

APPROVED OCTOBER 14TH

**CITY OF EDMONDS
PLANNING BOARD MINUTES**

September 23, 2009

Chair Bowman called the meeting of the Edmonds Planning Board to order at 7:02 p.m. in the Council Chambers, Public Safety Complex, 250 – 5th Avenue North.

BOARD MEMBERS PRESENT

Michael Bowman, Chair
Philip Lovell, Vice Chair
Cary Guenther
Jim Young
Valerie Stewart

STAFF PRESENT

Rob Chave, Planning Division Manager
Karin Noyes, Recorder

BOARD MEMBERS ABSENT

John Reed (excused)
Judith Works (excused)
Kevin Clarke (excused)

READING/APPROVAL OF MINUTES

VICE CHAIR LOVELL MOVED THAT THE MINUTES OF SEPTEMBER 9, 2009 BE APPROVED AS AMENDED. BOARD MEMBER YOUNG SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

ANNOUNCEMENT OF AGENDA

No changes were made to the agenda.

AUDIENCE COMMENTS

George Murray, Edmonds, expressed his concern that there has been incomplete and inadequate notice provided to the public regarding the proposed project for the Safeway property. He reviewed that on August 28th, the notice of development was published in *THE EVERETT HERALD* and sent out to property owners within 300 feet of the subject property. In addition, a notification board was installed on the property, but no information was posted on the board until sometime around September 12th. He voiced his opinion that the notice provided by the City was inadequate given the size and potential impacts of the proposed project. Many people in Edmonds are interested in what happens with this project and would like to be better informed. Sending notices to property owners within 300 feet (47 total letters) and placing a notice in *THE EVERETT HERALD* (only about 2,400 households in Edmonds subscribe) does not do enough to alert the public about a project of significant magnitude.

Mr. Murray reviewed that the posted information states that “any person has a right to comment on the application during a public comment period, which shall be in no less than 14 days and no more than 30 days following the notice of application.”

He noted that 30 days from August 28th would be September 27th. He said the notice also states that “The City may accept public comment at any time prior to the closing of the record of an open record pre-decision hearing if no open record pre-decision hearing is provided prior to the decision on the project permit. Only parties of record have standing to initiate an administrative appeal.” Again, Mr. Murray stated his belief that the notice that was provided for the Safeway Project was adequate. He also asked if Board Members would recuse themselves from voting on a particular project if they have any prejudicial feelings about an application.

REVIEW AND DISCUSSION ON SUSTAINABILITY ELEMENT OF COMPREHENSIVE PLAN

Mr. Chave advised that the Sustainability Element of the Comprehensive Plan is tentatively scheduled for a public hearing before the Planning Board on October 14th. The purpose of tonight’s discussion is to arrive at a draft to form the basis for beginning the hearing process. He noted that the latest draft includes an implementation strategy, which is an important aspect of sustainability. He recommended the draft be forwarded to the City Council for review since it forms a lot of the policy background the Board will be basing their efforts on as they work towards specific programs and initiatives in tandem with the Citizen Economic Development Commission (CEDC). He reminded the Board that, once adopted, the Sustainability Element would be the basis for assessing other Comprehensive Plan updates as they occur over the next several years.

Mr. Chave referred the Board to the Annual Coordination Schedule (Page 18), which provides an example of how the City’s various processes (City County Retreat, Strategic Economic Development Plan, Climate Action Plan, Budget, Capital Improvement Program, Capital Facilities Plan, and Comprehensive Plan) could be coordinated and linked together to address the goals outlined in the Sustainability Element. He summarized that all of the various processes and actions should be aligned so there is a coordinated system and a framework for making decisions in the future.

Mr. Chave noted that one important element of the implementation plan will be to provide some measureable benchmarks and/or goals to track such things as retail sales, revenue, housing starts, and housing affordability. The benchmarks have not been identified in the proposed draft, but they should be a high priority item to start talking about early in 2010 for inclusion in the 2011 Comprehensive Plan update. The benchmarks could create a baseline for measuring the progress the City is making in various areas five to ten years out.

