action may be affirmed, reversed or modified in the hearing examiner's final order. The decision of the hearing examiner shall be a final order and the appellant and the director shall be bound thereby unless, within twenty-one days from the date of the issuance of the hearing examiner's final order, a person with standing to appeal files a petition to the superior court. The cost for the transcription of all records ordered certified by the superior court for such review shall be borne by the appellant.

#### **8.16.090 Removal by city.**

A. Upon failure of persons to comply with the Notice to Abate Graffiti by the designated date, or such continued date thereafter as the city or the city's designated representative approves, the city or the city's designated representative is authorized and directed to cause the graffiti to be abated by city forces or by private contract, and the city or its private contractor is expressly authorized to enter upon the premises for such purposes. All reasonable efforts to minimize damage from such entry shall be taken by the city, and any paint used to obliterate or cover graffiti shall be as close as practicable to background color(s). If the city's designated representative provides for the removal of the graffiti, she/he shall not authorize nor undertake to provide for the painting or repair or any more extensive area than the area where the graffiti is located.

B. Property owners or responsible parties in the City of Sedro-Woolley may consent in advance to city entry onto private property for graffiti removal purposes.

C. The City is authorized to use public funds for removal of graffiti, or for painting and repair of graffiti, but shall not be authorized or undertake to provide for the painting or repair of any more extensive area than that where the graffiti is located, unless it is determined in writing that a more extensive area is required to be repainted or repaired in order to avoid an aesthetic disfigurement to the neighborhood or community, or unless the property owner or responsible party agrees to pay for the costs of repainting or repairing the more extensive area. All aspects of

graffiti removal are at the discretion of the City including, but not limited to, the method of and material used for repair.

The provisions of this chapter are to be considered separate and severable. If any clause, sentence, paragraph, section, subsection, or portion of this chapter, or the application thereof, to any person or circumstance, is held to be invalid, it shall not affect the validity of the remainder of this chapter, or the validity of its application to other persons or circumstances.

**8.16.100 Excessive noise deemed nuisance**

- A. The city council finds and declares that excessive noise within the city constitutes a nuisance.
- B. The city council further finds that minimizing the exposure of citizens to the physiological and psychological effects of excessive noise protects, promotes, and preserves the public health, safety, and general welfare.
- C. The city council further finds that controlling the level of noise promotes the use, value, and enjoyment of property, sleep and repose, commerce, and the quality of the environment.

**8.16.110 Excessive noise exemptions**

Though the following sources of sound may fall within the definitions of a “public disturbance noise” as defined in the previous section, the following sounds shall be exempt and shall not be public disturbance noise:

- A. Noise originating from aircraft in flight, and sounds which originate in airports and are directly related to flight operations;
- B. Noise created by safety and protective devices, such as relief valves where noise suppression would defeat the safety relief intent of the device;
- C. Noise created by fire or security alarms, or noise created by emergency equipment;
- D. Noise created by auxiliary equipment on motor vehicles used for highway maintenance;
- E. Noise created by a special event as defined in and regulated by Chapter 12.44 of the SWMC so long as the event is in compliance with the terms and conditions of its special event permit;
- F. Noise created by natural phenomenon;
- G. Noise created by public utility facilities including electrical substations;
- H. Noise created from school marching bands while practicing;

I. Noise created by bells, chimes or carillon not operated for more than five (5) minutes in any one (1) hour from the hours of 7:00 a.m. to 10:00 p.m., but not including such noise as is artificially created and amplified and broadcast via loudspeaker;

J. Noise created by the operation of equipment or facilities of surface carriers engaged in commerce by railroad; and

K. Noise originating from construction sites and activities for a city, county, Department of Transportation or other state entity, or federal public works or emergency repair project, regardless of the time of day or night.

#### **8.16.115 Excessive noise variance**

A. A person may request a variance from compliance from any noise requirement in SWMC 8.16 by making an application with the Planning Director at least thirty (30) days before the time period for the variance to take effect. The application shall be in writing and shall be accompanied by a fee as specified in the master fee schedule. The variance may not be used for private activities (weddings, parties, etc.). The applicant shall explain the following:

1. Nature of the noise,
2. Source of the noise,
3. Duration for which the noise will be created,
4. Time period for which the variance will be necessary,
5. Reason(s) why the noise violation cannot be avoided, and
6. Mitigating conditions the applicant will implement to minimize noise level violations.
7. The applicant shall list all property owners who adjoin the subject property per county assessor records, except that:
  - a. The Planning Director may waive this property owner list requirement if the Planning Director determines that the granting of the variance would have no significant effect on the adjoining property owners, and
  - b. The Planning Director may increase the required property owner list to include all property owners within five hundred (500) feet of the subject property per county assessor records if the Planning Director determines that the granting of the variance would have a significant impact on such property owners.

B. The Planning Director, after informing the affected city departments, and after considering the relative interests of the applicant, of the other owners or possessors of property

likely to be affected by the noise, and of the general public, may grant a variance if the Planning Director determines that the noise level violations:

1. Cannot be avoided,
2. Will exist for a specific period of time,
3. Will not endanger public health, safety, or welfare, and
4. Have been mitigated to the greatest extent possible.

C. Variances granted pursuant to this chapter shall be in writing and must include the time period the variance will be in effect and the location of the variance.

D. The Planning Director may deny a variance application if:

1. The Planning Director determines that the applicant does not meet the criteria listed in subsection B of this section, or
2. The variance was obtained with false or misleading information.

E. The Planning Director may revoke a variance if:

1. At any time during the variance the Planning Director determines that the variance holder no longer meets the criteria listed in subsection B of this section,
2. The variance holder causes or permits noise that fails to comply with the variance or other provisions of this chapter not affected by the variance and the issuance of a violation citation or stop work order has been or would be ineffective to secure compliance, or
3. The variance was obtained with false or misleading information.

F. The variance holder must post a variance in a viewable area at the location of the variance or keep it on their person during the effective period of the variance.

G. If the Planning Director grants the variance, notice shall be mailed by first class mail to those property owners appearing on the list provided by the applicant per the application requirement herein. The applicant shall be responsible for paying all mailing costs, which shall be in addition to the variance application fee.

H. Any variance granted by the Planning Director shall be restricted in duration and an implementation schedule for achieving compliance with this chapter shall be incorporated herein. No variance shall exceed thirty (30) days. Variances may be renewed, but no renewal shall be granted unless application is made at least sixty (60) days prior to expiration of this issued variance and the applicant complies with all other requirements of this section.



I. Any person aggrieved by a variance decision may file an appeal in writing with the City Administrator within ten (10) days of issuance of the Planning Director’s decision. The appeal shall be a proceeding pursuant to Section 18.15.040 except that the appeal shall be before the City Administrator not the Hearing Examiner. The appellant must prove by clear and convincing that the Planning Director abused his or her discretion in a decision made pursuant to this section. Any appeal of a variance decision by the Planning Director may be affirmed, reversed, or modified by the City Administrator. The decision of the City Administrator shall be final. The applicable provisions of Chapter 18.15 shall govern procedure and process of an appeal of the Planning Director’s decision, except that the public notice requirements established do not apply to this appeal process. Further, where a provision of Chapter 18.15 conflicts with a provision of this section, this section shall control.**8.16.120 Excessive noise infraction**

A. Any person to cause a nonexempt public disturbance noise as defined by this chapter; or

B. Any person who allows to be emitted a nonexempt public disturbance noise as defined by this chapter from a property, facility, business, or building managed or controlled by such person.

The public disturbance noise prohibitions as defined in SWMC 8.16.150 constitute a civil infraction and need not occur in the citing officer’s presence to be enforced pursuant to IRLJ 2.2, as hereby adopted by reference as currently enacted, or as hereafter amended, and shall be given the same force and effect as if set forth herein in full.

**8.16.130 Excessive noise misdemeanor**

A. Any person to cause four (4) or more nonexempt public disturbances in a six (6) month period as defined by this chapter.

B. Any person who allows to be emitted in a six (6) month period four (4) or more nonexempt public disturbance noises as defined by this chapter from a property, facility, business, or building managed or controlled by such person.

The public disturbance noise prohibitions as defined in SWMC constitute a misdemeanor if 4 or more violations occur within a six (6) month period and need not occur in the citing officer’s presence to be enforced pursuant to CrRLJ 2.1, as hereby adopted by reference as currently enacted, or as hereafter amended, and shall be given the same force and effect as if set forth herein in full.

**8.16.140 Excessive noise enforcement**

Where this chapter defines “public disturbance noise” as sound unreasonably interfering with the peace, comfort and repose of owners or possessors of real property or neighboring property, only after a complaint has been made by such a person, except for public disturbance noise as defined by SWMC 8.16.010(K)(13) which requires two (2) complaints to be made, may the Police Department issue a civil infraction notice. However, nothing herein precludes the Police Department from issuing a civil infraction notice should the “public disturbance noise” occur in the presence of a commissioned police officer.

In all other instances of a “public disturbance noise” a civil infraction notice may be issued without a complaint.

**8.16.150 Excessive noise separate offenses**

For enforcement purposes, sound emitted during separate days shall be deemed a separate violation. A day is a twenty-four (24) hour period beginning at 12:01 a.m.

**8.16.160 Evidence in excessive noise proceedings**

In any proceeding under this chapter, evidence of sound level through the use of sound level meter readings shall not be necessary to establish commission of the violation.

**8.16.170 Severability**

Should any provision of this chapter or of any section of this chapter be held invalid, the remainder of the section and/or this chapter shall not be affected

**Section 4. Severability.** If any section, sentence, clause or phrase of this Ordinance shall 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 section, sentence, clause or phrase of this Ordinance.

**Section 5. Effective date.** This Ordinance shall take effect five days after its publication by summary.

Passed by the City Council and approved by the Mayor of the City of Sedro Woolley Washington at a regular meeting thereof this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Julia Johnson, Mayor

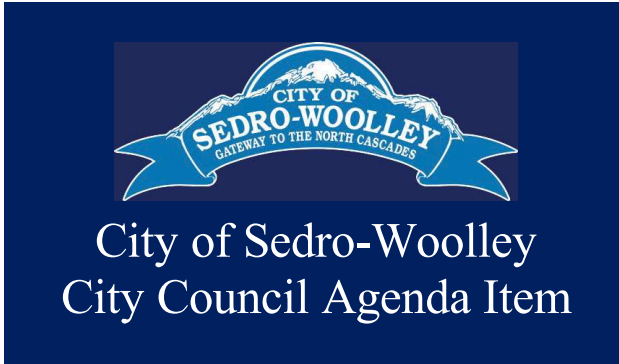
**APPROVED AS TO FORM:**

**ATTEST:**

\_\_\_\_\_  
Nikki Thompson, City Attorney

\_\_\_\_\_  
Debbie Burton, City Clerk

*First Reading:*  
*Date Adopted:*  
*Date of Publication:*  
*Effective Date:*



Agenda Item No.	
Date:	August 10, 2022
Subject:	2022 Comprehensive Plan Docket Amendments - 1 <sup>st</sup> read

**FROM:**

John Coleman, AICP

**RECOMMENDED ACTION:**

No Action requested - First Read

**ISSUE:**

1. Should the City Council adopt the proposed amendments to the Transportation Element, Capital Facilities Element and Land Use Element of the Comprehensive Plan to address changes in transportation needs, adopt an updated School District Capital Facilities Plan and address source control per Department of Ecology requirements?
2. Should the City Council adopt the proposed amendments to Chapter 15.64 SWMC to amend the school impact fees, Chapters 13.36 and 13.40 SWMC to address source control per Department of Ecology requirements, and Chapter 15.60 SWMC to amend the park impact fees?

**BACKGROUND/SUMMARY INFORMATION:**

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 Comprehensive Plan may be updated only once per year, and all the changes must be made at one time. The items included in this review cycle are collectively called the Docket. There are four items on the 2022 Docket:

- 1) CPA-1-22: Amendments to the Transportation Element of the Comprehensive Plan to remove the Hodgkin Road arterial connection from Stendal Street to Cook Road, amend the level of service standards (LOS) for minor arterials and major collectors throughout the City and make other minor updates as necessary to make sure the plan is consistent with state and City codes. The Planning Commission recommendations result in amendments to the Transportation Element.
- 2) CPA-2-22: Adopting the latest Sedro-Woolley School District Capital Facilities Plan (CFP) at the request of the Sedro-Woolley School District. The School CFP includes the District's calculations for school impact fees that the City collects on behalf of the District. The CFP is adopted as an appendix to the Capital Facilities Element of the Sedro-Woolley Comprehensive Plan. The school impact fees are codified in Chapter 15.64 SWMC. The Planning Commission recommends amendments to the Capital Facilities Element and updates to the school fee in Chapter 15.64 SWMC – Impact Fees for School Facilities.
- 3) CPA-3-22: Amendments to update various references and dates, update stormwater permit and stormwater manual date references, to update numerical references to elements of the City stormwater system

and to address two new programs introduced by the Department of Ecology (Stormwater Management Action Planning; and Source Control Program for Existing Development). The Planning Commission recommended amendments to the Land Use Element and the Capital Facilities Element of the Comprehensive Plan as well as Title 13 SWMC.

4) CPA-4-22: Amendments to the Parks and Recreation Element of the Comprehensive Plan. The calculations for the park impact fee are in an appendix to the Parks and Recreation Element and the parks fees are codified in Chapter 15.60 SWMC. The Planning Commission recommendations result in minor amendments to the Parks and Recreation Element and changes to the park impact fee in Chapter 15.60 SWMC – Impact Fees for Planned Facilities.

The Planning Commission reviewed and held at least one public hearing for each of the proposed updates to the Comprehensive Plan and corresponding updates to the SWMC at several meetings. The attached Planning Commission *Findings of Fact, Conclusions and Recommendation* includes the procedural history of the 2022 Docket update process. The *Findings* also include a detailed description of each proposed amendment.

The proposed updates to the Transportation Element, Capital Facilities Element and Land Use Element of the Comprehensive Plan are included in the proposed ordinance in Attachment 1. The proposed updates to Chapters 15.64, 13.36, 13.40 and 15.60 SWMC are included in the proposed ordinance in Attachment 2.

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

1. Pass an ordinance adopting the amendments to the Comprehensive Plan as recommended by the Planning Commission; AND adopt an ordinance that includes the associated amendments to the Municipal Code 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 with additional changes made by the City Council; or
4. Reject the proposed changes.

**FISCAL IMPACT, IF APPROPRIATE:**

N/A

**ATTACHMENTS:**

1. Attachment 1 Ordinance 2014 22 to adopt amendments to the SW Comprehensive Plan
2. Attachment 2 Ordinance 2015 22 to adopt amendments to the SWMC
3. Attachment 3 Planning Commission Findings of Fact

**Ordinance No. 2014-22**

**AN ORDINANCE OF THE CITY OF SEDRO-WOOLLEY, WASHINGTON ADOPTING AMENDMENTS TO THE COMPREHENSIVE PLAN, REVIEWED AS PART OF THE 2022 COMPREHENSIVE PLAN DOCKET.**

**WHEREAS**, amendments to the Sedro-Woolley Comprehensive Plan were required to be submitted by the published deadline of January 21, 2022; 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 July 18, 2022, 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 2022 Docket, the Planning Commission reviewed the proposed updates to the Transportation Element, Capital Facilities Element and Land Use Element of the Comprehensive Plan as contained in this ordinance and made a recommendation to adopt updates to the Comprehensive Plan; and

**WHEREAS**, the Planning Commission held two public meetings and two public hearings on updates to the Comprehensive Plan; and

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

**Section 1.** The Transportation Element of the Sedro-Woolley Comprehensive Plan are hereby amended to read as set forth in the attached Exhibit A.

**Section 2.** The Capital Facilities Element of the Sedro-Woolley Comprehensive Plan are hereby amended to read as set forth in the attached Exhibit B.

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

**Section 4.** 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 August 3, 2022 - as the City Council's *Findings of Fact*.

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

**Section 6.** 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 \_\_\_\_\_ day of August, 2022, and signed in authentication of its passage this \_\_\_\_\_ day of August, 2022.

By: \_\_\_\_\_  
JULIA JOHNSON, Mayor

Attest: \_\_\_\_\_  
KELEY KOHNKEN, Finance Director

Approved as to form:

\_\_\_\_\_  
NIKKI THOMPSON, City Attorney

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

# Exhibit A

To Ordinance No. 2014-22

Amendments to the Transportation Element of the Sedro-Woolley Comprehensive Plan

## Chapter 3

### TRANSPORTATION ELEMENT

- 3.04 Introduction
- 3.08 Goals and Policies
- 3.12 Transportation System Inventory
- 3.16 Existing Traffic Conditions
- 3.20 Travel Demand Forecasting
- 3.24 Future System Needs
- 3.28 Transportation Financing Plan
- 3.32 Intergovernmental Coordination

### APPENDIX

- A 2015 Intersection LOS Summary
- B 2015 Street Segment LOS Summary
- C 2036 Intersection Level of Service
- D 2036 Street Segment Level of Service –  
without improvement
- E 2036 Street Segment Level of Service –  
with Improvement

Sedro Woolley Comprehensive Plan | 3-1  
~~Update effective: May 18, 2018~~~~Draft: March 2022~~



### 3.04

## 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~~ City and its UGA had an estimated population of twelve thousand five-hundred and fourteen (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 was also updated in 2016. 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 operational improvements on state highways and arterials

servicing 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 Transportation Demand Management strategies

**Sedro Woolley Comprehensive Plan | 3-2**  
**Update effective: May 18, 2018 Draft: March 2022**

- 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 county-wide 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 (Map revised)**

**Sedro Woolley Comprehensive Plan | 3-4**  
**Update effective: May 18, 2018 Draft: March 2022**

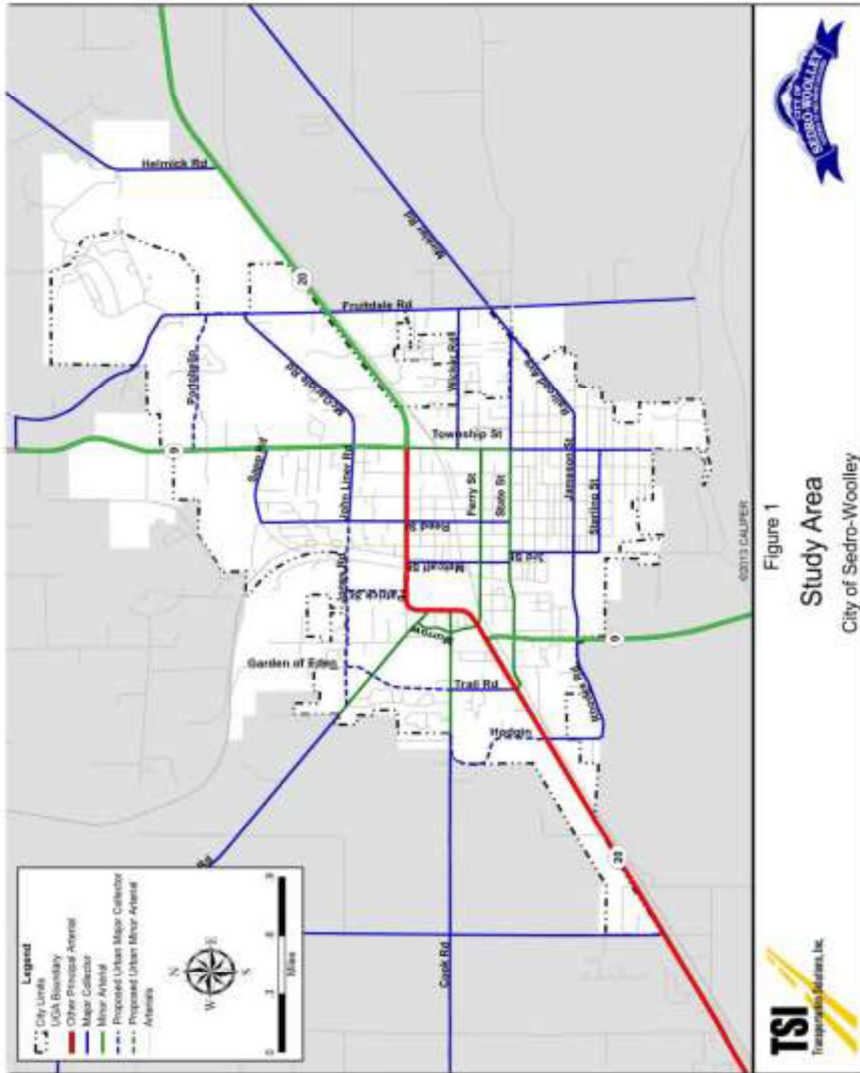
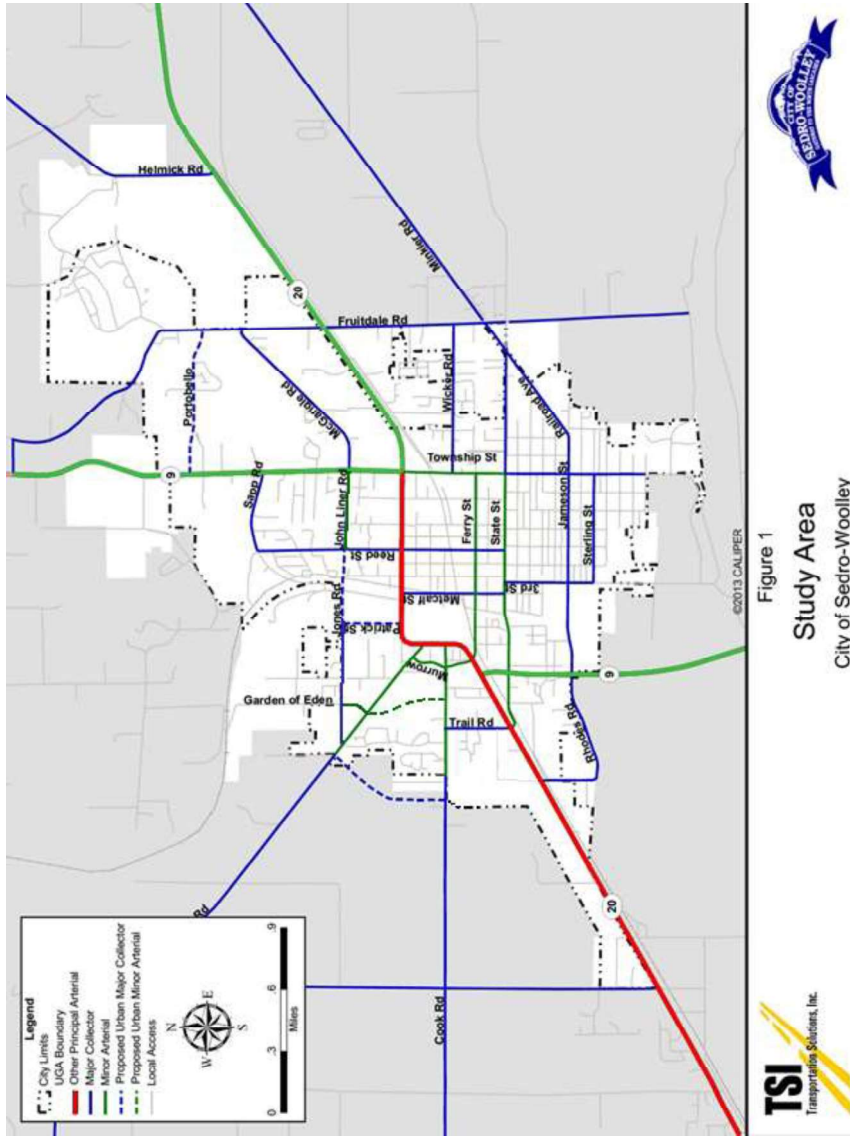


Figure 1  
Study Area  
City of Sedro-Woolley

Sedro Woolley Comprehensive Plan | 3-5  
Update effective: May 18, 2018 | Draft: March 2022



(Map deleted)

Sedro Woolley Comprehensive Plan | 3-6  
 Update effective: May 18, 2018 Draft: March 2022

3.08

**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 the adopted non-motorized plan included in the Transportation Element.

Policy T3.4: Provide street lights in areas of high evening-hour pedestrian use.

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**Update effective: May 18, 2018 | Draft: March 2022**

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 in accordance with the principals outlined in the City's adopted Complete Streets Resolution 952-17 and SWMC Chapter 15.40.030.**

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 ~~BNSFurlington Northern and Santa Fe Railroad~~ roadway 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 ~~BNSF Railway~~ ~~and~~ ~~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~~ 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~~ collectors, or state highways.

Policy T7.2: Maintain ~~the a minimum~~ level of service standard of LOS D for ~~SR 20, SR 9, principal~~ and ~~and~~ minor arterials within the City and UGA, ~~including SR 9 and SR 20 as LOS D.~~

Policy T7.3: Maintain ~~the a minimum~~ level of service standard of LOS C for ~~other and minor arterials~~ and collector roadways 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))

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### 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.

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**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). SR 20 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. SR 9 south of SR 20 is designated by WSDOT as 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 a 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 redeveloped 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

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Hospital, Sedro-Woolley Park & Ride, Sedro-Woolley High School, and Cascade Job Corps.

**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

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- 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)

- 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.

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

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-

#### *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 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 (with a major update in 2016) that promotes alternative methods of transportation that lessen the need for motorized trips within the city, thereby reducing

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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 central 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.

Three 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:

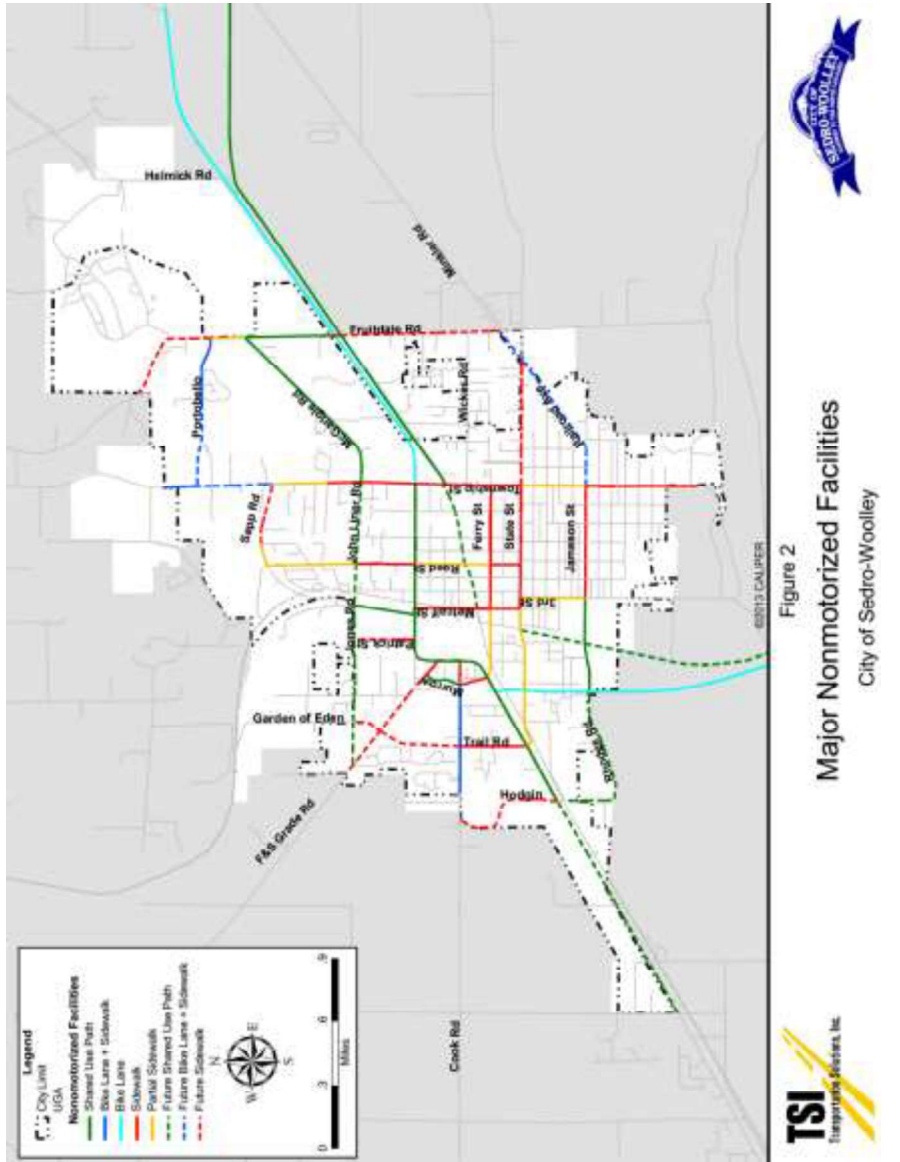
- **US Bike Route 10, the Cascades to Coast Trail** follows SR 20 within Sedro-Woolley. The city's shared use path along the north side of SR 20 allows bicyclists to remain separated from automobile traffic for most of the width of the city.
- **Cascade Trail** is a 23 mile long rails-to-trails conservancy 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.
- **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. The route follows future US Bike Route 87 within the city.

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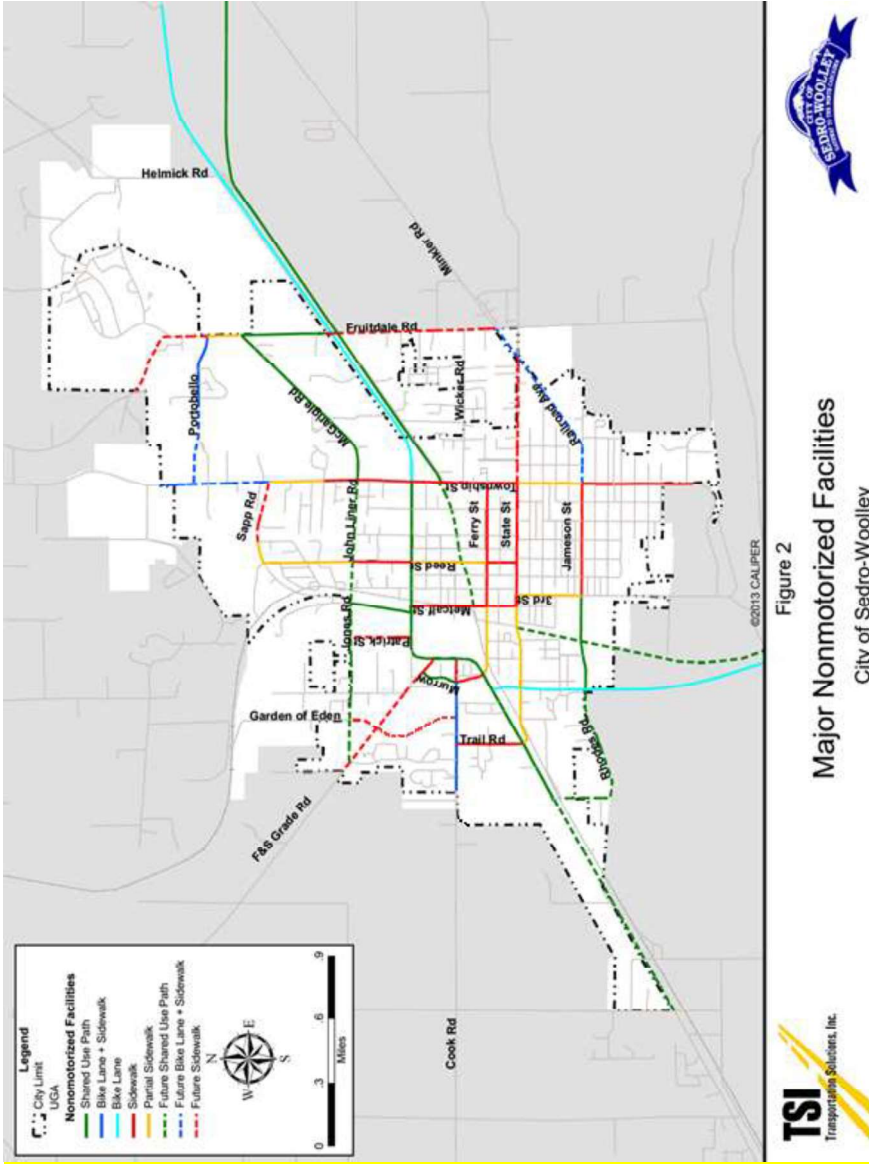


**Figure 2  
Nonmotorized Facilities**

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### 3.16

#### 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.

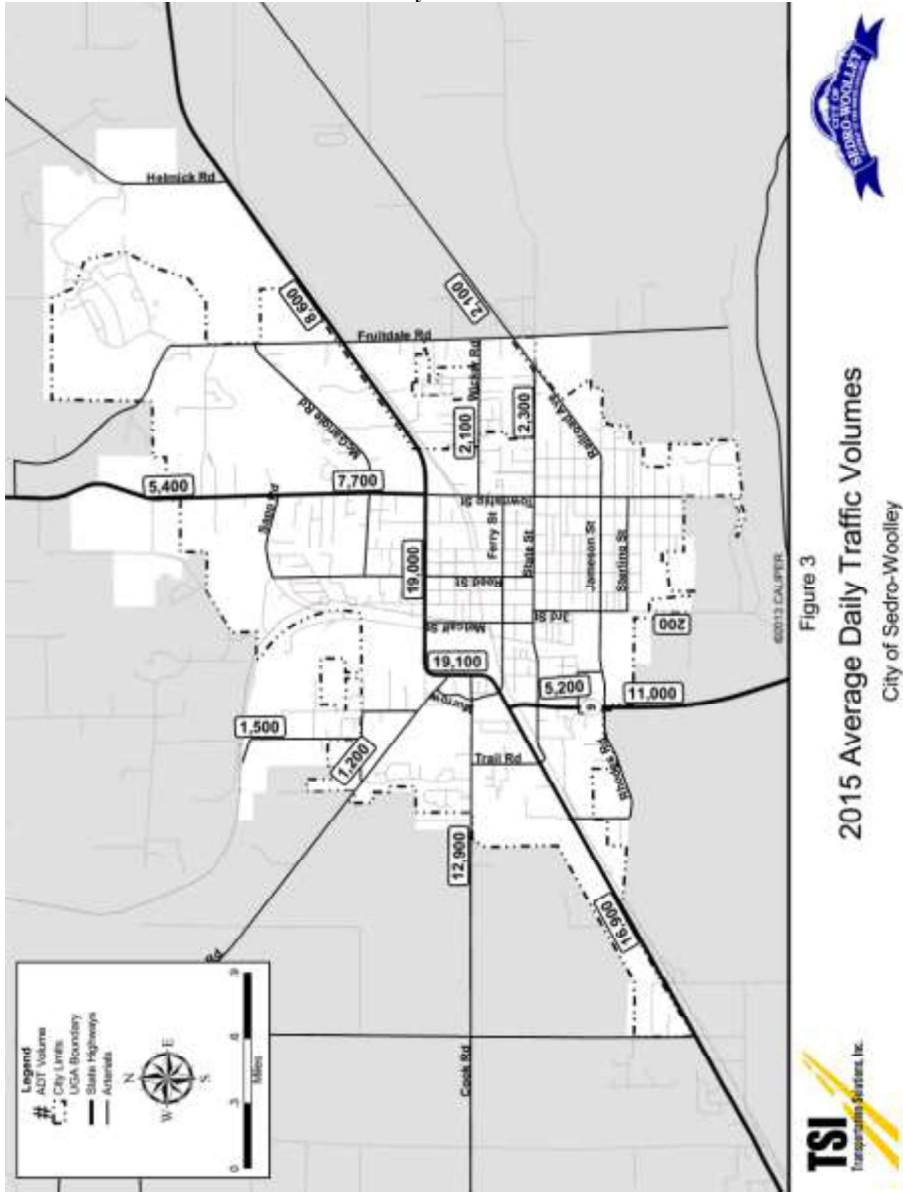
The volumes indicate several things important in developing the transportation plan. First, the major travel patterns are oriented to/from the west to access I-5, Mount Vernon, Burlington or other regional destinations. Second, the travel patterns show a significant proportion of through traffic on the 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.

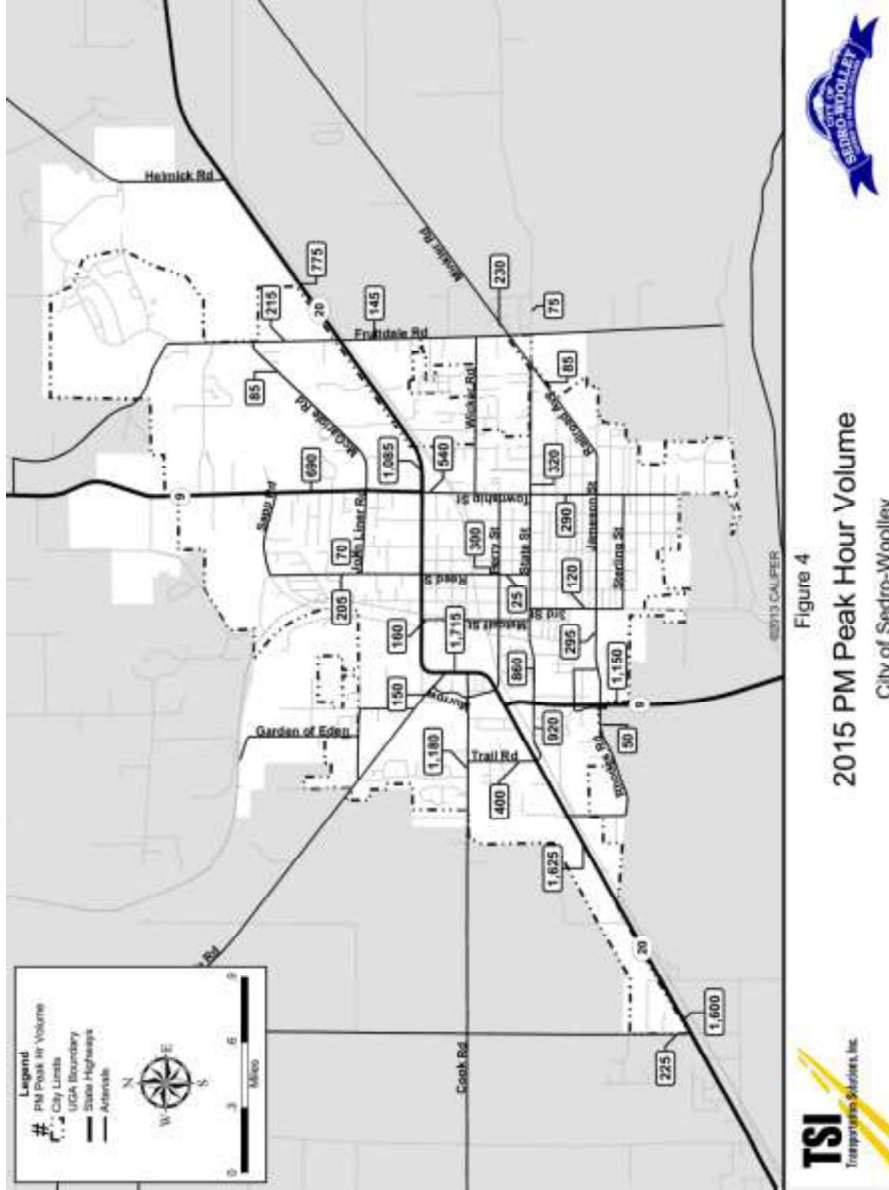
The PM peak hour volumes have consistent patterns with the daily volumes described above. The state highways have the highest traffic volumes with two-way volumes during the PM peak hour ranging from 690 vehicles per hour (vph) on SR 9 north of John Liner Road to approximately 1,700 vph on SR 20 north 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



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Figure 4  
2015 Weekday PM Peak Hour Traffic Volumes



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**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 Sidewalk	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

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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	≤ 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

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**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, 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 SCOG standard of LOS D for SR 9 in Skagit County. In order to be consistent with WSDOT and

SCOG, 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 segments and intersections within the study area. No street segments currently fail the recommended minimum segment LOS standards. Table 5 summarizes the LOS results and intersection or worst movement delay at the study intersections for 2015. The two-way stop controlled intersection at SR 9 and W Nelson currently operates below the City’s minimum LOS standards. This was resolved with completion in 2016 of the Jameison Arterial Extension to SR9 Project.

See Appendices A and B for Existing Segment and Intersection LOS Summaries respectively.

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.

**Table 5.** Existing Intersection Level of Service Deficiencies as of 2015

Intersection	Control Type <sup>1</sup>	Delay <sup>2</sup> (s/veh)	LOS
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 included one improvement project, identified in Table 6, which will mitigate the existing LOS deficiencies.

The Jameson Street Arterial Extension project (completed in 2016) 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.

Total estimated cost of improvements necessary to bring failing intersection up to current LOS standards is \$3,020,000.

**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 as of 2015

Project ID	Location	From / To	Description	Estimated Cost (\$\$\$)
C14	Jameson St	SR 9 / Batey Rd	Arterial extension w/new roundabout	3,020
<b>Total Estimated Cost</b>				<b>3,020</b>

*Intersection Safety Analysis*

Typically, any intersection with an accident rate greater than one accident per million entering vehicles (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

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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

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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 occurred 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))

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**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 Growth Management Steering Committee 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 targets 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 4,615 and employment growth of 2,473, as summarized in Table 9. These forecasts include SCOG growth allocations in addition to the anticipated redevelopment of the Northern State Campus.

Modeled 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	Employment
Existing (2015)	12,514	4,832	4,752
Planning Horizon (2036)	17,129	6,620	7,225
2015-2036 Growth <sup>1</sup>	4,615	1,788	2,473

**Table 10. Sedro-Woolley 2036 Employment Growth Forecast**

NAICS Code	Employment Sector	Code	Employees <sup>1</sup>	Percent
44, 45	Retail	RETAIL	46	1.9%
51-56, 61, 71, 72, 81	Finance, Insurance, Real Estate, and Services	FIRES	416	16.8%
Public sector, excluding education	Government	GOV	283	11.4%
61	Education	EDU	318	12.9%
22, 42, 48, 49	Wholesale Trade, Transportation, and Utilities	WTU	184	7.4%
31-33	Manufacturing	MANU	930	37.6%
11, 21, 23	Construction and Resources	CONRES	0	0.0%
62	Health	HEALTH	296	12.0%
Total			2,473	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.

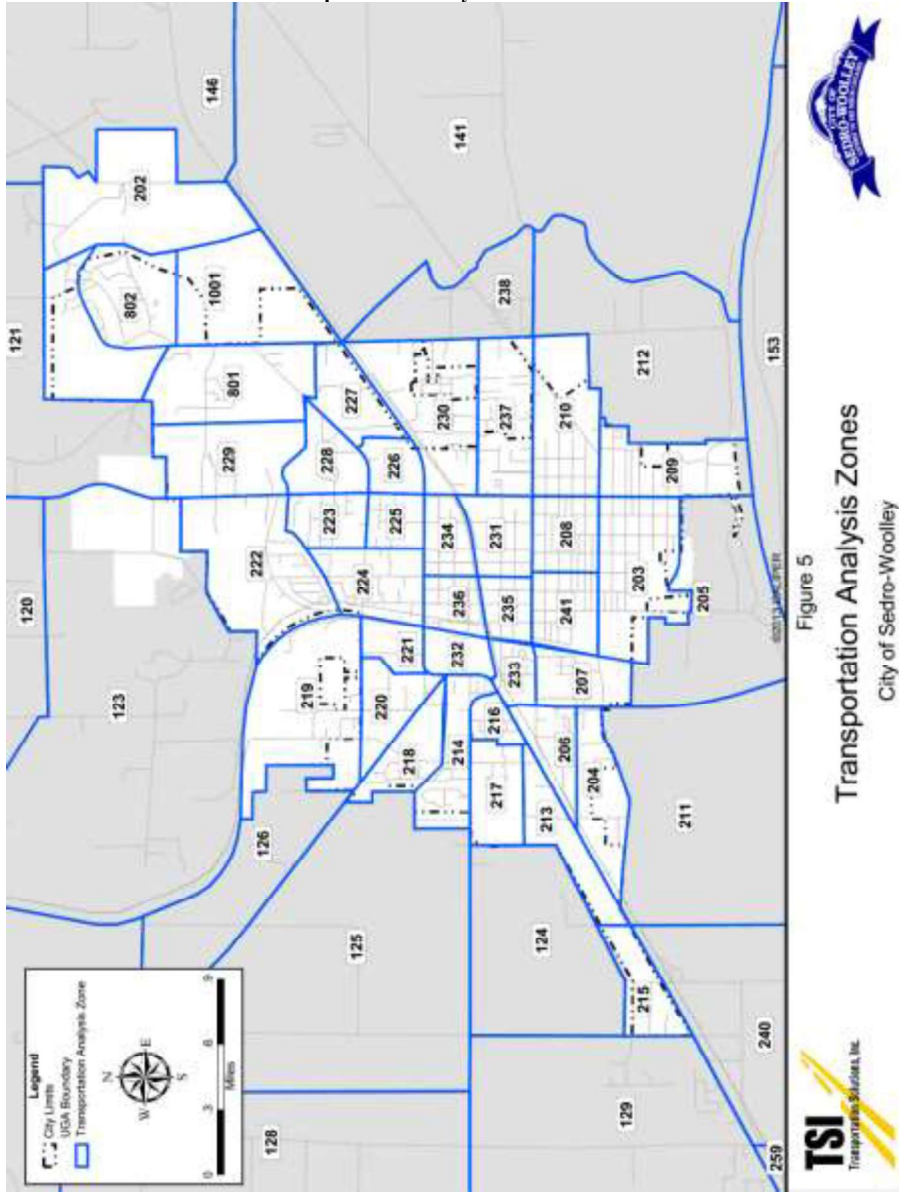
Citywide household and employment growth forecasts were initially distributed to the modeled TAZs by aggregating the parcel-level results of the Sedro-Woolley Buildable Land & Land Capacity Analysis Report and subsequently updated with UGA and zoning changes as of January 2016.

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), as shown in Table 11.

Figure 5  
 Transportation Analysis Zone Structure



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**Table 11. Northern State Land Use Growth Forecast<sup>1</sup>**

Proposed Use	Size	Variable	Trip Rate	Total Trips	Capture Rate <sup>2</sup>	New Trips <sup>3</sup>		
						In	Out	Total
Industrial Park	324.3	1,000 SF	0.85	276	19%	47	177	224
Workforce Housing	30	Units	0.58	17	40%	7	3	10
Hotel	40	Rooms	0.6	24	20%	10	9	19
Extended Stay	150	Rooms	0.4	60	50%	14	16	30
Museum	12	1,000 SF	0.18	2	0%	0	2	2
School	425	Students	0.12	51	20%	26	15	41
PM Peak Hour Trips				<b>430</b>	<b>104</b>	<b>104</b>	<b>222</b>	<b>326</b>

1. Source: Northern State Campus EIS (TSI 2015)  
 2. Capture Rate and Shared Trips represent internal-capture (See ITE Trip Generation Handbook, Second Edition)  
 3. New Trips are the trips generated external to the site; these trips impact the local roadways

**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 12 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 12.** 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

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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 13 and are based on the values used in the SCOG regional model as well as guidance from *NCHRP Report 716* (TRB 2012).

**Table 13.** 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 evaluated 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.

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**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 14. See Appendix D for the complete results.

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 15. See Appendix C for the complete results.

**Table 14.** 2036 Segment Level of Service Deficiencies - Without Improvement

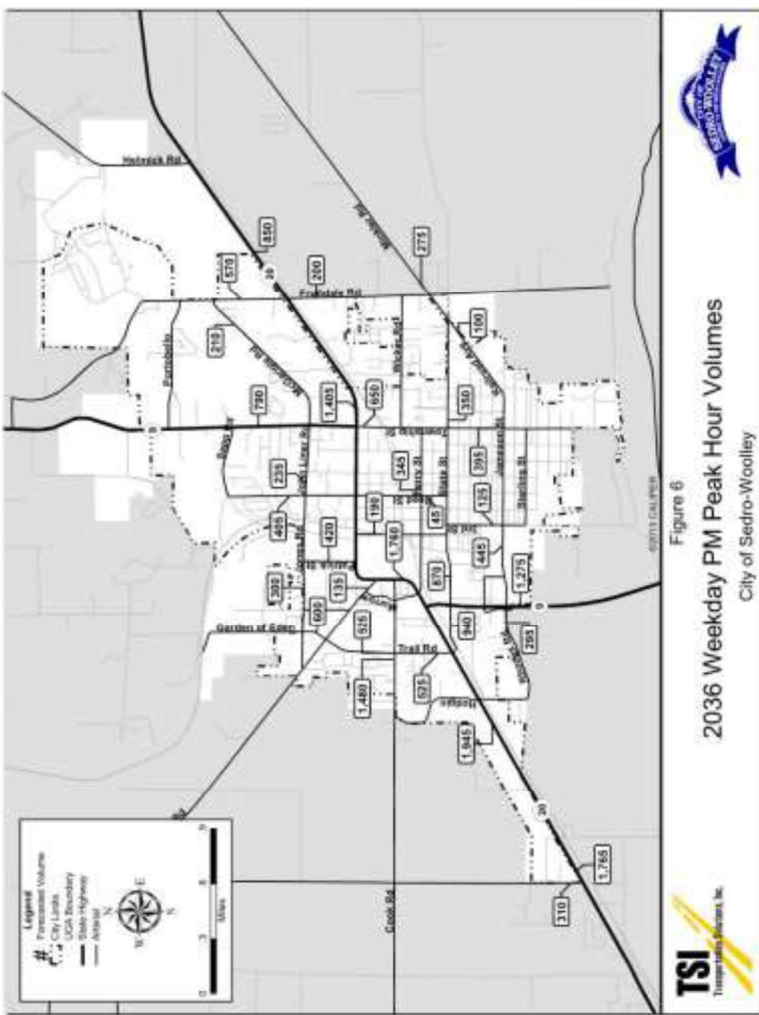
Segment ID	Name	Cross Street A	Cross Street B	Functional Classification	V/C	LOS
2001	SR 20	Collins Rd	Rhodes Rd	Other Principal Arterial	0.95	E
2002	SR 20	Rhodes Rd	W State St	Other Principal Arterial	0.92	E

**Table 15.** 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; AWSWC = 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



(Map revised)

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(Map deleted)

**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 16. 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

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of work that is needed. A map identification number is also provided for referencing between Table 16 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 (completed 2016), 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 16. Sedro-Woolley Transportation Improvement Projects and Programs – 2017-2022 Update**

ID	Project Name	From/To	Est.Cost (\$\$\$)	Est.Cost (\$\$\$)	Description	TIF Eligible
<b>Six-Year Transportation Improvement Projects – 2018-2023</b>						
			<b>2016-2021</b>	<b>2018-2023</b>		
C14	Jameson Arterial Extension	SR 9 / Batey Rd	3,020	0	New Arterial Segment. Completed 2016	Y
C27	Jameson Sidewalks	Tennis Crt / 3 <sup>rd</sup> Ave	130	0	Shared use path. Completed 2016 with C14.	Y
S14A	SR20/Cascade Trail West Extension Ph 1A	Trail Road / SR 9 South	575	0	Shared use path. Completed 2016.	Y
S14B	SR20/Cascade Trail West Extension Ph 1B	Hodgin Rd / Trail Rd	288	0	S Shared use path. Completed 2016.	Y
C25	Ferry Street Overlay	SR20 / Metcalf	330	0	Grind & Overlay. Completed 2016	N

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ID	Project Name	From/To	Est.Cost (\$\$\$)	Est.Cost (\$\$\$)	Description	TIF Eligible
C6C	South Township St Overlay	Waldron / SR 20	60	0	Grind & Overlay. Completed 2016	N
C22	Fruitdale Rd Arterial Improvements	McGarigle / North City Limit	2,320	2,320	Reconstruct to minor collector standards incl. roundabout at Northern State Rd and sidewalks	Y
C23	Fruitdale Road Sidewalk	McGarigle / Portobello	216	216	Construct sidewalks on east side of street.	Y
S6 A-B	SR 20 East Lane Widening & Safety Improvements	SR 9 / Fruitdale Rd	960	887	Improve and widen to 3 lanes incl shared use path on north side	Y
C32	2018 Sidewalk and ADA Ramp Upgrade Project	Various Locations	0	276	Reconstruct Sidewalks and ADA Ramps as needed.	N
C31	State Street Overlay	Rita to 4 <sup>th</sup> ; SR 20 to Maple	0	419	Grind & Overlay.	N
C1B	Jones/John Liner RR Undercrossing	Sapp Rd / Reed St	7,700	7,700	New BNSF undercrossing and new arterial from E Jones Rd to John Liner Rd	Y
C26	Trail Rd Overlay	SR 20 / Cook Rd	225	279	Grind & overlay	N
C1C	John Liner Bike/Ped Impr	Reed St / SR 9	555	583	Shared use path.	Y
C19	Patrick St Arterial Extension	Michael St/E Jones St	2,100	2,100	New major collector w/sidewalks	Y
C24	Cook Rd Overlay	West City Limit / Cross-roads	300	377	Grind & overlay	N
S16	SR 20 & SR 9 (Township) Intersection Impr.		1,000	828	Channelization and signalization improvements.	Y
S2	SR20 & Reed St Intersection Improvements		50	50	RIRO access restriction	Y
C28	North Reed St Overlay Project 1	SR 20 / John Liner Rd	130	329	Grind & overlay	N
C3	Cook Rd / Trail Rd Intersection Improvements		1,000	1,000	Intersection improvements	Y
C33A	Jameson St Overlay Project 1	800' E of Batey to 5 <sup>th</sup> Street	0	311	Grind & overlay	N

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ID	Project Name	From/To	Est.Cost (\$\$\$)	Est.Cost (\$\$\$)	Description	TIF Eligible
C1A	Jones Rd Improvements	F&S Grade Rd / Sapp Rd	3,200	3,200	Reconstruct to major collector section including sidewalk & shared use path	Y
S18	SR 9 / W State Street Intersection Improvements		250	250	Add a dedicated right turn lane to the west leg.	Y
S14C	SR 20 / Cascade Trail West Extension Ph 2A	Holtcamp Rd / Hodgkin Rd	600	841	Shared use path	Y
C18	Portobello Street Arterial Extension	Township / Cascadia	1,700	1,700	New major collector connecting Fruitdale w/ SR 9	Y
C33B	Jameson Street Overlay Project 2	5 <sup>th</sup> Street to Township St	0	321	Grind & overlay	N
<b>Six-Year TIP 2018-2023 Subtotal</b>			<b>26,079</b>	<b>23,987</b>		
<b>Year Seven to Twenty -Transportation Improvement Projects – 2024-2037</b>						
			<b>2022-2036</b>	<b>2024-2037</b>		
C9A	Trail Rd Arterial Extension	Cook Rd / F&S Grade	4,000	4,000	Construct new major collector	Y
C9B	Trail Rd – Garden of Eden Rd Extension	F&S Grade / Jones Rd	850	850	Construct new major collector	Y
C34	Sapp Road Overlay	Reed to SR 9	0	227	Grind & overlay	N
S17	Township St (SR 9) & John Liner/McGarigle Rd Intersection Improvements		1,000	1,000	Intersection improvements	Y
S13C	SR9N Ped/Bike Safety Improvements	Park Cottage / N City Limits	434	434	Bike lane & sidewalk improvements	Y
C35	West State Street Overlay	SR 20 to SR 9	0	259	Grind & overlay	N
C1D	John Liner Rd Arterial Improvements	Reed St / Township St	1,600	1,600	Reconstruct to arterial section	Y
C36	North Reed Street Overlay Project 2	John Liner Rd / Sapp Rd	0	400	Grind & overlay	N
C7A	Jameson St Arterial Improvements	600' e/o Batey to Railroad St	3,600	3,600	Widen to major collector standards standards w/3 lanes, bike lane, sidewalk	Y
C7B	Jameson / 11 <sup>th</sup> St Intersection Improvements		70	70	Change access to RIRO	Y
C37	Annual Overlay Project	TBD	0	400	Grind & Overlay	N

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ID	Project Name	From/To	Est.Cost (\$\$\$)	Est.Cost (\$\$\$)	Description	TIF Eligible
S15B	SR 20 West Lane Widening & Safety Improvements	Holtcamp Rd / Hodgkin St	0	600	Improve and widen to 3 lanes	Y
C7C	Railroad St / Jameson Intersection Improvements		750	750	Intersection improvements to include new roundabout	Y
NEW	Annual Overlay Project	TBD	0	400	Grind & Overlay	◀ N
C38	Cook Road Arterial Extension	SR 20 to Metcalf St	0	825	New major collector	Y
S15A	SR 20 West Lane Widening & Safety Improvements	Hospital Dr to Holtcamp Rd	0	325	Improve and widen to 3 lanes	Y
C7D	Railroad St Arterial Improvements	Jameson St / Fruitdale Rd	2,880	2,880	Reconstruct to arterial standards incl. 3 lanes, bike lanes, sidewalks	Y
NEW	Annual Overlay Project	TBD	0	400	Grind & Overlay	N
C4	Reed St Arterial Improvements	Ferry St / SR20	1,440	1,440	Reconstruct to arterial standards	◀ N
NEW	Annual Overlay Project	TBD	0	400	Grind & Overlay	N
C2	F&S Grade Rd Arterial Improvements	SR20 MP 65.16 / Jones Rd	2,960	2,960	Reconstruct to arterial standards	Y
S20	SR 20 / Central Ave Intersection Improvements		150	150	Intersection improvements or RIRO	◀ Y
NEW	Annual Overlay Project	TBD	0	400	Grind & Overlay	N
S14D	SR20/Cascade Trail West Extension Ph.2B	Collins Rd/Holtcamp Rd	620	620	Shared use path	Y
S8F	SR 20 Stormwater System Upgrade	Holtcamp Rd / Hodgkin Rd	300	300	Stormwater conveyance system upgrade	N
NEW	Annual Overlay Project	TBD	0	400	Grind & Overlay	N
C8	State St Sidewalks	Haines / E City Limits	540	540	Pedestrian improvements	N
NEW	Annual Overlay Project	TBD	0	400	Grind & Overlay	N
C10	Township / Ferry St Intersection Improvements		50	50	All-way stop control	N

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ID	Project Name	From/To	Est.Cost (\$\$\$)	Est.Cost (\$\$\$)	Description	TIF Eligible
C13	Rhodes Rd Arterial Improvements	SR 9 / SR 20	3,200	3,200	Reconstruct to arterial standards incl. bike lanes, sidewalks	Y
NEW	Annual Overlay Project	TBD	0	400	Grind & Overlay	N
<del>C15</del>	<del>Hodgin Rd Arterial Ext.</del>	<del>SR 20 / Cook</del>	<del>2,225</del>	<del>2,225</del>	<del>New collector arterial</del>	<del>Y</del>
NEW	Annual Overlay Project	TBD	0	400	Grind & Overlay	N
C20	4 <sup>th</sup> St Arterial Improvements	Alexander / State	1,300	1,300	Reconstruct to arterial standards to replace 3 <sup>rd</sup> St as N-S arterial	N
NEW	Annual Overlay Project	TBD	0	400	Grind & Overlay	N
S9	SR9/N Township St Arterial Improvements	SR 20 / City limits	100	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	1,040	Reconstruct to major collector standards	N
C21	Garden of Eden Rd Arterial Improvements	F&S Grade / Jones	1,040	1,040	Reconstruct to major collector standards	Y
C29	Centennial Trail South		500	500	Improve and extend trail	N
C30	Cascade Trail East Extension	Metcalf / 400' e/o Township St	100	100	Shared use path	N
S13D	SR9 / Centennial Trail Ped/Bike Safety Improvements	Summer Meadows Pl / North City Limits	1,700	1,700	Construct bicycle lane and sidewalk improvements including pedestrian crossing bridge at Brickyard Creek	Y
NEW	Annual Overlay Project	TBD	0	400	Grind & Overlay	N
<b>Subtotal Year 2024-2037 TIP Cost</b>			<b>30,22432,449</b>	<b>37,26039,485</b>		
<b>Total Year 2018-2037 TIP Cost</b>			<b>56,93359,158</b>	<b>61,24763,472</b>		

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Mitigated segment and intersection levels of service for otherwise-deficient network elements are

shown in Tables 17 and 18. See Appendix C-E for complete results.

