

DRAFT

Subject to September 9th Approval

**CITY OF EDMONDS
PLANNING BOARD MINUTES**

August 12, 2009

Chair Bowman called the meeting of the Edmonds Planning Board to order at 7:04 p.m. in the Council Chambers, Public Safety Complex, 250 – 5th Avenue North.

BOARD MEMBERS PRESENT

Michael Bowman, Chair
Philip Lovell, Vice Chair (arrived at 7:06 p.m.)
Cary Guenther
John Reed
Judith Works
Kevin Clarke
Valerie Stewart

STAFF PRESENT

Rob Chave, Planning Division Manager
Karin Noyes, Recorder

BOARD MEMBERS ABSENT

Jim Young (excused)

READING/APPROVAL OF MINUTES

BOARD MEMBER REED MOVED THAT THE MINUTES OF JULY 22, 2009 BE APPROVED AS AMENDED. CHAIR BOWMAN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

ANNOUNCEMENT OF AGENDA

No changes were made to the agenda.

AUDIENCE COMMENTS

There was no one in the audience.

UPDATE ON REGIONAL PLANNING ACTIVITIES, INCLUDING THE PUGET SOUND REGIONAL COUNCIL (PSRC) TRANSPORTATION 2040 REGIONAL TRANSPORTATION PLAN UPDATE AND SNOHOMISH COUNTY'S COUNTYWIDE PLANNING POLICIES UPDATE

Mr. Chave advised that with the adoption of the new Vision 2040 Regional Growth Strategy in 2008, regional planning has moved into the next phase of updating local and countywide plans and policies to be consistent with the regional vision. In Snohomish County, the County Council recently approved a process to assist cities in updating their Growth Management Act (GMA) plans to acknowledge the regional vision in their next 7-year update, which is due in 2011. In addition, Snohomish County Tomorrow is working on updating the Countywide Planning Policies, which are mandated under GMA to help coordinate and guide local planning within the County. He advised that the City recently provided comments on the Draft Environmental Impact Statement (DEIS) that was prepared for the proposed Transportation 2040 Plan. The draft DEIS identifies the five alternatives that are currently being considered by Snohomish County Tomorrow. Their goal is to have countywide policies and plans that are consistent with the adopted regional plans in place by the end of 2010. All of the

pieces would then be in place for the local jurisdictions to use as guideposts when they update their Comprehensive Plans in 2011 as required by GMA.

Mr. Chave noted there are inconsistencies in the various planning agencies proposed schedules for bringing the countywide plans into consistency with the Vision 2040 Plan. For example, the City is required to update their Comprehensive Plan in 2011, but the County does not have to do anything with buildable lands and urban growth areas until 2015. That means the City may not have all of the information they need to make informed decisions in 2011. The County has indicated they would run some initial numbers to translate how the Vision 2040 Plan would play out in Snohomish County, which would at least give the local jurisdictions a reference point to begin their comprehensive plan updates. He recalled that every 10 years, cities in Snohomish County meet together to discuss the population projections, but this formal process is not scheduled to occur for a number of years. That means that new numbers would not be available for the update. The PSRC has agreed to provide some general numbers for the cities to use in their processes, and this information could be used as a reporting tool to Snohomish County and the PSRC that would set the stage for the regional and countywide updates in 2015. He recommended that as part of their 2011 Comprehensive Plan Update, they should assess what the City can do in their plan to address the goals and policies in the regional plan. This would provide the City with a good opportunity to approach the PSRC if they believe something is not achievable.

Mr. Chave summarized that a new section in the Vision 2040 Plan titled, "Sustainable Environment," is the foundation of the entire plan. It defines "sustainability" as "avoiding depletion of energy, water and natural resources, preventing degradation of land, air and climate while creating built environments that are livable, comfortable, safe and healthy, and promoting productivity."

