AGENDA
Lynnwood Planning Commission
Thursday, November 15, 2007 — 7:00 pm
City Council Chambers, 19100 - 44th Ave. W., Lynnwood WA

A. Call to Order
   Chair DECKER
   Commissioner AMBALADA
   Commissioner DAVIES
   Commissioner ELLIOTT, First Vice-chair
   Commissioner PEYCHEFF
   Commissioner WRIGHT
   Commissioner WOJACK, Second Vice-chair

B. APPROVAL OF MINUTES:
   None at this meeting

C. COUNCIL LIASON REPORT

D. CITIZEN COMMENTS - on matters not on tonight’s agenda.

E. PUBLIC HEARINGS:
   1. Parking Code Update
      Public Hearing on changes to the City’s parking regulations (LMC 21.18). Following the
      hearing, the Planning Commission will be asked to make a recommendation to the City
      Council.

F. WORK SESSION:
   1. Highway 99 Corridor Revitalization Study
      Presentation on draft report recommending strategies for revitalization of the Highway
      99 corridor by Economic Development Director David Kleitsch.

      This code amendment would provide zoning regulations for the permitting process for
      and operation of temporary tent encampments (“Tent Cities”).

G. BUSINESS:

H. DIRECTOR’S REPORT:
   1. Upcoming Commission Meetings

I. ADJOURNMENT

The public is invited to attend and participate in this public meeting. To request special accommodations for persons with disabilities, contact the City at (425) 670-6613 at least 24 hours prior to the meeting.
ACTION:
Following a public hearing, the Planning Commission will have the opportunity to discuss this code amendment further, and then will be asked to forward a recommendation to City Council.

BACKGROUND:
Last spring the Planning Commission held a number of hearings on proposed revisions to Chapter 21.18 (Parking) of the Lynnwood Municipal Code. Proposed changes included:

- Revisions and updates to the parking requirements of Table 21.18.01.
- Deletion of most requirements for Conditional Use Permits for reductions of parking requirements and substitution of Directors Decision - addition of requirement for public notice of director’s decision.
- Prohibiting use of parking lots for outdoor storage or display (exception for vehicles awaiting loading/unloading).
- Deletes Section 21.18.777.A Parking Lot Layout standards regarding fire access (duplicates LMC Title 9), but adds requirements that compact parking stalls may not be located adjacent to a fire lane.
- Adding Section 21.18.810 Stacking Lane requirements for drive-through facilities.
- Adding Section 21.18.820 Administrative Reduction to parking requirements.
- Adding Section 21.18.900 Shared Parking

Changes new to this revision:

- Adding new Section 21.18.805: Bicycle Parking which allows for reducing otherwise required automobile parking by one space for every five bicycle parking spaces provided (maximum 5% of parking). Sets minimum standards for bicycle parking.
- Adding footnote (4) to Section 21.18.800 Capacity Requirements to exempt employer on-site daycare from parking requirement.
- Deletion of LMC 21.46.113.A: Concurrent Use of Parking by Churches - in the Commercial Zone standards. This section will be made redundant when/if proposed Section 21.18.900 (Shared Parking) is adopted.
• Deleting Section 21.18.710.D Parking Structure Development Standards - Roof Tops requiring roof-top (e.g. top deck) landscaping and design features

• Revising Section 21.18.710.E.2.b Parking Structure Ground Floor Landscaping to reduce the depth of the required landscaped area if the ground floor is architecturally treated in accordance with the Citywide Design Guidelines for Commercial District Building Design (pg. 33).

• Adding new Section 21.43.210.A.2 which provides that if a multi-family project provides carports (or other covered but open parking) in otherwise required parking areas, the carports or covered areas will not count against lot coverage standards. Covered parking may not be in required setbacks.

• Revising LMC 21.42.210 Additional Development Standards for the single-family (RS) zones to provide that required off-street parking areas may not be within any required front yard setback vs. any required yard setback.

RECOMMENDATION:
Staff recommends the Planning Commission recommend the proposed Parking Ordinance Revisions to the City Council for adoption.

