

**CITY OF FIRCREST PLANNING COMMISSION  
RESCHEDULED REGULAR MEETING MINUTES**

February 25, 2015  
6:00 PM

Fircrest City Hall  
115 Ramsdell Street

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**CALL TO ORDER**

Chair Karen Patjens called the rescheduled regular meeting of the Fircrest Planning Commission to order at 6:00 p.m.

**ROLL CALL**

Commissioners Kathy L. McVay, Jerry Foss, Karen Patjens, Kenneth Halgren and Jim Otness were present. Absent: None. Excused: None. Staff present: Principal Planner Jeff Boers and Permit Coordinator/Code Compliance Officer Angelie Stahlnecker.

**APPROVAL OF MINUTES**

The minutes of the regular meeting of January 6, 2015 were presented for approval.

**Moved by Foss and seconded by McVay to approve the minutes with one correction. Ayes: Kathy L. McVay, Jerry Foss, Karen Patjens, Kenneth Halgren and Jim Otness. Noes: None. Absent: None. Excused: None. Motion carried.**

**PUBLIC HEARING CASE 15-02**

Chair Karen Patjens opened Case 15-02 at 6:03 p.m., pertaining to proposed changes to the Comprehensive Plan Amendment process.

Principal Planner Boers summarized the proposal, identifying that the current amendment processing code specifies docketing timelines that may conflict with the need to process plan amendments either earlier or later within a given calendar year. Twice in the past several years, the timing of city-sponsored proposals has not fit well into the docket calendar, hindering the plan amendment process. The proposal would maintain a clearly defined process, but it would remove the specific docketing dates.

In addition, Staff recommends the plan amendment requirements be moved from Title 22, Development Regulations to Title 23 Planning, where other Comprehensive Plan regulatory provisions are located.

Patjens opened the public hearing for public comments.

No comments were made.

Patjens closed the public hearing at 6:10 p.m.

Discussion ensued on the original purpose of the 2010 amendments that established the docketing requirements for considering plan amendments.

Staff indicated that prior to 2010 the City did not have an established Comprehensive Plan Amendment process. The 2010 amendments were adopted to provide more structure for the amendment process. The use of docketing is not required, but this approach is used by some jurisdictions, especially those that have numerous applications to manage each year. Overall the current code works well, but the specified docketing window has hindered the City's ability to respond in a timely fashion when an unexpected need has arisen to amend the Comprehensive Plan within a specific timeframe.

Discussion followed on the motivation behind the proposed changes and whether the City Council was aware of the proposed changes. Staff indicated that the proposal came out of discussion between the City Clerk's office and the Planning Department as there was awareness that the specified timetable lacked flexibility, which the City would have benefitted from during two of the last three years. The proposal was included in the February liaison report to the City Council.

Discussion ensued about the potential impact on private parties, including developers. Staff indicated there had not been any private plan amendment applications for at least the last three years. Under the amendment proposal, the Planning Commission would establish a timetable each year that would provide a window during which time plan amendment applications could be submitted for consideration. Staff would provide notice and advertise the timeline for proposed applications for that year. Depending on various circumstances, the application window established by the Planning Commission could vary each year. There would no longer be a code requirement spelling out dates by which certain actions would have to be taken by staff and the Commission, although there would still need to be a recognition as to when plan amendments should be processed in light of when the City's budget process occurs. The proposed amendments would not affect how development (zoning) regulation amendments would be processed.

Discussion followed on how other jurisdictions handle Comprehensive Plan amendments. Staff indicated there was a wide range of approaches used, from very rigid processes for jurisdictions that handled numerous applications to a minimal process for those jurisdictions that process few applications.

**Moved by McVay and seconded by Foss to adopt Resolution No. 15-01, a resolution of the Planning Commission of the City of Fircrest, Washington, recommending approval of amendments to FMC 22.79.030 pertaining to docketing.**

**Ayes: Kathy L. McVay, Jerry Foss, Karen Patjens, and Kenneth Halgren. Noes: Jim Otness. Absent: None. Excused: None. Motion carried.**

Discussion ensued about the staff recommendation to move the plan amendment provisions from Title 22 to Title 23. McVay agreed to accept a friendly amendment to reconsider the motion.

**Moved by McVay and seconded by Foss to reconsider adoption of Resolution No. 15-01.**

**Ayes: Kathy L. McVay, Jerry Foss, Karen Patjens, Kenneth Halgren, and Jim Otness.  
Noes: None. Absent: None. Excused: None. Motion carried.**

**Moved by McVay and seconded by Foss to adopt Resolution No. 15-01, a resolution of the Planning Commission of the City of Fircrest, Washington, recommending repeal of Ordinance 1498 and FMC 22.79, and adoption of new regulations relating to the comprehensive plan amendment process in a new chapter FMC 23.06.**

**Ayes: Kathy L. McVay, Jerry Foss, Karen Patjens, and Kenneth Halgren. Noes: Jim Otness. Absent: None. Excused: None. Motion carried.**

### **CONTINUING BUSINESS**

#### **2015 GMA Update – Land Use Capacity**

Principal Planner Jeff Boers summarized approaches that could be used to meet the Pierce County-assigned population and housing targets in possible amendments to the Land Use Element.

