

**CITY OF EDMONDS  
PLANNING BOARD MINUTES  
January 25, 2006**

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Chair Freeman called the regular meeting of the Planning Board to order at 7:03 p.m. in the Council Chambers, Public Safety Complex, 250 – 5<sup>th</sup> Avenue North.

**BOARD MEMBERS PRESENT**

Janice Freeman, Chair  
John Dewhirst, Vice Chair  
Jim Young  
Virginia Cassutt  
Judith Works  
Jim Crim  
Cary Guenther  
Don Henderson

**STAFF PRESENT**

Duane Bowman, Development Services Director  
Rob Chave, Planning Division Manager  
Karin Noyes, Recorder

**READING/APPROVAL OF MINUTES**

**VICE CHAIR DEWHIRST MOVED THAT THE MINUTES OF DECEMBER 14, 2005 BE APPROVED AS AMENDED. BOARD MEMBER CRIM SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.**

**BOARD MEMBER YOUNG MOVED THAT THE MINUTES OF JANUARY 11, 2006 BE APPROVED AS AMENDED. BOARD MEMBER WORKS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.**

**ANNOUNCEMENT OF AGENDA**

No changes were made to the agenda.

**AUDIENCE COMMENTS**

**Steve Burnheim** reported that he recently visited Lake Worth, Florida, where he spoke with a woman who is actively involved in redevelopment of their downtown. Their problems appear to be nearly the same as those the City of Edmonds is facing. He provided the Board Members with a copy of an article she gave him regarding alley improvements. He reminded the Board that alley improvements were discussed as an option for the Downtown Plan, but they were addressed very little in the final ideas identified in the draft plan. He asked that the concept of alley improvements be given more attention as new ideas are brought forward.

**Tony Shapiro** said that while the idea of creating neighborhood business centers in the City has merit, he has concerns about some of the goals the Planning staff has outlined such as low income housing, art, and other options that tend to be side issues and do not necessarily enable property owners to benefit so much from economic development. He advised that he

currently has a client who is hoping to somehow modify the zoning of his property as part of the Firdale Village process. However, if a developer were required to allocate a certain portion of a development for low-income housing in order to obtain a density bonus, the incentive to expand properties would be stifled, and the neighborhood would be less likely to embrace redevelopment if low income housing becomes part of the proposal. Mr. Shapiro expressed his concern that the City is moving towards issues that are on the peripheral rather than incentives to encourage property owners to move ahead on their projects.

Mr. Shapiro said he is an architect by trade, and he works with development design guidelines on a regular basis. He expressed his belief that development guidelines tend to stifle or slow down the development process and detract from creative design solutions. They tend to make things more uniform and bland rather than encouraging creative design.

Mr. Shapiro shared his disappointment that the Board was unable to get through the Comprehensive Plan amendments in 2005. He advised that he has applied for a Comprehensive Plan amendment on behalf of a client who owns property in a Neighborhood Business zone. He said he and his client look forward to presenting their application to the Planning Board as soon as possible. He asked that they strive to reach their goal of reviewing the Comprehensive Plan amendments in the first quarter of 2006.

#### **RECAP AND DISCUSSION OF JANUARY 24, 2006 REPORT TO THE CITY COUNCIL AND REVIEW AND DISCUSSION OF PLANNING BOARD WORK PROGRAM AND EXTENDED AGENDA FOR 2006**

Mr. Chave summarized that after considering the Planning Board's status report on January 24<sup>th</sup>, the general consensus of the City Council was to recommend the Board hold off on their work on the Downtown Plan until the City Council has an opportunity to review the issue again. In light of this direction, Mr. Chave suggested it would be prudent for the Board to move forward with some of the other significant issues on their extended agenda such as Highway 99 and Neighborhood Business District Planning.

Board Member Young expressed his disappointment that the City Council chose to table any discussion regarding the Planning Board's report until February 21<sup>st</sup>. In the meantime, they asked the Board to discontinue their work on the Downtown Plan until they have had an opportunity to review the issue again. He pointed out that if the City Council is not even going to discuss the issue until February 21<sup>st</sup>, it could be some time before they provide policy direction to the Board. While the Board spent a significant amount of time discussing their 2006 work plan, their report did not appear to receive a lot of attention from the City Council.

