

SULTAN PLANNING BOARD MEETING

319 MAIN STREET

March 5, 2008

The meeting was called to order at 6:32 p.m. by Chairperson Latimore.

Chairperson Latimore introduced new board member Scott Zaffram

Planning Board members Present: Kurt Latimore, George Schmidt, Jeff Cofer, and Charles Van Pelt.

Council members Present: Mayor Eslick, Steve Slawson, Dale Doornek, Sarah Davenport-Smith, Ron Wiediger, Jim Flowers, Kristina Blair.

Staff Present: City Administrator Deborah Knight, and Planning Board Secretary Tami Pevey.

Consultants Present: Reid Shockey and Eric Ireland, Perfet Engineering.

PUBLIC HEARING

PB Latimore addressed the rules of the public hearing; no objections from public or board members about participation.

Administrator Knight explained the issue before the board is to continue the public hearing to consider changes to the 2004 Comprehensive Plan as part of the City's annual docket process. Public comment will be taken on the board's recommendation to:

1. Delete the proposed roadway connection of Dyer Road and Skywall Drive as identified as roadway number 28 (T-28) on the transportation plan map.
2. Maintain the proposed sewer pipeline extension in both Dyer and Skywall, including the proposed pump station as shown on the Sewer Utility Map as required by the State Growth Management Act.

PB Latimore then opened the floor to public comment at 6:27 p.m.

Lisa Knight, 1110 Dyer Road – Presented a series of questions and then presented them to be submitted for the record. (Attachment A)

PB Latimore then asked for staff comments and allowed Administrator Knight to respond to questions.

Administrator Knight stated the update will show how many residences will be required to hookup, however nothing shows extensions and no guarantee that there won't be. She explained that many other projects are first and foremost on the minds of the city and there is no current capital project to push sewer into unsewered neighborhoods. Ms. Knight explained the comp plan is at a 10,000 foot level of planning and that items are placed on the map in the general vicinity, but the exact location will be determined when it is needed.

On a motion by PB Van Pelt, seconded by PB Schmidt the public hearing was closed at 6:52 p.m. A break was taken to allow setup to occur for the next presentation, and the meeting resumed at 6:57 p.m.

The floor was reopened for public comment as some citizens did not realize the meeting started at 6:30 p.m.

Jerry Gibson, 1102 Dyer Road – Thanked CM Flower for sponsoring the petition; thanked planning board for their comments and their recommendation to do away with the road. He submitted a letter from CTED for the record (Attachment B). He asked the board to move the location of the pump station on the map based on the testimony of citizens who do not want it there.

Loretta Storm, 33520 116th St SE – Requested that his comments be placed in the public hearing record versus the public comments section.

JOINT WORKSHOP DISCUSSION:

Review the inventories for the transportation and parks. Discuss level of service alternatives for transportation, parks, and police.

Reid Shockey introduced himself and Eric Ireland and explained they would be reviewing technical memorandum #2 and the level of service for parks, transportation, and police.

CM Slawson question how many times this issue had been brought before them. Mr. Shockey admitted he had discussed it at least once, but explained they were now getting specific on decisions. CM Slawson questioned what was expecting of them this evening and Mr. Shockey explained he would pose questions and request policy direction throughout the presentation.

Eric Ireland walked the board through the transportation policies and reviewed the policy changes, goals, and policies already implemented and in place. He reviewed the current transportation system, to include future land use and traffic forecasts with the board. He also reviewed the cost of maintaining the transportation system and compared the level of service to other cities. He explained the city was alone with transportation being placed at level of service B. He explained the differences between LOS B and D and discussion was held on expense and policy conflicts with other agencies.

CM Blair questioned T26 and asked why two roads with an island between them versus one road.

PB Van Pelt asked about traffic signals; Mr. Ireland pointed out Rice Road, 330th, Dyer Road, and 1st Street.

CM Slawson pointed out the map was missing improvements to Foundry Drive, and pointed out that T35 will go straight thru as it is a current project in the works. Mr. Ireland stated he would make the revisions. Discussion continued about the fire district property and where they would enter the highway.

Discussion moved to transit system and PB Latimore stated in the develop regulations there were issues with "proximity to transit". It was agreed it needed to be reviewed and

changed proposed. Discussion held about traffic impact fee and the amount it would be if set level of service at D versus current level of B.

Administrator Knight stated the policy questions before the board were #1: to revise the city's future arterial function class; #2: To decide on a new arterial street design guide; #3: to revised the level of service from B to D; #4: to identify city and joint interagency transportation improvements; and #5: to implement a high traffic impact fee. She explained the first three questions will need direction at their next meeting.

PB Latimore then opened the floor to questions at 8:05 p.m.

