

**CITY OF SNOHOMISH
REGULAR MEETING OF THE PLANNING COMMISSION
MEETING MINUTES
April 6, 2022**

NOTE: Due to the COVID-19 declared federal, state and local emergency, and pursuant to Governor Inslee's Proclamations 20-05 and 20-28, the Snohomish Planning Commission provided a remote participation option for its meeting at the Snohomish Carnegie, 105 Cedar Ave.

1. CALL TO ORDER

Chair Hank Eskridge opened the regular meeting of the Planning Commission at 6:00 p.m. on Wednesday, April 6, 2022.

2. FLAG SALUTE

3. ROLL CALL

COMMISSIONERS PRESENT:

Hank Eskridge, Chair
Nick Gottuso, Vice Chair
Gordon Cole
Mitch Cornelison
Terry Lippincott (attended remotely)
Christine Wakefield Nichols
Merritt Weese

STAFF:

Glen Pickus, Planning Director
Brooke Eidem, Planner
Thomas Kreinbring, Assistant Planner

OTHERS PRESENT:

Judith Kuleta, City Council Liaison
Lee Ann Burke, City Council Liaison

4. APPROVAL OF AGENDA ORDER

Chair Eskridge asked for the agenda order to be approved as presented. Hearing no objections, the agenda order stood as presented.

5. APPROVAL of the minutes of the March 2, 2022, regular meeting.

Commissioner Weese moved to revise the March 2, 2022 minutes to accurately reflect that her question under section 8 was about "Urban Growth Areas" and not the "Growth Management Act". Chair Eskridge seconded the motion, which passed 7-0.

Commissioner Wakefield Nichols moved to approve the minutes of the March 2, 2022 meeting, as revised. Commissioner Eskridge seconded the motion, which passed 7-0.

6. GENERAL PUBLIC COMMENTS

There were no public comments on items not on the agenda.

7. 2022 CODE AMENDMENTS PUBLIC HEARING

a. Chapter 14.207 Land Use Tables consolidating tables and uses and prohibiting certain uses in commercial zones

Chair Eskridge opened the public hearing. Mr. Pickus presented background information and described the proposed amendments to the Land Use Tables, which will reduce the number of tables and consolidate land uses in addition to prohibiting certain uses in

commercial zones. He stated there were mistakes in the agenda packet regarding some of the reference notes to the tables that will be corrected.

Chair Eskridge asked the Commission if they had any questions. Commissioner Cole asked about future interpretations of the land use tables and proposed adding verbiage to the ordinance to treat existing businesses as permitted uses so they would be allowed to expand, similar to what was done during the Urban Horticulture rezone process in 2021. Mr. Pickus said he could draft language for existing businesses to avoid creating new nonconforming uses, similar to what was done with the Urban Horticulture rezones.

Commissioner Lippincott asked about prohibiting places of worship in the Midtown District and when staff could bring a proposal to the Mayor to start that process. Mr. Pickus explained he could not provide an exact date at this time but that staff will pursue the issue. She also asked about the rules for nonconforming businesses.

Chair Eskridge opened public comment.

Morgan Davis commented about places of worship and said not to make any changes to the allowed uses in commercial zones if the places of worship issue is not going to be addressed.

Jim Lewis noted the code should encourage businesses the City wants to attract as opposed to what the City does not want. He stated the proposed changes and verbiage do not encourage new business growth in Snohomish.

Jack Grove, representing Service Electric at 1615 First Street, spoke in favor of supporting local businesses and is opposed to any changes to uses currently allowed on First Street.

Jim Kapelke, representing Reliable Concrete located at 1711 First Street, agreed with the comments provided by Mr. Grove.

Dan Neary, representing Pursuit Church at 265 Pine Avenue, spoke in support of allowing places of worship in commercial zones.

Mr. Pickus stated that the proposal would not change the regulations for contractor yards in the Commercial zone, which would still be allowed uses so Service Electric and Reliable Concrete would not be affected by the proposed code amendment. He thanked the Commission for bringing typographical errors to his attention before the meeting and explained staff would double check all the footnotes and references again to ensure they are correct before the City Council considers the proposal.

Commissioner Cole moved to close the public testimony. Commissioner Weese seconded the motion, which passed 7-0.

