AGENDA

Lynnwood Planning Commission

Thursday, February 14, 2013 — 7:00 pm

City Hall, Council Chambers, 19100 – 44th Ave. W., Lynnwood WA

A. CALL TO ORDER – ROLL CALL

B. ELECTION OF OFFICERS

C. APPROVAL OF MINUTES

1. September 27, 2012 meeting
2. December 5, 2012 meeting
3. January 10, 2013 meeting

D. CITIZEN COMMENTS – on matters **not** on tonight's agenda.

E. PUBLIC HEARINGS

F. WORK SESSIONS

1. PLANNED REGIONAL SHOPPING CENTER ZONE - MIXED USE REGULATIONS
Continued discussion of potential amendment of land use regulations relating to multifamily dwellings.

2. ANNUAL REPORTS – COMMUNITY DEVELOPMENT & HEARING EXAMINER
Presentation of 2012 annual reports for the Community Development Department and the Hearing Examiner.

3. 2013 WORK PLAN AND MEETING SCHEDULE
Discussion of the Planning Commission's draft work plan and schedule for 2013.

G. OTHER BUSINESS

H. COUNCIL LIAISON REPORT

I. DIRECTOR'S REPORT

J. COMMISSIONERS' COMMENTS

K. ADJOURNMENT

The public is invited to attend and participate in this public meeting. Parking and meeting rooms are accessible to persons with disabilities. Upon reasonable notice to the City Clerk's office (425) 670-5161, the City will make reasonable effort to accommodate those who need special assistance to attend this meeting.

LYNNWOOD
WASHINGTON
COMMUNITY DEVELOPMENT

MEMORANDUM

Date: February 14, 2013

To: Planning Commission

From: Corbitt Loch, Deputy Director

RE: ELECTION OF OFFICERS

The election of officers shall be chosen per the City of Lynnwood Planning Commission Rules and Procedures, Article IV: Members and Officers, Section 4: Nominations and Elections of Officers.

The procedures are as follows:

> Elections of officers shall take place annually at the first regular meeting of the Planning Commission. Nominations shall be made from the floor. The election shall follow immediately thereafter. Nominee receiving a majority vote of those present shall be declared elected.

Positions up for nomination include Chair, Vice-Chair and Second Vice-Chair.

City of Lynnwood
PLANNING COMMISSION MINUTES
January 10, 2013 Meeting

Commissioners Present:	**Staff Present:**
Richard Wright, Chair	Paul Krauss, Com. Dev. Director
Bob Larsen, Vice Chair	Corbitt Loch, Com. Dev. Deputy Director
Maria Ambalada	Jeff Elekes, Deputy PW Director/City Engineer
Chad Braithwaite	David Kleitsch, Econ. Dev. Director
Michael Wojack	Todd Hall, Associate Planner
Doug Jones	Mayor Don Gough
Commissioners Absent:	
None	

Call to Order

The meeting was called to order by Vice Chair Larsen at 6:59 p.m.

Approval of Minutes

1. Meeting of December 5, 2012

Vice Chair Larsen asked that the approval of the minutes of the September 27, 2012 and December 5, 2012 meetings be considered during the Commission's next meeting.

Citizen Comments

None.

Public Hearing

1. Lynnwood Place – Amendment of the Comprehensive Plan Future Land Use Map (2006CPL0003), Amendment of Comprehensive Plan Parks, Recreation and Open Space Element (2006CPL0003), Text Amendments to the Zoning Code (Commercial – Residential), Zoning Map Amendment to rezone property from Public (P1) to Commercial – Residential (C-R)

Vice Chair Larsen opened the public hearing at 7:03 p.m. He explained the purpose of the hearing, the hearing procedures, and inquired whether any Commissioner needed to make any disclosure regarding exparte communications or personal interests related to the proposal. No Commissioner identified the need to disclose any such potential conflict, interest, or knowledge.

Staff Presentation:

Community Development Director Paul Krauss gave a brief introduction of the Lynnwood Place project and provided background and history leading up to today's hearing.

Community Development Deputy Director Corbitt Loch gave a brief overview of the project timeline and sequence of permitting. He described the contents of the Lynnwood Place Permit Review Binder and asked that the Binder be included in the record for the four applications under consideration. Using a PowerPoint presentation, Mr. Loch provided a detailed description of each permit application, including the amendment to the Comprehensive Plan Future Land Use Map, amendments to the Parks, Recreation and Open Space Element of the Comprehensive Plan, Zoning Code text amendments and Zoning Map amendment.

Mr. Loch indicated that staff recommended approval of the requested change to the: a) Comprehensive Plan Future Land Use Map; b) development regulations for the Commercial-Residential zone; and c) Zoning Map. He reviewed the conditions of approval recommended by staff, and recommended that the Commission not take action on the proposed amendment of the text of the Parks, Recreation and Open Space Element.

Applicant Testimony:

Stephen Schmidt, Cypress Equities, 8343 Douglas Ave., Ste. 200, Dallas, TX 75225 – Mr. Schmidt introduced himself and the project team for the Lynnwood Place project and invited each of the team members to address the Commission during the public hearing.

Stewart Mhyre, Executive Director of Business and Operations, Edmonds School District – Mr. Mhyre expressed that he was pleased with the progress of the Lynnwood Place project and is looking forward to completing it.

Reid Shockey, President, Shockey Planning Group, 2716 Colby Ave., Everett, WA 98201 – Mr. Shockey expressed support for and concurrence with the staff recommendations for the applications and briefly spoke to the process up to this point.

Mr. Schmidt took to the podium again and presented conceptual designs of the site plans and architectural renderings of the proposed mixed-use commercial/residential buildings to be located on the southern portion of the Lynnwood Place property.

Kim Katz, Director of Real Estate Development, Costco Wholesale, 999 Lake Dr., Issaquah, WA 98027 – Ms. Katz briefly described the Costco Wholesale development proposed on the Lynnwood Place project and invited the architect from Mulvanny G2 Architecture to present conceptual designs.

Steve Bullock, Associate, Mulvanny/G2 Architecture – Mr. Bullock presented conceptual designs for the site plan and architectural renderings of the proposed Costco Wholesale buildings proposed for the northern portion of the Lynnwood Place property.

Nick Brossoit, Superintendent, Edmonds School District – Mr. Brossoit expressed support for the proposed redevelopment of the former site of Lynnwood High School.

Susan Phillips, Edmonds School District Boardmember – Ms. Phillips expressed her support of the Lynnwood Place project and stated the project will help the future students and staff of the Edmonds School District by providing ongoing revenue for improvements and development.

Commissioner Comments and Questions:

Commissioner Wojack asked what the average vehicle trips per hour were for Costco. Director Krauss said that the estimated gross trips were addressed in the Environmental Impact Statement (EIS).

Commissioner Ambalada asked what portion of the project will support seniors and young families. Mr. Schmidt stated that project will be designed to be pedestrian friendly, allowing those with strollers and wheelchairs to travel throughout the development. He stated that no specific plans for seniors were proposed at this time. Mr. Shockey added mentioned that as a board member for the Senior Services of Snohomish County, he stated they are actively looking how to expand services for seniors in South Snohomish County. He also stated that Community Transit is in full support of this project and transit services will be easily accessible at or near the project site.

Vice Chair Larsen opened the public testimony portion of the public hearing at 8:04 p.m.

Public Testimony:

Erin Corey, 3216 180th Pl. SW, Lynnwood, stated she is opposed to the project. Ms. Corey said traffic will become more congested than ever and it is clear that the amendments to the zoning code are to allow the Costco use on the property. She objected to the proposal that Costco be allowed to have an accessory gas station which she believed would impact her home. She supports the property to remain as public use, such as a public park.

Madeline Hertzog, 115 150th Pl. SE, Lynnwood (outside city), stated she is in support of the project and believed this would be a great asset to the community. She then gave support to the City staff and project applicants for working together to make Lynnwood Place a great project.

Ian Casey, 19123 56th Ave. W., Lynnwood, stated that Lynnwood does not need another Costco as there are two other stores within a reasonable distance. As a student, he said that the School District's budget is so constrained that students are required to purchase their own paper. He believed that the School District should focus its efforts on working on these smaller budget issues on behalf of its students before taking on larger scale projects.

Ted Hikel, 3820 191st Pl., Lynnwood, asked what kind of grading and filling will be required for the project as the site is located below the elevation of 184th Street Sw. He questioned the traffic design for the project, stating the road layout may not make sense. He also stated that with 500 residential units proposed, there seems to be a lack of open space and noted that the City has a requirement for the dedication of open space for multifamily projects.

Vice Chair Larsen called for additional speakers. Seeing no further public comments, Vice Chair Larsen closed the public hearing at 8:13 p.m.
Vice Chair Larsen suggested that the Commission address each of the four applications individually.

Item 1 – Comprehensive Plan Future Land Use Map Amendment

Commissioner Braithwaite thanked staff for the summary of the project. He stated that the traffic flow in this area would be impacted further and asked whether staff evaluated traffic patterns for the project. City Engineer/Dep. PW Director Elekes stated that staff thoroughly analyzed traffic conditions and impacts as part of the EIS process but has not prepared detailed designs for traffic signals. He did say that a timing plan would be used to synchronize existing and future signals to facilitate traffic flow along 184th Street SW.

Commissioner Braithwaite asked whether there would be a discussion on infrastructure improvements in the development agreement. Mr. Elekes stated that environmental and infrastructure impacts and issues were analyzed in the EIS and mitigation would be required and implemented at the time of development.

Commissioner Braithwaite asked about open space requirements for the project. Mr. Krauss stated that there are contractual agreements between the City and the School District regarding the replacement of the playfields that had existed at the Lynnwood Athletic Complex. He indicated that the parties agreed to expanded City use of the Meadowdale Playfields. He said the proposed

development would be required to provide recreation space consistent with Lynnwood multi-family requirements. Additionally, the project is also being required to provide direct links to the Interurban Trail, which is part of the regional trail system in the County.

