

**City of Lynnwood
PLANNING COMMISSION MINUTES
May 13, 2010 Meeting**

Commissioners Present:	Staff Present:
Richard Wright, Chair	Shay Davidson, Administrative Asst.
Maria Ambalada	Kevin Garrett, Planning Manager
Van Aubuchon	Gloria Rivera, Senior Planner
Chad Braithwaite	
Bob Larsen, Vice Chair	
Michael Wojack, Second Vice-chair	
	Other:
Commissioners Absent:	
Jeff Davies	

The meeting was called to order Chair Wright at 7:06 p.m.

Approval of Minutes

1. Meeting of April 29, 2010

Motion made by Commissioner Wojack, seconded by Commissioner Braithwaite, to approve the minutes as presented. Motion passed unanimously.

Council Liaison Report

None.

Citizen Comments

None.

Meeting with Mayor Don Gough

Planning Manager Garrett explained that the Mayor had another commitment tonight and was therefore unable to attend. Staff has confirmed his availability for May 27.

Public Hearings

None.

Work Session

1. 2010 Amendments to the Comprehensive Plan (2010CPL0001).
Group 2:

Planning Manager Garrett introduced the second group of docket items. There will be public hearings on these items at the June meetings. The intent tonight is to get ready for the hearings and identify any areas the Planning Commission would like further research on in advance of the hearings.

- Amendments to Parks Element – Annual Update.

Planning Manager Garrett referred to Attachment A in the packet which identifies the amendments. There are no policy implications; the intent of the amendments is to reflect projects that have been completed, to include current population estimates, recalculate the need for parks land, and make whatever editorial changes are needed. He referred to the table titled *Demand and Need within City Limits* on page A-6. He pointed out that the population numbers include the North-East-South (NES) Annexation.

Commissioner Larsen asked why some of the cells under *Need* for the 2009 population showed up as zero. Planning Manager Garrett explained that this indicates that the need is satisfied.

- Amendments to Implementation Element – Annual Update.

Planning Manager Garrett discussed the change to the Implementation Element as it relates to the update required by the Growth Management Act.

- Amendments to Introduction – Growth Allocations.

Planning Manager Garrett explained that this corrects an error that was made in last year's docket. He explained that changes to the MUGA had never been recognized by Snohomish County Tomorrow or Snohomish County Council. The amendments correct the errors and clarify the different versions of the MUGA.

- Land Use Element – Review 60/40 Policies.

Planning Manager Garrett informed the Planning Commission that Senior Planner Keith Maw was unable to be here due to the fact that he had come down with the flu. He then discussed reasons why the 60/40 goal is not attainable and solicited the Planning Commission's thoughts on this issue.

Commissioner Ambalada commented that although it seems impossible to meet the 60/40 goal, she still wants to maintain it because once you give it up the landscape of Lynnwood will change. She believes that if we start building more multi-family structures the trees will disappear. Also, she expressed concern about maintaining the family values of the city. She feels the 60/40 goal is an incentive for that.

Chair Wright referred to the PSRC's (Puget Sound Regional Council) projected growth for our area. He asked if the density projections are part of the hurdle in reaching the 60/40 goal. Planning Manager Garrett replied that PSRC does have projections and allocations of growth and population throughout the four-county area. He recalled that another 1.6 million people were allocated throughout the region according to a system of geography that PSRC developed. The challenge for the county is to allocate the population growth among all the cities. There is also another mandatory system of allocating growth which is from the Office of Financial Management (OFM) of the State. They periodically do growth projections at the county level for both employment and population. In Snohomish County the allocation of those targets is done by Snohomish County Tomorrow (SCT) and must be incorporated into the Comprehensive Plan. The Buildable Lands Study also looks at what land county-wide is buildable and this is compared to the growth allocations. He commented that even if all vacant land was built single-family the City of Lynnwood still couldn't meet the 60/40 goal.

