

APPROVED MAY 25TH

**CITY OF EDMONDS
PLANNING BOARD MINUTES**

May 11, 2016

Vice Chair Rubenkönig 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

Carreen Rubenkönig, Vice Chair
Matthew Cheung
Todd Cloutier
Alicia Crank
Nathan Monroe
Daniel Robles

STAFF PRESENT

Rob Chave, Planning Division Manager
Jerry Bevington, Video Recorder
Karin Noyes, Recorder

BOARD MEMBERS ABSENT

Philip Lovell (excused)
Valerie Stewart (excused)
Samuel Klevin (Student Representative (excused))

READING/APPROVAL OF MINUTES

BOARD MEMBER CRANK MOVED THAT THE MINUTES OF APRIL 27, 2015 BE APPROVED AS PRESENTED. BOARD MEMBER ROBLES SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

ANNOUNCEMENT OF AGENDA

The agenda was accepted as presented.

AUDIENCE COMMENTS

Natalie Shippen, Edmonds, referred to an email she sent to the Board prior to the meeting in which she shared an example of boxes being placed near the door of a business on which advertising materials could be placed. She noted that the boxes are small, mailbox type that can hang on the wall next to the entryways or on the walls. She also pointed out that the Board has had significant discussion about the purpose of A-frame signs, and there seems to be a general acceptance that they provide an economic benefit to the businesses in the downtown. However, there has been no discussion about how the signs benefit the general public. She urged the Board to have a discussion about the public purpose of having the signs in the rights-of-way.

DEVELOPMENT SERVICES DIRECTOR REPORT TO PLANNING BOARD

Vice Chair Rubenkönig referred the Board to the written Director's Report. None of the Board had comments or questions about the report.

REVIEW OF SIGN CODE: TEMPORARY SIGNS

Mr. Chave announced that a public hearing on the draft sign code amendments is scheduled for May 25th. The purpose of the current discussion is to finalize or get closure on the options that will be presented to the public at the hearing. Staff's intent is to publish information relative to the three options by Friday, May 13th, so the public has adequate time to review and prepare for the hearing. He briefly reviewed the three options as follows:

- **Option 1** – This option would essentially prohibit A-frame and sandwich board signs from being allowed in the downtown. The business “premises” would no longer be defined as including the sidewalk in front of the building, and these types of signs would no longer be permitted as an allowed sign type downtown.
- **Option 2** – This option would add a new definition of “pedestrian sign” that would specify more types of signs, including stanchion signs and other similar types. This option would continue the ability of businesses to use pedestrian signs as a form of “temporary signage,” but a permit would be required and the 60-day limit would be retained as it currently exists for other types of temporary signage. Basically, this option would continue the status quo, but add a permit requirement to help staff administer the regulations.
- **Option 3** – This option would change how “pedestrian signs” are treated downtown, considering them as a type of regular signage rather than “temporary.” In exchange for this, there would be more standards in terms of where they can be located and how many would be permitted. The pedestrian signs would also count against the total sign area permitted for a business or building. This option would acknowledge how a number of businesses in the downtown currently use temporary signs. Option 3 is similar to Option 2, but more specific. Rather than allowing signs along the entire storefront, the location would be limited to either two feet next to the building or two feet out at the edge of the sidewalk, whichever provides the best through-way for people. In some cases, it may be less intrusive to the pedestrian walkway if the signs are placed closer to the street near trees, etc. This approach allows the City to determine the best location for the signs in order to maintain optimal pedestrian access.

Mr. Chave emphasized that the three options would be tied to pedestrian signs in the downtown/waterfront area, where there is a pedestrian environment. They would still not be allowed elsewhere in the City.

Mr. Chave advised that in addition the three options pertaining to “pedestrian signs,” there are a number of other suggested code amendments included in the draft material. These are attempts to clarify or rectify problems or inconsistencies staff have encountered in applying the sign regulations to specific circumstances over the years. He emphasized that none of the proposed amendments would increase the sign area or the number of signs allowed per business.

Vice Chair Rubenkönig explained that the Board should focus its discussion on the three options that will be presented at the public hearing on May 25th. Mr. Chave said the other proposed amendments will be included in the draft language that is published for the public hearing to solicit public comment. However, he agreed that the most significant change is to the temporary sign provisions.

