

Sultan Planning Board Meeting

June 26, 2007

The meeting was called to order at 7:02 pm by Chairperson Latimore.

Planning Board members Present: Kurt Latimore, Sarah Davenport-Smith, Jeff Cofer. Absent: George Schmidt, and Charles Van Pelt

Staff Present: Community Development Director Rick Cisar, City Administrator Deborah Knight, and Planning Commission Secretary Tami Pevey.

PUBLIC COMMENTS

None given.

CHANGES TO AGENDA

Discussion amongst members about George and Charles absence.

Motion by Commissioner Latimore, second by Commissioner Cofer to excuse the absence of Commissioner's Van Pelt and Schmidt. All in agreement.

COMMITTEE REPORTS AND STAFF PRESENTATIONS

Transportation Plan Update including Impact Fee Analysis and annual Transportation Improvement Plan (TIP).

Eric Ireland from Perteet presented the current draft of the TIP to board members and explaining key elements. He complimented Connie Dunn for the idea of connecting Highway 2 and First Street via on and off ramp. Mr. Ireland advised the board that chapter 6 is a new addition required by the state. Chapter 7 includes project cost estimates, which were previously missing. He explained that to date there has been eight public meetings, two open houses, and four presentations before the planning board. The financial revenue forecast still needs to be completed. He anticipated coming back to the July 4th meeting.

Commissioner Davenport Smith requested clarification on the projects listed on page 35 and if they had been prioritized.

Ireland explained the format of the table is system capacity projects, and system enhancement projects; two different sets of projects that compliment each other. It is a short term and long term look, there is no ranking that is presented in this document of those projects.

Administrator Knight recommended putting ranking of projects in the Capital Facilities Element. Just making sure that the projects on this list are ones the city can afford to build.

Commissioner Latimore referred to page 17 and stated there are various major intersections on US 2; the current level of service measured is E & F during peak, average level measures at F.

Eric Ireland stated the city is not required to maintain traffic flow on state roadways. It doesn't preclude the city in participating with the state in joint projects.

Commissioner Latimore referred to the road sections in the figures shown and asked if Engineer Jon Stack has looked those them.

Planning Director Cisar stated they have all looked those over and are in agreement.

Eric Ireland asked if they were referring to the standards on page 38.

Commissioner Latimore stated yes.

Eric Ireland referred to the table on page 38 and the graphic on page 39 to get an idea of what the standards look like.

Commissioner Latimore questioned Dyer/Skywall connection; talked about various ideas, our emergency management plan would be the source of improvements to implement that plan, and asked if that plan speaks to this emergency access plan.

Administrator Knight explained it is an operations plan, not a capital facilities plan. That really does belong in the capital improvement plan. Some of the proposed roads are emergency access issues. Need recommendation from the board to staff tonight on what the planning board would like to do regarding emergency access issues.

Eric Ireland explained that this plan expresses the intention of providing a connection, the actual alignment will be determined later when it is assessed and being built.

Administrator Knight stated the staff needs the questioned answered if the planning board desires to have some connection between Dyer and Skywall, or no connection.

Commissioner Latimore stated he went and viewed the area and from the Dyer side it didn't seem like a real high priority, however he asked if that access on the Skywall side would lead right into the water.

Development Director Cisar stated no, it would be the existing roadway as on 2004 plan. A diagonal coming from and through the Amy Parr property that would make that connection, which is on high ground and out of the flood plain.

Commissioner Latimore repeated wouldn't they still have to go through flood water.

Development Director Cisar stated a portion would, depending on which side of the culvert you access it from. However, when will the city build that road? We don't know when.

Administrator Knight stated she spoke with Miss Parr and that Miss Parr was fine with the connection. She expressed no concerns. Commissioner Cofer had raised the issue at the last meeting about what would happen if a train wreck occurred, how would residents get out?

Would they come back and complain because the road was taken out of the plan. What is the overall good for the community?

Commissioner Cofer stated he also went over to view it as well. Dyer side is beautiful, secluded, quiet neighborhood. Question for him isn't resident's ability to get out, but what about emergency services? Is it responsible to say we could send emergency vehicles up the Burlington Northern right of way? Not acceptable. At some point it has to happen.

Commissioner Latimore stated he was considering two points. One is to examine the priority of emergency access to other areas of the city. The other piece is zoning. Dense zoning, half acre plus lots today, but could become denser down the road. He wants to look at zoning and priorities in relation to other areas in the city.

Administrator Knight requested a recommendation for staff.

Commissioner Latimore stated his highest priority is emergency access in the city and wouldn't want to see it missed.

Development Director Cisar stated Connie and himself met with neighbors in this development. Discussion quickly shifted to sewer and LID costs. They seem to think if the road goes in, sewer will follow. With the Ramirez property sewer will go because of the density, which will set up Parr's property to increase the density to 6 per acre.

Commissioner Latimore clarified is that meant 6 per acre all along Dyer.

Development Director Cisar stated yes.

Commissioner Latimore asked if with the new shoreline master program and a zoning intensity of 6 per acre, are those compatible.

Development Director Cisar stated that the new critical areas regulation buffer increased on the Skykomish River by 50 square feet and gave an example of a current project impacted by the shoreline buffer increase.

Administrator Knight stated there would be some redevelopment and something like a condo could go there, which would get you 6 units per acre and allow setbacks. GMA requires a minimum of 4 units per acre. The GMA doesn't allow septic tanks, so the city has to provide sewer to residents in the city.

Development Director Cisar stated it was too close to the floodplain.

Commissioner Latimore stated it looked to him like that is pretty high zoning given those constraints being discussed. Felt all the plans are correct.

Commissioner Cofer asked if the descriptions as such don't dictate the final picture of this road connection at this point.

Development Director Cisar stated that they are connecting A to B and won't know how you do it until you work it.

