



## STANWOOD PLANNING COMMISSION MINUTES

July 23, 2018

### ***Call to Order***

Vice Chair Shepro called the meeting to order at 6:30PM with the following Commissioners present: Darren Robb, Lance Dennis, and Marcus Metz. Commissioners Linda Utgard, Susan Ronken and Randy Heagle were excused. Staff present; Community Development Director Patricia Love, Planning Commission Clerk Devin Sola. Known public in attendance: Anna Nelson, Angie Sievers, Michael and Cathy Wooten.

### ***No Public Requests or Comments***

### ***Minutes***

The minutes of the July 9, 2018 meeting were approved as corrected.

### ***No New Business***

### ***Old Business***

#### **Public Hearing: Final Plat Code Amendment**

Vice Chair Shepro opened the public hearing. Director Love entered comment letters from Landed Gentry and Master Builders Association into the record as a part of the public hearing.

#### **Public Comment:**

Anna Nelson of Landed Gentry Homes and Communities, 504 East Fairhaven Ave, Burlington. Stated that they are busy working with City staff and construction plans for Phase I have recently been approved. Supports the Final Plat Code Amendment.

Cathy Wooten, 27828 84<sup>th</sup> AVE NW, Stanwood. Explained that she was originally concerned with the proposed changes, but has a better understanding that the amendment does not change the due process. Supports the Final Plat Code Amendment.

Michael Wooten, 27828 84<sup>th</sup> AVE NW, Stanwood. Believes the appeal process is imbalanced and puts the onus of questioning and the costs on the people who may have an issue with a project rather than the developer.

Ms. Love confirmed that the appealing party would be required to prove their case.

Commissioner Shepro inserted that Ms. Love has provided information showing that comments must be done during the preliminary plat phase and does not believe that this amendment would change this. Asked Ms. Love to explain further.

Ms. Love explained the platting process and opportunities for public comment and appeal.

Commissioners briefly discussed the Stanwood-Camano School District project status.

Angie Sievers of Master Builders Association of King and Snohomish Counties, 335 116<sup>th</sup> Ave SE, Bellevue. Stated that the MBA submitted a letter and commended City staff for information regarding the process. Supports the Final Plat Code Amendment.

The Planning Commission discussed the following:

- Elimination of public hearing and costs to appeal
- Preliminary plat as vehicle for public to request changes
- Streamlining of process, however all public processes remain the same
- 300ft noticing during preliminary plat process

*Motion.* Motion by Commissioner Metz second by Commissioner Dennis to change to administrative process and approve draft as written as well as request that staff prepare the findings of fact and conclusions amending the final plat approval procedures and to bring them back to the next planning commission meeting for approval.

Vice Chair Shepro closed the public hearing.

### **Industrial Zones Performance Standards Code Amendment**

Ms. Love gave the staff report, reminding the Commission that they discussed what happens to existing businesses in town and farming at the last meeting. Staff recommends expanding on the exception section and Ms. Love reviewed the changes made to the draft code amendment to address performance standards to reduce negative impacts on surrounding commercial and residential properties from uses in the Light and General Industrial zones. The proposed changes work to reduce and or eliminate vague language in the code which could lead to conflicting interpretations or inconsistent enforcement as well as addresses code enforcement.

The Planning Commission discussed the following:

- Legally permitted uses would still be allowed to operate
- Temporary smoke and odors time limitation
- Releases of odors by existing businesses versus new businesses
- Enforcement issues

Public Comment:

Cathy Wooten, 27828 84<sup>th</sup> AVE NW, Stanwood. Regarding right-to-farm, would people be allowed to bring outside products and process in town and claim right-to-farm?

Ms. Love answered that products should be grown here locally.

Michael Wooten, 27828 84<sup>th</sup> AVE NW, Stanwood. Inquired if any code language currently addresses dust control from development, breaking ground or large expanses of open dirt such as the current high school construction.

Ms. Love answered that it does in the Light and General Industrial zones. During construction sites should be watered down. The public may call the Construction Inspector with dust concerns as he is on-site daily at construction sites. Staff will check the nuisance code for dust control.

The Planning Commission discussed the following:

- Cooking smells and other long-term odors: smoke, coffee roasters vs. temporary odors
- 15min or less exception or time frame that is situational if business is able to comply

- Time frame to allow existing businesses to also comply – staff can only require improvements if, for example, a building permit has been submitted
- Require changes if an existing business suddenly emits increased odors
- Dept. of Ecology vs. City regulations, PSRC enforcement ability
- Concerns with imposing stricter regulations on existing businesses
- No known complaints of existing business odor issues

Cathy Wooten, 27828 84<sup>th</sup> AVE NW, Stanwood. Has spoken with Ms. Love on this issue numerous times. Supports this code amendment.

The Planning Commission agreed to move the public hearing to the August 13, 2018 meeting. The Planning Commission suggested changes to code language and stated that a 15 minute time frame is a reasonable time frame. Ms. Love stated that a range of time could be implemented and the Commission stated their support for language up to thirty minutes.

Cathy Wooten, 27828 84<sup>th</sup> AVE NW, Stanwood. Inquired what the Commission thought of Ms. Love's idea if an existing facility upgrades up to 50% new regulations would need to be met?

The Planning Commission agreed a 50% threshold is too high and recommended language to the effect that should the proposed improvements increase emissions beyond current levels, etc.

Ms. Love said staff will check building code language.

### ***Miscellaneous Business***

- Agenda Packet Distribution Discussion- Goal will be to have online 5 days prior
- Extended Planning Commission Agenda reviewed
- 2018/2019 Docket Advertisement- Ms. Love explained the process, public input and staff's role. Ms. Love has created an application which will be available online.

Cathy Wooten, 27828 84<sup>th</sup> AVE NW, Stanwood. If a citizen came to the staff or City with concerns wouldn't staff let citizens know about this process that is available to citizens? Expressed appreciation to Commission regarding the level of discussion at the meetings and thanked both the Commission and staff.

Commissioner Dennis thanked Michael and Cathy Wooten for their active participation.

Vice Chair Shepro inquired after Planning Commission bylaws/rules for Commissioner attendance. Staff reviewed the Commission rules of procedure and confirmed that more than three consecutive meetings may be cause for removal.

### ***No Recent Council Action on Commission Items***

### ***Upcoming Items***

- August 13, 2018 Planning Commission meeting
- August 27, 2018 Planning Commission meeting - CANCELLED

### ***Adjourn***

The meeting adjourned at 7:55PM.

