SULTAN CITY COUNCIL
AGENDA COVER SHEET

ITEM NO: **SR-4**

DATE: August 12, 2010

SUBJECT: Planning Board Minutes

CONTACT PERSON: Robert Martin, Community Development Director

ISSUE:
Transmittal of Approved Planning Board Minutes for the July 20, 2010 Planning Board Meeting.

STAFF RECOMMENDATION:
Receive Reports, no action required.

BACKGROUND:
This Meeting included:

C-1: Shoreline Element Goals & Policies; Recommendation to Council
A-1: Planning Board: By-Laws/Rules of Procedure and Modifications to SMC 2.17
D-1: Industrial Park Master Plan: Transfer of policies to Comprehensive Plan
D-2: Planning Board Public Participation Activities

ATTACHMENTS
Attachment A: Approved Planning Board Minutes of July 20, 2010

SULTAN PLANNING BOARD MEETING MINUTES
July 20, 2010

PLANNING BOARD MEMBERS PRESENT:

Frank Linth –Chairman
Steve Harris
Jerry Knox
Bob Knuckey

Staff: Robert Martin, C.D. Director
Cyd Donk, P.B. Secretary

CALL TO ORDER: Frank Linth called the meeting to order at 7:04 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL:
Knox, Knuckey, Linth, and Harris all here. Staff present Bob and Cyd.

CHANGES TO THE AGENDA
Staff hands out Advanced Review of the Utilities Element Goals and Policies for review and discussion at the August 3rd Meeting. Board is asked to bring these with them to the next meeting to avoid the need for re-copying. No other changes.

PUBLIC COMMENTS
No Public present.

PLANNING BOARD MEMBER COMMENTS:
No comments.

ACTION ITEMS
Approval of P.B. Minutes for July 6, 2010. Approved as written. Motion given by Knox and Seconded by Knuckey. All Ayes. Staff addresses Board and asks them if they approve of the way the minutes are being taken. Board states that the recent editions of minutes are very well presented.

C-1 Shoreline Element Goals & Policies; Recommendation to Council
These were discussed and amended at the last planning board meeting.
Knox moves the adoption of the Consent Agenda. Roll call vote Knuckey, Harris, Knox and Linth all vote Ayes.

A-1 Planning Board: By-Laws/Rules of Procedure and Modifications to SMC 2.17
Board states they have been working on the By-Laws and Rules since January. Knuckey has no yellow marks and approves of the changes as presented.
Knox has punctuation and grammatical changes that he is assured will get cleaned up in the final version. Attachment B; Page 2 of 4; Section 2.17.080; last sentence in first paragraph. "primary role". Staff states this is his language and the Board can change it to what they wish.
Board and Staff discuss verbiage.

Board asks Staff to take out the word "primary".
Attachment C; By-Laws Article III – Officers
Knox wants to add the word "and" between Chair, ChairPro-Tem.
Article 3 top half of page discusses the "Secretary" position. Board and Staff discuss the wording and placement for the word Secretary. Staff asks to add "Officers and Staff" broaden the title of Article 3. Board agrees with Staff.
Staff states Officers are established in Article 1, Duties of the function in Section 2 and 3, Section 4 deals with duties of the Secretary.
Knox goes over typo's with Secretary to correct.
Knox Page 2 of 5; Section 4; Conflict of Interest and Appearance of Fairness; Item A; wants to add "and transparent" after the first sentence after the word "fair". Board agrees.
Item C; 1; after the word "bias" add "or appearance of bias".
Knox asks if the Board looks at "applications". Staff explains the types of applications they would look at include amendments to the Comprehensive Plan, Zoning Code, and other legislative/policy actions resulting from a specific application.
Item "F"; in between the words "hand and but " add the words "a public hearing or board meeting" and this to "clarify". Staff asks to add the words "the members" after "but". Board agrees.
Knox has more grammatical and punctuation items to address.
Knuckey has discussion over wording to clarify his understanding of the changes. Knox and Knuckey discuss the "appearance of fairness". Knuckey seems it just seems he is doubling up are we not saying this twice? Board says no, Staff says they are just adding a component to the appearance of fairness. Knuckey says that sounds good.
Knox is finished with comments..
Staff tells the Board he has all the notes and will make the changes and Cyd will have the punctuation suggestions taken care of.

Board discusses what to do with Section 2.17 and the By-Laws.
Board and Staff discuss the changes to 2.17; take out "primary" role on 2 of 4; Secretary was answered, Staff goes back to 2.17.

Board moves to send a recommendation for approval of the proposed changes to SMC 2.17 to the Council. Motion by Knuckey and Seconded by Knox. We have a Motion and a Second, any discussion? Board is all in favor, all Ayes.

