



Agenda
Edmonds Architectural Design Board
COUNCIL CHAMBERS
250 5TH AVE NORTH, EDMONDS, WA 98020

DECEMBER 4, 2019, 7:00 PM

- 1. CALL TO ORDER**
- 2. APPROVAL OF MINUTES**
 1. Approval of Draft Minutes of November 6, 2019
- 3. APPROVAL OF AGENDA**
- 4. AUDIENCE COMMENTS**
- 5. MINOR PROJECTS**
- 6. PUBLIC HEARINGS**
- 7. CONSOLIDATED PERMIT APPLICATIONS**
- 8. ADMINISTRATIVE REPORTS / ITEMS FOR DISCUSSION**
 1. Indigenous Peoples Land Acknowledgement for Public Meetings
 2. Continued Discussion on ADB Roles
 3. Election of Officers for 2020
- 9. ADB MEMBER COMMENTS**
- 10. ADJOURNMENT**

Architectural Design Board Agenda Item

Meeting Date: 12/4/2019

Approval of Draft Minutes of November 6, 2019

Staff Lead: N/A

Department: Planning Division

Prepared By: Michelle Martin

Background/History

N/A

Staff Recommendation

Approve the draft minutes

Narrative

The draft minutes are attached.

Attachments:

Attachment 1: Draft Minutes 11/6/2019

DRAFT

**CITY OF EDMONDS
ARCHITECTURAL DESIGN BOARD
*Minutes of Regular Meeting***

November 6, 2019

Chair Herr called the meeting of the Architectural Design Board to order at 7:00 p.m., at the City Council Chambers, 250 - 5th Avenue North, Edmonds, Washington.

Board Members Present

Joe Herr, Chair
Lauri Strauss, Vice Chair
Kim Bayer
Cary Guenther
Maureen Jeude
Bruce Owensby
Tom Walker

Board Members Absent

Staff Present

Mike Clugston, Senior Planner
Karin Noyes, Recorder

APPROVAL OF MINUTES

VICE CHAIR STRAUSS MOVED THAT THE MINUTES OF OCTOBER 2, 2019 BE APPROVED AS AMENDED. BOARD MEMBER OWENSBY SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

REQUESTS FROM THE AUDIENCE:

There was no one in the audience.

DISCUSSION ABOUT ARCHITECTURAL DESIGN BOARD MEMBER TERMS

Mr. Clugston recalled that Board Members Owensby, Bayer, and Jeude were appointed to the Board for partial terms, which expire at the end of 2019. The terms of Board Members Strauss and Herr also expire at the end of 2019. All five Board Members indicated a desire to be reappointed, and Mr. Clugston agreed to get the reappointment process started.

Board Member Bayer requested clarification about the required make up of the Board. Mr. Clugston answered that, as per the enabling ordinance, the Board consists of the following positions: 2 laymen, an architect, a builder, a landscape architect, an at-large professional, and a planner. Edmonds residency is only required for the layman positions. The Board Members voiced some concern that there is no residency requirement for the majority of the Board Members. They agreed that Board Members should have some familiarity with Edmonds. Vice Chair Strauss said she would be surprised if someone without a connection to Edmonds would even be interested in serving on the Board.

ELECTION OF OFFICERS FOR 2020

BOARD MEMBER GUENTHER MOVED THAT THE BOARD APPOINT BOARD MEMBER STRAUSS TO BE CHAIR AND BOARD MEMBER OWENSBY TO BE VICE CHAIR EFFECTIVE JANUARY 1, 2020. BOARD MEMBER HERR SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

ADMINISTRATIVE REPORTS/ITEMS FOR DISCUSSION: Continued Discussion of ADB Roles and Design Review Process

Mr. Clugston briefly reviewed that the Architectural Design Board (ADB) met jointly with the Planning Board on October 9th to discuss potential changes to the ADB's specific role in the project design review process and allowing the ADB greater involvement in developing the guidelines and standards necessary to influence design in Edmonds. He recalled that the Planning Board indicated support for the proposed changes, and the purpose of this discussion is to fine-tune the proposal and prepare a recommendation for the City Council's consideration.

Mr. Clugston advised that the Board has a few months to work on the proposal before presenting it to the City Council. Because the City will have a new mayor and three new City Council Members in January, it would behoove the Board to allow them time to become comfortable in their new roles before presenting their proposed changes. He suggested the Board could continue its discussions on December 4th and finalize its recommendation on February 5th. He noted that January 1st (the Board's regularly scheduled meeting) would be cancelled for the holiday.

Board Member Guenther suggested that the Board present its recommendation to the City Council prior to its annual retreat in March. The remainder of the Board concurred, and Mr. Clugston agreed to request that a joint meeting with the City Council be scheduled for February 18th, February 25th or March 3rd. Vice Chair Strauss asked if another joint meeting with the Planning Board would be appropriate prior to presenting the ADB's recommendation to the City Council. It was discussed that the Planning Board has already indicated support for the proposed changes, but it might be helpful for a representative from the Planning Board to be present at the ADB's joint meeting with the City Council to represent their viewpoint.

