

SEDRO-WOOLLEY PLANNING COMMISSION
OCTOBER 19, 2004 – 6:30 P.M. – MUNICIPAL COURTROOM

The meeting was called to order by Chairman Johnson at 6:31 P.M. with Commissioners Massey, Huggins and Loy in attendance. Commissioners absent Shewmaker, Quam and Lefeber.

Consent Agenda

Approval of Minutes

The minutes from the September 21, 2004 and October 5, 2004 meetings were approved as presented.

General Public Comment

None

Design Review

Dollar Spree Sign – 800 Metcalf Street

Planner Lahr reviewed the design review application for the Dollar Spree sign request. The request is to place a sign at the business located at 800 Metcalf Street. Lahr noted that the sign is internally illuminated which the city code prohibits. She also noted that the lettering would be ok but recommended a wooden boarder be placed around the sign to make it conform more closely with the design standards.

Deep Sidhu – representing the Dollar Spree addressed the Commission regarding the proposed design for the signage. He showed a couple of design proposals and noted the landlord will be obtaining bids on the awning. He requested authorization to leave the current sign up until the awning is in place with the proposed design, at which time he would remove the internally illuminated sign. He noted the time frame of approximately 2 months. He also stated if for some reason the awnings are not installed he proposes to use the same lettering on the existing sign and remove the lighting to the sign.

Commissioner Massey moved to accept the design of the Dollar Spree sign complete with wooded decorative graph and the backlit feature be disconnected. Seconded by Commissioner Loy. Motion carried.

PUBLIC HEARING

United General Hospital Sign Variance

Chairman Johnson opened the public hearing at 6:39 P.M.

Planner Lahr reviewed the variance application for United General Hospital. The request is to vary from the sign illumination restriction. They are requesting to install identification signs and directional signs with illuminated backgrounds. Lahr noted the hospital is located within the auto/commercial zone. She noted a light test memo addressing the candle wattage of the signs and that no comments have been received from the surrounding public. Staff recommends approval of the variance application subject to the condition that they obtain a signage permit from the City of Sedro-Woolley.

Bill Lynch – Meyer Sign and Advertising addressed the Commission offering to answer any questions they may have.

The public hearing was closed at 6:44 P.M.

Commissioner Loy moved to accept the variance #2526 regarding signage by United General Hospital. Seconded by Commissioner Huggins. Motion carried.

Amendments to the Sedro-Woolley Urban Growth Area (Recommendation)

Chairman Johnson opened the public hearing at 6:46 P.M.

Planner Lahr reviewed background information and an overview of the proposed Amendments to the Sedro-Woolley Urban Growth Area for 2005. Lahr noted this is the first step in a long process. The criteria for whether a property should be in the urban growth area is whether it complies with the comprehensive plan and whether it can be served with infrastructure. Lahr noted there are five citizen initiated and four city initiated requests.

Citizen Initiated Modifications to the Urban Growth Area

- 1. Applicant:** Charles and Margaret Coultas
22677 West Jones Road
Sedro-Woolley, WA 98284

Request: *Include in UGA.* Proposal to include parcel number P36660 into the Sedro-Woolley Urban Growth Areas as residentially zoned property. The property is currently zoned Skagit County Rural Reserve and is located at 22677 West Jones Road, Sedro-Woolley. Staff recommends to **include** in the UGA.

- 2. Applicant:** Harold Coultas
8947 Westerman Road
Sedro-Woolley, WA 98284

Request: *Include in UGA.* Proposal to include parcel numbers P36661, P36662, and P36663 into the Sedro-Woolley Urban Growth Area as residential zoned property. The property is currently zoned Skagit County Rural Reserve and is

located at 8833, 8845 and 8947 Westerman Road, Sedro-Woolley. Staff recommends to **include** in the UGA.

3. Applicant: Alex and Amy Coble
22729 West Jones Road
Sedro-Woolley, WA 98284

Request: *Include in UGA*. Proposal to include parcel number P36684 into the Sedro-Woolley Urban Growth Areas as residentially zoned property. The property is currently zoned Skagit County Rural Reserve and is located at 22729 West Jones Road, Sedro-Woolley. Staff recommends to **include** in the UGA.

4. Applicant: Frank and Beverly Martin
7963 State Route 9
Sedro-Woolley, WA 98284

Request: *Include in UGA*. Proposal to include parcel number P38606 into the Sedro-Woolley Urban Growth Areas as residential property. The property is currently zoned Skagit County Rural Reserve and is located at 7963 State Route 9, Sedro-Woolley. Staff recommends to **exclude** from the UGA.

