

AGENDA

Lynnwood Planning Commission

Thursday, May 22, 2014 — 7:00 pm

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

A. CALL TO ORDER – ROLL CALL

B. APPROVAL OF MINUTES

1. Approval of the minutes of the April 24, 2014 meeting.

C. CITIZEN COMMENTS – (on matters not scheduled for discussion or public hearing on tonight's agenda) Note: Citizens wishing to offer a comment on a non-hearing agenda item, at the discretion of the Chair, may be invited to speak later in the agenda, during the Commission's discussion of the matter. Citizens wishing to comment on the record on matters scheduled for a public hearing will be invited to do so during the hearing.

D. PUBLIC HEARINGS

1. 2014 Comprehensive Plan Potential Amendment List
 - a. Highway 99 Consistency (City of Lynnwood)
 - b. 16925 & 17009 52nd Ave W (Butler Developments LLC)

E. WORK SESSION TOPICS

1. City Center Project Prioritization

F. OTHER BUSINESS

G. COUNCIL LIAISON REPORT

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.

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**CITY OF LYNNWOOD
PLANNING COMMISSION MINUTES
April 24, 2014 Meeting**

Commissioners Present:	Staff Present:
Richard Wright, Chair	Corbitt Loch, Dep. Director Comm. Dev.
Robert Larsen, First Vice Chair	Gloria Rivera, Senior Planner
Chad Braithwaite, Second Vice Chair	Todd Hall, Associate Planner
Maria Ambalada	
George Hurst	
Doug Jones	
Michael Wojack	
	Other:
Commissioners Absent: None	Councilmember Van AuBuchon

Call to Order

The meeting was called to order by Chair Wright at 7:00 p.m.

Approval of Minutes

1. Approval of minutes of the March 27, 2014 Meeting

Motion made by Commissioner Braithwaite, seconded by Commissioner Ambalada, to approve the minutes of the March 27, 2014 meeting as presented. Motion passed unanimously (7-0).

Citizen Comments

None

Public Hearing

1. Amendments to LMC 21.42.400 Accessory Structures and Uses – Ordinance to allow Pygmy, Dwarf and Miniature Goats

Staff Report:

Senior Planner Gloria Rivera gave a PowerPoint presentation and discussed draft amendments to the single family residential code to allow the keeping of miniature goats. Reasons for consideration are sustainability, companionship, and food. She discussed the proposed regulations as contained in the Planning Commission packet pages 11-13. Chair Wright solicited questions from the Commission. There were none. The public testimony portion of the public hearing was opened at 7:06 p.m.

Public Testimony:

Mike Harris, 18402 – 66th Avenue West, Lynnwood, WA 98037, spoke in favor of the proposed change to the Lynnwood Municipal Code to allow for the keeping of pygmy, dwarf, and miniature goats.

Ann Smeester, 19104 – 74th Avenue West, Lynnwood, WA, said she spoke in support of the opportunity to raise goats in single family residential areas.

Seeing no further public testimony, the public testimony portion of the hearing was closed at 7:09 p.m.

Commission Discussion:

Commissioner Jones asked if this portion of the code had a minimum lot size requirement. He expressed concern about ending up with a farm type situation on a small lot. Senior Planner Rivera replied that for the raising of goats, staff is proposing the minimum lot size be 7,200 square feet.

Commissioner Hurst asked if chickens are licensed. Senior Planner Rivera replied they are not. Commissioner Hurst asked if they are looking at goats as pets rather than livestock. Senior Planner Rivera indicated that goats are viewed as pets. Commissioner Hurst noted that goats can be used for control of weeds and vegetation. He asked if these will be limited to pens. Senior Planner Rivera replied that they could be allowed out on a limited basis, but would be primarily in pens.

Commissioner Ambalada asked if the kids would be licensed. Senior Planner Rivera replied that they would not. She explained that at a certain age the owner would need to remove any goats in excess of two. Commissioner Ambalada said she was curious about the revenue the city could get by licensing the goats.

Senior Planner Rivera added that a proposed change requested by a member of the public was to take out the requirement to provide a solid floor for the shelter because they would prefer use deep straw as opposed to a wood floor.

Commissioner Larsen said they were fortunate to have people present in support of this. He asked someone from the audience to explain why they wanted to have goats. Are they viewed as pets or livestock? If they are livestock, what do they intend to do with them? Finally, if they get out, do they roam?

Mike Harris said that goats are thought of as pets. They are easier to maintain than dogs. They can't run as fast, cause as much damage or bite. There is less liability than could occur with a dog. Another reason to consider them is their novelty. One of the biggest reasons is the vegetation control in their yard. He stated that his family may milk the goats and harvest their wool. The products they produce could pay for their feed, their care, and ongoing maintenance.

Commissioner Wojack asked what goats pack down on if there is no wood floor. Mr. Harris replied that they would use straw or wood shavings. It allows for odor control and ease of cleaning as well as making a soft insulated bed on the ground. Commissioner Wojack expressed concern about the odor of wet hay. Mr. Harris replied that they would keep the bedding picked up. They also would be using straw or wood shavings on the floor, which does not usually produce an odor. The hay would be covered up and kept dry since it is their food source.

