



Planning Commission Minutes
February 15, 2006 Regular Scheduled Meeting

APPROVED

City Hall Council Chambers

The meeting was called to order at 5:40 P.M.

Planning Commission Present

Randy McKibbin, **Chair**
Grant Sulham, **Vice-Chair**
Quinn Dahlstrom
Dennis Poulsen
David Eck
Katrina Minton-Davis
L. Winona Jacobsen

City Staff Present

Stephen Ladd, Planning Manager
Christy McQuillen, P&CD Assistant/Clerk

A poll determined that a majority of Commission members would be available for the next meeting scheduled for March 1, 2006 to be held at City Hall Council Chambers.

I. APPROVAL OF MINUTES:

Minutes requiring review and approval were those of February 1, 2006.

MOTION WAS MADE BY COMMISSIONER ECK, SECONDED BY COMMISSIONER POULSEN TO APPROVE MINUTES FOR FEBRUARY 1, 2006 AS PRESENTED. APPROVAL WAS UNANIMOUS.

II. PUBLIC COMMENTS/CONCERNS:

A few individuals were in the audience but chose not to speak.

III. OLD/CONTINUING BUSINESS:

Proposed revision to the R-2 Residential Zone to give a maximum density rather than a minimum lot size and revise the setback requirements- As outlined in the Staff Report dated January 23, 2006 and discussed at the February 1st Planning Commission meeting, the R-2 zone has not yet been revised to match the R-1 zone. In R-2, the minimum lot size for single-family residences is 8,600 square feet, which equals 5.0 units per acre. The minimum lot size for duplexes is 10,000 square feet, which equals 8.712 units per acre. The solution is to put the R-2 zone on a density basis rather than a minimum lot size basis, as was done with the R-1 zone in 2004 (Ordinance 1099).

To recap the proposed changes to the R-2 zone as outlined in a table, please refer to the Approved Planning Commission minutes of February 1, 2006 and Staff Report dated January 23, 2006.

As a group, commissioners were eager to discuss their main concern stemmed from discussion at the February 1st meeting; existing “duplexes” within the City and owners selling these units separately without a firewall being built between the 2 units.

Mr. Ladd said that staff followed up on this concern with Building Department staff and learned that walls could be retrofitted (two 1 hour firewalls) through the building permit process. In addition, if an application is made to subdivide the property (for zero lot line) with an existing duplex or townhouse on-site, the staff would be able to catch this during the application process and proceed with advising the applicant that firewall requirements and permits are required to existing unit(s).

With no other comments, Chair McKibbin called for a brief recess.

This item would remain on the Agenda under Old Business for the Planning Commission meeting schedule for March 1, 2006.

IV. PUBLIC HEARING-

Proposed revisions of the Critical Areas Ordinance regarding steep slopes- Prior to the opening of the Public Hearing, Mr. Ladd distributed a black & white map showing slopes 25-40% and slopes over 40% (clearer map than one previously distributed).

Chair McKibbin opened the Public Hearing at 6:03 P.M.

Darin Spang, Master Builders Association of Pierce County, 1120 Pacific Avenue Suite 301, Tacoma, WA 98402- As pointed out in a letter submitted to the City of Bonney Lake dated February 14, 2006, MBA requests that Bonney Lake either make no changes to their current steep slope regulations, or alternatively, adopt language similar to that included in Pierce County’s Landslide Hazard Areas regulations at PCC 18E.80. It’s appropriate to use the 25% slope as an indicator of when a geotechnical professional should look at a site and determine if an actual critical slope exists. It’s not appropriate to automatically designate anything at a 25% slope or greater as a critical area that is thereby undevelopable at any intensity. MBA asked the City to reconsideration the significant restrictions being placed on the property owners on the “West Slope Area” of Bonney Lake.

Laurie Carter, 18119 85th Street E., Bonney Lake, WA 98391- In support of the changes to the Critical Areas Ordinance, Ms. Carter read from a letter (submitted into the record as Exhibit #1) outlining the importance to keep Bonney Lake steep slopes covered in trees and native plants not only for visual significance and benefit but also environmentally.

Fred Jacobsen, 9100 189th Street Court East, Bonney Lake, WA 98391- In support of the changes to the Critical Areas Ordinance, Mr. Jacobsen reminded/cautioned Commissioners that Engineers will usually tell

M; Everyone/Planning/Planning Commission/Minutes/2006/February 15, 2006.doc

you that anything can be built on a slope (with engineering). With the current rain storms in the area, storm water from the Panorama West development is spilling into the Van Ogle creek causing the creek to overflow.

Kathleen Edman, 10705 189th Avenue E, Bonney Lake, WA 98391- Representative of the Fennel Creek Homeowners Association, supports changes to the Critical Areas Ordinance and opposes any development on steep slopes.

Mr. Ladd indicated for the record that Dennis Tompkins (unable to attend the meeting due to illness) left a message with city staff asking that Planning Commission know be aware that he supports changes to the Critical Areas Ordinance.

Marian Betzer, 19812 82nd Street Court, E. Bonney Lake, WA 98391- In support of the changes to the Critical Areas Ordinance, Ms. Betzer said that the City's Buildable Lands Inventory Report shows that there are enough lands (city-wide) through 2018/2020. There is no need to develop on steep slopes.

With no other comments, Chair McKibbin closed the Public Hearing at 6:18 P.M.

This item would remain on the Agenda under Old Business for the Planning Commission meeting schedule for March 1, 2006.

V. NEW BUSINESS-

Fennel Creek Trail Plan- Prior to the meeting, Commissioners received a copy of the DRAFT Fennel Creek Trail Plan dated December 5, 2005.

