



Planning Commission Minutes  
September 6, 2006 Regular Scheduled Meeting

APPROVED

City Hall Council Chambers

The meeting was called to order at 5:31 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, Planning Commission Clerk

**Guests:**

Ellen Talbo, Assistant Planner

A poll determined that a majority of Commission members would be available for the next meeting scheduled for September 20, 2006 to be held at City Hall Council Chambers.

**I. APPROVAL OF MINUTES:**

Minutes requiring review and approval were postponed to July 19, 2006 meeting.

**MOTION WAS MADE BY COMMISSIONER ECK, SECONDED BY VICE-CHAIR SULHAM TO APPROVE THE MINUTES OF JULY 19, 2006 AS PRESENTED. APPROVAL WAS UNANIMOUS.**

**II. PUBLIC COMMENTS/CONCERNS:** Audience members in attendance chose not to speak.

**III. OLD/CONTINUING BUSINESS:**

**Recommendation of zoning for Annexation Area 1-A:** As outlined in Staff Report Dated August 31, 2006, to implement the adopted land use designation assigned by the city’s Comprehensive Plan, the proposed zoning for the annexation area is R-1, Low-Density Residential. The R-1 zone classification is consistent with the Comprehensive Plan Land Use Designation of Low-Density Residential. The proposed City zoning for the area is also consistent with current County zoning. Future build-out under City zoning has been analyzed in its environmental documents and comprehensive land use plans.

The City did not establish “pre-annexation zoning” for this area but it did adopt land use designations for its urban growth areas when the Comprehensive Plan was adopted. The adopted comprehensive plan land use designation for this parcel is low-density residential. The implementing zoning classification is R-1 low-density zoning. In accordance with the City’s adopted Comprehensive Plan and Municipal Code, the

proposed zoning for this annexation area is therefore R-1 low-density residential. Staff recommends the simultaneous adoption of zoning, concurrent with annexation effectiveness.

Mr. Ladd said that the Planning Commission must discuss testimony from the 8/15/06 joint hearing and make a motion to recommend the proposed R-1 zoning for "Annexation Area 1-A". If the Planning Commission does not present their recommendation in person, staff can "present the Planning Commission recommendation for R-1 zoning" to Council at their 9/12/06 meeting, prior to their vote on Resolution 1608. Mr. Ladd said that staff is simply looking for a recommendation from Planning Commission. As identified in the Comprehensive Plan, the Future Land Use designation for Annexation Area 1-A is R-1 Low Density Residential.

As a group, the Commission asked minor questions such as high density requirements, buildable lands, utilities (well/water/sewer) and support from property owners in this area. Mr. Ladd responded by saying that the City is required to make our buildable lands available and that this annexation has do direct impact on the Buildable Lands inventory. As for the utilities, the area is currently within the City of Bonney Lake Water Service and Sewer service areas. After lengthy discussion, Chair McKibbin called for a Motion.

**MOTION WAS MADE BY VICE-CHAIR SULHAM, SECONDED BY COMMISSIONER DAHLSTROM RECOMMENDING THAT CITY COUNCIL APPROVE THE PROPOSED ZONING OF R-1 LOW DENSITY RESIDENTIAL FOR ANNEXATION AREA 1-A TO BECOME EFFECTIVE UPON ANNEXATION. APPROVAL WAS UNANIMOUS.**

**Amending Council Policies and Procedures-** Ms. McQuillen reported that the Planning Commission has a few options available in which to amend the language within Council Policies and Procedures. After following up with the City Clerk, 3 options are available; 1) prepare a proposal and have staff draft an agenda bill to present to City Council; 2) have staff present the draft language to City Council and report back to Planning Commission; 3) Planning Commission lobby councilmember's, in particular, Deputy Mayor Dan Swatman, and find out if City Council would be in favor of the change.

The proposed change that Planning Commission would like to make to the existing language within Council Policies and Procedures: allowing the Planning Commission, or a designee, present Planning Commission recommendations at any Council Meeting (this would open up the opportunity to present recommendations at not only regular City Council meetings but Workshops and Special Meetings or Joint Meetings of the City Council and Planning Commission.

Deputy Mayor Swatman, in attendance, suggested that this information be passed on to Council as a discussion topic.

Ms. McQuillen would ensure that the Planning Commission minutes of July 19, 2006 and September 6, 2006 (with the recommended language change) is forwarded to City Council for consideration.

#### **IV. PUBLIC HEARING-** None

**V. NEW BUSINESS-**

**Miscellaneous Fixes Ordinance-** As outlined in the Staff Report dated August 28, 2006 Mr. Ladd said for years the planning staff has catalogued sections of our 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 (1<sup>st</sup> 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 begin absorbing the issues. The proposed changes, collectively, do require SEPA review and a Public Hearing which would be scheduled at a later date.