Chair Bowman inquired if the 2040 Transportation Plan mentions previous legislation that would have mandated higher densities in areas surrounding transportation nodes. Mr. Chave explained that this House Bill would have mandated certain levels of density within a set distance of a high-capacity transportation system and would have applied to four areas in Edmonds: the two bus rapid transit stations, the Sound Transit station, and the ferry terminal. Chair Bowman reminded the Board that State mandates trump local regulations. He advised that while height is a big issue in Edmonds, greater heights would be inevitable according to the mission statement outlined in the 2040 Transportation Plan, which calls for higher densities in transportation districts. Mr. Chave agreed that is part of the plan's thrust. The goal is about linking high-capacity transit with other forms of supporting transit. Chair Bowman observed that if the bill had been adopted as written, the City would have been required to update their Comprehensive Plan and Development Code to implement the requirement. Mr. Chave agreed that, as proposed, the new requirement would have been a mandate. He suspects the concept would go forward in the future in some form, but he would hope local jurisdictions would have more flexibility as to how they would meet the requirements. Chair Bowman cautioned that if Edmonds does not work to link transportation with land use, the State may require them to do so, and opposing the mandate would not be an option.

Mr. Chave advised that the regional and countywide planning policies would have similar overarching goals that address topics such as the environment, development patterns, housing, the economy, transportation, and public services. Part of the county's effort would be to reorganize the existing goals and policies and create new ones to reflect the regional vision.

Mr. Chave referred to the materials that were provided in the Board's packet, which talk more specifically about the City's 2011 Comprehensive Plan update process. He noted that 2011 is the GMA mandated timeline, and that is the point where the City must take their population projections out to 2035 or 2040. The intent would be to recognize and address as much of the regional vision as possible. He cautioned that postponing their effort to make their Comprehensive Plan consistent with the regional vision until 2015 could jeopardize the City's opportunity for transportation dollars. He questioned how the PSRC could certify a transportation element that does not reflect the regional vision. If the City does not go beyond the requirements of the 2011 update to include some discussion about how their Comprehensive Plan is consistent with the regional vision, they could be subject to challenge.

Vice Chair Lovell referred to a letter from the Mayor Haakenson to the PSRC dated July 21, 2009, which provides the City's feedback related to the DEIS for the proposed Transportation Plan. He noted that the City would need to have answers to a number of issues raised in the letter before they could consider specific proposals for the downtown/waterfront properties. For example:

- The letter references Washington State Ferries' (WSF) funding issues. It suggests that while WSF proposes to continue to work with the Legislature to identify a sustainable funding source for the ferry system, their ability to sustain existing ferry operations is uncertain.
- The letter also points out that while the draft EIS depicts a new commuter rail station (multimodal) within the City of Edmonds at Point Edwards, only Alternative 2 contains a reference to access/connectivity between SR104 and a new multimodal terminal. The City needs more information as to whether or not this project would move forward in the future.
- The letter makes reference to the fact that Burlington Northern Santa Fe (BNSF) is building a second set of tracks through the City, and the volume of rail traffic is expected to increase from 35 trains per day to 70 by the year 2020, and 104 by the year 2030. This increase would create a significant accessibility issue for those traveling between the City's waterfront community and downtown Edmonds. The letter recommends some type of grade separation for vehicular and pedestrian access.

Mr. Chave pointed out that, currently, all of the alternatives identify the Edmonds Crossing Project at the Point Edwards site. However, it is important to understand the project does not have to be located at Point Edwards as long as it is a multimodal facility that acknowledges the various transportation modes that must be coordinated.

Board Member Reed inquired if a representative from the City of Edmonds participates on the PSRC. Mr. Chave said he does not know of anyone from the City who participates on the PSRC. However, he represents the City on the Snohomish County Tomorrow organization, and they send a representative to the PSRC.

Board Member Works observed that BNSF's second track could essentially cut off the waterfront properties from the rest of the City. She inquired if the City is doing any planning now to address the possibility of providing an overpass. Mr. Chave said the City is always considering opportunities for access over the tracks, but one of the biggest issues is funding. He noted the Edmonds Crossing Project would provide access over the tracks. In addition, the staff is encouraging the PSRC and Snohomish County Tomorrow to acknowledge the conflict between the various modes of transportation. If the Edmonds Crossing Project does not move forward at the Point Edwards site, the City would still attempt to provide access over the tracks. He emphasized that access is not just a City issue; the Washington State Department of Transportation is also concerned, and they are the lead agency for the Edmonds Crossing Project. Board Member Works expressed her belief that access over the tracks is one of the most critical issues facing Edmonds over the next 10 years.

