

SULTAN PLANNING BOARD MEETING

319 MAIN STREET

January 23, 2008

The meeting was called to order at 7:00 p.m. by Chairperson Latimore.

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

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

PUBLIC COMMENTS

No Comments

CHANGES TO THE AGENDA

None given.

COMMITTEE REPORTS AND STAFF PRESENTATIONS

#1 – Consider Amendments to the 2004 Comprehensive Plan (Deborah Knight)

Administrator Knight explained the issue before the Planning Board is to consider the proposed amendment to the 2004 Comprehensive Plan to Delete the proposed roadway connection of Dyer Rd and Skywall Drive (T-28), Delete the proposed sewer pipeline extension on both Dyer Rd and Skywall Drive, and delete the proposed sewer pump station (#4) as shown on the sewer map. Following the Planning Board's consideration of the proposed amendment, the Board may want to prepare recommendations and direct staff to set a public hearing on the proposed amendment.

Discussion held about the current public participation procedures. Administrator Knight explained that process included a SEPA determination and a review by CTED before the planning board held a public hearing. She explained the board had yet to adopt those revised steps for the process, which places us back to the process currently on file which means the

planning department schedules a review by the planning board for recommendations to the city council.

Further discussion held that the comprehensive plan requires providing sewer to unsewered areas; those are unsewered areas; referred to statements in Fallgatter 9, which feels it would be noncompliant with that plan.

Discussion held about pump station 4 and how to move that; Ms. Knight advised technical information would need to go back to consultants. She reminded the board that plan is at a 1000 foot level and can't provide specificity of the exact location, but can provide provisions to limit the impact on the neighborhood.

Land use attorney Andy Lane stated the growth board interprets the GMA as that Sultan needs to have a plan with enough information to show the general location of potential sewer lines and pump stations that could be handled in a 20 year period.

Also questioned that once the roadway is removed, how difficult is it to regain the road when it is discovered it is needed 10 years later. Ms. Knight stated the issue is when do you think development will occur in that area and what will the roadway be to serve that. The zoning in the future land use plan anticipates a higher level of density than what is there today. You may find that later you wouldn't be able to put it in there, and you lose the opportunity to collect impact fees. It has gone through a public process to remove it; later if you decide you need it, it would need to go through a public process to get it back in. Planning Consultant Brad Collins stated that sewer plans are 20 year plans; transportation plan typically 6 years, but need to link it to the 20 year plan. If the roadway is removed the area will be hard to develop because it requires a roadway plan in order to develop. If it is in your plan, it also allows other sources of funds for a roadway beyond developer funding.

PB Latimore felt okay removing the roadway, but felt the sewer extensions needed to stay as it is required in the Comp plan.

Jerry Gibson stated the residents feel it is isolated and not part of the normal flow of the traffic in the city. He stated only two neighborhood residents told him they prefer sewer to come through, other residents are against it because they have working septic systems and prefer to keep it that way due to increasing sewer rates. He also provided a letter from Burlington Northern that stated they had not been contacted by the city to run sewer lines underneath the railroad tracks.

He further stated the community set up as shy ½ acre lots with one house. He didn't know when the zoning changed; Ramirez development going in, the only acreage left is a two acre pasture that the owner is not willing to sell at this time. Estimated cost to connect the neighborhoods is quoted at 2.5 million; city has stated they don't need it for traffic, but during flooding season for emergency access. Mr. Gibson feels it is silly and not needed as residents have done fine so far; also pointed out one section on Dyer Road that needs to be elevated to fix the flooding issue. Mr. Gibson felt there is no way to fix the flooding on Skywall and personally feels housing probably should not have been built there. Mr. Gibson has questioned the pump station location and has not found answers, but has found it is difficult to get it off a piece of paper.

ACTION ITEMS:

Prepare Recommendations and set public hearing

On a motion by PB Van Pelt, seconded by PB Cofer a public hearing was set for February 19th; all in agreement.

