

**Economic Development  
Committee**

**July 12, 2016  
4:00 p.m.**



*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](http://www.ci.bonney-lake.wa.us)

**AGENDA**

**"Where Dreams Can Soar"**

---

**Location:** Justice & Municipal Center, 9002 Main Street East, Third Floor Conference Room, Bonney Lake

**Roll Call:**

Councilmember Katrina Minton-Davis (Chair)  
Councilmember Justin Evans  
Councilmember Tom Watson

**Attendees:**

Public Services Director, John Vodopich  
Permit Center Lead, Jenn Francis  
Planning and Building Supervisor, Jason Sullivan  
Administrative Assistant, Debbie McDonald

**I. Introductions**

**II. Presentations**

**III. New Business/ Action Items**

- |   |                                    |
|---|------------------------------------|
| 1. Approval of Draft Notes from June 14, 2016 | Presented By: Debbie McDonald      |
| 2. Letter for EDC Commission                  | Presented By: John Vodopich        |
| 3. Itinerant Business Ordinance               | Presented By: Katrina Minton-Davis |

**IV. 2016 Actions Under Development by Staff**

**V. Recurring Actions:**

- |                                   |                                    |
|-----------------------------------|------------------------------------|
| 1. Chamber Luncheon               | Presented By: Jenn Francis         |
| 2. Monthly Permit Activity        | Presented By: Jenn Francis         |
| 3. Good Morning Bonney Lake       | Presented By: Katrina Minton-Davis |
| 4. Formation of an EDC Commission | Presented By: Katrina Minton-Davis |
| A. Vision Statement               | Presented By: Jason Sullivan       |

**VI. Discussion/For the Good of the Order**

- |                      |                               |
|----------------------|-------------------------------|
| 1. Future EDC Topics | Presented By: Open Discussion |
|----------------------|-------------------------------|

**VII. Adjournment**

**Next Meeting Date:** August 9, 2016



## Economic Development Committee

June 14, 2016 Regular Scheduled Meeting

DRAFTED NOTES

The meeting was called to order at 4:00 P.M.

**Roll Call:**

Councilmember Katrina Minton-Davis  
Councilmember Justin Evans  
Councilmember Tom Watson

**Attendees:**

Community Dev. Director, John Vodopich  
Senior Planner, Jason Sullivan  
Permit Center Lead, Jenn Francis  
Administrative Assistant, Debbie McDonald

**Guest:** Christy Minzey, Chamber

### **Economic Development Committee**

I. **Presentation:** NONE

II. **New Business/Action Items:**

*Approval of Draft Notes from May 10, 2016  
Presented by Debbie McDonald*

Councilmember Watson moved to approve draft notes as written.

*Update on the Chamber  
Presented by Jenn Francis*

Permit Center Lead Francis introduced Christy Minzey and the Interim Executive Director Christy Minzey.

Interim Executive Director Christy Minzey stated that Good Morning Bonney Lake and the Chamber luncheon has been cancelled for July. Is not yet focused on membership growth but working on retention.

Permit Center Lead Francis will be working with the Chamber on small business and what is needed when locating to Bonney Lake.

*Draft Letter for EDC Commission*  
*Presented by John Vodopich*

Community Director Vodopich distributed an article from the local paper about Buckley and Enumclaw forming a partnership. He then discussed the draft letter he wrote, he will make it from Councilmember Minton-Davis. He will send out the letter so it goes from Council to Council instead of Council to Mayor

Councilmembers gave their few corrections to the letter.

Councilmember Minton-Davis suggest the meeting be scheduled for the second or fourth Thursday of August.

*Current Development Activity*  
*Presented by Jenn Francis*

Permit Center Lead Francis distributed a report on all the permits and gave a quick update on activity. Will do a power point for the City Council.

**III. 2016 Actions Under Development by Staff: NONE**

**IV. Recurring Actions:**

*Chamber Luncheon*  
*Presented by Jenn Francis*

The last luncheon speaker was Ideal Motion on how to make your business grow. The July meeting has been cancelled.

*Monthly Permit Activity*  
*Presented by Jenn Francis*

See above under, "Current Development Activity".

*Good Morning Bonney Lake*  
*Presented by Councilmember Minton-Davis*

July meeting has been cancelled.

*Formation of an EDC Commission*  
*Presented by Councilmember Minton-Davis*

See above under, "Draft Letter for EDC Commission.

V. **Discussion/For the Good of the Order:**

*Future EDC Topics*

VI. **Adjournment:**

Councilmember Minton-Davis adjourned the meeting at 4:46.

