Call to Order

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

Approval of Minutes

1. Approval of minutes of the July 24, 2014 Meeting

Motion made by Commissioner Braithwaite, seconded by Commissioner Wojack, to approve the July 24, 2014 minutes as presented. Motion passed unanimously (5-0).

Citizen Comments

None.

Public Hearing

None.

Work Session

1. Draft Environmental Resources Element of the Comprehensive Plan

Community Development Deputy Director Corbitt Loch introduced Environmental and Stormwater Services Supervisor Jared Bond who presented the draft Environmental Resources Element. He responded to questions from an earlier Planning Commission meeting. One question related to policy ER-8.2.8 where the target of 40% electric or biofuel for city fleet vehicles by 2018 was stated.
The question was if this was a state mandate or a local target. Mr. Bond said he spoke with the Fleet Management group who informed him it is a local target. There was also a question about why the City is a category 4 seismic hazard area. A category 4 as determined by the USGS is the highest risk for an earthquake based on what they currently know about past faults and earthquakes, the behavior of seismic waves as they travel through different parts of the US, and the near surface sight conditions at specific locations of interest. This hazard rating affects the construction of buildings, roadways, bridges, utilities, etc. and is usually adopted by the International Building Code who reviews them about every 10-12 years.

Mr. Bond stated that most of the changes involve updating the information with current information and best available science, removing redundancy to make it a more readable document, and making factual corrections. The future work planned over the next 1-3 years includes updates to the Critical Areas Regulations which will likely include an aquifer recharge protection portion, inclusion of a variance procedure, review of geologically hazardous areas protections, updating wetland categorization methodology to be consistent with recent changes by the Department of Ecology, updating critical areas maps, adoption of low impact development stormwater standards and methodologies, and implementation of changes to the Clean Water Act compliance program.

Commissioner Ambalada spoke to the importance of addressing the hazardous conditions area and doing public outreach.

Commissioner Braithwaite asked if the hazardous conditions areas assessment is based on the most current USGS map which puts all of western Washington and a lot more of Washington state into the higher zones. Mr. Bond replied that it was based on information updated in 2012. He noted that everything in western Washington needs to be built to a certain protection standard to withstand a seismic event. He stated that the data and identification of fault lines is ever growing.

Commissioner Braithwaite discussed a personal experience he had with the Tree Preservation Program and recommended revaluation of it to distinguish between residential landscaping and native species. Mr. Bond explained that there are two different classifications of tree permitting requirements. The situation described by Commissioner Braithwaite would be a Category 1 which is written for developed single-family homes and has an allowance of the removal of two trees or 40% per year. There was discussion about specifics of the Tree Preservation Program. Regarding the draft Element, Commissioner Braithwaite stated he liked the comments, the red-lining, and the overall philosophy of reducing the wordiness of the document. He hopes this philosophy continues throughout the other elements.
Commissioner Wojack also said he liked the conciseness of the document and the underlining. Regarding trees, he referred to Policy ER-3.4 on page 75 which states the following goal: “Avoid clearing of native vegetation that maintains the slope stability, reduces erosion, shades shorelines . . .” He asked if it was more important to have the vegetation there or stabilizing the slope. Mr. Bond replied there is not an easy answer to that. When it comes to slope stability, native and non-native characterizations are secondary to keeping the slope together. There have been instances on single-family homes that because it is a steep slope and a landslide hazard that the City has controlled what they can and can’t remove. Commissioner Wojack asked if staff was comfortable with the language regarding native vegetation from a regulatory perspective. Mr. Bond commented that the goal of ER-3 is natural landscape and vegetation, but policy 3.4 deals more with slope stability and erosion control. He suggested this might be better placed under one of the other goals.

Commissioner Wojack then asked what NPDES stands for. Mr. Bond explained that it is the National Pollution Discharge Elimination System and is a provision under the Federal Clean Water Act. He indicated that staff would make sure this is clarified in the document.

Commissioner Hurst noted that the first page of the draft refers to 49% of the City’s land being covered with impervious surfaces. He asked if there is a tipping point where they get concerned about that number. Mr. Bond replied that the tipping point is down in the teens so the City has long surpassed that point. With respect to the aquifer recharge areas what they are looking at is infiltration to avoid tainting the aquifer.