Vice Chair Lovell referred to Item 1 on Page 7 and suggested that perhaps “electricity” should also be touted as a form of alternative fuel. Mr. Chave pointed out that the language in this section was taken verbatim from the United States Mayor’s Climate Agreement, so perhaps the issue of electricity as an alternative fuel could be covered elsewhere in the document. The document was adopted over a year ago, and some of the elements are becoming dated. A member of the Mayor’s Climate Protection Committee has recommended the subsections on under Item 3 on Pages 7 and 8 be eliminated. The language should also make it clear that the first three items are general goals that are part of the United States Mayor’s Climate Agreement and should be considered background information and not goals and policies.

Vice Chair Lovell referred to the subset items listed under Climate Change Goal B (Page 8) and questioned if they are really achievable. Mr. Chave emphasized that these are stated goals of the State, but how they will be achieved is another question. He agreed the numbers are significant.

Vice Chair Lovell referred to Climate Change Goal C (Page 9) and recalled that at the Board’s last meeting, a comment was made by a citizen regarding the ramifications related to global warming, rising sea levels, and how this would impact Puget Sound. He asked if this issue should be addressed in the draft document. Mr. Chave agreed that language related to global warming and rising sea levels could be addressed in the document, but he suggested it would be more appropriate to simply reference the South Snohomish County Regional Mitigation Plan. The Board concurred. Vice Chair Lovell also noted that the note at the end of Climate Change Goal E should be changed to “D.”

Vice Chair Lovell asked if the Sustainability Element would supplant what is currently in the Comprehensive Plan if it is adopted by the City Council. Mr. Chave explained that the Sustainability Element would become a new element that does not currently exist. He further explained that there would be very little conflict between the Sustainability Element and other

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elements that currently exist in the Comprehensive Plan. The Sustainability Element could be adopted now with the understanding that some changes may be required at some point in the future in the land use and other elements of the Comprehensive Plan. He suggested the Sustainability Element could reference associated Comprehensive Plan elements. He reminded the Board that they would be reviewing the land use element of the Comprehensive Plan in 2010 and 2011, and the document could be refined to incorporate the goals and policies of the new Sustainability Element.

Board Member Stewart said she reviewed the draft document numerous times using her background in health and fitness and environmental education and has noted several language adjustments and other changes. She suggested she forward her marked up copy to the staff and Board for review. However, she also made the following observations and recommendations:

- She was hoping the term “technology” would have been incorporated into the document. When it comes to the environment, it is also important to talk about diversity in appropriate locations in the document. She likes the use of the term “environmental stewardship”. She recalled that the Mayor’s Climate Protection Committee did a lot of work and she appreciates the language that protects the ecosystem and looks at sustainability in a holistic manner.
- Upcoming generations will expect to see terms such as “ecosystem,” “watersheds,” etc. in the document in the future.
- The Comprehensive Plan talks about a “life cycle cost analysis” and the draft document uses the term “life cycle assessment,” which doesn’t focus as much on economic issues. Instead, it talks about reducing, reusing, and recycling. It is important to think about life cycle going from “cradle to grave,” which means from the time an item is made to when it is recycled and reused.
- As she has reviewed references related to housing, one particular term used often refers to the “built environment and sustainability” as the basis for making decisions related to future development and redevelopment. The document should provide information about how to go about creating sustainable and green development.
- She likes the language proposed in the introduction to the Sustainability Framework section (Page 2), particularly the term “holistic.” However, she suggested that perhaps “adaptive” would be a better term than “flexible.” The term “flexible” concerns her because some could think it means they can build a case for getting what they want without paying close attention to the impacts of a particular project.
- The second sentence in the introduction to Sustainability Goal A could be deleted. She suggested it is better to have precise language, and the second sentence may be redundant. Only one sentence is needed to describe the goal, and the information contained in the second sentence can be found below, as well.
- In Sustainability Goal A.1 she doesn’t see enough said about resource agencies and materials that are locally sourced. This is an important component to evaluate where their materials come from and the amount of energy required. The City should do whatever possible to salvage materials, as well, and she was glad to see this referenced in the document.
- The second sentence could be deleted from Sustainability Goal B. The first sentence clearly states the goal, and the information contained in the second sentence can be found in the subsets below. Perhaps the term “fuel” should be changed to “petroleum-based fuel,” since that is what they are most concerned about. Mr. Chave said that may or may not be true.
- The second sentence in Sustainability Goal B could be moved to Sustainability Goal C. Sustainability Goal B is about transportation and Sustainability Goal C is about promoting seamless transportation. Mr. Chave clarified that Goal B focuses on transportation in the community, and Goal C talks about transportation that links Edmonds to the rest of the Puget Sound Region. He said he believes the two separate goals are necessary.
- The second sentence in Sustainability Goal D could be removed from the introductory statement and placed in one of the subsections below. She said the same is true for Sustainability Goals E, F and G.