Commissioner Braithwaite asked whether there would be protections to multifamily residents if there is a default on the ground lease. Mr. Schmidt stated that the leasing agreement is between Cypress Equities and Edmonds School District and that in the event of a default the lease holdings would revert back to the School District.

Commissioner Doug Jones said his main concern for the project was traffic congestion. With no improvements planned to 184th and only one entrance to/from SR-525, there will inevitably be increased traffic congestion in the area. Mr. Elekes said the proposed loop road would help to balance traffic volumes in the area by providing an alternate route for motorists.

Commissioner Ambalada asked whether a pedestrian bridge could be constructed over 184th Street SW to help alleviate traffic. Mr. Elekes said while a pedestrian bridge could probably be constructed if enough funding is provided, it is not required as mitigation for the project. The developer could propose this if they so desire, but it is not required. At-grade pedestrian crossings will be provided at the two signalized intersections.

Commissioner Wojack said he has concerns about traffic congestion and the potential for speeding through nearby residential areas, especially when 179th Street SW is fully constructed. Mr. Elekes said staff is well aware of these issues. The area street system has been designed to handle the traffic. The City could look into future mitigation efforts to help minimize the potential for those problems.

Vice Chair Larsen noted that Commission Jones left for the evening at 8:32 p.m. Vice Chair Larsen stated that the landscape buffer and the wetland areas at the west and north edges of the property are important parts of the project and should be maintained. He also stated that fencing and/or sound attenuating walls could be considered around loading docks. He said that he could envision a loop trail around the entire project site as an amenity for residents and customers.

Vice Chair Larsen moved to forward the requested amendment of the Future Land Use Map designation from Public Facilities (PF) to Mixed Use (MU) to the City Council, subject to the execution and recording of a development agreement between the Edmonds School District, Cypress Equities and the City of Lynnwood prior to the issuance of construction permits. The motion was seconded by Chairman Richard Wright and passed with a 5-0 vote.

Item 2 - Amendment of Comprehensive Plan Parks, Recreation and Open Space Element

Mr. Krauss suggested that action on this amendment was no longer required as part of the Lynnwood Place approvals since the issue of replacing recreational use had been contractually resolved by the parties. Further that action on amendments to the Parks Plan should be postponed until they can be considered in a more comprehensive manner with the 2013 Plan Docket or the 2015 major Comp Plan Update that is required under the Growth Management Act. Vice Chair Larsen invited the Parks Department to come back to a future meeting to discuss additional amendments to the Comprehensive Plan.

Vice Chair Larsen moved to postpone the recommendation for the amendment to the Future Land Use Map designation from PF to MU to City Council until the future when additional amendments are brought forth by City staff and private parties, if submitted. Commissioner Ambalada seconded the motion. Upon further discussion, it was agreed that no action need be taken to achieve the outcome of the motion on the floor, and Vice Chair Larsen and Commissioner Ambalada withdrew the motion.

Item 3 - Text Amendments to the Zoning Code (Commercial – Residential)

Vice Chair Larsen stated that he would like staff to consider adding the fuel station use to the development agreement rather than changing the zoning code to allow the use. Mr. Krauss stated the underlying code needs to be changed in order to allow the use. The design of the fuel station will be addressed during the development agreement stage and at time of plan submittal.

Commissioner Wojack said he is against gas sales at this location because of the traffic, noise and the fumes that such a station might produce because of the amount of vehicle idling that would occur.

Commissioner Ambalada stated that she expressed that she does not want to see large delivery trucks in the area.

Commissioner Braithwaite shared concerns about the gas station near residential development and that the developer agreement should addresses the protection of the neighboring community. Mr. Krauss stated that air quality for the proposed uses was addressed in the EIS. He also noted that the gas station is an accessory use to Costco, not a stand-alone station. Also, tree preservation and restoration along the hillside, as well as a potential screening wall and additional plantings, would be addressed in the developer agreement or on the site plans.

Mr. Shockey, Shockey Planning Group, stated that the applicant is very aware of the proximity to the homes, and that the applicant is intending to fully address impacts from lighting, traffic, vehicle queues, and has completed thorough

studies on vehicle fumes. He also reiterated Mr. Krauss's comments regarding the fuel station as an accessory use, which is a critical component to the Costco business model.

Ms. Katz, Costco Wholesale, stated that she has worked for Costco for over 13 years, and the company has conducted many studies over the years analyzing fumes. She said that there are Federal regulations that they must comply with and that Costco has vapor recovery systems to capture the majority of emitted vapors. She also stated that the distance from this proposed warehouse will be much farther than current stores located in Washington and California. Lastly, she mentioned that on-site lighting will be down shielded.

Mr. Schmidt, Cypress Equities, stated that the proposed gas station is actually much closer to the commercial H-Mart parcel then to single family residences. The distance from the proposed property line to the back edge of the existing H-Mart property is 180 feet. He also pointed out that new landscaping will be required along the new ring road.

Vice Chair Larsen asked whether the applicants are analyzing anything else regarding the fumes. Ms. Katz stated that she is not aware of anything else that Costco are not already doing or has been done to address the issue. Mr. Shockey added that the Commissioners should review the Puget Sound Clean Air Agency website for regulations regarding air quality in the Puget Sound region. Mr. Elekes also mentioned that in Section 3-8 of the EIS, traffic is in compliance regarding fumes and emissions.

Vice Chair Larsen moved to forward the requested text amendments to Zoning Code for Commercial-Residential (CR) to the City Council. The motion was seconded by Commissioner Ambalada and passed with a 5-0 vote.

<u>Item 4 – Zoning Map Amendment to rezone property from Public (P1) to Commercial – Residential (C-R)</u>

Vice Chair Larsen asked whether any discussion was necessary to approve this amendment. No comments were heard.

Vice Chair Larsen moved to forward the requested Zoning Map amendment to rezone the property from Public (P1) to Commercial – Residential (C-R). The motion was seconded by Commissioners Wright and Ambalada and passed with a 5-0 vote.

Council Liaison Reports, Director Reports, and Commissioner Comments were postponed until the next scheduled meeting.

Adjournment

The meeting was adjourned at 9:04 p.m.

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Richard Wright, Chair

CITY OF LYNNWOOD
PLANNING COMMISSION MINUTES
December 5, 2012 Meeting

Commissioners Present:	Staff Present:
Bob Larsen, Vice Chair	Paul Krauss Director Comm. Dev.
Maria Ambalada	Corbitt Loch, Dep. Director Comm. Dev.
Chad Braithwaite	Economic Dev. Director Kleitsch
Doug Jones	
Michael Wojack, Second Vice-chair	Economic Dev. City Center Program Manager Janiene Lambert
	Other:
Commissioners Absent:	Councilmember Van AuBuchon
Richard Wright, Chair	

Call to Order

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

Approval of Minutes

None.

Citizen Comments

None.

Public Hearings

None.

Work Session

2. Discussion - Schedule for Review of Lynnwood Place Development. Discussion of upcoming schedule for Lynnwood Place (former Lynnwood High School Property).

Deputy Director Loch introduced the Lynnwood Place project, which will be coming to the Planning Commission soon. This allows the Planning Commission and the City Council to review all of the legislative changes that are needed for the Comprehensive Plan, the Municipal Code, and the quasi-judicial action of a potential change to the zoning map. After that, staff will be bringing forward a development agreement that will specify the details of what the buildings will look like, the phasing of the development, the funding, and other details. There will be a public hearing scheduled for the January 10th Planning Commission meeting. This will be followed by a recommendation from the Planning Commission to the

City Council. The City Council will then hold a public hearing and do its deliberation after that.

Director Krauss discussed the complexity of this matter and informed the Planning Commission that it will involve a lot of reading and studying for them. He also gave an update on the relationship between the City and school district on the play fields. The parties have reached an amicable solution with considerations of Meadowdale Playfields.

Councilmember Ambalada asked if there had been resolution of the issue about appeals going to the Hearing Examiner or the City Council. Director Krauss informed the Planning Commission that the City Council adopted the ordinance that the Planning Commission held a hearing on. This will move a lot of the development approval, decision-making, and appeals to the Hearing Examiner and then to court. Staff believes this will shorten the amount of time, money, and effort it will take to get through the process. Decision-making by the Hearing Examiner, who is a land use attorney, will be more objective. Deputy Director Loch added that there were questions about the parties of record and whether there was any change to that, but staff clarified it was just a restatement of the existing rule. The other big issue of discussion was the topic of site-specific rezones and whether that should be deferred to the Hearing Examiner or if that should remain with the City Council. The Council chose to defer that action to the Hearing Examiner. He emphasized that the City Council reserves the authority over the Comprehensive Plan, and the Comprehensive Plan maps dictate zoning.

Vice Chair Larsen asked how firmly designed the site is at this time. He specifically asked about the location of the parking lot and if it could be moved to allow for buildings closer to the street. There was some discussion about the development of Northgate, especially the Target building across the street from the mall which some believed destroyed any chance of charm that the area had. Vice Chair Larsen indicated he would go down to that area to take a look. Deputy Director Loch invited the group to hold the discussion at the hearing so the public would have the benefit of hearing it.

1. Discussion - Draft City Center Guide to Project Prioritization. Discussion of the draft Guide to Project Prioritization for Lynnwood's City Center.

Economic Development Director Kleitsch reviewed the history of the City Center project. With regard to the draft Guide to Project Prioritization, staff is looking for feedback on how they have structured the criteria and priorities.

City Center Program Manager Lambert reviewed the PowerPoint and other handouts covering City Center Objectives, Policy Guidance for Project

Prioritization, City Center Plans & Reports 2004-2011, Prioritization Process, Projects, Evaluation Criteria, and Discussion.

