

**City of Lynnwood
PLANNING COMMISSION MINUTES
May 27, 2010 Meeting**

Commissioners Present:	Staff Present:
Richard Wright, Chair	Shay Davidson, Administrative Asst.
Maria Ambalada (<i>arrived at 7:13</i>)	Kevin Garrett, Planning Manager
Van Aubuchon	Keith Maw, Senior Planner
Chad Braithwaite	Paul Krauss, Comm. Dev. Director
Bob Larsen, Vice Chair	
Michael Wojack, Second Vice-chair	
	Other:
Commissioners Absent:	Council President Ted Hikel
Jeff Davies	Rod Kaseguma, Assistant City Attorney

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

Approval of Minutes

1. Meeting of May 13, 2010

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

Council Liaison Report

Council President Hikel reported that the City Council concluded the necessary amendments to the 2010 Budget at the meeting on May 24. The Council had a presentation on the City Center recently and is looking forward to several more in order to facilitate this important project.

Citizen Comments

None.

Meeting with Mayor Don Gough

Planning Manager Kevin Garrett stated that the Mayor would be unable to attend tonight. Staff will attempt to reschedule.

Public Hearings

None.

Work Session

1. 2010 Amendments to the Comprehensive Plan (2010CPL0001).
Group 3

Planning Manager Garrett reviewed the third group of the proposed Comprehensive Plan Amendments.

- **Land Use Element: Revision to City's Municipal Urban Growth Area Boundary in Meadowdale Gap (area north of Lunds Gulch, west of 52nd Ave. W. and south of 148th St. SW and Norma Beach Road).**

Planning Manager Garrett explained that this is a placeholder item to allow consideration of changes to the City's Municipal Urban Growth Area (MUGA) out in the Meadowdale Gap area. The Planning Commission has forwarded a recommendation on to City Council, but they have not yet had time to review it.

Commissioner Ambalada arrived at 7:13.

- **Energy & Sustainability Element – Greenhouse Gas Reduction Targets.**

Senior Planner Keith Maw reviewed the proposed Greenhouse Gas Reduction Targets as well as the reason for the targets and the methodology that had been presented in December. The targets are all for reducing emissions below 2005 levels. By 2020 the proposed target is 15% below the 2005 levels; by 2030, 30% below; by 2035, 40% below, and by 2050, 60% below the 2005 emission levels. They are also waiting for Council review of this item.

Commissioner Wojack asked if the Energy and Sustainability referred to both city and public elements. Mr. Maw said that the targets he mentioned were for the community. There are additional targets for city operations. For citywide community goals they would put policies in place in the Climate Action Plan that would help the community to make those reductions. Some of those policies might be things like reduction in vehicle miles travelled and building efficiencies.

Commissioner Larsen asked if staff had looked at budget implications of this. Mr. Maw said they had not done that as of yet. Planning Manager Garrett added that they did have some budgetary allocations to support the sustainability in this biennium. For the most part those were lost in the budget amendments.

Commissioner Ambalada referred to discussions held about two years ago regarding environmental sustainability related to the watersheds. She feels that the climate change/gas emissions could also impact the watersheds. She asked if there has been a comprehensive look at the effect of the environment on the watersheds. Mr. Maw explained that one of the policies that was passed in the Energy and Sustainability Element included sub goals for incorporating both sustainability considerations and climate change considerations into significant city actions. There are not strong climate change criteria yet because of not having the targets. The sustainability framework prepares us with a tool for determining whether an action is or isn't in the best interest of moving the city toward a higher degree of sustainability. However, they have not been in a position yet to review any of the department plans that have been put forward for compliance with these goals and policies.

Planning Manager Garrett stated that there has been progress in the form of a new Ordinance that was adopted for Stormwater Management. This brings all of the City's stormwater regulations up to date. In particular it makes the 2005 Stormwater Management Manual issued by the Department of Ecology (DOE) the rule of the City for managing stormwater. This is a major step forward. It also directs developers preparing stormwater management plans for their properties to give high priority to low impact development techniques.

Commissioner Ambalada asked about a treatment program for polluted water in the watersheds. Mr. Maw said that the Stormwater Management plan that was done last year does address those areas of water quality where we're under some kind of ruling, typically from the DOE, but there aren't any policies in the plan for restoring or bringing streams back up closer to their pre-development state. He discussed the difference between a sustainability program and a minimum compliance program. Until now the City's main focus has been on complying with regulatory requirements and not on exploring stream restoration or other water quality measures that go beyond what they are legally required to do. This is an area of ongoing discussion between community development and public works.

Commissioner Ambalada suggested looking into a pilot study or a project that could possibly get funding from environmental agencies. Mr. Maw replied that they will have a few decision packages with next year's budget that will help us make some progress on individual strategies under the sustainability plan. They will be trying to get funding for this and have been applying for grants. Planning Manager Garrett added that they have established a regular high level staff meeting of public works staff, community development and economic development in order to coordinate throughout all different departments.

- **Land Use Element – Review 60/40 Subgoal and related policies – Continued discussion from the last meeting**

Planning Manager Garrett summarized the discussion on the existing 60/40 subgoal in the Comprehensive Plan at the previous meeting. He reviewed an outline that combines the comments they heard from the Commission and some notes from staff. He highlighted some of those items.

