

**CITY OF SEDRO-WOOLLEY
PLANNING COMMISSION
Regular Meeting
October 17, 2006**

MINUTES

CALL TO ORDER:

Chairman Dan Lefeber called the meeting to order at 6:32 p.m.

ROLL CALL:

Present: Commissioners James Johnson, Patrick Huggins, Rick Judd, Susie Williams, Kevin Loy, Mike Macomber absent- (excused)

APPROVAL OF AGENDA: Approved with correction on the bottom of page two.

CONSENT AGENDA: Approved

GENERAL PUBLIC COMMENTS: None

NEW BUSINESS:

- Introduction of the new Associate Planner John Coleman

PUBLIC HEARING/S: Application for a Home Occupation Permit #06-HO-1 (Cherie Albrecht, 722 Northern Ave)

Commissioner Huggins disclosed that he has a relative that lives two houses down from the applicant's residence.

There were no objections from staff, public or commission on Commissioner Huggins remaining on the panel for this application.

STAFF: City Planner Allen Rozema gave the background on the home occupation application. It meets all the criteria under home occupation definition, staff believes all information to be true and correct from the applicant. The applicant stated that she is not asking for any outside help and she will be the sole employee. There is a conflict in the application with our code which is under number (b) that states no work area, storage of materials, or signs are visible from off the premises, nor other exterior indication given of anything other than a residence. Under our new code, it is actually subsection (e) which states no more than twenty-five percent of the gross floor area can be dedicated to this home occupation and in talking with the applicant this was said to be true. Subsection (d) restricts clients, no more than twelve clients per week. The applicant stated that she will not have more than twelve customers. The Washington DSHS State license will also dictate how many children she can have per employee. Subsection (f), no nuisance is created beyond what would normally be expected in a residential area. Staff has not found that this home occupation permit would do that. Staff did receive a request from one of the neighbors to address the planning commission on this application. Staff at this point has no objections, but will be deferring on making a recommendation for or against this application and will leave the decision up to the planning commission.

PLANNING COMMISSION DISCUSSION:

- Location of property and the common access for neighboring property
- Planning Department's codes and regulations versus State and City licensing issues
- Possible codes changes and wording under the home occupation section
- Zoning questions- allowable use
- City liability for compliance of obtaining other licenses

APPLICANT: Not present

PUBLIC HEARING: Open 6:50 p.m.

Marilyn Muller (12250 Greenwood Ave North #201, Seattle) - Marilyn owns the house right next door to the applicant's house. She is oppose to this application due to the traffic problem already in the area, the easement between the two houses and the inadequate area in front and back of the houses for parking. She is concern with the lack of fencing at this house and how that would affect the safety of any children at this daycare. She is also concern of the lack of control the planning department has to monitor this applicant to see that they comply with the codes now and in the future.

She questioned that if a daycare was to go in next door, would her property values decreased?

Thelma Walker (726 Northern Ave) - Ms. Walker lives next door to the Mullen's and she too has concerns reference the traffic in the morning and afternoons. She is against having a daycare in this quiet neighborhood or mostly older people. She also had concerns over her property values going down. Ms. Walker also questioned the fact that the applicant is just a renter and not the homeowner of the house.

PUBLIC HEARING CLOSED.

PLANNING COMMISSION DISCUSSION:

The need for code changes – Nothing in the code addresses parking in the home occupation permits, Sub-sections A-F needs clarification.

Items B and E (percentage of use, storage, play area versus work area)

Question on adding conditions to this application (play area, fencing, and parking)

The commission understands the need for daycares in Sedro-Woolley but the home occupation code needs to be re-defined.

Renters versus homeowners should and will be treated the same. The homeowner did in fact sign the application for this home occupation permit, so she is well aware of the request.

Civil liability for the City on keeping children out of certain neighborhoods

STAFF:

Items to consider: 25 percent rule, the number of clients, no additional nuisance that would occur in a residential area

Commissioner Huggins wanted to float?? a motion as an idea. He suggested that the commission approve the application with conditions that she needs to create three paved parking spaces in the front of the house, put up safety netting so that the kids can't get out into the street, and screen the neighbors visually from a play area or anything that she puts out, and stay under the two person per day limit.

Discussion

No second.

Commissioner Loy made a motion to accept the home occupation application as submitted.
Johnson-second

Commissioners Williams, Judd, Huggins-No
Commissioners Loy, Johnson- Yes

Voted down as presented and the motion to approve is denied.
A copy of the decision will be mailed to the homeowner, applicant and Marilyn Muller.

UNFINISHED BUSINESS: None

COMMISSION DISCUSSION/INFORMATION:

- Planning Department's received approval to contract with an individual so they could work on a code analysis for all our development codes.
- Resignation of City Planner Allen Rozema. Allen took another position for Skagitonians in Mt. Vernon.
- Seattle Time's article of condo sizes and square footage (prices)
- Historical preservation and parks
- Discussion on a possible Highpoint field trip

ADJOURNMENT: [7:41 p.m.]

PLANNING COMMISSION CHAIR

PLANNING COMMISSION SECRETARY