

APPROVED JUNE 22ND

**CITY OF EDMONDS
PLANNING BOARD MINUTES**

June 8, 2016

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

BOARD MEMBERS PRESENT

Philip Lovell, Chair
Carreen Rubenkönig, Vice Chair
Matthew Cheung
Alicia Crank
Nathan Monroe
Daniel Robles
Valerie Stewart
Samuel Kleven, Student Representative

STAFF PRESENT

Mike Clugston, Senior Planner
Kernen Lien, Senior Planner
Jerry Bevington, Video Recorder
Karin Noyes, Recorder

BOARD MEMBERS ABSENT

Todd Cloutier (excused)

READING/APPROVAL OF MINUTES

BOARD MEMBER STEWART MOVED THAT THE MINUTES OF MAY 25, 2016 BE APPROVED AS SUBMITTED. VICE CHAIR RUBENKONIG SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

ANNOUNCEMENT OF AGENDA

Chair Lovell added a discussion about the Development Services Director's Report to Planning Board under "New Business." The remainder of the agenda was accepted as presented.

AUDIENCE COMMENTS

No one in the audience indicated a desire to comment during this portion of the meeting.

PUBLIC HEARING ON REZONE AT 21805 – 98TH AVENUE WEST

Chair Lovell explained that the purpose of the open record hearing is for the Planning Board to address the rezone application to rezone the property located at 21805 – 98th Avenue West from Open Space (OS) to Single Family Residential (RS-8). He opened the public hearing and read a script that outlined the rules and procedures for the hearing. He emphasized that members of the public who would like to speak at any future appeal on the matter would need to testify during the hearing to preserve their ability to participate in the future. He reminded the Board of the Appearance of Fairness Doctrine and asked if any member of the Planning Board had engaged in communication with opponents or proponents regarding the subject of the hearing outside of the hearing process. All of the Board Member answered no. Next, Chair Lovell asked if any of the Board Members had a conflict of interest or believes that he/she cannot hear and consider the application in a fair and objective

manner, and all of the Board Members answered no. Lastly, he asked if anyone in the audience had an objection to any of the Board Members participating as a decision maker in the hearing, and no objections were made.

Chair Lovell explained that because the Planning Board is making an evidentiary record that may be relied upon in the future, it is important that they ask any and all questions of speakers during the hearing. One of the most important purposes of the hearing is to ensure that all relevant facts are brought to light through the process. Upon Chair Lovell's direction, everyone who planned to testify at the hearing affirmed that the testimony he/she would provide would be the truth, the whole truth and nothing but the truth.

Mr. Clugston referred the Board to the Staff Report, which included the following attachments:

- Attachment 1 – Zoning Map
- Attachment 2 – Aerial Photograph
- Attachment 3 – State Environmental Policy Act (SEPA) Checklist and Determination of Non-Significance (DNS)
- Attachment 4 – Public Notice Documentation

Mr. Clugston explained that the purpose of the City-sponsored application is to rezone the parcel from Open Space (OS) to Single Family Residential (RS-8) to bring the zoning for the site into agreement with the Comprehensive Plan and the existing uses on the site. He advised that while reviewing a building permit for a nearby site, staff noticed that the subject parcel was zoned OS rather than RS-8 like the parcels surrounding it on the east side of 98th Avenue West north of 220th Street SW. The parcel used to be the site of an old City-owned water storage facility and was zoned OS. When the facility was removed in the late 1960s, the parcel should have been rezoned from OS to RS-8, but it was not. Despite that, in 1971, the City approved a building permit for the existing single-family residence on the lot. A permit for a pool was later approved in 1976.

Mr. Clugston referred to the Staff Report, and reviewed the criteria that the Board must consider when reviewing rezone applications:

