

1. Agenda

Documents:

[AGENDA.PDF](#)

2. Meeting Materials

Documents:

[DOCKET APPLICATION.PDF](#)

[MINUTES OF SEPTEMBER 10, 2018.PDF](#)

[SHEPRO DOCKET APPLICATION.PDF](#)

[WIRELESS COMMUNICATION FACILITIES.PDF](#)



PLANNING COMMISSION AGENDA

Monday September 24, 2018 – 6:30PM

Stanwood Fire Station (8117 267th Pl NW)

1. Call to Order
2. Roll Call
3. Public Requests and Comments
4. Minutes of September 10, 2018
5. New Business
 - Docket Application
6. Old Business
 - Wireless Communication Facilities
 - Shoreline Access Concepts (Part of Shoreline Master Plan Update)
7. Miscellaneous Business
8. Public Comments
9. Recent Council Action on Commission Items
10. Upcoming Items
11. Adjourn

SPECIAL ACCOMMODATIONS: The City of Stanwood strives to provide accessible meetings for people with disabilities. Please contact the Planning Commission Clerk at 360-629-2181 ext. 4512 two business days prior to the meeting.



MEMORANDUM

COMMUNITY DEVELOPMENT DEPARTMENT

10220 270th St NW
Stanwood, WA 98292
360-629-4577

TO: PLANNING COMMISSION
FROM: Patricia Love, Community Development Director
SUBJECT: 2018 / 2019 Docket
DATE: July 23, 2018
ATTACHMENT: A. Docket Advertisement

Background

The Growth Management Act of the State of Washington requires “early and continuous” public participation in the city’s review and adoption of comprehensive plans and development regulations. One option to meet the “early and continuous” standard is the Docket process. The “Docket” is a public participation procedure required by the state law (GMA) that allows residents the opportunity to request amendments to the City’s comprehensive plan and development regulations on an annual basis.

Stanwood’s 2018 / 2019 Docket was opened from August 1 through August 31, 2018. This is the annual open call for the public to suggest changes to the City’s Comprehensive Plan and/or Development Regulations.

Stanwood’s Docket Process includes five (5) steps:

1. Open Call for Docket Applications: August 1 – 31, 2018
2. Staff Evaluation of the Docket Applications
3. Review by the Planning Commission ~ Estimated in September
4. Review by the Council Community and Economic Development Committee
5. Adoption of the Final Docket by the City Council

Placement of an item on the final docket list by the Council means the application warrants in-depth consideration of the request, but in no way implies eventual adoption or approval of the proposal. Once placed on the Final Docket list the requests will be placed on the Planning Commission's work plan for the following year.

2018 / 2018 Docket Requests

The City received one docket application this year from Steve Shepro requesting that the Traditional Neighborhood (TN) zones be rezoned to single family residential (SR 12.4, SR 9.6 or SR 7.0). The application notes that TN zones in the middle of existing residential areas should be reconsidered as:

- TN zoning encourages the mix of residential and commercial uses; developers are not building any associated commercial uses with their subdivisions.
- The development regulations envisions that TN zones are located near public transportation and pedestrian linkages whereas there are major pedestrian gaps in the City's infrastructure making it difficult to fully implement the intent of the TN zone.

The intent of the TN (Traditional Neighborhood) Zoning District is to encourage development that includes a range of housing types and uses that harkening back to the early 20th century before cars became the dominate mode of travel. While the intent of the code was to create neighborhoods with a mix of commercial and residential uses, the actual development standards does not require commercial development.

TN Permitted Uses (SMC 17.47.030):

- TN development ***shall*** provide a mix of residential uses: single family, cottage, duplexes, townhouses, mixed use or multifamily
- TN development ***may*** include a mix of commercial and public uses

As a result of the difference in the "shall" and "may" requirements, developments typically are not including a commercial component; which is starting to neutralize the intent of the TN zoning district.

While a non-property owner cannot request a rezone of other people's property without their written consent, staff is recommending that the Docket application be move forward with the option to review the TN development standards and analyze if the City is getting the type of development envisioned by the TN zone or if changes to the development standards are warranted.