Commissioner Ambalada asked if the goats have the intelligence of dogs and cats. Mr. Harris replied that they do not have the intelligence, but they do respond to human commands. Usually they imprint on someone and follow them around the yard. They like affection and like to be close to people.

Commissioner Larsen asked staff if they had heard any reasons not to allow goats from animal control or code enforcement. Senior Planner Rivera replied that the code had not been circulated to those groups, but it could be. Commissioner Larsen suggested requiring two or more of these animals since they are such social animals. He commented that he felt all animals with four legs should be registered.

Deputy Director Corbitt Loch commented that one of the speakers referred to the money that can be generated by a goat. He clarified that the Ordinance, as written, states that goats are for personal use only. The intent is not to create a new type of home occupation or a new business enterprise, but to allow homeowners to have one or more goats for their personal use.

Commissioner Wojack thanked Deputy Director Loch for bringing that up and recommended that they add verbiage that the goats' milk will not be sold and animals will not be used for services.

Commissioner Braithwaite said he would be voting against this. He doesn't think pygmy goats will be a problem for the City, but he wanted to be a voice for people who didn't necessarily want to have livestock next door to them for intangible reasons. He also expressed concern whether the City's code enforcement and animal control functions have adequate funding to enforce existing or proposed rules.

Motion made by Commissioner Braithwaite to amend page 5, line 12, to remove "floor" from that provision. There was consensus to approve the amendment.

Motion made by Commissioner Larsen to amend the proposed ordinance on page 4, line 43, and change "maximum of two goats" to a "minimum of two goats and a maximum of three". There was consensus to approve the amendment.

Motion made by Commissioner Jones to amend the proposed ordinance on page 4, line 35, to add: "(Dairy products and services shall not be sold.)"

Mike Harris commented that there are more than just milk and wool products that could be sold. He suggested prohibiting commercial uses of goats. Deputy Director Loch commented on options available to the Commission. He suggested that they could give Council some options for a future meeting.

Commissioner Hurst moved to amend the motion to say, "personal non-commercial use" although he commented that he thought the existing language was clear enough already that it was for personal use only. Commissioner Larsen concurred with Commissioner Hurst to add "non-commercial use" Commissioner Jones concurred with the amendment to his motion. There was consensus to approve the amendment.

Motion made by Commissioner Ambalada, seconded by Commissioner Jones, to forward the ordinance as amended to the City Council for their consideration with a recommendation for approval. Motion carried (5-2).

Work Session

None

Other Business

1. LED Exterior Lighting – Discussion/Demonstration led by Commissioner George Hurst

Deputy Director Loch explained that this item was intended to help the Commission take action on draft rules for exterior lighting. Commissioner Hurst led a discussion and demonstration on LED lights.

Commissioner Larsen asked if LED lights produce much heat and what the life span is. Commissioner Hurst replied that initially, LED bulbs had a lot of failures because of heat issues. Over time, technology has improved, and some bulbs can last up to 80,000 hours.

Commissioner Braithwaite observed that there is not a cutoff on the lights shown. He noted that if they were put up on a pole there would still be a lot of visible bulb. He asked if they make fixtures with a shield around them to limit the viewing angle of the LEDs. Commissioner Hurst explained that the BUG (backlight, upright and glare) rating would relate to this as well as the levels they decide to follow. Commissioner Braithwaite commented that the payback time period for residential LED lights is pretty short (about a year) depending on how much they are used. He asked about the economics for industrial LED lights. Commissioner Hurst replied that the prices are going down even though the fixtures are getting

more efficient. There was consensus that the draft regulations for exterior lighting would be discussed at a future Commission meeting.

Council Liaison Report

Councilmember AuBuchon had the following comments:

- He thanked the Planning Commission for their input on the pygmy goat issue.
- He noted that there would be a community budgeting meeting with the Mayor on May 7. He stated that this is the Mayor's idea of a joint meeting for now. He encouraged the Planning Commission to attend.

Director's Report

Deputy Director Loch had the following comments:

- Director Krauss is on his way to Atlanta to the National Conference of the American Planning Association.
- He asked if the Planning Commissioners are now receiving the American Planning Association's Planning magazine. Commissioners indicated they are still not receiving them. Deputy Director Loch said he would follow up on that.
- The City Council recently approved the Development Agreement for the remainder of the Lynnwood Place Development at the former Lynnwood High School site. The Costco building is being reviewed for a building permit now. The next steps will be the issuance of grading permits for mass grading of the site. That could occur in May or June of this year.

Commissioners' Comments

Commissioner Wojack commented that his house got broken into and he has had to have several things fixed. He went to the permit center to get a permit to run one wire and it cost him \$99 for the permit. Upon discussing this with contractors he was told that everyone knows that "Lynnwood is known for taking every cent you have." He asked Deputy Director Loch if Lynnwood's permit fees are out of line.

Commissioner Braithwaite referred to the Lynnwood Place Development and recalled he had expressed concerns about the City paying for the ring road back when the Planning Commission was discussing this. He wondered if this was still the case. Deputy Director Loch replied that the Development Agreement that relates to the road and the funding of it is the first Development Agreement. He estimated that the road is approximately a \$6 million project. The City's financial contribution to that project is approximately \$400,000 for the regional traffic share that is not attributed to this development. The City took the initiative to apply for a Transportation Improvement Board grant for \$3 million. This will reduce the developer's costs, but the remainder of the project will be paid for by Cypress. Commissioner Braithwaite said he would have liked to have known at the time the Planning Commission was discussing this, because essentially the City is

giving away a couple years of sales tax revenue in order to pay for the road for the developer. Deputy Director Loch acknowledged that there were some significant project details in the Development Agreement that are not technically land use issues and therefore were not reviewed by the Planning Commission since they are not within the decision criteria for land use actions.

