

PLANNING BOARD MINUTES
March 23, 2005

Chair Young called the regular meeting of the Planning Board to order at 7:00 p.m. in the Council Chambers, Public Safety Complex, 250 – 5th Avenue North.

BOARD MEMBERS PRESENT

James Young, Chair
Janice Freeman, Vice Chair
Jim Crim
Virginia Cassutt
John Dewhirst
Judith Works
Cary Guenther
Don Henderson

STAFF PRESENT

Rob Chave, Planning Division Manager
Dave Gebert, City Engineer
Don Fiene, Assistant Engineer
Brian McIntosh, Parks, Recreation and Cultural Services Director
Karin Noyes, Recorder

READING/APPROVAL OF MINUTES

BOARD MEMBER WORKS MOVED TO APPROVE THE MINUTES OF FEBRUARY 23, 2005 AND MARCH 9, 2005 AS CORRECTED. BOARD MEMBER FREEMAN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

ANNOUNCEMENT OF AGENDA

There were no changes made to the proposed agenda.

AUDIENCE COMMENTS

City Council Member Mauri Moore thanked the Board for their work on the Comprehensive Plan. They devoted a lot of time and energy, and the document that was forwarded to the City Council was a well-considered piece of work. The Board did a great job of consensus building and accepting public comments. She said she would have supported the proposed Comprehensive Plan Update with only minor adjustments. However, the City Council ultimately decided to move in a direction that would place policy statements in the Comprehensive Plan, and then deal with the specifics in the design guidelines. They will try to do this work post haste. She reminded the Board that while they work for the City Council, it is important to remember that the City Council also works for them. The Board Members are constituents and the City Council values their opinion very highly.

PUBLIC HEARING ON EDMONDS SCHOOL DISTRICT #15 CAPITAL FACILITIES PLAN (CFP) UPDATE 2004 - 2009 (FILE NUMBER CDC-05-32)

Mark Johnson, Edmonds School District Planning and Property Management Specialist, 9003 Olympic View Drive, provided a brief overview of the Edmonds School District's Capital Facilities Plan (CFP). He pointed out that the District is

the largest in Snohomish County. It covers 36 square miles of land and serves a student population of 20,175. He explained that the Growth Management Act requires the District to have a Capital Facilities Plan. Its objective is to forecast future capacity and facility needs and to articulate a facility and financial plan to address the future needs.

Mr. Johnson advised that because the District is currently experiencing a downward trend in their student enrollment, they have adequate capacity in their existing facilities. Therefore, they do not qualify for funding through mitigation fees as per the Snohomish County ordinance. However, the District is recommending that cities within their boundaries adopt a school mitigation ordinance in the event it become necessary in the future. He noted that Bret Carlstad, from the Edmonds School District is present to provide further clarification regarding mitigation fees.

Mr. Johnson provided a graph depicting the downward trend of enrollment for the District. He noted that although Snohomish County projects an increase in student enrollment over the next six years, the District's enrollment has and will continue to move downward. He noted that the District's forecast is consistent with that of the Office of the Superintendent of Public Instruction. He shared several graphs illustrating the expected downward trend.

Chair Young summarized that according to the District's CFP, there would be adequate capacity in the existing facilities to accommodate the projected student enrollment. However, the District is still encouraging each jurisdiction within the District to adopt a mitigation fee ordinance. But before the Board can make this recommendation to the City Council, they must have a clear understanding of exactly what the City would be mitigating.

Brett Carlstad, Edmonds School District, 9003 Olympic View Drive, answered that the District's CFP reflects the reality of more capacity than they need given the current enrollment trends. But the District is asking jurisdictions to adopt mitigation fee ordinances to address emergency situations in the future. Right now, time is their friend, and they do not have a need. But this has not and will not always be the case. Taking the time now to put an ordinance in place would allow for more thoughtful dialogue. He recalled that in the 90's the District collected mitigation fees using the Snohomish County ordinance. While they do not currently qualify to collect these fees now, they are pleased the ordinance exists should the District experience a significant increase in student population.

Chair Young agreed that it is good to plan ahead, but it would be helpful if Mr. Carlstad could provide examples of cities within the District that have adopted mitigation fee ordinances and explain how this would help the District if their enrollment significantly increases. Mr. Carlstad answered that no City within the District's boundaries has adopted a mitigation ordinance yet; only Snohomish County has done so. He recalled that in the late 1980's there was an acute need for an ordinance of this type because enrollment was dramatically increasing. At that time, the District exerted its position under SEPA to collect mitigation fees for the adverse impacts the new residential developments would have on the school system. The concept of a mitigation fee program was introduced as part of the Growth Management Act that was adopted in the early 1990's. He pointed out that one of the criteria contained in the Snohomish County ordinance is that it also encourage local cities to adopt mitigation fee ordinances either by reference to the County's ordinance or by coming up with their own. If cities choose to do this, any future need to collect money from residential developments would be placed in the hands of the local jurisdictions.

Board Member Crim questioned if a mitigation fee ordinance would be necessary for Edmonds since they do not have significantly large parcels available for redevelopment. Mr. Carlstad explained that the District manages the population within their boundaries with less regard to municipal boundaries. Students from one City are allowed to attend a school in another jurisdiction. The District could end up with a shortfall of space in one area of the District, which would invoke the need to collect impact fees from the jurisdictions within the County. The District must look at the entire 36 square miles with their jurisdiction as a whole.

Board Member Young asked how a mitigation fee ordinance would work. Mr. Carlstad explained that with the Snohomish County ordinance, fees are payable at the time a building permit is issued. The assessment of need would be considered as part of the SEPA review. He noted that it could actually take several years from the time the fees are assessed for them to actually be paid, since the money would not be collected until a building permit application is approved. Mr. Chave said he is not familiar with the Snohomish County ordinance, but impact fees are typically assessed sometime in the design process and get paid at the building permit stage.

Chair Young suggested that the Board review the County's ordinance at some point during the year to determine if they want to consider the option of creating a City of Edmonds Mitigation Fee Ordinance, as requested by the District.

Chair Young inquired if the District has a need to acquire more school property. Mr. Carlstad said the district has been very public about making changes with their property holdings. These change are all spoken to in the report that was published by the District in December of 2004. He noted that projected student enrollment is considered in both the long and short-term planning horizons. At this time there is more school building space than is needed at all levels. The District does not have immediate plans, based on enrollment projections, to construct additional classroom space at this time.

