



# PLANNING BOARD AGENDA

## PLANNING DEPARTMENT

February 4, 2020 - 7:00 PM  
City of Sultan Council Chambers  
319 Main Street, Sultan WA 98294

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- I. **Call to Order, Pledge of Allegiance**
- II. **Roll Call**
- III. **Approval/Changes to the Agenda**
- IV. **Public Comments/Visitors**

Anyone who wishes to speak on any matter not appearing on the agenda may do so at this time. Citizens are requested to keep Public Comments to a 3-minute maximum (3 minutes or less per person) to allow time for everyone to speak.
- V. **Planning Board Member Comments**
- VI. **Staff Comments**
  - a. Land Use Project Updates
  - b. PRO Plan Update
- VII. **Approval of Minutes**

January 21, 2019 Meeting Minutes
- VIII. **Discussion Item**
  - a. Minor Adjustments
- IX. **Summary of Meeting Results and Actions for Next Meeting**
- X. **Public Comments on Agenda Items Only**
- XI. **Planning Board Member Comments**
- XII. **Adjournment**



## SULTAN PLANNING BOARD MINUTES January 21, 2019

**PLANNING BOARD MEMBERS PRESENT:**

Janet Peterson  
Gloria Reedy  
Tom Green  
Sean Standefer  
Michael Weidman

**STAFF PRESENT:**

Andy Galuska, Planning Director  
Cyd Donk, Assistant Planner

**CALL TO ORDER:**

Call to Order at 7:00 p.m.

**CHANGES TO THE AGENDA:**

None.

**PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:**

Green – Daisy Crossing hearing, Tom was well loved.  
Weidman – thanks the City for the work they did during the winter storm.

**PLANNING BOARD MEMBER COMMENTS:**

None.

**STAFF COMMENTS:**

**Land Use Project Updates - Residential Projects**

<i>Project Name</i>	<i>Location</i>	<i>Update</i>	<i>Next Step</i>
Cascade Breeze (33-Lots)	South of intersection of Loves Hill Rd and Merea Lane	Houses under construction	Permits issued for all lots
Daisy Landing (60-Lots)	East of Sultan Basin Road, South of 138 <sup>th</sup> St SE	Houses under Construction	Permits issued for all lots
Daisy Meadow (70-Lots)	East of Sultan Road North of Bryant Rd/135 <sup>th</sup> Street SE	Reconsideration hearing held on November 21 <sup>st</sup>	Hearing Examiner approved subject to conditions on 12.4.19 Minor Modification coming soon.

Drury Lane (9-Lots)	704 1 <sup>st</sup> Street	Civil plans approved. Under construction.	Waiting for final plat to be submitted after improvements completed
Daisy Crossing (FKA Green's Estates) (79-Lots)	Southeast of Sultan Basin and 132 <sup>nd</sup> Street	Minor Revision approved	Project under construction
Skyridge Estates (258-Lots)	31419 124 <sup>th</sup> Street SE (East of City's Water Plant)	Project under civil construction. Applicant has submitted a final plat application for phase one.	City will be inspecting the project throughout the summer. Final plat under review
Wyndham Highlands 1 (171-Lots)	13104 Sultan Basin Road	Hearing held November 22 <sup>nd</sup>	Hearing Examiner approved subject to conditions on 12.6.19
Wyndham Highlands 2 (30-Lots)	North of 135 <sup>th</sup> Street SE	Submitted 11.7.19	Schedule hearing with Hearing Examiner
Wyndham Highlands 3 (17-Lots)	1308 9 <sup>th</sup> St	Approved by Hearing Examiner. Reconsideration requested. Applicant has submitted a minor revision.	Hearing Examiner approved subject to conditions on 10.7.19 with minor revision to 17-lots
Cobble Hill (115-lots)	31129 124 <sup>th</sup> Street SE (East of City's Water Plant)	Project under civil construction.	Under review

**PRO Plan Update**

Update from the school. New class coming out for a tour. Staff gave time line of project.

**APPROVAL OF MINUTES:**

Reedy made a motion to approve the December 10, 2019 minutes as written and submitted. Seconded by Weidman. Green abstains. All Ayes.

**DISCUSSION AND STUDY ITEMS:**

**Transportation Element Update – Future Regulation of Development**

Before the City adopts a new Transportation Element, staff would like to get feedback from the board on how future developments will be analyzed and regulated regarding traffic concurrency. The current standards require that new developments estimate the impacts of traffic ten years into the future for Sultan roads and US2. All the roads must operate at a LOS Service Level D or better otherwise the applicant is required to correct the issue.

