



Community Development Department

## Planning Commission Minutes

October 16, 2013 Regular Scheduled Meeting  
City of Bonney Lake Council Chambers

APPROVED

The meeting was called to order at 5:34 P.M.

### **Planning Commission Present**

Grant Sulham, **Chair**  
L. Winona Jacobsen, **Vice-Chair**  
Brandon Frederick (Absent)  
Richards Rawlings  
Brad Doll  
Dennis Poulsen  
Dave Baus

### **City Staff Present**

Jason Sullivan, Senior Planner  
Debbie McDonald, Commission Clerk

A poll determined that a majority of Commissioners would be available for the November 6, 2013 Planning Commission meeting.

### **I. APPROVAL OF MINUTES:**

**MOTION WAS MADE BY COMMISSIONER DOLL AND SECONDED BY COMMISSIONER RAWLINGS TO APPROVE THE MINUTES FROM THE SEPTEMBER 18, 2013 MEETING.**

**MOTION APPROVED 6-0**

### **II. PUBLIC HEARING:**

*Shoreline Master Program*

Chair Sulham open the Public Hearing at 5:41

Mr. Sullivan gave a brief overview of the Shoreline Master Plan (SMP). There are three changes in the document before the Planning Commission. First, the designation around the Printz Basin Flume has been removed. Department of Ecology (DOE) has agreed that the way that the Printz Basin Flume was previously mapped and included into the Shoreline Master Plan was incorrect. DOE and the City, conjunction with Cascade Water Alliance, are working together to get a distinct location of where the flume ends and the lake begins as the flume is not considered a shoreline of the state but the lake is. The second is that string-line setback along Lake Tapps to preserve the views of lake previously establish was modified so that in cases where the vegetation incentives were used to reduce the setback, the new development would still be required to observe the string line setback. Commissioners were provided an update matrix of comments

that have come in. Included are two emails that came in today with questions on the draft and not request for changes or modifications.

David Swanson, 6216 207<sup>th</sup> Ave E: String line setback is a new thing. The setbacks from the high water mark are 10 feet closer but because of the string line setback would make it impossible to build. Makes his lot unbuildable. Not his fault the neighbor decided to build 350 feet back. Keep the setbacks but do away with the string-line setback. Sub-divided parcels must use a shared dock but how many boat and Jet Ski lifts can the shared dock have. Property going to be effected would like to see them looked at before being adopted.

Shawnta Mulligan, 11329 177<sup>th</sup> Ave E: She does not own property on the water here. Is not understanding why the DOE is paying for the update and are the ones reviewing the Shoreline Master Plan? Who elected the DOE? No one, it is an appointed board. She hopes the City is keeping the DOE in check. They are tightening the regulations on the county. How much longer will it be until the DOE turns on the City? What is the ecological function of a man-made lake that was 4 puddles before it was turned into a power generation body. She believes Lake Tapps should be removed from the Shoreline Master Plan since it is a man-made lake and trucks fish in. Provided a definition of bullying and believes that is what DOE is doing to the City. Why need a string-line setback?

Theresia McClimans, 19025 68<sup>th</sup> St E: She is concerned, she loves our area but it is going to pot slowly. Our freedoms are being lost, people are not being educated on what the boundaries of that freedom are. It just seems like the DOE is just bullying. Appointed people trying to control by bullying the property owners. It takes local government to be concerned over the quality of our property. People are not going to trash their own property they worked hard for. We are done being bullied.

James K. McClimans, 19025 68<sup>th</sup> St E: Thanks for being here and for the job you do. There were hundreds of people at the Pierce County meeting and they were angry. When you start putting in a buffer you are taking away their property rights by telling them what they can and can't do. The setback is increasing from 30 feet to 60 feet, but if the property owner is good and plants native plants they can earn some of it back. That is malarkey. You are going to steel 30 ft. of their property from everyone on the Lake because of 25 undeveloped properties. That doesn't pass the giggle test. For the threat of what? The Analysis Report say it is weeds – so you are going to steal 30 feet of people's property because of weeds. Same report says there are no fish endangered. It is up to you if you want to steal, reject this plan and write an exemption for Lake Tapps. The City has two more years before the update to the SMP is required to be adopted.

