

***Lynnwood Planning Commission***  
**Meeting of November 14, 2002**

**Staff Report**

**Agenda Item: G-1**

**Secure Community Transition Facilities  
(Interim Ordinance)**

- Public Hearing
- Informal Public Meeting
- Work Session
- New Business
- Old Business
- Information
- Miscellaneous

Lynnwood Dept. of Community Development — Staff Contact: Dennis Lewis, Senior Planner

**PLEASE BRING THE ITEM G-2 AGENDA MATERIALS  
FROM THE OCTOBER 24, 2002 MEETING TO THIS  
MEETING**

**BACKGROUND:**

The initial consideration of this matter by the Planning Commission was at the October 24<sup>th</sup> meeting. A copy of the interim ordinance and background materials were presented and discussed with the Commission. It was decided that a representative of the Department of Health and Human Services (DSHS), and the City Attorney should be asked to attend the next Commission meeting so that any necessary amendments to the interim ordinance could be identified. Staff has invited and confirmed the attendance of DSHS staff and the City Attorney. The focus of the discussion should be on identifying any necessary changes to the interim ordinance and directing staff to come back to the Commission with draft amendments for consideration at the December 12<sup>th</sup> Commission meeting. If the amendments meet with the approval, the Commission would then be ready to make recommendations to the City Council on amendment of the interim ordinance on Secure Community Transition Facilities (SCTF).

**SUGGESTED AMENDMENTS:**

The DSHS has commented on the interim ordinance and suggested that the following amendments are either necessary or desirable. The following five DSHS concerns are taken from the staff report to the City Council.

1. **Undue impacts.** DSHS believes that the language in Section 4.C.2 relating to undue impacts is too broad and is not supported by statute. They are suggesting the deletion of the language referring to “racial, cultural, or socio-economic groups”.

2. **Extensive Buffering.** DSHS is recommending that the general reference to “extensive buffering” in Section 4.C.3 be deleted.
3. **Security Plan and Operating Rules.** DSHS prefers not to make the security plan and operating rules a part of the public record, and suggests that the interim ordinance be amended to clarify that the information DSHS would be required to provide would not jeopardize public safety. DSHS would prefer to enter into a long-term contract with the City regarding operating procedures of the facility.
4. **Concentration of Essential Public Facilities.** DSHS is concerned that the dependence of the interim ordinance on the Common Siting Process and Criteria for Essential Public Facilities contained in the Lynnwood Comprehensive Plan is inconsistent with RCW 71.09.250(8) for the siting of SCTF’s. They believe that this section limits the consideration of equitable distribution and undue burden to “mental health and correctional residential facilities, or registered sex offenders”, and not to include all types of essential public facilities. DSHS suggests the following modified language for the SCTF ordinance.

“In considering the concentration of essential public facilities in the Site Evaluation Criteria described in the *Capital Facilities & Utilities* element of the *Lynnwood Comprehensive Plan*, the essential public facilities to be considered are those listed in RCW 71.09.250(8).”

5. **Mitigation.** DSHS is also concerned that the mitigation provisions contained in the Common Siting Process could result in mitigation requirements that would exceed those provided for by statute and could therefore preclude siting a secure community transition facility in violation of RCW 36.70A.200(5). No alternative language is suggested.

City staff also has determined that at least one amendment is required to better protect the City’s interests. The following text describes the additional amendment that staff believes is necessary to protect City interests.

Staff is not experienced in this area of public service planning. If DSHS decides to apply for location of a SCTF within Lynnwood, staff will need neutral third party expert assistance in reviewing the application and advising the City Council. Staff suggests that the SCTF ordinance should contain provisions for hiring such third party assistance. The ordinance should also provide for recovering the costs of such third party assistance through the fees paid by the applicant.

## **MAPPING:**

The interim ordinance restricts possible locations of Secure Community Transition Facilities to an area in southwest Lynnwood, and then to only non-residentially zoned properties within the area. The statute permits this area restriction so long as there are viable sites available for a SCTF within the restricted area. In order to determine whether or not viable sites are available requires a mapping process. Certain activities and facilities are to be given special protection from being too close to the SCTF. These “risk potential activities and facilities” are: Public and private schools, school bus stops,

licensed day care and licensed preschool facilities, public parks, publicly dedicated trails, sport fields, playgrounds, recreational and community centers, churches, synagogues, temples, mosques, and public libraries. These risk potential activities and facilities (RPAF) are not to be within the "line of sight" of the SCTF. Line of sight is defined by statute as meaning "it is possible to reasonably visually distinguish and recognize individuals". For planning purposes, the DSHS staff has used a distance of 600 feet from the SCTF. However, each site will have its own characteristics and the actual separation distance between the SCTF and the RPAF's will vary. Factors such as topography, vegetation, and existing development may make it possible to locate a SCTF much closer to a RPAF.

Staff has mapped the area designated in the interim ordinance for location of a SCTF using different distance of separation from RPAF's. Using a separation distance of 600 feet results in a very limited number of parcels being available for locating a SCTF. Reducing the separation distance to 300 feet significantly increases the number of parcels available.

Whether the area set aside for location of a SCTF in the interim ordinance is sufficient to meet the statutory requirement is a matter for discussion at the meeting. If the DSHS staff believes that the area needs to be expanded, the Commission will need to consult with the City Attorney on the matter and make a determination whether to recommend enlargement of the area, and if so where.

**Attachments:**

1. Map – SCTF Siting Criteria – 600 foot radius
2. Map – SCTF Siting Criteria – 300 foot radius
3. Aerial photo – SCTF parcels available



*Lynnwood Planning Commission*  
**Meeting of November 14, 2002**

**Staff Report**

**Agenda Item: G-2**

**Historic Preservation Code Amendment**

- Public Hearing
- Informal Public Meeting
- Work Session
- New Business
- Old Business
- Information
- Miscellaneous

Lynnwood Dept. of Community Development — Staff Contact: Darryl Eastin, Senior Planner

**Recommendation:**

No action at this work session. Following a public hearing on December 12, 2002, the Planning Commission will be asked to recommend this code amendment to the City Council.

**Background:**

For several years now, the old Manor Hardware building at the northeast corner of 36<sup>th</sup> Avenue W and new 195<sup>th</sup> Place SW (formerly Alderwood Mall Blvd.) has been vacant. During this time the property has been subject to vandalism and use by "transients". Also during this time, the owners of the property have been exploring ways to restore and remodel the building and make it economically viable again.

The old Manor Hardware property is included in the table of "Sites and Structures with Historic Interest" in the Background Report document of the City's Comprehensive Plan. The building was also identified in the Alderwood Manor, Archeology and Historical Resources report prepared for the I-5/196<sup>th</sup> Street Interchange project EIS as eligible for listing in the National Register of Historic Places. (Excerpt of this document included as Attachment B.)

The original structure (that was to eventually become Manor Hardware) was constructed by the Puget Mill Company sometime prior to 1919. The structure was originally used as a temporary school building by the Edmonds School District until a permanent brick school building was constructed. In 1922, the building was moved onto a new foundation and remodeled to house four or five retail shops. Since 1922, the building has been occupied by a number of tenants including the Alderwood Manor Post Office. After the post office moved to a larger building, the Manor Hardware store expanded to occupy the entire building until the business relocated in 1997.

