

City of Lynnwood
PLANNING COMMISSION MEETING MINUTES
August 26, 2004

Commissioners present:

Dave Johnson – Chair
Brian Bigler
Elisa Elliott
Jacqueline Powers
Donna Walther

Staff present:

Jim Cutts, Director
Kevin Garrett, Planning Manager
Ron Hough, Planning Manager
Dennis Lewis – Senior Planner
Gina Klumb – Assistant Planner

Commissioners absent:

Patrick Decker
Tia Pecheff

Others present:

Council Member Ted Hikel
Council Member Martin Nelson, Liaison

SUMMARY OF THE August 26, 2004, MEETING MINUTES

Comprehensive Plan Amendments (Public Hearing)

The Commission continued its public hearing, from July 22 and accepted public comments on Plan amendment proposals. Following the first part of the hearing, it finalized its recommendations for Council action. The City Center Plan was the focus of the second part of the hearing, which was continued to Sept. 9 for further input and discussion.

Application of new RS-4 Zone (Public Hearing)

A hearing was conducted to accept public comments on the proposed application of the new High-density Single-family (RS-4) zone to Kingsbury East and The Squire mobile home parks. Following the hearing and deliberation, the Commission forwarded a recommendation for approval.

Code Amendments to LMC 21.40 and 21.42 (Public Hearing)

A hearing was conducted to accept public comments on minor amendments to two sections of the Municipal Code to correct omissions pertaining to off-street parking, landscaping and inclusion of new zones in the Order of Restrictiveness table. The Commission recommended Council approval.

Urban Transition Resolution – (New Business)

The Commission discussed a proposed resolution of intent to participate in further discussions with Snohomish County regarding the possible transfer of planning and permitting responsibilities to the City for lands within our urban growth area. The Commission recommended Council passage of the resolution.

City Center Plan (Work Session)

Following the earlier public hearing, the Commission met with staff and consultants in a more specific discussion of the City Center Plan proposals.

Shoreline Master Program (Work Session)

Staff updated the Commission on the requirements, process, schedules, inventory work and general progress of the SMP. An early draft was presented for their review.

CALL TO ORDER

Chair Johnson called this meeting to order at 7:03 pm. A quorum was present.

APPROVAL OF MINUTES

A motion was made to approve the August 12, 2004 meeting minutes. It carried unanimously.

CITIZEN COMMENTS

Council member Ted Hikel informed the Commission that City Council President Utter has been working on plans for a joint meeting between the Planning Commission and City Council, to be held in the near future. He suggested that a portion of the meeting be used for a discussion of educational opportunities for the City's various Boards and Commissions.

COMMISSION MEMBER DISCLOSURES

Chair Johnson disclosed that he works part time as a faculty member at Edmonds Community College and in no way would this interfere with any decision he makes.

PUBLIC HEARINGS

1. **Comprehensive Plan Amendments** – This public hearing was continued from July 22 to allow for additional staff research and testimony. Staff summarized each of the items and their administration recommendations. Staff asked that the City Center Plan hearing be separated from the other proposals to provide for a more focused presentation and discussion with staff and consultants. Chair Johnson agreed.

- a. **Residential Balance** – Consider replacing a land use ratio goal.

Ted Hikel, 3821 91st Place SW, Lynnwood. Mr. Hikel, a member of the Lynnwood City Council, referred to a handout that was distributed by staff at the previous Commission meeting. He noted that the handout reflected a much more accurate level of taxes paid on single-family residences (\$2,493.00) versus multi-family units (\$860.00). Statistics show that, for the level of service needed in this city for police, library, fire, etc., each citizen would have to pay approximately \$958.00 to have the services that are provided through our General Fund.

Larry Calvin – NW Development Advisors, P.O. Box 12391, Mill Creek, Washington 98012. Mr. Calvin asked if the "per unit" property tax is a citywide average or is it based on newly constructed multi-family units. He felt the calculation is a bit skewed. It should be noted that single-family homes generate less tax revenue than multi-family on a per acre basis.

- b. **Raskin – Plan Map Amendment**

Mr. Hikel (see above) stated the City Council is in the process of approving the street vacation on 204th Street at 48th Avenue. This would allow Mr. Raskin to develop the property for a warehouse development.

