

**TOWN OF EATONVILLE**  
**PLANNING COMMISSION AGENDA**  
*Monday, April 20<sup>th</sup>, 2015 – 7:00 P.M.*  
**COMMUNITY CENTER**  
**305 CENTER STREET WEST**

Call to Order

Roll Call: Beach \_\_\_ Bertioia \_\_\_ Craig \_\_\_ Justice \_\_\_ Lambert \_\_\_ Miller \_\_\_\_\_

Town Staff Present: Mayor Schaub, Kerri Murphy and Doug Beagle

Pledge of Allegiance

Approval of the Agenda:

Approval of Minutes: March 30<sup>th</sup>, 2015

Communications and Announcements:

From Public:

From Commissioners:

Old Business: Draft Junk Vehicles Nuisance Ordinance

New Business: Renewal of Foxglove Conditional Use Permit

Public Comments:

Staff Comments:

Commissioner Comments:

Next Meeting: TBD

**Town of Eatonville  
PLANNING COMMISSION MEETING  
Monday, March 30, 2015  
COMMUNITY CENTER  
305 CENTER STREET WEST**

**DRAFT**

**CALL TO ORDER**

**Chairman Lambert** called the meeting to order at 7:00 PM.

**ROLL CALL**

Present: **Commissioners Lambert, Beach, Bertoia, Craig, Justice, Lambert and Miller.**  
**Commissioner Craig** was excused.

**STAFF PRESENT: Scott Clark w/ Larson and Associates – Consultants to the town.** Mayor Schaub and Kerri Murphy.

**OPENING CEREMONIES**

**Commissioner Bertoia** led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

**Commissioner Beach** move to approve the agenda with the following changes; *Revised DRAFT Shoreline Master Program should be listed as a Public Hearing.* Seconded by **Commissioner Justice.** All in favor. (AIF)

**APPROVAL OF MINUTES**

Approval of the February 17, 2015 Planning Commission minutes. **Commissioner Beach** motion to approve. Seconded by **Commissioner Justice.** AIF

**COMMUNICATIONS OR ANNOUCEMENTS**

There were no comments from the citizens or commissioners.

**PUBLIC HEARING**

**Revised DRAFT Shoreline Master Program**

**Scott Clark, Contract Planner** for the town - Several materials were provided to the commissioners of the proposed revisions of the Shoreline Master Program for the town of Eatonville. The first one you have is "Attachment B" with the Town of Eatonville in blue. These are the comments from the Department of Ecology for the November 2011 Draft Shoreline Master Program. These are their comments and the far right columns are comments from staff review and notes regarding their suggestions. The other material is the Draft Shoreline Master Program dated March, 2015. This one had incorporated the proposed amendments by DOE from the first document. They are segregated into two types. The comments in the red text / boxes are the comments that will be reviewed tonight. The comments and amendments that are in blue those are in effect agreed to, they are for the most part minor and required for consistency under the shoreline management act. These documents have been reviewed by staff. Mr. Beagle took them to council to have general discussions. The town council is bringing the Shoreline Master Program back before you for review and comment on the items in red which focus on the aquatic designation which is a new designation which is introduced into the plan. This is a new designation that was not in the original plan. It is a designation that is required by state law to be included in the plan in order to found compliant. When the council adopted the Ordinance 2012-HH, in that it was adopted but it had a caveat.

The caveat being that it was required to go to DOE for review and approval and upon their approval that it would be adopted and in effect for the Town of Eatonville. Instead of adoption they returned these comments which they hoped would just simply be incorporated and included in the plan. Council on the advice from staff correctly and rightly are returning this to the planning commission so that this new designation can be vetted out in a public forum in front of the planning commission having an opportunity to look at that language, the public can see and so there won't be any surprises when it's adopted. In addition to the aquatic designations there are also a couple of additions that will be covered that staff has recommended. They have minor edits for additions in need of clarity and they are all there for review and comment from commissioners and public. Mr. Scott continued with review of the items of Attachment B, starting with the March 2015 Draft Plan.

**Page 11 - 3.3.4 (1-3)** This is the actual addition of the body of the text for the environmental designations purpose criteria's and qualities. This is the body of the text for the aquatic designation. The only place that there was actually a reference to this designation was originally on page 15 which is actually the shoreline designation map. (This was a separate document and did not get inserted) there is a minor edit and it will get covered when page 15 is talked about).

**Page 13 - Table 1** - it inserts the aquatic designation along with how each of the uses will be treated in that designation. This is the table that identifies whether uses are permitted, conditionally permitted or prohibited.

**Page 14 - Table 2** - Development standards. Added is Aquatic which was actually a staff addition. It was overlooked but is something that needs to be in the plan to insure that it is crystal clear that that is in fact what the standards are and in this case there are none.

**Page 27 - Prohibited Modifications** - This isn't one that is directly related to aquatic designation but is one that warranted some discussion and direction and to be understood that it is being added.

**Page 33 - 6.1 (3) Boating Facilities** - this is an addition to the prohibited uses.

**Page 33 - 6.3 Aquaculture** - Another addition. Not directly related to aquatic designation but related to aquaculture as a use.

**Page 43 - 7.2.3 Exemptions Listed** - This is actually DOE comment and in addition to provide a little more latitude in how the code will be administered.

**Page 49 - 7.6 Ecology review** - (4) This is a staff comment. This is something that was missed in the first draft. Duplicate sentence, already noted under # 10.

**Page 56 - 8.2 Definitions** - # 15 Boating Facilities, this is a staff addition.

**Commissioner Beach** confirmed that #15 is something that came from staff. Mr. Clark confirmed that the document SMP, March 2015 includes staff and DOE comments.

**Page 57 - Definition of Dock**

**Page 61 - Definition of Pier.**

**Commissioner Miller** asked if the Mashell River, Little Mashell River, Lynch Creek and Ohop Creek is in the town's municipal boundary and has crossed out the urban growth area. He questioned as to whether there was any of the Little Mashell River in the town limits or is the town planning for the future.

**Mr. Clark** said that there according to the document there is a portion that is in the town limits. If this is a mistake, then it will need to be corrected. He will verify the information. (Page 4-1.10 Shoreline Jurisdiction)

**David Smith, 400 Center St W.** - Complained that there were no handouts for the citizens. How in the hell are the citizens to know what is being discussed. His property is personally affected by what is being discussed. 820 SR 161 just as you come into town.

**Commissioner Beach** asked what affects the Ohop Creek.

**Mr. Clark** explained that the aquatic environment that is the topic really being focused on tonight is the designation that deals with surfaces of the streams and rivers. So it is from the ordinary high water mark on one bank to the ordinary high water mark on the other. Then upland on each side you have the shoreline environments which are in the plant. This deals with activities within the streams or rivers themselves not on the banks, just the surfaces of the rivers themselves.

**Commissioner Beach** asked if it dealt with the floodplain.

**Mr. Clark** said yes within the confines of the high water mark because the floodplain is actually within the river itself and expands upwards. The floodplain is a separate issue but yes it's within that regime.

**Mark Kemper, 41518 Ski Park Rd** - asked if there was something that states who is supposed to take care of the shore banks explaining that they live along the Lynch Creek right at the bridge that goes over Lynch Creek. That is all concreted there and they did not put that in. He asked if this was a city or shoreline master function to do the upkeep on

the concrete wall. He explained that the bridge has changed the water way. Is there anything within this policy that addresses that?

**Mr. Clark** explained that yes the Shoreline Management Program does address maintenance of existing features. If that was installed at a time when it was ok to do so and maintenance is ok to do on that. In order to give a more definitive answer he would have to do more research but basically the SMP does deal with everything within the shoreline as well as anything within the river itself. If there are structures that are there that are legitimate, then their ok.

**Mr. Kemper** said that the reason he asked is because as the creek goes through its various flood stages, it starts cutting away from beneath the concrete barrier of the wall that exist there. He was just as soon get rid of the bridge, they can put it somewhere else.

