



CITY COUNCIL MEETING AGENDA
Council Chambers, 1000 Laurel Street

April 7, 2014
Monday

Special Meeting/Study Session
7:00 p.m.

- 1. Call to Order**
- 2. Roll Call of Council Members**
- 3. Action Items**
 - a. Resolution of Intent to Annex
 - b. Parks Facilities Worker
 - c. Seasonal Workers
 - d. Administrative Assistant/Deputy City Clerk
 - e. Pierce Transit Board Nomination
 - f. Declaring Certain Personal Property Surplus
 - g. Council Meeting Schedule Change
- 4. Study Items**
 - a. Amending Frontage Improvement Code
 - b. Substandard Lot Clarification
 - c. Street Vacation Petition
- 5. Adjournment**

Note: Public comment is generally not taken at Study Sessions. However, on some occasions, public comments may be allowed at the discretion of the Chair and Council. The public may also submit written communications, via letters or emails to dperry@cityofmilton.net. Any item received by noon on the day of the meeting will be distributed to Council.

If you need ADA accommodations, please contact City Hall at (253) 517-2705 prior to the meeting. Thank you.

PENDING COUNCIL AGENDA CALENDAR (Dates are Subject to Change) FOR PLANNING PURPOSES ONLY

April 2014			
Mon 4/14	7:00 pm	Regular Meeting	A. AWC City Wellness Program Presentation B. 1 st Qtr Financial Report C. Granting of Easement to DOE D. Amendments to Building & Fire Codes E. Acceptance of Department of Commerce Grant for LED streetlights F. Resolution for Street Vacation
Mon 4/21	7:00 pm	Regular Meeting	A. Ordinance Amending Frontage Improvement Code – ACTION B. 5 th Avenue Stormwater Project – Design Contract C. Uptown Design Standards/Guidelines – Visioning Ad Hoc D. Award of Activity Center Roof Replacement Contract E. Street Vacation Petition
May 2014			
Mon 5/05	7:00 pm	Study Session	A. Meet w/ Electrical Staff B. Amending Access Tract Code – DISCUSSION C. 15 th Avenue Parking Issues D. Janitorial Service E. Mowing Service F. Sterling Heights
Mon 5/12	7:00 pm	Regular Meeting	A. Curtailment Agreement with Tacoma Power B. Adoption of Water Utility CIP C. Introduce new staff – City Clerk, Accounting Supervisor, and PW Admin Assistant D. Council review/accepts 2012, 2013 annual reports (SAO) (<i>Consent Agenda</i>)
Mon 5/19	7:00 pm	Regular Meeting	A. Ordinance Amending Access Tract Code – ACTION
June 2014			
Mon 6/02	7:00 pm	Study Session	A. 6 Year Transportation Improvement Program B. Transportation Benefit District C. Reexamine Street Standards
Mon 6/09	7:00 pm	Regular Meeting	
Mon 6/16	7:00 pm	Regular Meeting	
July 2014			
Mon 7/07	7:00 pm	Study Session	A. Electric System Plan Update B. Biennial Budget Discussion (tentative) C. Police Fleet Vehicle Purchase (tentative)
Mon 7/14	7:00 pm	Regular Meeting	A. 2nd Qtr Financial Report
Mon 7/21	7:00 pm	Regular Meeting	
August 2014			
Mon 8/4	7:00 pm	Study Session	A. Meet w/ staff: Stormwater Discussion
Mon 8/11	7:00 pm	Regular Meeting	
Tue 8/18	7:00 pm	Regular Meeting	
September 2014			
Tue 9/2	7:00 pm	Study Session	
Mon 9/8	7:00 pm	Regular Meeting	
Mon 9/15	7:00 pm	Regular Meeting	



To: Mayor Perry and City Council Members
From: Chris Larson, Contract Planner
Date: April 7, 2014 Special Session
Re: **Clear Firs/Sunridge Annexation**

ATTACHMENTS: Attachment A – Resolution
Attachment B – Declaration of Sufficiency

TYPE OF ACTION:

Information Only Discussion Action Expenditure Required:

Recommendation/Action: “I move to approve the attached resolution regarding the intent to annex the proposed Clear Firs/Sunridge annexation area.”

Fiscal Impact/Source of Funds: There is a \$50 filing fee with the Pierce County Boundary Review Board for the Notice of Intent.

Previous Council Review: The background information for this area of the UGA was reviewed at the August 5th 2013 Council meeting. The City Council approved circulation of annexation petitions at the February 10th 2014 Meeting.

Issue: This is the final procedural matter to address prior to submitting the Notice of Intent to Pierce County for their review. On March 20th the City received notice from Pierce County that the annexation petitions are sufficient.

Discussion: The next step is to submit the Notice of Intent to the Pierce County Boundary Review Board. The Notice of Intent reviews all the logistics of the annexation such as water service, emergency service, projected revenue, zoning regulations, etc. A resolution of intent is required as a part of the Notice of Intent. This resolution does not officially approve the annexation, but instead declares Council’s intent to annex the area known as Clear Firs/Sunridge, upon approval from the Pierce County Boundary Review Board.

Upon approval of this resolution, the City will forward the Notice of Intent to the Pierce County Boundary Review Board (BRB). Any party with standing can ask the BRB to invoke jurisdiction. If the BRB invokes jurisdiction, they have 120 days to make a decision on the annexation. Once approval is received from the BRB, the City can adopt the annexation by ordinance.

RESOLUTION NO. 1845-14

**A RESOLUTION OF THE MILTON CITY COUNCIL
DECLARING ITS INTENT TO ANNEX CERTAIN REAL
PROPERTY LOCATED WITHIN THE CITY'S URBAN
GROWTH AREA, SPECIFICALLY IN THE WESTERN
PORTION OF THE URBAN GRWOTH AREA AS FURTHER
DESCRIBED IN EXHIBIT A OF THIS RESOLUTION**

WHEREAS, on February 10th, 2014 the City Council passed, by motion, circulation of an annexation petition, requiring assumption of existing City indebtedness, and requiring simultaneous adoption of Residential Multi-Family (RM) zoning consistent with the Comprehensive Plan and Municipal Code; and

WHEREAS, the signed petitions were received by the City of Milton on March 14th, 2014 and were forwarded to the Pierce County Boundary Review Board for verification; and

WHEREAS, the City of Milton received a Declaration of Sufficiency, dated March 20th, 2014 from the Pierce County Assessor-Treasurer Office; now therefore

BE IT RESOLVED THAT, the Council finds that the annexation of the subject property is in the best interests of the City and its citizens; and

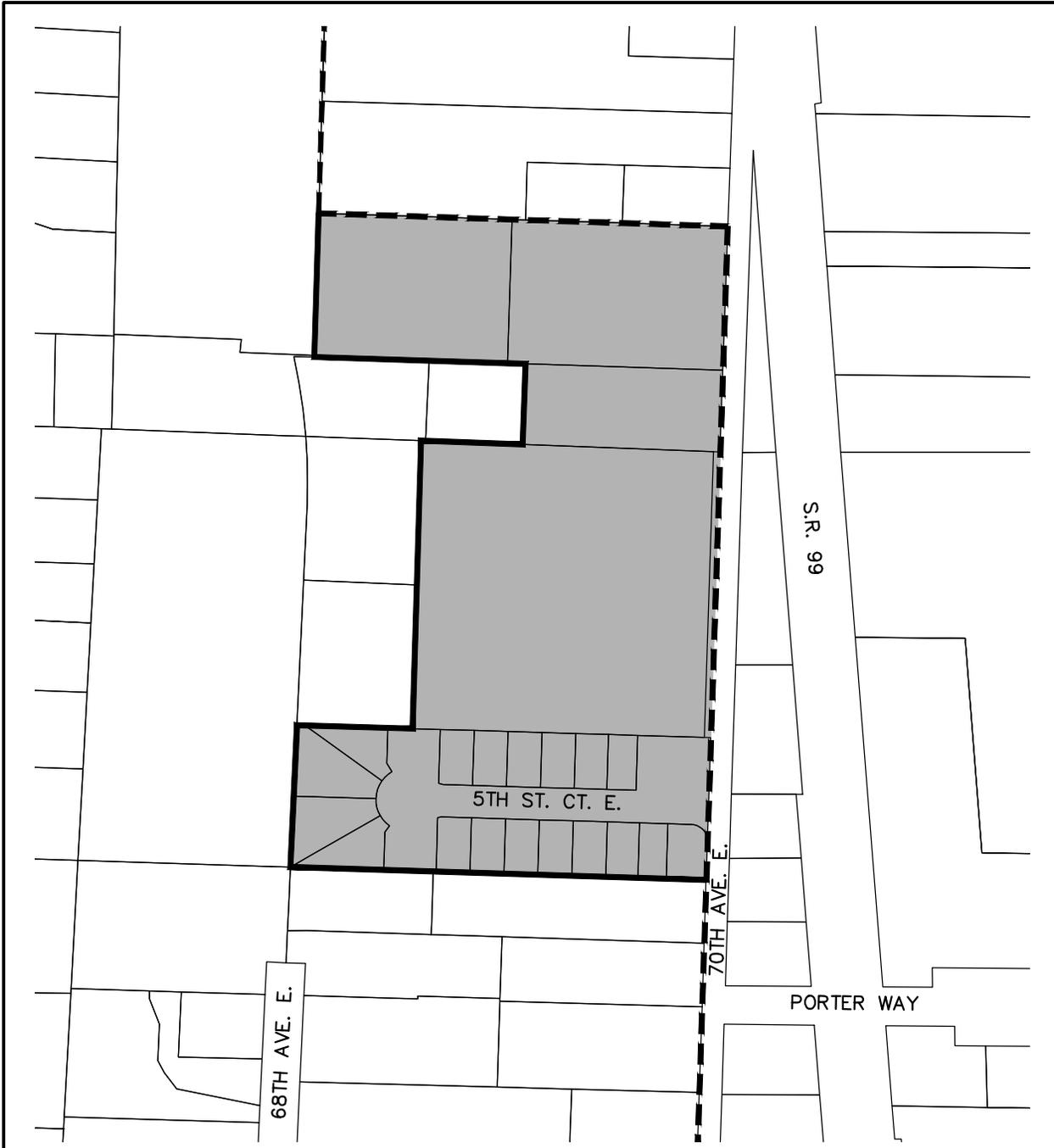
BE IT FURTHER RESOLVED, subject to simultaneous adoption of Residential Multi-Family (RM) zoning consistent with the Comprehensive Plan and Municipal Code, that the Council hereby declares its intent to annex all of the property as legally described in Exhibit A upon approval of said annexation by the Pierce County Boundary Review Board. All property within the territory hereby sought to be annexed shall assume its proportionate share of the City's indebtedness existing as of the date of annexation and as modified in the future, and shall be assessed and taxed at the same rate and at the same basis as property within the City of Milton.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to timely submit the required Notice of Intent to Annex to the Washington State Boundary Review Board for Pierce County.