Mr. Calvin (see above) acknowledged that the City Council heard Mr. Raskin's petition to vacate the right-of-way. However, they have not made a motion to approve or disapprove the application. Therefore, he asked the Commission to recommend Council approval of this map amendment.

- c. **Kingsbury West Mobile Home Park – Plan Map Amendment**

Diane Clare Houghton, a tenant at Kingsbury West Mobile Home Park, informed the Commission of the Landlord/Tenant laws, specifically RCW 59.20.130 which requires the landlord to notify each tenant within five days after a rezone petition has been filed. Ms. Houghton also stated that there have been 18 mobile homes for sale in the last two months and 10 new tenants have moved in. She didn't know if the landlord was informing the new tenants of the situation. She also

noted that certain community amenities, such as bulletin boards, have been removed and a fence has not been repaired and being damaged by the City.

Hugh Verge, a tenant at Kingsbury West, asked how this Plan Map Amendment would change the designation of a "Senior Citizen" park? Staff responded this type of change would have nothing to do with the senior classification.

Barbara Boudreaux, a tenant of Kingsbury West, feels that many of her rights as a mobile home owner have been taken away, including the first right of refusal, funding for moving her home and now the protection of the park. She wanted to know if the City has looked into the fact that the Annex portion of the park used to be a wetland and/or swamp and is the City going to protect this? Staff responded that any former wetland was removed many years ago.

d. **College District Plan** – Amendments to District Boundaries

No comments received.

e. **Growth Policies Review** – Urban Growth Areas and Annexation

Mr. Hikel informed the Commission that the City Council had discussed this proposal at a work session and concerns were noted by members Gough and Smith regarding agreements between the City of Lynnwood and the City of Mountlake Terrace. Chair Johnson replied that the Commission has no record of these concerns, nor any testimony from Council members Gough or Smith.

f. **Parks & Recreation Element** – Annual data updates and revisions

No comments received.

g. **Data Updates** – Non-policy updates of data and statistics

No comments received.

h. **Policy Adjustments** – Moving policies from codes to Comprehensive Plan.

No comments received.

Staff informed the Commission that the **Implementation Program Update** proposal was not yet ready for a recommendation but should be ready at the Sept. 9 meeting.

✘ **City Center Plan** – Plans and regulations.

Staff asked the Commission to continue this hearing to September 9. The Oversight Committee has not yet completed its recommendations, which should be forwarded to the Planning Commission by the next meeting. A recommendation will follow.

Planning Manager Kevin Garrett explained the current City Center Plan time frames and introduced Mark Hinshaw, Project Manager with LMN Architects of Seattle. Mr. Hinshaw described some of the elements that have added to this project. Their team includes urban planners, urban architects, transportation planners, environmental planners, economic and market analysts, housing professionals and professionals who are looking at the parks and public spaces.

The Commission was presented with the revised subarea plan, which is intended to guide City Center development over the next 15 to 20 years.

Mr. Garrett recognized Jean Hales, President and CEO of the South Snohomish County Chamber of Commerce.

The public hearing was closed at 7:58, with the exception of the City Center Plan, which was continued to September 9.

2. Application of new RS-4 Zone

Senior Planner Dennis Lewis briefed the Commission on this application. The recently adopted RS-4 zone was designed to implement the SF-3 Comprehensive Plan designation. Two properties are currently designated SF-3 – Kingsbury East and The Squire Mobile Home Parks. Application of the RS-4 zone will bring the zoning into consistency with the Comprehensive Plan.

Chair Johnson opened the public hearing for comments.

Ms. Houghton, a tenant of Kingsbury West Mobile Home Park, asked for a further explanation of the request. Mr. Lewis explained that the RS-4 zone has already been established in the code and is now being applied as a map amendment.

Chair Johnson closed the public hearing at 7:53 PM.

3. Code Amendments to LMC 21.40 and 21.42

Senior Planner Lewis described the minor changes to the text of the Group 3 Residential Amendments. Amendments to Chapter 21.40 include the listing of the new RS-4 zone and the addition of other zones not previously listed in the Order of Restrictiveness table, as well as a change in the reference to the official zoning map. Amendments to Chapter 21.42 include the addition of an off-street parking standard for the RS-8 and RS-7 zones and the addition of landscaping requirements for the single family zones.

Chair Johnson opened the public hearing on the above amendments. No testimony was offered and the hearing was closed.