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- The intent of Sustainability Goal G.1 is to encourage structures that can be used for more than one purpose. Mr. Chave said the intent is more than that. For example, subdivisions in the multi-family zones are decided very rapidly, assuming one style or type of development. When products change or people's needs evolve, the City is stuck with a rigid development potential. The goal is to have regulations that can accommodate changes as they occur. It is also important to be willing to make changes to support evolving needs, products, etc. In order to be sustainable, the City must review their regulations periodically and be willing to make changes as appropriate to incorporate land use that is supportive of housing alternatives and transit-oriented development.

Board Member Guenther said he has not had a chance to analyze how the proposed document would be consistent with LEED, which is an internationally recognized green building certification program. Board Member Young said he would like the Board to have this discussion at some point. He said he currently has a certain element of unease with the proposed draft, and he is not sure the proposed language meets the Board's intent. While it is comprehensive and well laid out, he is not sure it is at the place where it can be used as a decision making tool. He said he is not sure an architect could read the document and have a clear understanding of the design requirements, and he is not sure staff would have the ability to allocate financial resources based on the draft language, either. He expressed his belief that when budgets are created, decision makers should rely heavily on the Comprehensive Plan, but he is not sure the proposed language would provide sufficient guidance.

Mr. Chave suggested that perhaps it would be more appropriate to identify more of the details in the other sections of the Comprehensive Plan. For example, the land use and transportation elements could pinpoint the City's priorities, which would be carried through into the six-year plans (i.e. Transportation Improvement Plan, Climate Control Plan, Capital Improvement Plan, etc.) and the Board's future work to update the Development Code. He summarized that the Sustainability Element is intended to be an overall framework to help understand the interrelationship and overall policies, but it is not intended to provide detailed policies and requirements.

Board Member Guenther explained that the Sustainability Element of the Comprehensive Plan would become the guideline for other elements. Mr. Chave agreed the element's intent is to identify the overall goals the City wants to achieve and provide a big picture framework for how things are supposed to relate. Board Member Guenther observed that at a later date the Board would review the Land Use Element of the Comprehensive Plan to make sure it is consistent with the Sustainability Element. Mr. Chave agreed that the Board would have to consider the Growth Management Act and other state and regional requirements, as well as the Sustainability Element, to identify what needs to be changed in the Land Use Element to make the City more sustainable. The Sustainability Element provides a clear picture of how all of the various elements relate to each other.

Chair Bowman cautioned that it is very difficult to change people's habits. He said that while he supports the overarching ideas contained in the proposed Sustainability Element, he is not convinced they can be implemented given the current attitude of the citizens and City Council. He expressed concern that the proposed language does not talk about procedures for educating the public. The citizens of Edmonds and the City Council have been resistant to change. He summarized that he supports the concept of protecting the land that isn't built out and keeping more raw land available. However, if the City is going to adhere to the Growth Management Act requirements, they will need to provide some higher density districts that accommodate growth. It is important to keep in mind that citizens have been adamantly opposed to higher density, which equates to taller buildings. He summarized that while the proposed Sustainability Element is good, he does not see it going forward at this point, given the current public and City Council attitude.

