

**City of Lynnwood**  
**PLANNING COMMISSION MEETING MINUTES**  
April 26, 2001

CHAIR TEMPLES  
COMMISSIONER BIGLER  
COMMISSIONER HUDSON  
COMMISSIONER JOHNSON  
COMMISSIONER OLSON  
COMMISSIONER POWERS  
COMMISSIONER TENO

**SUMMARY OF THE APRIL 26, 2001, MEETING MINUTES**

**Public Hearing – Plan/Zone Consistency**

The Commission conducted its fourth in a series of consistency hearings. Staff outlined proposed changes to the Zoning Map that are necessary to achieve consistency between the Comprehensive Plan and Zoning Map. Public testimony was taken and the hearing was continued to May 10.

**Work Sessions –**

**Citywide Design Program – Presentation**

Mark Hinshaw, LMN Architects, gave a brief presentation on the progress of the Citywide Design Program.

**Moratorium Work Plan Discussion**

Planning Manager Hough outlined the tasks necessary to complete the Moratorium Work Plan as directed by Council.

**Plan & Zoning Text Amendment Proposals**

Senior Planner Lewis briefly explained the Plan & Zoning Text Amendment Proposals.

**Plan/Zone Consistency – Discussion of Proposals**

The Commission discussed the proposed changes and made recommendations to staff on all sites scheduled for discussion.

**A. CALL TO ORDER**

The meeting was called to order at 7:35 p.m.

**B. APPROVAL OF MINUTES – Meeting of April 12, 2001**

Commissioner Johnson, seconded by Commissioner Hudson, moved to approve the April 12, 2001, minutes. The motion passed and the minutes were approved as written.

**C. CITIZEN COMMENTS**

David Toyer, representing the Master Builder's Association, 2155 112<sup>th</sup> Avenue, NE, Bellevue WA 98004 – Mr. Toyer distributed a packet of information that was put together by the Housing Partnership, a combined business environment coalition that looks into housing issues. He advised the Commission that he will probably be speaking before them on occasions when issues arise that are important to the industry. Chair Temples advised Mr. Toyer that there will be public hearings in the future regarding the multiple-family moratorium. That would be an appropriate time for him to bring his information before the City Council.

Arnie Knudson, PO Box 3265, Lynnwood, 98046 – Mr. Knudson identified himself as a citizen activist and distributed a letter to the Commission. In brief, the letter addressed questions that are not asked and, therefore, were not answered.

#### **D. PLANNING COMMISSION MEMBER DISCLOSURES**

Commissioner Johnson announced that he has contracted with the City of Lynnwood to teach cooking classes through the Recreation Center until May 2 and stated it would not affect his ability to make unbiased decisions on any items heard before the Commission this evening.

#### **E. PUBLIC HEARING**

##### **E-1: Plan/Zone Consistency**

Chair Temples briefly explained the process that will be followed for this hearing, stating that staff will make presentations on proposed rezones, the public will be invited to speak, and the Commissioners will have an opportunity to ask questions of the public or staff. This process will be followed for each proposed rezone site.

Chair Temples acknowledged the presence of Councilmember Lisa Utter in attendance at tonight's meeting.

Comprehensive Planning Manager Hough explained that the Comprehensive Plan is the long-range land use plan for the next 20 years and zoning is a regulatory tool that needs to be consistent with the Plan in order to ensure that the Plan will be implemented over time. Senior Planner Dennis Lewis began the presentation of the sites proposed for rezones, describing each site and the proposed changes. To expedite the process, a full presentation and discussion was held only on those sites on which citizens in the audience came to speak and those about which the Commission had questions or concerns.

Testimony, oral and written, was received on the following sites within Area #4:

**Site #1** – Proposed Zone change: Single Family Residential 12,000 square feet (RS-12) to Public Use (P-1) – consistent with the proposed Comprehensive Plan. Associate Planner Amrine read a letter from a citizen who owns lot #3 in this site and a parcel to the west of this site that is in unincorporated Snohomish County. The gentleman is concerned that P-1 allows for a larger development and is against the proposed rezone. He would like the site to stay as RS-12 and change the Comprehensive Plan to be consistent with RS-12.

1. Steve Blanchard, owns lot #3 of Site #1. He sees no reason for the land he owns to be zoned Public Use and opposes the proposed zone change. He requested that the zoning remain RS-12.