In January of this year, the Historical Commission began discussing on possible changes to current Zoning Code development standards to encourage the preservation and enhancement of historic properties with the old Manor Hardware building as their focus. The Commission found that rehabilitation of the building would require compliance with a number of zoning development standards. They found that required compliance with current building setbacks,

parking requirements and parking lot landscaping requirements were major stumbling blocks to rehabilitating the building. In September, the Historical Commission completed work on preliminary draft amendments to the Zoning Code that would make it easier to rehabilitate and enhance the old Manor Hardware building and other historic properties in the City. They recommended that the preliminary draft code amendments be forwarded to the Planning Commission for review and public hearing.

Recently, James Ive (an architect working for one of the owners) has prepared plans to rehabilitate the north, south and east sides of the building and remodel the west side that faces 36<sup>th</sup> Ave. W. The attached conceptual site plan and building elevations were designed to locate one or more small professional office tenants in the building (See Attachment C).

### **Draft Code Amendment:**

Attached is a draft Historical Preservation Code Amendment Ordinance (Attachment A) for Planning Commission review and discussion. The draft code amendment would allow certain Zoning Code development standards to be reduced or waived in return for listing a historic property on a new City of Lynnwood historic landmark register. Once a structure is listed on the register, rehabilitation or enhancement would need to be consistent with national or state guidelines for rehabilitation of historic structures. Reducing or waiving development standards would be considered through an administrative review and approval process (Process III - LMC 1.35.300). The decision to reduce or waive development standards would be made by the Community Development Director with appeal to the Hearing Examiner.

The following are major features of the draft code amendment:

- Applications to reduce or waive development standards would be considered through Process III administrative review and approval (**New LMC 21.80.175 – Process – page 4 of draft ord.**).
- Community Development Director would have the authority to reduce or waive development standards for properties listed on a new City historic landmark register (**New LMC 21.80.200 – Authority for Reducing or Waiving Development Standards – page 4 of draft ord.**).
- Building setbacks, parking, parking area landscaping and lot coverage development standards may be reduced or waived subject to specified limitations for properties listed on the new historic landmark register (**New LMC 21.80.300 – Development Standards Limitations – Pages 5 & 6 of draft ord.**).
- Rehabilitation and enhancement of properties listed on the new historic landmark register must be consistent with the US Secretary of Interior's Standards for Rehabilitation or Washington State Advisory Council's Standards for the Rehabilitation and Maintenance of Historic Properties (**New LMC 21.80.350 – Architectural Review – Page 6 of draft ord.**).
- A site or structure must meet certain criteria to be listed on the new historic landmark register (**New LMC 21.80.400 A & B – City of Lynnwood Register of Historic Landmarks – pages 6-8 of draft ord.**).

- Historical Commission would make decision on designating a property to the new historic landmark register (**New LMC 21.80.400.C – City of Lynnwood Register of Historic Landmarks – pages 8 & 9 of draft ord.**)
- Community Development Director's decision to reduce or waive development standards may be appealed to the Hearing Examiner (**New LMC 21.80.550 – Appeal – page 10 of draft ord.**).

The City Attorney is currently reviewing the preliminary draft ordinance. At the work session, staff will present any changes recommended by the City Attorney.

### **Environmental Review:**

The City's Environmental Review Committee reviewed the draft code amendments and issued a Determination of Nonsignificance (DNS) on October 17, 2002. The appeal period for the DNS ended October 31, 2002.

### **Referrals:**

Staff has sent the preliminary draft code amendments to all City Departments and affected public agencies for review and comment. Ken Korshaven, City's Building Official commented that building alterations must meet building code rated wall setback requirements and that lot coverage is also addressed by Fire Codes. Laurie Cowan, City's Parks Planner recommended that the words "renovation", "restoration" and "Lynnwood Historical Commission" be defined. (See Attachment D for complete referral comments.) No other City department who responded had comments.

The Washington State Office of Archeology and Historic Preservation (OAHP) was the only public agency that submitted comments. The draft ordinance incorporates OAHP comments.

### **What's Next:**

Planning Commission is tentatively scheduled to hold a public hearing on the draft ordinance on December 12, 2002. It is anticipated that a public hearing on the draft ordinance would be held by the City Council in January or February of 2003.

### **Attachments:**

- A. Draft Historic Preservation Code Amendment Ordinance
- B. Excerpt from Alderwood Manor, Archeology and Historical Resources report
- C. Conceptual Site Plan and Building Elevations for Manor Hardware
- D. Referral Summary

CITY OF LYNNWOOD

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, REGARDING ZONING DEVELOPMENT STANDARDS AND THE PRESERVATION, REHABILITATION, AND ENHANCEMENT OF HISTORICAL PROPERTIES, CREATING A NEW CHAPTER IN TITLE 21 OF THE LYNNWOOD MUNICIPAL CODE; PROVIDING FOR SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR SUMMARY PUBLICATION.

WHEREAS, the City Council has determined it is important to safeguard the heritage of the City of Lynnwood as represented by those sites, buildings, structures and landscapes that reflect significant elements of Lynnwood history; and

WHEREAS, there are occasions when compliance with zoning development standards acts as an impediment to the preservation, rehabilitation and enhancement of properties with local, state and/or national historical significance; and

WHEREAS, Policy HR-1.1 in the Cultural and Historic Resources Element of the City of Lynnwood Comprehensive Plan calls for development of an historical preservation program that provides incentives such as the relaxation of Zoning Code standards to encourage property owners to rehabilitate, restore, retain or reproduce historical elements of their properties; and

WHEREAS, the City Council has determined it is appropriate to reduce or waive certain zoning development standards, particularly those regarding building setbacks, parking, parking area landscaping and lot coverage for properties listed on a new City of Lynnwood historic landmark register.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Chapter 21.80 of the Lynnwood Municipal Code is hereby enacted as follows:

21.80.050 Purpose

The purpose of this chapter is to encourage the preservation, rehabilitation, re-use and enhancement of eligible historic properties within the City of Lynnwood in order to:

- A. Safeguard the heritage of the City of Lynnwood as represented by those buildings, sites, structures and landscapes that reflect significant elements of Lynnwood history;

- 1 B. Foster civic and neighborhood pride in the beauty and accomplishments of the  
2 past, and a sense of identity based on Lynnwood history;
- 3 C. Stabilize or improve the aesthetic and economic vitality and values of such sites,  
4 buildings and structures;
- 5 D. Conserve valuable material and energy resources by ongoing uses and  
6 maintenance of the existing built environment.

7  
8 21.80.100 Definitions

9 The following words and terms when used in this chapter shall mean as follows, unless a  
10 different meaning clearly appears from the context:

- 11 A. City of Lynnwood Register of Historic Landmarks. “City of Lynnwood Register  
12 of Historic Landmarks” or “Register” means the local listing of properties  
13 provided for in Section 21.80.400.
- 14 B. Emergency repair. “Emergency repair” means work necessary to prevent  
15 destruction or disrepair to real property immediately threatened or damaged by  
16 fire, flood, earthquake, vandalism or other disaster.
- 17 C. Historic property. “Historic property” means real property together with  
18 improvements thereon which is listed in the City of Lynnwood Register of  
19 Historic Landmarks, Washington State Heritage Register or the National Register  
20 of Historic Places.
- 21 D. National Register of Historic Places. “National Register of Historic Places”  
22 means the register maintained by the Secretary of the Interior composed of  
23 districts, sites, buildings, structures and objects significant in American history,  
24 architectural history, archaeology, engineering, and culture.
- 25 E. Ordinary repair and maintenance. “Ordinary repair and maintenance” means  
26 work for which a permit issued by the City of Lynnwood is not required by law,  
27 and where the purpose and effect of such work is to correct any deterioration or  
28 decay of, or damage to, the real property or structure appurtenances thereto and to  
29 restore the same, as nearly as may be practicable, to the condition prior to the  
30 occurrence of such deterioration, decay, or damage.
- 31 F. Rehabilitation. “Rehabilitation” is the process of returning a property to a state of  
32 utility through repair or alteration, which makes possible an efficient  
33 contemporary use while preserving those portions and features of the property  
34 that are significant to its architectural and cultural values.