As for the By-Laws and Rules and Procedures for the Sultan Planning Board, Harris moves to adopt. Knox asks if the motion includes the changes discussed in this meeting? Harris states that his motion includes the changes. Motion by Harris, Second by Knox. All Ayes.

DISCUSSION AND STUDY ITEMS

D-1: Industrial Park Master Plan (IPMP): Decommission IPMP; Transfer of Policies to Comprehensive Plan
Board goes over the content of the IPMP and the questions raised by doing so.

The proposal is to decommission the IPMP which is an Appendix of the Comprehensive Plan. Staff states it is also referred to as a "Sub-Area Plan. Board states their understanding that the Comp Plan is overarching and foundational the IPMP is subordinate and must be in compliance with the Comprehensive Plan. The question is if the Comprehensive Plan is foundational and overarching to this, why are those issues not already in the Comprehensive Plan? Why would they not just be in the Comprehensive Plan?

Harris explains to the Board how the IPMP was started and how this plan only addresses the overlay of the IPMP area and not the whole City as does the Comprehensive Plan.
Linth says he understands that but shouldn't this information have been drawn from the Comprehensive Plan in the first place?

Staff says no. The Comprehensive Plan can set policies that apply to a community-at-large. Then the function of a sub-area plan is to elaborate upon those general policies in a way that particularly applies to a portion of the community.

Board questions that if the IPMP is supplemental to the Comprehensive Plan why would there be things in the IPMP that you would feel need to be extracted now and placed into the Comprehensive Plan if this is supplemental to the Comprehensive Plan in the first place.

Staff explains that there are some things that were thought of and included in the IPMP for example, Goal 5 of the IPMP on 2.15, that are not as fully elaborated in the Comprehensive Plan. The idea of listing some policies that need to be considered further is not to say that the specific language needs to be put in the new plan. It is to say that the concept listed in Goal 5 of the IPMP should be addressed in some similar language in the new Comprehensive Plan. We just don't want to lose track of that idea.

Board has a question on relationship to development standards of the Code. Since we are working on Title 16 anyway, is it prudent to be moving them into Code now?

Staff says not necessarily recommending that they be moved into Code now, just recommending that we don't lose track of some of these concepts when we get to Code Development Standards. The first comment was about the Comprehensive Plan needing some embellishment, which is a good word. Development Standards need to be supplemented or embellished in the same way.

Knuckey asks how do you take certain items out and put them in the Comprehensive Plan, or are you still saying we just, we can't lose track of it?

Staff reads Goal 5 of the IPMP, and explains that when compared to the Transportation Goals and Policies of the working draft of the 2011 Plan update, the middle section of the IPMP Goal 5 sentence that did not seem to be addressed in existing Transportation language in the draft Comprehensive Plan (The language about protecting the investments that have been made in the existing Transportation facilities and services).

Knuckey said that his original confusion was that the Board has already gone through the Transportation Element, that's over and done with. Are we going to be able to come back and do this again (add material that has been extracted from the IPMP)?
Staff says yes.

Knuckey asks at what point and time do we do this?
Staff says you have a basic completion of input and perspective of the Goals and Policies at this point which has been forwarded to the council after the Board's work with the public. The Board, the Council, and the Consultant will be working on this for the next 18- months.

Staff says it will come back to the Board and Council as elements are constructed and brought closer to adoption format, and that the Board and Council will have more fingerprints on the project before it goes before the public for adoption hearings.

Knox agrees with Knuckey about the confusion. Staff clarifies and says that this will not be adopted until November or December of 2011. The Board can entertain anything that comes in between now and then.

Board says here we are looking to decommission the IPMP and there are areas in here that are addressed that are probably important that they be addressed and they may not be directly addressed in the Comprehensive Plan; so if we decommission this, we are leaving the City open to a challenge for not addressing possibly not addressing some issues that are being lost here, even though they are being placed on a clipboard to address later. Is the City open for a complaint or litigation, or a challenge between now and then?

Staff says no. Many of these things were extra planning concepts, and in many cases, additional restrictions on development in the IPMP. They are, I appreciate your word embellishments, of what the Comprehensive Plan said should happen in the community in general. They embellished and expanded upon the general community-wide standards and applied these embellishments to a particular area in the community. The Stakeholder Meetings in the community to review that package have overwhelmingly indicated that the IPMP project had not borne any fruit.

Harris states that the IPMP was never completed. Staff agrees that this was a big part of the problem. The IPMP was intended to make it easier for a large development to occur in the Industrial Park. Since the environmental work called for in the plan was not completed, it turned out that the IPMP was an additional ladder that a developer had to climb to do a project.

Board, says so our tasks here is to determine and to review which should be moved to the Comp Plan, which should be reworded and which should be eliminated. We can't do this unless we see what we already accomplished. Staff agrees with that.

