



## ABERDEEN CITY COUNCIL

May 25, 2016

### COUNCIL MEETING AGENDA

7:15 PM – 3<sup>rd</sup> Floor, City Hall

### COMMITTEE OF THE WHOLE

- A. Guest Speakers
- B. Additions to Agenda
- C. Department Heads
- D. Mayor's Report
- E. Non-Standing Committee Reports

### COUNCIL MEETING

- I. ROLL CALL
- II. FLAG SALUTE
- III. APPROVAL OF MINUTES
- IV. ADDITIONS / DELETIONS
- V. PUBLIC COMMENT Re: Agenda Items (Please limit your comments to 3 minutes)
- VI. FINANCE COMMITTEE
  - A. Committee Chair Report
  - B. Approval of expenditures
    - 1. Recommend approval of expenditures and payroll.
  - C. Reports & Communications
    - 1. Report from Finance and the Parks Director authorizing the Mayor and Finance Director to sign the contract with Louie Foxx LLC. for Splash entertainment and remit the required payment at the appropriate time.
- VII. PUBLIC WORKS
  - A. Committee Chair Report
  - B. Reports & Communication
    - 1. Report from Public Works and Public Works Director recommending that Council authorize and award the repairs to the vacuum truck to Owen Equipment.
    - 2. Report from Public Works and the Public Works Director recommending that the City of Aberdeen adopt the 2016 Standard Specifications for Roads, Bridge and Municipal Construction published by the Washington State Department of Transportation as the current construction standard for the City of Aberdeen.

C. Ordinances

1. Third reading of Bill No. 16.02 relating to the establishment of a Hearing Examiner System for land use decisions, adding a new Chapter 2.30 to the AMC and amending certain sections.
2. First reading of Bill No. 16.04 relating to the location of group care living facilities, convention centers, hotels, motels, bed and breakfast inns, and agricultural uses in Residential Multiple Family, Downtown Commercial, and General Commercial Districts and amending the definition of group care living facilities.

**VIII. PUBLIC SAFETY**

- A. Committee Chair Report
- B. Reports & Communications

**IX. SPECIAL AGENDA ITEMS**

**X. CITY COUNCIL COMMENT PERIOD**

**XI. PUBLIC COMMENT PERIOD (Please limit your comments to 3 minutes)**

**XII. EXECUTIVE SESSION**

The City of Aberdeen does not discriminate against or exclude anyone from participation in public meetings. Requests for assistance should be made by contacting the Finance Department at 360-537-3236, 48 hours in advance of the meeting. Thank you.

**CITY OF ABERDEEN  
COMMITTEE REPORT**

**Mr. Mayor:** Hon. Erik Larson

**The Members of  
Your Committee On:** Finance Committee and the Parks Director

**In Reference To:** 2016 Splash

***Background:***

The City of Aberdeen continues to contract with professional family entertainers to provide family interactive entertainment for the Splash Festival.

The Aberdeen Parks Department is requesting that the attached contract be approved with Louie Foxx LLC. to provide family interactive entertainment at Morrison Riverfront Park on July 4<sup>th</sup> at 3:30 p.m. The contract amount is \$675.

A signed agreement is due ASAP. Payment is due in full the day of the event.

The Parks and Recreation Department continues to raise funds through sponsorship to fund this activity and other Splash activities.

***Reports and recommend as follows:***

That the City Council authorizes the Mayor and Finance Director to sign the Louie Foxx LLC. contract and remit the required payment at the appropriate time.

\_\_\_\_\_  
Stacie Barnum, Parks & Recreation

\_\_\_\_\_  
Denny Lawrence, Chair

\_\_\_\_\_  
Jeff Cook, Vice Chair

Reported: May 25, 2016

\_\_\_\_\_  
Alice Phelps

Adopted:

\_\_\_\_\_  
Kathi Prieto



# Engagement Agreement

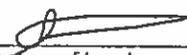
P.O. Box 686 • Edmonds, Washington 98020 • (425) 774-4098 • info@leapfrog-entertainment.com

