

APPROVED APRIL 9th

CITY OF EDMONDS PLANNING BOARD MINUTES

March 26, 2008

Chair Guenther called the meeting of the Edmonds Planning Board to order at 7:03 p.m. in the Council Chambers, Public Safety Complex, 259 – 5th Avenue North.

BOARD MEMBERS PRESENT

Cary Guenther, Chair
Michael Bowman, Vice Chair
Judith Works
Jim Young
Don Henderson
John Reed
Philip Lovell

STAFF PRESENT

Duane Bowman, Development Services Director
Rob Chave, Planning Division Manager
Karin Noyes, Recorder

BOARD MEMBERS ABSENT

John Dewhirst

READING/APPROVAL OF MINUTES

BOARD MEMBER WORKS MOVED THAT THE MINUTES OF MARCH 12, 2008 BE APPROVED AS CORRECTED. VICE CHAIR BOWMAN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

ANNOUNCEMENT OF AGENDA

No changes were made to the agenda.

AUDIENCE COMMENTS

Alvin Rutledge, Edmonds, provided the Board Members with a copy of an agenda from a meeting that was held in 1998. He noted that the agenda provided two opportunities for the public to comment before the Board. In addition, it provided an opportunity for staff and Board Members to report on City Council and Architectural Design Board activities. He suggested the Board consider using this old format for their future agendas. He stressed the importance of allowing the public ample opportunity to speak.

REPORT BY ABHL ON LOW-IMPACT DEVELOPMENT RECOMMENDATIONS AND AN UPDATE ON THE CODE RE-WRITE PROJECT

Mr. Bowman advised that he would combine his report on the code re-write project and the low-impact development recommendations since they are interrelated. He reminded the Board that in the spring of 2006 the City of Edmonds joined seven other cities in a pilot project to examine their municipal codes to draft potential regulatory changes to implement the use of low-impact development techniques. The pilot project was funded by the Puget Sound Partnership and managed by ABHL consultants. City project staff was Daman Roth, Drainage Engineer, and Steve Bullock, Senior Planner. However, neither of these individuals is employed by the City at this time.

Mr. Bowman referred the Board to the executive summary of the report prepared by ABHL Consultants, which identifies recommended changes to the Edmonds Community Development Code (ECDC). He advised that staff is working to implement the recommended changes in light of the code re-write project, and they also need to address the impacts of development on stormwater and the environment as part of the responsibilities associated with their National Pollution Discharge Elimination System (NPDES) Phase II Permit. He asked the Board Members to review the document in preparation for a future discussion, and noted that ABHL Consultants has been invited to conduct a work session with the Board in May.

Mr. Bowman advised that he and Mr. Chave have been working to renumber ECDC Chapter 17. Their goal is to move the permit review criteria from ECDC Chapter 20 to ECDC Chapter 17. He noted that staff is considering the option of eliminating the PRD concept and making it a special form of subdivision called a "Platted Low-Impact Development Subdivision). For this element, staff would focus on code amendments that would implement the low-impact development concepts identified in the report. Mr. Bowman further advised that while amendments to ECDC Chapter 18 are related to the public works section of the code and could go straight to the City Council, staff felt it would be appropriate for the Board to review the proposed amendments as part of the entire package of amendments that would be forwarded to the City Council for review and approval.

Mr. Bowman reported that at their last meeting, the City Council discussed two items that would impact the Board's future work program. Council Member Wilson presented a draft resolution regarding environmental policies and principles. The intent of the resolution is to establish a framework for implementing environmental policies and identifying where the City should be in this regard. He referred the Board to Council Member Wilson's draft resolution. He said that although it has not been formally adopted by the City Council, staff felt it would be appropriate for the Board to review the document for their information in preparation for future discussions.

Mr. Bowman further reported that the City Council considered a proposal to establish an interim zoning ordinance to amend the ECDC's rainwater collection provisions. He explained that the Puget Consumers Coop (PCC) has proposed a project for the old Albertson's site, and their goal is to have a final building that meets Platinum LEED Certification Requirements. He noted there are less than 100 buildings in the world that meet these requirements, one of which is that rainwater be collected and reused. Because of the current constraints of the property and the building's location the PCC has been forced into a situation where they need to use the street setback to erect a rainwater collection tank, and this would not be allowed under the City's current code. He advised that staff prepared a draft ordinance to deal with this issue. The City Council made some changes and asked staff to present it to them again next week as part of their consent agenda. If the interim ordinance is approved by the City Council next week, they would be required to conduct a public hearing within 60 days. That means the Planning Board schedule this item on their agenda as soon as possible, perhaps on April 23rd.

