

**Planning Commission**  
**May 7, 2007**

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

The following members were present: Bill Dorn, James Montgomery, Bridgett McNassar, Gordon Liebel and Cindy Maas. Also in attendance was Interim Planning Director Ed Davis.

Maas moved to approve the minutes of the April 23, 2007 commission meeting. Dorn seconded the motion and the motion carried.

Cramer stated before we get into a lengthy discussion about the subdivision regulations, she would like to go back to the meeting of March 5<sup>th</sup> where we discussed a tentative timeline. She just wanted to refresh everyone's memory and see if we are still in sync with that. We had March and April for discussion, May for a public forum, June was the public Hearing and July we were going to meet with the Building and Zoning Committee as well as have the CTED review. August we had nothing scheduled and September was to finalize the draft. One thing Ed has done is put a memo together to the Building and Zoning committee of the council giving them an overview of where we are in the subdivision regulations. She felt that was nice so when we get to the forum they will be apprised and it will make thing easier when we send our final recommendations to the council. As far as the time frame we did have a public forum scheduled for this month and she is not sure we are quite ready for that yet. The commission did not feel they were ready quite yet. The commission decided to meet the 14<sup>th</sup> and the 21<sup>st</sup>. **Montgomery moved to have a stormwater and planning commission workshop at 6:15 and 7:00 PM respectively on May 14<sup>th</sup>. Dorn seconded the motion and the motion carried.**

**Subdivision Regulations:**  
**Chapter 18.16**  
**Procedure**

**18.16.010**

*Stays the same*

**18.16.020 Conditional approval**

(1) The developer or his surveyor shall transmit 8 copies of the preliminary plat application, together with the intake fee and deposit fee specified in BMC 18.27.010, to the planning department, which shall transmit copies of the plat application in accordance with the city's permit procedures.

(2) The proposed plat or subdivision shall be prepared by a licensed land surveyor. Within 28 working days after receiving a plat application, the planning department shall provide a written determination to the applicant, stating either (a) that the application is complete; or (b) that the application is incomplete and what is necessary to make the

application complete. To the extent known, agencies that may have.....(rest of paragraph stays the same)

(3) Within 14 working days after the determination of completeness has been issued, a notice of application shall be provided to the public and affected departments and agencies with jurisdiction. The notice shall describe the public comment period, and the date and time of the public hearing, if one has been scheduled at the date of notice. Public notice of the application shall be provided by (a) posting the property, and (b) publication of at least one notice in a newspaper of general circulation within the city. Such notices shall clearly indicate the time and place of such hearing and such notices shall be posted not less than 10 working days prior to the hearing. Notice of the public hearing shall be provided by publication of at least one notice in a newspaper of general circulations within the city and by providing a copy of the notice to all adjacent landowners, including, at a minimum, the owners of real property, as shown by the records of the county assessor, located within 300 feet, plus any street right-of-way that is within the 300 feet plus any portion of the boundary of the proposed plat. If the owner of the real property which lie adjacent to the real property proposed to be subdivided owns another parcel or parcels of real property which lie adjacent to the real property proposed to be subdivided, notice shall be provided to all owners of real property within 300 feet plus any street right-of-way of the boundaries of such property. Compliance with this provision shall be evidenced by submitting dated photograph(s) showing the posted notices on the site. All hearing notices shall include a description of the location of the proposed subdivision, and a reduced copy of the proposed development.

(4) Following issuance of an environmental determination under SEPA and preparation of all appropriate environmental documents, the planning commission shall review the preliminary plat at an open record public hearing and make recommendations thereon to the city council to assure conformance of the proposed plat to the general purposes of the comprehensive plan and to all relevant standards. The recommendation of the planning commission shall be advisory only. The planning commission's recommendation shall be submitted to the city council not later than 14 working days following action by the planning commission. Upon receipt of the recommendation on any preliminary plat, the city council shall at its next public meeting set the date for the public meeting where it shall consider the recommendations of the planning commission and may adopt or reject the recommendations based on the record established at the Planning Commission's public hearing. The city council shall inquire into the public use and interest proposed to be served by the establishment of the proposed plat. It shall determine if appropriate provisions are made for, but not limited to, the public health, safety and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks, trails, and recreation, playgrounds, schools and school grounds, and shall consider all other relevant facts, including sidewalks, crosswalks/pathways and other planning features that assure safe walking conditions for students who only walk to and from school, and that the public use and interest will be served by the platting of such subdivision and dedication.