1. Agreement made this 22nd day of April, 2016  
between **Louie Foxx, Isaac Louie**  
*(Leader or Spokesperson/ Name of Unit/ herein referred to as Artist)*  
and **City of Aberdeen Parks & Recreation, Attn: Doug Farmer**  
*(Name of Establishment, Purchaser)*
2. Date(s); Starting and Finishing Times of Engagement:  
Date: **7/4/2016** Time: **3:30pm**
3. Location of Engagement: **Morrison Park - Aberdeen, WA**  
Contact person: **Doug Farmer** Venue phone number: **(360) 537-3230**
4. Job Description: **One (1) forty five minute performance.**
5. Contract Price: **\$675.00**
6. Purchaser will make payment as follows:  
**\$675.00 payable to Louie Foxx LLC on 7/4/16.** Tax ID number: **74-322-6414**
7. Artist(s)-Independent Contractor:  
(a) Artist executes this Agreement as an independent contractor and shall at all times have complete supervision, direction and control over the services of the personnel on this engagement and expressly reserves the right to control the manner, means and details of the performance of services to fulfill the entertainment requirements. (b) Artist executes this agreement as an independent contractor, not as an employee of the purchaser. Responsibility for the appropriate payments of payroll taxes and charges under applicable federal and local law will be assumed by Artist.
8. Special Provisions: **Purchaser to provide a sound system.**  
(a) The recording, reproduction, or transmission of performance is prohibited absent written consent of Artist. (b) The court and authorities of the State of Washington and the Federal District Court of the State of Washington shall have jurisdiction over all controversies which may arise with respect to the enforcement of all rights under this agreement, including those of agent, the parties hereby expressly waiving any other venue to which they might be entitled by virtue of domicile or otherwise. Purchaser and Artist hereby agree and consent to be subject to the jurisdiction of such courts and any order that may be issued by such courts in reference to this Engagement Agreement. The parties understand and agree that this provision is a material provision of this Agreement, that is a part of the consideration involved in entering into this agreement, and that Artist and Purchaser would not have entered into this agreement except for inclusion of this provision herein.
9. Agent Provision:  
(a) Artist and Purchaser acknowledge that this contract is between Artist and Purchaser and that agent shall not be liable for default of Purchaser or the default or non-performance of Artist. (b) Unless otherwise specified, engagement price includes 20.0% agents commission, and shall be held in trust as a fiduciary by Artist for delivery to agent. Artist agrees commissions are due and owing the above agency's address at the end of each week, and if not paid to the agency within 7 days of due date 1) they shall be considered delinquent and bear 1.5 % interest per month computed as of the due date, and 2) at the written request of agent, present purchaser is authorized to withhold from Artist any commission and interest due LeapFrog Entertainment. If litigation is necessary for collection, attorney's fees shall be paid by debtor unless prohibited by applicable state and local law. (c) In the event Artist(s) is rebooked into this or any establishment represented by the purchaser within thirteen months from the termination of this agreement, Artist and purchaser agree to be jointly and severally liable for payment to agent for the commission at the rate as provided under this
10. Commencement of engagement together with physical delivery of this contract is deemed to be a verification of an oral agreement and acceptance of all terms by all parties.

**City of Aberdeen Parks & Recreation**  
*Purchaser's Name*

\_\_\_\_\_  
*Signature of Purchaser*  
**200 East Market St.**  
*Address*  
**Aberdeen, WA 98520**  
*City, State, Zip*  
**(360) 537-3230**  
*Telephone*

**Louie Foxx**  
*Artist's Name*

  
\_\_\_\_\_  
*Signature of Leader*  
**P.O. Box 686**  
*Address*  
**Edmonds, WA 98020**  
*City, State, Zip*  
**(425) 774-4098**  
*Telephone*

Agent: RS

**CITY OF ABERDEEN.....LEGISLATIVE DEPARTMENT**

Mr. MAYOR:

The Members of

Your Committee on: PUBLIC WORKS AND THE PUBLIC WORKS DIRECTOR

To whom was Referred: Vacuum truck Jet Rodder Pump Repair

REPORTS AS FOLLOWS: I am requesting approval to purchase and replace the vacuum truck jet rodder pump and the 3" Y-strainer screen and perform a 360\* inspection of the vehicle. This work will be performed by Owen Equipment out of Kent, which we normally use for larger maintenance and repairs of our vacuum trucks. The total cost is \$12,796.00 and will be paid for out of the water and street dept. equipment rental funds. This truck was purchased in 2004 and with proper maintenance should last 10-15 more years.