Board Member Reed inquired if the draft resolution related to the collection of rainwater was updated as per the City Council's comments. Mr. Chave answered that the City Council made one significant change to the resolution. The original draft would have allowed a structure higher than 15 feet in the setback area, and the City Council removed this option. Rainwater Collection Structures would be limited to the maximum height allowed for any other accessory structure in the zone. He said a clause was also added to the definition of "rainwater collection tank" to clarify that all surplus discharge must go into an approved stormwater system. He summarized that the other changes recommended by the City Council were smaller, editing comments.

Mr. Bowman reported that PCC is planning to install a plaque near the rainwater collection structure so the public could read about what they are doing and learn the purpose for the tank. He concluded that the proposed criteria would meet the PCC's needs. Mr. Chave emphasized that PCC is trying to do what the City desires from them.

Board Member Lovell said he is familiar with the LEEDS Certification Program, and he attended the last City Council meeting where the issue was discussed. He explained that there are already major agencies within the State (University of Washington and City of Seattle) that have adopted LEEDS goals as an element to be incorporated into projects, and the City of Seattle now requires that new public buildings must meet the LEEDS certification requirements. He summarized that

there is precedent in the State to couple LEEDS requirements with the codes and guidelines. He suggested staff obtain information from these other jurisdictions about how they implemented their programs.

Board Member Lovell explained how the LEEDS Certification Program works, and advised that a developer gets points for incorporating LEEDS standards into a project. He suggested it would be appropriate for the Board and staff to review the LEEDS standards to see if there are other items that might require attention relative to the codes. For example, he said one major standard is to incorporate green or alternative materials rather than conventional materials in the construction. These are not necessarily structural elements, but they could be architectural elements that affect public safety, appearance and durability. He summarized that resources are available for the Board's information, and he encouraged the Board Members to become more familiar with the concepts. Mr. Bowman agreed to review the LEEDS Certification Program requirements to see if there are current City codes that would stand in the way of their implementation.

Board Member Guenther recalled that at the last Planning Board retreat, he reviewed the LEED Checklist for New Construction. He agreed it would be appropriate for the Board to consider what the City could do to encourage and enable developers to construct projects that are LEED certified.

Mr. Bowman advised that staff would continue to merge the low-impact development concepts into the code re-write project, instead of putting off their implementation until a later date. Mr. Chave explained that the City Council is considering the interim ordinance because of timing. An application has been filed for a worthy project that has run into a roadblock related to the existing codes. The City has a number of initiatives going on related to sustainability, etc., but these would not be ready for City Council review and adoption for several months. The Mayor's Climate Protection Advisory Group will meet on April 3rd to consider an Edmonds version of Seattle's Green Buildings Resolution that would apply to public buildings and establish a silver LEED requirement.

Board Member Lovell said he is not convinced the Board needs to go through the entire building code to make revisions to accommodate low-impact development. Instead, they could identify the implementation of LEEDS standards as a City goal. This would allow the City to make the necessary adjustments in the future to accommodate the standards. Mr. Bowman said that as the Board considers options for implementing low-impact development standards, they must gain the support of the Public Works and Fire Departments related to the use of pervious materials for roads and walkways. He said the Public Works Department indicated their initial concern about the high cost of maintaining streets constructed of these materials. He said it is important to point out that recent studies show that the materials actually drain much better than previously thought.

Mr. Bowman advised that as part of the City's NPDES permit, they are required to look at and incorporate low-impact development concepts into their rules and regulations. He reported that the City of Edmonds is well ahead of the curve in regards to stormwater management and what they have done to clean the streets and catch basins, etc.

