



# CITY OF SNOHOMISH

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## NOTICE OF SPECIAL MEETING

Joint Workshop with the

### **SNOHOMISH CITY COUNCIL and PLANNING COMMISSION**

in the  
George Gilbertson Boardroom  
1601 Avenue D

**TUESDAY  
January 21, 2020  
5:00 p.m.**

## **WORKSHOP AGENDA**

- 5:00 1. **CALL TO ORDER**
2. **DISCUSSION ITEM:** Planning Commission's 2019 Annual Report and 2020 Work Program (*P.3*)
- 5:55 3. **ADJOURN**

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**DISCUSSION ITEM 2.**

**Date:** January 21, 2020

**To:** City Council

**From:** Glen Pickus, AICP, Planning Director

**Subject:** 2019 Planning Commission Annual Report to the City Council  
Proposed 2020 Planning Commission Work Program

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**SUMMARY:** At its December 4, 2019 meeting, the Planning Commission approved an Annual Report to the City Council outlining its 2019 activities, and a proposed 2020 Work Program. At this joint workshop, the City Council and Planning Commission will discuss the two documents.

**BACKGROUND:** Snohomish Municipal Code (SMC) 2.16.060 requires the Planning Commission provide an annual report to the City Council on its previous year's activities. The Planning Commission approved the attached report (Attachment A) to comply with the code's requirements.

Chapter 2.16 SMC creates and empowers the Planning Commission. The role of the Commission is to serve in an advisory capacity to the Snohomish City Council on land use, regional and comprehensive plan issues. While not explicitly stated that the Council should approve the Planning Commission's work program, to do so will ensure the Planning Commission's efforts are consistent with the City Council's needs and expectations.

**ANALYSIS:**

Annual Report: It appears the intent of the annual report required by SMC 2.16.060 is to serve as an informational tool to the City Council. The code does not provide specific guidance concerning what information the annual report should contain other than requiring the Planning Commission to report "on its activities."

Since the Annual Report is provided to the Council for its information, no changes should be offered.

Work Program: A work program is for guidance and planning purposes only. The work program (Attachment B) is an estimation of projects the Planning Commission will be engaged with in 2020, when they will be discussed, and how long it is expected for each project to be processed by the Commission. The proposed program purposely lists more projects than can be accomplished in one year. This is done to ensure that the Planning Commission always has a project it can work on, especially if a major project unexpectedly is cancelled or delayed.

One project--the update of Chapter 14.270 SMC Flood Hazard Areas--was added to the work program after the Planning Commission discussed it on December 4 because staff was not notified by FEMA until December 11 about the need to update this Chapter in 2020.

The work program does not bind the Planning Commission. If a project takes longer than expected, other projects will be affected. Those affected projects could be delayed to later in the year or postponed to 2021. Similarly, if new unlisted projects arise, they will be added to the Commission's work program, which may result in one or more listed programs being postponed. The work program should be viewed as a living document to be adjusted and modified throughout the year.

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Staff drafted an initial 2020 Planning Commission Work Program by projecting, based on its experience and expertise, which land use, regional and comprehensive plan projects will require the City's attention in 2020. At its December 4, 2019 meeting, the Planning Commission discussed the draft work program, reviewing the listed projects and their timing.

Because the 2020 Work Program is an important guiding document, the Council and Planning Commission's discussion should include whether to add or delete projects listed on the Work Program.

**BUDGETARY IMPACTS:** None

**STRATEGIC PLAN REFERENCE:** Not applicable

**RECOMMENDATION:** That the City Council and Planning Commission **DISCUSS** both the *Planning Commission 2019 Annual Report to the City Council* and the proposed *2020 Planning Commission Work Program*, and **DIRECT** staff to make changes to the work program, if necessary.

**ATTACHMENTS:**

- A. Planning Commission 2019 Annual Report to the City Council
- B. Proposed 2020 Planning Commission Work Program
- C. 2020 Work Program Project Descriptions

**REFERENCE:** [SMC 2.16.060](#)

## ATTACHMENT A

### PLANNING COMMISSION 2019 ANNUAL REPORT TO CITY COUNCIL

The City of Snohomish Planning Commission held ten meetings in 2019: nine regular meetings and one special meeting. They also met once with the City Council for a joint workshop. There were five public hearings held during the regular meetings.

The Planning Commission completed the following projects:

Wetland Regulations Update: This was the major accomplishment of the Commission in 2019. The topic was on the agenda for six meetings, culminating with a public hearing in August. The City Council adopted the Commission's recommendation in September.

Archaeological and Cultural Resources Protection Code: The Commission recommended adoption of a new chapter in Title 14 to establish regulations regarding the protection of archaeological and cultural resources. With adoption of the new chapter, City staff now has access to Washington State Department of Archaeology and Historical Protection's confidential database of cultural resource sites. It will also enable the City to consider adopting SEPA flexible thresholds, which would make the permit review process more efficient.