- A. Comprehensive Plan. *Whether the proposal is consistent with the Comprehensive Plan.*** Mr. Clugston pointed out that the entire area is designated in the Comprehensive Plan as Single Family Urban, and either RS-8 or RS-10 zoning would be compatible with this land-use designation.
- B. Zoning Ordinance. *Whether the proposal is consistent with the purposes of the zoning ordinance and whether the proposal is consistent with the purposes of the proposed zone district.*** Mr. Clugston said staff believes the proposal is consistent with the purposes of the zoning ordinance and the proposed zone district. The existing uses on the parcel have been going on for many years and the rezone would simply change the zoning of the parcel to reflect what is happening on the site.
- C. Surrounding Area. *The relationship of the proposed zoning change to the existing land use and zoning of surrounding or nearby property.*** Mr. Clugston advised that the current uses on the parcel are actually non-conforming because the parcel was never rezoned in the 1970's from OS to RS-8. Changing the zoning, as proposed, would bring the existing uses into conformance.
- D. Changes. *Whether there has been sufficient change in the character of the immediate or surrounding area or in the city policy to justify the rezone.*** Mr. Clugston explained that, in this case, the site has been home to a single-family residence for 45 years and there have not been any changes in the surrounding area during that time. The area is still overwhelming developed as single-family residential uses. The proposed rezone would bring the site into consistency with the remainder of the area.
- E. Suitability. *Whether the property is economically and physically suitable for the uses allowed under the existing zone and under the proposed zoning. One factor could be the length of time the property has remained undeveloped compared to the surrounding area and parcels elsewhere with the same zoning.*** Mr. Clugston said staff believes that RS-8 zoning is appropriate for the site, which has been the home of a residential use for 45 years.

F. Value. *The relative gain to the public health, safety and welfare compared to the potential increase or decrease in value to the property owners.* Mr. Clugston said that rezoning the subject parcel would bring it into agreement with the Comprehensive Plan and make the existing development on the site conforming.

Based on the findings of fact, analysis, conclusions and attachments to the Staff Report, Mr. Clugston recommended the Board make a recommendation to the City Council to approve the rezone request as presented.

Chair Lovell invited members of the audience to participate in the public hearing, but none came forward. As there were no further questions from the Board, Chair Lovell closed the testimony portion of the hearing and invited the Board to begin its deliberations.

Chair Lovell asked if the property owner is aware of and understands the proposed rezone. Mr. Clugston answered affirmatively. Chair Lovell noted that there is an easement on the subject parcel that serves as access to the single-family residential home located behind it. He asked if the owner of the subject parcel has jurisdiction over the access driveway. Mr. Clugston said the owner of the subject parcel must have granted an easement to the owner of the rear parcel, but the easement would not have any bearing on the proposed rezone.

Board Member Crank asked if there is documentation that affirms the fact that the property owner has been appraised of the rezone application and agrees with it. Mr. Clugston said a letter was sent to the property owner and was included as an attachment in the Staff Report. He also spoke to the property owner by phone. Board Member Cheung asked if the owner of property behind the subject parcel was also notified of the change. Mr. Clugston answered that all property owners within 300 feet of the subject parcel were notified by mail, and a sign was posted on the site, as well. In addition, the rezone was advertised on the City's website and in *THE EVERETT HERALD*. The rezone would not have any impact to the access easement. The intent is to simply make what is already developed on the site conform to the Comprehensive Plan and Zoning Map.

Vice Chair Rubenkönig commented that, typically, jurisdictions handle rezones on a once-a-year basis. She asked if this is the City's general policy, as well. Mr. Clugston answered that area-wide rezones and those that require a Comprehensive Plan amendment are usually scheduled once a year, but site-specific rezones that are consistent with the Comprehensive Plan are moved forward when the application is received.

Board Member Stewart asked about the size of the subject parcel, and Chair Lovell answered that it is 10,016 square feet. Board Member Stewart pointed out that lots in the RS-8 zone must be a minimum of 8,000 square feet, and the portion of the property that is identified as access easement would not be counted as part of the lot area. Mr. Clugston affirmed that the subject parcel has sufficient lot area to meet the requirements of the RS-8 zone.

Board Member Stewart asked if the owner of the subject parcel has been paying property taxes based on the OS zoning. If so, will the tax amount change when the property is rezoned? Mr. Clugston answered that he is fairly certain the property has been taxed as a single-family residence for the past 45 years and only the zoning map is incorrect.

