

SULTAN CITY COUNCIL

AGENDA ITEM COVER SHEET

ITEM NO: Consent C 3

DATE: August 23, 2007

SUBJECT: Council Minutes

CONTACT PERSON: Laura Koenig, City Clerk

SUMMARY: Attached are the minutes of the August 23, 2007 Public Hearing and Ordinance 955-07, Non-conforming Uses, as on file in the office of the City Clerk.

RECOMMENDED ACTION: Approve as submitted.

MOTION: Move to accept the consent agenda as presented.

COUNCIL ACTION:

DATE:

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PUBLIC HEARINGS:

Amendments to SMC Title 16 Non Conforming Uses. The public hearing on the amendments to SMC Title 16 Non Conforming Uses was called to order by Mayor Tolson.

Councilmembers present: Champeaux, Wiediger, Slawson, Seehuus, Flower, Blair and Boyd. There were no objections to the Council participation.

Staff:

Rick Cisar, Director of Community Development presented the staff report and submitted the following exhibits for the record;

- Exhibit A January 31, 2007 letter from Mr. Gary W. Brandstetter, Attorney
- Exhibit B Chapter 16.18 Nonconformance
- Exhibit C Ordinance 852.04 allowing Automotive Repair in the Urban Center (UC) Zone
- Exhibit D Draft Ordinance 955-07 providing for expansion of Nonconforming Uses as Recommended by the Planning Board
- Exhibit E Memo from Craig Bruner, Building Official, regarding nonconforming situations in Sultan, dated January 31, 2007
- Exhibit F Planning Board Meeting Minutes from May 15, June 5, and June 26.
- Exhibit G City survey of requirements and standards for nonconforming uses
- Exhibit H Zoning Map
- Exhibit I Affidavit of publication

The proposed change would affect for example, two auto-oriented businesses in the downtown Urban Center (UC Zone) and all other nonconforming situations throughout the community generally constructed prior to the adoption of the Unified Development Code in 1995. The nature and extent of these nonconforming situations primarily involve existing single-family residential uses in the Urban Center, Highway-Oriented Development, and Economic Development Zoning Districts. Other nonconforming situations involve building setbacks and parking. Nonconforming businesses in the above Zoning Districts would be allowed to expand by 50%. For example, a 2,000 sq. ft. building could expand an additional 1,000 sq. ft. if all other code provisions, such as parking and setbacks are met (Exhibit H - Zoning Map).

The proposed change would also allow damaged nonconforming uses to be rebuilt to their same size and square footage. The overall impact is to assist business owners who want to remain in their current nonconforming location. The off setting benefit to the community is property improvement, business retention, and job creation.

Public Input

Debbie Copple, Sky Valley Chamber Commerce: The Chamber supports the change in the ordinance to help develop economic health. The City will have to deviate from the existing idea of the make up of the business community. The City needs to support existing business and help them expand.

Carolyn Eslick: Is a 30 year resident and a prior business owner and she supports the ordinance in order to increase the sales tax. This is also needed to help businesses grow and to encourage new business.

Gordon McDonald, Sky Valley Chamber: Supports the new ordinance to help business.

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Mike Ingalls: Is a business owner and he has been watching this process for ten years and it is good to see that this Council is fixing a long term problem and helping the business community.

On a motion by Councilmember Seehuus, seconded by Councilmember Flower, the public meeting was closed. All ayes.

Benjamin Tolson, Mayor

Laura J. Koenig, City Clerk