Chair Wright commented that between PSRC and SCT we see a drive for urban density. He noted that the obvious drive in the MUGA area is for higher-density development. He asked if there is any projection of how those types of developments are going to affect this should we reach a point where we do annex our MUGA. He also asked if there is any study on how much single-family is left. Planning Manager Garrett commented that the allocations don't mandate any particular type of housing; they just look at the number of households, the amount of population and the number of jobs. The last set of numbers for the Lynnwood MUGA showed that there was plenty of capacity. For the incorporated city we were running a little bit short. When you add them both together there was enough surplus capacity in the MUGA to make the whole calculation work.

The city has taken two initiatives to increase the city's capacity: City Center and Highway 99. He emphasized that they have no need to look at encroaching on single-family neighborhoods. The family-friendly aspect continues to come up in surveys. Staff has considered having even stronger language to focus more on preserving the single-family areas in terms of not only zoning and land use, but also the quality of the structures. Chair Wright then asked what would be an attainable balance between multi-family and single-family in the City of Lynnwood. Planning Manager Garrett said he would have to defer to Mr. Maw on that question. Chair Wright commented on the high potential density along Highway 99 and the City Center. While staff says that we have an unattainable goal, he suggested that there are a lot of wheels in motion and we really have no idea at this point what will happen. He appreciates Commissioner Ambalada's comments about preserving family values in the city, but he does not make the assumption that those in multi-family residences don't also share those values. He asked what the current ratio is. Planning Manager Garrett reviewed page G-1-4 which shows the ratios of the different areas in different years.

Commissioner Wojack commended Planning Manager Garrett and his staff for the great report. He said he also would like to keep the current ratio, but he determined from reading the report that there is no way we can do it. In his research he noted that a lot of communities are starting to build "up". He referred to bullet #4. For multi-family he proposed that they look more into townhomes and condos. He asked if they wanted a city of families and a good quality of life or a city of houses.

Commissioner Aubuchon agreed with keeping the goal for 60% single family. Even if they don't reach completely 60% they can work to get the balance back. He referred to some older, high-density areas that need to be cleaned up. He proposed that rather than let landholders tear those down and build more high density, they ought to offer them some incentive to build single-family. Over the long term that will be the answer to a lot of our problems.

Commissioner Braithwaite referred to growth allocations and asked if those can drive land use changes in the city over time. Planning Manager Garrett said he has not seen a situation where a city acted in conflict with its growth projections. If a city doesn't create the capacity which is measured under the Buildable Lands Program for their allocation, they could be taken to the Hearings Board with a claim that the Land Use Plan is not consistent with their responsibility to plan for growth that has been allocated.

Commissioner Braithwaite asked if there are circumstances where the outcome of that process would be that they need to change single family densities to higher density uses. Planning Manager Garrett thought that could be part of it. Commissioner Braithwaite said he is generally in favor of setting realistic goals, but he is leery of creating any opportunity to increase the density in the city by giving opportunities to rezone single-family residences into multi-family. He then referred to bullet point #3 and said he was concerned about trying to set home ownership goals as opposed to single-family versus higher densities.

Commissioner Larsen liked the way bullet #4 starts out. He recommended expanding that concept into the area of what stresses single family areas so we can try to protect them from problems. He hopes that we can find way to improve the quality of life for people in multi-family residences also. He encouraged staff to be careful and clear about how we define what a single-family home is.

Commissioner Ambalada suggested tabling this issue until we are done with annexations. Regarding mobile homes, she believes that these should be classified as single-family homes. After annexation she suggested doing a more comprehensive study and maybe a survey to address this issue. She expressed support for maintaining the 60/40 ratio.

Chair Wright asked how many units are in the mobile home park. Commissioner Ambalada said that there are about 90 units in her mobile home park. Chair Wright noted that if they define mobile home parks as single-family residences they could potentially reach 55% under the estimates for single-family. He referred to Planning Manager Garrett's comment that it takes one urban center to undo all of that. The potential is greater for an urban center to be developed than for us to answer the question of multi- or single-family for mobile homes.

Commissioner Wojack said that it is really amazing working with all of the other commissioners and their ideas. He commended everyone for their efforts.

Commissioner Larsen asked about Neighborhood Programs that can help cities. He discussed a program called Community Housing Improvement Program where they use private funds and private contractors to do work. The work is overseen by staff on the city that has experience with contractors. He recommended looking into this as a way of protecting and preserving single-family areas.