Administrator Knight asked about the motorized connection or non motorized connection for emergency access only and what is their long term vision for that community. Two separate communities ensuring safety, or connect those communities together in the long run.

Commissioner Latimore asked if that is the only one.

Administrator Knight stated there are several of them, three to four of them including this one. Not a priority at this point, so not funded in 6 year plan. There were concerns about the Walburn road connection this week. She referred the members to page 37 that show the map of this road. The city's intent was to remove the access to US 2 and move the connection to the Sultan Basin Road, and the neighborhood is comfortable with that, but difficult with the connection to Pine St. No way for folks at the bottom of hill to get out. Could be another emergency vehicle access, and not allow cut thru traffic. Keep T43 and move T44 to emergency access only.

Eric Ireland stated the estimate if it's built as a collector is 1500 vehicles per day.

Administrator Knight stated that is pretty significant.

Eric Ireland stated yes and no as it can handle it.

Administrator Knight said she can see their concern as the only traffic now is for 10 homes in that area. There will be another opportunity to review this issue at the July 17th meeting. The members could think about it some more and give their recommendation then.

Commissioner Davenport-Smith stated personally she doesn't want to remove emergency access plans from the plan.

Administrator Knight stated regular roadways or emergency access only.

Commissioner Davenport Smith didn't know if they can say at this point in time emergency access only, but could they wait until later on when things get development and it makes more sense to open it up.

Development Director Cisar stated initial could be emergency access between Dyer/Skywall – then ask the developer to show their traffic access and plan and that would be the trigger point to have open access.

Commissioner Davenport Smith confirmed Ms. Knight's stated earlier that GMA and county wide planning policies state that everything has to be on sewer system.

Administrator Knight stated current county wide planning policies do not allow septic systems in the UGA boundary lines. New developments have to be on sewer.

Commissioner Davenport Smith questioned in terms of Dyer/Skywall, do the new homes coming in have to have sewer.

Administrator Knight stated one lot, one house, not within 120 feet of sewer line, septic okay.

Commissioner Cofer asked about the section width of non motorized connector compared to motorized, and clarified that at some point in the next twenty years a big old road that will connect Dyer/Skywall will occur as the economy will dictate it.

Administrator Knight stated they were establishing the standard. If it is a local access roadway, arterial standards wouldn't apply.

Development Director Cisar stated they could develop another schematic for emergency access.

Administrator Knight clarified it would be design standards.

Eric Ireland said it could be a paved twelve foot trail to keep cars out until needed.

Development Director Cisar referred to the Hammer property and explained it will be that way and the described access there.

Commissioner Davenport Smith asked if the standard is for it to be gated.

Development Director Cisar suggested bollards or gates that 911 could make work.

Commissioner Latimore admitted hesitation from board members is that all envision the road in twenty years and agree that it will become a through connection, not just emergency access. That the density at some point would dictate more than one access would be necessary. He then asked if it could be two projects with different ranking, emergency access is shorter term, and longer term is thru road.

Administrator Knight suggested emergency on 6 year TIP, and the other on 20 year TIP.

Commissioner Latimore stated yes, for now and admitted it was 180 degrees out of Jerry Gibson's request, but there will be a chance for comment from the neighborhood. Had a question on page 37 and stated T63 runs outside the UGA. We don't have jurisdiction there and asked how that is treated in the comp plan process.

Eric Ireland stated that if they look at the specific description it refers to a joint project with the county, and they would build to their own road standard out in that area, unless there is a significant financial desire from the city to build it to some other standard.

Commissioner Latimore said he couldn't find T63.

Eric Ireland referred him to page 62 at the bottom and stated it is listed as a long term project, out beyond 2025 and it affects the importance in the traffic grid.

Commissioner Davenport Smith asked if it is at all possible to enlarge the font on the tables.

Eric Ireland stated yes, he will work on reformatting to make it bigger.

Commissioner Latimore complimented Eric Ireland on his great analysis; it makes sense and looks good. Noticed a few roadways compared to the no action scenario where significantly more vehicle trips and would like to see notice boards in town to broadcast.

Development Director Cisar stated Reid Schockey will be at the next meeting. They are looking at doing a mass mailing to everyone in our zip code. He has asked Eric Ireland to put together a two page flyer including the map and project list to get the word out to the community. Reid would do same thing with the SEIS to be a total of four pages in a flyer to get the information across.

Commissioner Latimore asked about additional item such as moving emergency access to non-motorized and retaining the thru connection.

Commissioner Davenport Smith stated there were a few minor editorial comments: page 24, 4.1 traffic, one and two repeat each other; page 10 at the top under 5.3.2 first sentence – which should “be” striped to provide. Complimented Eric on a job very well done.

Eric Ireland thanked Commissioner Davenport Smith for the corrections.

Commissioner Cofer asked if this was the time to add a project to this list, or request the feasibility of adding a project to this list. During a discussion with Fire Chief Alberson on tails of fatal crash, was wondering if there should be an access road to those residents as an extension of Dyer road west.

Public Works Director Dunn stated Planning Technician Cyd Donk and herself met with safety crossing people last week. They would like to have the city work jointly with them to obtain easements from east of Dyer through to the most easterly side of the old creamery property that sits right on the Burlington Northern Line. Those two units would have access off the end of Dyer. The city would be willing to work to get easements and BNR said they would work with real estate and right of way agents to propose a private crossing due to recovery zones and safety issues that weren't thought of back there.

Development Director Cisar stated there is one area with Dyer crossing where houses have no access.

Administrator Knight stated railroad tentatively set up to give presentation July 26th at council meeting.

Commissioner Cofer asked if it was too soon to put that on the project list.

Public Works Director Dunn stated yes.

Eric Ireland inquired if there is a possibility to connect west end of dyer with main street and a have signal there.

Public Works Director Dunn answered it would require the 10th street crossing be closed as the railroad discourages too many crossings.

