

# PLANNING BOARD MEETING MINUTES

## October 6, 2009

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### **PLANNING BOARD MEMBERS PRESENT:**

Frank Linth - Chairman  
Steve Harris – Absent  
Keith Arndt - Resigned  
Jerry Knox  
Bob Knuckey

### **CITY STAFF:**

Bob Martin, DCD  
Carole Feldmann, Secretary

**CALL TO ORDER:** Linth calls the meeting to order at 7:02 PM

**Pledge of Allegiance:**

**Roll Call:** See Above

### **Changes to the Agenda:**

Defer the approval of minutes from September 15, 2009 from the agenda to next meeting.

**Public Comments:** None

### **Planning Board Member Comments:**

Linth: Advises that Keith Arndt has officially resigned from the Planning Board.

### **Approval of Minutes:**

Knox: Moves to accept the Minutes of the September 1, 2009 Meeting, 2<sup>nd</sup> by Knox; all ayes.

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## **HEARING and ACTION ITEMS**

Linth: The city vision was in the comp plan but it was in the 1994 Comp Plan and not the new one. Would like to know how to have the vision statement incorporated into the current comp plan.

Martin: The comp plan docket is currently proceeding, there will be a discussion item on the agenda of the 2<sup>nd</sup> October 2009 council meeting. He will review procedures and see if it can be added to the docket.

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## **STAFF PRESENTATIONS AND DISCUSSION BY BOARD**

### **D-1 Updating the Planned Unit Development provisions (SMC Chapter 16.10)**

Martin: At the 091509 meeting, board members reviewed the first draft of the PUD. The Board indicated that a Draft PUD Zone should be developed for review that addresses PUD's as Mixed-Use Developments that are conditioned to be innovative large-scale projects providing higher amenity and quality-of-life opportunities to residents and the Community at large. The Board requested the project include a PUD Chapter replacing the existing Chapter 16.10. Construct a Lot Averaging Chapter to provide for the type of development that has been constructed in the Community under the current PUD provisions. Review existing Zones and Development Standards to determine if changes need to be made to accommodate PUD as a use rather than a zone and revise Zones and Development Standards as needed. (Audio File 05)

The 2<sup>nd</sup> Rough Draft was reviewed. The portions of specific interests are the Permitted Modifications & Limits on Modifications. It is in the Community's interest to encourage creative quality development while maintaining minimum standards so quality development is defined and required as a project goes through the review process. The Board needs to formulate a recommendation on how this balance is to be framed for the Sultan Community. By examination of the current code language and some of the development that was allowed under the provisions of this Code, the Board has agreed with Staff that the standards and implementation were not specific enough to result in consistent quality development. Staff is of the perspective that the Permitted Modifications and Limitations on Modifications need to be much more clearly stated so they can be tied to specific findings showing how the proposed project has resulted in development that is of a more unique character and demonstrably higher quality than what results from standard subdivision development. The 2<sup>nd</sup> Draft PUD Chapter contains a more specific structure for the Permitted Modifications and Limitations on Modifications than the current code. Once acceptable to the Board, the Procedures Section will be completed and brought back for a review of a Staff Draft

Knox: Requested further clarification on 16.10.040 E Roadway Design Standards, to which Martin drew examples to answer his questions. Believes profit motives control what developers do, so in modifying the standard what could be the negative impact in the future. Martin drew additional examples how modifying the standard can reduce environmental impacts and how modifying certain elements can be beneficial.

Martin: These standards evolve and change over time and right now the perception is these are the best practices. 25 years from now all these standards may change and new policies will evolve. He further explains these standards will apply only to PUD's not standard sub-divisions. (Audio File 10)

Linth: Questions then how the narrow road by the High School is not adequate for school access and this concerns him with the PUD code.

Martin: It simply should never have been approved it was not the PUD code by itself, it was an administrative issue.

Knuckey: What if the board does not want to allow for a 24 foot road?

Martin: You establish it cannot be modified to that width.