5. Applicant: Michael and Ann Laue
1409 Jameson Avenue
Sedro-Woolley, WA 98248

Request: *Remove from UGA*. Proposal to exclude parcel number P40448 from the Sedro-Woolley Urban Growth Area and convert it to Skagit County zoning. The property is currently zoned Sedro-Woolley UGA – Urban Reserve Residential by Skagit County and is located at 1409 Jameson Avenue, Sedro-Woolley. Staff recommends to **remove** from the UGA.

City Initiated Modifications to the Urban Growth Area

6: Property Owner: Paul Hieb
8643 Westerman Road
Sedro-Woolley, WA 98284

Proposal: *Include in UGA*. The City of Sedro-Woolley proposes to include parcel numbers P36668, P36655, and P36659 into the Sedro-Woolley Urban Growth Area as residentially zoned property. The property is currently zoned Skagit County Rural Reserve and is located at 8643 Westerman Road, Sedro-Woolley. Staff recommends to **include** in the UGA.

7. Property Owner: Hopke Family Trust
24604 Hoehn Road
Sedro-Woolley, WA 98284

Proposal: *Remove from UGA.* The City of Sedro-Woolley proposes to exclude parcel number P99543 from the Sedro-Woolley Urban Growth Area and convert it to Skagit County zoning. The property is located on Fruitdale Road approximately 550 feet south of the Fruitdale Road and Hoehn Road intersection in Sedro-Woolley. Staff recommends to **remove** from the UGA.

8. Property Owner: James and Linda Elder
22400 Cook Road
Sedro-Woolley, WA 98284

Proposal: *Include in UGA.* The City of Sedro-Woolley proposes to include parcel number P37308 in the Sedro-Woolley Urban Growth Area as residentially zoned property. The property is currently zoned Skagit County Rural Reserve and is located at 22400 Cook Road, Sedro-Woolley. Staff recommends to **include** in the UGA.

9. Property Owner: City of Sedro-Woolley
720 Murdock Street
Sedro-Woolley, WA 98284

Proposal: *Include in UGA.* The City of Sedro-Woolley proposes to include parcel number P37311 in the Sedro-Woolley Urban Growth Area – Public Zone. The property is currently zoned Skagit County Rural Reserve and is located at 22372 Cook Road, Sedro-Woolley. Staff recommends to **include** in the UGA.

10. Property Owner: Unknown
River Road Property

Proposal: *Remove from UGA.* There is a portion of a parcel in the unincorporated UGA zoned Open Space on river Road just east of the boat launch. The property is approximately ½ acre in size and the property owner is unknown. It appears that it was originally included in the UGA to accommodate the boat launch, but according to city GIS data, the boat launch is inside the city limits. This parcel should not be in the UGA. Staff recommends to **remove** from the UGA.

Planner Lahr noted that the requests total approximately 32 ½ acres being added to the Urban Growth Area and the proposal is to exclude about 34 acres out of the UGA which does not significantly reduce or add any new residential property to the Urban Growth Area.

Public testimony was taken at this time in order of the requests listed.

Request of: Charles and Margaret Coultas
Harold Coultas

Harold Coultas – 8947 Westerman Road, addressed the Commission on his request for inclusion in the Urban Growth Area. Coultas also spoke representing Charles and Margaret Coultas of 22677 West Jones Road on their request. He stated that the property has been in his family for over 100 years and they have no definite plans but would like to keep it all together. Coultas discussed the development going on around them and the placement of a pump station nearby the property which is of interest to them for sewer connection of the existing home. He noted in 1995/96 the property had been in the Urban Growth Area.

Request of: Alex and Amy Coble

Jim Engberg – representing Coble presented an overview of the application and encouraged the Commission to approve their request.

Request of: Frank and Beverly Martin

Jones Atterberry – representing the Martin's for their request to be included in the Urban Growth Area. Atterberry noted at one time the property was in the Urban Growth Area and spoke on the benefit to the City of the property being on the northern boundary of the City. He also stressed traffic issues and control of speed on Highway 9.

Request of: Michael and Ann Laue

No comments

Request for: Paul Hieb

Paul Hieb – 8643 Westerman Road, noted he has mixed feelings of the City's request to include his property into the Urban Growth Area. He has farmed it for over 30 years and expressed concern of the loss of farmland for housing. He also expressed concern of the ditch to the north that flows west to the Coultas property.

Discussion was held regarding the effects of farming on Hieb's property with zoning changes should the property be included in the City's Urban Growth Area.

Hieb noted that the property had previously been designated as Ag reserve until the County changed it about 6-8 years ago.

Request for: Hopke Family Trust

Frank Salt – 24604 Hoehn Road, representing the Hopke Family Trust noted their opposition of removing the property from the Urban Growth Area. Salt noted they were surprised by the decision to request removal and the removal would split the property

being ½ in Urban Growth Area and ½ out of the Urban Growth Area. He addressed the UGA boundaries being straight forward and removal will distort the lines. He also addressed comments regarding the floodplain.

