**KETTLE FALLS PLANNING COMMISSION**

**MEETING MINUTES**

**MAY 4, 2020 7 P.M.**

**VIA GO TO MEETING**

**CALL TO ORDER**

Planning Commission Chairperson Adam Huff called the meeting to order at 7:02 p.m.

**ROLL CALL**

Members in attendance included Adam Huff, Larry Kulesza, Jody Emra, Jessica Christopher

**STAFF**

Staff in attendance included Raena Hallam, John Andrew and Kathi Merrill. Mayor Ridlington and Mike Weatherman absent.

**GUESTS**

None

**ANNOUNCEMENTS AND MAIL RECEIVED**

Planning Commission Chairperson Adam Huff asked if everyone had received the minutes from the last meeting in their email.

Planning Commission Member Jody Emra stated she and Larry and Kathi were discussing the minutes before the meeting started. She stated some of the recording of what who said what was a little off, but she believes the substance of everything that was said was accurate.

**MEETING MINUTES**

**REGULAR MINUTES OF APRIL 27, 2020 MEETING**

Planning Commission Member Jody Emra made a motion to approve the April 27, 2020 meeting minutes. Planning Commission Member Jessica Christopher seconded the motion. Planning Commission Member Larry Kulesza – YES, Planning Commission Member Jody Emra – YES, Planning Commission Member Jessica Christopher – YES. Motion carried.

**NEW BUSINESS**

1. **REVIEW DEVELOPMENT REGULATIONS CHECKLIST**

Planning Commission Member Larry Kulesza stated his purview at the moment and think the only two we're still working on are 15-B and 10-H. Larry stated “I sent out, today, the development regulation checklist 15-B proposal and I can go through that here quickly. There were three pages in what I sent out. The first one is the actual proposal, that was page one. I'm just scrolling through it on my computer. Page two was my conversations with SCJ and with Jenny from Stevens County planning. I also included Stevens County language and then I had the WACs for what Washington State considers the protection of private property. So, all that being said, and for reference. This is in 17.01.020 of our zoning code, it is purpose and intent, and currently it says it is the intent of the City to provide uniform, equitable and reasonable standards to govern the use of land and structure in the interests of health, safety and general welfare. The purpose of this ordinance is to implement the Kettle Falls Comprehensive Plan and substantiated studies and to comply with the provisions and objectives of our CDW Chapter 36.7. RCW Chapter 36.78 as they now, or hereafter or as now, or here after amended. So then, my next little one was just showing the actual edit, the new wording would be. It is the intent of the city to provide uniform, equitable, and reasonable standards to govern the use and land structures in the interest of health, safety, and the general welfare. The purpose of this ordinance is to protect the constitutional rights of the residents and landowners in the city, and to implement the Kettle Falls Comprehensive Plan version to Article 11, Section 11 of the Washington State Constitution, RCW 36.78.370 and WAC 365-96-855. So, essentially, the edited language is just coming basically from the counties. So we are consistent with the county. And then I added in the WAC because that's what was on the checklist. So, what I understand doing is this will become a part of our recommendation to the city council to amend the ordinance, there will be a few more things in there from what we did before and this will be one part, and for everything, I've been able to gather, we already have the procedures required in the ordinance. This is just adding the constitutional rights, in case anybody is reviewing it, and they look at it at the beginning. I think we're covered. That was then that was what I got from Alicia at SCJ as well. We'll run this by them, and see how it looks. That's 15 B, and if anybody's got any comments or questions, have at it.

Planning Commission Member Adam Huff said “All right. Thank you, Larry.”

Planning Commission Member Larry Kulesza stated “We have one more.10 H still in the review of development regulations. The electrical vehicle charging stations, I don't have that language complete today. It'll probably be tomorrow or Wednesday. I went through Jody's homework. She gave me the big thick thing and I've borrowed from Methuen Massachusetts, their definitions are really good. Chelan, Washington zoning classifications are really good. And so, what I'm going to do is just the same process as I’m doing on this one. So this will be an addendum 17.05, I think, is our additional stuff. This will be added, as its own page, electrical vehicle charging stations and it will define them as levels 1, 2, 3, and as battery swap stations. And then it will define all of those things. And then I will produce an Excel spreadsheet that looks like our zoning chart with all of the classifications across the top and all of the” Xs” in the piece. It's almost there, just needs some finishing touches.”

Planning Commission Member Jody Emra stated “what Larry has done here, is excellent, I I'm just asking, where did the inspiration for putting that in there about protecting the constitutional rights of residents and landowners of the City come from? There wasn't an explanation for that.”

