



CITY OF SNOHOMISH

Founded 1859, Incorporated 1890

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NOTICE OF REGULAR MEETING

PLANNING COMMISSION

In the
Snohomish Boys & Girls Club
402 Second Street

**PLEASE NOTE
LOCATION CHANGE**

**WEDNESDAY
February 1, 2012
7:00 p.m.**

- 7:00 1. **CALL TO ORDER** – Roll Call
- 7:05 2. **ELECT** Chair and Vice Chair for 2012 (*P. 1*)
- 7:15 3. **APPROVE** the minutes of the November 2, 2011 regular meeting (*P. 3*)
- 7:25 4. **CITIZEN COMMENTS** on items not for Public Hearing
- 5. **DISCUSSION ITEMS**
- 7:35 a. Shoreline Master Program Update (*P. 7*)
- 7:55 b. Work Plan (*P. 11*)
- 8:15 6. **ADJOURN**

NEXT MEETINGS: The next regular meeting is scheduled for **Wednesday, March 5, 2012** at 7:00 p.m.; the location is to be determined.

AGENDA ITEM 2

Date: February 1, 2012
To: Planning Commission
From: Owen Dennison, Planning Manager
Subject: **Election of Officers for 2012**

This agenda item provides for the election of officers for 2012. Chapter 2.16 SMC requires that a chair and vice chair be elected annually, typically in December for the next year. Pursuant to amendments to Chapter 2.16 SMC adopted in Ordinance 2227, officers who have served a one-year term or the unexpired portion of a one-year term are eligible to be elected for an additional one-year term.

In July 2011, Vice Chair Scott was elected Chair for the remainder of the year to replace Steve Swartz, who had resigned his position. An election for the position of vice chair was deferred at the time and was never completed.

The election procedure used by the Planning Commission is as follows:

1. The Chair opens the floor to members' nominations for Chair.
2. Commissioners may nominate other members or themselves. No second of a nomination is required.
3. A person nominated may decline the nomination.
4. The Chair closes the floor to nominations for Chair.
5. The Chair calls for any discussion on the nomination(s).
6. The Chair calls for a vote on the nomination(s).

RECOMMENDATION: That the Planning Commission ELECT a Chair and Vice Chair for 2012.

ATTACHMENT: SMC 2.16.060

AGENDA ITEM 2

2.16.060 Officers, Rules, Election of Officers, Records, and Expenses. The Commission shall adopt rules and regulations for the conduct of its business, subject to the approval of the City Council. A majority of the membership shall constitute a quorum for the purpose of transacting business. Action by the Commission shall be by majority vote. A tie vote on a motion to approve shall constitute a failure of the motion.

Each December, the Planning Commission shall elect from among its members a chair and vice chair. Such officers shall occupy their respective offices beginning January 1st of the following year. Members serving part or all of a one-year term as chair or vice chair shall be eligible for election to one additional consecutive one-year term at that officer position, for a maximum of two consecutive one-year terms. (Ord. 2227, 2011)

A commissioner elected to serve two, consecutive one-year terms as vice chair or chair would, the following year, be ineligible for election to that same officer position. Following one year of ineligibility, the commissioner would again be eligible for election to that same position. (Ord. 2227, 2011)

A commissioner elected to serve two, consecutive one-year terms as vice chair or chair and then two, consecutive one-year terms in the other officer position (four consecutive years total) would, the following year, be ineligible for election to any officer position. Following one year of ineligibility, the commissioner would again be eligible for election to either officer position. (Ord. 2227, 2011)

The City shall provide the Commission with necessary administrative support and expense budget as needed to perform the function described by this chapter.

AGENDA ITEM 3

**CITY OF SNOHOMISH
REGULAR MEETING OF THE PLANNING COMMISSION
MEETING MINUTES
November 2, 2011**

1. CALL TO ORDER: The regular meeting of the Planning Commission was called to order by Chair Scott at 7:00 p.m. in the George Gilbertson Boardroom, 1601 Avenue D. The Assemblage joined in the flag salute and roll was taken.