Vice Chair Larsen referred to the image on the bottom corner of the City Center Objectives page and encouraged them to spread that image around. He believes that type of visual image would really help this project.

Vice Chair Larsen referred to page 5: *City Center Plans & Reports*, and recommended changing the wording on "Extension of Light Rail to Lynnwood City Center" to reflect the fact that it is what the City wants to happen, but that it probably is not going to happen. Director Kleitsch clarified that this page reflects the title of the report that was done for Sound Transit, not that the project is necessarily going to happen.

Program Manager Lambert explained that projects are classified by the following categories: Transportation, Pedestrian, Transit, Partnerships, and Utilities. The Sub-Area Plan also identified two major priority areas: the City Center Triangle (the area bounded by 196th Street, 44th Ave W, and I-5) and the properties adjacent to the catalyst projects of the Transit Center and the Convention Center. Potential partnership opportunities are also priority areas.

The proposed weights for evaluation are appropriated based on the goals met to establish a Live/Work/Play environment. There was general discussion about the evaluation criteria as contained on page 8 of the PowerPoint and pages 24-25 of the draft Guide:

- *Does the proposed project provide indirect opportunities for permanent job creation?* (Weighted by multiplying by 3)

- *Does the project provide a catalyst for private investment?* (Weighted by multiplying by 3). Does the project provide beneficial changes to the properties such as access and visibility that didn't exist before? Does the project provide direct amenities, such as a park project providing a catalyst for development in that area by being an amenity for multi-family housing or office users?

  Commissioner Wojack asked if the amenities would be laid out or if those would be unique for each project. Program Manager Lambert explained that the project descriptions would explain what each project is, but not every project will have an amenity. Some projects have direct amenities; others have indirect amenities.

- *Does the project provide the required mitigation or enhanced operational performance?* For example, widening 196th would enhance operational performance in allowing a Bus Rapid Transit Lane.

- *Does it provide potential eligibility for grant funding?* What are the project components that could be achievable through grant funding? How likely is it that this project could get grant funding?

  Commissioner Ambalada commented that these types of projects are extremely important and should receive priority. She spoke in support of the trend to partner public markets with local farmers. This is a very good possibility for funding.

- *Does it have an interrelationship or linkage with other public or partnered projects on this list?*

  Commissioner Ambalada again referred to the interrelationship between a public market and farmers. She thinks that the funding would be available for a project like this. Program Manager Lambert agreed that projects these days are funded by many streams. Commissioner Ambalada concurred.

  Commissioner Braithwaite commented that the prioritization for projects ought to be based on how broadly they impact the overall City Center, such as utilities or stormwater. Program Manager Lambert thought that "Operational Performance" would encompass those criteria. Commissioner Braithwaite suggested that they could quantify it to identify the percentage of the project area that the potential project would impact. Commissioner Wojack referred to "Required for Mitigation/Operational Performance" and suggested that that should be slightly weighted.

  Commissioner Ambalada referred to a presentation done by Bill Franz in 2009 showing 17 polluted runoffs and asked about the status of that situation. Program Manager Lambert said staff is working on the City Center Storm Basin Plan.

  Economic Development Kleitsch suggested language to the effect of, ". . . a project that provides infrastructure that actually increases performance and operation and attracts more development."

  Commissioner Ambalada said she heard there was a stream running under the old high school site. She wondered if this could be made into a fountain or something. Staff explained that it is groundwater.

  Commissioner Braithwaite referred to the criteria ranking. He noted that a while ago Public Works had criteria for ranking projects based on their cost from lowest to highest. Then they took a bunch of qualitative factors and applied numbers to them, but when they did the formula all of the qualitative factors were meaningless because of the weight applied to the cost ranking. He cautioned staff to consider this with the weighting of

factors. Program Manager Lambert noted that they did base the structure of their approach on Public Works' skeleton plan. As a work group team, they wrestled with the issue of whether or not to put costs directly in here as a factor. Staff is proposing that this should not be a factor. As an example, a project like Poplar is the most expensive project by far. However, it is also one of the most important projects too. If cost is the number one priority, you never really get to the heart of the issue. Director Kleitsch concurred with Commissioner Braithwaite's point. Program Manager Lambert noted that there might be some sort of a second screening that happens.

Regarding the criterion: *Interrelationship / Linkage with Other Public or Partnered Projects in the List*, Program Manager Lambert stated that staff felt this was important in order to leverage the opportunity that partnering could provide. For example, if you have high level of grant funding and you have the potential to have partners come in and really leverage the deal, it could change the outlook for that project considerably.

- *Does the project have a significant amount of public awareness?* Is the citizenry and the business community clamoring for this project? Was it identified in the citywide vision and other guiding documents as a high priority and policy?

  Vice Chair Larsen suggested substituting *support* for *awareness* because if they could point to a lot of public support for a project it probably would help. He then brought up a question about the role of public investment versus the role of private investment. He commented on how the public investment could be the seed money for the private money that comes in later, such as the waterfront in Portland. He has heard that for every $1 of public money that was spent, $10 private investment followed. He wondered if this forum focuses on private investment and grants. He wondered if there should be a primary element in this discussion about the role of public investment and how important that is to the City Center. Program Manager Lambert concurred and noted that is exactly what they are trying to achieve. What they are attempting to do with these criteria is to say, "This is criteria for how we spend the public money to best leverage private money." Vice Chair Larsen was glad to hear that.

- *Does the project improve multi-modal transportation use or environmental sustainability?* (Weighted by multiplying by 3). They are combined because a lot of sustainability projects are regarding transportation use. Does the project promote a quality of life and access to opportunities through walkability, transit, bicycle routes, lighting, reduced greenhouse gas, etc.

- *Does the project provide strategic placemaking and improve the aesthetic environment?* (Weighted by multiplying by 3). This is about community-building and what the "place" is that they are trying to create. The planners are trying attract people, retain employment, grow, and really create something different here. Strategic placemaking is about creating a home, whether for yourself or for your business.

  Commissioner Wojack commented on how some people he knows from other cities don't like coming here because of the traffic. He agrees that, yes, there is traffic, but he is able to walk many places in the city such as Fred Meyer, the mall, the movies, etc. Economic Development Director Kleitsch spoke to the importance of rebranding Lynnwood. In this effort it is critical to deliver on the City Center and other things staff is working on. Commissioner Wojack commented on how the Convention Center has helped to change perceptions of Lynnwood.

  Another commissioner commented on how his friends don't like to come to Lynnwood either, but their reason is that they don't want to get a traffic ticket, due to the red light cameras. Director Kleitsch noted that his point was very well taken. This is an issue that came out in the branding exercise and the community surveys as well. He stated that they have some investments they will be proposing to Council this year to do City Center marketing. They also will be discussing more citywide branding, which includes a diversity of peoples, a diversity of job opportunities, a diversity of retail, etc. There is more to Lynnwood than a lot of people think. Program Manager Lambert added that when she meets with the development community, they have a lot of opportunities elsewhere in this economy. Their question is always, "Why would I choose to go to Lynnwood?" You have to create a place and a strategy that makes people not have to ask that question, and they just want to be there. Director Kleitsch referred to other communities that have stepped up to the challenge of rebranding themselves such as Burien, Puyallup, Renton, and Kent. They have all made public investments, primarily in infrastructure, and have managed to get private investment that has started to change their image.

- *Partnership Opportunities.* A large tract of land by a single owner is a perfect example of a partnership opportunity. Assemblages of property are also opportunities.

Vice Chair Larsen asked if the list is prioritized in any way. Program Manager Lambert replied that the only prioritization in the list is the weighting. Vice Chair Larsen suggested arranging the list so that the most important things are first. He recommended getting the City Council involved in that effort. Director Kleitsch replied that they do not want to pre-judge the criterion. They want to rank the projects with the weights, based upon the input of the boards, commissions and

the public, and do a sort of first cut to share with Council. He noted that opportunities change so this will be a sort of living document. Director Krauss commented on the importance of prioritizing what they want so when they see what money is available they are able to take advantage of the opportunity, particularly with grants. Program Manager Lambert commented on the importance of flexibility over time so they can make changes if needed based on funding or opportunities.

Vice Chair Larsen commented on the need to define what the City Center is in one or two sentences so that this list is reviewed in reference to a notion of what the City Center is. He liked the photograph that was used, but thought a little more description would be helpful. Program Manager Lambert referred to page 5 in the introduction where there are pages of excerpts out of plans, the branding exercise, and the vision that relate to the City Center and why it is important. From there things could be pulled out and created into a sentence or two that is a defining statement.

Commissioner Ambalada suggested, "The Marketplace". Program Manager Lambert added that in the branding exercise it was a marketplace of not only goods, but also ideas, people, etc. – more than a mall.

Commissioner Wojack expressed concern about the Transition Area "sucking the steam" out of City Center, especially once the bridge goes in. He wondered about postponing development of that area until the City Center gets more underway. Program Manager Lambert commented that her concern was not necessarily the Transition Area, but redevelopment of the other areas around the mall. Director Kleitsch noted that they do not expect that area to be as incentivized as the City Center, which is where they want to see the growth.

Commissioner Braithwaite referred to the green area ("Other Area") on the project map and noted that he thought it could be a catalyst for getting the City Center off the ground. It seems to him that it would be easier to redevelop that area than it would be to develop 42nd and 198th because it is owned by one person. This area could be a sort of gateway and could create the catalyst to develop on down the street. Vice Chair Larsen concurred and added that the City could do the investment in infrastructure there if necessary. Director Kleitsch commented that the owner has owned this property since 1965 and is not ready to move forward with redevelopment at this time, but they are continuing to be in communication with him. When the City Center Task Force dealt with this, they determined that the catalysts at that time were the Convention Center and the Transit Center. There was discussion about how the City can work with private property owners to help foster ways to bring them together to do an assemblage group.