XX, 2016

Councilmember's of:

Enumclaw  
Sumner  
South Prairie  
Buckley  
Orting  
Wilkeson

Dear Mayor,

I am writing you as the Chair of the Bonney Lake City Council's Economic Development Committee (EDC). The City of Bonney Lake formed an Economic Development Committee in December 2013. The purpose of this committee is to advise the city council on matters related to legislative policies regarding the development of the local economy. The committee's jurisdiction includes business climate policies, economic incentives, downtown redevelopment, parking, business development, commercial zoning, tourism, and workforce development.

As the committee has met over the past two and a half years it has become apparent to us that in order to succeed and foster continued economic development that we must do so collectively as a region.

To that end I have been promoting an idea of forming a regional economic development commission described as follows:

#### **EAST PIERCE AND SOUTH KING COUNTY ECONOMIC DEVELOPMENT COMMITTEE PURPOSE STATEMENT**

To provide leadership, coordination, and services to advance economic development in East Pierce County and South King County.

#### **MISSION STATEMENT**

These plateau cities will build on their combined economic base of existing enterprises and industries, will diversify the economic base by encouraging new industries, and will further develop businesses that fill gaps and improve the quality of life of the area's residents — all aimed at raising the economic well-being of cities in East Pierce and South King County and the residents that call these cities home.

Formation of such a group would be through an inter-local agreement between the interested cities and if it became a private-public partnership, then some type of nonprofit corporation would be formed.

The purpose of my letter is to inquire about your cities interest in discussing the formation of a regional economic development commission. In looking at the meeting schedule of the various cities and towns it appears that August xx, 2016 would be the best date for a meeting to discuss this proposal. The meeting would be held in the Bonney Lake City Council Chambers at xx PM.

Please let me know if you are interested in this idea of forming a regional economic development commission. I can be reached by e-mail at [minton-davisk@ci.bonney-lake.wa.us](mailto:minton-davisk@ci.bonney-lake.wa.us)

Sincerely,

Katrina Minton-Davis  
City of Bonney Lake Councilmember

Council meeting Dates and Times:

- Enumclaw 1<sup>st</sup> (Study Session), 2<sup>nd</sup> and 4<sup>th</sup> Mondays 7 PM
- Sumner 1<sup>st</sup> and 3<sup>rd</sup> Mondays 7 PM
- South Prairie 1<sup>st</sup> Tuesday 7 PM
- Buckley 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays 7 PM
- Orting 2<sup>nd</sup> and last Wednesday 7 PM
- Wilkeson 2<sup>nd</sup> and 4<sup>th</sup> Wednesdays 6 PM
- Bonney Lake (as of 7/1) 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, & 4<sup>th</sup> Tuesdays 6 PM

First Wednesday of the month and all Thursdays appear to be open

City of Bonney Lake  
**City Council Agenda Bill (AB)**

<b>Department / Staff Member:</b> CD/Jason Sullivan	<b>Meeting/Workshop Date:</b> June 14, 2016	<b>Agenda Bill Number:</b> AB16-24
<b>Agenda Item Type:</b> Ordinance	<b>Ordinance/Resolution Number:</b> D16-24	<b>Councilmember Sponsor:</b> Donn Lewis

**Agenda Subject:** Amendment to BLMC adding regulations for itinerant vendors.

**Full Title/Motion:** An Ordinance of the City Council of the City Of Bonney Lake, Pierce County, Washington, recodifying Chapter 18.56 of the Bonney Lake Municipal Code to regulate itinerant vendors within the city.

**Administrative Recommendation:** Approve

**Background Summary:** At the May 3, 2016 City Council Workshop, City staff presented the draft of the itinerant vendors ordinance. Following the presentation the City Council directed staff to revise the draft ordinance to remove the temporary use permit framework and keep only the regulations needed for health and safety. The ordinance has been updated to reflect based on this direction.

**Attachments:** Substitute Ordinance D16-24, Planning Commission Recommendation Memo, DNS, and Commerce Review

<b>BUDGET INFORMATION</b>				
Budget Amount	Current Balance	Required Expenditure	Budget Balance	Fund Source
				<input type="checkbox"/> General <input type="checkbox"/> Utilities <input type="checkbox"/> Other
<b>Budget Explanation:</b>				

<b>COMMITTEE, BOARD &amp; COMMISSION REVIEW</b>				
<b>Council Committee:</b> Community Development Committee	<i>Approvals:</i> Chair/Councilmember		<b>Yes</b>	<b>No</b>
			<input type="checkbox"/>	<input type="checkbox"/>
<b>Committee Date:</b>	Councilmember		<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember		<input type="checkbox"/>	<input type="checkbox"/>
<b>Forwarded to:</b>	<b>Consent Agenda:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
<b>Commission/Board Review:</b> Planning Commission – April 6, 2016				
<b>Hearing Examiner Review:</b>				

