

**CITY OF EDMONDS
PLANNING BOARD MINUTES**

August 27, 2014

Chair Cloutier called the meeting of the Edmonds Planning Board to order at 7:00 p.m. in the Council Chambers, Public Safety Complex, 250 – 5th Avenue North.

BOARD MEMBERS PRESENT

Todd Cloutier, Chair
Neil Tibbott, Vice Chair
Bill Ellis
Philip Lovell
Careen Rubenkönig
Valerie Stewart

STAFF PRESENT

Rob Chave, Planning Division Manager
Shane Holt, Development Services Director
Karin Noyes, Recorder

BOARD MEMBERS ABSENT

Daniel Robles (excused)

READING/APPROVAL OF MINUTES

BOARD MEMBER LOVELL MOVED THAT THE MINUTES OF AUGUST 13, 2014 BE APPROVED AS AMENDED. VICE CHAIR TIBBOTT SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

ANNOUNCEMENT OF AGENDA

The agenda was accepted as presented.

AUDIENCE COMMENTS

No one in the audience indicated a desire to address the Board during this portion of the meeting.

DEVELOPMENT SERVICES DIRECTOR'S REPORT TO PLANNING BOARD

Ms. Hope referred the Board to her written report, which provides an update on implementation of the Strategic Action Plan, Citizen's Tree Board open house, 2014 Comprehensive Plan amendments, Westgate Zoning Code amendment process, coal and oil train issues, and the most recent meetings of the Citizen Economic Development Commission, Highway 99 Task Force, and Historic Preservation Commission. The report also provides a calendar of upcoming community events.

Board Member Lovell said that, as a member of the Strategic Action Plan Advisory Committee, he was not aware that the group met twice in September. Ms. Hope explained that a second meeting was held in August in lieu of a meeting in September. The meeting was scheduled on short notice, and she apologized that Board Member Lovell was not notified.

Vice Chair Tibbott announced that the Artist Studio Tour is scheduled for September 20th and 21st. He said he and his wife participated in the 2013 tour and found it to be one of the best events they have attended in Edmonds. Mr. Chave noted that flyers have been posted around Edmonds, and there is also a website for the event, as well.

DISCUSSION ON PLANNING BOARD REPORT TO COUNCIL ON SEPTEMBER 16TH

There was some discussion about whether or not the date of the report could be changed. Mr. Chave said the report could be changed to an alternate date, but the Board should keep in mind that the City Council’s agenda is very full right now.

The Board had a brief discussion about who would write and present the report, as well as the content of the report. Chair Cloutier suggested that the report could simply follow up on the priorities identified in the joint meeting with the City Council. It could outline the Board’s extended agenda and identify what has been accomplished and what the Board is currently working on. Board Member Stewart observed that, although preparing the report can be time consuming, it is helpful to the general public to highlight what the Board has accomplished over a series of months so they can better understand the process and the outcome of the Board’s work. Board Member Lovell added that, in addition to the public benefits, the report also offers an opportunity for the Board to reemphasize the recommendations they have sent forward to the City Council. This would be particularly important since the City Council does not seem to be acting responsibly or thoroughly as yet on the Board’s recommendations related to the Westgate Plan, zoning changes on Highway 99, and amendments to the definition of “legal lot.”

Vice Chair Tibbott said he would be available to present the report to the City Council on September 16, but he would like some guidance as to the report’s contents. The Board agreed that the report should provide an update of what the Board has accomplished over the last six months, particularly noting the significant recommendations that have been forwarded to the City Council. The report should also outline the Board’s extended agenda for the next three months. Chair Cloutier agreed to work with Vice Chair Tibbott to prepare the written report.

PRIORITIES FOR DEVELOPMENT CODE UPDATE

Ms. Hope reviewed that the Board has had a number of discussions about the Development Code update, including a retreat where the topic was given special consideration. At the retreat, the Board concurred that an open public process would be critical. They also agreed on seven key principles and seven key objectives to guide the Development Code update (See Exhibit 1).