Board Member Works inquired if any studies have been done to analyze how implementing low-impact development concepts into a development would impact the cost of construction. Mr. Chave answered that staff has found a cost benefit report from a number of different projects around the country to address this issue, and it would be presented to the Board in a few months. The report indicates that the incremental costs of obtaining LEEDS silver or gold certification are between 3 and 5 percent, and there was only a negligible difference between gold and silver. There was a large jump in costs associated with the platinum LEEDS certification, but the costs were more than recovered over time by energy savings. Chair Guenther added that many of the silver LEEDS requirements are also code requirements, so the costs would be negligible. Mr. Chave said engineers and architects have found that the cost benefits are substantial enough over the life of a building to make low-impact development more desirable.

Board Member Young asked about the Board's future work plan. Mr. Bowman said ABHL Consultants would present their report to the Board on May 14th, and the Board would begin their discussions on low-impact development on May 28th. Staff plans to push forward with actual code amendments to implement the concepts into the Code as soon as possible. The Mayor's Climate Protection Advisory Group would make recommendations related to building code amendments. Any amendments to the building code or ECDC Chapter 19 would go directly to the City Council without review by the Planning

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Board. The Board would review the low-impact development regulations as they pertain to subdivision level development. The Board would consider issues such as tree retention, clearing, vegetation, etc.

Mr. Chave advised that the Mayor's Climate Protection Advisory Group would be reviewing draft Comprehensive Plan Policy amendments, and staff plans to present the amendments to the Board in the near future so they can potentially be included in the 2008 Comprehensive Plan amendments. He noted that, normally, the Board would tackle the Comprehensive Plan amendments first and then deal with the code amendments at a later date. However, staff intends to run the two processes concurrently this time so they don't have to put the code changes on hold while they work on the policies.

Board Member Young explained that when the City of Seattle implemented more stringent low-impact development standards, they recognized that the change would result in more costly development. However, they felt the increased costs were justified because it is important to do the right thing. He said the City Council must also decide what is right for Edmonds to do and provide policy direction to the Board. Mr. Bowman said Council Member Bernheim emphasized that the decision should not be solely based on the cost/benefit report. Instead, the City Council must establish policies that are right for the City of Edmonds. Mr. Bowman pointed out that the City would also be required to meet specific state and federal standards that would cause them to rethink how they do things. Developers would have to use different techniques, as well. He expressed his belief that the City should take advantage of all opportunities to incorporate these requirements and techniques into the code.

Mr. Bowman advised that the two resolutions before the City Council at this time would be placed on a fast track schedule, which would require the Board to hold public hearings and get their recommendations back to the City Council by the end of April. This would enable the PCC to keep their project moving forward. He expressed his belief that the project is worthwhile and would provide a significant benefit to the community.

Mr. Bowman reported that another interim resolution would come before the Board related to local public facilities. Staff would like the Board to deal with the interim ordinances in April and get them off their plate so they can deal with the proposed amendments to ECDC Chapter 17 and the low-impact development amendments.

Board Member Henderson questioned the timeline for the PCC's development. Mr. Bowman answered that the PCC has applied for their tenant improvement permits, but he doesn't know their estimated completion date. Their goal is to open in late summer.

Mr. Bowman invited the Board Members to review the documents that have been provided and forward their comments and questions to staff prior to the work meeting. Once the work session has been completed, the Board could meet and review the document section by section and hold public hearings to prepare a recommendation to the City Council.

Chair Guenther said he read through the ABHL Low-Impact Development Report and felt the low-impact development section was too narrow in scope and didn't go beyond site improvements. He suggested it should also address issues such as transportation. Mr. Bowman reminded the Board that the document was initiated by a stormwater engineer, and his primary focus was on the impacts of stormwater. However, other things could be incorporated into the code, too. He recommended the Planning Board watch the March 25th City Council Meeting where Mark Hinshaw discussed the issue of redevelopment, changes in the City, and where new residents are coming from. He discussed that it is desirable for people to be able to walk from their homes to retail businesses to find the services they need. This report may lead to the City transforming neighborhoods to provide more shopping areas so people do not have to drive to get the supplies they need.