Director Kleitsch informed the Planning Commission that the City was awarded a $2 million grant to do the design and environmental for 196th Street to put in BAT

lanes, streetscape improvements, widening of 44th and boulevard improvements. They have also gotten design and engineering money related to the 36th Ave W / 35th Ave W Improvements. Other infrastructure improvements include the Interurban Trail and the pedestrian bridge on I-5. These projects are evidence of steps that the City is taking in the right direction and to prepare for changes in the future.

Program Manager Lambert stated that they would be taking this item to the City Council for the same discussion of evaluation criteria for the City Center.

Other Business

None.

Council Liaison Report

Councilmember AuBuchon referred to the discussion about the City Center and emphasized that they need to brand the City Center project with a name that is more reflective of what they are trying to create.

Director's Report

Director Krauss stated that In light of the fact that it was the end of the year, no Directors report would be made.

Commissioners' Comments
None

Adjournment

The meeting was adjourned at 8:40 p.m.

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Vice-Chair Larsen

Commissioner Comments

Commissioner Wojack noted that in yesterday's paper Sound Transit was talking about options for expansion of the maintenance facility. He was surprised that Lynnwood was number seven on the list. Director Krauss explained that this would be a facility where they would overhaul cars in a building and where the drivers of the train would report, drop their cars off, and pick up trains. It would be a fairly intensive use. On the Lynnwood Link side, of the three, the most likely location is the same piece of property that the City has already approved for the Edmond School District's admin building/bus barn off of Cedar Valley and I-5. Director Krauss discussed potential issues with this site. There will be an open house in Lynnwood on October 11 at the Convention Center.

Chair Wright brought up concerns about oversized campaign signs. Director Krauss indicated staff would look into it.

Adjournment

The meeting was adjourned at 8:48 p.m.

_____

Richard Wright, Chair

sophisticated traffic plan in terms of future improvements, a model that is up and running, and a funding strategy that is updated every year.

Commissioner Larsen thanked staff for the table showing the major projects and the time in which they will be done. He commented on the large population increase they are expecting and expressed hope that they would get a sense early on of what it will take to accommodate that population growth. Director Krauss concurred that one of the primary emphases coming out of the Growth Management Act is to accommodate growth so cities don't continue to sprawl. This gets more and more difficult to do as time goes on. He noted that between Lynnwood and Bothell there will be a fairly significant allocation of growth. He reminded the Planning Commission that one of the reasons behind the Highway 99 Plan was to give the City flexibility to give density where it could be accommodated and preserve single-family neighborhoods. Having opportunities to put density in other places may be necessary to achieve those targets.

Other Business

None.

Council Liaison Report

Councilmember AuBuchon reported:

- The City Council is now short one councilmember. They will be working hard to replace that individual, and then to fill the Planning Commission vacancy.
- The City's financial situation continues to improve. Excess funds are increasing and hopefully next year we can start adding back some of the things we have been missing over the past couple years.
- He attended a recent public meeting regarding the transition area. There are some issues that may find their way back to the Planning Commission.
- He thanked the Planning Commission for their hard work.

Director's Report

Director Krauss had the following comments:

- He encouraged any Planning Commissioners who were interested to apply for the vacant Council position.
- Staff has been working on the budget since June. Things are looking a little bit better.
- He noted that a number of years ago he proposed doing neighborhood-level planning starting with the more distressed neighborhoods. At that time they had to put it aside because they couldn't afford to spend the money. The Mayor's Proposed 2013 Budget to the Council resurrects that idea with some related funding.

Commissioner Ambalada asked about the cheapest way that businesses could get their ethnic identity on a banner. Director Krauss commented that they could apply for a special events permit which costs about $90.

Chair Wright summarized that there was a general consensus to allow banners on special occasions and some differing opinions about when and how to allow them.

3. Discussion – 2015 Comprehensive Plan Update. Discussion of the work plan and schedule for amendment of the Comprehensive Plan as required by the Growth Management Act.

Deputy Director Loch stated that this is simply an introduction. Staff will be embarking on the update of the Comprehensive Plan that is required by the Growth Management Act. The deadline is June 30, 2015. Staff has some ideas on areas they want to look at due to regulatory changes and also due to locally-driven issues. There is no discrete funding for this, so all work will be done in-house by staff. This is a limiting factor, but the City would like to achieve as much as possible to make sure that the Comprehensive Plan is fully functional and achieving everything that the community wants. He stressed that public participation is a requirement of the Growth Management Act.

Commissioner Ambalada was enthusiastic about the transportation and the visioning parts of this which will involve the public. She found out that there is some new funding that requires the involvement of the community with Sound Transit. There is a brand new one-time only grant on their website. She stated that the way they can create the visioning strategy is to pull together some of the regional members of that group who can study and contribute ideas that they see would be a good project for the community. Transportation can be included in this. She stressed the importance of having inter-city transportation, and stated that she has 300 signatures in support of that. This would also be good for local businesses.

Commissioner Braithwaite referred to the areas of focus. The sheet from the Department of Commerce talks about capital facilities and transportation. He asked why the City is focusing just on transportation. Deputy Director Loch replied that the infrastructure plans that the City has for the non-transportation systems are updated regularly based on the population growth forecast. Because of good funding analysis, this is one of the better planned aspects since it is being addressed on an annual basis already. Director Krauss concurred and added that when the Department of Commerce generates the information it is generated for every community that is planning under the Growth Management Act in the state. Commissioner Braithwaite asked about the focus of the transportation part. He noted that it looks like they will be focusing on light rail and non-motorized modes of transportation. He wondered if there is any need to focus on traffic in the city. Director Krauss replied that the City has a fairly

two banners for 30 days. Director Krauss discussed the value of looking at what other cities are doing and what results they are getting.

Commissioner Larsen also spoke in support of allowing banners with some limits. He agrees that they are popular with businesses. They don't cost much to put up, and if they are done well they have a festive element to them. He commented that about a year and a half ago they looked at the sign code related to flashing lights and this seems to relate to that. Director Krauss recalled that they were asked to look at the electronic sign code earlier as well the entire sign code. He spoke to the complexities and controversies surrounding sign codes. Commissioner Larsen noted that the proposal had quite a few parameters. He spoke in support of simplifying it by having just one or two sizes.

Chair Wright asked if temporary signs would be allowed when companies are having buildings constructed or remodeled. Deputy Director Loch said banners would be allowed under the proposed code while the building was under renovation or construction. Director Krauss thought that there currently is a section under the building permit process that allows construction-related signage. Chair Wright pointed out that these types of projects will typically last more than 30 days, and definitely more than 15 days. He stated that while he doesn't care for banners, he understands the need for them.

Commissioner Wojack discussed hypothetical situations. He asked if the grand opening could be an additional event in addition to the two other potential events allowed per business. Director Krauss replied that it could be. Commissioner Wojack asked if permits would be displayed to show that it is a legitimate banner. Director Krauss replied that the Code Enforcement Officer would have access to records on his laptop computer. Commissioner Wojack asked if there are clear limitations and definitions to "grand openings". Director Krauss commented that they could tighten up the language regarding that.

Commissioner Jones referred to the KUBE 93 Haunted House sign on Highway 99 that was up until the new construction started a month ago. He noted that the sign was up for almost two years. He wondered whose responsibility it was to take it down. Director Krauss indicated he would have to look into that specific situation. Commissioner Jones spoke in support of Edmonds regulations which allow 60 days per year. Director Krauss acknowledged there are lots of ways to approach this. Deputy Director Loch noted that in some other jurisdictions they attempted to specify what the special events can be. Lynnwood decided not to try to regulate the types of events, but instead to just limit them to two per year.

Commissioner Ambalada thought that banners should be allowed for special events. She wondered if there are limits to special events. Director Krauss did not think there was a limit to the number of special events, but he thought that they were limited between Thanksgiving and New Year. He pointed out that a special events permit takes a month to get and is not an easy process.

permit in order to have a banner that announces a sale or a grand opening. This doesn't work very well for the City because true special events have significant impacts on the community and the applications are reviewed by virtually every department. This means that the banner applications are being reviewed by all departments which does not appear to be the best use of city resources.

Deputy Director Loch stated that staff is asking if the City should allow banners on an occasional basis, outside of those two ways that you can get them now. If, the answer to that is yes, then, what are the best rules for this city? Staff has prepared a draft for review in an effort to get feedback. He also noted that staff will be looking at the code that applies to special events since that has not been updated in quite some time.

Director Krauss added that one of the issues that recently came up was when Whole Foods wanted to put up a "Now Hiring" banner prior to opening, and the City couldn't let them. He stressed the need to be flexible and to be able to work with people in a reasonable and responsible way.

Commissioner Ambalada added that there are a lot of different ethnic business owners in the city. She agrees that they should be allowed to put up temporary banners saying who they are and what kind of business they have, especially for events such as Cinco de Mayo.

Commissioner Jones spoke in support of banners as a revenue stream for the City, but expressed concern about how many people will be reviewing these permits. He wondered if it would be possible to apply for these permits online to save time for reviewers. Director Krauss said these would be simple over-the-counter type permits. Staff would only need to know where and how they were affixing it. As for online permit issuance, the City wants to get there eventually. People can apply online, but they still have to come in to actually get them. He commented that this would be much quicker for the applicants since special event permits can take a month to get and include things like a police background check.

