

**CITY OF SEDRO-WOOLLEY
PLANNING COMMISSION MEETING
MINUTES
May 16th 2023**

CALL TO ORDER: Planning Commission Chairman, Joe Fattizzi, called the meeting to order at (6:32 PM).

PLEDGE OF ALLEGIANCE

ROLL CALL:

- Present Commissioners: Joe Fattizzi, Danielle Freiburger, Pat Huggins and Joe Franett. Paul Cocke was present virtually.
- Absent Commissioners: Eric Johnson and Silas Maddox
- Present Staff: Nicole McGowan, Jana Hanson and Katie Quinn.
- Members of public in attendance: 3

APPROVAL OF CONSENT AGENDA/MINUTES: Minutes from the April 18, 2023 meeting were approved with minor corrections.

GENERAL PUBLIC COMMENTS: Opened at 6:37 PM. No participants online or in person had any comments to discuss. Staff also had not received any emails or mail to be entered into the record. General Public comment closed at 6:37 PM.

PUBLIC HEARING:

1. CPA-1-23 – 2023 Comprehensive Plan Amendments.
 - a. Peterson Rezone Request (#RZ-2023-001) – Request to change the zoning designation of a roughly 2.53-acre parcel of land from Residential 5 to Residential 7.

Assistant Planner, Nicole McGowan, gave an overview of how changes to the city’s Comprehensive Plan land use map and zoning map, including rezone applications, are processed. She explained that for the 2023 Comprehensive Plan Docket, 2 rezone requests were included for consideration, the first being the Peterson Rezone. This request is to rezone the property at 1122 State Street, a 2.53-acre parcel, from Residential 5 to Residential 7. Nicole provided further information on the historic and current uses of the property, the property owners’ consideration of doing a future subdivision on this property, and the differences between the kind of development allowed in the Residential 5 zone versus the Residential 7 zone. Residential 5 zoning limits development to single-family housing at 5 units per acre as opposed to single-family and duplex housing at 7 units per acre under Residential 7 zoning. The applicants would be able to construct roughly 8-10 housing units under the current zoning and 10-15 housing units under the Residential 7 zoning. It was also explained that no critical areas reports had been received by staff for the property, so the information was given assuming the entire parcel is considered buildable.

Nicole went on to describe the existing zoning designations and uses surrounding the property and how the development allowed under a Residential 7 zoning designation would be compatible. It was also

explained that the property as is has the capacity to handle the development allowed under Residential 7 zoning.

Two public comments were received during the public comment period – the first from Sarah Weems (701 Bingham Place). She had questions for staff about what a zoning change means and requested a copy of the decision. The other comment was from Debbie White (801 Hunt Lane). She requested that the fence and vegetation privacy barrier between her property and the subject property not be removed as part of the development process. She also voiced concern about potential flooding of her property post-development. Nicole mentioned that potential future projects are not considered for rezone applications. Staff only considers potential impacts of density increases and newly allowed uses when making recommendations. Nicole closed the overview with a statement that staff recommends that the Planning Commission make a motion to recommend that City Council approve the Peterson Rezone.

Planning Commission Chairman, Joe Fattizzi, opened the public hearing for the Peterson Rezone at 6:44 PM and invited members of the audience to speak. Applicant, Elizabeth Peterson, was the sole speaker from the audience. She explained that all adjacent properties within city limits are already zoned Residential 7 and that the rezone would likely allow them to build 2 more houses on the property, considering required civil improvements. Elizabeth further explained that they had completed a critical areas study which found there were no critical areas on the property. Geotech specialists also visited the property and the specialists found sandy soil, meaning the soil is good to build on and they would not have to incorporate a detention pond. Elizabeth expects to build 12 lots should the rezone pass.

Chairman, Joe Fattizzi, and applicant, Elizabeth Peterson, briefly discussed that rezones do allow certain development, however, the property itself and required infrastructure improvements can limit what can actually be done. Elizabeth also explained that this application conforms with the Comprehensive Plan goals and policies that speak to providing a variety of housing particularly for low-income buyers.

Commissioner, Joe Franett, asked about a land use action sign in the wooded area to the west. It was explained that the land use action sign was for a separate, unrelated project. Joe Franett also asked whether access to the property would be provided off of State Street, to which applicant, Elizabeth Peterson, answered yes and described the planned location for the access road.

Chairman, Joe Fattizzi, closed the public hearing at 6:48 PM and opened for further discussion between the Commissioners and staff. Commissioner, Pat Huggins, asked whether the capacity analysis for sewer and other infrastructure took ADUs into account. Staff explained that conversations with Public Works Director, Mark Freiburger, found that the property as is could handle as much as 15-20 housing units. Staff did not specifically ask about ADUs when doing the capacity analysis, however further capacity analysis would be done with future permit applications to determine whether infrastructure upgrades would be necessary. Chairman, Joe Fattizzi, mentioned that not many ADU applications have been received by the city to date.

Commissioner, Paul Cocke, mentioned that the city needs more housing and spoke in support of the rezone.

Commissioner, Danielle Freiburger, asked about procedural matters with respect to how voting would take place. She also spoke in support of the rezone.

Commissioner, Joe Franett, spoke about how regardless of how the Planning Commission feels, cities will be forced to accommodate growth and Sedro-Woolley needs more housing. He finds this location to be an appropriate location and spoke in support of the rezone.