He specifically asked the Board to provide direction on the following:

- **Changing the ADB's Name.** Mr. Clugston suggested it may be appropriate to alter the name to better reflect the Board's changed role.
- **Altering Meeting Dates, Times and Venues.** Mr. Clugston reviewed that, traditionally, the ADB has met on the 1st Wednesday of each month. The 3rd Wednesday of each month has been set aside for additional meetings as needed. Staff is recommending the Board consider having two regular meetings each month, and changing the meeting dates to the 1st and 3rd Thursdays. He explained that staff holds pre-application meetings with applicants on Thursday afternoons. The idea is that applicants could meet with staff in the afternoon, followed by a meeting with the ADB in the early evening. Changing the ADB meetings to Thursday would make it more convenient for applicants to meet with the Board. The Board Members offered general support for the proposed date and time change.

Mr. Clugston suggested that the Board could change the location of its meetings from the Council Chambers to a less formal setting in the Brackett Room at City Hall. The Board Members voiced support for this change, as well.

- **Content of ADB Meetings.** Mr. Clugston explained that, if the Board is amenable to having two regular meetings each month (on Thursday), the 1st meeting of each month could be reserved for pre-application meetings and follow-up design review meetings that result in a recommendation from the ADB to the Hearing Examiner. The 2nd meeting could be dedicated to post hoc reviews, consideration of potential code amendments related to design, etc. He observed that it is easier to schedule both meetings each month and then cancel one or the other if there are no items on the agenda.

Mr. Clugston provided a sample meeting agenda, which is similar to the agenda used by the Planning Board. In addition to the meeting agenda, there is also an extended agenda that lists issues the Board would like to address moving forward.

Vice Chair Strauss recalled that the Board has discussed the idea of having more influence over policy and making recommendations for code changes, and more than one meeting a month will be required for the Board to formulate recommendations. She observed that meeting with applicants in pre-application meetings will give the Board some insight about code changes that are needed.

Board Member Owensby said he supports having two meetings each month, but he is concerned that the Board's second review of a project would come too late in the process for applicants to change their designs. They may end up in the same situation they are in now. Vice Chair Strauss clarified that the 2nd review would be a follow up to see how the applicant has incorporated the Board's comments from the pre-application meeting. Board Member Owensby said he is concerned that the pre-application s will be too generic and most applicants will already have submitted building permit applications by the time the projects come before the Board for the 2nd review.

Vice Chair Strauss commented that projects will still have to meet all of the code requirements. The intent of the pre-application meeting is to allow the ADB to influence design earlier in the process. However, she recognized that applicants are not required to incorporate the Board's recommendations, and the Board would have to approve an application anyway if it meets all of the code requirements.

Board Member Bayer asked what true influence the ADB would have at pre-application meetings. Chair Herr reminded them that, as proposed, the ADB would be an advisory board. Mr. Clugston agreed that applicants would not be required to implement the ADB's recommendations. However, the proposed new process would allow the Board a greater role in developing the guidelines and standards that will result in better design. During pre-application meetings, the Board will gain insight on potential changes that need to be made.

Board Member Owensby observed that, currently, pre-application meetings in Edmonds are more exploratory to talk about what an applicant wants to do and identify issues that need to be addressed. They do not typically get into specific design details. Vice Chair Strauss suggested that more detailed information could be required at the pre-application meetings for projects that require State Environmental Policy Act (SEPA) review.

Mr. Clugston explained that the City currently offers two types of pre-application meetings. One is the development review meeting, which is a higher-level review of a proposed project, and the other is a paid pre-application meeting where more specific design elements can be discussed. Staff is suggesting that the pre-application meeting before the ADB would be part of the paid pre-application meeting, and would be mandatory for all projects that require SEPA. The information required for that meeting could be similar to what is currently required for the Phase I public hearing: vicinity plan, conceptual design plan, and conceptual building model. He summarized that, as proposed, applicants would meet with staff first to discuss zoning and building requirements and then transition to the ADB to address the design elements of a project. For the 2nd review meeting, applicants could be required to provide information similar to what is currently required for the Phase II public hearing. It will be important for the Board to clearly identify what information applicants must provide at the pre-application meetings.

Vice Chair Strauss said it would also be helpful for the Board to talk to applicants about the types of issues they are running up against when trying to meet all of the code requirements. This could inform the Board as to the types of code changes that might be needed going forward.

Code Departures. Board Member Guenther commented that, as proposed, the Board could review the design guidelines and standards and stress those that are of particular importance to applicants at the pre-application meetings. However, there may be instances where a particular design standard needs to be modified to accommodate a better design, and the Board has discussed the need to have a process in place for approving departures from code requirements when appropriate.

Vice Chair Strauss referred to the City's current requirement for 75% transparency on the street-facing facade and commented that it might not be appropriate for west-facing façades. She suggested that the Board could recommend a code change that would reduce the requirement for west-facing facades. Another option would be to allow the Board discretion to approve a departure from the requirement when deemed appropriate, as long as the departure meets the intent of the code.

The Board Members indicated support for a process that allows them to grant departures from code requirements for projects that are well designed and meet the intent of the code but do not meet all of the code requirements. It was pointed out that, sometimes, departures can result in better design. Board Member Guenther cautioned that the process for departures must be available to all applicants.

