

**TOWN OF EATONVILLE
PLANNING COMMISSION AGENDA
Monday 7:00 PM, March 30th, 2009
COMMUNITY CENTER
305 CENTER STREET WEST**

Chairman Schaub called the meeting to order at 7:00 p.m.

Commissioners present: Schmit, Lambert, Schaub and Treyz.
Commissioner Harris was excused.

Town Staff Present: Nick Bond, Mayor Smallwood and Kerri Murphy

Commissioner Lambert led the pledge of allegiance.

Approval of the Agenda:

Motion by Lambert. Seconded by Schmit. Carried.

Approval of the Minutes:

February 2nd, 2009 - Motion by Lambert. Seconded by Schmit. Carried with correction of typo on page 1, last paragraph "rant" should read as "rank".

There were no communications or announcements from the public or the commissioners.

Chairman Schaub closed the regular meeting at 7:03 p.m. and opened the Public Hearing.

Public Hearing – 2009 Comprehensive Plan Amendments

Nick Bond gave a summary of the 2009 Comprehensive Plan Amendments annual review considering the proposed amendments. The town is on schedule. Tonight is to hear public testimony and provide questions and answers with staff, the public and planning commissioners. From this the planning commissioners will have a month and a half to contemplate the amendments and then we will actually take action and have discussion on that action in May. In the packet is the original roster of amendments as they were proposed and which were adopted earlier this year. Note that the staff report some of the amendments have been altered. There is also a copy of the SEPA Determination of Non-Significance and Environmental Checklist which was prepared for the amendments. The staff report was presented. The proposed amendments are shown in red with strike through and underlined. Arguments for or against environmental assessment are in black text.

Nick introduced the **Phil Beach Amendment. To amend section 5.4.3 of the Eatonville Comprehensive Plan to eliminate comp plan amendment filing fees.**

Philip Beach, 190 Dow Ridge Dr. N. - The original comprehensive plan did have a provision in it regarding fees for comp plan amendments. The town council never adopted any fees. Mr. Bond proposed a fee schedule to the town council and they never did anything about it. Phil said he is opposed to any fees. He and Nick have been working on this as to how to deal with the fees. The proposal that Nick has as a substitute for Phil Beach's amendment is a good one and Phil endorses that. It deals with Phil's concern about not putting fees in the way of people wishing to propose amendments to the comprehensive plan and also deals with some legitimate issues that fees would address. The other aspect of his amendment which says that the "application shall include proposed text of the amendment" is important. The planning commission had amendments before them that had no substance to them, they were simply topics. This amendment is collaboration between the two of us to come up with something that we can all live with.

Nick explained that he and Mr. Beach discussed this amendment several times. There aren't many jurisdictions in this state that do not have fees. The rezone process is a two step process where you have to file a rezone application to actually have a zoning map change and you have to file a comprehensive plan amendment to actually get the comp plan changed. He is confident there would not be a lot of frivolous amendments because administratively we can require that somebody file an application fee for the rezone and pay at the time they submit their comp plan amendment application. He agrees that the fees can be waived without causing much of a problem. There are six criteria's which have to be reviewed and they are under 5.4.6 of the comprehensive plan, chapter 5. One of the criteria is that any proposed amendment shall not have a negative fiscal impact on the citizens of the town unless

that applicant agrees to mitigate that impact. The only cost associated with comp plan reviews are staff time spent on reviewing the application and the public notice cost which are usually less than \$200.00 a year for all of the amendments collectively. Government official initiated applications are exempt. The \$ 200.00 to advertise is not seen as a true negative impact because the town will have to pay that fee every year whether there are 10 privately initiated or just one, it is a flat rate every year. We are also changing the structure of the amendment process. The roster will be adopted by the town council rather than by the planning commission. The planning commission would review the roster in January and make its recommendation to town council, but town council will have the final say of whether or not the amendment is going to be considered. They can consider financial impacts at that time. He added that after review of this amendment it would be acceptable to move forward with Mr. Beach's amendment to waive the fee for comp plan amendments because generally text amendments are worth considering for the comp plan and they don't benefit one property owner over the interest of the town in most circumstances. We also need to look at how we review amendments and the timing requirements. Currently the amendment process goes from January to August. If you look at the process there is insufficient time for environmental review between January and March if the issue is beyond very simple amendments. Under the new proposal, the public hearing that is taking place this evening would not happen until May. In June the planning commission would then make its recommendation. Added is section 5.4.4 which is application formatting requirements which requires that all comp plan amendments have to be standardized in terms of format, how they are submitted and what the requirements of the application are. Nick's recommendation is the text indicated in red which includes amendments to 5.4.3; 5.4.4 and 5.4.5. There were no further questions.

