



## **PLANNING COMMISSION AGENDA**

**Regular Meeting Date: February 5, 2014**

Planning Commission  
Meeting:

First Wednesday of every  
Month @ 7:00pm

Community Center  
1808 Main Street  
Lake Stevens, WA 98258  
[www.lakestevenswa.gov](http://www.lakestevenswa.gov)

Planning & Community  
Development Department

1812 Main Street  
Lake Stevens, WA 98258  
(425) 377-3235  
[www.lakestevenswa.gov](http://www.lakestevenswa.gov)

Municipal Code

Available online:  
[www.codepublishing.com/WA/LakeStevens/](http://www.codepublishing.com/WA/LakeStevens/)

- A. CALL TO ORDER: 7:00pm**  
Pledge of Allegiance
- B. ROLL CALL**
- C. GUEST BUSINESS**
- D. ACTION ITEMS**
  - 1. Approval of January 15, 2014 Meeting Minutes**
- E. DISCUSSION ITEMS**
  - 1. Draft 2014 Work Program - Wright/Ableman**
  - 2. 2015 Comprehensive Plan Update - Wright/Ableman**
- F. COMMISSIONER REPORTS**
- G. PLANNING DIRECTOR'S REPORT**
- H. ADJOURN**

### **SPECIAL NEEDS**

*The City of Lake Stevens strives to provide accessible opportunities for individuals with disabilities. Please contact Steve Edin, City of Lake Stevens ADA Coordinator, at (425) 377-3227 at least five business days prior to any City meeting or event if any accommodations are needed. For TDD users, please use the state's toll-free relay service, at (800) 833-6388, and ask the operator to dial the City of Lake Stevens City Hall number.*

## PLANNING COMMISSION PUBLIC HEARING MINUTES

Community Center  
1808 Main Street, Lake Stevens  
Wednesday, January 15, 2014

CALL TO ORDER: 7: 00 pm by Chair Huxford

MEMBERS PRESENT: Chair Janice Huxford, Vice-Chair Gary Petershagen, Linda Hoult, Pam Barnet, Tom Matlack, Jennifer Davis and Sammie Thurber

MEMBERS ABSENT: None

STAFF PRESENT: Planning and Community Development Director Rebecca Ableman, Senior Planner Russ Wright and Planning/Public Works Coordinator Georgine Rosson

OTHERS PRESENT: Chair Huxford welcomed the following members of the public:

Todd DeGabriele  
Mark Wakefield  
Mike WarHank

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**Excused Absence:** None

**Guest Business:** None

### **Action Items:**

*Approval of Minutes from December 4, 2013:* Commissioner Thurber made a motion to approve minutes. Commissioner Davis seconded. Motion passed 7-0-1-0. Commissioner Hoult abstained.

*Election of 2014 Planning Commission Officers:* Commissioner Hoult made a motion to nominate Vice-Chair Petershagen for Chair. Commissioner Thurber seconded. Motion passed 7-0-0-0.

Commissioner Hoult made a motion to nominate Chair Huxford for Vice-Chair. Commissioner Barnet seconded. Motion passed 7-0-0-0.

### **Public Hearing:**

*Staff Presentation: Proposed Code Amendments to Implement I-502, allowing the production, processing and retail sales of marijuana and marijuana products in the City of Lake Stevens - Senior Planner Russ Wright:*

Chair Petershagen read the public hearing procedures. Senior Planner Wright presented the draft I-502 regulations, which include proposed regulations for business licensing, definitions, allowed zones, adoption of state regulations and local zoning provisions. Staff noted the proposed permanent regulations are consistent with state

regulations. The local zoning amendments include a minimum separation of 1,000 feet between legally established marijuana facilities and size limitations on production, processing and retail facilities. Senior Planner Wright also discussed the staff memorandum summarizing the January 13<sup>th</sup> City Council meeting. At that meeting, Council asked staff to clarify the 1,000-foot separation and look at establishing screening requirements along the Centennial Trail. The supplementary staff memorandum included proposed regulations responsive to Council's comments.