THEREFORE, IT IS RECOMMENDED: That we authorize and award the repairs to the vacuum truck to Owen Equipment.

\_\_\_\_\_  
Rick Sandger.  
Public Works Director

\_\_\_\_\_  
CHAIRMAN

Reported \_\_\_\_\_, 2016

Adopted \_\_\_\_\_, 2016

\_\_\_\_\_  
COMMITTEE



**LEGISLATIVE DEPARTMENT  
CITY OF ABERDEEN**

MR. MAYOR:

THE MEMBERS OF

YOUR COMMITTEE ON: Public Works and the Public Works Director

TO WHOM IT WAS REFERRED: Adoption of 2016 Standard Specifications for Roads,  
Bridge and Municipal Construction.

REPORTS AS FOLLOWS: Historically the City of Aberdeen has adopted the Construction Standard developed by the Washington State Department of Transportation as the standards for the City of Aberdeen. The State has adopted a new set of standards for 2016.

IT IS RECOMMENDED: That the City of Aberdeen adopt the 2016 Standard Specifications for Roads, Bridge and Municipal Construction published by the Washington State Department of Transportation as the current construction standard for the City of Aberdeen.

\_\_\_\_\_  
Rick Sangder  
Public Works Director

Reported \_\_\_\_\_, 2016

Adopted \_\_\_\_\_, 2016

\_\_\_\_\_  
Kathi Hoder, Chair

\_\_\_\_\_  
Tawni Andrews, Vice-Chair

\_\_\_\_\_  
Alan Richrod, Member

\_\_\_\_\_  
Dee Anne Shaw, Member

16 - 02

**ORDINANCE NO. 6592**

**AN ORDINANCE RELATING TO THE ESTABLISHMENT OF A HEARING EXAMINER SYSTEM FOR LAND USE DECISIONS, ADDING A NEW CHAPTER 2.30 TO THE ABERDEEN MUNICIPAL CODE AND AMENDING SECTIONS [INSERT].**

**BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ABERDEEN:**

**SECTION 1. NEW CODE CHAPTER ADOPTED.** The following Chapter 2.30 “Land Use Hearing Examiner” is hereby added to the Aberdeen Municipal Code:

**Chapter 2.30  
LAND USE HEARING EXAMINER**

Sections

- 2.30.010 Purpose.
- 2.30.020 Hearing examiner - Creation.
- 2.30.030 Appointment – Confirmation – Removal – Contract.
- 2.30.040 Qualifications.
- 2.30.050 Term.
- 2.30.060 Conflict of interest – Ex parte contact.
- 2.30.070 Hearing examiner – authority and duties.
- 2.30.080 Applications.
- 2.30.090 Report by city staff.
- 2.30.100 Public hearing.
- 2.30.110 Hearing examiner’s decision and recommendation.
- 2.30.120 Reconsideration.
- 2.30.130 Appeal of hearing examiner’s decision.
- 2.30.140 Hearing examiner’s annual report.

**2.30.010 Purpose.**

The purpose of this chapter is to provide an administrative land use regulatory system which will separate the city’s land use regulatory function from its land use planning function; ensure and expand the principles of fairness and due process in public hearings; and provide an efficient and effective land use regulatory system which integrates the public hearing and decision-making processes for land use matters.

**2.30.020 Hearing examiner – Creation.**

The office of the hearing examiner is created by the city council. The hearing examiner shall interpret, review and implement land use regulations, hear appeals from orders, recommendations, permits, decisions or determinations made by a city official as set forth in this chapter, and review and hear other matters as provided for in this code and other ordinances. The term “hearing examiner” shall likewise include the hearing examiner pro tem.

**2.30.030 Appointment – Confirmation – Removal – Contract.**

The hearing examiner shall be appointed by the mayor, subject to confirmation by the city council. An examiner may be removed from office at will and without cause by the mayor; however, such removal shall not affect the ability of the examiner to complete any cases for which he or she has already undertaken the hearing. The examiner may be retained under a professional services contract for a specified term on conditions determined by the mayor. The contract may also provide for examiners pro tem to serve in the absence of the examiner under such terms and conditions deemed appropriate by the mayor.

