

SULTAN PLANNING BOARD MEETING

319 MAIN STREET

March 19, 2008

The meeting was called to order at 6:34 p.m. by Chairperson Latimore.

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

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

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

Consultants Present: Interim Planner Brad Collins; Reid Shockey and Eric Ireland, Perteet Engineering; Land Use Attorney Andy Lane.

PUBLIC HEARING

Ordinance 981-08 Land Use Moratorium

PB Chair Latimore advised the public there would be three opportunities to comment this evening. He then opened the public hearing at 6:35 p.m. and read the rules for the hearing. No objections from the public or board members present.

Administrator Knight stated the issue before the board is to hold a public hearing on Ordinance No. 981-08 imposing a moratorium on the acceptance of and processing of applications for subdivisions under SMC 16.28.050 through 16.28.390, and 16.28.470; planned unit developments under SMC chapter 16.10, rezones under SMC chapter 21.10; and annexations under any method.

Administrator Knight explained that they would discuss findings of fact and make a recommendation to the City Council. Findings of fact must be based on documentation and testimony that is part of the record of the public hearing. The findings will be based

on the record from March 13, 2008 and this evening's public hearings. She explained the moratorium prevents the City from accepting certain development applications as defined in the moratorium and the public hearings were required by state law because the council already passed the moratorium. She explained it would be stopping applicants before the building occurred, but wouldn't stop those already in place.

PB Chair Latimore opened the floor to public comment at 6:43 p.m. No comment, so the public hearing was then closed at 6:45 p.m.

PB Van Pelt asked how long the moratorium will be in place. Administrator Knight explained the moratorium is for 6 months to meet the schedule for the comprehensive plan. It must be renewed every 6 months and she anticipated the city will need it until the end of the year.

The public hearing concluded at 6:50 p.m.

PUBLIC COMMENTS

Keith Arndt, 33331 332nd St SE: hoped comments would be heard by entire assemblage at 7:00 p.m.; requesting to be heard later regarding this issue. (Discussion held about the issue). Mr. Arndt chose to wait.

COMMITTEE REPORTS AND STAFF PRESENTATIONS

Recommendation to City Council to amend the 2004 Comprehensive Plan.

The issue before the Planning Board is to make a recommendation to the City Council on a proposed amendment to the 2004 Comprehensive Plan 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 Road and Skywall Drive, including the proposed pump station (number 4) as shown on the Sewer Utility Map as required by the State Growth Management Act.

Administrator Knight explained they held public hearings in February and March and are now making a recommendation to the City Council. PB Van Pelt asked if Dyer/Skywall would form an LID to install sewer; Administration Knight stated that would be a council decision, but there was no intention at this time. PB Latimore confirmed the issue was

recommending a while back and confirmed if it was being amended tonight.

Administrator Knight stated it could be the same, or amended; it was the board's choice.

PB Cofer expressed his thoughts that deleting the road extension was wrong; the area is zoned moderate density and only one roadway in and out with a railroad crossing just didn't seem enough. PB Latimore stated the transportation analysis was not affected by removing it, the citizens don't want it, and no emergency access is served so there seemed no need for it. Discussion continued for several minutes about emergency access in case of flood or train wreck. Administrator Knight also read an email sent by resident Jerry Gibson that was submitted for the record (Appendix A).

On a motion by PB Van Pelt, seconded by PB Zaffram it was recommended to delete the proposed roadway connection of Dyer Road and Skywall Drive; maintain the proposed sewer pipeline extension in both Dyer Road and Skywall Drive, and maintain the proposed pump station as shown on the Sewer Map; all board members voted in agreement.

Approval of the February 19th and March 5th, 2008 Minutes.

PB Secretary Pevey asked to amend the minutes of February 19, 2008 to include two attachments presented for the record at the meeting.

On a motion by PB Van Pelt, seconded by PB Zaffram the minutes were approved with amendments. All in agreement.

PUBLIC COMMENTS

Keith Arndt, 33311 132nd St SE – In reviewing changes to the comp plan and assessing those changes he looked at facts, assumptions, conclusions, and funding strategies. Facts are the foundation of information and the current conditions. Assumptions are market trends and fuzzy information. Conclusions are a combination of facts and assumptions based on the question if this then that. Funding strategies are the code regulated taxes, impact fees, grants, rates, etc. What's missing from the work year to date?