Councilmember AuBuchon commented that the ring road is a public street. If the City were to build the road they would have bought the right-of-way, prepared the site, and contracted for the paving of the three lanes. As it worked out, the school district gave the City the right to the right-of-way. Cypress will prepare the road base. The City will build the road, but that work is being paid for through the TIB grant. They know that in the future they will need to expand the road to five lanes, but for now it is virtually at no cost to the City.

Commissioner Larsen asked if the roadway will have a sidewalk. Councilmember AuBuchon replied that it would have a sidewalk and a bike lane on one side. There will be full sidewalks all the way around the outside. You will also be able to walk through the property very easily and continue offsite to the Interurban Trail.

Chair Wright commented requested that email be sent to his Comcast address until he can figure out how to access his city email. Councilmember AuBuchon said they could send it to his city address, but forward it to his other email. Commissioner Wojack added that he hasn't been able to get into his City email for years.

Commissioner Ambalada asked Councilmember AuBuchon to give an update on a recent discussion at a Council meeting regarding the Planning Commission's work on the Transition Area. Councilmember AuBuchon explained there were some concerns about public hearings. His concern was basically that the Planning Commission's recommendation to Council was virtually gutted. He had been concerned about that and voiced his opinion at the Council's Work Session. Additionally, there are three new members on the Council plus a new Mayor. All the work that was done was before the Mayor took office and before three of the members were there. He made the observation that he was the only person in the room that night that had been to all the meetings concerning the Transition Area. His suggestion to the Council and staff last week was to have it brought back to the Planning Commission to rework it because right now there is a great deal of confusion.

Adjournment

The meeting was adjourned at 8:27 p.m.

Richard Wright, Chair

Lynnwood Planning Commission
Meeting of May 22, 2014

Staff Report

Agenda Item:
2014 Comprehensive Plan Proposed
Amendment List (PAL) (CPL-001454-2014 &
CPL-001551-2014)

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

Lynnwood Dept. of Community Development

1

2 **ACTION**

3 Make a recommendation to City Council on whether to approve the 2014 Comprehensive
4 Plan Proposed Amendment List (PAL), or annual “docket.”

5 **BACKGROUND**

6 The Municipal Code provides a process for annual consideration of amendments to the
7 City’s Comprehensive Plan. Review of these amendments is a major component of the
8 Planning Commission’s annual work program. The community development director
9 compiles and maintains for public review a proposed amendment list (PAL), or annual
10 “docket”, concerning amendments to the comprehensive plan and subarea plans. The
11 decision criteria for taking action on the PAL is located in the Implementation Element of
12 the Comprehensive Plan and attached for review (Attachment A).

13 The Municipal Code provides for two “types” of proposals to amend the Plan: formal
14 amendment applications and suggested amendments. Suggested amendments are ideas or
15 proposals that someone would like the City to consider but, for whatever reason, they do
16 not wish to file a formal application. Formal amendments are those in which an applicant
17 has submitted formal application for a specific project-related or site-specific amendment
18 to the comprehensive plan. Both proposed amendments are formal applications and
19 therefore have been automatically placed on the PAL.

20 **ANALYSIS AND COMMENT**

21 This year, two amendments are on the PAL, both of which are formal amendments.
22 Attachment B is the Highway 99 Consistency Comprehensive Plan Amendment.
23 Attachment C is the Butler Comprehensive Plan Amendment.

24 At this public hearing, staff will review this year’s proposed amendments and requests
25 that the Planning Commission decide whether to approve or modify the proposed PAL, in
26 part or full, based on the Decision Criteria (Attachment A). The Planning Commission’s
27 recommendation will be forwarded to the City Council for their review and approval.

1 **Highway 99 Consistency Comprehensive Plan Amendment** – Applicant: Gloria
2 Rivera, Community Development

3 Gloria Rivera, on behalf of the Community Development Department, submitted staff-
4 initiated amendments to the Highway 99 Subarea Plan as part of annual update to City of
5 Lynnwood Comprehensive Plan. Amendments include Sub-Policy 1.3.3 to remove
6 unlimited height to provide consistency with the City’s development regulations and Sub-
7 policy 3.2.1 to remove minimum lot area for multi-family development outside the nodes
8 and to provide consistency with the City’s development regulations. The Highway 99
9 consistency is in accordance with direction by the City Council.

10
11 **Staff Analysis:** The applicant has provided a detailed analysis on the five decision
12 criteria from the Implementation Element of the Comprehensive Plan (Attachment A).
13 Staff concurs with the responses provided.

14
15 **Staff’s Recommendation:** Based on the responses to the Decision Criteria provided by
16 the applicant (Ms. Rivera) (Attachment B), staff recommends this item be added to the
17 2014 Comprehensive Plan PAL.