1           G.     Washington Heritage Register. “Washington Heritage Register” means the state  
2           listing of properties significant to the community, state, or nation that may or may  
3           not meet the criteria of the National Register of Historic Places.

4           H.     Washington State Advisory Council Standards for the Rehabilitation and  
5           Maintenance of Historic Properties. “Washington State Advisory Council  
6           Standards for the Rehabilitation and Maintenance of Historic Properties” means  
7           the rehabilitation and maintenance standards as set forth in WAC 254-20-100 as  
8           presently enacted or hereinafter amended as minimum requirements for  
9           determining whether or not an historic property is eligible for special valuation  
10           and whether or not the property continues to be eligible for special valuation once  
11           it has been so classified.

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13           21.80.150 Application

14           A.     The owner(s) of any property listed on the City of Lynnwood Register of Historic  
15           Landmarks may apply for approval for reduction or waiving of certain  
16           development standards under this chapter. An application for the above shall at a  
17           minimum:

18                   1. Identify the property(ies) for which development standards reduction or  
19                   waiving is proposed; and

20                   2. Include a site plan (and landscape plan if necessary) to scale indicating  
21                   existing and proposed building(s), parking and site landscaping.

22                   a. The site and/or landscape plan shall indicate the following:

23                           1. Existing and proposed building(s) setbacks from property lines;

24                           2. Existing and proposed lot coverage;

25                           3. Existing and proposed parking;

26                           4. Width of existing and proposed street frontage landscaping and  
27                           percentage of existing and proposed parking lot landscaping;

28                           5. All structures to be demolished.

29                   3. Include building elevations to scale indicating existing facades and any proposed  
30                   modifications and/or additions to existing facades. Elevations shall also indicate  
31                   exterior building materials.

32           B.     A property owner may apply for approval to reduce or waive development  
33           standards under this chapter while the Historical Commission is reviewing a  
34           nomination by the owner to designate the property for the Register. However, the

1 Director shall not issue a decision on an application to reduce or waive  
2 development standards until the Historical Commission has approved designation  
3 of the property to the Register.

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5 21.80.175 Process

6 The Community Development Director shall consider applications to reduce or waive  
7 requirements of the Zoning Code (LMC Title 21) for properties listed on the City of  
8 Lynnwood Register of Historic Landmarks utilizing Process III administrative permits  
9 review and approval (LMC 1.35.300).

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11 21.80.200 Authority for Reduction or Waiving Development Standards

12 The Community Development Director (Director) may reduce or waive requirements of  
13 the Zoning Code (LMC Title 21) for properties listed on the City of Lynnwood Register  
14 of Historic Landmarks if:

- 15 A. The applicant has carried the burden of proof and produced evidence sufficient to  
16 support the conclusion that the application merits approval or approval with  
17 modifications;
- 18 B. The applicant has demonstrated that the proposal complies with applicable  
19 decision criteria of this chapter; and
- 20 C. The subject property is listed on the City of Lynnwood Register of Historic  
21 Landmarks.

22  
23 21.80.250 Decision Criteria

24 The Director may approve or approve with modifications an application to reduce or  
25 waive Zoning Code development standards specified under 21.80.300 if:

- 26 A. The proposal is not injurious to the surrounding properties or detrimental to the  
27 public welfare;
- 28 B. The proposal is consistent with other applicable requirements and regulations of  
29 the Lynnwood Municipal Code;
- 30 C. The proposal does not a cause a significant adverse environmental impact; and
- 31 D. The proposal is not precluded by city code or state law from being decided  
32 administratively.

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2 21.80.300 Development Standards Limitations

3 Zoning Code development standards identified below may be reduced or waived subject  
4 to limitations specified under this section.

5 A. Building Setbacks

- 6 1. Any structure listed on the Register may be restored, rehabilitated and  
7 enhanced regardless of existing nonconforming building setbacks as long as  
8 the work is consistent with the architectural review requirements of 21.80.350.
- 9 2. Additions to an historic structure listed on the Register may be made as long  
10 as they do not increase an existing nonconforming setback and they are  
11 consistent with the architectural review requirements of 21.80.350.

12 B. Parking

- 13 1. Minimum parking standards may be reduced for a property listed on the  
14 Register if it can be demonstrated that adequate parking can be provided for  
15 the historic property.
- 16 2. Shared parking may be approved if it can be demonstrated that adequate  
17 parking can be provided for the property listed on the Register and other  
18 properties where sharing is to occur.
- 19 3. Nearby on-street parking may be included in this analysis.

20 C. Parking Area Landscaping

- 21 1. Parking area landscaping requirements may be reduced or waived for a  
22 property listed on the Register subject to the following:
- 23 a. Street frontage and parking area coverage landscaping should be provided,  
24 where feasible, as long as it does not affect the provision of adequate  
25 parking.

26 D. Lot Coverage

- 27 1. Any structure listed on the Register may be restored, rehabilitated and  
28 enhanced regardless of existing nonconforming lot coverage.
- 29 2. Additions to structures listed on the Register may be made as long as they do  
30 not increase existing nonconforming lot coverage, if that condition exists.

31 E. Other Development Standards

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1. The Community Development Director may reduce and waive other Zoning Code development standards based on physical conditions and special circumstances of a property listed on the Register.

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21.80.350 Architectural Review

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- A. Restoration, rehabilitation and enhancement of structures listed on the Register shall be:

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1. Consistent with the US Secretary of Interior's Standards for Rehabilitation or Washington State Advisory Council's Standards for the Rehabilitation and Maintenance of Historic Properties; and
  2. Reviewed by a public agency or consulting architect with appropriate architectural review expertise.

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- B. Ordinary repair and maintenance and emergency repair to structures listed on the register are exempt from the above architectural review requirement.