Zoning and border assumptions and whether or not these will be static are not addressed in the current effort. Facilities (water, sewer, roads) are not concurrent with property lines or city/county boundaries. Boundary should be changed for efficient service delivery.

Assumptions for Parks; Neighborhood parks and open space the developer is required to provide open space and parks, but it should not be included as a city expense. Impact fees pay for community parks but should be balanced by the growth impact only. The grant credit set at \$130 per unit appears to be low and the city should consider adjusting it. The credit does not include LID and bond measures.

SMC 16.12, Recreation and Open Space Standards, does not include open space and it conflicts with the city code requiring neighborhood parks. Regarding recreation open space there is no trade off for property topography. He suggested the city look at the big picture and consider the regional nature for neighborhood parks.

SMC 16.12.080 addresses credits against park impact fees and suggested there needs to be a balance to the credit given to other developers. RCW requires impact fees need to be proportionate and everyone is treated equally under the law.

SMC 16.12.010 regarding impact fees retained under special circumstances. Impact fees can only be hold for a 6 year time limit and must be refunded if unused. City code currently allows the city to keep park impact fee longer, but does not describe the extraordinary circumstances that apply.

Suggested to the board when reviewing transportation they need to consider what are the assumptions made, conclusions, and facts involved. There is a drop in the LOS with an increase in impact fees. Developers are paying to build infrastructure and need to ask why there is a 350% increase in the fee. Suggest to the board to ask questions and get answers as you want to avoid false premises and false assumptions.

JOINT PLANNING BOARD/CITY COUNCIL WORKSHOP DISCUSSION

Discuss and direct staff on preferred alternatives: Identified arterial classifications; Street Design Standards; Lower Transportation LOS from B to D; Lower Parks LOS from 42.6 acres/1000 to 1.5 acres/1000; Remove Police LOS.

Revise road functional classifications

Administrator Knight referred to Recommended Arterial Functional Classifications map (pg 4); Eric Ireland presented the background on the projects reflected on this map and explained how it worked. He explained it is a representation on where roads may be built; engineering will be needed to further identify the exact location when it is needed. Recommending this system be accepted for ultimate inclusion in the overall plan.

CM Slawson questioned adding more arterials to the map. Administrator Knight stated realizing Alder becoming an arterial for this community. Mr. Ireland stated it is a plan and not set in stone. CM Slawson questioned what does it take to add more to it? Mr. Ireland would need to identify an improvement project to upgrade a street to a collector. CM Slawson would like to direct staff to look into that with Alder Avenue as it has picked up with traffic since traffic light at 5th and SR 2 as Alder is free flowing and few stop signs. Discussion held on collector requirements and if Alder Street met the requirements.

CM Slawson felt that due to phase 3 of US2 & Sultan Basin Road tying into Foundry Drive, it should be thought of as a collector as well as it opens up to many areas and Foundry Drive might need to be a collector as well due to heavy truck and car traffic. Mr. Ireland explained the current classifications system doesn't differentiate between the types, but the traffic standard does.

CM Champeaux questioned T64 & T63 asking why they are in yellow and are not listed under the project name description for estimated cost. Mr. Ireland stated they looked at improving 164th even though its outside of urban growth boundary; talked with county as the road is currently not at county standards and asked them to take the lead beyond 2025; T64 looking at extending beyond 2025 to have another way across the river.

CM Slawson felt T24 should be shifted up on the map to line up with the property lines.

Revise arterial street design guidelines

Mr. Ireland explained attachment C1 & C2 were the proposed; and C3 was the existing street design guidelines. He stated this was developed to help supplement the existing design standards. He recommends directing staff to review and revise arterial standards after adoption of the comp plan; Administrator Knight stated cost estimates in the comp plan are based upon the new guidelines. Mr. Ireland pointed out the existing versus proposed arterial street design standards to include bike lines, planter strips, & travel lane width. He also explained the proposal of First Street accessing SR 2 to the public present. Discussion held on current roads and how these guidelines would affect development community. Mr. Ireland explained the level of service the city did would meet LOS D and would meet potential with room for increased capacity. Discussion held on making sure roads will be sufficient enough and not end up with a traffic dilemma and how to handle that if it occurs.

Reduce traffic LOS from B to D.