Planning Commission Member Larry Kulesza stated “The development regulations Checklist 15 B says a process to assure that proposed regulatory or administrative actions do not result in an unconstitutional taking of private property. And so, the consensus from the county and from SCJ was that particular language, it's probably unnecessary, but everybody's putting it in, because that's what they're saying you're supposed to do. So that's what we're doing. Actual processes that we have that protect the Constitutional rights, but it doesn't hurt to say it out loud.

Planning Commission Member Jody Emra stated “It doesn't, it's a good idea.”

Planning Commission Member Adam Huff stated “Ok, well, thank you, Larry. Any other comment before we move on to the next order of business?”

Planning Commission Member Jessie Christopher stated “Not for me.”

Planning Commission Member Jody Emra stated “I'm good.”

Planning Commission Member Adam Huff stated “Ok.”

1. **REVIEW ANY NEW DEVELOPMENTS WITH THE COMP PLAN UPDATE**

Planning Commission Member Adam Huff stated “Item 2 - review any new developments with the comp plan update, anything new?”

Planning Commission Member Larry Kulesza stated “not right now, I don’t have anything”

1. **PARKS PLAN UPDATE/REVIEW**

Planning Commission Member Adam Huff stated “Ok, then Item 3 - Parks Plan Update and Review.”

Planning Commission Member Larry Kulesza stated “ I think now it's back to me and I thank everybody for sending their homework and what I will do after I put together the language on the electrical vehicle charging stations, I will put all of that stuff together. I mean, I like how it will have individual pages for every Park subsection of the Park Plan. Then I'm going to go back again through the Kettles Falls park and rec committees guidelines to see if there's anything we missed from them. And then I'm also going to go again through Ron Drakes stuff for the same purpose. So that way the action list, or whatever, we're calling it, that will be attached to a capital facilities parks plan, can be created. And I'm thinking in the initial stages, that's probably something Raena and I could chat about, and assign homework to, if we need, or, I could do some kind of a rough draft, whatever works easiest as what we'll do there. Then in the mean time, as soon as that's done, cut and paste a draft document, and see what it’s going to look like, should be available this week, also.

Planning Commission Member Adam Huff stated “Ok, Larry, would you like me to try to send my skate park as a word file, or are you OK with it? Just in the e-mail body?

Planning Commission Member Larry Kulesza stated “I think I can just cut and paste it in Word, it'll work. That’s what I've been doing, just creating one document.”

Planning Commission Member Adam Huff stated “Ok. It's OK, just wanted to make sure we are all on the same page there. Ok, Anything further within the Parks Plan Update?”

Clerk/Treasurer Raena Hallam stated “I don't have anything further. We'll put it in the format of a resolution, so each year it needs to be updated. Ok, we'll make it really easy. All right, we’ll put in an item for GMA Update schedule revisions. I don't have any revision, however. I sat in on a meeting today with Tri county Health, and the Governor has extended the stay at home through the end of the month. However, there are communities or counties, actually, with populations of less than 75,000, that can apply to re-open in Phase two, prior to the rest of the State. So the meeting that was conducted today, basically, the Board of Health adopted a resolution. And they're getting that documentation together. The one criteria is that there have to have been no new confirmed cases in the last three weeks. Ferry County and Pend Oreille County already qualified, they have not had any new cases in the last three weeks. Steven's County’s three weeks ends on May 11th. So they're trying to get this documentation together and send it in and then the Department of Health at the state level would approve that. “

Planning Commission Member Adam Huff stated “So, what that means is, between now, and then we may be able to have a meeting with five people.

Clerk/Treasurer Raena Hallam stated “I'm not sure that we should do for our public launch. I went ahead and advertized it as a public hearing and then we would have basically a computer meeting via GoToMeeting.

Planning Commission Member Larry Kulesza stated “So if any public came in, they would come here?

Clerk/Treasurer Raena Hallam stated “The Commission would be on a computer screen, and I would just have one phone line. So there's a lot of things to think about. I really want to have at least one more public hearing for this. So city council can give their approval. We'll see what happens.

Planning Commission Member Larry Kulesza stated “I just have one more thing. It's kind of on a new business. The Brandon True application, I know more about binding site plans. I've had some discussions with Dave and Reana on this subject. I chatted with MRSC on legal issues. I've talked with Stevens County. I talked with the Auditors Office trying to figure out the absolute simplest way to do this. And one of the things I found out in the binding site plan was, it's that the binding site plan and the lot line adjustment are almost mutually exclusive. Lot line adjustment says you can do it if you don't create a new lot, and the binding site plan says, you can't do it if you don't create a new Law. Let's see. Oh, I got an excellent reminder of what I think is a process of which one comes first in the fly. I think the binding site plan. Because we have a lot tied up with the binding site plan, the only way our ordinance allows for some of the uses that Branden wants to do is with a C3 permission net is a binding site plan. So in order to get those without going through a type three administrative review to change the whole zoning code, we should probably do the binding site plan for all of the reasons it is being proposed and that we'd basically just create those four lots and assign them a zone so the lot closest to the highway would be the C2 zone. Then there would be three heavy industrial zones with the conditional uses. Attach to them all the permitted uses and all the conditional usage. That could get recorded. Then if that isn't enough, and there are still some existing lots inside of the newly created lots, that's when the lot line adjustment could be recorded. Dave and I were having a conversation, and we realized that he didn't have access to the new map. So once he got access to the new map, he said this looks more like a binding site plan than it does a lot line adjustment on its face. So Raena and I talked about having a conference call with Alicia at SCJ, and putting together a list, our development regulations, a question or two about the logical sequence on Brandon's property, and then we would have our homework to finish it all. So that's where we're at with Brandon?

