

Planning Commission
February 23, 2004

Chairperson Wolfe Schneider called the regularly scheduled meeting to order at 7:05 PM.

The following members were present: Jay Johnson, Cristi Boyle-Barrett, Lisa Cramer and Cindy Maas. Terry Wade and Sandy Ramsey were absent.

There were a few type corrections that were brought forward to the secretary. Cramer moved to approve the minutes with the corrections. Boyle-Barrett seconded the motion and the motion carried.

Administrator handed out a cleaned up copy of the Sign Code with the changes that were made at the last meeting and also a new copy of the Regulatory Reform. The sign code is the final copy until we get the enforcement provisions done. We cannot adopt the sign code until these enforcement provisions are done. Boyle-Barrett asked if we are going to get a response from Duncan regarding Terry's letter. Administrator Schmidt stated as soon as he is able to get a hold of Duncan he will try to get his response. Schneider stated regarding the subject of legal opinions, he has had an opportunity personally to deal with attorneys that don't agree on issues and even judges sometimes don't agree, they overrule each other and things are appealed to higher courts. It has occurred to him to get absolute clarity or absolute assurances of not being sued are unrealistic. He would tend to give more weight to the City Attorney. Administrator Schmidt stated because the City has an attorney on staff, we have to go by their advice and their recommendation, otherwise we lose the public protection section of the law. That is why we have an attorney on retainer is to advise us.

Survey Results

Administrator Schmidt stated he just wanted the planning commission to have a chance to review the results and have discussion if need be. One interesting thing is there seems to be a real direct split between how people want to see the property on Highway #410 used. Administrator Schmidt stated one thing that should be done is have a plan and a design as to what it can look like. Schneider asked whose job that would be. Administrator Schmidt stated probably the Planning Commission. Cramer stated she thought that would be something the U of W students would do. Administrator Schmidt stated he doesn't know if they will go to that extent. Cramer stated she thinks a lot of people are really visual and to see some layout would be a big help. Administrator Schmidt stated he talked to the instructor and is hoping that maybe a couple of the students could stay with us throughout the summer and work as interns to help get us through the entire process. Boyle-Barrett asked how many people were here for the meeting on Saturday. Administrator Schmidt stated there were 36 not including staff and students. Cramer stated it was a very well organized meeting. Boyle-Barrett stated she noticed in the survey that several business owners downtown are not happy with the sign code. There are a lot of comments that Buckley isn't nice to downtown businesses. Schneider stated he tends to agree with that and finds that at times the ARB is rather sticky to work with. Administrator Schmidt stated in defense of the ARB, that have to be

because that is the document that they have that they have to go by. The guidelines for redevelopment for downtown are very restrictive. Schneider asked if that would be part of the changes in the Comprehensive Plan updates or is that a separate document. Administrator Schmidt stated they could be a part of the development regulations and the Planning Commission can recommend anything. Schneider stated we need to support the downtown businesses and yet keep downtown looking nice. Administrator Schmidt stated we have started doing that with the creation of the Community Development Board. Maas stated regarding the survey, she found it odd that people wanted to keep things the same but add swimming pools, athletic fields and she was thinking who is going to pay for this. Schneider stated one thing that he has found interesting is something the Pierce County Regional Council is looking at and that is adding living facilities above businesses. Administrator Schmidt stated this is a new concept on the west coast. The people live at their business on the second floor. Administrator Schmidt stated PCRC is promoting this to get away from sprawl, and yet meeting the density requirements of growth management. This is a good opportunity for the City to look into this also. Cramer stated that one thing a lot of people were talking about at the meeting on Saturday was to look at Sumner and what they have done when we look at redoing downtown. Schneider stated Buckley does have the chance of all businesses ending up on the Highway and having nothing in town. Maas stated realistically more people aren't going to shop downtown until there are more people here. Administrator Schmidt stated you have to have the right type of businesses with the right type of product to attract customers. Boyle-Barrett asked how the issue of senior housing is being handled. Administrator Schmidt stated it is a difficult issue because if you look at the population and the amount of senior housing percentage wise, we already have quite a bit. Boyle-Barrett asked about the Miller property. Administrator Schmidt stated the City does not have the funding to build senior housing. We do support the White River Senior Housing Association. They did a purchase agreement with the City for a portion of the Miller property, however they only have certain amount of time to get funding to build the facility or they lose the grant to purchase the property. There was discussion about the skate park and youth center and the location. Schneider stated this is one more reason to actually have a plan so this property is not being given up piece by piece with no plan. Boyle-Barrett asked what the status of the Fire Station location is. Administrator Schmidt stated there are two sites, where the City shops are or on the corner of Jefferson and River on the RROW property.

