

**City of Buckley
Planning Commission Minutes
September 10, 2007**

Chairperson Cramer called the meeting to order at 7:03 PM.

The following members were present: Bill Dorn, Gordon Liebel, Dale Clark, James Montgomery and Bridgett McNassar. Cindy Maas was absent.

Chairperson Cramer would like to amend the agenda to include Administrator Schmidt prior to the New Planner Update. Montgomery moved to amend the agenda as discussed. Clark seconded the motion and the motion carried.

Montgomery moved to approve the minutes of the June 18, 2007 Commission meeting. Dorn seconded the motion and the motion carried.

Montgomery moved to approve the minutes of the July 9, 2007 Commission meeting. McNassar seconded the motion and the motion carried.

Cramer stated on the August 6, 2007 on the second page, the second paragraph, first sentence, there is a small content change. The statement should read: "Montgomery stated he doesn't feel that the subdivision regulations we have proposed meet the goals we are trying to achieve." Liebel moved to approve the minutes of the August 6, 2007 Commission meeting with the amendments. McNassar seconded the motion and the motion carried.

Administrator Schmidt Addressing the Planning Commission on the Zoning Code:

Administrator Schmidt addressed the Commission regarding the zoning on Highway #410. When the city wide rezone was done, the city tried to clean up that area because that is our main commercial area. The city wanted to rezone that entire area general commercial with some industrial park. During the public hearing process, there was a lot of opposition from home owners, they had concern that the property taxes would go up before they could reap the benefits because there was no sewer available. What happened was most of the properties that were previously zoned RB then became NMU. Under our NMU zoning regulations the minimum lot size for single family homes is 5,000 square feet. Our smallest residential lot in the residential zones is 6,000 square feet. What this has done it made all the NMU property on the highway very appealing to developers to come out there and build a lot of homes, sell them and is gone and then we don't have any commercial property left. We actually have a developer right now that has an offer on three large parcels and his intent it to build single family homes. Cramer asked what we are proposing to do, change the code. Administrator Schmidt stated we have talked before about some anomalies and conflicts in the code. He has gone through the entire code and made the changes.

Davis has suggested that we do an emergency ordinance amending that zoning code to take care of this particular incident. From a strategic standpoint, we would want to discourage single family homes within the NMU zone. Administrator Schmidt stated he is going to have to talk to the City Attorney and she will have to determine whether or not this would be considered an emergency because if not, all zoning changes have to go through the public hearing process and CTED review. Montgomery stated it should be very clear in the minutes that we never intended for that area to be single family, we only wanted to protect the current property owners so their property taxes didn't go up being zoned commercial. Administrator Schmidt stated depending on what happens, there may be a possible lawsuit. Depending on the City Attorney's interpretation, he just wanted the Planning Commission to know what was happening and that there may be changes coming forward.

Cramer asked Administrator Schmidt about an issue that Council member Cristi Boyle Barrett brought to her attention regarding the Elk Heights development and them asking for a height variance. She is wanted to make sure the Planning Commission has that information because if they are allowed 40 feet height they could build three story homes. Administrator Schmidt stated he can give very little information because there will be a public hearing before the Board of Adjustment for them to hear and they will have to base their decision on what the variance provisions are. The applicant is asking for an increase in building height from 30 feet to 40 feet for steep roofs and cathedral ceilings. What they are agreeing to is a height limitation on the eaves to 22 feet.

New Planner Update:

Cramer stated a new Associate Planner has been hired and will be starting October 1, 2007, her name is Surayia Rashid. She has lots of energy and she is very excited to get started and the city is very excited to have her. Montgomery asked with her coming on board, what will that do for some of the things that have been put on the shelf such as the trail plan, stormwater design guidelines and things like that. Davis stated it will give them an opportunity to move back into those after the first month of training. Davis stated he has talked to Dean about reorganizing the space in the office. There are walls that need to be moved and create an additional office so there will be two offices together.

Feedback from other cities regarding PUD's/PRD's:

Cramer stated at the last meeting we talked about contacting other cities that have dealt with the PUD's and see how they have been dealing with it. Dorn talked to two cities and Cramer talked to three cities. Dorn stated he talked to North Bend and they have not contacted him back. He also talked to Chris Pasinetti of Fife and they have PRD's and PID's which is Planned Industrial Development. Fife likes the idea of PRD's and they have three different types, 3 acre, 5 acre and 10 acre. The open space changes, the larger the tract the higher the percentage. They do have density bonuses but their minimum lot sizes are 7,200 and the

maximum they will give for density bonus is 2,200 as long as you are giving the city something that the city wants. Their setbacks are 16 and 18 feet. Basically what he said is not to make the decision on paranoia. You have to understand that there are going to be problems; you have to set that aside and look at what is best for the city. They do have a website Fife.org and their PUD's are listed on the website. For them the concept comes to the Planning Commission and the Planner and City Administrator is involved after the fact. The final plat is brought back the Planning Commission before it goes to the Council. He said if anyone else on the Planning Commission has questions for him they can call him anytime.