18
19 **Butler Comprehensive Plan Amendment** – Applicant: Jeff Butler, Butler
20 Developments LLC

21 Jeff Butler, on behalf of Butler Developments LLC, submitted an application for map
22 amendments to the City of Lynnwood Future Land Use Map of the Comprehensive Plan
23 for two parcels totaling 5 acres located at 16925 & 17009 52nd Ave. W. The amendment
24 will also require a concurrent rezone to the Official Zoning Map. The applicant proposes
25 to re-designate the subject properties as follows – Comprehensive Plan: SF-1 (Low-
26 Density Single-Family) to MF-1 (Low-Density Multi-Family). Zoning: RS8
27 (Residential 8400 Sq Ft) to RML (Multiple Residential Low Density).

28
29 **Staff Analysis:** The applicant has provided a detailed analysis on the five decision
30 criteria from the Implementation Element of the Comprehensive Plan (Attachment A).
31 While staff generally concurs with the applicant’s responses to the Decision Criteria,
32 Policy LU-2.12 of the Land Use Element states the following:

33 Policy LU-2.12 No single-family residential property (SF) shall be rezoned to any
34 form of multi-family (MF) use; except in rare instance, and then
35 only upon showing of clear and convincing evidence of need.

36 The above policy is very clear that no SF property shall be rezoned to any form of multi-
37 family unless clear and convincing evidence is provided. While it is understood that the
38 property is partially encumbered by wetlands, thus impacting the full development
39 potential of the property, the applicant still has reasonable use of the property as a single-
40 family zoned and land use-designated property. And although surrounded primarily by
41 commercial or multi-family on three sides, the primary access from 52nd Ave. W passes
42 through existing single-family residences. If rezoned, several more units and trips per day

1 would be utilizing this road, which may impact existing residences. Therefore, staff does
2 not agree with the applicant's response to criteria number 2, "...without creating
3 significant impacts on existing sensitive land uses, business and residents."

4 Based on this information, staff does not find a "clear and convincing evidence of need"
5 to rezone and redesignate the property to multi-family.

6 **Staff Recommendation:**

7 Based on the responses provided to the Decision Criteria provided by the applicant (Mr.
8 Butler) (Attachment C), Policy LU-2.12 which does not permit the rezoning of single-
9 family to multi-family without clear, convincing evidence of need, and staff's analysis
10 above, staff recommends this item be removed from the 2014 Comprehensive Plan PAL.

11 **SCHEDULE**

12 Following tonight's public hearing, the City Council will review and approve or deny the
13 2014 Comprehensive Plan PAL. At a future meeting, the Commission will be asked to
14 make a recommendation on each proposal on the 2014 Comprehensive Plan PAL to the
15 City Council for consideration at a future meeting and public hearing.

16 **RECOMMENDATION**

17 Discuss the proposed 2014 Comprehensive Plan PAL, remove the Butler Comprehensive
18 Plan Amendment from consideration, and make recommendation to City Council for
19 approval of the 2014 Comprehensive Plan PAL at a future meeting.

20 **ATTACHMENTS**

- 21 A. Comprehensive Plan Amendment Decision Criteria – Excerpt from
22 Implementation Element
23 B. Highway 99 Consistency Comprehensive Plan Amendment
24 C. Butler Comprehensive Plan Amendment

DECISION CRITERIA

The Implementation Element of the Comprehensive Plan states the following criteria for taking action on proposed Plan amendments:

“Each component of a Comprehensive Plan Amendment package shall be reviewed and approved only if it meets all of the following criteria:

- “The proposal is consistent with the provisions of the Growth Management Act and will not result in Plan or regulation conflicts; and
- “The proposal will change the development or use potential of a site or area without creating significant adverse impacts on existing sensitive land uses, businesses, or residents; and
- “The proposed amendment can be accommodated by all applicable public services and facilities, including transportation; and
- “The proposal will help implement the goals and policies of the Lynnwood Comprehensive Plan; and
- “If the proposal could have significant impacts beyond the Lynnwood City Limits, it has been sent to the appropriate Snohomish County officials for review and comment.”

These criteria will form the basis for the Planning Commission’s recommendation on the 2014 PAL proposals (and then action on the proposals by the City Council). Action on the proposed amendments will be scheduled following work sessions (to brief the Commission on the amendments) and a public hearing (for comments from the public on the amendments).

COMPREHENSIVE PLAN – TEXT AMENDMENTS

CPL-001454-2014 (HIGHWAY 99 CONSISTENCY)

(Incorporated by reference by the City Council into the City Comprehensive Plan on September 11, 2011)

Text Amendment #1

Current Land Use (Goal 1), Policy 1.1, 1.3.3: The policy reads: “Encourage specific standards for the Hwy 99 Mixed Use zone.” The sub-policy reads: **“Do not limit building height for buildings incorporating residential development.** In order to encourage more residential development at the nodes along the corridor no maximum height is established for buildings incorporating residential units within the HMU zone. Design standards and guidelines will be established to ensure new development does not negatively impact adjacent residential neighborhoods.”