Attached for your review and consideration is the Shepro docket application.



City of Stanwood, Washington

Annual Docket Process

Docketing is the public participation procedure required by the state law (GMA) that allows residents the opportunity to request amendments to the City's comprehensive plan and development regulations on an annual basis.



What is the Final Docket?

- List of Comprehensive Plan or Development Regulation proposals that merit City review;
- Placement on the final docket is not an approval of the request - it is the beginning of the formal review process; and
- Early opportunity to review requests to determine if it meets the City's vision



STANWOOD PLANNING COMMISSION MINUTES

September 10, 2018

Call to Order

Chair Utgard called the meeting to order at 6:30PM with the following Commissioners present: Darren Robb, Randy Heagle, Steve Shepro, Lane Dennis and Marcus Metz. Staff present; Community Development Director Patricia Love, Senior Planner Amy Rusko, and Planning Commission Clerk Devin Sola. Known public in attendance: Cathy Wooten, Peggy Wendell, Mark Villwock, John and Jana Smistad.

No Public Requests or Comments

Minutes

The minutes of the September 10, 2018 meeting were approved as corrected.

New Business

Presentation by Alliance for Housing Affordability (AHA)

Mr. Chris Collier, Program Manager with AHA, gave a power point presentation on AHA's work, historical and current housing trends and shortages as well as the impacts of the housing shortage and what local jurisdictions can do.

The Planning Commission discussed employment and cost of living in Stanwood, Stanwood demographics and infill development in the city.

When asked by the Commission about AHA's focus, Mr. Collier replied that its focus is on education and support of the city's goals.

Commissioners asked after examples of jurisdictions who have had success implementing affordable or missing middle housing such as townhomes and condos. Mr. Collier gave an example of the City of Everett's Metro Everett and Core Residential Area Development code.

Public Comment:

Cathy Wooten, 27828 84th AVE NW, Stanwood. Inquired after income vs. mortgage payment ratio when one obtains a loan as well as any incentives give to developers to create affordable or missing middle housing. Ms. Love answered that she had researched this and it is typically a 26-30% income to mortgage payment ratio. There is a multi-family residential tax exemption for property taxes for 8-12 years which is an incentive for developers. Everett has incentives through fee waivers in their multi-family zone.

Commissioners and staff thanked Mr. Collier for his presentation tonight.

Stanwood Housing Population and Housing Affordability

Community Development Director Patricia Love presented the City of Stanwood, giving a summary of population and housing beginning with the City's annexation history and how the

City has grown. Ms. Love also reviewed housing data such as future housing growth and housing trends and demographics.

The Planning Commission discussed:

- Housing and Employment
- Ripple effect of housing issues emanating from King County and urban areas

Ms. Love informed the Commission that Commissioner Shepro had submitted a Docket request regarding the Traditional Neighborhood (TN) zone.

Schmitt Preliminary Plat Pre-Application

Senior Planner Amy Rusko reviewed the Preliminary Plat with the Commission. The Plat has not been submitted yet, but has come to the Commission to fulfill the requirement to receive input from the Commission and public. A public meeting will be scheduled once the project has been submitted. Ms. Rusko reviewed the project location at 7831 284th ST NW (northeast corner of 284th St and 80th Ave).

Mr. Mark Villwock of LDC reviewed the proposed development project, explaining that it will consist mainly of single-family homes with three duplexes in three different locations as well as a multi-family unit to be developed at a later date. Three lots will be held aside for future single-family homes. Mr. Monahan reviewed the open space requirement, stated that a vault will be placed underground with a park on top and that frontage improvements such as street widening, curb/gutter/sidewalks will be a part of the plat.