Keith Arndt, 33331 132nd St SE – Asked if the developer is building the road, why they have to pay for it. Administrator Knight stated it impacts roads further down the road. Mr. Arndt then asked how flexible is a road and it was explained that looking at topography and best approximate vicinity, but that it will shift when developed.

CM Blair asked about existing PUD easements, and Mr. Ireland stated he would check with Connie Dunn and review.

PB Latimore closed the floor at 8:15 p.m. and the discussion moved to parks.

Reid Shockey presented a handout labeled "Park Impact Fee Calculations" (Appendix C). He discussed the current standard for parks is 42.5 acres and it consumes 12% of the available land and costs tons of thousands of dollars to acquire and maintain. The GMA does not require an LOS for parks, but does require a capital facilities plan. However to charge an impact fee and LOS must be established. Discussion held on current park inventory, how to base the LOS and how it affects the budget. It was agreed that Pat Dugan was needed to crunch the numbers on various elements to see the real impact. Agreement amongst all that the goal was less than 42.6, but not sure what that should be at this point. CM Slawson asked for definition of park in regards to neighborhood, community, etc. Administrator Knight stated they would revisit the issue at the March 19th meeting.

Reid Shockey then addressed the Police LOS. He explained it just doesn't belong here and the board needs to get rid of it. PB Cofer stated language needs to be given to the public to explain it is not in the comp plan, but is being monitored on other levels.

PUBLIC COMMENTS

Keith Arndt, 33331 132nd St SE: stated with every development it is required to create neighborhood space. He suggested deeding land to the city instead.

Loretta Storm: pointed out the little island at 330th on the traffic map and stated it was forced by property owners; she stated the US 2 safety coalition has money allocated for four roundabouts in Sultan; She pointed out Sultan was absent from the planning of that and it may be a tough sell now to change it.

Jerry Gibson: Suggested soliciting from the public what they want for park and police level of service and referenced a survey the City of Monroe had completed that he had passed on to Donna Murphy.

PLANNING BOARD COMMENTS

PB Latimore: thankful for joint discussion.

PB Van Pelt: Also thankful for joint discussion and appreciated hard work from Eric Ireland, Reid Shockey, Administrator Knight, as well as input from the public.

CM Blair: Agreed with Keith Arndt on donating land versus creating a "tot lot".

CM Davenport Smith – Agree on surveying the citizens, but more appropriate for 2011 update of the comprehensive plan. Thanked the consultants for their hard work.

Mayor Eslick – thanked all for coming and participating.

ADJOURNMENT

Feb 6,2008

1. Besides Dyer and Skywall how many other residential properties within the city of Sultan will have sewers added to their street through this GMA plan?
2. I'm concerned that the city will force the Dyer community to connect to the sewers when it is brought down into the Twin River Estate development. What assurance will I have that this won't happen?
3. What other options or locations have been explored for the placement of the pump station?
4. Can the plan be amended to include the sewer line extending down the cul-de-sacs? This would reduce the burden on those who reside there.

Lisa Knight

1110 Dyer Rd

360 863 6944

3-5-08 PB minutes

Attachment
A

Gerry & Bonnie Gibson

From: Mandeville, Bill (CTED) [BillM@CTED.WA.GOV]
Sent: Wednesday, March 05, 2008 1:17 PM
To: gerry.gibson@verizon.net
Cc: Andersen, David (CTED); Andrew Lane; bcollins@perteet.com; Brittney Baldwin; deborah.knight@ci.sultan.wa.us; donna.murphy@ci.sultan.wa.us; Reid H. Shockey, AICP
Subject: RE: Comp Plan Questions
Attachments: _AVG certification_.txt

Mr. and Mrs. Gibson,

David Andersen asked me to respond to your email. I am the GMA planner assigned to the City of Sultan. Let me try to answer your question.

Your email appears to ask three questions:

1. Where in the laws of the State of Washington is a requirement that cities address "existing" conditions?
2. What laws state cities must to provide public sewage systems, or any public services, to existing non-sewer properties?
3. Are there any exceptions to this requirement?

The answer to your first question stems, in large part, from the citation mentioned in your email. RCW 36.70A.020 lists the goals of the Growth Management Act. You referenced the twelfth goal:

"Public facilities and services: Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time development is available for occupancy and **use without decreasing current service levels below locally established minimum standards.**"

The first part of this goal establishes the requirement to provide public facilities and services to new developments. I underlined and highlighted that section of the above goal that requires cities to consider and address "existing" service levels.

Other sections of the Growth Management Act also pertain to the requirement to accommodate future growth. For instance, RCW 36.70A.115 states counties and cities must ensure their comprehensive plans and development regulations provide sufficient capacity of land suitable for development within their jurisdiction to accommodate housing and employment growth as adopted in the countywide planning policies.