Table 12.46.13(a) of the development regulations read as follows:

Table 12.46.13(a) Development Level			
	1	2	3
	Sites with non-residential development only and less than 2 acres in size	Sites with non-residential development only , on sites 2 acres or greater in size OR sites of any size with residential development of less than 20 dwelling units/acre	Sites with residential/mixed use development or residential-only development with 20 dwelling units/acre or more of residential development
Development Standard			
Minimum Lot Area		None	None
Minimum Setbacks*			
Public Street	None	None	None
Interior Property Lines	None	None	None
Ground Floor Residential Units+	-	10 ft.	10 ft.
Minimum Sidewalk Width Along Public Streets	12 ft.	12 ft.	12 ft.
Maximum Lot Coverage	25%	35%	None
Maximum Building Height	35	50 ft.	90 ft., not to exceed six stories
Minimum Dwelling units/Acre++	N/A	N/A	20 DU/A

Maximum Floor-Area Ratio	0.5	1.0	3.0
<p>* See LMC 21.62.450 for development adjacent to a residential zone (Transitional Property Lines).</p> <p>+ Applies to residential projects only; setback is from all public rights-of-way, internal circulation (vehicle, bicycle, pedestrian), parking areas, or access easement. Alternatively, where vision-obscuring glass is installed, the setback may be eliminated.</p> <p>++ The minimum number of residential units to qualify for this Level shall be calculated using the entire project site. Where residential development is part of redevelopment of one or more parcels, this calculation shall be based only on the portion of the parcel(s) being redeveloped. Fractional portions of a unit are “rounded up: for this calculation.</p>			

Proposed Amendment:

Land Use (Goal 1), Policy 1.1, 1.33: The policy reads: “Encourage specific standards for the Hwy 99 Mixed Use zone.” The sub-policy reads: **“Do not limit building height for Establish for buildings incorporating residential development a maximum height of 90 feet, not to exceed six stories.** In order to encourage more residential development at the nodes along the corridor ~~no maximum height is a maximum height of 90 stories, not to exceed six stories is established for~~ buildings incorporating residential units within the HMU zone. Design standards and guidelines will be established to ensure new development does not negatively impact adjacent residential neighborhoods.”

Rationale for Amendment:

Following adoption of the Comprehensive Plan and Development Regulations, it was brought to the attention of the City, an inconsistency for height existed between the Comprehensive Plan and Development Regulations. Establishing a height limit of six stories would be consistent with standard five stories of wood over concrete. At the same time, the five stories would be higher than typical housing allowed in the city’s multi-family zones and would allow for increased density adjacent to Highway 99.

Text Amendment #2

Current Land Use (Goal 3), Policy 3.2, 3.2.1: The policy reads: “Consider allowing residential development at larger parcels outside of the nodes.” The sub-policy reads: **“Allow residential development at parcels five acres or larger through approval of a planned unit development.** In addition to the nodes identified in Policies 1.1 and 1.2, larger parcels on other parts of the nodes may be suitable for residential or mixed-use –with-residential development. Owners of such parcels may seek to develop the property as if it was located in a node by applying for approval of a planned unit development (PUD), as provided in the Zoning Code. An application for a PUD under this policy shall be evaluated for general compliance with the regulations of the Highway 99 Mixed Use Zone, though variations from those regulations may be approved by the City Council if it finds that either site-specific

circumstances necessitate a variation or that the variation is fully consistent with the purpose and intent statements of this Subarea Plan and the Highway 99 Mixed Use Zone.

Proposed Amendment:

Land Use (Goal 3), Policy 3.2, 3.2.1: The policy reads: “Consider allowing residential development at larger parcels outside of the nodes.” The-sub-policy reads: “**Allow residential development at parcels five acres or larger through approval of a planned unit development.** In addition to the nodes identified in Policies 1.1 and 1.2, larger parcels on other parts of the nodes may be suitable for residential or mixed-use –with-residential development. Owners of such parcels may seek to develop the property as if it was located in a node by applying for approval of a planned unit development (PUD), as provided in the Zoning Code. An application for a PUD under this policy shall be evaluated for general compliance with the regulations of the Highway 99 Mixed Use Zone, though variations from those regulations may be approved by the City Council if it finds that either site-specific circumstances necessitate a variation or that the variation is fully consistent with the purpose and intent statements of this Subarea Plan and the Highway 99 Mixed Use Zone.

Rationale for Amendment:

Following adoption of the Comprehensive Plan and Development Regulations, it was noted by City staff that Development Regulation had not been adopted to allow multi-family housing within the B-1 and GC zones in the Highway 99 Corridor outside of the Highway 99 mixed-use “nodes.” City staff presented an amendment to the Development Regulations to the City Council that would have allowed multi-family residential development through the PUD process on sites with a minimum of five acres. On October 14, 2014, the City Council approved an Ordinance to allow multi-family housing between the “nodes” through the PUD process without a minimum acreage requirement

Consistency With Criteria of LMC 18.04.070

- A. Is the proposal consistent with the provisions of the Growth Management Act (GMA) and will not result in conflict with the Comprehensive Plan.

Proposal 1 (Height Restriction) – The elimination of the unlimited height will not be inconsistent with the GMA. GMA requires that housing opportunities be available within the City. Any impact created by the potential reduction of housing due to the cap on height should be offset by the increased opportunities to develop housing by the elimination of a minimum site area requirement. The restriction on the height of structures will provide for consistency with the Development Regulations in the Highway 99 Corridor.