Mr. Ireland gave the background information and explained that the city stands alone in traffic LOS B, with most cities and the county at D or E; also explained it is an absorbent cost to maintain LOS B. Referenced Table on pg 2.7 of Attachment A and stated it compares the level of service to include cost. Explained LOS B in direct opposition of policies to protect your current investments; also referenced environmental impacts and concurrency cost for traffic impact fees. Recommendation from staff is to accept the lower standard of D. Administrator Knight questioned why is it a lower level of service and an increased fee? Mr. Ireland explained the cost was adopted in 1995 and was never readjusted for inflation or reassessed for current cost. If inflation and reassessment had been completed it would have been \$11,000 versus the \$6,000 currently being proposed.

Increase transportation impact fees

Mr. Ireland explained the fee was established in 1995 and the method for calculating the fee rate is set in city ordinance and allows for annual inflation as well as adjustment of the total fee assessed to any particular property owner. Recommendation tonight is that the council adopts a higher traffic impact fee concurrently with adoption of the comprehensive plan. Not required under the GMA, but if you wait you are missing out on dollars to build your transportation system. Administrator Knight stated when Pat

Dugan comes back and talks about funding your capital facilities plan you will need to consider if your current traffic impact fee meets your needs to fund your improvements. CM Slawson questioned \$7.75 million per year the city would have to come up with? The city would have to fill the gaps where the developer doesn't; Mr. Ireland stated grant money helps.

Administrator Knight stated an open house was scheduled for next Tuesday and needed a quick recap of the preferred alternatives. Alder included as an arterial? Yes. Foundry Drive as an industrial arterial? Yes. Hold off on the arterial design standards; show and get feedback; but not part of this adoption process explaining that it is used as the basis for the cost estimates.

PB Latimore questioned if the arterial street guidelines are part of the assumption underlying the cost and performance it seems like it should be attached. Mr. Ireland stated there are minor differences between current standards and the proposed standards. They were used for cost estimates and there is greater definition, but if you move beyond it the cost changes are minor. There is a 15% contingency in it now.

Administrator Knight stated she would convey at the public hearing the message for the design guidelines is they are not significant for the comp plan and not significant for costs; just more detail. Consensus to wait? Yes. Reducing transportation LOS B to D? Mayor Eslick recommended proceeding.

Administrator Knight stated she felt they were not prepared to make a recommendation regarding increasing transportation impact fees. CM Davenport Smith asked how Sultan compares with other communities. Mr. Ireland stated the average was \$3800 and several cities were looking at increasing their fees. \$7000 is higher than most; will reevaluate and bring you a new evaluation. He will look at 15% and 20% when bringing it back.

Discussion held on how the impact fee is calculated & interpretation in the plan. Administrator Knight stated there is a policy question that needs to be brought to council on how to apply a credit. Discussion held on current standards and the impacts to developers in the area.

10 minute break at 8:35 p.m.; reconvene at 8:45 p.m.

Reduce Parks LOS from 42.6 acres/1000 to 1.5 acres/1000 residents

Reid Shockey stated he will be attempting to pin board members down on classifications they would give current parks. He referenced page 6 which gave a definition of parks to comply with CM Slawson's request for clearer definition of parks. Also included Snohomish County's definition for each park as a resource as the city inventories the parks. Referenced page 3 table which inventories current parks and categorizing each one to show the surplus/deficiency in each area. This is the start to setting a standard to provide parks that the community wants. Page 4 reclassifies the current park inventory based on the clearer definitions.

Discussion on the water treatment plant and the need to reclassify it as it is not accessible to the public.

Administrator Knight asked if the mini park LOS is the national park standard. Mr. Shockey stated it was as close as we can come. Administrator Knight added there is nothing that requires us to place an LOS for mini parks and seems out of line to consider acquiring more. Mr. Shockey explained tot lots versus mini parks. Part of the subdivision code states a builder can get credited impact fees if a tot lot is created. Mr. Shockey feels these should be two separate issues if the city is concerned about neighborhood and community parks. Gave a "pat on the back" to Rosewood Development tot lot created by Garth York and felt that it was a good example. Proposal included giving the developer credit on impact fees for providing a "tot lot". Two questions to the city is do you want to own it and the maintenance involved in it. Suggest the developer meet the design standard of a mini park and an insurance bond or legal documents to show how it would be maintained. Administrator Knight questioned fee in lieu of tot lot and policy decision deemed undesirable. Mayor Eslick stated no mechanism to maintain, but this sounds like a good plan. Administrator Knight felt tot lots make sense in neighborhoods where you have small yards; policy decision really need to explore before making a decision. Mr. Shockey felt the impact fee is going to approach what it takes to acquire property and develop it. If we take a park as credit the cost is going to be fairly close compared to the acquisition.

