

<p><b>City of Lynnwood</b>  <b>PLANNING COMMISSION MINUTES</b>  <b>February 14, 2008</b></p>
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<b>Commissioners Present:</b>	<b>Staff Present:</b>
Richard Wright, Chair	Shay Davidson, Administrative Assistant
Maria Ambalada	Paul Krauss, Comm. Dev. Director
Elisa Elliott, First Vice-chair	Kevin Garrett, Planning Manager
Tia Peycheff	
Michael Wojack, Second Vice-Chair	
<b>Commissioners Absent:</b>	<b>Others Absent:</b>
Jeff Davies	Ted Hikel, City Council Liaison

**CALL TO ORDER**

The meeting was called to order by Vice Chair Elisa Elliott at 7:00 p.m.

**ELECTION OF OFFICERS FOR 2008**

*Motion made by Commissioner Peycheff, seconded by Commissioner Ambalada to nominate Commissioner Wright for the position of Chair of the Lynnwood Planning Commission. Motion passed 4-0 with Commissioner Wright abstaining.*

*Commissioner Elliott nominated Commissioner Peycheff for First Vice-Chair. Commissioner Peycheff declined the nomination.*

*Motion made by Commissioner Peycheff to nominate Commissioner Elliott as First Vice-Chair. The motion was seconded by Commissioner Ambalada. Motion passed unanimously (5-0).*

*Motion made by Commissioner Ambalada, seconded by Commissioner Peycheff, to nominate Commissioner Wojack for the position of Second Vice-Chair. Motion passed unanimously (5-0).*

**APPROVAL OF MINUTES**

*Motion made by Commissioner Ambalada, seconded by Commissioner Wojack, to approve the minutes of the meetings of November 15, 2007 and January 10, 2008 as presented. Motion passed unanimously (5-0).*

## **COUNCIL LIAISON REPORT**

Community Development Director Paul Krauss read the Council Liaison Report on behalf of Councilmember Hikel who was not able to attend the meeting. The report stated that Council is currently addressing the parking code update. Suggestions for revisions were made and the code will come back to the Council for action shortly. Director Krauss added that the Council was very pleased with the work that was done, but made a few suggestions for staff before bringing this to a public hearing. In his report Councilmember Hikel apologized for missing the dinner meeting last month and also tonight's meeting.

## **CITIZEN COMMENTS**

None

## **PUBLIC HEARINGS**

### **1. Lot Size Averaging Code Amendment (2008-CAM-0001)**

Chair Wright opened the hearing at 7:09 p.m.

Staff Report:

Planning Manager Garrett gave the staff report. He indicated that the Amendment was unchanged from the previous meeting. Staff had the opportunity to speak with a representative from Master Builders Association who indicated that she was interested in participating in tonight's hearing, but she was not in attendance. He stated that his understanding is that the Master Builders Association is supportive of flexibility in the design of subdivisions with the intent of making it possible for the subdivisions to provide as many single-family homes as is possible consistent with the City's vision. Planning Manager Garrett said that a planner from an engineering company in town also expressed interest in the hearing, but was not present.

Commission Questions and Comments:

Commissioner Wojack referred to item E, line 6 on Additional Development Standards, which covers the side lot coverage. He asked if this applied to smaller lots as well. Planning Manager Garrett said these regulations apply to development of small-lot single-family dwellings in the RS-4 zone. This is a zone which allows single-family homes on lots as small as 4,000 square feet. That's why the lot coverage is allowed to be a little bit larger. Commissioner Wojack thanked him for the clarification.

Commissioner Elliott commented that she started on the Planning Commission because of a conversation she had with then Mayor Tina Roberts about the 60/40 issue. She thinks that it is important to take that into consideration. The City's original intent was to have 60% single family, 40% multi-family in the City. The staff's recommendation falls within those guidelines.

The hearing was closed at 7:14 p.m.

