

**CITY OF SNOHOMISH
REGULAR MEETING OF THE PLANNING COMMISSION
MEETING MINUTES
August 5, 2020**

1. **CALL TO ORDER** The regular meeting of the Planning Commission was opened by Chair Terry Lippincott at 6:01 p.m. on Wednesday, August 5, 2020.
2. **FLAG SALUTE**
3. **ROLL CALL**

COMMISSIONERS PRESENT:

Terry Lippincott, Chair
Gordon Cole
Hank Eskridge
Mitch Cornelison
Nick Gottuso
Van Tormohlen

STAFF:

Glen Pickus, Planning Director
Brooke Eidem, Planner

OTHERS PRESENT:

Steve Dana, Council Liaison
Judith Kuleta, Council Liaison

COMMISSIONERS ABSENT:

Christine Wakefield Nichols

NOTE: Due to the COVID-19 declared federal, state and local emergency, and pursuant to Governor Inslee's Proclamations 20-05 and 20-28, the Snohomish Planning Commission held its meeting via remote participation.

4. **APPROVAL OF AGENDA ORDER:** Commission Chair Lippincott asked if there were any changes to the agenda order proposed. As there were none, the agenda order was approved as presented.
5. **GENERAL PUBLIC COMMENTS:** Commission Chair Lippincott asked if there were any comments from the public for items not on the agenda. There were none.
6. **APPROVAL** of the minutes of the July 1, 2020 regular meeting. Commissioner Tormohlen moved to approve the minutes of the July 1, 2020 meeting. Commissioner Cole seconded, and the motion passed 6-0.
7. **DISCUSSION ITEMS:**
 - a. Elimination of the Urban Horticulture and Mixed Use Land Use Designations. Mr. Pickus discussed the purpose of the amendment to the Land Use Map that would eliminate both the Urban Horticulture and Mixed Use Land Use Designations. Staff presented maps of each affected area for discussion and initial ideas. There are more than 100 property owners in these zones, so staff has begun reaching out to all of them. The goal is to talk to every property owner, in order to arrive at agreement on a new designation.

There are three proposed criteria for possible new designations. Two of them are directly from the Comprehensive Plan policy that calls for elimination of Mixed Use, and the third is good practice: 1) how the property is currently being used; 2) how the parcels in the immediate vicinity are being used; and 3) what designation will not negatively

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impact property rights. It is also better to apply zoning designations in larger areas, rather than by parcel. Mr. Cornelison noted the importance of thoroughly documenting the reason for each selection, so that Commission successors understand the current thought process. Mr. Pickus agreed. In all cases, it will also be important to work with the property owners, and find out what zone they want.

Urban Horticulture. Ms. Lippincott asked about existing farm uses after the land is rezoned. Mr. Pickus said he is considering that issue in order to protect property rights. Mechanisms will be implemented to highlight those parcels and allow them to continue as conforming uses so they can be intensified if desired. The status would run with the land unless the use is abandoned for a year or more.

Map 1: Orchard Avenue. The parcels are all developed for single-family use except one that is undeveloped and one that also runs an organic farm. Adjacent properties are also Single Family, apart from the Centennial Trail. Mr. Cole noted he saw horse paddocks on the property at the end of Gem Street. The Planning Commission agreed Single Family is appropriate.

Map 2: Lincoln Avenue. This property is used for agriculture. Neighboring parcels are Multi-Family Residential and a park to the south. The property is also in the floodway, where residential development is prohibited under state law. The options appear to be Commercial or Neighborhood Business. The Planning Commission agreed Commercial is appropriate.

Map 3: State Street. This is the only other property zoned Urban Horticulture inside City limits. It is owned by Snohomish County, and used to be the railroad right-of-way. The Planning Commission agreed Parks, Open Space, and Public is appropriate.

Map 4: Fobes Road. This area is in the UGA. It contains primarily single-family properties and one active blueberry farm. Neighboring properties are Single Family and Business Park. Either could work, but under the first criteria, Single Family would be more appropriate. The Planning Commission agreed.

Map 5: Airport Way. This is also in the UGA, south and west of the airport. There are three parcels: two are Agriculture and one is Single-Family. Neighboring properties to the north are Airport Industry. In this case, a similar Industrial zone would work, but Mr. Pickus would want the property owners to agree on a single zone. Ms. Lippincott suggested Commercial.

Mixed Use. Mr. Cole gave a brief history of the zone. Originally, the north portion of the Mixed Use area was all zoned Industrial under a pyramid zoning scheme. It was dominated by canneries, meat packing plants, and feed operations. The houses built in the area were for the workers of those facilities. An effort to downzone the area began when pyramid zoning went into disfavor. The Mixed Use zone was developed as a mechanism to avoid economic loss to those property owners. It has changed slowly over time since then, further restricting the development potential of the properties.

Map 1: Cedar Avenue. This area has been developed with single-family homes, with Single Family to the north and west. If the first two criteria are applied, the new zone would be Single Family; however, it is across the street from the Pilchuck District Center zone, which allows intensive uses. The options here appear to be Commercial, High

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Density Residential, Neighborhood Business, or even Single Family if selected by the property owners. Mr. Cole noted property owner input will be significant in this area, as the chance these properties will redevelop in the foreseeable future is remote. The possible downside to a Commercial zone is that property taxes may increase. Mr. Pickus stated that has been a common question so far, and he intends to contact the County Assessor's Office to learn whether it is true.

Map 2: Maple Avenue. Most properties on the west side are Commercial, with one 12-unit Multi-Family use. On Lincoln Avenue, there are Single- and Multi-Family uses, one undeveloped lot, and two larger Mixed Use lots. The Planning Commission agreed the zoning could match existing uses on the west side, but the east side required property owner input.