Discussion held amongst board members and staff about recommendation by board to proceed to include the following thoughts:

PB Cofer stated that as far as the sewer line and the pump station according to GMA and laws governing it he felt that if they do not include this portion they will be noncompliant and rehashing it again in 2 years. No choice. No one has checked yet because no one is trying to develop yet; just planning responsibly for unsewered areas. To be responsible planners we have to acknowledge that it makes a nice little loop from the Sultan Basin realignment and loops back around to 10th Street. Two roads isolated by their one way in and out; seems responsible and logical to keep the roadway connection as well.

PB Latimore stated sewer is a GMA mandate so there is no choice and it will need a pump station. On the transportation piece he had no issue with removing the connection. He asked about other roadways in the city that were designated for emergency and Ms. Knight knew of none. He felt it is an incredibly low priority to keep the roadway there; however, Ms. Knight

pointed out the risk of removing the roadway means development can totally eliminate any roadway going in at all. PB Latimore saw no mandate to have the roadway there.

On a motion by PB Van Pelt, seconded by PB Schmidt it was recommended that they delete the proposed Dyer/Skywall connections; all ayes except Cofer

On a motion by PB Van Pelt, seconded by PB Cofer to retain the sewer pipeline extension on Dyer/Skywall as well as the sewer pump station as shown on the map; all in agreement.

COMMITTEE REPORTS AND STAFF PRESENTATIONS

#2 – Comprehensive Plan Compliance Update (Reid Shockey)

Consultant Reid Shockey gave a PowerPoint presentation to review the status of the 2004 Comprehensive Plan; review the status of the Capital Facilities Plan (CFP); Growth Hearings Board compliance issues; and review the approach and methodology for Plan and CFP update.

He explained the state requirement to plan for growth through 2025; and explained that Sultan's 2004 Comprehensive Plan did not meet State requirements under the GMA. He added the Growth Management Hearings Board Final Decisions and Orders identify short-comings in Sultan's 2004 Plan. The city needs to review, update and amend the levels of service (LOS) for transportation, parks, police, water and wastewater; update and amend the Transportation Chapter (element); amend and update the capital facilities element and plan; and Update maps.

Mr. Shockey went on to Land Use - Is the future mix of residential, retail and industrial land appropriate?; Level of Service – Is the current LOS what the community wants?; Capital Facilities Plan – Can the City afford to fund the roads, parks, and other facilities to meet current land use and LOS standards?; and finally should land use and/or level of service standards be changed?

Land Use Attorney Andy Lane gave the board members a definition of noncompliance and explained it may be so bad it also issues invalidity. He knows the Fallgatter decisions are noncompliant, but not necessarily invalid. Discussion held about comp plan and capital facilities plan on what is needed. 6 year is a plan; 20 year is a strategy; TIP adopted that had the correct elements, but it wasn't consistent with the Capital Facilities Plan. The city adopted them backwards. CFP should be first.

Pat Dugan explained the connection between land use, LOS and CFP. Land use defines what types/sizes of facilities are needed. Levels of service (LOS) define the benchmark – how much. Capital Facilities Plan (CFP) – describes how the service will be paid for and when service will be provided. The GMA allows cities to define land use and set levels of service. If a community can't fund its Plan it must adjust land use and/or levels of service.

Reid Shockey continued by stating the land use plan and map is okay, it just needs to be linked to the CFP. They are also comparing city and county maps to ensure they match up and are finding very few inconsistencies.

Administrator Knight added the buildable land report by the county included in the employment figures at 1000, 1500, and 2000. No difference in planning, but need to be consistent and make sure we have the data to back it up and ensure it is realistic. Discussion held on the allocation of home based business versus business located in commercial and industrial areas.

Pat Dugan stated the population increase was adopted by Snohomish County and approved by the Growth Management board; the city is noncompliant if they don't meet them. OFM does forecasts for the county and it is a fixed number. The city needs to look at all the possible ways and show finances to reach the end amount.