Eric Ireland added that at some point the state might want to prevent left hand turn crossings and this could be a way to address that.

Public Works Director Dunn added they had also talked about the intersection at 8th and Main Street, and the state was considering it for a roundabout. The State will be here Thursday night at the council meeting. Suggested it would be something to look at in future transportation plans.

Eric Ireland stated at the July 17th meeting he will be coming back with the completed financial chapter and have recommendations for traffic impact fees.

Development Director Cisar recommended back to TIP for Administrator Knight to give an update.

Administrator Knight gave an update on the progress but was just about ready. Felt they were right on schedule and will be back in front of the planning commission at their next meeting, but they are very close to being done.

ACTION – APPROVAL

1. *Approval of May 1, 2007; May 15, 2007; and June 5, 2007 minutes.*

On a motion by Commissioner Davenport Smith, second by Commissioner Cofer the minutes were approved; All in favor.

2. *Recommended Amendments to SMC Title 16, Chapter 16.18 Nonconformance, section 16.18.060 Extension or Enlargement of Nonconforming situations and Section 16.18.070 Nonconformance – Repair, Maintenance, and Construction.*

Development Director Cisar referred to the June 5, 2007 meeting and recommended deleting 100% cost and add the following language "However, the repaired or replaced structure shall not exceed the square footage or size of the existing structure prior to being damaged except as provided in SMC 16.18.060". He explained that if you have a nonconformance use that is destroyed, it can be replaced to the existing square footage. However, if you want to expand you would need to follow the process through the hearing examiner. Explained there will be another public hearing before the city council, then a first and second reading before final council approval.

Commissioner Latimore clarified that a business could replace, and could expand.

Development Director Cisar stated yes.

Motion by Commissioner Cofer, second by Commission Davenport Smith to forward their recommendation to the council; all in favor.

3. *Changes to Planning Board's July Meeting Schedule.*

Development Director Cisar updated the commission that the word had gotten out to the public regarding the change of the July agenda.

4. Storm Water utility update and setting a Public Hearing to consider Storm Water Utility for July 17, 2007

Administrator Deborah Knight gave a review of the storm water utility to date, stating the culmination of the work group was being presented to the board this evening. Explained this would help fund storm water improvements and maintenance; frees up the street fund to focus on street projects, and prepares the city for the permit requirement to be adopted in the near distant future. Policy questions are the topic of the commission tonight; the focus being on credits and how they may want to offer it as part of the program. The original intent of the work group was leaning towards best management practices to apply credit. However, issues came up for the school district. Using the City of Arlington as a reference, they give credit where an annual curriculum is incorporated. Explained for 398 residential units at \$13 per unit it would generate \$6,200 per year. The issue is if you give a credit to one group, another group would have to pick up the difference. The second question before the board is whether or not the city wants to offer credit to non profit organizations. Leanne Acker surveyed the original cities again and found that no other agency offers credit to non profits. Three agencies credit schools. Do we offer the school a credit and how much of a credit? Regarding Nonprofits, the staff recommendation is not to offer a discount. Do we want to do annual inspections of private facilities? In the original cities surveyed there is a shift occurring where most agencies were not doing annual or biannual inspections as they do not have enough resources, but they are moving to annual inspections. The city may want to start off with the utility then work next year on their inspection program.

Commissioner Latimore asked about the 70% number and asked how that was reached.

Administrator Knight explained it is based on the City of Arlington ordinance as a template. Storm water utility is a big hit for a school district that is already struggling, but the burden would fall on others to cover the difference.

Commissioner Davenport Smith noted that the school is third largest ERU holder.

Administrator Knight explained between the three schools they have a total of 380 ERU's.

Commissioner Davenport Smith clarified that if the maximum discount is at 70% discount, the rest of the fee would be more than \$11.

Administrator Knight stated yes, closer to \$13. Does the board want to ask homeowners to pay the difference?

Commissioner Latimore felt an incentive idea is a good thing, might be reasonable to expect a homeowners association or business to provide some evidence of best management practices. That wouldn't require a city inspection.

Administrator Knight agreed, but stated someone will still want to go out and double check.

Commissioner Davenport Smith felt it depends as her homeowners association does maintain their storm water; asked if they couldn't just provide some documentation from a certified professional.

Administrator Knight stated yes, however would you want to inspect the downstream side?

Commissioner Davenport Smith stated one day in the future when the city does have a permit they will have to check the output and meet the standards for water quality so they would be doing that eventually.

Commissioner Latimore asked if there are any other fees or taxes the city waives for the school currently.

Public Works Director Dunn stated no, sewer and garbage charged as commercial.

Development Director Cisar stated they pay building fees and are assessed traffic impact fees.

Commissioner Davenport Smith thought if the condition of a credit is to have a curriculum in place, this could meet the city's permit requirements in getting public education outreach efforts. Felt this would be a good justification for a credit; maybe not a whole 70%, but some credit.

Public Works Director Dunn stated the high school is the only one with a detention pond; the middle school and elementary school have direct impact.

Commissioner Latimore agreed with the philosophy, but didn't know about the percentage; also agreed credit should go along with best management practice.

Administrator Knight advised she was writing a letter to the school to give them a heads up so they can give input.

Commissioner Davenport Smith stated there is a public hearing coming up in July, received a notice on the utility bill, and inquired if there will be some mailer to let citizens know.

Administrator Knight stated that staff will look into the possibilities to get the word out between now and meeting on July 17th. She is also working with Debbie Kopple at the Visitor's Center to get the word to the businesses as well.

Commissioner Cofer would like to have business owners get an ERU evaluation of their property and provide them an estimated calculation.

Administrator Knight stated she was working on the larger ones, but not everybody; Romac being the largest.

Commissioner Cofer asked in regards to the school credit, do we start out offering credit or do they earn the credit.

Commissioner Davenport Smith admitted the committee discussed the burden on business and the school district; they felt they should apply for the credit.