Map 3: South Pine Avenue. There are single-family homes, condos and apartments, and a warehouse. It is across the street from the Pilchuck District. The initial impression is a Multi-Family zone (HDR) would be appropriate for most and would not be a significant downzone in that it allows higher density development than Mixed Use. However, the single-family owners could opt for Single Family. The warehouse could go Commercial. The Planning Commission agreed.

Map 4: North Pine Avenue. The east side is developed for Multi-Family use and 707 Pine Avenue is Commercial. Surrounding zones are Residential. The majority could be HDR or MDR, but the commercial property is an ideal place for Neighborhood Business. Commercial would also be acceptable, if preferred by the property owner. The Planning Commission agreed.

Map 5: South. This area has townhouses, single- and multi-family uses, a warehouse, and undeveloped lots. One parcel will be developed as a dental office in the near future. Surrounding properties are Pilchuck District, Historic Business District, and HDR. Commercial might make sense in this area, or HDR. The Planning Commission agreed, but was interested to learn what would happen to property taxes for single-family owners. Mr. Pickus noted the Mixed Use zone allows similar uses and has similar regulations as does Commercial, so it is unlikely to be an issue. He was willing to support property owners in asserting that taxes should not be increased with a rezone to Commercial.

The Planning Commission will hold another work session on this item before a public hearing is held. Staff will increase efforts to contact each property owner in the coming months, and will report that information along with a staff recommendation. Property owners will also be invited to attend Planning Commission meetings.

- b. Elimination of Joint Use Parking Agreements. Mr. Pickus presented the issue and a discussion was held. If the provision is eliminated from the code, other amendments will be necessary to ensure changes of use and additions to existing development will not trigger new parking requirements on a developed site.

Mr. Cole stated joint use parking agreements can work well if the parking agreement is more robust, as in a perpetual easement. Mr. Tormohlen noted parking agreements can be an important tool as long as both property owners consider it a permanent decision.

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Staff will broaden the analysis to include requiring more rigorous joint use agreements, as well as a parking standard for multi-tenant buildings.

8. **DIRECTOR'S REPORT:** Mr. Pickus informed the Commission that the Department of Ecology notified him that the new floodplain regulations have been approved.
9. **ADJOURNMENT:** The meeting adjourned at 7:29 p.m.

Approved this _____ day of _____, 2020.

By: _____
Commissioner Terry Lippincott, Chair

DISCUSSION ITEM 7.

Date: September 2, 2020
To: Planning Commission
From: Glen Pickus, AICP, Planning Director
Subject: 2020 Comprehensive Plan Amendments

SUMMARY: Staff will brief the Planning Commission on upcoming Comprehensive Plan and Snohomish Municipal Code amendments that are related to the elimination of the Urban Horticulture and Mixed Use land use designations, and to re-establish the relationship between the Comprehensive Plan and the Land Use Development Code.

BACKGROUND: The Comprehensive Plan calls for the elimination of the Urban Horticulture and the Mixed Use zoning districts. A proposal to do that was placed on the 2019 Final Docket by the City Council, and last month the Commission discussed the process for achieving that. In addition to actually re-designating/rezoning the affected parcels, both the Comprehensive Plan and Snohomish Municipal Code need to be amended to remove references to the Urban Horticulture and Mixed Use designations.

In 2019, the City Council approved docket item DK2020-1 for the 2020 Final Docket to re-establish the relationship between the Comprehensive Plan and the Land Use Development Code (Title 14 SMC) by amending the Land Use Element. To achieve this, a new Future Land Use Designation Map is proposed to provide a general vision for the City's growth. As such, it provides policy direction for the development of the City. At the same time, the current Land Use Designation Map would be retitled as a Zoning Map, which would act as a regulatory document. The docket item also called for making the map the City's official Zoning Map and placing it in Title 14.

Additionally, DK2020-1 called for a review of the existing policies and text in the Land Use Element and amending it as necessary to ensure there is no regulatory language in the Comprehensive Plan. At the same time, Title 14 is to be reviewed to identify text that is more policy setting than regulatory and move it into the Land Use Element of the Comprehensive Plan if necessary.

ANALYSIS:

Comprehensive Plan – Land Use Element. Staff has identified the sections of the Comprehensive Plan to be modified or deleted because they reference the to-be-eliminated Urban Horticulture and Mixed Use designations. Staff has also identified portions of the Land Use Element of the Comprehensive Plan that are regulatory in nature and better suited for placement in Title 14 SMC.

At the meeting, staff will review these sections with the Planning Commission, and will also share an early draft of the proposed Future Land Use Map.

Title 14 SMC – Land Use Development Code. The necessary amendments to Title 14 include:

- Creating references to the new Future Land Use Map and the retitled Zoning Map and to clarify the relationship between the two.

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- Amending Chapter 14.205 SMC Permitted Land Uses to incorporate regulatory language deleted from the Land Use Element or perhaps creating an entirely new chapter in Title 14.
- Amending the Land Use Tables (Chapter 14.207 SMC) and the Dimensional Requirements Tables (SMC 14.210.330) to remove the “Urban Horticulture” and “Mixed Use” columns.
- Amending Chapter 14.15 Amendments to the Comprehensive Plan, Land Use Map, and Development Code to provide for a rezone process.

Staff will brief Commissioners on the first three bullet items, but will only briefly discuss the fourth bullet item. New language to create a rezoning process has not yet been drafted.

RECOMMENDATION: No action by the Commission is required as this is merely a briefing to the Commission on the work being done by staff.

NEXT STEPS: After staff has finished its outreach to the Urban Horticulture and Mixed Use property owners, a work session will be scheduled to discuss all proposed Comprehensive Plan amendments and related amendments to Title 14 SMC.

REFERENCE: [City of Snohomish Comprehensive Plan](#)