

**City of Buckley**  
**Planning Commission Minutes**  
**March 16, 2009**

**Co-Chairperson Dorn called the meeting to order at 7:00 PM.**

The following members were present: Kathleen Snellback, Chad McCorkel, and Sam Panasiuk. Also in attendance was Associate Planner Suraiya Rashid.

Snellback said she had a couple questions before approving the Minutes, and asked are we going to get a reorganized version of what we were looking at that night. Associate Planner Rashid asked if she meant the RV Parks, and if so she said she thought that the only change suggested was on the toilet and shower facilities. So, we went with the standards they had proposed.

**Snellback moved to approve the Minutes of the February 2, 2009 commission meeting. Dorn seconded the motion and the motion carried.**

**Fence Regulations:**

Dorn stated I understand that this is not our current code, this is a request. Associate Planner Rashid stated that we actually have nothing in code right now as to the regulation of fences. City Administrator Schmidt said he wanted us to look at it. McCorkel asked how they relate to the current County codes. Associate Planner Rashid said she has no idea because we normally don't check with the County. In terms of what it is like in other cities, this is pretty much standard. A general conversation ensued regarding fence codes, including setbacks, height, swales and berms and when a variance would be required. Dorn said that the only bad part about relying on variances is that you have to pay for them. Associate Planner Rashid stated that according to this code, with this type of variance, the Building Official could approve changes to the fence code, and if you are interested in giving the Building Official that much administrative power, that's up to you to suggest it. McCorkel said I don't know about giving the power to one person. Snellback asked what the precedent is for that. Associate Planner Rashid said it's not in the characteristics of the rest of everything we have. I guess what we are talking about right now with that kind of approval, if you are going to give the Building Official this power, my suggestion would be like the rest of our variance criteria that states at least to have a condition that there is an unusual situation or circumstance on the property, and this doesn't mention that at all, which I think you probably want to make your requirements. McCorkel said it seems like it

could be quite a burden too if one is approved and then somebody knows about it and they want the same thing. It doesn't really fit; I mean why does one person get to say yes or no. Associate Planner Rashid said right, whoever you give the power to or whatever, whether you give it to a different person, it is still going to be a lot less restrictive as it's written here. Dorn said actually he thinks that Building Official Mundy is the right person because when you go in to get your permits, you get everything. Associate Planner Rashid asked if they would like her to clean up the language so it's not as difficult to read. Snellback said that would be great. Associate Planner Rashid asked do you agree with the old idea that the four foot fence should go back twenty feet or to the front property setback, whatever you guys feel that should be, or do you think it should be as written? Dorn said that normally when you fence a back yard you come up and dive in at the corner of the house, so for people who have larger animals, dogs and that, I would think that you'd want that six foot totally around the back yard and then four foot in your setback area. Dorn said and maybe with the only exception on a corner for some reason, I can't think of why that would obstruct your vision, but I guess if it's not a square corner or something, that might be a concern, but other than that, I think just going with the setbacks. If somebody has a unique problem, they can talk to the Building Official and if it fits the criteria then there is no reason to deny it. Associate Planner Rashid asked if the four criteria are adequate enough. Snellback asked Associate Planner Rashid what she would add. Associate Planner Rashid said to state that this property has an unusual circumstance that is not created by the property owner, that it doesn't grant them an extra right not available to other property owners, and it's not hazardous to health. Associate Planner Rashid asked do you think six foot is the right height limit for residential zones, and eight for commercial and industrial and agricultural. Snellback said yes. Rashid asked as far as barbed wire goes, do you think it could only be used on top of six foot fences that are in industrial and agricultural areas. Dorn said I don't know, do we allow animals, do we allow horses or cows, anything in town? Rashid said we do. Dorn said then you will have to allow barbed wire. Snellback said it does say that barbed wire may be used for restraining livestock in RA zone. Associate Planner Rashid said so this does not need to go through the regular variance process, it just needs to have a staff report written by the Building Official, and be compliant with the conditions. Dorn said how about the Building Official and the Planner? Because you work with the Trail Committee and stuff, there are going to be committees you are going to be involved with that the Building Official is not. Associate Planner Rashid said it has provisions for non-conforming continuations and non-conforming uses; do you think it should require a fence permit? I'm guessing a non-fee fence permit or something with hopefully a nominal fee. Snellback said as long as it is a nominal fee. Dorn said there is no such thing as nominal; it just grows and grows and grows. McCorkel said well how else are they going to regulate any fence, if there is not a permit does that mean that somebody