<b>COUNCIL ACTION</b>	
Workshop Date(s): May 3, 2016 and June 7, 2016	Public Hearing Date(s):
Meeting Date(s):	Tabled to:

<b>APPROVALS</b>		
<b>Director:</b> JPV	<b>Mayor:</b>	<b>Date Reviewed by City Attorney:</b> (if applicable)

*THIS PAGE INTENTIONALLY LEFT BLANK*

**SUBSTITUTE ORDINANCE NO. D16-24**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, RECODIFYING CHAPTER 18.56 OF THE BONNEY LAKE MUNICIPAL CODE TO REGULATE ITINERANT VENDORS WITHIN THE CITY.**

**WHEREAS**, the City Council desires to promote public safety and orderly movement of pedestrians and, where designated, drivers who use city rights-of-way and/or city property; and

**WHEREAS**, the City Council desires to promote compliance with relevant building, fire, health and safety codes by those who wish to conduct business within the City of Bonney Lake.

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

**Section 1. Findings of Fact and Conclusions.** The City Council adopts the following findings of fact in support of its decision to adopt the amendments to the *Bonney Lake Municipal Code* (BLMC) contained in this Ordinance:

1. On April 6, 2016, the City of Bonney Lake Planning Commission held a public hearing to consider the amendments to the City's development regulations contained in this Ordinance, as required by BLMC 14.140.080.
2. The City complied with all applicable notice, timing and comment provisions in scheduling and carrying out the above-referenced hearing.
3. At the above-referenced hearing, the City of Bonney Lake Planning Commission determined that the amendments to the City's development code contained in this Ordinance are consistent with other BLMC development regulations and with the laws of the State of Washington.
4. Under the State Environmental Policy Act (SEPA) the adoption of this Ordinance is a non-project action as defined by WAC 197-11-704(2)(b) and the SEPA Official issued a Determination of Non-Significance (DNS).
5. Pursuant to RCW 36.70A.106(3)(b) the City requested expedited review of this Ordinance from the Department of Commerce. The Department of Commerce review period concluded on March 10, 2016.

**Section 2.** Section 18.56 of the Bonney Lake Municipal Code is hereby recodified as the "Itinerant Vendor Code." To read as follows:

**18.56.010 Purpose.**

The purpose of this chapter is to:

- A. Promote public safety and orderly movement of pedestrians, drivers who use city rights-of-way and/or city property;
- B. Promote compliance with relevant building, fire, health and safety codes by those who wish to conduct business within the City of Bonney Lake.

**18.56.020 Exemptions.**

The following activities, businesses, and/or persons, as such are commonly known, shall be exempt from this chapter, but this exemption shall not be construed to limit or restrict the application of other laws and regulations pertaining to such activities, businesses and/or persons:

- A. Newspaper couriers;
- B. Lemonade stands;
- C. Stands used to sell or distribute flowers, fruit, vegetables, produce or plants grown on the property where the stand is located;
- D. Delivery or distribution of food, goods or products ordered or purchased by customers from a source or point of sale other than a mobile vehicle operated for the purpose of soliciting customers while travelling or while located on city streets or property;
- E. Delivery or distribution of food by or for any not-for-profit organization, governmental agency, or other charitable organization, including without limitation Meals on Wheels and the Food Bank;
- F. Concessionaires. Concession agreements with the city shall include health, sanitation and insurance requirements;
- G. Peddlers. A separate permit is required for peddlers per Chapter 9.11 BLMC; and
- H. Firework stands. A separate permit if required for firework stands per Chapter 5.14 BLMC.

**18.56.030 Itinerant Vendor Regulations.**

- A. All vehicles, equipment, devices or structures used for the preparation, handling, storage, transportation, and/or sale of food shall comply with the regulations established by the Tacoma – Pierce County Health Department and WAC 246-215-050, as now in effect or hereafter amended.

