

AGENDA

Lynnwood Planning Commission

Thurs., April 8, 2004 — 7:00 pm — City Council Chambers, 19100 – 44th Ave. W., Lynnwood

A. Call to Order Chair JOHNSON
 Commissioner BIGLER
 Commissioner DECKER
 Commissioner PEYCHEFF
 Commissioner POWERS
 Commissioner WALTHER
 Commissioner ELLIOTT

B. APPROVAL OF MINUTES:

- Minutes of March 25, 2004 meeting

C. CITIZEN COMMENTS – on matters **not** on tonight's agenda:

D. COMMISSION MEMBER DISCLOSURES:

E. PUBLIC HEARING:

1. 2004 Comprehensive Plan Amendments

Briefing on formal Plan Amendment applications and hearing to accept public comments on applications for suggested Plan amendments. The Commission will recommend a "Proposed Amendments List (PAL)" for City Council consideration.

F. NEW BUSINESS: None

G. WORK SESSIONS:

1. Development Regulations Update – Phase 2, Residential Chapters

Review the complete and interlineated drafts of LMC Chapters 21.42 and 21.43 to ensure that the proposed changes accurately reflect the consensus of the Commission prior to its public hearing on April 22.

H. DIRECTOR'S REPORT & INFORMATION:

1. Recent City Council Actions

2. Upcoming Commission Meetings

I. ADJOURNMENT

The public is invited to attend and participate. To request special accommodations for persons with disabilities, contact the City at 425-670-6613 with 24 hours advance notice.

Lynnwood Planning Commission
Meeting of April 8, 2004

Staff Report

Agenda Item: E-1

2004 Comprehensive Plan Amendments

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

Lynnwood Dept. of Community Development — Staff Contact: Ron Hough (425) 670-6655

Introduction:

Cities and counties may amend their comprehensive plans only once each year. Ideally, all amendments are processed together as a package to help ensure consistency. However, if some amendments need to follow different tracks, they will all come together in the fall for simultaneous action by the City Council.

Any citizen, organization, commission, special interest group, Mayor or City Council may propose a change to either the Comprehensive Plan map or text, including the City's long-range vision, goals, objectives and policies. This can be done in one of two ways:

- **Formal Application:** Processing is guaranteed – \$3,000 deposit required.
- **Suggested Amendment:** Processing is subject to Council approval – \$50 fee.

Formal Applications:

Formal applications have been received for the following site-specific Comprehensive Plan Map amendments. These requests will be fully processed.

A. Raskin Plan Map Amendment:

Location: 204th Street east of 52nd Avenue

Request: Amend the Plan Map on the subject property from BTP (Business/Technical Park) to MF-3 (High-density Multi-family).

B. Kingsbury West Plan Map Amendment:

Location: Kingsbury West Mobile Home Park – 176th St. west of Highway 99.

Request: Amend the Plan Map from SF-2 (Medium-density Single-family) to SF-3 (High-density Single-family).

Suggested Amendments:

A suggested amendment is legislative in nature (not site-specific). A \$50 fee is required for any citizen, business or organization to apply for a suggested amendment. The City Council, Planning Commission, other City commissions and City departments may also propose Plan amendments. Suggestions that the City Council feels are worthy of consideration will be placed on the Proposed Amendments List (PAL) for processing. Suggestions not approved for the PAL will not be considered further.

The following Suggested Amendments are being considered for inclusion on the Proposed Amendments List (PAL):

1. Residential Balance – Land Use Element Subgoal:

Applicant: Martin Nelson

Description: The proposal is to delete this subgoal from the Comprehensive Plan on the basis that it is without merit, unrealistic and impossible to achieve.

Recommendation: **Include on the Proposed Amendments List**

2. Single-family Lot Sizes:

Applicant: Martin Nelson

Description: Amend the "Low-density Single-family Residential (SF-1)" and the "Medium-density, Single-family Residential (SF-2)" descriptions in the Land Use Element to establish minimum lot sizes of 8,000 sq. ft. and 6,000 sq. ft., respectively.

A related zoning code amendment would also be processed to adjust the three single-family zones to maintain Plan/Zone consistency.

Recommendation: **Include on the Proposed Amendments List**

3. College District Adjustments:

Applicant: City of Lynnwood – Initiated by City Council

Description: A recent request to exempt commercial sites fronting on Highway 99 from the provisions of the College District Overlay (CDO) zone prompted this review of the College District boundaries and possible removal of commercially-zoned properties along the eastern edge (Highway 99) and possibly the northern edge (196th Street) of the district.

Recommendation: **Include on the Proposed Amendments List**

4. City Center Plan:

Applicant: City of Lynnwood – Dept. of Community Development

Description: Adopt the City Center subarea plan to guide the redevelopment of the City Center. This plan may be accompanied by implementing development regulations and design guidelines. Comprehensive Plan text and map amendments will also be made to properly connect the City Center subarea plan to the citywide Comprehensive Plan.

Recommendation: **Include on the Proposed Amendments List**

5. Shoreline Master Program:

Applicant: City of Lynnwood – Dept. of Community Development

Description: The City's wastewater treatment plant is located on the marine shoreline of Puget Sound. Therefore, Lynnwood must adopt a Shoreline Master Program that includes related regulations to control land uses and development within the shoreline environment. This proposal will add a new element to the Comprehensive Plan and support it with appropriate regulations.

Recommendations: **Include on the Proposed Amendments List**

6. Policy Adjustments from City Codes:

Applicant: City of Lynnwood – Dept. of Community Development

Description: In 2003, several policies were moved from development regulations to the Environmental Resources Element of the Comprehensive Plan. Not all of the policies were found to be appropriate for that element and are now being proposed for inclusion in other elements. Minor adjustments that might be triggered by work on related documents, such as the update of the Critical Areas Ordinance, will also be considered here.

- Land Use
- Parks, Recreation and Open Space
- Transportation
- Capital Facilities and Utilities
- Environmental Resources

These changes will not affect other adopted goals, objectives and policies of the Plan.

Recommendation: **Include on the Proposed Amendments List**

7. Data Updates:

Applicant: City of Lynnwood – Dept. of Community Development

Description: Much of the data within our Comprehensive Plan is outdated. Now that new data from the 2000 Census and other sources are available, staff proposes to update statistics, tables and other information throughout the Plan. Only those changes that will not affect adopted goals, objectives or policies will be proposed.

Recommendation: **Include on the Proposed Amendments List**

8. Parks & Recreation Element Update:

Applicant: City of Lynnwood – Dept. of Parks and Recreation

Description: The Parks Dept. makes annual adjustments and updates to this element. The following is a summary of this year's proposals:

- All text that includes level of service calculations will be revised to reflect 2004 population.
- All text referring to acres of park property will be revised to reflect current inventory.
- Table 1 will be updated.
- Summary of Issues will be updated to reflect current issues.
- Completion dates included in Goals, Objectives and Policies will be updated.