The Board wants to get rid of the IPMP now and put all these things on a clipboard and look at them later. Board asks Staff if the Council wants this decommissioned by a certain date. Staff says no.

There is no "safety net" protection against someone coming against the City for some perceived, injury, there are any number of things called for in this plan for the City to do. An area wide (programmatic) SEPA analysis was the main task that didn't happen and that was the one that would have been a benefit for the development community.
It also calls for particular types of environmental reviews, developers agreements, and particular buffers and conservation corps all of which have long since been superseded by Critical Areas Codes and documents that make the IPMP obsolete.

The Board discussed the over "overlay zone" called for in the IPMP. It calls for things to happen that will not happen. This elaborate vision would have been worthy of an area like Bothell, Redmond, Bellevue. The City even got an award for the IPMP but the plan was way out of scale to this Community.

Board asks what would have happened if the completed the EIS and everything that was called for in the IPMP would have been completed?
Staff says that the City would have a programmatic SEPA document in place out there that would be worth keeping then we could modify it and get some results.

Board says if they finished the items called for in the IPMP, and the CAO and the SMP changed how would the IPMP be affected?
Staff says that if you were going to keep this, they would still have to go in and amend these sections that need the changes. That is why we have not a sense of urgency but a certainly definable interest in having the IPMP be done away with because it calls for a number of things to be done that are not going to be done because of environmental and economic realities that have changed since its adoption.

Board says our task here is to separate the grain from the shaft and save the grain if we need to. This is pretty much what it comes down to. There are a lot of things that we know that is not applicable and not appropriate and probably garbage. There are some good things in this that you have identified that we should take a look at and see about retaining in some fashion.

Staff: that is a good characterization.

Board: so there is no worst case scenario for decommissioning it?

Staff: no.

Board: what do you suggest for saving the grain from the shaft? How do you suggest we do that?

Staff: The IPMP language that we want to call to your attention for further work on the 2011 update is indicated on the attachment. The Board can hold a Hearing and make a recommendation to the Council regarding decommission the Plan while holding the indicated language for future work on the 2011 update.

Board: agrees to proceed with decommissioning the IPMP, but wants to revisit these items properly down the road. Knuckey says they should move this to Council for decommissioning but at the same time make sure all these marked items are put on a clipboard for further review.

Staff: says that is perfectly acceptable. However, this item will not go to the Council yet because the Board has to hold a Public Hearing first.

Discussion about the Small Groups Meetings, Stakeholders and Fire Stations interests in decommissioning the IPMP.

Staff states there is an e-mail and mailing list available for notices to everyone in the area. Board wants to make sure notice is given out to everyone because Board remembers that some people were saying that they did not know about the meeting being held at the fire station when the first discussion was engaged. Board wants more notification to go out. Staff tells about the ways the notices for meetings are given out. Staff will ensure that individual notice is provided before further action on the IPMP.

D-2: Planning Board Public Participation Activities
Board says their discussion with City Council about public outreach should be twice a year, City Council agreed with that. Board and Staff have discussion about public outreach. Linth will get together with City Administrator on topics and strategize on the next public outreach. Board wants to send out letters of appreciation.

SUMMARY OF MEETING RESULTS AND ACTIONS FOR NEXT MEETING
A-1: Shorelines Goals & Policies; Recommendation to Council
D-1: Planning By-Laws Rules and Policies, Move to Council and Adopt
D-2: IPMP, set a Planning Board Public Hearing and extract those thoughts and ideas in the IPMP for later review and implementation into the Comprehensive Plan
D-3: Letters of Appreciation and Chair to meet with Administrator about Outreach Program

PUBLIC COMMENTS ON AGENDA ITEMS ONLY
No public comments.

BOARD MEMBERS COMMENTS
Bob Knuckey: very interesting meeting this evening, good job and thanks to Staff.
Steve Harris: City Website needs to be updated with Planning Board time line, discussion of Shooting Range Public Meeting. What were the pictures for the other day? Staff says for posting to the website. What about the binders we got a while back? Staff says this was at the request of an ex-Planning Board Member who is no longer here.

Frank Linth: Advanced Review Item for the next meeting on the Utilities and asked to bring this copy to the next meeting. Update on Public Works Director. Staff gives update on the 2- applicants that are being interviewed. One will be offered the job soon. Both applicants are well qualified and either one will be a great addition to the team.
Jerry Knox: Ditto to Knuckey, any news on a new Planning Board Member? Staff updates on the Council open position and the remaining applicants will be asked to take the position at the Planning Board.

ADJOURNMENT

At 8:30 pm on a moved to adjourn the meeting by Knuckey and seconded by Knox and Ayes by all, meeting was adjourned.

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Frank Linth, Planning Board Chairman

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Cyd Donk, Planning Board Secretary