Timothy Watters Amendment. To remove property from the UGA.

Nick introduced the amendment from Timothy Watters requesting that his property be removed from the Urban Growth Area (UGA) along with the property of his neighbor. Both parties have also filed an application with Pierce County to have their property removed from the UGA. Pierce County will watch what Eatonville does before they make a decision to subtract it at the county level. This decision should be made before November when the county council takes final action. Handouts showing the property in question have been provided to the audience. The two parcels are located in the west Eatonville area on the south side of Eatonville Hwy.; they are the furthest west two parcels in the UGA and have no impact on other property owners. The question is whether the planning commission sees a need to keep these two parcels in the UGA for future development or whether you would be comfortable with granting the applicants request to remove them.

Timothy Watters, 10420 Eatonville Hwy.-He asked for any questions from the commissioners or the public.

Ida Wilson, 14914 Hilligoss Lane-asked who owns the other parcel.

Tim said that it is Derk Haag and Nancy White. The properties together are approximately 30 acres total.

Nick said that Mr. Watters property is located in the West Eatonville sub area that we are presenting here tonight.

Nick introduced the third comp plan amendment; West Eatonville Sub Area Plan adoption that was filed by Terry Van Eaton in conjunction with Steve Pruitt and David Hymel. This is a project that has been in the works for a year to advocate for green development. This is to present design guidelines and come up with a plan for low impact development. This plan was developed at the direction of the residents of this area. There are two exhibits presented, a concept site plan and the UGA bubble diagram. The concept site plan has more specifically to do with the area just annexed into the town know as the West Eatonville area. Property owners, Stewardship Partners and residents all worked together to have a say in what was compatible with the existing area is presented in this plan. In the guidelines are two maps, a list of design guidelines and general policies. The town has worked with AHBL on stormwater guidelines and they have written a planned low impact development proposal and the town will be considering it for adoption in the future under policies.

Steve Pruitt, 41525 Mt Hwy E. – explained that he was asked by Terry Van Eaton who is the land owner that put this proposal forward. This is the result of a number of meetings. Everyone was invited, not everyone participated. The plan itself does represent the best "win-win" scenario and does not mean that this plan cannot be changed. They focused on the things that they could agree on. Eatonville, because of the Growth Management Act (GMA) would in fact be compelled to do their best to create a density of homes here that was out of proportion with the rest of the area. This plan is voluntary and there is nothing that is mandatory, if they wish can voluntarily adopt these guidelines. These design guidelines will allow trees to remain standing and allows for natural infiltration of water back into the aquifer. The town has been very encouraging of opportunities to grant a number of incentives to land owners who choose to develop in an environmentally friendly way. This area could provide pedestrian friendly

streets, parks, infiltration ponds and a light commercial area that serves the community without taking business away from downtown.

Commissioner Treyz asked that something be written into the design requiring homeowners to find alternatives to wood heat that would be environmentally safe.

Steve said that the reason these types of items were not added is because the group was not looking to infringe on the rights of property owners and how they develop their property. Our hope is that this becomes successful enough to become a template for the rest of Eatonville and other communities.

Nick added that heating systems is a town issue not a geographically specific issue. This is something that should be in an ordinance.

Chairman Schaub said that he liked the project and it showed that a lot of time was spent bringing it together. In many developments the projects take longer and debris is left behind that never gets picked up.

Nick explained that the town has an ordinance that was written up by AHBL Engineer, a separate project with a separate grant from the Puget Sound Partnership. We are looking at updating our entire storm water code under 16.53 and 16.54 of the EMC along with several other chapters that deal with storm water management, landscaping and impervious surfaces. The residents that participated in this project are advocating for a more natural process of handling storm water runoff and other design characteristics for their neighborhood. Storm water, erosion control and stock pile management are all code amendments that we considering and Nick explained that he is currently working on a draft to address these issues.

Bill Fitzer, 10809-428th SE, Eatonville – stated that he was heavily involved in this design. He really supports this. There are some things that need to be pointed out. The areas on the map are not parcels, the way it looks now; it gives you a false sense of what is happening. It would really behoove somebody to take a look at the rest of the west Eatonville area and see how the layouts are going to work. This does not support the property west of Eatonville. There are parcels located on a private road that will have to be purchased if they intend to include it in the design as it appears currently on the drawing. This is all designed pretty close with the properties involved. Whatever is developed here should enhance other property not dictate other properties that may annex later.