PLANNING COMMISSION

MEMBERS PRESENT:

Josh Scott, Chair
Gordon Cole
Steve Dana
Jane Thorndike
Christine Wakefield Nichols
Rolf Rautenberg

STAFF:

Corbitt Loch, Planning Director
Owen Dennison, Senior Planner
Larry Bauman, City Manager
Debbie Emge, Economic Development
Manager

Members Absent:

Aaron Snell

Audience:

7

2. APPROVE minutes of the October 5, 2011 meeting:

Ms. Wakefield Nichols moved to approve the minutes of October 5, 2011 as written. Mr. Cole seconded the motion. The motion passed 6-0.

3. CITIZEN COMMENTS:

There were no citizen comments on items not on the agenda.

4. PUBLIC HEARING:

Increase Commercial Lands (File No. 15-11-CPA)

Mr. Loch explained the objective of the public hearing is to gather public input on the proposal to change the zoning for several properties from a residential to a commercial designation. A second public hearing will be held by the City Council, tentatively scheduled for December 20th.

Changes in the financing structure for local governments in Washington have caused cities to become largely dependent on retail sales tax as their main source of revenue. There is also an ongoing effort to find opportunities for family-wage jobs within the city, to reduce the number of residents leaving town for work. Getting people off the local streets and highways can increase the quality of life, reduce greenhouse gas emissions and nonpoint pollution, and reduce retail sales tax leakage to other communities.

Within Snohomish's Urban Growth Area, there are already a good number of properties zoned for commercial and employment uses, however many of the parcels are encumbered with

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wetlands and streams. The division of parcels also discourages maximizing the use of some properties. As a result, the City has been working to identify land that may be appropriate for a rezone to commercial use. Four study areas are presented as part of the annual Comprehensive Plan Amendment cycle. All four sites are on or near Bickford Avenue.

The first study area is at the juncture of 91st Street SE and 52nd Street. The land is comprised of three parcels, totaling 5.61 acres, and currently zoned Single Family Residential. There is a residential subdivision located to the south. There is one single family home on the site; the remaining properties are vacant. The land does not have direct access to Bickford Avenue, so if it were to be developed commercially, vehicular access to Bickford Avenue would need to be constructed. A change to Business Park zoning is proposed.

The second study area is located in the 2000 and 2100 blocks of Bickford Avenue. The land is comprised of four parcels, totaling 4.79 acres, and currently zoned Medium Density Residential. All four properties have frontage on Bickford Avenue and all are relatively flat. A change to Business Park zoning is proposed.

The third study area is located at the intersection of Bickford Avenue and 19th Street, north of SR-9. The land is comprised of eight parcels, totaling 2.43 acres, and currently zoned Medium Density Residential. Though the site is relatively small, it presents an important opportunity if the area of the adjacent 19th Street right-of-way is included. The site is bordered on two sides by Business Park zoning, and has good visibility from the highway. Discussions have been held with the Washington State Department of Transportation to improve and relocate the intersection of 19th Street and SR-9. It is not currently a funded project; however some design work has been done to construct an at-grade intersection with a traffic signal, similar to the intersection of 30th Street and SR-9. A change to Business Park zoning is proposed.

The fourth study area is immediately south of study area three. The land is right-of-way owned by the Department of Transportation and is therefore not available for commercial use. The proposal is to remove the commercial zoning, to maintain consistency with other rights-of-way within the City and to provide a more accurate depiction of available commercial lands.

Chair Scott opened the floor for public comment.

Study Area One

Mrs. Lawrence Jasper, 8910 50th Street SE, lives north of the parcel owned by the City of Everett. The land is steeply sloped and Bickford Motors is currently grading everything to the east, so access to Bickford Avenue from that side may be difficult. The City of Everett waterline is within 52nd Street, so that may impact heavy traffic to the area. Commercial use of that area may be inappropriate.