**Dee Baublits, 333 Washington Ave N** – when she moved here 52 years ago or more, the storm drain was all open. Gradually the town enclosed the storm drainage. She has 25 acres and the open storm drainage cuts right through the middle of it. They stopped with the enclosed storm drainage less than a block from her property to the south. Is there a possibility that the area running through her property could be enclosed and covered to make the property usable?

**Mr. Clark** explained that there were two things going on. If this drainage that you are talking about is not Ohop or Lynch Creeks, Mashell or Little Mashell Rivers then it is not identified as a shoreline of the state and would not be covered by the SMP.

**Ms. Baublits** said it does drain directly into the Lynch Creek.

**Mr. Clark** said he understands but it is not considered a shoreline.

**Ms. Baublits** asked if she needed to worry about any of this that is being discussed this evening.

**Mr. Clark** explained that since it drains into Lynch Creek, then whatever the shoreline buffer is from Lynch Creek up that drainage it would be subject to that within that area, but he does not know how big this drainage is into that area or how far it extends away from Lynch Creek. We would have to do some research and look at the area and determine whether or not it would be possible. This plan would have limited effect, only the buffer area around Lynch Creek.

**Mr. Clark** invited Ms. Baublits to come by the office for further discussion and he would be able to give her a more definitive answer.

**Chuck McTee, 408 Ridge Rd E.** - explained to Mr. Clark that virtually all of the storm water from Eatonville flows into this ditch that Ms. Baublits is talking about.

**Mr. Clark** said that he did see the area that is being talked about.

**David Smith** read from the plan (pg. 19) that a standard buffer of 150 feet for Ohop Creek shall be maintained in all shoreline environments designations. So basically this is not all about the water, if you are talking about 150 foot buffer for the creeks. (Rivers are 200 feet). He said he uses his property near Ohop Creek, the area he uses is less than 200 but he is not sure about the 150 feet. He owns a storage lot for RV's and it has been that way for 25 years. He asked if the town can go back and retroactively tell him that he can no longer use that portion of his property now with this new policy.

**Mr. Clark** explained that the answer is similar to the answer given regarding the concrete barrier, uses that are established that are legitimate uses can continue. If they were to be abandoned, then there may be an issue because then there would be a change in use. He added that tonight's focus is on this addition of "aquatic environment". You are correct this SMP here is not implemented yet and so this buffer that you are referring to as well as the other designations is part of this plan and is not yet in effect. The Planning Commission started in 2008 – 2009 to this process that ended in 2012 with the Council adopting subject to DOE approval. So you are correct, that is something that is embodied in this document, but it is not in effect right now. Ultimately assuming that this is brought to a conclusion, then it is likely that it will.

**Mr. Smith** confirmed that the layout of this is what the Planning Commission changes and then it goes to the Council for approval again.

**Mr. Clark** explained that what is happening is that council adopted it in 2012. DOE instead of approving it, provided comments regarding issues that needed to be addressed and that is what is being done here tonight. Council sent it back to planning commission so it could have a forum like this, people could come ask questions and find out what is going on and address those changes. The Planning Commission makes a recommendation that goes to council. Council considers the recommendation and there will be an opportunity for public input there and then they will take action. Once that is complete, it will be sent to the Department of Ecology yet again for their review. When they approve that it will then become the regulations for Eatonville.

**Chairman Lambert** asked if at some point you wanted to build a small pier at one of the parks to allow fishing it would not be outright prohibited.

**Mr. Clark** –That's right. That is why he wanted to bring it to their attention. He toured the rivers and streams but he asked if there were any areas where that might be of interest? His inclination from what he has seen and this is just his

observation, with the ebbs and flows of the rivers and streams here having that kind of a structure seems unlikely but this is just his perception. He thinks that DOE put this in as a recommendation is because they did not think this was something that would happen either. This is why we are here is to bring it to you attention. If you wish to think about it and consider it we have to deal with that.

**Chairman Lambert** asked if the recommendation was from DOE not staff.

**Mr. Clark** said yes. If the town felt that his is something that they would want to entertain, there would be a fair amount of work that would need to take place to insert it into this document. He is not sure. In stream structures with the rivers and streams in Eatonville and the volumes of flow seem very difficult to engineer and have something actually be in stream, to accomplish that he thinks would be tough with annual flooding and the movement of water. Normally those kinds of structures are on bodies of water that are more pooled and not moving so swiftly. This is why he wanted to bring it to the commissioners' attention. You may have some other idea. Putting structures in streams definitely has ramifications on flood. There has to be studies done in order to determine what kind of change to a flood plain that that can cause. They put structures in there that actually causes a pressure to push back and can in some cases raise flood plains.

**Chairman Lambert** asked if something that is cantilevered out over the water meet your definition here.

**Mr. Clark** said yes, the way that it is proposed it would still be under the definition of pier, as you see that is how it is structured. Anything over the water like that would basically be a dock, i.e. a pier. Although, depending on the design you may be able to get that out of the flood or out of the water anyway. He was not sure about flood. That would be a site specific issue. **Mr. Clark** said that today he did not see any of these kinds of structures anywhere. There are some bridges, the new one just built over by Smallwood Park and these locations offer opportunities for fishing off the bridge similar to what a dock might. Most fishermen tend to move around when fishing a creek or stream.

**Chairman Lambert** – not audible.

**Commissioner Beach** moves to approve Draft "B" Eatonville Shoreline Master Program as presented.

**Commissioner Bertoia** seconded the motion. AIF.

**Mr. Clark** offered clarification for the public stating that if this is something that they are still interested in this recommendation is going to go to council. You will have another opportunity to take a look if you want to send more time looking at the proposal. It will probably be about a month before it goes to council.

## OLD BUSINESS

### Review of Draft Junk Vehicles Nuisance Ordinance

**Scott Clark** offered his apologies to the commission saying it appears he had missed something. We received communication from Commissioner Beach earlier in the day and he may not have had all of the information in front of him when he started doing some work on the proposal. He thinks that there is a good start on the ordinance and today was intended to bring something back to the commission for review and to continue the discussion. There are no decisions that staff is looking for this evening but just to continue the discussion and confirm that this is going in the direction that you are looking for. **Mr. Clark** explained the history of where he started and then move into Commissioner Beach's comments. Ordinance 2015-XXX noted in the lower left corner as Draft "B" has red highlighted text, red, brown and blue text and this is the document he will start with. The draft he was given and the understanding he had of the planning commission (he was not present at the meetings of earlier discussion) direction was to focus the code on public, health and safety issues as it relates to the junk vehicles and to provide specificity in the code to make it clear to the public, staff and administration as to what the rules are. After he completed the draft, he sent it to staff which was forward to the town's attorney and then the attorney reviewed it. This is the draft "B" before you and the attorney's comments are in the right hand column are the attorney's comments in effect shifting some things around and providing some commentary. Generally speaking he agreed with the attorney's suggestions. He asked commissioners if they wanted to go through the draft "B" or cover Commissioner Beach's comments first. There were ideas provided by the attorney that were not in the draft provided by **Mr. Clark**. If these are things that the commission is looking to include it would be helpful then in the discussion of draft "B".

**Chairman Lambert** suggested going through Commissioner Beach's comments.

**Commissioner Beach** explained that the sheet with only a few red marks on it.. "Junk Car Ordinance". He took what **Mr. Clark** had done and made a clean copy. Except for what is in red, it should be accurate and the only substantive change he made was down at #6 which added "storage or any other" to the definition of "Junk Vehicle".