Principles

- Consistency with current state laws
- Consistency with Edmonds Comprehensive Plan
- Predictability
- Some flexibility
- Recognition of property rights
- Clear, user-friendly language and format
- Enforceability

Key Objectives

- Ensuring reasonable and clear processes for all actions
- Providing expanded and up-to-date set of definitions
- Encouraging appropriate development
- Protecting of critical areas and shorelines
- Recognizing diverse neighborhoods and their characteristics
- Encouraging pedestrian-friendly and bicycle-friendly access
- Encouraging low-impact stormwater management

Ms. Hope explained that because the Development Code is complex and consists of numerous chapters, the update cannot be tackled at once. The purpose of tonight’s meeting is to discuss and make recommendations about priorities for the update. She provided the following prioritization option to start the Board’s discussion:

1. Focus on any changes needed to be consistent with state laws.
2. Focus on existing sections or chapters that have been especially problematic due to unclear language or processes.
3. Focus on sections or chapters that can be improved or added to better fit the Comprehensive Plan’s goals and objectives.
4. Focus on housekeeping issues—such as duplications or minor inconsistencies—and reorganize chapters in a logical order.

Board Member Lovell said it is his understanding that the City will hire a temporary consultant to assist with the Development Code update. Ms. Hope said a consultant would be hired, but the City must provide clear direction to guide his/her work. Board Member Lovell suggested that the best place to start would be to harness the staff’s experience in dealing with the code on a day-to-day basis. Ms. Hope agreed and said staff is currently working to prepare a list of potential amendments.

Board Member Lovell reminded the Board that the Comprehensive Plan is the City’s visioning tool, and the Development Code should be one of the vehicles that implements the goals and objectives called out in the Comprehensive Plan. He questioned if it would be more appropriate to complete the Comprehensive Plan update prior to commencing the Development Code update. Ms. Hope answered that updating the Development Code has been identified as a high priority for the City, and state law requires that the Comprehensive Plan be updated, as well. At this time, the City is proceeding with both updates, recognizing that some of the work will overlap. If after the Comprehensive Plan is updated there are things that further inform the Development Code update, they can address those issues, too.

Ms. Hope also reviewed a list of high priority topics that was created based on staff input, as well as recent Planning Board discussions. She emphasized that these are not the only topics that will be covered, but they are the ones that stand out as needing particular attention. She reviewed the list as follows:

Critical Areas	Code Enforcement	Permit and Approval Process
Tree Code	Property Performance Standards	Comp Plan Amendment Process
Variance Process	Noise Abatement	Zoning Code Amendment Process
Non Conformance	Subdivisions	Administrative Procedures
Bond Requirements	Signs	Board/Commission Procedures
Planned Residential Developments		

Ms. Hope explained that the intent is to use a phased approach for updating the Development Code. She reviewed the phases and their timeline as follows:

1. Attorney Review. (early 2014)
2. Review needs based on the new Development Services Director’s observations. (September 2014)
3. Additional input on Code update issues. (September 2014)
4. Seek consultant help in drafting the code update for the priority topics. (Fall 2014)
5. Carry forward existing approved budget for code update into 2015. (Fall 2014)
6. Solicit public comments on initial and final draft code chapters. (Spring through Fall 2015)
7. Planning Board Recommendations. (Fall and Winter 2015)
8. City Council consideration and final action. (Fall and Winter 2015)
9. Consider other Development Code Updates. (2016)

Ms. Hope invited the Board Members to provide feedback, not only on the key principles and objectives, but the prioritization criteria and list of high priority topics.

Chair Cloutier commented that breaking the Development Code update into smaller pieces helps the Board digest the tasks better, and providing background work will help them stay on track. He expressed his belief that the process and priority topics identified by staff capture all of the elements the Board has asked for and more.

Vice Chair Tibbott asked if the process would also include hyperlinks so that the Development Code becomes a moveable digital document as opposed to a hard copy that is difficult to update. Ms. Hope advised that the current code is already available in digital format, and hyperlinks are provided to other sections of the code. However, the update will allow the City to provide more sophisticated technology. Mr. Chave explained that, until last year, the City’s Development Code was hosted by the Municipal Research and Services Center, but it is currently hosted by the Code Publishing Company. This change resulted in immediate improvements. For example, it is easier to navigate the code and create PDF and other printable documents. The City is just starting to take advantage of the on-line capabilities that are available but haven’t been used, and this will continue after the update is finished. It will be a key item that is not costly or time consuming. He said that the City has recognized that, by and large, they no longer issue printed codes. Most people access the City’s code on line because it is the most up-to-date version. Rather than waiting for quarterly updates to the printed version, the on-line version is updated as soon as an ordinance is adopted.