(5) If, after considering the matter at a public meeting, the city council deems a change in the planning commission's recommendation approving or disapproving the preliminary plat is necessary, the city council shall adopt its own recommendations and approve or disapprove the preliminary plat. The city council shall not as a condition to the approval of any plat require a release from damages to be procured from other property owners. Dedication of land to any public body, provision of public improvements to serve the subdivision, and/or impact fees may be required as a condition of subdivision approval, as allowed by law. Dedications shall be clearly shown on the final plat. Every decision or recommendation made under this section shall be in writing and shall include findings of fact and conclusions to support the decision or recommendation. Following the city council's decision, a notice of completeness, plus any days that the applicant needed to respond to any items requested by the City. In determining the number of days that have elapsed, the city shall be guided by the pertinent provisions under the Washington State Regulatory Reform Act.

(6) If the preliminary plat or subdivision is approved by the city council, the applicant/developer before requesting final approval shall install the required improvements by either of the following methods:

- (a) *Stays the same*
- (b) *Stays the same.*

(7) *Stays the same.*

#### **18.16.30 Final approval**

The final plat shall conform to the preliminary plat as approved by the city council. If desired by the applicant/developer, the final plat may constitute only that portion of the preliminary plat which is proposed to be recorded and developed at the time. The developer shall submit a mylar tracing and 8 prints of the final plat and other required exhibits to the planning department. A complete final plat application shall be submitted to the planning department within five years after city council approval of the preliminary plat. The director of planning may extend the time for submission of a final plat up to an additional 12 months for good cause shown. If no final plat is filed within five years or not extension given, the preliminary plat approval shall lapse. The planning commission shall review the final plat to determine if the plat conforms with the conditions of the preliminary plat, the comprehensive plan, BMC Title 19 (Zoning & Comprehensive Plan), and BMC Title 18 (Subdivisions) and within 30 days from the date of filing shall act upon the final plat, unless the applicant consents to an extension of such time period. Following the planning commission's recommendation, the final plat shall be submitted to the city council for final action. *The rest of this section stays the same.*

#### **18.16.40 Filing of preliminary plat – notice to Secretary of Transportation**

Notice of the filing of a preliminary plat of a proposed subdivision located adjacent to the right-of-way of a state highway (SR 410 & SR 165), or within two miles of the boundary of a state or municipal airport shall be given to the Washington State Secretary of Transportation. The Secretary shall respond to the city within 14 days of such notice as to the effect the proposed subdivision will have on the state highway or airport.

#### **18.16.50 Expiration**

If a final plat has not been recorded within six months after approval by the City Council, the map shall expire and be null and void. One six month extension shall be granted by the City Council if the appropriate fee has been paid and if the applicant's reasons for granting the extension satisfy the council. To revitalize the expired subdivision plat map, the map shall be resubmitted as a preliminary plat map.

#### **18.16.60 Appeals**

*Stays the same.*

### **CHAPTER 18.20 STANDARDS AND POLICIES**

#### **18.20.10 Conformance to comprehensive plan.**

*Stays the same.*

#### **18.20.20 Public health, safety, convenience, general welfare and quality of life are to be protected.**

Each proposed subdivision and the ultimate use of the land therein shall be in the interest of public health, safety, convenience, general welfare and quality of life. Subdividers shall be prepared to present evidence to this effect when requested by the planning commission and city council.

