The meeting was called to order at 6:30 p.m. A quorum was established.

APPROVAL OF THE AGENDA

Ms. Larson moved to approve the agenda, with a second by Mr. Seeley. The Commissioners unanimously approved the agenda.

PUBLIC HEARINGS

Ms. Baker talked briefly about the meeting format for the two public hearings, stating that there would be a three-minute time limit on public comment during each of the hearings.

Private Municipal Code Amendment – Linden Golf & Country Club  (Recording start time: 01:45)

Ms. Wals explained that the first public hearing before the Planning Commission was for a privately-initiated municipal code amendment, requested by the applicant, Linden Golf and Country Club. Ms. Wals explained the applicant proposes to amend the city’s multi-family residential zoning code (PMC 20.25) to allow pre-existing major commercial recreational uses (e.g. golf courses) to continue and expand, subject to specific parameters and standards. Ms. Wals explained that the existing use is currently nonconforming to the existing multi-family residential zone (RM-20).

Staff presented a detailed PowerPoint presentation on the applicant’s proposed text amendments (original and option two) and an alternative option prepared by request of the
Planning Commission for their consideration. Ms. Wals explained that neither of the applicant’s proposals (original proposal and option two), conflict with the Comprehensive Plan goals and policies and that the Commission could consider which of the options, including the alternative option, is most appropriate to recommend to the City Council.

Paul Green, representative for the Linden Golf and Country Club (applicant), spoke to the application and the different proposed options and noted areas of agreement and disagreement.

Mr. Seeley asked what changes would have to occur for the golf course to go from private use to public use. Mr. Green explained that the golf and country club’s lease with the Nix Family, the property owners for the majority of the golf course property, would have to be amended to make the course available to the public.

The Public Hearing opened at 6:55 p.m. There were no comments, and the Public Hearing closed at 6:55 p.m.

Mr. Seeley stated concerns that there doesn’t seem to be an option for rezoning the area with the appropriate zoning rather than having to go through the amendment process. Ms. Sanders stated that she doesn’t have the same concerns because the land owner has not requested a rezone, and most likely wouldn’t as it could limit the potential for the property.

Mr. Jacobsen inquired as to why staff feels they should have to go through the conditional use permit (CUP) process for this property. Ms. Wals explained that the use is currently nonconforming to the multi-family zoning code, and the conditional use process is standard in code and is commonly used in situations where a use may impact adjacent properties, which is why it was presented as an alternative option.

Ms. Sanders stated that the Commission would run through the list and discuss each item separately.

**Use Expansion Allowance**

Mr. Juntunen stated that he doesn’t have concerns about the use and what a future owner might want to do, but that the Commission needs to deal with what is in front of them currently.

Ms. Sanders stated that she is fine with the language that states the golf course is for private use, and that she was supportive of an administrative conditional use permit (ACUP) rather than a full CUP as it would be less burdensome. Mr. Jacobsen asked how long ACUPs take, Ms. Wals explained that it might take about a month longer than a preliminary site plan review, mostly because of noticing and the comment period.

Mr. Seeley asked if there are any other candidates in the Urban Growth Area (UGA) that would fall under the same situation as the golf course. Ms. Wals stated that staff had not reviewed properties in the UGA because the UGA doesn’t receive zoning designations until the properties are annexed into the city, but staff could look at properties by their future land use designations.

The Planning Commission reached a consensus to go with the applicant’s original proposal for the description of the “continued use and expansion of pre-existing major commercial recreation uses”, with the addition of a portion of the alternative option, requiring medium and large projects to receive an approved ACUP.
Ms. Wals stated that staff just now completed cursory review of properties in the UGA and didn’t find any existing major commercial or recreation uses, other than the existing mini-golf property with a land use designation of Light Manufacturing/Warehousing, which wouldn’t fall under the multi-family residential zoning code.

Mr. Juntunen suggested that the language for the threshold options be modified, making the small and medium thresholds larger, so that they would fall under the ACUP.

Mr. Green asked if the site disturbance criterion applies to the area of the driving range where they want to plant five acres of grass in the place of the blackberries. Ms. Wals explained that the described work would be considered site work. The thresholds could be triggered by the amount of proposed site work or new structural area. Ms. Sanders stated that they would be combining the threshold sizes for the “small” and “medium” size projects, and the “large” project size would be the only factor for an ACUP.

Mr. Jacobsen inquired as to the purpose of the ACUP, and stated that it should be a simple process; are we only requiring it so that neighbors can be notified? Ms. Sanders explained that staff can add conditions based on public comments from concerned citizens, and that the additional time taken by an ACUP is outweighed by the potential impact to neighbors.

Mr. Seeley asked about proposed condominiums for this area in the future, and what the review would look like under the large projects. Ms. Wals explained that a future project would follow the standard review process for a multifamily development project (e.g. preliminary site plan review) because it would be considered a multi-family residential use, not the subject major commercial recreational use.