Erlene Pruden, 9213 52nd Street SE, lives outside the study area but is interested in a zoning change and would also like to be annexed to the City of Snohomish at the same time.

Larry Marty, 5025 91st Avenue SE, lives in a pocket of County jurisdiction because the area was left out of the last annexation. Most of the neighbors want to annex to the City. If the

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adjacent land is rezoned commercial it would be wise to look at annexing the neighborhood. He offers support of the rezone and would like to be annexed in the process.

Study Area Two

Morgan Davis, 206 Avenue I, asked Mr. Loch to explain the specific development regulations of the Business Park designation.

Mr. Loch stated the Business Park designation is similar to the Commercial designation but is more permissive in regards to the land uses allowed. Both designations allow multifamily use in conjunction with a commercial use. The maximum residential density for the two designations, 18 units per acre, is identical to the maximum density allowed by the medium density multifamily designation. The primary difference is that the Business Park designation allows light manufacturing, warehouses, research and development, and scientific uses.

Mr. Cole added that the Business Park zone also has a larger open space requirement at 20% of the site area.

Study Area Three

No public comments.

Study Area Four

No public comments.

Mr. Cole moved to recommend the City Council adopt the Business Park designation for Study Areas one, two and three, and remove zoning for Study Area four. Mr. Dana seconded the motion.

The motion passed 5-0, with Ms. Wakefield Nichols abstaining.

5. DISCUSSION ITEM:

2012 Work Plan

Mr. Bauman explained that the City's revenues have been challenged since the recession began in late 2008. The budget has been reduced by nearly three million dollars, if the proposed 2012 budget is included. The Planning Department staff has been particularly hard hit with reductions. Additional reductions are proposed for 2012 that will severely impact the City's ability to continue long-range planning projects.

The first of two budget hearings was held before the City Council on November 1st, with the second scheduled for November 15th. The proposed 2012 budget does not include the Planning Director position. If approved, Mr. Dennison's position as Senior Planner will be upgraded to Planning Manager and the department will include three staff members. Remaining staff will be tasked primarily with short-range projects and permit review. \$10,000 has been allocated for the

DISCUSSION ITEM 5a

Date: February 1, 2012
To: Planning Commission
From: Owen Dennison, Planning Manager
Subject: **Draft Shoreline Master Program (SMP) Update**

The purpose of this agenda item is to provide for further discussion of the draft Shoreline Master Program policies and respond to issues raised by the Planning Commission at its October 5, 2011, meeting.

The City is approaching the end of an almost three-year planning process to update the current SMP that was first adopted 35 years ago and last amended in 2000. The process, including review and concurrence by the State Department of Ecology (DOE), must be complete by June 30, 2012. Adoption by the City Council is required prior to final DOE review.

As a refresher, the SMP is a combination of policies and regulations that apply to regulated shoreline areas. In Snohomish, applicable shorelines are those along the Snohomish River, Pilchuck River, and Blackmans Lake. The SMP regulates land and water use in the area between the point of extreme low tide (if any), and 200 feet upland of the ordinary high water mark. SMP updates must be prepared in conformance with the 2003 Shoreline Master Plan Guidelines adopted as administrative rules by the DOE. To complete this work, the State Legislature appropriated \$125,000 in grant funds to the City of Snohomish. These funds have been used to obtain professional, expert consulting services from ESA. Consultant services have been useful because of the myriad of regulations and technical requirements that govern Snohomish's SMP.

Primary guidance to staff and the consultant has been provided by a special community advisory committee comprised of representatives of the City Council, City boards and commissions, and other community stakeholders. Staff has also provided updates and opportunities for comment by the Planning Commission on several occasions. Following the last discussion by the Planning Commission in October 2011, public review drafts of the policies, regulations, and Shoreline Environment Designation map, as well as drafts of background documents including the Shoreline Inventory and associated maps, the Restoration Plan, and the Cumulative Impacts Analysis have been issued. These documents are available on the City's website at <http://www.ci.snohomish.wa.us/ShorelineMasterProgramUpdate.htm>.