The Commission discussed:

- Intersection concerns at 284th / 80th – sight distance, speeding on 284th
- Any city requested requirements from the developer at 284th / 80th
- Any future plans for widening 80th

Public Comment:

John Smistad, 1412 Silver Springs Way, Stanwood. Stated that he owns the property west of the proposed preliminary plat. A development is in the works currently on that property now. Addressed multiple concerns with egress/ingress issues with future development in the area including intersection concerns at 284th/80th and people speeding on 284th as well as on 80th which goes up to 300th. Encouraged Commissioners to drive out and take a look on 284th and this intersection to see in person the lay of the land. The intersection must be addressed for safety as more development is likely to occur north.

The Commission discussed historical population growth in this area including the Lake Ketchum area, additional vehicle traffic and speeding concerns.

Mr. Smistad added that he requests that the City look into these safety concerns. Widening the road would increase speeding and something should be done to alter that for safety. He has asked the police department to sit there and they have done that in the past.

Peggy Wendell, 27305 83rd Ave NW, Stanwood. Commented on the additional traffic in the area and that everyone is taking the same routes into the City.

Commissioners observed an aerial of the area and reviewed:

- Dip in the road as a concern
- Lake Ketchum development
- Potential future roundabout at 284th/80th intersection to slow traffic

- Vegetation at 80th/280th needs to be cut down for sight distance
- City Capital Improvement Projects (CIP) – sidewalks on 284th
- Traditional Neighborhood (TN) zone uses – required commercial, civic uses

Commissioners inquired why commercial / civic uses were not reflected on the proposed plat. Ms. Rusko explained that the developer has not proposed to do commercial and has the choice to do so. The Commission stated that there seems to be contradiction with the Stanwood Municipal Code and Comprehensive Plan in this regard and asked staff to look into this, adding that the TN zone seems to have been simplified from its original intent within recent years.

Ms. Wooten interjected that staff might contact Council Member Callaghan who was a strong proponent of the TN zone and may have some background on this issue. Ms. Wooten also thanked the Commission for their participation.

No Old Business

Miscellaneous Business

- Dreco Car Wash and possible code issues – staff will look into this
- November Commission meetings- one meeting to be held on Tues, November 13, 2018 due to holiday schedules
- Ms. Love will be attending the Planning Director's Conference this week

No Public Comments

No Recent Council Action on Commission Items

Upcoming Items

- September 24, 2018 Planning Commission meeting

Adjourn

The meeting adjourned at 8:25PM.

Devin M. Sola, City of Stanwood

RECEIVED

AUG 31 2018

CITY OF STANWOOD
COMMUNITY DEVELOPMENT



City of Stanwood, Washington
ANNUAL DOCKET APPLICATION

Community Development

10220 270th Street NW | Stanwood, WA 98292

Docket request: (check all applicable)

- ☐ Comprehensive Plan Text Amendment
- ☒ Comprehensive Plan Map Amendment / Rezone
- ☒ Zoning / Municipal Code / Development Regulation Text Amendment

Applicant

Name: STEVE SHEPRO Phone: 360-510-8022
Address: 8611 280TH ST NW e-mail: SGSHEPRO@YAHOO.COM
Fax: _____ Cell: _____

Owner (If Different)

Name: _____ Phone: _____
Address: _____ e-mail: _____
Fax: _____ Cell: _____

For Comprehensive Plan Map Amendments and Rezones:

Address and general location of property (including nearest intersection): _____

ALL TN ZONES IN THE CITY

List all Assessor's Tax Account Numbers involved (all 14 digits):

Approximate acreage: 160

Present use of property: PRIMARILY PASTURE + WOODS

Proposed use of property: SR 12.4, SR 9.6, SR 7.0

Source of water supply, if any: CITY

Method of sewage disposal, if any: CITY

For All Docket Requests:

Explain your request and all proposed text or map amendments included in this proposal: _____

SEE ATTACHED

For All Docket Requests:

Attach a written description of how the proposal meets the following:

Comprehensive Plan Text Amendments - Show consistency with SMC 17.157.080:

- (1) The amendment bears a substantial relation to the public health, safety, or welfare;
- (2) The amendment is warranted because of changed circumstances or because of a need for additional property in the proposed Comprehensive Plan designation or because the proposed amendment is appropriate for reasonable development of the subject property;
- (3) The subject property is suitable for development in conformance with standards under the proposed Comprehensive Plan designation;
- (4) The amendment will not be materially detrimental to uses or property in the immediate vicinity of the subject property;
- (5) The proposed Comprehensive Plan amendment has merit and value for the community as a whole; and

I hereby certify that all information is true and correct and that all owners of the property for the proposed project have signed this application.