**2.30.040 Qualifications.**

Hearing examiners and hearing examiners pro tem shall be appointed solely with regard to their qualifications for the duties of their office and will have such training and experience as will qualify them to conduct administrative or quasi-judicial hearings on regulatory enactments and to discharge the other functions conferred upon them. Hearing examiners shall hold no other elective or appointive office or position with the city.

**2.30.050 Term.**

The term of appointment for the hearing examiner shall be for a period not to exceed four years, subject to termination as provided in AMC 2.30.040, and shall be coterminous with the term of the mayor. Hearing examiners pro tem may be appointed for such terms and functions as the mayor deems appropriate.

**2.30.060 Conflict of interest – Ex parte contact.**

A. No hearing examiner shall conduct or participate in any hearing, decision or recommendation in which the hearing examiner has a direct or indirect substantial financial or familial interest, or concerning which the hearing examiner has had substantial prehearing contacts with proponents or opponents. A hearing examiner shall abide by the applicable provisions of state law, including, without limitation, the appearance of fairness doctrine and the Aberdeen Municipal Code.

B. No person, including city officials, elective or appointive, shall attempt to influence a hearing examiner in any matter pending before him/her, except at a public hearing duly called for such purposes, or to interfere with a hearing examiner in the performance of his/her duties in any other way; provided, that this section shall not prohibit the city attorney

from rendering legal services to the hearing examiner upon request, or prohibit other persons or officials from responding in writing to requests for information from the hearing examiner; and further provided, that city officials or employees may, in the performance of their official duties, provide information for the hearing examiner or process a city case before the hearing examiner, when such actions take place or are disclosed in the hearing examiner's hearing or meeting.

**2.30.070 Hearing Examiner – Authority and duties.**

A. The hearing examiner shall hear and decide the following land use quasi-judicial applications:

1. Rezones which are not of general applicability (site-specific rezones).
2. Variances and conditional use permits.
3. Preliminary subdivisions and planned developments.
3. Shoreline substantial development permits subject to quasi-judicial review, shoreline variances, and shoreline conditional use permits.

B. The hearing examiner shall hear and decide appeals alleging an error in administrative decisions or determinations made under the zoning code or any other development regulations under AMC Title 14 (Environmental Regulations), Title 16 (Subdivisions), and Title 17 (Zoning).

C. The hearing examiner shall conduct public hearings and proceedings required by AMC Titles 14, 16, and 17, the city of Aberdeen Shoreline Master Program, and the State Environmental Policy Act (Chapter 43.21C RCW) and conduct such other hearings or meetings as the city council may from time to time deem appropriate; provided that the substantive SEPA decision and decisions on the associated actions shall be made by the officials designated in the Aberdeen Municipal Code.

**2.30.080 Applications.**

Applications for all matters to be heard by the hearing examiner shall be presented to the city staff, to be processed according to the applicable provisions of the AMC and the city of Aberdeen shoreline master program. The city staff shall be responsible for assigning a date for the public hearing for each application as required. The hearing examiner may consider two or more applications relating to a single project concurrently, and the findings of fact, conclusions and decision on each application may be covered in one written decision.

**2.30.090 Report by city staff.**

City staff shall coordinate and assemble the comments and recommendations of other applicable city officials and governmental agencies having an interest in the application, and shall prepare a report summarizing the factors involved, including recommendations and suggested findings and conclusions. At least seven calendar days prior to the scheduled hearing, the report shall be filed with the hearing examiner and copies thereof shall be mailed to the applicant and shall be made available to any interested party at the cost of reproduction.

**2.30.100 Public hearing.**

A. Before rendering a decision on any application, the hearing examiner shall hold at least one public hearing thereon, as applicable. Notice of the time and place of the public hearing shall be given as provided in the applicable city code governing the application.

B. The hearing examiner shall have the authority granted to administrative bodies and presiding officers under Chapter 2.18 AMC for the conduct of quasi-judicial hearings and may prescribe additional rules and regulations not inconsistent with Chapter 2.18 AMC.

**2.30.110 Hearing examiner's decision and recommendation.**

A. The hearing examiner's decision or recommendation shall contain the required elements of quasi-judicial final decisions in AMC 2.18.150.