- Proposed park projects and level of service for the City Center Project will be included in the Summary of Issues, Goals, Objectives and Policies and Demand and Needs Assessment.
- The Implementation Element will be updated to reflect current status.

Recommendation: **Include on the Proposed Amendments List**

9. Growth Policies Review:

Applicant: City of Lynnwood – Dept. of Community Development

Description: Lynnwood adopted a Municipal Urban Growth Area (MUGA) in November 2002. The boundaries have not been formally endorsed by Snohomish County and some gaps and an overlap with Mill Creek’s MUGA need to be resolved. In most cases, the MUGA boundaries follow existing streets. However, in some locations they divide existing neighborhoods, cut through individual properties and include a portion of Martha Lake. Staff suggests that the “Urban Growth Policies” section of the Implementation Element be reviewed and discussed and that a clear growth policy for the City be adopted to help guide future annexations. This should include a review of the guidelines for evaluating proposed annexations, which were adopted in 1996 by Resolution No. 96-21.

Recommendation: **Include on the Proposed Amendments List**

10. Implementation Program Update:

Applicant: City of Lynnwood – Depts. of Community Dev., Parks and Public Works

Description: The Implementation Element of the Comprehensive Plan includes a “Five-year Implementation Program,” that brings together measurable objectives of these three City departments. This schedule may be affected by grant availability, City staffing levels, budgets and other factors and, therefore, should be reviewed and updated annually.

Recommendation: **Include on the Proposed Amendments List**

Approval Criteria:

The following criteria are contained in the Implementation Element of the Lynnwood Comprehensive Plan. They will be used by the Planning Commission and City Council when processing the proposals and are included here simply to help the Commission determine whether or not each proposal is within the realm of possibility. If a proposal conflicts with several of the criteria, the Commission may recommend that it not be approved for the Proposed Amendments List (PAL). Staff found no conflicts with these criteria and is recommending all of the above proposals for inclusion on the PAL.

The criteria are as follow:

- A. The proposal is consistent with the provisions of the Growth Management Act (GMA) and will not result in Plan or regulation conflicts; and
- B. The proposal will change the development or use potential of a site or area without creating significant adverse impacts on existing sensitive land uses, businesses, or residents; and
- C. The proposed amendment can be accommodated by all applicable public services and facilities, including transportation; and

- D. The proposal will help implement the goals and policies of the Lynnwood Comprehensive Plan; and
- E. If the proposal could have significant impacts beyond the Lynnwood City limits, it has been sent to the appropriate Snohomish County officials for review and comment.

Next Steps:

The Planning Commission's recommended "Proposed Amendments List (PAL)" will be forwarded to the City Council for consideration at a work session on April 19, 2004. The Council's approved PAL and the two formal applications will be processed in the upcoming months. Processing will include environmental (SEPA) review and the state's 60-day review.

Two major plans, the City Center Plan and the Shoreline Master Program, are more complex and will follow separate tracks. Both are expected to come together in the fall for the Council's simultaneous adoption of the complete package of amendments.

The following meetings have been tentatively scheduled to process the amendments.

- ✓ April 8 Planning Commission Public Hearing on the PAL (Proposed Amendments List)
- April 19 City Council briefing and work session on the PAL
- May 3 City Council work session (if needed)
- May 10 City Council approval of the PAL
- May Staff analysis and Planning Commission work sessions
- June Staff analysis and Planning Commission work sessions
- July 22 Plan. Commission hearing & recommendations on 2004 amendments
- Aug. City Council work sessions
- Sept. City Council work sessions
- Oct. City Council work sessions (schedule as needed)
- Nov. City Council Adoption of approved amendments.



Lynnwood Planning Commission
Meeting of April 8, 2004

Staff Report

Agenda Item: G-1

**Development Regulations Update– Phase 2,
Residential Chapters**

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

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

BACKGROUND:

The Planning Commission has been reviewing and commenting on various staff generated proposed amendments to the residential chapters of the development regulations for the past several months. It is now time to take what we have learned from that review and make a formal proposal. Attached to this staff report are interlineated copies of Chapter 21.42 and Chapter 21.43. This is the first complete draft of the proposals in interlineated form.

The starting point for the interlineated draft of Chapter 21.42 was the adopted code. The next step was to add the proposed High Density Single Family zone. Although the City Council has yet to adopt this zone they should do so to implement the adopted SF-3 Plan designation. This zone is now being called RS-4. It is shown in the interlineated draft proposal as if it were already part of the adopted code. This is to make it less confusing when reviewing the current proposed amendments before the Planning Commission. When the Council acts on the RS-4 zone there could be some changes. When that happens staff will revise this interlineated draft as necessary.

Staff has made an attempt to accurately reflect the consensus Commission position taken on the various matters discussed. Carefully review the proposed amendments to see if this draft formal proposal matches your memory and record.

Now is the best time to make corrections, deletions, and additions. These two chapters are scheduled for public hearing before the Planning Commission on April 22, 2004.

ATTACHMENTS:

- Chapter 21.42 – Residential Single Family Zones
- Chapter 21.43 – Residential Multiple Family Zones

Chapter 21.42
RESIDENTIAL SINGLE FAMILY ZONES

Sections:

- 21.42.050** Zones and purposes.
- 21.42.100** Uses allowed in single-family residential zones.
- 21.42.110** Limitations on use.
- 21.42.140** Repealed.
- 21.42.200** Development standards.
- 21.42.210** Additional development standards.
- 21.42.250** Development standards for park facilities.
- 21.42.300** Home occupations.
- 21.42.400** Accessory structures and uses.
- 21.42.420** Placement of accessory buildings and structures – Interior lots.
- 21.42.440** Placement of accessory buildings and structures – Corner and reverse corner lots.
- 21.42.500** Signs.
- 21.42.900** Other regulations.

21.42.050 Zones and purposes.

The single-family residential zones are intended to provide for ~~detached a wide range of~~ housing with densities and styles consistent with the goals, objectives, and policies of the Lynnwood Comprehensive Plan and contribute to building and maintaining of safe, clean, and attractive residential neighborhoods with housing for people with a wide variety of housing needs and economic means ~~contemporary building and living standards~~. Such neighborhoods should have minimal traffic, noise, and commercial activities. (Ord. 2441 § 12, 2003; Ord. 2020 § 17, 1994; Ord. 190 Art. IX § 9.2, 1964)

21.42.100 Uses allowed in single-family residential zones.

See Table 21.42.01 for uses allowed ~~restrictions~~ in single-family residential zones.

