

**CITY COUNCIL
WORKSHOP**

**June 3, 2014
5:30 p.m.**

AGENDA



"Where Dreams Can Soar"

The City of Bonney Lake's Mission is to protect the community's livable identity and scenic beauty through responsible growth planning and by providing accountable, accessible and efficient local government services.
www.ci.bonney-lake.wa.us

*The City Council may act on items listed on this agenda, or by consensus give direction for future action.
The Council may also add and take action on other items not listed on this agenda.*

Location: Bonney Lake Justice & Municipal Center, 9002 Main Street East, Bonney Lake, Washington.

I. Call to Order: Mayor Neil Johnson

II. Roll Call:

Elected Officials: Mayor Neil Johnson, Jr., Deputy Mayor Dan Swatman, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember James Rackley, and Councilmember Tom Watson.

III. Agenda Items:

- A. Presentation:** Certificates of Achievement to High School Students for sports and other academic achievements (No advance materials provided)
- B. Council Open Discussion.**
- C. Presentation/Discussion:** WSU Commercial Property - Wally Costello (No advance materials provided)
- p. 3 **D. Review of Council Minutes:** May 20, 2014 Workshop and May 27, 2014 Council Meeting.
- p. 13 **E. Discussion:** AB14-59 – Ordinance No. D14-59 - Amendments to the Land Use Matrix related to Assisted Living Facilities

IV. Executive Session: Pursuant to RCW 42.30.110, the City Council may hold an executive session. The topic(s) and the session duration will be announced prior to the executive session.

V. Adjournment.

For citizens with disabilities requesting translators or adaptive equipment for listening or other communication purposes, the City requests notification as soon as possible of the type of service or equipment needed.

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**CITY COUNCIL
WORKSHOP**

May 20, 2014
5:30 P.M.

DRAFT MINUTES



“Where Dreams Can Soar”

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Website: www.ci.bonney-lake.wa.us

Location: Justice & Municipal Center, 9002 Main Street East, Bonney Lake, Washington.

I. CALL TO ORDER – Mayor Neil Johnson, Jr. called the workshop to order at 5:30 p.m.

II. ROLL CALL:

Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Mayor Johnson, elected officials attending were Deputy Mayor Dan Swatman, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember Jim Rackley, and Councilmember Tom Watson.

Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Community Development Director John Vodopich, Senior Planner Jason Sullivan, Administrative Services Director/City Clerk Harwood Edvalson, City Attorney Kathleen Haggard, and Administrative Specialist II Renee Cameron.

III. AGENDA ITEMS:

Mayor Johnson requested that on behalf of Planning Commission Chair Grant Sulham that Agenda Item G be moved to Item C

A. Proclamation: May 2014- Building Safety Month.

Mayor Johnson read the May 2014 Building Safety Month Proclamation honoring the Community Development Department in keeping our City and buildings safe.

B. Presentation: Greater Bonney Lake Historical Society.

Winona Jacobsen introduced Glenn Taylor with the Greater Bonney Lake Historical Society (GBLHS) who presented a PowerPoint presentation for a proposal to the City of Bonney Lake regarding the GBLHS space at the Public Works Center and The House at Victor Falls. The GBLHS proposed the recently purchased house at Victor Falls be used as the City’s historical museum. No action was taken on this item as it was for informational purposes only.

C. Discussion: AB14-67 – Resolution 2385 – Amending the 2014-2015 Planning Commission Work Plan.

Planning Commission Chair Grant Sulham provided the Planning Commission Amended Work Plan. He said the Planning Commission has reviewed the revised work plan and has recommended that the City Council pass Resolution 2385 amending the current work plan to add the identified items. Senior Planner Jason Sullivan responded to questions about the Work Plan. This item was forwarded to the May 27, 2014 Meeting for action.

D. Open Discussion

Arts Advisory Commission. Mayor Johnson said he received the final Applications for Membership to the Arts Advisory Commission from students who are involved in the Key Club and he hopes to finalize a panel and select appointed members in the next few weeks. Councilmember Hamilton said he would like to see one of the first actions of the new Arts Advisory Commission recognizes existing local artists who have contributed their talents to the City. Councilmember Lewis asked about having information and a booth during Bonney Lake Days to bring more awareness to the new Commission.

Public Works Projects Updates. Deputy Mayor Swatman asked for an update on various City projects. Public Works Director Grigsby provided an update on the following projects:

Eastown Northern ULA Sewer System:

- Phase I, Sewer Line from 225th Ave to Safeway sewer lift station ~ Work is complete.
- Phase II, Sewer Lift Station ~ Utility lines have been placed in driveway. Contractor is now constructing underground concrete structures.
- Estimated Completion Date is mid-July.

