

<b>City of Lynnwood</b> <b>PLANNING COMMISSION MINUTES</b> <b>May 8, 2008</b>
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<b>Commissioners Present:</b>	<b>Staff Present:</b>
Richard Wright, Chair	Lauren Balisky, Assistant Planner
Maria Ambalada	Shay Davidson, Administrative Assistant
Jeff Davies	David Mach, Project Manager
Elisa Elliott, First Vice-chair	Ted Hikel, City Council Liaison
Tia Peycheff	Paul Krauss, Comm. Dev. Director
Michael Wojack, Second Vice-chair	
<b>Commissioners Absent:</b>	<b>Others Absent:</b>
None	

### CALL TO ORDER

The meeting was called to order by Chair Wright at 7:00 p.m.

### APPROVAL OF MINUTES

**A. February 14, 2008 Planning Commission Minutes**

*Planning Commissioner Wojack moved to approve the minutes as presented. The motion was seconded and passed unanimously (6-0).*

**B. March 27, 2008 Planning Commission Minutes**

Chair Wright noted that Commissioner Ambalada should be noted as present at the March 27 meeting.

Assistant Planner Lauren Balisky noted that the spelling of her name should be corrected on page 3.

*Commissioner Davies moved to approve the minutes with the above corrections. The motion was seconded and passed unanimously (6-0).*

### COUNCIL LIAISON REPORT

None.

## CITIZEN COMMENTS

None

## PUBLIC HEARINGS

- A. Accessory Dwelling Units Code Amendment (2008-CAM-0002) – If approved, this code amendment would revise the City’s regulations for allowing accessory dwelling units (“granny flats”) on single-family residential lots. Referral from City Council.**

Chair Wright opened the public hearing at 7:03 p.m.

Assistant Planner Lauren Balisky explained what an accessory dwelling unit is and why regulations are needed. She solicited comments or questions.

Commissioner Elliott asked what the maximum lot coverage is? Ms. Balisky responded that it was 35%.

Commissioner Wojack commented on a staff remark at the prior meeting that they did not want ADU’s to turn into duplexes. He asked for clarification on this. Ms. Balisky explained that duplexes are allowed in multi-family zoning. ADU’s are allowed in single-family zoning. The main difference is that an ADU is aesthetically and functionally subordinate to the primary home. In a duplex they can be exactly the same size and design.

Commissioner Wojack referred to the proposed amnesty program for people who have an existing ADU in their house. He asked whether or not those people would have to bring their residence up to code. Ms. Balisky said they would ask for records if it was built in the county or one of the City’s building inspectors could inspect it. They would ask them to update the structure to comply with critical life safety issues.

Community Development Director Paul Krauss added that it would depend on the knowledge and competency of the original owner. He discussed the type of issues that would fall under critical life safety issues.

Commissioner Ambalada thought it would be a good idea if the City of Lynnwood were to promote senior housing. In response, Ms. Balisky stated that they had updated the provisions to state that if you do design and build your ADU to be ADA accessible, then you can have more space to accommodate that.

Commissioner Davies asked about promotion of the amnesty program to citizens. Ms. Balisky replied that the City had not decided for sure, but that the City would probably utilize the City’s newsletter, *The Herald*, and *The Enterprise*.

Commissioner Wojack stated that he has discovered that there are a lot of these already out there. He asked how many cars could be parked on a long driveway. Community Development Director Krauss referred to the section of the code that addresses this.

Commissioner Wojack then referred to page 8 of 14 of the Planning Commission packet, *Owner Occupancy*. He asked why this was required to be filed with the county and not the city. Ms. Balisky stated that the City does keep a copy in City records, but the document is also recorded with the county so that it runs with the tax parcel. That way when the property is sold, the next person is aware of these requirements.

#### Public Testimony:

Steven Stern, 5030 194<sup>th</sup> Street, stated that he is looking at building an ADU for his in-laws. He asked if the house already has an ADU, why does the permit have to be reapplied for upon the sale of the house? Director Krauss stated that this was so that the new owner signed an affidavit stating that they understand that it is required to be owner-occupied, not to recertify the unit itself.

The public hearing was closed at 7:19 p.m.

#### Commissioner Comments:

Commissioner Psycheff felt that the 10,000 square foot limitation on detached units was excessively restrictive.

Commissioner Elliott responded to Commissioner Psycheff's concern. She said she had a concern about the footprint and aesthetics of a detached unit on a smaller lot. There was discussion about setbacks and separation from one structure to the next. Ms. Balisky stated that the allowable coverage area of the lot in RS-8 would be 35%, regardless of the size of the lot.