Administrator Knight stated 100% charge unless you ask for a credit.

Commissioner Davenport Smith stated this way the school district would have to present a draft curriculum.

Administrator Knight suggested now would be a good time to contact the school since they are working on their 2008 curriculum.

Commissioner Davenport Smith said there would be a chance for businesses to apply and earn their credit as well.

Commissioner Latimore was struggling with 70% as it seems high. Was interested in what the work group talked about.

Commissioner Davenport Smith explained they looked at the model and brought it up for discussion. Suggested maybe the school should be a 25% credit, especially after Ms. Dunn mentioned the high school being the only one with a detention pond and the rest goes directly into the city system; agreed 70% seemed high.

Administrator Knight agreed and felt 25% probably more appropriate.

Commissioner Cofer inquired if maybe the credit could be broken down further into each school and its impact.

Development Director Cisar asked if 25% would equate to 50 cents per residence.

Administrator Knight admitted she didn't know as Leanne Acker has the model and once the policy decision is made then they will run the numbers.

Commissioner Davenport Smith asked if the school district is billed per campus for utilities, or just one lump bill.

Public Works Director Dunn stated per campus.

Commissioner Davenport Smith suggested then the High school would have an opportunity to apply for both types of credit.

Administrator Knight stated yes, curriculum credit and detention credit as well.

Development Director Cisar questioned Stratford Place and how that development would be handled.

Administrator Knight stated any homeowners association with own system could apply.

Development Director Cisar inquired about two systems.

Administrator Knight stated it would still just be one credit.

Commissioner Cofer asked if it was based on impervious surface.

Administrator Knight stated no, each unit is one ERU.

Commissioner Davenport Smith inquired if they could appeal a credit.

Administrator Knight stated she would have to read the credit manual to see how it works.

Public Works Director Dunn said it had been discussed in the small work group; if they had built impervious surface from Hwy 2 to the doorstep it would be different; but citizens still drive city streets. This storm water is not just for how your house affects the system, but how you affect the system.

Commissioner Davenport Smith stated that was a good explanation of why no one could get 100% credit.

Commissioner Latimore felt 25% sounded better; all board members expressed agreement.

Commissioner Davenport Smith stated she still said no for non profit receiving credit.

Commissioner Latimore agreed.

Administrator Knight stated it would be back for a public hearing and additional outreach to the community, especially major stakeholders.

DISCUSSION:

Annual Comprehensive Plan Docket Board Member recommendations.

Development Director Cisar explained he was requesting input from board members for additional projects they would like to see added.

Administrator Knight referenced the hand written comp plan amendment petitions and asked for the ability to make them electronic.

Development Director Cisar stated yes that could be done.

Administrator Knight stated the next one will be submitted electronically.

Commissioner Latimore inquired that if someone files a petition, can they expand the scope incrementally.

Development Director Cisar advised that is considered additional. Has to be very specific and deal with what they actually want. The deadline is July 2nd.

Administrator Knight advised the thing to be careful with under the GMA minimum zoning is 4 residential units per acre.

Development Director Cisar brought the members up to speed on the Dalmasso request. Explained the intent is city wide in nature and fee may or may not apply.

Administrator Knight stated there is nothing in the city's current policy that provides for waiving the fee. It actually has to be from the city. City would have to reject the Dalmasso offer and submit it themselves if it affects city wide.

Commissioner Latimore inquired if we still have a list of tasks to do to come into compliance with the hearing boards.

Development Director Cisar stated we did win an appeal on critical areas ordinance on buffers. Water and sewer plans also found to be in compliance.

Administrator Knight felt the only thing left outstanding is the transportation plan.

Commissioner Latimore felt it was an adequate.

Commissioner Davenport Smith stated she had no suggestions.

Development Director Cisar brought up Dalmasso petition and inquired if it is something the board felt should be looked at.

Commissioner Davenport Smith asked if they could just talk out the idea of zoning along Hwy 2.

Administrator Knight felt it was nice that Eric Ireland was still here because zoning changes need assessment.

Development Director Cisar reviewed the zoning map for the board members, explaining current zoning and touching on zoning issues citizens have given a desire to change.

Administrator Knight stated the council wants to come back and take a look at growth strategies. Are we going to get far enough along in amending strategies in 2008? It may require amending zoning and recommend adding it now and can docket it later if it is not completed.

Development Director Cisar stated the Planning and Development Ordinance makes reference to the Comp Plan, floating family and convenience center. When looking at growth strategies it can be achieved thru higher density. Criteria can be in place. He anticipates the city may see a petition coming in like that as one developer is very interested in that.

Commissioner Cofer thought there was already an Economic Development Zone, and that retail was already allowed in that zone.

Development Director Cisar stated there were some limitations on that, so it is not truly retail.

Commissioner Latimore felt that would affect the quotient of people leaving to work versus staying in town; furthermore he felt the existing comp plan amendment petitions from 2005 were in limbo.

Development Director Cisar admitted they did docket them before; ones that the city didn't finish will be finished off soon. In the fall they will be looking at LOS for police and parks.

Commissioner Latimore suggested docketed then, continued to be docketed, but still wanted to know if fee will be associated.

Development Director Cisar stated there will be fees in regards to Dalmasso petition.

Administrator Knight suggested redocketing 2005 tasks; decision on Dalmasso decision, docket staff recommended growth strategies and zoning code amendments.

Commissioner Latimore inquired if that needed to be completed tonight.

Development Director Cisar stated the board won't meet again until July 17th and the decision is due July 2nd.

Commissioner Latimore recommends a ten minute break. All agreed.

TEN MINUTE BREAK

Called back to order at 9:05 p.m.

Commissioner Latimore requested docket recommendations.

Administrator Knight explained they could redocket the items from 2005 that the city has submitted that haven't been completed; second item docketing review of growth strategies and amending zoning code if need be. Could resolve issue with Dalmasso petition and speaking one on one with Dalmasso to see what he wants to do.