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21.80.400 City of Lynnwood Register of Historic Landmarks

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- A. Criteria for Determining Designation in Register

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Any building, structure, site, object or landscape (including trees and other plants) may be designated for listing in the City of Lynnwood Register of Historic Landmarks, with owner consent, by the Lynnwood Historical Commission. The criterion for age is at least fifty (50) years. The building, structure, site, object or landscape must possess integrity of location, design, setting, materials, workmanship, feeling, species, age and association, that is significant in the history, architecture, archaeology, engineering or cultural heritage of America, Washington State and/or City of Lynnwood. In addition to meeting the age and historical significance criteria, the following criteria will be considered:

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1. That are associated with significant historic events; or
  2. That are associated with a person or persons who significantly contributed to the culture and development of the City of Lynnwood; or
  3. That embody the distinctive characteristics of a type, period, or method of construction, architectural design, detail, material, craftsmanship, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

- 1           4. That exemplify the cultural, economic, social, or historic heritage of the City  
2           of Lynnwood; or
- 3           5. That embody distinguishing characteristics of an architectural type or  
4           specimen; or
- 5           6. That embody elements of architectural design, detail, materials, or  
6           craftsmanship that represent a significant architectural innovation; or
- 7           7. That have a relationship to other distinctive areas that are eligible for  
8           preservation according to a plan based on an historic, cultural, or architectural  
9           motif; or
- 10          8. That have a unique location or singular physical characteristic representing an  
11          established and familiar visual feature of a neighborhood, community, or the  
12          City of Lynnwood; or
- 13          9. That have yielded, or may be likely to yield information important in  
14          prehistory or history; or
- 15          10. That by virtue of the species, age, scarcity, outstanding quality, location or  
16          connection to an historic event or person such landscape, trees or other plant  
17          material contribute significantly to the community or the City of Lynnwood.

18          B. Special Criteria for Determining Designation in Register

19           Ordinarily cemeteries, birthplaces, or graves of historical figures, properties  
20           owned by religious institutions or used for religious purposes, structures that have  
21           been moved from their original locations, reconstructed historic buildings,  
22           properties primarily commemorative in nature, and properties that have achieved  
23           significance within the past thirty (30) years shall not be considered eligible for  
24           the Register. However, such properties may qualify if they are integral parts of  
25           districts that meet the criteria of 21.80.400.A or if they meet the following  
26           criteria:

- 27           1. A religious property deriving primary significance from architectural or  
28           artistic distinction or historical importance; or
- 29           2. A building or structure removed from its original location but which is  
30           significant primarily for architectural value, or which is the surviving structure  
31           most importantly associated with an historic person or event; or
- 32           3. A birthplace or grave of an historical figure of outstanding importance if there  
33           is no appropriate site or building directly associated with his/her productive  
34           life; or

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3 4. A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or
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6 5. A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or
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9 6. A property, building, structure or object primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance; or
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11 7. A property, building, structure or object achieving significance within the past 29 years if it is of exceptional importance; or
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14 8. A property, building, structure or object that exemplifies or promotes the value of historic preservation and contributes to a better understanding of a connection to Lynnwood's or the area's history.

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16 C. Process for Designating Properties to the Register of Historic Landmarks

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19 1. Nomination. Any person may nominate a building, structure, site, object or landscape for listing in the City of Lynnwood Register of Historic Landmarks. In its designation decision, the Historical Commission shall consider the criteria in Section 21.80.400, Historical Commission's Historic Resources Inventory and the Comprehensive Plan.
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22 2. Notification of Review. The public, property owner(s), lessee and nominator shall be notified prior to the public meeting to review the nomination.
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25 3. Review. The Historical Commission shall consider the merits of the nomination, according to the criteria in Section 21.80.400 at a public meeting.
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28 4. Findings. If the Historical Commission finds that the nominated property is eligible for the Register, the Commission shall designate, with owner's consent, the property as listed on the Register.
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31 a. In the case of individual properties, the designation shall include a site reference and all features, interior and exterior, and outbuildings that contribute to its designation.
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33 5. Notification of Designation. The public, property owner(s), lessee, and nominator shall be notified of the Historical Commission's designation.

- 1                   6. Recording. Properties listed on the Register of Historic Landmarks shall be  
2                   identified on the City's zoning map and recorded with Snohomish County  
3                   Auditor.

4                   D. Removal of Properties from the Register

- 5                   1. A property may be removed from the Register if alterations to the property  
6                   result in loss of historical integrity.
- 7                   2. In the event that any property is no longer deemed appropriate for designation  
8                   to the Register, the Commission may initiate removal from such designation  
9                   by the same procedure as provided for in establishing the designation. A  
10                   property may be removed from the Register without the owner's consent.

11                   E. Effects of Listing on the Register

- 12                   1. Listing on the Register is an honorary designation denoting significant  
13                   association with the historic, archaeological, engineering, or cultural heritage  
14                   of the community. Properties are listed individually or as contributing  
15                   properties to an historic district.

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17                   21.80.450 Effects of Removing Properties from the Register

18                   In the event that a property on the Register that has been granted reduction or waiving of  
19                   zoning code development standards is removed from the Register by the owner or the  
20                   Historical Commission, the property shall be considered legally non-conforming with  
21                   respect to those development standards that were reduced or waived.

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23                   21.80.500 Additional Information and Conditions

24                   The Community Development Director may require additional information and impose  
25                   any conditions necessary to protect surrounding properties in approving reductions or  
26                   waiving of Zoning Code development standards.

27

28                   21.80.550 Appeal

29                   The Community Development Director's decision to reduce or waive Zoning Code  
30                   development standards may be appealed to the Hearing Examiner under Process II  
31                   (LMC 1.35.200).

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33                   Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be  
34                   held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or

1 unconstitutional shall not affect the validity or constitutionality of any other section, sentence,  
2 clause or phrase or word of this ordinance.

3 Section 3. Effective Date. This ordinance, being an exercise of a power specifically delegated to  
4 the City legislative body, is not subject to referendum, and shall take effect five (5) days after  
5 passage and publication of an approved summary thereof consisting of the title.

6  
7 PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2003 and signed in authentication of its  
8 passage this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

9  
10  
11  
12  
13 \_\_\_\_\_  
14 MIKE McKINNON, MAYOR

15 ATTEST:

APPROVED AS TO FORM:

16  
17  
18 \_\_\_\_\_  
19 MICHAEL BAILEY  
20 Administrative Services Director

21 \_\_\_\_\_  
22 GREG A. RUBSTELLO  
23 Lynnwood City Attorney

24 FILED WITH THE CITY CLERK:  
25 PASSED BY THE CITY COUNCIL:  
26 PUBLISHED:  
EFFECTIVE DATE:  
ORDINANCE NO. \_\_\_\_\_