Cramer stated she received information from three different cities. The first city she talked to was Dupont and spoke to Dale Kingman. They had a unique situation because they had two private entities, Weyerhaeuser and Quadrant Homes who approached the city about planning the community so they don't actually have the PUD's PRD's. The city's population went from 800 to 12,000. One of his recommendations was to be sure the comprehensive plan defines in broad terms what we want. For example the SW quarter of the city will be developed with streets using a grid pattern; homes will follow the traditional town development pattern; and traditional neighborhood design. For new development, amend the comp plan to indicate what the goals are for the new development. Make sure the zoning gives details. Dale stated he thinks the PUD is an old tool from the 1980's and wouldn't recommend using it. Spell out what we want such as alleys are preferred or alleys are not encouraged unless it is consistent with the established neighborhood guidelines and topography. The street standards should discuss alleys and grid patten, width of streets and driveways. He suggested avoiding words like "new" or "change" and don't let developers choose which regulations to use, because they will use the one that is most cost effective for them.

The second person Cramer spoke with was Steve Munson of Black Diamond. They have a Master Planned Development which was adopted in 2005. This is an option that they have but has not yet been applied. It does include design standards and has all the guidelines for open space, sensitive areas, heights and dimensions. They do have new things that are going on right now but they may be vested to codes and regulations at the time of development. The developers do like them and consider them more beneficial. He did do on MPD of over 80 acres in Woodenville; there is a contact person in Woodenville that can be contacted if we want to. He also asked about a Hearings Examiner System and whether or not we have one. Cramer told him we had been discussing it but had not yet decided. He strongly recommends a Hearing Examiner System to assure fairness and compliance to the regulations and ordinances. It takes out all the political and emotional issues out of the picture.

The last person Cramer spoke with was Mark Brandmire, the City Administrator from Orting. They have been very disappointed with the PUD's. The Planning Commission is not satisfied with the way they turned out. The biggest issue is they didn't put enough detail into the written regulations and because of that developer's had more play than they should have. He recommended having it run concurrently with the regular subdivision regulations. You could do away with PUD's and have a more flexible subdivision code.

Davis spoke to the City of Sumner and spoke to Ryan Windish. They have a PUD ordinance that allows it to go down to one acre. No developers have ever taken any use of it. In their regular subdivision code they have what you call the traditional development. They have been winning awards from this. Davis talked with the Sumner's City Administrator this morning and Ryan will be doing a tour of Sumner with other planners in the area. Davis asked if Ryan could do a tour with the Planning Commission. He is available on Saturday September 22, 2007 at 10:00 AM in Sumner. We could use the Fire Department bus so everyone can be in one vehicle together to ask questions and have discussion.

Clark thanked everyone for getting all this information because it gives him a little more insight on what is going on not just here but in the surrounding areas.

Davis wants the Planning Commission to think of questions to ask the Planner of Sumner when they do the field trip. Discussion ensued.

Cramer stated given all this information, we are still needing to go back to how to get the concepts in that aren't currently in and the other details that aren't currently in there. The biggest problem of this whole process is having all our ideas and concepts but not knowing how to put it down on paper. Davis stated he has copies of Sumner's ordinances that we will get out to the Planning Commission. Cramer stated she would like to get this before the meeting on Monday.

Draft Subdivision Regulations for Public Workshop and/or Public Hearing:

Cramer stated we need to decide where we go from here. Davis stated the commission needs to think about what you really want your regulations to say. For example, you don't want any rear yards less than 15 feet deep; you don't want any front yards less than what you can park in the front of garages so the car is not encroaching over the sidewalk; you need to start zeroing in on those things the commission feels like creates livability. Montgomery stated we could review our performance standards to make sure they meet our goals. Dorn stated by the time the new planner comes on board, if we could say these are the things we want and we are not flexible on them and the rest, these are the goals, how do we get there. Liebel stated we can line them up on the board and say are we in agreement, are we done with this and if not work on it until it is done. Cramer stated that is a good idea so let's plan for that for the next meeting. We really need to nail this

stuff down so we can move forward. Dorn stated he would like to vote on the PUD/PRD because if he is the only hold out, we need to make a decision and move forward.

New Business:

Cramer asked if everyone got the e-mail from Administrator Schmidt regarding “Learning how to develop sustainable communities” workshop. It will be in Vancouver Washington September 26-28, 2007. All the information is in the e-mail. If anyone is interested in attending, let Administrator Schmidt know.

The commission had a brief discussion on building green and whether or not this is something we want to jump into within our subdivision regulations.

The next meeting will be September 17, 2007 at 7:00 PM.

With nothing further the meeting was adjourned at 9:04 PM

Lisa Cramer, Chairperson