Commissioner, Danielle Freiburger, motioned to recommend that the City Council approve the Peterson Rezone. The motion was seconded by Commissioner, Joe Franett. The motion passed unanimously 5-0.

2. CPA-1-23 – 2023 Comprehensive Plan Amendments.

- a. Bendtsen Rezone Request (#RZ-2023-004) – Request to change the zoning designation of a roughly 0.85-acre parcel of land from Residential 7 to Residential 15.

Assistant Planner, Nicole McGowan, gave an overview of the Bendtsen Rezone, the second zoning request being considered under 2023 Comprehensive Plan Docket. This request is to change the zoning designation of 406 Ball Street, a roughly 0.85-acre parcel of land, from Residential 7 to Residential 15. She provided information on the historic uses of the land and explained that the property has sat vacant with vegetation cover since around 2005. The applicant wishes to pursue a future multifamily development of the property should the rezone pass. The current Residential 7 zoning limits development to single family and duplex homes at 7 units per acre. Under Residential 15 zoning, multifamily housing would also be allowed at 15-units per acre, limited to 8 units per building at 2 stories or 12 units per building at 3 stories if the units are evenly distributed between the 3 floors. The property would likely be able to accommodate 12 multifamily housing units as opposed to the roughly 4-5 housing units that can be accommodated under the current zoning. It was also explained that no critical areas reports had been received by staff for the property, so the information was given assuming the entire parcel is considered buildable.

Nicole went on to describe the existing zoning designations and uses surrounding the property and how the development allowed under a Residential 15 zoning designation would be compatible. It was also explained that the property as is has the capacity to handle the development allowed under Residential 15 zoning.

No public comments were received during the public comment period for this rezone application. Nicole again mentioned that potential future projects are not considered for rezone applications. Staff only considers potential impacts of density increases and newly allowed uses when making recommendations. Nicole closed the overview with a statement that staff recommends that the Planning Commission make a motion to recommend that City Council approve the Bendtsen Rezone.

Chairman, Joe Fattizzi, and staff clarified that ADUs are not allowed in the Residential 15 zone. Joe went on to open a public hearing for the Bendtsen Rezone at 7:01 PM and invited audience members to speak. Applicant, John Bendtsen, was the sole speaker from the audience. John mentioned that his future multifamily project would essentially be a continuation of the multifamily development directly to the north and would be a good fit for the area. John also mentioned he wants to provide housing for retired and disabled veterans, which he finds would be supported by the Comprehensive Plan goals and policies that pertain to providing housing for special needs populations. Commissioner, Pat Huggins, reminded the applicant and Commissioners that the rezone should not be considered based on future development

proposals that have not yet been submitted to the city. The matter is whether this is a good location for multifamily.

Chairman, Joe Fattizzi, closed the public hearing at 7:05 PM and opened for further discussion between the Commissioners and staff. Commissioner, Joe Franett, asked if there is an existing single-family residence on the lot between the subject property and the church to the south. Applicant, John Bendtsen, answered yes and that he owns that home. John also mentioned that the single-family home that was once on the subject property when he bought it was non-livable and was demolished around 2005.

Commissioner, Danielle Freiburger, pointed out a statement in the Intent section of the Residential 15 zoning code that says “because multifamily is permitted in the Mixed Commercial and Central Business District zones, no new areas shall be designated R-15” and asked for clarification from staff on what that statement means. Commissioner, Pat Huggins, explained that between 2001 and 2005 an effective moratorium was placed on additional R-15 designations because the Planning Commission wanted to study other ideas that other cities had on how to integrate denser housing without having to create big apartment blocks which were causing problems for a lot of cities.

After discussion, staff and the Planning Commission decided to place a hold on any further proceedings with the Bendtsen Rezone until after staff discusses the issue with the city attorney and gets a recommendation on what the path forward should be.

Commissioner, Danielle Freiburger, asked about whether the Notice of Public Hearing for the Bendtsen Rezone had been published on time to allow for the required time for public comment, to which Assistant Planner, Nicole McGowan answered that it had.

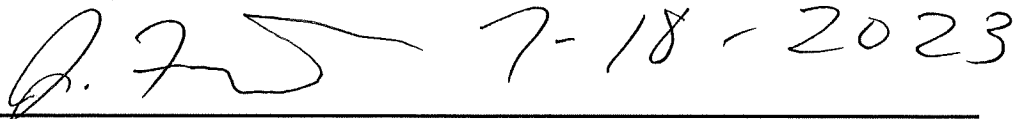
UNFINISHED BUSINESS: None on the Agenda

NEW BUSINESS: None on the Agenda

PLANNING COMMISSION DISCUSSION/INFORMATION ITEMS:

- Jana Hanson was introduced as the Interim Planning Director, to be appointed as such until the end of May.
- Commissioner, Pat Huggins, is compiling pictures for the next Planning Commission meeting of unpermitted ADUs. He would like to discuss the issues that these unpermitted ADUs are causing the city. Interim Planning Director, Jana Hanson, also explained that mandatory legislation has been passed that will make it much easier to adopt regulations for ADUs with less restrictions. Assistant Planner, Nicole McGowan, will be checking with Code Enforcement Officer, Laura Carr, on whether she has a list of discovered unpermitted ADUs.

ADJOURNMENT: (Time: 7:25 PM)

A handwritten signature in black ink, followed by the date "7-18-2023" written in a similar style.

PLANNING COMMISSION CHAIRMAN