

**Town of Eatonville
PLANNING COMMISSION MEETING
Monday, July 20th, 2015
COMMUNITY CENTER
305 CENTER STREET WEST**

CALL TO ORDER

Chairman Lambert called the meeting to order at 7:00 PM.

ROLL CALL

Present: **Commissioners Beach, Bertoia , Craig, Justice, Miller and Lambert.**

STAFF PRESENT: Mayor Schaub, Doug Beagle and Kerri Murphy

OPENING CEREMONIES

Commissioner Beach led the Pledge of Allegiance.

APPROVAL OF AGENDA

Commissioner Beach move to approve the agenda. Seconded by **Commissioner Miller.** AIF
Correction to next meeting; August 3rd, 2015.

APPROVAL OF MINUTES

Approval of the **June 15th, 2015** minutes. **Commissioner Beach** motion to approve. Seconded by **Commissioner Justice.** AIF

COMMUNICATIONS OR ANNOUCEMENTS

There were no comments from the citizens.

Commissioner Beach announced that recently the Supreme Court of the United States recently rendered a decision on Reed vs. The Town of Gilbert, in which the Supreme Court said that the town could not discriminate between religious signs and other signs. In other words, if a real estate sign could be 20 square feet so could the religious sign. He said that he reviewed our sign ordinance and did not find where it addressed religious signs, so obviously it does not discriminate since it does not even say anything. He suggested that the town attorney look at the decision. **Mr. Beagle** said that staff has already reached out to the attorney and had him review. We are going to have a memo to the council at the next regularly scheduled council meeting and he will be sharing it with the planning commission also.

NEW BUSINESS

Sign Code Amendment

Doug Beagle, Town Administrator read the following memo to the Planning Commissioners;

In 2012, the Town Council adopted Ordinance No. 2012-20 relating to civil infraction procedures, which was codified as EMC 1.12.020. It is my understanding the Council's intent was use the civil infraction process described in EMC 1.12.020 and chapter 7.80 RCW as the primary tool for enforcing violations of the municipal code, uncodified ordinances, and regulations when the act or omission was designated as a civil infraction, or a civil violation, or for which a monetary penalty or fine may be imposed. The Town's sign code, EMC chapter 18.06, is located in Title 18 Zoning. Title 18 also includes chapter 18.10 Enforcement, which describes the procedures for enforcing the requirements of Title 18. The enforcement procedures described in EMC chapter 18.10 are different from the enforcement procedures described in EMC 1.12.020. Most importantly, EMC 18.10.018 describes a civil action lawsuit for enforcing Title 18 and makes no mention of civil infractions.

In order to avoid confusion, and out of an abundance of caution, the town attorney has recommended the planning commission consider the following amendment to chapter 18.06 Sign Code:

Chapter 18.06.185 Violations – Penalties.

Notwithstanding the provisions of EMC chapter 18.10, a violation of EMC chapter 18.06 shall be a class 1 civil infraction. Enforcement of the civil infraction shall be in accordance with EMC 1.12.020.

Because the sign code is considered a development regulation, the Town is required to follow the code amendment process set forth in the Growth Management Act, RCW 36.70A.035 and 140. These requirements include published notice and a public meeting at which public comment is taken regarding the proposed amendment.

Commissioner Beach move to have to town move forward with changes of memo of July 20, 2015. Motion died for lack of a second.

Mr. Beagle read the memo again to the planning commissioners.

Commissioner Beach asked the rest of the commissioners if they wanted to express their opinion as to why they didn't vote for the motion, what their concerns are?

Chairman Lambert asked Mr. Beagle to give more of an explanation of the memo.

Mr. Beagle reread and explained the change. More to streamline the effort. It becomes a civil infraction.

Commissioner Craig move to echo Commissioner Beach's motion. To transition the code in Chapter 18 to the code as it currently stands in Chapter 1.12

Commissioner Beach seconded the motion. AIF

Public Comments:

Mr. Richard Williams, 131 Mashell Ave N., (business located at 1358 Mashell Ave. N.)- talking about the Landmark Catering Van – this ford van is part of the Landmark business plan. The restaurant just catered an event last weekend. There was a lot of discussion back and forth about the sign code.

Chairman Lambert explained that the Planning Commission can hear his grievance regarding the sign code but really could not do anything about it. The Planning Commission only makes recommendations to the council and council sets policy.

Brent Sorenson asked why there was a vote, when the first call to vote died for lack of a second.

Chairman Lambert explained that the motion was made by a different member.

Mr. Sorenson added that he disagrees with Mr. Beagle and said that business owners on Mashell Ave N. cannot have signs. Businesses on Mashell Ave N. die because they cannot have signs. This adds to the unfriendliness towards business owners.

Mayor Schaub said this is one piece of the sign ordinance. The town is always open for the public to make recommendations. This is a good starting point for the community as a whole to get together for discussion. There have been many changes to signage on the truck. He does not want to see this go through the courts.

Commissioner Miller said that in Mr. Williams letter there was some good argument. He does not want Mr. Williams to think that he was just blown off. He would like to see Eatonville become a destination place. He thanked Mr. Williams for coming tonight.

Commissioner Craig said that Mashell Ave is beautiful and that Washington Ave is the worst. Most of Mr. Craigs sales are after 3:00 p.m. Most businesses succeed by word of mouth. This big problem could be made a lot smaller and he would like to see a resolution.

Chairman Lambert asked if either Mr. Williams or Mr. Beagle had ever sat down to discuss what could be done? (Both said "No"). He suggested that they do this adding that Mr. Williams has made adjustments to the signage on the truck.

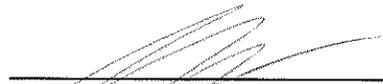
Lorraine Van Eaton, 301 Center St E., - she has a summer business on this property. She is concerned about the lack of a crosswalk on Center St E. People cross to her place from the motel and the Milltown mobile home park. Concerned for peoples safety.

There were no comments from the staff.

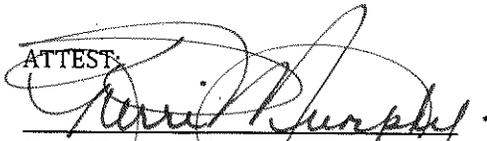
Next meeting: August 3rd, 2015.

ADJOURNMENT

Chairman Lambert adjourned the meeting at 8:05 p.m.


Chairman Lambert


David Craig - Secretary

ATTEST:

Kerri Murphy - Recording Secretary