Table 21.42.01

| Use | RS-8 | RS-7 | RS-4 |
|--|----------------|----------------|----------------|
| Single-Family Dwellings (one per lot) | P | P | P |
| <u>Adult Day Care Centers</u> | <u>C*</u> | <u>C*</u> | <u>C*</u> |
| Adult Family Homes | P | P | P |
| Accessory Dwelling Unit+ | ASF | ASF | - |
| Agricultural and Horticultural Activities, including plant nurseries+ | € | € | € |
| Child Day-Care Centers+ | C* | C* | C* |
| <u>Children – Resident Home</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| <u>Family Child Care Home</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Churches | € | € | € |
| Manufactured Home Developments and Designed Manufactured Homes+ | P | P | P |
| Park and Pool Lots+ | €** | €** | €** |
| <u>Places of Worship</u> | <u>C</u> | <u>C</u> | <u>C</u> |
| Public Parks | P | P | P |

| | | | |
|---|---|---|---|
| Public Utility Facilities necessary for the transmission, distribution or collection of electric, telephone, wireless communication, telegraph, cable TV, natural gas, water, and sewer utility services, excluding sewer treatment plants, offices, repair shops, warehouses, and storage yards+ | C | C | C |
| Schools, Libraries or Museums, Offices of Philanthropic or Charitable Organizations, but not including Nonprofit Retail Stores | C | C | C |
| Wireless Communications Facility Attached (not permitted on residential structures) | P | P | P |

* Only as an accessory ~~use at~~ a school or ~~place or worship~~ church.

** ~~Only on properties with street frontage along streets designated as arterials.~~

+See LMC 21.42.110.

Key:

ASF = Allowed as an accessory use to a single-family residence.

P = Use is permitted as a primary use; see LMC 21.42.300 regarding home occupations.

C = The use may be permitted through issuance of a conditional use permit.

- = Use is prohibited.

(Ord. 2441 § 12, 2003; Ord. 2388 § 15, 2001; Ord. 2295 § 7, 2000; Ord. 2174 § 1, 1998; Ord. 2065 § 5, 1995; Ord. 2051 § 4, 1995; Ord. 2020 § 17, 1994; Ord. 1984 § 2, 1994; Ord. 1889 § 2, 1992; Ord. 1881 § 1, 1992; Ord. 1862 § 1, 1991; Ord. 1844 §§ 8, 9, 1991; Ord. 1781 §§ 4, 5, 1990; Ord. 1146 § 1, 1980; Ord. 1138 § 1, 1980; Ord. 1119 § 2, 1980; Ord. 1081 § 1, 1979; Ord. 833 § 1, 1976; Ord. 815 §§ 2, 3, 4, 1975; Ord. 584 § 2, 1971; Ord. 529 § 1, 1969; Ord. 522 § 2, 1969; Ord. 484 § 2, 1969; Ord. 323 § 2, 1967; Ord. 190 Art. IX §§ 9.4.1, 9.5.1, 1964)

21.42.110 Limitations on use.

~~A. Agricultural and Horticultural Activities. Agricultural and horticultural activities, including plant nurseries, must be devoted to the raising of plants. No structures, uses, or accessory uses or structures are permitted, except those specifically authorized by the conditional use permit.~~

~~A~~**B.** Public Utility Facilities. Public utility facilities necessary for the transmission, distribution or collection of electric, telephone, wireless communication, telegraph, cable television, natural gas, water, and sewer utility services, excluding sewer treatment plants, offices, repair shops, warehouses, and storage yards shall be subject to the following additional standards:

1. Such facilities shall not be injurious to the neighborhood or otherwise detrimental to the public welfare;

2. The applicant shall demonstrate the need for the proposed public utility facility to be located in a residential area, the procedures involved in the site selection and an evaluation of alternative sites and existing facilities on which the proposed facility could be located or co-located;

3. A site development plan shall be submitted showing the location, size, screening and design of all buildings and structures, including fences, the location, size, and nature of outdoor equipment, and the location, number, and species of all proposed landscaping;

4. The facility shall be designed to be aesthetically and architecturally compatible with the natural and ~~built~~ **building** environment. This includes, but is not necessarily limited to, building design and the use of exterior materials harmonious with the character of the surrounding neighborhood and the use of landscaping and privacy screening to buffer the

facilities and activities on the site from surrounding properties. Any equipment or facilities not enclosed within a building (e.g., towers, transformers, tanks, etc.) shall be designed and located on the site to minimize adverse impacts on surrounding properties;

5. All wireless communications facilities shall comply with national, state or local standards, whichever is more restrictive, in effect at the time of application, for nonionizing electromagnetic radiation;

6. ~~That t~~The applicant shall demonstrate a justification for the proposed height of the structures and an evaluation of alternative designs which might result in lower heights. If additional height over that allowed in the zone is justified it may be approved by the city;

7. The applicant shall include an analysis of the feasibility of future consolidated use of the proposed facility with other public utility facilities.

Provided, that this subsection shall not apply to utility facilities located on a property which are accessory to the residential use of that property or to the transmission, distribution or collection lines and equipment necessary to provide a direct utility connection to the property or neighboring properties, or to those utility facilities located on public right-of-way, nor shall it apply to utility facilities installed within new subdivisions, which shall be evaluated prior to plat approval and do not require a separate conditional use permit.

~~C. Park and Pool Lots. Park and pool lots may be permitted by conditional use permit. In considering an application for such a use, the hearing examiner shall review all impacts of the proposed use upon the surrounding neighborhood including, but not limited to, location, traffic, displacement of required stalls, noise, hours of operation, ingress and egress, signage, parking lot illumination, and aesthetic impacts. In single family zones, park and pool lots should not be the principal use of a property, but an accessory use to a permitted or conditional use in that zone.~~

~~The applicant for such a permit shall submit a site plan indicating:~~

- ~~1. The property boundaries;~~
- ~~2. The location of all buildings on the site with the floor areas of each use indicated;~~
- ~~3. The location and dimensions of all existing or proposed parking stalls, including the designation of those to be available to park and pool users; and~~
- ~~4. The location and type of all existing or proposed landscaping.~~

~~The applicant shall also submit drawings of proposed signage and an analysis of the parking demand of any existing uses on the site and the anticipated demand by park and pool users.~~

BD. Child Day-Care Centers.

1. Considerations. Child day-care centers may be permitted by issuance of a conditional use permit. Before approval or denial of an application, the hearing examiner ~~and city council~~ will consider the need for the activity in the area and all possible impacts in the area including but not limited to the following:

- a. Any adverse or significant changes, alterations or increases in traffic flow that could create a hazardous situation as either a direct or indirect result of the proposed activity;
- b. Any abnormal increase in demand for any public service, facility or utility;
- c. The size, location, and access of the proposed site; and
- d. Any adverse effects on the standard of livability to the surrounding area.