Except as may be directed by the City Council, this meeting is anticipated to be the final scheduled opportunity for the Planning Commission, as a body, to provide comment prior to the City Council's public hearing, currently scheduled for March 20, 2012. Staff and the consultant will be available to describe amendments to the draft regulations that are intended to address concerns expressed by Commissioners regarding limitations in the SMP regulations and policies on land uses on First Street in the Historic District, as well as responding to additional questions and concerns.

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RECOMMENDATION: That the Planning Commission REVIEW the current draft SMP Policies and Regulations and PROVIDE DIRECTION to staff regarding further amendments.

ATTACHMENT: Meeting minutes

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Excerpt - Planning Commission Meeting Minutes October 5, 2011

5. DISCUSSION ITEM:

Shoreline Master Program Update

Mr. Loch stated staff has been working with a citizen advisory committee and a consultant firm to draft an update to the Shoreline Master Program, as required by state law. The Department of Ecology (DOE) is the regulating agency with final approval of the Program update. A draft of the regulations and policies has been completed for initial discussion and feedback by the Planning Commission. It is expected that the Commission's input will assist the citizen advisory committee in completing the final drafts. Once the advisory committee completes its work, revised documents will be returned to the Commission for review prior to final approval by the City Council and the DOE. If the DOE has substantial edits, the documents will return for further discussion.

Mr. Johnson stated the Shoreline Master Program (SMP) is the planning document for how shorelines should be managed and developed over time. It provides a framework for protecting resources and ensuring adequate public access of amenities and shorelines, acknowledging the water belongs to everyone, and a responsibility exists to protect the water for the benefit of everyone. The current SMP document has been in place since the late 1970s, with the most recent amendments made in 2000. The State adopted new guidelines in 2003 with a higher priority on environmental protection, requiring municipalities to update their SMPs.

The State guidelines apply to rivers with mean flow of more than 20 cubic feet per second, and lakes over 20 acres in size; this includes the Pilchuck River, the Snohomish River, and Blackmans Lake. In addition, the Snohomish River has been identified as a shoreline of statewide significance, meaning that policies must place State regulations over local interest.

In the past, the Shoreline Master Program has been a separate document referenced in the Municipal Code and Comprehensive Plan. As part of this update, the SMP regulations will be included in the Municipal Code, as a new Chapter 14.250. Once adopted, critical areas enforcement and the responsibility for enforcement within shorelines as defined under the Growth Management Act will be integrated into the Shoreline Management Act.

The first product of the analysis is a shoreline inventory characterization report, which compiled a baseline profile of existing conditions. The inventory provides benchmark data to compare to future conditions. A designation map has been developed with six shoreline designations: Aquatic Environment, Natural Environment, Rural Conservancy Environment, Shoreline Residential Environment, Downtown Riverfront, and Urban Conservancy Environment. Accompanying each designation is a description of its purpose and a set of policies for appropriate uses within the designation.

The next step is a cumulative impacts analysis, which assesses conditions under a hypothetical build-out of the shorelines under the proposed regulations, what the possible effects would be, and identifying weak points. A restoration plan is also being developed, to identify and prioritize restoration opportunities according to ecological function.

Mr. Cole expressed concern over the priority placed on water-oriented uses in the Downtown Riverfront designation in Policy 1.4, and stated the limitation could be devastating to the businesses on the south side of First Street. As a fully-developed, fully-urbanized area, many existing businesses would not meet the definition of a water-oriented use, and would therefore be

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considered nonconforming uses. Instead of a limitation on the use, Mr. Cole suggested requiring water orientation through design standards, so that redevelopment or expansion of existing uses would be required to include a water-oriented element such as a deck facing the river, to take advantage of shoreline opportunities.