Discussion included the following:

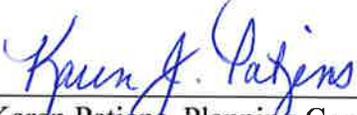
- The Pierce County Buildable Lands Report identifies a need for an additional capacity of 290 housing units.
- Planning Commission had previously directed Staff to look at the Community Commercial, High Density Residential, and the Low Density Residential Conservation Overlay areas for opportunities to increase densities.
- Staff presented three options that relied on various increases in density, removal of the limitation of 20% non-retail use in the Community Commercial zone, and bonus units for cottage style housing in the R4-C zone.
- These options included a range of redevelopment assumptions from 15%-50%.
- The greater likelihood that HDR areas would be redeveloped in the northwestern corner of the City versus HDR areas at Emerson and Alameda.
- The residential development potential of land owned by the Golf Club.
- The Planning Commission indicated their preference for option C, which would increase densities in the HDR areas in the northwestern corner of the city and commercial mixed use areas along 19<sup>th</sup> and Mildred Streets. This option would allow for higher densities in the R4-C zone for cottage housing and would not increase maximum densities in the HDR areas near Emerson and Alameda.

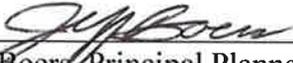
### **OTHER**

Due to the fact there no items will be ready for consideration at the regular March 7<sup>th</sup> meeting, an alternative meeting date was set for March 18 to review draft amendments to the Utilities and

Transportation Elements. Staff anticipates a public hearing being set for the April 7<sup>th</sup> meeting to consider the Wainwright School CUP.

**Moved by Foss and seconded by Halgren to adjourn the meeting at 7:42 p.m. Ayes: Kathy L. McVay, Jerry Foss, Karen Patjens, Kenneth Halgren and Jim Otness. Noes: None. Absent: None. Excused: None. Motion carried.**

  
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Karen Patjens, Planning Commission Chair

  
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Jeff Boers, Principal Planner

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**CITY OF FIRCREST PLANNING COMMISSION  
RESOLUTION NO. 15-01  
Case No. 15-02**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY  
OF FIRCREST, WASHINGTON, RECOMMENDING REPEAL OF  
ORDINANCE 1498 AND FMC 22.79, AND ADOPTION OF NEW  
REGULATIONS RELATING TO COMPREHENSIVE PLAN  
AMENDMENTS IN A NEW CHAPTER FMC 23.06.**

**WHEREAS**, pursuant to Ordinance No. 1498, the City of Fircrest approved amendments to the Fircrest Municipal Code on July 13, 2010, thereby establishing docketing requirements for processing annual amendments to the Comprehensive Plan;

**WHEREAS**, after implementing these regulations during several plan amendment cycles, the City has determined that the timelines specified in these provisions for certain plan amendment actions to take place are overly restrictive and inflexible in terms of guiding the annual plan amendment process; and

**WHEREAS**, the City has determined that greater timeline flexibility would improve the plan amendment process and benefit the community in terms of enabling the City to be more timely and responsive to plan amendment proposals; and

**WHEREAS**, the proposed changes would comply with RCW 36.70A.130; and

**WHEREAS**, a public hearing was conducted by the Planning Commission on February 25, 2015 to consider public testimony and comment on the proposed amendments; and

**WHEREAS**, after consideration of public testimony, the Planning Commission voted to recommend approval of amendments that would modify and relocate docketing process requirements from FMC 22.79 to FMC 23.04.030.

**THEREFORE BE IT RESOLVED** that the Planning Commission of the City of Fircrest hereby recommends to the City Council:

1. Repeal of Ordinance 1498 and FMC 22.79.
2. Adoption of a new chapter, FMC 23.06 Comprehensive Plan Amendments, to read as follows:

**Chapter 23.06**

**COMPREHENSIVE PLAN AMENDMENTS**

Sections:

23.06.010 Purpose.

23.06.020 Types of amendments.

23.06.030 Application timeline and review period.

23.06.040 Application requirements.

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23.06.050 Exceptions to yearly amendments.

23.06.060 Review process.

23.06.070 Review and approval criteria.

**23.06.010 Purpose.**

The purpose of this chapter is to provide for amendments of the Fircrest comprehensive plan and to ensure those amendments are consistent with state, county and local laws and plans.

**23.06.020 Types of amendments.**

(a) Map amendments are any proposed amendments to the Fircrest comprehensive plan land use map.