Commissioner Cole stated that businesses that would become nonconforming could have future sales and financing affected. He requested the ordinance include language allowing the businesses to remain as permitted uses rather than nonconforming uses. He recommended the language not identify the uses specifically, but to state that any and all businesses legally in existence at the time of the ordinance are considered permitted uses, with a two-year abandonment clause. The Commission agreed.

Commissioner Lippincott stated she would like consideration to not allow places of worship in the Midtown District and other commercial zones to start sooner rather than later.

Commissioner Weese moved to recommend City Council approval of the proposed amendments to the land use tables and regulations in Chapter 14.207 SMC and the proposed amendments to Chapter 14.25, Definitions as discussed and revised using the

verbiage from the Urban Horticulture rezone for uses that would otherwise become nonconforming. Chair Eskridge seconded the motion, which passed 7-0.

Commissioner Wakefield Nichols proposed Finding #4 of the findings of facts should be revised to maintain a more positive perspective. She proposed it read, "Uses that do not support the purpose of the zone were considered to be undesirable uses in commercial zones." The Commission agreed.

Commissioner Wakefield Nichols moved to adopt the Findings of Fact and Conclusions as discussed and revised. Commissioner Cole seconded the motion, which passed 7-0.

b. Title 14 Amendments Removing References to Deleted Chapter 14.205 SMC and creating a new Chapter 14.211, Business Park

Chair Eskridge opened the public hearing. Mr. Pickus presented background information and described the proposed amendments to correct references to the deleted Chapter 14.205 SMC and creating a new Chapter 14.211, Business Park. He confirmed that these amendments will not change the regulatory language.

Chair Eskridge asked the Commission if there were any questions and hearing none, he opened the hearing to public comment.

Jim Lewis stated the language should be supportive of what type of businesses the City of Snohomish would like to see and to be positive in the wording.

Morgan Davis agreed with Mr. Lewis.

Commissioner Cole moved to close the public testimony. Chair Eskridge seconded the motion, which passed 7-0.

Commissioner Cole moved to recommend City Council approval of the proposed amendments to Title 14 SMC to correct references to the repealed Chapter 14.205 SMC including creating a new Chapter 14.211 SMC, Business Park as presented. Commissioner Lippincott seconded the motion, which passed 7-0.

Commissioner Cole moved to adopt the Findings of Fact & Conclusions as presented. Commissioner Weese seconded the motion, which passed 7-0.

c. SMC 14.240.060 regarding fence, retaining wall, and rockery height

Chair Eskridge opened the public hearing. Mr. Pickus presented background information and described the proposed amendments to SMC 14.240.060 regarding fence, retaining wall, and rockery heights.

Chair Eskridge asked the Commission if there were any questions and hearing none, he opened public comment.

There was no public comment, so Chair Eskridge moved to close the public testimony. Commissioner Cole seconded the motion, which passed 7-0.

Chair Eskridge moved to recommend City Council approval of the proposed amendments to SMC 14.240.060 to re-establish a maximum height for fences located in rear-yard setback areas and to remove the maximum height limit on retaining walls located in setback areas as presented. Commissioner Weese seconded the motion, which passed 7-0.

Commissioner Weese moved to adopt the Findings of Fact & Conclusions as presented. Commissioner Lippincott seconded the motion, which passed 7-0.

8. COMMISSIONER QUESTIONS & COMMENTS

Commissioner Lippincott noted it was nice to have hybrid meetings.

Chair Eskridge asked the difference between the Business Park and Commercial zones and their allowed uses. Mr. Pickus provided a brief explanation. He asked about the Midtown District and if it was in effect. Mr. Pickus explained that it was.

9. DIRECTOR'S REPORT

Mr. Pickus explained that at the next City Council meeting he would be presenting incentives for building affordable housing in the Midtown District.

He then said public hearings to codify the two code interpretations previously discussed would not occur in June. Instead, they will be discussed at the June 1st regular meeting, with the public hearing to be held later in the year.

Mr. Pickus also said he will be presenting the consultant's work on the subarea analysis at a joint City Council-Planning Commission workshop on June 7th and it was his expectation that the City Council would provide the Commission with direction at the workshop on how to move forward on potential rezones in the subareas.

10. ADJOURNMENT

The meeting adjourned at 7:47 p.m.

Approved this 4th day of May 2022.

By: s/s Eskridge

Commissioner Hank Eskridge, Chair