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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 17.** 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 18.** 2036 Intersection Level of Service Deficiencies - With Improvement

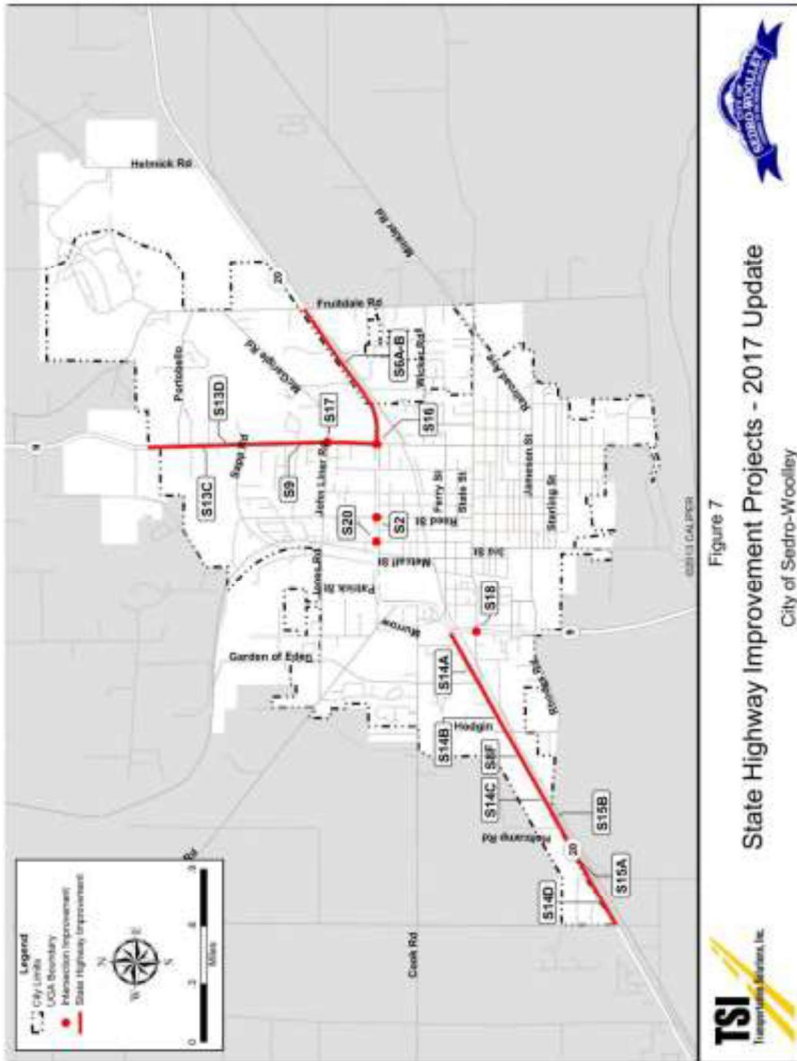
Intersection	2036 No Improvement			2036 With Improvement		
	Control Type <sup>1</sup>	Delay <sup>2</sup> (s/veh)	LOS	Control Type	Delay (s/veh)	LOS
Township St (SR 9) / McGarigle/John Liner Rd	TWSC	46.2	E	RAB	8.1	A
SR 20 / Central Ave	TWSC	40.4	E <sup>3</sup>	TWSC w/RIRO	19.1	C
SR 20 / Reed Street	TWSC	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.

<sup>3</sup>Level of service deficiency will occur as a result of traffic reassignment after construction of other capacity improvements.

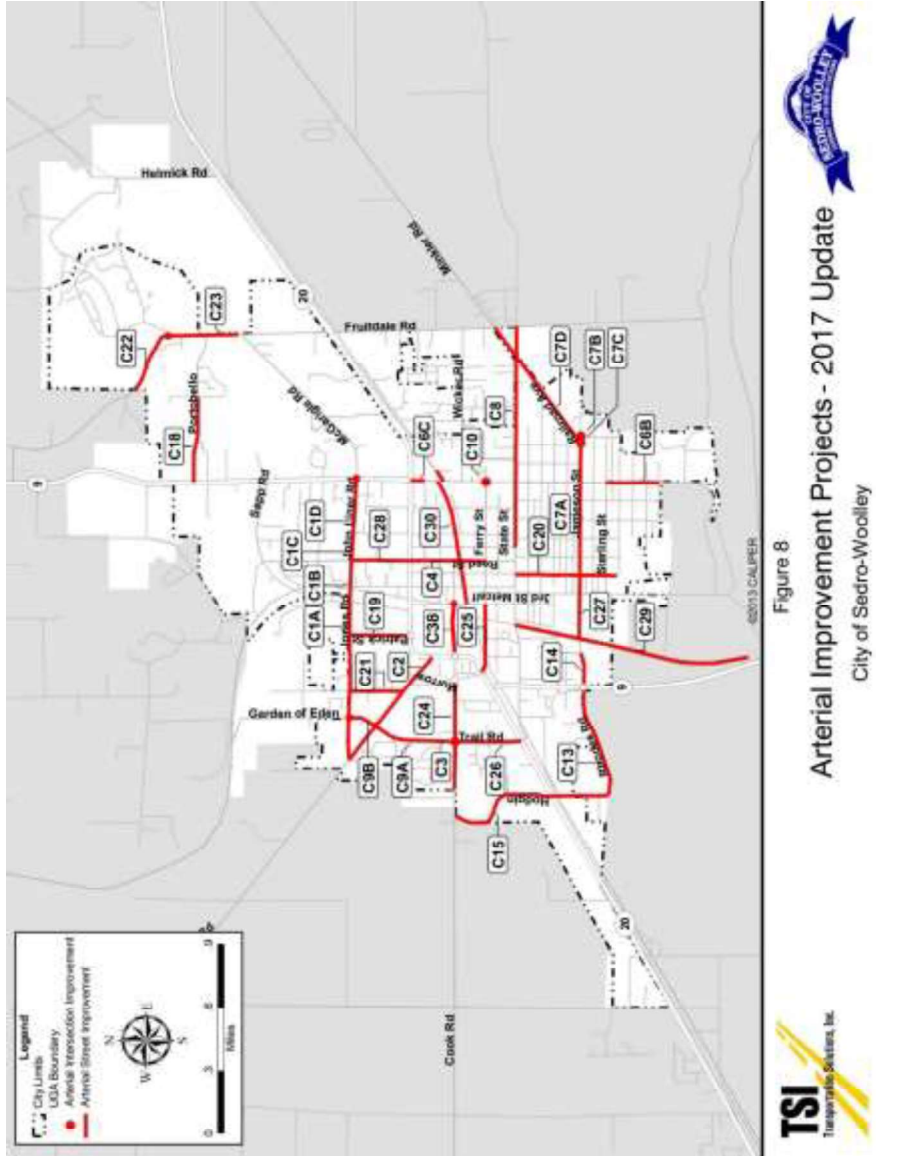
Figure 7  
State Highway Improvement Projects



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**Figure 8  
Arterial Improvement Projects**

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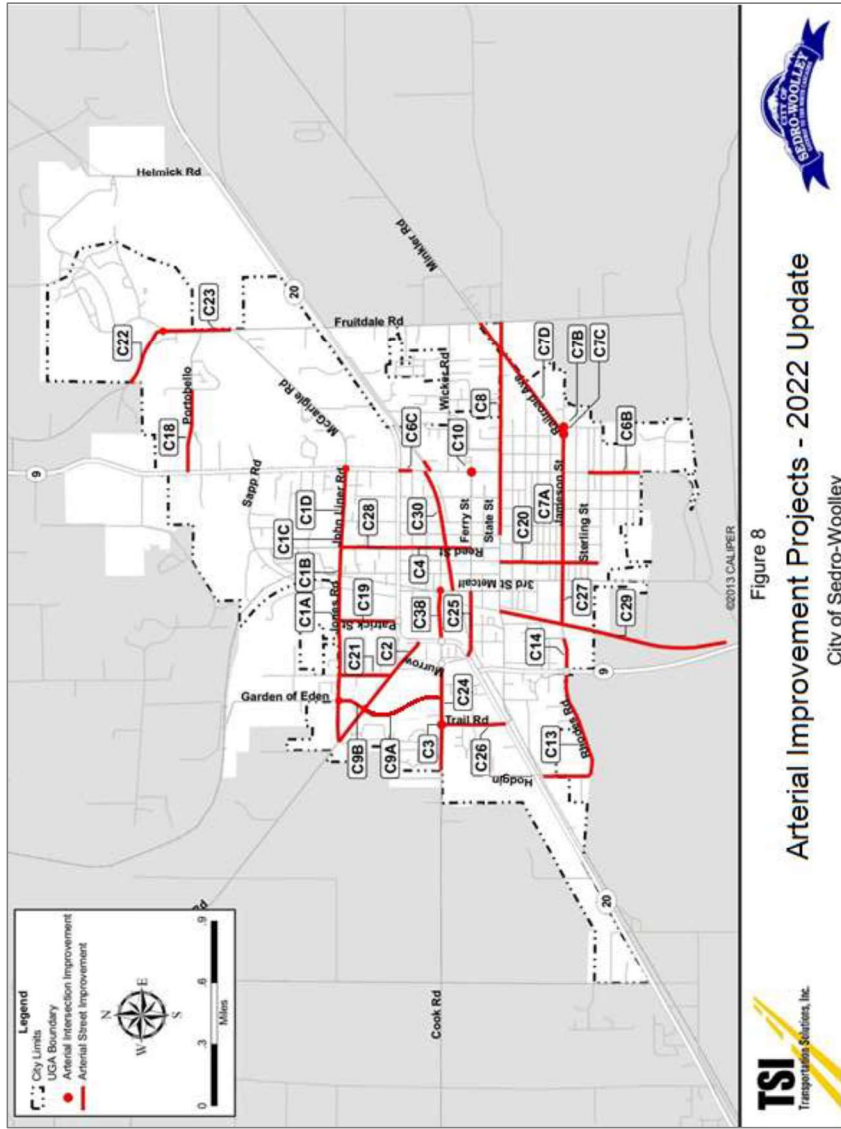


Table 19. Citywide Transportation Programs

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ID	Program	Est. Cost, 2016-2036 (\$\$\$)	Description
CW1	Sidewalk Improvement Program & ADA Transition Program	607	Includes ADA upgrades.
CW2	Street Overlay, Chip Seal & Crack Seal Program	1,701	Arterial and Local Access street preservation projects. May act as match funds for the Table 16 Annual Overlay projects
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 16 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.

- **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. 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

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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 16 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

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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))

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## 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 16 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 2017 dollars. Projects are listed in order of priority for the short-term (2018-2023) and long-range (2024-2037) planning horizons. Projects which are necessary to maintain City and state concurrency standards are identified as eligible for transportation impact fee (TIF) funding.

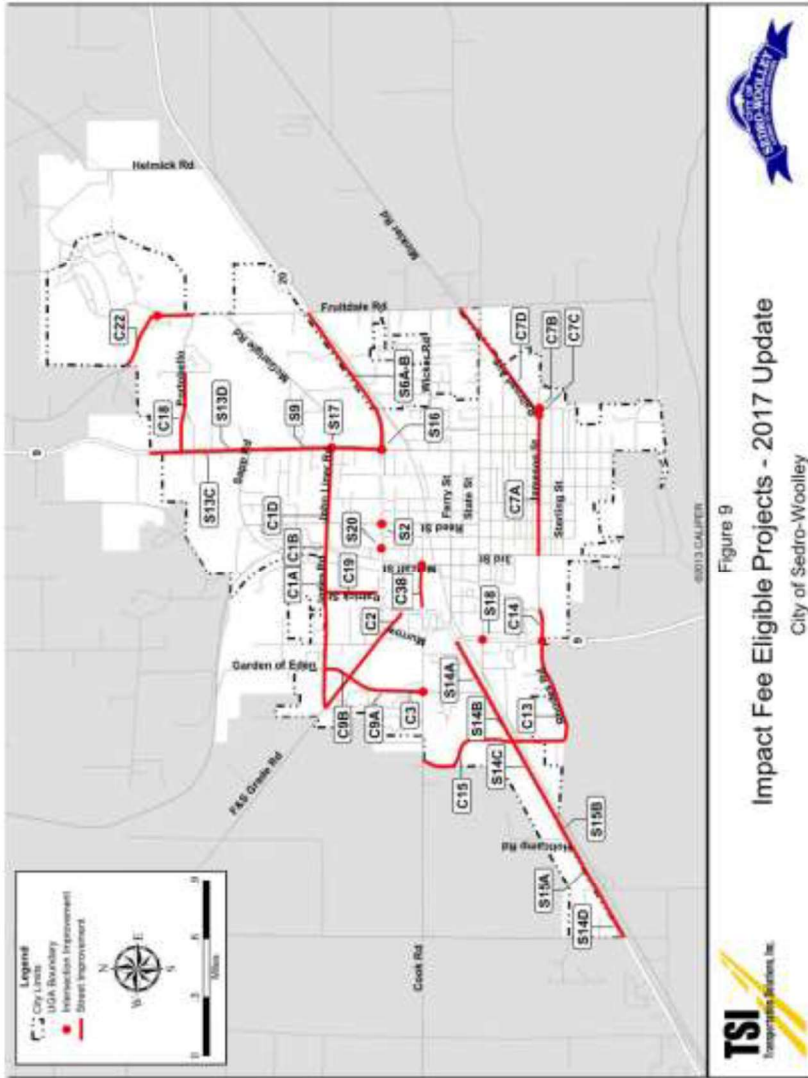
Approximately \$63.5 million (in 2017 dollars) will be needed to fully fund the City's transportation improvement project needs through 2037. Over 80 percent of the costs will be needed for capital improvements to upgrade the City arterial system. An average of \$3.2 million per year (in 2017 dollars) would be required to fully fund the Plan by 2037.

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 multi-phase project is estimated at \$21.45 million, which represents 38 percent of forecasted 20-year arterial improvement costs.

Table 19 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 generally excluded from the transportation capital improvement costs described above, although these funds may be used as local match for grant funded maintenance projects under the TIB Arterial Preservation Program. This plan estimates a total 20-year cost of \$20.8 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**  
**Transportation Impact Fee Eligible Improvement Projects**



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## 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 20, 21, and 22.

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>
- 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/)

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**Table 20. Possible Transportation Revenue Sources**

<b>Street &amp; Arterial Street Funds</b>	<p>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.</p>
<b>General Fund</b>	<p>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.</p>
<b>Transportation Impact Fee Program</b>	<p>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 was updated by Ordinance 1852-16 adopted July 13, 2016 following adoption of the 2016 Chapter 3 Transportation Element update. The Transportation Impact Fee program will be updated again after adoption of the 2017 Transportation Element., and annually thereafter following yearly TIP adoption Table 16 and Figure 9 show impact fee eligible projects.</p>
<b>Transportation Benefit District (TBD)</b>	<p>The City implemented a TBD in 2014. The TBD is funded by a \$20 per vehicle tab fee, generating an estimated \$200,000 per year as of 2017.</p>
<b>Transportation Improvement Account (TIA)</b>	<p>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.</p>
<b>Urban Arterial Trust Account (UATA)</b>	<p>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.</p>
<b>FAST Act</b>	<p>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.</p>
<b>Grant Funding</b>	<p>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.</p>

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**Revenue Forecast**

A description of available transportation capital improvement funding sources and projected average yearly revenue is listed in Table 21. Approximately ~~84~~83 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~~17 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 22, are anticipated to be used to sustain citywide safety, maintenance, operations, and pedestrian/ADA improvement programs.

**Table 21.** Transportation Improvement Revenue Forecast 2018 to 2037

Funding Source	Description	2018-2037 Revenue Forecast		
		Estimated Annual Revenue	Total Forecasted Revenue	%
Transportation Impact Fees	Per SWMC 15.060, estimated \$75,000/year	\$75,000	\$1,500,000	2.4%
Transportation Benefit District	Funds generated from a \$20/vehicle car tab fee, estimated \$200,000/year.	\$200,000	\$4,000,000	<del>6.35</del> <u>6.35</u> %
Other Developer Mitigation	Including SEPA mitigation and development agreements	\$250,600	\$5,012,000	<del>7.98</del> <u>7.98</u> .2 %
Intergovernmental Revenue/Grants	Includes federal and state grants as well as cost sharing agreements with WSDOT and Skagit County	\$ <del>2,648</del> <u>2,648</u> <del>536,08</del> <u>536,08</u> 00	\$ <del>520,960</del> <u>520,960</u> <del>735,000</del> <u>735,000</u>	<del>832.48</del> <u>832.48</u> %
Other - New debt, new funding sources	Bonds, Low Interest Loans	\$0	\$0	0%
<b>Total Revenue</b>		<b>\$<del>3,173</del><u>3,173</u><del>062,64</del><u>062,64</u>00</b>	<b>\$<del>631,472</del><u>631,472</u><del>247,000</del><u>247,000</u></b>	<b>100%</b>

**Table 22.** Revenue for Citywide Transportation Programs

Funding Source	2015 Budget	Estimated Revenue <sup>1</sup> , 2016-2036
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 23 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 for the period 2018 to 2037, is estimated to cost \$631,247,472,000. Proposed improvements and expected revenues are therefore balanced as shown in Table 23.

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 by an estimated \$1.6 million over the 20-year life of the Transportation Plan, or approximately \$80,000 per year. 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 23. Financing Strategy Summary**

Revenue/Cost Category	Total (2016-2036)	Percent
<b>Estimated Revenues (2018-2037)</b>		
Transportation Impact Fees	\$1,500,000	2.4%
Transportation Benefit District	\$4,000,000	6.35%
Other Developer Mitigation	\$5,012,000	7.98.2%
Grants/Intergovernmental Funding	\$520,960,735.00 0	832.48%
New Debt Sources	\$0	0.0%
<b>Total Revenue</b>	<b>\$631,472,247.00 0</b>	<b>100.0%</b>
<b>Estimated Improvement Costs (2018-2037)</b>		
State Highway Improvements	\$8,085,000	132.72%
Arterial Improvements	\$553,587,362.00 0	876.38%
<b>Total Costs</b>	<b>\$631,472,247.00 0</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))

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**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 provided a copy of this Transportation Element to SCOG for review and certification by SCOG to ensure its conformity with the Skagit 2040 plan and to the requirements of the Growth Management Act. SCOG certified the City's 2016 Comprehensive Plan under Resolution 2016-05. Comments received from SCOG too late to be included in the 2016 update ~~are~~ were incorporated in the 2017 update to the Transportation Element.

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**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 provided this Transportation Element to Skagit County for review and comment. No comments were received from the County.

The City plan also supports and incorporates connections to the regional trail system. These include developing trails along the railroad rights-of-way. The City coordinates with Skagit County Parks on improvements to the Centennial and Cascade Trails. The city is also in a partnership with Skagit County and the Port of Skagit for infrastructure and trail improvements to serve the former Northern States Gateway Center site, now known as the SWIFT Center.

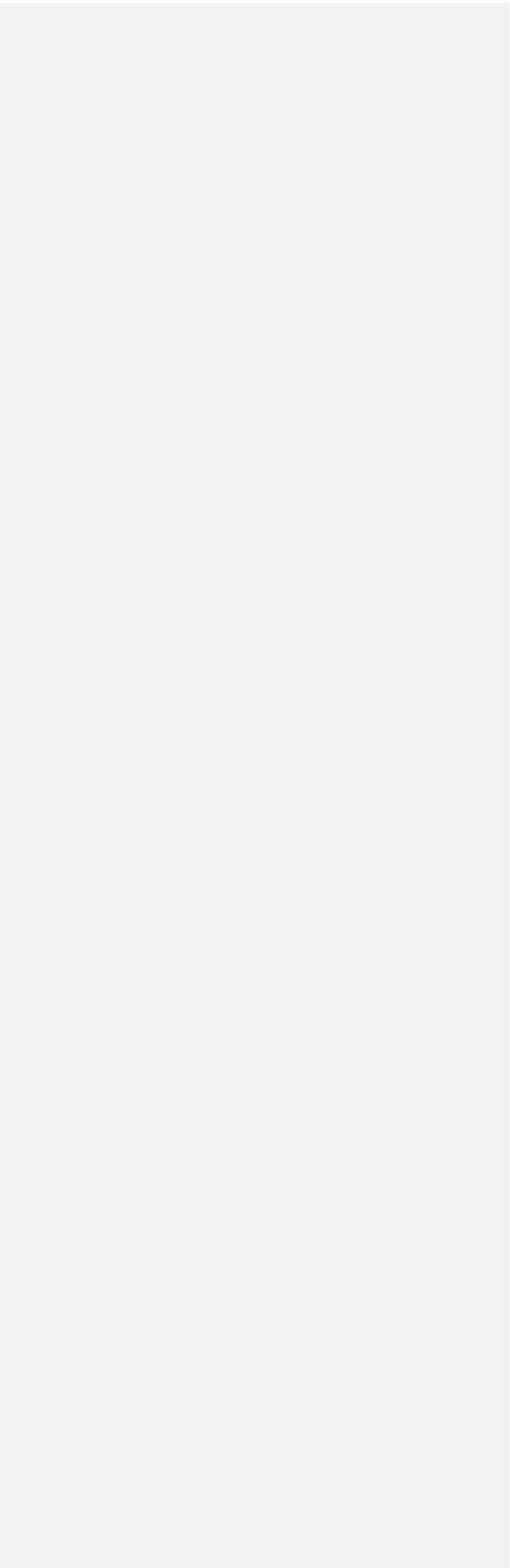
**Skagit Transit**

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.

**Other Jurisdictions**

The City has coordinated with the City of Burlington on its Cascade Trail extension projects.



**APPENDIX A. 2015 INTERSECTION LOS SUMMARY**

**Sedro Woolley Comprehensive Plan | 3-65**  
~~Update effective: May 18, 2018~~Draft: March 2021

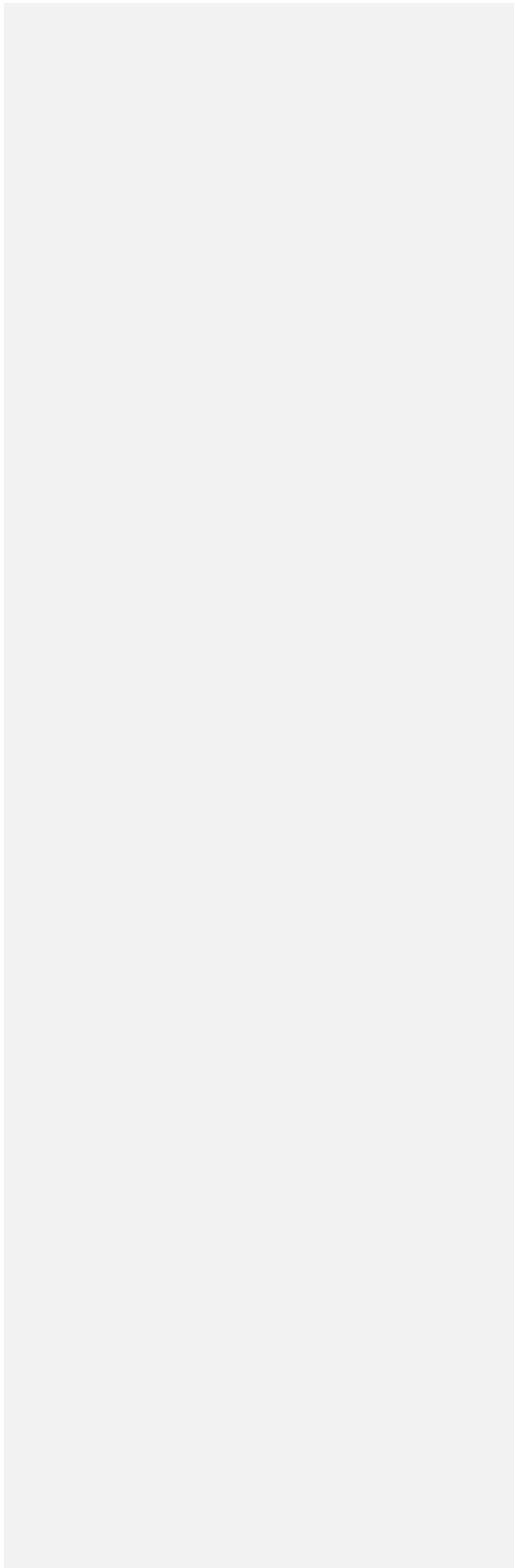


Intersection	Control Type	Street A Functional Classification	Street B Functional Classification	LOS Standard	Delay (s/veh)	LOS	LOS Pass/Fail
Fruitdale Rd / Northern St Rd	TWSC	Collector Arterial	Local Access	C	9.0	A	PASS
Fruitdale Rd / Portobello Ave	TWSC	Minor Arterial	Local Access	<u>ED</u>	9.1	A	PASS
Fruitdale Rd / McGarigle Rd	TWSC	Collector Arterial	Collector Arterial	C	9.9	A	PASS
McGarigle Rd / Carter St	TWSC	Minor Arterial	Local Access	<u>ED</u>	9.7	A	PASS
Township (SR 9) / McGarigle Rd / John Liner Rd	TWSC	Minor Arterial	Collector Arterial	<u>ED</u>	26.4	D	<del>FAIL</del> PASS
SR 9 / Kalloch Rd	TWSC	Minor Arterial	Local Access	<u>ED</u>	11.6	B	PASS
Fruitdale Rd / Kalloch Rd	TWSC	Local Access	Local Access	C	8.7	A	PASS
SR 20 / Helmick Rd	TWSC	Minor Arterial	Collector Arterial	<u>ED</u>	10.2	B	PASS
SR 20 / Fruitdale Rd	Signal	Minor Arterial	Collector Arterial	<u>ED</u>	8.9	A	PASS
SR 20 / SR 9 (Township St)	Signal	Principal Arterial	Minor Arterial	D	30.6	C	PASS
SR 20 / Ball St	TWSC	Principal Arterial	Local Access	D	20.8	C	PASS
SR 20 / Central Ave	TWSC	Principal Arterial	Local Access	D	21.4	C	PASS
SR 20 / Reed St	TWSC	Principal Arterial	Collector Arterial	D	21.1	C	PASS
SR 20 / Murdock St	TWSC	Principal Arterial	Local Access	D	23.0	C	PASS
SR 20 / Metcalf St	TWSC	Principal Arterial	Collector Arterial	D	24.1	C	PASS
SR 20 / Patrick St	RAB	Principal Arterial	Local Access	D	22.6	C	PASS
SR 20 / F&S Grade Rd	TWSC	Principal Arterial	Minor Arterial	D	15.6	C	PASS
SR 20 / Cook Rd	RAB	Principal Arterial	Minor Arterial	D	18.3	B	PASS
Cook Rd / W Ferry St / Edward R. Murrow	RAB	Minor Arterial	Collector Arterial	<u>ED</u>	9.4	A	PASS
SR 20 / W Ferry St	Signal	Principal Arterial	Minor Arterial	D	16.5	B	PASS
SR 20 / SR 9 (west)	Signal	Principal Arterial	Minor Arterial	D	15.0	B	PASS
SR 20 / State St / Trail Rd	Signal	Principal Arterial	Minor Arterial	D	19.1	B	PASS
SR 20 / Collins Rd	Signal	Principal Arterial	Local Access	D	9.1	A	PASS
SR 20 / Rhodes Rd	Signal	Principal Arterial	Local Access	D	8.4	A	PASS
Cook Rd / Trail Rd	TWSC	Minor Arterial	Collector Arterial	<u>ED</u>	21.4	C	PASS
John Liner Rd / Reed St	TWSC	Collector Arterial	Collector Arterial	C	9.5	A	PASS
SR 9 / W State St	Signal	Minor Arterial	Minor Arterial	<u>ED</u>	20.5	C	PASS
SR 9 / Nelson St	TWSC	Minor Arterial	Collector Arterial	<u>ED</u>	102.3	F	FAIL
Ferry St / Metcalf St	AWSC	Minor Arterial	Collector Arterial	<u>ED</u>	10.9	B	PASS
W State St / Metcalf St	AWSC	Minor Arterial	Collector Arterial	<u>ED</u>	13.5	B	PASS
Jameson St / Third St	AWSC	Collector Arterial	Collector Arterial	C	8.2	A	PASS
Ferry St / Reed Ave	TWSC	Minor Arterial	Collector Arterial	<u>ED</u>	11.3	B	PASS

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Intersection	Control Type	Street A Functional Classification	Street B Functional Classification	LOS Standard	Delay (s/veh)	LOS	LOS Pass/Fail
W State St / Reed Ave	TWSC	Minor Arterial	Collector Arterial	<u>ED</u>	10.2	B	PASS
Ferry St / Township St	TWSC	Minor Arterial	Minor Arterial	<u>ED</u>	14.7	B	PASS
W State St / Township St	AWSC	Minor Arterial	Minor Arterial	<u>ED</u>	12.0	B	PASS
Jameson St / Township St	TWSC	Collector Arterial	Collector Arterial	C	11.7	B	PASS
W State St / Railroad St	AWSC	Collector Arterial	Collector Arterial	C	7.3	A	PASS
Railroad St / Fruitdale Rd	TWSC	Collector Arterial	Collector Arterial	C	11.0	B	PASS
W State St / Fruitdale Rd	TWSC	Collector Arterial	Collector Arterial	C	10.8	B	PASS

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**APPENDIX B. 2015 STREET SEGMENT LOS SUMMARY**

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**~~Update effective: May 18, 2018~~ Draft: March 2022**

Segment ID	Name	Cross Street A	Cross Street B	Roadway Classification	Volume	Capacity	V/C	LOS	LOS Pass/Fail
2001	SR 20	Collins Rd	Rhodes Rd	Principal Arterial	1621	1980	0.82	D	PASS
2002	SR 20	Rhodes Rd	W State St	Principal Arterial	1577	1980	0.80	C	PASS
2003	SR 20	State St	SR 9	Principal Arterial	952	1980	0.48	A	PASS
2004	SR 20	SR 9	W Ferry St	Principal Arterial	1233	2160	0.57	A	PASS
2005	SR 20	W Ferry St	Cook Rd	Principal Arterial	973	2250	0.43	A	PASS
2006	SR 20	Cook Rd	F&S Grade Rd	Principal Arterial	1707	2340	0.73	C	PASS
2007	SR 20	F&S Grade Rd	Patrick St	Principal Arterial	1772	2340	0.76	C	PASS
2008	SR 20	Patrick St	Metcalf St	Principal Arterial	1757	2340	0.75	C	PASS
2009	SR 20	Metcalf St	Reed St	Principal Arterial	1802	2250	0.80	D	PASS
2010	SR 20	Reed St	Township St	Principal Arterial	1648	2250	0.73	C	PASS
3001	SR 20	Township St	Fruitdale Rd	Minor Arterial	1091	1920	0.57	A	PASS
3002	SR 20	Fruitdale Rd	Helmick Rd	Minor Arterial	773	2000	0.39	A	PASS
3003	SR 9	City Limit	W Nelson St	Minor Arterial	1153	1520	0.76	C	PASS
3004	[reserved]				#N/A	#N/A	#N/A	#N/A	#N/A
3005	SR 9	W Nelson St	W State St	Minor Arterial	1122	1920	0.58	A	PASS
3006	SR 9	W State St	SR 20	Minor Arterial	477	1920	0.25	A	PASS
3007	[reserved]				#N/A	#N/A	#N/A	#N/A	#N/A
3008	[reserved]				#N/A	#N/A	#N/A	#N/A	#N/A
3009	[reserved]				#N/A	#N/A	#N/A	#N/A	#N/A
3010	Cook Rd	City Limit	Trail Rd	Minor Arterial	1176	2000	0.59	A	PASS
3011	Cook Rd	Trail Rd	Ferry St / Murrow St	Minor Arterial	1102	2000	0.55	A	PASS
3012	Cook Rd	Ferry St	SR 20	Minor Arterial	824	1960	0.42	A	PASS
3013	F&S Grade Rd	City Limit	Murrow St	Minor Arterial	138	1480	0.09	A	PASS
3014	F&S Grade Rd	Murrow St	SR 20	Minor Arterial	155	1560	0.10	A	PASS
3015	[reserved]				#N/A	#N/A	#N/A	#N/A	#N/A
3016	[reserved]				#N/A	#N/A	#N/A	#N/A	#N/A
3017	Ferry St	SR 20	Metcalf St	Minor Arterial	605	1440	0.42	A	PASS
3018	Ferry St	Metcalf St	Reed St	Minor Arterial	417	1520	0.27	A	PASS

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Segment ID	Name	Cross Street A	Cross Street B	Roadway Classification	Volume	Capacity	V/C	LOS	LOS Pass/Fail
3019	Ferry St	Reed St	Township St	Minor Arterial	296	1520	0.19	A	PASS
3020	State St	SR 20	SR 9	Minor Arterial	918	1960	0.47	A	PASS
3021	State St	SR 9	Metcalf St	Minor Arterial	864	1520	0.57	A	PASS
3022	State St	Metcalf St	3rd St	Minor Arterial	701	1520	0.46	A	PASS
3023	State St	3rd St	Reed St	Minor Arterial	690	1520	0.45	A	PASS
3024	State St	Reed St	Township St	Minor Arterial	679	1520	0.45	A	PASS
3025	[reserved]				#N/A	#N/A	#N/A	#N/A	#N/A
3026	Township St	State St	Ferry St	Minor Arterial	494	1520	0.33	A	PASS
3027	Township St	Ferry St	Wicker Rd	Minor Arterial	574	1520	0.38	A	PASS
3028	Township St	Wicker Rd	SR 20	Minor Arterial	549	1560	0.35	A	PASS
3029	Township St (SR 9)	SR 20	McGarigle/John Liner Rd	Minor Arterial	810	1600	0.51	A	PASS
3030	Township St (SR 9)	McGarigle/John Liner	Sapp Rd	Minor Arterial	691	1560	0.44	A	PASS
3031	Township St (SR 9)	Sapp Rd	Bassett Rd	Minor Arterial	539	1480	0.36	A	PASS
3032	Township St (SR 9)	Bassett Rd	Kalloch	Minor Arterial	459	1480	0.31	A	PASS
3033	[reserved]				#N/A	#N/A	#N/A	#N/A	#N/A
3034	[reserved]				#N/A	#N/A	#N/A	#N/A	#N/A
4001	3rd St	Sterling St	Jameson St	Collector Arterial	205	1110	0.18	A	PASS
4002	3rd St	Jameson St	State St	Collector Arterial	118	1140	0.10	A	PASS
4003	Batey Rd	W Nelson St	Jameson St	Collector Arterial	262	1110	0.24	A	PASS
4004	Fruitdale Rd	River Rd	Hoehn Rd	Collector Arterial	38	1110	0.03	A	PASS
4005	Fruitdale Rd	Hoehn Rd	Minkler Rd	Collector Arterial	45	1110	0.04	A	PASS
4006	Fruitdale Rd	Minkler Rd	Wicker Rd	Collector Arterial	148	1110	0.13	A	PASS
4007	Fruitdale Rd	Wicker Rd	SR 20	Collector Arterial	143	1110	0.13	A	PASS
4008	Fruitdale Rd	SR 20	McGarigle Rd	Collector Arterial	206	1200	0.17	A	PASS
4009	Fruitdale Rd	McGarigle Rd	Thompson Dr	Collector Arterial	216	1110	0.19	A	PASS
4010	Fruitdale Rd	Thompson Dr	Kalloch	Collector Arterial	13	1110	0.01	A	PASS
4011	Jameson St	Batey Rd	3rd St	Collector Arterial	297	1080	0.28	A	PASS

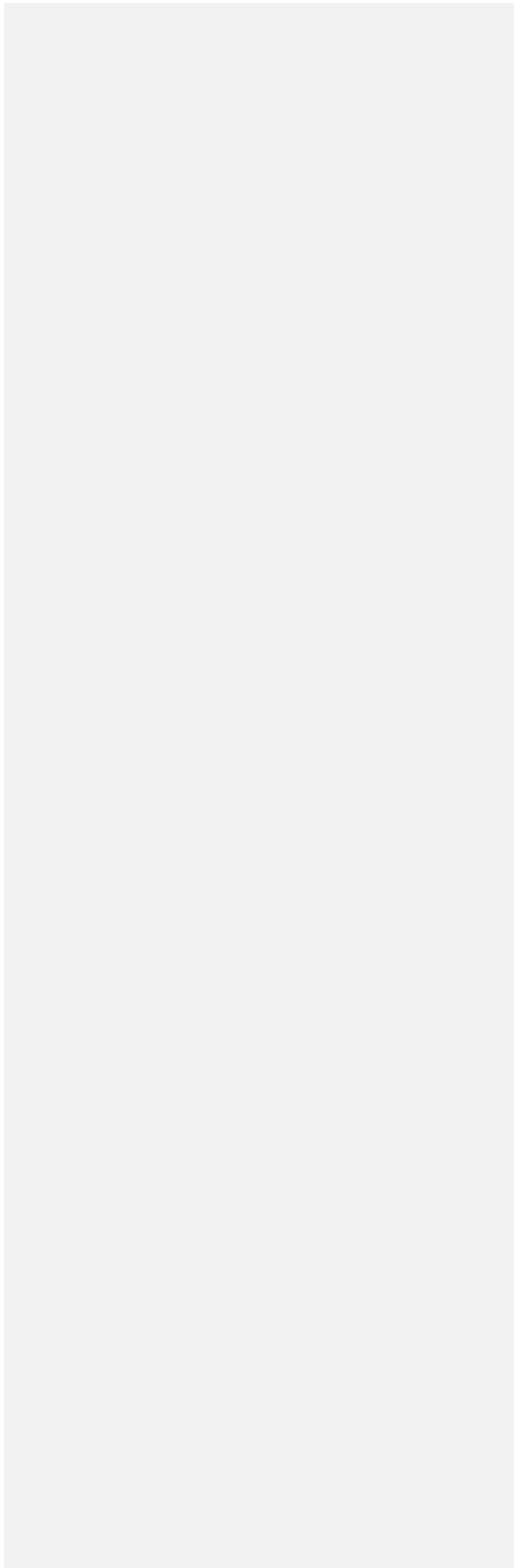
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Segment ID	Name	Cross Street A	Cross Street B	Roadway Classification	Volume	Capacity	V/C	LOS	LOS Pass/Fail
4012	Jameson St	3rd St	6th St	Collector Arterial	154	1140	0.14	A	PASS
4013	Jameson St	6th St	Township St	Collector Arterial	120	1140	0.11	A	PASS
4014	Jameson St	Township St	Railroad Ave	Collector Arterial	84	1080	0.08	A	PASS
4015	John Liner Rd	Reed St	Township St (SR 9)	Collector Arterial	67	1110	0.06	A	PASS
4016	[reserved]				#N/A	#N/A	#N/A	#N/A	#N/A
4017	McGarigle Rd	Township St (SR 9)	Fruitdale Rd	Collector Arterial	203	1200	0.17	A	PASS
4018	Metcalf St	State St	Ferry St	Collector Arterial	267	1140	0.23	A	PASS
4019	Metcalf St	Ferry St	SR 20	Collector Arterial	249	1140	0.22	A	PASS
4020	Minkler Rd	State St	Fruitdale Rd	Collector Arterial	139	1110	0.13	A	PASS
4021	Nelson St	SR 9	Batey Rd	Collector Arterial	308	1110	0.28	A	PASS
4022	Railroad Ave	Jameson St	State St	Collector Arterial	215	1110	0.19	A	PASS
4023	Reed St	State St	Ferry St	Collector Arterial	18	1140	0.02	A	PASS
4024	Reed St	Ferry St	SR 20	Collector Arterial	23	1170	0.02	A	PASS
4025	Reed St	SR 20	John Liner Rd	Collector Arterial	230	1170	0.20	A	PASS
4026	Reed St	John Liner Rd	Sapp Rd	Collector Arterial	203	1170	0.17	A	PASS
4027	Rhodes Rd	SR 20	SR 9	Collector Arterial	55	1110	0.05	A	PASS
4028	[reserved]				#N/A	#N/A	#N/A	#N/A	#N/A
4029	Sapp Rd	Reed St	Township Rd (SR 9)	Collector Arterial	103	1110	0.09	A	PASS
4030	State St	Township St	Railroad Ave	Collector Arterial	214	1110	0.19	A	PASS
4031	Sterling St	3rd St	6th St	Collector Arterial	98	1110	0.09	A	PASS
4032	Sterling St	6th St	Township St	Collector Arterial	42	1110	0.04	A	PASS
4033	Township St	River Rd	Sterling St	Collector Arterial	227	1170	0.19	A	PASS
4034	Township St	Sterling St	Jameson St	Collector Arterial	265	1170	0.23	A	PASS
4035	Township St	Jameson St	State St	Collector Arterial	289	1170	0.25	A	PASS
4036	Trail Road	SR 20	Cook Rd	Collector Arterial	402	1470	0.27	A	PASS
4037	Wicker Rd	Township St	Fruitdale Rd	Collector Arterial	317	1110	0.29	A	PASS
4038	[reserved]				#N/A	#N/A	#N/A	#N/A	#N/A
5001	Jones Rd	F&S Grade Rd	Garden of Eden Rd	Local Access	154	800	0.19	A	PASS

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Segment ID	Name	Cross Street A	Cross Street B	Roadway Classification	Volume	Capacity	V/C	LOS	LOS Pass/Fail
5002	Jones Rd	Garden of Eden Rd	Sapp Rd	Local Access	35	800	0.04	A	PASS
5003	Garden of Eden Rd	F&S Grade Rd	Jones Rd	Local Access	134	800	0.17	A	PASS
5004	Garden of Eden Rd	Jones Rd	Kiens Ln (Pvt)	Local Access	213	800	0.27	A	PASS
5005	[reserved]			<del>Local Access</del>	<del>#N/A</del>	<del>800</del>	<del>#N/A</del>	<del>#N/A</del>	<del>#N/A</del>
5006	[reserved]				<del>#N/A</del>	<del>#N/A</del>	<del>#N/A</del>	<del>#N/A</del>	<del>#N/A</del>
5007	Bassett Rd	Eikleberry Ct (Pvt)	SR 9	Local Access	22	800	0.03	A	PASS
5008	[reserved]				<del>#N/A</del>	<del>#N/A</del>	<del>#N/A</del>	<del>#N/A</del>	<del>#N/A</del>
5009	[reserved]				<del>#N/A</del>	<del>#N/A</del>	<del>#N/A</del>	<del>#N/A</del>	<del>#N/A</del>
5010	[reserved]				<del>#N/A</del>	<del>#N/A</del>	<del>#N/A</del>	<del>#N/A</del>	<del>#N/A</del>
5011	[reserved]				<del>#N/A</del>	<del>#N/A</del>	<del>#N/A</del>	<del>#N/A</del>	<del>#N/A</del>

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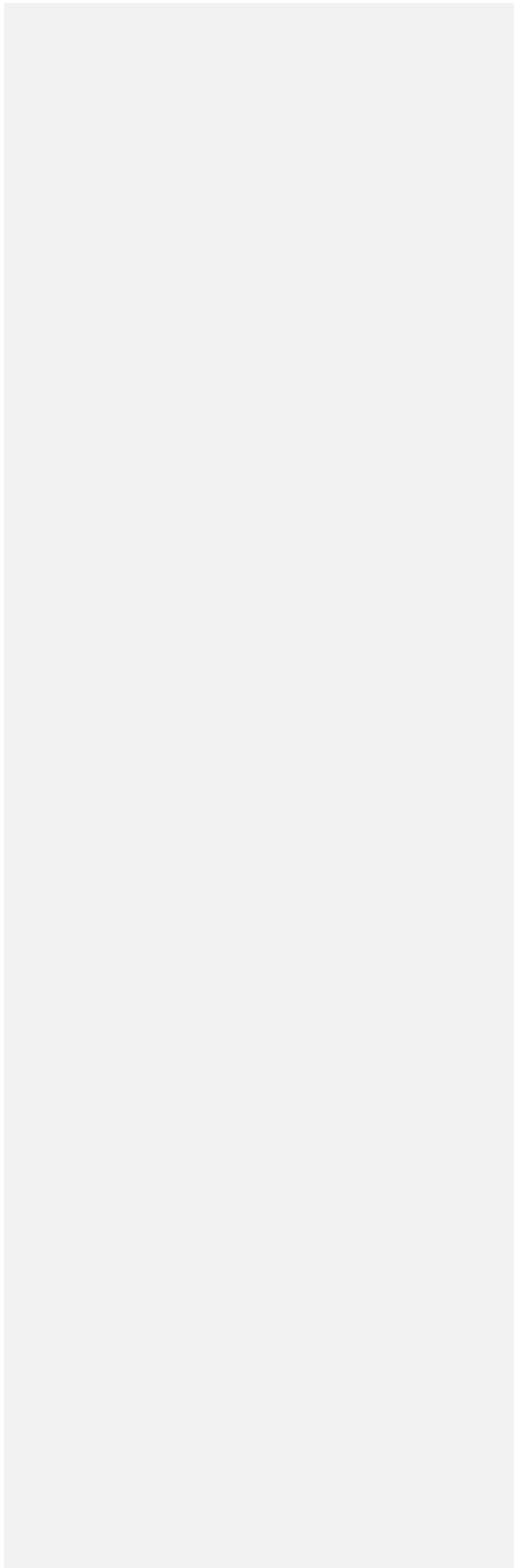
**APPENDIX C. 2036 INTERSECTION LEVEL OF SERVICE**

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~~Update effective: May 18, 2018~~Draft: March 2021



Node ID	Intersection	2036 w/o Improvement		2036 w/Improvement	
		Delay (s/veh)	LOS	Delay (s/veh)	LOS
208	Township (SR 9) / McGarigle Rd / John Liner Rd	46.2	E	8.1	A
209	SR 9 / Kalloch Rd	12.0	B	11.4	B
210	Fruitdale Rd / Kalloch Rd	9.5	A	9.4	A
211	SR 20 / Helmick Rd	10.3	B	10.3	B
212	SR 20 / Fruitdale Rd	15.4	B	15.5	B
213	SR 20 / SR 9 (Township St)	48.3	D	38.2	D
214	SR 20 / Ball St	26.3	D	26.8	D
215	SR 20 / Central Ave	27.4	D	19.1	C
216	SR 20 / Reed St	94.6	F	19.7	C
217	SR 20 / Murdock St	27.0	D	27.2	D
218	SR 20 / Metcalf St	27.8	D	25.5	D
219	SR 20 / Patrick St	17.2	B	41.9	D
220	SR 20 / F&S Grade Rd	18.1	C	20.1	C
221	SR 20 / Cook Rd	24.9	C	32.4	C
222	Cook Rd / W Ferry St / Edward R. Murrow	10.8	B	10.9	B
223	SR 20 / W Ferry St	18.7	B	17.3	B
224	SR 20 / SR 9 (west)	15.7	B	18.0	B
225	SR 20 / State St / Trail Rd	22.7	C	21.7	C
301	SR 20 / Collins Rd	9.6	A	10.4	B
302	SR 20 / Rhodes Rd	8.7	A	11.5	B
303	Cook Rd / Trail Rd	29.8	D	9.4	A
304	John Liner Rd / Reed St	10.0	B	18.7	C
305	SR 9 / W State St	21.9	C	21.0	C
306	SR 9 / Nelson St	264.3	F	18.1	C
307	Ferry St / Metcalf St	13.4	B	11.6	B
308	W State St / Metcalf St	17.5	C	14.0	B
309	Jameson St / Third St	8.4	A	9.0	A
310	Ferry St / Reed Ave	12.1	B	11.6	B
311	W State St / Reed Ave	10.4	B	12.7	B
312	Ferry St / Township St	19.6	C	18.5	C
313	W State St / Township St	14.0	B	13.7	B
314	Jameson St / Township St	12.7	B	13.9	B
315	W State St / Railroad St	7.4	A	7.5	A
316	Railroad St / Fruitdale Rd	11.9	B	11.8	B
317	W State St / Fruitdale Rd	10.8	B	10.8	B
7099	SR 9 / Jameson	-	-	8.7	A
7095	Patrick St / Jones Rd	-	-	11.2	B
2177	SR 9 / Portobello	-	-	14.0	B

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**APPENDIX D. 2036 STREET SEGMENT LEVEL OF SERVICE – WITHOUT IMPROVEMENT**

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Segment ID	Name	Cross Street A	Cross Street B	Volume	Capacity	V/C	LOS
2001	SR 20	Collins Rd	Rhodes Rd	1888	1980	0.95	E
2002	SR 20	Rhodes Rd	W State St	1814	1980	0.92	E
2003	SR 20	State St	SR 9	1118	1980	0.56	A
2004	SR 20	SR 9	W Ferry St	1472	2160	0.68	B
2005	SR 20	W Ferry St	Cook Rd	1077	2250	0.48	A
2006	SR 20	Cook Rd	F&S Grade Rd	1845	2340	0.79	C
2007	SR 20	F&S Grade Rd	Patrick St	1915	2340	0.82	D
2008	SR 20	Patrick St	Metcalf St	1894	2340	0.81	D
2009	SR 20	Metcalf St	Reed St	1960	2250	0.87	D
2010	SR 20	Reed St	Township St	1785	2250	0.79	C
3001	SR 20	Township St	Fruitdale Rd	1435	1920	0.75	C
3002	SR 20	Fruitdale Rd	Helmick Rd	802	2000	0.40	A
3005	SR 9	W Nelson St	W State St	1192	1920	0.62	B
3006	SR 9	W State St	SR 20	515	1920	0.27	A
3007	[reserved]			#N/A	#N/A	#N/A	#N/A
3008	[reserved]			#N/A	#N/A	#N/A	#N/A
3009	[reserved]			#N/A	#N/A	#N/A	#N/A
3010	Cook Rd	City Limit	Trail Rd	1263	2000	0.63	B
3011	Cook Rd	Trail Rd	Ferry St / Murrow St	1160	2000	0.58	A
3012	Cook Rd	Ferry St	SR 20	857	1960	0.44	A
3013	F&S Grade Rd	City Limit	Murrow St	160	1480	0.11	A
3014	F&S Grade Rd	Murrow St	SR 20	251	1560	0.16	A
3015	[reserved]			#N/A	-120	#N/A	#N/A
3016	[reserved]			#N/A	-120	#N/A	#N/A
3017	Ferry St	SR 20	Metcalf St	710	1440	0.49	A
3018	Ferry St	Metcalf St	Reed St	471	1520	0.31	A
3019	Ferry St	Reed St	Township St	355	1520	0.23	A
3020	State St	SR 20	SR 9	967	1960	0.49	A
3021	State St	SR 9	Metcalf St	915	1520	0.60	B
3022	State St	Metcalf St	3rd St	731	1520	0.48	A

