

**City of Buckley**  
**Planning Commission Minutes**  
**June 11, 2007**

Chairperson Cramer called the meeting to order at 7: PM.

The following members were present: Bill Dorn, James Montgomery, Bridget McNassar, and Cindy Maas. Gordon Liebel was absent. Also in attendance was Interim Planning Director Ed Davis.

Chairperson Cramer stated we have Dale Clark with us tonight who after tomorrow's Council meeting will hopefully be our newest member of the Planning Commission.

Montgomery moved to approve the minutes of the May 21, 2007 commission meeting. McNassar seconded the motion and the motion carried.

**Cul-de-sac definition:**

Davis read the proposed definition of the cul-de-sacs as was briefly discussed at the last meeting. After a brief discussion, the planning commission was in agreement with the definition which is "Cul-de-sacs are only allowed where the adjoining land is restrictive. When cul-de-sacs are permitted, the cul-de-sac shall have a pedestrian/pathway to provide pedestrian access to public parks, trails, open spaces and/or recreation facilities when the topography permits and there are existing or proposed facilities to access."

There was a discussion about some of the items that the Planning Commission has discussed in the past that does not belong in the subdivision regulations but that needs to be discussed during the zoning code changes. Some of the items that need to be discussed at a later date are trail widths and safe routes plan, street and sidewalk width, planter strips and types of trees within the planter strips, and landscaping standards.

**Subdivision Regulations**

**Chapter 18.32**

**Short Subdivisions/Short Plats**

**18.32.40 Surveys.**

- 1) Surveys shall be required for all short plats or subdivisions.
- 2) All surveys shall be accomplished as required by the Survey Recording Act (Chapter 50, Washington Laws of 1973), and shall be monumented as stated in this chapter.

**18.32.50 Departmental review.**

- 1) The city engineer shall review the short plat for adequacy of access, storm drainage facilities, water supply, sanitary sewer system, other related utility systems, survey accuracy, and feasibility for building sites.
- 2) The planning director shall review the short plat for compliance with the subdivision regulations and zoning code and the State Environmental Policy Act, and consistency with the comprehensive plan.

**18.32.60 Review criteria.**

- 1) Access.
  - a) Generally. The proposed short plat may be reviewed for adequate ingress and egress to all proposed lots. Extension of roads or access rights from property line to property line of the short plat subdivision land may be required so that the road may be extended in the future. If there is other reasonable access available, the city engineer may limit the location of direct access to city arterials or other city roads. When an adjoining landowner will be obligated to construct or maintain a future road connection, a note to this effect shall be stated on the face of the short plat.
  - b) Road Reserved Areas. Where a city collector or arterial street is proposed as per adopted plan, the planning director or city engineer shall require the adopted right-of-way area section be reserved as a street for future development. All adjoining landowners shall bear the expense of constructing the road and a note to this effect shall appear on the short plat as a condition.
  - c) Private streets. Unless the city has adopted plans for a city collector or arterial street on or adjacent to the properties in issue, the city engineer may approve a private street, if all persons and their successors who own the land adjoining the private street within the short plat and adjacent properties have equal legal rights to use the private street. The developer and/or adjoining landowners and their successors shall bear the expense of constructing the private street and a note/condition to this effect shall be made on the face of the short plat. Where the short plat or land beyond the short plat has the potential of being divided into another development, then the private street shall be required to have a right-of-way width equivalent to city standards as per the adopted street plan.
  - d) All owners of property taking access from the private street shall share equally in the maintenance of the private street.
  - e) Private streets shall only be permitted to be constructed in short plats.
- 2) Storm Drainage. The proposed short plat shall be reviewed for existing and proposed adequate drainage facilities, including existing drainage entering the short plat site and downstream analysis of existing and future

- stormwater flows. Requirements providing for stormwater facilities shall be provided for as required as per adopted storm water requirements.
- 3) Sanitary Sewer or Septic Tanks. The proposed short plat shall be reviewed for providing for sanitary sewerage facilities serving the development as per adopted sanitary sewage requirements. If known local conditions exist which may affect future building sites, these conditions shall be stated on the face of the short plat.
  - 4) Feasibility for Building Sites. Areas which are known or suspected to be poor building sites because of geological hazard, flooding, poor drainage, swamp conditions, mud slides, wetlands with buffers or avalanche potential shall be noted on the face of the short plat, unless a study for a qualified consultant proves that no such condition exists on the site or adjacent site with buffer impacts affecting the site and is met with concurrence by the city engineer.
  - 5) Water Supply and Fire Protection. The proposed short plat shall be reviewed for potential adequacy of water supply and fire protection and necessary fire flow and required fire hydrant(s) shall be installed as per the Fire Chief.
  - 6) Denial of Short Plat. Subsections (2), (3) and (5) of this section shall be the criteria for which a short plat is denied. Existing city standards shall be used during the review process.