VICE CHAIR RUBENKONIG MOVED THAT THE BOARD ADOPT THE FINDINGS OF FACT, ANALYSIS, CONCLUSIONS AND ATTACHMENTS CONTAINED IN THE STAFF REPORT AND FORWARD A RECOMMENDATION OF APPROVAL TO THE CITY COUNCIL FOR THE REQUEST TO REZONE THE PROPERTY AT 21805 – 98TH AVENUE WEST FROM OPEN SPACE (OS) TO SINGLE-FAMILY RESIDENTIAL (RS-8). BOARD MEMBER MONROE SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

DELIBERATION ON POTENTIAL AMENDMENTS TO THE EDMONDS SIGN CODE REGARDING THREE POTENTIAL OPTIONS FOR DEALING WITH TEMPORARY SIGNS AND OTHER AMENDMENTS TO ADDRESS A NUMBER OF MINOR CLARIFICATIONS AND CODE LANGUAGE UPDATES/ISSUES

Mr. Lien referred the Board to the staff report, and recalled that the following three options were presented at the public hearing on May 25th:

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- **Option 1** would no longer permit portable or temporary signs in the downtown.
- **Option 2** would be essentially the existing code. Portable signs would be permitted as temporary signs, but a permit would be required.
- **Option 3** would permit portable signs (pedestrian signs) as permanent signage and the 60-day limit would no longer apply. It would also include specific conditions on duration (only during business hours), placement (close to the building or curb and only in front of the store), and how many (only one per store front).

Mr. Lien said a few changes have since been made to Option 3. First, ADA compliance was changed from four feet to five feet based on direction from the Engineering Department. Second, a Street Use Permit would no longer be required, but the signs would still have to comply with the Street Use Section of the code. Third, as opposed to allowing one pedestrian sign per store front, the language was changed to allow one pedestrian sign per street level entry.

Mr. Lien reviewed that a number of suggestions were made during the hearing, which the Board could consider incorporating into their final recommendation:

- Allow changeable projecting signs. This option could be accommodated on a hanging bracket within the size limitations allowed in the current code.
- Allow blade signs for second story businesses. The current code allows second-story businesses to have pedestrian or blade signs.
- Allowing permanent directional signage. A number of business owners spoke about the need for off-premise signs to direct people to their places of business. The current code does not allow off-premise signs, and having directional signs in strategic locations that point to the businesses was suggested as a way to address this need. While this option is doable, there may be some restrictions. The directional signs could become a City project, with the Arts Commission coming up with the overall design, but the City Attorney has cautioned that using City signage to advertise specific businesses could be problematic. The City Attorney suggested that perhaps it would be appropriate for the directional signs to be more general, simply pointing out the location of additional restaurants, retail stores, etc., without naming specific businesses. Another option would be to auction off the sign space to local businesses. Depending on where the Board decides to go with directional signage, the City Attorney has requested an opportunity to research the legalities and report back.

In addition to the proposed changes relative to temporary signs in the downtown, Mr. Lien said staff is proposing other changes to the sign code to address a number of minor clarifications and code language updates/issues.

Chair Lovell referred to an email he sent to the Board Members earlier in the day summarizing their most recent written comments regarding the three options currently being considered for temporary signs in downtown Edmonds. He summarized the comments as follows:

- Temporary/moveable/pedestrian signs are important to the City for businesses, for logistical purposes and for atmosphere.
- Controls are needed as to the quantity of such signs, locations of such signs, and enforcement of the code and guidelines.
- Uniformity is desirable.
- Fairness could become an issue if pedestrian signs are allowed in the downtown, but not in other commercial areas or if the sign code is strictly enforced in the downtown but not in other commercial areas of the City.
- There are costs associated with implementation, achieving uniformity, enforcement, permitting, etc.
- The Green Dot concept has valid points, but the cost and logistics of setting up and maintaining it are highly questionable, particularly given the previous “universals” sited above.

Chair Lovell provided a satellite view of the City of Carmel, California, which was previously put forth as an example for the City to follow. He pointed out that Carmel is significantly different than Edmonds. Although their current sign code prohibits “temporary” or “pedestrian” signs, he provided several pictures to illustrate that they are being used extensively by businesses anyway. He cautioned the Board that when making a recommendation to the City Council, they should consider guidelines and regulations that are realistic and achievable.

Board Member Crank said she also provided photographs along with her written comments. She shared her experience while visiting South Center earlier in the day for lunch. She said she almost didn’t notice that the businesses were using the same type of temporary signs, and the signs were placed in the same location in front of each business. She spoke with the owner of one of the businesses and learned that businesses on the block got together to come up with a common design for signs. The signs were so uniform that they blended in with the scenery, and this made her like the idea of having a uniform sign design more. The fact that the businesses sought out each other says that they care enough to make signage look nice. Even if the City does not promote uniformity, the concept is out there and businesses may choose to do it anyway.