Mayor Smallwood did want to confirm that this is conceptual and subject to change.

Bill said yes and that there is still some work that needs to be done.

Ida Wilson, 42914 Hilligoss Lane – had concerns as to where these roads were laid out.

Bill wanted everyone to understand that the conceptual map does not support the UGA bubble diagram. When you look at this, it is not going to happen.

Steve Pruitt, 41525 Mtn Hwy E, Eatonville – Bill & Beulah Fitzer were drug into this against their will simply because of the proposed develop located next to their property. Litzenberger, Smith and Van Eaton looked at the benefits of being annexed into the town at this time and moved forward. Because of the laws the others could vote the Fitzer's property into the town against their will. Bill looked at this and said if we're going to do this, could we at least do it right, so it was his know how of healthy community planning and his initiative that got the process started. There are a lot of scenarios that can work. This is a conceptual plan. Nobody's property rights or boundaries can be changed by anybody in this process. It is a voluntary process. The adoption of the plan is more or less an adoption of the guidelines and still has to be something that the town approves. The spirit of this plan was to make everything better for everyone involved.

Steve Pruitt reiterated that because Figure 10-7 is a conceptual and Figure 10-6 is a master plan, neither have been approved. What is being proposed to be approved is the guidelines. These are illustrations of these guidelines at work. Both of these illustrations have to meet current regulations, town code and go through the same process as anybody else. There is no way that that master plan is going to be done that particular way and utilize a section of roadway that is somebody's individual access and property right. What the intention has been through this entire process is that no property owner gives up any of their rights in order for this to happen. That has been a hard and fast non-negotiable rule through this whole process.

Ida Wilson – said that she lived in a subdivision in town that had one way in and one way out. She suggested alternatives to the conceptual plan.

Steve explained various changes that had take place to accommodate the other properties that wanted more trees and keep their Mt. Rainier view. Certainly something can be done on the side that Ms. Wilson's property is located that works as well for her family.

Nick explained that it is a conceptual plan and it consists of the guidelines more than it does the maps. The maps are not permanent, they are referenced in this document as "should " conform to the general concept plan, but that is just what it is, a concept plan. It is important to look at the text of the amendment and not at the diagrams.

Bill said that his feeling is still that the west area that is not shown on this map needs to be looked for roads and where it connects with other properties and roads.

Mayor Smallwood explained that he sits on the Puget Sound Regional Council Growth Management Board and they study things like this all the time. The Mayor thanked Mr. Fitzer for making this happen. This concept is a good and needs to be done right. The only concern that Mayor Smallwood has is how to maintain the greenbelt and keep it looking nice.

There were no further comments. The public hearing portion of the meeting was closed. 8:13 p.m.

Public Comments

Philip Beach, 190 Dow Ridge Dr N – said that in talking about the Comprehensive Plan, soon the planning commission will be talking about a new comprehensive plan. These discussions can drag on and at the end the planning commission was just glad to be done with it. The planning commission and Nick Bond need to think about how to move the process along. You are required by law to go through the comprehensive plan every so often. He added that recently there have been several fires at houses to the north of Eatonville, and they were built so close together. Apparently these houses were built with vinyl siding which is not fire retardant. The town should think about houses that are built within so many feet of each other will have to have fire retardant siding and not allow the vinyl siding. Another thing is that if they are built so close together, maybe require sprinkling the house.

Mayor Smallwood said that he thinks that sprinklers are coming, probably 3-5 years out. The technology is there to do inexpensively, about \$ 1,000.00 a home. He added that people have asked him daily, what is the status of the park downtown. The town received \$ 825,000.00. The money has been obligated, meaning they cannot take it away unless the town messes up. We are currently in the process of hiring a construction consultant. Since this is a state and federal project, it has to be done with a construction consultant. The bid needs to out by June 30th. The state is very much involved in this project and feels this project should be able to be completed in 45 days. The Mayor feels it will be more like 60 to 90 days. The goal is to have it done by the Centennial celebration, October 17th, 2009. Originally the town had lost the money but the mayor went back and fought to get it back. It is a first step and the second step is Mashell Ave. and Nevitt Point.

Nick explained that there were no items for the April 6th agenda. The next meeting will be April 20th.

Motion to adjourn. Lambert seconded the motion. Meeting was adjourned at 7:17 p.m.

PC Chairman, Bob Schaub

PC Recorder, Kerri Murphy

PC Secretary, Abby Schmit