Chair Wright thanked staff for the information. He commented that he believes the intent of the 60/40 goal is to preserve single family neighborhoods. The numbers in the goal are perhaps arbitrary. We are planning for and implementing multi-family development throughout the Highway 99 corridor and the City Center. If we take those numbers away it makes the 60/40 arbitrary because those areas are still in the City. He suggested that the goals language on the document distributed by Planning Manager Garrett could be a subgoal because it cuts to what they want to do.

Commissioner Ambalada said that the goal of 60% for single family is a good yardstick to keep. She suggested that Council President Hikel could elaborate on this. Council President Hikel commented that he was the author of the original 60/40 goal which was brought forward because they had been sliding away from single family and deeply into multi-family during the 1980's. He discussed the number of affordable housing units they are supposed to provide in the Lynnwood on top of what they already have. He noted that they already have more affordable housing than any other city in the County except Everett and more affordable housing on a per population basis than Everett. The financial implications of this are huge because the housing does not generate enough money to pay for the services that we must give those citizens who will live in those units. That is the reason for the strong statement by the Council of saying that 60/40 is the goal in order to protect what we have and to encourage more single-family residences in the City. He believes that this is the financial basis of a successful city. He discussed the impacts of the City Center zoning on single family neighborhoods.

Chair Wright asked how the 60/40 goal relates to development along Highway 99 or the City Center. Council President Hikel commented that it is simply a goal to say we care about the balance of the community. What is going to make a greater difference than anything else is what kind of development we get and if it can help pay for the services that the people that will live there will need. There was discussion about how the development pattern for increased population will be predominately multi-family mostly because there is very little vacant single-family property left.

Chair Wright commented on the apparent impossibility of the 60/40 goal and asked what the purpose was of setting an unattainable goal. Council President Hikel replied that the purpose was to stress the need for the emphasis on single-family residents for financial viability of the City. He discussed the high financial and other costs of multi-family developments.

Chair Wright asked if we would still be facing the budget issues if we never reach the 60/40 goal. Council President Hikel said that we will face budget issues no matter what; it is just the degree of severity of the budget issues.

Commissioner Braithwaite asked if there has ever been any consideration of altering development fees in order to encourage development one way or the other. Council President Hikel replied that they have talked about a process of requiring upgrades to existing units that were built many years ago. Planning Manager Garrett explained that state law limits the basis on which cities can charge impact fees. He added that Lynnwood is pretty much already built out. Even if we could structure a financial incentive system of some sort, most of the single-family land is already built.

Director Paul Krauss said that staff is well aware of Council President Hikel's concerns and have tried to come up with ways to solidify the single-housing stock that we have. Council is supportive of a very active code enforcement program trying to maintain minimum life safety building standards in single-family neighborhoods that have been allowed to deteriorate. Council has also discussed the possibility of requiring business licenses for all rentals, not just multi-family rentals. There was discussion about work being done to rewrite the affordable housing policies that, if adopted, would eliminate individual city targets for affordable housing. He discussed his experience in Auburn with affordable housing issues.

Mr. Maw pointed out that in addition to preserving single family residences, the other two goals of improving the sustainability of single family neighborhoods, especially in terms of energy efficiency, and the notion of a maintaining a housing mix for all segments are also very important. He discussed the huge demographic shift that we are in the midst of where large numbers of retired and aging people will be interested in housing alternatives other than a single-family residence or a low-income apartment.

Commissioner Larsen said he thinks Mr. Maw is right in his predictions about the future of housing and land use policy in America. He discussed his feelings related to these changes. He hopes that they will be able to accommodate some of these innovative mixed-use centers along Highway 99 and in the City Center and avoid infill of single-family

neighborhoods. He said that he would be comfortable with prioritizing what is important to the Planning Commission. For him it is really important to try to preserve and protect single-family areas. Then when it comes to multi-family, he would like to see the City develop a set of rigorous design standards for those developments in order to see the kind of development they want to see in Lynnwood.

Chair Wright summarized that whether or not the growth occurs as estimated we will never reach the 60/40 goal. He understands the concept of it, but he thinks that it would be more valuable to memorialize their true goals of preserving and protecting their single-family neighborhoods.

Commissioner Ambalada added that the mobile home parks are zoned single-family. She commented on houses she had noticed that were vacant when she was doorbelling. Most of those belonged to senior citizens who had gone to nursing homes. She noted that Senior Services of Snohomish County provides services at very reasonable costs. She noted that the program of aging right now is to help senior citizens stay at home and be healthy. She agreed with Commissioner Larsen that they should wait until after annexation, the City Center and Highway 99 project to see what happens and come back to this, but that they should preserve and protect single family residences.

Commissioner Wojack concurred with Commissioner Larsen. Regarding requiring a business license for people renting homes he recommended requiring it for people renting out rooms in a home as well. Regarding Chair Wright's suggestion about their goals, he added that a statement regarding future growth of single family residences should state a goal to keep it at zero-loss of single-family residences. He acknowledged the high cost of providing emergency services to multi-family residences compared to single-family residences.

