

AGENDA

Lynnwood Planning Commission

Thursday, January 12, 2012 — 7:00 pm

City Council Chambers, 19100 – 44th Ave. W., Lynnwood WA

A. CALL TO ORDER – ROLL CALL

**B. APPROVAL OF MINUTES:
Meeting of December 8, 2011**

C. COUNCIL LIAISON REPORT

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

E. PUBLIC HEARINGS
None

F. WORK SESSIONS

- 1. Sound Transit City Center Extension Study Technical Memorandum (Briefing)**
- 2. City Center Planned Action Ordinance**

G. OTHER BUSINESS

- 1. Shoreline Master Program (Information Only)**
- 2. 2012 Planning Commission Work Program - Planning Commission Ideas**

H. DIRECTOR'S REPORT

I. COMMISSIONERS' COMMENTS

J. ADJOURNMENT

The public is invited to attend and participate in this public meeting. Parking and meeting rooms are accessible to persons with disabilities. Upon reasonable notice to the City Clerk's office (425) 670-5161, the City will make reasonable effort to accommodate those who need special assistance to attend this meeting.

Lynnwood City Center Extension Study
Technical Memorandum
Extension of Light Rail to Lynnwood City Center



SOUND TRANSIT

401 South Jackson Street
Seattle, WA 98104-2826

November 2011

This analysis is a starting point for continued discussions on how ST2 relates to the Lynnwood City Center and how LRT service may best be located to support the City Center and achieve transit-oriented development as envisioned in the adopted City of Lynnwood City Center Sub-Area Plan.

The City of Lynnwood and Puget Sound Regional Council have long recognized the importance of the development of both Lynnwood's City Center and the larger Sub-Regional Center that includes City Center plus the greater Alderwood Mall area and the Transition Area that links them. At build out, the area will be the largest concentration of urban development between Seattle and Everett. It will accommodate thousands of residents, tens of thousands of jobs and millions of square feet of office, retail, and housing development.

Multi-modal access support of bi-directional commuting is clearly required to meet local and regional development goals. While the Lynnwood Transit Center and existing local and express bus service represent a good start, much more support is required. Extension of Light Rail Transit (LRT) service to the Transit Center approved by the voters in ST2 represents a major element but by itself will not be sufficient to achieve PSRC policy objectives and support transit-oriented development. The Transit Center is located at the periphery of City Center, is focused almost entirely on commuters to points outside of Lynnwood and is already at or near capacity. LRT is needed to effectively serve the City Center area.

The City's initial evaluation of City Center LRT station site alternatives were included in the City of Lynnwood Mode Split for City Center Street Master Plan (December 2009, Perteet, Project Number 28035). This analysis studied how station placement may be designed to meet both the needs of commuters to the Lynnwood Transit Center, as well as those who live, work and do business in the City Center. This study and a related analysis hosted by the Urban Land Institute, determined that the Transit Center service for the City Center was problematic for pedestrians and proposed development due to the distances involved and barriers to access by major thoroughfares.

After learning that Sound Transit was receptive to shorter station spacing in the Bel-Red Corridor to serve planned urban scale development, the City of Lynnwood began to explore options to serve City Center proper. While fully understanding that funding for such an extension does not currently exist, the City wanted to achieve the following goals:

- Analyze the potential opportunities and constraints for a future City Center station including likely routing, cost and ridership,*
- Gain the knowledge required to ensure that the approved Transit Center station routing and design facilitates the eventual extension of the LRT line to City Center and points north in and past Lynnwood to Everett,*

- *Provide guidance to refine City Center planning and facilitate the eventual extension of the LRT line, and*
- *Serve as the basis for proposals to extend the LRT to a City Center station under ST2 should funding become available or as part of a future ST3 program that would need to be approved by the voters.*

The City also wishes to restate our support for the voter-approved ST2 project terminating LRT at the Lynnwood Transit Center. Our City Council has adopted resolutions supporting the project. The City is also represented on several groups working cooperatively with Sound Transit to realize the goals of ST2 to bring LRT service to Lynnwood by 2023 or earlier, if possible.



*Paul Krauss AICP
Development Director*

Community

Table of Contents

1	Introduction.....	1
1.1	Project Background	1
1.2	Study Purpose	5
1.3	Summary Conclusions	5
1.4	Organization of Technical Memorandum	7
2	Concept Definition.....	8
2.1	Route Alignment	10
2.2	Station Concept	10
	2.2.1 Station Program	10
	2.2.2 Conceptual Station Layout	10
2.3	Service Plan.....	11
	2.3.1 Rail Operations	11
	2.3.2 Bus Integration	12
3	Land Use, Access, and Ridership Considerations	12
3.1	Land Use	12
3.2	Access and Ridership	14
4	Environmental considerations	18
4.1	Right-of-way Effects.....	18
4.2	Effects on Communities and Neighborhoods.....	18
4.3	Effects on Sensitive Resources	18
4.4	Air Quality and Greenhouse Gas Emissions.....	19
4.5	Effects on Transportation System	19
	4.5.1 General Purpose Traffic Operations.....	19
	4.5.2 Transit Operations.....	19
	4.5.3 Pedestrian and Bicycle Accessibility and Mobility	20
	4.5.4 Safety.....	20
5	Capital and Operating Cost Estimates	21
5.1	Capital Costs	21
	5.1.1 Capital Cost Categories	21
	Category 70: Vehicles.....	23

Category 80: Professional Services	23
Category 90: Unallocated Contingency.....	23
5.1.2 Ranges of Estimated Project-wide Capital Costs	24
5.1.3 Capital Costs Required at the Line Terminus NOT Included in this Estimate.....	24
5.1.4 Summary of Project-wide Costs.....	24
5.2 Operation and Maintenance Costs	25
6. References	26

List of Tables

Table 1-1. Summary Characteristics of Lynnwood Transit Center to Lynnwood City Center Extension	7
Table 3-1. Population and Employment within Half Mile of Lynnwood Stations*	14
Table 3-2. Estimated 2030 Ridership	16
Table 5-1. Project-wide Costs.....	25
Table 5-2. Operating Cost Factor Differences	25

List of Figures

Figure 1-1. North Corridor Project Area and Relation to Link Light Rail System ..	2
Figure 1-2. Adopted City Center Conceptual Plan, 2005, amended 2007	4
Figure 1-3. Proposed 2011 City Center Conceptual Plan.....	5
Figure 2-1. Lynnwood Transit Center Station Options and Representative Extension to Lynnwood City Center.....	9
Figure 3-1 City Center Conceptual Plan with Representative Light Rail Alignment and Station.....	13
Figure 3-2. 15-Minute Pedestrian and Bicycle Travel Sheds at the Lynnwood Transit Center and Lynnwood City Center Stations.	16

List of Attachments

Attachment A	Conceptual Alignment
Attachment B	Conceptual Station Layout
Attachment C	Conceptual Capital Cost Estimate

Acronyms and Abbreviations

EIS	Environmental Impact Statement
FTA	Federal Transit Administration
GIS	geographic information system
GMA	Growth Management Act
HOV	high-occupancy vehicle
I-5	Interstate 5
mph	miles per hour
O&M	operation and maintenance
PSRC	Puget Sound Regional Council
PUD	Public Utility District
Sound Transit	Central Puget Sound Regional Transit Authority
ST2	Sound Transit 2
WSDOT	Washington State Department of Transportation

1 INTRODUCTION

This technical memorandum summarizes the results of the Lynnwood City Center Extension Study, examining a potential light rail extension from the Lynnwood Transit Center to a station within the City of Lynnwood's City Center area. The extension is not part of Sound Transit's voter-approved Northgate to Lynnwood Transit Center extension project (North Corridor Transit Project) and is not included in either the NEPA/SEPA environmental review or Federal Transit Administration (FTA) 'New Starts' grant processes being undertaken by Sound Transit and FTA for that project. Sound Transit performed the Lynnwood City Center Extension Study at Lynnwood's request and cost to provide information about the potential costs and benefits of a representative light rail extension for the city's planning purposes only.

1.1 Project Background

The Central Puget Sound Regional Transit Authority (Sound Transit) intends to improve the regional mass transit system in the North Corridor by extending mass transit from the planned interim terminus of Link light rail at Northgate in the city of Seattle to the Lynnwood Transit Center in the city of Lynnwood in southern Snohomish County, as shown in Figure 1-1. These project limits were approved by voters in the region with the passage of the Sound Transit 2 (ST2) ballot measure in 2008. The 2008 vote provides the local funding for the extension as part of the larger ST2 program, and Sound Transit intends to seek federal funding through the Federal Transit Administration (FTA) New Starts Program. The Northgate to Lynnwood project is currently known as the North Corridor Transit Project. As part of the federal regulations and guidelines leading to application for New Starts grant funds, Sound Transit completed an Alternatives Analysis (Sound Transit 2011a) that evaluated several options for addressing mobility needs in the North Corridor.

Washington State's Growth Management Act (GMA) requires state and local governments to manage growth by identifying and protecting critical areas and natural resource lands, designating urban growth areas, and preparing comprehensive plans supported by capital investments and development regulations. The Puget Sound region has a coordinated series of regional, county, and local plans and policies that guide how the region manages its growth, consistent with Washington State's GMA. The primary plans at the regional level are the Puget Sound Regional Council's (PSRC) *VISION 2040* (PSRC 2009) and *Transportation 2040* (PSRC 2010). These plans share land use, growth management, and transportation policies that assume the regional high-capacity transit system will link the urban centers where the region's growth will be focused. PSRC-designated Regional Growth Centers in the North Corridor—those areas projected to accommodate a substantial amount of future development—include Everett, Lynnwood, Northgate, and downtown Seattle.

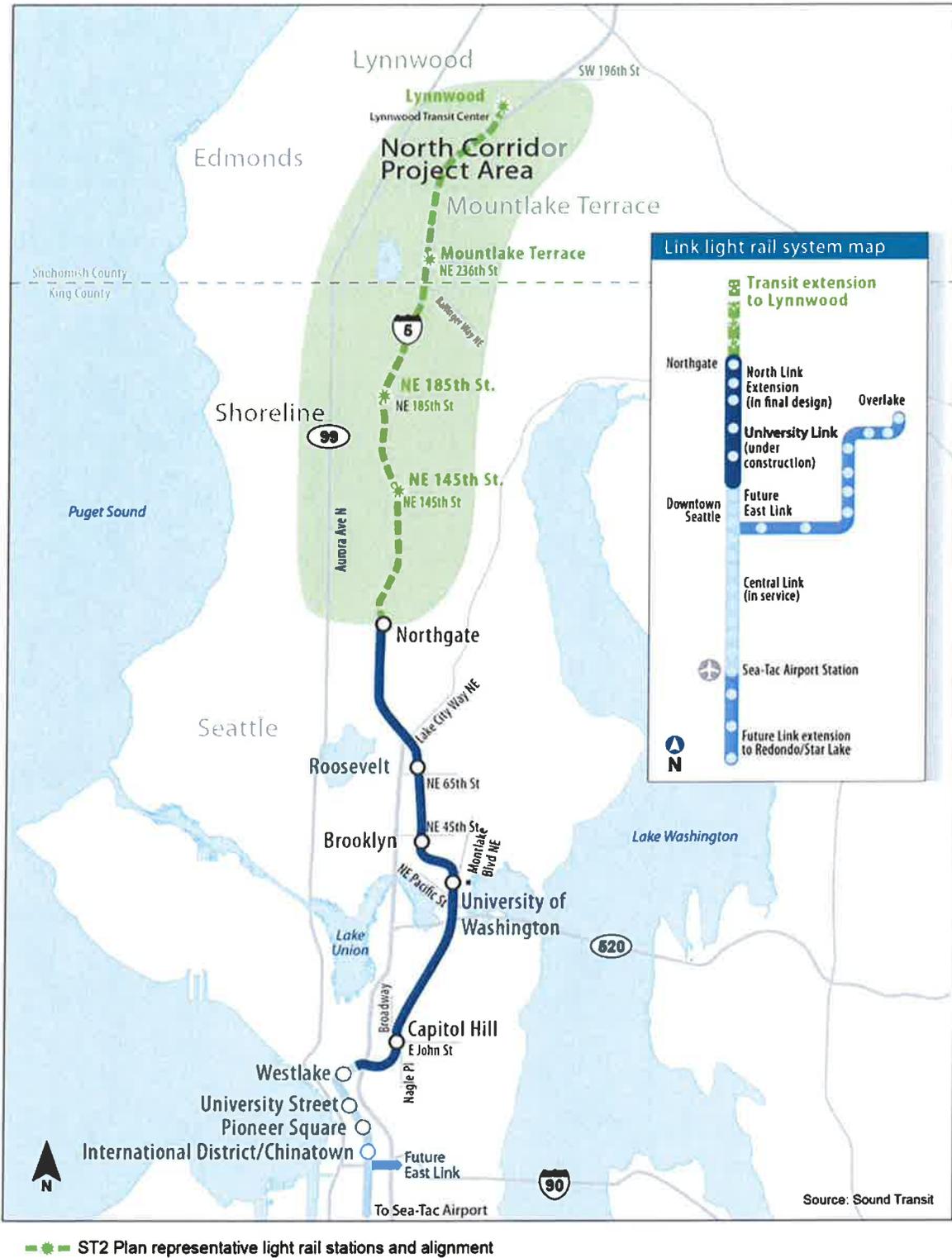


Figure 1-1. North Corridor Project Area and Relation to Link Light Rail System

To accommodate future growth as projected by PSRC, the City of Lynnwood adopted a City Center Sub-Area Plan in March 2005 and amended in September 2007 (City of Lynnwood 2005, 2007). The City Center Sub-Area is located in the southwest portion of the Lynnwood Urban Growth Center adopted by Lynnwood in 1995 and recognized by PSRC. This plan is shown in Figure 1-2. The plan seeks to create a central focus for the community by concentrating future development into a compact, mixed-use, pedestrian-friendly, and transit-supportive center that will become a regional destination. The existing Lynnwood Transit Center, currently served only by bus, is located on the southwestern edge of the City Center approximately a half-mile from the heart of the sub-area, and a mile from the northeastern boundary of the growth area. A subsequent study, City of Lynnwood Mode Split for City Center Street Master Plan (City of Lynnwood, 2009) indicated that a light rail station located farther to the northeast would be more accessible to the employees forecasted to work in the City Center, potentially increasing transit's overall share of commuter travel. Section 3.2 of this Technical Memorandum outlines additional factors that could affect future ridership that were not included in this analysis.

After performing further analysis subsequent to the adoption of the City Center Sub-Area plan, the City is reviewing amendments to the development regulations which would reduce the number of required grid streets as shown in Figure 1-3, and provide added flexibility to achieve the desired development and densities. Also under consideration are zoning changes to the Transition Area between City Center and Alderwood Mall that would provide for mixed-use development between the City Center and the Alderwood Mall within the designated PSRC Urban Growth Center.