Board Member Stewart agreed that uniformity would help solve the issue of clutter, and the Arts Commission could participate and come up with something that is artistically pleasing. Placing the signs on the sidewalk close to the buildings they are serving is also important to provide sufficient pedestrian access. That means that some signs will have to be placed closer to the buildings than others given that sidewalk widths vary.

Chair Lovell said he recently discussed the matter with Randy Hutchins, owner of Sno-King Signs, to obtain more of his thoughts on signage. Mr. Hutchins indicated that he has made a number of the A-frame signs that are used by businesses in the downtown. He commented that changeable signs can be problematic because the information can be difficult for people to read. He expressed that some uniformity would be helpful and easy to achieve. Most merchants are concerned about cost, but he felt that a sign design that is artistic and durable could be produced for a reasonable cost.

Chair Lovell said he also spoke with Francis Chapin, Cultural Services Director, to learn her thoughts about the concept of directional signs. She agreed that something amenable to the businesses and the City could be worked out, but she cautioned that maintenance and administrative costs could be an issue. She noted that signs would have to be updated each time a business changes, and the space on each of the signs would be limited and not all businesses would have an opportunity to participate.

Vice Chair Rubenkönig commented that the plumb line she used to review the sign code options for pedestrian signage is answering, “how much signage is too much?” She noted that there has been no request to reduce the amount of signage available to each business in Edmonds, and there has been no protest to the revisions to the definitions in the sign code. Generally, what exists appears to be somewhat acceptable to the public and the downtown commercial community. Where there is discord is the presence of pedestrian signage on the sidewalks in the downtown business core. The arguments have centered on elimination of temporary/pedestrian signage, the fairness of appropriating part of the sidewalk for café seating yet restricting the sidewalks’ use for a six-foot square pedestrian sign, and concern for the random appearance of the pedestrian signs.

Vice Chair Rubenkönig reviewed that the City has a comprehensive sign package for businesses. Wall-mounted signs, wall graphics, and blade signage is available. But wall graphics that meet certain criteria, blade signs that are less than 4 square feet, and window signs do not count against the sign package quota. Currently, it appears that temporary or pedestrian signage can be utilized, as well, and would not go against the sign package total. Given the concern of the commercial businesses to market appropriately, the provision of temporary/pedestrian signage could be proposed as being part of the overall sign package quota for each building. However, there is a tipping point of too much signage and too much clutter. This approach allows each business their proportionate amount of signage to use as they prioritize. However, the businesses would not get additional signage as they currently do with the use of temporary/pedestrian signage.

Vice Chair Rubenkönig felt that Option 3 would be a step in the right direction. The Board heard at the public hearing that there are known businesses who abuse the sign ordinance and that out of town businesses in town for the weekend litter the downtown streets with their signs. A biannual enforcement effort and/or enforcement campaign could be a joint City/business event, but it does not need to be included in the ordinance. Wayfinding signage for businesses off Main, 5th and Dayton appears to be acceptable in the current sign code and no revision was proposed. Again, this effort is beyond the

Planning Board's purview. She expressed her belief that the issue of how much signage is allowed needs to be easy to understand and easy for the viewers (pedestrian) to perceive. The current formula for signage can remain and now include the option of incorporating a temporary/pedestrian sign less than six square feet. The limitation of three signs per business—present in the current code and not proposed for revision—would remain.

Chair Lovell asked staff to clarify Vice Chair Rubenkönig's comments relative to window signs, blade signs, and wall graphics not counting against the overall sign area allowed for each business. Mr. Lien responded that, generally speaking, each business is appropriated one square foot of sign area for each linear foot of frontage. The overall sign area can be divided up amongst a maximum of three signs per business. However, wall graphics, window signs and blade signs that meet specific criteria do not count against the overall sign area. With Option 3, pedestrian signs would count as one of the three signs that a business is allowed to have.