Commissioner Aubuchon said there is a program in place where somebody on staff oversees construction, the banks loan the money for the improvements and then lien the house. Planning Manager Garrett commented that that program is a little different than the one Commissioner Larsen was referring to which is for very severe *nuisance* situations and only comes up through code enforcement. He explained how this process works. He explained that the City also has a program similar to the one that Commissioner Larsen discussed. Commissioner Aubuchon discussed how renovations in Flint, Michigan and Detroit are being done under a stimulus program.

Commissioner Ambalada suggested that when the manufactured home issue comes on the agenda in the future regarding rezoning, they should be specific whether it's a single-family or multi-family category. She recommended that it be included in the single-family category.

Chair Wright asked about the downside of keeping the 60/40 goal, but never reaching it. Planning Manager Garrett commented that if they never get challenged there would be no effect. If somebody wanted to go after the City, they could do it if we were not taking actions in support of that goal. He pointed out that although they have a 60/40 subgoal right now, they are in the middle of a project to encourage development of more multi-family housing along Highway 99. He stressed that there are other goals in the plan that support this redevelopment of Highway 99.

Chair Wright reflected on the dilemma before the Commission and requested that each one come up with a target number.

Chair Wojack stated that he would be comfortable with 50-55% single family. He does not feel that 60/40 is attainable.

Commissioner Braithwaite spoke in support of a reasonable, achievable goal, but he was not sure what that number would be. He suggested considering having separate goals for separate parts of the city.

Commissioner Wright agreed that we need to set attainable goals. He believes in shooting for the moon, but noted that it's okay if they fall short. He spoke in support of classifying mobile homes as single-family residences. He spoke in support of the City absorbing the density and helping to keep open spaces outside of the City. The City also has a responsibility to current and future residents to keep it appealing. He would love to see the city achieve the 60/40 goal because it is an identity that Lynnwood has. The City has also done a lot of work on

some zoning that is intended to be dense. He retains the vision that they had when they had those discussions. He summarized that he would like to see this balanced toward the single-family side with any number above 51%.

Commissioner Aubuchon commented that in addition to setting aside the City Center they also need to set aside Highway 99 because it lends itself toward the multi-family, high-density housing. He does not think those areas should be included in the 60/40 ratio. He also recommended updating some of the current high-density, multi-family housing to single family.

Commissioner Ambalada maintained that the 60/40 ratio is the magic number. She believes that it is attainable with time.

Commissioner Larsen said that the beauty of setting a goal is that it sends a message that they are in support of single family and doing all they can to protect it. He spoke in support of setting a realistic goal. He expressed concern about the population growth projections because Lynnwood does have capacity to handle growth, but there are jurisdictions around us that do not. He commented that one of his concerns is that Lynnwood might be asked to take more than what their fair share of growth would be.

Chair Wright concluded that there still was not a consensus. He recommended additional input from staff when Keith Maw is feeling better. Planning Manager Garrett indicated that they would provide this. He read the Land Use policy 2-12 on page 30 of the Land Use Element. This comes into play if a rezoning from single to multi-family is proposed.

No single family residential property shall be rezoned to any form of multi-family use except in rare instances and then only upon a showing of clear and convincing evidence of need.

Chair Wright pointed out that no one on the Commission was condoning the concept of converting what we have in single family into multi-family.

Planning Manager Garrett stated that staff would work on this and bring something back.

- Amendments to Implement Highway 99 Subarea Plan.

This item is a placeholder in case there are some amendments. Chair Wright asked if the work of the Highway 99 study group might be part of what comes back to the Commission.

2. Physical or Personal Services as Home Occupation Code Amendment (2010CAM0003). Proposed Amendment to LMC 21.42.300 to allow a physical or personal services business as a home occupation in single family residential zones. Referral from City Council.

Planning Manager Garrett stated that this item came up during Public Comments at a Council meeting.