**18.32.70 Summary approval.**

- 1) Generally. The city shall complete its review and issue either preliminary approval or disapproval of the proposed short plat or short subdivision within 45 days after the short plat is filed with the city and the application is deemed complete, unless an environmental analysis is required as stated in this chapter. If a notice of completeness has been issued to the applicant, and the preliminary disapproval is not issued within 45 days of the notice of completeness, the short plat shall be considered preliminarily approved. Upon receipt of a short plat in proper form by the city, the planning director shall immediately forward one copy of the application to the city public works director, the city engineer, the fire chief and other departments and agencies, who shall review and make recommendations on the proposed plat. A proposed short plat shall not be approved unless the planning director issues a notice of decision to the applicant which contains the following written findings:
  - a) Appropriate provisions are made for the public health, safety, convenience, quality of life and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation facilities, playgrounds, trails, school and school grounds and all other relevant facilities, including sidewalks, bicycle lanes, traffic calming devices and other planning features that assure safe

conditions for students who walk, utilize skateboards, bicycles, or roller blades to travel to and from school; and

b) Stays the same.

- 2) Improvements Required. The city engineer shall prepare minimum installation standards in regard to materials, design and construction. Said standards shall be appropriate to the locality, topography, soil conditions and geology of the area in which the proposed subdivision is to be developed and improved and shall be basic requirements to be met by all developers, as per adopted standards. Said standards shall be made available to all developers/subdividers, and their surveyors and engineers, 10 days after receipt of the preliminary plat by the planning director. Minimum improvement standards shall be as established under the city of Buckley Development Guidelines and Public Works Standards.

**18.32.80 Final approval.**

The short plat shall receive final approval by the city council within 30 days after all required improvements have been constructed and the construction approved by the city engineer, or after the owner or developer of the short plat has entered into a contract and posted a 150 percent performance bond with the city guaranteeing that all required construction of improvements will be completed within one year.

**18.32.90 Public utility service.**

No public utility service will be provided to any buildings or improvements constructed with a short plat until the construction of all required improvements has been completed and approved by the city engineer or unless the requirements set out in BMC 18.32.080 have met with compliance. These public utility services shall include water supply, sanitary sewer service, stormwater drainage facility requirements and/or natural gas.

**18.32.100 Appeal procedure**

- 1) Stays the same.
- 2) Stays the same.

**18.32.110 Revisions to short plat subdivisions**

A property owner or applicant may request that the city revise an existing short plat subdivision if the resulting short plat subdivision will not have more than four lots and shall be consistent with all other applicable city standards, including these short plat regulations. The revisions may be approved by the planning director provided, the director, where appropriate shall request staff and council input to assist him in approving the same, when the proposed revision(s) are minor in nature. The standards to apply to the amendment shall be the same as applied to approving an original short plat subdivision.

## **Chapter 18.34**

### **Lot/Boundary Line Adjustments**

#### **18.34.005 Purpose.**

The purpose of this chapter is to provide a method for summary approval of lot/boundary line adjustments which do not create any additional lot, tract, parcel, site or division, while ensuring that such lot/boundary line adjustment satisfies public concerns of health, safety and welfare.

#### **18.34.010 Written request required.**

The lot lines between existing lots may be adjusted by the city upon written request of the affected property owners, together with a completed application.

#### **18.34.020 Adjustment request – Contents.**

The request for lot/boundary line adjustment shall be accompanied by and shall contain the following:

- 1) The completed application and fee when applicable specified in BMC 18.37.010 as per adopted City Resolution,
- 2) A scale drawing of the affected lots, including the dimensions of the lot before and after the proposed lot/boundary line adjustment, and a plot plan as appropriate showing the location and dimensions of existing structure(s) in relation to the proposed lot/boundary line adjustment as prepared by a professional land surveyor and accompanied by a completed application.
- 3) The names, address and signatures of all persons having any ownership interest or a lien upon the affected parcel;
- 4) A title abstract from a title company authorized to do business in the State of Washington, showing all encumbrances against the property and the names of the person in whom title is vested and no older than 30 days.

#### **18.34.030 Adjustment request – Review standard.**

- 1) The city planning director and engineer shall review the proposed lot line adjustment request in accordance with the following standards:
  - a) Stays the same.
  - b) Stays the same.
  - c) Stays the same.
  - d) Stays the same.
  - e) Stays the same.
- 2) A lot/boundary adjustment for a pre-existing legal non-conforming lot of record will be allowed, even though the resulting lots do not meet the lot size requirements of the existing zoning code, if:
  - a) Stays the same.
  - b) Stays the same.
  - c) The council approves such lot/boundary line adjustments.