Commissioner Beach read the following:

*Junk Car ordinance*

*From Consultant 3/30/15, Draft B, clean copy. Beach changes.*

*8.09.010 Purpose.*

*The purpose of this chapter is to provide for the abatement and removal of junk vehicles on private property as provided for in RCW 46.55.240. Abatement of junk vehicles is necessary to preserve and enhance the aesthetic character of the Town's neighborhoods, protect property values and rights and to reduce environmental health, and safety problems associated with junk vehicles.*

*8.09020 Definitions.*

*For the purposes of this chapter, the following definitions apply:*

*A. "Junk Vehicle" shall mean a vehicle that substantially meets at least 3 of the following requirements;*

- 1. Is extensively damaged, such damage including but not limited to:
  - a. Any of the following: the vehicle has a broken window or windshield, or missing wheels, tires, frame, axle, motor or transmission;*
  - b. Is missing a minimum of 3 of the following parts or components: surface panels, doors, fender, bumper, headlight or front signal light, taillight, brake light, or rear signal light, steering wheel, radiator, battery, any other major mechanical or electrical equipment, or visible damage or a lack of any other similar component identified by the Enforcement Officer when observing the Vehicle;*
  - c. Has a rusted interior;*
  - d. Is leaking vehicle fluids;*
  - e. Is providing harborage for animals and/or insects; or*
  - f. Is painted or marked with graffiti not authorized by the owner.**
- 2. Is 3 years or older;*
- 3. Is apparently inoperable, meaning that:
  - a. A vehicle does not appear to comply with requirements for use on public streets or water with regard to such things as: required license plates, operable brakes, lights, tires, safety glass or other safety equipment;*
  - b. Is covered or partially covered by moss, leaves, needles or other vegetation; or has grass or other vegetation growing up around or in the vehicle; or other circumstances exist that support a reasonable belief that the vehicle has not been moved for 30 days or more; or*
  - c. Has expired license tabs.**
- 4. Has an approximate fair market value equal only to the approximate value of the scrap in it;*
- 5. Is stored or parked in non-compliance with the zoning district front or side yard requirements;*
- 6. Is utilized for storage or any other ~~an~~ activity or use not expressly authorized by the code; or*
- 7. Meets the definition of any "Unauthorized vehicle" as set forth in RCW 46.55.010(14).*

**Commissioner Beach** explained that these are the definitions and felt that the commission should discuss this. His memo to Mr. Clark said "For reasons I note below I think, it a modest improvement on the existing

ordinance. *If this is the best we can do I think we are all wasting our time and should not waste the time of the council.* Explaining that he had other things that he wanted to address that were not addressed because he did not have them, he should have had them but they were not sent to him to address.

**Chairman Lambert** asked for questions or thoughts on Mr. Beach's comments.

**Mr. Clark** said as a note with regard to the comments the attorney made in his review he shuffled some of these around a little. Their still basically incorporated, he just reorganized it a little.

**Commissioner Beach** explained that left the "unauthorized vehicle" the way Mr. Clark had it which actually takes care of his because he has got it in two different places. So wherever he is objecting to it being in two different places would be in some of the rest of the text.

**Mr. Clark** added that 1.c. *has a rusted interior* should be *exterior*.

**Chairman Lambert** asked the commissioners if they wish to go in the direction of Commissioner Beach's comments or with the draft document provided by staff.

**Commissioner Beach** wanted to clarify that he did not feel that these two documents were in conflict. What Mr. Clark has done leads into what he has done and at this point is say that tentatively we accept his draft "B". We are not saying we've adopted it.

**Mr. Clark** suggested that if that is the direction that you're headed in that it would be a good idea to clarify that its draft "B" that is inclusive of the attorney's adjustments as well. He reiterated that he is in agreement with those adjustments as well.

**Commissioner Beach** move that the planning commission tentatively accept, not approve, accept the Draft "B" as presented by Mr. Clark.

**Commissioner Bertioia** seconded the motion.

**Chairman Lambert** repeated the motion; it has been tentatively accepted, NOT APPROVED, to accept Draft "B". There were no comments.

**Chairman Lambert** called for vote. AIF.

**Commissioner Beach** said in the memo he sent to Mr. Clark he sent a copy of the memo he had sent in the meeting before this one. (February 17<sup>th</sup>, 2015) which is what Mr. Clark did not have. (See attached) It is essentially a series of statements that he looks upon as goal for this ordinance. As a planning commission we need to decide if these are goals we want to pursue or not so that Mr. Clark has guidance as to the further drafting of this ordinance or maybe two (2) ordinances to take care of everything that I have got here.

The following are the items written from Commissioner Beach for the last meeting. (February 17<sup>th</sup>, 2015)

*For example; This document clearly needs more work, but there were no serious objections to it as a start (see minutes of February 17, 2015). Among other things, I sought to do four things which draft B makes no attempt to do. First, to deal with problems that the existing ordinance seems unable to effectively treat. For example, 500 Center Street, please look at the lot, given the fact that the police have concluded that the truck is a legal vehicle, how does Draft B improve our ability to effectively treat that problem? (Kerri can show you photographs of other lots which present problems). Two, to deal with visual blight while giving residents a method to address the issue without losing their vehicles or having to pay storage charges--it takes the approach, that except for hazardous vehicles, "out of sight out of mind." Three, to deal with accumulated trash in addition to vehicles. And four, to make a distinction between junk and trash, on one hand, and hazards on the other--Draft B at least in theory would not touch vehicles which only had leaking fluids and/or harborage for animals and insects. Vehicles and accumulated trash which have either of these conditions ought to be dealt with immediately whether or not they fall into any other category.*

**Chairman Lambert** asked the commissioners if they wish to attack this all as a single unit or one at a time, accept them all, and decline them all? He asked for a motion.

**Commissioner Beach** moves that all of these goals be referred to the administration.

**Commissioner Bertioia** seconded the motion.

**David Smith, 400 Center St W.** – he owns the tow company in Eatonville. If you guys decide you are going to tow every car in town, obviously he is going to benefit. He has towed probably 10,000 cars. Junk cars from every possible place you could imagine. When he first came back to Eatonville he thought it was kind of odd that he did not have a choice of whether or not he wanted garbage service or not. He has dumpsters everywhere but yet he still had to pay to have garbage service at his house that he hardly ever uses but he had no other choice because of the rules adopted pertaining to garbage service. The reason he was given for it being a mandatory service is because they do not want people storing it in the back of their trucks until they feel like going to the dump. What he would say about junk vehicles is that about 80 % of cars that he goes onto property and pulls out of the weeds and sticks in people's back yards, probably 80% of those cars have rodents, animals, stuff living in them. That is the nature of the beast. If you put stuff in your backyard and let stuff grown up all over it, then that's what happens, the rats move in. That is a nice dry place for them to live and make homes. If you are saying it's ok to just put it in the backyard, and the issue is you are worried about animals and rodents then he will guarantee you that the car is never going to be fixed, there is no point in even having it and it makes the town look like crap. And if you are saying it's just ok to hide stuff in your backyards, he does not really understand that. Why can't he just hide garbage in his backyard and get rid of the garbage can. Then until the garbage gets seen over my fence, then I can just go then and take it all to the dump. There is no point in letting people just stack up junk cars in their backyards just to keep them out of the front yards when all they are is a giant attraction for everything. He has moved cars that have bees, possums, rats, who knows what all comes flying out of them. He does not understand you saying take your rusted piece of crap and put it behind the fence because that is when it is going to start rusting and the fluids are going to start leaking out of it and then add animals and critters in it. If it's a junk car, junk it! Get your \$150.00 or \$ 500.00 bucks or whatever it is that a wrecking yard is willing to pay you for it. People have weird attachments to junk cars, but their junk cars and that's the bottom line.

**Commissioner Beach** said he actually has to agree with him. We would try to deal with hazards like the animals or fluids. But there are practical problems associated with that. One of the issues that seems to him that has to be addressed is how to deal with exactly the kind of thing you are talking about.

**Mr. Smith** added that no one is going to let you in their backyard to let you see if their vehicle is leaking fluids or critters living in it. **Commissioner Beach** said if we can't find a way to deal with that we will have to find some other route. He agrees with Mr. Smith and he hoped he would come to the council meeting when they eventually take this ordinance up and say exactly what you just said. Even if it is essentially in some way opposed to what we send forward because he thinks he has addressed a real problem here. The only reason that he made this suggestion was to try to make it more palatable to people that have some vehicle that is a prize possession of theirs which is not a hazard, doesn't meet the rest of it and they could keep it and so on. But if it's not a practical thing to do then at this point he would like to explore the possibility of whether it is practical or not and the conclusion may be that you are exactly right, that it is not practical.