Board Member Stewart said she supports the City’s efforts to utilize digital technology, and she would love for the City to eliminate paper copies altogether. She said it would also be helpful for staff to provide an electronic version of the code on

the screen during Planning Board meetings, and providing hyperlinks to other related sections of the code will save a significant amount of time. Mr. Chave said that staff primarily uses the digital version of the code now.

Vice Chair Tibbott asked staff to share how having an up-to-date digital code that is available to the public on line will help with code enforcement. Ms. Hope said she does not know if there is any evidence or case study to indicate improved enforcement. However, a lot of people use the digital code. In addition to the digital code, another on-line feature the Development Services Department utilizes a lot is the request line where people can email questions and staff responds electronically. Mr. Chave added that since the City's website was updated, there have been a lot more internet-generated questions. If people need more information, they can be routed to the appropriate department. Mr. Chave suggested that improving code enforcement may not be the right way to think about the update. It is more about information flow. To the extent people can better access the codes on line and they are easier to follow and understand, people will become less frustrated. However, there will always be a cadre of people who resist permitting and that will not likely change.

Board Member Rubenkonig suggested that some of the proposed amendments could be presented to the Planning Board via a consent agenda. If the Board wants more information, they could be pulled from the consent agenda for additional discussion. Chair Cloutier said the Planning Board has not traditionally utilized a consent agenda. Amendments are typically presented to the Board in groups. Some of the items will require extensive discussion, and some will not. However, the Board will conduct a public hearing and make a recommendation on the entire package of amendments.

The Board indicated support for the list of priorities and the process outlined by staff.

OVERVIEW OF COMPREHENSIVE PLAN SUSTAINABILITY ELEMENT

Mr. Chave referred the Board to the existing Sustainability Element, which was attached to the Staff Report. He advised that a recent analysis of the element by staff, using a checklist from the State, did not reveal the need to make any changes in order to be consistent with the Growth Management Act (GMA) or other state laws. In addition, this element does not contain any data that needs to be replaced with newer data. However, the Board could discuss minor adjustments to the element, particularly adding a "performance measure" and one or more time-based "action items" as a special section to the element. He cautioned that it will be important to be fairly choosy about the action items because they will inform the agenda for the next few years, as some will require a significant amount of work.

Chair Cloutier recalled that over the past year, the Board has reviewed a number of proposals related to the shoreline (i.e. Shoreline Master Program and Harbor Square Master Plan). This included land use discussions for properties that could potentially be in a threatened zone. He suggested it would be appropriate to update the Sustainability Element to clarify where the lines of concern should be related to sea level rise. Mr. Chave responded that some of this risk assessment could be covered in the City's emergency plan, which does not currently address the evolving climate and issues related to rising sea level. He said it might be appropriate to update the emergency plan to make sure that information related to storm events and severity are adequately addressed.

Board Member Ellis pointed out that climate change and rising sea levels have statewide implications. He asked what the State has done to identify and address these issues. Mr. Chave answered that a number of reports have been done at various times. The issue is particularly difficult given that each location within the state has unique characteristics and a one-size-fits-all approach will not adequately address all situations. A significant amount of data has come out over the past few years. While it continues to evolve, it can provide a good idea of what could happen.

Board Member Ellis asked if a particular state agency has been tasked with addressing this issue on a statewide basis. Mr. Chave answered that there have been a variety of projects sponsored by the University of Washington, the Washington State Department of Ecology (DOE), etc. Each group issues its own report at different points in time, and information in one report can become outdated by a later report. The efforts are beginning to coalesce, and the reports tend to focus on the two most likely scenarios for comparison purposes. This allows the work to be fairly consistent to provide benchmarks that will help local jurisdictions address the issue appropriately.