Commissioner Latimore stated it was a great recommendation, all in agreement.

PLANNING BOARD COMMENTS

Development Director Cisar stated Commissioner Van Pelt was on vacation for June 26 and suggested excusing both Van Pelt and Schmidt; All in agreement.

Commissioner Davenport Smith thanked staff for their work.

Commissioner Cofer stated he would be out of town for the July 17th meeting.

Commissioner Latimore congratulated staff on a great job.

On a motion by Commissioner Davenport Smith, seconded by Commissioner Cofer the Planning Commission meeting was adjourned at 9:08 p.m.

1911

1912

1913

1914

1915

1916

1917

1918

1919

1920

1921

1922

1923

1924

1925

1926

1927

1928

1929

1930

1931

1932

1933

1934

1935

1936

1937

1938

1939

1940

1941

1942

1943

1944

1945

1946

1947

1948

1949

1950

1951

1952

1953

1954

1955

1956

1957

1958

1959

1960

1961

1962

1963

1964

1965

1966

1967

1968

1969

1970

1971

1972

1973

1974

1975

1976

1977

1978

1979

1980

1981

1982

1983

1984

1985

1986

1987

1988

1989

1990

1991

1992

1993

1994

1995

1996

1997

1998

1999

2000

2001

2002

2003

2004

2005

2006

2007

2008

2009

2010

2011

2012

2013

2014

2015

2016

2017

2018

2019

2020

2021

2022

2023

2024

2025

2026

2027

2028

2029

2030

2031

2032

2033

2034

2035

2036

2037

2038

2039

2040

2041

2042

2043

2044

2045

2046

2047

2048

2049

2050

2051

2052

2053

2054

2055

2056

2057

2058

2059

2060

2061

2062

2063

2064

2065

2066

2067

2068

2069

2070

2071

2072

2073

2074

2075

2076

2077

2078

2079

2080

2081

2082

2083

2084

2085

2086

2087

2088

2089

2090

2091

2092

2093

2094

2095

2096

2097

2098

2099

2100

SULTAN PLANNING BOARD MEETING
City of Sultan, Council Chambers – 319 Main Street

MINUTES
July 17, 2007

CALL TO ORDER

The meeting was called to order at 7:05 p.m. by Chairperson Latimore.

Planning Board members present: Kurt Latimore, Sarah Davenport Smith, Charles Van Pelt, and George Schmidt.

Staff Present: City Administrator Deborah Knight, Public Works Director Connie Dunn, and Planning Commission Secretary Tami Pevey.

PUBLIC COMMENTS

Suzanne Martinell, 327 Walbrun Rd – Owns five acres that is a single family home, including wetlands and a pond that hold water nine months of the year. Described the storm water situation on her property and is requesting a credit potential be written into the storm water utility due to the circumstances on her property with storm water drainage.

CHANGES TO THE AGENDA

No changes.

COMMITTEE REPORTS AND STAFF PRESENTATIONS

PUBLIC HEARING

Adopting a Storm water Utility

Public hearing opened at 7:12 p.m. by Chairperson Latimore. No objection from public or board members in regards to board members present.

Administrator Deborah Knight gave background on the storm water utility to include work completed by the small work group comprised of Bob Gilmore of Romac Industries; Jeffrey Beeler, homeowner; and Planning Board member Sarah Davenport Smith who worked with professional consultants Leann Acker and Reid Shockey to create the utility. The city currently has no income to handle storm water runoff and is facing anticipated federal and state requirements, as the City of Sultan will be one of the last to be required by a permit to maintain storm water.

Administrator Knight raised the issue regarding credits and the fact that the board looked more to homeowner's associations, and not a single family homeowner such as Suzanne

Martinell and realized the need for the board members to take a better look at credits and consider them in the credit process.

PB/M Van Pelt – assuming the city receives \$12.35 from citizens, questioned if that will take care of all the costs or if there would be a surplus that could help out the general fund.

Administrator Knight explained that it is an enterprise fund and money raised for this fund has to stay in this fund; No co mingling of funds allowed.

PB/M Schmidt – Noticed the budget seems to be just maintaining and cleaning up current systems; is money allocated for fixing.

Administrator Knight – Yes, referred to page 5 of the storm water information provided to the board. The staff suggestion is to put more money towards habitat enhancements and habitat improvements. Referred to the Dyer/Skywall issue and that it may be able to fix the flooding problem using the storm water utility fund.

PB/M Van Pelt – Is it possible to do some outside things; hypothetical, if you wanted to put a dike on the Sultan river, would it be paid for out of the storm water utility?

Administrator Knight – Not sure if it would all be paid for from this utility, however more concerned about the permits and the ability to obtain them.

PB/M Davenport Smith – In relation to Suzanne's property and the issues she raised; natural system, not constructed?

Suzanne – no, natural.

PB/M Davenport Smith – Felt it is a good case for property owners to have a credit of some kind, and recommend including it in the credits for individual property owners that can prove they are maintaining their utility.

Administrator Knight – referred to credit manual, section 2.2.2 (page 5 of the credit manual) and is suggesting adding something in between 2.2.1 and 2.2.2; will need to add something in-between those two to address individual homeowners. It will be going to the next council meeting and there is still time before the public hearing to work with this and come up with something feasible.

Public Works Director Dunn – subcommittee was discussing connection fees for storm water and are recommending considering a connection fee.

Administrator Knight – unsure about legalities of that option; Suggest adopting what is completed to date and can always come back and add it later.

PB/M Davenport-Smith – Noted the City of Edmonds does have a connection fee for new businesses; can look at it and see if it is feasible, but in agreement to adopt what we have now and look at it later.

PB/M Latimore opened to public comment.

Suzanne Martinell – apologized for confusion, but requesting previous comments be submitted in public hearing.