Proposal 2 (Elimination of Minimum Site Area) – The elimination of five acre minimum site area will make the project more consistent with the GMA requirement to support housing. The comprehensive plan eliminating the minimum five acres will make the development regulations and Comprehensive Plan consistent.

- B. Will the proposal change the development or use potential of a site or area without creating significant adverse impact on existing sensitive land uses, businesses, or residents?

Proposal 1 (Height Restriction) – The elimination of the unlimited height may change the development or use potential of a site. However, the reduced development intensity of the site should create less impact on existing sensitive land use, businesses or residents.

Proposal 2 (Elimination of Minimum Site Area) – The elimination of five acre minimum site area may increase residential development in multi-story buildings along the Highway 99 Corridor. This more broadly distributed development may result in development adjacent to other businesses and residents. Businesses should be nominally impacted. Impacts to residents will be mitigated by setbacks and building height limitations when development is located adjacent to single and multi-family residential zones. Existing sensitive land uses will be mitigated by the environmental setback standards for development.

- C. Can the proposal be accommodated by all applicable public services and facilities, including transportation?

Proposal 1 (Height Restriction) – The elimination of the unlimited height and density will reduce the impacts on all applicable public services, including transportation.

Proposal 2 (Elimination of Minimum Site Area) – The elimination of five acre minimum site area may increase residential development in multi-story structures along the Highway 99 Corridor.

The more broadly distributed development may require additional public services and facilities, however, the broad distribution throughout the Corridor will lead to less intense demand for facilities in a given areas

- D. Will the proposal help implement the goals and policies of the Lynnwood Comprehensive Plan?

Proposal 1 (Height Restriction) – The elimination of the unlimited height in the Highway 99 Corridor may reduce the support for more intensified housing along Highway 99. However, the allowance of housing along the entire Corridor is a new concept since 2011 and its placement adjacent to the entire length of the Highway should encourage support for increased housing in the future along Highway 99 which was allowed under the previous Comprehensive Plan.

Proposal 2 (Elimination of Minimum Site Area) – The elimination of five acre minimum site area will increase residential development in multi-story structures along the Highway 99 Corridor leading to increased support for housing. Setbacks and screening will help to protect adjacent residentially zoned properties.

- E. Could the proposal have significant impacts beyond the Lynnwood City limits?

Neither Text Amendment #1 or Text Amendment #2 will have significant impacts beyond the Lynnwood City Limits. In fact, the location of multi-family housing in the vicinity of goods and services may reduce the impacts outside of the City limits.

March 31, 2014

Gloria Rivera
Senior Planner
Community Development Department
City of Lynnwood

RECEIVED

APR 01 2014

CITY OF LYNNWOOD
PERMIT CENTER

**Re: Administrative Amendment Application
16925 & 17009 52nd Avenue West Lynnwood, WA 98037**

Dear Gloria,

The following represent the five written statements required to be submitted with our application for map amendment and re-zone of the above mentioned property.

1. The proposed re-zone from RS-8 to Low Density Multi-Family is consistent with the GMA.
2. The proposed development will not impact the existing sensitive land uses, business or residents any more than any other allowed development would. The proposed re-zone would still be restricted by what is currently allowed adjacent to any sensitive areas whether the new development is for multi-family or a residential use. Moreover, the surrounding properties are already zoned commercial / multi-family on three sides while residential on only one. The proximity of the existing higher use zones and their impact on the lower RS-8 zone has to the most part, already been felt. Any additional impact caused to the residents on this one residential side will be minimal based on the type of proposed development and the already existing conditions in the area.
3. This proposal can be accommodated by all applicable public services and facilities, including transportation.
4. This proposal will help implement the goals and policies of the Lynnwood Comprehensive Plan. Specifically relating to the goal of providing Lynnwood residents access to affordable new housing at all income levels.
5. This proposal will not have any significant impacts beyond the city of Lynnwood's limits.