Board Member Walker asked about the process for moving code amendments forward. Mr. Clugston advised that changing the role of the ADB will require code changes, which will be the first step in the process. Currently, code changes must be reviewed by the Planning Board. The Planning Board conducts a public hearing and makes a recommendation to the City Council. The intent is to change the code so that the ADB can present recommendations for code changes directly to the City Council without having to go through the Planning Board.

Board Member Bayer commented that it would be helpful, when reviewing potential code amendments, to have a clear understanding of why the existing codes were originally adopted. Board Member Guenther suggested this might be difficult. He explained that, oftentimes, cities borrow code language from other jurisdictions and massage it to fit their specific needs. They also hire consultants to make recommendations.

Chair Herr announced that a new energy code will be implemented in July 2020 that will result in significant changes related to greenhouse gas emissions, energy loads, etc. The requirements of this new energy code will likely run counter to some of the City's code requirements, such as the requirement for 75% transparency on front facades, particularly as it applies to west-facing facades. It is estimated that the new requirements will add an additional \$65,000 to the cost of each house, and the cost will be even greater for commercial development. He suggested that the City will need to talk about how these new requirements will influence the zoning code.

Board Member Jeude asked if the Board could consider potential code amendments that require artwork, trees, etc. as part of development to maintain the status that seems important to the community. Board Member Owensby cautioned that all of the rules and regulations being imposed by the state and local governments are adding about 35% to the total cost of development. Adding additional requirements for artwork, parks, trees, etc. will make it even more difficult for developers. In addition, it is important to understand that these additional costs will be passed on to future tenants and owners. He cautioned that they need to carefully consider how new code requirements will impact the cost of future development.

- **Purpose and Scope of the ADB.** Mr. Clugston referred to the current scope and purpose of the ADB, which is contained in the enabling ordinance. He asked the Board Members to review both and be prepared to recommend updated language at the next meeting that is consistent with the Board's new direction. Board Member Guenther observed that this is an opportunity for the Board Members to write their job description. The existing language is a good start, but they should carefully consider what they want to focus on in the future and make sure that the scope and purpose are consistent.

Vice Chair Strauss said she would like the scope and purpose to contain language related to sustainable design and energy efficiency. Board Member Guenther suggested that Board Members could review codes from other cities to get ideas for changes. Mr. Clugston pointed out that the language hasn't been updated for 12 years, which was just prior to the City adopting a Sustainability Element into its Comprehensive Plan. Perhaps changes are warranted as part of the Board's current effort.

The Proposed Review Process. Board Member Walker referred to the draft flowchart for the new design review process and observed that, as proposed, the Board's work would be focused on pre-application meetings, 2nd review meetings and recommendations to the Hearing Examiner for projects that require SEPA, and recommendations to the City Council of potential code amendments related to design. Mr. Clugston added that neither the pre-application meetings nor the 2nd review meetings would be public hearings. Public hearings on projects that require SEPA would be conducted by the Hearing Examiner, who will make the final decision. There would be no 2nd review meeting for projects that do not require SEPA.

Board Member Walker commented that applicants have generally been responsive to what the Board has requested, even when not required by code. He questioned how much impact the proposed changes would have over the current 2-phase design review process. He suggested that the current process implies that the Board has some power to require the changes. Because a public hearing before the Board is required, applicants tend to respect the Board's recommendations more. He is concerned that this respect will be diminished by the proposed new review process. As proposed, the Board would make a recommendation to the Hearing Examiner but would no longer be responsible for approving and denying applications. Board Member Guenther pointed out that the public would still have an opportunity to be involved in the review process at the Hearing Examiner level, which would be later in the process.

Vice Chair Strauss stressed that it is very important that the Board retain the ability to conduct a second review meeting for projects that require SEPA to discuss how applicants have responded to their original comments and recommendations. However, she supports the Board's involvement in pre-application meetings where they can give input before a project gets too far into the design. The 2nd review meeting will give the Board an opportunity to determine whether or not their input was considered valuable.

Board Member Bayer asked if the Board would be able to give additional direction to an applicant at a 2nd review meeting or if it would simply be an opportunity for the Board to review how well an applicant implemented the direction provided by the Board at the pre-application meeting. Board Member Guenther felt that both could be accomplished at the 2nd review meeting.

Board Member Bayer asked if the Board has any recourse if an applicant doesn't implement any of the Board's direction but the project still meets all of the code standards. Board Member Walker commented that if applicants know that the Board can influence the Hearing Examiner's final decision, they will be more likely to implement the Board's recommendations. He further commented that the City is responsible to help developers design better projects and code changes may be needed to result in a better outcome. Mr. Clugston responded that the City does well with large commercial projects, but the smaller multi-family projects often have problems related to design. They need to look at the entire City when considering potential code amendments. For example, a greater height limit might make sense in some areas of the City, particularly in areas adjacent to the Highway 99 Corridor where the building height was recently set at 75 feet.

The Board Members agreed to continue their discussion on December 4th. They further agreed that the goal was to finalize their recommendation to the City Council at their February 5th meeting.

ARCHITECTURAL DESIGN BOARD MEMBER COMMENTS:

There were no additional Board Member comments.