Reid Shockey addressed the traffic analysis and input from Rick Cisar and Eric Ireland projected on where people will live. Administrator Knight stated that affects the facilities to accommodate the people is flexible on LOS and phasing on where to place the facilities. Pat Dugan added it affects the cost and who pays. Downtown may be city and pasture may be developer. PB Cofer stated the public is asking about planning outside the UGA and if it is appropriate in the GMA. Reid Shockey stated yes, as roads don't stop at a UGA line. Pat Dugan stated they must identify in order to react. Critical zones cannot be developed so those areas are eliminated from the housing demand. CTED states housing demand must match income levels, housing zone, and needs of the public. Administrator Knight stated the building map is ground truthing to show we can accommodate the housing population projected. Four units per acre safe to shoot for as absolute minimum; ours is 2.5 to 2.8 for critical areas. Planning Consultant Brad Collins added how you designate is the focus as you can over designate and shoot for 4 per unit but it doesn't mean it has to be.

Discussion held on the shoreline master plan hearing approval and consistencies between development regulations, density, etc... and will be reviewed.

Reid Shockey stated in the Capital Facilities Plan the Water, Sewer Plans were confirmed; Transportation Plan completed; Surface Water in process; Parks Inventory Confirmed but more discussion on what was needed; Schools mapped; Fire facilities mapped; City facilities mapped to include Police, City Hall, and the Library.

Discussion held on the water treatment plant listed as a park and the need to re-examine the designation as a park and public access to it.

Level of Service (LOS) explained as the amount (and/or quality) of public facilities provided to meet basic needs and expectations and the Level of Service Standard is the community's benchmark level for the provision of services. Currently LOS for Sultan discussed and meetings are marked for March 18th and April 1st to review this again.

Reid Shockey explained the Needs Assessment map and discussion held on colors denoting inside and outside UGA boundaries; can they extend the boundaries, and is there sufficient size to handle the water sewer CFP.

Discussion held on growth in county portion of possible UGA and how that would affect Sultan. Focus for the city is inside the UGA boundaries. Planning Consultant Brad Collins stated it is good to question and pay attention but not focused there to fix problems. The city can't expand sewer outside the UGA, but water is okay.

Pat Dugan gave a fiscal analysis stating the city has a relatively small tax base that currently produces low revenues in spite of average tax rates. The fiscal capacity of the city could significantly improve as the city develops under the comprehensive plan, if the city prudently manages its revenues and costs. A lot will depend on how well the city can capture revenue from growth through sales taxes and how well the city manages its on-going costs. He gave the analogy that in the near term the glass seems half empty, but in the long term the glass is half full.

He pointed out the significant strengths of the city was the growth of the tax base will generate significant REET revenues and improve the city's capacity for capital finance. New sewer rates have significantly improved the fiscal capacity of that fund; and city utility taxes effectively

capture revenue from growth. The Major Challenges are keeping the general fund ahead of inflation while serving new growth; improving the fiscal capacity of the water fund; and providing adequate revenue to maintain city streets.

Discussion held on the impacts if development stops and the affects. City is currently dependent on development to keep up with inflation and growth is crucial to keep afloat. Property tax and sales tax affected makes it hard to keep budget. They can't go forward until the comp plan is complete and the city needs to tighten the belt to get it done. Parks and Police LOS discussed. Was recognized that what the public wants and what the budget allows may be drastically different.

Pause @ 9:20 p.m. for five minutes. Reconvened at 9:25 pm

Discussion held on the financial analysis and reassessment. Brought forth that this where you catch the inconsistencies and make sure the plans are in sync while there is still room to readjust.

Plan Adoption Process and schedule reviewed (Attachment A). Discussion held with Land Use Attorney Andy Lane on current litigation and it was agreed that additional board meetings may be required to keep on track.

PB Latimore brought forth that it appears to be a sound approach and a great presentation; 1) LOS has an aggressive set of figures and tied with that the financing to support the LOS. 2) Citation of how many unsewered residents and we still don't know. 3) Poor public process as in difficult to track on the inside, meaning which version are we focused on. 4) have had a problem with motion changing when they get to the council and the public participation process that never made it all the way back around; need to make sure verbatim what the wording is and track it at the council level. 5) Implementing text amendments readily available. Process wise but need to pay particular attention on LOS and ensure the fiscal impacts are correct. Public process needs to be clear and make sure nothing gets dropped in translation.

