



COMMUNITY DEVELOPMENT COMMITTEE

MINUTES

4:00 PM July 21, 2021
2nd Floor Conference Room, City Hall

1. ROLL CALL

Council: Kyle Strengtholt, Brent Lenssen, Gary Bode, Mayor Scott Korthuis

Staff: Steve Banham, Heidi Gudde

Community Guests: Mary Lou Childs, Brad Rader, Kathy Stanford

2. APPROVAL OF MINUTES

- a. Community Development Committee Meeting 6-16-21 Minutes approved as presented.

3. DISCUSSION ITEMS

- a. Pepin Creek Development Update - Minimum Density Requirements

Gudde reviewed the legal memo that was provided to the CDC by City legal counsel. This relates to the binding of lots within the Pepin Creek Subarea as a way that developers / land owners could divide property to meet minimum density requirements but ultimately construct at a lower density. The memo identified potential issues and risks association with allowing binding include the possibility that TIF refunds would be requested.

It also discussed measuring setbacks on lots that are bound.

Committee determined that, per code and confirmed by Bob Carmichael, if TIF funds are encumbered then refunds do not need to be issued.

Current City code requires that funds be encumbered within 6 years (per RCW this was later updated to 10 years). Banham stated that given the number of ongoing projects within Pepin Creek he was confident that the encumbering of funds would not be an issue. Rather it was the slow collection of funding that would likely be more problematic.

Committee discussed the proposed option of having existing homes / farmsteads be exempted from the minimum density requirement. The maximum size of these exempt farmstead was discussed. Five acres was suggested, or a certain percentage of the parcel was also discussed as a possibility. Committee concluded that a 5 acre minimum was appropriate.

The concept on the exception is that a large lot could be created to preserve an existing home (and typically outbuildings associated with the original farmstead). These large lots, if included as part of the minimum density calculation would make minimum densities difficult to accomplish. With an exception the large lots could be excluded from the minimum density calculation but still be part of a subdivision (plat). This exception would also allow an existing property owner to carve off a new lot – which would be subject to minimum density – but retain the ‘parent’ lot at a larger size.

Property owners that attended the meeting discussed with the Committee the implications of the proposed revision to code. Childs expressed support for the drafted code. The provisions for existing homes would make it easier for her to save the existing home and barn on her property while developing the rest. Rader expressed a desire to have an exception to the requirements. Lenssen responded by explaining the logic of the fees being connected to development impacts and the need to avoid under-collection of fees in this area so that improvements to the transportation network can be realized.

Committee concluded discussion about the binding of lots. Final consensus was that the Committee was comfortable with the risk of refunds potentially be requested in cases where lots were bound together. Refunds would only be due if the TIF funds were not encumbered within 6 years (later updated to 10 years per RCW). Staff to remove the drafted prohibition on the binding of lots.

Next steps – return the code revision to continue the public hearing before Council on August 16th.

Next Meeting Date: August 18, 2021