Commissioner Braithwaite spoke in support of being a business-friendly city as well as reducing the administrative resources allocated to this sort of thing. He commented that there are lots of ways that people get around the signage code, such as the proliferation of sandwich boards. Director Krauss reviewed the impact of the Blazing Bagels court case. Because of that case, cities had to revise their codes to allow people to put sandwich boards out as long as they don't block the sidewalk. Commissioner Braithwaite used Hobby Lobby as an example of getting around the code and pointed out that they had their grand opening sign up on Highway 99 for seven months. He is in support of streamlining things, but at the same time, too much signage can make the city look trashy. He spoke in support of allowing two banners for 15 days instead of

low-density commercial district thing. He asked if it would be logical to separate them and deal with Perrinville as a special study area. Director Krauss stated that these are all low intensity commercial districts. Staff is proposing that the amalgamated district remain a low intensity commercial district. However, staff is also suggesting that residential, up to medium density, can fit into the low intensity commercial district and still be consistent with the goal of the district. He added that one of the reasons that staff included the 0.5 acre minimum requirement for multi-family is that it pretty much limits it to Perrinville, the corner of 168th and 56th, and 196th Street past Edmonds Community College where the old, boarded-up shopping center is.

Commissioner Braithwaite then noted that some of the uses appear to be outdated such as building supply stores and hardware stores. Director Krauss indicated that staff could take another look at these. Commissioner Braithwaite referred to liquor stores and requested that those either be conditional uses or not allowed.

Commissioner Wojack asked how many residences could be on .5 acre under the current zoning. Director Krauss thought it would be 20 to 40 on an acre.

Commissioner Larsen spoke in support of combining these zones to make more efficient use of the code, but expressed concern about the limited staffing resources in Community Development to address this right now. Director Krauss concurred that staffing is extremely limited right now, but commented that they are doing well. He gave an update on current staffing levels and staff's ability to handle this.

There was consensus to continue to work toward consolidating this. Director Krauss commented that staff would do some more work and try to get this back on an agenda in the not-too-distant future.

2. Discussion – Banners. Discussion of proposed textual code amendments regulating the display of banners

Deputy Director Loch stated that staff is preparing to update regulations relating to banners. Currently, banners are thoroughly regulated and narrowly allowed. The instances where they are allowed does not seem to be consistent with the interests and requests of businesses. Staff has looked at some other jurisdictions to see what their rules are, compared those with the City of Lynnwood's, and put together some concepts for revision of our banner rules. This is the first public discussion of this item, and staff is soliciting input from the Planning Commission.

Currently there are only two ways to display a banner in the City. One way they are allowed is for city-sponsored events; the other way is for special events. Staff is finding that businesses in town wish to have banners for things that aren't technically special events, but they are compelled to apply for a special event

attention of staff, the Planning Commission, and the City Council with regard to Perrinville. The City was approached by the bank that took ownership of the commercial strip center who was trying to see about selling off the property to pay off the loan. The bank asked the City to look at the situation and potentially expand the range of uses that are allowed. Staff thought that it had merit and originally looked at the potential of combining the B-2 and B-3 districts. About that time the issue of self-storage came up, which staff and Council had recommended against in these areas. He noted that Lynnwood has three districts that have extraordinary restrictions on the range of uses they can have – B-2, B-3, and B-4. This is because these districts are in transitional areas near single-family neighborhoods. Staff is now proposing combining those three districts into one new low-intensity district which has a little bit more flexibility in the kinds of uses that would be allowed. Potentially, it might be a useful type of district elsewhere in the City.

Director Krauss reviewed sections of the current code that deal with permitted uses and staff's recommendations for the proposed new zone as contained in the Planning Commission packet. Director Krauss commented that one of the more controversial items is that staff is proposing that multi-family residential units be permitted uses in all three districts. However, there is a stipulation that to be able to build multi-family you have to have a site that is at least 0.5 acre in size and that it be restricted to medium density residential designation from the Comprehensive Plan. He then solicited input and direction from the Planning Commission.

Commissioner Ambalada commented that it appears that the zones were written to apply to certain neighborhoods due to their specific prohibitions and allowances.

Chair Wright suggested that perhaps there were three different people working on these three different designations over the years or some of these uses were already in existence in these districts when they initially proposed these designations. He agreed that there doesn't seem to be a clear rhyme or reason why things were allowed in one district and not the others. He spoke in support of consolidating these, but requested more time to review the comprehensive list of proposed uses. Director Krauss agreed and encouraged the commissioners to use the maps to drive around and look at these areas.

Commissioner Ambalada expressed concern about an area along Olympic View Drive near Lynndale Park where there are a lot of children. Director Krauss noted that the fact that Perrinville backs up to the park is one reason why staff considered things like residential in the districts.

Commissioner Braithwaite spoke in support of consolidating these zones. He noted that the list of uses among the three zones is pretty similar. He commented that the medium-density residential seems to be more of a Perrinville thing than a

CITY OF LYNNWOOD
PLANNING COMMISSION MINUTES
September 27, 2012 Meeting

Commissioners Present:	Staff Present:
Richard Wright, Chair	Paul Krauss, Comm. Dev. Director
Bob Larsen, Vice Chair	Corbitt Loch, Dep. Director Comm. Dev.
Maria Ambalada	Shay Davidson, Administrative Asst.
Chad Braithwaite	
Doug Jones	**Other:**
Michael Wojack, Second Vice-chair	Councilmember Van AuBuchon
Commissioners Absent:	
None	

Call to Order

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

Approval of Minutes

1. Meeting of June 28, 2012

Motion made by Commissioner Wojack, seconded by Commissioner Larsen, to approve the 6/28/12 Meeting minutes as presented. Motion passed unanimously (6-0).

Citizen Comments

Ted Hikel, 3820 – 191st Place SW, Lynnwood, 98036, commented on the City's restrictive sign code which goes back to the early 70's when Mayor Hrdlicka wanted to improve the quality and look of the community. At that time references were often made to Carmel, California where there are many more restrictions than what we have here. The reason why a lot of restrictions came into the City, particularly regarding the use of signs, pennants, and balloons, was because the Council and Mayor at that time wanted to make sure that the City looked better than adjacent communities that allowed a lot of these things to happen.

Work Session

1. Discussion – B-2, B-3, and B-4 Zones, Consolidation. Discussion of proposed textual code amendments relating to three commercial zoning classifications

Director Krauss explained that this item deals with the large number of low density commercial zoning districts that the City has. The item first came to the

Lynnwood Planning Commission **Meeting of February 14, 2013**	
Staff Report **Agenda Item:** Mixed use in Planned Regional Shopping Center zone	☐ Public Hearing ☐ Informal Public Meeting ☒ Work Session ☐ Business ☐ Information ☐ Miscellaneous
Community Development Department	

Summary

The purpose of this agenda item is to allow additional discussion of potential code amendments relating to residential uses within the Planned Regional Shopping Center (PRC) zone. This topic was last discussed by the Commission on May 24, 2012 (meeting minutes attached).

Events that have transpired since that earlier discussion include the following:

A. Preliminary population and employment growth targets being developed by Snohomish County jurisdictions suggest that Lynnwood will need to identify additional land capacity for increased future population, and

B. On January 28, 2013, the City Council directed staff to identify opportunities to accommodate future population in the vicinity of Alderwood Mall.

While existing PRC development regulations already allow multifamily dwellings within a mixed-use project, those regulations make mixed use financially infeasible. The prohibition of dwellings on the second and third floors of buildings, and the requirement that residences not occupy more than 50 percent of the total building area, causes a considerable amount of building floor area to be relegated to professional office and professional service uses—for which there is little or no market demand. For a six-story building, this would result in 1/3 of the total building area (two out of six floors) being economically unviable.

Staff recommends that those regulations be "relaxed" to allow a greater proportion of building floor area to be used for residential purposes. The proposal will require that at least the first floor of these projects be designed to accommodate commercial rather than residential uses.

Policy Questions

Question: Is the code amendment presented by staff adequate to accomplish Council's direction regarding increased residential capacity in the PRC zone, or are additional amendments needed?

Action

Provide direction to staff regarding potential changes to the City's land use policies and/or regulations to increase PRC land capacity for future population growth. Schedule a Public Hearing on the amendment.

Background

The City of Lynnwood has adopted policies to preserve and protect existing single family residential areas The City is also required by the State Growth Management Act (GMA) to accommodate a portion of the region's future population and employment growth. Lynnwood has already undertaken significant steps to accommodate projected growth including the City Center Plan and Highway 99 Corridor Plan. However, consistent with State law the growth targets are now being extended out to 2035 and all cities and counties in the region are required to accept their "fair share".

As a "built-out" community, there are relatively few areas where increased population can be realized. The City Council has provided direction to staff to identify ways to accommodate increased population in the vicinity of Alderwood Mall.

Somewhat irrespective of the 2035 population growth target issue, many communities with regional retail centers are taking steps to incorporate new housing in areas that were singularly retail in nature. This approach is intended to accomplish goals such as: a) reduce society's dependence upon the automobile by reducing the distance between homes, shopping, and employment; b) establish land use density/intensity that can support transit service; c) promote healthy lifestyles by facilitating walking and bicycling; and d) reducing infrastructure costs (on a per-capita basis) by minimizing the lineal distance of roads and utilities.

This sort of "maturation "of malls and commercial centers is being experienced throughout the country and our own region. One need only look to the Northgate Mall area for an example. The vital components are the conversion of existing large parking fields into structured parking thereby creating new building capacity plus replacing what may be single-story or low-rise structures with multistory building designs. In addition to the factors mentioned above, supporting mixed use development in these areas is a reasonable strategy as:

- Malls and surroundings have already had major investments in transportation infrastructure. In the case of Alderwood, future projects include the Lynnwood Place loop road that will improve flow through

existing traffic bottlenecks, the Poplar Way bridge over I-5 linked to 33rd Ave. the will create a major new link to I-5 greatly improving access into the area and pulling traffic away from single family neighborhoods to the west, major transit service that is already provided including the new CT route from Edmonds, along 196th and terminating at Alderwood, and if the voters approve ST3, a light rail station that will serve the area.

- In accordance with City Plans the Alderwood commercial area is reasonably separated and buffered from neighborhoods.
- Mixing residential and commercial financially benefits area businesses while creating a neighborhood that is active 24/7. The residential development supports commercial activity to meet the needs of the residents.
- Mixed use residential and overall development intensification can be accomplished without detracting from the areas already high level of commercial activity.
- There already appears to be some developer interest in the concept.

