

Planning Commission
March 1, 2004

Chairperson Wolfe Schneider called the regularly scheduled meeting to order at 7:07 PM.

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

Ramsey moved to approve the minutes of the February 23, 2004 commission meeting. Cramer seconded the motion and the motion carried.

Sign Code:

Schneider stated first of all, was there anything added from Wade's letter of recommendation. Administrator Schmidt stated most of it pertained to the enforcement and since the enforcement section was removed from the sign code, no we did not. Schneider stated there was also the suggestion about the advertisement zone. Administrator Schmidt stated he is not in favor of this. Schneider stated this sign code has been tossed around for such a long time and he is not sure of the need for such a thing. Boyle-Barrett stated she doesn't really know where such a thing like this could be located in Buckley. It was the Commission's consensus to not include this in our code.

Administrator Schmidt stated he did not find in here where the pedestrian right of way was protected. It was the Commission's consensus to change Section 19.30.070 (O) to read – No sign shall be placed so as to cause a visual or physical obstruction to a public right-of-way or pedestrian way.

Cramer stated there were also a few corrections that had been discussed that have not been corrected yet they are on page 9 (D) "in the opinion of the planning commission" needs to be removed and page 21 (C), top of the page, should read "removed by end of business hours of each day".

Boyle-Barrett stated on page 2 (K), last sentence should read, "no advertising other than the name of the sponsoring agency or organization shall be allowed on any community bulletin board". The other question she had was regarding the string of lights being prohibited. There was a discussion by the commission and none of them felt it necessary to prohibit strings of lights, therefore it was consensus of the commission to remove "string of lights" from the sentence on Section 19.30.050 (G). The other question was on the real estate signs (Sections 19.30.150 E 1-5, there are requirements for removal on only the first three incidences, not all five. Administrator Schmidt stated we could remove the last sentence on number 3 and add a number 6 that reads "All real estate signs shall be removed within thirty (30) days of the sale, lease or rental of the property unless otherwise specified within this section. It was the commission consensus to change it this way.

Ramsey stated we also need to remove "string of lights" under Section 19.30.150 (G). The commission agreed.

Boyle-Barrett stated under non-conforming signs, if they were to change the face of their sign, change the lettering, is their sign then a legal non-conforming sign. Administrator Schmidt stated if they want to change and put a new sign over an old one, they can not do that. Boyle-Barrett was trying to find out where a legal non-conforming sign in town is. She just doesn't know if we want to be that hard nosed for someone who may want to add some graphics or change the lettering. Administrator Schmidt stated if the goal you are trying to achieve long term is a particular look, then you have to balance, forcing the new people to comply with this and gradually having the old to come up to the standards. Boyle-Barrett asked if the effective January 1, 2004 will remain even though this has not been adopted yet or will the date change. Administrator Schmidt stated the date will change to the adoption date. What about the people that have a permit prior to the effective date, will they be under the old code? Administrator Schmidt stated yes they are vested under the old code. Boyle-Barrett asked about the language on page 18 – A. (1), regarding being lawfully erected. There was discussion amongst the commission regarding this language with and/or in the section makes it rather confusing. It was decided on by the commission to delete No's 1 & 2 and have A read: A sign is a legally nonconforming if it is out of conformance with this code and it was lawfully constructed and installed prior to the date of adoption of this code.

Cramer asked about the wording under the definition of Marquee signs regarding flush mounted signs. Should we have a definition for flush mounted signs? Administrator Schmidt stated what we could do is change the wording to wall mounted because we do have a definition for wall mounted. There was discussion about removing Marquee Sign from the definitions all together. Schneider stated if it is not hurting anything and it may at some time matter, he is suggesting that we just leave it. After a brief discussion, it was the commission's consensus to change the wording to wall mounted.

The sign code as far as the Planning Commission is concerned the sign code is finished and will be corrected and set aside until the enforcement code is complete.

Regulatory Reform:

Schneider stated Terry called him and had one concern on Page 2, (I) – the definition of “days”. He felt it should be working days rather than calendar days. Administrator Schmidt stated he understands Terry's reasoning, however, when you start developing permit applications for plat and you have 120 calendar days and you turn those into working days you are talking about 5 or 6 months, rather than 4 months to process the application. Schneider stated what is his motivation for changing this? Boyle-Barrett stated she feels because there are issues in here that there are 10 days in which to respond. She was feeling it was rather short also. Schneider stated isn't the issue of time generally in favor of the applicant? Administrator Schmidt stated yes, that is the whole purpose of regulatory reform. Cramer stated there are actually spots in this where it actually spells out working days. Schneider stated as he sees it now, changing the definition would only benefit the City and he is inclined to not change the definition until we get more specifics from Terry. Administrator Schmidt stated he suggests that it stay

consistent. If we find a place that needs to be specific to working days, then we can change that specific section.

Administrator Schmidt stated he didn't think we would be able to get through this tonight. Schneider stated he feels we can because he doesn't know enough about this to have any real objections.

Cramer asked why the fee schedule has been marked out. Administrator Schmidt stated we have fees scattered throughout the whole code book. What we would like to do is have all the fees included in one resolution so that the Council can go through the fee schedule yearly and adjust them as necessary rather than having to do a code change each time each fee needs to be adjusted.

Administrator Schmidt stated Council member Schneider had a concern about this and her concern is that all the waivers of development guidelines and public works standards go before the Council and she feels that they should go before the Board of Adjustments. Administrator Schmidt stated within our development guidelines, it allows a person to apply for a variance, in there it states the variance goes to the City Council and the Council has to provide facts and findings similar to what the Board of Adjustments has to do in granting conditional uses and variances. If you wanted to change and have this go to the Board of Adjustments, the Council would have to change the development guidelines in order to change this land use and development document. Administrator Schmidt stated a lot of cities use hearing examiners for situations like this. Schneider asked why we don't use a hearings examiner. Administrator Schmidt stated we would have to change our entire code because the hearings examiner makes most of the decisions for the City even on things like large subdivisions. The Council has talked about this but has not decided yet to change. Schneider stated he feels this is not a time for us to make such a major change, so maybe we should wait to hear from the Council on this. Administrator Schmidt stated he doesn't think it is a bad thing to leave it where it is right now. Schneider would like Administrator Schmidt to let the Council know that we are interested in changing this, however, are not doing anything at this time.

Administrator Schmidt stated on page 11 – E,3: he has added a clause stating “any period during which the applicant has failed to pay any applicable fees or deposits after having been notified of such by the City shall be excluded from the time period in this chapter.” He would also like to add this clause to Section 20.10.230 as A,8.

Administrator Schmidt stated he will run this past the City Attorney before we send it off to Community Trade and Economic Development.

Administrator Schmidt stated he handed out some information on comprehensive planning because that is what we will be doing with the U of W students.

Administrator Schmidt stated we just found out we have to update our Park Plan and it has to be adopted by June 6, 2004. Because we are tied up on all the other stuff, we have involved the park board and the Council Park Committee to get a park plan put together

and hopefully have it back the Planning Commission by the first meeting in April. He will be sending this to the state for their 60 day review before the Planning Commission even gets it. The committee on this will be meeting every Thursday for the month of March at City Hall.

With nothing further the meeting was adjourned at 8:53 PM.