

**CITY OF OLYMPIA
LAND USE AND ENVIRONMENT
COMMITTEE
MINUTES
June 15, 2009**

Members Present: Karen Messmer, Chair, Rhenda Strub, Joan Machlis

Staff Present: Steve Hall, Keith Stahley, Todd Stamm, Tom Hill, Kraig Chalem, Subir Mukerjee

Guests: David Prutzman

The June 15, 2009 meeting of the Land Use and Environment Committee was called to order at 5:00 p.m.

I. Approval of the May 18, 2009 Land Use and Environment Committee Minutes

Councilmember Strub moved approval of the minutes. Councilmember Machlis asked to change the minutes to reflect that staff actively discourages use of parking stalls for non-parking purposes. *Approved as revised.*

II. Retaining Walls and Fences: (Todd Stamm)

Todd Stamm provided an overview of the issue. It was placed on the Land Use and Environment Committee's agenda as a result of the barriers to development process. Fences and walls was one of the examples provided of a code that is not sufficiently clear. If we had a definition we would not have the debates regarding setbacks and other applications of the code. Mr. Stamm will continue to work with Darren Nienaber to develop suitable language.

Councilmember Strub moved to direct staff to prepare a clarifying ordinance for adoption by city council. *The motion passed unanimously.*

III. Subdivision Development Practices for Inactive Subdivisions: (Tom Hill)

Councilmember Messmer explained where the item had its origins and said the primary interest was to address concerns raised by the neighbors of these inactive developments. Many developments throughout the community appear to have stalled and some plats that have been completed seem to be in a hiatus. She and the surrounding residents have concerns about storm water, erosion control, property maintenance, trash and debris accumulation and tree survival in the summer.

Tom Hill provided an overview of the staff report. He used West Olympia's Evergreen Hills plat as an example and explained that because it is in the RLI zone they have the ability to request an extension. The RLI zone allows extensions subject to consideration of storm water management practices.

Cyrene, another west side subdivision, has final plat; however, they are not presently building homes and will likely need an extension or will have to go back through the preliminary plat process.

Mr. Hill explained the preliminary and the final plat process. Preliminary plat leads to issuance of construction permits and there are no bonds following preliminary plat. A developer has five years to complete the development. Building permits can extend for periods up to 5 years.

Improvements in the ROW are bonded through a right-of-way bond.

An operation and maintenance bond provides a warranty for site improvements following final plat. Bonds are used to secure the required improvements if not constructed prior to final plat. These are performance bonds.

Mr. Hill noted some typical concerns:

- Erosion control measures remaining in place
- Public access on streets that have not yet been finalized. Streets are not conveyed until final plat.
- Nuisance such as wire theft, street trees, maintenance of property, debris, criminal activity.

Councilmember Messmer asked Mr. Hill about subdivisions and buildings. She cited the Capital Way and Columbia property and its lack of sidewalks. Mr. Hill noted that a right-of-way obstruction permit and bond were in place for that project.

Councilmember Messmer asked about runoff erosion/storm water concerns. What would the city's role be? Dumping? Who pays the cost of protecting the environment? More concerned about holes in the process? Staff explained that erosion control is an ongoing code enforcement issue with projects that are under construction as well as those that are complete. Erosion control is required and discharges of silt laden waters from the site violates both city and state regulations. DOE often becomes involved in erosion control issues.

She asked what the trigger is to require compliance with new storm water requirements. Staff responded that the RLI zone requires plats receiving extensions to comply with the new requirements. Staff is still working with the Evergreen Hills plat to determine what those impacts will be.

Mr. Hill suggested that the committee consider allowing extensions of plats subject to conditions such as erosion control measures, storm water, property maintenance, property security, etc.

Councilmember Strub expressed concerns about impacts on adjoining property owners.

Steve Hall suggested that the City needs to create some incentives through the extension process to encourage compliance with storm water control, erosion, trees, overgrown vegetation and public access issues.

Councilmember Strub suggested that inactive subdivisions be kept off limits through fencing or barricades.

Councilmember Machlis asked what happens if we have a clear cut and things stall. What happens to erosion control measures? Site security? Staff responded that those issues are addressed through code enforcement.

Dave Prutzman thanked the committee for thinking about this issue in advance. He was not sure about the effectiveness of fencing. He suggested that it may be more effective to close the street. He asked that the committee carefully consider the cost of conditions.

Councilmember Messmer suggested that the issue was worthy of more consideration. She asked staff to consider what happens if they don't do anything.

Mr. Prutzman asked that staff consider what to do about master plans and associated preliminary plats. The scale of master planned developments necessitates a longer development timeframe than five years.

IV. 2009 Annexation Priorities: (Kraig Chalem)

Mr. Chalem provided an overview of the staff report. He explained the various annexation methodologies and procedures including recent changes in legislation affecting the various unincorporated islands located throughout the city.

Councilmember Messmer asked about the status of the streets in Indian Summer and whether annexation would affect them. Mr. Chalem responded that the streets in Indian Summer are private and will remain so following annexation.

Referring to the annexation map, Mr. Chalem asked if staff should pursue the islands - labeled as 10, 9, and 4 of the map first.

Councilmember Messmer suggested proceeding with 10 and 9 first and doing them together. She noted that they are both in the McLane Fire District, which may make the process a bit easier.

Councilmember Messmer suggested that we start with the easy ones and become more familiar with the new process and then move on to the Boulevard Road island. She asked that staff move these forward in 2010 and Councilmembers Machlis and Strub agreed.

Councilmember Machlis asked about what happens after annexation. How do we encourage more growth downtown? Tiered impact fees? Staff responded that we would need to have data to support significant changes in the way impact fees are administered.

The meeting adjourned at 6:13.