Eastown Southern ULA Sewer System:

- Design is between 30&100%
- Easement acquisition consultant is preparing the City's offer for the Shepard-Morris parcel.
- Mr. Kahne is working with the Chan family to move easement on one parcel from North side to South side. If this occurs prior to readiness to advertise construction, then the City will revise the design at Mr. Kahne's expense.

Eastown Public Works Center:

- 225th Ave Site: Parametrix is continuing work on topographic survey, base map, and defining the wetland delineation.
- 217th Ave Site (Peaking Storage Tank): ARC has prepared site utilization drawings for this site.
- ARC is working on site utilization plan for 225th Avenue
- ARC is working on preliminary project cost estimates for these two sites

- Other Design and Construction Costs TBD:
 - 96th Street Water Line (214th Ave to 225th Ave to 221st Ave)
 - 225th Ave & Northern Frontage Rd Sewer Lines – Connects to Sewer Lift Station

Love/Victor Falls Property:

Deputy Mayor Swatman asked about the Love/Victor Falls Property and whether it was still occupied. City Administrator stated that the former owner has occupancy until Thursday, May 22nd, at which time the locks will be changed and Kalles Property manager will come out and do a minor assessment and what the fair market worth will be. He stated a City employee is interested in serving as a park watchman and providing maintenance for the property in lieu of rent. It could be on a one year lease rental agreement until the Council determines what they would like to do. Deputy Mayor Swatman said the City will have to work on some public access and liability issues on the property. City Administrator Morrison said staff are reviewing the parking and geotechnical work and fencing.

City-wide Kiosks. Mayor Johnson said he and the City Administrator have been working on a City-wide kiosks so that the kiosks are freshened up and information contained in them will pertain to the proper locations and current community events. Councilmember Hamilton said he would like Council to explore rotating electronic signage options, would conform to the proper regulations. He also stated there was a request to have a directional sign for the Greater Bonney Lake Historical Society's location.

School Recognitions. Councilmember Lewis said he has been asked if the City will still be recognizing the high school students and the high school teams who have done well this past year and the year-end awards. Mayor Johnson said he plans to, and City staff have been working to get the recognition information from the schools and school district in hopes of having a presentation. He would like to have these presentations occur every year.

Reed Property Update. Councilmember Watson asked for an update on the Reed Property. City Administrator Morrison said the land swap with Cascade Water Alliance is almost complete, which has to be completed before the boundary line adjustment can be completed. He said there have been some issues with the sewer that the City has been working on to get resolved. He said the GBLHS's request for markers on the Reed property has been approved, and once the boundary line adjustments are made the markers can be put in place, as well as those for Connell's Prairie monument. He also spoke about possible removal of the encroaching structures to Bonney Lake Estates. Councilmember Lewis asked if a fence will be installed to know where the property line is. City Administrator Morrison said there is currently no money in the budget, but that would be sensible.

E. Review of Council Minutes: May 6, 2014 Workshop and May 13, 2014 Meeting.

Council noted some minor corrections and those corrections were made. The minutes were forwarded to the May 27, 2014 Council Meeting for action.

F. Discussion (Pursuant to public hearing): AB14-69 – Ordinance 1481 – Marijuana Moratorium Extension.

Deputy Mayor Swatman said during the public hearing several public comments were made and the City's procedure is to discuss the public hearing and comments. He asked City Attorney Haggard what her legal instructions are for the Council to proceed. City Attorney Haggard advised that the City needs to follow the normal process of discussing public testimony, if necessary, and to reach a consensus of moving forward. City Administrator Morrison stated that last week's public hearing extending and maintaining the marijuana moratorium under Ordinance 1481 awaits a recommendation from the Planning Commission. Councilmember Hamilton asked if there is an expected time frame for the Planning Commission recommendation back to Council. Senior Planner Sullivan and City Attorney Haggard advised the moratorium extension was extended to October 2014, and under the new Planning Commission Work Plan a recommendation back to Council is set for September 2014. Councilmember Watson asked about the Council's concern with the oaths of office they took upholding state and federal law. City Attorney Haggard advised that the Planning Commission's recommendation will not consider Council's specific concern in their recommendation. She said the policy reasons of the Council's final decision can be discussed at a Council workshop or meeting when it is brought back. Deputy Mayor Swatman spoke regarding the City of Marysville's concern about the effect of this type of business on other local businesses. Councilmember Minton-Davis asked City Attorney Haggard about any challenges from any cities/ municipalities regarding the locations of marijuana business based on population. City Attorney Haggard advised that she had not heard any discussion regarding the Liquor Control Board's allocation of businesses. Other cities have been focused on traditional zoning authority and locals ban on marijuana businesses. Councilmember Watson asked about the ability for the licensee to sell their licenses/businesses. Mayor Johnson said he could contact the local legislators regarding desires to deed their allocations to other cities. City Attorney Haggard said the 2015 Legislative Session is the first opportunity that the entire law will be open for discussion and said now is the time to bring these issues to the attention of the legislature and to the Association of Washington Cities. Councilmember Hamilton said at the Pierce County Regional Council meeting last week that there was discussion about smaller cities that have enacted laws voting to completely ban these businesses due to the conflict between state and federal laws. This issue has been referred to the Planning Commission for a recommendation, so no action was taken.