Mr. Carlstad stated that the District's plans for vacating or disposing of District property would be clearly stated in the next update. He specifically noted the following:

- The old Woodway Elementary School site has not been used as a classroom school for a number of years. While it has been identified as a school facility in the CFP, its capacity is zero, its condition is poor and it cannot be occupied for school purposes. The Edmonds School Board has made the decision to surplus this property and offer it for sale.
- For a number of years the District has offered the property that houses the previous Administrative Center for a long-term lease arrangement. They recently made the decision to allow the property to be sold.
- The Board has determined that the District could relocate the educational functions of Lynnwood High School to a new site the District owns on the eastern most part of the District boundaries just north of Floral Hills Cemetery. The existing school site could then be offered for a long-term lease.
- The maintenance site could also be offered for a long-term lease arrangement.
- The site where the District warehouse is located could be offered for sale if the facility is relocated.
- Alderwood Middle School could be relocated to property the District owns contiguous to the Martha Lake Elementary site. The elementary school was constructed in a location that would allow a middle school to be constructed on the site, as well. The existing Alderwood Middle School site could be offered for long-term lease.

Don Kreiman, 24006 – 95th Place West, referred to Table 4 on Page 16 of the Edmonds School District Capital Facilities Plan. He pointed out that Woodway Elementary, which was built in 1962, has waited longer than any other school to be remodeled or rebuilt. However, it was not included on the list of capital project priorities as of December 7, 2004. He pointed out that, according to the District's building conditions and background data summary sorted by target date and building name, there needs to be an update or upgrade of this school by 2008. That means the school only has about three years of useful life left. No other school on the capital projects priority list has as little useful life remaining.

Mr. Kreiman said he understands that school facilities are not a matter for the Planning Board, but he recalled that not long ago, the City of Edmonds spent \$180,000, the State of Washington granted \$150,000 and the School District spent \$58,000 to construct sidewalks and repave a parking lot to provide safer access for the children who walk to this school. He expressed his concern that the City, the State and the District may have wasted their meager funds if they will not properly maintain Woodway Elementary. He reminded the Board that the District has to provide documentation that it has petitioned every city and/or county they serve in order to be eligible for impact fees or mitigation from the County when their capital facilities plan become part of the City's Comprehensive Plan.

Mr. Kreiman suggested that the Board ask the District the following questions:

- Why is an elementary school within Edmonds not a capital project priority?
- Will the District reimburse the City for the cost of sidewalks if Woodway Elementary closes?
- What are the consequences to the City of Edmonds if the school is closed?
- Shouldn't the City receive notice in advance if a school within their boundaries is closing?

Doug MacWilliams, 8204 – 181st Place Southwest, said he has lived in Edmonds since 1981. In the early 1980's he attended a series of District meetings in which they projected the population of students would drop and they were closing schools. The residents thought the District was crazy because of all the new development that was occurring throughout the

community, and the District ended up with a major problem by the late 1980's. He urged the Board to look around at all of the condominiums and apartments that are being built in the area. He said he can't believe all the people who will live in these units would be childless couples. He suggested that the Board take the District's student growth projections with a grain of salt.

Mr. Carlstad responded that forecasting future student enrollment is difficult, but the District's estimate represents their best forecast for what enrollment will be in the future. They update their plans frequently, and this includes a review of the projected student populations.

Mr. Carlstad clarified that the District does not have any active plans to close Woodway Elementary, and they would not be able to sell the property since it is on a parcel of land that is also occupied by the Madronna K-8 Program. It was purchased from the Department of Natural Resources, and there are restrictive covenants that apply to the site. He agreed with Mr. Kreiman that the walkways near the school were recently improved, and the District also worked with the City to complete parking lot improvements and circulation at the school. He said he takes exception to the characterization that Woodway Elementary has not been well maintained. He said he appreciates Mr. Kreiman's perspective that the school needs to be modernized and potentially upgraded. However, he is not qualified nor able to speak to specifics as to why Woodway Elementary is not on the list except to say that the list and needs for school buildings in the District have been discussed at numerous meetings open to the public, and the public has been highly encouraged to provide their comments about what should be on the list. The rating of projects was done by the District's Capital Construction Office, and he urged Mr. Kreiman to contact this office for additional information.

Mr. Kreiman again asked if the City would be reimbursed for the money they spent to improve the walkways if the District decides to close the school in the near future. Mr. Carlstad answered that if the school were to close, a lengthy public process would be required to allow the public ample opportunity to provide comments. He said the parking lot work was done through an interlocal agreement between the City and the District and there are likely provisions for reimbursement if the District were to close the school.

THE PUBLIC PORTION OF THE HEARING WAS CLOSED.

Board Member Dewhirst expressed his concern that access to schools has not been addressed in the proposed CFP. He felt this would continue to perpetuate the current problems. He suggested it would be appropriate for the District to include language regarding their expectations for how the children would get to school. Mr. Carlstad explained that the District completed a non-project SEPA action on the entire plan, and access was addressed as part of the SEPA Checklist. He said that every project the District does must undergo a specific project review and this includes the identification of specific infrastructure improvements as needed for the program and as imposed by SEPA and the ruling jurisdiction. He further explained that the CFP does not include the broad scope policy goals. It is a fairly technical document that looks at existing facilities, enrollment projections, etc. and draws conclusions based on this information.

Chair Young expressed his opinion that figuring out how to get kids to school is not a visionary issue. Mr. Carlstad said that when reviewing school programs and how to get kids to the facilities, it is important to remember that the District does have a busing program. They also take advantage of Community Transit buses and kids also walk to school. The circulation on each site is handled on a project specific basis as a proposal moves forward. It would be difficult for the District to talk about on and off-site infrastructure improvements that may or may not be necessary as part of their CFP because the necessary funding to complete the projects is not yet in hand.

Board Member Dewhirst recalled that in other jurisdictions he has worked for, the Edmonds School District has said they do not have money to provide the needed infrastructure because it was not included in their bond issue. If there were an overriding plan for access to schools, there would be a better understanding about how access could be provided. He pointed out that walking to school would be a significant issue in the State over the next five years. Because the State pays for the buses, choosing whether or not a child walks to school may no longer be an option in the very near future. He suggested that as the District remodels existing schools, it would be appropriate for them to provide a plan for how the kids would get to the facility. He agreed that there are a lot of specifics that depend on the type and size of school, but there should also be an overriding policy for getting kids to school. Mr. Carlstad pointed out that this type of information is contained in the

APPROVED

District's Transportation Policies for each school rather than the CFP. In addition, the City provides a map of the official walking routes for all of its schools, and they work with the City for placement of crosswalks, etc. Mr. Gebert, City Engineer, indicated that the District's Transportation Department does work with the engineering staff on issues of this nature.

Mr. Carlstad said he couldn't recall a time when the District declined to provide a necessary light, crosswalk, etc. because they did not have money and it was not included in their bond issue. Pedestrian circulation is considered as part of the traffic study, and the District completes the infrastructure that is requested and imposed upon them by the jurisdiction whether they have the money for the project in the bond or not.

Chair Young suggested that it would be easier for the Board to consider the District's request that the City adopt a mitigation fee ordinance, if they had a clear understanding of what the District's pedestrian circulation policies were. Yet the CFP does not include any information regarding the policies.