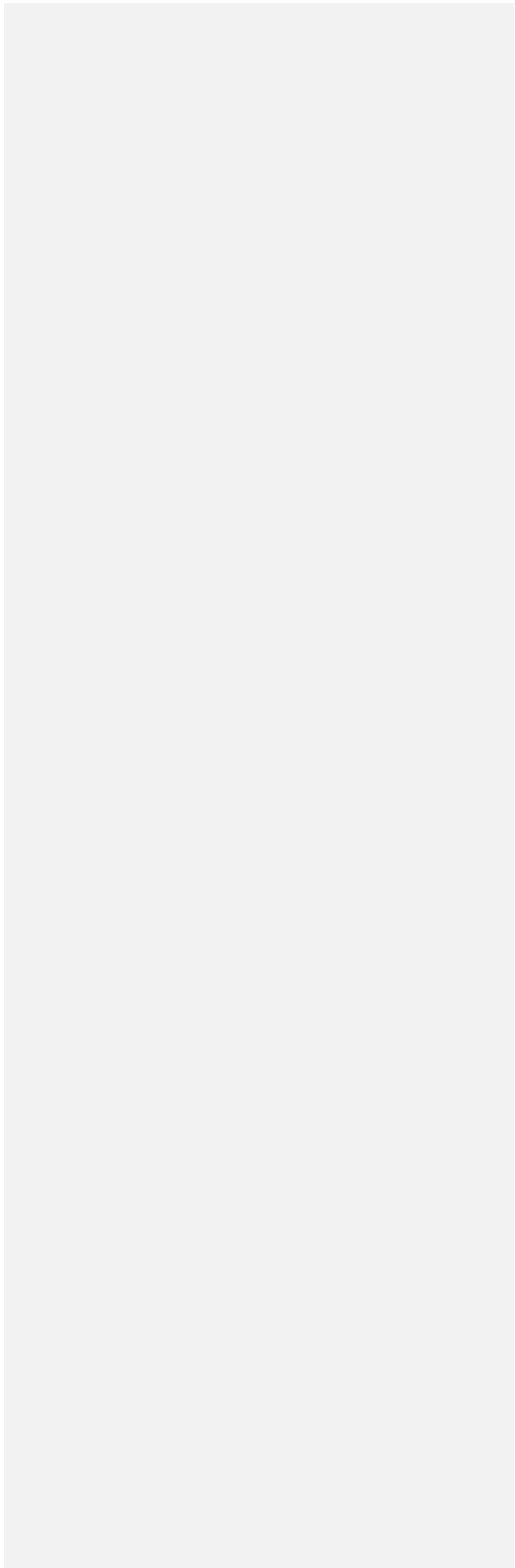
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Segment ID	Name	Cross Street A	Cross Street B	Volume	Capacity	V/C	LOS
3023	State St	3rd St	Reed St	711	1520	0.47	A
3024	State St	Reed St	Township St	705	1520	0.46	A
3025	[reserved]			#N/A	#N/A	#N/A	#N/A
3026	Township St	State St	Ferry St	595	1520	0.39	A
3027	Township St	Ferry St	Wicker Rd	727	1520	0.48	A
3028	Township St	Wicker Rd	SR 20	692	1560	0.44	A
3029	Township St (SR 9)	SR 20	McGarigle/John Liner Rd	937	1600	0.59	A
3030	Township St (SR 9)	McGarigle/John Liner	Sapp Rd	870	1560	0.56	A
3031	Township St (SR 9)	Sapp Rd	Bassett Rd	685	1480	0.46	A
3032	Township St (SR 9)	Bassett Rd	Kalloch	513	1480	0.35	A
3033	[reserved]			#N/A	#N/A	#N/A	#N/A
3034	[reserved]			#N/A	#N/A	#N/A	#N/A
4001	3rd St	Sterling St	Jameson St	221	1110	0.20	A
4002	3rd St	Jameson St	State St	119	1140	0.10	A
4003	Batey Rd	W Nelson St	Jameson St	300	1110	0.27	A
4004	Fruitdale Rd	River Rd	Hoehn Rd	38	1110	0.03	A
4005	Fruitdale Rd	Hoehn Rd	Minkler Rd	45	1110	0.04	A
4006	Fruitdale Rd	Minkler Rd	Wicker Rd	187	1110	0.17	A
4007	Fruitdale Rd	Wicker Rd	SR 20	170	1110	0.15	A
4008	Fruitdale Rd	SR 20	McGarigle Rd	509	1200	0.42	A
4009	Fruitdale Rd	McGarigle Rd	Thompson Dr	487	1110	0.44	A
4010	Fruitdale Rd	Thompson Dr	Kalloch	130	1110	0.12	A
4011	Jameson St	Batey Rd	3rd St	335	1080	0.31	A
4012	Jameson St	3rd St	6th St	176	1140	0.15	A
4013	Jameson St	6th St	Township St	157	1140	0.14	A
4014	Jameson St	Township St	Railroad Ave	110	1080	0.10	A
4015	John Liner Rd	Reed St	Township St (SR 9)	77	1110	0.07	A
4016	[reserved]			#N/A	#N/A	#N/A	#N/A
4017	McGarigle Rd	Township St (SR 9)	Fruitdale Rd	237	1200	0.20	A

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Segment ID	Name	Cross Street A	Cross Street B	Volume	Capacity	V/C	LOS
4018	Metcalf St	State St	Ferry St	293	1140	0.26	A
4019	Metcalf St	Ferry St	SR 20	330	1140	0.29	A
4020	Minkler Rd	State St	Fruitdale Rd	193	1110	0.17	A
4021	Nelson St	SR 9	Batey Rd	370	1110	0.33	A
4022	Railroad Ave	Jameson St	State St	254	1110	0.23	A
4023	Reed St	State St	Ferry St	20	1140	0.02	A
4024	Reed St	Ferry St	SR 20	26	1170	0.02	A
4025	Reed St	SR 20	John Liner Rd	317	1170	0.27	A
4026	Reed St	John Liner Rd	Sapp Rd	269	1170	0.23	A
4027	Rhodes Rd	SR 20	SR 9	125	1110	0.11	A
4028	[reserved]			#N/A	#N/A	#N/A	#N/A
4029	Sapp Rd	Reed St	Township Rd (SR 9)	221	1110	0.20	A
4030	State St	Township St	Railroad Ave	229	1110	0.21	A
4031	Sterling St	3rd St	6th St	115	1110	0.10	A
4032	Sterling St	6th St	Township St	53	1110	0.05	A
4033	Township St	River Rd	Sterling St	241	1170	0.21	A
4034	Township St	Sterling St	Jameson St	292	1170	0.25	A
4035	Township St	Jameson St	State St	321	1170	0.27	A
4036	Trail Road	SR 20	Cook Rd	499	1470	0.34	A
4037	Wicker Rd	Township St	Fruitdale Rd	358	1110	0.32	A
4038	[reserved]			#N/A	#N/A	#N/A	#N/A
4039	Jones Rd	F&S Grade Rd	Garden of Eden Rd	357	800	0.45	A
4040	Jones Rd	Garden of Eden Rd	Sapp Rd	110	800	0.14	A
4041	Garden of Eden Rd	F&S Grade Rd	Jones Rd	303	800	0.38	A
4042	Garden of Eden Rd	Jones Rd	Kiens Ln (Pvt)	487	800	0.61	B
4044	[reserved]			#N/A	#N/A	#N/A	#N/A
4045	Bassett Rd	Eikleberry Ct (Pvt)	SR 9	93	800	0.12	A

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**APPENDIX E. 2036 STREET SEGMENT LOS - WITH IMPROVEMENT**

**Sedro Woolley Comprehensive Plan | 3-79**  
~~Update effective: May 18, 2018~~Draft: March 2021

Segment ID	Name	Cross Street A	Cross Street B	Volume	Capacity	V/C	LOS
2001	SR 20	Collins Rd	Rhodes Rd	1920	2160	0.89	D
2002	SR 20	Rhodes Rd	W State St	1801	2160	0.83	D
2003	SR 20	State St	SR 9	1092	1980	0.55	A
2004	SR 20	SR 9	W Ferry St	1512	2160	0.70	C
2005	SR 20	W Ferry St	Cook Rd	1176	2250	0.52	A
2006	SR 20	Cook Rd	F&S Grade Rd	1920	2340	0.82	D
2007	SR 20	F&S Grade Rd	Patrick St	1949	2340	0.83	D
2008	SR 20	Patrick St	Metcalf St	1784	2340	0.76	C
2009	SR 20	Metcalf St	Reed St	1853	2250	0.82	D
2010	SR 20	Reed St	Township St	1802	2250	0.80	D
3001	SR 20	Township St	Fruitdale Rd	1429	1920	0.74	C
3002	SR 20	Fruitdale Rd	Helmick Rd	825	2000	0.41	A
3005	SR 9	W Nelson St	W State St	1212	1920	0.63	B
3006	SR 9	W State St	SR 20	558	1920	0.29	A
3007	[reserved]			#N/A	#N/A	#N/A	#N/A
3008	[reserved]			#N/A	#N/A	#N/A	#N/A
3009	[reserved]			#N/A	#N/A	#N/A	#N/A
3010	Cook Rd	City Limit	Trail Rd	1459	2000	0.73	C
3011	Cook Rd	Trail Rd	Ferry St / Murrow St	1149	2000	0.57	A
3012	Cook Rd	Ferry St	SR 20	835	1960	0.43	A
3013	F&S Grade Rd	City Limit	Murrow St	172	1480	0.12	A
3014	F&S Grade Rd	Murrow St	SR 20	112	1560	0.07	A
3015	[reserved]			#N/A	-120	#N/A	#N/A
3016	[reserved]			#N/A	-120	#N/A	#N/A
3017	Ferry St	SR 20	Metcalf St	624	1440	0.43	A
3018	Ferry St	Metcalf St	Reed St	458	1520	0.30	A
3019	Ferry St	Reed St	Township St	331	1520	0.22	A
3020	State St	SR 20	SR 9	930	1960	0.47	A

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Segment ID	Name	Cross Street A	Cross Street B	Volume	Capacity	V/C	LOS
3021	State St	SR 9	Metcalf St	852	1520	0.56	A
3022	State St	Metcalf St	3rd St	694	1520	0.46	A
3023	State St	3rd St	Reed St	690	1520	0.45	A
3024	State St	Reed St	Township St	691	1520	0.45	A
3025	[reserved]			#N/A	#N/A	#N/A	#N/A
3026	Township St	State St	Ferry St	578	1520	0.38	A
3027	Township St	Ferry St	Wicker Rd	700	1520	0.46	A
3028	Township St	Wicker Rd	SR 20	621	1560	0.40	A
3029	Township St (SR 9)	SR 20	McGarigle/John Liner Rd	831	1600	0.52	A
3030	Township St (SR 9)	McGarigle/John Liner	Sapp Rd	820	1560	0.53	A
3031	Township St (SR 9)	Sapp Rd	Bassett Rd	673	1480	0.45	A
3032	Township St (SR 9)	Bassett Rd	Kalloch	462	1480	0.31	A
3033	[reserved]			#N/A	#N/A	#N/A	#N/A
3034	[reserved]			#N/A	#N/A	#N/A	#N/A
4001	3rd St	Sterling St	Jameson St	219	1110	0.20	A
4002	3rd St	Jameson St	State St	121	1140	0.11	A
4003	Batey Rd	W Nelson St	Jameson St	35	1110	0.03	A
4004	Fruitdale Rd	River Rd	Hoehn Rd	38	1110	0.03	A
4005	Fruitdale Rd	Hoehn Rd	Minkler Rd	46	1110	0.04	A
4006	Fruitdale Rd	Minkler Rd	Wicker Rd	178	1110	0.16	A
4007	Fruitdale Rd	Wicker Rd	SR 20	172	1110	0.15	A
4008	Fruitdale Rd	SR 20	McGarigle Rd	560	1200	0.47	A
4009	Fruitdale Rd	McGarigle Rd	Thompson Dr	518	1110	0.47	A
4010	Fruitdale Rd	Thompson Dr	Kalloch	76	1110	0.07	A
4011	Jameson St	Batey Rd	3rd St	354	1080	0.33	A
4012	Jameson St	3rd St	6th St	198	1140	0.17	A

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Segment ID	Name	Cross Street A	Cross Street B	Volume	Capacity	V/C	LOS
4013	Jameson St	6th St	Township St	151	1140	0.13	A
4014	Jameson St	Township St	Railroad Ave	97	1080	0.09	A
4015	John Liner Rd	Reed St	Township St (SR 9)	284	1110	0.26	A
4016	[reserved]			#N/A	#N/A	#N/A	#N/A
4017	McGarigle Rd	Township St (SR 9)	Fruitdale Rd	220	1200	0.18	A
4018	Metcalf St	State St	Ferry St	281	1140	0.25	A
4019	Metcalf St	Ferry St	SR 20	294	1140	0.26	A
4020	Minkler Rd	State St	Fruitdale Rd	167	1110	0.15	A
4021	Nelson St	SR 9	Batey Rd	107	1110	0.10	A
4022	Railroad Ave	Jameson St	State St	217	1110	0.20	A
4023	Reed St	State St	Ferry St	30	1140	0.03	A
4024	Reed St	Ferry St	SR 20	36	1170	0.03	A
4025	Reed St	SR 20	John Liner Rd	123	1170	0.11	A
4026	Reed St	John Liner Rd	Sapp Rd	288	1170	0.25	A
4027	Rhodes Rd	SR 20	SR 9	206	1110	0.19	A
4028	[reserved]			#N/A	#N/A	#N/A	#N/A
4029	Sapp Rd	Reed St	Township Rd (SR 9)	174	1110	0.16	A
4030	State St	Township St	Railroad Ave	240	1110	0.22	A
4031	Sterling St	3rd St	6th St	112	1110	0.10	A
4032	Sterling St	6th St	Township St	53	1110	0.05	A
4033	Township St	River Rd	Sterling St	241	1170	0.21	A
4034	Township St	Sterling St	Jameson St	292	1170	0.25	A
4035	Township St	Jameson St	State St	326	1170	0.28	A
4036	Trail Road	SR 20	Cook Rd	521	1470	0.35	A
4037	Wicker Rd	Township St	Fruitdale Rd	353	1110	0.32	A
4038	[reserved]			#N/A	#N/A	#N/A	#N/A
4039	Jones Rd	F&S Grade Rd	Garden of Eden Rd	105	1110	0.09	A
4040	Jones Rd	Garden of Eden Rd	Sapp Rd	156	1110	0.14	A

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Segment ID	Name	Cross Street A	Cross Street B	Volume	Capacity	V/C	LOS
4041	Garden of Eden Rd	F&S Grade Rd	Jones Rd	64	800	0.08	A
4042	Garden of Eden Rd	Jones Rd	Kiens Ln (Pvt)	535	800	0.67	B
4044	[reserved]			#N/A	#N/A	#N/A	#N/A
4045	Bassett Rd	Eikleberry Ct (Pvt)	SR 9	77	800	0.10	A

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Update effective: ~~May 18, 2018~~ Draft: ~~March 2022~~

# Exhibit B

To Ordinance No. 2014-22

Amendments to the Capital Facilities Element of the Sedro-Woolley Comprehensive Plan

The Sedro-Woolley School District #101 Capital Facilities Plan 2014 currently included as Appendix E to the Sedro-Woolley Capital Facilities Element is replaced in entirety by the updated 2022 School District CFP shown herein

## Chapter 7

### CAPITAL FACILITIES ELEMENT

7.04	<b>Introduction</b> <a href="#">{No changes included in this Draft}</a>
7.08	<b>Sewers/Sanitary Capital Facilities</b> <a href="#">{No changes}</a>
7.12	<b>Schools</b> <a href="#">{No changes}</a>
7.14	<b>Library</b> <a href="#">{No changes}</a>
7.16	<b>Fire Protection</b> <a href="#">{No changes}</a>
7.20	<b>Police Protection</b> <a href="#">{No changes}</a>
7.24	<b>Storm Water Management</b>
7.28	<b>Solid Waste Management</b> <a href="#">{No changes}</a>
7.32	<b>Capital Facilities Financing</b>
7.36	<b>Capital Facilities Goals and Policies</b>
Appendix A	<b>Sedro-Woolley Fire Department</b> <a href="#">{No changes}</a>
Appendix B	<b>Fire Equipment Replacement Schedule</b> <a href="#">{No changes}</a>
Appendix C	<b>Police Staff Estimates and Capital Outlay Costs</b> <a href="#">{No changes}</a>
Appendix D	<b>Police Mitigation Fee Analysis and Proposal</b> <a href="#">{No changes}</a>
Appendix E	<b>Sedro-Woolley School District #101 Capital Facilities Plan</b> <a href="#">{Replace 2014 School CFP with 2022 School CFP}</a>



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## 7.24

### STORM WATER MANAGEMENT

#### EXISTING FACILITIES

The City of Sedro-Woolley stormwater system currently serves residents living within the city limits (Figure CF-3). The city operates and maintains the Municipal Separate Storm Sewer System (MS4) under the requirements of the State of Washington National Pollution Discharge Elimination System (NPDES) Phase II Stormwater Permit. Facilities include the conveyance network consisting of pipelines, drainage ditches, culverts, catch basins, manholes, pump stations, stormwater infiltration, detention and treatment facilities, Low-Impact Development facilities and outfalls to the Skagit River. The most recent Stormwater Management Plan was completed in 1997.

Private storm sewer systems discharging to the MS4 exist throughout the city. These system fall under the requirements of the NPDES Permit, and are regulated by the City. Private systems include ditches, culverts, pipelines, catch basins, oil-water separators, infiltration, detention and treatment facilities, Low Impact Development facilities and pump stations.

#### Pipelines, Culverts and Ditches

Currently the City's MS4 consists of Ppipelines of various sizes ranging from eight inches to forty-eight inches in diameter and totaling 199,840~~216,800~~ lineal feet, culverts totaling 7,464~~7,525~~ lineal feet and open ditches totaling 58,835~~35,840~~ lineal feet convey stormwater to nine~~21~~ connection points to ~~discharge points to public or~~ private systems or to Skagit County drainage, 21 infiltration facilities and 26-20 outfall points to receiving waters including Brickyard Creek, Willard Creek, Hansen Creek and the Skagit River. The system includes 1,920~~2,144~~ catch basins, 14-18 control

structures, eight-two drywells, one-two oil-water separators and two pump stations. Pipelines include gravity lines and force mains (pressure pipes). The city's primary responsibility is for the main storm sewers, culverts and ditches in streets and other rights-of-way, as well as for systems serving municipal properties. Private systems discharging to the MS4 are the responsibility of the property owners from the point of discharge to the MS4.

#### Pump Stations

Pump stations are required when natural topography does not allow for gravity flow to the point of discharge to the gravity system. A pump station receives flow from one area by gravity and pumps that flow over a topographic ridge to continue to the gravity system and ultimately to the outfall. Sedro-Woolley currently owns and maintains 2 stormwater pump stations. There are 7-8 privately owned and maintained stormwater pump stations within the city.

#### Stormwater Detention and Treatment Facilities

The MS4 includes 21-26 municipal facilities, including 13-9 Stormwater Detention and Treatment ponds, 2-1 Raingardens, 2 pump stations, 4-12 Underground Storage/detention/infiltration systems, 1 Ecology Embankment, and 1 Rainstore system. Within Tthe city ~~also monitors maintenance of there~~ are currently 95-72 private facilities consisting of Stormwater Detention and Treatment Ponds, Raingardens, Bioretention, and Underground Storage/Detention/Infiltration Systems. ~~Inventory of the private systems is under way but not complete as of 2014.~~

To date, all known private systems have been inventoried and mapped. New systems are inventoried and mapped as they are completed.

#### Brickyard Creek

Brickyard Creek is a 24,500 lineal foot combination of natural and man-made streambed classified as waters of the state and fish-bearing stream. This water body was formerly maintained by the Skagit County run Sedro-Woolley Sub-Flood Control Dis-

tract, and is the discharge point for approximately 40% of the city's drainage. 95% of Brickyard Creek lies within the city limits, and the remaining portion is in the UGA. Responsibility for Brickyard Creek was assumed by the city in January 2012. The city maintains the remaining 5% of the Creek under an Interlocal agreement with Skagit County.

### Flooding

Portions of the city are subject to periodic localized flooding, mainly due to backwater conditions on Brickyard Creek created during peak stormwater events. Certain locations on the Creek, including the North Reed/Brickyard Meadows intersection, portions of Lucas Drive, Independence Boulevard, and the Golf Course, experience short term surcharging during rainfall events greater than a 10-year event (2.6 inches in 24 hours). A 2013 study completed of the SR20 Stormwater Conveyance System identified two undersized culverts on Brickyard Creek between Holtcamp Road outfall and Hodgin Road as contributing factors. Regular maintenance of the creek channel over the past few years has mitigated this condition somewhat. The older portion of the city south of SR20 does not have significant flooding issues. The ongoing General Investigation study being completed under the auspices of the Corps of Engineers will need to be monitored carefully as some alternates for mitigation of Skagit River flooding may impact the 100 year flood level within the lower portion of the city, as well as threatening the Wastewater Treatment Facility.

### PROJECTED NEED

Like many jurisdictions in the Northwest, surface water management has historically been considered a funding priority after a major storm event. Two main problems exist in Sedro-Woolley: 1) Water quality in Brickyard Creek and the Skagit River is poor due to many factors including nonpoint source of pollution and frequent flooding; and 2) Localized flooding during peak stormwater events.

### Stormwater Management Plan

The 1997 Stormwater Management Plan identified deficiencies in the MS4 system at the time the report was prepared, and included a project list to address these deficiencies, as well as ongoing maintenance issues. The recommendations of the plan were largely unmet in subsequent years. Update of the plan is needed to reassess previously identified deficiencies, and to address significant development that has occurred in the past ~~18-25~~ years.

### Water Quality

The State of Washington NPDES Phase II permit, first issued in 2007 and renewed in 2013 and 2019, requires the city to operate and maintain the MS4 system in such a manner as to protect and improve water quality for the identified water bodies, in this case the Skagit River, Brickyard Creek, Hansen Creek and Willard Creek.

The 2019 permit requires the City to prepare a Stormwater Management Action Plan (SMAP) by 2023, prioritizing a receiving water and a catchment area discharging to that receiving water. And within these areas, develop stormwater retrofits, land management strategies and other actions to accommodate future growth and development while preventing water quality degradation and/or improving conditions in the receiving waters harmed by past development.

Another new requirement of the 2019 permit requires the establishment of a Source Control program. This program consists of inspections of existing pollutant generating sources at publicly and privately owned institutional, commercial and industrial sites to enforce implementation of required BMPs to control pollution discharging into the MS4. Program inspections are required to begin in 2023.

The city formed a Stormwater Utility in 2008 to provide a regular source of funding for ongoing maintenance and for correction of deficiencies. The initial rate set for the utility was insufficient to deal

with deficiencies identified in the 1997 Plan, but did allow for initial steps to address water quality requirements of the NPDES Permit. The Public Works Department has dedicated Operations staff to maintenance, performance and documentation of maintenance activities, and has tracked and reported progress as required by the Permit. A rate increase effective January 1, 2015 is projected to bring maintenance funding up to the level required by the NPDES Permit, but still does not address deficiencies in the system. Funding for the correction of deficiencies is an ongoing discussion item, and will be addressed in the Stormwater Plan update.

The GMA requires that level of service (LOS) service standards be established for services provided by the local jurisdiction as part of capital facilities planning. LOS standards are quantifiable measures of public services the city provides to the present and future residents and businesses within the UGA. They allow the city to assess deficiencies in the services it provides and define maximum threshold standards that must be met by the existing and new facilities to avoid under-served growth.

**PERCENT OF CAPACITY LOS  
FOR STORM WATER SYSTEM**

<b>SYSTEM ELEMENT</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>
Pipelines	0-20	21-40	41-60	61-80	81-100	>100
Pump Stations	0-20	21-40	41-60	61-80	81-100	>100

**CONDITION LOS FOR THE  
STORM WATER SYSTEM**

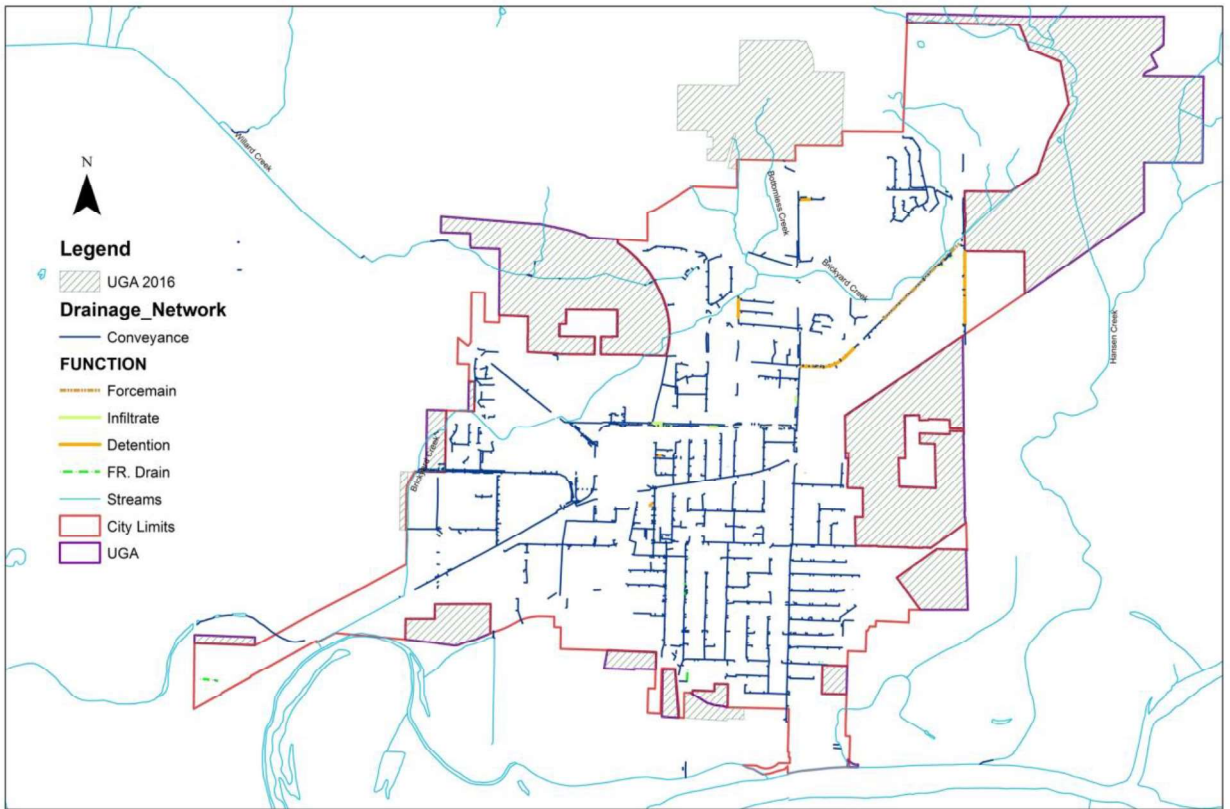
<b>SYSTEM ELEMENT</b>	<b>1*</b>	<b>2*</b>	<b>3*</b>	<b>4*</b>	<b>5*</b>
Pipelines	Immediate	<3	>3,<6	>6,<20	>20
Pump Station	Immediate	<3	>3,<6	>6,<20	>20

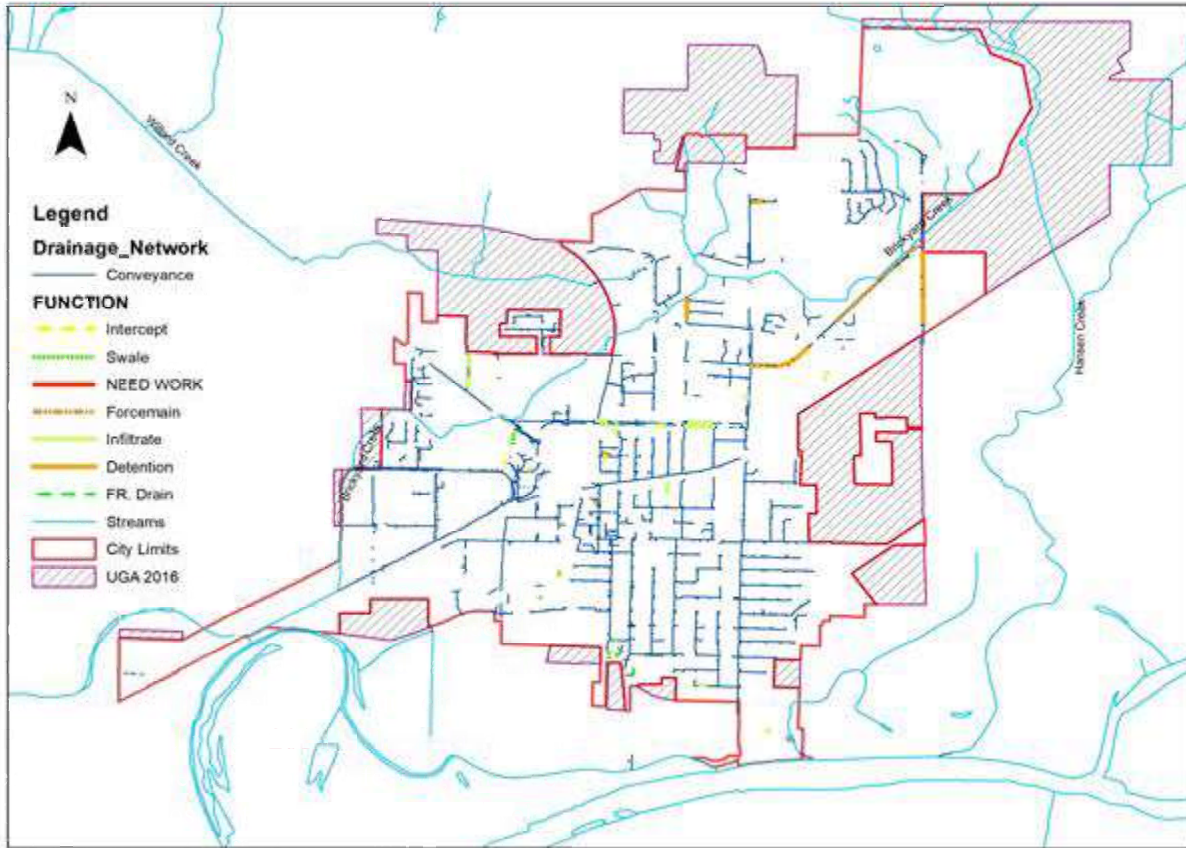
\* Years until the improvements are needed



**Figure CF-3  
Stormwater System**

~~Figure CF-3  
Stormwater System~~





Control inspections beginning in 2023-.

### PROJECTED DEMAND

With minor differences, the future storm water collection system under both a preferred and benchmark alternative would be similar. This is due to population forecasts which predict similar residential growth rates and population. Only the geographic distribution of the storm water collection system demand will vary between the different alternatives.

Within the existing city limits, the storm water system will be upgraded through an improvement program that takes into consideration demands for residential, commercial and industrial storm water

disposal systems. For instance, under the preferred alternative, residential infilling and increased residential densities will be encouraged. Similarly, there will be new locations for industrial and commercial activity. Under the benchmark, growth and development would follow previous patterns. Design of the new storm water collection system will take these land use changes into account.

## PROJECT COSTS

The 1997 Stormwater Management Plan identified system deficiencies and quantified project costs. Formation of the 2008 Stormwater Utility further refined the cost estimates. Revenues produced by the Utility, coupled with a series of small management grants through the Department of Ecology have funded portions of the recommendations of the 1997 Plan. These include:

1. Development of a public education component to make people aware of how their actions affect water quality and to allow the public to participate in the planning process;
2. Participation in the Ecology program to determine Total Daily Maximum Loadings (TMDL) for the Skagit River and tributaries within the MS4. This process will eventually result in specific water quality limitations and allow for design of measures beyond existing permit requirements to address them if required;
3. Development of the stormwater utility, providing ongoing revenue for management and maintenance operations;
4. Updated Sedro-Woolley Municipal Code Chapter 13.36 Stormwater Management and Chapter 13.40 Stormwater Maintenance to comply with the NPDES Phase II Permit.
5. ~~Completed~~-Developed Geographic Information System (GIS) mapping of the existing

city stormwater system and private systems discharging to the city system.

5. Developed of file systems and procedures for stormwater management and maintenance activities, including public and private systems.
6. Enhanced the existing Stormwater Maintenance program utilizing the Public Works Operations Department staff to inspect and clean catch basins, pipelines, culverts and ditches and to maintain detention/treatment systems and pump stations, along with regular street sweeping. Purchased new Vector truck (2009) and Street Sweeper (2013) to support maintenance operations.
7. Developed a stormwater vector waste disposal system for treatment and disposal of vector waste from catch basins, and upgraded the existing street sweeping handling and disposal according to state requirements.

The city contracts with the Skagit Conservation District (SCD) to participate in a Skagit County-wide effort to provide public education and encouragement to meet NPDES Permit requirements. This program has proven successful, and the city plans to continue with this arrangement for the immediate future. The city also maintains a dedicated Stormwater website, containing reports to Ecology, SCD Annual Reports, information on programs available and links to other resources. Regular training of responsible personnel are performed to ensure that staff is aware of the requirements of the Permit and to support the efforts of the city to enhance water quality.

While significant progress has been made since 2008, challenges remain. These are as follows:

1. Meeting increasing Permit requirements such as implementation of Low Impact Development requirements for public and private facility construction, implementation of the new Source Control program, and

implementing projects identified in the SMAP.

2. Funding identified system deficiencies as identified in the 1997 Plan, and additional deficiencies identified since that time.

### Deficiency Projects

The 1997 Plan identified two major projects and 14 minor projects for construction to address system deficiencies. The major projects were: 1) construction of a Regional Detention System on Cook Road near Brickyard Creek for regional stormwater detention and treatment, estimated at \$4.3 million, and 2) upgrade of the Fruitdale Road Conveyance System, SR20 to Skagit River, estimated at \$1 million. The Cook Road system is likely to have been superseded by subsequent development in the vicinity, and will need to be reassessed in the plan update. The Fruitdale pipeline is in Skagit County, and mostly serves UGA areas not likely to be annexed due to prior development issues. The minor projects identified in the 1997 Plan total \$380,000, and will be assessed on a case by case basis in the Plan update.

The 2008 Stormwater Utility formation effort identified the additional need for a Regional Treatment Facility to serve the urban area south of SR20, to be located near Riverfront Park at an estimated cost of \$2.6 million. The city purchased property west of River Road and Riverfront Park for this purpose. The need for this facility will be driven by water quality determinations resulting from the TMDL study noted earlier in this section, to be completed after 2018. As a result, this facility will not be needed for at least five years.

The 2013 SR20 Stormwater Conveyance System study completed in conjunction with the SR20/Cook Road Realignment and Extension Project identified \$700,000 in improvements to the piping system between the Brickyard Creek outfall and SR9 South, and within Brickyard Creek itself between the outfall and the Holtcamp Road crossing that will need to be addressed within the next 5

years due to permitting requirements related to the SR20/Cook Road project. The January 5, 2015 25-year storm event corroborated the need for these upgrades. Approximately 1,910 lineal feet of the system from Hodgkin Road to SR9 South is planned for upgrade in 2016 as part of the SR20/Cascade Trail West Extension Project Phases 1A and 1B. This will leave 984 lineal feet of the SR20 system west of Hodgkin Road for future upgrade, at a cost of \$300,000. [In 2017 2,170 LF of the storm system was upgraded with larger diameter pipe and new structures at a cost of \\$855,000 \(PH 1A & 1B\). In 2020, as part of the SR20 widening project, the last 250 LF to the outfall point at Brickyard Creek was piped and a check valve installed to prevent fish from getting into the storm system from the creek. Cost for this last phase was \\$85,000.](#)

### GOALS AND OBJECTIVES

#### Goal ST1.0: Update the 1997 Stormwater Management Plan.

Policy ST1.1: Pursue a grant and loan applications to secure funding for the plan update.

Policy ST1.2: Require new developments to mitigate their site water run-offs into the city right-of-way.

Policy ST1.3: Eliminate point and non-point source pollution into the local drainage channels to include the Skagit River and Brickyard Creek.

#### Goal ST2.0: Annual reassessment of Utility revenue.

Policy ST2.1: Assure that NPDES Permit requirements are met, reassess Utility revenue on an annual basis and adjust as needed.

#### Goal ST3.0: To assure that capital improvements necessary to carry out the Stormwater Management Plan are provided when they are needed.

Policy ST3.1: Develop funding to support or enhance the storm water utility for Sedro-Woolley to generate funding for the city capital improvement projects.

Policy ST3.2: Maintain a safe and efficient public storm water collection and treatment system.

Policy ST3.4: Require all new development to conform with the city storm water comprehensive plan.

**Goal ST4.0: To manage land use changes and develops city facilities and services in a manner that directs and controls land use patterns and intensities.**

Policy ST4.1: Establish the storm water system as an “urban service” requiring concurrency under the Growth Management Act.

Policy ST4.2: The city will use level of service to determine the impact of a new development on the existing storm facilities.

**Goal ST5.0: Fund and ~~construct remaining~~ maintain SR20 Conveyance System Improvements.**

Policy ST5.1: Identify funding to ~~design and build this \$300,000 project~~ maintain this infrastructure.

~~Policy ST5.2: Partner with Skagit County for use of Sedro Woolley Sub Flood Funds for Brickyard Creek portions of the project.~~

~~Policy ST5.3: Construct project by 2020.~~

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### CAPITAL FACILITIES FINANCING

The six-year capital facilities plan includes improvements that the comprehensive plan elements indicates are necessary, along with potential funding sources. In order to identify these potential funding sources, it is important to review how capital improvements have been financed in Sedro-Woolley in the past and could be financed in the future. Capital outlays tend to vary a great deal from year to year, depending on need and the ability of the city to secure grants to fund particular projects.

### REVENUE SOURCES

This section summarizes the revenue sources available to the city of Sedro-Woolley and highlights those available for capital facilities:

There are two types of revenue sources for capital facilities:

1. Multi-use: taxes, fees, and grants which may be used for virtually any type of capital facility (but which may become restricted if and when adopted for a specific type of capital facility);
2. Single use: taxes, fees, and grants which may be used only for a particular type of capital facility.

These revenue sources are discussed below.

#### Multi-Use Revenue

#### Property Tax

Property tax levies are most often used by local governments for operating and maintenance costs. They are not commonly used for capital improvements. Under State law, local governments are prohibited from raising the property tax levy more than

one percent per year. Property tax received by the city of Sedro-Woolley has by policy, been allocated to pay for costs incurred for parks, cemetery, street, library and general fund expenditures.

**Long-Term Bond Indebtedness**

There are three basic types of long-term indebtedness uses by municipalities to fund capital improvement projects:

- General Obligation Bonds - General Obligation Bonds are backed by the value of the property within the jurisdiction (at its full faith and credit).
- Revenue Bonds - Revenue bonds are backed by the revenue received from the project that the bonds help to fund. Such bonds are commonly used to fund utility improvements. A portion of the utility charge is set aside to payoff the bonds.
- Special Assessment Bonds - (Local Improvement Districts, Road Improvement Districts, and Local Improvement Districts) - Special assessment bonds, repaid by assessments against the property benefited by the improvements, are used to finance projects within a specific geographic area, as opposed to those that will serve the entire jurisdiction.

**General Obligation Bonds and Lease-Purchase (Property Tax Excess Levy)**

General Obligation Bonds are those which offer the greatest variety of uses. There are two types of General Obligation (GO) bonds: voter-approved and councilmanic. Voter-approved bonds increase the property tax rate, with increased revenues dedicated to paying principal and interest on the bonds. Local governments are authorized in “excess levies” to repay voter-approved bonds. Excess levies are increased in the regular property tax levy above statutory limits. Approval requires a sixty (60) percent majority vote in favor and a turn-out of at least

forty (40) percent of the voters from the preceding general election. Councilmanic bonds are authorized by a jurisdiction’s legislative body without the need for voter approval. Principal and interest payments for councilmanic bonds comes from general government revenues, without a corresponding increase in property taxes. Therefore, this method of bond approval does not utilize a dedicated funding source for repaying the bondholders. Lease-purchase arrangements are also authorized by vote of the legislative body and do not require voter approval.

The amount of local government debt allowable for GO bonds is restricted by law to 7.5 percent of the taxable value of the property within the city limits. This may be divided as follows:

General Purpose Bonds	2.5 percent
Utility Bonds	2.5 percent
Open Space and Park Facilities	2.5 percent

Of the 2.5 percent for General Purpose Bonds, the city may issue up to 0.75 percent in the form of councilmanic bond. State law allows cities an additional separate debt capacity of 0.75 percent of taxable value of property for non-voted lease obligations.

Depending on the amount in-term of the bonds or lease-purchase arrangements, the impact on the individual taxpayer can vary widely.

**Real Estate Excise Tax**

RCW 82.46 authorizes local governments to collect a real estate excise tax levy of 0.25 percent of the purchase price of real estate within the city limits. The Growth Management Act authorizes collection of another 0.25 percent. Both the first and second 0.25 percents are required to be used for financing capital facilities in local governments’ capital facilities plans.

The first and second 1.25 may be used for the following capital facilities:

- a) The planning, acquisition, construction, reconstruction, repair, replacement, rehabilitation, or improvements of streets, roads, highways, sidewalks, streets and road lighting systems, traffic signals, bridges, domestic water systems, and storm and sanitary sewer systems; or
- b) The planning, construction, repair, rehabilitate, or improvement of parks and recreational facilities.

In addition, the first 0.25 percent may be used for the following:

- a) The acquisition of parks and recreational facilities;
- b) The planning, acquisition, construction, repair, replacement, rehabilitation, or improvement of law enforcement facilities, protection of facilities, trails, libraries, administrative and judicial facilities, river and/or floodway/flood control projects, and housing projects subject to certain limitations.

The city of Sedro-Woolley has enacted the first 0.25 percent real estate excise tax which is allocated to a cumulative reserve capital expense fund.

**Business and Occupation Tax**

RCW 35.11 authorizes cities to collect this tax on the gross or net income of businesses, not to exceed a rate of 0.2 percent. Revenue may be used for capital facilities acquisition, construction, maintenance, and operations. Voter approval is required to initiate the tax or increase the tax rate. The city has utilized this revenue source.

**Local Option Sales Tax**

Local governments may collect a tax on retail sales of up to 1.1 percent, of which 0.1 percent may

be used only for criminal justice purposes (public transportation-benefit authorities may levy up to 0.6 percent). Voter approval is required. Sedro-Woolley has enacted a sales tax, of which eighty (80) percent goes to the city and the remainder goes to the county.

**Utility Tax**

RCW 35A.52 authorizes cities to collect a tax on gross receipts of electrical, gas, garbage, telephone, cable television, water, sanitary sewer, and storm water management providers. State law limits the utility tax to six percent of the total receipts for cable television, electricity, gas, steam, and telephone, unless a majority of the voters approved a higher rate. There are no restrictions on the tax rates for sewer, water, solid waste, and stormwater. Revenue can be used for capital facilities acquisition, construction and maintenance. In Sedro-Woolley, a tax is collected on cable television, natural gas, telephone and electricity. No utility tax is collected on sanitation, sewer and water.

**Community Development Block Grants**

Approximately \$8.5 million in Community Development Block Grant (CDBG) funding is available annually state-wide through the federal Department of Housing and Urban Development for public facilities, economic development, and housing projects which benefit low-and-moderate income households. Funds may not be used for maintenance and operations. Because the amount of CDBG funding varies substantially from year to year, it is not possible to reliably forecast revenue from these grant sources.

**Community Economic Revitalization Board Grant (CERE)**

The State Department of Trade and Economic Development provides low-interest loans, and occasionally grants, to finance sewer, water, access roads, bridges, and other facilities for specific private sector development. Funding is available only for projects which support specific private developments or expansion which promotes the trading



of goods and services outside the state. The average requirement is to create one job per three thousand dollars (\$3,000.00) of CERE financing. The city has not utilized this funding source. It is not possible to forecast revenues from CERE loans or grants.

### **Public Works Trust Fund Grants (PWTF)**

The State Department of Community Development provides low-interest loans for capital facilities planning, emergency planning, and construction of bridges, roads, domestic water, sanitary sewer, and storm sewer. Applicants must have a capital facilities plan in place and must be levying the original 0.25 percent real estate sales tax (see previous real estate excise tax discussion). Construction and emergency planning projects must be for reconstruction of existing capital facilities only. Capital improvements planning projects are limited to planning for streets and utilities. Loans for construction projects require a local match generated only from local revenues or state-shared entitlement (gas tax) revenues. The required local match is ten (10) percent of a three percent loan, twenty (20) percent for a two percent loan, and thirty (30) percent for a one percent loan. Emergency planning loans are at a five percent interest rate. If state or federal disaster funds are received, they must be applied to the loan for the life of the project (twenty (20) years). Capital improvement planning loans are at least 0 percent interest, but require a twenty-five (25) percent local match. The city has applied for these funds for a sewer system design study and was awarded a loan. Future PWTF funding cannot be reliably forecasted.

### **Farmer Home Administration Community Facilities Program**

Farmers Home Administration provides loans to develop community facilities for public use in rural areas and towns of not more than twenty thousand (20,000) people. Facilities eligible for loan assistance include fire stations, police stations, community buildings, libraries, and utilities. It is not possible to forecast revenues from this program.

## **Single-Purpose Revenue Sources**

### **Cultural Arts, Stadium/Convention Facilities**

#### **Special Purpose Districts**

RCW 67.38.130 authorizes cultural arts, stadiums/convention special purpose districts with independent taxing authority to finance capital facilities. The District requires a majority voter approval for formation, and has a funding limit of 0.25 cents per one thousand dollars (\$1,000.00) of assessed valuation. Typically, such a special-purpose district would serve a larger geographical area than the single city. Revenue would be based on the tax base of the area within the special service district.

### **Police, Fire Protection and Emergency Medical Services**

#### **EMS Levy**

The state authorizes a fifty cents (\$0.50) per one thousand dollars (\$1,000.00) AV property tax levy which may be enacted by fire and hospital districts, cities and towns, and counties. This levy is voluntary in cities and fire districts. Skagit County has enacted an EMS levy.

#### **Fire Districts**

Fire District #8 surrounds the city of Sedro-Woolley from which a fire district tax levy is collected. This revenue is used for operating and maintenance costs. Sedro-Woolley has entered into an interlocal agreement with District 8. Sedro-Woolley annually updates the amount it charges to District 8 for services rendered under the interlocal agreement.

#### **Fire Impact Fees**

RCW 82.02.050-090 authorizes a charge (impact fee) to be paid by new development for its "fair share" of the cost of fire protection and emergency medical facilities required to serve the development. Impact fees must be used for capital facilities necessitated by growth, and not to correct existing

deficiencies in levels of service. Impact fees cannot be used for operating expenses. Sedro-Woolley collects impact fees on all new development. These fees will supersede any fees collected under SEPA.

A fire impact fee for the city of Sedro-Woolley can be generated by multiplying the current level of service by the cost of the capital facilities to determine the cost per capita, then multiplying that figure by the number of persons per dwelling unit to determine the cost per dwelling unit. Commercial fire impact fees are calculated with a formula using Equivalent Residential Units (ERUs) based on square footage.

### **Police Impact Fees**

State law authorizes a charge (impact fee) to be paid by new development for its “fair share” of the cost of police facilities required to serve the development. Impact fees must be used for capital facilities necessitated by growth, and not to correct existing deficiencies in levels of service. Impact fees cannot be used for operating expenses. Sedro-Woolley has collected voluntary police impact fees for projects undergoing SEPA review. Police impact fees cannot be collected under GMA, so following adoption of the comprehensive plan, Sedro-Woolley will continue to collect voluntary police impact fees on all new development only if a SEPA review is required.

The primary costs associated with providing police protection to new projects are those costs required to provide protection for the two year period from the start of the construction until tax revenues from the improved project reach the General Fund.

To calculate the impact of new development on police protection, the city has determined that in 1990, each call for police service costs the city an average of one hundred eighteen dollars (\$118.00). It also determined that each residential unit generated an average of .86 calls for service and commercial development generated calls for police service at an average rate of .002 calls per square foot of

commercial space. Therefore the costs of providing police service to new development during the two-year lag-time between application filing and tax revenues for the improved project reaching the Sedro-Woolley General Fund is calculated by multiplying the number of residential units times .86 times one hundred eighteen dollars (\$118.00) times two years two hundred two dollars ninety-six cents (\$202.96) for residential development and by multiplying the square footage times .002 times one hundred eighteen dollars (\$118.00) times two years (\$0.472 times square footage) for commercial development.

### **Parks and Recreation**

#### **Open Space and Park Facility General Obligation Bonds**

See General Obligation Bonds (under Multi-Use Revenue, above) for general discussion of the purpose, requirements, and decision basis for GO bonds. The total amount of local government debt which may be committed to open space and park facilities is 2.5 percent. Sedro-Woolley currently does not have any open space and park facility general obligation debt.

#### **Park Districts**

State law authorizes metropolitan parks districts and park and recreation districts, each with independent taxing authority.

#### **Parks and Recreation Service Areas (PRSA)**

RCW 36.68.400 authorizes parks and recreation service areas as junior taxing districts for the purpose of financing the acquisition, construction, improvement, maintenance, or operation of any park, senior citizen activity center, zoo, aquarium or recreational facility. The maximum levy limit is 0.15, or 0.15 per one thousand dollars (\$1,000.00) AV. A PRSA can generate revenue from either the regular or excess property tax levies and through general obligation bonds, subject to voter approval. Revenue may be used for capital facilities maintenance

and operations. Voters approve formation of a PRSA, and subsequently approve an excess levy for the purpose of constructing facilities.

### **User Fees and Program Fees**

These fees are charged for using park facilities (such as field reservation fees) or participating in recreational programs (such as arts and crafts registration fees).

### **Park Impact Fees**

RCW 82.02.050-090 authorizes local government to enact impact fees to be paid by new development for its “fair share” of system improvements costs of parks and recreation facilities necessary to serve the development. Impact fees must be used for capital facilities necessitated by growth, and not to correct existing deficiencies in levels of service. Impact fees cannot be used for operating expenses. Sedro-Woolley currently utilizes a park impact (mitigation) program. A complete description of that program and the specific fees is in the Parks and Recreation Element of the Comprehensive Plan.

### **State Parks and Recreation Commission Grants**

These grants are for parks, capital facilities acquisition, and construction, and require a fifty (50) percent local match. Sedro-Woolley currently has no state parks and recreational commission grants. It is not possible to reliably forecast the amount of revenue the city would receive over twenty (20) years from this source.

### **Aquatic Land Enhancement Access**

This grant program is administered by the Department of Natural Resources. ALEA funds are limited to water dependent public access/recreation projects or on-site interpretive projects. Twenty-five (25) percent local match is required. It is not possible to forecast revenues from ALEA grants. The city may apply for grants for future improvements or additions to Riverfront Park.

### **Outdoor Recreation Grant-in-Aid Funding**

The Interagency Committee for Outdoor Recreation (IAC) provides grant-in-aid funding for the acquisition, development and renovation of outdoor recreation facilities. Park and boating program grants require a fifty (50) percent match. It is not possible to forecast revenues from IAC grants-in-aid funding sources.

### **Roads, Bridges, and Mass Transit**

#### **Motor Vehicle Excise Tax**

RCW 82.36 authorizes this tax, which is administered by the State Department of Licensing and paid by gasoline distributors. Cities and counties receive 11.53 percent, respectively, of motor vehicle fuel tax receipts. Revenues must be spent for “highway purposes” including the construction, maintenance, and operation of city streets, county roads, and highways.

#### **Local Option Fuel Tax**

RCW 82.80 authorizes this county-wide local option tax to ten (10) percent of the state-wide motor vehicle fuel tax and a special fuel tax of 2.3 cents per gallon. Revenues are distributed back to the county and its cities on a per capita basis (1.5 for population in unincorporated areas and 1.0 for population in incorporated areas). Revenues must be spent for “highway purposes.”

#### **Commercial Parking Tax**

RCW 82.80 authorizes a tax for commercial parking businesses, but does not set rates. Revenues must be spent for “general transportation purposes” including highway purposes, public transportation, high-capacity transportation, transportation planning and design, and other transportation-related activities. Sedro-Woolley does not have a commercial parking tax at this time, nor are any commercial parking businesses anticipated in Sedro-Woolley in the foreseeable future.

### **Transportation Benefit District**

RCW 35.21.225 authorizes cities to create transportation districts with independent taxing authority for the purposes of acquiring, constructing, improving, providing, and funding any city street, county road, or state highway improvement within the district. Special district's tax base is used to finance capital facilities. The district may generate revenue through property tax excess levies, general obligation bonds (including councilmanic bonds), local improvement districts, and development fees (see related discussions for background on each of these). Voter approval is required for bonds and excess property tax levies. Council approval is required for councilmanic bonds, special assessments, and development fees.

Transportation improvements funded with district revenues must be consistent with state, regional and local transportation plans; necessitated by existing or reasonable foreseeable congestion levels attributable to economic growth; and partially funded by local government or private developer contributions, or a combination of such contributions. To date, no jurisdiction in the state has formed a transportation benefit district. A transportation benefit district would address specific transportation projects reducing congestion caused by economic development. The City initiated a Transportation Benefit District in 2014.

### **Road Impact Fees**

RCW 82.02.050-090 authorizes cities and counties to exact road impact fees from new development for its "fair share" of the system improvement costs of roads necessary to serve the development. Impact fees must be used for capital facilities necessitated by growth and not to correct existing deficiencies in current level of service. Impact fees cannot be used for operating expenses. Under the GMA, the city of Sedro-Woolley adopted road impact fees per residential unit with a credited commercial rate.

### **Local Option Vehicle License Fee**

RCW 82.80 authorizes a county-wide local option fee of up to fifteen dollars (\$15.00) maximum annually per vehicle registered in the county, subject to the January 1, 2000 "sunset." Revenues are distributed back to the county and cities within the county levying the tax on a weighed per capita basis (1.5 for the population in unincorporated areas and 1.0 for population in incorporated areas). Revenues must be spent for "general transportation purposes." This fee is currently being used in Skagit County. Sedro-Woolley's receives an allocation of this fee.

### **Street Utility Charge**

RCW 35.95.040 authorizes cities to charge for city street utilities to maintain, operate, and preserve city streets. Facilities which may be included in a street utility include street lighting, traffic control devices, sidewalks, curbs, gutters, parking facilities, and drainage facilities. Businesses and households may be charged a fee of up to fifty (50) percent of the actual cost of construction, maintenance, and operations, while cities provide the remaining fifty (50) percent. The fee charged to businesses is based on the number of employees and may not exceed two dollars (\$2.00) per full-time employee per month. Owners or occupants of residential properties are charged a fee per household which may not exceed two dollars (\$2.00) per month. The city does not currently have a street utility.

### **National Highway Systems Grants**

The Washington State Department of Transportation (WSDOT) awards grants for construction and improvement of the National Highway System (NHS). In order to be eligible, projects must be a component of the NHS and be on the regional Transportation Improvement Program (TIP). It is to include all interstate routes, a large percentage of urban and rural principal arterials, defense strategic highway networks, and strategic highway connectors. Funds are available on a 86.5 percent federal, 13.5 percent local match based on the highest ranking projects from the regional TIP list. Sedro-Woolley does currently have eligible projects. It is

not possible to forecast how much, if any, revenue the city would receive from this source.