G. Discussion: Park Board Ordinance Update (AB14-70 – Ordinance D14-70), and Park Work Plan.

City Administrator Morrison said the Board of Park Commissioners was first established over 40 years ago and the ordinance does not provide much guidance on the roles and responsibilities of the commission or how it is to operate. The city council desires to further clarify the organization, duties and responsibilities of the park commission. He said this has not gone to the Park Board for review or guidance. Mayor Johnson said it makes sense to have clear definitions and consistency with the other City's commissions. Councilmember Lewis thought it was a well written document to provide direction to the Board/Commission. Council consensus was to have all of the City's Commissions consistent with their respective duties, as assigned by the Council. Councilmember Minton-Davis said staff did a great job on preparation of this item, however, she would like the language added regarding how they are appointed by the Mayor and must reside within the 98391 zip code, with the exception of a business property owner who does not actually reside in the 98391 zip code. Councilmember Watson said he would like it also to state that they stay on track with their respective work plan(s). Councilmember McKibbin asked about proper language about what department oversees the Park Board/Commission. Councilmember Watson said he would be willing to sponsor the item and requested review of the revisions to the Plan. This item will be brought back to a future Council Workshop for further review or the proposed revisions prior to approval by full Council.

IV. EXECUTIVE SESSION: None.

V. ADJOURNMENT:

At 6:43 p.m., Councilmember Watson moved to adjourn the Council Meeting. Councilmember Lewis seconded the motion.

Motion to adjourn approved 7- 0.

Harwood Edvalson, MMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council at the May 20, 2014 Workshop:

- Winona Jacobsen, *Proposal to the City of Bonney Lake Regarding the GBLHS Space at the Public Works Center and The House at Victor Fall*, Greater Bonney Lake Historical Society

Note: Unless otherwise indicated, all documents submitted at City Council meetings and workshops are on file with the City Clerk. For detailed information on agenda items, please view the corresponding Agenda Packets, which are posted on the city website and on file with the City Clerk.

CITY COUNCIL MEETING

May 27, 2014
7:00 P.M.

DRAFT MINUTES



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Location: Bonney Lake Justice & Municipal Center, 9002 Main Street East, Bonney Lake, Washington.

I. **CALL TO ORDER** – Mayor Neil Johnson, Jr. called the meeting to order at 7:00 p.m.

A. Flag Salute: Mayor Neil Johnson, Jr. led the audience in the Pledge of Allegiance.

B. Roll Call: Administrative Services Director/City Clerk Harwood Edvalson called the roll. Elected officials attending were Mayor Neil Johnson, Jr., Deputy Mayor Dan Swatman, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Jim Rackley, and Councilmember Tom Watson. Councilmember Katrina Minton-Davis was absent.

Deputy Mayor Swatman moved to excuse Councilmember Minton-Davis. Councilmember Rackley seconded the motion.

Motion to excuse Councilmember Minton-Davis approved 6 – 0.

Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Assistant Engineer Andrew Fonda, Community Development Director John Vodopich, Senior Planner Jason Sullivan, Chief Financial Officer Al Juarez, Police Chief Dana Powers, Administrative Services Director/City Clerk Harwood Edvalson, City Attorney Kathleen Haggard, and Administrative Specialist II Renee Cameron.

C. Announcements, Appointments and Presentations:

1. Announcements: None.

2. Appointments: None.

3. Presentations:

a. **Proclamation:** Paint the Town Purple Day, June 6th & July 18-19th Relay Days – American Cancer Society.

