

**BLACK DIAMOND
PLANNING COMMISSION
MINUTES OF JULY 10, 2012 MEETING**

CALL TO ORDER

Chair Keith Watson called the meeting to order at 7:01 p.m. with the introduction of the role and duties of the Planning Commission.

ROLL CALL

Present: Commissioners Keith Watson, Sheri Roth, Kyle Danielson, Pam McCain,
Darryl Buss and Greg Thesenvitz
Absent: Pam Thurmond (excused)
Staff: Community Development Director Steve Pilcher and Senior Planner Stacey
Welsh

APPROVAL OF MINUTES

Commissioner Thesenvitz noted a typo, "Chari" which should be "Chair" (first sentence under Public Hearing section on page 1).

Moved by Commissioner McCain, seconded by Commissioner Buss, to approve the minutes of the June 12, 2012 meeting with the correction noted by Commissioner Thesenvitz. Passed 6-0.

PUBLIC COMMENTS

None

**CONTINUED PUBLIC HEARING ON POTENTIAL AMENDMENTS TO BDMC
TITLES 17 & 18, REGARDING PRELIMINARY PLAT APPEAL PROCEDURES
(testimony closed)**

Chair Watson reviewed the motion made at the last meeting. Mr. Pilcher said the City Attorney was not able to be at tonight's meeting and no response was received from the City's insurance carrier. He stated this is more of a risk management issue and that it would be more appropriate for the insurance carrier to present on this rather than the City Attorney. He spoke to testimony from the previous meeting regarding WCIA's position on this issue and discussed Titles 17 and 18. Chair Watson said the liability issue has not been addressed to the Commission's satisfaction and suggested a letter be sent to the insurance carrier's president from the Mayor. The Commission discussed their concerns about making a decision and their previous vote on the matter.

Moved by Commissioner Roth, seconded by Commissioner McCain, to continue the hearing and table this to the August 7, 2012 meeting at 7pm in this room. Passed 5-1 (Thesenvitz).

WORKSESSION: 2012 Comprehensive Plan Amendments from the docket

Mr. Pilcher discussed the Comprehensive Plan Amendment review process. He said the City Council initiated two amendments and Darrell Bryant filed a proposal related to his airport. Mr. Pilcher noted the Comprehensive Plan and zoning code are silent regarding the airport, reviewed

Mr. Bryant's proposal and discussed setting up a framework for it in the Plan this year. He stated the Commission must adopt a resolution if they want to review this amendment.

Mr. Bryant was invited to speak about his proposal and he discussed the benefits of it. The Commission asked questions regarding emergency landings, fuel storage, user fees, and contact with other regulatory agencies. Mr. Bryant stated he contacted the local Federal Aviation Administration (FAA) office and has had no response. He stated he is already listed as an airport with the state. He said no fees are to be charged; the airstrip can function as a practice area for pilots. He indicated he may send a formal letter to the FAA as his next step. He said the Washington State Department of Transportation (WSDOT) seems to be in favor of small airports, according to their online literature. He indicated he would prefer above ground fuel storage.

The Commission noted that it would be a good idea to have something in the Comprehensive Plan officially recognizing the airport. Mr. Pilcher clarified that the Commission is being asked whether or not they want to consider this amendment during this amendment cycle.

Moved by Commissioner Danielson, seconded by Commissioner Buss, to consider this amendment to the Comprehensive Plan. Passed 6-0.

Chair Watson asked Mr. Bryant to contact the state and federal government regarding his proposal.

RESOLUTION INITIATING 2012 COMPREHENSIVE PLAN AMENDMENT

Moved by Commissioner Buss, seconded by Commissioner Danielson, to pass Resolution 12-01 initiating proposed amendments to the City's Comprehensive Plan. Passed 6-0.

DEPARTMENT REPORT

Mr. Pilcher discussed a request to amend the zoning code from Mr. Flynn and Mr. Habenicht to change the vesting provisions (Ch. 18.14). He reviewed BDMC Sections 18.14.050 and 18.14.070 and the Flynn/Habenicht site plan approval. He noted there are not a lot of vested projects in town and discussed the potential schedule for the code amendment. He asked the Commission if they are comfortable with staff drafting code language and having a public hearing next month. The Commission indicated they would like to see what other jurisdictions do regarding vesting.

Mr. Flynn was invited to speak about his proposal and said he has been working on this project since 2003. He noted it is very similar to a plat, as the Site Plan Review lays out the general direction and then building permits follow later. He said they are asking for a 4 year extension, until 2016. Mr. Flynn and Mr. Habenicht showed the Commission the site plan and elevations for their project, around 70,000 square feet of commercial development. Chair Watson said it is ok to go forward with the public hearing next month.

Regarding a new issue, Mr. Pilcher explained that the City Council had indicated it would like to see the Planning Commission appointment process examined and had directed the Planning & Community Services Committee to look at the issue. He explained several new provisions the Committee came up with, including a 4 year term, a list of qualifications to be a Commission member and removal procedures. The Council is scheduled to vote on the proposed amendments at their July 19th meeting.

UNFINISHED BUSINESS

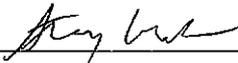
Commissioner Buss asked about a beaver dam on Rock Creek.

PUBLIC COMMENTS

Erika Morgan discussed a small airport that a relative of hers had and how she came across information regarding the Bryant airport online. She said the Commission should consider the City lighting ordinance. She recalled concerns from last year regarding paved surfaces and surface water fees.

ADJOURN

Moved by Commissioner Buss, seconded by Commissioner Danielson, to adjourn. Passed 6-0. The meeting adjourned at 8:23 p.m.

Minutes prepared by: Stacey Welsh, Senior Planner 


Keith Watson, Chairman

ATTEST:

Planning Commission Secretary