Commissioner Discussion:

Commissioner Wojack observed that when he and his wife were looking for a house a couple years ago, they were very aware of the size of the lots and intentionally looked at homes with larger lots. However, he does understand the rationale for the 60/40 plan and the practical aspects of it.

Commissioner Elliott remarked that even Lynnwood's smaller lots are larger than some of the unincorporated areas. One of the benefits of living in the City is those higher standards.

Commissioner Peycheff commented that one of the reasons she is considering leaving Lynnwood is she can't find a house small enough to suit a single person.

*Motion made by Commissioner Elliott, seconded by Commissioner Ambalada, to forward this to the Council with no changes to the existing code amendment which is consistent with staff's recommendation. Motion passed 4-1.*

## **2. Tent Cities Code Amendment (2007-CAM-0003)**

The hearing was opened at 7:20 p.m.

Staff Report:

Director Krauss delivered a brief staff report. He discussed the purpose of the code and stated that staff is recommending approval of the Ordinance tonight. He emphasized that they have not heard that a tent city is proposing to move to Lynnwood, but they could at any time and staff would like to be prepared so they can welcome them in an appropriate manner and assure residents that things are being dealt with as well as they can.

Commission Questions and Comments:

Commissioner Ambalada asked if registered sex offenders are included in the references to criminal records. Director Krauss affirmed that they are. He commented that tent cities self-regulate fairly well and they do not want to live with those kinds of people anymore than anyone else does.

Commissioner Elliott referred to her concerns about the way the language was written about Child Protective Services with regard to children under 18. She referred to page 5 or 6 of the January 10<sup>th</sup> minutes and stated that she hoped they could change the language to be more acceptable for families who might be bringing their children.

Planning Manager Garrett said they were contacted by staffs at the State Department of Community Trade and Economic Development who were concerned initially that permitting a temporary tent encampment did not go through a public hearing process. In discussion with them about the short time frames in which these usually come in and need to be dealt with, the staff made no further formal comments to the City. The deputy director knew of a group in Seattle called SHARE/WHEEL who was contacted with information, but the City has not heard back. Director Krauss commented that SHARE/WHEEL is a primary sponsor of tent cities.

Seeing no further comments, the public hearing was closed at 7:26 p.m.

Discussion:

*Motion made by Commissioner Elliott, seconded by Commissioner Ambalada, to forward this amendment to the City Council with the amendments about children under the age of 18. Motion passed unanimously (5-0).*

## **WORK SESSION**

### **1. 2008 Comprehensive Plan Amendments Docket - Discussion of Current Proposals and Ideas from Commissioners on Potential Amendments**

Planning Manager Garrett reviewed the Comprehensive Plan Amendment Process. The purpose tonight is to invite the Planning Commission to express any areas of the plan or any policy positions they would like considered in the 2008 docket. He referred to the list of ideas that staff has compiled for the 2008 docket. He stated that it is very unusual that they have not received any contacts from anyone outside the city about either a formal amendment or a suggestion for a change for 2008.

Commissioner Peycheff brought up the letter that was sent to the Snohomish County Planning Commission and specifically how the City interfaces with the TDR (Transfer of Development Rights) programs. She commented on the importance of preservation of agricultural land. Director Krauss stated that the TDR is a good tool when used in the appropriate circumstances. Snohomish County has some examples of TDR used very well.

He explained the concept of TDR and concerns surrounding it such as the rights of neighboring property owners and Snohomish County's public policy concerning urban scale development in rural areas.

Director Krauss brought up Commissioner Wojack's interest in light pollution and the preservation of the night sky. He stated that there are some policies that address this somewhat. He also noted that a recent AWC (Association of Washington Cities) bulletin mentioned a bill that would make the protection of the night sky a state mandate. Commissioner Wojack thanked him for the update.

