Call to Order

The meeting was called to order by Chair Wright at 7:00 p.m.

Approval of Minutes

1. Approval of minutes of the February 27, 2014 Meeting

Deputy Director Corbitt Loch noted that Commissioner Larsen had requested some changes which staff had made in his absence.

Commissioner Braithwaite referred to page 9, the second to the last paragraph, and requested the wording be amended to read, “... constraints including such things as geologic hazards.”

Motion made by Commissioner Jones, seconded by Commissioner Wojack (?), to approve the minutes of the February 27, 2014 Meeting as amended. Motion passed unanimously (4-0).

Citizen Comments

Ann Smeester, 19104 - 74th Avenue W, Lynnwood, WA, distributed information about zoning for goats and noted that she was pro-goats. She indicated she would be happy to provide more information if desired later in the meeting.

Public Hearing

None.
Work Session

1. Photograph of the Commission

Deputy Director Loch noted that Commissioner Larsen wasn’t able to attend most the meeting, but thought he would be able to arrive late for the group photo. There was consensus to wait until later in the meeting for the photograph.

2. Amendments to LMC 21.42.400 Accessory Structures and Uses – Ordinance to allow Pygmy, Dwarf, and Miniature Goats

Senior Planner Gloria Rivera reviewed this item which arose from a citizen request at a Council meeting, and Council’s subsequent direction to evaluate the matter. The reason for consideration of small goats is sustainability, milk, wool, and companionship. She reviewed the proposed code amendments including recommendations regarding the height and weight, limit of two goats per lot, neutering of male goats, dehorning of goats, minimum lot size of 7,200 square feet, 15-foot setbacks from adjacent property lines, solid fence where adjacent to another property, provision of shelters and pens, limitations within sensitive areas or buffers, and no processing allowed on site. Senior Planner Rivera explained that nuisances such as smell or waste would be governed by the existing city codes.

Commissioner Braithwaite asked if the City of Lynnwood would require registration of goats. Senior Planner Rivera noted that the City requires licensing of dogs. Several cities require licensing of goats, and this is something that could be added. Commissioner Braithwaite recommended considering this.

Commissioner Hurst asked about permitting requirements for structures such as shelters. Senior Planner Rivera said that if a building is less than 120 square feet in size, a permit is generally not required.

Commissioner Wojack asked if someone could have twice as many goats if they have a double-sized lot. Senior Planner Rivera stated they could not.

Commissioner Jones referred to LMC 6.02.130 regarding maximum number of dogs, cats, and/or pot-bellied pigs. He wondered if the number of allowable goats would be in addition to the number other animals allowed. Staff indicated this has not been determined.
Commissioner Ambalada asked if mobile home park residents would be allowed to have the small goats. Director Krauss said they would not because mobile home parks aren’t zoned single-family.

Commissioner Wojack referred to the dehorning requirements and asked if the City could be held liable if they didn’t have this requirement and a child was hurt by a goat’s horns. Director Krauss thought that the owner of the goat would be responsible for any injuries. Senior Planner Rivera commented that all the cities she looked at were consistent with the requirement to have bucks neutered and the goats being dehorned.

Commissioner Braithwaite wondered if it is clear enough that “processing” means slaughtering. He thought that this should be more descriptive.

Commissioner Hurst asked if these amendments would supersede any CC&Rs in the city. Director Krauss said they would not. He noted that CC&Rs are privately-enforced.

Commissioner Wojack thanked Senior Planner Rivera for compiling the informative chart comparing cities’ regulations. He asked why the City of Edmonds and Mountlake Terrace had such large setbacks (30-foot). Senior Planner Rivera noted that concerns in other cities appear to be related mostly to the noise.

Commissioner Ambalada asked if there is a requirement for vaccinations. Senior Planner Rivera said she didn’t see any other cities requiring that. Chair Wright asked if there are any human health concerns. Senior Planner Rivera replied she was not aware of any. Commissioner Braithwaite thought that livestock like goats are a vector for hand, foot, and mouth disease. He suggested looking into this.

Commissioner Hurst asked why someone would want to have a goat. There was consensus to invite Ms. Smeester back to comment.

Ann Smeester, 19104 - 74th Avenue W, Lynnwood, WA, stated that having goats would enable her to have a healthier option to feed her family in addition to the chickens and bees she currently has. She commented that she is in a sustainable agriculture class and has visited other urban farms in the area. She has been amazed at what people have been able to do to provide for their families. As far as diseases, she commented that cats are many more times prone to carrying diseases that could be passed on to humans, and dog bites are much more common than injuries from goats. She added that the dehorning is mostly for the goats benefit because of the way they play with each other.
Commissioner Ambalada asked about potential complaints that neighbors might have. Ms. Smeester said that the most common complaint is noise, but there are breeds where this is not such an issue.

Commissioner Braithwaite commented that unpasteurized milk might be a legal issue. Director Krauss commented that the milk would only be for the consumption of the owner and would not be for sale elsewhere. Commissioner Braithwaite thought that even allowing people to milk their own goats could still be an issue. He recalled hearing about someplace where this hadn’t been allowed. He recommended that staff look into this.

Commissioner Ambalada suggested they get more input from neighbors about what concerns they might have.

Commissioner Jones requested that the LMC he had referred to earlier be incorporated into this.

There was consensus to proceed to a public hearing after some adjustments by staff.

3. Amendments to LMC – Chapter 21.17 Exterior Lighting Standards (new chapter)

Associate Planner Todd Hall gave a PowerPoint presentation regarding the proposed new exterior lighting code which included: fundamentals of lighting design, shielded versus unshielded lights, the harmful effects of poor or too much night lighting, highlights of the proposed code amendments.