Jerry Gibson, 1102 Dyer Road – Don't know anything about storm water being able to handle growth, has a growth impact fee been considered?

Loretta Storm, 33520 116th St SE - Urge the board to give credits only for new improvements or existing on site improvements to treat storm water. Feel 25% for school exorbitant. Other credit for non profit is fine. As utility ages feels there will be a parade of people wanting credits and thinks it is best to start with as few credits as possible. Regarding onsite treatment in regards to Timber Ridge, who will pay for that in the future. Their best management practices were non-existent. Need to have money set aside for enforcement, otherwise it won't happen. Sixteen cities listed that were polled that were charged by ERU; the average was about \$6.50. Sultan starting at \$12.35 seems way up there and stated it will be a big hit for taxpayers already under attack these days.

Administrator Knight – Thanked public in regards to questions. Clarified that storm water impact fees are not allowed by RCW. Concern from development to impact; one of the things built into the budget is inspection during development and afterwards to ensure that they are operating as they should. Fee setting issue; the small work group also took a look at that. Most jurisdictions are not recovering the cost of their storm water utility and their general fund must pick up the difference. Currently feels this is the full direct cost and the city's general fund cannot help out as it is already struggling. Most cities are newer and their storm water system is advanced, whereas Sultan will need to do a lot of fixing and upgrading.

PB/M Van Pelt – Asked if you can jack up the general fund fee and charge everyone 50 cents. Isn't that what other cities are doing?

Administrator Knight – Explained they are moving money from the general fund to an enterprise fund; but can't move money the other way.

Brief discussion between PB/M Van Pelt and Administrator Knight on ways to raise money in the general fund.

PB/M Schmidt – regarding the capital budget of \$50,000; that came from a 2002 report. No updates have been done to that budget and it was just brought straight in?

Administrator Knight – correct.

PB/M Latimore – requested if board members had questions for the audience.

Motion made by PB/M Van Pelt and seconded by PB/M Schmidt to close the public hearing; All ayes.

PB/M Latimore – Finds the wisdom of having a storm water utility compelling and feels the city should have one. Taking into account local flooding and as the city grows; ERU struck him as reasonable way to go. Feels it would be administratively difficult to go another route and that the standardized format is a more effective way to manage.

PB/M Van Pelt – In agreement and felt it was too bad they can't have a vote when the flood is on.

PB/M Davenport Smith – in agreement that it is hard to imagine the storm water we can have on a hot and dry day.

PB/M Van Pelt – Feels it is a good thing and the state will come along whether we like it or not and it is wise to act now.

PB/M Davenport Smith – Works with other cities and has found they haven't had a rate increase in quite some time and that over 21 cities need to raise their fees due to the requirements for the permit. Not under the permit at the moment, but we are planning for it in the future and who wants to pay more money. In her opinion she would rather pay for a service, than be taxed on a piece of property she owns.

PB/M Schmidt – likes the idea of the utility and the mechanism; also liked the comment regarding care in credits. Don't want to see the budget be cut short due to too many credits.

PB/M Davenport Smith – Administrator Knight mentioned the work group decided not to include exact fee in ordinance to be easily adjusted; what about being able to adjust credits the same way and questioned if it will be hard to change the ordinance the way it is currently.

Administrator Knight – ordinance will set policy regarding credits; manual will be a procedure. There will need to be careful thinking for the policy discussion to make it difficult to get a credit.

PB/M Davenport Smith – concern is if we get a lot of people and too many credits will cause an increase in the fee.

Administrator Knight – The thinking in the work group and the focus is on who has best management practices; Ultimate goal to see what we are doing to treat it.

PB/M Latimore – 70% credit; read bullet item and strikes him by definition as 100% credit.

Administrator Knight – Should they get 100% credit because they're not impacting at all.

Public Works Director Dunn – Explained that each person has an impact on the entire system by driving on city streets, etc... A credit should not mean they have a zero impact on the city as the storm water is not just the area where their house sits.

Administrator Knight – Further gave explanation of a business such as Romac with deliveries and workers impacting the city system; however stated they can change the percent for a credit if the board decided.

PB/M Latimore – felt it was more the wording that may need to be changed.

Administrator Knight – Suggested maybe they should reword it more closely to the way Ms. Dunn described.

PB/M Latimore – was in agreement to that suggestion.

PB/M Davenport Smith – As Ms. Dunn pointed out actually those business owners do impact; suggesting the two words "DO NOT".

Administrator Knight – can remove that and say, "70% credit for fully contained private facilities period."

PB/M Schmidt – fully contained is not fully contained.

Administrator Knight – depends on the way it was built and the size it was built for. If it is built to a 100 year storm standard it would be fully contained on site. Storm water engineer on staff would be beneficial to do more public education, outreach, and habitat enhancements.

PB/M Latimore – Heard a suggestion to have a follow up conversation about where natural on site detention lends itself.

DK – Yes, will be in follow up.

KL – Suggest sending it on to council. Offer suggested changes, now would be the time.

Motion by PB/M Van Pelt to move the storm water utility to the city council for their consideration and discussion as written.

PB/M Davenport Smith – clarification, as written with the change as recommended.

DK – To read the 70% credit for fully contained private facilities period.

Second by Davenport Smith on motion to move to council with changes; All in favor.

Administrator Knight stated she would send thank you notes to the members of the small work group

The public hearing was closed at 8:00 p.m.

6-Year Transportation Improvement Plan

Public hearing called to order at 8:02 p.m. No objections from audience. No objections from board members present.

Administrator Knight gave the background and staff recommendations. She pointed out differences between the proposed projects in the TIP that differ in rank or would not be seen in the CIP. Also discussed project issues that appear on the 20 year list, but that do not appear in the 6 year list. Pointed out that the Cascade View/330th project has raised an issue with the Fire District and feels that is why Chief Halvorsen is present. Discussion was held with the fire department and all agree there needs to be a road in the future between Skywall Drive and Hwy 2. Staff suggesting should be renamed as Cascade View Drive realignment. This project is on the 6 year TIP and a decision needs to be made on how to reference this project in a recommendation to the council.