Staff and Board Members discuss in depth minimum road widths and problems that may arise and how that should be addressed in the PUD to minimize negative effects.

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## **D-2 Comprehensive Plan 2011 Update Process**

Martin: The current Comprehensive Plan was adopted in 2004. Extensive revision of the Plan was required by the Growth Management Hearing Board and the final adoption was completed in September of 2008. The legal adoption date for this version of the Plan is 2004. The Growth Management Act requires that plans be Updated on a 7-year cycle, so we are due to adopt an Updated Plan in 2011. The first step is to organize Community involvement in the process. Community involvement along with local government is the base and framework for the planning process and is required under the Growth Management Act. The City is conducting a statistically valid Community Survey of interests and perceptions of services, policies, and opportunities. The survey instrument is nearly in final form and a randomly selected sample of the Community will be surveyed by phone by professional survey pollsters in the next three weeks. The analyzed information will be available in early November 2009. The City conducted a "Kick-Off" of the public involvement process on September

30, 2009. This meeting included presentation of the proposed task list and schedule of the Update Process through adoption in June of 2011. The design of the Public Involvement Program for this Update is based in Plan Element Work Groups. Three groups will be asked to address three plan elements each. Board members are asked to participate in one or more of these Plan Element Work Groups which will use the Community Survey data and other materials to formulate a recommendation on policy updates to the Planning Board in early 2010. The City will hire Consultant(s) to assemble the input from the public process and produce a Draft Comprehensive Plan that will be brought to the public for review and comment through 2010 and early 2011, leading to adoption in mid-2011. Staff recommends the Board review and discuss the "Comprehensive Plan Approach and Schedule" and provide input. Board members are requested to consider which Plan Element Work Group they are interested in serving on through April, 2010.

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### **D-3 Community Services Officer Update**

Martin: A Community Services Officer (CSO) was hired to address Animal Control and General Code Enforcement. The Board previously discussed the distinction between the existence of code language and the reality of code implementation/enforcement. The CSO is managed within the Community Development Department. Other aspects of the position is enforcement of junk, litter, debris, various nuisance, and appearance problems. The CSO has sent out many letters concerning upkeep and maintenance of property to the extent that existing code language allows. Compliance with these notices has been achieved in a great majority of cases without going beyond initial contact. The Board has expressed concern about the general appearance and impression that Community upkeep, or lack of, represents to citizens and visitors. SMC Title 8, Health and Safety includes a minimalist Nuisance Code at Section 8.4. Title 12, Streets, Sidewalks, and Public Places contains Standards regarding maintenance of vegetation overhanging the public right-of-way or otherwise endangering the public. Title 16, the Unified Development Code contains many Development Standards that apply to new development. Neither Title 8 nor Title 16 contain what could be properly called an organized Code Enforcement Policy or Process. The SMC does not contain a Structure/Property Maintenance Code at all. This means that buildings and property can only be noticed for violation if the owner is applying for a building permit so that the provisions of the Building Code apply to the new structure, or if the condition of the property has gotten so bad that it can be cited as a Nuisance. As the appointed representatives of the Community for issues of policy in areas related to Land Use, the Board has a role in Code Development and Enforcement. While the Board has informally discussed upgrading Code Standards for Property Maintenance, it is important to keep in mind related issues. First is the budget. The Community is not in agreement on the extent to which the City should be mandating activities on private property if it is not required to do so by State or Federal law. The Land Use Enforcement Codes are at a bare minimum and can only be brought to bear on particularly bad conditions. The Board needs to move cautiously if and when it takes up the issue of upgrading Property Maintenance Codes so as to take into account all perspectives of the Community.

### **PUBLIC COMMENTS ON AGENDA ITEMS ONLY**

None

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### **CONTINUING EDUCATION**

#### **CE-1: Case Law Update**

Staff and Board Members review Statutory Law and Administrative Law and how it applies to the Planning Board and the function it serves.

Moves to adjourn, 2<sup>nd</sup> by , all ayes.

Adjournment: 10:00 PM