

# PLANNING COMMISSION MEETING MINUTES



HYBRID/REMOTE AND IN-PERSON AT THE MILL

May 7, 2025

**CALL TO ORDER:** 6:00 PM by Chair Janice Huxford

**MEMBERS PRESENT:** Chair Janice Huxford, Vice-Chair Jennifer Davis, Commissioner Nathan Packard, Commissioner Bruce Morton, Council Liaison Ryan Donoghue

**MEMBERS ABSENT:** Commissioner Matz was absent due to illness. Commissioner Morton made the motion, and Commissioner Packard seconded the motion to excuse the absence. Commissioner Duerr was also absent. Commissioner Packard moved, and Commissioner Morton seconded the motion to excuse him. Both motions passed unanimously. Chair Huxford noted that Commissioner Connor Davis's absence was unexcused.

**STAFF PRESENT:** Principal Planner David Levitan, Planning Manager Christi Schmidt, Planning Director Russell Wright, Administrative Assistant Dawn Erickson

**OTHERS PRESENT:** No additional attendees

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Chair Huxford called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

Roll Call: As noted above.

Guest business: None.

Approval of Minutes: The minutes of the Meeting of March 5, 2025, were approved as written. Commissioner Morton made the motion, and Commissioner Packard seconded; the motion was carried unanimously.

Discussion Items: Principal Planner Levitan provided an overview of Critical Aquifer Recharge Area (CARA) Regulations and provided examples. The city lacks best available science (BAS) and regulations for the CARAs in the city's northeast corner. As a part of the city's Critical Areas, CARAs are essential because they have a recharge effect on aquifers for potable water, but they can be susceptible to contamination, affecting the potability of the water or reduced recharge. Local jurisdictions are required to adopt regulations that serve to protect groundwater and drinking supplies from potential contamination. Methods of regulating CARAs include prohibited uses, uses with special conditions and avoidance/minimization/mitigation techniques.

The city is reviewing proposals from two consulting firms that responded to their request for RFQs to assist with updating its Critical Areas Ordinance. The city will finalize the consultant contract and start identifying a potential list of prohibited and regulated uses within CARA boundaries.

Commissioner Packard asked about any impact on residential areas and if staff knew what feedback was to be sought. Principal Planner Levitan stated that this speaks more to commercial uses, and the feedback sought is still being defined. Director Wright said defining feedback needed is part of the reason we hired a consultant.

Commissioner Davis asked if the number of affected parties is small enough for targeted noticing and when PC will see this item next. Principal Planner Levitan identified that the immediate tasks of BAS review (mapping and calculating travel times), will help define how regulations must be designed. The engagement plan will return to the Commissioners first, as well as some of the additional BAS. Director Wright reminded everyone that the CARAs are part of a larger body of work (critical areas ordinance).

Commissioner Packard suggested that targeted mailing may not include everyone interested in the CARA analysis and resulting regulations.

Chair Huxford pointed to current development activities that are off-putting current wetlands and mitigating them to other places, so this is not just an industrial issue. We don't want to make too many asks of those in the industrial district. Also, she pointed out that any change in regulation triggers other agencies' activities that might negatively affect the area businesses. She asked when the Planning Commission might be voting on this issue. Principal Planner Levitan said he will have more specific information after talking to the consultant and establishing a timeline.

Principal Planner Levitan then discussed 2023's House Bill 1293, requiring:

- "clear and objective" regulations for the exterior design of a new development. The statute requires that regulations include one or more guidelines/standards/criteria that can be easily interpreted to determine whether the design is permitted.
- no reduction in density, height, bulk or scale below the generally applicable development regulations.
- that design review be conducted concurrently or locally integrated into the development review process.

The city's design review process is currently administrative, allowing a maximum of one public meeting per application. Although LSMC 14.16C.050 and associated sections are largely compliant, Principal Planner Levitan reviewed a list of potential changes/clarifications that staff have identified to align with HB 1293 more closely.

Vice-Chair Davis asked about new timelines, specifically why Type III was extended. Principal Planner Levitan stated it was extended to acknowledge and reflect different levels of review complexity.

Commissioner Morton asked if this was for commercial use only. Dave – applies to MFR. Does design review ever fail? Christy – we work w/ the applicant to achieve compliance. Morton stated this reduces regulation so he doesn't think there's a great need to engage the public for this.

Commissioner Packard said he thinks the city's design standards are perhaps too prescriptive, asking if this is about compliance or if the city wants to protect what people do. Director Wright stated the code's

intent is to provide a sufficient level of detail and prescriptive standards to give applicants a menu of options (two of five, etc.) to achieve compliance.

Commissioner Packard asked about the level of flexibility. Director Wright stated that the first chapter in the design review guideline addresses the exception process.

Huxford – please don't adopt everything that comes out of Olympia. Also, it was cumbersome to meet these regulations when setting up a business. When setting rules, we need to be cognizant of new and existing residents and business owners.

Chair Huxford asked if there is some way to condense housing, CAO update, etc. Principal Planner Levitan said staff can try to group some items that we expect to have more public interest in to make it a more holistic package.

#### Commissioner Reports:

Commissioner Packard attended the Council retreat on 4/24/25. He was disappointed in the level of engagement (as a Planning Commissioner) with the council. They reviewed the city's vision and mission statement. He suggested it might be more of a conscious consideration for the Planning Commission. He said it got him thinking about whether the Planning Commission is more often proactive or reactive. He also brought up recently passed HB 1353, allowing an acceleration of the permitting process if working with an architect if working with an architect deemed reliable, etc. He suggested we be cautious as to how we approach that. Director Wright stated that the Building Officials in the area have been discussing this, but we will approach cautiously to ensure that safety is not compromised.

Commissioner Morton discussed childcare "deserts" and stated that Snohomish County has updated some regulations to make establishing child daycare centers easier, wondering if the city intends to follow suit. Director Wright said that all zones other than industrial areas are allowed to have childcare centers. This topic will be added to this year's work or next year's work programs.

Commissioner Davis recently had an opportunity to use the bike lanes within the city. She had very positive feedback about the experience.

Chair Huxford appreciated the Commissioners and staff for staying aware and on top of legislation coming from Olympia.

#### Director's Report

Director Wright referenced the Council retreat. Chair Huxford asked about the placement of traffic cameras. Dir Wright stated the focus is on school zones and school sheds. Packard asked how easily the cameras can be moved; Director Wright said he did not have that technical information about the cameras.

Adjourn: Motion by Vice-Chair Davis, with a second by Commissioner Morton, to adjourn the meeting at 7:28 p.m. The motion carried unanimously.

Respectfully,

Dawn Erickson, Administrative Assistant