### **Surface Transportation Program (STP) Grants**

Puget Sound Regional Council provides grants for road construction, transit, capital projects, bridge projects, transportation planning, and research and development. Projects must be on the regional TIP list and must be for roads with higher functional classifications than local or rural minor collectors. Funds are available on a 86.5 percent federal/13.5 percent local match based on highest ranking projects from the regional TIP list. Awarded values are based on eligible projects in the city's six-year Transportation Improvement Program. Actual revenue will be less if the city does not receive grants for all projects for which funding is sought.

### **Federal Aid Bridge Replacement Program Grants**

WSDOT provides grants on a state-wide priority basis for the replacement of structural deficient or functionally obsolete bridges. Funding is awarded on eighty (80) percent federal/twenty (20) percent local match.

### **Federal Aid Emergency Relief Grants**

WSDOT provides funding for restoration of roads and bridges on the federal aid system which are damaged by natural disasters or catastrophic failures. Funds are available on an eighty-three (83) percent federal/seventeen (17) percent local matching basis. Sedro-Woolley does not qualify for natural disaster relief at this time. Because emergencies cannot be predicted, it is not possible to forecast revenues from this source.

### **Urban Arterial Trust Account Grants (UATA)**

The Washington State Transportation Improvement Board (TIB) provides funding for projects to alleviate and prevent traffic congestion. In order to be eligible, roads should be structurally deficient, congested by traffic, and have geometric deficiencies, or a high incidence of accidents. Funds are

awarded on an eighty (80) percent federal/twenty (20) percent local matching basis.

### **Transportation Improvement Account Grants (TIA)**

The State TIB provides funding for projects to alleviate and prevent traffic congestion caused by economic development or growth. Eligible projects should be multi-agency, multi-modal, congestion and economic development-related, and partially funded locally. Funds are available on an eighty (80) percent federal/twenty (20) percent local matching basis.

### **Sanitary Sewer**

#### **Sewer District**

No sewer districts presently serve the planning area.

#### **User Fees**

The state authorizes cities, counties, and special purpose utility districts to collect fees from wastewater generators. Fees may be based on the amount of potable water consumed, or may be flat fees. Revenues may be used for capital facilities or operating and maintenance costs. Three million two hundred-twenty-five thousand dollars (\$3,225,000.00) was budgeted in Sedro-Woolley in 2015 from this source, all of which is for operating and maintenance costs.

#### **System Development Charges/Connection Fees**

The state authorizes a fee to connect to a sanitary sewer system based on capital costs of serving the new connection. For 2015, sixty-six thousand eight hundred fifty dollars (\$66,850.00) was budgeted from this revenue source in Sedro-Woolley, all of which is to be expended on improvements in the city's wastewater treatment system.

#### **Centennial Clean Water Fund**

The Department of Ecology (DOE) issues grants and loans for the design, acquisition, construction, and improvement of water pollution control facili-

ties and related activities to meet state and federal requirements to protect water quality. State grants and loans are available based on a twenty-five (25) percent to fifty (50) percent local matching share range. Future funding cannot be reliably forecast.

### **State Revolving Fund Loans**

DOE administers low-interest guarantees for water pollution control projects. Applicants must demonstrate water quality need, have a facility plan for water quality treatment, show ability to repay a loan through a dedicated source of funding, and conform to other state and federal requirements. Fund must be used for construction of water pollution control facilities (wastewater treatment plants, stormwater treatment facilities, etc). Revenues from this source are not forecast.

### **Solid Waste**

#### **Department of Ecology Grants**

The state awards grants to local government for a variety of programs related to solid waste, including a remedial action grant to assist with local hazardous waste sites, moderate risk/hazardous waste implementation grants, and waste composting grants. It is not possible to forecast revenue from this source.

### **Flood Control**

#### **Flood Control Special Purpose Districts**

RCW 86.15.160 authorizes flood control special purpose districts with independent taxing authority (up to a fifty cents (\$0.50) cents property tax levy limit without voter approval) to finance flood control capital facilities. In addition, the district can, with voter approval, use an excess levy to pay for general obligation debt. Sedro-Woolley does not have a flood control special purpose district.

**CAPITAL FACILITIES PROJECTS AND FUNDING SOURCES**

<b>Category/ Projects</b>	<b>Sanitary Sewer Capital Projects</b>	<b>School District Capital Projects</b>	<b>Fire Department Capital Projects</b>	<b>Police Department Capital Projects</b>	<b>Storm Water Capital Projects</b>	<b>Solid Waste Capital Projects</b>	<b>Parks Department Capital Projects</b>
Property tax revenue	X		X	X	X	X	X
Sales tax	X		X	X	X	X	X
Motor vehicle excise tax			X	X			
Real estate excise tax revenue	X				X		X
User fees	X				X	X	X
Utility taxes and fees	X				X		
School/city bonds & levies	X	X	X	X	X	X	X
State and federal loans and grants	X			X	X	X	X
State matching funds (school)		X					
LID & ULID assessments	X				X		
Connection fees	X						
Impact fee revenue		X	X	X			X
Interest income	X		X	X	X	X	X
Transfers from city sources	X		X	X	X	X	X
Donations			X				X

## **Stormwater Management**

### **Storm Drain Utility Fee**

The state authorizes cities and counties to charge a fee to support storm drain capital improvements. This fee is usually a flat rate per residential equivalency. Residential equivalencies are based on average amounts of impervious surface. Commercial property is commonly assessed a rate based on a fixed number of residential equivalencies. Sedro-Woolley has a stormwater utility. Residential is billed per unit. Non-residential is billed per 10,000 square feet of land. For 2015, \$365,000 was budgeted from this source for improvements to the city's stormwater infrastructure.

### **Storm Drainage Payment in Lieu of Assessment**

In accordance with state law, the city could authorize storm drainage charges in lieu of assessments. The city does not currently collect a storm drainage facility charge per acre upon issuance of a building permit. Revenues from this charge could be deposited in a special storm drainage reserve fund. Revenues from this fund could be used for capital improvements.

## **PROJECTS AND FUNDING SOURCES**

The preceding table identifies the source of funds that will pay for the capital facilities (sanitary sewer, schools, fire, police, storm water, and solid waste) improvement projects. A table outlining road projects and funding sources is located in the transportation element of this plan.



## CAPITAL FACILITIES GOALS AND POLICIES

**Goal CF1: Develop City facilities and services in a manner that directs and controls land use patterns and intensities consistent with the Land Use Element.**

Policy CF1.1: 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.

Policy CF1.2: “Concurrent Development” shall be defined as development the city of Sedro-Woolley is capable of providing within six years of the date of 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 CF1.3: 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 will be responsible for its fair share of capital improvement costs for existing deficiencies.

Policy CF1.4: Ensure that city planning 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.

**Goal CF2: To finance the city’s needed capital facilities in as economic, efficient, and equitable a manner as possible.**

Policy CF2.1: Update the six-year capital facilities plan annually prior to the city budget process. All city departments shall review changes to the CFP and participate in the annual review.

Policy CF2.2: The burden for financing capital improvements should be borne by the primary beneficiaries of new facilities.

Policy CF2.3: General city revenues should only be used for projects that provide a general benefit to the entire community.

Policy CF2.4: Work with citizens at a neighborhood level to establish local improvement districts (LIDs), wherein residents assess themselves to improve neighborhood facilities.

Policy CF2.5: Long-term borrowing for capital facilities is an appropriate method to finance large facilities which benefit multiple generations.

Policy CF2.6: Pursue funding from state and federal agencies as described in the six-year capital facilities plan.

Policy CF2.7: Fulfillment of development concurrency requirements shall not be based upon potential city income from state and federal agencies. Concurrency can only be met by existing financial capacity and awarded government funding.

Policy CF2.8: Wherever possible, self-supporting bonds will be used instead of tax-supported general obligation bonds.

**Goal CF3: To assure that capital improvements necessary to carry out the comprehensive plan are provided when they are needed.**

Policy CF3.1: 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 Financing Plan contained in this element.

Policy CF3.2: Coordinate land use and public works planning activities with an ongoing program of long-range financial planning, to conserve fiscal resources available to implement the capital facilities plan.

### **Sewer/Sanitary Policies**

Policy CF3.3 Maintain a safe, efficient and cost-effective sewage collection and treatment system.

Policy CF3.4 Require all new subdivisions to connect to City sewer

Policy CF3.5 Existing septic systems shall be replaced with city sewer when it is available. The city shall seek sources of financial aid to assist low-income residents with this cost.

Policy CF3.6 Monitor groundwater quality in areas of septic service on a timely basis.

Policy CF3.7 Update the sewer plan every six years on a rotating schedule with other capital facilities plans.

Policy CF3.8 Eliminate any point or non-point pollution sources associated with sewage transport and disposal.

Policy CF3.9 Monitor infiltration and inflow through routine television inspection. Conduct improvements to limit and reduce current infiltration and inflow.

Policy CF3.10 The following level of service guidelines should be used to determine the impacts of new development upon existing public facilities: [See description of level of service in the text. A facility with a rating equal to or worse than those listed is considered deficient and planning for improvements should commence.]

- Pipelines-Condition Level of Service 2, Capacity Level of Service D
- Pump Stations-Condition Level of Service 2, Capacity Level of Service D
- Wastewater Treatment Facility-Condition Level of Service 3, Capacity Level of Service D.
- Septic Tanks-Condition Level of Service 3

### **Solid Waste Policies**

Policy CF3.10: Maintain a cost-effective and responsive solid waste collection system.

Policy CF3.11: Manage solid waste collection methods to minimize litter and neighborhood disruption and quality of the urban development.

Policy CF3.12: Promote the recycling of solid waste materials through waste reduction and source separation. Develop educational materials on recycling and other waste reduction methods.

### **Storm and Surface Water Policies**

Policy CF3.13: Maintain a safe and cost-effective storm and surface water collection system.

Policy CF3.14: Establish controls to protect surface and groundwater quality. Educate the public on water quality issues.

Policy CF3.15: Design surface water systems to handle peak runoff flows and provide stormwater storage during high flow periods.

Policy CF3.16: Protect physical and biological integrity of wetlands, streams wildlife habitats and other identified sensitive and critical areas.

Policy CF3.17: Maintain water quality within the Skagit River and its tributaries in accordance with the National Pollutant Discharge Elimination System (NPDES) and State regulations.

Policy CF3.18: Carefully control development in areas with steep slopes where surface water runoff can create unstable conditions. Maintain natural vegetation for slope stabilization.

Policy CF3.19: Preserve natural stream environments along the Skagit River and Brickyard Creek. Comply with the Shoreline Management Act (SMA) regulations.

Policy CF3.20: ~~Encourage—Make~~ low-impact-development (LID) principals and LID BMPs the preferred and commonly used approach to site development to minimize impervious surfaces, native vegetation loss, and stormwater runoff, where feasible. to reduce stormwater infrastructure and improve water quality.

Policy CF3.21: Ensure that the quality of water leaving the city is essentially the same quality as water entering the city. Assert influence to ensure neighboring jurisdictions exercise responsibility in promoting good water quality.

Policy CF3.22: 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 CF3.23: Coordinate basin-wide surface water planning with the Skagit County Surface Water Management Department.

Policy CF3.24: Implement stormwater management actions identified in the SMAP to improve and/or reduce degradation of water quality in receiving waters.

Policy C3.25: Through Source Control program inspections, prevent and reduce pollutants in runoff from existing land uses and activities that discharge to the MS4.

## Library Policies

Policy CF3.~~2426~~: Maintain a safe, efficient and cost-effective library system.

Policy CF3.~~2527~~: Expand and improve services and programs to the library patrons.

Policy CF3.~~2628~~: Continue efforts to offer materials sharing services with other local and compatible library systems.

Policy CF3.~~2729~~: Provide meeting space and other facilities necessary for a state-of-the-art library system.

Policy CF3.~~2830~~: Continue working toward the funding, design and construction of a new library facility that will better meet the needs of a growing population.

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**Sedro-Woolley  
School District #101**

**Capital Facilities Plan  
2022**

**Sedro-Woolley School District  
801 Trail Road  
Sedro-Woolley, WA 98284  
(360) 855-3500**

**Adopted November 8, 2021  
by the Board of Directors**

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## I. INTRODUCTION

The purpose of this Capital Facilities Plan is to provide a verifiable estimate of the present and future construction and capital facilities needs for the Sedro-Woolley School District No. 101 (“District”), and the basis for requesting the imposition of school impact fees by Skagit County, the City of Sedro-Woolley, a small portion of the City of Mount Vernon, and the towns of Lyman and Hamilton. This Capital Facilities Plan contains all elements required under Washington’s Growth Management Act (the “GMA”).

Documenting the statutory and District requirements are essential for the planning of capital facility improvements, expansions, and new construction. Such criteria can provide information needed in making major decisions. The information can be used to accomplish the following:

1. Demonstrate the need for capital facilities and the costs required to administer, plan, and construct them in the most cost effective manner;
2. Identify the annual budget necessary for District operations;
3. Identify available sources of revenue; and
4. Demonstrate the District’s financial position in order to obtain better ratings on bond issues.

State law requires school districts to document their long-range construction and modernization needs within strict guidelines for State assistance in funding capital improvements. Moreover, the GMA requires counties of a certain size and the cities in these counties to prepare comprehensive plans. Such jurisdictions are required to develop a capital facilities plan as a component of these comprehensive plans. While the GMA does not specifically require school districts to adopt capital facilities plans, a district must prepare a capital facilities plan that is adopted as part of a city’s or county’s comprehensive plan in order to be eligible to receive school impact fees under the GMA. This Capital Facilities Plan will be used to coordinate the District’s long-range facility needs with the comprehensive planning process under the GMA for the City of Sedro-Woolley, the City of Mount Vernon, the Town of Lyman, the Town of Hamilton, and Skagit County.

It is expected that this Capital Facilities Plan will be amended on a regular basis to take into account changes in the capital needs of the District and changing enrollment projections. The fee schedules will also be adjusted accordingly.

The District’s October 1, 2020, permanent capacity was 3,160, and the head count (HC) enrollment on October 1, 2020, was 4,170. This figure is down from enrollment of 4,431 on October 2019 – prior to the global pandemic. The District anticipates, post-pandemic, a return to the pre-2020 enrollment trends, with actual October 2021 enrollment showing the expected upward trend. Using this assumption, enrollment projections indicate that there will be 4,806 students enrolled in the District in the 2026-27 school year (see Section IV.A).

## II. STANDARD OF SERVICE

The District uses the following ratios of teachers-to-students to meet their education objectives for program planning:

Elementary K-3	17
Elementary 4-6	27
Middle School (grades 7th - 8th)	27
High School (grades 9th - 12th)	27

These ratios are used for determining educational program capacity in existing schools and for the planning of new school facilities. Future updates to this CFP will include any changes resulting from implementation of reduced class size requirements.

At the elementary level, the educational program capacity can generally be determined by taking the number of elementary classrooms available District-wide for regular education program use and applying the teacher-to-student ratio (17 for K-3 and 27 for 4-6) for a total count of elementary student capacity. The educational program capacity takes into consideration full-day kindergarten and reduced K-3 class size requirement.

At the middle school level, different variables are considered in order to calculate the practical capacity of the facility. These factors include the following: students move between classes four periods per day, teachers use their classes one period per day as teacher preparation time, and six core subjects are required each semester, including math, language arts, reading, science/health, social studies, and physical education.

The facility capacity for the high school takes into consideration that both teachers and students move between classes and that the course structure for the high school students has many variables. Required course work must be completed prior to graduation, but there is a great deal of flexibility as to when classes may be taken. The base requirements are as follows:

Credits	Subject
0	Cumulating Project
4	English
3	Mathematics
3	Social Studies
3	Science
1	Occupational Education
2	Physical Education
1	Health
1	Fine Arts
1	Communications
1	Digitools
<u>11</u>	<u>Electives</u>
<b>31</b>	<b>Total</b>

Space needs in all school buildings, particularly at the middle and high school levels, include libraries, gymnasiums, areas for special programs and classes, teacher planning space, and other core facilities.

### III. INVENTORY OF EXISTING FACILITIES

The District currently has permanent capacity for 3,160 students. Additional capacity is available in portable facilities that are designated for regular classroom use.

#### Instructional Facilities

Facility	Square Footage	Location	Total Classrooms <sup>1</sup>	Regular Classrooms <sup>2</sup>	Student Capacity <sup>3</sup>
Sedro-Woolley High School	187,612 sq. ft.	1235 Third Street Sedro-Woolley, WA 98284	52(2)	43(2)	1,161(54)
Cascade Middle School	113,697 sq. ft.	201 North Township Sedro-Woolley, WA 98284	34	26	702
Central Elementary	44,100 sq. ft.	601 Talcott Sedro-Woolley, WA 98284	19(7)	13(7)	221(159)
Evergreen Elementary	58,110 sq. ft.	1111 McGarigile Road Sedro-Woolley, WA 98284	26(8)	17(6)	289(126)
Mary Purcell Elementary	40,450 sq. ft.	700 Bennett Sedro-Woolley, WA 98284	15(12)	12(12)	204(244)
Clear Lake Elementary	31,510 sq. ft.	2167 Lake Avenue Clear Lake, WA 98235	9(7)	7(7)	119(147)
Big Lake Elementary	20,780 sq. ft.	1676 Highway 9 Mount Vernon, WA 98273	8(8)	7(8)	119(168)
Samish Elementary	23,775 sq. ft.	2195 Highway 9 Sedro-Woolley, WA 98284	11	9	162
Lyman Elementary	19,219 sq. ft.	Lyman Avenue Lyman, WA 98263	8(2)	6(2)	102(42)
State Street High School	7,000 sq. ft.	800 State Street Sedro-Woolley, WA 98284	4(2)	3(2)	81(54)
<b>TOTAL</b>	<b>546,253 sq. ft.</b>				<b>3,160(994)</b>

<sup>1</sup> Portable facilities indicated in parenthesis.

<sup>2</sup> Classrooms available for general education program and not including special education classrooms and special program spaces. Portable capacity included in parenthesis.

<sup>3</sup> Capacity calculations are based on District Standards as identified in Section II above. Portable capacity included in parenthesis.



**Administrative Facilities**

Sedro-Woolley School  
Administrative Office

801 Trail Road  
Sedro-Woolley, WA 98284

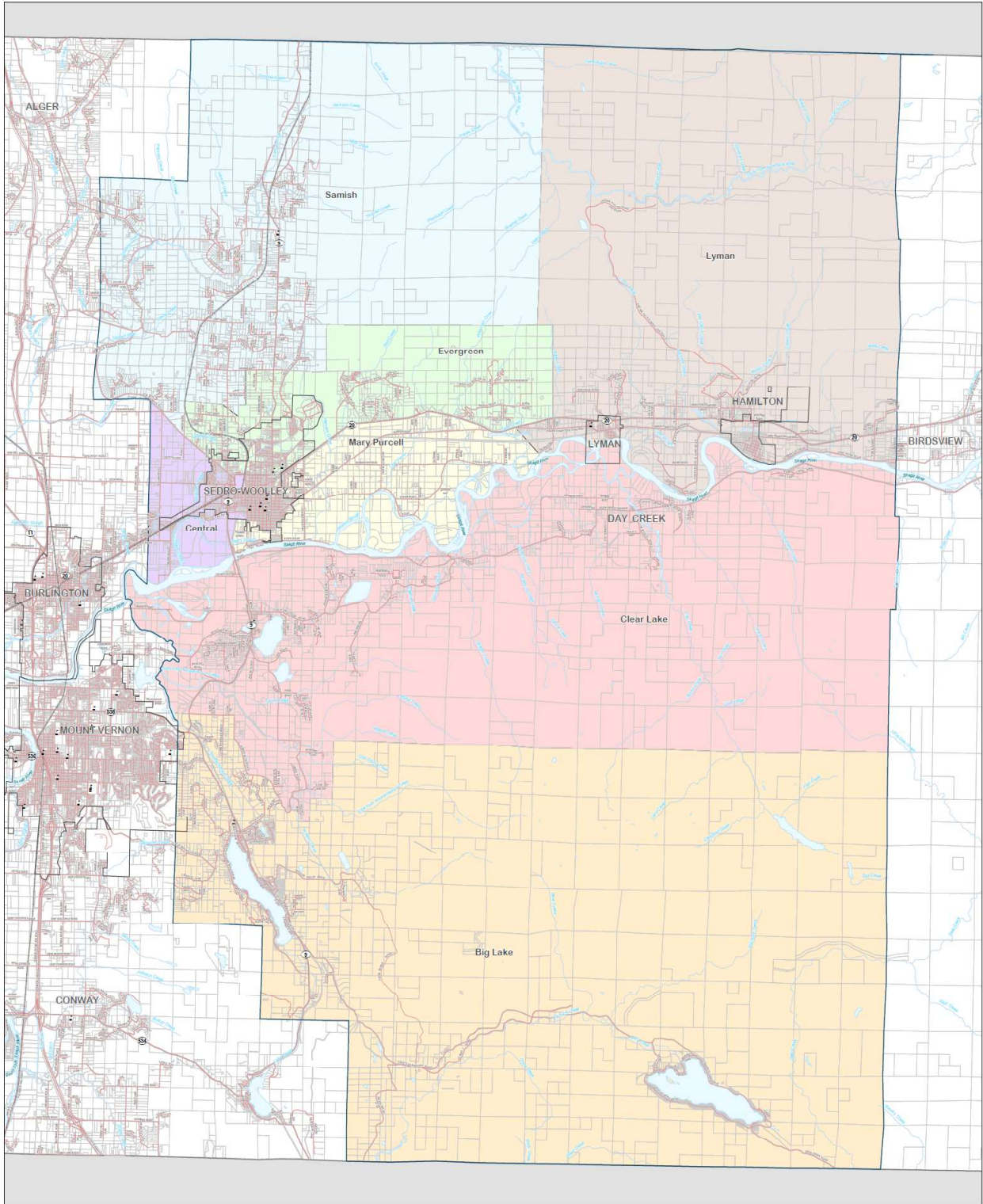
Sedro-Woolley School District  
Office

2079 Cook Road  
Sedro-Woolley, WA 98284

Support Services Building

317 Yellow Lane  
Sedro-Woolley, WA 98284

# Map of the District



#### IV. CAPITAL FACILITIES NEEDS

##### A. Enrollment Projections

The need for new school facilities is directly related to population and other demographic trends such as birth rate, housing, and employment trends. These demographic trends are an important tool in predicting the educational service needs of this community, and the location, size, and capacity of new school facilities.

Demographic information gathered by Skagit County in the GMA planning process indicates that population in the County is expected to increase in the future by approximately 35,751 new residents across the County by 2036, including 4,555 new residents in the Sedro-Woolley urban growth area. *Source:* Skagit County Growth Management Act Steering Committee 2014 adopted population target (2016 Skagit County Comprehensive Plan). In 2017, Skagit County adopted the *Skagit Population, Employment, and Housing Growth Monitoring Program: 2017 Baseline Growth Monitoring Report* to establish a baseline for analyzing trends. The most recent published Growth Monitoring Report, from 2019, identifies that population growth rates are higher than forecasted since the 2017 baseline and the majority of new housing growth is trending towards multi-family residential development. The two-year change for the Sedro-Woolley urban growth area showed an increase of 766 residents, with a 3.1% annual growth rate, and a projected continuing upward growth trends through 2036. Additional school facilities will be needed to serve this increase in population.

The District's enrollment projections were prepared by an independent demographer (Teater-Crocker, Inc.). The demographer reviewed District-specific historical enrollment data, births and births forecasts, projected changes in the Skagit County population, and trends and forecasts of the county K-12 population within the District. Using this data, the demographer prepared four different forecasts of future enrollment. The District is using the "Cohort Survival Model (Linear K)" projection for purposes of projecting student enrollment through 2026. *See Appendix A.* The Cohort Survival Model (Linear K) projection identifies the linear trend for enrollment based on historical data (including historical kindergarten enrollments). The global pandemic occurred subsequent to the demographer's final report and District enrollment declined by 261 students between October 2019 and October 2020. The District anticipates much of this decline was a combination of deferred kindergarten enrollment and families opting for alternative learning during remote instruction. With the return to in-person learning, the District expects enrollment to stabilize and return to 2019-levels. As such, this update continues to use the 2019 Teater-Crocker projections. Actual October 2021 headcount enrollment is at 4,289 students across the District, supporting a gradual upward trend despite continuing effects of the pandemic. The District will continue to closely monitor actual enrollment and development within the District. Future updates to the Capital Facilities Plan will include updated enrollment data.

**Summary - District Enrollment Projections: 2019-2027**

Year	2019/2020 <sup>4</sup>	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	Increase 2019-2027
Projections	4,431/4,170	4,732	4,810	4,853	4,882	4,911	4,940	11.49%

The enrollment data in Appendix A projects that, over the next six years, the District’s enrollment is expected to increase at a healthy rate at all grade levels over the six year planning period. Section B below identifies the forecast of future need as compared to existing school capacity.

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<sup>4</sup> Actual October 1, 2019 and 2020 enrollment (Source: OSPI).

**B. Forecast of Future Need and School Capacity Summary**

Based upon the District’s enrollment forecast, standard of service, current inventory and capacity, and future planned classroom spaces, the District’s capacity summary over the six year planning horizon is as follows:

<b>ELEMENTARY SCHOOL FACILITIES</b>	<b>Actual Oct. 2020</b>	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>2026-27</b>
Permanent Capacity	1,297	1,297	1,297	1,297	1,297	1,297	1,797
Portables*	940	940	940	940	940	940	940
Capacity Additions						500	
Enhanced Capacity (Perm + Portables)	2,237	2,237	2,237	2,237	2,237	2,737	2,737
Projected Enrollment	2,202	2,485	2,520	2,501	2,513	2,525	2,537
Permanent Capacity Surplus/(Deficit)	-905	-1188	-1223	-1204	-1216	-1228	-740
Enhanced Capacity Surplus/(Deficit)*	35	-248	-283	-264	-276	212	200

New Elementary School - 2025

<b>MIDDLE SCHOOL FACILITIES</b>	<b>Actual Oct. 2020</b>	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>2026-27</b>
Permanent Capacity	702	702	702	702	702	702	702
Portables							
Capacity Additions							
Enhanced Capacity (Perm + Portables)	702	702	702	702	702	702	702
Projected Enrollment	689	765	739	755	780	805	830
Permanent Capacity Surplus/(Deficit)	13	-63	-37	-53	-78	-103	-128
Enhanced Capacity Surplus/(Deficit)	13	-63	-37	-53	-78	-103	-128

<b>HIGH SCHOOL FACILITIES</b>	<b>Actual Oct. 2020</b>	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>2026-27</b>
Permanent Capacity	1,161	1,161	1,161	1,161	1,161	1,161	1,161
Portables	54	54	54	54	54	54	54
Capacity Additions							
Enhanced Capacity (Perm + Portables)	1,215	1,215	1,215	1,215	1,215	1,215	1,215
Projected Enrollment	1,279	1,482	1,551	1,597	1,589	1,581	1,573
Permanent Capacity Surplus/(Deficit)	-118	-321	-390	-436	-428	-420	-412
Enhanced Capacity Surplus/(Deficit)	-64	-267	-336	-382	-374	-366	-358

\*Table does not include planned portable additions/relocations over the six year period.

### C. Planned Improvements

The following is a brief outline of the District's plans to accommodate projected student enrollment through the 2026-27 school year based on the enrollment projections in Appendix A and the forecast of future need in the tables in Section IV(B) above. To the extent these improvements address *growth related* capacity needs, their costs can be partially financed with impact fees.

School Projects: Including School Replacements, Additions and Renovations

- Subject to available funding, add portables at various school facilities.
- Subject to voter approval of a capital bond, construct a new 500 student elementary school. The District will need to acquire approximately 20 acres of real property for the siting of the new elementary school.

## V. FINANCING PLAN

The District's Board of Directors voted in October 2017 to send a \$79.5 million bond proposal to the voters for consideration in February 2018 to replace and add capacity at Evergreen Elementary School and address issues at various school buildings. The February 2018 bond did not receive the required votes for approval by the District's voters. The District again asked the voters in November 2018 to approve a \$44.5 million bond to address the needs at Evergreen Elementary School but that bond also failed to gain approval. Following a review of capacity needs, the District currently plans, subject to Board action, to request voter approval in 2024 of a bond proposal for construction of a new elementary school.

In general, the funding sources for the District's capital facilities needs include:

1. General obligation bonds;
2. GMA impact fees and mitigation payments; and
3. State funding assistance on eligible projects.

**Improvements Adding Capacity to Serve New Growth (Costs in Millions)\*\***

Project	2021	2022	2023	2024	2025	2026	Total Cost	Bonds/ Local Funds	Projected State Match	Impact Fees
<b>Elementary</b>										
New Elementary School^^				\$25	\$20	\$10	\$55M	X	X	X
Site Acquisition^				\$10			\$10M	X		X
<b>Middle School</b>										
N/A										
<b>High School</b>										
N/A										
<b>District-wide</b>										
Portables (various facilities – timing TBD)							\$1M	X		X

^Estimated land costs

^^Estimated total project costs; impact fee formula uses construction costs only.

**Other Improvements (Costs in Millions)**

Project	2021	2022	2023	2024	2025	2026	Total Cost	Bonds/ Levies	Projected State Match	Impact Fees
<b>Elementary</b>										
N/A										
<b>Middle</b>										
N/A										
<b>High School</b>										
N/A										
<b>District-wide</b>										
N/A										



## **VI. IMPACT FEES**

New developments built within the District will generate additional students, who will create the need for new school facilities. The District, with the help of a consultant, developed student generation rates for single family and multi-family dwelling units. The student generation rates measure the number of students, on average, residing in recently constructed housing units within the District. *See Appendix B.* The consultant provided student generation rates for the school years 2019-20 and 2020-21 to evaluate the impacts, if any, of the pandemic on student enrollment trends. Because the different years did not yield significantly different results, the District is using the most current data for purposes of this Capital Facilities Plan update.

The impact fee formula takes into account the cost of the capital improvements identified in this Capital Facilities Plan that are necessary as a result of new growth. It calculates the fiscal impact of each single-family or multi-family development in the District based on the District's student generation rates. The formula also takes into account the taxes that will be paid by these developments and the funds that could be provided at the local and state levels for the capital improvements. *See Appendix C.*

School impact fees are authorized by the GMA, but must be adopted by the Skagit County Board of Commissioners for the District in order to apply to that portion of the District located in unincorporated Skagit County. The fees must be separately adopted by the Sedro-Woolley City Council, the Mount Vernon City Council, the Hamilton Town Council, and the Lyman Town Council in order to apply to developments located with those jurisdictions.

The District's impact fee formula includes the construction costs of the planned new elementary school project.

### **2021 SCHOOL IMPACT FEE SCHEDULE**

Impact Fee per Single Family Dwelling Unit:	\$ 4,461
Impact Fee per Multi-Family Dwelling Unit:	\$ 2,888

**APPENDIX A  
ENROLLMENT DATA**

## SEDRO-WOOLLEY SCHOOL DISTRICT SUMMARY OF GRADE LEVEL SPAN MODELS – 10 YEARS

Elementary	19 - 20	20 - 21	21 - 22	22 - 23	23 - 24	24 - 25	25-26	26-27	27-28	28-29
History										
% Change	2,532	2,594	2,658	2,724	2,791	2,860	2,928	2,997	3,066	3,135
Regression	2,547	2,606	2,666	2,725	2,785	2,844	2,904	2,963	3,023	3,082
Cohort (Linear K)	2,483	2,491	2,485	2,520	2,501	2,513	2,525	2,537	2,549	2,561
Cohort (Nativity K)	2,473	2,471	2,471	2,489	2,448	2,433	2,418	2,403	2,387	2,372
Student per Housing Unit	2,493	2,515	2,537	2,558	2,580	2,602	2,624	2,646	2,668	2,690
Lower Estimate	2,322	2,353	2,377	2,410	2,413	2,425	2,438	2,451	2,464	2,477
Best Estimate	2,449	2,482	2,513	2,554	2,576	2,609	2,641	2,674	2,706	2,738
Higher Estimate	2,577	2,612	2,649	2,698	2,740	2,792	2,844	2,896	2,948	3,000

Middle										
History										
% Change	723	739	755	771	788	805	821	838	855	872
Regression	678	691	703	716	729	741	754	767	779	792
Cohort (Linear K)	730	746	765	739	755	780	805	830	855	880
Cohort (Nativity K)	730	746	765	739	755	780	805	830	855	880
Student per Housing Unit	712	719	725	732	738	744	751	757	764	770
Lower Estimate	643	653	664	655	665	679	693	707	722	736
Best Estimate	772	788	805	807	823	843	862	881	900	920
Higher Estimate	901	923	946	959	982	1,006	1,030	1,055	1,079	1,104

High										
History										
% Change	1,306	1,283	1,260	1,237	1,214	1,193	1,171	1,149	1,127	1,105
Regression	1,221	1,188	1,155	1,122	1,090	1,057	1,024	991	958	925
Cohort (Linear K)	1,318	1,395	1,482	1,551	1,597	1,589	1,581	1,573	1,565	1,557
Cohort (Nativity K)	1,318	1,395	1,482	1,551	1,597	1,589	1,581	1,573	1,565	1,557
Student per Housing Unit	1,291	1,307	1,323	1,339	1,354	1,370	1,386	1,402	1,418	1,434
Lower Estimate	1,236	1,207	1,172	1,138	1,107	1,079	1,052	1,025	998	971
Best Estimate	1,279	1,292	1,309	1,319	1,322	1,307	1,291	1,276	1,261	1,246
Higher Estimate	1,321	1,378	1,445	1,499	1,537	1,534	1,530	1,527	1,524	1,521

Source: Teater-Crocker, 2019

**APPENDIX B  
STUDENT GENERATION RATES**



## MEMORANDUM

**DATE:** May 30, 2021

**TO:** Brett Greenwood, Executive Director of Operations, Sedro-Woolley School District

**FROM:** Kevin Gifford, Senior Associate, BERK Consulting

**RE:** Sedro-Woolley School District Findings for Student Generation Rates

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### Introduction

This memorandum contains findings for the Sedro-Woolley School District's 2021 student generation rates (SGR). Student generation rates provide an estimate of the number of students associated with a given level of residential growth. BERK was contracted to provide analysis of student enrollment and district housing data to determine SGR's for the past two school years, 2019-2020 and 2020-2021.

### Analysis Methodology

To calculate the SGR's, BERK used current student address data provided by the District<sup>1</sup> and current land use and property records available from the Skagit County Assessor. BERK geocoded student addresses using GIS software and matched address points to County property records; each matched address was classified as single-family or multifamily, based on County property records. For purposes of this analysis, housing types were classified as follows:

- Single Family:
  - Detached single-family houses,
  - Attached townhomes;
  - Agricultural properties with an associated residence; and
  - Mobile homes.
- Multifamily:
  - Duplexes, triplexes, and four-plexes;
  - Apartments; and
  - Condominiums.

In general, SGR's are calculated by dividing the number of students enrolled and living within the District by the number of housing units located in the District. Typically, only housing units constructed recently (within the last 5-10 years) are included in order to more closely reflect recent development trends in the area. For purposes of this analysis, SGR by grade level was calculated based on:

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<sup>1</sup> Some provided student addresses either could not be accurately geolocated or corresponded to parcels with no verifiable residential uses present. Addresses corresponding to temporary lodgings (hotels, motels, etc.) were also excluded, as were properties where the year of building construction could not be verified.



1. Housing units inside the District boundaries and constructed within the last 5 years (2015-2020 for the 2019-2020 school year and 2016-2021 for the 2020-2021 school year); and
2. The number of enrolled students currently living at those addresses.

Housing units constructed and associated student population are presented in Exhibit 1.

**Exhibit 1. District Housing Units and Student Population**

Housing Units and Student Population	2015-2020	2016-2021
<b>Housing Units Constructed</b>		
Single Family	470	376
Multifamily	44	44
<b>Total</b>	<b>514</b>	<b>420</b>
<b>Students Living in Units Constructed</b>		
Single Family	174	127
Multifamily	8	9
<b>Total</b>	<b>182</b>	<b>136</b>

Sources: Sedro-Woolley School District, 2021; Skagit County Assessor, 2021.

### Findings for Student Generation Rates

Exhibit 2 and Exhibit 3 show the results of the SGR analysis by grade band and grade level for both the 2019-2020 and 2020-2021 school years. Empty cells indicate grade levels where no students enrolled for the associated school year lived in housing units constructed within the previous 5-year period. This is more common for multifamily units due to the relatively small amount of multifamily housing constructed in the district since 2015.

By expanding the date range beyond the previous five years, it is possible to capture a larger number of students and housing units, thereby achieving greater coverage for multifamily units. However, as more older housing units are included, the results are less representative of current development trends.

**Exhibit 2. Sedro-Woolley School District Student Generation Rates by Grade Band**

<b>Sedro-Woolley School District Student Generation Rates by Grade Level</b>				
<b>Grade</b>	<b>2019-2020 School Year</b>		<b>2020-2021 School Year</b>	
	<b>Single Family</b>	<b>Multifamily</b>	<b>Single Family</b>	<b>Multifamily</b>
<b>K-6</b>	0.215	0.114	0.215	0.136
<b>7-8</b>	0.066	0.023	0.053	0.023
<b>9-12</b>	0.089	0.045	0.069	0.045
<b>Total (All Grades)</b>	<b>0.370</b>	<b>0.182</b>	<b>0.338</b>	<b>0.205</b>

**Exhibit 3. Sedro-Woolley School District Student Generation Rates by Grade Level**

<b>Sedro-Woolley School District Student Generation Rates by Grade Level</b>				
	<b>2019-2020 School Year</b>		<b>2020-2021 School Year</b>	
<b>Grade</b>	<b>Single Family</b>	<b>Multifamily</b>	<b>Single Family</b>	<b>Multifamily</b>
<b>P1</b>	0.002	-	-	-
<b>P2</b>	0.002	-	0.003	-
<b>P3</b>	0.004	-	0.003	-
<b>P4</b>	0.004	-	-	-
<b>Kindergarten</b>	0.004	-	0.024	-
<b>Grade 1</b>	0.043	0.023	0.037	0.023
<b>Grade 2</b>	0.023	-	0.021	-
<b>Grade 3</b>	0.034	0.045	0.035	0.068
<b>Grade 4</b>	0.036	0.023	0.029	0.023
<b>Grade 5</b>	0.030	0.023	0.027	0.023
<b>Grade 6</b>	0.032	-	0.037	-
<b>Grade 7</b>	0.045	-	0.040	-
<b>Grade 8</b>	0.021	0.023	0.013	0.023
<b>Grade 9</b>	0.026	-	0.024	-
<b>Grade 10</b>	0.026	0.023	0.016	0.023
<b>Grade 11</b>	0.019	0.023	0.016	0.023
<b>Grade 12</b>	0.019	-	0.013	-
<b>Total (All Grades)</b>	<b>0.370</b>	<b>0.182</b>	<b>0.338</b>	<b>0.205</b>

*Note: Empty cells (-) reflect grade levels that did not have any enrolled students living in housing units constructed during the study period for that school year.*

*Sources: Sedro-Woolley School District, 2021; Skagit County Assessor, 2021.*

**APPENDIX C  
SCHOOL IMPACT FEE CALCULATIONS**



<b>Sedro-Woolley School District</b>							
<b>2021</b>							
<b>School Site Acquisition Cost:</b>							
((AcresxCost per Acre)/Facility Capacity)xStudent Factor							
	Facility	Cost/	Facility	Student	Student	Cost/	Cost/
	Acreage	Acre	Capacity	SFR	MFR	SFR	MFR
Elementary	0.00	\$ -	500	0.215	0.136	\$0	\$0
Junior	0.00	\$ -	735	0.053	0.023	\$0	\$0
High	0.00	\$0	1,400	0.069	0.045	\$0	\$0
						\$0	\$0
<b>School Construction Cost:</b>							
((Facility Cost/Facility Capacity)xStudent Factor)x(Permanent/Total Sq Ft)							
	%Perm/	Facility	Facility	Student	Student	Cost/	Cost/
	Total Sq.Ft.	Cost	Capacity	Factor	Factor	SFR	MFR
Elementary	92.70%	\$ 42,000,000	500	0.215	0.136	\$16,742	\$10,590
Junior	92.70%	\$ -	735	0.053	0.023	\$0	\$0
High	92.70%	\$ -	168	0.069	0.045	\$0	\$0
						\$16,742	\$10,590
<b>Temporary Facility Cost:</b>							
((Facility Cost/Facility Capacity)xStudent Factor)x(Temporary/Total Square Feet)							
	%Temp/	Facility	Facility	Student	Student	Cost/	Cost/
	Total Sq.Ft.	Cost	Size	SFR	MFR	SFR	MFR
Elementary	7.30%		21	0.215	0.136	\$0	\$0
Junior	7.30%	\$ -	25	0.053	0.023	\$0	\$0
High	7.30%	\$ -	25	0.069	0.045	\$0	\$0
					<b>TOTAL</b>	\$0	\$0
<b>State Funding Assistance Credit:</b>							
CCA x OSPI Square Footage x Funding Assistance % x Student Factor							
	Current	OSPI Square	District	Student	Student	Cost/	Cost/
	CCA	Footage	Funding %	SFR	MFR	SFR	MFR
Elementary	\$ 238.22	90	63.98%	0.215	0.136	\$2,949	\$1,866
Junior	\$ 238.22	117	0.00%	0.053	0.023	\$0	\$0
High	\$ 238.22	130	0.00%	0.069	0.045	\$0	\$0
					<b>TOTAL</b>	\$2,949	\$1,866
<b>Tax Payment Credit:</b>							
Average Assessed Value						SFR	MFR
						\$353,208	\$160,067
Capital Bond Interest Rate						2.44%	2.44%
Net Present Value of Average Dwelling						\$3,100,905	\$1,405,270
Years Amortized						10	10
Property Tax Levy Rate						\$0.3374	\$0.3374
Present Value of Revenue Stream						\$1,046	\$474
<b>Fee Summary:</b>				Single	Multi-		
				Family	Family		
Site Acquisition Costs				\$0	\$0		
Permanent Facility Cost				\$16,742	\$10,590		
Temporary Facility Cost				\$0	\$0		
State Funding Credit				(\$2,949)	(\$1,866)		
Tax Payment Credit				(\$1,046)	(\$474)		
FEE (AS CALCULATED)				\$12,746	\$8,250		
<b>FEE (Adjusted 65%)</b>				<b>\$4,461</b>	<b>\$2,888</b>		

# Exhibit C

To Ordinance No. 2014-22

## Amendments to the Land Use Element of the Sedro-Woolley Comprehensive Plan

## **Chapter 15.60**

### **IMPACT FEES FOR PLANNED FACILITIES\***

Sections:

- 15.60.010 Authority and purpose.**
- 15.60.015 Definitions.**
- 15.60.020 Applicability.**
- 15.60.030 Geographic scope.**
- 15.60.040 Imposition of transportation impact fees.**
- 15.60.050 Transportation fee schedules and establishment of service area.**
- 15.60.060 Calculation of transportation impact fees.**
- 15.60.070 Park impact fee and establishment of service area.**
- 15.60.080 Calculation of park impact fees.**
- 15.60.090 Fire department impact fee and establishment of service area.**
- 15.60.100 Calculation of fire department impact fees.**
- 15.60.110 Payment of fees.**
- 15.60.120 Project list.**
- 15.60.130 Funding of projects.**
- 15.60.140 Refunds.**
- 15.60.150 Appeals.**
- 15.60.160 Relationship to SEPA.**
- 15.60.170 Relationship to concurrency.**
- 15.60.180 Necessity of compliance.**

\* Prior ordinance history: Ords. 1314-98, 1331-99, 1424-02 and 1452-03.

#### **15.60.010 Authority and purpose.**

A. This title is enacted pursuant to the city's police powers, the Growth Management Act as codified in Chapter 36.70A RCW, the enabling authority in Chapter 82.02 RCW, Chapter 58.17 RCW relating to platting and subdivisions, and the State Environmental Policy Act (SEPA) Chapter 42.21C RCW.

B. The purpose of this title is to:

1. Develop a transportation impact fee program consistent with the Sedro-Woolley Comprehensive Plan (2005) the Six-Year Transportation Improvement Program (2005), and capital facilities plans for joint public and private financing of transportation, park and fire department improvements necessitated in whole or in part by development in the city;
2. Ensure adequate levels of transportation, traffic, park and fire department service within the city consistent with the comprehensive plan;
3. Create a mechanism to charge and collect fees to ensure that all new development bears its proportionate share of the capital costs of off-site facilities directly necessitated by new development, in order to provide an adequate level of service consistent with the comprehensive plan;

4. Ensure that the city pays its fair share of the capital costs of transportation, park and fire department facilities necessitated by public use of the transportation, park, and fire department systems; and

5. Ensure fair collection and administration of such impact fees.

C. The provisions of this chapter shall be liberally construed to effectively carry out its purpose in the interests of the public health, safety and welfare. (Ord. 1555-06 § 1 (part), 2006)

**15.60.015 Definitions.**

The following are definitions provided for administering the impact fee ordinance. The public works director shall have the authority to resolve questions of interpretation or conflicts between definitions.

A. "Adequate level of transportation service" means a system of transportation facilities which have the capacity to serve development without decreasing levels of service below the city's established minimum as determined by SWMC Chs. 15.40, 15.56, and adopted plans and ordinances.

B. "Adequate level of parks service" means a system of parks facilities which have the capacity to serve development without decreasing levels of service below the city's established minimums as determined by adopted plans and ordinances.

C. "Adequate level of fire department service" means a system of fire department facilities which have the capacity to serve development without decreasing levels of service below the city's established minimums as determined by adopted plans and ordinances.

D. "Capacity" means the maximum sustainable flow rate at which vehicles or persons can be expected to traverse a point or uniform segment of a lane or roadway during a specified time period, usually expressed as vehicles per hour, passengers per hour, or persons per hour.

E. "Development activity" means any construction or expansion of a building, or structure, or use, or any changes in the use of land, that creates additional demand and need for public facilities.

F. "Director" means the director of the department of public works of the city of Sedro-Woolley or his/her designee.

G. "Finance director" means the clerk-treasurer of the city of Sedro-Woolley or his/her designee.

H. "Impact fee" means a payment of money imposed upon development approval to pay for public streets and roads, parks and fire department facilities needed to serve new growth and development, and that is reasonably related to the new development that creates additional demand and need for public streets and roads, parks and fire department facilities that is a proportionate share of the cost of the public streets and roads, parks and fire department facilities and that is used for public streets and roads, parks and fire department facilities that reasonably benefit the new development. "Impact fee" does not include a reasonable permit or application fee otherwise established by city council resolution, nor mitigation required by SEPA or other ordinance.

I. "Jurisdiction" means a municipality or county.

J. "Off-site transportation road improvement" means improvement, except a frontage improvement, to an existing or proposed city road or street outside the boundaries of a development, which

improvement is required or recommended in accordance with this title. “Off-site parks improvement” means improvement to an existing or proposed park facility outside the boundaries of a development, which improvement is required or recommended in accordance with this title.

K. “Off-site fire department improvement” means improvement to an existing or proposed fire department facility outside the boundaries of a development, which improvement is required or recommended in accordance with this title.

L. “Parks” means public parks; public recreational, community, cultural or civic facilities (including, without limitation senior centers and youth centers); public trails; and any other similar public facilities identified in the parks plan.

M. “Parks plan” means those specific projects and/or classes of projects for the development and/or improvement of public parks identified within the parks element of the Sedro-Woolley capital facilities plan, as may from time to time be amended.

N. “Project improvements” means site improvements and facilities that are planned and designed to provide service for a particular development project that are necessary for the use and convenience of the occupants or users of the project, and are not system improvements. No improvement or facility included in the capital facilities plan approved by the city council shall be considered a project improvement.

O. “Service area” means a geographic area defined by ordinance or intergovernmental agreement in which a defined set of public streets and roads, parks and fire department facilities provide service to the development within the area.

P. “Six-year transportation improvement program (TIP)” means a subset of projects contained in the city’s capital improvement program. The TIP is a set of comprehensive street programs/projects which after a public hearing is annually adopted by the city council for the purpose of advancing plans for not less than six years as a guide for carrying out the coordinated transportation/street construction program. The six-year TIP shall contain a small group of capacity projects which will be considered reasonably funded for determining transportation concurrency and impact fees. The adoption of the six-year TIP will obligate the city to actively pursue funds as to implement the capacity component of the transportation improvement program as best possible with the available resources.

Q. “System improvements” means public facilities that are included in the capital facilities plan and are designed to provide service areas within the community at large, in contrast to project improvements. (Ord. 1555-06 § 1 (part), 2006)

#### **15.60.020 Applicability.**

A. The requirements of this chapter apply to all development activity in the city of Sedro-Woolley.

B. Mitigation of impacts on transportation, park, and fire department facilities located in jurisdictions outside the city will be required when:

1. The other effective jurisdiction has reviewed the development’s impact under its adopted impact fee/mitigation regulations and has recommended to the city that the city impose a requirement to mitigate the impacts; and

2. There is an interlocal agreement between the city and the effective jurisdiction specifically addressing transportation, park or fire department impact identification and mitigation. (Ord. 1555-06 § 1 (part), 2006)

**15.60.030 Geographic scope.**

The boundaries within which impact fees shall be charged and collected are co-extensive with the corporate city limits, and shall include all unincorporated areas annexed to the city on and after the effective date of the ordinance codified in this chapter. After the adoption of interlocal agreements with other local and regional governments, geographic boundaries may be expanded consistent therewith to include the unincorporated urban growth area as identified in the current comprehensive plan map as now adopted or hereafter amended. (Ord. 1555-06 § 1 (part), 2006)

**15.60.040 Imposition of transportation impact fees.**

A. The approving authority is hereby authorized to impose impact fees on new development according to the provisions of this chapter.

B. Impact Fees.

1. Shall only be imposed for system improvements that are reasonably related to the new development;
2. Shall not exceed a proportionate share of the costs of system improvements that are reasonably related to the new development;
3. Shall be used for system improvements that will reasonably benefit the new development; and
4. May be collected and spent only for system improvements which are addressed by the Sedro-Woolley capital facilities plan, or other capital facilities plan for parks and fire department improvements identifying:
  - a. Deficiencies in public facilities serving existing development and the means by which existing deficiencies will be eliminated within a reasonable period of time,
  - b. Additional demands placed on existing public facilities by new developments, and
  - c. Additional public facility improvements required to serve new development;
5. Should not be imposed to mitigate the same off-site facility impacts that are mitigated pursuant to any other law;
6. Should not be collected for improvements to state facilities outside the city boundaries unless the state requests such improvements and an agreement to collect such fees has been executed between the state/county and the city;
7. Shall not be collected for improvements to facilities in other jurisdictions unless the affected jurisdiction requests such improvement and an interlocal agreement has been executed between the city and the affected jurisdiction for the collection of such fees;

8. Shall be collected only once for each building permit, unless changes or modifications to the building permit are proposed which result in greater direct impacts on public facilities than were considered when the building permit was first approved;

9. Shall not be collected from any new or expanded city facilities, post offices or libraries. (Ord. 1555-06 § 1 (part), 2006)

**15.60.050 Transportation fee schedules and establishment of service area.**

A. Subject to the provisions of Section 15.60.060, the transportation impact fee shall be as set forth on Attachment A, attached to the ordinance codified in this section, and on file with the city clerk.

Attachment A shall provide:

1. The schedule of projects established by the city council for which impact fees may be collected, which shall be a subset of the Sedro-Woolley transportation capital facilities plan of the Sedro-Woolley Comprehensive Plan and 2016 Transportation Plan, as updated on May 18, 2018;
2. The cost of the projects on the schedule;
3. A map dividing the city into zones based upon probable impact on planned transportation capital facility projects of development within the zones;
4. The amount of the transportation impact fees to be paid on a “per peak PM trip basis” to be paid by a development with a particular zone.

Attachment A shall not be codified, but shall be on file with the ordinance codified in this section.

B. The impact fee schedule of costs, as set out in Attachment A, shall be updated annually at a rate adjusted in accordance with the Federal Highway Administration’s National Highway Construction Cost Index (NHCCI), using an annual measure to establish revised fee schedules effective January 1st of each year.

C. For the purpose of this chapter, the entire city shall be considered one service area. (Ord. 1960-20 § 1, 2020; Ord. 1852-16 § 1, 2016; Ord. 1773-13 § 1, 2013; Ord. 1555-06 § 1 (part), 2006)

**15.60.060 Calculation of transportation impact fees.**

A. The director shall calculate the transportation impact fees as set forth in Section 15.60.050, subject to the provisions of this chapter.

B. In determining the proportionate share, the method of calculating impact fees shall incorporate, among other things, the following:

1. The cost of public streets and roads necessitated by new development;
2. An adjustment to the cost of the public streets and roadways for past or future payments made or reasonably anticipated to be made by new development to pay for particular system improvements in the form of user fees, debt service payments, taxes, or other payments earmarked for or proratable to the particular system improvement;
3. The availability of other means of funding public street and roadway improvements;

4. The cost of existing public street and roadway improvements;
5. The methods by which public street and roadway improvements were financed; and
6. The most recent ITE Trip Generation Manual and a report titled "Traffic Impact Fee Methodology," dated November 2005, as updated by a report titled "Sedro-Woolley Transportation Impact Fee Rate Update" prepared by Transportation Solutions, Inc., dated June 15, 2016, and as updated by a report titled "Transportation Impact Fee Rate Study 2020 Update Final Report" prepared by Transportation Solutions, Inc., dated April 2020, on file with the city clerk.

C. A credit, not to exceed the impact fee otherwise payable, shall be provided for the value of any dedication of land for, improvement to, or new construction of any system improvements provided by the developer to facilities that are identified in the capital facilities plan and on the TIF project list (Attachment A, attached to the ordinance codified in this section, referenced herein and on file with the city clerk) and that are required by the city as a condition of approving the development activity. The determination of value shall be consistent with the assumptions and methodology used by the city in estimating the capital improvement costs.

D. The director may adjust the standard impact fee at the time the fee is imposed to consider unusual circumstances in specific cases to ensure that impact fees are imposed fairly.

E. The amount of fee to be imposed on a particular development may be adjusted by the director giving consideration to studies and other data available to the director or submitted by the developer demonstrating to the satisfaction of the director that an adjustment should be made in order to carry out the purposes of this chapter.

F. The impact fee shall provide for system improvement costs previously incurred by the city to the extent that new growth and development will be served by the previously constructed improvements; provided, that such fees shall not be imposed to make up for any system improvement deficiencies. (Ord. 1960-20 § 2, 2020: Ord. 1852-16 § 2, 2016: Ord. 1555-06 § 1 (part), 2006)

#### **15.60.070 Park impact fee and establishment of service area.**

A. Subject to the provisions of Section 15.60.080, the parks impact fee assessed pursuant to this chapter shall be set forth on Attachment B, for each equivalent single-family residential dwelling unit, whether a single-family structure, a unit in a multifamily structure, a mobile or manufactured home on an individual lot or in a mobile home park, a detached relative cottage, accessory dwelling unit or other dwelling unit, subject to the provisions in this chapter.

