

----- Original Message -----

**Subject:** Re: library parking resolution  
**From:** Editor <editor@laconnernews.com>  
**Sent:** Sunday, September 12, 2021, 9:41 PM  
**To:** Bill Stokes <tugugly@hotmail.com>  
**CC:**

Bill,

Hello. Thanks for your response and the time you took to address my questions.

I will get to this Monday and follow up as needed. Thanks again,

- ken

Ken Stern

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Love truth and its Testimony, whether its Witness be to you or against you.

- Sarah Blackborow, 1658

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**From:** Bill Stokes <tugugly@hotmail.com>  
**Sent:** Sunday, September 12, 2021 9:12 AM  
**To:** Editor <editor@laconnernews.com>  
**Cc:** Bill Stokes <tugugly@hotmail.com>  
**Subject:** library parking resolution

Ken,

Thanks for giving me a chance to explain the council's rationale on the library parking resolution.

Bill

**Your first question number 1:**

The council was not aware of the proposal by the library to defer its parking fees until the Friday before the Tuesday meeting, and we were unable to obtain information in advance of the meeting. Our first notice was a letter from the library's representative and the proposed resolution draft from the town staff in the council packet.

Although I was the one to make the motion to table the discussion, the vote by the council was unanimous and the resolution both sides worked out together was crafted just hours later the next morning and then unanimously approved by the council on Friday at a special meeting.

Council resolutions are the responsibility of the council. Although the staff often proposes them, and individual council members also present them, it is only up to the council to research and adopt them. Proposed resolutions are often rejected or sent back to the authors for any amendments the council deems necessary.

The library's proposal to defer fees for 7 years was their first offer in what turned out to be a very successful negotiation that the town and library worked out together in a meeting that was open to the public. I'm sorry you were unable to attend the meeting where this took place, because your concerns would have been addressed, as well.

The issue: The library knew it needs 20 parking spaces but could only accommodate 10. The library also knew it would be required to pay for parking mitigation in advance and the library already had the money to pay it but wanted to keep it in reserve as a construction buffer. This was certainly a reasonable request in today's escalating construction prices.

The town code requires all fees to be **paid before construction begins**. We all agreed this seemed to be an undue burden on the library. So we came to a solution whereby they will pay for one parking place once their occupancy permit is granted next year and then pay for two spaces per year until the fee is paid in full. This way their construction can move ahead immediately.

Paying in interest-free installments over several years instead of coming up with a whopping lump sum in advance or a huge payment in 7 years is easier on the library and preserves the integrity of the town's codes.

The negotiated solution, which both parties were satisfied with, is one that the Planning Commission can refer to, and perhaps come up with suggested code adjustments, to allow more flexibility to accommodate future development.

**Your question number 2:**

I added the codes and highlighted areas of them for you at the bottom. They're all under section 15.90.010 OFF-STREET PARKING AND LOADING. The applicable ones were in the resolution the council adopted

**Your question number 3:**

I have highlighted the specific sections of the codes below. A portion that applies specifically to libraries is **LMC 15.90.030 (4) (f)** under public assembly. That says libraries and museums must provide a parking space for every 250 square feet.

**Your question number 4:**

The issue with making an exception to the current code is that it would set precedent that could harm the town and its taxpayers later. For example, as I explained the other day, if a developer comes in and wants a 7-year deferral on fees then goes out of business in 5 years, the town would have no way to enforce the fee requirement.

Also, should a precedent be established and the town refuses to give the next development project a 7-year-deferral, I believe it could set the town up for a lawsuit.

Remember, the library, like the town, is a tax-funded agency. Although there have been many donations to its foundation (including from my wife when she was in your role) the library is a public agency, not a non-profit entity.

As you know, parking is always a big issue in this town. Many worthy developments, including churches, are required to pay parking mitigation fees if they don't have enough parking on site.

**Your question 5 for additional clarification:**

As you know, the council is responsible for town budgeting and for stewardship of our residents' tax dollars. We are also constrained by state law in allocating funds. By code, the \$4,800 per space, a total of \$48,000 in fees, goes into a designated fund for parking to be used for maintenance of the town parking lots and for developing additional parking when space becomes available. We can't just take money from law enforcement, sewer treatment, street maintenance or other funds to pay for parking or "write off" fees due no matter how much we like the applicant.

Also, the money the town was allocated out of federal covid relief funds comes with specific criteria for uses and cannot be used to relieve the library of its need to provide parking.

I'm not sure if you know that before I was on the council, I was on the Planning Commission for seven years and I was chairman for much of my tenure. Also, I was the town's code enforcement officer for several years. Both those positions gave me a great deal of knowledge of the town codes and their provisions. Being on the council for 9 years, I am also familiar with the municipal budgeting requirements, which are mostly driven by state law.

Please reach out to me any time. You have my phone number and I'll always be available to explain my positions, provide any background you may need or discuss my role in any decision-making process.

I hope this helps. If you need more information, don't hesitate to call.

**Relevant town codes in numerical order:**

**LCMC 15.90.010**

(7) Two or more buildings and/or uses may collectively provide the required off-street parking; provided, that the number of spaces provided is no less than the sum of the required spaces for the several individual uses computed separately. Collective parking is subject to the provisions of LCMC 15.90.030(3)(c), wherein 50 percent of the required parking must be provided on-site. **Collective parking may only be used when the buildings and/or uses are located immediately adjacent to each other.** Legally binding documents between users shall be filed with and approved by the town.

*\*NOTE: I included this because it shows that the council was lenient in allowing the library's off-site parking from the old building to be applied until they sell the old building in that it is not immediately adjacent.*

**LCMC 15.90.030 Minimum off-street parking requirements.**

Minimum off-street parking requirements shall be determined in accordance with the following standards:

(3) Commercial.

(a) Any new construction or change in use shall comply with the off-street parking requirements set forth in this chapter, **except that the property owner may pay a fee into the parking improvement fund in lieu of furnishing the required parking spaces that the owner does not or cannot provide on site with the exception of hotels, motels, boarding houses, and bed and breakfasts, which must provide on-site facilities.** The in-lieu-of fee may be used for up to 50 percent of the on-site parking requirements, pursuant to subsections (3)(d) and (3)(f) of this section.

(g) **The in-lieu parking fee shall be \$4,800 per space required** or such other amount as the town council shall hereafter set by ordinance or resolution.

(h) The in-lieu parking fee shall be based on the following conditions:

(ii) **The fees collected by the town shall be used for planning, acquisition, design, development, construction, financing, maintenance and operation, and enhancement of off-street parking facilities, and/or other programs**

intended to provide an appropriate supply and/or lessen the demand for parking spaces to serve the downtown business area.

**(iii) The fee shall be paid before a building permit is issued.**

(4) Amusement and Public Assembly.

- (a) Churches and funeral homes – One per each 100 square feet, or portion thereof, of assembly area;
- (b) Dance halls, places of assembly, skating rinks, and other commercial recreation places – One per each 100 square feet, or portion thereof, of assembly area;
- (c) Athletic and health clubs – One per 200 square feet, or portion thereof, of exercise area;
- (d) Stadiums, sports arenas, auditoriums, and places of assembly with fixed seating – One per three seats;
- (e) Outdoor sports or parks without fixed seats are exempt;
- (f) Exhibition halls, museums or **libraries** – One per 250 square feet or portion thereof.