Vice Chair Rubenkönig suggested it would be helpful for the Board to discuss the differences and identify the criteria by which the Board will review each of the three options. She reminded the Board that other sign types, including blade signs and window signs, are allowed in the downtown and do not count against the total sign area that a business is allowed to have. Mr. Chave agreed and noted that additional language from the sign standards was inserted into the draft code to make this clear. He noted that these signs are already allowed in the existing sign code. However, Option 3 would include pedestrian signs as part of the total sign area.

Vice Chair Rubenkönig asked if staff has the resources to administer either Option 2 or Option 3, and Mr. Chave answered affirmatively. He explained that, while Options 2 and 3 would both require permits, Option 2 would require a new permit every 60 days, and Option 3 would require just one permit that would be valid as long as the sign consistent with the code.

Vice Chair Rubenkönig noted that the Board received written comments regarding the draft sign code from Phil Lovell, Chair of the Board, and from Laura Zeck, the owner of Zinc Art + Interiors. They also received a memorandum from the Edmonds Downtown Business Association (ED) outlining their Sign Advisory Board's proposed revisions related to the sign code. Board Member Crank noted that Board Members received the written comments just prior to the meeting. She suggested they wait to discuss their content until the public hearing. The remainder of the Board concurred that would be appropriate.

Board Member Crank referred to ECDC 20.60.080(A)(2)(c)(2), which states that portable temporary signs cannot be left outside during hours that the business is closed to the public. She asked if this same provision would apply to Option 2, and Mr. Chave answered affirmatively and agreed to check the language to make sure the provision was included in both options.

Board Member Crank suggested that it would be helpful if staff could provide pictures at the public hearing to illustrate signs that would and would not be allowed per each of the options. Seeing examples of what is currently happening in the downtown would also be a helpful tool, and graphic illustrations would help the conversation move along faster. Mr. Chave said he is planning to prepare a PowerPoint presentation that talks about the key provisions of each of the options, and examples will be provided, as well. Vice Chair Rubenkönig said it would also be useful for staff to prepare a matrix to clearly identify the differences between the three options.

Board Member Robles observed that Option 1 would be easy to implement and administer, but Options 2 and 3 would be more difficult to control and manage. He recalled that, at the last meeting, he suggested that the Board also consider a “green dot” option, which originated from Board Member Cloutier’s recommendation that the Board’s discussion should focus on what problems they are trying to solve. The only tangible problem that has been identified is the need to maintain adequate pedestrian access and meet the American’s with Disabilities (ADA) requirements. Given that the Board is accountable for ensuring the safety, health and welfare of the public, sign location should be planned based on this criterion. If the City wants to be in the business of regulating signs, he suggested this could best be accomplished if the City were to make the pedestrian signs and determine exactly where they can be located.

Board Member Robles observed that signs are a type of contract, statement of fact or statement of value. Any sign that does not accomplish this should not be considered a sign. He said he believes the “green dot” approach is an easy way to manage pedestrian signs, and he is surprised that staff didn’t put more effort into developing the concept further. There are other ideas that haven’t been adequately heard, as well. He suggested that the Board postpone their recommendation until all ideas have been heard. Mr. Chave said that is the purpose of tonight’s discussion. The intent is to offer several options for the public to respond to. Board Member Robles voiced concern that limiting the hearing to the three options would result in people commenting without having a full menu of options. He asked that his planned-location approach be included as an option for the hearing. Mr. Chave agreed to develop the option further if that is the Board’s consensus.

Vice Chair Rubenkönig announced that the City Council agreed to work with students from Washington State University to develop a wayfinding sign program and/or technology that would provide information about businesses in Edmonds. Mr. Chave clarified that the City Council authorized staff to submit an application to participate in the program, but the selection is competitive and there is no guarantee that the City will be chosen.

Board Member Monroe pointed out that, in addition to safety and maintaining pedestrian access, the Board has also discussed a desire to address visual clutter. Board Member Robles suggested it would be the Architectural Design Board’s responsibility to establish the visual aspects of the sign code. Board Member Monroe concurred, but suggested that clutter should at least be part of the Board’s discussion.