Mayor Johnson read the Paint the Town Purple Day Proclamation/Relay Event and recognized Relay for Life Committee Chair Member Nicole Remington for all of the Committee’s dedication and hard work. Ms. Remington thanked the Mayor and Council for their support and asked for support on the Relay For Life Extreme Panhandling event along Highway 410 on June 6th and again at Bonney Lake High School on July 18th and 19th. She also stated that Bonney Lake will be noted as one of the top 10 events

for monies raised for the American Cancer Society per capita per population which is very impressive.

- b. **Presentation:** AB14-73 – 2014 Stormwater Pollution Prevention Art Contests Award Ceremony.

Assistant City Engineer Andrew Fonda provided an explanation of the NPDES permit, the Stormwater Management Program, and how the art contest is all tied together. He briefly described the intent of the NPDES Permit requirements and the messages included in the art contest calendar for the awards of the 2014 Stormwater Pollution Prevention Art Contests. Mayor Johnson presented the awards to the contest winners who were all from Mountainview Middle School: Kenda Joseph, Aziah George, Kiana Hesler, Amaya Udager, Isabella Galindo, Kiana Morehouse, Madyson Kelsoe, Desirea Ward, Ashley Nall, Hannah Lewandowski, Shelby Welfringer, and Katie Chalich.

D. Agenda Modifications:

Mayor Johnson advised that Councilmember Lewis requested an agenda modification to add AWC Delegates to the Full Council Issues.

Councilmember Watson moved to amend the Agenda to add the designation of AWC Delegates to the Full Council Issues. Deputy Mayor Swatman seconded the motion.

**Motion to modify agenda
approved 6 – 0.**

II. **PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:**

A. Public Hearings: None

B. Citizen Comments:

Dan Decker, 20401 70th Street E, Bonney Lake, made a public disclosure request to the City Clerk, per RCW 42.56, requesting ordinances from the past ten years concerning the Ward System of Government. He spoke about reinstating the Ward form of government before June 1, 2014. He expressed his concern about the financial consequences of HR 2847, which takes effect on July 1, 2014, and how it will affect the American dollar.

C. Correspondence: None.

III. COUNCIL COMMITTEE REPORTS:

- A. Finance Committee/Committee of the Whole: Deputy Mayor Swatman stated the May 27th Finance Committee was cancelled for lack of business.
- B. Community Development Committee: Councilmember Lewis said the Committee met on May 20th and discussed Item G of tonight's consent agenda.
- C. Economic Development Committee: Councilmember McKibbin said the Committee has not met since the last report.
- D. Public Safety Committee: Councilmember Watson said the Committee has not met since the last report.
- E. Other Reports:

White River Communities Families First Coalition Meeting: Councilmember Lewis said he attended White River Communities Families First Coalition Meeting on May 19th at the Buckley Fire Station. He said there was a presentation from Project New Hope, which help the families, as well as individuals, affected by post-traumatic stress disorder.

Buckley Youth Activities Center: Councilmember Lewis said the Buckley Youth Activities Center will be opening their doors on June 13th from 2:30-6:30 and they are open to the entire community and advised that they are seeking volunteers 18 year olds or younger to assist. There was also discussion about their upcoming fundraisers.

Pierce County Regional Council Meeting: Councilmember Hamilton said he attended the Pierce County Regional Council meeting where the discussion was focused on the report back from the Growth Management Coordinating Committee trying to solve the issue of urban growth expansion and the three options that were presented. Councilmember Rackley asked if it will be any easier for cities to take part of the County's growth allocated to the cities. Councilmember Hamilton advised that Council has the exclusive rights to the urban growth areas.

IV. CONSENT AGENDA:

- A. **Approval of Corrected Minutes**: May 6, 2014 Workshop and May 13, 2014 Council Meeting.
- B. **Approval of Accounts Payable and Utility Refund Checks/Vouchers**:
Accounts Payable checks/vouchers #68695-68728 (Including wire transfer #'s 20140502, 20140505, 20140506 and 20140507) in the amount of \$338,401.73.
Accounts Payable checks/vouchers #68729-68793 (Including wire transfer #'s 13333878 and 2014051401 in the amount of \$683,594.61.

Accounts Payable wire transfer #2014051601 for p-card purchases in the amount of \$47,983.82.

VOIDS: Check #67670 – replaced with check #68782.

- C. Approval of Payroll:** Payroll for May 1st – 15th, 2014 for checks #31766-31790 including Direct Deposits and Electronic Transfers is \$ 449,771.91.
- D. AB14-44 – Resolution 2371** – Authorizing Police Laptop Lease Agreement with Panasonic Finance Solutions.
- E. AB14-63 – Resolution 2381** - Intergovernmental Agreement with Department of Enterprise Services for an Investment Grade Audit.
- F. AB14-67 – Resolution 2385** – Amending the 2014-2015 Planning Commission Work Plan.
- G. AB14-72 – Resolution 2387** – Awarding Church Lake Road Overlay Project to Miles Resources.
- H. AB14-71** – Motion to Authorize Recommended Write-Off Of Delinquent Account Receivable Accounts.