Senior Planner Gloria Rivera reviewed the background on this item and the current city code. She reviewed staff's concerns related to home occupations. She then discussed what other cities are doing. It was staff's opinion that home occupations could be given more flexibility with regard to the type of use allowed as long as there continue to be conditions on the number of customers, prohibitions of employees and the intensity as already set forth in our code. The City Council referred this matter back to the Planning Commission. Ms. Rivera discussed some options available to the Planning Commission. On behalf of the staff she asked the Planning Commission:

- What do you think is the philosophy behind home occupations?
- Given the type of home occupations allowed in the City and by other cities, what types should be allowed?
- If uses are expanded, do more restrictions need to be codified?
- Specifically looking at health care or other physical or personal services, should we just delete number 7 and leave it at that or do we need to get into more detail about what uses should or should not be allowed?

Commissioner Aubuchon thought that the key to the whole thing is that the home occupation ought to be limited to the principal residence.

Commissioner Ambalada spoke in support of home occupations as a way of helping people be more positive during these difficult times. The only concern she has is services such as massages because it could be open to abuse. She also felt that occupations that involve substances which could harm the neighborhood should be restricted in order to protect the physical and moral safety of the neighborhood.

Commissioner Larsen commented that in a multi-family residence they might want to have a provision where the property owner would be involved in some way. With regard to signs, they should probably be indoors, such as behind a window. He asked if there have been any complaint or problems related to home occupations. Planning Manager

Garrett said that he used to oversee Code Enforcement and they did receive complaints. The most frequent complaints were related to traffic in the neighborhood and noise from a workshop. Senior Planner Rivera said that in her experience in Mt. Vernon, the main complaints surrounded traffic and parking. She pointed out that our code already addresses the number of trips. She also received complaints related to noise related to someone who did manufacturing in his garage.

Commissioner Braithwaite said he is not generally in favor of expanding home businesses because there is kind of a slippery slope in terms of uses and the City does not have the resources to police these. He also thinks that this takes away from businesses in the commercial center. He felt that signage in residential communities had a tendency to be detractive and would be hard to police. If they decide to do it he would be in favor of comprehensive restrictions on the types and natures of businesses and mitigate those issues.

Commissioner Wojack spoke against expanding allowable home occupations. He relayed that he has lived for 3 ½ years with a business across the street resulting in numerous cars, loud music, customers coming to his door asking for the business, and garbage in his yard. He reviewed several issues related to this and concerns he has about expanding home businesses. If this does go forward he would want good "teeth" in there. He liked the idea of two levels of business licenses referred to by Ms. Rivera and also a way to withdraw a business license.

Chair Wright commented that some uses have no place in single-family neighborhoods; however there are areas in the city where they might be acceptable. He added that it is important to enforce the noise ordinance whether or not they have a business license. He discussed his own experience with a home business in his neighborhood. He stated that they need to be sensitive to the neighborhoods by perhaps looking at individual occupations. There are several businesses that he would prefer not to allow. He prefers that any signage be low-impact. Also, regardless of the occupation of the business, it should operate within the hours of our noise ordinances.

Commissioner Ambalada said it would be nice if everybody could work at home on computers. She thinks they could be selective about the type of work allowed such as barber/hair salon, accounting, legal, sewing, quilting, etc.

Senior Planner Rivera thanked the Planning Commission for the direction. She indicated she would come back with some proposed uses, restrictions, and enforcement options.

Other Business

None

Director's Report

Planning Manager Garrett reported the following:

- He stated that the City Council has been very engaged on budget issues and hasn't had many other items come forward.
- Regarding annexations, the City was successful with its version of the Final Order of the Superior Court which was filed in late April. They are now in the 30-day period where appeals may be filed. Staff is expecting an appeal by Mill Creek.
- Perrinville Annexation – Council adopted a resolution on May 10 authorizing the annexation to go forward and approving the boundaries as recommended. Now they are waiting for the signature to be verified by the County. It should be part of the City by September unless something unexpected happens.
- Director Krauss has been involved with the budget for 2011-2012. He noted that the most up-to-date information can be found on the City website.

ADJOURNMENT

The meeting was adjourned 9:16 p.m.



Richard Wright, Chair