Implementation of the Parks, Open Space & Public Land Use Designation Code Amendments: In 2018, the Comprehensive Plan was amended to consolidate the Public Parks and Open Space land use designations into a single Parks, Open Space & Public designation. In 2019, the Planning Commission completed the process by recommending approval of code amendments to implement the new land use designation.

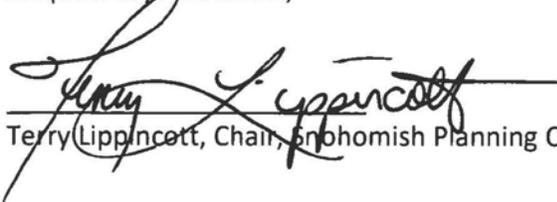
Implementation of the Amended Comprehensive Plan Policy AN 1.12 Code Amendment: In 2018, Comprehensive Plan policy AN 1.12 was completely revised to allow for the potential for properties located outside City limits, but within the Urban Growth Area, to connect to City utilities. To implement the revised policy, the Planning Commission recommended a code amendment to modify SMC 15.04.022.

Binding Site Plan Code Amendment: Snohomish Municipal Code has been missing a common land division process called Binding Site Plan, which allows for a simpler process for subdividing commercial and industrial property. After holding a public hearing, the Planning Commission recommended City Council approval of the creation of a new section in Title 14 to allow for the Binding Site Plan process.

During the year, the Planning Commission was briefed on and/or discussed the following issues in preparation for future projects:

- Vision for the redevelopment of the former Snohomish County Public Works site on Avenue D
- Relationship between the Comprehensive Plan and Title 14 – Land Use Development Code

Respectfully submitted,



Terry Lippincott, Chair, Snohomish Planning Commission

2020 Planning Commission Work Program

Project	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sept	Oct	Nov	Dec
Mid-town Snohomish Subarea Plan/Revision of "Commercial" Regulations				pc								
Move and consolidate definitions (SMC 14.100) and fix private road definition <sup>+</sup>		pc	pc	pc	pc	PC						
Adopt SEPA categorical exemptions flexible thresholds <sup>+</sup>		pc	PC									
Comprehensive Plan Amendments: <ul style="list-style-type: none"> <li>• Create future land use map and review Land Use Element policies</li> <li>• Eliminate Mixed Use designation<sup>+</sup></li> <li>• Eliminate Urban Horticulture designation<sup>+</sup></li> </ul>						pc		PC				
Update Chapter 14.270 SMC, Flood Hazard Areas								pc	PC			
Mini/Self Storage Regulations				pc	PC							
Codify vacation rental code interpretation <sup>+</sup>						pc	PC					
BP minimum lot size code amendment (SMC 14.205.055 and 14.210.230) <sup>+</sup>							pc	PC				
Variance code amendment to not allow FAR variances										pc	PC	
2020 Planning Commission Annual Report												pc
2021 Planning Commission Work Program												pc
Election of officers for 2021												pc
NE Sewer Area code amendment related to plats (SMC 15.04, 14.215.020 and 14.215.120) <sup>+</sup>												
Change of use for parking code amendment (SMC 14.235.010) <sup>+</sup>												
Update concurrency code (SMC 14.295.070, .100; 14.20.090; 14.212.160) <sup>+</sup>												
Clarify rules about tree retention (consolidate SMC 14.240.030(D)(2)(a) and (D)(3) <sup>+</sup>												
Fix fence in rear yard height omission (SMC 14.240.060D) <sup>+</sup>												
Building Height code amendments (SMC 14.210.170, SMC 14.210.215.J.5 and K.2 and SMC 14.210.250) <sup>+</sup>												
Amend parking regulations to differentiate between fast-food restaurants and sit-down restaurants (SMC 14.235.200)												