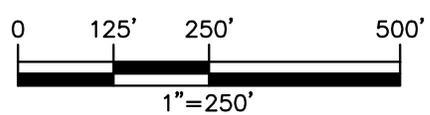
Debra Perry, Mayor

Attest/Authenticated:

Katie Bolam, City Clerk



-  MILTON CITY LIMITS
-  PROPOSED ANNEXATION



CITY OF MILTON

CLEAR FIRS/SUNRIDGE
PROPOSED ANNEXATION

“EXHIBIT A”
Legal Description

Portions of Government Lot 1, and the Southeast Quarter of the Northeast Quarter of Section 6, Township 20 North, Range 04 East, W.M, more particularly described as follows:

BEGINNING at the intersection of the West right of way line of 70th Avenue East said line also being the West line of the Milton City limits per ordinance 1116 and the North line of the South half of the Southeast Quarter of said Government Lot 1;

THENCE South along said West right of way line and said City limit line to its intersection with the South line of the Northeast Quarter of the Southeast Quarter of the Northeast Quarter of Section 6;

THENCE West along said South line to the Southwest Corner of said subdivision;

THENCE North along the West line of said subdivision to the Northwest corner of the South 220 feet of said subdivision;

THENCE East along the North line of the South 220 of said subdivision to the West line of the East 480 feet of said subdivision;

THENCE North along the East 480 feet of said subdivision to the North line of said subdivision;

THENCE East along the North line of said subdivision to the Southwest Corner of Lot 4, Pierce County Short Plat No. 76-83, according to map recorded in Volume 7 of Short Plats, Page 53, Records of Pierce County, Washington;

THENCE North along the West line of said Lot 4 to the North line of the South 125 feet of the South half of the Southeast Quarter of said Government Lot 1;

THENCE West along said North line to the West line of the South half of the Southeast Quarter of said Government Lot 1;

THENCE North along said West line to the North line of the South half of the Southeast Quarter of said Government Lot 1;

THENCE East along said North line to the POINT OF BEGINNING.

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Pierce County

Office of the Assessor-Treasurer

2401 South 35th Street, Room 142
Tacoma, Washington 98409-7498
(253) 798-6111 • (800) 992-2456
FAX (253) 798-3142
www.piercecountywa.org/atr

MIKE LONERGAN
Assessor-Treasurer

State of Washington)
County of Pierce)ss.

DECLARATION

I, Mike Lonergan, Assessor-Treasurer of Pierce County, do hereby certify that the Petition entitled: **Clear Firs/Sunridge**, submitted to me by the **City of Milton**, bears the names and purported signatures of persons who are owners or part owners of parcels lying within the proposed annexation and are owners of more than 60% of the assessed value of the area proposed for annexation. The undersigned cannot certify the authenticity of the signatures of such named owners, because authenticated signatures of all such owners are not required to be kept in the records of Pierce County for such real property.

I declare under penalty of perjury under the laws of the State of Washington that I have read the foregoing declaration, and believe the contents thereof to be true.

Dated this 20th day of March 2014, in Tacoma, Washington.

A handwritten signature in blue ink, appearing to read "Mike Lonergan".

Mike Lonergan, Assessor-Treasurer

City of Milton Clear Firs/Sunridge Annexation
 Certification of Petition

TaxParcelIN	Tax_Payer_	2014 Value	Signature	Name	Notes
0420061004	WESTSIDE VISIONS LLC	24,600			
0420061075	WESTSIDE VISIONS LLC	173,400			
0420061166	SUNRIDGE APARTMENTS L L C	3,683,200	Y	George J Lindsay	Notarized "officer statement" attached
0420065064	SPARHAWK PATRIC RORY	295,800	Y	Patric Rory Sparhawk	
6024260010	SMOLKO MICHAEL & LINDSAY	176,800	Y	Mike Smolko	
6024260020	KLIMOK GALINA	166,700			
6024260030	PEQUEEN HEIDE C	165,800	N	Ron Ryan	
6024260040	LUTON JOHN E	179,900	Y	John Luton	
6024260050	HORNING JAMES A	166,500	Y	James Horning	
6024260060	DOSEN JIMMY J & NEELEY MARIA R	186,200	Y	Jimmy Dossen	
6024260070	CHU JAMES & MASAE	181,900	Y	Jamie Chu	
6024260080	NGUYEN THANH L & HOANG-LOAN T	183,100			
6024260090	DEODHAR SUSHIL & VANDANA	180,900	Y	Sushil Deodhar	
6024260100	KUTSAK MIROSLAV	188,100			
6024260110	MAZHUKHIN GALINA & VITAKIU	194,800			
6024260120	SNITKO VICTOR & LARYSA	183,800	Y	Larysa Snitko	
6024260130	GOJETA ROWENA M & BRUCELY P	166,500	Y	Bruce Gojeta	
6024260140	TURNER MICHAEL D	179,300			
6024260150	HONG HENRY N & MAI MONICA	166,500	Y	Henry Hong	
6024260160	SMITH NEIL W & SUSAN E ET AL	179,300	Y	Lisa McCrary	ETAL includes Patrick & Lisa McCrary
6024260170	LEBED IVAN I & OLGA I ET AL	165,900	Y	Ivan Lebed	
6024260180	DELBROCCO III ANTHONY	164,200	N	Rebecca DelBrocco	
6024260190	REFERENCE, REFERENCE R	-			

Total Assessed Value 7,353,200
 60% of Assessed Value = 4,411,920
 Valid owner signatures 5,913,200 0.804167



To: Mayor Perry and City Councilmembers
From: Public Works Director Neal
Date: April 7, 2014 Special Meeting
Re: Parks / Facilities staffing

ATTACHMENTS: **A. Facilities Maintenance budget page**
 B. Parks Maintenance budget page

TYPE OF ACTION:

Information Only Discussion Action Expenditure Required:

Recommendation/Action: There are two options to consider.

If Council wants to re-hire the Maintenance Worker I – Parks/Facilities position, as currently budgeted, no action is necessary.

If Council wants to hire a Maintenance Worker II – Parks/Facilities position, instead of the currently budgeted Maintenance Worker I, then “I move to approve the hiring of a Maintenance Worker II in the Parks/Facilities division, if a suitable candidate is found, and authorize a budget adjustment for the same. If no suitable candidate is found, re-hiring at the Maintenance Worker I level is acceptable.”

Fiscal Impact/Source of Funds: The additional cost of the Maintenance Worker II, both wages and benefits, would come out of the ending fund balances.

Previous Council Review: N/A

Issue: With a vacancy in the Parks/Facilities division of Public Works, does Council want to hire a higher level maintenance worker than budgeted?

Discussion: The Maintenance Worker I position in Parks / Facilities has recently been vacated. As indicated in the attached pages from the adopted 2014 budget, Council authorized one (1) Maintenance Worker I and one (1) Maintenance Worker II for these divisions.

If Council determines it is in the best interest of the City to replace the Maintenance I-Parks/Facilities position (Level 12/E) with an additional Maintenance II position (Level 16/A), the additional annual

cost in salary and benefits would be \$4,450. This net cost is prorated and assumes a hire date of May 1, 2014.

If Council rehires the vacancy at the current level (12/E), the city would realize a savings of approximately \$2,350. This savings is also prorated and assumes a hire date of May 1, 2014.

FACILITIES MAINTENANCE - 18

The Public Works/Facilities department is responsible for the repair and maintenance of the buildings and grounds of the City Hall complex, as well as the Activity Center and Community Building, utilizing accepted property management principles. Responsibilities of the Facilities staff include custodial work, general maintenance, pest control and small repair work. Staff is also responsible for coordination with electrical contractors, the HVAC maintenance, community volunteers, American Neon for sign repair, and general contractors for various work.

BUDGET SUMMARY

The 2014 budget for the Facilities Division is **\$63,476**. This amount provides for a minimum level of maintenance, at a time when extensive and costly repairs are becoming more and more necessary to maintain facilities throughout the City. The budget also funds salaries and benefits, supplies, services, travel & training for the Facilities/Maintenance II and Facilities/Maintenance I positions, which are split between the Parks, Facilities and Activity Center budgets. At Council discretion, this budget also funds (2) Seasonal Workers for assistance with summer maintenance (cost of Seasonal staff split 50/50 between Parks and Facilities). These seasonal positions are not currently included in the final 2014 budget.

Once again, funds have not been budgeted for specific projects beyond typical maintenance activities such as repairs to decks, stairs and fencing, replacement of gutters and downspouts, and repairs to various doors, entryways and windows around City Hall.

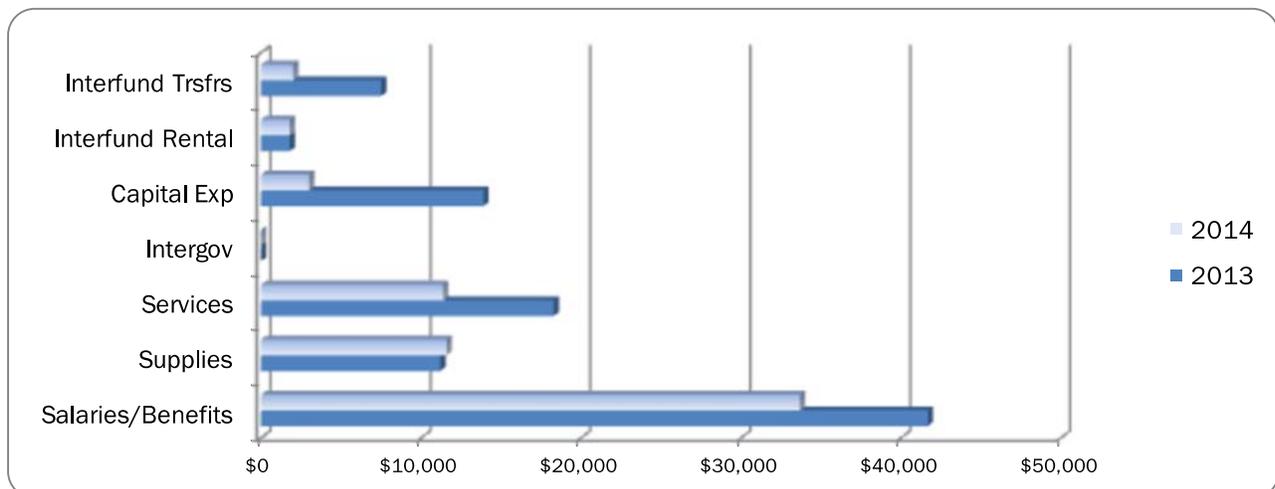
Maintenance of the existing HVAC system is currently provided by an independent company, with regular maintenance provided by contract on a quarterly basis.