Sincerely,



Jeffrey Butler
Butler Developments LLC
425 750-0008

**Re: Administrative Amendment Application
16925 & 17009 52nd Avenue West Lynnwood, WA 98037**

RECEIVED

APR 01 2014

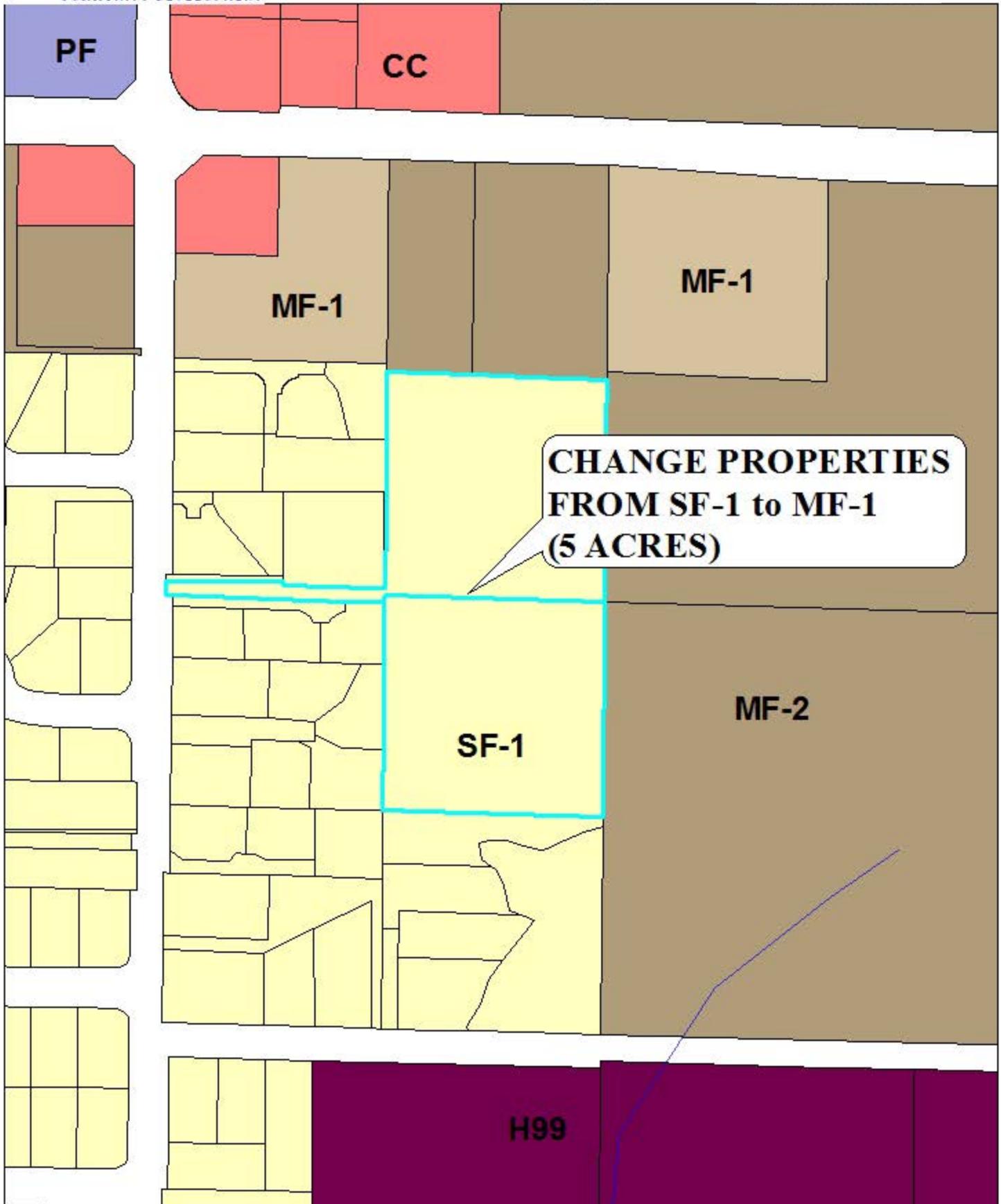
**CITY OF LYNNWOOD
PERMIT CENTER**

The following is a list of permits that may be sought if the proposed change is zone is made.

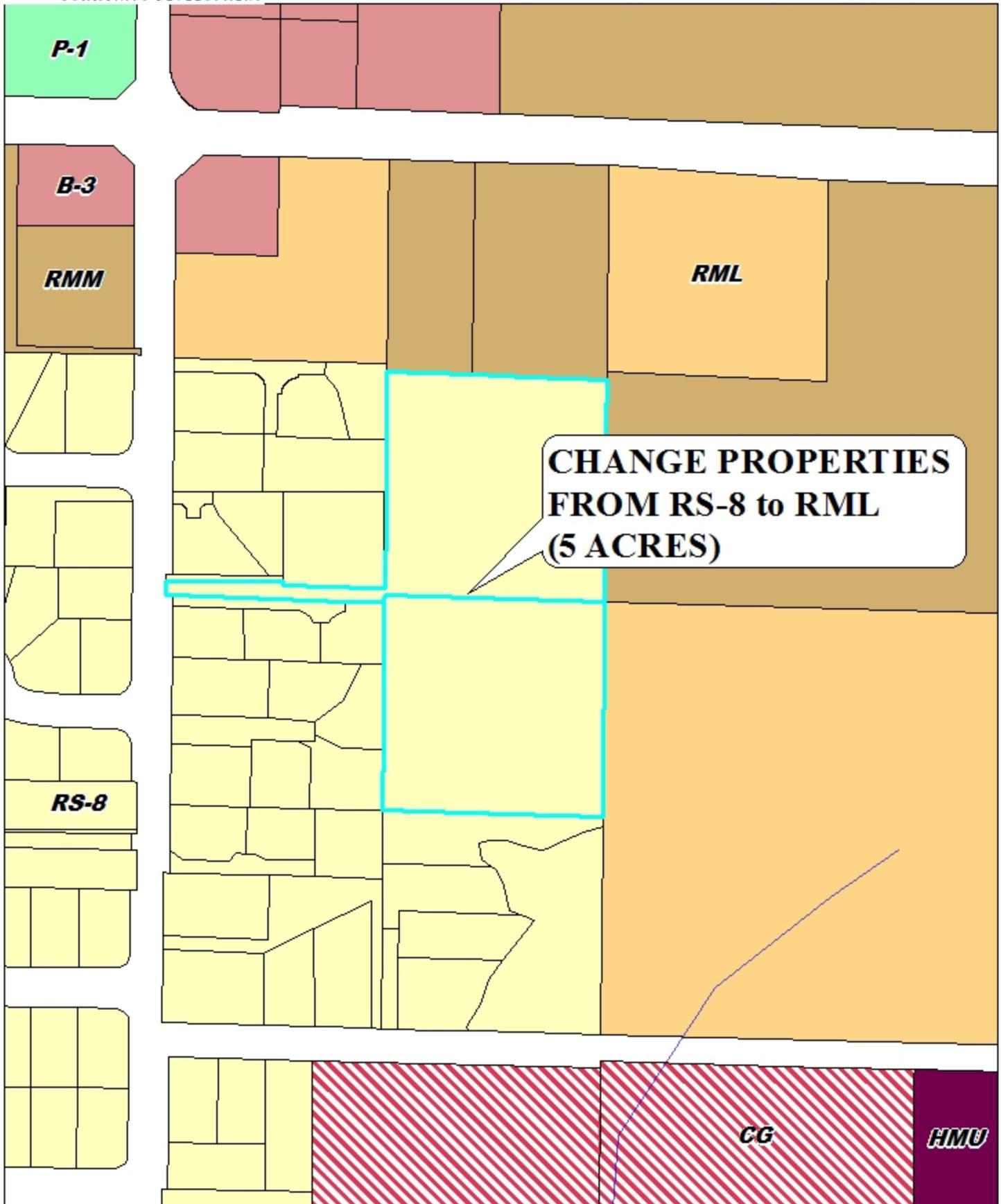
1. Demolition permit for the existing structures.
2. Clearing & Grading permit.
3. Sensitive areas permit.
4. Public Works permits
4. Building permits.

