



# TOWN OF WOODWAY

## PLANNING COMMISSION MINUTES November 4, 2009

**CALL TO ORDER:** The meeting was called to order at 7:05 p.m. by Chair Jim Wilmer. Commissioners present were Jim Wilmer, Robert Allen, Jennifer Ange, Jan Ostlund, Heather Frank, and Pat Tallon. Commissioner Tom Howard had an excused absence. Planner Bill Trimm and Deputy Clerk Heidi Napolitano were also present.

**MINUTES: September 9, 2009**

*Commissioner Tallon* moved to approve the minutes of September 9, 2009. *Commissioner Allen* seconded the motion. The motion carried unanimously.

**PUBLIC HEARING: Proposed Conditional Use Permit Addition and Amendments to WMC Title 14**

*Chair Wilmer* opened the public hearing at 7:08 p.m.

Mr. Trimm explained that the current code does not provide a mechanism to establish conditions on uses that may have a detrimental impact on the surrounding uses. The proposed amendment adds a new section, 14.48, to the Zoning Code to provide for conditional uses and amends each zone district to include a new section to list uses that would be allowed with approval of a conditional use permit.

At their September 9 meeting, the Planning Commission recommended that the Town Council approve the proposed Conditional Use Permit Amendment to WMC Section 14.48 pending determination of whether a public hearing was required. The Town Attorney recommended the Planning Commission hold a public hearing.

Mr. Trimm reviewed Findings, Conclusions, and Recommendations contained in Exhibit A and new Section 14.48, Conditional Use Permits, and amendments to each zone district contained in Exhibit B.

Staff issued a SEPA Determination of Non-significance. The comment/appeal period on the SEPA determination ends November 23, 2009. He recommended the Town Council consider the Planning Commission's recommendation on the amendments after the appeal period ends. Staff recommends approval of Resolution 09-02 that includes Exhibit A, staff report, and Exhibit B, revisions to each zoning district and new section 14.48, Conditional Use Permit.

There were no members of the public present who wished to provide testimony.

*Chair Wilmer* closed the public hearing at 7:16 p.m.

**ACTION:** *Commissioner Allen* moved to approve Resolution 09-02, recommending to the Town Council amendments to WMC Title 14 regarding adding a new chapter entitled 14.48 Conditional Use Permits and amending chapters 14.20, 14.24, 14.28, 14.32 and 14.36 to include conditional uses for each respective zoning district. *Commissioner Ostlund* seconded the motion. The motion carried unanimously.

**PRESENTATION: Update on the Status of the Snohomish County Comprehensive Plan/Zoning Designation amendment for Pt. Wells**

Mr. Trimm explained that in August, the Snohomish County Council approved the Comprehensive Plan amendment to change the designation of Pt. Wells to Urban Center and scheduled a public hearing on September 30 to hear public testimony on the Zone District to implement the designation.

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Several Town representatives and citizens testified at the public hearing, recommending the Zone District include an exception for Pt. Wells due to its unique characteristics and dissimilarity to the other Urban Centers that are located near major highways and served by public transit. The Town also requested the opportunity for an Interlocal Agreement with Snohomish County to establish building height, unit count, and design guidelines for development at Pt. Wells. Snohomish County continued the public hearing and deliberations until December 9.

Mr. Trimm relayed that the Town Council passed a motion at their November 2 meeting to appeal Snohomish County's designation of Pt. Wells to Urban Center to the Growth Management Hearings Board (GMHB). The City of Shoreline is considering an appeal based on inconsistency with the criteria used to designate other urban centers. The Richmond Beach Community Association is also considering an appeal.

He briefly described the process for review by the GMHB and opportunity for public comment. The GMHB's decision can be appealed to the Court of Appeals and then to Supreme Court.

**AUDIENCE COMMENTS:** None

**NEXT MEETING:** December 2

**ADJOURNMENT:** The meeting was adjourned at 7:27 p.m.

**APPROVED BY THE PLANNING COMMISSION**

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Heidi K. S. Napolitano  
Secretary to the Planning Commission

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Jim Wilmer, Chairman

(These minutes accurately reflect what was said at the Planning Commission Meeting. Publication does not vouch for the veracity of these statements.)