Request for: James & Linda Elder

No Comments

Request for: River Road Property

No Comments

Additional Public Testimony

Scott Dugraw – 9949 Fruitdale Road, spoke regarding the Hopke property and noted he believes the property should have never been included in the UGA but that the City gave them development rights by including the property into the UGA.

Frank Salt – again addressed the Commission regarding Fruitdale Road being low.

Jones Atterberry – questioned the Growth Management Act and the preservation of farmland.

Chairman Johnson closed the public hearing at 7:50 P.M.

Planner Lahr reviewed the procedure. She stated that the Planning Commission recommendations will be forwarded to the City Council for further testimony at their October 27, 2004 meeting. City Council will make a recommendation to be forwarded to Skagit County by November 15, 2004 which will begin their process.

Commission discussion ensued to include agreement with recommendation with the exception of Martin and Hopke properties, amount of acreage of the Laue property,

Commissioner Loy moved to accept the proposed UGA amendments as recommended by Staff for all but the Hopke and Martin properties. Seconded by Commissioner Massey.

Roll Call Vote: Commissioner Massey – Yes, Huggins – Yes, Loy – Yes, Johnson – Yes. Motion carried.

Discussion ensued on the Hopke property to include taking of rights, build able property to be in UGA, property within floodplain,

Commissioner Loy moved to send the application for the Hopke Trust to the City Council with no recommendation. Motion died for lack of a second.

Commissioner Huggins moved to exclude the Hopke property from the Urban Growth Area. Seconded by Commissioner Massey.

Roll Call Vote: Commissioner Massey – Yes, Huggins – Yes, Loy – No, Johnson – Yes. Motion carried 3-1 (Commissioner Loy opposed).

Discussion on majority of quorum vs. four votes took place with Commissioner Loy arguing the status of vote and the number of votes necessary for passage. He demanded clarification on the matter.

Attorney Hayden left the meeting at this time to research the rules on the vote.

Martin Property

Commission discussion ensued to include growth in the northern part of the City, non-contiguous parcel, traffic issues on Hwy 9,

Jones Atterberry addressed the Commission regarding land east of town which could be removed in order to bring in more useable land for growth.

Planner Lahr clarified the land being referenced was the part of the Northern State Recreational area and is zoned public and would not help the residential issue.

Commissioner Loy moved to accept the Martin request to include their property within the Urban Growth Area. Seconded by Commissioner Huggins.

Roll Call Vote: Commissioner Massey – Yes, Huggins – Yes, Loy – Yes and Johnson – Yes. Motion carried.

Attorney Hayden returned and reviewed the findings from the RCW's and Roberts Rules of Order. Hayden stated the RCW Chapter 35.30.63 governs Planning Commissions but noted it doesn't address what constitutes a majority. It only refers to a majority. Roberts Rules of Order, Section 43 states a majority vote, except for otherwise provided, means more than half and when the term majority vote is used without qualification, as in the case of the basic requirement means more than half of the votes passed by the persons legally entitled to vote, excluding blanks or abstentions at regularly or properly called meeting at which a quorum is present. Hayden stated at tonight's meeting a majority would be with four in attendance a majority is three. There is a quorum and three would constitute a majority. Under special circumstances, it goes on to say where the majority is defined specially such as it can be a majority of the membership or it could be defined as the majority of some other unit. Hayden noted that he cannot find a clear statement in the statutes. Roberts Rules of Order says in general a majority means a majority of those present entitled to vote. Hayden noted he would try to get clarification in writing from Municipal Research which supplies the City with legal interpretations. He again noted that the business at hand is only a recommendation to the Council and not the final decision of the process.

Commissioner Loy disputed Hayden's research and noted he would contact an acquaintance of his that is a parliamentarian for government groups to supply an answer.

OLD BUSINESS

Resolution for Williams Pipeline Fence Variance

The Commission signed the resolution for the Williams Pipeline Fence Variance which was approved at the September 21, 2004 meeting.

2005 UPDATE

Critical Areas Ordinance

Planner Lahr noted that interviews will be held in order to choose a consultant for updating the critical areas ordinance. The interviews will be conducted by a panel consisting of Commissioner Johnson, a representative from Skagit County Planning staff and Lahr. She reviewed the areas of questioning for the interviews.

Landscape Ordinance

Lahr reviewed the draft landscape ordinance update.

Commissioner Huggins commented that he likes the low impact development and encouraged inclusion of LEED (Leading with Energy Efficient Design) into the ordinance. Huggins offered to give a presentation on what LEED is for those who are not familiar with it.

The presentation will be scheduled for the next Planning Commission meeting.

Commissioner Loy expressed his opinion on the role of the Planning Commission and the process and quality and fairness of decisions being made.

Chairman Johnson adjourned the meeting at 8:35 P.M.

Commission Chair

Date