

Planning Commission
May 15, 2006

Chairperson Cramer called the meeting to order at 7:00 PM.

The following members were present: James Montgomery, Cindy Maas and Gordon Liebel. Ken Smith was absent. Also in attendance was City Planner Dan Staley.

Montgomery moved to approve the minutes of the April 17, 2006 Commission meeting. Liebel seconded the motion and the motion carried.

Liebel moved to approve the minutes of the May 1, 2006 Commission meeting. Montgomery seconded the motion and the motion carried.

Public Hearing Sign Ordinance:

The Public Hearing was opened at 7:01 PM.

Vicki Cowden, Shear Magic Salon, 912 Main Street, she would like clarification about her current sandwich board. Staley stated everyone that already has a permit before this new sign code goes into place is grandfathered in.

Marvin Sundstrom, 881 Sheets Road, Buckley, stated he doesn't know what the sign code says but the Historical Area signs should be different than what is on the Highway area. If that is the way the sign code is written, then it is good.

Vicki Cowden, Shear Magic Salon, regarding the Historical area, isn't all of Main Street going to be changed to Historical. Staley stated it has been changed to Historical Commercial.

The Public Hearing was closed at 7:07 PM.

Public Hearing Planning Commission Rules and Regulations:

The Public Hearing was opened at 7:07 PM.

Marvin Sundstrom, 881 Sheets Road, he stated he is not sure how many of the Commission members are familiar with the Office of the Code Reviser who writes all the laws into the RCW's that the legislature passes. They are very good and the language is excellent. They are also clear and concise in the way they make their presentation. For those that are interested the website is slc.leg.wa.gov. Buckley is a code city subject to state code 35A. The Planning Agency for a code city is covered under 35A.63.020. That is the creation, powers and duties. The Planning Commission should be reactive not proactive. The Planning Commission gets their power from City Ordinances. Under Section 2.33.010 (E), Mr. Sundstrom feels there should be verbiage added to state "The Planning Commission shall provide opportunities for public comment on all proposed changes that would affect any and all property owners and/or the general character of the city".

All Planning Commission meetings should be run under Roberts Rules of Orders and that should be placed in this document. He does not believe that the Planning Commission can decide how many members constitute a quorum. If your membership is seven members, regardless as to how many you currently have serving, you have to have four members to constitute a quorum. The ordinance that establishes a seven member board would be amending Ordinance 962 in 1978. Regarding the membership, one member may be a registered voter living outside the City limits that has owned and operated a business within the city limits for a period of at least one year. You don't have to imagine too much to imagine a couple of the business owners that might decide they would like to get on the planning commission, now do you want them on the planning commission, you need to think about that. First of all they are not really a tax payer like everyone else who lives in the city. Additionally, one member who is a registered voter, are all the current members required to be registered voters? You can't make a new set of rules, everyone serves the same. What he would suggest is if you want one member outside the city limits look at someone who lives in the future urban growth area. Election of Chair and Vice-Chair each year in January, he feels that the position should be rotated every year; he feels it works better that way. No one likes to campaign for himself or herself for an un-paid position. He believes it is the Mayor's preference that the offices be rotated yearly.

The public hearing was closed at 7:20 PM.

Deliberations on the Planning Commission Rules and Regulations:

Maas stated she would like clarification on some of the comments Mr. Sundstrom had. Regarding the information requested from the Council, aren't we already requested from the Council? Staley stated yes we are. Montgomery stated Mr. Sundstrom wants the verbiage "may take the initiative" removed from Section B. Maas also asked for clarification on Section E, was his comment just a statement or was it an objection. Cramer stated he wanted the commission to add "on all proposed changes that would affect any and all property owners and/or the general character of the city". Liebel stated part of what he was saying is he wants to amend it so that anytime it affects the community that we "must" have public comment. Cramer stated she was feeling good because we added this section to include having the public comment. Staley stated that State Law requires any land use decision have a public hearing. Cramer stated regarding the Roberts Rules of Orders, she remembers us talking about it and that it is almost assumed that we run our meetings that way. Staley stated Parliamentary Procedure is run by Roberts Rules in the United States. Liebel stated he would imagine it is somewhere under state law. There was a discussion about the registered voter issue and it was decided by the commission to leave it in. Even though it may not necessarily be checked, people who are registered to vote, generally have more interest in what is going on in their community. Liebel stated the other thing Sundstrom discussed was the Chair and Vice-Chair being a mandatory rotation. Maas stated we talked about that for a long time already. Liebel stated he feels we are going in the right direction with re-electing every year and if it becomes a problem we can address that at a later date. It was decided by the commission to leave the language as is. Cramer stated there was one other issue that