**I-5/196TH STREET SW INTERCHANGE PROJECT  
ENVIRONMENTAL IMPACT STATEMENT**

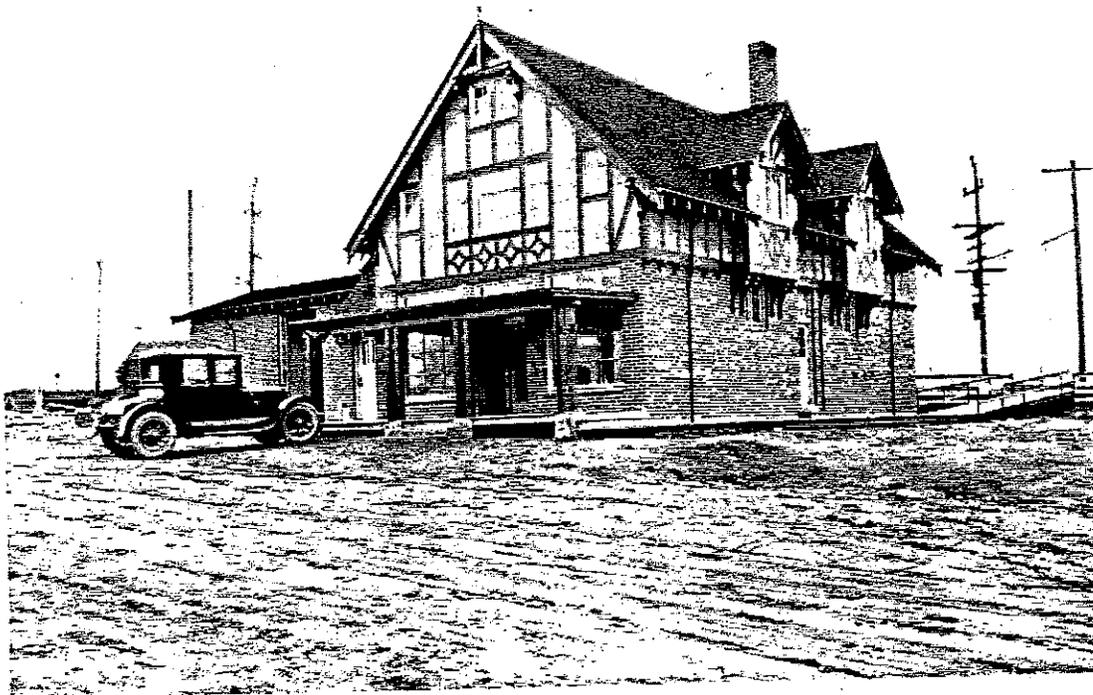
***ALDERWOOD MANOR, ARCHAEOLOGICAL AND  
HISTORICAL RESOURCES***

Prepared for

**HUCKELL/WEINMAN ASSOCIATES, INC.  
205 Lake Street South, Suite 202  
Kirkland, Washington 98033**

by

Lisa Mighetto, Ph.D., Historian  
Carla Bush, M.A., Assistant Historian  
Patrick McCutcheon, M.A., Project Archaeologist  
Gail Thompson, Ph.D., Project Manager



**HISTORICAL RESEARCH ASSOCIATES, INC.  
119 Pine Street, Suite #301  
Seattle, Washington 98101**

October 16, 1992 **Attachment B**

## History

The Masonic Temple was constructed in 1921, and has always been used for that purpose. The cornerstone was chiseled by William Morrice, an early settler and mason from Scotland (Broom 1990: 64-65).

## National Register Eligibility

Like the Wickers Building, the Masonic Temple is a well-recognized landmark in the area that serves as a reminder of the early period of Alderwood Manor.

According to several members of the Alderwood Manor Heritage Association, modifications to this structure have been moderate (Little 1992). They include the addition of front steps during the 1950s, alterations to the portico, and a rebuilt kitchen. However, the design of this colonial-style building remains intact. The Masonic Temple has retained its character-defining features, such as the detailed brickwork, original windows, Masonic emblem, and cornerstone. Owing to its association with the establishment of Alderwood Manor and to its prominence in that community, the project historian believes that this building is eligible for listing in the National Register under criterion A (concerning events that have made a significant contribution to the broad patterns of history), at the local level of significance.

## Site No. 4: Manor Hardware

### Description

Manor Hardware is a one-story commercial building accentuated in the front by brick columns and bay windows.

### History

Manor Hardware dates to the establishment of Alderwood Manor (1917-1920s). Originally used as a schoolhouse, it later housed a dentist's office, a paint store, a post office, and a barber shop (Alderwood Manor Heritage Association 1992).

### National Register Eligibility

Today, Manor Hardware is a well-recognized landmark linking the modern community to its rural past. Interviews with members of the Alderwood Heritage Association suggest that the building has been modified. Possible alterations include the addition of brick columns to the front exterior. However, the design of the building remains intact, and its character-defining features, including the row of windows in front, have been retained over the decades. Owing to its association with the establishment of Alderwood Manor, the project historian believes that

this building is eligible for listing in the National Register, under criterion A (concerning events that have made significant contributions to the broad patterns of history), at the local level of significance.

### Site No. 5: Oak Barn

#### Description

This is a large commercial building with the appearance of a warehouse. It is gray in color, with dark blue-gray trim. Much of the interior has been painted white, and it features large, old-growth beams and posts (Bowen 1992). Currently it serves a furniture store.

#### History

The Oak Barn dates to the establishment of Alderwood Manor (1917-1920s). Originally used as a poultry feed store, the building included a loading dock along the interurban tracks in back (Bowen 1992; Gruwell 1992). Today, many early residents of Lynnwood recall purchasing feed at this building during Alderwood's early days (Bowen<sup>1992</sup>).