Stephen G. Shepro 8/31/18
Applicant's Signature Date

Applicant's Signature Date

STEPHEN G. SHEPRO
Print Name

Print Name

OWNERS SIGNATURES (Signature of the Property Owner of Record is required)

1. Owner's Name (print) & Signature	
Address	Email
Phone Number	Fax Number

2. Owner's Name (print) & Signature	
Address	Email
Phone Number	Fax Number

3. Owner's Name (print) & Signature	
Address	Email
Phone Number	Fax Number

Stanwood City

Explain request:

Stanwood's current zoning designations have allowed for five large areas to be zoned "TN". High density housing, such as envisioned in the current TN zones, does not fit some of the surrounding landscape or fit the town's goals, i.e. Comprehensive Plan. I recommend that the City rezone three of these large tracts to SR 12.4, 9.6 or 7.0. The two tracts, in the southeast part of the City, should remain TN.

Given that Stanwood's overwhelming goal is to have a lively, vibrant, walk around downtown with local businesses, it makes little sense to put TN densities in the northeast parts of Stanwood, where there is nearly zero commercial zoning within walking distance. They are too far from where the shops and walking areas are; once you step out of the TN, you're on semi-rural roads with no sidewalks.

Per the Municipal Code:

((Traditional Neighborhood) Zone. This zoning district includes areas with large parcels of a minimum of 10 acres that can be developed at medium to high residential densities. The traditional neighborhood (TN) zoning district is intended to accommodate the kind of development that incorporates a range of uses including residential, mixed use, commercial, civic, public uses, a range of housing types, and transportation options that historically developed in a neighborhood before the advent of typical single-use, auto-oriented subdivisions. This zoning district provides for the development of multi-use neighborhoods, with a range and mix of residential housing types, interconnected traffic circulation, and pedestrian linkages. This zone implements the traditional neighborhood land use designation of the Comprehensive Plan.

The TN zone was envisioned as including a mix of commercial and public uses in addition to residential uses. In reality, residential developers are not interested in including commercial and public uses within their developments. Thus, we see higher density housing and automobile traffic, but with absolutely none of the "neighborhood" amenities the TN zone seeks to achieve. The Municipal Code also envisions the TN zones be placed where there is ready access to public transportation and pedestrian linkages. Public transportation does not well-serve Northeast Stanwood.

In the areas around Hawks Prairie, Kylie Park and Copper Station, there's nothing to walk TO, except for visiting neighbors. That of course is good in itself, but hardly any commerce will be built there. What's more, those neighborhoods aren't CONNECTED to anything. If one tries to walk from northeast Stanwood to downtown, you run into major segments with no sidewalks and often no shoulders.

If the overriding issue becomes how Stanwood will meet Puget Sound Regional Council housing requirements, then make changes to the current zoning map. TN zones need to be placed in the Downtown and near the Uptown shopping areas. Consider a rezone where the area around the old Thrifty Foods would become a TN zone. The area occupied by Stanwood Elementary could be rezoned from SR 7.0 to TN. The LI zone, in the far southeast corner of Stanwood, could also be rezoned as TN. This would have the added advantage of encouraging people to support local businesses that would be easy to walk to.

Even more reasons, to make these changes, appear in the Comprehensive Plan.

From the City of Stanwood Comprehensive Plan, Section III, Housing Element
Goal HG-5 - Encourage larger lots where appropriate.

Policies HP-5.1 - Allow the use of larger lots in areas where there is a demand for larger, more expensive homes and transit service is not as accessible.

HP-5.2 - Promote the use of large lot development away from the center of the business district.



