

**KENT PLANNING COMMISSION
BUSINESS MEETING
FEBRUARY 2, 2016**

MEMBERS PRESENT: **Anthony Catalano
John Gargan
Amanda Edwards
Dori Daniels**

ABSENT: **Peter Paino**

STAFF PRESENT: **Jennifer Barone, Development Engineer
Eric Fink, Assistant Law Director
Sheila Uzl, Transcriptionist**

I. Call To Order

The meeting was called to order at 7:00 p.m.

II. Roll Call:

Mr. Gargan, Ms. Daniels, Ms. Edwards, and Mr. Catalano and were present.

Motion: ***Ms. Daniels moved to excuse the absence of Peter Paino.
Mr. Gargan seconded the motion. The motion passed 4 – 0.***

III. Reading of the Preamble

The Planning Commission operates in accordance with the provisions of the Kent City Charter, the Kent Zoning Code and Subdivision Regulations, all of which establish the powers and duties of the Commission. Members of the Planning Commission are appointed by Kent City Council and serve without compensation. Certain cases such as Conditional Zoning Certificates, Special Zoning Permits, Overlay District Projects and Zoning Amendment require Public Hearings before the Planning Commission. During the Public Hearing, any person wishing to address their concerns to the Commission will be provided the opportunity. Once the Public Hearing is closed, it shall be the discretion of the Chair whether to allow any additional public comment. Cases such as Site Plan Reviews and Subdivision Projects do not require a Public Hearing. However, the Chair will allow public comment on each case as it is taken on the agenda. In each instance where the Commission receives public comments or conducts a Public Hearing, those persons wishing to address their concerns to the Commission will be required to do so under oath or positive affirmation. The oath or affirmation shall be administered to all who wish to speak at the beginning of the Planning Commission Meeting. Once a decision has been made by the Planning Commission on a case, the Case is closed for the commission, as there is no provision to reopen a case.

With the exception of cases falling under the Subdivision Code, any decision of the Planning Commission may be appealed to the City's Board of Zoning Appeals in accordance with the Chapter 1109 of the Zoning Code. Anyone interested in appealing a decision of the Planning Commission is advised to seek private legal counsel.

IV. Election of Officers

Mr. Fink explained the responsibilities of each office.

Motion: *Mr. Gargan moved to elect Anthony Catalano as Chair of the Planning Commission. The motion was seconded by Ms. Daniels.
The motion passed 4 – 0.*

Motion: *Ms. Daniels moved to elect John Gargan as Vice Chair of the Planning Commission. The motion was seconded by Mr. Catalano.
The motion passed 4 – 0.*

Motion: *Mr. Catalano moved to elect Amanda Edwards as Secretary of the Planning Commission. The motion was seconded by Ms. Daniels.
The motion passed 4 – 0.*

V. Administration of Oath

No Public Oath Given

VI. Correspondence

None

VI. Old Business

A. PC16-001 CITY OF KENT Zoning Code Text Amendment Chapter 1103

The applicant is seeking a zoning code text amendment to Chapter 1103: Definitions to amend the language to change several definitions related to group living and care facilities plus “quasi” uses.

Ms. Barone stated staff was not ready so she asked for a postponement.

Mr. Catalano asked for a motion to postpone this case.

Motion: ***Mr. Gargan moved to postpone PC16-001/City of Kent (text amendments) case until the March 1, 2016 Planning Commission meeting. The motion was seconded by Ms. Daniels. The motion passed 4 – 0.***

VII. New Business

**A. PC16-002 CITY OF KENT
 Zoning Code Text Amendment
 Chapters 1127 – 1155 and Chapter 1171**

Ms. Barone stated that the updating process of the code is continuing. She said updates for Chapters 1127 – 1155 will be brought to the Planning Commission as they are done. Chapter 1171 covers conditional uses and will also have to be modified. Chapter 1127 will be discussed at tonight's meeting. She said she wanted to review Chapter 1127 to see if there were any questions or comments. She said the changes are shown in the printed description of Chapter 1127. Ms. Barone said that staff does have a couple suggestions that she would like to discuss.