Mr. Sullivan responded there are currently 2 setbacks 30 feet from the high water mark and 30 feet from the property line which is the 545 elevation line. The 545 elevation line does not always correspond to the ordinary high water mark. People currently have an average setback of 60.8 feet from the ordinary high water mark. The City's goal is to maintain the current conditions so the setback is a minimum of 60 feet from the ordinary high water mark, unless the neighboring homes have a greater setback. Only the setback from the 545 setback is reduced to 20 feet under the proposed SMP. The string-line setback was established to prevent homeowners who have been there for a long time from having their view completely blocked by construction. A home can have a smaller setback by planning native vegetation. In working with DOE, the

City was able only to use setbacks and was not required to establish buffers. When you sub-divide a property you have to provide one dock to share but is allowed more square footage. The grant provided by DOE, allowed the City to pick the consultant DOE simply paid the bills. Just wanted to clear up that the Shoreline Master Plan was due two years ago in December 2011. If a City does not complete a plan then DOE can write their own Shoreline Master Plan for the City and adopt it. We are working with DOE and trying to preserve what is there. The SMP represents a compromise between environmental protection and preservation of property rights.

Commissioner Poulsen asked to Mr. Sullivan's knowledge would Mr. Swanson's land be unbuildable.

Mr. Sullivan responded no his land would not be unbuildable because there is a variance a homeowner can apply for.

Vice-Chair Jacobsen stated this process started over two and half years ago and all these questions have been brought up before. Thanked Mr. Sullivan for the good job he has done with the draft Shoreline Master Plan.

Commissioner Baus commented that he lives in a house that was built in 1970 and on one side of him is a house built in 1980 and one built in 1990. Has lost his view with the houses being built closer to the lake. People are also leasing dock space. It would be nice to have a little more control to protect existing homeowners.

Commissioner Doll stated that he has never heard of Lake Tapps being able to get an exemption from the Shoreline Master Plan, is this something that can be done?

Mr. Sullivan responded I believe that there might be a process to go through, but it is up to Pierce County to ask for the exemption since most of the shoreline is located in Pierce County. The City still has to regulate the shoreline until then.

Chair Sulham closed the Public Hearing at 6:22.

**MOTION WAS MADE BY VICE-CHAIR JACOBSEN AND SECONDED BY COMMISSIONER RAWLINGS TO RECOMMEND THAT THE CITY COUNCIL ADOPT RESOLUTION 2297 NOTIFYING THE DEPARTMENT OF ECOLOGY OF THE CITY OF BONNEY LAKE'S INTENT TO ADOPT ORDINANCE 13-56 UPDATING THE BONNEY LAKE SHORELINE MASTER PLAN.**

**MOTION APPROVED 5-0**

**III. PUBLIC COMMENT AND CONCERNS: NONE**

**IV. NEW BUSINESS: NONE**

**V. OLD/CONTINUING BUSINESS: NONE**

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

**Correspondence** – NONE

**Staff Comments** – Mr. Sullivan mentioned the Planning Commissioner Work Plan will go to City Council earlier the last year and the Planning Commission will have to figure a zone use for a marijuana retail store.

**Commissioner Comments** – Vice-Chair Jacobsen reminded Commissioners of the Milotte Film Festival on October 19th, from 11-4.

**VI. ADJOURNMENT:**

**MOTION WAS MADE BY VICE-CHAIR JACOBSEN AND SECONDED BY COMMISSIONER BAUS TO ADJOURN.**

**MOTION APPROVED 5-0**

The meeting ended at 6:34 P.M.

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Debbie McDonald, Planning Commission Clerk