- B. Vehicle, other conveyance or temporary stand shall be set back from LP tanks as required by Section 6104 of the International Fire Code.
- C. Vehicle, other conveyance or temporary stand shall be ten (10) feet from the edge of the canopy covering fuel dispensers and twenty-five (25) feet from the fuel dispensers.
- D. All itinerant vendors shall provide garbage receptacles for customer use.
- E. At the conclusion of business activities at a given location the itinerant vendor shall clean the surrounding area of all debris, trash, and litter generated by the itinerant vendor's business activities.
- F. Itinerant vendors that cook or prepare food shall be equipped with at least one 2A-40-BC fire extinguisher.
- G. No itinerant vendor shall conduct business that violates any ordinances and/or regulations of the city, including those regulating traffic and rights-of-way, as now in effect or hereafter amended.
- H. No itinerant vendor shall obstruct or cause to be obstructed the passage of a sidewalk, street, avenue, alley, or any other public place.
- I. All service must be on the curbside when the mobile unit is on or abutting a public street.
- J. No itinerant vendor shall locate his or her vehicle or other conveyance in such a manner as to cause a traffic hazard.
- K. Itinerant vendors shall not be located within 400 feet of a public or private school grounds during the hours of regular school session, classes, or school-related events in said public or private school, except when authorized by said school. As used herein, the distance shall be measured in a straight-line all directions from outer edge of the property on which the school is located.
- L. Itinerant vendors shall not be located within 300 feet of concessionaires operating during the course of a public celebration. As used herein, the distance shall be measured in a straight-line all directions from outer edge of the property on which the public celebration is located.
- M. Mobile vendors shall not be located within any one block for more than one hour in any four-hour period; except this shall not apply in those situations where the mobile vendor is serving organized and sanctioned community-sponsored ball games at public parks and schools provided there is no city-approved concession in the park or at the school.
- N. Stationary vendors shall comply with the setback requirements established for the underlying zoning classification.

**Section 3.** Section 18.04.030, “C” of the Bonney Lake Municipal Code and the corresponding portions of Ordinance No. 1533 § 7 is hereby amended to read as follows:

**18.04.030 “C”.**

“Camouflaged” means a personal wireless communication facility that is disguised, hidden, or integrated with an existing structure that is not a monopole or tower, or a personal wireless service facility that is placed within an existing or proposed structure or new structure, tower, or mounted within trees so as to be significantly screened from view or camouflaged to appear as an alternative tower structure (i.e., man-made tree, flagpole with flag, bell steeples, clock towers, light poles, or other similar alternative design structures. ).

“Cell site” or “site” means a tract or parcel of land that contains wireless communication facilities including any antenna, support structure, accessory buildings, and parking, and may include other uses associated with and ancillary to wireless communication facilities.

“City” means and refers to the City of Bonney Lake.

“City center view corridor” means an area defined by the boundaries of the city center and the view corridor for Mt. Rainier along SR 410 from approximately 500 feet northwest of the intersection with Sumner/Buckley Highway (Bonney Lake Main Street to the dip in SR 410 just west of Angeline Road undercrossing (the point where Mt. Rainier disappears from view)).

“Co-location” means the use of a personal wireless communication facility or cell site by more than one personal wireless service provider.

“Conceal” or “Concealment” means and refer to eligible support structures and transmission facilities designed to look like some feature other than a wireless tower or base station.

“Conditional use” means a use permitted in one or more classifications as defined by this title but which use because of characteristics peculiar to it, or because of size, technological processes, or type of equipment, or because of the exact location with reference to surroundings, streets and existing improvements or demand upon public facilities, requires a special degree of control to make such uses consistent with and compatible to other existing or permissible uses in the same zones or zones, and to assure that such use shall not be harmful to the public interest.

“Conditional use permit” or “CUP” means the documented evidence of authority granted by the hearing examiner to locate a conditional use at a particular location.

“Condominium” means a multiple-family dwelling and its accessory uses and grounds in which each dwelling unit is individually owned, and all or any part of the dwelling structure, accessory uses and grounds are owned cooperatively by the owners of said dwelling units, and maintenance functions are performed by required subscriptions from said owners.

“Concessionaire” means a person, firm or corporation engaged in the sale of food or other goods or services in a city park, on designated city rights-of-way, or on other city property, including

without limitation those who operate or maintain a concession stand, in accordance with a written agreement or franchise therefor as lawfully approved in writing by the city administrator.

Convalescent Home. See “Nursing home.”

“COW” means “cell on wheels.”

**Section 4.** Section 18.04.040, “D” of the Bonney Lake Municipal Code and the corresponding portions of Ordinance No. 1533 § 8, is hereby amended to read as follows:

**18.04.040 “D”.**

“Day care center” means:

A. Person(s) who regularly provides care for 13 or more children for periods of less than 24 hours.

B. In addition to the regulations set forth in this chapter, day care centers/family day care homes shall be state-licensed and conform to all federal and state regulations applicable.

“Department” means the City of Bonney Lake Department of Public Services.

“Design” means the appearance of personal wireless communication facilities, including such wireless communications facility features as their materials, colors, and shapes.

“Design centerline” shall be the center of the street right-of-way. However, if land for streets has been dedicated unevenly, the design centerline shall be the line on which both properties met before any dedication occurred.

“Director” means the Director of the Public Services Department.