UNFINISHED BUSINESS

The Commission deliberated on the amendment proposals and arrived at the following recommendations to be forwarded to the City Council:

1. Comprehensive Plan Amendments

- a. **Residential Balance** – Chair Johnson moved to approve this proposal. The motion was seconded by Commissioner Elliott and passed unanimously.
- b. **Raskin** – Commissioner Elliott moved to maintain the existing Business/Technical Park Plan designation on the Raskin property. The motion was seconded by Commissioner Bigler and passed unanimously.
- c. **Kingsbury West Mobile Home Park** – Commissioner Elliott moved to postpone making a recommendation to the City Council until it becomes clear what further litigation may arise as a result of the notification issue involving the park management and tenants. The motion was seconded by Commissioner Powers and passed 3-2. [Yes – Powers, Elliott, Walther; No – Bigler and Johnson]
- d. **College District Plan** – Chair Johnson moved to approve the proposals as recommended. The motion was seconded by Commissioner Powers and passed unanimously.

- e. **Growth Policies Review** – Commissioner Bigler moved to approve the proposals as recommended. The motion was seconded by Chair Johnson and passed unanimously.
- f. **Parks & Recreation Element** – Chair Johnson moved to approve the element updates as proposed. The motion was seconded by Commissioner Bigler and passed unanimously.
- g. **Data Updates & Policy Adjustments** – Commissioner Walther moved to approve the “Data updates” and the “Policy Adjustments.” Chair Johnson seconded the motion and it passed unanimously.

At 9:05 PM, Chair Johnson excused himself from the Planning Commission meeting. First Vice-chair Psycheff was absent, so Second Vice-chair Powers conducted the remainder of the meeting.

- 2. **Application for new RS-4 Zone** – Commissioner Bigler moved to recommend Council approval of the proposed zoning map changes from RS-8 to RS-4 for Kingsbury East and The Squire mobile home parks. The motion was seconded by Commissioner Elliott and passed unanimously.
- 3. **Code Amendments to LMC 21.40 and 21.42** – Commissioner Bigler moved to recommend City Council approval of these regulation amendments. The motion was seconded by Commissioner Elliott and passed unanimously.

NEW BUSINESS

Urban Transition Resolution

Planning Manager Hough explained that the Planning Commission has been involved in long-range planning and growth issues over the past several years. Those issues often pertained to unincorporated areas outside the City. The Commission studied our growth areas and recommended Municipal Urban Growth Areas (MUGA). The Commission also recommends Comprehensive Plan and zoning designations for proposed annexation areas. The County is growing rapidly and needs to find places for new development. It also want to encourage the cities to annex urban areas. However, the cities sometimes reject annexations of areas that don't meet city standards or that are deficient in parks or other improvements. Therefore, the County wants to look into the possibility of transferring some of the responsibilities for planning and permitting within the unincorporated areas to the cities. A resolution of intent has been distributed to the cities. Passage of the resolution doesn't commit us to anything other than to work with the County on a transition program. If it doesn't work, the City Council doesn't need to approve follow-up interlocal agreements or other documents.

The Commission approved a motion to pass this resolution to the City Council with a recommendation for passage.

WORK SESSION

City Center Plan

Following the public hearing, staff and consultants continued the discussion of City Center Plan proposals – Consultant Mark Hinshaw participated in that discussion. The public hearing had earlier been continued to Sept. 9.

Shoreline Master Program

Senior Planner Dennis Lewis provided a summary of the early draft of the SMP. He updated the Commission on the requirements, process, schedules, inventory work and general progress of the SMP.

DIRECTOR'S REPORT & INFORMATION

Recent City Council Actions:

Planning Manager Hough provided an update of recent City Council activities, specifically:

August 18, 2004

Council held a half-hour work session discussion on the MUGA adjustment proposal involving the City of Mountlake Terrace. The discussion included concern about the 1997 court settlement agreement and an older interlocal agreement with Mountlake Terrace. There was no consensus and no direction to staff.

September 7, 2004

Council will conduct a Comprehensive Plan Amendments work session.

September 13, 2004

Council public hearing is scheduled on the Comp. Plan Amendments.

ADJOURNMENT

A motion was made and seconded to adjourn. The motion carried unanimously and the meeting was adjourned at 9:52 pm.

Dave Johnson, Chair