**Site #2** – Proposed Zone change: Public Use (P-1) to Single Family Residential 8,400 sq. feet (RS-8) – consistent with the adopted and proposed Comprehensive Plans.

1. John Averson – 6902 168<sup>th</sup> Street SW – Mr. Averson referred to a letter he and several neighbors had signed that states they are in agreement with the proposed zoning change so long as it does not change the native growth easement designation on their lots and the restrictions imposed by that designation. Staff responded that the easement is intended to protect the sensitive areas regardless of the zoning and will not be affected by the proposed change.

**Site #4**– Proposed Zone change: Restricted Business (B-4) to Limited Business (B-2) – consistent with the adopted and proposed Comprehensive Plans.

Chair Temples asked if the medical buildings located on this site would become a non-conforming use if it were changed to B-2. Senior Planner Lewis responded that it will not become a non-conforming use.

**Site #6** – Proposed Zone change: Single-family Residential 8,400 sq. ft. (RS-8) to Public Use (P-1) – consistent with the proposed Comprehensive Plan.

Commissioner Olson advised the Commission she will abstain with regard to any motions made on this site as she owns property in the area.

**Site #20** – Proposed Plan change: Low Density Multiple-family (MF-1) to Large Lot Single-family (SF-1), and Proposed Zone change: Low Density Multiple-family (RML) to Single-family Residential (RS-8) – The proposed changes are consistent with the proposed Comprehensive Plan.

1. Glenn Faulconer, 17504 52<sup>nd</sup> Avenue W – Mr. Faulconer is opposed to the proposed change. He does not feel that this site would be an appropriate site for a single-family residence. He presented pictures of the view from his lot, which faces the rear side of an apartment dwelling. He strongly supports the existing low-density multi-family zoning.

Commissioner Johnson asked Mr. Faulconer if he was aware of the reason behind this proposed rezone. Mr. Faulconer responded that he had heard that it was some kind of a single-family to multiple-family ratio. Chair Temples encouraged Mr. Faulconer to write a letter expressing his concerns to City Council and attend City Council hearings that will be held on this matter.

2. Rodney Neff, 5225 176<sup>th</sup> Street SW – Mr. Neff is the owner of lot 2, Site 20. He, too, opposes the proposed change. He does not feel the lot is desirable for a single-family residence. He thinks it would be very difficult to sell a single-family home if built in this location. He also presented pictures of the view from his lot which is also the rear of an apartment dwelling.

Chair Temples also encouraged Mr. Neff to write a letter expressing his concerns to City Council and attend City Council hearings that will be held on this matter.

Mr. Neff and Mr. Faulconer also provided written comments.

**Site #22** – Proposed Zone change: Medium Density Multiple-family (RMM) to Low Density Multiple-family (RML) – consistent with the adopted and proposed Comprehensive Plans.

1. John Kirby, 17519 52<sup>nd</sup> Avenue W – Mr. Kirby owns lot number 6, Site #22. Mr. Kirby is concerned that all the properties around him have been developed to the maximum allowed for RMM, and his property is the only remaining property not developed to that density. He is opposed to the change from RMM to RML.

**Site #23-A** – Proposed change: Single-family Residential 8,400 sq. ft. (RS-8) to Single-family Residential 7,200 sq. ft. (RS-7)

**Site #23-B** – Proposed change: Medium Density Multiple-family (RMM) to Low Density Multiple-family (RML)

**Site #23-C** – Proposed change: General Commercial (CG) to Low Density Multiple-family (RML). All proposed changes are consistent with the adopted and proposed Comprehensive Plans.

1. Jeff Palmer, 5220 176<sup>th</sup> Street SW – Mr. Palmer is the manager and one of the property owners for the Kingsbury West Mobile Home Park, parcels 23-A and 23-B. He has specific concerns about 23-B, which is proposed to be changed from RMM to RML, and is opposed to this change. He feels that the close proximity to Highway 99, the commercial activity and large volume of traffic support his argument that the current RMM zoning is most appropriate and should remain.

He suggests that the Comprehensive Plan for Site 23-B be changed from MF-1 to MF-2, which is consistent with the current zoning of RMM.

Chair Temples encouraged Mr. Palmer to write a letter expressing his concerns to City Council and attend City Council hearings that will be held on this matter.

As there was no further testimony from the audience, Chair Temples closed the public testimony portion of the public hearing on Plan/Zone Consistency at 8:30 p.m. The public hearing is continued to May 10.