Councilmember Rackley moved to approve the Consent Agenda. Councilmember Lewis seconded the motion.

Consent Agenda approved 6 – 0.

- V. FINANCE COMMITTEE ISSUES:** None.
- VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:** None.
- VII. ECONOMIC DEVELOPMENT COMMITTEE ISSUES:** None.
- VIII. PUBLIC SAFETY COMMITTEE ISSUES:** None.
- IX. FULL COUNCIL ISSUES:**
- X. AB14-79** - A Motion to Appoint Three Voting Delegates to the AWC 2014 Annual Conference.
 - A. Councilmember Lewis moved to approve the Motion to Appoint Three Voting Delegates to the AWC 2014 Annual Conference. Deputy Mayor Swatman seconded the motion.**

Mayor Johnson advised that the three voting delegates will be Councilmember Lewis, Councilmember Watson, and Deputy Mayor Swatman.

Motion approved 6 – 0.

XI. EXECUTIVE SESSION: None.

XII. ADJOURNMENT:

At 7:26 p.m., Councilmember Rackley moved to adjourn the Council Meeting. Councilmember Lewis seconded the motion.

Motion to adjourn approved 6 – 0.

Harwood Edvalson, MMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council at the May 27, 2014 Meeting:

- Dan Decker, Citizen – *Bonney Lake Mayor and Council Greetings – Written comments verbally presented during the Citizen Comments portion of the meeting agenda.*

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City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: Community Development / Jason Sullivan - Senior Planner	Meeting/Workshop Date: 3 June 2014	Agenda Bill Number: AB14-59
Agenda Item Type: Discussion	Ordinance/Resolution Number: D14-59	Councilmember Sponsor:

Agenda Subject: Amendments to the land use matrix related to senior housing.

Full Title/Motion: An Ordinance Of City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending The Land Use Matrix Codified In Section 18.08.020 Of The Bonney Lake Municipal Code .

Administrative Recommendation:

Background Summary: The proposed amendment would separate Assisted Living Facilities from Continuing Care Communities and Nursing Homes on the Land Use Matrix and allow Assisted Living Facilities within the Downtown Commercial and Downtown Mixed Use zoning classifications. This amendment would ensure consistency between the City’s development regulations codified the Bonney Lake Municipal Code and the housing policies adopted in the Bonney Lake Comprehensive Plan, which directs the City to support the development of senior housing projects in the downtown. The Revised Code of Washington (RCW) 36.70A.130(1)(d) and Washington Administrative Code (WAC) 365-196-500(3) both require that the City’s comprehensive plan and the implementing development regulations are consistent. The proposed amendments would remove the inconsistency between the documents and bring the City into compliance with state law.

Attachments: Ordinance D14-59 and Planning Commission Recommendation Memo

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
n/a			
Budget Explanation:			

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:	<i>Approvals:</i>		Yes No
Date:	Chair/Councilmember		<input type="checkbox"/> <input type="checkbox"/>
	Councilmember		<input type="checkbox"/> <input type="checkbox"/>
	Councilmember		<input type="checkbox"/> <input type="checkbox"/>
Forward to:		Consent Agenda:	<input type="checkbox"/> Yes <input type="checkbox"/> No
Commission/Board Review:	21 May 2014		
Hearing Examiner Review:			

COUNCIL ACTION	
Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

APPROVALS		
Director: JPV	Mayor:	Date Reviewed by City Attorney: (if applicable):

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ORDINANCE D14-59

AN ORDINANCE OF CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING THE LAND USE MATRIX CODIFIED IN SECTION 18.08.020 OF THE BONNEY LAKE MUNICIPAL CODE.