B. The impact fee set out in subsection A of this section shall ~~be increased or decreased annually, effective January 1st of each year, by the annual rate of inflation as measured by the Bureau of Labor Statistics Consumer Price Index for All Urban Consumers (CPI-U), Seattle-Tacoma-Bellevue, June over June, be updated annually at a rate adjusted in accordance with the engineering news record (ENR) Construction Cost Index for the Seattle area, using a June-June annual measure to establish revised fee schedules effective July 1st of the current year.~~

C. For the purpose of this chapter, the entire city shall be considered one service area. (Ord. 1959-20 § 2 (part), 2020; Ord. 1630-08 § 1 (Exh. A)(part), 2008: Ord. 1555-06 § 1 (part), 2006)



**Attachment B—Schedule of Park Impact Fees**

**Parks Impact Fee Calculations are found in the Park Impact Fee Calculation in the Parks and Recreation Element of the Comprehensive Plan**

<b>Additional acres needed</b>	<b>Improvements needed</b>	<b>Existing units</b>	<b>Projected units (2005-2025)</b>	<b>Cost per unit</b>
85 acres new	Ballfields	4,422 units	1,347 new units	\$1,954.00
-	Trails	-	-	-
\$393,100	Play equipment	X 2.6 persons per unit = 11,497 estimated population in City and UGA.	15,000 total population projected for City and UGA.	-
120,500	Climbing wall			-
127,500	Recreation			-
89,700	Water features			-
189,000	-			-
958,400	-	-	-	-
165,000	-	-	-	-
73,900	-	-	-	-
43,100	-	-	-	-
114,300	-	-	-	-
158,100	-	-	-	-
200,000	-	-	-	-
Total:	-	-	-	-
\$2,632,600	-	-	-	-

The city elects to fund less than the full amount through parks impact fees, but will actively seek grant funds to fund the shortfall. Additional costs to fund the shortfall from impact fees should be through grant funds, by private donations to city park funds, and through the general fund.

~~New units projected by 2025: one thousand three hundred forty seven new units (estimated in 2005).~~

Parks impact fee per unit: Single-family residence: ~~one thousand five hundred~~two thousand dollars.

Manufactured home: ~~one thousand five hundred~~two thousand dollars.

Units in a duplex or multifamily unit: ~~one thousand five hundred~~two thousand dollars.

Dependent relative cottage: ~~one thousand five hundred~~two thousand dollars.

Accessory dwelling unit between the minimum allowed size ADU and four hundred fifty square feet: ~~four hundred fifty dollars~~30% of a standard SFR park impact fee.

Accessory dwelling unit greater than four hundred fifty square feet and below the maximum size allowed ADU: ~~nine hundred and fifteen dollars~~61% of a standard single family residential park impact fee.

All units not specifically identified in the above: ~~one thousand five hundred~~two thousand dollars.

(Ord. 1959-20 § 2 (part), 2020; Ord. 1630-08 § 1 (Exh. A)(part), 2008)

#### **15.60.080 Calculation of park impact fees.**

A. The director shall calculate the parks impact fees as set forth in SWMC Section 15.60.070, subject to the provisions of this chapter.

B. In determining the proportionate share, the method of calculating impact fees shall incorporate, among other things, the following:

1. The cost of public parks necessitated by new development;
2. An adjustment to the cost of the public parks for past or future payments made or reasonably anticipated to be made by new development to pay for particular system improvements in the form of user fees, debt service payments, taxes, or other payments earmarked for or prorable to the particular system improvement;
3. The availability of other means of funding public parks improvements;
4. The cost of existing public parks improvements; and
5. The methods by which public parks improvements were financed.

C. A credit, not to exceed the impact fee otherwise payable, shall be provided for the value of any dedication of land for, improvement to, or new construction of any system improvements provided by the developer to facilities that are identified in the parks plan and that are required by the city as a condition of approving the development activity. The determination of value shall be consistent with the assumptions and methodology used by the city in estimating the capital improvement costs.

D. The director may adjust the standard impact fee at the time the fee is imposed to consider unusual circumstances in specific cases to ensure that impact fees are imposed fairly.

E. The amount of fee to be imposed on a particular development may be adjusted by the director giving consideration to studies and other data available to the director or submitted by the developer

demonstrating to the satisfaction of the director that an adjustment should be made in order to carry out the purposes of this chapter.

F. The impact fee shall provide for system improvement costs previously incurred by the city to the extent that new growth and development will be served by the previously constructed improvements; provided, that such fees shall not be imposed to make up for any system improvement deficiencies. (Ord. 1630-08 § 1 (Exh. A)(part), 2008; Ord. 1555-06 § 1 (part), 2006)

**15.60.090 Fire department impact fee and establishment of service area.**

A. Subject to the provisions of Section 15.60.100, the fire department facilities impact fee assessed pursuant to this chapter shall be calculated as set forth on Attachment C.

B. The impact fee set out in subsection A of this section shall be updated annually at a rate adjusted in accordance with the engineering news record (ENR) Construction Cost Index for the Seattle area, using a June-June annual measure to establish revised fee schedules effective July 1st of the current year.

C. For the purpose of this chapter, the entire city shall be considered one service area. (Ord. 1845-16 § 2 (Exh. A)(part), 2016; Ord. 1555-06 § 1 (part), 2006)

**Attachment C—Schedule of Fire Department Impact Fees**

Fire Impact Fee Calculations.

A. Residential structures, including single-family and multifamily structures: twenty-eight cents per square foot of structure, including garage, outbuildings and attached porches.

B. Nonresidential structures: twenty-eight cents per square foot of structure, including garage, outbuildings and attached porches; provided, that the fee for nonresidential structures shall receive an adjustment, in an amount determined by the responsible official, equal to forty percent reduction for buildings equipped with an approved sprinkler system, and ten percent reduction for buildings equipped with an alarm system.

C. Nonresidential construction and development activity which requires fire protection but is not a traditional structure, such as a bulk fuel storage facility or a fuel pipeline, shall be assessed an impact fee in an amount determined by the responsible official pursuant to Section 15.60.100. (Ord. 1845-16 § 2 (Exh. A)(part), 2016)

**15.60.100 Calculation of fire department impact fees.**

A. The director shall calculate the fire department impact fees as set forth in SWMC Section 15.60.090, subject to the provisions of this chapter.

B. In determining the proportionate share, the method of calculating impact fees shall incorporate, among other things, the following:

1. The cost of public fire department facilities necessitated by new development;

2. An adjustment to the cost of the fire department facilities for past or future payments made or reasonably anticipated to be made by new development to pay for particular system improvements in the form of user fees, debt service payments, taxes, or other payments earmarked for or proratable to the particular system improvement;
  3. The availability of other means of funding fire department facilities improvements;
  4. The cost of existing fire department facilities improvements; and
  5. The methods by which public parks improvements were financed.
- C. A credit, not to exceed the impact fee otherwise payable, shall be provided for the value of any dedication of land for, improvement to, or new construction of any system improvements provided by the developer, to facilities that are identified in the parks plan and that are required by the city as a condition of approving the development activity. The determination of “value” shall be consistent with the assumptions and methodology used by the city in estimating the capital improvement costs.
- D. The director may adjust the standard impact fee at the time the fee is imposed to consider unusual circumstances in specific cases to ensure that impact fees are imposed fairly.
- E. The amount of fee to be imposed on a particular development may be adjusted by the director giving consideration to studies and other data available to the director or submitted by the developer demonstrating to the satisfaction of the director that an adjustment should be made in order to carry out the purposes of this chapter.
- F. The impact fee shall provide for system improvement costs previously incurred by the city to the extent that new growth and development will be served by the previously constructed improvements; provided, that such fees shall not be imposed to make up for any system improvement deficiencies.  
(Ord. 1555-06 § 1 (part), 2006)

**15.60.110 Payment of fees.**

- A. All developers shall pay an impact fee in accordance with the provisions of this chapter at the time that the applicable building permit is ready for issuance.

Exception: For complete building permit applications, at the time of issuance of any single-family residential building permit for a dwelling unit that is being constructed for resale, the applicant/owner may elect to record a covenant, in a form to be approved by the city attorney, against the property that requires payment of the impact fees due and owed in accordance with this chapter and any other applicable sections of the Sedro-Woolley Municipal Code, by providing for full payment through escrow of the fees due and owed to be paid at the time of closing of sale of the lot or unit; but in no case shall the structure be occupied prior to payment of impact fees. The awarding of credits shall not alter the applicability of this section.

It is the intention of this chapter that fees shall generally be due at time of issuance of building permits, rather than at time of subdivision or construction of unoccupied infrastructure not generating immediate impacts. However, if no building permit will be required of a project, then the impact fee may be assessed for any other development activity permit or development approval generating an

impact for which the fee is required. The fee paid shall be the amount in effect as of the date the permit application or approval is deemed completed and vested.

B. All developers shall pay an impact administrative fee at the time of application for a building permit or other permit or approval as set forth in the fee schedule adopted by resolution or ordinance of the city council.

C. The impact fee, as initially calculated after issuance for a building permit or other permit or approval, shall be recalculated at the time of payment if the development is modified or conditioned in such a way as to alter the trip generation rate for the development.

D. No building permit (or other applicable permit or approval) shall be issued until the impact fee is paid.

E. Impact fees may be paid under protest in order to obtain a permit or other approval of development activity. (Ord. 1761-12 § 1, 2012; Ord. 1555-06 § 1 (part), 2006)

**15.60.120 Project list.**

A. The director shall commonly review the city's comprehensive land use and transportation plan ("comprehensive plan"), capital facilities plan, and the projects in attachment A, attached to the ordinance codified in this section, and shall:

1. Identify each project in the comprehensive plan that is growth-related and the proportion of each such project that is growth-related;
2. Forecast the total moneys available from taxes and other public sources for road improvements over the next six years;
3. Calculate the amount of impact fees already paid; and
4. Identify those comprehensive plan projects that have been or are being built but whose performance capacity has not been fully utilized.

B. The director may use this information to prepare an annual draft amendment to attachment A, which shall comprise:

1. The projects on the comprehensive plan that are growth-related and that should be funded with forecast public moneys and the impact fees already paid;
2. The projects already built or funded pursuant to this chapter whose performance capacity has not been fully utilized; and
3. An update of the estimated costs of the projects listed.

C. The council, at the same time that it adopts the biennial budget and appropriates funds for capital improvement projects, shall by separate ordinance establish the annual attachment A by adopting, with or without modification, the director's draft list.

D. Once a project is placed on attachment A, a fee shall be imposed on every development that impacts the project until the project is removed from the list by one of the following means:

1. The council by ordinance removes the project from attachment A, in which case the fees already collected will be refunded if necessary to ensure that impact fees remain reasonably related to the traffic impacts of development that have paid an impact fee; provided, that a refund shall not be necessary if the council transfers the fees to the budget of another project that the council determines will mitigate essentially the same traffic impacts; or
2. The impact fee share of the project has been fully funded, in which case the director shall administratively remove the project from the project list. (Ord. 1950-20 § 2 (part), 2020; Ord. 1555-06 § 1 (part), 2006)

**15.60.130 Funding of projects.**

- A. A transportation impact fee restricted cash fund is hereby created. The finance director shall be the fund manager. Transportation impact fees shall be placed in appropriate deposit accounts within the transportation impact fee fund.
- B. The transportation impact fees paid to the city shall be held and disbursed as follows:
  1. The transportation, parks, and fire department impact fees collected shall be placed in separate deposit accounts within the impact fee fund;
  2. When the council appropriates capital improvement project (CIP) funds for a project on the project list, the fees held in the appropriate impact fee fund shall be transferred to the appropriate CIP fund. The non-impact fee moneys appropriated for the project may comprise both the public share of the project cost and an advancement of that portion of the private share that has not yet been collected in impact fees;
  3. The first money spent by the director on a project after a council appropriation shall be deemed to be the fees from the impact fee fund;
  4. Fees collected after a project has been fully funded by means of one or more council appropriations shall constitute reimbursement to the city of the public moneys advanced for the private share of the project;
  5. All interest earned on impact fees paid shall be retained in the account and expended for the purpose or purposes for which the transportation impact fees were imposed.
- C. Projects shall be funded by a balance between impact fees and public funds, and shall not be funded solely by transportation impact fees.
- D. Impact fees shall be expended or encumbered for a permissible use within ten years of receipt, unless there exists an agreement extending the time or extraordinary or compelling reason for fees to be held longer than ten years. The finance director may recommend to the council that the city hold fees beyond ten years in cases where extraordinary or compelling reasons exist. Such reasons shall be identified in written findings by the council.
- E. The finance director shall prepare an annual report on the transportation impact fee account showing the source and amount of all moneys collected, earned or received and projects that were financed in whole or in part by transportation impact fees. (Ord. 1930-19 § 1, 2019; Ord. 1555-06 § 1 (part), 2006)

#### **15.60.140 Refunds.**

- A. A developer may request and shall receive a refund when the developer does not proceed with the development activity for which impact fees were paid, and the developer shows that no impact has resulted; however, the impact fee administrative fee shall not be refunded.
- B. If an owner appears to be entitled to a refund of impact fees, the finance director shall notify the owner by first class mail deposited with the United States Postal Service at their last known address. The owner must submit a request for a refund to the finance director in writing within one year of the date the right to claim the refund arises or the date the notice is given, whichever is later. Any impact fees that are not expended or encumbered within the time limitations established by SWMC Ch. 15.60, and for which no application for a refund has been made within this one-year period, shall be retained and expended on any project.
- C. In the event that impact fees must be refunded for any reason, they shall be refunded with interest earned to the owners of the benefited property as they appear of record with the Skagit County assessor at the time of refund. In the event of a dispute or uncertainty as to who is entitled to receipt, the funds may be paid into the registry of the Skagit County Superior Court. The city may require a release and hold harmless agreement from any recipient of refunded fees as a condition of payment.
- D. When the city seeks to terminate any or all impact fee requirements, all unexpended or unencumbered funds shall be refunded pursuant to this section. Upon the finding that any or all fee requirements are to be terminated, the city shall place notice of such termination and the availability of refunds in a newspaper of general circulation at least two times and shall notify all potential claimants by first class mail to the last known address of claimants. Claimants shall request refunds as in subsection B of this section. All funds available for refund shall be retained for a period of one year. At the end of one year, any remaining funds shall be retained by the city, but must be expended on any city projects. This notice requirement shall not apply if there are no unexpended or unencumbered balances within an account or accounts being terminated. (Ord. 1555-06 § 1 (part), 2006)

#### **15.60.150 Appeals.**

- A. A developer may appeal the amount of an impact fee determined by the director to the hearing examiner as provided in SWMC Chapter 2.90.
- B. In order to appeal, the developer must pay the fee or post a bond or other acceptable security for the fee. Notice of appeal must be filed within fourteen days of issuance of a building permit or other land use approval or decision for which the fee was required.
- C. The developer shall bear the burden of proving:
  - 1. That the director committed error in calculating the developer's proportionate share, as determined by an individual fee calculation or, if relevant, as set forth in the fee schedule, or in granting credit for the benefit factors; or
  - 2. That the director based his determination upon incorrect data.

D. The hearing examiner shall affirm the decision of the director, modify the decision of the director and recalculate the fee or credit, or remand the matter back to the director for additional findings and recomputation of the fee or credit. (Ord. 1607-08 § 5(A), 2008; Ord. 1555-06 § 1 (part), 2006)

**15.60.160 Relationship to SEPA.**

A. All development shall be subject to environmental review as provided by SEPA and other applicable city ordinances and regulations.

B. Payment of the impact fee shall constitute satisfactory mitigation of those impacts related to the specific improvements identified on the project list (attachment A, attached to the ordinance codified in this section).

C. Further mitigation in addition to the impact fee shall be required for identified adverse impacts appropriate for mitigation pursuant to SEPA that are not mitigated by an impact fee.

D. Nothing in this chapter shall be construed to limit the city's authority to deny building permits when a proposal would result in significant adverse impacts identified in an environmental impact statement and reasonable mitigation measures are insufficient to mitigate the identified impact. (Ord. 1555-06 § 1 (part), 2006)

**15.60.170 Relationship to concurrency.**

Neither compliance with this chapter or the payment of any fee hereunder shall constitute a determination of concurrency under Chapter 15.56 of this code. (Ord. 1555-06 § 1 (part), 2006)

**15.60.180 Necessity of compliance.**

A building permit issued after the effective date of the ordinance codified in this section shall be null and void if issued without substantial compliance with this chapter by the department, the approving authority and the director. (Ord. 1555-06 § 1 (part), 2006)



**Ordinance No. 2015-22**

**AN ORDINANCE OF THE CITY OF SEDRO-WOOLLEY, WASHINGTON ADOPTING AMENDMENTS TO THE CHAPTERS 13.36, 13.40, 15.60 AND 15.64 SWMC, REVIEWED AS PART OF THE 2022 COMPREHENSIVE PLAN DOCKET.**

**WHEREAS**, amendments to the Sedro-Woolley Comprehensive Plan and any associated amendments to the City development regulations were required to be submitted by the published deadline of January 21, 2022; 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 development regulations; 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 associated and development regulations 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 associated and development regulations has been completed and a Determination of Non-Significance was issued July 18, 2022, and that document is adopted by reference; and

**WHEREAS**, the proposed amendments to the development regulations 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 2022 Docket, the Planning Commission reviewed the proposed updates to the Housing Element of the Comprehensive Plan and associated and development regulations as contained in this ordinance and made a recommendation to adopt updates;

**WHEREAS**, the Planning Commission held two public meetings and two public hearings on updates to the Comprehensive Plan and associated and development regulations; and

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

**Section 1.** Chapter 13.36 of the Sedro-Woolley Municipal Code is hereby amended as set forth in the attached Exhibit A.

**Section 2.** Chapter 13.40 of the Sedro-Woolley Municipal Code is hereby amended as set forth in the attached Exhibit B.

**Section 3.** Chapter 15.60 of the Sedro-Woolley Municipal Code is hereby amended as set forth in the attached Exhibit C.

**Section 4.** Chapter 15.64 of the Sedro-Woolley Municipal Code is hereby amended as set forth in the attached Exhibit D.

**Section 5.** 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 August 3, 2022 - as the City Council's *Findings of Fact*.

**Section 6.** This ordinance shall take effect five (5) days after the approval by the City Council and publication as provided by law.

**Section 7.** 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 \_\_\_\_\_ day of August, 2022, and signed in authentication of its passage this \_\_\_\_\_ day of August, 2022.

By: \_\_\_\_\_  
JULIA JOHNSON, Mayor

Attest: \_\_\_\_\_  
KELLY KOHNKEN, Finance Director

Approved as to form:

\_\_\_\_\_  
NIKKI THOMPSON, City Attorney

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

# Exhibit A

To Ordinance No. 2015-22

Amendments to Chapter 13.36 of the Sedro-Woolley Municipal Code

### 13.36.010 Purpose.

It is the purpose of this chapter to:

- A. Minimize water quality degradation and sedimentation in streams, ponds, lakes, wetlands and other water bodies;
- B. Minimize the impact of increased runoff, erosion and sedimentation caused by land development and maintenance practices;
- C. Maintain and protect groundwater resources;
- D. Minimize adverse impacts of alterations on ground and surface water quantities, locations and flow patterns;
- E. Decrease potential landslide, flood and erosion damage to public and private property;
- F. Promote site planning and construction practices that are consistent with natural topographical, vegetational and hydrological conditions;
- G. Maintain and protect the city stormwater management infrastructure and those downstream;
- H. Provide a means of regulating clearing and grading of private and public land while minimizing water quality impacts in order to protect public health and safety; and
- I. Provide minimum development regulations and construction procedures which will preserve, replace or enhance, to the maximum extent practicable, existing vegetation to preserve and enhance the natural qualities of lands, wetlands and water bodies. (Ord. [1687-10](#) § 1 (Exh. A (part)), 2010)

### 13.36.020 Definitions.

For the purposes of this chapter, the following definitions shall apply. The definitions in:

- A. Wetlands Guidance Appendices, Definitions of the SWMMWW;
- B. The glossary and notations in the [current 2014](#) Department of Ecology SWMMWW; and
- C. Section 2, Definitions Related to Minimum Requirements, Appendix I of the NPDES Phase II Municipal Stormwater Permit;

are incorporated by reference, unless the context clearly indicates that another definition is applicable.

“Department” means Washington State Department of Ecology.

“Director” means the public works director or his designee.

“Person” means any individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, agency of the state, or local government unit, however designated.

“Stormwater maintenance permit” is a permit or approval issued by the director pursuant to Chapter [13.40](#) for maintenance of facility constructed for a regulated activity.

“Stormwater management manual” or “manual” means Appendix I of the NPDES Phase II Municipal Stormwater Permit, including the mandatory incorporated provisions of the ~~2012-current~~ Department of Ecology Stormwater Management Manual for Western Washington, ~~as amended in 2014~~ (“~~2014~~ SWMMWW”) except as modified in Section [13.36.060](#)(A)(4).

“Stormwater management permit” is a permit or approval issued by the director pursuant to this chapter for a regulated activity.

“~~2014~~ SWMMWW” means the ~~2012-current~~ Ecology Stormwater Management Manual for Western Washington, ~~as amended in 2014~~. (Ord. [1855-16](#) § 2, 2016: Ord. [1687-10](#) § 1 (Exh. A (part)), 2010)

### **13.36.030 Abrogation and interpretation of provisions.**

A. Abrogation and Greater Restrictions. It is not intended that this chapter repeal, abrogate or impair any existing ordinances, regulations, issued permit requirements, easements, covenants or deed restrictions, except as expressly stated. However, where this chapter imposes greater restrictions, the provisions of this chapter shall prevail.

B. Interpretation. The provisions of this chapter shall be liberally construed to serve the purposes of this chapter. (Ord. [1687-10](#) § 1 (Exh. A (part)), 2010)

### **13.36.040 Applicability.**

A. When any provision of any other ordinance of the city conflicts with this chapter, that which provides the higher standard of environmental protection shall apply unless specifically provided otherwise in this chapter.

B. Prior to the applicant fulfilling the requirements of this chapter and obtaining a stormwater management permit or approval, the city shall not grant any approval or permission to conduct a regulated activity, including but not limited to the following: building permit, commercial or residential; binding site plan; conditional use permit; franchise right-of-way construction permit; fill, grading and clearing permit; master plan development; planned unit development; right-of-way permit; shoreline substantial development permit; shoreline variance; shoreline conditional use permit; shoreline environmental redesignation; unclassified use permit; variance; zone reclassification; subdivision; short subdivision; special use permit; sewer discharge, utility and other use permit; zone reclassification; or any subsequently adopted permit or required approval not expressly exempted by this chapter.

C. Regulated activities as defined in Section [13.36.060](#) shall be conducted and a stormwater management permit or approval shall be issued only after the city approves a stormwater site plan (SSP) which meets the requirements of the manual.

D. In most situations, nonpermanent development activities shall be governed by the stormwater management permit. At the completion of the activities governed by the stormwater management

permit, the continuing maintenance and operation of any facilities that continue in operation will be governed by the stormwater maintenance permit issued pursuant to Chapter [13.40](#). Both permits will be issued by the director, and shall be administered together to meet the minimum requirements and BMPs of the manual. (Ord. [1687-10](#) § 1 (Exh. A (part)), 2010)

### **13.36.050 Stormwater management manual and Appendix I of permit adopted—Administrative provisions authorized.**

A. The thresholds, definitions, minimum requirements and exceptions, adjustment and variance criteria found in Appendix I of the NPDES Phase II Municipal Stormwater Permit, including the minimum and mandatory incorporated provisions of the ~~2014-current~~ Department of Ecology Stormwater Management Manual for Western Washington are hereby adopted by reference, and are hereinafter collectively referred to as the “manual,” except as modified in Section [13.36.060](#)(A)(4).

B. The director may, in his discretion, modify, adopt and publish standards, designs and administrative regulations for permitting, to supplement the manual; provided, that the standards, designs and administrative regulations are consistent with the manual. The standards, designs and administrative regulations may include nonstructural preventative actions and source reduction approaches such as low impact development (LID) techniques consistent with the manual. Prior to adoption, the director shall solicit written and verbal comment at an advertised public hearing.

C. Any standards, designs, and administrative regulations adopted by the director shall be published in printed form maintained for inspection and copying at office of city engineer. Any such standards, designs, and administrative regulations shall have the same effect as a provision of this chapter, and its administration and application to a particular permit is subject to appeal and variance in the same manner as the provisions of this chapter. (Ord. [1855-16](#) § 3, 2016: Ord. [1687-10](#) § 1 (Exh. A (part)), 2010)

### **13.36.060 Regulated activities and exempt activities.**

A. Regulated Activities.

1. All development and redevelopment shall be regulated activity subject to this chapter, and shall be subject to the applicable minimum requirements of the manual, unless exempted in subsection B of this section.

2. Not all of the minimum requirements apply to every development or redevelopment project. The applicability of the minimum requirements to a project or activity shall be determined by the thresholds in the manual.

3. If new development and redevelopment at sites below the regulatory threshold of this chapter were subject to regulation at the time of permitting, they shall continue to be subject to stormwater regulations, even if the site activities resulted in land disturbances of less than the one-acre threshold. The local stormwater requirements in effect at the time of permit issuance shall apply, unless the minimum requirements for new development and redevelopment contained in this chapter are applicable.

4. The requirements of this chapter apply to all development and redevelopment within the city of Sedro-Woolley, including sites which do not meet the one-acre-or-larger threshold of the manual.

B. Exemptions. The following activities are exempt pursuant to the manual from the requirements of this chapter:

1. Forest Practices. Forest practices regulated under WAC Title [222](#), except for Class IV general forest practices that are conversions from timberland to other uses, are exempt from the provisions of the minimum requirements.
2. Commercial Agriculture. Commercial agriculture practices involving working the land for production are generally exempt. However, the conversion from timberland to agriculture, and the construction of impervious surfaces, are not exempt.
3. Oil and Gas Field Activities or Operations. Construction of drilling sites, waste management pits, and access roads, as well as construction of transportation and treatment infrastructure such as pipelines, natural gas treatment plants, natural gas pipeline compressor stations, and crude oil pumping stations are exempt. Operators are encouraged to implement and maintain best management practices to minimize erosion and control sediment during and after construction activities to help ensure protection of surface water quality during storm events.
4. Road Maintenance.
  - a. The following road maintenance practices are exempt: pothole and square-cut patching, overlaying existing asphalt or concrete pavement with asphalt or concrete without expanding the area of coverage, shoulder grading, reshaping/regrading drainage systems, crack sealing, resurfacing with in-kind material without expanding the road prism, and vegetation maintenance.
  - b. The following road maintenance practices are considered redevelopment, and therefore are not categorically exempt:
    - i. Removing and replacing a paved surface to base course or lower, or repairing the roadway base;
    - ii. Extending the pavement edge without increasing the size of the road prism, or paving graveled shoulders;
    - iii. Resurfacing by upgrading from dirt to gravel, asphalt, or concrete; upgrading from gravel to asphalt, or concrete; or upgrading from a bituminous surface treatment (“chip seal”) to asphalt or concrete.
5. Underground Utility Projects. Underground utility projects that replace the ground surface with in-kind material or materials with similar runoff characteristics are only subject to minimum requirement for construction stormwater pollution prevention.

C. All other development or redevelopment is subject to one or more of the minimum requirements of the manual. (Ord. [1687-10](#) § 1 (Exh. A (part)), 2010)

## **13.36.070 Adjustments and variances.**

A. Adjustments. Adjustments to the minimum requirements may be granted by the director; provided, that a written finding of fact is prepared that addresses the following:

1. The adjustment provides substantially equivalent environmental protection.
2. Based on sound engineering practices, the objectives of safety, function, environmental protection and facility maintenance, are met.

Adjustments under this subsection do not require a public notice or hearing, and the decision of the director under this subsection is not subject to appeal.

B. Exceptions/Variations. Exceptions/variances (exceptions) to the minimum requirements may be granted by the director following legal public notice of an application for an exception or variance, legal public notice of the director's decision on the application, and written findings of fact that documents the director's determination to grant an exception. The director shall keep records, including the written findings of fact, of all local exceptions to the minimum requirements.

Project-specific design exceptions based on site-specific conditions do not require prior approval of the Department. The director must seek prior approval by the Department for any jurisdiction-wide exception.

The director may grant an exception to the minimum requirements if such application imposes a severe and unexpected economic hardship. To determine whether the application imposes a severe and unexpected economic hardship on the project applicant, the director must consider and document with written findings of fact the following:

1. The current (pre-project) use of the site; and
2. How the application of the minimum requirement(s) restricts the proposed use of the site compared to the restrictions that existed prior to the adoption of the minimum requirements; and
3. The possible remaining uses of the site if the exception were not granted; and
4. The uses of the site that would have been allowed prior to the adoption of the minimum requirements; and
5. A comparison of the estimated amount and percentage of value loss as a result of the minimum requirements versus the estimated amount and percentage of value loss as a result of requirements that existed prior to adoption of the minimum requirements; and
6. The feasibility for the owner to alter the project to apply the minimum requirements.

C. In addition any exception/variances must meet the following criteria:

1. The exception will not increase risk to the public health and welfare, nor be injurious to other properties in the vicinity and/or downstream, and to the quality of waters of the state; and
2. The exception is the least possible exception that could be granted to comply with the intent of the minimum requirements.



D. An exception/variance shall be subject to the same notice requirements and appeal process from the decision of the director as a Type II decision subject to Chapter [2.90](#), to the extent applicable and not inconsistent with this chapter. (Ord. [1687-10](#) § 1 (Exh. A (part)), 2010)

### **13.36.080 Stormwater minimum requirements and best management practices (BMPs).**

A. The minimum requirements of the manual are adopted and incorporated herein by reference.

B. The site planning process of the manual and BMP selection and design criteria of the manual shall be used to implement the minimum requirements of the manual.

C. All development and redevelopment shall apply all known, available and reasonable methods of prevention, control and treatment (AKART), utilizing the BMPs and design criteria of the manual, including LID design criteria, to comply with the minimum requirements of the manual, prior to discharge into the city of Sedro-Woolley storm sewer system permitted by the Department of Ecology.

D. No person may conduct activity regulated by this chapter which discharges directly to, or indirectly through, the city of Sedro-Woolley storm sewer system permitted by the Department of Ecology, unless they meet the requirements of this chapter and obtain a stormwater management permit or stormwater maintenance permit, or both.

E. All stormwater site plans for regulated activity (development and redevelopment) are subject to review and approval by the director, and shall require a stormwater management permit or stormwater maintenance permit or approvals issued by the director pursuant to this chapter. A stormwater maintenance permit may be required by the director as a condition of the stormwater management permit.

F. The director shall adopt BMPs for low impact development (LID) techniques pursuant to Section [13.36.060](#)(B) as administrative regulations for the implementation of this chapter. The director may adopt specific BMPs and low impact development standards from the ~~2014~~ SWMMWW or other approved source. In addition, an applicant may seek an adjustment or variance incorporating BMPs for LID techniques into permit approval. (Ord. [1855-16](#) § 4, 2016; Ord. [1687-10](#) § 1 (Exh. A (part)), 2010)

### **13.36.090 Prohibitions.**

A. Illicit discharge to stormwater drainage systems is prohibited. Illicit discharges are defined as those discharges prohibited by the manual, the Western Washington Phase II Municipal Stormwater Permit, the city of Sedro-Woolley stormwater management plan, and state law.

B. The following categories of nonstormwater discharges are prohibited unless the stated conditions are met:

1. Discharges from potable water sources, including water line flushing, hyperchlorinated water line flushing, fire hydrant system flushing, and pipeline hydrostatic test water. Planned discharges shall be dechlorinated to a concentration of 0.1 ppm or less, pH-adjusted, if necessary, and volumetrically and velocity controlled to prevent resuspension of sediments in the MS4.

2. Discharges from lawn watering and other irrigation runoff. These shall be minimized through, at a minimum, public education activities (see section S5.C.1 of the Western Washington Phase II Municipal Stormwater Permit) and water conservation efforts.
3. Dechlorinated swimming pool discharges. The discharges shall be dechlorinated to a concentration of 0.1 ppm or less, pH-adjusted and reoxygenized if necessary, volumetrically and velocity controlled to prevent resuspension of sediments in the MS4. Swimming pool cleaning wastewater and filter backwash shall not be discharged to the MS4.
4. Street and sidewalk wash water, water used to control dust, and routine external building wash down that does not use detergents. At active construction sites, street sweeping must be performed prior to washing the street.
5. Other nonstormwater discharges. The discharges shall be in compliance with the requirements of a stormwater pollution prevention plan reviewed by the director, which addresses control of such discharges.

C. Development and redevelopment which fails to comply with the requirements of this chapter is prohibited. (Ord. [1687-10](#) § 1 (Exh. A (part)), 2010)

### **13.36.100 Administration.**

A. Director. The director or a designee shall administer this chapter and shall be referred to as the director. The director shall have the authority to develop and implement administrative procedures to administer and enforce this chapter.

B. Review and Approval. Any activity subject to regulation by this chapter shall not be approved until the director issues a written finding that the regulated activity complies with this chapter, or is exempt. The finding, approvals and conditions shall be incorporated into a stormwater management permit. The omission of a minimum requirement or BMP on the permit or approved plan shall not relieve the applicant of complying with the minimum requirement or BMP if it is made applicable by the manual.

1. If the regulated activity is subject to a permit or approval from any department of the city of Sedro-Woolley, including but not limited to the permits and approvals listed in Section [13.36.040](#), a permit or approval shall not be issued until a finding of compliance and a stormwater management permit is issued by the director.

2. If the regulated activity is not subject to any other permit or approval from any department of the city of Sedro-Woolley, but is subject to the provisions of this chapter, then the owner of the affected property and the person conducting the activity shall apply directly to the director for a permit, which shall not be issued until a finding of compliance and a stormwater management permit is issued by the director.

C. Any owner or applicant seeking approval or a permit for activity regulated by this chapter shall, in addition to any other permit necessary for the activity, apply for a stormwater management permit in the form provided by the director, and shall provide the information required to demonstrate compliance with minimum requirements and BMPs specified in the manual. The form of the application shall meet the requirements established by the director.

D. The director may approve, conditionally approve or deny an application for activities regulated by this chapter. Such approval or denial shall be based on the thresholds, definitions, minimum requirements and exceptions, adjustment and variance criteria found in Appendix I of the NPDES Phase II Municipal Stormwater Permit, including the mandatory or minimum provisions of the 2014 SWMMWW, and on any administrative provisions adopted by the director pursuant to Section [13.36.060](#).

E. If an adjustment, exception or variance is allowed, it shall be incorporated into the conditions and terms of the permit issued by the director.

F. Inspection. All activities regulated by this chapter shall be inspected by the director. The director shall inspect projects at various stages of the work requiring approval to determine that the regulated activity is complying with the terms of the permit and approval. Stages of work requiring inspection include, but are not limited to, preconstruction; installation of BMPs; land-disturbing activities; installation of utilities, landscaping, retaining walls and completion of project. When required by the director, a special inspection and/or testing shall be performed.

G. All project applications must address long-term maintenance responsibility and access for maintenance inspections, and all must continue to meet the minimum requirements of the manual as a condition of the stormwater management permit. When required by the director, a "stormwater maintenance permit" shall also be required as a condition of the stormwater management permit, pursuant to Chapter [13.40](#).

H. The stormwater management permit shall identify the party responsible for compliance, and may require the posting of a bond or surety to guarantee financial responsibility for compliance as a condition of the permit. The amount of the bond or other surety shall not exceed one hundred twenty-five percent of the cost of compliance with the conditions and requirement of the stormwater management permit, as determined by the director.

I. Any applicant may appeal the decision of the director to issue, condition or deny a permit in the same manner as a Type II decision subject to Chapter [2.90](#), to the extent applicable and not inconsistent with this chapter. (Ord. [1855-16](#) § 5, 2016; Ord. [1687-10](#) § 1 (Exh. A (part)), 2010)

### **13.36.110 Civil enforcement.**

A. The director shall enforce this chapter. Violations of this chapter shall be subject to civil penalties and process as set forth in Title [18](#). It shall be a violation of this chapter to (1) engage in any regulated activity without a permit issued pursuant to this chapter, (2) to violate the terms and conditions of a permit issued pursuant to this chapter, or (3) to permit, allow, or commit an illicit discharge prohibited by this chapter.

B. The director is authorized to seek injunctions, restraining orders, and other civil relief in court as is necessary to enforce this chapter. (Ord. [1855-16](#) § 6, 2016; Ord. [1687-10](#) § 1 (Exh. A (part)), 2010)

### **13.36.120 Criminal violation.**

In addition to any civil penalty or civil enforcement action, a willful violation of this chapter by any person shall constitute a gross misdemeanor punishable by a five-thousand-dollar fine, imprisonment in jail not to exceed one year, or both. (Ord. [1687-10](#) § 1 (Exh. A (part)), 2010)

### **13.36.130 Fees.**

The applicant shall pay all fees and costs as established by ordinance or resolution prior to issuance of the stormwater management permit or other review and inspections pursuant to this chapter. If no separate fee is established, the applicant shall pay a fee based on the hourly rate for city engineering services established by separate ordinance or resolution for plan review and inspections. (Ord. [1687-10](#) § 1 (Exh. A (part)), 2010)

# Exhibit B

To Ordinance No. 2015-22

Amendments to Chapter 13.40 of the Sedro-Woolley Municipal Code

### 13.40.010 Purpose.

The provisions of this chapter are intended to:

- A. Provide for inspection and maintenance of stormwater facilities in the city to provide for an effective, functional stormwater drainage system;
- B. Authorize the city to require that stormwater facilities be operated, maintained and repaired in conformance with this chapter;
- C. Establish the minimum level of compliance which must be met;
- D. Guide and advise all who conduct inspection and maintenance of stormwater facilities; (Ord. [1687-10](#) § 2 (Exh. B (part)), 2010)

E. Provide for inspections of existing sites by the City, or its authorized designee, to insure adequate source control BMPs are in place and maintained to prevent illicit discharges or violations of surface water, groundwater, or sediment management standards.

### 13.40.020 Definitions.

For the purposes of this chapter, the following definitions shall apply. The definitions in:

- A. Wetlands Guidance Appendices, Definitions of the SWMMWW;
- B. The glossary and notations in the ~~2014-current~~ Department of Ecology SWMMWW; and
- C. Section 2, Definitions Related to Minimum Requirements, Appendix I of the NPDES Phase II Municipal Stormwater Permit are incorporated by reference, unless the context clearly indicates that another definition is applicable.

~~“2014-SWMMWW” means the 2012-current Ecology Stormwater Management Manual for Western Washington, as amended in 2014.~~

“Department” means Washington State Department of Ecology.

“Director” means the public works director or his designee.

“Person” means any individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, agency of the state, or local government unit, however designated.

“Source Control BMP” is a structure or operation intended to prevent pollutants from coming into contact with stormwater through physical separation of areas or careful management of activities that are sources of pollutants. Structural Source Control BMPs are physical, structural, or mechanical devices or facilities that are intended to prevent pollutants from entering stormwater. Operational Source Control BMPs are non-structural practices that prevent or reduce pollutants from entering stormwater.

“Stormwater maintenance permit” is a permit or approval issued by the director pursuant to Chapter [13.40](#) for maintenance of facility constructed for a regulated activity.

“Stormwater management manual” or “manual” means Appendix I of the NPDES Phase II Municipal Stormwater Permit, including the mandatory incorporated provisions of the ~~2012-current~~ Department of Ecology Stormwater Management Manual for Western Washington, ~~as amended in 2014~~ (“2014 SWMMWW”) except as modified in Section [13.36.060](#)(A)(4).

“Stormwater management permit” is a permit or approval issued by the director pursuant to this chapter for a regulated activity. (Ord. [1855-16](#) § 7, 2016; Ord. [1687-10](#) § 2 (Exh. B (part)), 2010)

### **13.40.030 Abrogation and interpretation of provisions.**

A. Abrogation and Greater Restrictions. It is not intended that this chapter repeal, abrogate or impair any existing ordinances, regulations, issued permit requirements, easements, covenants or deed restrictions, except as expressly stated. However, where this chapter imposes greater restrictions, the provisions of this chapter shall prevail.

B. Interpretation. The provisions of this chapter shall be liberally construed to serve the purposes of this chapter. (Ord. [1687-10](#) § 2 (Exh. B (part)), 2010)

### **13.40.040 Applicability.**

A. When any provision of any other ordinance of the city conflicts with this chapter, that which provides the higher standard of environmental protection shall apply unless specifically provided otherwise in this chapter.

B. This chapter applies to all activities which are subject to Chapter [13.36](#), and which have one or more conditions or requirements of a stormwater management permit which are permanent or shall require compliance after the completion of the permitted activity regulated by Chapter [13.36](#).

C. All activities regulated by this chapter shall require a stormwater maintenance permit issued pursuant to this chapter. The stormwater maintenance permit shall govern those conditions or requirements of a stormwater management permit which are permanent or shall require compliance after the completion of the permitted activity regulated by Chapter [13.36](#).

D. Prior to the applicant fulfilling the requirements of this chapter, the city shall not issue a stormwater maintenance permit.

E. In most situations, nonpermanent development activities shall be governed by the stormwater management permit. At the completion of the activities governed by the stormwater management permit, the continuing maintenance and operation of any facilities that continue in operation will be governed by the stormwater maintenance permit issued pursuant to Chapter [13.40](#). Both permits will be issued by the director, and shall be administered together to meet the minimum requirements and BMPs of the manual. (Ord. [1687-10](#) § 2 (Exh. B (part)), 2010)

### **13.40.050 Stormwater management manual and Appendix I of permit adopted—Administrative provisions authorized.**

A. The thresholds, definitions, minimum requirements and exceptions, adjustment and variance criteria found in Appendix I of the NPDES Phase II Municipal Stormwater Permit, including the minimum and mandatory incorporated provisions of the 2014 Department of Ecology Stormwater Management Manual for Western Washington, are hereby adopted by reference, and are hereinafter collectively referred to as the “manual,” except as modified in Section [13.40.060\(A\)\(4\)](#).

B. The director may, in his discretion, modify, adopt and publish standards, designs and administrative regulations for permitting, to supplement the manual; provided, that the standards, designs and administrative regulations are consistent with the manual. The standards, designs and administrative regulations may include nonstructural preventative actions and source reduction approaches such as low impact development (LID) techniques consistent with the manual. Prior to adoption, the director shall solicit written and verbal comment at an advertised public hearing.

C. Any standards, designs, and administrative regulations adopted by the director shall be published in printed form maintained for inspection and copying at the office of the city engineer. Any such standards, designs, and administrative regulations shall have the same effect as a provision of this chapter, and its administration and application to a particular permit is subject to appeal and variance in the same manner as the provisions of this chapter. (Ord. [1855-16](#) § 8, 2016; Ord. [1687-10](#) § 2 (Exh. B (part)), 2010)

### **13.40.060 Regulated activities and exempt activities.**

#### A. Regulated Activities.

1. All development and redevelopment shall be regulated activity subject to this chapter, and shall be subject to the applicable minimum requirements of the manual, unless exempted in subsection B of this section.

2. Not all of the minimum requirements apply to every development or redevelopment project. The applicability of the minimum requirements to a project or activity shall be determined by the thresholds in the manual.

3. If new development and redevelopment at sites below the regulatory threshold of this chapter were subject to regulation at the time of permitting, they shall continue to be subject to stormwater regulations, even if the site activities resulted in land disturbances of less than the one-acre threshold. The local stormwater requirements in effect at the time of permit issuance shall apply, unless the minimum requirements for new development and redevelopment contained in this chapter are applicable.

4. The requirements of this chapter apply to all development and redevelopment within the city of Sedro-Woolley, including sites which do not meet the one-acre-or-larger threshold of the manual.

[5. Existing publicly and privately owned institutional, commercial and industrial sites where land uses and activities have the potential to generate pollutants to the MS4.](#)

B. Exemptions. The following activities are exempt pursuant to the manual from the requirements of this chapter:



1. Forest Practices. Forest practices regulated under WAC Title [222](#), except for Class IV general forest practices that are conversions from timberland to other uses, are exempt from the provisions of the minimum requirements.
2. Commercial Agriculture. Commercial agriculture practices involving working the land for production are generally exempt. However, the conversion from timberland to agriculture, and the construction of impervious surfaces, are not exempt.
3. Oil and Gas Field Activities or Operations. Construction of drilling sites, waste management pits, and access roads, as well as construction of transportation and treatment infrastructure such as pipelines, natural gas treatment plants, natural gas pipeline compressor stations, and crude oil pumping stations are exempt. Operators are encouraged to implement and maintain best management practices to minimize erosion and control sediment during and after construction activities to help ensure protection of surface water quality during storm events.
4. Road Maintenance.
  - a. The following road maintenance practices are exempt: pothole and square-cut patching, overlaying existing asphalt or concrete pavement with asphalt or concrete without expanding the area of coverage, shoulder grading, reshaping/regrading drainage systems, crack sealing, resurfacing with in-kind material without expanding the road prism, and vegetation maintenance.
  - b. The following road maintenance practices are considered redevelopment, and therefore are not categorically exempt:
    - i. Removing and replacing a paved surface to base course or lower, or repairing the roadway base;
    - ii. Extending the pavement edge without increasing the size of the road prism, or paving graveled shoulders;
    - iii. Resurfacing by upgrading from dirt to gravel, asphalt, or concrete; upgrading from gravel to asphalt, or concrete; or upgrading from a bituminous surface treatment (“chip seal”) to asphalt or concrete.
5. Underground Utility Projects. Underground utility projects that replace the ground surface with in-kind material or materials with similar runoff characteristics are only subject to minimum requirement for construction stormwater pollution prevention.

C. All other development or redevelopment is subject to one or more of the minimum requirements of the manual. (Ord. [1687-10](#) § 2 (Exh. B (part)), 2010)

### **13.40.070 Maintenance requirements.**

A. Maintenance Required. All stormwater facilities and BMPs shall be operated and maintained in accordance with this chapter, the manual, including the minimum standards and BMPs in the manual, the Western Washington Phase II Municipal Stormwater Permit, the Sedro-Woolley

stormwater management plan, [approved facilities maintenance manuals](#), and the stormwater maintenance permit.

B. Compliance. Property owners are responsible for the maintenance, operation or repair of stormwater systems and BMPs. Property owners shall maintain, operate and repair these facilities in compliance with the requirements of the manual, including the minimum standards and BMPs in the manual, the Western Washington Phase II Municipal Stormwater Permit, the Sedro-Woolley stormwater management plan, [approved facilities maintenance manuals](#), and the stormwater maintenance permit.

C. Financial Responsibility. The property owners are responsible for the maintenance, operation and repair of the stormwater system [and BMPs](#) subject to the stormwater maintenance permit. The director may require a bond or other surety, or a block fund in a federally insured financial institution, as security for the permanent maintenance, operation and repair of the stormwater facilities, as a condition of the stormwater maintenance permit, on such conditions as the director deems reasonable, considering the size and cost of the facility. (Ord. [1687-10](#) § 2 (Exh. B (part)), 2010)

### **13.40.075 Stormwater minimum requirements and best management practices (BMPs).**

A. The minimum requirements of the manual are adopted and incorporated herein by reference.

B. The site planning process of the manual and BMP selection and design criteria of the manual shall be used to implement the minimum requirements of the manual.

C. All development and redevelopment shall apply all known, available and reasonable methods of prevention, control and treatment (AKART), utilizing the BMPs and design criteria of the manual, including LID design criteria, to comply with the minimum requirements of the manual, prior to discharge into the city of Sedro-Woolley storm sewer system permitted by the Department of Ecology.

D. No person may conduct activity regulated by this chapter which discharges directly to, or indirectly through, the city of Sedro-Woolley storm sewer system permitted by the Department of Ecology, unless they meet the requirements of this chapter and obtain a stormwater management permit or stormwater maintenance permit, or both.

E. All stormwater site plans for regulated activity (development and redevelopment) are subject to review and approval by the director, and shall require a stormwater management permit or stormwater maintenance permit issued by the director pursuant to this chapter. A stormwater maintenance permit may be required by the director as a condition of the stormwater management permit.

F. The director shall adopt BMPs for low impact development (LID) techniques pursuant to Section [13.36.060](#)(B) as administrative regulations for the implementation of this chapter. The director may adopt specific BMPs and low impact development standards from the ~~2014~~ SWMMWW or other approved source. In addition, an applicant may seek an adjustment or variance incorporating BMPs for LID techniques into permit approval. (Ord. [1855-16](#) § 9, 2016: Ord. [1687-10](#) § 2 (Exh. B (part)), 2010)

G. The owner or operator of an institutional, commercial or industrial establishment that has the potential to generate pollutants into the storm sewer system shall provide appropriate protections from accidental discharge of prohibited materials or other wastes through the use of applicable structural and non-structural source control BMPs in the SWMMWW. Any person responsible for a property or premises, which is, or may be, the source of an illicit discharge, shall be required to implement additional structural and non-structural source control BMPs to prevent further discharge of pollutants to the storm sewer system.

### **13.40.080 Adjustments and variances.**

A. Adjustments. Adjustments to the minimum requirements may be granted by the director; provided, that a written finding of fact is prepared that addresses the following:

1. The adjustment provides substantially equivalent environmental protection.
2. Based on sound engineering practices, the objectives of safety, function, environmental protection and facility maintenance, are met.

Adjustments under this subsection do not require a public notice or hearing, and the decision of the director under this subsection is not subject to appeal.

B. Exceptions/Variations. Exceptions/variances (exceptions) to the minimum requirements may be granted by the director following legal public notice of an application for an exception or variance, legal public notice of the director's decision on the application, and written findings of fact that document the director's determination to grant an exception. The director shall keep records, including the written findings of fact, of all local exceptions to the minimum requirements.

Project-specific design exceptions based on site-specific conditions do not require prior approval of the department. The director must seek prior approval by the department for any jurisdiction-wide exception.

The director may grant an exception to the minimum requirements if such application imposes a severe and unexpected economic hardship. To determine whether the application imposes a severe and unexpected economic hardship on the project applicant, the director must consider and document with written findings of fact the following:

1. The current (pre-project) use of the site; and
2. How the application of the minimum requirement(s) restricts the proposed use of the site compared to the restrictions that existed prior to the adoption of the minimum requirements; and
3. The possible remaining uses of the site if the exception were not granted; and
4. The uses of the site that would have been allowed prior to the adoption of the minimum requirements; and
5. A comparison of the estimated amount and percentage of value loss as a result of the minimum requirements versus the estimated amount and percentage of value loss as a result of requirements that existed prior to adoption of the minimum requirements; and

6. The feasibility for the owner to alter the project to apply the minimum requirements.

C. In addition any exception/variances must meet the following criteria:

1. The exception will not increase risk to the public health and welfare, nor injurious to other properties in the vicinity and/or downstream, and to the quality of waters of the state; and

2. The exception is the least possible exception that could be granted to comply with the intent of the minimum requirements.

D. An exception/variance shall be subject to the same notice requirements and appeal process from the decision of the director as a Type II decision subject to Chapter [2.90](#), to the extent applicable and not inconsistent with this chapter. (Ord. [1687-10](#) § 2 (Exh. B (part)), 2010)

### **13.40.090 Prohibitions.**

A. Illicit discharge to stormwater drainage systems is prohibited. Illicit discharges are defined as those discharges prohibited by the manual, the Western Washington Phase II Municipal Stormwater Permit, the city of Sedro-Woolley stormwater management plan, and state law.

B. The following categories of nonstormwater discharges are prohibited unless the stated conditions are met:

1. Discharges from potable water sources, including water line flushing, hyperchlorinated water line flushing, fire hydrant system flushing, and pipeline hydrostatic test water. Planned discharges shall be dechlorinated to a concentration of 0.1 ppm or less, pH-adjusted, if necessary, and volumetrically and velocity controlled to prevent resuspension of sediments in the MS4.

2. Discharges from lawn watering and other irrigation runoff. These shall be minimized through, at a minimum, public education activities (see section S5.C.1 of the Western Washington Phase II Municipal Stormwater Permit) and water conservation efforts.

3. Dechlorinated swimming pool discharges. The discharges shall be dechlorinated to a concentration of 0.1 ppm or less, pH-adjusted and reoxygenized if necessary, volumetrically and velocity controlled to prevent resuspension of sediments in the MS4. Swimming pool cleaning wastewater and filter backwash shall not be discharged to the MS4.

4. Street and sidewalk wash water, water used to control dust, and routine external building washdown that does not use detergents. At active construction sites, street sweeping must be performed prior to washing the street.

5. Other nonstormwater discharges. The discharges shall be in compliance with the requirements of a stormwater pollution prevention plan, reviewed by the director, which addresses control of such discharges.

C. Development and redevelopment which fail to comply with the requirements of this chapter is prohibited. (Ord. [1687-10](#) § 2 (Exh. B (part)), 2010)

### 13.40.100 Authority.

A. Director. The director or a designee/inspector shall administer and enforce this chapter and shall be referred to as the director.

B. Inspection Authority. The director is directed and authorized to develop an inspection program for stormwater facilities and existing sites with the potential to generate pollutants in the city, including all facilities operating under a stormwater maintenance permit.

C. Plan, Manual, and Inspection Schedule. All activities and facilities which are subject to this chapter shall, as a condition of the stormwater maintenance permit, submit a permanent maintenance plan, maintenance and operations manual, and an inspection schedule, which shall be subject to the approval of the director. Compliance with the plan, maintenance manual and inspection schedule shall be a condition of the stormwater maintenance permit.

D. Previously Constructed Facilities. This chapter shall apply to stormwater facilities which were legally constructed without a stormwater maintenance permit issued pursuant to this chapter, to the extent permitted and required by the manual. The facilities shall be subject to inspection for compliance with the original conditions of approval and the applicable standards of this chapter. (Ord. [1687-10](#) § 2 (Exh. B (part)), 2010)

### 13.40.110 Inspection program.

A. Inspection. The inspector is authorized to inspect during regular working hours and at other reasonable times all stormwater drainage systems and existing sites with the potential to generate pollutants within the city to determine compliance with the provisions of this chapter. The following schedule shall apply:

1. Facilities operating under a stormwater maintenance permit shall be inspected pursuant to the inspection schedule incorporated in the permit.
2. Facilities operating without a stormwater maintenance permit shall be inspected at least annually, unless the director determines that annual inspections are not necessary.
3. Facilities which the director has reason to believe are not being maintained or operated consistent with the stormwater maintenance permit or as previously permitted or designed, may be inspected by the director at any time, as set forth below.

B. Procedures. Prior to making any inspections, the inspector shall present identification credentials, state the reason for the inspection and request entry.

1. If the property of any building or structure on the property is unoccupied, the inspector shall first make a reasonable effort to locate the owner or any other person(s) having charge or control of the property or portions of the property and request entry.
2. If after reasonable effort, the inspector is unable to locate the owner or other person(s) having charge or control of the property, and has reason to believe the condition of the stormwater drainage system creates an imminent hazard to persons or property, the inspector may enter.

3. Unless entry is consented to by the owner or person(s) in control of the property or portion of the property or unless conditions are reasonably believed to exist which create imminent threat to public safety, the inspector shall obtain a search warrant, prior to entry, as authorized by the laws of the state of Washington.

4. The inspector may inspect the stormwater drainage system without obtaining a search warrant provided for in subsection (B)(3) of this section, provided the inspection can be conducted while remaining on public property or other property on which permission to enter is obtained.

C. **Inspection Schedule.** The director shall establish a master inspection and maintenance schedule to inspect appropriate stormwater facilities that are not owned by the city. Inspections shall be annual. Critical stormwater facilities may require a more frequent inspection schedule.

D. **Inspection and Maintenance Records.** As existing stormwater facilities are encountered, they shall be added to the master inspection and maintenance schedule. Records of new stormwater facilities shall include the following:

1. As-built plans and locations;
2. Findings of fact from any exemptions granted by the local government;
3. Operation and maintenance requirements and records of inspections, maintenance actions and frequencies;
4. Engineering reports, as appropriate.