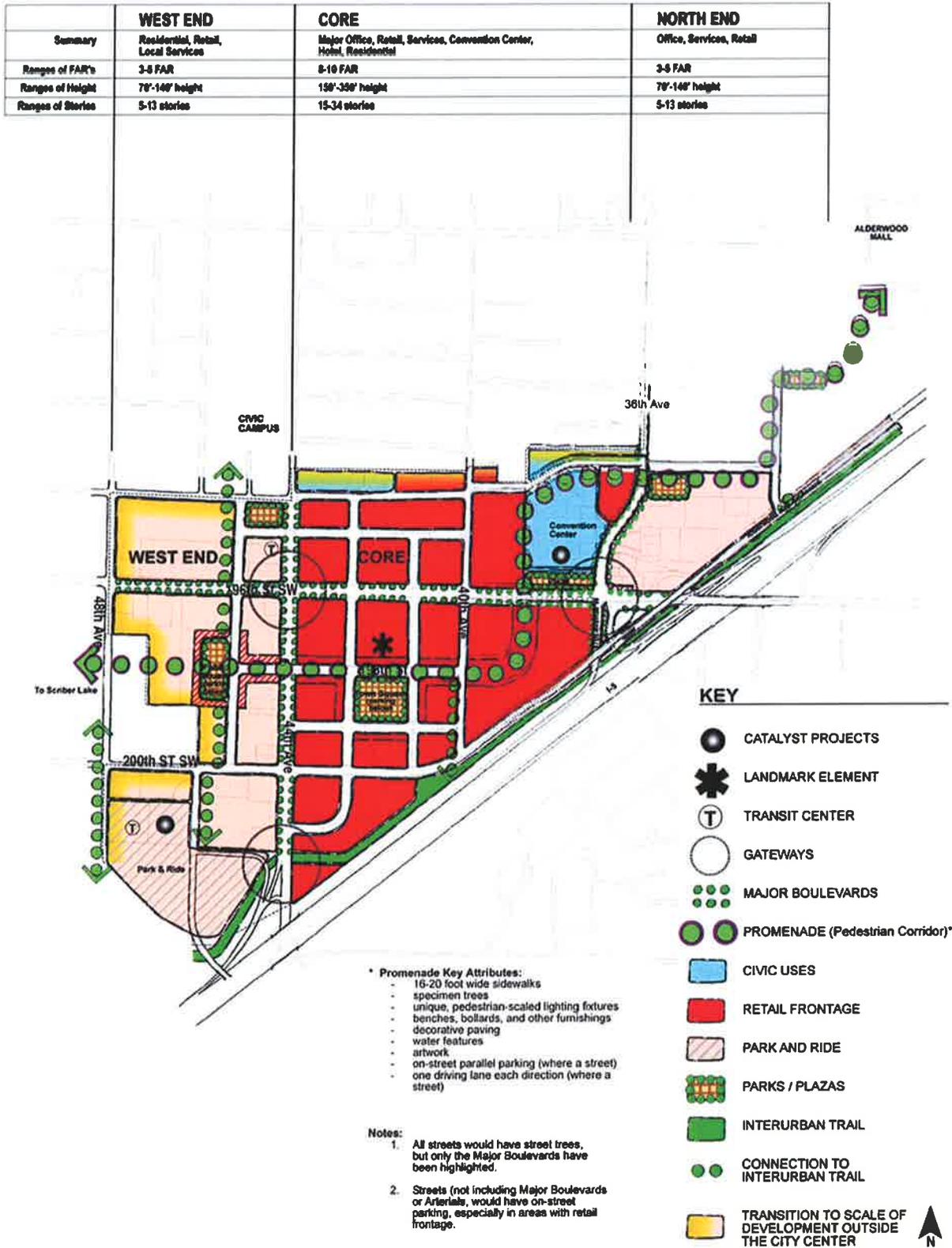


Figure 1-2. Adopted City Center Conceptual Plan, 2005, amended 2007

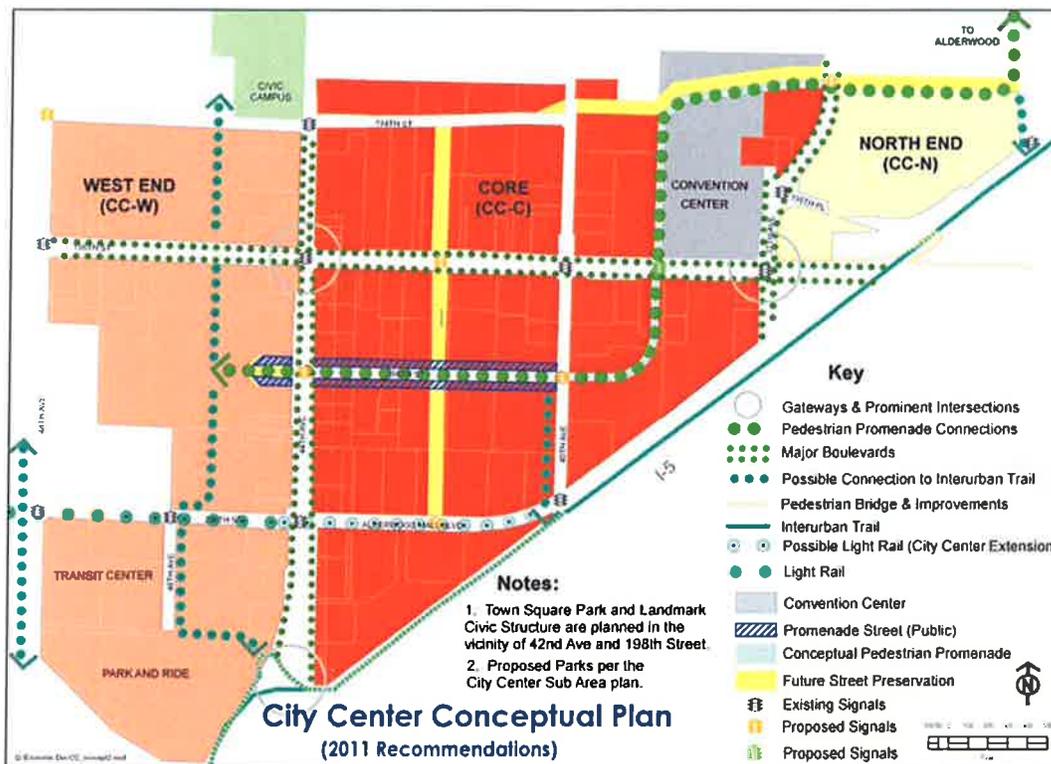


Figure 1-3. Proposed 2011 City Center Conceptual Plan

1.2 Study Purpose

The purpose of this study is to develop a representative concept for a more centrally located station within the core of Lynnwood's proposed City Center and a representative light rail alignment to connect the City Center Station to the planned Lynnwood Transit Center Link Station. The purpose of the City Center Station is to provide more convenient walk access for the employees and residents of the growing center, encouraging a higher level of transit use and aiding economic development of the City Center. The representative light rail alignment will be used to gain a better understanding of an alignment and configuration for the guideway extension as well as the additional station, develop estimates of costs and ridership, and assess general environmental issues. The representative alignment and station do not reflect a preferred project, but one that can reasonably represent several options that are possible for this segment.

1.3 Summary Conclusions

The study began with the development of a number of concepts for the addition of a Lynnwood City Center Station based on the work completed to date in the North Corridor Transit Project Alternatives Analysis (Sound Transit 2011a). The most promising concept

proved to be an extension from the Lynnwood Transit Center to the north and east parallel to Interstate 5 (I-5) and along the edge of the Public Utility District (PUD) right-of-way and Alderwood Mall Boulevard. Following internal review and discussions with City of Lynnwood staff, an all aerial alignment to a new aerial station near Alderwood Mall Boulevard and 36th Avenue West was chosen for analysis. While many other alignments are possible, depending on the configuration of the Lynnwood Transit Center Station, based on consultation with City of Lynnwood staff this option was considered the most representative and provided the best concept to analyze to meet study objectives.

Table 1-1 provides a summary of key features of this alignment and the station. Specific parameters of the conceptual station, platform, cross-over tracks and tail tracks were identified as representative for the purposes of this analysis; however, these parameters would be subject to further evaluation and environmental review if further study were to be undertaken. The extension consists of roughly 3,400 feet of new dual trackway including the center platform station, as well as cross-over tracks and tail tracks beyond the station to provide for end-of-the-line train storage and turnback. The total cost of the extension and station is estimated to range from \$194 to \$233 million (mid-2010 dollars) inclusive of right-of-way and five additional light rail vehicles.

The new station is estimated to generate a total of 2,800 daily boardings in the year 2030, of which 400 would be new boardings with the remainder shifting from the Lynnwood Transit Center Station. The ridership forecasts are based on the current adopted PSRC land use forecasts for this area, which are the same with or without the new rail station. Thus, boarding estimates do not take into account additional riders that might result from economic development around the City Center Station and the proposed "Transition Area" between the City Center and Alderwood Mall. If the light rail extension and new station prove a catalyst for significant new economic development in the Lynnwood City Center and Transition Area then new rail ridership at the City Center Station and total rail ridership on the extension could be higher. Community Transit's possible implementation of BRT service along 196th Street was also not considered in the rail ridership forecasts. If implemented this line would provide feeder connections to light rail from Edmonds and Mill Creek, including a connection to *Swift* service on SR 99, and could result in some increased rail ridership.

Finally, although the extension is not anticipated to have any notable environmental effects, the extension alignment is located on predominantly new transportation right-of-way and would displace some commercial uses, including possibly a hotel.

Table 1-1. Summary Characteristics of Lynnwood Transit Center to Lynnwood City Center Extension

Alignment/Station Configuration and Cost Characteristics	Specifications
Added Route Length	3,400 feet
Station Configuration	Center Platform Aerial
Added One-Way Travel Time	2 minutes
Additional Light Rail Vehicles Required	5
Capital Costs (mid-2010 dollars)	\$194 to \$233 million
Annual Operating and Maintenance Costs (mid-2010 dollars)	\$1.1 to 1.7 million
Year 2030 Daily Boardings at Lynnwood City Center Station	2,800
Year 2030 Total New Daily Boardings in Lynnwood	400

1.4 Organization of Technical Memorandum

This memorandum is organized into four sections in addition to the introduction:

- Concept Definition
- Land Use, Access, and Ridership Considerations
- Environmental Considerations
- Capital and Operating Cost Estimates

2 CONCEPT DEFINITION

A representative route has been developed to extend the light rail system from the Lynnwood Transit Center to the vicinity of the Lynnwood Convention Center located within the proposed Lynnwood City Center. The potential guideway alignment, station concept, and associated transit operations are described in this section, and illustrated in Figure 2-1. Several guideway alignment and station configurations were studied for the Lynnwood Transit Center Station as part of the North Corridor Alternatives Analysis. Additional alternatives will be explored in the next phase of conceptual design supporting the development of a Draft Environmental Impact Statement (EIS) for the project. Although all the options share a common approach from the south along I-5, there could be significantly different locations and orientations for the station and guideway connecting the Lynnwood Transit Center to I-5. These, in turn, provide a number of options for the extension to the Lynnwood City Center. Thus, the guideway alignment and station concepts developed and assessed in this study are representative only for the purposes of understanding potential ridership, costs, and impacts.

At the Lynnwood Transit Center, light rail stations running west to east and south to north were explored as part of the Alternatives Analysis. The west-to-east-oriented station was located south of the transit center and north of the park-and-ride lot, while the south-to-north-oriented station was located parallel to the 46th Avenue West direct access ramp to the I-5 high-occupancy vehicle (HOV) lanes. Other Lynnwood Transit Center Station orientations and locations are possible and will be studied further during the project's EIS. For the purposes of developing a representative alignment for the Lynnwood City Center station, the west-to-east configuration was assumed for the Lynnwood Transit Center Station as shown in Figure 2-1 and in the detailed drawings included in Appendix A. Several factors establish the basis for the extension from the transit center. The North Corridor Transit Project terminates the light rail line at the Transit Center where tail tracks and cross-over tracks are required beyond the station platform to allow trains to efficiently reverse direction and is operationally required to maintain projected future system headways of four minutes. The tail tracks and cross-over tracks require a straight alignment approximately 1,000 feet long. In combination with the station platform, this produces the requirement for a straight alignment segment of nearly 1,500 feet, which becomes a major factor limiting the options for station placement. If an extension to the City Center is included upon startup of the project, then the cross-over tracks and tail tracks would be shifted to a location beyond the City Center station, which places similar limitations on the location of that station.

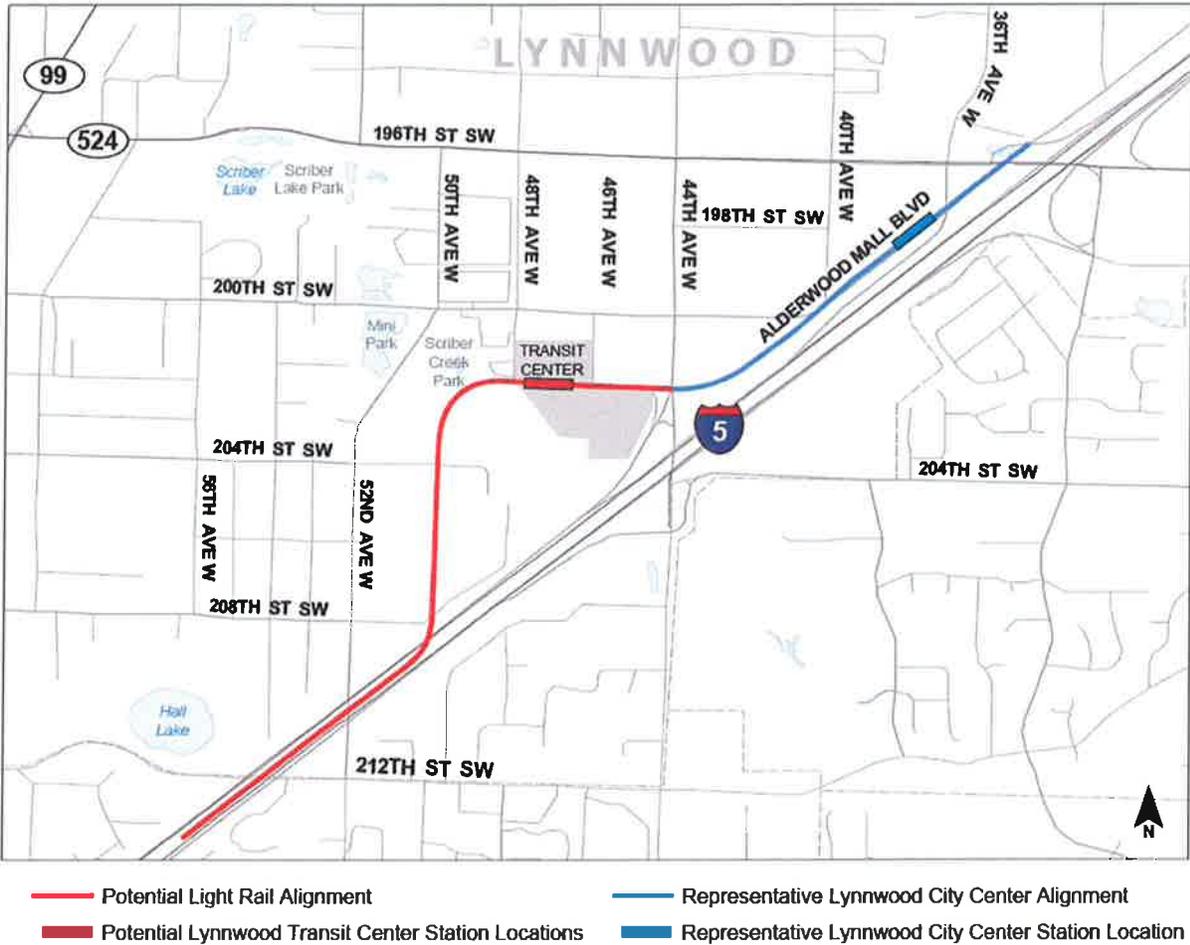


Figure 2-1. Lynnwood Transit Center Station Options and Representative Extension to Lynnwood City Center

Under the assumed configuration for the Transit Center light rail station platform and tail tracks, the alignment extension to the City Center was placed to the north and west of the PUD right-of-way parallel to I-5 and then along the north and west side of Alderwood Mall Boulevard. This proposed route would locate the City Center light rail station adjacent to Alderwood Mall Boulevard near the southbound on-ramp to I-5. Other alignments were explored for the extension; however, the representative alignment described in the following section was chosen because it is consistent with the North Corridor Alternatives Analysis (Sound Transit 2011a) and the Lynnwood City Center Sub-Area Plan (City of Lynnwood 2005a). It also provides the option for the trail track and cross-over operation at both the Transit Center and the City Center location, although only one location is assumed in the cost analysis. This route is described in more detail in the following section.

2.1 Route Alignment

The representative alignment of the extension to the City Center Station begins at the end of the elevated guideway tail tracks planned for the Lynnwood Transit Center Station as defined in the North Corridor Transit Project Alternatives Analysis (Sound Transit 2011a). The alignment would continue in an elevated profile to the east across 44th Avenue West, after which it would begin to curve to the northeast, following the west side of the PUD utility corridor and Alderwood Mall Boulevard to an elevated station at 36th Avenue West, just south of 196th Street SW. The City Center Station is approximately two-thirds of a mile from the Lynnwood Transit Center Station along this alignment. A tail track of approximately 1,000 feet in length would extend north of the station, crossing over 196th Street SW. A drawing of the conceptual alignment is provided in Attachment A. The entire alignment was assumed to be on elevated guideway because an initial analysis concluded that opportunities to reduce costs by bringing the alignment to grade level were not possible in this short section.

2.2 Station Concept

2.2.1 Station Program

The proposed location for the representative City Center Station developed for this study is on the east end of the City Center Core “district” within the City of Lynnwood’s planned City Center sub-area. As such, it is in proximity to the highest density areas within the City Center as designated in the City Center Sub-Area Plan (City of Lynnwood 2007a), providing convenient access to this future development as well as to the Lynnwood Convention Center and, to a lesser degree, the Alderwood Mall area. Primary access to the station is anticipated to be by walking, although bicycle and local bus service access is also likely. No park-and-ride facilities will be provided at the station and designated passenger pick-up/drop-off facilities have not been provided; hence, access by automobile is expected to be minimal. The concept is an elevated station with a center platform and a plaza linking the station to adjacent pedestrian connections. If implemented as part of the North Corridor Transit Project, this station would serve as the terminus for the North Corridor light rail line, and would be designed with a tail track of approximately 1,000 feet beyond the station to accommodate train storage and turn-back capabilities.

2.2.2 Conceptual Station Layout

Conceptual drawings of the City Center station are provided in Attachment B. The representative station is located at the intersection of 36th Avenue West and Alderwood Mall Boulevard, with the guideway and station both parallel to I-5 and Alderwood Mall Boulevard. The existing topography of the site places the plaza about 20 feet above adjacent pedestrian connections, which can be accessed via elevator and stairs. The northeast end of the station

is linked to a broad pedestrian path connecting to the Convention Center and 196th Street SW. A buffer along the east edge of the path could screen it from the adjacent I-5 on-ramp traffic. The southwest end of the station is designed so as to provide a future connection to a planned pedestrian promenade connecting to the west and north.