2. Requirements. In any case, the approval of the conditional use permit shall include the following requirements:

- a. The applicant must be state-licensed before the operation of the facility;
- b. Adequate off-street parking must be provided;
- c. All outdoor play areas must be fenced with a minimum of 800 square feet plus an additional 80 square feet per additional child over 10;
- d. Site and sound screening standards for the outdoor play area must be met;
- e. The applicant must provide off-street access to the facility from the public right-of-way for the purpose of pickup and delivery of children;
- f. The applicant must indicate the ages of the children to be cared for;

g. See LMC 21.16.290(A) for sign regulations.

C.E. Manufactured Home Developments. Permitted under the provisions for planned unit developments. See Chapters 21.30 and 21.70 LMC.

D.F. Accessory Dwelling Units. Accessory dwelling units shall be permitted subject to the provisions of this section.

1. Purposes. Regulating the development and use of accessory dwelling units is intended to achieve the following purposes:

a. Provide the opportunity for resident homeowners to enjoy companionship and security from tenants while maintaining the privacy of a single-family residence;

b. Create additional affordable housing in Lynnwood;

c. Allow a property owner to continue to reside in a neighborhood after a lifestyle change, in particular, by having the opportunity to receive rental income;

d. Develop housing that is appropriate to smaller households; and

e. Protect neighborhood stability, property values, and the appearance and character of single-family neighborhoods by regulating the installation and use of accessory dwelling units.

2. Permitted Zones. Accessory dwelling units shall be permitted in the R-7 and R-8 zones; provided, that an accessory dwelling unit may be permitted only on a premises that already contains a primary residence.

3. Minimum Lot Size. Accessory dwelling units shall be allowed only at a premises with a lot area of at least 10,000 square feet.

4. Number. A maximum of one accessory dwelling unit shall be permitted on a single-family premises.

5. Location in Relation to Principal Residence. The accessory dwelling unit may be within the principal residence, or it may be connected to it by the foundation, floor, walls, ceiling, and roof; connection by means of a breezeway or other partially open structure shall not fulfill this requirement.

The unit may be created by either building new habitable space or by converting existing habitable space, or by a combination of new construction and conversion. Any new construction for the accessory unit may not be located in front of (i.e., closer to the front property line than) the existing structure.

6. Development Standards. Any new construction shall meet all the development standards for the applicable zone, except as modified by this section, and shall comply with all applicable city codes, including requirements of the building code.

7. Size. The accessory dwelling unit shall have a gross floor area of not less than 500 square feet and not more than 700 square feet. It shall have not more than one bedroom.

8. Design. The accessory dwelling unit shall be designed so that, to the degree reasonably feasible, the appearance of the building remains that of a single-family residence. At a minimum, the plans for the unit should conform to the following guideline:

Any new exterior construction associated with creating an accessory dwelling unit should match the existing exterior materials and design of the principal residence, and the pitch of any new roof should match that of the principal residence. Any new landscaping should conform with or improve existing landscaping.

9. Entrance Location. The entrance(s) to the accessory dwelling unit shall be located in such a manner as not to appear as a second primary entrance to the structure which encompasses the principal residence.

10. Parking. Two off-street parking spaces shall be provided for the accessory dwelling unit, in addition to the parking required for the main residence. They shall be paved in conformance with standard city requirements. These parking spaces may be located in a garage, carport, or in an off-street area reserved for vehicle parking. These parking spaces may not be located in tandem with parking spaces for the principal unit. These parking spaces may not encroach into any portion of a public or private street right-of-way (including any landscaped

portion).

11. Accessibility. In order to encourage the development of housing units for people with disabilities, the community development director may allow reasonable deviations from the requirements of this section to install features or facilities that facilitate accessibility. Such features or facilities shall comply with the city's building and fire codes. Such deviations may be considered as part of the accessory dwelling unit permit (see below).

12. Owner Occupancy. The property owner (title holder or contract purchaser) must occupy either the principal unit or the accessory dwelling unit as their permanent residence for at least six months of each calendar year. Owners shall sign and record with the county an affidavit in a form acceptable to the city attesting to their occupancy. At no time may the property owner receive rent for whichever unit is owner occupied.

13. Maximum Occupancy. No more than two persons may live in an accessory dwelling unit.

14. Permitting. No construction permit or occupancy permit for any improvements for an accessory dwelling unit shall be issued until and unless a permit for the unit is approved and recorded, pursuant to this subsection.

a. Application and Fee. The property owner shall submit an application for an accessory dwelling unit permit to the community development director, including plans for creating the accessory dwelling unit (including design plans for any new construction), evidence of current ownership (or purchase contract), certification of owner occupancy, payment of related fees and costs as set forth in LMC 2.23.120; and such other information as the community development director may require in order to determine whether the application conforms with city requirements.

b. Action. After determining that the application is complete, the community development director shall approve the application and issue an accessory dwelling unit permit if he/she finds that the application conforms with the requirements of this section and other applicable sections of the municipal code.

c. Validity. Any permit issued pursuant to this section shall be issued only to the property owner and shall be valid only so long as the permit holder owns the property in title or as a contract purchaser. Such permit shall expire automatically upon any transfer of property ownership from the permit holder. Continued occupancy of the accessory dwelling unit as a separate living unit shall require application for a new permit by the contract purchaser or new property owner and renewal of the permit by the community development director. The community development director shall renew any permit under this subsection if he/she finds that the accessory dwelling unit complies with all provisions of this section.

d. Extension of Tenancy After Property Sale. If a property is sold and the new owner files an application for a permit, the tenants may continue to reside at the property for the remainder of any lease, or up to 90 calendar days, whichever is longer, except that such residency continuation shall not exceed one year. A single additional continuation of up to six months may be granted by the community development director, upon written request by both the tenant and the (new) property owner, if she/he finds that termination of residency by the tenants would impose a substantial and unusual hardship on the tenants.

e. Recording. The permit, and any other forms required by the community development director, shall be recorded by the property owner with the county to indicate the presence of the accessory dwelling unit, the requirement of owner-occupancy, and any other standards or requirements for maintaining the unit as a separate dwelling unit. Any permit approved under this section shall not be effective until evidence of recordation is presented to the community development director.

f. Expiration. Any permit for an accessory dwelling unit shall expire one year from the date of approval unless a building permit for the accessory dwelling unit has been obtained. The community development director may grant a single one-year extension to this time limit,

provided a written request for the extension is received before expiration.

g. Cancellation/Revocation. Cancellation of an accessory dwelling unit permit may be accomplished by the owner filing a certificate that the owner is relinquishing an approved accessory dwelling unit permit with the community development director and recording the certificate at the county. A permit for an accessory dwelling unit may be revoked for violation of the requirements of the section or for fraud in obtaining the permit.

h. Appeal. Any action by the community development director may be appealed by the applicant to the hearing examiner only for noncompliance with these regulations; provided, that such appeal shall be filed in writing within 10 calendar days of mailing of a notice of action. Such appeal shall be processed as provided for in Process II, LMC 1.35.200 et seq.