FACILITIES MAINTENANCE - 18

Account Number / Description	2012 ACTUALS	2013 BUDGET	2013 PROJECTED	2014 BUDGET
001 GENERAL FUND EXPENDITURES				
18 FACILITIES				
001-18-518-300-11 Salaries and Wages	\$ 19,738	\$ 25,643	\$ 23,454	\$ 21,341
001-18-518-300-12 Overtime	656	1,000	294	1,000
001-18-518-300-15 On Call Pay	-	4,970	297	2,235
001-18-518-300-21 Personnel Benefits	7,082	9,475	8,658	8,520
001-18-518-300-22 Uniforms	395	600	665	600
Subtotal - Salaries/Benefits	\$ 27,871	\$ 41,688	\$ 33,368	\$ 33,696
001-18-518-300-31 Office & Operating Supplies	7,306	10,100	7,287	10,100
001-18-518-300-32 Operating Supplies/Fuel	770	600	877	1,000
001-18-518-300-35 Small Tools and Equipment	37	500	850	500
001-18-518-300-36 Small Assets/IT	41	-	-	-
001-18-518-300-41 Professional Services	244	400	366	210
001-18-518-300-42 Communication	556	1,325	1,675	495
001-18-518-300-43 Travel	-	300	-	300
001-18-518-300-45 Operating Rentals and Leases	-	1,500	-	1,500
001-18-518-300-47 Public Utility Service	564	550	581	750
001-18-518-300-48 Repairs & Maintenance	10,770	13,975	8,916	7,875
001-18-518-301-49 Misc/Dues & Memberships	220	-	41	-
001-18-518-302-49 Misc/Trng, Registrations	24	250	-	250
001-18-518-303-49 Misc/Outside Printing	45	-	7	-
001-18-518-300-64 Machinery and Equipment	-	13,900	13,902	3,000
001-18-518-300-95 Interfund Rental	1,800	1,800	1,800	1,800
001-18-597-501-00 Transfer Out - Vehicle R&M	2,332	7,500	2,000	2,000
TOTAL FACILITIES	\$ 52,581	\$ 94,388	\$ 71,670	\$ 63,476

2014 Proposed Staffing:		FTE	2014 Salary*	2014 Benefits*	2014 TTL Comp
Maintenance II	IBEW 16-E	0.15	\$ 8,940	\$ 3,851	\$ 12,791
Maintenance I	IBEW 12-E	0.15	\$ 7,146	\$ 2,939	\$ 10,085
PW Admin Assistant	IBEW 14-E	0.10	\$ 5,255	\$ 1,731	\$ 6,985
Seasonal-Parks/Facilities	-	-	\$ -	\$ -	\$ -
		0.40	\$ 21,341	\$ 8,520	\$ 29,861

*Sal/Ben allocated to General Fund



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PARKS MAINTENANCE - 76

The Public Works/Parks department is responsible for routine and preventative maintenance of parks, trails and open spaces with the City limits. Work includes specific maintenance and repair of the 2.5 miles of the Interurban Trail, in addition to all other public areas within the City. All work performed throughout the year is prioritized to address safety and high community use areas.

The Parks Division provides information and support to the Parks Board, an advisory commission to the City Council. Parks staff are primarily accounted for within this budget; However, a portion of their time is also spread among the Facilities and Activity Center budgets, and they assist in the coordination of annual special events such as the summer Parade & Picnic, the Fall Craft Bazaar and the Holiday Tree Lighting.

BUDGET SUMMARY

The 2014 budget for the Parks Division is **\$161,472**. This amount funds salaries and benefits, supplies, services, travel & training for the Parks/Maintenance II and Parks/Maintenance I positions, which are split between the Parks, Facilities and Activity Center budgets. At Council discretion, this budget also funds (2) Seasonal Workers for assistance with summer maintenance (cost of Seasonal staff split 50/50 between Parks and Facilities). These seasonal positions are not currently included in the final 2014 budget.

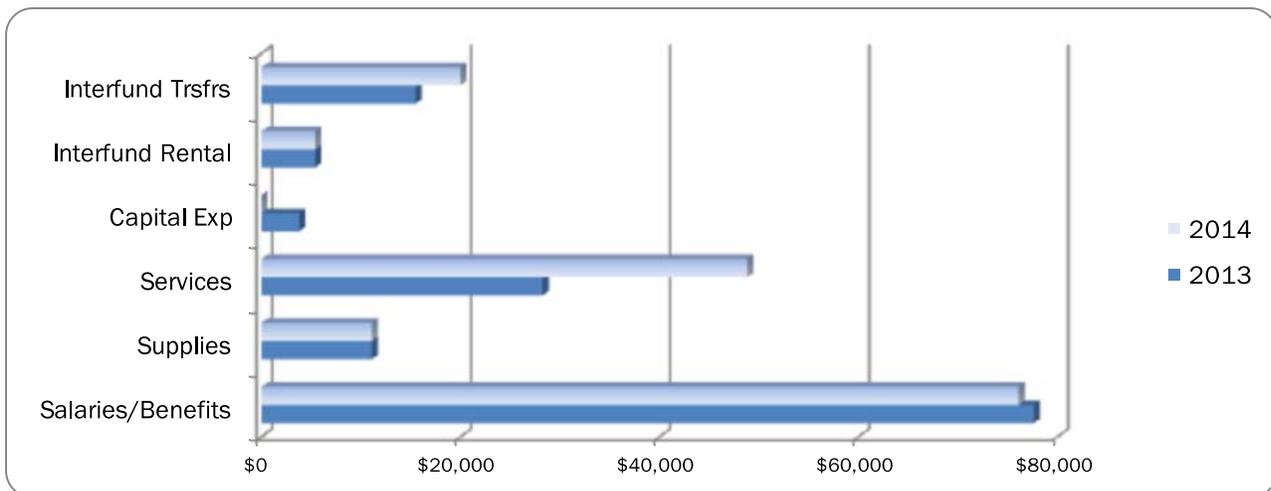
PARKS MAINTENANCE - 76

Account Number / Description	2012 ACTUALS	2013 BUDGET	2013 PROJECTED	2014 BUDGET
001 GENERAL FUND EXPENDITURES				
76 PARKS DEPARTMENT				
001-76-576-600-11 Salaries and Wages	\$ 53,577	\$ 54,187	\$ 53,622	\$ 52,047
001-76-576-600-12 Overtime and Other Wages	2,123	-	950	1,000
001-76-576-600-15 On Call Pay	-	-	954	-
001-76-576-600-21 Personnel Benefits	20,885	22,357	21,440	21,972
001-76-576-600-22 Uniforms	1,103	1,100	1,578	1,100
Subtotal - Salaries/Benefits	77,689	77,644	78,544	76,119
001-76-576-600-31 Operating Supplies	\$ 6,216	\$ 8,300	\$ 3,627	\$ 8,300
001-76-576-600-32 Fuel	3,647	2,300	2,500	2,300
001-76-576-600-35 Small Tools and Equipment	1,234	500	500	500
001-76-576-600-41 Professional Services	51	620	600	603
001-76-576-600-42 Communication	410	500	410	600
001-76-576-600-43 Travel	-	150	-	150
001-76-576-600-44 Advertising	324	300	400	300
001-76-576-600-45 Operating Rentals and Leases	180	2,000	2,500	2,000
001-76-576-600-47 Public Utility Service	16,641	16,300	16,938	35,300
001-76-576-600-48 Repair & Maintenance	6,008	8,000	1,884	9,500
001-76-576-600-49 Misc/Other Expense	17	200	30	200
001-76-576-601-49 Misc/Dues & Memberships	63	-	90	-
001-76-576-602-49 Misc/Trng, Registrations	24	200	-	200
001-76-576-600-64 Machinery & Equipment	2,501	3,800	2,978	-
001-76-576-600-95 Interfund Rental	5,400	5,400	5,400	5,400
001-76-597-501-00 Transfer Out - Vehicle R&M	15,214	15,500	19,275	20,000
TOTAL PARKS DEPARTMENT	\$ 135,620	\$ 141,714	\$ 135,676	\$ 161,472

2014 Proposed Staffing:

		2014 FTE	2014 Salary*	2014 Benefits*	2014 TTL Comp
Maintenance II	IBEW 16-E	0.49	\$ 29,085	\$ 12,530	\$ 41,614
Maintenance I	IBEW 12-E	0.48	\$ 22,962	\$ 9,442	\$ 32,405
Seasonal-Parks/Facilities	-	-	\$ -	\$ -	\$ -
		0.97	\$ 52,047	\$ 21,972	\$ 74,019

*Sal/Ben allocated to General Fund



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To: Mayor Perry and City Councilmembers
From: Public Works Director Neal
Date: April 7, 2014 Special Meeting
Re: 2014 Seasonal Workers

ATTACHMENTS:

TYPE OF ACTION:

Information Only Discussion Action Expenditure Required:

Recommendation/Action: “I move to authorize the hiring of 2 Seasonal Workers for Parks/Facilities, and 1 Seasonal Worker for the utility crew, with a budget adjustment accordingly.”

Fiscal Impact/Source of Funds: No Seasonal Workers were included in the 2014 adopted budget. Any authorization for Seasonal Workers this year will come out of ending fund balances.

Previous Council Review: N/A

Issue: Council needs to authorize additional expenditures if it wants to utilize Seasonal Workers during the upcoming summer months.

Discussion: In previous years, Seasonal Workers have been authorized for both the Parks/Facilities division, as well as the Street/Water/Storm crew. In Parks/Facilities, Seasonal Workers have assisted with mowing the parks, basic janitorial duties, and other manual labor as necessary. For the Street/Water/Storm crew, Seasonal Workers have been utilized for maintenance of ditches and storm ponds, as well as flaggers for watermain repair projects and small street improvements.

The total cost for one seasonal worker is approximately \$7,560. This is based on an hourly rate of \$13.00 and a total of 480 hours worked. These employees do not qualify for city-paid benefits, although the wages are subject to all mandatory payroll taxes.

The Parks/Facilities positions are charged 100% to the General Fund, whereas the utility seasonal are split equally between the Street, Water and Storm Funds (approx. \$2,520 to each fund).

**This item will be
posted as an
addendum to the
packet before
Monday morning,
April 7, 2014.**



To: Mayor Perry and City Council Members
From: Interim City Administrator Langford
Date: April 7, 2014
Re: **Nominating Representative to Pierce Transit for Fife/Milton/Edgewood**

ATTACHMENTS: Letter from Pierce Transit with Nomination Form

TYPE OF ACTION:

Information Only Discussion Action Expenditure Required:

Recommendation/Action: Move to nominate City of Edgewood Mayor Daryl Eiding as the Fife/Milton/Edgewood representative to the Pierce Transit Board of Commissioners, to fill an unexpired term through April 30, 2015.

Previous Council Review: On April 16, 2012, Council nominated Fife Councilmember Glenn Hull for the Pierce Transit Board of Commissioners. Councilmember Hull was the only nominee from the three cities. On May 7, 2012, Council voted to elect Councilmember Hull.

Issue: Mayor Hull recently resigned his position as Mayor of Fife with a cross-country relocation of his family. The Fife/Milton/Edgewood position is now vacant for the remainder of his term, to expire April 30, 2015. A ballot for nomination is due to the Pierce Transit Board of Commissioners by April 18, 2014, to be considered. Pierce Transit will then send out a ballot with the nominated names, and Pierce County Council will formally appoint the elected representative. The appointed representative will take his/her seat at the June 9, 2014 meeting of the Pierce Transit Board.

Discussion: The action before the Council is to formally nominate an elected official from Fife, Milton or Edgewood as the representative for the three cities. Edgewood Mayor Daryl Eiding has expressed interest in fulfilling this term.