Commissioner Larsen joined the meeting at 7:45 p.m.

Commissioner Jones thanked Associate Planner Hall for the presentation.

Commissioner Hurst suggested that they address how they want to regulate retail sales with lighting such as auto dealerships. He also recommended that they refer to the Washington State Energy Code because that contains a lot of lighting controls and regulations. Director Krauss commented that the Energy Code is adopted with the other codes so it is already a city requirement. It might be useful to reference it here, but it would not be necessary to cite it. Commissioner Hurst agreed.

Commissioner Larsen commented that the lighting information was very thorough. He referred to General Requirements, 5(d)(ii) which states that the City may require a computer-generated photometric grid showing footcandle readings. He asked if that is a reasonable request. Director Krauss said he was able to get these 20 years ago, and it is likely much
easier now. Commissioner Hurst commented that this is a fairly typical requirement; most factories or industry representatives will do it at no charge.

Commissioner Ambalada suggested focusing on the environmental aspect of this like being able to see the stars at night.

Commissioner Wojack asked for clarification about the maximum permissible mounting height of open air parking lot lighting fixtures because he thought they had referenced a different number than listed here for Costco. Associate Planner Hall said he would confirm that.

Commissioner Wojack asked if the city’s nit meter would be used for the code enforcement for electronic signage. Director Krauss commented that the electronic signage code never progressed, and the City didn’t end up getting a nit meter. He thinks that code amendment will start to move again soon.

Commissioner Hurst pointed out the need to address LED lighting, and specifically including BUG (Backlight, Uplight, and Glare) ratings as this is becoming the way to define fixtures. He asked if city streetlight standards would be addressed through the Comprehensive Plan too. Director Krauss noted that they are technically the PUD’s streetlights.

Chair Wright spoke in support of new LED streetlights like the one that was just installed in front of his house.

Commissioner Ambalad a suggested getting a lighting expert to help with the code.

Commissioner Wojack asked how the manufacturing ratings of lighting fixtures compare to International Dark Skies standards. Commissioner Hurst replied that it has become complicated with LEDs. The IES (Illuminating Engineers Society) created four different categories of lighting zones within cities with recommendations for each zone.

Commissioner Braithwaite thanked staff for putting together the presentation and bringing this issue forward. He commented on regulations in Arizona and California and noted that he didn’t think the City needed to go that far. Director Krauss discussed the origins of these regulations. Commissioner Braithwaite recommended focusing on the streetlights. He also wondered what kind of fixtures were approved at the new Lynnwood Crossroads development.

Commissioner Braithwaite asked how these regulations would apply to areas that have design standards like the City Center. Director Krauss said there were standards in the City Center with respect to the poles and
fixtures, but not with the light source. Commissioner Braithwaite asked if these regulations would apply to the mall. Director Krauss said they would not unless there was substantial redevelopment of a portion of the property.

Director Krauss commented that staff would refine the code further and bring it back for another work session.

Other Business

1. Review and Discussion of Planning Commission Scope and Rules.

Deputy Director Corbitt Loch commented that the matter at hand is whether citizen comments during the Public Comments portion of the agenda should allow discussion of agenda items for that evening other than the public hearing items. He reviewed the history of the current practice, and pointed out that the Planning Commission’s rules actually provide the opportunity for citizen comment on non-hearing items whether it is on the agenda or not.

Commissioner Jones commented that tonight’s goat discussion was a great example of why they should allow comments on agenda items.

There were no objections by the Planning Commission to adhering to the published Scope and Rules.

Director Krauss discussed pros and cons to the allowing or not allowing comments. He suggested that staff prepare a draft agenda which would allow comments on items on the agenda. He noted that they could include verbiage like, “Additional comments may be heard later on the agenda if invited by the Chair.” Chair Wright suggested that they try it out before making it official.

Commissioner Larsen said he would rather err on the side of hearing people’s thoughts than not. He expressed concern that comments allowed at times other than an announced public hearing could have undue influence on the Commission because both sides of the issue weren’t present to share their opinions. He recommended trying a mockup agenda to see how it goes.

Commissioner Wojack said he liked the idea of the Chair inviting the public to comment on an item in the work session and leaving it up to the discretion of the Chair.
Council Liaison Report

Councilmember AuBuchon had the following comments:
- He thanked the Commission for their comments and concerns about goats and lighting. He commented that the largest commercial development project going on currently in South Snohomish County is right here. In Phase 1 of that project it was brought to the developer’s attention that the City was going to insist upon adherence to the Dark Skies issues.
- Council has been moving some issues ahead. Last Monday night was one of the biggest nights they’ve had at Council. He believes the pace will pick up, and they will take action on things dating back to 2009.
- He thanked the Commission for all their good work.

Director’s Report

Director Krauss had the following comments:
- The City has made a lot of progress working on the design of the LRT transit station with Sound Transit. He distributed and discussed an illustration of the station area.
- The volunteer dinner is coming up next week. He encouraged all commissioners to attend.
- The Council is considering new approach to budgeting and the goal of going back out to the community for guidance on the budget. There is a meeting being scheduled in May. Commissions and volunteers will be invited to participate in the dialogue of helping to set the goals and priorities for the City.
- The Economic Development Department is looking for volunteers for a workgroup to help with updating their plan.

Commissioners’ Comments

Commissioner Ambalada requested an update on the mini storage issue. Director Krauss explained that the developer of potential project has repeatedly talked about getting building permits, but to date they have not.

Adjournment

The meeting was adjourned at 8:46 p.m.

Richard Wright, Chair