Critical Area Review
Ms. Sanders asked the Commissioners if they would like to include the applicant’s proposed text for critical area review as part of their recommendation, or just reference the existing codes requirements. The Commissioners agreed to reference the existing code requirements.

Height
The Commissioners agreed to reference the existing code requirements; e.g. the multi-family property development standards (PMC 20.25.020).

Setbacks – principal/minor arterial streets
Planning Commission agreed to reference existing code requirements; e.g. the multi-family property development standards (PMC 20.25.020).

Setbacks
Planning Commission agreed to reference the existing property development standards for multi-family residential zones. The Commissioners also agreed to add a reference to the Nonconforming Code, which includes expansion allowances up to 25% within the prescribed setback area for nonconforming structures.

Performance Standards
Ms. Sanders stated that she doesn’t see the need for requirements to shield the storage shed for recreation uses. Ms. Larson voiced concerns regarding hazardous materials that may be stored inside the storage shed, like fertilizer, etc.
Mr. Utterback explained that this type of concern delves into code that staff doesn’t deal with very often, like stormwater management. Mr. Utterback stated that there are likely health department codes out there that regulate this. Ms. Wals stated that the performance standards are intended to deal with screening, and that there are stormwater regulations that deal with discharge or seepage.

Mr. Seeley suggested putting something in code for screening for residents living a certain distance away from the storage shed. Ms. Wals explained that there are zone transition standards that are required between residential and non-residential uses, typically a landscape buffer would be used in that transition.

Planning Commission agreed to go with the applicant’s original proposal which did not include screening requirements.

Outdoor lighting
Ms. Sanders stated that with an ACUP, outdoor lighting performance standards might not be needed. Mr. Juntunen agreed. The Commission agreed to go with no performance standards for outdoor lighting.

Limit use to members
Planning Commission agreed that it is not necessary to include language about the membership of the use in the code text.

Ms. Wals summarized her understanding of each item that the Commission is recommending:

- **Use and expansion allowance:** the applicant’s original proposed language for the description of the use; continued use and expansion of pre-existing major commercial recreational uses are permitted in RM zones. For the thresholds for use and expansion allowances, anything up to 20,000 square feet of structural area or 40,000 square feet of affected site area is permitted outright (preliminary site plan review), anything greater than those thresholds requires an Administrative Conditional Use Permit (ACUP).

- **Critical Area Review:** excluding the code language and relying on the existing code requirements.

- **Height:** Excluding code language, relying on the underlying code requirements.

- **Setbacks:** Excluding the applicant’s proposed language and relying on the underlying zoning, including a citation to the nonconforming code related to setbacks for nonconforming structures. Excluding the callout for the setbacks for principal and minor arterial streets and relying on the underlying zoning requirements.

- **Performance standards:** Not moving forward with any of the additional performance standards.

Mr. Juntunen moved to approve the package for:

- **Use and expansion allowance:** the applicant’s original proposed text, including the review process requiring projects with 20,000 square feet of new structural area or 40,000 square feet of affected site area permitted outright and anything larger requires an ACUP.

- **Critical Area Review, Height and Setbacks:** going with the alternative option.
• **Performance standards**: going with the applicant's original proposal.

Mr. Jacobsen seconded the motion. The Commissioners voted, and the motion passed 4-1 (Seeley).

Ms. Wals asked for clarification on the setbacks and whether the motion included staff adding a citation to the nonconforming code related to setbacks for nonconforming structures. Mr. Juntunen stated that yes, that should be included.

**Sign Code Amendments PMC 20.60 and 20.75**

 Ms. Brown explained that the second Planning Commission public hearing would be on the City initiated code amendments concerning the sign code and the home occupation code.

Ms. Brown explained that the code amendments were being proposed in response to a 2015 United States Supreme Court decision that found all content-based regulations of signs to be an unconstitutional violation of the right to free speech. As a result, the City is required to remove all content-based regulations from the code.

Ms. Brown summarized the proposed code amendments as they pertain to temporary signs both in the right-of-way and on private property.

Ms. Brown answered questions about banner signs currently found in the downtown area.

**The Public hearing opened at 8:20 p.m. There were no comments, and the public hearing closed at 8:20 p.m.**

**Temporary signs in the Right-of-Way (ROW)**

Ms. Brown stated that the Planning Commission had decided in previous meetings to have a six-month time limit for all temporary signs in the ROW. She asked the Commission if a temporary sign permit should continue to be required for temporary signs in the ROW.

Mr. Juntunen stated that seems labor intensive and overly expensive to have to apply for this type of permit. Ms. Brown explained that existing code already requires a blanket sign permit for temporary signs in the ROW.