B. At the conclusion of oral testimony at a public hearing, the hearing examiner may establish the date and time at which the public record will close. The public record may be extended beyond the public hearing for the purpose of allowing written testimony to be submitted. The extension shall not exceed 10 working days after the conclusion of oral testimony. All decisions of the hearing examiner shall be rendered within 10 working days after the date the public record closes.

C. The hearing examiner's decision shall be based upon the policies of the comprehensive planning documents of the city, shoreline master program, the standards set forth in the various development regulations of the city or any other applicable program adopted by the city council. When acting upon any of the above applications or appeals, the hearing examiner may grant or deny the application, or may attach reasonable conditions, modifications and restrictions found necessary to make the project compatible with its location and to carry out the goals and policies of the applicable comprehensive plan, shoreline master program, or other applicable plans or programs adopted by the city council.

D. The decision of the hearing examiner on all matters is final and conclusive, unless appealed to Grays Harbor County superior court as provided for in this code or the city of Aberdeen shoreline master program.

E. Upon issuance of the hearing examiner's decision, the city staff shall transmit a copy of the decision by first class mail to the last address provided to the city by the applicant and send a notice of the decision by first class mail to other interested parties requesting the same.

**2.30.120 Reconsideration.**

The procedures and requirements for a reconsideration of a decision of the hearing examiner shall be as established in AMC 2.18.160.

**2.30.130 Appeal of hearing examiner's decision.**

A. Appeals of actions of the Hearing Examiner are appealable to Grays Harbor County Superior Court pursuant to Chapter 36.70C RCW, except for shoreline permit actions, which are appealable to the State Shoreline Hearings Board pursuant to Chapter 90.58 RCW.

B. Notice of the appeal and any other pleadings required to be filed with the Court or the Shoreline Hearings Board shall be filed and served as required by the applicable statute.

C. The cost of transcribing and preparing all records ordered certified by the Court or the Shoreline Hearings Board or desired by the appellant for such appeal shall be borne by the appellant. The appellant will be provided copies of hearing tapes by the City and will be responsible for their transcription.

**2.30.140 Hearing examiner's report.**

A. The hearing examiner shall prepare an annual written report for the city council summarizing activities, actions and observations.

B. The hearing examiner shall meet with the city council as requested, for the purpose of reviewing reported observations, including a review of the policies contained in the comprehensive plans, shoreline master program, development regulations and the administration of these policies.

**SECTION 2. CODE SECTION AMENDED.** Ordinance [insert] , codified as AMC§§, is hereby amended to read as follows:

[reserved for code amendments necessary to implement Section 1]

**SECTION 3. SAVINGS CLAUSE.** Ordinance [insert], which is repealed by this ordinance, shall remain in force and effect until the effective date of this ordinance.

**SECTION 4. SEVERABILITY.** Should any section, subsection, paragraph, sentence, clause or phrase of this ordinance or its application to any person or situation be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance or its application to any other person or situation.

**SECTION 5. PUBLICATION BY SUMMARY.** The Finance Director is authorized and directed to publish the attached summary in lieu of this ordinance.

**SECTION 6. EFFECTIVE DATE.** This ordinance shall take effect immediately upon its passage, signing, and publication.

**PASSED and APPROVED** this 27<sup>th</sup> day of April , 2016.

\_\_\_\_\_  
Erik Larson, Mayor

ATTESTED:

\_\_\_\_\_  
Sandy Mullin, Finance Director

Bill 16-04

1 - DRAFT

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE RELATING TO RESIDENTIAL MULTIPLE FAMILY, DOWNTOWN COMMERCIAL AND GENERAL COMMERCIAL ZONES OF THE ZONING CODE FOR DEFINITIONS, PERMITTED AND CONDITIONAL USES, AMENDING CHAPTERS 17.16, 17.32 AND 17.36 AND SECTION 17.04.070 OF THE ABERDEEN MUNICIPAL CODE AND ORDINANCES [insert Ordinance #] .**

**WHEREAS**, the Aberdeen Planning Commission has recommended revisions to the Residential Multiple Family, the Downtown Commercial, the General Commercial and the Definition provisions of Chapter 17.16 AMC, Chapter 17.32, Chapter 17.36 and Section 17.04.070 of the city's zoning code; and

**WHEREAS**, the city council finds that the proposed revisions are appropriate and necessary for the public health and safety; **NOW, THEREFORE**,

**BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ABERDEEN:**

**SECTION 1. CODE SECTION AMENDED.** Ordinance [insert] , codified as AMC 17.04.070(40) "Definitions", is hereby amended to read as follows:

40. ~~"Group care living facilities" means a residential service facility of which staff persons are present on a continuous basis for the purpose of treating, caring for, teaching, training or supervising five or more persons. Facilities included in this definition include, but are not limited to, convalescent homes, rest homes and group homes.~~

"Group care living facilities, homes" means a place of residence for the handicapped, physically or mentally disabled, developmentally disabled, homeless or otherwise dependent persons. Group Homes are intended to provide residential facilities in a home-like environment. Such homes range from licensed establishments operated with 24 hour supervision to non-licensed facilities offering only shelter. They shall not include correctional facilities (except as authorized by Chapter 137-56 and 137.57 WAC for work/training release programs), nursing homes, Type III group care facilities, foster family homes or adult family homes as defined by the Washington State Department of Social and Health Services or its successor agency. Group homes include, but are not limited to the following:

- a) **Confidential Shelters.** Shelter for victims of domestic violence as defined and regulated in Chapter 70.123 RCW and Chapter 388-61A WAC. Such facilities are characterized by a need for confidentiality.
- b) **Home for the Disabled.** A home or other facility which provides board and domiciliary care to individuals who, by reason of infirmity, require such care. An infirmity may be based on conditions including, but not limited to, physical handicap, mental illness and other developmental disabilities. These group homes are a type of boarding home, as defined in Chapter 18.20 RCW. However, boarding homes serving the aged infirm are not included in this definition.
- c) **Homeless Shelter.** A facility offering lodging and/or emergency shelter to homeless individuals for an indefinite period of time and meeting the standards of Chapter 248-144 WAC.
- d) **Group Home for Youth.** Any home maintained and operated for the care of children on a 24 hours basis as defined and regulated in Chapter 388-73 WAC and Chapter 74.15 RCW.
- e) **Group Home for Offenders.** A home or other facility operated for housing and supervision of work/training release residents during their stay in a work/training release program as defined and regulated in Chapters 137-56 and 137-57 WAC.

**SECTION 2. CODE SECTION AMENDED.** Ordinance [insert] , codified as AMC 17.16.030 "Conditional Uses", is hereby amended to read as follows:

The following uses are allowed within the R-M district subject to the applicable provisions of this title and by obtaining a conditional use permit as provided in Chapter 17.68:

- A. Public and semi-public uses;
- B. Fish processing facilities operated by for-profit organizations, provided the facility is accessory to a fish production facility;
- C. Group care living facilities;
- D. Reuse of public schools for public and private recreational uses and public uses consistent with the other policies of the comprehensive development plan;
- E. Bed and breakfast inns within a dwelling, which comply with the following standards:
  - 1. No more than eight guest rooms are offered for rent,
  - 2. The operator must live in the dwelling,
  - 3. One parking space is provided for each guest room in addition to the number required for the dwelling,
  - 4. No exterior alterations may be made which will change the appearance of the dwelling from that of a residence,
  - 5. Only resident guests may be served meals,
  - 6. No guest may stay for more than thirty (30) consecutive days;
- F. Boarding houses, dormitories, and single-room occupancy dwellings;

- G. Aquaculture and fish production structures and facilities (including net pens) operated by for profit organizations;
- H. Commercial day care;
- I. Mobile home park.
- J. Nursery, orchards and farming including the retail sales of produce grown on the premises.(Prior code § 11.005.030)

**SECTION 3. CODE SECTION AMENDED.** Ordinance [insert] , codified as AMC 17.32.020 Permitted Uses, is hereby amended to read as follows:

In the C-D district, the following uses are permitted subject to the provisions of Chapter 17.56:

- A. Retail sales within a building;
- B. Personal, professional and business services, including kennels and animal hospitals with inside runs;
- C. Financial services;
- D. Offices;
- E. Eating and drinking establishments;
- F. Hotels, ~~motels, bed and breakfast inns,~~ meeting rooms and facilities and convention centers;
- G. Indoor entertainments, indoor amusements, public and private recreation centers;
- H. Residences in the upper floors of buildings;
- I. Parking lots and parking structures accessory to another use;
- J. Recycling drop boxes accessory to an allowed use or temporary recycling purchase and trans-shipment centers accessory to an allowed use;
- K. Child care facilities. (Prior code § 11.009.020)