Existing automobile access from Alderwood Mall Boulevard to the station is also maintained for future consideration. A connection could also be provided between the Interurban Trail, located southeast of and parallel to Alderwood Mall Boulevard, and the pedestrian path leading to the station and Convention Center. The plaza of the station itself could serve as a pedestrian connection as well, between the future pedestrian promenade and the Convention Center. The station platform is approximately 23 feet above the plaza and would be connected via escalators, elevators, and stairs. The visual impact of the station would be minimized by its proximity to I-5 and the physical impact on the site minimized by its location at the property edge.

2.3 Service Plan

2.3.1 Rail Operations

The conceptual alignment of the extension would be fully double-tracked and rail service would be operated as part of the full system. The City Center Station would serve as the terminus of the system until further extensions are built. A tail track would be constructed beyond the station to facilitate turn-back and storage for trains.

The existing Sound Transit Long-range Operations Plan (Sound Transit 2011b) and Sound Transit Fleet Management Plan (Sound Transit 2011c) for the light rail system operating from Kent/Des Moines to Lynnwood and Overlake to Lynnwood through 2030 were the basis for the fleet requirements for all North Corridor light rail alternatives.

Operating plans for the North Corridor light rail alternative between Northgate and Lynnwood Transit Center call for peak operating headways (the time between successive train movements in a given direction) of 4 minutes to meet the travel demand forecasts. The added "cycle time" (round trip from Lynnwood Transit Center to Lynnwood City Center and back to Lynnwood Transit Center) that results from the extension of the line is approximately 4 minutes. Determining the number of trains required to provide service is defined by the equation: "Trains = Total Cycle Time/Headway" (with Trains always an integer). This extension would require one additional train set consisting of four light rail vehicles because the added cycle time is approximately 4 minutes, with a required headway of 4 minutes. It is also Sound Transit policy to account for spare vehicles at the rate of 15 percent of the total fleet required to operate the line. Based on this calculation, a total of five light rail vehicles would be required for this extension.

2.3.2 Bus Integration

No changes to local transit operations from those documented in the North Corridor Transit Project Alternatives Analysis (Sound Transit 2011a) are assumed in association with the extension to the City Center Station, although Community Transit may choose to make schedule or route changes to better serve the station.

The east/west corridor from Edmonds to Mill Creek along 196th through the Lynnwood City Center is one of several corridors being considered by Community Transit for new BRT service. Should this route be implemented, it would connect the City Center station to existing *Swift* BRT service on SR 99, as well as provide light rail feeder service to the larger market extending west to downtown Edmonds and east to Mill Creek.

3 LAND USE, ACCESS, AND RIDERSHIP CONSIDERATIONS

3.1 Land Use

Connecting Lynnwood to other designated Regional Growth Centers such as Northgate and downtown Seattle and eventually Everett is a Sound Transit goal, as well as an integral component of PSRC's *VISION 2040* (PSRC 2009). Consistent with its designation as a Regional Growth Center, Lynnwood has developed a vision, and has adopted plans and policies to achieve regional growth targets with a specific focus in the City Center as illustrated in Figure 1-2. A City Center Sub-Area Plan was adopted in 2005 and amended in 2007 with the objective "to create within 20 years, a compact, intense and lively city center that offers Lynnwood new opportunities for culture, commerce and habitation." Strategies to implement this vision include a parking management program, creation of a Business Improvement District, and a Multi-Family Residential Property Tax Exemption Program adopted in 2007. This effort recognizes the Lynnwood Transit Center and its importance as a major transit facility, as well as the value of transit-supportive and mixed-use land uses in the City Center sub-area.

The City Center Station and the Lynnwood Transit Center Station are both located within the designated City Center sub-area, as illustrated in Figure 3-1. The City Center Sub-Area Plan, adopted in 2005, provides the framework for the future vision of a mixed-use urban core. The plan includes establishing a compact street grid within the core and a series of parks and plazas connected by boulevards and pedestrian promenades. Included in the plan are also zoning regulations and design guidelines to support a high-density neighborhood with mixed use residential development in City Center "districts". The ratio of the uses within each district varies. The proposed City Center Station is located on the east end of the City Center Core district, adjacent to Alderwood Mall Boulevard. This district is envisioned to include a mix of office, retail, service, and residential uses with building heights up to 350 feet. To the

north of this proposed station is the Transition Area, with the intent of providing a transition between Alderwood Mall and City Center. A mix of uses at a lower intensity is planned for this area. The Lynnwood Transit Center Station is located in the City Center West district, with similar proposed uses but at less density with a 140-foot height limit.

Other transit-supportive plans and policies adopted by the City of Lynnwood include Lynnwood Comprehensive Plan (revised 2010); City Center Design Guidelines (2005); Local Improvement District Feasibility Study (2008); Market Analysis and Absorption Study (2007); and a Multi-Family Residential Property Tax Exemption Program.

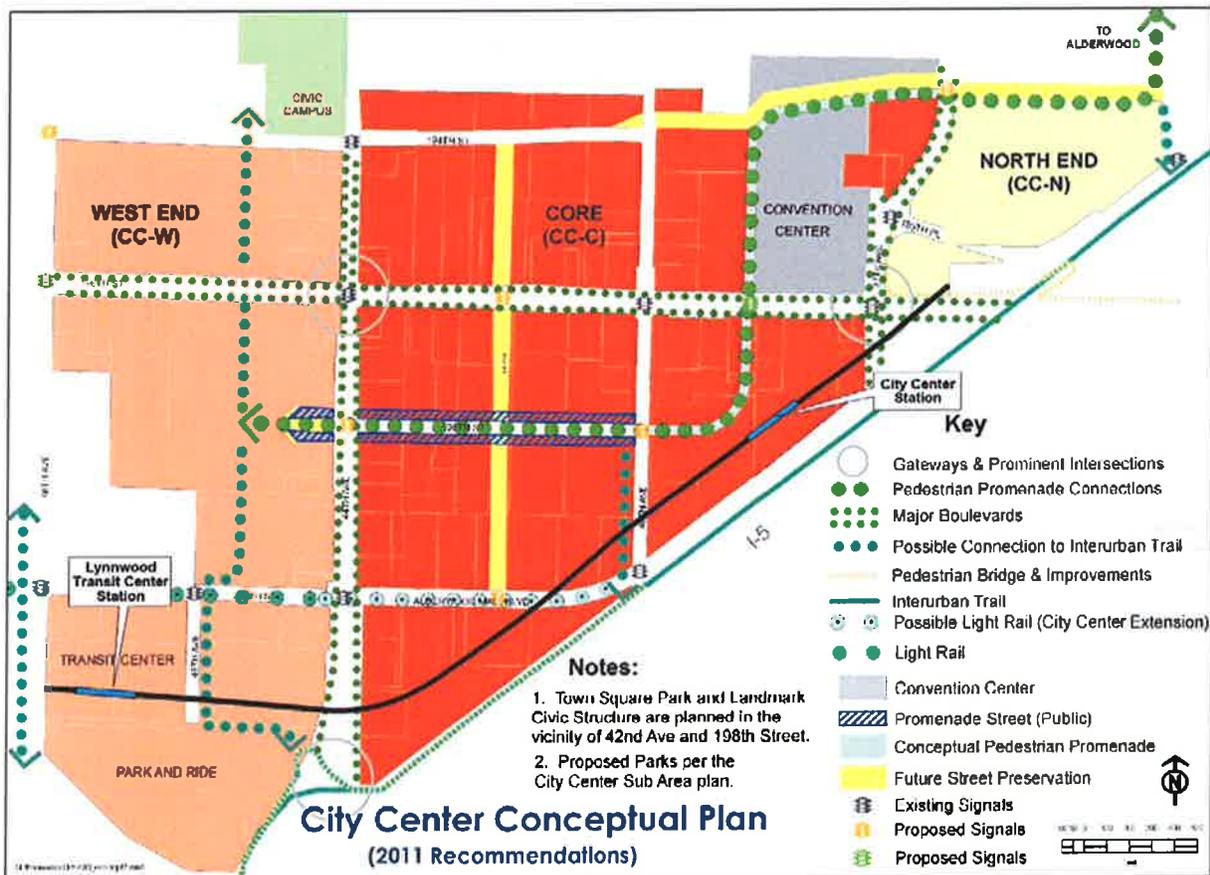


Figure 3-1 City Center Conceptual Plan with Representative Light Rail Alignment and Station

The existing conditions surrounding the City Center Station differ from what is proposed in the adopted planning documents. Currently, the area around the station is not designed for pedestrians; automobile-dependent businesses are set back from the street frontage and surrounded by surface parking lots. The block sizes are large, 1,200 feet long in the City Center area. Sidewalks without a buffer exist within most of the area with no defined pedestrian paths between the sidewalk and building entrances. Buildings range in size from

small single businesses to “big-box” retail and strip malls. A few motels and hotels are within the station area. Existing housing within the station area but outside of the City Center area is located to the northeast and southwest of the station in a mix of low-rise multi-family developments and single-family neighborhoods.

3.2 Access and Ridership

With two light rail stations located two-thirds of a mile apart, both within the proposed Lynnwood City Center, it is likely some overlap will occur in markets served. The Lynnwood Transit Center Station is targeted to serve those riders transferring from buses or utilizing the adjacent parking facility. The City Center Station is planned to serve riders who live and work within the City Center. How the City Center develops in the future may be influenced by the two stations and the different markets they serve. Table 3-1 shows existing and year 2030 forecasted population and employment within a half-mile of the Lynnwood Transit Center and City Center stations. Adjusting for the overlap of the two market areas, the Lynnwood City Center Station results in an estimated net additional population of approximately 2,300, and 4,400 net additional jobs within a half-mile of the two stations combined in year 2030.

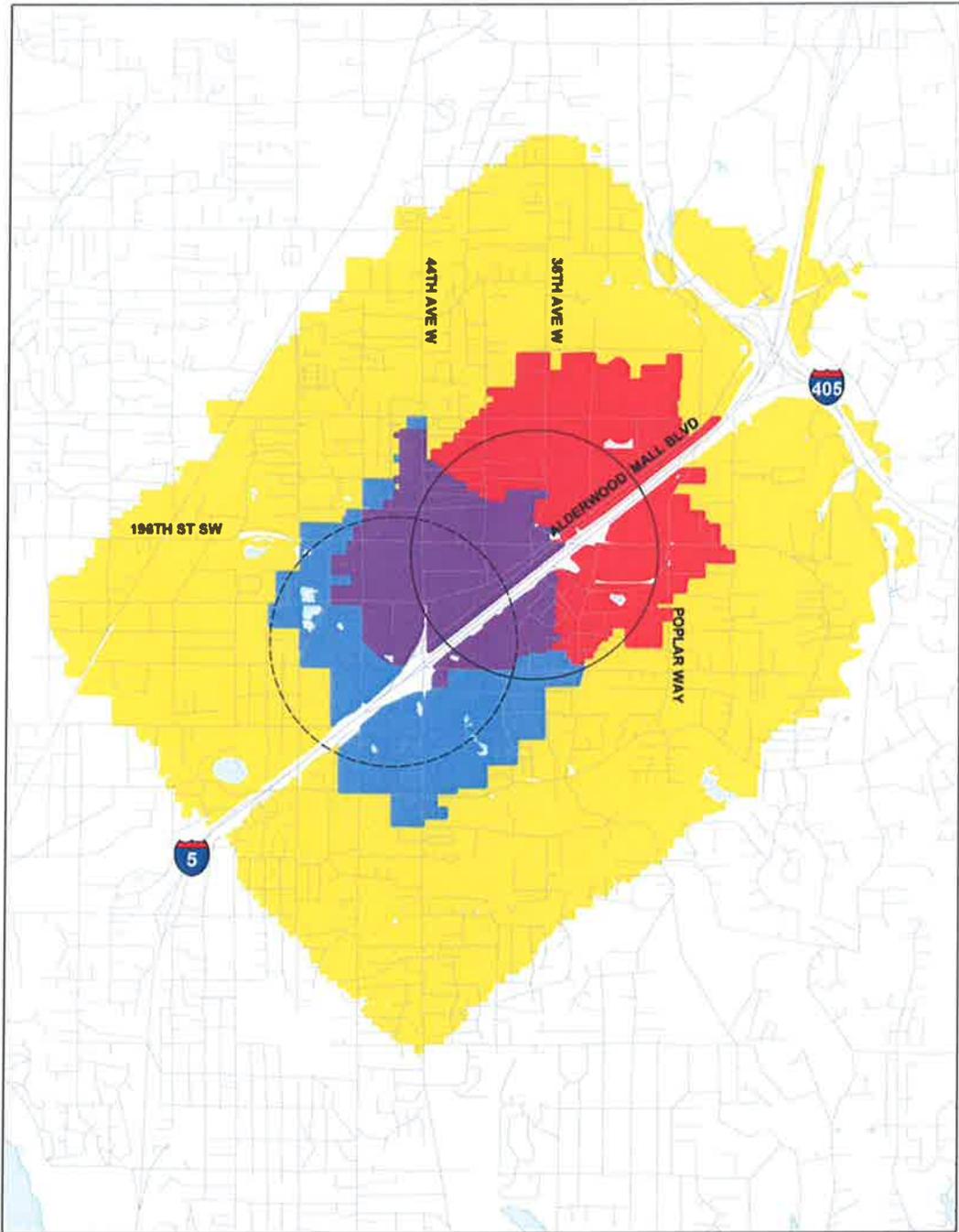
Table 3-1. Population and Employment within Half Mile of Lynnwood Stations*

Measure	Transit Center Station		City Center Station		Total Combined**	
	Existing (2009)	Forecast (2030)	Existing (2009)	Forecast (2030)	Existing (2009)	Forecast (2030)
Population	2,800	3,500	1,800	2,400	4,600	5,800
Employment	3,300	4,700	3,900	6,200	6,100	9,100

* Source: Based on PSRC Regional Forecasts

** Totals for both stations combined are less than the sum for the individual stations because of the overlap in the half mile catchment areas as shown in Figure 3-2.

Figure 3-2 illustrates a 15-minute travel shed for each station. For pedestrians, the 15-minute walk is based on a 3-mile-per-hour (mph) walking speed, or a distance of approximately 4,000 feet from a station location. For bicycles, the 15-minute travel shed is based on an average bicycling speed of 7 mph, or a distance of 1.75 miles. For the purposes of this study, neither the pedestrian nor bicycle speeds were adjusted for



- 15-minute Walk Shed from Lynnwood Transit Center Station
 - 15-minute Walk Shed from City Center Station
 - 15-minute Walk Shed from either station (Walk Shed overlap)
 - 15-minute Bike Shed from either station (Bike Sheds combined)
- Walk speed = 3 Miles per hour
Bike speed = 7 Miles per hour
- 0.5 Mile Lynnwood Transit Center Station Area
 - 0.5 Mile City Center Station Area

Figure 3-2. 15-Minute Pedestrian and Bicycle Travel Sheds at the Lynnwood Transit Center and Lynnwood City Center Stations.

topography. The travel distance was determined from geographic information system (GIS) mapping along public roadways and walking/cycling paths, and was measured from station locations up to a parcel edge. The travel shed diagrams show the overlap in the markets for the two stations.

Ridership forecasts for the proposed City Center Station were developed by first estimating the number of riders currently projected to use the Lynnwood Transit Center Station (as estimated in the Alternatives Analysis [Sound Transit 2011a]) who would instead use the City Center Station. In addition, an estimate was made of how many new light rail riders would be attracted by the City Center Station, based on the travel shed diagrams. Because there will be no park-and-ride capacity at the City Center Station, no trips were assumed to arrive by automobile. Also, because the bus transit hub is assumed to remain at the Transit Center (which is served by direct access ramps from I-5), only a small percentage of riders arriving by bus was assumed for the additional City Center Station. The resulting ridership estimate for the City Center Station is 2,800 daily boardings as shown in Table 3-2. Note that the effect of the City Center Station on previously estimated ridership at the Lynnwood Transit Center Station is a reduction of approximately 2,400 daily boardings, from 16,500 to 14,100.

Table 3-2. Estimated 2030 Ridership

Station	Estimated Daily Boardings
Lynnwood Transit Center (without City Center Station)	16,500
Lynnwood Transit Center (with City Center Station)	14,100
Lynnwood City Center	2,800*

* Addition of the City Center Station results in a net increase of 400 boardings.

Thus, the addition of the Lynnwood City Center Station results in a net increase of 400 riders in 2030 over the ridership forecast without the extension and only the Lynnwood Transit Center Station. A number of factors contribute to this result. Because no additional park-and-ride capacity would be provided at the City Center Station, access would be limited to walking, bicycling, drop-off, and local bus service. As shown in Figure 3-2, a significant portion of the travel shed for the City Center Station overlaps with the travel shed for the Lynnwood Transit Center Station, so many of the riders at the City Center Station would otherwise use the Transit Center Station. Also, the Lynnwood Transit Center would continue to be a major focal point for bus service in south Snohomish County, and hence the primary regional location for interface between bus and rail. Therefore, while some local bus service

would be expected to serve the City Center Station, overall bus access to rail at that location is anticipated to be small in comparison to the transit center station. A BRT line along 196th Street SW, should it occur, may contribute some additional bus access trips to the City Center Station. Finally, the same land use (population and employment) was assumed with or without the extension and new station.