Commissioner Elliott asked for an update about LDMRs. She acknowledged concerns about this, but commented that there needs to be a middle ground to accommodate for this type of growth with restrictions in place to make sure that the fire department can access them, etc. Director Krauss commented that LDMR's have such a bad reputation that the County changed their name. The issues with them focused almost entirely on the lack of regulation in the County, which resulted in no open space, poor parking and poor access for emergency vehicles. He added that the City needs to accept the fact that they do exist in the annexation area. There was significant discussion about LDMRs in the County;

Commissioner Ambalada asked staff if there are issues in the present Comprehensive Plan that could result in issues with upcoming annexations. Planning Manager Garrett replied that they have not done a thorough vetting of the Comprehensive Plan in light of the annexation. There are a couple places in the MUGA where it makes sense to allow LDMRs. There is a Comprehensive Plan land use category that is reasonably suited to do that, the SF-3 (High Density Single Family). The language in the plan states that this is allowed in the RS-4 zone only within a half mile of Highway 99 as part of conversion of mobile home parks. He anticipates that staff will be bringing forward an item to deal with this.

Director Krauss added that this may indeed have some impact on the Comprehensive Plan for the existing city. The County's approach to adding density has raised concerns from people who live in those areas, to the City Council and to staff. It appears to be very uncoordinated and unplanned. One of the things people seek from annexations is more control over their neighborhoods. This may happen, but the City is also required by state law, to accept a certain amount of new growth based on population and employment projections. He discussed ways that the City might accommodate this.

Commissioner Ambalada said that the policies of the County do not appear to be beneficial to the City. She asked if there is any measure that can be adopted to buffer the Snohomish County Planning Department actions. Director Krauss replied that the best way to regulate this is to annex it.

Chair Wright said he was impressed with the list, especially with regard to the sustainability/energy element, capital facilities, and Highway 99. He stated that he is looking forward to this year.

## **OTHER BUSINESS**

### **1. Resolution in Appreciation of the Voluntary Services of Patrick Decker to the Lynnwood Planning Commission.**

Chair Wright read the proclamation commending former Chair Decker's service to the Planning Commission.

Commissioner Elliott wondered if the Mayor would be signing this too. Planning Manager Garrett stated that since it is a Planning Commission resolution, only the Planning Commission's signatures are on it. Commissioner Elliott suggested that this be placed on the Planning Commission's website. Planning Manager Garrett indicated that they could do that once this is signed.

*Motion made by Commissioner Ambalada, seconded by Commissioner Elliott, to adopt the resolution in appreciation of the voluntary services of Patrick Decker to the Lynnwood Planning Commission. Motion passed unanimously (5-0).*

### **2. Review/Approve Annual Report**

Planning Manager Garrett reviewed the annual report as required by Lynnwood Municipal Code.

*Motion made by Commissioner Elliott, seconded by Commissioner Wojack to approve the 2007 Annual Report of the Lynnwood Planning Commission as presented. Motion passed unanimously (5-0).*

## **DIRECTOR'S REPORT & INFORMATION:**

Director Krauss discussed annexation population numbers, which in total would take the population of Lynnwood from 35,000 to approximately 80,000 people. This would be a major expansion of the City. Planning Manager Garrett discussed the potential annexation of two "islands" within the City – Maple Precinct and Perrinville. Staff is anticipating having an open house with the Maple Precinct residents on March 18<sup>th</sup>. This will be the first of many outreach efforts.

Commissioner Ambalada said she is really excited about the annexations, but in order for it to be successful, the other part of the city government should be more proactive.

She discussed implications of a .01% real estate tax in Snohomish County. She stated that the Mayor should be more proactive with the neighborhood programs and grant writing. With the annexations and the projected increase in population and social services that would be needed, there should be a joint effort between all departments. Planning Manager Garrett commented that all the departments are becoming engaged in the annexation issue.

### **Upcoming Meetings**

Planning Manager Garrett explained that there was no need to meet again until March.

*Motion made by Commissioner Elliott, seconded by Commissioner Wojack, to cancel the February 28 meeting. Motion passed unanimously (5-0).*

### **ADJOURNMENT**

Chair Wright adjourned the meeting at 8:24 p.m.

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Richard Wright, Chair