**Chairman Lambert** said at the same time he thinks it's important that people have a right to the use of their property. Just because you want to rebuild an old car doesn't mean I have the right to tell you no. If it is worded to strictly and technically if you are rebuilding your old car, now it doesn't have brakes, tires, windshield and it's not licensed therefore we are going to tow it. (Not audible).

**Chairman Lambert** reminded commissioners that there is a motion with a second to adopt Commissioner Beach's recommendation. Is this the direction that we want it to go? He asked for any more comments.

**Mr. Clark** asked if in addition to clarifying these issues through some kind of codification, are you looking to make adjustments or changes in the administration of it. In other words, what path and how ill that be implemented. For instance right now for these types of things that are maybe a requirement, a judge must render a judgement in order to have some kind of action which can be expensive and very slow to react to these matters and perhaps too expensive for everyone involved, the town as well as the landowner. There may be an administrative way that may be more expeditious to try and deal with this. This is something I see that could be very much a part of this whatever direction you may go how that might be implemented.

**Commissioner Beach** said that he sees that as another bridge to cross. First we have got to decide what it is that we want to do, what we want to be, and then we need to talk about the implementation of it. Implementation of more than one way, one question is can the town staff actually implement it. Is it defined in such a way that they can see it and not get too many arguments about it whether somebody likes it or not? The other is this whole matter that is in the existing code which is a slow cumbersome process. He is hoping that the town attorney and maybe yourself (Mr. Clark) get a little creative about how we can make that a simpler process and it is not drug out so long and maybe less expensive to the town and the other people. It's a different issue at this point. It may be that once we get into the implementation we will have to come back and revisit some of the rest of this implementation problem. We ought to set our goals first and then see what we can do about actually implementing them.

**Chairman Lambert** reminded the commissioners that what they are voting for is whether or not they are going to ask the town to go in the direction that Mr. Beach has suggested. AIF.

**Chairman Lambert** asked if the Draft "B" ordinance addresses both private and public properties.

**Mr. Clark** explained that in the second paragraph it addresses both public and private property.

**Chairman Lambert** said that on page 1 under 8.09.010 under Purpose it only references private property.

**Mr. Clark** will make necessary correction.

**Chairman Lambert** said that under 8.09.020, # 6...what is expressly authorized by the code?

**Mr. Clark** said it is in the code but thinks that it does not say it can be used for anything other than a motorized vehicle. That was to make sure that it was not in an all-inclusive statement like "I put it to use as X" despite the fact that it's a vehicle. It's intended to be a vehicle not a storage unit.

**Commissioner Beach** said he also had concerns about #5 and #7 he looked up the RCW and it was not very enlightening.

**Mr. Clark** said that the unauthorized vehicle is also a question that he had. He retained it in the draft because the preliminary draft that he was given as kind of a direction. There was actually quite a lot that he removed and changed direction on. For instance there was a separate definition for a commercial vehicle and recreational vehicle. He took all of that out because it is better dealt with singularly and just inclusive in one definition. With regard to this he was not sure of the planning commission's direction and didn't understand where it was coming from, if there was a concern or something specific. The attorney had a similar comment, mentioned what do you want this for and this was the same question that he had. His general belief is that you don't need to find things if they aren't in the code, it's not in there. He inserted it under the definition of vehicle to actually give it a spot so that it meant something. This is basically an excerpt right out of the RCW. He doesn't know that it is needed, but he didn't understand why it was in there and he does not think it is necessary.

**Commissioner Beach** said it did come from staff.

**Mr. Clark** said it can be removed as well as that portion where he provided the definition. Basically he had to weave it and connect it back in to have some kind of meaning. Too many definitions in there that don't connect to the text don't provide any guidance at all.

**Chairman Lambert** said he is not sure he is really opposed to it being there because if somebody parks in his driveway he wouldn't want it there. In three or four hours he could have it towed.

**David Smith** said if it is blocking the driveway you can have it towed right then.

**Mr. Clark** said he still did not think it was necessary.

**Commissioner Beach** said he suspects that the town can rely on the people if someone parks in their driveway or something of that kind. It's what the residents or the owners of the property have that we have to deal with not the people that just show up one day.

**Chairman Lambert** asked if there were any more questions or comments from the audience or commissioners.

There were none. He did confirm with Mr. Clark that the planning commission would be seeing something from him for the Junk Vehicles ordinance shortly.

**Mr. Clark** confirmed that that is his understanding from their direction today. That you would have staff clean this up so that there are not so many different colors on it and so on. It will come back to you as a strike out underline because it needs to indicate where those changes are and then it will be brought back to you formally for hearing and a formal recommendation to move that on to council.

**Commissioner Beach** said he realized that you have got to have everything struck out and so on for the existing ordinance, but it would be useful to have a clean copy, it just incorporates what you are proposing also. It may not have any legal standing it does make it easier for people to read through it.

**Mr. Clark** agreed and felt it would be easier to understand that way.

**Chairman Lambert** said if you look at the definition currently set up, his company vehicle is over three years old, if he had not put new tabs on it today they would be expired and there are a couple of dings in the window, therefore he it could be a junk vehicle under the current definition. He feels that the planning commission needs to be very careful about these things and we do have a lot of people in this town that are of limited means. Yes, maybe your tail light got broken, the windshield broken and you weren't quite as aggressive as you should have been at keeping your vehicle licensed, he just thinks commissioners need to be very aware of this.

**Commissioner Beach** said that what he wrote at the last meeting struck out the three year thing and also the business about the value of the vehicle. The average vehicle in the United States is 11 years old and the whole business of what the value of it is, yes you get out the Blue Book and look at that. A lot of that is subjective in terms of what people want

and he thinks it needs to be revisited. His view in earlier discussions was that these two criteria were sort of in search of junk vehicles rather than defining junk vehicles.

**Chairman Lambert** said if you drive much in this area you will have some damage therefore you have ticked off two of the three.

**Mayor Schaub** said that what was included is what was presented in the RCW. We can't go stricter than the RCW to two years. You do have vehicles that have been wrecked, bought back that could sit there and are only one or two years old too. You are covering it but you are using judgement before you go out and impound. It's not going to be something with two letters to it coming up to that point. There is a process to go through to get to the point of where you are actually have to take enforcement if the owner hasn't taken care of it. It is a process. We are not going out to be on the lookout for it.

**Chairman Lambert** said that his concern is not with the present administration. In his professional life he needs to be aware of "this is what we say today" but what happens when we get a different group of people in place.

**David Smith** said that the way it works in Eatonville now, is they put a sticker on your windshield and it says your tabs are in violation, they don't tow your car. Give people a warning and give them 72 hours to correct the violation or your car will be towed. The intent is to get rid of the actual junk vehicles.

**Commissioner Justice** Draft "B" # 4 – Has an approximate fair market value equal only to the approximate value of the scrap in it, who determines that?

**David Smith** said the price of metal. The price of metal fluctuates, your junk car now is worth \$100.00, 3 months ago a junk car was \$500.00. So the price of metal is what determines that. Metal is way down now.

**Commissioner Beach** said there is also the issue of the changing value. The value of the car to the owner is also subjective and he is leery of this one himself.

**David Smith** said the wording takes it out of the towns' control.

**Commissioner Beach** thinks that this is just asking for litigation.

**Mr. Clark** said that it is taken from the RCW and is pretty much applied throughout the State of Washington. He does not think you need to worry about litigation, it is everywhere. He does not disagree and it does raise some questions but it is something used all over the state.