“Dwelling unit” means one or more rooms designed or occupied by one family for living or sleeping purposes, and containing kitchen and bath facilities for use solely by one family. A bachelor apartment constitutes a dwelling unit within the meaning of this zoning code.

**Section 5.** Section 18.04.090, “I” of the Bonney Lake Municipal Code and the corresponding portions of Ordinance No. 740 § 2, is hereby amended to read as follows:

“Itinerant vendor” means a mobile or stationary vendor.

**Section 6.** Section 18.04.130, “M” of the Bonney Lake Municipal Code and the corresponding portions of Ordinance No.1533 § 11, is hereby amended to read as follows:

**18.04.130 “M”.**

“Macro facility” is an attached wireless communication facility which consists of antennas equal to or less than fifteen feet in height or a parabolic antenna up to one meter (thirty-nine and thirty-seven-one-hundredths inches) in diameter and with an area not more than one hundred square feet in the aggregate as viewed from any one point.

“Manufactured home” means a structure constructed after June 15, 1976, in accordance with state and federal requirements for manufactured homes, which:

- A. Is comprised of at least two fully enclosed parallel sections each of not less than 12 feet wide by 36 feet long;
- B. Was originally constructed and now has a composition of wood shake or shingle, coated metal, or similar roof of not less than 3:12 pitch;
- C. Has exterior siding similar in appearance to siding materials commonly used on conventional site-built Uniform Building Code single-family residences;
- D. Is built on a permanent chassis and designed solely for the purpose of human habitation.

“Marijuana” means all parts of the plant Cannabis, whether growing or not, with a THC (tetrahydrocannabinol) concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

“Marijuana collective garden” (also referred to as “medical marijuana collective garden,” “cannabis collective garden,” and “medical cannabis collective garden”) means a location where “qualifying patients,” as defined in RCW 69.51A.010(4), may engage in the production, processing, and/or delivery of marijuana for medical use, as described in RCW 69.51A.090.

“Marijuana concentrates” means products consisting wholly or in part of the resin extracted from any part of the plant Cannabis and having a THC concentration greater than 60 percent.

“Marijuana dispensary” (also referred to as “medical marijuana dispensary,” “cannabis dispensary,” and “medical cannabis dispensary”) means any facility where marijuana or marijuana products are grown, produced, manufactured, sold or otherwise made available and/or distributed that is not licensed by the Washington State Liquor Control Board.

“Marijuana-infused products” means products that contain marijuana or marijuana extracts, are intended for human use, and have a THC concentration greater than 0.3 percent and no greater than 60 percent. The term “marijuana-infused products” does not include either usable marijuana or marijuana concentrates.

“Marijuana processor” means a person, business, or organization licensed by the Washington State Liquor Control Board to process marijuana into usable marijuana and marijuana-infused products, package and label usable marijuana, marijuana concentrates, and marijuana-infused products for sale in retail outlets, and sell usable marijuana, marijuana concentrates, and marijuana-infused products at wholesale to marijuana retailers.

“Marijuana producer” means a person, business, or organization licensed by the Washington State Liquor Control Board to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers.

“Marijuana retailer” means a person, business, or organization licensed by the Washington State Liquor Control Board to sell usable marijuana, marijuana concentrates, and marijuana-infused products in a retail outlet.

“Massage therapy/spa” means a scientific or skillful manipulation of soft tissue for therapeutic or remedial purposes, specifically for improving muscle tone and circulation and promoting health and physical well-being. The term includes, but is not limited to, manual and mechanical procedures for the purpose of treating soft tissue only, the use of supplementary aids such as rubbing alcohol, liniments, oils, antiseptics, powders, herbal preparations, creams or lotions, procedures such as oil rubs, salt glows and hot or cold packs or other similar procedures or preparations commonly used in this practice. This term specifically excludes manipulation of the spine or articulations and excludes sexual contact.

“Medical-dental clinic” means an establishment for the treatment of outpatients, and providing no overnight care for patients.

“Microbrewery” means a facility that produces beer and sells it to the public by one or more of the following methods: through the traditional three-tier system (brewer to wholesaler to retailer to consumer); the two-tier system (brewer acting as wholesaler to retailer to consumer); and in some cases, directly to the consumer through carry-outs or on-site taproom sales. Microbreweries shall have a production capacity not to exceed 15,000 U.S. barrels per year and shall have a full food menu.

“Microcell” means a wireless communication facility consisting of an antenna that is either equal to or less than four feet in height and with an area of not more than five hundred eighty square inches; or if a tubular antenna, no more than four inches in diameter and no more than six feet in length.

“Mini-day care center” means a person or agency providing care during part of the 24-hour day to 12 or fewer children in a facility other than the family abode of the person or persons under whose direct care the children are placed, or for the care of seven through 12 children in the family abode of such person or persons.

