



Planning Commission
Meeting Minutes
June 22, 2020

Call to Order 6:30 pm

Roll Call

Present

Linda Utgard
Darren Robb
Patrick Hosterman
Larry Sather
Justin Burns

Excused

Marcus Metz

Absent

Lance Dennis

Staff Present: Patricia Love, Amy Rusko, Krista Hintz

The Minutes of the May June 8, 2020 Planning Commission Meeting were approved as presented.

New Business

Planning 101: Role of the Planning Commission presented by Community Development Director

Patricia Love.

What is a Planning Commission?

- Volunteer Advisory Committee
- Governed by RCW 35.63 and SMC 2.12
- Appointed by the Mayor and Confirmed by the City Council
- Provides citizen review and perspective on issues
- Make recommendations on planning-related matters to the city Council

Planning Commission Duties:

SMC 1.12 Planning Commission

Powers and Duties. The planning commission shall advise the mayor and council in matters concerning the comprehensive land use and development of the city and its environs, hold public meetings and hearings when called for by this code when requested by the city council, and provide the council with

copies of all minutes of each session of the commission. The commission shall prepare and submit to the city council for adoption any additional plans and undertake any plans and studies assigned by the city council to better accomplish the objectives, intent, purpose, scope, goals, and policies of this code. The commission shall also perform other duties as assigned by city council.

Guidance Document

A short Course on Local Planning Resource Guide

- New to the Planning Commission
- FAQ's
- The Planning Model in Washington
- The Planning Commission Act
- Growth Management Act

Download: Dept of Commerce Short Course Guidebook



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Planning 101: Introduction to Land Use Planning presented by Community Development Director Patricia Love.

A brief history of Stanwood was presented.

History of Land Use Regulation- Federal | State | Local Authority

US Constitution = Land Use Rights Ruled

-Belief that it was an unreasonable intrusion into private property rights for a government to restrict how an owner might use property

Still Applies Today with Exceptions:

- Public Health,
- Welfare, &
- Safety

Federal Government

Federal Level: Code of Federal Regulations = CFR

-Authorized by President Roosevelt in 1938 to organize and maintain material published by federal agencies

- 50 Chapters =
- Department of Transportation,
- Department of Education
- Environmental Protection Agency
- National Environmental Protection Act,
- Federal Clean Water Act,
- • Endangered Species Act,

Many of these regulations get passed down from the Federal Government to the State & Local level which we as Planners have to implement

Washington State Government

Washington State Constitution

- Ratified on October 1, 1889
- Statehood Granted on November 11, 1889
- 32 Sections with 3 Amendments

Revised Code of Washington (RCW)

- Laws of the State of Washington under the State Constitution
- 91 Titles

Washington Administrative Code (WAC)

-Rules & Regulations on implementation the RCWs



Local Level: Stanwood Style

Comprehensive Plan:

- Vision & Road Map to Stanwood's Future = Policy Document
- Incorporated in 1903
- First Comp Plan was adopted in 1966

Zoning & Development Regulations:

- Established land use rights & vesting rights
- First zoning code was adopted in 1967

Other: Evolution of Case Law

United States: Strong Land Use Rights

- Lawsuits heavily influence land use laws
- States and Cities must adapt to changes in case law

Planning and the US Constitution

- Follow Due Process – 5th Amendment
 - Provide Notice & Follow Time Lines
 - Follow & Draft Clear Regulations
- Equal Protection – 14th Amendment
 - No Discrimination – race / religion
- Just Compensation – 5th Amendment
 - Cannot "Take" Land without Payment
- Protection of Free Speech – 1st Amendment
 - Religion / Signs / Public Speech

Our jobs as City Planners & Engineers is to Protect the US Constitution.

Why Plan?

Washington State Growth Management Act:

RCW 36.70a Requires local governments to:

- Manage growth & housing
- Protect critical areas & resource lands
- Prepare comprehensive plans
- Adopt capital & transportation plans

Adopt development regulations



Who Are We? Stanwood's Vision

- Snow Goose Is Our Symbol
- Small Town Feel
- Rural / Agricultural Community
- Commercial & Cultural Center
- Arts Oriented
- Good Schools
- Environmental Protection
- Sustainable

What is a Comprehensive Plan?

The Comprehensive Plan is a statement of the community's vision for the future and a guide to achieving that vision.

- Sets Policy for Future Growth & Development
- Framework for Regulation
- Addresses Issues Important to the Community
- Serve as Administrative Guidelines

-Governed by RCW 36.70A: Growth Management Act

=8 Mandatory Elements:

1. Land Use
2. Housing
3. Capital Facilities
4. Utilities
5. Rural (N/A Stanwood)
6. Transportation
7. Economic Development
8. Parks & Recreation

-Cities Can Add Additional Elements

9. Stanwood added: Natural Features Element

A Comprehensive Plan is a 20 year forecast or vision of what you want your community to look like in the future. Stanwood is currently planning for the 2015 – 2035 horizon.

What is the Relationship between Comp Plans & Zoning?

Zoning Codes and Development Regulations Implement the Policies of the Comprehensive Plan.

What is Zoning?

Zoning is a set of land use regulations used to implement Comprehensive Plan policies:

- It segregate uses that are thought to be incompatible – such as single family residential from industrial
- It preserves the "character" of a community by establishing housing types, density, uses,
- Lot coverage, setbacks, building height
- Protection of critical areas
- Sometimes it includes design guidelines



How Are Permits Reviewed?

State Law: 3 Basic Foundations of Land Use Law:

Land Use Decision

- Type of Land Use
- Density
- Adequacy of Public Facilities

Guiding Document

- Comprehensive Plan & Zoning
- Zoning
- Zoning & Development Standards

“The identification of three basic land use planning choices made in applicable regulations or plans that, at a minimum, serve as a foundation for project review and that should not be reanalyzed during project permitting.”
RCW 36.70B.030 Findings

SEPA / NEPA

How Does Environmental Review Fit Into Permit Review

What is NEPA / SEPA?

Federal / State Environmental Review Authority

NEPA

- National Environmental Policy Act
- Effective Date: 1970
- Requires a Federal Nexus: Permit or Funding
- Three Review Levels
 - Categorical Exclusion
 - Environmental Assessment
 - Environmental Impact Statement

SEPA - WA

- State Environmental Policy Act
- Effective Date 1971
- Invoked if a Project Exceeds Predetermined Thresholds
- Three Review Levels
 - Determination of Non- Significance
 - Mitigated Determination of Non- Significance
 - Environmental Impact Statement

Review Authority

NEPA

- Agency with Jurisdiction:
 - Corp of Engineers
 - FTA; RR; EPA
 - WSDOT = Assigned By Federal Highway Administration

SEPA

- Agency with Jurisdiction:
 - State
 - Counties
 - Cities

SEPA Thresholds:

- State Determined Levels of No Impact = Thresholds
 - Managed by the WA Dept of Ecology
- Cities / Counties Can Adopt State Thresholds or Lower Stanwood Thresholds:
 - Single Family Residential Plats of 30 units or fewer
 - Multifamily structures of 60 units or fewer
 - Commercial buildings of 30,000 sf or less
 - Parking lots of 90 stalls or less
 - Grading of 1,000 cubic yards or less



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Miscellaneous Business

Commissions recommendations were forwarded to the Community Development Committee and Economic Development Board. The project was well received by both and recommend to get it done.

Upcoming items:

Next meeting will be July 13 ,2020. The agenda will cover Permit Procedure Code Process Update

Adjourn: 7:38pm

Krista Hintz, Administrative Assistant