ADJOURNMENT:

The meeting was adjourned at 8:20 p.m.

Architectural Design Board Agenda Item

Meeting Date: 12/4/2019

Indigenous Peoples Land Acknowledgement for Public Meetings

Staff Lead: Shane Hope

Department: Planning Division

Prepared By: Michelle Martin

Background/History

The City Council has been requested to consider having a statement at the beginning of Council meetings to acknowledge that the land that is now part of the City of Edmonds is also the land of the Salish people, who have inhabited it since long before 19th-century settlers arrived. This request was followed by several Council members expressing their interest. The Council President also consulted with City staff and asked for more information to be brought to the City Council for consideration.

On June 11, the City Council's Planning, Public Safety, and Personnel Committee was briefed on the topic. The Committee approved moving it forward for discussion by the full Council, while also recognizing that outreach to tribal representatives would be taking place. At a June 25 meeting, the full Council concurred that the concept of land acknowledgement was good and that input from the Tulalips would be appreciated. Subsequently, the Tulalip Tribes' representative provided a recommended land acknowledgement statement, which was presented to the City Council on August 27.

Staff Recommendation

Discuss options and decide on any action

Narrative

Overview

Acknowledgment of the traditional Native inhabitants of land is a practice encouraged by various organizations, including the U.S. Department of Arts and Culture. (USDAC is a nonprofit organization, not a federal agency.) The practice is starting to take hold in some U.S., Canadian, New Zealand, and Australian locations.

Below are several questions and responses about land acknowledgment.

What is land acknowledgment?

According to a Canadian students' research group: "A Land Acknowledgment is a formal statement that recognizes the unique and enduring relationship that exists between Indigenous Peoples and their traditional territories."

Why acknowledge Native inhabitants of a land area?

The USDAC states that acknowledgement is a way of showing respect and correcting the perception that Native peoples are gone from the land or that they have little to offer today's communities.

Who are the Native peoples of the Edmonds area?

In and around modern-day Edmonds, Native peoples include: the Tulalip Tribes, the Snohomish Tribe, the Swinomish Indian Tribal Community, the Suquamish Tribe, and the Stillaguamish Tribe of Indians. All of these are considered to be Coast Salish people.

What about all the other people who lived here--for example, Africans brought to this continent against their will, Latinos who were displaced in areas of North America, Japanese-Americans who lost their homes and businesses during the World War II era, and communities of color that have lost their neighborhoods due to gentrification? Shouldn't we acknowledge them too?

The USDAC's guide to honoring Native land responds with this:

"(f)or more than five hundred years, Native communities across the Americas have demonstrated resilience and resistance in the face of violent efforts to separate them from their land, culture, and each other. " This approach recognizes the especially long-term nature of Native connection to ancestral land. It does not mean that other groups have not been impacted by people of European descent, but that the roots of Native peoples on this land go far back into prehistory and that Euro-American appropriation has been particularly widespread, long-lasting, and significant here.

A variation on the above approach is to use the Native Land Acknowledgment on a regular basis but, from time to time, do other things to recognize the losses experienced by other people who have been marginalized or oppressed in our society.

Do other City Councils in our region make land acknowledgment part of their public meetings?

An informal survey of City Council practices in our region has indicated that no city governments currently make acknowledgment a regular part of their public meetings.

What acknowledgment statements do other organizations make?

Here are some examples:

- "I would like to begin by acknowledging that we gather today on the ancestral homelands of the Coast Salish Peoples, who lived in the Salish Sea basin, throughout the San Juan Islands and the North Cascades watershed, from time immemorial. Please join me in expressing our deepest respect and gratitude for our indigenous neighbors, the Lummi Nation and Nooksack Tribe, for their enduring care and protection of our shared lands and waterways." (Western Washington University, which tailors the statement to reflect the specific location in which an official university event is being held)
- "The human story of the North Cascades begins with the original stewards of these lands and watersheds, the Indigenous Nations and their modern descendants.... We offer this acknowledgement as a first step in honoring their relationship with land we share, and a call towards further learning and action, not in place of the authentic relationships with local Indigenous communities, but rather to assist in giving them voice." (North Cascades Institute from its website)
- "We at Seattle Mennonite church acknowledge that we are on the unceded ancestral lands of the Duwamish people. A people that are still here, continuing to honor and bring to light their ancient heritage." (Stated in large letters on the exterior wall of the Seattle Mennonite Church)
- "I want to start by expressing our gratitude to be hosting this event on the culture-rich indigenous lands of the Coast Salish people. We are committed to working with local tribes to acknowledge their ancestral lands and are honored to do so this evening." (Edmonds Center for

the Arts, as read at special events the ECA sponsors)

- “We are on the traditional homelands to the Coast Salish Tribes. We pay our respect to elders past and present.” (This was suggested in a public comment at the April 16, 2019 City Council meeting.)

Why contact a tribal representative before deciding on language for a statement?

While not required, this is generally a good idea. It respects the people whom the statement is about. That is why representatives from the Edmonds Center the Arts reached out to a Tulalips representative before settling on language for its land acknowledgment. The City of Edmonds also reached out to tribal representatives.

What language did the Council decide on for land acknowledgment?