**There were no comments from the public, staff or commissioners.**

**Mr. Clark will speak to Mr. Beagle and hopefully have something back to the commissioners by April 20<sup>th</sup>, 2014.**

**Next meeting: April 20<sup>th</sup>, 2015.**

## **ADJOURNMENT**

**Chairman Lambert** adjourned the meeting at 8:40 p.m.

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Chairman Chris Lambert

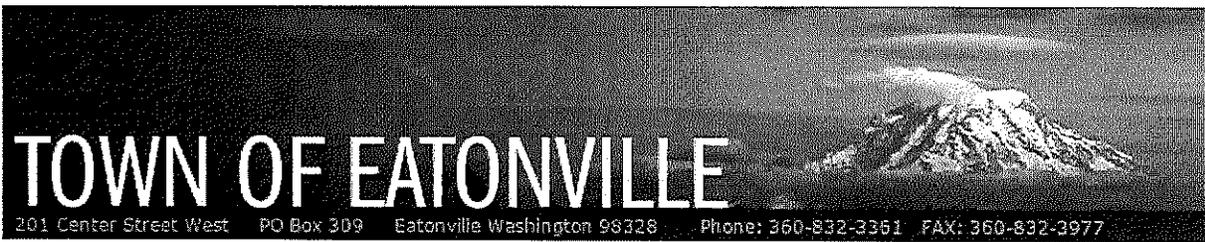
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Co-Chair Judy Justice

ATTEST:

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Kerri Murphy-Recording Secretary



WAC 197-11-970

**SEPA DETERMINATION OF NONSIGNIFICANCE  
Junk Vehicle Ordinance Amendment**

**Description of proposal:** The Junk Vehicle Ordinance Amendment is a non-project action proposing to clarify the definitions of vehicle, junk vehicle and add a definition for unauthorized vehicles within the Town of Eatonville municipal code.

**Proponent:** The Town of Eatonville

**Location of proposal, including street address, if any:** The proposal will apply within the corporate limits of the Town of Eatonville, Wa.

**Lead agency:** The Town of Eatonville

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. This information is available to the public on request.

There is no comment period for this DNS.

**Responsible official:** Mr. Doug Beagle

**Position/title:** Town Administrator / SEPA Official Phone: (360) 832-3361

**Address:** 201 Center Street West / PO Box 309, Eatonville, WA 98328

**Date:** 4-17-15

**Signature:** Doyle R Beagle

*You may appeal this determination to (name): Mr. Doug Beagle, Town Administrator/SEPA Official at (location): 201 Center Street West / PO Box 309, Eatonville, WA 98328 no later than (date): \_\_\_\_\_ (within 14 days after issuance of notice of decision) by (method): Appeals must be submitted in writing. You should be prepared to make specific factual objections. Contact Mr. Doug Beagle to read or ask about the procedures for SEPA appeals.*

# TOWN OF EATONVILLE

201 Center Street West PO Box 309 Eatonville Washington 98328 Phone: 360-832-3361 FAX: 360-832-3977

## SEPA ENVIRONMENTAL CHECKLIST

### Junk Vehicle Ordinance Amendment

#### A. Background

1. Name of proposed project, if applicable: **Junk Vehicle Ordinance Amendment**

2. Name of applicant: **Town of Eatonville**

3. Address and phone number of applicant and contact person:

**Contact: Mr. Doug Beagle, Town Administrator / SEPA Official**  
**Address: 201 Center Street West / PO Box 309**  
**Eatonville, WA 98328**  
**Phone: (360) 832-3361**

4. Date checklist prepared: **April 14, 2015**

5. Agency requesting checklist: **Town of Eatonville**

6. Proposed timing or schedule (including phasing, if applicable):

**Planning Commission Hearing: April 20, 2015**

**Town Council Hearing: May \_\_\_\_\_, 2015**

**Council Action: May \_\_\_\_\_, 2015**

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

**None anticipated at this time.**



## **D. supplemental sheet for nonproject actions**

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

**Not applicable**

Proposed measures to avoid or reduce such increases are:

**Not applicable**

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

**Not applicable**

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

**Not applicable**

3. How would the proposal be likely to deplete energy or natural resources?

**Not applicable**

Proposed measures to protect or conserve energy and natural resources are:

**Not applicable**

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

**Not applicable**

Proposed measures to protect such resources or to avoid or reduce impacts are:

**Not applicable**

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

**Not applicable**

Proposed measures to avoid or reduce shoreline and land use impacts are:

**Not applicable**

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

**Not applicable**

Proposed measures to reduce or respond to such demand(s) are:

**Not applicable**

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

**Not applicable**

# Planning Commission CLEAN TEXT Copy

ORDINANCE NO. 2015-XXXXXXXXXXXX

## AN ORDINANCE OF THE EATONVILLE TOWN COUNCIL AMENDING EATONVILLE MUNICIPAL CODE CHAPTER 8.09 "JUNK VEHICLES"

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### **8.09.010 Purpose.**

The purpose of this chapter is to provide for the abatement and removal of junk vehicles on public or private property as provided for in RCW 46.55.240. Abatement is necessary to preserve and enhance the aesthetic character of the town's neighborhoods, protect property values and rights and to reduce environmental health and safety problems associated with junk vehicles.

### **8.09.020 Definitions.**

For the purposes of this chapter, the following definitions apply:

A. "Junk Vehicle" shall mean a vehicle that substantially meets at least 3 of the following 7 requirements;

1. Is extensively damaged, such damage including but not limited to:
  - a. Any of the following: the vehicle has a broken window or windshield, or missing wheels, tires, frame, axle, motor or transmission;
  - b. Is missing a minimum of 3 of the following parts or components: surface panels, doors, fender, bumper, headlight or front signal light, taillight, brake light, or rear signal light, steering wheel, radiator, battery, any other major mechanical or electrical equipment, or visible damage or a lack of any other similar component identified by the Enforcement Officer when observing the Vehicle;
  - c. Has a rusted exterior;
  - d. Is leaking vehicle fluids;
  - e. Is providing harborage for animals and/or insects; or
  - f. Is painted or marked with graffiti not authorized by the owner.
2. Is 3 years or older;
3. Is apparently inoperable, meaning that:

- a. Does not appear to comply with requirements for use on public streets or water with regard to such things as: required license plates, operable brakes, lights, tires, safety glass or other safety equipment;
  - b. Is covered or partially covered by moss, leaves, needles or other vegetation; or has grass or other vegetation growing up around or in the vehicle; or other circumstances exist that support a reasonable belief that the vehicle has not been moved for 30 days or more; or
  - c. Has expired license tabs.
4. Has an approximate fair market value equal only to the approximate value of the scrap in it;
  5. Is stored or parked in non-compliance with the zoning district yard requirements;
  6. Is utilized for an activity or use not expressly authorized by the code; or
  7. Meets the definition of an "Unauthorized vehicle" as set forth in RCW 46.55.010(14).

B. "Enforcement officer" means the mayor, his or her designee, representative or a town of Eatonville law enforcement official.

C. "Vehicle" shall include, but not be limited to, private or commercial automobiles, pickups, vans, sport utility vehicles, motorcycles, mopeds, trucks, truck tractors, buses, tractors, motorized recreational vehicles, campers, truck campers, travel trailers, watercraft, watercraft trailers (with or without watercraft), and other non-motorized vehicles including but not limited to utility trailers, pole trailers, semi-trailers, livestock trailers, farm implements or other similar devices capable of moving or being moved on the public right-of-way or on water, and shall also include parts of vehicles, but shall not include devices moved by human or animal power, or used exclusively upon stationary rails or tracks.

D. "Unauthorized vehicle" means a vehicle that is subject to impoundment after being left unattended in one of the public or private locations for the indicated period of time set forth in RCW 46.55.010. In addition to the requirements herein, unauthorized vehicles shall be subject to the applicable procedural rules and regulations of EMC 10.21 regarding vehicle impoundment.