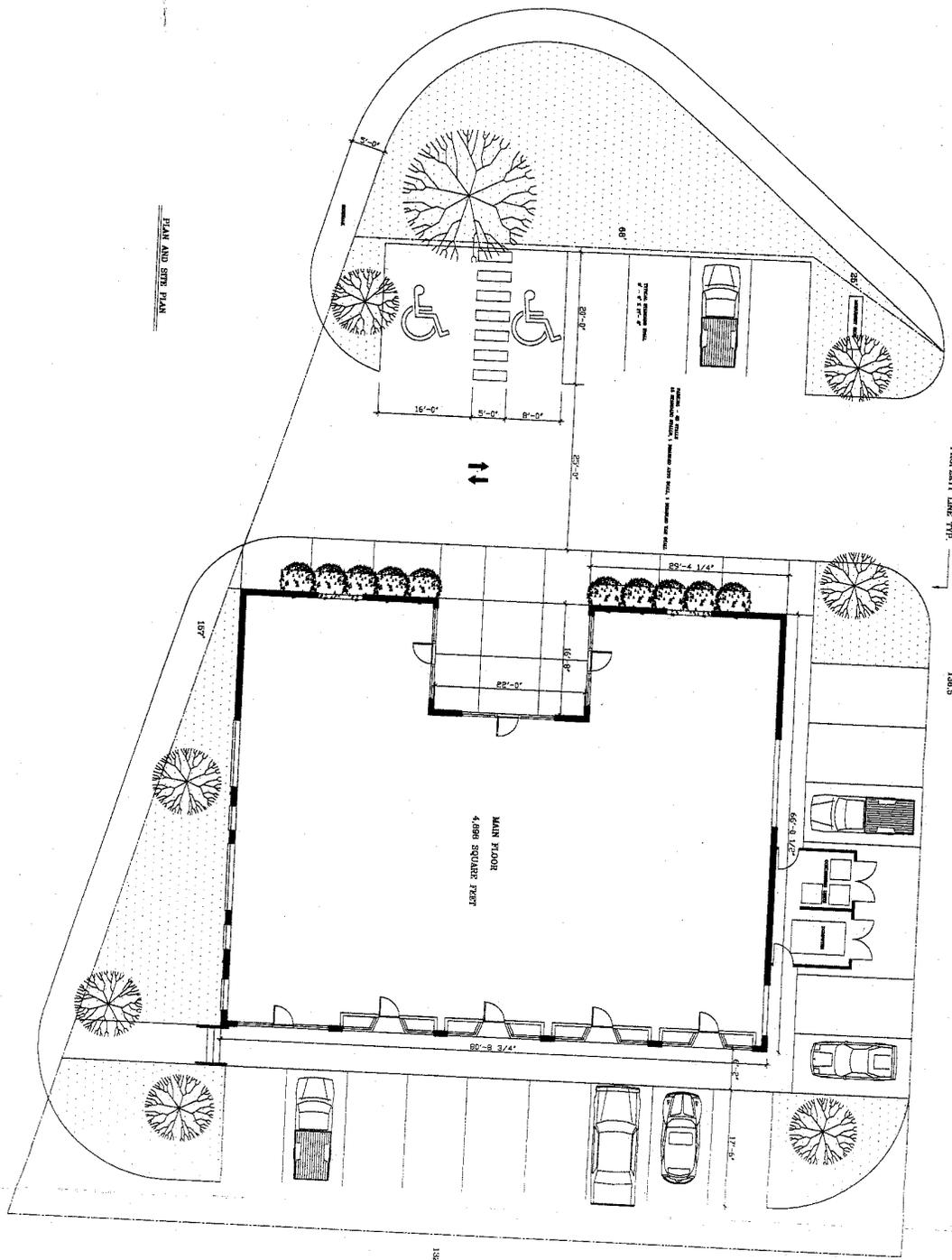
#### National Register Eligibility

Historical photographs and interviews with the associate manager suggest that the Oak Barn has undergone dramatic modifications. Although the interior features original beams and posts, the building has been expanded and numerous windows have been recently replaced or added. The significance of this building is derived primarily from the early days of Alderwood Manor, during which this was an unadorned building with the appearance of a warehouse. Recent additions to the building's exterior have weakened the connection between its present appearance and its original function. For this reason, the project historian believes that this property is not eligible for listing in the National Register.

### Site No. 6: Paragon Glass Warehouse

#### Description

This is a long, one-story commercial building which currently houses several businesses. Located nearby is a tiny outbuilding, which looks as though it could have been moved there from another location.



PLAN AND SITE PLAN

PROPERTY LINE 7711

108'-0"

MAIN FLOOR  
4,899 SQUARE FEET

Attachment C

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APR 11 2002  
CITY OF LYNNWOOD  
COMMUNITY DEVELOPMENT

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1

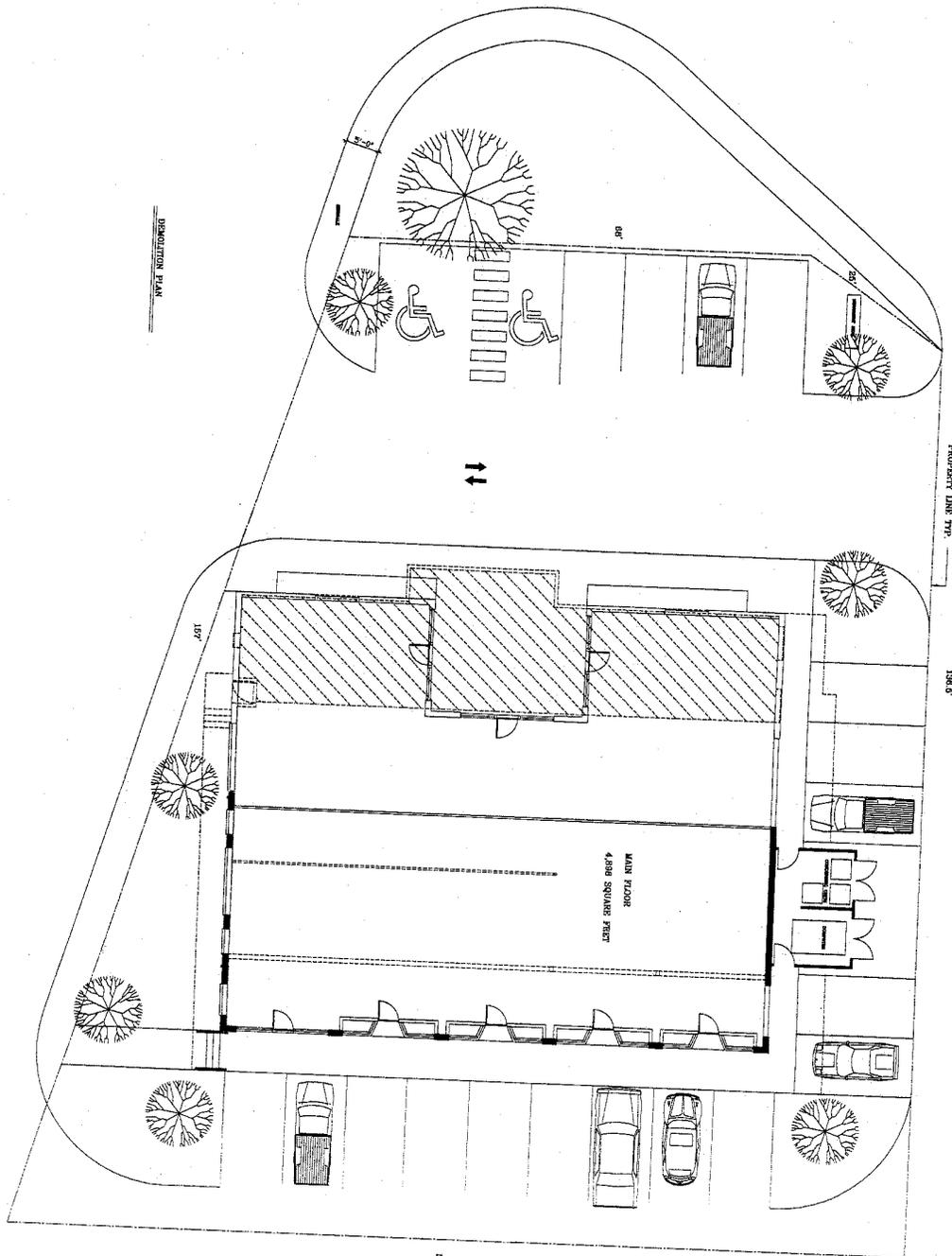
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CHECKED BY  
DATE  
APRIL 8, 2002

MINLNDR BUILDING RESTORATION  
19500-36TH AVENUE WEST  
LYNNWOOD, WASHINGTON

PLAN AND SITE PLAN  
1/8" = 1' - 0"

J. ANTHONY IVE, ARCHITECTS AIA  
6453 N.E. 130TH PLACE, KIRKLAND, WASHINGTON 98034  
(425) 821 5507  
733 BISHOP STREET, STE 2500, HONOLULU, HI 96813  
(808) 537 6132

THESE DRAWINGS ARE THE PROPERTY OF THE ARCHITECT AND SHALL NOT BE USED WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT FOR ANY PROJECT OTHER THAN THE ONE INDICATED HEREON



DEMOLITION PLAN

PROPERTY LINE TYP.