Sign Code

Administrator Schmidt handed out the most recent updated copy of the sign code. On page 21 Section 19.30.260 Enforcement, Violations and Penalties has been referenced to a new section of the code that has not yet been adopted. We need to move forward with the consolidated enforcement code as soon as possible, otherwise we cannot adopt the sign code. Administrator Schmidt would like everyone to read through this and bring any changes back to the next meeting. Cramer stated the one change we talked about at the last meeting still hasn't been changed referring to removing the sandwich boards by sunset; this should read by the end of business hours each day. He knows there will be business owners who are going to have comments about this because he has already heard one. Maas stated she was interested to read on the survey that there are a lot of

people who are not happy with the sandwich boards. There was discussion about community sign at the intersection of Highway #410 and Main Street for the businesses downtown. There was a question about who would be paying for it. Administrator Schmidt stated the City cannot pay for it so it would be the business owners. Boyle-Barrett stated she feels adding another distraction at that intersection is only going to add to the danger of it. Administrator Schmidt stated he feels the community sign may appease the business owner; however, he doesn't know that it will actually draw people into town. He feels the Main Street renovation will help bring people into town. There was some discussion regarding the widening of Highway #410.

Regulatory Reform

Administrator Schmidt stated the last time we reviewed Regulatory Reform, he believes we got through most of this document. Administrator Schmidt stated he would like everyone to review this so at the next meeting we can discuss this, make any changes and set this aside along with the sign code until the consolidated enforcement code has been adopted.

Administrator Schmidt stated for the next meeting he will try to have a packet ready for the zoning code. What it will include are handouts from the Puget Sound Regional Council on how to update development standards and comprehensive plans and the process it goes through and how they review it; the process we have to go through to adopt everything; copies of zoning codes from other cities; and information from MRSC on adopting new zoning codes so you have reading material so you can get familiar with this process.

Critical Areas Ordinance

Schneider asked when we will be discussing the Critical Areas Ordinance again. Administrator Schmidt asked if everyone was able to read the letter from the Department of Ecology. Most were able to read it. Administrator Schmidt stated he e-mailed DOE back with his response which was that he appreciated the comments and that the Planning Commission would be considering the comments and the whole process, her offer of assistance was greatly appreciated however we would like to have objective unbiased input so therefore we really aren't accepting her technical assistance in developing our plan. He has not received a response back. Cramer stated she was very thorough with her comments. Administrator Schmidt stated it is his understanding that several cities within Washington have submitted their plans to DOE and DOE has submitted similar letters as ours back to the cities. There are some that DOE has even stated they would take them to court if their plans were adopted. He has had two recommendations suggested to him. One is to have an independent wetland consultant to support the smaller buffers and unique circumstances with the hydric soils. The other is to get the studies that larger cities are having done by wetland consultants to support their smaller buffers. Administrator Schmidt stated the one thing that will happen if we adopt what DOE has suggested it will take probably over half of our land in the city and make it non developable. That is not the intent of the critical areas regulations. Administrator Schmidt knows of a land use attorney who we may look at retaining to help us through this process. This attorney has also suggested that we contact other cities and try to

establish some type of united front against DOE. The recommendation at this point by legal advice is to just hold off.

The next meeting will be March 1, 2004 at 7:00 PM.

With nothing further the meeting was adjourned at 8:46 PM.