E. **Reporting Requirements.** The director shall report annually to the city council about the status of the inspections. The annual report may include, but need not be limited to, the proportion of the components found in and out of compliance, the need to upgrade components, enforcement actions taken, compliance with the inspection schedule, the resources needed to comply with the schedule, and comparisons with previous years.

F. **Easement.** The director may require, as a condition of the stormwater maintenance permit, that the city of Sedro-Woolley be conveyed a permanent easement to access the permitted stormwater facilities for purposes of inspection and emergency maintenance and repairs. (Ord. [1687-10](#) § 2 (Exh. B (part)), 2010)

### **13.40.120 Administration.**

A. **Director.** The director or a designee shall administer this chapter and shall be referred to as the director. The director shall have the authority to develop and implement administrative procedures to administer and enforce this chapter.

B. **Review and Approval.**

1. Any activity subject to regulation by this chapter shall not be approved until the director issues a written finding that the regulated activity complies with this chapter, or is exempt. The finding, approvals and conditions shall be incorporated into a stormwater maintenance permit. The omission of a minimum requirement or BMP on the permit or approved plan shall not

relieve the applicant of complying with the minimum requirement or BMP if it is made applicable by the manual.

2. Any owner or applicant seeking approval or a permit for activity regulated by this chapter shall, in addition to any other permit necessary for the activity, apply for a stormwater maintenance permit in the form provided by the director, and shall provide the information required to demonstrate compliance with minimum requirements and BMPs specified in the manual. The form of the application shall meet the requirements established by the director.

3. The director may approve, conditionally approve or deny an application for activities regulated by this chapter. Such approval or denial shall be based on the thresholds, definitions, minimum requirements and exceptions, adjustment and variance criteria found in Appendix I of the NPDES Phase II Municipal Stormwater Permit, including the mandatory incorporated provisions of the 2014 Department of Ecology Stormwater Management Manual for Western Washington, and on any administrative provisions adopted by the director pursuant to Section [13.40.050](#).

4. If an adjustment, exception or variance is allowed, it shall be incorporated into the conditions and terms of the permit issued by the director.

5. Inspection. All activities regulated by this chapter shall be inspected by the director. The director shall inspect projects at various stages of the work requiring approval to determine that the regulated activity is complying with the terms of the permit and approval. Stages of work requiring inspection include, but are not limited to, preconstruction; installation of BMPs; land-disturbing activities; installation of utilities, landscaping, retaining walls and completion of project. When required by the director, a special inspection and/or testing shall be performed.

6. All project applications must address long-term maintenance responsibility and access for maintenance inspections, and all must continue to meet the minimum requirements of the manual as a condition of the stormwater maintenance permit.

7. The stormwater maintenance permit shall identify the party responsible for compliance, and may require the posting of a bond or surety to guarantee financial responsibility for compliance as a condition of the permit. The amount of the bond or other surety shall not exceed one hundred twenty-five percent of the cost of compliance with the conditions and requirements of the stormwater maintenance permit, as determined by the director.

8. Any applicant may appeal the decision of the director to issue, condition or deny a permit in the same manner as a Type II decision subject to Chapter [2.90](#), to the extent applicable and not inconsistent with this chapter. (Ord. [1855-16](#) § 10, 2016; Ord. [1687-10](#) § 2 (Exh. B (part)), 2010)

### **13.40.130 Civil enforcement.**

A. The director shall enforce this chapter. Violations of this chapter shall be subject to civil penalties and process as set forth in Title [18](#). It shall be a violation of this chapter to (1) engage in any regulated activity without a permit issued pursuant to this chapter, (2) violate the terms and conditions of a permit issued pursuant to this chapter, or (3) permit, allow, or commit an illicit discharge prohibited by this chapter.

B. The director is authorized to seek injunctions, restraining orders, and other civil relief in court as is necessary to enforce this chapter. (Ord. [1855-16](#) § 11, 2016; Ord. [1687-10](#) § 2 (Exh. B (part)), 2010)

### **13.40.140 Criminal violation.**

In addition to any civil penalty or civil enforcement action, a willful violation of this chapter by any person shall constitute a gross misdemeanor punishable by a five-thousand-dollar fine, imprisonment in jail not to exceed one year, or both. (Ord. [1687-10](#) § 2 (Exh. B (part)), 2010)

### **13.40.150 Fees.**

The applicant shall pay all fees and costs as established by ordinance or resolution prior to issuance of the stormwater maintenance permit or other review or inspections pursuant to this chapter. If no separate fee is established, the applicant shall pay a fee based on the hourly rate for city engineering services established by separate ordinance or resolution for plan review. (Ord. [1687-10](#) § 2 (Exh. B (part)), 2010)



# Exhibit C

To Ordinance No. 2015-22

Amendments to Chapter 15.60 of the Sedro-Woolley Municipal Code

## **Chapter 15.60**

### **IMPACT FEES FOR PLANNED FACILITIES\***

Sections:

- 15.60.010 Authority and purpose.**
- 15.60.015 Definitions.**
- 15.60.020 Applicability.**
- 15.60.030 Geographic scope.**
- 15.60.040 Imposition of transportation impact fees.**
- 15.60.050 Transportation fee schedules and establishment of service area.**
- 15.60.060 Calculation of transportation impact fees.**
- 15.60.070 Park impact fee and establishment of service area.**
- 15.60.080 Calculation of park impact fees.**
- 15.60.090 Fire department impact fee and establishment of service area.**
- 15.60.100 Calculation of fire department impact fees.**
- 15.60.110 Payment of fees.**
- 15.60.120 Project list.**
- 15.60.130 Funding of projects.**
- 15.60.140 Refunds.**
- 15.60.150 Appeals.**
- 15.60.160 Relationship to SEPA.**
- 15.60.170 Relationship to concurrency.**
- 15.60.180 Necessity of compliance.**

\* Prior ordinance history: Ords. 1314-98, 1331-99, 1424-02 and 1452-03.

#### **15.60.010 Authority and purpose.**

A. This title is enacted pursuant to the city's police powers, the Growth Management Act as codified in Chapter 36.70A RCW, the enabling authority in Chapter 82.02 RCW, Chapter 58.17 RCW relating to platting and subdivisions, and the State Environmental Policy Act (SEPA) Chapter 42.21C RCW.

B. The purpose of this title is to:

1. Develop a transportation impact fee program consistent with the Sedro-Woolley Comprehensive Plan (2005) the Six-Year Transportation Improvement Program (2005), and capital facilities plans for joint public and private financing of transportation, park and fire department improvements necessitated in whole or in part by development in the city;
2. Ensure adequate levels of transportation, traffic, park and fire department service within the city consistent with the comprehensive plan;
3. Create a mechanism to charge and collect fees to ensure that all new development bears its proportionate share of the capital costs of off-site facilities directly necessitated by new development, in order to provide an adequate level of service consistent with the comprehensive plan;

4. Ensure that the city pays its fair share of the capital costs of transportation, park and fire department facilities necessitated by public use of the transportation, park, and fire department systems; and

5. Ensure fair collection and administration of such impact fees.

C. The provisions of this chapter shall be liberally construed to effectively carry out its purpose in the interests of the public health, safety and welfare. (Ord. 1555-06 § 1 (part), 2006)

**15.60.015 Definitions.**

The following are definitions provided for administering the impact fee ordinance. The public works director shall have the authority to resolve questions of interpretation or conflicts between definitions.

A. "Adequate level of transportation service" means a system of transportation facilities which have the capacity to serve development without decreasing levels of service below the city's established minimum as determined by SWMC Chs. 15.40, 15.56, and adopted plans and ordinances.

B. "Adequate level of parks service" means a system of parks facilities which have the capacity to serve development without decreasing levels of service below the city's established minimums as determined by adopted plans and ordinances.

C. "Adequate level of fire department service" means a system of fire department facilities which have the capacity to serve development without decreasing levels of service below the city's established minimums as determined by adopted plans and ordinances.

D. "Capacity" means the maximum sustainable flow rate at which vehicles or persons can be expected to traverse a point or uniform segment of a lane or roadway during a specified time period, usually expressed as vehicles per hour, passengers per hour, or persons per hour.

E. "Development activity" means any construction or expansion of a building, or structure, or use, or any changes in the use of land, that creates additional demand and need for public facilities.

F. "Director" means the director of the department of public works of the city of Sedro-Woolley or his/her designee.

G. "Finance director" means the clerk-treasurer of the city of Sedro-Woolley or his/her designee.

H. "Impact fee" means a payment of money imposed upon development approval to pay for public streets and roads, parks and fire department facilities needed to serve new growth and development, and that is reasonably related to the new development that creates additional demand and need for public streets and roads, parks and fire department facilities that is a proportionate share of the cost of the public streets and roads, parks and fire department facilities and that is used for public streets and roads, parks and fire department facilities that reasonably benefit the new development. "Impact fee" does not include a reasonable permit or application fee otherwise established by city council resolution, nor mitigation required by SEPA or other ordinance.

I. "Jurisdiction" means a municipality or county.

J. "Off-site transportation road improvement" means improvement, except a frontage improvement, to an existing or proposed city road or street outside the boundaries of a development, which

improvement is required or recommended in accordance with this title. “Off-site parks improvement” means improvement to an existing or proposed park facility outside the boundaries of a development, which improvement is required or recommended in accordance with this title.

K. “Off-site fire department improvement” means improvement to an existing or proposed fire department facility outside the boundaries of a development, which improvement is required or recommended in accordance with this title.

L. “Parks” means public parks; public recreational, community, cultural or civic facilities (including, without limitation senior centers and youth centers); public trails; and any other similar public facilities identified in the parks plan.

M. “Parks plan” means those specific projects and/or classes of projects for the development and/or improvement of public parks identified within the parks element of the Sedro-Woolley capital facilities plan, as may from time to time be amended.

N. “Project improvements” means site improvements and facilities that are planned and designed to provide service for a particular development project that are necessary for the use and convenience of the occupants or users of the project, and are not system improvements. No improvement or facility included in the capital facilities plan approved by the city council shall be considered a project improvement.

O. “Service area” means a geographic area defined by ordinance or intergovernmental agreement in which a defined set of public streets and roads, parks and fire department facilities provide service to the development within the area.

P. “Six-year transportation improvement program (TIP)” means a subset of projects contained in the city’s capital improvement program. The TIP is a set of comprehensive street programs/projects which after a public hearing is annually adopted by the city council for the purpose of advancing plans for not less than six years as a guide for carrying out the coordinated transportation/street construction program. The six-year TIP shall contain a small group of capacity projects which will be considered reasonably funded for determining transportation concurrency and impact fees. The adoption of the six-year TIP will obligate the city to actively pursue funds as to implement the capacity component of the transportation improvement program as best possible with the available resources.

Q. “System improvements” means public facilities that are included in the capital facilities plan and are designed to provide service areas within the community at large, in contrast to project improvements. (Ord. 1555-06 § 1 (part), 2006)

#### **15.60.020 Applicability.**

A. The requirements of this chapter apply to all development activity in the city of Sedro-Woolley.

B. Mitigation of impacts on transportation, park, and fire department facilities located in jurisdictions outside the city will be required when:

1. The other effective jurisdiction has reviewed the development’s impact under its adopted impact fee/mitigation regulations and has recommended to the city that the city impose a requirement to mitigate the impacts; and

2. There is an interlocal agreement between the city and the effective jurisdiction specifically addressing transportation, park or fire department impact identification and mitigation. (Ord. 1555-06 § 1 (part), 2006)

**15.60.030 Geographic scope.**

The boundaries within which impact fees shall be charged and collected are co-extensive with the corporate city limits, and shall include all unincorporated areas annexed to the city on and after the effective date of the ordinance codified in this chapter. After the adoption of interlocal agreements with other local and regional governments, geographic boundaries may be expanded consistent therewith to include the unincorporated urban growth area as identified in the current comprehensive plan map as now adopted or hereafter amended. (Ord. 1555-06 § 1 (part), 2006)

**15.60.040 Imposition of transportation impact fees.**

A. The approving authority is hereby authorized to impose impact fees on new development according to the provisions of this chapter.

B. Impact Fees.

1. Shall only be imposed for system improvements that are reasonably related to the new development;
2. Shall not exceed a proportionate share of the costs of system improvements that are reasonably related to the new development;
3. Shall be used for system improvements that will reasonably benefit the new development; and
4. May be collected and spent only for system improvements which are addressed by the Sedro-Woolley capital facilities plan, or other capital facilities plan for parks and fire department improvements identifying:
  - a. Deficiencies in public facilities serving existing development and the means by which existing deficiencies will be eliminated within a reasonable period of time,
  - b. Additional demands placed on existing public facilities by new developments, and
  - c. Additional public facility improvements required to serve new development;
5. Should not be imposed to mitigate the same off-site facility impacts that are mitigated pursuant to any other law;
6. Should not be collected for improvements to state facilities outside the city boundaries unless the state requests such improvements and an agreement to collect such fees has been executed between the state/county and the city;
7. Shall not be collected for improvements to facilities in other jurisdictions unless the affected jurisdiction requests such improvement and an interlocal agreement has been executed between the city and the affected jurisdiction for the collection of such fees;

8. Shall be collected only once for each building permit, unless changes or modifications to the building permit are proposed which result in greater direct impacts on public facilities than were considered when the building permit was first approved;

9. Shall not be collected from any new or expanded city facilities, post offices or libraries. (Ord. 1555-06 § 1 (part), 2006)

**15.60.050 Transportation fee schedules and establishment of service area.**

A. Subject to the provisions of Section 15.60.060, the transportation impact fee shall be as set forth on Attachment A, attached to the ordinance codified in this section, and on file with the city clerk.

Attachment A shall provide:

1. The schedule of projects established by the city council for which impact fees may be collected, which shall be a subset of the Sedro-Woolley transportation capital facilities plan of the Sedro-Woolley Comprehensive Plan and 2016 Transportation Plan, as updated on May 18, 2018;
2. The cost of the projects on the schedule;
3. A map dividing the city into zones based upon probable impact on planned transportation capital facility projects of development within the zones;
4. The amount of the transportation impact fees to be paid on a “per peak PM trip basis” to be paid by a development with a particular zone.

Attachment A shall not be codified, but shall be on file with the ordinance codified in this section.

B. The impact fee schedule of costs, as set out in Attachment A, shall be updated annually at a rate adjusted in accordance with the Federal Highway Administration’s National Highway Construction Cost Index (NHCCI), using an annual measure to establish revised fee schedules effective January 1st of each year.

C. For the purpose of this chapter, the entire city shall be considered one service area. (Ord. 1960-20 § 1, 2020; Ord. 1852-16 § 1, 2016; Ord. 1773-13 § 1, 2013; Ord. 1555-06 § 1 (part), 2006)

**15.60.060 Calculation of transportation impact fees.**

A. The director shall calculate the transportation impact fees as set forth in Section 15.60.050, subject to the provisions of this chapter.

B. In determining the proportionate share, the method of calculating impact fees shall incorporate, among other things, the following:

1. The cost of public streets and roads necessitated by new development;
2. An adjustment to the cost of the public streets and roadways for past or future payments made or reasonably anticipated to be made by new development to pay for particular system improvements in the form of user fees, debt service payments, taxes, or other payments earmarked for or proratable to the particular system improvement;
3. The availability of other means of funding public street and roadway improvements;

4. The cost of existing public street and roadway improvements;
5. The methods by which public street and roadway improvements were financed; and
6. The most recent ITE Trip Generation Manual and a report titled "Traffic Impact Fee Methodology," dated November 2005, as updated by a report titled "Sedro-Woolley Transportation Impact Fee Rate Update" prepared by Transportation Solutions, Inc., dated June 15, 2016, and as updated by a report titled "Transportation Impact Fee Rate Study 2020 Update Final Report" prepared by Transportation Solutions, Inc., dated April 2020, on file with the city clerk.

C. A credit, not to exceed the impact fee otherwise payable, shall be provided for the value of any dedication of land for, improvement to, or new construction of any system improvements provided by the developer to facilities that are identified in the capital facilities plan and on the TIF project list (Attachment A, attached to the ordinance codified in this section, referenced herein and on file with the city clerk) and that are required by the city as a condition of approving the development activity. The determination of value shall be consistent with the assumptions and methodology used by the city in estimating the capital improvement costs.

D. The director may adjust the standard impact fee at the time the fee is imposed to consider unusual circumstances in specific cases to ensure that impact fees are imposed fairly.

E. The amount of fee to be imposed on a particular development may be adjusted by the director giving consideration to studies and other data available to the director or submitted by the developer demonstrating to the satisfaction of the director that an adjustment should be made in order to carry out the purposes of this chapter.

F. The impact fee shall provide for system improvement costs previously incurred by the city to the extent that new growth and development will be served by the previously constructed improvements; provided, that such fees shall not be imposed to make up for any system improvement deficiencies. (Ord. 1960-20 § 2, 2020: Ord. 1852-16 § 2, 2016: Ord. 1555-06 § 1 (part), 2006)

#### **15.60.070 Park impact fee and establishment of service area.**

A. Subject to the provisions of Section 15.60.080, the parks impact fee assessed pursuant to this chapter shall be set forth on Attachment B, for each equivalent single-family residential dwelling unit, whether a single-family structure, a unit in a multifamily structure, a mobile or manufactured home on an individual lot or in a mobile home park, a detached relative cottage, accessory dwelling unit or other dwelling unit, subject to the provisions in this chapter.

B. The impact fee set out in subsection A of this section shall ~~be increased or decreased annually, effective January 1st of each year, by the annual rate of inflation as measured by the Bureau of Labor Statistics Consumer Price Index for All Urban Consumers (CPI-U), Seattle-Tacoma-Bellevue, June over June, be updated annually at a rate adjusted in accordance with the engineering news record (ENR) Construction Cost Index for the Seattle area, using a June-June annual measure to establish revised fee schedules effective July 1st of the current year.~~

C. For the purpose of this chapter, the entire city shall be considered one service area. (Ord. 1959-20 § 2 (part), 2020; Ord. 1630-08 § 1 (Exh. A)(part), 2008: Ord. 1555-06 § 1 (part), 2006)

**Attachment B—Schedule of Park Impact Fees**

**Parks Impact Fee Calculations are found in the Park Impact Fee Calculation in the Parks and Recreation Element of the Comprehensive Plan**

<b>Additional acres needed</b>	<b>Improvements needed</b>	<b>Existing units</b>	<b>Projected units (2005-2025)</b>	<b>Cost per unit</b>
85 acres new	Ballfields	4,422 units	1,347 new units	\$1,954.00
-	Trails	-	-	-
\$393,100	Play equipment	X 2.6 persons per unit = 11,497 estimated population in City and UGA.	15,000 total population projected for City and UGA.	-
120,500	Climbing wall			-
127,500	Recreation			-
89,700	Water features			-
189,000	-			-
958,400	-	-	-	-
165,000	-	-	-	-
73,900	-	-	-	-
43,100	-	-	-	-
114,300	-	-	-	-
158,100	-	-	-	-
200,000	-	-	-	-
Total:	-	-	-	-
\$2,632,600	-	-	-	-

The city elects to fund less than the full amount through parks impact fees, but will actively seek grant funds to fund the shortfall. Additional costs to fund the shortfall from impact fees should be through grant funds, by private donations to city park funds, and through the general fund.



~~New units projected by 2025: one thousand three hundred forty seven new units (estimated in 2005).~~

Parks impact fee per unit: Single-family residence: ~~one thousand five hundred~~two thousand dollars.

Manufactured home: ~~one thousand five hundred~~two thousand dollars.

Units in a duplex or multifamily unit: ~~one thousand five hundred~~two thousand dollars.

Dependent relative cottage: ~~one thousand five hundred~~two thousand dollars.

Accessory dwelling unit between the minimum allowed size ADU and four hundred fifty square feet: ~~four hundred fifty dollars~~30% of a standard SFR park impact fee.

Accessory dwelling unit greater than four hundred fifty square feet and below the maximum size allowed ADU: ~~nine hundred and fifteen dollars~~61% of a standard single family residential park impact fee.

All units not specifically identified in the above: ~~one thousand five hundred~~two thousand dollars.

(Ord. 1959-20 § 2 (part), 2020; Ord. 1630-08 § 1 (Exh. A)(part), 2008)

#### **15.60.080 Calculation of park impact fees.**

A. The director shall calculate the parks impact fees as set forth in SWMC Section 15.60.070, subject to the provisions of this chapter.

B. In determining the proportionate share, the method of calculating impact fees shall incorporate, among other things, the following:

1. The cost of public parks necessitated by new development;
2. An adjustment to the cost of the public parks for past or future payments made or reasonably anticipated to be made by new development to pay for particular system improvements in the form of user fees, debt service payments, taxes, or other payments earmarked for or prorable to the particular system improvement;
3. The availability of other means of funding public parks improvements;
4. The cost of existing public parks improvements; and
5. The methods by which public parks improvements were financed.

C. A credit, not to exceed the impact fee otherwise payable, shall be provided for the value of any dedication of land for, improvement to, or new construction of any system improvements provided by the developer to facilities that are identified in the parks plan and that are required by the city as a condition of approving the development activity. The determination of value shall be consistent with the assumptions and methodology used by the city in estimating the capital improvement costs.

D. The director may adjust the standard impact fee at the time the fee is imposed to consider unusual circumstances in specific cases to ensure that impact fees are imposed fairly.

E. The amount of fee to be imposed on a particular development may be adjusted by the director giving consideration to studies and other data available to the director or submitted by the developer

demonstrating to the satisfaction of the director that an adjustment should be made in order to carry out the purposes of this chapter.

F. The impact fee shall provide for system improvement costs previously incurred by the city to the extent that new growth and development will be served by the previously constructed improvements; provided, that such fees shall not be imposed to make up for any system improvement deficiencies. (Ord. 1630-08 § 1 (Exh. A)(part), 2008; Ord. 1555-06 § 1 (part), 2006)

**15.60.090 Fire department impact fee and establishment of service area.**

A. Subject to the provisions of Section 15.60.100, the fire department facilities impact fee assessed pursuant to this chapter shall be calculated as set forth on Attachment C.

B. The impact fee set out in subsection A of this section shall be updated annually at a rate adjusted in accordance with the engineering news record (ENR) Construction Cost Index for the Seattle area, using a June-June annual measure to establish revised fee schedules effective July 1st of the current year.

C. For the purpose of this chapter, the entire city shall be considered one service area. (Ord. 1845-16 § 2 (Exh. A)(part), 2016; Ord. 1555-06 § 1 (part), 2006)

**Attachment C—Schedule of Fire Department Impact Fees**

Fire Impact Fee Calculations.

A. Residential structures, including single-family and multifamily structures: twenty-eight cents per square foot of structure, including garage, outbuildings and attached porches.

B. Nonresidential structures: twenty-eight cents per square foot of structure, including garage, outbuildings and attached porches; provided, that the fee for nonresidential structures shall receive an adjustment, in an amount determined by the responsible official, equal to forty percent reduction for buildings equipped with an approved sprinkler system, and ten percent reduction for buildings equipped with an alarm system.

C. Nonresidential construction and development activity which requires fire protection but is not a traditional structure, such as a bulk fuel storage facility or a fuel pipeline, shall be assessed an impact fee in an amount determined by the responsible official pursuant to Section 15.60.100. (Ord. 1845-16 § 2 (Exh. A)(part), 2016)

**15.60.100 Calculation of fire department impact fees.**

A. The director shall calculate the fire department impact fees as set forth in SWMC Section 15.60.090, subject to the provisions of this chapter.

B. In determining the proportionate share, the method of calculating impact fees shall incorporate, among other things, the following:

1. The cost of public fire department facilities necessitated by new development;

2. An adjustment to the cost of the fire department facilities for past or future payments made or reasonably anticipated to be made by new development to pay for particular system improvements in the form of user fees, debt service payments, taxes, or other payments earmarked for or proratable to the particular system improvement;
  3. The availability of other means of funding fire department facilities improvements;
  4. The cost of existing fire department facilities improvements; and
  5. The methods by which public parks improvements were financed.
- C. A credit, not to exceed the impact fee otherwise payable, shall be provided for the value of any dedication of land for, improvement to, or new construction of any system improvements provided by the developer, to facilities that are identified in the parks plan and that are required by the city as a condition of approving the development activity. The determination of “value” shall be consistent with the assumptions and methodology used by the city in estimating the capital improvement costs.
- D. The director may adjust the standard impact fee at the time the fee is imposed to consider unusual circumstances in specific cases to ensure that impact fees are imposed fairly.
- E. The amount of fee to be imposed on a particular development may be adjusted by the director giving consideration to studies and other data available to the director or submitted by the developer demonstrating to the satisfaction of the director that an adjustment should be made in order to carry out the purposes of this chapter.
- F. The impact fee shall provide for system improvement costs previously incurred by the city to the extent that new growth and development will be served by the previously constructed improvements; provided, that such fees shall not be imposed to make up for any system improvement deficiencies.  
(Ord. 1555-06 § 1 (part), 2006)

**15.60.110 Payment of fees.**

- A. All developers shall pay an impact fee in accordance with the provisions of this chapter at the time that the applicable building permit is ready for issuance.

Exception: For complete building permit applications, at the time of issuance of any single-family residential building permit for a dwelling unit that is being constructed for resale, the applicant/owner may elect to record a covenant, in a form to be approved by the city attorney, against the property that requires payment of the impact fees due and owed in accordance with this chapter and any other applicable sections of the Sedro-Woolley Municipal Code, by providing for full payment through escrow of the fees due and owed to be paid at the time of closing of sale of the lot or unit; but in no case shall the structure be occupied prior to payment of impact fees. The awarding of credits shall not alter the applicability of this section.

It is the intention of this chapter that fees shall generally be due at time of issuance of building permits, rather than at time of subdivision or construction of unoccupied infrastructure not generating immediate impacts. However, if no building permit will be required of a project, then the impact fee may be assessed for any other development activity permit or development approval generating an

impact for which the fee is required. The fee paid shall be the amount in effect as of the date the permit application or approval is deemed completed and vested.

B. All developers shall pay an impact administrative fee at the time of application for a building permit or other permit or approval as set forth in the fee schedule adopted by resolution or ordinance of the city council.

C. The impact fee, as initially calculated after issuance for a building permit or other permit or approval, shall be recalculated at the time of payment if the development is modified or conditioned in such a way as to alter the trip generation rate for the development.

D. No building permit (or other applicable permit or approval) shall be issued until the impact fee is paid.

E. Impact fees may be paid under protest in order to obtain a permit or other approval of development activity. (Ord. 1761-12 § 1, 2012; Ord. 1555-06 § 1 (part), 2006)

**15.60.120 Project list.**

A. The director shall commonly review the city's comprehensive land use and transportation plan ("comprehensive plan"), capital facilities plan, and the projects in attachment A, attached to the ordinance codified in this section, and shall:

1. Identify each project in the comprehensive plan that is growth-related and the proportion of each such project that is growth-related;
2. Forecast the total moneys available from taxes and other public sources for road improvements over the next six years;
3. Calculate the amount of impact fees already paid; and
4. Identify those comprehensive plan projects that have been or are being built but whose performance capacity has not been fully utilized.

B. The director may use this information to prepare an annual draft amendment to attachment A, which shall comprise:

1. The projects on the comprehensive plan that are growth-related and that should be funded with forecast public moneys and the impact fees already paid;
2. The projects already built or funded pursuant to this chapter whose performance capacity has not been fully utilized; and
3. An update of the estimated costs of the projects listed.

C. The council, at the same time that it adopts the biennial budget and appropriates funds for capital improvement projects, shall by separate ordinance establish the annual attachment A by adopting, with or without modification, the director's draft list.

D. Once a project is placed on attachment A, a fee shall be imposed on every development that impacts the project until the project is removed from the list by one of the following means:

1. The council by ordinance removes the project from attachment A, in which case the fees already collected will be refunded if necessary to ensure that impact fees remain reasonably related to the traffic impacts of development that have paid an impact fee; provided, that a refund shall not be necessary if the council transfers the fees to the budget of another project that the council determines will mitigate essentially the same traffic impacts; or
2. The impact fee share of the project has been fully funded, in which case the director shall administratively remove the project from the project list. (Ord. 1950-20 § 2 (part), 2020; Ord. 1555-06 § 1 (part), 2006)

**15.60.130 Funding of projects.**

- A. A transportation impact fee restricted cash fund is hereby created. The finance director shall be the fund manager. Transportation impact fees shall be placed in appropriate deposit accounts within the transportation impact fee fund.
- B. The transportation impact fees paid to the city shall be held and disbursed as follows:
  1. The transportation, parks, and fire department impact fees collected shall be placed in separate deposit accounts within the impact fee fund;
  2. When the council appropriates capital improvement project (CIP) funds for a project on the project list, the fees held in the appropriate impact fee fund shall be transferred to the appropriate CIP fund. The non-impact fee moneys appropriated for the project may comprise both the public share of the project cost and an advancement of that portion of the private share that has not yet been collected in impact fees;
  3. The first money spent by the director on a project after a council appropriation shall be deemed to be the fees from the impact fee fund;
  4. Fees collected after a project has been fully funded by means of one or more council appropriations shall constitute reimbursement to the city of the public moneys advanced for the private share of the project;
  5. All interest earned on impact fees paid shall be retained in the account and expended for the purpose or purposes for which the transportation impact fees were imposed.
- C. Projects shall be funded by a balance between impact fees and public funds, and shall not be funded solely by transportation impact fees.
- D. Impact fees shall be expended or encumbered for a permissible use within ten years of receipt, unless there exists an agreement extending the time or extraordinary or compelling reason for fees to be held longer than ten years. The finance director may recommend to the council that the city hold fees beyond ten years in cases where extraordinary or compelling reasons exist. Such reasons shall be identified in written findings by the council.
- E. The finance director shall prepare an annual report on the transportation impact fee account showing the source and amount of all moneys collected, earned or received and projects that were financed in whole or in part by transportation impact fees. (Ord. 1930-19 § 1, 2019; Ord. 1555-06 § 1 (part), 2006)

**15.60.140 Refunds.**

- A. A developer may request and shall receive a refund when the developer does not proceed with the development activity for which impact fees were paid, and the developer shows that no impact has resulted; however, the impact fee administrative fee shall not be refunded.
- B. If an owner appears to be entitled to a refund of impact fees, the finance director shall notify the owner by first class mail deposited with the United States Postal Service at their last known address. The owner must submit a request for a refund to the finance director in writing within one year of the date the right to claim the refund arises or the date the notice is given, whichever is later. Any impact fees that are not expended or encumbered within the time limitations established by SWMC Ch. 15.60, and for which no application for a refund has been made within this one-year period, shall be retained and expended on any project.
- C. In the event that impact fees must be refunded for any reason, they shall be refunded with interest earned to the owners of the benefited property as they appear of record with the Skagit County assessor at the time of refund. In the event of a dispute or uncertainty as to who is entitled to receipt, the funds may be paid into the registry of the Skagit County Superior Court. The city may require a release and hold harmless agreement from any recipient of refunded fees as a condition of payment.
- D. When the city seeks to terminate any or all impact fee requirements, all unexpended or unencumbered funds shall be refunded pursuant to this section. Upon the finding that any or all fee requirements are to be terminated, the city shall place notice of such termination and the availability of refunds in a newspaper of general circulation at least two times and shall notify all potential claimants by first class mail to the last known address of claimants. Claimants shall request refunds as in subsection B of this section. All funds available for refund shall be retained for a period of one year. At the end of one year, any remaining funds shall be retained by the city, but must be expended on any city projects. This notice requirement shall not apply if there are no unexpended or unencumbered balances within an account or accounts being terminated. (Ord. 1555-06 § 1 (part), 2006)

**15.60.150 Appeals.**

- A. A developer may appeal the amount of an impact fee determined by the director to the hearing examiner as provided in SWMC Chapter 2.90.
- B. In order to appeal, the developer must pay the fee or post a bond or other acceptable security for the fee. Notice of appeal must be filed within fourteen days of issuance of a building permit or other land use approval or decision for which the fee was required.
- C. The developer shall bear the burden of proving:
  - 1. That the director committed error in calculating the developer's proportionate share, as determined by an individual fee calculation or, if relevant, as set forth in the fee schedule, or in granting credit for the benefit factors; or
  - 2. That the director based his determination upon incorrect data.

D. The hearing examiner shall affirm the decision of the director, modify the decision of the director and recalculate the fee or credit, or remand the matter back to the director for additional findings and recomputation of the fee or credit. (Ord. 1607-08 § 5(A), 2008; Ord. 1555-06 § 1 (part), 2006)

**15.60.160 Relationship to SEPA.**

A. All development shall be subject to environmental review as provided by SEPA and other applicable city ordinances and regulations.

B. Payment of the impact fee shall constitute satisfactory mitigation of those impacts related to the specific improvements identified on the project list (attachment A, attached to the ordinance codified in this section).

C. Further mitigation in addition to the impact fee shall be required for identified adverse impacts appropriate for mitigation pursuant to SEPA that are not mitigated by an impact fee.

D. Nothing in this chapter shall be construed to limit the city's authority to deny building permits when a proposal would result in significant adverse impacts identified in an environmental impact statement and reasonable mitigation measures are insufficient to mitigate the identified impact. (Ord. 1555-06 § 1 (part), 2006)

**15.60.170 Relationship to concurrency.**

Neither compliance with this chapter or the payment of any fee hereunder shall constitute a determination of concurrency under Chapter 15.56 of this code. (Ord. 1555-06 § 1 (part), 2006)

**15.60.180 Necessity of compliance.**

A building permit issued after the effective date of the ordinance codified in this section shall be null and void if issued without substantial compliance with this chapter by the department, the approving authority and the director. (Ord. 1555-06 § 1 (part), 2006)

# Exhibit D

To Ordinance No. 2015-22

Amendments to Chapter 15.64 of the Sedro-Woolley Municipal Code



## Chapter 15.64 SWMC - IMPACT FEES FOR SCHOOL FACILITIES

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### Appendix A—Schedule of School Impact Fees

- A. Single-Family Units. ~~One thousand six hundred seventy-eight dollars~~Four thousand four hundred sixty-one dollars per single-family residential unit or mobile or manufactured home (whether on a single lot, condominium unit or mobile park).
- B. Multifamily Units. ~~Eight hundred forty-seven dollars~~two thousand eight hundred eighty-eight dollars per residential unit in a multifamily structure.

Note: Detached, single housing units shall be considered single-family residential units, without regard to the form of ownership, including condominium ownership. (Ord. 1845-16 § 3 (Exh. B), 2016: Ord. 1672-10 § 2, 2010: Ord. 1630-08 § 2 (Exh. B), 2008)

**CITY OF SEDRO-WOOLLEY PLANNING COMMISSION  
STATE OF WASHINGTON**

**File #s – Requested by:**

**CPA-1-22** – Transportation Element Update  
**CPA-2-22** – School Capital Facilities Plan Update and School impact fees increase  
**CPA-3-22** – Land Use Element, Capital Facilities Elements and Title 13 SWMC Updates to address stormwater regulations  
**CPA-4-22** – Parks and Recreation Element and Chapter 15.60 SWMC Updates to address Parks Impact Fees

**2022 COMPREHENSIVE PLAN  
AMENDMENT REQUESTS  
– 2022 DOCKET –**

**PLANNING COMMISSION  
FINDINGS OF FACT,  
CONCLUSIONS AND  
RECOMMENDATION**

**Description of proposed amendments to the Comprehensive Plan & associated development regulations**

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. The list of proposed amendments is termed the “Docket.” Four proposals for Comprehensive Plan changes were requested for inclusion on the 2022 Comprehensive Plan Docket; one proposal was at the request of the Sedro-Woolley School District, the remaining three proposals were requested by city staff. The proposals were docketed and reviewed by the Planning Commission in accordance with Growth Management Act (GMA) and Chapters 2.88 and 2.90 of the Sedro-Woolley Municipal Code (SWMC). The items on the 2022 Docket are described below.

**CPA-1-22 – Updates to the Transportation Element**

The Sedro-Woolley Planning Commission completed a review of proposed amendments to the Transportation Element of the Comprehensive Plan as requested by Mark Freiberger, Public Works Director.

Transportation Element of the Comprehensive Plan was extensively updated in 2016. Revisions were made in 2018 to update the Project List and the Transportation Impact Fee sections of the Transportation Element.

The proposed 2022 revisions to the Transportation Element include the following three proposed amendments:

**1. Page 3-9 Policy T7.2 and T7.3 are revised to clarify Level of Service (LOS) for minor arterials. See attached memorandum “Transportation LOS Policy Update” dated 2/24/2022 from Transportation Solutions Inc. (TSI) for the background for this revision.**

- a. Pages 3-12 and 3-13 – minor arterial descriptions are updated to reflect the LOS clarification noted in bullet 1.
- b. Appendix A 2015 Intersection LOS Summary is updated to reflect the LOS clarification noted in bullet 1.

Discussion: Policy’s T7.2 and T7.3 are currently in conflict in Chapter 3, with T7.2 noting that LOS D is the standard for minor arterials and T7.3 noting LOS C. The TSI memo notes that WSDOT has set LOS D for SR 9 (classified as a minor arterial) and SR 20 (classified as Other Principal Arterial west of Township and Minor Arterial east of Township) within the City. As a result the City has adopted LOS D for the state routes.

Staff recommends updating the Transportation Element to clarify LOS D for minor arterials. This includes Cook Road, F&S Grade Road, the State Street/Township Street Corridor, Ferry Street and Edward R Murrow Street. This will give Staff more flexibility in managing the transportation improvements for the City.

A comparison of sister agencies reveals that Mount Vernon, Oak Harbor, Skagit County, Whatcom County, Granite Falls, Sultan and Marysville all classify minor arterials as LOS D.

Revision of the LOS Standard will have no direct cost impact. Failure to update the standard may force slowdown of development due to concurrency and thus reduce Transportation Impact Fee revenues needed to support the Corridor projects.

**2. Page 3-13 Major Collectors description, page 3-45 Project List, and associated Figures 1 thru 9 are revised to reflect deletion of the Hodgin Road Arterial Extension Project.**

Discussion: Project C15 Hodgin Road Arterial Extension is shown in the 20 year in year 2036 at a cost of \$2.26 million. Hodgin prior to the 2016 Comp Plan update was envisioned as extending north of Cook Road to Jones Road. The city owns a 200’ strip of property on the west side of Brickyard Creek and bounding the SWSD property. See the attached map for the proposed alignment of this project.

Staff has had concerns about the viability of the proposed Hodgin extension project since the present Director’s arrival in 2007. As a result, this project has had a low priority and is presently scheduled in the 20 year TIP for year 2036. The major issues of concern are as follows:

1. The required crossing of Brickyard Creek at an angle and the connected environmental issues.
2. The presence of protected farmland west of Brickyard Creek.
3. The presence of protected recreation facilities (SWHS Baseball Fields) north of the planned route.
4. Aligning existing Hodgin with the City property will require a double curve in the route over a short distance.

5. The removal of extension of this route north of Cook Rd to Jones Rd from the Transportation Plan with the 2016 Comp Plan Update due to opposition from the owners of protected farm land north of Cook Road.

Of particular concern with the development in this area is possible relief of peak hour traffic from the Cook/Trail intersection. At the city's request, TSI has reviewed the impact of eliminating the Hodgin route from the transportation plan, and specifically on the function of the Cook/Trail intersection. Their findings are contained in the 1/10/2021 Transportation Concurrency Memorandum. TSI concluded:

1. Traffic projections for the Hodgin route would not significantly improve LOS of the Cook/Trail intersection.
2. Construction of the planned Cook/Trail intersection improvements should be prioritized.
3. Completion of the intersection improvements would result in an acceptable LOS beyond the twenty year planning period without Hodgin.

In addition to TSI's comments, as the project is scheduled at 2036 or beyond, it would not have any useful impact on system operation during the critical time between 2022 and 2026. Given the difficulties of acquiring right of way, environmental concerns, lack of options to extend the route north of Cook, and the expected cost, and the low priority of the Hodgin extension, Staff recommends deletion of the Hodgin Rd Arterial from the Project List, and concentrating on the already planned Jones/John Liner/Trail Road Corridor improvements, including upgrade of the Cook/Trail Intersection to a roundabout as planned for 2026.

Removal of project C15 Hodgin Road Arterial Extension from the Project List will also reduce Comp Plan Project List by \$2.225 million. The Transportation Impact Fee (TIF) will also need to be adjusted to reflect this change. Staff will review the TIF this fall as part of the annual TIF review required by SWMC, and adjust accordingly. We anticipate that the inflationary impacts of recent months on other projects on the list will more than offset the reduction of the project list. For instance, the Corridor Projects were recently updated in preparation for the RAISE grant submittal, with cost increases of 21.5% since the 12/31/2020 TIF update. This will raise the cost of the Corridor projects in the TIF alone by approximately \$6.8 million. Overall, staff expects the TIF rates to increase.

### **3. Minor revisions to update text are noted on pages 3-8, 3-9, 3-12.**

Discussion: These revisions are minor and not substantive changes.

#### *Consistency with Existing Comprehensive Plan*

The Planning Commission reviewed the amendments associated with CPA-1-2022 and reviewed the request for consistency with the Sedro-Woolley Comprehensive Plan and development regulations.

*Conclusions:* The Planning Commission finds that the amendments to the Transportation Element are consistent with the municipal code, are well planned and meet the requirements. The amendments are consistent with the existing Transportation Element Goals and Policies and the amendments to the policies under Goal T7 are being made to assure the goals are consistent with the rest of the proposed Transportation Element amendments.

CPA-2-22 – Updates to the Capital Facilities Element of the Sedro-Woolley Comprehensive Plan and Chapter 15.64 SWMC to adopt an updated School Capital Facilities Plan and increase School impact fees

The Sedro-Woolley Planning Commission completed a review a review of proposed amendments to the Capital Facilities Element of the Comprehensive Plan as requested by the Sedro-Woolley School District. The Sedro-Woolley School District No. 101 Board of Directors passed its 2022 Capital Facilities Plan (CFP) on November 8, 2021. The 2022 CFP is the School District's (District) guiding document for how the District plans to accommodate future capital facilities needs as infrastructure ages, technology advances and student enrollment grows. The CFP also specifies the amount of school impact fees that the city collects on behalf of the District. In order for the city to start collecting the updated the school impact fees, the new CFP must be incorporated in the Sedro-Woolley Capital Facilities Element by reference and Chapter 15.64 SWMC must be updated. The incorporation of the CFP must happen as part of the annual Comprehensive Plan updates. The District has requested to have the city adopt the 2022 CFP into the City of Sedro-Woolley Capital Facilities Element and adopt the updated school impact fees.

The District's 2022 CFP explains how the proposed school impact fees are calculated and demonstrates the necessity for the fees. The purpose of this proposed update is to adopt the District's 2022 CFP into the city's Capital Facilities Element and make associated changes to Sedro-Woolley Municipal Code that will enact the updated school impact fees. No changes to the District's CFP or proposed school impact fee amounts may be recommended during this review process.

The District's previous CFP was adopted by the District in 2014. That 2014 CFP, and thus the school impact fees that the city currently collects on behalf of the Sedro-Woolley School District, were adopted by the city in April 2016 (Ordinances 1845-16 and 1846-16) and went into effect in May of 2016. The fees adopted under those ordinances – and still in effect today – are \$1,678 per single family home and \$847 per unit in a structure with more than one unit. Per the District's request, the city is proposing to update Appendix E of the Capital Facilities Element with the updated 2022 District CFP.

In addition to the CFP adopted by reference as Appendix E to the Capital Facilities Element, the Element also has a short section (7.12) that discusses schools. Section 7.12 does not need to be amended in order for the city to adopt the new CFP or amended school impact fees. Aside from replacing the existing CFP in Appendix E with the new CFP, no other amendments to the Capital Facilities Element are necessary.

In order to fully implement the school impact fee updates, Chapter 15.64 SWMC will need to be updated. SWMC 15.64.040 – Assessment of impact fees – specifies that school impact fees are to be paid on all new residential units. That section refers to Appendix A of 15.64 SWMC where the current school impact fees are codified. As shown in Appendix A, current school impact fees are \$1,678 per single family home and \$847 per unit in a structure with more than one unit.

When adopted by the city, the new school impact fee amounts at \$4,461 for single-family residences and \$2,888 for multi-family units

*Consistency with Existing Comprehensive Plan*

The amendments associated with CPA-2-2022 and reviewed the request for consistency with the Sedro-Woolley Comprehensive Plan and development regulations.

The District is required to have an up to date Capital Facilities Plan incorporated into the City Comprehensive Plan in order for the city to charge impact fees. This update will assure that the school impact fee calculations are current and justifiable.

Policy CF2.2: The burden for financing capital improvements should be borne by the primary beneficiaries of new facilities.

*The updated School CFP will assure that the District is planning for future growth needs and school impact fees are appropriately charged to new development, which is the primary beneficiary of new facilities.*

*Conclusions:* The Planning Commission finds that the amendments to the Capital Facilities Element are consistent with the municipal code and the amendments to Chapter 16.65 SWMC are consistent with the Comprehensive Plan. The amendments are well planned and meet the requirements for Comprehensive Plan amendments.

The Planning Commission finds that the amendments to the Capital Facilities Element to include the 2022 School CFP are necessary to make sure the City Capital Facilities Element is up to date. The School CFP has been adopted by the Sedro-Woolley School District and the plan implements the Districts needed future capital facilities improvements. The CFP provides the District's school impact fees that are collected by the city for the School District. The changes to Chapter 15.64 SWMC are necessary to enact the District's updated school impact fees.

CPA-3-22 – Updates to the Land Use and Capital Facilities Elements and Title 13 SWMC to address stormwater regulations

The Sedro-Woolley Planning Commission completed a review a review of proposed amendments to the Capital Facilities Element and Land Use Element of the Comprehensive Plan, Chapter 13.36 and Chapter 13.40 SWMC as requested by the Sedro-Woolley Public Works Department.

The city is required by its stormwater permit with the Department of Ecology to make updates to the Comprehensive Plan and Sedro-Woolley Municipal Code to address certain stormwater related issues. Collectively these changes address source control aspect of the stormwater management system. The attached exhibits include those required updates. There are proposed amendments to the Land Use Element and Capital Facilities Element of the Comprehensive Plan, as well as proposed amendments to Chapters 13.36 and 13.40 SWMC.

Below is a list of the proposed amendments to both the Comp Plan and Title 13 SWMC.

*Comprehensive Plan Updates:*

Chapter 2, Land Use Element, Section 2.08:

Page 24: Revisions made to update references to the Department of Ecology Stormwater Management Manual and the NPDES permit.

Chapter 7, Capital Facilities Element, Section 7.24:

Page 157: Revisions made to update components of the City stormwater system and other minor revisions.

Page 158: Revised permit date references and added paragraphs related to new Stormwater Management planning and existing site Source Control program.

Page 160: Replaced Figure CF-3 with current stormwater system map and other minor revisions.

Page 162-165: Minor revisions.

Chapter 7, Capital Facilities Element, Section 7.36:

Page 178: Policy updates. Revised Policy CF3.20. Added Policies CF3.24 and CF3.25. Renumbered subsequent policies.

*Municipal Code Updates:*

CH 13.36, Stormwater Management:

Revisions made in various locations to update date references to the Department of Ecology Manual, and other minor revisions for clarity.

CH 13.40, Stormwater Maintenance:

Revisions made in various locations to update date references to the Department of Ecology Manual, and other minor revisions for clarity.

Added Source Control inspections to Purpose.

Added Source Control BMP to Definitions.

Added language in 13.40.060, 13.40.075, 13.40.100 and 13.40.110 related to Source Control to comply with City's NPDES permit requirement to "...adopt and make effective an ordinance(s), or other enforceable documents, requiring the application of source control BMPs for pollutant generating sources associated with existing land uses and activities."

*Consistency with Existing Comprehensive Plan*

The amendments associated with CPA-3-2022 and reviewed the request for consistency with the Sedro-Woolley Comprehensive Plan and development regulations. These amendments

are not substantive and are in conformance with the Comprehensive Plan goals and policies. changes are being made to both the municipal code and the Comprehensive Plan; this allows for the municipal code to be consistent with the Comprehensive Plan as required by the Growth Management Act (GMA).

*Conclusions:* The Planning Commission finds that the amendments to address source control in the Capital Facilities Element, Land Use Element, Chapter 13.36 and Chapter 13.40 SWMC are consistent with the municipal code and the Comprehensive Plan. The amendments are well planned and meet the requirements for Comprehensive Plan amendments.

The Planning Commission finds that the amendments to address source control are necessary to make sure the City Comprehensive Plan and municipal code are up to date. The changes to Capital Facilities Element, Land Use Element, Chapter 13.36 and Chapter 13.40 SWMC are necessary to assure that the city is in compliance with its Department of Ecology stormwater permit.

#### CPA-4-22 – Updates to the Parks and Recreation Element and Chapter 15.60 SWMC to address Parks Impact Fees

The Sedro-Woolley Planning Commission completed a review a review of proposed amendments to the park impact fee in Chapter 16.50 SWMC as requested by the City Council.

The City Council requested that the impact fee for parks be evaluated and possibly updated. The parks impact fee calculation is in the Park Impact Fee Calculation document (housed in Appendix A of the Parks and Recreation Element of the Comprehensive Plan) and the actual fee is codified in Chapter 15.60 SWMC. To update the fee, the City Council will need to review the calculations and ultimately has the option to update the fee in Chapter 15.60 SWMC.

Park impact fees can only be used to pay for improvements reasonably related to new development, not existing deficiencies. Impact fees are assessed at the time that a permit is issued (when an applicant picks up and pays for a building permit). The existing park impact fee is \$1500 per residential unit (with reduced fees for Accessory Dwelling Units).

For reference, if the city issues permits for 100 units, the city will collect \$150,000 that year to use towards park development. (100 units is a reasonable estimate and an easy number to work with for illustrative purposes. The number of units issued in a year varies greatly. For example, the city issued permits for 207 units in 2021, but in 2020 that number was much lower and 2022 that number is tracking to be much lower).

The park impact fee has been \$1,500 since 2008. It was supposed to have been updated annually per the ENR Construction Cost Index for the Seattle area.

SWMC 15.60.070B says that the fee should be updated annually:



SWMC 15.60.070B. The impact fee set out in subsection A of this section shall be updated annually at a rate adjusted in accordance with the engineering news record (ENR) Construction Cost Index for the Seattle area, using a June-June annual measure to establish revised fee schedules effective July 1st of the current year.

The annual increase has not been applied since the fee was set in 2008. The city is in the process of creating a fee schedule that will update all fees annually at the beginning of the year. The July timeframe for updates is inconsistent with the annual fee schedule process. Using the ENR National data (the Seattle data is not available without an account), we see that the index values are as follows: June 2022 = 13111, June 2008 = 8185. Plugging that data into the formula  $(\text{Cost A}/\text{Cost B}) = (\text{Index at Time A}/\text{Index at Time B})$ , we calculated that the fee should increased to \$2,402 in June of 2022.

Another way to review the According to an online inflation calculator, inflation has caused an item that cost \$1,500 in 2008 to cost \$2,036 in 2022. That is a cumulative rate of inflation of 35.8%.

Another metric to determine the cost increase is the Consumer Price Index (CPI). Using the US Bureau of Labor Statistics CPI Inflation Calculator, \$1,5000 in 2008 dollars has the same buying power as \$2,077 in 2022. This calculator uses the CPI for All Urban Consumers in the US, not specifically the CPI for Seattle-Bellevue-Tacoma, which usually tracks much higher than the national average. The city uses the CPI to annually update the sewer connection charge for new units.

Because the \$1,500 fee does not “go as far as it used to,” it stands to reason that the park impact fee needs to be increased. As demonstrated by the two metrics shown above, the city needs to increase the park impact fee by somewhere around \$500 to keep up with the increasing cost of doing business.

The Planning Commission review a staff recommendation to increase the park impact fee by \$500 to bring the impact fee up to current needs. In addition, staff recommended that the ADU impact fee also be updated. The ADU park impact fees were specifically meant to be 61% of a standard single family residential park impact fee for ADUs over 450 SF; and 30% of a standard SFR park impact fee for ADUs up to 450 SF. This equates to a \$450 park impact fee for small ADUs and a \$915 for park impact fee large ADUs. The value was codified instead of the intended ratios 30% of a standard SFR park impact fee for ADUs up to 450 SF and 61% of a standard single family residential park impact fee for ADUs over 450 SF. The amendment replaced the value with the intended ratios of 30% and 61%.

Also, the ENR is not keeping up with inflation. Staff recommended to eliminate the ENR as the index by which the parks impact fee is annually increased. Instead, staff recommended using the Consumer Price Index (CPI); this is consistent with the sewer connection charge methodology. Staff further recommends updating the fee annually on January 1 instead of annually in July. This will be consistent with the update methodology of the soon-to-be-implemented consolidated fee schedule. When adopted, that new fee schedule will relocate the parks impact fees from Chapter 15.60 SWMC and place them in the new fee schedule.

The tables and some of the references in SWMC 15.60.070 still reference information relating to the 2005-2025 growth projections. That information was erroneously left in that section of code. The parks impact fee calculations were updated in 2011, and then again in 2018 to reflect the current growth projection period of 2016-2036. The calculations will be fully revised as part of the 2025-2045 growth projection estimates (a process that will start next year). The current parks impact fee calculations are shown in Appendix A to the Parks and Recreation Element. This update includes revisions to SWMC 15.60.070 to show the most up-to-date impact fee calculation information (2016-2036).

Below are the parks impact fees of local jurisdictions. The impact fees of other jurisdictions are all over the spectrum. It is hard to draw conclusions or make conclusive comparisons. However, the data are still useful.

City	SFR and Duplex	Multifamily
Mount Vernon	\$855/unit	\$789/unit
Burlington	\$655/unit	\$655/unit
Sedro-Woolley	\$1,500/unit	\$1,500/unit
Anacortes	\$1,471.70/unit	\$1,060.33/unit
Oak Harbor	\$1,673/unit	\$1,344/unit
Bellingham	\$4,014.57/unit	\$2,941.85/unit
Ferndale	\$2,214/unit	\$1,796/unit
Lynden	\$2,925/unit	\$1,755/unit
Arlington	\$1,662/unit	\$1,497/unit
	SFR	Duplexes and Townhomes
Stanwood	\$1,936/unit	\$1,148/unit

The Park Impact Fee Calculation Document explains what the parks needs are and how much it will cost per new unit to achieve the city’s parks needs. That document is in Appendix A to the Parks and Recreation Element. Those calculations are summarized in Section 4 of the Park Impact Fee Calculation document:

The financial costs discussed in Section 3 are for parks improvements necessary because of future development. The total cost of acquiring 157.14 acres necessary to accommodate new development is \$10,780,589 and the estimated cost to improve those lands is \$12,313,200. Together, the total estimated cost of future development on the city’s parks and recreation system is \$ 23,093,789.

Although it is not anticipated that the full cost of upgrading the parks system will be paid by new development through parks impact fees, the following analysis shows what the responsibility per new dwelling unit would be if no other funding measures are used to fund the improvements.

According to Skagit County’s adopted population projections for 2036, the City of Sedro-Woolley is expected to increase to 17,069 residents. The current population is estimated at 10,950. The 2010 United States Census results indicate that there is an average of 2.449 residents per dwelling unit in Sedro-Woolley. Therefore an increase of 6,119 residents results in an additional 2,499 dwelling units between 2018 and 2036 (6,119/2.449=2,499).

By dividing the number of new units expected to be built between now and 2036 (2,499) into the cost of improving parks to meet the 2036 LOS (\$23,093,789), the cost per new unit is determined. The result of the calculation shows that it will cost the city \$9,241 for each new unit of residential development to meet the desired goals for park services in 2036.