134'

132'

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JRS 11.30.02  
OFFICE OF THE ARCHITECT  
COMMUNITY DEVELOPMENT

SHEET  
2

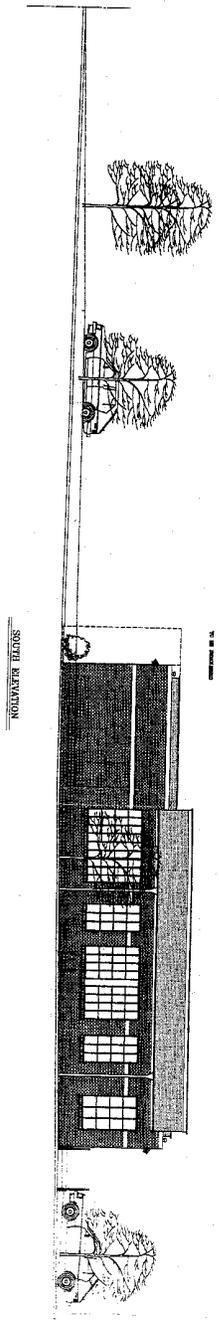
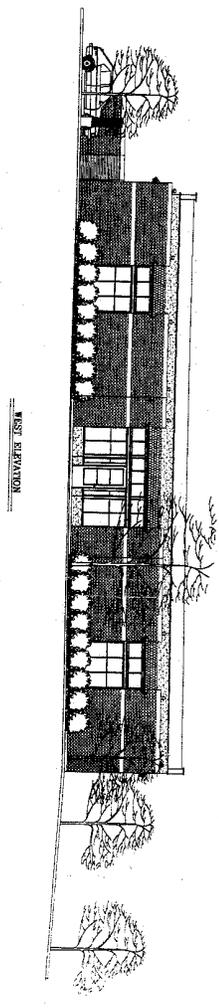
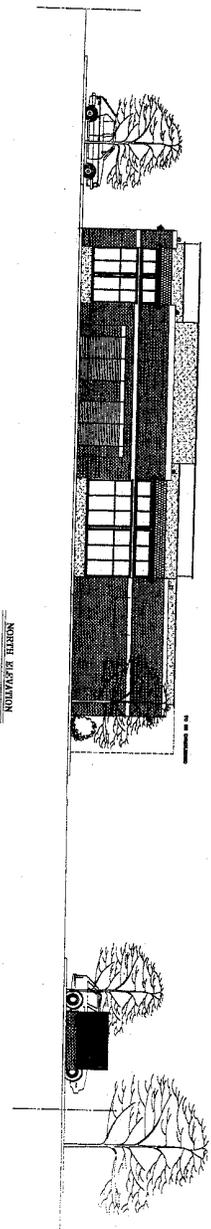
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DATE: FEBRUARY 23, 2002  
APRIL 9, 2002

MINLNDR BUILDING RESTORATION  
19500-36TH AVENUE WEST  
LYNNWOOD, WASHINGTON

DEMOLITION PLAN  
1/8" = 1' - 0"

J. ANTHONY IVE, ARCHITECTS AIA  
6453 N.E. 130TH PLACE, KIRKLAND, WASHINGTON 98034  
(425) 821 5507  
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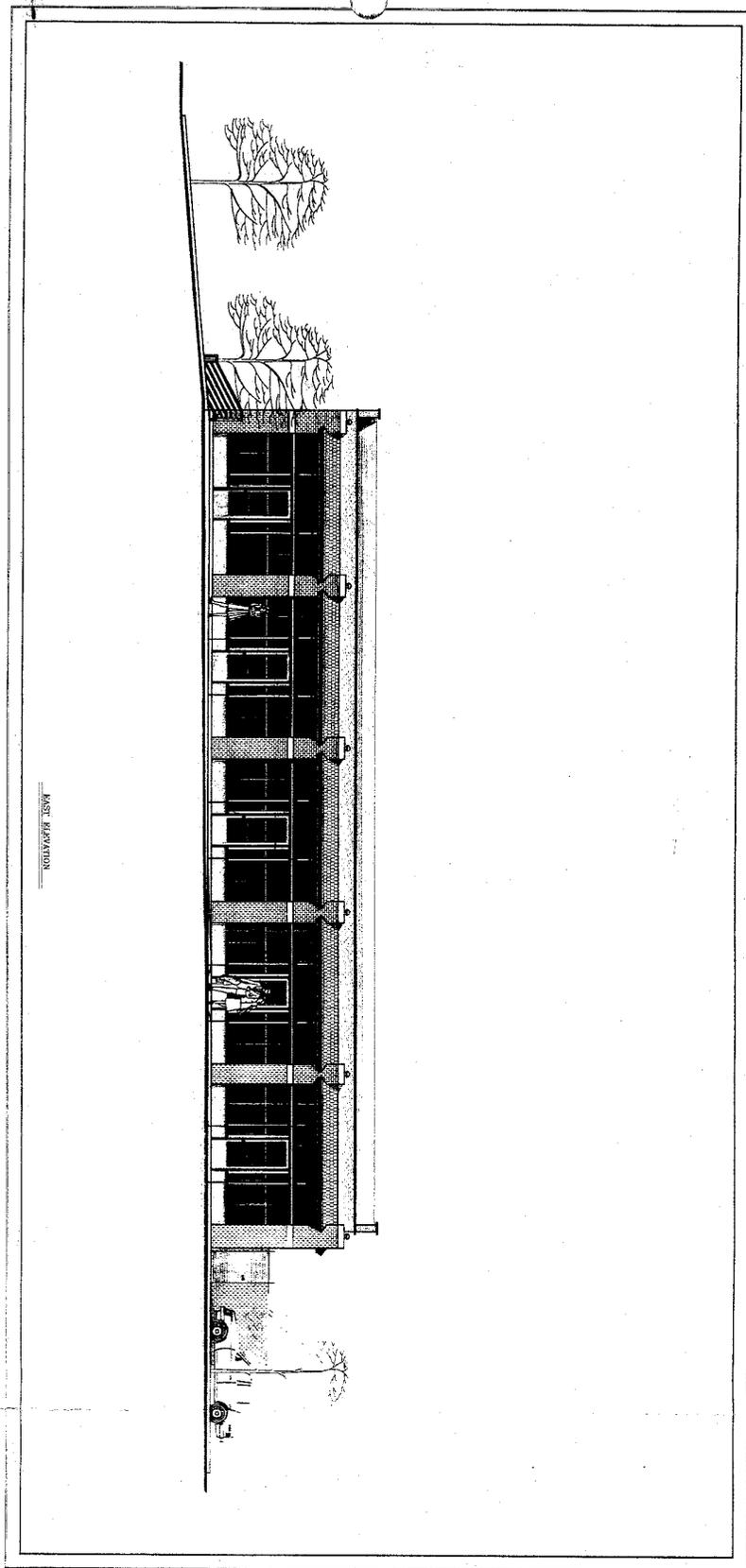
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CHECKED BY: [blank]  
DATE: FEBRUARY 23, 2002  
APRIL 8, 2002

MINLNDR BUILDING RESTORATION  
19500-36TH AVENUE WEST  
LYNNWOOD, WASHINGTON

NORTH SOUTH AND WEST ELEVATION  
1/8" = 1' - 0"

J. ANTHONY IVE, ARCHITECTS AIA  
6453 N.E. 130TH PLACE, KIRKLAND, WASHINGTON 98034  
(425) 821 5507  
733 BISHOP STREET, STE 2500, HONOLULU, HI 96813  
(808) 537 6132



EAST ELEVATION

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 APR 11 2002  
 OFFICE OF THE ARCHITECT  
 HONOLULU, HAWAII

SHEET

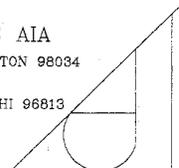
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DESIGN NO. \_\_\_\_\_  
 CHECKED BY \_\_\_\_\_  
 DATE: FEBRUARY 25, 2002