pc = Planning Commission discussion

PC = Planning Commission public hearing

\* Less complex project

+ Carry over from 2019 Work Program

## ATTACHMENT C

### 2020 Work Program Description

- **Mid-Town Snohomish subarea plan/revision of commercial development regulations:** The planning process for the former Snohomish County Public Works Facility site at 1201 Bonneville Avenue and the surrounding area will start up in 2020 with the Planning Commission playing a key role. While staff anticipates much of the work in 2020 to be public outreach, the Planning Commission will be kept up to date on all efforts regarding this project.
- **Move and consolidate Title 14 definitions:** While there is a Chapter in Title 14 called “Definitions” other Chapters in Title 14 have their own sections called “Definitions,” increasing the likelihood that a meaningful definition could be missed or there could be contradictory definitions within Title 14. This project will bring all of the Land Use Development Code definitions into a single chapter to ensure there are no contradictory definitions and to make the code easier to administer by having all of the definitions in one place. This will also be an opportunity to review and improve definitions as needed.
- **Adopt SEPA categorical exemptions flexible thresholds:** SEPA rules provide for categorical exemptions for minor new construction. Some construction activity is deemed to be minor if certain thresholds are not exceeded, and if that is the case, the project is considered to be “categorically exempt” from SEPA review. The thresholds include number of dwelling units, floor area of buildings, number of parking stalls, and cubic yards of material moved during grading. The rules set minimum thresholds but allows cities to raise the exempt level threshold up to a maximum, at the City’s option. Currently, the City has not taken advantage of raising the exempt threshold level. Raising the level would mean fewer projects would be subject to SEPA and the City’s permitting process would become more efficient. The Planning Commission started this work in 2017, but that effort was put on hold pending City adoption of a cultural resources protection code and the update of the critical area regulations, which must be completed prior the state allowing the City to adopt flexible thresholds. Since those updates are planned to occur in 2019, adoption of the flexible thresholds can also take place in 2019.
- **Comprehensive Plan amendments:**
  - Re-establish correct relationship between Comprehensive Plan and Land Use Development Code by reviewing Land Use Element policies, making the current Land Use Designation Map a zoning map, and creating a new Future Land Use Map.
  - Eliminate the Mixed Use and the Urban Horticulture land use designations.
- **Update Chapter 14.270 SMC, Flood Hazard Areas:** The Federal Emergency Management Agency (FEMA) will soon (in the first half of 2020) make a final determination regarding the current preliminary Flood Insurance Study (FIS) and accompanying Flood Insurance Rate Map (FIRM), whereupon they will become effective. In order to maintain participation in the National Flood Insurance Program (NFIP) and allow citizens within the community to obtain flood insurance and certain types of federal disaster aid, the City must adopt an updated floodplain ordinance that meets current state and NFIP standards and includes the new FIS and FIRM as the basis for establishing areas of special flood hazard within six months of the that final determination.
- **Mini/self-storage regulations:** Currently, mini/self-storage facilities are an allowed use in Multi-Family Residential, Commercial, Business Park, Industrial, Airport Industry and Mixed Use zones. While these facilities provide a service many community members desire, from a municipal and land use point-of-view they can be seen as detrimental as they do not generate much tax revenue, nor do they contribute to a vital urban landscape. The Planning Commission will investigate whether to

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limit or prohibit new mini/self-storage facilities. The discussion could also include reviewing similar land uses potentially detrimental to City finances and urban landscape.

- **Revise code regarding minimum lot size in Business Park designation:** The current code requires a 5-acre minimum lot size in the Business Park land use designation, with some exceptions. The Planning Commission will consider amendments to lower or eliminate the 5-acre minimum and to clarify other aspects regarding lot size.
- **Vacation rental code interpretation:** Snohomish Municipal Code does not address Airbnb and similar land uses. In February 2017, the Planning Director issued a code interpretation in response to a question about whether the SMC regulates Airbnbs. That code interpretation filled gaps in the Development Code's definitions by defining, among other things, "vacation rental" and "short-term rental," and determining Airbnbs and similar uses are short-term rentals not regulated by the SMC. The Planning Commission will investigate whether the code interpretation should be codified, or if it would be better to adopt land use regulations for vacation rentals.
- **NE Sewer Area and preliminary plat criteria code amendment:** SMC 15.04.070 NE Sewer Area does not address subdivision requirements for plats located in the Northeast Sewer Area. The proposed code amendment will fill in this gap and also amend SMC 14.215.020 and SMC 14.215.120 to include a reference to this in the preliminary plat approval criteria.
- **Change of use parking code amendment:** Currently, the SMC requires additional parking if an already developed property has a change of use that generates more demand for parking. This requirement can be difficult to meet and may unnecessarily stifle economic development. The Planning Commission will consider whether a code amendment modifying this requirement would be useful.
- **Update concurrency code:** Concurrency is the state requirement that the City, during development review, ensures that new development will not cause any part of the street system to fall below the adopted level of service standard. The existing City concurrency code is overly complex and places authority with the Planning Director, when it would be more appropriately placed with the City Engineer.
- **Tree retention clarification code amendment:** Tree retention requirements are addressed in more than one section of Title 14, and in some instances appear to be inconsistent with each other, and in other instances are unclear and difficult to administer. This project will consolidate all references to tree retention into a single section to ensure there are no contradictions, and the requirements are easier to administer.
- **Fix rear yard fence height omission:** In 2017, the Planning Commission adopted an ordinance revising the regulations related to fences and retaining walls. SMC 14.240.060(D) establishes maximum heights for fences in Single-Family, Parks, and Open Space land use designation areas in the front and side yard setback areas, but does not provide for maximum fence heights in the rear yard setback area.
- **Measuring building height code amendment:** The Planning Commission will consider the current rules for measuring building height, and determine if it is adequate or whether it should be modified.
- **Parking Regulations for fast food and sit-down restaurants:** Currently, SMC 14.235.200, which is the table providing parking requirements for retail land uses, has a single line for "eating and drinking establishments." There is a need to differentiate between the parking requirements for fast-food/drive-through establishments and sit-down restaurants.