WHEREAS, the City Council desires to amend the Land Use Matrix to establish separate rows for Nursing Facilities, Continuing Care Communities, and Assisted Living Facilities, as these are different uses as defined by the *North American Industry Classification System* (NAICS) but are current contained on the same row in the Land Use Matrix; and

WHEREAS, Nursing Facilities are defined in NAICS 623110 as establishments primarily engaged in providing inpatient nursing, personal care, and rehabilitative services for an extended period of time to individuals requiring nursing care by a permanent core staff of registered or licensed practical nurses; and

WHEREAS, Continuing Care Communities are defined in NAICS 623311 as establishments primarily engaged in providing a range of residential settings with meals, housekeeping, social, leisure, and other services available to assist residents in daily living with on-site nursing care facilities; and

WHEREAS, Assisted Living Facilities are defined in 623312 as establishments primarily engaged in providing residential and personal care services that include supervision, and assistance in daily living without on-site nursing care facilities; and

WHEREAS, allowing assisted senior housing in the Downtown furthers BLCP – Housing Element Policy 4-3g which directs the City to, “[s]upport the development of a Downtown senior housing project to meet the unmet housing needs of Bonney Lake seniors;” and

WHEREAS, the textual code amendments proposed by this Ordinance have been processed in according with the requirements of Chapter 43.21C RCW, the State Environmental Policy Act (SEPA); and

WHEREAS, a determination of nonsignificance was issued on April 24, 2014 by the Community Development Director acting as the City SEPA Responsible Official, and the applicable SEPA comment and appeal periods concluded on May 15, 2014 and May 25, 2014 respectively; and

WHEREAS, the a copy of the this Ordinance was provided on April 22, 2014 to the Washington State Department of Commerce as required by RCW 36.70.A.106 and the City requested for expedited review was granted by the Department which closed the review and comment period on May 8, 2014; and

WHEREAS, notice of the public hearing was given to the public in accordance with law and a public hearing was held by the Planning Commission on May 21, 2014, and all persons wishing to be heard were heard.

NOW, THEREFORE, the City Council of the City of Bonney Lake do hereby ordain as follows:

Section 1. Section 18.08.020 of the Bonney Lake Municipal Code and the corresponding portions of Ordinance No. 1416 are hereby amended to read as follows:

18.08.020 Land Use Matrix

Zone Use	RC-5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
Residential Uses											
Accessory dwelling unit			P ¹	P ¹							
Adult family home	P	P	P	P	P						
Apartments/condominiums				P		P ²	P ²		P ³	P	
Boarding homes			P	P							P
Duplexes (two-family residences)			P	P							
Family day cares	A	A	A	A	A				A	A	
Group homes				C							C
Home occupations; provided the criteria in BLMC 18.22.010 are met	A	A	A	A	A				A	A	
Mobile/manufactured homes subject to Chapter 15.08 BLMC	P	P	P								
Mobile/manufactured home parks in existence as of annexation into the city							P				
Nursing homes and assisted living Continuing care communities (NAICS 623110 and NAICS 623311)			P	P		C	P	C			C
<u>Senior assisted living facilities</u> (<u>NAICS 623312</u>)			<u>P</u>	<u>P</u>		<u>C</u>	<u>P</u>	<u>C</u>	<u>P</u> ³	<u>P</u>	
Private docks, mooring facilities and boathouses; provided the project complies with shoreline management regulations and the provisions of BLMC 18.22.070	A	A	A	A							P
Residences in connection with a business establishment					P	C	A	C	P ³	P	
Residential care facilities				P							
Single-family residences, detached	P	P			P						
Townhouses			P	P	C	C	P	C			

Educational Uses											
Colleges and universities or extension classrooms						P	P	P	P ³	P	P
Dancing, music, art, drama and instructional/vocational schools					P	P	P	P	P ³	P	P
Elementary school		C	P	P	P	C		C			P
Junior high, high schools and junior colleges, public or private		C	C	C	C	C		C			P
Preschool		C	P	P	P	P		P			
Cultural, Religious, Recreational, and Entertainment Uses											
Adult entertainment facilities subject to the provisions of Chapter 18.32 BLMC							P				
Amphitheater						P	P	P			
Campgrounds							P	C			C
Essential public facilities							P				C
Galleries					P	P		P	P	P	
Golf courses	C										C
Golf driving range							P				C
Government buildings and facilities		C	C	C	P	P	P	P	P	P	P
Gymnasiums and fitness centers, public or commercial						P	P	P			P
Libraries				P	P	P	P	P	P	P	P
Museums	C	C			P	P	P	P	P	P	P
Parks, open space and trails	P	P	P	P	P	P	P	P	P	P	P
Pocket park	P	P	P	P	P	P	P	P	P	P	P
Private meeting halls	A	A	C	P	P	P	P	P			P
Public meeting halls			C	P	P	P	P	P			P
Recreation facilities, outdoor	C						P				P
Recreational vehicle parks							P				
Religious institutions	P ⁴	P ⁴	P ⁴	P ⁴	P	P		P	P ³	P	C
Swimming pools, public or private	A	A	A	A	A	P	P	P			P
Theaters						P	P	P	P	P	