“Mini facility” is an attached wireless communication facility which consists of antennas equal to or less than ten feet in height or a parabolic antenna up to one meter (thirty-nine and thirty-seven-one-hundredths inches) in diameter and with an area not more than fifty square feet in the aggregate as viewed from any one point.

“Mobile home” means a single-family prefabricated residential unit manufactured according to the standards of the statutes of the state and federal government, capable of being moved upon the

public roads and highways, so designed and equipped as to be served by a sanitary sewer or septic tank system, supported by leveling jacks or blocks.

“Mobile home park” is a tract of land used or designated for the use of two or more mobile homes.

“Mobile vendor” means a business operator or vendor who conducts business from a vehicle or other conveyance that travels to different locations throughout the day within the City’s right-of-way.

“Modification” means the changing of any portion of a facility such as a wireless communication facility from its description in a previously approved permit. Examples include, but are not limited to, changes in design.

“Modular home” means any structure other than a mobile or manufactured home designed primarily for human occupancy, which is either entirely or substantially prefabricated or assembled at a place other than a building site and which has been approved pursuant to RCW 43.22.455 and bears the insignia of the Washington State Department of Labor and Industries.

Monopole I” is a wireless communication facility which consists of a support structure, the height of which shall not exceed sixty feet.

“Monopole II” is a wireless communication facility, which consists of a wireless communications support structure, greater than sixty feet in height erected to support wireless communication antennas and connecting appurtenances.

**Section 7.** Section 18.04.160, “P” of the Bonney Lake Municipal Code and the corresponding portions of Ordinance No.746 § 19, is hereby amended to read as follows:

**18.04.160 “P”.**

“Particulate matter” is any finely divided liquid or solid matter capable of being airborne or gasborne.

“PCS” means personal communications services.

“Personal wireless service,” “personal wireless service facilities,” and “facilities” used in this title shall be defined in the same manner as in Title 47, United States Code, Section 332(c)(7)(C), as they may be amended now or in the future and includes facilities for the transmission and reception of radio or microwave signals used for communication, cellular phone, personal communications services, enhanced specialized mobile radio, and any other wireless services licensed by the FCC and unlicensed wireless services.

“Pet shop” means a building used for the commercial display and sale of household pets as well as related supplies and equipment, but not including the boarding of pets for other than sales purposes.

“Planned unit development” means a use of a tract of land depending on adherence to a specific detailed plan approved by the city, rather than conform to the specific requirements of the zone the tract is in.

“Plat” is a legal subdivision or short plat.

“Provider” means every corporation, company, association, joint stock company, firm, partnership, limited liability company, other entity and individual which provides personal wireless service over personal wireless service facilities.

“Public celebration” means the Bonney Lake Days activities or any other kind of public celebration designated by the city council, including the associated activities and concessionaires that might be authorized during such period.

**Section 8.** Section 18.04.190, “S” of the Bonney Lake Municipal Code and the corresponding portions of Ordinance No.1230 § 7, is hereby amended to read as follows:

**18.04.190 “S”.**

“Screening” as pertaining to personal wireless telecommunications facility such as a tower or mount placed amongst and adjacent to (within 20 feet) three or more trees at least 85 percent of the height of the facility.

“Secondary use” means a use subordinate to the principal use of the property, such as commercial, residential, utilities, etc.

“Security barrier” means a wall, fence, or berm that has the purpose of sealing a personal wireless service facility from unauthorized entry or trespass.

“Setback” means a horizontal separation between a structure and a lot line.

“Setback, front” means the setback between a structure and any street right-of-way line. In lots adjoining two or more streets, including corner lots, the minimum front setback shall apply to all such street frontages.

“Setback, rear” means the setback between a structure and the lot line opposite the street right-of-way line. Four-sided lots adjoining more than one street shall have no rear setback. In triangular lots with one street frontage, the rear setback shall be measured from the shorter of the lot lines not adjoining the street.

“Setback, side” means the setback between a structure and any lot line to which neither the front nor rear setback applies. Four-sided corner lots abutting streets on two sides shall have two side setbacks and no rear setback.

“Sexually oriented materials” means any books, magazines, periodicals or other printed materials, or any photographs, films, motion pictures, video cassettes, slides, or other visual representations

that are distinguished or characterized by a predominant emphasis on matters depicting, describing, or simulating any specified sexual activities or any specified anatomical areas.

“Single-family residence” means a residence which is the only residence on its lot. “Single-family residence” includes site-built homes, factory-built modular homes, and manufactured homes complying with BLMC 15.08.020.