Mr. Chave said that Option 3 would be easy to implement, and Option 2 would be more difficult. Board Member Monroe asked if the permit fee would be the same for both Option 2 and Option 3. Mr. Chave answered affirmatively and explained that the fee would be minimal. The permit is intended to enable the City to track pedestrian signs to ensure that pedestrian areas are clear. The fee should be high enough to cover the cost of administration, but not so costly that it becomes an obstacle.

Board Member Monroe suggested that both Options 2 and 3 imply a “green dot” solution, since they both limit where the signs can be placed. While the concept was not specifically included as an option, it was not necessarily excluded, either. Mr. Chave agreed and cautioned that what actually happens on the sidewalk can change over time. Adopting a “green dot” approach would require the City to update the sign code each time something changes. Board Member Robles suggested that the dots could be identified on a map rather than physical dots on the sidewalk. He cautioned against creating a sign code that is too detailed and difficult to understand, and he felt that the “green dot” approach would be the simplest approach and represent a good compromise.

Board Member Monroe asked the public benefit of allowing restaurants to serve food on the sidewalks. Mr. Chave answered that a study was done some years ago that looked at how to create a more vibrant and attractive downtown, and street life came up as being an important goal for the public environment. Allowing restaurants to have a limited presence on the sidewalk adds to street life. However, it is also important to manage where they can be located. Board Member Robles observed that, sometimes, outdoor dining expands beyond what the City approved and encroaches into the pedestrian area. Mr. Chave agreed and said that would be a code enforcement issue.

Vice Chair Rubenkönig suggested that the Board should review each of the options based on the following criteria:

1. Whether or not pedestrian signs will be allowed.
2. What size of pedestrian signs can exist?
3. Where can pedestrian signs be located?
4. How many pedestrian signs will be allowed?
5. What benefit do pedestrian signs provide.

Vice Chair Rubenkönig suggested that this criterion should also be presented at the public hearing, along with examples to illustrate existing pedestrian signs, as well as how Option 2 and 3 would be implemented. Board Member Cheung suggested it would also be helpful for staff to specifically identify the differences between the three options. Vice Chair Rubenkönig led a discussion about the differences between the options and suggested that a matrix be prepared for the public hearing to visually illustrate the differences. The following is a summary of their discussion:

- **Permits:** Both Option 2 and Option 3 would require permits for pedestrian signs. Option 1 would not allow pedestrian signs at all.
- **Location:** Both Option 2 and Option 3 would require that pedestrian signs provide a minimum of 4 feet of clearance for pedestrians to pass. Option 3 states that the preferred locations are within 2 feet of the building face or within 2 feet of the curb if that location does not block access to parked vehicles. This would provide more flexibility to place the sign in an area that is the least intrusive to the pedestrian walkway. The Board agreed that the location criteria should be the same in both Option 2 and Option 3. Board Member Cloutier observed that requiring the signs to be within 2 feet of the building or street would be similar to the “green dot” approach. Instead of dots, there would be green bands. This requirement would eliminate the need for a case-by-case sign review to determine location. Board Member Robles pointed out that, in some cases, putting the pedestrian sign next to the building requires pedestrians to walk closer to the street where there is no weather protection. He would prefer that the signs be placed closer to the street so that pedestrians do not have to walk in the rain.
- **Time Limitations.** It was pointed out that Option 2 would impose a 60-day time limit on pedestrian signs, and Option 3 would not. In both Option 2 and Option 3, pedestrian signs cannot be left outside during hours that the business is closed to the public.
- **Number of Pedestrian Signs Allowed:** Option 2 would limit the number of pedestrian signs to one per ground floor storefront. Option 3 would also limit the number of pedestrian signs to one per ground floor storefront, but the signs would count against the permanent sign area and the number of signs permitted.
- **Sign Size:** Options 2 and 3 both identify the same maximum size for pedestrian signs. The difference is that the pedestrian sign area would count as part of the total sign area in Option 3, but not in Option 2.
- **Benefits.** The Board had a brief discussion about the pros and cons of permanent signs to both businesses and citizens. The Board decided against having a lengthy discussion about the benefits criteria until after the public hearing. They discussed that the public would inform them of their views relative to the benefits of each of the options. Vice Chair Rubenkönig recommended that, at the public hearing, the Board should specifically solicit comments from the public relative to the pros and cons of each option.

