Call to Order

The meeting was called to order by Chair Wright at 7:00 p.m. Todd Hall gave the roll call noting the absence of Commissioners Ambalada, Jones, and Wojack. Chair Wright commented that Commissioner Jones had communicated with him that he would be traveling this week and absent.

Approval of Minutes

1. Approval of minutes of the February 12, 2015 Meeting

Motion made by Commissioner Hurst, seconded by Commissioner Braithwaite, to approve the minutes as presented.\(^1\) Motion passed unanimously (4-0).

Citizen Comments

None.

Public Hearing

1. Code Amendment: Shipping Containers as Accessory Structures within Residential Zones (CAM-002289-2014)

Chair Wright opened the hearing at 7:05 p.m.

\(^1\) Prior to the February 26, 2015 meeting, Commissioner Ambalada indicated the minutes of the February 12, 2015 incorrectly identified her vote regarding the Essential Public Facilities Ordinance. Ms. Ambalada voted “nay” on the motion, with the motion passing by a vote of 5-1. The minutes of that meeting have been corrected accordingly.
Staff Report:

Associate Planner Michele Szafran gave the staff report. She explained that the purpose of the hearing was to receive testimony regarding a proposed code amendment which would prohibit shipping containers upon residentially-zoned property. The City of Lynnwood currently has no regulations prohibiting the placement of shipping containers. Some City of Lynnwood residents initially raised concerns over the use of shipping containers as accessory structures within residential zones. As a result of that, on November 17, 2014 the City Council authorized the preparation of draft legislation to prohibit the use of shipping containers as accessory structures within residential zones. Staff previously met with the Planning Commission on December 11, 2014 and again on January 22, 2015. Two draft ordinances have been thoroughly discussed in the prior two work sessions. The first draft presented was to prohibit the use of these, but at the December 11 meeting the Planning Commission asked staff to come back with alternative legislation that would allow shipping containers with certain conditions. Staff came back with that alternative on January 22, and the outcome of that meeting was direction was given to prohibit the structures in residentially-zoned properties. Ms. Szafran stated that a staff report had been provided to the Planning Commission in their packet. She asked the Planning Commission to consider any public hearing testimony. If there are no concerns, staff is asking the Planning Commission to forward its recommendation for approval to the City Council.

Public Testimony:

Shirley Nordin, 7413 – 204th Street SW, Lynnwood, stated she and her neighbors have been to the Council meetings to discuss this matter which is of concern to them. She has a neighbor at 7415 – 204th Street who has two of these large storage containers. She understands that when they were put in it was supposed to be on a temporary basis, but it isn't. He uses them to grow marijuana. There has been a raid on his property, but he is growing it again. She stated that the yard is a mess and the shipping containers look atrocious. The containers have siding, but no insulation for sound-proofing and nothing on the top. There is constant noise from the motors. She urged the City to find a way to get him and his growing operation out of there. She also expressed concern that he is right across from a school.

Seeing no further public testimony, the public testimony portion of the hearing was closed at 7:12 p.m.

Commission Comments and Questions:

Commissioner Braithwaite spoke in support of passing this on to the City Council for approval, but asked staff to make sure that the definition of "shipping
"container" is adequate in the proposed code. Director Krauss replied that staff
looked at definitions in use by several other cities and feels this is sufficient.

Commissioner Braithwaite asked if the passage of this ordinance would have any
effect on the current situation that Ms. Nordin was referring to. Director Krauss
replied that it would not. Staff has been to the subject property many times. He
has explained to the neighbors that the code is not applicable retroactively. The
individual who brought the containers in did so initially without permits, but has
since obtained the necessary permits and legitimately anchored them and run
electricity to the containers with an electrical permit. There are other ongoing
issues referred to by Ms. Nordin that staff is responding to at the moment.

Commissioner Braithwaite asked if the Planning
Commission can do to address that issue. Director Krauss commented that
permits were obtained for much of it. He noted that there has been a felony
charge filed in the last few weeks on that grow operation. There are also other
issues at that particular property. He reiterated that the proposed ordinance would
not make a difference in this particular situation, but it would prevent it from
happening someplace else in the City.

Commissioner Larsen spoke in support of the ordinance, but said he understood
the frustration of the neighbors. He wondered if it is ever possible to retroactively
take a nuisance away. Director Krauss stated that the answer is typically no.
However, if events occur that cause those units to be pulled out, they cannot be
brought back.

Motion made by Commissioner Braithwaite, seconded by Commissioner Larsen,
to recommend forwarding the ordinance prohibiting shipping containers in
residential zones to the City Council for approval.

Commissioner Braithwaite stated that they all agree this change is needed. This
ordinance will address shipping containers in residential zones going forward.
The Planning Commission hopes that the issue that brought this to the forefront
can be addressed quickly.

Commissioner Hurst stated this is the third time the Planning Commission has
reviewed this matter and the third time he has spoken in support of prohibiting
them.

There were no speakers against the motion.