Planning Commission Member Adam Huff stated “Sounds good, thank you, Larry.”

1. **GMA UPDATE SCHEDULE REVISIONS**

Clerk/Treasurer Raena Hallam stated Tri County Health said the Governor has extended the stay at home orders until May 31.

**OLD BUSINESS**

1. **PUBLIC RECORDS ACT TRAINING**

Clerk/Treasurer Raena Hallam stated we just want to keep it on the agenda to remind us this needs to be done.

Planning Commission Member Adam Huff asked “Anything new business related? OK, next item is Homework Assignments and Next meeting. We really don't have any homework assignments per se, until Larry puts together the list of the parks list. Is that correct?

Clerk/Treasurer Raena Hallam stated “Yeah. Maybe move our meeting to the 18th or something. Give ourselves a week off, however anybody wants to do this, or do we want it broken up? The public hearing, so if anything comes up between now and then, I can let everyone know, and we can decide if we need a meeting between now and then. So, as it sits, our next meeting will be May 18th. Unless otherwise notified, That's at six o'clock.

Planning Commission Member Jody Emra asked “are we going to be doing it this way, then?

Clerk/Treasurer Raena Hallam stated “Well, I don't know. Probably, unless I can come up with some other way to allow the Planning Commission to meet together, and the public to be able to participate if we move to phase two. It won't be able to happen at all right now, it'll have to be on the phone, like it is now.

Planning Commission Member Adam Huff stated “Because we'd have too many people?”

Planning Commission Member Larry Kulesza stated “I'm just thinking at some point when we get this right, I'll have a little chat after we have our conference call with SCJ. If we need to run anything by you guys in a legitimate meeting. with what wording we have, we'll find that out. And if we do, then we can just have a very brief version of what we're doing now, just for that one purpose.

**PUBLIC COMMENT**

Planning Commission Member Adam Huff stated “Sounds good. Any public comment?

City Councilman John Andrew stated “Yeah, in your parks notes, you kind of have your heads in the sand. There is absolutely no mention of what the virus is going to cause economically. There’s no plans to what you're going to do when even the scant grants that are available now dry up. What's your very bold plans for these parks? How do you plan on using the money that's going to be available strictly through the city? None of that's addressed?

Planning Commission Member Larry Kulesza stated “We have compiled lists of Short term and long term and visionary. Everybody's short-term list has basic stuff and that's the point of what Raena's talking about is coming up with the Capitals Facilities Plan for the park. That would be part of the budget process, that we understand how much money, potentially we have. I think the Mayor was talking about making the Planning Commission, the Parks committee, at one time. But in any event, if we review what's potentially available for parks funding, we will have a prioritized list for every park. Then those items on the short list would all be basically competing against each other for funding. And then we would have to prioritize that, probably through a Planning Commission meeting or two with the public, and then make our recommendations to city council for what would be included in the budget.

Clerk/Treasurer Raena Hallam stated “The resolution that we adopt every year for the capital facility plan has a project and then a dollar amount and we do that every year.

Planning Commission Member Adam Huff stated “So this would be reviewed by the Planning Commission?

Clerk/Treasurer Raena Hallam stated “The resolution would be updated, then council would adopt that right along with the straight plan, the capital facilities then in the budget process, then it can be identified, We have enough money to do this, but not there. It just makes it more of a reminder, because right now we don't have anything where we adopt for the parks every year and be used as a reminder during the budget process.

**NEXT MEETING**

Next meeting will be Monday, May 18th at 6 p.m. via GoToMeeting unless otherwise informed.

**ADJOURNMENT**

Planning Commission Member Jessica Christopher made a motion to adjourn the meeting. Planning Commission Member Jody Emra seconded the motion. Planning Commission Member Larry Kulesza – YES, Planning Commission Member Jessica Christopher – YES, Planning Commission Member Jody Emra – YES. Motion passed.

Planning Commission Meeting adjourned at 7:32 p.m.

Approved:

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Adam Huff, Chairperson

Attest:

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Kathi Merrill, Secretary