Mr. Chave said the Sustainability Element, if adopted, could be a jumping off point to a series of things. For example, the City Council could use the element as a guideline when they update their strategic plan, prepare next year's budget, etc. Chair Bowman agreed, but he noted the City Council would have to make a commitment to look at things in a new way in order to implement the Sustainability Element. If there is no commitment on the part of the City Council, the Board would be wasting their effort. Mr. Chave concurred that City Council agreement on the big picture is essential before getting into the details of sustainability. Chair Bowman expressed his belief that, if written well, the City could be a leader in sustainable development. But if the commitment does not follow, the document would become worthless.

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Vice Chair Lovell emphasized that the City cannot force or legislate developers to build green. The building code tells how a developer can build, and the building codes are modified periodically to address issues related to public safety, materials and structural integrity. In more recent years, changes have been made to make buildings more energy efficient, as well. However, just a few weeks ago, the Board reviewed a report indicating that a lot of buildings were done to LEED Standards, but later it was found they were nowhere near the intended goal. He summarized that the LEED Standards provide a shopping list of things developers should be aware of. A guideline that encourages developers to implement a certain level of LEED standard would be appropriate, but he cautioned against making the language too prescriptive and detailed because they could end up discouraging developers away from Edmonds. He suggested the Sustainability Element should not be used in this manner.

Mr. Chave explained that the Comprehensive Plan is a general blue print and is not regulatory. Comprehensive plans do not contain policies that can be implemented with a specific building proposal. The regulations, budget decisions, etc. that follow are what actually implement the Comprehensive Plan. The Comprehensive Plan is intended to provide an overall framework and policy discussion. If the City were to review a specific development proposal and try to decide if it is consistent with the Comprehensive Plan, they would find that it is consistent with some policies, but not others. The key question is whether or not the project is consistent with the City's adopted regulations.

Chair Bowman expressed his belief that if the City were to provide some type of monetary recourse for implementing the Sustainability Element, they would have more people interested in the concept. Eventually, sustainability could become status quo and a City code requirement.

Mr. Chave suggested that if the Board feels strongly enough about the Sustainability Element that the follow up actions are really important, it may be worthwhile to deliver the message in person to the City Council to add emphasis. He agreed that the document is just a starting point, and the City Council's follow up action will be the real test as to whether or not they are serious about becoming a sustainable City. The Board could make a case to the City Council that if the element is adopted, the Board would proceed with implementation, which would require the City Council's support.

Board Member Stewart observed that many municipalities are removing barriers to building green and the City of Edmonds should be doing the same. Another option would be to provide incentives such as expedited permits. She agreed the Board needs to educate the populous and City Council about the value of sustainable building. As people see sustainable development go up, they will become convinced it is really good for the City's future.

Chair Bowman commented that the Board has made a lot of difficult recommendations to the City Council that comply with the Comprehensive Plan, and the City Council elected to take different action than what was recommended by the Board. He expressed concern about merely sending the document to the City Council for review and approval. If the Board is going to spend a substantial amount of time refining the document, it should not become just another item in the City Council's file. Somehow, the City Council will have to find ways to ameliorate the anger they will be up against and take some actions to make the City more sustainable. He expressed concern that the City Council would back down if angry voters come before them. Board Member Stewart said she hopes the City Council can have the leadership necessary to educate the public and make the right decisions. She agreed the Board needs to present the document to the City Council in person to emphasize their desire to implement the concepts outlined. Chair Bowman suggested that perhaps the Board and City Council could meet in a workshop discussion to consider how to make this important aspect of the Comprehensive Plan part of the City's future. Board Member Guenther said that aside from the political aspect of implementing the element, the concepts contained in the document are appropriate for inclusion in the Comprehensive Plan and provide a framework for how to implement changes in the future.

Board Member Stewart made the following observations about the proposed language:

- School children are learning about the ecosystem, and the ecosystem's health should be tied into the aspect of community health. People are at the top of the food chain, so they need to pay attention to the ecosystem. She suggested this issue be addressed in the introductory section on Page 11, and she agreed to provide language for staff to incorporate.