#### **18.34.040 Approval – Authority – Finalization.**

- 1) The city planning director may approve the lot/boundary line adjustment request if it complies with the review criteria. The planning director may, in his or her discretion, defer to the city council the decision on lot/boundary line adjustment approval. The planning director must defer to the city council approval for any lot/boundary line adjustment requested under BMC 18.34.030, or for any lot/boundary line adjustment affecting a cul-de-sac.
- 2) After approval of a lot/boundary line adjustment by the planning director or city council, the applicant shall have a period of 60 calendar days to present the final lot/boundary line adjustment on the form as required by this chapter, for signature by all appropriate city officials. After the city has returned the executed lot/boundary line adjustment to the applicant, the applicant shall record the lot/boundary line adjustment with the Pierce County auditor's office within 30 calendar days. Failure to present the city with the formal lot/boundary line adjustment on the required form or to record the executed lot/boundary line adjustment with the county auditor within the time limits set forth herein shall render the lot/boundary line adjustment approval null and void. No lot/boundary line adjustment shall be deemed completed until such time it is recorded with the county auditor's office in accordance herein and a mylar copy of the recorded map is returned to the city.

#### **18.34.050 Approval – Conditions.**

The following requirements are conditions of approval:

- 1) Payment of all fees owed to the city for its services, calculated pursuant to BMC 18.37.020;
- 2) Survey and setting all the corners of the new lot(s) by a licensed land surveyor;
- 3) Execution of deeds and related documents by the affected owners and lien holders, on forms to be provided by the city and recorded by the applicant with the county in order to effectuate the lot/boundary line adjustment with copies of the recorded documents returned to the city;
- 4) Determination of identity of affected owners by a title report or other documentation satisfactory to the city engineer;
- 5) Such other conditions as may be necessary to protect the public health, safety and public welfare.

#### **Chapter 18.36**

##### **Binding Site Plan.**

The entire section was deleted.

#### **Chapter 18.37**

##### **Application Fees**

**18.37. 010 Payment of application fees.**

No application for preliminary or final subdivision approval, preliminary or final short subdivision approval, preliminary or final binding site plan approval or request for lot/boundary line adjustment authorized by this title shall be examined or considered by the city until the application and deposit fees have been paid in full by the applicant as adopted by City Resolution.

**18.37. 020 Calculation of total fees.**

- 1) Costs for administration, engineering, legal or other professional services actually incurred by the city that arise out of the processing of any land use development application and all costs incurred by the city for inspecting construction of public improvements made by a developer as a condition of land use approval prior to final approval shall be reimbursed by the applicant in addition to the application deposit fee. In addition, all costs for administration, engineering, legal or other professional services actually incurred by the city in connection with any appeal of land use development approval or any environmental determination associated with a land use development application shall be reimbursed by the applicant/developer in addition to any appeal deposit fee. The total fee for which the applicant is responsible shall be the amount of the actual costs incurred by the city in processing the application or request referred to in BMC 18.37.010, including any subsequent amendments or revisions thereto and/or costs incurred by the city for inspecting construction of public improvements made by a developer as a condition of land use approval are calculated as per city adopted fee resolution.

**New Business:**

Chairperson Cramer stated the new item she wanted to bring up tonight about the e-mail for the June meetings regarding the conflict from the Title 20 zoning regulations and Title 2.33 Planning Commission's responsibilities. Administrator Schmidt is taking an amendment to Title 2.33 stating that the Planning Commission would only review preliminary plats. Cramer stated she is concerned because it was the planning commission's intent is that we would review final plat as well. Her question to the commission is whether we oppose the amendment and tell them we want these to come to us or should we allow the city council make the decision on what should happen with the final plats. Our main thing is to make sure there is consistency and fairness when plats are reviewed. Maas, McNassar and Montgomery all feel final plat approval should come back to the Planning Commission. Dorn stated he feels the Planning Commission should be involved all the way through the process. **Maas moved to recommend to Council denial of the amendment to 2.33 Planning Commission Purpose and Duties. McNassar seconded the motion and the motion carried.**

There is a third piece in this and that is getting a Hearing Examiner. That would eliminate the whole issue of who is reviewing these. She would like to take a recommendation forward to the Council that the commission is in favor of this but she wants to hear from the commission first. There was a lengthy discussion as to how things would work with a Hearings Examiner. Montgomery stated he thinks the Hearing Examiner sounds great but at this point, we do not have one and asked if the planning commission was in agreement with taking to the Council support of a hearings examiner. Davis will write up a proposal and have it to present to Council tomorrow night.

Dorn stated Davis was telling them that his time has been scrunched but the stormwater detention ponds will be put on hold for a while without having the guidance on this.

The next meeting will be Monday June 18, 2007.

With nothing further the meeting was adjourned at 9:10 PM

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Lisa Cramer, Chairperson