Chair Scott agreed, stating the end goal should be greater connection to the water without relying on water-related uses. The Planning Commission reached consensus that water-oriented amenities can be achieved through design and development standards rather than allowing only water-oriented uses, and flexible standards emphasizing water amenities rather than water use were preferable to limiting the permitted uses.

Mr. Johnson stated the language could be changed to state a commercial use permitted in the underlying land use designation will continue to be permitted, to preserve the cultural fabric of the downtown area. Redevelopment of properties in the Downtown Riverfront designation could be required to include a component to connect to the river for public enjoyment. An argument that the area is of cultural importance would have to be made in order to get the language approved by the DOE.

Mr. Cole suggested expanding the Downtown Riverfront designation to the west to include all properties between Avenue D and SR-9, increasing the height restriction of 35 feet to match the allowance in the underlying zone of 40 feet, and removing the language regarding mills.

Mr. Rautenberg volunteered to serve as the Planning Commission's representative on the citizen advisory committee for the Shoreline Master Program update.

DISCUSSION ITEM 5b

Date: February 1, 2012
To: Planning Commission
From: Owen Dennison, Planning Manager
Subject: **Planning Commission Work Plan for 2012**

This agenda item allows for Planning Commission discussion of its work plan for 2012. For reference, the Commission's work plan for 2011 is attached.

As discussed by the Planning Commission in November 2011, the Planning Director's position was not funded in the City's 2012 budget. This has sharply reduced planning staff resources for long-range planning. Consequently, staff is unable to support the Planning Commission consistent with past levels and there is limited capacity for new or continued planning projects.

However, the City Council has identified several code amendments as priorities for the Planning and Development Services Department's 2012 work plan: unit lot subdivisions and deferral of impact fees. These projects are anticipated to be part of the Planning Commission's work program for 2012.

Staff would appreciate feedback from the Commission on its priorities for 2012 to determine what additional work items should be accommodated within the current capacity limitations of staff resources.

RECOMMENDATION: None.

ATTACHMENT: Adopted 2011 Planning Commission Work Plan

Planning Commission Work Plan for 2011 (Authorized by City Council March 1, 2011)

Project	Expected Outcome	Quarter				Status/Notes 1/24/12
		1	2	3	4	
First Priority						
1.1 Pilchuck District development regulations	Adoption of new land use regulations and design standards. Close-out of Cascade Land Conservancy (CLC) grant.	•	•	•		Carry-over from 2010. City Council adoption on 3/15/11. SEPA planned action ordinance adopted 7/5/11. All work except TDR exchange rate complete (see below). Planning Commission work is complete.
1.2 Transfer of Development Rights (TDR) regulations	Adoption of formulas and values for TDR credits to be located in the Pilchuck District.	•				Project delayed at the request of CLC. Awaiting fiscal report being prepared by CLC. TDR exchange ratio discussed by the Commission on 7/6/11. TDR Developer Workshop scheduled for 11/15/11. Planning Commission work is complete.
1.3 Rezone & planning for properties around perimeter of Pilchuck District	Change in land use designation, based upon property owner input. Repeal of Mixed Use Designation.			•	•	First COMMISSION review on 5/4/11. Staff unable to provide adequate support for this project at this time. Project on hold. Planning Commission work is complete for 2011.
1.4 Participate in 2012 Buildable Lands Report (BLR) analysis	Population and employment growth targets supportive of local objectives, including UGA expansion to the north.	•	•	•	•	Multi-year project. Will focus primarily upon evaluation of data prepared by Snohomish County. As of 1/24/12, no work product ready for Commission review.
1.5 Align floodplain regulations. w/ Endangered Species Act	Satisfy mandate imposed by FEMA. Deadline: October 2011.		•			City Council endorsed FEMA's Door No. 3, which does not require extensive code changes.
1.6 Complete Phase 2 of Shoreline Master Program (SMP) update	Multi-year project. Continued grant-funded work to complete mandated SMP update. Adoption of new SMP in 2012.	•	•	•	•	Ad hoc citizen advisory committee overseeing first draft of policies and regulations. Draft policies and regulations reviewed by the Commission on October 5, 2011. A second review by the Commission is on the current agenda.