Mr. Seeley asked if the temporary sign permit process would include requiring the applicant to obtain colored stickers to put on the signs so that Code Compliance will be able to easily determine the amount of time signs have been sitting out in order to enforce the six-month time limit.

Ms. Sanders read comments from Commissioner Chair Larson on maintaining strict control over commercial temporary signage in the ROW.

Ms. Sanders stated that she thinks that a temporary sign permit will be hard to enforce, and that there will be a lot of non-compliance. Ms. Brown stated that the Code Enforcement Officer is in favor of the permit, so that if there is a complaint about a sign, he can go remove it if there is no permit.
The Planning Commission discussed different ways that the time limit on these signs could be enforced.

The Planning Commission agreed to eliminate the language in the code requiring a temporary sign permit for signs in the ROW and removing the six-month time limit.

Banners on Poles

The Commission discussed the three options for banners on poles:

- Option A – limited zones (Staff recommendation): allow banners on poles in only the C, M, fair zones spaced min 2 per 600 lineal ft of street frontage, limited to 50% of the allowed size of façade signs for the zone
- Option B – all zones: allow banners to be on poles in all zones, spaced max 2 per 600 lineal feet of street frontage, limited to 50% of the allowed size of façade signs for the zone
- Option C: prohibit banners on poles in all zones

There was discussion on banners on poles for car dealerships. Ms. Baker explained that car dealerships currently have no limitations on these types of signs.

Mr. Jacobsen stated concerns over banner regulations in the C, M, and fair zones, ok with banners in these zones for any business, not just the Fair.

Planning Commission decided that there will be no limit on the number of banner poles on signs in CM and fair zones, with a size limit not to exceed 25 square feet per sign.

Rail Manufacturing MR zone

Ms. Brown had deleted MR from the Section 20.60.35 Permitted signs, by type and zoning district table, because this zoning designation has never been applied to any property. However, she explained that because it was still a zoning designation described in the zoning code that staff had decided to keep reference to it in the sign code, in case it was ever applied in the future. Ms. Brown asked the Commission if it was ok to add it back in.

The Commission agreed to add MR back into the table.

Mr. Juntunen pointed out that on page nine – Section 20.60.30, that the box around the letters isn’t accurate for square footage, and that signs can become nonconforming or businesses end up with signs that are too small for people to read from the road. Ms. Brown explained that the box is what allows staff to measure the actual size of the letters, and that this is currently existing in code.

Ms. Sanders summarized that the Commission appear to have a consensus that other than what was provided in the packet, the Commission would recommend:

- No permit for Temporary Signs in the ROW, and no six-month time limit
- Banners are allowed in unlimited numbers only in C, M, and FAIR zones, up to 25 square-foot total per sign
- Add Rail Manufacturing back in
Mr. Seeley asked how many signs, including window, façade, fence signs, are allowed for a home occupation in a residential area. Ms. Brown explained that fence and window signs are allowed for a home occupation, as existing in code.

Ms. Brown corrected herself and stated that window signs are not allowed, the façade sign is allowed, and the fence sign is in the general sign regulation that applies to all zones.

Ms. Brown suggested striking out the fence signs from the table 20.60.035, Permitted signs, by type and zoning district, and leave the sign code as it is.

Mr. Utterback explained that the home occupation application doesn’t allow for fence signs, just the façade sign.

Ms. Baker explained further that when fence signs are allowed in a zone, Section nine regulates the size and how it should look and be attached, but that it doesn’t necessarily allow it. Mr. Jacobsen asked what zones it is allowed in, Ms. Baker explained that they’re not permitted, that this is a ghost section. Ms. Baker explained that there was possibly a prior allowance, and that section was written, then the allowance got removed from a different portion of the code, and that section remained.

Ms. Sanders summarized the package for motion consideration:

- No permit for Temporary Signs, and no six-month time limit, other provisions still stand
- Unlimited Banners are allowed in C, M, and FAIR zones only, with a maximum size of up to 25 square-feet, per sign
- Add Rail Manufacturing (MR) zone back in
- Strike permanent fence signs in the table, and strike the ghost provision throughout the code

Mr. Jacobsen made a motion to approve the proposal as amended, with a second by Mr. Seeley.

The Commissioners voted, and the motion passed 5-0.

OTHER COMMISSION BUSINESS

Ms. Baker explained that the turnaround time on the golf course amendment will be relatively quick and that staff plans to be before the Council at their meeting on June 4. Ms. Baker explained that the Sign Code amendments are a big package to consider and that they might break it up into smaller pieces to present to Council. She explained that the Planning Commission will hold another public hearing on May 22nd on the code amendments related to the Downtown Design Guidelines update.

Ms. Baker explained that the Planning Commission might have a lighter schedule over the upcoming summer months, so it is possible that staff might consolidate items on meetings and in turn, cancel a few meetings. She stated that if any Commissioners have upcoming vacations that they are aware of, to communicate that with staff.

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