Mr. Sundstrom talked about and that was the quorum. Staley stated he checked the RCW's and it is silent. Maas stated she likes the way we wrote everything. Staley stated he didn't see anything in the testimony that would make him want to change anything. Cramer stated she is glad the commission went through and discussed all the comments that were given so the commission knows they have a good document in front of them.

Montgomery moved to forward the recommendation for the Planning Commission Rules and Regulations to the City Council as written. Maas seconded the motion and the motion carried.

Deliberations on the Sign Code Ordinance:

Maas stated the signs that the Buckley Kiwanis put up are too small and they are too hard to read. There was then a long discussion as to where these types of signs fall under the sign code and why and how these signs were initially allowed. There was some concern by the commission that this will be now setting precedence and we could be getting requests for this all the time. Cramer felt that these signs would possibly be allowed under Section 19.30.150 (F) or (G). Liebel stated he doesn't think these signs are covered under here. Staley stated that is correct, these are not covered under here. Cramer stated what happens next when they come back to us again in six months and want to do it again. Staley stated we granted it to them and so we have to let them do it. Maas stated why we can't add something to prevent this from happening again. Liebel stated would we have to hold another public hearing. Staley stated no we would not because we are actually deliberating on the comments. Discussion ensued. Liebel stated his concern is that we don't have any way to act on it one way or another because it is not even covered under here. Liebel stated the only thing that comes close is under Section 19.30.150 (F) Community events, but because it is not really a community event we would need to add language for civic promotional signs. If we add something we then need to decide if we want to allow them or prohibit them in the future. There was discussion if we do allow them, how many should we allow, how big can they be and how long would they be allowed up. Staley stated if there is a sign for permit approval that is not listed under our code it will then go to the Planning Commission. Secretary Boyle stated there are a lot of signs that are allowed but don't necessarily come to the Planning Department for approval so that may not work. Maas stated can't we go with some rules on this now and if we find it is a problem go back in and change the sign code. Staley stated you can change the sign code when ever you want. Maas stated to move along; we need to decide on some things. Is everyone in favor of them being on City right of way? Everyone was okay with that; however it needs to be controlled. Staley suggested that they can have one sign with no more than three organizations at one time for no more than two weeks with the size limitation being 2 foot by 3 foot. Montgomery asked if you get a sign for each direction. Staley stated yes. Liebel stated what about the criteria of the organization. Cramer suggested a private non-profit civic organization that serves the entire community. Montgomery asked if a church would fall under that. Discussion ensued. Cramer stated we are not trying to eliminate them; we are just trying to eliminate the clutter. Liebel stated are we only allowing them on City property. Staley stated we need to address private property which we could just add that they can have no more than one. Cramer stated what stops them from having one on

each, city and private property? Will this be a whole new section number or are we going to add this under Section 19.30.150 (F) Community event with the addition of and/or promotional signs. The suggestion was made to include language under Section 19.30.150 (F, 3) Community promotional signs shall be limited to private non-profit civic organizations that serve the entire community. These signs will be allowed on City of Buckley property for no longer than a two week period of time and no more than three organizations allowed at one time on both ends of the city. (F) will then be changed to Community Event and/or Promotional Signs. **Montgomery moved to approve the sign code with the language added as discussed and make recommendation for approval the City Council. Liebel seconded the motion and the motion carried.**

Staley reported to the Commission that we do not have enough money to move forward with the upgrades to the Sewer Treatment Plant. There are a few things that are going on and hopefully at the most it will be a one year delay. Discussion ensued.

With nothing further the meeting was adjourned at 9:15 PM.

Lisa Cramer, Chairperson