Board Member Stewart pointed out that BNSF's primary function as a company is to move freight. Mr. Chave agreed that BNSF is not in the business of providing passenger service. However, Amtrak has been identified as a secondary user of the track, and they contract with BNSF to allow them to operate on the tracks. The same is true for Sound Transit, but BNSF would not allow passenger trains to have precedence over freight trains. Board Member Stewart expressed disappointment that they cannot tap into the existing infrastructure more to provide additional passenger service. Mr. Chave noted that the additional line would make it easier to schedule passenger trains. He reminded the Board that Sound Transit has plans to add another commuter train, and they provided some funding for the second track project. Board Member Stewart suggested that representatives from Amtrak be invited to participate in future countywide transportation discussions. She observed that they currently have a lot of empty seats on their runs from Edmonds to Seattle. Mr. Chave clarified that there is a difference between the Amtrak trains and the Cascade line, which is run by the State. He suggested the issue is more complicated than most people understand.

Board Member Stewart inquired if staff is aware of the Discovery Group's work with the Cascadia Project, which is a public/private partnership to put additional boats for passengers in various parts of the waterway and acquire property to allow docking to occur. She observed that the regional plan does not include a discussion about expanding the waterways, which would be a natural approach. Mr. Chave replied that expanding the passenger ferry service is part of the proposed alternatives. Board Member Stewart agreed but noted that passenger ferry service on the Lake Washington side is lacking. Mr. Chave pointed out that ferries are relatively low-volume alternatives compared to other modes of transportation. Board Member Stewart questioned the future of the Edmonds/Seattle passenger ferry run, and Mr. Chave responded that this would depend on the preferred alternative.

Board Member Clarke inquired if the owner of the Old Safeway property would be required to amend the Comprehensive Plan before the zoning could be changed. Mr. Chave answered that the proposal would require a SEPA review, which would identify whether or not a Comprehensive Plan amendment would be required. Once the SEPA process has been completed, the proposal would be presented to the Planning Board for a public hearing and a recommendation to the City Council.

Board Member Clarke concurred with Vice Chair Lovell that certain issues must be addressed before the Board could consider future proposals for the downtown/waterfront properties. He questioned how the Board could make a recommendation as to what should be built on these properties without considering the infrastructure issues that are playing out in the vicinity. Board Member Guenther noted that the SEPA evaluation would address a variety of issues related to the environment, history and cultural background, available utilities, transportation, etc. Board Member Clarke observed that, typically, the outside environment surrounding a subject property is fixed; but in this case, the environment is in a state of fluctuation. Mr. Chave explained that the SEPA review would be a zoning level, non-project review, and the proposal would be evaluated relative to all the various existing plans. The City can only assess the plans and policies that currently exist. For example, the Edmonds Crossing Project is part of the City's Comprehensive Plan, so it would be taken into consideration for any SEPA review that is done for property in the vicinity.

Vice Chair Lovell said he recently read that the Port of Edmonds is undertaking a master planning process. He inquired if the Port would be required to dovetail their plans with those of other property owners in the vicinity. Mr. Chave answered that there would be no requirement for which plan comes forward first, but it would likely be 2010 before the Port's updated master plan is ready for the Board's review.

Board Member Guenther recalled the Board's earlier discussion about access over the train tracks and noted that the City's initial Comprehensive Plan that was adopted in 1995 identified options for connecting the waterfront to the downtown. Mr. Chave agreed that the 1995 version of the Comprehensive Plan identified an overpass. He suggested it is more an issue of finding the right combination of projects and funding to make the crossing happen. Board Member Reed pointed out that the alternatives discussed by the group of 33 included pedestrian access over the tracks, but it did not include vehicular access.