Commissioner Ambalada asked if connected access to the main house would be allowed. She felt this would be important for an older person. Staff replied that it would be allowed, but it would then be an attached dwelling unit.

Director Krauss referred to Commissioner Psycheff's concern. He stated that if the Planning Commission wished to amend that size limitation staff would do so.

Commissioner Elliott referred to page 5 of 7 in the Planning Commission packet. She said she had concerns about the option for reduced setbacks. Ms. Balisky pointed out there is a provision in the code right now for reduced rear setbacks for a garage. She discussed practical aspects of this provision.

Commissioner Elliott recommended that the reduced setback only apply to lots that are 10,000 square feet or larger, even if the Planning Commission chose to

allow ADU's on lots smaller than 10,000 feet. Staff indicated they could change the code to reflect this, but noted that screening might still be desired.

Commissioner Peycheff stated that it appeared that they simply didn't want these ADU's in here. She said she did not see the problem with detached units, especially if they were well designed.

Commissioner Elliott asked Commissioner Peycheff if she supported having a reduced lot size and reduced setbacks or original setbacks. Commissioner Peycheff said she agreed with Commissioner Elliott that they should have the original setback on a reduced lot size. She would like to see these units encouraged and does not think a smaller lot size will make that much difference.

*Commissioner Ambalada moved to forward the ADU Code Amendment on to the City Council with the amendment to eliminate the 10,000 square foot minimum and eliminate the ability to have reduced setbacks on lots smaller than 10,000 square feet. The motion was seconded by Commissioner Davies and passed unanimously (6-0).*

## **WORK SESSION**

### **A. Six-Year Transportation Improvement Program**

David Mach, Public Works Department Project Manager, reviewed the Six-Year TIP for 2009-2014 as required by State RCW. A Planning Commission public hearing on the TIP is scheduled for Thursday, May 22, 2008.

Commissioner Elliott asked how potential annexations were accounted for in the TIP. Director Krauss replied that those projects are in the County's Six-Year TIP. The City will try to negotiate some of this with the County prior to annexation, but the annexation area would be included in the City's updated TIP the following year.

Commissioner Davies asked about the status of "Sidewalks, 60<sup>th</sup> Avenue W, Phase II, 99 to 188<sup>th</sup>." Mr. Mach stated that some of the power poles along that roadway needed to be relocated in order to make space for the sidewalk so this is still in the design phase.

Councilmember Hikel clarified for Commissioner Elliott that this TIP only covers areas within the City. Upon annexation, the next TIP would include those areas that are annexed into the City. They cannot take responsibility for those projects that are not yet in the City. He added that it is going to be a huge cost.

Commissioner Ambalada asked about the bicycle striping project. Mr. Mach replied that that project is still currently under design.

Chair Wright stated that this would be scheduled for a public hearing on May 22, 2008.

## **OTHER BUSINESS**

### **A. Briefing on the City's Annexation Program (2008-ANX-001, 0002 and 0003)**

Director Krauss discussed upcoming annex areas. Maple Precinct and Perrinville are the "islands" that are being addressed right now. On the larger annexations, he noted that annexations must be initiated by January 1, 2010 in order to qualify for the state tax incentive. The Lynnwood newsletter has started being distributed to all residents in the potential annexation areas as well as Lynnwood residents. More extensive outreach will be done this coming fall and winter. The City is actively working on interlocal agreements with surrounding jurisdictions and with the County. The City has just retained a consultant to do a financial feasibility study over the next four or five months. This will give the Council a better idea of the actual costs of annexation.

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

1. Upcoming Commission Meetings
  - Director Krauss stated that most of the upcoming meetings are going to focus on the Comprehensive Plan.
  - He then gave an update on the SR 99 Corridor Study. An economic feasibility study has been completed. A land use study is coming next.
  - He discussed code enforcement issues, especially with regard to the low-income elderly, people with mental issues, and people with limited means. The City of San Jose has worked with the faith community to assist these people. He is interested in coordinating something like this in Lynnwood.
  - The American Planning Association has a very inexpensive membership for planning commissions. The Planning Commission will be enrolled in this and will receive the same magazines that staff gets.

## **ADJOURNMENT**

*Motion made by Chair Wright to adjourn the meeting. The motion was seconded and passed unanimously (6-0). The meeting was adjourned at 8:18 p.m.*

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Richard Wright, Chair