An analysis of the potential for such economic development and the resulting change in ridership is beyond the scope of this study. However, there are some considerations that could influence the ridership at the City Center Station and potentially the Lynnwood Transit Center Station as well. These include:

- Community Transit's consideration of a BRT corridor along 196th Street, potentially providing an east-west connection to BRT on SR 99, as well as feeder service from Edmonds and Mill Creek. This is not explicitly accounted for in the analysis and could result in some increased ridership.
- Adoption of new plans and regulations for the "Transition Area" located between City Center and Alderwood Mall. This could impact zoning and land use regulations and increase the population and employment near the station and hence the number of riders using the station.
- If the extension and new station prove a catalyst for significant new economic development in the Lynnwood City Center, then new rail ridership at the new station and total rail ridership on the extension line could be higher.

4 ENVIRONMENTAL CONSIDERATIONS

This section discusses the potential environmental considerations for the light rail extension and new station in the Lynnwood City Center. In general, the impacts of the extension would be low, although there is the potential for property impacts affecting several businesses.

4.1 Right-of-way Effects

For right-of-way effects, the project team considered the conceptual layout of the alignment, including a conceptual station configuration and elevated guideway alignment, which would require property outside of existing street or highway rights-of-way.

An elevated guideway for light rail typically requires a continuous right-of-way of at least 30 feet in width, which would widen at the stations. Because much of the alignment is outside of existing public rights-of-way, about 20 properties would be crossed and full acquisition of three properties is likely to be required, including the displacement of a hotel. The three properties likely to be affected are commercial businesses.

4.2 Effects on Communities and Neighborhoods

The alignment would have a fairly low potential to affect neighborhoods or low-income and minority communities. There are no residential neighborhoods immediately adjacent, and the acquisitions do not remove residences or community facilities. The alignment is generally along a freeway, roadway corridor and electric transmission corridor, and would not be likely to greatly alter the existing noise, visual, or traffic conditions in the area. There would be at least one noise-sensitive property nearby (one to two hotels, depending on acquisitions). There are also houses of worship in the area, but no impacts are expected. A portion of the representative alignment would be located near the Interurban Trail, but the representative alignment is not expected to affect the function of the trail.

4.3 Effects on Sensitive Resources

This measure examines the potential for effects on sensitive resources, including parks, historic sites, streams/lakes/wetlands, or endangered species habitat. Given the conceptual nature of the alignment, this is a qualitative measure based on the general location of the alignment and the likely impacts of right-of-way needs as well as related construction and operation impacts.

The Lynnwood City Center extension would have a low potential for effects on sensitive resources because it is located in a developed urban environment and would avoid intruding on the few nearby natural or recreational resources. A stream and wetland complex is located to the south, and the Interurban Trail is to the east. There are no properties listed on or

previously determined eligible for listing on the National Register of Historic Places. There is a low potential for impacts on historic-era properties because most properties were developed after 1970. The alignment could place columns within a stormwater pond, but potential impacts would be low and could be mitigated.

4.4 Air Quality and Greenhouse Gas Emissions

A light rail extension and new station in the Lynnwood City Center could result in a modest reduction in regional air pollutants and greenhouse gas emissions compared to the North Corridor Transit Project's extension from Northgate to the Lynnwood Transit Center. The anticipated ridership for a rail line with this station would be similar to the ridership line terminating at the Lynnwood Transit Center; therefore, similar effects from regional emissions are expected due to transportation.

4.5 Effects on Transportation System

4.5.1 General Purpose Traffic Operations

It is anticipated that the majority of users would access the City Center Station by foot or bicycle. The station would not include any additional park-and-ride capacity or bus interface facilities. Additional traffic at or near the station would likely be minimal and only related to passenger pick-up and drop-off trips (although specific short-term parking for these trips would not be provided either). Therefore, it is anticipated that the extension would have little to no effect on roadway operations, intersection operations, or property access in the immediate area around the station.

4.5.2 Transit Operations

No changes to local transit operations are assumed in association with the extension to the City Center Station, although Community Transit may choose to make schedule or route changes to better serve the station¹. No impacts or benefits to transit are anticipated, other than a potential increase in ridership on local routes operating near the station. The City Center station in proximity to 196th St SW would complement future BRT service from Highway 99 along 196th St should it occur.

¹ The City's 2009 mode-split study recommended some bus route restructuring with the advent of light rail service to the City Center that would shift local routes 112/113, 114/115/116, and 118 from congested 44th Avenue West and 196th Street SW to 40th Avenue West and 200th Street SW to better serve the center. Other route changes would provide more one-seat rides to the City Center from downtown Everett, Stevens Hospital, Mukilteo Ferry, Marysville, and Stanwood.

4.5.3 Pedestrian and Bicycle Accessibility and Mobility

The conceptual alignment of the extension is fully elevated; therefore, no impacts on pedestrian and bicycle accessibility and mobility are anticipated by the built structures. Specific project elements to provide pedestrian and bicycle access to the station are yet to be determined, but would likely improve non-motorized circulation in the vicinity of the station.

4.5.4 Safety

Because the conceptual alignment of the extension is fully elevated and thus grade-separated, no conflicts would occur between light rail vehicles and other modes. Therefore, no safety impacts are anticipated.

5 CAPITAL AND OPERATING COST ESTIMATES

5.1 Capital Costs

Capital costs are based on the capital cost estimating methodology and data documented in the *North Corridor Transit Project Level 2 Alternatives Capital and Operations Cost Estimating Methodology and Results* report (Sound Transit 2011d) and the *North Corridor Transit Project Unit Cost Library and Composite Section Costs* report (Sound Transit 2011e). Both of these documents have been reviewed by the FTA's Project Management Oversight Consultant, who has determined that the methodology and data are sound and in accordance with current estimating practices.

The general approach for the capital cost estimating methodology consisted of four steps:

- Define the scope of the extension
- Identify unit costs according to the methodology described in Sound Transit (2011b)
- Estimate quantities from the alternative described in this report
- Calculate the costs

Significant capital cost data have been included in the Unit Cost Library for the North Corridor Transit Project. In addition to available data from Sound Transit, cost data from other transit agencies, project databases, Washington State Department of Transportation (WSDOT), and other local industry sources are included in the project database. The database provides information from the following types of projects:

- Projects that are complete or currently under construction
- Projects that are well into final design phases and have advanced engineer's estimates
- Projects for which preliminary engineering has been completed and anticipated costs have been reviewed and verified by independent reviews (e.g., FTA's Project Management Oversight Consultant)
- Projects for which planning and/or environmental assessment has been completed and costs have been reviewed and verified

To be consistent with the estimated costs for the North Corridor Transit Project, all costs stated are in mid-2010 dollars.

5.1.1 Capital Cost Categories

Project capital costs are developed and categorized in accordance with the FTA current standard cost categories.

Construction costs were calculated for the following FTA cost categories:

10. Guideway and Track Elements
20. Stations, Stops, Terminals, Intermodals
30. Yards, Shop, Administration/Support Facilities
40. Sitework and Special Conditions
50. Systems

Total construction costs are stated as the sum of categories 10 through 50.

To complete the project-wide capital cost estimate, the following FTA standard cost categories were also included:

60. Right-of-Way, Land, Existing Improvements
70. Vehicles
80. Soft Costs
90. Unallocated Contingency

Standard Cost Category 100, Finance Charges, is not included in the project-wide capital cost estimate.

Categories 10, 20, 40, and 50

Unit prices for items included in these categories were taken from the reports noted above. The unit prices were then applied to the specific quantities estimated for this extension.

Contingencies were applied to the quantity for each line item. The amount of contingency varied between 15 and 30 percent by line item based on the information in the Unit Cost Library and the level of detail included in the determination of the composite cost for a specific item. In addition to the contingency applied to each line item quantity, an additional contingency of 10 percent to account for potential change orders was added to the total construction amount.

Category 30: Support Facilities: Yards, Shops, Administration Buildings

The ST2 Plan, developed prior to the region's vote in 2008, included representative system-wide projects (and associated costs) for development and construction of light rail maintenance and storage facilities to serve the long-term needs of the Sound Transit vehicle fleet. It was assumed that system-wide maintenance needs for light rail vehicles would be accommodated by a combination of the Central Link Forest Street base and a new maintenance facility in south King County.

Although the North Corridor Transit Project Alternatives Analysis does not include the development of project-specific maintenance facility for light rail, an estimated “share” of the system-wide maintenance facility is included in the capital cost estimate described in this technical memorandum. The capital cost (including right-of-way cost) of the system-wide Link light rail maintenance facility was divided by the facility’s capacity to develop a “per vehicle” capital cost for the maintenance facility. The per vehicle cost for the light rail maintenance facility was multiplied by the number of additional light rail vehicles required for this extension. This amount is included in the capital cost of the extension.

Category 60: Right-of-Way, Land, Existing Improvements

Anticipated property impacts for the extension were based on overlaying the conceptual alignment on right-of-way information and GIS data included in aerial maps. Sound Transit real estate staff and consultants provided estimates of property valuations (in 2010 dollars) for parcels, including City of Lynnwood and WSDOT property, which could be affected by the project.

Right-of-way cost estimates include costs associated with property acquisition, relocation, project administration (e.g., title review and appraisal costs), and 33 percent contingency.

Category 60 costs also include right-of-way costs for the estimated “share” of vehicle maintenance and storage facility capacity. Similar to Category 30 costs, right-of-way costs for the maintenance and storage facilities were pro-rated on a per vehicle basis.

Category 70: Vehicles

Unit costs for light rail vehicles were based on Sound Transit information from previous procurements. The unit costs include vehicle-related design and administration costs, as well as spare parts, training, testing, and commissioning expenditures. According to the service plan, an additional five light rail vehicles are required.

Category 80: Professional Services

Professional services costs were developed based on information available from various departments of Sound Transit.

Category 90: Unallocated Contingency

Contingencies were included to address unknown issues and the level of risk associated with a project at any given stage. Allowances for design and construction contingency (allocated) are included in the individual line items in Categories 10 through 50. Project reserves, often referred to as unallocated contingencies, were included in this section for the Level 2

alternatives at a rate of 10 percent. This is consistent with Sound Transit's practice throughout the development of the *Sound Move* (Sound Transit 1996) and ST2 programs.

5.1.2 Ranges of Estimated Project-wide Capital Costs

Total project-wide costs are stated as ranges, which is appropriate for this conceptual level of design. Based on a risk analysis performed during the ST2 planning efforts, it was determined that the high end of the range would be 15 percent higher than the estimated low end. At that time, the risk analysis and ranges of costs were reviewed by a state-appointed Expert Review Panel. This panel concluded that the range of 15 percent between the high and low end of the estimated costs is sound and in accordance with current planning and estimating practices.

5.1.3 Capital Costs Required at the Line Terminus NOT Included in this Estimate

In the current North Corridor Transit Project Alternatives Analysis, the line from Northgate to Lynnwood would terminate at the Lynnwood Transit Center Station. At this location, passengers would exit the northbound trains, the trains would then move forward and, through a series of switches, cross over to the southbound tracks, move to the southbound station platform, and continue the return trip to the Northgate Station. To accomplish this turnback operation, approximately 1,000 feet of additional guideway is required beyond the end of the station. This additional 1,000 feet of guideway would include all of the special trackwork, switches, machinery, controls, and communications, as well as a wider guideway structure than normal.

This same turnback operation would be required at the Lynnwood City Center Station. However, because the costs for the turnback operation at the Lynnwood Transit Center Station are included in the current Alternatives Analysis capital costs, the costs of the special trackwork, switches, machinery, controls, communications, and wider-than-normal guideway structure beyond the end of the Lynnwood City Center Station are NOT included in the estimate for the extension. However, this exclusion requires that the extension to Lynnwood City Center be built with the remainder of the line to Northgate and that the entire line from Northgate to Lynnwood City Center be opened at the same time.

5.1.4 Summary of Project-wide Costs

A summary of project-wide costs is provided in Table 5-1. The total estimated project-wide cost of the 3,600-foot extension from the Lynnwood Transit Center Station to the Lynnwood City Center Station ranges from \$194 million to \$223 million. Details of the estimated costs are included in Attachment C.

Table 5-1. Project-wide Costs

Standard Cost Category	Description	Total Cost (2010 Dollars in Millions)
10 through 50	Construction Total	\$87
60	Right-of-Way	\$44
70	Light Rail Vehicles	\$21
80	Professional Services	\$33
90	Unallocated Contingency	\$9
Total Project Cost – Low		\$194
Total Project Cost – High		\$223

5.2 Operation and Maintenance Costs

The additional operation and maintenance (O&M) costs attributed to the extension from the Lynnwood Transit Center Station to the Lynnwood City Center Station are primarily attributed to three items:

- The added physical length of the transit facility
- The added travel time (and therefore the added fleet requirements for light rail vehicles)
- The added passenger station

Using the I-5 light rail alignment alternative as a comparison, Table 5-2 summarizes the differences between a Northgate to Lynnwood Transit Center segment and a Northgate to Lynnwood City Center segment:

Table 5-2. Operating Cost Factor Differences

Item	Northgate to Lynnwood Transit Center	Northgate to Lynnwood City Center	Percent Increase
Route Length (miles)	8.4	9.1	8%
Travel Time (minutes)	14	16	14%
Number of Stations	4	5	25%
Fleet Size (number of light rail vehicles)	32	37	16%

As shown above, the percentage increase varies from 8 to 25 percent, with the average of the four items being 15 percent. The actual range of the increase in O&M costs due to this extension may be between 10 and 15 percent.

As stated in reports previously published for this project, the estimated annual O&M cost, in mid-2010 dollars, for the light rail alternative from Northgate to the Lynnwood Transit Center Station along the I-5 corridor is \$11 million. Applying a 10 to 15 percent increase to the previously estimated O&M cost would indicate that the additional O&M for the extension to the Lynnwood City Center Station would be between \$1.1 million and \$1.7 million per year.

6. REFERENCES

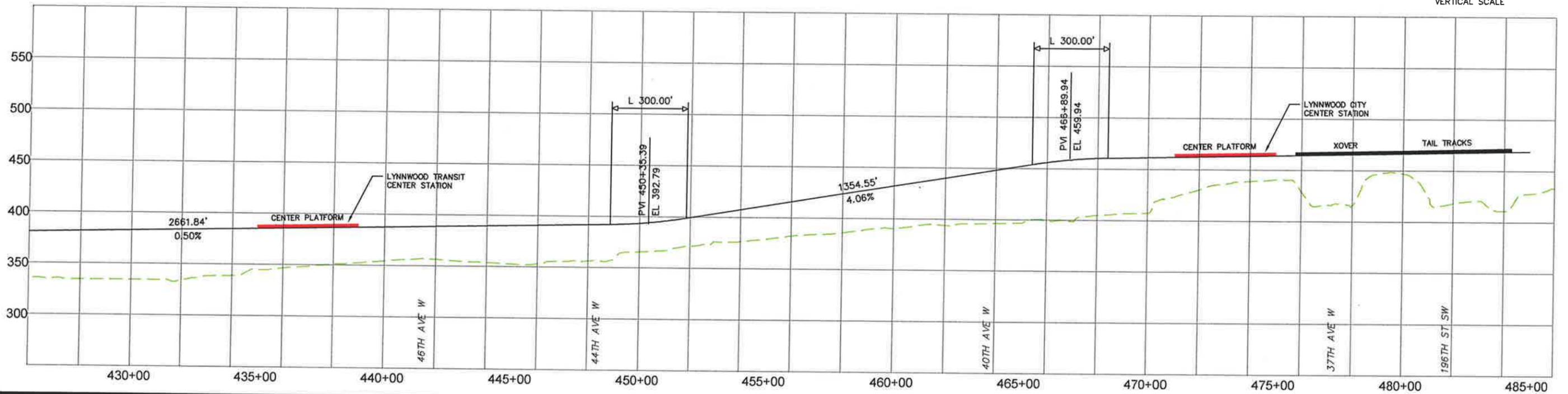
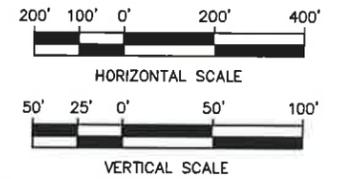
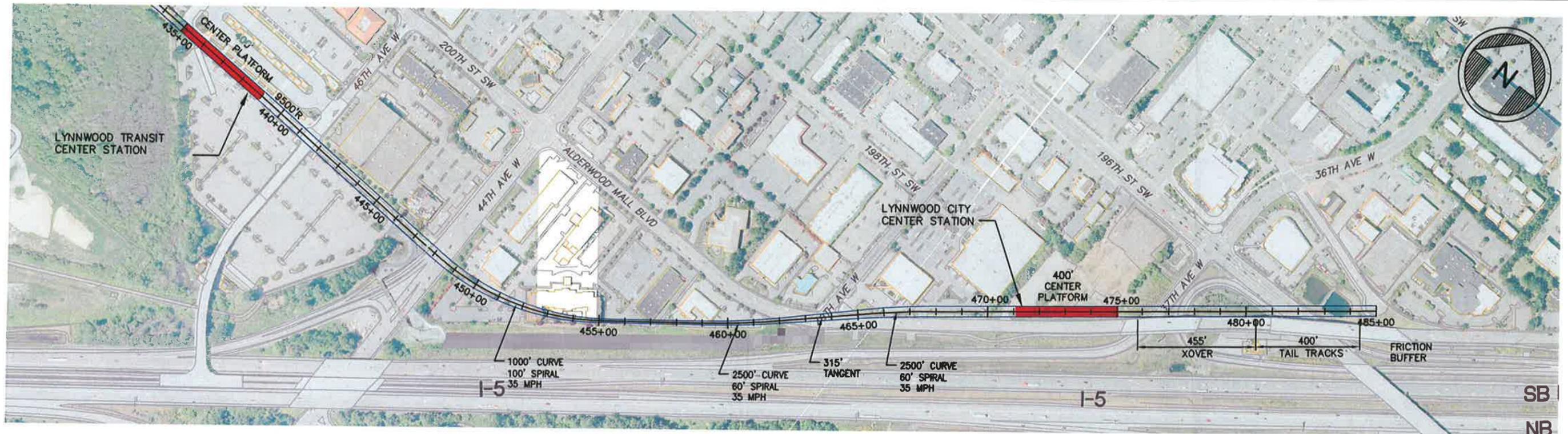
- City of Lynnwood. 2005. City Center design guidelines. Lynnwood, Washington.
- City of Lynnwood. 2007a. City of Lynnwood City Center sub-area plan. Lynnwood City Center Project. Lynnwood, Washington. September 2007.
- City of Lynnwood. 2007b. Market analysis and absorption study. Lynnwood, Washington.
- City of Lynnwood. 2008. Local Improvement District (LID) feasibility study. Lynnwood, Washington.
- City of Lynnwood. 2009. City of Lynnwood Mode Split for City Center Street Master Plan, December 2009, Perteeet, Project Number 28035 (Mode Split Study). Lynnwood, Washington.
- City of Lynnwood. 2010. Lynnwood comprehensive plan. Lynnwood, Washington
- PSRC (Puget Sound Regional Council). 2009. VISION 2040: The growth management, environmental, economic, and transportation strategy for the Central Puget Sound Region. Available online at: <<http://psrc.org/growth/vision2040/pub/vision2040-document/>>.
- PSRC (Puget Sound Regional Council). 2010. Transportation 2040—toward a sustainable transportation system. Available online at: <http://psrc.org/assets/4847/348Transportation2040final.pdf>. May 20, 2010.
- Sound Transit (Central Puget Sound Regional Transit Authority). 1996. Sound Move—The ten-year regional transit system plan. Everett, Washington. May 1996.
- Sound Transit (Central Puget Sound Regional Transit Authority). 2011a. North Corridor Transit Project draft alternatives analysis report. Prepared by North Corridor Transit Partners, Seattle, Washington. July 2011.
- Sound Transit (Central Puget Sound Regional Transit Authority). 2011b. Long-range operations plan. Seattle, Washington. May 2011.
- Sound Transit (Central Puget Sound Regional Transit Authority). 2011c. Fleet management plan. Seattle, Washington. May 2011.