Motion passed unanimously (4-0).
Work Session

1. Comprehensive Plan: Draft Transportation Element

Senior Planner Todd Hall presented the first reading of the Transportation Element. He introduced Victor Salemann from Transportation Solutions, Inc. who is a consultant assisting the City with transportation issues. He also introduced Project Manager David Mach and Deputy Director Jeff Elekes from the Public Works Department. Mr. Salemann reviewed the overall changes to the Transportation Element as contained in the Summary on pages 30 and 31.

Commissioner Hurst said he was surprised that he didn’t see roundabouts mentioned here. He asked if a right-in/right-out is the same thing. Mr. Salemann explained that right-in/right-out refers to restricting movement from an arterial such that channelization prevents left-in/left-out. Roundabouts are used at the intersection of public streets. They save money long-term, but the initial capital cost is much higher because of the right-of-way acquisition involved. The City is implementing a roundabout at 204th and 68th and at 36th going north of Maple. Other intersections will be looked at as intersection analyses are done.

Commissioner Larsen commended the work done by staff. He stated he had submitted some minor edits to Todd Hall earlier. He asked about what Level of Service E Mitigated means. Mr. Salemann said this refers to DOT facilities. DOT prefers a better level of service, but they recognize that the developed area is struggling to meet the preferred standard.

Commissioner Hurst referred to page 62, strategy T-1.1 and asked if this refers to red light cameras. Mr. Salemann said it does not. It typically refers to a review of broad, citywide accident patterns and looking for corridors that experience high numbers of accidents. Commissioner Hurst asked if studies are made at intersections to see if the red light cameras are effective. Mr. Elekes replied that they are. It was his understanding that the consultant the City uses for these red light cameras does studies and makes recommendations for certain locations in the city that they believe to be most effective to change driver behavior.

Commissioner Larsen expressed support for a prioritized approach for building sidewalks. He asked if staff is comfortable about the current prioritization. Mr. Mach said about five years ago he was tasked with looking at all the missing links in the city. He worked with the Council and put together a prioritization scoring of all capital improvement projects. Commissioner Larsen asked about the status of that. Mr. Mach replied that funding for sidewalk projects is quite difficult; there is very limited capital funding available for transportation projects. The City currently funds sidewalks combined with other improvements, but there is not a dedicated funding source specifically for sidewalks.
Commissioner Braithwaite asked if it would be useful to have a policy goal of enhancing the safety of pedestrian crossing of Highway 99. Deputy Director Elekes commented that a couple years ago David Mach worked on a channelization safety project. Staff has been monitoring the area and hasn’t seen any pedestrian accidents as a result of car issues. Long-term, there needs to be some kind of aerial bridge or signals at certain spots such as 180th. David Mach noted that currently there is a project that is being constructed on Highway 99 and 204th that would construct a new traffic signal at that location with crosswalks. Commissioner Braithwaite expressed support for the proposed changes, and encouraged staff to include verbiage about pedestrian safety across Highway 99.

Commissioner Larsen referred to Environmental Factors T-7.2 and recommended adding multi-family to the list since those developments often have parking overflow onto the street. David Mach indicated staff could make that change. Commissioner Larsen also expressed concern about people cutting through parking lots to avoid heavy traffic and recommended the City find a way to address that. He then referred to page 74 and asked what the radiating circles on the map refer to. Mr. Salemann explained that it is a planning tool to determine reasonable walking distances to a station. He noted that studies show that people are willing to walk farther now, especially for high capacity transit like light rail. Another interesting trend is that people are bicycling much farther to work and/or to access transit.

Commissioner Larsen asked if there is an interest on the part of traffic engineers to separate bicycle riders from traffic. David Mach replied that staff is definitely interested in this. The City recently received a $1.9 million grant from Verdant Health Commission to improve bicycle facilities between Mountlake Terrace, Edmonds, and Lynnwood in a partnership called the Bike Link Project. Over the next few years they will be looking at connecting existing bike lanes together. Once they are connected, they can be expanded. Commissioner Larsen asked if bicycles with power sources are a concern. Deputy Director Elekes said they have not witnessed any accidents related to those kinds of things, but are keeping an eye on it.

It was the consensus of the Commission that the draft Transportation Element be incorporated into the draft 2015 Comprehensive Plan Update.

2. Comprehensive Plan: Draft Parks Element

Michele Szafran presented the second iteration of the Parks Element for the 2015 Comprehensive Plan Update. The Commission’s first review on November 13, 2014 was limited to formatting changes in order to bring consistency with the other elements of the 2015 Comprehensive Plan Update. The Parks Department has made some additional changes which have been summarized in the Summary of Changes sheet in the packet. She introduced Parks and Recreation
Director Lynn Sordel who was available to answer any questions. She solicited feedback and/or direction regarding this draft.

Director Sordel commented that he thinks the changes his staff made are much more reflective of the organization’s priorities. He explained that Parks is simultaneously starting development of its own Comprehensive Plan for Parks, Arts, Culture, and Conservation and Recreation because the City’s current model has been around way too long and is not reflective of the community. Parks will be back to the Planning Commission sometime this year with a complete report on its Comprehensive Master Plan, level of service, and funding options.