The City Council chose, on August 27, to use the following statement, as recommended from the Tulalip Tribes, and to both read it early in the meeting and to print it on the written agenda:

“We acknowledge the original inhabitants of this place, the Sdohobsh (Snohomish) people and their successors the Tulalip Tribes, who since time immemorial have hunted, fished, gathered, and taken care of these lands. We respect their sovereignty, their right to self-determination, and we honor their sacred spiritual connection with the land and water.”

Is acknowledgement the end of the story?

If land acknowledgment is practiced, it may be useful as a way of raising awareness for local community members and of strengthening relationships with tribes. However, it is not a substitute for other actions.

Does the City of Edmonds currently do anything else to recognize Native tribes and their interests?

Below are examples of the City’s current practices to recognize the interests of Native tribes:

- Notification of City projects and programs under the State Environmental Policy Act (SEPA)
- Outreach to tribal representatives on major studies (for example, regarding the Marsh)
- Consideration of comments from tribal representatives
- Participation with tribal representatives on various regional boards and committees.

What did the City Council say about City boards and commissions using the acknowledgement statement?

The Council agreed that it would up to each board and commission to decide whether they wanted to use the statement and, if so, whether to simply have it printed on agendas or read aloud at meetings. The Council’s August 27 vote also included having any board or commission that chooses to use a statement to use the one provided by the Tulalips and adopted by the City Council. *See the attached agenda memo from the City Council President.*

What are the next steps for the Planning Board regarding land acknowledgment?

Next steps include:

- Decide whether to use the land acknowledgement statement approved by the City Council (Note: Council has directed that other statements NOT be used);
- If using the statement, decide whether to have it printed on the agenda and/or read out loud at meetings.

Attachments:

Att. 1: Memo.Land.Acknowledgement

August 29, 2019

MEMO

To: City of Edmonds Board or Commission
From: Adrienne Fraley-Monillas, City Council President
Subject: Information on Land Acknowledgement for Indigenous Peoples

This is to let you know that, on August 27, the Edmonds City Council voted to include, in its future agendas, a statement that acknowledges the lands and native people of our area. The statement, which was recommended by the Tulalip Tribes, will be both read aloud near the beginning of the meeting and printed on our regular meeting agendas.

The Council also voted to inform all City boards and commissions of our action so that your board or commission can voluntarily consider whether to use the statement in some way for some or all of your meetings. If you choose to use the statement (for example, printing on an agenda or reading out loud), please use it as written below, since we would like to respect the Tulalip Tribes' recommendation.

Here is the statement:

"We acknowledge the original inhabitants of this place, the Sdohobsh (Snohomish) people and their successors the Tulalip Tribes, who since time immemorial have hunted, fished, gathered, and taken care of these lands. We respect their sovereignty, their right to self-determination, and we honor their sacred spiritual connection with the land and water."

If you have any questions, please let me know or feel free to contact Shane Hope, Development Services Director, who coordinated this project for us.

Architectural Design Board Agenda Item

Meeting Date: 12/4/2019

Continued Discussion on ADB Roles

Staff Lead: Mike Clugston

Department: Planning Division

Prepared By: Michael Clugston

Narrative

Continue discussion on refinements to ADB scope and roles (Attachment 1). Minutes from the November 6 meeting are included as Attachment 2.

Attachments:

Attachment 1: ADB Role Recommendations

Attachment 2 - November 6 ADB minutes (draft)

Recommendations from the Architectural Design Board (ADB) on Design Review

Introduction

The Architectural Design Board (ADB) has served in Edmonds for several decades. Over the years, the ADB has observed certain concerns about design in Edmonds. Notably, the ADB believes that design standards are incomplete and, in some cases, are not necessarily yielding the results either the Board or the Edmonds Community would like to see. In general, the Board feels it has spent too much time “approving” already-designed projects without being able to influence design decisions early in the development process, particularly before applications have been submitted. This can be accomplished in two ways, by having a role earlier in the process (at the pre-application stage before a design solution has been arrived at), and by having a role in the review and development of design standards that are the principal drivers of general design and development in the City.

Current ADB Powers and Duties (adopted in ECC 10.05)

The board is empowered to advise and make recommendations to the mayor, city council, planning commission and the planning department on matters hereinafter enumerated and on such matters as may be specifically referred to the board by the mayor, city council, planning commission or the planning department:

- A. To study and prepare a recommendation for a comprehensive architectural design plan including the recommendation of establishment of specific design districts which shall be a part of the comprehensive plan.
- B. To review and study land use within the city of Edmonds from a design standpoint.
- C. To establish goals, objectives and policies for design districts.
- D. To recommend legislation to effectuate the implementation of the comprehensive architectural design plan and the goals, objectives and policies for each established design district.
- E. And for such other matters as shall be referred to the board for review and recommendation by the mayor, city council, planning commission or the planning department. [Ord. 1683 § 1, 1973].