Sound Transit (Central Puget Sound Regional Transit Authority). 2011d. North Corridor Transit Project Level 2 alternatives capital and operations cost estimating methodology and results. Prepared by North Corridor Transit Partners, Seattle, Washington.

Sound Transit (Central Puget Sound Regional Transit Authority). 2011e. North Corridor Transit Project unit cost library and composite section costs. Prepared by North Corridor Transit Partners, Seattle, Washington. January 2011.

ATTACHMENT A
Conceptual Alignment

SOUND TRANSIT NORTH CORRIDOR TRANSIT PROJECT



C:\Users\stumpmor\Desktop\NCTP-LYNEXT-PP01.dwg Oct 31, 2011 - 12:46pm



LYNNWOOD CITY CENTER EXTENSION STUDY

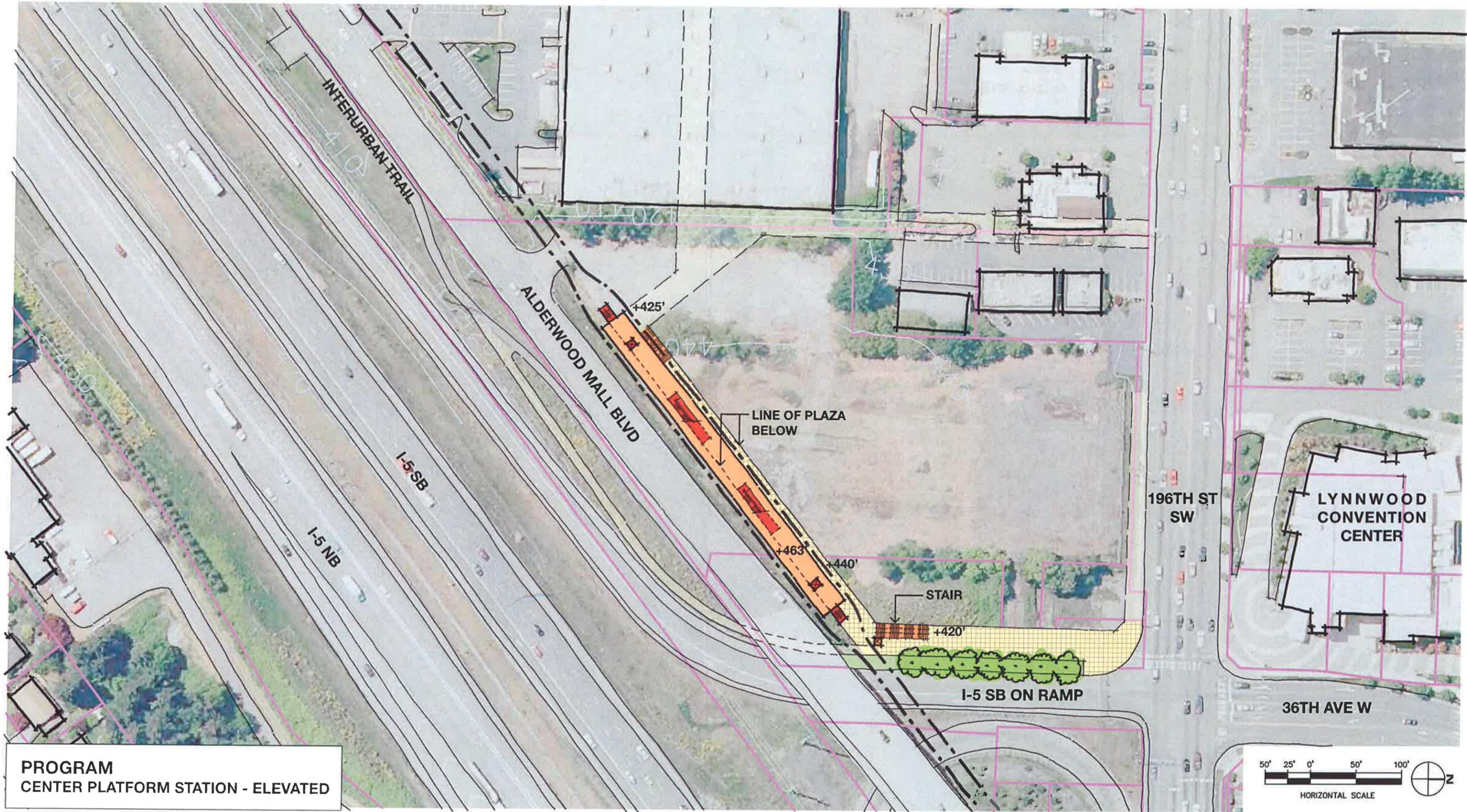
DWG NO. LYNEXT-PP01

SHEET 1 OF 1

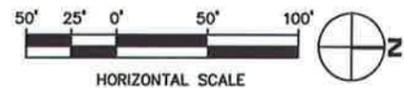
REV. NO. 0

ATTACHMENT B
Conceptual Station Layout

SOUND TRANSIT NORTH CORRIDOR TRANSIT PROJECT



PROGRAM
CENTER PLATFORM STATION - ELEVATED

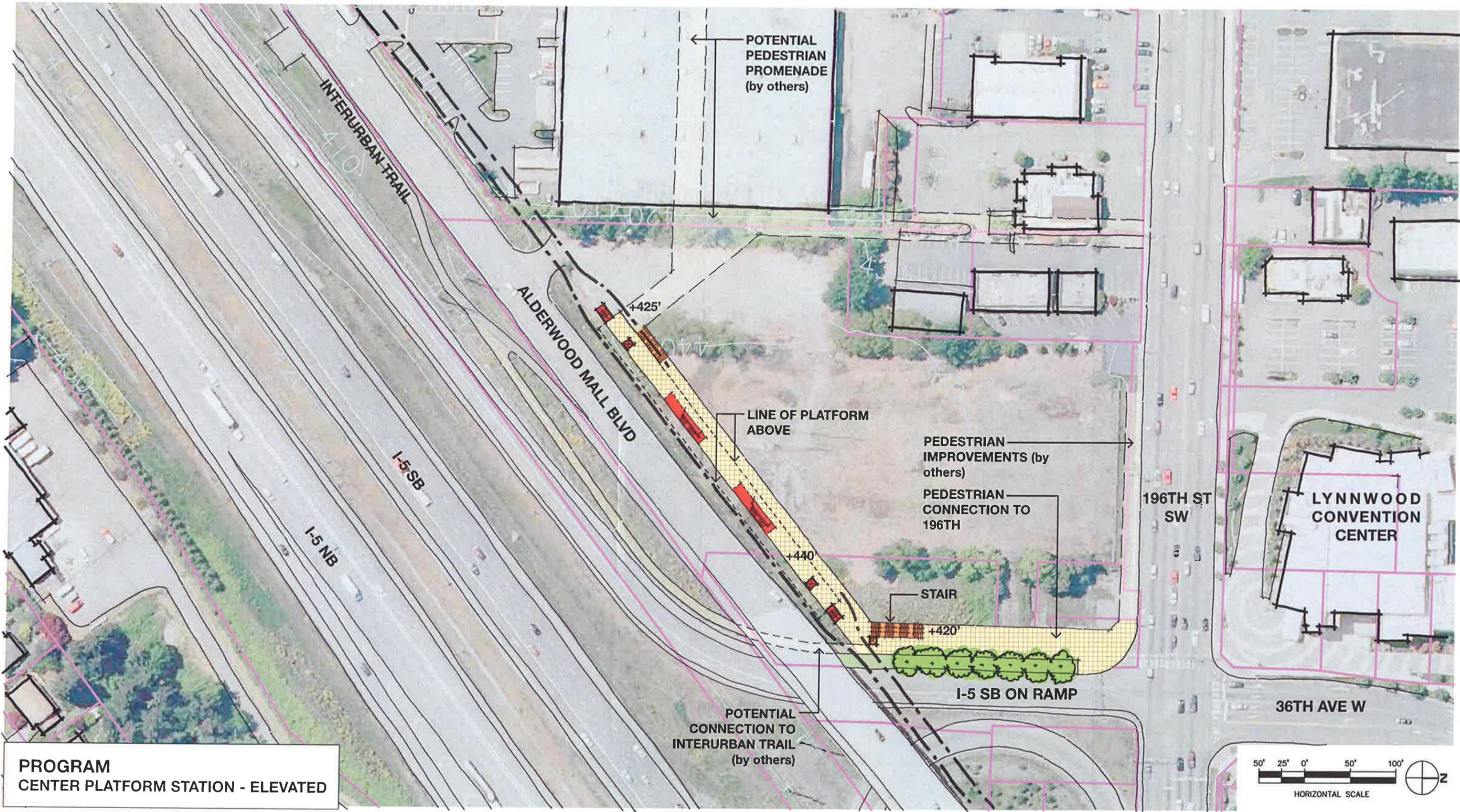


LYNNWOOD CITY CENTER STATION
PLAN
PLATFORM LEVEL - EL. 463'

DWG NO. _____ XXX _____
 SHEET X OF X
 REV. NO. _____ X _____

\\ha.com\Projects\Active Projects\09047\Drawings and Sketches\ADT Project\Views\04 Site\09047-Plan Views - final.dwg Aug 16, 2011 - 11:15am

SOUND TRANSIT NORTH CORRIDOR TRANSIT PROJECT



\\ha.com\Projects\Active\Projects\09047\Drawings and Sketches\ADT Project\Views\04 Site\09047-Plan Views - final.dwg Aug 16, 2011 - 1:35pm

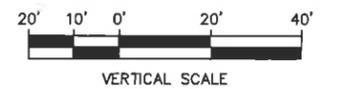
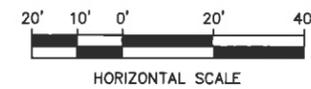
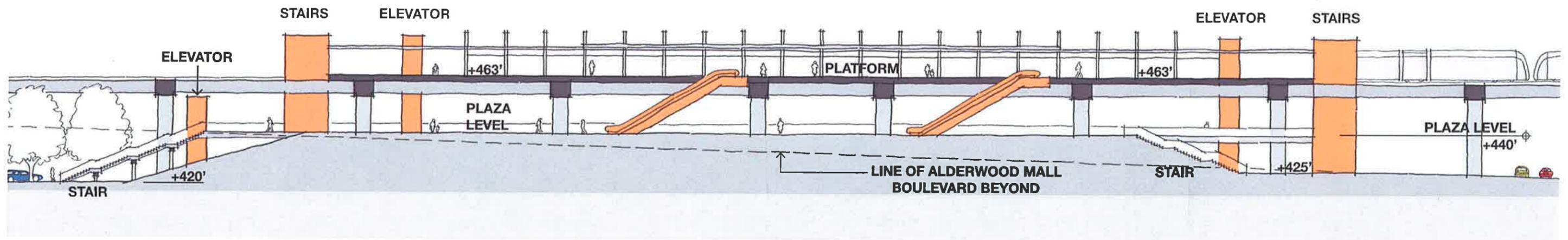


LYNNWOOD CITY CENTER STATION PLAN PLAZA LEVEL - EL. 440'

DWG NO. XXX
SHEET X OF X
REV. NO. X

SOUND TRANSIT NORTH CORRIDOR TRANSIT PROJECT

\\ha.com\Projects\Active\Projects\09047\Drawings and Sketches\ADT Project\Views\04_Site\09047-Sections - TBa.dwg Aug 16, 2011 - 11:13am



LYNNWOOD CITY CENTER STATION SECTION

DWG NO. _____ X
 SHEET _____ X OF _____ X
 REV. NO. _____ X

ATTACHMENT C
Conceptual Capital Cost Estimate

SOUND TRANSIT
North Corridor HCT Project
Lynnwood Extension along I-5
Capital Cost Estimate
(2010 Dollars in Millions)

Description	I5-5 Lynnwood TC Station to City Ctr Station	Artwork	MSF	Vehicles	Alignment Total
Length (Mile):	0.7				0.7
Number of Stations:	1				1
Number of Revenue Vehicles:				5	5
10 GUIDEWAY & TRACK ELEMENTS	\$36.34				\$36.34
20 STATIONS, STOPS, TERMINALS, INTERMODAL	\$21.58				\$21.58
30 SUPPORT FACILITIES: YARDS, SHOPS, ADMIN. BLDGS	\$0.00		\$11.32		\$11.32
40 SITEWORK & SPECIAL CONDITIONS	\$4.34	\$0.60			\$4.94
50 SYSTEMS	\$5.37				\$5.37
Construction Subtotal (Sum Categories 10 - 50)	\$67.63	\$0.60	\$11.32		\$79.55
Change Order Contingency	\$6.76	\$0.06	\$1.13		\$7.95
Construction Total	\$74.39	\$0.66	\$12.45	\$0.00	\$87.50
60 ROW, LAND, EXISTING IMPROVEMENTS	\$38.49		\$5.44		\$43.93
70 VEHICLES				\$20.77	\$20.77
80 PROFESSIONAL SERVICES					
Construction Management	\$6.32	\$0.06	\$1.06		\$7.44
Environmental Clearance and PE	\$3.72	\$0.03	\$0.62		\$4.38
Final Design, Specs, Permitting	\$9.30	\$0.08	\$1.56		\$10.94
Agency Admin (Calculated on subtotal of all items above)	\$7.93	\$0.05	\$1.27	\$1.25	\$10.50
90 UNALLOCATED CONTINGENCY	\$7.44	\$0.07	\$1.25		\$8.75
Total Project Cost - Low	\$147.59	\$0.95	\$23.65	\$22.01	\$194.20
Total Project Cost - High	\$169.73	\$1.09	\$27.20	\$25.31	\$223.33

SOUND TRANSIT
North Corridor HCT Project
I5-5
Lynnwood TC Station to City Ctr Station