A letter and ballot from Pierce Transit are attached.

March 20, 2014

Ms. Lisa Tylor
City of Milton
1000 Laurel St.
Milton, WA 98354

Dear Ms. Tylor:

The position on the Board of Commissioners for Pierce Transit, elected by the three cities of Fife, Milton and Edgewood within the Pierce Transit boundary, will become vacant effective March 10, 2014, due to the recent resignation of Glenn Hull, Mayor of Fife. The Board of Commissioners is requesting your cooperation in the nomination and selection of one representative to fill this position. The incumbent will fill an unexpired term that will expire April 30, 2015. Accordingly, we ask that you please present this item at your next Council meeting for action.

As information, the Pierce Transit Board meets the second Monday of each month at 4:00 PM at the Pierce Transit Training Facility, Rainier Conference Room, located at 3720 96th Street SW, Lakewood. In addition to special Board meetings that may occur from time to time, Board members may also have committee responsibilities that require additional meeting commitments.

1. If your council wishes to submit a nomination, the enclosed nomination form must be submitted to Deanne Jacobson, Pierce Transit Clerk of the Board, **no later than 5:00 PM on April 18, 2014.**
2. By April 8, 2014, a ballot listing the prospective nominees will be mailed to the three cities city councils. Your council will have until **5:00 PM on May 23, 2014**, to return your ballot to the Pierce Transit Clerk of the Board.
3. A certified copy of the council resolution or motion must accompany all ballots. The Clerk of the Board shall count the ballots and announce the results of the balloting to the Board of Commissioners. A plurality of ballots cast will determine the successful candidate.
4. In the event of a tie, the city and town councils will have an additional thirty days to reconsider. The ballot procedure will be repeated until a candidate is selected by a plurality of vote.
5. The successful candidate is anticipated to take his or her seat at the **June 9, 2014**, regular meeting of the Pierce Transit Board of Commissioners.

On behalf of Pierce Transit's Board of Commissioners, I wish to express my appreciation for your cooperation.

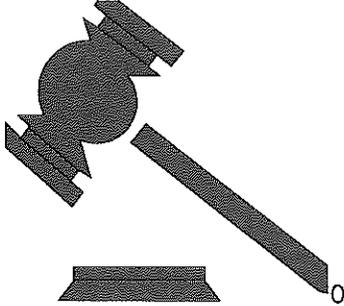
Sincerely,



Deanne Jacobson
Clerk of the Board

Enclosure

cc: Pierce Transit Board of Commissioners
Lynne Griffith, CEO



NOMINATION FORM

The city/town of *(insert name of your municipality)* _____

wishes to nominate Councilmember/Mayor *(insert nominee's name from your jurisdiction)*

_____ of the City of

(insert your municipality name here) _____ to serve as

a member of the Board of Commissioners for Pierce Transit who will represent the Cities of Fife, Milton and Edgewood and will fill an unexpired term that expires April 30, 2015. After all nominations are received, a final ballot listing all nominees will be distributed to the three cities and towns for final vote.

Date: _____

By: _____

Title: _____

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**Please return Nomination Form to Pierce Transit no later than
5:00 PM on April 18, 2014.
Djacobson@piercetransit.org**



To: Mayor Perry and City Council Members
From: Interim City Administrator Langford
Date: April 7, 2014
Re: **Surplus Property – Old office items**

ATTACHMENTS: Resolution

TYPE OF ACTION:

Information Only Discussion Action Expenditure Required:

Recommendation/Action: Move to approve the attached resolution declaring old office items to be surplus and authorizing the appropriate disposal of them.

Previous Council Review: None

Issue: Approval of a resolution declaring certain property to be surplus and authorizing its disposal in accordance with state law.

Discussion: The Police Department vacated their old office space in 2013, leaving behind several items of no use to them in their new space. Some will be repurposed within other city departments. Some is of no use to anyone and is targeted for disposal. What is useful can be either donated to goodwill or used to trade for items useful to Milton.

Milton Municipal Code 3.52.010(A)(7), allows that surplus personal property with an estimated cumulative value of \$20,000 or less can be sold or disposed of by the city administrator or mayor as they deem is in the best interest of the city. The estimated cumulative value of the items is less than \$20,000.

**CITY OF MILTON
RESOLUTION 14-1846**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF MILTON, WASHINGTON, DECLARING CERTAIN
PROPERTY AS SURPLUS AND AUTHORIZING ITS
DISPOSAL TO PUBLIC ENTITIES AND CHARITABLE
NON-PROFIT ORGANIZATIONS OR AS OTHERWISE
AVAILABLE UNDER LAW.**

WHEREAS, the City of Milton has office furniture that is damaged and/or no longer needed for use by the City; and

WHEREAS, because the property is damaged and/or could not be utilized by city departments, it would be appropriate to declare this property surplus and authorize its disposal, and,

WHEREAS, the surplus property is not usable to the city then it should be disposed of by appropriate means according to legally permissible methods.

NOW, THEREFORE, the City Council of the City of Milton, Washington does resolve as follows:

Section 1. That the items of property identified and described above, are declared to be surplus, and the Mayor or designee is authorized to dispose of such property in accordance with legally permissible methods.

Section 2. That this Resolution shall be in full force and effect upon passage and signatures hereon.

PASSED AND APPROVED by a vote of _____ for, _____ against, by the City Council of the City of Milton, Washington, at a regularly scheduled meeting thereof this 7th day of April, 2014.

Debra Perry, Mayor

Attest/Authenticated:

Katie Bolam, City Clerk

Back to Agenda Bill



To: Mayor Perry and City Council Members
From: Interim City Administrator Langford
Date: April 7, 2014
Re: **Council Meeting Schedule Change**

ATTACHMENTS: A. Proposed Ordinance

TYPE OF ACTION:

Information Only Discussion Action Expenditure Required:

Recommendation/Action: Move to approve the attached ordinance to change the City Council meeting schedules.

Previous Council Review: None.

Issue: Should Council meeting schedules be changed back to Regular Meetings on the 1st and 3rd Mondays of the month and Study Sessions on the 2nd Monday of the month at 7:00 p.m.

Discussion: As a cost-saving measure, on September 10, 2012, Council voted to change the City Council meeting schedule to hold study sessions on the 1st Monday of the month and the regular meetings on the 2nd and 3rd Mondays.

It is no longer a cost-saving measure, and it is more efficient for city business to hold the study session in between the two regular meetings.

If Council approves a change, it would become effective on May 1, 2014.

ORDINANCE NO. 1839-14

**AN ORDINANCE OF THE CITY OF MILTON, WASHINGTON,
AMENDING CHAPTER 2.04 OF THE MILTON MUNICIPAL CODE TO
AMEND CITY COUNCIL MEETING DATES AND TIMES, PROVIDING
FOR SEVERABILITY AND AN EFFECTIVE DATE.**

WHEREAS, Milton Municipal Code 2.04 sets the City Council meeting dates and times,
and,

WHEREAS, the City Council desires to change the meeting dates and times.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MILTON, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. Section 2.04.010 is amended to read as follows:

2.04.010 Regular meetings.

A. The regular meetings of the council shall be held the first and third Mondays of each month all to begin at 7:00 p.m. at the City Hall; provided, that if a holiday falls on a regular meeting night, the meeting shall be held on the Tuesday following unless said Tuesday is a holiday; provided further, that special meetings may be called at any time pursuant to the laws of the state.

B. A regular study session meeting of the council shall be held on the second Monday each month to begin at 7:00 p.m. at the City Hall; provided, that if a holiday falls on a regular study session meeting night, the meeting shall be held on the Tuesday following unless said Tuesday is a holiday.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Publication. This ordinance shall be published by an approved summary consisting of the title.

Section 4. Effective Date. This ordinance shall become effective and be in full force on May 1, 2014, but no earlier than five (5) days after passage, approval, and publication as provided by law.

PASSED by the Council and approved by the Mayor of the City of Milton, this 7th day of April, 2014.

CITY OF MILTON

Mayor Debra Perry

ATTEST/AUTHENTICATED:

Katie Bolam, City Clerk

APPROVED AS TO FORM:

Bio Park, City Attorney

[Back to Agenda Bill](#)



To: Mayor Perry and City Councilmembers
From: Chris Larson, Contract Associate Planner
Date: April 7th, 2014 Special Session
Re: **Short Plat frontage improvements – Code Amendment**

ATTACHMENTS: A – Proposed Ordinance

TYPE OF ACTION:

Information Only Discussion Action Expenditure Required

Recommendation/Action: No action is necessary at this time.

Fiscal Impact/Source of Funds: This was part of the Planning Commission’s 2012 work plan. No additional funds will be expended on this item after adoption of this ordinance.

Previous Council Review: The Council has not previously reviewed this item.

Background: The Planning Commission reviewed this in early 2012 and made a recommendation of approval (6/1) at their June 27th, 2012 meeting.

Subdivisions (creating 5 lots or more) are regulated by state law. Short plats (creating 4 lots or less) are not regulated by state law; leaving cities free to adopt their own process for approving a short plat. Currently the City’s short plat process has a preliminary and final short plat approval, similar to the state mandated subdivision procedures found in RCW 58.17.

This process requires that a “preliminary short plat approval” is obtained which identifies the general layout of the lots and the type of improvements required. This is followed by installing or guaranteeing the installation of improvements (curb, gutter, sidewalk, storm etc). Once the improvements are addressed a “final short plat” can be issued, which is the document that is recorded with the County and actually creates the new lots.

This creates an issue where a single family property owner, who wants to create 1 additional lot to sell, may be required to install costly improvements or obtain a bond for 150% of the cost of the improvements, in order to create an additional lot. The bond will need to stay in place until the improvements are completed; in some scenarios this would be upwards of 5+ years.

Amending the short plat code as proposed, would transfer the cost burden and responsibility to install the improvements, to the person who benefits from development of the newly created lot.

Discussion:

The proposed amendment is in relation to timing of installing frontage improvements associated with a short plat. The proposed amendment is NOT amending what TYPE of frontage improvements need to be installed, only WHEN said improvements need to be installed: effectively allowing the frontage improvement requirement to be deferred to the end of the process, immediately before issuance of a Certificate of Occupancy.

The type and extent of frontage improvements that need to be installed are defined in MMC Section 12.24, and are NOT being amended with this ordinance.

In order to provide applicants with a timely and cost effective way of short platting the City has been utilizing a note on the face of the short plat to meet the standard of “guaranteeing” the improvements will be completed. This meets the requirements for “Performance Guarantees” required in the subdivision code, if the applicant wishes to receive final short plat prior to installation of improvements. The proposed amendment clearly spells this out as the process for improvements associated with short plats. This is consistent with the way short plats are handled in a number of Cities.