“Single-family residence, attached” means a single-family residence attached to a residence(s) on an adjoining lot(s).

“Single-family residence, detached” means a single-family residence detached from residences on adjoining lots.

“Specified anatomical areas” means and includes any of the following:

- A. The human male genitals in a discernibly turgid state, even if completely and opaquely covered; or
- B. Less than completely and opaquely covered human genitals, pubic region, anus, buttocks, or female breast below the top of the areola.

“Specified sexual activities” means and includes any of the following:

- A. The caressing, fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts; or
- B. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy; or
- C. Masturbation, actual or simulated; or
- D. Excretory functions as part of, or in connection with, any of the sexual activities specified in this definition.

“Stable, private” means a detached accessory building for the keeping of horses owned by the occupants of the premises and which are not kept for remuneration, hire or sale.

“Street” is any right-of-way designed and dedicated for general public use to provide a principal means of travel for vehicles or pedestrians, and includes public and private easements and land over which the public has acquired by use prescriptive rights-of-way.

“Structure” is any building, sign, fence, wall, or similar item erected on and attached to a lot.

“Stationary vendor” means a vendor who conducts business upon privately or publicly owned property, excluding public streets, sidewalks, alley and other public ways of the city, from a vehicle, other conveyance, or structure that is not permanently affixed to real property.

**Section 9. Severability.** If any one or more section, subsection, or sentence of this ordinance is held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force effect.

**Section 10. Effective Date.** This ordinance shall take effect five (5) days after its passage, approval and publication as required by law.

**PASSED BY THE CITY COUNCIL** this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Neil Johnson, Jr., Mayor

AUTHENTICATED:

\_\_\_\_\_  
Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Kathleen Haggard, City Attorney

*THIS PAGE INTENTIONALLY LEFT BLANK*



# Memo

**Date** : May 3, 2016  
**To** : Mayor and City Council  
**From** : Grant Sulham, Planning Commission Chair  
**Re** : **Ordinance D16-24**

---

The Planning Commission is recommending the adoption of Ordinance D16-24.

Over the last few years the City of Bonney Lake has seen a steady increase in inquiries for mobile vending enterprises. The City of Bonney Lake does not have a section of the Bonney Lake Municipal Code (BLMC) dedicated to this type of use. In order to be ahead of this type of use, it would be prudent to establish rules and regulations regarding mobile and stationary vending within the City of Bonney Lake. We would like to propose the creation of a mobile and itinerant vendor section be added to the BLMC. This new section will provide us with a statute to regulate the use of itinerant vending throughout the City.

Cities, towns, and counties have authority under their police power to permit and regulate door-to-door peddlers, solicitors, temporary merchants, and mobile vendors, and to impose reasonable license fees. Such regulations are generally justified if they bear a reasonable relationship to public health, safety, and welfare concerns.

Currently the City of Bonney Lake regulates peddlers under chapter 9.11 BLMC, however the code is silent to mobile and itinerant vendors.

The proposed changes to the City's development regulations contained in this Ordinance ensure consistency between *Bonney Lake 2035* and the City's adopted development regulations in the BLMC.

The Planning Commission voted 6-0-0 to recommend that the City Council adopt Ordinance D16-24.

As required by BLMC 14.40.100, the Planning Commission adopts the following findings of fact in support of its recommendation:

- 1) The City of Bonney Lake Planning Commission held a public hearing on April 6, 2016 to consider the amendments to the City's development regulations contained in this Ordinance as required by BLMC 14.140.080.
- 2) Pursuant to BLMC 14.140.090.B, the approval criterion for amendments to the City's development regulation is consistency with the comprehensive plan and the laws of the state of Washington
- 3) The City of Bonney Lake Planning Commission found that the amendments to the City's development regulations contained in this Ordinance are consistent with *Bonney Lake 2035* and the City's other adopted development regulations in the BLMC.
- 4) The City of Bonney Lake Planning Commission found that the amendments to the City's development regulations contained in this Ordinance are consistent with the laws of the state of Washington.
- 5) The City published a notice of the public hearing on March 9, 2016 in the Bonney Lake Herald Courier as required by BLMC 14.140.040.D.
- 6) The notice for the public hearing was provided twenty days prior to the hearing consistent with the requirements of BLMC 14.140.040.D.
- 7) The City posted notice of the public hearing at the City's official posting locations on March 9, 2016.
- 8) The City maintains an email list of stakeholders and individuals that requested notification of hearings related to amendments to the City's development regulation and comprehensive plan consistent with *Bonney Lake 2035* - Implementation Element PI-Action-3.
- 9) The Community Development Department provided notices of the public hearing to all stakeholders and parties identified on this list.
- 10) The adoption of this Ordinance is considered a non-project action as defined in WAC 197-11-704(2)(b) under the State Environmental Policy Act (SEPA).
- 11) The Community Development Director, acting as the SEPA Responsible Official, determined that the proposed amendment will not have a significant adverse impact on the environment and issued a determination of nonsignificance pursuant to WAC197-11-340 on April 6, 2016.
- 12) As required by RCW 36.70A.106 and BLMC 14.140.070, this the City provided this Ordinance to the Department of Commerce for review and comment by the Department and other State agencies.