TRANSIT MODE: LRT

CAT NO.	STATIONING BEGIN	STATIONING END	DESCRIPTION	COST ID	QTY	UNIT	UNIT COST	BASE COST	ALLCTD CONTGY	TOTAL COST
10 GUIDEWAY & TRACK ELEMENTS										
10.01	Guideway: At-grade exclusive right-of-way		At-Grade Double Ballasted Track	AG02	0	RF	\$566	\$0	25%	\$0
			Element Total		0	RF		\$0		\$0
10.02	Guideway: At-grade semi-exclusive (allows cross-traffic)		N/A		0	RF		\$0		\$0
			Element Total		0	RF		\$0		\$0
10.03	Guideway: At-grade in mixed traffic		N/A		0	RF		\$0		\$0
			Element Total		0	RF		\$0		\$0
10.04	Guideway: Aerial structure		Precast Segmental Box Girder (Avg. Pier 20' Ht.)	EL22	500	RF	\$6,842	\$3,421,000	25%	\$4,276,250
			Precast Segmental Box Girder (Avg. Pier 30' Ht.)	EL23	1,700	RF	\$6,990	\$11,883,000	25%	\$14,853,750
			Precast Segmental Box Girder (Avg. Pier 40' Ht.)	EL24	800	RF	\$7,163	\$5,730,400	25%	\$7,163,000
			Precast Segmental Box Girder (Avg. Pier 50' Ht.)	EL25	600	RF	\$7,364	\$4,418,400	25%	\$5,523,000
			Precast Segmental Box Girder (Avg. Pier 60' Ht.)	EL26	0	RF	\$7,603	\$0	25%	\$0
			Precast Segmental Box Girder (Avg. Pier 80' Ht.)	EL28	0	RF	\$8,736	\$0	25%	\$0
			Precast Segmental Box Girder, Long Span (Avg. Pier 40' Ht.)	EL44	0	RF	\$7,530	\$0	25%	\$0
			Precast Segmental Box Girder, Crossover (Avg. Pier 40' Ht.)	EL54	0	RF	\$8,120	\$0	25%	\$0
			Element Total		3,600	RF		\$25,452,800		\$31,816,000
10.05	Guideway: Built-up fill		N/A		0	RF		\$0		\$0
			Element Total		0	RF		\$0		\$0
10.06	Guideway: Underground cut & cover		N/A		0	RF		\$0		\$0
			Element Total		0	RF		\$0		\$0
10.07	Guideway: Underground tunnel		N/A		0	RF		\$0		\$0
			Element Total		0	RF		\$0		\$0
10.08	Guideway: Retained cut or fill		Retained Cut - One Side (Avg. 10' Depth)	RC01	0	RF	\$1,779	\$0	25%	\$0
			Retained Fill - Two Sides (Avg. 10' Height)	RF21	0	RF	\$1,604	\$0	25%	\$0
			Element Total		0	RF		\$0		\$0
10.09	Track: Direct fixation		Direct Fixation - Double Track	TK21	3,600	RF	\$1,093	\$3,936,557	15%	\$4,527,040
			Element Total		3,600	RF		\$3,936,557		\$4,527,040
10.10	Track: Embedded		N/A		0	RF		\$0		\$0
			Element Total		0	RF		\$0		\$0
10.11	Track: Ballasted		Ballasted - Double Track	TK02	0	RF	\$688	\$0	15%	\$0
			Element Total		0	RF		\$0		\$0
10.12	Track: Special (switches, turnouts)		Direct Fixation - Double Cross-over	SP18	0	EA	\$672,495	\$0	15%	\$0
			Element Total		0	LS		\$0		\$0
10.13	Track: Vibration and noise dampening		N/A		1	LS		\$0		\$0
			Element Total		1	LS		\$0		\$0

SOUND TRANSIT
North Corridor HCT Project
I5-5
Lynnwood TC Station to City Ctr Station

TRANSIT MODE: LRT

CAT NO.	STATIONING BEGIN	STATIONING END	DESCRIPTION	COST ID	QTY	UNIT	UNIT COST	BASE COST	ALLCTD CONTGY	TOTAL COST
20 STATIONS, STOPS, TERMINALS, INTERMODAL										
20.01			At-grade station, stop, shelter, mall, terminal, platform							
			N/A							
			Element Total		1	LS		\$0		\$0
20.02			Aerial station, stop, shelter, mall, terminal, platform							
	Lynnwood Transit Center		Aerial - 28' Center Platform - 4 Vehicle without Mezz.	ST20	1	LS	\$17,243,984	\$17,243,984	20%	\$20,692,781
			Allowance for Terminal Station		0%			\$0	20%	\$0
			Element Total		1	LS		\$17,243,984		\$20,692,781
20.03			Underground station, stop, shelter, mall, terminal, platform							
			N/A							
			Element Total		1	LS		\$0		\$0
20.04			Other stations, landings, terminals: Intermodal, ferry, trolley, etc.							
			N/A							
			Element Total		1	LS		\$0		\$0
20.05			Joint development							
			N/A							
			Element Total		1	LS		\$0		\$0
20.06			Automobile parking multi-story structure							
			Station Site Facilities - Parking Garage	SF20	0	SP	\$23,038	\$0	20%	\$0
			Element Total		1	LS		\$0		\$0
20.07			Elevators, escalators							
			Pedestrian Vertical Access - Elevator, 25ft.	PA30	1	EA	\$203,662	\$203,662	20%	\$244,395
			Pedestrian Vertical Access - Escalator, 25ft.	PA35	2	EA	\$266,538	\$533,075	20%	\$639,690
			Pedestrian Vertical Access - Escalator, 40ft.	PA36	0	EA	\$363,585	\$0	20%	\$0
			Element Total		1	LS		\$736,738		\$884,085
40 SITEWORK & SPECIAL CONDITIONS										
40.01			Demolition, Clearing, Earthwork							
			Demolition Allow. - Existing Building	DM06	185,110	SF	\$12	\$2,215,434	30%	\$2,880,064
			Element Total		1	LS		\$2,215,434		\$2,880,064
40.02			Site Utilities, Utility Relocation							
			Utility Modifications Allow. - Level 1	UM01	500	RF	\$205	\$102,515	30%	\$133,269
			Utility Modifications Allow. - Level 3	UM03	0	RF	\$847	\$0	30%	\$0
			Storm Water Management Allowance - Guideway	UM09	3,600	RF	\$105	\$378,901	30%	\$492,572
			Element Total		1	LS		\$481,416		\$625,841
40.03			Haz. mat'l, contam'd soil removal/mitigation, ground water treatments							
			Hazardous Material Removal Allowance	HM01	500	RF	\$66	\$33,000	30%	\$42,900
			Element Total		1	LS		\$33,000		\$42,900
40.04			Environmental mitigation, e.g. wetlands, historic/archeologic, parks							
			Environmental Mitigation Allow. - Level 3	EM03	300	RF	\$273	\$81,900	30%	\$106,470
			Element Total		1	LS		\$81,900		\$106,470
40.05			Site structures including retaining walls, sound walls							
			N/A							
			Element Total		1	LS		\$0		\$0
40.06			Pedestrian / bike access and accommodation, landscaping							
			Landscaping Allow. - Guideway	LS10	3,600	RF	\$96	\$344,449	30%	\$447,783
			Artwork (1% of Guideway & Stations)		1%			\$461,456	30%	\$599,893
			Element Total		1	LS		\$805,905		\$1,047,676
40.07			Automobile, bus, van accessways including roads, parking lots							
			Station Site Facilities - Bus / Shuttle Bays	SF05	0	SP	\$100,697	\$0	30%	\$0
			Element Total		1	LS		\$0		\$0
40.08			Temporary Facilities and other indirect costs during construction							

SOUND TRANSIT
North Corridor HCT Project
I5-5
Lynnwood TC Station to City Ctr Station

TRANSIT MODE: LRT

CAT NO.	STATIONING BEGIN	STATIONING END	DESCRIPTION	COST ID	QTY	UNIT	UNIT COST	BASE COST	ALLCTD CONTGY	TOTAL COST
			Temporary Facilities (5% of Category 40)		5.0%			\$180,883	30%	\$235,148
			Element Total		1	LS		\$180,883		\$235,148
50			SYSTEMS							
50.01			Train control and signals							
			Train Control - Double Track	TC02	3,600	RF	\$376	\$1,353,191	15%	\$1,556,170
			Special Trackwork Allowance		0%			\$0	15%	\$0
			Element Total		3,600	RF		\$1,353,191		\$1,556,170
50.02			Traffic signals and crossing protection							
			Roadway Modifications Allow. - Existing Signal Mod.	RM20	0	EA	\$95,680	\$0	15%	\$0
			Element Total		0	EA		\$0		\$0
50.03			Traction power supply: substations							
			Traction Power, Substation	TP03	0	EA	\$1,571,889	\$0	15%	\$0
			Element Total		0	EA		\$0		\$0
50.04			Traction power distribution: catenary and third rail							
			OCS System - Standard, Double Track	TP02	3,600	RF	\$351	\$1,263,600	15%	\$1,453,140
			Element Total		3,600	RF		\$1,263,600		\$1,453,140
50.05			Communications							
			Communication, Line - Double	CM02	3,600	RF	\$301	\$1,082,553	15%	\$1,244,936
			Communication, Station	CM05	1	EA	\$683,430	\$683,430	15%	\$785,945
			Element Total		1	LS		\$1,765,983		\$2,030,881
50.06			Fare collection system and equipment							
			Fare Collection - 1 Entrance	FC01	1	EA	\$284,307	\$284,307	15%	\$326,953
			Element Total		1	LS		\$284,307		\$326,953
50.07			Central Control							
			N/A							
			Element Total		1	LS		\$0		\$0

SOUND TRANSIT
North Corridor HCT Project
SUPPORT FACILITIES: YARDS, SHOPS, ADMIN. BLDGS

TRANSIT MODE: LRT

STATIONING		DESCRIPTION	COST		UNIT	UNIT COST	BASE COST	ALLCTD CONTGY	TOTAL COST
BEGIN	END		ID	QTY					
30 SUPPORT FACILITIES: YARDS, SHOPS, ADMIN. BLDGS									
30.01 Administration Building: Office, sales, storage, revenue counting									
		N/A							
		Element Total		1	LS		\$0		\$0
30.02 Light Maintenance Facility									
		N/A							
		Element Total		1	LS		\$0		\$0
30.03 Heavy Maintenance Facility									
		Allowance for MSF		5	EA	\$1,470,106	\$7,350,530	20%	\$8,820,636
		Element Total		1	LS		\$7,350,530		\$8,820,636
30.04 Storage or Maintenance of Way Building									
		N/A							
		Element Total		1	LS		\$0		\$0
30.05 Yard and Yard Track									
		Allowance for MSF		5	EA	\$417,007	\$2,085,035	20%	\$2,502,042
		Element Total		1	LS		\$2,085,035		\$2,502,042

SOUND TRANSIT ST2
HCT Planning
Right of Way

TRANSIT MODE: LRT

STATIONING		DESCRIPTION	COST		UNIT	UNIT COST	BASE COST	ALLCTD CONTGY	TOTAL COST	
BEGIN	END		ID	QTY						
60 ROW, LAND, EXISTING IMPROVEMENTS										
60.01 Purchase or lease of real estate										
	15-5				1	LS	\$27,387,118	33%	\$36,516,157	
					1	LS	\$1,480,554	33%	\$1,974,072	
					5	EA	\$816,400	\$4,082,000	33%	\$5,442,667
									\$43,932,896	

SOUND TRANSIT
North Corridor HCT Project
Vehicles

TRANSIT MODE: LRT

STATIONING		DESCRIPTION	COST		UNIT	UNIT COST	BASE COST	ALLCTD CONTGY	TOTAL COST
BEGIN	END		ID	QTY					
70 VEHICLES									
70.01 Light Rail									
		LRT Vehicle	VH01	5	EA	\$3,611,520	\$18,057,600	15%	\$20,766,240
		Element Total		1	LS		\$18,057,600		\$20,766,240

Lynnwood Planning Commission
Meeting of January 12, 2012

Staff Report

Agenda Item: F-2
City Center Planned Action Ordinance

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

Lynnwood Community Development Dept.

ACTION

None required. Informational briefing only.

BACKGROUND

In September 2011, the Lynnwood Planning Commission held a public hearing and recommended to City Council amendments related to the City of Lynnwood Zoning Code (Primarily Lynnwood Municipal Code (LMC) Chapter 21.60 "City Center District (CC) Zone") and to the City Center Design Guidelines ("Amendments".)

The Amendments sought several objectives including improving the clarity and flexibility of the City Center development regulations and implementing findings of the City Center studies completed since the time of the Sub-Area Plan's adoption in 2005.

Another major objective of the Amendments is to support the adoption of a State Environmental Policy Act (SEPA) Planned Action Ordinance for the City Center. Planned Actions provide upfront programmatic SEPA review, rather than on a case by case basis, providing benefits to both the City and development applicant. Once adopted, staff expects the Planned Action Ordinance to be a significant incentive for development in the City Center by allowing qualifying developments to be processed much more expeditiously than would be the case without the Planned Action.

A Planning Commission public hearing and/or recommendation is not required on a planned action ordinance; however, an informational briefing is scheduled for the Commission's January 12, 2012 meeting as the Planned Action Ordinance will, if adopted by the City Council, be a major tool anticipated to encourage and attract development in the City Center

DISCUSSION

The Washington State Environmental Policy Act (SEPA), adopted by the legislature in 1971, is the primary state-wide regulatory framework enabling local agencies to identify and mitigate environmental impacts of various proposals. Local governments administer SEPA through locally adopted policies and procedures.

SEPA has evolved over time with a series of State amendments. In 1995, the state legislature amended SEPA to provide for “planned actions”. This amendment was done as part of the Regulatory Reform Act to encourage more efficient permit review processes that would reduce the cost and time needed to obtain local and state land use permits. The Regulatory Reform Act sought to shift emphasis from individual project level review to a greater reliance on plans and development regulations and the “up front” SEPA review of those documents.

A planned action is a development project whose impacts have been addressed by an Environmental Impact Statement (EIS) associated with a plan for a specific geographic area *before* individual projects are proposed. The SEPA analysis of environmental impacts and mitigation measures is therefore done at the broader plan level rather than at the project specific level.

In other words, rather than development projects going through the SEPA process and being evaluated for environmental impacts on an individual case by case basis, the environmental impacts of development (e.g. traffic, earth, air quality, noise, etc) for a broader geographic sub-area are thoroughly reviewed in the EIS. Subsequent proposed development projects within that area that meet certain qualifying criteria need not go through case by case project level environmental review.

When the planning and environmental review has been completed for a planned action, a city offers a pre-approved development area with expedited permit processing. This certainty provides an incentive to developers by saving time, money and reducing risk versus the current process of embarking on site-by-site environmental analysis and permitting process.

Qualifying Planned Action

If the Planned Action Ordinance is adopted, City staff will review development applications to see if they qualify as Planned Actions.

To qualify as a Planned Action, project types must (generally):

- Be identified in, consistent with, and implement a sub-area plan (e.g. use and intensity); and
- Have had their significant environmental impacts addressed in the Comprehensive Plan or Sub-Area Plan EIS; and
- Be located within an Urban Growth Area.

If the proposed development qualifies as a planned action, then SEPA environmental review can be completed without a comment or appeal period.

Proposals that do not meet the planned action criteria for will require the regular SEPA review process, meaning an individual SEPA application with a public comment and appeal period.

Benefits

Benefits of Planned Actions include:

- Expedites and streamlines the permit process while still protecting environmental quality.
- Reduces uncertainty, time and risk for an applicant. (In Lynnwood, it is estimated that a minimum of 45 days of processing time can be saved for Planned Actions.)
- Reduce the applicant's need and expense to prepare, produce and often revise special studies to support SEPA work.
- Provides certainty to the City knowing upfront the environmental impacts and mitigations of Planned Action projects rather than responding on a case by case basis.
- Strengthens the City's commitment to State GMA Planning Goal 7 which states,

“(7) Permits. Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.” RCW 36.70A.020(7)

- Provide a marketing tool for the City to encourage City Center development consistent with the City Center Sub-Area Plan and adopted regulations.

City of Lynnwood

In the case of the Lynnwood City Center, an EIS was completed on the City Center Sub-Area Plan in 2004 (*Final Supplemental Environmental Impact Statement for the Lynnwood City Center Sub-Area Plan, September 9, 2004*). Since that time, several other environmental documents have been prepared related to the EIS, including addendums to the EIS. Collectively, these documents have identified impacts associated with the growth and development scenario anticipated in the Lynnwood City Center and how such impacts are mitigated.

Further analysis has shown that the mitigation of City Center growth and development impacts can be adequately addressed through the application of existing and proposed city codes including, but not limited to, concurrency management, traffic impact fees, critical areas ordinance, noise ordinance, surface water management codes and zoning/design standards. This means that the City's existing adopted development standards will adequately address project impacts in the City Center.

With respect to the *proposed* codes, the current City Center Amendments now before the City Council seek to fully adopt implementing development regulations that mitigate City Center impacts, especially those related to aesthetics and design.

Adoption of the City Center Planned Action Ordinance (draft attached) would therefore be appropriate once the Amendments before the City Council have been adopted.

ATTACHMENTS

1. Draft City Center Planned Action Ordinance
2. "Using SEPA to Encourage Economic Development and Sustainable Communities" by Jeremy Eckert, Foster Pepper PLLC, June 2011.

1 **DRAFT DRAFT**

2 **CITY OF LYNNWOOD**

3 **ORDINANCE NO. _____**

4 AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, AMENDING
5 LYNNWOOD MUNICIPAL CODE CHAPTER 17.02 BY ADDING SECTION 17.02.029
6 ENTITLED "PLANNED ACTION PERMIT PROCESS" AND SECTION 17.02.300
7 ENTITLED "CITY CENTER PLANNED ACTION," PROVIDING FOR PROJECT REVIEW
8 OF PLANNED ACTION APPLICATIONS AND DESIGNATING DEVELOPMENT IN THE
9 LYNNWOOD CITY CENTER AS A PLANNED ACTION PURSUANT TO RCW
10 43.21C.031, PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND
11 SUMMARY PUBLICATION.