ORDINANCE NO. 2015- XXXXXXXXXXXXX

AN ORDINANCE OF THE EATONVILLE TOWN COUNCIL AMENDING  
EATONVILLE MUNICIPAL CODE CHAPTER 8.09 “JUNK VEHICLES”

---

**Whereas**, the presence of public nuisances has a detrimental effect on the health, safety and welfare of the community; and

**Whereas**, the presence of junk or inoperable vehicles on either public or private property within the Town present inherent safety and health concerns; and

**Whereas**, the legislature of the State of Washington allows cities to abate abandoned or junk vehicles as nuisances, in accordance with RCW 46.55.240; and

**Whereas**, portions of the Town’s existing chapter 8.09 regulating Junk Vehicles requires updating in order to effectively fulfill statutory requirements; and

**Whereas**, RCW 46.55.240 requires that the Town include certain statutory provisions in any local ordinance; and

**Whereas**, on March 30, 2015 the Planning Commission conducted an open public meeting regarding a preliminary draft amendment proposal of the junk vehicle regulations; and

**Whereas**, on March 31, 2015, the Eatonville Public Safety Committee reviewed the Planning Commission preliminary draft recommendations to amend the Junk Vehicle provisions; and

**Whereas**, having duly provided public notice, completed the required open record public hearing and having carefully considered public comments, on April 20, 2015 the Planning Commission unanimously voted to recommend approval of the proposed junk vehicle amendment regulations contained herein; and

**Whereas**, having reviewed public comment, the comments of the Public Safety Committee, and the recommendations of the Planning Commission, Town Council has determined that the amendment of EMC Chapter 8.09, Junk Vehicles, is required due to necessity, convenience and to serve public’s health, safety and general welfare; and

**Whereas**, the intent of said ordinance is to provide greater detail and clarify the definitions of vehicle, junk vehicles and add a definition for unauthorized vehicles; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF EATONVILLE AS FOLLOWS:**

**Section 1:** Section 8.09.010 of the Eatonville Municipal Code is hereby amended to read:

**8.09.010 Purpose.**

The purpose of ~~the ordinance codified in~~ this chapter is to provide for the abatement and removal of junk vehicles on public or private property as provided for in RCW 46.55.240. Abatement is necessary to preserve and enhance the aesthetic character of the town’s

neighborhoods, protect property values and rights and to reduce environmental health and safety problems associated with junk vehicles.

**Section 2:** Section 8.09.020 of the Eatonville Municipal Code is hereby amended to read:

**8.09.020 Definitions.**

For the purposes of this chapter, the following definitions apply:

~~A. "Junk vehicle" is any vehicle which meets at least three of the following criteria:~~

~~1. Is extensively damaged, such damage including, but not limited to, the following examples:~~

- ~~a. Broken window or windshield;~~
- ~~b. Flat tires;~~
- ~~c. Missing tires, motor or transmission;~~
- ~~d. Rusted exterior;~~
- ~~e. Leaking oil or gasoline;~~

~~2. Is apparently inoperable, meaning that a vehicle does not appear to comply with requirements for vehicles used on public streets with regard to brakes, lights, tires, safety glass or other safety equipment;~~

~~3. Has expired license tabs;~~

~~4. Has an approximate fair market value equal only to the approximate value of the scrap in it;~~

~~5. A vehicle illegally parked in the required front or side yard.~~

A. "Junk Vehicle" shall mean a vehicle that substantially meets at least 3 of the following 7 requirements:

1. Is extensively damaged, such damage including but not limited to:

a. Any of the following: the vehicle has a broken window or windshield, or missing wheels, tires, frame, axle, motor or transmission;

b. Is missing a minimum of 3 of the following parts or components: surface panels, doors, fender, bumper, headlight or front signal light, taillight, brake light, or rear signal light, steering wheel, radiator, battery, any other major mechanical or electrical equipment, or visible damage or a lack of any other similar component identified by the Enforcement Officer when observing the Vehicle;

c. Has a rusted exterior;

d. Is leaking vehicle fluids;

e. Is providing harborage for animals and/or insects; or

f. Is painted or marked with graffiti not authorized by the owner.

2. Is 3 years or older;

3. Is apparently inoperable, meaning that:

a. Does not appear to comply with requirements for use on public streets or water with regard to such things as: required license plates, operable brakes, lights, tires, safety glass or other safety equipment;

b. Is covered or partially covered by moss, leaves, needles or other vegetation; or has grass or other vegetation growing up around or in the vehicle; or other circumstances exist that support a reasonable belief that the vehicle has not been moved for 30 days or more; or

c. Has expired license tabs.

4. Has an approximate fair market value equal only to the approximate value of the scrap in it;

5. Is stored or parked in non-compliance with the zoning district yard requirements;

6. Is utilized for an activity or use not expressly authorized by the code; or

7. Meets the definition of an "Unauthorized vehicle" as set forth in RCW 46.55.010(14).

B. "Enforcement officer" means the mayor, his or her designee, representative or a town of Eatonville law enforcement official.

C. "Vehicle" shall include, but not be limited to, private or commercial automobiles, pickups, vans, sport utility vehicles, motorcycles, mopeds, trucks, truck tractors, buses, tractors, motorized recreational vehicles, campers, truck campers, travel trailers, watercraft, boat watercraft trailers (with or without watercraft), and other non-motorized vehicles including but not limited to utility trailers, pole trailers, semi-trailers, livestock trailers, farm implements or other similar devices capable of moving or being moved on the public right-of-way or on water, and shall also include parts of vehicles, but shall not include devices moved by human or animal power, or used exclusively upon stationary rails or tracks.

D. "Unauthorized vehicle" means a vehicle that is subject to impoundment after being left unattended in one of the public or private locations for the indicated period of time set forth in RCW 46.55.010. In addition to the requirements herein, unauthorized vehicles shall be subject to the applicable procedural rules and regulations of EMC 10.21 regarding vehicle impoundment.

**Section 3:** Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

**Section 4:** This ordinance shall take effect after publication of a summary, consisting of the title, pursuant to RCW 35.27.300.

1ST READING:        /    /2015  
2ND READING:       /    /2015

PASSED by the Town Council of the Town of Eatonville and attested by the Clerk in authentication of such passage this \_\_\_\_ day of \_\_\_\_\_, 2015.

TOWN OF EATONVILLE

\_\_\_\_\_  
Mike Schaub  
Mayor

ATTEST:

\_\_\_\_\_  
Kathy Linnemeyer  
Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Gregory A. Jacoby  
Town Attorney

FILED WITH THE TOWN CLERK:  
PASSED BY THE TOWN COUNCIL:  
PUBLISHED:  
EFFECTIVE DATE:  
ORDINANCE NO. 2015- XXXXX

Date Recv'd. 4-8-15..  
 Deposit \$ \_\_\_\_\_  
 Receipt # \_\_\_\_\_

**TOWN OF EATONVILLE  
 PLANNING DEPARTMENT  
 201 Center St W / PO Box 309  
 360-832-3361 / Fax 360-832-2573**

**RECEIVED**  
 APR 08 2015

**MASTER APPLICATION FOR LAND USE ACTIONS**  
 Check all applications for which you are applying.

BY: [Signature]

<input checked="" type="checkbox"/> Conditional Use Permit	<input type="checkbox"/> Non-Conforming Use Permit	<input type="checkbox"/> Boundary Line Adjustment
<input type="checkbox"/> SEPA Review	<input type="checkbox"/> Preliminary Plat	<input type="checkbox"/> Binding Site Plan
<input type="checkbox"/> Variance	<input type="checkbox"/> Short Plat / Long Plat	<input type="checkbox"/> Other : _____
<input type="checkbox"/> Rezone	<input type="checkbox"/> Final Plat	_____

\*\*\*\*\*APPLICATION DATA\*\*\*\*\*

Project Name: Foxglove Farmstead  
 Owner: Dwight Coleman Address: P.O. Box 394, Eatonville  
 Phone: Kelly Wienholz Cell: 253/344-9222 (B/W) Business: \_\_\_\_\_  
 Contact Person: Kelly Wienholz Cell: 253/370-3357

\*\*\*\*\*PARCEL DATE\*\*\*\*\*

Site Address: 950 Eatonville Hwy W Parcel # 0416221700 & 701  
 Legal Description: QTR SEC. 12 Section 22 Township 16 Range 04  
 Related Parcels: \_\_\_\_\_  
 Utility Sources: Water: TOE; Sewer: TOE; Power: TOE  
 \*\*Include Development Plans (Drawn to scale)