15. Subdivision Prohibited. No accessory dwelling unit may be sold as a separate property or as a condominium, or in any way be part of a subdivision of the lot upon which it is located unless that subdivision conforms with all provisions of the Lynnwood Municipal Code.

16. Home Occupations. A home occupation may not be conducted in the accessory dwelling unit.

17. Legalization of Existing Accessory Dwelling Units. Accessory dwelling units that existed on or before the effective date of the ordinance codified in this chapter may be granted an accessory dwelling unit permit, subject to this subsection.

a. Time Limit. An application for an accessory dwelling unit permit for a pre-existing unit must be filed with the community development department within 18 months of the effective date of the ordinance codified in this chapter.

b. Construction Codes Compliance. Any space used for or included in the accessory dwelling unit shall have been constructed pursuant to a building permit issued by the city of Lynnwood (or the county of Snohomish if the property was not part of the city at the time of construction) and in compliance with the building and other construction codes that were in effect when construction was completed. The applicant must provide written documentation to verify construction code compliance. Alternatively, the applicant may verify code compliance for existing construction through the community development department.

c. Development and Use Standards. Development and use of the pre-existing accessory dwelling unit shall comply with all provisions of this section.

(Ord. 2441 § 12, 2003; Ord. 2310 §§ 36, 37, 2000; Ord. 2174 § 2, 1998; Ord. 2065 § 6, 1995; Ord. 2051 § 5, 1995; Ord. 2020 § 17, 1994; Ord. 1881 § 1, 1992; Ord. 1844 § 10, 1991; Ord. 1781 § 4, 1990; Ord. 1472 § 1, 1985; Ord. 1146 § 1, 1980; Ord. 1138 § 1, 1980; Ord. 1119 § 2, 1980; Ord. 1081 § 1, 1979; Ord. 584 § 2, 1971; Ord. 522 § 2, 1969; Ord. 323 § 2, 1967)

21.42.140 Limitations for uses allowed in single-family zones when located in multiple-family zones.

Repealed by Ord. 2441. (Ord. 2020 § 17, 1994; Ord. 1881 § 1, 1992; Ord. 323 § 2, 1967)

21.42.200 Development standards.

**Table 21.42.02
Development Standards**

| Standard | RS-8 | RS-7 | RS-4 |
|-------------------------------|------------|----------------------|----------|
| Minimum Lot Area+++ | 8,400 sf | 7,200 sf | 4,000 sf |
| Minimum Lot Area per Dwelling | NA | NA | NA |
| Minimum Lot Width | 70 ft. +++ | 55 60 ft. | 40 ft. |
| Minimum Frontage at Street | 30 ft. +++ | 30 ft. | 25 ft. |

| | | | |
|---|----------------------|--------------------------|---------------|
| Minimum Front Yard Setback | | | |
| Interior Lot | 20 25 ft. | 20 ft. | 15 ft. |
| Corner Lot | 20 25 ft. | 20 ft. | 15 ft. |
| Abutting a Principal Arterial Street | 25 ft. | 25 ft. | 20 ft. |
| <u>Abutting a Private Road or Access Easement</u> | <u>15 ft.</u> | <u>15 ft.</u> | <u>15 ft.</u> |
| Minimum Side Yard Setbacks – Corner Lot | | | |
| Street Side | 15 ft. | 15 ft. | 15 ft. |
| Interior Side | 5 ft. | 5 ft. | 5 ft. |
| Both Sides Combined | 20 15 ft. | 20 10 ft. | 20 ft. |
| Abutting a Principal Arterial Street | 25 ft. | 25 ft. | 20 ft. |
| Minimum Side Yard Setbacks – Interior Lot | | | |
| Each Side | 5 ft. | 5 ft. | 5 ft. |
| Both Sides Combined | 15 ft. | 10 ft. | 10 ft. |
| Minimum Rear Yard Setback | 20 25 ft. | 20 25 ft. | 15 ft. |
| Maximum Lot Coverage by Buildings | 35 percent | 40 35 percent | 50 percent |
| Maximum Building Height | 35 ft. | 35 ft. | 35 ft. |

(Ord. 2441 § 12, 2003; Ord. 2388 § 17, 2001; Ord. 2020 § 17, 1994; Ord. 1881 §§ 1, 7, 1992; Ord. 1412 §§ 1 – 4, 1984; Ord. 1343 § 5, 1983; Ord. 997 § 1, 1978; Ord. 977 §§ 1, 2, 1978; Ord. 942 § 1, 1977; Ord. 738 § 1, 1974; Ord. 614 § 1, 1971; Ord. 565 § 1, 1970; Ord. 407 § 2, 1968; Ord. 356, 1967; Ord. 323 § 2, 1967; Ord. 190 Art. IX §§ 9.2.2, 9.3.2, 9.4.2(a-f), 9.5.2, 1964)

21.42.210 Additional development standards.

A. Parking Requirements. Parking requirements for the residential zones are as provided in Chapter 21.18 LMC.

B. Fences and Hedges. Fence and hedge regulations for the residential zones are as provided in Chapter 21.10 LMC.

C. Minimum Lot Area in RS-8 and RS-7 zones. Within RS-8 or RS-7 zoned land the required minimum lot size standards for individual lots will be considered to be met if the average lot size of the lots in the subdivision or short subdivision (the total land area within lots divided by the number of lots) is equal to or larger than the required minimum lot size allowed in the respective zone; provided, that:

1. No lot shall be smaller than 90 percent of the required minimum lot size in that zone;
2. Not more than a 25 percent increase over the required minimum lot size for any individual lot shall be credited in computing average lot size;
3. Corner or reverse corner lots shall not be smaller than the required minimum lot size allowed in that zone;
4. A lot which is, by these provisions, smaller than the required minimum lot size is allowed a reduction of five feet from the required minimum lot width;
5. Final plats or short plats which utilize lot size averaging shall list the lot areas of all

lots on the face of the plat; and

6. Preliminary plats approved utilizing lot size averaging shall not receive final approval by divisions unless each division individually satisfies these provisions.