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	Project	Expected Outcome	Quarter				Status/Notes 1/24/12
			1	2	3	4	
1.7	2011 Comp. Plan Amendments	Annual amendment cycle.		•	•	•	See four following items (1.7-1 through 1.7-4).
1.7-1	Land use designation for professional office uses	Adoption of comprehensive plan and land use code amendments for professional services and offices.		•			This item was originally proposed by the School District and withdrawn in 2011. It is not clear whether it remains a priority for the School District.
1.7-2	Public Park land use map change	Land Use Designation Map amendment to designate existing publicly-owned parks as Public Park.			•	•	This work is complete.
1.7-3	Identify lands for change to Commercial (for 2012 Comp. Plan amendment cycle)	Analyze land use map designations to increase City's commercial capacity.	•		•	•	First Commission review on 1/5/11. Second Commission review on 4/6/11. This work is complete.
1.7-4	Comprehensive Water System Plan	Incorporation in the Comprehensive Plan with repeal of outdated text.			•		Planning Commission reviewed the Draft Plan on 10/5/11, and recommended approval. Remaining Comp. Plan amendments are editorial only. Planning Commission work is complete.
1.8	Engineering. Design Standards	Review and comment upon remaining sections of Engineering Standards.			?		Dependant upon work to be completed by Public Works Dept. As of 1/24/12, no work product ready for Commission review.
1.9	Continued outreach to & planning for the North Planning Area	Community and technical support for UGA expansion north of US-2.			?		No activity expected during 2011.
1.10	Code amendment to allow officers to serve consecutive, one-year terms	Council adoption of amendment. Potential for improved meeting effectiveness.			•		First Commission review on 7/6/11. Second Commission review on 10/5/11. Planning Commission work is complete.
1.11	Medical marijuana	Council adoption of regulations for medical marijuana facilities			•		Planning Commission discussion on 9/7/11. Staff preparing regulations. A second moratorium was adopted 1/3/12. Preparation of local regulations is on hold pending anticipated legislative changes

DISCUSSION ITEM 5b

Project	Expected Outcome	Quarter				Status/Notes 1/24/12
		1	2	3	4	
Second Priority						
2.1 Redevelopment concept for Sno. Co. Public Works Yard	Conceptual site and development plans for property.		?			Soil remediation still underway. No activity expected during 2012.
2.2 Code amendment – Certified Local Government (CLG) for historic preservation	Adoption and implementation of rules and procedures to protect historic resources.				?	Initial legislation being prepared by citizen volunteer. As of 1/24/12, no work product ready for Commission review.
2.3 Airport Land Use Compatibility	Briefing: WSDOT and PSRC compatibility programs.			•		WSDOT standards complete; PSRC standards virtually complete. Staff seeks confirmation of Commission's interest in these guidelines.
2.4 Code amendment – telecommunication facilities	More effective permitting processes.				?	No activity expected during 2012.
2.5 Code amendment – street trees (carryover)	Support Engineering in adoption of new rules and procedures to protect street trees.			?		Dependant upon work to be completed by Public Works Dept. As of 1/24/12, no work product ready for Commission review.
2.6 Code amendment - site plan approval	More effective permitting processes.				?	Lower priority. As time allows. No activity expected during 2011.
2.7 Code amendment - landscaping code clean-up	More effective permitting processes.				?	Lower priority. As time allows. No activity expected during 2012.
2.8 Code amendment - sign code clean-up	More effective permitting processes.				?	Lower priority. As time allows. No activity expected during 2012.
2.9 Code amendment - neighborhood commercial	Adoption of regulations for small-scale commercial land uses.				?	First Commission discussion on 2/6/08. Lower priority. As time allows. No activity expected during 2012.