Mr. Carlstad pointed out that there are plenty of schools in the district that provide good sidewalks and slow streets for children to walk to school. The issue of children not walking to school is not generally related to the infrastructure. While the District encourages parents to let their kids walk or ride the bus, the trend is for parents to drive their kids to school. He said the District has and will continue to work with jurisdictions to improve the infrastructure around their facilities. The District works hard to leverage their funds and he does not believe they have shirked from their mandate to do pedestrian improvements both on and off-site as buildings are remodeled.

Board Member Crim said that while the CFP indicates that the District needs a new high school or middle school, it does not include any specific plans for the project. He pointed out that the City's Capital Improvement Plan identifies specific project plans. Mr. Carlstad said the CFP speaks of the need to relocate the existing Lynnwood High School, but the District does not have plans to add any additional schools at this time since their enrollment is declining.

BOARD MEMBER CRIM MOVED THAT THE BOARD FORWARD THE EDMONDS SCHOOL DISTRICT #15 CAPITAL FACILITIES PLAN UPDATE FOR 2004 – 2009 TO THE CITY COUNCIL WITH NO RECOMMENDATION. BOARD MEMBER DEWHIRST SECONDED THE MOTION. THE MOTION CARRIED 5-2, WITH BOARD MEMBERS CASSUTT AND GUENTHER VOTING IN OPPOSITION AND BOARD MEMBER HENDERSON ABSTAINING.

PUBLIC HEARING ON THE CITY OF EDMONDS CAPITAL IMPROVEMENT PLAN (CIP) UPDATE FOR 2005 – 2010 (FILE NUMBER CDC-05-28)

Don Fiene, Assistant City Engineer, explained that the Capital Improvement Plan (CIP) is intended to be the City's long-range planning tool and spending blueprint. It outlines the City's resources and how future funds would be spent. As per the Growth Management Act requirement, the CIP is updated yearly based on input from staff, the constituents, science and a logic-based prioritization of projects. He advised that the CIP includes 11 different funds and a spreadsheet was prepared for each, showing the projects and cash balances on a year-by-year basis. In addition, staff has developed a project description for each of the major projects. He specifically reviewed the following funds:

- **Fund 112 – Combined Street Construction Improvements:** Sources for this fund come from the motor vehicle tax, federal and state transportation grants and traffic impact fees. With the passage of I-776 the City's ability to collect vehicle register fees was eliminated, and the funds in this account were reduced by about 46 percent. Heavy cuts have had to be made, including the City's overlay program, which has changed from a 38-year program to a 70-year program. The City Council recently approved a traffic impact fee that should help the situation somewhat.

Mr. Fiene provided a chart showing how the City has and would continue to fall behind in funding for projects identified in the City's Transportation Plan. He said the chart illustrates the difference between the amount of funding needed and the amount available. The City Council directed staff to develop a plan to finance the needs that were recognized. But when this plan was submitted to the City Council, the only alternative they adopted was the traffic impact fee ordinance.

APPROVED

The remainder of the finance plan was deferred, and the City Council decided to wait for a State Legislative solution. Some of the options being considered by the State include implementing new registration fees, increasing the interlocal gas tax, street utilities and voter initiatives.

Mr. Fiene said one of the significant projects being funded by the 112 Fund and by State grants is the 220th Street Project, which will involve walkways, bicycle pathways, turn pockets, a wider road, etc. The project is scheduled to occur in 2005. Also, there is a plan to construct a walkway to link Westgate Elementary School to the 220th Street Walkway Project. In addition, the 96th Avenue walkway would be linked to both the 220th Street Walkway and Yost Pool. Another project on the docket is a stabilization project for 100th Avenue.

Mr. Fiene summarized that the transportation budget has a serious shortfall. The Mayor and the City Council are currently waiting for State Legislative action to resolve the problem. If the State does not take adequate action, staff feels the City must provide additional local funds.

- **Fund 113 – Multimodal Transportation:** This fund includes the relocation of the ferry terminal to the Point Edwards site to link ferries, busses, trains, and pedestrian and bicycle pathways in the same location.
- **Fund 116 – Building and Maintenance:** This fund was heavily impacted by the passage of I-697 and I-747. The funds for projects in this account come from the General Fund and have been cut by 44 percent. This shortfall was also discussed by the City Council, but no resolution was reached. The CIP calls for more money being drawn from the general fund in 2007 through 2010 to get the fund in better shape. He summarized that the lack of funds requires the City to defer maintenance of buildings, which could result in the deterioration of building assets.
- **Fund 125 – Parks, Open Space, Recreation, and Beautification:** Project examples for this fund include the proposed new skateboard park, the cultural arts center, and the ADA improvements.
- **Fund 126 – Special Capital Purchase and Acquisition:** Funds for these projects come from the real estate excise tax.
- **Fund 412 – Combined Utility Construction Improvements (water, drainage, sewer and treatment plant):** The utility funds are doing much better than most of the other City funds. He noted that the projects found in the drainage fund are all identified in the 2003 Stormwater Comprehensive Plan. The sewer projects are identified in the 2000 Sewer Comprehensive Plan that will be updated in 2006. He reported that the utility rates were recently reviewed, and staff anticipates slight increases that are below the rate of inflation. He briefly described some of the projects that are planned for each of the various utilities.

Mr. Fiene summarized that many transportation projects have been cut from the CIP because of serious funding shortfalls, but the other funds appear to be meeting the minimum future needs. He recommended the Board approve the CIP as proposed. He noted that a City Council hearing is scheduled for April 5th.

Roger Hertrich, 1020 Puget Drive, noted that the graph prepared by the Engineering Division appears to be a straight line to illustrate the rate of inflation but the cost of steel and fuel has basically doubled. These costs have increased so much that at the City Council Retreat, Council Member Earling said the Arts Center Project is increasing by about \$60,000 each month. Unfortunately, this same thing applies to the 220th Street Project. It has been reported that the project is in dire straights because the City doesn't have enough money. He questioned why the project has not been started yet, since it has been discussed for the past two years. Now the costs will be much greater. He pointed out that the 220th Street Project proposal includes funding for a traffic signal at the 9th Avenue intersection. He suggested that perhaps this part of the project could be deferred to another year if money is constrained.

Mr. Hertrich questioned the City's policy for writing grants. He asked if the City has staff on board who can locate opportunities and write grant applications. He noted that the purchase price for the waterfront acquisition was \$500,000, which is funding the City receives from the excise tax. Now there is funding identified for partial purchase of a school site. Unfortunately, the City did not submit any grant applications to help fund the waterfront acquisition, since this would have allowed them to retain some of their funding to purchase the school site. The fact that the City did not look for grant

opportunities, coupled with the fact that the 220th Project has been left to slide for so long, has cost the City about \$1 million. Mr. Hertrich said that while the City likes to blame Mr. Eyman for their situation, they must recognize what is going on in the world and stay abreast of writing grants, etc. As a taxpayer, he said he feels the City's current system is not very efficient. He cautioned the Board to ask questions. If they do not do everything they can to have the highest efficiency in the City, they will continue to loose and have less and less money. The citizens would be taxed very heavily in the future.