Commissioner Larsen expressed concern about maintaining adequate access to recreation in Lynnwood as the City grows. He suggested that park level of service ratings would be an important part of this feedback loop to maintain quality of life issues. Director Sordel stated that he and his team are working to create a 10-year Strategic Plan for Healthy Communities. Lynnwood was designated a Healthy Community by the Health District, and they are committed to that. The Parks Department was instrumental in getting the Verdant grant for connectivity. They are doing a lot more collaboration with other departments to work together as teams. He thinks there will be more and more of these ideas surfacing over the next couple years.

Commissioner Larsen stated that his concern was about the ratio of population to acres. He suggested that the Parks Comprehensive Plan will start talking about not just acres, but programs that don’t require a lot of land. Director Krauss agreed and added that the situation is much more complex than a ratio of acres to population. He commented that in Lynnwood there are a lot of facilities that they haven’t been able to invest in for decades and some that are falling apart to the point to where they are difficult, if not impossible, to use. There is also a lot of potential for cross-fertilization. Director Sordel and his department have had a lot of success in advancing co-utilization of facilities with the school district. In the City Center plan there is consideration of making one large central park instead of having the five or six smaller parks that were initially in the plan. Director Sordel commented that one of the challenges of the City is meeting the necessary service levels with the aging park system.

Commissioner Braithwaite referred to the Demand and Need within the City Limits chart on page 166. He commented that the 2025 need shows 523 acres; he wondered if this is even achievable with available land. He said he has observed in the past that the City needs to consider more intensive use of the facilities that we already have. Director Sordel referred to the City’s commitment to the Meadowdale Play Fields as an example of the City doing this. The Edmonds School District funded $1 million to the play fields. They own the property, but the City has an interlocal agreement with the school district. The City is contributing funds so they can add turf to the sand soccer fields. This is a strategy to enhance the utility of park facilities already in existence.
Commissioner Braithwaite urged staff to be mindful of the traffic impacts of the Meadowdale Play Fields. Director Sordel commented that the schools have given the City permission to use their lots for parking. Commissioner Braithwaite said he was still concerned about the traffic on the street by the play fields.

Chair Wright commented that part of equation of the need by 2025 has to do with Lynnwood High School relocating outside city limits and the City losing the use of that site. Director Sordel said he’s been asking the County where their next park is going to be north of 164th since they’ve been collecting park impact fees for that area. He hasn’t gotten a reply. This is important because some day that area is likely to be annexed into Lynnwood. It is also a concern because the County’s development codes are a lot different than the City’s, and they really don’t have many recreational facilities within those large developments. Director Krauss stated that one of the many rationales for proceeding with annexation is that the City found that it is already serving as the neighborhood park system for the county residents, even though it doesn’t get any financial support from the County for providing those parks. Chair Wright pointed out that there are some county parks very close to the city limits that could someday be calculated into the square acreage requirement. He spoke to the importance of making sure these are brought in with a good level of service. Director Sordel commented that the Conservation Futures Program has been a tremendous asset for the City of Lynnwood. The County has been a really good partner to the City, but we face real challenges because of the population growth and the demand for services. He expressed concern about how the county’s park impact fees are being used to create new park facilities far from where development is occurring.

Commissioner Hurst asked about the different types of funding strategies that Parks will be considering. Director Sordel stated that some ideas are the metropolitan park district model; park impact fees; bonding; and leveraging with grants. Commissioner Larsen asked if park impact fees should be added to the Comprehensive Plan while they are updating it. Director Sordel replied that is a significant policy issue that would require careful consideration. Park impact fees have been discussed in the past, but have not been implemented to date. Commissioner Larsen said he was surprised the City doesn’t have a park impact fee.

Director Sordel expressed appreciation for the Planning Commission’s comments and noted staff would return with more updates and information.

3. Comprehensive Plan: Schedule for 2015 Update

Senior Planner Todd Hall presented a list of upcoming meetings and topics. He stated that the Economic Development Element will be coming a little later than March 12. Potentially there will be a discussion about it on March 26. The branding discussion is being moved to a joint meeting of the boards and commissions which is expected to happen in April.
Other Business

None

Council Liaison Report

Councilmember AuBuchon had the following comments:

- He commended Director Sordel and other staff for their role in the Seabrook property acquisition. This is a huge piece of property in the Lund’s Gulch area in an area the City will eventually be annexing.
- He thanked the Planning Commission for their input and hard work on the Comprehensive Plan. He is looking forward to the Council getting this for review.

Director’s Report

Director Krauss stated that on Monday night the Council approved the establishment and funding of a city investment account. This is structured to capture one-time revenues and put them in an investment account.

Commissioners’ Comments

Chair Wright stated he would not be at the March 12 meeting as he will be at an alumni dinner.

Director Krauss said he would not be present on March 12 either as he will be kayaking in the Caribbean.

Adjournment

The meeting was adjourned at 8:20 p.m.

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Richard Wright, Chair