

City of Buckley
Planning Commission Minutes
October 19, 2009

Chairperson Snellback called the meeting to order at 7:05 PM.

The following members were present: Dorn, Howard, McCorkle and Callis. Logan and Panasiuk were absent. Also in attendance were City Administrator Dave Schmidt and Mayor Pat Johnson.

McCorkle moved to approve the minutes of the September 28, 2009 commission meeting. Dorn seconded the motion and the motion carried.

McCorkle moved to approve the minutes of the October 5, 2009 commission meeting. Dorn seconded the motion. Snellback had a question about the fees for the park plan, where did we go with that. McCorkle stated we didn't really go anywhere with it. Dorn stated it actually got moved down on the priority list because we need to take care of Hearings Examiner roles and the FLUM map. **The motion then carried.**

McCorkle stated he was going over the Planning Commissioner and Hearings Examiner chart for types of applications. Administrator Schmidt stated the Planning Commission actually makes a decision on the C-1 applications and on the C-2 application, the Planning Commission makes a recommendation to the City Council.

Hearing Examiner Roles

McCorkle stated the issue before the commission is right now the Hearing Examiner does all subdivisions over 50 lots and the Council would like to give more duties to the Hearing Examiner. Callis asked what duties or process does the Council want to turn over to the Hearing Examiner. McCorkle stated that right now is up to the Planning Commission to decide and move a recommendation forward to the Council.

Administrator Schmidt stated some cities will have the Hearing Examiner conduct the hearing and then write a recommendation to the Council and the Council will render the final decision. Some municipalities let the Hearing Examiner be the hearing body plus the decision body. It is a matter of what the Planning Commission feels is best for the City of Buckley.

Howard stated his personal opinion is anytime you can involve a Hearing Examiner McCorkle stated he agrees to that to an extent except on smaller Dorn stated as far as he knows the Board of Adjustments does conditional uses and variances.

Administrator Schmidt stated on some occasions, there could be appeals that go before the Board of Adjustments. Administrator Schmidt stated the Hearing Examiner takes the partisanship out of it. Their role is to rule on the case law. Howard stated he feels the commission's job is to get appropriate comments from the community and make sure the city has a good Comprehensive Plan and then any appeal is because the comprehensive plan doesn't fit what they are wanting to do and that's where it is important to have someone with a legal background comparing what they want to do with the language in the plan and make a decision. Administrator Schmidt stated the Hearing Examiner acts as a check and balance to the administration. The Planning Commission and City Council adopt policy and then the hearing examiner enforces that policy. Dorn stated on some of these things, he doesn't think it takes an attorney to interpret it. If the laws are written so a layman can't understand them then it needs to be re-written. He sees another layer of bureaucracy for a lot of things. He also doesn't like to see us lose volunteers. The Board of Adjustment as well as the Planning Commission is a stepping stone for City Council. He likes the concept of the Board of Adjustments the way it is. He understands for the bigger developments having the Hearings Examiner. He just hates to give up everything. Administrator Schmidt stated your most controversial applications are going to be your large Type C-1 and C-2 applications. McCorkle agrees with Dorn. Callis stated he has read Hearing Examiner information from twelve different cities and be it a small city or a large city everything is moving in that direction. It takes the emotion and the potential of a law suit out of it. Administrator Schmidt stated he can go back and make the changes to the code and then bring it back to the commission at the next meeting. Howard stated he is comfortable if the motion is clear to go ahead and send it to council instead of it coming back hear.

McCorkle moved to approve the change to have the Hearing Examiner cover all "C" type application processes. Howard seconded the motion and the motion carried 3-2.

Howard would like to hear Dorn's concerns. Dorn stated one of them is the PUD's, which seems to be an animal by itself. The definitions of some of these is also what he is questioning, such as what are "major amendments", he is something the people may want to make a decision on that live hear instead of a bureaucrat. Another one would be annexations, again he thinks public input is very import it shouldn't be one person's decision. Administrator Schmidt stated under the Type C-1 and C-2, the public input is

part of the process. Kathleen stated her concern is always when there is a pause with people she feels it should come back, as the chair she is trying to get what she hears people saying.

FLUM Map Discussion

Administrator Schmidt handed out the first draft of the new FLUM map as well as a table that lists the Comprehensive Plan Designation and the Corresponding Zoning Districts. Administrator Schmidt stated he hopes everyone got the memo from the City Attorney about the relationship of the zoning code to the FLUM map. This is the main concern that the FLUM map needs to cover all the zones that you are going to permit to stay under that overlay. This is why you have to draft the designations after you do the overlay. Administrator Schmidt then went through all the designations with the commission and how the FLUM map correlates with the zoning map. Howard stated he feels the streets should be dividing line between zones, not individual property boundaries. Discussion ensued. Administrator Schmidt stated this is the first draft and he will also get a zoning map for everyone so you can look at both at the same time. Administrator Schmidt stated we did an ordinance on the FLUM map that allows the City Council to adopt the amendment on the FLUM map outside the normal process, so if we don't hit the December date we can do it at another time. If we are able to hash out the FLUM map, will the commission be comfortable having a public hearing the second meeting in November? We need to know tonight so we can publish in time.

Howard moved to hold a public hearing on the FLUM on November 16, 2009.

McCorkle seconded the motion and the motion carried.

Howard stated there are five items on our list of things we need to be working on. One of those was the Hearing Examiner, which we finished tonight. Of the other four things we need to decide which the next highest priority is. Administrator Schmidt stated that deadlines will be the driver. Snellback asked what the deadlines are. Administrator Schmidt stated the Comprehensive Plan amendments have to be adopted by the end of December, so the next thing should be the FLUM map and then the park plan. The commission members are definitely split on the park plan so it is something that is going to need to be discussed in depth. The commission agreed that there is more work that needs to be done on the park plan. Administrator Schmidt handed out the old park plan for the commission members to review and then the park plan can be placed on the agenda for the next meeting.

McCorkle stated he would be attending the October 27, 2009 council meeting to update them on what is going on with the Planning Commission

The next meeting will be November 2,, 2009 at 7:00 PM.

With nothing further the meeting was adjourned at 8:00 PM.

Kathleen Snellback, Chairperson