[7:30 p.m. – inaudible comments – no microphone] Mr. Bond replied by discussing the difference between goals, policies, and objectives. Vice Chair Larsen recommended including sub-goals. He thought that the more passive language should be included in the introduction statements and recommended consistency throughout the document. Deputy Director Loch commented that that was an important point because the document is going to have many authors and will need a common voice.

Vice Chair Larsen commented there are places where it is stated that, “This is a goal, not a policy.” He noted that some of the crossed out goals are actually pretty good. He hopes those are preserved someplace.

Vice Chair Larsen had the following specific recommendations, but indicated he could forward more to staff:

- Objective ER-7.1 - Remove the words, “Continue to”.
- Subgoal ER-9 - Rephase this as a subgoal (ie. “Lynnwood will engage in view protection . . .”) Corbitt Loch stated that this is an important policy question that needs to get some airing. It means a lot when it comes to land use regulation.
Commissioner Wojack discussed the subjective nature of the view issue as it relates to the Transition Area. Deputy Director Loch suggested that this topic might be best for a new element staff is creating called Community Character which relates more to the aesthetics of the City.

Commissioner Braithwaite referred to the last paragraph on page 43 regarding efficient vehicles. He asked if the City really wants to identify specific technologies, such as electricity and biofuel vehicles, which may change over time. Mr. Bond explained this was mostly based off of what the Fleet Management Department was doing, but indicated it could be stricken. Commissioner Braithwaite suggested just leaving it at “efficient vehicles”. He recommended continuing this approach of using more general wording as they go through the other elements.

Commissioner Wojack asked about including a glossary in the back for easier readability. Deputy Director Loch indicated they could provide a glossary or a list of acronyms to add clarity if desired by the Planning Commission.

Commissioner Ambalada recommended incorporating principles of being grandfathered or vested with regard to the use of best available science to protect property owners.

Commissioner Braithwaite commented [inaudible – microphone off] Deputy Director Loch stated that the state law has been amended to include greenhouse gases as a topic for SEPA (State Environmental Policy Act) but it doesn’t say what the local jurisdictions can or should do about it. Most of the things that generate greenhouse gases are regulated already by car emissions. Local jurisdictions have no authority over car emissions or miles per gallon or those kinds of things. The City is obligated to consider it, but there haven’t been any instances where there was anything the City could actually do. Mr. Bond commented that there are some jurisdictions, such as King County, that have attempted to evaluate the impacts of a project based its impacts on greenhouse emissions. He wasn’t sure if they were still using this method.

Commissioner Wojack commented regarding view protection and light pollution. He referred to Policy ER-9.3 regarding night lighting and asked if this is the policy that would dictate a tighter lighting code. Deputy Director Loch replied that it was. Commissioner Wojack expressed concern that this might not be strong enough to get the desired dark skies effect. Deputy Director Loch thought it was strong enough to point in the direction they want to go without getting too specific. He commented that, for example, they wouldn’t want to put in the numeric standard here; that belongs in the Development Regulations in the Zoning Code. This is the policy guidance. Mr. Bond commented that views themselves are not just natural; there can be views of the built environment as well. He thinks it is important that this be considered.
Vice Chair Larsen asked if the Planning Commission would see this one more
time before it goes to City Council or if the City Council would get the whole
Comprehensive Plan as a package. Deputy Director Loch replied that staff is still
deciding that. He commented on the importance of understanding all of the
changes before they make any. All of the elements will continue to be a draft until
such time that they are all ready for adoption. This will give staff many
opportunities to do cross checking of information. Vice Chair Larsen indicated
he’d like to see the Environmental Element one more time.

Commissioner Hurst asked Commissioner Wojack if he would like to have some
sort of recognition or phrase about dark skies in 9.3. Commissioner Wojack
pointed out that ER-9 refers to dark night skies which could be interpreted as
dark skies.

Vice Chair Larsen indicated he would send some minor edits to staff. Mr. Bond
stated those would be incorporated into the next draft. In the next draft any new
edits would be differentiated somehow from the first-round edits.

2. Draft Land Use Element of the Comprehensive Plan

Deputy Director Loch introduced the draft Land Use Element. He noted that the
majority of the changes in this draft are purely stylistic and technical, not
substantial. The overarching goal was also rewritten, and while he didn’t intend to
make any substantive changes, he solicited feedback on the revisions.