Board Member Cassutt said she was disappointed that Ms. Gerend, the City's Economic Development Director, was unable to give the presentation to the City Council that she had planned because they got sidetracked discussing which businesses decided not to come to Edmonds.

Chair Freeman questioned what the Board could do to encourage the City Council to move forward quickly to provide policy direction regarding the Downtown Plan. Board Member Cassutt expressed her belief that there is nothing else the Board could do, so they should move forward on their other issues.

Board Member Henderson agreed that there is nothing else the Board could do to expedite the City Council's policy direction, but the Board could still move forward with their review of the Downtown Plan in preparation for further direction from the City Council. He summarized his belief that it would be a mistake for the Board to ignore the Downtown Plan for three months while they wait for direction from the City Council.

Vice Chair Dewhirst expressed his belief that the Board has done everything they can on the Downtown Plan until they receive more specific guidance from the City Council. Board Member Works agreed and suggested it would be inappropriate for the Board to move forward with their work on the Downtown Plan now that they have formally asked the City Council for direction. The majority of the Board agreed. The majority further agreed that the Board's time and energy would be better spent working on the other issues on their plate for 2006.

**APPROVED**

Board Member Crim pointed out that there are some opportunities for the area on the south end of Highway 99 near 236<sup>th</sup> Street. He noted that the Board has previously discussed possible zoning changes for the properties located in the area of Stevens Hospital to allow more intense development to occur, and perhaps this other area on Highway 99 could be considered, as well. Board Member Guenther expressed his belief that the Board has enough to keep them busy with the Highway 99 Plan, the Code changes and their work on the Neighborhood Business District concept. They also have to work on the plans for 4<sup>th</sup> Avenue.

Once again, Board Member Henderson expressed his belief that it would be a mistake for the Board to stop their work on the Downtown Plan, since it has been identified as a priority. He felt that unless the Board specifically hears different from the City Council, they should move forward as originally planned. He noted that only one City Council member actually suggested that the Board wait until they provide policy direction. He expressed his concern that if the Board waits for the City Council, it could be more than two years before anything gets done. While the Board cannot force the City Council to act, when they do finally act, the Board could be ready to go with a recommendation back to the City Council.

Chair Freeman suggested that the Board postpone further work on the Downtown Plan until after the City Council has held their discussion on February 21<sup>st</sup> and their retreat on March 3<sup>rd</sup> and 4<sup>th</sup>. If the City Council still doesn't provide policy direction after these two meetings have been held, the Board could discuss the issue again and decide how they want to move forward.

Vice Chair Dewhirst said he would like a status report regarding the Architectural Design Board's (ADB) progress on their review of the Design Guidelines. He said he would like more information about the timeline for the review, and he would also like to offer the Board's help. He pointed out that many elements of the Design Guidelines would be appropriate for the Highway 99 area. However, if the Design Guidelines are not going to be adopted by the City Council in the near future, the Board would have to include the appropriate design elements in the Comprehensive Plan changes related to Highway 99. The Board directed staff to invite the Chair of the ADB and one other ADB Member to provide a status report to the Board.

Mr. Chave reviewed that implementation of the Highway 99 Plan is scheduled for discussion on the Board's February 8<sup>th</sup> and 22<sup>nd</sup> meetings. In addition, the Economic Development Director would be present at the February 8<sup>th</sup> meeting to provide a report on the Neighborhood Business District community meetings.

Mr. Bowman reported that the Economic Development Director would provide a report on the Economic Development Plan element of the Comprehensive Plan to the City Council on February 7<sup>th</sup>. The document is scheduled as a public hearing before the Planning Board on February 22<sup>nd</sup>. Mr. Chave pointed out that the Board has received periodic updates from the Economic Development Director regarding the plan, but she could also be invited to briefly review the plan with the Board on February 8<sup>th</sup>, prior to the public hearing and after her report to the City Council.

Board Member Cassutt referred to Mr. Shapiro's concern that the City's plan for Firdale Village would include the concept of low-income housing. She said she doesn't recall the Economic Development Director ever saying the plans would include a requirement for low income housing. Instead, she talked about affordable housing, which is different than low income housing. Mr. Chave agreed that the Economic Development Director used the term "affordable housing," which is a term used to address a number of things such as types of uses, trying to reduce housing cost, etc. While the two terms sometime overlap, they are very different.