## **F. DIRECTOR'S REPORT**

Community Development Director Cutts reported that the Central Business District Task Force Oversight Committee has selected a consultant, LMN Architects, for the planning study.

Planning Manager Hough reported:

- ✓ City Council was briefed on Plan/Zone Consistency at its April 16 work session.
- ✓ A Mitigation Plan for the loss of single-family housing was drafted and discussed with the Council – Further discussion will take place at the April 30 Council work session.
- ✓ Moratorium and Work plan – City Council has scheduled a public hearing on May 14. Staff and Planning Commission were directed to prepare a Work Plan by that date.
- ✓ Tree Ordinance – Commission was asked to schedule a joint meeting with the Parks Board to discuss the revisions to the Ordinance. Associate Planner Amrine advised that Public Works is interested in bringing the Tree Ordinance back to the Parks Board and the Planning Commission at a joint meeting before it goes to a hearing on May 24. The Commission asked for time to review written materials and a draft (if available) prior to a joint meeting. Chair Temples asked staff to see if the Park Board could meet with the Commission on June 14.

## **G. WORK SESSION**

### **Item G-1: Citywide Design Program - Presentation**

Mark Hinshaw (LMN Architects – project manager for the consultant team) gave a brief presentation updating the Commission and staff on the following topics:

- ✓ City-Wide Design Guidelines
  - Standards Applicable to All Districts
  - Standards Applicable to Commercial Districts
  - Standards Applicable to Multiple-family Districts
- ✓ Over-Arching Design Principles

Mr. Hinshaw noted that these guidelines apply only to commercial and multiple-family areas outside the CBD. Three areas have been identified as having special guidelines relating specifically to them:

1. Highway 99/196<sup>th</sup> Commercial Corridors
2. I-5/Alderwood Mall Commercial Area
3. Multiple-family areas

### **Item G-2: Moratorium Work Plan Discussion**

Planning Manager Hough briefly outlined the tasks necessary to complete the Moratorium Work Plan. Currently, four significant planning projects are being processed and could be included:

- ✓ Comprehensive Plan Five-year Update

- ✓ Plan/Zone Consistency Program
- ✓ College District Plan
- ✓ Housing Policy & Program Development

Commissioner Hudson requested that the date the Planning Commission submitted the Comprehensive Plan to the City Council for their review be included under “Public Process Summary” for the Comprehensive Plan Five-year Update. Commissioner Hudson inquired whether staff was aware of any communities that have developed a mitigation program for loss of single-family housing. Planning Manager Hough responded that staff researched this issue and has been unable to find any cities or counties that have developed this kind of program.

Planning Manager Hough advised the Commission that staff will prepare a couple of different options for dealing with the Council’s moratorium concerns. These will be ready for the Commission’s consideration at its May 10 meeting. Chair Temples suggested that the Commissioners review the Moratorium Work Plan document presented tonight and be prepared to address the issues on May 10.

**Item G-3: Plan & Zoning Text Amendment Proposals**

Senior Planner Lewis briefly explained the Plan & Zoning Text Amendment proposals included in the Commissioner’s packets. Commissioner Hudson stated that he objects to the language on Page G-3—5, Subgoal: Residential Balance referring to a 60/40 split (single-family to multiple-family housing) and text referring to that same ratio on page G-3—6, Housing Element: Housing Balance Policy.

Chair Temples requested that on page G-3—7, Item 5. Protection, change “Preserve and protect...” to “Preserve and enhance...”

Commissioner Johnson commented that a reference is made on page G-3—1 to Residential Policy 2.14 and then again on page G-3—5 where it is renumbered as 2.12. He is opposed to the essence of what the Council is attempting to convey with this Policy. Chair Temples added the he, too, disagrees with the item G-3—5 referring to the 60/40 ratio. He does not feel it is in the best interests of the city.

Following the discussion on the Plan & Zoning Text Amendment Proposals (which will return for a public hearing on May 10), the Commission turned to a discussion and recommendations on the sites that were before the Commission this evening:

**Site #1** – Proposed Zone change: Single-family Residential 12,000 sq. ft (RS-12) to Public Use (P-1) – consistent with the proposed Comprehensive Plan.

Commissioner Johnson, seconded by Commissioner Bigler, moved to adopt the proposed zoning of P-1. Motion passed.

**Site #2** – Proposed Zone change: Public Use (P-1) to Single-family Residential 8,400 sq. ft. (RS-8) – consistent with both the adopted and proposed Comprehensive Plans.