Board Member Stewart said it was recently announced that the economic stimulus package could provide some funding to create a rail line from Eugene, Oregon, to Vancouver, Washington, which could result in some good options for the City of Edmonds.

SUSTAINABILITY DISCUSSION: REVIEW OF CURRENT DRAFT OUTLINE OF COMPREHENSIVE PLAN SUSTAINABILITY ELEMENT AND PREPARATION FOR THE WORK SESSION ON AUGUST 19TH

Mr. Chave reminded the Board that they have met with a number of different agencies regarding the issues of sustainability and economic development, and they are scheduled to present their findings to the City Council by the end of 2009. The newly formed Citizen's Economic Development Commission (CEDC) is working on the issue, as well. He suggested the Board review what they have heard to date, identify issues they would like to pursue, and provide staff with general guidance on how to prepare for the work meeting scheduled for August 19th. He referred the Board to the outline draft of the Comprehensive Plan Community Sustainability Element and suggested they work to finalize the draft document at their August 19th work session. He anticipated the Board could complete their work on this element within the next few months and forward the document to the City Council for review and approval. The policies contained in the element could provide the general framework for the Board to start outlining the details of an implementation strategy and identifying framework goals the City should accomplish within the next two to five years in order to achieve long-term success. Soliciting City Council feedback regarding the sustainability element early in the process would allow the Board to have a more detailed strategic plan discussion to identify priorities for what the City should work on. At the end of the year, the Board could highlight what they think the City's actions and priorities should be.

Mr. Chave also suggested it would be appropriate for the Board and the CEDC to work in tandem on their recommendations to the City Council. Chair Bowman pointed out that the CEDC has been chartered through December 31, 2011, but the Board has been tasked with presenting their report by the end of 2009. He expressed his belief that the entire issue would be a work in progress beyond 2009. Mr. Chave observed that the Board would bring a different element to the discussion because they can tie their work into their other efforts related to the Comprehensive Plan update.

Vice Chair Lovell inquired who prepared the outline draft of the Comprehensive Plan Community Sustainability Element. Mr. Chave advised that worked with the County to draft the framework, goals and policies of the countywide plan. In addition, he has worked on the American Planning Association's sustainability report. He was involved in these efforts to make sure the City's interests were represented and to keep track of what other jurisdictions are doing so that he could bring back good ideas for the City to incorporate into their element. He is now at a point where he is ready to prepare a final draft for the Board's review. He noted the current draft was prepared by staff in working with the Mayor's Climate Protection Committee. It was presented to the City Council for feedback, and they agreed to forward the document to the Planning Board for further review. They did not make any changes to the draft language.

Vice Chair Lovell referred to Goal 5 of the outline draft, which states, "Adopt a system of codes, standards and incentives to promote development that achieves growth management goals while maintaining Edmonds' community character and charm in a sustainable way. Holistic solutions should be developed that employ such techniques as Low Impact Development (LID), 'Complete Streets,' form-based zoning, and other techniques to assure that future development and redevelopment enhances Edmonds' character and charm for future generations to enjoy." He suggested this goal should be enhanced to become a strategic element of planning and development in the City. He asked if placing this goal in the sustainability element would be sufficient to accomplish this task. Mr. Chave referred to the regional and countywide plans, both of which contain overarching discussions and general statements of this nature. If the Board agrees they want to move in the direction recommended by Vice Chair Lovell, the key concepts or framework goals from the regional and countywide plans could be carried throughout the City's sustainability element.

Board Member Reed agreed that Goal 5 is significant. In addition, he referred to the "community health section" and suggested that some of these goals would have a significant bearing on the Board's sustainability discussion. For example, Goal 7 calls for promoting a healthy community through supporting and encouraging the development of economic opportunities for all Edmonds citizens. It states that "sustainable economic health should be based on encouraging a broad range of economic activity, with an emphasis on locally-based businesses and economic initiatives which provide family-supporting wages and incomes."