MINI-LER BUILDING RESTORATION  
 19500-38TH AVENUE WEST  
 LYNNWIDE WASHINGTON

EAST ELEVATION  
 3/16/02 - D

J. ANTHONY IVE, ARCHITECTS AIA  
 6453 N.E. 130TH PLACE, KIRKLAND, WASHINGTON 98034  
 (425) 821 5507  
 733 BISHOP STREET, STE 2500, HONOLULU, HI 96813  
 (808) 537 6132



## Comments From City Departments & Other Agencies

File Name: Historic Preservation Code Amendment		File 02CAM0004
Public Works Department	No response.	
Building Division	See attached. Ken Korshaven, Building Official 8/19/02	
Police Department	No comment. Pat Fagan, Sergeant 8/27/02.	
Fire Department	No comment. John Conderman, Fire Marshal 8/9/02	
Parks & Recreation Department	See attached. Laurie Cowan, Park Planner 8/19/02	
Finance Department	No response.	
Edmonds School District	No response.	
Snohomish Health District	No response.	
Other Agencies	Washington State Office of Archaeology & Historic Preservation – Just a couple of additional edits to what we spoke about over the phone. (See attached). Megan Duvall, 8/13/02	

- TO:  BUILDING DIVISION  
 EXECUTIVE DEPARTMENT (FYI)  
 FINANCE DEPARTMENT  
 FIRE DEPARTMENT  
 PARKS & REC. DEPARTMENT  
 POLICE DEPARTMENT  
 PUBLIC WORKS DEPARTMENT  
 ECONOMIC DEVELOPMENT DEPT.  
 ALDERWOOD WATER DISTRICT
- COMMUNITY TRANSIT  
 EDMONDS SCHOOL DISTRICT  
 FIRE DISTRICT ONE  
 SNO. CO. PLANNING (LOUISE LINGREN)  
 SNO. CO. P.U.D., MARGARET HART  
 SNO. CO. P.U.D., SO. COUNTY OFFICE  
 SNO. CO. HEALTH DISTRICT  
 SNO. CO. ENGINEERING  
 WASH. STATE DEPT. TRANS.

FROM: Lynnwood Planning Department  
 19100 44th Avenue West  
 P.O. Box 5008  
 Lynnwood, WA 98046-5008  
 (425) 670-6645

**REPLY DUE August 19, 2002**

SUBJECT: **Historical Preservation Code Amendment (2002CAM0004)**

MESSAGE:

The City of Lynnwood is considering an amendment to Title 21 (Zoning) of the Lynnwood Municipal Code (LMC) to encourage the preservation, restoration and enhancement of designated historic properties in the City. The proposed amendment would allow certain Zoning Code development standards to be reduced or waived in return for listing a historic property on a City of Lynnwood historic landmark register and the owner committing to preserving or enhancing historic structures per national or state guidelines for rehabilitation of historic structures. Reducing or waiving development standards would be considered through an administrative review and approval process (Process III - LMC 1.35.300). The decision to reduce or waive development standards would be made by the Community Development Director with appeal to the Hearing Examiner. Please see the attached preliminary draft code amendment language for details.

Please review this proposal and return any comments or issues that you believe should be addressed. Please also note any revisions to the draft language you would recommend.

DATE: August 5, 2002 BY: Darryl Eastin <sup>DPE</sup> Phone: 425-670-6652 Email: deastin@ci.lynnwood.wa.us

REPLY: 21-300A MUST MEET RATED WALL REQUIREMENTS FOR SETBACK.  
 D. LOT COVERAGE ALSO ADDRESSED BY FIRE TITLE 9, MUST CONSIDER.  
 21-400 HAS 2 "B"

WE MIGHT NEED TO BE SPECIFIC ABOUT OTHER CODES  
 NO COMMENT  SEE ATTACHED

DATE: 8/19/02 BY: [Signature]

TO:  BUILDING DIVISION  
 EXECUTIVE DEPARTMENT (FYI)  
 FINANCE DEPARTMENT  
 FIRE DEPARTMENT  
 PARKS & REC DEPARTMENT  
 POLICE DEPARTMENT  
 PUBLIC WORKS DEPARTMENT  
 ECONOMIC DEVELOPMENT DEPT.  
 ALDERWOOD WATER DISTRICT

COMMUNITY TRANSIT  
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DATE: August 5, 2002 BY: Darryl Eastin <sup>DPE</sup> Phone: 425-670-6652 Email: deastin@ci.lynnwood.wa.us

REPLY: *Under 'definitions' - add 'renovation' and 'restoration' in addition to the 'rehabilitation' definition. These terms are often used interchangeably and shouldn't be.*  
*\*Add reference to Secretary of the Interior's Standards and Guidelines?*  
*\*Add "Historical Commission" to definitions.*  
*"Lynnwood"*  
*\* See additional notes.*

NO COMMENT

SEE ATTACHED

DATE: 8/19/02

BY: Louise Lingren

***Lynnwood Planning Commission***  
**Meeting of November 14, 2002**

**Staff Report**

**Agenda Item: G-3**

**Transitional Buffers Code Amendment**

- Public Hearing
- Informal Public Meeting
- Work Session
- New Business
- Old Business
- Information
- Miscellaneous

Lynnwood Dept. of Community Development — Staff Contact: Kevin Garrett, Planning Manager

**Recommendation:**

No action at this work session. Following a public hearing on December 12, 2002, the Planning Commission will be asked to recommend this code amendment to the City Council.

**Background:**

The Zoning Code requires a transitional buffer at the property line dividing properties zoned to different types of zones. In most cases, the transitional buffer must be at least 20 feet wide, and it must have two rows of closely-planted evergreen trees and a six-foot fence. For example, a 20-foot buffer is required on a commercially-zoned property where it abuts a single family zoned property. Both rows and the fence are to be located on the commercial property. Where a commercially-zoned property abuts a multiple family zoned property, the Code requires a 10-foot landscaped buffer on both properties (for a total width of 20 feet). One row of trees is required on each property, and the fence is located on the property line. Transitional buffers are installed when properties are developed or redeveloped.

In some situations, however, topography, a low level of activity on the portion of the commercial property next to the single family property, or other factors indicate that a buffer with less width and/or planting will provide adequate protection for the adjoining property. At present, the Code requires approval of a variance to reduce the width of a buffer. The findings for approval of a variance go far beyond the adequacy of the separation between the two properties.

**Draft Code Amendment:**

Staff recommends instituting a process to allow a reduced buffer where conditions warrant a reduction. The attached ordinance authorizes the Community Development to revise the buffer if the Director finds that,

“due to the intensity of existing or proposed landscaping, change in topography between properties, use of the properties along the abutting property line, or other characteristics of the abutting properties, a reduced buffer width will provide adequate separation between the properties.”

Notice of a pending action to revise a buffer would be mailed to owners of property that abut the site of the buffer.

A decision to change a transitional buffer could be appealed to the Hearing Examiner (PROCESS II).

The City Attorney is currently reviewing the preliminary draft ordinance. At the work session, staff will present any changes recommended by the City Attorney.

**Environmental Review:**

The City's Environmental Review Committee reviewed the draft code amendments and issued a Determination of Nonsignificance (DNS) on October 30, 2002. The appeal period for the DNS ends November 13, 2002.

**What's Next:**

Planning Commission is tentatively scheduled to hold a public hearing on the draft ordinance on December 12, 2002. It is anticipated that the City Council will hold a public hearing on the draft ordinance in January or February of 2003.

**Attachments:**

A. Draft Ordinance