12 WHEREAS, the Washington State Environmental Policy Act (SEPA) authorize cities
13 planning under the Growth Management Act (GMA) to designate planned actions that have had
14 their significant impacts adequately addressed in an environmental impact statement (EIS)
15 prepared in conjunction with a comprehensive plan, sub-area plan or a master planned
16 development; and

17 WHEREAS RCW 43.21C.031 and WAC 197-11-164, 168, and 172 address planned
18 actions and their designation; and

19 WHEREAS, LMC 17.02.025 adopts, by reference, WAC 197-11-164, 168, and 172; and

20 WHEREAS, the City of Lynnwood SEPA procedures incorporate provisions for planned
21 action EIS's to provide for streamlined review of projects designated as planned actions; and

22 WHEREAS, the City of Lynnwood has adopted a Comprehensive Plan that addresses
23 the City Center Sub-Area through the adoption of a "City Center" Comprehensive Plan Future
24 Land Use designation; and

25 WHEREAS, on March 14, 2005, the City of Lynnwood passed Ordinance No. 2553
26 adopting a City Center Sub-Area Plan as an amendment to the City of Lynnwood
27 Comprehensive Plan; and

28 WHEREAS, the City of Lynnwood prepared a Final Supplemental EIS (Final SEIS)
29 dated September 9, 2004 for the Lynnwood City Center Sub-Area Plan and adoption of
30 implementing development regulations; and

31 WHEREAS, the Final SEIS identifies significant environmental impacts and mitigation
32 measures associated with development in the City Center Sub-Area (City Center); and

33 WHEREAS, the probable significant adverse environmental impacts of development in
34 the City Center sub-area are adequately addressed in the Final SEIS; and

35 WHEREAS, the Lynnwood City Center sub-area is located within an urban growth area,
36 as defined in RCW 36.70A.030, and is a geographical boundary less extensive than the
37 jurisdictional boundaries of the City of Lynnwood; and

38 WHEREAS, the Final SEIS envisioned a planned action designation by ordinance for
39 the City Center sub-area; and

40 WHEREAS, designation of a project as a planned action streamlines subsequent review
41 of such project by eliminating the need for preparation of a threshold determination or EIS; and

42 WHEREAS, on April 5, 2006, the City of Lynnwood Environmental Review Committee,
43 as SEPA Responsible Official, issued an Adoption of the Final SEIS (adopting the City Center
44 Sub-Area Plan Final SEIS) along with an addendum to address certain City Center related code
45 amendments; and

46 WHEREAS, on May 24, 2011, the City of Lynnwood Environmental Review Committee,
47 as SEPA Responsible Official, issued an Addendum to the Final SEIS to address certain City
48 Center related code amendments; and

49 WHEREAS, the City has adopted development regulations which protect the
50 environment, including but not limited to development regulations specific to the City Center
51 sub-area which guide the location, form and intensity of development; and

52 WHEREAS, on _____, 2012 the City Council of the City of Lynnwood held a duly
53 noticed public hearing on the City Center sub-area Planned Action Ordinance to accept public
54 testimony; and

55 WHEREAS, at the _____, 2012 public hearing City of Lynnwood staff prepared and
56 submitted to the City Council a report which concluded that the environmental impacts of a
57 planned action in the City Center have been identified and adequately addressed in the Final
58 SEIS, and that there are no specific mitigation measures, other than applicable adopted
59 development regulations, that should be applied to a project for it to qualify as a planned action;
60 and

61 WHEREAS, after carefully considering the staff report, testimony and other information
62 presented at the _____, 2012 public hearing, the Lynnwood City Council determined that
63 approval of a Planned Action Ordinance for the City Center sub-area is appropriate; and
64

65 WHEREAS, adopting a SEPA planned action for the City Center sub-area with
66 appropriate standards, criteria and permit review procedures will help achieve permit processing
67 efficiency and promote environmental quality, and

68 WHEREAS, the City of Lynnwood has prepared and intends to prepare in the future,
69 planned action EIS documents; and

70 WHEREAS, it is desired to have administrative procedures in place for the evaluation of
71 planned action proposals;

72 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF
73 LYNNWOOD DO ORDAIN AS FOLLOWS:
74

75 **Section 1.** Lynnwood Municipal Code Chapter 17.02 is hereby amended to add a new section
76 17.02.029 entitled "Planned action permit process" as follows:

77 "17.02.029 Planned action permit process

78 Applications for planned actions shall be processed as follows:
79

80
81 A. Applications for planned actions shall be made on forms authorized by the
82 SEPA Responsible Official and shall include a SEPA checklist, payment of applicable
83 fees and other supporting materials as requested by the SEPA Responsible Official.

84 B. The City's Community Development Department shall determine whether the
85 application is complete as provided in LMC section 1.35.015.

86 C. Within 14 calendar days after the determination that a development
87 application which may qualify as a planned action project is complete, the SEPA
88 Responsible Official shall make a written determination as to whether or not the
89 proposed project qualifies for designation as a planned action project.

90 D. The SEPA Responsible Official is authorized to determine that a proposed
91 project is a planned action project provided that the proposed project meets all of the
92 following criteria:

93
94 1. Is designated as a planned action by ordinance;

95 2. Has had the significant environmental impacts adequately addressed in an
96 EIS prepared in conjunction for either a comprehensive plan or subarea plan
97 adopted under chapter [36.70A](#) RCW, or for a fully contained community, a master
98 planned resort, a master planned development, or a phased project;

99 3. Is a subsequent or implementing project for a proposal listed in (D)(2) of this
100 subsection;

101 4. Is located within an urban growth area, as defined in RCW [36.70A.030](#), or is
102 located within a master planned resort;

103 5. Is not an essential public facility, as defined in RCW [36.70A.200](#);

104 6. Is consistent with a comprehensive plan adopted under chapter [36.70A](#)
105 RCW;

106 7. Meets all applicable criteria for designation as a planned action project set
107 forth in the applicable planned action ordinance including, but not limited to, being
108 located within an adopted planned action geographic area and consisting of a use
109 (or uses) and of an intensity consistent with the uses and intensity of uses
110 identified in the EIS, planned action ordinance and, if applicable, subarea plan
111 adopted for the planned action; and

112 8. The proposed project's impacts are within the thresholds identified within the
113 EIS, planned action ordinance, and, if applicable, sub-area plan.

114
115 E. Planned action applications will be reviewed to determine if it is consistent with
116 the applicable Planned Action criteria and thereby qualifies as a planned action project.
117 If the project is determined by the SEPA Responsible Official to qualify as a planned
118 action, then the application shall be processed in accordance with the applicable permit
119 review procedures; except that, no SEPA threshold determination, EIS or additional

120 SEPA review shall be required. Nothing in this section shall limit the city from using other
121 applicable laws to place conditions on the project in order to mitigate non-significant
122 impacts through the normal local project review and permitting process.

123 E. Public notice and review for projects that qualify as planned actions shall be
124 tied to the underlying permit. If public notice is otherwise required by the provisions of
125 LMC Chapter 1.35 for the underlying permit, the notice shall state that the project has
126 qualified as a planned action. If notice is not otherwise required for the underlying permit,
127 no special notice is required.

128 F. If the SEPA Responsible Official determines that a project does not qualify as
129 a planned action, the SEPA Responsible Official shall so notify the applicant and
130 prescribe a SEPA review procedure consistent with the City's SEPA regulations and the
131 requirements of state law. The notice to the applicant shall describe the elements of the
132 application that result in failure to qualify as a planned action.

133 G. Projects that fail to qualify as planned actions may incorporate or otherwise
134 use relevant elements of the applicable EIS, as well as other relevant SEPA documents,
135 to meet their SEPA requirements. The SEPA Responsible Official may limit the scope of
136 SEPA review for the non-qualifying planned action project to those issues and
137 environmental impacts not adequately or previously addressed in the planned action
138 EIS.

139 H. The decision of the SEPA Responsible Official regarding qualification as a
140 planned action shall be final with no administrative appeals."

141 **Section 2.** Lynnwood Municipal Code Chapter 17.02 is hereby amended to add a new section
142 17.02.300 entitled "City center planned action" as follows:

143 **"LMC 17.02.300 City center planned action**

144 A. Purpose. The city declares that the purpose of this section is to:

- 145 1. Combine environmental analysis with land use planning; and
- 146 2. Designate projects in the City Center sub-area as "planned actions" consistent
147 with state law (RCW 43.21 C.031); and
- 148 3. Streamline and expedite the land use permit review process by relying on
149 completed and existing environmental analysis for the City Center sub-area; and
- 150 4. Apply the Lynnwood Municipal Code, along with the mitigation framework of
151 this section to process project applications as planned actions.

152 B. Findings. The city council finds that:

- 153 1. The city is required to prepare and implement plans in accordance with the
154 provisions of the Washington State Growth Management Act (GMA), Chapter
155 36.70A RCW.
- 156 2. The city has adopted a comprehensive plan and City Center Sub-Area Plan in
157 compliance with the GMA.
- 158 3. Based on the report prepared by Lynnwood staff and reviewed by the city
159 council in connection with the passage of the ordinance codified in this section,
160 the environmental impacts of a planned action comprised of the Lynnwood City
161 Center Sub-Area (City Center) have been identified and adequately addressed in
162 the Lynnwood City Center Final Supplemental Environmental Impact Statement
163 ("Final SEIS") dated September 9, 2004 for the Lynnwood City Center Sub-Area

164 Plan and implementing development regulations, as supplemented by addenda
165 issued April 5, 2006 and May 24, 2011.
166 4. The Final SEIS was prepared pursuant to RCW 43.21C.031 in anticipation of
167 the City Center being designated a planned action.
168 5. There are no specific mitigation measures, other than development
169 regulations, that must be applied to a project application for development in the
170 City Center.
171 6. A streamlined process for review of project applications for development in the
172 City Center will benefit the public, protect the environment, and enhance
173 economic development.
174 7. Opportunities for public involvement and review have been provided, and
175 comments considered, as part of preparation of the Draft and Final SEIS for the
176 Lynnwood City Center Sub-Area Plan, implementing development regulations
177 and amendments thereto, and the ordinance codified in this section.

178 C. Qualifying criteria for evaluating and determining projects as City Center planned
179 actions.

180 1. Planned Action Area. A proposed project must be located in the City Center.
181 The City Center shall be comprised of an approximately 250 acre area generally
182 bounded by 194th Street SW and the planned extension of 194th St. on the north;
183 33rd Avenue West on the east; Interstate 5 on the southeast, and 48th Avenue
184 West on the west, as depicted in the diagram at the end of this section and
185 attached as Exhibit A to the Ordinance codified in this section.

186 2. Environmental Documents. Review of a project proposed as a planned action
187 for a site-specific development permit application shall be based on the
188 environmental analysis contained in the Lynnwood City Center Sub-Area Plan
189 Final Supplemental Environmental Impact Statement (FSEIS). "FSEIS" means
190 the City Center Planned Action Environmental Impact Statement composed of
191 the Draft Supplemental EIS (April 19, 2004) and the Final Supplemental EIS
192 (September 9, 2004); the City of Lynnwood Adoption of DS issued April 5, 2006
193 for the Lynnwood City Center Sub-Area Plan with an Addendum for the adoption
194 of certain City Center related code amendments and the City of Lynnwood
195 Adoption of DS issued May 24, 2011 for the Lynnwood City Center Sub-Area
196 Plan with an Addendum to address certain City Center related code
197 amendments.

198 3. Planned Action Qualifications. The following criteria and thresholds shall be
199 used to determine whether a proposed project qualifies as a City Center planned
200 action:

201 a. Land Use. The project land uses and activities must be permitted in the
202 City Center Zoning District (LMC Chapter 21.60). The project may
203 include the demolition of existing buildings and/or parking facilities; the
204 project is not road improvements, unless otherwise exempt under WAC
205 197-11-800.

206

207 b. Development Thresholds. The proposed project, combined with City
 208 Center projects approved by or pending with the city, cumulatively do not
 209 exceed the Development Envelope established by the Final SEIS, as
 210 shown in the following City Center Summary Development Table (Table
 211 17.02.01.) Table 17.02.01 identifies the maximum amount of planned
 212 action development for SEPA purposes. The data is based on
 213 anticipated market and economic conditions over a 20-year period.
 214 Development could occur anywhere within the City Center and at
 215 potentially differing rates from the estimates.

216 **Table 17.02.01 City Center Summary Development Table**

Land Use	Square Feet (sf) or Dwelling Units (du)	Stories or Density
Office (1)	4 million sf	15-34
Retail (2)	1.5 million sf	1-2
Residential (3)	3.6 million sf 3,000 du	50-70 du/acre 5-13 story*
Total	9.1 million sf	
New 2020 Development	6.6 million sf	

217 NOTES:

- 218 1. Includes approximately one (1) million square feet of existing development.
- 219 2. Retail development would replace existing retail.
- 220 3. New development.

221
 222
 223 c. Total build-out. A geographic shifting of the total build-out of
 224 development among uses within the City Center is allowed provided that:

- 225
- 226 i) The total build-out does not exceed the aggregate amount
 227 of development provided in Table 17.02.01; and
- 228 ii) The impacts of the development have been identified and
 229 mitigated in the Final SEIS.

230
 231 d. Elements of the Environment Analyzed in the Final SEIS. A project that
 232 would result in new significant adverse environmental impacts that were
 233 not identified in the EIS shall not qualify as a planned action.

234 e. Time Horizon. A proposed City Center Planned action project
 235 application may be considered provided that all of the development
 236 shown in Table 17.02.01 (City Center Summary Development Table) has
 237 not been constructed, or until the year 2025, whichever occurs first.

238 f. Significant changes. If the project significantly changes the
 239 assumptions for the environmental analysis identified in the Final SEIS,
 240 the project shall not qualify as a planned action and the SEPA
 241 Responsible Official shall require additional SEPA review.

242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281

D. Applications for planned actions shall be processed in accordance with LMC Section 17.02.029.”

Section 3. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication.

PASSED BY THE CITY COUNCIL, the _____ day of _____, 2012

APPROVED:

Don Gough, Mayor

ATTEST/AUTHENTICATED:

Lorenzo Hines
Finance Director

APPROVED AS TO FORM:

Rosemary Larson
City Attorney

FILED WITH ADMINISTRATIVE SERVICES: _____
PASSED BY THE CITY COUNCIL: _____
PUBLISHED: _____
EFFECTIVE DATE: _____
ORDINANCE NUMBER: _____

On the _____ day of _____, 2012, the City Council of the City of Lynnwood, Washington, passed Ordinance No. _____. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, AMENDING LYNNWOOD MUNICIPAL CODE CHAPTER 17.02 BY ADDING SECTION 17.02.029 ENTITLED “PLANNED ACTION PERMIT PROCESS” AND SECTION 17.02.300 ENTITLED “CITY CENTER PLANNED ACTION,” PROVIDING FOR PROJECT REVIEW OF PLANNED ACTION APPLICATIONS AND DESIGNATING DEVELOPMENT IN THE LYNNWOOD CITY CENTER AS A PLANNED ACTION PURSUANT TO RCW

291 43.21C.031, PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND
292 SUMMARY PUBLICATION.

293

294 The full text of this Ordinance will be mailed upon request.

295 DATED this _____ day of _____, 2012.

296

297

298

299

LORENZO HINES, FINANCE DIRECTOR

300

301

Exhibit A
City Center Planned Action Area

302

303

304

305

306

MAP OF CITY CENTER

307

308

309

310

311

312 **REVISED DRAFT: JAN 1, 2012**

Using SEPA to Encourage Economic Development and Sustainable Communities

By Jeremy Eckert, Foster Pepper PLLC¹

This article reviews and analyzes State Environmental Policy Act ("SEPA") tools that cities can use to encourage economic development and sustainable communities. The SEPA tools include categorical exemptions, three forms of "upfront SEPA," and functional equivalence. Used together, these SEPA tools can limit (or eliminate) SEPA-based challenges for urban projects, providing cities with a competitive edge to attract sustainable urban development.

A Challenging Task: Encouraging Urban Development

Washington State's cities are responsible for encouraging economic development and sustainable communities under the State's Growth Management Act ("GMA," Chapter 36.70A RCW). Generally, the GMA attempts to direct growth away from areas that have high resource and environmental values and into urban areas where infrastructure exists. In other words, encouraging urban development is an essential part of the State's environmental policy. Within this framework, the GMA attempts to balance environmental, housing, and economic development goals. Although environmental review is a necessary requirement to maintain the State's ecological integrity and policies, environmental review can also be used to obstruct rather than promote sustainable development.