Board Member Crim asked if the City received updated numbers from the County for their estimated population increase over the next several years. Mr. Chave answered that the 2025 target numbers are the same ones that were reviewed previously by the Board. Board Member Crim pointed out that Edmonds doesn't have a lot of undeveloped land. He asked if the City would need to increase density somewhere in order to accommodate the growth target. Mr. Chave explained that the current growth targets were considered and adopted as part of City's updated Comprehensive Plan. The current Comprehensive Plan would allow for sufficient growth to meet the target number without having to significantly change zoning. The growth target for Edmonds is relatively small compared to other jurisdictions in the County, but it would still be a challenge for them to meet it.

**APPROVED**

Board Member Young inquired if the City's growth target includes a concurrent requirement that a certain percentage of the new housing stock be relatively affordable. Mr. Chave explained that the City agreed to accept a target that was within their current capacity, so they didn't have to make wholesale changes to their largely fixed land use patterns. However, the housing element of the Comprehensive Plan includes a lot of language to address the various actions the City would undertake to work on affordability. He summarized that affordable housing is a significant issue for the entire County, and it would take all jurisdictions working together to come up with a solution.

Chair Freeman requested clarification about the process that would be used for the two community meetings that would be conducted to discuss the concept of Neighborhood Business District Planning. Mr. Chave explained that staff intends to display numerous pictures illustrating the types of development that is possible in the two neighborhood areas. They plan to ask the citizens in attendance to respond to what they want to see in the neighborhood business districts. After the two meetings, staff would attempt to develop more specific ideas, using the comments provided by the citizens. He summarized that the first meetings would be more open ended. At following meetings, staff would provide specific ideas and gauge the citizens' reaction to each one. Vice Chair Dewhirst pointed out that at the neighborhood meeting related to 4<sup>th</sup> Avenue, there was no City Planner present to address the citizens' questions related to traffic circulation, zoning, etc. He said he was glad to learn that a representative from the Planning Department would be present at the two neighborhood business district meetings.

Board Member Guenther recalled that comments from the City Council inferred that the upcoming review of Development Code changes would involve an aggressive schedule. Mr. Bowman advised that there appears to be some degree of consensus amongst the City Council Members that they want to move forward quickly and take action on Development Code changes. He further advised that he is scheduled to provide a presentation to the City Council on February 28<sup>th</sup> regarding the process and procedure for amending the Development Code. He said he would specifically ask for feedback from the City Council about what role they want to have in land use decisions. Using the Council's direction, staff would work with the City Attorney to draft language to move the concept forward.

Board Member Crim expressed his belief that if the Development Code sets clear standards and requirements, most land use decisions could be administrative. Mr. Bowman reminded the Board that the City Council must make this important policy decision. He said staff anticipates the Development Code Update process to take two years to complete, but they plan to move forward by presenting proposed amendments to the City Council section-by-section. However, he emphasized that they must also carefully consider how changes to one section would impact other sections of the code. He noted that the City Council agreed to maintain the format of the existing code.

Vice Chair Dewhirst suggested that it would be helpful if more pictures and graphics could be implemented into the updated Development Code. Mr. Bowman agreed. He noted that staff already has plans to provide graphs and pictures in Title 20 to clearly illustrate the notice and appeal process. He summarized that staff's ultimate goal is to have a document that is easy for staff to use and for the public to understand.

Chair Freeman expressed her belief that there should be no terms in the definition section that cannot be clearly defined. Mr. Bowman agreed and pointed out that the City might have to take out some terms because they are either not enforceable or they are very difficult or impossible to define. He said staff would carefully review the definition section and cross reference and word search the entire document to determine how references are being used and whether they match with the definitions provided. They would also search the document for additional words that must be defined.

Board Member Crim commented that it would likely be difficult to convince the City Council that the Hearing Examiner should make land use decisions. Mr. Bowman said he firmly believes that the best system would be to use the Hearing Examiner process for quasi-judicial land use decisions. However, in order for this to work, the City must have good regulations and clear standards. His recommendation to the City Council would be that if they set clear standards and regulations, the ultimate decisions would be the same regardless of who makes it. He explained that elected bodies have a tendency to make political decisions as opposed to quasi-judicial decisions. There is a tendency to find for the larger group of attendees at public hearings, and it is only a matter of time before an elected body gets into legal issues. He emphasized, however, that while it is his responsibility to provide his professional opinion to the City Council, it is their right to make the ultimate decision.

