



Planning Commission Minutes
October 4, 2006 Regular Scheduled Meeting

APPROVED

City Hall Council Chambers

The meeting was called to order at 5:42 P.M.

Planning Commission Present

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

City Staff Present

Stephen Ladd, Planning Manager
Christy McQuillen, Planning Commission Clerk

MOTION WAS MADE BY COMMISSIONER POULSEN, SECONDED BY COMMISSIONER MINTON- DAVIS TO APPROVE EXCUSED ABSENCES FOR VICE-CHAIR SULHAM, COMMISSIONER ECK AND COMMISSIONER JACOBSEN. APPROVAL WAS UNANIMOUS.

A poll determined that a majority of Commission members would be available for a special joint meeting with City Council on October 10, 2006 to be held at City Hall Council Chambers. The Public Hearing for Annexation Area 3 starts at 6:30PM.

A second poll determined that a majority of Commission members would be available for the next Regular meeting of the Planning Commission on Wednesday, October 18, 2006 at 5:30PM in City Hall Council Chambers.

I. APPROVAL OF MINUTES:

Minutes requiring review and approval were those of September 20, 2006.

MOTION WAS MADE BY COMMISSIONER DAHLSTROM, SECONDED BY COMMISSIONER POULSEN TO APPROVE THE MINUTES OF SEPTEMBER 20, 2006 AS PRESENTED. APPROVAL WAS UNANIMOUS.

II. PUBLIC COMMENTS/CONCERNS: None.

III. OLD/CONTINUING BUSINESS:

Miscellaneous Fixes Ordinance- As outlined in the Staff Report dated August 28, 2006, for years the planning staff has catalogued sections of the development regulations which are difficult to interpret due to ambiguous or contradictory language. In some cases staff has been operating under written Administrative Determinations (interpretations signed by the Director) so as to provide consistent interpretation.

The proposed ordinance (1st Draft) would “fix” the various problems, in most cases without changing how the City currently interprets anything. The few departures from past practice are noted. The proposed ordinance would amend the development regulations, Titles 14-19 of the Bonney Lake Municipal Code. The “fixes” are listed in a table. Staff is still discussing these matters internally, so the Commission is advised to simply continue to absorb the issues. The proposed changes, collectively, do require SEPA review and a Public Hearing which would be scheduled at a later date.

As discussed at the Planning Commission meeting of September 6, 2006, the Commission elected to review and discuss approximately 10 items from the table at each meeting. Therefore, as a group, the Commission reviewed and made comments on the following:

Item #	PURPOSE OF THE REGULATION	PROBLEM WITH THE REGULATION	SUGGESTED FIX	PLANNING COMMISSION COMMENTS
23	To establish the relationship between building permit issuance and payment of traffic impact fee.	The code fails to state establish rules regarding refunding of traffic impact fee upon permit expiration, and the amount to be paid if the applicant reapplies. Are transportation impact fees “vested.”	Specify that the payment will be refunded but that upon reapplication the current (newer) impact fees will apply. No “vesting.”	Ok by majority. No concerns
24	Same as Section 23 but for Parks Impact Fees	Same as Section 23 but for Parks Impact Fees.	Same as Section 23 but for Parks Impact Fees.	Ok by majority. No concerns
25	Identify that transportation improvement plan which the traffic impact fee will help finance.	Since adoption of the Transportation Element of the Comprehensive Plan, this section should no longer refer to the six-year transportation improvement plan.	Delete reference to the six-year transportation improvement plan.	Ok by majority. No concerns
26	To establish rules regarding assessment of traffic impact fees.	Problem # 1: The code does not say whether impact fees should be assessed when an existing or prior land use is replaced with a comparable land use, for example when a mobile home is replaced with a conventional single-family residence. Problem # 2: Same problem as in Section 25 regarding the six-year transportation plan.	Problem # 1: Not charge impact fees for replacement development. Problem # 2: Delete reference to the six-year transportation improvement plan.	Ok by majority. No concerns Ok by majority. No concerns

M; Everyone/Planning/Planning Commission/Minutes/2006/October 4, 2006.doc

Item #	PURPOSE OF THE REGULATION	PROBLEM WITH THE REGULATION	SUGGESTED FIX	PLANNING COMMISSION COMMENTS
27	Same as Section 26 but for park impact fees.	Same as Section 26, Problem #1, but for park impact fees.	Not charge impact fees for replacement development.	Ok by majority. No concerns
28	Same as Section 26 but for school impact fees.	Same as Section 26, Problem #1, but for school impact fees.	Not charge impact fees for replacement development.	Ok by majority. No concerns

#28 is the last item on the table

As a group, the Commission elected to open the floor for discussion of previously reviewed items (*see Planning Commission minutes from September 6, 2006 and September 20, 2006*).

First, # 5 through 10 (*To designate the entity responsible for interpreting lists of permitted and conditional uses in the commercial zones*): Commissioner Dahlstrom does not feel confident that a hired or an appointed employee of the City of Bonney Lake (that doesn't live in the City) be designated as the deciding body, specifically if a decision is appealed. A majority of the Commission felt that the suggestion provided by Mr. Leedy to have an annual review process that goes before the Planning Commission and City Council, may be a possible acceptable process. The Commission asked that staff prepare a revised draft language for item 5 through 10.

Second, #14 (*To exempt minor tree removals from the permit requirement*): Commissioner Poulsen voiced concern for the private property owner, strongly believing that private property owners should be able to cut any tree on their property including those in critical areas. The main concern lies in that the Planning Commission worked on the Tree Removal Ordinance and tailored it, in part, for the single family property owner. Now, this proposal may limit their options especially if there are critical areas on-site.

After a lengthy discussion, it was decided that its worthy of holding more workshop discussions on the items that the Commission have not reached consensus on, presumably at the next Planning Commission meeting scheduled for October 18, 2006.

This item will remain on the Agenda under Old/Continuing Business.

The Non-Motorized Transportation Plan- As reported at the last meeting, Mr. Ladd said that Commissioners is to simply review the draft circulated in September and make any necessary notes.

A few Commissioners asked if the Fennel Creek trail is to be included in this plan. Mr. Ladd said that the Fennel Creek Trail Plan and the Non-Motorized Transportation Plan once adopted, will be stand alone documents but referenced throughout several Elements of the Comprehensive Plan. The Fennel Creek Trail Plan and the Non-Motorized Transportation Plans will be part of the 2007 Comprehensive Plan Update.

This item will remain on the Agenda under Old/Continuing Business.

IV. PUBLIC HEARING- None

V. NEW BUSINESS- None.

VI. FOR THE GOOD OF THE ORDER:

Correspondence- None

Staff Concerns- Mr. Ladd informed the Commission that Pierce County Hearing Examiner held a Public Hearing earlier in the day, October 4, 2006 on the Cascadia Development. The Public Hearing was a periodic 5 year update. Dan Grigsby, Public Works Director attended the Public Hearing representing the City of Bonney Lake.

Commissioner Concerns – None.

VI. ADJOURNMENT:

MOTION WAS MADE BY COMMISSIONER POULSEN, SECONDED BY COMMISSIONER DAHLSTROM TO ADJOURN. APPROVAL WAS UNANIMOUS.

The meeting ended at 6:53 P.M.

Christy McQuillen, Planning Commission Clerk
Approved on October 18, 2006