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Rather than focusing on the pros and cons of each of the options, Board Member Crank reminded the Board that they should focus on trying to solve the problems, which are ADA access and the proliferation of pedestrian signs. Board Member Cheung pointed out that all three options would require ADA compliance, which is a federal mandate.

Board Member Robles asked if the City has a mission statement in place that could guide the discussion at the public hearing. Board Member Cloutier answered that the City has a mission statement, which is contained in the Comprehensive Plan. However, it is important to keep in mind that the Comprehensive Plan is a vision rather than the rule. Mr. Chave encouraged the Board Members to review the Downtown Waterfront Plan, as well as the Economic Development Element, which are part of the Comprehensive Plan. While the two documents do not specifically address pedestrian signs, they do speak about the pedestrian environment. Vice Chair Rubenkönig suggested that the Board’s recommendation to the City Council relative to sign code amendments should tie in with the Comprehensive Plan, and specifically the two elements identified by Mr. Chave. Mr. Chave said he anticipates the Board will receive a lot of input at the public hearing to help inform their recommendation.

Board Member Monroe asked why staff is recommending a 60-day limit for pedestrian signs in Option 2. Mr. Chave said this is consistent with the current code language, so it would simply maintain the status quo.

The Board prepared the following chart to illustrate their discussion:

	Existing Pedestrian Sign	Sign Type	Sign Location	Sign Size Containment	Time Limitation
Option 1	No	N/A	N/A	N/A	N/A
Option 2	Yes	Pedestrian	“Green Zone” Perhaps within 2 feet of the building face or within 2 feet of the curb.	Limited to 6 sq. ft. Does not count against total sign area or total number of signs.	60 days
Option 3	Yes	Pedestrian	“Green Zone” Perhaps within 2 feet of the building face or within 2 feet of the curb.	Limited to 6 sq. ft. Does count against total sign area or total number of signs.	No limit

REVIEW OF EXTENDED AGENDA

Vice Chair Rubenkönig announced that a public hearing on the draft Sign Code Amendments is scheduled for May 25th. Also on May 25th, the Board will continue its discussion about the Subdivision Code Update.

PLANNING BOARD CHAIR COMMENTS

Vice Chair Rubenkönig commented that the Planning Board oversees the City of Edmonds Parks and Recreation Planning Department, and they get quarterly, or at least regular reports. In that capacity, she would like to explore how the activities of the department are chosen. In particular, she wants to focus on whether the Board has any oversight of the programs and volunteer opportunities for the environment, education and service. The Planning Board represents the community’s interest, so their activism on behalf of the sustainability, health, and viability of the City Marsh, solar power, energy consumption, and involvement in volunteer service is important. She asked if Public Works or Parks and Recreation Departments are the managers of such programming. She reviewed that the Deer Creek Hatchery is located in Edmonds, and Edmonds has been designated as a Backyard Natural Habitat. The City also has a Beach Watcher Program and the Frog Lady, who is integral to many programs. She said she would like the Planning Board to look at all the programming (activities and commercial provisions) and consider what oversight should be provided.

PLANNING BOARD MEMBER COMMENTS

Board Member Cloutier announced that that an open house relative to the Highway 99 Subarea Plan is scheduled for May 19th from 7:00 to 8:30 p.m. at Swedish Hospital.

Vice Chair Rubenkonig announced that an open house for the Waterfront Access Study is scheduled for May 12th from 6:00 to 8:00 p.m. at the Edmonds Library Plaza Room. An online open house will also be available from May 9th to May 23rd.

Board Member Crank commented on the new signal light that was installed at 228th Street and Highway 99. She said she lives off of Highway 99 and turning onto the highway is so much easier now because the light creates a natural break in the traffic.

Board Member Robles announced that he will participate in a stakeholders interview relative to the Civic Center Master Plan on May 17th from 1:00 to 1:30 p.m. Other Commissioners indicated they would be interviewed at separate times.

ADJOURNMENT

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

APPROVED