Industrial Uses										
Assembly or processing of previously prepared materials in a fully enclosed building							C ¹			
Junk, salvage or wrecking yard; provided a solid fence and/or solid screening hedge at least eight feet high is built and maintained to screen from view the open storage use.							C			
On-site treatment and storage facility as an accessory use to a permitted use which generates a hazardous waste subject to compliance with the state siting criteria adopted pursuant to the requirements of Chapter 17.105 RCW and issuance of state hazardous waste management facility permit						A	A			
Storage or distribution of sand, gravel, top soil, or bark; provided a solid fence and/or solid screening hedge at least eight feet high is built and maintained to screen from view the storage area							P			
Storage or processing of any hazardous waste as defined in Chapter 70.105 RCW is not permitted as a principal use							C			
Trailer-mix concrete plant; provided a solid fence and/or solid screening hedge at least eight feet high is built and maintained to screen from view the concrete plant and storage yard							C			
Retail and wholesale warehousing and distribution of goods within a fully enclosed building						P	P	P		

Resource Management Uses											
Agriculture and orchards	P										
Forestry and tree farms	P										
Raising of livestock, small animals and fowl; provided the requirements of BLMC 18.22.060 are met	P										
Transportation, Communication, Utilities											
Parking garages						C	P	C	C		
Public utility facility; provided the requirements of BLMC 18.22.050 are met	P		P	P	P	P	P	P			
Commercial Uses											
Ambulance service						C	P	C			
Antique shops				C	P	P	P	P	P	P	
Arcade							P	P			
Automatic teller machines (ATMs)						P	P	P		P	
Automatic teller machines (ATMs) with no drive-through					P	P	P	P	P	P	
Automobile fuel and recharging stations and car washes						P	P	P			
Automobile, boat and trailer sales							P	C			
Automobile, boat and trailer repair						P	P	P			
Bakery, retail					P	P	P	P	P	P	
Bakery, wholesale							P				
Banks, savings and loan associations						P	P	P			
Banks, savings and loan associations with no drive-through					P	P	P	P	P	P	
Barber shops and beauty shops					P	P	P	P	P	P	
Bars					C	P	P	P	P	P	
Bed and breakfast houses; provided the criteria in BLMC 18.22.030 are met	A	C	C	C	P						
Beer and wine specialty shops					P	P	P	P	P	P	
Bookstores				A	P	P	P	P	P	P	
Bowling alley											
Brewpubs and microbreweries					C	P	P	P	P	P	

Cabinet and carpenter shop						C	P	C			
Candy shop					P	P	P	P			
Cart vendors					P	P	P	P			
Cinema						P	P	P			
Coffee shops, cafes, no drive-through					P	P	P	P	P	P	A
Coffee stand, drive-through						P	P	P			
Commercial, professional and service uses associated with a residential complex, including banks, savings and loan associations, barber and beauty shops, business and professional offices, medical and dental clinics and neighborhood grocery, coffee shops, or restaurants, provided such uses occupy no more than 10 percent of the land area of the parcel or parcels within the residential complex and no individual commercial, professional or service use exceeds 5,000 square feet of floor area					A		P				
Commercial uses associated with a permitted use, such as a snack bar or gift shop, provided the commercial activity is open for business no more than 150 days per year or is within the same building as the permitted use							P				A
Contractor yards, provided a solid fence and/or solid screening hedge at least eight feet high is built and maintained to screen from view the open storage use							P				
Day care centers				C	P	P	P	P			P
Department store						P	P	P			
Dry cleaning						P	P	P	P	P	
Food markets, delicatessen and meat markets (beer and wine may be sold)					P	P	P	P	P	P	
Furniture and small household appliance repair shops					C	P	P	C			

Furniture building, repair and upholstery							P				
Hardware stores						P	P	P	P	P	
Horticultural nursery and garden supply, indoor or outdoor						P	P	P	P	P	
Hospitals		C	C	C		P	P	P			C
Hotels, motels						C	P	C	P	P	
Kennels	C		C	C	A	A	P	A			
Laundromats					P	P	P	P			
Liquor stores					C	P	P	P			
Locksmiths and security alarm shops					P	P	P	P			
Machine shops						C	P	C			
Massage therapy/spas					P	P	P	P	P	P	
Medical-dental clinics						P	P	P	P ³	P	
Medical offices					P	P	P	P	P ³	P	
Mini day care center				C	P	A	P	A	P	P	
Mini-storage facilities						C	C	C			
Nail salons					P	P	P	P	P	P	
Nightclub							P				
Open storage yards, including storage and sale of building materials and heavy equipment, provided a solid fence and/or solid screening hedge at least eight feet high is built and maintained to screen from view the open storage use							P				
Outdoor storage and sale of building materials and nursery stock, provided such use is accessory to a permitted use and enclosed within a sight-obscuring fence						A	A	A			
Pet shop, grooming and supplies					P	P	P	P	P	P	
Pharmacies						P	P	P	P	P	
Photographic processing and supply						P	P	P	P	P	
Photography studios					P	P	P	P	P	P	
Plumbing shops, electricians, heating, air conditioning sales or repair						C	P	C			