In the event Lynnwood Place is ultimately approved at the Lynnwood High School site, numerous new dwellings will be built across 184th Street SW from Alderwood Mall. This project, if approved, will influence and to some degree change the character of the Mall area. Increasing the opportunity for mixed-use development upon other similarly-situated properties seems appropriate.

A few of the Commissioners raised concerns at the earlier meeting to the effect that allowing for mixed use development around Alderwood could detract from the potential for development occurring in City Center. Staff finds this concern to be unfounded for several reasons:

- First, the ability of a community to "force" development to occur when and where it is convenient is quite limited. Cities can set the table by adopting supportive plans and land use controls and by building infrastructure. However, developers will continue to make investments only when and where they believe they can achieve an adequate return. If a developer wanted to take advantage of the proposed amendment and build a project around the Mall was told that the City wants their project but somewhere else, they could well look elsewhere outside of Lynnwood for sites that meet their expectations.
- Secondly, significant development in City Center had yet to occur because of macro-economic cycles and development potential elsewhere in our region. Staff is already starting to see significant interest in building in City Center, along Hwy 99 and around Alderwood Mall, all at the same time and we are hopeful that this will continue. We also note that City Center will soon start to see the benefit of the extension of Light Rail to Lynnwood which will act as a further incentive to build nearby.

It is important to note that staff is not proposing that the City consider undertaking a large scale environmental analysis or Planned Action Ordinance (as was done with City Center). Instead we envision each development proposal will be required to prepare their own SEPA documentation and mitigate their impacts.

Previous Council Actions
Described above.

Funding
NA.

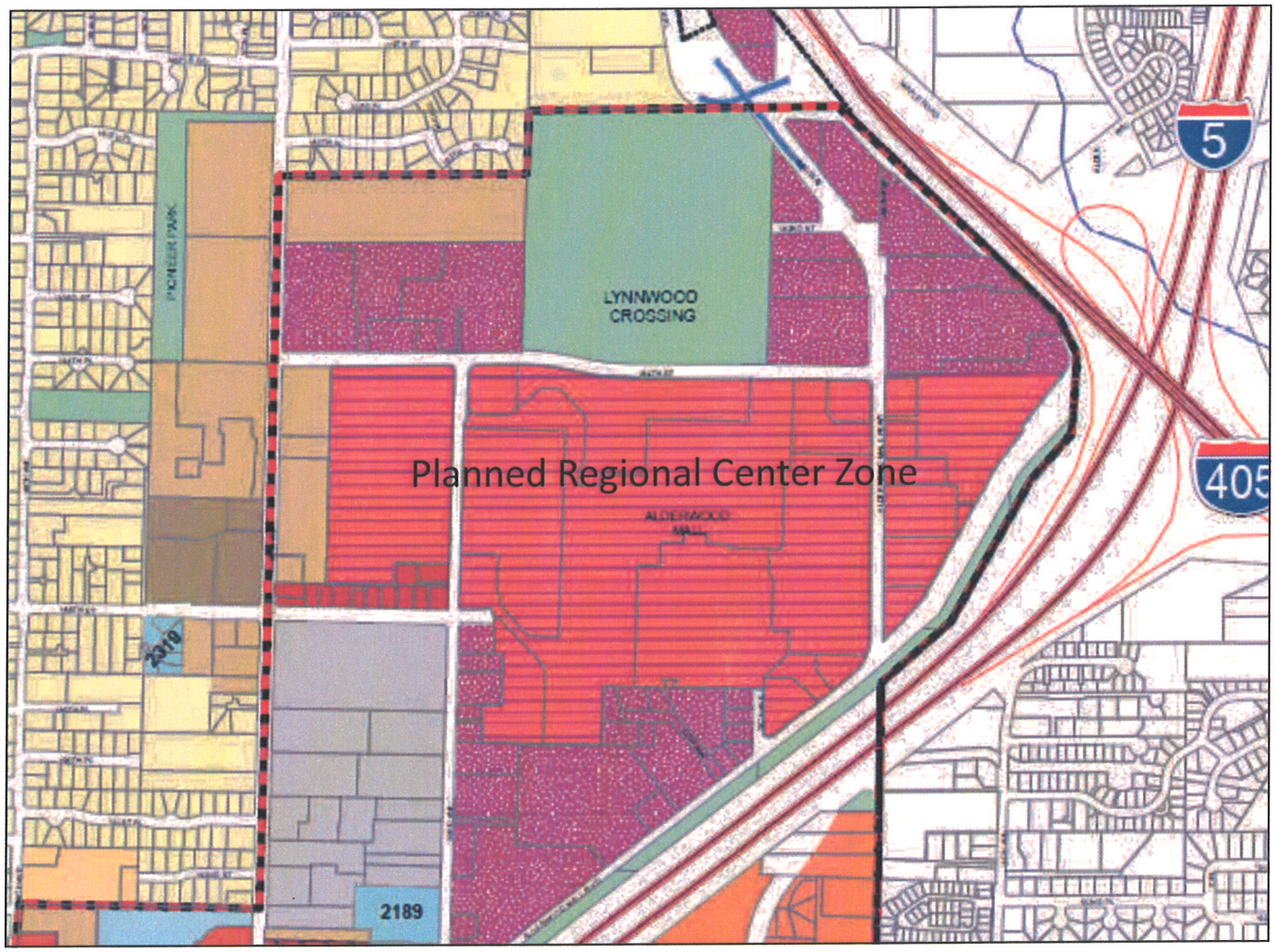
Key Features
1. The draft ordinance would allow residences within building levels above the first floor. The existing regulations allow residences only upon floors above the third floor.

2. The draft ordinance would repeal the requirement that residential floor area within a mixed-use building not exceed 50 percent of the total building area.

Adm. Recommendation
Recommend approval of amendments proposed by staff. Identify other opportunities to accommodate increased residential development within the PRC zone. Staff would like the Planning Commission to set a date for a Public Hearing on the code amendment.

Attachments
1. Zoning Map excerpt
2. Draft ordinance
3. Meeting minutes

Vicinity Map With Zoning
Planned Regional Center (PRC) Zone



CURRENT ZONING

RESIDENTIAL	COMMERCIAL	MIXED USE	INDUSTRIAL	
RS-8 - Residential 8400 Sq Ft	B-1 - Community Business	CC-C - City Center Core	BTP - Business/Technical Park	Lynnwood City Limits
RS-7 - Residential 7200 Sq Ft	B-2 - Limited Business	CC-W - City Center West	LI - Light Industrial	MUGA
RS-4 - Residential 4000 Sq Ft	B-3 - Neighborhood Business	CC-N - City Center North		College District Overlay
RML - Multiple Residential Low Density	B-4 - Restricted Business	MU - Mixed Use	OTHER	PSRC Regional Center
RMM - Multiple Residential Medium Density	CG - General Commercial	CDM - College District Mixed Use	P1 - Public	**Gateway Intersections**
RMH - Multiple Residential High Density	PCD - Planned Commercial Development	HMU - Highway 99 Mixed Use	PUD - Planned Unit Development	Gateway
MHP - Mobile Home Park	PRC - Planned Regional Shopping Center			Prominent

April 27, 2012

LYNNWOOD
WASHINGTON

CITY OF LYNNWOOD

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, AMENDING LYNNWOOD MUNICIPAL CODE CHAPTER 21.48, RELATING TO PERMITTED USES IN THE PLANNED REGIONAL CENTER ZONE, AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

WHEREAS, under Chapters 35A.11 and 35A.63 RCW the City Council of the City of Lynnwood has the authority to adopt ordinances relating to the use of real property located within the City; and

WHEREAS, from time to time, it is in the public's interest to amend the City's land use and development regulations to ensure those provisions fully support and realize the comprehensive plan and the public's general health, safety, and welfare; and

WHEREAS, certain provisions of Chapter 21.48 LMC relating to permitted land uses within the Planned Regional Center Zone (PRC) unduly restrict multifamily residential uses within the PRC; and

WHEREAS, allowing multifamily residential uses within mixed-use buildings within the PRC can support and implement the City's objectives of accommodating future growth in areas where adequate public facilities and services are available, creating a customer base for businesses within the PRC, and implementing Smart Growth land use planning principles; and

WHEREAS, on, _____, 2012, the City of Lynnwood SEPA Responsible Official issued a Determination of Non-Significance (DNS) on the proposal ; and

WHEREAS, on _____, 2012, the proposed code amendments were sent to the Washington State Department of Commerce in accordance with RCW 36.70A.106; and

DRAFT

WHEREAS, on the _____ day of _____, 2012, the Lynnwood Planning Commission held a public hearing on proposed amendments to the Lynnwood Municipal Code relating to the PRC zone, and all persons wishing to be heard were heard; and

WHEREAS, following the public testimony portion of the public hearing, the Planning Commission deliberated on the draft legislation and by regular motion voted to recommend that the Lynnwood City Council adopt the amendments to the Lynnwood Municipal Code; and

WHEREAS, on the _____ day of _____, 2012, the Lynnwood City Council held a public hearing on proposed amendments to the Lynnwood Municipal Code relating to the PRC zone, and all persons wishing to be heard were heard; and

WHEREAS, based upon the decision criteria specified by LMC 21.20.500, the City Council has determined that the amendments contained herein are: a) consistent with the comprehensive plan; and b) substantially related to the public health, safety, or welfare; and c) not contrary to the best interest of the citizens and property owners of the city of Lynnwood; now, therefore:

THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings. The recitals above are adopted as findings that support passage of this ordinance.