Board Member Robles said he did not expect that his "Green Dot" concept would receive immediate rejection by the Board Chair. He was hoping it could be discussed further. He said there are a lot of things the Board cannot solve. They do not understand what sign density is unless they know how many signs there are. The City is allocating a public good to private enterprise, and then they are externalizing the cost of interpreting those rules on the public. It would take some work to put together a map, but it would only need to be done once. The work would all be done up front and the map would hold the City to task over its responsibilities related to signs (ADA access, safety, health and welfare of citizens, etc.). He felt this approach would be extremely easy to enforce and would be a single point of compromise. The concept would push the sign code in one spot, but expand it someplace else. This would allow the City to have a discussion about a single sign in a single location, taking into account the specific needs of the business.

Board Member Robles commented that if the City is not going to enforce the law, there ought not be one. Or they could look at how people are already behaving and try to accommodate that. To him, that seems to be the more productive way of regulating signs. If there is an update to a map, the notification only has to go to the individuals affected by the update. Whereas, if the code is updated, it has to go through everyone, making it tremendously inefficient. It is possible to imbed all the excellent research that has been put into the sign code discussion into the City's graphic interface. This would be a form that business owners could immediately see prior to making a decision about moving into or investing in property in the downtown. They would be able to immediately see where they stand in relation to the law or to the allocation of a public good.

Board Member Robles suggested that the City could constrain a corner to one dot, and ask the people to collaborate around the dot and share the space with each other. This would give them the opportunity to innovate around a constraint, which is a very typical way of introducing innovation. This approach would meet and exceed the spirit and intent of the existing sign code. While there are some persistent members who complain about the existence of signs, there should be a way to compromise on the number of signs that are allowed. The City cannot know how many signs there should be if it doesn't know how many signs there are. He said he does not believe the sign code is ready to move forward. It is too complicated, and it is hard to interpret. He recommended Option 3 with a graphic interface that people can understand using a computer, internet and modern technology. This approach would require the City to do work up front, but they would only have to do it once and it would be easy to change and modify and imbed the public innovation into the code rather than just inducing it on everyone. He said he would like hear the opinions of other Board Members and City staff before shooting the idea down entirely.

Chair Lovell asked who would be responsible for updating the map each time redevelopment occurs or a business is changed. Board Member Robles answered that this could be the responsibility of the Architectural Design Board or the City staff. There is already an individual who is responsible for implementing and managing the sign code. Mr. Lien explained that the intent is to tackle the issue of temporary signs in the downtown as a hot-button item and Mr. Chave has taken the lead. With the larger sign code update, the City's consultant has proposed various amendments that have not been included in the code amendments currently before the Board for consideration. Apart from that, there is no other group looking at the sign code besides the Planning Board, and the Planning Division staff implements the sign code through review and enforcement.

Chair Lovell advised that the City Council has asked the Planning Board to review and share their thoughts and recommendations relative to temporary signs in the downtown. If the Board chooses to coalesce around the concept of creating a signage map for the City, he would not veto the option, but he might not support it, either. He asked if Board

Member Robles is suggesting that all of the signs in the City should be counted and identified on a map. Board Member Robles said that is his intent. They know how many businesses there are in the downtown and how many signs there should be. Mr. Lien cautioned that it would take serious work to survey all of the signs in the City. This approach would limit the total signage in the City rather than just per building. Before implementing the concept, he felt it would be appropriate to solicit considerable input from the business community. Board Member Robles voiced concern that all of the work the City does not want to do forces other people to interpret the sign code and limit their business accordingly.

Board Member Robles suggested that his concept could be developed over time. There are big questions with the existing sign code that have not been answered. They are making assumptions that have no objective value assigned to them. If the City does not want to go look for those values, they are stuck with the existing sign code. He has listened to the public and their different needs and it would be hard to accommodate everyone unless you let them have some control over signage. Part of this plan should be about allowing the artistic community to standardize signs and allowing people to allocate signs as they see fit. The City should only be talking about certain components of signs, such as American's with Disabilities Act (ADA) access and the health, safety and welfare of citizens. He sees instances where the sign code is applied, but it is not practical given the specifics of the location. He summarized that the City should decide where signs can and cannot go and place the information in a graphic interface that is easy to understand.

Vice Chair Rubenkönig summarized the Board Member Robles' concept would allow perspective businesses to look up the location of the building they are considering on a website and see how much signage would be allowed. This would help them determine whether or not the site would suit how they tend to market their company. Board Member Robles would like this information to be embedded in the sign code and available visually rather than just verbally.