*Commission's Questions for Staff:*

Commissioners asked for clarification on the height of the increased screening requirements. Staff responded it is 20 feet. Commissioners asked about the application of the 1,000-foot separation, specifically if it would apply to production and processing only, since the city has been allocated a single retail outlet. Staff responded it would be between all facilities. Other questions focused on the relationship of medical marijuana to the proposed regulations. Staff responded that the city prohibits medical marijuana facilities; however, legislation may be presented this year giving the Liquor Control Board authority over medical marijuana regulations. Until that occurs, the two issues remain separate. Commissioner Hoult asked if staff looked at gateways to the city when deciding where these facilities would be allowed. Staff responded it did not look specifically at gateways, instead looked at which zonings would best fit the intended use and what other jurisdictions were proposing, taking into consideration the required 1,000 foot buffer from protected areas. Staff discussed outright prohibition briefly. Specifically, staff discussed legal guidance it had received and I-502 voter results. Commissioner Barnet asked if there was a reason Council did not consider interim regulations. Mr. Wright responded the main concern with interim regulations was the possibility of creating a non-conforming use.

*Proponent's Comments:* None

*Comments from the Audience:*

Todd DeGabriele, 3109 Mandolin Court, Lake Stevens. Mr. DeGabriele asked several questions including has the Commission and Council considered the possibility of bars opening smoke shops where people could smoke marijuana; is there a policy or code prohibiting smoking in public, have the impacts of stores selling marijuana paraphernalia been considered; are there policies in place for loitering or mobile sales. Mr. DeGabriele also asked what would be the hours of operation for marijuana facilities.

Mark Wakefield, 121 - 95<sup>th</sup> Dr. SE, Lake Stevens. Mr. Wakefield shared his opinions on how he felt the marijuana regulations would affect the community based on his experiences as a former law enforcement officer. He also responded to the previous speakers comments. He stated the law enforcement community supported the initiative. He also stated schools would receive increased funding from taxes collected from marijuana facilities.

*Proponent Rebuttal Comments:* None

*Close Public Comment Portion of Hearing for Proposed Code Amendments to Implement I-502:* Commissioner Hoult made a motion to close the public comment portion of the hearing. Vice-Chair Huxford seconded. Motion passed 7-0-0-0.

*Close Public Hearing for Proposed Code Amendments to Implement I-502:*  
Commissioner Hoult made a motion to close the public hearing portion of the meeting. Vice-Chair Huxford seconded. Motion passed 7-0-0-0.

*Discussion by Planning Commission:*

Vice-Chair Huxford asked what the city has done with the business license applications it has received. Senior Planner Wright responded, at this point, all requested business licenses have been denied due to the moratorium. They would be eligible to re-apply once regulations are in place. The Commissioners offered their recommendations on the proposed regulations. Commissioner Matlack asked for clarification on what the Commission is recommending. Staff responded that the Planning Commission is recommending approval of the proposed amendments with specific local amendments included in the staff report along with the Council directed changes described in the supplemental memorandum. Vice-Chair Huxford abstained from voting on the recommendation because she owns property in affected zones. Commissioner Hoult would like to see the moratorium extended until the state legislators figure out who has authority; however, she will support the proposed amendments and Council recommendations.

*Commission Action by Motion:* Commissioner Matlack made a motion to recommend approval of sections 1-8 of the draft regulations and the Council directed changes. Commissioner Barnet seconded. Motion passed 6-0-1-0. Vice-Chair Huxford abstained.

The commission also recommended Council consider/monitor the following issues:

1. Hours of Operation for marijuana businesses,
2. Study the impact to surrounding business; and
3. Study the likelihood of revenue enhancements to the city.

**Discussion Items:**

*Introduction to 2015 Comprehensive Plan – Planning Director Ableman and Senior Planner Russ Wright:*

Director Ableman stated the city is required to perform a major comprehensive plan update by June 2015. This is an opportunity for the city to re-examine its vision, making sure everything is still relevant. The process will target public involvement along with heavy involvement from the Planning Commission. Staff presented two videos from the Association of Washington Cities highlighting the importance of the comprehensive plan update. Staff will provide a schedule and work plan at next month's meeting.

*2014 Work Program – Planning Director Ableman:* Staff will be preparing a work program for Planning Commission's recommendation to City Council. A joint meeting will be set up with Planning Commission and City Council to discuss the major update and work program.

**Commissioner Reports:**

Commissioner Hoult asked what the next step would be for the proposed marijuana regulations. Senior Planner Wright responded it will go before Council on January 27<sup>th</sup> and February 10<sup>th</sup> for public hearing. Commissioner Hoult also wanted to thank Vice-

Chair Huxford and Chair Petershagen for their leadership service this past year. Commissioner Thurber stated she would like to step down as the primary representative to Design Review Board. Commissioner Barnet agreed to be the primary representative and Commissioner Matlack agreed to be the alternate. Commissioner Barnet mentioned a meeting Thursday night focusing on developing a skate park in the city. The Rotary Club is sponsoring the meeting scheduled at the school district offices.