PB/M Van Pelt – in the future there would be a light there such as Sultan Basin?

Administrator Knight – Yes, but would not extend beyond US 2 South.

PB/M Latimore opened up to public comment.

Suzanne Martinell – regarding rerouting of Walbrun Road and asked if it would be completely closed to Highway 2.

Administrator Knight – not sure if it would be completely closed, but heading East on US 2, you would not be able to stop and make a left hand turn onto Walbrun.

Suzanne – 43 people living there and the real concern is no school bus goes up the road. Mandated bus service, so delivery spot has either been going to Sultan Basin Road, or going down by the Dutch Cup. Since both are inconvenient, everyone drives kids to school. Recommend right turn off Walbrun onto Westbound Hwy 2; and right turn onto Walbrun heading Westbound Hwy 2.

Loretta Storm – The main intent of industrial park master plan, also known as LID 97, was to limit incursions onto US 2 and try to get the free flow of traffic through that area and provide the airport road as a major north/south incursion on US 2. The Cascade View area has never had any reason for it; and would be no reason to make the big Phase III connection for Sultan Basin Road. Any major intersection at 330th & US 2 is not currently included in the current RDP or route development plan. Since it is not listed on

the WA DOT plan it should not be a major intersection. Also a problem with the upper portion of 330th connecting to 124th as it has sensitive open space and stream issues.

Jerry Gibson, 1102 Dyer Road – Thoroughly confused about the Dyer/Skywall connection. Administrator Knight stated the emergency connection is not part of any current plan. Discussion has stated there is. Petition that 150 people signed and was filed, but doesn't know where that is in the discussion. He referenced a city letter received in regards to council decisions.

Merlin Halvorsen, Fire District 5 – came to discuss T 25, and trail M 1 and provided the board with a letter written by the fire commission that was sent to the city council. The fire district is hostile toward the inclusion of T25 and M1; both projects interfere with their intended use of the property. Explained there are a variety of different needs when purchasing property for the fire department and this property met most of those needs. The current fire station floods, has foundation issues, building code issues, small lot, etc... The fire department found out about these projects by accident; and intergovernmental coordination did not happen. He is here today to get the train stopped. The project will interfere with the fire department's ability to build a public safety building there. Is worried they could be denied a building permit due to being in violation of the comprehensive plan. Admits there is a conflict between the city and the fire district. Requesting that the planning board set aside T35 and MM1; suggested that when the fire district has a plan in place and can come to a harmonious agreement for a road to be there, thinks that would work later on down the road.

PB/M Latimore - thanked public for their comments; requested if board members had questions for the audience or staff.

PB/M Davenport-Smith – requested clarification between T31 and T35; and which one affects the fire district.

Administrator Knight – concern with T35 and fire district; extension of T31.

Motion by PB/M Van Pelt, seconded by PB/M Schmidt to close the public hearing; all in favor.

Jerry Gibson - asking if his earlier questions will be answered?

Administrator Knight explained that the board would need to reopen the public hearing to address his comments.

Motion by PB/M Van Pelt, second by PB/M Schmidt to reopen the public hearing; all in favor.

PB/M Latimore drew an illustration on the board with clarification from Administrator Knight to describe the current discussions for the public in regards to the CIP, TIP, and comp plan. He went on to explain where Dyer/Skywall and various other projects fall in

the discussions. Clarification/discussion between citizens, board members, and Administrator Knight regarding their confusion with various projects.

Motion at 8: 48 p.m. by PB/M Van Pelt, second by PB/M Schmidt to close the public hearing, all in favor.

PB/M Van Pelt – when forward on to council wants to make it clear that what the fire chief wants is taken out of this, but the verbiage needs to be changed.

Administrator Knight agreed.

PB/M Latimore – how quickly is a decision needed?

Administrator Knight – State needs it by August 1st. Apologized for the short notice and stated if the board needs more time, don't worry about state deadline and take what it is needed.

PB/M Latimore – 330th Avenue arterial came out of Eric's work and if they remove it would they have to rework the traffic flow

DK – no, recommending on T-31, remove the reference to a connection between US 2 and Cascade View Drive and 330th.

PB/M Davenport Smith –in reference to Loretta's comment about a road going through a critical area, reminded that Eric Ireland kept focusing line not set in stone because engineering must be done. Just a conceptual idea, and knows the state would not allow a road to go through critical areas.

PB/M Laitmore – clarified that T35 is just the realignment of the Cascade View intersection.

DK – yes, and recommending removing verbage referring to 330th so it does not interfere with the Fire District property; would also update maps to remove that connection. The RDP does not include it; and WADOT would prefer not to have intersections with a signal to improve traffic flow; however the community wants a signal there.

PB/M Latimore – concerned with sensitivity to other traffic flows in that area. If striking 335th Avenue would like a diagram updated to show that it is not through the fire department property; also a non motorized element in fire district comments.

Administrator Knight - Referred to Attachment C4, MM1, and multipurpose trail talks about a trail on the north side of US 2. Confused about fire district concerns to that project?

Chief Halvorsen – again we have no real interplay with the city in the planning stages and would interpret it to go all the way along and have people on bicycles and horses going

over the ramps of the fire district. Had to make some assumptions and that is their interpretation.

Chief Halvorsen referring to document and asking for clarification. Numbers seem to be not jiving with project descriptions. In regards to TIP, discussion this evening is project list on C4 that should match up with TIP.

Administrator Knight – proposing at this point if the planning board wants it to come back with clarification, go ahead and propose that; could move it forward at the next meeting on the 31st.

PB/M Latimore – felt it should be back next time.

Administrator Knight – direction for staff?