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- Accessibility to recreational and physical opportunities for everyone in the community is very important, especially given the obesity epidemic they are currently facing in the community, the State and the Nation. She recalled that Washington State has published a report on nutrition and physical activity, which outlines a number of guideline and policies that need to be established to require accessibility to these activities, and she would be happy to propose some draft language for this section. The document should also address nutrition in schools to make sure children have healthy food to eat.
- Other comprehensive plans talk about natural resources instead of environmental quality (Page 15), but she likes the term “environmental quality” better. The Comprehensive Plan talks about natural vegetation so the term needs to be used in the Environmental Quality section of the proposed Sustainability Element. However, she suggested the language should make it clear that natural vegetation is different than native vegetation. Native vegetation is what sustains the levels of life that depend on native plants. She would like an opportunity rewrite the introduction to the Environmental Quality section to infuse more language about diversity, the ecosystem, and wildlife habitat. The community is becoming certified as a backyard wildlife habitat, and the language should be consistent with the certification requirements. It is also important to speak to the natural beauty of the City and the woodlands. It gives a sense of well being and brings peace to the soul. Mr. Chave explained that a fair amount of the language in the Environmental Quality section was taken from the existing Comprehensive Plan language.
- Many terms used within the document should be defined, and she agreed to prepare a glossary.
- She likes the points that were made in the Implementation Sustainability section, particularly the last paragraph in the introduction.

The Board discussed how best to incorporate Board Member Stewart’s recommendations into the draft document. Mr. Chave cautioned that there is not enough time for staff to incorporate the changes for the Board’s review prior to the public hearing on October 14th. However, the Board could direct staff to work with Board Member Stewart to incorporate her recommended changes within the next week. Otherwise, Board Member Stewart could present her proposed changes to the Board at the hearing. The Board agreed to authorize Board Member Stewart to work with staff to incorporate the proposed changes that are not considered substantive prior to the public hearing. However, they cautioned against making the language too prescriptive. Mr. Chave noted that the next draft would highlight the changes that are made subsequent to the meeting.

Vice Chair Lovell recalled that Board Member Stewart recommended that all of the introductory sentences in the Sustainability Goals should be reduced to one sentence, and the remaining sentences could be incorporated into the proceeding subsections. Mr. Chave explained that the first sentences in each of the goal statements were intended to be general statements, and the next sentences were intended to elaborate before getting into the details contained in the subsections. Staff’s intent was to provide more description than just the one sentence goal.

Board Member Young said he would like feedback from Board Member Guenther about what LEED says about Comprehensive Plan elements. He asked Board Member Guenther to do a quick search to pull out certain elements related to neighborhood development. Board Member Guenther said that it appears the two documents are similar, but he would provide a report to the Board at their next meeting. He cautioned that the LEED Standards are intended to be used as a yardstick to measure new construction and how green it is and not how well a building will perform. Board Member Stewart reviewed that the goals of LEED Neighborhood Development are to create guidelines and incentives to revitalize existing urban areas, reduce land consumption, reduce water dependency, promote pedestrian activity, improve air quality, reduce stormwater run off, and create more sustainable communities for people of all income levels.

Chair Bowman requested feedback from the Board about the best way to present the Sustainability Element to the City Council and the citizens of Edmonds. He commented that sustainability is very important for the future generations of the community. He questioned if there is a way to work with the City Council to discuss ideas for implementing the element rather than just forwarding it to the City Council for implementation. Once again, Mr. Chave suggested the Board personally deliver their message to the City Council, explaining how the document would impact the Board’s future work program.

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Mr. Chave reminded the Board of their joint meeting with the CEDC on October 28th at 6:00 p.m. He suggested the joint meeting would be an opportunity for both groups to talk about they have been working on and to coordinate their efforts. He suggested the Board's work on sustainability could be tied into the CEDC's work on economic development, and this would provide a great example to the City Council about how the various Comprehensive Plan elements and other City plans could all be tied together. He summarized that the Board could present the Sustainability Element to the City Council in person in November, and they could provide a written report in conjunction with the CEDC in December to link the Sustainability and Economic Development Elements together.

