



Planning Commission Meeting Minutes for – November 30, 2016

Chair Laumbattus called the Meeting of November 30, 2016 to order at approximately 6 p.m.

Roll Call

Members Present: Commissioners Laumbattus, Moffitt, Oppel, McNett, Mount, Cleland-McGrath, and Doll.

Minutes

None

Correspondence

None

Old Business

Public Hearing – Draft Unified Development Code, Title 19

Darcy Swetnam, City Attorney, provided an overview of the legality in writing the update.

Patrick O'Hearn, 11039 Post Drive. Mr. O'Hearn commented on an inquiry from the previous Planning Commission meeting, stating that 4 projects have been appealed in the last year. Mr. Measamer clarified that 4 projects have been appealed, but one project filed up to 16 appeals.

William Valentine, 2402 Washington Court. Mr. Valentine disapproves of the effects of director discretion and the proposed hearings examiner.

Marilyn Derig, 1302 K Avenue. Ms. Derig disapproves of the lack of notice for Type 1 reviews.

Vernon Lauridsen, 2219 32nd Street. Mr. Lauridsen disapproves of the City's process for BLAs and LUPA, and stated that the City's interpretation of BLAs should be adjusted. Mr. Measamer commented that staff would like to adjust this in the new code updates.

Gene Derig, 1302 K Avenue. Mr. Derig suggested allowing projects to be viewed on the City website for members of the public.

Sara Holahan, 1511 38th Street. Ms. Holahan disapproves of fees and required standing to file an appeal. Ms. Holahan also supports requiring notice for Type 1 reviews.

Ryan Walters, 1803 10th Street. Mr. Walters stated his contribution towards writing the code update and explained the counterproductive nature of notice and appeals for Type 1 review, due to legal stature.

With no further comments, Chair Laumbattus closed the public hearing.

Planning Commission was provided the document *Land Use Permit Procedure Code Update Package – Title 19 Comment Summary*, from staff that summarizes public comments received as of November 28, 2016. Planning Commission discussed and made a recommendation on each issue.

Public Notice: A consensus was made to move Variances and Boundary Line Adjustments to Type 2 applications. Commissioner McNett made a motion to accept Accessory Dwelling Units as Type 1 applications, with existing criteria, except the requirement to turn in a certificate annually. It was seconded by Commissioner Cleland-McGrath. The motion carried, 6 to 1.

Type 4 Applications: Leave as proposed.

Short Plats 5-9 Lots: Leave as proposed.

Method to Request Administrative Interpretation: Consensus to add administrative interpretive process.

Commissioner Oppel requested that Commissioner Moffitt be excused from the rest of the meeting.

Permit Revisions: Leave as proposed.

Variances: Leave as proposed.

Hearing Examiner: Commissioner McNett made a motion to recommend the hearing examiner, as proposed. Commissioner Cleland-McGrath seconded. The motion carried, 5 to 1.

Standing to Appeal: A consensus was made to keep the definition of standing broad, to allow appeals from any aggrieved party, as parties of record.

Filing of Appeal: Leave as proposed.

Method of Service for Appeal: Leave as proposed.

Appeal Fee: Leave as proposed.

External Appeals: Leave as proposed.

Permissive Joinder: Leave as proposed.

Public Hearing Fee: Leave as proposed.

Preparation of Transcripts Paid for by Appellant: A motion was made by Commissioner McNett to recommend that City Council consider transcript handling when reviewing the unified fee schedule. Commissioner Oppel seconded. The motion passed unanimously.

Swearing in: Leave as proposed.

Director Obligation to Follow and Enforce Code: Leave as proposed.

Director Obligation to Respond to Complaints: Leave as proposed.

Accessory Dwelling Units, Home Occupations, and Bed & Breakfasts: Leave as proposed.

Notice of Decision: Leave as proposed.

Definition of Family: Leave as proposed.

Commissioner Mount made a motion to recommend approval of the draft to City Council.
Commissioner Oppel seconded. The motion passed unanimously.

Chair Laumbattus called the meeting to a close at approximately 9:20 p.m.