Mr. Chave referred the Board to the introductory section of the outline draft and suggested he could rework the language to become the framework for the entire document. The goals could be incorporated to provide the big picture framework statements. Mr. Chave agreed to update the language to provide more details and bring it back for Board discussion on August 19th. He thanked the Board Members for their constructive comments and encouraged them to email additional comments to him as soon as possible.

REVIEW OF EXTENDED AGENDA

Chair Bowman reminded the Board that a work session as been scheduled for August 19th to discuss the issue of sustainability. The meeting would start at 6:00 p.m. in the Brackett Room on the third floor of City Hall. The August 26th meeting was cancelled.

Chair Bowman announced that the agenda for September 9th would include a public hearing on an ordinance establishing building setback exemptions for recent projects with expired county permits, a public hearing on amendments to the Development Code related to the keeping of domestic fowl, and a public hearing on the regional mitigation plan and emergency coordination from the emergency services coordinating agency. Mr. Chave explained that a number of cities in Snohomish County are cooperating in an emergency response organization to create a response and mitigation plan, which is required in order to be eligible for FEMA funds in case of a disaster. The organization will present the plan to the governing bodies of each of the participating jurisdictions.

Chair Bowman advised that the Board would meet jointly with the CEDC on September 23rd to continue their sustainability discussion. Mr. Chave emphasized the need for the Planning Board and CEDC to work together so they can present a coherent and consistent message to the City Council. He added that the Port would also provide a presentation regarding their planning effort on September 23rd.

Chair Bowman announced that Tony Shapiro would be present at the October 14th meeting to present his updated proposal for Firdale Village. A public hearing on the sustainability strategic plan has been scheduled for October 28th, and the Board would flush out their presentation to the City Council on November 11th. A second meeting could be held on November 18th to continue their discussions regarding sustainability.

Mr. Chave advised that at their August 19th work session, the Board could review the new draft of the Community Sustainability Element. They could spend time reviewing what they have heard to date from various agencies and what they know is going on in the City and start a discussion about priorities and strategies. They would have an opportunity to brainstorm and strategize the concepts they want the City Council to pursue over the next several years. He indicated he would invite Stephen Clifton, Economic Development Director, to attend the work session.

Mr. Chave agreed to figure out a way to allow the Board Members to download related plans and studies that have previously been completed. Board Member Stewart observed that it would be helpful if Wi-Fi were available in the Council Chambers. This would allow Board Members to access the reports and studies without having to print them out. Chair Bowman noted that City Council President Wilson has made this same recommendation.

PLANNING BOARD CHAIR COMMENTS

Chair Bowman did not have any comments to make during this portion of the meeting.

PLANNING BOARD MEMBER COMMENTS

Vice Chair Lovell formally congratulated the Park Naming Committee on the excellent job they did. While he did not attend the dedication ceremony, he heard it was successful.

Vice Chair Lovell announced that the long-awaited Aquatics Study would come to a conclusion on August 26th when the consultant presents their findings to the City Council. He said he would attend the meeting as a member of the committee. He expects some feedback and questions about what could be done to remodel the Yost Pool into a facility similar to the Klahaya Swim Club. The consultants would present their recommendations for an aquatics center in Edmonds, but he does not anticipate the City Council would take action this year.

Board Member Stewart thanked Mr. Chave for providing a good presentation to the City Council on the issue of sustainability. His message was delivered in an articulate manner that said what needed to be said.

Board Member Guenther advised that he has arranged his project site visits so that he can attend future Board meetings.

Board Member Clarke thanked Brian McIntosh, Parks, Recreation and Open Space Director, for his hard work in shepherding the entire park process. Very few people in the City understand what he has done to create the beautiful park. He noted that many other jurisdictions include the names of their park director, city staff and city council members on their recognition plaques. When he asked Mr. McIntosh why his name was not on the plaque, he replied that he is just a City employee doing his job. Board Member Clarke said that while he appreciates Mr. McIntosh's attitude, City employees should be recognized for their hard work. He said he also had a discussion with Mr. McIntosh about the close proximity of the park to the county line and the fact that people from Shoreline would likely use the park. His response was that he hoped people would come to the City and enjoy the park frequently, which is a good attitude, as well. He thanked Vice Chair Lovell for shepherding the Board's recommendation regarding the park name through the City Council in a timely manner.