Section 2. Amendment. LMC 21.48.116 as enacted by section 20 of Ordnance 2020 as amended by section 15 of Ordinance 2441 are each hereby amended as follows:

21.48.116 Limitations on uses – Residential uses.

A. Motels and Motor Hotels. The initial development must contain at least 20 units composed of multiple-unit type buildings, and shall provide hotel services, including a main lobby, desk attendant, and room service. When accessory uses providing services for the motor hotel patrons, such as barber, bar, beauty parlor, cleaners, clothing, drugs, pottery, souvenir, tobacco, and travel are included, they shall be primarily oriented internally. Provisions for public functions such as banquets or meetings need not be oriented internally.

B. Multiple-Family ~~Housing~~ Residences. Dwellings ~~units may be~~ are permitted ~~in office buildings on the fourth floor or higher, providing no more than one-half the floor area of the building (not including basements) is used for residential purposes.~~ within a building

also containing commercial, professional office, or similar land uses. Dwellings are not permitted within the ground/street level of buildings. ~~All provisions normally applying to high-rise multiple-family housing shall apply~~. Developments containing multifamily dwellings shall conform to the Project Design Review requirements specified by Chapter 21.25 LMC.

C. Convalescent and Nursing Homes and Housing for the Elderly and Physically Disabled. These uses may be allowed by conditional use permit:

1. Staff Evaluation and Recommendation. Before any conditional use permit for the uses designated in this subsection is considered by the hearing examiner, a joint recommendation concerning development of the land and/or construction of the buildings shall be prepared by the fire and community development departments, specifying the conditions to be applied if approved. If it is concluded that the application for a conditional use permit should be approved, each requirement in the joint recommendation shall be considered and any which are found necessary for protection of the health, safety, and general welfare of the public shall be made part of the requirements of the conditional use permit. In any case, the approval of the conditional use permit shall include the following requirements:

a. The proposal's proximity to stores and services, safety of pedestrian access in the vicinity, access to public transit, design measures to minimize incompatibility between the proposal and surrounding businesses;

b. Compliance with all applicable state, federal, and local regulations pertaining to such use, a description of the accommodations and the number of persons accommodated or cared for, and any structural requirements deemed necessary for such intended use;

c. The amount of space around and between buildings shall be subject to the approval of the fire chief as being adequate for reasonable circulation of emergency vehicles or rescue operations and for prevention of conflagration;

d. The proposed use will not adversely affect the surrounding area as to present use or character of the future development;

e. Restriction to such intended use except by revision through a subsequent conditional use permit;

2. Development Standards. Housing for the elderly and physically disabled facilities shall conform to the following criteria:

DRAFT

a. Lot area per dwelling unit: 1,000-square-foot minimum per unit;

b. Passive recreation and/or open space: 200-square-foot minimum per unit. In the city's higher density multiple-family zones, developments are required to provide active recreational space to help satisfy a portion of the demand for recreational facilities. Housing for the elderly has a similar need but is of a passive nature. Therefore, passive recreation space and/or open space shall be provided. Up to 50 percent of the requirement may be indoors; provided, that the space is utilized exclusively for passive recreation or open space (i.e., arts and crafts rooms, solariums, courtyards). All outdoor recreation and/or open space areas shall be set aside exclusively for such use and shall not include areas held in reserve for parking, as per LMC 21.18.800. All open space and/or recreational areas shall be of a permanent nature, and they may be restricted to use by tenants only. The use of private and semi-private patios and balconies in meeting these requirements is not permitted.

D. Living Quarters, Homeless Teenage Parents. Living quarters designed for homeless teenage parents and their children are permitted in any commercial zone of the city. For the purposes of this section, "living quarters for homeless teenage parents" is defined to mean a building or buildings occupied for living purposes by not more than eight teenage parents and their children.

1. Supervision and Maximum Occupancy. Such living quarters must have an adult supervisor residing therein. The maximum number residing therein at any one time shall not exceed 21, including parents, children, and adult supervisor(s).

2. Development Regulations and Standards. Subdivision and zoning development standards for living quarters for teenage parents shall be the same as for the low density multiple-family residential zone (RML). Such quarters shall be treated as an R occupancy for fire and building codes.

3. Expiration.

a. Not withstanding below herein, uses established in accordance with this provision shall be considered lawful permitted uses as provided herein for as long as such use continues to exist. Non-use of any living quarters for teenage parents for more than six months shall be deemed to be abandoned and such use shall lose all right to its legal status.

b. Except as provided for above, this subsection shall expire on December 15, 1992. (Ord. 2441 § 15, 2003; Ord. 2020 § 20, 1994)

DRAFT

Section 3. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication.

PASSED BY THE CITY COUNCIL, the _____ day of _____, 2012.

APPROVED:

_____

Don Gough, Mayor

ATTEST/AUTHENTICATED:

_____

Lorenzo Hines
Finance Director

APPROVED AS TO FORM:

_____

Rosemary Larson
City Attorney

FILED WITH ADMINISTRATIVE SERVICES: _____
PASSED BY THE CITY COUNCIL: _____
PUBLISHED: _____
EFFECTIVE DATE: _____
ORDINANCE NUMBER: _____

DRAFT

On the _____ day of _____, 2012, the City Council of the City of Lynnwood, Washington, passed Ordinance No. _____. A summary of the content of said ordinance, consisting of the title, provides as follows:

> AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, AMENDING LYNNWOOD MUNICIPAL CODE CHAPTER 21.48, RELATING TO PERMITTED USES IN THE PLANNED REGIONAL CENTER ZONE, AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

The full text of this Ordinance will be mailed upon request.

DATED this _____ day of _____, 2012.

DRAFT

Excerpt – Planning Commission Meeting Minutes
May 24, 2012

Work Session

1. Planned Regional Center zone, mixed use regulations – Proposed amendment of land use regulations for mixed use development within the Planned Regional Center zone. Draft Ordinance.

Deputy Director Corbitt Loch explained that this item was for discussion purposes only tonight. This is the Commission's first review of the topic of multifamily dwellings in the Planned Regional Center (PRC) zone. The proposal is to relax some of the regulations relating to when multifamily development can occur in that zone. Presently the rules essentially preclude any multifamily development within a mixed use building. There is no change proposed to the rule that prohibits multifamily as a single or a primary use of a property. He stated that this matter was prompted by a developer who is interested in doing a mixed use development within this area, but he found that the rules that exist today are not conducive to the project he feels is appropriate.

There are two standards in LMC 21.48.116 that are being proposed for change:

- Presently multifamily dwellings are not allowed below the fourth floor of a mixed use building; however, the second and third floors of a mixed use building are very difficult to lease to non-residential uses. The proposal would allow multifamily dwellings above the first floor.
- The proposal would repeal the existing requirement that the amount of residential floor area per building not exceed the amount of floor area dedicated to non-residential land uses.

Commissioner Braithwaite asked for clarification about the location of this zone. Deputy Director Loch described this area on the map. Commissioner Braithwaite asked how much density would be allowed under the proposed code. Deputy Director Loch replied if there is an agreement for this concept of relaxing some of the standards for mixed use development in this area, staff would get more specific about which development standards would apply. This is being brought to the Commission only at the conceptual level at this time. Commissioner Braithwaite asked if the Costco site will be asking for mixed uses. Director Krauss said that site will be asking for a rezone to allow a mix of residential and commercial. He discussed other entities' proposals for this area as well. Commissioner Braithwaite commented that there are both pros and cons to having residential in this area.

Commissioner Ambalada said she strongly thinks the City should avoid high-density residential by the mall and instead focus on mixed use buildings in the City Center area and Highway 99 revitalization area. She thinks this would be more acceptable to single-family neighborhood residents.

Commissioner Larsen asked for more details about what the change would mean. He also asked how the increase would affect Costco's EIS. Finally, he said he'd rather see this come through as a docket item. Director Krauss explained that there is no docket going through this year. Regarding the EIS for the LHS site, he explained that it's a standalone EIS and doesn't relate to anything else that might happen in the area. Anything that comes in subsequent to that development has to do its own environmental review. He discussed factors that need to be considered with regard to traffic in a mixed use development where residents can walk many places instead of driving. He commented that Community Transit has started a new route that goes from downtown Edmonds to Alderwood along 196th Street. CT has stated that it is the fastest growing service they've ever had after the SWIFT BRT.

Commissioner Braithwaite said it would be an interesting economic consideration to see whether the desire for multifamily is detrimental to commercial space or whether it is facilitating commercial space as well. He commented that there is an economic difference to the City in terms of tax revenue and sales tax revenue. Director Krauss clarified that as this is proposed it would not occur without there being commercial development on the ground floor. In that sense, it is similar to projects like the Safeway that was built under a condo or apartment building across from Bel-Square and other projects that have been built in the region. Those sorts of projects would not happen if there was not a foundation for commercial use under it. Director Krauss offered to bring Economic Development Director David Kleitsch to a Planning Commission to give an economic development perspective on this. He referred to Northgate as an example of how this can be a win-win relationship for commercial and residential development. Commissioner Braithwaite noted that Lynnwood could learn from some of the aesthetic mistakes made at Northgate as well. Director Krauss was pleased to report that Lynnwood is far advanced, with regard to design standards, over Seattle.

Chair Wright said that he is generally supportive of allowing mixed use where possible specifically for the idea of saving single family residences.

Commissioner Larsen commented on the traffic issues that already exist at the mall, especially around the holidays. He asked for some input from the traffic engineer regarding the Level of Service for this proposal. Director Krauss agreed that there are some traffic issues at the mall especially around the holidays, but noted that some of the information they've gotten from the Lynnwood High School EIS is intriguing, because the loop road that is incorporated into that project goes a long way to fixing the intersection at Alderwood Mall Parkway and 184th. Additionally, the continuation of that project is to do the design for the Poplar Way Bridge overpass over I-5. That would be a straight shot to 33rd Street and the loop road and would create a whole new way of accessing that area that is not proximate to any of the single-family neighborhoods.

Deputy Director Loch indicated that staff would bring this item back with more detail before it is moved to a public hearing.