Future Land Use Map

PLANNING



Official Zoning Map



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Lynnwood Planning Commission
Meeting of May 22, 2014

Staff Report

Agenda Item:
City Center Project Prioritization

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

Lynnwood Dept. of Economic Development

1

2 **ACTION**

3 Receive updated information on the City Center Project Prioritization for discussion and
4 provide comments to Staff. This agenda item is provided for informational purposes only.
5 No action by the commission is required.

6 **BACKGROUND**

7 The Lynnwood City Center, part of the City’s Regional Growth Center, is an area
8 designated to accommodate much of Lynnwood’s projected growth. Governing plans for
9 growth in the Regional Growth Center are guided by the Washington State Growth
10 Management Act and Puget Sound Regional Council’s Vision 2040 and Transportation
11 2040 planning. Local plans and policies include the Comprehensive Plan, Economic
12 Development Action Plan, City Center Sub-Area Plan, Our Community Vision Report
13 and the Citywide Branding Report.

14 The City Center Sub-Area Plan adopted in 2005 provides policies for guiding the
15 implementation of the City Center including setting priorities for infrastructure and
16 investment. Subsequent Seed Money studies were created that provided refined roadway
17 infrastructure requirements including the City Center Access Study (Pertee Inc., Sept.
18 2007), City Center Street Master Plan and Mode Split for City Center Street Master Plan
19 (David Evans & Associates, Dec. 2009) and parks infrastructure in the City Center Parks
20 Master Plan (Berger Partnership, Aug. 2007).

21 Ordinance 2937 adopted by City Council on February 27, 2012 refined City Center grid
22 street infrastructure and parks implementation. This was based on the recommendations
23 of the Seed Money studies, City Center staff work group members, public meetings and
24 the Lynnwood Planning Commission. With the refined public City Center street system
25 and parks implementation, the city is now able to prioritize the identified projects based
26 on evaluation criteria that best implements the City Center.

27 On December 5, 2012, Staff proposed evaluation criteria to the Planning Commission to
28 be used to score and prioritize the identified City Center projects. Additional outreach
29 was held on the criteria including with the Parks and Recreation Board, Neighborhood
30 and Demographic Diversity Commission, City Center stakeholders, and the Public

1 Facilities District Board. On March 31, 2014, City Council reviewed and commented on
2 the evaluation criteria and authorized the City Center Work Group to proceed with the
3 prioritization.

4 The City Center Work Group staff has evaluated the projects against the criteria and
5 identified several possible funding, partnership and project linkage opportunities for the
6 priority projects.

7 Attached is the resulting City Center Project Prioritization Package. It is organized with
8 the Prioritization Steps at the front and Background information following. The package
9 includes the following:

10 **PRIORITIZATION STEPS:**

- 11 • Step 1: Project Evaluation Criteria
- 12 • Step 2: Project Scoring
- 13 • Step 3: Possible Project Funding, Partnerships, and Project Linkages
- 14 • Recommendation: Summary of Priority Projects

15
16 **BACKGROUND:**

- 17 • Background & Policy Guidance
- 18 • Prioritization Process
- 19 • Public Comments on the Evaluation Criteria
- 20 • Project Descriptions
- 21 • Possible Funding Options

22
23 **SCHEDULE**

24 Following tonight's presentation, additional outreach to the boards, commissions and
25 public will provided in June prior to presentation to City Council for consideration.

26 **RECOMMENDATION**

27 Discuss and comment on the proposed City Center Project Prioritization.

28 **ATTACHMENTS**

- 29 A. City Center Project Prioritization Package (42 pages)