MEMORANDUM

COMMUNITY DEVELOPMENT DEPARTMENT

10220 270th St NW
Stanwood, WA 98292
360-629-4577

TO: PLANNING COMMISSION

FROM: Patricia Love, Community Development Director

SUBJECT: Wireless Communication Facility & Small Cell Code Amendment

DATE: September 24, 2018

BACKGROUND

Since 2016 the telecommunications industry has been putting significant pressure on Federal and State governments to deregulate the cell tower industry. They have argued that Cities and Counties have interfered in the delivery of internet and phone services. Cities and Counties have argued that we have the right to protect the use of our right-of-ways and aesthetic character of our communities. With the industry promoting its 5G technology, lobbyists are gearing up for another push during the 2019 legislative session, at again both the Federal and State level, to exempt the telecommunications industry from local control.

Currently the City has a “cell tower” code, but it is out of date as it relates to the “small cell” technology and federal regulations. The City will need to update its code in the coming months to address the most recent federal requirements. However, regulations regarding small cell technology and use of right-of-way is still a moving target.

SUMMARY OF WIRELESS COMMUNICATION FACILITY & SMALL CELL CODE AMENDMENTS

In the coming months, the Planning Commission will be reviewing a draft code amendment addressing the changes in federal law concerning Wireless Communication Facilities and Small Cell Technology. Below is the beginnings of the changes that will be necessary for Stanwood’s code to come into compliance with federal law.

Purpose of Code Amendment:

Three issues will be addressed in the draft code amendment:

1. Adopt federally mandated timelines for permit review
2. Incorporate new small cell technology and permitting requirements
3. Adopt franchise requirements for communication companies

Stanwood Municipal Code Changes:

Three sections of the Municipal Code will also need amendments:

1. Title 5 – Business License Regulations
2. Chapter 17.154 – Wireless Communication Facilities
3. Chapter 17.156 – Eligible Facility Modifications

Definitions:

The following definitions will need to be updated or added to meet federal and state law:

Collocation	Service Provider	Tower Underground Areas
Concealment	Small Cell Network	Utility Pole
Eligible Facilities Modification	Telecommunication Service	
Microcells	Transmission equipment	

Permit Review Process:

Evaluate type of permitting processes are appropriate: Administrative or Conditional Use Permit

- Minor Facilities – Currently a Permitted Use
- Co-Located Facilities – Currently a Permitted Use
- Single Facilities – Currently a Permitted Use
- Towers – Currently a Condition Use Permit
- Small Cell – Need to include in code

Review Timelines:

Federal law has the following specific timelines for permit review:

Permit / Approval	Mandated Review Period
Eligible Facilities Request – A letter to the city requesting that a permit be reviewed as a facility modification – not as a new facility	60 Days
Eligible Co-locations on Existing Facilities	90 Days
New Wireless Communications	150 Days
Determination of Permit Completeness	30 Days
Determination of Permit Completeness – 2nd submittal and beyond	10 Days plus no new items can be added that were not listed in the first review

Failure to Act:

If the City doesn't meet the timeframes listed above, then the application is "deemed granted".

Appeals / Claims:

Both the City and the Applicant can bring claims in court according to federal law.

Major and Minor Modifications:

A significant area of concern to the cell company providers is what is considered a major or minor modification to an existing facility. Major modifications are equivalent to new permits while minor modifications can usually be permitted administratively more quickly. Federal law is mandating what constitutes a major or minor modification.

Performance Standards:

City code already address the following development / performance standards for siting telecommunication facilities. These standards generally address cell towers, attached facilities and the associated land cabinet equipment. The following sections will be evaluated to determine if any additional changes are needed or how the small cell technology may or may not work within these standards.

Separation Distance	Concealment Technology	Maintenance
Setbacks	Noise	Electronic Emissions
Height	Colocation	Exception Use of City right of Way
Landscaping	Abandonment	
Lighting		

Small Cell Technology:

A new section of the code will be added addressing small cell technology and the use / management of those facilities in city right of way. Also need to determine how small cell facilities may affect the City's policy for undergrounding utilities.