LYNNWOOD
WASHINGTON
COMMUNITY DEVELOPMENT

MEMORANDUM

Date: February 14, 2013

To: Planning Commission

From: Paul Krauss, Director

RE: 2012 REPORTS – HEARING EXAMINER & COMMUNITY DEVELOPMENT

Attached for the Planning Commission's consideration are the 2012 Annual Reports for 2012 for the Hearing Examiner and the Community Development Department. No action is required.

Staff will be prepared to summarize this information during the February 14, 2013 meeting.

Attachments:
1. Hearing Examiner's Report for 2012
2. Community Development's Report for 2012

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CITY OF LYNNWOOD
COMMUNITY DEVELOPMENT

MEMORANDUM

To: Lynnwood City Council
Lynnwood Planning Commission

CC: Mayor Don Gough
Corbitt Loch, Community Development

From: John E. Galt, Hearing Examiner

Date: January 18, 2013

Subject: Annual Report for 2012

The Lynnwood Municipal Code provides for an annual report from the Hearing Examiner to the City Council and Planning Commission:

> The Examiner shall report in writing to and meet with the Planning Commission and City Council at least annually for the purpose of reviewing the administration of the land use policies and regulatory ordinances, and any amendments to City ordinances or other policies or procedures which would improve the performance of the Examiner process. Such report shall include a summary of the Examiner's decisions since the last report.

[LMC 2.22.170] This Report covers the one case which I decided during 2012. The report is divided into two parts: Hearing Activity and Discussion of Issues. I am available to meet at a time of mutual convenience with Council and/or Planning Commission at your request.

Hearing Activity

2012 was an extraordinarily slow year as far as land development entitlement applications was concerned: Only one case was heard, and that was a contentious appeal form a decision by the Building Official. The case is listed on the attached table. "Ad Ap: BO" stands for Administrative Appeal of a Building Official decision..

By comparison, I decided five cases in each of 2011 and 2010, nine in 2009, five in 2008, 17 in 2007, seven in 2006, 16 in 2005, three in 2004, 11 in 2003, and 20 in 2002.

Discussion of Issues

The case heard last year did not raise any notable code issues.

LYNNWOOD
HEARING EXAMINER DECISIONS: 2012

File Number	Applicant Name *Project Name*	Case Type Acreage No. of Lots	Decision Reconsideration Action	Decision Date Reconsideration Date
2011MAI0008	Surinder Rekhi	Ad Ap: BO	Deny	02/27/2012

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CITY OF LYNNWOOD
COMMUNITY DEVELOPMENT

2012 Annual Report
of the
Lynnwood Planning Commission

Introduction

This Annual Report provides a summary of the Planning Commission's work during 2012, including significant discussion issues, actions and recommendations. This is a report to the Mayor and City Council, but may also be of interest to other commissions, organizations and individuals and will be made available to them as well. Section 2.24.020 of the Municipal Code provides that City boards and commissions shall prepare an annual report.

The Lynnwood Planning Commission operates under the authority of RCW 35A.63. Lynnwood Municipal Code Chapter 2.29 provides the general organization and procedural provisions for the Commission.

The Commission provides a forum (public meetings, work sessions and hearings) for public comment and discussion of growth, development, land use and urban design matters. Its work also supports implementation of the City's long-range Comprehensive Plan. Section 3 of the Planning Commission's Scope & Rules includes the following description of the work of the Commission:

"The Planning Commission shall serve as an 'advisory body' to the City of Lynnwood and may act as the research and fact-finding agency for the municipality. To that end it may make such surveys, analyses, research and reports as are generally authorized or requested by its Mayor or City Council, or by the State of Washington with the approval of the City Council.

"The Planning Commission shall undertake the following:

"A. Annually review the Comprehensive Plan of the City as specified by the Growth Management Act of the State of Washington and suggest plan amendments, as appropriate.

"B. Annually, review all applications and suggestions for plan amendments to the Comprehensive Plan and official zoning map.

"C. Annually, review its portion of the City budget and suggest desired amendments, as relates to comprehensive plan, capital facilities plan, and policy matters.

"D. Review and perform extraterritorial planning for Urban Growth Areas as defined by Snohomish County and for annexation areas under consideration by the City.

"E. Conduct neighborhood and community hearings and meetings, both formal and informal in nature, regarding its studies, recommendations and proposals.

"F. Participate in preparing an annual report showing achievement toward fulfilling goals, policies and objectives of the Planning Commission.

"G. Prepare an annual work plan for the ensuing year.

"H. Present major policy advisories to the Mayor and City Council.

"I. Meet with the Mayor, City Council and the Hearing Examiner, on an annual basis and other advisory boards, as required.

"J. Examine and respond to referrals from the City Council, Mayor or staff, including public meetings or formal hearings.

"K. Perform other advisory duties as may be provided by ordinance or as may be assigned to it by the City Council or Mayor."

In performing this work, the Commission works most closely with the Department of Community Development; other City departments provide support to the Commission on an as-needed basis. In most cases, the Commission's work culminates in findings, conclusions and recommendations for final action by the City Council.

Regular Commission Meetings:

- 2nd and 4th Thursdays of each month – January through October.
- Single meetings in November and December (due to holidays).

Major Projects of 2012

The following business items accounted for a significant portion of the Planning Commission's attention during this year. It was determined that there would be no 2012 Docket of Comprehensive Plan amendments. The City received no requests to consider amendments from the public and had no time-critical needs from City departments. Due to short staffing and the upcoming major update cycle due in 2015, it was determined that no docket would be processed:

Name	Location	Summary Description
Lynnwood Link LRT proposals	City Center to southern City boundary along I-5	Route alternatives and ponytail implications on City neighborhoods and plans was reviewed
City Center Planned Action Ordinance Briefing	City Center	No action by the Commission required but they previously held hearings on City Center Plan amendments
Permit Processing Streamlining Code Amendments	Citywide	Hearing and recommendation on a package of amendments the most significant of which pertain to a transfer in approval authority from

Name	Location	Summary Description
		the City Council to the City Hearing Examiner
Transition Area Plan and Ordinance	Area between City Center and Alderwood Mall	Council directed action to prepare plans and code revisions to support appropriate medium to high density development
Self-Storage Code Amendment	Citywide	Hearings and recommendations on enhanced flexibility, restrictions on location and new design standards
B-3/B-4 Code Amendment	Citywide	Worked on proposed code amendment to consolidate and enhance low intensity commercial zones
Self-Storage Code	Citywide	Ordinance regulating development of self-storage uses
Transportation Plan	Citywide	Annual briefing
Banner Signs	Citywide	Work through proposed code amendments with hearing expected in 2013
SEPA Rules Update	Citywide	Presentation on enhanced flexibility allowed by State and Lynnwood's decision to incorporate
Lynnwood Place	Former Lynnwood High site	Discussion of schedule, process and available information for public hearing planned for January 2013.

Officers for 2012

The following officers were elected for 2011:

Chair – Richard Wright
1st Vice Chair – Bob Larson
2nd Vice Chair – Michael Wojack

Membership Changes in 2012

-Doug Jones appointed to fill Davies vacancy.

-Van AuBuchon elected to City Council creating vacancy. Staff held candidate interviews with recommendations to Mayor. Initial action undertaken by Council but position remains vacant.

2012 Attendance Record

Date	Ambalada	Position 2	Braithwaite	Jones	Larsen	Wojack	Wright
Jan 10	Absent	vacant	✓	✓	✓	✓	✓
Feb 9	✓	vacant	✓	✓	✓	✓	✓
Feb 23	✓	vacant	✓	✓	✓	✓	✓
Apr 26	✓	vacant	✓	✓	✓	✓	✓
May 10	✓	vacant	✓	✓	✓	✓	✓
May 24	✓	vacant	✓	✓	✓	Absent	✓
June 28	✓	vacant	✓	✓	✓	✓	✓
Sept 27	✓	vacant	✓	✓	✓	✓	✓
Dec 5	✓	vacant	✓	✓	✓	✓	✓

Respectfully submitted,

Richard Wright, 2012 Chair

LYNNWOOD
WASHINGTON
COMMUNITY DEVELOPMENT

MEMORANDUM

Date: February 14, 2013

To: Planning Commission

From: Corbitt Loch, Deputy Director

RE: 2013 PLANNING COMISSION WORK PROGRAM

Community Development staff present the items below for consideration by the Planning Commission during the upcoming year (dates subject to change). Input from the Planning Commission is encouraged.

Item	Summary	Projected Date
Lynnwood Place – public hearing	Comprehensive Plan and Zoning amendments	January
Planned Regional Center Zone	Amend regulations for residential uses	February - April
Electric Vehicle Infrastructure Code Amendments	New code amendments required by GMA for electric vehicle infrastructure	March
B-3/B-4 Zoning Code/Map Amendments	Consolidation of zoning districts/update map	March
Draft Introduction/Land Use/Housing Elements	Update elements for 2015 Comp Plan Update	June
Draft Transportation Element	Update element for 2015 Comp Plan Update	July
Draft Parks & Recreation Element	Update element for 2015 Comp Plan Update	July
Public Workshop	2015 Comp Plan Update	July – August
2013 Comp Plan Docket	City/private-initiated annual updates to Comp Plan	August
Economic Development Plan	Discussion of Plan	September
2013 Comprehensive Plan Amendments	Action on annual updates	September
Draft Cultural & Historical Element; Draft Energy, Sustainability &Implementation Elements	Update elements for 2015 Comp Plan Update	September
City Center Streetscape Plan	Discussion of Plan	October
Economic Development Element	Update for 2015 Comp Plan Update	October
Capital Facilities Element	Update for 2015 Comp Plan Update	October
Economic Development Plan	Action	November
Miscellaneous Zoning Code Amendments	Discussion and public hearing	As needed
City Center Streetscape Plan	Action	December