Don Kreiman, 24006 – 95th Place West, said he has a totally different view of how the City operates than Mr. Hertrich expressed. He recalled that, as noted by the staff at the last meeting, most cities spend about 70 percent of their general fund to support transportation projects. But the City of Edmonds does not provide any general funds for transportation projects. He noted that the City of Lynnwood has a strong commercial base, which provides a significant amount of sales tax revenue. The same is not true for the City of Edmonds. Edmonds cannot afford to spend as much as Lynnwood for walkways and roads. The City must face the fact that while they do a good job of managing the money, they do not have enough. The City Council could consider opportunities to improve their sales tax base, but they clearly decided not to go in that direction. He summarized that the City does not have as much money coming in from sales tax revenue as other cities and they must look at ways to change this fact. The staff of the City is doing a great job with the amount of money they have to work with.

Rowena Miller, 8711 – 182nd Place Southwest, said there are a lot of citizens who are really interested in the City maintaining Yost Pool. Since people tend to drive their kids to school, she suggested that fewer sidewalk projects could be done so that the necessary funding is available for the pool. This would also be a good way to increase the sales tax revenue because a lot of people leave the pool and go to Edmonds to spend money in the restaurants and shops.

THE PUBLIC PORTION OF THE HEARING WAS CLOSED.

Dave Gebert, City Engineer, referred to Mr. Hertrich's comment regarding the projected inflation rate. He explained that staff attempted to show that even with the decline in the current revenues, it is even worse when inflation is factored in. Regarding Mr. Hertrich's concern about the increased construction costs and the time frame for the 220th Street Project, he explained that when the City started the design process, a planning level estimate was done based on the current construction costs and projected cost estimated. These initial estimates were completed in 2001 and 2002. Once the design was completed, a sharp pencil estimate of the construction costs was done, using recent history information from the Department of Transportation. This estimate turned out to be \$600,000 greater than the initial estimate. While Mr. Hertrich's observation is good, it does not represent a flaw in the City's system. He agreed that the 220th Street Project does have financial problems, and this was pointed out to the City Council recently. The shortfall is about \$600,000 if the bids come in consistent with the engineer's estimate. The staff has presented a number of options to the City Council to make up this shortfall, and one option would be to defer the signal at the 9th Avenue intersection.

Regarding Mr. Hertrich's concerns about the City's grant writing policy, Mr. Gebert said the engineer's estimate for the 220th Street Project was in the range of \$4 million. About \$2.4 million of the funding comes from a Transportation Improvement Grant, \$500,000 from a Federal Grant, and \$740,000 in low interest public works trust fund loans. A considerable amount of funding would come from the utilities involved in the project, as well. The 96th Avenue Walkway Project has a \$167,000 grant from the State. The 76th Street Overlay Project received \$117,000 in grant funding. The earlier phase of the 76th Avenue Project received about \$168,000 in grant funding. He said he would be happy to provide a copy of a report that tracks grant funding the City has received. The City does a significant effort in obtaining grant funding, but at the present time, they do not have enough local funds to make up the local match requirement. This limits the City's ability to apply for many grants, since grants typically require a local match of between 15 and 50 percent.

Brian McIntosh, Parks, Recreation and Cultural Services Director, explained that the City's decision to purchase the waterfront property was done fairly quickly, with some competition involved. The date for the retroactive grant application did expire. He further explained that staff tries to select grants that have the best chance of being successful.

Mr. Fiene added that other than road overlays and stabilization projects, all of the transportation projects identified in the CIP would require grant funding to get them done. Most of the grants applications are completed internally, and staff has been very successful in the past. However, the City does not have the necessary funding to provide the matching funds required for most grants. This seriously limits the City's ability to apply for grants.

APPROVED

Mr. Fiene referred to Mr. Kreiman's comments that the average jurisdiction funds transportation projects with about 70 percent of their general fund. The City of Edmonds does not receive any general funds for transportation capital projects. Mr. Kreiman compared the City of Edmonds to the City of Lynnwood, who has significantly more sales tax revenue. He pointed out that even Mountlake Terrace, who has fewer commercial properties, spends more than double the amount Edmonds does for roadway miles per capita. Mountlake Terrace uses a significant amount of their general funds for transportation projects, as well.

Chair Young pointed out that level of service (LOS) standards are described in the capital facilities element in the recently adopted Comprehensive Plan, as well as in the parks, transportation and utility elements. The LOS standards are used to assist the City in developing both long and short-range capital facilities projects. The Comprehensive Plan identifies a City goal to establish LOS standards for all City-provided services to meet the citizen needs. He questioned where the LOS standards are addressed in the proposed CIP. He noted that the walkway projects identified in the 112 Fund are consistent with the goals of the Growth Management Act to make the City pedestrian friendly and improve ADA accessibility.

Chair Young noted that \$10,000 is identified in the budget for ADA improvements on walkways, and he questioned how many ramps this would enable the City to construct. Mr. Gebert answered that the Washington State Department of Transportation has recently revised their standard to require a new design detail for ADA ramps and curbs. All City improvements would be done per the new design. The \$10,000 identified in the budget would only allow two or three ramps to be constructed. He noted that the City budget only includes \$5,000 for these projects, with the remaining \$5,000 coming from possible grant opportunities.

Chair Young asked how much of the \$250,000 identified for the Interurban Trail Project would come from grants. Mr. Gebert answered that this project would be funded largely, if not entirely, by grants. Chair Young said it is important for the staff to point out how these projects are consistent with the goals of the Comprehensive Plan. It is also important to point out that the CIP only identifies \$5,000 to improve ADA ramps to be consistent with the Comprehensive Plan.

Chair Young again expressed his concern that the proposed CIP does not include any discussion regarding LOS standards. Neither does it include a prioritization of what projects would fall off the list if grants do not come through. He applauded the staff for working on the Interurban Trail grants, and pointed out that it is difficult to obtain the necessary permits to construct multi-purpose trails of this type.

Chair Young asked who would pay the cost of the signal upgrades at 238th Street and 100th Avenue. He noted that of the \$100,000 estimated for the project, \$45,000 would come from grant funding. Mr. Gebert said the rest of the funding would come from the 112 Fund.

Chair Young asked what plan the City has to fix the revenues and cash balances. Staff is doing their best, but there isn't enough money available. It is important for the staff to point out to the City Council what they have to work with and what they cannot do because funding is not available. Mr. Gebert said staff has presented potential solutions to the City Council. With the exception of the traffic impact fee, the elected officials opted to wait and see what actions the State Legislature would take to solve the problems. When the CIP is presented to the City Council, the same information that was provided to the Board would be presented to the City Council. The staff has presented a menu of options for the City Council to consider for making up the funding shortfall, and it is up to the City Council to decide what should be done.