Pool hall						P	P	P			
Printing, copying and mailing services					P	P	P	P	P	P	
Professional offices					P	P	P	P	P ³	P	
Restaurants, including drive-in restaurants					C	P	P	P			
Restaurants, no drive-through					C	P	P	P	P	P	
Retail shops					C	P	P	P	P	P	
Roadside produce stands	P				P	P	P	P			P
Shoe repair					P	P	P	P	P	P	
Shopping center						P	P	P			
Skating rink						P	P	P			
Stables and riding schools	P										P
Tailor shops					P	P	P	P	P	P	
Tanning salon					P	P	P	P	P	P	
Tavern					C	P	P	P	P	P	
Veterinary clinics, animal hospitals						P	P	P			
Veterinary clinics with no outdoor kennel space or dog runs						P	P	P	P ³	P	
Wireless communications facilities are permitted as principal or accessory uses provided the requirements of Chapter 18.50 BLMC are met	P		P	P	A	A	P	A			
P = Permitted C = Conditional use A = Accessory use P ¹ = No accessory dwelling units are allowed in conjunction with a duplex P ² = Subject to the commercial design standards of Chapter 18.31 BLMC P ³ = Allowed outright on second floor, requires a CUP if on the first floor P ⁴ = Subject to the provisions of BLMC 18.22.040 C ¹ = Exclusions are listed in BLMC 18.29.040											

Section 2. This ordinance shall take effect five (5) days after its passage, approval, and publication as required by law.

PASSED by the City Council and approved by the Mayor this _____ day of _____, 2014.

Neil Johnson, Jr., Mayor

ATTEST:

Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

Kathleen Haggard, City Attorney

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Memo

Date : May 21, 2014
To : Mayor and City Council
From : Grant Sulham, Planning Commission Chair
Re : **Ordinance D14-59 – Land Use Matrix and Senior Housing**

The current land use matrix codified in *Bonney Lake Municipal Code* (BLMC) 18.08.020 currently combines nursing homes and assisted living facilities as one use. While the uses have similarities, the uses also have some differences related to the type of care and the amount of nursing care provided within the facility as described below:

Nursing Facilities are defined, in the North American Industry Classification System (NAICS) Industry classification 623110 as establishments primarily engaged in providing inpatient nursing, personal care, and rehabilitative services for an extended period of time to individuals requiring nursing care by a permanent core staff of registered or licensed practical nurses; and

Continuing Care Communities are defined, in NAICS Industry classification 623311, as establishments primarily engaged in providing a range of residential settings with meals, housekeeping, social, leisure, and other services available to assist residents in daily living with on-site nursing care facilities; and

Assisted Living Facilities are defined, in NAICS Industry classification 623312, as establishments primarily engaged in providing residential and personal care services that include supervision, and assistance in daily living without on-site nursing care facilities.

None of these uses are allowed within the Downtown which is inconsistent with the Bonney Lake Comprehensive Plan – Housing Element Policy 4-3g which directs the City to, “[s]upport the development of a Downtown senior housing project to meet the unmet housing needs of Bonney Lake seniors.

The proposed amendment would separate Assisted Living Facilities from Continuing Care Communities and Nursing Homes on the Land Use Matrix and allow Assisted Living Facilities within the Downtown Commercial and Downtown Mixed Use zoning classifications. This amendment would ensure consistency between the City’s development regulations codified the BLMC and the housing policies adopted in the BLCF. The Revised Code of Washington (RCW) 36.70A.130(1)(d) and Washington Administrative Code (WAC) 365-196-500(3) both require that the City’s comprehensive plan and the implementing development regulations are consistent. The proposed

amendments would remove the inconsistency between the documents and bring the City into compliance with state law.

On May 21, 2014, the Planning Commission held a public hearing on Ordinance D14-59 which amends the portion of the Land Use Matrix related to assisted living facilities and nursing facilities and voted **6-0-0** to recommend that the City Council approve Ordinance D14-59.