**CITY OF MILTON
ORDINANCE ____-14**

**AN ORDINANCE OF THE CITY OF MILTON,
WASHINGTON; AMENDING SECTION 16.28
RELATED TO SHORT PLAT IMPROVEMENTS;
PROVIDING FOR SEVERABILITY; AND
ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, the City of Milton Planning Commission met in regular session on April 25th, May 23rd, and June 27th to discuss a package of proposed amendments; and

WHEREAS, a Determination of Nonsignificance was issued for the amendments on June 11th, 2012; and

WHEREAS, the Planning Commission held a public hearing on June 27th, 2012 to receive public input on the proposed amendments; and

WHEREAS, the Planning Commission made a 6/1 recommendation to approve the proposed amendments to the short plat code;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MILTON,
WASHINGTON DO ORDAIN AS FOLLOWS:**

Section 1. Findings. The above recitals are hereby adopted by reference as legislative findings in support of this ordinance. The City Council further enters the following additional findings:

A. The code amendments set forth herein bear a substantial relation to the public health, safety and welfare.

B. The code amendments set forth herein are in the best interest of City of Milton residents.

C. The code amendments set forth herein satisfy all relevant criteria for approval and adoption.

D. The zoning code amendments set forth herein have been processed, reviewed, considered and adopted in material compliance with all applicable state and local procedural requirements, including but not limited to the requirements codified in and Chapter 36.70A RCW and Chapter 35A.63 RCW.

E. All relevant procedural requirements of the State Environmental Policy Act have been satisfied with respect to this ordinance.

Section 2. Section 16.28 of the Milton Municipal Code is hereby amended as follows

Chapter 16.28

SHORT SUBDIVISIONS

Sections:

- 16.28.010 Scope.
- 16.28.020 Number of parcels permitted.
- 16.28.040 Further division unauthorized within five years.
- 16.28.050 Permit decision and approval processes.
- 16.28.070 Filing – Required contents.
- 16.28.110 Access requirements.
- ~~16.28.120 Pedestrian safety requirements.~~
- 16.28.130 Future street reservations.
- 16.28.140 Access required.
- 16.28.150 Access standards for short plats.
- 16.28.160 Lot shape – Avoidance of irregular lot shapes.
- 16.28.165 Easement requirements.
- 16.28.170 Utility review.
- 16.28.175 Buildable site required.
- ~~16.28.178 Preliminary short plat approval criteria.~~
- ~~16.28.180 Engineering approval for a short plat or subdivision.~~ Deferral of short subdivision improvements.
- 16.28.200 Approval criteria for a ~~final~~ short plat.
- 16.28.210 Report of decisions.

16.28.010 Scope.

Every short plat or short subdivision shall comply with the provisions of this chapter and the provisions of Chapter 16.04 MMC (General Provisions).

16.28.020 Number of parcels permitted.

Every short plat or short subdivision shall consist only of one to four parcels, lots or tracts of land which are divided from the original tract now proposed to be sold or leased.

16.28.040 Further division unauthorized within five years.

The land within a short subdivision may not be further divided in any manner within a period of five years without the filing of a final plat, except that when the short plat contains fewer than four parcels, nothing in this section shall prevent the owner who filed the short plat from filing an alteration within the five-year period to create up to a total of four lots within the original short plat boundaries.

16.28.050 Permit decision and approval processes.

The subdivider should consult early and informally with the land use administrator and his/her technical staff for advice and assistance before preparation of a ~~preliminary short plat and its formal application for approval~~. A preapplication conference is highly encouraged but not mandated.

~~This~~ The application for a short plat shall be decided by the director of planning and community development using a Process Type III decision (Chapter 17.71 MMC).

~~The procedure for review and approval of a subdivision plat usually consists of two steps and an optional third step, but also can be rolled up and combined into a single step if desired by the applicant.~~

~~The initial step is the preparation and submission of an application for a preliminary short plat.~~

~~The optional step is preparation and submittal of civil engineering drawings for the construction of the short plat. This step may be combined with the preliminary short plat thus making it optional. If filed separately, the application for civil engineering is decided upon by the public works director using Process Type I (Chapter 17.71 MMC). The improvements must be constructed or securities must be established prior to issuance of final short plat.~~

~~The final step is the preparation and submission of an application for a final short plat. The final short plat is also decided upon by the director of planning and community development as a Process Type I decision (Chapter 17.71 MMC). This final plat becomes the instrument to be recorded in the office of the county auditor when duly signed by the officials as set forth in this title.~~

~~If the applicant desires to combine the decisions into one process, then all needed parts shall be submitted at the initiation of the application, and the decision on the short plat will be made by the director of planning and community development using Process Type III (Chapter 17.71 MMC).~~

No short plat or a short subdivision of land within the city shall be filed or recorded by the auditor of Pierce/King County without the approval of the final short plat by the land use administrator as specified in this title.

16.28.070 Filing – Required contents.

The applicant shall provide application materials as required in Chapter 17.70 MMC (Application Requirements).

16.28.110 Access requirements.

A. The proposed short plat shall be reviewed by the land use administrator for adequate ingress and egress to all proposed lots. Extension of streets or access rights from the

property line to property line of the short subdivision land may be required in order that such street access may be extended in the future.

B. If there is other reasonable access available, the land use administrator may limit the location of direct access to city arterial or other city streets.

C. A right-of-way which is proposed to be dedicated to the city shall not be so dedicated unless it meets city standards, or city standards with an approved deviation.

D. When an adjoining landowner will be obligated to construct or maintain a future road, a note to this effect shall be stated on the face of the short plat.

~~16.28.120 Pedestrian safety requirements.~~

~~As a condition of short plat approval, the planning and community development director or his/her designee is required to make a finding that appropriate provisions are made for considering sidewalks and other planning features that assure safe walking conditions for those who walk to and from school. The planning and community development director or his/her designee shall have the authority to condition approval on the provision of pedestrian safety requirements.~~

16.28.130 Future street reservations.

Where a city street or arterial may be or is being planned for the short subdivision land area, the planning and community development director or his/her designee may require that a right-of-way up to 60 feet in width be reserved for a future street.

16.28.140 Access required.

Each lot shall have direct access to a public street or shall be served by an access corridor such as a private street, tract, access easement or panhandle having direct access to a public street.

16.28.150 Access standards for short plats.

Private streets, access corridors, tracts and panhandles may be approved by the land use administrator, upon concurrence by the city engineer and fire marshal.

A. The minimum width for a panhandle, an access tract or an access corridor serving one or two lots shall be 20 feet with a minimum pavement width of 14 feet unless the access is needed for a fire lane. If the access is needed for a fire lane, a minimum width of 30 feet with a minimum pavement width of 20 feet is required. The minimum width of an access tract or corridor that serves three or four lots shall be 30 feet with a minimum pavement width of 20 feet. No parking shall be permitted within a panhandle, access tract, access corridor or fire lane.

B. Access corridors up to 150 feet in length do not require a turn-around. Access corridors 20 feet wide and more than 150 but less than 500 feet in length shall provide a dedicated turn-around as described in IFC Appendix D Table D103.4. Access corridors more than 500 feet in length up to 750 feet in length shall be 30 feet in width, and shall provide a dedicated turn-around as described in IFC Appendix D Table D103.4. Access corridors more than 750 feet in length shall be subject to approval of the fire marshal. The length of the access corridor shall be measured along the center line of the access from the edge of the public right-of-way to the nearest lot line of the most distant lot.

C. Greater width may be required at the discretion of the land use administrator, with the concurrence of the city engineer and/or fire marshal, to address the need for such items as parking, drainage, or emergency access. Lesser width may be allowed on 30-foot-wide access corridors at the discretion of the land use administrator, with the concurrence of the city engineer and/or fire marshal, to address constraints such as critical areas or existing parcel boundaries.

D. The access corridor shall be included in the density calculation but shall not be included as part of a lot in determining the applicable bulk and dimensional regulations set forth in Chapters 17.15A and 17.15B MMC.

E. All short plats containing access corridors in private ownership shall record with the short plat such joint access easements, utility easements, emergency access easements, and covenants establishing a means for assessing maintenance costs and an organization for ensuring ongoing maintenance subject to approval of the land use administrator. Such covenants or documents shall obligate any seller to give written notice to any prospective purchaser of the annual cost and method of maintenance of the private access corridor.

F. Access corridors serving more than two lots shall have official city street designations and addresses; provided, that the private nature shall also be indicated by a street sign.

G. Access corridors shall be separated from other access corridors by at least one required minimum lot width.

16.28.160 Lot shape – Avoidance of irregular lot shapes.

All lots created by the short subdivision that have five or more corners shall require approval of the shape of the lot by the land use administrator prior to approval of the short plat. The land use administrator shall base the approval on whether the lot shape is necessary or desirable due to factors including, but not limited to, critical areas, topography, natural features, street layouts, access, or existing parcel boundaries. The land use administrator may deny the creation of lots with five or more corners if the primary purpose of the lot shape is to meet minimum lot size or dimension requirements.

16.28.165 Easement requirements.

A. Existing, legal easements less than the minimum required width may be allowed to remain; however, additional lots shall not be served by such existing easement unless widened to the minimum required width.

B. Easements shall be granted to assure that land within each short subdivision is adequately drained, and that all lots can be provided with water, fire protection, and utilities.

16.28.170 Utility review.

A. Drainage. The proposed short plat shall be reviewed for adequate drainage facilities. Requirements for any future necessary facilities which may depend upon the use of the land shall be stated on the face of the short plat.

B. Sewers. The proposed short plat shall be reviewed for sewer. No construction shall occur on any lot unless it is connected to a public sewer system. If known local conditions exist which may affect future building sites, these conditions shall be stated on the face of the short plat.

C. Water Supply and Fire Protection. The proposed plat shall be reviewed for potential adequacy of water supply and fire protection.

D. Subsections A, B and C of this section shall not be considered as criteria for which a short plat may be denied, but may be considered as criteria for which a building permit may be denied.

16.28.175 Buildable site required.

A. Feasibility for Building Sites. Areas which are known or suspected to be poor building sites because of geological hazard, flooding, poor drainage or swamp conditions, mud slides or avalanche shall be noted on the face of the short plat.

~~16.28.178 Preliminary short plat approval criteria.~~

~~At the option of the applicant, an approval of a preliminary short plat may be sought. Alternatively, the applicant may seek direct approval of a final short plat, wherein this step will be covered but shall not slow down the process of approval for the final short plat. The direct approval process shall be known as a "combined short plat."~~

~~Approval of a preliminary short plat shall not constitute approval of the final short plat; rather, it shall be deemed an expression of approval to the layout submitted on the preliminary short plat as a guide to the preparation of the final short plat. In addition to satisfying the criteria identified in Chapter 16.04 MMC (General Provisions), the preliminary short plat shall comply with the following:~~

~~A. The granting of the proposed permit will not be injurious to the uses, planned uses, property, or improvements adjacent to and in the vicinity of the site upon which the proposed plat is to be located.~~

~~B. The proposal is consistent and compatible with the intent of the goals, objectives and policies of the city's comprehensive plan.~~

~~C. The proposal must protect adjacent properties, the vicinity, and the public health, safety, and welfare of the community. To accomplish this, the applicant must mitigate any hazardous conditions introduced to the site.~~

~~D. Adequate public facilities and services must support the short plat or subdivision. The city may impose reasonable conditions to ensure the use does not adversely affect those facilities or services.~~

~~E. The applicant must demonstrate the availability of public services necessary for the support of the proposal to the land use administrator. These may include, but shall not be limited to, availability of utilities and transportation systems (including vehicular, pedestrian and public transportation systems). The city may impose conditions to ensure the use does not adversely affect those facilities or services.~~

~~F. Provision of fire hydrants must conform to the requirements of any applicable public works development standards and regulations.~~

~~G. The proposed plat or subdivision must, at a minimum, meet the following requirements, as applicable:~~

~~1. The site conforms to Chapters 17.15A, 17.15B and 17.15C MMC for all lots.~~

~~2. The applicant has paid all applicable fees.~~

16.28.180 Engineering approval for a short plat or subdivision. Deferral of short subdivision improvements

The land use administrator may authorize the deferral of the completion of any required short subdivision improvements up to the issuance of building permits to the extent that the deferral does not adversely affect the functionality of the improvements. The public works director may require a performance guaranty as authorized by MMC 16.04.050 as a condition of deferring any short subdivision improvements. If the completion of any improvements is deferred beyond the filing of the final short plat, a note shall be placed on the final short plat identifying the deferred improvements and the obligations of the property owner to complete them.