In the past the City has measured traffic impacts at the PM Peak hour on Tuesdays through Thursdays. This is a commonly used standard. The City's proposed new policy would shift our analysis to Friday PM Peak because our studies show this is the busiest time of the week for traffic in Sultan and helps capture both the local traffic as well as the heavy pass through traffic on US 2. Under the Friday Peak Analysis three intersections on US 2 would already be failing with current conditions.

Staff would like feedback from the planning board on how we should regulate new developments moving forward. Below staff summarized some possible options:

**Option 1: Use Only the Friday PM Peak Trips**

Using the option would instantly result in two failing intersections which would be impacted by any future development. A development of any size would be required to improve these intersections before they could be approved. There are no designs for improvements to these intersections which would correct the issue.

**Option 2: Use Friday PM Peak Trips, But Do Not Require Analysis of the State Highway**

The failing intersections are all on US2. Other jurisdictions exempt state intersections if the City does not have full jurisdiction. In this case development could continue, however, traffic issues would persist on US2.

**Option 3: Continue Using Tuesday – Thursday Peaks for Development Review, Use Friday – Sunday for Capital Planning**

This proposal would have the same benefits and challenges of Option 2 while also allowing the City to plan for improvements to US2.

Reedy asks which 2- intersections are failing. Staff reported that the US 2 and Main Street and 5<sup>th</sup> and Mann Street intersections are the 2-failing intersections. Staff gave an overview of where the city is on potential road projects. Staff reviewed the two possible updates for Highway 2 with the round-a-bout at Main and US 2 and removing the left turn lanes at Highway 2 and Mann Road. Staff is hoping that the future funding is included in the States safety funding budget.

Standefer lives in Sultan 7-days a week. The city has a lot of new families and new houses coming. He wants common sense governing and feels that the developers need to contribute to the growth of Sultan.

Green commented on his commute to Seattle a long time ago and he remembered when they had reverse lanes and doesn't see why that wouldn't work here. Staff will reach out to our local representative to see what their thoughts are on reversable lanes. Board had a brief discussion.

Peterson feels Option 3 is the best option, money wise. Weidman feels Option 1 is the best option. His common sense says Option 2 would be the best compromise. Standefer also thinks Option 1 makes the most sense. Board reviewed the 3-options. Standefer

asked “are the developers getting off without helping traffic improvements”? Staff explained that this is for future developments, not with the developments that are in place now. Board and Staff discussed potential future developments, residential and commercial, and how realistic it is. This subject will go through the public hearing process so we’ll be discussing it again.

Weidman says maybe a future developer may come in with a brilliant idea that we haven’t thought of. Staff stated that is why we are working on the design of some potential ideas.

### **Development Code Project University of Washington – Livable City Year Program - Code Revision List**

Staff gave an overview of the consultant and student assisting with the updates. The following is a list of some of the code they will be working on. Staff asked the Board to look at these and if there are any other areas that need updates, please let us know.

- 1) Code to clarify and ensure that developments are required to install frontage improvements. (Code sections 19.10.070, 19.14.070, 19.18.160) Peterson asked Staff to explain what frontage improvements are. Staff explained.
- 2) Code to clarify and ensure that developments are required to extend utilities. (Code section 13.02.080)
- 3) Develop a table which give all permit approvals a “type” and set out process, decision, noticing requirements, appeals, and expiration for each type. (Code section 19.22, 19.24, 19.26, 19.28)
- 4) Review the requirements for recreation facilities in new developments as well as the fee in lieu. (Code section 16.62)
- 5) Add a requirement for grading permits and set reasonable thresholds when permits should be required. (Code section 17.16)
- 6) Add deviations from EDDS as a permit type (Not currently in code, but in 1-05 of EDDS)
- 7) Give Public Works Director authority to require road stubs and set their location. (Not currently in code but we would like to add it).
- 8) Require pedestrian connections for new developments. (Not currently in code, but we would like to add it)
- 9) Impact fee credits and what the credits are for (Code section 16.72)
  - a. Clarifying within the code what is eligible for a credit and what is not

Peterson asked what EDDS stands for. The Engineering Design Deviation Standards book used for road standards that we borrowed from the Snohomish County. A deviation

request is to change and or make the plan better. Gives the Public Works Director a tool to review the requests. Standefer asked for Staff to review number 7. Staff explained that the city needs to look forward and plan for future roadways. The current code does not clearly define this process. The city needs some kind of ability to ensure future road connections.