Board Member Works inquired if there has been any indication from the State Legislature that they will act on the matter this year. Mr. Gebert said there is a long list of things the State is considering. For example, a street utility tax would be helpful to the City, but the information they have received thus far indicates that it is not likely to be implemented. The staff does not know what options would be implemented, if any, by the legislature.

Chair Young reported that the re-imposition of the State vehicle registration fee is being strongly considered. He also heard that the real estate excise tax could be extended. These would be the least controversial options and the most flexible for transportation revenue sources. He said he hopes the City Council would track each of the options being considered to

determine those that would work best for Edmonds. It is important that they are ready to move forward to implement the options that are adopted by the State.

Board Member Freeman noted that there are plans to spend all of the money identified in the 112 Fund. She questioned where the City would find money to make emergency repairs to roads, if necessary. Mr. Gebert answered that a disaster type of emergency situation could be corrected using FEMA Grant opportunities. If something occurs that does not qualify for a FEMA Emergency Grant, the staff would identify projects that could be deferred or cancelled and the City Council would have to make a decision as to what has the greatest priority.

Board Member Freeman requested further information about the option being considered by the State to increase the excise tax. Mr. Gebert said his understanding is that the proposal is to raise the amount of excise tax that could be used for projects other than parks by ½ percent. While the State is considering this flexibility, it would still be up to the local jurisdictions to decide whether the funds should be used solely for park projects or not.

Chair Young expressed his concern about forwarding a recommendation of approval for the proposed CIP to the City Council when the document is not consistent with the goals of the Comprehensive Plan.

Board Member Freeman asked how many of the projects identified in the CIP actually get accomplished. Mr. Gebert answered that not all of the projects get done, but the City staff tries their best. Sometimes projects slip from one year to the next. He estimated that their track record for executing the utility projects is about 75 percent, and the percentage is slightly higher for transportation projects. Mr. McIntosh said the Parks and Recreation Department is challenged in finding manpower for project management. A considerable number of the projects are carried over to subsequent years with the money going forward to the next year, as well.

Board Member Dewhirst recalled that last year when the Board was considering the Highway 99 Project, they sent a letter to the City Council asking them to include funding in the 2005 budget to implement the recommendations made in the Highway 99 Study. He asked if this study was actually funded. Mr. Gebert reported that staff has prepared a scope of work and request for qualifications. The intent is to solicit proposals from consultants. He said he does not recall where in the budget the funding is located, but he could find this information for the Board. Board Member Dewhirst expressed his belief that this type of study could end up generating more tax revenue for the City.

Chair Young pointed out that the projects identified in the 116 Fund are very important, yet many of them rely heavily on grants every year for the next five years. He asked if these grants are in hand. Mr. Fiene said that largely, they are not. But they are necessary in order for the projects to move forward. A lot of them are HUD grants and State Emergency Improvement Loans. Chair Young said it is important that at the City Council hearing, staff emphasize that the CIP proposes to maintain the buildings with grant funding that has not yet been secured. While these projects are not exciting, they are absolutely essential.

Board Member Cassutt pointed out that ADA ramp improvements are identified in both the 112 Fund and the 116 Fund. Mr. Fiene explained that the improvements identified in the 116 Fund are for ramps leading to City owned buildings.

Mr. McIntosh reported that grant funding for the Senior Center Window Replacement Project is in hand, and a \$200,000 HUD Grant has also been secured for more enhancements at the Senior Center. Chair Young encouraged the staff to present this information to the City Council, too.

Board Member Works requested clarification about the Civic Center Complex Improvements that are identified in the 125 Fund for the skate park. Mr. McIntosh said the \$200,000 line item is for non-site specific construction because the Civic Center location is still just a proposal.

Board Member Cassutt pointed out that funds to purchase the old Woodway Elementary site are identified in both the 125 and 126 Funds. Board Member Dewhirst explained that one is to purchase the property and the other is to improve it. Board Member Cassutt suggested that since the City has not even purchased the property yet, perhaps the money identified for

improvements could be used for something else. Mr. McIntosh explained that there are a number of sites the City does not yet own, but there is money identified in the budget in case opportunities arise to acquire and develop the properties.

Chair Young referred to the 412 Fund and recalled that staff projected the rate increase for utilities would be less than the rate of inflation. He questioned how staff plans to keep up with maintenance and replacement costs. Mr. Fiene said a rate study was recently completed. In the sewer and treatment plant accounts, bonds would be retired in the near future, and this should help considerably. The rest relies on the City being diligent on a fiscal year-by-year program rather than letting the system deteriorate. Recently, the City implemented a sewer, storm, and water connection fee that has helped the program, as well. The rates would be reviewed again in 2005.

Board Member Dewhirst expressed his belief that the staff did a good job of creating the CIP, but the dire situation just keeps repeating itself year after year, and the problem continues to grow. He said he is concerned about maintenance (Fund 116), and he would like the Board to send a very stark message to the City Council that they cannot continue in the current pattern. He also said it is important for staff to clearly point out to the City Council all of the grants that have been received by the City, and those they anticipate receiving in the future. He pointed out that if the grant numbers were removed from the CIP, the situation would be even bleaker. Before the City ends up in a drastic situation, the City Council must take another hard look at how they prioritize their funding.

As a wake up call to the City Council, Board Member Dewhirst suggested that the Board recommend denial of the CIP, and place it in the City Council's hands to consider what needs to be done to fix the situation. Board Member Cassutt agreed. She said every year the Board rubber stamps the CIP document and forwards it to the City Council without addressing the problems that continue to occur year after year.

Board Member Freeman asked the staff to identify the grant opportunities that would require a local match. Board Member Dewhirst said this would be difficult to do because every type of grant has a different minimum requirement. He said it is important to note that even though there is a minimum requirement for matching funds, very rarely would the City play in an arena where every jurisdiction would only be able to provide the minimum amount.

As per Board Member Dewhirst's suggestions, Board Member Crim agreed that staff should identify the grants the City has in hand and those they are anticipating. Mr. Fiene suggested that the grants could be identified by highlights on the spreadsheet. The Board agreed it would be helpful to highlight the grants to better identify the scope of the problem.

BOARD MEMBER DEWHIRST MOVED THAT THE BOARD SEND THE 2005 SIX-YEAR CAPITAL IMPROVEMENT PLAN TO THE CITY COUNCIL WITH A RECOMMENDATION OF DENIAL BASED ON THE ESTABLISHED RECORD AND THE COMMENTS CONTAINED THEREIN. BOARD MEMBER CASSUTT SECONDED THE MOTION.

Board Member Crim said it is important to note that the Board's motion is not meant to denigrate the efforts of the staff, but to send a clear message to the City Council that the problems need to be addressed.

THE MOTION CARRIED UNANIMOUSLY.