Mr. Chave summarized that it is important to update the Sustainability Element to acknowledge what has been done to date, such as adoption of the Strategic Action Plan. Although staff does not foresee any significant changes in the goals and

policies discussed in the element, it would be appropriate to identify at least one “performance measure,” as well as specific action items that will begin to set priorities.

Board Member Stewart suggested that the Mayors Climate Action Committee be invited to review and comment on the Sustainability Element at their meeting in early September. She plans to attend the committee meeting and could report their findings to the Board.

Board Member Stewart reported that she has participated in a series of courses, some of which relate to the topic of sea level rise. There is data available specific to each segment of the shoreline, which reflects the range of potential sea level rise. It boils down to an overlay that illustrates the buildings and lands that could be impacted by rising sea levels. Mr. Chave said there is also an interactive website that provides similar information. Chair Cloutier summarized that the idea is to implement a range of scenarios to build policy. It was noted that various groups are working on this effort.

Board Member Lovell said that although there are several inferences and/or references to the concept of economic sustainability for the City in the Sustainability Element, he felt the language could be strengthened. He expressed concern about the direction that has been taken over the past five or six year, both politically and in the public arena, regarding what it takes to run a successful City. The City Council has struggled for a number of years to achieve a budget that recognizes what everyone believes to be the stature of the City related to conditions, and there is an information and awareness gap between the greater citizenry of the City about increased taxes. Sooner or later the City Council and citizens must recognize that taxes will have to go up if they want the City to stay the way it is. Mr. Chave suggested that economic sustainability would be better addressed in the Economic Development Element of the Comprehensive Plan, which has not been updated for a number of years. While updating the Economic Development Element has been identified as a City priority, he is not sure of the timeline.

Board Member Stewart said she would like to propose some changes to the language in the Sustainability Element, most of which relate to the “Environmental” and “Community Health” sections. In particular, she would like to integrate language from the National Physical Activity Plan related to transportation, land use and community design. In addition, she would like to incorporate elements of the Washington State Nutrition and Physical Activity Plan. She said she will also propose other changes that she felt would strengthen the goals called out in both the “Environmental” and “Community Health” sections. Chair Cloutier encouraged Board Member Stewart to submit her proposed changes to staff so they could become part of the Board’s next discussion regarding the Sustainability Element.

Board Member Lovell pointed out that numerous statements in the Sustainability Element use the word “shall,” which means “should” or “maybe.” Mr. Chave explained that the Comprehensive Plan is intended to be aspirational, and the Development Code lays out all of the requirements. It is very difficult to put directive “shalls” in a planning document when there are many different ways of implementing goals.

Board Member Lovell reminded the Board of staff’s recommendation that at least one “performance measure” should be identified for each element of the Comprehensive Plan. Mr. Chave indicated that staff would have some recommendations for the Board to consider as part of their next discussion. Chair Cloutier referred to the Performance Measure Matrix the Board previously prepared and reminded them that there is already a performance measure in place to track green house gases. It is simple to do, and the Mayor’s Climate Action Committee already started informally tracking citywide electricity, natural gas, and water consumption.

REVIEW OF EXTENDED AGENDA

Chair Cloutier reviewed that the Board’s September 10th agenda will include a discussion of the Housing Element and continued discussion of the Sustainability Element of the Comprehensive Plan. The September 24th agenda will include a presentation on the status of development projects and activities, continued discussion of the Housing Element, and a public hearing on proposed updates to the Capital Facilities Plan and Capital Improvement Program Elements of the Comprehensive Plan.

Mr. Chave advised that Nick Echelbarger provided a very informative presentation on the Salish Crossing Project at the last Citizens Economic Development Commission meeting. He also noted that the Parks, Recreation and Cultural Services Department is scheduled to provide a quarterly report on either October 8th or November 12th.

Board Member Lovell requested an update on the Five Corners planning effort. Mr. Chave advised that what the City Council decides related to the Westgate Plan will have a good deal of influence on the Five Corners Plan. He reported that the paving portion of the Five Corners Roundabout is scheduled to be completed during the second week in September, and citizens will begin to see how the project will end up. Board Member Ellis noted that a timeline for the project is available on the City's website.