**PUBLIC COMMENTS ON AGENDA ITEMS ONLY:**

None.

**SUMMARY OF MEETING RESULTS AND ACTIONS FOR NEXT MEETING:**

February 4<sup>th</sup> Meeting Agenda – PROS Update  
Transportation Element Process for Public Hearing  
Work Plan – Additional Code update projects

**PLANNING BOARD MEMBER COMMENTS:**

Green – would like to see more commercial businesses come to Sultan.  
Weidman – asked if O'Reilly knows about the round-a-bout?

**STAFF COMMENTS:**

None.

**ADJOURNMENT:**

Reedy made a motion to adjourn and close the meeting, Green seconded the motion. All Ayes.

**ADJOURNED 8:00 P.M.**

**19.08.140 Adjustments of an approved preliminary plat.**

A. Minor Adjustments Authorized. Minor adjustments may be made and approved by the director so long as the requested adjustment complies with this section as well as the underlying development regulations to which the project is vested.

B. Minor Adjustments Defined. Minor adjustments in plats are permissible with the approval of the director. Such permission may be obtained through written request without a formal application or public hearing, but a payment of any additional fee will be set by resolution. For purposes of this section, adjustments are those that have no substantial impact on neighboring properties, the general public, or those intended to occupy or use the proposed development and does not increase the number of lots, square footage or dimensional requirements. Each time a minor modification or change is approved, a memorandum from the director with findings of fact shall be placed in the file for the permit to which it is was granted. If over time the number of minor modifications or changes cumulatively requested have or will cause such cumulative changes meet the criteria for a major change, the next subsequent minor modification or adjustment shall be treated as a major change and be processed per subsection (D) of this section.

C. Minor adjustments shall be reviewed for consistency with this chapter and the regulations of this title, as well as the following criteria:

1. The adjustment maintains the design intent or purpose of the original approval; and
2. The adjustment maintains the quality of design or product established by the original approval; and
3. The adjustment does not cause a significant environmental or land use impact on or beyond the site; and
4. The adjustment is not precluded by the terms of this title or by state law from being decided administratively; and
5. Circumstances render it impractical, unfeasible or detrimental to the public interest to accomplish the subject condition or requirement of preliminary plat or short plat approval.

D. Major Adjustments. An applicant may request

A. A major adjustment is required for changes are greater than allowed by a minor adjustment, but less than or equal to any of the following criteria:

- 1) Increase the number of proposed lots, units, or square footage by 10% from the original decision, or;

2) Increase the number of trips produced by the proposed project by 10% from the original decision, or;

3) Reduce the area of open space, recreation space, or perimeter landscaping by 10% from the original decision, or;

B. Decision. The requirements for processing and issuance of a major adjustment shall be based on the underlying decision:

1) For administrative decisions for which no public notification is required a major adjustment can be issued administratively with a written decision.

2) For administrative decisions which require a public notice, a notice of application shall be issued for the minor revision with the same requirements of the underlying decision. A written decision may be issued after the required notice period and a copy shall be provided to any interested parties.

3) For decisions made by a Hearing Examiner a major revision shall only be issued by the Hearing Examiner after a duly noticed public hearing on the matter. The applicant shall be responsible for all costs related to the public hearing. The Hearing Examiner shall provide a written decision and copies shall be provided to all interested parties.

C. Major adjustments shall be reviewed for consistency with this chapter and the regulations of this title, as well as the following criteria:

1. The adjustment maintains the design intent or purpose of the original approval; and
2. The adjustment maintains the quality of design or product established by the original approval; and
3. The adjustment does not cause a significant environmental or land use impact on or beyond the site; and
4. The adjustment is not precluded by the terms of this title or by state law from being decided administratively; and
5. Circumstances render it impractical, unfeasible or detrimental to the public interest to accomplish the subject condition or requirement of preliminary plat or short plat approval.

## Snohomish County

### 30.70.210 Minor revisions to approved development applications.

The purpose and intent of this section is to provide an administrative process for minor revisions to approved development applications. For the purposes of this section, approved development applications shall include preliminary approval for subdivisions and short subdivisions and final approval prior to construction for all other development applications.