Desired roles expressed by ADB (2019)

- Develop and recommend city-wide design guidelines and standards (e.g. for landscape treatments, multifamily development), as well as context-sensitive standards for special design districts (e.g. Downtown, Westgate, Five Corners, Highway 99)

- Review projects post-hoc to evaluate whether what was constructed reflects the intent of what was approved and, if not, recommend refinements to adopted design guidelines and standards
- Do pre-application meetings for certain “significant” projects and provide recommendations to the Hearing Examiner when quasi-judicial decision-making is required (similar to how consolidated permit reviews operate now)
- Review public projects and provide recommendations to City Council
- Provide decision support to staff (which may relate to various design-related topics)

Recommendations

To implement these desired roles, the ADB recommends that its meetings change in emphasis, focusing more on:

- Mandatory pre-application meetings with prospective applicants, before designs are completed and applications submitted (see separate flow chart for an example);
- Periodic reviews of completed projects, comparing approved designs to completed projects (both at completion and at, for example, 3-5 years after the project has been built);
- Review City codes and policies related to design, making recommendations to the City Council on adjustments or, when appropriate, new standards or design guidance. To implement this role effectively, the code should be clarified so that the sections of the code relevant to design are identified and the ADB’s role made clear.

DRAFT

**CITY OF EDMONDS
ARCHITECTURAL DESIGN BOARD
*Minutes of Regular Meeting***

November 6, 2019

Chair Herr called the meeting of the Architectural Design Board to order at 7:00 p.m., at the City Council Chambers, 250 - 5th Avenue North, Edmonds, Washington.

Board Members Present

Joe Herr, Chair
Lauri Strauss, Vice Chair
Kim Bayer
Cary Guenther
Maureen Jeude
Bruce Owensby
Tom Walker

Board Members Absent

Staff Present

Mike Clugston, Senior Planner
Karin Noyes, Recorder

APPROVAL OF MINUTES

VICE CHAIR STRAUSS MOVED THAT THE MINUTES OF OCTOBER 2, 2019 BE APPROVED AS AMENDED. BOARD MEMBER OWENSBY SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

REQUESTS FROM THE AUDIENCE:

There was no one in the audience.

DISCUSSION ABOUT ARCHITECTURAL DESIGN BOARD MEMBER TERMS

Mr. Clugston recalled that Board Members Owensby, Bayer, and Jeude were appointed to the Board for partial terms, which expire at the end of 2019. The terms of Board Members Strauss and Herr also expire at the end of 2019. All five Board Members indicated a desire to be reappointed, and Mr. Clugston agreed to get the reappointment process started.

Board Member Bayer requested clarification about the required make up of the Board. Mr. Clugston answered that, as per the enabling ordinance, the Board consists of the following positions: 2 laymen, an architect, a builder, a landscape architect, an at-large professional, and a planner. Edmonds residency is only required for the layman positions. The Board Members voiced some concern that there is no residency requirement for the majority of the Board Members. They agreed that Board Members should have some familiarity with Edmonds. Vice Chair Strauss said she would be surprised if someone without a connection to Edmonds would even be interested in serving on the Board.

ELECTION OF OFFICERS FOR 2020

BOARD MEMBER GUENTHER MOVED THAT THE BOARD APPOINT BOARD MEMBER STRAUSS TO BE CHAIR AND BOARD MEMBER OWENSBY TO BE VICE CHAIR EFFECTIVE JANUARY 1, 2020. BOARD MEMBER HERR SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

ADMINISTRATIVE REPORTS/ITEMS FOR DISCUSSION: Continued Discussion of ADB Roles and Design Review Process

Mr. Clugston briefly reviewed that the Architectural Design Board (ADB) met jointly with the Planning Board on October 9th to discuss potential changes to the ADB's specific role in the project design review process and allowing the ADB greater involvement in developing the guidelines and standards necessary to influence design in Edmonds. He recalled that the Planning Board indicated support for the proposed changes, and the purpose of this discussion is to fine-tune the proposal and prepare a recommendation for the City Council's consideration.

Mr. Clugston advised that the Board has a few months to work on the proposal before presenting it to the City Council. Because the City will have a new mayor and three new City Council Members in January, it would behoove the Board to allow them time to become comfortable in their new roles before presenting their proposed changes. He suggested the Board could continue its discussions on December 4th and finalize its recommendation on February 5th. He noted that January 1st (the Board's regularly scheduled meeting) would be cancelled for the holiday.

Board Member Guenther suggested that the Board present its recommendation to the City Council prior to its annual retreat in March. The remainder of the Board concurred, and Mr. Clugston agreed to request that a joint meeting with the City Council be scheduled for February 18th, February 25th or March 3rd. Vice Chair Strauss asked if another joint meeting with the Planning Board would be appropriate prior to presenting the ADB's recommendation to the City Council. It was discussed that the Planning Board has already indicated support for the proposed changes, but it might be helpful for a representative from the Planning Board to be present at the ADB's joint meeting with the City Council to represent their viewpoint.

He specifically asked the Board to provide direction on the following:

- **Changing the ADB's Name.** Mr. Clugston suggested it may be appropriate to alter the name to better reflect the Board's changed role.
- **Altering Meeting Dates, Times and Venues.** Mr. Clugston reviewed that, traditionally, the ADB has met on the 1st Wednesday of each month. The 3rd Wednesday of each month has been set aside for additional meetings as needed. Staff is recommending the Board consider having two regular meetings each month, and changing the meeting dates to the 1st and 3rd Thursdays. He explained that staff holds pre-application meetings with applicants on Thursday afternoons. The idea is that applicants could meet with staff in the afternoon, followed by a meeting with the ADB in the early evening. Changing the ADB meetings to Thursday would make it more convenient for applicants to meet with the Board. The Board Members offered general support for the proposed date and time change.