Chair Bowman recalled a comment that was made previously by a citizen that the City would not be able to resolve their problems until everyone works together. He questioned how the Board could get all sides to work together to create a vision for Edmonds that everyone could support. He said he has been working with the City of Renton to locate a business, and he learned that they were not able to move forward until their city council unanimously adopted a vision for the future of their City. He summarized that he would like to find a way to talk about important issues in a positive way so the Board does not spend countless hours making a recommendation that will be overturned by the City Council. He invited the Board Members to share their ideas for bridging the gap.

Mr. Chave observed that the Annual Plan Coordination Schedule that was included as part of the Implementing Sustainability section illustrates how the Sustainability Element could be implemented, starting with a retreat meeting with the City Council and other Boards and Commissions to identify collective priorities they want to work on over the next several years and what each group would be responsible to accomplish. Instead of individual groups working on their own, they could organize and coordinate their efforts to work on their pieces of the same set of priorities. He suggested this concept be presented to the City Council as part of the Board and CEDC's December presentation.

Chair Bowman reported that he would meet with the chair of the CEDC to review how the joint meeting would move forward. Mr. Chave advised that the meeting would start at 6:00 in the Brackett Room, and dinner would be provided. While people are eating and getting settled, the Port of Edmonds would report on their master planning efforts, and the Snohomish County Economic Development Council would talk about their priorities for economic development initiatives in the County. From that point, they would launch into the work portion of the meeting.

Chair Bowman recalled that the Board discussed the option of splitting up into groups to tackle the various issues associated with the Sustainability Element and their report to the City Council. He invited the Board Members to contact him regarding the specific items they want to work on, and he and Vice Chair Lovell would meet at a later date to divide the Board into small groups based on the comments they receive.

Vice Chair Lovell requested clarification from staff regarding the two reports the Board is scheduled to present to the City Council before the end of the year. Mr. Chave explained that, as per the current schedule, the Board would present their report on the Sustainability Element to the City Council in November. They would also have an opportunity to participate in a joint Planning Board/CEDC Report to the City Council in December. At that time, they could point out how the Sustainability and Economic Development Elements are related. Vice Chair Lovell said he envisions the December joint report being presented to the City Council in writing. By contrast, the November report regarding the Sustainability Element could be presented by the Board in person, and perhaps there could be an opportunity to have a discussion with the City Council to let them know the Board is serious about the plan and that, once adopted, the plan would become a springboard for future Board endeavors. Mr. Chave suggested part of the Board's message that they are very serious about using the Sustainability Element as a filter when reviewing various Comprehensive Plan elements. The Board could request to meet with the City Council to prioritize what parts of the Sustainability Element they want the Board to work on first. When meeting with the City Council in December, the Board could also provide a written report to emphasize their points from a slightly different direction and explain how the report relates to the Board's overall effort regarding sustainability.

Board Member Stewart commented that she cannot imagine anyone would not like the definition of "Sustainability" that was put forth by the Vision 2040 Plan: "Avoiding depletion of energy, water and natural resources; preventing degradation of land, air and climate while creating built environments that are livable, safe and healthy; and promoting productivity." She suggested the goals laid out in the definition would be good for everyone. Therefore, they should be able to move the concept forward.

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The Board indicated they were comfortable moving forward with the public hearing on October 14th.

REVIEW OF EXTENDED AGENDA

Board Member Lovell referred to the public hearing on the proposed rezone on 215th Street, which is scheduled for October 14th. He recalled that the proposed rezone is necessary because the City Council approved a Comprehensive Plan change that identifies the residential neighborhood next to the hospital and across the street from the high school as single-family in perpetuity. He further recalled that staff researched and analyzed the Comprehensive Plan proposal and recommended denial. After a public hearing and review the Board also recommended denial of the proposed amendment. However, because the City Council voted to approve the amendment, the properties must be rezoned to be consistent with the Comprehensive Plan. He asked if the Board or another governing entity would have the ability to reverse the Comprehensive Plan amendment. Mr. Chave explained that the proposed rezone application is to follow up on a Comprehensive Plan change that was approved by the City Council. The plan and the zoning must be consistent. He cautioned that because the item is scheduled for public hearing, the Board should not discuss the application now. He concluded that the Board would forward their recommendation to the City Council after the public hearing.

