

**City of Stanwood**  
**Rescheduled from November 10 to November 17, 2025 of the Planning**  
**Commission**  
**November 17, 2025 | 6:30 PM**

**Minutes**

**1. Call to Order**

Patrick Hosterman called the Planning Commission meeting to order at 6:30 pm.

**2. Roll Call**

Attendance:

Commissioners Present:

Patrick Hosterman, Chair  
Cody Davis, Vice Chair (online)  
Gabrielle Braley  
Jeff Wheatley  
Richard Craig

Staff Present:

Patricia Love, Community Development  
Director  
Tansy Schroeder, City Planner  
Audrey Rotrock, Planner

Absent: Eric Warnat, Melissa Toner

Also know to be present:

Public Requests and Comments:

**3. Public Requests and Comments**

**4. Approval of Minutes**

The minutes of the October 13, 2025 Planning Commission meeting were approved unanimously as written.

**a. Planning Commission Meeting Minutes 2025.10.13**

**5. Unfinished Business**

**a. Public Hearing - SEPA Code Amendment**

The City initiated the Municipal Code Update project in 2022 to modernize the code, reflecting best practices with respect to content and administration of the code.

The next set of amendments focuses on the State Environmental Policy Act (SEPA) provisions contained within the Stanwood Municipal Code. Adopted by Washington State in 1971, SEPA established a comprehensive framework for identifying and evaluating potential environmental impacts of government actions and private development projects. Its purpose is to ensure that environmental considerations are integrated into the public decision-making process.

When SEPA was adopted, Washington State did not yet have modern

environmental regulations in place. Before the adoption of critical areas ordinances, shoreline regulations, stormwater standards, or other environmental protection codes, SEPA served as the primary mechanism for evaluating and mitigating environmental impacts associated with development proposals.

In 1990, the Growth Management Act (GMA) changed by requiring cities and counties to adopt comprehensive land use plans, critical areas protections, and development regulations that addressed environmental concerns. The GMA ensured that environmental protections were embedded within local development codes rather than relying solely on SEPA review.

The State adopted minimum “threshold” levels within the SEPA rules. These threshold levels define when a development is presumed to have no significant environmental impact and are then automatically exempt from detailed SEPA review. The 2024/2025 Legislature has adopted new threshold levels to support the development of infill housing as part of the state strategy to encourage urban growth in already-developed areas. By increasing these thresholds, more infill projects can qualify for exemption from detailed environmental review under SEPA. This policy reflects a deliberate effort to make housing development more efficient and to remove regulatory barriers that might otherwise slow or discourage construction within existing urban boundaries.

This update includes moving the SEPA Rules from Title 17, Zoning, Chapter 17.149 to a new Chapter in the Environmental part of Title 18, Unified Development Code. The proposed changes are intended to modernize and align our SEPA regulations with current state law and best practices. Highlights include:

- Incorporation by Reference: Most SEPA rules are now incorporated directly by reference to the WAC.
- Updated Citations & Structure: The new chapter updates citations to current WAC provisions and logically groups related sections for easier navigation.
- Adoption of State Exemptions: Adopts the current maximum categorical exemptions as allowed under state law.
- Clarification on Grading Exemptions: Ensures that grading exemptions apply only to small, standalone projects; grading quantities are included in the threshold exemption for larger projects.
- Streamlined Appeals: Updates appeal procedures so SEPA appeal opportunities are stated once in the code, improving clarity.
- Elimination of Non-Project Appeals: Removes the ability to appeal threshold determinations on non-project legislative actions.
- EIS Authority: Removes the City Council’s role in the Environmental Impact Statements (EIS) process.

- Standardized Forms: Adopts by reference the SEPA forms included in the WAC, while allowing minor modifications as necessary.

The 3 proposed motions for the SEPA Rules Ordinance are listed below:

**Option 1: Recommend Approval as Presented:** "I move to recommend approval of the proposed SEPA Rules Ordinance to the Stanwood City Council."

**Option 2: Recommend Approval with Amendments:** "I move to recommend approval of the proposed SEPA Rules Ordinance to the Stanwood City Council with the following amendments: List Here"

**Option 3: Request Additional Information and Continue Public Hearing:** "I move to continue the Public Hearing to December 8, 2025 and request staff to provide the additional information as directed."

#### Commissioner Questions & Comments

- Commissioners agreed that embedding the environmental protections within the Stanwood Municipal Code makes the conditions stronger.
- Commissioner Wheatley made a motion for Option 1, Commissioner Braley seconded Option 1. **All were in favor of Option 1.**

#### **b. Public Hearing - Nonconforming Regulations**

Across Stanwood, many lots, structures, and uses were lawfully built or established before current zoning standards were adopted. As laws and regulations evolve, these older properties are allowed to continue operating under special conditions and are referred to as "legally nonconforming." More commonly, people may recognize this concept by its familiar term: "grandfathering". Over time, ambiguities in the City's nonconforming zoning regulations have created challenges. Inconsistent interpretations have caused uncertainty for property owners and staff. To address these issues, the proposed amendments are intended to bring greater clarity, improve transparency, and ensure fairness in land use administration. The goal is to balance the continuation of legally established nonconformities with the City's long-term vision of bringing properties into compliance with current zoning standards whenever feasible.