ATTACHMENT(s):
1. “Marked-up” Draft of Amended LMC Chapter 21.18 (Most recent changes are shaded).
2. Proposed Section 21.18.805 Bicycle Parking
3. Redline Draft LMC 21.46.113.A
4. Redline Draft of LMC 21.42.200 - 210
ACTION:
Presentation and discussion of draft report recommending economic revitalization strategies.

BACKGROUND:
The City’s Economic Development staff is conducting a study of revitalization or redevelopment opportunities for the Highway 99 corridor. Economic Development Director David Kleitsch will make a presentation to the Commission on this project. Following this presentation will be the opportunity for members of the Commission to ask questions and discuss the study with Mr. Kleitsch.

Attached is a copy of the recent report to the City Council on this project.
MEMO
TO: Lynnwood Planning Commission
FROM: Paul Krauss, Comm. Development Director
RE: Proposal to Consider Ordinance Amendments Regulating Temporary Tent Encampments

BACKGROUND

Provision of adequate and safe housing for the homeless and for low income households, continues to be a problem. There are a variety of causal factors. Our society has not affirmed a basic right to safe housing for all Americans nor has it devoted sufficient resources to providing it. Housing costs have escalated at rates faster than incomes have risen while the numbers of living wage jobs available to people without higher education and skills have dropped. The mental health system fails to meet many needs. Some people who would have been institutionalized in the past are now homeless. Finally, many households are a paycheck or unexpected emergency away from homelessness.

In our region ambitious plans have been developed to end homelessness and efforts are being made although I am not optimistic they will succeed. Against this background, homeless advocacy groups and the homeless themselves have created several “tent cities” or encampments that take up temporary residence in communities around Central Puget Sound. They typically move to an area, often with short notice to local government or neighbors, stay for about three months, and move to the next site.

Homeless advocates maintain that the tent cities are one of the few options around to provide safe and supportive housing for the homeless. While this may be true, the issue of homelessness also benefits from the notoriety achieved when communities and neighbors seek to regulate or restrict them.

Tent cities have existed for several years. The first ones in Bothell and Woodinville resulted in a great deal of concern and legal action by both the cities and tent cities. As recently as last year, Bellevue attempt to use legal measures to restrict the amount of time one could remain in the City. By and large, the cities have lost their appeals and the tent cities allowed to open, with or without permits. Most are located on property owned by a
religious institution. Under a Federal law commonly called the “Freedom of Religion Act”, the ability of the organization to act in accordance with their religious principals is protected. The law does not prohibit all regulatory controls but it does impose severe limits.

By and large, the host cities and site neighbors have found the tent cities to be much more benign than envisioned in their initial fears. They are generally well run and adequately supported by the hosts. Their self-governance structure appears to work and they do not harbor criminals.

PROPOSAL/ACTION

Most area cities have considered and adopted regulations, consistent with legal limitations, to deal with tent cities. It is imperative that these regulations be adopted before a tent city arrives in a community as there is insufficient time to do so after the fact. Lynnwood has not yet had a tent City nor has a regulatory framework been considered. Staff is proposing that the Planning Commission initiate consideration of appropriate amendments to the Zoning Code.

REGULATORY OPTIONS

As is often the case, when a new issue arises, cities develop regulatory responses. The first are tested in the court system and ultimately refined. Other cities then use those initial attempts as the basis for their own code amendments while incorporating further refinements.

One of the most current codes was recently adopted by the City of Monroe. A copy is attached.

Some significant standards include:

- 40’ setback from low density residential, 20’ from other uses
- Requires 6’ tall screen fence
- Limit on max. capacity to 100 people or less
- No children under 18
- Defines responsibilities of the sponsoring organizing and maintenance of their property
- Temporary Use Permit reviewed by Hearing Examiner required.

RECOMMENDATION

Staff recommends that the Planning Commission direct staff to bring forward code amendments dealing with temporary tent encampments.
Attachments:
  • Monroe’s Temporary Tent Encampment Ordinance
  • MRSC Advisory on Tent Cities