

January 13, 2025

Planning Commission Meeting Minutes



Planning Commission Meeting Minutes Monday, January 13, 2025 – 6:30 pm

Call to Order: 6:30 p.m.

Roll Call

Commissioners Present:

Eric Warnat, Commissioner (Online)
Kathy Moe, Commissioner
Patrick Hosterman, Commission Chair
Cody Davis, Commission Vice-Chair
Gabrielle Braley, Commissioner (Online)
Jeff Wheatley, Commissioner

Staff Present:

Patricia Love, Community Development Director
Tansy Schroeder, City Planner

Absent: Melissa Toner, Commissioner

Also known to be present: Russell Joe, MBAKS and Morgan Krueger, WDFW

Public Requests and Comments: None

Approval of Minutes:

The minutes from the November 18, 2024, Planning Commission meeting were unanimously approved with one correction requested.

New Business:

Election of New Chair and Vice Chair

At the first meeting of the year, the Planning Commission elects a new Chair and Vice Chair. According to the bylaws, election of officers should be the first item of new business and the new officers assume their duties at the close of elections.

Commissioner Questions & Comments

- Patrick Hosterman volunteered to remain the Planning Commission Chair and Cody Davis seconded that motion. The Commissioners unanimously approved Patrick Hosterman as the Chair.
- Jeff Wheatley nominated Cody Davis as Vice Chair. Cody Davis nominated Jeff Wheatley as Vice Chair. Four Commissioners voted for Cody Davis as Vice Chair. The Commissioners unanimously approved Cody Davis as Vice Chair.

Public Hearing: Critical Areas Code Amendment

The Growth Management Act (GMA) requires all cities and counties to adopt development regulations that protect critical areas. These regulations help to preserve the natural environment, maintain fish and wildlife habitat, and protect drinking water. Protecting critical areas also helps reduce exposure to risks, such as landslides or flooding, and maintains the natural elements of our landscape. Patricia Love presented the Commissioners with public comments received on the Critical Areas Code Amendment.

Commissioner Questions & Comments

- Is the 1500 SF a maximum size building that can be placed on the property? Yes, it is the maximum building footprint.



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- For improvements done to buildings in the floodplain, staff is proposing to change the percentage of improvements from every 24 months to every 12 months, which is the federal standard.
- Staff is also proposing that any new HVAC systems will need to be raised out of the flood plain.
- Patricia Love suggested adding a new section – SMC 18.802.060 (3): “Wetland buffers may be reduced per the Department of Ecology Publication #22-06-014, Option 1, if the wetland connects to a protected habitat corridor as defined in the wetland guidance document for western Washington.”
- Are there any properties that have an overlap of wetland and stream habitat? If so, what would take priority? An overlap of habitats often occurs. When it does, whichever scenario that requires the largest buffer would take priority.
- Patrick Hosterman made a motion to continue the Public Hearing on the Draft Critical Areas code amendment to March 10, 2025. Jeff Wheatley seconded the motion. The Commissioners unanimously approved continuing the Public Hearing to the March 10, 2025, meeting.

Public Comments:

- Morgan Krueger, Regional Land Use Lead from WDFW: Ms. Krueger commented in support of the proposed amendments to the Critical Area Code Amendments. Morgan provided additional information such as, that jurisdictions are required to include best available science (BAS) when updating their Critical Area requirements.
- Russell Joe, Government Affairs Manager from Master Builders Association of King and Snohomish Counties: Mr. Joe thanked the Commissioners for their hard work on the Comprehensive Plan. He advised the Commissioners, when looking at wetlands and stream buffers, consider how the current regulations are doing, what improvements may come from the new regulations, how they will improve the wetlands and stream buffers, and how new regulations may increase costs in housing by increasing timelines and added regulations. Snohomish County rejected the Site Potential Tree Height (SPTH). Mr. Joe asked the Commissioners to think about the ‘why’ behind rejecting SPTH and see if there are alternative ways to use BAS or if keeping current regulations may be more appropriate.

Old Business:

Unified Development Code: Housing and Flexibility Discussion

During the 2023 and 2024 Legislative Sessions, Washington State legislators passed several new laws governing housing. These laws were enacted in response to the Washington State housing crisis declared by Governor and are intended to promote housing production and affordability. At a previous meeting, the Planning Commission began the discussion on updating the Permitting Use Matrix of the new Unified Development Code. This introductory meeting summarized key issues that need to be addressed, prohibited uses, and lot development flexibility. This month’s discussion focused on the 2023 / 2024 state laws regarding housing and subdivision flexibility.



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Commissioner Questions & Comments

- On the ADU Infill Housing Option, how will the readjusted lots comply with setbacks in the code? This is something that will have to be looked into. It might be a situation where the master lot meets zoning standards and the ADU's will be "condominium-ized".
- Will new ADU's be subject to impact fees such as traffic and parks? State law says impact fees for new ADUs can't be any more than 50% of the residential impact fees. This law is already implemented in Stanwood's fee resolution. There will need to be a proportion to the impact.
- Will ADU's be separately metered from the master lot? Staff is currently working on this subject in SMC Title 12 Utility. The current thought is an attached ADU would run off the master meter. A detached ADU will likely need a separate meter.
- Can an ADU be built and rented as a VRBO or Airbnb? There can be restrictions added to what type of use will be allowed.
- The lot ratio suggestion would seem to break up monotony in a subdivision.
- If a property owner wanted to "condominium-ize", the lot ratio might not work. Ratios will work better in the Single-Family zones.
- Staff will continue to work on different scenarios on the lot ratio option.
- Commissioners like all the ideas presented for the Housing & Flexibility Discussion.

Public Comments

- Russell Joe commented that ADUs can be a way to increase infill housing. The ability to have flexibility in housing is an important tool.

Miscellaneous Business:

Year in Review

Staff presented a year in review summary of the work accomplished by the Community Development Department in 2024.

Commissioner Questions & Comments

- Commissioners appreciated the reminder of all the work done in 2024.

Recent Council Action on Commission Items:

- Procedures Code

Upcoming Items:

- Continued Discussion on Housing and Subdivision Code.
- Critical Areas Code Amendment.

Adjourn: 9:05 p.m.