Board Member Crank asked if Board Member Robles concept would be a determining factor in the Board's recommendation relative to Options 1, 2 or 3 or if it should be considered as a second level of discussion after the Board selects its preferred option. Board Member Robles suggested that his concept is actually consistent with Option 3, but presented differently.

Board Member Stewart said there is some merit to Board Member Robles' concept, as it would reduce the language in the code and the visual information could cater to the need for businesses to figure out what is and is not allowed relative to signage. She asked if the concept has been implemented anywhere else in the United States. Board Member Robles said he is not certain. The concept would more or less result in a shared database, which today's technology allows. There are databases available, but that's not where the City is at now. He is looking at it in terms of LEAD methodology, which provides a lot of visuals, pre-thinking, and simplification, and you gain the efficiencies later in the process from doing the work in the beginning. There are precedents for this type of work. Board Member Stewart summarized that, conceptually this type of work is being done in green building.

Board Member Stewart asked if Board Member Robles is referring to "green dots" for pedestrian signs only. Board Member Robles answered that is his intent. Board Member Stewart suggested that perhaps it would be appropriate for a block in the City to serve as a pilot program for the concept. While it is too much to take on for the entire City at one time, she is intrigued by the idea.

Chair Lovell suggested that the Board consider a type of Option 3 for temporary signs, but create some mechanisms and guidelines that enable staff to work with business owners to establish workable plan for their signs within the parameters of the code. Board Member Robles agreed that this approach would go a long way towards accommodating individual needs.

Chair Lovell expressed his belief that there should be some way to verify that signs have been permitted by using a sticker system, etc. Board Member Robles said there are other ways to simulate permitting. For example, businesses could lease artistic signs from artists, and the lease agreements would effectively become the permit. Business owners would pay money directly to the artists rather than the City. However, he cautioned that if the City is going to accommodate individual businesses, they must have a way to keep track of the accommodations such as a database or map.

Mr. Lien commented that although the technology to implement Board Member Robles concept may be available, the City is not there yet. However, the City is moving in that direction by incorporating more graphics as part of the code update that is currently in progress. He said Option 3, as currently written, allows some flexibility for the City to accommodate the needs of individual businesses. It simply states that the signs must be located within 10 feet of the ground floor entrance and within

two feet of the building or two feet of the curb. The intent is to ensure pedestrian access. As far as businesses being able to look at the code and determine the types of signs allowed, staff often speaks with prospective business owners to inform them of the sign code requirements. He reminded the Board that the intent of this sign code update is to address the specific issue of temporary signs in the downtown, as well as a number of minor clarifications and code language updates and issues.

Board Member Cheung commented that the number, size and design of signs is subjective. Some people may feel that no signs would be better, and others may think that prohibiting signs would result in a desolate downtown. With regard to sign location, he emphasized that the signs must not block ADA accessibility, which is a federal law. He summarized his belief that pedestrian signs have a huge impact on businesses, and they are used to attract customers. If the City makes the sign code too restrictive or prohibits pedestrian signs altogether, businesses may actually leave the downtown. Businesses are in competition with each other. While it could be mutually beneficial to limit the number of signs, they need to work together with the business owners before any final decisions are made. He voiced support for Board Member Crank's comment about businesses voluntarily coming together to create uniformity of signs that benefit them all. Those businesses didn't need anyone to step in and make it happen; they did it on their own. He said he would prefer to collect as much input as possible from the business owners. Instead of forcing a sign code upon them, they should be allowed to work together and provide recommendations that help improve the downtown business community. He said he is leaning towards allowing the most freedom and flexibility for pedestrian signs, and letting the business owners figure out their own limitations and restrictions.

Board Member Monroe recalled that, at the public hearing, there were several comments about the need for off-premise signs to direct pedestrian to the businesses that are located on the side streets. He asked the Board to share their thoughts on how these businesses could be best served in a way that does not put more clutter and signage on the street. He suggested that Board Member Robles' idea may work well for these situations. The City could provide directional signs and auction off the space to businesses. Board Member Robles cautioned that there is real peril when the City starts allocating public good to a private enterprise. However, they are ways of having exchanges that are not necessarily financial and there are ways to share the spots without bidding for property. Having a social agreement in place with the business owners would address the legal concerns.

Vice Chair Rubenkönig said she supports Option 3, which counts pedestrian signs as part of the overall sign area and number of signs allowed for each business. As per Option 3, pedestrian signs would become one of the several options a business owner can choose for signage.