PB/M Latimore – motorized or non-motorized should call out that it doesn't cross the fire district property. How we handle the 330th with SR 2 to ensure Eric's analysis, RDP, and all the elements doesn't add up yet. Need a more precise picture of what is being discussed in terms of a project description and its purpose; should be able to judge whether that matches up with Eric's analysis.

Administrator Knight – project #'s and project description matches up and coordinated with transportation element.

PB/M Latimore – diagram to help illustrate which pieces we're talking about now and in the future.

Administrator Knight – staff will endeavor to do that.

PB/Latimore called a break to start at 9:07 p.m. for 5 minutes to resume at 9:15 p.m.

COMMITTEE REPORTS AND STAFF PRESENTATIONS

Supplemental EIS – Reid Shockey

Tabled to next session since no show by Mr. Shockey.

ACTION ITEMS:

Approval of the June 26, 2007 Minutes.

Defer to next meeting due to issue on page 7 that holds a blank line and will need direction from Mr. Cisar.

Sewer Rate Increase – Set Public Hearing

Public Works Director Connie Dunn introduced Angie Sanchez, consultant from SCS, to give the presentation.

Angie Sanchez gave a presentation as provided in the agenda packet. Correction on page 9 should state "\$650K" not "million". Recommending option 1 listed on page 12. Provided option 2 listed on page 13, but not recommending it at this time due to the concerns brought forth by the significant debt service issues that the option recommends.

Ms. Dunn requested feedback from members and to set a public hearing for July 31, 2007.

PB/M Latimore – sounds like great timing, but checking on agenda for that evening.

PB/M Latimore – questioning if the EIS is going to the July 31st meeting?

Administrator Knight conferred with members about agenda topics to be discussed on 7/31/07. Agreed that it is a heavy meeting agenda, but was expecting meetings to get late as there is a lot of work to be done.

PB/M Latimore – agreed sounds as though should have the public hearing that evening. Asked if we are getting closer or have we gotten closer to the 2260 maximum capacity.

Public Works Director Dunn – yes; we are currently holding where we are at until the comp plan updates are completed. The population projection for the city of Sultan is 11,419; there are still a large area on septic tanks and drain fields.

PB/M Van Pelt – When put in a sewer line, it is necessary to charge folks. Stated situation in Bellevue where sewer line came in, didn't have to connect, but did have to pay.

Public Works Director Dunn – At this time the city does not make citizens pay or connect if they have a functioning septic system. It is offered at a discount price, but is not required.

Angie – suggested mentioning the final plat.

Public Works Director Dunn – council is looking to update the ordinances and codes to state all connections will be paid for at the final plat; because that shortens the time lag and help with the city's cash flow.

PB/M Latimore – asked about current connections and looking into the future with our current trends 2260 ERU's is sufficient.

Angie – Yes, the trend suggest 2249.

Public Works Director Dunn – stated information came from staff taking a look and considering they may not see some connections until 2010.

PB/M Latimore – by not proceeding with phase 1 as planned, have we lost some of our initial investment costs?

Public Works Director – no, do not believe we will; the option is to get developer involvement and working on developer agreements; Looking to help the city fund phase 1 and the design allows us to push it out to when the city needs it so that the sewer fund is not burdened, and still allows the city to meet their long range goals.

PB/M Schmidt – Is this what will be presented to public in public hearing.

Angie – Yes.

PB/M Schmidt – at first glance there is confusing terminology; debt service versus debt, reference page 13; wants to make sure terminology is consistent. A comment on option 1, 200,000 capital contingency; is that a minimum?

Angie – no.

PB/M Schmidt – seems very low.

Angie – agreed is low and explained juggling the cash flow and decided to start here and then come back to look at it again in 2010.

PB/M Schmidt – as long as council understands that is what is occurring and that they aren't scrambling later to cover the cost.

PB/M Van Pelt – Questions on page 16, asking how many lots the ERU's suggests.

Angie - estimated at about 863 single family residential homes.

PB/M Schmidt – page 16 terminology referencing debt services and suggests checking the terms. Referencing the time frame and clarified that the total for that timeframe would be \$4 million.

Angie agreed.

PB/M Latimore - is there a do nothing option?

Public Works Director Dunn – is always that option; not the staff recommendation; but can choose to do nothing.

PB/M Latimore – won't meet standards.

Administrator Knight- won't be able to issue certificates for availability for sewer plant and would stop all development.

Public Works Director Dunn – council chose not to do nothing, now rate study is following up with how to fund council's choice.

PB/M Latimore – good to him; hearing on the 31st.

PB/M Schmidt – looks fine.

PB/M Latimore – thanked both Angie and Connie Dunn.

PUBLIC COMMENTS ON AGENDA ITEMS ONLY

Loretta Storm – 337 ERU's, can you define that for us laymen? Is that all the developments already approved, or what does it represent?

Administrator Knight – additional equivalent available units. Discussed at last council meeting, but are still waiting for direction from council on how they want to make it available.

Loretta – so plats already gone through the approval process are now a part of this.

Administrator Knight – correct.

Loretta – the SEIS is the name for the 2004 comp plan changes; there was an SEIS done on the comp plan; wanted to point out could be confusion on naming of SEIS and thought should state amended, revised, or updated.

Administrator Knight – was an environmental impact statement done and the supplemental environmental impact statement will be brought to the board.

PLANNING BOARD COMMENTS

PB/M Davenport Smith – Chief Halvorsen stated they had no discussion between them and the city when the proposed 330th connection occurred; wants to make sure when something like that occurs to have someone, be it the city administrator or the planning department to address it. Thank you for public comment and presentations.

PB/M Schmidt - thanked citizen and staff members for presentation and comments.

PB/M Van Pelt – Echo sentiments of other members.

ADJOURNMENT

Motion by PB/M Schmidt, second by PB/M Van Pelt to adjourn the meeting, all in favor.