It is not recommended that the city alter its park impact fees to try to capture the above cost per unit. This study was performed to provide up to date information about the cost of providing parks, as required by the state legislation regarding impact fee rates (RCW 82.02). The City is currently in compliance with these requirements; this study was performed to keep the city in compliance in the new planning horizon stretching into 2036. The findings herein show that the impacts of new development have a direct and substantial financial impact on the Sedro-Woolley park system. The findings further support the city's current park impact fee of \$1,500 per new residential unit.

Though the above calculations indicate that the cost of new parks facilities that are necessary as a result of new development is actually much higher per unit, it cannot be expected that all future park acquisition and development be financed exclusively by park impact fees. The total 2036 park needs cost of \$23,093,789 must be shared between the city and new development. This is referred to as an "adjustment factor" and reflects the contribution public funds must make to future park development. State legislation allows jurisdictions to include an adjustment factor, in other words, the city may charge less than the actual projected cost per unit. The adjustment factor is based on the city's ability to pay for parks needs through grants, general funds and donations.

The proposed amendments affect only Chapter 15.60 SWMC where the impact fee is specified in code. The proposed amendments will not affect the Park Impact Fee Calculation Document.

#### *Consistency with Existing Comprehensive Plan*

The Planning Commission has reviewed the proposed updates to the parks impact fees. The Parks and Recreation Element of the Sedro-Woolley Comprehensive Plan already enables the city to charge impact fees in accordance with RCW 82.02.050-110. The Park Impact Fee Calculations (Appendix A to the Parks and Rec Element) already show that it will cost the city \$9,241 for each new unit of residential development to meet the desired goals for park services. This update will assure that the park impact fee collected is adequate to meet the city's needs for parks. The current fee has not accounted for inflation and other cost increases that have occurred since 2008 when the fee was last increased.

Policy CF2.2: The burden for financing capital improvements should be borne by the primary beneficiaries of new facilities.

*The updated park impact fees will assure that the city is collecting enough money to pay for the projected park needs of new residents.*

*Conclusions:* The Planning Commission finds that the amendments to the parks impact fee amounts specified in Chapter 15.60 SWMC are necessary to make sure the collects adequate amount to provide the parks needed to accommodate new residential growth in the city. The changes to Chapter 15.60 SWMC are necessary to update the parks impact fees.

The Planning Commission recommends an increase of the parks impact fee from \$1500 to \$2000 and to update that fee annually based on the Consumer Price Index. The Planning Commission further recommends that the ADU park impact fee for ADUs is amended to be a percentage of the full park impact fee instead of a specific amount. This makes it easier for the city to annually update the park impact fees in the master fee schedule.

### **Planning Commission Finding of Fact**

#### **Conformance with Growth Management Act**

1. Per the GMA, a jurisdiction may only update its Comprehensive Plan once per year.
2. The City of Sedro-Woolley advertised on its website on December 1, 2021 and in the Skagit Valley Herald on December 7, 2021 and January 4, 2022 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 21, 2022.
3. One request for amendments to the Capital Facilities Element and Chapter 15.64 SWMC was received from the Sedro-Woolley School District.
4. City staff proposed three comprehensive plan amendments in addition to the School District request.
5. At its March 2, 2022 Worksession, the City Council reviewed items for inclusion on the 2022 Comprehensive Plan Docket.
6. The Council reviewed and approved the proposed items to be placed on the 2022 Docket at its March 9, 2022 regular council meeting. The 2022 Docket included all four proposed amendments.
7. Per RCW 36.70A.106, notice of the proposed Comprehensive Plan and zoning amendments were sent to the Washington State Department of Commerce for 60-day review on June 16, 2022. The review period expired August 15, 2022.
8. A SEPA Determination of Non-Significance (DNS) for the 2022 Comprehensive Plan updates and associated municipal code updates was issued on July 18, 2022 (Exhibit H). The DNS was published in the July 18, 2022 Skagit Valley Herald.

#### **CPA-1-22**

9. On March 15, 2022 the Planning Commission first reviewed the proposed amendments to the Transportation Element, CPA-1-22.
10. On April 8, 2022, in compliance with Chapter 2.90 SWMC, notice of the April 19, 2022 Public Hearings in front of the Planning Commission and opportunity to comment on the proposed amendments was published in the Skagit Valley Herald. No written comments on CPA-1-22 were received ahead of the April 19, 2022 hearing.
11. The Planning Commission held the public hearing in person and virtually via Zoom (hybrid meeting) for CPA-1-22 on April 19, 2022. Staff presented the proposed amendments. No public comments were made at the hearing. The Planning Commission then deliberated and discussed the proposed Transportation Element amendments. A motion was made by Commissioner Maddox made a motion to adopt the proposed changes to the Transportation Element as presented by staff. Commissioner Stacy Penno seconded. The motion passed 6-0.

### CPA-2-22

12. On March 15, 2022 the Planning Commission first reviewed the proposed amendments to the Capital Facilities Element and municipal code to adopt an updated School CFP and adopt updated school impact fees, CPA-2-22.
13. On April 8, 2022, in compliance with Chapter 2.90 SWMC, notice of the April 19, 2022 Public Hearings in front of the Planning Commission and opportunity to comment on the proposed amendments was published in the Skagit Valley Herald. No written comments on CPA-2-22 were received ahead of the April 19, 2022 hearing.
14. The Planning Commission held the public hearing in person and virtually via Zoom (hybrid meeting) for CPA-2-22 on April 19, 2022. Commissioner Eric Johnson recused himself from this discussion due to a potential conflict of interest, as he is a member of the School Board. City staff presented the proposed amendments. No public comments were made at the hearing. The Planning Commission then deliberated and discussed the proposed amendments. A motion was made by Commissioner Danielle Freiburger made a motion to recommendation that the city council adopt the proposed amendments to incorporate the 2022 Sedro-Woolley School District Capital Facilities Plan into the Sedro-Woolley Capital Facilities Element and make amendments to Chapter 15.64 SWMC to incorporate the School District's updated school impact fees. Commissioner Stacy Penno seconded the motion. The motion carried 4-1 with Commissioner Franett in opposition.

### CPA-3-22

15. On May 17, 2022 the Planning Commission first reviewed the proposed amendments to the associated with source control, CPA-3-22. Those amendments affect the Capital Facilities Element Land Use Element, Chapter 13.36 and Chapter 13.40 SWMC, CPA-3-22.
16. On June 10, 2022, in compliance with Chapter 2.90 SWMC, notice of the June 21, 2022 Public Hearings in front of the Planning Commission and opportunity to comment on the proposed amendments was published in the Skagit Valley Herald. No written comments on CPA-3-22 were received ahead of the June 21, 2022 hearing.
17. The Planning Commission held the public hearing in person and virtually via Zoom (hybrid meeting) for CPA-3-22 on June 21, 2022. City staff presented the proposed amendments. No public comments were made at the hearing. The Planning Commission then deliberated and discussed the proposed amendments. A motion was made by Commissioner Freiburger to recommend the amendments as suggested by the city staff to the City Council, Commissioner Johnson seconded. The vote was taken and the motion carried 5-0.

### CPA-4-22

18. On May 17, 2022 the Planning Commission first reviewed the proposed amendments to the associated with parks impact fee updates, CPA-4-22. Those amendments affect Chapter 15.60 SWMC, CPA-4-22.
19. On June 10, 2022, in compliance with Chapter 2.90 SWMC, notice of the June 21, 2022 Public Hearings in front of the Planning Commission and opportunity to comment on the

proposed amendments was published in the Skagit Valley Herald. No written comments on CPA-4-22 were received ahead of the June 21, 2022 hearing.

20. The Planning Commission held the public hearing in person and virtually via Zoom (hybrid meeting) for CPA-4-22 on June 21, 2022. City staff presented the proposed amendments. No public comments were made at the hearing. The Planning Commission then deliberated and discussed the proposed amendments. A motion was made by Commissioner Johnson to recommend the amendments as suggested by the city staff to the City Council, Commissioner Johnson seconded. The vote was taken and the motion carried 5-0.

### **Planning Commission Recommendations**

#### **CPA-1-22 – Updates to the Transportation Element**

Based on the findings of fact and testimonies received by the Planning Commission, the Planning Commission recommends that the City Council **adopt** the proposed amendments to the Transportation Element as shown in Attachment A.

#### **CPA-2-22 – Updates to the Capital Facilities Element of the Sedro-Woolley Comprehensive Plan and Chapter 15.64 SWMC to adopt an updated School Capital Facilities Plan and increase School impact fees**

Based on the findings of fact and testimonies received by the Planning Commission, the Planning Commission recommends that the City Council **adopt** the proposed amendments to incorporate the School District’s updated CFP into the Capital Facilities Element and update the school impact fees in Chapter 15.64 SWMC as shown in Attachment C.

#### **CPA-3-212 – Updates to the Land Use and Capital Facilities Elements and Title 13 SWMC to address stormwater regulations**

Based on the findings of fact and testimonies received by the Planning Commission, the Planning Commission recommends that the City Council **adopt** the proposed amendments to address source control in the Capital Facilities Element, Land Use Element, Chapter 13.36 and Chapter 13.40 SWMC. The recommended amendments are shown in Attachment D.

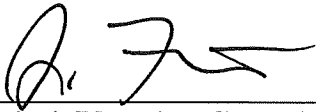
#### **CPA-4-22 – Updates to the Chapter 15.60 SWMC to address Parks Impact Fees**

Based on the findings of fact and testimonies received by the Planning Commission, the Planning Commission recommends that the City Council **adopt** the proposed amendments to Chapter 15.60 SWMC as shown in Attachment E to update the city’s park impact fees.

**ATTACHMENTS**

- A. Planning Commission recommended amendments associated with CPA-1-22
- B. School District request for amendments associated with CPA-2-22
- C. Planning Commission recommended amendments associated with CPA-2-22
- D. Planning Commission recommended amendments associated with CPA-3-22
- E. Planning Commission recommended amendments associated with CPA-4-22
- F. Notice of Public Hearing Published in the Skagit Valley Herald April 8, 2022
- G. Notice of Public Hearing Published in the Skagit Valley Herald June 10, 2022
- H. SEPA DNS issued July 18, 2022

**CERTIFICATION**



\_\_\_\_\_  
**Joe Fattizzi, Planning Commission Chairman**

8-3-2022

\_\_\_\_\_  
**Date**

# Attachment A

To PC Findings and Recommendation

## Chapter 3

### TRANSPORTATION ELEMENT

- 3.04 Introduction
- 3.08 Goals and Policies
- 3.12 Transportation System Inventory
- 3.16 Existing Traffic Conditions
- 3.20 Travel Demand Forecasting
- 3.24 Future System Needs
- 3.28 Transportation Financing Plan
- 3.32 Intergovernmental Coordination

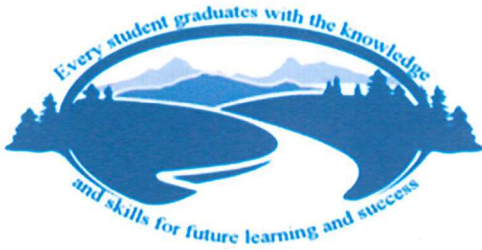
### APPENDIX

- A 2015 Intersection LOS Summary
- B 2015 Street Segment LOS Summary
- C 2036 Intersection Level of Service
- D 2036 Street Segment Level of Service – without improvement
- E 2036 Street Segment Level of Service – with Improvement

See Comp Plan Ordinance for recommended changes. Amendments left out of this copy so as to avoid redundancy in Council packet

Sedro Woolley Comprehensive Plan | 3-1  
~~Update effective: May 18, 2018~~~~Draft: March 2022~~





## Sedro-Woolley School District No. 101

801 Trail Rd, Sedro-Woolley, WA 98284~360-855-3500~Fax 360-855-3574

### **Attachment B**

to PC Findings and Recommendation

November 9, 2021

John Coleman, AICP  
Planning Director/Building Official  
325 Metcalf Street  
Sedro-Woolley WA 98284

RE: Sedro-Woolley School District Adopted 2022 Capital Facilities Plan

Dear Mr. Coleman:

Enclosed please find the Sedro-Woolley School District's 2022 Capital Facilities Plan, adopted by our Board of Directors on November 8, 2021. The 2022 CFP includes current planning in our District as well as updated school impact fees. Please commence the process for updating your jurisdiction's Comprehensive Plan to adopt the 2022 CFP by reference and update accordingly the school impact fees assessed by you on behalf of the District. Please let me know any additional information that you require from the District for this purpose.

We appreciate your attention to this matter. I can be reached at 360-855-3575 with any questions.

Sincerely,

Brett Greenwood  
Executive Director of Business, Operations and Technology

Enclosure

**Dr. Miriam Mickelson**, Superintendent • **Michael S. Olson**, Assistant Superintendent

**Brett Greenwood**, Executive Director of Business, Operations & Technology

**Matt Mihelich**, Executive Director of Human Resources & Health Services

*An Equal Opportunity Employer*

**Chapter 15.64 SWMC - IMPACT FEES FOR SCHOOL FACILITIES**

...

Appendix A—Schedule of School Impact Fees

A. Single-Family Units. ~~One thousand six hundred seventy-eight dollars~~Four thousand four hundred sixty-one dollars per single-family residential unit or mobile or manufactured home (whether on a single lot, condominium unit or mobile park).

B. Multifamily Units. ~~Eight hundred forty-seven dollars~~two thousand eight hundred eighty-eight dollars per residential unit in a multifamily structure.

Note: Detached, single housing units shall be considered single-family residential units, without regard to the form of ownership, including condominium ownership. (Ord. 1845-16 § 3 (Exh. B), 2016; Ord. 1672-10 § 2, 2010; Ord. 1630-08 § 2 (Exh. B), 2008)

See Comp Plan Ordinance for updated School CFP. Amendments left out of this copy so as to avoid redundancy in Council packet

**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**
- Appendix A**      **Buildable Lands and Land Capacity Analysis Report and addendum memo {No Changes in this draft, Appendix not included}**
- Appendix B**      **The Center for Innovation and Technology Subarea Plan (S.W.I.F.T. Center Subarea Plan) {No Changes in this draft, Appendix not included}**

See Comp Plan Ordinance and Municipal Code update Ordinance for recommended changes. Amendments left out of this copy so as to avoid redundancy in Council packet

## Chapter 15.60

### IMPACT FEES FOR PLANNED FACILITIES\*

Sections:

- 15.60.010 Authority and purpose.
- 15.60.015 Definitions.
- 15.60.020 Applicability.
- 15.60.030 Geographic scope.
- 15.60.040 Imposition of transportation impact fees.
- 15.60.050 Transportation fee schedules and establishment of service area.
- 15.60.060 Calculation of transportation impact fees.
- 15.60.070 Park impact fee and establishment of service area.
- 15.60.080 Calculation of park impact fees.
- 15.60.090 Fire department impact fee and establishment of service area.
- 15.60.100 Calculation of fire department impact fees.
- 15.60.110 Payment of fees.
- 15.60.120 Project list.
- 15.60.130 Funding of projects.
- 15.60.140 Refunds.
- 15.60.150 Appeals.
- 15.60.160 Relationship to SEPA.
- 15.60.170 Relationship to concurrency.
- 15.60.180 Necessity of compliance.

\* Prior ordinance history: Ords. 1314-98, 1331-99, 1424-02 and 1452-03.

#### 15.60.010 Authority and purpose.

A. This title is enacted pursuant to the city's police powers, the Growth Management Act as codified in Chapter 36.70A RCW, the enabling authority in Chapter 82.02 RCW, Chapter 58.17 RCW relating to platting and subdivisions, and the State Environmental Policy Act (SEPA) Chapter 42.21C RCW.

B. The purpose of this title is to:

1. Develop a transportation impact fee program consistent with the Sedro-Woolley Comprehensive Plan (2005) the Six-Year Transportation Improvement Program (2005), and capital facilities plans for joint public and private financing of transportation, park and fire department improvements necessitated in whole or in part by development in the city;
2. Ensure adequate levels of transportation, traffic, park and fire department service within the city consistent with the comprehensive plan;
3. Create a mechanism to charge and collect fees to ensure that all new development bears its proportionate share of the capital costs of off-site facilities directly necessitated by new development, in order to provide an adequate level of service consistent with the comprehensive plan;

See Municipal Code update Ordinance for recommended changes. Amendments left out of this copy so as to avoid redundancy in Council packet

# NOTICE OF PUBLIC HEARINGS

**CITY OF SEDRO-WOOLLEY**  
**Amendments to Comprehensive Plan**  
**City of Sedro-Woolley Council Chamber**  
**And Virtually via Zoom Webinar**

**Attachment F**  
To PC Findings and Recommendation

The City of Sedro-Woolley Planning Commission will hold public hearings on **April 19, 2022 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:

1. Updates to the Transportation Element of the Sedro-Woolley Comprehensive Plan – part of the 2022 Docket
2. Updates to the Capital Facilities Element of the Sedro-Woolley Comprehensive Plan to address School Capital Facilities Plan and School impact fees – part of the 2022 Docket

Interested parties can comment on the proposed changes in writing or at the hearing. **Written comments must be received by 4:30 PM April 19, 2022** 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](mailto:nmcgowan@sedro-woolley.gov).

Please use the link below to join the webinar:

<https://zoom.us/j/98042863482?pwd=dnpVeXp4YUJYQVBtdm10VTZ2VVlyZz09>

Meeting ID: 980 4286 3482 – Password: 070388

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

Published in the Skagit Valley Herald: April 8, 2022

# NOTICE OF PUBLIC HEARINGS

CITY OF SEDRO-WOOLLEY

## Amendments to Comprehensive Plan and Sedro-Woolley Municipal Code

City of Sedro-Woolley Council Chamber  
And Virtually via Zoom Webinar

<b>Attachment G</b> To PC Findings and Recommendation
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The City of Sedro-Woolley Planning Commission will hold public hearings on **June 21, 2022 at 6:30 PM**, in the Sedro-Woolley Council Chambers and via Zoom Webinar, to hear testimony regarding the following proposed amendments:

1. Updates to the Parks and Recreation Element of the Sedro-Woolley Comprehensive Plan and Chapter 15.60 SWMC to address Parks Impact Fees – part of the 2022 Docket
2. Updates to the Land Use and Capital Facilities Elements of the Sedro-Woolley Comprehensive Plan and Title 13 SWMC to address stormwater regulations – part of the 2022 Docket
3. Proposed updates to Chapter 3 – Additional Standards for the Central Business District and Chapter 11 – Definitions of the Sedro-Woolley Design Review Standards and Guidelines manual

Interested parties can comment on the proposed changes in writing or at the hearing. **Written comments must be received by 4:30 PM June 21, 2022** 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](mailto:nmcgowan@sedro-woolley.gov).

Please use the link below to join the webinar:

<https://zoom.us/j/98042863482?pwd=dnVVeXp4YUJYQVBtdm10VTZ2VWlyZz09>

Meeting ID: 980 4286 3482 – Password: 070388

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

Published in the Skagit Valley Herald: June 10, 2022

**CITY OF SEDRO-WOOLLEY**  
**SEPA Notice of Threshold Determination**  
**Determination of Non-significance (DNS)**

**Attachment H**  
To PC Findings and Recommendation

**Project Description:** 2022 amendments to the Sedro-Woolley Comprehensive Plan and development regulations in compliance with the Growth Management Act. Amendments to the Transportation, Parks and Recreation, Capital Facilities and Land Use Elements, as well as associated amendments to the development regulations. File #CPA-1-22 through 4-22.

**Proponent:** City of Sedro-Woolley Planning Department

**Location of Project, Including Street Address, if any:** This is a non-project action.

**Lead Agency, City of Sedro-Woolley:** The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. In support of this environmental determination the City adopts the existing Final Environmental Impact Statement prepared June 1994 and Supplemental Environmental Impact Statement prepared February 1998, both prepared for the adoption of the City of Sedro-Woolley Comprehensive Plan and Development Regulations. This information is available to the public on request.

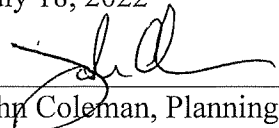
This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date of issue. Comments must be submitted by **August 1, 2022**. Per SWMC 2.88.170, you may appeal this threshold determination in writing to the City of Sedro-Woolley Planning Department no later than **August 15, 2022**. Written appeals must be submitted to the Sedro-Woolley Planning Department, 325 Metcalf Street, Sedro-Woolley, Washington, 98284. Contact the Planning Director at (306) 855-0771 or electronically at [jcoleman@sedro-woolley.gov](mailto:jcoleman@sedro-woolley.gov) to read or ask about the procedures for SEPA appeals.

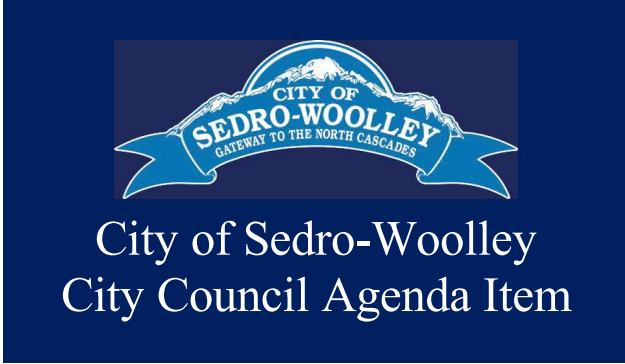
**Responsible SEPA Official:** Planning Director – City of Sedro-Woolley  
**Contact Person:** John Coleman, Planning Director

**Address:** 325 Metcalf Street, Sedro-Woolley, WA 98284

**Date of Issue:** July 18, 2022

**Signature:**

  
\_\_\_\_\_  
John Coleman, Planning Director



Agenda  
Item No. \_\_\_\_\_  
Date: August 10, 2022  
Subject: Central Business District Design  
Standards & Guidelines Amendments -  
1<sup>st</sup> read

**FROM:**  
John Coleman, AICP

**RECOMMENDED ACTION:**  
First Read - no action requested

**ISSUE:**

1. Should the City Council adopt the proposed amendments to Sedro-Woolley Design Standards and Guidelines to address development in the Central Business District?

**BACKGROUND/SUMMARY INFORMATION:**



The Planning Commission has recommended amendments to the Sedro-Woolley Design Standards and Guidelines (*Design Standards*) to address the appearance of new structures and modifications to existing structures in the Central Business District (CBD). The proposed amendments affect Chapter 3 – Additional Standards for the Central Business District – and Chapter 11 – Definitions – of the *Design Standards*. The amendments are intended to address the City Council’s concerns about the impacts to the CBD’s historic identity by new development that is not consistent with the existing buildings in the CBD.

The Planning Commission reviewed the *Design Standards* at five meetings and held two public hearings for the proposed updates to the *Design Standards*. The attached Planning Commission *Findings of Fact, Conclusions and Recommendation (Findings)* includes the procedural history of the *Design Standards* update process. The proposed updates to the *Design Standards* are included in proposed Ordinance 2017-22 (Attachment 1).

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

1. Pass an ordinance adopting the amendments to the *Design Standards* 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 with additional changes made by the City Council; or
4. Reject the proposed changes.

**FISCAL IMPACT, IF APPROPRIATE:**

N/A

**ATTACHMENTS:**

1. Attachment 1 Ordinance 2017-22 to adopt amendments to the SW Design Standards and Guidelines
2. Attachment 2 Planning Commission Findings of Fact and Recommendation

**ORDINANCE NO. 2017-22**

**AN ORDINANCE OF THE CITY OF SEDRO-WOOLLEY, WASHINGTON, ADOPTING AMENDMENTS TO THE SEDRO-WOOLLEY DESIGN STANDARDS AND GUIDELINES TO ADDRESS DEVELOPMENT IN THE CENTRAL BUSINESS DISTRICT.**

WHEREAS, the City Council expressed concern about new development and modifications to existing buildings in the Central Business District, and

WHEREAS, in accordance with the Sedro-Woolley Consolidated Planning Procedures, the Planning Commission held public meetings on April 20, May 18, July 20, 2021 and February 15, March 15, April 19 and June 21, 2022 to review the existing design standards for the CBD and suggested draft amendments; and

WHEREAS, the Planning Commission held a public hearings on March 15 and June 21, 2022 and following the public hearing recommended that the City Council adopt amendments to the Sedro-Woolley Design Standards and Guidelines to improve the standards for development in the CBD; and

WHEREAS, the proposed changes are supported by and implement the Comprehensive Plan; and

WHEREAS, pursuant to RCW 36.70A.106, a notice of intent to adopt amendments to the city development regulations was sent to the Washington State Department of Commerce on February 9, 2022 and the city has satisfied the state notification requirements; and

WHEREAS, environmental review of the amendments has been completed and a Determination of Non-Significance was issued April 16, 2021; and

WHEREAS, the proposed ordinance is in the best interest of City of Sedro-Woolley citizens and promotes the health, safety and welfare of the citizens of the City of Sedro-Woolley; and

WHEREAS, the City Council adopts the forgoing as its findings of fact justifying its adoption of this Ordinance; now, therefore,

**THE CITY COUNCIL OF THE CITY OF SEDRO-WOOLLEY, WASHINGTON, DO HEREBY ORDAIN AS FOLLOWS:**

**Section 1.** The Sedro-Woolley Design Standards and Guidelines are hereby amended as set forth in Exhibit 1.

**Section 2.** This ordinance shall be in force and take effect five (5) days after its publication according to law.

**Section 3.** 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 \_\_\_\_\_ day of August, 2022, and signed in authentication of its passage this \_\_\_\_\_ day of August, 2022.

By: \_\_\_\_\_  
JULIA JOHNSON, Mayor

Attest: \_\_\_\_\_  
KELLY KOHNKEN, Finance Director

Approved as to form:

\_\_\_\_\_  
NIKKI THOMPSON, City Attorney

Published: \_\_\_\_\_, 2022

**Exhibit 1**

To Ordinance 2017-22  
Amendments to Design Standards and Guidelines

### 3. Additional Standards for the Central Business District

#### BUILDING DESIGN

#### GENERAL STOREFRONT PROFILE



#### Intent

To encourage and implement architectural design that is varied, aesthetically pleasing, functional and fits within local and regional vernacular, encouraging building that matches regional historic themes; to avoid large blank homogenous spaces, overbearing and out of scale forms and materials. The standards and guidelines that follow in this section are written with the intention that all street-facing facades of the first story of buildings within the downtown core have the appearance of, and be recognizable as, a commercial storefront. These standards work from and in addition to the existing Sedro-Woolley Design Standards and Guidelines. The Planning Director may make minor modifications and interpretations to design standards on a case-by-case basis.

Generally speaking, a style known as “Art Nouveau” emerged in the last decade of the nineteenth and first decade of the twentieth centuries. It was the dominant influence in painting, sculpture, architecture and what is known as “the applied” or “decorative arts”. This new style was characterized by lack of straight lines and an emphasis on fluid movement within compositions. Architecturally, it can be seen most prominently in cornices, crown moldings, arched windows, belt courses, medallions, letter styles and sign shapes. Utilitarian construction of earlier years was replaced with an emphasis on craftsmanship. This overall stylistic evidence was most manifested in larger cities, (Chicago,



Examples of remnant dentil detailing (left) and crown molding (right) in Sedro-Woolley’s CBD.

San Francisco and Seattle are examples) but much of it filtered through to small towns like Sedro-Woolley. Remnants of beautiful crown moldings and dentil detailing are most of what remains of the original work. Efforts need to be made to uncover and restore as much as possible

of what actually existed. In some cases, this original work will be readily apparent – in others it has been destroyed. In some more current buildings, it never existed at all. Each situation will have to be evaluated on its own and changes carefully considered not only for their own value, but for the influence they will have on surrounding properties.

Historically, storefront architecture in the Northwest ranged from simple, wooden false fronts to sophisticated masonry facades. In every town, there is a combination of styles and interpretations resulting in an interesting collection of stylistic variations. This variety – where wood front stood next to brick, two-story next to single-story, and simple next to ornate – is particularly characteristic of this era. Any old photos of town scenes show this to be very apparent.

Building facades were consistently given ornamental detailing. Aside from signage, this most often found expression in building crowns, dentil work, cast masonry, ornamental brick and ornamental sheet metal. Some of these additions can vary so widely as to be difficult to define. Care should be taken to encourage the use of such elements while, at the same time, ensuring that they are well-integrated and not disproportionate or overdone.

This characteristic is especially important and guidance should be given to maintain that visual variety. Some ways to assure variety are:

1. Provide for breaks in color between buildings. Painted surfaces and brick or masonry should have substantial color variation. Awning fabric is available in a number of colors and patterns.
2. Building facades should vary in height, shape, and ornamental detailing.
3. Glass shapes and sizes should change from one front to the next adjoining front, doors and entries included.
4. Signage colors, shapes, letter styles, and details should vary.

Also immediately apparent from this period is the tall finishes on ground level façades. Tall windows and doors, carefully modulated and articulated with respect to adjacent architecture, work to create a focal point that compliments the building front as well as introduce much needed natural light into interiors. Transom windows above a bank of first-level windows were often seen. These have been largely covered in more recent years as ceilings have become lower over time. By uncovering these windows and refitting them with glass, much can be added that speaks of early architecture (as an alternative, awnings can be used to cover transom window areas).



Examples of historic Art Nouveau style architecture in downtown Sedro-Woolley displaying tall, decorative fronts.

-Special decorative attention at entries is a significant aspect of architecture seen in the Art Nouveau era. The “tall” front” look is especially evident here. Tall ground level fronts were very common in early 20<sup>th</sup> century architecture. To some extent, they have survived to contemporary times, though with substantial differences in their materials and presentation. The old facades started at ground level with a short 2’-3’ wainscoting of masonry on wood which is often divided and paneled. Above this wall is multi-paned glass frequently tall and narrow with vertical orientation. Recessed entries are the rule, with doors flanked by tall, narrow windows and a transom window at the top. Above the first bank of windows is a bank of shorter 3’-4’ transom windows. As mentioned earlier, these allowed the maximum amount of natural light into the corresponding tall interior spaces. The natural light was frequently controlled with a retractable type awning at the transom window level. Continuing up from the transom window level is the false front – typically ½ to ¾ the height of everything below that level. Alternatively, in a 2 or 3 story building, are symmetrically arranged rows of double hung windows. In either false front or multi-story buildings, the top of the wall is finished with decorative rows of brick work, dentil detailing, and a crown molding.



A false front disguises the rest of this single-story building, creating a more impressive, eye-catching façade.

“False fronts” are a historically characteristic way of giving a single-story building a more impressive façade. ~~False~~ These fronts were most typically wood frame or masonry with decorative panels and detailing. They gave the illusion of a much larger building with a distinctive face without involving the whole building. Wood buildings normally had a gable roof with the characteristic triangular gable end. False fronts on this type of building would disguise the triangle with a rectangular façade. These accommodated sidewalk/window coverings and signage, and integrated well with adjoining buildings. Masonry fronts were not typical of

single-story buildings; however, some stores had extremely high interior spaces that extended above the transom windows and from the outside looked much taller than a one story building. Some of these, after having ceilings lowered, have the appearance of a false front building. These fronts were typically made of wood or masonry. They allow a building to have a more distinctive face without involving the whole building. Decorative detailing is also commonly apparent on buildings of this era. Intricate sheet metal work often topped building fronts with impressive crown molding. ~~Fronts also often displayed dentil detailing of cast masonry, or brick, or combinations of masonry, metal, and wood.~~ It was the exceptional building that did not have substantial superficial detailing.

Generally speaking, a style known as “Art Nouveau” emerged in the last decade of the nineteenth and first decade of the twentieth centuries. It was the dominant influence in painting, Sculpture, architecture, and what is known as “the applied” or “decorative arts”. This new style was characterized by lack of straight lines and an emphasis on fluid movement within compositions. Architecturally it can be seen most prominently in cornices, crown moldings, arched windows, letter styles, and sign shapes. Utilitarian construction of earlier years was replaced with an emphasis on craftsmanship. This overall stylistic evidence was most manifested

in larger cities, (Chicago, San Francisco, Seattle) but much of it filtered through to small towns such as Sedro-Woolley. Remnants of beautiful crown moldings and dentil work are most of what remains of the original work. Efforts need to be made to uncover and restore as much as possible of what actually existed. In some cases this original work will be readily apparent, in others it has been destroyed. In some more current buildings it never existed at all. Each situation will have to be evaluated on its own and changes carefully considered not only for their own value, but for the influence they will have on surrounding properties.

## Standards:

### Required:

1. Brick shall be the dominant material featured at the pedestrian level on street-facing facades. In multi-story buildings, 50% or more of the front façade on the 1<sup>st</sup> and 2<sup>nd</sup> floors shall incorporate brick. If a step-back is included on the 2<sup>nd</sup> floor, the usage of brick may be reduced to no less than 30%. This standard does not apply to buildings located within the Outer CBD area (defined in Chapter 11 – Definitions).
2. Frontages shall mimic the historic look of wood or masonry. Other materials may be used to achieve this look, however they must be of an acceptable quality.
3. Building fronts shall incorporate no more than 3 colors; one base color, one trim color and one accent color. Consult with city staff on appropriate façade colors.
4. When present and intact, historic character and character-defining elements of the storefront shall be preserved.
5. Blank spaces on walls shall not exceed 20 feet horizontally or 15 feet vertically.
6. New construction shall architecturally respect the modulation and articulation of adjacent buildings.
7. Buildings in the Historic Downtown area (defined in Chapter 11 – Definitions) shall have traditional commercial flat roofs with parapets OR use parapets to entirely block alternative roof forms. Flat roofs shall include a parapet on all sides of the building, visible from the adjacent street(s), with a cornice or similar architectural feature. Shed roofs are appropriate for subordinate roof forms, such as porches, canopies, or upper floor projections.
8. Buildings over two stories or more than 30 feet maximum at peak, whichever is lower, along the Main Streets of the CBD (defined in Chapter 11 – Definitions) shall have traditional commercial flat roofs with parapets OR may have shed roofs with a minimum of a three-foot eave on the street-facing side. Flat roofs shall include a parapet on all sides of the building, visible from the adjacent street(s), with a cornice or similar architectural feature. Shed roofs are appropriate for subordinate roof forms, such as porches, canopies, or upper floor projections.
9. Buildings of two stories or less or those under 30 feet maximum at peak, whichever is higher, within the Outer CBD area (defined in Chapter 11 – Definitions) may have traditional commercial flat roofs with parapets OR shed roofs with a minimum of a two-foot eave on the street-facing side OR gabled or hipped roofs at 6:12 slope minimum with a minimum of a two-foot eave. Flat roofs shall include a parapet on all sides of the building, visible from the adjacent street(s), with a cornice or similar architectural feature. Shed roofs are appropriate for subordinate roof forms, such as porches, canopies, or upper floor projections.



10. Except in the Historic Downtown, all one-story commercial buildings with no residential component shall have traditional commercial flat roofs with parapets OR may have shed roofs with a minimum of a two-foot eave on the street-facing side.

11. Ground floor, street-facing facades of commercial and mixed-use buildings shall incorporate at least five of the following elements listed in A-J:

A) Lighting or hanging baskets supported by ornamental brackets;

B) Medallions;

C) Belt courses;

D) Plinths for columns;

E) Kickplates for storefront window;

F) Projecting sills;

G) Tilework;

H) Pedestrian scale sign(s) or sign(s) painted on windows;

I) Planter box;

J) An element not listed here that meets the intent.

In addition, as part of requirements, applicants shall include one or more of the following elements listed in K-P:

K) Masonry skirting/base/wainscoting or similar, no less than 36" above grade at building; minimum height does not apply under fenestrations; finished concrete may be considered.

L) Large format doors and windows with transom windows above;

M) Large operable windows and/or doors that create dynamic, usable space/interface of public and private space for dining, seating, retail or similar;

N) Post and lintel detailing/articulation; corbeling, dentils or similar;

O) Decorative trim, moldings, bands, arches, balustrades, base moldings or similar architectural features;

P) Notable building articulation and/or modulation vertically or horizontally or similar architectural feature(s) that meet the intent of this section.;

### **Guidelines:**

#### Encouraged:

1. Intricate sheet metal should be used to enhance frontages and match the historic style.
2. Dentil detailing of cast masonry, brick or a combination of masonry, metal, and wood.
3. "False fronts" or "tall fronts"
4. Provide for breaks in color between buildings. Painted surfaces and brick or masonry should have substantial color variation. Awning fabric is also available in a number of colors and patterns.
5. Building facades should vary in height, shape, and ornamental detailing.
6. Glass shapes and sizes should change from one front to the next, including adjoining front doors and entries.
7. Signage colors, shapes, letter styles and details should vary.

Generally speaking, a style known as “Art Nouveau” emerged in the last decade of the nineteenth and first decade of the twentieth centuries. It was the dominant influence in painting, sculpture, architecture, and what is known as “the applied” or “decorative arts”. This new style was characterized by lack of straight lines and an emphasis on fluid movement within compositions. Architecturally it can be seen most prominently in cornices, crown moldings, arched windows, letter styles, and sign shapes. Utilitarian construction of earlier years was replaced with an emphasis on craftsmanship. This overall stylistic evidence was most manifested in larger cities, (Chicago, San Francisco, Seattle) but much of it filtered through to small towns such as Sedro Woolley. Remnants of beautiful crown moldings and dentil work are most of what remains of the original work. Efforts need to be made to uncover and restore as much as possible of what actually existed. In some cases this original work will be readily apparent, in others it has been destroyed. In some more current buildings it never existed at all. Each situation will have to be evaluated on its own and changes carefully considered not only for their own value, but for the influence they will have on surrounding properties.

## **BUILDING FACADES AND FALSE FRONTS**

### “Tall Fronts”

Tall ground level fronts were very common in early 20<sup>th</sup> century architecture. To some extent they have survived to contemporary times though substantial different in their materials and presentation. The old facades started at ground level with a short 2’-3’ wainscoting of masonry on wood which is often divided and paneled. Above this wall is multi-paned glass frequently tall and narrow with vertical orientation. Recessed entries are the rule and doors flanked by tall narrow windows and a transom window at the top. Above the first bank of windows is a bank of shorter 3’-4’ transom windows. As mentioned earlier, these allowed a maximum amount of natural light into the corresponding tall interior spaces. The natural light was frequently controlled with a retractable type awning at the transom window level. Continuing up from the transom window level is the false front typically  $\frac{1}{2}$  to  $\frac{3}{4}$  the height of everything below that level. Alternatively, in a 2 or 3 story building, are symmetrically arranged rows of double hung windows. In either false front or multi-story buildings the top of the wall is finished with decorative rows of brick work, dentil detailing, and a crown molding.

### “False Fronts”

False fronts were most typically wood frame or masonry with decorative panels and detailing. They gave the illusion of a much larger building. Wood buildings normally had a gable roof with the characteristic triangular gable end. False fronts on this type of building would disguise the triangle with a rectangular façade. These accommodated sidewalk/window coverings, signage, and integrated well with adjoining buildings. Masonry fronts were not typical of single story buildings; however, some stores had extremely high interior spaces that extended above the transom windows and from the outside looked much taller than a one story building. Some of these, after having ceilings lowered, have the appearance of a false front building.

## AWNINGS, CANOPIES AND MARQUEES



Awnings (see left) are wholly supported by the building to which they are attached and comprised of a lightweight frame structure with a covering.

Marquees (see right) are permanent roofed structures, fully supported by the building to which they are attached.



Canopies (see left) are a mix of the two, utilizing both a permanent, rigid structure and a covering. These can be either structurally independent or supported on one end by the building.

### Intent

To encourage and implement an attractive and functional pedestrian environment. Awnings, canopies and marquees provide a visually pleasing way to protect the streetscape from weather and sun. These features, when thoughtfully designed, add a welcoming touch to building facades in the downtown area.

Historically, awnings were generally a retractable-type utilizing cotton canvas stretched over a metal ribbed frame. The whole was mounted at the level of the transom windows and either mechanically or manually collapsible against the building to allow sunlight to penetrate the interior space and to protect clientele from inclement weather. In more recent years, it is more common to see fixed awnings as the framing is generally more durable and effective in preventing wear and tear. These were mounted at the level of the transom windows. They also had the added benefit of providing rain protection to clientele. Canopies and marquees are more

recently used variations of the fixed awning that are structurally sound in design and provide similar protection and aesthetic character to building fronts.

~~Permanent awnings constructed of wood or metal and that meet all other design review standards are encouraged. If a fabric awning is desired, there are three reasons that a fixed frame acrylic type is recommended over a retractable type:~~

- ~~1. Durability and maintenance—modern acrylic fabrics are available to replace the cotton type. They are more colorfast, resistant to ultraviolet breakdown and being synthetic will not mildew or rot. They can easily be pressure washed.~~
- ~~2. Tidiness—fixed frame type awnings allow the fabric to be stretched tight over the ribs. This provides a watertight covering that will not collect extra dirt or refuse in sags or folds. Fabric stretched tight will not be continuously pulled over metal parts by the wind that will wear out corners and seams.~~
- ~~3. Cost—fixed frame awnings cost about ½ of the price of retractable ones.~~

~~Awnings should be angular as opposed to round in keeping with traditional rather than current popular styles. Fabric should be solid color or striped acrylic type. Glossy vinyl or translucent back lighted type should be specifically disallowed.~~

~~Projection from the building should not be less than 5' or greater than 75% of the width of the sidewalk. A vertical valance of not more than 20" should be standard with the addition of decorative trim encouraged. Signage should be limited to ½ of the area of the vertical portion.~~

### Standards:

#### Required:

1. Awning Size and scale of awnings, canopies and marquees shall relate to that of the building architecture and features.
2. Awnings may be fixed or retractable. Should a retractable awning be used, it shall be well-constructed so as not to pose a safety hazard within the public Right-of-Way. —Glossy vinyl or translucent back lighted type shall be specifically disallowed.
3. Projection from the building shall not be less than 5' or greater than 75% of the width of the sidewalk.
4. Glossy vinyl or translucent back--lighted type shall be specifically disallowed.

### Guidelines:

#### Encouraged:

1. Awnings should be angular as opposed to round in keeping with traditional styles.
2. Permanent **marquees** constructed of **glass**, wood or metal and that meet all other design review standards are encouraged.
3. Fabric **covers** should be solid color or striped acrylic **and compatible with other colors used on the building front.**
4. A vertical valance of not more than 20" should be standard with the addition of decorative trim encouraged. Signage should be limited to ½ of the area of the vertical portion.

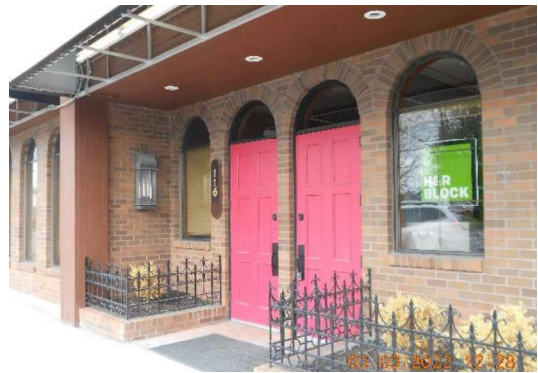
## DOORS AND WINDOWS

### Intent

To encourage attractive and functional building entrances and frontages that provide a welcoming environment on the street level while matching the existing character of the Central Business District. Doorways, ~~as mentioned earlier~~ are typically recessed from the plane of windows at the front. This affords weather protection, facilitates window displays, and provides a visual break to the front. Doors are a focal point and a compliment to any business front. They were generally made of varnished hardwood with large glass panels. Hardware was characteristically brass or black iron, large and ornate. Craftsmanship had a showplace in beautiful entry doors. Typically, finely detailed woodwork bordered the glass which was often beveled at the perimeter, and carried a name hand-lettered in gold leaf. Doors were massive by today's standards; 7 ½' – 8' tall and 38" – 46" in width. Generally, they were flanked by tall windows and an opening transom window above that featured the same detailing.

Windows were expansive, but generally of smaller panes. Large areas of glass are the hallmark of contemporary architecture and need to be visually interrupted. Glass that starts at ground level or close to it is also a feature of modern architecture that destroys the effect we are trying to achieve. Metal frame or metal clad wood frame windows are popular for maintenance but need not sacrifice traditional styling for efficiency. All types of window styles are available today in energy and maintenance-efficient material. Of course, the person wanting to restore their building close to the original, will opt for wood sash and trim with heavy wood mullions. ~~Total compliance may not be practical in all cases, but a minimum of 50% of exterior glass surfaces be multi-pane or gridded is recommended to achieve that effect.~~

Transom windows so typical of early architecture are a feature that should be encouraged in remodeling. They are almost universally consistent in their appearance on Metcalf Street, but have been covered in almost every case. ~~These windows that complete the "tall front" feeling should be enhanced not covered. If they cannot function as originally planned because of interior remodeling, then they can be opaque from the inside or covered with an awing similar to the old style.~~



This building features an inviting, decorative entryway, recessed from the front plane. The arched transom windows and brightly colored doors act as focal points, drawing attention at the pedestrian scale.

### Standards: Required:

1. All street-facing storefront facades shall consist of no less than 65% glass display windows between 2 and 8 feet off the ground with trim unless an alternative proposal is provided

accomplishing the same intent with compatible architectural treatments that provide sufficient visual interest at the pedestrian scale.

2. A minimum of 50% of exterior glass surfaces must be multi-pane or gridded. False muntins or simulated divided lites between window panes shall be prohibited.
3. Storefront facades shall consist of no less than 65% glass display windows with trim unless an alternative proposal is provided accomplishing the same intent with compatible architectural treatments.
4. Wood is the preferred material for doors. Bronze, brass, and painted metal is acceptable. Bright finish stainless steel or aluminum, fiberglass and plastic shall not be used.
5. Hardware shall ~~mimic~~ be traditional and historic in character, to the extent allowed under the applicable building code.
6. Door glazing shall be a minimum of 65% with transom glazing wherever possible.
7. Garage doors and other doors not intended for use on the pedestrian scale are specifically prohibited unless enough decorative treatment is incorporated to allow an exception.
8. Window and door modulation and articulation shall be incorporated in a way that is compatible with existing modulation and articulation of adjacent buildings.

### **Guidelines:**

#### **Encouraged:**

1. Windows that complete the “tall front” feeling should be enhanced, not covered. If they cannot function as originally planned because of interior remodeling, then they can be opaque from the inside or covered with an awning similar to the old style.
2. Buildings with a commercial ground floor are encouraged to use larger plate glass between 2 and 8 feet off the ground at the storefront and smaller gridded or multi-pane windows for all additional stories.
3. Upper--story windows with vertical emphasis are encouraged. Typically, upper--story windows are twice as tall as they are wide. These proportions are within a limited range; therefore, upper--story windows in new construction, should relate to the window proportions seen historically.
4. Transom windows are encouraged.
5. Decorative molding, framing, glazing and other designs are encouraged.
6. Decorative wrought iron detailing is encouraged.

## **SIGN DESIGN**

### **GENERAL CBD SIGNAGE**

#### **Intent**

To create community identity and secure the vitality of businesses in the downtown area as part of a carefully designed, pedestrian-oriented streetscape. Signage is the single element most responsible for conveying the type of design “message” that is communicated to the public. As bright, attention-getting communication devices, signs, by their nature, make strong first impressions. ~~They are bright attention getting communication devices.~~

Variety is absolutely essential and expression of a store's identity is completely individualized and subjective. ~~However, there~~ are certain parameters ~~however~~ that, if followed with care, will result in a more pleasing expression to the public. Considering how important the signs are in establishing a solid, long-lasting first impression, deliberate and purposeful review of each application is very important. Poorly coordinated signage ~~is the one single element that~~ can destroy and overwhelm all ~~of our~~ other efforts combined. On the other hand, it can be the very best supportive element to the theme we are trying to encourage.

As mentioned in the basic profile, the Art Nouveau influence was the strongest force behind painting, sculpture, architecture, and applied decorative arts. Signage was particularly influenced as a decorative form of self-expression. In fact, many in the sign trades recognize signage from 1900-1930 as the classic period in American style, where beautiful letter forms and decorative expression meet with the best craftsmanship and techniques. Businesses will find a wide variety within this designation. Basically, there are several types: awning, canopy or marquee lettering, carved wood, window (gold leaf and paint), painted wood, cut out or cast individual letters, wall signs painted directly on buildings, and some very early types of neon and electric signs.

### Standards:

#### Required:

1. Square footage, height and setback restrictions of signs shall comply with the City of Sedro-Woolley Municipal Code.
2. Digital signs are not permitted in the CBD except in the following locations:
  - A) On Eastern Street between the railroad to the north and State Street to the south;
  - B) On Murdock Street between the railroad to the north and State Street to the south;
  - C) On Puget Street between Pacific Street to the north and State Street to the south;
  - D) On State Street; and
  - E) On Ferry Street between State Route 20 to the west and Eastern Street to the east.
3. Animated, rotating, changing message signs and signs that combine a white background with internal illumination are specifically prohibited. Exposed neon illumination or shielded external illumination are accepted alternatives.

### Guidelines:

#### Encouraged:

~~The following guidelines will allow free expression within certain parameters that will serve us best in Sedro-Woolley. Note: information contained in the following table is encouraged, but not required. All signs shall have 2 or 3 of the following elements commensurate with Art Nouveau styling:~~

1. Letter style should be complimentary to Art Nouveau; Classic Roman and derivatives or Calligraphic styles. Avoid Sans Serif, Contemporary and any decorative styles that fight with the theme (such as computer styles or Old English). In cases where a corporate logo and/or representative letter style is used, criteria 2 and 3 below should be followed so signage can be integrated with the total theme.

2. Signs should have an outside shape that is characteristically decorative, or if rectangular or square, include panels, borders and decorative detailing that are distinctly complimentary to the 1920's architectural style.
3. Signs should be made with materials and techniques that are similar in appearance to those used in signage during 1900-1930. All free standing and projecting signs should have a base support of pose cover that is decorative as well as functional and made of materials that are as relative to the coloration and detailing of the exterior walls of the buildings they serve as possible.

~~1. Letter style shall be complimentary to Art Nouveau; Classic Roman and derivatives or Calligraphic styles. Avoid Sans Serif, Contemporary, and any decorative styles that fight with the theme (such as computer styles or Old English). If a corporate logo and/or representative letter style is to be used then the second two criteria must be followed closely so that their signage can be integrated with the total theme.~~

~~2. Signs shall have an outside shape that is characteristically decorative, or if rectangular or square, panels, borders and decorative detailing that are distinctly complimentary to the 1920's architectural style.~~

~~3. Signs shall be made with materials and techniques that are similar in appearance to those used in signage in the early part of the century, 1900-1930. All free standing and projecting signs shall have a base support of pose cover that is decorative as well as functional and made of materials that are as relative to the exterior walls of the buildings they serve as possible (coloration and detailing).~~

~~Square footage, height, and setback restrictions shall comply with the City of Sedro-Woolley Municipal Code. Flashing, animated, rotating, changing message signs and signs that combine a white background with internal illumination are specifically prohibited. Exposed neon illumination or shielded external illumination are accepted alternatives.~~

~~Drawings must be submitted for approval. They need to be in color, and detail size, materials, have specific accurate letter style, and decorative detailing and placement on building indicated. Structural and installation details per current code.~~

## ~~DECORATIVE DETAILING FOR SIGNS~~

~~Building facades were consistently given ornamental detailing. This most often found expression (aside from signage) in building crowns, dentil work, cast masonry, ornamental brick, and ornamental sheet metal. Some of these additions can vary so widely as to be difficult to define. Care should be taken to encourage the use of such elements while at the same time insuring that they are well integrated and not disproportionate or overdone. Simple drawings should be submitted for approval, detailing materials, relative size to building, color and placement.~~

## ~~STREETSCAPEIGN LIGHTING~~



## Intent

~~Exterior lighting can serve to highlight signs as well as entrances and ground floor details and to accentuate the architecture as well as providing interesting visual breaks and detail in the streetscape. Exposed lighting fixtures should be decorative; ranging from European traditional to early American to Early 20<sup>th</sup> century. Decorative exposed lighting fixtures ranging from European traditional to early American to early 20<sup>th</sup> century all serve to compliment the pedestrian environment. Carriage lamps with decorative bases and arms and fluid graceful goosenecks with floral motifs are most associated with this period. White or clear bulbs are appropriate, while colored light should be disallowed.~~



Decorative pedestrian-scale lighting lines the streetscape in Sedro-Woolley's CBD.

Indirect lighting can be used to flood exterior walls and fronts to dramatically accent architecture. ~~Fixtures should be carefully shielded from view.~~ Lighting hidden under soffit or behind canopies and awnings can provide excellent wall lighting and adequate security lighting. Free-standing light fixtures can be a great source of lighting at building entries. ~~These should be characteristically styled with the height not to exceed building height.~~



Streetscape lighting can work to bring attention to exterior details such as this beautiful mural.

## Standards:

### Required:

1. Decorative streetscape lighting shall be incorporated at 75 feet on-center within the Historic Downtown (defined in Chapter 11 – Definitions) and along Ferry Street. Fixtures shall be selected from the City's list of approved decorative street lighting fixtures.

2. New buildings with street-frontage of at least 75 feet in width anywhere in the CBD Zone shall incorporate decorative streetscape lighting. Fixtures shall be selected from the City's list of approved decorative street lighting fixtures.
3. New streetscape lighting shall be cohesive with existing adjacent fixtures.
4. White or clear bulbs are appropriate. Colored light is prohibited.
5. The height of free-standing light fixtures shall not exceed building height.
6. Wiring connections shall be carefully shielded from view. Free-standing light fixtures shall run connections underground.

**Guidelines:**

**Encouraged:**

1. Exposed lighting fixtures should be decorative; ranging from European traditional to early American to Early 20th century.

## 11. Definitions

**Art or Water Feature** - An historical, symbolic, or abstract sculpture or other form that may also incorporate water, ~~which~~ addings dimension to a public space.

**Artful** - A one-of-a-kind design that reflects the skills and talent of an artist, graphic designer, or other design professional.

**Articulation** - An architectural term for when formal elements of architectural design (such as windows, for example) are styled in a way that create emphasis on those particular elements. See right.



**Awning** - A light-weight, framed projection placed on a building façade – typically over entryways or windows – with an attached cover that is supported entirely by the building. Awnings may be fixed or retractable-type.

**Balustrade** – A railing supported by balusters, or small columns.



**Belt course** - A horizontal band of masonry across the exterior of a building that stands out visually. See right.

**Bollard** - A short post generally used in a series to define an area or block access by vehicles.

**Canopy** - A permanent structure of rigid construction placed on a building façade – typically over entryways or windows – with an attached cover. Canopies may be structurally independent with support columns anchored to the ground or supported by the building on one end.

**Clerestory** - A continuous band of windows located just below the ceiling of a generally tall and important space.



**Corbelling** – A type of structural support formed by overlapping pieces of stone, wood or metal that projects from the wall. See right.

**Cornice** - The molded and projecting horizontal piece at the crown of a building. See right.



**Courtyard** - An open space enclosed partly or wholly by a building.

**Dentil work** - A series of closely spaced, rectangular blocks that form a molding typically projecting below the cornice along the roofline of a building.

**Façade** - The front of a building, or any face that is given special architectural treatment.

**Forecourt** - An open court in front of a building.

**Green** - An open grassy space between buildings.

**Historic Building** — A building cConstructed prior to 1920.

**Historic Downtown (CBD Sector 1)** – The area bordered by the tracks to the west, Puget Street to the east, the former tracks to the north, and Warner Street to the south.

**Kickplate** – A protective sheet of material typically at the base of a door to prevent damage to the door from blows or scratches.