- (1) The minor revision process is applicable to any approved Type 1 and Type 2 development application where an applicant requests a minor revision of the approved plans, except site plans submitted under SCC 30.28.086 and 30.28.105.
- (2) Revisions to mixed-use and urban center development applications shall be considered nonresidential development applications for the purposes of this section.
- (3) A minor revision to an approved residential development application is limited to the following when compared to the original development application, provided that there shall be no change in the proposed type of development or use:
  - (a) Short subdivisions shall be limited to no more than one additional lot.
  - (b) Subdivisions, single-family detached unit developments, cottage housing, mixed townhouse, townhouse, and multiple family developments shall be limited to the lesser of:
    - (i) A 10 percent increase in the number of lots or units; or
    - (ii) An additional 10 lots or units.
  - (c) A reduction in the number of lots or units.
  - (d) A change in access points may be allowed when combined with subsection (3)(a) or (b) of this section or as a standalone minor revision provided that it does not change the trip distribution. No change in access points that changes the trip distribution can be approved as a minor revision.
  - (e) A change to the project boundaries required to address surveying errors or other issues with the boundaries of the approved development application, provided that the number of lots or units cannot be increased above the number that could be approved as a minor revision to the original approved development application on the original project site before any boundary changes.
  - (f) A change to the internal lot lines that does not increase lot or unit count beyond the amount allowed for a minor revision.
  - (g) A change in the aggregate area of designated open space that does not decrease the amount of designated open space by more than:

- (i) Ten percent for developments located within an urban growth area; or
- (ii) Twenty percent for developments located outside of an urban growth area.

Under no circumstances shall the amount of designated open space be decreased to an amount that is less than that required by code.

(h) A change not addressed by the criteria in subsections (3)(a) through (g) of this section which does not substantially alter the character of the approved development application or site plan and prior approval.

(4) A minor revision to an approved nonresidential development application is limited to the following when compared to the original development application, provided that there is no change in the proposed type of development or use or no more than a 10 percent increase in trip generation:

(a) A utility structure shall be limited to no more than a 400-square-foot increase in the gross floor area.

(b) All other structures shall be limited to no more than a 10 percent increase in the gross floor area.

(c) A change in access points when combined with subsection (4)(a) or (b) of this section or as a standalone minor revision.

(d) A change which does not substantially alter the character of the approved development application or site plan and prior approval.

(5) A minor revision may be approved subject to the following:

(a) An application for a minor revision shall be submitted on forms approved by the department. An application for a minor revision shall not be accepted if a variance is required to accomplish the change to the approved development.

(b) An application for a minor revision shall be accompanied by any fees specified in chapter 30.86 SCC.

(c) An application for a minor revision shall require notification of the relevant county departments and agencies.

(d) An application for a minor revision shall be subject to the development regulations in effect as of the date the original development application was determined to be complete.

(e) The director shall grant approval of the request for a minor revision if it is determined that the minor revision does not substantially alter:

(i) The previous approval of the development application;

- (ii) The final conditions of approval; or
  - (iii) The public health, safety and welfare.
- (f) A minor revision shall be properly documented as a part of the records for the approved development application.
- (g) A minor revision does not extend the life or term of the development application approval and concurrency determination, which shall run from the original date of:
- (i) Preliminary approval for subdivisions or short subdivisions; or
  - (ii) Approval for all other development applications.
- (6) The final determination of what constitutes a minor revision shall be made by the director.

## Monroe

"Minor adjustment," as determined by the zoning code administrator, means a change in the final development plan which may affect the precise dimensions or siting of buildings but does not affect the basic character or arrangement of buildings or the density of the development or open space provided.

## Duval

### **14.66.105 - Subdivision modifications.**

A. Applications to modify preliminary subdivisions that have received preliminary approval that result in any substantial changes as determined by the city shall be considered major modifications and treated as a new application for purposes of vesting. For the purpose of this section, substantial change includes the creation of additional lots, the elimination of open space, change to the overall layout that would change the quality of the design or product, or changes to conditions of approval on an approved preliminary subdivision.

B. Minor modifications shall be reviewed in accordance with the process set out in DMC [Chapter 14.08](#) for Type II permit applications. The following modifications of preliminary plat approval may be reviewed administratively:

1. Engineering detail unless the proposed detail modifies or eliminates features specifically required as an element of the preliminary plat approval;
2. Minor changes in lot lines or lot dimensions;
3. A decrease in the number of lots to be created.

C. Minor modifications shall be reviewed for consistency with this chapter and the regulations of this title, as well as the following criteria:

1. The amendment maintains the design intent or purpose of the original approval;
2. The amendment does not cause a significant environmental or land use impact on or beyond the site;
3. The amendment is not precluded by the terms of this title or by state law from being decided administratively; and
4. Circumstances render it impractical, unfeasible or detrimental to the public interest to accomplish the subject condition or requirement of preliminary plat approval.