can just go throw up a fence. Associate Planner Rashid said right now we don't have a fence permit, and people call us all the time asking if they need a fence permit and the answer is always no, just build according to regulations. Dorn said the reason he says no is because if there is a property dispute, then the City is involved, and they shouldn't be. If your neighbor feels you've built on his line, then that's between neighbors.

Associate Planner Rashid said so no fence permit, but the City should create a document that's for building a fence, something that's easier to read than saying go to Section 19.20.060 in BMC. Dorn said you should put it on one page, just the height, setbacks, a couple basics, and at the bottom, if the City feels that you are in error, etc. Associate Planner Rashid said I will have another document for you, refining this. Do you want me to get rid of some of this verbiage or not. Dorn said to make it as easy to read as possible. Associate Planner Rashid said she'll do her best and shoot it off to you early so you don't get it the day of, and I'm sure I'll have another topic for you to discuss next time as well. It will be landscape standards I'm guessing. I'll have to talk to the City Administrator to okay it, but I think landscaping standards is probably going to be the next thing you tackle. I will get revisions to this off to you and hopefully next meeting it will just be a quick yes, this is what we are talking about or no and fix it real quick, and then I can send this off to BZ&E and they can bring it up to the Council. Dorn said the next meeting is scheduled for March 30<sup>th</sup> at 7 PM, and we will finish up fences and start landscapes. Associate Planner Rashid said she is assuming that the landscape standards are going to take a little while. Dorn said when Associate Planner Rashid sends you the fence stuff, try to get it read so when you come to the meeting you're prepared. I can't see having a meeting until 9PM; come prepared to vote on it next meeting.

### **Planning Commission Elections:**

Dorn said we're missing one member, Cindy Maas, and from my perspective I think all members should be present when you elect your officers so that no one feels left out. So, I'm for postponement. **Snellback proposed that we wait for Cindy to have elections. McCorkel seconded the motion. Motion carried.**

Dorn asked if there was any more business, old or new. Associate Planner Rashid stated that since we are trying to get the elections, let me know if we have a scheduled meeting and you can't come, just so I know. We've had to deal with our quorum issues since two of our Planning Commissioners have had logistical issues getting appointed, so do let me know if you can't come so I could call up everybody and tell you no quorum, no come. Dorn asked Associate Planner Rashid if she would feel more comfortable if we committed to voting next time regardless, and does she have any concerns in that direction? Associate Planner Rashid said no. The code says that you

are supposed to vote in January, but this is kind of an unusual thing and it is fully within your rights to postpone it.

Panasiuk asked about the function and responsibility of the Planning Commission, and how often they meet. Associate Planner Rashid said we go by the IBC, the UFC and the UBC for building codes, but these are development regulations for how you develop lands, and this is the committee where you guys are supposed to be the voice of the community and you're supposed to say this is what we think the community would like, and this is what we like and this is what we don't like. You are a recommending body, so if you propose something here and it goes to the City Council, they can change everything. Dorn said don't hold back. If you have any questions, any concerns, or ideas, that's what this is, it's a hodgepodge of everything. Associate Planner Rashid said you are supposed to be in charge of the Comprehensive Plan, and that's supposed to be the community vision for how they want to develop land, housing and economic development.

**Dorn moved that we adjourn the meeting. Snellback seconded the motion. Motion carried.**

**With nothing further, the meeting was adjourned at 7:35 PM.**

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**Bill Dorn, Co-Chairperson**