Several members of the Fennel Creek Trail Committee were present along with Bruce Dees, Consultant (Bruce Dees and Associates) to present the DRAFT plan.

Mr. Dees addressed the commission, addressing specific concerns that Planning Commission had in the fall of 2005 when the 1st DRAFT plan was presented.

- 1) **Size of trail:** *Planning Commission is concerned with width of the trail design (18 to 20 ft. wide).*
Mr. Dees said the trail section will be 12 feet wide with 2 foot wide shoulders on each side and where a full section cannot be constructed; the section may be reduced as required. The equestrian trail will be separated from the paved trail a minimum of five feet where possible and about the paved trail where required by topographic or other conditions. (see pg 27 of the Draft Plan)
- 2) **Garbage/litter control:** *Planning Commission is concerned with trash along the trail.* Mr. Dees said that there are experienced trail users and responsible individuals along the trail routes that could possibly assist in cleaning up the trail as they use the trail systems throughout the area. Volunteer groups could be brought in to assist as well as trash receptacles located at trail heads.
- 3) **Lighting:** *Planning Commission is concerned for the safety along the trail with little or no lighting.*
Mr. Dees said that there is no plan to install lighting along the trail routes since the trail would close

at dusk. Lighting will be installed at trail heads with vehicle parking areas. Officer Dana Hubbard also added that most crime takes place by individuals that don't actually want to be seen so they do not frequent parking areas that are lit.

- 4) **Safety issues:** *Planning Commission is concerned with the liability for adjacent property owners who have property along the trail system.* Mr. Dees said that there is a statute (Recreation Immunity Act) that protects property owners and the City in the event there is an incident on private properties along the trail route(s).
- 5) **Telephone call boxes on trail:** *Planning Commission asked if call boxes would be installed along the trail route for emergency purposes.* Mr. Dees said that no, call boxes are not planned initially because most individuals have cell phones and it's predicted that individuals along the trail routes would have the ability to utilize a cell phone in the event of an emergency.
- 6) **General crime & statistics:** *Planning Commission asked if crime statistics were available for other trail systems in the State and if Bonney Lake Police would be able to respond to an incident/emergency along the trail route(s).* Mr. Dees passed out information (Exhibit 2) from Detective Sergeant Tony Berger from the Crime analysis and Information Unit for Pierce County Washington Sheriff's Department. The information showed that six reported incidents were reported since the year 2000 that fall under the criteria: where the location name "foothills trail" was used by a deputy writing the report. The information also lists the number of police reports taken by the Pierce County Sheriff's Department in an area generally located near the Foothills Trail.

Officer Dana Hubbard indicated that the Bonney Lake Police force is bringing on board 2 to 3 new young officers that will be assigned to the Bike Patrol. These officers could very well service the trail.

After a minor discussion, Commissioners had an opportunity to asked additional questions of the Fennel Creek Trail Committee.

Commissioner Jacobsen noted that under the list of Organizations listed on pg. 47/48, there is no mention of a historical group/society. Mr. Dees responded by saying that the Fennel Creek Trail Committee is aware of this and has intent to incorporate this into the Plan.

Commissioner Minton-Davis asked what kind of feedback has been received from the Homeowner Associations and property owners along the trail routes. Mr. Dees responded by saying that a few members of Homeowner Associations and property owners are members of the Fennel Creek Trail Committee and the response has been favorable.

Vice-Chair Sulham asked to the extent how much Washington State Department of Transportation has been involved in the Plan and has the cattle crossing under Old Sumner Buckley been considered or determined that this could be utilized as a pedestrian tunnel. Mr. Dees responded by saying that under the list of Organizations listed on pg. 47/48 there are representatives from WSDOT that have provided input. Any negotiations to utilize public right of ways and crossings would be considered/mitigated later in the planning process.

Commissioner Poulsen asked of the trail being built along the Fennel Creek and thought that buffers could not be disturbed. Mr. Ladd said that under the current Critical Areas Code, 16.20.130 (substantive requirements), critical areas and their buffers shall be left undisturbed except the following may be permitted if best management practices are used: 3. In the outer 50 percent of buffers, permeable-surfaced walkways, trails and minimal wild-life viewing structures are allowed.

Commissioner Poulsen asked about the cost estimates in the Plan and a realistic idea on when the construction of the trail may start. Mr. Dees responded by saying that inflation will be recognized as time goes on and the trail development is delayed. For now, the estimates outlined in the plan are based on current development costs. Currently, if the trail was to start construction, it would take approximately 2 years.

With no other comments, Chair McKibbin closed the joint discussion with the Fennel Creek Trail Committee.

This item would drop off future Agendas until the Environmental Impact Statement is prepared and ready for review by the Planning Commission. Mr. Ladd said this take approximately 3 to 4 months.

VI. FOR THE GOOD OF THE ORDER:

Correspondence- Ms. McQuillen said that 3 letters of comment were received in response to the Critical Areas Ordinance regarding Steep Slopes. (Exhibits 3-6, from Master Builders Association, City of Sumner and the Department of Community, Trade and Economic Development for the State of Washington)

Staff Concerns- Ms. McQuillen simply reminded everyone that Bonney Lake Municipal Code books have been ordered for new commission members and updates are still in process for the other commissioners books.

Commissioner Concerns – None

VI. ADJOURNMENT:

MOTION WAS MADE BY COMMISSIONER DAHLSTROM, SECONDED BY VICE-CHAIR SULHAM TO ADJOURN. APPROVAL WAS UNANIMOUS.

The meeting ended at 7:25 P.M.

Christy McQuillen, Planning Commission Clerk
Approved on March 1, 2006