**Planning Director's Report:**

Planning Director Ableman stated the Park Plan has been certified by the state, which allows the city to apply for grants. Commissioner Hoult asked about the open planning position, Director Ableman responded staff is reviewing applications. Chair Petershagen asked about potential commercial development along 20<sup>th</sup> St SE. Director Ableman responded staff is continuing to work with a development group.

**Adjourn.** Commissioner Thurber made a motioned to adjourn at 8:28 p.m. Commissioner Hoult seconded. Motion passed 7-0-0-0.

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Gary Petershagen, Chair

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Georgine Rosson, Planning/  
Public Works Coordinator



## Staff Report City of Lake Stevens Planning Commission

Planning Commission Briefing  
Date: February 5, 2014

Subject: **2014 Work Program / 2015 Comprehensive Plan Update**

Contact Person/Department: **Rebecca Ableman**, Planning & Community Development Director / **Russ Wright**, Senior Planner

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**SUMMARY:** Discuss 2014 Work Program / 2015 Comprehensive Plan Update

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**ACTION REQUESTED OF PLANNING COMMISSION:**

No action requested at this time.

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**Discussion Item A**

Staff has prepared a draft Work Program for the Planning Commission's Review and City Council's approval (attached). The 2014 Schedule will be every month. Additional meetings, public open houses and special work group meetings may be required with advance notice to facilitate the 2015 Comprehensive Plan update. The 2014 Work Program would contain three main actions for the year:

1. Annual 2014 Comprehensive Plan Docket;
2. 2015 Comprehensive Plan Update; and
3. Code review and amendments.

Staff will develop a detailed schedule for each action before the Planning Commission begins the task.

**Discussion Item B**

At the last meeting, staff introduced the 2015 Comprehensive Plan Update to the Planning Commission. This project will be an approximate 18-month project to review and amend the city's Comprehensive Plan and Development Regulations. Staff has begun creating a work schedule and scope of work for the project. One of the first tasks will be finalizing a Public Participation Plan to ensure meaningful and continuous public input as the update proceeds. This may include press releases, open houses, workshops and public hearings with the Planning Commission and City Council. Other early tasks include finalizing the Scope of Work jointly with Planning Commission and City Council and establishing internal work groups by topic. Once these actions are completed the work groups will work together to amend the various chapters of the plan and associated development regulations. Following completion of initial drafts, the city will issue an appropriate SEPA determination and seek public and agency comment. The process will culminate with the Planning Commission and City Council conducting their standard actions in the legislative process including workshops, hearing and action.

**Attached:**

Draft 2014 Planning Commission Work Program



**DRAFT 2014 PLANNING COMMISSION WORK PROGRAM**

PROJECT	PROCESS	SCHEDULE	START	PROJECT MANAGER
<b>2014 Comprehensive Plan Docket</b>				
1. <b>Annual Docket</b> – Placeholder for comprehensive plan map and/ or text amendments.	1. Specific tasks will be defined as project proceeds 2. PC will hold workshops, a public hearing and make recommendation to CC.	To be determined	1 <sup>st</sup> Quarter	RW/RA
<b>2015 Comprehensive Plan Update</b>				
1. <b>2015 Comprehensive Plan Update</b> – Coordinate with work groups and proposed update process. Review and/or make recommendations on proposed element & map amendments, and facilitate the public process.	1. Stakeholder/Public involvement and consensus building opportunities 2. Internal Project Team 3. Plan development 4. Formal adoption process 5. PC will hold workshops, a public hearing and make recommendation to CC. 6. Implementation work as identified in the final plan	Approximate 18 month process	1 <sup>st</sup> Quarter	RA/RW
<b>Zoning Code Amendments</b>				
1. <b>Grading and Clearing Code</b> – Update clearing and grading code	PC will hold workshops, a public hearing and make recommendation to CC.	Approximate 3-4 month process	2 <sup>nd</sup> Quarter	RW
2. <b>Park Impact Fee Code</b> – Update park impact fee code to reflect updated capital facilities list	PC will hold workshops, a public hearing and make recommendation to CC.	Approximate 3-4 month process	3 <sup>rd</sup> Quarter	RW



**DRAFT 2014 PLANNING COMMISSION WORK PROGRAM**

3. <b>City Placeholder(s)</b> – Code amendments associated with 2015 Comprehensive Plan update	PC will hold workshops, a public hearing and make recommendation to CC.	Approximate 18 month process		RA/RW
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2014 Schedule will be every month. Additional meetings, public open houses and special work group meetings may be required with advance notice.

DRAFT