

**CITY OF MILL CREEK
PLANNING COMMISSION MEETING MINUTES
October 18, 2018**

Draft

I. CALL TO ORDER:

Chair Eisner called the meeting to order at 7:00 p.m.

II. ROLL CALL:

Chair Stan Eisner
Vice Chair Matthew Nolan
Commissioner Steven Maloney
Commissioner Brian Hyatt
Commissioner Daniel Mills
Commissioner Jennifer Parker
Commissioner Dennis Teschlog

Staff:
Tom Rogers, Planning & Dev. Services Manager
Christi Amrine, Senior Planner
Sherrie Ringstad, Associate Planner

III. ELECTION OF OFFICERS

Election of Chair

MOTION: Commission Mills nominated Stan Eisner to serve in the position of Chair, seconded by Commissioner Hyatt. The motion was approved unanimously.

Election of Vice Chair

MOTION: Chair Eisner nominated Matthew Nolan to serve in the position of Vice Chair, seconded by Commissioner Mills. The motion was approved unanimously.

III. APPROVAL OF MINUTES

Planning Commission Meeting of January 19, 2017

MOTION: Vice Chair Nolan moved, seconded by Commissioner Teschlog, to approve the January 19, 2017 minutes as presented. The motion was approved unanimously.

IV. WORK SESSION

Proposed Amendments to the Mill Creek Municipal Code

Associate Planner Ringstad noted that the proposed amendments being considered by the Planning Commission this evening are related to Code Enforcement. She explained that the responsibility for enforcing the land use code was transferred from the Community Services Officer in the Police Department to the Development Services Department. Since that time several issues have come up relating to portions of the MCMC that were not clear or hard to enforce. She noted that the presentation includes a discussion of the issue, the potential solution, followed by the proposed Code language.

Issue #1

Ms. Ringstad noted that the MCMC prohibits inoperable vehicles from being stored in the front yard. The issue is created by the definition of inoperable vehicle, which includes vehicles without current license tabs. She stated that staff believes the intent of the Code is to prohibit junk vehicles and is proposing to replace the term inoperable vehicle with junk vehicle. This would also include adding a definition of junk vehicle.

Issue #2

Associate Planner Ringstad noted that the MCMC prohibits RVs and boats from being stored in a front yard. The Code does not allow for temporary parking for purposes of cleaning and loading. Staff is proposing adding an exception to the code to allow for temporary parking for RVs and boats for a period not to exceed 72 hours.

Proposed Code Language

17.22.080.B Vehicle parking.

B. No recreation vehicle, boat, trailer, or ~~inoperable~~ junk vehicle shall be parked or stored in any front yard or front yard setback area including the driveway. Exception: Recreational vehicles and boats may be temporarily parked in the front yard setback area for purposes of cleaning and/or loading for a period not to exceed 72 hours. Any vehicles stored in a side yard shall be fully screened from view from any public right-of-way; see MCMC [17.22.070](#).

14.01.030 – Definitions

“Junk Vehicle” means a vehicle certified under RCW 46.55.230 as meeting at least three of the following requirements:

- (a) is three years old or older;
- (b) is extensively damaged, such damage including but not limited to any of the following: a broken window or windshield, or missing wheels, tires, motor, or transmission;
- (c) is apparently inoperable;
- (d) has an approximate fair market value equal only to the approximate value of the scrap in it.

Development Services Manager Rogers noted that the definition was taken from the RCWs.

Issue #3

Ms. Ringstad noted that the MCMC currently prohibits Commercial Vehicles in excess of 6,000 pounds total gross weight from being parked on any lot in a residential zone. She stated that the 6,000 pound distinction is unrealistic since a large truck meets this definition. Staff is recommending removing the 6,000 pound qualifier and adding a definition for Commercial Vehicle.

Issue #4

The MCMC does not currently specifically prohibit construction equipment from being parked on a residential lot. Language is proposed that would add motorized construction equipment to the list of Commercial Vehicles that cannot be parked on a residential lot, with the exception of equipment being used in conjunction with an approved construction project.

Proposed Code Language

17.22.080.C Vehicle parking.

C. Commercial Vehicles. No commercial vehicles, ~~or~~ combination of vehicle and trailer, ~~or any type of motorized construction equipment of 6,000 pounds total gross weight~~ shall be parked on any lot in a residential zone ~~except for motorized construction equipment being used in conjunction with an approved construction project.~~

14.01.030 – Definitions

“Commercial vehicle” means any vehicle that is used or maintained for the transportation of persons for hire compensation, or profit, or is designed, used, or maintained primarily for the transportation of property and commodities; and

1. Is a motor vehicle having a declared gross weight in excess of ten thousand pounds; or
2. Is a motor vehicle having three or more axles.

Issue #5

Associate Planner Ringstad stated that the MCMC currently requires all buildings and structures to be maintained in original or better than original condition. This is an unrealistic expectation as well as being problematic to enforce. She said that the intent of the Code is to ensure that all buildings and structures are maintained in good repair.

Proposed Code Language

17.24.030 Maintenance.

- A. All buildings and other structures shall be maintained ~~in original or better than original condition~~ **in good repair** by the property owner ~~in~~ with respect to exterior appearance and landscaping.
- B. All landscaped and open space areas and LID landscape features on or adjacent to the property, excluding public sidewalks and public rights-of-way subject to Chapter [12.06](#) MCMC, shall be maintained by the property owner, and shall be:
1. Kept free of litter, debris, invasive vegetation/weeds and obstructions.
 2. Maintained in a clean, neat and orderly fashion.
 3. Maintained consistent with design review board and other approved landscape plans if applicable.
 4. Kept free of inoperable vehicles.
 5. Maintained so that all deposited materials in garbage and recycle containers are wholly contained within the structure as required by MCMC [17.22.070](#). No litter or recyclable material shall be allowed to accumulate outside said containers. Containers shall be kept clean, free of odors and pests, shall not constitute a public nuisance and shall be maintained to meet the conditions of the design review board and/or other conditions of approval.

Commissioner Teschlog noted that the maintenance section of the Code still contains the term inoperable vehicle in item B.4 and suggested that it also be replaced with the term junk vehicle similar to the previous modification discussed.

IX. FOR THE GOOD OF THE ORDER

Development Services Manager Tom Rogers noted that an economic development study is currently proposed in the budget for the subarea along Mill Creek Boulevard from 164th Street to Main Street. This area is approaching a time when it may be redeveloped. He noted that there is a lot of room to work with in the right-of-way and there are both challenges and opportunities. If the Council funds the study, the Commission would be involved in creating the subarea plan. Several Commissioners were very supportive of the idea of doing a subarea plan and asked if it would be appropriate to make a recommendation to Council.

MOTION: Vice Chair Nolan moved that the Planning Commission make a recommendation to the City Council to fund an economic development study of the subarea south of the Town Center along Mill Creek Boulevard to 164th Street SE for the potential to enhance the City's tax base, make the best and highest use of the property, and provide more of a gathering spot. The motion was seconded by Chair Eisner and passed unanimously.

Mr. Rogers added that another item the Commission will be working on is revisions to the Code regarding Small Cell wireless facilities. The FCC recently adopted a new rule that goes into effect in January. The Small Cells aren't currently addressed in the Code and the City needs to incorporate some aesthetic standards, because we won't be able to prohibit small cell facilities in residential areas.

X. ADJOURNMENT

MOTION: Chair Eisner adjourned the meeting with the consensus of the Commission at 7:50 p.m.

Submitted by:

Sherrie Ringstad, Associate Planner