Commissioner Johnson, seconded by Commissioner Bigler, moved to adopt the proposed zoning and change the zoning to RS-8. Motion passed.

Commissioner Johnson, seconded by Commissioner Teno, moved to adopt the proposed zoning on **Sites #3, #5, #7, # 8, and #16**. Motion passed.

The following are staff’s recommendations on those sites:

**Site #3** – Proposed Zone change: Single-family Residential 8,400 sq. ft. (RS-8) to Public Use (P-1) – consistent with both the adopted and proposed Comprehensive Plans.

**Site #5** – Proposed Zone change: Neighborhood Business (BN) to Single-family Residential 8,400 sq. ft. (RS-8) – consistent with both the adopted and proposed Comprehensive Plans.

**Site #7** – Proposed Zone change: Low Density Multiple-family (RML) to Medium Density Multiple-family (RMM) – consistent with both adopted and proposed Comprehensive Plans.

**Site #8** – Proposed Zone change: Low Density Multiple-family (RML) to General Commercial (CG) – consistent with both the adopted and proposed Comprehensive Plans.

**Site #16** – Proposed Zone change: Medium Density Multiple-family (RMM) to Public Use (P-1) – consistent with the proposed Comprehensive Plan.

**Site #4** – Proposed Zone change: Restricted Business (B-4) to Limited Business (B-2) – consistent with both the adopted and proposed Comprehensive Plans.

Commissioner Bigler asked staff if there are building height limitations in Limited Business (B-2). Planning Manager Hough responded that there are no height limitations in B-2, and Associate Planner Amrine added that there is a 35-foot height limitation in B-4. Chair Temples asked if that would affect the existing building. Staff was unable to provide building height information for the existing structure. Commissioner Bigler moved to set aside Site #4 until clarification of the building height issue can be made on that site.

**Site #6** – Proposed Zone change: Single-family Residential 8,400 sq. ft. (RS-8) to Public Use (P-1) consistent with the proposed Comprehensive Plan.

Commissioner Johnson, seconded by Commissioner Teno, moved to adopt the proposed change to P-1. Motion passed with Commissioner Olson abstaining.

**Site #19** – Proposed Zone change: Single-family Residential 8,400 sq. ft. (RS-8) to Single-family Residential 7,200 sq. ft. (RS-7) – consistent with the adopted and proposed Comprehensive Plans.

Commissioner Hudson inquired if this site was a mobile home park. He was concerned that there should be some consistency in the zoning of mobile home parks. Commissioner Hudson suggested zoning for this property of RML to be consistent with other mobile home parks. Planning Manager Hough responded that several years ago staff was directed to make most, if not all, mobile home parks RML, primarily to give the older mobile home parks an incentive to redevelop to a slightly higher residential density. Most of the mobile home parks were changed to RML. This is an exception. He added that the Commission could recommend a change to RML if it felt this park should be changed to that zone to be consistent with the zoning of other mobile home parks. Commissioner Hudson moved, seconded by Commissioner Johnson, to rezone this site from RS-8 to RML with a corresponding Comprehensive Plan change from SF-2 to MF-1. Motion passed.

**Site #20** – Proposed Plan change: Low Density Multiple-family (MF-1) to Large Lot Single-family (SF-1); and Proposed Zone change: Low Density Multiple-family (RML) to Single-family Residential 8,400 sq. ft. (RS-8) – consistent with the adopted and proposed Comprehensive Plans.

Commissioner Johnson, seconded by Commissioner Hudson, moved to make no changes to this site. Johnson reminded staff and the Commission that Mr. Faulconer and Mr. Neff came before the Commission and expressed their opposition to the proposed changes. He agrees with their reasoning. Motion passed.

**Site #21** – Proposed Plan change: MF-1 to SF-1; and Proposed Zone change: Low Density Multiple-family (RML) to Single-family Residential 8,400 sq. ft. (RS-8) – proposed changes are consistent with the proposed Comprehensive Plan.

Commissioner Johnson asked for zoning information on the surrounding sites. Staff provided a map showing the current zoning in the area. Commissioner Hudson noted that there is RML to the

south and north, CG to the east and north, and he does not feel that single-family is correct at this location. Associate Planner Amrine advised the Commission that the owner of this property is currently in the process of short platting the property for single-family development. Commissioner Hudson asked if this situation had not come up before; the Commission suggesting a particular zoning and the property owner doing something different. After further discussion, Commissioner Johnson, seconded by Commissioner Hudson, moved to leave the existing RML zoning in place. Motion passed.