The problem confronting the City of Sultan is more than a legal issue. At its core is the question of how Sultan plans to make room for its future population growth.

Snohomish County's countywide planning policies allocate 2,530 additional households to the Sultan urban growth area. According to Snohomish County's 2007 Buildable Lands Report, approximately 1,500 households are currently planned to locate within the city limits of Sultan and 1,030 households are planned to locate in the unincorporated portions of the Sultan urban growth area. However, the Buildable Lands Report indicates that the unincorporated area around Sultan presently has the capacity to accommodate only 730 households; which leaves a shortage of space or land to accommodate about 300 households.

The Growth Management Act requires that the City of Sultan develop plans and regulations to accommodate its predicted growth (RCW 36.70A.115). As a result, the City of Sultan is looking at options that would increase the number of housing units in its unincorporated area. Since the area has a limited number of septic systems that it can handle, one of those options includes expanding its public sewage system into its unincorporated area.

3/5/2008

Attachment
B

Now to answer your third question – Are there any exceptions to the requirement? A city can not escape from its responsibility to plan for its future growth; however, it does have a large number of options and/or “reasonable measures” that it can consider.

The Growth Management Act requires a city to reassess its plans in the event that it can not accommodate its estimated population growth. (e.g., RCW 36.70A.070(3)(e) and RCW 36.70A.215(4)). A city’s capital facilities element, which the City of Sultan is currently preparing, should list a series of strategies that it might consider. For example, the following strategies are listed in the City of Airway Height’s capital facilities element:

- Reprioritize projects to focus on those related to concurrency;
- Decrease the cost of the facility by changing the project scope or find less expensive alternatives;
- Decrease the demand for the public service or facility by developing only in areas served by facilities with available capacity or changing project timing and phasing.
- Revise the comprehensive plan to balance the amount of capital facilities that can be provided to support development;
- Increase revenues through bonds, user fees, rates, new or increased taxes, regional cost sharing, developer fees;
- Decrease level of services, if possible.

Other cities list different strategies. For instance, Snohomish County has a list of “reasonable measures” in its countywide planning policies. The following link should take you to Snohomish County’s list of reasonable measures:

http://www.co.snohomish.wa.us/documents/Departments/pds/10_year_update/feis/volume_1/Appendices/I-E%20Policies_PDF/02_Appendix%20I-E_%20rptreasonable_measures0503.pdf

If all these options and/or reasonable measures fail, then as a last resort a city can negotiate with the county to change and/or reduce its designated urban growth area.

You raise some very good questions and concerns. I hope you can see that the City of Sultan has a number of options that it can consider. I would like to encourage you to remain involved in the revision of Sultan’s comprehensive plan. I am going to forward them a copy of this email so they can see what we discussed. Please contact the City of Sultan for more information and details about public hearings and relevant planning documents.

Also, please let me know if I can be of any further assistance.

F.W. Mandeville

F.W. “Bill” Mandeville, AICP
Growth Management Services
906 Columbia Street S.W.
Olympia, Washington 98504-2525
Phone: 360-725-3051 Email: billm@cted.wa.gov

From: Andersen, David (CTED)
Sent: Tuesday, March 04, 2008 10:03 AM
To: Mandeville, Bill (CTED)
Subject: FW: Comp Plan Questions

3/5/2008

From: Gerry & Bonnie Gibson [mailto:gerry.gibson@verizon.net]
Sent: Monday, March 03, 2008 4:42 PM
To: Andersen, David (CTED)
Subject: FW: Comp Plan Questions

Mr. Andersen, I sent the following email on 2/21/08 and, judging from no response, I take it that you are not the right person to request such a question. Please direct me in the right direction where I can find out if there are any exceptions to these rules.

Thanks

Mr. Andersen:

Would you be so kind as to answer a few questions or send me in the right direction?

I live in an area in Sultan where sewers are currently not available. In order to get sewers to my area, a line must be run under the BNSF railroad tracks. It appears there may be a requirement for the City to plan for providing sewers to areas within the city, but I am having trouble with this. There are two cites used in connection to this:

RCW 36.70A.020 and at (12) "Public facilities and services. Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time development is available for occupancy and use without decreasing current service levels below locally established minimum standards." And

RCW 36.070A and at (3). "A capital facilities plan element consisting of (a) An inventory of existing capital facilities owned by public entities, showing the locations and capacities of the capital facilities; (b) a forecast of the future needs for such capital facilities; (c) the proposed locations and capacities of expanded or new capital facilities; (d) at least a six-year plan that will finance such capital facilities within projected funding capacities and clearly identifies sources of public money for such purposes; and (e) a requirement to reassess the land use element if probable funding falls short of meeting existing needs and to ensure that the land use element, capital facilities plan element, and financing plan within the capital facilities plan element are coordinated and consistent. Park and recreation facilities shall be included in the capital facilities plan element."