Mr. Clugston suggested that the Board could change the location of its meetings from the Council Chambers to a less formal setting in the Brackett Room at City Hall. The Board Members voiced support for this change, as well.

- **Content of ADB Meetings.** Mr. Clugston explained that, if the Board is amenable to having two regular meetings each month (on Thursday), the 1st meeting of each month could be reserved for pre-application meetings and follow-up design review meetings that result in a recommendation from the ADB to the Hearing Examiner. The 2nd meeting could be dedicated to post hoc reviews, consideration of potential code amendments related to design, etc. He observed that it is easier to schedule both meetings each month and then cancel one or the other if there are no items on the agenda.

Mr. Clugston provided a sample meeting agenda, which is similar to the agenda used by the Planning Board. In addition to the meeting agenda, there is also an extended agenda that lists issues the Board would like to address moving forward.

Vice Chair Strauss recalled that the Board has discussed the idea of having more influence over policy and making recommendations for code changes, and more than one meeting a month will be required for the Board to formulate recommendations. She observed that meeting with applicants in pre-application meetings will give the Board some insight about code changes that are needed.

Board Member Owensby said he supports having two meetings each month, but he is concerned that the Board's second review of a project would come too late in the process for applicants to change their designs. They may end up in the same situation they are in now. Vice Chair Strauss clarified that the 2nd review would be a follow up to see how the applicant has incorporated the Board's comments from the pre-application meeting. Board Member Owensby said he is concerned that the pre-application s will be too generic and most applicants will already have submitted building permit applications by the time the projects come before the Board for the 2nd review.

Vice Chair Strauss commented that projects will still have to meet all of the code requirements. The intent of the pre-application meeting is to allow the ADB to influence design earlier in the process. However, she recognized that applicants are not required to incorporate the Board's recommendations, and the Board would have to approve an application anyway if it meets all of the code requirements.

Board Member Bayer asked what true influence the ADB would have at pre-application meetings. Chair Herr reminded them that, as proposed, the ADB would be an advisory board. Mr. Clugston agreed that applicants would not be required to implement the ADB's recommendations. However, the proposed new process would allow the Board a greater role in developing the guidelines and standards that will result in better design. During pre-application meetings, the Board will gain insight on potential changes that need to be made.

Board Member Owensby observed that, currently, pre-application meetings in Edmonds are more exploratory to talk about what an applicant wants to do and identify issues that need to be addressed. They do not typically get into specific design details. Vice Chair Strauss suggested that more detailed information could be required at the pre-application meetings for projects that require State Environmental Policy Act (SEPA) review.

Mr. Clugston explained that the City currently offers two types of pre-application meetings. One is the development review meeting, which is a higher-level review of a proposed project, and the other is a paid pre-application meeting where more specific design elements can be discussed. Staff is suggesting that the pre-application meeting before the ADB would be part of the paid pre-application meeting, and would be mandatory for all projects that require SEPA. The information required for that meeting could be similar to what is currently required for the Phase I public hearing: vicinity plan, conceptual design plan, and conceptual building model. He summarized that, as proposed, applicants would meet with staff first to discuss zoning and building requirements and then transition to the ADB to address the design elements of a project. For the 2nd review meeting, applicants could be required to provide information similar to what is currently required for the Phase II public hearing. It will be important for the Board to clearly identify what information applicants must provide at the pre-application meetings.

Vice Chair Strauss said it would also be helpful for the Board to talk to applicants about the types of issues they are running up against when trying to meet all of the code requirements. This could inform the Board as to the types of code changes that might be needed going forward.

Code Departures. Board Member Guenther commented that, as proposed, the Board could review the design guidelines and standards and stress those that are of particular importance to applicants at the pre-application meetings. However, there may be instances where a particular design standard needs to be modified to accommodate a better design, and the Board has discussed the need to have a process in place for approving departures from code requirements when appropriate.

Vice Chair Strauss referred to the City's current requirement for 75% transparency on the street-facing facade and commented that it might not be appropriate for west-facing façades. She suggested that the Board could recommend a code change that would reduce the requirement for west-facing facades. Another option would be to allow the Board discretion to approve a departure from the requirement when deemed appropriate, as long as the departure meets the intent of the code.

The Board Members indicated support for a process that allows them to grant departures from code requirements for projects that are well designed and meet the intent of the code but do not meet all of the code requirements. It was pointed out that, sometimes, departures can result in better design. Board Member Guenther cautioned that the process for departures must be available to all applicants.

Board Member Walker asked about the process for moving code amendments forward. Mr. Clugston advised that changing the role of the ADB will require code changes, which will be the first step in the process. Currently, code changes must be reviewed by the Planning Board. The Planning Board conducts a public hearing and makes a recommendation to the City Council. The intent is to change the code so that the ADB can present recommendations for code changes directly to the City Council without having to go through the Planning Board.

