

**City of Lynnwood
PLANNING COMMISSION MINUTES
February 24, 2011 Meeting**

Commissioners Present:	Staff Present:
Richard Wright, Chair	Kevin Garrett, Planning Manager
Bob Larsen, Vice Chair	Shay Davidson, Administrative Asst.
Van AuBuchon	David Osaki, Dep. Dir. Comm. Devt.
Chad Braithwaite	
Michael Wojack, Second Vice-chair	Other:
	Councilmember Loren Simmonds
Commissioners Absent:	
Maria Ambalada	

Call to Order

The meeting was called to order by Chair Wright at 7:04 p.m.

Approval of Minutes

None.

Public Comments

None.

Public Hearings

None.

Other Business

None.

Work Session

- 1. Electric Vehicles Infrastructure Code Amendment - Amendments to the Lynnwood Municipal Code Title 21 Zoning related to Electric Vehicle Infrastructure.**

Deputy Director of Community Development David Osaki gave a presentation on the Electric Vehicles Infrastructure Code Amendment which is mandated by state law. There was a deadline of July 1, 2010 to get this completed, but the state's guidance document wasn't finalized and published until after this deadline. He added that a lot of this can be dealt with through interpretation of our current

code. He discussed the difficulty of writing this code since there are no models to follow or experience with these facilities in the United States. He gave an overview of the topic and introduced some of the definitions, infrastructure and policy questions. The actual language requiring local jurisdictions to deal with electric vehicle infrastructure is in the Growth Management Act where it states that local governments must allow Electric Vehicle Infrastructure as a use in all areas except those zoned for residential or resource use or critical areas.

The EV Project is funded by the US Department of Energy as part of the American Recovery and Reinvestment Act. This is a significant program on a national level to begin to deploy and get a sense of what electric vehicles will be like, gain an understanding of vehicle use in diverse topographic and climatic conditions, evaluate the effectiveness of the charging infrastructure, begin to conduct trials and work with utilities on revenue systems for the charging of electricity through these charging infrastructure. Ultimately the goal is to take the lessons learned from the deployment of the first 8-9,000 electric vehicles and the charging infrastructure to facilitate the transition to electric vehicles.

There are basically two types of infrastructure in the proposed ordinance – charging stations and battery exchange stations. There are three levels of charging stations which are distinguished by voltage and charge time. Battery exchange stations are facilities that exchange a depleted battery for a charged one. He showed examples of each of the types of infrastructure. The proposed ordinance adds the definitions of Electric Vehicle Infrastructure, amends the permitted use tables to allow for charging stations and battery exchange stations, and provides some general parking standards for electric vehicle charging stations.

He asked the Planning Commission to consider the following questions:

- To what extent or how do we accommodate the need to address the Electrical Vehicle Infrastructure requirement through the Growth Management Act versus the local need or local desire for prohibition of auto-oriented uses or desire to promote more pedestrian-oriented types of development in certain zoning districts?
- Should charging stations in non-residential be allowed as accessory uses only?
- Do we allow standalone parking lots?
- How should we treat Electrical Vehicle Infrastructure in residential zones?

Commission Comments and Questions:

Commissioner Larsen submitted to staff some comments he had compiled.

Commissioner AuBuchon asked how this would be funded. Deputy Director Osaki said that all they are doing at the local level is making the code change to allow for these uses. The City does not have to provide the facilities.

Commissioner AuBuchon asked if there is a revenue stream here. Mr. Osaki said that ultimately there will be a revenue stream for the car makers, the battery makers, and the utilities. Commissioner AuBuchon asked if there is a revenue stream for the city. Mr. Osaki said there is not a direct revenue stream although almost all of these are going to require electrical permits. There is also the possibility of revenue from utility tax. Commissioner AuBuchon pointed out that they would not be getting as much revenue from the gas tax. This would be detrimental for the City. Planning Manager Garrett commented that Senator Haugen introduced a bill that would charge a flat \$100 for electric vehicles for the very reason that they do not use gas and will not be paying a gas tax. He stated that if we have been depending on the gas tax to support our road infrastructure and we're doing all these activities to get away from gas, there will be a funding shortfall. Nationwide we will have to figure out how to deal with it.

Commissioner Braithwaite noted that the products haven't come out yet so he recommended being as flexible as possible to see what technology is ultimately adopted. He referred to one of the slides that showed the gas station-like concept. He thought that it was unlikely that this would take off if it takes 40 minutes to charge the battery unless it was more of a coffee shop concept. He suggested that there might be a safety issue with the high voltage lines being out and accessible, especially around gas fumes at a gas station.

Chair Wright noted that lift trucks/fork lifts have used battery changing stations in large warehouses for years and there might be some examples of how this has been done on a small scale. He suggested looking at the City of Edmonds' ordinance since they have already addressed this. Staff indicated they have looked at several examples from other cities. Mr. Osaki offered to summarize how some of the other cities have handled this. Chair Wright brought up the question of where we're going to allow these and if they should be allowed outright or as accessory uses. The original intent of not allowing auto-related uses had to do with the impact of those uses. He suggested that plugging in an electric car might not have the same impact in terms of noise, contaminants, etc. He said he had a hard time seeing a battery changing station or a gas station type use in a residential area to begin with. Since you will be there 20-40 minutes you will probably need some sort of accessory use.