Chair McKibbin recommended that Planning Commission review and discuss approximately 10 items from the table at each meeting for the next several scheduled meetings. Therefore, as a group, the Commission reviewed and made comments on the following:

<b>Item #</b>	<b>PURPOSE OF THE REGULATION</b>	<b>PROBLEM WITH THE REGULATION</b>	<b>SUGGESTED FIX</b>	<b>PLANNING COMMISSION COMMENTS</b>
1	To prevent fences at intersections so drivers can see around corners	Does not clarify the physical point on the street at which the 25 feet is calculated from within which fences are prohibited.	Refer to regulation regarding “vision clearance triangle,” elsewhere in the code. This also eliminates a redundancy.	Ok by majority. No concerns
2	To establish minimum building setbacks / buffer where the C2/C3 Zone abuts a residential zone.	Duplicates and contradicts itself	Clarify side and rear setbacks so they are consistent with the landscaping requirements of BLMC 16.12. Remove BLMC 18.29.050 (A.(4)).	Ok by majority. No concerns
3	To have the Planning Commission review and recommend on annexations and street vacations.	By state law and BLMC, the City Council holds hearings on annexations and street vacations (but the Planning Commission must review and recommend regarding the zoning of annexations if site-specific). Duplicative hearings are a waste.	Eliminate annexations (except the zoning aspect) and street vacations as Planning Commission functions. Note: this would result in a change of current practice with respect to annexations.	Ok by majority. No concerns
4	To designate the permit process pertaining to preliminary plats.	Inconsistent with Title 14. Says Type 5, should be Type 6.	Change “5” to “6.”	Ok by majority. No concerns

<p>5 thru 10</p>	<p>To designate the entity responsible for interpreting lists of permitted and conditional uses in the commercial zones.</p>	<p>In some commercial zones the Director determines if a proposed use, though not on the list of permitted or conditional uses, is “similar” or “compatible,” therefore also allowed. In other zones the Planning Commission is given this responsibility.</p>	<p>Eliminate all such references. Insert in Chapter 18.31, Commercial Development Standards, a new section saying that the Director shall determine when similar uses may be permitted. Note: this would result in a change of current practice.</p>	<p>As a group, the Commission had several concerns which include; instead of Director, should an optional decision maker or body be included (Hearing Examiner, Planning Commission, Council)?, should this go through public process? Several concerns and more research such as other city ordinances and processes</p>
<p>11</p>	<p>To establish minimum and maximum density in the R-1 zone whenever land is being subdivided.</p>	<p>Problem #1: The codes incorrectly say to “round down.” Density means number of units divided by net acres. This number, usually not a whole number, simply must be between 4 and 5. It is unnecessary to round up or down.  Problem #2: The code fails to note that the minimum density does not apply whenever precluded by covenants.</p>	<p>Problem #1: Remove “rounded down.”  Problem #2: Note the possible role played by residential covenants.</p>	<p>Ok by majority. No concerns  Ok by majority. No concerns</p>

Chair McKibbin indicated that Items 12-21 (on the Table) would be reviewed and discussed at the next Planning Commission meeting scheduled for Wednesday, September 20, 2006. This topic is to remain on the Agenda under Old/Continuing Business.

**VI. FOR THE GOOD OF THE ORDER:**

**Correspondence-** None

**Staff Concerns-** Mr. Ladd announced that Washington State University applied for a Tree Removal Permit on September 6, 2006 on the WSU Demonstration Forest site. One of the main issues staff and the Tree Arborist will be reviewing is replanting. The proposed application does not call for any replanting. The application is available at the City Hall Annex Permit Center.

Mr. Ladd announced that the Non-Motorized Transportation Plan is in Draft form now and should be ready for review by the Planning Commission as early as the September 20, 2006 Regular Meeting.

Mr. Ladd announced that the cities of Auburn, Sumner and Bonney Lake collectively are applying for a grant in order to determine which municipality should provide services to areas of unincorporated Pierce County (primarily on the northwest side of Lake Tapps). Some of the issues are water, sewer and police services. Currently this area is within the Bonney Lake Water and Sewer Service Areas. It's anticipated that the grant dollars will cover the services of hiring a consultant to evaluate the situation.

Mr. Ladd reminded the Commission of the upcoming Downtown Developers meeting scheduled for Tuesday, September 12, 2006 at 4:00Pm at the Windermere Offices in Bonney Lake. Commissioners are encouraged to attend.

**Commissioner Concerns** – Vice-Chair Sulham asked when the School Impact Fee Ordinance would be coming before the Planning Commission for review. Mr. Ladd said that the City Attorney has indicated that any changes or increases in Impact Fees cannot be adopted until the Comprehensive Plan Update complete. The earliest the School Impact Fees will be reviewed will more than likely be the Spring/Summer 2007.

Mr. Ladd also said the same holds for the Fennel Creek Trail Plan. This proposal will most likely be scheduled before the Planning Commission in the Spring/Summer 2007. And recent results show that it's unfavorable to receive any Grant dollars for the trail. (The application ranked 23 out of 24).

## **VI. ADJOURNMENT:**

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

The meeting ended at 7:00P.M.

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Christy McQuillen, Planning Commission Clerk  
Approved on September 20, 2006