Senior Planner Lewis asked if it was the intent of the Commission's motion to also leave the existing MF-1 Plan designation in place. Chair Temples responded that was the intent.

**Site #23-A** – Proposed change: Single-family Residential 8,400 sq. ft. (RS-8) to Single-family Residential 7,200 sq. ft. (RS-7)

**Site #23-B** – Proposed change: Medium Density Multiple-family (RMM) to Low Density Multiple-family (RML)

**Site 23-C** – Proposed change: General Commercial (CG) to Low Density Multiple-family (RML)  
All the proposed changes to Site #23 are consistent with both the adopted and proposed Comprehensive Plans.

Commissioner Hudson moved, seconded by Commissioner Bigler, to have Site #23-B remain at its current zone of RMM. Motion passed.

Commissioner Hudson moved, seconded by Commissioner Olson, for consistency sake as the same situation exists at Site 23-A, that Site 23-A be rezoned from its current RS-8 to RMM with a corresponding change in the Comprehensive Plan for both sites to MF-2. Planning Manager Hough asked for the rationale behind these requested changes and received the following:

1. Commissioner Johnson responded that Mr. Palmer (property owner) appeared before the Commission and expressed his desire that these sites be zoned RMM. Mr. Palmer's family has owned the property for 30 years.
2. Commissioner Hudson stated the foundations for his recommendations are:
  - a. Consistency with the zoning of other mobile home parks.
  - b. Traffic: 176<sup>th</sup> Street is a major arterial and can support a higher density zone.
  - c. Similar development across the street.
  - d. In order to accommodate our future population allocation, we need to find places where higher density makes sense. This is a good location.

Additional discussion took place between staff and the Commission regarding the appropriateness of RML or RMM zoning for mobile home parks.

Motion passed.

Commissioner Hudson asked if Site 23C is owned by the same person that owns 23B. Associate Planner Amrine responded that it is probably owned by the City of Lynnwood, but is not indicated as such on Metro Scan. Commissioner Hudson noted that the property to the north is zoned for public use. After further discussion and the probability of public ownership of this site, Associate Planner Amrine stated that staff would change its recommendation to the P-1 zone and a Comprehensive Plan designation of RO. However, with the ownership matter still unclear, Chair Temples suggested that staff determine for sure who owns 23-C and, based on that information, the Commission will act accordingly at the May 10 meeting.

**Site #22** – Proposed Zone change: Medium Density (RMM) to Low Density MF (RML) – consistent with the adopted and proposed Comprehensive Plans.

Commissioner Johnson asked for a clarification on the property owner's, Mr. Kirby, wishes for this property. Commissioner Olson understood Mr. Kirby to say that at one time he wanted to be able to have the same density allowed with the properties surrounding him, so he was against the proposed change to a lower density. The surrounding properties are, for the most part, RMM. Commissioner Hudson, seconded by Commissioner Johnson, moved to retain the existing RMM zoning and to revise the proposed Comprehensive Plan from MF-1 to MF-2. Motion passed.

**Site #30** – Proposed change: Single-family Residential (RS-8) to Public Use (P-1) – consistent with the proposed and adopted Comprehensive Plans.

Commissioner Bigler moved, seconded by Commissioner Johnson, to change the zoning designation from RS-8 to P-1. Motion passed.

## **H. NEW BUSINESS**

Chair Temples announced that he will be resigning from the Commission within the next few weeks because he will be moving to a residence outside the city limits of Lynnwood. He added that his time on the Planning Commission has been one of the most rewarding contributions he has made for the city.

Commissioner Hudson asked, if at all possible, Chair Temples would stay on until the end of May. Temples stated that he is tentatively looking at May 24 as his last meeting.

## **I. OLD BUSINESS** – None

## **J. INFORMATION ITEMS**

### **J-1 – Upcoming Commission Meeting Agenda**

Planning Manager Hough briefly outlined his expectations for the May 10 meeting. He noted that, with the final hearing scheduled for May 10 and with all the recommendations to be finalized at that meeting, it will be difficult to have a final document ready for full approval on May 10.

## **K. ADJOURNMENT**

Commissioner Johnson, seconded by Commissioner Powers, moved to adjourn. The motion passed and the meeting adjourned at 11:12 p.m.

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**Robert Temples, Chair**