**WAC 197-11-960 Environmental Checklist.**

ENVIRONMENTAL CHECKLIST

*Purpose of checklist:*

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

*Instructions for applicants:*

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

*Use of checklist for nonproject proposals:*

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

**A. BACKGROUND**

1. Name of proposed project, if applicable: **Foxglove Farmstead - Special Event Venue - Eatonville**
2. Name of applicant: **Kelly Wienholz and Beverly Coleman**
3. Address and phone number of applicant and contact person:  
**Kelly Wienholz – 201 Penn Ave N (P.O. Box 394) Eatonville – Phone (253) 370-3357**  
**Beverly Coleman - 42311 Berggren Rd N (P.O. Box 1011) Eatonville – Phone (360) 832-2455**
4. Date checklist prepared: **04/08/2015**
5. Agency requesting checklist: **Town of Eatonville – Planning Department**
6. Proposed timing or schedule (including phasing, if applicable):

**Begin construction in the summer 2015, with project completion in 2016**

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

**No future plans at this time**

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

**There is no known environmental information directly related to this proposal**

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

**Yes, a petition for annexation into the City Limits of Eatonville for Tax Parcel # 0416221701 has been submitted for approval. Annexation was approved and granted in 2012.**

10. List any government approvals or permits that will be needed for your proposal, if known.

**The property is currently zoned SF2 and we need to obtain a Conditional Use Permit to use for our intended purpose.**

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

**Construct a special event venue that will accommodate celebrations – weddings, receptions, reunions, school events, and many other types of gatherings. The footprint of the structure is anticipated to be 6,200sf. On-site parking will accommodate 26 vehicles including 2 ADA accessible spaces with 8,000sf of the on-site surface in impervious materials and an additional 5,600 sf in pervious surfaces for service and parking. (Note: additional parking needs for about 30 to 40 vehicles will be accommodated at the adjacent Baptist church parking lot through a special use agreement that includes non-public vehicle access to the proposed property. The church parking lot can accommodate a total of 65 vehicles in designated parking spaces.)**

**The balance of the site is planned as pervious pedestrian pavers (approximately 11,000 sf) or open space (approximately 30,000). To summarize, of the 1.40 acre (70,000 sf) site, 14,200 or 20% of the site is anticipated to be covered with impervious material (building and parking); 16,600 sf or 24% in pervious paving materials; and 39,200sf or 56% in open space, including meadow, and native bio swale and rain gardens at full build-out.**

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

**Address: 950 Eatonville Hwy W**

**Parcel #: 0416221700 & 701**

**Range/Township/Section: 04E-16N-22-NE-NW**

**Legal Description 0416221700: SECTION 22 TOWNSHIP 16 RANGE 04 QUARTER 12 : N 300 FT OF E 152 FT OF NW OF NE CURRENT USE RCW 84.34 1971 AGRI 1.05 ACS AFN 2417754 CONT'D 1990**

**Q745754 TRNSFD TO OPEN SPACE PBRs 2010 201103210828 SEGREGATED FOR TAX PURPOSE ONLY DUE TO ANNEXATION OF TOWN OF EATONVILLE ORD #83-2 & BRB CASE #82-4 OUT OF 1-007 SEG U-0456CHES CONT'D 1994 Q880087 (D1479CAAT5-15-90)**

**Legal Description 0416221701: Section 22 Township 16 Range 04 Quarter 12 : S 100 Ft Of N 400 Ft Of E 152 Ft Of NW Of NE Current U Se RCW 84.34 1971 AGRI .35 ACS AFN 2417754 Cont'd 1990 Q745756 TRNSFD To Open Space PBRs 2010 201103210828 SEG'D For Tax Purposes Only Due To Annexation To Town Of Eatonville ORD #83-2 BRB Case #82-4 Out Of 1-007 Cont'd 1994 Q880084 SEG U-0456ch ES Dc1955 Ca3/2/90at**

**See attached site plan, vicinity map, and topographic map.**

**B. ENVIRONMENTAL ELEMENTS**

**I. Earth**

- a. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other . . . . .
- b. What is the steepest slope on the site (approximate percent slope)?  
**The property is flat with no apparent slope**
- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.  
**Clay and Sand**
- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.  
**No known history of unstable soils**
- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.  
**N/A**
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.  
**No**
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

**Of the 1.40 acre (70,000 sf) site, 14,200 or 20% of the site is anticipated to be covered with impervious material (building and parking); 16,600 sf or 24% in pervious paving materials; and 39,200sf or 56% in open space, including meadow, and native bio swale and rain gardens at full build-out.**

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:  
**The development of the site will include creating bio-swales and rain gardens of native vegetation to slow surface water and absorb it into the ground. All site drainage including roof runoff will be directed to these infiltration areas.**

## 2. Air

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

**Construction dust and equipment odors originating from construction  
Automobile emissions when venue is in use.**

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

**No known off-site sources of emissions or odor.**

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

**Utilize existing off-site parking at the Eatonville Baptist Church for additional parking needs.**

## 3. Water

## a. Surface:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

**There is a year-a-round pond on the adjacent property. The water in the pond is from natural springs, existing wetlands, surface flow, and storm water run-off.**

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

**No**

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

**N/A**

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

**No, it is not anticipated that ground water will be withdrawn from the site. It is proposed that all surface water generated by this proposal be handled on site using natural means such as bio-swales and rain gardens techniques to slow the water and infiltrate it back into the ground without piping into the city storm water system.**

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan

**No, it does not lie within a 100 year floodplain.**

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

**N/A**

## 4. Ground:

- 1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

**No, it is not anticipated that ground water will be withdrawn from the site. It is proposed that all surface water generated by this proposal be handled on site using natural means such as bio-swailes and rain garden techniques to slow the water and infiltrate it back into the ground without piping into the city storm water system.**

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals . . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. Obtain info from John Swanson

**No septic system is planned. All effluents will be piped into the City main sewer line along Eatonville Highway.**

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

**The development of the site will include creating bio-swailes and rain gardens of native vegetation to slow surface water and absorb it into the ground. All site drainage including roof runoff will be directed to these infiltration areas.**

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

**No septic system is planned. All effluents will be piped into the City main sewer line along Eatonville Highway.**

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

**The development of the site will include creating bio-swailes and rain gardens of native vegetation to slow surface water and absorb it into the ground. All site drainage including roof runoff will be directed to these infiltration areas. In addition, a rain barrel collection system for roof runoff will be explored to provide supplemental site watering.**

4. Plants

- a. Check or circle types of vegetation found on the site:

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

- b. What kind and amount of vegetation will be removed or altered?

**Grass and Pasture (TBD)**

- c. List threatened or endangered species known to be on or near the site.  
**None known**

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:  
**The development of the site will include creating bio-swales and rain gardens of native vegetation to slow surface water and absorb it into the ground. All site drainage including roof runoff will be directed to these infiltration areas. Extensive use of low maintenance native plant materials will form the plant palette of the landscape approach.**

**5. Animals**

- a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

birds: hawk, heron, eagle, songbirds, other:  
mammals: deer, bear, elk, beaver, other:  
fish: bass, salmon, trout, herring, shellfish, other:

- b. List any threatened or endangered species known to be on or near the site.  
**None known**

- c. Is the site part of a migration route? If so, explain.  
**No**

- d. Proposed measures to preserve or enhance wildlife, if any:  
**None**

**6. Energy and natural resources**

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

**The primary source of energy will be electric, along with the intent of exploring the use of a heat pump with an in-floor radiant heating system utilizing circulated water for both heating and cooling.**

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

**No**

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

**The development of the plan focuses on sustainability in the following ways: 1) Siting the building with its primary length facing the southern exposure and incorporating window and doorway trellis and roof overhangs to reduce direct summer heat build up, while and encouraging maximum exposure to winter sun opportunities; 2) Roof pitches with operable skylights and / or clerestory windows that take advantage of drawing outside air through the building to add natural cooling and heating comfort; 3) Minimal openings on the north and east wall faces and the utilization of low e-glazing throughout; 4) Consideration for supplemental heating of water through the use of solar**

panels; 5) Exploration of super insulated walls to reduce the amount of mechanical energy required; and 6) Incorporating low flow faucets, toilets and urinals.

Construction techniques are also being explored that encourage the use of local product, distributors and contractors to both limit the distance of travel for products and the number of trips required to the site.