- 13) As authorized by RCW 36.70.106(3)(b), the City requested that the Department of Commerce grant expedited review of the proposed amendments to the City's development regulation contained in this Ordinance.
- 14) The Department of Commerce issued expedited review and the review period concluded on March 10, 2016.

*THIS PAGE INTENTIONALLY LEFT BLANK*

**Ryan Harriman**

---

**From:** COM GMU Review Team <reviewteam@commerce.wa.gov>  
**Sent:** Thursday, March 10, 2016 6:49 AM  
**To:** Ryan Harriman  
**Cc:** Andersen, Dave (COM)  
**Subject:** 22115, City of Bonney Lake, Expedited Review Granted, DevRegs

Dear Mr. Harriman:

The City of Bonney Lake has been granted expedited review for the: Proposed Ordinance D16-24 amending the zoning code to establish the right to operate mobile and itinerant vending within the City of Bonney Lake. This proposal was submitted for the required state agency review under RCW 36.70A.106.

As of receipt of this email, the City of Bonney Lake has met the Growth Management Act notice to state agency requirements in RCW 36.70A.106 for this submittal. For the purpose of documentation, please keep this email as confirmation.

If you have any questions, please contact [reviewteam@commerce.wa.gov](mailto:reviewteam@commerce.wa.gov)

Thank you.

Review Team, Growth Management Services  
Department of Commerce  
P.O. Box 42525  
Olympia WA 98504-2525

*THIS PAGE INTENTIONALLY LEFT BLANK*



P.O. Box 7380 • Bonney Lake, WA 98391  
(253) 862-8602

### DETERMINATION OF NON-SIGNIFICANCE (DNS)

**Description:** City of Bonney Lake received an application from the Bonney Lake Community Development Department for State Environmental Policy Act (SEPA) nonproject review of Ordinance D16-24 – Mobile and Itinerant Vendors.

Ordinance D16-24, will effectively add a new section the City's zoning code. The new section provides a regulatory framework for mobile and itinerant vendors within the City of Bonney Lake. Project number: 53300022

**Applicant:** City of Bonney Lake Community Development Department, c/o Ryan Harriman, AICP, Associate Planner, 9002 Main Street East, Suite 300, Bonney Lake, WA 98391

**Location:** Citywide

The lead agency has determined that the proposed action will likely have no probable significant adverse impact on the environment if the attached mitigation measures are implemented. 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. The public comment period expired on April 6, 2016. This information is available to the public on request.

This threshold determination is being issued under the DNS process contained in WAC 197-11-340. The lead agency will not act on this proposal for 15 days from the date of issuance. No permits may be issued, and the applicant shall not begin work, until the appeal period deadline has expired and any other necessary permits are issued.

**Responsible Official:**  
**Position/Title:**  
**Address:**  
**Phone:**

John P. Vodopich, AICP  
Community Development Director  
9002 Main St. E., Suite 300, Bonney Lake, WA 98391  
(253) 447-4345

**Date:**

4/6/16

**Signature**

Justice & Municipal Center:  
9002 Main Street East  
Bonney Lake, WA 98391  
Fax (253) 862-8538

Public Safety Building:  
18421 Veterans Memorial Dr E  
Bonney Lake, WA 98391  
Fax (253) 863-2661

Public Works Center:  
19306 Bonney Lake Blvd.  
Bonney Lake, WA 98391  
Fax (253) 826-1921

Senior Center:  
19304 Bonney Lake Blvd.  
Bonney Lake, WA 98391  
Fax (253) 862-8538

This determination may be appealed to the City of Bonney Lake Hearing Examiner. Please refer to BLMC 14.120.040 for appeal procedures. A complete appeal application and fee shall be received by the Community Development Department prior to the close of business April 21, 2016. You should be prepared to make specific factual objections.

Please contact Ryan Harriman, AICP, Associate Planner, City of Bonney Lake, Community Development Department, 9002 Main St. E., Suite 300, Bonney Lake, WA 98391, Phone: (253) 447-4350, Email: [harrimanr@ci.bonney-lake.wa.us](mailto:harrimanr@ci.bonney-lake.wa.us) for questions pertaining to SEPA appeals.