Discussion on current rules of procedure before the public hearing as followed this evening and how best to address those procedural rules as they struck many odd that the board would make a recommendation before hearing the public input. It was determined that you can amend the recommendation after public input. Discussion held on whether or not there is a need to amend

Meeting Date	Meeting/Event	Topic	Materials due to City
Tuesday, January 08, 2008	Planning Board Regular Meeting	(Distribute Proposed Schedule	
Wednesday, January 16, 2008	Team meeting: preparation for January 22	Schedule and Project Overview	Monday, January 28, 2008
Tuesday, January 22, 2008	Planning Board Comprehensive Plan	Schedule and Project Overview	Monday, February 11, 2008
Thursday, January 24, 2008	City Council	Land Use, Buildable Lands, etc.	
Tuesday, February 05, 2008	Planning Board Regular Meeting	Facilities Inventory	
Tuesday, February 19, 2008	Planning Board Regular Meeting	Review Plan to Date	Monday, February 25, 2008
Tuesday, February 26, 2008	Plan Workshop 4:00-7:00	Update Project Cost	Monday, March 10, 2008
Tuesday, March 04, 2008	Planning Board Regular Meeting	LOS Discussion and Adoption	Monday, March 24, 2008
Tuesday, March 18, 2008	Planning Board Regular Meeting	LOS Adoption --- Needs Assessment	Monday, April 07, 2008
Tuesday, April 01, 2008	Planning Board Regular Meeting	Needs Assessment	
Tuesday, April 15, 2008	Planning Board Regular Meeting	Review Plan to Date	
Tuesday, May 06, 2008	Planning Board Regular Meeting	Confirm Plan to Date	Monday, May 12, 2008
Tuesday, May 20, 2008	Planning Board Regular Meeting	Report on Progress/Status	
Thursday May 22, 2008	City Council	Fiscal Analysis	Monday, May 26, 2008
Tuesday, June 03, 2008	Planning Board Regular Meeting	Fiscal Analysis	Monday, June 09, 2008
Tuesday, June 17, 2008	Planning Board Regular Meeting	Fiscal Analysis and TIP	Monday, June 23, 2008
Tuesday, July 01, 2008	Planning Board Regular Meeting	TIP and 6-year Plan	Monday, July 07, 2008
Tuesday, July 15, 2008	Planning Board Regular Meeting	6-Year Plan; 2025 Cap. Fac. Plan	
Tuesday, August 05, 2008	Plan Workshop 4:00-7:00	Capital Facilities Plan	Monday, August 11, 2008
Tuesday, August 19, 2008	Planning Board Regular Meeting	Capital Facilities Plan	Monday, August 25, 2008
Tuesday, September 02, 2008	Planning Board Regular Meeting	Pre-SEIS Comprehensive Plan	
Tuesday, September 09, 2008	Planning Board Regular Meeting	EIS circulation/ CTED Submittal	Monday, September 08, 2008
Tuesday, September 16, 2008	Planning Board Regular Meeting	Plan Reassessment	Monday, September 15, 2008
Tuesday, September 23, 2008	Planning Board Workshop	Plan Reassessment	
Tuesday, September 23, 2008	Planning Board Meeting	Comment Hearing on SEIS	Monday, September 29, 2008
Tuesday, October 07, 2008	Planning Board Regular Meeting	Plan Update Review	
Tuesday, October 14, 2008	Planning Board Regular Meeting	SEIS Comment Period Ends	Monday, October 13, 2008
Tuesday, October 21, 2008	Planning Board Regular Meeting	Review Code Amendments	
Friday, October 24, 2008	Planning Board Regular Meeting	Advise Planning Board Public Hearing	
Tuesday, October 28, 2008	Planning Board Regular Meeting	SEIS Issued	
Tuesday, November 04, 2008	Planning Board Regular Meeting	Public Hearing and Recommendation to Council	Monday, October 27, 2008
Thursday, November 13, 2008	City Council	Workshop on Planning Board recommendation	
Thursday, December 11, 2008	City Council	Public Hearing and Decision	Wednesday, December 03, 2008