**SECTION 4. CODE SECTION AMENDED.** Ordinance [insert] , codified as AMC 17.32.030 Conditional Uses, is hereby amended to read as follows:

The following uses are allowed within the C-D district subject to the applicable provisions of this title and by obtaining a conditional use permit as provided in Chapter 17.68:

- A. Food processing, baking, sewing, and crafts for retail sales on premises;
- B. Automobile repair services within a building, and service stations;
- C. Auction houses and secondhand sales within a building;
- D. Outdoor sales;
- E. Wholesale sales and warehousing;
- F. Printing and other service oriented processing uses;
- G. Light manufacturing within a building;
- H. Multiple-family dwellings;
- I. Boarding houses and single-room occupancy dwellings;
- J. Kennels and animal hospitals with outside runs;

- K. Parking lots and parking structures not accessory to another use;
- L. Adult entertainment establishments;
- M. Motels and bed and breakfast inns. (Prior code § 11.009.030)

**SECTION 5. CODE SECTION AMENDED.** Ordinance [insert] , codified as AMC

17.36.020 Permitted Uses, is hereby amended to read as follows:

The following uses are permitted within the C-G district subject to the provisions of Chapter 17.56:

- A. Retail sales and incidental wholesale sales within a building;
- B. Personal, professional and business services, including kennels and animal hospitals with inside runs;
- C. Financial services;
- D. Offices;
- E. Eating and drinking establishments;
- F. Food processing and baking for retail sales on premises;
- G. Automobile repair services within a building and service stations;
- H. Equipment repair and servicing within a building;
- I. Indoor entertainments and amusements;
- J. Recycling drop boxes accessory to an allowed use or temporary recycling purchase and trans-shipment centers accessory to an allowed use;
- K. Parking lots and parking structures not accessory to another use;
- L. Parks, recreation centers, public buildings, colleges, vocational education establishments, business schools, utility systems and facilities, other public and semi-public uses;
- M. Residences in the upper floors of buildings;
- N. Caretakers' residences incorporated within an allowed use;
- O. Child care facilities;
- P. Hotel, meeting rooms and facilities and conventions centers. (Prior code § 11.010.020)

**SECTION 6. CODE SECTION AMENDED.** Ordinance [insert] , codified as AMC

17.36.030 Conditional Uses, is hereby amended to read as follows:

The following uses are allowed within the C-G district subject to the applicable provisions of this title and by obtaining a conditional use permit as provided in Chapter 17.68:

- A. ~~Hotels, motels, and bed and breakfast inns, meeting rooms and facilities, and convention centers;~~
- B. Auction houses and second hand sales within a building;
- C. Shopping malls and shopping centers;
- D. Outdoor amusements and outdoor sales of cars, light trucks, heavy trucks and construction equipment, recreational vehicles, boats, manufactured (mobile) homes, modular homes, and construction materials. Construction materials and inoperable heavy trucks and equipment shall be screened from other uses;
- E. Wholesale sales and warehousing, excluding fuel and explosive materials storage and warehousing;
- F. Light industrial uses within a building;

- G. Printing and other service oriented processing uses;
- H. Commercial bakeries, laundries, and similar processing facilities;
- I. Recycling centers within a building;
- J. Kennels and animal hospitals with outside runs;
- K. Adult entertainment establishments;
- L. Group care living facilities, homes. (Prior code § 11.010.040)

**SECTION 7. VESTED RIGHTS.** [to be added if determined necessary].

**SECTION 8. SEVERABILITY.** Should any section, subsection, paragraph, sentence, clause or phrase of this ordinance or its application to any person or situation be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance or its application to any other person or situation.

**SECTION 9. PUBLICATION BY SUMMARY.** The Finance Director is authorized and directed to publish the attached summary in lieu of this ordinance.

**SECTION 10. EFFECTIVE DATE.** This ordinance shall take effect immediately upon its passage, signing, and publication.

**PASSED and APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Erik Larson, Mayor

ATTESTED:

\_\_\_\_\_  
Sandy Mullin, Acting Finance Director