D. Minimum Lot Area in RS-4 zone. Within the RS-4 zone the minimum lot size is 4,000 square feet per single-family dwelling. The minimum lot size may be less than 4,000 square feet per dwelling if a housing project is comprehensively planned and developed under the Planned Unit Development (PUD) process. Densities of up to 12 dwelling units per gross acre may be permitted using the PUD process. In order to attain the higher densities possible through the PUD process, the project must provide a high level of benefit to the residents of the project and to the larger community. The maximum allowable density of 12 dwellings per gross acre shall be awarded to a project on the attainment of ten points when evaluated using the factors, standards, and award points in the following table.

Density Bonus Rating System

| Factor | Standard | Points |
|--------------------------------|---|--------|
| Common open space | 10% of total site. | 2 |
| Quality building design | Conforms to Lynnwood Citywide Design Guidelines as adopted by reference in LMC 21.25.145(B)(3). | 4 |
| Green building principles | All dwelling units will be built to the Built Green™ standards (3- Star Level) as administered by the Master Builders Association of King and Snohomish Counties. | 4 |
| Lowered transportation impacts | Weekday vehicular trip generation per dwelling unit will be less than nine trip ends as certified by a licensed traffic engineer. | 2 |

E. Small Lot Single-family Dwelling Development Standards. Single-family dwellings built on lots zoned RS-4 shall meet the requirements contained within this section unless approved as part of a multiple-family development pursuant to the regulations within Chapter 21.43. It is the intent of these development standards that single-family dwellings on small lots be compatible with neighboring properties, friendly to the streetscape, and in scale with the lots upon which they are constructed. A minimum area for the application of the RS-4 zone shall be one acre. The community development director is authorized to promulgate guidelines, graphic representations, and examples of housing designs and methods of construction that do or do not satisfy the intent of these standards.

1. Where lots front on a public street or private access easement, the dwelling shall have doors and windows facing the street or private access easement. Dwellings shall have a distinct entry feature such as a porch or weather covered entryway with minimum dimensions of six feet by six feet. Covered porches open on three sides may encroach six feet into a required front yard setback.

2. If the lot abuts an alley in addition to a public street, the garage or off-street parking area shall take access from the alley, unless precluded by steep topography. Where the garage, or off-street parking area, is accessed from an alley no curb cuts shall be permitted on the public street.

3. If there is no alley access and the lot fronts on a public street or private access easement, the front of the garage shall be set back a minimum of five feet from the main front plane of the dwelling; and, the dwelling shall have entry, window, and/or roofline design treatment which emphasizes the dwelling more than the garage.

4. Driveways shall not exceed twenty feet in width in the required front yard setback area.

5. Dwellings built on lots without direct frontage on a public street shall be situated to respect the privacy of abutting dwellings and to create usable yard space for the dwelling(s).

6. Lot coverage by the living space of a dwelling shall not exceed forty percent. Total lot coverage by the dwelling and any other buildings on the lot shall not exceed fifty percent.

7. Landscaping shall be provided to enhance the streetscape, to provide privacy for dwellings on abutting lots, and to provide separation and buffering on easement access drives.

8. Accessory structures are limited to a total amount of 200 square feet in floor area, excepting garages.

F. Pre-Existing Subdivisions. Any lot described on a plat duly recorded in the land records of Snohomish County prior to January 1, 1970, may be used for a one-family dwelling if the ~~width of the lot~~ dimensions and area are in conformance with LMC 21.12.300, is not less than 60 feet, the area of the lot is not less than 7,000 square feet, and the ~~lot and~~ buildings to be located thereon conform to all other standards of the residential R-8 zone within which the lot is located.

G. Rear Yard Setback. In single-family zones, a portion of the main building may encroach into the required rear yard setback no more than ten feet provided that the total encroachment area does not exceed 200 square feet. (Ord. 2441 § 12, 2003; Ord. 2388 § 18, 2001; Ord. 2020 § 17, 1994; Ord. 1881 § 1, 1992; Ord. 1770 § 12, 1990; Ord. 1461 § 1, 1985; Ord. 1424 § 1, 1984; Ord. 1253 §§ 1, 2, 1982; Ord. 1241 § 1.2, 1982; Ord. 987 §§ 3, 4, 1978; Ord. 614 § 1, 1971; Ord. 575 § 1, 1970; Ord. 565 § 1, 1970; Ord. 489 § 1, 1969; Ord. 407 § 2, 1968; Ord. 386 § 1, 1968; Ord. 356, 1967; Ord. 323 § 2, 1967; Ord. 190 Art. IX §§ 9.2.3, 9.2.4, 9.3.3, 9.3.4, 9.4.3, 9.4.4, 9.5.3, 9.5.4, 1964)

21.42.250 Development standards for park facilities.

A. Buildings and structures at properties designated “Parks, Recreation and Open Space” on the future land use plan map of the comprehensive plan shall be subject to the development standards in LMC 21.42.200; provided, that the community development director may authorize a reduction in the minimum setback from a public street to the following:

1. Structures and buildings no more than one story in height and with a gross floor area of 1,000 square feet or less: 10 feet.

2. Structures and buildings either more than one story in height or with a gross floor area greater than 1,000 square feet (or both): 25 feet.

3. Provided, that the director finds:

a. The standards in LMC 21.42.200 would not allow use of a building or structure in the park as that building or structure is intended to be used; and

b. Use of the building or structure would not adversely affect adjoining properties.

B. Notice of such approval shall be mailed to owners of property that adjoin the site of the proposed building or structure. Approval of a building or structure under this section may be appealed within 14 calendar days of issuance of a determination under this section using Process II. The date of issuance shall be three days following the date of mailing of the notice. (Ord. 2441 § 12, 2003; Ord. 2240 § 1, 1999)

21.42.300 Home occupations.

A Home occupations may be ~~are~~ permitted ~~by~~ ~~upon~~ issuance of a business license, ~~by the city clerk's office~~ pursuant to ~~the provisions of~~ LMC Title 5, provided the business complies with this and other applicable sections of the Lynnwood Municipal Code. ~~–To assure adherence to the definition of “home occupation,” applicants for home occupation business licenses shall acknowledge in writing, certified under penalty of perjury under the laws of the state of Washington, that they will comply with the provisions of this section. Failure to so certify shall constitute an incomplete application and the same shall not be processed. Home occupation~~

~~business licensees shall comply with the conditions listed in this section. Failure to so comply shall constitute a misdemeanor and grounds for revocation or suspension of said license. (Home day care is regulated separately, under LMC 21.42.400.)~~

A. Area Used. A home occupation may only be conducted in the principal building and not in an accessory building. The area devoted to the home occupation may comprise no more than 25 percent of the area of the principal building. Any extension of the home occupation to the outdoors, including but not limited to, paving of yards for parking, outdoor storage or activity, indoor storage or activity visible from outdoors (e.g., in an open garage) is prohibited.