Mr. Bowman explained that some people in attendance at the March 25th City Council Meeting might have been disappointed because property owners did not have plans to present. He said staff has continued to emphasize that no applications have been submitted to the City at this time. He reported that a group of 33 individuals was formed to review possible options for redevelopment of the waterfront properties (Antique Mall, Harbor Square, and Skippers). However, it is important to understand that this group was not sponsored by the City of Edmonds. The group was made up of people with a wide-range of viewpoints that gave input to the Port and other property owners about what potential redevelopment of the properties should include. He advised that the Port indicated they would probably not be ready to redevelop their property for at least 10 to 20 years. However, the owners of the Skippers and Antique Mall properties have indicated they would like

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to have a proposal for City review by the end of the year. Mr. Gregg, the owner of the Skippers Property, has conducted a privately funded public meeting to solicit input from the public to establish view angles. He has hired a consultant to create a model to illustrate how view angles would work through his property. He plans to conduct another public meeting once the consultant's work has been completed.

Mr. Bowman said the March 25th City Council Meeting included a presentation by Mr. Chave regarding the framework of the Comprehensive Plan. Mr. Clifton talked about the economic development plan and the zoning of the property. Mr. Hinshaw gave a presentation as an independent speaker on the concept of new urbanism and the kinds of changes that are happening in towns and cities across America. The property owners provided status reports on where they are in their work, but no drawings or plans were presented. The Board asked staff to provide each of them with a CD recording of the City Council Meeting and with copies of the written documentation that was presented at the City Council Meeting. Board Member Reed particularly asked staff to provide copies of the flow chart that was provided by Mr. Gregg.

Board Member Young recalled that when the Board initially discussed development in the downtown, they started with the creation of a new Comprehensive Plan designation. He suggested it would have been more appropriate and productive if the City Council had asked the Board to consider the subject properties in the context of the waterfront redevelopment plan. Mr. Bowman recalled that upon the Board's recommendation, the City Council designated the subject properties as part of the downtown waterfront master plan area. This means that policies and direction have been set forth in the Comprehensive Plan. The property owners can use these policies and direction to develop master plans for the City Council's consideration. The City Council would weigh their ultimate decision against the policies in the plan that talk about the area. Mr. Chave added that it is now up to a developer to propose a master plan that meets the goals and policies of the Comprehensive Plan. Another option would be for the City to adopt a master plan for the area, but this would require a significant amount of money and time. The City's position up to this point has been to provide general guidance, but not nail down the exact parameters of any particular development. Developing precise standards would be a significant undertaking.

Board Member Lovell expressed his belief that the City's Waterfront Plan provides good guidance; but applicants are afraid to come up with preliminary plans at a considerable cost, only to have them turned down by the City Council based on subjective opinions. Mr. Chave said the general theme is that each of the waterfront property owners are moving forward at their own pace, but they are all proceeding to come up with development plans that are consistent with the Comprehensive Plan. Board Member Reed advised that City Council Member Bernheim distributed maps and information from the Comprehensive Plan related to the three waterfront properties. He suggested staff forward this information to the Board since it is important for them to know what the Comprehensive Plan says in this regard.

Mr. Bowman announced that the City Council would conduct a public meeting on April 1st to allow the citizens to comment about the information they heard on March 25th, as well as their ideas for how the properties should be redeveloped. Board Member Reed said he hopes the City Council would then be able to provide direction for the future.

FINALIZATION OF RECOMMENDATION ON DRAFT DESIGN STANDARDS AND DESIGN REVIEW PROCESS FOR DOWNTOWN RETAIL CORE (PROPERTIES IN THE BD1 ZONE)

Mr. Chave referred the Board to the draft document he prepared to outline the Planning Board's recommendations on amendments to the BD1 zone. He advised that the new draft incorporates the comments provided by the Board at their last meeting. He suggested the Board review the document and make final changes before forwarding it to the City Council.

Board Member Works recalled that the Board previously agreed to label clerestory or transom windows on the diagram to illustrate the concept better. Mr. Chave agreed to make this change. He advised that staff is still working to make final adjustments to the illustrations.

Chair Guenther said Board Member Dewhirst asked him to share his concern that the diagrams show three-story buildings, which would be possible but not practical in the BD1 zone. Mr. Chave agreed it would be theoretically possible to construct a three-story building in the BD1 zone, but not likely. It would depend on the slope of a property. Board Member Henderson said he did not see a reason to change the illustrations since they are intended to show architectural style and do

not give permission for three-story buildings. Vice Chair Bowman said he would hate to lose the concept of showing how to deal with three-story buildings if one is possible. Mr. Chave pointed out that only two of the pictures illustrated three-story buildings. The majority of the Board agreed to leave the illustrations as they currently exist.