Board Member Bayer commented that it would be helpful, when reviewing potential code amendments, to have a clear understanding of why the existing codes were originally adopted. Board Member Guenther suggested this might be difficult. He explained that, oftentimes, cities borrow code language from other jurisdictions and massage it to fit their specific needs. They also hire consultants to make recommendations.

Chair Herr announced that a new energy code will be implemented in July 2020 that will result in significant changes related to greenhouse gas emissions, energy loads, etc. The requirements of this new energy code will likely run counter to some of the City's code requirements, such as the requirement for 75% transparency on front facades, particularly as it applies to west-facing facades. It is estimated that the new requirements will add an additional \$65,000 to the cost of each house, and the cost will be even greater for commercial development. He suggested that the City will need to talk about how these new requirements will influence the zoning code.

Board Member Jeude asked if the Board could consider potential code amendments that require artwork, trees, etc. as part of development to maintain the status that seems important to the community. Board Member Owensby cautioned that all of the rules and regulations being imposed by the state and local governments are adding about 35% to the total cost of development. Adding additional requirements for artwork, parks, trees, etc. will make it even more difficult for developers. In addition, it is important to understand that these additional costs will be passed on to future tenants and owners. He cautioned that they need to carefully consider how new code requirements will impact the cost of future development.

- **Purpose and Scope of the ADB.** Mr. Clugston referred to the current scope and purpose of the ADB, which is contained in the enabling ordinance. He asked the Board Members to review both and be prepared to recommend updated language at the next meeting that is consistent with the Board's new direction. Board Member Guenther observed that this is an opportunity for the Board Members to write their job description. The existing language is a good start, but they should carefully consider what they want to focus on in the future and make sure that the scope and purpose are consistent.

Vice Chair Strauss said she would like the scope and purpose to contain language related to sustainable design and energy efficiency. Board Member Guenther suggested that Board Members could review codes from other cities to get ideas for changes. Mr. Clugston pointed out that the language hasn't been updated for 12 years, which was just prior to the City adopting a Sustainability Element into its Comprehensive Plan. Perhaps changes are warranted as part of the Board's current effort.

The Proposed Review Process. Board Member Walker referred to the draft flowchart for the new design review process and observed that, as proposed, the Board's work would be focused on pre-application meetings, 2nd review meetings and recommendations to the Hearing Examiner for projects that require SEPA, and recommendations to the City Council of potential code amendments related to design. Mr. Clugston added that neither the pre-application meetings nor the 2nd review meetings would be public hearings. Public hearings on projects that require SEPA would be conducted by the Hearing Examiner, who will make the final decision. There would be no 2nd review meeting for projects that do not require SEPA.

Board Member Walker commented that applicants have generally been responsive to what the Board has requested, even when not required by code. He questioned how much impact the proposed changes would have over the current 2-phase design review process. He suggested that the current process implies that the Board has some power to require the changes. Because a public hearing before the Board is required, applicants tend to respect the Board's recommendations more. He is concerned that this respect will be diminished by the proposed new review process. As proposed, the Board would make a recommendation to the Hearing Examiner but would no longer be responsible for approving and denying applications. Board Member Guenther pointed out that the public would still have an opportunity to be involved in the review process at the Hearing Examiner level, which would be later in the process.

Vice Chair Strauss stressed that it is very important that the Board retain the ability to conduct a second review meeting for projects that require SEPA to discuss how applicants have responded to their original comments and recommendations. However, she supports the Board's involvement in pre-application meetings where they can give input before a project gets too far into the design. The 2nd review meeting will give the Board an opportunity to determine whether or not their input was considered valuable.

Board Member Bayer asked if the Board would be able to give additional direction to an applicant at a 2nd review meeting or if it would simply be an opportunity for the Board to review how well an applicant implemented the direction provided by the Board at the pre-application meeting. Board Member Guenther felt that both could be accomplished at the 2nd review meeting.

Board Member Bayer asked if the Board has any recourse if an applicant doesn't implement any of the Board's direction but the project still meets all of the code standards. Board Member Walker commented that if applicants know that the Board can influence the Hearing Examiner's final decision, they will be more likely to implement the Board's recommendations. He further commented that the City is responsible to help developers design better projects and code changes may be needed to result in a better outcome. Mr. Clugston responded that the City does well with large commercial projects, but the smaller multi-family projects often have problems related to design. They need to look at the entire City when considering potential code amendments. For example, a greater height limit might make sense in some areas of the City, particularly in areas adjacent to the Highway 99 Corridor where the building height was recently set at 75 feet.

The Board Members agreed to continue their discussion on December 4th. They further agreed that the goal was to finalize their recommendation to the City Council at their February 5th meeting.

ARCHITECTURAL DESIGN BOARD MEMBER COMMENTS:

There were no additional Board Member comments.

ADJOURNMENT:

The meeting was adjourned at 8:20 p.m.

Architectural Design Board Agenda Item

Meeting Date: 12/4/2019

Election of Officers for 2020

Staff Lead: N/A

Department: Planning Division

Prepared By: Michelle Martin

Background/History

Elections are held at the end of the year for the next year.

Staff Recommendation

Elect a Chair and a Vice Chair for the ADB

Narrative

N/A