B. Access. Access to the space devoted to the home occupation shall be from within the dwelling, and not from a separate outside entrance.

C. Employment. No one other than members of the resident household family who are residing on the licensee's premises may perform labor or personal services on the premises, nor park at or near the dwelling, ~~whether such persons are employees or independent contractors. Persons in building trades and similar fields using their homes or multiple family housing as offices for business activities carried on off the residential premises may have other employees or independent contractors; provided, that such employees or independent contractors do not perform labor or personal services on the residential premises, park on or near the dwelling site, or visit the residence during the course of business.~~

D. Stock in Trade. The processing, storing, and occasional sale of handicrafts made on the premises and other small products is allowed, subject to compliance with other conditions of this title. The display or storage of goods outside the premises or in a window is prohibited.

E. Equipment, Use, and Activities. No equipment may be used and no activities may be conducted which would result in noise, vibration, smoke, dust, odors, heat, glare, or other conditions exceeding in duration or intensity those normally produced by a residential use. Normal residential use shall be construed as including the above impacts only on an occasional weekend or evening basis (e.g., in connection with a hobby or home/yard maintenance), and not on a daily basis.

F. Traffic. A home occupation shall not generate traffic in excess of normal residential traffic. ~~The nature of the home occupation shall be such that it does not generate traffic in excess of normal residential traffic. Home occupations which result in travel to the site by customers or suppliers or any other persons in excess of one visit every hour are specifically prohibited; provided, that this limitation may be exceeded one day each month to facilitate the holding of occasional meetings which is inherent to certain types of home occupations. Traffic generated by a home occupation is limited to the hours of 9:00 a.m. to 9:00 p.m. These restrictions shall not apply to the sale of household goods on the premises (garage sale) nor do such sales require the obtaining of a home occupation license. However, to minimize traffic impacts on a neighborhood, sales of household goods shall be limited to no more than two per year, each sale not to exceed seven days. Pickup or delivery by commercial vehicles other than those of the home occupation owner shall be limited to one vehicle of one-ton rated capacity or less.~~

G. Certain Uses Specifically Prohibited. The following uses are specifically prohibited as home occupations:

1. Automotive repairs or detailing;
2. Small engine and major appliance repair;
3. Boarding, grooming, kenneling, or medical treatment of animals;
4. Contractor's shops;
5. On-site sale of firewood;
6. Sheet metal fabrication;
- ~~7. Escort services;~~

78. Health care or other physical or personal services administered directly to the client at this location; actually delivered to patients, including, but not limited to, treatments by medical doctors, chiropractors, dentists, podiatrists, naturopaths, psychologists, hypnotherapists, massage

~~practitioners, physical or occupational therapists, nurses, and acupuncturists;~~

89. Any other use with a demonstrated tendency to violate one or more of the conditions of this section.

H. Signs. Any home occupation sign must meet the residential sign regulations in LMC 21.16.290. (Ord. 2441 § 12, 2003; Ord. 2310 § 34, 2000; Ord. 2101 § 1, 1996; Ord. 2020 § 17, 1994; Ord. 1891 § 1, 1992; Ord. 1889 § 3, 1992; Ord. 1757 § 1, 1990; Ord. 1607 § 11, 1987; Ord. 1389 § 2, 1984)

21.42.400 Accessory structures and uses.

A. Solar Energy Systems. The use of solar energy systems (for example, attached solar greenhouses, attached solar sunspaces, and solar collectors) can be an effective and efficient method for producing energy and reducing energy consumption. The majority of residential structures within Lynnwood were constructed before solar energy systems became a viable means for producing energy, thus lot yard setbacks and height restrictions do not take such systems into account. The city of Lynnwood finds that it is in the best public interest to encourage solar energy systems. If it is found that a solar energy system would have a positive impact on energy production and conservation while not having an adverse environmental impact on the community, but the placement of such system requires violation of city setback or maximum height limitations, allowance of such systems may be permitted through the variance process and shall be encouraged. In viewing such variance request, the following shall be considered in making a determination:

1. That the solar energy system has a net energy gain;
2. That the solar energy system is designed to minimize glare towards vehicular traffic and adjacent properties;
3. That the solar energy system not adversely affect solar access to adjacent properties;
4. That the solar energy system comply with all other city zoning, engineering, building, and fire regulations; and
5. That the solar energy system is found to not have any adverse impacts on the area, which impacts shall include, but not be limited to, the effects of such system upon the views from neighboring properties and public ways.

In order to show that the proposed energy system will conform to the above, the applicant shall be required to submit a site plan and elevations showing the location, size, and dimensions of the solar energy system and its relation to all adjacent properties. Care shall be taken to insure that the design, materials used and colors architecturally blend in with the existing structure. The city may require that the site plan and elevations and/or energy saving calculations be prepared by an engineer, architect or builder specializing in solar energy construction.

~~B. Heat Pumps. Provided such are baffled, shielded, enclosed, or placed on the property to insure that the dba level does not exceed the applicable noise level at the property line. Documentation of the methods to insure compliance with these standards shall be required of the applicant prior to issuance of a permit to install a heat pump. In the event of persistent noise problems, it shall be the owner's responsibility to retain a noise consultant and to take the necessary actions to mitigate the impacts immediately. Heat pumps complying with the above standards shall be placed a minimum of five feet from all property lines.~~

~~The use of heat pumps also may be an effective and efficient method for reducing energy consumption. The majority of residential structures were constructed before heat pumps became a viable means for reducing energy consumption, thus lot yard setbacks did not take them into account. In some instances the only and/or the best location of a heat pump will not comply with the minimum five foot setback from all property lines. Heat pumps within the five foot setback may be permitted through the variance process. In order for any such variance to be granted, it must be found that:~~

- ~~1. The heat pump does not exceed the applicable dba noise level at the property line;~~

~~2. The heat pump does not cause an adverse environmental impact; and
3. The proposed location is the more desirable in lieu of the minimum five-foot setback.
Supporting documentation shall be provided by an individual knowledgeable of heat pump operation and installation.~~

~~B~~C. Family Child Care Homes. Family childcare homes are permitted as an accessory use to a dwelling.