Nowhere in these cites do I come to understand that there must be a plan to provide sewers to **existing** non-sewered properties. However, in Falgatter IX, the CPSGMHB found :
"Therefore, the Board finds that, in regard to sanitary sewers, the City has not complied with RCW 36.70A.020(12) and 36.70.070(3)'s mandate to provide adequate and necessary facilities to support *existing and new* development within the UGAs within the 20-year planning period." Where does the "**existing**" come from? It seems to me that the word "**existing**" just sort of popped up out of nowhere. Can you explain this?

Also, I am looking for an exception to this "requirement" if there is, indeed such a requirement. Do you know of any? I am thinking in the lines of possibilities that it may not be possible, practicable, or feasible to run a sewer line under the BNSF tracks to serve the Dyer and

3/5/2008

Skywall areas. Certainly, this is not in the control of the City. It is possible that the RR may not allow the city to do this. It is possible that the geology at the locations may not be compatible with a line under the tracks. It may not be financially practical to do this. How can the GMA hold a City to requirements that the City has no control over? Can you offer/suggest anything here?

I would appreciate your thoughts/comments.

**PARK IMPACT FEE CALCULATIONS
ORDINANCE 929-06**

Appendix B

2025 PLAN

2004 OPTION 1						
Park Location	Type	Acres/Miles	Land Cost	Development Cost	Total	
Plateau Park	Neighborhood	7	\$560,000	\$600,000	\$1,160,000	
Plateau Park	Neighborhood	7	\$560,000	\$600,000	\$1,160,000	
Plateau Park	Neighborhood	7	\$560,000	\$600,000	\$1,160,000	
Plateau Park	Community	20	\$1,200,000	\$850,000	\$2,050,000	
Multi Purpose Trails	Open Space	8.4	\$651,637	\$1,318,890	\$1,970,527	
Total		41/8.4	\$3,531,637	\$3,968,890	\$7,500,527	

2004 OPTION 2						
Park Location	Type	Acres/Miles	Land Cost	Development Cost	Total	
Plateau Park	Neighborhood	10	\$1,000,000	\$600,000	\$1,600,000	
Plateau Park	Neighborhood	10	\$1,000,000	\$600,000	\$1,600,000	
Plateau Park	Neighborhood	9	\$900,000	\$600,000	\$1,500,000	
Plateau Park	Community	20	\$2,000,000	\$850,000	\$2,850,000	
Multi Purpose Trails	Open Space	8.4	\$814,000	\$1,318,800	\$2,132,800	
Total		41/8.4	\$5,714,000	\$3,968,800	\$9,682,800	
			\$5,814,000	\$3,968,890	\$9,782,890	

2004 OPTION 3						
Park Location	Type	Acres/Miles	Land Cost	Development Cost	Total	
Plateau Park	Neighborhood	5	\$400,000	\$600,000	\$1,000,000	
Plateau Park	Neighborhood	5	\$400,000	\$600,000	\$1,000,000	
Plateau Park	Neighborhood	5	\$400,000	\$600,000	\$1,000,000	
Plateau Park	Community	20	\$1,200,000	\$850,000	\$2,050,000	
Multi Purpose Trails	Open Space	8.4	\$387,879	\$785,000	\$1,172,879	
Total		41/8.4	\$2,787,879	\$3,435,000	\$6,222,879	

42.6 acres / 1,000 residents

Attachment
C

2007 PLAN					
Park Location	Type	Acres/Miles	Land Cost	Development Cost	Total
Plateau Parks	Neighborhood				\$4,500,000
Plateau Park	Community				\$2,850,000
Reese Park	Community				\$90,000
Neighborhood Parks					\$1,600,000
Sportsman Park	Community				\$30,000
Skate Board Park	Community				\$30,000
Trail System	Open Space				\$2,203,000
Park 2	Neighborhood				\$1,600,000
Park 3	Neighborhood				\$1,500,000
Total					\$14,403,000

Impact Fee Calculations

	2004	2007	2008
Population 2025	11,119		
Population 2004	3814	11,119	11,119
Population Increase	7,305	3,814	3,814
Average HH Size SF	2.78	7,305	7,305
Average HH Size MF	2.00	2.78	2.78
Cost	\$9,782,890	2	2
Fee per new resident	\$1,339.20	\$14,403,000	TBD
Single Family Fee	\$3,725	\$1,971.66	TBD
Tax Credit	\$130	\$5,481	TBD
Grant Credit	\$180	\$130	TBD
Impact Fee	\$3,415	\$180	TBD
		\$5,172	TBD