Vice Chair Rubenkönig summarized that staff has had some discussion with the City Attorney about the legality of the City providing wayfinding signs. The current code allows them, but whether or not they can be used to advertise specific businesses is in question and must be reviewed by the City Attorney. The intent of the signs would be to help businesses that are located off the main roads.

Board Member Monroe referred to a picture of a directional sign that allows the individual signs to be changed as needed. The City could construct the sign to a certain standard, and then businesses could purchase the individual plaques that are attached to the sign. Board Member Cheung asked if the directional sign would be in addition to allowing one pedestrian sign per storefront, and Board Member Monroe agreed that was his intent. Board Member Robles expressed his belief that commercial property in the downtown would become more valuable if there was a way to have off-site signage.

Board Member Cheung agreed it would be helpful to provide off-premise directional signs to direct customers to the businesses located on side street, but he does not believe the directional signs would completely solve the desire of businesses to use pedestrian signs. The code must still be updated to address pedestrian signs, but directional signs would have value to businesses and auctioning off the space could help pay for the signs, themselves.

Chair Lovell agreed that directional signage could be done with the concept of uniformity, along with elements of flexibility to add or change the signs as needed. However, it is important to realize that there would be cost to the City. He suggested the Board could recommend that the City Council direct staff to investigate the feasibility of establishing a directional sign program. Vice Chair Rubenkönig emphasized that the sign code already allows directional signs. The Board's comments can be noted that they think this is a private concern and the City Attorney will need to set some language for how wayfinding signs could be used. But as far as the Board's current review of the sign code, no changes need to be made to implement a directional sign program. Mr. Lien said the City Attorney has affirmed that no changes would be needed to the

existing code to allow directional signs, but the Board could also include this in its recommendation to the City Council as something they want the City Council to pursue. Board Member Cheung agreed that directional signs might reduce the need for businesses to use off-site pedestrian signs to attract customers to their businesses, but the Board still needs to address on-premise pedestrian signs.

Mr. Lien reminded the Board of the changes that were made to Option 3 since the public hearing. Pedestrian signs would become a type of permanent sign that must be brought in at night when the business is closed. In addition, staff is proposing that the language be changed to allow one pedestrian sign per ground floor entrance rather than one sign per ground floor storefront. He provided examples to illustrate why this change was made.

Chair Lovell pointed out that, with the exception of downtown, the current code does not allow temporary signs in any other commercial zone. He voiced concern that the regulations are not currently being enforced, and business owners in the downtown may feel that they are being discriminated against if they are required to comply with strict enforcement of the code when other commercial areas are not.

Board Member Robles shared a story about an architect who designed a university campus without any sidewalks. The owner decided not to pay the architect until the sidewalks had been installed. Six months later, there were clear paths through the grass, and the architect knew exactly where the sidewalks should go. The moral to the story is to observe what people are doing, memorialize it, and then adapt to what is needed. If the City knows how many signs there are currently, they will have a better idea of whether there is not enough or too many. Chair Lovell asked if Board Member Robles is inferring that all of the existing signs in the downtown should be memorialized and accepted. Board Member Robles said that seems to be what the City has allowed up to this point.

Chair Lovell reminded the Board that the downtown is supposed to be walkable. While pedestrian signs near the curb are more visible to drivers passing by, they are not conducive to a pedestrian environment. Mr. Lien emphasized that, as currently proposed, the signs must be located within two feet of the entry or within two feet of the curb. They would not be allowed to block pedestrian traffic on the sidewalk.

Chair Lovell summarized that Option 3 allows pedestrian signs, but it could be further improved to provide flexibility and guidelines for staff to utilize when working with business owners to fit what is best for each individual site. He felt that would be the best option. The City could not only work with business owners to limit pedestrian signs, but they could encourage them to create solutions for their businesses. The “green dot” concept may be an option to consider in the future as the City moves towards a more sophisticated GIS system.

Board Member Crank said she appreciates the change from one pedestrian sign per storefront to one pedestrian sign per entrance. She recalled that at the last meeting she voiced concern about how the regulations would impact businesses that are located in buildings with multiple tenants. In an effort to move the discussion forward, she reminded the Board that the focus of their discussion is supposed to be on identifying a preferred option (1, 2 or 3). She noted that most of the Board’s discussion has been relative to Option 3, with some tweaks. If that is the direction the Board wants to go, she suggested that they affirm this and then move the discussion forward.