~~C~~D. Keeping Small Animals as Pets. The keeping of small animals as pets shall be permitted as an accessory use; the keeping of livestock shall not be permitted except that an occupant shall be able to keep one animal; i.e., horse, cow or sheep on a lot having a minimum of 20,000 square feet and an additional animal for each 20,000 square feet additional lot area. The entire square footage of roaming area shall be fenced. Fences must be of such a type and size as to prevent encroachment on adjacent property. Encroachment shall be defined as reaching over, under or through, as well as trespassing or intruding upon, the property of another. Accessory buildings used for housing animals shall be provided, and shall be a minimum of 200 and a maximum of 250 square feet in area per animal, except as allowed by variance, and shall not be closer than 25 feet to a property line. An accessory building for the housing of small animals or fowl shall not exceed 36 square feet in floor area when located on a residential lot and neither the building nor the fenced area for their roaming shall be closer than 25 feet to a property line. The keeping of mink, goats, foxes, or hogs is prohibited.

~~D~~F. Carnivals, Circuses, and Other Temporary Special Events. These uses are permitted if accessory to a school, church, park, or other facility of a similar nature. Such activities shall not be subject to regulation by Chapter 5.30 LMC. (Ord. 2441 § 12, 2003; Ord. 2020 § 17, 1994; Ord. 1844 § 7, 1991; Ord. 1781 § 6, 1990; Ord. 1428 §§ 1, 2, 1984; Ord. 1252 §§ 2, 3, 1982; Ord. 1240 § 2, 1982; Ord. 669 § 1, 1972; Ord. 323 § 2, 1967; Ord. 285 § 4, 1966)

21.42.420 Placement of accessory buildings and structures – Interior lots.

~~A. Distance Between Buildings and Structures. The distance between a building containing a dwelling unit and any other building on the same lot shall be as set forth in the building code.~~

~~A~~B. Accessory Buildings and Structures on Lot Lines. In single-family zones, accessory buildings which:

1. Are behind the front wall of the residence;
2. Do not exceed one story in height (not to exceed 15 feet);
3. Are not greater than 600 square feet in floor area; and
4. Do not contain habitable space (as defined in the building code);

shall be set back not less than five feet from the lot side and rear lines, except that one accessory building which does not exceed eight feet in height nor 64 square feet in floor area may be located on lot side and rear lines. (Ord. 2295 § 6, 2000; Ord. 2020 § 17, 1994; Ord. 1823 § 1, 1991; Ord. 1365 § 1, 1983; Ord. 1174 § 1, 1980; Ord. 190 Art. IX §§ 9.2.5, 9.3.5, 9.4.2g(1), § 9.5.5, 1964)

21.42.440 Placement of accessory buildings and structures – Corner and reverse corner lots.

~~A. Distance Between Buildings and Structures. The distance between a building containing a dwelling unit and any other building on the same lot shall be as set forth in the building code.~~

~~A~~B. Accessory Buildings and Structures on Lot Lines. On the rear one-third of a corner or reverse corner lot, accessory buildings which do not exceed one story in height (not to exceed 15 feet) and which are not greater than 600 square feet in floor area shall be set back not less than five feet from interior lot side lines and lot rear lines, except that one accessory building which does not exceed eight feet in height nor 64 square feet in floor area may be located on interior lot side lines and lot rear lines. Any corner lot street setback requirements shall apply.

~~C. Side Yard Width. In all cases, the width of the required side yard on the street side for the~~

~~applicable zone shall be observed.~~ (Ord. 2020 § 17, 1964; Ord. 1823 § 2, 1991; Ord. 1365 § 1, 1983; Ord. 1174 § 2, 1980; Ord. 190 Art. IX §§ 9.2.5, 9.3.5, 9.2.4g(2), 9.5.5, 1964)

21.42.500 Signs.

See LMC 21.16.290 for sign regulations in residential zones. (Ord. 2310 § 35, 2000)

21.42.900 Other regulations.

A. Parking or storage of recreational vehicles shall be in conformance with LMC 10.08.200.

B. Maintenance or repair of vehicles on residential property shall conform to the following standards.

1. Such maintenance and repair shall not be conducted on a commercial basis.

2. Any repair, painting, or maintenance work done on such vehicles shall not create an unsafe or unsightly condition or become a nuisance to residents of abutting properties.

3. Any repair, painting, or maintenance work done on such vehicles shall only be done within the hours from 9 a.m. to 9 p.m.

4. Violations of the preceding standards shall result in notice being given by the City to the offender to discontinue such work or operation. Failure to immediately comply will subject the property owner and/or occupant to the penalties as prescribed by this title.

~~A. Housing, Parking, Repairing, Altering and Painting of Trucks, Cars or Other Vehicles within any Residential Zone. No trucks, cars, or other vehicles may be housed, parked, repaired, altered, painted, or otherwise worked upon within any R zone under this title, other than those vehicles specifically owned and/or registered in the name of the property owner, lessee, or occupant of such property. Any such work done by a property owner, lessee, or occupant of such property as to become an obnoxious, obscene, dirty, or an unsightly condition, or to cause inconvenience, hurt, or become a nuisance to residents of a neighborhood, shall be given notice to discontinue such work or operation, and shall immediately so do or become subject to the penalties as prescribed by this title. At no time shall such property owner, lessee, or occupant do any type of welding (acetylene or electric) on or about such R-zoned area. Such vehicular repair work will be permitted only within the hours from 9:00 a.m. to 9:00 p.m. within such residential area.~~ (Ord. 2441 § 12, 2003; Ord. 2388 §§ 20, 21, 2001; Ord. 2020 § 7, 1994; Ord. 1911 § 2, 1992; Ord. 1186 § 1, 1981; Ord. 970 § 1, 1978; Ord. 407 § 2, 1968; Ord. 190 Art. VIII § 8.6, 1964)

**Lynnwood Planning Commission
Meeting of April 8, 2004**

Staff Report

Agenda Item: H-2

Upcoming Commission Meetings

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

Lynnwood Dept. of Community Development — Staff Contact: Ron W. Hough, Planning Manager

- The following schedule is for planning purposes – subject to adjustments.

| | | |
|----------------|------------------------|---|
| Apr. 8 | Public Hearing: | <u>2004 Comprehensive Plan Amendments</u> |
| | Work Session: | <u>Development Regulations Update – Residential proposals</u> |
| Apr. 22 | Public Hearing: | <u>Development Regulations Update – Residential Proposals</u> |
| | Business: | <u>2004 Proposed Amendments List – Recommendations</u> |
| | Work Session: | <u>City Center Plan – Draft SEIS</u> |
| May 13 | Public Hearing: | None scheduled |
| | Work Session: | <u>Comprehensive Plan Amendments</u> |

*** City Center Plan – Tentative Schedule:**

- ✓ Feb. 26 Subarea Plan
- ✓ March 25 Development Regulations and Design Guidelines
- April 22 Draft SEIS
- May 27 Implementation Strategy
- June 24 CFP and Financing Strategy