**APPROVED**

Board Member Guenther inquired when the first Development Code section would come before the Board for review. Mr. Bowman answered that once staff receives direction from the City Council, the Board could start their review of Title 20. He said he anticipates the issue coming before the Board at their last meeting in March or their first meeting in April.

#### **UPDATE ON SHORELINE MASTER PROGRAM WORK PROGRAM**

Mr. Chave referred to the City's grant agreement with the Department of Ecology (DOE), which provides an outline of the overall Shoreline Master Program Work Program. He advised that staff has completed the consultant selection process and received a strong group of candidates. They are currently in the process of negotiating a scope of work with three consultants, and a proposed contract would come before the Council for final approval the first week in February. A large portion of the project for 2006 would focus on background and fact finding research to put together a description of how the shoreline relates to inland parts of Edmonds such as streams, etc. Their focus in 2007 would be to address enhancement opportunities and how to improve the shoreline environment. He explained that the new Shoreline Master Program must have a stronger interest in characterizing the environment and making sure the regulations can back up the requirements. The existing Shoreline Master Program deals with use issues, but does not talk a lot about the ecology of the shoreline and how it relates to streams and other things that are also part of the environmental picture. The new plan would also include a section to identify projects and priorities for restoring and improving the shoreline environment.

Mr. Chave advised that a large technical advisory committee would be formed involving representatives from other agencies as well as neighboring jurisdictions. A relatively small citizen's advisory group would also be formed. Staff would ask the Mayor for recommendations for participants in both groups.

#### **REVIEW OF EXTENDED AGENDA**

No additional comments were provided regarding the extended agenda.

#### **PLANNING BOARD CHAIR COMMENTS**

Chair Freeman announced that she plans to attend the two neighborhood business district community meetings. She also reported that she attended the cottage housing open house that was held in Shoreline. There were numerous people in attendance, and parking was very difficult. Board Member Guenther pointed out that anytime an AIA open house is advertised to the public, it is generally well attended. Oftentimes, they have to provide parking elsewhere and shuttle attendees to the open house site. Chair Freeman stated that those she talked to at the open house expressed their concern that cottage housing would lower the property values of the surrounding neighborhoods.

#### **PLANNING BOARD MEMBER COMMENTS**

Board Member Guenther asked staff if the Lydar Survey had been completed. Mr. Chave answered that this work was completed several months ago, and a map showing two-foot contour lines throughout the City is on display in the Planning Department Office. He advised that he would provide a copy of this map to each of the Board Members, either on paper or via the City's website. Board Member Guenther asked how issues related to the land slide hazard area would be incorporated into the survey. Mr. Chave explained that Mr. Bowman plans to work with the Building Official to produce a new set of maps and information for the northern shoreline area. Board Member Guenther summarized that the Lydar survey should help the City to better define the critically hazardous areas and transition zones throughout the City, and particularly in the landslide hazard area.

**APPROVED**

Board Member Works reported that she also attended the cottage housing open house in Shoreline, and she was surprised at the quality of the development, given that the cost of each unit was more than \$300,000. She summarized that the cost seemed to be high when compared to the quality of the homes.

Board Member Young referred to an article in the January issue of *PLANNING MAGAZINE* regarding flexible housing design standards to encourage and control redevelopment. While he doesn't know how applicable the concepts in the article would be to the City's current situation, he encouraged the Board members to read the article. He suggested that perhaps the article contains information that could be used by the Board as they discuss future issues. He noted that this progressive form of redevelopment has already been implemented in Mississippi and Alabama, so the City of Edmonds appears to be behind.

Board Member Guenther reported that he recently visited a web site titled *Congress of New Urbanism*, which was related to planning efforts in Louisiana and Mississippi. The concepts found on this website have had a lot of impact on the planning process in these two states, and perhaps some of the concepts might be applicable to Edmonds, as well.

Vice Chair Dewhirst requested that staff provide the Board Members with copies of the work they previously did on the BR zoning concept before their February 8<sup>th</sup> meeting.

Chair Freeman thanked the Board Members for attending the City Council Meeting of January 24<sup>th</sup> and offering their support as she presented the Board's status report. The Board Members concurred that Chair Freeman did an excellent job representing the Board before the City Council.

#### **ADJOURNMENT**

The meeting was adjourned at 8:22 p.m.

**APPROVED**