~~The procedure for review and approval of a short plat includes an optional step for submission of civil engineering drawings for approval by the city. This step may be combined with the preliminary plat thus making it optional. The application for civil~~

engineering is decided upon by the public works director through Process Type I (Chapter 17.71 MMC).

~~A. Adequate public facilities and services must support the use.~~

~~1. On-site drainage shall conform to Chapter 13.26 MMC (Storm Drainage of Surface Water—Utility, Management and Maintenance) and the applicable public works development standards and regulations—and all best management practices for grading erosion control.~~

~~2. The proposal meets all adopted city standards for: water connection and distribution including fire standards conditioned on the preliminary short plat; streets including frontage, drainage gutters, drainage improvements, curbs, planting strips, and sidewalk; sewers to applicable standards; dry utilities; and planting and landscaping including irrigation.~~

~~3. The proposal meets all requirements imposed through conditions on the preliminary short plat necessary for the support of the proposed short plat. These may include off-site improvements to the utilities, transportation systems (including vehicular, pedestrian and public transportation systems), education, and police and fire facilities. The public works director shall review all utilities design and installation against the applicable development regulations and the public works development standards and regulations.~~

~~B. The city is able to monitor and enforce all conditions of approval and all inspections necessary to lessen any impacts of the proposed construction. The applicant may propose privately funded special inspectors from the city's approved list for this purpose.~~

16.28.200 Approval criteria for a **final short plat.**

~~The final step is the preparation and submission of an application for a final short plat. A separate final short plat is decided upon by the director of planning and community development as a Process Type I decision (Chapter 17.71 MMC). This final short plat becomes the instrument to be recorded in the office of the county auditor when duly signed by the officials as set forth in this title. No short plat or subdivision of land within the city shall be filed or recorded by the auditor of Pierce/King County without the approval of the **final** short plat by the land use administrator as specified in this title. The short plat shall comply with the following provisions:~~

~~A. All the conditions of approval of the preliminary short plat are met to the satisfaction of the director of planning and community development.~~

~~**A.** Monuments. Monuments shall conform to American Public Works Association (APWA) Standards and the City of Milton Public Works Development Guidelines and Standards. The applicant must set monuments at all street corners, at all points where the street lines intersect the exterior boundaries of the subdivision, and at angle points and points of curve in each street. The applicant shall install all monuments with the finished~~

~~grade. All surveys shall have an accuracy such that no error of closure exceeds one foot in 5,000 feet. The city encourages the use of state plan coordinates.~~

B. The granting of the proposed permit will not be injurious to the uses, planned uses, property, or improvements adjacent to, and in the vicinity of the site upon which the proposed short plat is to be located.

C. The proposal is consistent and compatible with the intent of the goal, objectives, and policies of the City Comprehensive Plan.

D. The proposal meets the criteria of MMC 16.04.040.

~~E.~~ E. Covenants. Any covenants required must be to the satisfaction of the land use administrator.

~~F.~~ F. The applicant has recorded documents for the provision of any required deed, dedication, and/or easements ~~or such recording is made a condition of approval~~with the recording number on the face of the plat.

~~G.~~ G. The applicant shall record a native growth protection area per MMC 18.16.170 and 18.16.180 for all critical areas the city has required the applicant to reserve on the plat.

~~H.~~ H. The land use administrator must certify the plan for filing before it is filed with the county auditor. The applicant must return a copy of the recorded instrument to the planning and community development department prior to the issuance of any building permits for construction within the site. The applicant shall pay all costs associated with this filing.

J. Provisions of fire hydrants must conform to the requirements of any applicable Public Works Development Standards and Regulations.

K. The proposed plat or subdivision must, at a minimum, meet the following requirements, as applicable:

1. The site conforms to Chapters 17.15A, 17.15B and 17.15C MMC for all lots.

2. The applicant has paid all applicable fees.

3. All applicable provisions of the Milton Municipal Code.

L. The Land Use ~~Adminstrator~~Administrator is authorized to ~~improse~~impose conditions necessary to ensure compliance with the requirements of this section.

16.28.210 Report of decisions.

The planning and community development director or his/her designee shall provide regular reports to the planning commission and the city council on decisions issued pursuant to this chapter.

Section 10. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by State or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 11. Copy to Department of Commerce. Pursuant to RCW 36.70A.106, the City Clerk is hereby authorized and directed to forward a copy of this ordinance to the Department of Community, Trade and Economic Development.

Section 12. Effective Date. This Ordinance shall take effect and be in full force 5 days after its publication.

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PASSED AND APPROVED by the City Council of the City of Milton, Washington, at a regularly scheduled meeting this __ day of _____, 2014.

CITY OF MILTON

Debra Perry, Mayor

ATTEST/AUTHENTICATED:

Katie Bolam, City Clerk

Approved as to form:

Bio Park, City Attorney

[Back to Agenda Bill](#)

Date of Publication: _____

Effective Date: _____



To: Mayor Perry and City Councilmembers
From: Public Works Director Neal
Date: April 7, 2014 Special Meeting
Re: **Substandard Lots Code Amendment - Clarification**

ATTACHMENTS: A. Council Minutes 2/3/2014 and 2/18/2014 (Excerpts)
B. Plan view sketches

TYPE OF ACTION:

Information Only Discussion Action Expenditure Required:

Recommendation/Action: Further Council direction is requested.

Fiscal Impact: N/A

Previous Council Review: Original discussion on proposed code amendment occurred on February 3, 2014. Council adopted an Ordinance for various code amendments, after deleting the section on substandard lots, on February 18, 2014.

Issue: The Mayor is seeking clarification on Council direction regarding the proposed substandard lots code amendment.

Background: In 2012, the Planning Commission reviewed a list of Code Amendments that were presented by staff. Since late 2009 staff had been keeping a list of various code provisions that needed amendment in order to fit with the rest of the code and meet state law. One of the proposed code amendments would allow construction of buildings on substandard lots, if they meet all code requirements applicable to their development. The Planning Commission moved to recommend approval of an ordinance, which included substandard lots, at their June 2012 meeting by a vote of 6-1.

Discussion: Currently, substandard lots can be built on only if the lot was owned by someone other than the adjoining property owners at the time the regulation making the lot substandard was adopted. As it relates to this section of the code, this would be the date the minimum lot size regulation was adopted. The proposed code amendment considered by Council in February 2014 would have allowed construction of buildings on substandard lots as long as they meet all code requirements applicable to their development.

Councilmember discussion and objection to the proposed substandard lot code amendment included concerns over whether such development would fit in with “the neighborhood character”. To clarify, the proposed amendment is simply whether a smaller lot can be built upon – it would still need the same size front yard, back yard, and side

yards as any other lot in the City, it would still need to meet the same stormwater requirements, utility requirements, etc. A larger than standard lot can have a home built on it that doesn't meet "the neighborhood character" currently – this is a separate topic from substandard lots.

With the current Comprehensive Plan Update effort in their work plan, the earliest that the Planning Commission would be available to re-examine the issue of substandard lots is mid-2015. As the City Attorney noted at the February 18th meeting, the Council must eventually provide reasonable procedures for land use to landowners regarding substandard lots.

Thoughts to consider:

1. No new substandard lots can be created through the City's development process, so the only substandard lots that would be built upon would be already existing substandard lots.
2. A house out of character with the rest of the neighborhood can be built now on a standard size lot, or even a larger than standard size lot. This is a separate issue from the question of substandard lots.
3. There is no maximum lot coverage in the residential zone. A developer can use the entire potential building site (as defined by the setbacks).
4. The City has already received one variance request for allowing building on a substandard lot.
5. The earliest the Planning Commission could work on this issue is mid-2015, more than a year from now.

February 3, 2014 Council Minutes (excerpt):

Substandard Lots: Whether lots that do not meet the minimum lot size be allowed to develop if all other regulations such as setback, heights, etc. were met. Council discussions included concerns about whether the building on these lots would fit with the neighborhood character, should the Planning Commission be asked to look at design guidelines in 2015 to ensure such fit, and whether it's fair to not allow an owner of a substandard lot to build on the property they own. Staff will bring a map of the city showing the substandard lots.

February 18, 2014 Council Minutes (excerpt):

