CALL TO ORDER
The regular meeting of the Planning Commission was called to order at 6:35 p.m. by Chair Judd

MEMBERS PRESENT
Chele Dimmett, Jennifer Gilbert-Smith, Jonathan Ingram, Bill Judd, Jim Langehough, and Paul Max

MEMBERS ABSENT
The record is noted that Commissioner White has resigned.

STAFF PRESENT
Brian Bykonen, Associate Planner and Code Enforcement Officer
Mary Gardocki, Parks Project Manager
Richard Hart, Community Development Director
Salina Lyons, Principal Planner
Ann Mueller, Senior Planner
Ethan Newton, Parks and Recreation Director
Kelly Thompson, Planning Commission Secretary

APPROVAL OF MINUTES AND AGENDA
➢ C1. Commissioner Ingram moved and Commissioner Gilbert-Smith seconded to approve the corrected July 6, 2017 minutes and meeting agenda for July 20, 2017. Motion carried 6-0.

CITIZEN COMMENTS
Sam Pace, representing 6300 members of the Seattle/King County Realtors Association, provided a transmittal letter explaining some of the realtors concerns on sign codes related to homes for sale at the last Planning Commission meeting. He also provided a white paper related to the Reed v. Town of Gilbert Supreme Court decision in 2015. They sought out the best attorney to assist local governments in sign code preparation. He provided two documents and various Covington home sales transactions and looked at the directions and maps to determine how many signs would be needed for a broker's open house. The roundabouts are problematic because he does not want to clutter them with signs.
Mary Pat Minaglia, who manages 67 brokers at John L. Scott in Covington, indicated it’s important for their clients to be directed to the property. Real estate values are going up and houses are selling more quickly. It would be a detriment to their agents to not have open house signs. They see people coming to an open house, and most times it’s by signage. The City of Everett allows such signage, as opposed to Mountlake Terrace right next door, which does not allow signs, and the houses sell faster in Everett.

Michael Cranston, resident of Maple Valley, agent for John L. Scott, stated that open house signage has special importance and special constitutional protections. Every house they sell is at a different location. The location of the transaction moves every time.

Bill Allison, John L. Scott agent, indicated it will take longer to sell a house without real estate signs. Many times, home sales are urgent, and most homeowners do not want to be in the position of paying two mortgages, so the timeliness of the sale is very important. The use of temporary A-frame signs during an open house makes a big difference in how quickly a home sells.

Aaron Stafford, John L. Scott agent, stated GPS can be wrong. Please let us have temporary open house signs to get clients to view homes for sale as quickly as possible.

**UNFINISHED BUSINESS**

1. **Discussion of Sign Code**

Community Development Director, Richard Hart recapped the existing interim sign code, adopted by the city council, which prohibits all commercial signs in the public right-of-way. Non-commercial signs are allowed in the right-of-way. When the council adopted the interim sign code, they wanted to limit the proliferation of signs in the right-of-way.

Commissioner Max shared that the documentation that Mr. Pace provided is compelling. At this point, he would be an advocate for having the open house signage allowed in the right-of-way.

Mr. Hart said that the Realtors have provided research along with their values and opinions. Staff will provide you with options to consider before prior to making a decision. We hope to provide you more information in August. A Public Hearing will then be held, most likely in September.

Chair Judd added that looking at the original court case, it’s an unintended consequence to impact real estate signs.
The city’s attorney will be reviewing all the information provided and give the Commission an analysis on the whole sign code issue next month.

Commissioner Ingram does not like to see carved out categories for certain types of signs.

Commissioner Langehough wants to know how other cities are implementing the sign code.

Commissioner Gilbert-Smith asked about the variety of options to be provided to the Commission and how the terms ending for the two Planning Commission members will impact this issue and decision. The new Planning Commission members will be appointed in September. Mr. Hart indicated numerous options will be provided. He stated he typically meets with Planning Commission applicants and briefs them on the current agenda topics. So, the new Planning Commission members should be informed on the sign code issues. He has also provided them with the Commission packets on the subject.

PUBLIC HEARING - None

NEW BUSINESS

2. Discussion of Park Impact Fees

Principal Planner, Salina Lyons introduced Mary Gardocki, Parks Project Manager and Ethan Newton, Parks and Recreation Director.

The Park Impact Fee has been on our work plan since 2013. The Parks Department has adopted the Parks, Recreation and Open Space (PROS) plan and undertook the impact fee study. In order to implement this plan, the code needs to be amended. Under Covington Municipal Code (CMC) 18.35, a developer has to provide land, usually undesirable land, and does not pay into the larger park needs. CMC 18.122 is also proposed to be repealed.

Impact fees are a one-time payment, paid by developer, for capital cost of park facilities.

Ms. Gardocki shared the Parks Department’s Guiding Principles. She reviewed the factors of the growth forecast, cost per dwelling, and impact fee rate. They evaluated the current level of service ratio. She reviewed the cost per unit as broken down by community parks, neighborhood parks, and trails. She identified the units for growth to meet the needs of the community.

Ms. Lyons added that the impact fee is based on land costs.
Ms. Gardocki broke down the cost per person. The city has to supplement that fee from other funding sources. Using the growth rate, the city has the potential to amass $1,800,000. The Public Hearing is currently scheduled for August 3, 2017, and it will be heard by the City Council for review and discussion on August 22, 2017.

Impact fees are collected at the time of building permit issuance. The fees proposed are generally lower than other local cities. Staff will provide a chart of comparative fees to other jurisdictions.

Regarding multi-family units, they typically provide a recreation area, in addition to utilizing regional public parks. Bio-swales cannot be used as credit toward impact fees.

**ATTENDANCE VOTE - None**

**PUBLIC COMMENTS**

Sam Pace of the Seattle/King County Board of Realtors indicated that Mukilteo has changed their regulations to allow these types of open house signs in the ROW. Medina also now allows them. GPS has dead spots. Mr. Hart commented about using permits for such signs, and it is not cost effective, as evidenced in the City of Kent. Each Realtor affiliate maintains a business license. The Realtors Association will always help local governments with enforcement. The 9th Circuit Court of Appeals has given some protection to real estate signs. Cities must build a case for their sign codes to provide the courts with a record of their decisions.

**COMMENTS AND COMMUNICATIONS FROM STAFF AND COMMISSIONERS**

Ms. Lyons indicated the city is slated to issue a Notice to Proceed and building permits to Chick-Fil-A on August 2, 2017.

Mr. Hart asked how many Commissioners will be present on August 3, 2017 for the Public Hearing and meeting. Five Commissioners responded they will be attending. Commissioner Langenhough stated tonight will be his last meeting, as he has a new job in Vancouver.

Ms. Gardocki indicated the ground breaking ceremony for the Covington Community Park, Phase 2, as well as the demo of the Allmond property for SoCo Park on Wax Road will be taking place next month.
Chair Judd thanked Commissioner White and Commissioner Langehough for their excellent service on the Commission for many years.

ADJOURN
The July 20, 2017, Planning Commission Meeting adjourned at 8:06 p.m.

Respectfully submitted,

[Signature]
Kelly Thompson, Planning Commission Secretary