Once again, Chair Bowman announced the joint Planning Board/CEDC meeting that is scheduled for October 28th at 6:00 in the Brackett Room of City Hall. He further announced that the November 11th and November 25th meetings have been cancelled, and a special meeting has been scheduled for November 18th. Mr. Chave noted that the November 18th agenda identifies a hearing on a proposed rezone application by Tony Shapiro, but the hearing would likely have to be postponed. He advised that the rezone application cannot move forward until the City Council has made a final decision on the Development Code amendment. The November 18th agenda would include further discussion on the Sustainability Element in preparation for the Board's presentation to the City Council. The Board would continue their discussion regarding sustainability on December 9th, and they would also hold elections for new Board Officers. Depending on what happens with the Sustainability Element, Mr. Chave suggested the Board could also review and prioritize their extended agenda in preparation of their December report to the City Council.

PLANNING BOARD CHAIR COMMENTS

Chair Bowman observed that the person who is applying for permits is responsible for mailing and posting notices. He requested feedback from staff regarding Mr. Murray's earlier comments. Mr. Chave reported that some citizens have pointed out what they feel are errors in the notice that was provided by the applicant of the Safeway property. The concerns have been communicated to the applicant, who is in the process of figuring out how to remedy the situation. The decision could push the project back. Numerous citizens have inquired as to when the hearing would be scheduled. However, until the application has gone through the State Environmental Policy Act (SEPA) process and a determination has been made, staff cannot schedule a hearing date. He recognized that this is frustrating because people want an opportunity to comment on the proposal, but the project is only in the preliminary stages of notice and posting. Issues related to notification must be sorted out before the application is moved forward to the SEPA process. He noted the public would have an opportunity to comment during SEPA, as well as numerous other opportunities throughout the review process. He advised that once a SEPA checklist has been submitted by the applicant, staff would analyze the information and make a determination. An issuance of significance would require an Environmental Impact Statement (EIS), which involves a scoping process to identify the significant impacts that need to be addressed. This would be a public process. He concluded that a whole host of things could take place before the public hearings can be scheduled on the actual project action.

PLANNING BOARD MEMBER COMMENTS

Vice Chair Lovell recalled that as part of their sustainability discussion, the Board has heard presentations from a number of agencies and organizations. However, he noted that they have not heard from the Port of Edmonds, the Department of Transportation (DOT), Washington State Ferries (WSF), or Burlington Northern Santa Fe (BNSF). Mr. Chave reminded the

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Board that the Port of Edmonds has been invited to report on their master plan activities at the joint Planning Board/CEDC meeting on October 28th. He also noted that Mr. Clifton has provided information regarding WSF's plans, and the Engineering Department reported on BNSF and DOT as part of their Transportation Plan presentation. If the Board would like additional information regarding BNSF, DOT or WSF, he suggested they invite Mr. Clifton to report further. If he is unable to answer their questions, he could direct them to the appropriate individual to talk to the Board.

Vice Chair Lovell recalled that staff has mentioned the possibility of the City taking the lead to create a planned development area for the downtown waterfront properties. He asked if that is still a possibility. Mr. Chave answered affirmatively. He explained that while the current application would be vested under the rules at the time it is submitted, the City would still have the ability to do their own planning process. He suggested the Board discuss this concept at their joint meeting with the CEDC.

Board Member Stewart commented that the mural on the wall by the African store is wonderful, and it is good to see artwork on the walls of some of the blank buildings.

Board Member Young clarified that he voted in support of the 215th Street Comprehensive Plan change, and he still supports the proposal. At the hearing, he would review his reasons, which he still believes are unassailable.

ADJOURNMENT

The Commission meeting was adjourned at 9:02 p.m.

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