PLANNING BOARD CHAIR COMMENTS

Chair Cloutier did not provide any comments during this portion of the meeting.

PLANNING BOARD MEMBER COMMENTS

Board Member Lovell announced that Northwest Sustainable Energy for Economic Development (Northwest SEED) will conduct another workshop on September 13th in the Brackett Room of City Hall regarding the Solarize South County Program, which is designed to help single-family homeowners and small businesses purchase solar equipment via a streamlined process and group discount. He briefly reviewed the benefits offered by the program and noted that myedmondsnews.com recently published an article by Edmonds Citizen Darrell Haug, providing a personal testimonial about the solar equipment that was recently installed on his home via the program.

Board Member Lovell thanked Board Members Rubenkonig and Robles for volunteering to fill in for him at the August 20th Citizens Economic Development Commission (CEDC) Meeting, which he was unable to attend because he was attending the last workshop sponsored by Northwest Sustainable Energy for Economic Development (Northwest SEED). He asked how he could obtain a copy of the presentation that was made regarding the Salish Crossing Project. Mr. Chave suggested he contact a member of the CEDC.

Vice Chair Tibbott said his recent visit to Highway 99 raised the following questions for the Board to consider as part of their next discussion on potential code amendments related to Highway 99:

- Can the City do something about chain link fences along the sidewalks that front Highway 99?
- Can the City do something to improve signage and reduce clutter by limiting the type and amount allowed?
- Can the City do something to improve landscaping, particularly on the occupied properties that are being neglected?

Board Member Stewart shared her plans for a project she is doing for a class that is sponsored by the Puget Sound Partnership (PSP) and funded by the Environmental Protection Agency (EPA). The project is titled "The Future of Salmon in Edmonds and the Role of Policy and Regulation." The goal is to organize and empower a local high school Student Leadership Team for Salmon Recovery in Edmonds. The project will last approximately one year, and the first thing she will do is set up a tour with Keeley O'Connell of EarthCorps and Friends of the Edmonds Marsh. Members of the City Council, Planning Board and Mayors Climate Action Committee will be invited to participate. The tour is intended to help decision makers understand the importance of protecting and restoring the shoreline and near shore environment.

Board Member Rubenkonig reported that she and Board Member Robles attended the August 20th CEDC Meeting on behalf of Board Member Lovell. The City's former Economic Development Director, Stephen Clifton, was in attendance to hear the presentation regarding the Salish Crossing Project, which is the culmination of two years of work with the City staff and the property owner, Nick Echelbarger. It was very interesting to hear people's perspective of the project and how they see Edmonds in the future. She reviewed a written report of the meeting that was prepared by Board Member Robles and highlighted the following:

- Nick Echelbarger made a presentation on the Salish Crossing Redevelopment Project, which will transform the existing development into a private museum featuring Pacific Northwest art from the early 1900's to 1962. The

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project will also include a restaurant, distillery and specialty shops. There was broad support for the project, and Board Members were encouraged to obtain a copy of the presentation and review the major points of the project.

- The Commission discussed a project to maximize tourism. While it is an interesting concept, they are having a difficult time defining “tourism.” It was noted that “tourism,” as counted by City tax revenues, currently contributes about \$250,000 while automobile dealers contribute \$1 million. The Board should follow this subject, as it speaks to the issue of identifying performance measures. It is argued that the benefits run deeper and are worth more than what is being measured.
- The Development Services Director discussed the 2015 Comprehensive Plan update. She emphasized the need to stick to business and not get caught up in wordsmithing, and she also stressed the importance of looking beyond 20 years from now.
- The Economic Development Director provided an update on the Strategic Action Plan implementation, noting that the Strategic Action Plan Advisory Committee is currently discussing ways of getting community input.
- The Commission received an update from the Highway 99 Task Force, which is proposing a planned action study to put a more specific plan in place to specify streetscape and perform environmental reviews. The Task force is also working to coordinate with Mountlake Terrace, Lynnwood and Shoreline.

ADJOURNMENT

The Board meeting was adjourned at 8:27 p.m.

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