In 1971, nearly 20 years before GMA's enactment, the Legislature enacted SEPA (Chapter 43.21C RCW) to ensure adequate environmental review of proposed projects. Since 1971, federal, state and local governments have adopted numerous additional environmental and growth management laws and regulations. Although specific environmental review occurs through these additional laws and regulations, SEPA review is fundamental to achieving the State's environmental and growth management goals. At the same time, SEPA review, including related administrative and judicial review, can delay and increase costs of projects with significant overall environmental, economic development and sustainability benefits, obstructing rather than promoting the State's environmen-

tal, growth and economic development policies in some cases.² For example, recently SEPA was used to challenge the State's first "Living Building," a commercial building located in a dense urban neighborhood and designed to generate 100% of its energy and water needs on-site, in addition to reaching numerous other "green building" benchmarks. Project opponents argued that the project requires an environmental impact statement, largely because the project will block their views.³ The legal challenge has cost the developer tens of thousands of dollars; and, if the opponents are successful, they will delay the project for a year or more and substantially increase project costs. The SEPA-based appeal of the Living Building is one example that demonstrates how SEPA review can work in some cases at cross-purposes with the State's environmental, growth and economic development policies.

This article reviews and analyzes the SEPA tools that are available for cities (and counties within unincorporated urban growth areas) to reduce regulatory delay and increase certainty for cities and urban developers. Specifically, this article reviews categorical exemptions, upfront SEPA review, and functional equivalence. Additionally, recent legislative enactments provide new financing mechanisms for the State's fiscally strained cities to fund the implementation of selected SEPA tools.

Categorical Exemptions

**Table 1: SEPA CATEGORICAL EXEMPTIONS
(WAC 197-11-800(1)(c))**

Project	Exemption Level
Residential Development	20 units
Multi-family Development	20 units
Commercial Development	12,000 square feet

Categorical exemptions provide a cost-effective tool for expediting development of projects that will not have a significant adverse environmental impact by exempting such projects from SEPA's environmental review requirements.⁴ Specifically, cities may use their legislative authority to exempt from SEPA review projects that would develop up to 20 residential units, 20 multi-family units, and 12,000 square feet of commercial development. The exemptions provide a substantial development incentive for projects at or below the categorical exemption levels. However, the exemptions are limited, and some developments that cities want to encourage are beyond the exemption levels. For example, the six-story Living Building in Seattle would not be eligible for the categorical exemption. Additionally, a mixed-use development near a Sound Transit rail stop would not be exempt from SEPA because the residential development likely exceeds 20 units and the retail space would likely exceed 12,000 square feet. Accordingly, projects that cities want to encourage (*i.e.*, the Living Building, transit-oriented-development, etc.) remain vulnerable to timely and costly SEPA review processes and appeals.

Upfront SEPA

For projects not eligible for a categorical exemption, SEPA provides cities with three forms of upfront SEPA to minimize or eliminate SEPA-based appeals at the project level. The three forms of upfront SEPA are: (1) infill exemptions; (2) planned actions; and (3) transit-infill review.⁵ If adopted, each tool requires the city to prepare or reference a non-project environmental impact statement (“EIS”) that analyzes the environmental impacts of future development at the planning stage for a specified sub-area. If a new EIS is necessary, the city is responsible for preparing and defending the non-project EIS. Once the non-project

EIS is complete, all projects that are consistent with statutory criteria and the sub-area’s development regulations may rely on the non-project SEPA review and mitigation measures.

The intent of upfront SEPA is to streamline urban development by reducing or eliminating duplicative environmental review and reducing or eliminating potential SEPA-based administrative appeals *at the project level*. As a practical matter, however, the form of upfront SEPA will have differential consequences for both the city that completes (and initially funds) the upfront EIS and the developer who relies on that EIS, as further described in Table 2.

Table 2: “UPFRONT SEPA”

	Planned Actions (RCW 43.21.031)	Infill Exemption (RCW 43.21C.229)	Transit-Infill Review (RCW 43.21C.420)
Date enacted	1995	2003	2009
Non-project EIS required?	Yes Or reference another relevant non-project EIS	Yes Or reference another relevant non-project EIS	Yes
City’s EIS cost recovery authorized?	No	No	Yes
Projects that may rely on non-project EIS	All projects in the specified subarea except essential public facilities	Only projects that are “mixed use” or residential	All projects in the specified subarea
“Shelf-life” of the non-project EIS	Not specified	Not specified	<ul style="list-style-type: none"> • The non-project EIS must be issued by July 18, 2018 • The project must vest ten years after the EIS is issued
EIS notice provisions	As provided in WAC 197-11-510	As provided in WAC 197-11-510	Extensive notice provisions
Project appeals for projects that are consistent with sub-area plan	Subject to appeal under WAC 197-11-172(2)(b)	Subject to appeal under WAC 197-11-305	Not subject to administrative or judicial appeals if the project vests within ten years of the EIS’s issuance

Planned Actions, RCW 43.21.031

To date, cities have predominantly relied on “planned actions” (RCW 43.21C.031) to complete the upfront environmental review of a sub-area. Planned actions have been used successfully to encourage economic development and sustainable communities.⁶ However, planned actions have several practical limitations. First, preparing and potentially defending a non-project EIS is expensive. Other statutory provisions prohibit cities from recovering funds associated with completing a non-project EIS for a planned action ordinance, creating a significant cost for Washington State’s fiscally strained cities. Second, essential public facilities may not be included in a planned action

and rely on the planned action’s non-project EIS. Finally, projects relying on the non-project EIS *are vulnerable to SEPA-based challenges* at the project level: (1) if the project does not meet the requirements of the planned action ordinance *or* (2) where the earlier-completed EIS does not adequately address all probable significant adverse impacts of a particular proposed project (WAC 197-11-172(2)(b)).⁷ In effect, SEPA’s planned action provisions allow a project opponent, instead of challenging the non-project EIS years earlier when it was prepared, to “second guess” the non-project EIS at the project level. This undermines the purpose of SEPA’s planned action provision to increase regulatory certainty and reduce delay for the development of urban projects.

Infill Exemptions, RCW 43.21C.229

The Legislature amended SEPA twice in an attempt to address planned action shortcomings. The 2003 “infill exemption” (RCW 43.21C.229) authorizes a city to enact new categorical exemptions beyond the levels authorized in WAC 197-11-800 (discussed above) if the city’s comprehensive plan was subjected to environmental analysis through a non-project EIS prior to adoption. The exemptions may extend to all residential and “mixed-use” developments that are consistent with a sub-area plan for which a non-project EIS was completed. When used, the infill exemption is an effective tool to reduce the scope of SEPA-based appeals for certain types of urban development (e.g., the Living Building or transit-oriented development). In fact, it is unclear why more cities do not use the infill exemption. Perhaps elected officials are not aware of the tool, or perhaps they are concerned about potential adverse public response to enactment of additional categorical exemptions.

However, the infill exemption does have certain limitations. Like planned actions, the infill exemption does not authorize a city to recover the costs associated with the non-project EIS. The infill exemption is also limited to residential and mixed-use development, but the statute does not define “mixed-use.” Apparently, the development must include some residential development to be eligible, and purely commercial and/or industrial and/or institutional development is excluded. Finally, projects relying upon the infill exemption remain vulnerable to SEPA appeals based on claims under WAC 197-11-305.⁸

Transit-Infill Review, RCW 43.21C.420

Enacted in 2009, “transit-infill review” (RCW 43.21C.420) is intended to expedite transit-oriented-development by addressing the limitations of planned actions and the infill exemption. First, transit-infill review explicitly authorizes cities to charge developers a fee to recover all costs associated with the non-project EIS. Second, all development (e.g., commercial, industrial, mixed-use, residential, and public facilities) may rely on the non-project EIS. Finally, transit-infill review *eliminates all SEPA-based appeals* for subsequent urban development projects if:

- (1) The city completes a non-project EIS for a sub-area plan and development regulations designed to accommodate infill development;
- (2) The infill development is consistent with the sub-area plan and development regulations; and
- (3) The developer submits an application sufficient to vest the project within a period specified by the city, *not to exceed ten years* after the issuance of the final EIS.⁹

Unlike planned actions, project opponents may not “second guess” the non-project EIS at the project level in an attempt to establish a litigable SEPA issue. Accord-

ingly, using transit-infill review, cities can encourage urban development (e.g., the Living Building or transit-oriented-development) by eliminating project-based SEPA appeals, provided that the specific project satisfies the above criteria.

Cities considering using transit-infill review should be aware of the statute’s eligibility criteria, extensive mailed notice, and upfront public participation provisions. These provisions vary depending on population and region of the State. Additionally, transit-infill review contains a sunset provision. That provision establishes a July 18, 2018 cut-off date for EISs that may be used for transit-infill review. After July 18, 2018, projects may continue to rely on the non-project EIS for limitations on further SEPA only if the EIS was issued by the city before July 18, 2018. In effect, cities have approximately a seven year window to complete a non-project EIS for transit-infill review purposes.

Functional Equivalence

A “functional equivalence” provision enacted in 1995 (RCW 43.21C.240) arms GMA planning jurisdictions (for the purposes of this article, “cities”) with a cost-effective tool to limit the time, expense, and scope of SEPA review. Functional equivalence allows cities to determine that existing local, state, and federal laws or rules provide adequate analysis and mitigation of some or all of the specific adverse environmental impacts of a proposed project. This allows the city to streamline the review process without the preparation of a costly EIS.¹⁰

However, cities that rely on functional equivalence do not immunize development projects from potential SEPA-based judicial and administrative appeals. The regulations enacting functional equivalence allow project opponents to identify environmental “impacts resulting from changed conditions, impacts indicated by new information, [or] impacts not reasonably foreseeable in the GMA planning process” (WAC 197-11-158(3)). If such impacts are identified, the project may require an EIS, and that EIS is then subject to an adequacy appeal. This process may stall the project for years and greatly increase project costs, perhaps to a point of infeasibility. In short, SEPA’s functional equivalence provision may not provide the same level of certainty and expedition as upfront SEPA.

From a practical perspective, however, functional equivalence can play a supporting role to narrow the scope of potential SEPA-appeals. For example, a jurisdiction that has enacted a planned action ordinance may also use functional equivalence when issuing a threshold determination for a proposed project. The city’s threshold determination would state that the requirements for environmental analysis, protection, and mitigation have been adequately addressed in the city’s development regulations, comprehensive plan, and in other applicable federal, state and local laws or rules, *including the mitigation identified in the planned action ordinance*. Therefore, if a project opponent successfully challenges the planned action on the basis of a

no longer adequate non-project EIS, the city may rely upon functional equivalence to demonstrate SEPA compliance nevertheless.

Moving Forward: Urban Development and SEPA

Project opponents repeatedly use SEPA as their primary legal means to challenge urban development. The use of the State's most fundamental environmental law to block urban development is particularly ironic because the State has made strong policy decisions to encourage urban development as a means to protect farms and forests (by directing growth away from those lands) and to reduce the State's greenhouse gas emissions (by making transit and transit-oriented-development available in urban areas).

Categorical exemptions, the three forms of upfront SEPA, and functional equivalence used separately or in combination provide effective tools to foster sustainable urban development. By utilizing these tools, cities can provide urban developers with significant reductions in regulatory uncertainty and potential delay caused by time consuming and costly SEPA-based appeals. In short, these complementary SEPA tools may enable cities to promote and expedite economic development and sustainable communities.

Jeremy Eckert is an attorney at Foster Pepper, PLLC. Mr. Eckert counsels private and public clients on land use, environmental, real estate, municipal law, and water law issues. He has represented clients in issues involving federal, state and local regulations, including the Clean Water Act, the Endangered Species Act, the Growth Management Act, the Shoreline Management Act, the State Environmental Policy Act, and the Land Use Petition Act. Mr. Eckert's practice also focuses on water resources and water rights matters, including water right due diligence, water right changes/transfers, municipal water systems, and associated litigation. Mr. Eckert can be reached at 206-447-6284; eckej@foster.com.

- 1 The author thanks his colleagues Dick Settle and Pat Schneider for their assistance with this article. Mr. Settle, Mr. Schneider, and Mr. Eckert assisted in drafting RCW 43.21C.420 (the most recent upfront SEPA statute). The author also thanks Deborah Munkburg, principal and partner at inova planning communication design llc, for her valuable insights.
- 2 See WAC 197-11-330(5) (in making a SEPA threshold determination, the lead agency may not balance beneficial aspects of a proposal with adverse environmental impacts).
- 3 See WAC 197-11-330(5) (here, the beneficial environmental aspects of the Living Building may not be used to offset the building's potential adverse environmental impacts, including any viewshed impacts). See also WAC 197-11-444(2)(b)(iv); *Polygon Corp. v. City of Seattle*, 90 Wn.2d 59, 578 P.2d 1309 (1978).
- 4 Defined in WAC 197-11-720, "categorical exemption" "means a type of action, specified in these rules, which does not significantly affect the environment (RCW 43.21C.110 (1)(a)); categorical exemptions are found in Part Nine of these rules. Neither a threshold determination nor any environmental document, including an environmental checklist or environmental impact statement, is required for any categorically exempt action (RCW 43.21C.031). These rules provide for those circumstances in which a specific action that would fit within a categorical exemption shall not be considered categorically exempt (WAC 197-11-305)."

- 5 These terms are used for descriptive purposes in this article, and the descriptive term may not appear in the relevant SEPA statute authorizing the tool.
- 6 Planned action success stories abound. For example, the City of Everett used a planned action to complete environmental review for the Paine Field sub-area as an incentive for Boeing to keep its operations in Washington State. Today, Paine Field is home to the Boeing manufacturing plants for the 747, 767, 777, and 787 aircraft. In addition to economic development, cities have successfully used planned actions to encourage urban revitalization projects, with examples including Mill Creek Town Center and Federal Way City Center.
- 7 See, *Davidson Serles & Associates v. City of Kirkland*, 159 Wn. App. 148, 244 P.3d 1003 (2011).
- 8 For example, a SEPA-based challenge under WAC 197-11-305(1)(b) (ii) may assert that a project relying upon the infill exemption is one project in a series of exempt actions that are physically or functionally related to each other, and that together the projects may have a probable significant impact upon the environment.
- 9 The ten-year vesting requirement creates a potential timing issue for sub-area plans with a build-out scenario exceeding ten years.
- 10 See, e.g., *Moss v. City of Bellingham*, 109 Wn. App. 6, 31 P.3d 703 (2001), review denied, 146 Wn.2d 1017, 51 P.3d 86 (2002).

Lynnwood Planning Commission
Meeting of January 12, 2012

Staff Report

Agenda Item: G-1
Department of Ecology - Shoreline
Master Program Approval

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

Lynnwood Community Development Dept.

ACTION

None required. For information.

BACKGROUND

The Washington State Shoreline Management Act (SMA) was adopted by Washington voters by referendum in 1972. Jurisdictions with "shoreslines of the state" are required to adopt and maintain a Shoreline Master Program (SMP). Under the SMA the entire Puget Sound shoreline is subject to SMA jurisdiction. Lynnwood has about 750 lineal feet of shoreline along the Puget Sound which is subject to the SMA.

On May 23, 2011 the Lynnwood City Council passed Ordinance No. 2890 approving the City of Lynnwood SMP and authorizing the Mayor to transmit the SMP to the Washington State Department of Ecology for review and approval.

The City Council's passage of the SMP followed a Lynnwood Planning Commission public hearing on the draft SMP on October 28, 2010. Following the public hearing, the Planning Commission recommended that the City Council approve the SMP.

In accordance with Ordinance No. 2890, the SMP was forwarded to the Washington State Department of Ecology for its review and approval process. SMP's require Department of Ecology approval, and can be returned back to the local government for further amendments if deemed unsatisfactory.

In a letter dated December 1, 2011 (attached), the Department of Ecology indicated that it has approved the City of Lynnwood Shoreline Master Program as submitted. The SMP went into effect December 15, 2011.

RECOMMENDATION

For information only.

ATTACHMENTS

Department of Ecology letter dated December 1, 2011.



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47600 • Olympia, WA 98504-7600 • 360-407-6000
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

December 1, 2011

The Honorable Don Gough, Mayor
City of Lynnwood
19100 44th Avenue West
Lynnwood, WA 98046

Re: Final Ecology Approval of City of Lynnwood Shoreline Master Program

Dear Mayor Gough:

I would like to take this opportunity to commend the city of Lynnwood (City) for its efforts in developing the proposed Shoreline Master Program (SMP). It is not only consistent with the needs of the City, but also with the policy and procedural requirements of the Shoreline Management Act of 1971 and the Shoreline Master Program Guidelines.

That said, it pleases me to inform you that the City's SMP is approved as submitted. The SMP is effective fourteen days after the date of this letter. The enclosed Attachment A and Findings and Conclusions document provides more information about our decision. This is the Washington State Department of Ecology's (Ecology) final action and there will be no further modifications to the proposal.

As a reminder, Ecology is required to publish a legal ad stating that Ecology has taken final action on the City's SMP. The publication of the notice begins a 60-day public appeal period. We will provide a copy of the legal ad to the City for its records.

Ecology appreciates the efforts the City and lead planner John Bowler put into completing the City's first Shoreline Master Program.

Should you have any questions, please contact our Regional Planner, David Pater, at David.Pater@ecy.wa.gov or (425) 649-4253.

Sincerely,

A handwritten signature in black ink, appearing to read "Ted Sturdevant".

Ted Sturdevant
Director

Enclosures

By certified mail [7003 1010 0005 0569 1178]

cc: John Bowler, City of Lynnwood
Paul Krauss, City of Lynnwood
David Osaki, City of Lynnwood
David Pater, Ecology
Peter Skowlund, Ecology