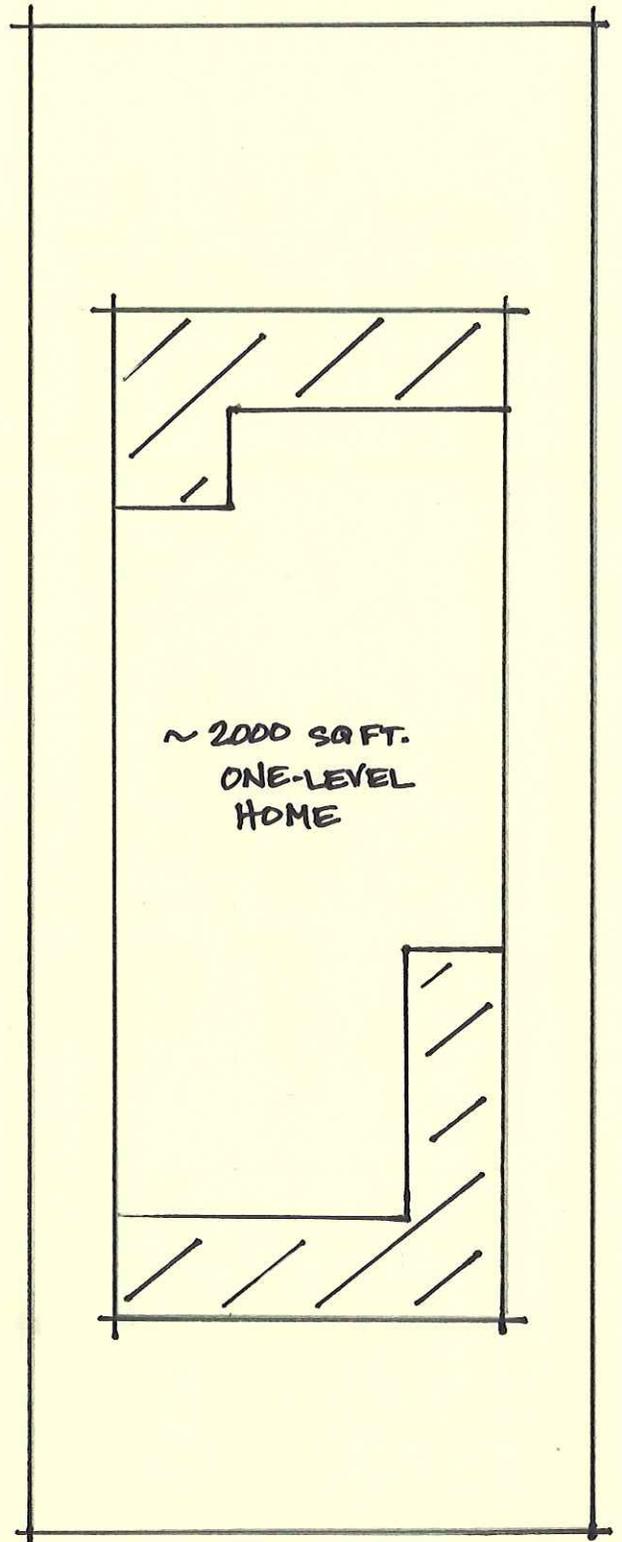
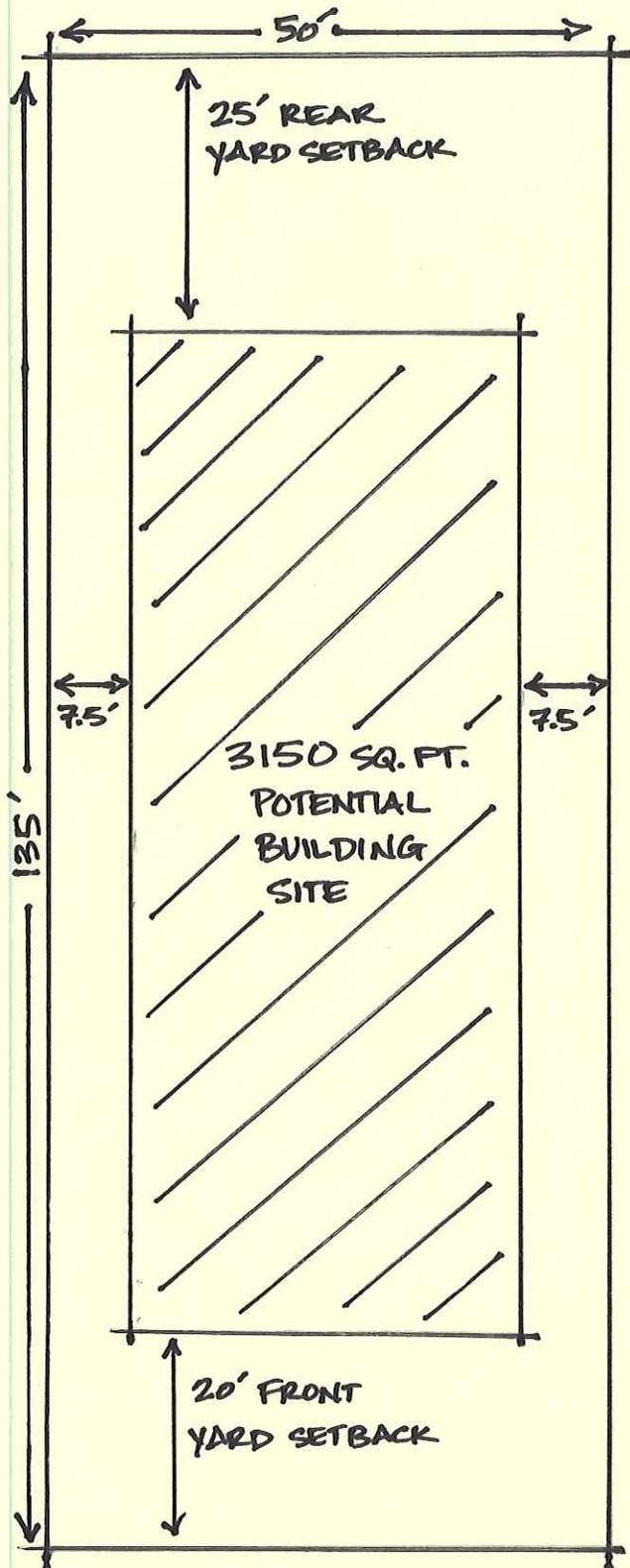
Councilmembers discussed substandard lots at length, referring to the map provided in the packet. Mayor Pro Tem Taylor said the Council understands the position of the citizen who wrote the letter regarding this, but said this proposal would be a disservice to other citizens.

Director Neal clarified that this proposed language is only about substandard lot size, not about the design or character – that's a separate issue.

Attorney Park stated that Council must eventually provide reasonable procedure for land use to landowners regarding substandard lots.

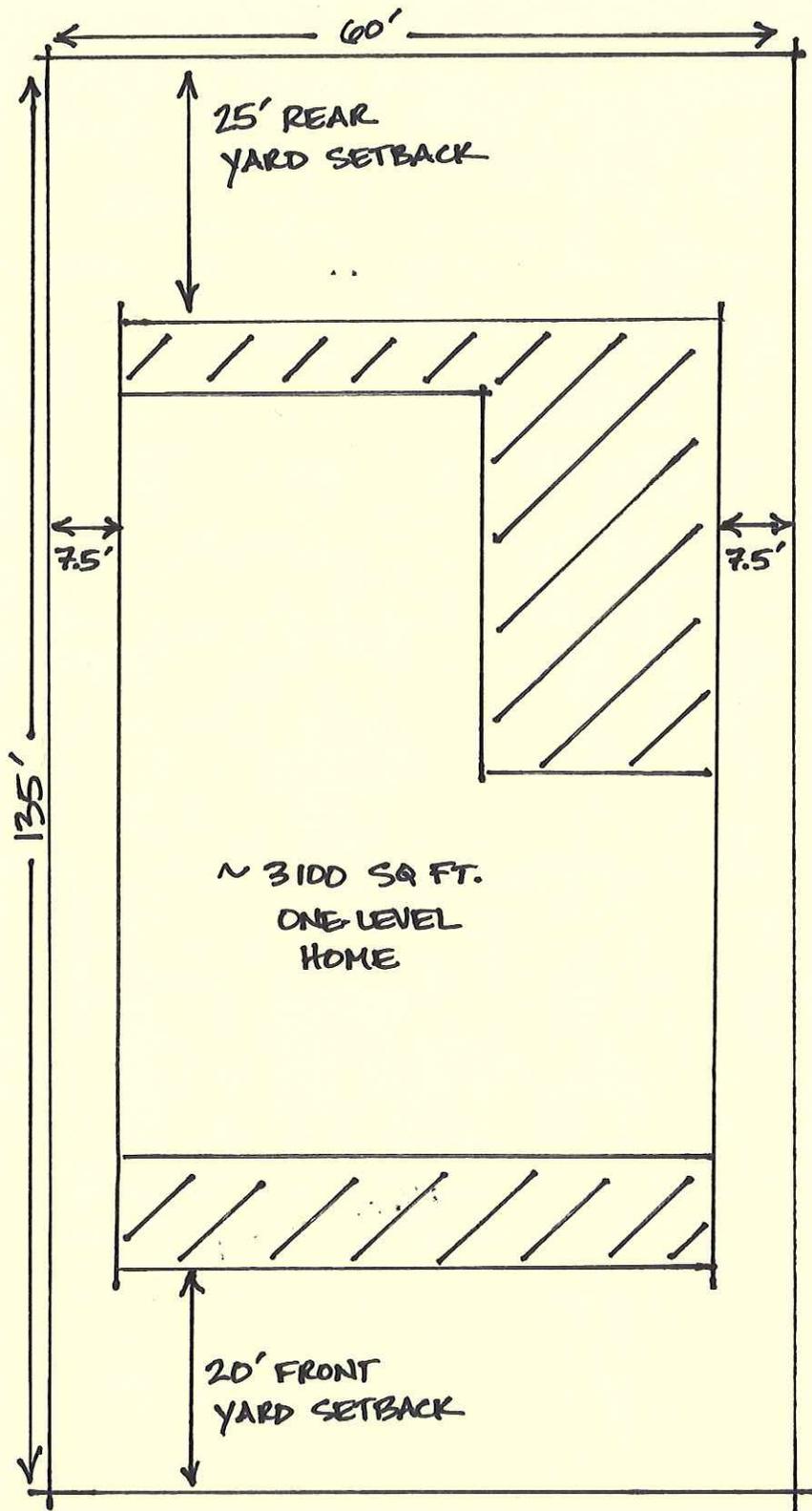
Councilmember Whalen moved, seconded to Councilmember Ott, to amend the motion to remove Section 7 from the proposed ordinance – **passed 5/0**.

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RESIDENTIAL ZONE
 SUBSTANDARD LOT
 ~ 6750 SQ. FT.

* NOT TO SCALE



RESIDENTIAL ZONE
STANDARD LOT

~ 8100 SQ. FT.

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* NOT TO SCALE



To: Mayor Perry and City Councilmembers
From: Public Works Director Neal
Date: April 7, 2014 Special Session
Re: **Street Vacation Petition**

ATTACHMENTS: A. **March 6, 2014 street vacation petition letter**
B. **Copy of MMC 12.06, "Street or Alley Vacation"**
C. **Appraisal Summary**

TYPE OF ACTION:

Information Only Discussion Action Expenditure Required:

Recommendation/Action:

No action is necessary at this time. Staff will bring back a resolution to fix a time for the petition to be acted upon.

Fiscal Impact/Source of Funds: According to the Milton Municipal Code, the landowners are required to pay ½ of the appraised amount, unless waived by the Council. In addition, the petitioners have already paid the \$250 filing fee to cover the administrative cost of the City in considering their petition.

Previous Council Review: N/A

Issue: The City has received a petition to vacate existing street right-of-way.

Discussion: According to MMC 12.06 (Attachment B), the owners of any property immediately adjacent to public right of way can petition for vacation of that right of way. In this case, Stan and Evelyn Whitford are requesting a street vacation for a portion of undeveloped right of way for 16th Street, immediately north of Yuma Street (their letter formally petitioning for the street vacation is included as Attachment A).

The Whitfords have submitted an appraisal of the area to be vacated, per MMC 12.06.030 (appraisal summary is included as Attachment C, the full appraisal is available for review at the Public Works office). According to their appraisal, the land is valued at \$4.00 per square foot. The total area to be vacated is 7,610 square feet, making total value \$30,400. Unless Council waives the requirement, the petitioners will be required to pay half of the appraised value to the City: \$15,200.

March 06, 2014

City Council
Milton City Hall
1000 Laurel Street
Milton, WA 98354

RECEIVED

MAR 11 2014

City of Milton
Public Works

RE: 2412 – 15TH Street, Milton, WA

SUBJECT: Street Vacation Petition

We are Stan and Evelyn Whitford. We are the owners of the property located at 2412 15th Street. We have lived at this address since we built our home in the 1950's. As noted in the accompanying Appraisal Report we have been providing some maintenance on a piece of right of way along the east edge of our property. We have become accustomed to the privacy it provides. At this time we wish to make its use and convenience a permanent part of our property by petitioning for a street vacation.