The proposed amendments reaffirm that lots, structures, or uses that were legally established under past regulations are considered legal nonconformities. These may continue, subject to the following provisions and rules:

- Abandonment: Establishes a 12-month period as the standard for presumed abandonment of a nonconforming use or building. Property owners have the opportunity to demonstrate that they did not intend to abandon the property.

- Conversion of Nonconforming Lots: Structures or Uses: Define when and what triggers the requirements to bring the property into full compliance with the current city code.
- Nonconforming Lots: This section provides clear guidance on when and how nonconforming lots may be developed.
- Nonconforming Structures: The amendments define the conditions under which nonconforming structures may be repaired, maintained, or expanded.
- Nonconforming Uses: Legally established nonconforming uses may continue until they are abandoned or expanded or intensified.
- Reconstruction Due to Natural Disasters: If a nonconforming building or use is damaged or destroyed by an event beyond the owner's control, such as an earthquake, flood, storm, landslide, mudslide, fire, or explosion, the amendments allow for reconstruction.
- Normal Maintenance and Repair: defines what is considered normal maintenance, allowing the nonconformity to continue.
- Variance Criteria: New provision that provides an option for property owners to apply for a variance from the nonconforming standards if necessary.

The 3 proposed motions for the Nonconforming Regulations Ordinance are listed below:

**Option 1: Recommend Approval as Presented:** "I move to recommend approval of the proposed Nonconforming Regulations Ordinance to the Stanwood City Council."

**Option 2: Recommend Approval with Amendments:** "I move to recommend approval of the proposed Nonconforming Regulations Ordinance to the Stanwood City Council with the following amendments: List Here"

**Option 3: Request Additional Information and Continue Public Hearing:** "I move to continue the Public Hearing to December 8, 2025, and request staff to provide the additional information as directed."

### Commissioner Questions & Comments

- Under the Conversion of Nonconforming Lots, how would the City know if there is a change in occupancy?
  - The conversion refers to a change in use, such as going from a residential use to a commercial use, rather than occupancy. In this scenario, the City would be made aware by new business licenses coming in for a new use.
- Under the Reconstruction amendment, would the owner be allowed to rebuild the structure as nonconforming?
  - The rebuilt structure would be allowed to keep the same footprint, but the structure itself would have to meet current building codes.

- Commissioner Wheatley made a motion for Option 1, Commissioner Craig seconded Option 1. **All were in favor of Option 1.**

### **c. Permitted Use Matrix Discussion**

The next phase of the City’s Municipal Code Update focuses on revising and modernizing the Permitted Use Matrix. This update represents an essential step in updating the City’s Unified Development Code with current state laws, industry standards, and Comprehensive Plan policies, while improving the code’s usability and clarity for staff, developers, and the public. The forthcoming ordinance will consist of three primary components:

1. Definitions related to the Permitted Use Matrix.
2. The Permitted Use Matrix itself.
3. The use-specific development standards associated with particular land uses.

The Matrix has been organized differently from the City’s current code, which separates permitted uses by zoning category (Residential, Commercial, Industrial, and Public Facilities). The new structure integrates all zoning districts into a single, comprehensive table. This consolidated approach allows users to quickly identify where specific uses are permitted across all zones, an increasingly important feature given new state laws requiring certain uses (e.g., residential uses in commercial zones, or emergency housing in residential and commercial zones). Additionally, the City’s updated online code platform provides “hover” features linking directly to related code sections, making the new structure more accessible and user-friendly.

This meeting will mark the beginning of detailed review and discussion of permitted and prohibited uses by zone. Based on feedback from this meeting, staff will prepare and present the updated matrix and use-specific development standards in January 2026. The City anticipates initiating the public hearing process in March 2026, leading toward adoption of a modernized and user-friendly code that reflects both community values and statutory requirements.

#### Commissioner Questions & Comments

- The table presented is already clearer and easier to understand.

## **6. New Business**

## **7. Miscellaneous Business**

### **a. December Meeting Cancelled**

- 8. Recent Council Action on Commission Items**
  - a. Council Action of Missing Middle Housing Codes**
- 9. Upcoming Items**
- 10. Adjourn**
  - 7:48 pm.

City of Stanwood

Attest:

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Sid Roberts, Mayor

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Lisa Sokolik, City Clerk