THE BOARD TOOK A TEN-MINUTES BREAK AT 9:30 P.M.

PUBLIC HEARING TO AMEND CHAPTER 16.20 OF THE EDMONDS COMMUNITY DEVELOPMENT CODE (ECDC) ADDING NEW RS-10 AND RS-MP ZONING CLASSIFICATION AND TO CONSIDER ZONING CHANGES TO BE CONSISTENT WITH THE COMPREHENSIVE PLAN (FILE NUMBERS CDC-05-33 AND R-05-34)

Mr. Chave explained that there are two parts to the public hearing. The first is an amendment to the ECDC adding a new RS-10 (Single-Family Residential – 10,000 square foot lot size) zoning classification and a new RS-MP (Single-Family Master Plan) zoning classification. The second item would be to consider changes in zoning for the following properties:

APPROVED

- An RS-12 zoned area northwest of Sherwood Elementary lying along SR-104. The proposal is to change the zoning from RS-6 and RS-12 to RS-MP.
- An area lying generally south of Southwest County Park, east of 94th Avenue West, west of 80th Avenue West and extending south to 196th Street Southwest. The proposal is to change the zoning from RS-12 to RS-10.
- An area lying generally between 8th Avenue South and 98th Avenue West from Pine Street to 220th Street Southwest. The proposal is to change the zoning from RS-12 to RS-10.

Mr. Chave reminded the Board that as part of the recent Comprehensive Plan Update, the State required the City to review their single-family zones to make sure the densities were meeting an urban requirement of four units per acre. The City found that many of their RS-12 and RS-20 zones did not meet the State's density requirement. When updating the Comprehensive Plan to address this issue, the Board reviewed patterns of critical areas within the City and found that many are located near patterns of critical areas. In these situations, the Board felt there was justification for retaining the large lots. But where there were no critical area patterns, they agreed that the zoning would have to be changed. The three areas identified for change are those that did not correspond with the presence of critical areas. He pointed these areas out on the map and reminded the Board of their recommendation to the City Council that the Comprehensive Plan update identify these areas as needing a zoning change to meet the Growth Management Act requirements. The City Council agreed that a change in zoning would be appropriate, but they agreed that the change must be done in a manner that would have minimal impact on the historical development of the City. The Board recommended the new RS-10 zoning designation to create a single-family zoning classification that would meet the Growth Management Act requirements but have a minimal impact. The same approach and intent was used to create the RS-MP zoning designation, as well.

Mr. Chave explained that the proposed RS-10 zoning classification would specify a minimum lot size of 10,000 square feet, with side setbacks that are consistent with the RS-8 zoning classification and extremely close to the side setback requirements for an RS-12 zone. The RS-MP zoning classification would have a two-step set of standards. The set of standards identified on the table in Section 16.20.030 would be applied if no master plan were prepared for the properties. These standards would be essentially the same as those that apply to the RS-12 zoning classification. If a property owner were to prepare a master plan for the site, additional density would be allowed to the level of RS-6 or RS-8 zoning standards. He noted that a master plan would require a traffic study to show that there would be no significant impacts to SR-104. Also, the RS-12 setback requirements would be applied to those properties that abut RS-12 zoned properties. He summarized that the goal of the RS-MP classification is to allow the City and the property owners to address the access issues associated with the property's proximity to SR-104.

Mr. Chave noted that due to the lateness of the hour, some of the people who came to the meeting to speak on this issue had to leave. He said one gentleman indicated his support for the proposed RS-10 zoning classification and felt it would be a good way to meet the Growth Management Act requirements. He said he also received a letter from Mr. Doug MacWilliams, who asked him to read his comments into the record as part of the public hearing. In addition, he said the Board received a letter from the Master Builder's Association saying they felt the RS-10 zoning classification would not allow enough density because in many situations a property owner wouldn't be able to meet the 10,000 square foot lot size because of critical areas on properties. However, Mr. Chave noted that the City's Planned Residential Development (PRD) Ordinance would allow properties with critical areas to achieve their maximum density allowed.

Susan Brooks, 10406 – 226th Place Southwest, said her property is one of those being considered for the new RS-MP zoning designation. She said her understanding of the proposal is that the rezone would only allow single-family development to occur on these sites and would not allow properties to be redeveloped into multi-family units. Mr. Chave answered that no multi-family development would be allowed in an RS-MP zone. Ms. Brooks expressed her concern about the many changes that are taking place in her area. Her neighborhood has spoken to the fact that the lots are getting smaller, and this results in more traffic, more development and fewer trees. She concluded that changing the lot size requirements to allow lots to be smaller would not be good.

Bee Wilson, 1033 – 9th Avenue South, said her property is located within the central area that is being considered for a rezone from RS-12 to RS-10. She expressed that she is concerned about the change that is being proposed for the side and rear setback requirements. This is a drastic change for the size of the lots in this area. She said she recently walked down

Pine Street and noted that the closeness of the homes that are being constructed on the north side is troubling. She pointed out that some of the residents of existing homes are choosing to sell because of the close proximity of the new development. She said she is a new resident of Edmonds, and she is scared about how the proposed change would impact her neighborhood. She said she moved to Edmonds with the hope of peace and serenity, and she didn't think she would have to worry about neighboring homes being built close to hers. She agreed with Ms. Brooks that reducing the setbacks would make a big difference to the existing property owners. She asked that both the setback requirements and the lot width requirements remain consistent with those required for an RS-12 zone.

Roger Hertrich, 1020 Puget Drive, agreed with the previous two speakers that the setback requirements for the RS-10 zone should be consistent with those required for an RS-12 zone. He pointed out that if an RS-20 lot were rezoned to RS-10, the property owner would be able to subdivide the property, thus increasing the density of the neighborhood. Not only would this result in an extra two cars of traffic, but it would also allow buildings to be constructed closer together. Mr. Hertrich said he endorses the use of RS-10 zoning, but he does not know how many actual units would be created by the change. He said it would have been beneficial for the staff to come up with a number to identify the additional lots that could be created, since the change is intended to help the City meet the Growth Management Act requirements.

Mr. Hertrich expressed his concern about the proposed RS-MP zoning classification. He pointed out that the standard for the Growth Management Act is four units per acre, but the RS-MP zoning classification would exceed this standard. Allowing RS-6 and RS-8 zoning on these properties, along with the option of creating a PRD, would be a shock to the existing neighborhoods. He said he does not believe the Board has enough basic information about the proposed change to support it. The proposed PRD takes care of development constraints without making the zoning denser. It would be more appropriate to change the zoning in this area to RS-6 and then have requirements for where the curb cuts could go, but the combination of RS-12 and RS-6 would not be good. It would result in more houses, smaller lots and more traffic. If the City were concerned about traffic, it would be better to have larger lots and less traffic in this area. Again, he said that if the Board feels an RS-6 zoning designation is warranted for the property, they should just make the change to RS-6 rather than RS-MP. He suggested that there is not enough reason to support the change as proposed.