Board Member Clarke expressed frustration that the Board spent a lot of time reviewing the proposed park names and making a recommendation to the City Council based on the criteria that was approved unanimously by the City Council on March 24th. He was surprised that three City Council Members specifically talked about issues that were unrelated to the criteria they previously approved.

Board Member Clarke recalled that Council Member Orvis requested the names of the people who submitted names for the park. When Mr. McIntosh declined to provide the list, Council Member Orvis submitted a public records request so that he

could plot where the people lived and what names they submitted. Board Member Clarke expressed his belief that this was inappropriate, reflected partiality, and went against the authority of his office. Council Member Bernheim said he would never vote to name a park after a living individual, even though he voted in favor of the criteria, which included three categories that allowed names of living individuals to be considered for possible park names. He also said he would not vote in favor of a name of someone who didn't live in Edmonds, yet that was not part of the criteria he earlier approved. Council Member Bernheim's actions were wrong and set an inappropriate standard. He expressed frustration that people who participated in the process and attended the public meetings witnessed this game playing.

Board Member Clarke said he also recently learned that Council Member Plunkett received campaign contributions from individuals from **SENA** just three weeks before the City Council considered the Board's recommendation for naming the new park. This was not discussed before the vote was taken when it was disclosed that **SENA** would provide refreshments and barbecue supplies for the park grand opening event and before the president of **SENA** gave plaques to the three City Council Members (Moore, Orvis and Plunkett) who actually voted in favor of purchasing the 11 acres, but not in favor of the park. He suggested this was an amazing political situation.

Board Member Clarke suggested the Board forward a letter to the City Council expressing their concern that while the City Council requires the Board to follow adopted City policies, they do not do the same. The City Council's responsibility was to either approve or amend the Board's recommendation for the new park name. However, before the recommendation even came before the City Council for discussion, some members of the Council had submitted names that represented their personal preferences. This was very distasteful for him as an individual representative of the Planning Board. Only the four Council Members who voted in favor of the Board's recommendation did their jobs appropriately.

Board Member Clarke said he was particularly concerned that during one of the Board's 3-minute public comment period, Council Member Bernheim spent 35 minutes outlining his vision for the waterfront. Recognizing that he would be voting on the issue as a public official, it was inappropriate for him to try and influence the Board. This would be considered a conflict of interest and against the authority of his office to be impartial. He also expressed frustration that Council Member Bernheim contacted Chair Bowman and railed upon him because he was not given notice that an animal control officer was coming before the Board to speak. He was upset that he was not given equal time. He voiced concern that a City Council Member is trying to run the show, since this would make it impossible for him to make an impartial decision. He stressed the importance of helping the public understand what is going on.

Board Member Clarke suggested that in the future the park naming process not include a contest, which implies there will be a prize. Rather than advertising as a contest, they could merely request name suggestions. He said he researched the list of people who submitted names for the new park and found that one person submitted 11 names, which appears to be an attempt to "stuff the ballot." While he appreciated the process that was used, he suggested it could be amended to make it better. He also suggested the Board relay their concerns to the Mayor, the City Council and the City Attorney related to impartiality and fairness. He said he is bothered that one City Council member actually has a blog that says he is very biased and sometimes not a nice person. This individual was biased going into the meeting where the park name was considered. Rather than being biased, City Council members must be impartial.

Board Member Reed announced that the Citizen's Economic Development Commission would meet on August 13th at 6:15 p.m. in the Brackett Room on the third floor of City Hall. The meetings are open to the public and he encouraged interested Commissioners to attend.

Board Member Reed announced that the City Council voted not to proceed with the tax levy this year, which is something the Board should consider as part of the work session discussion related to sustainability. He recalled the Levy Committee's emphasis that the levy would be a short-term solution to the City's economic problems, and they need to identify some long-term solutions, as well.

ADJOURNMENT

The Board meeting was adjourned at 8:45 p.m.