Per Chapter 12.06 of the Milton Municipal Code as owners of the adjoining property we are petitioning to have an undeveloped portion of 16th Street vacated. The legal description of the property we wish to be vacated is as follows:

That portion of 16th Avenue (5th Ave) being 30.00 feet in width, abutting Lots 2 and 4, Block 25, Plat of Darling's Second Addition to Milton as recorded In Volume 9 of Plats at page 82, Records of Pierce County, Washington; except the north 75.00 feet thereof.

All situated in the NW ¼ of the NW ¼ of Section 9, Township 20 north, Range 4 east; W.M. Pierce County, Washington

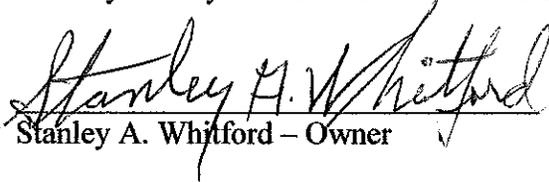
In addition to the accompanying Appraisal Report we have attached a site map and an aerial view showing the location of this piece of property as described by the above legal description.

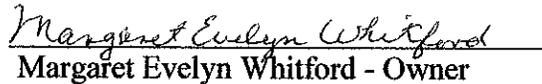
This entire 30 foot wide pierce of property is located within the city limits of Milton. The east edge of this property borders with the City of Edgewood. No right of way for development of a road currently exists in the City of Edgewood along this piece of property. The properties located in the City of Edgewood adjoining the east side of the property to be vacated contain residences at least one of which appears to be situated less than 30 feet from its west property line, and thereby limiting installation of a full width road way.

The south side of this property terminates at Yuma Street. As seen in the right hand photograph on Page 8 of the accompanying Appraisal Report, the grade of the property is several feet higher where it meets Yuma Street. To extend 16th Avenue to Yuma Street could create an intersection having safety issues both for this grade change and potential sight-line issues caused by the nearness the top of the hill on Yuma Street. To extend 16th Avenue to Yuma Street, even as a minor street would require the removal of the existing shrubs and trees that provide privacy by acting as a visual barrier between the residences in Edgewood and our property.

We are petitioning for all of this property as the only owners in the City of Milton that have property adjoining it. As noted above other properties adjoining this property are located in the City of Edgewood and have in effect already received their half if the right of way for 16th Avenue had been the full 60 feet in width.

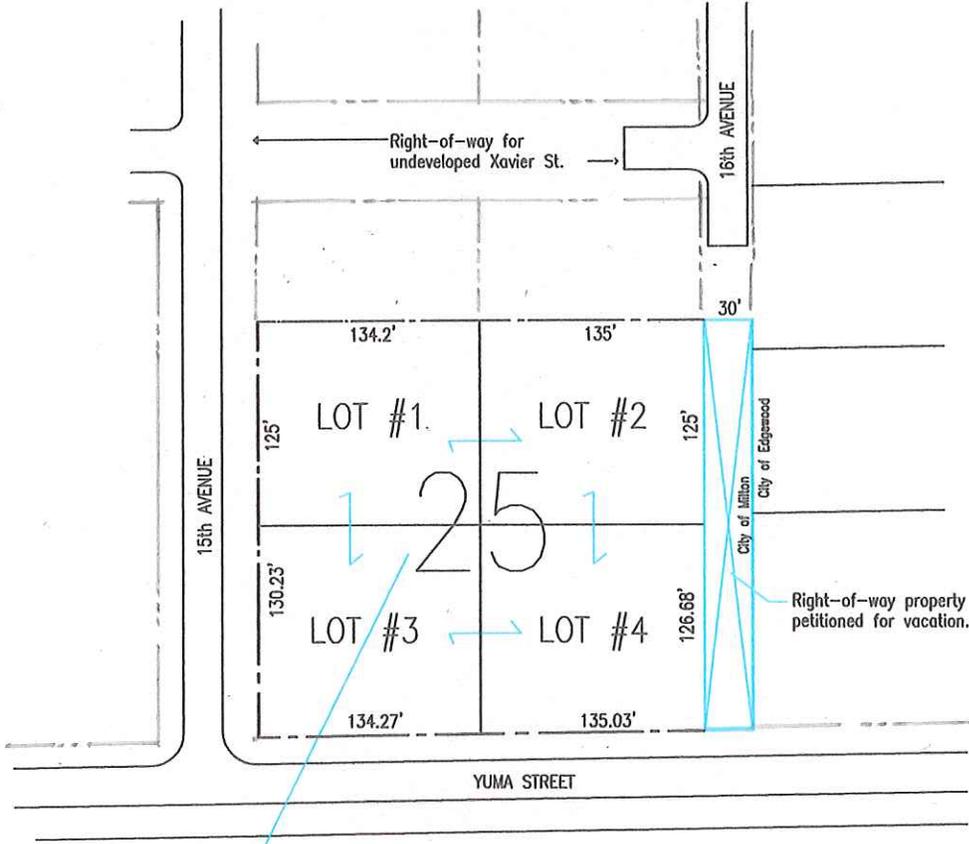
Thank you for your time and consideration.


Stanley A. Whitford – Owner


Margaret Evelyn Whitford - Owner

Attachments:

Site Map
Appraisal Report



Site Address: 2412 15th Ave
Milton, WA 98354-9149

Parcel Number: 3390200781



SITE PLAN

Chapter 12.06

STREET OR ALLEY VACATION

Sections:

- 12.06.010** Initiation.
- 12.06.020** Notice of hearing.
- 12.06.030** Compensation.
- 12.06.040** Filing fee.

12.06.010 Initiation.

The owners of any interest in real estate abutting upon any street or alley within the city who may desire to vacate the street or alley, or any part thereof, may petition the council to make vacation, giving the legal description of the property to be vacated, or the council may initiate the vacation procedure by resolution. Petitions shall be filed with the clerk and, if the petition is signed by the owners of more than two-thirds of the property abutting upon the portion of the street or alley sought to be vacated, the council, by resolution, shall fix a time when the petition will be heard by council or a committee thereof, which time shall not be more than 60 days, or less than 20 days, after the date of passage of the resolution. (Ord. 929 § 1, 1983).

12.06.020 Notice of hearing.

Upon the passage of the resolution, the clerk shall give notice as described by RCW 35.79.020. (Ord. 929 § 2, 1983).

12.06.030 Compensation.

A. Whenever a petition is filed to vacate a street or alley or if the council initiates such vacation by resolution, the council shall require the abutting landowners to compensate the city in an amount which equals one-half of the appraised value of the area vacated; provided, that when the council deems it to be in the best interest of the city, all or any portion of the compensation may be waived.

B. In all instances where compensation for the vacated right-of-way is provided, an appraisal of the right-of-way proposed for vacation shall be made prior to submittal of

petition. The appraisal shall be made by a licensed certified appraiser. All appraisals shall be paid for by the petitioner.

C. A copy of the appraisal of the area to be vacated shall be submitted along with the petition. The petitioner shall pay one-half of the appraisal amount. All petitioners shall pay their proportionate amount by the percentage of land they shall acquire with the street or alley vacation. Payment shall be made within 90 days of petition being received at the administration office. Upon written notice that the deposit has been made or provided for and all other conditions of the vacation have been met or provided for, the council will consider the vacation ordinance at final reading. Vacation proceedings shall be abandoned in the event that the petitioner or petitioners fail to make any compensation within the time limit as provided in this section. (Ord. 929 § 3, 1983).

12.06.040 Filing fee.

The petitioner shall pay a non-refundable filing fee to defray the administrative cost of the city handling the vacation petition in the amount of \$250.00. The city shall provide the necessary petition and other administrative forms for the vacation procedure. (Ord. 929 § 4, 1983).

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WALKER APPRAISAL SERVICE

6422 155th Avenue East

Sumner, Washington 98390-3607

Office: 253-863-8051 Fax: 253-276-0172

E-mail: walkerappraisal@qwestoffice.net

February 21, 2014

Richard Swanson & Stanley & Margaret Whitford
2412 15th Avenue
Milton, WA 98354-9149

Re: 16th Avenue Vacation

Dear Mr. Swanson & Mr. & Mrs. Whitford:

As requested, I have done an appraisal of that portion of 16th Avenue adjacent to Pierce County Assessor's Parcel Number 339020-078-1 which is also known as 2412 15th Avenue in Milton. The property consists of the west half of a road right-of-way that was never developed. From the plat map, this site has dimensions of 253.68 feet by 30 feet for an area of 7,610 sq. ft. rounded to the nearest whole foot. The purpose and function of this appraisal was to estimate the market value "as is" as of the effective date of this report, February 18, 2014.

The appraiser used the same technique that is normally used to value land for a right of way taking as this is the fairest way to value strips of land either going into public use or coming out. Normally in valuing properties for taking purposes, there are two methods which can be employed. The 1st is used in the event there are improvements, which are significant in nature, or where the property to be acquired will have a strong negative impact on the remaining property, the technique normally used is called a before-and-after. First, the appraiser values the property as a whole as it would be before any taking. Then a second valuation is done which reflects the property after the taking has been done. The difference between the two appraisals reflects any of the negative impacts of the taking.

The 2nd technique can be used where there are no significant improvements involved or where the taking will not significantly impact the existing improvements. In this technique, the property is valued based on what other properties in the area of similar zoning and other conditions are selling for. The basis for comparison is normally the price per square foot. The 2nd technique was used to value the subject property. A sales comparison approach was used to compare vacant lots to the subject portion.

In my opinion, consideration was given to all known pertinent data including market trends, economic considerations and general conditions affecting market value. This appraisal was completed and this report document presents the appraisal process in summary format as defined by the *Uniform Standards of Professional Appraisal Practice* (USPAP).

The real estate market has begun to improve after about five years of slow activity for building lots and declining in market values. The largest contributor to the decline has been a large percentage of the market made up of bank owned properties. These properties were foreclosed on by the banks or other lenders. They are then resold, often at a discount so the banks can "get them off their books" quickly. This is based on reports in local newspapers, conversations with area real estate professionals, government agencies and information from the local multiple listing service. Sales reported by the Northwest MLS were further verified with county records and were possible, with the listing agents.

The concluded value of the subject property in Fee Simple is, as of the effective date of February 18, 2014 is \$4.00 per square foot. With the area of taking at 7,610 sq. ft., the concluded value (rounded) of this area was estimated at:

\$30,400 (US)

Thirty Thousand four Hundred Dollars

All appraisals are based on certain assumptions and limiting conditions. These follow. The use of this cover letter without the attached report including the addenda, assumptions and limiting conditions will render the value conclusions void. Please let me know if you require further explanation of this report or the concepts involved. Thank you for letting me assist you.

Sincerely,



Gary G. Walker, IFA, IRCA, CAR
Owner, Walker Appraisal Service
State Certified General Real Estate Appraiser
1100679

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