Mr. Hertrich referred to Page 53 of the Staff Report and suggested that the proposed change represents spot zoning, and much of the proposed language would not be enforceable. He suggested that there should be separate design guidelines for single-family residential development.

Jule Williams, 831 Pine Street, said she owns one of the homes for sale that was referenced by a previous speaker. The neighboring property owner's deck looks right into her master bedroom window, den, etc. She said she has lived in her home since 1981. She said she feels awkward speaking before the Board because she was not prepared to do so. She was unaware of the zoning change that was being proposed until she received notice of the hearing, and she assumed it was the first of many hearings on the proposal. She said she came prepared to be educated and to listen. Now she finds that the proposal has been on the table for quite some time.

Ms. Williams said she could appreciate that the Growth Management Act requirements are not negotiable, but she questioned if there are other alternatives the City could consider that would still reflect the GMA requirements rather than the selective zoning of these three areas. She said it seems that anyone who owns property in the new RS-10 zoned areas is unfortunate, indeed. She said she is unclear about why a 10,000 square foot lot could be made into property that allows four units per acre when a 12,000 square foot lot could not be made into two 6,000 square foot lots. She expressed her concern that people who have very influential properties and a great deal of money can back up their preference and obtain exclusivity to the zoning that people on little "bread and butter" lots do not have.

Again, Ms. Williams asked if there are other alternatives that could be used to implement the GMA requirements differently. For example, anytime a building permit is requested of the City, the property involved could be evaluated in terms of the GMA requirements. This seems a little more equitable than penalizing one geographic subset of the community and targeting it with the burden of meeting the GMA requirements. She said she knows there are no easy answers for this situation that can satisfy everyone. But she respectfully asked the Board to consider other interpretations for the Growth Management Act requirements that would allow for more equitable distribution of the problems.

Mr. Chave distributed copies and then read the following letter from Doug and Melodee MacWilliams into the record:

"We bought our home with the assumption that zoning was locally controlled and steadfast. The character of our neighborhood and size of its lots was, and continues to be, as important to use as the heights of buildings downtown are to others. If we had wanted to live in a dense urban community, we would have bought in Wallingford or a similar Seattle Neighborhood. We chose not to live in an urban setting and selected Edmonds because it was a suburban community with open space, wildlife, trees, solitude, privacy, good schools and a sense of community. Now we are informed that under the Growth Management Act the State classes Edmonds as urban and requires at least four single-family residential lots per acre.

I examined the map that Planning Manager Robert Chave mailed us and have visited the Planning Department to ask questions and look at its larger maps for context. The properties that are proposed for rezoning are surrounded by many lots larger than 12,000 square feet that are apparently not being considered for rezoning. The Senior Planner that I talked to said this was an attempt to exempt those properties bordering on green belts and hazard areas to provide a buffer to protected areas, but as a former National Forest Supervisor, I can assure you that it requires far greater acreage than you have proposed to assure protection of the values and sanctity of habitat inherent in those zones. Likewise, I noted the sizes of the large, expensive waterfront properties are in excess of the sizes of the lots that are being targeted for rezoning. It does not feel like all Edmonds property owners are being treated equally.

The Planning Manager's letter indicated that the change in zoning from RS-12 to RS-10 is not likely to have a significant impact on the actual development pattern of our area. Most lots are already developed. . . If this is so, then why go through the charade of changing the zoning? While I can understand the response that there will likely be no short-term effect, I am distrustful of what the future may bring. In fact, your Senior Planner felt compelled to ask the County Assessor about the tax implications of residences sited on lots larger than the zoned square footage. While the assessor indicated he had no current intentions of imposing an additional tax on the area that, by definition, would become excess to the authorized lot sizes, he did not say that it could not occur in the future. Likewise, what is to prevent some future parties from requiring that we give up part of our property to complete a new lot made up of parts of our neighbor's property so that population density goals are actually achieved? We would rather retain the legal provisions that were in effect when we decided to make our home here.

We have resided in Edmonds since 1981. When we first moved her, we had quail in our yard. I could hear owls at night (and one evening called five owls into our yard). Pileated woodpeckers frequented dying trees in our neighborhood. Since then, fifteen houses have been built on properties within a stone's throw from us. Of course, many more have been built just a little out of my throwing reach. We expected that the neighborhood would change, but we knew we had the protection of the RS-12 zoning which would minimize the impact. . . and we knew that the community valued the same characteristics that we chose. Regardless, we no longer have quail in the neighborhood; owl calls are rare; and the mix of songbirds attracted to the neighborhood has changed. We no longer see coyotes, red squirrels, raccoons, or deer. Does your environmental analysis fully describe and mitigate for probable additional losses? Remember that the most productive wildlife habitat was, and is, coastal habitat like we have in Edmonds, not the habitat of the high mountains.

I have a number of questions that still have not been answered to my satisfaction:

- *How was this rezoning area selected and why were other areas excluded?*
- *How is density calculated? With all the condominiums and apartments being constructed in Edmonds, why can we not argue that our density meets the State's GMA density requirements? If we cannot, then why permit more high-impact condominium/apartment development at the expense of our schools and our communities?*
- *Why should Edmonds accede to a State threat when the actual effect of changing the zoning will have little actual effect? One of the considerations in reviewing rezoning is whether there has been sufficient change in the character of the immediate or surrounding area or in City policy to justify the rezone (ECDC 20.40.010.C). The only thing that seems to have physically changed is that the population density of Edmonds has increased, even under the existing zoning. This proposed rezoning does nothing to effect that.*

APPROVED

- *While the City may face a threat from the State for not complying with the GMA, it seems that there is much that can be argued based on ambiguity of the law, otherwise Edmonds would not be able to defend the proposed status quo zoning of the unchanged properties. There is also much to be argued based on equity. Local zoning and local control over the future character of the community is best left to the community. Do we want the State to be able to dictate the heights of buildings in downtown Edmonds? We were willing to fight the fight over Brightwater, why not fight the fight over the character of our community?*
- *Another issue facing the City in considering rezoning is the relative gain to the public health, safety and welfare compared to the potential increase or decrease in value to property owners (ECDC 20.40.010.F). I submit that the value of the property owners in most cases is not positive, and since the City acknowledges that the practical effect will be no significant impact on the actual development of the area, there are no gains in the public health, safety and welfare from rezoning these properties.*

Is this hearing really an attempt to measure the citizens' views, or is this already a done deal? Are we wasting our time? We do not want to be dictated to by a State mandate precipitated by the citizens of Seattle/King County who chose to live in an urban environment while asserting their views on the rest of us. Please do not rezone our properties from RS-12 to RS-10."

THE PUBLIC PORTION OF THE HEARING WAS CLOSED.