**Low Impact Development (LID)** - LID techniques, such as:

- 1) Pervious paving, including but not limited to permeable concrete or unit pavers, porous asphalt, “grasscrete,” and ecoblock;
- 2) Bio-retention swales, cells or rain gardens;
- 3) Amending disturbed or compacted soils with compost to an increased depth (min. 12” depth) and adding composted mulch as top dressing; and
- 4) Rainwater cisterns, with use of rainwater to irrigate landscaping.

Use of LID techniques shall be guided by engineering analyses that include an in-depth site analysis using hydrology models, including infiltrative capacity of underlying soils, distance to groundwater, slope, natural drainage patterns, and other drainage, environmental, and public health considerations.

**Main Streets (CBD Sector 2)** – Properties fronting on Metcalf Street, W Ferry Street, and W State Street; the main entryways into the City, excluding the Historic Downtown as defined in this Chapter.

**Marquee** - A permanent roofed structure placed on a building façade – typically over an entryway – that is fully supported by the building and often incorporates lighting.

**Medallion** – A round or oval ornament placed on a façade of a building that contains a sculptural or pictorial decoration.

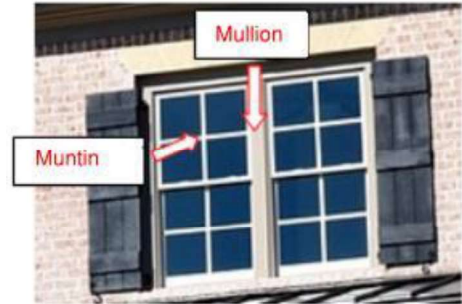
**Mixed Use** - Any development that contains at least two different land use categories (e.g. residential and retail).

**Modulation** - An architectural term for step-backs and forward projections of sections of a building front at specific intervals of structure width and depth. Modulation is used as a means of creating visual breaks on continuous exterior walls. See right.



**Mullion** - A slender, vertical supporting member that forms a division between units of a window, door, or screen or is used decoratively. See right.

**Muntin** - A vertical or horizontal bar or rigid supporting strip between adjacent panes of glass, often used to divide the individual panes into grid patterns. See right.



**Outer CBD (CBD Sector 3)** – All areas within the CBD Zone other than the Historic Downtown and Main Streets as defined in this Chapter.

**Parapet** - A low wall along the edge of a roof.

**Plaza** - An open area usually located near urban buildings and often featuring walkways, trees and shrubs, places to sit, and sometimes shops.

**Plinth** - A base wall piece, such as a square block or base course. See right.



**Portico** - A colonnaded porch entrance or covered walkway supported by evenly-spaced columns.

**Public Space** - Any of a variety of spaces that are accessible and usable by the general public, such as a plaza, green, courtyard, forecourt, sitting area, widened sidewalk, stormwater rain garden, and art or water feature.

**Shed Roof** – A roof having only one sloping plane and no hips, ridges or valleys.

**Site Furnishings, Permanent** - Seating, benches, trash receptacles, bollards, planters, drinking fountains, low-scale lighting and other such non-movable, year-round elements oriented to pedestrians. Tables and chairs that are moved in and out of establishments at night are not considered permanent site furnishings.

**Sitting Area** - An open area filled with low walls, benches, and/or tables and chairs.

**Stormwater Rain Garden** - Landscaped areas that are designed as stormwater management facilities. These landscaped areas are made up of a specialized mix of plants that can tolerate seasonal wet and dry conditions, and soils that can rapidly absorb and store runoff. These facilities utilize complex relationships between plants and soils to filter pollutants, reduce runoff volume and rate of discharge, and promote groundwater recharge through infiltration. These areas are constructed with a specialized soil and plant mix that is attractive and has low maintenance requirements. Because of their flexibility in size, shape, and appearance, they can be installed on almost any type of land use, in a variety of conditions.

**Streetscape** - The visual elements of a street, including the road, adjoining buildings, sidewalks, street furniture, trees, open space, etc. that work in combination to form the street's character.

**Transom window** – A window installed directly above a door or larger window to let in extra light and to serve a decorative purpose. Traditionally, transom windows are able to be opened for air flow.

**“Vision” glass** – An architectural term for clear glass.

**Wainscoting** - Paneling provided at the lower portion of a wall for the purposes of protection and/or architectural detailing. *See right.*



**Widened Sidewalk** - Space created adjacent to the public sidewalk in which pedestrians may easily linger.

**CITY OF SEDRO-WOOLLEY PLANNING COMMISSION  
STATE OF WASHINGTON**

**In the Matter of:**

**AMENDMENTS TO THE SEDRO-  
WOOLLEY DESIGN STANDARDS  
AND GUIDELINES REGARDING  
BUILDING DESIGN IN THE  
CENTRAL BUSINESS DISTRICT**

**AMENDMENTS TO THE SEDRO-  
WOOLLEY DESIGN STANDARDS  
AND GUIDELINES –  
FINDINGS OF FACT,  
CONCLUSIONS AND  
RECOMMENDATION**

This matter having come regularly before the City of Sedro-Woolley Planning Commission for a public hearing on **Tuesday, June 21, 2022** under a request by the City Council for a public hearing and recommendation from the Planning Commission pursuant to Chapter 2.90 Sedro-Woolley Municipal Code (SWMC).

<b>Recommendation:</b>	The Planning Commission recommends <b>APPROVAL</b> of amendments to the Design Standards and Guidelines as shown in Exhibit A of these Findings of Fact, Conclusions and Recommendation.
<b>Hearing Date:</b>	June 21, 2022
<b>Proponent:</b>	City of Sedro-Woolley

**Description of proposal**

Proposed are amendments to the Sedro-Woolley Design Standards and Guidelines to address the appearance of new structures and modification of existing structures in the Central Business District (CBD). The proposed amendments affect Chapter 3 – Additional Standards for the Central Business District – and Chapter 11 – Definitions – of the Design Standards and Guidelines manual. The amendments are intended to address the City Council’s concerns about the impacts to the CBD’s historic identity by new development that is not consistent with the existing buildings.

## FINDINGS OF FACT

1. Per SWMC 2.90.070(G), this action, which requires changes to the City development regulations and underwent Planning Commission review, is processed as a Type VI action.
2. The City Council expressed concern about recent modifications to a building in the CBD. The City Council was specifically concerned that the nature of the modifications to the building were not addressed in the Design Standards and Guidelines manual (Design Standards).
3. The Design Standards for the CBD had not been updated since 2008. In 2021 the Planning Commission began a process of thoroughly reviewing the existing Design Standards and has identified additional areas that can be improved.
4. Chapter 3 of the Design Standards includes additional, detailed standards for the CBD. This chapter also includes language describing the City's vision for the downtown area.
5. The Planning Commission reviewed the Design Standards at their April 20, May 18, July 20, 2021 and February 15, March 15, April 19 and June 21, 2022 meetings and proposed code amendments to Chapter 3 of the Design Standards as well as to the definitions in Chapter 11 of the Design Standards.
6. The proposed amendments are intended to assure that future development in the CBD honors the traditional aesthetic of the area while allowing modern conveniences necessary for commercial and residential needs.
7. The amendments create differing standards for development depending on which part of the CBD the building is located. The amendments define three sections within the Central Business District: the Historic Downtown; the Main Streets area; and the Outer CBD area. Development in the Historic Downtown area must meet the highest standards and must resemble the existing historic buildings. Development in the Main Streets area must meet a high level of design standards but allows for buildings that have a more northwest style of appearance. An example of this style is current City Hall. The Outer CBD, which is areas outside the Historic Downtown and not on a major street, still has design standards, but those standards are more lenient than the standards in the other two areas of the CBD.
8. The amendments also create a requirement for streetscape lighting on streets in the Historic Downtown and along Ferry Street. Also, new buildings anywhere within the CBD that are 75 feet or wider along a road frontage shall also provide decorative street lights.
9. The Planning commission held public hearings at their March 15 and June 21, 2022 meetings. No members of the public commented on the proposed amendments. A Notice of Public Hearing for the proposed code amendment was published on March 3, 2022 and June 10, 2022 in the Skagit Valley Herald. The notices were also posted on the city website. In the notices, a written comment deadline of March 15 and June 10



(respectively) at 4:30 PM was set. No written comments were received by the Planning Department.

10. At the June hearing, the Planning Commission reviewed the proposed amendments to the Design Standards and Guidelines and made a motion to recommend that the City Council approve the proposed amendments. The motion carried unanimously.
11. The Planning Commission's recommended amendments are found in Exhibit A.
12. In accordance with State Growth Management Act (GMA), the proposed new text was submitted to the Washington State Department of Commerce (COMM) for a 60-day review on February 9, 2022. COMM had no comments on the proposed ordinance.
13. State Environmental Policy Act (SEPA) review was conducted and a determination of non-significance (DNS) was issued by the lead agency on April 16, 2021.

## CONCLUSIONS

The Planning Commission, having reviewed the Planning Department Transmittal and Report Memorandum and hearing public testimony, makes the following conclusions:

1. Adoption of the proposed amendments to Chapters 3 and 11 of the Sedro-Woolley Design Standards and Guidelines manual complies with the State GMA, has been approved by the State Department of Commerce, has completed the necessary SEPA review process and has been adequately vetted through the public review process; and
2. Adoption of the proposed amendments to Chapters 3 and 11 of the Sedro-Woolley Design Standards and Guidelines is in conformance with the goals and policies of the Sedro-Woolley Comprehensive Plan.

## RECOMMENDATION

Based upon the foregoing, the Planning Commission recommends approval of amendments to Chapters 3 and 11 of the Sedro-Woolley Design Standards and Guidelines, found herein as Exhibit A.

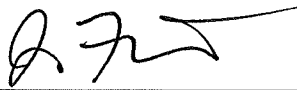
## EXHIBITS

**Exhibit A:** Recommended amendments to Chapters 3 and 11 of the Sedro-Woolley Design Standards and Guidelines manual

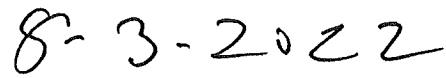
**Exhibit B:** Notice of Public Hearings

**CERTIFICATION**

The City of Sedro-Woolley Planning Commission hereby recommends to the City Council **APPROVAL** of amendments to Chapters 3 and 11 of the Sedro-Woolley Design Standards and Guidelines to address the impacts of new development on the CBD, at a **REGULAR** meeting of the City of Sedro-Woolley Planning Commission held on **Tuesday, June 21, 2022** at which time a quorum was present and the decision was for approval by a vote of 5 **FOR**, 0 **AGAINST** and 0 **ABSTENTIONS**.



\_\_\_\_\_  
**Jos Fattizzi, Planning Commission Chair**



\_\_\_\_\_  
**Date**

### 3. Additional Standards for the Central Business District

#### BUILDING DESIGN

#### GENERAL STOREFRONT PROFILE

**See Exhibits to Design Review Update Ordinance for full text of amendments. Text eliminated from this copy to reduce redundancy in the Council packet**



#### Intent

To encourage and implement architectural design that is varied, aesthetically pleasing, functional and fits within local and regional vernacular, encouraging building that matches regional historic themes; to avoid large blank homogenous spaces, overbearing and out of scale forms and materials. The standards and guidelines that follow in this section are written with the intention that all street-facing facades of the first story of buildings within the downtown core have the appearance of, and be recognizable as, a commercial storefront. These standards work from and in addition to the existing Sedro-Woolley Design Standards and Guidelines. The Planning Director may make minor modifications and interpretations to design standards on a case-by-case basis.

Generally speaking, a style known as “Art Nouveau” emerged in the last decade of the nineteenth and first decade of the twentieth centuries. It was the dominant influence in painting, sculpture, architecture and what is known as “the applied” or “decorative arts”. This new style was characterized by lack of straight lines and an emphasis on fluid movement within compositions. Architecturally, it can be seen most prominently in cornices, crown moldings,

arched windows, belt courses, medallions, letter styles and sign shapes. Utilitarian construction of earlier years was replaced with an emphasis on craftsmanship. This overall stylistic evidence was most manifested in larger cities, (Chicago,



Examples of remnant dentil detailing (left) and crown molding (right) in Sedro-Woolley’s CBD.

San Francisco and Seattle are examples) but much of it filtered through to small towns like Sedro-Woolley. Remnants of beautiful crown moldings and dentil detailing are most of what remains of the original work. Efforts need to be made to uncover and restore as much as possible

# NOTICE OF PUBLIC HEARING

CITY OF SEDRO-WOOLLEY

**Amendments to Development Regulations**

**Hybrid Meeting**

**City of Sedro-Woolley Council Chamber and Virtually via Zoom Webinar**

The City of Sedro-Woolley Planning Commission will hold a public hearing on **March 15, 2022 at 6:30 PM** in the Sedro-Woolley Council Chamber and virtually via Zoom Webinar, to hear testimony regarding following proposed amendments to the City Development Regulations:

1. Proposed amendments to Chapter 3 – Additional Standards for the Central Business District and Chapter 11 – Definitions of the City of Sedro-Woolley Design Standards and Guidelines Manual;

Interested parties can comment on the proposed changes in writing or at the hearing. Written comments will be read into the public record and **must be received by 4:00PM March 15, 2022** 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](mailto:nmcgowan@sedro-woolley.gov).

Please go to the Planning Commission Meetings page on the Sedro-Woolley website (<https://www.ci.sedro-woolley.wa.us/>) to find the meeting materials and a link to join the webinar.

Published in the Skagit Valley Herald: March 4, 2022

**NOTICE OF PUBLIC HEARINGS**  
**CITY OF SEDRO-WOOLLEY**  
**Amendments to Comprehensive Plan and Sedro-Woolley Municipal**  
**Code**  
**City of Sedro-Woolley Council Chamber**  
**And Virtually via Zoom Webinar**

The City of Sedro-Woolley Planning Commission will hold public hearings on **June 21, 2022 at 6:30 PM**, in the Sedro-Woolley Council Chambers and via Zoom Webinar, to hear testimony regarding the following proposed amendments:

1. Updates to the Parks and Recreation Element of the Sedro-Woolley Comprehensive Plan and Chapter 15.60 SWMC to address Parks Impact Fees – part of the 2022 Docket
2. Updates to the Land Use and Capital Facilities Elements of the Sedro-Woolley Comprehensive Plan and Title 13 SWMC to address stormwater regulations – part of the 2022 Docket
3. Proposed updates to Chapter 3 – Additional Standards for the Central Business District and Chapter 11 – Definitions of the Sedro-Woolley Design Review Standards and Guidelines manual

Interested parties can comment on the proposed changes in writing or at the hearing. **Written comments must be received by 4:30 PM June 21, 2022** 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](mailto:nmcgowan@sedro-woolley.gov).

Please use the link below to join the webinar:

<https://zoom.us/j/98042863482?pwd=dnVVeXp4YUJYQVBtdm10VTZ2VVlyZz09>

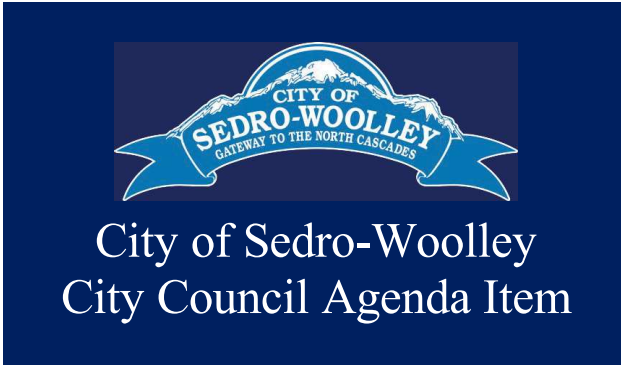
Meeting ID: 980 4286 3482 – Password: 070388

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

Published in the Skagit Valley Herald: June 10, 2022



Agenda  
Item No. \_\_\_\_\_  
Date: August 10, 2022  
Subject: Proposed Annexation – Hopke & Salt  
Family Properties

**FROM:**

John Coleman, AICP

**RECOMMENDED ACTION:**

Action on annexation initiation request requested. Action requires three motions. Please see the recommended motions in Background/Summary Information below

**ISSUE:**

Should the City accept a request to initiate an annexation of two properties adjacent to city limits?

- A. If the petition to annex is accepted, should the City accept, reject, or geographically modify the proposed annexation?
- B. If the Council determines the City shall accept a petition to annex, should the City require the simultaneous adoption of a proposed zoning regulation?
- C. If the Council determines the City shall accept a petition to annex, should the City require the assumption of all or of any portion of existing city indebtedness by the area to be annexed?

**BACKGROUND/SUMMARY INFORMATION:**

The Hope and Salt families have requested to begin the annexation process for two parcels they own in the urban growth area (UGA) southeast of city limits. The request to initiate the annexation process is included with this memo as Attachment A. The Hopke parcel (P64984, 7.97 acres) and the Salt parcel (P64982, 7.03 acres) total approximately 15 acres. These parcels are located south of Hoehn Road and west of Fruitdale Road. See Attachment B.

The Hopke/Salt parcels are in the UGA and adjacent to city limits, thus they are eligible for annexation. The property west of Hopke/Salt properties is also in the UGA and adjacent the city limits on its north and the west boundaries. The property to the west includes one vacant 1.45-acre parcel (P77289) owned by Robert and Deborah Parent, and a roughly 0.35-acre portion of an unopened right-of-way. In order to create a logical boundary, that parcel and right-of-way (roughly 1.8 acres of total land) should also be included in an annexation if the Council agrees to allow the annexation request to proceed. All told, the final annexation area would be about 16.8 acres.

**PROCEDURE**

Per RCW 35A.14.120, the City Council shall meet with the initiators of the annexation proposal “to

determine whether the code city will accept, reject, or geographically modify the proposed annexation, whether it shall require the simultaneous adoption of a proposed zoning regulation, if such a proposal has been prepared and filed for the area to be annexed as provided for in RCW 35A.14.330 and 35A.14.340, and whether it shall require the assumption of all or of any portion of existing city indebtedness by the area to be annexed. If the legislative body requires the assumption of all or of any portion of indebtedness and/or the adoption of a proposed zoning regulation, it shall record this action in its minutes and the petition for annexation shall be so drawn as to clearly indicate these facts. Approval by the legislative body shall be a condition precedent to circulation of the petition.”

**STAFF RECOMMENDATIONS**

*A. Should the City accept, reject, or geographically modify the proposed annexation?*

If the Council intends to allow the annexation petition to proceed, staff recommends that the City geographically modify the proposed annexation. The parcel to the west of the requested annexation area needs to be included in the annexation in order for annexation area to have a logical boundary. The portion of the 40-foot wide unopened right-of-way also needs to be included in the annexation area for the same reason.

**Make a motion to continue the proposed annexation process requested by the Hopke and Salt families and geographically modify the annexation area to include the unopened right-of way to the west and parcel P77289.**

*B. If the Council determines the proposed annexation process may continue, should the City require the simultaneous adoption of a proposed zoning regulation?*

Yes, staff recommends that the City require the simultaneous adoption of a proposed zoning regulation. As part of the process of designating the UGA, the city carefully studied the potential future zoning classifications for the area; those designations were adopted and are shown on the Comprehensive Land Use Map in the Sedro-Woolley Comprehensive Plan. If the area is to be annexed, the zoning designations shown on the Comprehensive Land Use Map for the area should be adopted. The Comprehensive Plan zoning designation for all the properties in the potential annexation area is Residential 5.

**Make a motion that the City require the simultaneous adoption of a proposed zoning regulation.**

*C. If the Council determines the proposed annexation process may continue, should the City require the assumption of all or of any portion of existing city indebtedness by the area to be annexed?*

Yes. It has been Sedro-Woolley's practice, as with most cities, to require that newly annexed properties "buy in" to the benefits that current property owners have had to pay for.

**Make a motion that the City require the assumption of all or of any portion of existing city indebtedness by the area to be annexed.**

**FISCAL IMPACT, IF APPROPRIATE:**

N/A

**ATTACHMENTS:**

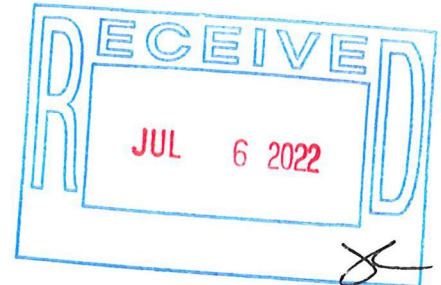
1. Attachment A Notice of intention to commence annexation proceeding and Attachment B Map showing area



# Attachment A

June 27, 2022

City of Sedro-Woolley  
Honorable Council  
Sedro-Woolley Municipal Building  
325 Metcalf Street  
Sedro-Woolley, WA 98284



Re: RCW35A.14.120, Direct Petition Annexation method.

Dear Council:

I am the owner of parcel P64982 representing not less than 10% of the value of two parcels submitted to the City Planning Department together with a request and scheduled Pre-Application meeting for Annexation into the City. Parcel P64982 together with parcel P64984 adjoin the present city limit boundary. This request is on behalf of both parcels and wish to annex simultaneously.

Please see the attached Notice of Intent to Commence Annexation Proceedings with signatures of both property owners. Pursuant to RCW35A.14.120, please consider this request during a meeting within the next 60 days.

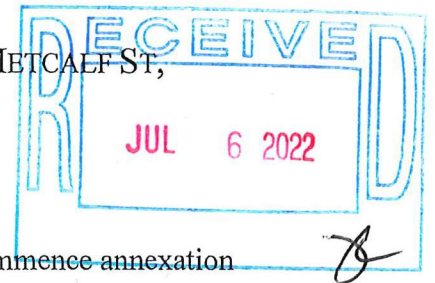
Should you require additional information or have questions on this request please contact Kristen Tuttle of Tuttle Engineering and Management directly at 360-708-8392. Thank you in advance for your attention to this request.

Sincerely,

Virginia Salt  
24604 Hoehn Road  
Sedro-Woolley, WA

**NOTICE OF INTENT TO COMMENCE ANNEXATION PROCEEDINGS**

**To:** THE CITY COUNCIL OF THE CITY SEDRO-WOOLLEY, 325 METCALF ST,  
SEDRO-WOOLLEY, WASHINGTON



COUNCILMEMBERS:

The undersigned hereby advise the City Council that it is their desire to commence annexation proceedings for the property described below and depicted on the Petition, and certify that they collectively own at least 10% of the acreage of described property according to the assessed valuation for general purposes.

It is therefore requested that the City Council set a date no later than sixty days (60) after the filing of this request for a meeting with the undersigned to determine:

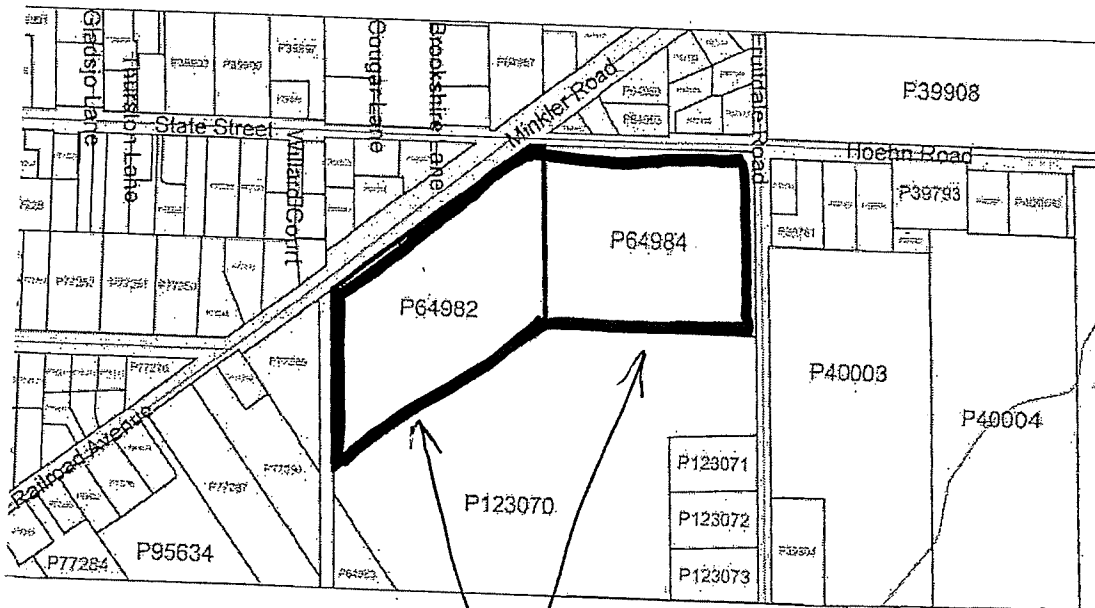
1. Whether the City Council will accept, reject or geographically modify the proposed annexation, and;
2. Whether the City Council will require the simultaneous adoption of a proposed zoning regulation; and
3. Whether the City Council will require the assumption of all or of any portion of existing city indebtedness by the area to be annexed.

OWNER'S SIGNATURE	PRINTED NAME	ADDRESS & TAX PARCEL / LEGAL DESC.	DATE SIGNED
<i>Virginia L Salt</i>	VIRGINIA SALT	P64982	6-29-22
<i>Delbert Hopke</i>	Delbert Hopke	P64984	7-1-22



Order 22-15908

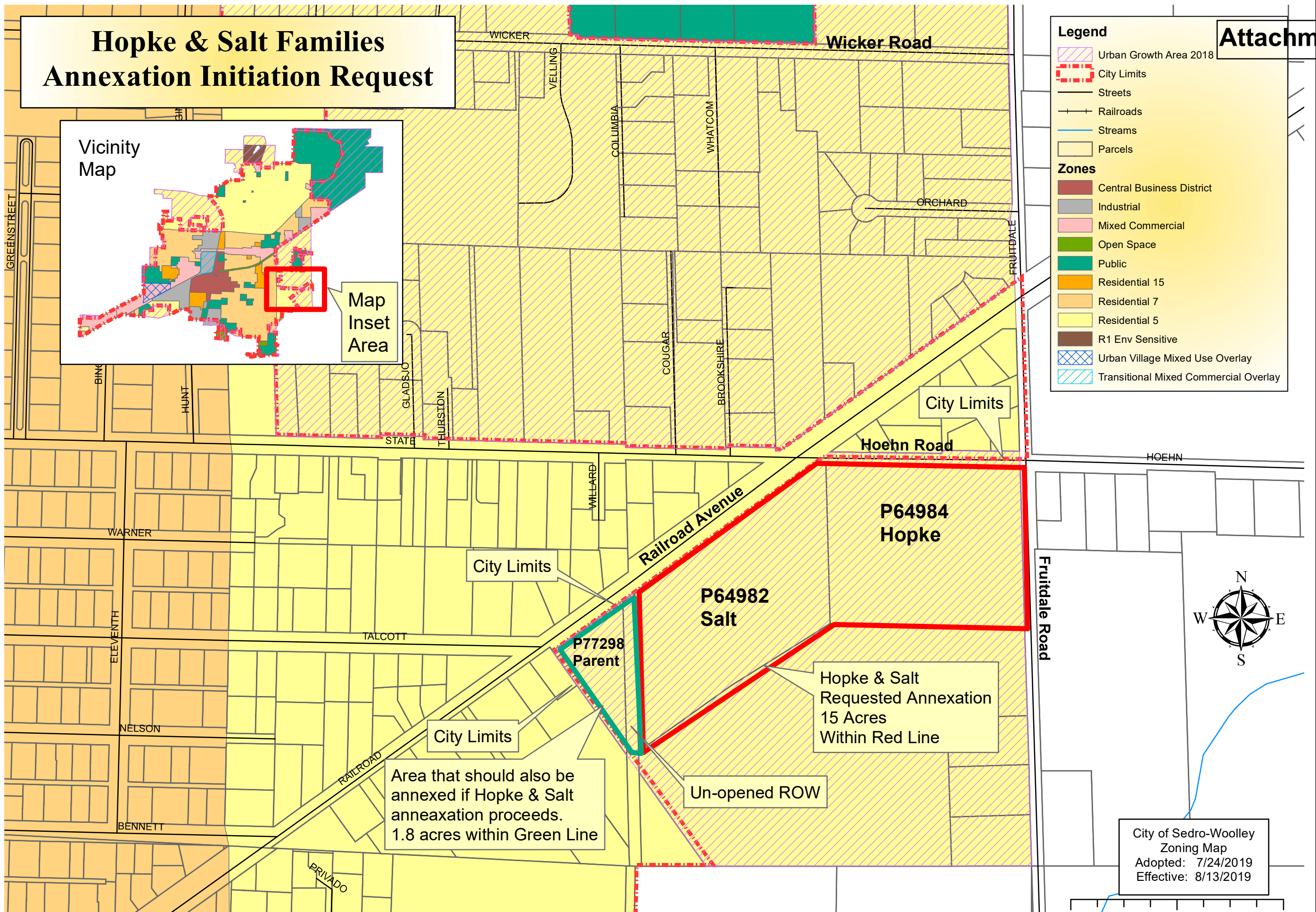
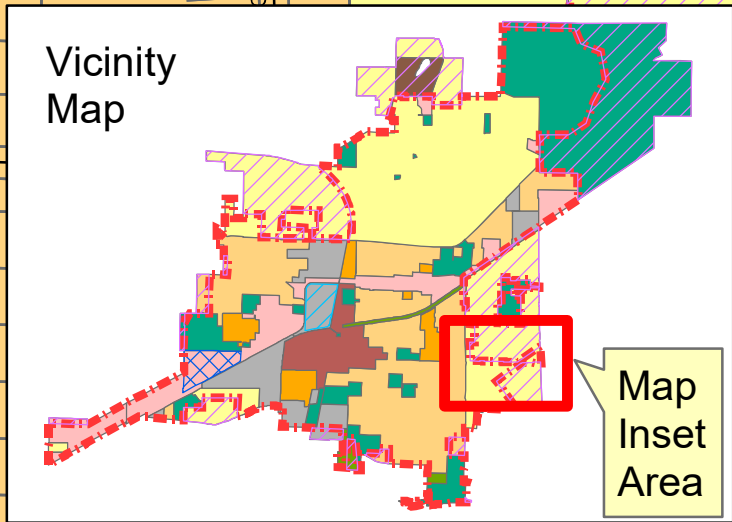
Telephone 360-424-0115 / Fax 360-424-5885



*Annexation area requested*

**NOTICE:** This sketch is furnished by Guardian Northwest Title and Escrow, and its underwriters as a courtesy only. This sketch is not part of any commitment for title insurance or policy of title insurance. This sketch is furnished solely for the purpose of assisting in locating the premises, it does not purport to be a survey of the premises, to show all highways, to show all roads and/or easements affecting the subject premises. No reliance should be placed upon this sketch for dimensions of the premises. No liability is assumed by Guardian Northwest Title and Escrow and/or its underwriters as to the correctness depicted herein.

# Hopke & Salt Families Annexation Initiation Request

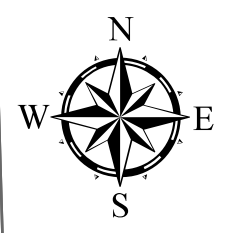


**Legend**

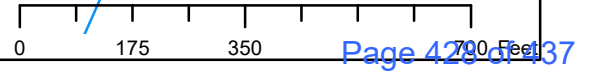
- Urban Growth Area 2018
- City Limits
- Streets
- Railroads
- Streams
- Parcels

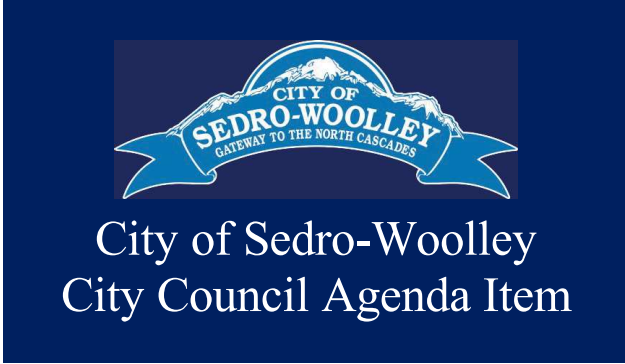
**Zones**

- Central Business District
- Industrial
- Mixed Commercial
- Open Space
- Public
- Residential 15
- Residential 7
- Residential 5
- R1 Env Sensitive
- Urban Village Mixed Use Overlay
- Transitional Mixed Commercial Overlay



City of Sedro-Woolley  
Zoning Map  
Adopted: 7/24/2019  
Effective: 8/13/2019





Agenda  
Item No. \_\_\_\_\_  
Date: August 10, 2022  
Subject: Fire Department - Monthly Data

**FROM:**

**RECOMMENDED ACTION:**

**ISSUE:**

**BACKGROUND/SUMMARY INFORMATION:**

**FISCAL IMPACT, IF APPROPRIATE:**

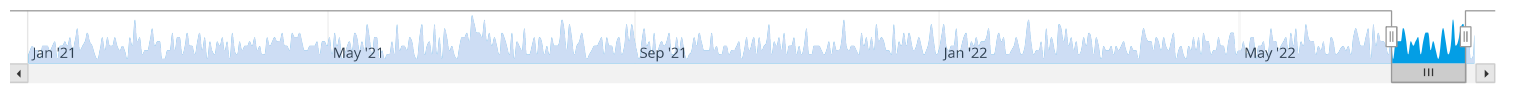
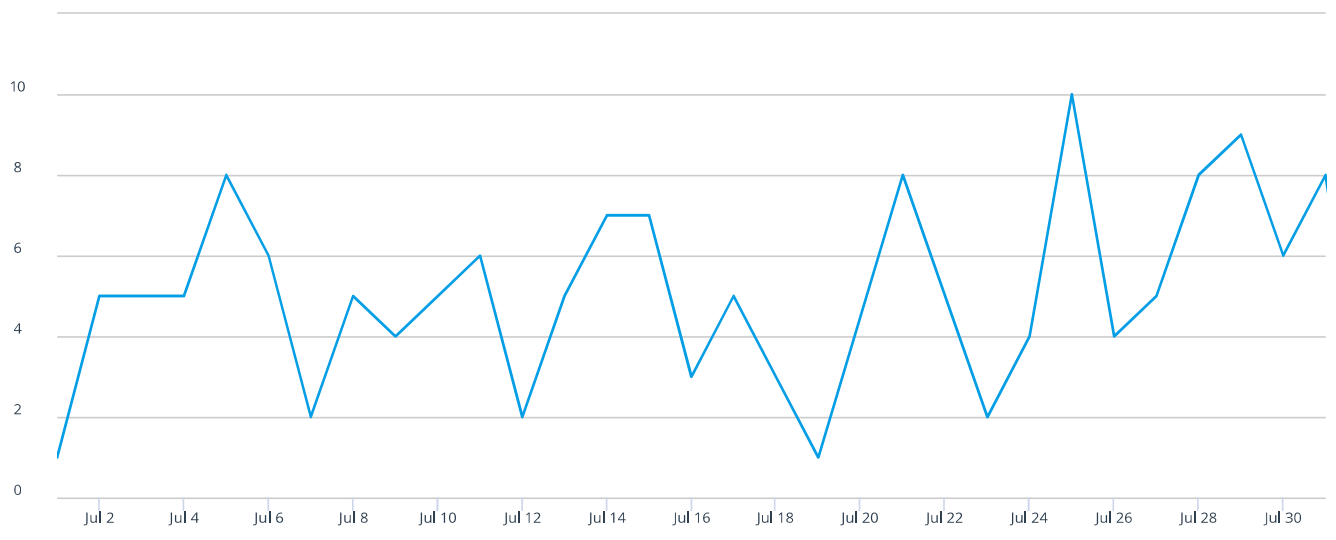
**ATTACHMENTS:**

- 1. Transports by SWFD JULY 2022
- 2. Incident Count per Zone JULY 2022
- 3. Incident Types JULY 2022
- 4. Incidents by Year and Month

Previous Month ▾ Jul 1, 2022 - Jul 31, 2022 ▾

**154**  
RECORDS  
In Selected Time Slice

**31**  
DAYS  
In Selected Time Slice



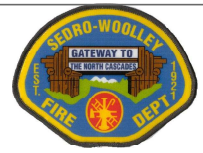
**Counts** | % Rows | % Columns | % All

Week Ending	7/3/22	7/10/22	7/17/22	7/24/22	7/31/22	8/7/22	8/14/22	8/21/22	8/28/22	9/4/22	9/11/22	9/18/22	9/25/22	Total
PUNKIN CENTER FD #8 LANDING ZONE					1									1
PeaceHealth United General Medical Center	10	25	28	21	37									121
Skagit Valley Hospital	1	10	7	2	12									32
<b>Total</b>	<b>11</b>	<b>35</b>	<b>35</b>	<b>23</b>	<b>50</b>									<b>154</b>

# Sedro-Woolley Fire Department

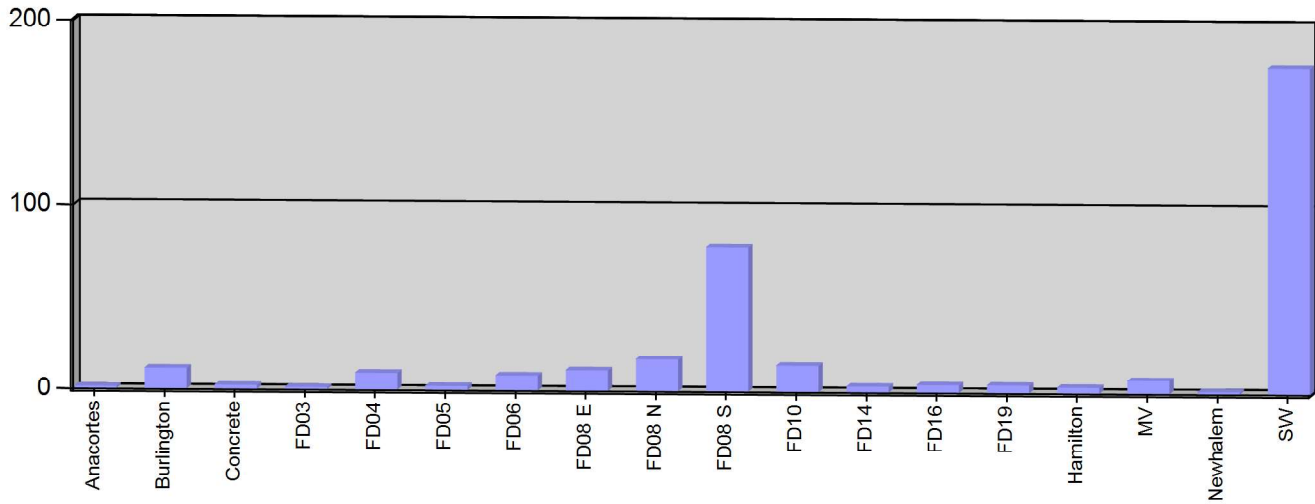
Sedro-Woolley, WA

This report was generated on 8/4/2022 8:48:00 AM



## Incident Count per Zone for Date Range

Start Date: 07/01/2022 | End Date: 07/31/2022



ZONE	# INCIDENTS
Anacortes - City of Anacortes	1
Burlington - City of Burlington	11
Concrete - Town of Concrete	2
FD03 - Fire District 3	1
FD04 - Fire District 4	9
FD05 - Fire District 5	2
FD06 - Fire District 6	8
FD08 E - Outside city limits East D8	11
FD08 N - Outside the City Limits North D8	17
FD08 S - Outside City limits South D8	78
FD10 - Fire District 10	14
FD14 - Fire District 14	3
FD16 - Fire District 16	4
FD19 - Fire District 19	4
Hamilton - Town of Hamilton	3
MV - City of Mount Vernon	7
Newhalem - Newhalem - Diablo	1
SW - Inside the City Limits of SW	177

**TOTAL: 353**

Zone information is defined on the Basic Info 3 screen of an incident. Only REVIEWED incidents included. Archived Zones cannot be unarchived.



emergencyreporting.com

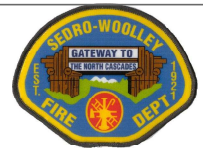
Doc Id: 270

Page #1 of 3

# Sedro-Woolley Fire Department

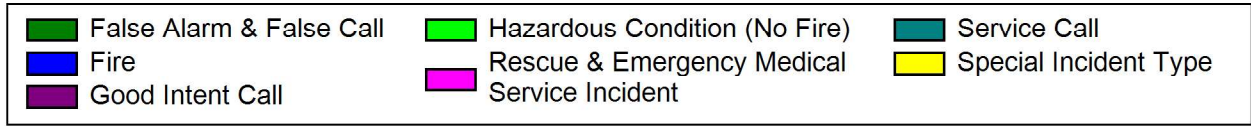
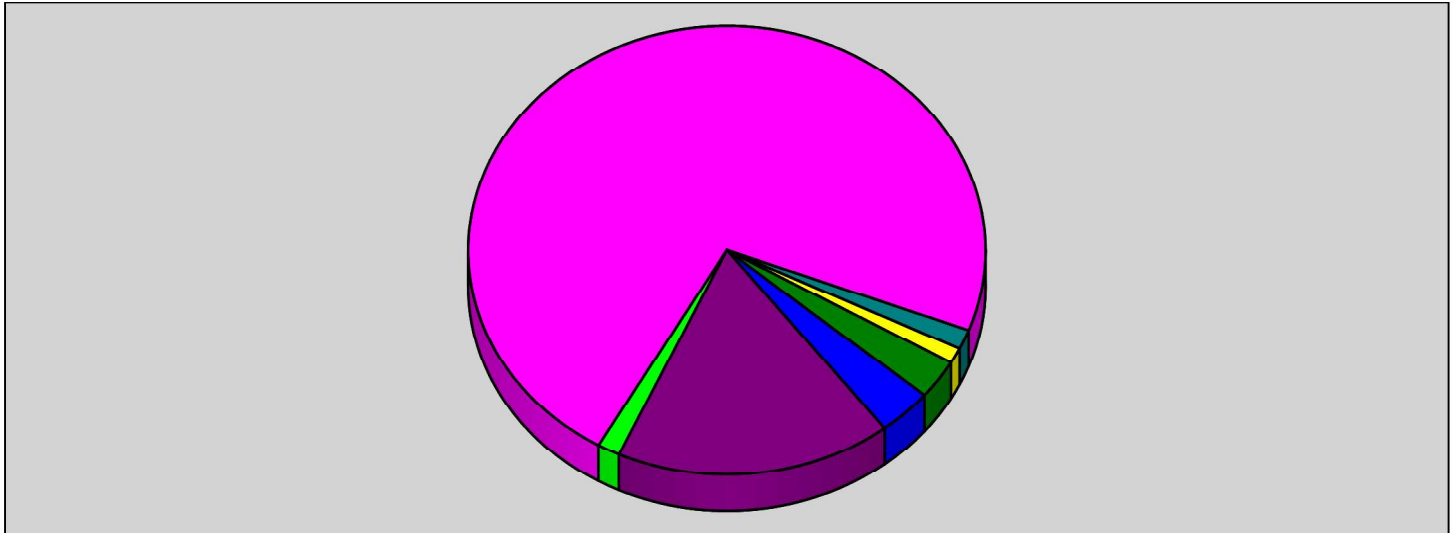
Sedro-Woolley, WA

This report was generated on 8/4/2022 8:49:28 AM



## Major Incident Types by Month for Date Range

Start Date: 07/01/2022 | End Date: 07/31/2022



INCIDENT TYPE	JUL	TOTAL
False Alarm & False Call	10	10
Fire	12	12
Good Intent Call	61	61
Hazardous Condition (No Fire)	5	5
Rescue & Emergency Medical Service Incident	256	256
Service Call	5	5
Special Incident Type	4	4
<b>Total</b>	<b>353</b>	<b>353</b>

Only REVIEWED incidents included

Sedro-Woolley City Council Packet



Incidents by Month and Year										
	2014	2015	2016	2017	2018	*2019	2020	2021	2022	2023
<b>January</b>	155	175	231	202	225	247	320	259	312	
<b>February</b>	143	151	177	171	187	247	246	250	260	
<b>March</b>	139	155	173	234	203	251	272	256	262	
<b>April</b>	162	152	186	200	167	244	267	307	257	
<b>May</b>	149	157	178	190	234	279	268	275	305	
<b>June</b>	148	164	172	203	229	274	271	330	293	
<b>July</b>	189	236	193	205	257	245	319	338	353	
<b>August</b>	178	211	221	222	216	323	317	355		
<b>September</b>	183	185	175	222	212	249	317	300		
<b>October</b>	163	186	172	228	201	308	302	283		
<b>November</b>	146	162	191	199	180	283	285	291		
<b>December</b>	176	188	209	196	217	253	245	343		
<b>Yearly Total</b>	1931	2122	2278	2472	2528	3203	3429	3587	2042	0
<b>% Increase</b>	3%	10%	7%	9%	2%	27%	7%	5%		
*First year of Paramedic Services for Sedro-Woolley Fire										
Busiest Month in History										

# 2023-2024 Budget Calendar

2023-2024 Budget Calendar	Target Date	RCW Requirements/Notes
Council Review of Goals & Objectives		
Call letter issued to Departments with budget priorities	Tuesday July 19, 2022	By 2nd Monday in September RCW 35A.34.050
2022 estimated expenditures report distributed to Departments	Tuesday August 9, 2022	Actuals through July, estimates Aug-Dec
Publish notice of 1st Budget Public Hearing on 9/7/2022	Monday August 29, 2022	RCW 35A.34.100
Budget requests from Departments due to Finance; BIAS closed to input with subsequent edits completed by Finance	Tuesday August 30, 2022	To be filed with City Clerk by 4th Monday in September RCW 35A.34.050
City Council worksession - Finance presents City Council 2022 revenues, expenditures, budget comparison, and estimate of ending fund balance. Presentation of 2023-2024 preliminary revenues and expenditures requests by department (unbalanced). <b>1st Public Hearing: 2021-2022 Budget-Projected Revenues</b>	Wednesday September 7, 2022	By 1st business day in October. Completes Projected Revenue Public Hearing for property taxes
Proposed preliminary budget (unbalanced) with detail, due to City Administrator	Friday 9/9/2022 September 9, 2022	Due by 1st business day in October
City Administrator meets with Departments to review budget requests	Last three weeks of September	
Publish notice of 2nd Budget Public Hearing on 10/12/2022	Monday November 3, 2022	
Mayor's Preliminary Budget filed with Finance Director	Tuesday November 11, 2022	
Mayor's Preliminary Budget and budget message presented to City Council; available to public <b>2nd Public Hearing</b>	Wednesday October 12, 2022	Due by November 1st (no later than 60 days before ensuing fiscal year)
Council worksession - Presentation of the Mayor's proposed balanced budget.	Wednesday November 2, 2022	
Publish notice of 3rd Public Hearing on 11/9/2022	Wednesday November 2, 2022	2 publications. No later than 1st two weeks of November
1st reading of budget ordinance (Includes reference to salary table); <b>3rd Public Hearing: Preliminary 2021-2022 Budget</b>	Wednesday November 9, 2022	
2nd reading of budget ordinance;	Tuesday November 11, 2022	Prior to 1st Monday in December
Adoption of Budget Ordinance	Tuesday November 20, 2022	No later than last day of December
Final budget transmitted to SAO and MRSC	Wednesday December 14, 2022	
Department budget narratives including 2022 accomplishments and 2023-2024 goals and objectives due to Finance Director	Monday January 30, 2023	
Mid-biennium budget review and adjustment	Sept 1-Dec 31 2023	Must occur sometime between Sept 1 & Dec 31 of the first year of the biennium Chapter 35A.34 RCW
Lodging Tax Advisory Committee	Timeframe	RCW Requirements/Notes
Council refer changes in Lodging Tax to LTAC	Wednesday August 24, 2022	
Call issued for Lodging Tax letters of request	Friday September 2, 2022	Starts 45-day period RCW 67.28.1817(2)
City Council Review/Resolution appointing members to the LTAC	Wednesday September 7, 2022	Completes annual review of LTAC membership RCW 67.28.1817(1)
Lodging Tax applications due to Finance Department	Wednesday October 12, 2022	
45-day LTAC comment period expires	Monday October 17, 2022	
Lodging Tax Advisory Committee deliberates requests	TBD	RCW 67.28.1817
Proposed uses of Lodging Tax funds presented to City Council for approval	Wednesday November 9, 2022	RCW 67.28.1816
Award Letters and Contracts finalized and signed	By Friday November 18, 2022	
Instructions for JLARC reporting sent to awardees	By Friday November 18, 2022	
JLARC reporting deadline	TBD - See website	RCW 67.28.1816
Property Tax/Utility Rates	Timeframe	RCW Requirements/Notes
Publish notice of property tax and utility rate public hearing	Monday August 29, 2022	
Property tax levy and utility rate ordinances - 1st reading / Public Hearing	Wednesday September 7, 2022	Same dates as 1st Public Hearing: 2022-2023 Budget-Projected Revenues
Property tax levy and utility rate ordinances - 2nd reading & adoption	Wednesday October 12, 2022	Same dates as 2nd Public Hearing
File property tax information with County	Before 11/30/2021	Due November 30, 2022

**PD Staff Report Council Meeting August 10<sup>th</sup>, 2022**

Staffing update- 20 officers total and 5 support staff

Chief	Tucker	Retiring Aug 31 <sup>st</sup>
Chief	McIlraith	
Lieutenant	Sorsdal	
Sergeant	Eaton	
Sergeant	Carroll	
Detectives	McCombs Wilson Lowe	McCombs-Investigations/Negotiator Wilson-Investigations/Negotiator Lowe-Inter-local Drug Task Force
Patrol	12	11-Officers on Patrol 1-Admin Leave
School Resource Officer		Pending application, partnership w School and budgetary work.
Code Enf.	Carr	Animal Control and Code Enforcement
Records	4	Blunt-Sergeant Wesson-Records/Evidence Uribe-Records/Reception Pearson-Data entry/Records

Detective Wilson has been interviewed and selected to take on a specialty position with the local negotiator team. Congrats on being interviewed and selected.

Officer Rachael Humberg completed the Commercial Motor Vehicle enforcement training in July. This will follow with additional field training with an experienced Commercial Motor Vehicle officer. Officer Humberg will be starting to conduct Commercial Motor Vehicle safety inspections and enforce violations. SWPD is looking forward to having this program back in our community.

Lexipol Policy Status-The first Tier of policies have been approved and sent out for acknowledgment to police staff. This has been a long grueling review of policy with more to come. This is web based and easy to access for officers to refer to out in the field as needed.

Sedro-Woolley Police Department responded to 602 calls for service in July 2022

Sedro-Woolley Police Department calls of note from 7/1/22 to 7/31/22

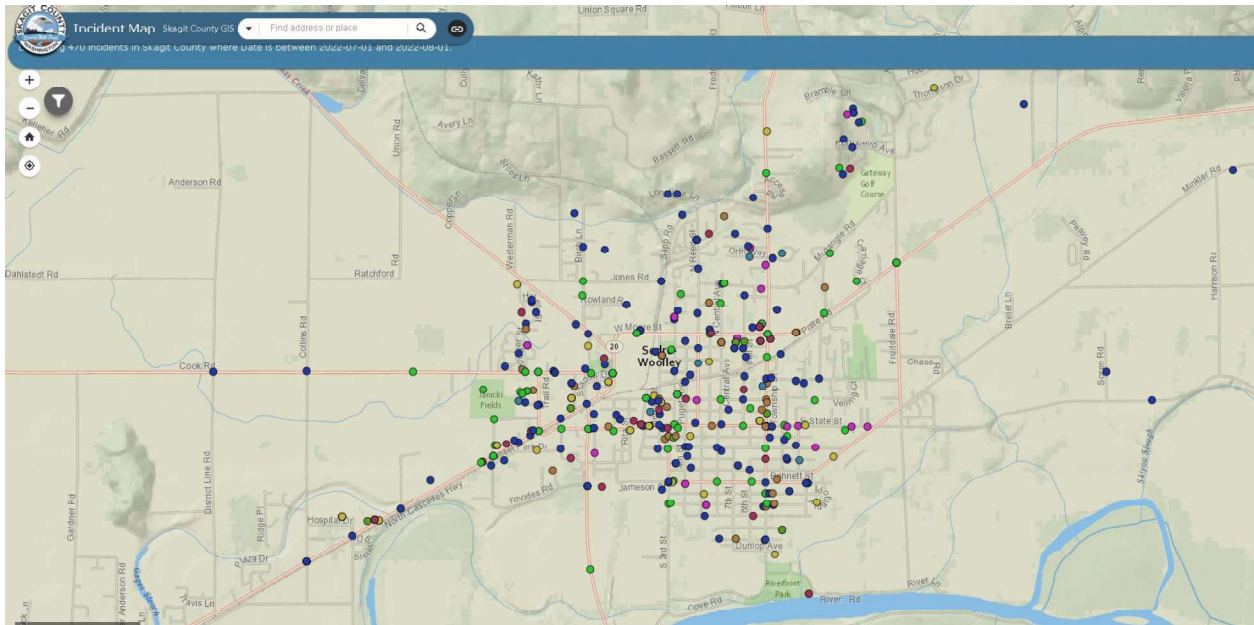
- On 7/1/22 at about 1430 hours, Officers located a vehicle related to a theft, robbery and assault from Burlington that occurred a week prior. Officers confirmed there was probable cause to seize the vehicle for a search warrant and for occupants described to be involved. Officers were able to detain the occupants of the vehicle which led to solving this crime. This led to the three subjects being held accountable and charged by Burlington PD for eluding, robbery 2<sup>nd</sup> and Assault 2<sup>nd</sup>.
- On 7/1/22 at about 1622 hours, Officers responded to possible DUI vehicle with severe lane travel, coming into the city from Clear Lake. Officers located the vehicle and observed the

same lane travel issues. Vehicle was stopped and driver was obviously impaired. The driver was taken to the hospital for a blood draw by search warrant.

- On 7/3/22, Officers responded to a report of a DUI. This vehicle was located and stopped. Driver was arrested for DUI, providing a breath sample at the police department of .278.
- On 7/4/22, WSP troopers stopped a vehicle on Big Lake and requested assistance with the male refusing to get out of the vehicle and having a firearm on the seat. Our Detective McCombs, who is a trained negotiator on the interlocal team responded to assist. There Det McCombs negotiated with the subject in crisis and was able to have an impact on a peaceful resolution. Det McCombs had been given a letter of recognition for his fantastic work.
- 7/6/22 at about 1518 hours-Officers responded to a Forgery at Banner Bank. A female was in the branch attempting to cash a forged stolen check. The female was arrested and referred for Possession of Stolen Property, Forgery, and Theft 2<sup>nd</sup>.
- 7/15/22, Officers responded to a DUI and located the vehicle that was reported to have almost struck a telephone pole. Driver was arrested for DUI and search warrant obtained for blood.
- On 7/21/22, Officers recognized a male exiting a vehicle and recognized the male from previous contacts. This male was found to have warrants for his arrest. When officers attempted to make contact, the male jumped in the vehicle and fled. Officer attempted to stop the vehicle but discontinued due to knowing the identity of the driver. Charges will be referred.
- During the month of July, Officers responded to 28 motor vehicle collisions in the city, with two of those involving alcohol.
- During the month of July, Officers had 5 vehicles elude from them.
- Fireworks month- Officers responded to 20 complaints during the month of July.

Crime map link-This can be used to check police calls for service/ activity involving all law enforcement agencies in the county. Searches can be filtered agency, dates category and nature.

<https://www.skagitcounty.net/maps/crimemapmobile/>



This map is a reflection what the crime map can show. This shows the calls for service that Sedro-Woolley Officers responded to from 7/1/22 to 7/31/22.