(b) Text amendments are any amendments to the Fircrest comprehensive plan that do not constitute a map amendment.

**23.06.030 Application timeline and review period.**

(a) All amendments to the Comprehensive Plan shall be considered concurrently and no more frequently than once each calendar year except as provided for in RCW 36.70A.130.

(b) The City shall broadly disseminate to the public a notice giving the procedures and timeline for proposing amendments or revisions to the Comprehensive Plan. At a minimum, notice shall be given through the placement of a display ad in the official newspaper of the City. The City shall allow a reasonable time period for requests to be submitted. Except as provided for in subsections (c) of this section, amendment requests received after the deadline will not be considered during that year's amendment process unless the request satisfies one of the criteria identified in RCW 36.70A.130.

(c) Proposed amendments to the capital facilities element may be incorporated any time prior to the adoption of the Comprehensive Plan amendments because of the relationship of the capital facilities element to decisions made in the City's budget process.

(d) Amendment requests may be submitted by private parties; however, requests for map amendments by private parties may only be submitted by the owner or an authorized agent. Amendment requests may also be initiated by the commission or council upon a formal motion and approval by the body.

(e) Applications shall be considered as a group for purposes of analysis and processing. The planning commission shall set an estimated schedule for review of the applications, including the public hearing and special meetings in order to prepare and forward a recommendation to council in a timely fashion.

(f) Upon completion of the SEPA process, public meeting, state review, and council consideration, the council shall adopt an ordinance incorporating the proposed amendments, in whole or in part or as modified by the council, into the Fircrest comprehensive plan. At the same meeting, the council shall also adopt an ordinance for any concurrent rezones necessary for consistency.

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**23.06.040 Application requirements.**

In addition to submittal requirement under FMC 22.78.006, applications shall include the following:

- (a) A detailed statement of the proposed change and why it is to be changed;
- (b) A statement of anticipated impacts of the change, including geographic area affected and issues presented;
- (c) A statement of how the request is or is not consistent with the adopted Fircrest comprehensive plan, pertinent subarea and functional plans and countywide planning policies, and the goals of the GMA; and
- (d) A description of any changes to development regulations, modifications to capital improvement programs, subarea, neighborhood, and functional plans required for implementation so that these will be consistent with the plan.

**23.06.050 Exceptions to yearly amendments.**

- (a) There are four exceptions to the rule of considering comprehensive plan amendments only once per year. The process for adoptions of these four exceptions is the same as stated in FMC 23.06.030. These four exceptions are:
- (1) For the amendment of the capital facilities element of the comprehensive plan occurring concurrently with the adoption or amendment of the city's budget; or
  - (2) For an amendment to resolve a growth management hearings board appeal or other court order; or
  - (3) In the event of an emergency; or
  - (4) The adoption of comprehensive plan amendments necessary to enact a planned action under RCW 43.21C.031(2), as outlined in RCW 36.70A.130(2)(v).
- (b) Findings must be made indicating that the amendment is in the public interest and not detrimental to the public health, safety and welfare. The planning director shall prepare written findings for approval of the Fircrest planning commission.
- (c) Applications shall be considered as a group for purposes of analysis and processing. Staff shall present a brief description of each application. The commission shall set an estimated schedule for review of the applications, including the public hearing and special meetings, in order to prepare and forward a recommendation to council in a timely fashion.

**23.06.060 Review process.**

The planning commission shall review applications for comprehensive plan amendments pursuant to Process Type V of Chapter 22.05 FMC (permit processing applications). The planning commission shall forward its recommendation to the city council for the final decision.

**23.06.070 Review and approval criteria.**

The city council may adopt any comprehensive plan amendment if it (1) is in the public interest and complies with the Growth Management Act, and (2) is in the

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public interest and not contrary to the public health, safety and welfare. In making this determination, the council shall weigh the following factors:

- (a) Consistency with the adopted Fircrest comprehensive plan;
- (b) Consistency with pertinent plans for adjacent jurisdictions and countywide planning policies;
- (c) Eliminates conflicts with existing elements or policies;
- (d) Establishes a logical, compatible extension of existing land use designations;
- (e) Clarifies or amplifies existing policy or accommodates new policy directives of the city council;
- (f) A change of conditions has occurred within the neighborhood or community since adoption of the comprehensive plan, this title, and amendments thereto, to warrant a determination that the proposed amendment is in the public interest.

**MOVED AND ADOPTED** by the Planning Commission of the City of Fircrest on the 25<sup>th</sup> day of February 2015, by the following vote:

YES: (4)

NOES: (1)

ABSENT: (0)

ABSTAIN: (0)

APPROVED:

  
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Karen Patjens  
Chair, Fircrest Planning Commission

ATTEST:

  
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Jeff Boers, Principal Planner

March 6, 2015  
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Date