1127.02(a) Uses:

- 1127.02(a)(2) has been added – Agriculture greater than two (2) acres.
- Agriculture: building used to house farm animals shall be located no less than 200 feet from all property lines. This section was moved out because the criteria is not a permitted use so this will be seen at the end of the section under "Other Requirements".
- 1127.02(a)(3) Roadside stands stays the same. The extended definition of this section was also moved to "Other Requirements".
- 1127.02(a)(4) Wildlife refuge and game preserve stays the same.
- 1127.02(a)(5) Kennels. Staff had a discussion on kennels. This category is fairly generic because there are different types of kennels such as non-rooming kennels, doggy day cares or canine centers so staff wanted to break it down into long and short term centers. There would be a canine care center which would be a grooming and training center.

Ms. Barone stated that if the commissioners agree, changes to Kennels will be made. This presentation is just for discussion and no action is needed. She said the changes will be made and brought back before the Planning Commission.

Mr. Fink stated that long term kennels would be limited to only industrial sections. He said staff wanted to break down the definition to address all the different types of kennels. He said the commissioners should let staff know of any recommendations.

- 1127.02(a)(6) Nursery – Plant Material and Plant Greenhouse with no retail sales – Two items were added on the chart; one with retail sales and one with no retail sales. Staff is asking if retail sales should be allowed in O-R District because there is farming in that district. A discussion was held among the commissioner regarding allowing retail sales and agreed to change to allow sales.
- 1127.02(a)(7) Limited home business was added
- 1127.02(a)(8) University owned operated, leased or licensed facilities related to outdoor research and education was added. Staff is suggesting that this be limited to outdoor research and education. Other types of university buildings could be dorms, cafeterias or recreation areas just to name a few. There is a whole list of university facilities listed in the University District. It would be limited in the O-R District to outdoor type things.

Ms. Barone stated that staff wanted to add access to natural resources such as a canoe livery.

Mr. Fink stated they discussed a water access point. He said he was not comfortable not having a specific definition for the O-R: Open Space Recreational District. He said a more specific definition was needed because recreation areas could include areas such as ball fields or fishing areas.

Mr. Catalano stated it would be prudent to give the City of Kent the option to evaluate the use beforehand.

- 1127.02(b) Conditionally Permitted Uses
 - (1), (2) and (3) were already in the code.
- 1127.02(b)(4) Child care home facilities Type A or B as subject to Section 1171.01 (5),(11),(17) and (54) added that addresses traffic, blocking traffic and being able to drop off and pick up children safely.
- 1127.02.(b)(5) The word "and" was eliminated.
- 1127.02(b)(7) and (8) The words “Governmentally or privately owned and/or operated” taken out.
- 1127.02(b)(9) Deleted. No one wanted airports or airfield in open space.

- 1127.02(b)(10) There was a question as to whether oil and gas wells should be permitted in the O-R District. It was agreed to delete this section. Mr. Fink will look at the oil well case. It was stated that the distance a structure should be from oil wells should be added.

Mr. Catalano asked if sanitary landfills should be included in the code.

Ms. Barone replied it has to be in the code somewhere. She stated that Section 1127.06(a) and (b) have been added under Other Requirements.

Mr. Catalano asked if casinos or skilled games are in the code anywhere.

Ms. Barone replied skilled games are illegal. There were no other comments or questions. She stated that the code changes would be made and she would bring the chapters back to the Planning Commission.

In regards to the next Planning Commission meeting, Ms. Barone stated that Hallmark (East Main Street Lofts) has requested for a postponement for their conceptual presentation so it will not be heard at the next meeting.

Ms. Barone said this was the only item on the agenda but if the Planning Commission wanted to continue to review the chapters in the code they could. It was decided that the review would continue at the next meeting of the Planning Commission on February 16, 2016.

Mr. Catalano stated he will not be at the March 1st Planning Commission meeting.

VIII. Meeting Minutes - January 5, 2016

MOTION: *Mr. Gargan moved to approve the January 5, 2016 meeting minutes as submitted. The motion was seconded by Ms. Edwards
The motion carried 4 – 0.*

IX. Other Business

Mr. Fink stated he will discuss the oil well case at an upcoming meeting of the Planning Commission. He advised the Commission that Capstone has filed an appeal regarding the University Oaks project.

X. Adjournment

Motion: *Ms. Daniels moved to adjourn. The motion was seconded by Ms. Edwards. The motion carried 4 – 0.*

The meeting adjourned at 7:40 p.m.