Commissioner Wojack commented Deputy Director Loch on his work on this,
noting he had double-checked all of the items that were moved. He appreciates
the tables and the way this was cleaned up. He referred to the tables (Land Use
Element 3.27) regarding design on SF-1 and asked if emergency aid response is
designated by the fire department. Deputy Director Loch noted it is, but could
include police as well. Commissioner Wojack referred to Multi-family Residential
Land Use Designation and asked if lofts would be included in this designation.
Deputy Director Loch was not sure, but thought that a loft would just be an
apartment. Commissioner Wojack referred to 3.29, Mixed Use Land Use
Designation regarding the Alderwood City Transition Area and asked if the new
plan would be included in here. Councilmember AuBuchon replied that the
Transition Area rezoning was completed by Council with a few modifications.
Deputy Director Loch commented that those modifications would be
incorporated.

Commissioner Braithwaite noted he would email comments to staff because he
had misplaced his notes. He referred to the population targets and noted that the
County and State want Lynnwood to take more numbers than we think is
realistic. Deputy Director Loch concurred. He stated that five years ago the City
agreed to take 10,000 additional people than what we have today in the existing
city boundaries. The new target is another 10,000 which will be a challenge.

Commissioner Braithwaite asked if the City can decide on a policy that is
different from what the County and the State say. Deputy Director Loch replied
that the City is free to have alternative versions in the Comprehensive Plan that
are studied in the draft stage. The targets that have been assigned are
preliminary targets. Each of the jurisdictions in Snohomish County has to figure
out if it can meet them or not. Then the County Council will consider all of those
efforts and see where we are. Some jurisdictions may want to take more than
their target while others may want to take less. Ultimately the County can assign
a number to the City that we don’t prefer, but at this stage we are free to do our
work and show how we have attempted to meet the growth targets using
reasonable measures.

Commissioner Ambalada asked about the City’s annexation efforts in north
Lynnwood. Deputy Director Loch noted that the Council would probably look at
that during the upcoming budget discussions. There may be an effort to take
another shot at it, but it still wouldn’t satisfy the growth target because that is
based on the City’s current boundaries. The land in the MUGA has its own target.

Vice Chair Larsen noted that cities all over the world are having discussions
about whether to go up or out with their population. He asked what the City wants
as a policy regarding this. He thought it might be helpful to get an accounting on
the planning they have done already with Highway 99, the mall, etc. and where
that puts us in terms of that 10,000. He commented that a spreadsheet showing
the numbers would be helpful. He remarked that sooner or later there is going to
be pressure to start converting larger lots to accommodate accessory units. He
thought this would be an excellent topic for a joint meeting or a retreat with the
Council and possibly other groups where they could talk about housing in
Lynnwood.

Commissioner Ambalada agreed that there should be more guidance and
direction for the Planning Commission regarding this. She spoke in support of
having a joint meeting with the Council. She noted that the Planning Commission
has good leadership and wants to work hard.

Other Business

None

Council Liaison Report

Councilmember AuBuchon had the following comments:

- He echoed the concerns voiced regarding the joint meeting, but noted
  that he doesn’t schedule the meetings. He stated that there is a
  requirement that the Council get input from the boards and commissions
as part of the budget process. He has raised that issue to the Council, to
the administration, and to the City Attorney, but has yet to get an answer.

• The Council is currently on recess so nothing has been going on for the
  last week or so.

• He expressed his huge support for the work being done by staff on the
  Comprehensive Plan. He reminded the Planning Commission to keep in
  the back of their mind that what they are dealing with is the future of the
  City.

• He thanked everyone for all of their hard work.

Director’s Report

None

Commissioners’ Comments

Commissioner Ambalada referred to the Planning Commission’s desire to have a
joint meeting with the Council and suggested taking some formal action in writing
such as a resolution to give to the Council via the Council Liaison with a request
for a response. Vice Chair Larson suggested trying to keep it informal at first to
give the Council every opportunity to respond. He indicated he would contact
Deputy Director Loch in the next week or so to try to determine the next step.

Councilmember AuBuchon recommended a top-down approach since he has
already raised this several times with the Council.

Adjournment

The meeting was adjourned at 8:39 p.m.

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Richard Wright, Chair