#### **18.20.30 Public Facility area exclusive.**

*Stays the same.*

#### **18.20.40 Dedication of new right-of-way.**

Where the comprehensive plan or the city's official road plan indicates the necessity of new right-of-way of a required width or a portion thereof for street purposes whether within a new plat or new subdivision, or along the boundaries of a new plat, new subdivision or new lot, such required right-of-way or portion thereof shall be dedicated to the city by the filing of a plat. In addition to right-of-way dedication and acceptance by the City Council, the streets shall be developed as per City street standards.

#### **18.20.50 Cemetery area.**

*Stays the same.*

#### **18.20.60 Public areas may be required on plats.**

*Stays the same.*

#### **18.20.70 Conformance to zoning regulations.**

No final plat of land under force and effect of existing zoning regulations shall be approved unless it is in conformance with zoning regulations adopted by the city at the time of plat application.

**18.20.80 Subdivision of inadequate land.**

*Stays the same.*

**18.20.110 Roads.**

*Stays the same.*

**18.20.120 Lots.**

(1) *Stays the same.*

(2) To ensure public health, convenience and safety, the subdividing of land shall provide, by means of a public road, each lot with satisfactory access to an existing public road. The exception shall be a private access way to provide access to lots within a short plat subdivision.

(3) *Stays the same.*

(4) No lot or lots for residential purposes shall be divided or sold into additional lots or building sites, unless the proposed lots to be subdivided meets compliance with the existing zoning regulations and plat restrictions shall so state this fact.

**18.20.130 Public spaces.**

(1) Where a proposed park, playground, school, trail, open space or other public use shown in the adopted comprehensive plan is located in whole or in part in a subdivision, the city council may require the dedication or reservation and construction in compliance with the adopted plan.

*There was a lengthy discussion about how to go about getting park space rather than just collecting the park impact fee. There was also a discussion regarding flexible lot sizes and how it can work with developers to get open space in turn for flexible lot sizes. Ed stated you usually do this within Planned Unit Development (PUD's) or Planned Residential Developments (PRD's). Ed stated he would bring some examples of these to the next meeting.*

(2) Due regard shall be shown for the preservation of outstanding natural and cultural features such as scenic spots, watercourses, historic sites and other features as deemed appropriate by the city.

**18.20.140 Street lighting.**

Street lights of appropriate design, as determined by adopted city standards shall be located on opposite sides of each street intersection and along all new dedicated streets and/or new developments adjacent to existing streets without street lights shall have installation of street lights.

**18.20.150 Tree planting.**

The planting of all street trees shall conform with adopted landscaping standards for street trees.

Cramer stated we need to go back to the street definitions and review what Administrator Schmidt gave us and see if we want to keep what we have discussed or add or delete them. After discussion they will be as follows:

**18.12.140 Street, major arterial**

Major arterial street means an arterial, which has continuity and serves as a distributor of through traffic and includes major highways.

**18.12.150 Street, minor arterial**

Minor arterial street means a street that serves as a distributor of traffic between major arterial streets and collector streets.

**18.12.160 Street, collector**

*Stays the same*

**18.12.170 Street, local access**

Local access street means a street supplementary to a collector street primarily designated for residential uses within the subdivision. Local access streets carry traffic to neighborhood parks and elementary schools and has limited through traffic, utilizing traffic calming devices.

*There was a long discussion about parking on one side of the street only. The commission took a vote and decided not to have parking on one side only. Liebel stated he would like to have it someday that they can if they choose to have parking on one side. Cramer would like everyone to think about this issue a little more and we will have a brief discussion on it at the next meeting.*

Cramer stated at the next meeting we need to finalize private access way, alleys and dead end streets.

Liebel stated we spent a lot of time talking about minimizing private access way, flag lots and discouraging cul-de-sacs, but yet we couldn't eliminate them. Now it is not even mentioned in here, is this where it needs to be addressed. Ed stated we need to discuss at the next meeting how to deal with discouraging cul-de-sacs.

With nothing further the meeting was adjourned at 9:00 PM.

The next meeting will be May 14, 2007 at 7:00 PM.

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Lisa Cramer, Chairperson