Commissioner Larsen suggested three words – conflict, equity, and overlap. The conflict would be if they allow auto-oriented service outside of where they are allowed now. There are reasons why they are not allowed there such as pedestrian safety and land use considerations. The equity question may come up because technically this is an energy purveyor service. There are a lot of gas stations out there that do that now and there will probably be in interest on their part which will lead to overlap of services.

Commissioner Wojack expressed some concern about adequate safety inspections of these facilities.

2. Project Highway 99 Briefing, Discussion and Preparation for the Public Hearing on the Final Draft of the Highway 99 Subarea Plan.

Planning Manager Garrett explained that the purpose of this topic tonight was to prepare the Commission for the hearing on March 2. The proposal is to create five new mixed-use nodes along the Highway 99 corridor at key intersections where the Bus Rapid Transit Stations are located. Four of these are in the City at 176th Street, 188th Street, 196th Street and 204th Street. In these nodes residential development would be encouraged, but not required. He reviewed incentives to encourage residential development. 20 units per acre is the trigger to get the incentives. If a development is going to have residential units the proposal is that those have to be in a three-story building. They are aiming for a new scale of development that currently doesn't exist in Lynnwood. He then explained the procedures for the upcoming hearing.

Commissioner Braithwaite referred to the second bullet point on the third line item on the staff report, "to expand commercial zones back on Highway 99 where appropriate to encourage higher quality development". He asked what consideration the staff had in expanding the nodes along the east-west cross streets and encouraging redevelopment between the nodes. Planning Manager Garrett commented that in many cases there is existing multi-family. To change multi-family to a commercial zone brings in a number of issues such as non-conformance and insurance issues. Commissioner Braithwaite asked if there are any incentives they could offer to encourage commercial redevelopment between the nodes rather than expanding east and west. Planning Manager Garrett replied that there are not many examples of this in Washington and that would be a topic for another discussion.

Commissioner AuBuchon referred to the discussion at a recent Council meeting about fire safety in relation to the five-story wood structures. He asked if this topic would be coming to the Planning Commission. Council Liaison Simmonds explained that the Council is trying to line the code up with the International Building Code. He did not know if this topic required any adaptation in different areas. Planning Manager Garrett added that this would be up for adoption at the next Council meeting and would then apply city-wide wherever multifamily residential development is allowed at this height. If it is adopted it would automatically apply in the nodes; there would be no need for separate action. He explained that this is a Building Code Amendment and is outside the scope of review of the Planning Commission. Commissioner AuBuchon asked if the building inspection staff has looked at it. Planning Manager Garrett replied that the Fire Marshal and Assistant Building Official were at the work session on Monday night and reported to Council that both building inspection and fire inspection support the code changes. Commissioner AuBuchon stated that he has a very uneasy feeling about that. He expressed concern about being influenced by what the developers want versus what is really a good thing for the

City. Planning Manager Garrett offered to have the Assistant Building Official get in touch with Commissioner AuBuchon.

Council Liaison Report

Councilmember Simmonds had the following comments:

- Regarding the Electric Vehicle Infrastructure discussion, he has observed in the parking lot of the new public safety building in Edmonds that they do have such a charging space. He does not know if this is only for city vehicles or if it is open to public use. He noted that there has been interest by several Lynnwood councilmembers to look at hybrids or electric cars as they replace the city fleet.
- Regarding the Highway 99 proposal, he asked about the progress on extending 204th through to Highway 99. Planning Manager Garrett commented that as far as he knows work is still proceeding on the LID for that project.
- A majority of the Lynnwood councilmembers are up for re-election this year. He expects multiple challengers for each seat. By state law they have moved up the primaries to August which means campaigning really begins in June. He suggested staff they keep this issue in mind when scheduling items for the Council.
- Last night at an extended Executive Session the City Council interviewed for the position of Finance Director. That will be brought forward for a confirmation vote on Monday night. Additionally, there will be action on Monday to elevate Paula Itaoka from Interim Human Resources Director to the position of Human Resources Director.

Director's Report

Planning Manager Garrett reported on the following items:

- He distributed 2010 Census Data for the City of Lynnwood.
- The Home Occupation Code Amendment will be the subject of a public hearing before the Council on March 14.
- Perrinville is up for Council action on the final ordinance to annex.
- The building official is on medical leave and is expected back next week.
- Every five years the City is required to update its Hazard Mitigation Plan. This is an inventory of actions, projects and programs we're already doing that will mitigate potential hazards. Council just approved the final draft of this a couple weeks ago.

Dave Osaki added the following:

- The City Council has asked the Planning Commission to look into allowing chickens in single-family residential zones. Right now the code requirement allows one chicken for every 20,000 square feet. From a practical standpoint that means you can't have a chicken.

- Target is redeveloping their interior to allow for more food and food products. This is part of their overall marketing strategy.
- American Girl is going in at the mall. Their building permit has just been issued.
- Lynnview Apartments wants to rebuild after one of their original buildings burned down. They have applied for some variances to accomplish this.
- Staff is also expecting filing next week of a new office development.

Chair Wright remarked that he found it interesting that they would not have a say on five-story wood structures, but they do get a say on chickens.

Adjournment

The meeting was adjourned at 8:25 p.m.



Richard Wright, Chair