Commissioner Aubuchon agreed that they do not want to lose any single family residences. He does think that there are some gains to be made by requiring some of the older development up to date or replaced. He recommended using incentives to encourage property owners to do this.

Commissioner Larsen commented that when Lynnwood set the 60/40 goal it sent a message that Lynnwood was drawing a line and had intent. He feels that something like 60/40 is an image or established objective for the community. He expressed concern about abandoning the goal, but noted that whatever number they do pick should be a realistic number. Mr. Maw addressed the problem with setting a ratio. He noted that they are currently at about 53% and will not likely get higher than that.

As time goes by, that number will continue to grow smaller. He thinks that preservation and improvement of the neighborhoods achieves the objective of maintaining the existing stock.

Commissioner Larsen solicited Council President's view of this discussion. Council President Hikel agreed that the ratio is a brand or a statement that they have made. Even though they know they are not going to get there, it shows that they are very committed to it. He thanked the Commission for their input and the conversation tonight.

Chair Wright proposed *zero loss* as the concept that they all agreed upon. He feels that this maintains the same goals as the existing policy of the City and is actually an attainable goal.

Commissioner Ambalada was very pleased on the impact that this would have on senior citizens who live in older homes.

Commissioner Wojack also like the zero loss idea and pointed out that single-family residences provides a better income return for the future and will therefore help to keep zero loss.

Planning Manager Garrett commented that the public hearings would be held in June. Staff will try to craft policy language along the lines of the Planning Commission's discussion and Council President Hikel's comments.

- **Policies and Zoning Regulations for Preserving Mobile Home Parks – Continued discussion from the last meeting**

Planning Manager Garrett introduced Rod Kaseguma, Assistant City Attorney. Mr. Kaseguma had been involved with the City's most recent review of regulations for mobile home parks, in 2007. He noted that some of the discussion might need to be held in Executive Session.

Planning Manager Garrett distributed some handouts including a summary of the County's Mobile Home Park Program and a summary of the City's Land Use Element which includes the major components of the mobile home preservation program that the City adopted in 2007.

Commissioner Larsen noted that several members of the public were present. He suggested addressing their issues before they go into Executive Session. The members of the public indicated they were present as observers only.

Commissioner Aubuchon asked about the total number of mobile homes within the mobile home parks. Assistant City Attorney Rod Kaseguma thought that there are about 524 total mobile home spaces within the city, but only about 400 in the affected areas.

Commissioner Larsen commented that the uses the County allows appear to be much broader than mobile homes. These include senior centers, senior housing and a wide range of housing. If we want to adopt something like that we might need to be careful how we craft it and make sure that it focuses on mobile homes.

Executive Session

Chair Wright called an Executive Session at 8:43 p.m. for fifteen minutes to receive legal counsel regarding items of potential litigation regarding mobile home parks. He extended the time at 8:59 for another ten minutes. At 9:10 p.m. the time was extended five minutes. At 9:16 Chair Wright extended the time for an additional ten minutes. At 9:19 Chair Wright called the meeting back to order.

- **Mobile Home Park Discussion continued:**

Planning Manager Garrett commented that the public hearing for this is scheduled in June. They have sent out notices to mobile home park residents and owners that the Commission is considering a program similar to the County's. Staff is expecting a fair amount of public participation. He stated that at this point the staff recommendation is to not go beyond the action that was taken in 2007.

Other Business

None

Director's Report

Director Krauss discussed the comprehensive rewrite of the Countywide Planning Policies they are working on through the auspices of Snohomish County Tomorrow. In addition to the housing policies they are also working on more clarity for annexations, overlaps, and gaps in the MUGA.

Councilmember Sullivan is advancing an idea for a mediation process to be offered on issues between cities and the County. Staff thinks that having the option of a mediation process is a good idea as long as it doesn't slow things down and as long as it is conducted in the same manner as legal mediations.

The City adopted its 2010 budget and is now focused on doing the budget for the next biennium. There are a lot of significant things that might start to happen in the next couple years as the economy rebounds. Staff is continuing to meet with Sound Transit and other LRT communities in terms of helping to define where the stations need to be built and to talk about alignment. A series of presentations have started regarding City Center and transportation issues.

Planning Manager Garrett added that the City of Mountlake Terrace is hosting a free planning training session on the evening of Monday, June 14.

Commissioners' Comments

Commissioner Larsen remarked that he has a background in geology and has been through several earthquakes. He is convinced that we will have a major earthquake here at some time in the not-too-distant future. He asked about having a presentation or discussion with the Council to address the potential impacts of an earthquake and what we can do to prepare for that. Planning Manager Garrett replied that there has been a fair amount of work recently beefing up the City's ability to respond to an emergency in the area. He stated that there are ongoing programs to train residents in the neighborhoods to be able to serve as points of contacts in the neighborhoods in the event of that kind of disaster. Council President Hikel added that there is a City Emergency Plan with details about what they are to do in the event of an emergency.

ADJOURNMENT

The meeting was adjourned 9:36 p.m.



Richard Wright, Chair