Chair Lovell summarized that the Board is generally in support of Option 3, which requires a permit, limits the number of pedestrian signs allowed and provides guidelines. However, there are certain accompanying provisions and guidelines the Board would like the City Council to consider. He summarized that the Board is in favor of:

- Creating the ability to work with a specific business given the conditions.
- Limiting pedestrian signs to one per storefront entrance.
- Counting pedestrian signs as one of the three signs that a business is allowed to have and also part of the overall sign area allowed.
- Giving City staff the opportunity to work with odd architectural situations in order to accommodate a necessary business signage opportunity.
- Developing criteria or a program that provides hard-to-find-business locations with a type of directional sign, recognizing that there may be legal ramifications. The City has a vibrant downtown with thriving businesses, and signage is an important part of that.

- Considering what can be done to increase enforcement of the regulations and guidelines.
- Allowing and even encouraging blade signs that accommodate changing information.
- Encouraging some level of uniformity for pedestrian signs. While the Board was not interested in forcing uniformity on businesses, nothing in the proposed amendments would prevent businesses from creating a uniform sign program that meets the code requirements.

Mr. Lien agreed to prepare draft code language for Option 3 based on direction provided by the Board. He could also prepare a memorandum to the City Council outlining the Board's additional recommendations in conjunction with the proposed sign code amendments.

DEVELOPMENT SERVICES DIRECTOR REPORT TO PLANNING BOARD

Chair Lovell referred the Board to the written report that was prepared by the Development Services Director. He noted that there is some work being done with respect to housing affordability, and the Housing Affordability Alliance of Snohomish County provided a presentation on the topic to the City Council on May 25th. Council Member Tibbott is particularly in tune with affordable housing issues. It was pointed out that the Comprehensive Plan emphasizes the goal of creating housing that is affordable, and he anticipates the issue will come before the Board for further discussion at some point in the future.

Chair Lovell reported that the City recently entered into a Sustainable Cities Partnership with Western Washington University with respect to elements of sustainability that the City is trying to achieve. This will be an ongoing project, and a number of the elements will likely pass through the Board in the next few months.

Board Member Crank referred to the announcement in the report that the City would no longer allow people to line chairs up along the street in anticipation of the 4th of July Parade. She said she informed the Chamber of this change, since they are the event sponsor.

REVIEW OF EXTENDED AGENDA

Mr. Lien advised that the Board would continue its discussion on the sign code amendments on June 22nd. The land division update would be postponed to a future agenda. He reminded the Chair and Vice Chair that they are scheduled to present a Planning Board Update to the City Council on June 28th. Chair Lovell said the City Council has requested that the Board also have a discussion about redevelopment opportunities at Five corners, similar to what was done for Westgate. Mr. Lien reminded the Board that work done by Green Lab from the University of Washington included both Five Corners and Westgate. In the near future, Mr. Chave will revisit the work that was done relative to Five Corners with the City Council.

PLANNING BOARD CHAIR COMMENTS

Chair Lovell did not provide any additional comments.

PLANNING BOARD MEMBER COMMENTS

Board Member Stewart acknowledged Sam Kleven's service to the Planning Board as the Student Representative. He has spent the past academic year getting to know what the Board does and sharing his thoughts. He plans to attend Washington State University in the fall and will pursue student government there.

Board Member Stewart announced that the Students Saving Salmon Streams Team from Edmonds Woodway High School will present the results of their water quality monitoring program to the City Council on June 14th. She encouraged Board Members to either attend the meeting or watch the audio recording.

Board Member Crank reported that she served as a volunteer at the Edmonds Waterfront Festival this past weekend. It was a great event that was well attended. The most popular attraction at the event was a large 2,500-pound fiberglass salmon that people were allowed to climb inside. There was a mural inside that provided educational information.

Board Member Crank announced that the Edmonds Noon Rotary has taken on a project to sponsor a muralist to do a mural on a downtown building. The Bank of America Building was approved as the site for the mural, but it is being sold and is no longer available. They are currently looking for a new location.

ADJOURNMENT

The Board meeting was adjourned at 9:07 p.m.

APPROVED