Board Member Reed recalled that the Board's previous materials included a two-page document that was prepared by the Historic Preservation Commission (HPC) to outline their recommendations for issues such as demolition permits, renaming the BD1 zone to have a historic reference, and allowing HPC members to participate in the design review process at the ADB level. He further recalled that the Board discussed whether or not the items contained in the HPC's recommendation should be integrated into the design standards. The Board concluded that they would forward the design standards to the City Council now, but still consider the two-page recommendation from the HPC at a later date. They agreed it would be appropriate to have further discussions with the HPC after the design standards had been moved forward. The Board agreed with Board Member Reed's observation. They directed staff to update the memorandum to reflect their discussion. The document could be reviewed by Chair Guenther and then forwarded to the City Council.

BOARD MEMBER REED MOVED THAT THE PLANNING STAFF AND CHAIR MAKE THE APPROPRIATE MODIFICATIONS TO THE MEMORANDUM AND THEN FORWARD THE ENTIRE RECOMMENDATION ON DRAFT DESIGN STANDARDS AND DESIGN REVIEW PROCESS FOR THE DOWNTOWN RETAIL CORE (PROPERTIES IN THE BD1 ZONE) TO THE CITY COUNCIL WITH A RECOMMENDATION OF APPROVAL. BOARD MEMBER WORKS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

REVIEW OF EXTENDED AGENDA

Mr. Chave reviewed the revised extended agenda to include the following items:

- **April 9th** – An update on the code re-write project and a review of interim zoning ordinances pertaining to local public facilities and rainfall collection tanks in setback areas.
- **April 23rd** – A public hearing on ECDC Title 17.60 (Performance Standards) and an update on the code re-write project.
- **May 14th** – A public hearing regarding an amendment to the ECDC clarifying the definition of local public facilities to preclude the siting of private and/or for profit community facilities in single-family zones and a public hearing regarding an amendment to the ECDC addressing rainfall collection tanks in setback areas.
- **May 28th** – A work session on low-impact development and an update on the code re-write project.
- **June 11th and 25th** – A series of public hearings on property-specific Comprehensive Plan Map amendments and an introduction of proposed Comprehensive Plan amendments addressing sustainability and climate changes.

The Board agreed to hold a brief retreat discussion at their May 28th meeting prior to their work session on low-impact development. They asked staff to make the necessary arrangements for the retreat, which would start at 6:00 p.m. prior to the regular meeting.

Board Member Reed inquired about the origin of the property-specific Comprehensive Plan Map amendments. Mr. Chave explained that the amendments were generated by private parties, who were required to pay a substantial fee to have their amendments considered. He reminded the Board that the Comprehensive Plan can only be amended once per year, and private parties were required to submit their proposed amendments by the end of 2007 in order for them to be considered in 2008.

PLANNING BOARD CHAIR COMMENTS

Chair Guenther said he recently read an article in a Portland newspaper about looking at ways to reduce the carbon footprint. It concluded that it all comes down to land use. He said it was a timely article given the Board's earlier discussion about changing land use codes to help the climate.

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PLANNING BOARD MEMBER COMMENTS

Board Member Young reported that he received an email from Don Fiene passing on comments from the City Council regarding the remarks he made at a recent City Council Meeting about the proposed Capital Improvement Program. He said he would respond to the comments later this week. He advised that Council Member Wilson inquired about what the national standards for capital improvement and maintenance schedules are. Council Member Wilson also expressed concerns about the comments he made regarding the deferral of the maintenance of City-owned buildings.

Board Member Henderson welcomed Board Member Lovell to the Board. Board Member Lovell said he is excited to contribute to the Board's future discussions.

Board Member Reed reported that he received an email from Fred Bell, president of the Edmonds-South Snohomish County Historical Society, regarding the house at 555 Main Street. The property has been purchased, and the new owners have indicated their willingness to give the historic building to any one who wants to move it to a new site. In fact, they indicated their willingness to donate what it would cost them to demolish the building if it is relocated and used as a public historic site. The framework for demolition is six to nine months.

ADJOURNMENT

The Board meeting was adjourned at 8:37 p.m.

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