Board Member Crim clarified that the City is not zeroing in on one particular area of the City at the expense of others. He pointed out that the properties that surround the subject areas are already zoned RS-8. He reminded the Board that the Growth Management Act requirements are not negotiable. The Board is going through an exercise that would allow the City to meet the GMA requirements with as little impact as possible to the citizens of Edmonds. He recalled that a number of the public hearings related to the Comprehensive Plan Update dealt with concerns raised by the citizens about the RS-10 zoning proposal. He pointed out that steep slopes and other critical areas in the north part of the City made other properties less desirable for a rezone since they would not be capable of accommodating the greater density. He referred to excerpts from the Comprehensive Plan that was recently adopted. He reminded the Board that the Comprehensive Plan is not meant to be site specific. It is a policy document. The Board must now consider changes to the ECDC to implement the policies identified in the Comprehensive Plan.

Board Member Dewhirst said he would support changes to the proposed side setbacks for the RS-10 zone. He felt the side setback requirements should be 10 feet, which is consistent with the setback requirements of the RS-12 zone. However, he felt a 5-foot reduction in the rear setback requirement would be acceptable.

Board Member Dewhirst expressed his concerns about the proposed RS-MP zoning classification. He referred to Page 4 of the staff report, which states that development in this zone may be approved at RS-12 standards without an approved master plan. An approved master plan is required before development could occur at RS-8 or RS-6 densities. If the staff is recommending RS-10 zoning for the other two areas, he questioned if RS-10 would be appropriate for the area near Paradise Lane, as well. He said he does not understand the point in allowing a master plan to increase the density to RS-6 or RS-8. He felt the RS-MP zoning classification would be inconsistent with what they are trying to achieve.

Board Member Dewhirst recalled that there is currently a bill before the Legislature that would change the 4-unit per acre requirement to an average across the community. The bill is being proposed by the cities of Bellevue and Mountlake Terrace so they can keep their large lot zoning. He said he would like to postpone a recommendation on the proposed rezones until a decision has been made on the bill. Mr. Chave pointed out that the Legislative session does not end until after the City must consider the rezone change. The development regulations have to be consistent with the Comprehensive Plan, which calls for the change at this point. The regulations have to be in place and consistent or the City cannot apply for public works grant funding. The deadline for these grant applications is May 9th. If the current bill is approved by the Legislature at some point in the future, the City could reevaluate the Comprehensive Plan and the ECDC.

Chair Young said he understands the rationale for the change from RS-12 to RS-10 and that it would have a minimal impact on the community, but he would support Board Member Dewhirst's recommendation to change the setback requirements. Mr. Chave agreed that it would be reasonable to retain the side setback requirements of an RS-12 zone. The lot width requirements could also be changed to 75 feet, which would be in between the RS-12 and RS-8 requirements.

Chair Young asked Mr. Chave to refresh the Board's memories about why the RS-MP zone is being proposed. Mr. Chave explained that the bulk of the property that is being considered for RS-MP zoning is currently zoned RS-12. The Growth Management Act requires that the City not preclude urban development from occurring. But if urban density is to occur in this area, the City must address the historic concerns of the area because of its proximity to SR-104. That is why a traffic study would be required and the RS-12 setback standards would be maintained. The logic is that RS-8 and RS-6 zoning would be consistent with the surrounding zoning, but unless someone can show through a master plan that the higher density would be consistent with what is developed in the neighboring areas, the additional density would not be allowed.

Board Member Crim inquired about the review process for the RS-MP zoning designation. Mr. Chave said the Architectural Design Board would review PRD applications, and the Hearing Examiner would review all master plan applications. There is a heavy burden placed on property owners who want to obtain the additional density, but it seems reasonable given the location of the properties. Unless someone makes a proactive attempt to get through the master plan process, the RS-12 zoning would remain in place.

BOARD MEMBER CRIM MOVED THAT THE MINIMUM LOT WIDTH FOR THE NEW RS-10 ZONING CLASSIFICATION BE 75-FEET AND THE MINIMUM SIDE SETBACK REQUIREMENT BE 10-FEET. BOARD MEMBER WORKS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

BOARD MEMBER GUENTHER MOVED THAT SECTION 16.20.020 BE UPDATED BY CHANGING "FIVE" TO "SEVEN" AND BY ADDING RS-MP AND RS-10 TO THE END OF THE LAST SENTENCE. BOARD MEMBER CASSUTT SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

BOARD MEMBER DEWHIRST MOVED THAT THE BOARD FORWARD A RECOMMENDATION OF APPROVAL TO THE CITY COUNCIL FOR FILE NUMBER CDC-05-33 AS AMENDED, ESTABLISHING NEW ZONING DISTRICTS (RS-MP AND RS-10). BOARD MEMBER CRIM SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

Board Member Henderson asked if the City would be required to approve the proposed rezone applications in order to qualify for grant funding if the ECDC is changed as recommended in the previous motion. Mr. Chave said the City must rezone the lots to be consistent with the Comprehensive Plan, too. Chair Young suggested that the Board could make a recommendation for changing the RS-12 zones to RS-10, but they could wait to make a recommendation on the RS-MP zoning proposal since this would be an overlay for the current RS-12 zoning. Mr. Chave explained that the proposed changes would provide for a default if there were no master plan. In order to get the additional density, a property owner would have to go through the master plan process.

Board Member Henderson said he has a problem with rezoning the RS-12 lots just because they are part of a contiguous group of lots. If they look hard, they could find individual lots in the other RS-20 and RS-12 zones that could also be rezoned. Mr. Chave reminded the Board that rezoning lot-by-lot results in an inconsistent pattern with properties being zoned differently than each other. If each lot were zoned on a lot-by-lot basis, it would be difficult for property owners to know what the setback requirements for neighboring properties are.

Board Member Freeman noted that because surrounding property is already zoned RS-6 and RS-8, the proposed RS-MP zoning designation would be consistent.

BOARD MEMBER CRIM MOVED THAT THE BOARD FORWARD A RECOMMENDATION OF APPROVAL TO THE CITY COUNCIL FOR FILE NUMBER R-05-34. BOARD MEMBER CASSUTT SECONDED THE MOTION. THE MOTION CARRIED WITH BOARD MEMBER DEWHIRST AND HENDERSON VOTING IN OPPOSITION.

APPROVED

REVIEW OF EXTENDED AGENDA

No further comments were made regarding the extended agenda.

ADMINISTRATIVE REPORTS

Mr. Chave did not provide any administrative reports during this portion of the agenda.

PLANNING BOARD CHAIR COMMENTS

Chair Young did not provide any additional comments during this portion of the meeting.

PLANNING BOARD MEMBER COMMENTS

Board Member Dewhirst distributed copies of two articles regarding Oregon's Proposition 37. He also reported that there is another opportunity for Board Members to attend a workshop conference on "Community Built Gathering Places" on May 19th, and he provide a flyer containing the details of the event.

ADJOURNMENT

The meeting was adjourned at 10:40 p.m.

APPROVED