#### 7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

**No**

- 1) Describe special emergency services that might be required.  
**Standard Fire and Police Protection**

- 2) Proposed measures to reduce or control environmental health hazards, if any:  
**No known environmental health hazards. Construction techniques that encourage natural ventilation, products will be selected to reduce the harmful affects caused by off-gassing.**

#### b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

**No known noise – light traffic.**

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

**Short-term – Noise originating from construction activity (3 – 8 months)**

**Long term – Sound originating from a social gathering of people, and sounds originating from property as a result of temporary projects for the construction, maintenance, or repair of facility, grounds, and appurtenances.**

**Between the hours of 8 a.m. and 10 p.m. Monday through Thursday/Sunday, and between 10 a.m. and 12 a.m. on Friday and Saturday.**

- 3) Proposed measures to reduce or control noise impacts, if any:  
**Abide by the Town Noise Ordinance.**

#### 8. Land and shoreline use

- a. What is the current use of the site and adjacent properties?

**Open Space, Residential, Church.**

- b. Has the site been used for agriculture? If so, describe.

**No long term agricultural use, however there has been seasonal hay harvest.**

- c. Describe any structures on the site.  
**None**
- d. Will any structures be demolished? If so, what?  
**None**
- e. What is the current zoning classification of the site?  
**Current zoning MSF (0416221701) & SF2 (0416221700).**
- f. What is the current comprehensive plan designation of the site?  
**The current comprehensive plan designation is for Single Family with opportunity for conditional uses.**
- g. If applicable, what is the current shoreline master program designation of the site?  
**N/A**
- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.  
**None known**
- i. Approximately how many people would reside or work in the completed project?  
**Two full-time people will work at the site, and depending on the event/need could be 5 – 7 part-time.**
- j. Approximately how many people would the completed project displace?  
**None**
- k. Proposed measures to avoid or reduce displacement impacts, if any:  
**N/A**
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:  
**Applying for a Conditional Use Permit to ensure compliance for intended use.**
9. **Housing**
- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.  
**N/A**
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.  
**N/A**
- c. Proposed measures to reduce or control housing impacts, if any:  
**N/A**
10. **Aesthetics**
- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

The building is anticipated to be two story with an area for office and changing rooms in a small portion of the structure. The total height is anticipated to not exceed 28 feet in height. The exterior is planned to be wood.

b. What views in the immediate vicinity would be altered or obstructed?  
**No known views will be obstructed.**

c. Proposed measures to reduce or control aesthetic impacts, if any:  
**Our objective is to preserve the natural beauty of the property, and only make improvements that will enhance the landscape. One measure is to utilize the adjacent Church parking lot for our venue guests, so we don't have to put a large permeable surface on the proposed property.**

11. Light and glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?  
**On the east, north and west, the site is visually contained within a tall stand of coniferous trees. Exposure to the south east opens to the Nisqually Land Trust (now Town of Eatonville) property. The site plan identifies additional buffers to be added along the east and west property lines.**

**Regarding artificial light, most will be contained indoors with low level event and pedestrian light incorporated for the courtyards and along the pathways. The parking lot and service area will incorporate the standards set by the Town of Eatonville for safety and security.**

b. Could light or glare from the finished project be a safety hazard or interfere with views?  
**No**

c. What existing off-site sources of light or glare may affect your proposal?  
**None**

d. Proposed measures to reduce or control light and glare impacts, if any:  
**Buffers will be added along the east and west property lines. Low level event and pedestrian light incorporated for the courtyards and along the pathways. The parking lot and service area will incorporate the standards set by the Town of Eatonville for safety and security.**

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?  
**None**

b. Would the proposed project displace any existing recreational uses? If so, describe.  
**No**

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:  
**None**

13. Historic and cultural preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

**Historic Barn on adjacent property.**

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

**None**

- c. Proposed measures to reduce or control impacts, if any:

**Designated footpaths, signage, and fencing will be added to protect privacy of to the adjacent properties.**

#### 14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

**Eatonville Hwy - The existing access road to the site will be upgraded to provide guest access and meet the requirements of the town for fire truck access to the entry drop-off area.**

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

**No public transit in area.**

- c. How many parking spaces would the completed project have? How many would the project eliminate?

**On-site parking will accommodate 26 vehicles including 2 ADA accessible spaces with 8,000sf of the on-site surface in impervious materials and an additional 5,600 sf in pervious surfaces for service and parking. (Note: additional parking needs for about 30 to 40 vehicles will be accommodated at the adjacent Baptist church parking lot through a special use agreement that includes non-public vehicle access to the proposed property. The church parking lot can accommodate a total of 65 vehicles in designated parking spaces.)**

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

**This project will not require any new roads or streets, just a driveway to access the venue.**

- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

**No**

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

**Traffic will be generated based on the scale of the events the largest of which would not exceed 200 people. As only 26 spaces are available on-site, most of the traffic will be directed to the church parking lot where valets will shuttle guests to the event along the remote pathway, unless the guest chooses to walk. There is a drop-off for those wishing to gain more direct access that is ADA compliant.**

- g. Proposed measures to reduce or control transportation impacts, if any:

## D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(Do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

**Water:** Normal site drainage including building runoff

**Emissions to Air:** Automobile emissions when venue is in use. Construction dust and equipment odors originating from construction

**Production:** None

**Storage:** None

**Release of Toxic or Hazardous substances:** There are no known toxic or hazardous substances as a result of this project

**Production of Noise:** No significant production of noise

Proposed measures to avoid or reduce such increases are:

**The development of the site will include creating bio-swales and rain gardens of native vegetation to slow surface water and absorb it into the ground. All site drainage including roof runoff will be directed to these infiltration areas. We plan to use off-site parking at the Baptist Church to reduce the volume of impervious surfaces. Our venue will abide by the Town Noise Ordinance.**

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

**No direct impacts or disturbances to affect plants, animals, fish, or marine life**

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

**Take precautions during construction to protect the natural habitat of plant, animals, fish and marine life. Products will be selected to reduce the harmful effects caused by off-gassing.**

3. How would the proposal be likely to deplete energy or natural resources?

**No direct impact to deplete energy or natural resources**

Proposed measures to protect or conserve energy and natural resources are:

**Consideration for supplemental heating of water through the use of solar panels; Exploration of super insulated walls to reduce the amount of mechanical energy required; and incorporating low flow faucets, toilets and urinals.**

**Construction techniques are also being explored that encourage the use of local product, distributors and contractors to both limit the distance of travel for products and the number of trips required to the site.**

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

**This project has no intentions to use or affect environmentally sensitive areas**

Proposed measures to protect such resources or to avoid or reduce impacts are:

**Designated footpaths, signage, landscaping and fencing to protect privacy of the adjacent properties**

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

**N/A**

Proposed measures to avoid or reduce shoreline and land use impacts are:

**N/A**

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

**Traffic will be generated based on the scale of the events the largest of which would not exceed 200 people. The venue will require the need for utilities and the possible need for fire and police protection when it is being occupied by guests. No increase to health care or schools.**

Proposed measures to reduce or respond to such demand(s) are:

**Adapt policies and procedures that abide by the law as well as take the appropriate safety measures to ensure our facility is in compliance with Town of Eatonville and Pierce County regulations**

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

**No known conflicts with local, state or federal laws pertaining to the protection of the environment**

**Parking lot sharing agreement with the Eatonville Baptist Church to utilize developed space for our venue.**

**15. Public services**

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

**The venue will require the possible need for fire and police protection when it is being occupied by guests. No increase to health care or schools.**

- b. Proposed measures to reduce or control direct impacts on public services, if any.

**Adopt policies and procedures that abide by the law as well as take the appropriate safety measures to ensure our facility is in compliance with Town of Eatonville and Pierce County regulations.**

**16. Utilities**

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

**Utilities are available and near the site, but none are connected**

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

**Electricity, Water, Refuse, Sanitary Sewer – Town of Eatonville**

**Telephone, Internet – Rainier Connect or Comcast**

**Run the utilities from the street in an underground ditch to our project site for required connection**

**C. SIGNATURE**

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:



Date Submitted: **04/08/2015**