Addressed the issue of needing community parks, but the proposed LOS shows no surplus or deficiency. Suggested increasing LOS for Community Park only to 5 acre/1000 resident standard as an exception and include a well reasoned argument to back it up. Discussed Osprey Park and suggest assigning as a regional park with no LOS. Mr. Shockey stated there are all sorts of other facilities in Sultan but we only focused on what the city owns and operates. Discussion held on why those things were included in the past; agreement that it was added to show the city met the 42.6 acres/1000 current standard. Not lowering the standard now, just redefining the LOS.

CM Champeaux questioned if we fall into deficiency in any one category will we be in jeopardy of the Growth Hearings Board again? Mr. Shockey stated no, it complies with GMA. Where you would get in trouble is if you don't follow through with it. Administrator Knight explained GMA doesn't require adopting an LOS for parks, but it does require an LOS analysis in the capital facilities plan. In the past these two were confused. Mr. Shockey stated that showing it and doing it are two different things and the trouble occurred when the city failed to provide.

CM Champeaux noted that Sportsman's Park went from a regional to Community Park; believe it is a regional park. DNR, City, and Fish & Wildlife own it and it brings people into the community. All in agreement.

Administrator Knight questioned if the water treatment plant was in or out. CM Slawson stated it could easily be developed with trails. Mr. Shockey stated it could be listed as a future park to be developed.

Citizen Keith Arndt stated topography is not taken into account when looking at current drawings. Suggested looking at what potential is and compare to development regulations. Citizen Garth York inquired if there would be a discussion of park impact fees this evening? Mr. Shockey stated not until in agreement with LOS for parks and types of parks needed, then will return with the fiscal analysis to include the developer impact fee. Discussion held on developer credit and how it would be applied, as well as how to best regulate less tot lots versus more community parks.

PB Latimore stated it would be handy to have concepts of a 10 acre park and what that would entail and hold. Discussion on "available buildable area" and how it came to be and why it is included. Administrator Knight stated the staff recommendation is to reduce LOS to 1.5 acres/1000; tonight introduces LOS 5 acres/1000 for community parks and no LOS for regional parks.

Discussion held on Hammer Property Park located next to Wagley Creek estimated at 5 acres.

Mr. Shockey stated to the board members if you can look at the table on page 4, do you agree with the definitions for parks or do they need to be tweaked at all? Do these parks fit within the categories as defined? Do the shaded areas represent a strategy for addressing deficiencies? Agree with discussion on tot lots? Is the focus on community parks? What is Osprey Park? With the direction you gave us we'll provide the list and the cost. Administrator Knight suggested thinking more in terms of what facilities you want to see in your park as that will define the size of the park. PB Zaffram suggested the same question with the tot lots; what is it on paper? What are the facilities of it? Mr. Shockey and Administrator Knight both suggested driving up to the Rosewood Development as it is a great "tot lot" site with the added benefit of being over a detention pond. CM Slawson felt it was a great idea as he has seen a basketball court over a detention pond as well. A look around the room showed nodding of heads in agreement with presentation this evening.

Police LOS

All in agreement to remove the LOS for police.

PUBLIC COMMENTS

Keith Arndt – none of these expectations are taking into account the limit on the sewer system that includes 5 of the 12 year period in question; transportation element does not include major easements that cannot be built upon but can be used for trails to include transnational gas line as well as others; tot lots/mini parks need to allow for the idea that it could be big enough and don't limit it to that; Thanked Reid Shockey and Eric Ireland who made time to answer questions for him tonight.

Garth York, Box 12, Startup – commended the board on the job they have laid out before them; stated PB Cofer had good points about the Dyer/Skywall connection; and that CM Champeaux stated you have to look out for the bigger picture; mitigation fees, if we do the tot lots it takes away from the bigger parks, what does the community want? At a preconstruction meeting the costs are laid out for us but are changed later and the code needs to be cleaned up to take care of that to make it cut and dry for everyone's benefit so it doesn't come back to bite us later. (Administrator Knight explained the problem and the need to review this issue).

PLANNING BOARD COMMENTS

PB Latimore stated PB Schmidt was out of the country and excused his absence.

CM Slawson also stated CM Flower; CM Doornek; and CM Blair should be excused as well.

ADJOURNMENT

On a motion by CM Davenport Smith, seconded by Mayor Eslick the meeting was adjourned; All in agreement. Planning Board meeting ended at 10:00 p.m.